

NOTICE OF INTENT

Department of Wildlife and Fisheries Wildlife and Fisheries Commission

Passive Hooked Fishing Gear Regulations (LAC 76:VII.116, LAC 76:VII.134)

The Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission do provide notice of their intent to amend a Rule (LAC 76:VII.116) and repeal a Rule (LAC 76:VII.134) by modifying regulations regarding freshwater recreational yo-yos, trigger devices, trotlines, limb lines, jugs, and all other passive fishing devices containing a hook or hooks. Modifications to the existing Rule makes marking and use regulations regarding hooked passive devices uniform in all inland waters. Waterbodies with regulations regarding the prohibition of attaching or driving any object to fish a yo-yo or trigger device were moved from the repealed Rule (LAC 76:VII.134) into the amended Rule (LAC 76:VII.116). In all other waterbodies, non-metal objects can be used to fish passive hooked devices, but must be removed upon cessation of use.

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

§116. ~~Lake Lafourche~~ Freshwater Recreational Yo-Yos, Trigger Devices, and Trotlines, Limb Lines, Jugs, and all Passive Fishing Devices Containing a Hook or Hooks

A. The Wildlife and Fisheries Commission hereby adopts the following regulations applicable to the use of freshwater recreational yo-yos, and trigger devices, trotlines, limb lines, jugs, and all other passive fishing devices containing a hook or hooks. ~~when used in Lake Lafourche in Caldwell Parish.~~

1. No more than 50 yo-yos, or trigger devices, limb lines, or floating devices containing a hook or hooks shall be allowed per person.

2. At any given time, no person shall set more than 150 hooks on all trotlines, combined.

~~2 3.~~ ~~Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, e~~ Each yo-yo, or trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks shall be clearly tagged with the name, address, and telephone number, and fishing license number of the owner or user. Information must be attached with a waterproof tag or written directly on the device in indelible ink.

~~3 4.~~ ~~When in use,~~ Each yo-yo, or trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks shall be checked rebaited at least once every 24 hours, and all fish and any other animal caught, entangled, ensnared, or hooked, shall be immediately removed from the device.

4. ~~Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, each yo-yo, or trigger device must be re-baited at least once every 24 hours.~~

7 5. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, when not being used in accordance with the provisions of this Paragraph, each yo-yo, or trigger device, trotline, limb line, jug, or other passive fishing device containing a hook or hooks shall be removed from the waterbody immediately by the owner or user.

5. ~~Except for those metal objects located above the water that are affixed to a private pier, dock, houseboat, or other manmade structure which is designed for fishing, no yo-yo, or trigger device shall be attached to any metal object.~~

6. Where allowed and when not in use, objects sourced from another location used to anchor yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks, which are driven into or attached to the lake bottom, a stump, tree, or the shoreline must be removed from the waterbody along with the passive devices by the user.

~~Object—rebar or other metal material, cane, PVC tubing, construction material, or any other type of material sourced by anglers from another location.~~

7. No driven or attached ~~non-metal~~ objects used to attach yo-yos, trigger devices, trotlines, limb lines, jugs, or other passive fishing devices containing a hook or hooks shall be larger than two inches by two inches or two inches in diameter.

6 8. ~~Except for a metal object used strictly in the construction of a pier, boathouse, seawall, or dock, No metal object which is driven into or attached to the lake bottom, a stump, tree, or the shoreline shall be used to anchor a yo-yo, or trigger device, trotline, limb~~

line, jug, or other passive fishing device containing a hook or hooks, except for a metal object used strictly in the construction of a pier, boathouse, seawall, dock, or a retrievable anchor not attached to the bottom.

9. In Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), Lake St. Joseph (Tensas Parish), and Lake Bruin, including the portion known as Brushy Lake (Tensas Parish), Louisiana, except for an object used strictly in the construction of a pier, boathouse, seawall, or dock, no object which is driven into the lake bottom, a stump, tree, or the shoreline shall be used to anchor a yo-yo or trigger device.

~~7. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, when not being used in accordance with the provisions of this Paragraph, each yo-yo or trigger device shall be removed from the waterbody immediately.~~

10. All trotlines shall have a cotton leader on each end of the trotline.

~~B. The Wildlife and Fisheries Commission hereby adopts the following regulations applicable to the use of trotlines when used in Lake Lafourche in Caldwell Parish.~~

~~1. All trotlines shall be clearly tagged with the name, address, and phone number of the owner or user and the date of placement. The trotline shall be marked on each end with a floating object that is readily visible.~~

~~2. At any given time, no person shall set more than three trotlines with a maximum of 50 hooks each.~~

~~3. All trotlines shall have an eight foot cotton leader on each end of the trotline.~~

4. Except for those metal objects located above the water that are affixed to a private pier, dock, houseboat, or other manmade structure which is designed for fishing, no trotline shall be attached to any metallic object.

5. Each trotline shall be attended daily when in service.

6. When not in use, each trotline shall be removed from the waterbody by the owner or user.

€ B. A violation of any of the provisions of this Section shall be a class one violation, except there shall be no imprisonment. In addition, any device found in violation of this Section shall be immediately seized by and forfeited to the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. ~~56:326.3~~ and 56:6(32), 56:8, and 56:320.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 37:355 (January 2011), amended LR .

~~§134. Black Lake, Clear Lake, Prairie Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake, Lake St. Joseph, and Lake Bruin~~

Repealed.

A. The following regulations are applicable to the use of yo-yo and trigger devices when used in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), Lake St. Joseph (Tensas Parish), and Lake Bruin, including the portion known as Brushy Lake (Tensas Parish), Louisiana.

1. No more than 50 yo-yos or trigger devices shall be allowed per person.

~~2. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, each yo-yo or trigger device shall be clearly tagged with the name, address, and telephone number of the owner or user.~~

~~3. When in use, each yo-yo or trigger device shall be checked at least once every 24 hours, and all fish and any other animal caught or hooked, shall be immediately removed from the device.~~

~~4, Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, each yo-yo or trigger device must be re-baited at least once every 24 hours.~~

~~5. Except for those metal objects located above the water that are affixed to a private pier, dock, houseboat, or other manmade structure which is designed for fishing, no yo-yo or trigger device shall be attached to any metal object.~~

~~6. Except for an object used strictly in the construction of a pier, boathouse, seawall, or dock, no object which is driven into the lake bottom, a stump, tree, or the shoreline shall be used to anchor a yo-yo or trigger device.~~

~~*Object* rebar or other metal material, cane, PVC tubing, construction material, or any other type of material.~~

~~7. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, when not being used in accordance with the provisions of this Section, each yo-yo or trigger device shall be removed from the waterbody immediately.~~

~~B. The following regulations are applicable to the use of trotlines when used in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), Lake St. Joseph (Tensas~~

Parish), and Lake Bruin, including the portion known as Brushy Lake (Tensas Parish), Louisiana.

~~1. All trotlines shall be clearly tagged with the name, address, and phone number of the owner or user and the date of placement. The trotline shall be marked on each end with a floating object that is readily visible.~~

~~2. At any given time, no person shall set more than three trotlines with a maximum of 50 hooks each.~~

~~3. All trotlines shall have an eight-foot cotton leader on each end of the trotline.~~

~~4. Except for those metal objects located above the water that are affixed to a private pier, dock, houseboat, or other manmade structure which is designed for fishing, no trotline shall be attached to any metallic object.~~

~~5. Each trotline shall be attended daily when in service.~~

~~6. When not in use, each trotline shall be removed from the waterbody by the owner or user.~~

~~C. A violation of any of the provisions of this Section shall be a class one violation, except there shall be no imprisonment. In addition, any device found in violation of this Paragraph shall be immediately seized by and forfeited to the department.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.3 and 56:6(32).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 38:2567 (October 2012), amended LR 39:3101 (November 2013), LR 47:497 (April 2021), repealed 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 August 5, 2022.

Joe McPherson

Chairman