

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Bowfishing Permit (LAC 76:VII.387)

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate rules and regulations governing the issuance of a recreational bowfishing permit for both the private and charter sectors of the recreational fishery. In order to effectively manage important saltwater recreational species, LDWF needs to define the universe of anglers harvesting saltwater species or species available in the saltwater areas of the state utilizing bowfishing gear. The authority for promulgation of this Rule is included in the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(25)(a) and (34), and 56:326.3 to the Wildlife and Fisheries Commission.

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the Secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

Title 76

WILDLIFE AND FISHERIES

Part VII. Fish and Other Aquatic Life

Chapter 3. Saltwater Sport and Commercial Fishing

§387. Recreational Bowfishing Permit

- A. Any person 18 years of age or older taking, or attempting to take saltwater recreational fish with bowfishing gear, or engaging in bowfishing activity south of the designated saltwater line described in R.S. 56:322 must have in their immediate possession a recreational bowfishing permit. Any person on a trip aboard a charter vessel or a vessel that is representing itself as a charter vessel, who pays a fee for that trip, is not required to have this permit, but the permit is required for the captain of that charter vessel. The recreational bowfishing permit shall be available for inspection by a duly authorized agent of the department.
- B. Permits may be obtained at no cost, from LDWF or LDWF authorized method, by persons who hold any valid license authorizing the taking and possessing of saltwater species of fish. Permits shall be valid one year from the date issued.
- C. Failure to comply with the provisions of this Section shall constitute a class one violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a) and (34), and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR _____().

Family Impact Statement

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

Poverty Impact Statement

The proposed rulemaking will have no impact on poverty as described in R.S. 49:973.

Small Business Analysis

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

Provider Impact Statement

This proposed Rule has no known impact on providers as described in HCR 170 of 2014.

Public Comments

Interested persons may submit comments relative to the proposed Rule to Jason Adriance, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to jadriance@wlf.la.gov prior to noon on Thursday, October 5, 2023.

Andrew J. Blanchard

Chair