

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BOARD MEETING

Monday, June 28, 1982
and
Tuesday, June 29, 1982

JESSE M. KNOWLES
CHAIRMAN

MONTELEONE HOTEL
NEW ORLEANS, LOUISIANA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

June 28 & 29, 1982

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MINUTES OF MEETING

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

June 28, 1982

and

June 29, 1982

Chairman Jesse M. Knowles, presiding.

Members present:

Mr. Wayne C. Ducote
Mr. James C. Farrelly
Mr. J. C. "Sonny" Gilbert
Mr. George N. Gray
Mr. Jesse M. Knowles
Mr. Ronald Menville
Mr. Charles A. Riggs

* * *

The regular monthly meeting of the Louisiana Wildlife and Fisheries Commission was called to order by the Chairman, Mr. Jesse M. Knowles, on Monday, June 28, 1982, at 2:00 P.M., at the Monteleone Hotel, New Orleans, Louisiana.

Motion was made by Mr. James C. Farrelly, seconded by Mr. Charles A. Riggs, and passed unanimously, that the Commission go into a committee of the whole.

Motion was made by Mr. J. C. Gilbert, seconded by Mr. Charles A. Riggs, and passed unanimously, that the committee of the whole rise and report progress.

A roll call of members present was taken by Ms. Jan Sommers.

Invocation was offered by Commissioner Charles A. Riggs.

Dr. Ted Ford, Assistant Secretary, presented three requests for permits to remove fill material from the Mississippi River and recommended their approval.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. George N. Gray, and passed unanimously, that fill material permits be issued to T. L. James and Company and to Louisiana Paving Company.

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

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to T. L. James & Company to remove fill material from the Mississippi River at the left descending bank, Mile 54.3 AHP in the vicinity of Nero, Plaquemines Parish, Louisiana, for a period of one year from July 15, 1982, to July 15, 1983, at a royalty rate of 10¢ per cubic yard.

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

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to Louisiana Paving Company to remove fill material from the Mississippi River at the right descending bank, Mile 143.7 AHP in the vicinity of Johnson, St. James Parish, Louisiana, for a period of one year from July 29, 1982, to July 29, 1983, at a royalty rate of 10¢ per cubic yard.

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

BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission does hereby grant permission to Louisiana Paving Company to remove fill material from the Mississippi River at the right descending bank, Mile 83.0 AHP in the vicinity of Poydras, St. Bernard Parish, Louisiana, for a period of one year from July 17, 1982, to July 17, 1983, at a royalty rate of 10¢ per cubic yard.

* * *

Dr. Ford discussed the spiny lobster regulations with the Commission. He said this is a management plan which has been in preparation for quite some time and its application to the Louisiana area is very limited.

Dr. Ford called upon Mr. Corky Perret, one of the designees to the Gulf of Mexico Fishery Management Council serving for Secretary Guidry, to give some information on the plan.

Mr. Corky Perret said the Gulf Council is responsible for developing fishery management plans for those species within its area of jurisdiction. The spiny lobster plan is the third plan that has been developed and once these plans are developed and accepted by the Secretary, the common practice is each state receives a letter requesting management measures be implemented to coincide with those in the federal plan. He said there is no fishery to speak of in Louisiana or off the Louisiana Coast other than a very small number which are taken by recreational divers offshore near some oil and gas platforms.

Mr. Perret said at the present time they felt no action was necessary and would recommend against any action at this time. However, in the future should some problem develop or lobsters would come in from the Florida area and were landed during the closed season or under the legal limit, then they would suggest some action be taken similar to the federal plan. This action has been ratified by the other states with the exception of Mississippi and he thought Mississippi was ready to ratify this.

Mr. Perret asked permission to respond to the Secretary of U. S. Department of Commerce's letter relative to the action we have taken which is in essence we agree but do not feel any regulations are necessary at this time.

The Commission gave permission for the letter to be written.

Dr. Ford reported that in accordance with the Commission's guidelines Radcliff Materials has prepared an amendment to their three-parish lease which was executed by Commission authority last September. This amendment is to make it be in accordance with the leases that were approved at the last meeting. He

said it has been examined and it is in order and it is in accordance with the Commission's guidelines. Secretary Guidry will execute it this week.

Mr. John D. Newsom, Assistant Secretary, said the Department and the Commission through cooperative agreement with the U. S. Forest Service managed the Catahoula National Wildlife Reserve from 1948 until just a few years ago. Then, for some reason, the cooperative agreement was rescinded and the management of the preserve went back to the U.S. Forest Service. He pointed out the Forest Service must still have approval from this Department before establishing any hunting regulations that do not agree with the regulations we may have in that particular area.

Mr. Newsom said in this case they have recommended a three-day either sex deer season for November 26, 27 and 28 on the Catahoula Preserve and our outside regulations only permit a one day either sex deer hunt on November 26. These additional two days on the Catahoula Preserve will have to be ratified by the Commission in order for them to have a legal either sex season. Mr. Newsom recommended approval.

Motion was made by Mr. George N. Gray, seconded by Mr. Charles A. Riggs, and passed unanimously, to adopt the regulation established by the U. S. Forest Service for a three-day either sex deer season on the Catahoula National Wildlife Preserve on November 26, 27, and 28, 1982.

Mr. Newsom stated for the last six months they have been in negotiations with the Joyce Foundation concerning a donation of about 13,000 acres of land in the Maurepas Swamp just south of Pontchatoula in Tangipahoa Parish. He stated they were at the point right now where they need authorization from the Commission for the Secretary and Chairman of the Commission to consummate the donation by accepting it.

Mr. Newsom said there are about 850 acres of this land fronting on Highway 55 they wish to retain.

The Department will lease this land from them for the amount of ad valorem taxes which is approximately \$350.00 a year. We are to sign a lease for 20 years with an option to renew for 20 years. They are to maintain all mineral rights on the property and it will be available for management purposes and will make a valuable addition to the Maurepas Management Area just below there with 8,000 acres. Mr. Newsom recommended the Commission authorize the Secretary and the Chairman to accept the deed of donation.

Chairman Knowles asked if this land contained tupelo swamp. Mr. Newsom replied that most of it is cypress-tupelo swamp. It has limited access but sufficient access for public use.

Motion was made by Mr. George N. Gray, seconded by Mr. Wayne C. Ducote, and passed unanimously, that the Commission ratify the acceptance of this donation along with the lease provision of approximately 850 acres.

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

WHEREAS, the Joyce Foundation domiciled in Chicago, State of Illinois, own 13,659.92 of marsh and swampland in Tangipahoa Parish, and

WHEREAS, the Joyce Foundation proposes to make a charitable donation of approximately 12,808.46 acres to the Louisiana Department of Wildlife and Fisheries and also proposes to lease approximately 850.46 acres to the Department for wildlife management area purposes, and

WHEREAS, this valuable wetland tract, appraised at \$3,000,000 would make a welcomed addition to our wildlife management area program, and now

THEREFORE BE IT RESOLVED that the Commission authorizes the Secretary and the Chairman to negotiate with the Joyce Foundation to consummate the donation

and lease agreements on terms and conditions agreeable to all parties and on the advice of counsel.

* * *

Mr. Bennie Fontenot, Chief, Fish Division, stated they have received a petition from Representative Bruce Lynn and his constituents to prohibit trammel and gill netting and all netting in Caddo Lake. He also received a similar request from Senator Bill Keith. Mr. Fontenot said he had asked his staff to run a survey on the lake to check out the fish population. They found a moderate to substantial commercial catfish fishery on the lake and 90 percent of the gear used to harvest catfish is the small hoopnet about 18 inches to 24 inches in diameter. This is the primary commercial fish sought after in the lake.

Mr. Fontenot said he spoke with several people whose names were on the petition and from speaking with them, he found that the true commercial fishermen were not using trammel and gill netting to harvest catfish, and were willing to go along with the use of hoop nets.

Mr. Fontenot recommended that commercial fishermen be allowed to use hoop nets but the trammel, gill nets, and flagg webbing be removed. This would be biologically sound on the game fish population on the lake.

Mr. Ron Menville stated he was not completely satisfied with the statistics given by Mr. Fontenot since they are not very precise according to Mr. Fontenot. Someone may have a substantial investment in a commercial fishing operation using gill or trammel nets, and should that be so, the Commission should be very careful before shutting down this fishery.

Mr. Fontenot said he did not know of any

commercial fishermen using gill or trammel nets but if the Commission wished to set a future date for banning nets, he didn't think this would be a problem since this is not controversial like Toledo Bend. Quite a few people living around the lake really want these nets out and even want the hoop nets out.

Commissioner Gray stated he felt this was all being prompted by the sports fishermen and it is not against the commercial fishermen. We have a situation where anybody can buy a net license for practically nothing and this may be the root of the problem. On this particular situation, the legislators have talked to him about it and he had no objection to it. Mr. Gray said Mr. Menville brought out a good point and suggested the Commission adopt this effective January 1, 1983.

Motion was made by Mr. George N. Gray, seconded by Mr. J. C. Gilbert, and passed unanimously, that the resolution presented by Mr. Bennie Fontenot on banning gill and trammel nets and flagg webbing (hoop nets are to remain) in Caddo Lake be adopted.

Mr. Bennie Fontenot requested the Commission ratify the prohibition of the use of gill, trammel and flagg nets in Lake Claiborne. Mr. Fontenot said the Commission had voted to do this on April 27, 1982, and it had been sent to the Oversight Committee. The Oversight Committee approved it and it is now back for the Commission to ratify.

Motion was made by Mr. James C. Farrelly, seconded by Mr. Charles A. Riggs, and passed unanimously, to ratify the resolution as previously passed prohibiting the use of gill, trammel and flagg nets in Lake Claiborne.

Mr. Harry Schafer, Chief, Seafood Division, gave the monthly oyster survey report.

Mr. Schafer pointed out that last month the crews moved to a new area and this involved relocating

the leases in that area and tying them in to the monuments down there. During this period, the survey crews relocated 49 leases that were already there in preparation for the new applications and putting new leases in the area.

Mr. Schafer said in addition to this, they transversed 51 monuments, tying 51 new monuments in. The field activities up to date are 289 applications have been scheduled, 194 of those were surveys, 51 applicants failed to keep appointments, 32 applicants were not surveyed for various reasons, 9 applicants cancelled by request, 6 restakes, 3 disputes were settled. These disputes were between lessees; their leases were resurveyed and points were relocated, etc. Also, 123 monuments were traversed during this time.

Mr. Schafer reported on the lifting of the oyster lease application moratorium. He stated they have worked 216 appointments to date and 155 applications have been filed, 593 applications, for a total of 37,890 acres. Total application fees taken to date total \$118,084.00.

Commissioner Farrelly asked Mr. Schafer how many more appointments have to be kept. Mr. Schafer replied that the appointments will run until approximately July 18, 1982, and that would be the end of it.

Commissioner Gilbert asked Mr. Schafer if they were working on the backlog or just the new applications at this time. Mr. Schafer replied that they were working on everything--new applications, 15 yr. limitation applications when they could get out there and survey since they worked an area at a time and take care of everyone in that area.

Commissioner Gilbert asked how much of the backlog has been cut down. Mr. Schafer replied that they have surveyed 194 applications up to this time. They had scheduled 289 but for various reasons some were not done.

Commissioner Gilbert said there were 14,000 applications to be surveyed and asked how many of

these were done. Mr. Schafer said this report on surveys started in January and since that time, 194 applications were surveyed.

Commissioner Gilbert said it will take 9 years at that rate.

Mr. Schafer said it will take some time but they have private surveyors who are working on these other applications since the lifting of the moratorium and once they have tied in with our monuments, it will be going faster.

Mr. Schafer stated the big problem since going to the new system of surveying is using the trisponders and trying to relocate some of the old leases that have been shot with a transect shooting on camps that are no longer there. We have to go back and try and establish these points and then tie them in to the new system. He said they were doing this and in this new location they have 49 in the last month relocated so they can get in there and finish the applications for the new leases.

Mr. Schafer said they have checked with other organizations to see if there is a faster method that could be done. He said they were using the most modern equipment and there is another set of trisponders ordered so they could get another crew out there. Those things are delicate and they do break down once in a while. We will have a spare so that delay can be avoided. Mr. Schafer said he has tried to do all that he can to get this moving.

Dr. Ted Ford, Assistant Secretary, said he wanted to make a comment that this was a matter that was recognized by the Governor's Cost Efficiency Control Commission. They have recommended that the Seafood Division implement an additional crew because they did recognize the problems in coordinating with fishermen on the grounds, etc. Dr. Ford stated he felt they were moving reasonably well but not as rapidly as we would like to see it and would like to be up to date. The problem has been recognized and he said perhaps over the next two or three years additional crews might be implemented.

Chairman Knowles stated that Col. Ray Montet could not be at the meeting today to give a report on meeting with Mississippi enforcement personnel regarding deer seasons. He said the Commissioners have the full report and there was no action needed by the Commission.

Mr. John D. Newsom, Assistant Secretary, stated the Department is presently involved in litigations with the McIllheny heirs concerning mineral activity on State Wildlife Refuge. As a result of this litigation, the State Mineral Board offered for lease some of the state waterbottoms adjacent to State Wildlife Refuge in Vermilion Bay. Weaver Oil Company was the successful bidder. Weaver Oil Company said they have a good prospect at the 20,000 foot level and would like to lease some of State Wildlife land as a production lease without any activity on State Wildlife itself.

Mr. Ernest Eldridge, Attorney for the State, stated he has represented the State regarding this wildlife refuge since 1971. This is the third suit he has been involved with regarding State Wildlife Refuge.

Mr. Eldridge said they have filed some pleadings this week concerning the litigation. They met with the Weaver people who suggested this acreage be put up. The litigation goes to the heart of the matter which says we have violated the terms and conditions of the donation and, therefore, they are entitled to have the property reverted to the heirs of the original donors.

Mr. Eldridge said he didn't think there was any merit to it and hoped to resolve the whole issue of whether or not we can actually grant leases on premises through this litigation. We are not at this point at this time; they are still fighting over some of the language in their petition. We don't think it addresses all the issues and there is some vagueness in some of the language and we filed an exception of vagueness.

Mr. Eldridge continued saying they filed a previous exception of vagueness and they amended their petition with a catch-all clause saying we violated all the other terms and conditions of the donation but they don't specify what violations they say we have made.

Mr. Eldridge said we want them to clarify that or get it out of the petition, one or the other. We want to know everything they claim we have violated up to this point.

Mr. Eldridge said, eventually, we will respond with a reconventional demand. We want to be sure that we come in with a declaratory judgement. This was suggested by a former Commission Member, Mr. Bobby Rawls, who was an attorney, to go for a declaratory judgement before any operations were allowed on the premises which might possibly be in violation. We don't think it would be a violation but Mr. Rawls suggested that we have a declaratory judgement.

Mr. Eldridge said we are not at that point, but the granting of this lease will provide specifically that there will be no operation on the premises whatsoever. We are going to put stringent terms in the lease which will specifically provide that they cannot take a lease from any other claimant. If they do so it will be considered a violation of the lease itself. Under the mineral code, if you don't specifically negative warranty then you will warrant title. We want them to be tied directly to us. The mineral code also says that any lessee can go take leases from an adverse claimant. When that usually happens, the lessee has leases from both sides and they don't care who wins so they will throw it into court and you will have to fight over your title. We don't want anybody to take our title with the idea that, well, someone else can come in, too. They are going to be tied directly to us and they stand to fall with the State of Louisiana. We will have language in our lease to negative those Mineral Code Article provisions saying they will not apply; that they will be obligated to us for any liability, for any lawsuits that may be

filed by virtue of their operation. Now, they will be able to get off the premises and drill directly under the property but not go on the property; even with pipelines, etc., we will be very careful. Mr. Eldridge said he has drafted some suggested language for the lease.

Chairman Knowles asked Mr. Eldridge if the State was involved in this type of litigation in the White Lake case Re: Vermilion Irrigation Company and state waterbottoms and wanted to know if he was trying to keep the same thing from happening.

Mr. Eldridge said the White Lake case was before his time but he understood that it was an entirely different title problem.

Commissioner Ducote asked the legal difference between the McIlhenny case and what we are proposing to do here which would be the difference between the lease of the property for the acquisition of the minerals from the property and the lease of the property from the acquisition for the minerals underneath without going on the property.

Mr. Eldridge said you cannot allow any species or business which would defeat the purposes of the game refuge so if you allow no surface operations there should be no problem. The purpose of the donation was that it should be used as a game refuge and that is a surface use. He did not know of any refuge or anything that would be under the ground that you would be protecting.

Commissioner Ducote said our position was, basically, that it would not interfere with the refuge and, therefore, it would be within the parameters of the donation.

Mr. Eldridge said there would be no violation or potential violation. To drill directionally and come under the property and remove hydrocarbons or even off the property; you would not have to come under the property. If a well is drilled in the water on a state lease on the waterbottoms and you unitize

it, part of the production would be attributable to the game refuge but there is no surface operation since hydrocarbons are being drawn from beneath the property which is not a violation in his estimation.

Commissioner Ducote said if we wouldn't lease it to Weaver and they are the adjacent owners, we would not lease it to anyone and minerals could be drawn from underneath our property and it would have to be unitized anyway.

Mr. Eldridge said it would be and there is where problems come in--economics--if you drill off the premises and you have to share 100 percent. For instance, if they drilled off the property and it proved to be they were actually draining the State of Louisiana, we could force our way into a unit. The State could force its way into the production. The State by forcing its way in and unitizing would have to pay cash up front for its share of the cost for drilling a well. Normally, people don't want to get in that situation because if the well doesn't pay out you have problems. The best way would be to sit back and let them unitize it and put you in there. If the company has the well more than 330 feet away from your property line, the Conservation Department does not require you to unitize so they could drain the State and not pay anything.

Mr. Eldridge said he did not know whether Weaver planned to drill directionally underneath the property but in any event if there are hydrocarbons under the property, they would not want to run the risk of hitting a good payout well and have the State come in and get 100 percent less operating cost. Economically, they don't want to share in production because the payout becomes uneconomical as a venture.

Commissioner Ducote asked if Weaver or anyone else would be willing to take the risk with the restrictions he had.

Mr. Eldridge said they will drill a well if they get the state lease.

Mr. John D. Newsom recommended the Commission authorize the Mineral Board to proceed with the leasing of acreage on the State Wildlife Refuge.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. J. C. Gilbert, and passed unanimously, that the State Mineral Board be authorized to proceed with the advertisement of leasing of acreage on the State Wildlife Refuge in Vermilion Parish.

Mr. Joe L. Herring, Chief, Game Division, said the Department has received a request from Mr. Duane Cowart, Boise Southern Company, owner of the Lutcher-Moore Wildlife Management Area in Vernon Parish to change the name of this area. The suggested change is to Boise-Vernon Wildlife Management Area. The Lutcher-Moore Wildlife Management Area is approximately 54,269 acres in size.

Mr. Herring said Boise Southern has leased this land to the Department for over twenty years free of charge. Free leases such as this has been the backbone of our public hunting wildlife management area program.

Mr. Herring recommended that the Commission make this name change effective immediately and that the new name along with the old will appear in the 1982-83 Hunting and Fishing pamphlet.

Motion was made by Mr. Charles A. Riggs, seconded by Mr. George N. Gray, and passed unanimously, to adopt the change of name from Lutcher-Moore Wildlife Management Area to Boise-Vernon Wildlife Management Area.

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

Boise-Vernon Wildlife Management Area

WHEREAS, we have been asked by Mr. Duane Cowart, Boise Southern Company, owner of Lutcher-Moore Wildlife Management Area to change the name

of this area; and

WHEREAS, the new suggested name will be Boise-Vernon Wildlife Management Area giving recognition to the company owner; and

WHEREAS, Boise Southern Company has leased this 54,269 acres for a number of years to the Department free of charge; and

WHEREAS, the leasing of those lands to the Department by such companies as Boise Southern has been the backbone of the Department's Wildlife Management Area program; and now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission adopts the new name of Boise-Vernon Wildlife Management Area for the old Lutzer-Moore Wildlife Management Area.

* * *

Mr. Joe Herring stated International Paper Company has offered an additional 2,280 acres of land to be added to the existing 12,500 acre Sabine Wildlife Management Area in Sabine Parish between Zwolle, Many and Toledo Bend Lake. This will bring the total acreage to 14,780 acres, a much better size for hunting and management purposes.

Mr. Herring said this lease addition will be free of charge to the Department. Presently, we have 4,072 acres leased from International Paper Company on this wildlife management area and this will bring the total of International Paper land to 6,352 acres. The remainder of the area is owned by Boise Southern Corporation and others. I recommend to the Commission that we accept this additional 2,280 acres of land.

Mr. Herring recommended that the Commission accept this addition to the Sabine Wildlife Management Area.

Motion was made by Mr. Ronald Menville, seconded by Mr. James C. Farrelly, and passed unanimously, that the Commission adopt the resolution accepting the additional acreage to be added to Sabine Wildlife Management Area in Sabine Parish.

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

WHEREAS, International Paper Company has offered to the Department an additional 2,280 acres of land to join the existing 12,500 acre Sabine Wildlife Management Area, and

WHEREAS, this lease is offered to the Department free of charge under the same stipulations as our existing lease, and

WHEREAS, International Paper Company has over a period of years leased to the Department some 4,072 acres in the Sabine Wildlife Management Area free of charge, and

WHEREAS, this 2,280 acres will bring the total International Paper Company land to 6,352 acres and total for Sabine Wildlife Management Area to 14,780 acres, and

WHEREAS, this will add greatly to the existing area making it much better for hunting and management purposes, and now

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission accepts and approves this agreement for 2,280 acres of additional land from International Paper Company to be added to the Sabine Wildlife Management Area.

* * *

Mr. Herring recommended to the Commission that they ratify the hunting seasons as set by the Commission in April. The recommendations were sent

to the Joint Natural Resources Senate and House Committee for review. Mr. Herring said he had letters back from them saying they have no comments or changes to make on the seasons. We have the prerogative to make grammatical changes without going back to the Committee, or errors we will find in the printing of the brochure.

Mr. Herring said should the Commission want to make any changes in the seasons today at this meeting it would have to go back next month through the legislative process. It would then come back to us the following month to set. This would take about two months for any change in the recommendations. Also, if there is any change, the printing would be delayed and would not be in time for the start of the hunting seasons.

Mr. Herring said the only changes they have found which were needed were grammatical errors or language which was needed for clarity.

Mr. Fernin F. Eaton, Attorney, Baton Rouge, Louisiana, made a presentation on behalf of the Louisiana Wild Turkey Federation. He said he understood that Mr. Scott Strickland, President, of the Louisiana Wild Turkey Federation spoke with the Commission Members at the Informal Session of the Commission yesterday.

Mr. Eaton said their purpose in attending the meeting today was just to introduce the Louisiana Wild Turkey Federation to the Commission and offer their assistance on any rules, regulations, and enforcement difficulties. He offered their help to protect, conserve, and assistance with the natural resources in Louisiana.

Mr. Eaton said he was not a present officer nor a board member and was presently serving in a legal capacity to the Federation. The function of the Federation is to promote wise conservation and scientific management of the wild turkey in Louisiana.

At the present time, the Louisiana Wild Turkey Federation has a membership of 600 plus members. The Louisiana Wild Turkey Federation is affiliated with the National Wild Turkey Federation and its membership is around 25,500.

Mr. Eaton said he understood one of the reasons why the Commission has voted to increase the bag limit on wild turkey from 3 per season to an unlimited season bag limit was because of an enforcement problem. He offered monetary assistance from their organization to alleviate the funding problems that enforcement of the limit of 3 per season might entail.

Mr. Eaton said he had the greatest respect for the Department's biologists but he felt that there may not have been enough consideration given to the non-biological reasons why this rule should not be changed. He did not want the 3 per season rule tampered with. He asked the Commission to defer implementation of the proposed change in bag limits on wild turkey for the 1982-83 season.

Chairman Knowles said the Commission had one of the most dedicated turkey hunters in the State. He is Mr. J. C. "Sonny" Gilbert, Commission Member, and member of the Louisiana and National Wild Turkey Federation, and has been on the State and National Board.

Mr. Earl Humphries, III, Attorney, Alexandria, Louisiana, and Asst. District Attorney, spoke in behalf of the Louisiana Wild Turkey Federation and requested that the bag limit for turkey not be changed.

Commissioner J. C. Gilbert said he has known Fernin Eaton for many years and he was one of the originators of the Louisiana Wild Turkey Federation. He said he thought Fernin Eaton had made one of the best presentations ever made before the Commission in some time. He said this puts him in

quite a spot since he is a member and on the board of the Louisiana Wild Turkey Federation and on the Commission. The biologists have recommended to the Commission that we remove the 3 turkey per season.

Commissioner Gilbert said he has talked with Mr. Newsom and Mr. Dan Dennett at length about this. They have convinced him that this will have no effect whatsoever on the Louisiana wild turkey. Hunting in the spring has no effect on the total overall population. If we had fall hunting, then that would be a detriment to the population and we do not have fall hunting.

Commissioner Gilbert said his position at this time was that he must go along with the recommendations of our biologists. He said they did not make this recommendation in haste; they debated about it and studied it before they brought it to the Commission.

Commissioner Gilbert asked that Mr. Newsom or Mr. Dennett make a comment or rebuttal to what has been said by Mr. Eaton and Mr. Humphries.

Mr. John D. Newsom, Assistant Secretary, stated he has been hunting turkeys for a number of years and he has been very lucky when he killed 3 turkeys in one year. The decision they made to recommend to the Commission that the season limit be eliminated was made with the full realization that there would be some opposition to it. It was also made with the realization that it was an enforcement decision because there was no way to enforce it. It was discriminatory to the honest hunter because he would stop with 3 turkeys. The dishonest hunter would have no constraints whatsoever to stop hunting when he had killed 3.

Mr. Newsom said he can guarantee all of them that if there were any evidence whatsoever that this regulation would in any way adversely effect the wild turkey population in this state that it would not have been made. Should this regulation adversely effect any species, the professional biologists would be the most adversely effected. Mr. Newsom said he saw no reason for the Commission to think twice about maintaining their stance on eliminating the season limit of 3 birds.

Mr. Edgar Veillon, representing the Louisiana Wildlife Federation, commended the job the Louisiana Wildlife and Fisheries has done with the restocking from a point of almost extinction. He said the only point he had at this time was that most regulations take into consideration two aspects-- the protection of the species and management of the people.

Mr. Veillon said Randy Lanctot, executive vice-Pres., the Louisiana Wildlife Federation, had asked him to make this point because of the uniqueness of turkey hunting. Although the number of birds may not be affected, the opportunity that this offers is not going to benefit most of the turkey hunters simply because they cannot hunt because of job obligations, etc. It will increase the opportunity for a small minority of people and in that respect will detract from the opportunity of the people who do not have that chance to get in the woods as often as those who might. This was just a thought, he said.

Mr. Tom Pigott, representing land owners in Washington Parish, Louisiana, made a statement saying they were against deer hunting with dogs. He said they were shocked and dismayed by the action of the Board in allowing deer hunting with dogs in their area. He would like to see hunting with dogs outlawed in their area.

Chairman Knowles stated next year the land owners' group would have one time to state their views and the opposing group would have one time before the Commission; both sides would be given every consideration.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. Charles A. Riggs, and passed unanimously, that the 1982-83 hunting regulations as proposed by Mr. Joe L. Herring be adopted.

Mr. Joe L. Herring, Chief, Game Division, stated last week Mr. John D. Newsom, Assistant Secretary, and Mr. Larry Soileau, Research Leader,

attended a public hearing in Washington with the U. S. Fish and Wildlife Service and others pertaining to migratory species other than waterfowl for the purpose of getting the framework on the doves, woodcock, rails, gallinules, snipe and teal. From this meeting they came back with tentative dates and schedule. It has been the policy of the Commission in the past to go ahead and act on the recommended migratory season dates because after this meeting in Washington they have to advertise in the Federal Register and then send this to the states for selection of dates. We have ten days to set the dates after this is sent from Washington.

Mr. Herring said the Commission Members have been sent a copy of tentative dates we are recommending and season frameworks. Mr. Herring said there are two minor changes which may come from Washington. In the Dove season, they give 70 days-12 bird bag season or an option of 45 days-15 bird bag. He said this is really not much of an option because you would be giving up 25 hunting days for an additional 3 birds. He thought the sportsmen in the state would not like cutting off 25 days for 3 birds in the bag per day.

Mr. Herring said the next change may come from the U. S. Fish and Wildlife Service is on the rail season. In the past we have had 70 straight days. The Commission and Department requested the U. S. Fish and Wildlife Service to have a split season on rail by having part of the rail season during the teal season and then later on having the rail season open along with the waterfowl season. They have granted that this year.

Mr. Herring said with the exception of the rail season, the other seasons have been just moved up a calendar day on all seasons from last year. Most of the sportsmen at the public hearings, correspondence received, personal contacts, etc., were well pleased with the seasons as far as dates were concerned.

Mr. Herring recommended the following seasons:

SEASON FRAMEWORKS
1982 - 83

- Doves: Sept. 1, 1982 - Jan. 15, 1983
70 days - 12 bird bag
45 days - 15 bird bag--Option
Season may be split into not more than 3 birds
- Woodcock: October 5, 1982 - February 28, 1983
65 days - 5 bird bag
Season may be split into 2 segments
- Rails: September 1, 1982 - January 20, 1983
70 days - 15 bird bag
Season may be split into 2 segments
- Gallinules: September 1, 1982 - January 20, 1983
70 days - 15 bird bag
Season may be split into 2 segments
- Snipe: September 1, 1982 - February 28, 1983
107 days - 8 bird bag
Season may be split into 2 segments
- Teal: September 1 - September 30, 1982
9 days - 4 bird bag
Season may not be split

Recommended Season Dates

1982-83

<u>Doves:</u>	<u>Dates</u>	<u>Days</u>	<u>Bag Limit</u>	<u>Possession Limit</u>
		<u>NORTH ZONE</u>		
	Sept. 4-Sept. 19	16 days	12	24
	Oct. 16-Nov. 7	23 days	12	24
	Dec. 11-Jan. 10	31 days	12	24
	Total ---	<u>70</u> days		
		<u>SOUTH ZONE</u>		
	Oct. 16-Nov. 28	44 days	12	24
	Dec. 11-Jan. 5	26 days	12	24
	Total ---	<u>70</u> days		
 <u>Woodcock:</u>				
	Dec. 11-Feb. 13	65 days	5	10
 <u>Rails:</u>				
	Sept. 18-Sept. 26	9 days	15 *	30
	Nov. 6-Jan. 5	61 days	15 *	30
	Total ---	<u>70</u> days		
 <u>Gallinules:</u>				
	Sept. 18-Sept. 26	9 days	15	30
	Nov. 6-Jan. 5	61 days	15	30
	Total ---	<u>70</u> days		
 <u>Snipe:</u>				
	Nov. 6-Feb. 20	107 days	8	16
 <u>Teal:</u>				
	Sept. 18-Sept. 26	9 days	4	8

Shooting Hours: From 1/2 hour before sunrise to sunset daily, except that teal season shooting hours are sunrise to sunset.

* Clapper and king rails; 25 daily bag and possession limits singly or in the aggregate for sora and Virginia rails.

Motion was made by Mr. Charles A. Riggs, seconded by Mr. Ronald Menville, and passed unanimously, that the migratory bird seasons, excluding waterfowl, be tentatively set as recommended by the Game Division.

Chairman Knowles stated U. S. Congressman Martin Russo from Illinois introduced H.B. 6115. This bill, if passed, would raid the Pittman-Robertson Federal Aid to Wildlife Funds, Restoration Act, which has been in effect since 1934. They are trying to take some of this money to provide compensation to victims of crime and the cost would be about \$600,000 if this bill passes.

Chairman Knowles suggested the Commission should oppose this and let their opposition be known in the form of a letter to our Congressional delegation and the two U. S. Senators.

Motion was made by Mr. Wayne C. Ducote, seconded by Mr. James C. Farrelly, and passed unanimously, that a letter be written to our Congressional delegation and two U. S. Senators from Louisiana regarding Pittman-Robertson funds.

Motion was made by Mr. George N. Gray, seconded by Mr. Charles A. Riggs, and passed unanimously, that the next monthly meeting be held in Baton Rouge, Louisiana, on August 23 and 24, 1982.

Motion was made by Mr. James C. Farrelly, seconded by Mr. Charles A. Riggs, and passed unanimously, that travel expenses be approved for those Commission Members attending the Gulf Fishery Meeting in Baton Rouge on June 1, 1982.

Commissioner Farrelly requested Dr. Ford to give a report on the current shrimp season and when they are thinking about closing it.

Dr. Ted Ford, Assistant Secretary, said when they made recommendations to the Commission for

the brown shrimp season, they expressed some cautious optimism because they had not seen the juvenile brown shrimp in the numbers they would like to see them. Apparently, there was a fairly good recruitment of postlarval brown shrimp in the marshes after the fixing of the season and so far the catch this year is running rather good--about 12 million pounds. This is a little bit behind the 1981 season which was good and considerably better than the 1980 season.

Dr. Ford stated the season has to run 50 days. The earliest possible closing date would be July 5 for Zone II. In Zone II, they are seeing less than 5 percent small white shrimp. In Zones I and III, white shrimp showing up in catches is less than 1 percent.

Dr. Ford said the staff of the Seafood Division is continually sampling and monitoring the white shrimp catches. When white shrimp occur in considerable numbers, then by authority given to the Secretary, the season will be closed. He said there would be adequate notification of at least forty-eight hours.

Commissioner Farrelly asked Dr. Ford as to what percentage of white shrimp in catches would call for a closure. Dr. Ford replied that it is normally between 15 and 20 percent but this is not a fixed percentage.

Commissioner Ron Menville said white shrimp in Zone II were running less than 5 percent and wanted to know how quickly that could change.

Dr. Ford stated that it could change in a few days' time but the advantage we have in this case is that our personnel are continually monitoring by their own sampling procedure as well as checking some of the sheds and places where shrimp are brought.

Mr. Edgar Veillon, Louisiana Wildlife Federation, said he was requested to ask the Commission why frogging was not allowed on Pointe-au-Chien Wildlife Management Area and Salvador Wildlife Management Area and why hunting of all game closes at noon

on those two areas.

Mr. John D. Newsom, Assistant Secretary, stated that Mr. Allan Ensminger, Chief, Fur and Refuge Division, could best answer those questions and he was not at the meeting today.

Chairman Knowles asked Mr. Veillon to write a letter or telephone Mr. Ensminger.

Chairman Knowles expressed his appreciation to Mr. Humphries and Mr. Eaton, representing the Louisiana Wild Turkey Federation and also the land owners from Bogalusa.

Commissioner Riggs stated the Commission should look into some of the conflicting regulations in some of the game management areas and some of the refuges and see if the Commission can reconcile some of the differences.

Chairman Knowles assigned the matter to the Commission's Committee on Wildlife Management Areas, chaired by Mr. George N. Gray.

Mr. Joe Herring, Chief, Game Division, said since the Pittman-Robertson Fund was brought up today, he would like to explain what the fund is for the benefit of the sportsmen in the audience today. He said this is an excise tax on arms and ammunition of 11 percent.

The Pittman-Robertson Fund has been the backbone of our wildlife management program in Louisiana. We receive roughly a million dollars from this fund and it is responsible for all the research and development and wildlife management activity we have had over the past year. The wildlife management areas are operated under this fund. Mr. Herring said he thought the money for victims of crime should come from some other source. The excise tax is paid by sportsmen and they are footing the bill for wildlife management programs and not the general taxpayer.

Mr. Herring said the sportsmen in the United States agreed on the Pittman-Robertson Fund in 1939 as a backbone for a wildlife program in all states. He said he wanted the sportsmen to be aware of where this money comes from now and how it is being spent in their state.

Mr. Herring said this is something the Louisiana Wildlife Federation should look into, and he has furnished them with copies of the bill. The Louisiana Turkey Federation and other sportsmen's organizations, clubs, etc., should be concerned with this bill which has been introduced.

Motion was made by Mr. James C. Farrelly, seconded by Mr. Wayne C. Ducote, and passed unanimously, that the meeting be adjourned.

* * *

Jesse M. Knowles
Chairman

Jesse J. Guidry
Secretary

Minutes transcribed by
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