

LOUISIANA WILD LIFE AND FISHERIES COMMISSION

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P R O C E E D I N G S

BOARD MEETING

Friday, August 29, 1975

10:00 o'clock a.m.

HARVEY CLAY LUTTRELL

Chairman

Wild Life and Fisheries
Building
400 Royal Street
New Orleans, LA 70130



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Stenotypists

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P R O C E E D I N G S

. . . The regular monthly Board meeting of Louisiana Wild Life and Fisheries Commission was held on Friday, August 29, 1975, at 10:00 o'clock a.m., at the Wild Life and Fisheries Building, 400 Royal Street, New Orleans, Louisiana, Harvey Clay Luttrell, Chairman, presiding.

PRESENT WERE:

HARVEY CLAY LUTTRELL, Chairman

DOYLE G. BERRY, Vice Chairman

MARC DUPUY, JR., Member

JERRY JONES, Member

JEAN LAPEYRE, Member

JIMMIE THOMPSON, Member

DONALD WILLE, Member

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A G E N D A

DR. LYLE ST. AMANT

1. Request of Mr. Mordelo L. Vincent, Jr., for (7)
 permit to dredge for fill material in Moss Bluff Bay in the amount of approximately 5,500 cubic yards.



2. Request of Allseas, Inc. for permit to remove (8)
fill material in the amount of approximately 100,000 cubic yards for purposes of bulkhead erection from Vermilion River in Section 86, T14S-R3E, about 2.5 miles north of Intracoastal City, Vermilion Parish, Louisiana.
3. Request of Tri-Parish Sand Corporation, Mr. (10)
Alex J. Palama, Owner, for permit to remove fill material from the Mississippi River in the vicinity of Mile 88.3 AHP.
4. Request of T. L. James & Company, Inc. for (11)
permit renewal for removal of sand fill from the Mississippi River, between Mile 87.35 and Mile 88.17 AHP near Meraux, St. Bernard Parish, Louisiana.
5. Request of Avondale Shipyards, Inc. for per- (13)
mit for dredging of approximately 189,000 cubic yards of fill material from Bayou Black approximately three miles north from its intersection with the Gulf Intracoastal Waterway.



6. Notice of exercise of option for two-party shell lease in East and West Cote Blanche Bay by L. C. Dredging and Towing Company and Ratcliff Materials, Inc. (14)

MR. RICHARD YANCEY

7. Setting of 1975-76 duck and goose seasons and bag limits. (16)
8. Ratify alligator season. (51)

MR. ALLAN ENSMINGER

9. Vermilion Parish School Board - Section to be closed to alligator taking. (52)

MR. HARRY SCHAFER

10. Ratify oyster season. (55)

MR. KENNETH SMITH

11. To establish a commercial fishing season on Lake Verret. (56)
12. Ratify Lake Bistineau rules. (58)

MR. JOE HERRING

13. Consider request of Placid Oil Co., for right-of-way on Saline Wildlife Management Area. (61)
14. Consider request from Louisiana Paving Co. (65)



for borrow material in exchange for work
on Russell Sage Wildlife Management Area.

15. Bids to be received on Green Tree Reservoir, (71)
Loggy Bayou.
16. Resolution pertaining to National Hunting and (75)
Fishing Day.

OTHER BUSINESS

17. Doris Falkenheiner - Discussion of resolution (86)
regarding Tensas-Cocodrie Project.
18. Wayne Vinson - Approval of forms and proce- (104)
dures for "Commercial Shrimp Fisherman
Loan Guarantee Security Fund", Act 819
of 1975, effective August 5, 1975.
19. Set date for September meeting. (144)

The following items not on printed agenda were
also considered:

- Lowering of Lake Bistineau. (60)
- Marking of channels, Toledo Bend Lake. (80)
- Natchitocher federal fish hatchery. (83)
- Striped bass, Toledo Bend. (84;
133)
- White shrimp season. (6;
107;
135)



. . . The Chairman recognized certain visitors in the audience and also reported on the state of health of Director Angelle and Fiscal Officer Cook, after which the Board proceeded to the agenda, as follows:

CHAIRMAN LUTTRELL: I am ready for Dr. St. Amant, please, sir.

DR. LYLE ST. AMANT: Mr. Chairman, we have the regular business on the agenda, but the question of the opening or closing of the shrimp season might be discussed at this time, if it is O. K. with the Commission. There are some people here I think who would like to be heard.

THE CHAIRMAN: Yes, sir. I discussed it with them and that is all right with me. We would like to do this, I notice that you have Kenneth Smith of the commercial fishing; would it be better under his or under yours now?

DR. ST. AMANT: Well, we can do it at one of two times. I think it should be under mine or under other business.

THE CHAIRMAN: Under other business, I would say, because our newspaper people would like



to get the story on duck hunting, since that is very interesting to the people. They would like to get it on the wire and in the afternoon paper. If you don't mind, let's put it under other business. We will call them then, and if I should forget, would you remind me?

DR. ST. AMANT: I will remind you. We have several requests for fill material permits. The first one is a request by Mr. Mordelo Vincent, Jr., to dredge for 5,500 cubic yards of material in Moss Bluff Bay, to fill in some of his property. We have examined this and we find that there is no problem with it. We recommend he be given a permit at five cents per cubic yard until the work is completed or not more than one year.

THE CHAIRMAN: What is your recommendation?

DR. ST. AMANT: I recommend we give him the permit.

THE CHAIRMAN: All right, you have heard the recommendation. Motion?

MR. MARC DUPUY: I so move.

MR. JERRY JONES: Second.



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

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full 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 permis-
sion to Mordelo J. Vincent, Jr. to
remove fill material from Moss Bluff
Bay in the amount of approximately
5,500 cubic yards for a period of one
year from August 29, 1975, to August 29,
1976, at a royalty rate of five cents
per cubic yard.

DR. ST. AMANT: The second request is
from Allseas, Inc. for permit to remove fill
material in the amount of approximately 100,000
cubic yards for the purpose of filling behind a



bulkhead from the Vermilion River in Section 86, Township 14 South. This is an area where there is a considerable amount of industrial development. It is for the purpose of a boat slip type area and we find no objection to this. We would recommend that the permit be granted for a period of not more than one year or until the project is completed, with a five-cents per yard royalty.

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

MR. JONES: So move.

MR. BERRY: Second.

THE CHAIRMAN: Moved by Mr. Jones, seconded by Mr. Berry. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full 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 Allseas, Inc. to remove fill material from the Vermilion River in Section 86, T14S-R3E, about 2.5 miles north of Intracoastal City, Vermilion Parish, Louisiana, for a period of one year from August 29, 1975, to August 29, 1976, at a royalty rate of five cents per cubic yard, in the amount of approximately 100,000 cubic yards.

DR. ST. AMANT: No. 3 is a request by the Tri-Parish Sand Corporation, owned by Mr. Alec J. Palmer, to dredge in the Mississippi River in the vicinity of Mile 88.3 AHP. This is a standard river permit. We find it has no effect on the interests of the Wild Life and Fisheries or the ecosystem. We would recommend a permit be granted for one year at five cents per yard.

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

MR. LAPEYRE: I so move.

MR. BERRY: Second.

THE CHAIRMAN: Moved by Mr. Lapeyre,



seconded by Mr. Berry. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

The full 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 permis-
sion to Tri-Parish Sand Corporation
to remove fill material from the
Mississippi River in the vicinity of
Mile 88.3 AHP for a period of one year
from August 29, 1975 to August 29, 1976,
at a royalty rate of five cents per
cubic yard.

DR. ST. AMANT: No. 4 is a request for a
renewal of an existing permit by T. L. James &
Co., who has been dredging at 87.35 Mile and 88.17
Mile AHP. This permit has been in effect. There
has been no problem and we would recommend that it



be renewed for a period of one year at five cents per yard.

THE CHAIRMAN: Gentlemen, you have heard the recommendation.

MR. BERRY: So move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Berry, seconded by Mr. Dupuy. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full 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 T. L. James & Company, Inc., to renew their permit to remove sand and/or fill material from the Mississippi River between Mile 87.35 and Mile 88.17 AHP near Meraux, Louisiana, in St. Bernard



Parish, for a period of one year from August 29, 1975 to August 29, 1976, at a royalty rate of five cents per cubic yard.

DR. ST. AMANT: No. 5, Avondale Shipyards is doing some renovation and some expansion of their area on Bayou Black. They want to cut a part of the bank of their property to set up a docking facility and they need to dredge the area in front of their property in order to move the ships into the area. They want to dredge 189,000 cubic yards. We recommend that they be given a permit to do this at five cents a yard, and either it runs for one year or until the project is completed.

THE CHAIRMAN: You have heard the recommendation.

MR. BERRY: I so move.

MR. WILLE: Second.

THE CHAIRMAN: Moved by Mr. Berry and seconded by Mr. Wille. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.



(No response)

So ordered.

(The full 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 Avondale Shipyards, Inc., to remove fill material in the amount of approximately 117,000 cubic yards from Bayou Black about three miles north of its intersection with the Gulf Intra-coastal Waterway, Terrebonne Parish, Louisiana, for a period of one year from August 29, 1975 to August 29, 1976, at a royalty rate of five cents per cubic yard.

DR. ST. AMANT: The last one is a little bit different. Radcliff Materials, Inc. and Lake Charles Dredging & Towing Company own a joint lease for the dredging of oyster shell in the East and West Cote Blanche Bay areas. This lease has been in effect now for a considerable length of time.



The original lease terminates this year and there is an option to re-lease for a period of another ten years. This option was acted on by a prior Commission and is in effect. The Company is exercising the option. What we are doing today is to bring it before the Commission so that you will recognize this exercise and we will make a public record of it. I would recommend that we pass a resolution at this time that the option be granted.

THE CHAIRMAN: Thank you. You have heard the recommendation. Do I have a motion?

MR. DUPUY: I so move.

MR. LAPEYRE: Second.

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

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

(The full 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 permis-
sion to Lake Charles Dredging & Towing
Company and Radcliff Materials, Inc.,
to exercise their option for renewal of
their shell lease for a ten-year period
beginning October 3, 1975.

DR. ST. AMANT: That concludes my part.

THE CHAIRMAN: And we will call you back,
Doc, under "Other Business", for this important
shrimp deal. Thank you. Richard.

MR. RICHARD YANCEY: Mr. Chairman and
Members of the Commission, we have received the
final regulations from the U. S. Fish and Wildlife
Service on the 1975-76 migratory waterfowl season.
This basically provides that the Commission will
set the dates of the hunting season for both ducks
and geese. The federal framework provides that
these dates will be set between October 1 and
January 20 and that shooting hours on the hunting
of waterfowl will be from thirty minutes before
sunrise to sunset.

Louisiana this year, under an agreement



between the Commission and the Fish and Wildlife Service made back in June, will be allowed to zone the state for purposes of setting the dates of the duck hunting seasons. Here is a map down on that end of the room that shows the dividing line between the eastern zone in Louisiana and the western zone.

Now, for bag limits, I think there is no question. Of course, we can select a bag limit system having a conventional bag or the point system, and I think the feeling in the state is virtually unanimous that the point system for controlling bag limits would be used again this year as it has been for the past two years.

Have you got the bag limits there, Mr. Bateman?

This chart that Hugh Bateman has here outlines the bag limits on the different species of ducks. You will notice in the lower right-hand corner that the ducks that will have ten-point values include pintail, blue and green-winged teal, gadwall, shoveler and scaup. Those with 35-point values would include mallard drake, widgeon, mottled



duck, ring-neck ducks and all other ducks not shown in one of the other columns, and 90-point ducks would include mallard hens, wood ducks, black ducks, including mergansers. The 100-point ducks include canvasback and redhead, and it is stipulated in the regulations that about three or four areas in Louisiana would be closed altogether for the hunting of those two species.

Potentially this allows the duck hunters in Louisiana to take a ten-bird bag. They could possibly complete their bag limit with one duck if they took a canvasback or a redhead or if they took these 10-point ducks in that particular category they could have a potential bag of ten ducks per day. This is the first time in about 30 years that Louisiana has been allowed this large a bag limit.

Now, on the number of hunting days, the Commission is authorized to select one of two options. You can select an option of a 45-day duck season and start the season any day of the week, or you can have a 50-day duck season, provided you start the duck season on a Wednesday.



The season can be split without penalty. This would mean, if you took the 50-day season in the eastern zone of Louisiana, you would get 55 days of hunting in the western part of the state. Generally speaking, while we had this Wednesday noon opening last year, we got, of course, a lot of objections to that, but generally speaking we think the hunters want the maximum number of days that they can be allowed in these duck seasons. Days are hard to come by in setting up these regulations and, generally speaking, we think the hunters want the maximum number of days that they can get for the duck season, which would provide for, of course, a Wednesday-noon opening in the east. However, in the west, with the longer season, the 55-day season, it would still start there on Saturday, November 1, as agreed to earlier this summer, in the agreement reached between the Commission and the Fish and Wildlife Service.

Now, in the hunting of geese, we are allowed basically the same regulations that we had last year, with 70 days of hunting, with the framework going to February 14, and bag and



possession limits would be the same, five daily, of which no more than two could be white-fronted geese. The season on Canada geese would be closed.

We have the recommendations of the biologists. Larry Soileau and Hugh Bateman and others have gotten together and come up with a set of recommended dates for the Commission, and we would like to bring those out at this time. I am sure there are people in attendance who would like to comment on these and perhaps make other recommendations for the consideration of the Commission.

At this time the biologists' recommendations would provide that the maximum number of hunting days be allowed, even though we understand the season would start on a Wednesday at noon. This would provide for 50 days of hunting in the eastern zone, to begin on November 19 and run through December 3 for 15 days and then reopen on December 17 and run to January 20.

Now, in making these recommendations they considered the migration and distribution studies that have been made by the Commission since about 1950, this past 25 years, and also



they have reviewed the past kill surveys of hunting in Louisiana on ducks. In addition to that, of course, on many occasions, meetings have been held with various groups of duck hunters around the state, and it seems that the sentiment in the eastern zone, the major part of the eastern zone, has been for the latest allowable season within the federal framework.

Now, in the western zone, if a 50-day season is elected in the east, then you would have a 55-day season in the west that would begin on Saturday, November 1. Now, we are locked in on that date; that is part of the agreement, one of the stipulations we had to comply with in getting this zone for Louisiana. That would be Saturday, November 1, and running through Sunday, November 30, closing and then reopening on Wednesday, December 10 and running through Saturday, January 3.

Now, all of these recommendations for both zones would provide that the duck hunting season would be open in all of the Thanksgiving, Christmas and New Year holidays, and they bracket in probably a maximum number of holidays and weekends that could



be figured into this thing.

Those basically are the recommendations, Mr. Chairman. There may be some here who would like to make some recommendations.

Of course, we might point out that over the past 25 years we have finally got two or three major flights of waterfowl into the state. We get one flight of transient waterfowl into the state that begins about this time of the year. It is made up mainly of bluewings and then later on we have early fall transients that include pintail and widgeon and other species, and a lot of these ducks winter south of Louisiana. They go on down through and winter in southern Mexico. Then we have our winter residents that come in here usually in the first week of November, and that is the mallards and gadwalls and species of that type and they stay with us for the winter. All of that was taken into consideration at the time these recommendations were formulated. So, perhaps there would be those present that would like to comment.

THE CHAIRMAN: I know that the Louisiana Wildlife Federation would like to comment. Who



wants to make that, you? All right, I recognize Mr. Veillon.

MR. EDGAR VEILLON: Thank you, Mr. Chairman. The Louisiana Wildlife Federation for the most part has recommendations pretty close to those of the biologists. There is a slight difference, which I would like to mention at this time.

In the east zone, we would like, first of all, a split season in both zones. In the eastern zone, we would like the opening date to be November 12 through November 30, which is 19 days. For the second segment, we would like it to begin on December 17 and run through January 16, which is 31 days.

In the western zone, Mr. Yancey mentioned November 1, the first Saturday in November, is locked in, so November 1 through November 30, which is 30 days, and December 17 through January 10, which is 25 days. Now, as Mr. Yancey mentioned, I would like to reiterate that our dates also include all available holidays and weekends that can be arranged with the number of days available at this time. Our reasoning on selecting November 12 as the



opening day for the eastern zone is the biologists' records for the past several years, which indicate that in the early part of November until usually from the eighth on is when you have a large number of these transient birds, mostly the pintail and bluewing teal, greenwing teal, and it is not just in the western part of the state. The birds are also in the eastern marshes at that time.

We would like to be able to take advantage of the number of birds available at that time because we know towards the end of the month, getting into December, I realize that you can't predict within two or three days from year to year, because there are so many variables involved in this thing, particularly the weather, but using the biologists' own records, we feel that the 12th of November is a better opening date than the 19th just for the reason I mentioned.

We would also like to point out that we feel that the way the number of days are split in both zones is equitable for all parts of the state. With the state being zoned the way it is now, you have an opportunity to satisfy two factions, those



in the east, those in the west. By taking advantage of the split season, since there is no more penalty involved for doing so, you have another opportunity to accommodate the people in both the north and the south of the state, so we are covering the entire state with these recommendations, we feel in a manner that is affording the greatest opportunity for all sections of the state. We thank you for the opportunity to present these recommendations and we hope that you will give them fair consideration.

MR. JONES: The only trouble I have is, for years the people in the Monroe area have eaten us up about wanting to have the last season to go as far as the framework will let us go, and you put it only to the 16th and the framework will let us go to the 20th. That is the only trouble I have with yours, if you can solve that problem somehow or other.

MR. VEILLON: Well, let me say this. Actually there has been two factions. Those people in Monroe that hunt in the bean fields late in the year, also the St. Bernard Parish section. We have



a number of our St. Bernard club here with us today and they will tell you that they are satisfied with these dates. The 16th of January is late. It is not as late as the 20th, but it is late. It is the latest it has been in a few years and we feel that instead of putting those four days that we are talking about here, the difference, either going to the 20th or the 16th, or putting those four days in the front, we feel that the four days are going to be much better utilized because it is a known fact that hunting enthusiasm dwindles considerably after you get past the 10th of January, whether the birds are there or not. There is just something about it, people do not hunt them in the numbers that they do in the early part of the season. Your enthusiasm is at its peak when you say we are going to open the season and everybody is getting their decoys ready and so forth. That is when you want to hunt. After you have hunted into January, whether the birds are here or not, the fact is you are not going to have the hunter participation that you would get earlier in the year, especially if the birds are there to hunt.



Now, we are going by the records that are kept by the Commission. We know that those pintail and teal are here in the early part of November and we feel because hunter participation and enthusiasm is at a much greater peak at that time, we feel that those four days would be made better use of at that time of the year instead of taking them on the end of what is already going to be a long season anyway.

These things that I am saying, we all know that they are true. You can have the birds there, but there is something about it, when you get past the tenth of January, people do not want to make the effort to go out and hunt them. I am not going to make an attempt to explain this, I am just saying it is a fact. We all know this, which is the reason why we are asking for the 12th of November instead of the 19th. We feel that the days will be made better use of at that time.

THE CHAIRMAN: Thank you, Mr. Veillon.
Mr. Kostmayer.

MR. DEWEESE KOSTMAYER: Mr. Chairman, I think probably the largest and oldest duck club in



the Lafitte area would be the Little Lake Club and they support the position of the Louisiana Wildlife Federation, frankly, on these dates in the east zone. They would like to have that thing backed up to as early as possible in November.

Thank you.

THE CHAIRMAN: Thank you, sir. All right, sir. Would you state your name, sir, and who you represent?

MR. DUBUISSON: Paul Dubuisson, I represent Dutch Bayou Hunting Club. We feel that the Louisiana Wildlife Federation has stated dates that meet with the majority of the duck hunters that I know. Basically we feel that this a spreading the difference sort of thing. We are dropping three days in the early part of the season, as recommended by the Commission, that is, the first, second and third of December, and tacking them onto the end to get it to January 16, so rather than have the four days involved at the very end, I agree with the Louisiana Wildlife Federation that perhaps they would be better served on the front half of the season. Thank you.



THE CHAIRMAN: Do we have another person, someone who wants to comment on the duck season?

MR. FRANCIS BRAUD: I am Francis Braud, President of Louisiana Wildlife Federation. Just to describe how we came about these dates, the resolution passed at the convention was directed to the Executive Committee and the Executive Committee met last Sunday and this is how we came up with these dates, through the action of the Executive Committee, just to clarify the situation concerning the date that we picked. This is the Executive Committee's picking from last Sunday, that is how we came about with these dates.

The Executive Committee was directed by the convention to come up with these, to pick seasons and bag limits, and this is how we come up with it and we recommend that these dates be carried out, if it is possible. Thank you.

THE CHAIRMAN: Thank you, Mr. Braud. Mr. Wille.

MR. WILLE: Francis, I realize that the Federation carries a big stick and I very well respect their opinion and the Executive Committee's



opinion, but I have been living in North Louisiana for quite a long time and know a lot of hunters in the Monroe area and I feel that this is the first year we have really had an opportunity to be fair to these hunters and still be fair to the people down South, too.

I think to shove everything South is just being completely unfair to those people over there. Now, they have not had an opportunity to hunt late in the bean fields, as it was stated earlier. I think the biologists took everything into consideration when they did recommend this season, and I think that the Federation would be fairer to those people in that part of the country by compromising a little bit on this thing. I think that the seasons that have been recommended myself from the majority of the hunters in the western zone were completely in accord and there wasn't a day's difference in what the biologists recommended and what the people that had represented several clubs from my area have recommended in the western zone.

In the eastern zone, those people over there in the Monroe area are not here. I am sure



that had they known that we weren't going to take the late stand for them because we had zoned the state for this reason, that they would be here, so they are not really here to defend themselves, Edgar.

MR. VEILLON: Let me just say this. If anybody thinks they know what is going to be decided at these meetings, it tells me that they haven't been around long enough! You don't take anything for granted. If you are interested enough to have a position, you should be interested enough to be here and state it if it is in opposition to your parent organization which in this case it is not.

As far as the people in the Monroe area, in our recommendations 31 of the 50 days are late. The 16th of January is not early, and those people will be served up there with these recommendations that we have. We are not neglecting them at all.

One other thing should be taken into consideration, the number of people you are talking about. Considering the number of people that hunt in the Monroe area versus the people that hunt in the southeastern marshes of Louisiana, 31 days favoring the people in Monroe is great. They will



be tickled to death with this, believe me.

THE CHAIRMAN: Thank you. I recognize Mr. Dupuy.

MR. DUPUY: Mr. Chairman and members of the audience, as you well know, our setting the seasons here in August and hoping that it will be right in November, December and January is pretty much controlled guesswork. We are working on the basis of past history and what we know of the duck flights, of the migratory habits, what we hope the weather will be, what we know of the population, but we are also hoping that the weather will be accommodating, too. Several years in the past we have had seasons that have looked just right time-wise and the weather has not been such that it would give us the best kind of seasons we could have.

I like the Louisiana Wildlife Federation idea of November 12 and ending January 16 for myself personally and the area of Central Louisiana. It is the thing that I think would be best suited for my area, myself personally. That is not a consideration, myself personally.

There is something that hasn't been



brought out, however, and I think we need to consider the two views, the biologist's recommendations and the Wildlife Federation recommendations.

The Wildlife Federation's total days is 61, 61 total days, November 1 to November 30 and then picking up again on the 17th of December and going to the 16th of January. That is a total of 61 days, with a 17-day gap in between, a closed season throughout the whole state for 17 days.

Now, looking at the biologists' recommendations, you have a total of 74 days, 74 days in which the season will be open somewhere in the state, with only a seven-day gap in between. Now I really believe that since we are so dependent upon weather, we can't really gamble as well and guess as controlled as we hope we can, and I think with 74 total days and only a seven-day gap that our gamble would be better to go along with the recommendations of the biologists.

THE CHAIRMAN: Thank you, Marc. I have recognized Mr. Thompson, he has asked to comment next, so Mr. Veillon, I will have to ask you to wait.



MR. THOMPSON: I am ready to make a motion. I want everybody to say their piece before I do.

MR. DUPUY: I would move that we adopt the recommendations of the biologists. Is that what your motion was going to be?

MR. THOMPSON: Do you want to make that motion?

MR. DUPUY: Yes, I would like to move that we do.

THE CHAIRMAN: Gentlemen, we will have to hold up just a minute on this. I have one person that I didn't notice that wanted to make a comment, and of course we have to give every person in the audience a chance to make his comment without having to go back and forth just between two people.

Go ahead, Mr. Veillon; you are there, and then I will call on this gentleman, then Mr. Thompson.

MR. VEILLON: Thank you, Mr. Chairman. The point I would like to make at this time is that the greatest advantage that we gain through having the State of Louisiana zoned is the flexibility to



accommodate the people in the various parts of the state. We are not concerned primarily with people who live in the east zone having 13 extra days to go into the west zone to hunt. That is not the advantage of zoning the state. The advantage by far is to be able to accommodate the people in the east zone to hunt at the best time for them in their area and the same thing in the west zone. I don't go along at all with this additional 13 days that Mr. Dupuy brings up. That is not the strong point of having the state zoned, and if it were known, I think your own people would tell you that. Whether you would listen to it or not is something else, but I know that the big advantage of zoning this state is to accommodate the people in the east when it is best for them to hunt, accommodate the people in the west when it is best for them to hunt. Don't be concerned with people being able to hunt on both sides of the line. There will be some opportunity there, but this is not the big picture. Thank you.

THE CHAIRMAN: Thank you. Edgar, let me tell you this before you leave. Whenever it is possible



for me to agree or to be convinced by the biologists that they are right or their proposition is better for us, I always support them. I don't know about the other people, but I thought you ought to know that, because I do support the biologists whenever I can if I think they are right or if they convince me they are right. Thank you, sir.

MR. BERRY: I think it boils down to one thing, gentlemen, that we are talking this thing to death. First of all, we don't know what God is going to do in relation to the weather, what kind of weather we are going to get to hunt these ducks in. It might be best to hunt them all as soon as we could, it might be better to have a later date, a later opening date. I don't think anybody can tell which is your best date. I think the biologists picked out some good dates and I for one am ready to go on and make a motion that we accept the biologists' recommendation and see if we get a second on it.

THE CHAIRMAN: I have a man that has asked to speak. I recognize the gentleman back here. I have to recognize him and then take your motion.



MR. SHALLER: Thank you. My name is Jerry Shaller. I am from Lake Charles, Louisiana; I represent T & S Wildlife Corporation. We are in the west zone, of course.

Gentlemen, let me say right off, I am ready to go hunting, because this is just a god-send, what our biologists have done for us, for the recommendations that have come forth. It is kind of like the fellow that sat down to a real full meal and we have come to the point that we are kind of fighting over a little bit of tidbits here. We have got it all right now. We have got everything that we have asked for and everything else, so I am going to say for us in the west zone, representing the people that I know and that we have contacted, we would like to go along with the biologists' recommendations for both the duck and the goose seasons in the western zone. For the eastern zone, that is your zone, you have got a good thing going for you, and your recommendations, of course, are left up to you because this is your hunting season. But we firmly, we emphatically back our biologists up. They have a basis and we should



respect the basis for which they have set the seasons. Four days one way or the other in the western zone, we wouldn't argue one way or the other over that. In fact, we probably wouldn't argue over seven days one way or the other, because we have got it all already, so let's don't argue over tidbits.

THE CHAIRMAN: Gentlemen, I have been holding up Mr. Thompson, whom I recognized some while back. Do I have another man from the audience? Mr. Jimmie might have to wait, but you will come first.

MR. HANNAN: My name is Ed Hannan. I am with the St. Bernard Sportsmen's League and I would like to ask that the Commission adopt the Louisiana Wildlife Federation dates that they set up. We are quite happy with them and we would like to see them adopted that way. Thank you.

THE CHAIRMAN: Do we have any other comments from the audience? I don't want to deny anybody the right to speak on this. I see no hands.

MR. KOSTMAYER: May I ask a question of Mr. Yancey?



THE CHAIRMAN: Come up here. I recognize Mr. Kostmayer.

MR. KOSTMAYER: Mr. Chairman, Richard, is there any flexibility in these dates as applies to the east zone? Are they critical?

MR. YANCEY: Well, the Commission can set these dates any time they want to in the east, provided they start on a Wednesday. In other words, they can move it up a week or back a week.

MR. KOSTMAYER: That's what I understand, so we don't have a lot of flexibility. It's either got to be one Wednesday or another.

MR. YANCEY: That's right. Those goose season dates, the recommendation on that was November 22 to November 30, which would include all the Thanksgiving holidays, and December 10 to February 8. I don't think I gave those earlier, but basically the reason we are proposing a later goose season is because of the fact that the geese linger longer and in larger numbers up in the Midwest before coming on to Louisiana.

Now the white-fronted geese are in by November 1, but the blue and the snow goose is the



main bird that provides the hunter with something in the bag and they are getting here later and we would have more birds on hand later. We know that over in southwest Louisiana particularly they like to start the goose season with the duck season but if we start on November 1 with this goose season, a large percentage of those blue and snow geese would not be in the state at that time, probably well over 50 or 60 percent of them.

THE CHAIRMAN: All right, thank you, Dick. Do we have any other comments? If not, I have a motion that I didn't recognize that I now recognize, a motion by Mr. Berry that we adopt the regulations as put forth by the biologists. Now before I have a second, if there is another comment, I can take it.

MR. BERRY: I would like to tell the biologists just to please note that this is one time I am going along with them.

MR. YANCEY: We really appreciate that!

MR. THOMPSON: Point of clarification. You are taking the biologists' recommendations with the Wednesday opening, not the Saturday opening?



MR. YANCEY: Saturday opening in the first segment in the west zone.

THE CHAIRMAN: West zone, has to be. The biologists' recommendation as it is written here.

MR. THOMPSON: All right, why don't you read them out just so there won't be any confusion. Let Doyle read them.

MR. BERRY: November 19 to December 3, December 17 to January 20 --

MR. THOMPSON: That is in the east?

MR. BERRY: -- in the east. In the west, November 1, which is a Saturday, to November 30, which is a Sunday, and December 10, which is a Wednesday, to January 3, which is a Saturday.

The goose season, November 22 to 30, and December 10 to February 8.

MR. DUPUY: Second.

THE CHAIRMAN: Gentlemen, that is the motion. It has been seconded by Mr. Dupuy. Any discussion? Hearing none, those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)



THE CHAIRMAN: Unanimous. So ordered.

MR. JONES: While Mr. Yancey is at the mike, I would like to ask him something. It is my understanding that we assume some obligations as a result of what I like to call the Lafayette armistice, where we divided Louisiana, that we agreed to certain things with the Department of Interior. Maybe Mr. Yancey could refresh our memory as to some of these things we agreed to do.

MR. YANCEY: O. K. We agreed to make a four-year study of the impact of zoning hunting in Louisiana would have on waterfowl. Last Monday in Baton Rouge we had several people with the Fish & Wildlife Service down to discuss how this study would be conducted, what would be involved in it and so on and so forth. They advised us that they would expect us to, Number One, run a waterfowl census in the state twice monthly during the fall and early winter months, and secondly, that we would run a harvest survey or kill survey of the number and species of ducks taken in each of the two zones in the state for the next four years, and further that we would attempt to band a large



number of ducks in the state for purposes of determining the migration routes that these birds use in traveling between here and Canada. Also, they were particularly interested in us trying to pinpoint the departure of waterfowl from Louisiana, to try to determine what the magnitude of this transient flight is, what species are involved, and also just how many bluewing teal, for example, are involved in it, when they leave and so forth.

Of course, Hugh Bateman runs the censuses for the state with an airplane and he can determine the arrival dates of these birds, but getting the departure dates is a different matter because you have got a constant turnover going on in the fall, with new ducks coming in while ducks that have been here a few days are leaving out. We talked in terms of possibly trying to work up some kind of bi-monthly survey of waterfowl habitat along the Yucatan Peninsula to determine the arrival periods of these Louisiana ducks as they show up down there, the species and the number of birds and when they arrive and so forth.

So, we have got ourselves involved in a



considerable study. It is going to be fairly costly. It is going to involve getting help out of personnel from the refuge and the game divisions and adding to that workload, but if we don't carry out this study, according to that agreement, then four years from now they are simply going to say, "Well, you are at the same point now that you were four years ago. You didn't conduct a study, you didn't gather this information, so now we have got to have another four-years study," so we are going to have to proceed with this thing I think so that at the end of this four-year period we will have complied with everything that they asked us to do.

MR. BERRY: Mr. Yancey, it appears to me from what you said, and I could be wrong and if I am, you correct me, they have asked you fellows for the information because apparently they don't have it, and that in essence tells me they have been administering this program for a long time not knowing what the hell they are doing with it.

MR. YANCEY: Well, what basically led up to this whole thing was the fact that Louisiana had requested to be transferred to the Central



Flyway and we had the two biological studies made which we felt were conclusive, but if you all will recall, they felt that the biological reports that were compiled by Belrose and by Dr. Hayne needed some additional data brought into them. That is why we got to the point we are at now.

Now we are going to run this study according to the way they want it done and at the end of the four-year period they wouldn't be able to come back and say we had not done this thing right, that we did not have sufficient information and so forth to justify a change, because we are still looking in the direction of the Central Flyway, a portion if not all of the state.

MR. DUPUY: Dick, there is another factor, too, that we haven't talked too much about, but if we do the statistical analysis and the study, we will know that the data is reliable and we will not have to be based entirely at the mercy of the Fish and Wildlife Service, relying on their information. We will know the information such as we have gathered we can rely on.

MR. YANCEY: Well, basically, as Doyle



pointed out, they don't have the information and they didn't accept the two earlier reports we sent to them to the extent they felt they justified the flyway change. They said that these additional studies then, if properly carried out, would lead in that direction.

MR. JONES: Mr. Chairman, just so that there is no misunderstanding with Secretary Reed about our intention to go forward with this plan that they want us to do, and I think it is our intention to go forward with it, I would like to move that we direct the Game Division, the Refuge Division and the Enforcement Division, all Divisions, to cooperate with the waterfowl biologists to the fullest extent to see that we carry our end of the deal and that Secretary Reed be so informed, and that we further advise him that we appreciate that limit of ducks and we are going to have our enforcement people enforce the law strenuously.

I move to that effect.

MR. BERRY: Second.

THE CHAIRMAN: All right, it has been moved by Mr. Jones and seconded by Mr. Berry that



we instruct our various departments to cooperate with Hugh Bateman and his crew and also inform Mr. Nat Reed of this intention.

Now we have a discussion before we take a vote, which I can do. Mr. Kostmayer, you have a brief discussion?

MR. KOSTMAYER: Mr. Chairman, I didn't like one thing at the tail end of Jerry's resolution. It seemed to me that if I understood him correctly he was going to thank Nat Reed for the season and bag limits that we are enjoying.

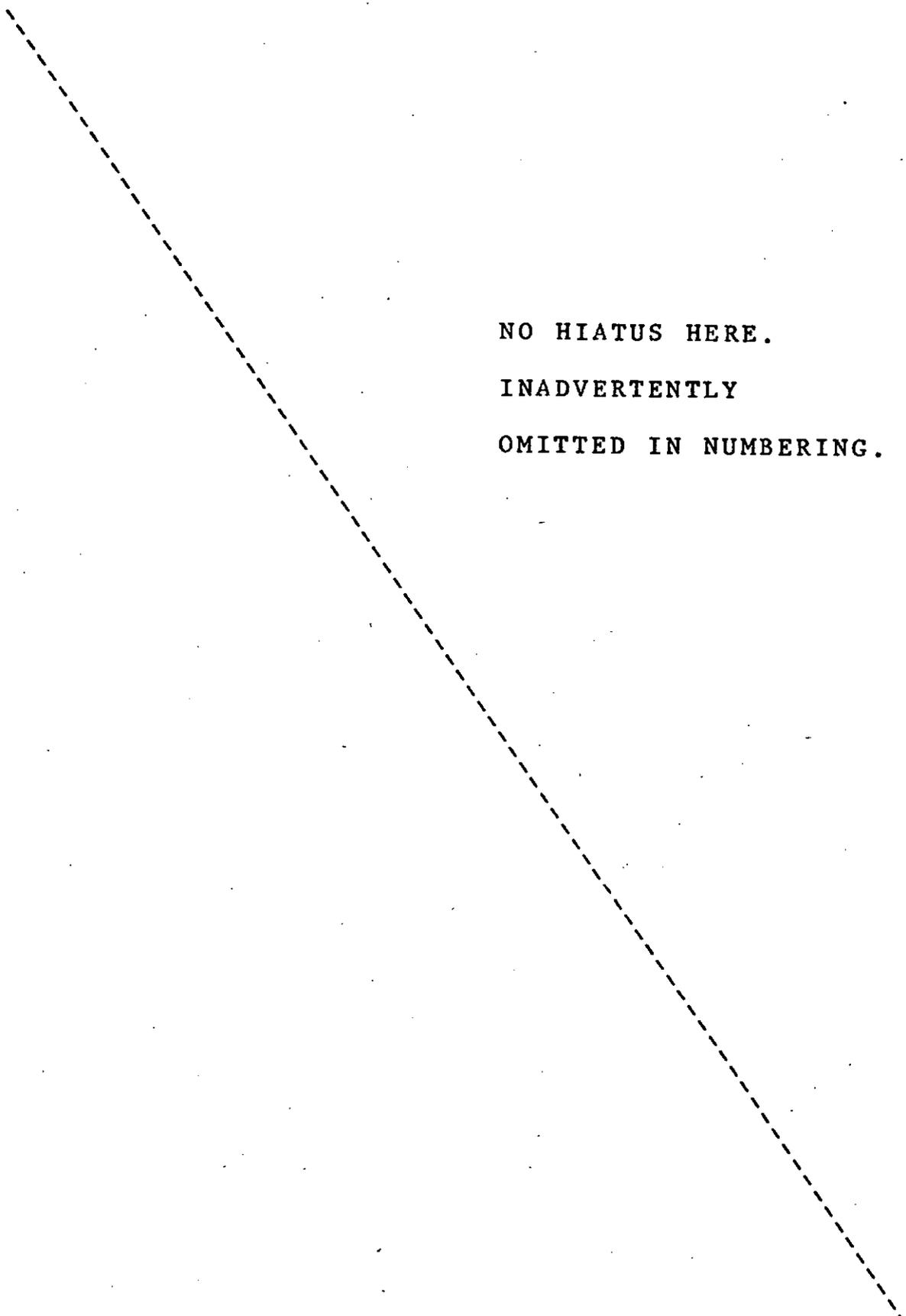
MR. JONES: I sure am.

MR. KOSTMAYER: Well, I want to tell you, he didn't do this gracefully, and he is not entitled to any thanks.

MR. JONES: I didn't say that he did it gracefully. Regardless of how he did it, it was done above his name, and let him pass it on to the people that are responsible, whoever they are, and I don't know who they are.

MR. KOSTMAYER: Well, if you knew the circumstances surrounding the meeting that took place, that resulted in this change in point system





NO HIATUS HERE.
INADVERTENTLY
OMITTED IN NUMBERING.



and this little favor, if you will, I don't think you would be inclined to --

MR. JONES: Let him pass it on. He knows the ones responsible. I don't; he does.

THE CHAIRMAN: Mr. Kostmayer, I agree fully with Jerry Jones, because I have always felt a little sugar attracts more flies than vinegar.

MR. KOSTMAYER: Well, you all provide the sugar and he'll get the vinegar from another source.

THE CHAIRMAN: O. K., thank you.

MR. THOMPSON: I have been trying to be recognized for half an hour!

THE CHAIRMAN: Good, sir, you are recognized.

MR. THOMPSON: I don't really have anything to say now. They have taken all my thunder, but I just want to say one thing. I am so proud of America, and the reason I am so proud of America, I thought at the treaty of Lafayette that Utopia had been reached, which would have been the end of everything, nothing for us to strive for. I now find that Utopia wasn't reached, just almost, and we are still in there, good, hard, solid American



citizens fighting for some more and trying to get a little bit better. I am proud of us.

MR. BERRY: Question.

THE CHAIRMAN: The previous question has been called. You have the motion and the second. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Unanimous. So ordered.

MR. YANCEY: Mr. Chairman, we think also in the regulations that were sent to us, that we have the opportunity to have this special late scaup season that we had last year in these outlying saltwater bay areas in southeast Louisiana, and we would like for the Commission to authorize this to be set to run at the close of the duck season on January 20 on to January 31 if it can be worked out with the Fish and Wildlife Service.

MR. BERRY: So move.

MR. LAPEYRE: Second.

THE CHAIRMAN: You have heard the recommendation. It has been moved by Mr. Berry,



seconded by Mr. Lapeyre. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Unanimous. So ordered.

MR. YANCEY: At the last Commission meeting we had a lengthy discussion on the establishment of an alligator season in a portion of southwest Louisiana. In fact, the season dates were set to begin September 20 and run through October 19, and various methods of taking and licensing requirements and so forth were included in this.

At this time, in order to comply with the Louisiana Register that we are now working under, we would like for the Commission to ratify that action that was taken.

MR. THOMPSON: So move.

MR. DUPUY: Second.

THE CHAIRMAN: You have heard the recommendation of Mr. Yancey. It has been moved by Mr. Thompson and been seconded by Mr. Dupuy. Those in favor, say aye.

IN UNISON: Aye.



THE CHAIRMAN: Opposed, no.

(No response)

Unanimous. So ordered.

All right, Mr. Allan Ensminger, please.

MR. ENSMINGER: Mr. Chairman and Gentlemen of the Commission, there is one very slight problem that has been brought to our attention with regard to the alligator season. The Vermilion Parish School Board owns a sixteenth section which is located within the boundaries of Rockefeller Refuge on the eastern end of the Refuge in Vermilion Parish. We would like to request your approval to close this section. It is in a brackish marsh area and actually would only deprive the Vermilion Parish School Board hunter of four alligator tags.

I would like to recommend that the School Board section on Rockefeller be closed and that the School Board be informed that if in the future we do open the season on Rockefeller and remove animals from the Refuge that their School Board section at that time would be included in the alligator season.

THE CHAIRMAN: You have heard the recom-



mendation, gentlemen. What is your pleasure?

MR. JONES: Is there any problem about giving them four additional tags on some of their other land to show our good faith?

MR. ENSMINGER: We could look into it, Jerry. I think they may have one School Board section in the Parish that they overlooked, and if it is possible, we will bring this to their attention and try and help them out with the additional tags.

THE CHAIRMAN: Do you want to put that in the form of a motion?

MR. JONES: Yes. I move that we close the alligator season on that School Board section located within the Rockefeller Refuge.

MR. BERRY: Second.

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

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Unanimous. So ordered.

(The full text of the



resolution is here made
a part of the record.)

WHEREAS, the Louisiana Wild
Life and Fisheries Commission has
received a request from the Vermilion
Parish School Board for allocation of
alligator tags on properties owned by
their School Board, and

WHEREAS, Section 16, Township
16 South, Range 2 West, lays entirely
within the boundary of Rockefeller
Refuge, and

WHEREAS, harvest of alligators
from the School Board Section within the
boundaries of the refuge would create
considerable management problems,

NOW THEREFORE BE IT RESOLVED
that the Louisiana Wild Life and Fish-
eries Commission does hereby close
Section 16, Township 16 South, Range 2
West, to the taking of alligators until
such time that the Commission establishes
an alligator harvest season on Rockefeller
Refuge.



THE CHAIRMAN: I believe we are ready for Harry.

MR. SCHAFFER: Mr. Chairman and Members of the Commission, at your last July 22 meeting you passed four resolutions, adopted four resolutions, that dealt with the seasons for oysters. Because of the Louisiana public information law, these have to be ratified at this meeting.

They dealt with the closing of new shell plant areas that were planted in '75, and that was the Sister Lake and Terrebonne Parish, Back Bay and Bay Craba in Plaquemines Parish. That was the first resolution. The second resolution dealt with the older shell plants that should be opened during this season, and we recommended that they be opened on October 1, and that was Petit Pass, Hackberry Bay and Bay Gardene. Because these were planted with federal money, they needed some production on that, so we will go with the permit system in the Bay Gardene area.

The third one was to open Bay Junop, which is a seed reservation and needs to open on alternative years. Sister Lake will be closed, Bay



Junop will be opened. The fourth resolution dealt with the opening of Calcasieu Lake. We set our season to open November 15 and close March 31, to be fished daylight hours, tongs only, three-inch culling law will be in effect. Commercial can harvest 15 sacks per boat per day; home consumption two sacks per boat per day. All commercial fishing must have proper license.

I would recommend that these be ratified.

THE CHAIRMAN: You have heard the recommendation. Is there any discussion?

MR. BERRY: So move.

MR. JONES: Second.

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

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

MR. SCHAFER: Thank you, Mr. Chairman.

THE CHAIRMAN: Yes, sir. Mr. Kenneth Smith.

MR. SMITH: Mr. Chairman, the first item



we have on the agenda pertains to a request by the Assumption Parish Police Jury to have an open season on commercial fishing in Lake Verret from January 1 until March 31, 1976, and each year thereafter unless closed by the Commission or some other action is taken.

Since this is a continuation of the seasons normally set on this lake, through the request of the Police Jury and our people, I would recommend that this open season be approved.

THE CHAIRMAN: You have heard the recommendation, gentlemen. Any discussion?

MR. LAPEYRE: I so move.

MR. JONES: Second.

THE CHAIRMAN: Moved by Mr. Lapeyre, seconded by Mr. Jones. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Unanimous. So ordered.

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



WHEREAS, the Assumption Parish Police Jury has requested an open commercial fishing season on Lake Verret for the period January 1 through March 31, 1976 and every year thereafter unless changed by official action; and

WHEREAS, Commission personnel have determined there is an adequate population of commercial fish to justify this season,

THEREFORE BE IT RESOLVED, Louisiana Wild Life and Fisheries Commission hereby approves a commercial fishing season for Lake Verret to be opened for the period January 1 through March 31, 1976 and every year thereafter.

MR. SMITH: I have another item, Mr. Chairman.

THE CHAIRMAN: Oh, you do? Go right ahead.

MR. SMITH: At the last meeting the Commission discussed the proposed rules for Lake Bistineau which have become necessary due to



increased use on the lake. This involves the prohibition of discharging rifles and pistols on the lake, the marking of certain designated areas for skiing, the regulation dealing with ski platforms, duck blinds, and so forth. This was discussed in detail at the last meeting and since we did not advertise this in the state register in sufficient time to get it approved, we are asking that this be ratified at this meeting.

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

MR. DUPUY: I so move.

MR. THOMPSON: Second.

THE CHAIRMAN: Moved by Mr. Dupuy, seconded by Mr. Thompson. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

MR. SMITH: Thank you, Mr. Chairman.

THE CHAIRMAN: Thank you. Mr. Wille has requested permission to address the Commission.

Mr. Wille, we are ready for you.



MR. WILLE: Mr. Chairman and Members of the Commission, I received several letters from people concerned in the Bistineau area again about the lowering. I have a telegram here which I think should probably be read into the record. It is addressed to the Louisiana Wild Life and Fisheries Commission and it states, "By lowering Lake Bistineau on September 2, 1972 (sic) you will financially ruin my business and all other businesses depending on the lake for their livelihood. Request you delay lowering the lake until 1 November 1975." It is signed, "Beckham's Camp, D. A. Wilson, Proprietor," representing the commercial camp owners around Bistineau, and I just thought it should be read into the record.

We also had a letter from Mr. Lloyd Dean Moore, who is the president of Louisiana Bank and Trust Company, not questioning the lowering of Bistineau but questioning our reasons for lowering Bistineau.

So, in an effort to educate people in the area, Kenneth Smith is going to be with me next week in the Shreveport area and we are going to



try to get enough time on television within the area and release to the newspapers all the reasons why we are lowering Bistineau so that the people will be well informed up in that area. For those in the audience who don't know about this, it has been a very controversial type subject for quite a long time.

Thank you very much.

THE CHAIRMAN: Thank you, sir.

MR. WILLE: Oh, one thing else I ought to add to this, Mr. Chairman, is that in discussions with "Bubba" Henry yesterday, he is going to bring it up to the legislature, either by special committee meeting or at the next session of the legislature, about the plight of the camp owners that are located on the lake and see what the legislature can do about it. I was in contact with Mr. Henry yesterday and I am going to be corresponding with him and I will let the Commission know what we can come up with or what he will come up with.

THE CHAIRMAN: Thank you, Mr. Wille. Joe.

MR. HERRING: Thank you, Mr. Chairman.

The first thing we have is a request from the



Placid Oil Company relative to relocation of an oil pipeline on our Saline Wildlife Management Area.

The pipeline that they have in question is one that was along the Catahoula Lake diversion canal, and it makes it virtually impossible for them to maintain in the location that it is in. In the past year they have had several major oil spills in this particular area. They have requested that they relocate this pipeline, and what it would do would be cut out an ell more or less in their lines and put it straight across, which would be a shorter distance, too.

The request is for a 25-foot wide right-of-way, 3,000 feet long, and they would pay the going price for right-of-way, which is \$10 per linear rod for this particular right-of-way, which would be \$1,818. Since it would be in the best interest not only of the wildlife resources there to prevent oil spills and we have no objection to it, going this route there, I would recommend to the Commission that we do grant this request to the Placid Oil Company for this flowage line on our Saline Wildlife Management Area.



THE CHAIRMAN: Joe, to back up this recommendation of yours, I happen to know where this line is and that right-angle bend has been a constant source of spillage of oil to us, and granting this thing would help the Wild Life people as much as it would the oil company. I just wanted to put that in because it would be a benefit to us.

You have heard Mr. Herring's recommendation. Do I have a motion?

MR. BERRY: So move.

MR. DUPUY: Second.

THE CHAIRMAN: Moved by Mr. Berry, seconded by Mr. Dupuy. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Unanimous. So ordered.

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

WHEREAS, the Louisiana Wild Life and Fisheries Commission has received a request from Placid Oil



Company relative to the relocation of an oil pipeline on Saline Wildlife Management Area, and

WHEREAS, technical personnel of our District IV office have checked this request on the ground, and

WHEREAS, the old pipeline of Placid Oil Company has given much trouble in the past and has caused some very major oil spills, and

WHEREAS, the old pipeline is in a location along the Catahoula Lake Diversion Canal that makes it very hard to maintain, and

WHEREAS, the shorter, straighter pipeline would be in the best interest of the wildlife resources of the Saline Wildlife Management Area,

NOW, THEREFORE, BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission grant the request to Placid Oil Company for a 25-foot wide by 3,000-foot long right-of-way for the replacement



of the old line, that Placid Oil Company pay to the Louisiana Wild Life and Fisheries Commission \$10 per linear rod for this right-of-way which would be a total of \$1,818 and that the stipulations on this right-of-way be the same as other right-of-ways issued across the Saline Wildlife Management Area.

MR. HERRING: Thank you, Mr. Chairman. The next item we have pertains to fill dirt being removed from a portion of our Russell Sage Wildlife Management Area. This is a portion located right off of Highway 165 and it is more or less divorced from the main part of our wildlife management area. It is more or less close to a residential area between Monroe and our district office. It is only a couple of hundred acres in size there.

What it is, the Louisiana Paving Company has asked that they be able to remove fill dirt for an interstate portion that is going in close by. This would cut down on some of their hauling, but in return for this fill dirt that they would



receive from this portion of our Russell Sage Wildlife Management Area, they would give us in kind gravel to put on our roads in the main portion of our Russell Sage Wildlife Management Area, which would be of benefit to the sportsmen in getting to different areas on our Russell Sage. We have much need of some good road work on this area, so such an exchange would work to the betterment of the Louisiana Wild Life and Fisheries Commission.

We have done this in the past, made such exchanges, and it has helped our wildlife management area program.

The borrow pit that they would make there there would be approximately 9.2 acres in size, or 950 feet long by 425 feet wide to a depth of approximately ten feet. We have requested they do make a two-to-one slope in this borrow pit so that after completion it would provide fishing there for the public right off Highway 165.

We are also requesting that, should this exchange be made, they would leave the road that they would have to put in from Highway 165 getting to this location, so that then the public could get



in there later on to use this area for fishing.

This was approved in November of 1974. We are bringing it back to the Commission just to more or less bring it up to date that the area was under water right after that, due to the high waters, and that water did not get off this area until the latter part of July, so the Louisiana Paving Company could not get in and make any borings to see if it was suitable to fill dirt, and now they can.

We would like to ask approval of the Commission to continue work on this project provided it meets the requirements of our Director, the staff, and also the Louisiana Highway Department who we are asking to coordinate this because they are in the road building business, to see that it is done on our wildlife management area. We are requesting that they do coordinate the work on it.

THE CHAIRMAN: You have heard the recommendation.

MR. THOMPSON: So move.

MR. DUPUY: Second.



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

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Unanimous. So ordered.

MR. DUPUY: Mr. Chairman, I was just starting to question whether or not we were merely ratifying what we had done in November. Is that the nature of the motion?

MR. HERRING: You could do that, either way, Marc. Just ratification.

THE CHAIRMAN: That is my understanding.

MR. DUPUY: That's good.

THE CHAIRMAN: I thought he was seconding the motion, but I understood you were asking us to ratify what we had already done.

MR. HERRING: Mr. Chairman, I thought Marc was going to come up on that gravel for Spring Bayou. We have been trying to get some there so hard.

THE CHAIRMAN: Before he gets some, I



have got to have a load or two, if you all find some.

MR. DUPUY: I think we are going to find some ways to exchange a lot of damage relief by way of work on our management areas instead of letting those monies go into the general fund.

MR. HERRING: This would be the best route to take.

THE CHAIRMAN: You are not joking.

MR. HERRING: We certainly need some fill dirt and some gravel and shell and a lot of other things on two or three thousand miles of road on our different wildlife management areas, too, for public access, because a lot of our roads are in very poor condition, and we do not have much money in our budget this year for materials and supplies, so this would help tremendously.

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

WHEREAS, in November of 1974,
the Louisiana Wild Life and Fisheries
Commission approved an exchange of



fill material from the Russell Sage Wildlife Management Area for clay gravel to be placed on the roads at our Russell Sage Wildlife Management Area, and

WHEREAS, this exchange would be between the Louisiana Paving Company, Inc., Monroe, Louisiana, and the Louisiana Wild Life and Fisheries Commission, and

WHEREAS, the area where fill material would be removed at Russell Sage land along Highway 165 which is not very suitable for extensive wildlife development, and

WHEREAS, this borrow pit would be approximately 9.2 acres in size or 950 feet long by 425 feet wide and 10 feet deep, and

WHEREAS, the Louisiana Paving Company will give Louisiana Wild Life and Fisheries Commission an equal value of clay gravel and place on designated roads at our Russell Sage Wildlife Management Area, and



WHEREAS, this exchange would be fair to both parties and benefit the Louisiana Wild Life and Fisheries Commission by providing better access to the public on Russell Sage Wildlife Management Area,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission approve the continuation of work to see that this exchange can be worked out by the Louisiana Wild Life and Fisheries Commission and the Louisiana Paving Company provided the Louisiana State Highway Department supervise and insure the Louisiana Wild Life and Fisheries Commission that material received from the Russell Sage area equal to those placed back on the area for road improvement.

MR. HERRING: The next item we have, we had requested the State Department of Public Works to draw up plans and specifications for levee work



on our Loggy Bayou Wildlife Management Area for the purpose of creating a Green Tree Reservoir. We had \$95,000 set up for this work and the Department of Public Works assured us that this was adequate funds to complete the job. After drawing up plans and specifications they went out on bid and we only received one bid for this work and it totalled \$136,750, or you might say \$41,750 more than we had set up, so at this time we cannot grant the contract because of lack of funds.

I would like to ask of the Commission that we continue working with the Department of Public Works to see if some type of contract can be drawn to make sure that we can obligate this \$95,000 for dirt work on levee work so that we will not lose it and later on then, maybe during this fiscal year or the next, complete the project, but this would get us well on our way if we could go ahead and do this small portion of it and get that much of it done at this time under the supervision of the Department of Public Works as our engineering agency.

MR. BERRY: So move.



MR. LAPEYRE: Second.

THE CHAIRMAN: Moved by Mr. Berry,
seconded by Mr. Lapeyre. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Unanimous. So ordered.

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

WHEREAS, the Louisiana Wild
Life and Fisheries Commission has
requested the State Department of
Public Works to draw plans and specifi-
cations for the levee construction of
a green tree reservoir on our Loggy
Bayou Wildlife Management Area, and

WHEREAS, the Louisiana Wild
Life and Fisheries Commission had
\$95,000 set up in budget for construc-
tion of this levee work, and

WHEREAS, the Louisiana
Department of Public Works assured



the Louisiana Wild Life and Fisheries Commission that this was adequate funds and

WHEREAS, the Department of Public Works received bids after drawing plans and specifications for this work, and

WHEREAS, the one bid received was in the amount of \$136,750, or \$41,750 more than budgeted by the Louisiana Wild Life and Fisheries Commission, and

WHEREAS, without adequate funds at this time we cannot approve this contract,

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission approve the continuation of negotiating a contract through the State Department of Public Works for \$95,000 worth for levee work and that the remainder would be accomplished during the next fiscal year by the Louisiana Wild Life and Fisheries Commission.



MR. HERRING: Thank you, Mr. Chairman. The next item that we have is, you might say, routine at this time of year. It is the kind of resolution that the Commission passes each year in recognition of our sportsmen in Louisiana. It is really called National Hunting and Fishing Day, which this year will be September 27, 1975. It is a day that a lot of the sportsmen throughout the state have quite a few different events going on open to the public. They do like to let the public know that sportsmen in this state are footing the bill.

We have a lot of different types of conservation organizations over the state, but our sportsmen through buying hunting and fishing licenses in this state do support some of the best wildlife work that is going on now. They have even brought back a lot of species, the hunters have, that people thought at one time may be in low populations in some areas. Deer are a good example that has been done through the Commission and efforts of the sportsmen.

In the last fifty years the sportsmen



have put in about two and a half billion dollars of this wildlife, and not only have the hunting species benefited from these programs but the non-game species. A lot of people want to protect them and this, that and the other, but the sportsmen have probably done more in protecting and bringing back and propagating some of the non-game species than any other one organization in this whole United States.

I won't go through the whole text of what I have. I have given it to the court reporter over there and I am asking that she put this in full in the minutes plus the resolution and that we do get adequate news releases out, letting the people know what the sportsmen have done in supporting the Commission and in supporting wildlife programs in this state of ours. That will be September 27.

I will just say the Federation is also active and all of their clubs are working on this, at this time, Louisiana Wildlife Federation.

MR. WILLE: I so move.

MR. THOMPSON: Second.



THE CHAIRMAN: Moved by Mr. Wille and seconded by Mr. Thompson. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

Unanimous.. So ordered.

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

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

WHEREAS, since the turn of the century, hunters and anglers have been the leaders in nearly all major conservation programs. These sportsmen-conservationists are responsible for the founding of state fish and game departments in all fifty states. They asked that they, themselves, be required to buy licenses



and that the money collected be used to support state conservation agencies. In the last fifty years alone, these sportsmen have provided \$2.5 billion for conservations programs, and

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

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



for fish and wildlife for the enjoyment of all Americans, and

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

NOW THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission hereby proclaim September 27, 1975, as Louisiana Hunting and Fishing Day and that this day be an annual observance the fourth Saturday of each September. The Commission urges all of our citizens to join with the sportsmen-conservationists in a rededication to the wise use of our natural resources and their proper management for the benefit of future generations. Further, the Commission urges all



citizens to take part in National Hunting and Fishing Day activities on September 27 to learn more about conservation and outdoor skills.

THE CHAIRMAN: If you will permit me to deviate from the printed program, agenda, I have something that I think is necessary. Mr. Thompson needs to make a statement. Would you do it now, Mr. Thompson?

MR. THOMPSON: No, I want to make a motion. I would like to make a statement, too. This is most important to the people of the state of Louisiana who fish in the area of Toledo Bend. I should say it has come to my attention. I have observed, I should say, that the trees are falling down in Toledo Bend Lake, which is a known fact to everyone who goes in that area, and I see many, many deaths that will occur because of this.

The only thing that I know that I can figure in my mind to maybe deter some of these or help eliminate some of these deaths is that the channels that are now free and clear of underwater obstruction, namely the trees that have broken



off at the water line, where oxidation takes place and they break and fall into the lake.

If these channels, boat roads, et cetera, are properly marked at each angle, that possibly will be a means of navigation for the fishermen to go from Point A to Point B by markers. Now, this sounds like a tremendous undertaking and probably is, but I would be derelict in my duty if, having observed this, I didn't do something about it.

I would like to put it in the form of a motion that we direct this Commission to work in conjunction with the Toledo Bend Authority and secure the necessary funds from whatever source it may be to mark the channels, and I will leave it at that, channels in Toledo Bend, with the hope of eliminating some of the deaths that are certainly to come. I would like to put that in the form of a motion, Mr. Chairman.

THE CHAIRMAN: You have heard the motion. Any discussion?

MR. WILLE: Yes. I am completely in agreement with Jimmie, because I have a next-door neighbor over there that just got out of the



hospital. He was hospitalized for twelve weeks. A tree fell on him and his boat and broke his back while he was out there, just fishing.

THE CHAIRMAN: So you would like to second the motion?

MR. WILLE: Yes, I second it.

MR. THOMPSON: Let me say one thing further about this, if I may. This has been coming for quite some time and we are probably a little bit late in really getting onto the problem, but Toledo Bend has become a treacherous lake in respect to wind and thunderstorms. There are many people who are caught in the lake with a thunderstorm or a wind that is generated from the thunderstorm, and they head for home, and in their hurry, with all the trees broken off, you can no longer see. It is very hard for an experienced fisherman who fishes there daily -- the guides, I have reference to -- to follow the channel, and when they get behind one of these storms, most of which are capable of capsizing and swamping the average bass boat and many of them are swamped at the present time, in their hurry they cut across not knowing



where these channels are. This is a more important undertaking probably than meets the eye or that probably we have generated the interest in, but I would like to have a lot of emphasis on it because as the years roll by, we are going to see, I won't say the fruit, because certainly it is not the fruit, but we will see the result.

THE CHAIRMAN: Thank you, Jimmie. We have a motion on the floor and a second. Any other discussion? If none, those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

So ordered.

MR. THOMPSON: I would just like to tell you one thing else. In contact with Representative Jimmie Long yesterday in Natchitoches he requested that Wild Life and Fisheries work with him in securing some \$150,000 from Mr. Roemer's office to acquire and operate the fish hatchery, the federal fish hatchery that is now located at Natchitoches, Louisiana. After talking with our



people I find that it is the consensus of opinion that the fish hatchery is definitely needed, but if you will go and look at our three hatcheries, you will see that they are not maintained or operated or produced nearly as well as the federal hatchery. Also you will find that the federal people in their economy move are closing down only the southern bass hatcheries and the southern hatcheries with the warm water fish but they are perpetuating and keeping the northern trout hatcheries intact to my knowledge, and I think probably Yancey if he is here or some of the boys that know, no closing of any of theirs. In other words, I think they are discriminating against the south.

I would like to see the fish hatchery remain, first under the federal government, second under us. I don't think we need any action but I wanted you to be aware of this and what is taking place so we can keep an eye on it.

THE CHAIRMAN: Thank you, Mr. Thompson.

MR. THOMPSON: While I am talking about that, I might tell you one thing. I have been a little bit against Texas on some of their motives.



You know, we put every single fish that was put in Toledo Bend, Louisiana put. Now, and I can't confirm this to you, but now they are thinking about, Texas, thinking about going over to the dam which is on the Texas side; they are thinking about capturing our striped bass -- I say ours because we put them in there -- they are thinking about capturing our striped bass and they are thinking about taking them to Jasper or Lubbock or wherever their fish hatchery is to perpetuate their striped bass program in Texas.

If you will read or if you know, they have developed a super bass which is a Texas bass and a Florida bass, and they are claiming about striped bass they have put them in all their lakes but those doggone sons of guns haven't put the first fish, the first fish, in Toledo Bend, and I am against it.

THE CHAIRMAN: Jimmie, I am not going to accuse you of being against the Texas people --

MR. THOMPSON: But I am.

THE CHAIRMAN: -- I am just not going to do it, just not going to accuse you of being



against Texas fishermen. Thank you, Jimmie. Anything else? Any other comments? If not, we are ready for Mrs. Falkenheiner, please.

MRS. DORIS FALKENHEINER: Thank you very much, Mr. Chairman. Before I begin on the Tensas-Cocodrie issue, I would like to give you a short report on the progress of our efforts to get funding for the purchase of the 12,800 acres of mitigation lands. People, and not only Louisiana people, have responded to the issue with great energy. The earliest responses to our letters that I saw were rather non-committal, but as those letters kept going on in, I saw the change in attitude reflected by the replies of various politicians that we sent the letters to.

When Congress reconvenes in September, the Senate Committee on Appropriations is going to be considering the Senate Public Works Appropriations Bill, and they expect it to be marked up rather quickly for consideration by the full Senate. Senator J. Bennett Johnston of Louisiana is on that committee. There are a number of prominent Senators; Senator McClellan from Arkansas is



the Chairman, and obviously Senator Johnston has been in contact with the Corps of Engineers, because he stated to us that the Corps indicates to him that in fiscal year 1976 they have the fiscal capability of utilizing \$2 million for the purchase if it would be appropriated by Congress, and Senator Johnston has stated that he will make every effort to get the \$2 million appropriated to begin purchase of the 12,800 acres.

That to me is good news but we are going to keep our efforts up and we hope very much that your efforts will continue, too.

On several occasions, and in its letter report, the Corps of Engineers has said that they intend to buy that 12,800 acres in the bottomlands of Concordia Parish, in the Dismal Swamp. I would like this very much and I think that a number of people would, too. We want this to happen before all of the non-government-owned lands in that parish are converted to agriculture, just as happened in Catahoula Parish with the original 12,800 acres.

THE CHAIRMAN: Pardon my interruption, but I want to say this, that we really appreciate



what you are doing and I would like for this to happen yesterday.

MRS. FALKENHEINER: I, too, yes, sir. It is not likely to happen, however, I fear, if more acreage is cleared in anticipation of installation of the Tensas-Cocodrie Pumping Plant and channelization project. In early writings about this Tensas project, especially that March, 1959 report by the U. S. Fish and Wildlife Service in which the Commission concurred, they called the Dismal Swamp in Concordia Parish a sump area, which is by definition a place where water is stored, a reservoir. For this reason sump areas are very important components of a system of flood protection, other components being, of course, the levees and flood plain zoning, et cetera. The sump areas hold water that the levees are unable to keep out of the so-called "protected" areas.

Another reason for importance is that sump areas are important for habitat for fish and wildlife. I have lived in that area most of my life and only really recently have I learned just how extremely important sump areas are in terms of



fish and wildlife resources, and in particular these backwater areas of the Mississippi and Red Rivers.

When I was here on July 1, I summarized some of the individual assets of the Tensas-Cocodrie area and it was given to you in my presentation. Because of its high qualities, it is important not only to our state but on a national and international level.

When I was here I also talked about the estimated results of installing this proposed project which the Corps described in their draft environmental statement, the induced clearing of 64, almost 65,000 acres of the bottomland areas, deterioration in water quality and fisheries of Cocodrie Bayou, severe loss of habitat for sport and commercial fish. The estimate was that fisheries would be reduced by 90 percent if this project goes in. Severe loss of habitat for forest game, waterfowl, aquatic animals and various rare and threatened species of wildlife.

During the 1973 flood I was told that there was one black bear seen in the wildlife



management area there on some of the higher ground. This goes on and on and on and on, just an absolute horror tale of what is in store for the Dismal Swamp area and the creatures that live there.

The question then becomes, is there any justification for the project. As of today I have yet to see an unbiased, complete analysis of all facets of this proposed project. The Corps draft environment impact statement is not one, and that is for sure! What it is is a series of unsubstantiated pronouncements and virtually no analysis and it is consequently self-serving and entitled to be given very little weight.

One rumored reason I have heard for having the project is that the pumping plant won't hurt anything. Well, this ignores the proposed channelization of some 22 miles of a natural stream, turns them into muddy, ugly ditches that we have all been told about before, and that is significant damage to quite a lot of fish, wildlife and vegetation.

Another reason I have heard for not objecting to or permitting the proposed project is



that the positions stated by previous directors of the Commission constitute an agreement or contract with the people of Concordia Parish, assuming, of course, that people is defined as farmers or potential farmers, rather, if they can get the government to foot all the costs of draining the swamp for them. This is because the proposed project is not designed to reduce the flood damage to the urban areas of Concordia Parish. This has been admitted by a recent letter, July 16, from Colonel Galloway of the Corps of Engineers in response to the staff questions in their preparation for this meeting today.

It is obvious that the purchases and the land clearing that have been going on -- I have in my possession some infra-red photographs from September of 1974 that shows some cleared fields that still have water in them and no crops, so obviously that was done as a speculation in hopes that this proposed pumping plant and channelization project is to go in.

Well, the function of this Commission is not to look out for the best interests of the



agriculture people. Their interests are very well cared for by the State Department of Agriculture with a budget and resources far greater than yours.

The reasons that I have heard are not valid and to follow the reasoning that they exhibit is fallacious. Basically the people of Louisiana entrusted to you the control and supervision of the wildlife and fisheries. They directed you to protect, to conserve and to replenish these natural resources.

There is ample evidence that the proposed project will be devastating to fish and wildlife resources of this state and in order to meet the responsibilities that we the people have assigned to you, you should protect, conserve and replenish the fisheries and wildlife of the Dismal Swamp by adopting the resolution which I submitted to you on July 1.

I believe you had copies but I will be glad to re-read it, if you would like.

THE CHAIRMAN: Yes, we have copies. I see no objection to your reading it. I do have time, if you would like to.



MRS. FALKENHEINER: Thank you very much.

The proposed resolution reads:

"WHEREAS, the hardwood bottom-land habitat of Concordia Parish, Louisiana is of great significance and importance to the natural resources of the State of Louisiana which the Louisiana Wild Life and Fisheries Commission is charged with protecting and preserving,

"WHEREAS, the Tensas-Cocodrie Pumping Plant and Channelization Project of the Corps of Engineers, as described in their draft environmental impact statement of May, 1974:

- "1. Will adversely affect the present natural environment and the Commission's approximately 17,000-acre Red River Wildlife Management Area;
- "2. Will adversely affect the backwater fishing of the Red River Wildlife Management Area;
- "3. Provides inadequate mitigation for



fish and wildlife damages expected to result directly and indirectly from the project;

- "4. Lacks provision for replacement of lands in the wildlife management area to be taken by the Corps of Engineers;
- "5. Will adversely affect the water quality of Cocodrie Bayou, including the part protected by Act 398 of 1970;
- "6. Has not given any consideration as to whether the southern 22 miles of Cocodrie Bayou have such qualities as might warrant inclusion in the Louisiana Natural and Scenic Rivers System; and
- "7. Lacks any benefits to urban areas in Concordia Parish;

"WHEREAS, the Corps of Engineers has repeatedly misinformed the general public of the role of the Commission and its professional staff in the



development of the project, and such action has adversely affected other Commission programs in the project area;

"WHEREAS, endorsement of this project means that the highly damaging Central Concordia Watershed Project, previously objected to strongly by this Commission, may become feasible;

"WHEREAS, the Commission has never taken any position on this project previously; and

"THEREFORE, IT IS RESOLVED that the Louisiana Wild Life and Fisheries Commission is opposed to the Tensas-Cocodrie Pumping Plant and Channelization Project of the Corps of Engineers; and

"IT IS FURTHER RESOLVED that copies of this resolution shall be sent to the Governor of Louisiana, the Louisiana Senatorial and Congressional delegation in Washington, D. C., and to the Vicksburg District, Corps of Engineers."



That was the resolution that I had proposed that the Commission adopt.

THE CHAIRMAN: Thank you, Mrs. Falkenheiner. I appreciate your coming and we will be happy to have you any time that you care to do so.

MRS. FALKENHEINER: Thank you.

THE CHAIRMAN: All right. We will recognize you, sir.

MR. WALTON: I am Murray Walton, biologist with the environmental section of the Wild Life and Fisheries Commission. At the meeting before last you asked that the staff prepare a report on Mrs. Falkenheiner's resolution and on the previous Commission's position on this matter. I handed it to you yesterday in the staff meeting, a copy of this report, and briefly what it does is outline the previous positions that our Directors have taken.

Generally, what we had done was agree to a 3,000-cfs pumping plant with no channelization of Bayou Cocodrie. Through the years the Corps has continually enlarged their plans for the kind of pumping plant and channelization of Bayou



Cocodrie. The plan they are presently proposing, as Mrs. Falkenheiner has pointed out, is highly damaging to fish and wildlife interests.

I would be happy to answer any questions on the matter at this time, if you have any after reading over the report we gave you.

MR. JONES: I have a question. I notice, Murry, in your report you quoted from Dr. Glasgow in relating what was the position of the Commission, that we had no objection whatsoever to the installation of the proposed Tensas-Cocodrie pumping station in Concordia Parish.

Now, has the Corps project changed any from what it was when Dr. Glasgow stated that position?

MR. WALTON: What has been authorized by Congress hasn't been changed since 1965. Now the plans of the Corps itself, for the Vicksburg District, have been enlarged greatly. They are now wanting to construct a 4,000-cfs pumping plant. They want to lower the sump area and they want to channelize the lower 22 miles of Bayou Cocodrie to a width of 160 feet.



MR. JONES: And we have not at any time in the past concurred in that proposal, have we?

MR. WALTON: Not in that exact proposal, no, sir.

MR. JONES: O. K. The only one that we have maintained our position on is the one that Dr. Glasgow commented on.

MR. WALTON: I believe so.

MR. JONES: I would like to move --

THE CHAIRMAN: Have you finished with the reading?

MRS. FALKENHEINER: Yes.

THE CHAIRMAN: Jerry, we did take this up at the last meeting. I looked up the minutes. You do not have them in your possession and we did vote on this second proposal and the vote was that we would take no action. You didn't have the advantage of that, because --

MR. WALTON: I might clarify that situation some. I think there was some misunderstanding on that exact matter. We were asked to study this and we wrote a letter to the Corps of Engineers. I believe I provided you with a copy of that yes-



terday. The letter from the Director to the Corps of Engineers was dated July 8 and the Corps of Engineers didn't get back to us with any information until July 21; that was when we received the letter in our office. Therefore, we weren't prepared to give this board a report and we had advised Mrs. Falkenhainer that it would be better if she would wait to appear at this meeting. I think that was a misunderstanding. She would have been here but I don't think we would have been ready because of the tardiness of the Corps, and I think she would like for you to take some positive or negative action at this time.

THE CHAIRMAN: As a means of explanation, that we have not taken any action, I was not advised of the delay in the accumulation of facts and I had asked from our professional staff for certain information. Therefore, I took it up at the last meeting and we did vote on it. That is a matter of record and it is in the minutes. I am not defending it. I am simply saying what happened and I am very sorry it did happen. It was a misunderstanding and lack of communication between the



professional staff and the Commission. That is just one of those things that happens, but that is one of the facts.

MR. JONES: Just so there is no misunderstanding and after reading the report that was handed to us yesterday, at least for myself, I feel no change in position from what Dr. Glasgow said in 1968. Just so it is real clear, I would like to move that this Commission take no position other than has been taken by Dr. Glasgow in his telegram of April 25, 1968, and I would like to tell you why.

For years this project apparently has been in the planning stages and our staff, including Dr. Glasgow, who is a biologist, and I am sure he studied the project, and he stated a position back in 1968. That position has been followed, not by the actions of the Commission but by some of the letters that we have written, and I think we ought to just stick by what he said.

THE CHAIRMAN: We have a motion by Mr. Jones --

MR. BERRY: Second.



THE CHAIRMAN: -- and seconded by Mr. Berry, of no action. Any discussion?

MR. JONES: I want it clear, Mr. Chairman, that my motion is that we take no action which is inconsistent with what Dr. Glasgow said April 25, 1968, and I want to explain it. I am told now that the Corps has plans that are completely different. I would assume, you know, Dr. Glasgow wasn't commenting upon those expanded plans. He was talking about the 3,000-cfs pumping station.

THE CHAIRMAN: Thank you. You have heard the resolution. Dick, do you want to comment?

MRS. FALKENHEINER: Excuse me, Mr. Chairman. Perhaps along those lines you would go with an alternate resolution which somewhat tracks the language of Dr. Glasgow's language.

This second resolution somewhat tracks Dr. Glasgow's letter. I believe the last paragraph would be the only different thing in essence, in the substance of it. Please correct me if I am wrong about that. I will read it:

"WHEREAS, the Louisiana Wild
Life and Fisheries Commission has pre-



viously stated it is not opposing the 3,000-cfs Tensas-Cocodrie Pumping Plant in Concordia Parish as authorized by Congress in 1965, and

"WHEREAS, this plant was designed to protect existing developed areas from the excessive duration of flooding caused by the Concordia ring levee, and

"WHEREAS, over 60,000 acres of bottomland hardwood wildlife habitat has been cleared in Concordia Parish in anticipation of this project, and

"WHEREAS, this Commission is dedicated to conserving and protecting the fish and wildlife resources of the State of Louisiana, and

"WHEREAS, this Commission desires to preserve Bayou Cocodrie in its natural condition,

"THEREFORE BE IT RESOLVED that the Louisiana Wild Life and Fisheries Commission reiterates its position of no opposition to the Tensas-Cocodrie



Pumping Plant Project as authorized by the Flood Control Act of October 27, 1965;

"FURTHER BE IT RESOLVED that this position of no opposition is contingent upon the Corps of Engineers providing the Louisiana Wild Life and Fisheries Commission with 35,000 acres of mitigation land prior to project construction, as recommended by the U. S. Fish and Wildlife Service in March, 1959, in compliance with the Fish and Wildlife Coordination Act; and

"FINALLY BE IT FURTHER RESOLVED that the Louisiana Wild Life and Fisheries Commission is not in favor of channelization of Cocodrie Bayou in Concordia Parish, lowering of the maximum sump level below 45.6 feet mean sea level and the five-year sump level below 39.5 mean sea level or a pumping plant larger than 3,000-cfs capacity."

THE CHAIRMAN: Thank you, ma'am. Now,



should a member of the Commission have a desire to amend Mr. Jones' resolution, I of course will entertain that amendment.

Hearing no amendment, are you ready to vote? Those in favor of Mr. Jones' resolution as stated, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Those opposed, say no.

(No response)

Unanimous. So ordered. Thank you, gentlemen.

We have Mr. Wayne Vinson, please.

MR. VINSON: Thank you, Mr. Chairman and Members of the Commission.

Act 819 which I am presenting was passed or sponsored, rather, by Representative Leonard Chabert as an attempt to aid the shrimp fishermen who have been having extreme difficulty since they have had some bad seasons. '73, I believe, was a very poor year. These people are in dire need of funds and they are unable to get help from SBA. Banks won't loan them money. The problems that they have come up with are just too much for them



to help, so this Act was passed in which the State has authorized the Commission to guarantee loans to these fishermen.

The first attempt at a loan program failed miserably in that the requirements under the law were too strict. The banks wouldn't handle it. There was too much red tape involved, so this second Act, No. 819, was in effect designed to make it more attractive to the banks to loan these shrimpers money so that they can stay in the business. There are no restrictions in the Act for what the money is to be used for and they can conceivably pay off existing obligations in order for them to continue in business.

The Commission today is being requested to approve the rules and procedures that we have designed which conform to the Act. They have been submitted to the Banking Commissioner, Mr. Smith has approved, our attorney Mr. Duffy has reviewed them, and I have sent them to all the board members. Are there any questions or anything that I can answer in connection with these?

MR. LAPEYRE: I would just like to say,



Mr. Chairman, that I agree fully with the objectives of the Act and I would recommend that we take the action required this morning, and I so move.

MR. BERRY: Second.

THE CHAIRMAN: It has been recommended by Mr. Lapeyre and seconded by Mr. Berry, accepting the recommendation by the staff. Those in favor, say aye.

IN UNISON: Aye.

THE CHAIRMAN: Opposed, no.

(No response)

We did have a quorum and the Chairman voted. Thank you.

MR. VINSON: Thank you.

THE CHAIRMAN: That brings us down to the setting of the September meeting.

MR. LAPEYRE: Mr. Chairman, there are at least two groups here that want to discuss the question of closing the now-open white shrimp season.

THE CHAIRMAN: Thank you. I was so close to skipping it and it wasn't intentional. Someone will have to learn to stand up and say, "Whoa!"



Dr. St. Amant. You had better thank him, too, Doc. I was just fixing to run out on your boys.

DR. ST. AMANT: No, I wasn't going to let you.

THE CHAIRMAN: You were well protected. It wasn't intentional.

DR. ST. AMANT: Mr. Chairman and Members of the Commission, about a week ago or a little over, Mr. Lapeyre called me and said that he had a few shrimpers that requested of him that we look into the fact that we might consider closing the recently opened white shrimp season because the catches were quite low, that the shrimpers for the most part were not able to catch enough shrimp to warrant them to go out there and pay the price for fuel and other overhead charges, and that they were afraid that some of the shrimp were quite small and that we ought to try to save them for a later date.

Now, what we did during this period was to try to develop satisfactory data with which to base a decision on. I notified the seafood section. They have their various district biologists look



into this matter and bring us up to date on the status of the shrimp in their area as well as the status of what was being caught and who was involved in it. We took another step. We asked the Enforcement Division, and I would like to compliment them for the work they did, we asked them to visit the shrimp platforms or rather the purchasing places, the docks and the buyers, and make a count of what was on hand at the time in order to determine just what was happening out there.

The Enforcement Division visited 41 separate sites and checked the shrimp on hand, both as to pounds, the size and what-have-you. They checked all of these areas in the central part of the state and the eastern part. I don't think we did any checking in the west. We left that to our district biologists.

Generally speaking, what was found out was this, that there is no question that we have a shortage of shrimp and we knew we had this. We knew that we were going to have problems because of the great amount of fresh water in the area and the fact that our nursery grounds for the past two



or three years have not yet returned anywhere near their normal from the flooding. We also know that the August portion of the white shrimp season is rarely dependable. Sometimes we have a good crop and sometimes we don't, and the major portion of the white shrimp crop generally comes in later, some time in October and November.

What they found was that where they were catching some shrimp, by and large it was in small amounts but they were catching relatively large shrimp. We had a few instances where the counts were low, more than 68. In the east side of the river, most of the east seemed to be brown shrimp rather than white shrimp. We had one or two instances down in the central part of the state where the counts exceeded the legal size. However, it is not clear from this whether these were white, browns, or whether there were some sea-bobs which were reported being taken in that area.

The results from the biologists in the districts, their reports on the shrimp and the reports on what their fishermen in that area wanted, are highly varied. We have some areas where people



are catching a few shrimp. At the price of shrimp, they say they are making money and they don't want to consider closing the season. There are some other areas where people apparently are either not catching enough to warrant their going out or they are seeing some small shrimp and they would like closure.

I don't know that we have enough technical evidence to warrant closure on a wholesale basis of a lot of small shrimp that are being taken. That does not seem to be the case from the examination we made. We do have evidence that there are some small white shrimp but they are very small up in the nursery grounds, but we do not believe that these are being taken at the present time because they are even too small to go into the normal nets.

Now, there are some people here from the shrimp industry that I think would like to be heard and perhaps you might want to see what their position is on this thing.

(Mr. Berry temporarily assumed
the Chair.)



MR. BERRY: Is there anybody that would like to be heard on this this morning?

Would you state your name, please, sir?

MR. NAQUIN: My name is Norman Naquin, President of Terrebonne Parish Commercial Fishermen and Boat Owners Association.

I have contacted a large number of fishermen in Terrebonne Parish. A very large majority of them would like to see the season closed, not because of our present crop but because of the large numbers of small shrimp that shows up in early September. These shrimp will be above the 68 count and are illegal by law. We must face the reality and close the season because you have a very poor record in enforcing the 68 count.

Therefore, I would like to recommend that you all close the season until September 22 in Terrebonne, which is in Zone 2, which we have discussed in the brown season.

I repeat that this is the opinion of a majority of fishermen in Terrebonne Parish. I must emphasize law enforcement will be a necessity if any program of this type is going to be



successful. The law is 68; it is not being enforced. There is small shrimp showing up now and I expect a lot more to show up within the next two or three weeks.

MR. BERRY: Mr. Naquin, I appreciate your statement. I am not sure just what the Chief is doing about the enforcement that you are talking about, but I do think that we make an effort to enforce the law. I think we could do a better job if some of these people who know what is going on and we don't if you would let the Chief know, or somebody in Enforcement know, so we could do a better job and could catch these people who are violating the law.

MR. NAQUIN: At the present time there is not a large number of white shrimp coming in. They are so small that the nets can't keep them. But anytime you will see a net come in with 40 or 50 pounds of shrimp that are counting around 200, just imagine how much of it is being destroyed that you just don't see. That is something that we need to worry about right now. That is why we would like to have a closure.



MR. LAPEYRE: Mr. Naquin, as you know, the recent Supreme Court decision established that 68 count can be applied on shrimp only caught in inside waters. Therefore, shrimp brought to a landing counting over 68 cannot be declared illegal simply by matter of possession, since it is impossible at that point to establish where that shrimp came from. The difficulty then revolves around the fact that it is virtually impossible to completely police the entire area with the available agents that we have, and it is obvious that if a small amount -- if the control of the catching of small shrimp is going to be effective, then it is going to have to be done very largely on a voluntary basis.

MR. NAQUIN: I understand that, Mr. Lapeyre, and that is the reason we are asking for a closing because it would be just about impossible with the laws to police a 68 count, and I think that the fishermen at this time are just not making it. There is not enough shrimp, and the only thing I could see would be to close it for, let's say, three weeks or four weeks. As far as the agents



going out there and check every boat everywhere in every bayou, that is just about impossible.

MR. DUPUY: Mr. Naquin, I thought I understood you to suggest closing until September 10.

MR. NAQUIN: September 22.

MR. BERRY: Dr. St. Amant, did you have some comment on that?

MR. NAQUIN: As far as closing only bayous or inland bays, that, too, would be just about impossible to enforce, so that is why most of the fishermen believe that the only way we will be able to do anything at all this year will be to have this closed for two or three weeks.

MR. BERRY: Mr. Jones.

MR. JONES: I have a question for Dr. St. Amant when he gets back up here.

MR. BERRY: Let's hear everybody else, Jerry, and then we can do that. Is there anybody else to be heard? Yes, sir, would you come forward and state your name, please.

MR. SNOW: I am George Snow, Louisiana Shrimp Association. I sent you our position in



correspondence on Monday in which we had asked that the season be closed until such time as the shrimp were of legal minimum size.

Now, at the time we were not thinking in the concept of specific zones. It is my understanding now that east of the river they feel that their populations there are of good size and that they can continue. I have had complaints from our members in the Lafourche area particularly, regarding catches coming from Terrebonne, and this was yesterday, in which the count sizes were running 130.

Now we have no specific recommendation with regard to the length of time that the season should be closed. We feel that Dr. St. Amant's people should certainly be out there sampling and have an indication when they are of marketable size. The only alternative, if you cannot close the season and close it right now, the damage is going to be done, so the only other alternative is to go to the enforcement of the minimum 68 count. How you can do it, I don't know, but it can be done if the will is there, I am sure of that.



You have a new acting chief; this is a good job for him to figure out how he can accomplish this.

Thank you.

MR. BERRY: Thank you, Mr. Snow. Anybody else wish to be heard?

MR. SEVIN: I am George Sevin. I am from Terrebonne Parish, dealer and vice president of the association.

Mr. Chairman and Members of the Commission, every year back and forth when it gets to this season, it is always the little white shrimp. We came over here last year to get the season closed just about at this time. We met back there in this room. They said that the way the law was written or something that they couldn't enforce it or couldn't shut it down.

The only thing that I can see is three weeks in our zone, Zone 2, is to shut the season down because if we wait to come over here with evidence that we do have a lot of little white shrimp, then by the time you all take action and close it, October is going to be there and then we are going to have our cold spell and that is



going to be the end of it. It's now.

Mostly some of your factories didn't work one day since the August season opened in south Louisiana, especially in the Terrebonne area, your canning factories. They don't have enough shrimp for the commercial fishermen to go out. I know, I am a dealer. They are going in the hole right now. What I am talking about is your commercial fishermen, from the expense that they got, breaking trawls, they go and try because the season is open. But the damage is done I think on the weekend, where your small boats go in them shallow bays and bayous.

I would recommend this, that it be the closing, not just close some certain areas because then you would have strong opposition. Leave your larger lakes open and shut your small bayous and bays inside. Especially when you butterfly, when your tide is going out strong and you are catching maybe 36, 42 count, 26-30 count white shrimp mixed with big browns, but then when your tides are still and just starting to come back in, you catch the little-bitty shrimp, in other words, maybe 210, 220



count, and I think maybe the best thing we could do if we would have in the way a good October and November, it would be to shut it down and protect it now before it is too late, before our industry I think most everybody is going to be forced out of it if we keep on leaving it get by the way it is. It would be to shut it down, that is the only hope that I can see, is to close our season down.

Has anybody got questions or something from the Commission?

MR. DUPUY: Yesterday we heard from some shrimpers who said that they were making money and that there were bigger shrimp and they didn't want the season closed down. That presents a dilemma to us. We need to rely on the recommendations of our professional staff wherever we can, wherever we don't have any other information. I don't know what area they were from.

MR. SEVIN: I am not against Zone 1 and 3, but what we are talking about is Zone 2, in our area, and I think the way the zoning is they can shut it down. I wouldn't go any later, in other words, than September 22. That would be the third



Monday. And I want to recommend another thing right now. If we keep on going back and forth like we have been doing in our spring season, delaying that season until the third Monday or something like that, something like that, May, the 17th of May every year, I would recommend this, that next year our season don't open the third Monday in August. Hold it back until the third Monday in September, to have a couple of months of closed season so we can have our white shrimp back in our area. That is the season that the fishermen really used to make the money on, when our white shrimp, not our brown shrimp.

They way it looks to me we ain't got no more protection at all on our white shrimp, just the brown shrimp. In one month, in other words, we can't have a closed season and wait for the boats to go out there and have a large white shrimp production in one month. That is the only thing I can see, is to take a stand right now. You all can mark my words for it, you all wouldn't be sorry that you all would take a stand in Zone 2 for one time and shut it down and you all would see what



the production you would have in October and November because you all, some, was on the board in 1965, the storm Hilda came and wiped us out in 1965. That was the third of October and we stayed one month before we could get prepared, have back electricity and stuff like that on the bayou, and it was I think the second of November when we started working, and that was the best two months that we ever had. That was 1965 as far as the white shrimp.

That is all I got to say. Thank you very much.

MR. BERRY: Thank you, George. Does anybody else wish to be heard?

MR. COUTURE: Gentlemen, I am Douglas Couture from Yscloskey, St. Bernard Parish on the east bank of the river.

We are in this Zone 1 and we are opposed to closing our season at this time because our shrimpers are making money. They are all working. They are not catching very much shrimp but at least they are working, and that is better than going on food stamps.



I also have a seafood business and I am doing all right. I can't complain. Also I am president of the Southeast Louisiana Commercial Fishermen Association and we have a few of our members here today. Maybe they want to make statements on what their catches have been and the sizes and it may help you all to make a decision on this deal here with the closing, so if you would like to ask any of them any questions, they would be welcome up here.

MR. LAPEYRE: Do you or any of the group that you mention have any objection to closing Zone 2?

MR. COUTURE: We have no objection to that.

MR. LAPEYRE: Is there anybody here that would have any objection to closing Zone 2?

Mr. Chairman, I would like to recommend to the Commission --

MR. BERRY: Just one minute. Do you mind if we hear first from Dr. St. Amant first for his input? Would you mind?

MR. LAPEYRE: No.



MR. BERRY: Jerry wanted to ask him some questions a minute ago. Dr. St. Amant, would you?

DR. ST. AMANT: I have no objection to what is being proposed except I don't think we have necessarily a unanimous position in Zone 2.

We have some evidence that at least in the western part of Zone 2, Sister Lake and over in the area of Vermilion Bay, that people indicate that they are catching the shrimp, whether it is a small amount; I am sure it is, but they indicated that they want to stay in business. Now there are none of them here represented today and we may find that opposition will develop if action is taken.

Now, if it is the Commission's wish, however, we will try to carry the thing out. Mr. Jones.

MR. JONES: Since this season is set by legislative act, the beginning and the ending, just what authority do we have?

DR. ST. AMANT: Mr. Duffy might answer that.

MR. PETER DUFFY: I think you have all the authority in the world to close it, even the ones that the legislature require you to have two



seasons, if there is sufficient biological data for that.

MR. BERRY: But do we have sufficient data for that?

DR. ST. AMANT: This might be challenged but we have got the best data we could dig up in the time period we have. The bulk of the catch at the present time that is coming into the landings is satisfactory size. It says that there is not very much coming in at all and there are some people who say, for example, that they have bought no shrimp at all to date. There are some areas where the fishermen have stopped fishing. There are a few areas where apparently there were some small shrimp taken, but the percentage of small shrimp taken with respect to the total amount of stuff that we looked at does not seem to be significant.

Our people report that there are some small shrimp in the marshes of a very small size, am I correct in this? -- that probably are not being involved in this at all and if they are, they are going through the nets. They are even too small



to be picked up in the trawls.

Now, it is a moot question as to whether or not these shrimp are being hurt by trawling. In years when we have a lot of shrimp when the trawl boats are working out there day and night, they still run thousands and thousands of shrimp through their trawl, because there are always some small shrimp around and some of them survive, and all the work that has been done on net mesh has been based on this purpose, that those animals that can pass through the mesh presumably will not be hurt.

There is always going to be a percentage of shrimp, five or six percent, that fall in the size category that is going to be injured in a mesh. They will probably pass through the mesh but be injured, and that group probably would die, but those that are small enough to go through without injury, as far as we know and the work that has been done all over the country, you might say all over the world, on mesh sizes indicates that that is the whole purpose of using a mesh, to allow certain shrimp or animals to go through.



MR. JONES: Dr. St. Amant, what would be your thoughts about the Commission authorizing you today that upon a finding based upon biological evidence that the Director would have the authority to close the season and open it when he thought things were right?

DR. ST. AMANT: Mr. Jones, I don't know that we are going to get any better evidence than we have right now. If we are going to close it at some date, I think we should make the decision today.

MR. JONES: In other words, you want that decision to be made by us instead of you?

DR. ST. AMANT: That's right.

MR. JONES: I get you, I get you.

MR. BERRY: Mr. Lapeyre, I will recognize you.

MR. LAPEYRE: Well, the idea that I had was similar to Jerry's, trying to put the monkey on your back! I think we have to admit that what Doc says is true, that the quantity of data we have collected so far is not sufficient to make the decision. I can only say that of all of the people



that I have talked to in the last week, and these were primarily processors who have been talking with fishermen, in Zone 2 I have not had anyone tell me that they would not like to see Zone 2 closed. Well, they didn't specify Zone 2, as a matter of fact, because it wasn't discussed in that context, but everybody who did speak to me indicated that they were in favor of it, but I can't guarantee from that there is no one in that area who would be opposed to it.

MR. BERRY: Yes, sir.

MR. YAKUPZACK: My name is Paul Yakupzack and I am with the LSU Cooperative Extension Service and I am representing some of the fishermen in the Cypremort Point area of St. Mary Parish.

The fishermen in that area suggested to me that they be left out of any closed season in Zone 2. They would rather see the season stay open and let them catch the few shrimp that they have. I actually saw there aboard four or five boats, they have about half 26-30 count shrimp and about half 50-60 count shrimp, so they are not killing any small shrimp, as far as we can tell from what



they say.

Ted Falgout would have something to add to my statements here.

MR. FALGOUT: I am Ted Falgout and I am also a Marine Extension Agent. Yak was talking St. Mary Parish; he means Vermilion Bay. This could be easily excluded from this Zone 2, since it is separated, and the Atchafalaya River could be a good boundary, since there is so much fresh water coming out of there anyway.

I also want to say that there were a few fishermen around Grand Isle that didn't like for the season to be closed, but the majority of the fishermen that I have spoken to would like to see the season closed in Zone 2. Thank you.

MR. DUPUY: Are you gentlemen both professional biologists? Both of you?

MR. FALGOUT: Yes.

MR. BERRY: I know in my talks with shrimpers around the Morgan City area, some of them have done quite well and some of them haven't done so well.

Gentlemen, I think you have heard all



the facts. Does anybody have any recommendations, resolutions?

MR. JONES: I have one.

MR. BERRY: Put it on, Jones!

MR. DUPUY: Lay it on!

MR. JONES: I will put it where it belongs. I mean those people know the answers, we don't know them. He has got a heavy back.

DR. ST. AMANT: Before you begin to saddle people --

MR. JONES: I wanted to give you an idea what I was thinking and now I will hear you talk.

DR. ST. AMANT: All right, but I think there are several ideas floating around and somebody is going to probably want us to make a decision on one of them.

One is that we close the zone. Now this falls within a reasonable position. We have established some zones. We have carried it out through a season. It has worked very well. If you will recall, when we originally set the zones, we had some problems because of a difference of opinion on fishing. Now we come back to a time



when we have to make a new decision. It seems it is going to be made on a zone, and we have a difference of opinion again, and we are going to find ourselves in a position here that is untenable if we begin kick these zone lines around at the whims of the fishermen.

You will recall when we set the brown shrimp season we set the thing inadvertently at the Atchafalaya River and we ran into problems with the people in Vermilion because they wanted to be in Zone 2, they wanted to open early. We maneuvered around and whether we were legal or not is a question, but we finally managed to satisfy everybody by moving the zone line until we included Vermilion Bay in Zone 2.

Now we turn around here again and we are talking about a closure and we are trying to change the configuration of Zone 2 maybe back to the Atchafalaya River.

There is no question that these are good lines of demarcation and also with this amount of flexibility we seem to be able to satisfy certain segments of the industry that have difference of



opinion on it.

Before we get into this, I would like to request of Mr. Duffy whether or not we are legal in this position. Can we adjust a zone every time we take a notion to do it? If we can, maybe it is all right. We could set up Zone 2 or close an area from the Atchafalaya River over to the Mississippi River. If we can't do this, then I would recommend to this Commission we think a little bit before we get involved in kicking these zones around.

MR. NAQUIN: Is there any way to make four zones?

DR. ST. AMANT: Well, I guess eventually we can do anything if we take enough time to think it out, but I don't know whether we can do it offhand.

MR. BERRY: Mr. Duffy, do you want to comment on Dr. St. Amant's question?

MR. DUFFY: This Commission has the authority to close the shrimping season, cut it down, and I would say implicit in that authority would be to close zones, if you all have established



zones after having a meeting and adopting a resolution to that effect.

As I appreciate the remarks of the last gentleman, Mr. Falgout, I don't think he is talking in terms of necessarily changing the zone but making an exception to a certain area in the zone. I don't necessarily find that repulsive, either, to what you have done in the past.

If you have changed zones to facilitate certain segments of the industry and those zones still remain intact as such, I don't think there is anything repugnant to excepting certain areas in a zone if in fact the technical data that exists shows that maybe those areas shouldn't be closed.

I don't think that the intent of the legislature in giving this Commission the authority to establish as many seasons as they want, with the exception that they are mandated to establish two, also giving them the authority to close the seasons when they have support by technical data, I don't think that you are precluded from making zones; I don't think you are precluded from segregating certain areas in a zone that may still



technically be a shrimping area. I think what the legislature wants you to do is govern the resource so that it is going to be enjoyed and also profited by the most citizens of the state, and if that means making exceptions, I think we would probably be in order.

I don't know how this is going to affect other people who are adjacent to the areas that are closed or what hardships it might put on fishermen to go from one area to another cost-wise and time-wise, but if you have technical data that says certain areas should be open, I think they should remain open. I think the legislature would want that, and I don't think that excepting maybe a bay or a lake within a zone that would support leaving it open, I don't think that that is repugnant, either.

MR. JONES: Mr. Chairman, from what I gather in this discussion from the attorney, we have the authority to order it closed when it is based upon adequate technical data from our staff. We do not have that technical data and recommendation, I gather, from what Dr. St. Amant has told



us, so I don't see that we can today say that we are going to close it at a certain time. I think what we can do in order to try to accommodate these people is that we authorize the Director to close Zone 2 or portions thereof and to reopen them at his discretion when justified by technical data, so when they get the technical data that would justify the closing and again justify the reopening, then it could be done. I think that is the most that we could do. If we did anything else, I don't see that it would be legal. Isn't that right, Pete?

MR. BERRY: Mr. Jones, I take it you are making that in the form of a motion?

MR. JONES: Yes, I do.

MR. LUTTRELL: I would like to discuss that just a tiny bit, if I may, Mr. Chairman.

I would like to ask Mr. Duffy if this is going to violate the procedural act in which we need to give a certain length of time of warning of the change of any rules and regulations unless it is declared an emergency.

MR. JONES: I had that included in there, I forgot to say that. We hereby declare an



emergency!

MR. LUTTRELL: That's fine.

MR. BERRY: May I have a second to Mr. Jones' motion?

MR. LAPEYRE: Second.

MR. BERRY: Mr. Lapeyre seconded. Gentlemen, you have heard the motion. All in favor, say aye.

IN UNISON: Aye.

MR. BERRY: Anybody opposed?

(No response)

So ordered.

MR. THOMPSON: Mr. Chairman, did Mr. Kenneth Smith say anything to you about bass in Toledo? Kenneth, you haven't said anything?

I got the impression from talking to some of you people, or maybe I gave the wrong impression when I said not a single bass. I had in mind the striped bass. Actually, Texas did put in some large-mouthed bass, so when I said they didn't put one single striped bass, I will make it crystal clear, that is what I had reference to, but that is the fish that they want to take out. I realize that



I left the wrong impression, but they did put some large-mouthed bass but I had in mind the striped bass that we spent so many thousands of dollars, going to Carolina and going to Maryland to procure and put in these lakes.

(Chairman Luttrell here resumed the Chair.)

THE CHAIRMAN: Gentlemen, if we have no further business to come before the --

MR. JONES: We haven't voted on that.

THE CHAIRMAN: Yes, we voted. It was unanimous.

MR. JONES: I didn't hear that. I was talking to Dr. St. Amant.

THE CHAIRMAN: Doc, do you have some comments you want to make?

MR. JONES: He has a comment he wants to make.

DR. ST. AMANT: Yes, sir, I have got some comments.

THE CHAIRMAN: Good!

DR. ST. AMANT: Two points. One, I don't think we are going to get any better data or any



more data than we have now, at least in any length of time that is going to be effective with respect to closing this season.

First, we have got the long weekend coming up with the holiday. There is going to be virtually nothing going on and there may be a considerable amount of fishing out there by a lot of people, so if you are going to try to have any effective thing, it should be done now.

Second, to do a more adequate job in gathering data, it would take us a week or ten days or longer and I don't know if we could do a whole lot better, and you may be defeating the purpose. If it is the intention of the Commission, and if the people in there insist on closing this season, then it should be closed today and run until such time as we deem necessary to open it.

Now they point out they want to close it until the 22nd. Now there is some question in my mind whether this is long enough to let these shrimp grow. They may grow that fast but they may not, and you still have the problem with the shortening season of cool weather.



I think if we do close it, it will probably have to be closed on a partial basis, that is, only from the Atchafalaya River eastward to the Mississippi River. I am still not certain in my mind that we have a unanimous opinion here, and I think that we may find when we take this action, about next Monday or Wednesday we may find out where the other people are, but if this is the way we want to operate it, fine, and if the other people show up with enough evidence, then maybe we can change our mind and open it some time. We have that prerogative.

I would recommend if we are going to consider, seriously consider closing, that we close it today from that area from the Atchafalaya River eastward.

MR. JONES: I gather that the technical staff has recommended that we close Zone 2?

DR. ST. AMANT: No. Partially.

MR. JONES: Partially, from the Atchafalaya River to the Mississippi River.

DR. ST. AMANT: But let me say this, the technical staff are like me. We don't absolutely



have enough technical data or for that matter we don't know that we have a complete pulse of the industry. We will go along with this if you are giving us the prerogative to close it and open it based on our best information.

MR. THOMPSON: The way I interpret it, I see a lot of crawfishing around here or maneuvering or whatever you call it. My interpretation is, Doctor, from you talk is that you don't have enough evidence to do anything at this time.

DR. ST. AMANT: Not on biological evidence.

MR. THOMPSON: Biological or from an input from the fishermen. You have got one side of the fishermen, you don't have the other side.

DR. ST. AMANT: I don't know that.

MR. THOMPSON: You don't know that but you suspect it.

DR. ST. AMANT: That's right.

MR. THOMPSON: I don't think we ought to do anything. I think we ought to leave it like it is. I think if there is something going to be done, it will be done in a future year, and that is what I gather from everybody, you all's input, his input.



I think you ought to just leave it alone and let's see what. You will have that information for next year and you will know, and I have seen too many of these things in the years that I have been here change back and forth, back and forth. It is just like he says, Monday morning or when this news gets out, there will be another group up here.

I want to leave it alone. I don't know what I need, what kind of motion, but if I need one, can I put one in?

MR. LAPEYRE: I think we have already passed the motion, haven't we?

MR. JONES: Why don't we just leave it like that. If Lyle gets the evidence tomorrow, then he has the authority to open it tomorrow.

MR. THOMPSON: I'll buy that.

MR. JONES: That is what we passed. That is what we passed.

MR. THOMPSON: I move we adjourn.

THE CHAIRMAN: No, no, no.

DR. ST. AMANT: Let's just be sure what saddle I have got on me.

THE CHAIRMAN: Just a minute. I have a



request from the audience for a reading of the resolution. I think she has it.

MR. THOMPSON: Jerry can restate it.

MR. JONES: I can restate it right quick.

THE CHAIRMAN: Will you restate it?

MR. JONES: We declare an emergency.

No. 2, we authorize the Director to close the shrimp season in Zone 2 or portions thereof at his discretion when justified by the technical data and likewise similar authority to reopen when the technical data justifies.

THE CHAIRMAN: As I see that motion, if I am wrong correct me, the motion does not require that you close it if you in your determination do not have enough data to close it, then you would not close it. Am I correct, Jerry? That is what your resolution says.

Doc, you are home free and clear except that you have to take the blame.

MR. BERRY: Doc, let me ask you this. Did I understand you to say that you would halfway be in favor of closing Zone 2 from the Atchafalaya River to the Mississippi River?



DR. ST. AMANT: No, no, don't misunderstand me. We try to work with the best technical data we can get our hands on. We also try to work in the best interests of the industry. Now when the technical data indicate that there is no problem one way or the other, which I don't think it does, it wouldn't hurt to close the season technically and I don't think really they have got any strong basis to say that it would hurt next year's crop to leave it open. But if the majority of the fishermen have other reasons, economic or what-have-you, that they would like it closed, and if I thought the bulk of them would go along with this, I have no objection to closing the season from the Atchafalaya River eastward to the Mississippi River. This is what we were trying to establish.

I have some question in my mind as to whether we have total representation here today.

If you put the thing like it is now, what I propose we are going to do, I hope that by now it is in the newspapers, maybe by Wednesday of next week, Tuesday or Wednesday, we would have a better feel on this thing and then at that time we would



take some action one way or the other. If there is no strong opposition to closure between the Atchafalaya River and the Mississippi River, then of course we would go ahead and close it until the 22nd or thereabouts. If there is some serious opposition and people feel like they are making a living then I don't think we have any technical data that would warrant us to deny these people the opportunity to fish.

MR. BERRY: Thank you, Dr. St. Amant.

MR. LAPEYRE: May I ask you, do you consider it feasible that by Wednesday you will be prepared to make a statement?

DR. ST. AMANT: We may have some information, I hope.

MR. LAPEYRE: Well, can we then assume that your position will be established Wednesday?

DR. ST. AMANT: I can try.

MR. LAPEYRE: Whatever it is, positive or negative, your position will be fully supported by the Commission.

DR. ST. AMANT: Fine.

THE CHAIRMAN: Thank you. Thank you, Doc.



There is one other matter.

MR. WILLE: Mr. Chairman, I just want to say one thing. I feel that if Dr. St. Amant feels like the pressure and the burden gets too tough at all, that we should leave it open at this time that if necessary, because of the situation being what it is, that we do call a special meeting if necessary, by the Commission, if he feels it is necessary. As an alternate, I am talking about as an alternate.

MR. BERRY: I would like to say this to you gentlemen who came here this morning. We appreciate your time and your input. I know in your minds now that they must work like mine does sometimes when I get tied up in these so-called bureaucracies and so-called bureaucrats. When you need a decision, you need a quick decision and you can't get one and, believe me, I feel for you. I know what your feelings are. Also, on the other side of the coin, I hope you can appreciate the fact that we have got to weigh this thing a little bit further to make sure that we are doing what the most people want done so we are going to do



what is best for the most people in Zone 2.

THE CHAIRMAN: Thank you, Mr. Berry.

Gentlemen, the September meeting dates will be September 29 and September 30.

The Chair hereby declares this meeting adjourned.

. . . Thereupon, at 12:45 o'clock p.m., the meeting was adjourned. . . .

Kathryn G. Chamberlin,
Reporter.





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