

## **NOTICE OF INTENT**

### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

#### **Charter Boat and Head Boat Saltwater Finfish On-Water Possession Limits (LAC 76:VII.207)**

The Wildlife and Fisheries Commission does hereby give notice of intent to enact a Rule (LAC 76:VII.207) to establish on-water possession limits for certain saltwater finfish while on a multi-day charter boat or head boat fishing trip . Authority for amendment 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) which allows the Commission to promulgate rules and regulations for time, place, size, quota, daily take or possession limits that supersede existing limits set by law, and R.S. 56:325.1 et seq.

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 2. General Provisions**

**§207. Saltwater Finfish On-Water Possession Limits While on a Multi-Day Charter Boat Fishing Trip**

A. A recreational saltwater fisherman in possession of a valid basic and saltwater license or an equivalent license that grants both basic fishing and saltwater fishing privileges may possess up to three times the daily bag limit for red drum and spotted seatrout when the fisherman can provide a receipt from the licensed charter guide showing payment and dates of the multi-day charter trip, can demonstrate to the satisfaction of the department that the fisherman has been on a multi-day charter fishing trip, and can demonstrate that the fisherman has been actively on the water or at a remote camp that can be accessed only by water for two days or more. The fish shall be kept whole or whole gutted in separate bags for each species of fish. The bags shall be marked with the date the fish were taken, the species, the number of fish contained in the bag, and the name and license number of the person taking the fish. The fish shall only be in the possession of the person who took the fish. Fishermen who meet the provisions of this Section may possess more than the daily bag limit on the water for purposes of transportation, however, no fisherman shall be actively fishing or engaged in fishing while in possession of more than the daily bag limit.

B. No charter guide and/or deckhand may keep any limit of red drum or spotted seatrout when operating or conducting trips subject to the provisions outlined herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), and R.S. 56:325.1.

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](mailto:jadriance@wlf.la.gov) prior to noon on March 1, 2024.

Andrew J. Blanchard

Chairman