

COPY

P R O C E E D I N G S
OF THE
LOUISIANA WILD LIFE AND FISHERIES COMMISSION

BOARD MEETING
Tuesday, September 22, 1970

Wild Life & Fisheries Bldg.
400 Royal Street
New Orleans, Louisiana

Reporter: Helen R. Dietrich



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Stenotypists

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P R O C E E D I N G S

. . . . The Board Meeting of the Wild Life & Fisheries Commission convened at 10:00 o'clock a.m. on Tuesday, September 22, 1970, at the Wild Life & Fisheries Building, 400 Royal Street, New Orleans, Louisiana, Mr. J. G. Jones, Chairman, presiding

THERE WERE PRESENT:

- MR. J. G. JONES, Chairman
- MR. H. C. WRIGHT, Vice-Chairman
- MR. C. M. HOFFPAUER
- MR. J. E. KYLE, JR.
- MR. HOBSON NORRIS
- MR. J. L. WINFREE
- MR. J. L. WALKER

...oOo...

A G E N D A

MR. CLARK HOFFPAUER:

- 1. Request that Congress regulate by treaty or agreement foreign fishing fleets beyond 12 miles. (4)
- 2. Ratification of appointments to the Turkey

9/22/70

Creek Game and Fish Commission. (9)

MR. RICHARD YANCEY:

- 3. Consider limiting to noon hour only duck hunting in Black Lake, Clear Lake, The Prairie, Saline Lake and Chee Chee Bay during 1970-71 season. (11)
- 4. Ratification of issuance of permit to United Geophysical Corp. to conduct geo-physical exploration on the Red River Wildlife Management Area. (14)

DR. LYLE ST. AMANT:

- 5. Request for permit to dredge fill material by T. L. James and Company in Mississippi River. (24)
- 6. Request for clarification of dredging permit and exemption from royalties by PPG Industries, Inc., Lake Charles, Louisiana. (26)
- 7. Request for renewal of permit to dredge sand gravel and fill material from Homes Bayou; Jahncke Service. (32)

MR. HARRY SCHAFER:

- 8. Acceptance of Grand Pass Facility Contract. (33)



MR. JOE HERRING:

- ✓9. Closure of a portion of the Kisatchie National Forest for purpose of Viet Nam training. (37)
 - ✓10. Opening of a portion of Pointe Coupee Parish for doe hunting. (39)
 - 11. Opening of Lake Bruin in Tensas Parish for the purpose of taking commercial (rough) fish. (41)
- ...o0o...

THE CHAIRMAN: The meeting will now come to order.

The first item of business is Mr. Hoffpauer's discussion of request that Congress regulate foreign fishing fleets.

MR. HOFFPAUER: Gentlemen, this is a resolution that I hope the Commission will accept as provided in the Constitution of the United States of our inalienable rights. One of the things is protecting our off-shore fisheries out here.

We have had long line fishermen for years working out here, the Japanese fleet, and what we are

talking about now, which is getting close to home, is that Cuba at this time has something like 41 boats, long line boats, cannery type boats, which are being built and delivered. Some of them have been delivered at this time. We do face a pretty good danger here of this Cuban fleet, which is in easy sailing distance of our coastal waters, and the use of long lines and purse seiners and complete exploitation of the waters in the Gulf.

If you will bear with me, I will read you this resolution which I hope you will accept.

WHEREAS foreign fishing fleets have become active in the near coastal waters of the United States, and
WHEREAS some of these operations are being carried out as near shore as the 12 mile fishing boundary line, and
WHEREAS some foreign activity has penetrated deep into the Gulf of Mexico to fish important near shore areas off the Mississippi River delta and the coast of Texas, and



WHEREAS some evidence indicates that long line fishing for bill fish and tuna by foreign fleets is having a detrimental effect on bill fish populations which support important recreational fishing for salt water big game species, and

WHEREAS all such foreign fishing is in direct competition with United States commercial and recreational fishing interests and

WHEREAS the United States Government now has no authority or system for regulating the fishing grounds on our continental shelf beyond twelve miles, and now

THEREFORE BE IT RESOLVED that the United States government through Congress develop a system for regulation and protection of all United States fishery interests on the continental shelf, either by means of statutes which extend the present boundaries of U. S. fishing



interests and regulatory powers or means of treaties and agreements with foreign governments.

That is the resolution, gentlemen. I would appreciate if we could accept it and forward copies of it to our Congressional delegation.

MR. WINFREE: Mr. Chairman, before we act on this resolution I would like to ask Mr. Hoffpauer a question.

I read, Mr. Hoffpauer, several weeks ago, I don't recall just where, that Japanese boats had been observed off the mouth of the river with large tuna and large bill fish -- that is the blue marlin -- up to six and seven hundred pounds which had been caught, and they were allowing them to dry, I guess, and then they carried them back and sold them for soups or something like that. Do we have any intelligence on that at all?

MR. HOFFPAUER: Yes, we have some pictures that show this Maru-something -- you know how the Japanese name their boats -- this big white boat, and they had just hundreds of bill fish and tails. They process them. This is a refrigerated boat and they



process these fish right on board, and they were just strung out. I would say the boat was probably four or five hundred feet long, four hundred feet, and they were just strung up all along the gunwales and all along the life lines, above the life lines, just hundreds of them. Well, some of the fellows out fishing were rather disgruntled about it. The lines wound up in South Pass.

MR. WINFREE: Certainly I think this is an important move and I would certainly think that this resolution should be sent to all the press in addition to the Commission sending it out to the Congressional delegation.

At this time I so move, Mr. Chairman, that this resolution be adopted by this Commission.

THE CHAIRMAN: Do I hear a second?

MR. NORRIS: I second.

THE CHAIRMAN: It has been moved by Mr. Winfree, seconded by Mr. Norris, that this resolution be adopted and that copies be sent to our Congressional delegation, the newspapers and all concerned.

Do I hear any opposition?

(NO RESPONSE)

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THE CHAIRMAN: There being none, it is so ordered.

(The text of the resolution, as quoted above, is here made a part of the record.)

THE CHAIRMAN: Number two, Mr. Hoffpauer.

MR. HOFFPAUER: The other thing is regular routine, that we ratify these different lake and game fish commissions and it is ratification of appointments to the Turkey Creek Game and Fish Commission.

MR. WALKER: Where is Turkey Creek? Which parish?

MR. HOFFPAUER: Above Pine Prairie.

MR. WALKER: Is that in St. Landry?

MR. HOFFPAUER: No, that's in Franklin Parish.

MR. WALKER: This must be another Turkey Creek.

MR. HOFFPAUER: Yes. O.K., gentlemen, below is an excerpt from the minutes of the regular meeting of the Franklin Parish Police Jury held on September 1, 1970:

"A motion was offered by Mr. Rials,



duly seconded by Mr. Ezell, recommending to and requesting that the Department of Wild Life and Fisheries approve the appointment of Mr. Ray Ferrington, Mr. Lawrence Roberts and Mr. Beldon Rodgers to the Turkey Creek Game and Fish Commission for a period of four years beginning September 1, 1970 and ending August 31, 1974. This was unanimously approved by the Franklin Parish Police Jury."

It's up to you gentlemen.

MR. KYLE: I so move.

MR. NORRIS: Second.

THE CHAIRMAN: It has been moved by Mr. Kyle, seconded by Mr. Norris, that we ratify the appointments to the Turkey Creek Game and Fish Commission. Is there any opposition?

(NO RESPONSE)

THE CHAIRMAN: There being none, it is so ordered.

(Ratification of the appointments of Messrs. Ray Ferrington, Lawrence Roberts and Beldon Rodgers to the



Turkey Creek Game and Fish
Commission for a four-year
period beginning September 1,
1970 and ending August 31,
1974, is here made part of
the record.)

THE CHAIRMAN: Mr. Yancey.

MR. YANCEY: Mr. Chairman and members of the
Commission, the Northwest Louisiana Fish and Game
Preserve Commission exercises statutory jurisdiction
over the Black Lake, Clear Lake, Saline Lake areas up
in Natchitoches and Winn parishes and they have adopted
a regulation which will limit duck shooting on those
lakes to morning hours only during the regular duck
season, which will start in Louisiana on November 7.
This regulation has also been approved by the Natchi-
toches Parish Police Jury and they are now asking that
the Louisiana Wild Life and Fisheries Commission ap-
prove this regulation limiting duck shooting to morning
hours only.

We see no objection to that if that's what
they want to do, so we would recommend at this time



that the Commission approve of this regulation, provided the burden of enforcing morning shooting hours remains with the Northwest Game and Fish Preserve Commission rather than be placed entirely on the backs of our enforcement agent.

THE CHAIRMAN: Gentlemen, you have heard the recommendation. Is there any discussion?

(NO RESPONSE)

MR. WALKER: I move the acceptance of the proposal.

MR. WINFREE: I second.

THE CHAIRMAN: It has been moved by Mr. Walker, seconded by Mr. Winfree. Any objections?

(NO RESPONSE)

THE CHAIRMAN: There being none, so ordered.

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

WHEREAS, the Northwest Louisiana Fish and Game Preserve Commission at a meeting held September 11, 1970, adopted a resolution limiting hunting to morning hours only on Black Lake,



Clear Lake, The Prairie, Saline Lake and Chee Chee Bay, located in Natchitoches and Winn Parishes during the 1970-71 duck hunting season, and

WHEREAS, this was subsequently adopted by the Natchitoches Parish Police Jury at a meeting held September 16, 1970, and

WHEREAS, the Louisiana Wild Life and Fisheries Commission is now being requested to approve this regulation as submitted by the Northwest Louisiana Fish and Game Preserve Commission in accordance with the statutes,

THEREFORE BE IT RESOLVED, that the Louisiana Wild Life and Fisheries Commission does hereby approve the regulation adopted by the Northwest Louisiana Fish and Game Preserve Commission, which will limit duck hunting during the 1970-71 season to the hours of thirty minutes



before sunrise until 12 noon daily,

THEREFORE BE IT FURTHER RESOLVED,
that approval is granted subject to this
special regulation being enforced by the
Northwest Louisiana Fish and Game Preserve
Commission.

THE CHAIRMAN: Clark?

MR. HOFFPAUER: The agreement is that they
enforce their own regulation?

THE CHAIRMAN: Yes, sir. All right, Mr.
Yancey.

MR. YANCEY: Several days ago following a
poll of the Commission a permit was issued to United
Geophysical Corporation to carry out a seismograph
operation across a portion of the Red River Wildlife
Management Area up in Concordia Parish, and we would
like to recommend at this time that the Commission
ratify that action formally.

Now basically this permit as described over
the telephone will call for a payment to the Commission
in the amount of \$100.00 for each shot hole on this
line, which will run about a mile and a half, and these



shot holes will be spaced about 600 feet apart. Also the permittee has agreed not to damage the fences or timber, that he would use existing roads while crossing the property, and that they would permanently plug all shot holes and that they would notify the game management area supervisor while they are working on the area. We would like to recommend at this time that the Commission ratify that action in issuing this permit.

THE CHAIRMAN: You have heard the recommendation. What is your wish?

MR. KYLE: I so move.

THE CHAIRMAN: Do I hear a second?

MR. NORRIS: Second.

THE CHAIRMAN: It has been moved by Mr. Kyle, seconded by Mr. Norris, that we ratify the issuance of the permit to United Geophysical Corporation.

MR. WINFREE: Mr. Chairman, may I ask Mr. Yancey a question?

On this Red River Wildlife Management Area do we have any water wells on there?

MR. YANCEY: We have a water well at the headquarters site. That is the only one that we have



on that property.

MR. WINFREE: I was just thinking if sometimes these shot holes are deep enough and if it hits a water sands, we might ask some of these people to case them for us and we might have some water wells out in the area.

MR. YANCEY: Well, those water sands up on that area lie at a depth of about 80 feet to 110 feet, so this would be feasible.

MR. WINFREE: We don't know whether they are shooting refraction or reflection. Sometimes they may drill a deep hole there and it might make some nice water wells.

MR. YANCEY: They are drilling about a three-inch hole, and I believe this is about a hundred foot depth.

MR. WINFREE: Why don't you look into that sometime? As long as it's being dug, it might as well be used. There might be a water well out there somewhere.

MR. YANCEY: Right. That would certainly be feasible to do that on that area.



THE CHAIRMAN: Any other discussion? Any opposition?

(NO RESPONSE)

THE CHAIRMAN: So ordered.

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

WHEREAS, United Geophysical Corporation applied for a permit to conduct a seismic operation across a portion of the Red River Wildlife Management Area, and WHEREAS, the members of the Louisiana Wild Life and Fisheries Commission were polled by telephone on September 8, 1970, with a majority approving the issuance of the necessary permit,

THEREFORE BE IT RESOLVED, that the Louisiana Wild Life and Fisheries Commission does hereby ratify the action taken on September 8, 1970, in granting a permit to United Geophysical Corporation for conducting a seismograph survey



across a portion of the Red River Wildlife Management Area in Concordia Parish with the conditions that: (1) the permit would be valid for thirty days following September 8, 1970; (2) permittee would not cut any fences or timber; (3) would use existing woods roads; (4) would permanently plug all shot holes; (5) would pay the Commission \$100 per shot, which would be spaced at approximately 600 foot intervals; (6) notify the Game Management Area personnel while working on the area.

MR. YANCEY: Thirdly, we would like to propose at this time that the Commission adopt hunting regulations to cover the 13,000 acre tract that will be purchased from Mobil Oil Company in lower Concordia Parish within the very near future.

Mobil Oil has agreed to grant us an interim wild life lease on those lands which will apply during the period of the purchase agreement that is now in effect. We would like to recommend that the Commission



now establish hunting regulations on this particular tract which will coincide with the hunting regulations already established for the existing Red River Game Management Area which is located at Shaw, about four or five miles from this property.

We have received numerous telephone calls and letters and so forth from the public up in that part of the state, also around Baton Rouge, and there is a great need for clarifying exactly how the hunting is going to be handled up there.

We would like to recommend at this time that the Commission adopt the same hunting regulations as we have already put into effect for the Red River Game Management Area which is located nearby and, secondly, we would like to propose that the camps that are now located on that area which have been in use by hunting clubs for several years, that the membership of those camps be permitted to use them during the forthcoming season.

As you all know, the squirrel season is starting in a couple of weeks, and we think it would be best to let these people continue to use these



camps and, in addition to those camps, that the Fish and Game Division designate another camping area on the property where the general public can pitch tents or what-have-you while making use of this area during the forthcoming hunting season.

MR. WINFREE: This would be a temporary arrangement?

MR. YANCEY: This would be a temporary arrangement and it almost has to be that because of the time element that we are dealing with here.

MR. WINFREE: This could be broadcast to the interested parties soon enough to be useful?

MR. YANCEY: Yes, we can put out a news release on it immediately.

MR. WINFREE: I so move, Mr. Chairman.

THE CHAIRMAN: Do I hear a second?

MR. WALKER: Second.

MR. YANCEY: Incidentally, of course, that lease is free at no cost to the Commission.

THE CHAIRMAN: Any opposition?

MR. WINFREE: That means no dogs, doesn't it?

MR. YANCEY: That is still hunting only, on



deer, yes.

THE CHAIRMAN: Motion made by Mr. Winfree,
seconded by Mr. Walker. Any opposition?

(NO RESPONSE)

THE CHAIRMAN: There being none, so ordered.

(The test of the resolution is
here made part of the record.)

WHEREAS, Mobil Oil Company presently
owns 13,000 acres of land in lower
Concordia Parish and is leasing this
property to the Louisiana Wild Life
and Fisheries Commission for purposes
of establishing a Wildlife Management
Area, and

WHEREAS, the Commission will acquire
title to this land by purchase within
the near future. Identification of
the property: The subject property
is timberland commonly known as the
Magnolia Petroleum Company Tract
located in the southern tip of
Concordia Parish, Louisiana,



approximately 51 miles south of
vidalia, Louisiana and 24 miles east
of Simmesport, Louisiana, which is
legally described as follows:

Fractional Sections 7, 8 and
9, Township 2 North, Range 7
East;

Fractional South Half (S1/2)
Section 70, South Half (S1/2)
Section 71, South Half (S1/2)
and South Half of Northwest
Quarter (S1/2 of NW1/4) Sec-
tion 72, Fractional Sections
75 and 76 and Sections 73 and
74, Township 2 North, Range 8
East;

South Half of Southwest Quarter
(S1/2 of SW1/4) Section 2, all
of Sections 3, 4, 5, 6, 7, 8,
9 and 10, West Half (W1/2),
Southeast Quarter (SE1/4) and
South Half of Northeast Quarter
(S1/2 of NE1/4) Section 11,
Southwest Quarter (SW1/4)
Section 12, Fractional Section
13, Section 14, North Half
(N1/2) of Section 15, North
Half (N1/2) of Section 17,
North Half (N1/2) of Section 18,
and North Half (N1/2) of Sec-
tion 23 and Fractional Section
66, Township 1 North, Range 8
East;

Fractional Sections 1, 2, 3, 4, 7, 8,
Township 1 North, Range 7 East;



together with and including all alluvion, batture and sand bars formed and attached to the above described land and all accretions to said land by reliction and dereliction, as well as all additions to said land resulting from the change of water courses and the opening of new channels;

said land being located in Concordia Parish, Louisiana,

THEREFORE BE IT RESOLVED, that the Louisiana Wild Life and Fisheries Commission does hereby prescribe the following regulations for this particular tract during the 1970-71 hunting season:

1. All special regulations applying to Wildlife Management Areas for the 1970-71 hunting season, as outlined in the schedule published in the Louisiana hunting, fishing and trapping regulations for 1970-71, shall apply.



2. The identical hunting regulations prescribed in the 1970-71 schedule for the Red River Wildlife Management Area for all types of hunting shall apply.
3. The Fish and Game Division shall designate a camping ground that hunters can use; and, additionally, existing camps located on the property may be used by the owners and operators of said camps. Use of all camping facilities for hunting purposes shall be limited only to periods during which hunting seasons are open on this Game Management Area.

MR. YANCEY: Thank you.

THE CHAIRMAN: Dr. St. Amant.

DR. ST. AMANT: Mr. Chairman, members of the Commission, we have three items.

The first one is a request by T. L. James and Company for permit to dredge for fill material



from the Mississippi River along the right descending side between approximately Mile 102 at the head of the Passes and Mile 103.5. This application meets all requirements set forth by the Commission and it will not have any effect on the wild life and fishing interests in the area. I therefore would recommend that we grant the permit.

MR. KYLE: So move.

MR. WALKER: Second.

THE CHAIRMAN: It has been moved by Mr. Kyle, seconded by Mr. Walker. Any discussion?

(NO RESPONSE)

THE CHAIRMAN: There being none, so ordered.

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

BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby grant permission to T. L. James & Company, Inc. to dredge fill material from the Mississippi River between Mile 102 AHP to Mile 103.5 AHP.



BE IT FURTHER RESOLVED that the Director be and he is hereby authorized and empowered to sign any and all documents in connection therewith.

DR. ST. AMANT: Gentlemen, the next item is one that is a little bit unusual.

At the July meeting of the Commission I presented to you a request from the Pittsburgh Plate Glass Company, PPG Company, for a permit to dredge 190,000 yards of fill material from the Calcasieu River in an area where they were preparing to build a dock facility. It appeared to be a routine request. It was processed and the Commission granted the permit.

We then processed the contract and mailed it to the company and upon receipt of it their legal staff questioned the fact that they should pay any royalty. They contended that the fill material that they were taking out, 190,000 yards, was not to be used for any beneficial purpose but was merely for the fact that they wanted to deepen the channel and allow themselves certain navigational privileges in there.

I did not feel that I would make a judgment



on this. I resubmit it for your consideration. We have one of two choices. We can contend that the removal of the material to the bank constitutes the removal of fill material and therefore they owe the royalty to us and the permit shall remain in effect, or we can consider the thing as a deepening and widening of the channel and that the material so moved is of no significant value. Under this instance it would be handled with a letter of no objection without Commission action. I submit it to you for your decision.

MR. WINFREE: Run that by one more time, will you, Doctor?

DR. ST. AMANT: All right. If you request from the Corps of Engineers to deepen a river or a channel in order to facilitate navigation in and around the area where you are operating and the Corps so grants permit to do this, then this is normally handled with a letter of no objection from us and we do not normally charge royalty for the removal of this fill since it is not going into commercial channels nor is it being used to improve the property or the facilities of the individual company that is doing the work.



Now, where a company dredges fill material for the use of the fill material, either to put in commercial channels or to significantly improve their property, then this constitutes a removal of fill from the state water bottoms for purposes of commercial value and in this instance they usually or should get a permit from us and pay us two and a half cents royalty.

In this instance they contend they are not using this fill material but their map does show it is going on their land within a retention levee and we might assume that it will be beneficial to them. It is in the vicinity of their dock. It is on their land and certainly it will cause some upgrading of the property. I would think.

It is your decision, however, and I will be guided by it.

MR. WINFREE: Mr. Chairman, it would appear to be that we have no alternative to waive royalties inasmuch as the fill would go on their own property. I would suggest that our attorney research this matter and write to these people and explain the law to them.



THE CHAIRMAN: Are you making that as a motion?

MR. WINFREE: I am making that as a suggestion. I don't think we really have to act on this thing in the form of a motion because right now it is in the letter-writing stage and their attorneys are questioning the contract which Dr. St. Amant, as I understand it, sent to them. When they question a portion of a contract, I think it is up to our lawyer to look into it and tell them why it is in that contract. Certainly I wouldn't feel that we would be capable of making a decision as to whether or not we could waive royalties. I think that would be up to the attorney.

THE CHAIRMAN: Mr. Duffy, have you got any ideas on that?

MR. DUFFY: There is a regulation that has been adopted by the Commission, Section 1101, Title 9, that says in effect on any fill that is removed they shall pay a royalty, and that is our language. Now this regulation has been adopted and the Commission doesn't have any choice unless they want to make an



amendment to this regulation, with the feeling that they want to reserve to themselves the right to waive collection of this tax in certain instances.

I would say, as it is now, my interpretation is that the Commission can't waive it at this point, particularly if this fill has been removed from the water bottom.

DR. ST. AMANT: One point of correction here. I am not certain that any fill material has been moved yet. The permit contract has not been consummated and I would assume that the company is waiting for a decision. Now they may be dredging. I have no proof one way or the other, but they asked for a permit, we sent it to them, and when the contract is ratified then I would assume they would start operations. I can check this out for you.

MR. HOFFPAUER: It is hard to fathom the Pittsburgh Company looking for \$4,750.00.

DR. ST. AMANT: That's how they got to be Pittsburgh Plate Glass Company, a big company. They watch their money, I guess.

MR. WINFREE: Well, I am still of the opinion



that since the contract has not been ratified and it is in the letter-writing stage, our attorneys should write them another letter. I don't think that's necessary for a motion, Mr. Chairman, but if need be, if you feel that it would be put in the form of a motion, I will, but that's my suggestion.

THE CHAIRMAN: Why can't we just turn it over to Mr. Duffy?

MR. WINFREE: As I understand it, we have no contract yet.

DR. ST. AMANT: Not yet.

MR. KYLE: Why don't we just turn it over to Mr. Hoffpauer and so state that the regulations of the Commission prevent us from waiving any royalties.

MR. WINFREE: I think we had better go back to the lawyers' stage because their attorneys wrote it and let our lawyers state the position of the Commission.

THE CHAIRMAN: Thank you, Mr. Duffy.

(Matter of Pittsburgh Plate Glass
Company contract referred to
Commission attorneys for further
investigation and handling.)



THE CHAIRMAN: Number 7, Doctor.

DR. ST. AMANT: The next item is a request for renewal of permit to dredge sand, gravel and fill material from the West Pearl River between Miles 25 and 29 near Homes Bayou on Jahncke Service.

This permit has been in effect for five years and it terminates in September, 1970. They are requesting renewal for it. They have operated the permit up to this time satisfactorily and I would recommend that we renew this permit.

MR. KYLE: So moved.

MR. WALKER: Second.

THE CHAIRMAN: It has been moved by Mr. Kyle, seconded by Mr. Walker, that we grant this permit. Any opposition?

(NO RESPONSE)

THE CHAIRMAN: There being none, so ordered.

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

BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby grant permission to



Jahncke Service, Inc., to dredge sand, gravel and/or fill material from West Pearl River between Mile 25 and Mile 29 and Homes Bayou between West Pearl River and East Pearl River in St. Tammany Parish, Louisiana.

THE CHAIRMAN: Mr. Schafer.

MR. SCHAFER: Mr. Chairman, the facility at the Grand Pass has been completed, has been inspected by our personnel and by the architects and approved, and the contractor completed and built the facility in accordance with the terms of our contract, and I would recommend that the Commission accept this facility and authorize the director to sign all the documents connected therewith.

MR. WALKER: I have a point of information, Mr. Chairman.

THE CHAIRMAN: Mr. Walker.

MR. WALKER: I am sort of new. Tell me something about this facility. Where is it? What kind is it? How much has it cost?

MR. SCHAFER: It is at Grand Pass.



MR. WALKER: Where is Grand Pass?

MR. SCHAFER: Grand Pass is our camp at -- well, I don't have a map here to show you.

(Map produced from the floor.)

MR. WALKER: Point it out, if you will, please.

MR. SCHAFER (indicating): This was a facility that was destroyed by the hurricane. We are getting insurance back on it. OEP is putting some money up and it is costing us, the whole new facility is costing us about \$54,000. The whole thing totals about \$184,000. It consists of a camp, a boat house, a generator shed, utility room, a cistern, sewage treatment, and a walk.

MR. WALKER: Is that primarily used to detect out of state shrimpers and oystermen?

MR. SCHAFER: It is used for that and also for our research facilities.

MR. WALKER: This facility was destroyed by the hurricane, is that what you said?

MR. SCHAFER: Yes.

MR. WINFREE: So move.



MR. KYLE: Second.

THE CHAIRMAN: Moved by Mr. Winfree, seconded by Mr. Kyle. Any opposition?

(NO RESPONSE)

THE CHAIRMAN: There being none, so ordered.

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

WHEREAS, the Architect, Mr. William R. Baker, has notified the Louisiana Wild Life and Fisheries Commission that the Contractor, Roy J. Gross of Chalmette, Louisiana, has completed the construction of the replacement of the Grand Pass Facility in accordance with the terms of the contract and legal requirements,

THEREFORE, BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby grant approval on the acceptance of completion of the contract, dated April 28, 1970, on the construction of the Grand Pass



Facility by Roy J. Gross, of
Chalmette, Louisiana, Contractor.

BE IT FURTHER RESOLVED that the
Director be and is hereby authorized
to sign any and all documents in
connection therewith and that he be
further instructed to file a copy
of said resolution with the Recorder
of Mortgages in St. Bernard Parish
in order that final payment can be
made to the contractor, after a
period of forty-five (45) days, if
the contract is clear of any liens
or privileges.

THE CHAIRMAN: Mr. Herring.

MR. HERRING: Thank you, Mr. Chairman.

The first item we have is a request of the
Kisatchie National Forest to close a portion of their
area for army use of Viet Nam training. They wish to
close some 10,000 acres for a period of ten days, which
would be separate days, November 7, 8, 13, 14, 15, 21,
22, 27, 28, and 29. It will be for troop protection



while they are training in that area.

I would like to recommend that we go along with this request.

MR. KYLE: So move.

MR. WINFREE: Second.

THE CHAIRMAN: Moved by Mr. Kyle, seconded by Mr. Winfree. Any opposition?

(NO RESPONSE)

THE CHAIRMAN: There being no opposition, it is so ordered.

(The text of the resolution

is here made part of the record.)

WHEREAS, the U. S. Forest Service has requested a portion of the Kisatchie National Forest closed to deer hunting in the Army Use Area, and

WHEREAS, the purpose of closure is for troop protection while undergoing their Vietnam training exercise, and

WHEREAS, signs will be developed by U. S. Army for posting of closed area, and



WHEREAS, the area is described as three miles south of Bellwood, Louisiana on the Kisatchie Ranger District, KNF. The north and west boundary is F. S. Road 337 (Longleaf Trail). East boundary is F. S. 307 (Sheards Road). The south boundary is F. S. Road 350 (Bayou Road) and a plowed line through woods connecting Bayou Road 350 and Longleaf Trail 337, and

WHEREAS, this area will be closed for deer hunting only, November 7, 8, 13, 14, 15, 21, 22, 27, 28 and 29.

THEREFORE BE IT RESOLVED, that the above described area be closed for deer hunting only on November 7, 8, 13, 14, 15, 21, 22, 27, 28 and 29 due to Vietnam training activities in a portion of the Army Use Area, and that adequate posted signs will



be erected by the U. S. Army.

THE CHAIRMAN: All right, Mr. Herring.

MR. HERRING: The next request is from the Point Coupee Parish Police Jury to open a portion of that parish for any sex deer season for the first four days of the regular deer season. This is on property in Township 4 South, Range 8 East, and also in Township 4 South, Range 9 East, and covers approximately 5,000 acres.

Our personnel have checked this area out and found that the landowners here are receiving extensive crop damage this year as they have in the past two years and to relieve this problem I would like to recommend to the Commission now that we do open the area for an any sex season to assist in relieving that problem.

MR. KYLE: So move.

MR. WINFREE: Second.

THE CHAIRMAN: Moved by Mr. Kyle, seconded by Mr. Winfree. Any objections?

(NO RESPONSE)

THE CHAIRMAN: There being none, so ordered.



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

WHEREAS, a resolution has been received
from the Pointe Coupee Parish Police
Jury recommending an any sex deer
season in a portion of that parish, and
WHEREAS, deer damage to soybeans has been
extensive for the past three years, and
WHEREAS, biologists of the Louisiana
Wild Life and Fisheries Commission
have checked the area and found that
an any sex deer season can be held,

THEREFORE BE IT RESOLVED, that
an any sex deer season be held in
T4S, R8E, Sections 53, 52, 51, 50,
49, 48, 47, 46, 45, 44, 43, 78, 79
and 82. Also T4S, R9E, Sections
35 and 43. Approximate size 5,000
acres. The any sex deer season
for this area will be the first four
days of the regular deer season.

MR. HERRING: Mr. Chairman, the next item on



the agenda is a request from the Tensas Parish Police Jury, requesting that Lake Bruin in that parish be opened for commercial fishing beginning September 23 and continuing until May 30, 1971. This will be for the purpose of removing rough fish from the area and we are recommending on this that we permit this with the use of gill nets, trammel nets and seines and that also at the same time that they cannot run these nets at night. They can leave them set out overnight but cannot run the nets at night. It will be on a permit basis. The permits will be received from our district office in Ferriday. The individuals who are commercial fishing on this area are also requested to give us a weekly report on their catch.

Also at this time I would like to request of the Commission that we get approval to do this on a continuing basis each year, beginning the day after Labor Day and continuing until May 1 of each year, left on the basis of changes that may be made or recommendations by the Louisiana Wild Life and Fisheries Commission. This does come up each year and we feel, since it is an annual or recurring event, that we can go ahead at this time and give approval to the Tensas



Parish Police Jury to continue this annually until other reviews or other changes may be made.

MR. WINFREE: Subject to review.

MR. HERRING: Subject to review of the Commission, yes, sir.

MR. WINFREE: I so move, Mr. Chairman.

MR. NORRIS: Second.

THE CHAIRMAN: Moved by Mr. Winfree, seconded by Mr. Norris. Any opposition?

(NO RESPONSE)

THE CHAIRMAN: There being none, so ordered.

(The test of the resolution is here made part of the record.)

BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission does hereby open Lake Bruin, Tensas Parish, to commercial fishing beginning September 23, 1970 and closing on May 30, 1971, as authorized by RS 5.56-412. This Lake shall be restricted to commercial fishing by means of gill nets, trammel nets and seines only.



Commercial fishing in Lake Bruin will be permitted only to those who shall have in possession a permit for same which is obtained free from the Commission District Office in Ferriday and the fishermen will be responsible for submitting to the Commission a weekly record of the catch by species and poundage taken from Lake Bruin. The fishermen shall be required to remove any and all trash fish from the shoreline of the Lake. In cooperation with the Enforcement Division the commercial fishermen shall man nets only during daylight hours which shall be from sunrise to sunset.

BE IT FURTHER RESOLVED that the Director be and is hereby authorized and empowered to sign any and all documents in connection therewith.

BE IT FURTHER RESOLVED that Lake Bruin be open for commercial



fishing under these regulations each year hereafter beginning the day after Labor Day and continuing to May 1 of the following year, subject to review and changes by the Louisiana Wild Life and Fisheries Commission.

THE CHAIRMAN: Gentlemen, is there any other business?

MR. WINFREE: Yes, Mr. Chairman. I want Colonel New to find out if there is a conspiracy going on against me. I have been hunting ducks in this state for 40 years, and never seen a game warden. Saturday morning I was checked by six game wardens and Sunday morning I was checked by five. Now that's eleven men in two days in forty years. I just want to know, Colonel, how you knew where I was going.

(Laughter)

COLONEL How many ducks did you get?

MR. HOFFPAUER: I think Mr. Winfree is lucky that six of them didn't check him Saturday afternoon.

(Laughter)

THE CHAIRMAN: Mr. Walker.



MR. WALKER: Mr. Chairman, I have just been handed a resolution that the Department of Highways asks that the Wild Life and Fisheries Commission approve on the construction of the earthen dam at French Fork in LaSalle Parish. As you know, this resolution calls for completion of this dam by October 7, and so shall I read this in detail or do you just want a resume?

THE CHAIRMAN: Just a resume.

MR. WALKER: The resolution calls for the department -- they are talking about the Highway Department -- to furnish labor and equipment to move approximately 1,200 to 1,500 cubic yards of borrow earth some 200 feet and to construct an earthen dam and spillway across French Fork River, dirt to be supplied by the Louisiana Department of Wild Life and Fisheries. Do you want the total estimated cost of the project?

THE CHAIRMAN: Yes, sir.

MR. WALKER: \$2,081.28. The rest of it I am not familiar with but it apparently is the standard resolution that the Department of Highways uses for performing work for other state agencies.



MR. WINFREE: How do you spell dam?

MR. WALKER: Not d a m e.

(Laughter)

MR. HOFFPAUER: I wonder why the increase.
Last year we paid them \$441.00.

MR. KYLE: That's what I was fixing to ask.

MR. WALKER: Well, I haven't found anything
in this resolution so far that says we are going to
pay for it.

Now, Mr. Chairman, this is a result of a
meeting that Representative Munson, myself, Bennett
from Ferriday and Kenneth Smith met with Leon Garrett
of the Department of Highways to request that they do
this work, since the Wild Life and Fisheries Commission
does not have the necessary equipment to perform this
work.

THE CHAIRMAN: All it says here is the dirt
is to be supplied by us. I don't see anything about
any cost to us.

MR. WALKER: No, I have read it once, but
I see --

THE CHAIRMAN: Would you put that in the form
of a resolution?



MR. WALKER: Yes, sir. I so move.

MR. WINFREE: I second.

THE CHAIRMAN: It has been moved by Mr. Walker, seconded by Mr. Winfree, that we request the Louisiana Department of Highways to build a dam across Little River. Any opposition?

(NO RESPONSE)

THE CHAIRMAN: Hearing none, so ordered.

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

WHEREAS, under Title 48 Section 215 of the Louisiana Revised Statutes of 1950, as amended, provides that when, in the opinion of the Director such work will reasonably further the best interest of the state, the Department of Highways may perform all or any part of same, including construction and improvement of roads, streets, bridges and culverts which are under the jurisdiction of any department, institution, agency, commission,



political subdivision or political corporation of the state, as well as all school bus routes,

NOW, THEREFORE, BE IT RESOLVED by the Department of Louisiana Wild Life and Fisheries that the Department of Highways is hereby requested to perform construction work as described hereinafter on a public road or street, with the Maintenance Forces of the Department of Highways:

Department to furnish labor and equipment to move approximately 1,200-1,500 cubic yards of borrow dirt some 200 feet and construct earthen dam and spillway across French Fork River. Dirt to be supplied by Louisiana Department Wild Life and Fisheries.

Total estimated cost of project: \$2,081.28.

The above construction work shall be undertaken and performed on the following terms and conditions:

1. This resolution constitutes the entire agreement between the said



Department and the Department of Highways.

2. The construction work shall be performed under the sole supervision of the Maintenance Section and with the personnel, equipment and material which, in its opinion, are required for the satisfactory completion thereof.
3. Notice to the said Department by mail of the completion of said work shall constitute final discharge of the obligations of the Department of Highways under this agreement.
4. Effective on the date of the notice of completion to the said Department by the Department of Highways, the Department shall assume full responsibility for the maintenance of the construction work performed under this agreement.



THE CHAIRMAN: Any other business?

MR. HOFFPAUER: Now what is the date? The resolution we made up here, the date was --

THE CHAIRMAN: Thirty days before duck season starts, which means the dam should be in by the seventh day of October.

MR. HOFFPAUER: The only thing I am questioning about that, and prior to this also, is that undoubtedly it is going to increase the lead poisoning problem on the lake, and also there is a good chance of killing a good part of the chufa up there. I think we would be severely criticized for that.

MR. WALKER: I take full responsibility for that, Mr. Chairman.

MR. HOFFPAUER: Yes, but you don't have to answer to the ladies.

MR. WALKER: I live with one.

(Laughter)

MR. WALKER: There is a certain amount of risk in any project that you can undertake for wild life and fisheries. We have gone into this problem year in and year out. Last year the Wild Life and



Fisheries Commission put the dam in some two weeks before the season opened and the water wasn't even out of the marshes and none of the thousands of acres of land that normally are hunted was available for hunting.

I have talked to Mr. Yancey and he and I both agree that the water would have to be at the level of 27 feet before it would reach the chufa crop or grass or nuts or whatever you want to call it.

Another thing, on the lead poisoning, if the season is going to be closed two weeks, I'll have to admit that it could or could not become a problem, depending upon the water elevation and the coverage out of the water.

MR. YANCEY: That could become a problem, regardless.

MR. WALKER: Beg pardon, Dick?

MR. YANCEY: I just want to clarify my position on it, which I have made abundantly clear over the years, and that is that I didn't think the dam should go in up there before about the first of November because of the fact of your lead poisoning plus your chufa production up there. Your chufa doesn't



mature on that lake until around the first of November and if we should get a real heavy rain that would bring the water out of the marsh and up on the high ground around the edge of the lake and drown out some of that chufa, then we are going to reduce duck food production on the lake. So I just wanted to make my position clear on that.

MR. WALKER: You did agree with me this morning that elevation 27, the water would have to be at elevation 27 before it would really reach the chufa.

MR. YANCEY: That's correct. It would have to get up to about 27 or maybe a few inches higher before you start flooding out your chufa. Now you are not going to hurt your millet with the dam because after your millet gets on up above the water, it will go ahead and mature with no problem at all, but your chufa is your main duck food supply on that lake. It is a very low growing plant and if the plants are flooded out before the tubers on those plants mature, then we are going to eliminate some of the duck food crop up there.

Of course, we have also over the years seen some disastrous die-offs of ducks from lead poisoning



on that lake that numbered way up in the tens of thousands and the longer the lake is flooded to a shallow depth, the higher the loss is going to be. So I just wanted to --

MR. WINFREE: Let me ask you this, Dick. What time was the dam built last year?

MR. YANCEY: We have always -- we have been building the dam up there, the Commission has, for several years, and we have never put the dam in before the first of November.

As Mr. Walker points out, and I recognize exactly what he is getting at, you have a lot of duck hunters up there that want this dam in earlier so the lake will be flooded at a greater depth and have more blinds available on opening day. Now, that's the point.

MR. WALKER: That's right.

MR. WINFREE: What we are actually doing then is guessing on the weather.

MR. WALKER: That's right.

MR. YANCEY: You are running a gamble here. It may work out fine, but on the other hand I think



that the percentage of the risk is very high here, that we are going to create some real problems up there. I have consistently recommended over the years to the Commission that the dam not be put in and we not start backing up water until the first of November. That's just more or less the position that I have followed in the past and one that I am maintaining, but that's neither here nor there. That's up to you gentlemen.

MR. WALKER: But, Dick, let me just make this statement and see if you concur, that water level on Catahoula Lake would have to reach elevation 28 feet before it would reach the real chufa crop, and I am talking about Big Bend -- no, I am talking about Mosquito Bend -- and Big Bend is 29 feet and above.

MR. YANCEY: That's right.

MR. WALKER: Am I correct in that?

MR. YANCEY: That's right.

MR. WALKER: I will grant you that the fifteen days of the split season, which I was not in favor of but I did go along with the other federations and everyone for this particular reason -- it may pose a



period of lead poisoning but I can't see in fifteen days where you are going to have the concentration that you had some four or five years ago after the season had been completed and closed, then that's when you had your lead poisoning because you had something like six weeks in there that the water stayed at elevation 28.

MR. YANCEY: Right.

MR. WALKER: Is that correct?

MR. YANCEY: That's right. But one of the worst lead poisoning kills we have ever had on Catahoula Lake occurred in advance of the duck season, back in about 1951. We lost maybe fifty, sixty thousand ducks in advance of the duck season.

MR. WALKER: Did we have the dam in?

MR. YANCEY: We didn't put the dam in. This was Mother Nature that had water over the flats in advance of the duck season, but they died by the tens of thousands up there. It can happen before the season; it can also happen after the season if lake levels are still low after the season. The most disastrous kill we have ever had up there occurred after the duck season.



MR. WALKER: It could also happen with or without a dam installed, too.

MR. YANCEY: It can. That pre-season die-off we had in '52 --

MR. WALKER: There was no dam in the lake at that time. It was before any dam --

MR. YANCEY: There was no dam in the lake at that time. That was Mother Nature that created that situation over which we had no control. But we had one post-season die-off up there about four years ago that possibly involved two or three hundred thousand ducks, so lead poisoning --

MR. WALKER: Four years ago?

MR. YANCEY: Yes, sir. Lead poisoning is a problem of major concern on that lake. We can lose eight or ten times as many ducks to lead poisoning as we can from the hunters on that lake, if the water level conditions are ideal.

Fortunately, all of this controversy will soon be ended as soon as that water control structure is put in the Catahoula Lake diversion canal, so I hope that maybe next year will be the last time we will have



to contend with this earthen dam arrangement. But we are faced with it this year. The hunters up there would like to have the dam put in, I'm sure, and the lake level at a pretty high level when the season opens, but we don't recommend -- I don't recommend it. I recommend if we have to sacrifice a few blinds being on high ground in exchange for reduced lead poisoning losses and perhaps reducing the food supply, that we wait a little bit later. We have a season that runs till January 12. That lake will flood out at some time during November.

MR. HOFFPAUER: One thing that makes the water problem so vivid to the duck hunter in that area is that last year was the driest in 24 years in that area. It was the driest season we have had in 24 years.

MR. WALKER: And you put a dam in and you had a three to four inch rain and it barely got the water out of the marshes.

MR. HOFFPAUER: That's right. But you didn't have any rainfall problem. I say it's your dry season --

MR. WALKER: We have a dry season this year. You ought to go up there and look at it. I can drive



my car all over the lake.

MR. HOFFPAUER: You can do that every summer, just about.

MR. WALKER: Not necessarily.

MR. WINFREE: I don't think there's need for any action by the Commission.

MR. WALKER: No, we have already taken the action.

THE CHAIRMAN: Any other business?

(NO RESPONSE)

THE CHAIRMAN: Do I hear a motion to adjourn.

MR. NORRIS: I so move.

MR. KYLE: Second.

THE CHAIRMAN: It has been moved by Mr. Norris, seconded by Mr. Kyle, that we adjourn. All in favor?

IN UNISON: Aye.

(Thereupon, the regular monthly meeting of the Wild Life and Fisheries Commission adjourned at 10:50 o'clock a.m. on Tuesday, September 22, 1970.)

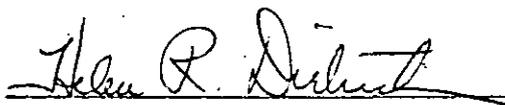
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C E R T I F I C A T E

I, the undersigned, Helen R. Dietrich, DO HEREBY
CERTIFY:

That the above and foregoing (58 pages of type-written matter) is a true and correct transcription of the proceedings herein, taken down by me, and transcribed under my supervision by Mrs. Katheryn Chamberlin, on the day and date hereinbefore noted.


Reporter

