

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Marking of Gill Nets, Trammel Nets, Hoop Nets, Slat Traps, and Wire Nets
(LAC 76:VII.114)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do provide notice of their intent to add a Rule (LAC 76:VII.114) regarding the marking of gill nets, trammel nets, hoop nets, slat traps, and wire nets in inland waters. This rule is intended to reduce litter and ensure accountability for passive gear being fished. This rule expands on the saltwater net marking Rule (LAC 76:VII.325).

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 1. Freshwater Sports and Commercial Fishing

§114. Marking System for Gill Nets, Trammel Nets, Hoop Nets, Slat Traps, and Wire Nets

A. Each gill net or trammel net shall be marked with a waterproof tag attached to the corkline at each end of the net, no more than 3 feet from the edge of the webbing or on the attached buoy in indelible ink. Each hoop net, slat trap, or wire nets shall be marked with a waterproof tag attached directly to the device. Said tags shall be supplied by fisherman and to be completely waterproof. Each tag shall have the fisherman's full name (no initials) and the appropriate commercial or recreational fisherman's license number (not the net license number) printed thereon in the English language, so as to be clearly legible.

B. Each gill net or trammel net shall be marked with buoys which shall be visible above the surface of the water. Said buoys shall be supplied by the commercial fisherman, have a minimum diameter of 6 inches and be international orange in color. The buoys shall be attached to each end of the net.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:322.

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 written comments relative to the proposed rule to Robby Maxwell, Department of Wildlife and Fisheries, 1213 N. Lakeshore Dr., Lake Charles, LA, 70601, or via e-mail to rmaxwell@wlf.la.gov prior to July 5, 2022.

Joe McPherson

Chairman