

HUNTING AND FISHING ADVISORY EDUCATION COUNCIL

MINUTES

September 13, 2011

**WOODY CREWS
CHAIRMAN**

BATON ROUGE, LOUISIANA

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Louisiana Department of Wildlife and Fisheries
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Baton Rouge, Louisiana 70808.

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AGENDA
HUNTING AND FISHING ADVISORY EDUCATION COUNCIL
BATON ROUGE, LOUISIANA
SEPTEMBER 13, 2011

1. Roll Call
2. Approval of Minutes of June 14, 2011
3. Chairman Welcome and Opening Comments
4. Enforcement Division Report
5. Office of Fisheries Report
 - a. Atchafalaya Basin Fishing Survey
 - b. Pearl River Spill Update
 - c. Texas-Louisiana Border Fishing Regulations Agreement
 - d. Tilapia Update
6. Office of Wildlife Report
 - a. Kisatchie National Forest Deer-Dog Hunting
 - b. WMA Expansion: Sites Adding Acreage
 - c. Limited Access Areas Provide Hunting Options
7. Set Next Meeting Date
8. Receive Public Comments
9. Adjournment

MINUTES OF THE MEETING

OF

HUNTING AND FISHING ADVISORY EDUCATION COUNCIL

Tuesday, September 13, 2011

Chairman Woody Crews presiding.

Samuel Smith
Mike Windham
Joe Macaluso (substitute for Lyle Johnson)
Stephen Pellessier
Jeff DeBlieux
Donald Reed

Council members Vance Gordon, Nelson "Snoop" Roth, Mike Rainwater, Alexander Perret, Daryl Carpenter, Shane Crochet, David Rousseau and Eric Sunstrom were absent from the meeting.

Chairman Crews noted there was no quorum so this would be a Committee Meeting. The action item, **Approval of Minutes of June 14, 2011**, would be considered at the next meeting.

Chairman Crews dispensed with the **Chairman Welcome and Opening Comments**. He welcomed Secretary Barham and staff to the meeting.

The **Enforcement Division Report** began with Lt. Col. Joey Broussard stating there were 10 boating accidents reported during August with no fatalities. Training on the mandatory boating safety has increased with 6600 being trained in 2010 and 9300 in 2011. The Department's planes flew a total of 87 hours during the month. Mr. DeBlieux asked, of the 31 fatalities so far this year, how many were without life jackets. Lt. Col. Broussard did not have the exact numbers, but felt it was over 90 percent. Going on, he noted there were 1217 cases and 515 warnings written and agents helped with 60 public assists. The majority of the citations were for boating or angling without a license. News releases included fishermen cited in federal waters for snapper closed season activities; a Pineville resident was cited for having 3 spotted fawns; and a black bear case made during the 2008-2009 hunting season which was a

federal case involving the U.S. Fish and Wildlife Service. Chairman Crews talked about an accident by Campo's and asked if it would be silly to consider a flag be required on small boats going through the marsh before they come head to head with another boat in a blind turn. Lt. Col. Broussard felt that was a good idea but those regulations are governed by the U.S. Coast Guard. He added that knowledge of an area means a lot. Mr. Macaluso, filling in for Mr. Lyle Johnson, stated that was the second major accident in the area south of Breton Sound Marina. He mentioned it was predicted years back from the owner of the Marina that there would be accidents there. Mr. Macaluso wondered if the Council could urge the St. Bernard Parish Police Jury to ask for a No Wake Zone in that area. Lt. Col. Broussard advised they met with the St. Bernard Government after the accidents and staff told them it was their responsibility to dictate where to put No Wake Zones. Chairman Crews asked Lt. Col. Broussard to keep the Council apprised of ongoing conversations with St. Bernard Parish on this issue.

The **Office of Fisheries Report** was handled by Mr. Mike Wood and consisted of reports on **Atchafalaya Basin Fishing Survey, Pearl River Spill Update, Texas-Louisiana Border Fishing Regulations Agreement and Tilapia Update**. On the first report, the Atchafalaya Basin fishing survey, Mr. Wood spoke first on fishing regulations answering the question, "what do you want to do". In many cases, regulations were imposed for stated reasons and the 14 inch minimum regulation in the Basin was due to Hurricane Andrew and the goal was to allow for recovery of largemouth bass (to allow the fish to spawn twice). The goal of the survey was to find out the opinions of anglers on the 14 inch minimum. About 2,000 surveys were sent to a random selection of license holders within a 60 mile radius of the Atchafalaya Basin. Approximately 38 percent of the responses were returned. The Basin was divided into 3 sections - the Atchafalaya Basin itself, Henderson and the Lake Verret-Grassy Lake-Lake Palourde complex. Results showed the anglers were good with the 14 inch minimum as well as the 10 fish creel. Mr. Wood added that they were in the second year of a 3 year study to determine if the regulation can get to the goal of more, larger fish.

Next Mr. Wood spoke on the Pearl River Spill Update. He began stating there are fish kills on a routine basis and as a result of Tropical Storm Lee it was announced there would be related fish kills. Mr. Wood explained the reason for the fish kills -

water that was stratified (a hot layer of water stays on top of a cool layer of water and if you have a mixture of this water quickly, the result is a fish kill). But the Pearl River fish kill was not a natural incident, but a point source. A paper mill in Bogalusa, Louisiana had an inadvertent spill of black liquor which resulted in a loss of dissolved oxygen in the Pearl River. The very slow current in the River caused this material to move down the river at a very slow pace and resulted in the killing of fish, mussels and anything else that required oxygen. The Pearl River is a Scenic Stream and is also habitat for threatened and endangered species such as the Gulf Sturgeon and mussels. A conservative count of over 150,000 fish and over 400,000 mussels were involved in the kill. Response has been to determine what was there. Recovery will be to restock with fish the Department produces now (bass and sunfishes) and upgrade monitoring efforts to make sure the Pearl River recovers with the existing fish for a 3 year period. Mr. Macaluso asked what was the predominant species killed and he was told it was probably shad but it could have been any number of fish since the spill occurred on Tuesday and the Department was not notified until Saturday. Mr. Macaluso asked then how much was released and Mr. Wood was not sure, but thought it was between 80 and 100 million gallons. Chairman Crews wondered who was responsible for working with the company on fining them and evaluating their protocol. Mr. Wood felt the Department of Environmental Quality was the lead agency and they would make recommendations related to water quality and the lead agency for a fish kill. The Department's response would be forwarded to the Department of Environmental Quality for a compilation report. Mr. Wood noted that the Department's team consisted of staff and those from LSU and the U.S. Fish and Wildlife Service. Chairman Crews asked if someone was calculating what has been killed in order for it to be remunerated. Mr. Wood stated there will be penalties and fines for the release, not notifying agencies, but the Department has a replacement value (restitution value) for fish and aquatic organisms. Federally listed threatened and endangered species also have their values. The Department's values for fish species as well as threatened or endangered fish are listed in statute Title 76. Secretary Barham added that they had a conversation with the U.S. Fish and Wildlife Service and Mississippi to discuss that when restitution is assessed, all parties want to "be on the same page". He hoped Mississippi would agree to Louisiana's protocols since 50 percent of the money will go to the state of Mississippi. Secretary Barham felt this was a very complex

issue on how it would be settled, but he would rather administratively settle it than involve lawyers. Mr. Smith talked about a canal around the Sabine River that has enough pollution in it that it has changed the color of the water. Mr. Wood mentioned that lots of the plants are permitted to put a certain amount of product or waste water into waters. These plants are strictly monitored. Mr. Mike Windham explained a program overseen by EPA that monitors the parameters of the permit. He felt the EPA would get involved in this event if they were outside of their permit. Mr. Jeff DeBlieux wondered if this was a human error release and Mr. Wood did not know all of the details. Chairman Crews wondered how that much could "accidentally" be released and several felt it was someone pushed the wrong button.

On the next topic of Texas-Louisiana Border Fishing Regulations, Mr. Wood explained that regulations on border waters have not been consistent. The border waters affected were Sabine Lake, Toledo Bend and Caddo Lake. Generally, Louisiana residents were the ones to receive citations since our regulations more lenient. Some progress has been made to standardize the regulations. At the encouragement of a Louisiana State Representative, a Resolution was passed to get the 2 agencies to talk. At the meeting, a facilitator was there to help get the ball rolling and essentially negotiations were made in order to reach a goal of standardizing regulations at all costs. After it began, the compromises were easier and easier which has resulted in what Mr. Wood felt was a "good mix". The compromise for bass on Caddo Lake was a 14-18 inch slot limit and 10 fish creel limit. Texas was very adamant about keeping the 10 inch minimum on crappie, but Louisiana had the data to support that was not a productive regulation. Texas, after studying the data, agreed with Louisiana and they agreed to take off the minimum length limit and a 25 fish creel. In order to make sure the public was aware of the proposal, there were 3 public hearings held in Minden, Many and Lake Charles. The compromises became effective in Texas and Louisiana on September 1, 2011. Mr. Smith asked about net fishing and Mr. Wood stated only recreational fishing was discussed.

On a brief note, Mr. Wood mentioned that the tilapia were still in Port Sulphur. The biggest challenge was that the fish were in waters that included underground drainages, even though they tried every possible way to get rid of them. The town of Port Sulphur is an old industry town and there are probably pipes in

the town that are not on any maps and so staff was not able to neither identify nor treat them. The last effort was to put fish in the area that could live in those waters and eat tilapia. Staff put bowfin, alligator gar and sunfish in the waters in order to keep the tilapia in check. Very few tilapia have been found since those fish were introduced. The Department has contracted with the University of New Orleans (UNO) to study the effects for 3 years. Chairman Crews wondered if tilapia were found in the outfall canals and Mr. Wood answered yes, the town of Port Sulphur operates their pumps every Thursday but there have not been any evidence of tilapia. This Mr. Wood tends to think is a result of fish feeding on them and controlling tilapia. He added this was part of the study by UNO. Chairman Crews asked if other fish were eating the tilapia and again Mr. Wood answered yes and added that they were very adaptable and love terrible water quality. Mr. Macaluso asked if it was known who released the tilapia and Mr. Wood suggested he check with Enforcement.

Mr. Smith asked for the difference between a spotted bass and a black bass. Mr. Wood stated a spotted bass has two patches on their tongue that a largemouth bass does not have and the spotted bass was a rougher fish. Also, the dorsal fin on a black bass does not have much of a slope.

Chairman Crews reminded Mr. Boehringer that the Secretary reported on financial problems the Department was facing and did not need a report but wanted the Secretary to know the Council remembers his comments. Mr. Boehringer noted he could arrange for an update be provided at the next meeting.

Mr. Kenny Ribbeck presented the **Office of Wildlife Reports** which consisted of **Kisatchie National Forest Deer-Dog Hunting, WMA Expansion: Sites Adding Acreage and Limited Access Areas Provide Hunting Options.** The first topic discussed was Kisatchie National Forest. In July 2011, the Washington, DC office of the U.S. Forest Service remanded the decision on deer dog hunting on Kisatchie and sent it back to the Atlanta Office in order to correct deficiencies and make a new decision. The Wildlife and Fisheries Commission was advised by the Forest Service of the remanded decision, but the Commission was told they could not take any action. However, the Commission met with the Department's Legal staff and found they could act on a Declaration of Emergency. The Commission held a special meeting on August 17, 2011 which established a deer dog hunting season

(December 17-December 25) on Kisatchie National Forest through action of a Declaration of Emergency. The Kisatchie National Forest was still gathering information, which includes public comment, to help the Regional Forester make a new decision. The action by the Commission was to require anyone that wants to hunt on Kisatchie have a permit. One requirement of the permit was for those hunters to report back to the Department their activities during the 2010 8 day season. The Regional Forester may come back and make a decision to now allow deer dog hunting which was legal since they are the landowners. Mr. Macaluso asked if there was a drop dead date and he was told that Secretary Barham asked the Forest Service to have their decision before the fall season. With the season last year being cancelled the day before opening and out of the 7,927 permits issued only 2,468 permits were returned. Mr. Pellessier asked if the Regional Forester was making decisions specific to Kisatchie and Mr. Ribbeck stated this decision was specific to Kisatchie as part of the Kisatchie Forest Plan. Then Mr. Pellessier asked if about 8,000 hunters applied to hunt on Kisatchie last year. Mr. Ribbeck clarified that the almost 8,000 hunters was anyone that would hunt Kisatchie during the deer dog hunting week whether they hunted with dogs or without. Mr. Macaluso asked if anyone from the Department attended a meeting in Pineville the Monday prior to the meeting and Mr. Ribbeck commented he was not aware of the meeting. As a point of information, Mr. Ribbeck reported that Congressman Fleming introduced legislation that would give the Department authority to set seasons on Kisatchie. Mr. Pellessier felt deer dog hunting was part of a tradition and hated to see them under attack. He then asked about the Environmental Assessment that noted user conflicts existed among landowners and deer dog hunters and wondered how many conflicts were there. Mr. Ribbeck stated that the strongest concerns were complaints from trespassing on adjacent private lands and safety issue on the roads during the hunt. Chairman Crews asked Mr. Pellessier if he felt a Resolution would be helpful for the deer dog hunters. Mr. Ribbeck added that the Commission, after receiving comments from landowners for several years, directed the Department to come up with a system that could help landowners identify animals without actually having to catch them. The gathered information was then provided to Kisatchie prior to the hunts so they could have it in hand. Mr. Pellessier commended the Commission for their action at the August 17 meeting in which they reinstated the hunt. Mr. Macaluso mentioned that in Kisatchie there have been many landholdings that have been split

up and the deer dog hunting came to a head about 6 years ago from a petition signed by those around the Catahoula Range. This petition got the attention of the Forest Service. He also noted deer dog hunting days have dwindled over the years from about 42 days to about 8 or 9 days.

On the next topic, WMA Expansion over the last year, Mr. Ribbeck stated Bayou Pierre WMA had a field tract acquisition (582 acres) from Nature Conservancy. This tract was reforested by Nature Conservancy and has been in a carbon sequestration program. Mr. DeBlieux asked who would receive the credits for the carbon sequestration and Mr. Ribbeck answered they were maintained. A more recent acquisition was Wham Brake, which is currently under lease from International Paper for one year. Hopefully, after one year the property would be turned over to the Department. Wham Brake has historically been a waterfowl area on the upper end of Russell Sage WMA. The next expansion was on the Maurepas Swamp area and the Department was also in a one year lease with the Conservation Fund. The tract would be called the M.C. Davis Tract and when added with the Maurepas Swamp WMA you have about 100,000 acres. As part of the donation, Mr. Davis has agreed to grant the Department money to be used operation and maintenance and also the Department would retain 5 percent of the mineral revenue. Also from the Nature Conservancy, the White Kitchen Tract (586 acres) was donated. One problem with the White Kitchen Tract was establishing legal boundaries which needed to be resolved.

For the last topic, Limited Access Areas, Mr. Ribbeck stated this was established on 4 areas in the Coastal and Nongame Resources Division last year. The division received good response from waterfowl hunters last year. So the Wildlife Division this year looked at allowing limited access areas to Manchac and Joyce WMAs. Joyce WMA would have a year round prohibition. Manchac WMA's limited access area would be 500 acres and was in the area known as the Prairie. Mr. Windham asked if the new tract on Bayou Pierre would prevent the Department from doing forestry management and he was told no. Mr. DeBlieux asked if the Nature Conservancy would get the credits and Mr. Ribbeck was not sure if they sold the credits or held them. Mr. Macaluso asked if staff would study the usage on the 6 limited access area and if they fell below a certain rate, would this be cancelled. Mr. Ribbeck stated the closure for motorized craft was from September through February on Manchac, but there was a total prohibition on Joyce WMA. Monitoring as

far as use, degradation or improvement of the area would continue on Manchac. Also, it was mentioned that Manchac was monitored at least monthly for salinity.

The Council set the **Next Meeting Date** for December 13, 2011 beginning at 1:30 PM.

Chairman Crews asked Mr. Boehringer to update the attendance grid and send to him. Then, he noted the minutes of the June 14 meeting and this Committee meeting would be approved at the next meeting. Chairman Crews requested having Mr. Larry Reynolds make a presentation at the December meeting. Mr. DeBlieux stated the Council responded to the proposal to move the youth waterfowl to the split of the season and it helped to keep it where it has been. Chairman Crews added he was told there were more ducks during the split, but Mr. DeBlieux felt the youth would have the best opportunity to shoot ducks before the season. Mr. Macaluso, speaking for Louisiana Outdoor Writers Association, stated that issue was very contentious and has even heard from other writers on allowing youth in the blinds before opening day. He also suggested asking Mr. Reynolds to talk about the option of having 3 zones with 2 splits for the duck season next year. Chairman Crews, after doing some math, stated the Council's constituency represents about 500,000 people. Mr. Macaluso reminded the Council that Saturday, September 24 was National Hunting and Fishing Day and events would be held in Baton Rouge, Woodworth, Monroe and Minden. Then on Sunday, September 25, Hunters for the Hungry will have their "Clean Out the Freezer" day that will benefit the Food Bank. Dr. Reed stated they have no problem storing canned goods but they cannot store fresh meat.

There were no **Public Comments** heard. However, Mr. Smith congratulated Mr. Wood for the Sabine and Toledo Bend regulations with Texas.

Chairman Crews **Adjourned** the meeting.