

COPY

P R O C E E D I N G S

LOUISIANA WILD LIFE AND FISHERIES COMMISSION

BOARD MEETING

Tuesday, May 25, 1971

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



Helen R. Dietrich, Inc.

Stenotypists

333 ST. CHARLES AVENUE, SUITE 1221
NEW ORLEANS, LOUISIANA 70130 • (504) 524-4787

P R O C E E D I N G S

The Board Meeting of the Louisiana Wild Life and Fisheries Commission convened at 10:00 o'clock a.m. on Tuesday, May 25, 1971, at the Wild Life and Fisheries Building, 400 Royal Street, New Orleans, Louisiana, Mr. J. G. Jones, Chairman, presiding.

THERE WERE PRESENT:

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

—:—

A G E N D A

CLARK M. HOFFPAUER

- 1. Request by J. B. Talley & Co., Inc. (4)
for permit to pump sand from the
Mississippi River.
- 2. Acceptance of completion of (7)



construction of dormitory building,
freshwater tank, and boat hoist on
Grand Terre Island by International
Lumber Industries, Inc., Contractor.

RICHARD K. YANCEY:

- 3. Consider reprint of "Louisiana Birds" (9)
book by Dr. George Lowery.
- 4. Consider application by Mr. Dixon (22)
Carroll for mineral lease in
Russell Sage ^{H. M.} Wildlife Management
Area.
- 5. Cooperative study of changes in (17)
central coastal Louisiana.

TED O'NEIL

- 6. Consider request of Mirandona (24;
47)
Brothers for the return of 66
alligator skins

ALLAN ENSMINGER

- 7. Request from General American (25)
Oil Company to excavate an
access route at Pass-a-Loutre.

JOE HERRING

- 8. Acceptance of land of State Land (27)



Office into Three Rivers Wildlife
Management Area.

- 9. Acceptance of land from Willa mette Industries, Inc., as an addition to Jackson-Bienville Wildlife Management Area. (33)

- 10. Squirrel damage policy. (38)

- 11. Lake Bistineau water fluctuation program.

(See P. 4-A)

----:----

THE CHAIRMAN: The meeting will come to order.

Before proceeding down the agenda, I would like to recognize in the audience Mr. Earl Barham, who is a member of the Advisory Board of the U. S. Bureau of Sport Fisheries and Wildlife. Nice to have you with us, Mr. Barham.

(Applause)

Item No. 1, Dr. St. Amant.

DR. ST. AMANT: Gentlemen, this deals with a request by the J. B. Talley & Co. of St. Martinsville to get a permit to pump sand



(REFERENCE NOTE BY REPORTER)

At the conclusion of consideration of all items listed on the agenda, the following matters were considered:

- (a) Introduction of Mr. Michael Hogan, new Chief of Enforcement Division of Commission. (52)
- (b) Report of Pollution Control Subcommittee, J. L. Walker, Chairman. (52)



from the Mississippi River on the east bank at Mile 44.0 AHP. This permit meets all the requirements set forth by the Commission but it has just been called to my attention that this same company has gotten a permit in this vicinity at the last Commission meeting, and it may be that there is a mistake in here. It may be that what they want is a letter of no objection to the Corps of Engineers, and I would like the opportunity to check this out, but in the event that this is a new permit request, it does meet the requirements of the Commission and I would recommend that it be granted.

MR. HOFFPAUER: This is for sand, isn't it, pumping sand?

DR. ST. AMANT: We think it is the same one that he got last time and all he is doing is writing a second letter to us for a letter of no objection, but I was out of the office and I discussed it on the telephone and apparently we had a mix-up on it. I would like the opportunity to check it. Now, if it is the same permit, I would



cancel it. I would just write the letter of no objection. If it is a new permit, I can grant it because I think it meets the requirements of the Commission.

MR. WINFREE: Mr. Kyle, did you just move that it be approved subject to Dr. St. Amant's checking the thing out?

MR. KYLE: I do so move.

MR. WINFREE: And I second.

THE CHAIRMAN: It has been moved by Mr. Kyle, seconded by Mr. Winfree, that the permit be granted, subject to being checked out by Dr. St. Amant. Is there any more discussion? Is there any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution is here made a part of the record.)

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



to J. B. TALLEY & CO., INC., to pump sand from the Mississippi River, East Bank, at Mile 44.0 AHP.

THE CHAIRMAN: Item No. 2, Harry.

MR. SCHAFFER: Mr. Chairman, Members of the Board, the engineers of the Department of Public Works have checked out our building at Grand Terre and our people have checked it out and they have found it in accordance with the contract and we would recommend acceptance.

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

MR. WRIGHT: So move.

MR. NORRIS: Second.

THE CHAIRMAN: Moved by Mr. Wright, seconded by Mr. Norris. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered. Thank you.

(Text of the resolution is here made a part of the record.)



WHEREAS, the Chief Engineer of the Department of Public Works, State of Louisiana, has certified to the Louisiana Wild Life and Fisheries Commission that the contractor has completed Contract No. 6182, between this Commission and International Lumber Industries, Inc., for the construction of the dormitory building, freshwater tank, and boat hoist at Grand Terre Island in Jefferson Parish, Louisiana and has recommended that the same be accepted,

NOW, THEREFORE, BE IT RESOLVED by the Louisiana Wild Life and Fisheries Commission that the work done by International Lumber Industries, Inc., Contractor under Contract No. 6182, with this Commission, dated June 24, 1970, be and is hereby accepted.

BE IT FURTHER RESOLVED that the Director be and is hereby authorized



and directed to file a certified copy of this resolution in the Mortgage Records of Jefferson Parish.

THE CHAIRMAN: Mr. Yancey.

MR. YANCEY: Mr. Chairman and Members of the Commission, we have a proposed contract form that has been submitted by the LSU Press, which would provide for reprinting Dr. George Lowery's book entitled Louisiana Birds. This contract basically would provide for the printing of 6,500 copies of this book and the Commission's contribution toward the reprinting of this book would be \$25,000.00. It is estimated that we would get back about \$19,000.00 of this. Also, we would be provided with 250 copies of the book, for distribution by the Wild Life and Fisheries Commission. It also provides that on the title page the book would be published for the Wild Life and Fisheries Commission by the LSU Press.

We would like to recommend that you adopt a resolution approving and authorizing the Director to sign this memorandum of agreement



just as soon as we can come up with the necessary funds to pay for the Commission's share of reprinting this book.

THE CHAIRMAN: What is your pleasure?

MR. WRIGHT: I so move.

THE CHAIRMAN: It has been moved by Mr. Wright. Is there a second?

MR. KYLE: Second.

THE CHAIRMAN: Seconded by Mr. Kyle. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution is here made a part of the record.)

WHEREAS, the book Louisiana Birds, by Dr. George Lowery has been out of print for several years, and

WHEREAS, there is a need for reprinting another edition of this invaluable publication, and

WHEREAS, the Louisiana State



University Press has submitted a Memorandum of Agreement, which outlines the provisions under which the needed edition would be printed, as follows:

"Memorandum of Agreement between The Louisiana Wild Life and Fisheries Commission and the Louisiana State University and A. and M. College.

"The Louisiana Wild Life and Fisheries Commission and the Louisiana State University and Agricultural and Mechanical College enter into this Memorandum of Agreement relative to publication of the third edition of the book Louisiana Birds by George H. Lowery, Jr.

"It is hereby agreed that:

- "1. A new edition of Louisiana Birds, revised and brought



up to date by the author,
will be published by the
Louisiana State University
Press in a quantity of
6,500 copies.

"2. The book will be copy-
righted in the name of
the author.

"3. The following lines will
appear on the title page
of the book: 'Published
for the Louisiana Wild
Life and Fisheries Com-
mission by the Louisiana
State University Press.'

"4. The Louisiana Wild Life and
Fisheries Commission will
subsidize publication of the
new edition in the amount
of \$25,000.00. Of that
amount, the sum of \$1,000.00
will be paid to the author



upon delivery of the completed manuscript. The balance of the subsidy will be applied to the costs of manufacturing the book, including the cost of color work, printing, binding and so forth.

"5. All other costs, including sales, advertising and promotion costs, production and design costs, editorial costs, billing and shipping costs, warehousing costs, and so forth will be borne by the Louisiana State University Press. In addition the Press will pay the author from its share of sales income a 10 percent royalty on all copies sold.

"6. The Press will retain all



income from sale of the first one thousand copies. Thereafter -- that is, after sale of the first one thousand copies -- the Press and the Commission will divide income from sale of the book equally.

- "7. The Press will provide the Commission with semi-annual reports, payments to be calculated as of June 30 and December 31, each year.
- "8. The price of the new edition will be determined by the Louisiana State University Press. It is anticipated that the book will be priced at twelve dollars.
- "9. Two hundred and fifty copies of the new edition will be provided the Commission



without cost, for free distribution. The balance of the printing will be distributed as follows:

- (a) Ten copies to the author.
- (b) Copies for free distribution as needed for promotion and review.
- (c) The remaining copies for sale to individuals, booksellers, jobbers, and libraries at established discount policies of the Press.

"This agreement entered into this _____ day of _____, 1971.

"LOUISIANA WILD LIFE AND FISHERIES
Commission

By _____

"LOUISIANA STATE UNIVERSITY AND
A. AND M. COLLEGE

By _____."



THEREFORE, BE IT RESOLVED,
that the Director is authorized to sign
any and all documents necessary for
reprinting the Louisiana Birds book
by Dr. Lowery as soon as funds are
made available for the project.

MR. WALKER: Mr. Yancey, when was this
book first published?

MR. YANCEY: We have had two printings
on this book. The first printing was back in
the Mid-fifties and the second printing was in
the early Sixties, and it has been out of print
now for about four or five years. The price per
copy for the book they estimate would be about
\$12.00.

MR. WINFREE: Dick, wasn't this the book
that you showed us some color --

MR. YANCEY: That was the mammal book.

MR. WINFREE: Oh, that's right.

MR. YANCEY: The original prints that
were used in the other printings of the bird book
will be used again as reprints because if we come



up with new prints for this new bird book, the cost would be astronomical.

Are we ready for the next item?

THE CHAIRMAN: We are ready for the next item.

MR. YANCEY: The next proposal has to do with the initiation of the study of natural and man-induced changes in the central coastal Louisiana area. This study would be conducted by the LSU Center for Wet Land Resources through Dr. Gagliano, and it is proposed that it be financed jointly by the Mineral Board and by the Wild Life and Fisheries Commission.

It would take two years to complete this study and the total cost would be approximately \$21,000.00. Half of that would be paid by the Mineral Board and we propose that the Commission authorize the payment of the other half by the Wild Life and Fisheries Commission, to be financed jointly by the Refuge Division and the Oyster Division, because it would gather information that would be useful for both



Divisions.

All of us are familiar with the problems that we have around Marsh Island in Iberia Parish and one of the intents of this study would be to evaluate the effects that possible shell dredging operations have on erosion around Marsh Island. We are also familiar with some of the problems we have had with the construction of channels and canals in this area of the coast, which extends from Point au Fer Island westward to Chenier Tigre. This study would provide information on that subject.

Also, we are familiar with the tremendous additional silt load that is being discharged through Wax Lake and out the Atchafalaya River. This study would be designed to pinpoint the rate of accretion that you can be expected to get over the next thirty or forty years from this.

We think that we are going to get a tremendous amount of invaluable information at a very low cost here, and we would like to recommend that the Commission approve of our going



into this cooperative study. Now the Mineral Board has already received approval from the Division of Administration, Mr. McDougall, to cost-share in this study. We would like to recommend at this time that the Commission also join in this endeavor.

MR. NORRIS: Mr. Yancey, that report would be available to anybody that so needed?

MR. YANCEY: That's right. It will give us some factual information that we really need now. It would help solve this public relations problem we have around Iberia Parish, we believe, with regard to the shell dredging.

MR. NORRIS: Something like this would be invaluable.

MR. YANCEY: That's right. Well, in about 1975, I believe, the lease that Lake Charles Dredging and Towing Company has now on the water bottoms around Marsh Island will be up for renewal and this information is going to be tremendously important to the Commission at that time in working out that renewal.



THE CHAIRMAN: Is there any further discussion? What is your pleasure?

MR. WRIGHT: I so move.

THE CHAIRMAN: Moved by Mr. Wright. Is there a second?

MR. WALKER: I second.

THE CHAIRMAN: Seconded by Mr. Walker. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution is here made a part of the record.)

WHEREAS, there is a need for gathering factual information on the natural and man-induced changes that are occurring in the central coastal region of Louisiana between Point au Fer Island and Chenier Tigre, and

WHEREAS, a proposed study outline has been prepared and submitted to the Commission by Dr.



Sherwood M. Gagliano, Department of Marine Sciences, at Louisiana State University, and

WHEREAS, this study will require twenty-four months for completion at a total cost of \$20,500.00 with some logistic support from the Commission on the Marsh Island Wildlife Refuge, and

WHEREAS, the State Mineral Board has agreed to finance one-half the cost of this study, and

THEREFORE, BE IT RESOLVED, that the Wild Life and Fisheries Commission does hereby authorize the Director to sign any and all documents in connection with the initiation and completion of this study, which will involve a financial outlay of \$10,250.00 from the budgets of the Refuge and Oysters, Water Bottoms and Seafoods Divisions, and



BE IT FURTHER RESOLVED that
this study be initiated as soon as
the necessary funds can be made
available.

THE CHAIRMAN: Do you have anything else,
Mr. Yancey?

MR. YANCEY: We have an application for
a mineral lease on the Russell Sage Wildlife
Management Area near Monroe. It was sent in by
Mr. Dixon Carroll of Shreveport in a letter dated
May 6, 1971, and he is requesting that a tract
of some 2,080 acres be put up for bid. We would
like to recommend that we handle this application
the same way we did the one that was received
about two or three months ago, that the Commission
approve of the leasing of this tract through the
State Mineral Board, that we simply forward this
application on to the State Mineral Board and
ask that they put this up for bid if they can
work out the legal entanglements that we are in
over this matter at this time, which have to do
with the privately owned minerals on this area.



THE CHAIRMAN: What is your pleasure?

MR. NORRIS: I so move.

THE CHAIRMAN: Moved by Mr. Norris.

MR. KYLE: Second.

THE CHAIRMAN: Seconded by Mr. Kyle.

Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, an application dated
May 6, 1971, has been received from Mr.
Dixon Carroll, Shreveport, Louisiana,
for mineral lease on a 2,080 acre tract
located on the Commission-owned Russell
Sage Wildlife Management Area in Ouachita
Parish, and

WHEREAS, the State Mineral
Board handles the leasing of such lands
for the Commission, and

THEREFORE, BE IT RESOLVED,



that the application from Mr. Carroll be forwarded to the State Mineral Board with the request that they process this application in accordance with the stipulations set forth in the regulations adopted by the Commission at its regular meeting held in New Orleans on April 27, 1971.

THE CHAIRMAN: Thank you, Mr. Yancey.

We received a request from Miradona Brothers to return some 66 alligator skins and we asked our attorney to give us an opinion about it and George Stringer is not here, so we will pass that temporarily.

Mr. Ensminger.

MR. WRIGHT: Mr. Chairman, I would like to say something. I think this Miradona Brothers skins should be resolved either one way or the other. I am not sure which way it is, but I think this has gotten to be with the Commission the same thing as Columbus' crossing has been with the history books.

THE CHAIRMAN: It is our intention to



do that but we wanted to get an opinion from Mr. Stringer as to what our legal obligations were and then we would decide what we were going to do.

MR. ENSMINGER: Mr. Chairman, Gentlemen of the Commission, we have received a request from General American Oil Company of Texas to excavate an access route on our Pass-a-Loutre Waterfowl Management Area in conjunction with a farm-out location that they have on 2092 from Humble Oil and Refining Company.

This location would involve about 600 feet of dredging through a marsh area and the remainder of the route would be in Redfish Bay. I can see no objection to this and we would like to recommend that the Commission grant approval to this company to excavate this access route to their drilling site.

THE CHAIRMAN: What is your pleasure?

MR. NORRIS: I so move.

THE CHAIRMAN: Moved by Mr. Norris. Is there a second?



MR. WRIGHT: I will second it.

THE CHAIRMAN: Seconded by Mr. Wright.

Is there any other discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana Wild
Life and Fisheries Commission received
a request from General American Oil
Company of Texas to excavate an access
route to service a proposed drilling
site on State Lease No. 2092 Well No. 1,
and

WHEREAS, this Company has pro-
vided the Commission with a copy of
the Farmout Agreement from Humble Oil
& Refining Company, and

WHEREAS, this work can be done
without adversely affecting wildlife
resources on the area,



NOW, THEREFORE, BE IT RESOLVED that Louisiana Wild Life and Fisheries Commission does hereby grant approval to General American Oil Company to excavate an access canal to serve State Lease 2092 Well No. 1 in accordance with the rules and regulations as will be set forth in the letter permit to protect the Wild Life and Fisheries, and

BE IT FURTHER RESOLVED that the Director is hereby authorized to sign all documents in conjunction with this permit.

THE CHAIRMAN: Joe.

MR. HERRING: Thank you, Mr. Chairman. The first item we have on the agenda is the State Land Office has some 160 acres in Concordia Parish that they have agreed to lease to Louisiana Wild Life and Fisheries Commission to be added to our Three Rivers Wildlife Management Area. I would like to recommend to the Commission



that we accept this. It will be accepted on the same stipulations that we have land leases from all of the other areas for wildlife management purposes owned by companies and so forth in our state.

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

MR. KYLE: So move.

THE CHAIRMAN: It has been moved by Mr. Kyle. Is there a second?

MR. WRIGHT: Second.

THE CHAIRMAN: Seconded by Mr. Wright. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana State
Land Office owns 160 acres, more or less,
of land in Concordia Parish joining our
Three Rivers Wildlife Management Area,



being described as Section 5, T 1 N,
R 7 E and

WHEREAS, the State Land Office desires to lease this 160 acres, more or less, to the Louisiana Wild Life and Fisheries Commission for wildlife management purposes, and

WHEREAS, the State Land Office will grant to the Louisiana Wild Life and Fisheries Commission a 35-year free lease for wildlife management purposes on this land and,

WHEREAS, the State Land Office will give to the Louisiana Wild Life and Fisheries Commission the right to

- (a) post and erect signs to adequately designate the boundaries of said Wildlife Management Area or Preserve located on said above described lands;
- (b) prohibit trespassing upon



said leased property, subject only to the use by the LESSOR, its agents and representatives, in any normal operation of the property;

(c) patrol and supervise for game management purposes said leased lands through duly authorized game wardens, rangers, supervisors, and/or other accredited agents and representatives;

(d) erect no structures or other construction work or do or perform any other acts which shall interfere with LESSOR'S rights, ownership and/or normal operations herein specifically reserved in sub-paragraph (b) of this Article;



- (e) exercise exclusively through its aforesaid game wardens, rangers, supervisors, and/or other accredited agents and representatives, the supervision, management and operations of restocking and protecting as well as the disposal and removal of any wild game life to and from said above described lands;
- (f) prohibit the possession of firearms by any person on the above described lands, unless said person be a game warden, ranger, supervisor, and/or other accredited agent or representative of LESSEE, or a party specially



authorized by LESSEE to go upon said above described lands, and to carry, possess and use firearms while on said lands;

(g) prohibit dogs within the boundaries of the above described lands except by special permit of LESSEE;

(h) direct the manner of disposing and removing of any wild game when there is a surplus on the above described lands and,

WHEREAS, the operation of this land for wildlife management purposes will be the same as property owned by the Louisiana Wild Life and Fisheries Commission making up the Three Rivers Wildlife Management Area,

THEREFORE BE IT RESOLVED,
that the Louisiana Wild Life and



Fisheries Commission accept from the Louisiana State Land Office this land for a period of 35 years for wildlife management purposes by the Louisiana Wild Life and Fisheries Commission.

THE CHAIRMAN: No. 9.

MR. HERRING: Mr. Chairman, we have another parcel of land in Lincoln Parish owned by the Willamette Industries, Inc., and they have also agreed to lease this land to the Louisiana Wild Life and Fisheries Commission for wildlife management area purposes. This land will join our Jackson-Bienville Wildlife Management Area, which we are trying now to get additional lands to increase the size. This land, too, will fall under the same agreements, stipulations and clauses that other leases on our wildlife management areas do. I would like to recommend to the Commission at this time that we go ahead and also accept the Willamette Land for the Jackson-Bienville Parish Wildlife Management Area.

THE CHAIRMAN: You have heard the



recommendation. What is your pleasure?

MR. WALKER: I so move.

THE CHAIRMAN: It has been moved by Mr. Walker. Is there a second?

MR. NORRIS: Second.

THE CHAIRMAN: Seconded by Mr. Norris. Is there any further discussion? Any objection?

(No response)

Hearing none, so ordered.

(Text of the resolution
is here made a part of
the record.)

WHEREAS Willamette Industries, Inc., Lincoln Parish, desires to lease to the Louisiana Wild Life and Fisheries Commission a portion of their land described as Section 17, T 17 N, R 4 W, SW 1/4, SW 1/4 of SE 1/4, which joins the northern portion of our present Jackson-Bienville Wildlife Management Area, and

WHEREAS, Willa mette Industries,



Inc. will lease this land to the Louisiana Wild Life and Fisheries Commission for wildlife management purposes for a period of 10 years and,

WHEREAS, further consideration for leasing

- (a) post and erect signs to adequately designate the boundaries of said Game Management Area located on said above described lands;
- (b) prohibit trespassing upon said leased property, subject only to the use by the LESSOR, its agents and representatives, in any normal operation of the property;
- (c) patrol and supervise for game management purposes said leased lands through



duly authorized game wardens, rangers, supervisors, and/or other accredited agents and representatives;

(d) erect no structures or other construction work or do or perform any other acts which shall interfere with LESSOR'S rights, ownership and/or normal operations herein specifically reserved in sub-paragraph (b) of this Article;

(e) exercise exclusively through its aforesaid game wardens, rangers, supervisors, and/or other accredited agents and representatives, the supervision, management and operations of restocking and protecting as well as the disposal and removal of any



- wild game life to and from
said above described lands;
- (f) prohibit the possession of
firearms by any person on
the above described lands,
unless said person be a game
warden, ranger, supervisor,
and/or other accredited agent
or representative of LESSEE,
or a party specially authorized
by LESSEE to go upon said above
described lands, and to carry,
possess and use firearms
while on said lands;
- (g) prohibit dogs within the
boundaries of the above
described lands except by
special permit of LESSEE:
- (h) direct the manner of dis-
posing and removing of any
wild game when there is a
surplus on the above
described lands,



THEREFORE BE IT RESOLVED

that the Louisiana Wild Life and Fisheries Commission accept this land from Willamette Industries, Inc., for a period of 10 years for wildlife management purposes to be operated on an equal basis with the remainder of the Jackson-Bienville Wildlife Management Area.

THE CHAIRMAN: No. 10, squirrel damage.

MR. HERRING: Mr. Chairman, we are receiving numerous complaints pertaining to squirrel damage on fruit and ornamental trees, shrubs, homes, girdling of trees, row crop damage and so on, and in checking these damages out we do not have, you might say, enough personnel within our organization to take care of all these complaints and help in any way.

We would like to recommend to the Commission that we have a policy that the owner, the landowner where they are doing the damage, take care of his own problem. In this he would file a



complaint with Louisiana Wild Life and Fisheries Commission at one of our district offices and a designated Commission employee will check the damage that is being caused. Then if the complaint is valid, from that district office they will issue traps to this individual to live-trap the squirrels only on his property and as soon as he would catch three or four squirrels he would bring these back to the district office. Then we would release these in a suitable wooded habitat away from any city dwellings.

We would like to stay away from this as much as we can and let the landowner be the one actually involved and let him take care of his own problem there. We would like to recommend to the Commission then that this be done on a permit basis issued from our district offices after the areas have been thoroughly checked out to see what the complaints are.

THE CHAIRMAN: You have heard the recommendation of Mr. Herring. What is your pleasure?



MR. WINFREE: What is going to happen in the city, Mr. Chairman?

THE CHAIRMAN: I think we discussed this, leaving it up to the municipal officials, if it was within city limits.

MR. HERRING: It would be the same thing. We would have to have the municipal officials agree along with this particular individual's problems there, like Baton Rouge, Monroe, Shreveport or some of these.

MR. HOFFPAUER: Point of information. If there is deviation from this policy, who do we prosecute -- the squirrel, the landowner or the biologist?

(Laughter)

THE CHAIRMAN: Are there any other questions or comments? What is your pleasure?

MR. NORRIS: I so move.

THE CHAIRMAN: Moved by Mr. Norris. Is there a second?

MR. KYLE: I second.

THE CHAIRMAN: Seconded by Mr. Kyle. Is there any further discussion? Any objection?



(No response)

Hearing none, so ordered. Thank you,
Joe.

(Text of the resolution
is here made a part of
the record.)

WHEREAS, the Louisiana Wild
Life and Fisheries Commission receives
numerous complaints each year pertaining
to squirrel damage on fruit and ornamental
trees, shrubs, row crop damage (gardens),
girdling trees, squirrels in home
attics, just to mention a few types
of complaints, and

WHEREAS, the Louisiana Wild
Life and Fisheries Commission does
not have an adequate staff to answer
or take care of these complaints, and

WHEREAS, a designated
Commission employee will check on
damage, and if complaint is valid,
will select sites and instruct prop-
erty owner to obtain bait and baiting.



Employee will demonstrate trap setting and explain squirrel handling. Employee will countersign complaint and recommend that the permit be given or refused, and

WHEREAS, if approved, complainant will come by district office and pick up designated number of traps and storage cage and permit. He will sign for materials and be given a permit limited to squirrels only, live trapping only, and an expiration date that is so near that he will have to keep working with the traps assigned to him to get relief within that time period, and

WHEREAS, complainant will bring squirrels to district office when he has caught three or four and is holding in collection cage. Employee will swap empty cage for cage containing squirrels and will



release squirrels in forest habitat
of his choice, and

WHEREAS, upon expiration of
permit, traps and cage will be returned
to district office where this will be
noted on permit and filed, and

WHEREAS, information will be
retained and compiled for Commission
review and for presentation in the
biennial report. Instructions will
be printed on same page as permit --
provide short form on bottom of
permit to be filled in (on squirrels
caught, etc.) and turned in with
traps, and

WHEREAS, this permit is
valid only when signed by the
Director of Louisiana Wild Life and
Fisheries Commission and counter-
signed by the applicant, and is
limited to the live trapping of
squirrels only,



THEREFORE BE IT RESOLVED that the Fish and Game Division of the Louisiana Wild Life and Fisheries Commission will furnish materials and information to individuals to assist them in relieving themselves of pest squirrels on their property.

MR. HERRING: Mr. Chairman, the last item on the agenda then is one that we heard from both sides last week, the water fluctuation and management program for our Lake Bistineau area. The lake is some 17,200 acres in size, and again we would like to recommend to the Commission that we do adopt the management fluctuation program that we have been doing for the past five years and continue it.

THE CHAIRMAN: What is your pleasure?

MR. WRIGHT: I so move.

THE CHAIRMAN: Is there a second?

MR. WALKER: Second.

THE CHAIRMAN: Seconded by Mr. Walker. Is there any discussion? Hopefully, no. All in



favor say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed?

(No response).

(Text of the resolution is here made a part of the record.)

WHEREAS, at the last monthly meeting of the Louisiana Wild Life and Fisheries Commission, which was held April 27, 1971, the Lake Bistineau Management Plan proposal was discussed. The plan on this northwest Louisiana upland lake which impounds some 17,200 acres of water includes a water fluctuation program. There are many opponents as well as proponents for this type of management plan. Thus the Commission heard both sides of the proposal and,

WHEREAS, complete management



plan was presented to the Commission by the Fish and Game Division on water fluctuation purposes, and

WHEREAS, complete report was furnished to the Commission members on the past five years management plan as carried out by the Lake Bistineau Commission, and

WHEREAS, this management plan has decreased the aquatic weed problem by 3,440 acres and has increased the game fish population from 46.75 pounds per acre to 63.05 pounds per acre, and

WHEREAS, this is the most economical means of managing this or similar bodies of water,

THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission adopt the proposed management plan as presented by the Fish and Game Division to members of the Louisiana Wild Life and Fisheries Commission.



THE CHAIRMAN: Mr. O'Neil, or George, you have the letter? I'll just read the letter. Let me have the letter.

I received a letter in the mail dated May 17 from Mirandona Brothers in New Orleans that reads as follows:

"Based on enclosed certified bill of information from the District Attorney's office in the Parish of Orleans, which shows that the charges of failure to keep a complete record of alligator hides, purchases and sales, to unlawfully possess 66 alligator skins during closed season, were nolle prossed by the District Attorney on October 20, 1967, we hereby request the return of the skins you are holding as a result of these charges.

"Yours very truly, Mirandona Brothers," and I can't make out the signature.

We requested that one of the Commission



attorneys, Mr. Stringer, give us a written legal opinion as to whether or not we were obligated to return these skins to Mirandona Brothers and he has given it to me this morning, and I will read it. Addressed to the Commission:

"I am in receipt of a certified copy of the bill of information filed with the Criminal District Court for the Parish of Orleans against the above-captioned defendants for unlawful possession of subject 66 alligator skins during closed season.

"This alleged violation took place on September 28, 1965, and as the certified copy of bill of information shows, these charges were nolle prossed by the District Attorney's office for the Parish of Orleans on October 20, 1967. To the best of my knowledge, no subsequent charges were filed for this alleged violation and accordingly



further prosecution would be barred by prescription.

"By letter of May 17, 1971, the Mirandona Brothers requested the return of their alligator skins. The facts of this case would be similar to the case of the Mares Brothers versus Louisiana Wild Life and Fisheries Commission, in which the Court of Appeal on June 1, 1970, upheld the ruling of the District Court and directed the Louisiana Wild Life and Fisheries Commission to return the alligator skins which had been seized, since they could no longer be used in any criminal prosecution.

"The Supreme Court for the State of Louisiana refused to review the decision of the Fourth Circuit Court of Appeal and subsequently these skins were returned to the Mares Brothers.

"Because of the foregoing



reasons, it is my opinion that the Court would give the same ruling in this case should it be necessary to litigate this matter.

"Very truly yours, George
C. Stringer, Jr."

MR. WRIGHT: Mr. Chairman, I move that we give them back under the same conditions that we gave back the Mares Brothers, that they tag them, weigh them, and that the Wild Life and Fisheries be absolved of all liability.

THE CHAIRMAN: It has been moved by Mr. Wright that we return these 66 skins to Mirandona Brothers under the same conditions and terms that we returned the ones for Mares. Is there a second?

MR. KYLE: I'll second it.

THE CHAIRMAN: Seconded by Mr. Kyle.

MR. WRIGHT: With instructions to Mr. O'Neil to get them out immediately.

THE CHAIRMAN: Is there any further discussion? All those in favor, say aye.



IN UNISON: Aye.

THE CHAIRMAN: Opposed?

(No response)

(Text of the resolution
is here made a part of
the record.)

WHEREAS, on September 28,
1965, 66 alligator skins were seized
from Mirandona Brothers, 311 North
Peters Street, New Orleans, Louisiana,
in State of Louisiana vs. Henry F.
Mirandona et al, #191-733, and

WHEREAS, on October 2, 1967,
the above case was nolle prossed by the
District Attorney's Office for the
Parish of Orleans, and

WHEREAS, the Mirandona Brothers
requested the return of the 66 alligator
skins, and

WHEREAS, the Mirandona case was
reviewed by the Louisiana Wild Life and
Fisheries Commission Attorney, Mr. George



Stringer, and advised this Board that the skins should be returned in view of the precedent of the Mares case,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission return the 66 alligator skins, and that Mirandona Brothers be authorized to dispose of these skins by sale provided they acquire the necessary dealer's license and pay the appropriate severance tax on the skins, and comply with all Louisiana statutes.

THE CHAIRMAN: We have two other items of business. First, I would like to introduce to those who have not met the new Chief of the Enforcement Division of the Commission, Mr. Mike Hogan. Glad to have you with us, Mike.

(Applause)

Secondly, we have a report from the committee on pollution. Mr. Walker, the chairman.



MR. WALKER: Report of the Pollution Control Subcommittee, May 25, 1971. The organization of the Pollution Control Section is progressing smoothly.

The second item, following is a report of activity from January 1, 1971, to May 24, 1971. We report on 803 cases, 47 cease and desist and 47 charges filed. I would like to ad lib and say that we are finding in the field wonderful cooperation between the oil companies and their agents who are working in the field.

Further, we have a recommendation of the Pollution Control Subcommittee: (a) agents of North Louisiana and South Louisiana shall attend a school on the use of test equipment for testing water or pollution at the Stream Control Commission laboratory in Baton Rouge, Louisiana. Dates will be set by the Pollution Control Section of the Louisiana Wild Life and Fisheries Commission who will furnish the instructors; (b) request the Director to purchase the necessary test equipment for each agent.

Mr. Chairman, we have been meeting with Mr. Al Prechac and discussing his problems and these are the recommendations and the report of the subcommittee. Mr. Clay Wright and J. E. Kyle also conferred.

MR. HOFFPAUER: Just one change in there. The Stream Control Commission does not have a laboratory. It is the Pollution Control Division.

MR. WALKER: Oh, I stand corrected.

THE CHAIRMAN: Do you move the adoption of that report?

MR. WALKER: Yes, sir, I move the adoption of this report.

THE CHAIRMAN: Is there a second to the motion?

MR. KYLE: I'll second it.

THE CHAIRMAN: It has been moved and seconded that we adopt the report of the Committee on Pollution. Is there any further discussion? Any objection?

(No response)



THE CHAIRMAN: Hearing none, so ordered. Thank you, Jimmy.

Is there any other business to come before the Commission?

MR. WRIGHT: I move adjournment.

THE CHAIRMAN: It has been moved by Mr. Wright that we adjourn. The meeting stands adjourned.

. . . Thereupon, at 10:30 o'clock a.m., Tuesday, May 25, 1971, the meeting was adjourned. . . .

