

NOTICE OF INTENT

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

Special Bait Dealer's Permit
(LAC 76:VII.329)

Notice is hereby given in accordance with the Administrative Procedure Act, R.S. 49:961 et seq., and through the authority granted in R.S. 56:497(C), that the Wildlife and Fisheries Commission does hereby amend a Rule, LAC 76:VII.329, which provides for a special bait dealer's permit program.

The amendment extends the sunset provision of the current rule allowing fishermen to utilize commercial fishing gear during closed season when fishing under a valid special bait dealer's permit provided by the Department. Previous regulatory action allowed for larger nets to be fished under the special bait dealer's permit during closed shrimp seasons to adequately provide live bait for recreational fishermen, while allowing uninterrupted operation for the commercial establishments that sell live bait. The use of this expanded gear will only be authorized through the 2026 commercial license year, so that the effects of the regulation on the resource and the industry may be evaluated at such time.

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

§329. Special Bait Dealer's Permit

A.-C.8.a. ...

9. Notwithstanding any portion of this Section to the contrary, permitted gear when operating under the special bait dealer's permit is as follows:

a. One trawl measuring 50 feet long and less along the cork line and 66 feet long or less along the lead line. Mesh size must be at least 5/8-inch bar or 1-1/4 inches stretched and 3/4-inch bar or 1-1/2 inches stretched during the fall inshore shrimp season from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Atchafalaya River.

b. Double skimmer nets may have an opening circumference of no more than 72 feet for each net and a maximum lead line length of 33 feet. Skimmer nets may be mounted to the horizontal net frame at any distance from the gunwale of the vessel as long as the mounting distance and horizontal length of the net frame does not exceed 20 feet from the gunwale. Mesh size must be at least 5/8-inch bar or 1-1/4 inches stretched and 3/4-inch bar or 1-1/2 inches stretched during the fall inshore shrimp season from the western shore of Vermilion Bay and Southwest Pass at Marsh Island to the Atchafalaya River.

c. The provisions of this Paragraph shall be effective until December 31, ~~2023~~ 2026.

C.10.-D.1. ...

AUTHORITY NOTE: Promulgated in accordance with LA R.S. 56:326.3 and 56:497(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:210 (April 1977), amended LR 15:867 (October 1989), LR 19:215 (February 1993), LR 23:86 (January 1997), LR 33:864 (May 2007), LR 36:77 (January 2010), LR 38:3250 (December 2012), LR 47:1651 (November 2021), LR 49

Family Impact Statement

In accordance with Act 1183 of 1999 Regular Session of the Louisiana Legislature, the Department of Wildlife and Fisheries,

Wildlife and Fisheries Commission hereby issues 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.

Provider Impact Statement

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

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.

Public Comments

Interested persons may submit written comments relative to the proposed Rule to Mr. Peyton Cagle, Marine Fisheries Biologist DCL-B, Marine Fisheries Section, 1025 Tom Watson Rd., Lake Charles, LA 70615, or via email to pcagle@wlf.la.gov prior to October 31, 2023.

Andrew J. Blanchard

Chairman