

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Menhaden Season
(LAC 76:VII.307)

The Wildlife and Fisheries Commission does hereby give notice of intent to amend its rules regarding statewide fishing buffers for the commercial menhaden fishery. The commission seeks to reduce portions of the statewide one-half mile buffer to one-quarter mile in the areas from the Cameron Jetties to Rutherford Beach, from the Mermentau River to Rollover Bayou, from Point Au Fer Island to Bayou Grand Caillou, and from Bay Long to the Southwest Pass of the Mississippi River. The commission also proposes to remove the established buffer in a small stretch of open water between Baptiste Collette and Breton Island. The commission further intends to add additional buffer areas on the inside of Breton and Chandeleur Sounds on the western side of the Chandeleur Islands and around portions of Isle Dernieres not subject to current buffers and as described in the proposed rule.

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 Fishery

§307. Menhaden Season

A.-B. ...

C. The menhaden season shall apply to all state and federal waters ~~one-half statute mile~~ seaward of the inside-outside line described in ~~R.S. 56:495~~ LAC 76:VII.370, ~~except as noted~~ subject to the Coastal Buffer Restrictions established in Subsection D, ~~including waters in the Federal Exclusive Economic Zone (EEZ)~~, and in Chandeleur and Breton Sounds as described in Subsection E below. All other inside waters and passes are permanently closed to menhaden fishing.

D. Coastal Buffer Restrictions

1. Quarter Mile Coastal Buffer Restrictions.

a. Cameron Jetties to Rutherford Beach. The menhaden season shall apply to waters beginning one-quarter statute mile seaward of the inside-outside line from the eastern shore of the Cameron Jetties (Latitude 29 degrees 45 minutes 43.25 seconds N, Longitude 93 degrees 20 minutes 32.63 seconds W), thence eastward to a point west of Parish Road 364 and Rutherford Beach (Latitude 29 degrees 45 minutes 38.51 seconds N, Longitude 93 degrees 08 minutes 01.75 seconds W). All coordinates are in NAD 1983 feet.

b. Mermentau River to Rollover. The menhaden season shall apply to waters beginning one-quarter statute mile seaward of the inside-outside line from the eastern shore of the Mermentau River where it exits Lower Mud Lake (Latitude 29 degrees 43 minutes 25.64 seconds N, Longitude 93 degrees 00 minutes 30.26 seconds W), thence eastward to a point

at Latitude 29 degrees 33 minutes 27.24 seconds N, Longitude 92 degrees 26 minutes 41.78 seconds W. All coordinates are in NAD 1983 feet.

c. Western Point Au Fer to Bayou Grand Caillou. The menhaden season shall apply to waters beginning one-quarter statute mile seaward of the inside-outside line from the western shore of Point Au Fer Island on the eastern shore of Atchafalaya Bay (Latitude 29 degrees 18 minutes 33.78 seconds N, Longitude 91 degrees 20 minutes 22.49 seconds W), thence eastward to the western most shore of Bayou Grand Caillou (Latitude 29 degrees 10 minutes 28.06 seconds N, Longitude 90 degrees 56 minutes 41.21 seconds W). All coordinates are in NAD 1983 feet.

d. Cheniere Ronquille to Southwest Pass. The menhaden season shall apply to waters beginning one-quarter statute mile seaward of the inside-outside line near Cheniere Ronquille on the eastern shore of Bay Long (Latitude 29 degrees 19 minutes 02.36 seconds N, Longitude 89 degrees 48 minutes 43.90 seconds W), thence eastward to the westernmost shore of Southwest Pass on the Mississippi River (Latitude 28 degrees 55 minutes 50.00 seconds N, Longitude 89 degrees 24 minutes 59.94 seconds W). All coordinates are in NAD 1983 feet.

2. Half Mile Coastal Buffer Restrictions.

a. Sabine to Holly Beach. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from the Texas-Louisiana state boundary (Latitude 29 degrees 41 minutes 04.95 seconds N, Longitude 93 degrees 50 minutes 09.44 seconds W) to near the easternmost point of the rock breakwaters west of Holly Beach (Latitude 29 degrees 46 minutes 00.90 seconds N, Longitude 93 degrees 29 minutes 26.91 seconds W). All coordinates are in NAD 1983 feet.

b. Holly Beach to Cameron Jetties. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from near the intersection of a private levee road and LA-27 (Latitude 29 degrees 46 minutes 01.54 seconds N, Longitude 93 degrees 24 minutes 23.00 seconds W), thence eastward to the eastern shore of the Cameron Jetties (Latitude 29 degrees 45 minutes 43.25 seconds N, Longitude 93 degrees 20 minutes 32.63 seconds W). All coordinates are in NAD 1983 feet.

c. Rutherford Beach to Mermentau River. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from a point west of Parish Road 364 and Rutherford Beach (Latitude 29 degrees 45 minutes 38.51 seconds N, Longitude 93 degrees 08 minutes 01.75 seconds W), thence eastward to the eastern shore of the Mermentau River where it exits Lower Mud Lake (Latitude 29 degrees 43 minutes 25.64 seconds N, Longitude 93 degrees 00 minutes 30.26 seconds W). All coordinates are in NAD 1983 feet.

d. Rollover to Point Au Fer. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from a point at Latitude 29 degrees 33 minutes 27.24 seconds N, Longitude 92 degrees 26 minutes 41.78 seconds W), thence eastward to Point Au Fer Island on the eastern shore of Atchafalaya Bay (Latitude 29 degrees 18 minutes 33.78 seconds N, Longitude 91 degrees 20 minutes 22.49 seconds W). All coordinates are in NAD 1983 feet.

e. Bayou Grand Caillou to Cheniere Ronquille. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from the westernmost shore of Bayou Grand Caillou (Latitude 29 degrees 10 minutes 28.06 seconds N, Longitude 90 degrees 56 minutes 41.21 seconds W), thence eastward to Cheniere Ronquille on

the eastern shore of Bay Long (Latitude 29 degrees 19 minutes 02.36 seconds N, Longitude 89 degrees 48 minutes 43.90 seconds W). All coordinates are in NAD 1983 feet.

f. Mississippi Delta to Baptiste Collette. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from the western shore of Southwest Pass of the Mississippi River (Latitude 28 degrees 55 minutes 50.00 seconds N, Longitude 89 degrees 24 minutes 59.94 seconds W), thence eastward to a point near the mouth of Baptiste Collette (Latitude 29 degrees 24 minutes 32.91 seconds N, Longitude 89 degrees 17 minutes 09.76 seconds W). All coordinates are in NAD 1983 feet.

g. Breton and Chandeleur. The menhaden season shall apply to waters one-half statute mile seaward of the inside-outside line from a point near the southern shore of Breton Island (Latitude 29 degrees 27 minutes 50.76 seconds N, Longitude 89 degrees 11 minutes 51.51 seconds W), thence northward and eastward to the Louisiana-Mississippi state boundary (Latitude 30 degrees 08 minutes 14.51 seconds N, Longitude 88 degrees 52 minutes 09.62 seconds W). All coordinates are in NAD 1983 feet.

3. Enhanced Coastal Buffers.

a. Restrictions off Holly Beach. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from a point near the intersection of a private levee road and LA-27 (Latitude 29 degrees 46 minutes 01.54 seconds N, Longitude 93 degrees 24 minutes 23.00 seconds W), thence westward to the easternmost point of the rock breakwaters west of Holly Beach (Latitude 29 degrees 46 minutes 00.90 seconds N, Longitude 93 degrees 29 minutes 26.91 seconds W). All coordinates are in NAD 1983 feet.

b. Restrictions around Isle Dernieres. The menhaden season shall not apply to waters surrounding Isle Dernieres near Isles Dernieres Barrier Islands Refuge bounded

by the area beginning from a point on the inside-outside line at Latitude 29 degrees 02 minutes 50.38 seconds N, Longitude 90 degrees 50 minutes 30.80 seconds W, thence continuing south to Latitude 29 degrees 02 minutes 21.66 seconds N, Longitude 90 degrees 50 minutes 32.74 seconds W, thence continuing westward to Latitude 29 degrees 02 minutes 25.99 seconds N, Longitude 90 degrees 51 minutes 17.43 seconds W, thence continuing northwest to Latitude 29 degrees 02 minutes 44.68 seconds N, Longitude 90 degrees 52 minutes 42.17 seconds W, thence continuing north-northwest to Latitude 29 degrees 03 minutes 04.67 seconds N, Longitude 90 degrees 53 minutes, 25.74 seconds W, thence continuing northward to Latitude 29 degrees 03 minutes 39.94 seconds N, Longitude 90 degrees 53 minutes 27.59 seconds W, thence continuing northeast to a point on the inside-outside line at Latitude 29 degrees 05 minutes 07.96 seconds N, Longitude 90 degrees 51 minutes 34.74 seconds W. All waters within the described buffer above and within the current one-half statute mile seaward buffer adjacent to this area shall be closed to menhaden harvest. All coordinates are in NAD 1983 feet.

c. Restrictions off West Grand Terre Island. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the eastern shore of Barataria Pass (Latitude 29 degrees 16 minutes 19.03 seconds N, Longitude 89 degrees 56 minutes 42.19 seconds W) to the western shore of Pass Abel (Latitude 29 degrees 17 minutes 50.67 seconds N, Longitude 89 degrees 54 minutes 30.80 seconds W). All coordinates are in NAD 1983 feet.

d. Restrictions off Grand Isle. The menhaden season shall apply to waters beginning 3 statute miles seaward of the inside-outside line from the eastern shore of Caminada Pass (Latitude 29 degrees 11 minutes 55.77 seconds N, Longitude 90 degrees 02 minutes 28.00 seconds W) to the eastern shore of Barataria Pass (Latitude 29 degrees 16 minutes

19.03 seconds N, Longitude 89 degrees 56 minutes 42.19 seconds W). All coordinates are in NAD 1983 feet.

e. Restrictions off Elmer's Island. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the eastern shore of Belle Pass (Latitude 29 degrees 05 minutes 10.22 seconds N, Longitude 90 degrees 13 minutes 24.89 seconds W) to the eastern shore of Caminada Pass (Latitude 29 degrees 11 minutes 55.77 seconds N, Longitude 90 degrees 02 minutes 28.00 seconds W). All coordinates are in NAD 1983 feet.

~~1. Restrictions off Elmer's Island, Louisiana. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the eastern shore of Belle Pass, Louisiana to the eastern shore of Caminada Pass, Louisiana.~~

~~2. Restrictions off Grand Isle, Louisiana. The menhaden season shall apply to waters beginning 3 statute miles seaward of the inside-outside line from the eastern shore of Caminada Pass, Louisiana to the eastern shore of Barataria Pass, Louisiana.~~

~~3. Restrictions off West Grand Terre Island, Louisiana. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the eastern shore of Barataria Pass, Louisiana to the eastern shore of Pass Abel, Louisiana.~~

~~4. Restrictions off Holly Beach, Louisiana. The menhaden season shall apply to waters beginning 1 statute mile seaward of the inside-outside line from the intersection of a private levee road and LA-27 (Latitude 29 degrees 46 minutes 01.54 seconds N, Longitude 93 degrees 24 minutes 23.00 seconds W), thence westward to the easternmost point of the rock breakwaters west of Holly Beach, Louisiana (Latitude 29 degrees 46 minutes 00.90 seconds N, Longitude 93 degrees 29 minutes 26.91 seconds W). All coordinates are in NAD 1983 feet.~~

E.-E.1. ...

2. Breton Sound and Chandeleur Sound Buffer Restrictions

a. The menhaden season shall not apply to waters in Chandeleur and Breton Sounds on the inside of the Chandeleur Islands bounded by the area beginning at a point on the inside-outside line at Latitude 29 degrees 44 minutes 45.35 seconds N, Longitude 88 degrees 54 minutes 14.82 seconds W, thence northwest to a point at Latitude 29 degrees 45 minutes 51.19 seconds N, Longitude 88 degrees 54 minutes 46.84 seconds W, thence northeast to a point at Latitude 29 degrees 49 minutes 23.13 seconds N, Longitude 88 degrees 52 minutes 48.41 seconds W, thence northwest to a point at Latitude 29 degrees 51 minutes 29.54 seconds N, Longitude 88 degrees 52 minutes 55.94 seconds W, thence northeast to a point at Latitude 29 degrees 53 minutes 11.74 seconds N, Longitude 88 degrees 51 minutes 34.82 seconds W, thence north to a point at Latitude 29 degrees 56 minutes 35.56 seconds N, Longitude 88 degrees 51 minutes 30.31 seconds W, thence northwest to a point at Latitude 30 degrees 02 minutes 58.34 seconds N, longitude 88 degrees 53 minutes 43.96 seconds W, thence east to a point on the inside-outside line at Latitude 30 degrees 03 minutes 12.42 seconds N, Longitude 88 degrees 52 minutes 17.49 seconds W, thence southerly along the inside-outside line to the point of beginning. All coordinates are in NAD 1983 feet.

F.1-F.4. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:313, R.S. 56:315, R.S. 56:326.3, and R.S. 56:409.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:329 (October 1979), amended LR 14:547 (August

1988), LR 19:58 (January 1993), LR 19:1179 (September 1993), LR 48:1588 (June 2022), LR 49:514 (March 2023), LR 50:830 (June 2024), [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

The 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 Jason Adriance, Department of Wildlife and Fisheries, P.O. Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to jadriance@wlf.la.gov by 3:00 p.m. on January 23, 2026.

Kevin Sagrera

Chairman