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Title 76
WILDLIFE AND FISHERIES
Part I. Wildlife and Fisheries Commission and Agencies Thereunder

Chapter 1. Reserved for General Provisions

Chapter 3. Special Powers and Duties

Subchapter A. Seismic Exploration

§301. Regulations

A. Definitions

Cultivation—any human activity the purpose of which is to enhance the production of oysters.

Oyster Area—those areas of coastal Louisiana which are capable of supporting natural or cultivated oyster populations.

Oyster Bed—an oyster reef or a waterbottom on which oysters are actively being cultivated.

Oyster Reef—a discrete, clearly distinguishable structure which:

a. has been formed primarily by living oysters and other organisms;

b. is not necessarily currently supporting live oysters;

c. at least a portion of which must be above the mud line, (i.e., not covered by mud or silt); and

d. may support live oysters as a result of normal hydrological fluctuations.

B. In order to protect, conserve, and replenish the wildlife of the state of Louisiana, including all aquatic life, and pursuant to the authority conferred by Article IX, Section 7 of the Louisiana Constitution of 1974, R.S. 30:214 et seq., and R.S. 36:609; the following rules shall form and after promulgation date, govern any exploration work involving the discharge of explosives and other energy sources in the state of Louisiana for geophysical exploration.

1. The Wildlife and Fisheries Commission, pursuant to its constitutional and statutory authority, hereby designates how geophysical exploration work shall be conducted insofar as it relates to the fish, seafood, aquatic life, oysters, wildlife and waterbottoms of the state. No geophysical exploration work shall commence without the approval of the secretary of the department or his designee. The Department of Wildlife and Fisheries, Marine Fisheries Division, Seismic Section is hereby authorized and directed to enforce and administer these regulations with full power and authority to take all appropriate actions to ensure proper administration and compliance.

2. Application(s) for permission to operate shall be made by letter giving the names of the parishes where the geophysical exploration is to be conducted. Written permission to operate shall be valid for a period of one year from date of approval, unless otherwise specified. In order to obtain and maintain permission to operate, an applicant shall furnish the department a surety bond in the amount of $75,000 from a bonding company licensed to do business in the state of Louisiana and to whom A.M. Best and Company has given an "B+/7" or better rating. Bond forms may be obtained from the Seismic Section. The bond shall be filed by the applicant prior to issuance of any permission to operate. Said bond shall guarantee payment of all shot hole fees and mileage fees, inspector fees, all compensation for damage to public lands, and waterbottoms (including, without limitation, damages for failure to remove equipment and trash), oysters, fish and other aquatic life, and/or other natural resources, man-made canals, bulkheads, rights-of-way and structures for which said applicant may be legally liable, and which may be suffered by the state of Louisiana. The bond shall also guarantee any and all fees in whole and in part for services rendered by the department and its offices in accordance with regulations of the Department of Wildlife and Fisheries or the Wildlife and Fisheries Commission and all applicable penalties, and any other liabilities to the state of Louisiana incurred by the applicant during the geophysical operations. Applicants must also supply the Seismic Section with proof of general liability insurance in the amount of $1,000,000. The policy must be issued by an insurer approved by the department, and specifically cover all damage to land, waterbottoms, oysters, fish and other aquatic life, or other natural resources, man-made canals, bulkheads, rights-of-way, and other structures for which permittee may be legally liable. In addition, permittees applying for a renewal of the letter of permission to operate must have demonstrated a record of sound business practices by making timely payments of seismic fees to the department, and by being in complete compliance with the department's regulations including those regulations requiring notifications and timely submission of seismic exploration data daily reports.

3.a. The department may, after 10 working days written notice to permittee, suspend or cancel the seismic letter of permission to operate granted pursuant hereto for failure by the permittee, to make timely payment to the department for obligations owed to the state of Louisiana for the following:

i. any adjusted shot hole fees and mileage fees;

ii. any compensation for damage to public lands, waterbottoms, oysters, fish and other aquatic life, or other natural resources, man-made canals, bulkheads, rights-of-

way and structures for which said permittee may be legally liable;

iii. any fees for services rendered by LDWF personnel in overseeing geophysical exploration; and

iv. any applicable penalties.

b. The permittee shall be entitled to a hearing upon written request, made within the 10 working day notice period, to the secretary or his designee, to review the circumstances prompting the department to suspend or cancel his letter of permission to operate. This hearing shall be held as soon as practicable.

4. Permittees shall submit a 1:24,000 scale map showing, at a minimum, the outline of the project for comparison with department databases of threatened, endangered, or sensitive wildlife and fisheries resources and a similar map on an 8.5 inch x 11 inch page. Permittees shall notify the Seismic Section before beginning any geophysical exploration on a "Notification of Beginning of Seismic Operations" furnished by the Seismic Section. The permittee shall provide the department with the names and telephone numbers of appropriate designated contact persons. The "Notification of Beginning of Seismic Operations" shall be accompanied by a map on an 8.5 inch x 11 inch page showing the outline of the project or line. The permittee also shall furnish the Seismic Section with a certified copy of the information filed with the appropriate parish clerk of court in accordance with R.S. 30:217. The permittee shall submit notification to the Seismic Section of interruption or cessation of work. If a change in the prospect or line is necessary, the permittee will provide a new plat indicating the change. If a change on the prospect or line affects different properties, or leasehold interests, the permittee will provide a new plat indicating the new prospect or line, and no work will begin until this change has been furnished to the Seismic Section and the Seismic Section has reviewed it with regard to threatened, endangered, or sensitive wildlife and fisheries resources. The granting of permission to operate does not give the permittee the right to trespass on, or conduct activities on private properties, nor does it relieve the permittee of the responsibility for damages to private property.

5. A permittee shall organize a pre-project meeting with the appropriate government agencies, property owners, lessees, residents, and other interested parties in the area of the proposed project. Notice of the meeting shall be advertised in the newspapers or journals designated for legal notices in the geographic areas in which geophysical survey operations are to be conducted. Additional notices should be posted in or on appropriate public places in the area of operations. All such notices shall be issued at a reasonable time before the scheduled meeting and before commencement of geophysical operations. Maps, as provided to the Seismic Section in connection with the Notification of Beginning of Seismic Operations and information designating the permittee's contact persons during the geophysical operations, shall be made available to the public for review at this meeting.

C. Each geophysical exploration crew working in the state of Louisiana shall always be under the supervision of the Seismic Section. A seismic inspector may be present during the shooting operations of the permittee to which he or she is assigned.

1. The Seismic Section representative shall have access to all records, including without limitation, shot point location maps, and shooters' logs and tracings, but only to the extent necessary to determine compliance with these regulations. Any and all proprietary or confidential information viewed or obtained by any Seismic Section representative or seismic inspector shall be maintained in strict confidence as mandated for disclosures of seismic data under R.S. 30:215. No permittee shall be required to submit to the department any document or thing containing such confidential, proprietary information, if such document would, thereby, become a public record.

2. The party chief or party manager shall instruct the members of his party as to the requirements of these rules and regulations, and to the duty and authority of the Seismic Section and the seismic inspector.

3. The party chief or party manager shall furnish the Seismic Section's representative with whatever reasonable and appropriate transportation is needed to allow him to visit the working areas and shall transport the Seismic Section's representative to whatever locations he or she requests. The department acknowledges that, when the permittee is providing transportation for the seismic inspector or other representative of the department under these regulations or other applicable law, that the permittee is fulfilling a state mandated function and shall not be responsible, in any way, for any decisions, instructions, actions, or omissions of such seismic inspector or other department representative.

4. The seismic inspector has the right to suspend any particular operation (e.g., surveying, drilling, shooting, or picking up equipment) or any portion of an operation, if it violates the Seismic Section's rules and regulations.

a. Written notice of violations shall be provided to the permittee's designated contact person as soon as practicable. Corrective action taken by the permittee and approved by the Seismic Section should dissolve the order for suspension issued by the seismic inspector.

b. The permittee may request a hearing from the secretary or his designee to review the circumstances of any suspension of geophysical survey activities. This hearing shall be convened as soon as practicable, but in any event within 10 working days after the written request for a hearing. The department shall provide the permittee with due notice and the opportunity to participate.

5. The department recognizes that conflicts may arise from time to time between parties regarding access to and use of public waters, waterbottoms, public lands and natural resources. In the event that such conflicts cannot be otherwise resolved, the department may, at the discretion of the secretary or his designee, restrict, regulate, or suspend such potentially or actually conflicting activities as may be

necessary to provide reasonable and safe access to said public resources. The department shall provide the permittee's designated contact person at least five working days written notice prior to any suspension, restriction, or regulation of geophysical survey operations due to user conflicts. The permittee may request a hearing from the secretary or his designee to review the circumstances of the department's restriction, regulation or suspension of geophysical activities. This hearing shall be convened as soon as practicable, but at any event within 10 working days after written request for a hearing. The department shall provide all interested parties with due notice and opportunity to participate.

6. No seismic inspector shall have the right to release any permittee from the obligations imposed by these rules and regulations. Variances from these regulations may be granted by the department only after written application by the permittee setting forth reasons therefore. The release, signed by the secretary or his designee, will designate the particular area and rule affected, and the procedures to be followed in lieu of any established rule. The secretary or his designee may provide this information to appropriate interested parties upon request.

D. The permittee must make a separate report for each day, whether or not shooting is in progress. Daily reports must furnish complete information as indicated by the report form, and must be signed by the party chief or party manager.

E. No geophysical exploration work shall be conducted on any wildlife refuge, waterfowl refuge, scenic river or stream, game preserve, fish preserve or hatchery, or oyster seed ground reservation without written permission from the department through the division in charge of such refuge, preserve, river, stream, hatchery or reservation. While operating on any wildlife refuge, waterfowl refuge, scenic river, stream, game preserve, fish preserve or hatchery or oyster seed ground or reservation, the permittee must abide by all rules and regulations of said area, in addition to these seismic regulations to the extent they apply.

F. Boats, marsh buggies, airboats, or other types of marsh vehicles, when used, must be used so as to cause the minimum disturbance or damage to the lands, waterbottoms, and wildlife and fisheries resources thereon. When working on wildlife management areas, wildlife refuges, scenic rivers, streams, fish preserves or hatcheries, or public oyster seed grounds or reservations, the permittee will coordinate with the supervisor in charge of the area as to rules of the area. Rules, regulations and fees may vary from one such area to another.

G. No marsh buggies shall have contact with any oyster reef or bed, including state-owned natural reefs, nor shall any explosives or other energy sources be discharged within 250 feet of any oyster reef or bed, including any state-owned natural reefs, without permission from the lessee of the reef or bed, and the department. The Seismic Section will review all projects in designated public oyster seed grounds and reservations.

H. Geophysical permittees are required to furnish an oyster lease plat to each affected oyster lessee showing the proposed number of shot points on line and their proposed location. Geophysical permittees are required to furnish notice to oyster lease applicants of the proposed crossing of waterbottoms for which said applicant has applied for an oyster lease, provided said application(s) has been plotted on the departments map(s).

I. All pipe used in geophysical operations must be removed to at least 6 feet below the surface of the ground, or 6 feet below the bottom in water areas, before finally leaving the shotpoint. No pipes shall be left unattended on land or in water.

J. All parties using pipe in water areas must have clearly welded or stamped at each end of each joint the name or abbreviation of the name of the permittee using the pipe. All equipment including cables, boxes, geophones, staff poles, anchors, buoys, etc., must be permanently tagged with the name of the permittee. All 2 x 2's used for survey lines must be clearly stamped with the name of the permittee using the stakes at approximately 3-foot intervals. These stakes must be removed immediately upon completion of the project. All cane poles must be removed immediately upon completion of the project. Anchors shall be marked, stamped, or tagged to identify the permittee who deployed them, and shall be secured to an appropriately marked buoy, vessel, or float.

K. Permittees shall comply with the U.S. Coast Guard and/or the U.S. Army Corps of Engineers' rules and regulations for marking and lighting material and/or equipment in navigable waters. In addition, all survey buoys used in geophysical operations should be colored fluorescent green to mark receivers, and fluorescent red to mark the source line or shot line as well as show the name of the permittee. All such floats in areas of seismic operations shall use floating line.

L. No explosives shall be discharged knowingly within 1,000 feet of a boat without notice being given to such boat so that it may move from the area.

M. Persistent gas and water discharges caused by drilling or shooting operations of seismic crews will be stopped immediately by the permittee.

N. Explosive charges or multiple charges in the same shot hole in excess of 50 pounds shall not be used except pursuant to express written authorization from the secretary or his designee. Requests for the use of such charges and other variances from the charge sizes, hole depths, and/or setback requirements must be made in writing, giving the reasons why such charges are needed, the particulars of charge sizes, hole depths, patterns of deployment, and setback from potentially sensitive environments. Such requests should be addressed to the Seismic Section. Variances shall not be unreasonably withheld or delayed. All documents submitted to the Seismic Section in connection with requests for variances shall be public records; therefore, any confidential proprietary information required for review of a variance request may be submitted orally or by demonstrative presentation referenced in the written

application, but the underlying confidential information shall not be disclosed in the written request filed with the department. The permittee may request a hearing to review all determinations, decisions, and regulations imposed with regard to requested variances, as set forth in §301.C.4.b above. The secretary or his designee may provide this information to appropriate interested parties upon request.

O.1. Minimum required depth of charges shall be as follows for shots detonated in holes.

Weight of Charge	Minimum Required Depth
1 pound or less	10 feet
Charges of 1 pound or less may only be used in upland areas. In addition, the hole must be tamped before shooting and the charge must be shot on the same day it is placed.	
Between 1 pound and 2 pounds	25 feet
2 pounds up to 5 pounds	40 feet
5 pounds up to 20 pounds	60 feet
20 pounds up to 30 pounds	70 feet
30 pounds up to 40 pounds	100 feet
40 pounds up to 50 pounds	120 feet
No part of the charge shall be above minimum required depth.	

2. The use of suspended charges as energy sources is prohibited unless a variance is granted by the secretary or his designee. If permitted, the secretary or his designee shall then set forth requirements to minimize the effect on wildlife and fisheries resources.

P. Detonation of seismic explosive charges will be allowed only during daylight hours. Variances to this rule may be requested as set forth in §301.N. Permittees shall notify the Seismic Section of 24 hour airgun operations prior to beginning such operations. The department may, after review of the details of such night operations and areas affected thereby, impose additional restrictions, regulations or requirements upon such operations as may be reasonable and necessary for the protection of public waters, waterbottoms, lands, and wildlife. No shooting will be allowed in heavy fog. The permittee may request a hearing to review all determinations, decisions, and regulations imposed with regard to night operations and weather conditions, as provided for in §301.C.4.b.

Q. In accordance with good industry practice, permittee shall, after drilling and loading shot holes, backfill holes with cuttings or another material authorized by the department, and place the shot hole plug near the surface to avoid wash-in.

R. All equipment including boxes, cables, staff poles, poles, anchors, etc., must be cleared from project areas before the permittee leaves the area. The permittee shall confirm in writing to the Seismic Section that all its equipment, materials, and refuse have been cleared from the project area. Said letter of confirmation shall be a public record. Variances from this rule may be granted by the department if accompanied by a written request from an affected landowner or agency. The secretary or his designee may provide this information to appropriate interested parties upon request.

S. A fee of $135 per day will be charged to geophysical permittees. This fee will be reviewed each January. All payments will be made by the permittees directly to the department on or before the fifteenth of each month. No payments are to be made to the seismic inspectors. seismic inspectors shall make and the Seismic Section shall maintain written records of the inspectors' work in connection with each geophysical project, identifying the date, time, location, nature of the inspector's work, and the permittee involved.

T. Permittees making application to work on any designated oyster seed ground or reservation designated by the state of Louisiana as specified in R.S. 56:434 and 435; and LAC Title 76 will be required to pay the following fees in addition to the supervisory fees: $100 per shot hole, or $1,000 per linear mile, whichever is greater, for reflective or refractive cable.

Water Depths	Fees (per Linear Mile)
Airguns Only	
Less than or equal to five feet	$1,000
Greater than five feet and less than or equal to 10 feet deep	$ 400
Greater than 10 feet	$ 200
3D Airgun Surveys	
Less than or equal to five feet	$12,500
Greater than five feet and less than or equal to 10 feet deep	$ 5,000
Greater than 10 feet	$ 2,500

NOTE: All of these fees are to be paid in advance. All fees will be reviewed each January. It is the intention of the Wildlife and Fisheries Commission and the department to use any fees collected pursuant to this rule to plant shells for oyster cultch, to rehabilitate areas damaged by operations and as mitigation for any other damages to the coastal area.

U. All geophysical permittees conducting operations shall exercise reasonable precaution and act in accordance with approved and accepted methods to prevent destruction of, or injury to the fish, oysters, shrimp and other aquatic life, wildlife or other living natural resources of the state of Louisiana, or their habitats.

V. Any violation of these or other rules promulgated by the commission or the department for the regulation of geophysical operations, or the refusal of any permittee or its employees to comply fully with all orders and requirements which may be made by authorized personnel of the department at the time the exploration is conducted, or any attempt to unduly influence any seismic inspector to abstain from the enforcement of these regulations shall constitute cause for suspension or cancellation of the "permission to operate", cessation of all exploration work, and disqualification of the party chief, party manager, field manager, and/or the permittee involved from future operations in this state. The permittee may request a hearing from the secretary or his designee to review the particular circumstances prompting the department to suspend or cancel his letter of permission to operate per the provisions of §301.C.4.b.

W. These rules and regulations supersede all other rules and regulations issued prior to this date, and are subject to change by the department and the Wildlife and Fisheries Commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:214 and R.S. 36:609.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 4:300 (August 1978), amended LR 10:410 (May 1984), LR 13:115 (February 1987), LR 18:509 (May 1992), LR 25:321 (February 1999).

Subchapter B. Enforcement

§305. Responsibilities and Powers of Enforcement Officers

A. Responsibilities of the Chief of the Enforcement Division and Law Enforcement Officers

1. The chief of the Enforcement Division of the Department of Wildlife and Fisheries shall be responsible for the adherence to and implementation of these regulations and the rules of evidence relating to seizures and criminal prosecution.

2. In any investigation or arrest where objects (guns, nets, traps, boats, motors, or other evidence) are vital to the case and necessary for prosecution they will be seized, and properly tagged. Receipts are to be issued for seized items. All seized equipment shall be turned in immediately to the Enforcement Division regional supervisor who shall be responsible for maintaining records and providing secure storage. However, the agent seizing any gun, net, boat, motor, or other evidence is responsible if the items seized are lost, stolen, or damaged while in his possession. All gear including, but not limited to boats, motors, guns, nets, trawls, vehicles, lights, and traps when found abandoned or unattended and used in violation of law shall be seized and turned in to the department immediately. Any game birds, game quadrupeds, game fish, commercial fish, nongame quadrupeds, and endangered and protected species seized in connection with abandoned or unattended equipment shall be disposed of in accordance with the following procedures.

3. The department, through the Enforcement Division, shall maintain records of all seizures, forfeitures, and releases and shall obtain an appropriate receipt from the possessor or owner of any quadruped, fish, bird, net, trap, gun, boat, light or other equipment, or the proceeds from the sale thereof, that is released by the department.

4. Any release of the above based upon a withdrawal or nolle pros of the charges shall require a certified copy of the said withdrawal or nolle pros to be filed with the chief of the Enforcement Division before the seized items can be released.

5. All proceeds from any sale of any quadruped, fish, bird, or equipment which is not ordered returned to the possessor or owner thereof shall be deposited in the Conservation Fund unless otherwise provided by statute or Deed of Donation, subject to a reasonable administrative cost to be retained by the agency selling on behalf of the department.

B. Perishable Evidence and Live Animals

1. Perishable Evidence

a. Game Quadrupeds, Game Birds, Outlaw Birds, Game Fish, and Commercial Fish Which Cannot Be Sold

i. All game quadrupeds, game birds, outlaw birds, game fish and commercial fish which, because of illegal size or other factors, cannot be sold, which are seized by agents, officers or employees of the department, or other peace officers of the state, shall be donated to charitable organizations, or persons receiving social welfare benefits (i.e., food stamps or aid to families with dependent children). Donations to persons receiving social welfare benefits shall be subject to applicable laws and regulations governing possession limits. If donation is not possible, then the reasons therefor shall be reflected in the case report, and the seized animals shall be destroyed.

ii. The officer, agent, or employee donating game quadrupeds, game birds or game fish shall obtain a receipt (Form ED-16) which shall be attached to the offense report of the violation in which the quadrupeds or fish were seized. Additionally, where donations are made to persons receiving social welfare benefits, the officer, agent or employee shall also attach documentary evidence of the person's eligibility for said benefits.

b. Commercial Fish and Nongame Quadrupeds

i. All commercial fish of legal size and nongame quadrupeds, when seized by agents, officers or employees of the department, or other peace officers of the state shall be sold, whenever possible, by the officer making the seizure.

ii. The officer shall obtain three bids from licensed dealers, if and when possible, and shall sell to the highest bidder.

iii. The offense report of the violation in which the fish and nongame quadrupeds were seized shall reflect the names of the companies, the amounts of the bids and the names of the persons making the bids. The money recovered from such sale shall be delivered to the chief of the Enforcement Division and kept in escrow by the department until final disposition of the criminal charges. In the event the arresting and seizing officer cannot obtain a sale, the commercial fish and nongame quadrupeds will be donated in accordance with the provisions of Subparagraph B.1.a above, or held by the department until it is no longer needed for prosecution, at which time it shall be destroyed or disposed of as the secretary of the department shall determine.

c. Oysters and Menhaden. Oysters and menhaden or other herring-like fishes shall be disposed of in accordance with the provisions of R.S. 56:58(C) and (D).

d. Protected or Endangered Species. Protected or endangered species shall be retained, or an evidentiary sample in accordance with Subparagraph B.1.e below shall be retained, until the case is resolved and it is no longer needed for evidence, at which time it shall be donated for scientific or educational purposes as determined by the secretary. If no such donation is possible, it shall be destroyed.

e. Evidentiary Sample. With regard to all perishable evidence upon which criminal charges are pending and which is to be donated or sold in accordance with Subparagraphs B.1.a, b or c above, the following procedure shall be employed prior to the sale or donation.

i. Remove tag, and keep an evidentiary sample to be destroyed or donated in accordance with Subparagraph B.1.d above upon disposition of case.

ii. Take pictures of entire lot of seizure.

f. Unfitness for Human Consumption. Should the seizing officers have reason to believe that the seized animal(s) is unfit for human consumption, then it shall not be sold or donated (except for scientific or educational purposes) and shall be destroyed.

2. Live Animals. All live quadrupeds, live birds or live fish seized in connection with violation shall be returned to its wild habitat or the waters of the state of Louisiana, if possible. If this is not possible or feasible for reasons as determined by the chief of the Enforcement Division, or for biological reasons as determined by department staff, the live quadrupeds, live birds and live fish confiscated and seized shall be donated by the department to zoos or other appropriate educational and scientific research institutions, or at the discretion of the secretary in accordance with the provisions of Clause B.1.a.i. If donation is not appropriate then said animals shall be destroyed.

C. Nets, Traps, Guns, Boats, Lights and Other Equipment

1. General Provisions

a. All nets, traps, guns, boats, lights and other equipment shall be held as evidence by the department until there is a final disposition of the charges or until ordered released by the court with jurisdiction of the violation. Said release or order shall be in writing and directed to the secretary of the department. All such equipment which has been forfeited, or which is unclaimed or unreleased for a period of three years, shall be sold at public auction to the highest bidder; provided, however, that if the equipment is of illegal specifications or if the chief of the Enforcement Division determines that sale is not economically feasible because of the value of the items, transportation costs or other factors, then said equipment shall be destroyed or shall be used in accordance with Paragraph C.2, in the secretary's discretion.

b. Equipment of illegal specifications is that which by design, size, length, mesh size, material composition or construction cannot be lawfully used for the taking of quadrupeds, birds, fish or other resources in the state of Louisiana.

2. Use of Equipment by Department Personnel. All seized nets, traps, guns, boats, lights and other equipment which the department has held for three years, or which has been forfeited to the department or the commission, may be used by department personnel as determined by the secretary, including, but not limited to, enforcement, research and educational purposes such as displays and hunter's education. This disposition and use may be exercised in lieu of sale when the secretary determines that it is in the best interest of the department.

3. Unattended Nets. All unattended nets which remain unclaimed for a period of 30 days shall be sold, used or destroyed in accordance with the above provisions.

4. Rods, Reels, Tackle and Nets. In addition to the other allowable methods of disposal provided for in this Subsection, and notwithstanding any other provisions of this Subsection, all rods, reels, fishing poles, tackle and nets may, upon the passage or occurrence of all pertinent time periods or events provided for in Subparagraph C.1.a supra, be donated to bona fide charitable organizations, youth groups or schools. This disposition may be exercised in lieu of other dispositions when the secretary determines it is in the best interest of the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:60.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:554 (July 1989), amended LR 29:2516 (November 2003).

§307. Reserve Enforcement Agents

A. General

1. R.S. 56:69.9 provides for the commissioning of retired wildlife enforcement agents as reserve enforcement agents in order to supplement the Department of Wildlife and Fisheries law enforcement program. Reserve agents bring with them experience and skills not normally found in entry-level, full time agents. Reserve agents may be assigned to law enforcement related functions, community service functions and may also be used as a resource in emergencies and large-scale special events.

2. Reserve agents may be called upon to perform the same duties and accept the same hazards and responsibilities as full-time wildlife enforcement agents. Educational level, experience, physical condition, and other selection criteria applicable to full-time agents apply equally to reserve agents.

3. Only retired wildlife enforcement agents who retired under the provisions of R.S. 11:582 shall qualify to become reserve wildlife enforcement agents. Eligibility for initial application shall be from the official date of retirement. There shall be no more than 50 active commissioned reserve agents. The chief of the enforcement division may make recommendations to the secretary of the department concerning commissioning of reserve agents. The secretary of the department may commission qualified reserve agents and shall have authority to revoke reserve agent commissions at any time. No commission shall be issued for a period greater than one year but may be renewed annually upon satisfactory completion of training requirement as provided by R.S. 56:69.7 and policy and procedure.

B. Work Performance and Training Requirements

1. Commissioned reserve agents shall have the powers of and may function as a wildlife enforcement agent when under the direct supervision of a full time employed wildlife enforcement agent. Commissioned reserve agents are prohibited from taking enforcement action unless under the

direct supervision of, and accompanied by, a wildlife enforcement agent. This prohibition shall not preclude reserve agents from performing activities such as surveillance, hunter/boater education training, and public outreach when unaccompanied by a wildlife agent, as long as all activities are under the direction of a wildlife enforcement agent. Reserve agents shall serve at the direction of the regional or section supervisor and may be assigned monthly in accordance with desired needs.

2. Reserve agents are limited in their enforcement authority and may not directly issue citations or make arrests, but can only assist wildlife agents in these duties. Reserve agents may serve as witnesses in any court proceeding relevant to their role as a commissioned reserve agent.

3. The provisions of Chapter 10 of Title 23 of the Louisiana Revised Statutes of 1950, pertaining to worker's compensation, shall not apply to reserve agents. A reserve agent will be required to sign a statement attesting that he has read and understands these rules and the conditions of his being commissioned as a reserve agent. He shall also provide evidence of insurance coverage for personal health and accident insurance. The department shall provide comprehensive general liability insurance, including personal injury coverage for third parties.

4. Serving as a reserve agent is a purely voluntary undertaking and no person commissioned under these provisions shall receive any compensation whatsoever for time or expenses incurred while in training or while in the performance of his/her duties as a reserve agent. The department may provide each reserve agent with a uniform; however such uniform shall identify the reserve agent as being reserve.

5. Reserve enforcement agents shall be required to maintain refresher training annually on fish and wildlife law, regulations, and rules, POST firearms re-qualification, use of force and any other statutorily required training for full time law enforcement officers performing like functions. The enforcement division may provide such training for reserve enforcement agents. Qualifying standards shall be identical to those of regular officers.

6. Reserve enforcement agents shall be required to comply with all provisions of Title 56 and other state and federal law as applicable.

C. Cases for Revocation of Commissions

1. Cases for revocation of reserve commissions shall include but shall not be limited to situations where:

a. the reserve agent is convicted of a felony, a misdemeanor, or any wildlife or fishery violation;

b. the reserve agent fails to perform as required by his supervising wildlife agent;

c. the reserve agent receives an unfavorable recommendation from his supervisor;

d. the reserve agent fails to maintain the minimum insurance coverage as provided in R.S. 56:69.12. It shall be the responsibility of the reserve agent to provide proof annually of personal health and injury insurance. The chief of enforcement shall maintain copies of such insurance in each reserve agent's file. Insurance information shall be forwarded to the department's human resources section;

e. the reserve agent fails to comply with any other rule or requirement the secretary or chief of enforcement may require;

f. a reserve agent violates departmental or enforcement division policy;

g. a reserve agent engages in misconduct or insubordination.

2. It shall be the responsibility of the regional captain or section supervisor to monitor and maintain records on all reserve enforcement agents assigned to perform duties within their respective jurisdictions, insure compliance with policies and procedures and report through the chain of command of any violations thereof.

3. The chief of enforcement shall also maintain a file on all active reserve agents, which shall include documentation required to maintain active status as a reserve agent.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:69.13.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Secretary, LR 32:646 (April 2006).

§309. Wildlife Violator Compact

A. Definitions

1. As used in this compact, unless the context requires otherwise:

Citation—any summons, complaint, summons and complaint, ticket, penalty assessment, or other official document issued to a person by a wildlife officer or other peace officer for a wildlife violation which contains an order requiring the person to respond.

Collateral—any cash or other security deposited to secure an appearance for trial in connection with the issuance by a wildlife officer or other peace officer of a citation for a wildlife violation.

Compliance—with respect to a citation means the act of answering a citation through an appearance in a court or tribunal, or through the payment of fines, costs, and surcharges, if any.

Conviction—a conviction, including any court conviction, for any offense related to the preservation, protection, management, or restoration of wildlife which is prohibited by state statute, law, regulation, ordinance, or administrative rule, and such conviction shall also include the forfeiture of any bail, bond, or other security deposited to secure appearance by a person charged with having committed any such offense, the payment of a penalty

assessment, a plea of nolo contendere and the imposition of a deferred or suspended sentence by the court.

Court—a court of law, including magistrate's court and the justice of the peace court.

Home State—the state of primary residence of a person.

Issuing State—the participating state which issues a wildlife citation to the violator.

License—any license, permit, or other public document which conveys to the person to whom it was issued the privilege of pursuing, possessing, or taking any wildlife regulated by statute, law, regulation, ordinance, or administrative rule of a participating state.

Licensing Authority—the department or division within each participating state which is authorized by law to issue or approve licenses or permits to hunt, fish, trap, or possess wildlife.

Participating State—any state which enacts legislation to become a member of this wildlife compact.

Personal Recognizance—an agreement by a person made at the time of issuance of the wildlife citation that such person will comply with the terms of the citation.

State—any state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Provinces of Canada, and other countries.

Suspension—any revocation, denial, or withdrawal of any or all license privileges, including the privilege to apply for, purchase, or exercise the benefits conferred by any license.

Terms of the Citation—those conditions and options expressly stated upon the citation.

Wildlife—all species of animals including, but not limited to, mammals, birds, fish, reptiles, amphibians, mollusks, and crustaceans, which are defined as "wildlife" and are protected or otherwise regulated by statute, law, regulation, ordinance, or administrative rule in a participating state. Species included in the definition of "wildlife" vary from state to state and determination of whether a species is "wildlife" for the purposes of this compact shall be based on local law.

Wildlife Law—any statute, law, regulation, ordinance, or administrative rule developed and enacted for the management of wildlife resources and the uses thereof.

Wildlife Officer—any individual authorized by a participating state to issue a citation for a wildlife violation.

Wildlife Violation—any cited violation of a statute, law, regulation, ordinance, or administrative rule developed and enacted for the management of wildlife resources and the uses thereof.

B. Procedures for Issuing State

1. When issuing a citation for a wildlife violation, a wildlife officer shall issue a citation to any person whose primary residence is in a participating state in the same manner as though the person were a resident of the issuing state and shall not require such person to post collateral to secure appearance, subject to the exceptions noted in Paragraph 2 of this Subsection, if the officer receives the recognizance of such person that he will comply with the terms of the citation.

2. Personal recognizance is acceptable:

a. if not prohibited by local law, issuing agency policy, procedure or regulation, or by the compact manual; and

b. if the violator provides adequate proof of identification to the wildlife officer.

3. Upon conviction or failure of a person to comply with the terms of a wildlife citation, the appropriate official shall report the conviction or failure to comply to the licensing authority of the participating state in which the wildlife citation was issued. The report shall be made in accordance with procedures specified by the issuing state and shall contain information as specified in the compact manual as minimum requirements for effective processing by the home state.

4. Upon receipt of the report of conviction or noncompliance pursuant to paragraph 3 of this subsection, the licensing authority of the issuing state shall transmit to the licensing authority of the home state of the violator the information in form and content as prescribed in the compact manual.

C. Procedure for Home State

1. Upon receipt of a report from the licensing authority of the issuing state reporting the failure of a violator to comply with the terms of a citation, the licensing authority of the home state shall notify the violator and shall initiate a suspension action in accordance with the home state's suspension procedures and shall suspend the violator's license privileges until satisfactory evidence of compliance with the terms of the wildlife citation has been furnished by the issuing state to the home state licensing authority. All member states may honor a suspension based on failure to comply. Due process safeguards will be accorded.

2. Upon receipt of a report of conviction from the licensing authority of the issuing state, the licensing authority of the home state shall enter such conviction in its records and shall treat such conviction as though it occurred in the home state for the purposes of the suspension of license privileges.

3. The licensing authority of the home state shall maintain a record of actions taken and shall make reports to issuing states as provided in the compact manual.

D. Reciprocal Recognition of Suspension

1. All participating states shall recognize the suspension of license privileges of any person by any participating state as though the violation resulting in the

suspension had occurred in their state and could have been the basis for suspension of license privileges in their state.

2. Each participating state shall communicate suspension information to other participating states in form and content as contained in the compact manual.

E. Applicability of Other Laws

1. Except as expressly required by provisions of this compact, nothing herein shall be construed to affect the right of any participating state to apply any of its laws relating to license privileges to any person or circumstance or to invalidate or prevent any agreement or other cooperative arrangement between a participating state and a nonparticipating state concerning wildlife law enforcement.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:69.21-R.S. 56:69.31.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 35:2858 (December 2009).

Subchapter C. Hunter Safety Program

§312. Hunter Education Program Certification Policy

A. The Wildlife and Fisheries Commission shall be the sole authority for establishing minimum requirements for certification of student and volunteer instructors and for the overall administration of the Louisiana Hunter Education Program. The Louisiana Hunter Education Program shall meet the minimum performance guidelines for the basic hunter education course as set forth by the International Hunter Education Association-USA Hunter Education Standards.

B. The Department of Wildlife and Fisheries shall maintain an electronic database of all students and active instructors who have successfully met the requirements for certification.

C. Requirements for hunter education student certification shall be as follows:

1. Provide at least the following information:

a. legal name;

b. date of birth;

c. state of residency;

d. State-issued driver's license or identification number or last four digits of social security number;

e. physical and mailing address;

f. a valid email address for purposes of electronic document delivery.

2. Demonstrate sufficient knowledge and understanding of safe hunting practices, firearm safety, and conservation principles by successfully completing one of the following courses:

a. For classroom based hunter education course:

i. attend the required classroom instruction as approved by the Louisiana Hunter Education Program;

ii. successfully complete a written exam prepared by the Louisiana Hunter Education Program;

iii. demonstrate the ability to safely handle hunting firearms

b. For computer based hunter education course:

i. complete the required computer based hunter education instruction as approved by the Louisiana Hunter Education Program;

ii. successfully complete a computer based exam prepared by the Louisiana Hunter Education Program.

c. For blended computer based and field day combination course:

i. complete the required computer based hunter education instruction as approved by the Louisiana Hunter Education Program;

ii. successfully complete a computer based exam prepared by the Louisiana Hunter Education Program;

iii. successfully complete the required field day instruction as approved by the Louisiana Hunter Education Program.

D. Requirements for bowhunter education certification shall be as follows:

1. successfully complete the required bowhunter education course as approved by the Louisiana Hunter Education Program in accordance with the National Bowhunter Education Foundation standards;

E. Upon successful completion of any of the approved courses, LDWF shall provide credentials documenting course completion.

F. Minimum age for certification in all courses within the Louisiana Hunter Education Program shall be as follows:

1. classroom based hunter education course—age 10;

2. computer based hunter education course—the minimum age requiring a basic hunting license.

3. blended computer based and field day combination course—age 10.

G. All persons' ages 10 and 11 who are hunter education certified, while hunting in the state of Louisiana, are to be accompanied by and under the direct supervision of a person who is 18 years of age or older and has a valid hunting license or proof of successful completion of a hunter education course approved by the department in order for that certification to be valid. Direct supervision means that the person being supervised shall be within normal audible voice proximity and in direct line of sight of the supervising adult at all times.

H. Requirements for volunteer instructor certification shall be as follows:

1. complete a minimum of 12 hours of classroom, field, and/or computer based instruction as approved by the Louisiana Hunter Education Program;

2. pass a written exam prepared by the Louisiana Hunter Education Program;

3. demonstrate the ability to lead students through exercises that exhibit the safe handling of hunting firearms; and

4. upon successful completion of instructor training, candidates shall be certified for an initial two-year period. Recertification shall be contingent on continued participation in the Louisiana Hunter Education Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:699.3

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:1396 (July 2007), amended LR 46:1613 (November 2020).

Subchapter D. Wildlife Values

§313. Guidelines for Determining Fish and Wildlife Values

A. The following are the guidelines utilized by the Department of Wildlife and Fisheries in determining fish and wildlife values.

1. With respect to fish and shellfish species, the American Fisheries Society publishes hatchery values reflecting estimated costs involved in rearing various freshwater and saltwater fish. These figures, adjusted by the Consumer Price Index; current data relating to expenditures of both sport and commercial fishermen relating to the animal or species which, directly or indirectly, result in revenues being generated for the state; ex-vessel commercial prices, as reported by the National Marine Fisheries Service and the Department of Wildlife and Fisheries Trip Ticket Program; estimated costs involved in the capture, purchase, transportation and release of species of fish; the current commercial retail selling price of living replacement animals; and, the current commercial selling price of meat and/or other products which are derived from the animal and traded in commerce, shall be considered by the department in formulating its recommendations concerning valuation.

2. With respect to avian species, existing information and estimated costs involved in the capture, purchase, transportation and release of species of birds; cost to purchase replacement animals from other states or jurisdictions; the costs to zoos and other zoological institutions to raise and maintain like animals; the current commercial retail selling price of meat and/or other products which are derived from the animal and traded in commerce; and, the expenditures of sportsmen and others relating to the animal or species which, directly or indirectly, result in revenue being generated for the state, shall be considered by the department in formulating its recommendations concerning valuation.

3. With respect to mammal species, estimated costs involved in the capture, purchase, transportation, and release of species of mammals; pelt values; costs to zoos and other zoological institutions to raise and maintain like animals; the current commercial retail selling price of meat and/or other products which are derived from the animal and traded in commerce; and the expenditures of sportsmen and others relating to the animal of species which, directly or indirectly, result in revenue being generated for the state, shall be considered by the department in formulating its recommendations concerning valuation.

4. With respect to reptiles and amphibian species, the estimated costs involved in the capture, purchase, transportation and release of species of reptiles and amphibians; pelt or hide values, costs to zoos and other zoological institutions to raise and maintain the animal; the current commercial retail selling price of meat and/or other products which are derived from the animal and traded in commerce; and the expenditures of hunters, trappers, and recreational sportsmen with respect to the animal or species which, directly or indirectly, result in revenues being generated for the state shall be considered by the department in formulating its recommendations concerning valuation.

5. Certain species are highly prized because of their rarity or may have a high intangible perceived value placed on the animal or species by the public. Other species have an intrinsically high value because they are threatened or endangered. In addition to the guidelines set forth above, the department shall, with respect to these rare and/or threatened and/or endangered species which might have limited commercial value but which possess a high intangible, intrinsic, aesthetic, ecological, or biological value, consider those factors when determining its recommendations with respect to valuation.

6. Not all the criteria set forth in the guidelines above will be applicable to each particular series and each criterion or factor shall be considered by the department only insofar as it is applicable to each particular species.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:40.1-40.9.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:200 (March 1989), amended LR 37:2434 (August 2011).

§315. Fish and Wildlife Values

A. All fish and wildlife species found within, or taken from the state have value, regardless of whether a specific value is provided herein. If a specific value is not provided for in this Section, that species is not deemed to be without value and its value may be determined.

B. Fish and Wildlife Values

1. Game Mammals and Game Birds

Deer ,Quality[1]	$2,033.29
Deer, Non-Quality	$1,624.61
Squirrels	$ 20.32
Rabbits	$ 31.71
Turkeys	$1,539.37
Ducks	$ 26.61
Geese	$ 51.58
Coots	$ 14.63
Gallinules and Rails	$ 22.02
Snipe	$ 19.94
Quail	$ 43.01
Woodcock	$ 59.81
Doves	$ 14.27

[1] Quality deer defined as buck with at least eight total points, minimum spread of 13.5 inches and minimum beam length of 16.5 inches using the Boone and Crockett Scoring system defined in Measuring and Scoring North American Big Game Trophies; Third Edition, by Nesbitt, William H. and Wright, Philip L., updated by Buckner, Eldon L., Byers, C. Randall, and Reneau, Jack, 2009.

2. Non-Game Animals

Raptors (Birds)	$ 87.03
Other Birds	$ 17.41
Frogs	$ 6.12/lb.
Turtles	$ 3.87/lb.
Snakes, Other	$ 9.00
Pine Snakes	$ 150.00
Salamanders	$ 5.00
Alligator (Eggs)	$ 13.00/egg
Alligator, Other Than Albino (Whole, Skin, or Meat[2])	$ 375.80
Mink	$ 6.87
Fox	$ 18.15
Muskrat	$ 2.95
Raccoon	$ 27.75
Otter	$ 23.77
Bobcat	$ 27.04
Marine Mammals	$3,481.19
Other Mammals, Excluding Outlawed Quadrupeds	$ 17.41

[2] For alligator meat, 23 pounds of deboned meat and 35 pounds of bone in carcass meat shall equate to one alligator. Civil restitution penalty amounts for illegal possession of alligator meat, absent the presence of other parts of the animal(s), shall be based on the weight of the meat, with the weight rounded up to the next number of whole alligators.

3. Federally Listed Threatened and Endangered Species[3]

Reptiles (Adult or Young)	$4,351.49/animal
Reptiles (Eggs)	$4,351.49/violation
Birds (Adult or Young)	$4,351.49/animal
Birds (Eggs)	$4,351.49/violation
Mammals	$4,351.49/animal
Invertebrates	$4,351.49/violation
Fish	$4,351.49/animal
Amphibians	$4,351.49/animal

[3] See LAC 76:I.317 for a list of Threatened or Endangered Species.

4. Species of Special Concern

Fish	
Prohibited fish species as found in LAC 76:VII.145, LAC 76:VII.337.A, and LAC 76:VII.357.B.4 excluding species listed in LAC 76:I.317.	$2,175.75/animal
Birds	
Bald Eagle	$4,351.49/animal
Brown Pelican	$4,351.49/animal
Peregrine Falcon	$4,351.49/animal
Mammals	
Black Bear	$10,000.00/animal
Cougars (Felis concolor couguar)	$4,351.49/animal
Reptiles	
Albino Alligator	$4,351.49/animal

5. All Fish Not Listed Elsewhere in This Rule

Marine Fish	$1.14/lb.
Freshwater Fish	$0.62/lb.

6. Recreational and Commercial Fishes

Species Group	Value per Individual Fish
Drum, Red	$26.47
Spotted Seatrout	$28.97
Snapper, Red	$28.69
White Trout[4]	$3.89
Flounder	$16.08
Croaker	$4.61
Bass, Largemouth	$13.43
Bluegill	$0.91
Crappies	$5.37
Paddlefish[5]	$341.72

[4] Sand Seatrout and Silver Seatrout[5] For Paddlefish roe, 4.75 pounds of roe shall equate to one Paddlefish. Civil restitution penalty amounts for illegal possession of Paddlefish roe, absent the presence of other parts of the animal(s), shall be based on the weight of the roe, with the weight rounded up to the next number of whole Paddlefish.

7. Commercial Fish Species

Species Group	Value/Lb[6]
Amberjacks	$2.35
Other Jacks	$1.34
Barracuda	$1.54
Bonito, Atlantic	$0.69
Bowfin[7]	$2.01
Buffalo	$0.58
Butterfish	$0.40
Carp	$0.25
Catfish, Channel	$1.16
Catfish, Sea	$0.61
Catfish, Freshwater	$0.97
Cobia	$4.29
Crab, Blue	$1.53
Crab, Stone	$5.74
Crawfish, Wild	$1.38
Dolphin (Fish)	$1.83
Driftfish	$2.75
Drum, Black	$1.54
Drum, Freshwater	$0.32
Eel, Freshwater	$2.09
Gar	$1.74
Grouper, Gag	$5.32
Grouper, Yellowedge	$6.38

Species Group	Value/Lb[6]
Grouper, Other, Hinds and Grunts	$4.38
Kingfish and Whiting	$0.85
Mackerel, King	$2.97
Mackerel, Spanish	$1.42
Menhaden	$0.11
Mullet[8]	$1.00
Oilfish and Escolar	$1.47
Oyster (in-shell weight)	$0.45
Pompano	$6.35
Porgy	$1.94
Shad	$0.40
Shark, Shortfin Mako	$1.52
Sharks, Other and Rays	$0.62
Sheepshead	$0.62
Shrimp	$2.57
Snapper, Other	$3.97
Squid	$0.72
Swordfish	$3.82
Tilefishes	$3.06
Triggerfish	$2.13
Tripletail	$1.85
Tuna, Albacore	$1.31
Tuna, Bigeye	$5.76
Tuna, Blackfin	$0.64
Tuna, Bluefin	$8.80
Tuna, Other	$0.78
Tuna, Yellowfin	$6.84
Wahoo	$1.78

[6] All values listed are for whole form weight. When fish are not in whole form, the conversion factors set out in Section 316, following, shall be applied to convert their product form weight to whole form weight. If product form weight to whole form weight conversion factor is not available for a particular species and is thus not listed in Section 316, any data that is collected in a scientific method to allow estimation of the conversion factor from product form weight to whole form weight for that species shall be allowed to be used to determine civil restitution value for product form.[7] For bowfin roe, weight of the roe should be multiplied by 1/.12 to convert the roe to whole bowfin weight.[8] For mullet roe, weight of the roe should be multiplied by 1/.18 to convert the roe to whole mullet weight.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:40.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:39 (January 1990), amended LR 18:290 (March 1992), LR 37:2435 (August 2011).

§316. Fish and Shellfish Product Form Conversions

A. With respect to fish and shellfish species, the Department of Wildlife and Fisheries Trip Ticket Program uses conversion factors to convert the weight of different product forms of species to their whole form weight. Those conversion factors, as enumerated below, shall be used to convert the weight of fish and shellfish species not in whole form to whole form weight for the purpose of assigning civil restitution penalty values for commercial fish and shellfish species.

B. Fish and Shellfish Product Form Conversion Factors

Fish and Shellfish Product Form Conversion Factors			
Fish and Shellfish	Gutted	Gutted and Headed, or Steaked, or Cleaned, or Tubed	Meat (Fillet, Pieces, or Chunks)
Amberjack, Greater	1.04	1.24	3.14
Amberjack, Lesser	1.04	1.24	3.14
Angelfish	1.11	1.33	2.86
Barracuda	1.11	1.33	2.86
Bigeye, Other	1.04	1.24	1.79
Bigeye, Short	1.04	1.24	1.79
Bluefish	1.09	1.43	
Bonito, Atlantic	1.15	1.52	3.03
Bowfin	1.14	1.45	2.33
Brotula, Bearded	1.12	1.39	3.70
Buffalofish	1.11	1.54	3.12
Bulleye	1.04	1.24	1.79
Bullheads	1.14	1.45	2.86
Carp, Bighead	1.04	1.72	3.57
Carp, Common	1.11	1.54	3.12
Carp, Grass	1.04	1.72	3.57
Carp, Silver	1.04	1.72	3.57
Catfish, Blue	1.14	1.45	2.86
Catfish, Channel	1.14	1.45	2.86
Catfish, Flathead	1.14	1.45	2.86
Catfish, Gafftopsail	1.12	1.39	3.70
Catfish, Hardhead	1.12	1.39	3.70
Chubs	1.04	1.24	1.79
Cobia	1.04	1.24	
Crab, Blue		1.25	6.00
Crawfish			6.67
Creole Fish	1.04	1.24	1.79
Dogfish, Other	1.20	1.39	3.33
Dogfish, Spiny	1.20	1.39	3.33
Dolphin	1.20	1.39	3.33
Driftfish, Black	1.11	1.54	2.86
Drum, Black	1.14	1.64	2.86
Eel, Freshwater	1.01	1.04	
Eel, Conger	1.11	1.25	2.22
Eel, Moray	1.11	1.25	2.22
Escolar	1.15	1.52	2.86
Gar, Aligator	1.04	1.33	2.86
Gar, Longnose	1.04	1.33	2.86
Gar, Shortnose	1.04	1.33	2.86
Gar, Spotted	1.04	1.33	2.86
Garfish, Other	1.04	1.33	2.86

Fish and Shellfish Product Form Conversion Factors			
Fish and Shellfish	**Gutted**	**Gutted and Headed, or Steaked, or Cleaned, or Tubed**	**Meat (Fillet, Pieces, or Chunks)**
Gaspergou	1.17	1.79	2.56
Graysby	1.18	1.43	2.63
Grouper, Black	1.18	1.43	2.63
Grouper, Gag	1.18	1.43	2.63
Grouper, Marbled	1.18	1.43	2.63
Grouper, Misty	1.18	1.43	2.63
Grouper, Nassau	1.18	1.43	2.63
Grouper, Red	1.18	1.43	2.63
Grouper, Snowy	1.18	1.43	2.63
Grouper, Warsaw	1.18	1.43	2.63
Grouper, Yellowedge	1.18	1.43	2.63
Grouper, Yellowfin	1.18	1.43	2.63
Grouper, Yellowmouth	1.18	1.43	2.63
Grunts	1.18	1.43	2.63
Hake	1.12	1.39	3.70
Hind, Red	1.18	1.43	2.63
Hind, Rock	1.18	1.43	2.63
Hind, Speckled	1.18	1.43	2.63
Jack, Almaco	1.04	1.24	1.79
Jack, Bar	1.04	1.24	1.79
Jack, Black	1.04	1.24	1.79
Jack, Cravelle	1.04	1.24	1.79
Jack, Horse-Eye	1.04	1.24	1.79
Mackerel, King	1.04	1.33	2.86
Mackerel, Spanish	1.15	1.52	3.03
Mooneye	1.04		
Moonfish	1.04		
Mullet, Striped	1.14	1.45	2.86
Oilfish	1.11	1.54	2.86
Opah	1.04	1.24	1.79
Other Freshwater Finfish Species	1.14	1.33	3.03
Other Saltwater Finfish Species	1.14	1.33	3.03
Oyster			16.23
Parrotfish	1.04	1.24	1.79
Pinfish	1.11	1.54	
Pomfrets	1.04	1.24	1.79
Pompano, African	1.04	1.20	2.63
Pompano, Florida	1.04	1.20	2.63
Porgy, Jolthead	1.04	1.24	
Porgy, Knobbed	1.04	1.24	

Fish and Shellfish Product Form Conversion Factors			
Fish and Shellfish	**Gutted**	**Gutted and Headed, or Steaked, or Cleaned, or Tubed**	**Meat (Fillet, Pieces, or Chunks)**
Porgy, Red	1.04	1.24	
Porgy, Whitebone	1.04	1.24	
Rainbow Runner	1.04	1.24	3.14
Rover, Crimson	1.04	1.24	1.79
Rudderfish	1.12		
Rudderfish, Banded	1.04	1.24	3.14
Runner, Blue	1.09	1.43	3.14
Scamp	1.18	1.43	2.63
Scorpionfish, Longsnout	1.04	1.24	1.79
Scorpionfish, Other	1.04	1.24	1.79
Scorpionfish, Spiny Cheek	1.04	1.24	1.79
Scorpionfish, Spotted	1.04	1.24	1.79
Sculpins	1.12	2.57	5.00
Seabass, Bank	1.04	1.24	1.79
Seabass, Black	1.04	1.24	1.79
Seabass, Longtail	1.04	1.24	1.79
Shark, Bignose	1.20	1.39	3.33
Shark, Blacknose	1.20	1.39	3.33
Shark, Blacktip	1.20	1.39	3.33
Shark, Blue	1.20	1.39	3.33
Shark, Bull	1.20	1.39	3.33
Shark, Dusky	1.20	1.39	3.33
Shark, Finetooth	1.20	1.39	3.33
Shark, Hammerhead	1.20	1.39	3.33
Shark, Lemon	1.20	1.39	3.33
Shark, Longfin Mako	1.20	1.39	3.33
Shark, Night	1.20	1.39	3.33
Shark, Porbeagle	1.20	1.39	3.33
Shark, Sand Tiger	1.20	1.39	3.33
Shark, Sandbar	1.20	1.39	3.33
Shark, Shortfin Mako	1.20	1.39	3.33
Shark, Silky	1.20	1.39	3.33
Shark, Spinner	1.20	1.39	3.33
Shark, Tiger	1.20	1.39	3.33
Shark, White	1.20	1.39	3.33
Sharks, Other	1.20	1.39	3.33
Sharks, Other Large Coastal	1.20	1.39	3.33
Sharks, Other Small Coastal	1.20	1.39	3.33
Sharks, Thresher	1.20	1.39	3.33

Fish and Shellfish Product Form Conversion Factors			
Fish and Shellfish	**Gutted**	**Gutted and Headed, or Steaked, or Cleaned, or Tubed**	**Meat (Fillet, Pieces, or Chunks)**
Sheepshead	1.17	1.54	4.00
Shrimp, Brown		1.61	1.61
Shrimp, Pink		1.60	1.60
Shrimp, River		1.67	1.67
Shrimp, Rock		1.67	1.67
Shrimp, Royal Red		1.80	1.80
Shrimp, Seabob		1.53	1.53
Shrimp, Trachypenaeus		1.61	1.61
Shrimp, White		1.54	1.54
Snapper, Black	1.11	1.54	3.12
Snapper, Blackfin	1.11	1.54	3.12
Snapper, Cubera	1.11	1.54	3.12
Snapper, Dog	1.11	1.54	3.12
Snapper, Gray	1.11	1.54	3.12
Snapper, Lane	1.11	1.54	3.12
Snapper, Mahogany	1.11	1.54	3.12
Snapper, Mutton	1.11	1.54	3.12
Snapper, Queen	1.11	1.54	3.12
Snapper, Silk	1.11	1.54	3.12
Snapper, Vermilion	1.11	1.54	3.12
Snapper, Yellowtail	1.11	1.54	3.12
Soapfish	1.18	1.43	2.63
Spadefish	1.11	1.54	
Spanish Flag	1.04	1.24	1.79
Spot	1.04	1.72	3.57
Squirrelfish	1.14	1.24	1.79
Stingrays, Other	1.12		
Sunfishes, Ocean	1.04	1.72	3.57
Swordfish	1.20	1.33	3.33
Tilefish, Blackline	1.12	1.39	2.94
Tilefish, Blueline	1.12	1.39	2.94
Tilefish, Goldface	1.12	1.39	2.94
Tilefish, Other	1.12	1.39	2.94
Tilefish, Sand	1.12	1.39	2.94
Triggerfish, Gray	1.04	1.72	3.57
Triggerfish, Ocean	1.04	1.72	3.57
Triggerfish, Queen	1.04	1.72	3.57
Tripletail	1.18	1.43	
Tuna, Albacore	1.11	1.33	2.86
Tuna, Bigeye	1.25	1.25	3.03

Fish and Shellfish Product Form Conversion Factors			
Fish and Shellfish	**Gutted**	**Gutted and Headed, or Steaked, or Cleaned, or Tubed**	**Meat (Fillet, Pieces, or Chunks)**
Tuna, Blackfin	1.25	1.25	3.03
Tuna, Bluefin	1.18	1.25	3.03
Tuna, Little Tunny	1.18	1.25	3.03
Tuna, Skipjack	1.18	1.33	3.03
Tuna, Yellowfin	1.11	1.25	3.03
Wahoo	1.18	1.43	2.86
Wenchman	1.11	1.54	3.12
Whiting	1.14	1.45	2.86

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:40.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 37:2436 (August 2011).

Subchapter E. Louisiana Natural Heritage

§317. Threatened and Endangered Species

A. The secretary of the Department of Wildlife and Fisheries hereby determines that those species designated as endangered or threatened pursuant to the Federal Endangered Species Act (ESA) of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.), are designated as such by the U.S. Fish and Wildlife Service at 50 CFR 17.11. Based upon the above determination, said species, which are enumerated below, are deemed to be endangered or threatened species under the provisions of *Louisiana Revised Statutes* title 56, chapter 8, part IV.

1. Invertebrates		
Pink Mucket	*Lampsilis abrupta*	E
Louisiana Pearlshell	*Margaritifera hembeli*	T
Fat Pocketbook	*Potamilus capax*	E
Inflated Heelsplitter	*Potamilus inflatus*	T
Rabbitsfoot	*Quadrula cylindrica*	T
2. Fish		
Gulf Sturgeon	*Acipenser oxyrinchus desotoi*	T
Pallid Sturgeon	*Scaphirhynchus albus*	E
Smalltooth Sawfish	*Pristis pectinata*	E
3. Amphibians		
Dusky Gopher Frog	*Lithobates sevosus*	E

4. Reptiles (including eggs)		
Loggerhead Sea Turtle	*Caretta caretta*	T
Green Sea Turtle	*Chelonia mydas*	T
Hawksbill Sea Turtle	*Eretmochelys imbricata*	E
Kemp's Ridley Sea Turtle	*Lepidochelys kempii*	E
Leatherback Sea Turtle	*Dermochelys coriacea*	E
Ringed Map Turtle	*Graptemys oculifera*	T
Gopher Tortoise	*Gopherus polyphemus*	T
Black Pinesnake	*Pituophis melanoleucus lodingi*	T
Louisiana Pinesnake	*Pituophis ruthveni*	T
5. Birds (including eggs)		
Whooping Crane	*Grus americana*	E
Piping Plover	*Charadrius melodus*	T
Red Knot	*Calidris* canutus rufa	T
Interior Least Tern	*Sternula antillarum athalassos*	E
Red-cockaded Woodpecker	*Picoides borealis*	E
6. Mammals		
West Indian Manatee	*Trichechus manatus*	T
Northern Long-eared Bat	*Myotis septentrionalis*	T
Sperm Whale	*Physeter macrocephalus*	E
Florida Panther	*Felis concolor coryi*	E
7. Plants		
American Chaffseed	*Schwalbea americana*	E
Earth-fruit	*Geocarpon minimum*	T
Louisiana Quillwort	*Isoetes louisianensis*	E
Pondberry	*Lindera melissifolia*	E
E = Endangered; T = Threatened		

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1904.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Wildlife, LR 15:1099 (December 1989), amended LR 18:877 (August 1992), LR 37:2438 (August 2011), LR 44:798 (April 2018), LR 46:193 (February 2020).

§318. Natural Areas Dedication and Servitudes

A. Background. In 1987, by an Act of the Louisiana State Legislature (Acts 1987, No. 324, §1, effective July 6, 1987), the Louisiana Department of Wildlife and Fisheries (LDWF) was named as the state agency responsible for administering the Louisiana Natural Areas Registry. A subsequent state legislative Act established the Wildlife Habitat and Natural Heritage Trust to manage funds for the purpose of acquiring and properly managing natural areas in Louisiana (Acts 1988, No. 492, §1, effective July 9, 1988). The Louisiana Natural Areas Registry provides official state recognition of natural heritage values on land parcels where they occur. A voluntary registration agreement adds a measure of protection, and servitudes or dedication of a Natural Areas Preserve provides secure protection.

B. Purpose. The primary purpose of dedicated nature preserves and conservation servitudes is to permanently protect high quality examples of Louisiana's natural heritage through land acquisition or perpetual easements by LDWF. To "dedicate" a property is defined as the transfer to LDWF of property rights in any natural area to be held for the citizens of Louisiana to protect the natural heritage values of the property.

C. Objectives. The primary objective of the Louisiana Natural Heritage Program (LNHP) is to assure that each species of conservation concern and each natural community type tracked by LNHP is adequately represented at securely protected sites. This can be accomplished by dedication of the property or through conservation servitudes that duly protect the property.

D. General Guidelines

1. A request for a dedication or servitude may be initiated by any party (LDWF, other state or federal agency, landowner, non-government organization, or other interested parties), and must be submitted to LNHP in writing and must include a justification, general information on the property and specific location and boundary map.

2. LNHP will review initial requests, and determine if proposed sites are eligible for dedication or servitude. LNHP will recommend only those properties that support rare plant or animal species, or an exemplary natural community type(s).

E. Specific Requirements

1. To begin the dedication or servitude process, a site is first evaluated by means of a comprehensive field survey(s) conducted by LNHP. These baseline results should include a general description of the natural communities present on the site specifying size (in acres or hectares), condition, plant species composition, and community structure. Other site data should include topography, soils, rare plant and animal species present, any disturbances to the site (anthropogenic or natural), current management, and status of the landscape surrounding the site. Evaluations that depend on seasonal opportunities for study (i.e., determination of the presence or absence of a particular species that is only evident during certain seasons of the year or within a limited time frame) may extend the survey period. A general description of the site boundaries, photographs of key areas within the property, management considerations and assessment factors mentioned above, are all documented in the survey.

2. LDWF shall accept only those areas determined to be high quality for dedication or servitudes. LDWF's determination will take into consideration information from the site survey, biodiversity of the site, numbers and quality of rare species and/or natural communities, whether the species and natural communities present are protected elsewhere within the state, previous land-use and its impacts to the site, any invasive species present and any other relevant biological or management factors.

3. LDWF shall not accept any portion of a property for natural areas dedication or servitude that currently has pine plantations with off-site timber, homesites, extensive livestock grazing, agricultural farms, or industrial or commercial uses unless LDWF determines that the site can be reclaimed and restored to natural conditions.

4. A Natural Areas Preserve Committee within LDWF composed of staff from the Office of Wildlife, and such other staff as is appropriate will review all pertinent information to make a determination of whether the site qualifies for natural areas dedication or servitude.

5. If the committee finds that dedication of the area as a Natural Areas Preserve or servitude to be appropriate and feasible, then the landowners of the proposed dedicated nature preserve/servitude and the LDWF Natural Areas

Preserve Committee will work together to formulate the deed of dedication. The landowner is responsible for the land survey to determine the property appraisal, and agrees to subordinate any mortgages or deeds of trust affecting the property. The dedication or servitude agreement will contain a legal description of the boundaries of the site, specify the natural heritage values the agreement is designed to protect, and detail any financial provisions and any other considerations as needed. Additional documents may accompany the dedication or servitude agreement as required to meet the needs of the agency or other parties.

6. The landowner(s) who is transferring ownership or donating a servitude to LDWF is responsible for obtaining professional advice as they so desire.

7. LDWF shall notify adjacent landowners in writing of the dedicated preserve or servitude and measures to protect it, at a minimum through publication in the official parish journal(s) of the parish(es) in which the property is located. LDWF is also responsible for any associated costs of this notification.

8. LDWF shall monitor each natural areas dedicated preserve and servitude annually to assess its condition and ensure that there have been no violations of the agreement. The monitor shall inspect the preserve/servitude, documenting current conditions, and identifying and documenting any violations of the agreement.

9. A management plan shall be developed by LNHP for each dedication and servitude that includes a property description (location, geology, physiography, hydrology, and soils), biological conditions, land use history and current conditions (hydrology, natural communities, logging, invasive and off-site species, trespassing), management objectives, and the management activities with specific natural community and species management related actions. The plan should delineate a detailed management scheme with the primary purpose to guide maintenance and/or restoration of native species and natural communities while integrating appropriate human use without compromising ecological integrity.

10. The Natural Areas Preserve Committee shall review and approve the management plan and any amendments. Amendments to the original servitude agreement or preserve management plan may be accepted by the committee only if the amendments will not negatively impact the overall natural heritage values present on the property.

11. Dedicated preserve/servitude signs shall be posted at each entrance and along its boundary at or near 100-yard intervals.

12. The LDWF Natural Areas Preserve Committee shall review each dedicated preserve and servitude management plan every 5 years to ensure adequate protection and/or restoration efforts are being followed.

13. Penalties and enforcement. LDWF will arrange meetings with the servitude owner and/or adjacent landowners as necessary to discuss any violations of the preserve or servitude agreement. Reparation by the violator shall be documented, course of action agreed on, deadline for compliance determined, all parties informed of required restoration action and compliance deadline, and any restoration work is inspected and documented.

14. Servitudes may be transferred to another qualified organization or agency if LDWF is no longer able to meet its servitude stewardship responsibilities.

F. Additional Information. For more information on Natural Areas Dedication and Conservation Servitudes, contact the following office:

Department of Wildlife and Fisheries
Louisiana Natural Heritage Program
P.O. Box 98000
Baton Rouge, LA 70898-9000.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1869.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 35:501 (March 2009).

Subchapter F. Confidential Fishery Data

§319. Confidentiality of Commercial and For-Hire Industry Landing Data

A. Confidentiality. All data collected or otherwise obtained by personnel or contractors of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission in the course of their duties and other landings data collected by personnel or contractors of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission are confidential, and are not to be divulged, except in aggregate form, to any person except employees or contractors of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission or the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA/NMFS) whose duties require this information, except as permitted by law or court order. Aggregate form, with respect to data, shall mean data or information submitted by three or more persons that have been summed or assembled in such a manner so as not to reveal, directly or indirectly, the identity or business of any such person. Neither employees nor contractors of the Louisiana Department of Wildlife and Fisheries nor members of the Wildlife and Fisheries Commission will voluntarily release confidential information to another person, firm, or state or federal agencies, except NOAA/NMFS as stated above, and to the extent possible, will oppose other agency and congressional subpoenas to obtain confidential information.

B. Neither the Louisiana Department of Wildlife and Fisheries nor its contractors nor members of the Wildlife and Fisheries Commission will disclose confidential statistics under court order without specific approval by the State Attorney General's Office. Employees or contractors of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission who have access

to confidential statistics shall be subject to the provisions and penalties for unauthorized disclosure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:345.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:38 (January 1990), amended LR 35:702 (April 2009).

§321. Records; Confidentiality

A. All fishery dependent data (that is, only data collected from individuals or firms) collected or otherwise obtained by personnel or instrumentalities of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission in the course of their duties are confidential and are not to be divulged, except in aggregate form, to any person except employees or instrumentalities of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission or the National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA/NMFS), or Legislative Committees and their staffs, whose duties require this information, except as authorized by law or court order. For the purposes of this rule fishery dependent data shall be data collected under authority of Part VI of Title 56 of the Revised Statutes except the names, addresses, and license numbers of licensed fishermen. Aggregate form, with respect to data, shall mean data or information submitted by three or more persons that have been summed or assembled in such a manner so as not to reveal, directly or indirectly, the identity or business of any such person. Neither employees nor instrumentalities of the Louisiana Department of Wildlife and Fisheries nor members of the Wildlife and Fisheries Commission shall release confidential information to another person, firm, or state or federal agencies, except NOAA/NMFS as stated above or state agencies authorized through written agreements with the Department of Wildlife and Fisheries that have comparable confidentiality provisions, and to the extent possible, will oppose other agency and congressional subpoenas to obtain confidential information. Neither the Louisiana Department of Wildlife and Fisheries nor its instrumentalities nor members of the Wildlife and Fisheries Commission, nor Legislative Committees and their staffs, will disclose confidential statistics under court order without specific approval by the State Attorney General's Office. These rules and regulations provide for compliance with all procedures set forth by the United States Department of Commerce, or its agencies or instrumentalities, for the confidentiality of fishing statistics collected from individuals or firms by that department, its agencies or instrumentalities. Employees or instrumentalities of the Louisiana Department of Wildlife and Fisheries or members of the Wildlife and Fisheries Commission who have access to confidential statistics shall be subject to the provisions and penalties for unauthorized disclosure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:301.4.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:82 (January 1992), amended LR 35:702 (April 2009).

Subchapter G. Wild Louisiana

§323. Wild Louisiana Stamp and Print Program

A. Background. In 1992, Act 193 of the Louisiana State Legislature authorized the Wild Louisiana Stamp Program to generate revenues to support the functions of the Louisiana Natural Heritage Program. Income is derived from the sale of state Wild Louisiana Stamps to anyone ages 16-59 inclusive, as well as from the sale of limited-edition art reproductions of the design. A Wild Louisiana Stamp is required of anyone not in possession of a hunting or fishing license and utilizing department-administered lands. Stamps and prints are sold to collectors via normal retail sales outlets. The state will receive royalties from the sale of prints and revenue from the sale of Wild Louisiana Stamps.

B. Purpose. The primary purpose of the Wild Louisiana Stamp Program is to produce revenue for the implementation and administration of Parts I, II, III, and IV of Chapter 8 of Title 56 and the Natural Heritage and Nongame Programs within the Department of Wildlife and Fisheries. Additionally, up to 25 percent of the revenue from the sale of the stamps may be used for maintenance and stewardship of department-administered lands.

C. Objectives

1. Obtain the highest quality work of art that will most accurately and eminently portray a Louisiana nongame species or natural habitat and will have broad appeal to art collectors.

2. Provide an opportunity for art collectors and users of lands managed by the Department of Wildlife and Fisheries to contribute financial support to nongame wildlife projects in Louisiana.

3. The cost of the Wild Louisiana Stamp will be the same as the cost for a basic Louisiana fishing license, including the issuance fee.

D. General Guidelines

1. By tradition, most nongame conservation stamp art is highly realistic in style, exhibiting extensive detail in anatomy, and the natural setting. Although artists are free to submit any composition that they desire, highly stylized or unusual designs may be viewed as too incongruous by series collectors or may limit the breadth of appeal among print buyers.

2. A key aspect of nongame stamp art is the strength of the composition and dominance of the featured animal or natural habitat. The secretary will determine the image size best suitable for reproduction at both stamp and print scales.

E. Specific Requirements

1. The subject of the Wild Louisiana Stamp and Print will be determined annually by the secretary of the Department of Wildlife and Fisheries.

2. The design must be a full-color, realistic rendering of the subject. The setting must be appropriate to the natural habitat of the species.

3. The image must be horizontal, 13 inches by 18 inches and bear no signature or other marks that would identify the artist.

4. The design must be original, never have been published, and not have been entered in competition for any Federal or State Nongame Stamp Program. The department reserves the right to reject any and all images deemed to be copied from previously published work.

5. There is no restriction on media or substrate, but the department will not be responsible for damage or deterioration of pastels or other sensitive, unstable materials.

6. Each artist may enter only one design in the stamp competition.

7. Works must be matted in white to outside dimensions of 18 1/2 inches by 23 inches and should be loosely covered with acetate or other protective overleaf, but must not be framed or covered with glass.

8. A card on the back of each entry must list the artist's name, mailing address and phone number. A brief summary of the artist's background and credit should be enclosed.

9. All entries must be shipped in sturdy reusable containers bearing a legible return address, at the expense of the sender. Return shipping will be to the point of origin, unless requested otherwise, at the department's expense. The department will be held harmless for loss or damage during shipment.

10. All entries must be available for inclusion in public exhibits for one year from the close of competition. Entries not judged to be in the top selections may be returned sooner. The department reserves the right to photograph all entries for purposes of documentation, promotion, and education. Except for the 1992-93 original artwork, the winning entry will remain the property of the artist. The first of state original artwork will remain the property of the department.

F. Judging Criteria and Selection Procedures. The winning design will be selected by a panel of five judges who have expertise in biology or artistic methods and expression. At least one judge will be a Louisiana resident. Judges will be selected by the Department of Wildlife and Fisheries. Judging will be done in three stages as follows:

1. the panel will screen and evaluate all entries and will select the top entries;

2. the panel will reevaluate the top entries in detail. A numerical value from 1-10 will be assigned each entry by individual judges. Total points will be tallied and the highest three scores will become finalists;

3. the final designs will again be evaluated by the panel and a numerical value assigned to each print. Each judge will be instructed to assign a value comparable to what he believes to be the order of finish. These numbers will be tallied and the design with the lowest score shall be declared the winner. Should a tie exist, Step F.3 will be repeated. All artworks will be scored on the following criteria:

a. accuracy of the form, size, proportion, posture, and colors of the species;

b. appropriateness, accuracy, and detail in depiction of the habitat;

c. attractiveness and creativity of the composition, regarding spatial balance, lighting, and harmony of subject and background;

d. visual appeal and suitability for reproduction at both the print and stamp scales.

G. Eligibility. This art competition is open to all artists who are 18 years of age or older, except employees of the Department of Wildlife and Fisheries and members of their immediate families.

H. Entry Procedures and Deadlines

1. Entries must be prepared and shipped according to the specific requirements listed above. The department will establish deadlines for entries to be received.

2. Entries will not be considered complete without a signed and notarized artist agreement and a $50 entrance fee received by the deadline.

3. Entries may be hand-delivered, sent via U.S. Mail, or by express parcel service. Senders are advised to obtain adequate shipping insurance on their entries. Mailed entries must be sent to: Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, Attn: Wild Louisiana Stamp Program.

I. Additional Information. For more information on the Wild Louisiana Stamp Program and the art competition, contact the following office: Department of Wildlife and Fisheries, Wild Louisiana Stamp Program, Box 98000, Baton Rouge, LA, telephone (225) 765-2821.

J. Production and Marketing Plan. The department will utilize the original winning design to produce the Wild Louisiana Stamp. Upon completion, the winning design will be returned to the artist for print production. The winning artist will be responsible for reproduction, marketing, and distribution of the prints. Prints shall be accompanied by a Wild Louisiana Stamp purchased from the department by the artist. Prints only in the following editions will be allowed, and it is the option of the artist to determine which of the following he or she will produce. The Conservation Edition shall be produced. Additionally, a minimum of one of the other editions shall be produced.

1. Regular Edition—numbered, signed by artist. Minimum royalty to department per print sold—15 percent wholesale price.

2. Medallion Edition—numbered, signed by artist, with gold-plated medallion. Minimum royalty to department per print sold—15 percent wholesale price.

3. Executive Edition—numbered, signed by artist, artist remarque, with gold-plated medallion. Minimum

royalty to department per print sold—10 percent wholesale price.

4. Conservation Edition Posters—unsigned, unnumbered, labeled as "Conservation Edition." Minimum royalty to department per print sold—15 percent wholesale price.

AUTHORITY NOTE: Promulgated in accordance with Act 193 of the 1992 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Wildlife, LR 19:359 (March 1993), repromulgated LR 19:513 (April 1993), LR 19:660 (May 1993).

§325. Wild Louisiana Stamp Artist Agreement

A. I hereby agree to the following terms and conditions if my original design is selected for the Wild Louisiana Stamp and Art Print.

1. Upon selection of my original design as the winning entry, the department will use the design to produce the Wild Louisiana Stamp. The department reserves the sole right to stamp production.

2. Except for the 1992-93 Stamp Program, the department will return my original artwork after completing the stamp production. At that time the original artwork and any and all reproduction rights to the design, excluding stamp production, will become the property of the artist. The 1992-93 winning artwork will remain the property of the department.

3. I hereby agree that sole responsibility of the reproduction, distribution and marketing of the print shall be the responsibility of the artist. All prints sold except the Conservation Edition shall be accompanied by a stamp purchased from the department by the artist.

4. I hereby affirm that my original design of my own creation has not been copied in whole or part from any published works of art, has not been previously entered in any federal or state nongame conservation stamp competition, and has not been published. The department reserves the right to disqualify any and all designs that the department believes are copied from previously published work. I understand that all compensation may be forfeited if these conditions are not met.

5. I have enclosed a nonrefundable entrance fee of $50 paid by cashier's check, certified check or money order made payable to: Louisiana Department of Wildlife and Fisheries—Natural Heritage Account.

B. I have read and agree to the terms and conditions of this Artist Agreement.

Artist's Name (please print) _____

Signature _____ Date _____

Mailing Address _____ Telephone _____

Subscribed and sworn to before me this _____ day of ___

_____

_____
Notary Public

AUTHORITY NOTE: Promulgated in accordance with Act 193 of the 1992 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Wildlife, LR 19:360 (March 1993).

Subchapter H. Electronic Licenses Issuance

§327. Recreational Electronic Licensing

A. In accordance with Act 164 of the 1998 first Extraordinary Session of the Louisiana Legislature, the secretary of the Department of Wildlife and Fisheries hereby establishes rules for electronic licenses issuance within the Department of Wildlife and Fisheries, providing regulations and qualification criteria of license vendors, criteria to accept or reject applications or suspend the licensee, and establish effective license authorization numbers.

B. The department may enter into contracts to acquire electronic methods for issuing hunting and recreational fishing licenses within the state purchasing regulations.

C. Effective June 1, 2000, all recreational licenses previously issued by non-electronic methods, shall be available through electronic issuing methods pursuant to these rules.

D. The secretary of the department shall have the authority to enter into contracts with license issuing agents (license vendors) for the purpose of distribution of electronic licenses. Licensing vendors shall be required to execute a contract provided by the department which shall, at a minimum:

1. provide for a security deposit(s) by the vendor for electronic issuing equipment;

2. provide the mechanisms by which the electronic issuance and transfer of license fees shall be accomplished;

3. provide for compensation of licensing vendors in an amount not to exceed $0.50 per license privilege, to be retained by the license vendor from license fees collected;

4. provide for other terms and conditions to be fulfilled by license vendors.

E. To qualify to become a license vendor, an applicant must complete the application, providing all required supporting documentation, sign a contract with the department, and pay security deposit(s) for equipment.

F. To remain qualified, a licensing vendor must abide by all terms and conditions of the contract executed with the department. Failure to do so may result in suspension of

authority to participate in the program and subject the offender to other penalties as provided by law.

G. Funding for the electronic license system shall be provided from grants, license fees and other sources provided by law.

H. All payments for licenses sold shall be paid by bank transfer. The department shall specify the type of bank transfer(s) permitted.

I. Any vendor whose bank account is not sufficiently funded for three consecutive weeks, will be suspended from selling licenses until all funds due to the department have been satisfied. If any balance due from a suspended vendor is not paid within 60 days of written notification from the department, the vendor shall be dropped from the program, any balance due will be turned over for collection.

J. License vendors may only issue licenses to applicants who meet the requirements as set forth in R.S. 56, and who provide the required identification and documentation for the license.

K. Licensees who purchase licenses by telephone or Internet will be issued an effective license number (authorization number) that shall be effective immediately, or in accordance to dates provided therein, and will be valid for up to 14 days.

L. Out-of-state licensees obtaining privileges by electronic methods shall have in their possession picture identification issued by an agency of a state or the federal government. Louisiana residents shall possess identification as required in R.S. 56:8(12). R.S. 56:8(60.1) requires that the appropriate identification be in possession at all times when engaging in the activity for which the license was issued.

M. The secretary shall have the authority to provide for the implementation of lottery-type issues through electronic methods as provided herein.

N. An applicant for a hunting or a fishing license who owes civil penalties pursuant to R.S. 56:31 et seq., and R.S. 56:40 et seq., shall, after decision and after appeal delay has run, be marked in the license issuance system(s) in a manner so as to deny the purchase of hunting or fishing licenses until all civil penalties have been paid in full. In addition, any applicant, or payee on behalf of an applicant, who has an unpaid check returned by the bank for any reason shall be marked in the license issuance system(s) in a manner to deny the purchase of hunting and fishing licenses until all such fees and NSF charges have been paid in full.

O. If any provision of these regulations is held invalid, such invalidity shall not affect the other provisions of these regulations which can be given effect without the invalid provisions, and to this end the provisions of these regulations are hereby declared severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(21) and R.S. 56:641.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Management and Finance, LR 24:505 (March 1998), amended by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 26:1078 (May 2000), amended by Department of Wildlife and Fisheries, Office of Management and Finance, LR 27:1243 (August 2001), amended by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 28:354 (February 2002), LR 28:2570 (December 2002), LR 31:1103 (May 2005), repromulgated LR 31:1345 (June 2005).

Subchapter I. Special Licenses and License Fee Waivers

§329. Outdoor Press Licenses

A. In lieu of recreational basic fishing and recreational saltwater fishing license, the secretary may issue a special outdoor press fishing license or a letter of waiver of license fees for fishing to a nonresident member of the outdoor press which will include basic and saltwater fishing. For the purpose of hunting, the secretary may issue a special outdoor press hunting license or a letter of waiver of license fees for hunting to a nonresident member of the outdoor press who meet all other legal requirements to obtain a hunting license. Such waiver may include basic hunting, big game, bow, muzzleloader, turkey, Louisiana duck license and WMA hunting permit.

1. A fee of $20 will be charged for each Outdoor Press Fishing License issued; provided however, that the secretary may waive the fees referenced in this Section in accordance with law. Each license or letter of waiver of fees to fish under this provision shall be valid for a period of three consecutive days. A fee of $20 will be charged for each outdoor press hunting license. Each license or letter of waiver of fees for hunting shall be valid for a period of three consecutive days. A fee of $20 will be charged for both the hunting and the fishing license if purchased for periods that begin on the same date.

2. Each license or letter of waiver of fees will be issued from the Baton Rouge headquarters location.

3. To qualify for a special outdoor press hunting or fishing license or letter of waiver of fees, an applicant must submit to the Department of Wildlife and Fisheries an original completed application form with a legible photostatic copy of the applicant's driver's license, and proof of membership in a bona fide outdoor press association recognized by the department. Evidence of such status shall be demonstrated to the satisfaction of the secretary. In lieu of membership in a bona fide outdoor press association, the secretary, for good cause shown including but not limited to clippings or tear sheets of articles or broadcast copies of previous work, may waive this requirement. In addition, the applicant shall submit a letter of assignment from the publication, television or radio company.

4. In no case will the secretary approve an application from any individual or group not directly involved in producing stories or broadcast materials pertaining to Louisiana fishing, hunting and/or outdoor recreation opportunities.

5. Only completed applications with all supporting documents and applicable license fees attached, as specified in Paragraph 3 above, shall be considered for approval.

6. The applicant shall be required, upon completion of the assignment, to provide a copy of the final product.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:109 and R.S. 56:647.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:1103 (May 2005), repromulgated LR 31:1346 (June 2005).

§331. Special Disability Fishing and Hunting Licenses

A. In lieu of recreational basic fishing and recreational saltwater fishing licenses the department may issue a special disability fishing license to residents who qualify as *developmentally disabled* as defined in R.S. 28:751; and in lieu of basic hunting, big game hunting, bow, muzzleloader, turkey stamp, and duck hunting licenses, and WMA hunting permit, the department may issue a special disability hunting license to residents who qualify as *developmentally disabled* as defined in R.S. 28:751 and who meet all other legal requirements to obtain a hunting license. Developmentally disabled may include, but is not limited to mental retardation, cerebral palsy, downs syndrome, spina bifida, and multiple sclerosis.

1. Special disability licenses shall be issued annually and will be exempt from license fees.

2. Anyone fishing with a special disability fishing license must be accompanied by a validly licensed fisherman. Anyone hunting with a special disability hunting license must be accompanied by a validly licensed hunter.

3. All special disability fishing and hunting licenses shall be issued from the Baton Rouge headquarters location.

4. To qualify for special disability licenses an applicant must submit to the Department of Wildlife and Fisheries, the following:

a. a valid Louisiana driver's license or identification card issued by the Department of Motor Vehicles;

b. a completed application form for Developmentally Disabled License(s);

c. proof that applicant has resided in Louisiana consecutively for the immediate 12 months prior to making application as required by the department (i.e., resident driver's license of guardian or care giver, voter's registration card, vehicle registration, certification by guardian or care giver, etc.).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:104, R.S. 56:109 and R.S. 56:302.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:1104 (May 2005), repromulgated LR 31:1346 (June 2005).

§333. Charitable Organizations, Youth Groups and Schools; Fee Waivers

A. In lieu of recreational basic fishing and recreational saltwater fishing licenses the secretary may issue a letter of waiver of fees for fishing to members of bona fide charitable organizations, youth groups or schools. For the purpose of hunting, the secretary may issue a letter of waiver of license fees for hunting to members of bona fide charitable organizations, youth groups or schools who meet all other legal requirements to obtain a hunting license, which will include basic hunting, big game, bow, muzzleloader, turkey, Louisiana duck license and WMA hunting permit.

B. Evidence of such status shall be demonstrated to the satisfaction of the secretary.

C. Each letter authorizing a waiver of fees under this provision shall be valid for a period not to exceed three consecutive days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:104, R.S. 56:109 and R.S. 56:302.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:1104 (May 2005), repromulgated LR 31:1346 (June 2005).

§335. Conferences; Fee Waivers

A. In lieu of recreational basic fishing and recreational saltwater fishing licenses the secretary may issue a letter of waiver of fees for fishing to registered non-resident participants in conferences hosted by bona fide outdoor press associations recognized by the department.

B. For the purpose of hunting, the secretary may issue a letter of waiver of license fees for hunting to registered non-resident participants in conferences hosted by bona fide outdoor press associations recognized by the department who meet all other legal requirements to obtain a hunting license. Such waiver may include basic hunting, big game, bow, muzzleloader, turkey, Louisiana duck license and WMA hunting permit.

C. Evidence of such status shall be demonstrated to the satisfaction of the secretary.

D. Each letter authorizing a waiver of fees under this provision shall be valid for a period not to exceed three consecutive days. The said three day period shall be at designated times which are during or immediately contiguous to the official dates of the conference.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:104, R.S. 56:109 and R.S. 56:302.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:1104 (May 2005), repromulgated LR 31:1346 (June 2005).

§337. Special Permits: Publicly-Operated Residential Psychiatric Facilities

A. In lieu of a license which authorizes a person to take and possess freshwater fish for recreational purposes, the department may issue a Special Residential Facility Fishing Permit for the benefit of persons who reside at publicly-operated residential psychiatric facilities.

1. Special Residential Facility Fishing Permits shall be issued annually and will be exempt from license fees.

2. Anyone fishing under a Special Residential Facility Fishing Permit must do so only on the grounds of the facility.

3. All Special Residential Facility Fishing Permits shall be issued from the Baton Rouge Headquarters location.

4. To qualify for a Special Residential Facility Fishing Permit, the qualifying facility must submit to the Department of Wildlife and Fisheries a completed application form for the Special Residential Facility Fishing Permit(s).

5. The permit shall be in the name of the facility, and shall entitle all residential patients of the facility to fish on the grounds of the facility for a period of one year from date of issuance.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:302.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 35:1912 (September 2009).

Subchapter J. Placing of Advertising or Sponsorship Signs on Department Assets

§339. Advertising or Sponsorship Signs on Department Assets

A. Purpose

1. The purpose of this Rule is to establish procedures and guidelines within the department for allowing certain limited types of advertising and sponsorship signs on high-visibility assets owned or controlled by the department to raise revenue to defray costs of departmental services associated with communication, educational, and extension activities or to recognize sponsorship partners.

2. The display of advertising or sponsorship signs on departmental assets shall not constitute an endorsement by the department of any of the products, services or messages of the advertiser or sponsor.

3. Advertisement or sponsorship signs may be placed on immovable property, improvements on immovable property, vehicles, vessels, and other assets of the department, including but not limited to websites, pamphlets, brochures, and other outreach, communications, and educational materials.

B. Solicitation, Selection and Contracting

1. The department may issue solicitations to secure contracts to determine the market potential for advertisements or sponsorships or to place advertisements or sponsorship signs on department assets.

2. The solicitation responses will be reviewed by a committee appointed by the secretary, and the most suitable proposals, as determined by the committee, may be selected.

3. The committee has the discretion to make reasonable recommendations to the secretary concerning the types of advertising or sponsorship signs that may be displayed utilizing the criteria established herein.

4. The secretary shall have final discretion regarding which recommendations and solicitations are selected. Selections shall be made for those advertisements or sponsorships that do not impact or infringe upon the image or reputation of the department.

5. The department may limit the number and type of assets available for advertising or sponsorship displays.

6. The department may limit the authorization to advertise or place sponsorship signs among the department's divisions, sections, programs and initiatives.

7. The department may limit the terms and conditions of the contract with an advertiser or sponsor.

C. Guidelines for Content for Advertising and Sponsorship Signs

1. Only commercial advertising or sponsorships will be accepted. The advertisement or sponsorship content shall only include content that promotes or informs a commercial transaction.

2. No content promoting illegal activity or obscene, vulgar or offensive conduct shall be allowed.

3. No content that demeans or disparages individuals or groups shall be allowed.

4. No political or religious advertising or sponsorships shall be allowed.

5. No advertising or sponsorship signs of adult oriented products shall be allowed. Advertising or sponsorship signs of firearms and other means authorized in the lawful taking of game in Louisiana, however, may be allowed.

6. The advertising or sponsorships should not be so controversial that it can promote vandalism of advertising or sponsorship materials and associated departmental property.

D. Guidelines for Placement of Advertising or Sponsorship Signs on Assets

1. Advertising or sponsorship signs shall not be placed in a manner that could interfere or confuse as to the identification of department's ownership or control of the asset.

2. On vehicles, vessels, and other assets of the department traditionally utilized in the transport of personnel or equipment, advertising or sponsorships signs may be placed on the inside or the outside of equipment. However, the signage shall not be erected in such a manner that it impedes the asset's safe utilization and operation.

a. Advertising or sponsorship signs shall not be allowed on vehicles, vessels, and other assets traditionally utilized in the transport of personnel and equipment that are under the control or operation of the enforcement division.

3. For advertising or sponsorship signs which require a power source, such as electronics or LED lighting, the advertiser or sponsor will be required by the department to submit and maintain detailed plans and provisions. The use of the powered advertising or sponsorship devices shall not have any adverse effect on the safety and functionality of the asset. If the safety and functionality of the asset is

compromised after installation, the signage shall be removed.

AUTHORITY NOTE: Promulgated in accordance R.S. 56:13
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:444 (March 2016).

Chapter 5. Seafood Promotion and Marketing Board

§501. Bylaws

A. The specific location of the principal office of the Louisiana Seafood Promotion and Marketing Board as a part of the Office of the Secretary of the Department of Culture, Recreation and Tourism shall be in Baton Rouge, Louisiana as established by title 56 of the *Louisiana Revised Statutes*.

B. The board, at its discretion, may from time to time, hold meetings at any other location within the state of Louisiana after proper notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:126 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:39 (January 2015).

§503. Meetings

A. Regular Meetings. The regular meetings of the board shall be as set at any regular or special meeting by resolution adopted by a majority of the members present.

B. Special Meetings

1. Special meetings of the board may be called by the chairman, at his discretion, and shall be called by the chairman upon written request of any eight members. The notice of each special meeting shall state the purpose for which it is called, and only those matters shall be considered that have been included in the call, unless the board agrees to take up other matters by unanimous vote.

2. The chairman shall cause written notices of the time and place of special meetings to be emailed, to each member, at the addresses as they appear in the records of the board, in accordance with the open meetings law.

C. Quorum; Minutes

1. The attendance of eight members at any regular meeting shall constitute a quorum for the transaction of all business.

2. Minutes will be available to board members not later than the next regular meeting.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:126 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:39 (January 2015).

§505. Election of Officers and Appointments

A. Officers shall be elected annually at the first regular meeting held in the third quarter of each state fiscal year, at which the members shall elect, from among their own number, a chairman, a vice-chairman, who shall also be the chairman-elect, and a secretary-treasurer to hold office for one year, or until their successors are elected. No member shall be elected as an officer until such member has served at least one year on the board.

B. In case a vacancy shall occur among the elected officers, due to death, resignation, or other cause, an election shall be held, at a regular or special meeting, to fill the vacant office for the unexpired portion of the term.

C. No member elected chairman shall serve consecutive terms and no member may serve as chairman more than two terms. No chairman shall serve as vice-chairman in the term following his term as chairman.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:126 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:39 (January 2015).

§507. Duties of the Chairman

A. The powers and duties of the chairman shall be:

1. to preside as chairman at al meetings of the board, with the right to vote on all motions;

2. to see that the laws of the state, pertaining to the purposes and functions, of the board, the motions of the board and its policies are faithfully observed and executed;

3. to call special meetings of the board, at his discretion, or upon the written request of eight members;

4. to establish committees and appoint members thereof, at his discretion, as he deems necessary to carry out the business of the board;

5. to serve as an ex-officio member of all committees;

6. to perform such other duties as are usually incumbent upon the chairman of the Seafood Promotion and Marketing Board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2 and R.S. 56:578.3.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:126 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:39 (January 2015).

§509. Duties of the Vice-Chairman

A. Whenever the chairman is absent from any regularly scheduled meeting, his duties shall be performed by the vice-chairman. Whenever the chairman is absent from a special meeting called by him, upon his own initiative, or upon written request of eight board members, his duties shall be performed by the vice-chairman. The vice-chairman may

not assume the duties of the chairman for the purpose of calling a special meeting when the chairman is temporarily absent from the state, or when the chairman is temporarily incapacitated through illness, or otherwise, unless the chairman or eight members, direct the vice-chairman to assume the office of chairman for the purpose of calling such special meeting.

B. Whenever the chairman's absence from the state, or his incapacity due to illness, prevents him from handling routine, but necessary board business, at times other than at board meetings, such business shall be handled by the vice-chairman.

AUTHORITY NOTE: Promulgated in accordance R.S. 56:578.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:126 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:39 (January 2015).

§511. Duties of Secretary-Treasurer

A. To serve as chairman of Finance Committee.

B. To perform such other duties that are usually incumbent on the secretary-treasurer of the Seafood Promotion and Marketing Board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2 and R.S. 56:578.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:126 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:40 (January 2015).

§513. Board Committees

A. The following named committees shall be permanent standing committees. All members shall be appointed by the chairman and shall serve at his pleasure. Additional committees may be added by a majority vote of the board members at a regular or special meeting.

B. The standing committees of the board are:

1. executive, which shall consist of the elected officers of the board;

2. finance;

3. marketing;

4. legislative; and

5. education.

C. The member appointed in accordance with R.S. 56:578.2(A)(2)(g) to serve as a marketing specialist shall chair the marketing committee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2 and R.S. 56:578.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:127 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:40 (January 2015).

§515. Order of Business

A. The chairman of the board, in consultation with the executive director, shall prepare and submit to the board an agenda covering the items of business to be considered and acted upon at each meeting of the board. The agenda shall be submitted to the board seven days before a regular meeting. The board may consider such matters as may properly be brought before it.

B. In accordance with R.S. 42:14(D), the board shall provide an opportunity for public comment at any point in the meeting prior to action on an agenda item upon which a vote is to be taken. Public comment is restricted to matters included on the agenda. Public comment is limited to three minutes for each speaker on each matter unless additional time is allowed by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2 and R.S. 56:578.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:127 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:40 (January 2015).

§517. Rules of Order

A. *Robert's Rules of Order* shall be the parliamentary authority for all matters of procedures of this board not otherwise covered in these bylaws.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:127 (February 1985).

§519. Amendment of Bylaws

A. Amendments to these bylaws may be adopted at any regular meeting of the board by a majority vote of the board members present at the meeting. However, no such alteration or amendment shall be considered unless:

1. notice of the intention to amend the bylaws shall have been given in writing at a previous meeting of the board; and

2. a draft of the proposed amendment shall have been sent to each member of the board at least 48 hours in advance of the meeting at which the action of such alteration or amendment is to be taken.

B. In accordance with R.S. 56:578.2, the amendments adopted by the board shall be amended or promulgated by rule in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2 and R.S. 56:578.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:127 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:40 (January 2015).

§520. Election

A. The election of the chairman, vice-chairman, secretary-treasurer will be held at the first regular meeting held in the third quarter of each state fiscal year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.2.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:127 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:40 (January 2015).

§521. Disqualification

A. The board, by a two-thirds vote of the members present, may remove a member for cause, including but not limited to abandonment of office, conviction of a felony, or a plea of nolo contendere thereto, malfeasance, or gross misconduct in office.

B. A board member may be deemed to have abandoned his office upon failure to attend any three consecutive board meetings or any three meetings in a calendar year, unless the absence was excused by the chairman in response to the member's request.

AUTHORITY NOTE: Promulgated in accordance R.S. 56:578.2 and R.S. 56:578.3.
HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Board of Seafood Promotion and Marketing, LR 11:127 (February 1985), amended by the Department of Culture, Recreation and Tourism, Seafood Promotion and Marketing Board, LR 41:40 (January 2015).

Chapter 7. Louisiana Wild Seafood Certification Program

§701. Declaration of Policy, Purposes, and Intent

A. In order to establish a certification program for Louisiana wild fish, as defined in R.S. 56:8, and for Louisiana wild seafood products, including wild-caught shrimp, which are taken, harvested, or landed in Louisiana, pursuant to the authority conferred by R.S. 56:578.15; the following rules in this Chapter shall govern any work related to the Louisiana Wild Seafood Certification Program (LWSCP).

B. For the purpose of this Chapter, the following will be defined as:

Commingled—to cause to blend together, mix or combine; particularly as it applies to mixing non-certified seafood with LWSCP products;

Landed—taken and brought ashore;

LDAF—Louisiana Department of Agriculture and Forestry;

LDHH—Louisiana Department of Health and Hospitals;

LDWF—Louisiana Department of Wildlife and Fisheries;

LWSCP—Louisiana Wild Seafood Certification Program;

Origin Test—method of verifying product was taken from the Gulf of Mexico or Louisiana waters;

Packaged—product that is contained in a closed and sealed package or container for sale which contains product labeling and designated weight, count, or volume;

Processed—any method of preparing fish or fish products for market including drying to a point ofdehydration, canning, salting, freezing, breading, or cooking for immediate consumption, but not simple packing of fresh fish in a sack, bag, package, crate, box, lug or vat for transport or holding.

C. Policy

1. Participation in the LWSCP is voluntary and limited to those individuals or entities meeting the following criteria:

a. must possess one of the following resident or non-resident Louisiana licenses:

i. commercial fisherman's license;

ii. senior commercial license;

iii. fresh products dealer license;

iv. seafood wholesale/retail dealer;

v. seafood retail dealer;

b. wholesale/retail dealers must have their facility located within Louisiana. Retailers are not required to have their facility located within Louisiana;

c. eligible participants not requiring an LDWF license include in-state restaurants or grocers who only sell seafood that is fully prepared by cooking for immediate consumption by the consumer, and all out-of-state retailers;

i. LDWF may issue an LWSCP wholesale/retail dealer permit to docks and landings that do not possess the required LDHH permit. The LWSCP permit shall be issued on the condition that the LDHH permit is obtained by January 1 2015.

d. must possess and be in compliance with all other state and federal permits, licenses, and laws regarding the buying, acquiring, or handling, from any person, by any means whatsoever, any species of fish or seafood products, whether fresh, frozen, processed, or unprocessed, for sale or resale, whether on a commission basis or otherwise. Including but not limited to any LDWF, LDHH or LDAF permits regulations;

e. if required, retailers and restaurants which meet the supply chain verification requirements as specified in §704 of this Chapter.

2. Product considered eligible to possess the LWSCP logo must meet the following criteria:

a. eligible wild seafood includes crab, oysters, freshwater finfish, saltwater finfish, crawfish, and shrimp. Seafood must be wild-caught, taken from Louisiana waters or from the Gulf of Mexico and any other adjacent state

waters, and landed in Louisiana. Farmed and/or aquaculture products are excluded from program participation;

b. seafood must be taken by a Louisiana licensed commercial fishermen. Seafood must be landed in Louisiana and either be sold under a LWSCP-participating fresh products dealer license, or be purchased and/or physically acquired by a wholesale/retail seafood dealer participating in the LWSCP. Transfer of product throughout the supply chain must be between LWSCP participants until the product has been placed in a sealed and LWSCP-labeled retail packaging;

c. seafood commingled with any other seafood that does not meet the above requirements, domestic or foreign, shall be prohibited from possessing the LWSCP label;

d. seafood products that are properly registered as required by §704 of this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.15 and R.S. 56:23.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 38:1999 (August 2012), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 39:1062 (April 2013), LR 40:804 (April 2014), repromulgated LR 40:1390 (July 2014).

§703. Application and Permitting Process

A. Excluding commercial fishermen, each person wishing to participate in the LWSCP must apply for and receive a permit. Only one permit shall be issued per location or LDWF license. Permits are non-transferable, and shall only be valid for the location or LDWF license listed on the permit.

B. Commercial fishermen will be automatically eligible to participate in the LWSCP by possessing a valid Louisiana commercial fisherman license or senior commercial license.

C. There shall be four types of permits issued.

1. Fresh Products Dealer Licensee. Anyone that applies using a Louisiana Fresh Products Dealer License shall be classified under this permit type.

2. Wholesale/Retail Dealer. Any dock/landing, dealer, processor, vehicle, or other person that applies using a Louisiana wholesale/retail dealer's license shall be classified under this permit type.

3. Retail Dealer—inside Louisiana. Any Louisiana-based seafood market, grocer, restaurant, or vehicle that applies as a retailer, or other person that applies using a Louisiana retail dealer's license shall be classified under this permit type.

4. Retail Dealer—outside of Louisiana. Any out-of-state seafood market, grocer, restaurant, vehicle, or other person that applies as a retailer shall be classified under this permit type.

D. Permits are valid for 1 year and expire 12 months from the date of permit approval.

E. No person shall sell, barter, trade, or exchange, or attempt to sell, barter, trade, or exchange LWSCP labeled seafood, or use the LWSCP logo for promotional and/or marketing purposes without possessing a valid LWSCP permit.

1. A permit is not required for persons selling prepackaged LWSCP labeled products.

F. Applications shall only be submitted by the individual named on the license under which the application is being made. In cases where the named individual is a business, applications shall be submitted by the business's registered agent, officers, or designated employee.

G. New applications shall be accompanied by a certificate of completion showing the individual named on the application completed the initial program training. Retailers are exempt from the program training requirements.

H. Applications for the LWSCP shall be accepted at any time of the year. Applicants must show proof of having acquired all necessary licenses and permits. All information requested must be provided before the application is processed and a permit issued.

I. All applicants shall be notified of their permit status by mail at the address listed on their application.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.15, R.S. 56:23, and 56:301.4.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 38:2000 (August 2012), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:2616 (December 2014).

§704. Product Registration and Supply Chain Verification

A. Seafood or seafood products that are packaged for retail sale shall be registered with LDWF. No packaged retail seafood product shall possess the LWSCP logo unless it has been registered. Seafood products which are produced, packaged, and sold exclusively at the location of retail sale shall be exempt from the registration requirement.

1. Applications for product registration shall only be submitted by the person who owns the brand.

2. Product registrations are valid for 1 year and expire 12 months from the date of registration.

3. Applications for product registration shall be accepted at any time of the year.

4. Persons applying to register a product shall submit to LDWF the following information:

a. the brand name of the product to be registered;

b. the person who owns the brand name listed;

c. the person who packages the product;

d. species or species group indicated on product packaging;

e. invoices from the previous three months showing LWSCP-certified seafood purchases specific to the product being registered from a vendor who possesses an LWSCP

permit. Exceptions to invoice submission requirements may be considered on a case-by-case basis for the following reasons:

i. bulk purchases;

ii. purchases from a vendor who has applied for, but does not yet possess an LWSCP permit, upon application approval and issuance of an LWSCP permit to the vendor;

f. photo or image of package containing product brand and name.

5. When a person registering a product does not directly purchase the seafood to be used in the product, the packager of the product may submit invoices to satisfy the invoice submission requirements of this Subsection.

B. Retailers and restaurants selling and/or serving unpackaged seafood, prepared or not prepared, who wish to identify such seafood with the LWSCP logo shall provide, at the time of initial application, invoices from the previous three months showing LWSCP-certified seafood purchases from a vendor who possesses an LWSCP permit at the time of their application.

1. At each annual permit renewal thereafter, invoices meeting these provisions from 6 months out of the last 12 months shall be submitted.

2. Exceptions to invoice submission requirements may be considered on a case-by-case basis for the following reasons:

a. bulk purchases;

b. purchases from a vendor who has applied for, but does not yet possess an LWSCP permit, upon application approval and issuance of an LWSCP permit to the vendor;

c. persons possessing an LWSCP less than 12 months at the time or renewal.

C. Invoices required under the provisions of this Section shall not be required to disclose pricing information. Pricing information may be redacted, so long as the remainder of the invoice remains unaltered and intact. Invoices provided under the provisions of this Section are for verification purposes only and the only record to be maintained shall be a digital image of the submitted invoice. With the exception of invoice date, LDWF shall not enter information contained on submitted invoices into any database or other electronic format whatsoever. Invoices submitted under the provisions of this Section shall be considered fisheries-dependent data under LAC 76:I.321.F and held confidential and shall not be subject to public records requests.

D. Persons participating in an LDWF-approved electronic traceability program and who allow LDWF access for verification purposes shall be exempt from all invoice submission provisions of this Section.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.15 and R.S. 56:23.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:805 (April 2014), repromulgated LR 40:1391 (July 2014).

§705. Logo Use Guidelines and Standards

A. Logo use is restricted to fresh products dealers wholesale/retail dealers, and retailers that have a valid LWSCP permit

B. The "Certified Authentic Louisiana Wild Seafood" trademark (the "logo," shown below) shall only be used in accordance with the certification standards filed with the United States Patent and Trademark Office (USPTO). The logo shall only be used by participants in the LWSCP who are in compliance with the program rules and regulations. Further, the logo shall only be used on or in connection with product which complies with the program rules and regulations. Product and associated paperwork/records bearing the logo, or with which the logo is used, must be made available for inspection upon request.

C. All uses of the logo must adhere to the specific guidelines filed with the USPTO.

D. Only the electronic logo files that are made available to LWSCP participants for download may be used to create the logo. Further, LWSCP participants must follow these additional guidelines.

1. The logo shall not be used on top of complex visuals or photography that bars readability.

2. The logo's proportions shall not be changed in any way and shall always remain 1.78 times as wide as it is tall.

3. The minimum size of the logo on product packaging shall be 0.73 inches tall by 1.3 inches wide.

4. No photocopy of the logo shall be used on any materials.

5. Labels using the logo shall have a clear or white background. Labels shall only be professionally printed with indelible ink on moisture-proof, cold-temperature adhesive material. Non-adhesive paper for labels shall not be used.

E. The following are allowable uses for this logo by program participants:

1. printing of the logo directly on LWSCP product packaging;

2. printing of the logo on adhesive labels to be attached to LWSCP product packaging;

3. use on promotional materials featuring LWSCP product (e.g. table tents, recipe cards, point-of-sale signage, etc.), or their participation in the LWSCP program;

4. use on restaurant menus to designate items using LWSCP product;

5. print and television advertising promoting the participant's use of LWSCP product or their participation in the LWSCP program;

6. fresh product displays in retail/grocery venues with "ice picks" or other signage clearly identifying LWSCP product;

7. on-site signage such as banners and posters promoting LWSCP product availability;

8. use on websites, mobile applications, and other digital mediums that promote the participant's use of LWSCP product or their participation in the LWSCP program;

9. printing or distribution by packaging distributor of packaging material with the LWSCP logo, to any persons who are not in the program shall be deemed a violation of this Section.

F. When the logo is used to represent product in a retail location or menu items in a restaurant location, each location must clearly identify which product or menu items are LWSCP products.

G. When the LWSCP logo is utilized for general marketing purposes as described in Paragraphs 3, 5, 7, and 8 of Subsection E, and when it is not associated with a specifically named product, one of following statements must appear immediately below the LWSCP logo:

1. "Ask us about our certified products;" or

2. "Ask us about our certified menu items."

a. Similar alternative statements may be approved by LDWF on a case-by-case basis upon request.

H. The secretary may authorize use of the logo in materials promoting the LWSCP.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.15 and R.S. 56:23.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 38:2000 (August 2012), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:805 (April 2014), repromulgated LR 40:1392 (July 2014).

§707. Operations

A. Purchasing and/or transferring of seafood intended for use in the LWSCP.

1. Commercial fishermen intending to sell or transfer seafood for use in the LWSCP shall be responsible for ensuring that the seafood was taken legally from Louisiana waters or the waters of the Gulf of Mexico and either sold under a LWSCP participating fresh products dealer license, or landed at and sold to a wholesale/retail dealer possessing a LWSCP permit.

2. Wholesale/retail dealers possessing a permit and intending to, purchase, sell, transfer or exchange seafood for use in the LWSCP, which is labeled with the programs logo shall be responsible for ensuring LWSCP labeled/destined seafood is sourced from and sold/transferred to parties that meet the minimum requirements of the program.

3. Retail dealers possessing a permit and intending to purchase, sell, transfer, or exchange unpackaged seafood for use in the LWSCP label shall be responsible for ensuring that the seafood is supplied by a wholesale/retail dealer who possesses a LWSCP permit and that the product meets the minimum requirements of the program.

4. LWSCP seafood must remain segregated from non-program seafood throughout the supply chain and must be marked or labeled with "LWSCP" or the program logo at all times. Seafood which is processed must be processed separately from non-program seafood.

5. A website shall be made available to all LWSCP participants to allow them to verify the permit status of potential suppliers and buyers. Participants are required to share their contact information with other participants for verification purposes via the previously mentioned website. Participants may also contact LDWF designee to verify someone's permit status.

B. Packaging, Repackaging, and Unpacking

1. No person shall package or repackage seafood intended to be sold under the LWSCP name and/or labeled with the LWSCP logo without possessing a LWSCP permit.

2. All packaging and repackaging of LWSCP seafood shall take place in Louisiana

3. Repackaged LWSCP seafood shall not be mixed with seafood not meeting LWSCP requirements. Doing so shall constitute a commingling program violation.

4. Packaged products labeled with the LWSCP logo may be sold by persons not possessing a permit provided the product remains in its original packaging until sold to the consumer.

5. No person shall sell, barter, trade, or exchange, or attempt to sell, barter, trade, or exchange unpackaged seafood under the LWSCP name and logo without possessing a LWSCP permit.

C. Notwithstanding all other provisions of law regarding record keeping and reporting requirements for the sale, trade, or bartering of seafood persons possessing a wholesale/retail dealer permit or retail dealer permit shall adhere to the following requirements regarding record keeping as they pertain to seafood sold under the LWSCP.

1. Seafood sold or attempted to be sold under the LWSCP name or logo must be designated as such on all records, invoices, bills of lading, and transfer documents using "LWSCP."

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.15 and R.S. 56:23.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 38:2001 (August 2012).

§709. Monitoring and Enforcement

A. Upon submission of permit application, LDWF shall validate the applicant's required licenses and permits and check for any LWSCP related convictions. Any violations found shall be treated in a manner consistent with Section E of this provision

B. Program applicable LDWF, LDHH, and LDAF violations shall be reported to LWSCP program monitors on a regular basis. Any convictions found shall be treated in a manner consistent with Section E of this provision.

C. Product containing the LWSCP label, and all required records associated with such product, must be made available upon request of any LDWF, LDAF, or LDHH agent for inspection and sampling to ensure certification standards are being followed. Failure to comply shall result in removal of the product from the market [R.S. 56:578.15(B)] and shall be considered a record keeping violation as described in Section E of this provision.

D. Product samples may be taken to conduct DNA or protein based country of origin tests. Discovery of any foreign product shall be considered as commingling under Section E of this provision and may result in fines and penalties notwithstanding those associated with LWSCP.

E. LWSCP Violations

1. Any violation of the above LWSCP program rules shall constitute a class 1 violation under the authority of R.S. 56:23. The provisions of this Section do not exempt any person from other laws, rules, regulation, and license requirements for this or other jurisdictions.

2. If any required licenses or permits (LDWF, LDAF, LDHH) are revoked or temporarily suspended, the participant shall be automatically removed from the LWSCP and shall not be able to use the LWSCP logo. When the license(s) or permit(s) are reinstated, participant can be reinstated into the LWSCP via the renewal application process.

3.a. The following program violations involving LWSCP-labeled seafood products shall result in its seizure:

i. commingling non-certified seafood with certified seafood;

ii. intentional misrepresentation of program seafood;

iii. any trademark infringement practices with LWSCP trademark and trade name;

iv. fraudulent trip tickets and/or record keeping; and

v. short weight violations.

b. Any seizures or forfeitures of LWSCP-labeled seafood product or materials shall be disposed of in accordance with LAC 76:I.305.B.

4. The department shall not issue a permit or register a product to any person convicted of the following offenses for the specified length of time from date of conviction.

Offense	Ineligible Period
Commingling non-certified seafood into certified program packaging	36 months
Misrepresentation of program seafood	36 months
Any trademark infringement practices with LWSCP trademark and trade name	36 months
Falsification or lack of trip tickets or other sales records, invoices, or bills of lading required by the program	36 months
Submission of fraudulent LWSCP application	36 months
Short weights	First offense 12 months; second offense 36 months
Scale tampering	First offense 12 months; second offense 36 months
Not adhering to labeling guidelines	First offense 12 months; second offense 36 months

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.15, R.S. 56:23, and 56:301.4.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 38:2001 (August 2012), repromulgated LR 38:2566 (October 2012), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:805 (April 2014), repromulgated LR 40:1392 (July 2014).

Title 76
WILDLIFE AND FISHERIES
Part III. Game and Fish Preserves and Sanctuaries

Chapter 1. Responsibilities, Duties, and Regulations

§101. Nature Trails on Wildlife Management Areas

A. Cutting, breaking or collecting leaves, plants, etc., is absolutely prohibited. The commission will however, provide educational groups conducting sponsored field trips into the area with a written permit to collect leaves and other plant material for permanent study collections. All such permitted collections will be made from the wildlife management area away from the marked trail. No one is authorized to give you oral permission to collect.

B. No Picnicking on the Trail. This does not apply to the parking area, however, no garbage disposal will be provided and you should take your own trash back to an authorized disposal area.

C. No horses, bikes, or motorized vehicles are permitted on the nature trail.

D. No dogs or firearms permitted except as specified in wildlife management area regulations.

E. Hunting Seasons Use. Some kind of hunting season is open on the area usually from the first Saturday in October until mid-January, and a turkey season is usually held during portions of March and April. During squirrel and turkey seasons, it is directed that you not use the trail before 9:30 a.m. During the gun hunting season for deer you need to wear the highly visible hunter orange outer garments that are required as a safety measure for deer hunters. See hunting, fishing and trapping regulations published annually by the Wildlife and Fisheries Commission.

F. Penalty. Whoever violates the foregoing rules and regulations for each offense, shall be prosecuted and subject to penalties under R.S. 56:764.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:109.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:323 (July 1977).

§103. Mineral Operations on the State Wildlife Refuge

A. The Department of Wildlife and Fisheries has adopted, via resolution of the Wildlife and Fisheries Commission, the following rules and regulations governing mineral operations on the State Wildlife Refuge.

1. No oil, oily fluids, drilling muds, oil field brine, or other pollutants shall be permitted to be discharged into any canals or marshes from any installation, barge, watercraft, or other fixtures. Any discharge of such fluids shall be directed into disposal wells unless otherwise permitted by the Department of Wildlife and Fisheries and the Department of Natural Resources.

2. Tank batteries shall be constructed on all lands to conform with rules and regulations of the Department of Natural Resources and Department of Wildlife and Fisheries, particularly with reference to construction and maintenance of leveed fire walls. Inspection reports on the condition of pipes and pipeline carriers shall be prepared and submitted to the Department of Wildlife and Fisheries and Department of Natural Resources twice annually. All pipelines must be buried at least 3 feet deep in push ditches that must be back filled upon installation.

3. All rules and regulations of Louisiana Stream Control Commission shall be strictly observed by the lessee.

4. Flares may be burned only during daylight hours unless shown to be absolutely necessary at night. All flares shall be burned into a pit. Flares will be burned only with the permission of the Department of Natural Resources and under the supervision of the Department of Wildlife and Fisheries and the Department of Natural Resources.

5. Any damages incurred by lessee, by his operations, to levees, water control structures, bulkheads and other facilities owned and operated by the Department of Wildlife and Fisheries shall be restored to original condition by lessee.

6. Access to or on the leased premises for drilling and production operations shall be by marine equipment in Lake Fearman, Portage Lake and Bayou Fearman and elsewhere on the refuge by road. The dredging of canals through the marshes is prohibited. Access construction plans will be approved by the Department of Wildlife and Fisheries in advance of beginning operations.

7. All road beds shall be constructed from staggered borrow pits. These shall be evenly alternated on each side of the road bed and each individual pit shall not exceed 300 feet in length and 40 feet in width. A minimum of 15 feet of berm shall be maintained between the road bed and edge of borrow pit. Drainage and water control will be provided for by means of asbestos bonded culverts with drop gates under all roadbeds unless otherwise directed by the Department of Wildlife and Fisheries and the Department of Natural Resources. Navigable canals and waterways shall not be blocked on the refuge. All road and canal construction plans must first be approved by the Department of Wildlife and Fisheries and the Department of Natural Resources before construction begins.

8. In order to prevent excessive access construction in the preserve, lessee agrees that if the Department of Wildlife and Fisheries and the Department of Natural Resources determine that an access route shall be used by a third party lessee then said route shall be used jointly upon the payment of a fair and proportionate share of the cost and maintenance by the third party lessee.

9. Should lessee commit any act which shall be complained of as a violation of the act of donation for the State Wildlife Refuge or its transferee or assignee, said lessee shall immediately correct said violation upon being notified.

10. Bank erosion control shall be provided for in using any existing canals. No existing canals shall be used without prior approval of Department of Wildlife and Fisheries.

11. No telephone, telegraph or powerlines shall be constructed above marsh level without prior approval of the Department of Wildlife and Fisheries and the Department of Natural Resources. All development sites will be kept clean and free of debris or litter. Abandoned well sites will be restored to original condition.

12. Lessee shall comply with all rules and regulations of the Department of Wildlife and Fisheries and Department of Natural Resources for the protection of game and wildlife, and particularly no hunting, fishing or any other activity harmful to wildlife shall be permitted on any part of the leased land or any other part of the refuge.

13. All requirements and conditions contained in the deed by which the said game preserve area was donated to the state of Louisiana, shall be fully and strictly complied with.

14. Unless approval is first obtained from the Department of Wildlife and Fisheries, no tank batteries, rigging or other permanent structure shall be installed within 2,000 feet of the main headquarters or within a distance that may prove damaging to any of the wood, concrete or steel water control structures on the area.

15. The willful or continued violation of any of the aforesaid regulations shall constitute cause for revocation of the lease.

16. All development not otherwise specified above shall be subject to approval of Department of Wildlife and Fisheries and the Department of Natural Resources.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:5 and R.S. 56:799.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:297 (June 1977).

§105. Road Use Changes

A. Purpose. The changes to go into effect this fall are being made to improve hunter access and reduce maintenance costs while continuing to provide adequate access to harvest the available sources.

B. Overview

Seven Wildlife Management Areas Affected		
Total ATV Trails		83 miles
Changes		
Roads converted to ATV trails		68.25 miles
Red River WMA—Converted to ATV	(District IV)	20.5 miles
Three Rivers WMA—Converted to ATV	(District IV)	9.0 miles
Saline WMA—Converted to ATV	(District IV)	16.5 miles
Boeuf WMA—Converted to ATV	(District IV)	11.0 miles
Spring Bayou WMA—Converted to ATV	(District IV)	5.5 miles
Grassy Lake WMA—Converted to ATV	(District IV)	2.75 miles

AUTHORITY NOTE: Promulgated in accordance with R.S. 49:950.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 13:670 (November 1987).

§107. Collection of Mayhaw Fruit

A. All persons gathering mayhaw fruit on wildlife management areas (WMA) for commercial or home consumption shall abide by the following rules and regulations.

1. Everyone must abide by all rules and regulations in effect on the WMA.

2. Access routes and vehicle use must conform to rules and regulations established for the respective WMA.

3. Damage to mayhaw trees (trunk and branch) and surrounding vegetation is prohibited.

4. The use of mechanical harvesters, including shakers, is prohibited.

5. Mayhaw harvest is prohibited on wildlife management areas when turkey seasons are in progress.

6. Persons may only take 5 gallons per person per day for home consumption. Collecting in excess of 5 gallons per person per day is defined as a commercial activity. Anyone wishing to collect in commercial quantities must obtain a permit from the district office and notify the department as to where collection will take place.

7. If the department deems that collection of mayhaw is detrimental to a specific area then the department may close that portion to all mayhaw collection.

B. These rules are being implemented to allow for harvesting of the fruit and still protect the resource for future use.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and HB 976 of the 1991 Legislature.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:290 (March 1992).

§109. Trail Rides on Wildlife Management Areas (WMAs)

A. Organized trail rides are not consistent with the purpose and operations of wildlife management areas or refuges owned by the Department of Wildlife and Fisheries and/or state of Louisiana and shall not be permitted. No special permits or exemptions to existing rules shall be issued by the department for organized trail rides on wildlife management areas or refuges managed by the department under lease from other parties.

B. For the purposes of this rule, an *Organized Trail Ride* shall include but not be limited to:

1. any gathering where participants tender a fee or donation to any entity other than the department to participate in a group activity such as all terrain vehicle riding, horseback riding, or wagon riding; or

2. any event whose primary purpose is the use of trails that is advertised in any way to attract participants; or

3. any event involving the use of trails at which there are vendors selling commodities whether such commodities are sold for profit or not; or

4. any organized event or gathering of individuals involving any manner of conveyance or conveyances to be used on the WMA that causes excessive damage to roads, trails, or to the habitat.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:109, 115, 752, 754, 763, 782 and 785.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:1268 (November 1995).

Chapter 3. Particular Game and Fish Preserves, Wildlife Management Areas, Refuges and Conservation Areas

§301. Atchafalaya Delta Wildlife Management Area

A. Whereas, the Wildlife and Fisheries Commission has for several months considered the establishment of a major wildlife management area in Atchafalaya Bay south of Morgan City; and

B. whereas, a major delta marshland is in the process of forming in the bay as a result of sedimentation from the Atchafalaya River; and

C. whereas, the new delta marsh will become one of the most important wildlife areas along the Gulf Coast; and

D. whereas, tens of thousands of ducks and geese and large numbers of other forms of wildlife are already utilizing the 10,000 acres of marshes and mud flats that have formed in the bay; and

E. whereas, the delta is increasing in size at a rate of 600 or 700 acres per year and is expected to extend outward to Pointe au Fer Island by the end of this century; and

F. whereas, the establishment of a wildlife management area would afford protection for the wildlife resources and habitat in the bay area while at the same time providing the people of Louisiana with a public area where hunting, fishing, and other forms of outdoor recreation can be enjoyed; and

G. whereas, the Louisiana Legislature during the regular 1977 session enacted a statute providing for the establishment of a wildlife management area in this location; now,

H. therefore be it resolved that the Louisiana Wildlife and Fisheries Commission does hereby authorize and empower the Secretary of the Department of Natural Resources to initiate and sign any and all documents necessary to the establishment of the 125,000-acre Atchafalaya Delta Wildlife Management Area; now,

I. be it further resolved any outstanding leases that may have been previously issued from lands in this area will be honored.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:781.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:346 (August 1977).

§305. Lake Bistineau

A. Whereas, intensive use by persons boating, swimming, skiing and fishing on Lake Bistineau is creating conditions hazardous to the users of this lake; and

B. whereas, the Louisiana Wildlife and Fisheries Commission has been delegated administrative authority over Lake Bistineau;

C. therefore be it resolved, the following rules and regulations are adopted and are to become effective January 1, 1976.

1. The discharging of rifles or handguns into, across, or upon Lake Bistineau is prohibited.

2. Water skiing will be allowed in designated areas only. These areas will be marked as ski areas and are as follows:

a. main channel as marked;

b. man-made ski road;

c. Hard Pond;

d. Blue Pond;

e. Catfish Pond;

f. Gregg Lake;

g. Shreveport Pond;

h. Teal Slough.

3. Ski Platforms

a. No new permanent ski platforms may be constructed. All existing structures will be removed within one calendar year. All ski platforms will be of a floating nature and will not be permanently attached to trees (nails, spikes, etc.).

b. Name and address of platform owner or owners will be attached to platform for identification purposes. Parking of platforms in an area does not give owner exclusive rights to usage of this section of the lake. Platforms may not be parked in a manner which will obstruct normal boat traffic.

4. Piers and boat houses extending into Lake Bistineau will be approved by the Wildlife and Fisheries Commission prior to construction.

5. Gill Nets, Flag Nets, and Trammel Nets Size Restrictions. All flag nets, gill nets, and trammel nets must be at least 4-inch square mesh or 8-inch stretch.

6. Duck Blinds. All new duck blind construction will be of a floating nature. Attaching blinds to trees using nails, spikes, or any device driven into the tree is prohibited.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:802.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 1:413 (September 1975).

§307. Bundick Lake Dam

A. Prohibition of Motorized Vehicles

1. Whereas, the driving of vehicles, motorbikes, and three-wheelers, on the levee of Bundick Lake Dam has caused ruts, holes, elimination of grass, and washing away of the levee; and

2. whereas, the Beauregard Parish Police Jury and concerned citizens of Beauregard Parish have requested the Louisiana Wildlife and Fisheries Commission to prohibit motorized vehicles on the dam levee in order to prevent damage to the levee;

3. therefore, be it resolved, the Louisiana Wildlife and Fisheries Commission does hereby prohibit the driving of motorized vehicles on the Bundick Lake Dam Levee; and

4. be it further resolved, that signs be erected denoting this prohibition and that agents of the enforcement division of the Department of Wildlife and Fisheries enforce this regulation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:802.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 8:524 (October 1982).

§309. Rockefeller Wildlife Refuge

A. Visitor Regulations

1. The visiting season on the Rockefeller Wildlife Refuge will extend from March 1 to December 1 throughout the refuge except in those restricted areas designated to prohibit interference with research and management activities. Use of Humble Canal, Joseph Harbor Bayou, Headquarters Canal, East End Road and Locks, Union Producing Canal, Deep Lake, East End Boundary Canal, and Rollover Bayou shall be year round. In addition to this access, sport fishermen shall be permitted to enter the refuge from the Gulf side in Pigeon Bayou, Big Constance Bayou, Little Constance Bayou. Access through these bayous will be permitted only as far inland as the existing water control structures. The remainder of the refuge shall be restricted during the winter months and will be closed to all trespassing.

2. Use of the refuge will be allowed from official sunrise until official sunset. This includes access routes through the refuge.

3. Overnight camping is prohibited.

4. Hunting, pursuing, killing, molesting or intentionally disturbing any type of wildlife by the public is prohibited. This does not prohibit the Department of Wildlife and Fisheries from carrying out harvest programs for certain types of wildlife as specified in the Deed of Donation and/or Memorandum of Agreement.

5. Trawling on the refuge is prohibited. Trotlines, jug lines, trammel and gill nets and traps are prohibited. All commercial fishing and use of any commercial fishing gear on the refuge is prohibited. Twenty-five pounds of shrimp (heads on) per boat or vehicle per day is allowed during the inside open shrimp season as established by the Wildlife and Fisheries Commission. Ten pounds of shrimp (heads on) for bait purposes may be caught during the closed season. Shrimp may be harvested only by cast net on the refuge and only for sport fishing or home consumption use.

6. Crawfish may be harvested from the open portion of the refuge and 100 pounds per boat or vehicle is allowed per day. Set nets may be used but must be attended and removed from the refuge daily. No commercial harvest is allowed.

7. Crabs may be harvested from the open portion of the refuge and 12 dozen crabs are allowed per boat or vehicle per day.

8. Oysters may be harvested by tonging (properly licensed) or by hand collection from the natural reefs. One gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and the shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Hospitals' approval and may be closed at any time by the Department of Wildlife and Fisheries.

9. The burning of the marsh by the public is prohibited. Water control structures shall not be tampered with or altered by anyone other than employees of the Department of Wildlife and Fisheries.

10. Bringing firearms, bows and arrows, liquor and controlled dangerous substances (drugs) onto the refuge is prohibited. All boats and vehicles are subject to search by all authorized employees of the Department of Wildlife and Fisheries at anytime.

11. Speed boat racing and water skiing are prohibited. All boat traffic shall honor no wake zones and shall keep wave wash to a minimum. Pulling boats over or around levees, dams or water control structures is prohibited.

12. No littering is allowed. Visitors must remove their litter or place litter in appropriate litter disposal sites. Damage to or removal of trees, shrubs and wild plants without prior approval is prohibited.

13. Commercial fishing gear or trawls shall not be permitted in possession while participating in sport fishing on refuge. Commercial fishing gear may be in possession for nonstop access directly across refuge or for safe harbor only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 4:340 (September 1978), amended LR 9:691 (October 1983), LR 15:100 (February 1989).

§310. Marsh Island Wildlife Refuge

A. Visitor Regulations

1. Use of the refuge will be allowed from official sunrise to official sunset. This includes access routes through the refuge.

2. Overnight camping is prohibited.

3. Hunting, pursuing, killing, molesting or intentionally disturbing any type of wildlife by the public is prohibited. This does not prohibit the Department of Wildlife and Fisheries from carrying out harvest programs for certain types of wildlife as specified in the Deed of Donation and/or Memorandum of Agreement.

4. Trawling on the refuge is prohibited. Trotlines, jug lines, trammel and gill nets and traps are prohibited. All commercial fishing and use of any commercial fishing gear on the refuge is prohibited. Twenty-five pounds of shrimp (heads on) per boat or vehicle per day is allowed during the inside open shrimp season as established by the Wildlife and Fisheries Commission. Ten pounds of shrimp (heads on) for bait purposes may be caught during the closed season. Shrimp may be harvested only by cast net on the refuge and only for sport fishing or home consumption use.

5. Crawfish may be harvested from the open portion of the refuge and 100 pounds per boat or vehicle is allowed per day. Set nets may be used but must be attended and removed from the refuge daily. No commercial harvest is allowed.

6. Crabs may be harvested from the open portion of the refuge and 12 dozen crabs are allowed per boat or vehicle per day. No commercial harvest is allowed.

7. Oysters may be harvested by tonging (properly licensed) or by hand collection from the natural reefs. One gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and the shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Hospitals' approval and may be closed at any time by the Department of Wildlife and Fisheries.

8. The burning of the marsh by the public is prohibited. Water control structures shall not be tampered with or altered by anyone other than employees of the Department of Wildlife and Fisheries.

9. Bringing firearms, bows and arrows, liquor and controlled dangerous substances (drugs) onto the refuge is prohibited. All boats and vehicles are subject to search by all authorized employees of the Department of Wildlife and Fisheries at anytime.

10. Speed boat racing and water skiing are prohibited. All boat traffic shall honor no wake zones and shall keep wave wash to a minimum. Pulling boats over or around levees, dams or water control structures is prohibited. The Department of Wildlife and Fisheries may further restrict specified areas of the refuge from public access or use.

11. No littering is allowed. Visitors must remove their litter or place litter in appropriate litter disposal sites. Damage to or removal of trees, shrubs and wild plants without prior approval is prohibited.

12. Commercial fishing gear or trawls shall not be permitted in possession while participating in sport fishing on refuge. Commercial fishing gear may be in possession for nonstop access directly across refuge or for safe harbor only.

13. Enforcement officials shall have the duty and the right to restrict access to the island, even for the purpose herein enumerated, whenever the circumstances exist that such access may impair the primary purpose of the island as a wildlife refuge and sanctuary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:101 (February 1989).

§316. St. Tammany Wildlife Refuge Mineral Lease

A. Whereas, the State Mineral Board has received an application for a mineral lease on the 1,300-acre St. Tammany Wildlife Refuge which is owned and operated by the Louisiana Wildlife and Fisheries Commission; and

B. whereas, the Mineral Board has requested that the commission provide appropriate rules and regulations for inclusion in the advertisement for bids and also in any mineral lease that may be issued on this property; and

C. whereas, this refuge occupies a long narrow strip of marshland bordering the north shore of Lake Pontchartrain; and

D. whereas, a study of the area has revealed that mineral operations under appropriate regulations could be conducted without damage to the surface of the refuge; now

E. therefore be it resolved that the following rules and regulations are hereby adopted by the Louisiana Wildlife and Fisheries Commission to be used for the purpose of controlling any mineral operations that may take place on, under, or adjacent to the refuge boundaries.

1. No drilling and production operation or canals shall be permitted on the surface area.

2. All drilling shall be by directional means from Lake Pontchartrain or from adjacent land or waters along the boundary of the refuge.

3. Drilling and production activities in Lake Pontchartrain shall be restricted for a distance of 500 feet along the entire refuge boundary. Access to directional drilling locations in Lake Pontchartrain shall be by most direct route from deep water to prevent excessive damage to aquatic vegetation and erosion to shoal area and shoreline.

4. Lessee shall comply with all rules and regulations of the Wildlife and Fisheries Commission, the Department of Wildlife and Fisheries, and the State Mineral Board for the protection of game and wildlife, and particularly no hunting, fishing, or any other activity harmful to wildlife shall be permitted on any part of the leased land or any other part of the refuge.

5. All development not otherwise specified above shall be subject to approval of the Department of Wildlife and Fisheries and the State Mineral Board.

6. All of the state and federal pollution control regulations shall be adhered to.

7. The willful or continued violation of any of the aforesaid regulations shall constitute cause for revocation of the lease.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:212 (April 1977).

§318. Fontainebleau State Park, Hunting Prohibition

A. The Wildlife and Fisheries Commission took action at its June 6, 1986 meeting in Baton Rouge, Louisiana to prohibit hunting on all private lands within the Fontainebleau State Park in St. Tammany Parish. The proposal was recommended by the Division of State Parks and adopted by the Wildlife and Fisheries Commission and becomes effective on publication in the *Louisiana Register*.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:3, 56:115, and 56:123(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 12:603 (September 1986).

§323. State Wildlife and Paul J. Rainey Refuges

A. Visitor Regulations for State Wildlife Refuge

1. Use of the refuge will be allowed from official sunrise to official sunset. This includes access routes through the refuge.

2. Overnight camping is prohibited.

3. Hunting, pursuing, killing, molesting or intentionally disturbing any type of wildlife by the public is prohibited. This does not prohibit the Department of Wildlife and Fisheries from carrying out harvest programs for certain types of wildlife as specified in the deed of donation.

4. Commercial and recreational trawling on the refuge is prohibited. Recreational trotlines, jug lines, trammel nets, gill nets, hoop nets and fish and crab traps are prohibited. All commercial fishing and use of any commercial fishing gear on the refuge is prohibited. Twenty-five pounds of shrimp (heads on) per boat or vehicle per day is allowed during the inside open shrimp season as established by the Wildlife and Fisheries Commission. Ten pounds of shrimp (heads on) for bait purposes may be caught during the closed season. Shrimp may be harvested only by cast net on the refuge and only for sport fishing or home consumption use. Containers are required to receive cast net catches to prevent littering and for safety purposes.

5. Crawfish may be harvested from the open portion of the refuge and 100 pounds per boat or vehicle is allowed per day. Set nets may be used but must be attended and removed from the refuge daily. No commercial harvest is allowed.

6. Crabs may be harvested from the open portion of the refuge; and 12 dozen crabs are allowed per boat or vehicle per day. A maximum of 12 crab nets is allowed per boat or vehicle. No commercial harvest is allowed.

7. Oysters may be harvested by tonging (properly licensed) or by hand collection from the natural reefs. One gallon per boat or vehicle per day is allowed and oysters must be opened at the reef and the shells returned to the reef. Taking of oysters on the reef is dependent upon Department of Health and Hospitals' approval and may be closed at any time by the Department of Wildlife and Fisheries.

8. The burning of the marsh by the public is prohibited. Water control structures shall not be tampered with or altered by anyone other than employees of the Department of Wildlife and Fisheries.

9. Bringing firearms, bows and arrows, liquor and controlled dangerous substances (drugs) onto the refuge is prohibited. Personal companion animals (e.g., dogs) are restricted to boats or vehicles unless prior approval is obtained from the refuge supervisor. Upon probable cause a violation has occurred, all boats and vehicles are subject to search by all authorized employees of the Department of Wildlife and Fisheries.

10. Speed boat racing, airboats, hovercraft, jet skis, and water skiing are prohibited. All boat traffic shall honor no wake zones and shall keep wave wash to a minimum. Pulling boats over or around levees, dams or water control structures is prohibited. The Department of Wildlife and Fisheries may further restrict specified areas of the refuge from public access or use.

11. No littering is allowed. Visitors must remove their litter or place litter in appropriate litter disposal sites. Damage to or removal of trees, shrubs and wild plants without prior approval is prohibited.

12. Commercial fishing gear or trawls shall not be permitted in possession while participating in sport fishing on the refuge. Commercial fishing gear may be in possession for nonstop access directly across refuge or for safe harbor only.

13. Department officials and enforcement officers shall have the duty and the right to restrict access to the refuge, even for the purpose herein enumerated, whenever the circumstances exist that such access may impair the primary purpose of the refuge as a wildlife refuge and sanctuary.

14. Violation of any part of this Subsection constitutes a Class 2 violation.

B. Visitor Regulations for Paul J. Rainey Refuge of the National Audubon Society

1. All visitors must be accompanied by a representative of the National Audubon Society.

2. Trespassing, hunting, pursuing, killing, molesting, fishing or intentionally disturbing any type of wildlife by the public is prohibited. This does not prohibit the National Audubon Society from carrying out harvest programs for certain types of wildlife as specified in the Deed of Donation.

3. Possessing firearms, bows and arrows, liquor and controlled dangerous substances (drugs) on the refuge is prohibited.

4. Upon probable cause a violation has occurred, all boats and vehicles are subject to search by all authorized employees of the Department of Wildlife and Fisheries.

5. Department officials and enforcement officers shall have the duty and the right to restrict access to the refuge, even for the purpose herein enumerated, whenever the circumstances exist that such access may impair the primary purpose of the refuge as a wildlife refuge and sanctuary.

6. Violation of any part of this Subsection constitutes a Class 2 violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq., and R.S. 56:763.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:194 (February 1995).

§325. Waddill Wildlife Refuge

A. Purpose. Waddill Wildlife Refuge will be actively managed as a wildlife educational and learning area for youth groups, nonconsumptive users, and as a hunter safety and aquatic education training center. The following rules and regulations concerning the management, protection and utilization of this refuge have been adopted by the Wildlife and Fisheries Commission. Failure to comply with these regulations will subject the individual to citation and/or expulsion from the refuge.

B. General

1. Access to the refuge will only be allowed through the front entrance bordering Flannery Road. All visitors will sign the register at the front office. A group of individuals may have a representative sign for the group by indicating the number in the group. Individuals less than 16 years of age must be accompanied and supervised by a person 18 years of age or older.

2. Vehicles are allowed only in designated areas and must park in provided spaces. ATVs, trail bikes, horses and mules are strictly prohibited. Restricted areas will be established for specific activities and visitors will not enter these areas unless they are part of the specific activity allowing access to that area.

3. All dogs are prohibited unless participating in a department-sponsored activity, such as a retriever demonstration during an educational activity. All dogs running at large are prohibited; and the owner or handler of said dogs will be held liable for any personal injury or property damage, and will be subject to criminal citation.

4. Citizens are cautioned that by entering the refuge they or their vehicles may be subject to license checks, inspections and searches. Wildlife officers will have the duty and right to restrict access to the refuge as necessary.

5. Refuge hours will be set by the Department of Wildlife and Fisheries (hereinafter "department") and will be posted at the entrance. All visitors will abide by the posted hours. Educational activities may be held outside the normal open hours of the refuge by prior arrangement and permission of the department. All participants of these activities will confine their use of the refuge to the designated area of the activity.

6. Hunting, pursuing, killing, molesting, or intentionally disturbing any type of wildlife is prohibited, provided that the department may conduct activities necessary to properly manage wildlife on the area.

7. Camping is prohibited, provided that the department is authorized to establish and maintain specific camping areas for use by organized groups under policy established by the department. If areas are established, they will not be used by the public.

8. Littering is prohibited. Visitors must remove their litter or place litter in appropriate litter disposal containers.

9. Damage to or removal of trees, shrubs, flowers, or wild plants is strictly prohibited.

10. The possession of firearms, bows, liquor and controlled dangerous substances on the refuge is prohibited; provided, however, that the department is authorized to construct, maintain and operate ranges, in which case, shotguns and bows will be permitted under guidelines developed by the department; and, further provided that the prohibition on the possession of firearms shall not apply to duly authorized law enforcement officers.

11. Access to all nature trails is limited to pedestrians only. No vehicles, ATVs, trail bikes, horses or mules are allowed. Individuals utilizing the nature trails must remain on the designated trail. No picnicking is allowed on the trails. All trash must be disposed of in designated litter containers.

12. Individual groups may submit written requests to reserve a specific part of the refuge for a special group event. The remaining unreserved portion of the refuge shall be open to the public.

13. Violation of any part of this Section constitutes a Class 2 violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq., and 56:109.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22:861 (September 1996), amended LR 23:1538 (November 1997).

§329. Spanish Lake State Game and Fishing Preserve

A. General

1. Parking is restricted to designated parking areas.

2. ATVs (three wheelers and four wheelers) and motorbikes are prohibited on the levee.

3. Discharge of any firearms on the levees is prohibited.

4. Overnight camping is prohibited, except by special permit issued by Spanish Lake Game and Fishing Preserve Commission for supervised groups only.

5. No trapping of furbearing animals, except by special permit issued by the Louisiana Department of Wildlife and Fisheries.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, R.S. 56:721 et seq., R.S. 56:801 and R.S. 36:610.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 23:872 (July 1997), amended LR 30:1734 (August 2004), LR 35:968 (May 2009), LR 40:1117 (June 2014).

§331. Isles Dernieres Barrier Islands Refuge

A. Regulations for Isles Dernieres Barrier Islands Refuge

1. Regulations for Wine Island, East Island, Whiskey Island, and Raccoon Island

a. Public access by any means to the exposed land areas, wetlands and interior waterways of these islands is prohibited. Requests to access exposed land areas, wetlands and interior waterways shall be considered on a case-by-case basis and may be permitted by the secretary or his designee in the interest of conducting research on fauna and flora, of advancing educational pursuits related to barrier islands, or of planning and implementing island restoration projects.

b. Disturbing, injuring, collecting, or attempting to disturb, injure, or collect any flora, fauna, or other property is prohibited, unless expressly permitted in writing by the secretary or his designee for the uses provided for in Subparagraph 1.a above.

c. Boat traffic is allowed adjacent to the islands in the open waters of the Gulf and bays; however, boat traffic is prohibited in waterways extending into the interior of the islands or within any land-locked open waters or wetlands of the islands.

d. Fishing from boats along the shore and wade fishing in the surf areas of the islands is allowed.

e. Littering on the islands or in Louisiana waters or wetlands is prohibited.

f. Proposals to conduct oil and gas activities, including seismic exploration, shall be considered on a case-by-case basis and may be permitted by the secretary or his designee, consistent with provisions of the Act of Donation executed by the Louisiana Land and Exploration Company on July 24, 1997.

2. Regulations for Trinity Island

a. Public access is allowed in a designated public use area. An area approximately 3,000 linear feet by 500 linear feet is designated as a public use area, the boundaries of which will be marked and maintained by the department. The designated public use area shall extend westward from the western boundary of the servitude area reserved by Louisiana Land and Exploration Company in the Act of Donation a distance of approximately 3,000 linear feet and northward from the southern shoreline within this area by a distance of approximately 500 linear feet. Public recreation such as bird-watching, picnicking, fishing and overnight camping is allowed in this area. Travel on or across this area shall be limited to foot or bicycle traffic only. No use of all-terrain vehicles or other vehicles powered by internal combustion engines or electric motors shall be allowed.

b. Public access to all exposed land areas of Trinity Island, other than the public use area, is prohibited. Requests to access these exposed land areas shall be considered on a case-by-case basis and may be permitted by the secretary or his designee in the interest of conducting research on fauna and flora, of advancing educational pursuits related to barrier islands or of planning and implementing island restoration projects.

c. Disturbing, injuring, collecting, or attempting to disturb, injure, or collect any flora, fauna, or other property is prohibited, unless expressly permitted in writing by the secretary or his designee for the uses provided for in Subparagraph 2.b above.

d. Any member of the public utilizing the designated public use area shall be required to have a portable waste disposal container to collect all human wastes and to remove same upon leaving the island. Discharge of human wastes, including that within the disposal container, onto the island or into Louisiana waters or wetlands is prohibited.

e. Littering on the island or in Louisiana waters or wetlands is prohibited.

f. Carrying, possessing, or discharging firearms, fireworks, or explosives in the designated public use area is prohibited.

g. Boat traffic is allowed adjacent to the island in open waters of the Gulf and bays and within the man-made canal commonly known as California Canal for its entire length to its terminus at the bulkhead on the western end of the canal. No boat traffic is allowed in other man-made or natural waterways extending into the interior of the island or in any land-locked open waters or wetlands of the island.

h. Fishing from boats or wade fishing in the surf areas of the island is allowed.

i. Houseboats may be moored in designated areas along the California Canal. An annual permit shall be required to moor a houseboat in the canal. The required permit may be obtained from the Department of Wildlife and Fisheries New Iberia Office.

j. Proposals to conduct oil and gas activities, including seismic exploration, shall be considered on a case-by-case basis and may be permitted by the secretary or his designee, consistent with provisions of the Act of Donation executed by the Louisiana Land and Exploration Company on July 24, 1997.

B. Violation of any provision of these regulations shall be considered a Class 2 violation, as described in R.S. 56:115(D), 56:764, and 56:787.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(18), R.S. 56:109, and R.S. 56:781 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1657 (September 1999).

§333. St. Martin-Lafayette Fish and Game Preserve

A. That portion of the St. Martin-Lafayette Fish and Game Preserve, particularly the following described portion of Lake Martin, St. Martin Parish is hereby closed to all boating traffic, both motorized and non-motorized, said closure to remain in effect each year from February 15 through July 31 inclusive. The closed zone is described as follows.

1. All that certain property containing 131.94 acres more or less located in Section 31, Township 9 South, Range 6 East and Section 6, Township 10 South, Range 6 East, St. Martin Parish, Louisiana described as follows:

a. beginning at a point on the lake's edge located N 1 degree 59 minutes E a distance of 330 ft from a 4" x 4" concrete post, the post having State Plane Coordinates Louisiana South of X = 1819303.09 ft, Y = 561651.02 ft; thence N 1 degree 59 minutes E a distance of 1100 ft; thence S 88 degrees 1 minute E a distance of 2320 ft; thence S 36 degrees 54 minutes 58 seconds E a distance of 500 ft; thence S 1 degree 59 minutes W a distance of 2350 ft; thence N 88 degrees 1 minute W a distance of 660 ft; thence S 1 degree 59 minutes W a distance of 1320 ft; thence N 88 degrees 1 minute W a distance of 660 ft; thence N 1 degree 59 minutes E a distance of 2970 ft; thence N 88 degrees 1 minute W a distance of 1320 ft to the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:610C and R.S. 56:1861 et seq.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 27:868 (June 2001).

§335. White Lake Wetlands Conservation Area

A. The following rules and regulations concerning the management, protection and harvest of wildlife have been officially approved and adopted by the Louisiana Wildlife and Fisheries Commission in accordance with the authority provided in Louisiana Revised Statutes of 1950, Sections 109 and 799.5 of Title 56. Failure to comply with these regulations will subject the individual to citation and/or expulsion from the conservation area.

B. Citizens are cautioned that by entering the White Lake Wetlands Conservation Area (WCA) managed by LDWF, they are subject to inspections of themselves and/or their vehicles for game, fish and/or license checks, inspections, and searches.

C. The White Lake WCA seasons may be altered or closed anytime by the department secretary in emergency situations (flood, fire, or other critical circumstances).

D. Portions of the White Lake WCA are leased for various purposes, including, but not limited to, hunting, agriculture, grazing, trapping, and other surface activities and subsurface activities, including oil and gas operations. Lessees, oil and gas operator's, and their employees, agents, invitees, licensees, will adhere to the terms and conditions outlined in their prospective leases and agreements. In addition lessees and all others entering onto the White Lake WCA will adhere to the following rules and regulations.

1. White Lake WCA is a Restricted Use Area meaning that all persons other than employees of the Department or Lessee's, oil and gas operators, their employees, agents, invitees, licensees, will not be allowed to access the White Lake WCA unless they are participating in a lottery activity, a non-consumptive activity, or some other Wildlife and Fisheries sponsored or coordinated event. To participate in lottery or non-consumptive activities, please review the information provided below for each activity.

E. Dumping garbage or trash on White Lake WCA is prohibited. Garbage and trash shall be properly disposed of in designated locations if provided.

F. Disorderly conduct or hunting under the influence of alcoholic beverages, chemicals and other similar substances is prohibited.

G. Except for those rights granted under existing leases, damage to or removal of trees, shrubs, hard mast (acorn, pecans, etc.), wild plants, and non-game wildlife (including reptiles and amphibians) is prohibited without the prior approval from the White Lake WCA Manager or from the secretary.

H. Burning of the marsh is prohibited. Lessee may request special permission to do control burning, which must be approved by the White Lake WCA Manager or the Secretary.

I. Free ranging livestock prohibited.

J. Nature Trails. Trails shall be limited to pedestrians only. No vehicles, ATV's, horses, mules, bicycles, etc. allowed unless approved by the White Lake WCA Manager. Removal of vegetation (standing or down) or other natural material is prohibited.

K. Permits and Licenses

1. All persons shall be responsible for obtaining and possessing the proper license or licenses for the activities they will be engaged in when on the White Lake WCA. Proper identification and licenses must be readily available and presented to Wildlife and Fisheries personnel upon request. Licenses will not be available for purchase on site.

2. Special Note: A WMA permit will not be required to hunt on the White Lake WCA. In addition, persons using

the WCA for any purpose other than hunting will not be required to possess a wild Louisiana stamp.

3. Permits will be issued to lottery fishermen and those individuals must carry their permit on their person while on the White Lake WCA. No permits will be issued to lottery hunters since those hunts are daily hunts and are coordinated and accompanied by Wildlife and Fisheries personnel. Self Clearing Permits are not necessary for any activities.

L. Firearms

1. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms are not allowed in or on vehicles, boats under power, motorcycles, ATVs, ATCs while on the WCA except by wildlife enforcement agents and employees or contract guides working for the department at White Lake.

2. Firearms may not be carried on any area before or after permitted hours except by authorized trappers, lessees, wildlife enforcement agents and employees or contract guides working for the department at White Lake.

3. Firearms and bows and arrows are not allowed on the WCA during closed seasons. Exceptions are made for authorized lessees and individuals participating in coordinated shooting activities on the White Lake Skeet Range and Sporting Clay Course, wildlife enforcement agents and employees or contract guides working for the department at White Lake.

4. Center-fire rifles and handguns larger than .22 caliber rim fire, shotgun slugs or shot larger than BB lead or F steel shot cannot be carried onto the WCA except by authorized trappers, lessees, wildlife enforcement agents and employees or contract guides working for the department at White Lake.

5. Target shooting and other forms of practice shooting are prohibited. Exceptions are made for authorized lessees and individuals participating in coordinated shooting activities on the White Lake Skeet Range and Sporting Clay Course.

M. Waterfowl hunting is prohibited after noon on all portions of the White Lake WCA, including those areas which are leased for hunting purposes.

N. Commercial Activities. Commercial activities are prohibited without prior approval from White Lake WCA Manager and the secretary or unless otherwise specified.

O. Camping. Camping on the White Lake WCA, including trailers, houseboats, recreational vehicles and tents, is prohibited unless otherwise approved by the White Lake WCA Manager and the secretary or unless otherwise specified.

P. Consumptive Activities. The general framework for public use of consumptive resources of the White Lake Wetlands Conservation Area Management Plan is as follows:

Activities	Season	Cost
Alligators		
Wild Alligator Harvest	LDWF Season	40% of public bid
Alligator Egg Collection	June & July	Public bid
Waterfowl		
Teal Lottery Hunts	LDWF Season	$250 per hunt with a maximum of 2 persons per blind
Youth/Physically Challenged	First Weekend	No cost
Hunts		
Marsh Lottery Hunts	LDWF Season	$350 per hunt with a maximum of 2 persons per blind
Rice Lottery Hunts	LDWF Season	$225 per hunt with a maximum of 3 persons per blind
Group Hunts	LDWF Season	$30,000 per group
Fishing	March 15-August 15	$40 per permit

1. The number/quantity of alligators, eggs, hunters, groups and permits for the above activities shall be established annually based upon biological and technical data presented by the department to the board.

2. Commission members, and their immediate families, are prohibited from participating in any consumptive activities on the White Lake Wetlands Conservation Area, including lottery and group hunts and lottery fishing.

3. Currently all public hunting and fishing activities are done through a lottery system. Except for lessee's and their invited guest, no person may enter onto the White Lake WCA for the purpose of hunting or fishing unless they have applied and been selected for one of the lotteries offered. Lottery activities include, but may not be limited to, the following: Fishing Lottery, Teal Hunting Lottery, Waterfowl Marsh Hunting Lottery, Waterfowl Rice Field Hunting Lottery, Waterfowl Youth Hunting Lottery, Waterfowl Group Hunting Lottery. Details on these Lottery activities can be found seasonally, on the LDWF website www.wlf.louisiana.gov. For more information contact the White Lake WCA Manager at 337-479-1894.

4. In addition to the Rules already mentioned, the following special Rules apply for the below lottery activities. These special Rules are subject to change each year and will be attached to the lottery applications when advertised on the LDWF website.

a. Fishing Lottery

i. Fishing will be allowed in the Florence Canal and Oil Field Location Canals off of the Florence Canal only.

ii. There will be no fishing in any of the marsh areas or in the main Camp Canal or other areas that are marked "NO FISHING".

iii. All boats will be limited to a maximum of 40 horsepower motor.

iv. All "No Wake" signs must be obeyed.

v. Fishing must be done from boat only.

vi. Rod and reel sport fishing only (no archery fishing, trot lines, jug lines etc.).

vii. Holder of the permit must be present (permit not transferable).

viii. There will be no boat launching from the White Lake properties. (Permittee must utilize public boat launch.)

ix. Permit holder must have permit and boat decal.

x. Any violations of Louisiana boating or fishing regulations or any rule violations will result in immediate termination of permit.

xi. Permittee will not be allowed to enter onto the White Lake WCA until sunrise and must exit the property by sunset.

xii. No firearms allowed on premises.

b. Teal Lottery Hunts

i. The Louisiana Department of Wildlife and Fisheries has established a lottery waterfowl (teal) hunt on White Lake property that has the potential to provide excellent waterfowl hunting. Hunts will be restricted to persons selected by lottery and will be limited to 2 persons/unit. All hunters will hunt as a group with a guide. No splitting up will be allowed. The primary purpose of these hunts is to provide a quality experience. Strict adherence to the following rules and regulations will be required to ensure a safe and enjoyable hunt.

(a). Safety is first and foremost in everyone's mind. No loaded firearms except while hunting in the blind. However, a hunter shall be allowed to carry a loaded firearm outside the blind to dispatch and retrieve wounded waterfowl. Take every precaution to have a safe and enjoyable hunt.

(b). Selected participants must arrive at the designated site by 5 a.m. Anyone arriving after 5 a.m. will not be allowed to enter the area. Hunting will end no later than 9 a.m.

(c). Guides and hunt area (blind) will be assigned the morning of the hunt.

(d). Access will be provided to a designated parking area. Transportation from the parking area to the site will be provided.

(e). Each hunter shall have appropriate licenses (basic license, state duck stamp, federal duck stamp, and HIP certification) prior to arrival. No licenses will be available at the hunting site. Licenses will be checked at the same time permits are reviewed. No one will be allowed in a hunting area without the proper lottery permit.

(f). Legal firearms, as specified in the hunting regulations pamphlet, except no 10 gauge shotguns will be allowed.

(g). Persons engaging in "sky busting" will be asked to leave.

(h). No dogs will be allowed.

(i). Hunters will be responsible for removing all litter from the area and surrounding areas.

(j). No alcoholic beverages will be permitted on the premises.

c. Marsh Waterfowl Lottery Hunt

i. The Louisiana Department of Wildlife and Fisheries has established a lottery waterfowl marsh hunt on White Lake property that has the potential to provide excellent waterfowl hunting. Hunts will be restricted to persons selected by lottery and will be limited to 2 persons/unit. All hunters will hunt as a group with a guide. No splitting up will be allowed. The primary purpose of these hunts is to provide a quality experience. Strict adherence to the following rules and regulations will be required to ensure a safe and enjoyable hunt.

(a). Safety is first and foremost in everyone’s mind. No loaded firearms except while hunting in the blind. However, a hunter shall be allowed to carry a loaded firearm outside the blind to dispatch and retrieve wounded waterfowl. Take every precaution to have a safe and enjoyable hunt.

(b). Selected participants must arrive at the designated site by the time specified in your notification letter. Anyone arriving after that time will not be allowed to enter the area. Hunting will begin in the morning at legal shooting time and will end no later than 9 a.m.

(c). Guides and hunt area (blind) will be assigned the morning of the hunt.

(d). Access will be provided to a designated parking area. Access from the parking area to the site will be provided.

(e). Each hunter shall have appropriate licenses (basic license, state duck stamp, federal duck stamp, and HIP certification) prior to arrival. No licenses will be available at the hunting site. Licenses will be checked at the same time permits are reviewed. No one will be allowed in a hunting area without the proper lottery permit.

(f). Legal firearms, as specified in the hunting regulations pamphlet, except no 10 gauge shotguns will be allowed.

(g). Persons engaging in "sky busting" will be asked to leave.

(h). No dogs will be allowed.

(i). Hunters will be required to report their total kill in writing at the end of the hunt.

(j). Hunters will also be responsible for removing all litter from the area and surrounding areas.

(k). No alcoholic beverages will be permitted on the premises.

d. Rice Field Waterfowl Lottery Hunt

i. The Louisiana Department of Wildlife and Fisheries has established a lottery waterfowl (rice field) hunt on White Lake property that has the potential to provide excellent waterfowl hunting. Hunts will be restricted to

persons selected by a lottery and will be limited to 3 persons/unit. Blinds and decoys are provided; however, no guides will be provided for the rice field hunts. No splitting up will be allowed. The primary purpose of these hunts is to provide a quality experience. Strict adherence to the following rules and regulations will be required to ensure a safe and enjoyable hunt.

(a). Safety is first and foremost in everyone's mind. No loaded firearms except while hunting in the blind. However, a hunter shall be allowed to carry a loaded firearm outside the blind to dispatch and retrieve wounded waterfowl. Take every precaution to have a safe and enjoyable hunt.

(b). Selected participants must arrive at the designated site by the time specified in the notification letter. Anyone arriving after that time will not be allowed to enter the area. Hunting will begin in the morning at legal shooting time and will end no later than 9:30 a.m.

(c). Hunters will be required to stay in blind during hunt except to retrieve birds.

(d). Access will be provided to a designated parking area. Transportation to and from the parking area to the blinds will be provided. Selected participants may be required to walk a minimum of 200 yards across a flooded rice field carrying their gear.

(e). Each hunter shall have appropriate licenses (basic license, state duck stamp, federal duck stamp, and HIP certification) prior to arrival. No licenses will be available at the hunting site. Licenses will be checked at the same time permits are reviewed. No one will be allowed in a hunting area without the proper lottery permit.

(f). Legal firearms, as specified in the hunting regulations pamphlet, except no 10 gauge shotguns will be allowed.

(g). Persons engaging in "sky busting" will be asked to leave.

(h). Retrieving dogs will be allowed but only one dog per blind.

(i). Hunters will be required to report their total kill in writing at the end of the hunt.

(j). Hunters will be responsible for removing all litter from the area and surrounding areas.

(k). No alcoholic beverages will be permitted on the premises.

e. Youth Waterfowl Hunt Lottery

i. The Louisiana Department of Wildlife and Fisheries has established a guided lottery youth waterfowl hunt on White Lake property that has the potential to provide excellent waterfowl hunting. Hunts will be restricted to persons selected by a lottery with one person being selected from each of 7 geographical regions of the state and one person being selected from the state at large. The hunt will be limited to 2 persons/unit (a youth under the age of 16 and a parent or guardian). All hunters will hunt with a guide. The primary purpose of these hunts is to provide a quality experience for young waterfowl hunters. Strict adherence to the following rules and regulations will be required to ensure a safe and enjoyable hunt.

(a). Safety is first and foremost in everyone's mind. No loaded firearms except while hunting in the blind. However, a hunter shall be allowed to carry a loaded firearm outside the blind to dispatch and retrieve wounded waterfowl. Take every precaution to have a safe and enjoyable hunt.

(b). Selected participants must arrive at the designated site outlined on your notification letter by 5:15 a.m. Anyone arriving after 5:15 a.m. will not be allowed to enter the area. Hunting will end no later than 9 a.m.

(c). Guide and blind assignments will be made the morning of the hunt.

(d). Access will be provided to a designated parking area. Transportation from the parking area to the site will be provided.

(e). Legal firearms, as specified in the hunting regulations pamphlet, except no 10 gauge shotguns will be allowed.

(f). Persons engaging in "sky busting" will be asked to leave.

(g). No retrievers/dogs will be allowed.

(h). Hunters will be responsible for removing all litter from the area.

(i). Only hunters under the age of 16 will be allowed to possess and shoot a firearm.

(j). Hunters should be familiar with the firearm they will be shooting and be capable of handling it in a safe manner.

Q. Other Hunting Activities. There are currently no other public hunting opportunities available on the White Lake WCA. This includes deer hunting and all other game birds and animals.

R. Non-Consumptive Activities—Schedule of Costs for Public Use of Facilities for Non-Consumptive Activities.

1. Daily Use

a. $300—includes one day use of lodge for meetings with nothing provided (for up to 15 people, weekdays only).

b. $300 + $10/person—includes one day use of lodge for meetings with coffee, cold drinks and bottled water provided.

c. $300 + $20/person—includes one day use of lodge for meetings with coffee, cold drinks, bottled water and lunch provided. The lunch provided will consist of a sandwich tray and chips or something similar. It will not include a hot lunch.

d. Exemptions from Cost. When a state, federal or local agency or university conducts research or educational activities in cooperation with the department, or conducts activities of benefit to White Lake or the department, the above costs shall be exempt. Costs for food and drink ($10 per person for drinks, $20 per person per meal) may be assessed.

2. Overnight Use

a. $400 + $25/person/night—includes overnight stay at lodge with nothing provided except linens. (For up to 12 people, weekdays only).

b. $400 + $35/person/night—includes overnight stay at lodge with coffee, cold drinks, bottled water and linens provided.

c. $900 + $35/person/night—includes overnight stay at lodge with coffee, cold drinks, bottled water, meals (breakfast, lunch and supper) and linens provided.

d. Exemptions from Cost. When a state, federal or local agency or university conducts research or educational activities in cooperation with the department, or conducts activities of benefit to White Lake or the department, the above costs shall be exempt. Costs for food and drink ($10 per person for drinks, $20 per person per meal) may be assessed.

e. Exemptions from all costs apply to all persons invited by the department to department sponsored events related to education, conservation or fish or wildlife related issues.

3. Skeet Range

a. $10/person/25 clay pigeons.

b. $15/person/25 clay pigeons, 25 shotgun shells provided.

c. Exemptions from all costs apply to all persons invited by the department to department sponsored events related to education, conservation or fish or wildlife related issues.

4. Boat Tour

a. $10/person/ride—limited to authorized function attendees.

b. Exemptions from Cost. When a state, federal or local agency or university conducts research or educational activities in cooperation with the department, or conducts activities of benefit to White Lake or the department, the above costs shall be exempt. Costs for food and drink ($10 per person for drinks, $20 per person per meal) may be assessed.

5. Use of facilities is subject to availability as well as staff availability and other scheduled events on the area. The facilities shall not be made available for political fundraisers.

6. The department shall determine appropriate insurance or indemnity requirements for use of the facilities.

7. The Louisiana Department of Wildlife and Fisheries establishes dates each year for the use of White Lake WCA facilities, located within the WCA in Vermilion Parish, for non-consumptive group activities including nature photography, bird watching, educational field trips, and business retreats. These dates and more information about the facilities available and associated costs will be posted on the LDWF website on or around the first of each year. The website address is www.wlf.louisiana.gov. On the home page click on the hunting tab located near the top of the page and then click on White Lake WCA for information.

8. The primary purpose of non-consumptive access to White Lake WCA is to provide a quality experience within a unique environment preserved as fish and wildlife habitat.

9. In addition to the Rules already mentioned, the following special Rules apply to the non-consumptive activities. These special Rules are subject to change each year and may be revised on the website posting. Strict adherence to all rules and regulations will be required to ensure a safe and enjoyable experience.

a. Safety is a primary consideration. All visitors must adhere to posted safety rules and directions provided by site staff while on the property.

b. Access will be provided to a designated parking area.

c. Boat transportation to and from the site will be provided as part of the day use and overnight use access. Group participants must arrive at the White Lake WCA boat dock at the designated departure time (9 a.m. for day use; and no later than 4 p.m. for overnight use). The site boat dock is located at the southernmost end of Highway 91, south of Gueydan.

d. Boat guides for boat tours and biologists for lecture sessions must be requested in advance of the group's arrival on site.

e. No firearms may be brought on to the WCA unless authorized by LDWF.

f. Visitors must adhere to no littering rules on site.

g. All group use dates must be requested at least two weeks in advance.

h. A deposit of $100 is required to reserve a date on the non-consumptive schedule.

AUTHORITY NOTE: Promulgated in accordance with Act 613 of the 2004 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:538 (March 2007), amended LR 33:1882 (September 2007), LR 35:707 (April 2009).

§337. Elmer's Island Wildlife Refuge

A. Visitor Regulations for Elmer's Island Wildlife Refuge

1. Use of the refuge will be permitted from thirty minutes before official sunrise to thirty minutes after official sunset. This includes any land access routes to the refuge. No person or vehicle shall remain on the Elmer's Island Wildlife Refuge or any land access routes during the period from 30 minutes after official sunset to 30 minutes before sunrise.

2. No person shall possess any glass bottles, glass drink containers or other glass products on Elmer's Island Wildlife Refuge.

3. The secretary of the department may restrict access to the refuge whenever circumstances exist such that restrictions are necessary to protect the refuge or the public from harm. No person shall enter onto or be on the grounds of Elmer's Island Wildlife Refuge during a restricted access period; or alternatively shall do so only in accordance with restrictions set forth by the secretary.

4. No person shall discharge or fire any firearms including muzzleloaders, or bows and arrows or crossbows on Elmer's Island.

5. No person shall commercially fish, conduct any guiding service, hunt, pursue, kill, molest or intentionally disturb any type of wildlife on the refuge, except for the legal recreational harvest of living aquatic resources.

6. No person shall be in areas marked as restricted by signs posted by the department.

7. No person shall operate any vehicles in a restricted area. No person shall operate a vehicle in an unsafe or careless manner as to endanger life or property or at any speed in excess of five miles per hour.

8. The requirement of a Wild Louisiana Stamp on Elmer's Island Wildlife Refuge is hereby waived, and the secretary is directed to take all necessary steps to accomplish this waiver.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, R.S. 56:109, R.S. 56:109.2, R.S. 56:763 and R.S. 56:781 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 36:1280 (June 2010).

§339. Queen Bess Island Wildlife Refuge

A. Visitor regulations for Queen Bess Island Wildlife Refuge:

1. hunting prohibited;

2. access prohibited February 1 through September 30;

3. no disturbance or removal of vegetation or natural debris from island;

4. no fishing between the breakwaters and the island from February 1 through September 30;

5. vehicles will be prohibited;

6. no nighttime activities.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, R.S. 56:109, R.S. 56:109.2, R.S. 56:763 and R.S. 56:781 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 46:705 (May 2020).

Title 76
WILDLIFE AND FISHERIES
Part V. Wild Quadrupeds and Wild Birds

Chapter 1. Wild Quadrupeds

§103. Field Trials on Wildlife Management Areas

A. The Wildlife and Fisheries Commission does hereby authorize field trials by recognized bird dog association to be held on selected wildlife management areas but only under the following conditions.

1. The season framework for conducting field trials involving the use of bird dogs is from October 1 through March 30 of each year. Specific season dates, however, will be set annually, management area by management area.

2. No trial will be allowed during managed deer hunts or opening weekends of other deer gun seasons.

3. No shooting of wild bobwhites will be allowed during the closed quail season.

4. Pen-reared bobwhites cannot be used for field trial purposes without first obtaining health certification as prescribed by the Wildlife and Fisheries Commission. Failure of bobwhite to pass the certification will result in the postponement (cancellation) of the field trial.

5. Applications must be submitted well in advance (a period established by the Wildlife and Fisheries Commission) by field trial associations specifying the date and precise location for the proposed field trial.

6. Only two trials per field trial organization will be allowed each season.

7. Applications will be approved only after the field trial association has met these conditions.

8. All bobwhites released for field trial purposes must be banded with a numbered band furnished by the Department of Wildlife and Fisheries. A list of the band numbers of birds released and birds recovered as well as any unused bands must be returned to the Department of Wildlife and Fisheries within two weeks after a field trial is held.

9. All pen-reared bobwhites can be inspected by Department of Wildlife and Fisheries personnel for evidence of diseases before they are released on the wildlife management areas for field trial purposes. Evidence of diseased birds can result in the cancellation of the field trial.

10. Applications received for the Fort Polk Wildlife Management Area must be approved by the U.S. Army.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:141.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:459 (December 1976), amended LR 14:364 (June 1988).

§105. Pen-Reared Bobwhite Health Certification Procedures

A. The Louisiana Veterinary Medical Diagnostic Laboratory (LVMDL) will perform health evaluations on the sample of live pen-reared bobwhites. A 5 percent sample, not to be less than five birds, must be delivered (shipped or otherwise) live with the completed Batch Case History Form to the LVMDL on Mondays by 9 a.m. at least five but not more than 10 working days prior to the field trial. Testing requires five working days.

B. Items tested for include but are not limited to:

1. Avian Pox;
2. Capillaria;
3. Coccidia;
4. Cryptosporidia;
5. Ectoparasites;
6. Hetarakis spp.;
7. Histomoniasis;
8. Mycoplasma gallisepticum;
9. Pullorum;
10. Typhoid.

C. Any positive tests (except nonpathenogenic ectoparasites) will result in the rejection of the use of that batch of birds. No trial utilizing pen-reared bobwhites can be conducted without health certification. Failure of samples to pass certification will result in the postponement (cancellation) of a trial.

D. The fee for the diagnostic test is $27 per five birds ($5.40 each) and is payable to the LVMDL in advance.

E. Mailing Address and Telephone. Louisiana Veterinary Medical Diagnostic Laboratory, Box 16570-A, Baton Rouge, LA 70893, (225) 346-3193.

F. Location. Louisiana Veterinary Medical Diagnostic Laboratory, School of Veterinary Medicine, LSU Campus, Baton Rouge, (Corner of South Stadium and River Road).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:141.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:459 (December 1976), amended LR 14:365 (June 1988).

§107. Game Breeder's License

A. This commission regulation established general requirements, minimum pen specifications and animals that will be permitted under the game breeder's license to read as follows.

B. Minimum Pen Specifications and Requirements for Game Quadrupeds and Birds. The pen dimensions and specifications described herein are minimum requirements for permanent exhibit and commercial facilities. It must be emphasized that these are minimum standards and the optimum conditions for most animals would include dimensions several times greater than those cited. Game breeders should also recognize and provide for any unique requirements of the species they possess. In addition to the following pen specifications, all pens must have adequate sanitation as well as appropriate feeding and watering facilities.

1. Waterfowl (ducks, geese, swans and coots endemic to North America)

a. Ducks and Coots

i. Exhibit Purposes—100 square feet with 25 percent in water area for up to four birds; increase pen size by 25 square feet for each additional bird with one-fourth of this increase being in water area.

ii. Commercial Operation—up to 6 weeks old; 1 square foot per duck; over 6 weeks old; 3 square feet per duck.

b. Geese—150 square feet per goose.

2. Doves (order columbiformes endemic to North America except rock dove, i.e., domestic pigeon)

a. Single Bird—3 feet by 2 feet by 5 feet high.

b. Community Group—large enough to fly or at least 8 feet in diameter.

3. Game Birds (ringneck pheasant, chukar, and various quail, grouse and partridge endemic to North America)

a. Exhibit Purposes—20 square feet per bird.

b. Commercial Operation:

i. quail: 1-10 days old—9 chicks per square foot; 10 days-6 weeks old—6 chicks per square foot; 6 weeks and older—3 birds per square foot; 1 breeding pair per square foot;

NOTE: If only pharaoh quail are to be kept, then the game breeder's license is not required.

ii. pheasants and chukar, grouse and partridge—1-10 days old—6 chicks per square foot; 10 days-6 weeks old—4 chicks per square foot; 6-14 weeks old—1 bird per 4 square feet; 1 breeding pair per 8 square feet.

4. Wild Turkeys* (license will not be issued). It is unlawful to take from the wild or possess in captivity any live wild turkeys or their eggs. No pen-raised turkeys from within or without the state shall be liberated (released) within the state.

5. Hawk, Falcons. Refer to federal raptor facilities specifications.

6. Squirrels (gray, fox, red, flying and others endemic to North America)

a. Single Animal—3 feet long by 3 feet wide by 4 feet high.

b. Additional Animals—add 6 inches more in length per additional animal; several limbs, nest box.

c. Due to the inherent tendency of these animals to bite people, it is further required that applicants provide a certificate of good health from a licensed veterinarian stating that the squirrels do not show symptoms of rabies.

7. Rabbits (cottontail, swamp and wild hares endemic to North America)

a. Single Animal—6 feet long by 3 feet wide by 3 feet high; gnawing logs; den or retreat.

b. Additional Animals—add 1 foot in length per animal.

8. Whitetail Deer or Other North American Deer

a. Except as specified herein, licenses will not be issued. Licenses will not be issued unless pens are completed and complete applications are received in the Wildlife Division Baton Rouge Office by 4:30 p.m. October 4, 2002. Pens must be inspected before a license will be issued. If at the time of inspection, pens do not meet the requirements of this rule, a license will not be issued and the application will not be reconsidered. Persons with valid licenses issued prior to this prohibition will be "grandfathered" and licenses may be renewed if all requirements are met. Licenses cannot be transferred beyond immediate family (father, mother, brother, sister, husband, wife, son and daughter). A license may be transferred to an immediate family member only if the pen remains in the original location. Qualified zoos, educational institutions and scientific organizations may be exempted on a case by case basis.

b. No license will be issued in metropolitan or urban areas. A rural environment is required to keep these animals. Qualified zoos, educational institutions and scientific organizations will be exempted on a case by case basis.

c. Single Animal—5,000 square feet paddock or corral (for example—50 feet wide x 100 feet long); increase corral size by 2,500 square feet for each additional animal; shelter required. Pen site must be well drained so as to prevent extended periods of standing water.

d. Materials—Chain link or other satisfactory woven wire, 12 gauge minimum, 8 feet high minimum. Welded wire is not acceptable.

e. Licensed game breeders are required to report all deaths of deer to a regional Wildlife Division Office within 48 hours of the time of death and preserve the carcass as instructed by the Wildlife Division, but are encouraged to report the death sooner if possible.

9. Elk* (license will not be issued). Single Animal—5,000 square feet paddock or corral; increase corral size by 50 percent for each additional animal; barn, shaded or protected area attached to or adjoining corral fence, 9 gauge chain link or woven wire; 8 feet high. Welded wire is not acceptable.

a. Regulation of elk is under jurisdiction of the Louisiana Department of Agriculture and Forestry by Act 41 of the 1992 Legislative Session.

*NOTE: Valid game breeder's license holders for these species legally possessed prior to October 1, 1988, will be "grandfathered" and renewed annually until existing captive animals expire, or are legally transferred out of state or to a suitable public facility. No additional animals may be acquired. This position by the department is necessary due to the ability of these animals to cause serious physical injury to the owner or other innocent bystanders and/or their potential to transmit disease to wildlife or livestock. Qualified educational institutions, municipal zoos or scientific organizations will be exempted to this provision on a case-by-case basis.

10. Other Game Quadrupeds and Birds. Other game quadrupeds and birds endemic to North America may not be kept without approval of the Wildlife Division. Pen specifications for animals not listed will be developed by the Wildlife Division as needed.

C. General Requirements

1. General Rules

a. Game quadrupeds and birds cannot be taken from the wild, nor can domesticated game quadrupeds or birds be released into the wild except as provided on licensed hunting preserves, and as provided by valid bird-dog training permit, field trial permit or federal falconry permit.

b. Game breeders can only keep those classes of animals for which they have been approved. If an applicant desires to keep additional classes of animals, the facilities for those animals must be approved prior to obtaining the new animals.

2. Application Requirements

a. A game breeder's license must be issued before any game quadrupeds (deer, rabbits, squirrels, etc.) are obtained. In the case of game birds, waterfowl, or doves a buyer has 30 days after acquisition of the first bird to either apply for a license or slaughter all the birds. In either case, the buyer must possess a valid bill of sale containing the seller's permit number, date of sale, and number of birds sold. The buyer cannot resell live birds until a game breeder's license is obtained. If the application for a game breeder's license is denied, the applicant must dispose of any birds in possession as instructed by the department.

b. An applicant or licensee must comply with pen specifications. Applicants for waterfowl, doves, game birds, squirrels and rabbits must submit a form verifying their facilities meet or exceed the described pen specifications. Their facilities may require inspection at the biologist's discretion. All pens built for raising deer, birds of prey and potentially dangerous animals are required to be inspected prior to issuance of a license.

c. All applicants for a game breeder's license for deer and potentially dangerous animals must submit:

i. a signed waiver statement holding the Department of Wildlife and Fisheries and its employees harmless for liability as a result of issuing a game breeder's license. Licenses will only be issued to those applicants who are willing to accept full responsibility and liability for any damages or injuries resulting from their animals or activities as a licensed game breeder of domesticated wildlife in Louisiana;

ii. a written plan of action for the recapture of an escaped animal must be submitted and approved by the department before the application is processed. The plan of action should include:

(a). equipment;

(b). personnel;

(c). recovery techniques; and

(d). method of mitigation payments for damages caused by the escaped animal.

d. This information is necessary because the Department of Wildlife and Fisheries will not provide these services.

3. Records and Inspections

a. All applicants and licensees are required to have a bill of sale for each animal acquired. Except for sales of game birds, waterfowl, or doves of 10 or fewer birds per buyer, per 24-hour period, license holders must keep records of all animals sold or transferred including names and addresses of persons to whom they were sold or transferred. An annual report detailing animals in possession and all transactions must be submitted annually with license renewal application.

b. License holders must allow inspections of premises by Department of Wildlife and Fisheries employees for purposes of enforcing these regulations. Inspections may be unannounced and may include but are not limited to, pens, stalls, holding facilities, records, and examination of animals as necessary to determine health and/or identification of species.

4. Hunting. Hunting or killing of confined deer or other big game animals held under a game breeder's license by individuals other than the licensee must conform to all hunting regulations including season and hunting license requirements for the area in which the animals are confined. A game breeder licensee may at any time, during daylight hours, kill a confined deer or other big game animal at the licensee's own facility.

5. Administrative Fees. An inspection fee of $50 will be assessed when a pen is inspected as part of the application process as required for birds of prey, deer and potentially dangerous animals. A license renewal processing fee of $5 will be assessed annually. These fees are in addition to the $25 required for the game breeder's license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:171.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 14:631 (September 1988), amended LR 18:1134 (October 1992), LR 21:1355 (December 1995), LR 29:196 (February 2003).

§111. Rules and Regulations for Participation in the Deer Management Assistance Program

A. The following rules and regulations shall govern the Deer Management Assistance Program.

1. Application Procedure

a. Application for enrollment of a new cooperator in the Deer Management Assistance Program (DMAP) must be submitted to the Department of Wildlife and Fisheries by August 1. Application for the renewal enrollment of an active cooperator must be submitted to the Department of Wildlife and Fisheries annually by September 1.

b. Applicants will select from 1 of 4 levels of DMAP participation. Level 1 participation is limited to qualifying clubs of 1000 acres or more, and will require collection of complete harvest data, including jaw bone removal, weights, antler measurements, and checking females for lactation. Issuance of both antlered and antlerless tags will be mandatory. Level 2 participation is limited to clubs with 500 acres or more and will also require collection of complete harvest data. Antlerless tags only will be issued unless antlered tags are specifically requested and needed to meet harvest objectives. Level 3 participation will be for tracts of 40 acres or larger, and only require recording the total number of male and female deer harvested. Only antlerless tags are available. licensed deer farmers authorized to hunt deer by Department of Agriculture and Forestry and Department of Wildlife and Fisheries are eligible to participate in this level. Level 4 participation will only require recording the total number of male and female deer harvested and is only available for nuisance deer issues such as crop or lawn depredation. Only antlerless tags will be issued. There is no acreage minimum for level 4.

c. Each application for a new cooperator must be accompanied by a legal description of lands to be enrolled and a map of the property. Renewal applications must be accompanied by a legal description and map only if the boundaries of the enrolled property have changed from records on file from the previous hunting season. This information will remain on file in the appropriate ecoregion field office.

d. Fee schedule:

i. tier 1—fee dependent on acreage:

(a). 1,000-1,500 acres—$250;

(b). 1,501-10,000 acres—$300;

(c). 10,001-20,000 acres—$500;

(d). 20,001-50,000 acres—$1,500;

(e). 50,001-75,000 acres—$2,500;

(f). >75,000 acres—$3,750 minimum, to be negotiated;

ii. tier 2—fee dependent on acreage:

(a). 500-1,500 acres—$150;

(b). 1,501-10,000 acres—$200;

(c). 10,001-20,000 acres—$500;

(d). 20,001-50,000 acres—$1,500;

(e). 50,001-75,000 acres—$2,500;

(f). >75,000 acres—$3,750 minimum, to be negotiated;

iii. tier 3—fee dependent on acreage:

(a). 40-500 acres—$100;

(b). 501-1,500 acres—$150;

(c). 1,501-10,000 acres—$200;

(d). 10,001-20,000 acres—$500;

(e). 20,001-50,000 acres—$1,500;

(f). 50,001-75,000 acres—$2,500;

(g). >75,000 acres—$3,750 minimum, to be negotiated;

iv. tier 4—no acreage minimum, no fee.

e. DMAP fees must be paid to the Department of Wildlife and Fisheries Fiscal Section prior to September 15.

f. An agreement must be completed and signed by the official representative of the cooperator and submitted to the appropriate ecoregion field office for approval. This agreement must be completed and signed annually.

g. Boundaries of lands enrolled in DMAP shall be clearly marked and posted with DMAP signs in compliance with R.S. 56:110 and the provisions of R.S. 56:110 are only applicable to property enrolled in DMAP. DMAP signs shall be removed if the land is no longer enrolled in DMAP. Rules and regulations for compliance with R.S. 56:110 are as follows.

i. The color of DMAP signs shall be orange. The words “DMAP” and “posted” shall be printed on the sign in letters no less than four inches in height. Signs may be constructed of any material and minimum size is 11 1/4" x 11 1/4."

ii. Signs will be placed at 1000 foot intervals around the entire boundary of the property and at every entry point onto the property.

h. By enrolling in the DMAP, cooperators agree to allow department personnel access to their lands for management surveys, investigation of violations and other inspections deemed appropriate by the department. The person listed on the DMAP application as the contact person will serve as the liaison between the DMAP cooperator and the department.

i. Each cooperator that enrolls in DMAP is strongly encouraged to provide keys or lock combinations annually to the enforcement division of the Department of Wildlife and Fisheries for access to main entrances of the DMAP property. Provision of keys is voluntary. However, the cooperator's compliance will ensure that DMAP enrolled properties will be properly and regularly patrolled.

j. Large acreage ownerships (>10,000 acres) may further act as cooperators and enroll additional non-contiguous tracts of land deemed sub-cooperators. Sub-cooperators shall be defined by the large acreage ownerships lease agreements. Non-contiguous sub-cooperator lands enrolled by large acreage ownerships will have the legal description and a map included for those parcels enrolled as sub-cooperators. Sub-cooperators shall be subject to the same requirements, rules and regulations as cooperators.

k. The department may grant season extensions to hunt deer with any legal weapon, up to either 15 days prior to or after the established season framework for the regular deer area season, if requested by the DMAP level 1 cooperator in order to fulfill property-specific objectives and goals if biological reasons and limitations exist that support such extensions. Additionally, the department may grant season extensions to hunt rabbits and squirrels by any legal means for up to 10 days after the established rabbit and squirrel season framework, if requested by the DMAP level 1 cooperator in order to fulfill property-specific objectives and goals if biological reasons and limitations exist that support such extensions.

2. Tags

a. A fixed number of special tags will be provided by the department to each cooperator/sub-cooperator in DMAP to affix to deer taken as specified by the program participation level. These tags shall be used during all seasons. Tags are only authorized on DMAP lands for which the tags were issued.

b. Each hunter must have a tag in his possession while hunting on DMAP land in order to harvest an antlerless deer (or antlered deer if antlered deer tags are issued). Antlerless deer may be harvested any day of the deer season on property enrolled in DMAP provided a DMAP tag is possessed by the hunter at time of harvest. The tag shall be attached through the hock in such a manner that it cannot be removed before the deer is transported. The DMAP tag will remain with the deer so long as the deer is kept in the camp or field, is enroute to the domicile of its possessor, or until it has been stored at the domicile of its possessor, or divided at a cold storage facility and has become identifiable as food rather than as wild game. The DMAP number shall be recorded on the possession tag of the deer or any part of the animal when divided and properly tagged.

c. DMAP tagged antlered or antlerless deer harvested on property enrolled in DMAP do not count in the daily or season bag limit.

d. All unused tags shall be returned by March 1 to the ecoregion field office which issued the tags.

3. Records

a. Cooperators/sub-cooperators are responsible for keeping accurate records on forms provided by the department for all deer harvested on lands enrolled in the program. Mandatory information includes tag number, sex of deer, date of kill, name of person taking the deer, LDWF i.d. number and biological data (age, weight, antler measurements, lactation) as deemed essential by the Department of Wildlife and Fisheries Deer Section. Biological data collection must meet quality standards established by the Deer Section. Documentation of mandatory information shall be kept daily by the cooperator/sub-cooperator. Additional information may be requested depending on management goals of the cooperator/sub-cooperator.

b. Information on deer harvested shall be submitted by March 1 to the ecoregion field office handling the particular cooperator/sub-cooperator.

c. The contact person shall provide this documentation of harvested deer to the department upon request. Cooperators/sub-cooperators who do not have a field camp will be given 48 hours to provide this requested documentation.

B. Suspension and cancellation of DMAP Cooperators/Sub-Cooperators

1. Failure of the cooperator/sub-cooperator to follow these rules and regulations may result in suspension and cancellation of the program on those lands involved. Failure to make a good faith attempt to follow harvest recommendations may also result in suspension and cancellation of the program.

a. Suspension of cooperator/sub-cooperator from DMAP. Suspension of the cooperator/sub-cooperator from DMAP, including forfeiture of unused tags, will occur immediately for any misuse of tags, failure to tag any antlerless deer, or failure to submit records to the department for examination in a timely fashion. Suspension of the cooperator/sub-cooperator, including forfeiture of unused tags, may also occur immediately if other DMAP rules or wildlife regulations are violated. Upon suspension of the cooperator/sub-cooperator from DMAP, the contact person may request a Department of Wildlife and Fisheries hearing within 10 working days to appeal said suspension. Cooperation by the DMAP cooperator/sub-cooperator with the investigation of the violation will be taken into account by the department when considering cancellation of the program following a suspension for any of the above listed reasons. The cooperator/sub-cooperator may be allowed to continue with the program on a probational status if, in the judgment of the department, the facts relevant to a suspension do not warrant cancellation.

b. Cancellation of cooperator/sub-cooperator from DMAP. Cancellation of a cooperator/sub-cooperator from DMAP may occur following a guilty plea or conviction for a DMAP rule or regulation violation by any individual or member hunting on the land enrolled in DMAP. The

cooperator/sub-cooperator may not be allowed to participate in DMAP for one year following the cancellation for such guilty pleas or conviction. Upon cancellation of the cooperator/sub-cooperator from DMAP, the contact person may request an administrative hearing within 10 working days to appeal said cancellation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:110.1 and R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:204 (February 1991), amended LR 25:1656 (September 1999), LR 26:2011 (September 2000), LR 30:2496 (November 2004), LR 34:1427 (July 2008), LR 35:1910 (September 2009), LR 37:2187 (July 2011), repromulgated LR 37:2753 (September 2011), amended LR 39:2292 (August 2013), LR 41:1123 (June 2015), LR 46:704 (May 2020).

§113. Fox/Coyote Hunting Preserve, Purchase and Sale of Live Foxes and Coyotes, Permitting Year-Round Coyote Trapping

A. Purpose. These regulations are to govern the purchasing, selling and holding in captivity of live foxes and coyotes for chasing with hounds. These regulations will prohibit the importation and exportation of any species of foxes or coyotes to or from Louisiana in an effort to prevent possible disease and parasite contamination of native wild canids. Humans are subject to infection with the liver being the most common site of larval growth. The infection is termed alveolar hydatid disease (AHD). The number of deaths per number of infected individuals has been 50-75 percent. These regulations are also enacted to allow the sport of fox/coyote hunting with dogs within enclosed areas. The regulations provide general rules including licensing, permits, fees, live trapping, sale and purchase of animals, holding cage requirements, enclosure requirements, acclimation requirements and report requirements.

B. Definitions

Acclimation Pen—an area which is built within or adjacent to fox/coyote hunting preserves which will contain game and exclude hounds and which will allow game to become acclimated to an enclosed environment.

Bill of Sale—receipt showing the amount of game purchased, the date of purchase, and the person from whom the game was purchased.

Bona Fide Resident—any person who has resided in the state of Louisiana continuously during the 12 months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile as demonstrated with all of the following, as applicable.

a. If registered to vote, he is registered to vote in Louisiana.

b. If licensed to drive a motor vehicle, he is in possession of a Louisiana registration for that vehicle.

c. If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.

d. If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

e. As to a corporation or other legal entity, a resident shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than 50 percent of the offices, partners, or employees are domiciled in Louisiana.

Box Trap—a drop-door type of trap that upon the game's entry into the device encloses and detains the game.

Closed Season—that period of time of the calendar year not specifically included in the open season.

Department—the Louisiana Department of Wildlife and Fisheries.

Enclosure—(see *fox/coyote hunting preserve*).

Fox/Coyote Hunting Preserve—an area which is completely enclosed by adequate fencing to contain game and hounds which is built and maintained for the purpose of training or chasing game with hounds.

Fox/Coyote Hunting Preserve Operator—anyone acting as an agent of the owner in caring for or managing the maintenance and/or business of the preserve.

Game—any red fox or grey fox or coyote stocked in a fox/coyote hunting preserve for the purpose of dog training and/or chasing with hounds.

Hunting Preserve Owner—anyone who legally has possession or has legally leased property on which the enclosure is established.

LDWF-Approved Applicant—a person who has had no major wildlife or fish violations during the past three years, who has a minimum of two years of trapping experience and who is at least 15 years old.

Landowner—any person who owns land on which traps are set.

Licensee—any resident or nonresident lawful holder of an effective license duly issued under the authority of the department.

Nongame Quadruped—alligators, beavers, bobcats, coyotes, grey foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks and other wild quadrupeds valuable for their furs or skins.

Nongame Quadruped Breeder—any person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds.

Nongame Quadruped Exhibitor—any person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.

Nontarget Animal—any animal other than red fox, grey fox or coyote.

Permittee—any person who has obtained a valid permit from the department for trapping coyotes during the closed season.

Person—includes any individual person, association, corporation, partnership, or other legal entity recognized by law.

Possess—in its different tenses, the act of having in possession or control, keeping, detaining, restraining, holding as owner, or as agent, bailee, or custodian for another.

Raising—the production of red fox, grey fox, or coyotes in controlled environmental conditions or in outside facilities.

Rearing—(see *raising*).

Relaxing Lock—locking device on a snare that loosens and tightens in response to the game's action.

Resident—(see *bona fide resident*).

Snare—wire device used for taking nongame quadrupeds.

Soft Catch™—trap (manufactured by Woodstream Corporation), no modifications.

Take—in its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

Transport—in its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

Trap—any device used in the capture of birds, quadrupeds or fish.

Trapper—any person properly licensed by the department engaged in the trapping of nongame quadrupeds.

C. Licenses, Permits and Fees. The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of Title 56, or as prescribed in these regulations, and are:

1. $10 for a resident nongame quadruped exhibitor's license;

2. $25 for a resident nongame quadruped breeder license;

3. $25 for a resident trappers' license;

4. $25 for an annual special permit which may be issued to a Department of Wildlife and Fisheries approved applicant [authority granted by Louisiana laws pertaining to Wildlife and Fisheries, R.S. 56:123(C)] for the trapping of coyotes only, outside of the annual trapping season. In order for the permittee to sell live coyotes, he must also possess a nongame quadruped breeder's license ($25) (R.S. 56:262.1) and a valid trapping license;

5. upon payment of $10 a nongame quadruped exhibitor's license may be issued permitting the applicant to breed and/or exhibit such animals provided he meets the rules and regulations of the department;

6. upon payment of $25 a nongame quadruped breeder license may be issued permitting the applicant to breed, propagate, exhibit, and sell such animals alive.

D. General Rules

1. No person shall take, possess, purchase or sell live foxes or coyotes, except as provided in these regulations and R.S. Title 56.

2. No person shall hold in captivity any live foxes or coyotes, except as provided in these regulations and R.S. Title 56.

3. Fox/coyote hunting preserves shall be of a type and construction such that it will insure the normal containment of foxes, coyotes and hounds.

4. Fox/coyote hunting preserves shall contain an adequate number of escape areas which are houndproof. These may be provided by maintaining thickets, brush piles, windrows, or where natural cover is insufficient, by providing manmade escapes such as culverts or houndproof feeding stations.

5. The owners of fox/coyote hunting preserves shall be required to make available to the game:

a. food that is palatable, uncontaminated and nutritionally adequate to ensure normal growth and maintenance;

b. water which is fresh, uncontaminated and available at all times.

6. No person shall transport, possess, purchase or sell any live foxes or coyotes taken outside the state of Louisiana. Live foxes and coyotes obtained from outside the state of Louisiana prior to the enacted date of these regulations and in possession of properly licensed persons shall be exempt.

7. No person shall transport from the state or offer for sale out of state any live foxes or coyotes.

8. Acclimation pens shall be constructed adjacent to or within an enclosure to insure the containment of foxes and coyotes and the exclusion of hounds. This requirement may be waived for "training enclosures" or in enclosures where running is discontinued for a minimum of two weeks while foxes/coyotes adjust to the enclosure environment.

9. No person may engage in the business of raising or exhibiting or otherwise possessing fox or coyotes for the purpose of operating a fox/coyote hunting preserve unless he or she has acquired and possesses a valid nongame quadruped breeder or exhibitor license.

10. A licensed trapper may offer for sale such live animals to any licensed nongame quadruped breeder or exhibitor during the open trapping season. During any such transactions, a bill of sale must be provided by the trapper to the nongame breeder or exhibitor and retained for a period of one year.

11. Permittees (trapping coyotes during the closed trapping season) will be required to use only the "soft catch" type trap not to exceed a size number 1 1/2, or a box-type trap, or a snare with a relaxing lock.

12. Permittees trapping coyotes during the closed trapping season and licensed as a nongame quadruped breeder may offer for sale such coyotes. During any such transaction, a bill of sale must be provided by the seller to the purchaser and retained for a period of one year by the purchaser.

13. It shall be unlawful to trap coyotes during the closed trapping season without a permit issued by the department.

14. Permittees will be required to check traps daily.

15. Permittees will be required to have in possession written permission from the landowners or lessee where traps are set.

16. Permittees shall release all nontarget species in a manner so as to keep stress or injury minimal.

17. It shall be unlawful to sell native wild foxes or coyotes outside the state of Louisiana.

18. Trappers and permittees who hold game for more than one day for sale shall confine animals at a rate of no more than one fox per 9 square feet and one coyote per 17 square feet. The cage must be high enough for each animal to easily sit or stand. The cage must be escape-proof and offer protection from adverse weather.

19. Fox/coyote hunting preserves shall be exempt from the commission action which prohibits the running of coyotes during the open turkey season.

20. The Department of Wildlife and Fisheries has the authority to conduct disease investigations at any time and, pending the results of the disease investigations, has the authority to quarantine fox/coyote hunting preserves if deemed necessary. The department also has the authority to prohibit the release of animals that are diseased or have been exposed to diseased animals.

21. The owners of fox/coyote hunting preserves shall be required to immediately report to the department the occurrence of any disease contracted by captive fox or coyotes. These diseases include but are not limited to rabies, canine distemper, sarcoptic mange or *Echinococcus* infections.

E. Report Requirements

1. Report forms provided by the department must be completed and filed with the department by all persons who have been issued a nongame quadruped breeder or exhibitor license or who have been issued a special permit allowing the trapping of coyotes only in the closed season in accordance with this Subsection. Reports shall include but not be limited to the information specified in R.S. 56:262.1(d). Failure to complete these forms properly and completely will result in nonrenewal of the nongame quadruped breeder or exhibitor license.

2. All licensed nongame quadruped exhibitors will be required to include information regarding numbers of animals by species in captivity, number of known losses (death or escape), number of animals by species purchased and the sources of game purchases.

3. All licensed nongame quadruped breeders will be required to include information regarding numbers of animals by species in captivity, numbers of losses, numbers of animals by species purchased and the sources of game purchases, and number of sales by species and the person who bought the game.

F. Penalty for Violation. Violation of these regulations will be a Class 2 violation with the following exceptions.

1. Violation of the license requirements for nongame quadruped breeders and nongame quadruped exhibitors shall be a Class 3 violation (see §113.C.1, 2, and D.2).

2. Violation of the reporting requirements shall be a Class 3 violation (see §113E.1-3).

3. Violation of the regulations pertaining to import of foxes and/or coyotes into the state or export of foxes and/or coyotes from the state shall be a Class 4 violation (see §113.D.6-7).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:123(C) and R.S. 56:262.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:205 (February 1991).

§115. Possession of Potentially Dangerous Wild Quadrupeds, Big Exotic Cats, and Non-Human Primates

A. This commission finds that possession of certain potentially dangerous quadrupeds, big exotic cats, and non-human primates poses significant hazards to public safety and health, is detrimental to the welfare of the animals, and may have negative impacts on conservation and recovery of some threatened and endangered species.

1. The size and strength of such animals in concert with their natural and unpredictable and/or predatory nature can result in severe injury or death when an attack upon a human occurs. Often such attacks are unprovoked and a person other than the owner, often a child, is the victim. Furthermore, there is no approved rabies vaccine for such animals, so even minor scratches and injuries inflicted upon humans or other animals could be deadly.

2. Responsible possession of these potentially dangerous wild quadrupeds, big exotic cats, and non-human primates necessitates that they be confined in secure facilities. Prolonged confinement is by its nature stressful to these animals and proper long-term care by experienced persons is essential to the health and welfare of these animals and to society.

3. Certain of these animals are listed as endangered species and others are so similar in appearance to endangered subspecies as to make practical distinction difficult. This similarity of appearance may provide a means

to market illegally obtained endangered animals and can limit the effective enforcement of endangered species laws.

B. This commission regulation prohibits importation and private possession, and otherwise regulates certain wild quadrupeds, big exotic cats, and non-human primates as provided herein.

C.1. Except as provided herein, it shall be unlawful to import into, possess, purchase or sell within the state of Louisiana, by any means whatsoever including but not limited to transactions conducted via the internet, any of the following species or its subspecies of live wild quadrupeds, big exotic cats, or non-human primates, domesticated or otherwise (hereinafter "listed animals"):

a. black bear (*Ursus americanus*);

b. grizzly bear (*Ursus arctos*);

c. polar bear (*Ursus maritimus*);

d. red wolf (*Canis rufus*);

e. gray wolf (*Canis lupus*);

f. wolf dog hybrid (*Canis lupus* or *Canis rufus x Canis familiarus*);

g. all non-human primates;

h. the following big exotic cats:

i. tigers;

ii. lions;

iii. leopards (including, but not limited to snow leopard and clouded leopard);

iv. jaguars;

v. cheetahs;

vi. cougars or mountain lions (*Felis concolor*);

vii. all subspecies of the above listed exotic cats;

viii. hybrids resulting from cross breeding of the above listed exotic cats.

2. Holders of a potentially dangerous wild quadruped permit allowing possession of any listed animal, where the permit is valid on the effective date of this regulation, will be "grandfathered" and the permit will be renewed annually until existing permitted captive animals expire, or are legally transferred out of state, or are transferred to a suitable facility. No additional listed animals may be acquired by any means whatsoever, including breeding.

D.1. Wolf-Dog Hybrids. The prohibition against wolf-dog hybrids expired January 1, 1997. Persons are cautioned that local ordinances or other state regulations may prohibit possession of these animals. Any animal which appears indistinguishable from a wolf, or is in any way represented to be a wolf shall be considered to be a wolf in the absence of bona fide documentation to the contrary.

E. Exempted Entities. The following organizations and entities shall be exempt from this regulation, including permitting:

1. zoos accredited or certified by the American Zoo and Aquarium Association (AZA) and the Zoo of Acadiana so long as it meets the American Zoo and Aquarium Association standards for enclosures;

2. research facilities as defined in the Animal Welfare Act as found in the *United States Code* title 7, chapter 54, §2132(e), including but not limited to the University of Louisiana at Lafayette Primate Center, the Tulane National Primate Research Center, and Chimp Haven, Inc., located in Shreveport, LA; and

3. any person transporting any listed animal through the state if the transit time is not more than 24 hours and the animal is at all times maintained within a confinement sufficient to prevent escape and contact with the public. Exhibiting the listed animal, in any manner, is prohibited;

4. circuses, limited to those temporarily in this state, offering varied performances by live animals, clowns, and acrobats for public entertainment, and which are incorporated class C licensees under chapter I of title 9 of the *Code of Federal Regulations*. Notwithstanding the above, circuses do not include entertainment that includes any listed animal in any type of wrestling, photography opportunity with a patron, or an activity in which any listed animal and a patron are in close contact with each other;

5. Louisiana colleges or universities, for possession of a big exotic cat of the species traditionally kept by that college or university as a school mascot, after proper documentation to the department that the college or university has consistently over the years possessed a big exotic cat as its mascot.

F. Permitted Entities. The following organizations and entities may be exempted from this regulation after applying for and receiving a permit from the department to possess any listed animal under the following conditions:

1. other zoos and educational institutions not covered under Paragraphs E.1-2 above. The secretary shall determine whether to issue a permit and any conditions for the permit on a case by case basis. A *zoo*, for purposes of this Subsection, is defined as a publicly or municipally owned permanent institution which owns and maintains multiple species of wildlife, under the direction of at least one full-time professional staff member who possesses an appropriate body of knowledge and experience in zoological park management, provides its animals with appropriate care, exhibits the animals to the public on a regular basis, and has as its primary mission the exhibition, conservation, and preservation of animals in an educational and scientific manner:

a. any entity that has submitted to the department on or before July 1, 2014 an application as an other zoo or educational institution under this Subsection shall not be required to be publicly or municipally owned. Should a permit be granted under this exception, future permits shall

be likewise exempted, provided that a permit had been issued for the immediately preceding year;

2. animal sanctuaries accredited or certified by the American Zoo and Aquarium Association (AZA). Permitted sanctuaries are prohibited from exhibiting, breeding, or selling any listed animal. Listed animals must be surgically sterilized or separately housed to prevent breeding. Listed animals must be housed in such a manner as to prevent public contact and in compliance with the enclosure rules provided herein in Subsection I. Permitted animal sanctuaries are prohibited from transporting these animals to any public building or place where they may come into contact with the public including, but not limited to schools, hospitals, malls, private residences, or other commercial or retail establishments.

G. Non-Human Primates

1. As provided below, the following individuals may be exempted from this regulation after applying for and receiving a permit from the department to possess a non-human primate. The permit will be for one year and must be renewed annually under the following conditions:

a. an individual who legally possesses one or more non-human primates immediately prior to the effective date of this regulation and who can prove legal ownership is authorized to keep those non-human primates but is prohibited from acquiring any additional non-human primates by any means whatsoever, including breeding;

b. the individuals listed in this Subsection must annually apply for and receive a permit from the department. The permit application shall include:

i. the name, address, telephone number, and date of birth of applicant;

ii. a description of each non-human primate applicant possesses, including the scientific name, sex, age, color, weight, and any distinguishing marks;

iii. a photograph of each non-human primate and its permanent enclosure;

iv. the physical location where the non-human primate is to be kept;

v. proof of legal ownership. (Proof of legal ownership includes original purchase documents, veterinary records, or other documentation, acceptable to the department demonstrating ownership);

vi. the microchip or tattoo number of each non-human primate;

vii. a health certificate signed by a licensed veterinarian within one year prior to the date of the application stating that the animal is free of all symptoms of contagious and/or infectious diseases at the time of the examination and that all appropriate tests and preventative measures have been performed as deemed necessary by the veterinarian;

viii. a signed release statement, on a form provided by the department, agreeing to abide by permit terms and to cooperate with LDWF personnel;

ix. a signed agreement, on a form provided by the department, indemnifying and holding harmless the state, department, and other applicable public agencies and employees, including agents, contractors, and the general public from any claims for damages resulting from the non-human primate(s);

x. a signed agreement that the permittee will be responsible for any and all costs associated with the escape, capture, and disposition of the non-human primate(s);

c. the department shall only accept applications for possession of non-human primates from individuals who have not previously possessed a permit until June 30, 2015. Thereafter, permits will only be issued for the possession of non-human primates to those individuals who were permitted in the immediately preceding year and who meet all applicable requirements of this Section.

2. Permittee must allow inspections of premises by Department of Wildlife and Fisheries employees for purposes of enforcing these regulations. Inspections may be unannounced, and may include, but are not limited to, pens,stalls, holding facilities, records, and examination of animals necessary to determine species identification, sex, age, health, and/or implanted microchip number.

3. Permit holders must house their non-human primates in such a manner as to prevent public contact and are prohibited from transporting their non-human primate to any public building or place where the public may come into contact with the non-human primate, including, but not limited to schools, hospitals or malls.

4. Permit holders must have their non-human primates examined annually by a licensed veterinarian to insure that the animal is free of all symptoms of contagious and/or infectious diseases at the time of examination and all appropriate tests and preventative measures have been performed as deemed necessary by the veterinarian.

5. Permit holders are required to report any escapes to the department within 24 hours of discovery of the escape.

6. Permit holders are required to submit any changes to the permit information provided in the permit application within 30 days of the date those changes take effect or the permit will be considered invalid.

H. Big Exotic Cats. A person who has continually possessed in Louisiana an exotic cat listed in Subparagraph C.1.h. above on August 15, 2006 (the effective date of Act 715 of the Regular Session of 2006) and who obtained the exotic cat by lawful means may continue to possess the exotic cat under the following conditions.

1. No more than one exotic cat meeting this Rule will be permitted. Additional exotic cats cannot be acquired by any means whatsoever, including breeding.

2. A permit will only be issued to the individual who owns the exotic cat or to an individual who is a designee of the owner, where the owner is not an individual. If the permittee is a designee, the individual must agree to comply with all requirements of the permit and these rules.

3. The individuals listed in this Subsection must annually apply for and receive a permit from the department. The permit application shall be on a form provided by the department and require:

a. the name, address, telephone number, driver's license number, and date of birth of applicant;

b. a description of the exotic cat applicant possesses, including the scientific name, sex, age, color, weight, and any distinguishing marks;

c. one or more photographs of the exotic cat and its permanent enclosure;

d. the physical location where the exotic cat is to be kept;

e. proof of ownership of the exotic cat on August 15, 2006. Proof of ownership includes original purchase documents, veterinary records, or other documentation, acceptable to the department, demonstrating ownership;

f. the microchip number of the exotic cat;

g. a health certificate signed by a licensed veterinarian within one year prior to the date of the application. The certificate shall include the name, address, and license number of the examining veterinarian;

h. a written plan for the quick and safe recapture or destruction in the event of the escape of the exotic cat listed in the permit. This plan must also be filed with the local sheriff's department, and police department if applicable;

i. statement that permittee has legal authority to possess weapons and/or other equipment necessary to carry out the plan provided in Subparagraph H.2.h;

j. signed agreement, on a form provided by the department, indemnifying and holding harmless the state, department, and other applicable public agencies and employees, including agents, contractors, and the general public from any claims for damages resulting from the permitted exotic cat;

k. signed agreement that the permittee will be responsible for any and all costs associated with the escape, capture, and disposition of the permitted exotic cat;

l. proof of liability insurance from an A-rated or higher insurance company in the amount of $100,000, valid and effective continuously for the entire permit term. The policy shall specifically include a provision requiring notice from the carrier to the secretary of the department a minimum of 30 days prior to cancellation of the policy.

4. Permittee or designee must live on the premises or permittee and designees must provide continuous on-site monitoring of the exotic cat. Designee(s) must have the ability to carry out all requirements of the permittee.

5. Permittee must allow inspections of premises by Department of Wildlife and Fisheries employees for purposes of enforcing these regulations. Inspections may be unannounced, and may include, but are not limited to, pens, stalls, holding facilities, records, and examination of animals necessary to determine species identification, sex, age, health, and/or implanted microchip number.

6. A weapon capable of destroying the animal and a long range delivery method for chemical immobilization shall be kept on the premises at all times. Additionally, the applicant shall provide a signed statement from a licensed veterinarian identifying a designated veterinarian who will be on-call and available at all times to deliver chemical immobilization in the event of an escape.

7. Clearly legible signs, approved by the department, shall be posted and displayed at each possible entrance onto the premises where the permitted exotic cat is located. The signs shall clearly state "Danger, Wild Animal On Premises" with letters of a size and font easily readable from 30 feet away.

8. The permitted exotic cat must be implanted with a microchip by or under the supervision of a licensed veterinarian.

9. The permitted exotic cat must remain in its enclosure on the property listed in the permit at all times and cannot be removed from the enclosure for any reason. However, the exotic cat may be removed for proper medical care for medical emergencies or medical procedures, but only under the direction of a licensed veterinarian.

10. Permittee must notify the department, the local sheriff's department, and police department if applicable, immediately upon discovery that the permitted exotic cat is no longer in its enclosure.

11. Permittee must notify the department prior to any disposition of the permitted exotic cat, including transportation out-of-state. The department reserves the right to supervise and accompany any such disposition.

12. The permitted exotic cat must be kept in a sanitary and safe condition and may not be kept in a manner that results in the maltreatment or neglect of the exotic cat. This includes, but is not limited to:

a. drinking water must be provided in clean containers, pools must be cleaned as needed to ensure good water quality, enclosures must have adequate surface water drainage, and hard floor surfaces must be regularly scrubbed and disinfected;

b. food must be unspoiled and not contaminated, and be of a type and quantity sufficient to meet the nutritional requirements of the permitted exotic cat;

c. fecal and food waste must be removed from enclosures daily and disposed of in a manner that prevents noxious odors and insect and other pests;

d. sufficient shaded areas must be available.

13. In addition to complying with this regulation, permittee must comply with any and all applicable federal, other state, or local law, rule, regulation, ordinance, permit, or other permission. Failure to comply with any such law, rule, regulation, ordinance, permit, or other permission may constitute a violation of this regulation.

I. Enclosure Requirements. Minimum pen/enclosure requirements are as follows:

1. bears:

a. single animal: 25 feet long x 12 feet wide x 10 feet high, covered roof;

b. pair: 30 feet long x 15 feet wide x 10 feet high, covered roof;

c. materials: chain link 9 gauge minimum;

d. safety perimeter rail;

e. pool: 6 feet x 4 feet x 18 inches deep with facilities for spraying or wetting bear(s);

2. wolf:

a. 15 feet long x 8 feet wide x 6 feet high per animal, covered roof;

b. secluded den area: 4 feet x 4 feet for each animal;

c. materials: chain link wire or equivalent;

d. safety perimeter rail;

3. big exotic cats:

a. enclosures shall be constructed and covered at the top with nine gauge steel chain link or equivalent, with tension bars and metal clamps;

b. enclosures must be well braced and securely fastened to the floor or ground and shall utilize metal clamps or braces of equivalent strength as that proscribed for cage construction;

c. enclosures shall be secured by at least two sets of doors, so that the first door must be closed before the second door is opened. The inside door to the animal enclosure must open in. These doors must remain locked at all times when unattended. The doors must be designed so that the frame, hasps and locks are of sufficient strength to restrain the exotic cat;

d. a perimeter fence of at least 8 feet in height (secondary barrier) and located a minimum of 5 feet from the enclosure sufficient to prevent unauthorized entry or direct physical contact with the exotic cat;

e. the mesh size and/or distance between bars for all enclosures and fences shall be sufficiently small to prevent escape and/or direct physical contact with the exotic cat;

f. enclosures shall include a den area or other connected housing unit in which the exotic cat may be secured for the safe servicing and cleaning of the remaining enclosure. This area shall be constructed with steel, reinforced cinder block, or concrete sufficient to withstand damage from high winds, hard rains, hail, and other natural phenomenon.

J. Penalty for Violation. Unless another penalty is provided by law, violation of these regulations will be a class two violation as defined in title 56 of the *Louisiana Revised Statutes*. In addition, upon conviction for violation of these regulations, any license/permit may be revoked and the quadrupeds or other animals seized in connection with the violation will be forfeited.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(31), R.S. 56:115, R.S. 56:171, and R.S. 56:1904(F).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:1356 (December 1995), amended LR 32:647 (April 2006), LR 33:1153 (June 2007), amended by House Concurrent Resolution 6 of the 2012 Regular Legislative Session, LR 38:1459 (June 2012), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:2616 (December 2014), LR 41:152 (January 2015).

§117. Deer and Elk Importation

A. Definitions

Elk or Red Deer—any animal of the species *Cervus elaphus*.

Mule Deer or Black-Tailed Deer—any animal of the species *Odocoileus hemionus*.

White-Tailed Deer—any animal of the species *Odocoileus virginianus*.

B. No person shall import, transport or cause to be imported or transported live white-tailed deer, mule deer, or black-tailed deer (hereinafter "deer"), into or through the state of Louisiana. No person shall import, transport or cause to be imported or transported, live elk or red deer (hereinafter "elk") into or through Louisiana in violation of any Imposition of Quarantine by the Louisiana Livestock Sanitary Board. Any person transporting deer or elk between licensed facilities within the state must notify the Department of Wildlife and Fisheries and provide information as required by the department prior to departure from the source facility and again upon arrival at the destination facility. A transport identification number will be issued upon providing the required information prior to departure. Transport of deer or elk between licensed facilities without a valid transport identification number is prohibited. Notification must be made to the Enforcement Division at (800) 442-2511. All deer or elk imported or transported into or through this state in violation of the provisions of this ban shall be seized and disposed of in accordance with Wildlife and Fisheries Commission and Department of Wildlife and Fisheries rules and regulations.

C. No person shall receive or possess deer or elk imported or transported in violation of this rule. Any person accepting delivery or taking possession of deer or elk from another person has a duty to review and maintain bills of sale, bills of lading, invoices, and all other documents which indicate the source of the deer or elk.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution, Article IX, Section 7, R.S. 56:1, R.S. 56:5, R.S. 56:6(10), (13) and (15), R.S. 56:20, R.S. 56:112, R.S. 56:116.1 and R.S. 56:171 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 24:1140 (June 1998), repromulgated LR 24:1325 (July 1998), amended LR 28:2206 (October 2002), LR 31:2269 (September 2005).

§119. Cervid Carcass Importation

A. Definitions

Cervid—any animal of the family *Cervidae* including, but not limited to, white-tailed deer, mule deer, elk, moose, caribou, fallow deer, axis deer, sika deer, red deer and reindeer.

B. No person shall import, transport or possess any cervid carcass or part of a cervid carcass originating outside of Louisiana except for: meat that is cut and wrapped; meat that has been boned out; quarters or other portions of meat with no part of the spinal column or head attached, antlers, clean skull plates with antlers, cleaned skulls without tissue attached, capes, tanned hides, finished taxidermy mounts and cleaned cervid teeth. This restriction shall also prohibit transport of any cervid carcass or part of a cervid carcass originating from Louisiana lands east of the Mississippi River in East Carroll, Madison, Tensas and Concordia Parishes to any other part of the state, unless it is transported in the manner prescribed herein. Any and all bones shall be disposed of in a manner where its final destination is at an approved landfill or equivalent.

C. Approved parts or deboned meat transported from other states must be legally possessed from the state it was taken. Approved parts and deboned meat from other states must contain a possession tag with the hunter's name, out-of-state license number (if required), address, species, date and location (county and state) of harvest. All cervids transported into or through this state in violation of the provisions of this ban shall be seized and disposed of in accordance with Wildlife and Fisheries Commission and Department of Wildlife and Fisheries rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution, Article IX, Section 7, R.S. 56:1, R.S. 56:5, R.S. 56:6(10), (13) and (15), R.S. 56:20, R.S. 56:112, R.S. 56:116.1 and R.S. 56:171 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 43:344 (February 2017), amended LR 45:933 (July 2019).

§121. Disposal of Illegal Live Deer and Elk

A. Definitions

Elk or *Red Deer*—any animal of the species *Cervus elaphus*.

Mule Deer or *Black-Tailed Deer*—any animal of the species *Odocoileus hemionus*.

White-Tailed Deer—any animal of the species *Odocoileus virginianus*.

B. White-tailed deer, mule deer, black-tailed deer, elk, or red deer imported into Louisiana in violation of Wildlife and Fisheries Commission (LWFC) rules or state statutes shall be euthanized by the Louisiana Department of Wildlife and Fisheries (LDWF), or its designee, in a manner conforming to the *2000 Report of the AVMA Panel on Euthanasia*. At the discretion of the LDWF, white-tailed deer originating from within Louisiana and possessed in violation of LWFC rules or state statutes, may be euthanized in a manner conforming to the *2000 Report of the AVMA Panel on Euthanasia*, or placed with a licensed game breeder in accordance with LDWF guidelines. Certainty of origin, confinement history, and age will be among the factors considered by LDWF in making a determination regarding disposition of white-tailed deer originating from within Louisiana. White-tailed deer placed with licensed game breeders shall remain in confinement for their entire lives and shall not be released into the wild.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution, Article IX, Section 7, R.S. 56:1, R.S. 56:5, R.S. 56:6(10), (13) and (15), R.S. 56:20, R.S. 56:112, R.S. 56:116.1 and R.S. 56:171 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 28:2207 (October 2002).

§123. Coastwide Nutria Control Program

A. The Department of Wildlife and Fisheries does hereby establish regulations governing participation in the Coastwide Nutria Control Program. The administrative responsibility for this program shall rest with the Department Secretary; the Assistant Secretary, Office of Wildlife; and the Fur and Refuge Division.

1. The Coastwide Nutria Control Program objective is to provide economic incentive, through an incentive payment to participants, to encourage the harvest of up to 400,000 nutria annually from coastal Louisiana. The incentive payment shall be the amount set by the Coastal Wetlands Planning, Protection and Restoration Act (CWPPRA) Task Force. For the purpose of this program, coastal Louisiana is bounded on the north by Interstate 10 from the Louisiana-Texas line to Baton Rouge, Interstate 12 from Baton Rouge to Slidell, and Interstate 10 to the Louisiana-Mississippi line.

2. Participant Application Process

a. Participants must acquire a valid Louisiana trapping license.

b. Participants must submit a completed nutria control program participant application to the department or its contractor.

c. To be considered complete, the application must contain the following information:

i. name;

ii. address;

iii. telephone number;

iv. Social Security number, and trapping license number of applicant;

v. tax receipt and a description of property to be trapped/hunted (acres, parish, township, range, section);

vi. name, address, and telephone number of landowner (private or public);

vii. signature of participant; and

viii. signature of landowner or designated representative indicating permission to hunt or trap nutria on the described property.

d. For applications determined to be complete and valid, the participant will be notified by mail that his/her registration is finalized and a nutria control program registration number will be issued.

e. The participant must indicate if an assistant will be delivering tails on his behalf to a collection center and the participant must provide the name of the assistant(s) on the application.

f. Applications submitted to the department or its contractor by October 1 shall be processed by the opening of trapping season. Applications submitted to the department or its contractor after October 1 shall be processed in the order received.

g. Applications listing only waterbodies, without signature of an adjacent landowner or designated representative, shall be considered incomplete.

h. Applications determined to be incomplete or invalid will be returned to the applicant with an explanation as to why registration could not be finalized.

3. Harvest of Nutria

a. Participants must possess a valid trapping license and a nutria control program registration number.

b. Only nutria harvested during the open trapping season, from coastal Louisiana and taken from property permitted can be included in this program.

c. Nutria may be taken by any legal method except that if taken with a shotgun, steel shot must be used.

d. Participants are required to remove carcasses from the trapping/hunting area or if carcasses are not sold whole, they must be placed in such a manner as to prohibit feeding on the carcasses by birds, including southern bald eagles. Carcasses may be buried, placed in heavy overhead vegetation or concealed by any other means necessary to prevent consumption by birds.

4. Collection of Nutria Tails for Payment

a. Collection stations will be established across coastal Louisiana by the department or its contractor.

b. Evidence of nutria harvested shall be in the form of delivering severed nutria tails to a collection station during a designated period. Collections will begin on or about November 20. Specific dates and times of collections will be established and advertised for each station.

c. Participant or a designated assistant must present the nutria control registration number and proper identification to the department contractor.

d. Participant or designated assistant shall present to the department contractor only fresh or well-preserved (iced, frozen, salted) nutria tails in a manner that allows counting of individual tails (e.g., tails cannot be frozen together in a block). Only whole tails, greater than 7 inches in length will be accepted.

e. Participant shall declare parish, section, township, and range in coastal Louisiana where animals were taken and indicate method of take and carcass use. Tails from animals taken from outside of the participants permitted property shall not qualify for payment in this program.

f. Participant shall sign the receipt/voucher provided by the department contractor to acknowledge number of tails presented and accuracy of information provided.

5. Violation of any part of these regulations is a Class 2 violation and conviction may result in disqualification from the program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 28:2205 (October 2002), amended LR 33:297 (February 2007).

§125. Control of Nuisance Wild Quadrupeds

A. This rule applies only to the control of the wild quadrupeds listed below and only when they are conclusively proven to be creating a nuisance or causing damage to property. The burden of establishing that the animal in question is causing the property damage shall rest with the property owner.

B. The following wild quadrupeds may be taken year-round without permit by the property owner or his designee, with written landowner permission, but only by trapping or shooting during legal daylight hours:

1. coyote;

2. armadillo;

3. nutria;

4. beaver;

5. skunks; and

6. opossums.

C. Squirrels, rabbits, foxes, bobcats, mink, otter, muskrat, raccoons and any of the other species listed above may be trapped alive and relocated to suitable habitat without permit provided the following conditions are met.

1. Written permission is obtained from the property owner where the animals are to be released and such written

permission is carried in possession while transport and release activities are taking place.

2. Animals are treated in a responsible and humane manner and released within 12 hours of capture.

D. Traps shall be set in such a manner that provides the trapped animal protection from harassment from dogs and other animals and direct sun exposure.

E. Nuisance animals listed above may be so controlled by the property owner or his designee with written landowner permission, to prevent further damage.

F. Property owners must comply with all additional local laws and/or municipal ordinances governing the shooting or trapping of wildlife or discharge of firearms.

G. No animal taken under this provision or parts thereof shall be sold. A valid trapping license is required to sell or pelt nuisance furbearers during the open trapping season.

H. No species taken under the provisions of this rule shall be kept in possession for a period of time exceeding 12 hours.

I. This Rule has no application to any species of bird as birds are the subject of other state and federal laws, rules and regulations.

J. Game animals, other than squirrels and rabbits, may only be taken by hunting during the open season under the conditions set forth under Title 56 of the Louisiana Revised Statutes and the rules and regulations of the Department of Wildlife and Fisheries.

K. A permit may be issued to landowners or their designees to take white-tailed deer during the closed season when deer are causing substantial damage to commercial agricultural crops or orchards. Crops or orchards of less than 5 acres will not be considered for permits unless alternative exclusionary methods, including electric fencing, have been attempted and proven unsuccessful. Loss of 25 percent or more of the expected production or value of a crop must be documented by a Louisiana Department of Agriculture and Forestry crop specialist or Louisiana State University Cooperative Extension Service agent. Emergency deer removal permits may be issued by Department of Wildlife and Fisheries Wildlife Division with approval by the Deer Program Manager and Enforcement Division. Landowners or their designees may take only the number of deer recommended by a Department of Wildlife and Fisheries biologist and specified on the permit. Only antlerless or unbranched antlered deer are legal for removal. All deer taken under this permit must be tagged in a manner specified on the permit before being moved from the site of the kill. Deer may only be taken during daylight hours and all deer meat will be salvaged and donated to a recipient or charitable organization approved by the Department of Wildlife and Fisheries. Biological samples may be requested by Department of Wildlife and Fisheries biologists for research and health monitoring purposes.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution, Article IX, Section 7, R.S. 56:1, R.S. 56:5, 56:6(10) and (15), R.S. 56:112 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 28:2570 (December 2002), repromulgated LR 29:51 (January 2003), LR 35:703 (April 2009).

§126. Outlaw Quadruped, Nutria and Beaver Night Take Permits

A. Purpose—to establish rules and regulations for the take of outlaw quadrupeds, nutria and beaver during the nighttime hours (one-half hour after official sunset to one-half hour before official sunrise) from September 1 of each year, through the last day of February of the next year.

B. Permits

1. On private property, the landowner, or his lessee or agent with written permission from the landowner may obtain a permit authorizing the take of outlaw quadrupeds, nutria, or beaver during nighttime hours from September 1 through the last day of February of the next year.

2. Permit applications shall be completed on forms provided by the department, with all required information including but not limited to: applicants name, date of birth, contact information, date of application, parish information for applicant, landowner, and location of property subject to the permit, map, acreage, legal description, landowner's expressed authorization to allow night take for these species and any other information required by the department for the proper administration of the permit issuance. Any change of information requires the submission of a new permit application. Applications must be submitted to the regional enforcement office in which the property is located or to the wildlife permits coordinator at the Baton Rouge headquarters.

3. Permits may be issued during business hours by the wildlife enforcement captain located in the applicable regional enforcement office, or by electronic means at the discretion of the department.

4. Permits shall be valid for a period of one year beginning July 1 and terminating on June 30 of the following year. Permits may be renewed annually without additional application upon submission of the annual report and affirmation of the permittee's desire to renew, so long as the permittee has adhered to the rules of the permit and all information contained in the application remains accurate. The permit may be terminated by the permittee, landowner, or lessee at any time. The department may terminate any permit at any time for a violation of any regulation associated with the permit or for any violation of law committed during the participation by any person during the permitted activity. The department may also terminate permits for biological issues or specific enforcement concerns that may arise.

5. Permits are not transferrable and are only valid for the property for which they were issued.

6. No person shall be issued or obtain a permit if they have been convicted of class 3 or greater wildlife violation within a five-year period or have been prohibited in any way from legally participating in a hunting activity.

C. General Rules

1. Permit holders may take or authorize the take of outlaw quadrupeds, nutria or beaver during nighttime hours on private property for which the permit was issued from (one-half hour after official sunset to one-half hour before official sunrise) during the dates of September 1 through the last day of February of the next year.

2. Permittees are responsible for all participants and actions of such which take place as authorized by this permit.

3. Permittees and any participant shall not trespass or commit any other violations of law while conducting activities authorized by the permit.

4. No person shall be allowed to participate or be present during activities authorized by the permit if convicted of a class 3 or greater wildlife violation within the previous five years or if they have any other prohibition which would prevent the legal use of a firearm or participation in a hunting activity. Such participation will be considered a violation of the permit regulations.

5. Outlaw quadrupeds, nutria and beaver may be taken by any means of take authorized by R.S. 56.

6. The original permit or copy thereof issued by the department shall be with any permittee participating in activities under the authority of the permit.

7. Permittees shall notify the department's law enforcement 24-hour dispatch at (800) 442-2511 prior to engaging in activities authorized under the permit and identify each individual who will be participating in any way with activities authorized by the permit and permit number. Upon notification, the permittee shall be issued a confirmation number for the notification.

8. A report of activities which took place under this permit shall be required to be submitted to the department by June 30 of each year on official forms provided or as otherwise approved for this purpose by LDWF, and consist of:

a. name, permit number, and signature of permit holder;

b. number of outlaw quadrupeds (coyotes, armadillos, feral hogs), nutria and beavers killed under the permit during year.

9. Permittees hereby indemnify and hold harmless the state, department, and other applicable public agencies and employees and accept full responsibility and liability for any damages or injuries that occur during or as a result of activities related to the permit issued herein.

D. Penalties for Violation

1. If any person is found to be in violation of any provision of this Section, except for the reporting requirements as prescribed by Paragraph C.8 of this Section, or any other law during activities authorized by the permit issued pursuant to this Section, the permit shall immediately be voided and such permit shall not be reissued and shall remain void unless there is an acquittal for the offense committed.

2. Persons found in violation of rules and regulations contained herein or any other laws shall be subject to the same penalties as authorized by law as if no permit was issued, in addition, violation of these regulations will be a class 2 violation as defined in R.S. 56:32.

3. Persons failing to provide the annual report shall not be subject to the penalty and provisions herein. Any such person failing to comply with the annual report as prescribed by Paragraph C.8 of this Section shall not be reissued a permit until the reporting requirement under Paragraph C.8 of this Section is submitted to the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:112, 56:115, and 56:116.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1692 (October 2016).

§127. Nuisance Wildlife Control Operator Program

A. Purpose

1. The purpose of this Section is to establish guidelines for the permitting of Nuisance Wildlife Control Operators (NWCO's) and the procedures to be used by the NWCO's in controlling nuisance wildlife.

2. NWCO's are defined as individuals who offer commercial services for the control of nuisance wildlife.

B. Permits

1. All NWCOs must have a valid NWCO permit issued by the Louisiana Department of Wildlife and Fisheries (LDWF) in their possession while engaged in nuisance wildlife control activities. NWCO permits are issued only to individuals and each individual engaged in NWCO activities must possess a NWCO permit issued in his/her name. This rule does not provide for or authorize any NWCO to name a subpermittee.

2. In addition to the NWCO permit, all NWCOs must possess a valid Louisiana trapping license and valid Louisiana basic hunting license (or equivalent) in their possession while engaged in nuisance wildlife control activities. Additionally, any NWCO servicing non-protected reptile and amphibian nuisance calls must possess a valid basic fishing license or equivalent.

3. NWCO permits will be issued on a calendar year basis (January 1-December 31) and must be renewed annually.

C. Permit Requirements

1. All applicants must be 18 years of age or older.

2. The applicant must achieve a minimum score of 80 percent on the LDWF NWCO examination. The examination shall consist of questions relating to wildlife biology and behavior, nuisance animal control methods and procedures, and nuisance wildlife control laws, rules and regulations. Any applicant who fails to pass the examination may take another examination no earlier than 30 days from the date of the prior examination. Applicants may not attempt to take the NWCO examination more than three times per calendar year.

3. Anyone who has been convicted of a Class II or greater wildlife violation in Louisiana, or the equivalent in another state within the past three years, or has been convicted of a felony in Louisiana or another state, shall not be eligible for a NWCO permit. Also, any person whose hunting or trapping license privileges have been revoked and is prohibited from hunting and trapping in Louisiana shall not be allowed to possess or operate under the authority of a NWCO permit.

4. All applicants must attend a LDWF sponsored NWCO training class prior to or within 6 months of receiving their permit. A class registration charge may be applied. Those NWCOs with valid permits at the time this rule becomes effective will have one year from the effective date of amended regulations to complete the training class requirement. All NWCOs are required to attend six hours of LDWF approved continuing education every three years after attending the NWCO training class. Failure to attend the training class or obtain the six hours of LDWF approved continuing education every three years will result in revocation of the NWCO permit.

D. Exemptions

1. Employees of the Louisiana Department of Wildlife and Fisheries, Louisiana Department of Agriculture and Forestry, Louisiana Department of Transportation and Development, U.S. Fish and Wildlife Service, and USDA/APHIS/Wildlife Services are exempt from all NWCO permit requirements while they are on duty and carrying out official business of their respective agency. Also, city, parish, or local municipal government employees assigned to animal control duties are exempt from permit requirements while on duty and carrying out official business of their respective agency. It is recommended that exempted agencies adopt a policy requiring euthanasia of all skunks, raccoons, feral hogs, coyotes, and nutria. Animals that are not euthanized may not be released on LDWF owned or managed land such as wildlife management areas or refuges and may not be sold, bartered or exchanged.

E. Reporting and Renewal Requirements

1. All nuisance wildlife complaints that result in a site visit by a NWCO must be fully documented on Nuisance Wildlife Complaint Forms or in a format provided by LDWF.

2. Nuisance Wildlife Complaint Forms for the permit period must be submitted to the LDWF no later than 30 days following the expiration of the permit and NWCO permits will not be renewed until these forms are received. Reports will cover the period from December 1 of the prior license year to November 30 of the current license year. However, the 30 day grace period that follows expiration of the NWCO permit, applies to report filing only and does not authorize NWCOs to engage in nuisance wildlife control activities without a current NWCO permit.

3. Any NWCO who does not submit his/her report by the 30th day after the expiration date of the permit, or who submits a false or materially incomplete report shall be issued a citation for violation of Louisiana Wildlife and Fisheries Commission rules and regulations. If the citation does not result in a conviction, plea of guilty, or plea of no contest, the NWCO will be considered for reapplication upon receipt of the late Nuisance Wildlife Complaint Form(s).

4. Report forms must be current and shall be available for inspection at all times by Wildlife Enforcement Agents or any other authorized representatives of the department. NWCOs must maintain copies of all Nuisance Wildlife Complaint Forms for three years.

F. Procedures and Guidelines

1. The NWCO permit authorizes the holder to capture, euthanize or relocate designated species of wildlife by safe and effective means at any time of the year and without limits provided the operator is acting on a valid, documented wildlife complaint.

2. The following procedures and guidelines for NWCO permittees shall be in effect to establish what species of wildlife may be taken under the authority of this permit, the legal methods that may be used to take nuisance wildlife under the authority of this permit, and the legal methods of disposing of nuisance wildlife.

a. Only wildlife damage or nuisance complaints affecting humans and/or their property are considered valid complaints. Complaints involving conflicts between two or more species of wildlife are not valid nuisance wildlife complaints.

b. NWCO permittees are only authorized to live trap and relocate, live trap and euthanize, or lethally trap the following species when such action is warranted by a valid nuisance wildlife complaint: armadillo, beaver, bobcat, coyote, feral hogs, fox, mink, muskrat, nutria, opossum, otter, rabbit, raccoon, squirrel (including flying squirrel) and skunk. NWCO permittees are only authorized to live trap and relocate, live trap and euthanize, or lethally trap reptiles and amphibians that are not protected by federal law. Nuisance birds may be controlled as provided by existing law. Bats may be controlled by exclusion or by capture and relocation only. Bats shall not be controlled by any lethal methods. It is recommended all NWCOs working with bats complete the Bat Conservation International (BCI) professional excluders' course available on-line.

c. The NWCO permit does NOT authorize the capture and/or handling of white-tailed deer, bears, wild turkeys or alligators.

d. The sale, trade, barter, gifting or retention of any wildlife or part thereof taken under the authority of a NWCO permit is prohibited except that furbearers taken during the open trapping season may be sold as provided by law. Additionally, individuals wishing to trap coyotes outside of open trapping season may do so with the purchase of an annual special permit which may be issued to a Louisiana Department of Wildlife and Fisheries approved applicant for the trapping of coyotes only, outside of the annual trapping season. In order for the permittee to sell live coyotes he must also possess a nongame quadruped breeders license (R.S. 56:262.1) and a valid trapping license.

e. NWCO permittees must follow all state and federal laws, rules and regulations that apply to the taking of wildlife, with the exception of season dates and bag limits, except as otherwise provided in this section.

f. All wildlife taken under a NWCO permit shall be taken and disposed of in a manner to ensure safe and effective handling and/or euthanasia. Acceptable carcass disposal options include deep burial (four feet), incineration, and sanitary landfills. Disposal of carcasses must be in compliance with all local codes and ordinances. Euthanasia of a captured animal is to be performed under the guidelines adopted by the American Veterinary Medical Association (AVMA).

g. Traps or other capture devices set for live capture (including leg hold traps) shall be checked a minimum of once every 24 hours and all animals removed. Traps intended to result in immediate death must be checked a minimum of once every 48 hours. All traps and other capture devices shall be marked with permanent tags bearing the telephone number and LDWF issued permit number of the NWCO.

h. Only legal methods of take, as provided by existing law, shall be authorized under the NWCO permit. In addition to legal traps and snares, nets and capture by hand are authorized.

i. All traps and other capture devices shall be set in a manner that:

ii. will minimize the risk to non-target animals;

iii. will minimize the risk to the public and to pets; and

iv. are out of the view of the general public.

j. The NWCO permit does not authorize the use of firearms, except that nutria, beaver, coyotes, armadillos and feral hogs where legal, may be taken as provided by existing law. Firearms may also be used in accordance with the American Veterinary Medical Association (AVMA) guidelines on euthanasia. Discharge of any firearms shall be subject to all state, parish and municipal restrictions and ordinances.

k. When relocation is authorized, the NWCO may have the wildlife in possession for no more than 24 hours unless specifically authorized by the department.

l. Wildlife that is relocated shall be released at least five miles outside of any city limit and must be released within the state of Louisiana.

m. Wildlife shall not be released on private land without written permission of the landowner or landowner designee.

n. Wildlife shall not be released on public land without first obtaining written permission from the governmental entity owning or administering the release property.

o. Captured wildlife that appears to be sick or injured shall not be relocated. NWCOs must contact the appropriate LDWF regional office for instructions regarding sick wildlife. Injured animals may be delivered to a licensed rehabilitator or euthanized in accordance with AVMA guidelines.

p. Raccoons, skunks, feral hogs, coyotes and nutria shall not be relocated and shall be euthanized, within 12 hours of capture, in accordance with the current AVMA guidelines on euthanasia.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution, Article IX, Section 7, R.S. 56:1, R.S. 56:5, R.S. 56:6 (10) and (15), and R.S. 56:112 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 30:2080 (September 2004), amended LR 36:75 (January 2010).

§129. Fur Trapping Seasons

A. Season Dates. The statewide open trapping season for nongame quadrupeds shall open on November 20 and close on March 31. The secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

B. Bobcat and Otter Tagging Requirements

1. To obtain federal approval to export bobcat and river otter out of the United States, the Department of Wildlife and Fisheries is required to ensure that only Louisiana trapped river otter and bobcat are tagged with Louisiana export tags. To accomplish this, a special possession tag will be made available to fur buyers, fur dealers and trappers.

2. A blue tag for river otter and a red tag for bobcat must be filled out by the trapper at the time the pelt is sold. The information required includes trapper name, trapper license number, parish caught in and date trapped. No bobcat or river otter pelts shall be purchased from a trapper or be in the possession of a fur buyer without a possession tag until they are submitted to the department in exchange for export tags. Dealers shall not purchase bobcat or river otter pelts without an accompanying possession tag.

3. No bobcat or river otter pelt shall be shipped from the state without an export tag attached. Dealers will obtain export tags for bobcat and river otter by providing the department with one completed possession tag for each pelt to be shipped from the state. It shall be illegal to falsify possession tags or attach Louisiana export tags to out-of-

state bobcat and river otter pelts. Once possession tags have been received and counted by department personnel, export tags will be mailed immediately. Trappers shipping bobcat and river otter out-of-state must provide completed possession tags to the department in order to receive export tags.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10) and R.S. 56:259(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:1882 (September 2007), amended LR 34:1639 (August 2008).

§130. Feral Hog Trapping

A. Feral hogs may be trapped in cage or corral traps year-round by holders of a valid basic hunting license. Feral hogs may be captured by use of snares year-round by holders of a valid trapping license.

B. Cage or corral traps must have an opening in the top of the trap that is no smaller than 22 inches x 22 inches or 25 inches in diameter.

C. Feral hogs shall not be transported alive unless done so by a feral swine authorized transporter registered with the Board of Animal Health of the Louisiana Department of Agriculture and Forestry, who has proof of said registration in his/her possession.

1. Feral hogs being transported in violation of this Rule will be confiscated and disposed of in accordance with LDWF policy.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:20, R.S. 56:34, R.S. 56:56, R.S. 56:115 and R.S. 56:116.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 38:1997 (August 2012), amended LR 44:929 (May 2018).

§131. Wildlife Rehabilitation Program

A. Purpose

1. The purpose of this Section is to establish rules for the permitting and operation of wildlife rehabilitators.

B. Definitions

Rabies Vector Species (RVS)—mammalian species defined by Louisiana Department of Wildlife and Fisheries (LDWF) as potential carriers of the rabies virus including, but not limited to the following:

a. raccoons;

b. foxes;

c. coyotes;

d. skunks; and

e. bats.

Subpermittee—person authorized to conduct rehabilitation activities under the supervisory responsibility of a wildlife rehabilitator.

Supervisory Responsibility—to direct actions and accept responsibility for the actions of a named individual engaged in wildlife rehabilitation activities.

Wildlife Rehabilitation—activity that provides housing, treatment and temporary care of injured and/or orphaned indigenous animals with the goal of subsequent release of those healthy animals to appropriate habitats in the wild.

Wildlife Rehabilitator—a person who is permitted by the LDWF to engage in the practice of wildlife rehabilitation.

C. Permits

1. It shall be unlawful for any person to keep, hold or possess in captivity any sick, injured or orphaned wildlife (except fish) or otherwise engage in wildlife rehabilitation without first obtaining at no charge, a LDWF Wildlife Rehabilitation Permit (WRP). In addition to the WRP, a United States Fish and Wildlife Service (USFWS) rehabilitation permit must be in possession to rehabilitate species covered by the Migratory Bird Treaty Act or Endangered Species Act.

2. A WRP authorizes the permittee to transport; temporarily possess; rehabilitate; transfer to a practicing veterinarian or another wildlife rehabilitator for treatment or euthanasia; release; or euthanize an injured, diseased, disabled, orphaned or otherwise debilitated live wildlife specified on their permit. Animals held under a WRP shall not be displayed for educational purposes or otherwise displayed or exposed to the public unless that individual animal has been permitted by LDWF or USFWS for that purpose.

D. Exemptions

1. Employees of the LDWF are exempt from all state wildlife rehabilitation permit requirements while they are on duty.

2. Licensed veterinarians are exempted, provided they are treating an animal under the authorization of a wildlife rehabilitator or LDWF employee, or are treating an animal taken in from the public, provided the animal is released into an appropriate habitat or accepted by a wildlife rehabilitator within 72 hours after receiving.

E. Permit Requirements

1. All applicants must be 18 years of age or older.

2. Anyone who has been convicted of a Class II or greater wildlife violation in Louisiana, or the equivalent in another state within the past five years, or has been convicted of a felony in Louisiana or another state, shall not be eligible for a WRP.

3. All applicants must complete a WRP application, liability release, and financial responsibility statement.

4. Prior to licensure or renewal, all applicants must show proof of completion of a LDWF-approved wildlife rehabilitation course and must be currently certified under the approved organization's guidelines. Failure to provide

proof of successful completion of the course and subsequent continuing education requirements will result in non-licensure or revocation of the WRP.

5. All applicants must provide verification of having access to veterinary services by submitting a Statement of Veterinary Support Form provided by LDWF.

6. All facilities where animals will be housed or maintained will be inspected by LDWF prior to receiving a WRP.

F. General Rules

1. The WRP will not exempt the holder from regulations of other state, federal, parish or municipal governments or agencies.

2. Sale of any animal held under a WRP is prohibited.

3. No animal held under a WRP may be used for human consumption, unless specifically approved.

4. No Louisiana S1-ranked species may be held under a WRP, without written authorization from the LDWF Wildlife Division.

5. No animal intended for wildlife rehabilitation may be imported into or exported out of the state of Louisiana without written authorization by LDWF Wildlife Division.

6. The WRP does not authorize the possession of white-tail deer, bears, wild turkeys or alligators unless specifically stated on the permit.

7. Request for an Extension

a. WRP holders shall not possess a non-migratory bird for more than 90 days, other injured wildlife longer than 45 days, or other orphaned wildlife no longer than required to prepare the animal for release, but not to exceed 120 days, except that a permit holder may submit a written request for extension of possession if:

i. the specified animal will likely be releasable after the time frame listed above but is currently non-releasable because of biological reasons; or

ii. a licensed veterinarian determines, due to medical reasons, the animal requires additional rehabilitation time.

b. All extension requests should include a proposed release date and be submitted in writing to LDWF Wildlife Division. The permit holder may continue to house the specified animal while LDWF is reviewing the request. LDWF will provide a written response and include specific dates and instructions regarding disposition of the animal.

8. WRP holders must ensure that animals are exposed to minimal handling and other human contact, except as necessary to maintain sanitary conditions, provide food and water, provide medical care, and prepare the animal for release.

9. Animals that are determined medically non-releasable by a licensed veterinarian, exhibit signs of adjusted life in captivity and pose minimum zoonotic disease potential may be considered for educational animal designation. A LDWF Special Purpose and Possession permit application must be submitted to LDWF Wildlife Division by the end of the 90 day rehabilitation period to be considered for educational animal status.

10. All WRPs shall expire on December 31 of the year of issue unless otherwise noted.

11. Permits are non-transferable but may include up to five listed subpermittees. Subpermittees are authorized to transport, house, and provide care for animals away from the wildlife rehabilitation facility. A person caring for animals at the wildlife rehabilitation facility is not required to be a subpermittee. WRP holders desiring to add subpermittees, must submit a subpermittee application form. Subpermittee forms will only be accepted by the LDWF at the original time of permitting, renewal and during June 1-30 each year. Individuals may be removed as subpermittees at any time of the year. A subpermittee removal form must be submitted. All subpermittees:

a. must be 18 years of age or older;

b. are exempt from the testing requirement but are subject to all other rules governing WRP holders including animal housing and care requirements;

c. must work under the direction and supervision of the WRP holder;

d. may be removed at any time by the supervising WRP holder or LDWF and in such cases must surrender any animals to the WRP holder or LDWF;

e. must have a valid subpermittee permit on the premises where animals are housed if animals are housed away from the supervising WRP holder's facility; and

f. must not transport or possess RVS species away from the supervising WRP holder's facility.

12. WRP holders are subject to non-renewal or revocation of their WRP if LDWF determines that any of their listed subpermittees are not properly supervised or fail to abide by applicable WRP rules.

13. LDWF provides no financial or material assistance to wildlife rehabilitators.

14. Euthanasia of any animal held under a WRP is to be performed under the guidelines adopted by the American Veterinary Medical Association (AVMA).

15. Animals held under a WRP shall not be released on private land without written permission of the landowner or landowner designee. Licensed rehabilitators shall keep on file for perpetuity, an original document signed by the landowner, permitting the licensed rehabilitator to release animals upon their property. This document should include the name, address and phone number of the landowner, the physical location of the property, the size of the property (in acres), and the duration of the permission to release rehabilitated animals there. This document shall be presented upon request for review by LDWF personnel. A copy of all

landowner permission documents shall be submitted to LDWF with the annual WRP report.

16. Animals held under a WRP shall not be released on public land without first obtaining written permission from the governmental entity owning or administering the property.

17. All permitted animals and facilities in which they are housed shall be maintained within the minimum standards as provided by the National Wildlife Rehabilitators Association (NWRA) and International Wildlife Rehabilitation Council (IWRC) publication of Minimum Standards for Wildlife Rehabilitation.

18. It is strongly recommended that any wildlife rehabilitator working with rabies vector species receive pre-exposure rabies immunization.

G. Reporting and Renewal Requirements

1. All animals held under a WRP must be fully documented on Wildlife Rehabilitation Report Form provided by LDWF.

2. A permanent record of each animal admitted by a permitted rehabilitator must be maintained. This record should include the name, address, phone number and email address of the person finding the animal, species, age, sex, date of admission, treatment performed, method of euthanasia if performed or date and location of release. These records must be maintained in perpetuity and must be available for inspection by LDWF personnel.

3. Wildlife Rehabilitation Report Forms for the permit period must be submitted to the LDWF no later than 30 days following the expiration of the permit and the WRP will not be renewed until these forms are received. Reports will cover the period from December 1 of the prior license year to November 30 of the current license year. Any wildlife rehabilitator who does not submit his/her report by the thirtieth day after the expiration date of the WRP, or who submits a false or materially incomplete report intentionally may be issued a citation for violation of Louisiana Wildlife and Fisheries Commission rules and regulations. If the citation does not result in a conviction, plea of guilty, or plea of no contest, the wildlife rehabilitator may be considered for reapplication upon receipt of the late wildlife rehabilitation form(s).

4. Report forms must be current and shall be available for inspection at all times by Wildlife Enforcement Agents or any other authorized representatives of the department.

5. Upon expiration of a WRP and if the WRP has not been renewed, all animals held under the permit must be disposed of by transferring to a currently licensed WRP, released into the wild, or euthanized.

H. Penalties

1. Violations of this Rule constitute a Class 2 offense.

2. Violation of these Rules may result in citation and/or revocation of the WRP.

AUTHORITY NOTE: Promulgated in accordance with the Louisiana Constitution, Article IX, Section 7, R.S. 56:1, R.S. 56:5, R.S. 56:6 (10), and (15), and R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 36:852 (April 2010), amended LR 37:602 (February 2011).

§133. Film/Entertainment Industry Animal Permit

A. Purpose

1. The purpose of this Section is to establish regulations for the possession, purchase, and educational exhibition of Louisiana wildlife to be used in the movie, film, entertainment, and educational industry. These regulations provide and establish general rules regarding permit requirements, fees, animal origin, purchase and use of animals, holding pen specifications, travel enclosure requirements, and reporting requirements.

B. Definitions

Bill of Sale—an itemized invoice or receipt on a legitimate business form from a licensed business showing the animal purchased, the date of purchase, and the signature and contact information for the person selling the animal

Bona Fide Resident—any person who has resided in the state of Louisiana continuously during the 12 months immediately prior to the date on which he applies for this permit and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile as demonstrated with all of the following, as applicable.

a. If registered to vote, he is registered to vote in Louisiana.

b. If licensed to drive a motor vehicle, he is in possession of a valid Louisiana driver's license

c. If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.

d. If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

Department or *LDWF*—the Louisiana Department of Wildlife and Fisheries.

Escape Plan—a written plan of actions, individuals, and equipment to be utilized by the permittee in the event that any permitted animal escapes from confinement, either at the permanent holding facility of the permittee, while the animal is in transport, or when the animal is being utilized in a public venue or at any type of film/entertainment industry location.

Film/Entertainment Industry—live or recorded activity or events of a temporary nature involving scripted and/or unscripted dialogue and/or action for the purpose of amusement, marketing, promoting, entertainment, or education. Includes audio, video, film, streaming, and live performances on constructed sets, at studios, or on location. Does not include rodeos, zoos, or circuses.

Game Breeder—a person who possesses a valid *game breeder* permit from LDWF.

Humane Care—care of animals including, but not limited to, the provision of adequate heat, ventilation, sanitary shelter, and wholesome and adequate food and water, consistent with the normal requirements and feeding habits of the animal's size, species, and breed. Inhumane care includes any act, omission, or neglect, which causes unjustifiable physical pain, suffering, or death to any living animal.

LDWF-Approved Applicant—an individual who has had no felony convictions, no major wildlife or fisheries violations during the past 3 years, who has a minimum of 5 years of verifiable film/entertainment industry experience, and who is at least 21 years old. Verifiable experience requires a resume detailing at least 5 years of professional, documented animal training for film/entertainment industry activities within the previous 10 years.

Louisiana Wildlife—all tetrapod species, excluding domestic dogs (*Canis familiaris)* and domestic cats (*Felis catus)*, with a presently or historically free-ranging, reproducing population within the state boundary of Louisiana. For migratory wildlife, timing of reproduction does not necessarily have to occur within Louisiana to be considered *Louisiana wildlife*.

Nongame Quadruped Breeder—a person who possesses a valid *nongame quadruped breeder* permit from LDWF.

Permittee—any individual who has obtained a valid film/entertainment industry permit from LDWF.

Person—unless specifically provided for otherwise, the term *person*, for any *person* required to be licensed pursuant to this part, shall mean an individual and shall not include any type of association, corporation, partnership, or other type of legal entity recognized by law.

Possess—in its different tenses, the act of having in possession or control, keeping, detaining, restraining, holding as owner, or as agent, or custodian for another.

Rabies Vector Species—mammalian species defined by LDWF as potential carriers of the rabies virus including, but not limited to, raccoons, foxes, coyotes, skunks, and bats.

Subpermittee—person authorized to conduct activities under the supervisory responsibility of an individual who possesses a current and valid film/entertainment industry animal permit.

Supervisory Responsibility—to direct actions and accept responsibility for the actions of a named individual engaged in film/entertainment industry animal permit activities.

Take—in its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

Transport—in its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment, *transporting*, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

C. Permits

1. It shall be unlawful for any person to keep, hold or possess in captivity any Louisiana wildlife intended for use in the film/entertainment industry or otherwise solicit or engage in providing Louisiana wildlife to the film/entertainment industry without first obtaining a film/entertainment industry animal (FEIA) permit from LDWF.

2. A film/entertainment industry animal permit authorizes the permittee to transport, possess, trade, barter, or transfer Louisiana wildlife for any permitted, legal purpose relative to that animal's film/entertainment industry use, training, or physical welfare. Except, no rabies vector species may be traded, bartered, or transferred, either temporarily or otherwise, to any out of state location or individual.

3. Possession of an FEIA permit does not exempt the permit holder from other local, state, or federal permit requirements, including, but not limited to, obtaining a valid United States Fish and Wildlife Service (USFWS) permit to possess or provide film/entertainment industry animals which are currently listed in the Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, or the Endangered Species Act.

4. No Louisiana wildlife species may be possessed by the applicant prior to a FEIA permit being granted by LDWF, unless those animals were legally and previously possessed by the applicant.

D. Permit Requirements

1. Application for a film/entertainment industry animal permit shall be made on an official application form provided by the Department of Wildlife and Fisheries. FEIA permits will expire on December 31 of each year, and a renewal request should be received by that date.

2. An applicant for this permit must be a bona fide Louisiana resident who has a minimum of 5 years of verifiable film/entertainment industry experience, and who is at least 21 years old. Verifiable experience requires a resume detailing at least 5 years of professional, documented animal training for film/entertainment industry activities within the previous 10 years. This verifiable resume must be submitted as part of the application.

3. An applicant for a FEIA permit must provide verification of having access to veterinary services provided by a Louisiana licensed veterinarian by submitting a statement of veterinary support form provided by LDWF.

4. All facilities where animals will be housed, maintained, or trained shall be inspected by LDWF prior to issuance of an initial FEIA permit.

5. Anyone who has been convicted of a class II or greater wildlife violation in Louisiana, or the equivalent in another state within the past five years, or has been

convicted of a felony in Louisiana or another state, shall not be eligible for a FEIA permit.

6. An applicant must possess a U.S. Department of Agriculture Animal Welfare Act class C license and submit a copy of this license as part of the application for an FEIA permit.

7. The application must contain a proposed animal inventory list including species and number of animals to be possessed under the permit. Once a FEIA permit has been granted by LDWF, the applicant must submit and maintain a revised, up to date animal inventory list to LDWF within 48 hours of changes (additions or deletions) to the animal inventory list, as detailed below.

8. The application must contain a written escape plan as defined above. The escape plan shall contain a permanent written log sheet that describes each escape event.

9. The application must contain a signed waiver statement holding the Department of Wildlife and Fisheries and its employees harmless for liability as a result of issuing an FEIA permit. FEIA permits will only be issued to those applicants who are willing to accept full responsibility and liability for any damages or injuries resulting from their animals or from any injuries that occur during educational or entertainment activities relating to the FEIA permit.

E. General Rules

1. This permit is valid only for Louisiana wildlife species.

2. Potentially dangerous quadrupeds, big exotic cats, and non-human primates, as listed in R.S. 56:6 and LAC 76.V.1.115 are specifically prohibited from being permitted under this permit, and cannot be possessed by an FEIA permittee.

3. Louisiana wildlife permitted under these regulations cannot be taken from the wild by the permittee, and cannot be released back into the wild. Permitted animals must have been obtained from a licensed trapper, a licensed game breeder, or a licensed nongame quadruped breeder. The source of each permitted animal must be verifiable via a bill of sale or sales invoice.

4. Rabies vector species shall be vaccinated by a licensed veterinarian with a killed rabies vaccine, and proof of such vaccination shall be retained by the permittee in the permanent records of that animal. Annual renewal of rabies vaccinations is required for any permitted rabies vector species animal.

5. Each permitted animal must have an official health certificate signed by a Louisiana licensed veterinarian. This health certificate shall reference a specific microchip identification tag that has been surgically implanted into the animal by the licensed veterinarian. Veterinary health inspections on any and all animals possessed under the film/entertainment industry animal permit must be performed at least annually.

6. Per LAC 76:V.1.113.D.6, no person shall transport, possess, purchase, or sell any live coyotes or foxes taken outside the state of Louisiana. Therefore, any live coyote or live fox submitted for permitting under these film/entertainment industry animal permit regulations must have been taken from within the state of Louisiana. Proof of Louisiana origin (bill of sale or sales invoice from a licensed Louisiana trapper or nongame quadruped breeder) must be kept on file by the permittee during the life of the animal, and made available for inspection when requested by an authorized LDWF representative.

7. Permittee must allow inspections of premises by Department of Wildlife and Fisheries employees for purposes of enforcing these regulations. Inspections may be unannounced and may include, but are not limited to, pens, stalls, holding facilities, records, and examination of animals as necessary to determine species identification, sex, health and/or implanted microchip number.

8. Whenever an animal is present, humane care must be provided in all FEIA facilities, film/entertainment industry locations and venues, public entertainment/educational venues, permanent and temporary housing enclosures, and during transport.

9. Animals held under this permit may be utilized in the film/entertainment industry, displayed for educational purposes, or otherwise displayed in a public entertainment/educational venue provided that the specific animal(s) being displayed is included in the most current animal inventory list submitted to LDWF by the applicant. Except, no animal may be used in any type of wrestling, photography opportunity with a patron, or any activity which allows physical contact between the animal and the general public.

10. Permitted animals may be displayed at public entertainment or educational venues by the permitee or his or her subpermitees outside of a secure enclosure provided that these animals are under constant control and immediate physical constraint of the permitee or subpermitee, such constraint precluding any chance of escape or physical contact, intentional or accidental, with an audience member or individual other than the permitee or a subpermitee.

11. Holding Pens and Enclosure Requirements

a. FEIA permittees should recognize and provide for any unique requirements of the species they possess. Permitted animals must be kept in a sanitary and safe condition and may not be kept or utilized in a manner that results in the maltreatment or neglect of the permitted animal.

b. FEIA permitted facilities and enclosures must provide adequate quantities of palatable food that is nutritiously sufficient to ensure normal growth and body maintenance.

c. FEIA permitted facilities and enclosures must provide adequate water which is fresh, uncontaminated, and available at all times. Drinking water must be provided in clean containers on a daily basis, unless the unique

requirements of the permitted animal requires additional drinking water be made available. Enclosures must have adequate surface water drainage, and hard floor surfaces must be scrubbed and disinfected as needed.

d. Fecal and food waste must be removed from enclosures daily and disposed of in a manner that prevents noxious odors and insect infestations.

e. FEIA permitted enclosures must provide adequate space for movement, postural adjustments, and resting places. The pen dimensions and specifications described herein are minimum requirements for permanent enclosure and exhibit facilities. These are minimum standards, and the optimum conditions for most animals would include dimensions several times greater than those cited:

i. waterfowl (ducks, geese, swans and coots endemic to or migratory through Louisiana):

(a). ducks and coots—100 square feet with 25 percent in water area for up to four birds; increase pen size by 25 square feet for each additional bird with one-fourth of this increase being in water area;

(b). geese—150 square feet per goose;

ii. doves (order columbiformes endemic to Louisiana except rock dove, i.e., domestic pigeon):

(a). single bird—3 feet by 2 feet by 5 feet high;

(b). community group—large enough to fly or at least 8 feet in diameter;

iii. game birds (ringneck pheasant, chukar, and bobwhite quail endemic to Louisiana), 20 square feet per bird;

iv. hawks, falcons—refer to federal raptor facilities specifications and LDWF falconry regulations;

v. squirrels (gray, fox, and flying squirrels endemic to Louisiana):

(a). single animal—3 feet by 3 feet by 4 feet high;

(b). additional squirrels—add 6 inches per animal to total cage length per additional animal; enclosures must contain tree trunks, limbs, and vines for climbing and a nest or den box for sleeping;

vi. rabbits (cottontail and swamp rabbits endemic to Louisiana):

(a). single animal—6 feet by 3 feet by 3 feet high with gnawing logs and a sleeping den or nest box;

(b). additional rabbits—add 1 foot per animal to total cage length;

vii. muskrat, opossum, mink—3 feet by 3 feet by 2 feet high with a den box for sleeping;

viii. nutria, raccoon, skunk—4 feet by 4 feet by 2 feet high with a den box for sleeping (raccoon and skunk), a dirt mound for burrow digging (nutria), aquatic habitat for nutria and/or tree branches, trunks, limbs, and vines for climbing (raccoon);

ix. foxes, bobcats, beavers, otters—10 feet by 10 feet x 3 feet high with a den box for sleeping (fox and bobcat), scratching post and elevated perch (bobcat), and appropriate aquatic (swimming) habitat for beavers and otters;

x. coyotes—12 feet by 12 feet by 3 feet with a den box for sleeping;

xi. lizards—minimum cage size shall be based relative to the length of the body and tail, and shall be at least 1.5 times that length on the longest side, 1 times on its shortest side, and 1.2 times in height;

xii. snakes—minimum cage size shall be based relative to the length of the body and tail, and shall be ¾ that length on its longest side, 1/3 that length on its shortest side and in height;

xiii. turtles and tortoises—minimum cage or aquarium size shall be based on straight-line shell length, and shall be 5 times that length on its longest side, 3 times on its shortest side, and 2 times in height. Aquaria must contain a basking platform.

F. Reporting and Renewal Requirements

1. An annual report of activities completed under this permit shall be required when submitting a request for permit renewal. This annual report shall be completed on official forms provided for this purpose by LDWF.

2. Application for renewal must contain copies of any and all USDA Animal Welfare Act inspections performed during the previous year. Proof of current USDA class C license must also accompany renewal application.

3. Certificate of veterinary inspection or other proof of veterinary health examinations for any and all animals kept under this permit must be submitted with renewal application.

4. Escape plan log sheet covering the previous year's activities must accompany renewal application.

5. A report detailing injuries to permitee or subpermitees involving an animal kept under this permit, or an injury to any animal kept under this permit during the previous year must accompany renewal application. Reportable injuries include those occurring during housing at primary facility, transport, at temporary housing facilities, and during film/entertainment industry activities. Report must contain narrative describing circumstances surrounding the injury, identification of remedial measures, conclusive identification of animal(s) involved, and disposition of said animals. For the permitee or subpermitees, a reportable injury includes a bite, scratch, or claw wounding, no matter how minor, or any other type of injury requiring first aid or more serious medical intervention. For an animal kept under this permit, a reportable injury is one that causes unjustifiable physical pain, suffering, or death to any living animal, including, but not limited to, any wound, bite,

broken bone, damage to organ or tissue, or environment-related stress that requires first aid, veterinary attention, euthanasia, or removal from availability for use in film/entertainment industry activities.

6. At least 24 hours prior to transporting any permitted animal to a film/entertainment industry venue, public entertainment/educational venue or job location, the FEIA permittee shall notify LDWF with details of the job or appearance. These details shall include date, location, type of job, duration of job, travel times, specific animals involved, the permitee or subpermitee involved, and any overnight housing/caging facilities to be used. Contact information for the agent or contractor should also be included.

7. Written notification of any animal escape must be submitted to LDWF within 48 hours of detection of the escape event. A copy of the escape log sheet shall be considered proper and sufficient notification. This notification must include date, time, location, the species of animal that escaped, a description of actions taken to recover the escaped animal, and the outcome of the event. Repeated escapes (more than three per year) may result in suspension of the permit until remedial solutions are added to the escape plan. Failure to notify LDWF within the 48 hour time frame of any animal escape may result in immediate and/or permanent loss of this permit.

8. Once an FEIA permit has been granted by LDWF, the permittee shall submit and maintain an up to date accurate written inventory list of animals in possession. This inventory list shall include species, sex, and microchip number of specific animals that are actually in possession of the permittee. Individual animals must be identifiable through microchip implantation. Permitee shall maintain records of microchip numbers and make such records available to LDWF upon demand. LDWF must be notified in writing within 48 hours of any changes (either additions or deletions) to this animal inventory list. Deletions must be justified and contain the disposition of the animal. Additions must contain a bill of sale documenting the source of the animal. Alterations to the list of species being kept by a permitee are subject to approval at the discretion of LDWF, and may require re-inspection of facilities. Failure to maintain an accurate, up to date animal inventory list and submit this list to LDWF in a timely basis may subject the permittee to loss or suspension of this permit.

9. Any injury (bite, scratch, or claw wounding, no matter how minor, or any other type of injury requiring first aid or more serious medical intervention), accidentally or otherwise incurred by an audience member or any individual of the general public, that is caused by an animal possessed by an FEIA permit holder shall be immediately reported in writing to LDWF within 48 hours of the occurrence. Such injuries may subject the permittee to loss of the FEIA permit.

10. Any injury (bite, scratch, or claw wounding, no matter how minor, or any other type of injury requiring first aid or more serious medical intervention), accidentally or otherwise incurred by an audience member or any individual of the general public, that is caused by an unpermitted animal or an animal that was not specifically listed in the permittee's most recent animal inventory list, may result in immediate and permanent loss of this permit.

11. Any unreported injury (bite, scratch, or claw wounding, no matter how minor, or any other type of injury requiring first aid or more serious medical intervention), accidentally or otherwise incurred by an audience member or any individual of the general public, that is caused by a permitted or unpermitted animal may result in immediate and permanent loss of this permit and possible criminal prosecution.

G. Penalties for Violation

1. Unless another penalty is provided by law, violation of these regulations will be a class two violation as defined in title 56 of the *Louisiana Revised Statutes*. In addition, upon conviction for violation of these regulations, the FEIA permit associated with the facility or permittee may be revoked, and all animals housed within the facility may be seized by LDWF and forfeited.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:105(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:1947 (October 2014).

§135. Aerial Feral Hog Control Permits

A. Purpose

1. The purpose of this Section is to establish regulations concerning the use of aircraft to aid in the control of feral hogs. The regulations provide and establish general rules regarding permit requirements, reporting requirements, landowner authorization, and safety training.

B. Definitions

Aerial Hog Control Permit—a permit issued by LDWF to locate, pursue, take, harass, or kill feral hogs by using an aircraft.

Applicant—An individual, partnership, or corporation who files an application for an aerial hog control permit.

Department or *LDWF*—the Louisiana Department of Wildlife and Fisheries.

Gunner—an individual who uses a firearm to shoot or attempt to shoot feral hogs pursuant to an aerial hog control permit.

Landowner's Authorization—signed consent from the landowner or the landowner's agent.

Observer—any person other than the pilot or gunner who is on board an aircraft while feral hog control. measures are being taken pursuant to an aerial hog control permit.

Permittee—any individual who has obtained a valid aerial hog control permit.

Pilot—an individual who pilots an aircraft to locate, pursue, take, harass, or kill feral hogs pursuant to an aerial hog control permit.

Possess—in its different tenses, the act of having in possession or control, keeping, detaining, restraining, holding as owner, or as agent, bailee, or custodian for another.

Qualified Landowner or *Landowner's Authorized Agent*—a person who contracts to be a gunner or observer and who has not:

a. been convicted of a class II or greater wildlife violation in Louisiana, or the equivalent in another state within the past five years;

b. been convicted of a felony in Louisiana or another state; or

c. been convicted of a violation of 16 U.S.C. §§3371-3378 (the Lacey Act).

Take—in its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

C. Permits

1. An aerial feral hog control (AFHC) permit authorizes the permittee to utilize a helicopter to locate, pursue, take, harass, or kill feral hogs.

2. It shall be unlawful for any person to use a helicopter to locate, pursue, take, harass, or kill feral hogs without an AFHC permit.

3. Possession of an AFHC permit does not exempt the permit holder from other local, state, or federal rules, laws, or permit requirements.

4. Permits are not transferrable.

D. Permit Requirements

1. Application for an aerial feral hog control (AFHC) permit shall be made on an official application form provided by the department. AFHC permits will be valid for the calendar year in which issued and will expire on December 31 of each year.

2. A permit may be issued in the name of an individual, partnership, or corporation for named pilots to locate, pursue, take, harass, or kill feral hogs by the use of an aircraft.

3. Application for a permit shall include:

a. name, address, and phone number of applicant;

b. if applicant is an individual, the birth date, federal aviation administration (FAA) certificate number, and driver's license number of the applicant;

c. name, address, driver's license number, FAA license number, and date of birth for each individual pilot; and

d. make, model, color, and registration number of each aircraft to be used.

4. Anyone who has been convicted of a class II or greater wildlife violation in Louisiana, or the equivalent in another state within the past five years, has been convicted of a felony in Louisiana or another state, or been convicted of a violation of 16 U.S.C. §§3371-3378 (the Lacey Act) shall not be eligible for an AFHC permit.

5. The application must contain a signed waiver statement holding the Department of Wildlife and Fisheries and its employees harmless for liability as a result of issuing an AFHC permit. AFHC permits will only be issued to those applicants who are willing to accept full responsibility and liability for any damages or injuries that occur during or as a result of activities related to the AFHC permit.

E. Landowner's Authorization

1. Prior to participation in permitted activities, a permit holder must submit to LDWF a landowner's authorization form (LOA) for each contiguous and non-contiguous piece of property on which feral hog control activities will be performed.

2. A landowner's authorization form will be made on an official application form provided by the department and shall include:

a. the name, mailing address, driver's license number, and phone number of the landowner;

b. the name, mailing address, driver's license number, and phone number of the authorized landowner's agent, if applicable;

c. the name and permit number of the permittee;

d. a description and specific location of the property, including acreage; and

e. justification for why feral hogs should be controlled by use of a helicopter.

3. A landowner's authorization for feral hog control will be valid for the duration of the permit, unless:

a. that permit expires without renewal or is revoked;

b. the landowner's authorization specifies a time limit; or

c. the landowner requests in writing to LDWF and the permittee that authorization be withdrawn.

4. A single LOA form may be submitted by a group of landowners or by an association on behalf of such landowners. In the case of a group submission, the landowner's authorization form must have an attached list of participating landowner names, phone numbers, mailing addresses, physical addresses of the properties, and acreages for each participating landowner. The justification for control will be for the entirety of the properties listed on the form.

5. Property outlined in an LOA must exceed 1000 acres to be eligible for feral hog control activities under an AFHC permit.

6. If a LOA is approved by LDWF, a unique control number will be issued to identify the property and LOA in permit activities.

7. AFHC permit activities may not commence on a property until a LOA control number has been assigned by LDWF and received by the permittee.

F. Landowner's Authorization to Appoint Subagents

1. A permittee may contract with a qualified landowner or landowner's authorized agent to act as a gunner or observer in the location, pursuit, taking, harassing or killing of feral hogs from a helicopter, provided that the permittee possesses a valid, properly obtained LOA describing the activity.

2. A landowner with a valid LOA number can allow an AFHC permit holder to appoint subagents to act as gunners or observers during permit activities, provided that the landowner or the landowner's authorized agent has completed a landowner's authorization to appoint subagents (LAAS) form. Such forms shall be made on an official application form provided by the department and shall include:

a. the name, mailing address, and phone number of the landowner;

b. the name, mailing address, and phone number of the authorized landowner's agent, if applicable;

c. the name and permit number of the permittee;

d. LOA number;

e. physical address of the property referenced by the LOA number;

f. signatures and dates of agreement to the terms by the landowner or landowner's authorized agent and the permittee; and

g. time limit for the LAAS, if desired.

3. LAAS forms will be valid for the duration of the permit, unless:

a. that permit expires without renewal or is revoked;

b. if the LAAS specifies a time limit; or

c. if a landowner requests in writing to the permittee that authorization be withdrawn.

4. AFHC permit holders will be responsible for completion of LAAS forms, and will maintain completed LAAS forms in perpetuity.

5. LAAS forms will be made available for inspection upon demand by LDWF personnel.

F. General Rules

1. A holder of an AFHC permit is authorized to engage in feral hog control by the use of an aircraft only on land described in the landowner's authorization (LOA).

2. The AFHC permit shall be carried in the aircraft when performing feral hog control activities using an aircraft.

3. The permit is only valid for the taking of feral hogs from a helicopter. Taking any wildlife or animals other than feral hogs is strictly prohibited.

4. A pilot of an aircraft used for feral hog control must maintain a daily flight log and report as detailed below. The daily flight log must be up-to-date and made available for inspection upon demand of LDWF employees.

5. A pilot of an aircraft must possess and maintain a valid pilot's license as required by the FAA.

6. All pilots and permittees must comply with FAA regulations for the specific type of aircraft listed in the permit.

7. The permit holder may only use an aircraft to take feral hogs that are causing verifiable damage to land, structures, crops, water, or livestock, domestic animals, or human life.

8. An AFHC permit holder may only take feral hogs that are located on property outlined in the LOA. It is prohibited to fire shots over property not included in the LOA. It is prohibited to fire upon, haze, harass, or track any animals, including feral hogs, located on property not listed in the LOA.

9. Any activities performed under this permit must occur during daylight hours, from one half hour before official sunrise to one half hour after official sunset.

10. An AFHC permit is not to be used for sport hunting.

11. All observers and gunners must successfully complete a four hour safety training held by the permittee prior to participating in AFHC permit activities. Safety training must include aspects of:

a. aircraft safety procedures;

b. target and non-target animal identification;

c. firearm safety;

d. emergency procedures.

12. Attendance at a safety training course will allow a gunner or observer to participate in AFHC permit activities for 90 days after successfully completing the class.

13. Permittee must report violations of these regulations by pilots, observers, gunners, or ground personnel during AFHC activities to LDWF within 24 hours of occurrence of the violation.

14. Any unreported violation of AFHC regulations by a pilot, gunner, or observer may result in immediate and

permanent loss of this permit and possible criminal prosecution.

G. Reporting and Renewal Requirements

1. A report of activities completed under this permit shall be required within 30 days of the end of each calendar quarter. Additionally, a report of activities completed under this permit shall be required when submitting a request for permit renewal or upon termination of the permit. This report shall be completed on official forms provided for this purpose by LDWF, and consist of daily flight log sheets, showing:

a. name, permit number, and signature of permit holder;

b. number of feral hogs managed under the permit;

c. landowner's authorization control number issued by LDWF;

d. dates of flight;

e. time of day an authorized flight begins and is completed;

f. type of management taken by use of aircraft;

g. name, pilot's license number, and signature of pilot;

h. name and address of gunner(s) and observer(s);

i. date that safety training was successfully completed by observer(s) and gunner(s).

2. Application for renewal of an AFHC permit must be submitted to LDWF no later than 45 days prior to expiration of the permit and AFHC permits will not be renewed until all renewal requirements are received.

3. If no flights were taken during the calendar quarter, a negative daily flight log and report must be submitted to LDWF.

H. Penalties for Violation. Unless another penalty is provided by law, violation of these regulations will be a class two violation as defined in title 56 of the *Louisiana Revised Statutes*. In addition, upon conviction for violation of these regulations, the AFHC permit associated with the permittee may be revoked.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:112(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:2282 (November 2014).

Chapter 3. Wild Birds

§301. Falconry

A. The Louisiana falconry regulations pertain to the use of native raptors (Accipitriformes—vultures, osprey, kites, harriers, accipiters, buteos, and eagles; Falconiformes—caracaras and falcons; and Strigiformes—owls) that are protected under the Migratory Bird Treaty Act, and exotic raptors, for purposes of falconry. No person may possess wild or captive bred raptors for the purpose of falconry without a valid permit as provided in these regulations.

B. Definitions

Aerie—the nest of an eagle or other bird of prey, built in a high inaccessible place such as a cliff face.

Department—Louisiana Department of Wildlife and Fisheries.

Eyass—a young raptor that is still in the nest.

Falconer—a person with a valid Louisiana game breeder's license for falconry or a person with a valid falconry license/permit from another state.

Hack—temporary release of a falconry raptor to the wild for purposes of conditioning and training.

Hybrid—offspring produced from the cross-breeding of two or more species of raptors or offspring of cross-bred raptors.

Imping—using a feather to repair or replace a broken feather of a raptor.

Imprinted Raptor—a raptor that was hand-raised from two weeks of age, or younger, until it has fledged; it is considered an imprint for the duration of its life.

Molting Weight—the heavier, non-hunting weight of a raptor, when the weight is not reduced for training and hunting.

Passage Bird—a raptor that has left the nest and is less than one year of age.

Permit—Louisiana game breeder's license for falconry.

Sponsor—a general or master falconer with a valid Louisiana falconry license who is at least 18 years old and has at least 2 years of experience at the general falconer level who agrees to supervise the training of an apprentice falconer.

Take—to trap or capture a wild raptor, including removal of a nestling from a nest or aerie.

USFWS—U.S. Fish and Wildlife Service.

Wild Raptor—a species of native raptor that originated in the wild. No matter how long the bird is held in captivity, or whether it was transferred to another licensee, it remains a wild bird. However, for purposes of wild take restrictions, the department does not consider the raptor to be taken from the wild by any subsequent licensee to whom it is legally transferred.

C. Types of Permits, Requirements and Responsibilities

1. Apprentice Permit

a. Apprentice falconers must be at least 16 years of age.

b. An apprentice falconer under 18 years of age must have a parent or legal guardian sign the application, attesting that he or she is legally responsible for the permittee's activities.

c. An apprentice falconry applicant must have a letter from a sponsor, stating that he or she will assist the apprentice with learning about the husbandry and training of raptors held for falconry, relevant laws and regulations and deciding what species of raptor is appropriate for the apprentice.

d. Apprentice falconry applicants must correctly answer at least 80 percent of the questions on the falconry exam to qualify for a license. The applicant's facilities and equipment must pass an inspection before obtaining a bird.

e. Apprentice falconers may possess no more than one raptor for use in falconry, even if the permittee has a falconry permit issued in another state.

f. Apprentice falconers may take a wild raptor of any species except, a bald eagle (*Haliaeetus leucocephalus*), a white-tailed eagle (*Haliaeetus albicilla*), a Steller's sea-eagle (*Haliaeetus pelagicus*), a golden eagle (*Aquila chrysaetos*), a swallow-tailed kite (*Elanoides forficatus*), a Swainson's hawk (*Buteo swainsoni*), a peregrine falcon (*Falco peregrinus*), a flammulated owl (*Otus flammeolus*), an elf owl (*Micrathene whitneyi*), a short-eared owl (*Asio flammeus*) or any federally listed endangered or threatened species.

g. Apprentice falconers may possess any Accipitriform, Falconiform, or Strigiform raptor species, including wild, captive-bred, or hybrid individuals, except a federally listed threatened or endangered species or a bald eagle, a white-tailed eagle, a Steller's sea-eagle, a golden eagle, or a swallow-tailed kite.

h. Apprentice falconers do not need to capture their own wild raptor; a raptor can be transferred to an apprentice falconer by another falconer.

i. Apprentice falconers may only take raptors less than one year old, except nestlings may not be taken.

j. Apprentice falconers may not possess a raptor taken from the wild as a nestling.

k. Apprentice falconers may not possess a raptor that is imprinted on humans.

l. Apprentice falconers may take passage birds from September 1-February 28 only.

2. General Permit

a. General falconers must be at least 16 years of age.

b. A general permit applicant under 18 years of age must have a parent or legal guardian sign the application, attesting that he or she is legally responsible for the permittee's activities.

c. General permit applicants must submit a document from a general falconer or master falconer (preferably the applicant's sponsor) stating that the applicant has practiced falconry at the apprentice level or equivalent for at least two years, including maintaining, training, flying, and hunting the raptor(s) for at least four months in each year. That practice may include capture and release of falconry raptors.

d. General permit falconry applicants may not substitute any falconry school or education program to shorten the period of two years at the apprentice level.

e. General falconers may take and possess any Accipitriform, Falconiform, or Strigiform raptor except a bald eagle, a white-tailed eagle, a Steller's sea-eagle, a golden eagle, a swallow-tailed kite. Except peregrine falcons may only be taken by general falconers in possession of a valid peregrine falcon trapping permit.

NOTE: The number of peregrine falcon trapping permits is very limited. Additional regulations apply to the take and possession of federally listed threatened and endangered species.

f. General falconers may use captive-bred individuals and hybrids of the species authorized for possession.

g. General falconers may possess no more than three raptors, even if the licensee has falconry permit issued in another state.

h. General falconers may remove nestlings from a nest or aerie, provided at least one nestling is left inside the nest or aerie.

i. General falconers may take passage birds, except peregrine falcons, from September 1-February 28 only and eyasses year-round. General falconers may take an American kestrel (*Falco sparverius*) or a great horned owl (*Bubo virginianus*) of any age from the wild from September 1-February 28 only. Peregrine falcons (passage birds only) may be taken by general falconers in possession of a valid peregrine falcon trapping permit from September 20-October 20 only.

3. Master Permit

a. Master permit applicants must have practiced falconry with his or her raptor(s) at the general falconer level for at least five years.

b. Master falconers may take and possess any Accipitriform, Falconiform, or Strigiform raptor except a bald eagle or a swallow-tailed kite. Except peregrine falcons may only be taken by master falconers in possession of a valid peregrine falcon trapping permit.

NOTE: The number of peregrine falcon trapping permits is very limited. Additional regulations apply to take and possession of federally listed endangered and threatened species.

c. Master falconers may take and possess a golden eagle, a white-tailed eagle, or a Steller's sea-eagle after obtaining authorization for eagles and sea-eagles from the department.

d. Master falconers may possess captive-bred individuals or hybrids of species authorized for possession.

e. Master falconers may possess no more than five wild raptors even if the licensee has a falconry permit issued in another state.

f. Master falconers may possess any number of captive-bred raptors, but must train them in the pursuit of wild game and use them in hunting.

g. Master falconers may remove nestlings from a nest or aerie provided at least one nestling is left inside the nest or aerie.

h. Master falconers may take passage birds, except peregrine falcons, from September 1-February 28 only and eyasses year-round. Master falconers may take an American kestrel or a great horned owl of any age from the wild from September 1-Februay 28 only. Peregrine falcons (passage birds only) may be taken by master falconers in possession of a valid peregrine falcon trapping permit from September 20-October 20 only.

4. Nonresident Permit

a. A non-resident falconer who resides in Louisiana for more than 120 consecutive days but who does not intend to establish residency must obtain a nonresident falconry license.

b. Non-resident falconers shall possess a valid falconry permit or license from his or her state of residence. A copy of this permit or license shall be submitted with the non-resident falconry permit application.

c. Non-resident falconers may not import or possess more raptors than allowed by their state of residence.

d. Non-resident falconers may not take more than two raptors in Louisiana during the calendar year.

e. Raptors taken from the wild in Louisiana must be species the non-resident falconer is authorized to possess in their state of residence, except peregrine falcons may not be taken in Louisiana by non-resident falconers.

f. While in Louisiana, non-resident falconers must keep their raptors in facilities that have passed the Louisiana falconry facility inspection.

g. Non-resident falconers may take passage birds, except peregrine falcons, from September 1-February 28 only.

h. Non-resident falconers at the general or master level may take eyasses year-round, provided at least one nestling is left in the nest or aerie.

5. Raptor Propagator Permit. A Louisiana game breeder's license for falconry and a USFWS raptor propagation permit must be obtained to legally propagate raptors in Louisiana. Properly permitted propagators:

a. shall comply with federal raptor propagation regulations and reporting requirements;

b. shall obtain written authorization from the department before taking wild raptors or eggs;

c. shall submit a Louisiana raptor harvest report form (available on the department website) to the department within 10 days of taking a raptor or raptor egg in Louisiana;

d. may take and possess any Accipitriform, Falconiform or Strigiform raptor except a bald eagle, a golden eagle, or a swallow-tailed kite. Except peregrine falcons may only be taken by general or master falconers in possession of a valid peregrine falcon trapping permit;

NOTE: The number of peregrine falcon trapping permits is very limited. Additional regulations apply to take and possession of federally listed endangered and threatened species.

e. may possess captive-bred individuals or hybrids of species authorized for possession;

f. may possess any number of wild or captive-bred raptors;

g. may remove eggs or nestlings from a nest or aerie provided at least one egg or nestling is left;

h. may take passage birds, except peregrine falcons, from September 1-February 28 and eggs and eyasses year-round. May take an American kestrel or a great horned owl of any age from the wild from September 1-February 28 only. Peregrine falcons (passage birds only) may be taken September 20-October 20 only by general or master falconers in possession of a valid peregrine falcon trapping permit;

i. may take no more than two raptors or eggs from the wild in the calendar year;

j. may possess and propagate federally threatened or endangered raptor species only if authorized by the USFWS Regional Migratory Bird Permit Office to do so;

k. may take a raptor listed by the USFWS as endangered or threatened from the wild for propagation purposes only if authorized by the department and in possession of a USFWS endangered species permit authorizing this activity;

l. may use falconry training or conditioning practices such as, but not limited to, creance (tethered) flying, lures, balloons, or kites in training or conditioning captive-bred progeny of raptors legally possessed;

m. may use captive-bred offspring less than one year old for falconry as a means of training progeny of raptors legally possessed.

6. Temporary Permit

a. Non-U.S. residents with experience in falconry must correctly answer at least 80 percent of the questions on the Louisiana falconry exam to qualify for a permit. The department will review the applicant's documented experience and issue a falconry permit consistent with that experience. The falconer's facilities and equipment must pass an inspection before the falconer obtains a bird.

b. Temporary permit holders may fly legally imported falconry raptors provided the raptors are exported when the falconer leaves the U.S., and that two functioning radio transmitters are attached when the raptors are flown free.

c. Temporary permit holders may not take a raptor from the wild for use in falconry.

7. Taking Falconry Raptors to Another Country to use in Falconry Activities

a. A Louisiana falconry permittee may export legally possessed falconry birds to another country to use in falconry in accordance with the regulations of the destination country and all state and federal regulations governing import/export.

8. Updating a Falconry Permit after a Move

a. A falconer who moves to a new state, tribe or territory with falconry birds must inform the falconry regulatory authorities in each jurisdiction of the address change within 30 days.

b. A falconer moving from another state to Louisiana with the intent to establish residency must obtain a Louisiana falconry permit with 120 days. The falconer may bring his or her lawfully possessed birds into the state in the interim.

9. Reinstatement of a Lapsed Falconry Permit

a. If a falconer's permit has lapsed for fewer than five years, it may be reinstated at the level the falconer held previously if he or she provides proof of certification at that level.

b. If a permit has lapsed for five years or longer, it may be reinstated at the level previously held if the applicant correctly answers at least 80 percent of the questions on the falconry test and the applicant's facilities and equipment pass an inspection before the permit is reinstated and before possessing a bird.

10. Permit to practice falconry at an appropriate level for experienced falconers who are new residents in the United States.

a. U.S. residents with falconry experience in another country may be issued a falconry permit commensurate with documented experience if appropriate documentation is provided detailing the applicant's experience, the applicant correctly answers at least 80 percent of the questions on the Louisiana falconry test, and the applicant's facilities and equipment pass an inspection before a permit is issued.

D. Facilities for Housing Raptors

1. Raptors held under falconry permit shall be kept in humane and healthful conditions. Housing facilities shall provide protection from adverse weather, predators and domestic animals.

2. All raptor housing facilities must pass an inspection by department personnel or others authorized by the department before a license will be issued.

3. Each facility must have at least one suitable perch for each raptor and at least one opening for sunlight.

4. Untethered raptors may be held in the same facility if they are at molting weight and compatible with each other.

5. Raptor housing facilities must provide enough room for the raptor to fly if untethered or, if tethered, to fully extend its wings or bate without damaging its feathers or contacting other raptors.

6. Facilities must contain a suitable water container, and fresh, clean water shall be provided unless weather, a medical condition, or other circumstance requires the temporary denial of water.

7. A single facility that meets the requirements of both indoor and outdoor facilities is acceptable.

8. An indoor facility must be large enough to allow easy access for the care and feeding of raptors housed therein. If raptors are free-lofted, all walls that are not solid must be protected on the inside. Suitable materials may include vertical bars spaced narrower than the width of the body of the smallest raptor housed in the enclosure. However, heavy-duty netting or other such materials may be used to cover the walls or roof of the enclosure. Acceptable indoor facilities include shelf perch enclosures where raptors are tethered side by side. Other innovative housing systems are acceptable if they provide the enclosed raptors with protection and maintain healthy feathers. If falconry raptors are housed inside the home, the falconer does not need to modify windows or other openings of the structure provided the raptor is kept tethered.

9. An outdoor facility must be totally enclosed, and may be made of heavy-gauge wire, chain-link fencing, heavy-duty plastic mesh, slats, pipe, wood, or other suitable material. It must be covered and have at least a covered perch to protect a raptor held in it from predators and weather. The facility must be large enough that the bird cannot strike the enclosure when flying from the perch.

10. A falconer shall notify the department within five business days of relocating a raptor housing facility to a new location.

11. A falconer shall allow department personnel to inspect the facilities and/or raptors without advance notice.

E. Falconry Facilities on Property not owned by the Licensee

1. Falconry facilities may be on property owned by another person. Regardless of location, falconry facilities must meet the requirements described in this Rule.

2. If the facilities are on property owned by another person, the licensee must submit a signed and dated statement from the property owner authorizing department personnel to inspect the facilities and/or raptors without advance notice.

F. Equipment

1. At the time of the facility inspection, each applicant shall have in possession the following equipment:

a. at least one pair of jesses constructed of pliable, high-quality leather or suitable synthetic material, or materials and equipment to make them;

b. at least one flexible, weather-resistant leash and one strong swivel of acceptable falconry design;

c. at least one weathering-area perch of acceptable design for each raptor;

d. a suitable bath container;

e. a reliable scale or balance suitable for weighing the raptors, graduated in increments of not more than 1/5 ounce or 5 grams.

2. When being transported, a falconry raptor must have a suitable perch and protection from extreme temperatures, wind and excessive disturbance.

G. Care of Falconry Raptors by another Falconry Licensee. Any falconer may care for the birds of another falconer at either falconer's facilities. The falconer providing the care must be given a signed and dated statement from the owner of the birds describing the time period of temporary care and what activities are authorized. The falconer providing the care must also be given a copy of the USFWS Form 3-186A showing that the absent owner is the possessor of the raptors. Temporary care may not exceed 120 consecutive calendar days. Under extenuating circumstances such as illness, military service or family emergency, the department may authorize indefinite extension of temporary care.

H. Care of Falconry Raptors by Someone without a Falconry License

1. A person without a falconry permit may care for a licensed falconer's raptors at the licensee's facilities for up to 45 consecutive days. The raptors must remain in the facilities and the caretaker may not fly them for any reason. Care may be extended indefinitely under extenuating circumstances such as illness, military service or family emergency if authorized in writing by the department.

I. Transfer of Falconry Raptors if a Licensee Dies

1. A surviving spouse, executor, administrator, or other legal representative of a deceased falconer may transfer any bird held by the deceased falconer to another falconer within 90 days of the death of the falconer. After 90 days, disposition is at the discretion of the department.

J. Banding or Tagging Raptors used in Falconry

1. If a falconer takes a northern goshawk (*Accipiter gentilis*), Harris's hawk (*Parabuteo unicinctus*), peregrine falcon, or gyrfalcon (*Falco rusticolus*) from the wild or acquires one from a rehabilitator, the raptor must be banded with a permanent, non-reusable, numbered USFWS leg band provided by the department upon request. Falconers may purchase and implant an ISO (International Organization for Standardization) compliant (134.2 kHz) microchip in addition to the band. The falconer must report the band number when reporting acquisition of the bird. Within 10 days from the day on which the bird is taken from the wild, it must be reported by entering the required information, including band number, in the electronic database on the appropriate USFWS website. A falconer may request an appropriate band in advance of any effort to capture a raptor. A raptor captured from the wild may not be banded with a seamless numbered band.

2. A raptor bred in captivity must be banded with a seamless metal band. If a seamless band is lost or removed from a captive bred bird, it must be reported within 10 days and a request made for a non-reusable USFWS replacement band. Immediately upon re-banding the bird, the required information, including the band number, must be entered into the electronic database on the appropriate USFWS website.

3. If a band must be removed or is lost from a wild raptor, the falconer must report this removal or loss to the department within 5 days and request a non-reusable replacement band. The falconer must file an electronic report within 10 days of re-banding at the USFWS website.

4. Birds with documented health or injury problems caused by bands may be exempted in writing from banding by the department once documentation is reviewed. If an exemption is issued, the falconer must keep the written exemption it in his/her possession when flying or transporting the exempted bird. If that bird is a wild northern goshawk, Harris's hawk, peregrine falcon, or gyrfalcon, the band must be replaced with an ISO-compliant (134 kHz) microchip obtained from the department.

5. Raptor bands shall not be altered, defaced or counterfeited except that a falconer may remove the rear tab and smooth the surface without affecting the integrity or numbering of the band.

K. Additional Regulations on Taking, Transporting and Possessing of Raptors for Falconry

1. A falconer who resides in another state may take raptors from the wild in Louisiana if he or she has in possession a valid falconry permit/license from his or her state of residence and if the falconer abides by all Louisiana and federal falconry regulations. If a raptor is taken in Louisiana, the non-resident falconer must complete a Louisiana raptor harvest report form (available on the department web site) and submit it to the department within 10 days of acquiring the raptor. Non-resident falconers may not take peregrine falcons, bald eagles or swallow-tailed kites in Louisiana.

2. A falconer shall not intentionally capture a raptor that he or she is not authorized to possess. Any bird captured that is not authorized for possession shall be released immediately at the site of capture.

3. Falconers who capture raptors that are wearing research bands, research markings or transmitters shall

report all band numbers and other markings to the USGS Bird Banding Laboratory.

4. Any falconer is authorized to capture a raptor trapped inside a building. The bird shall be released immediately into the wild unless it is sick or injured, in which case it shall be transferred to a licensed rehabilitator within 24 hours.

5. A falconer may recapture any raptor wearing falconry equipment and return it to the proper owner. A captured raptor that is wearing falconry equipment must be reported to the department within five days. It does not count against the permittee's take or possession limit while temporarily in possession.

6. Take of raptors from the wild shall be reported electronically within 10 days by entering the required information into the electronic database via the appropriate USFWS website.

7. Falconers must abide by state, tribal, territorial, and federal laws and restrictions regarding take, possession, and transfer or loss of any wild raptor.

8. No permittee may take more than two raptors from the wild per calendar year for use in falconry.

9. General and master falconers may take no more than one bird of a federally threatened species from the wild each year. A valid federal endangered species permit must be obtained prior to taking a threatened bird.

10. If a permittee is present at the capture site for the taking of a raptor from the wild, even if another person actually captures the bird, the permittee is considered the person who removes the bird from the wild and must report the take by entering the required information into the electronic database via the appropriate USFWS website, within 10 days of the capture of the bird. This will count as one of the two wild raptors the permittee is allowed to take within the calendar year.

11. A general or master falconer may take a raptor from the wild for another licensee who is not present during the taking, report the acquisition, and then transfer it to the other licensee. The general or master falconer who removed the raptor from the wild must report the take within 10 days, even if it was promptly transferred to another permittee. This will count as one of the two wild raptors that the falconer who took the bird is allowed during that calendar year.

12. A falconer may acquire a raptor from a licensed rehabilitator if the falconer is authorized to possess that species of bird. A raptor acquired from a rehabilitator will count as a raptor taken from the wild and shall be reported within five days of acquisition.

13. A raptor injured during capture may be kept and properly reported as a falconry acquisition within 10 days of capture and treated by a veterinarian or licensed wildlife rehabilitator. Alternatively, the raptor may be turned over to a veterinarian, wildlife rehabilitator or department biologist if he or she agrees to accept it, in which case it will not count against the falconer's take or possession limit. In either case, the falconer who captured the bird is responsible for the costs of care and rehabilitation of the bird.

14. Any time a permittee acquires, transfers, re-bands or microchips a raptor or has a raptor stolen or loses a raptor to the wild and does not recapture it within 30 days, or a raptor dies, the change must be properly reported via the USFWS website within 10 days.

15. Falconers may transfer, sell, purchase or barter captive bred raptors that are marked with seamless bands to other licensees who are authorized to possess them. Falconers may not purchase, sell, trade or barter wild raptors or captive bred raptors not marked with seamless bands, but they may transfer them to other permittees.

16. Falconers may transfer wild raptors to other falconers authorized to possess them.

17. A falconer may transfer a wild raptor to other permit types after the bird has been used in falconry for two years (or one year for a sharp-shinned hawk—*Accipiter striatus*), a Cooper's hawk (*Accipiter cooperii*), a merlin (*Falco columbarius*), or an American kestrel. The falconer must provide a copy of the 3-186-A form documenting the transfer to the federal migratory bird permit office that administers the other permit type in addition to filing an electronic report. Falconers may transfer a wild raptor to another permit type in less time, provided the bird has been injured, is no longer suitable for use in falconry, and the case is documented in writing by a veterinarian or properly permitted wildlife rehabilitator. Copies of the 3-186-A and the letter from the veterinarian or rehabilitator must be submitted to the federal office that administers that permit type in addition to filing an electronic report.

18. Falconry raptors may be used for captive propagation without transferring them to a federal raptor propagation permit provided the birds are banded and used for this purpose fewer than eight months in a year and that the person propagating the raptors possesses a federal raptor propagation permit.

19. The theft of a raptor from a permittee must be reported to the department and to the USFWS regional law enforcement office within 48 hours of discovery of the theft of the bird.

20. Falconers must keep copies of all electronic database submissions documenting take, transfer, loss, re-banding or microchipping of each falconry raptor for five years after the bird was transferred, lost or died.

21. Falconers must carry legible copies of their falconry permits with them whenever conducting falconry activities away from their falconry facilities. This includes trapping, transporting, flying, working or hunting with raptors and traveling through other states, tribal lands, or territories. Falconers from other states may transport their raptors through Louisiana without any additional permits as long as they have legible copies of their falconry permits/licenses in their possession. Falconers residing in other states may bring their raptors to Louisiana for educational purposes without any additional permits as long

as they are in Louisiana less than 120 consecutive days and have a valid falconry permit/license in their possession.

22. Falconers hunting with raptors in Louisiana must abide by applicable hunting regulations including possession of hunting licenses, stamps, and permits.

L. Hybrids. When flown free, including when at hack, a hybrid raptor must have attached at least two functioning radio transmitters for use in locating the bird.

M. Use of Eagles in Falconry

1. With authorization for eagles from the department, master falconers may possess up to a total of three eagles of the following species: golden eagle, white-tailed eagle, or Steller's sea-eagle. A golden eagle, white-tailed eagle, or Stellar's sea-eagle counts as a bird to be included under the falconer's possession limit. Master falconers who wish to possess native eagles or sea-eagles for use in falconry must request and receive written authorization for eagles or sea-eagles prior to obtaining one and must submit the following documentation:

a. a letter detailing experience in handling large raptors, including information about the species handled and the type and duration of the activity;

b. at least two letters of reference from people with experience handling and/or flying large raptors such as eagles, sea-eagles, ferruginous hawks (*Buteo regalis*), northern goshawks, or great horned owls. Each must contain a concise history of the author's experience with large raptors, which can include, but is not limited to, handling of raptors held by zoos, rehabilitating large raptors, or scientific studies involving large raptors. Each letter must also assess the falconer's ability to care for eagles or sea-eagles and fly them in falconry.

2. A master falconer authorized by the department to possess a golden eagle may capture one under the provisions in 50 CFR 21.29 and 50 CFR 22 for taking a golden eagle for falconry.

N. Releasing Raptors into the Wild

1. Wild raptors may be permanently released at any time.

2. No hybrids or exotics of any kind may be permanently released in Louisiana.

3. Captive-bred raptors may be permanently released to the wild only with written authorization from the department and only after a suitable hacking period in a suitable location and at an appropriate time of year. The seamless band must be left on the bird. The release must be properly reported to the department and to the USFWS within 10 days of the permanent release.

O. Hacking. General and master falconers may hack falconry raptors. Hacking is not allowed near a nesting area of a federally threatened or endangered animal or in any location where the raptor is likely to harm a federally listed threatened or endangered animal. Falconers may contact the department for information on nesting locations of federal listed species prior to hacking any falconry raptor.

P. Use of Native Raptors in Conservation Education Programs

1. General and master falconers may use their birds in conservation education programs presented in public venues. Apprentice falconers may do so only when supervised by a general or master falconer.

2. Fees may be charged for such educational programs but only to the extent necessary to recover costs for participating.

3. Education programs must relate to the biology, ecological roles and conservation needs of raptors and other migratory birds.

Q. Other Educational uses of Native Raptors

1. Falconers may allow their birds to be photographed or filmed to make movies or other sources of information on the practice of falconry or on the biology, ecological roles and conservation needs of raptors and other migratory birds but may not be paid for doing so.

2. Falconers may not use their birds to make movies, commercials or engage in other commercial ventures that are not related to falconry.

3. Falconers may use their birds to promote or endorse products or endeavors related to falconry provided the falconer is not paid or otherwise compensated for such usage.

R. Assisting in the Rehabilitation of Raptors. General and master falconers may assist properly licensed migratory bird rehabilitators in preparing rehabilitated raptors for permanent release to the wild. While doing so, the falconer may keep the bird in his or her facility while the bird remains on the rehabilitator's permit. The rehabilitator must provide the falconer with a document that identifies the bird and states that the falconer is assisting in the bird's rehabilitation. All rehabilitation raptors shall be released or returned to the rehabilitator within 180 days, unless written authorization is obtained from the department to condition them for a longer period.

S. Abatement Activities. Master falconers must have a valid federal abatement permit to use raptors in abatement activities. General falconers may do so only as a sub-permittee of the holder of the abatement permit.

T. Additional Falconry Practices

1. Falconry practices, such as, but not limited to, the use of creance flying, lures, balloons, or kites in training or conditioning falconry raptors is permissible.

2. Falconry birds may be used to take any bird species for which a depredation order is in place in accordance with the conditions of the applicable depredation order. The falconer must not be paid or otherwise compensated for doing so.

U. Accidental Take of Prey. If a prey item is killed by a falconry bird unintentionally, including an animal taken outside of a regular hunting season, the falconer may allow the raptor to feed on the kill in the field, but the animal may not be taken into possession. Accidental take of any federally listed threatened or endangered species must be reported to the USFWS Ecological Services field office and the department.

V. Possession and Disposition of Molted Feathers

1. Falconers may possess flight feathers for each raptor species in possession or previously held.

2. Falconers may receive flight feathers from other falconers, wildlife rehabilitators or propagators in the United States and may give feathers to them or to other permittees allowed to possess them. Feathers may not be bought, sold or bartered. When the licensee's permit expires or is revoked, all remaining feathers shall be donated to someone authorized to possess feathers or destroyed. Molted primaries, secondaries and rectrices from golden eagles must be collected and either retained or sent to the National Eagle Repository.

W. Disposition of Carcasses. The carcass of a falconry bird may be donated to someone authorized to possess it. If the bird was banded or microchipped prior to its death, the bird may be kept so the feathers are available for imping. The carcass may be mounted by a taxidermist for use in conservation programs. The band or microchip must remain in place. Carcasses not kept or donated shall be burned, buried or otherwise destroyed. Golden eagle carcasses must be sent to the National Eagle Repository.

X. Penalties. Violation of this rule constitutes a class 2 violation as provided in R.S. 56:115. Additionally, a person who is convicted of a violation of these rules may be ineligible for a falconry permit for a period of up to three years from the date of the conviction.

Y. Falconers are also responsible for conducting their activities in accordance with federal regulations that apply to falconry and are found in 50 CFR 21.29.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 4:299 (August 1978), amended LR 39:120 (January 2013).

§303. Nonresident Preserve Hunting License

A. The Wildlife and Fisheries Commission has established a special nonresident preserve hunting license which can be purchased for use on a specific preserve in lieu of the regular resident small game hunting license. The fee for the special nonresident preserve hunting license is $15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 14:631 (September 1988).

§305. Hunting Preserve Regulations

A. As provided by R.S. 56:651, the department may issue a license to operate hunting preserves. Hunting preserves are to be operated under the following regulations.

1. Application Requirements

a. Application shall be made in writing on forms provided by the department.

b. Applicant must provide proof of ownership or verification of exclusive hunting rights from the landowner of the property the hunting preserve is to be operated. This is to be returned with the application.

c. All applicants, including applicants for renewal as required by the department, must provide a written operational plan detailing the type(s) of birds to be released, the methods(s) and time of release, and location(s) of release. A description of hunting activities that occur or are likely to occur on the preserve and surrounding property must also be included. In the case of hunting preserves approved to utilize mallards, a map must be included in the operational plan which indicates the release site, water areas, and shooting areas. A license will not be issued until the operational plan has been approved by the department. Deviation from the approved operational plan is permitted only with written consent of the department.

d. The department may revoke/deny any hunting preserve license for failure to comply with any fish or wildlife laws, for reasons relating to disease or public health, for deviation from an approved operational plan, or for failure to abide by the rules and regulations established for this hunting preserve program. Revocation/denial shall be for a minimum of one entire hunting preserve season.

e. New applications must be received prior to August 1 for operation during the forthcoming hunting preserve season.

2. Suitability of Area for Use as a Hunting Preserve

a. No license for a hunting preserve shall be issued until an on-site investigation has been completed by the department and the department has determined that the property is suitable for the purpose of the proposed hunting preserve. The department shall base its determination on whether or not the proposed shooting area will cause conflicts with wild migratory game bird hunting, or be in violation of state and federal regulations concerning the feeding of migratory waterfowl or the use of live decoys, that the establishment of the shooting area will be in the public interest, and that the operation of a hunting preserve at the location specified in the application will not have a detrimental effect upon wild migratory or resident game birds.

b. No license shall be issued for any hunting preserve situated on a marsh, lake, river or any other place where there are concentrations of wild waterfowl or if its operations are likely to result in attracting such concentrations of wild waterfowl.

c. No hunting preserve using mallards shall be located within five miles of any wildlife area with significant waterfowl concentrations owned or leased by the state or federal government or by non-profit conservation organizations.

d. Licenses for hunting preserves using mallards will not be issued in the coastal zone, defined as that area south of I-10 from the Texas state line to Baton Rouge, south of I-12 from Baton Rouge to Slidell and south of I-10 from Slidell to the Mississippi state line.

e.i. No license shall be issued for the use of pheasants on any hunting preserve situated within areas with medium to high turkey populations. Except, a conditional license for the use of pheasants may be issued provided the applicant/licensee agrees to and adheres to the following.

(a). The pheasant flock must be free of *Heterakis gallinarum*, the vector for *Histomonas meleagridis* which can cause blackhead disease in wild turkeys.

(b). Department biologists or other authorized personnel must be granted access to all pheasant pens without advance notice to collect biological samples for *Heterakis gallinarum* testing.

(c). If greater than 10 percent of the samples indicate the presence of *Heterakis gallinarum*, pheasant releases must immediately stop and cannot resume until the flock is treated and subsequent testing by the department indicates that no greater than 10 percent of the samples are positive for *Heterakis gallinarum*.

(d). Use of drugs to control *Heterakis gallinarum* must adhere to drug withdrawal times as established under federal guidelines.

ii. In areas with low turkey populations and low potential for expansion, pheasants may be used without condition. This determination will be made at the local level by a department biologist in consultation with the wild turkey program leader.

f. The licensee is responsible for notifying the department of changes in activities or conditions that may affect the suitability of the property for a hunting preserve. If at any time, the department determines that activities or conditions on the hunting preserve or surrounding property make the property unsuitable for a hunting preserve, or that continued operation of the hunting preserve is not consistent with these regulations, the department may immediately revoke the hunting preserve license, or require modification of the operational plan.

g. Applicants and licensees are advised that hunting preserve licenses are issued following a review and recommendations by department staff. Licenses are issued on an annual basis for a 12-month term only. Changing conditions, including those such as climatic, biological, and land use, which may be beyond the control of the applicant/licensee, may result in certain applications not being granted, or licenses not being renewed. Annual renewal of hunting preserve licenses cannot be assured and applicants/licensees are cautioned to take these factors into consideration when making any investments or commitments which may relate to the continued issuance of a hunting preserve license.

3. Types of Releases Allowed

a. The use of mallards on hunting preserves is limited to those operations whereby domestic mallards are released in a controlled fashion to proceed over positioned shooters in their flight path. No direct releases of any species of domesticated waterfowl into the wild for any sporting purposes or for any reasons are permitted within the state.

b. Quail may be released after September 1 on hunting preserves for the purpose of providing coveys for hunting. Pheasants and chukars may not be released on hunting preserves more than one day prior to a scheduled hunt. No direct releases of domesticated game birds, including but not limited to quail, pheasants and chukars, into the wild for purpose of population establishment are permitted within the state.

c. All quail and mallards must be banded in accordance with R.S. 56:654(4) prior to release.

4. Inspection of Permitted Areas and Domesticated Game Birds

a. Applicant must provide proof that the birds to be released originated from a source flock participating in the National Poultry Improvement Plan (NPIP) within 365 days prior to release and have not been in contact with birds from non-NPIP sources.

b. The premises of game bird production facilities and/or holding pens may be inspected by the department or by a designated agent for assessment of health of birds and sanitation of facilities. General pen requirements must conform to those adopted by the Louisiana Wildlife and Fisheries Commission for game breeders.

c. Accurate records of animal husbandry and mortality must be maintained at production/holding facilities and will be subject to periodic inspection by the department.

d. Every person who brings or causes to be brought into this state live domestically reared game birds for shooting purposes must comply with Livestock Sanitary Board regulations on livestock, poultry, and wild animals (R.S. 7:11705, 11767 and 11789). A copy of the health certificate must also be forwarded to the Department of Wildlife and Fisheries within 10 days for each shipment of birds. Any shipment of birds not accompanied by a health certificate shall be destroyed or returned to the place of origin by the importer at his sole cost and responsibility.

5. Hunting Licenses Requirements. A basic hunting license or hunting preserve license is required of all persons hunting on hunting preserves. In addition, a Louisiana Waterfowl Hunting License (formerly known as a state duck stamp) is required as provided by law of all persons taking or hunting mallards on any hunting preserves.

6. Season Dates. The season during which shooting will be permitted shall be set by the Louisiana Wildlife and Fisheries Commission. The current season is fixed for the period of October 1 through April 30.

7. Shooting Hours. Shooting hours for hunting preserves shall be set by the Louisiana Wildlife and Fisheries Commission. The current hours are one-half hour before sunrise to sunset.

8. Methods of take:

a. shotguns 10 gauge or smaller capable of holding no more than three shells in the magazine and chamber combined; nontoxic shot is required for hunting mallards on hunting preserves approved for use of mallards;

b. muzzle-loading shotguns;

c. falconry;

d. archery equipment.

B. Existing state laws R.S. 56:651-659 and federal law 50 CFR 21:13 address bird banding, bird identification, bird transportation, reports and records and other issues. Compliance with these state and federal laws are mandatory. Hunting and taking of wild migratory and wild resident game birds on licensed hunting preserves must conform to all state and federal hunting regulations, including, but not limited to: non-toxic shot requirements, federal duck stamp requirements, live decoy prohibition, seasons and bag limits.

C. Changes in Rules. The Louisiana Wildlife and Fisheries Commission, Louisiana Department of Agriculture and the U.S. Fish and Wildlife Service may from time to time make changes in these rules and it is the responsibility of the licensee to apprise himself of any changes and to abide by them.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:651-659.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:1136 (October 1992), amended LR 28:1033 (May 2002), LR 36:2291 (October 2010).

§309. Louisiana Waterfowl Conservation Stamp 1989 Art Competition Rules and Procedures

Editor's Note: In §309.I, contact Larry Reynolds, instead of Robert Helm.*

A. Background. In 1988, the Louisiana State Legislature authorized the Louisiana Waterfowl Conservation Stamp Program to generate revenues for conservation and enhancement of waterfowl, protection and acquisition of valuable wetland habitats, and other worthy projects that benefit Louisiana's ducks and geese. Income is derived from the sale of state duck stamps to hunters aged 16 and over, who are required to have a stamp for waterfowl hunting in Louisiana, as well as from the sale of limited edition art reproductions of the design. Stamps and prints are sold to collectors nationwide via normal retail sales outlets. The state will receive royalties from the sale of prints and revenue from the sale of duck stamps.

B. Purpose. The primary purpose of the Louisiana Waterfowl Conservation Stamp Program is to produce revenue for needed waterfowl conservation and enhancement projects.

C. Objectives

1. Obtain the highest quality work of art that will most accurately and eminently portray waterfowl species and will have broad appeal to art collectors.

2. Provide a nationwide opportunity for waterfowl hunters, viewers, and art collectors to contribute financial support for waterfowl conservation and enhancement programs in Louisiana.

D. General Guidelines

1. By tradition, most waterfowl conservation stamp art is highly realistic in style, exhibiting extensive detail in anatomy, plumage, and the natural setting. Although artists are free to submit any composition that they desire, highly stylized or unusual designs may be viewed as too incongruous by series collectors or may limit the breadth of appeal among print buyers.

2. A key aspect of duck stamp art is the strength of the composition and dominance of the featured bird(s). Because the final image will be 6 1/2 inches by 9 inches on the print and only 1 3/8 inches by 2 inches on the stamp, lighting, spatial arrangement and colors should provide a clean, attractive composition at both scales.

E. Specific Requirements

1. The subject of the 1989 Louisiana Waterfowl Conservation Stamp and Print will be the Blue-Winged Teal.

2. The design must be a full-color, realistic rendering of Blue-winged Teal. The setting must be identifiable as Louisiana and appropriate to the natural habitat of the species.

3. The image must be horizontal, 13 inches by 18 inches and bear no signature or other marks that would identify the artist.

4. The design must be original, never have been published, and not have been entered in competition for any Federal or State Waterfowl Stamp Program.

5. There is no restriction on media or substrate, but the department will not be responsible for damage or deterioration of pastels or other sensitive, unstable materials.

6. Each artist may enter only one design in the 1989 stamp competition. A winning artist may not compete for two successive years following his selection year.

7. Works must be matted in white to outside dimensions of 18 1/2 inches by 23 inches and should be loosely covered with acetate or other protective overleaf, but must not be framed or covered with glass.

8. A card on the back of each entry must list the artist's name, mailing address and phone number. A brief summary of the artist's background and credit should be enclosed.

9. All entries must be shipped in sturdy reusable containers bearing a legible return address, at the expense of the sender. Return shipping will be to the point of origin, unless requested otherwise, at the department's expense. The department will be held harmless for loss or damage during shipment.

10. All entries must be available for inclusion in public exhibits for one year from the close of competition. Entries not judged to be in the top selections may be returned sooner. The department reserves the right to photograph all entries for purposes of documentation, promotion, and education. The winning entry will be retained by the department.

F. Judging Criteria and Selection Procedures. The winning design will be selected by a panel of five judges who have expertise in waterfowl biology, artistic methods and expression. Judges will be selected by the Louisiana Department of Wildlife and Fisheries and the Louisiana Art Council. Judging will be done in three stages as follows:

1. the panel will screen and evaluate all entries and will select the top 30 entries;

2. the panel will reevaluate these 30 selected entries in detail to select three designs which will become finalists; and

3. the finalists will be required to submit a detailed production and marketing plan (see §313) to be evaluated along with the design to determine the winning entry. The art production and marketing plans will be evaluated by the department using the assistance of independent production and marketing experts. Preliminary judging will be completed on or about December 1, 1988. If the Louisiana Legislature amends Act 632, which created the Louisiana Waterfowl Conservation Stamp and Print Program, to place the responsibility for the reproduction, distribution and marketing of the stamps and prints with the department instead of the artist, the panel of five judges will select the winning art design. The artist of the winning design will then be required to enter into a contract with the publisher selected by the department. All art works will be scored on the following criteria:

a. accuracy of the form, size, proportion, posture, and colors of the bird(s);

b. level and accuracy of detail in plumage, eyes, feet, bill, etc.;

c. appropriateness, accuracy, and detail in depiction of the bird's habitat;

d. attractiveness and creativity of the composition, regarding spatial balance, lighting, and harmony of subject and background;

e. visual appeal and suitability for reproduction at both the print and stamp scales.

G. Eligibility. This art competition is open to all artists who are 18 years of age or older and domiciled in Louisiana except employees of the Department of Wildlife and Fisheries and members of their immediate families. An artist is considered to be domiciled in Louisiana if he has resided within the state for a period of 12 months immediately preceding submission of his art work, provided that such person has shown his intent to remain in this state as demonstrated by compliance with all of the following, as applicable.

1. If registered to vote, he is registered to vote in Louisiana.

2. If licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license.

3. If owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle.

4. If earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations.

H. Entry Procedures and Deadlines

1. Entries must be prepared and shipped according to the specific requirements listed above. All entries must be received by 4:30 p.m. on November 14, 1988 at the Department of Wildlife and Fisheries, 2000 Quail Drive, Baton Rouge, LA 70808, Attn.: Louisiana Waterfowl Conservation Stamp Program.

2. Entries will not be considered complete without a signed and notarized Artist Agreement (§311) and a $50 entrance fee received by the deadline.

3. Entries may be hand-delivered, sent via U.S. Mail, or by express parcel service. Senders are advised to obtain adequate shipping insurance on their entries.

I. Additional Information. For more information on the Louisiana Waterfowl Conservation Stamp Program and the art competition, contact the following office:

Louisiana Department of Wildlife and Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000

Attn: Robert Helm*
(225) 765-2358

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:105 (February 1989).

§311. 1989 Louisiana Waterfowl Conservation Stamp Artist Agreement

A. I hereby agree to the following terms and conditions if my original design is selected for the 1989 Louisiana Waterfowl Conservation Stamp and Art Print.

1. If my original art work is selected as one of the top designs in the final judging, I agree to submit a complete and detailed production and marketing plan for the prints and stamps to the Department of Wildlife and Fisheries within 45 days after notification. The department's guidelines for

the production and marketing plan are attached. The top finalists will then be evaluated again, and an overall winning entry selected.

2. Upon selection of my original design and associated production and marketing plan as the winning entry, the original work of art and any and all reproduction rights to the design become the property of the Department of Wildlife and Fisheries. The department will use the design to produce the 1989 Louisiana Waterfowl Conservation Stamp, limited edition art prints, commemorative medallions, and any reproductions it deems necessary and appropriate for purposes of documentation, promotion, and education.

3. If the Louisiana Legislature amends Act 632, which created the Louisiana Waterfowl Conservation Stamp and Print Program, to place the responsibility for the reproduction, distribution and marketing of the stamps and prints with the department instead of the artist, I agree to enter into a contract with the publisher selected by the department within 15 days after notification.

4. I hereby affirm that my original design of my own creation, has not been copied in whole or part from any published works of art, has not been previously entered in any federal or state waterfowl conservation stamp competition, and has not been published. I understand that all compensation may be forfeited if these conditions are not met.

5. I affirm that I am an artist legally domiciled in the state of Louisiana.

6. I have enclosed a nonrefundable entrance fee of $50 paid by cashier's check, certified check or money order made payable to: Louisiana Department of Wildlife and Fisheries.

B. I have read and agree to the terms and conditions of this Artist Agreement.

Artist's Signature _____ Date _____

Mailing Address _____ Telephone _____

Subscribed and sworn to before me this ____ day of _____, _____.

_____

Notary Public

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:106 (February 1989).

§313. Guidelines for Production and Marketing Plan—1989 Louisiana Waterfowl Conservation Stamp and Art Print Program

A. All prospective contractors are required to carefully review the following minimum requirements for design, production, marketing, and project administration for the 1989 Louisiana Waterfowl Conservation Stamp and Art Print Program.

1. Publisher's Responsibilities

a. Design Arrangements. Bidders responding must agree to produce and market the design selected by the department for the 1989 stamp and print. Upon selection of the design, the original art work and all reproduction rights will become the property of the Department of Wildlife and Fisheries. The contractor shall supply the department with two print size photos or stamp prints suitable for copyright application within 60 days after the contract is awarded. Within 15 days of contract award, the successful bidder is required to contract with the winning artist for services and compensation specified below and must file a copy of the contract with the department:

i. participate in the quality control process of stamp, art print, and medallion production to ensure accurate design reproduction, sharpness, and color balance;

ii. participate in trade shows, promotional tours in Louisiana, and other appropriate appearances;

iii. sign the original work of art and the required number of stamps, and sign and number all limited edition prints; and

iv. produce hand-rendered, full-color remarques on the executive edition prints and any other prints authorized by the Department of Wildlife and Fisheries;

v. the state reserves the right to intervene in any disputes between the artist and contractor. All payments and compensation to the artist for this project are the responsibility of the contractor and shall be as follows:

(a). $3 per art print for the first 5,000 sold;

(b). $4 per art print number for the second 5,000 sold;

(c). $5 per art print in excess of 10,000;

(d). $40 per color remarque (executive and artist proof edition);

(e). $ 0.25 per signed stamp.

2. Contract. The successful bidder will be required to enter into a contract with the department for a period not to exceed three years with an option to renew. Details established in these guidelines are for the 1989-90 Conservation Stamp and Print Program. However, all bids should include proposals for the term of the contract. Specific details concerning advertising, marketing, etc., proposed for the second and third year may differ from that proposed for the first year. Contractors must submit proposals to the department no later than December 16, 1988.

3. Production of Stamps. A copy of the keyline and a kromalin proof of the stamp design will be delivered to the department for review. On or before June 1, 1989, the contractor will be required to deliver to the department without charge a minimum of 339,970 stamps, produced, printed, and packaged according to the following specifications.

a. Stock should be 70# White English finish (matte) or an equivalent quality stock specified by the department. Printing ink should be four-color process on the front side and PMS 421 (gray) on the back side. Printing should be high quality—133 line press or better.

b. Stamp size will be 1 3/8-inch by 2 inches. Perforations will be pinhole with 14 pinholes per inch on all four sides of the stamps.

c. Printing will be two sides, head to head. Four full-size final press sheets will be provided to the department as soon as available. Press sheets will not be gummed, numbered, or perforated.

d. A minimum of 79,980 stamps will be produced in 2,666 sheets of 30 stamps each. Each sheet is to be serially numbered from 0001 to 2666 in each corner of the selvage area to form plate blocks. Each stamp is to be consecutively numbered from 00001 to 79980 with numbers printed on the back in black ink. This stamp shall be printed with a price of $5.

e. A minimum of 39,990 stamps will be produced in 1,333 sheets of 30 stamps each. Each sheet is to be serially numbered from 2667 to 4000 in each corner of the selvage area to form plate blocks. Each stamp is to be consecutively numbered from 79981 to 119971 with numbers printed on the back in black ink. This stamp shall be printed with a price of $7.50.

f. A minimum of 20,000 stamps will be produced in manifold sets with address cards for license vendors. Each manifold set will contain a sheet of five stamps with perforated address stubs. Each book shall contain two manifold sets or 10 stamps per book. The size, indicated price and quality of these stamps must be the same as those produced in sheets for collectors (Subparagraph e above), and they must be numbered consecutively with stamps produced in sheets. Each manifold set will include a cover sheet.

g. A minimum of 200,000 stamps will be produced in manifold sets with address cards for license vendors. Each manifold set will contain a sheet of five stamps with perforated address stub. Each book shall contain two manifold sets or 10 stamps per book. The size and quality of these stamps must be the same as those produced in sheets for collectors (Subparagraph d above), and they must be numbered consecutively with stamps produced in sheets. Each manifold set will include a cover sheet colored differently than Subparagraph f.

h. Costs of producing stamp manifold sets, over and above the costs of printing the stamps, shall be borne by the state, through a deduction from the contractor's final royalty payment to the state. The proposal shall include the name of the subcontract printer and the cost to the department for these manifold sets.

i. Any overage or misprinted stamps must be destroyed by shredding. An affidavit by the printer as to disposition of stamps shall be provided to the department.

j. Sheets of 30 stamps will be packaged or boxed in hundreds, slip-sheeted to prevent sticking, with the lowest sheet number at the top of the package. All packages will be marked to show the sheet numbers and stamp numbers. All shipping and insurance charges are the responsibility of the contractor. Shipping must be by a qualified shipper to ensure against loss or delays in delivery.

k. The printing process may be monitored by a representative of the department. Delivery of the printing plates is to be made by the printer directly to the department upon completion of press run and acceptance of stamps by the department.

4. Sale of Stamps

a. Except as provided, it is the intention of the Department of Wildlife and Fisheries to have exclusive rights for the sale of all stamps, and no more stamps than are specified in the negotiated contract shall be printed except upon written order from the department.

b. The Department of Wildlife and Fisheries will reserve resident and nonresident stamps specifically for the purpose of accompanying the limited edition prints. The contractor must state in the proposal the quantity of stamps desired.

c. A resident and nonresident stamp will be sold by the contractor with all art prints and also sold separately to collectors. Stamps will be purchased from the department by the contractor for the sum of $5 for a resident stamp and $7.50 for a nonresident stamp payable in accordance with the terms of the negotiated contract. The contractor will dispense both stamps with the print. However, payment for the stamps will not be required in advance but it will be allowable to include stamp payments with royalties paid to the department.

5. Production of Prints

a. The contractor will have exclusive rights to reproduce the design submitted, as allowed by the contract, and to market prints only in the following editions and priced as indicated.

i. Regular Edition—numbered, signed by artist.

Maximum Retail Price	$135
Minimum Royalty to Department per Print Sold	$ 35

ii. Medallion Edition—numbered, signed by artist, with gold-plated medallion.

Maximum Retail Price	$300
Minimum Royalty to Department per Print Sold	$ 65

iii. Executive Edition—numbered, signed by artist, artist remarque, with gold-plated medallion. Artist shall include schedule for delivery of remarqued edition.

Maximum Retail Price	$450
Minimum Royalty to Department per Print Sold	$ 75

iv. Conservation Edition—numbered separately, signed by artist, labeled as "Conservation Edition." This edition will be provided at no cost to the department for promotional purposes.

v. Artist Proof—edition size, pricing scale and royalty to the department must be included on the proposal.

b. The department shall receive from the publisher an irrevocable bond in the amount of $500,000 to insure royalty payments for the three-year period of the contract. This bond will be required at the time the contract is awarded.

c. The edition sizes (Regular, Medallion, and Executive Editions) may be preset or time limited. On or about November 1, 1989, after the deadline for receipt of distributor orders, all unsold prints shall be destroyed and a letter shall be sent to the department certifying the total number of prints sold in each print edition. However, at least 200 prints should be retained as replacements in the regular edition and not less than 50 prints for the medallion issue. These prints will be returned to the state by mid-1990. The publisher will be responsible for replacing these prints for a reasonable time. Upon request the contractor will provide distributors and dealers a copy of that letter. If the contractor elects to propose a preset edition, edition size shall be stated in the proposal. The department will retain all other reproduction rights. Any other proposed editions or use of the image on products to be sold to the public must be specified in the proposal.

d. The overall size of the print must be at least 12 inches by 14 inches with an image size of at least 6 1/2 inches by 9 inches.

e. The contractor will purchase a resident and nonresident stamp from the department to accompany each print. The lowest numbered prints will be provided to Louisiana dealers. The contractor will provide the department with a registry of purchasers of the 1989 stamps and prints.

6. Advertising and Marketing. The success of the stamp and print program depends on a broad, effective network of distributors and dealers to maintain and increase sales. The contractor should provide in his plan the following—cooperative advertising and dealer incentives, distributor-dealer marketing plan, pricing and volume discounts, and marketing aids for dealers (e.g., counter display cards, ads). Although the department has no desire to exercise control over distributors or urge divulgence of their competitive strategies, the department is interested in the effort the contractor proposes to make to promote the program as distributors.

a. Advertising. The contractor will be responsible for conducting an aggressive nationwide advertising and marketing campaign for the prints and stamps. An advertising schedule shall be included as part of the marketing proposal. All costs associated with the campaign will be the responsibility of the contractor. The contractor will establish a common release date for the first release of advertising material by all distributors. The campaign should include:

i. Direct Nationwide Magazine Advertising. The contractor will advertise prints and stamps nationally and regionally in magazines to include, but not limited to—Ducks Unlimited, Wildfowl, Southern Outdoors, Fin and Feather (Full Circulation), Wildlife Art News, Collectors Mart, Stamp Collector, and Stamp Work. An advertising schedule, including magazine issue, size of ads, and costs must be included with the proposal. The schedule will be a part of the negotiated contract. The ads will be professionally designed and proof of advertising must be submitted as part of the contractor's monthly reports to the department;

ii. Direct Local Newspaper Advertising. The contractor will advertise locally in Louisiana newspapers. An advertising schedule, including anticipated size of ads, name of newspaper and frequency of advertising should be included with the proposal. The schedule will be a part of the negotiated contract. Publications will include, but not be limited to—*Times Picayune*, *The Advocate*, *Shreveport Journal*, *Alexandria Town Talk*, *Lake Charles Press*, *Lafayette Daily Advertiser*, *Monroe News Star World*. These advertisements will identify dealers and ads will be aimed at educating collectors and directing them to their local source of prints.

b. Marketing Plan. The contractor will develop and describe a detailed marketing plan in the proposal that includes at least the following elements.

i. List of Proposed Distributors. The proposal should list all national and Louisiana distributors expected to market prints and stamps, as well as describe the criteria for qualification as a distributor.

ii. The Publisher-Distributor Agreement. Provisions of this agreement should ensure that the distributors:

(a). make timely payments;

(b). advertise and provide verification;

(c). provide dealer incentives;

(d). make all payments due the department payable directly to the contractor. Any nonpayment by distributors shall not release the contractor from the liability of royalty payments.

iii. Price Distribution for Products. The proposal should include a schedule of retail, wholesale, and distributor prices for each edition of prints, posters, or other products to be sold to the public.

iv. Distributor Discounts and Incentives. The proposal should describe any volume discounts and advertising credits to distributors that would escalate according to the number of prints ordered. In addition, the proposal should describe a cooperative program with participating Louisiana dealers that would provide them with national advertising at no cost. Such a program would encourage greater dealer participation in marketing the Louisiana waterfowl conservation stamp and print.

v. Mailing and Press Releases. The contractor will produce press releases for national media and conduct periodic mailings to distributors to provide promotional support, transmit news on the status of sales, and inform dealers of the purpose of the program, the nature of the design subject, and artist's background.

vi. Artist Appearances and Trade Shows. The proposal should list a schedule of artist appearances, in Louisiana and elsewhere, as well as any trade shows where the design and program will be promoted.

vii. Other Marketing Methods. The proposal should describe any innovative or expanded marketing approaches (e.g., telemarketing, catalog sales) that will be used to promote sales and the program.

c. Marketing Aids. The contractor will produce marketing aids, available to distributors at cost and, as specified, to the department at no charge, including:

i. press proofs—full-size color prints (stamped "Sample Not for Sale") with facsimile of stamp; 30 for the department;

ii. full-color mailers—to be 8 1/2 inches by 11 inches in size with information about the print, department program, and artist; minimum of 125,000 total, 500 for the department. Department approval required;

iii. black and white glossy photos—for use in advertising campaigns and press releases;

iv. posters:

(a). 1,500 posters, 18 inches by 24 inches, specifically designed for hunting license vendors, to be distributed by the department. Department approval required;

(b). quality art posters of the same size designed to promote the print and stamp program; 100 to the department. Posters may be given to distributors and dealers free of charge for promotional purposes. The state will receive a royalty on each poster sold after the first 2,000;

v. artist information fliers.

7. Administration

a. The contractor is required to submit monthly progress reports to the department, including a summary of marketing activity and outlook for sales, reports of any problems encountered with the program, subcontractors, or distributors, and documentation such as ad tear sheets, fliers, and inventory records.

b. The contractor must be able to cover all expenses up front for advertising, printing, and other financial obligations and meet the proposed time table for the negotiated contract. Any anticipated support from the department must be detailed in the proposal and agreed to in negotiations.

c. The department expects to receive a royalty on each print sold on the sale of any art posters and supplemental products.

d. The contractor will be required to provide the department with an accounting of all production and disposition of products.

e. If full payment is not made, the contractor shall be required to remit the payment to the department together with penalty at a rate of 18 percent per annum from the date due through the date of the final payment.

f. All payments will be remitted to the department no later than April 1, 1990. A proposed schedule of payments must be included in the proposal.

B. Project Schedule. The following is a proposed time schedule for this contract including due dates of deliverables.

	Date
Announcement of Art Contest	09/14/88
Art Work Submitted by	11/14/88
Selection of Winner	11/17/88
Contract Awarded	01/15/89
Delivery of Press Proofs	04/01/89
Delivery of Keyline and Kromalin Proof of Stamp Design to Department	04/01/89
Beginning of Advertising Campaign	04/01/89
Delivery of Final Stamp Press Sheets	05/01/89
Printing of Art Prints	05/01/89
Delivery of All Stamps and Printing Plates	06/01/89
Delivery of Conservation Edition Prints	08/15/89
Distribution of all Executive Edition Prints	*
End of Sale of Art Prints	09/30/89
Begin Distribution of All Regular and Medallion Prints	11/15/89
Return of Original Art Work and Delivery of Printing Plates	02/01/90
Submission of Audit and Final Report	04/01/90
Final Payments to Department	04/01/90
Submission of Progress Reports	monthly
* Negotiable but no later than January 30, 1990	

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:106 (February 1989).

§315. Proposal Content and Format

A. Proposals should be complete without being unnecessarily costly or lengthy. Failure to provide necessary information could result in rejection of the proposal; supplemental information will not necessarily be requested. The format and content should closely reflect the following outline.

1. A letter of transmittal containing the complete name and address of the contractor; name, mailing address, and telephone number of the contact for the proposal; a statement of corporate commitment to the project; names of subcontractors; and a statement confirming that the proposal will remain valid for at least 90 days.

2. A title page showing:

1989 Louisiana Waterfowl Conservation Stamp
and Art Print Program

(Contractor's Name)

(Date)

3. Table of Contents

4. Summary. Proposer's understanding of the Waterfowl Conservation Stamp Program and a statement explaining why his proposal should be selected.

5. Methodology. A detailed description of the proposer's approach to accomplishing the tasks described in the guidelines. At a minimum, the description should include:

a. stamp production information, including processes, materials and specifications of the stamp, and proposed delivery dates of the camera-ready design, kromalin proofs and completed stamps;

b. print production information, including processes, materials and specifications of the print, packaging and handling methods, and proposed delivery dates of all editions;

c. description, specifications and production information on any supplemental products to be sold, such as pins, posters, Christmas cards, etc.;

d. advertising information, including the proposed outlets and time schedule for advertising, examples of advertisements and promotional materials to be used, and marketing programs to be developed specifically for this contract;

e. marketing plan, including list of distributors, distributor agreement, pricing structure, volume and advertising discounts, mailings and press releases, artist appearances and trade shows, and special marketing efforts in Louisiana;

f. marketing aids available to distributors, including exhibits of fliers, counter display cards, press proofs, posters and ads;

g. proposed project schedule, as in time schedule in guidelines and dates for deliverables to the department.

6. Personnel and Organization

a. Organizational chart of all persons, joint contractors, and subcontractors involved in the project, showing lines of authority and categories of responsibilities.

b. Résumés of the contractor's key personnel, reflecting their experience in similar projects, duties in regard to this project, and commitments to other projects during the performance period of this project.

c. Summaries of subcontractor's capabilities, experience in similar projects, and their expected commitment of time and facilities to this project.

d. Summary of the contractor's corporate experience and performance record, including samples of previous work, participation and role in other stamp/print programs (e.g., publisher, distribution, dealer), references, and other materials relevant to evaluating the contractor's ability to perform.

e. The department reserves the right to contact and interview persons or firms involved in production and marketing of the stamps and prints.

f. A current corporate financial report, statement on proposed financing for this program, if applicable, and proposed source and methods of accounting and independent audit.

7. Budget

a. Summary of all anticipated costs and a complete description of expenses considered as administration, overhead and indirect costs. Any distributor discounts or incentives should be clearly identified. If the publisher will also act as a distributor, a separate accounting of anticipated distributor costs must be submitted.

b. Summary of all income, including gross income from projected sales, cost recovery from distributors on promotional aids, and any other income or subsidies.

c. Projected revenues to the artist, the department and others, describing how revenues are calculated, forms of payment and critical assumptions.

d. Schedule of payments and circumstances affecting the schedule.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 et seq.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:109 (February 1989).

§317. Nonresident Duck Stamp Fee Increase

A. Beginning in the 1997-98 license year, the fee for purchasing a nonresident duck stamp will be increased from $7.50 to $13.50. This change will remain in effect until additional changes are warranted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(28).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 23:1168 (September 1997).

§319. Waterfowl Hunting Zones

A. The state shall be divided into East and West Waterfowl Hunting Zones by the following boundary: beginning at the Arkansas-Louisiana border on LA 3; thence south along LA 3 to Bossier City; thence east along I-20 to Minden; thence south along LA 7 to Ringgold; thence east along LA 4 to Jonesboro; thence south along U.S. 167 to Lafayette; thence southeast along U.S. 90 to the Mississippi state line.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 27:1062 (July 2001).

§321. Bird Dog Training Areas

A. Purpose. Bird dog training areas (BDTA) are established to afford users of wildlife management areas (WMA) and other public land an opportunity to train

pointing dogs and flushing retrievers or spaniels with live released birds. The BDTA is not intended to serve as a hunting preserve. The following regulations are adopted to ensure that users of the BDTA utilize the area as intended, and to minimize the potential for negative impacts on wildlife.

B. Establishment and Posting. BDTAs may be established on any WMA or other public land with written consent of the managing agency. Portions of the WMA/public land without significant wild quail populations, and where wildlife will not be negatively impacted are suitable for establishment of BDTAs. BDTAs must be marked with signs and/or paint clearly indicating the boundaries.

C. Permits and Licenses. Each person using the BDTA for dog training must have a valid self-clearing permit in his/her possession while engaged in dog training on the BDTA. Said permit must indicate the number and species of birds released for training purposes in the comments section. For purposes of this rule, a person or party will be considered to be engaged in dog training if they possess or release live bobwhite quail, mallards or pigeons at any time, or if they are present on the BDTA with pointing dogs, spaniels or retrievers during the time quail, woodcock, dove or waterfowl season is closed on the WMA/public land. All users of the BDTA must comply with the WMA/public land self-clearing permit requirements. Any person who takes or attempts to take released or wild bobwhite quail, mallards or pigeons on the BDTA must comply with applicable hunting license and WMA/public land permit requirements.

D. Dogs. Only recognizable breeds of pointing dogs, spaniels, and retrievers may be trained on the BDTA. All dogs must wear a collar or tag imprinted with the name and phone number of the owner or trainer. Trainers shall not knowingly allow or encourage their dogs to pursue rabbits, raccoons, or other wildlife.

E. Birds. Only bobwhite quail, mallards or pigeons may be released for dog training activities on the BDTA. However, use of pigeons and mallards may be prohibited on specific BDTAs. Bobwhite quail, mallards and pigeons may only be released within the boundaries of the BDTA. Bobwhite quail, mallards and pigeons may be shot in conjunction with dog training activities. When WMA/public land hunting seasons are closed, only bobwhite quail, mallards and pigeons may be taken and possessed. When the WMA/public land quail, waterfowl or woodcock hunting season is closed, bobwhite quail, mallards and pigeons may only be shot within the boundaries of the BDTA. No more than 6 quail or mallards per day may be released, taken, or possessed per permittee. Wild quail may be taken on the BDTA at any time the BDTA is open to dog training and must be included in the 6-bird limit. There is no limit on the number of pigeons that may be taken, released, or possessed. All mallards must be toe-clipped, or fitted with a seamless band, or otherwise marked in accordance with federal regulations. Pigeons are not required to be banded. Persons in possession of live bobwhite quail or mallards must have a valid game breeders license or bill of sale from a licensed game breeder.

F. Firearms. When the WMA/public land hunting seasons are closed, only shotguns with shells containing shot not larger than lead size 8 or steel size 6 are permitted on the BDTA. Mallards may only be taken with steel or other approved non-toxic shot. Firearms must be encased or broken down upon entering and leaving the BDTA when the WMA hunting seasons are closed. Pistols capable of firing only blanks are also permitted.

G. Seasons. Unless specified, BDTAs are open to dog training all year. Closure periods may be adopted for some BDTAs. Such closure periods will be noted in the Louisiana Hunting Regulations brochure.

H. Hunter Orange Requirements. Persons engaged in dog training on BDTAs during WMA hunting seasons must comply with WMA/public land hunter orange requirements.

I. Wildlife Management Area/Pubic Land Regulations. Except as provided herein, all rules and hunting seasons applicable to the WMA/public land on which the BDTA is located are also applicable to the BDTA. Additional regulations may be adopted for some BDTAs and will be listed for each BDTA within the Louisiana Hunting Regulations brochure.

J. Violation of Rules. A person who is convicted or enters a guilty plea for violation of any provision of this rule shall be guilty of a class 2 violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:109(B), R.S. 56:115, and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:2268 (September 2005), amended LR 33:1152 (June 2007), LR 40:1534 (August 2014).

§323. Mourning Dove Hunting Zones

A. For the purposes of this Section, the term *dove* refers to the following species, and only the following species: mourning doves, white-winged doves, Eurasian collared-doves, and ringed-turtle doves.

B. The state shall be divided into North and South Mourning Dove Hunting Zones by the following boundary: Beginning at the Texas-Louisiana border on La. Highway 12; thence east along La. Highway 12 to its intersection with U.S. Highway 190; thence east along U.S. Highway 190 to its intersection with Interstate 12; thence east along Interstate 12 to its intersection with Interstate 10; thence east along Interstate 10 to the Mississippi state line.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:1687 (August 2007).

Chapter 5. Licenses and License Fees

§501. Nonresident Hunting License Fees

A. The basic hunting license fee shall be $150 for the entire season or $100 for five consecutive days. The nonresident big game license fee shall be $150 for the entire season or $75 for five consecutive days. A fee of $26 shall be charged a nonresident for the issuance of a special muzzleloader license; and a fee of $26 shall be charged a nonresident for a special bow license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(28).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 27:214 (February 2001).

Chapter 7. Alligators

§701. Alligator Regulations

A. The Department of Wildlife and Fisheries does hereby establish regulations governing the harvest of wild populations of alligators and alligator eggs, raising and propagation of farmed alligators, tanning of skins and regulations governing the selling of hides, alligator parts and farm raised alligators. The administrative responsibility for these alligator programs shall rest with the department secretary; the assistant secretary, Office of Wildlife; and the Coastal and Nongame Resources Division.

1. Purpose. These regulations are to govern the taking, possession, selling, raising and propagation of alligators statewide, both in the wild and in captivity. They are enacted to prevent depletion or waste, while enhancing utilization of this renewable resource. These regulations are based upon scientific study and population monitoring and are consistent with federal requirements to qualify alligators and alligator parts from Louisiana for international export under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). Alligators in Louisiana are not endangered but their similarity of appearance to endangered crocodilian species requires controls on commerce to minimize illegal trafficking of these species and to regulate and maintain the wild population of alligators. These regulations provide rules to enhance alligator farming operations; establish the methods of alligator harvest; establish minimum facility requirements for alligator farming; regulate commerce in alligators, eggs and parts; streamline necessary reporting requirements; and, establish a regulated nuisance alligator control program.

2. Definitions. The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this Section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning.

Alligator—American alligator (Alligator *mississippiensis*).

Alligator Egg Collection Permit—a permit issued by the department allowing for the collection of alligator eggs on designated properties described as part of the permit. The permit will be signed by the secretary or his designee, the permittee and the landowner/land manager.

Alligator Farm (nongame quadruped)—an enclosed area, constructed so as to prevent the ingress and egress of alligators from surrounding public or private lands or waters and meeting other specifications and requirements set by the department, where alligators are bred, propagated, or raised as a commercial enterprise under controlled conditions. *Alligator farm* also includes alligator ranching wherein eggs are collected from the wild, and raised, pursuant to departmental license or permit.

Alligator Farmer—a properly licensed person who raises alligators under controlled conditions which prohibit free movement of the animals onto and off of the farm or controlled area, or who collects and sells wild alligator eggs, and who may harvest alligators under the supervision of the department. An alligator farmer must possess a valid nongame quadruped breeder's license.

Alligator Hide Tag—an official CITES serially numbered tag issued by the department.

Alligator Hunter—a properly licensed resident or nonresident person who takes wild alligators. *Alligator hunters* are divided into five classes:

i. *commercial*—anyone who is a bona fide resident licensed by the department to take wild alligators after having filed application(s) approved by the department which authorizes the issuance of alligator hide tags to him;

ii. *helper*—anyone who is a bona fide resident licensed by the department to act as an authorized agent of a commercial or nonresident landowner alligator hunter(s) in conducting alligator harvest activities. The *helper* may hunt independently of the commercial or nonresident landowner alligator hunter(s) he is assigned to assist. The *helper's* license must bear the name and license number of the commercial or nonresident landowner alligator hunter(s) authorizing the licensing of the helper;

iii. *sport*—anyone who is licensed by the department and guided by a commercial, nonresident landowner or helper alligator hunter(s) during alligator harvest activities; alligator hide tags cannot be issued to a sport license holder. *Sport* license holders may be a bona fide resident or a nonresident;

iv. *nuisance*—a bona fide resident licensed alligator hunter who is contracted or otherwise selected by the department to remove designated *nuisance* alligators and who can be assigned alligator hide tags by the department;

v. *nonresident landowner*—anyone who is a nonresident licensed by the department to take wild alligators on his own property located within Louisiana, after having filed an application(s) approved by the department which authorizes the issuance of alligator hide tags to him.

Alligator Part—any part of the carcass of an alligator, except the hide and includes the bony dorsum plates, if detached from the tagged alligator hide.

Alligator Parts Dealer—any properly licensed person who deals in alligator parts other than hides and who:

i. buys unprocessed alligator parts from an alligator hunter, another parts dealer, or an alligator farmer for the purpose of resale; or

ii. manufactures within the state nonedible alligator parts into a finished product; or

iii. purchases unprocessed alligator meat or processes alligator meat for wholesale or retail sale.

Alligator Parts Retailer—any properly licensed person who purchases for retail sale finished alligator parts made from parts other than hides.

Alligator Shipping Label—a serially numbered green label issued by the department required on each shipment of alligators being transported out of the state.

Alligator Skin or *Hide*—whole or partial alligator skins, flanks, chalecos and bellies (including those bellies attached to or separated from the tail portion of the alligator skin). Once the tail portion of the skin is separated from the flanks, chaleco and belly, the tail is considered an alligator part.

Alligator Tail—includes the tail portion of the alligator skin once it is separated from the flanks, chaleco and belly. For the purposes of this Subsection, the alligator tail is considered an alligator part.

Bona Fide Resident—

i. any person who has resided in the state of Louisiana continuously during the twelve months immediately prior to the date on which he applies for any license and who has manifested his intent to remain in this state by establishing Louisiana as his legal domicile, as demonstrated with all of the following, as applicable:

(a). if registered to vote, he is registered to vote in Louisiana;

(b). if licensed to drive a motor vehicle, he is in possession of a Louisiana driver's license;

(c). if owning a motor vehicle located within Louisiana, he is in possession of a Louisiana registration for that vehicle;

(d). if earning an income, he has filed a Louisiana state income tax return and has complied with state income tax laws and regulations;

ii. as to a corporation or other legal entity, a *resident* shall be any which is incorporated or otherwise organized under and subject to the laws of Louisiana, and as to which the principal place of business and more than 50 percent of the officers, partners, or employees are domiciled in Louisiana.

Closed Season—that period of time of a calendar year not specifically included in the open season.

Commission—the Louisiana Wildlife and Fisheries Commission.

Common Carrier—any agency or person transporting passengers or property of any description for hire.

Confiscation—the exercise of a right under the police power wherein property is seized and held pending court order if the seized material is nonperishable, or disposed of without judicial intervention if perishable.

Consumer—restaurants and other places where alligator, fish, shrimp, or other aquatic life is prepared for human consumption; or any person using alligator, fish, shrimp, or other aquatic life for bait or personal consumption.

Department—the Louisiana *Department* of Wildlife and Fisheries.

Designated Collection Agent—anyone who is permitted by the department to assist an alligator egg collection permittee during alligator egg collection.

Dressing, Dressed Skins or *Dressed Furs*—see *tanning*.

Finished Alligator Part—any nonedible alligator part that has been completely processed from parts other than hides for retail sale.

Fur Buyer—anyone who buys whole nongame quadrupeds for the purpose of pelting, carcasses of fur bearing animals, raw furs or skins from fur trappers, alligator hunters, alligator farmers, *fur buyers*, or fur dealers and who sells to another *fur buyer* or fur dealer within the confines of the state or to a nonresident fur dealer licensed by the state of Louisiana in interstate commerce, or who acts as an agent of another *fur buyer* or fur dealer in this state in such purchase or sale. *Fur buyers* are divided into two classes, resident and nonresident. Resident fur buyers are those who are bona fide residents of this state. All others are nonresident *fur buyers*.

Fur Dealer—anyone who deals in whole nongame quadrupeds for the purpose of pelting, carcasses of fur-bearing animals, raw furs and skins and who:

i. buys from a fur trapper, alligator hunter, or alligator farmer, either directly or indirectly, and ships or exports from this state, either directly or indirectly, the raw furs and skins so bought; or

ii. buys from a fur buyer or other fur dealer and exports from this state the raw furs and skins so bought; or

iii. buys from a fur trapper, alligator hunter, alligator farmer, fur buyer, or other dealer and sells such raw furs and skins for manufacturing into a finished product in this state; or

iv. manufactures such furs and skins into a finished product in this state, buying directly from a fur

trapper, alligator hunter, alligator farmer, fur buyer, or fur dealer; or

v. transports raw furs or skins into this state for the purpose of sale within the state. Fur dealers are divided into two classes, resident and nonresident. Resident fur dealers are those who are bona fide residents of this state. All others are nonresident fur dealers;

vi. converts raw alligator skins through the tanning process into finished or partially finished leather and/or converts raw (green or dried) fur pelts into dressed furs ready for manufacturing.

Hatchling—a young of the year alligator which is less than 23 inches in length.

Hide—see *pelt*.

Hook—any curved or bent device attached to a line or pole for the purpose of taking alligators.

Hunt—in different tenses, attempting to take.

Incubator—an apparatus designed and used for the primary purpose of incubating alligator eggs.

Land Manager—any authorized person who represents the landowner.

Landowner—any person who owns land which the department has designated as alligator habitat.

Licensee—any resident or nonresident lawful holder of an effective license duly issued under the authority of the department.

Nongame Quadruped—alligators, beavers, bobcats, coyotes, gray foxes, minks, muskrats, nutrias, opossums, otters, raccoons, red foxes, skunks, and other wild quadrupeds valuable for their furs or skins.

Nongame Quadruped Breeder—a person properly licensed to engage in the business of raising, exhibiting and selling nongame quadrupeds on alligator or fur farms.

Nongame Quadruped Exhibitor—a person properly licensed to engage in the business of raising and/or exhibiting nongame quadrupeds.

Nonresident—any person who is not a bona fide resident as that term is defined by R.S. 56:8.

Nuisance Alligator—a specific (particular) alligator that poses a threat to human life or property.

Open Season—that period of time set by the Louisiana Wildlife and Fisheries Commission, during which wild alligators or their eggs may be lawfully taken.

Out-of-State Shipping Seal—a special locking device or seal supplied by the department and placed on or across a shipping container by department personnel prior to shipping out of state.

Out-Of-State Shipping Tag—an official, serially numbered tag, yellow in color, issued by the department required on each shipment of alligator hides shipped out of state.

Part—for purposes of this Section, a *part* is a division of a Subsection.

Pelt—the skin or hide of a quadruped.

Pelting—removing the skin and/or fur of a quadruped in such a manner as to render it marketable.

Person—includes any individual person, association, corporation, partnership, or other legal entity recognized by law.

Pithing—insertion of a rod into the foramen magnum of the alligator followed by four to six circular motions of such rod to destroy the brain.

Pole Hunting—the act of taking an alligator from a den with a hook pole or snagging device of any type and includes using such devices to induce an alligator to move from a den prior to taking.

Possess—in its different tenses, the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian for another.

Processed Alligator Part—any part (and its resulting products) that has been removed from a legally taken alligator and for commercial purposes converted into a finished alligator part, or meat prepared and packaged for retail sale.

Propagation—the holding of live alligators for production of offspring.

Raising—the production of alligators under controlled environmental conditions or in outside facilities.

Rearing—see *raising*.

Resident—see *bona fide resident*.

Secretary—the secretary of the Louisiana Department of Wildlife and Fisheries.

Skin—see *pelt*.

Slaughter—killing farm-raised alligators for the purpose of harvesting commodities such as meat, hides, or parts.

Take—in its different tenses, the attempt or act of hooking, pursuing, netting, capturing, snaring, trapping, shooting, hunting, wounding, or killing by any means or device.

Tanning—the conversion of alligator skins or fur pelts into an intermediate or finished form and includes the following: crust *tanning* alligator leather, dyeing alligator leather, glazing alligator leather, *tanning* fur pelts, shearing fur pelts, and dyeing fur pelts, and includes the dressing of skins and furs.

Transport—in its different tenses, the act of shipping, attempting to ship, receiving or delivering for shipment,

transporting, conveying, carrying, or exporting by air, land, or water, or by any means whatsoever.

Wildlife—all species of wild vertebrates.

Wildlife Management Area—any area set aside, maintained, and supervised by the department for the purpose of managing and harvesting wild birds, wild quadrupeds, fish and other aquatic life under controlled conditions to afford maximum public hunting and fishing opportunity.

Wildlife Refuge—any area set aside and designated by the department as a refuge on which wild birds and animals are protected. Control of certain forms of wildlife may be conducted by the department.

3. General Rules

a. No person shall take, possess, purchase or sell alligators, alligator eggs, alligator hides, alligator parts, or goods manufactured from alligators, except as provided in these regulations and R.S. title 56.

b. Each alligator, alligator hide, alligator egg, or alligator part taken or possessed in violation of these regulations shall constitute a separate offense.

c. Alligators or hides of alligators harvested in Louisiana shall be tagged in accordance with provisions as prescribed in Subparagraph A.6.e of this Section and deviation from those requirements shall be a violation and subject hides to confiscation. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

d. Pole hunting is prohibited. It is legal for a hunter to retrieve a shot alligator with a hook pole or to retrieve with a hook pole an alligator taken on a hook and line. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

e. An alligator hunter must possess on his person one or more current alligator hide tags issued for the property on which he is hunting; and if participating in a joint hunting operation at least one licensed hunter needs to possess current hide tags issued for the property on which they are hunting among a group of licensed hunters who are physically present in the same location. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

f. No person shall release any alligator from any taking device for any purpose without first dispatching the alligator, except as provided in Subparagraph A.5.e. After the alligator is removed from the taking device the hide tag shall be properly attached immediately upon possession. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

g. Taking or collection of any wild alligator illegally is strictly prohibited. Violation of this Subparagraph is a Class Four violation for each alligator taken as described in R.S. Title 56. All alligators taken in violation of this Subparagraph shall be confiscated and in addition to all other penalties provided herein, all alligator licenses of any type held by the offender(s) shall be revoked for a period of three calendar years. If violation(s) of this Subparagraph involves a farm operation, no alligators shall be raised or propagated on the offender's facilities for a period of three calendar years. Any live alligator(s) confiscated pertinent to any violation of this Subparagraph must be returned to the wild when appropriate. Selection of the release site and time of year of the release shall be accomplished only after consultation with and in agreement with biological staff of Coastal and Nongame Resources Division.

h. The shipment of alligator eggs out of state is prohibited except where special scientific permits have been obtained in advance from the department which specify all such shipments. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

i. No person, firm, or corporation shall transport into this state or possess whole alligator(s) with skin on, alligator parts or alligator skins/hides unless that person, firm or corporation is a Louisiana licensed alligator parts dealer or fur dealer and is in immediate possession of an alligator parts dealer’s license or fur dealer’s license, except that a copy of such license shall be sufficient during transportation only. Persons, firms or corporations violating this Subparagraph shall be subject to the penalties as provided in R.S. title 56:34, a class four violation; except that when such a violation involves alligator parts only, such offenses shall be subject to the penalties as provided in R.S. title 56:32, a class two violation.

j. It is unlawful to ship alligator eggs into the state of Louisiana unless they are to be used for department sponsored scientific studies and these shipments shall have prior written department approval. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

k. The shipment of live alligators or alligator eggs out of the United States is strictly prohibited unless they are used for department sponsored scientific studies with an accompanying authorization signed by the secretary. The transfer of ownership of live alligators out of their natural range for commercial purposes is strictly prohibited. However, this Subparagraph does not prohibit a licensed Louisiana alligator farm from raising alligators of Louisiana origin in a nonrange state provided the nonrange farm is in complete compliance with all applicable state(s) and federal regulations. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

l. There is levied a severance tax of $0.25 on each alligator hide taken from within the state, payable to the state through the department by the alligator hunter or alligator farmer shipping or taking his own catch out of state, or shipping to an instate taxidermist, or by the dealer shipping skins or hides out of state or tanning alligator skins in Louisiana. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

m. An alligator hunter or alligator farmer may give alligator parts to anyone for personal use. Any part of an alligator shall have affixed thereto the name, address, date,

hide tag number, and the license number of the person donating the alligator part(s). This information shall be legibly written in pen or pencil on any piece of paper or cardboard or any material which is attached to the part(s) or to the container enclosing the part or parts. This information must remain affixed until the part(s) has been stored at the domicile of the possessor. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

n.i. R.S. 56:280, passed in the Regular Session of the 1992 Louisiana Legislature established a state policy which protects white or albino alligators and except under department permit prohibits the taking of white or albino alligators from the wild.

ii. Conditions under which any alligator that is white or albino may be taken from the wild and under official department permit include:

(a). landowners or licensed alligator farmers or ranching operators may capture live and unharmed a white or albino alligator for its own protection. All such instances of possession shall be reported immediately to the department;

(b). any white or albino alligator hatchling produced from wild collected eggs authorized by a department alligator egg collection permit will remain in the possession of such licensed operators. Any white or albino hatchling must be reported immediately upon hatching to the department on a standard activity report form;

(c). any person who unintentionally takes from the wild any alligator that is white or albino by hook and line shall immediately report its presence and location to the department. Department personnel of the Coastal and Nongame Resources Division will on a case by case basis determine the disposition of any such white or albino alligator which is unintentionally hooked.

iii. Any white or albino hatchling produced from a licensed breeding pen will remain in the possession of such licensed operators but must be reported immediately upon hatching to the department on a standard activity report.

iv. It shall be a violation if any person intentionally takes from the wild any alligator that is white or albino by any means.

v. Violation of R.S. 56:280 shall subject the violator to a fine of not less than $10,000 and imprisonment for not less than 6 months or more than 12 months, or both.

o. Alligator meat and parts may be shipped in containers that are sealed and the parts identified to the CITES tag of origin. A fully executed alligator hunter, farmer, or parts dealer alligator parts sale or transaction form and shipping manifest shall meet the U.S. Fish and Wildlife Service parts identification requirements, provided such form(s) is/are prominently attached to the outside of each shipping container. Alligator meat/parts shipped to another state must meet applicable state/federal requirements of the receiving state. Alligator meat/parts exported from the United States must meet the requirements of the U.S. Fish and Wildlife Service as well as those of the receiving country. Alligator skulls being exported shall carry a "tag" containing the CITES tag number and the hunter's name and license number. The skull must also be physically marked with the number of the original CITES tag used for the hide of the individual alligator. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

p. For the purpose of bona fide educational or promotional functions, including but not limited to school activities, civic groups, fairs and festivals within the state of Louisiana, an alligator farmer/rancher or his designee may transport his own live farm alligators or alligator eggs to such function without the need for a special permit from the department while in possession of a valid nongame quadruped breeder’s or exhibitor’s license or copy thereof. Such farmer/rancher shall not barter, trade, exchange or attempt to barter, trade or exchange live alligator(s) or alligator eggs while transporting to/or attending such function.

4. Licenses, Permits and Fees

a.i. The licenses and fees required for activities authorized by these regulations are as prescribed under provisions of R.S. Title 56, or as prescribed in these regulations, and are:

(a). $25 for a resident alligator hunter’s license; including commercial, helper, sport and nuisance classes;

(b). $150 for a nonresident alligator hunter's license; including landowner and sport classes;

(c). $25 for a resident fur buyer’s license;

(d). $100 for a nonresident fur buyer’s license;

(e). $150 for a resident fur dealer’s license ($500 deposit required);

(f). $300 for a nonresident fur dealer’s license ($1,000 deposit required);

(g). $10 for a nongame quadruped exhibitor’s license;

(h). $25 for a nongame quadruped breeder’s license;

(i). $50 for an alligator parts dealer license;

(j). $5 for an alligator parts retailer license;

(k). $4 for each alligator hide tag, except for license years 2020 and 2021 in which the fee for each alligator hide tag shall be $3;

(l). $4 for each whole alligator leaving the state as alligator shipping label fee;

(m). $0.25 severance tax for each alligator hide taken from within the state;

(n). $25 for a designated agent collection permit.

ii. All license types prescribed above except nongame quadruped exhibitor and breeder and resident and nonresident alligator hunter expire annually on June 30.

Nongame quadruped exhibitor and breeder and resident and nonresident alligator hunter licenses expire annually on December 31.

b. No person may take, attempt to take, or possess a wild alligator in this state during the open season for taking wild alligators unless he or she has acquired and possesses an alligator hunter's license. An alligator hunter must have in possession a valid alligator hunter license to take or sell alligators, their skins, or parts. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

c. No person may engage in the business of buying alligators for the purpose of skinning or buying and selling alligator skins unless he has acquired a resident or nonresident fur buyers license. No resident or nonresident fur buyer shall ship furs, alligators, or alligator skins out of state. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

d. No person may engage in the business of buying alligators for the purpose of skinning or buying and selling alligator skins or shipping alligator skins out of state or tanning alligator skins within the state unless he has acquired a resident or nonresident fur dealers license. Violation of this Subparagraph is a class three violation.

e. No person may engage in the business of raising and/or exhibiting alligators unless he or she has acquired and possesses a valid nongame quadruped exhibitor license. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

f. No person may engage in the business of raising, breeding, collecting and selling alligator eggs from the wild, propagating, exhibiting and selling alligators alive or selling their parts, and killing and transporting them and selling their skins and carcasses unless he or she has acquired and possesses a valid nongame quadruped breeder license and complies with Paragraphs A.14 and 15 of this Section. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

g. No person shall engage in the business of buying and selling unprocessed alligator parts unless he has acquired and possesses a valid alligator parts dealer license. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

h. Each retailer purchasing for retail sale, finished alligator parts made from parts other than hides, shall secure from the department an alligator parts retailer license prior to commencing business. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

i. No person shall remove and possess alligator eggs from wild nests unless he has acquired and possesses a valid nongame quadruped breeder license or a valid designated agent collection permit and also has in his possession a valid alligator egg collection permit. Egg collection permits will only be issued to those persons who demonstrate competency in egg collection and handling, have necessary equipment accessible and comply with all department requirements as described in Paragraph A.14 of this Section. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

j. No person shall ship or transport alligators out of the state without first applying for and receiving an alligator shipping label which shall be affixed to each shipment of alligators and is properly completed and validated by department personnel. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

k. Every alligator hunter or alligator farmer shipping or transporting his own catch of alligator skins out of state is liable for the alligator hide tag fee and the severance tax thereon, and shall apply for an official out of state shipping tag to be attached to the shipment and shall pay the alligator hide tag fee and the severance tax prior to shipment. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

l. Valid holders of alligator hunter license, nongame quadruped breeder license, fur dealers license and alligator parts dealer license must comply with the receiving state/country requirements and with federal licensing, tagging and permit requirements to engage in interstate and international commerce involving alligators, alligator hides, alligator parts and fully manufactured alligator hide products. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

5. Wild Harvest Methods

a. Alligators taken from the wild may be removed from hook and line, and other legal capture devices which may be used, only during daylight hours, between official sunrise and official sunset. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

b. There are no size restrictions on wild alligators taken during the general open season.

c.i. Legal methods for taking alligators in the wild are as follows:

(a). hook and line;

(b). long (including compound) bow and barbed arrow; and

(c). firearms (the possession of shotguns is prohibited while hunting or taking wild alligators; except as authorized by the department for taking of nuisance alligators by nuisance alligator hunters).

ii. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

d. Hooks and arrows may be used only when a line of at least 300-pound test is securely attached to the hook or head of the arrow in such a manner to prevent separation from the hook or head until the carcass is retrieved. The other end of the line must be attached to a stationary or floating object capable of maintaining the line above water when an alligator is attached. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

e. Alligator hunters shall inspect their hooks and lines and remove captured alligators daily. All hooks and lines shall be removed when an alligator hunter's quota is reached. In the event an alligator is hooked and the hunter's quota has been reached the hunter must release the alligator in the most humane method possible. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

f. Baited hooks and lines may be set no more than 24 hours prior to the general open season and shall be removed no later than sunset of the last day of the open season. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

g. No person possessing alligator hide tags issued for privately-owned land or water may take alligators on adjacent publicly-owned water unless the taking device is anchored to privately-owned land or the person is on privately-owned land when the taking occurs, provided that any alligator captured on a legal taking device that is anchored to privately-owned land or held by a person on privately-owned land may be dispatched from a floating craft on public water. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

h. A person possessing alligator hide tags for publicly-owned areas may take alligators by legal means from a floating craft on public water for which the tags are issued.

6. Alligator Hide Tag Procurement and Tagging Requirements

a. Alligator hide tags may be obtained as follows and only to properly licensed alligator hunters and nongame quadruped breeders.

b. Landowners, Land Managers and Hunters. Upon application to the department on forms provided for tag issuance, applications for alligator tag allotments will be taken annually beginning June 1. For alligator hunters submitting applications with new/additional properties, applications are due by August 20; for alligator hunters submitting an application for property previously hunted, applications are due by the day before the season opens.

i. Maximum tag issuance to individual landowners, land managers, or their hunters shall be determined solely by the department. Landowners, land managers, or their hunters shall certify total acreage owned or represented on a form prescribed by the department at the time of application. The location and acreage of the property must be provided which includes parish, township, range and section delineation figures.

ii. Land managers and hunters must present a signed document from the landowner verifying their selection to represent that landowner and the total acreage represented to obtain hide tags.

iii. Alligator hide tags shall be issued to licensed alligator hunters without charge. Numbered alligator hide tags shall only be issued in the name of the license holder and are nontransferable. All unused alligator tags shall be returned within 15 days following the close of the season.

c. Alligator Farmers. Alligator hide tags shall be issued to properly licensed alligator farmers without charge upon request at any time at least two weeks prior to scheduled harvesting, subject to verification of available stock by department personnel. All unused alligator tags shall be returned to the department within 15 days following the last day of the year that issued tags are valid.

d. If an alligator hunter is cited for hunting alligators out of season, or at night, or on property other than that for which hide tags were issued, all unused hide tags and alligators in possession shall be confiscated and the violator's alligator hunting license shall be revoked. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

e. A hide tag shall be properly attached and locked using the tag's locking device in the alligator's tail immediately upon possession by an alligator hunter. Alligator farmers, fur buyers and fur dealers may wait until farm raised alligators are skinned prior to tagging, but under no circumstances can the tag be attached using the locking device more than 48 hours after dispatching the alligator during the open wild alligator harvest season, or more than seven days after dispatching the alligator outside of the open wild alligator harvest season. Live or dead farm raised alligators may be transported with their accompanying tags from a licensed alligator farm to a licensed processing facility, however each shipment shall be accompanied with the exact number of alligator hide tags. In the event that an alligator tag contains a factory defect rendering it unusable for the purpose intended or becomes detached from an alligator or hide, the tag must be reattached to the tail of the alligator/hide. The department will be responsible for the replacement of reattached tags prior to shipping out-of-state or prior to tanning within the state. It shall be unlawful to tag or attempt to tag an alligator with a tag that has been locked prior to the taking. Locked tags may be replaced upon request at the discretion of the department. The alteration of hide tags is strictly prohibited and will result in the confiscation of all tags and alligators/hides and the revocation of the violator's alligator hunting license. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

f. In the event that an alligator hide tag cannot be located when in the possession of a buyer/dealer, then the following procedure shall be followed.

i. Following discovery of an untagged alligator or alligator hide by the buyer/dealer, they shall notify the Department of Wildlife and Fisheries, Coastal and Nongame Resources Division within 24 hours and the Department of Wildlife and Fisheries will place a state tagging device on the alligator or alligator hide.

ii. Upon discovery of an untagged alligator or alligator hide by Department of Wildlife and Fisheries personnel, such personnel shall place a state tagging device on the alligator or alligator hide.

iii. The state tagged alligator or alligator hide will remain in the possession of the buyer/dealer following the placement of the state tagging device until such time as the hide tag is located or until December 31 of that year, whichever comes first. Upon presentation of the missing hide tag and the corresponding buyer/dealer record which documents a match between the tag number and the alligator/hide being held, and if the Department of Wildlife and Fisheries then confirms that such tag number has not been previously shipped, the Department of Wildlife and Fisheries shall attach a replacement alligator hide tag.

iv. If the buyer/dealer does not locate the missing hide tag following the placement of the State tagging device by the end of the allotted time period but is able to identify the tag number on a Department of Wildlife and Fisheries issued or approved buyer/dealer record which documents a match between the tag number and the skin being held, and if the Department of Wildlife and Fisheries then confirms that subject tag number has not been previously shipped, the Department of Wildlife and Fisheries may, in its discretion, issue a replacement alligator hide tag.

v. The failure of the buyer/dealer to produce the correct hide tag and/or correct documentation by the end of the allotted time period shall constitute a violation of this Subparagraph.

vi. The previous or subsequent attachment to an alligator or alligator hide of the missing hide tag as described above shall constitute a violation of this Subparagraph.

vii. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

7. Open Season, Open Areas, and Quota

a. Open seasons are as follows.

i. The state shall be divided into the east and west alligator hunting zones by the following boundary: beginning at the southwestern most part of Point Au Fer Island thence north along the western boundary of Terrebonne Parish to the Atchafalaya River, thence north along the Atchafalaya River to the East Atchafalaya Protection Levee, thence north along the East Atchafalaya Protection Levee, to Interstate 10, thence east along Interstate 10 to Interstate 12, thence east along Interstate 12 to Interstate 55, thence north along Interstate 55 to the Mississippi state line. The season for taking alligators in the wild shall open on the last Wednesday of August in the east zone and the first Wednesday of September in the west zone and will remain open for 60 days thereafter in each zone. The secretary shall be authorized to close, extend, delay, or reopen the season as biologically justifiable.

ii. Nuisance control hunters may take nuisance alligators at any time as prescribed by the department.

iii. Farm raised alligators may be taken at any time following the issuance of hide tags by the department.

iv. The open season for collection of alligator eggs from the wild shall be from May 15-September 1 of each calendar year. Violation of this Clause is a class four violation as described in R.S. title 56.

b. The open areas are as follows.

i. For the general open season, those areas designated by the biological staff of the department as alligator habitat and which can sustain an alligator harvest.

ii. The department may select public lakes and lands for an experimental alligator hunting program. The harvest will be controlled by a tag allotment for each lake as determined by department personnel. Applicants for public lake hunting must be 16 years of age or older. Applications must be received by the date specified on the annual application form. A public drawing will be held to select hunters. An alligator hunter can receive tags for and hunt on only one public lake per season. The tag quota for each lake and hunter will be established by the biological staff of the department. Alligator tags issued on public lakes and lands are nontransferable.

iii. Wild alligators in the remainder of the state may be taken only under provisions as prescribed by the department.

iv. The open alligator egg collection season shall include those areas designated by the biological staff of the department as alligator habitat which can sustain an egg collection harvest and egg quotas will be determined by department biologists.

c. The daily and season quota is equal to the number of valid alligator hide tags that a licensed alligator hunter possesses. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

d. Harvest rates will be calculated annually by department personnel based on biological data. Alligator hide tag allotments will be established prior to issuance of alligator hunting licenses.

8. Possession

a. No person shall possess alligators or alligator hides in Louisiana without valid official tags properly attached in the tail using the locking device as prescribed in Subsection A.6.e. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

b. Alligator farmers may request hide tags or shipping labels from the department to be used on farm-raised alligators that have died and may hold those alligators in freezers until receipt of the requested hide tags or shipping labels. These alligators may be held in freezers for a maximum of 60 days prior to disposal. All farm raised alligators 24 inches and greater in length that die may be skinned and tagged with an alligator hide tag within 48 hours of death during the open wild alligator harvest season, or within 7 days of death outside of the open wild alligator harvest season. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

c. No person other than a licensed alligator hunter, licensed alligator farmer, licensed fur buyer or licensed fur

dealer may possess a tagged or labeled alligator, a tagged raw or salted hide of an alligator at any time, provided that legally documented tagged or labeled alligators or tagged hides may be possessed without license while in transit, or during processing for tanning or taxidermy. However, properly tagged and documented alligators or hides may be stored at any location at the owner's discretion. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

d. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess live alligators at any time other than by a permit issued by the department upon request for use in displays and educational purposes, and by holders of valid department issued permits for scientific purposes. Live, farm raised alligators and their accompanying alligator hide tags may be held for processing by a properly licensed alligator skinning facility without a license or permit. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

e. No person other than a licensed alligator farmer or licensed nongame quadruped exhibitor shall possess alligator eggs at any time other than department permitted designated collection agents assisting a licensed and permitted alligator farmer during wild egg collection, or a holder of a valid department issued permit for scientific purposes. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

f. Any alligators hatched from scientific permits issued by the department shall be returned to the wild under departmental supervision following completion of the research project. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

9. Importation, Exportation, Purchase, and Sale

a. Live alligators may be brought into the state only if the person, firm or corporation bringing the alligators into the state has obtained written permission from the department. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

b.i. All alligators, alligator hides (raw or salted), or parts of alligators possessed, sold, purchased, exported, imported, or brought into the state from another state shall be accompanied by documented evidence that they were lawfully taken. Documented evidence shall consist of, but not be limited to:

(a). a resource user license or permit number allowing the taking of alligators and tags or other identification required by the state or country of origin shall be firmly attached to the alligator, alligator hide, or parts of alligators; and

(b). a tag or label is affixed to the outside of any package or container of alligators, alligator hides, or alligator parts that specifies type of contents, indicates quantity contained, and lists applicable license or permit numbers.

ii. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

c. Purchases of alligators, alligator hides, alligator eggs, and alligator parts are restricted as follows.

i. A licensed alligator hunter may not purchase alligators or alligator hides from anyone.

ii. A licensed fur buyer may purchase whole alligators or alligator hides from a Louisiana licensed alligator hunter, licensed alligator farmer, licensed fur dealer, or another fur buyer.

iii. A licensed fur dealer may purchase whole alligators or alligator hides from a licensed alligator hunter, licensed alligator farmer, fur buyer or another fur dealer.

iv. A licensed alligator farmer may purchase live alligators only from another licensed alligator farmer (with a department-approved alligator transfer authorization permit) or the department.

v. An alligator farmer may purchase alligator eggs only from another alligator farmer, a landowner/land manager (with an approved department alligator egg collection permit), or the department.

vi. A licensed alligator parts dealer may purchase alligator parts from a licensed alligator hunter, alligator farmer, another alligator parts dealer, or the department.

vii. A licensed alligator parts retailer may purchase finished alligator parts for retail sales.

d. Sales of alligators, alligator eggs, and alligator parts are restricted as follows.

i. A licensed alligator hunter may sell alligators, alligator hides, or alligator parts taken by the licensee during the general open season to anyone who may legally purchase.

ii. A licensed alligator farmer may sell alligators, alligator eggs, alligator hides, or alligator parts to anyone who may legally purchase. The sale of alligator eggs or live alligators shall only occur following the issuance of a transfer authorization permit. Application for the permit shall be made at least two weeks prior to the transfer.

iii. A licensed fur buyer may sell whole alligators or alligator hides to a fur dealer or another fur buyer within the confines of the state.

iv. A licensed fur dealer may sell whole alligators or alligator hides to anyone who may legally purchase.

v. A licensed alligator parts dealer may sell alligator parts, other than hides, to anyone.

vi. A licensed alligator parts retailer may sell finished alligator parts to anyone.

e. Legally tagged and documented alligators, alligator hides, and parts of alligators taken in Louisiana may be shipped out of state or exported by alligator hunters, alligator farmers, fur dealers and alligator parts dealers subject to Paragraph A.11 of this Section (relating to report

requirements) provided that no live alligators or eggs originating in Louisiana may be exported outside of their natural range without specific department authorization and the concurrence of the United States Fish and Wildlife Service, to be used only for scientific purposes. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

f. A special permit is required of anyone who sells alligator eggs, or live alligators. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

10. Nuisance Alligator Control

a. Nuisance alligator hunters will be selected by the department with proper screening by enforcement personnel in the region of appointment. Selection may be based upon recommendations received from the local governing body. Applicants with prior alligator hunting violations will be rejected.

b. Nuisance alligator hunters shall purchase a valid alligator hunter license and are bound by all laws, rules and regulations governing alligator hunting with the exception that nuisance alligators may be taken at anytime.

c. Nuisance alligator complaints will be verified by department personnel prior to being approved for removal.

d. Tags will be issued without charge to nuisance alligator hunters. Nuisance alligator hunters will attempt to catch nuisance alligators and relocate to natural habitat selected by the department. It is unlawful for any nuisance alligator captured alive to be sold or otherwise disposed of on an alligator farm. Alligators and alligator parts taken under these provisions may be retained and sold by the nuisance alligator hunter as any other legally taken wild alligator or alligator part. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

e. Nuisance alligator hunters may take alligators by any means prescribed by the department. Failure to comply with departmental instructions may result in immediate termination of the individual's participation in the nuisance alligator program. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

11. Report Requirements

a. Report forms provided by or approved by the department must be completed and filed with the department by all persons who have been issued an alligator hunter's license, fur buyer's license, fur dealer's license, nongame quadruped exhibitor's license, nongame quadruped breeder's license, alligator parts dealer's license, or alligator egg collection permit in accordance with this Paragraph. Reports shall include but not be limited to the information specified in this Paragraph.

b.i. Alligator hunters receiving hide tags from the department are responsible for disposition of all issued tags and must:

(a). complete an official alligator parts transaction form furnished by or approved by the department for each alligator part transaction. These forms shall be submitted to the department at the end of the calendar year;

(b). complete an official lost tag form, furnished by the department for any hide tags lost or stolen. These forms shall be submitted to the department within 15 days following the close of the season. Lost or stolen tags will not be replaced;

ii. All unused tags must be returned to the department within 15 days following the close of the season;

iii. Each licensed alligator hunter disposing of one or more tagged alligators or alligator skins deemed to be of no value, must:

(a). remove the CITES alligator tag(s) from each alligator/alligator skin at the time of disposal;

(b). return to the department all CITES alligator tags removed from disposed of alligators/alligator skins within 15 days following the close of the season;

(c). provide the department total lengths by corresponding CITES tag number of each alligator/alligator skin so disposed of within 15 days following the close of the season.

iv. The department must be notified of any trophy skins not sold to commercial buyers or dealers within 30 days following the close of the season, on official forms provided by or approved by the department.

v. Each licensed alligator hunter selling alligator parts to a person or a restaurant shall provide that person with a bill of sale for each transaction.

vi. All records of commercial transactions involving alligator parts by alligator hunters shall be available for inspection by the department.

vii. The alligator hide tag fee and severance tax shall be collected by the department from the alligator hunter who is shipping his own alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins.

viii. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

c. A nuisance alligator hunter shall comply with the same report requirements as a commercial alligator hunter and complete any other reports required by the department. Violation of this requirement shall result in immediate termination of nuisance alligator hunter status. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

d.i. Alligator farmers receiving hide tags from the department are responsible for disposition of all issued tags and must:

(a). complete an official alligator parts transaction form, furnished by or approved by the department for each alligator parts transaction. These forms

shall be submitted to the department along with the annual report. Violation of this Clause is a class two violation as described in R.S. title 56;

(b). complete an official lost tag form, furnished by the department, for any hide tags lost or stolen. These forms shall be submitted to the department within 15 days following the last day of the year that issued tags are valid. Violation of this Clause is a class two violation as described in R.S. title 56.

ii. All unused hide tags must be returned to the department within 15 days following the last day of the year that issued tags are valid. Violation of this Clause is a class two violation as described in R.S. title 56.

iii. Each alligator farmer in possession of one or more tagged farm alligator skins deemed to be of no value, must notify the department of the tag number and belly width of each farm alligator skin and must arrange for delivery of the farm alligator skin(s) to the department. Department personnel will remove the CITES alligator tags and dispose of the farm alligator skins. Violation of this Clause is a class two violation as described in R.S. title 56.

iv. Each alligator farmer in possession of one or more tagged farm alligators deemed to be of no value, must notify the department of the tag number and belly width of each farm alligator prior to disposal of the alligator. Alligator farmers must remove the CITES alligator tag(s) at the time of disposal and immediately return the tag(s) to the department. Violation of this Clause is a class two violation as described in R.S. title 56.

v. Each alligator farmer shall report annually, no later than December 1, on an official form provided by the department, all activities that have occurred on the farm for the past year including but not limited to the number of live alligators as of that date, separated by sizes, the number of eggs collected and hatched, the purchase and sale of alligators, hides, and parts for the past year and the numbers of alligators lost. Failure to complete this form properly and completely will result in nonrenewal of the nongame quadruped breeder's license. Violation of this Clause is a class three violation as described in R.S. title 56.

vi. Each licensed alligator farmer selling alligator parts to a person or a restaurant shall furnish that person with a bill of sale for each transaction. Violation of this Clause is a class two violation as described in R.S. title 56.

vii. Each alligator farmer collecting alligator eggs, hatching alligator eggs, selling alligators for processing, or selling alligator skins shall submit completed forms as provided by the department within 10 days following completion of the activity. Violation of this Clause is a class three violation as described in R.S. title 56.

viii. The alligator shipping label fee or the alligator hide tag fee and the severance tax shall be collected by the department from the alligator farmer who is shipping alligators or raw alligator skins, or who intends to custom tan, or use for taxidermy, the alligators or raw skins.

e.i. Fur buyers, fur dealers, alligator farmers and alligator hunters engaged in the business of buying and/or selling whole alligators or alligator hides must keep within the state a complete record on forms provided by or approved by the department, all purchases and sales of whole alligators or alligator hides as described in R.S. title 56; and

ii. every fur buyer, fur dealer, alligator farmer or alligator hunter having undressed alligator hides in his possession shall file with the department within 60 days of purchase or within 60 days of tagging or prior to shipping out of state or prior to tanning skins in Louisiana, whichever occurs first, a complete report, on forms provided by or approved by the department, a detailed description of alligator hides to be shipped or tanned. At the time of shipment or prior to tanning whole alligator skins, department personnel will inspect whole hides and replace any broken or reattached tags. Department personnel will issue the appropriate number of yellow shipping tags, one for each shipment. At that time, department personnel will affix a seal or locking device to each container. It shall be a violation of this Subparagraph for any person other than department personnel or federal personnel to reopen any sealed or locked container. In conjunction with the inspection and prior to department issuance of shipping tag(s) and seal(s) or locking device(s), department personnel must collect:

(a). all completed buyer/dealer records for skins in each shipment;

(b). official shipping manifest including total length in inches (or feet and inches) referenced to CITES tag number of each whole wild skin in shipment and including total belly width in centimeters (measured at the fifth scute) referenced to CITES tag number of each whole farm raised alligator skin in shipment. A fully executed (filled out) shipping manifest containing all information required in the buyer/dealer record may be substituted with department approval for the buyer/dealer record requirement on farm raised alligator skins;

(c). stub portion of yellow shipping tag completely filled out;

(d). severance tax and alligator hide tag fees owed by alligator hunter, alligator farmer or fur dealer.

iii. Prior to cutting raw alligator skins into pieces, every fur buyer, fur dealer, alligator farmer or alligator hunter desiring to cut raw skins into pieces (flanks, bellies, or chalecos), must request department personnel to inspect the whole alligator hides and (with appropriate assistance) apply CITES tags to each flank, chaleco, and belly so separated. Prior to tagging the flanks, chaleco and belly, department personnel must receive an official manifest including measurement (as specified below) of each skin. For wild skins, the total length in inches (or feet and inches) referenced to the CITES tag number of each whole wild skin to be cut into pieces must be provided. For farm raised alligators skins, the total belly width in centimeters (measured at the fifth scute) referenced to the CITES tag

number of each whole farm raised alligator skin to be cut into pieces must be provided. Prior to cutting the raw alligator skin, CITES tags will be attached to each flank and chaleco (tag applied to each hind leg area), and to each belly if either is to be separated from the tail. Once the tail portion of the skin is separated from the flanks, chaleco and belly, the original CITES tag must be removed and returned to the department within 15 days of the cutting of the tail.

iv. Every fur dealer, alligator farmer or alligator hunter prior to shipping out of state or prior to tanning in state, partial alligator skins (flanks, bellies or chalecos) must provide an official shipping manifest listing a description of the partial alligator skins in the shipment along with the CITES tag number for each partial skin piece, referenced to the original CITES tag number that was placed on the wild alligator or farm raised alligator when harvested. Department personnel will review the manifest for accuracy and determine the number of original CITES tags referenced for the first time in order to assess the amount of severance tax and alligator hide tag fees owed by the shipper. Shipper will be thus informed by the department within 10 working days of receiving the official shipping manifest.

v. At the time of shipment or prior to tanning, department personnel will inspect alligator skin pieces and replace any broken or reattached tags. Department personnel will issue the appropriate number of yellow shipping tags, one for each shipment. At that time, department personnel will affix a seal or locking device to each container. It shall be a violation of this Subparagraph for any person other than department personnel or federal personnel to reopen any sealed or locked container. In conjunction with the inspection and prior to department issuance of shipping tag(s) and seal(s) or locking device(s), department personnel must collect:

(a). all completed buyer/dealer records for skins in each shipment;

(b). stub portion of yellow shipping tag completely filled-out;

(c). severance tax and alligator hide tag fees owed by alligator hunter, alligator farmer or fur dealer for partial alligator skin pieces being shipped as referenced in Clause A.11.e.iv.

vi. If any of the above requirements are not satisfied, the shipment will not be authorized. Violation of this Clause is a class three violation as described in R.S. title 56.

f. Fur dealers engaged in the business of buying and selling alligator hides must maintain complete records of alligator hides purchased inside and outside the state as described in R.S. title 56. Fur dealers in the business of tanning alligator hides must provide a monthly report, on forms provided by or approved by the department, of all alligator hides being held in inventory. Failure to maintain complete records and to pay the required severance tax and alligator hide tag fees subjects any dealer to the full penalties provided and the immediate revocation of his license by the department. No license shall be issued to a dealer who has not paid the tax and alligator hide tag fees for the preceding year. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

g. Each fur buyer or fur dealer in possession of one or more tagged alligator skins deemed to be of no value, must notify the department of the tag number and total length of each wild alligator skin or belly width of each farm alligator skin and must arrange for delivery of the alligator skin(s) to the department. Department personnel will remove the CITES alligator tags and dispose of the alligator skins. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

h. Each fur buyer or fur dealer in possession of one or more tagged alligators deemed to be of no value, must notify the department of the tag number and total length of each wild alligator or belly width of each farm alligator prior to disposal of the alligator. Fur buyers or fur dealers must remove the CITES alligator tag(s) at the time of disposal and immediately return the tag(s) to the department. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

i. Alligator parts dealers acquiring alligator parts, shall complete an official alligator parts purchase form at the time of each purchase. Alligator parts dealers selling alligator parts, shall complete an official alligator parts sale form at the time of each sale. These forms shall be furnished by or approved by the department and shall be submitted to the department annually, no later than June 30; and

i. alligator parts dealers shall furnish a bill of sale to anyone purchasing alligator parts;

ii. the records of transactions involving alligator parts shall be available for inspection by the department and shall be maintained complete for a period of one year following any transaction;

iii. violation of this Subparagraph is a class two violation as described in R.S. title 56.

j. Any alligator parts retailer purchasing finished alligator parts shall maintain a bill of sale for each purchase for a period of six months after such purchase and these records shall be available for inspection by the department. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

12. Alligator Meat

a. Alligator meat from lawfully taken alligators can only be sold according to state and federal laws, Louisiana Department of Health and Hospitals regulations and Louisiana Wildlife and Fisheries Commission regulations. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

b. Alligator meat processed in the state of Louisiana and sold for human consumption must be processed in a licensed facility approved by the Louisiana Department of Health and Hospitals and the facility must display a valid

permit issued by that agency. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

c. All processed alligator meat for sale must be packaged in suitable containers which identifies the contents as alligator meat, marked with a valid department license number and comply with all state and federal packaging and labeling requirements. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

d. All alligator meat shipped into the state and being offered for sale must meet all of Louisiana's health, processing, packaging and labeling requirements. Violation of this Subparagraph is a class two violation as described in R.S. title 56.

13. Disposal of Alligators by the Department

a. The department may sell alligators, alligator eggs or parts of alligators taken for any purpose deemed necessary for proper management of the species pursuant to R.S. title 56.

b. The department may dispose of alligators, alligator eggs, or parts of alligators by donation or lending to a scientific institution or other institutions that the department deems have need for such alligators, however these institutions cannot sell or barter these animals which must be returned to the department at the conclusion of the program or need.

c. Confiscated alligator hides and parts may be destroyed by the department pending the outcome of the criminal trial.

d. Confiscated alligator eggs or live alligators may be sold or may be cared for by the department and released in suitable alligator habitat when and where they can survive when appropriate. All costs incurred by the department in the maintenance of these eggs and animals in captivity shall be the responsibility of the offender and restitution shall be made to the department. The department may consign confiscated alligators to a licensed farm for raising purposes and may compensate the farmer for his expenses by transferring ownership to him of a percentage of the confiscated alligators; not to exceed 50 percent.

14. Alligator Egg Collections

a. Alligator egg collection permits are a three party permit between the department, the permittee and a landowner/manager who owns or leases alligator nesting habitat determined by department biologists to be capable of producing alligator eggs. The numbers of eggs to be collected will be based upon biological management criteria and will be determined annually by technical staff of the department. The department only estimates the numbers of eggs available and assumes no responsibility or offers no guarantee that those numbers of eggs will be available. Alligator egg collection permits may be obtained upon application to the department on forms provided by the department. The annual deadline for submitting applications for alligator egg collection permits is June 1. This program is experimental and may be changed at any time based on biological data to insure for proper management of the wild alligator population.

b. Alligator egg collection permits may be issued by the department provided:

i. permittee is a properly licensed alligator farmer and meets all applicable requirements in Paragraph A.15 of this Section (alligator farm facility requirements);

ii. all land documentation required on the alligator egg collection permit has been presented to the department;

iii. department biologists determine the properties described on the permit application are indeed alligator nesting habitat and can sustain alligator egg collections;

iv. applicant has obtained all legal and necessary signatures from landowners/land managers.

c. It is unlawful for an alligator farmer or a permitted designated collection agent to collect eggs from properties other than those described in the alligator egg collection permit. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

d. An alligator farmer or designated collection agent in the act of collecting or possessing alligator eggs must possess on his or her person a copy of the fully executed alligator egg collection permit. The designated collection agent must also possess a valid designated collection agent permit. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

e. Collection of wild alligator eggs can only be made after contacting the appropriate regional supervisor of the Enforcement Division no less than 24 hours prior to each collection trip. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

f. Alligator eggs can only be collected from the wild from official sunrise to official sunset and only during the established alligator egg collection season and shall not exceed the number on his alligator egg collection permit. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

g. Alligator eggs collected from the wild must be collected and transported in a manner which insures the greatest survival of viable eggs as determined by department biologists. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

h. Failure to hatch at least 70 percent of viable alligator eggs collected from the wild shall be considered a waste of Louisiana's natural resources. All alligator egg collection permits shall be revoked and no new permits issued should an alligator farmer be found to waste the resources of this state for two consecutive years.

i. Alligator egg collection permits shall be revoked and no new permits issued to alligator farmers who fail to average a minimum hatchling survival rate of 85 percent for two consecutive years.

j. The alligator egg collection permittee and the landowner are responsible for the return of the percentage of live alligators to the wild described on the alligator egg collection permit. This requirement is nontransferable. Minimum return rates will be based upon the state average hatching success which is 78 percent. In no case shall the return rate be less than 10 percent at 48 inches total length. Each alligator shall be returned to the original egg collection area within a maximum time of two years from date of hatching. Each alligator shall be a minimum of 36 inches and a maximum of 60 inches (no alligator over 60 inches total length will be accepted for release) in total length and the returned sex ratio should contain at least 50 percent females. The alligator egg collection permittee/landowner are responsible for and must compensate in kind for alligator mortality which occurs for department-authorized return to the wild alligators while being processed, stored, or transported. The department shall be responsible for supervising the required return of these alligators. A department transfer authorization permit is not required for return to the wild alligators which are delivered to the farm of origin no more than 48 hours prior to being processed for wild release. Releases back to the wild will only occur between March 15 and August 25 of each calendar year provided that environmental conditions as determined by the department are favorable for survival of the released alligators. Any farmer who owes 1000 or more alligators at 48 inches must release at least 1/4 of the total owed for that year by April 30; at least another quarter by June 15, at least another quarter by July 31; and the remainder by August 25. A farmer may do more than the required 1/4 of his releases earlier if available unscheduled days allow. Should an alligator egg collection permittee be unable to release the required number of alligators to the wild from his own stock, he shall be required to purchase additional alligators from another farmer to meet compliance with the alligator egg collection permit and these regulations, as supervised by the department. Department-sanctioned participants in ongoing studies involving survivability and return rates are exempt from these requirements during the period of the study. Violation of this Subparagraph is a class four violation as described in R.S. 56.

k. The percentage of alligators to be returned to the wild shall be selected from the healthiest of all alligators of that year class. Abnormal or deformed alligators are not acceptable for release into the wild. It is unlawful for alligators that are to be returned to the wild to be transported out of state. Violation of this Subparagraph is a class four violation as described in R.S. title 56.

15. Alligator Farm Facility Requirements

a. All first time applicants for a nongame quadruped breeder's or exhibitor's license who will house alligators on their premises shall show compliance of the following minimum facilities as applicable to their particular operation during a required facility examination by department personnel prior to license issuance:

i. secured premises with adequate barriers to prevent escape of enclosed alligators and entry by alligators from outside the farm and to deter theft of alligators;

ii. source of clean, fresh water which shall be adequate to ensure for proper care of all alligator stock and facilities. This requirement shall be determined by department personnel;

iii. provisions for both dry area and pooled water within the secured area adequate for the numbers of alligators to be housed on the premises. This requirement will be determined by department personnel;

iv. provision for winter protection, either through adequate denning space or an enclosed, controlled-temperature environment of a design acceptable to the department;

v. all controlled-temperature alligator sheds (environmental chambers) shall be of a design acceptable to the department. Each shed shall maintain a minimum water and air temperature of 80º Fahrenheit.

b. Following initial issuance of applicable license, all applicable facility requirements shall be adhered to and department personnel have the authority to inspect any and all of the facilities at any time. Failure to adhere to the requirements shall be a violation of these rules and violators will be given 60 days to correct the problem. Failure to comply shall result in confiscation of all animals and/or closure of all facilities. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

c. All alligator farmers possessing alligator eggs outside an alligator nest should house these eggs in an incubator providing constant temperature and humidity conditions. All incubators used to incubate alligator eggs shall be of a design to allow for maximum temperature control and conform to department requirements to allow for the maximum hatching success. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

d. All alligator farmers possessing alligator hatchlings shall house hatchlings in controlled environmental chambers which maintain a minimum temperature of 80º Fahrenheit year-round containing wet areas of sufficient surface area to permit all alligators to partially submerge in water. All alligators 48" or less in length shall be housed in environmental chambers unless a special permit is issued by the department to move them to outside growth areas. Violation of this Subparagraph is a class three violation as described in Title 56.

e. Alligator farmers shall house alligators of different lengths into at least three groups, providing separation for all alligators less than two feet in length, two to four feet in length, and over four feet in length. Violation of this Subparagraph is a class three violation as described in Title 56.

f. All facilities, alligator stock, and records are subject to examination by department personnel prior to

permitting and thereafter during farm operation. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

g. It shall be unlawful for alligator eggs or alligators to be moved from a licensed premises without permitting/approval of the department. Violation of this Subparagraph is a class three violation as described in R.S. title 56.

h. Any alligator egg or alligator raised on an alligator farm shall be cared for under conditions that do not threaten the survival of such egg and alligator as determined by the biological staff of the Coastal and Nongame Resources Division. In making such determination, Coastal and Nongame Resources Division biologists shall take into consideration sanitary conditions, temperature control, feeding, overcrowding and other conditions which affect the survival of alligator eggs and alligators. If the biological staff of the Coastal and Nongame Resources Division determines that the survival of any alligator egg or alligator is threatened due to the conditions on an alligator farm, the department shall notify the alligator farmer and shall provide the farmer with 60 days to take corrective action. If the farmer fails to take corrective action within 60 days, the department shall have the authority to confiscate any alligator egg or alligator which remains under conditions that threaten the survival of such alligator egg or alligator and to dispose of such alligator egg or alligator as the department deems necessary. Violation of this Subparagraph is a class four violation as described in Title 56.

16. Farm-Raised Alligator Slaughter Methods

a.i. Legal methods for the slaughter of farm-raised alligators are as follows:

(a). penetrating captive bolt;

(b). non-penetrating captive bolt;

(c). spinal cord severance followed immediately by pithing the brain; and

(d). other slaughter methods may be acceptable if they are approved in writing by the department after review and consultation with a trained veterinarian; any slaughter method presented for review must quickly inflict severe damage to the brain, be humane and not pose a high risk to administering personnel.

ii. Selected slaughter method must be administered properly so as to cause a rapid loss of consciousness and death.

iii. Violation of this Subparagraph is a class three violation as described in Title 56.

17. Exceptions

a. The department or an authorized representative of the department may take by any means and possess alligators, alligator eggs, or parts of alligators while in the performance of official duties.

b. These regulations shall not prohibit a person from killing an alligator in immediate defense of his or her life or the lives of others. Alligators killed under this provision must be reported to the department within 24 hours.

18. Penalty for Violation

a. In order to facilitate greater control over alligator trafficking, the Louisiana Department of Wildlife and Fisheries finds that public welfare imperatively requires emergency action when the provisions of these regulations are violated.

b. In addition to all penalties set forth herein, violators may be subject to criminal prosecution under provisions of the *Louisiana Revised Statutes*, particularly titles 14 and 56 and under federal law.

c. In addition to all other penalties provided by these rules and by statute, violation of any part of these regulations may result in the suspension and/or revocation of any or all alligator licenses/permits held by the violator and, as further penalty, for serious, repeat, or multiple violations, the department shall have the right to deny a violator any and all licenses/permits relating to alligators for a period not to exceed three years.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:259, R.S. 56:262, R.S. 56:263 and R.S. 56:280.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:1070 (December 1990), amended LR 17:892 (September 1991), LR 19:215 (February 1993), LR 20:321 (March 1994), LR 26:1492 (July 2000), LR 28:1996 (September 2002), LR 30:2338 (October 2004), LR 30:2878 (December 2004), LR 31:2267 (September 2005), LR 33:677 (April 2007), LR 35:690 (April 2009), LR 37:2421 (August 2011), LR 39:2291 (August 2013), LR 42:909 (June 2016), LR 43:90 (January 2017), LR 46:50 (January 2020), LR 46:1398 (October 2020).

Title 76
WILDLIFE AND FISHERIES
Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sport and Commercial Fishing

§101. Lake Claiborne

A. Whereas, the Claiborne Parish Watershed District Board of Commissioners, the local regulatory body for Lake Claiborne in Claiborne Parish, passed a resolution at its meeting on March 18, 1982 requesting the Louisiana Wildlife and Fisheries Commission to prohibit gill, trammel and flagg nets in Claiborne Lake; and

B. whereas, Lake Claiborne does not support high poundages of commercial species nor a true commercial fisheries; and

C. whereas, the most sought after species (catfish) can be adequately harvested by methods other than netting; and

D. whereas, past research conducted by the department has demonstrated detrimental effects of gill, trammel and flagg nets on game fish species in similar type impoundments as Lake Claiborne.

E. Therefore, be it resolved, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of gill, trammel and flagg nets in Lake Claiborne, Claiborne Parish, Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 8:419 (August 1982).

§102. Freshwater Shrimp, Commercial Harvest

A. A properly licensed commercial fisherman may take any freshwater shrimp species in freshwater areas of the state, except in those freshwater areas of the state where commercial fishing is prohibited by law.

B. In addition to other legal methods of take as provided for in Title 56, any freshwater shrimp species may be taken with a *freshwater shrimp trap*.

C. A *freshwater shrimp trap* shall mean any device completely enclosed with an outside wire mesh not smaller than 1/4 inch, constructed with throats or flues not larger than 1 1/2 inches in diameter at their narrowest point, which is used for the sole purpose of taking freshwater shrimp in accordance with this Section. Other bait species may be taken when legally fishing a "freshwater shrimp trap." No game fish species can be taken while fishing a "freshwater shrimp trap" in accordance with this Section.

D. Violations. No person shall take or possess freshwater shrimp except as authorized by this Section. Any person found to be in violation of any provision of this Section shall be guilty of a Class 2 violation and punished in accordance with the provisions applicable to R.S. 56:32.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:501.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:947 (April 2005).

§103. Anacoco Lake, Lake Vernon and Anacoco Bayou

A. Whereas, the chairman of the Anacoco-Prairie State Fish and Game Commission has requested commercial nets be prohibited in Lake Vernon, Anacoco Lake, and that portion of Anacoco Bayou between the lakes, all in Vernon Parish; and

B. whereas, fish population samples taken by the district fisheries biologist indicate a very low population of commercial fish; and

C. whereas, it is evident that there are no viable commercial fisheries due to the scarcity of these commercial species.

D. Therefore, be it resolved, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of fish nets (gill nets, trammel nets, hoop nets, fish seines) in Anacoco Lake, Lake Vernon and that portion of Anacoco Bayou between the two lakes, Vernon Parish, Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 4:57 (February 1978), amended LR 7:356 (July 1981), LR 12:843 (December 1986).

§105. Caddo Lake Gear Regulations

A. Whereas, a petition containing 170 signatures of Caddo Parish residents requesting the prohibition of gill, trammel and flagg nets in Caddo Lake, Caddo Parish, Louisiana, was submitted to the Louisiana Wildlife and Fisheries Commission; and

B. whereas, state legislators of Caddo Parish, as a result of numerous requests from their constituents, have also asked the commission to prohibit gill, trammel, and flagg nets in Caddo Lake; and

C. whereas, the most important commercial species in Caddo Lake is catfish and is primarily harvested with hoop nets, and can still be harvested adequately using hoop nets, slat traps, and set lines; and

D. whereas, past research conducted by the department has demonstrated detrimental effects of gill, trammel, and flagg nets in game fish species in similar type impoundments as Caddo Lake.

E. Therefore, be it resolved, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of gill, trammel and flagg nets in Caddo Lake, Caddo Parish, Louisiana; and for this prohibition to become effective January l, 1983.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 8:524 (October 1982).

§106. Poverty Point Reservoir Netting Prohibition

A. The Wildlife and Fisheries Commission hereby prohibits the use of freshwater trammel and gill nets in Poverty Point Reservoir, Richland Parish, Louisiana, except their use will be allowed for the legal harvest of commercial fish during a special recurring trammel and gill netting season to commence each year at sunrise on October 1 and close at sunset on the last day of February the following year.

1. Commercial fishing with certain nets will be allowed on Poverty Point Reservoir only during the above described special season and only by licensed commercial fishermen. The use of nets in Poverty Point Reservoir will be limited to gill and trammel nets greater than or having at least a minimum mesh size of 3 1/2-inch bar and 7-inch stretch.

2. Commercial fishing will be allowed during daylight hours in designated areas only except that gear can remain set overnight but fish captured shall be removed during daylight hours only.

B. The Wildlife and Fisheries Commission hereby prohibits the use of hoop nets, wire nets and fish seines in Poverty Point Reservoir. No person shall use or possess any hoop nets, wire nets or fish seines in or on Poverty Point Reservoir. Violation of this provision shall be a class 2 violation as specified in R.S. 56:32.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:2569 (October 2005), amended LR 43:90 (January 2017).

§107. Nantachie Lake

A. Whereas, Nantachie Lake is a relatively small impoundment (1,500 acres) utilized primarily by recreational fishermen who seek largemouth bass, crappie and bluegill; and

B. whereas, the commercial fish population in the lake is extremely low and presently cannot and does not support a commercial fisheries; and

C. whereas, past studies have demonstrated detrimental effects that can occur on game fish populations with the use of commercial fish netting in small impoundments such as Nantachie Lake; and

D. whereas, the Grant Parish Police Jury and the Nantachie Lake Commission have requested the removal of netting.

E. Therefore, be it resolved, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of netting in Nantachie Lake, Grant Parish, Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 9:486 (July 1983).

§108. Promotion of Youth Fishing

A. Notwithstanding the provisions of LAC 76:VII.165 and 189, anglers below 16 years of age shall be allowed to possess black bass below the minimum length limit in accordance with the following provisions.

1. The areas where the length limit will be suspended are the Atchafalaya Basin, Lake Verret-Palourde Area and the Lake Fausse Point-Dauterive Area, as defined in LAC 76:VII.165 and 189, respectively.

2. The dates of the suspension shall be Memorial Day weekend, May 24-26, 2008 and Labor Day weekend, August 30-September 1, 2008.

3. The suspension shall be effective from sunrise on each opening day extending until midnight on each closing day.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:706 (April 2008).

§109. Toledo Bend Gear Regulations

A. The Wildlife and Fisheries Commission hereby prohibits the use of gill nets, trammel nets, flagg webbing and fish seines in the Louisiana portion of Toledo Bend Reservoir located in Sabine and DeSoto Parishes, Louisiana; and, hoop nets are prohibited during March 1 through May 15 each year only in that portion of Toledo Bend Reservoir from a point north of Logansport where the lake enters Texas, and south to a point on the lake where the Texas Duck Refuge Canal intersects the old channel of the Sabine River.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 7:448 (September 1981), amended LR 9:692 (October 1983), LR 12:603 (September 1986).

§110. Texas Border Waters Recreational Creel, Size, and Possession Limits

A. Purpose

1. Pursuant to *Louisiana Revised Statute* 56:673 and the July 1, 2010 memorandum of understanding between Louisiana Department of Wildlife and Fisheries and Texas Parks and Wildlife, the commission hereby ratifies and enters into an agreement with the Texas Parks and Wildlife

Department to establish uniform and reciprocal regulations for the recreational harvest of freshwater game fish on the waters of the Louisiana-Texas boundary, specifically Toledo Bend Reservoir, Caddo Lake, and the Sabine River. Those regulations are as follows.

B. Toledo Bend Reservoir

1. The recreational daily creel limit (daily take) for largemouth bass (*Micropterus salmoides*) and spotted bass (*Micropterus punctulatus*) is set at eight fish, in aggregate. The minimum total length limit for largemouth bass (*M. salmoides*) is 14 inches. There is no minimum length limit on spotted bass. For enforcement purposes, a spotted bass shall be defined as a black bass with a tooth patch on its tongue.

2. The daily creel limit for white bass (*Morone chrysops*) is 25 fish and there is no minimum length limit.

3. There is no limit on the daily take of yellow bass (*Morone mississippiensis*).

4. The recreational daily creel limit for black crappie (*Pomoxis nigromaculatus*) and white crappie (*Pomoxis annularis*) is set at 25 fish, in the aggregate, and there is no minimum length limit.

5. The recreational daily creel limit for channel catfish (*Ictalurus punctatus*) and blue catfish (*Ictalurus furcatus*) is set at 50 fish in the aggregate, there is no minimum length limit and not more than 5 fish may exceed 30 inches in total length.

6. The recreational daily creel limit for flathead catfish (*Pylodictis olivaris*) is set at 10 fish. The minimum length limit is 18 inches.

C. Caddo Lake

1. Harvest regulations for black bass (largemouth bass, *Micropterus salmoides* and spotted bass, *Micropterus punctulatus*) on Caddo Lake are as follows.

a. Largemouth Bass Size Limits—14-18inch slot. A 14-18 inch slot limit means that it is illegal to keep or possess a largemouth bass whose maximum total length is between 14 inches and 18 inches, both measurements inclusive.

b. Spotted Bass Size Limits—no minimum length limit. For enforcement purposes, a spotted bass shall be defined as a black bass with a tooth patch on its tongue.

c. The daily creel limit (daily take) for black bass (*Micropterus spp*.) is set at 8 fish, in the aggregate, of which no more than 4 largemouth bass may exceed 18 inches maximum total length.

2. The daily creel limit for white bass (*Morone chrysops*) is 25 fish and there is no minimum length limit.

3. There is no daily creel limit on yellow bass (*Morone mississippiensis*), and there is no minimum length limit.

4. The recreational daily creel limit for black crappie (*Pomoxis nigromaculatus*) and white crappie (*Pomoxis annularis*) is set at 25 fish, in the aggregate, and there is no minimum length limit.

5. The recreational daily creel limit for channel catfish (*Ictalurus punctatus*) and blue catfish (*Ictalurus furcatus*) is set at 50 fish in the aggregate, there is no minimum length limit and not more than 5 fish may exceed 30 inches in total length.

6. The recreational daily creel limit for flathead catfish (*Pylodictis olivaris*) is set at 10 fish. The minimum length limit is 18 inches.

D. Sabine River

1. Harvest regulations for black basses (largemouth bass, *Micropterus salmoides* and spotted bass, *Micropterus punctulatus*) on the Sabine River are as follows:

a. The river proper from Toledo Bend Dam downstream to the Interstate 10 bridge the minimum length limit for largemouth bass (*M. salmoides*) is 12 inches.

b. The river proper upstream from Toledo Bend Reservoir to the point at which the entire river enters Texas as marked by state line sign the minimum length limit for largemouth bass (*M. salmoides*) is 14 inches.

c. The recreational daily creel limit (daily take) for largemouth bass (*Micropterus salmoides*) and spotted bass (*Micropterus punctulatus*) is set at eight fish, in aggregate. There is no minimum length limit on spotted bass. For enforcement purposes, a spotted bass shall be defined as a black bass with a tooth patch on its tongue.

2. For purposes of this section, the Sabine River shall be defined as the river proper from the Toledo Bend Dam downstream to the Interstate 10 bridge and the river proper upstream from Toledo Bend Reservoir to the point at which the entire river enters Texas as marked by state line sign.

a. The daily creel limit for striped bass (*Morone saxatilis*) is set at 5 fish. There is no minimum length limit and only 2 fish may be over 30 inches in total length.

b. The daily creel limit for white bass (*Morone chrysops*) is 25 fish and there is no minimum length limit.

c. There is no daily creel limit on yellow bass (*Morone mississippiensis*), and there is no minimum length limit.

d. The recreational daily creel limit for black crappie (*Pomoxis nigromaculatus*) and white crappie (*Pomoxis annularis*) is set at 25 fish, in the aggregate, and there is no minimum length limit.

e. The recreational daily creel limit for channel catfish (*Ictalurus punctatus*) and blue catfish (*Ictalurus furcatus*) is set at 50 fish in the aggregate, there is no minimum length limit and not more than 5 fish may exceed 30 inches in total length.

f. The recreational daily creel limit for flathead catfish (*Pylodictis olivaris*) is set at 10 fish. The minimum length limit is 18 inches.

E. Daily Possession Limit: Toledo Bend Reservoir, Caddo Lake, and the Sabine River

1. The following possession limits apply to all persons while on the waters of Toledo Bend Reservoir, Caddo Lake, or the Sabine River. No person shall possess any species of fish in excess of a one day creel limit. No person shall at any time possess in excess of the daily creel limit of any species, except that a two day creel limit may be possessed on the land, if the fish were caught on more than one day and no daily creel limits were exceeded. No person shall possess any fillets of any fish species while on the water.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:325(C), R.S. 56:326.3, and R.S. 56:673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 14:548 (August 1988), amended LR 17:278 (March 1991), LR 17:1123 (November 1991), LR 19:790 (June 1993), LR 23:999 (August 1997), LR 31:948 (April 2005), LR 37:2439 (August 2011), LR 40:802 (April 2014), LR 42:1694 (October 2016).

§111. D'Arbonne Lake

A. Whereas, the Bayou D'Arbonne Lake Watershed District Commission, the local regulatory body for D'Arbonne Lake passed a resolution at its meeting on February 7, 1984 prohibiting trammel nets, gill nets, flagg nets, and fish seines in D'Arbonne Lake effective June l, 1984, and subsequently have requested the Wildlife and Fisheries Commission to ratify said resolution; and

B. whereas, studies conducted by the Department of Wildlife and Fisheries on D'Arbonne Lake have demonstrated the detrimental effects the use of certain types of commercial fish nets have on game fish populations; and

C. whereas, D'Arbonne Lake does not support high poundage of commercial species nor a true commercial fisheries; and

D. whereas, the most sought after commercial species, catfish (flathead), can still be harvested adequately using hoop nets, slat traps, trot lines, limb lines, and stump lines.

E. Therefore be it resolved, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of gill nets, trammel nets, flagg nets and fish seines in D'Arbonne Lake (Union and Lincoln Parishes) and includes all areas between the spillway structure and Gill's Ferry Landing on D'Arbonne Creek and Hogpen Landing on Corney Creek.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 10:470 (June 1984).

§112. Prohibit the Use and Possession of Gill Nets and Trammel Nets; Prohibit the Taking of Grass Carp

A. No person shall use or possess any gill net or trammel net in the areas designated below as restricted areas. No person shall take or sell any fish taken with the prohibited gear. Additionally, no person shall take or possess any grass carp within the restricted areas.

1. Restricted areas:

a. Spring Bayou Wildlife Management Area (WMA), Avoyelles Parish;

b. Old River, Avoyelles Parish;

c. Little River, Avoyelles Parish.

B. Violation of the provisions of this Section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:21, R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:886 (May 2008).

§115. Hybrid Bass

A. Whereas, 45,000 hybrid (white bass-striped bass) bass fingerlings were stocked in False River, Pointe Coupee Parish, in May 1975; and

B. whereas, these fish though not likely to reproduce, have the potential of reaching 15-20 pounds, feeding primarily on gizzard shad which are very numerous in the lake; and

C. whereas, these hybrids now average 10 inches in length and are being caught in large numbers by sports fishermen;

D. therefore be it resolved, the Louisiana Wildlife and Fisheries Commission hereby imposes the establishment of a statewide two fish daily, four fish possession limit on hybrid bass.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:327.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:45 (January 1976).

§116. Lake Lafourche

A. The Wildlife and Fisheries Commission hereby adopts the following regulations applicable to the use of yo-yo's and trigger devices when used in Lake Lafourche in Caldwell Parish.

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 a metal object used strictly in the construction of a pier, boathouse, seawall, or dock, no metal 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.

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.

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 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).

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

§117. Channel Catfish Size Limit

A. Whereas, the existence of high populations of channel catfish in certain areas of Southeastern Louisiana is well documented; and

B. whereas, fish population data from these areas show that the vast majority of channel catfish are less than 11 inches total length; and

C. whereas, biological data indicate that channel catfish in these areas are stunted, relatively short for their age, and frequently found to be sexually mature well below 11 inches total length; and

D. whereas, commercial fishermen in these areas have developed markets for "short" catfish and whose catch of channel catfish is largely dependent on channel catfish that are shorter than 11 inches minimum total length; and

E. whereas, the minimum length of 11 inches has been removed on channel catfish in these areas since 1981 and no detrimental effects have been observed; and

F. whereas, Act 273 of the 1984 Louisiana Legislature authorizes the Louisiana Wildlife and Fisheries Commission to suspend or reduce by resolution the legal size limit on channel catfish in those areas of the state where biological data indicates that such a suspension or reduction in the size limit would not be detrimental to the resource.

G. Therefore, be it resolved, the Louisiana Wildlife and Fisheries Commission hereby suspends, for a five-year period from January l, 1985 to January 1, 1990, the minimum size length limit on channel catfish in that portion of Southeastern Louisiana, containing Lac des Allemands, Lake Salvador, Lake Cataouatche, Lake Maurepas, the western portion of Lake Pontchartrain and associated bayous and streams, excluding the Mississippi River and Bayou LaFourche, herein described as:

a. west and south of the west descending bank of the Mississippi River from the Gulf of Mexico to the Huey P. Long Bridge; north and west of Highway 90 from Huey P. Long Bridge to Causeway Boulevard; west of Lake Pontchartrain Causeway from U.S. Highway 90 to LA Highway 22; south and east of LA Highway 22 to U.S. Highway 61 at Sorrento; north of U.S. 61 from Sorrento to LA Highway 20; east of LA Highway 20 to the east descending bank of Bayou LaFourche at Thibodaux; east of the east descending bank of Bayou Lafourche to LA Highway 1 at Leeville; east and north of LA Highway 1 from Leeville to the Gulf of Mexico; north of the Gulf of Mexico from Grand Isle to the west descending bank of the Mississippi River.

AUTHORITY NOTE: Promulgated in accordance R.S. 56:326.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 11:127 (February 1985).

§119. Prohibition of Netting in Bundick Lake

A. Whereas, Bundick Lake is a relatively small impoundment of approximately 1,700 acres, with an average depth of about 5 feet making game fish populations extremely vulnerable to netting; and

B. whereas, commercial fish populations are very low except for a moderate catfish population which is harvested primarily and adequately with slat traps and trotlines.

C. Therefore be it resolved, the Louisiana Wildlife and Fisheries Commission hereby prohibits the use of netting in Bundick Lake, Beauregard Parish, Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 8:651 (December 1982).

§121. Fish Allowed South of the Saltwater Line

A. In accordance with the provisions of Acts 844 and 904 adopted by the Louisiana Legislature during the 1986 regular session, the following list of fish may be taken south of the saltwater line as described in R.S. 56:322.A. by recreational fishermen without the purchase of a saltwater angling license.

B. This list in no way implies biological preference, distribution or requirements for the listed fish.

Family Name	Sturgeon Name	Example
Acipenseridae	Sturgeon Family	Atlantic Sturgeon
Polyodontidae	Paddlefish Family	Paddlefish
Lepisosteidae	Gar Family	Gars
Amidae	Bowfin Family	Bowfin
Cyprinidae	Minnow Family	Carp, etc.
Catostomidae	Sucker Family	Smallmouth buffalo Bigmouth buffalo Black buffalo, etc.
Ictaluridae	Freshwater Catfish Family	Blue catfish Channel catfish Flathead catfish, etc.
Percichthyidae	Temperate Bass Family	White bass Yellow bass Striped bass Hybrid striped bass
Centrarchidae	Sunfish Family	Warmouth Bluegill Largemouth bass White crappie Black crappie, etc.
Sciaenidae	Drum Family	*Freshwater drum
* Only member of family Sciaenidae considered freshwater.		

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:322.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 12:844 (December 1986).

§125. Lake Bruin

A. The Wildlife and Fisheries Commission hereby establishes and permits a special recurring commercial fishing season, allowing the use of certain nets and slat traps, in Lake Bruin, Tensas Parish, Louisiana. The season will commence each year at sunrise on October 1 and close at sunset on the last day of February the following year.

1. Commercial fishing with certain nets and slat traps will be allowed on Lake Bruin only during the above described special season and only by licensed commercial fishermen who must also obtain a Lake Bruin commercial fishing permit from the Department of Wildlife and Fisheries. The permit will be issued at no cost on a seasonal basis and must be renewed for each season. The permittee must also file a report to the Department of Wildlife and Fisheries of his catch that is postmarked not later than 15 days after the close of that season. The use of nets in Lake Bruin will be limited to gill and trammel nets greater than or having at least a minimum mesh of 3 1/2-inch bar and 7-inch stretch.

2. Commercial fishing will be allowed only during daylight hours except that gear can remain set overnight but fish captured may be removed during daylight hours only.

3. Failure to comply with the terms of the special permit or of any Louisiana commercial fishing regulations shall result in immediate cancellation of the permit for the remainder of the current season.

4. Failure to submit a timely report for a particular year's commercial fishing season shall result in the denial of a permit for the next year. If a report is eventually received after the deadline period for a particular year, the applicant may get a permit after skipping a year, however, if no report is ever filed, no permit for any subsequent year will be considered.

5. Applicants with a citation(s) pending for three years or less, which is a class 2 fish or game violation(s) or greater shall be denied a permit until such time as the applicant appears before department officials for the purpose of reviewing the citation(s) issued. The secretary, after reviewing the proceedings, may issue or deny the permit.

6. Permits shall not be issued to any applicant who within three years of the date of his/her application, has been convicted or pled guilty to a class 2 fish or game violation or greater, as defined in the laws pertaining to wildlife and fisheries.

7. Applicants convicted of, or pleading guilty to two or more class 2 fish or game violations or greater within five years of the application date shall not receive a permit.

AUTHORITY NOTE: Promulgated in accordance R.S. 56:22, 56:326.3 and R.S. 56:402.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 13:502 (September 1987), amended LR 18:294 (March 1992), LR 40:548 (March 2014), LR 40:1946 (October 2014).

§133. Black Lake and Clear Lake Ban

A. Pursuant to the authority granted under R.S. 56:22 the Wildlife and Fisheries Commission hereby prohibits the use of gill and trammel nets in Black Lake and Clear Lake in Natchitoches and Red River Parishes. The band extends from January 1, 1989 to December 30, 1990.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:15 (January 1989).

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

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).

§135. Lake Bistineau Netting Prohibition

A. Pursuant to the authority granted under R.S. 56:22, the Wildlife and Fisheries Commission hereby prohibits the use of fish nets (gill nets, trammel nets, hoop nets, fish seines) in Lake Bistineau, Bienville, Bossier, and Webster Parishes, Louisiana. The net ban will become effective August 1, 1989.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 3:347 (August 1977), amended LR 15:554 (July 1989).

§137. Paddlefish

A. The incidental take and possession of paddlefish (*Polyodon spathula*), commonly called spoonbill catfish, shall be regulated by the following provisions. Paddlefish as referred herein shall include roe and any parts thereof.

1. Properly licensed recreational fishermen using legal recreational gear may take paddlefish as per the following provisions. No person shall take or possess paddlefish in violation of any of the provisions herein.

a. Area—the taking or possession of paddlefish is closed in all saltwater areas of the state and in border waters shared with Texas.

b. All possessed paddlefish must be dead. The possession or transportation of live paddlefish is prohibited.

c. All paddlefish possessed on the waters of the state shall be maintained intact.

d. No person shall possess paddlefish eggs on the waters of the state which are not fully attached to the fish.

e. Daily Take and Possession Limit—the daily take and possession limit of paddlefish is two per person.

f. Maximum Size Limit—all paddlefish greater than 30 inches (lower jaw fork length) must be returned to the water immediately. Lower jaw fork length is the distance from the tip of the lower jaw to the mid-line of the caudal fin.

2. The commercial take and possession of paddlefish is prohibited. No person shall purchase, sell, barter, exchange or trade or attempt to purchase, sell, barter or trade paddlefish, their eggs or parts thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:325.C. and R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 12:368 (June 1986), LR 15:868 (October 1989), amended by the Department of Wildlife and Fisheries, Office of Fisheries, LR 18:978 (September 1992), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:865 (May 2007).

§139. Lacassine Bayou Netting Season

A. Lacassine Bayou-Netting Season. The Wildlife and Fisheries Commission hereby prohibits the use of trammel nets, gill nets and hoop nets during the period of March 1 through November 30 each year in that part of Lacassine Bayou that flows through the Lacassine National Wildlife Refuge, Cameron Parish, Louisiana. This closure has been requested by the Fish and Wildlife Service who has management responsibility of the refuge.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 11:982 (October 1985).

§141. Caney Creek Reservoir Netting Prohibition

A. The Wildlife and Fisheries Commission hereby prohibits the use of fish nets (gill nets, trammel nets, hoop nets, fish seines) in Caney Creek Reservoir, Jackson Parish, Chatham, Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 12:603 (September 1986).

§143. Cross Lake Netting Prohibition

A. The Wildlife and Fisheries Commission hereby prohibits the use of fish nets (gill nets, trammel nets, hoop nets, fish seines) in Cross Lake, Caddo Parish, Shreveport, Louisiana.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 12:603 (September 1986).

§145. Sturgeon

A. The taking or possession of Atlantic sturgeon, *Acipenser oxyrhynchus*; Pallid sturgeon, *Scaphirhynchus albus;* shovelnose sturgeon, *S. platorynchus;* or their body parts or eggs (roe) is prohibited.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:317.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:421 (May 1990), amended by the Department of Wildlife and Fisheries, Office of Fisheries, LR 19:511 (April 1993).

§147. Daily Take and Possession Limits for Freshwater Trout

A. The Wildlife and Fisheries Commission hereby establishes a daily take and possession limit of five fish for freshwater trout, *Salvelinus spp. Salmo spp.*, taken in waters designated as being part of the department's Freshwater Trout Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6, 56:326.3 and Act 376 of 1990 Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:78 (January 1991).

§149. Black Bass Regulations—Daily Take and Size Limits

A. The Wildlife and Fisheries Commission establishes a statewide daily take (creel limit) of 10 fish for black bass. The possession limit shall be the same as the daily take on water and twice the daily take off water.

B. In addition, the commission establishes special size and daily take regulations for black bass on the following water bodies:

1. John K. Kelly-Grand Bayou Reservoir (Red River Parish):

a. size limit—14-inch to 17-inch slot. A 14-to 17-inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 14 inches and 17 inches, both measurements inclusive;

b. daily take—eight fish of which no more than four fish may exceed 17 inches maximum total length;*

c. possession limit:

i. on water—same as daily take;

ii. off water—twice the daily take;

2. False River (Pointe Coupee Parish):

a. size limit—14-inch minimum size limit;

b. daily take—5 fish;

c. possession limit:

i. on water—same as daily take;

ii. off water—twice the daily take;

3. Poverty Point Reservoir (Richland Parish):

a. size limit—15 inch-19inch slot. A 15-19 inch slot limit means that it is illegal to keep or possess a black bass whose maximum total length is between 15 inches and 19 inches, both measured inclusive;

b. daily take—8 fish with only one fish over 19 inches per person:

i. on water possession—same as daily limit per person;

4. Louisiana-Texas Border Waters—Toledo Bend Reservoir, Caddo Lake, and Sabine River:

a. the size, daily take, and possession limits for black bass for water bodies located on the Louisiana-Texas border (Toledo Bend Reservoir, Caddo Lake and the Sabine River) are established in §110 of this Chapter.

*Maximum total length—the distance in a straight line from the tip of the snout to the most posterior point of the depressed caudal fin as measured with mouth closed on a flat surface.

5. below U.S. Highway 90 in Louisiana.

a. The possession limit shall be equal to the daily take limit for the number of consecutive days up to three days that a fisherman has been actively on the water or at a remote camp that can only be accessed by water provided the fisherman is in compliance with the following requirements.

i. The fisherman holds and is in possession of a current basic recreational fishing license.

ii. The fisherman is in possession of a landing receipt from a public boat landing located south of U.S. Highway 90 that demonstrates, to the satisfaction of the department, the number of consecutive days the fisherman has been on the water or at a remote camp that can only be accessed by water.

iii. The fish are kept whole or whole gutted in separate bags for each daily take limit. The bags are marked with the date fish were taken, the species and number of fish contained in the bag, and the name and recreational fishing license number of the person taking the fish.

iv. The fisherman is only in possession of his or her fish and shall not transport fish taken by another person back to the boat landing.

v. The fisherman is not in possession of more than the daily take limit on the water while engaged in or actively fishing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:325(C), R.S. 56:326.3, and R.S. 56:673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR:14:364 (June 1988), amended LR 17:277 (March 1991), repromulgated LR 17:488 (May 1991), amended LR 17:1122 (November 1991), LR 20:796 (July 1994), LR 23:1168 (September 1997), LR 24:505 (March 1998), LR 26:97 (January 2000), LR 28:104 (January 2002), LR 29:373 (March 2003), LR 30:2339 (October 2004), repromulgated LR 30:2495 (November 2004), amended LR 37:2440 (August 2011), LR 39:1833 (July 2013), LR 40:803 (April 2014), LR 40:1558 (August 2014), LR 44:347 (February 2018).

§151. Free Recreational Fishing Days

A. In accordance with Act 301 of the 1987 Louisiana Legislature, the Wildlife and Fisheries Commission has declared the weekend of the first full week of June each year as Free Recreational Fishing Days in Louisiana to coincide with National Fishing Week each year. On the two above mentioned free fishing days, residents and nonresidents may exercise the privilege of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:302.7.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:389 (April 1991).

§153. Bowfin Minimum Size Regulation

A. The Wildlife and Fisheries Commission hereby:

1. establishes a statewide 22-inch minimum size limit on bowfin (*Amia calva*) harvested for commercial purposes;

2. prohibits commercial fishermen, while on the water, from possessing bowfin eggs that are not naturally connected to a whole fish.

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

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:975 (October 1991).

§155. Netting Prohibition—Bartholomew Lake

A. The Wildlife and Fisheries Commission hereby prohibits the use of gill nets, trammel nets, hoop nets and fish seines in Bartholomew Lake located in Ouachita and Morehouse Parishes, Louisiana. Said netting ban will become effective Friday, September 20, 1991.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:894 (September 1991).

§157. Netting Prohibition—Lake Concordia

A. The Wildlife and Fisheries Commission hereby prohibits the use of gill nets, trammel nets and fish seines in Lake Concordia located in Concordia Parish, Louisiana. Said netting ban will become effective Friday, September 20, 1991.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:894 (September 1991), amended LR 38:1732 (July 2012).

§158. False River, Trammel Nets, Gill Nets and Fish Seines

A. Prohibits the use of trammel and gill nets in False River, Pointe Coupee Parish, Louisiana, except their use will be allowed for the legal harvest of commercial fish during a special recurring trammel and gill netting season to commence each year at sunrise on October 1 and close at sunset on the last day of February the following year. The use of fish seines is prohibited and there is no season.

B. The trammel and gill nets allowed during the special recurring season shall have a minimum mesh size of 3 1/2” square (7” stretched) or greater.

C. Commercial fishing will be allowed only during daylight hours except that gear can remain set overnight but fish captured shall be removed during daylight hours only.

D. Commercial fishing with trammel and gill nets will be allowed on False River Lake only during the open season and only by licensed commercial fishermen.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 38:1732 (July 2012), amended LR 40:1947 (October 2014).

§161. Freshwater Mussel Harvest

A. Permits

1. In addition to a commercial fishing license, all mussel harvesters must obtain a mussel harvester's permit issued by the department prior to initiation of harvesting. No person shall harvest or participate in the harvest of freshwater mussels unless that person is in possession of proper licenses and permits.

2. The secretary of the department shall have the authority to limit the number of mussel harvester permits, cease issuance of new permits, or close the season entirely if it is deemed necessary to protect the mussel resource.

3. In addition to a wholesale/retail dealer's license, all mussel buyers must obtain a mussel buyer's permit issued by the department. The buyer shall file a surety bond by a surety company licensed to do business in this state in the sum of $5,000 with the department at the time of license purchase. Bond shall be forfeited if buyer fails to adhere to all rules and regulations and reporting requirements.

4. Mussel harvester and buyer permits shall not be issued to any applicant who has been convicted of any mussel-related offense in any state within the United States within the past five years.

B. Fees

1. An annual permit fee of $100 for resident mussel fishermen and $1,000 for nonresident mussel fishermen will accompany the permit application. These fees will be applicable for one calendar year. A calendar year is defined as January 1 through December 31. If the permit application is disapproved, the fees will be refunded to the applicant.

2. An annual permit fee of $150 for resident mussel buyers and $600 for nonresident mussel buyers will accompany the permit application. These fees will be applicable for one calendar year. If the permit application is disapproved, the fees will be refunded to the applicant.

C. Gear

1. Mussels shall be harvested by hand only, with or without underwater breathing apparatus. All divers must display a proper dive flag. Mussel harvest activities shall not impede boating activities or navigation.

2. A mussel harvester on state waters, and in possession of mussel harvesting gear, must be properly licensed and permitted. All persons aboard any vessel possessing mussel harvesting gear in state waters must be properly licensed and permitted.

D. Species for Harvest

1. Only the following taxa may be legally harvested.

Washboard	*Megalonaias nervosa*
Pimpleback	*Quadrula spp.*
Three Ridge	*Amblema plicata*
Bleufer	*Potamilus (Proptera) purpuratus*
Asian clam	*Corbicula fluminea*

2. Only specimens equal to or larger than the following minimum sizes shall be harvested.

Washboard	4 inches
Three Ridge and Bleufer	3 inches
Pimpleback	2 inches
Asian clam	no size limit

3. Minimum size will be measured by passing the specimen through a ring or appropriate circular measuring device so designed as to allow undersized mussels to pass through the opening. There is no allowance for undersized shell. All mussels must be sized (graded) immediately after each dive and undersized shell returned to the mussel bed before the harvester moves his boat or begins another dive. All mussels harvested shall be removed from the water daily during daylight hours only. All mussels harvested must be sold on a daily basis unless stored and tagged as required herein. Mussels may not be stored in the water after sunset. All mussels not sold at the end of each day shall be sacked and tagged before official sunset. The tag shall contain the following information:

a. name;

b. harvester permit number;

c. date harvested;

d. harvest location;

e. confirmation number.

4. The mussel harvester may store mussels harvested at the end of each day in a cold storage facility prior to selling, provided the sacked mussels are properly tagged. Mussels shall not be stored longer than five days or after official sunset on Friday of each week.

5. The zebra mussel (*Dreissena polymorpha*), an introduced nuisance aquatic species, has the potential to severely clog industrial and public water intakes, deplete nutrients and consume huge amounts of dissolved oxygen in state water bodies and potentially decimate endemic freshwater mussel populations. Therefore, the Department of Wildlife and Fisheries strongly encourages actions to prevent the spread of zebra mussels.

E. Timing of Harvest

1. Mussels may be harvested from May 20 through September 30 between official sunrise and official sunset; except that harvest of mussels will be closed on national holidays (Memorial Day, July Fourth and Labor Day) and Saturdays and Sundays of each week.

2. Possession of mussels between official sunset and official sunrise in any state water body is prohibited.

F. Areas Open to Harvest

1. Unless otherwise stated, all publicly owned water bottoms in Louisiana outside of officially recognized saltwater areas [R.S. 56:322(A) and 322(B)] are open to harvest.

2. Because of the presence of threatened or endangered species of mussels, mussel harvest and possession of mussels is prohibited in the following areas:

a. Amite River and any tributary within 1/2 mile of the main channel of the Amite River from the junction with Bayou Manchac to the Mississippi state line;

b. all of Rapides and Grant Parishes, including all boundary waters of both parishes, except the main channel of the Red River;

c. Bayou Bartholomew and any tributary within 1/2 mile of the main channel of Bayou Bartholomew in Morehouse Parish, from the Arkansas-Louisiana state line to its confluence with the Ouachita River;

d. Rodney Lake (Tensas Parish).

3. Other areas closed to commercial mussel harvest include:

a. Tensas National Wildlife Refuge, including all border waters;

b. Cocodrie Bayou National Wildlife Refuge including all border waters;

c. Fort Polk Military Reservation;

d. Peason Ridge Military Reservation;

e. Bayou Macon and any tributary within 1/2 mile of Bayou Macon from LA Highway 2 north to the Louisiana/Arkansas state line;

f. Lake Bruin;

g. additional areas may be closed by the secretary of the department if deemed necessary to protect local mussel populations;

h. permits issued by the Wildlife Division are required of all commercial fishermen using Grassy Lake, Pomme de Terre and Spring Bayou Wildlife Management Areas (WMAs). Commercial fishing is prohibited on Salvador and Ouachita WMAs.

G. Reporting

1. Commercial mussel buyers must compute and pay a severance tax of 5 percent of the revenue derived from the sale of whole freshwater mussels on forms furnished by the Department of Wildlife and Fisheries [R.S. 56:450(A) and (C) and 56:451 and 452]. Mussel buyers will ensure that severance tax forms are filled out completely prior to submission to the department; failure to do so will result in a Class 3 violation and revocation of mussel buyers permits. Buyers must retain such receipts for inspection by the department for a period of not less than two years. Written notification of changes and reporting requirements sent by the department to commercial buyers shall become part of the buyer's permit and must be maintained by the buyer along with the permit. Shipping bills of lading must also accompany severance tax receipts and payments each month. All severance tax report forms and payments must be received by the department no later than the fifteenth day of the month following the month of severance.

2. Harvesters are required to submit monthly reports on forms furnished by the department whether they fished or not. These reports must be postmarked no later than the fifteenth day of the month following the month of harvest.

3. Mussel buyers must contact the department either in the region where they will be conducting buying operations, or at the department's toll-free telephone number, and provide information as to which site these operations are to be set up. This notification is to be made on the day previous to setting up these operations. The buyer must also notify the department within 24 hours when buying activities at that location have been completed. Mussel buyers may not conduct buying activities outside of designated and/or approved sites.

4.a. Mussel buyers are limited to setting up buying operations at department approved sites in or nearby to these cities.

i. Bogalusa
ii. Columbia
iii. Coushatta
iv. Delhi
v. Kinder
vi. Ferriday
vii. Leesville
viii. Livingston
ix. Minden
x. Port Barre
xi. Ramah
xii. Simmesport
xiii. Tioga

b. Additional buyer's sites may be set up at department discretion to facilitate harvest.

5. Each permittee harvesting mussels for sale is responsible for department notification. The permittee shall notify the department at a designated telephone number (1-800-442-2511) at least four hours prior to harvesting any mussels. The permittee shall provide, at the time of notification, the parish and area to be fished. Such notification will be on a daily basis, unless the harvester fishes in the same area during a Monday through Friday period. However, even if harvesting in the same location for an extended period, weekly notification will be required. The permittee will be given a confirmation number at the time of initial notification.

6. Each permittee must again notify the department at 1-800-442-2511 immediately prior to selling any mussels. The permittee must report their confirmation number and the name and mussel buyer's permit number of the individual who will be purchasing mussels obtained under the permit.

H. Special Restrictions

1. Meats shall not be used or sold for human consumption.

2. Mussels shall be transferred whole (unopened with meat) from the collection site directly to an in-state buyer for processing. Whole mussels may not be taken out of state. The harvest of dead shell is strictly prohibited.

3. Buyer must open mussels and render meats unsuitable for human consumption in state, then dispose of meats as per Department of Environmental Quality regulations for disposal of solid waste.

4. Mussel buyers in the act of transporting mussels in-state must have legibly printed letters stating "MUSSELS" no less than 4 inches in height on both sides of all transport vehicles and vessels.

5. Mussel shells (opened without meat) may be imported into Louisiana by properly licensed and permitted mussel buyers when accompanied by the appropriate licenses or permits, bills of lading, and proof of legality in the state of origin. The bill of lading shall include species of mussels contained in the shipment, pounds of mussels by species, the origin of the shipment, the destination of the shipment and the consignee and consignor. The buyer importing mussel shells into Louisiana must notify the Enforcement Division (toll-free 1-800-442-2511) within 24 hours prior to shipment with bill of lading information, date and time of shipment, and route to be taken to the point of destination.

6. All mussels possessed under the provisions of §161.H.5 must be of legal size and species open to harvest in Louisiana.

7. Except under the provisions of §161.H.5 and 6, no mussels harvested from waters outside of Louisiana may be sold in Louisiana.

I. Penalties. Failure to abide by the above rules shall result in revocation of permit and forfeiture of future permits for a five-year period after which issuance or denial of a permit will be at the discretion of the secretary of the department. This shall be in addition to all applicable criminal statutes.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:450.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Fisheries, LR 19:510 (April 1993), amended LR 21:193 (February 1995), LR 22:374 (May 1996), LR 23:1327 (October 1997).

§163. Lake Providence, Gill Nets and Trammel Nets

A. Prohibits the use of gillnets and trammel nets in Lake Providence, East Carroll Parish, Lake Providence, Louisiana, except their use will be allowed for the legal harvest of commercial fish during a special recurring trammel and gill netting season to commence each year at sunrise on October 1 and close at sunset on the last day of February the following year.

B. The trammel and gill nets allowed during the special recurring season shall have a minimum mesh size of 3 1/2-inch bar and 7 inches stretched.

C. Said net may remain set overnight, but fish captured may be removed during daylight hours only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22 and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:294 (March 1992), amended LR 40:1947 (October 2014).

§165. Black Bass Regulations—Atchafalaya River Basin, Lake Verret, Lake Palourde Complex

A. The daily creel limit (daily take) for black bass (*Micropterus spp.*) is seven fish with no minimum length limit in the area south of U.S. 190 from the West Atchafalaya Basin Protection Levee to the intersection of LA 1 and U.S. 190 due north of Port Allen, east of the West Atchafalaya Basin Protection Levee from U.S. 190 to U.S. 90, north of U.S. 90 from the West Atchafalaya Basin Protection Levee to LA 20, north and west of LA 20 from U.S. 90 to LA 1 in Thibodaux, south and west of LA 1 from LA 20 to U.S. 190. This Rule will expire two years from its effective date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 325(C), and 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:361 (March 1993), amended LR 21:960 (September 1995), LR 23:998 (August 1997), amended LR 39:1833 (July 2013).

§169. Black Bass Regulations, Eagle Lake

A. The size regulation for black bass *(Micropterus spp*.) on Eagle Lake located east of the Mississippi River in Madison Parish, Louisiana is as follows.

B. It shall be unlawful to take or possess, while on the water or while fishing in the water, black bass less than 16 inches total length on Eagle Lake, located east of the Mississippi River in Madison Parish, Louisiana. This rule shall become effective January 20, 1999.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325(C), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:909 (July 1993), amended LR 21:477 (May 1995), LR 22:376 (May 1996), LR 25:102 (January 1999).

§171. Netting Prohibition—Hardwater Lake

A. The Wildlife and Fisheries Commission hereby prohibits the use of gill nets, trammel nets and fish seines in Hardwater Lake located in Grant Parish.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 20:797 (July 1994).

§173. Netting Prohibition—Bayou DeSiard

A. The Wildlife and Fisheries Commission hereby prohibits the use of gill nets and trammel nets in that portion of Bayou DeSiard, Ouachita Parish, bounded on the north by U.S. Highway 165 near Sterlington, and on the south by Shorty Payne Road near Black Bayou.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 20:1135 (October 1994).

§175. Net Ban during Lake Drawdown

A. All freshwater impoundments shall be closed to use of commercial fish netting during water drawdown periods, unless otherwise specified by the department based upon biological and technical data; the closure to begin on the date the drawdown control structure is opened and continued until the lake returns to full pool following closure of the structure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 20:1300 (November 1994).

§179. Black Bass Regulations—John K. Kelly-Grand Bayou Reservoir

A. It shall be unlawful to retain or possess black bass (*Micropterus spp.*) in John K. Kelly-Grand Bayou Reservoir located in Red River Parish. This rule will expire at midnight, May 31, 1997.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:960 (September 1995).

§185. Netting Prohibition—John K. Kelly-Grand Bayou Reservoir

A. The Wildlife and Fisheries Commission hereby prohibits the possession and/or use of commercial nets, including, but not limited to, gill nets, trammel nets, flagg nets, hoop nets, wire nets and fish seines in John K. Kelly-Grand Bayou Reservoir located in Red River Parish.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 24:1520 (August 1998).

§187. Crawfish Traps, Exception to State Wide Minimum Mesh Requirements

A. As required by Act 267 of the 1997 Regular Session of the Legislature, the Secretary of the Department of Wildlife and Fisheries hereby adopts a minimum mesh size for commercial crawfish traps of 3/4 of 1 inch for the area consisting of the east side portion of the Atchafalaya Basin extending from Morgan City at the Intracoastal Canal to I-10.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:322(I).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Fisheries, LR 25:101 (January 1999).

§189. Black Bass Regulations, Lake Fausse Point/Lake Dauterive Complex

A. The harvest regulations for black bass (*Micropterus spp.*) on the Lake Fausse Point/Lake Dauterive complex located west of the West Atchafalaya Basin Protection Levee in Iberia and St. Martin Parishes, Louisiana are as follows:

1. size limit—no minimum length limit;

2. daily take—no more than seven fish.

B. These regulations apply to all areas west of the West Atchafalaya Basin Protection Levee from Highway 3083 to the U.S. Army Corps of Engineers locks at the Charenton Drainage and Navigation Canal, north of and including the Charenton Drainage and Navigation Canal from the Corps of Engineers locks to Highway 87, north and east of Highway 87 from the Charenton Drainage and Navigation Canal to Highway 320, east of Highway 320 from Highway 87 to Highway 86, south and east of Highway 86 from Highway 320 to Highway 345, east of Highway 345 from Highway 86 to Highway 679, east of Highway 679 from Highway 345 to Highway 3083 and south of Highway 3083 from Highway 679 to the West Atchafalaya Basin Protection Levee. This rule will expire two years from its effective date.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), R.S. 56:325(C), and R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1990 (October 1999), amended LR 39:1833 (July 2013).

§193. Freshwater Harvest of Mullet

A. Recreational Limits. The daily take and possession limit for the recreational harvest of mullet shall be 100 pounds per person per day. No person shall take or possess mullet in excess of 100 pounds per day, except for legally licensed commercial fishermen. No person shall sell, barter, trade or exchange or attempt to sell, barter, trade or exchange mullet taken or possessed recreationally.

B. Commercial; Freshwater Areas. The following provisions govern the commercial taking of mullet with hoop nets in the freshwater areas of the state.

1. Mullet caught in the freshwater areas of the state shall not be possessed by commercial fishermen in the saltwater areas of the state.

2. There shall be no lead nets on hoop nets used for the fishing of mullet.

3. No person shall take or possess mullet from hoop nets between the hours of official sunset and official sunrise.

4. No mullet shall be possessed on the water in the freshwater areas of the state between the hours of official sunset and official sunrise.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:325.1.A(1) and R.S. 56:333.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 26:98 (January 2000).

§195. Cypress Lake and Black Bayou Reservoir Netting Prohibition

A. The Wildlife and Fisheries Commission hereby prohibits the use of gill nets, trammel nets, hoop nets, slat traps, wire nets and fish seines in Cypress Lake and Black Bayou Reservoir, Bossier Parish, Louisiana; provided however there shall be a special season which shall run from November 1 through the end of February of the following year, during which time the use of hoop nets, slat traps and wire nets shall be allowed. All hoop nets, wire nets and slat traps must be removed from the lakes prior to March 1 of each year.

B. Effective with this prohibition, no person shall possess any gill net, trammel net, hoop net, slat trap, wire net or fish seine while on the waters of Cypress Lake or Black Bayou Reservoir except that during the special season, hoop nets, slat traps and wire nets may be possessed. In addition, no person shall take, possess or sell any fish, which was taken with a gill net, trammel net or fish seine from Cypress Lake or Black Bayou Reservoir.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22(B), R.S. 56:25(A), Act 55, First Extraordinary Session, 2002, State Legislature.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 28:1997 (September 2002), amended LR 30:1733 (August 2004).

§197. Crappie Regulations—Daily Take

A. Poverty Point Reservoir (Richland Parish)

1. Daily Limit—25 fish per person:

a. on water possession—same as daily limit per person.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:325 and Act 389 of the 2014 Regular Legislative Session.

HISTORICAL NOTE: Promulgated in accordance with Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 30:2339 (October 2004), amended LR 38:2941 (November 2012), amended LR 39:1833 (July 2013), LR 40:2285 (November 2014).

§198. Crappie Regulations—Eagle Lake

A. The recreational daily limit and total length limit for black crappie (*Pomoxis nigromaculatus*) and white crappie (*Pomoxis annularis*) on Eagle Lake located east of the Mississippi River in Madison Parish, Louisiana shall be as follows:

1. The recreational daily creel limit shall be 30 fish, in the aggregate.

2. The minimum total length limit shall be 11 inches.

B. This Rule will remain effective provided identical minimum total length limit and daily creel regulations set by the Mississippi Wildlife, Fisheries and Parks Commission are effective on the Mississippi portion of Eagle Lake; otherwise the statewide crappie regulations will be effective on the Louisiana portion of Eagle Lake.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25) (a), R.S. 56:325(C) and R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 41:1499 (August 2015), amended LR 45:1814 (December 2019).

§199. Designation and Taking of Exotic Fish

A. Exotic Fish that may be Sold Commercially

1. For the purposes of this Section, the following species of nonindigenous fish are designated as exotic fish:

a. grass carp (*Ctenopharyngodon idella*);

b. silver carp (*Hypophthalmichthys molitrix*);

c. bighead carp (*Hypophthalmichthys nobilis*);

d. black carp (*Mylopharyngodon piceus*).

2. In order to promote the removal of the exotic species identified in this rule, it shall be lawful to retain as bycatch all such designated exotic species of fish which may be caught in all legal commercial fishing gear, which gear is being legally fished. While alive, such exotic fish shall not be maintained, sold, bartered, traded, or exchanged.

3. Recreational fishers, both residents and non-residents, possessing a current license allowing for the take of freshwater species of fish, and anglers exempted from the purchase of a basic fishing license, may take silver and bighead carp (*Hypophthalmichthys molitrix* and *H. nobilis*) by means of boats, dip nets, spears and by snagging.

B. Exotic Fish that may not be Sold Commercially

1. For the purposes of this Section, the following species of nonindigenous fish are designated as exotic fish:

a. apple snails (*Pomacea spp*);

b. Rio Grande Cichlid (*Herichthys cyanoguttatum*, formerly *Cichlasoma cyanoguttatum*).

2. In order to promote the removal of the exotic species identified in this rule, it shall be lawful to retain all such designated exotic species of fish taken by any legal method, provided that such action as necessary is taken to kill the species immediately upon capture.

3. Such exotic fish shall not be maintained, sold, bartered, traded, or exchanged.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:319.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:728 (March 2005), amended LR 36:1280 (June 2010), amended LR 39:120 (January 2013).

Chapter 2. General Provisions

§201. Commercial Fisherman's Sales Card; Dealer Receipt Form Design and Use

A. The "Commercial Fisherman's Sales Card" shall be provided by the department in lieu of the commercial fisherman's license. The card will be embossed with the following information:

1. commercial fisherman's name;
2. commercial license number;
3. commercial fisherman's Social Security number;
4. expiration date;
5. residency status.

B. The card shall be presented by the commercial fisherman to the dealer at the time of sale or transfer of possession of the catch.

C. The dealer receipt form shall be a three-part numbered form provided by the department. The dealer receipt form shall be completed when fish are purchased or received from commercial fishermen. The receipt form shall represent the actual transaction between the commercial fisherman and the dealer. The dealer shall fill out the receipt form in its entirety containing all of the information required in §201.D and E with the exception of the commercial fisherman's signature that shall be recorded by the fisherman. The "Dealer's Copy" of the receipt shall be maintained on file at the dealer's place of business or where the fish are received. The dealer shall maintain the receipts for a period of three years. The "Department Copy" portion of the dealer receipt form shall be returned to the department by the dealer by the tenth of each month to include purchases made during the previous month. Along with the receipts for each month, the dealer shall submit a "Monthly Submission Sheet" provided by the department that certifies that the transactions submitted represent all of the transactions by that dealer from commercial fishermen for that particular month. The "Monthly Submission Sheet" shall fulfill the reporting requirements in R.S. 56:345. The dealer shall mail completed receipt forms to a predetermined address designated by the department. Dealers are responsible for obtaining dealer receipt forms from the department by calling a predetermined phone number.

D. The commercial fisherman is responsible for providing the following information to the dealer at the time of sale or transfer of possession of the catch:

1. commercial fisherman's name;
2. commercial fisherman's license number;
3. information on commercial gear used;
4. information on vessel used;
5. information on location fished;
6. permit numbers for species requiring a permit to harvest;
7. commercial fisherman's signature;
8. duration of trip.

E. The dealer is responsible for recording on the dealer receipt form that information provided by the commercial fisherman in §201.D and is responsible for the following information at the time of sale or transfer of possession of the catch:

1. dealer's name;
2. dealer's license number;
3. commercial fisherman's name;
4. commercial fisherman's license number;
5. species purchased;
6. quantity and units of each species purchased;
7. size and condition of each species purchased;
8. transaction date;
9. unit price of each species purchased;
10. dealer's signature;
11. permit numbers for species requiring a permit to harvest;
12. commercial fisherman's signature.

F. Dealers may designate an agent to sign the dealer receipt form for them however, in all cases the dealer shall remain responsible for the actions of their agent.

G. All records and receipt forms shall be available and produced upon demand to any duly authorized agent of the Department of Wildlife and Fisheries Law Enforcement Division or department auditor.

H. Effective date of §201.A and B is upon publication in the *Louisiana Register*. Effective date for §201.C-G will be January 1, 1999.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.7(B), 56:306.4(E) and 56:345.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:81 (January 1992), repromulgated LR 18:198 (February 1992), amended LR 20:323 (March 1994), amended by the Department of Wildlife and Fisheries, Office of Fisheries, LR 21:477 (May 1995), LR 22:373 (May 1996), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 24:1519 (August 1998).

§205. Charter Boat Fishing Guide License Landings Report

A. Participation in the Charter Boat Fishing Guide License landings report is voluntary. Those persons who hold a charter fishing guide license may choose to participate and all information collected shall be held confidential under R.S. 56:301.4 and LAC 76:I.319 and 321.

B. The charter boat fishing guide license report form shall be a two-part numbered form or electronic reporting system provided by the department at the request of the license holder. The charter boat fishing guide license report form may be completed at the end of each "charter boat fishing trip". For the purpose of this rule a "charter boat fishing trip" is defined as the time when a vessel leaves a Louisiana based access site to the time the vessel returns to the Louisiana based access site, captained by a Louisiana

licensed resident or non-resident charter boat license holder, carrying passengers for a fee, for the express purpose of capture, release or harvest of finfish in Louisiana state waters or adjacent federal waters. The charter boat license holder may fill out the report form in its entirety containing all of the information requested in Subsection C of this Section. In addition, those vessels operating under a charter boat mothership license should complete the charter boat landings report for each charter boat fishing trip a licensed charter boat skiff tied to that mothership makes. The "charter guide license copy" of the report should be maintained on file at the charter guide license holder place of business. The "department copy" portion of the charter guide license report form should be returned to the department by the charter guide license holder by the tenth of each month to include all charter boat fishing trips during the previous month. Along with the reports for each month, the charter guide license holder should submit a "monthly submission sheet" provided by the department that confirms that the charter boat fishing trips submitted represent all or a portion of the charter boat fishing trips by that charter guide license holder for that particular month. The charter guide license holder should mail completed receipt forms to a pre-determined address designated by the department. Charter guide license holders may request charter boat fishing guide license report forms or the electronic reporting system from the department by calling a phone number to be publicized by the department.

C. The charter guide license holder may record the following information on the charter boat fishing guide license report form at the time of the completion of a charter boat fishing trip:

1. charter guide name;

2. charter guide license number;

3. vessel name and Louisiana or Coast Guard documentation number;

4. charter boat fishing trip start and end time and start and end year, month and day;

5. public or private access type;

6. primary area fished and depth fished;

7. Louisiana artificial reef fished;

8. total number of hours fished;

9. all fishing methods utilized;

10. hours actively fishing per fishing method;

11. total number of paying passengers who fished by resident and non-resident categories;

12. permit type and permit issuer for those species requiring a state or federal permit to harvest;

13. licensed charter guide captain signature certifying the information is true and correct.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:302.9(H), R.S. 56:302.9(I).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 35:702 (April 2009).

§206. Charter Boat Fishing Guides and Operations—Liability Insurance Requirements

A. No person shall act as nor shall he represent himself to be a saltwater charter boat fishing guide unless that person has in his name proof of liability insurance that is currently in force and the following requirements shall be met.

1. The liability insurance required by this Section shall be written by an insurance company with at least an A-rating in the latest printing of the *A.M. Best's Key Rating Guide*.

2. The liability insurance must be of a commercial nature and not associated with a primary residential property.

3. The liability insurance coverage shall not be less than $300,000 per occurrence.

4. Proof of liability insurance must be in possession, while on the water, and available for inspection by a duly authorized agent of the department.

B. For a charter fishing operation which does not have a charter boat fishing guide present and consists of a large motorized vessel carrying smaller vessels attached to it with such vessels to be used by no more than two people for fishing purposes, the main motorized vessel shall be required to carry, on board, proof of liability insurance that is currently in force and the following requirements shall be met.

1. The liability insurance required by this Section shall be written by an insurance company with at least an A-rating in the latest printing of the *A.M. Best's Key Rating Guide*.

2. The liability insurance must be of a commercial nature and not associated with a primary residential property.

3. The liability insurance coverage shall not be less than $300,000 per occurrence.

4. Proof of liability insurance must be available for inspection by a duly authorized agent of the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:302.9(A) and R.S. 56:302.9.1(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 38:3249 (December 2012).

Chapter 3. Saltwater Sport and Commercial Fishery

§301. Lake Charles, Moss Lake and Prien Lake

A. Whereas, Lake Charles, Moss Lake and Prien Lake in the Parish of Calcasieu were closed to the use of certain types of commercial fishing gear beginning on July 26, 1955, until further notice by the Louisiana Wildlife and Fisheries Commission for the purpose of conducting a

biological study to be made to regulate the method and type of fishing that would be most beneficial to the area; and

B. whereas, subsequent biological surveys indicate these lakes do not support populations of commercial species comparable to those in the past; and

C. whereas, the lakes provide a considerable amount of sport fishing opportunity not compatible with certain types of commercial gear.

D. Therefore, be it resolved, the Louisiana Wildlife and Fisheries Commission hereby continues the closure of the waters of Lake Charles, Moss Lake and Prien Lake to all commercial fishing whether by means of seines, trammel, gill and butterfly nets, and all trawls over 16 feet; however, the lakes will remain open to the use of hoop nets, trot or set lines and 16 foot trawls in season.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:22.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 7:51 (February 1981).

§303. Bayou Judge Perez

A. Be it resolved, that under the authority of the laws of the state of Louisiana and the powers vested in this commission, the waters of Bayou Judge Perez from its entrance into Lake Judge Perez to Devil's Bayou, a distance of approximately one mile, located in the parish of Plaquemines, State of Louisiana are hereby closed to butterfly nets and trawls until further notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:493(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:219 (July 1976).

§305. Closing Grand Isle Waters

A. Whereas, the Louisiana Wildlife and Fisheries Commission is charged with enforcing the law; and

B. whereas, the Louisiana Wildlife and Fisheries Commission in open meeting held in New Orleans, Louisiana, September 29, 1979, and acting under the authority of Act 282 of 1979, R.S 56:22 of 1950, the waters of the state of Louisiana on the south side of Grand Isle from Caminada Pass to Barataria Pass, in Jefferson Parish, from the southeast side of Caminada Bridge to the northwest side of Barataria Pass at Fort Livingston, extending from the beach side of Grand Isle to a distance of 500 feet beyond the shoreline into the Gulf of Mexico from the said Grand Isle are hereby designated as closed zones; and

C. whereas, for the purpose of preventing a public health problem or measure because of undesirable fish (such as small catfish) or other aquatic or marine life being left on the beach of Grand Isle to rot or deteriorate, the said above waters are closed to the taking of fish with saltwater netting, trawls, and seines of any type from May 1 to September 15, both dates inclusive, and beginning May 1, 1979, and each year thereafter during this period, until further action on the part of the commission.

D. Now therefore, be it resolved, that the Department of Wildlife and Fisheries properly enforce the area described.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6.

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

§306. Cypremort Point State Park—Netting Prohibition

A. Recent emergency provisions adopted by the Wildlife and Fisheries Commission under the authority of R.S. 56:317 prohibit the use of gill nets, trammel nets, seines and trawls from the cove immediately adjacent to Cypremort Point State Park, St. Mary and Iberia Parishes, Louisiana. The area to be closed shall be landward of a line from the point commonly known as Blue Point to the point of land commonly known as Cypremort Point, including all waters therein to the existing shoreline.

B. This prohibition was adopted because of interference of commercial and recreational activities, fish remains and trash being washed ashore from commercial fishing activities causing health hazards to swimmers, fishermen, children and other water users.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:317.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 12:843 (December 1986).

§307. Menhaden Season

A. The season for the taking of menhaden as well as processing of menhaden shall be from the third Monday in April through November 1.

B. No menhaden may be landed in Louisiana ports except during the menhaden season as described in LAC 76:VII.307.A.

C. The menhaden season shall apply to all waters seaward of the inside-outside line described in R.S. 56:495 including waters in the Federal Exclusive Economic Zone (EEZ), and in Chandeleur and Breton Sounds as described below. All other inside waters and passes are permanently closed to menhaden fishing.

D. For purposes of the menhaden season, Breton and Chandeleur Sounds are described as that portion of the statutorily described inside waters as shown on a map by Raymond C. Impastato, P.L.S., dated July 20, 1992, and more particularly described as follows.

1. Beginning at the most northerly point on the south side of Taylor Pass, Lat. 29°23'00"N, Long. 89°20'06"W which is on the inside-outside shrimp line as described in R.S. 56:495; thence westerly to Deep Water Point, Lat. 29°23'36"N, Long. 89°22'54"W; thence westerly to Coquille Point, Lat. 29°23'36"N, Long. 89°24'12"W; thence westerly to Raccoon Point, Lat. 29°24'06"N, Long. 89°28'10"W; thence northerly to the most northerly point of Sable Island, Lat. 29°24'54"N, Long. 89°28'27"W; thence northwesterly to California Point, Lat. 29°27'33"N, Long. 89°31'18"W;

thence northerly to Telegraph Point, Lat. 29°30'57"N, Long. 89°30'57"W; thence northerly to Mozambique Point, Lat. 29°37'20"N, Long. 89°29'11"W; thence northeasterly to Grace Point (red light no. 62 on the M.R.G.O.), Lat. 29°40'40"N, Long. 89°23'10"W; thence northerly to Deadman Point, Lat. 29°44'06"N, Long. 89°21'05"W; thence easterly to Point Lydia, Lat. 29°45'27"N, Long. 89°16'12"W; thence northerly to Point Comfort, Lat. 29°49'32"N, Long. 89°14'18"W; thence northerly to the most easterly point on Mitchell Island, Lat. 29°53'42"N, Long. 89°11'50"W; thence northerly to the most easterly point on Martin Island, Lat. 29°57'30"N, Long. 89°11'05"W; thence northerly to the most easterly point on Brush Island, Lat. 30°02'42"N, Long. 89°10'06"W; thence northerly to Door Point, Lat. 30°03'45"N, Long. 89°10'08"W; thence northerly to the most easterly point on Isle Au Pitre, Lat. 30°09'27"N, Long. 89°11'02"W; thence north (grid) a distance of 19214.60 feet to a point on the Louisiana-Mississippi Lateral Boundary, Lat. 30°12'37.1781"N, Long. 89°10'57.8925"W; thence S60°20'06"E (grid) along the Louisiana-Mississippi Lateral Boundary a distance of 31555.38 feet, Lat. 30°09'57.4068"N, Long. 89°05'48.924O"W; thence S82°53'53"E (grid) continuing along the Louisiana-Mississippi Lateral Boundary a distance of 72649.38 feet, Lat. 30°08'14.1260"N, Long. 89°52'10.3224"W; thence south (grid) a distance of 32521.58 feet to the Chandeleur Light, Lat. 30°02'52"N, Long. 88°52'18"W, which is on the inside-outside shrimp line as described in R.S. 56:495; thence southeasterly along the inside-outside shrimp line as described in R.S. 56:495 to the point of beginning.

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

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).

§309. Calcasieu Lake

A. At its meeting on March 25, 1975, the Wildlife and Fisheries Commission adopted the following rules and regulations for Calcasieu Lake, in Cameron and Calcasieu Parishes.

1. No net fishing will be allowed within 500 feet of the following areas:

a. the mouths of Grand and Lambert Bayous;

b. the new "washout" south of Lambert Bayou;

c. the old Revetement or old jetties at the south end of Calcasieu Lake;

d. "Nine Mile Cut"; and

e. all cuts below Nine Mile along the channel spoil at East Pass in Turner's Bay.

2. Retain the 1,000 foot maximum allowable webbing permitted for each person operating in Calcasieu Lake. Retain the conditions under this resolution whereby nets measuring 1,000 feet must be fished individually and no two or more fishermen can join these nets together in excess of 1,000 feet.

3. Require all strike net fishermen using trout nets to remain with their nets at all times when set out.

4. All staked gill and trammel net webbing fished in Calcasieu Lake, whether set with the intent of catching trout, redfish, gar, or any species of fish, shall be run daily as prescribed by law at present. When unattended for more than 24 hours and dead, floating fish are found in a net, the net shall be considered in violation of this regulation and confiscated by agents of the Wildlife and Fisheries Commission.

5. All webbing regardless of length shall be tagged as prescribed by law. Any net found untagged will be in violation and confiscated by agents of the Wildlife and Fisheries Commission.

6. Exempt Calcasieu Lake from Act 215, H.B. 231, concerning legal mesh sizes, allowing saltwater mesh requirements as prescribed by law to apply to Calcasieu Lake. These mesh sizes are:

a.i. seines, not less than 7/8-inch square or 1 3/4 inches stretched;

ii. trammel nets, not less than 1-inch square or 2 inches stretched;

iii. gill nets, not less than 1 1/2 inches square or 3 inches stretched.

b. Each seine, trammel net, and gill net in use in Calcasieu Lake shall not exceed 1,000 feet in length.

B.1. Whereas, Act 510 of the 1974 Louisiana Legislative Session, authorized the Wildlife and Fisheries Commission to set seasons, regulate the type of gear used and set possession limits for speckled trout and other estuarine fish in Calcasieu Lake, located in Calcasieu and Cameron Parishes; and

2. whereas, it has been clearly demonstrated that intense fishing competition exists between both commercial and sports fishermen.

3. Now, therefore, be it resolved that the Louisiana Wildlife and Fisheries Commission does hereby amend previous regulations for commercial fishing in Calcasieu Lake to provide that netting shall be permitted only during nighttime hours from June 1 through Labor Day.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 1:185 (April 1975), amended LR 1:276 (June 1975).

§311. Definition of Menhaden and Herring-Like Species

A. The Wildlife and Fisheries Commission does hereby adopt the attached rules and regulations as pertaining to the definition of menhaden and herring-like species.

B. The term *menhaden and herring-like species* shall be those species contained within the family *Clupeidae*, as recognized and published in: "A List of Common and

Scientific Names of Fishes from the United States and Canada;" The American Fisheries Society. Special Publication No. 12, 1980.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10) and 322(c)(6).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 13:189 (March 1987).

§313. Excessive Killing of Fish

A. The Wildlife and Fisheries Commission does hereby adopt the attached rules and regulations as pertaining to the excessive killing of fish as directed by Act 919 of the 1986 legislature.

B. Excessive killing shall be defined as "the killing resulting from taking or attempting to take any fish in excess of what the possessor thereof can process, utilize, or transport from the fishing grounds. Shrimp and shrimping operations are excluded."

C. The commission further adopts a method to determine the market value of fish as:

1. ascertaining a price per pound from at least three Louisiana fish buying establishments; or

2. ascertaining a price per pound from National Marine Fisheries Service Market News Reports; or

3. any other published source of information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:409.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 13:189 (March 1987).

§323. Size Limits of King and Spanish Mackerel and Cobia

A. The Wildlife and Fisheries Commission does hereby adopt the following rules and regulations establishing size limits.

1. The minimum legal size for possession of Spanish mackerel (*Scomberomorus maculatus*) shall be 12 inches fork length and king mackerel (*Scomberomorus cavalla*) shall be 24 inches fork length whether caught within or without the territorial waters of Louisiana. No person shall possess, sell, barter, trade or exchange or attempt to sell, barter, trade or exchange Spanish mackerel or king mackerel less than the minimum size requirements.

2. The minimum legal size for possession of cobia (*Rachycentron canadum*) whether caught within or without the territorial waters of Louisiana shall be 36 inches fork length. No person shall possess, sell, barter, trade, or exchange or attempt to sell, barter, trade, or exchange cobia less than the minimum size requirements.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:326.1 and R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 13:502 (September 1987), amended LR 17:207 (February 1991), LR 26:1505 (July 2000), LR 46:1399 (October 2020).

§325. Marking System for Saltwater Gill Nets and Trammel Nets

A. Each gill net or trammel net shall be marked with a waterproof tag attached to the corkline at each end of the net, no more than 3 feet from the edge of the webbing. Said tags shall be supplied by the commercial fisherman and to be completely waterproof. Each tag shall have the fisherman's full name (no initials) and commercial fisherman's license number (not the net license number) printed thereon in the English language, so as to be clearly legible.

B. Each gill net or trammel net shall be marked with buoys which shall be visible above the surface of the water. Said buoys shall be supplied by the commercial fisherman, have a minimum diameter of 6 inches and be international orange in color. The buoys shall be attached to each end of the net.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:322.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:280 (April 1989).

§327. Daily Take and Possession Limits of King and Spanish Mackerel and Cobia

A. The recreational bag limit for possession of Spanish mackerel (*Scomberomorus maculatus*) whether caught within or without the territorial waters of Louisiana shall be 15 fish per person, per day.

B. The recreational bag limit for the possession of king mackerel *(Scomberomorus cavalla)* whether caught within or without the territorial waters of Louisiana shall be three fish per person, per day.

C. A person subject to a bag limit for Spanish or king mackerel may not possess during a single day, regardless of the number of trips or the duration of a trip, any king or Spanish mackerel in excess of such bag limit, except that a person who is on a trip that spans more than 24 hours may possess no more than two daily limits, provided such a trip is aboard a charter vessel or headboat, and:

1. the vessel has two licensed operators aboard as required by the U.S. Coast Guard for trips over 12 hours; and

2. each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

D. The recreational and commercial bag limit for possession of cobia (*Rachycentron canadum*) whether caught within or without the territorial waters of Louisiana shall be two fish per person.

E. Commercial King Mackerel

1. No person shall take, harvest, land, or possess aboard a harvesting vessel king mackerel in excess of a recreational bag limit unless that person is in possession and has in his immediate possession a valid commercial fishing license, commercial gear licenses (if applicable) and a valid

commercial vessel license. Persons taking, harvesting, landing, possessing or selling or attempting to sell king mackerel taken in or from the EEZ shall be in possession of a valid federal permit for gulf king mackerel issued by the National Marine Fisheries Service. The holder of such valid commercial licenses or federal permits (if applicable) shall not take, possess, land, sell, barter, trade or exchange or attempt to take, sell, barter, trade or exchange king mackerel, whole or eviscerated, in excess of 3,000 pounds at any time.

2. No person aboard any vessel shall transfer or cause the transfer of king mackerel between vessels on state or federal waters.

3. Persons possessing king mackerel for commercial purposes shall not possess a recreational bag limit in addition to the 3,000 pound limitations as required herein.

4. No person shall sell, purchase, barter, trade or exchange or attempt to sell, purchase, barter, trade or exchange king mackerel, whole or eviscerated, in excess of 3,000 pounds. Except that such limitation shall not apply to the resale of king mackerel by a validly licensed wholesale/retail seafood dealer who purchased such king mackerel in compliance with the regulations and requirements of this Section and in compliance with other requirements of law.

5. The season for the commercial harvest of king mackerel shall open on July 1 of each year and remain open until the allotted portion of the commercial king mackerel quota for the western Gulf of Mexico has been harvested or is projected to be harvested.

6. The secretary of the Department of Wildlife and Fisheries is authorized, upon notification of the chairman of the Wildlife and Fisheries Commission, to open, close, re-open, or re-close the commercial season for the harvest of king mackerel when informed of such a season modification in the adjacent waters of the EEZ by the National Marine Fisheries Service.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:325.1 and R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 15:868 (October 1989), amended LR 17:207 (February 1991), LR 19:513 (April 1993), LR 26:2633 (November 2000), LR 26:2833 (December 2000), LR 43:2194 (November 2017).

§329. Special Bait Dealer's Permit

A. Policy. The special bait dealer's permit is intended solely for the benefit of the recreational fishing public which desires to use live shrimp and live croaker as bait during the closed shrimp seasons. Its purpose is to allow the uninterrupted operation of those commercial establishments which sell live bait shrimp and live croaker to the fishing public during the closed shrimp seasons. The permit is not intended for the direct use of recreational fishermen, charter boats, commercial fishermen who sell dead shrimp or croaker, or for any other entity which may wish to catch shrimp or croaker for their own use during the closed shrimp seasons.

B. Application

1. Applicants wishing to sell live shrimp or live croaker harvested from Louisiana waters during closed shrimp season must apply for a special bait dealer permit from the department for a fee of $110.00.

2. The special bait dealer’s permit shall be valid for one year beginning January 1 and ending December 31 of that same calendar year. The permit may be purchased at any time during the year for the current permit year and beginning November 15 for the immediately following permit year.

3. Applications will be accepted only from the owner of an onshore business which sells or plans to sell live shrimp or live croaker to recreational fisherman.

4. Applicant shall be responsible for acquiring and possessing all proper licenses including the wholesale/retail seafood dealers license.

5. Any person convicted of any class three or greater wildlife or fisheries violation within the previous three years prior to the date of application shall not qualify to obtain a special bait dealer’s permit or be onboard any vessel engaged in permitted activities.

6. Applicant must post a $1,000 cash bond before the permit is issued. This bond will be forfeited if the permittee, his employee, or his contractor violates any provision of the rules and regulations concerning the special bait dealer's permit or if the permittee, his employee, or his contractor violates any commercial fishing law or regulation while operating under the permit.

7. All new applications shall require an inspection by the department of their onshore facility and vessel prior to permit being issued. Subsequent inspections may be required at renewal. Inspection requirements shall verify applicant is operating a commercial establishment which sells live shrimp or live croakers to the fishing public for use as bait and shall include:

a. onshore facility able to maintain live shrimp or live croakers;

b. onshore facilities and vessel tanks must have provisions for aeration and/or circulation of the water in which live shrimp or live croakers are held;

c. onshore facility holding tanks must have a minimal combined capacity of 300 gallons. Tanks having less than 30 gallon capacity will not be included in combined on shore facility capacity;

d. vessel tanks must be carried on or built into the vessel and have a minimum of one compartment or tank with a minimum capacity of 30 gallons;

e. notice to the public must be posted that live bait is available.

8. Only the vessel and those commercial fishermen specified at the time of application shall operate under the permit. Amendments to vessel or commercial fishermen listed under the permit must be submitted to the department and approved before the new vessel or commercial

fisherman can operate under the permit. The permit is not transferable to any other person or vessel. The entire original permit must be carried on the vessel while in operation.

C. Operations

1. The entire original permit must be in the possession of the commercial fisherman while operating under the conditions of the permit. Only the vessel and those commercial fisherman specified at the time of application shall operate under the permit. No other vessel or commercial fisherman shall be used under this permit.

2. Live wells, aeration tanks, and other vessel facilities to maintain live shrimp or croaker must be carried on or built into this vessel while operating under the conditions of the permit.

3. No person shall transfer any shrimp or croaker taken under a permit from one vessel to another unless both vessels are permitted under the same wholesale/retail seafood dealer, and the captain of the harvesting vessel has signed a trip ticket for the harvested bait, and the bait is then transported directly to the wholesale/retail seafood dealer under which both vessels are operating; upon receiving the harvested bait the dealer shall complete the trip ticket.

4. While operating under the conditions of the permit, no shrimp or croaker may be sold from the vessel to anyone other than the licensed wholesale/retail seafood dealer listed on the permit during the closed shrimp seasons.

5. Signs which identify the vessel as working under the special bait dealer's permit shall be posted on the vessel. These signs shall be visible from either side of the vessel and from the air; the word "BAIT" and the permit number shall be placed on these signs in letters at least 12 inches high.

6. No more than two gallons of dead shrimp or croaker or combination thereof may be aboard the vessel while it is operating under the permit. All dead shrimp or croaker or combination thereof in excess of two gallons must be immediately returned to the water. Shrimp or croaker dying in onshore holding facilities may be sold for bait use only.

7. Permitted gear is limited to one trawl not to exceed 25 feet along the cork line 33 feet along the lead line or two skimmer nets having an individual net frame size not more than 16 feet measured horizontally or 12 feet measured vertically or 20 feet measured diagonally. These are the only commercial fishing gears which can be used or carried aboard the permitted vessel while the vessel is operating under the permit; no other commercial fishing gear other than unserviceable crab traps as described in R.S. 56:322(G) may be on the vessel when it is being used under the permit.

8. Bait shrimp or croaker may be taken only from official sunrise to official sunset; however, the department at its discretion, may designate the areas and hours of night time operations under the permit provided permitted vessels are equipped with a working vessel monitoring system as described in LAC 76:VII.371.

9. Each time the permit is used the permittee must notify the department by contacting the Communications Section on the designated toll free telephone number provided on the permit and recording the confirmation number received. Before the vessel departs the dock under the permit, the department must be advised of the time of departure and the sub-basin code corresponding to the department's trip ticket sub-basin map in which trawling or skimming will take place; immediately after the permitted vessel returns to the dock the department must be notified of the time of return by contacting the Communications Section on the designated toll free telephone number provided on the permit.

10. The permittee shall maintain an up-to-date record of the activities conducted under the permit on forms provided by the department for that purpose. These records shall be kept onboard the vessel and made available for inspection by agents of the department upon request by said agents at any time and shall include the permittee's name and permit number, date, departure time, fishing location, gear used, confirmation number, return time, and number of live shrimp or live croaker harvested. All applicable record information shall be completed before fishing operations begin. In addition, any agent of the department shall be allowed to make an onsite inspection of any facilities operating under the permit, at any time. Nothing herein this Section shall exempt the permittee from trip ticket reporting requirements as provided for in R.S. 56:306.4.

D. Penalties

1. No person shall violate any provision of this Section. Violations of any provision of this Section shall constitute a class 4 violation as defined in R.S. 56:34.

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, and 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).

§331. Black Drum Size Limits, Daily Take, Possession Limits, and Quotas

A. The Wildlife and Fisheries Commission does hereby adopt the following rules and regulations for the taking of black drum (*Pogonias cromis*).

1. The daily take and possession limit for black drum caught recreationally within or without Louisiana waters shall be five fish per day and in possession.

2. The minimum legal size for the recreational or commercial taking of black drum shall be 16 inches total length.

3. The maximum legal size for the recreational taking of black drum shall be 27 inches total length; provided however that recreational fishermen shall be allowed to take and possess no more than one black drum per day over 27 inches. It is provided further that commercial harvesters

using legal gear shall be allowed to take and possess and sell black drum over 27 inches in unlimited quantities until the annual quota has been met in compliance with all other rules and regulations.

4. The annual commercial quota for 16 to 27-inch black drum shall be 3,250,000 pounds.

5. The annual commercial quota for black drum over 27 inches shall be 300,000 fish.

6. The fishing year for black drum shall begin on September 1, 1990 and every September 1 thereafter.

7. Once the black drum commercial quota(s) has been met, the purchase, barter, trade or sale of black drum taken in Louisiana after the closure is prohibited. The commercial taking or landing of black drum in Louisiana, whether caught within or without the territorial waters of Louisiana after the closure is prohibited. Nothing in this rule shall be deemed to prohibit the possession of fish legally taken prior to the closure order.

8. The Secretary of the Department of Wildlife and Fisheries shall, by public notice, close the commercial fishery(s) for black drum when the quota(s) has been met or is projected to be met. The closure shall not take effect for at least 72 hours after notice to public.

AUTHORITY NOTE: Promulgated in accordance with, R.S. 56:6(10), R.S. 56:6(25)(a), R.S. 56:326.1, R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:698 (August 1990), amended LR 26:2331 (October 2000).

§333. Sanctuaries: Calcasieu Lake, Sabine Lake

A. The areas within a 1/4-mile radius on the lake side only of the Lambert, Grand Bayou, Mangrove, and Peconi water control structures (otherwise identified as Structures No. 5, 1, 8 and 4 respectively), and the area within a 1/8-mile radius on the lake side only of the water control structure on No Name Bayou, all within the Calcasieu Lake system; the area within a 1/4-mile radius on the lake side only of the mouths of West Cove Bayou, West Cove Canal and the Sabine Refuge Headquarters Canal where they empty into Calcasieu Lake; and the area within a 1/4-mile radius on the lake side only of the mouths of Three Bayous and Willow Bayou where they empty into Sabine Lake, are fish sanctuaries and closed zones, and that all netting of fish by any means or method, including but not limited to trawls, butterfly nets, gill nets, seines, or trammel nets, is hereby prohibited, with the exception of hand cast nets, crab traps and crab drop nets.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:315.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:421 (May 1990).

§335. Reef Fish—Harvest Regulations

A. Recreational bag limits regarding the harvest of reef fish: triggerfishes, amberjacks, grunts, wrasses, snappers, groupers, sea basses, tilefishes, and porgies, within and without Louisiana's territorial waters.

Species	Recreational Bag Limits
1. Red Snapper	2 fish per person per day
2. Queen, mutton, blackfin, cubera, gray, silk, yellowtail snappers, and wenchman	10 fish per person per day (in aggregate) with not more than 5 mutton snapper per person in the bag limit.
3. Vermilion snapper, lane snapper, gray triggerfish, almaco jack, goldface tilefish, tilefish, and blueline tilefish	20 per person per day (in aggregate) with not more than 1 gray triggerfish and not more than 10 vermilion snapper per person included in the bag limit.
4. Speckled hind, black grouper, red grouper, snowy grouper, yellowedge grouper, yellowfin grouper, yellowmouth grouper, warsaw grouper, gag grouper, scamp	4 fish per person per day (in aggregate) with not more than 1 speckled hind and 1 warsaw grouper per vessel and with not more than 2 red grouper per person and not more than 2 gag grouper per person included in the bag limit
5. Greater amberjack	1 fish per person per day
6. Banded rudderfish and lesser amberjack	5 fish per person per day (in aggregate)
7. Hogfish	5 fish per person per day
8. No person shall possess goliath grouper or Nassau grouper whether taken from within or without Louisiana territorial waters per LAC 76:VII.337.	

B. Reef Fish Permits

1. All persons who do not possess a permit issued by the National Marine Fisheries Service under the federal fishery management plan for the harvest of Gulf of Mexico reef fish resources are limited to the recreational bag limit. To commercially harvest, sell, barter, trade or exchange or possess for commercial purposes all species of reef fish including dwarf sand perch and sand perch, but (excluding queen triggerfish, black seabass, porgies, and grunts) requires a valid federal reef fish vessel permit be on board the vessel and in the immediate possession.

2. For a person aboard a vessel operating as a charter vessel or headboat to fish for, or harvest, or possess, in or from the EEZ, any species of reef fish including dwarf sand perch and sand perch (but excluding queen triggerfish, black seabass, porgies, and grunts) a valid federal charter vessel/headboat reef fish permit must have been issued to the vessel and must be on board the vessel and in immediate possession.

3. Persons who are limited to a recreational bag limit shall not sell, barter, trade, exchange or attempt to sell, barter, trade or exchange any reef fish.

4. A person subject to a bag limit may not possess during a single day, regardless of the number of trips or the duration of a trip, any reef fish in excess of the bag limits.

5. No person aboard any commercial vessel shall transfer or cause the transfer of reef fish between vessels on state or federal waters.

6. For-hire vessels operated by a legally licensed Louisiana guide having a valid recreational offshore landing permit in possession and fishing the waters of the state during an open season can harvest and possess a recreational limit of reef fish.

C. Charter Vessels and Headboats

1. For charter vessels and headboats as defined in Federal Regulations 50 CFR Part 622.2, there will be an allowance for up to two daily bag limits on multi-day trips provided the vessel has two licensed operators aboard as required by the U.S. Coast Guard for trips of over 12 hours, and each passenger is issued and has in possession a receipt issued on behalf of the vessel that verifies the length of the trip.

2. Any fish taken from charter vessels or headboats as defined in Federal Regulations 50 CFR Part 622.2 or any charter vessel as described in R.S. 56:302.9 shall not be sold, traded, bartered or exchanged or attempted to be sold, traded, bartered or exchanged. The provisions of §335 apply to fish taken within or without Louisiana's territorial waters.

3. Captain and crew members shall not harvest or possess greater amberjack, red snapper, or grouper of any species while operating as charter vessels and headboats as defined in Federal Regulations 50 CFR Part 622.2. Their bag limit is zero for all of these species.

D. Commercial Harvest

1. All persons aboard a vessel for which no commercial vessel permit for Gulf reef fish has been issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for the Gulf of Mexico Reef Fish resources are limited to the recreational bag limit for red snapper, deepwater or shallow-water grouper or any tilefish species, which may not be bartered or sold. No person aboard any vessel shall commercially possess, sell, barter, trade, exchange or attempt to sell, barter, trade or exchange red snapper, or any species of grouper or any tilefish species unless possessing a federal permit for the harvest of Gulf of Mexico Reef Fish and the applicable federal Individual Fishing Quota (IFQ) vessel account.

2. Requirement for federal IFQ vessel account and allocation: In addition to the federal commercial vessel permit for Gulf reef fish, in order to fish for, possess, or land Gulf red snapper, any species of grouper or any tilefish species, regardless of where harvested or possessed, the appropriate federal IFQ vessel account must have been issued to the vessel. No person shall commercially harvest or land red snapper, groupers or any tilefish species without holding or being assigned the appropriate federal IFQ allocation at least equal to the pounds of red snapper, groupers and tilefishes landed/docked at a shore side location or off loaded. On the last fishing trip of the year a vessel may exceed by 10 percent the remaining IFQ allocation.

3. No person shall purchase, sell, exchange, barter or attempt to purchase, sell, exchange, or barter any red snapper, grouper or tilefish species in excess of any possession limit for which federal commercial license, permit, appropriate allocation, and account were issued.

4. Requirement for federal IFQ dealer endorsement: In addition to the requirement for a federal dealer permit for Gulf reef fish, for a dealer to receive Gulf red snapper or any species of grouper or any tilefish species from a commercial fishing vessel he must have a federal Gulf IFQ dealer endorsement. For a person aboard a vessel with a federal IFQ vessel account to sell red snapper or any species of grouper or tilefish to anyone other than a permitted dealer, such person must also have a federal Gulf IFQ dealer endorsement.

5. Requirement for NMFS transaction approval code: The owner or operator of a vessel landing red snapper, groupers or tilefish species is responsible for calling National Marine Fisheries Service (NMFS) Office of Law Enforcement at least 3 hours, but no more than 12 hours, in advance of landing to report the time and location of landing and the name of the IFQ dealer where the red snapper, groupers or tilefish species are to be received, and the estimated gutted weight of red snapper, grouper and tilefish for each federal IFQ share category (red snapper, gag, red grouper, deep-water grouper, other shallow-water grouper, and tilefish species. For the purpose of these regulations, the term “landing” means tying a vessel to a dock. Failure to comply with this advance notice of landing requirement will preclude authorization to complete the required NMFS landing transaction report and, thus, will preclude issuance of the required NMFS-issued transaction approval code. Possession of commercial red snapper, groupers or tilefish species from the time of transfer from a vessel through possession by a dealer is prohibited unless the red snapper, groupers or tilefish species are accompanied by a transaction approval code verifying a legal transaction of the amount of red snapper, groupers or tilefish species in possession.

6. Offloading and transfer: No person shall offload from a vessel or receive from a vessel commercially harvested red snapper, groupers or tilefish species during the hours from 6:00 p.m. until 6:00 a.m., local time. No person shall offload red snapper, grouper or tilefish at a location which is not an offloading site approved by NOAA Fisheries and accessible to the public. For the purpose of these regulations, the term “offloading” means removing red snapper, groupers or tilefish species from a vessel. At-sea or dockside transfer of commercial red snapper, groupers or tilefish species from one vessel to another vessel is prohibited.

7. VMS requirement: No person shall commercially harvest red snapper, groupers or tilefish species from a vessel unless that vessel is equipped with a fully operational and federally approved Vessel Monitoring System (VMS) device. Approved devices are those devices approved by National Oceanographic and Atmospheric Administration (NOAA) Fisheries and operating under the requirements mandated by NOAA Fisheries.

8. Commercial trip limits shall include those limits listed below. For the purposes of this rule, a trip is defined as a fishing trip, regardless of the number of days’ duration, that begins with departure from a dock, berth, beach, seawall or ramp and that terminates with return to a dock, berth, beach, seawall or ramp. The secretary of the Department of Wildlife and Fisheries is authorized, upon notification to the chairman of the Wildlife and Fisheries Commission, to adjust any trip limit for any commercially harvested reef fish species or species group when notified by the Regional

Administrator of NOAA Fisheries that an adjustment has been made to the trip limit for a species or species group in adjacent federal waters.

Species or Group	Trip Limit
a. Gray Triggerfish	16 fish
b. Greater Amberjack	1,000 pounds gutted weight

E. Recreational and commercial minimum and maximum size limits, unless otherwise noted.

Species	Minimum Size Limits
1. Red snapper	16 inches total length (Recreational) 13 inches total length (Commercial)
2. Gray, yellowtail, and cubera snapper	12 inches total length
3. Lane snapper	8 inches total length
4. Mutton snapper	18 inches total length
5. Vermilion snapper	10 inches total length
6. Red grouper	20 inches total length (Recreational) 18 inches total length (Commercial)
7. Yellowfin grouper	20 inches total length
8. Gag	24 inches total length
9. Black grouper	24 inches total length
10. Scamp	16 inches total length
11. Greater amberjack	34 inches fork length (Recreational) 36 inches fork length (Commercial)
12. Hogfish	14 inches fork length
13. Banded rudderfish and lesser amberjack	14 inches fork length (minimum size) 22 inches fork length (maximum size)
14. Gray triggerfish	15 inches fork length

F. Definitions. Federal regulations 50 CFR Part 622.2 defines *charter vessels* and *headboats* as follows.

Charter Vessel—a vessel less than 100 gross tons that meets the requirements of the U.S. Coast Guard to carry six or fewer passengers for hire and that carries a passenger for hire at any time during the calendar year. A *charter vessel* with a commercial permit is considered to be operating as a *charter vessel* when it carries a passenger who pays a fee or when there are more than four persons aboard, including operator and crew.

Headboat—a vessel that holds a valid certificate of inspection issued by the U.S. Coast Guard to carry passengers for hire. A *headboat* with a commercial vessel permit is considered to be operating as a headboat when it carries a passenger who pays a fee or, in the case of persons aboard fishing for or possessing coastal migratory pelagic fish or Gulf reef fish, when there are more than four persons aboard, including operator and crew.

G. Seasons

1. Seasons for the commercial harvest of reef fish species or groups shall be closed during the periods listed below. Possession of reef fish in excess of the daily bag limit while on the water is prohibited during the specified closed season. Any reef fish harvested during the closed season shall not be purchased, sold, traded, bartered or exchanged or attempted to be purchased, sold, traded, bartered or exchanged. This prohibition on sale/purchase does not apply to reef fish that were harvested, landed ashore, sold and purchased prior to the closed season. Nothing shall prohibit the possession or sale of fish legally taken prior to the closure providing that all commercial dealers possessing reef fish taken legally prior to the closure shall maintain appropriate records in accordance with R.S. 56:306.5 and R.S. 56:306.6.

Species or Group	Closed Season
a. Greater Amberjack	March 1-May 31
b. Gray Triggerfish	June 1-July 31 of each year

2. Seasons for the recreational harvest of reef fish species or groups listed below shall be closed during the periods listed below.

Species or Group	Closed Season
a. Gag	January 1-June 30 of each year
b. Black, red, yellowfin, and yellowmouth groupers, and scamp	February 1-March 31 of each year in waters seaward of the 20 fathom boundary
c. Red Snapper	From the closure of the season the prior year, or January 1 if the season has not previously closed, through the Thursday before Memorial Day. The open season shall be for weekends only. A *weekend* is defined as Friday, Saturday and Sunday, with the exception of Memorial Day and Labor Day, when Monday would be classified as a weekend. The 4th of July will be considered an open date, regardless of what day it falls.
d. Greater Amberjack	January 1-April 30, June 1-July 31, and November 1-December 31 of each year.
e. Gray Triggerfish	January 1-end of February of each year and June 1-July 31 of each year.

3. Persons aboard a vessel for which the permits indicate both charter vessel/headboat for Gulf reef fish and commercial Gulf reef fish may continue to retain reef fish under the recreational take and possession limits specified in §335.A and §335.C, recreational seasons specified in §335.G.2 and size limits specified in §335.E, provided the vessel is operating as a validly licensed charter vessel or headboat with prepaid recreational charter fishermen aboard the vessel.

4. The provisions of §335.G apply to fish taken within or without Louisiana's territorial waters except for the season for the recreational harvest of red snapper, which is for Louisiana's territorial waters only.

5. The secretary of the Department of Wildlife and Fisheries is hereby authorized, upon notification to the chairman of the Wildlife and Fisheries Commission, to close, open, re-open or re-close any reef fish season as needed when informed of such by the National Marine Fisheries Service in order to maintain consistency with modifications in the adjacent federal waters, should the federal seasons be modified. The secretary may also modify those portions of this rule pertaining to red snapper recreational daily harvest limits, size limits, and red snapper recreational seasons under the provisions of NOAA delegated state management for the species or if he deems it necessary, following notification of the chairperson of the Wildlife and Fisheries Commission.

H. Wholesale dealers are required to comply with the provisions of R.S. 56:306.5 and R.S. 56:306.6 when

acquiring, purchasing, possessing and selling reef fish. Wholesale dealers shall maintain approval codes issued by NOAA Fisheries associated with all transactions of red snapper, groupers and tilefish species on purchases and sales on their records.

I.1. Devices

Circle Hook—a fishing hook designed and manufactured so that the point is turned perpendicularly back to the shank to form a generally circular or oval shape.

Dehooking Device—a device intended to remove a hook embedded in a fish to release the fish with minimum damage.

2. For a person on board a vessel to fish for or possess gulf reef fish in the gulf EEZ, the vessel must possess on board and such person must use the gear as specified below.

a. Non-stainless Steel Circle Hooks. Non-stainless steel circle hooks are required when fishing with natural baits for reef fish.

b. Dehooking Device. At least one dehooking device is required and must be used to remove hooks embedded in gulf reef fish with minimum damage. The hook removal device must be constructed to allow the hook to be secured and the barb shielded without re-engaging during the removal process. The dehooking end must be blunt, and all edges rounded. The device must be of a size appropriate to secure the range of hook sizes and styles used in the gulf reef fish fishery.

J. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15, for reef fishes while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange reef fishes within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15 law.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:6(25)(a), R.S. 56:320.2(C), R.S. 56:326.1 and R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:539 (June 1990), amended LR 19:1442 (November 1993), LR 20:797 (July 1994), LR 21:1267 (November 1995), LR 22:860 (September 1996), LR 24:1138, 1139 (June 1998), LR 24:1972 (October 1998), LR 26:793 (April 2000), LR 26:1505 (July 2000), LR 26:2833 (December 2000), LR 31:3166 (December 2005), LR 33:1156 (June 2007), repromulgated LR 33:1397 (July 2007), amended LR 34:2209 (October 2008), LR 34:2682 (December 2008), LR 36:1791 (August 2010), LR 38:2383 (September 2012), LR 39:330 (February 2013), LR 40:95 (January 2014), repromulgated LR 40:1116 (June 2014), amended LR 40:2281 (November 2014), LR 42:908 (June 2016), repromulgated LR 43:89 (January 2017), amended LR 44:1458 (August 2018), LR 46:705 (May 2020), LR 46:1399 (October 2020).

§337. Taking and Possession of Jewfish and Nassau Grouper Prohibited

A. The Wildlife and Fisheries Commission hereby prohibits the taking and possession of jewfish (*Epinephelus itajara*) and Nassau grouper (*Epinephelus striatus*) from within or without Louisiana waters.

B. No person shall take, transport or possess within the territorial jurisdiction of the state of Louisiana jewfish (*Epinephelus itajara*) and Nassau grouper (*Epinephelus striatus*).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:325.1 and R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:1070 (December 1990), amended LR 19:1442 (November 1993), LR 26:1505 (July 2000).

§339. Free Recreational Fishing Days

A. In accordance with Act 301 of the 1987 Louisiana Legislature, the Wildlife and Fisheries Commission has declared the weekend of the first full week of June each year as Free Recreational Fishing Days in Louisiana to coincide with National Fishing Week each year. On the two above mentioned free fishing days, residents and nonresidents may exercise the privilege of a licensed recreational fisherman without purchase of any otherwise necessary recreational fishing license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:302.7.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:389 (April 1991).

§341. Spotted Seatrout Management Measures

A. Commercial Season; Quota; Permits

1. The commercial season for spotted seatrout whether taken from within or without Louisiana state waters shall remain closed until January 2 of each year, when it shall open and remain open until the maximum annual quota is reached, or on the date projected by the staff of the Department of Wildlife and Fisheries that the quota will be reached, whichever comes first. The commercial harvest or taking of spotted seatrout is prohibited during the period from sunset on Friday through sunrise on Monday, and there shall be no possession of spotted seatrout in excess of the recreational limit during the period between 10 p.m. and 5 a.m.

2. The commercial quota for spotted seatrout shall be 1,000,000 pounds for each fishing season.

3. Permits

a. The commercial taking of spotted seatrout is prohibited except by special nontransferable Spotted Seatrout Permit issued by the Department of Wildlife and Fisheries at the cost of $100 for residents of this state and $400 for those who are nonresidents. This permit, along with

other applicable licenses, authorizes the bearer to sell his spotted seatrout catch.

b. No person shall be issued a license or permit for the commercial taking of spotted seatrout unless that person meets all of the following requirements.

i. The person shall provide proof that he purchased a valid Louisiana commercial saltwater gill net license in any two of the years 1995, 1994, and 1993.

ii. The person shall show that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species in any two of the years 1995, 1994, and 1993. Proof of such income shall be provided by the applicant using any of the methods listed below.

(a). Method 1. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a copy of his federal income tax return including all attachments (i.e., Schedule C of federal Form 1040, Form W-2, etc.), which has been certified by the Internal Revenue Service (IRS).

(b). Method 2. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a copy of his federal income tax return including all attachments (i.e., Schedule C of federal Form 1040, Form W-2, etc.), which has been filed and stamped "received" at a local IRS office accompanied by a signed cover letter acknowledging receipt by the IRS.

(c). Method 3. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a signed copy of his federal tax return including all attachments (i.e., Schedule C of federal Form 1040, Form W-2, etc.) along with an IRS stamped transcript and IRS signed cover letter. Transcripts are available at local IRS offices.

iii. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine applicant's eligibility as defined by R.S. 56:325.3 D(1)(b).

iv. The person shall not have applied for or received any assistance pursuant to R.S. 56:13.1(C).

v. The applicant shall not have been convicted of any fishery-related violations that constitute a Class 3 or greater violation.

c. No person shall receive more than one permit or license to commercially take spotted seatrout.

d. No person shall qualify for a charter boat fishing guide license and a spotted seatrout permit during the same licensure period.

4. The commercial taking or commercial harvesting of spotted seatrout shall be prohibited within Louisiana waters west of the Mermentau River.

B. General Provisions. The commercial closure shall apply to spotted seatrout taken, landed or possessed on the water whether taken from within or without Louisiana waters. Effective with the closure, no person shall commercially harvest, take, land or possess spotted seatrout in excess of a recreational limit in Louisiana. Effective with the commercial closure no person shall sell, barter, trade, exchange, purchase or attempt to sell, barter, trade, exchange or purchase spotted seatrout. Nothing herein shall prohibit the purchase, sale, barter or exchange of spotted seatrout off the water by licensed commercial dealers taken during any open period or which are legally imported into the state if appropriate records are properly maintained in accordance with R.S. 56:306.5 and R.S. 56:306.6 and those that are required to do so shall be properly licensed in accordance with R.S. 56:303, 56:306 or 56:306.1.

C. Recreational Regulations. Within those areas of the state, including coastal territorial waters, south of Interstate 10 from its junction at the Texas-Louisiana boundary eastward to its junction with Louisiana Highway 171, south to Highway 14, and then south to Holmwood, and then south on Highway 27 through Gibbstown south to Louisiana Highway 82 at Creole and south on Highway 82 to Oak Grove, and then due south to the western shore of the Mermentau River, following this shoreline south to the junction with the Gulf of Mexico, and then due south to the limit of the state territorial sea, under the authority of the provisions of R.S. 56:325.1(A), the daily take and possession limit shall be 15 fish, regardless of where taken, with no more than 2 spotted seatrout exceeding 25 inches total length. Those spotted seatrout exceeding 25 inches in length shall be considered as part of the daily recreational take and possession limit.

AUTHORITY NOTE: Promulgated in accordance with Act Number 157 of the 1991 Regular Session of the Louisiana Legislature, R.S.56:6(25)(a); R.S. 56:306.5, R.S. 56:306.6, 56:325.1(A) and (B); R.S. 56:325.3; R.S. 56:326.3; Act 1316 of the 1995 Regular Legislative Session; and Act 1164 of the 2003 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:199 (February 1992), amended LR 22:238 (March 1996), LR 24:360 (February 1998), LR 26:2333 (October 2000), LR 30:1509 (July 2004), LR 30:2498 (November 2004), repromulgated LR 32:125 (January 2006), amended LR 32:1071 (June 2006), LR 37:355 (January 2011).

§343. Rules for Harvest of Mullet

A. Seasons

1. The season for the commercial taking of mullet with a mullet strike net shall begin at sunrise of the third Monday in October of each year and close at sunset of the third Monday in January of the following year. Mullet may not be taken commercially with a mullet strike net at any time outside of this season.

2. Mullet may be taken for live bait purposes with a commercial cast net of no more than 12 feet in radius, operated manually, during any season.

3. Commercial harvest of mullet shall not be allowed during the period from 5 a.m. on Saturday through 6 p.m. on Sunday. There shall be no commercial taking of mullet during the period after sunset and before sunrise.

B. Commercial Taking

1. Mullet may be taken commercially with a mullet strike net, which may not be constructed of monofilament. The commercial taking of mullet by using a mullet strike net in excess of 1,200 feet or by using more than one mullet strike net from any vessel at any time is prohibited.

2. Each mullet strike net shall have attached to it a tag issued by the department which states the name, address, and Social Security number of the owner of the net and the permit number of the permit issued to commercially take mullet with a mullet strike net. The department shall not issue any tag to a person who does not have a Social Security number.

3. Live mullet for bait purposes may be taken commercially with a cast net that shall not exceed 12 feet in radius and shall only be operated manually such that no mechanical device is used to hold open the cast net nor propel or deploy the cast net.

4. Any person commercially taking live mullet for bait purposes with a cast net must have a valid cast net gear license issued by the Department of Wildlife and Fisheries for each cast net within their possession while taking live mullet for bait purposes along with other applicable licenses.

C. Commercial Limits. During the season, there shall be no daily take or possession limit for the commercial harvest of mullet by properly licensed and permitted fishermen.

D. Recreational Limits. The daily take and possession limit for recreational harvest of mullet shall be 100 pounds per person per day.

E. Permits

1. The commercial taking of mullet with a mullet strike net is prohibited except by special permit issued by the Department of Wildlife and Fisheries at the cost of $100 for residents of this state and $400 for those who are nonresidents. This permit, along with other applicable licenses, authorizes the bearer to sell his mullet catch.

2. No person shall be issued a license or permit for the commercial taking of mullet with a mullet strike net unless that person meets all of the following requirements.

a. The person shall provide proof that he purchased a valid Louisiana commercial saltwater gill net license in any two of the years 1995, 1994, and 1993.

b. The person shall show that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species in any two of the years 1995, 1994, and 1993. Proof of such income shall be provided by the applicant, using any of the methods listed below.

i. Method 1. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a copy of his federal income tax return, including all attachments (e.g., Schedule C of Federal Form 1040, Form W-2, etc.), which has been certified by the Internal Revenue Service (IRS).

ii. Method 2. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a copy of his federal income tax return, including all attachments (e.g., Schedule C of Federal Form 1040, Form W-2, etc.), which has been filed and stamped "received" at a local IRS office, accompanied by a signed cover letter acknowledging receipt by the IRS.

iii. Method 3. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a signed copy of his federal tax return, including all attachments (e.g., Schedule C of Federal Form 1040, Form W-2, etc.) along with an IRS-stamped transcript and IRS-signed cover letter. Transcripts are available at local IRS offices.

c. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance will review the submitted tax return information and determine applicant's eligibility as defined by R.S. 56:333(D)(1)(b).

d. The person shall not have applied for or received any assistance pursuant to R.S. 56:13.1(C).

3. No person shall receive more than one permit or license to commercially take mullet with a mullet strike net.

4. Notwithstanding LAC 76:VII.343.E.2, the department, upon application from an individual who is currently permitted to commercially take mullet with a mullet strike net, may transfer a valid mullet permit under the following requirements and conditions.

a. The transferee must possess and provide the department his/her Social Security number.

b. The transferee must possess a valid commercial fishing license and shall provide proof that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species in the calendar year immediately prior to the year of application. Proof shall be for the tax year immediately prior to the application for transfer, and shall be in the form of an IRS transcript stamped by the local office, plus a copy of the applicant's personal file copy of his or her completed tax return for that year including all schedules and Form W-2s.

c. The transferee shall not currently possess a mullet permit to commercially take mullet with a mullet strike net nor have been permanently barred from the mullet fishery.

d. The transferor and the transferee each must certify that there shall be no financial gain realized for the transfer of such license or permit in accordance with department guidelines.

e. Any mullet permit found to have been transferred for financial gain shall be rendered void, shall immediately be surrendered to the department, and shall not be reissued.

5. In the case of a proven physical hardship, the department, upon written request from an individual who is currently permitted to commercially take mullet with a

mullet strike net, may transfer a valid mullet permit into the name of the spouse, parent/legal guardian, or child/legal dependent of such person under the following requirements and conditions.

a. A mullet permit holder shall make a written request that includes the name, address and Social Security number of both the permit holder and the person to whom the license is requested to be transferred and shall set forth in detail the reasons justifying the request.

b. The mullet permit holder must present documentation sufficient to prove relationship as being the spouse, parent/legal guardian, or child/legal dependent, between the permit holder and the person to whom the permit is to be transferred. Examples of documents tending to establish such proof would include marriage license, birth certificate and/or judgment of legal guardianship.

c. The mullet permit holder must provide a signed statement from the treating physician setting forth the specific nature and extent of the disability together with a statement that the condition prevents participation in commercial fishing activities.

6. Any person commercially taking live mullet for bait purposes must possess a valid commercial fishing license issued by the department as well as all other applicable licenses.

F. A valid mullet permit to commercially take mullet with a strike net may only be transferred from a mullet permit holder who has no pending mullet charges for violating any provisions of R.S. 56:333 or any commission rule or regulation adopted pursuant to R.S. 56:333 after August 15, 2001. The provisions of R.S. 56:333.F shall apply to permit transfer recipients. Permits under suspension or revocation shall not be transferable during any suspension or revocation period.

G. Any person who transfers a mullet permit shall be precluded thereafter from obtaining a mullet permit to commercially take mullet with a mullet strike net whether by transfer or other method.

H. General Provisions. Effective with the closure of the commercial season for the taking of mullet with a mullet strike net, there shall be a prohibition of the commercial take from Louisiana waters, and the possession of mullet on the waters of the state with commercial gear in possession except when commercially taking live mullet for bait purposes as provided for in this rule. Nothing shall prohibit the possession, sale, barter or exchange off the water of mullet legally taken during any open period provided that those who are required to do so shall maintain appropriate records in accordance with R.S. 56:306.4 and R.S. 56:345 and be properly licensed in accordance with R.S. 56:303 or R.S. 56:306.

I. In addition, all provisions of R.S. 56:333(C) are hereby adopted and incorporated into this Rule.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:325.1, R.S. 56:333 and Act 1316 of the 1995 Regular Legislative Session, R.S. 56:333.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:1420 (December 1992), amended LR 21:37 (January 1995), LR 22:236 (March 1996), LR 24:359 (February 1998), LR 26:2332 (October 2000), LR 28:1032 (May 2002), LR 37:3538 (December 2011).

§345. Crab Trap Marking

A. Each crab trap shall be marked with a 1/2-inch stainless steel self-locking tag attached to the center of the trap ceiling, or a durable plastic bait-box cover. Said tags shall be supplied by the fishermen and shall have the commercial fisherman's license number (not the commercial gear license) or the recreational crab trap gear license number legibly embossed or engraved thereon.

B. For the purposes of R.S. 56:8(28.1) which specifies that a serviceable trap must be "legally marked with a float," each trap shall be attached by a 1/4-inch minimum diameter, non-floating line to a solid float 6 inches minimum diameter, or equivalent. Crab traps attached to a trotline must also have such a float and line attached to at least one end. For the purposes of R.S. 56:332.G, a common float is defined as a 1 gallon or larger all-white plastic bleach bottle.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:8(28.1), R.S. 56:332.D and R.S. 56:332.G.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 18:199 (February 1992), amended LR 26:513 (March 2000).

§346. Restriction of Mature and Immature Female Blue Crab Harvest

A. The recreational and commercial take of female blue crab from any of the waters of the state, whether private or public, or the possession of female blue crabs while on waters of the state is prohibited for a 35-day period beginning the second Monday of September for the year 2019. For the purposes of this Section, all female blue crab in possession of any persons on the water shall be deemed to have been taken from the waters of the state.

B. There shall be no commercial harvest of immature female blue crabs except:

1. when an immature female blue crab is in the premolt stage and is being held for processing as soft crabs; or

2. sold to a processor for the making of soft crabs.

C. Obvious signs such crabs are in premolt stage shall include they are no further from molting than having a white line on the back paddle fin, which is recognized by the crab industry as a premolt stage.

D. However, a legally licensed commercial crab fisherman may have in his/her possession an incidental take of immature female blue crabs, and/or mature female blue crabs during the prohibited months, in an amount not to exceed 2 percent of the total number of blue crabs in his/her possession.

1. To determine whether the total number of blue crabs in possession violates this Subsection, the enforcement agent shall take:

a. a random sample of 50 blue crabs from each crate; or

b. group of blue crabs equivalent to one crate.

2. If more than 2 percent of the blue crabs in that 50-crab random sample are immature female blue crabs, and/or mature female blue crabs during the prohibited months, the entire number of blue crabs in that crate or group of blue crabs equivalent to one crate shall be considered to be in violation.

E. Blue crabs in a work box, defined as a standard crab crate as used by a commercial crab fisherman aboard the vessel to sort or cull undersized crabs and/or immature female crabs from the harvest in order to obtain a legal catch, shall not be subject to the immature female restriction while held aboard the vessel and the fisherman is actively fishing.

1. Commercial crab fishermen shall be allowed to have in possession aboard the vessel either:

a. one work box, if not using a grader; or

b. two work boxes under the grader, if using a grader.

F. An immature female blue crab, also known as a "maiden" or "V-bottom" crab, can be identified as having a triangular shaped apron on her abdomen. A mature female blue crab can be identified as having a dome shaped apron on her abdomen.

G. Violation of any provision of this Section constitutes a class two violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), R.S. 56:8, R.S. 56:32, R.S. 56:56 (A)(5), R.S. 56:320 (B)(3), R.S. 56:326 (A)(2), R.S. 56:332(E)(1) and R.S. 56:355.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1962 (November 2016), amended LR 44:102 (January 2018), LR 45:79 (January 2019).

§347. Louisiana Fisheries Forward Program

A. The following defines the requirements necessary to complete the program to increase and elevate professionalism in the commercial crab industry pursuant to R.S. 56:305.6. This program shall hereafter be referred to as the Louisiana Fisheries Forward Program.

B. For the purposes of this Section, the following will be defined as:

Applicant—licensed commercial fishermen attempting to obtain a commercial crab trap gear license through the program;

Mentor—a person holding a valid commercial crab trap gear license who mentors an apprentice in completing the apprenticeship path;

Sponsor—a person holding a valid commercial crab trap gear license who sponsors an apprentice in completing sponsorship path.

C. Policy

1. Applicants that do not qualify for a commercial crab trap gear license under provisions defined in R.S. 56:305.6 shall fulfill all the basic requirements and complete one of two field-training paths; the apprenticeship path, or the sponsorship path, to complete the program, and receive a crab trap gear license.

2. Before beginning a training path, an applicant must possess a valid Louisiana commercial fisherman's license and submit an application including copies of the applicant and mentor/sponsor's state issue identification to the department for approval. The license number will be used to track participation in the program.

3. The basic requirements and chosen training path shall be completed within one consecutive 12-month period.

4. Applicants who wish to change their mentor or sponsor during the process shall submit a new application containing the new mentor's or sponsor's information along with a written explanation for the change. Applicants shall not lose credit for hours or trips logged under the previous mentor or sponsor provided they are verified pursuant to Paragraphs F.3 and G.3 of this Section.

D. Eligibility

1. Any person who has been convicted of a class 3 or greater fisheries violation in the last five years shall not be eligible to participate as an applicant, mentor, or sponsor.

2. Any person choosing to participate as a mentor shall possess a valid commercial crab trap gear license and have documented a minimum of six trip tickets showing sales of crabs caught in Louisiana in any two of the previous four years.

3. Any person choosing to participate as a sponsor shall possess a valid commercial crab trap gear license and have documented a minimum of six trip tickets showing sales of crabs caught in Louisiana waters in any two of the previous four years.

E. Basic Requirements

1. Each applicant must successfully complete an NASBLA-approved boating safety class as required by R.S. 34:851.36.

2. Each applicant must complete and receive a certificate in the following Louisiana fisheries forward online courses. The applicant will be required to view 100 percent of the content and score a minimum of 80 percent in order to receive a certificate.

a. Course providing a detailed overview of state and federal statutes governing legal harvest of major seafood commodities, including but not limited to, licensing and permitting, harvest regulations, reporting requirements, and responsible and safe fishing.

b. Course covering the legalities and best management practices of crab fishing, including but not limited to, licensing and permitting requirements, crab harvest regulations, reporting requirements, best handling practices, responsible fishing, and vessel operation.

c. Course covering fundamental financial concepts targeted to Louisiana's commercial fishing industry, including but not limited to, budgeting, cash flow, taxes, insurance, loans, grants, and business plans.

d. Course covering the fundamental concepts for producing high quality seafood, including but not limited to, quality loss, temperature control, icing, chilling, freezing, and proper handling and storage.

F. Apprenticeship Path

1. To initiate the apprenticeship training path the applicant and applicant's mentor must complete and submit an application to the department. The application shall state the intent to participate in apprenticeship training and include the last four digits of the Social Security number, name and address, commercial fishing license number and photocopies of the state-issued photo identification of both the applicant and the applicant's mentor. Additionally, the mentor's valid commercial crab trap gear license number must be provided.

2. The applicant shall complete a minimum of 200 hours of apprenticeship training related to crab fishing under supervision of the applicant's designated mentor. Training hours shall be recorded daily on training log forms provided by the department. Copies of the training logs shall be submitted to the department on a quarterly basis. A minimum of 100 hours of training shall be performed and logged on days when the applicant's mentor has harvested and reported trip ticket sales of crabs. Any previous work or training experience in the crab fishery conducted prior to the date of approval of the apprenticeship by the department shall not count toward the applicant's total required hours.

3. Upon completion, the applicant and mentor must complete and submit a notarized affidavit signed by both the applicant and the mentor and include the original signed training log forms along with copies of the trip tickets evidencing harvesting hours. The affidavit shall be provided by the department and indicate the completion of the apprenticeship, affirm the accuracy of the associated log forms and corresponding trip tickets, and include the name, address, and commercial fishing license of both the applicant and the mentor.

G. Sponsorship Path

1. To initiate the sponsorship training path the applicant and applicant's sponsor must complete and submit an application to the department. The application shall state the intent to participate in sponsorship training and include the last four digits of the Social Security number, name and address, commercial fishing license number and photocopies of state issued photo identification of both the applicant and the applicant's sponsor. Additionally, the sponsor's valid commercial crab trap gear license number must be provided.

2. The department shall issue a special crab trap permit allowing the applicant to actively fish crabs under the sponsor's crab trap gear license and report trip ticket sales of crabs using the applicant's name and commercial fisherman's license number. This permit shall only be issued once and shall only be valid for the duration of the sponsorship. The applicant must complete a minimum of 20 crab fishing trips evidenced by trip tickets. Any trips or landings conducted prior to the date the sponsorship is initiated shall not count toward the applicant's total required crab fishing trips.

3. Upon completion, the applicant and sponsor must complete and submit a notarized affidavit signed by both the applicant and the sponsor and include copies of the trip tickets used to evidence the required crab fishing trips. The affidavit shall be provided by the department and indicate the completion of the sponsorship, affirm the accuracy of the associated trip tickets, and include the name, address, and commercial fishing license of both the applicant and the sponsor.

H. Optional Training

1. Applicants may substitute attendance at certain department approved meetings or educational events for required apprenticeship hours and sponsorship trips. Eligible meetings and events include, Louisiana crab task force meetings, crab dock days, and annual Louisiana fisheries summits. Additional meetings and events may be deemed eligible by the department.

a. Each hour of meeting attendance shall substitute for one hour of the apprenticeship requirement. Every 10 hours of meeting attendance shall substitute for one fishing trip of the sponsorship requirement.

b. A maximum 50 hours of meeting attendance may be substituted for the apprenticeship requirements, or a maximum 5 fishing trips may be substituted for the sponsorship requirements. Attendance at meetings or educational events shall be documented by a designated department employee or agent. The applicant shall sign in upon arrival, present a valid photo ID and provide their commercial license number. Upon departure, the applicant shall sign out.

2. Attendance at meetings or educational events shall be documented by a designated department employee or agent. The applicant shall sign in upon arrival, present a photo ID and provide their commercial license number. Upon departure, the applicant shall sign out.

a. Applicants who sign in prior to the start of an event and sign out after the conclusion of an event shall receive substitution credit hours equal only to the length of the event. Applicants shall not receive extra credit hours for arriving early or staying late at an event.

b. Applicants who fail to sign out shall not receive credit hours for attending an event.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:305.6.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 41:956 (May 2015).

§349. Harvest of Black Drum, Sheepshead, Flounder and Other Saltwater Species using Pompano Strike Net

A. Restricted Species Strike Net Permit

1. The commercial taking of black drum, sheepshead, flounder and other saltwater finfish species (other than red drum, spotted seatrout and mullet which may not be taken with this gear, and other than pompano taken under R.S. 56:406 and LAC 76:VII.703 regulations) with a pompano strike net is prohibited except by special permit issued by the Department of Wildlife and Fisheries, hereby designated as a restricted species strike net permit. This permit is required in addition to the pompano strike net license required by law.

2. No person shall be issued a restricted species strike net permit unless that person meets all of the following requirements.

a. The person shall provide proof that he purchased a valid Louisiana commercial saltwater gill net license in any two of the years 1995, 1994, and 1993.

b. The person shall show that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species in any two of the years 1995, 1994, and 1993. Proof of such income shall be provided by the applicant in the form of a copy of his federal income tax return including Schedule C of Federal Form 1040, which has been certified by the Internal Revenue Service. In the event that the certified copy of the tax return, including Schedule C, does not confirm the applicant's claim that more than 50 percent of the income was earned from the legal capture and sale of seafood species, the applicant shall provide a certified, audited return to that effect which has been prepared and signed by a certified public accountant (CPA) which includes copies of all documents relied upon by the CPA in preparation of the audit. Tax returns for at least two of the years 1995, 1994 and 1993 shall be provided by the applicant. Fishermen applying for fishing permits which require proof that 50 percent of his income was derived from the legal capture and sale of seafood species may also qualify using the following alternative method.

c. Alternative Method. Provided a fisherman meets all other qualifications for obtaining a commercial fishing permit except for having a tax return in one of the years 1994 or 1993, he will be allowed to provide proof that 50 percent of his income was derived from the legal capture and sale of seafood species for the current calendar year 1995 along with a 1040 and Schedule C from 1994 or 1993 which meets the qualifying standard. Said proof of the nature and amount of his 1995 income shall be as follows with no exceptions.

i. Applicant shall submit to the Department of Wildlife and Fisheries an affidavit signed by a certified public accountant (CPA) attesting to the audit of applicant's financial records and applicant's eligibility as defined by Act 1316.

ii. The Department of Wildlife and Fisheries shall make available the affidavit referred to in Clause A.2.c.i.

iii. CPAs engaged by applicants to prepare financial data shall adhere to generally accepted accounting principals as recognized by the American Institute of Certified Public Accountants (AICPA).

iv. The CPA shall require and accept documentation of applicant's financial transactions in the form normally acceptable to the IRS. The record keeping standards required by IRS shall be adhered to in the evaluation of applicant's documentation.

v. The CPA shall prepare a financial statement depicting and listing separately applicant's total earned income as well as his earned income derived solely from the capture and sale of seafood species. This financial statement shall represent the period beginning January 1, 1995 through September 30, 1995.

vi. The CPA shall provide an unqualified opinion attesting to the nature and amount of the applicant's earned income and whether said income complies with the requirement that more than 50 percent of the applicant's earned income was derived from the legal capture and sale of seafood species.

vii. The CPA shall provide copies to the Department of Wildlife and Fisheries (Licensing Section) of all financial documents relied upon in support of his unqualified opinion.

viii. The alternative method of fulfilling the earned income requirement shall become obsolete and discontinued on May 1, 1996. Applicants qualifying under the alternative method subsequent to December 31, 1995 shall be allowed to acquire a temporary permit which will be valid only through May 1, 1996. Those applicants receiving a temporary fishing permit valid from January 1, 1996 through May 1, 1996 may reapply for the usual permit at no additional cost, provided said applicant can provide proof of earned income as described in Act 1316 for two 12-month periods (calendar years) including the years 1993, 1994 and 1995 exclusively.

ix. Irrespective of the method used by applicant fishermen to qualify under the 50 percent earned income from the capture and sale of seafood species criteria, each applicant shall make available to the Department of Wildlife and Fisheries (Licensing Section) a certified copy of his Federal Income Tax return, including Schedule C of Federal Form 1040 prior to being issued any additional permits which require the 50 percent earned income test. Currently accepted 1040 and Schedule C Transcripts shall not be sufficient to qualify a permit applicant to renew or acquire a fishing permit beyond the period May 1, 1996. It is incumbent upon each permit applicant to obtain said 1040 and Schedule C information from the Internal Revenue Service.

d. The person shall not have applied for or received any assistance pursuant to R.S. 56:13.1(C).

e. The applicant shall not have been convicted of any fishery-related violations that constitute a Class 3 or greater violation.

3. Any person convicted of any offense involving fisheries laws or regulations shall forfeit any restricted species strike net permit and shall be forever barred from receiving any such permit in the future.

B. Commercial Taking of Saltwater Finfish Using Pompano Strike Net

1. There shall be two seasons for the commercial harvest of all species of saltwater finfish (other than mullet, spotted seatrout and red drum) with a pompano strike net:

a.i. the first season shall open on Monday, October 16, 1995, and end with the closure of the mullet strike net season, but no later than March 1, 1996;

ii. the second season shall open on Monday, October 21, 1996, and end with the closure of the mullet strike net season, but no later than March 1, 1997.

b. A season for the taking of these species shall be closed prior to the dates listed in this Paragraph if the commercial quota for that species has been taken, or on the date projected by the staff of the Department of Wildlife and Fisheries that a quota will be reached, whichever occurs first. The closure shall not take effect for at least 72 hours after notice to public.

2. During these two seasons the commercial harvest of these species with a pompano strike net shall not be allowed during the period from 5 a.m. on Saturday through 6 p.m. on Sunday. There shall be no commercial taking of these species with a pompano strike net during the period after sunset and before sunrise.

3. The commercial taking of these species by using a pompano strike net in excess of 1,200 feet in length is prohibited. Furthermore, use of more than one pompano strike net from any vessel at any time is prohibited, and use of monofilament strike nets is also prohibited.

4. Each pompano strike net shall have attached to it a tag issued by the department which states the name, address, and Social Security number of the owner of the net and the restricted species strike net permit number, if applicable. The department shall not issue any tag to a person who does not have a Social Security number.

5. Each restricted species strike net permit holder shall on or before the tenth of each month file a return to the department on forms provided or approved for the purpose, the pounds of black drum from 16 to 27 inches, the number of black drum over 27 inches, the pounds of sheepshead and the pounds of flounder taken commercially during the preceding month, the gears used for harvest, and the commercial dealers to whom these were sold. Monthly reports shall be filed, even if catch or effort is zero.

C. General Provisions. Effective with the closure of a commercial season for black drum, sheepshead, flounder, or other saltwater finfish species harvested with a pompano strike net, there shall be a prohibition of the commercial take of that species with a pompano strike net from Louisiana waters, and the possession of that species on the waters of the state with a pompano strike net in possession. Nothing shall prohibit the possession, sale, barter or exchange off the water of fish legally taken during any open period provided that those who are required to do so shall maintain appropriate records in accordance with R.S. 56:306.4 and R.S. 56:345 and be properly licensed in accordance with R.S. 56:303 or 306.

AUTHORITY NOTE: Promulgated in accordance with 56:6(10), 56:6(25)(a); 56:326.1; 56:326.3; and Act 1316 of the 1995 Regular Legislative Session, R.S. 56:325.4.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:698 (August 1990), amended LR 22:233 (March 1996), repromulgated LR 23:211 (February 1997).

§351. Commercial Harvest of Southern Flounder

A. Commercial Harvest with Pompano Strike Nets

1. The commercial harvest of southern flounder (*Paralichthys lethostigma*) in Louisiana waters by pompano strike nets is closed and will remain closed until May 1, 1997. No vessel possessing any pompano strike net shall have southern flounder (*Paralichthys lethostigma*) aboard the vessel, whether caught within or without the territorial waters of the state.

2. Effective with the closure, the sale, barter, or exchange of, and the commercial possession of southern flounder (*Paralichthys lethostigma*) taken with strike nets shall be prohibited.

B. Commercial Harvest with Commercial Gear Other than Strike Nets

1. Other provisions of law notwithstanding, a properly licensed commercial vessel that contains legal commercial fishing gear, other than strike nets, may have on board up to a daily possession limit of 10 southern flounder (*Paralichthys lethostigma*) per person on board.

2. Other provisions of law notwithstanding, a properly licensed commercial fisherman who is not on a vessel and who is using legal gear, other than strike nets, may possess up to a daily limit of 10 southern flounder (*Paralichthys lethostigma*). Southern flounder (*Paralichthys lethostigma*) legally possessed under this rule may be purchased, bartered, traded, exchanged or sold.

C. Commercial Possession and Sale

1. Nothing shall prohibit the possession or sale of southern flounder (*Paralichthys lethostigma*) legally taken prior to the closure providing that all commercial dealers possessing southern flounder (*Paralichthys lethostigma*) taken legally prior to the closure shall maintain appropriate records in accordance with R.S. 56:306.4.

2. Effective with this rule, in addition to all records otherwise required by law, wholesale/retail dealers shall maintain records indicating the number and poundage of

southern flounder (*Paralichthys lethostigma*) for each transaction when southern flounder (*Paralichthys lethostigma*) are acquired, possessed or transferred.

3. Commercial dealers possessing southern flounder (*Paralichthys lethostigma*) legally imported into the state shall maintain appropriate records in accordance with other provisions of law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:317, Act 1316 of the 1995 Regular Legislative Session and 56:325.4.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Fisheries, LR 22:1143 (November 1996).

§353. Recreational Harvest of Southern Flounder

A. The daily take and possession limit for the recreational taking of Southern Flounder (*Paralichthys lethostigma*) caught within or without Louisiana waters shall be 10 fish per day and in possession.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), 56:326.1 and 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22:1144 (November 1996).

§355. Harvest Regulations—Billfishes

A. The Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the harvest of billfishes including marlins, sailfish and swordfish within and without Louisiana's territorial waters. For purposes of this Section, the following words and phrases have the meaning ascribed to them in this Subsection, unless the context clearly shows a different meaning.

Carcass Length—curved measure from posterior edge of gill opening to anterior portion of caudal keel.

Dressed Weight—the weight of the carcass after it has been gutted, headed, and finned.

Lower Jaw Fork Length (LJFL)—straight-line length from the tip of the lower jaw to the fork of the tail.

Trip—a fishing trip, regardless of the number of days duration, that begins with departure from a dock, berth, beach, seawall or ramp and that terminates with return to a dock, berth, beach, seawall or ramp.

B. Minimum Size Limits—no person shall possess any fish smaller than the minimum size limit.

Species	Minimum Size Limit
1. Blue Marlin	99 inches Lower Jaw Fork Length (LJFL)
2. White Marlin	66 inches Lower Jaw Fork Length (LJFL)
3. Sailfish	63 inches Lower Jaw Fork Length (LJFL)
4. Swordfish	29 inches carcass length or 33 pounds dressed weight

C. Recreational Creel Limit. Recreational fishing vessels shall not possess more than five swordfish per vessel per trip. Swordfish taken under a recreational bag limit shall not be sold, purchased, exchanged, bartered, or attempted to be sold, purchased, exchanged or bartered.

D. Gamefish. Louisiana Revised Statutes Title 56 §327(A)(1)(b)(i) designates sailfish (*Istiophorus platypterus*), blue marlin (*Makaira nigricans*), black marlin (*Makaira indica*), striped marlin (*Tetrapturus audax*), hatchet marlin (*Tetrapturus* spp.), and white marlin (*Tetrapturus albidus*) as saltwater gamefish. This rule does not affect the designation of gamefish status, which is retained by the legislature [R.S. 56:6(25)(a)]. Vessels engaged in commercial fishing shall not possess any of these species.

E. Permits

1. Recreational

Tournament Operators—a person conducting a tournament involving scorekeeping or awards for Atlantic billfish (whether or not retained), must register with the National Marine Fisheries Service.

2. Commercial—Swordfish

a. The owner of a vessel of the United States or a vessel that fishes for or possesses swordfish, or takes swordfish as incidental catch, regardless of whether retained, must possess a valid commercial permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for Atlantic Swordfish. This permit must be aboard the vessel and available for inspection by agents of the Department of Wildlife and Fisheries Enforcement Division. The captain of the vessel is also responsible to ensure the validity and possession of the permit aboard the vessel before retaining, possessing, selling or attempting to sell swordfish.

b. A wholesale/retail dealer who first receives swordfish must have been issued a valid dealer permit under the Federal Fishery Management Plan for Atlantic Swordfish. This dealer permit must be in possession of the wholesale/retail dealer and available for inspection by agents of the Department of Wildlife and Fisheries Enforcement Division.

F. All persons fishing for swordfish, or persons receiving any swordfish from fishermen, who do not possess a permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for Atlantic Swordfish shall not sell, barter, trade, exchange or attempt to sell, barter, trade or exchange any swordfish, or possess any swordfish in excess of a recreational creel limit.

G. No person aboard any vessel shall transfer or cause the transfer of swordfish between vessels on state or federal waters.

H. No person shall purchase, sell, exchange, barter or attempt to purchase, sell, exchange, or barter any swordfish in excess of any possession limit for which a commercial permit was issued.

I. Seasonal Closures. The secretary of the Department of Wildlife and Fisheries is hereby authorized to close any recreational or commercial fishery for marlins or swordfish, within and without Louisiana's territorial waters, when the secretary is notified by the National Marine Fisheries

Service that the seasonal quota for that species and fishery has been met. The closure order shall close the fishery until the date projected for the reopening of that fishery in the adjacent federal waters. The secretary is also hereby authorized to modify any such closure order to maintain consistency with reopening dates in the adjacent federal waters, should the federal closure dates be modified.

J. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15, for billfishes (*Istiophoridae spp.*) while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange billfishes within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15 law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:326.1, R.S. 56:326.3 and R.S. 56:320.2(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:542 (March 1999), amended LR 26:1676 (August 2000), LR 27:2266 (December 2001).

§357. Sharks and Sawfishes—Harvest Regulations

A. The following rules and regulations are established for the taking and possession of sharks (including sawfishes) (class *Elasmobranchiomorphi*: orders *Hexanchiformes, Lamniformes, Squaliformes, and Rajiformes*) from within or without Louisiana waters. The provisions of this Section shall not apply to shrimp or menhaden harvest, and nothing contained herein is intended or shall be construed to repeal, amend, or otherwise modify the provisions of law applicable to shrimp or menhaden fishing, except for provisions:

1. outlawing finning of shark;

2. requiring a commercial state shark permit for sale, barter, trade, or exchange;

3. limiting sale, barter, trade, or exchange of sharks during closed seasons;

4. limiting shark retained by non-permit holders to be only as a mixed part of the total harvest, and only retained, held, or sold, purchased, bartered, traded, or exchanged as such; and

5. outlawing transfer of sharks between vessels at sea.

B. For management purposes, sharks are divided into the following categories:

1. small coastal sharks—bonnethead shark, Atlantic sharpnose shark, blacknose shark, finetooth shark;

2. large coastal sharks—great hammerhead, scalloped hammerhead, smooth hammerhead, nurse shark, blacktip shark, bull shark, lemon shark, sandbar shark, silky shark, spinner shark, tiger shark;

3. pelagic sharks—porbeagle shark, shortfin mako, blue shark, oceanic whitetip shark, thresher shark;

4. prohibited species—basking shark, white shark, bigeye sand tiger, sand tiger, whale shark, smalltooth sawfish, largetooth sawfish, Atlantic angel shark, Caribbean sharpnose shark, smalltail shark, bignose shark, Caribbean reef shark, dusky shark, Galapagos shark, narrowtooth shark, night shark, bigeye sixgill shark, bigeye thresher shark, longfin mako, sevengill shark, sixgill shark.

C. In addition to all other licenses and permits required by law, a valid original commercial state shark permit shall be annually required for persons commercially taking shark from Louisiana waters and for persons selling, exchanging, or bartering sharks as required by law; the valid original permit shall be in immediate possession of the permittee while engaged in fishing for, possessing, selling, bartering, trading, or exchanging shark.

D. No person shall purchase, sell, exchange, barter or attempt to purchase, sell, exchange, or barter any sharks in excess of any possession limit for which a state or federal commercial permit was issued.

E.1. All persons who do not possess a commercial state shark permit issued by the Department of Wildlife and Fisheries, and, if applicable, a federal commercial directed or incidental limited shark permit or federal shark research permit issued by the National Marine Fisheries Service, are limited to a recreational possession limit. All persons who do not possess a Louisiana commercial state shark permit and, if applicable, a federal commercial directed or incidental limited shark permit or federal shark research permit issued by the National Marine Fisheries Service under the federal fishery management plan for Atlantic sharks, shall not sell, barter, trade, exchange or attempt to sell, barter, trade or exchange any sharks, or possess any sharks in excess of a recreational possession limit. Sharks taken incidental to menhaden fishing, that are retained on the vessel as part of the harvest, may be retained and sold only as a mixed part of the total harvest, and shall not be retained, held, or sold, purchased, bartered, traded, or exchanged separately. Sharks retained as a result of menhaden fishing shall not exceed legal bycatch allowances for menhaden fishing as provided for in R.S. 56:324.

2. Legally licensed Louisiana wholesale/retail seafood dealers, retail seafood dealers, restaurants, and retail grocers are not required to hold a commercial state shark permit in order to purchase, possess, exchange, barter and sell any quantities of sharks, so long as they maintain records as required by R.S. 56:306.5 and R.S. 56:306.6.

F. Sharks taken under a recreational bag limit shall not be sold, purchased, exchanged, traded, bartered, or attempted to be sold, purchased, exchanged, traded, or bartered. A person subject to a bag limit shall not possess at any time, regardless of the number of trips or the duration of a trip, any shark in excess of the recreational bag limits or less than minimum size limits as follows.

1. All sharks taken under a recreational bag limit within or without Louisiana waters must be at least 54

inches fork length, except that the minimum size limit does not apply for Atlantic sharpnose or bonnethead sharks. Male shortfin mako sharks must be at least 71 inches fork length and female shortfin mako sharks must be at least 83 inches fork length. No sandbar or silky shark may be retained under a recreational bag limit.

2. Owners/operators of vessels other than those taking sharks in compliance with a state or federal commercial permit are restricted to no more than one shark from either the large coastal, small coastal or pelagic group per vessel per trip within or without Louisiana waters, subject to the size limits described in LAC 76:VII.357.F.1, and, in addition, no person shall possess more than one Atlantic sharpnose shark and one bonnethead shark per person per trip within or without Louisiana waters, regardless of the length of a trip. No sandbar or silky shark may be retained by persons fishing under these limits.

3. All owners/operators of vessels recreationally fishing for and/or retaining regulated Atlantic highly migratory species (Atlantic tunas, sharks, swordfish and billfish) in or from the EEZ must obtain and possess a federal Atlantic highly migratory species angling permit.

G. Those persons possessing a federal commercial directed or incidental limited access shark permit or federal shark research permit issued by the National Marine Fisheries Service under the federal fishery management plan for Atlantic sharks are limited to daily take, trip and possession limits as specified in that federal permit. Regardless of where fishing, a person aboard a vessel for which a federal shark permit has been issued shall not retain, possess, barter, trade, or exchange shark of any species group for which the commercial quota has been reached and the season closed in federal waters.

H.1. A vessel that has been issued or possesses a federal commercial directed or incidental limited access shark permit or federal shark research permit issued by the National Marine Fisheries Service under the Federal Fishery Management Plan for Atlantic Sharks shall not possess on any trip, or land from any trip, or sell, barter, trade, or exchange large coastal species in excess of the designated trip limits, as established under the Atlantic Highly Migratory Species Plan and published in the *Federal Register*, regardless of where taken. Vessels that have been issued or that possess a federal commercial directed or incidental limited access shark permit or federal shark research permit may only possess, sell, barter, trade, or exchange one limit per vessel per day, where that limit is identified for that permit by NMFS. No person shall purchase, barter, trade, or exchange shark in excess of the designated trip limits or from any person who does not possess a commercial state shark permit or federal commercial directed or incidental limited access permit or federal shark research permit, if applicable.

2. Persons possessing a commercial state shark permit but no federal shark permit shall not possess on any one day, or on any trip, or land from any trip, or sell, barter, trade, or exchange in excess 45 sharks from the large coastal species group, taken from Louisiana state waters. Persons possessing a commercial state shark permit shall not possess any sandbar sharks unless they also have in their name and in possession a valid federal shark research permit under 50 CFR 635.32(1). If the department is notified that the National Marine Fisheries Service has made an in-season adjustment to the daily federal possession limit, the secretary of the department is authorized to adjust the daily possession limit of sharks from the large coastal species group. Such an adjustment of the daily possession limit shall not exceed 55 sharks from the large coastal species group.

3. Wholesale/retail seafood dealers who receive, purchase, trade for, or barter for Atlantic sharks, taken from the EEZ, from a fishing vessel must possess a valid federal dealer permit.

I. A person aboard a vessel for which a federal commercial directed or incidental limited access shark permit or federal shark research permit has been issued, or persons aboard a vessel fishing for or possessing shark in the EEZ shall comply with all applicable federal regulations.

J. Fins

1. The practice of "finning," that is, removing only the fins and returning the remainder of the shark to the sea, is prohibited within and without Louisiana waters.

2. All sharks possessed by a recreational fisherman shall be maintained with head and fins intact and shall not be skinned until set or put on shore.

3. Dealers purchasing sharks from state or federal waters must report the landings by species, and must specify the total shark fin numbers, values and weights separately from the weights, values and numbers of the shark carcasses. If a harvester retains the fins after offloading from the fishing vessel, the harvester must also be licensed as a wholesale/retail dealer, and must complete and file a trip ticket that includes the numbers and weights of fins retained immediately after being offloaded from the fishing vessel. Later transactions of fins must have documentation referring to the original trip ticket number for those fins. Such numbers and weights must be recorded on dealer records in compliance with R.S. 56:306.5 and R.S. 56:306.6.

4. Shark fins shall not be possessed aboard a fishing vessel unless naturally attached to the original shark carcass by at least some portion of uncut skin.

5. All sharks possessed aboard a commercial fishing vessel shall have fins including the tail intact and naturally attached to the shark carcass by at least some portion of uncut skin.

6. It is illegal to replace sharks that are onboard a fishing vessel for retention with sharks of higher quality or size that are caught later in a particular trip.

K. Prohibited Species

1. No person shall take, possess, purchase, sell, barter, exchange or attempt to possess, purchase, sell, barter, or exchange any of the following species or parts thereof:

a. basking shark—*Cetorhinus maximus*;

b. white shark—*Carcharodon carcharias*;

c. bigeye sand tiger—*Odontaspis noronhai*;

d. sand tiger—*Odontaspis taurus;*

e. whale shark—*Rhincodon typus*;

f. smalltooth sawfish—*Pristis pectinata*;

g. largetooth sawfish—*Pristis pristis*;

h. Atlantic angel shark—*Squatina dumerili*;

i. Caribbean sharpnose shark—*Rhizoprionodon porosus*;

j. smalltail shark—*Carcharhinus porosus*;

k. bignose shark—*Carcharhinus altimus*;

l. Caribbean reef shark—*Carcharhinus perezi*;

m. dusky shark—*Carcharhinus obscurus;*

n. Galapagos shark—*Carcharhinus galapagensis*;

o. narrowtooth shark—*Carcharhinus brachyurus;*

p. night shark—*Carcharhinus signatus;*

q. bigeye sixgill shark—*Hexanchus vitulus*;

r. bigeye thresher shark—*Alopias superciliosus*;

s. longfin mako shark—*Isurus paucus*;

t. sevengill shark—*Heptranchias perlo*;

u. sixgill shark—*Hexanchus griseus*.

2. Notwithstanding other provisions of this Part, a person may fish for, but not retain, white sharks (*Carcharodon carcharias*) with rod and reel only under a catch and release program, provided the person releases and returns such fish to the sea immediately with a minimum of injury.

3. Notwithstanding other provisions of this Part, smalltooth sawfish or largetooth sawfish may be possessed as authorized by a special scientific and educational collecting permit issued by the department under R.S. 56:318, including whatever conditions that the department may deem necessary to ensure the maintenance and protection of the species. Nothing herein shall prohibit the possession of smalltooth sawfish or largetooth sawfish, or parts thereof, that were possessed prior to the effective date of this rule.

L. No person aboard any vessel shall transfer or cause the transfer of sharks between vessels on state or federal waters. Standard menhaden harvesting activities do not constitute transfer of sharks between vessels at sea.

M. Seasonal Closures

1. All Louisiana state waters out to the seaward boundary of the Louisiana territorial sea shall be closed to the recreational and commercial harvest of all sharks between April 1 and June 30 of each year. A holder of a federal commercial directed or incidental limited access shark permit or federal shark research permit may legally harvest sharks from federal waters beyond the Louisiana territorial sea and bring those sharks into Louisiana waters for sale within the provisions of that federal shark permit. Effective with this closure, no person shall commercially harvest, purchase, barter, trade, sell or attempt to purchase, barter, trade or sell sharks from the closed area. Effective with the closure, no person shall retain or possess any sharks in the closed area. Sharks taken incidental to shrimp or menhaden fishing in the closed area, that are retained on the vessel as part of the harvest, may be retained only as a mixed part of the total harvest, and shall not be retained, held, purchased, bartered, traded, exchanged, sold or attempted to be purchased, bartered, traded, exchanged or sold.

2. The secretary of the Department of Wildlife and Fisheries is hereby authorized to close any recreational or commercial fishery for sharks, within and without Louisiana's territorial waters, when the secretary is notified by the National Marine Fisheries Service that the seasonal quota for that species group and fishery has been met. The closure order shall close the fishery until the date projected for the reopening of that fishery in the adjacent federal waters. The secretary is also hereby authorized to modify any such closure order to maintain consistency with re-opening dates in the adjacent federal waters, should the federal closure dates be modified.

N. The fishing year for shark shall begin on January 1, 1998 and every January 1 thereafter.

O. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15, for sharks and sawfishes while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange sharks and sawfishes within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15 law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10), R.S. 56:326(E)(2), R.S. 56:326.1, R.S. 56:326.3, R.S. 56:320.2(C), and R.S. 325.2(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:543 (March 1999), amended LR 27:2267 (December 2001), LR 30:1507 (July 2004), LR 35:705 (April 2009), LR 39:1062 (April 2013), LR 43:1188 (June 2017), LR 46:50 (January 2020).

§359. Prohibited Fish Species, Permit for Scientific or Educational Purposes

A. The secretary of the department may issue permits to any person to possess, sell, or transport any fish into Louisiana for scientific or educational purposes, including species whose possession, sale, or transport is otherwise prohibited by commission rule. A copy of federal exempted

fish permit must be submitted with the prohibited fish species (PFS) application. The department PFS permit must be on display with the permitted fish at all times. This permit is non-transferable. The permit does not exempt holder from any federal regulations and may be revoked at any time if abused.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:319.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 26:1676 (August 2000).

§361. Tuna—Harvest Regulations

A. Bag and Possession limits, Recreational

Species	Bag and Possession Limit
1. Yellowfin Tuna	3 fish per person
2. Bluefin Tuna	1 fish per vessel per year as incidental catch during open seasons.

B. Size Limits, Recreational and Commercial

Species	Minimum Size Limit
1. Yellowfin Tuna	27 inches curved fork length (CFL)
2. Bigeye Tuna	27 inches curved fork length (CFL)
3. Bluefin Tuna*	73 inches curved fork length (CFL)

*The size class of a bluefin tuna found with the head removed shall be determined using pectoral fin curved fork length (PFCFL) multiplied by a conversion factor of 1.35.

NOTE:

Curved Fork Length (CFL)—the length of a fish measured from the tip of the upper jaw to the fork of the tail along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel.

Pectoral Fin Curved Fork Length (PFCFL)—the length of a beheaded fish from the dorsal insertion of the pectoral fin to the fork of the tail measured along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel.

C. No person shall take or have in their possession any species of tuna less than the minimum size or in excess of the take or possession limits. The possession limit on tunas applies to tuna taken within or outside Louisiana territorial waters. No person shall transfer or cause the transfer of tuna between vessels on state or federal waters.

D. Permits

1. Recreational. Persons aboard a vessel whether within or outside Louisiana territorial waters possessing any of the following tuna species. Atlantic bluefin tuna, yellowfin tuna, bigeye tuna, skipjack tuna and albacore are required to have a valid federal recreational tuna permit and a recreational offshore landing permit in their immediate possession on board the vessel.

2. Commercial. Persons harvesting the following tuna species. Atlantic bluefin tuna, yellowfin tuna, bigeye tuna, skipjack tuna and albacore whether within or outside Louisiana state territorial waters for commercial purposes or possessing such tuna species in excess of a recreational take limit are required to have a valid federal commercial tuna permit in their immediate possession on board the vessel. No person shall sell, barter, trade or exchange or attempt to sell, barter, trade or exchange any species of tuna without a valid federal commercial tuna permit. No person shall purchase, barter, trade or exchange or attempt to purchase barter, trade or exchange any species of tuna from any person who harvested tuna without a valid federal commercial tuna permit.

E. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended title 50 and 15, for tunas while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange tunas within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended title 50 and 15 law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:326.1, R.S. 56:326.3, R.S. 56:320.2(C) and R.S. 56:6(34).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 26:2834 (December 2000), amended LR 27:2269 (December 2001), LR 37:3540 (December 2011), LR 38:1419 (June 2012), LR 40:101 (January 2014).

§363. Red Drum—Harvest Regulations

A. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15, for red drum (*Sciaenops ocellata*) while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange red drum within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended Title 50 and 15 law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:320.2(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 27:2266 (December 2001).

§365. Shrimp Excise Tax

A. Shrimp Excise Tax, Shrimp Records, Shrimp Packaging

1. A shrimp excise tax shall be paid in accordance with the provisions as set forth in R.S. 56:506. Dealers shall file monthly tax reports and furnish all information required thereon on forms provided by the department. A wholesale/retail seafood dealer shall file a monthly report indicating "zero" in amount due, for each month in which such wholesale/retail seafood dealer does not import shrimp

into the state and does not purchase or acquire shrimp harvested in Louisiana directly from a harvesting vessel.

2. Wholesale/retail seafood dealers, retail seafood dealers, restaurants and retail grocers shall maintain records in accordance with R.S. 56:306.5 and 56:506. In addition to the requirements therein, wholesale/retail seafood dealers when selling or otherwise transferring shrimp shall specify on each invoice of sale or transfer required to be delivered to retail dealers, restaurants and/or retail grocers the specific country of origin of the shrimp being sold or transferred. All purchase and sales records of wholesale/retail seafood dealers, which are required to be maintained by law, shall specify the country of origin of all shrimp acquired and sold or transferred. All purchase records of retail dealers, restaurants and retail grocers which are required to be maintained by law, shall specify the country of origin of shrimp acquired or purchased. Shrimp from different countries shall be recorded separately on all records.

3. All records for shrimp, which are harvested from Louisiana waters or which are landed in Louisiana from a harvesting vessel, shall indicate such shrimp are a "Product of Louisiana" or "Louisiana Shrimp" or "Louisiana (and shrimp species)."

4. It shall be a violation of this Section for any wholesale/retail seafood dealer to purchase, barter, sell, exchange or possess any shrimp without paying all excise taxes owed on the shrimp as provided by law.

5. Wholesale/retail seafood dealers shall provide all information required on forms provided for the purpose of data collection relating to the shrimp excise tax. Such information shall include but not be limited to:

a. wholesale/retail seafood dealer license number;

b. month and year, indicating reporting month and year;

c. date of submission, date in which the dealer or authorized representative completes and submits shrimp excise report form;

d. legal name of business;

e. if purchasing or acquiring shrimp from vessels harvesting or landing in Louisiana waters, pounds of such shrimp purchased or acquired; shrimp that are landed in Louisiana by harvesting vessels are deemed to be taken in Louisiana waters;

f. if purchasing, importing, storing, brokering, or receiving shrimp domestically harvested within the United States, pounds of such shrimp purchased, imported, stored, brokered or received;

g. if purchasing, importing, storing, brokering, or receiving shrimp from a foreign country, pounds of such shrimp purchased, imported, stored, brokered or received;

h. if purchasing, importing, storing, brokering, or receiving shrimp which were taken, harvested or landed in Louisiana and excise tax has previously been paid and such shrimp are packaged, labeled and recorded to be a "Product of Louisiana" or "Louisiana Shrimp" or "Louisiana (and shrimp species)," indicate the pounds of such shrimp. No shrimp excise tax is due again on such shrimp;

i. for all shrimp reported, the shrimp excise report form shall indicate the form in which all shrimp is purchased, imported, received, brokered or stored (i.e., heads-on, headless, or peeled). Shrimp which are fully cooked, canned cooked or breaded cooked, and frozen cooked shrimp ready for immediate consumption, shall be exempt from the requirements herein;

j. all lines, columns and blocks on the shrimp excise tax report form shall be filled out in order for the form to be deemed completed;

k. signature of dealer or authorized representative, (first and last name) and date.

6. No wholesale/retail seafood dealer, retail seafood dealers, restaurants or retail grocers shall knowingly possess, package, process, sell, barter, exchange or attempt to sell, barter, trade or exchange shrimp which is represented to be a product of the United States or a product of Louisiana unless such shrimp is actually a product of the United States or a product of Louisiana.

7. No wholesale/retail seafood dealer, retail seafood dealers or restaurants shall possess, package, process, sell, barter, exchange or attempt to sell, barter, trade or exchange shrimp from a foreign country which is commingled with shrimp caught in the United States or which is represented to be a product of the United States.

B. Violations of the provisions of this Section shall constitute a Class 4 violation as defined in R.S. 56:34.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:506.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 28:2571 (December 2002).

§367. Removal of Abandoned Crab Traps

A. The use of crab traps shall be prohibited for a 14-day period from 12:00 a.m. February 1, 2021 through 11:59 p.m. February 14, 2021 within portions of Plaquemines and St. Bernard Parishes as described below:

1. from a point originating along the eastern shoreline of the Mississippi River at 29 degrees 46 minutes 30.00 seconds north latitude, 90 degrees 01 minutes 03.51 seconds west longitude; thence easterly along 29 degrees 46 minutes 30.00 seconds north latitude to its intersection with the eastern bank of Bayou Terre Aux Boeufs at 29 degrees 46 minutes 30.00 seconds north latitude, 89 degrees 46 minutes 58.76 seconds west longitude; thence southerly along the eastern bank of Bayou Terre Aux Boeufs to 29 degrees 41 minutes 15.19 seconds north latitude, 89 degrees 38 minutes 00.00 seconds west longitude; thence southerly along 89 degrees 38 minutes 00.00 seconds west longitude to 29 degrees 34 minutes 12.00 seconds north latitude, 89 degrees 38 minutes 00.00 seconds west longitude; thence westerly along 29 degrees 34 minutes 12.00 seconds north latitude to 29 degrees 34 minutes 12.00 seconds north latitude, 89

degrees 42 minutes 36.00 seconds west longitude; thence southerly along 89 degrees 42 minutes 36.00 seconds west longitude to its intersection with the eastern bank of the Mississippi River at 29 degrees 30 minutes 51.57 seconds north latitude, 89 degrees 42 minutes 36.24 seconds west longitude; thence northerly along the eastern bank of the Mississippi River to its point of origin.

B. The use of crab traps shall be prohibited for a 14-day period from 12:00 a.m. February 1, 2021 through 11:59 p.m. February 14, 2021 within portions of Lafourche and Terrebonne Parishes as described below:

1. from a point originating on the eastern shore of Bayou Lafourche at 29 degrees 26 minutes 09.67 seconds north latitude, 90 degrees 17 minutes 52.32 seconds west longitude, thence due west to the southwestern most point of the Pointe Aux Chenes Wildlife Management Area at 29 degrees 26 minutes 09.67 seconds north latitude, 90 degrees 19 minutes 32.14 seconds west longitude, thence westerly following the southern boundary of the Pointe Aux Chenes Wildlife Management Area to its intersection with the western shore of Bayou Pointe Aux Chenes (29 degrees 26 minutes 49.37 seconds north latitude, 90 degrees 27 minutes 53.44 seconds west longitude), thence southerly along the western shore of Bayou Pointe Aux Chenes to the point where Bayou Point Aux Chenes exits between Lake Raccourci and Lake Felicity (29 degrees 15 minutes 55.48 seconds north latitude, 90 degrees 23 minutes 47.39 seconds west longitude), thence easterly to a point on the eastern shoreline of Bayou Pointe Aux Chenes (29 degrees 15 minutes 55.66 seconds north latitude, 90 degrees 23 minutes 46.76 seconds west longitude), thence easterly along the shoreline to a point at 29 degrees 15 minutes 52.74 seconds north latitude, 90 degrees 23 minutes 01.97 seconds west longitude, thence due south to Timbalier-Terrebonne Bay Light #23 (29 degrees 09 minutes 37.26 seconds north latitude, 90 degrees 22 minutes 58.17 seconds west longitude), thence southeasterly following the buoy line through Havoline Canal to a point on the eastern shore of Bayou Lafourche (29 degrees 09 minutes 40.54 seconds north latitude, 90 degrees 13 minutes 57.34 seconds west longitude), thence northerly following Bayou Lafourche to its point of origin.

C. The use of crab traps shall be prohibited for a 14-day period from 12:00 a.m. February 1, 2021 through 11:59 p.m. February 14, 2021 within portions of Iberia and St. Mary Parishes as described below:

1. from a point originating at Point Marone (29 degrees 38 minutes 03.42 seconds north latitude, 91 degrees 38 minutes 44.07 seconds west longitude), thence southwesterly to East Point on Marsh Island (29 degrees 34 minutes 06.06 seconds north latitude, 91 degrees 42 minutes 31.15 seconds west longitude), southerly along the eastern shore of Marsh Island to South Point (29 degrees 29 minutes 25.55 seconds north latitude, 91 degrees 46 minutes 07.56 seconds west longitude), thence northeasterly to Point Chevreuil (29 degrees 31 minutes 37.85 seconds north latitude, 91 degrees 32 minutes 21.91 seconds west longitude), thence northerly and westerly along the north shore of East Cote Blanche Bay to its point of origin.

D. The use of crab traps shall be prohibited for a 14-day period from 12:00 a.m. February 22, 2021 through 11:59 p.m. March 7, 2021 within portions of Plaquemines and St. Bernard Parishes as described below:

1. from a point located where Bayou La Loutre and Bayou Terre Aux Boeufs intersect at 29 degrees 50 minutes 31.70 seconds north latitude, 89 degrees 45 minutes 47.19 seconds west longitude, thence westerly to the western shore of Bayou Terre Aux Boeufs (29 degrees 50 minutes 31.57 seconds north latitude, 89 degrees 45 minutes 47.65 seconds west longitude), thence southerly following the western bank of Bayou Terre Aux Boeufs to 29 degrees 40 minutes 28.34 seconds north latitude, 89 degrees 36 minutes 18.00 seconds west longitude, thence north along 89 degrees 36 minutes 18.00 seconds west longitude to a point located in Grand Pass, between Lake Jean Louis Robin and Lake Coquille (29 degrees 43 minutes 48.00 seconds north latitude, 89 degrees 36 minutes 18.00 seconds west longitude), thence east along 29 degrees 43 minutes 48.00 seconds north latitude to its intersection with the western shore of the MRGO (29 degrees 43 minutes 48.06 seconds north latitude, 89 degrees 28 minutes 05.96 seconds west longitude), thence northwesterly along the western shore of the MRGO to its intersection with the northern shore of Bayou La Loutre, thence westerly following the northern shore of Bayou La Loutre to its point of origin.

E. All crab traps remaining in the closed area during the specified period shall be considered abandoned. Crab trap removal regulations do not provide authorization for access to private property; authorization to access private property can only be provided by individual landowners. Crab traps may be removed only between one-half hour before sunrise to one-half hour after sunset. Department of Wildlife and Fisheries personnel or its designees are authorized to remove these abandoned crab traps within the closed area. All traps removed during a closed area are to be brought to the designated disposal area. The Wildlife and Fisheries Commission authorizes the secretary of the Department of Wildlife and Fisheries to designate disposal sites and determine the final disposition of crab traps removed from the closure areas, including but not limited to disposal, buy-back, recycling, or distributed to industry members participating in the retrieval of crab traps from within a closure area.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:332(N).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 30:101 (January 2004), amended LR 31:108 (January 2005), LR 32:266 (February 2006), LR 33:113 (January 2007), LR 34:97 (January 2008), LR 36:77 (January 2010), LR 38:146 (January 2012), LR 38:3250 (December 2012), LR 40:96 (January 2014), LR 41:155 (January 2015), LR 42:70 (January 2016), amended by the Department of Wildlife and Fisheries, Office of Fisheries and the Wildlife and Fisheries Commission, LR 42:2196 (December 2016), LR 44:100 (January 2018), LR 45:78 (January 2019),

repromulgated LR 45:282 (February 2019), LR 46:1815 (December 2019), amended LR 46:1613 (November 2020).

§369. Shrimping Closed Season, Vessel Monitoring System

A. Purpose. To maximize voluntary compliance with shrimping regulations and to reduce purposeful shrimping violations by providing adequate deterrence thereby reducing recidivism.

B. Persons who are required to be monitored:

1. any person subject to a court order requiring monitoring;

2. any person having two or more convictions during the preceding five year period for harvesting shrimp during closed season.

C. Persons required to be monitored shall not be present on board any vessel harvesting or possessing shrimp, or which has any trawl, skimmer, or butterfly net on board, unless that vessel is equipped with and is using and employing an approved, fully functional and operating vessel monitoring system (VMS) as required by R.S. 56:495.1 and R.S. 56:497.1 and these regulations.

D. Required monitoring periods:

1. persons who are subject to a court order requiring that they be monitored shall be monitored and who do not have two or more convictions during the preceding five year period for harvesting shrimp during closed season for the period specified by the order of the court;

2. persons who have had two convictions during the preceding five year period for harvesting shrimp during closed season shall be monitored for a period of three years from the date of the most recent conviction;

3. persons who have had three or more convictions during the preceding five year period for harvesting shrimp during closed season shall be monitored for a period of 10 years from the date of the most recent conviction.

E. The VMS unit must be approved and certified, must be installed onboard the vessel, and must be fully operational. The department must first be notified of the installation, before a person who is required to be monitored may be present onboard the vessel. If a person who is required to be monitored is found to be on any vessel-harvesting shrimp or possessing shrimp, or possessing any trawl, skimmer, or butterfly net without an approved VMS device being on board and operating, the person who is required to be monitored shall be in violation of VMS shrimping requirements and shall be guilty of a class four violation pursuant to R.S. 56:497.1.C and R.S. 56:34. Each license issued to a person who is required to be on a VMS monitored vessel shall indicate that the licensee may only be present on a VMS monitored vessel.

F. Persons who are required to be monitored shall be responsible for the VMS Requirements as specified in LAC 76:VII.371.

G. Violation. Failure to abide by any regulation set forth regarding the use or operation of VMS, or failure to have VMS when required shall be a violation of R.S. 56:497.1.C and requirements of probation where applicable. All shrimp taken or possessed by a person in violation of these rules, and who is identified on his commercial license as required to be VMS monitored, shall be deemed illegally taken and possessed. The provisions of this Section do not exempt any person from any other laws, rules, regulation, and license requirements for this or other jurisdictions. Violations of this Section shall constitute a class 4 violation.

H. All costs and monthly fees associated with the installation, operation and monitoring of any VMS system in accordance with these rules shall be the responsibility of the person required to be monitored and shall be paid by him directly to the approved VMS supplier and monitoring facilitator.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56.495.1, and R.S. 56:497.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 32:1255 (July 2006), amended LR 34:887 (May 2008).

§370. Defining Inside and Outside Waters

A. The line of demarcation listed in Subsection B, separating inside and outside state waters, shall become effective September 1, 2018.

B. Solely for the purpose of this Subsection, the shrimping waters of the state are divided into two classes, inside and outside waters. The line of demarcation of the classes of water shall commence at the coastal boundary between Texas and Louisiana and terminate at the coastal boundary between Mississippi and Louisiana and is more particularly described as follows, to wit:

1. (1) beginning at a point on the state line between Texas and Louisiana from "Texas Point", approximately located at latitude 29 degrees 41 minutes 04.95120 seconds north, longitude 93 degrees 50 minutes 09.44039 seconds west;

2. (2) thence northeasterly approx. 2,344 feet to the southeast point of land of the Sabine Pass known as “Louisiana Point”, latitude 29 degrees 41 minutes 27.25554 seconds north, longitude 93 degrees 50 minutes 02.11628 seconds west;

3. (3) thence in an easterly direction along the shoreline to the west point of land of Calcasieu Pass, latitude 29 degrees 45 minutes 41.45070 seconds north, longitude 93 degrees 20 minutes 44.39036 seconds west;

4. (4) thence in a northerly direction along the west bank of the Calcasieu Ship Channel to a northwest point of land, latitude 29 degrees 48 minutes 06.32085 seconds north, longitude 93 degrees 20 minutes 55.34353 seconds west;

5. (5) thence southeasterly approximately 1,193 feet to a northeast point of land on the east side of Calcasieu Ship Channel, latitude 29 degrees 48 minutes 05.18206 seconds

north, longitude 93 degrees 20 minutes 41.86770 seconds west;

6. (6) thence in a southerly direction along the east bank of the Calcasieu River to the east point of land of Calcasieu Pass, latitude 29 degrees 45 minutes 43.19858 seconds north, longitude 93 degrees 20 minutes 32.62863 seconds west;

7. (7) thence in an easterly direction along the shore to the west point of land at the mouth of the Mermentau Ship Channel, latitude 29 degrees 43 minutes 46.30700 seconds north, longitude 93 degrees 00 minutes 41.06756 seconds west;

8. (8) thence easterly approximately 832 feet to the east point of land at the mouth of the Mermentau Ship Channel, latitude 29 degrees 43 minutes 46.29737 seconds north, longitude 93 degrees 00 minutes 31.63360 seconds west;

9. (9) thence in an southerly direction along the shore to the south point of land at the mouth of the Mermentau Ship Channel, latitude 29 degrees 43 minutes 25.60948 seconds north, longitude 93 degrees 00 minutes 30.26638 seconds west;

10. (10) thence in an easterly direction along the shore to a point of land on the west side of Joseph Harbor Bayou, latitude 29 degrees 38 minutes 08.37189 seconds north, longitude 92 degrees 46 minutes 03.00163 seconds west;

11. (11) thence northeasterly approximately 706 feet to a point of land on the east side of Joseph Harbor Bayou, latitude 29 degrees 38 minutes 10.47916 seconds north, longitude 92 degrees 45 minutes 55.37332 seconds west;

12. (12) thence in an easterly direction along the shore to the west point of land on Big Constance Lake, latitude 29 degrees 35 minutes 36.72869 seconds north, longitude 92 degrees 38 minutes 30.82610 seconds west;

13. (13) thence southeasterly approximately 6,026 feet to a point of land on the east side of Big Constance Lake, latitude 29 degrees 35 minutes 17.67924 seconds north, longitude 92 degrees 37 minutes 26.14821 seconds west;

14. (14) thence in an easterly direction along the shore to the west point of land on Flat Lake, latitude 29 degrees 34 minutes 49.57153 seconds north, longitude 92 degrees 34 minutes 25.11975 seconds west;

15. (15) thence southeasterly approximately 1,322 feet to the west point of land on the Island in Flat Lake, latitude 29 degrees 34 minutes 42.88204 seconds north, longitude 92 degrees 34 minutes 12.25707 seconds west;

16. (16) thence in an easterly direction along the shore to the east point of land on the Island in Flat Lake, latitude 29 degrees 34 minutes 41.14071 seconds north, longitude 92 degrees 34 minutes 06.44475 seconds west;

17. (17) thence in an easterly direction approximately 3,729 feet to the east point of land on Flat Lake, latitude 29 degrees 34 minutes 35.11035 seconds north, longitude 92 degrees 33 minutes 24.78254 seconds west;

18. (18) thence in an easterly direction along the shore to the west point of land on Rollover Bayou, latitude 29 degrees 34 minutes 26.98807 seconds north, longitude 92 degrees 32 minutes 13.49527 seconds west;

19. (19) thence easterly approximately 624 feet to the east point of land on Rollover Bayou, latitude 29 degrees 34 minutes 27.05142 seconds north, longitude 92 degrees 32 minutes 06.42546 seconds west;

20. (20) thence in a southeasterly direction along the shore to a point of land on the west side of the mouth of Freshwater Bayou Channel, latitude 29 degrees 32 minutes 06.16258 seconds north, longitude 92 degrees 18 minutes 41.19677 seconds west;

21. (21) thence easterly approximately 2,092 feet to a point of land on the east side of the mouth of Freshwater Bayou Channel, latitude 29 degrees 32 minutes 06.37004 seconds north, longitude 92 degrees 18 minutes 17.51635 seconds west;

22. (22) thence in an easterly direction along the shore to a point of land on the west side of Southwest Pass, latitude 29 degrees 35 minutes 14.28597 seconds north, longitude 92 degrees 02 minutes 29.00306 seconds west;

23. (23) thence southeasterly approximately 4,655 feet to Lighthouse Point, the east point of land of Southwest Pass, latitude 29 degrees 34 minutes 38.68472 seconds north, longitude 92 degrees 01 minute 55.52266 seconds west;

24. (24) thence in an easterly direction along the shore to a point of land on the southeast side of Marsh Island, known as “South Point”, latitude 29 degrees 29 minutes 25.41005 seconds north, longitude 91 degrees 46 minutes 06.44233 seconds west;

25. (25) thence southeasterly approximately 54,641 feet to a platform in East Cote Blanche Bay known as “Double Stacks”, latitude 29 degrees 26 minutes 53.99982 seconds north, longitude 91 degrees 36 minutes 13.00008 seconds west;

26. (26) thence southeasterly approximately 75,100 feet to the Eugene Island Lighthouse and Radio Tower, latitude 29 degrees 22 minutes 19.63544 seconds north, longitude 91 degrees 23 minutes 03.82294 seconds west;

27. (27) thence in a southeasterly direction approximately 19,990 feet to the south point of land on Little Pointe Au Fer Island, latitude 29 degrees 19 minutes 33.01214 seconds north, longitude 91 degrees 21 minutes 01.95819 seconds west;

28. (28) thence southeasterly approximately 6,928 feet to the northwest point of Point au Fer Island, latitude 29 degrees 18 minutes 33.79644 seconds north, longitude 91 degrees 20 minutes 22.47380 seconds west;

29. (29) thence in an easterly direction along the shore to a point of land on the west side of Oyster Bayou, latitude 29 degrees 13 minutes 16.94873 seconds north, longitude 91 degrees 07 minutes 54.47860 seconds west;

30. (29.1) thence northwesterly approximately 1,066 feet along the shoreline of Oyster Bayou to a point located at latitude 29 degrees 13 minutes 25.9932 seconds north, longitude 91 degrees 08 minutes 00.582 seconds west;

31. (29.2) thence northeasterly across Oyster Bayou to a point on the opposite shore located at latitude 29 degrees 13 minutes 30.5472 seconds north, longitude 91 degrees 07 minutes 52.2048 seconds west;

32. (29.3) thence southeasterly approximately 1,555 feet along the shoreline of Oyster Bayou to a point located at latitude 29 degrees 13 minutes 16.9104 seconds north, longitude 91 degrees 07 minutes 46.0848 seconds west;

33. (30) thence due south across the sand deposits to a point located at the mouth of Oyster Bayou at latitude 29 degrees 13 minutes 15.7116 seconds north, longitude 91 degrees 07 minutes 46.0848 seconds west;

34. (31) thence in a southeasterly direction along the shore to a point of land on the west side of Bayou Goreau, latitude 29 degrees 11 minutes 31.23316 seconds north, longitude 91 degrees 05 minutes 08.55272 seconds west;

35. (32) thence northeasterly approximately 197 feet to a point of land on the east side of Bayou Goreau, latitude 29 degrees 11 minutes 32.00005 seconds north, longitude 91 degrees 05 minutes 06.50709 seconds west;

36. (33) thence in a southeasterly direction along the shore to a point of land on the northwest side of Caillou Bay, at a pipeline canal, latitude 29 degrees 11 minutes 02.25687 seconds north, longitude 91 degrees 03 minutes 39.91642 seconds west;

37. (34) thence northeasterly approximately 7,563 feet to the south point of Pelican Island in Terrebonne Parish, latitude 29 degrees 11 minutes 15.46442 seconds north, longitude 91 degrees 02 minutes 15.93298 seconds west;

38. (35) thence northeasterly approximately 3,508 feet to the east point of Pelican Pass in Terrebonne Parish, latitude 29 degrees 11 minutes 17.43943 seconds north, longitude 91 degrees 01 minute 36.41672 seconds west;

39. (36) thence southeasterly approximately 3,845 feet to the west point of the mouth of Jack Stout Bayou, latitude 29 degrees 10 minutes 45.91373 seconds north, longitude 91 degrees 01 minute 12.11677 seconds west;

40. (37) thence southeasterly approximately 3,213 feet to the east point of the mouth of Jack Stout Bayou, latitude 29 degrees 10 minutes 34.77304 seconds north, longitude 91 degrees 00 minutes 38.17378 seconds west;

41. (38) thence in a southeasterly direction along the shore to a point of land on the west side of the mouth of Bayou Charbon, latitude 29 degrees 10 minutes 26.60339 seconds north, longitude 91 degrees 00 minutes 08.78997 seconds west;

42. (39) thence southeasterly approximately 603 feet to the east point of the mouth of Bayou Charbon, latitude 29 degrees 10 minutes 24.09051 seconds north, longitude 91 degrees 00 minutes 02.61837 seconds west;

43. (40) thence in an easterly direction along the shore to the west point of Little Jack Stout Bayou, latitude 29 degrees 10 minutes 30.53538 seconds north, longitude 90 degrees 59 minutes 35.80642 seconds west;

44. (41) thence northeasterly approximately 743 feet to the east point of Little Jack Stout Bayou, latitude 29 degrees 10 minutes 33.06175 seconds north, longitude 90 degrees 59 minutes 27.94047 seconds west;

45. (42) thence in an easterly direction along the shore to the west point of Grand Bayou Du Large Washout, latitude 29 degrees 10 minutes 46.71793 seconds north, longitude 90 degrees 58 minutes 06.59105 seconds west;

46. (43) thence northeasterly approximately 1,785 feet to the east point of Grand Bayou Du Large Washout, latitude 29 degrees 10 minutes 55.66835 seconds north, longitude 90 degrees 57 minutes 49.23370 seconds west;

47. (44) thence northeasterly approximately 2,998 feet to the east point of mouth of Grand Bayou Du Large, latitude 29 degrees 11 minutes 01.64086 seconds north, longitude 90 degrees 57 minutes 16.10137 seconds west;

48. (45) thence southeasterly approximately 1,136 feet to the south point of mouth of Fish Bayou, latitude 29 degrees 10 minutes 52.78854 seconds north, longitude 90 degrees 57 minutes 08.20611 seconds west;

49. (46) thence in a southerly direction along the shore to the west point of Bayou Grand Caillou, latitude 29 degrees 10 minutes 36.20213 seconds north, longitude 90 degrees 56 minutes 57.11505 seconds west;

50. (47) thence southeasterly approximately 4,432 feet to the east point of Bayou Grand Caillou, latitude 29 degrees 10 minutes 14.05594 seconds north, longitude 90 degrees 56 minutes 13.95794 seconds west;

51. (48) thence in a southeasterly direction along the shore to the north point of the mouth of Turtle Bayou, latitude 29 degrees 09 minutes 39.77048 seconds north, longitude 90 degrees 55 minutes 51.45370 seconds west;

52. (49) thence southerly approximately 765 feet to the south point of the mouth of Turtle Bayou, latitude 29 degrees 09 minutes 32.21916 seconds north, longitude 90 degrees 55 minutes 52.04575 seconds west;

53. (50) thence in a southeasterly direction along the shore to the north point of the mouth of Bayou de l'Ouest, latitude 29 degrees 08 minutes 49.13785 seconds north, longitude 90 degrees 54 minutes 50.25877 seconds west;

54. (51) thence southeasterly approximately 6,446 feet to the south point of the mouth of Bayou de l'Ouest, latitude 29 degrees 08 minutes 02.57616 seconds north, longitude 90 degrees 54 minutes 00.55764 seconds west;

55. (52) thence southeasterly approximately 5,766 feet to the west point of Pass Des Ilettes, latitude 29 degrees 07 minutes 20.21771 seconds north, longitude 90 degrees 53 minutes 16.98295 seconds west;

56. (53) thence southeasterly approximately 7,183 feet to the east point of Pass Des Ilettes, latitude 29 degrees 06 minutes 23.54239 seconds north, longitude 90 degrees 52 minutes 28.08108 seconds west;

57. (54) thence southeasterly approximately 3,538 feet to the west point of Wilson Pass, latitude 29 degrees 05 minutes 52.96424 seconds north, longitude 90 degrees 52 minutes 08.63735 seconds west;

58. (55) thence southeasterly approximately 10,190 feet to the east point of Wilson Pass, latitude 29 degrees 04 minutes 28.82542 seconds north, longitude 90 degrees 51 minutes 05.28173 seconds west;

59. (56) thence in a southeasterly direction along the shore to the north point of Caillou Boca Pass, latitude 29 degrees 03 minutes 58.53867 seconds north, longitude 90 degrees 50 minutes 08.56325 seconds west;

60. (57) thence southwesterly approximately 5,368 feet to the south point of Caillou Boca Pass, near a navigational light, latitude 29 degrees 03 minutes 08.15855 seconds north, longitude 90 degrees 50 minutes 27.81820 seconds west;

61. (58) thence in a southerly direction along the shore to a point on the southwest shore of Whiskey Island, latitude 29 degrees 02 minutes 50.74165 seconds north, longitude 90 degrees 50 minutes 33.50103 seconds west;

62. (59) thence in an easterly direction along the shore to the west point of Whiskey Pass, latitude 29 degrees 03 minutes 22.40555 seconds north, longitude 90 degrees 48 minutes 24.25731 seconds west;

63. (60) thence easterly approximately 12,891 feet to the east point of Whiskey Pass, latitude 29 degrees 03 minutes 10.14362 seconds north, longitude 90 degrees 45 minutes 59.69472 seconds west;

64. (61) thence in an easterly direction along the shore to the west point of Wine Island Pass, latitude 29 degrees 04 minutes 22.79842 seconds north, longitude 90 degrees 39 minutes 13.91593 seconds west;

65. (62) thence northeasterly approximately 16,409 feet to the most easterly point of the Wine Island rock jetties, latitude 29 degrees 05 minutes 37.99824 seconds north, longitude 90 degrees 36 minutes 30.00008 seconds west;

66. (63) thence southeasterly approximately 19,851 feet to the west point of Timbalier Island, latitude 29 degrees 05 minutes 20.37941 seconds north, longitude 90 degrees 32 minutes 47.17387 seconds west;

67. (64) thence in a southeasterly direction along the shore to the west point of Little Pass Timbalier, latitude 29 degrees 04 minutes 04.21174 seconds north, longitude 90 degrees 26 minutes 36.84970 seconds west;

68. (65) thence easterly approximately 35,929 feet to the west point of land on East Timbalier Island, latitude 29 degrees 04 minutes 02.46147 seconds north, longitude 90 degrees 19 minutes 52.00898 seconds west;

69. (66) thence in an easterly direction along the shore to the west point of "Penrod Slip", latitude 29 degrees 04 minutes 29.18578 seconds north, longitude 90 degrees 18 minutes 42.55926 seconds west;

70. (67) thence northeasterly approximately 17,926 feet to the east point of "Penrod Slip", latitude 29 degrees 05 minutes 39.09466 seconds north, longitude 90 degrees 15 minutes 36.87269 seconds west;

71. (68) thence in an easterly direction along the shore to the west point of Belle Pass, latitude 29 degrees 05 minutes 16.73856 seconds north, longitude 90 degrees 13 minutes 38.63916 seconds west;

72. (69) thence southeasterly approximately 1,388 feet to the east point of Belle Pass, latitude 29 degrees 05 minutes 10.19903 seconds north, longitude 90 degrees 13 minutes 24.88638 seconds west;

73. (70) thence in a northeasterly direction along the shore to the southwest point of Caminada Pass, latitude 29 degrees 11 minutes 34.92016 seconds north, longitude 90 degrees 02 minutes 50.94216 seconds west;

74. (71) thence in a northerly direction along the northwesterly shoreline of Caminada Pass to the intersection of an underground power line as marked by two platforms in Caminada Pass, which is the northwest point of Caminada Pass, latitude 29 degrees 12 minutes 22.50230 seconds north, longitude 90 degrees 03 minutes 02.70045 seconds west;

75. (72) thence southeasterly along the underground power line as marked by two platforms in Caminada Pass, approximately 358 feet to the West Power Line Marker of the Caminada Channel, latitude 29 degrees 12 minutes 21.20418 seconds north, longitude 90 degrees 02 minutes 58.93637 seconds west;

76. (73) thence southeasterly along the underground power line as marked by two platforms in Caminada Pass, approximately 1,478 feet to the East Power Line Marker of the Caminada Channel, latitude 29 degrees 12 minutes 15.85401 seconds north, longitude 90 degrees 02 minutes 43.41687 seconds west;

77. (74) thence southeasterly approximately 781 feet to the northeast point of Caminada Pass on the northwesterly shoreline of Grand Isle, latitude 29 degrees 12 minutes 12.25221 seconds north, longitude 90 degrees 02 minutes 35.65270 seconds west;

78. (75) thence in a southerly direction along the shore to the southeast point of Caminada Pass, latitude 29 degrees 11 minutes 55.73980 seconds north, longitude 90 degrees 02 minutes 28.00430 seconds west;

79. (76) thence in a northeasterly direction along the south shoreline of Grand Isle to the most northerly point of Grand Isle, the west point of Barataria Pass, latitude 29 degrees 16 minutes 10.92696 seconds north, longitude 89 degrees 57 minutes 17.70348 seconds west;

80. (77) thence northeasterly approximately 1,098 feet to the navigation marker known as the "Green Turn Buoy" in Barataria Pass, latitude 29 degrees 16 minutes 20.98086 seconds north, longitude 89 degrees 57 minutes 12.98009 seconds west;

81. (78) thence easterly approximately 2,411 feet to the east point of Barataria Pass, at Fort Livingston ruins, latitude 29 degrees 16 minutes 21.17236 seconds north, longitude 89 degrees 56 minutes 45.75555 seconds west;

82. (79) thence in a northeasterly direction along the south shoreline of Grand Terre Island to a point of land most northerly, the west point of Pass Abel, latitude 29 degrees 17 minutes 50.66661 seconds north, longitude 89 degrees 54 minutes 30.79631 seconds west;

83. (80) thence northeasterly approximately 6,861 feet to the east point of Pass Abel, latitude 29 degrees 18 minutes 28.77024 seconds north, longitude 89 degrees 53 minutes 26.65497 seconds west;

84. (81) thence in an easterly direction along the shore to the west point of Quatre Bayou Pass, latitude 29 degrees 18 minutes 47.29679 seconds north, longitude 89 degrees 51 minutes 41.26373 seconds west;

85. (82) thence northeasterly approximately 6,697 feet to the east point of Quatre Bayou Pass, latitude 29 degrees 19 minutes 13.89235 seconds north, longitude 89 degrees 50 minutes 31.97201 seconds west;

86. (83) thence in a northeasterly direction along the shore to the west point of the washout below Bay Long, latitude 29 degrees 19 minutes 32.29984 seconds north, longitude 89 degrees 49 minutes 34.23242 seconds west;

87. (84) thence southeasterly approximately 4,682 feet to the east point of the washout below Bay Long, latitude 29 degrees 19 minutes 03.24021 seconds north, longitude 89 degrees 48 minutes 53.02463 seconds west;

88. (85) thence in an easterly direction along the shore to the west point of the washout below Shell Island Bay, latitude 29 degrees 17 minutes 57.91497 seconds north, longitude 89 degrees 39 minutes 37.87864 seconds west;

89. (86) thence southeasterly approximately 11,734 feet to the east point of the washout below Shell Island Bay, latitude 29 degrees 16 minutes 53.15017 seconds north, longitude 89 degrees 37 minutes 47.86759 seconds west;

90. (87) thence in a southeasterly direction along the shore to the southeast point of Lanaux Island, latitude 29 degrees 15 minutes 55.96639 seconds north, longitude 89 degrees 36 minutes 28.97569 seconds west;

91. (88) thence southeasterly approximately 3,044 feet to the northwest point of Pelican Island, in Plaquemines Parish, latitude 29 degrees 15 minutes 28.50701 seconds north, longitude 89 degrees 36 minutes 14.82716 seconds west;

92. (89) thence in a southwesterly direction along the shore to the southwest point of Pelican Island, in Plaquemines Parish, latitude 29 degrees 15 minutes 14.14710 seconds north, longitude 89 degrees 36 minutes 24.53604 seconds west;

93. (90) thence in an easterly direction along the shore to the west point of the pass of Scofield Bayou, latitude 29 degrees 14 minutes 55.60396 seconds north, longitude 89 degrees 33 minutes 56.70645 seconds west;

94. (91) thence east approximately 435 feet to the east point of the pass of Scofield Bayou, latitude 29 degrees 14 minutes 55.53846 seconds north, longitude 89 degrees 33 minutes 51.79374 seconds west;

95. (92) thence in a southeasterly direction along the shore to the west point of the washout below Bay Coquette, latitude 29 degrees 14 minutes 05.57842 seconds north, longitude 89 degrees 31 minutes 01.38761 seconds west;

96. (93) thence southeasterly approximately 12,157 feet to the south point of the Sandy Point Island, latitude 29 degrees 13 minutes 06.36125 seconds north, longitude 89 degrees 29 minutes 01.94537 seconds west;

97. (94) thence southeasterly approximately 5,134 feet to the north point of Red Pass, latitude 29 degrees 12 minutes 43.23994 seconds north, longitude 89 degrees 28 minutes 10.35788 seconds west;

98. (95) thence south approximately 954 feet to the south point of Red Pass, latitude 29 degrees 12 minutes 33.80160 seconds north, longitude 89 degrees 28 minutes 10.69614 seconds west;

99. (96) thence in a southeasterly direction along the shore to the southwest point of land south of Red Pass, latitude 29 degrees 12 minutes 29.20037 seconds north, longitude 89 degrees 28 minutes 07.76965 seconds west;

100. (97) thence approximately 37,800 feet in a southeasterly direction to the radio tower located at latitude 29 degrees 07 minutes 55 seconds north, longitude 89 degrees 23 minutes 18 seconds west;

101. (98) thence approximately 21,300 feet in a southeasterly direction to a manifold platform in the east side of Grand Pass at latitude 29 degrees 05 minutes 28 seconds north, longitude 89 degrees 20 minutes 26 seconds west;

102. (99) thence approximately 12,981 feet south to the southwestern point on southern shore of Scott Bay, latitude 29 degrees 03 minutes 19.55590 seconds north, longitude 89 degrees 20 minutes 20.91769 seconds west;

103. (100) thence in a southeasterly direction along the shore to the northwestern point of the mouth of Outlet W-2, latitude 29 degrees 02 minutes 35.29280 seconds north, longitude 89 degrees 21 minutes 08.95367 seconds west;

104. (101) thence approximately 21,926 feet in a southwesterly direction to latitude 28 degrees 59 minutes 20.865 seconds north, longitude 89 degrees 22 minutes 59.314 seconds west;

105. (102) thence approximately 45,797 feet in a southwesterly direction to a point on the west bank of

Southwest Pass, latitude 28 degrees 55 minutes 50 seconds north, longitude 89 degrees 25 minutes 00 seconds west;

106. (103) thence approximately 3,631 feet in a southeasterly direction to a point on the east jetty of Southwest Pass, latitude 28 degrees 55 minutes 40.90119 seconds north, longitude 89 degrees 24 minutes 20.47101 seconds west;

107. (104) thence northeasterly approximately 19,313 feet to the south point of Burrwood Bayou, latitude 28 degrees 57 minutes 56.42504 seconds north, longitude 89 degrees 21 minutes 47.16227 seconds west;

108. (105) thence northeasterly approximately 33,352 feet to a point on the western shore of East Bay, latitude 29 degrees 02 minutes 11.57932 seconds north, longitude 89 degrees 17 minutes 48.81506 seconds west;

109. (106) thence northeasterly approximately 4,862 feet to Cockler Point on the western shore of East Bay, latitude 29 degrees 02 minutes 52.70522 seconds north, longitude 89 degrees 17 minutes 20.35614 seconds west;

110. (107) thence northeasterly approximately 10,163 feet to the mouth of Joseph Bayou, latitude 29 degrees 03 minutes 36 seconds north, longitude 89 degrees 15 minutes 37 seconds west;

111. (108) thence east approximately 14,733 feet to a point of land on the west bank of South Pass in Whale Bay, latitude 29 degrees 03 minutes 36 seconds north, longitude 89 degrees 12 minutes 51 seconds west;

112. (109) thence in a southeasterly direction to the southeast point of the eastern shore of East Bay, latitude 28 degrees 59 minutes 42.10926 seconds north, longitude 89 degrees 09 minutes 19.74294 seconds west;

113. (110) thence easterly approximately 1,152 feet to the south point of the west levee of South Pass, latitude 28 degrees 59 minutes 43.04560 seconds north, longitude 89 degrees 09 minutes 06.81181 seconds west;

114. (111) thence in a northeasterly direction along the shore to the west point of South Pass, latitude 28 degrees 59 minutes 56.51565 seconds north, longitude 89 degrees 08 minutes 53.80725 seconds west;

115. (112) thence northwesterly approximately 2,299 feet to the south point of the east barrier island of South Pass, latitude 29 degrees 00 minutes 17.79651 seconds north, longitude 89 degrees 09 minutes 02.97217 seconds west;

116. (113) thence in a northeasterly direction along the shore to a point on the south side of the east outlet of South Pass, latitude 29 degrees 00 minutes 34.18822 seconds north, longitude 89 degrees 09 minutes 05.18348 seconds west;

117. (114) thence northerly approximately 900 feet to the east point of the east levee of South Pass, latitude 29 degrees 00 minutes 43.09785 seconds north, longitude 89 degrees 09 minutes 05.00480 seconds west;

118. (115) thence northwesterly approximately 14,882 feet to the southeastern point of an island southeast of the mouth of Dennis Pass, latitude 29 degrees 03 minutes 09.64678 seconds north, longitude 89 degrees 09 minutes 22.20009 seconds west;

119. (115.1) thence northeasterly approximately 13,189 feet to mouth of Johnson Pass, latitude 29 degrees 04 minutes 51.333 seconds north, longitude 89 degrees 07 minutes 48.981 seconds west;

120. (115.2) thence northeasterly approximately 5,530 feet to the northern bank of Cognevich Pass, latitude 29 degrees 05 minutes 42.9432 seconds north, longitude 89 degrees 07 minutes 28.2036 seconds west;

121. (115.3) thence northeasterly approximately 7,345 feet to the eastern shore of the island located between North Shore Bay and Redfish Bay at latitude 29 degrees 06 minutes 47.3508 seconds north, longitude 89 degrees 06 minutes 49.77 seconds west;

122. (115.4) thence easterly approximately 8,755 feet to the western bank of Southeast Pass seaward side in Redfish Bay, latitude 29 degrees 06 minutes 41.562 seconds north, longitude 89 degrees 05 minutes 11.292 seconds west;

123. (116) thence southeasterly approximately 6,621 feet to the southwest point of the west levee of Southeast Pass, latitude 29 degrees 05 minutes 50.61189 seconds north, longitude 89 degrees 04 minutes 24.33261 seconds west;

124. (117) thence in a northeasterly direction along the shore to the west point of Southeast Pass, latitude 29 degrees 06 minutes 06.60266 seconds north, longitude 89 degrees 04 minutes 07.22646 seconds west;

125. (118) thence northeasterly approximately 535 feet to the east point of Southeast Pass, latitude 29 degrees 06 minutes 09.42871 seconds north, longitude 89 degrees 04 minutes 02.12414 seconds west;

126. (119) thence in a northeasterly direction along the shore to the east point of the south levee of Micale Bayou, latitude 29 degrees 06 minutes 21.10356 seconds north, longitude 89 degrees 03 minutes 46.47144 seconds west;

127. (120) thence northeasterly approximately 417 feet to the east point of the north levee of Micale Bayou, latitude 29 degrees 06 minutes 23.71630 seconds north, longitude 89 degrees 03 minutes 42.83758 seconds west;

128. (121) thence in a northeasterly direction along the shore to the eastern-most point of land between the Southeast Pass and Northeast Pass, latitude 29 degrees 07 minutes 05.75774 seconds north, longitude 89 degrees 03 minutes 17.81742 seconds west;

129. (121.1) thence northwesterly approximately 2,731 feet to the North bank of Northeast Pass, latitude 29 degrees 07 minutes 31.2708 seconds north, longitude 89 degrees 03 minutes 28.0008 seconds west;

130. (121.2) thence northwesterly approximately 17,591 feet to the mouth of the Bayou just north of the Pipeline Canal that cuts through Jackass Bay to a point on the east

side of the island located at latitude 29 degrees 08 minutes 43.2276 seconds north, longitude 89 degrees 06 minutes 28.6272 seconds west;

131.(121.3) thence northeasterly approximately 9,262 feet to the southern bank of Jackson Bayou located at latitude 29 degrees 09 minutes 56.934 seconds north, longitude 89 degrees 05 minutes 26.4948 seconds west;

132.(121.4) thence northeasterly approximately 9,034 feet to the southern bank of the island located at the mouth of Straight Bayou at latitude 29 degrees 10 minutes 30.8424 seconds north, longitude 89 degrees 03 minutes 52.2036 seconds west;

133.(122) thence northeasterly approximately 14,852 feet to the east point of the south levee of North Pass, latitude 29 degrees 12 minutes 13.91839 seconds north, longitude 89 degrees 01 minute 52.71454 seconds west;

134.(123) thence northwesterly approximately 1,721 feet to the east point of the north levee of North Pass, latitude 29 degrees 12 minutes 30.51489 seconds north, longitude 89 degrees 01 minute 57.09847 seconds west;

135.(124) thence in a northwesterly direction along the shore to the north point of the north levee of North Pass, latitude 29 degrees 12 minutes 35.55832 seconds north, longitude 89 degrees 02 minutes 00.61988 seconds west;

136.(125) thence southwesterly approximately 24,349 feet to the northeast point of land in Customhouse Bay, latitude 29 degrees 11 minutes 45.47006 seconds north, longitude 89 degrees 06 minutes 29.35285 seconds west;

137.(125.1) thence northwesterly approximately 11,715 feet to a point located in Bucket Bend at latitude 29 degrees 13 minutes 09.1848 seconds north, longitude 89 degrees 08 minutes 00.8448 seconds west;

138.(125.2) thence northwesterly approximately 6,283 feet to a point located in the southern part of Dead Women Bend near the exit location of Twentyseven Pass at latitude 29 degrees 13 minutes 41.0736 seconds north, longitude 89 degrees 09 minutes 01.728 seconds west;

139.(125.3) thence northeasterly approximately 9,300 feet to a point located at the southern bank of Dead Woman Pass at latitude 29 degrees 14 minutes 46.2984 seconds north, longitude 89 degrees 07 minutes 47.6472 seconds west;

140.(126) thence northwesterly approximately 752 feet to the north bank of Dead Woman Pass, latitude 29 degrees 14 minutes 53.7252 seconds north, longitude 89 degrees 07 minutes 48.2736 seconds west;

141.(127) thence northwesterly approximately 13,460 feet to the northeast point of Timber Island by Bienvenue Pass, latitude 29 degrees 17 minutes 02.66053 seconds north, longitude 89 degrees 08 minutes 26.62523 seconds west;

142.(128) thence northwesterly approximately 24,047 feet to the northeast point of the island in the mouth of Main Pass, latitude 29 degrees 20 minutes 15.94786 seconds north, longitude 89 degrees 11 minutes 05.17729 seconds west;

143.(129) thence northwesterly approximately 5,018 feet to the north point of the west levee of Main Pass, latitude 29 degrees 20 minutes 29.98190 seconds north, longitude 89 degrees 11 minutes 59.55914 seconds west;

144.(129.1) thence southwesterly approximately 6,155 feet to a point located just seaward from Octave Pass North at latitude 29 degrees 19 minutes 50.9988 seconds north, longitude 89 degrees 12 minutes 52.9992 seconds west;

145.(129.2) thence southwesterly approximately 10,461 feet to a point located between Bernies Pass and Battery Bayou at latitude 29 degrees 18 minutes 18 seconds north, longitude 89 degrees 13 minutes 45.0012 seconds west;

146.(130) thence northwesterly approximately 4,285 feet to the north point of the east levee of East Fork, latitude 29 degrees 18 minutes 38.94519 seconds north, longitude 89 degrees 14 minutes 27.08895 seconds west;

147.(131) thence northwesterly approximately 11,244 feet to the northeast point of the east levee of the east outlet of Emeline Pass, latitude 29 degrees 20 minutes 16.49226 seconds north, longitude 89 degrees 15 minutes 28.27037 seconds west;

148.(132) thence northwesterly approximately 5,141 feet to the northeast point of the east levee of Emeline Pass, latitude 29 degrees 20 minutes 58.88195 seconds north, longitude 89 degrees 16 minutes 00.41227 seconds west;

149.(133) thence northwesterly approximately 9,960 feet to the southeastern point on the eastern shore of the Main Pass east levee, latitude 29 degrees 21 minutes 57.19326 seconds north, longitude 89 degrees 17 minutes 31.17691 seconds west;

150.(134) thence northerly approximately 10,939 feet to an east point on the eastern shore of the Main Pass east levee, latitude 29 degrees 23 minutes 44.78937 seconds north, longitude 89 degrees 17 minutes 45.23755 seconds west;

151.(135) thence northeasterly approximately 4,585 feet to the northeastern point on the eastern shore of the Main Pass east levee, latitude 29 degrees 24 minutes 25.32960 seconds north, longitude 89 degrees 17 minutes 21.93072 seconds west;

152.(136) thence northeasterly approximately 39,510 feet to the south point of Breton Island, latitude 29 degrees 28 minutes 11.81256 seconds north, longitude 89 degrees 11 minutes 17.62330 seconds west;

153.(137) thence in a northeasterly direction along the shore to the north point of Breton Island, latitude 29 degrees 29 minutes 49.50414 seconds north, longitude 89 degrees 10 minutes 30.33595 seconds west;

154.(138) thence northeasterly approximately 27,234 feet to the south point of the south island of the Gosier Islands, latitude 29 degrees 31 minutes 24.79774 seconds

north, longitude 89 degrees 05 minutes 42.00863 seconds west;

155.(139) thence in a northeasterly direction along the shore to the north point of the south island of the Gosier Islands, latitude 29 degrees 31 minutes 59.74482 seconds north, longitude 89 degrees 05 minutes 19.86319 seconds west;

156.(140) thence northeasterly approximately 8,509 feet to the south point of the north island of the Gosier Islands, latitude 29 degrees 32 minutes 45.13752 seconds north, longitude 89 degrees 03 minutes 58.70949 seconds west;

157.(141) thence in a northeasterly direction along the shore to the north point of the north island of the Gosier Islands, latitude 29 degrees 33 minutes 22.48000 seconds north, longitude 89 degrees 03 minutes 32.21823 seconds west;

158.(142) thence northeasterly approximately 35,924 feet to the south point of the Curlew Islands, latitude 29 degrees 38 minutes 10.35706 seconds north, longitude 88 degrees 59 minutes 33.29121 seconds west;

159.(143) thence in a northeasterly direction along the shore to the north point of the Curlew Islands, latitude 29 degrees 38 minutes 15.78007 seconds north, longitude 88 degrees 59 minutes 30.59398 seconds west;

160.(144) thence northeasterly approximately 8,761 feet to the south point of the Stake Islands, latitude 29 degrees 39 minutes 10.60431 seconds north, longitude 88 degrees 58 minutes 13.65731 seconds west;

161.(145) thence in a northeasterly direction along the shore to the north point of the Stake Islands, latitude 29 degrees 40 minutes 47.88908 seconds north, longitude 88 degrees 56 minutes 47.18591 seconds west;

162.(146) thence northeasterly approximately 34,091 feet to the south point of the south island of the Chandeleur Islands, latitude 29 degrees 45 minutes 42.31016 seconds north, longitude 88 degrees 53 minutes 38.18264 seconds west;

163.(147) thence in a northeasterly direction along the shore to the north point of the south island of the Chandeleur Islands, latitude 29 degrees 48 minutes 30.73219 seconds north, longitude 88 degrees 51 minutes 41.66097 seconds west;

164.(148) thence northeasterly approximately 4,487 feet to the south point of the main island of the Chandeleur Islands, latitude 29 degrees 49 minutes 13.34094 seconds north, longitude 88 degrees 51 minutes 27.25032 seconds west;

165.(149) thence in a northerly direction along the shore to the north point of the main island of the Chandeleur Islands, latitude 30 degrees 00 minutes 59.54256 seconds north, longitude 88 degrees 51 minutes 02.96200 seconds west;

166.(150) thence northwesterly approximately 4,782 feet to the south point of the north island of the Chandeleur Islands, latitude 30 degrees 01 minute 43.94624 seconds north, longitude 88 degrees 51 minutes 21.82982 seconds west;

167.(151) thence in a northwesterly direction along the shore to the north point of the north island of the Chandeleur Islands, latitude 30 degrees 02 minutes 06.44260 seconds north, longitude 88 degrees 51 minutes 45.77415 seconds west;

168.(152) thence northwesterly approximately 5,401 feet to a point located at latitude 30 degrees 02 minutes 51.98110 seconds north, longitude 88 degrees 52 minutes 17.98216 seconds west; the location of the destroyed Chandeleur Light;

169.(153) thence in a northerly direction to the intersection of the Louisiana-Mississippi Boundary, latitude 30 degrees 08 minutes 14.51336 seconds north, longitude 88 degrees 52 minutes 09.61702 seconds west (coordinates not specified repealed by Act 1991, No. 946, §2.).

C. All waters of the state shoreward of the line described in Subsection B hereof within which the tide regularly rises and falls or into which saltwater shrimp migrate are inside waters. All waters seaward of the line described in Subsection B of this Section are outside waters.

D. For the purpose of determining if a person is shrimping in inside or outside waters, reference shall be made by global positioning satellite (GPS) navigational instrument readings for a vessel located on or in proximity to the boundary line between open and closed waters as set forth in Subsection B of this Section.

E. For the purposes of this Section, the department shall utilize GPS navigational instrument readings taken from such equipment located on department vessels or, if the shrimping vessel is equipped with GPS equipment, from the equipment located on the shrimping vessel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a) and R.S. 56:495(E).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 44:1090 (June 2018).

§371. Vessel Monitoring System (VMS) Requirements

A. The following provision regarding VMS shall be applicable to all provisions of law requiring the use of VMS except where required by R.S. 56:433.1 and LAC 76:VII.525.

1. The vessel must have onboard a fully operational and approved VMS Device. Approved devices are those devices approved by NOAA Fisheries Service or the secretary of the Louisiana Department of Wildlife and Fisheries (LDWF) for fisheries in the Gulf of Mexico Reef Fish fishery and which meet the minimum performance criteria specified in Paragraph 2 of this Subsection. In the event that a VMS device is removed from the list of approved devices, vessel owners who installed an approved VMS prior to approval of any revised list will be considered

in compliance with requirements of this Paragraph, unless otherwise notified by the LDWF.

2. Minimum VMS Performance Criteria. Basic required features of the VMS are as follows.

a. The VMS shall be satellite-based and tamper proof, i.e., shall not permit the input of false positions; furthermore, satellite selection must be automatic to provide an optimal fix and shall not be capable of being manually overridden.

b. The VMS shall be fully automatic and operational at all times, regardless of weather and environmental conditions.

c. The VMS shall be fully operable and capable of tracking the vessel in all of Louisiana coastal waters and throughout the Gulf of Mexico.

d. The VMS shall be capable of transmitting and storing information including vessel identification, date, time and latitude/longitude.

e. The VMS unit shall make all required transmissions to a designated and approved VMS vendor who shall be responsible for monitoring the vessel and reporting information to the LDWF.

f. The VMS shall provide accurate position transmissions every half-hour, except for those vessels operating solely under the out-of-state landing permit mentioned in Paragraph 3 that require accurate position transmissions every hour, every day of the year, during required monitoring period. In addition, the VMS shall allow polling of individual vessels or any set of vessels at any time and permit those monitoring the vessel to receive position reports in real time. For the purposes of this specification, real time shall constitute data that reflect a delay of 15 minutes or less between the displayed information and the vessel’s actual position.

g. The VMS vendor shall be capable of transmitting position data to a LDWF designated computer system via a modem at a minimum speed of 9600 baud. Transmission shall be in a file format acceptable to the LDWF. Such transmission must be made at any time upon demand of the LDWF.

h. The VMS vendor shall be capable of archiving vessel position histories for a minimum of three months, as transmitted by the VMS unit, and provide transmissions to the LDWF of specified portions of archived data in response to LDWF requests in a variety of media (tape, compact disc, etc.) as specified by the LDWF.

3. Operating Requirements. Except as provided in Paragraph 4 (power down exemption) of this Subsection, or unless otherwise required by law, all required VMS units must transmit a signal indicating the vessel’s accurate position at least every half hour, 24 hours a day, throughout the year. However, those vessels operating solely under the out-of-state landing permit shall transmit a signal indicating the vessel’s accurate position at least every hour, 24 hours a day throughout the year.

4. Power Down Exemption. Any vessel required to have on board a fully operational VMS unit at all times, as specified in Paragraph 3 of this Subsection, is exempt from this requirement provided:

a. the vessel will be continuously out of the water for more than 72 consecutive hours; and

b. a valid letter of exemption obtained pursuant to Subparagraph 5.a of the Subsection has been issued to the vessel and is on board the vessel is in compliance with all conditions and requirements of said letter.

5. Letter of Exemption

a. Application. A vessel owner may apply for a letter of exemption from the operating requirements specified in Paragraph 3 of this Subsection for his/her vessel by sending a written request to the LDWF and providing the following: Sufficient information to determine that the vessel will be out of the water for more than 72 continuous hours; the location of the vessel during the time an exemption is sought; and the exact time period for which an exemption is needed (i.e., the time the VMS will be turned off and turned on again).

b. Issuance. Upon receipt of an application, the LDWF may issue a letter of exemption to the vessel if it is determined that the vessel owner provided sufficient information as required under Subparagraph 5.a of this Subsection and that the issuance of the letter of exemption will not jeopardize accurate monitoring of the vessel's position. Upon written request, the LDWF may change the time period for which the exemption was granted.

6. Presumption. If a VMS unit fails to transmit the required signal of a vessel's position, the vessel shall be deemed to have incurred a VMS violation, for as long as the unit fails to transmit a signal, unless a preponderance of evidence shows that the failure to transmit was due to an unavoidable malfunction, or disruption of the transmission that occurred while the vessel was declared out of the fishery, as applicable, or was not at sea.

7. Replacement. Should a VMS unit require replacement, a vessel owner must submit documentation to the LDWF Law Enforcement Division Headquarters VMS coordinator, within 3 days of installation and prior to the vessel's next trip, verifying that the new VMS unit is an operational, approved system as described in this Section.

8. Access. All vessel owners shall allow the LDWF, and their authorized wildlife enforcement agents or designees access to the vessel's VMS unit and data, if applicable, and location data obtained from its VMS unit, if required, at the time of or after its transmission to the vendor or receiver, as the case may be.

9. Tampering. Tampering with a VMS, a VMS unit, or a VMS signal, is prohibited. Tampering includes any activity that is likely to affect the unit's ability to operate properly, signal, or accuracy compute the vessel's position fix.

10. Violation. Failure to abide by any regulation set forth regarding the use or operation of VMS, or failure to

have VMS when required shall be a violation of the Louisiana Revised Statutes which mandates VMS and requirements of probation where applicable. All fish taken or possessed by a person in violation of these rules, and who is identified on his commercial license or permit as required to be VMS monitored, shall be deemed illegally taken and possessed. The provisions of this Section do not exempt any person from any other laws, rules, regulation, and license requirements for this or other jurisdictions. Violations of this Section shall constitute a violation of the Section of law requiring the use of VMS.

11. All costs and monthly fees associated with the installation, operation and monitoring of any VMS system in accordance with these rules shall be the responsibility of the person required to be monitored and shall be paid by him directly to the approved VMS supplier and monitoring facilitator.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:424, R.S. 56:424.1, R.S. 56:495.1, R.S. 56:497.1, and R.S. 56:433.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:888 (May 2008), amended LR 38:1997 (August 2012).

§373. Shrimp Packaging Regulations

A. In accordance with the provisions of R.S. 56:578.10 the following provisions shall establish the standards for packaging of shrimp in, or sold in Louisiana for wholesale and retail sale.

B. Definitions

Gulf of Mexico Packaging—any package or container bearing the words “Gulf of Mexico” or “Gulf USA Shrimp,” or that any way represents that the shrimp are a product of the Gulf of Mexico.

Louisiana Packaging—any package or container bearing the word “Louisiana” or “Louisiana Shrimp,” or that any way represents the brand name “Louisiana” or that the shrimp is a product of Louisiana.

Shrimp—any fresh or frozen raw shrimp, either, whole, headless, or peeled of the species, white shrimp or "common saltwater shrimp"(*Litopenaeus setiferus*), also called the "lake shrimp"; the brown shrimp (*Farfantepenaeus aztecus*); the pink shrimp (*Farfantepenaeus duorarum*); or the "sea bob" (*Xiphopeneus kroyeri*), also called "six barbes.”

United States Packaging—any package or container bearing the word “United States,” or “USA,” or “Product of USA,” or that any way represents that the shrimp are a product of the United States.

C. No person shall knowingly possess, package, distribute, label, broker, sell, purchase, or cause to be packaged, distributed, labeled, brokered, or sold any shrimp packaged in Louisiana packaging which were not taken, harvested, or landed in Louisiana.

D. No person shall knowingly possess, package, distribute, label, broker, sell, purchase, or cause to be packaged, distributed, labeled, brokered, or sold any shrimp packaged in Gulf of Mexico packaging which were not taken, harvested or landed in the Gulf of Mexico or adjoining states of Texas, Louisiana, Mississippi, Alabama, or Florida.

E. No person shall knowingly possess, package, distribute, label, broker, sell, purchase, or cause to be packaged, distributed, labeled, brokered, or sold any shrimp packaged in United States packaging which were not taken, harvested, or landed in the United States. Shrimp landed in the United States shall not mean shrimp imported into the United States from any country other than the United States.

F. The penalty for violating any provision of this Section shall constitute a class two violation for each violation. The provisions of this Section shall not supersede any other state or federal requirements for packaging or labeling shrimp.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:578.10.

HISTORICAL NOTE: Promulgated in accordance with the Department of Wildlife and Fisheries, Office of the Secretary, LR 36:1034 (May 2010).

§374. Turtle Excluder Device (TED) Requirements; Use; Exemptions; Prohibitions

A. The Wildlife and Fisheries Commission does hereby adopt the following rules and regulations regarding the use of turtle excluder devices.

B. It is unlawful for any person to do any of the following while trawling for shrimp within and without Louisiana's territorial waters: operate, be on board a vessel, fish for, catch, take, harvest, or possess, fish, shrimp or wildlife unless that vessel is in compliance with all applicable provisions of this Section regarding use of turtle excluder device (TED) requirements as contained herein.

C. Gear Requirements for Shrimp Trawlers

1. TED Requirement for Shrimp Trawlers. Any shrimp trawler that is in Louisiana waters or waters of the adjacent Gulf of Mexico area must have an approved TED installed in each net that is rigged for fishing. A net is rigged for fishing if it is in the water, or if it is shackled, tied, or otherwise connected to any trawl door or board, or to any tow rope, cable, pole or extension, either on board or attached in any manner to the shrimp trawler.

D. Approved TEDs. Approved TEDs are those devices and their uses as approved and authorized by NOAA Fisheries Service as specified by 50 CFR 223.207.

E. Exemptions from the TED Requirement

1. Alternative tow-time restrictions. A shrimp trawler is exempt from the TED requirements of this Section if it complies with the alternative tow-time restrictions and if it:

a. has on board no power or mechanical-advantage trawl retrieval system (i.e., any device used to haul any part of the net aboard);

b. is a bait shrimper that retains all live shrimp on board with a circulating seawater system if it has a valid original state bait-shrimp license, and if the state license

allows the licensed vessel to participate in the bait shrimp fishery;

c. has only a pusher-head trawl, butterfly net, skimmer trawl, or wing net rigged for fishing;

d. is in an area during a period for which tow-time restrictions apply under a specific declaration; or

e. is using a single test net (try net) with a head rope length of 12 ft (3.6 m) or less and with a lead-line length of 15 ft (4.6 m) or less, if it is pulled immediately in front of another net or is not connected to another net in any way, if no more than one test net is used at a time, and if it is not towed as a primary net.

2. Tow-Time Restrictions; Duration of Tows. If tow-time restrictions are utilized a shrimp trawler must limit tow-times as described herein.

a. The tow-time is measured from the time that the trawl door enters the water until it is removed from the water. For a trawl that is not attached to a door, the tow-time is measured from the time the cod end enters the water until it is removed from the water. Tow-times may not exceed:

i. 55 minutes from April 1 through October 31; and

ii. 75 minutes from November 1 through March 31.

F. No person who, pursuant to state or federal law, is subject to the jurisdiction of this state shall violate any federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulation*s as amended title 50 and 15, for sea turtles and turtle excluder devices while fishing in the EEZ, or possess, purchase, sell, barter, trade, or exchange shrimp taken with a trawl within or without the territorial boundaries of Louisiana in violation of any state or federal law, rule or regulation particularly those rules and regulations enacted pursuant to the Magnuson-Stevens Fishery Conservation Act and published in the *Code of Federal Regulations* as amended title 50 and 15 law.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:15, 56:23, 56:492.1, and 56:493.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1132 (July 2016).

§375. Traversing Louisiana Territorial Waters by Mississippi Recreational Anglers

A. Purpose. Pursuant to Louisiana Revised Statute 56:673 and in response to a resolution from the Mississippi Commission on Marine Resources to provide for a recreational fishing vessel traversing corridor east of the Mississippi River in Louisiana territorial waters to enhance safe passage for Mississippi recreational anglers fishing the federal exclusive economic zone (EEZ), the commission hereby enters into an agreement with the Mississippi Commission on Marine Resources as follows.

B. Traversing Corridor. For the purposes of this agreement the traversing corridor is established as those waters of Mississippi Sound, Breton Sound and Chandeleur Sound eastward from the double rig line as defined in Louisiana Revised Statutes 56:495.1(A)(2) to the eastern most extent of Louisiana territorial waters.

C. Eligibility. To be eligible to traverse Louisiana state waters under this agreement, anglers must comply with all of the following.

1. Anglers must be a licensed recreational fisherman for the state of Mississippi (resident or non-resident), or be legally able to fish in Mississippi waters; and provide proof of such while traversing waters within the territorial boundaries of Louisiana.

2. With the exception of licensed Mississippi charter vessels and persons aboard such charters, anglers must not be licensed to fish recreationally by the state of Louisiana. If an angler is a holder of a Louisiana fishing license then they must comply with the requirements for the state of Louisiana while possessing fish in Louisiana waters, regardless if only traversing.

3. Persons aboard vessels which are registered or documented in the state of Louisiana are required to comply with Louisiana fisheries regulations while fishing or possessing fish in Louisiana waters or outside of Louisiana waters when the fishery management plan for that fishery has been delegated to Louisiana for that fishery.

4. Vessels in the traversing corridor must be moving and anglers can not be in the act of fishing by any means.

5. The only fish species allowed to be possessed by a person aboard a vessel while traversing are the following federally managed species or species groups:

a. reef fish;

b. highly migratory species;

c. coastal migratory pelagic;

d. triggerfishes.

6. If the state of Mississippi is not participating in a regional management program for a particular species, then all fishermen shall comply with applicable federal fisheries regulations for that species if not fishing under a Louisiana regional management program for that species.

7. For purposes of this section, regional management is defined as a state exercising management over a fishery under state law and regulations where authority for a federal fishery management plan for that fishery has been approved and delegated by the National Marines Fisheries Service.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:6(28) and R.S. 56:673.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:101 (January 2014).

§377. Recreational Offshore Landing Permit

A. Any person, except those persons under the age of 16 that are not normally required to obtain a license for saltwater fishing privileges, possessing any one of the following fish species or species groups on board a vessel taken from within or without Louisiana territorial waters shall be required to have obtained and have in their immediate possession a recreational offshore landing permit. Any person on a trip aboard a charter vessel, who pays a fee for that trip, is not required to have this permit, but the permit is required for the captain of that charter vessel. The recreational offshore landing permit shall be available for inspection by a duly authorized agent of the department:

1. highly migratory species:

a. tunas—bluefin, albacore, yellowfin, skipjack, bigeye, blackfin;

b. billfish—blue marlin, white marlin. sailfish and longbill spearfish;

c. swordfish;

2. reef fish species:

a. any species of snapper;

b. any species of amberjack;

c. any species of grouper or hind;

3. pelagics:

a. any species of dolphinfish;

b. cobia;

c. wahoo.

B. Permits may be obtained at no cost, from the Department of Wildlife and Fisheries, or authorized method, by persons who hold any valid license authorizing the taking and possessing of saltwater species of fish. Permits shall be valid for the same duration as the annual license authorizing saltwater fishing privileges. For those licenses that do not have to be renewed every year, the permit must be renewed annually, and shall be valid for the same time period as annual licenses.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(34).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 38:3249 (December 2012), amended LR 40:94 (January 2014), LR 41:761 (April 2015).

§379. Tripletail—Harvest Regulations

A. Recreational Take and Possession Limits

1. The recreational bag limit for the possession of tripletail (*Lobotes surinamensis*) whether caught within or without Louisiana waters shall be five fish per person, per day.

B. Commercial Take and Possession Limits

1. No person shall take, harvest, land, or possess aboard a harvesting vessel tripletail in excess of a recreational bag limit unless that person is in possession and has in his immediate possession a valid commercial fishing license, commercial gear licenses (if applicable) and a valid commercial vessel license. The holder of such valid commercial licenses (if applicable) shall not take, possess, land, sell, barter, trade or exchange or attempt to take, sell, barter, trade or exchange tripletail, whole or eviscerated, in excess of 100 pounds on any one day or on any trip, or from any trip. For the purposes of this Section:

Trip—any fishing trip, regardless of number of days duration, that begins with departure from a dock, berth, beach, shoreline, seawall or ramp.

2. No person aboard any vessel shall transfer or cause the transfer of tripletail between vessels on state or federal waters.

3. No person shall sell, purchase, barter, trade or exchange or attempt to sell, purchase, barter, trade or exchange tripletail, whole or eviscerated, in excess of 100 pounds, except that such limitation shall not apply to the resale of tripletail by a validly licensed wholesale/retail seafood dealer who purchased such tripletail in compliance with the regulations and requirements of this Section and in compliance with other requirements of law.

C. Size Limits

1. The recreational and commercial minimum size limit for tripletail (*Lobotes surinamensis*) shall be 18 inches total length.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25) (a), R.S. 56:326.1, R.S. 56:326.3, and R.S. 56:320.2(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:3730 (February 2014).

§381. Louisiana Catch and Cook Program and Permit

A. The Department of Wildlife and Fisheries is authorized to establish the Louisiana Catch and Cook Program and permit pursuant to R.S. 56:317. Notwithstanding any provision of the state *Sanitary Code* or any other law or regulation to the contrary, it shall be lawful for a retail food establishment to receive and prepare any freshwater or saltwater recreational fish as defined in R.S. 56:8.

B. Any retail food establishment as defined in LAC 51:XXIII.101.A, is authorized to prepare any fish legally taken and possessed by a licensed recreational fisherman for consumption by that recreational fisherman or any person in his party. The retail food establishment must possess a Louisiana Catch and Cook Program permit issued by the department. Possession of a permit does not exempt the permittee from any other law or regulation.

C. Permittees will be required to abide by the following conditions that shall be enforced by the Department of Health and Hospitals, Office of Public Health.

1. The retail establishment shall complete, date, and have the recreational fisherman who brings the fish in for preparation sign an assumption of risk form. The completed, dated, and signed form shall be maintained at the establishment for a period of no less than 90 days. The establishment shall provide the completed forms to the state health officer upon request.

2. The retail food establishment shall receive only fish that have been cleaned, filleted, placed in clean, food-grade, single-service packaging, and properly refrigerated.

3. The retail food establishment shall inspect the fish for freshness and proper receiving temperature.

4. The fish shall be properly labeled with the date, time, and name of the recreational fisherman.

5. The retail food establishment shall store, prepare, and otherwise handle the fish separately from products being prepared for and served to the general public.

6. The retail food establishment shall store, prepare, and otherwise handle the fish in compliance with provisions of the state *Sanitary Code* (LAC 51, Part XXIII).

7. The retail food establishment shall prepare and serve the fish to the recreational fisherman or any person in his party within four hours of receipt of the fish.

8. Containers, preparation tables, cutting boards, utensils, and other food preparation equipment used to prepare and serve the fish shall be properly cleaned and sanitized in accordance with provisions of the state *Sanitary Code* (LAC 51, Part XXIII) prior to use preparing foods to serve to the general public.

9. The fish shall be served directly to the recreational fisherman or any person in his party immediately upon the completion of cooking and shall not be served to the general public.

D. Permits may be obtained at no cost, from the Department of Wildlife and Fisheries or any authorized method. The permit is valid for one calendar year, beginning on January 1 and expiring on December 31 of the same calendar year. The permit may be obtained at any time of the year until November 15 for the current license year. A permit obtained on or after November 15 of the current license year shall be valid for the remainder of the current license year and expires on December 31 of the immediately following license year. The Department of Wildlife and Fisheries shall provide the names and locations of each participating retail food establishment to the Department of Health and Hospitals, Office of Public Health upon request.

E. Permits may be suspended or revoked by the Department of Wildlife and Fisheries for any violation of the rules and regulations of this program or on the written recommendation of the Department of Health and Hospitals.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:317.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 41:760 (April 2015).

§383. Possession Limits for Saltwater Recreational Finfish Landed at Port Eads Marina

A. Purpose. The Wildlife and Fisheries Commission recognizes that the Port Eads Marina in Plaquemines Parish is a remote fishing destination, only accessible by water, and that recreational fishermen may fish out of that facility for several consecutive days. In order to transport fish from the remote Port Eads Marina facility back to a location accessible by land, a recreational fisherman may have a need to possess a limit on the water greater than what is allowed by general statewide possession limits for saltwater recreational finfish.

B. Possession Limit. Notwithstanding possession limits established elsewhere in this Chapter, for the purpose of transporting fish in Louisiana territorial waters to a land-based facility located within the state, the possession limit for saltwater finfish caught recreationally in Louisiana territorial waters or in the adjacent federal exclusive economic zone and landed at Port Eads Marina shall be equal to the daily take limit for the number of consecutive days, up to three times the daily creel limit, that a fisherman has been lodging at the Port Eads Marina facility, provided the fisherman is in compliance with the following requirements.

1. The fisherman holds and is in possession of all current recreational fishing licenses required.

2. The fisherman is in possession of and can provide a lodge receipt or slip rental receipt issued by the Port Eads Marina facility that demonstrates, to the satisfaction of the department, the number of consecutive days that the fisherman has been lodging or docking at the Port Eads Marina facility.

3. Upon landing his or her daily catch at the Port Eads Marina, the fisherman shall notify the Wildlife and Fisheries employee or agent on duty at the facility, and provide his or her catch for inspection and certification that the species, size and daily creel are within legal limits.

a. To maximize the efficiency and productivity of Wildlife and Fisheries staff, the Secretary may, at his discretion, or upon request of the operator of the Port Eads Marina facility provide on-duty personnel at the facility. The request for LDWF personnel to be made available shall be made no later than 72 hours in advance of when their presence is requested at the facility.

4. The fish are kept in separate bags for each daily take limit. The bags are marked with the date fish were taken, the species and number of fish contained in the bag, and the name and recreational fishing license number of the person taking the fish. The contents of the bags have been certified by the Wildlife and Fisheries employee or agent on duty at the facility.

5. The fisherman is only in possession of his or her fish and shall not transport fish taken by another person back to the boat landing.

6. No person aboard the vessel may be engaged in or actively fishing.

C. The commission shall review the efficacy of the possession limit on an annual basis beginning one year from the date the rule becomes final.

AUTHORITY NOTE: Promulgated in accordance R.S. 56:6(25)(a), R.S. 56:325.1, and R.S. 56:326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 41:1123 (June 2015).

§385. Management Targets for Selected Finfish Species

A. Policy. The stocks of black drum, sheepshead, and southern flounder shall have management targets established within this rule. Management targets shall be established utilizing a historical time-series of fisheries data, defined for each stock, as a basis of reference. The reference time-series is developed utilizing a period of time within the most recent assessment where recruitment has not been impacted and sustainability has been demonstrated for each stock. The biomass and fishing mortality rate of each stock over this historical time-series shall be derived from the beginning of the assessed period through 2013. If data indicate that a stock is not meeting or is likely not to meet thresholds established in the assessment of the stock, the department shall provide, for the Louisiana Wildlife and Fisheries Commission's consideration, management options to ensure that a stock can remain within the management thresholds established for that particular stock.

B. Management Targets

1. Biomass targets shall be calculated as the average (geometric mean) spawning stock biomass (SSB) from each stock's historical time-series.

2. Fishing mortality rate targets shall be the fishing mortality rate that corresponds to each stock's SSB targets at equilibrium.

3. Biomass and fishing mortality rate targets shall be calculated based upon a historical time-series from the beginning of the assessed period through 2013, inclusive.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:6(25)(a), R.S. 56:320.2(C), R.S. 56:326.1, R.S. 56:326.3, and R.S. 325.4.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, Office of Fisheries, LR 42:1695 (October 2016).

Chapter 4. License and License Fees

§403. Traversing Permit

A. The Department of Wildlife and Fisheries is authorized to issue a traversing permit upon application to its Commercial License Section at the Baton Rouge office for a fee of $250 for each permit. Application for permits must be made in person or as provided by Section 415 of this Part.

B. The traversing permit shall be valid for the calendar year of issue (January 1 through December 31).

C. The captain or vessel owner shall only be required to have one traversing permit for any number of gill nets, trammel nets, strike nets, or seines. Each gear used in the waters of the federal exclusive economic zone (EEZ) shall be properly licensed. For licensing purposes, trammel nets, strike nets, and seines are required to be licensed as gill nets when used in the EEZ.

D. The possession of gill nets, trammel nets, strike nets, or seines on or aboard any vessel in the saltwater areas of the state is prohibited unless the captain or owner of the vessel has in his immediate possession upon the vessel a traversing permit as well as any other licenses as required by law.

E. While traversing state waters going to and from the waters of the federal exclusive economic zone, all gill nets, trammel nets, strike nets, and seines shall remain on board the vessel and shall not be used in state waters.

F. Harvest and possession of all fish pursuant to this permit is subject to all rules established by the Wildlife and Fisheries Commission relative to seasons, size limits, and quotas.

G. Vessels containing or transporting prohibited nets shall proceed as directly, continuously, and expeditiously as possible.

H. Permittees will be required to abide by the following conditions.

1. Possession of a permit does not exempt the permittee from laws or regulations except for those which may be specifically exempted by the permit. Any violation of a fish law shall constitute a violation of this permit.

2. Information gained by the department through the issuance of a traversing permit is not privileged and will be disseminated to the public upon request.

3. When permitted gear is on board the permitted vessel or in possession of the permittee, the permittee and the vessel are assumed to be operating under authority of the permit. No gear other than gear allowed under the traversing permit may be on board the vessel or in possession of the permittee.

4. The vessel authorized for use under the traversing permit shall have distinguishing signs so that it may be identified as such. The signs shall have the letters "EEZ" and assigned numbers printed on them in at least 10-inch high letters and numbers on a contrasting background in block style so as to be visible and legible from low-flying aircraft and from any vessel in the immediate vicinity. The assigned numbers shall be situated on both sides and on top of the vessel.

5. The department reserves the right to observe the operations taking place under the traversing permit and, at its request, the department may assign aboard any permitted vessel an enforcement agent as an observer.

6. All permittees shall notify the department four hours prior to leaving port to traverse or fish under the conditions of the traversing permit and immediately upon

returning from the permitted trip. The department shall be notified by calling a designated phone number.

7. The permittee must report to the department the name of the buyer who will purchase the fish product obtained under the traversing permit. This information shall be provided at the time that permittee notifies the department of his return.

8. When quotas have been met or seasons have been closed, no fish affected by such quotas or seasons may be possessed on board a vessel while having commercial gear on board traveling state waters.

9. Any violation of the conditions of the traversing permit and any violation of any fisheries regulation shall be punishable as defined by R.S. 56:320.2.D.(1) in accordance with Act 1316 of the 1995 Legislature.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a), R.S. 56:305(B), and R.S. 56:320.2(E).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22:240 (March 1996), amended LR 26:2333 (October 2000), LR 38:2944 (November 2012).

§405. Saltwater Commercial Rod and Reel License; Proof of Income

A. Each applicant shall have derived more than 50 percent of his earned income from the legal capture and sale of seafood species in at least two of the three years, 1995, 1994, and 1993.

B. Proof of such income for at least two of the three years 1995, 1994, and 1993 shall be provided by the applicant, using any of the methods listed below.

1. Method 1. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a copy of his federal income tax return, including all attachments (e.g., Schedule C of Federal Form 1040, Form W-2, etc.), which has been certified by the Internal Revenue Service (IRS) and a copy of his state tax return, provided applicant was required to file.

2. Method 2. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a copy of his federal income tax return, including all attachments (e.g., Schedule C of Federal Form 1040, Form W-2, etc.), which has been filed and stamped "Received" at a local IRS office, accompanied by a signed cover letter acknowledging receipt by the IRS and a copy of his state tax return, provided applicant was required to file.

3. Method 3. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a signed copy of his federal tax return including all attachments (e.g., Schedule C of Federal Form 1040, Form W-2, etc.) along with an IRS-stamped transcript and IRS-signed cover letter and a copy of his state tax return, provided applicant was required to file. Transcripts are available at local IRS offices.

C. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine applicant's eligibility, as defined by R.S. 56:305(B)(14)(b).

D. If the applicant was not required to file a state tax return, the applicant shall provide a notarized affidavit certifying that he was not required to file a state tax return.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:13.1.D.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22:237 (March 1996), amended LR 24:359 (February 1998).

§407. Three-Day Basic and Saltwater Nonresident Recreational Fishing License Fees

A. In lieu of the basic recreational fishing license, a nonresident may purchase a three-day basic recreational sport fishing license for a fee of $15 which shall be valid for three consecutive days.

B. In lieu of the saltwater recreational fishing license, a nonresident may purchase a three-day saltwater recreational fishing license at a fee of $15. This three-day license shall be valid for three consecutive days, including the day of issue.

C. The fees in §407 hereby supersede those fees established for the licenses at R.S. 56:302.1(B)(1) and (2)(a).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(28).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 24:710 (April 1998), amended LR 27:215 (February 2001).

§409. Apprentice Fisherman License

A. Definitions

Apprentice—a real person who engages in the taking of finfish for a period of two years only with and aboard the vessel of a validly-licensed commercial fisherman who also holds a valid and appropriate permit/license issued by the department and who is engaged in the commercial taking of saltwater finfish by approved methods.

B. Application

1. At the time of application for an apprentice license, the applicant must provide a notarized affidavit, signed by both the applicant and the mentor, providing the Social Security number, name, address and commercial fisherman's license number of his mentor and stating the intent to participate in the apprenticeship program.

2. The cost for the apprentice license shall be one half the cost of a commercial fisherman's license.

C. Seasons. A person who holds an apprentice license shall be aboard the vessel with and in the presence of his mentor while engaged in the taking of finfish under this "special apprentice license." The apprentice license shall authorize, under the same conditions as the regular license or permit, the commercial taking of saltwater finfish by the apprentice while in the presence of his mentor during the period for which it is valid. The special apprentice license shall be valid from January 1 through December 31. An apprentice license must be purchased prior to January 31 to

qualify for one full year as an apprentice for the following license year.

D. Eligibility

1. Having held a valid apprentice license for two full years may substitute for the requirement of having held a gill net gear license in two of the years 1993, 1994 and 1995 when applying for a spotted seatrout permit, mullet permit, or rod and reel license. In addition to providing all commercial license application information, the applicant shall be required to show that he derived more than 50 percent of his earned income from the legal capture and sale of seafood species for the two years in which he held the apprentice license. Proof of such income shall be provided by the apprentice using one of the methods listed in the appropriate permit or license section that has been approved by the commission.

2. In addition to all other requirements, any applicant applying for a rod and reel license must provide a signed copy of his/her state income tax return for the years in which an apprentice license was held, or a notarized affidavit certifying that he/she was not required to file a state tax return.

3. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance, will review the submitted tax return information and determine if applicant meets the income eligibility requirement.

E. General Provision. Any person who previously held a commercial fisherman's license, or who has been convicted of a Class 3 or greater violation, shall not be eligible to purchase an apprentice license.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.8.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 24:964 (May 1998).

§413. Methods of Payment for Commercial Licenses and Oyster Tags

A. Commercial licenses and oyster tags may be purchased using the following forms of payment:

1. cash;

2. money order;

3. cashier’s check;

4. business checks certified by the issuing bank; and

5. credit cards (MasterCard, American Express, or Discover only).

B. Payment by credit card will be allowed only by the card holder at the Baton Rouge licensing location with the credit card present at the time of purchase or as provided by Section 415 of this Part.

C. No other forms of payment will be accepted.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:642(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 37:1622 (June 2011), amended LR 38:2944 (November 2012).

§415. Application and Payment for Eligible Commercial Licenses and Permits via the Internet

A. This Section allows certain persons to apply and pay for eligible commercial licenses or permits via the internet.

B. Application and payment of eligible commercial fishing licenses and permits may be made only in the name of the person who held that same license(s) or permit(s) for the immediately preceding license or permit year No changes to information contained on the previous license or permit will be allowed when applying via internet.

1. Eligible commercial licenses and permits available for application and payment under this Section are limited to the following:

a. commercial fisherman license;

b. fresh products license;

c. oyster harvester license;

d. all vessel licenses;

e. all commercial fishing gear licenses and related fees;

f. seafood retail dealer license;

g. seafood wholesale/retail dealer license;

h. seafood transport license;

i. wholesale out of state crab shipping license;

j. charter guide license;

k. charter mothership license;

l. charter skiff license;

m. all commercial fishing permits;

n. domestic aquatic organism license; and

o. apprentice license.

C. Payment may be made by the following methods:

1. VISA;

2. MasterCard;

3. Discover;

4. American Express; and

5. electronic check.

D. In addition to the cost of each license or permit, a use fee of $2 per license or permit and a handling fee of three percent per transaction will be charged for use of the internet application and payment system.

AUTHORITY NOTE: Promulgated in accordance with R.S.56:642(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 38:2944 (November 2012).

Chapter 5. Oysters

§501. Oyster Leases

A. Office Policies and Leasing Procedures

1. Office hours will be from 8 a.m. to 4:30 p.m., Monday through Friday excluding state holidays.

2. If leases overlap, the department will examine the leases involved and eliminate the overlap by maintaining the overlapped area as part of the earliest-issued lease, amending the other lease agreement(s) and lease plat(s) to subtract the overlapped area, and notifying the lessees of the action taken.

3. If examination of a lease indicates an acreage miscalculation, the department will amend the lease agreement and lease plat to state the correct acreage and notify the lessee of the action taken.

4. The oyster lease section will keep an indexing system to determine the acreage held by all oyster lessees. The oyster lease section will also receive and accept information related to the location of private oyster leases, provided that they are on state claimed water bottoms and were encumbered by a private oyster lease that was in effect and properly recorded as of February 1, 2016, and to the extent possible, the location of such leases will be made available to the public through inclusion as part of the existing indexing system and/or the geographic index system ("GIS"). Pursuant to R.S. 56:432, no single lessee may hold more than 2,500 acres under lease. Whoever is found to have leased more than the allotted amount by a court of competent jurisdiction shall forfeit all leases held on any water bottom of the state.

5. Oyster leases shall not be issued or renewed within the boundaries of a Wildlife Management Area or a designated public oyster seed ground or reservation. If extenuating circumstances are established and significant public interests would be furthered, the secretary has the discretion to grant exceptions to this prohibition on a case by case basis.

6. All oyster leases are subordinate to the rights or responsibilities of the state, any political subdivision of the state, the United States, or any agency or agent thereof, to take any action in furtherance of integrated coastal protection as defined in R.S. 49:214.2.

7. Subordination and Designation of Access Channels

a. With the exception of those oyster leases issued under authority of Phase I of the Oyster Lease Moratorium Lifting Priority (LAC 76:VII.505.A.2), any oyster lease initially applied for after July 1, 2016, or any renewal or judicial partition of such lease, is subordinate to the rights of any person:

i. to engage in any activity authorized by a coastal use permit, determination, coastal use authorization, or drilling permit (collectively, for purposes of this Section, a "permit") for which the permit application was received prior to the date the application for the oyster lease was received. This subordination shall apply only within those areas as designated by the permit. If no area is delineated by the permit, then the default area shall be 75 feet from the centerline of a pipeline and 250 feet from the outside of a well, platform, shell pad, or facility;

ii. to operate, maintain, repair, replace, rehabilitate, or remove any pipeline, well, platform, shell pad, or facility on or impacting such an oyster lease where the structure was placed or constructed prior to September 20, 1980, or prior to the date the oyster lease was issued. This subordination applies only to areas 75 feet from the centerline of a pipeline and 250 feet from the outside of a well, platform, shell pad, or facility;

iii. to cross an oyster lease to access any activity, pipeline, well, platform, shell pad, or facility to which Clause A.7.a.i or A.7.a.ii of this Section applies, within a single access route properly designated and identified as follows:

(a). for any activity, pipeline, well, platform, shell pad, or facility, including removal of any of those structures, for which a single access channel is identified in the permit, the department shall recognize that as the sole access channel across any subordinate oyster lease;

(b). if multiple access channels are identified in the permit that cross any subordinate oyster lease, then the holder of the permit shall propose one of them as the sole access channel to the oyster lease section in writing, identifying the centerline of the access channel using the North American Datum 1983 state plane coordinates. Upon receiving the proposal, the oyster lease section shall notify each affected oyster lessee in writing. Upon receiving written notification, the oyster lessee shall have 30 calendar days to object in writing to the oyster lease section and show good cause why the department should not consent to the proposed designation. If an objection is not made within this time period, the department shall recognize the access channel as proposed. If an objection is timely made, the department shall so notify all affected oyster lessees and the holder of the Permit in writing. The affected oyster lessees and the holder of the Permit shall have 30 days from issuance of this notice to propose a mutually agreeable access channel and submit it to the department, identifying the centerline using the North American Datum 1983 state plane coordinates, and the department shall recognize that as the sole access channel. Should the parties fail to reach a mutually agreeable resolution within this time period, the secretary shall have sole discretion to designate a sole access channel across the oyster lease from among those identified in the permit;

(c). for any activity, pipeline, well, platform, shell pad, or facility, including removal of any of those structures, that was placed or constructed before September 20, 1980 or was placed or constructed before the oyster lease was issued, but for which no access channel has been

previously authorized, the holder of the Permit shall propose a single access channel in writing to the Oyster Lease Section, identifying its centerline using the North American Datum (NAD) 1983 state plane coordinates. Upon receiving the proposal, the oyster lease section shall notify each affected oyster lessee in writing. Upon receiving written notification, the oyster lessee shall have 30 calendar days to object in writing to the oyster lease section and show good cause why the department should not consent to the proposed designation. If an objection is not made during this time period, the department shall recognize the access channel as proposed. If an objection is timely made, the department shall so notify all affected oyster lessees and the holder of the permit in writing. The affected oyster lessees and the holder of the permit shall have 30 days from issuance of this notice to propose a mutually agreeable access channel and submit it to the department, identifying the centerline using the (NAD) 1983 state plane coordinates, and the department shall recognize that as the sole access channel. Should the parties fail to reach a mutually agreeable resolution within this time period, the secretary shall have sole discretion to designate a sole access channel across the oyster lease;

(d). any access channel designated across a subordinate oyster lease and accepted by the department shall be the area within 50 feet from the designated centerline of the channel;

(e). in addition, if a spoil area was previously identified in the permit for an access channel designated pursuant to this Subparagraph, this Subparagraph shall also apply to the same spoil area; however, such spoil area shall be limited to eighty feet in width adjacent to one side of the access channel.

8. All leases, all applications for leases by persons who have since died, and all property rights or interests acquired pursuant to such leases, made in conformity with the provisions of law and rule, are heritable and transferable. No such inheritance of transfer is effective with respect to the department unless and until an authentic act, judgment, or other valid instrument translative of title to the lease, application, or property right or interest is registered in the oyster lease section. In the event any oyster lease has been inherited, assigned or transferred to a non-resident, that lease shall not be renewed, pursuant to the residency requirements established in R.S. 56:422.

9. The fee schedule for all processes, as well as the purchase of extra maps, leases, plats or documents, is as follows.

Desktop Examination	$260
New Ground Application	$40
Renewal Application	$30
Lease Transfer	$10 per lease
Maps	$10 per copy
Plats	$5 per copy
Lease Documents	$5 per copy
Other materials	$1 per copy
Computations State Plane to Latitude/Longitude	$2 per point
GIS Data	$5 per lease $50 per USGS 24k section $200 for the dataset

B. Oyster Lease Applications

1. All applicants must appear in person at the oyster lease section office to apply for a new oyster lease.

a. All applicants must be either a bona fide resident as defined in R.S. 56:8(16)(a), an officer or registered agent of and applying on behalf of a firm composed of bona fide Louisiana residents, or an officer or registered agent of and applying on behalf of a corporation domiciled in Louisiana or organized under Louisiana law. Evidence of residency requirements for partnerships, corporations, LLCs, or other business entity and evidence of office-holding or agency shall be provided via certified copy of the filing, in good standing, with the Secretary of State.

b. Applicants shall be of the full age of majority (18 years) when applying for or renewing a lease, or provide power of attorney to agents, evidenced by authentic act, to act on their behalf.

c. Louisiana residency and age shall be evidenced by a valid Louisiana driver's license or state-issued identification.

2. An applicant will be required to outline on a department map the area for which he wishes to apply.

a. In the event of department error that results in an application being taken in an area where there is a prior application or lease that prevents the applicant from taking the full amount of acreage applied for in the area described, the following procedure shall apply. The applicant shall have the option of:

i. taking a lease of all available remaining acres within the originally described area; or

ii. taking a single lease for up to 110 percent of the number of acres originally applied for, outside of the originally described area but in the nearest unencumbered water bottom (a "revision"), provided that the oyster lease section approves the revision; or

iii. if neither of the above options is acceptable to the applicant, or if the oyster lease section does not approve a revision within 30 days after the applicant notifies the department that he has made that selection, the applicant may have his application cancelled and receive a full refund of the application fee.

b. The applicant shall have 30 days~~,~~ from the date of notification of the conflict by certified letter to exercise the above options and notify the department in writing of his selection. If the applicant does not notify the department of his selection within this time period, his application shall be cancelled and the department shall retain all fees.

c. Before a revision lease is issued under Clause 2.a.ii above, the applicant shall first submit a new application for the revised area. This application shall be identified as a "revision" application and shall indicate the original application by number for which it is being substituted. There will be no charge for the revision application.

d. All revisions shall follow this procedure. No lease shall proceed until the properly completed revision application has been submitted, accepted and approved. No revision lease is authorized without the above procedure being followed.

3. Except as provided in Act 595 of the 2016 Regular Legislative Session, where distances between oyster leases, or between oyster leases and the shoreline, are 200 feet or less, no applications or leases shall be taken or issued except that the intervening space may be shared equally by the existing leases or applicants if properly applied for and leased in accordance with existing policies and practices.

4. Water bottoms identified or nominated in lease applications shall be configured in the most compact configuration possible. No new lease, or portion thereof, shall be issued whose length exceeds its narrowest width by more than a factor of three except as follows:

a. between existing leases where all surrounding water bottoms are leased, or under application;

b. in bayous (or similar configurations, connections or cuts between bays, lakes and ponds, etc.), but provided that the water bottom may be leased subject to a subservience clause to reasonable navigation. However, no application will be allowed to include a narrow water body connecting two otherwise non-contiguous larger water bottom areas identified in the lease application, except with the approval of the administrator of the Fisheries Management Division.

5. Oyster lease applications shall be heritable, but not otherwise transferrable.

a. If an applicant dies before the secretary has determined whether to grant the application, the application may be maintained by the administrator of the applicant's estate, provided that proper proof of the death is presented to the department. The applicant's heir as to the application may also maintain the application, provided that the heir is otherwise eligible for an oyster lease and proper proof of death and heirship is provided to the department.

b. The administrator or heir shall appoint a representative to manage the application within 180 days of the applicant's death. If the department is not notified in writing of the appointment of a representative with the legal authority to maintain and manage the application within 180 days of the applicant's death, the application will be null and void regardless of when the department learns of the death, and automatically cancelled and all fees retained by the department.

c. If the lease is granted, it shall be granted in the name of the applicant's heir as to the application, as shown in the proof of heirship provided to the department.

6. Any application for a lease exceeding 1,000 acres will be denied.

7. No application will be accepted that would cause an applicant to exceed the maximum total of 2,500 acres under lease and application established in R.S. 56:432.

a. An applicant will be given 30 days to reduce the acreage contained in any application that would cause his lease acreage to exceed 2,500 acres. If the applicant does not amend the application to reduce the acreage accordingly within 30 days of notification of the exceedance, the application will automatically be cancelled and all fees retained by the department.

8. Once an application for a new lease is received by the department, it will be registered with the Oyster Lease Section and the department will post notice of the application for the lease, along with a copy of the application, map and general description on its website for 90 consecutive days. Concurrent with this 90-day notice period, the department will:

a. request the Office of State Lands to perform a reasonable investigation to determine whether the water bottom applied for is claimed by the state and susceptible to leasing. The department will deny the lease if the Office of State Lands does not determine that the water bottom applied for is claimed by the state and susceptible to leasing. Alternatively, if the Office of State Lands determines that only part of the water bottom applied for is claimed by the state and susceptible to leasing, the applicant may amend the application within 30 days of such denial to limit it to such areas, and the department will continue to process the application as amended. If the applicant does not notify the department of an amendment meeting all requirements within this time period, the application shall be cancelled and the department shall retain all fees;

b. submit any application for a new lease to the Coastal Protection and Restoration Authority to review and determine if the water bottom applied for is located in an area where a buffer zone may be necessary to protect sensitive and eroding lands, and if so to delineate the extent of that buffer zone. The department will deny the lease if the Coastal Protection and Restoration Authority determines that a buffer zone is needed on the water bottom applied for. Alternatively, the applicant may amend the application within thirty (30) days of notification of such denial to remove the area of the buffer zone, and the department will continue to process the application as amended. If the applicant does not notify the department of an amendment meeting all requirements within this time period, the application shall be cancelled and the department shall retain all fees;

c. send written notice of application for the lease to any private person who has previously submitted a claim of ownership of any part of the water bottom applied for to the

Office of State Lands. The purpose of this measure is to provide additional notice. The posting of notice of application for lease on the department's website shall be the official notice. Any claim that the department failed to provide written notice, or that such notice was untimely shall not serve to negate an application for lease or extend the protest period.

9. Any private person claiming ownership of any part of the water bottom applied for may protest the issuance of a state lease on the grounds that the protesting party owns the water bottom, as provided below.

a. The protest must be made in writing via certified mail delivered within the 90-day notice period, concurrently to the secretary through the oyster lease section, the administrator of the Office of State Lands, and the applicant.

b. The protest shall include proof of ownership, including but not limited to all information and documentation that the protesting party believes is relevant to the question of ownership.

c. Any right to protest issuance of the lease shall expire if not delivered within the 90-day notice period.

d. Pursuant to R.S. 56:427(F)(2), if protest is timely made, the administrator of the Office of State Lands shall review the state's claim to ownership of the contested water bottom and issue a preliminary determination to the secretary, the protesting party, and the lease applicant within 90 days of receiving the notice of protest, as to whether the state claims ownership of the contested water bottom. The administrator of the Office of State Lands may evaluate additional information after his preliminary determination, but shall issue a final determination of ownership within 180 days of receiving the notice of protest.

e. The final determination by the administrator of the Office of State Lands shall not be reviewable under the Administrative Procedure Act and is appealable only to the Nineteenth Judicial District Court. Any petition for judicial review of the determination made in accordance with this rule must be filed within 60 days after issuance of the determination.

f. Failure of a private claimant to make a protest has no effect on the right to claim ownership of the leased water bottom pursuant to R.S. 56:423(D).

10. If the administrator of the Office of State Lands finally determines that the state claims ownership of the water bottom applied for, and if the Coastal Protection and Restoration Authority determines that the water bottoms applied for is not essential for integrated coastal protection, and all other requirements are met, the secretary may, at his discretion, execute a lease for the water bottoms in the application, with any amendments as provided in these regulations.

11. An application will automatically be cancelled and all fees retained by the department for any of the following reasons:

a. if the applicant does not appear in person to execute a lease agreement within 60 days of issuance of the initial rental notice;

b. if the applicant fails to request a desktop examination from the department or submit a complete survey meeting department specifications within one year of the date of submission of the lease application;

c. if the administrator of the estate of a deceased applicant or heir as to the application fails to submit the appropriate paperwork naming a representative within 180 days of the named applicant's death, as provided above;

d. as otherwise provided in these regulations.

12. An applicant may withdraw an application and receive a full refund from the department by submitting a written request for withdrawal within the following timeframes:

a. within 120 days after the department posts notice of the application on its website;

b. within 30 days after issuance of the final determination by the administrator of the Office of State Lands regarding the state's claim to ownership of the water bottoms applied for; or

c. within 30 days after final judgment in any proceeding for judicial review of the final determination by the administrator of the Office of State Lands regarding the state's claim to ownership of the water bottoms applied for.

13. The department will deny any new lease application for any water bottoms located within 75 feet of the centerline of a pipeline that is located on purchased right-of-way. However, if the right-of-way is abandoned and returned to commerce, the secretary may then lease such water bottoms.

a. If only part of the water bottom applied for is within 75 feet of the centerline of a pipeline that is located on a purchased right-of-way, the applicant may amend the application to remove all other areas within 30 days of notification of such denial, and the department will continue to process the application as amended. If the applicant does not notify the department of an amendment meeting all requirements within this time period, his application shall be cancelled and the department shall retain all fees.

14. The department will deny any new lease application for any water bottoms located within the following areas:

a. water bottoms designated as a public oyster seed ground, reservation, or other public oyster harvest area;

b. water bottoms that are within the boundaries of a Wildlife Management Area; or

c. water bottoms or bodies designated as navigable channels or waterways by the United States Army Corps of Engineers, or within 50 feet of the permitted boundary of such channel or waterway.

d. If only part of the water bottom applied for is within one of the above-listed areas, the applicant may

amend the application to remove such areas within 30 days of notification of such denial, and the department will continue to process the application as amended. If the applicant does not notify the department of an amendment meeting all requirements within this time period, his application shall be cancelled and the department shall retain all fees.

C. Renewals

1. The lessees of record for expiring leases have first right of renewal on expiring leases for successive periods of 15 years each, provided that the leased area is capable of supporting oyster populations.

2. All applicants must appear in person at the oyster lease section office to apply for an oyster lease renewal.

a. Applicants shall be the full age of majority (18 years) when applying for or renewing a lease, or provide power of attorney to agents, evidenced by authentic act, to act on their behalf.

b. Louisiana residency and age shall be evidenced by a valid Louisiana driver's license or state-issued identification.

c. All applicants must be either a bona fide resident as defined in R.S. 56:8(16)(a), an officer or registered agent of and applying on behalf of a firm composed of bona fide Louisiana residents, or an officer or registered agent of and applying on behalf of a corporation domiciled in Louisiana or organized under Louisiana law. Evidence of residency requirements for partnerships, corporations, LLCs, or other business entity and evidence of office-holding or agency shall be provided via certified copy of the filing, in good standing, with the Secretary of State.

3. Leases, or portions of leases, will not be renewed if:

a. the water bottom is determined by the department to be incapable of supporting oyster populations.

b. the water bottom is designated as a public oyster seed ground, reservation, or other public oyster harvest area, unless specifically authorized by the secretary.

c. the water bottom is within the boundaries of a Wildlife Management Area, unless specifically authorized by the secretary.

d. the water bottom is within an area where the Coastal Protection and Restoration Authority determines is essential for integrated coastal protection or that a buffer zone is necessary to protect sensitive and eroding lands.

e. the renewal applicant fails to meet the residency requirements required by law.

4. In the event a lease, or a portion of a lease, is not renewed for one of the foregoing reasons, the lessee of record at the time of cancellation or his designee has until July 1 of the year the lease was non-renewed to remove cultch or improvements made to the previously leased bottom, or a period of 90 days from receiving notice of non-renewal, whichever is longer. The secretary, at his discretion and upon a showing of good cause, may extend this time period by 90 additional days.

5. Upon renewal, the secretary may make such stipulations in the leases as he deems necessary and proper and may fully settle all disputes as to lease boundaries.

6. Except as provided in Act 595 of the 2016 Regular Legislative Session regarding Phase II of the oyster lease moratorium lifting process, "take-ups", expansions, reconfigurations, or other lease modifications shall not be considered as lease renewals. Any such application for previously unleased water bottoms shall be processed as a new lease application.

D. Lease Plat Requirements and Standards for Oyster Lease Surveys

1. Lease applicants can request the department to perform a desktop examination to produce a lease plat, or may hire a licensed surveyor to draft a lease plat.

a. If a desktop examination is requested, an additional fee established by the commission may be charged.

b. When drafting a lease plat depicting leaseable water bottom, the plat shall reference National Agricultural Imagery Program (NAIP) Imagery or any other relevant imagery with spatial resolution of at least one meter.

c. Upon execution of the lease, the department shall provide three copies of the plat to the lessee of record.

2. If no desktop examination is requested by the applicant, the applicant shall furnish to the department a plat, certified by a licensed surveyor, of the water bottom applied for, within one year of receipt of the lease application by the department. A licensed surveyor shall be responsible for conducting any such survey, in accordance with these regulations and the appropriate professional standards of practice. Failure to submit such a plat within the prescribed time period shall result in the automatic cancellation of the lease application and forfeiture of all application fees.

3. Each element of the description written on the application must be met by the plat required by R.S. 56:427(A). Additionally, the plat must conform completely to the map outline attached to and made a part of the application; provided, however, that deviations from the map outline (but not the written description) are permitted when such a deviation would not encroach on a neighboring lease or application. Such deviations are also permitted when the signed written consent of the lessee or applicant whose lease or application would be affected has been granted; in such cases, the affected lease or application will be amended to remove the overlapped area. In no case will an applicant be allowed to lease outside of his written description, except as provided in Clause B.2.a.ii of this Section.

a. Plats drafted by a licensed surveyor are to be drawn on the form prescribed by the department and stamped. The plat shall remain in the custody of the department after receipt.

b. An electronic CADD file, ESRI Shapefile, or other comparable file, as allowed by the department, of the boundary shall be provided to the department together with the plat and within the same time frame as the plat.

c. In the event that a licensed surveyor relies on department GIS information, it shall be at his own risk.

d. If a licensed surveyor repeatedly surveys over an existing lease, application or land area, that surveyor will be reported to the Louisiana State Board of Professional Engineers and Land Surveyors.

4. All corners of oyster lease plats shall be referenced to the Louisiana State Plane Coordinate System, south zone, NAD83, survey feet.

5. Plats shall illustrate any land, any existing structures or improvements within or adjacent to the application boundary.

6. The acreage indicated on all plats, even though calculated to the tenth or hundredth of an acre, shall be rounded up to the next highest acre.

a. All land areas shall be excluded from the acreage calculation and the lease.

7. The application number and the name of the applicant shall be shown on all plats, as indicated on the original application.

8. Standard signs and symbols shall be used on the plat.

9. The department shall not be responsible for the cost of any private survey performed. Contracting a private survey is at the sole discretion and expense of the applicant.

10. Noncompliance with any requirement established by law or by these rules, after 30-day notification from the department by certified mail, shall result in cancellation of the application or lease and forfeiture of all fees to the department.

E. Oyster Lease Posting Requirements. In an effort to comply with R.S. 56:430(B), and to keep within the constraints of R.S. 14:63 dealing with criminal trespassing, the following oyster lease posting requirements apply to any actively harvested lease.

1. The lessee shall post the oyster lease and maintain signs along the boundaries of the property or area to be posted. These signs shall be written in the English language.

2. The signs shall have letters at least 3 inches in height and shall be of sufficient size and clarity to give notice to the public of the location and boundary of the oyster lease. The signs shall be placed and maintained at intervals of not more than 1,000 feet and shall be at least 3 to 12 feet above the water level.

3. At the main entrance to the lease and at no less than all corners along the boundary of said property, the lessee shall include his name, initials, or lease number.

4. In marsh areas and canals, posted signs shall also be placed at all major points of ingress and egress.

5. In open waters all signs are to be placed facing outward.

F. Policy Regarding the Splitting of Leases

1. No lease shall be split into non-contiguous pieces unless done so by the Coastal Protection Restoration Authority or by judicial decree.

2. If a lease is split by an acquisition by the Coastal Protection Restoration Authority or judicial decree, the department will issue alternative lease numbers for each discrete remainder lease area. An amended lease or leases for such remainder lease areas will be mailed to the lessee at the address on file with the department's oyster lease section.

3. An amended lease issued by the department because a lease was split pursuant to these rules shall not constitute a new lease for purposes of subordination under Act 595 of the 2016 Regular Legislative Session.

4. Splitting of oyster leases will be done with no fee charged to the lessee by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10), R.S. 56:422, R.S. 56:423, R.S. 56:425, R.S. 56:427, R.S. 56:428, Act 808 of the 2008 Regular Legislative Session, Acts 570 and 595 of the 2016 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 10:470 (June 1984), amended LR 12:844 (December 1986), LR 15:197 (March 1989), LR 17:808 (August 1991), LR 37:1622 (June 2011), LR 46:592 (April 2020).

§502. Joint Leasing of Water Bottoms

A.1. At any time, the department may enter into a joint lease agreement or agreements with a private claimant for the leasing of "dual claim" water bottoms to an applicant for the purposes of oyster cultivation. Such an agreement will be referred to as a dual claim agreement. A copy of each dual claim agreement will be maintained at the department's oyster lease section. The department, in consultation with the administrator of the Office of State Lands, and the private claimant, through the dual claim agreement, will designate water bottoms as "dual claim" and authorize the department to enter into dual claim oyster leases (as defined in Subsection B) with applicants on the "dual claim" water bottoms pursuant to Title 56, Part VII, Subpart D of the LRS of 1950. Except as provided in Subsection E of this Section, no dual claim agreement shall contain any restrictions on the applicant more burdensome than those in a traditional state-issued oyster lease. A dual claim agreement shall remain in effect as to the "dual claim" water bottoms affected thereby:

a. for the entire term and to the extent of any state-issued oyster lease or renewal issued by the department thereon; or

b. until and to the extent that ownership of the "dual claim" water bottoms is determined by a final, unappealable judgment of a court of competent jurisdiction; or

c. until such time that no dual claim lease has been issued, and no claimed water bottom remains subject to the dual claim agreement by virtue of the exercise of withdrawal rights as provided in Subsection C of this Section.

2. Neither the existence nor the terms of any dual claim agreement or dual claim lease shall in any way be interpreted to indicate, determine, allocate, or otherwise affect ownership of any water bottoms or mineral rights beneath any water bottoms.

B. The term dual claim lease shall refer to an oyster lease issued by the department on "dual claim" water bottoms that are subject to a dual claim agreement, for which a private claimant holds record title, to which the state also makes an ownership claim as a sovereign navigable water bottom, and to which title has not been adjudicated to either party by a final, unappealable judgment of a court of competent jurisdiction.

C. Both the department and the private claimant shall have the right to withdraw any dual claim water bottoms or portions thereof from a dual claim agreement by and upon written notice to the other ("withdrawal notice"), provided that the department has not received an application for a dual claim lease on the water bottoms affected by the withdrawal notice at the time the withdrawal notice is received.

D. A dual claim lease shall be executed on a department lease form and shall be subject to the same rules and regulations that apply to traditional state-issued oyster leases, except the dual claim lease shall be titled as such, and shall include and be subject to the following clause:

> The water bottoms that are the subject of this lease are committed to a dual claim agreement entered into by and between the Louisiana Department of Wildlife and Fisheries ("DWF") and ("private claimant"), as authorized by R.S. 56:425.1 (Act 570 of 2016). That dual claim agreement is on file with the DWF Oyster Lease Section. Lessee hereunder acknowledges that it has been provided a copy of the dual claim agreement in connection with lessee's application or request for the issuance of this oyster lease. This lease is subject to all terms and conditions of that dual claim agreement in effect on the effective date of this lease. Neither the existence nor the terms of any dual claim agreement or this lease shall in any way be interpreted to indicate, determine, allocate, or otherwise affect ownership of any water bottoms or mineral rights beneath any water bottoms.

E. Any state-issued oyster lease may be amended with the consent of the lessee, in the lessee's sole discretion, to:

1. incorporate the foregoing clause into the existing state-issued oyster lease; and

2. convert the state-issued oyster lease to a dual claim lease. Such conversion shall have no effect on the effective date of the lease or any rights, privileges, or obligations of the lease, except as modified by the clause established in Subsection D of this Section.

F. The department shall receive the same annual rental payment for a dual claim lease as established by R.S. 56:428 for any state-issued oyster lease. However, as a condition of the dual claim agreement, a private claimant may negotiate an additional private rental payment.

1. State-issued oyster leases in existence as of July 1, 2016 may be subject to a dual claim agreement, but the department shall not execute a dual claim agreement that requires private rental payment for such water bottoms.

2. Any such private payment shall be stated in or determinable from the dual claim agreement.

3. Under no circumstances may the department execute a dual claim agreement where the private rental rate exceeds the rate received by the department.

4. If a private rental payment is required, such payment shall be paid directly to the private claimant as lessor; the department shall neither receive nor be the repository for any such payment, nor have any right or responsibility in relation thereto.

5. The dual claim agreement may set forth deadlines and penalties for untimely payment or non-payment of the private payment, but no such deadlines or penalties may be more onerous in terms of deadlines, amount, or consequences than those applicable to state-issued oyster leases. If the dual claim agreement does not provide for such private deadlines or penalties, the deadlines, amount, and consequences for non-payment or late payment of the private payment shall be the same as those applicable to state-issued oyster leases. Regardless, private claimants shall have no responsibility to issue any notice of payment due or late. If a dual claim lease terminates due to non-payment of either the state or private payment, the dual claim lease shall immediately be terminated in its entirety and for all purposes, and the dual claim agreement party whose payment was unpaid shall immediately notify the other party and the lessee of the termination.

G. The department may not execute a dual claim agreement unless it provides that both the private claimant and the department are prohibited from entering into any oyster lease for water bottoms subject to the dual claim agreement, except through a dual claim lease; and that upon the effectiveness of any dual claim lease issued pursuant to the dual claim agreement, the dual claim lease shall replace and supersede in its entirety any then-existing oyster lease previously granted by the private claimant, but only as to acreage within the dual claim lease.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:425.1 and Act 570 of the 2016 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 46:597 (April 2020).

§503. Oyster Lease Rental Rate and Default for Non-Payment

A. The rental rate for oyster leases shall be as determined by law.

B. Policy to Comply with Laws Concerning Default in Payment of Rent on Oyster Leases (Noncompliance R.S. 56:429)

1. Annual rental payments shall be due January 1 each year. Annual rental notices will be mailed to lessees no later than December 1 of each year.

2. If a lessee has not paid the rent on or before January 1 of each year, or within 60 days thereafter, the lease shall automatically terminate and be cancelled, and the lessee shall automatically forfeit all the works, improvements, betterment, and oysters on the previously leased water bottoms to the department. Such water bottoms shall then be open for lease in accordance with R.S. 56:425.

3. On or before February 1 each year, the department shall issue a written notice of delinquency by certified mail to each lessee who has not yet paid rent. This notice shall also be published on the department's website and in the official journal of the parish in which the rent-delinquent lease is located.

4. If a lease is forfeited due to failure to pay rent, the cancellation of that lease shall be made public by notice through publication in the official journal of the parish where the formerly leased water bottoms are located. This shall be done within 10 days of cancellation.

5. Any lessee who pays the rent on or after February 1 shall pay the rent due plus an additional 10 percent penalty.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:428 and R.S. 56:429.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 5:468 (December 1979), amended LR 46:598 (April 2020).

§505. Oyster Lease Moratorium

A. A moratorium on the issuance of oyster leases for water bottoms not presently under lease is established. This includes a moratorium on the taking of oyster lease applications for water bottoms not presently under lease. This moratorium shall remain in place and may not be finally lifted until the following preferential rights have been claimed or forfeited in the following order. Upon the conclusion of the final oyster lease moratorium lifting phase, the secretary shall have the authority to fully and finally lift the moratorium. The secretary shall notify the Wildlife and Fisheries Commission of the lifting of the moratorium and post notice thereof on the department's website at least 30 days before the lifting becomes effective.

1. Phase 0: Processing Pre-Moratorium Lease Application Backlog

a. Applications pending at the time of the March 7, 2002 moratorium shall be processed. This includes all pending applications that have been held, along with all fees paid, but excludes applications as to which the applicant requested cancellation of the application and received a refund of fees.

b. In the event of the death of an applicant, the applicant's heirs or legatees shall so notify the department; and any lease ultimately issued shall issue only to persons placed in possession of the application by Judgment of Possession or to a court-appointed administrator or executor on behalf of a deceased applicant's estate.

c. Pending applications shall be subject to the application procedures established in R.S. 56:427(F) and LAC 76:VII.501.B.

d. The Office of State Lands shall make a determination of ownership for water bottoms applied for in any pending application prior to the execution of such lease.

e. Pending applications may be issued as a "dual claim lease" under LAC 76:VII.502 if ownership of the water bottom is contested.

f. No water bottoms applied for in a pending lease application shall be leased if such water bottoms were encumbered by a private oyster lease that was in effect and properly recorded as of February 1, 2016 in the public records of the parish where the water bottoms are located, and at the time of the lease application, are encumbered by a private oyster lease, to the extent of the lease in effect on February 1, 2016. An applicant may amend the pending application to limit it to the remainder of the water bottoms that are not encumbered by the private oyster lease, or may withdraw the application and receive a full refund.

g. Any lease executed under this phase shall not be subject to the subordination conditions established in LAC 76:VII.501.A.7, as they were originally applied for prior to July 1, 2016.

h. In addition to the official notification of eligible applications the department shall post on the department's website a list of all applicants with pending oyster lease applications eligible for process under Phase 0.

2. Phase I: Right of First Refusal for Non-Renewed Avenal Leases

a. In coordination with the Coastal Protection and Restoration Authority, the department shall identify the leases that were not renewed since January 1, 1996, due to recommendations from the Department of Natural Resources that such leases would be in the operational or impact area of a planned integrated coastal protection project, and those leases whose lessee voluntarily failed to renew the lease between January 1, 1996 and October 19, 2004, and was a party to the class action suit entitled Albert J. Avenal, Jr. et al. v. State of Louisiana and the Department of Natural Resources.

b. The lessee of record at the time the original lease was not renewed shall have the right of first refusal for a new lease for the previously leased acreage.

c. The department shall publish a list of eligible leases on its website for 60 consecutive days, together with notice of the right of first refusal for new leases for the previously leased acreage and the deadline for applying for the new leases under this phase. The deadline for application for new leases under this phase shall be 60 days from when notice is first posted.

d. Any potentially eligible applicant who fails to apply during this 60-day application period forfeits all rights to the lease under this phase.

e. In addition to the official notification of eligible leases posted on the department's website, the department shall also send notice of the right of first refusal for new leases for the previously leased acreage and the deadline for applying for the new leases under this phase in writing via certified letter, to all lessees of record at the time of non-renewal. The purpose of this measure is to provide additional notice. The posting of the eligible leases on the department's website shall be the official notice. Any claim that the department failed to provide written notice via certified letter, or that such notice was untimely shall not serve to extend the application deadline or be sufficient cause to negate forfeiture of a lessee of record's right of refusal.

f. No water bottoms applied for in a pending lease application shall be leased if such water bottoms were encumbered by a private oyster lease that was in effect and properly recorded as of February 1, 2016 in the public records of the parish where the water bottoms are located, and at the time of the lease application, are encumbered by a private oyster lease, to the extent of the lease in effect on February 1, 2016. An applicant may amend the pending application to limit it to the remainder of the water bottoms that are not encumbered by the private oyster lease, or may withdraw the application and receive a full refund.

g. Any lease executed under this phase shall not be subject to the subordination conditions established in LAC 76:VII.501.A.7 and R.S. 56:423(A)(2).

h. This phase of the moratorium lifting shall not commence until the department has finally acted upon all outstanding lease applications under Phase 0.

3. Phase II: Incorporation of Adjacent Water Bottoms

a. A lessee may expand any lease existing as of January 1, 2016 under this phase by amending the lease to incorporate immediately adjacent water bottom that is not leased.

b. Such expansion shall be limited to five hundred feet beyond the existing lease boundary, and only toward:

i. existing Louisiana coastline as shown on the last oyster lease survey plat on record;

ii. existing Louisiana coastline as of January 1, 2016, as shown by the 2015 NAIP imagery, located within 1,000 feet of the existing lease boundary; or

iii. another lease existing as of January 1, 2016, but only where there is 500 feet or less between the leases.

(a). Expansion between two leases separated by 500 feet or less shall be divided equally between the two applicants.

(b). Allocation for expansion between three or more applicants whose leases are separated by 500 feet or less must be agreed upon in writing signed by each of them under authentic act, submitted to the department within the application period. The area shall be divided according to this agreement. Failure to provide such an agreement within the application period results in a forfeiture of all rights to expansion under this phase for each applicant.

c. The department shall post on its website, for one hundred eighty consecutive days, notice of the availability of lease expansions and the deadline for applying for expansions under this phase.

d. The deadline for application under this phase shall be 180 days after notice is first posted.

e. If a lessee fails to apply for an expansion within this application period, he forfeits all rights to expansion under this phase.

f. Expansions issued under this phase shall be identified and issued as an extension to the existing lease and treated as a single lease, including the conditions and the term governing the existing lease. However, the expanded portion of the lease will be subject to the subordination conditions in LAC 76:VII.501.A.7 and R.S. 56:423(A)(2).

g. No water bottoms applied for in a pending lease application shall be leased if such water bottoms were encumbered by a private oyster lease that was in effect and properly recorded as of February 1, 2016 in the public records of the parish where the water bottoms are located, and at the time of the lease application, are encumbered by a private oyster lease, to the extent of the lease in effect on February 1, 2016. An applicant may amend the pending application to limit it to the remainder of the water bottoms that are not encumbered by the private oyster lease, or may withdraw the application and receive a full refund.

h. This phase of the moratorium lifting shall not begin before the time period for applying for leases under Phase I has expired.

4. Phase III: Right of First Refusal for Lessees under Private Lease

a. For any water bottom claimed by a private person that was under a private oyster lease issued by a private claimant with record title to the water bottom and recorded in the public records of the parish where it is located by February 1, 2016, the private lessee of that water bottom at the time of implementation of Phase III shall have the right of first refusal for a new state lease, including a dual claim lease, on any water bottom claimed by the state within the area of the existing private oyster lease.

b. The department shall post on its website, for 60 consecutive days, notice of the right of first refusal for new state leases, including dual claim leases, within the area of private oyster leases and the deadline for applying for new leases under this phase.

c. The deadline for application under this phase shall be 60 days after notice is first posted.

d. If a lessee fails to apply for a lease within this application period, he forfeits all rights to a state lease under this phase.

e. This phase is the only time where lessees may "convert" privately issued oyster leases located on state

claimed water bottoms, to state-issued leases, including dual claim leases, under these regulations. Upon conclusion of Phase III, private leases on state-claimed water bottoms previously recognized as valid by Act 570 of the 2016 Regular Legislative Session will either have been converted to regular state leases or dual claimed leases, or they will cease to be recognized by the department. Continued harvest on state water bottoms after this phase without a state-issued lease, regardless of whether a privately issued oyster lease exists, will be subject to enforcement action. Any portions of privately issued oyster leases on water bottoms not claimed by the state at the time of Phase III applications will not be subject to or affected by Phase III, and will not be afforded any right of first refusal or other priority or preference.

f. This phase of the moratorium lifting shall not begin before the time period for applying for Phase II has expired.

5. Phase IV: First Lottery Phase

a. The department shall post on its website, for 60 consecutive days, notice of the oyster lease lottery and the deadline for entering the lottery.

b. The deadline for submitting an entry shall be 60 days after notice first posted.

c. Any person eligible for an oyster lease under R.S. 56:425 may submit a single lottery entry for an appointment to apply for a single lease under this phase.

i. Individuals may apply multiple times if each application is made on behalf of a separate juridical person. An individual applying on behalf of a non-natural person must submit a certified copy of a filing with the Secretary of State showing that he is an officer or agent of the non-natural person.

d. If any person fails to submit a lottery entry within this application period, he forfeits all rights to a new lease under this phase.

e. Upon the conclusion of the application period, the oyster lease section shall enter each valid applicant into a random selection process using computer-generated randomization software to assign appointment priority.

f. Lottery participants will be given notice of their random priority number following the selection process.

g. The lottery entrants shall be assigned an appointment date and time with the oyster lease section based upon their priority. Appointment times will be assigned strictly by priority and shall not be negotiable.

h. The department shall send notification of the appointment date and time in writing to each lottery entrant at the address provided in the lottery application, at least 14 days prior to the date of the scheduled appointment. Additionally, the department shall maintain an electronic calendar of scheduled appointments and priority queue on its website.

i. A lottery entrant who fails to attend his scheduled appointment, for any reason whatsoever, shall be moved to the bottom of the priority list and his appointment shall be rescheduled accordingly. Failure to attend the rescheduled appointment will result in a forfeiture of all rights to a lease under this phase.

j. This phase of the moratorium lifting shall not begin before the time period for applying for leases under Phase III has expired.

6. Phase V: Second Lottery Phase

a. If after Phase IV, the secretary believes that a second lottery phase is warranted, then he may elect to conduct a second lottery.

b. This second lottery shall be subject to the same guidelines established by the commission governing the first lottery.

c. This phase of the moratorium lifting shall not begin before all applications for leases or expansions under Phases I, II, III, and IV have been finally received by the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10), R.S. 56:422, R.S. 56:425, R.S. 56:429, R.S. 56:432.1, Act 808 of the 2008 Regular Legislative Session, Acts 570 and 595 of the 2016 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 10:948 (November 1984), amended LR 29:374 (March 2003), LR 33:1397 (July 2007), LR 46:598 (April 2020).

§507. Public Oyster Seed Ground—Vermilion, East and West Cote Blanche and Atchafalaya Bays

A. The Vermilion, East and West Cote Blanche, and Atchafalaya Bay Public Oyster Seed Ground is described as that portion of state water bottoms beginning at a point of land on the southwest side of Southwest Pass, (y-335554.00) (x-1,774,683.00), thence S 31 54 44 E 4300.4 feet to Lighthouse Point on the southeast side of Southwest Pass and the most westerly point of Marsh Island (y-331,903.69) (x-1,776,956.24), thence along the south shoreline of Marsh Island to the point known as South Point (y-298,750.40) (x-1,863,189.50) thence S 74 10 18 E 5278.6 feet to a platform (y-284,352.82) (x-1,913,973.65) thence S 68 18 41 E 75,154.9 feet to Eugene Island (y-256,578.31) (x-1,983,808.02) thence S 35 17 41 E 17,453.6 feet to Point Au Fer (y-242,332.84) (x-1,993,892.44) thence along the southeastern shoreline of Atchafalaya Bay to South Point (y-257,413.00) (x-2,031,117.00) thence N 29 36 41 E 7455.7 feet to the north bank of Four League Pass (y-263,895.00) (x-2,034,801.00) thence along the eastern shoreline of Atchafalaya Bay to the east bank of the Atchafalaya River (y-294,175.00) (x-2,020,925.00) thence N 80 57 36 W 6001.5 feet to the west bank of the Atchafalaya River (y-295,118.00) (x-2,014,998.00) thence along the north shoreline of Atchafalaya Bay to Bell Isle Point (y-312,510.00) (x-1,969,990.00) thence following the shoreline of New Pass to a point on the west bank of New Pass (y-318,375.00) (x-1,967,345.00) thence westerly along the north shoreline of Atchafalaya Bay to Point Chevreuil (y-309,951.00) (x-1,930,415.00) thence northerly along the shoreline of East Cote Blanche Bay to Point Marone

(y-352,112.00) (x-1,898,410.00) thence northerly along the east shoreline of West Cote Blanche Bay to the East side of the Jaws (y-389,415.00) (x-1,909,020.00) thence N 64 01 41 W 4407.1 feet to the west side of the Jaws (y-391,345.00) (x-1,905,058.00) thence westerly along the north shoreline of West Cote Blanche Bay to Cypremort Point (y-380,726.00) (x-1,826,461.00) thence northerly along the east shoreline of Vermilion Bay to Little Mud Point (y-412,498.00) (x-1,836,480.00) thence in a southerly direction along the shoreline of Weeks Bay to the east bank of Shark Bayou (y-403,692.00) (x-1,840,583.00) thence northerly along the east shore of Weeks Bay to a point at the mouth of Bayou Carlin (y-422,780.00) (x-1,841,195.00) thence westerly along the north shoreline of Vermilion Bay to Mud Point (y-382,749.00) (x-1,741,026.00) thence continue along the shoreline to a point at the southeast corner of Little White Lake (y-395,495.00) (x-1,738,384.00) thence along the shoreline of Little White Lake to Buck Point (y-391,673.00) (x-1,736,065.00) thence continue along the shoreline to Redfish Point (y-375,420.00) (x-1,786,260.00) thence southerly along the west shoreline to Vermilion Bay to a point at the mouth of Hog Bayou (y-346,604.00) (x-1,752,950.00) thence along the shoreline of Hell Hole to a point at the northeast corner of Hell Hole (y-347,496.00) (x-1,755,604.00) thence easterly along the shoreline of Vermilion Bay to Indian Point (y-352,201.00) (x-1,777,875.00) thence southerly along the shoreline of Vermilion Bay and Southwest Pass to the Gulf and the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:434.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 16:776 (September 1990).

§509. Outside Area Atchafalaya—Vermilion Bay Oyster Seed Ground

A. The outside area Atchafalaya-Vermilion Bay Oyster Seed Ground is described as that portion of state water bottoms beginning at a point known as South Point on the Southeast portion of Marsh Island (y-298,750.40) (x-1,863,189.50), thence S 74° 10' 18" E 52785.6 feet to a platform (y-284,352.82) (x-1,913,973.65), thence S 68° 18' 41" E 75,154.9 feet to Eugene Island (y-256,578.31) (x-1,983,808.02), thence S 35° 17' 41" E 17,453.6 feet to Point Au Fer (y-242,332.84) (x-1,993,892.44), thence south 35 00' W approximately 3 miles to the Louisiana State Territorial Limitation, thence westerly along the State Territorial Limitation to a point south of Marsh Island thence north approximately 3 miles to a point on Marsh Island (y-295,200.0) (x-1,845,950.0), thence easterly along the shoreline of Marsh Island to South Point being the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:434.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Coastal and Marine Resources, LR 14:716 (October 1988).

§511. Public Oyster Seed Grounds East of the Mississippi River

A. The public oyster seed grounds east of the Mississippi River are described as that portion of state water bottoms hatched on the map below, except as follows:

1. that portion as described in Louisiana Administrative Code (LAC) 76:VII.531.B. (Oyster Lease Relocation) and more particularly described as that area within the following coordinates (North American Datum 1983):

a. South Breton Sound

i. 89 degrees 27 minutes 49.74 seconds W

29 degrees 27 minutes 48.91 seconds N;

ii. 89 degrees 26 minutes 36.54 seconds W

29 degrees 27 minutes 48.89 seconds N;

iii. 89 degrees 26 minutes 36.47 seconds W

29 degrees 26 minutes 38.48 seconds N;

iv. 89 degrees 28 minutes 04.69 seconds W

29 degrees 26 minutes 43.66 seconds N;

v. 89 degrees 28 minutes 58.49 seconds W

29 degrees 26 minutes 41.69 seconds N.

2. The below described areas, comprising approximately 40,248 acres, shall no longer be designated as a seed ground and shall be set aside for oyster leasing as per provisions of subpart D of Part VII of Louisiana Revised Statues Title 56, upon commencement of the first lottery phase of the oyster moratorium lifting process pursuant to the provisions of Phase Four of Section 2 of Act 595 of the 2016 Regular Session of the Legislature:

a. North Breton Sound

i. 89 degrees 24 minutes 00.000 seconds W

29 degrees 41 minutes 00.468 seconds N;

ii. 89 degrees 24 minutes 00.000 seconds W

29 degrees 34 minutes 30.000 seconds N;

iii. 89 degrees 27 minutes 56.000 seconds W

29 degrees 34 minutes 30.000 seconds N;

iv. 89 degrees 27 minutes 56.000 seconds W

29 degrees 41 minutes 12.400 seconds N;

v. following the current public oyster seed ground boundary line and shorelines back to point of beginning.

b. Bay Eloi

i. 89 degrees 17 minutes 12.190 seconds W

29 degrees 45 minutes 49.160 seconds N;

ii. 89 degrees 23 minutes 46.500 seconds W

29 degrees 41 minutes 09.948 seconds N;

iii. following the current public oyster seed ground boundary line and shorelines back to point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:434.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Coastal and Marine Resources, LR 14:716 (October 1988), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 37:1624 (June 2011), LR 45:763 (June 2019).

§513. Public Oyster Seed Ground Addition—Lake Borgne

A. The Lake Borgne Public Oyster Seed Ground is described as that portion of the state water bottoms:

1. Beginning at the most northerly point of Malheureux Point latitude 30° 04' 48.216" north, longitude 89° 29' 02.247" west on the southern shoreline of Lake Borgne; thence southwesterly a distance of 16.6 miles to the most easterly point of Proctor Point latitude 29° 56' 46.459" north, longitude 89° 42' 51.039" west on the southwestern shoreline of Lake Borgne; thence northerly a distance of 5.6 miles to the most easterly point of Alligator Point latitude 30° 01' 39.731" north, longitude 89° 43' 01.767" west on the northern shoreline of Lake Borgne; thence northeasterly along the northern shoreline of Lake Borgne a distance of 19.1 miles to the intersection with the western shoreline of the Pearl River latitude 30° 10' 39.633" north, longitude 89° 31' 53.828" west; thence northerly along the western shoreline of the Pearl River a distance of 0.25 miles to a point latitude 30° 10' 52.888" north, longitude 89° 31' 53.736" west on the western shoreline of the Pearl River; thence easterly a distance of 1.15 miles to the Pearl River Beacon No. 8 latitude 30° 11' 00.429" north, longitude 89° 31' 28.187" west; thence southeasterly a distance of 7.5 miles to the point of beginning.

2. Beginning at the southeastern corner of the existing Lake Borgne Public Oyster Seed Ground as described in Paragraph 1 above, which is the most easterly point of Proctor Point, at latitude 29° 56' 46.459" north, longitude 89° 42' 51.039" west; thence westerly along the shoreline of Lake Borgne to latitude 29° 55' 54.300" north, longitude 89° 47' 57.000" west; thence north to latitude 30° 00' 46.000" north, longitude 89° 47' 57.000" west; thence east to the western boundary of the existing Lake Borgne Public Oyster Seed Ground at latitude 30° 00' 46.000" north, longitude 89° 42' 59.799" west; thence southerly along the western boundary of the existing Lake Borgne Public Oyster Seed Ground to the point of beginning.

3. Beginning at the southeastern corner of the existing Lake Borgne Public Oyster Seed Ground as described in Paragraph 1 above, which is the most easterly point of Proctor Point, at latitude 29° 56' 46.459" north, longitude 89° 42' 51.039" west; thence northeasterly along the southern boundary of the existing Lake Borgne Public Oyster Seed Ground to latitude 30° 01' 18.470" north, longitude 89° 35' 03.662" west; thence southwesterly to latitude 29° 53' 22.749" north, longitude 89° 42' 12.538" west; thence northwesterly to a point on the shoreline of Lake Borgne at latitude 29° 56' 12.711" north, longitude 89° 44' 11.750" west; thence northeasterly along the shoreline of Lake Borgne to the point of beginning.

4. Beginning at a point on the southern boundary of the existing Lake Borgne Public Oyster Seed Ground, as described in Paragraph 1 above, at latitude 30° 01' 25.814" north, longitude 89° 34' 51.025" west; thence northeasterly along the southern boundary of the existing Lake Borgne Public Oyster Seed Ground to latitude 30° 04' 01.816" north, longitude 89° 30' 22.277" west; thence southerly to latitude 30° 02' 25.177" north, longitude 89° 30' 22.277" west; thence southwesterly to latitude 30° 00' 26.497" north, longitude 89° 34' 05.521" west; thence northwesterly to the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(12) and R.S. 56:434(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 30:1733 (August 2004).

§515. Oyster Lessee Out-of-State Landing Program

A. Policy. The oyster lessee out-of-state landing permit is intended for the benefit of an oyster leaseholder, or his duly authorized designee, who desires to land oysters, from privately leased water bottoms only, outside the state of Louisiana, and to provide an effective method of regulating the transportation of oysters landed or off-loaded from a vessel outside of Louisiana. It is for use by Louisiana licensed oyster fishermen. Violation of any provision of the rules, regulations or statutes concerning the oyster out-of-state landing permit by the permittee, oyster harvester or vessel owner while operating under the permit shall result in the suspension and/or revocation of the permit in addition to

any citations resulting from activities. The permit shall be valid for up to one calendar year beginning on January 1 and ending on December 31 of the same year. The cost per permit shall be $100.

B. Permit Application and Procedures

1. Applications shall be available from the Louisiana Department of Wildlife and Fisheries (LDWF) licensing office in Baton Rouge at any time during regular business hours. Completed applications, along with required documentation, will be accepted only by appointment at the LDWF Marine Fisheries Division in Baton Rouge. Applications shall only be accepted from the oyster leaseholder, or harvester operating on the leaseholder's behalf. All required information shall be provided before a permit is issued.

2. Applications shall include the following information:

a. applicant information including name, address, telephone number, Social Security number, and driver's license number. If applicable, commercial license numbers (vessel, oyster harvester, commercial fisherman) and vessel registration or U.S. Coast Guard (USCG) documentation;

b. leaseholder information including name, address, and leaseholder account identification number:

i. if name of leaseholder is a corporation, partnership, or other legal entity, the Louisiana Secretary of State Charter/Organization number must be provided;

ii. if the name of the leaseholder is different than the applicant, the applicant must provide valid permission from the leaseholder (also refer to Subparagraph B.2.i below);

c. harvester information including name, address, telephone number, Social Security number, and driver's license number. If applicable, commercial license numbers (vessel, oyster harvester, commercial fisherman) may be required;

d. vessel owner information including name, address, telephone number, Social Security number, and driver's license number. If applicable, commercial license numbers (vessel, oyster harvester, commercial fisherman) may be required;

e. vessel information including name of vessel, vessel license number, USCG vessel documentation number, and/or vessel registration number, if applicable;

f. lease number(s) to be fished, and leaseholder name and identification number for each lease, while operating under the permit;

g. copies of vessel registration certificate(s) or U.S. Coast Guard vessel documentation certificate;

h. proof of lease ownership by supplying copies of certified lease plats and/or documents:

i. corporation—if lessee name on plat is a corporation, provide the Louisiana Secretary of State Charter/Organization number. The applicant must be a registered director or agent of the corporation. If the applicant has been given permission to fish the lease(s) by the corporation, please refer to Subparagraph B.2.i below;

ii. power of attorney—if lease(s) listed on the application are not listed under the applicant's account, the applicant shall provide documentation of power of attorney for the estate of the leaseholder. If the applicant has been given permission to fish the lease(s) by the estate of the leaseholder, please refer to Subparagraph B.2.i below;

i. written, signed, notarized, and dated permission from the leaseholder to fish the lease(s), if applicable:

i. corporation—the person granting permission must be a registered director or agent of the corporation which owns the lease(s) listed on the application;

ii. power of attorney—the person granting permission must provide documentation of power of attorney for the estate of the leaseholder which owns the lease(s) listed on the application.

C. Operations. Permits are non-transferable and only the vessel listed on the permit can be used with the permit and only one vessel is allowed per permit. The vessel must maintain the original permit on board at all times while operating under the permit, including during times of fishing and transportation. Valid permission from the leaseholder must be present on the permitted vessel while operating under the permit. The complete original permit must be surrendered to the department in the event the permittee chooses to have the permit modified. Any change in leases fished shall require the permittee to submit a new application at no additional expense prior to fishing different leases. Any change in vessel shall require the permittee to submit a new application and permit fee. At no time while operating under the permit and transporting oysters out-of-state shall the permittee have on board the permitted vessel oysters taken from non-leased water bottoms of the state or from oyster leases not listed on the original permit. The permitted vessel shall display signs, visible from either side of the vessel and from the air, with the words "Oyster Permit" and the permit number shall be placed on these signs in letters at least 12 inches high.

D. Records, Reporting, and Severance Tax. The permittee shall maintain an up-to-date daily record of the number of sacks of oysters landed under the permit on forms provided by the department for that purpose. The permittee shall submit to the department a monthly record of the number of sacks of oysters landed under the permit and the name and Food and Drug Administration interstate certified shellfish shipper's number of the business to whom the oysters were sold no later than 15 days following the last day of the month on forms provided by the department for that purpose, even if no landings occurred. Failure to submit monthly records or incomplete records to the department before the reporting deadline shall result in suspension or revocation of the permit, at the discretion of the department. Payment of severance tax owed, as outlined in Louisiana R.S. 56:446(A) must accompany the monthly report.

E. Monitoring. The vessel utilized under this permit shall have on-board and in working order an electronic vessel monitoring system as required by R.S. 56:424, as provided herein. Oyster vessels, the owner or operator of any vessel issued an oyster lessee out-of-state landing permit or a vessel that landed oysters from a private lease in Louisiana waters, at a location outside of Louisiana, or intends to land, or lands oysters out of state, must have an operable vessel monitoring system (VMS) unit installed on board that meets the requirements of LAC 76:VII.371. The VMS unit must be certified, installed on board and operable, and the department notified of the installation, before the vessel may begin dredging or transporting oysters.

F. Violation. Failure to abide by any regulation set forth regarding the use or operation of VMS, or failure to have VMS when required shall be considered a violation of the Section of law requiring the use of VMS and requirements of probation where applicable. All fish taken or possessed by a person in violation of these rules shall be deemed illegally taken and possessed. The provisions of this Section do not exempt any person from any other laws, rules, regulation, and license requirements for this or other jurisdictions. Violations of this Section shall constitute a Class 2 violation. As a condition maintaining and operating under this permit, persons shall comply with the VMS provisions regardless of the vessels location, failure to comply with VMS rules and regulations, the department shall revoke and not reinstate the Out-of-State Landing Permit for that vessel and person for the period in which it was issued.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56.6(10), R.S. 56:422, R.S. 56:424(B, G), and R.S. 56:425.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Fisheries, LR 22:120 (February 1996), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:1624 (July 2005), LR 34:889 (May 2008).

§517. Public Oyster Seed Grounds—Portions of Lake Mechant, Lake Tambour, Lake Chien, Lake Felicity, Deep Lake, and Barataria Bay

A. The following areas are designated as oyster seed grounds:

1.a. Lake Mechant, Terrebonne Parish: The state waterbottoms within the following corners.

29o 19' 45.36273" N	90o 58' 19.84034" W
29o 18' 52.50955" N	90o 57' 32.90680" W
29o 18' 41.04086" N	90o 55' 58.95532" W
29o 16' 47.29750" N	90o 56' 44.37133" W
29o 18' 33.55333" N	90o 57' 37.82946" W
29o 18' 46.69380" N	90o 59' 21.09926" W

b. Additional portions of the Lake Mechant Public Oyster Seed Grounds are described as follows.

i. Addition 1: Beginning at a point on the border of the existing Lake Mechant Public Oyster Seed Grounds at latitude 29 degrees 18 minutes 33.5533 seconds N and longitude 90 degrees 57 minutes 37.8295 seconds W; thence southerly to a point at latitude 29 degrees 18 minutes 14.8543 seconds N and longitude 90 degrees 57 minutes 39.1397 seconds W; thence southerly to a point at latitude 29 degrees 18 minutes 03.4928 seconds N and longitude 90 degrees 57 minutes 38.8965 seconds W; then southerly to a point at latitude 29 degrees 17 minutes 42.1030 seconds N and longitude 90 degrees 57 minutes 28.7632 seconds W; thence southwesterly to a point at latitude 29 degrees 17 minutes 36.2469 seconds N and longitude 90 degrees 57 minutes 35.9244 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 29.3388 seconds N and longitude 90 degrees 57 minutes 30.9068 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 18.0878 seconds N and longitude 90 degrees 57 minutes 26.2988 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 12.1229 seconds N and longitude 90 degrees 57 minutes 22.7942 seconds W; thence southeasterly to a point at latitude 29 degrees 17 minutes 04.4969 seconds N and longitude 90 degrees 56 minutes 57.2000 seconds W; thence southeasterly to a point at latitude 29 degrees 17 minutes 01.3854 seconds N and longitude 90 degrees 56 minutes 51.4572 seconds W; thence northwesterly along the existing Lake Mechant Public Oyster Seed Grounds border to the point of beginning.

ii. Addition 2: Beginning at a point on the border of the existing Lake Mechant Public Oyster Seed Grounds at latitude 29 degrees 18 minutes 41.0409 seconds N and longitude 90 degrees 55 minutes 58.9553 seconds W; thence southerly to a point at latitude 29 degrees 18 minutes 30.9866 seconds N and longitude 90 degrees 56 minutes 01.3860 seconds W; thence southeasterly to a point at latitude 29 degrees 18 minutes 15.9476 seconds N and longitude 90 degrees 55 minutes 53.2347 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 59.3179 seconds N and longitude 90 degrees 56 minutes 07.0156 seconds W; thence southerly to a point at latitude 29 degrees 17 minutes 21.1676 seconds N and longitude 90 degrees 56 minutes 21.2961 seconds W; thence southerly to a point at latitude 29 degrees 16 minutes 47.2975 seconds N and longitude 90 degrees 56 minutes 44.3713 seconds W; thence northerly along the border of the existing Lake Mechant Public Oyster Seed Grounds to the point of beginning.

2. Lake Tambour, Terrebonne Parish. The state waterbottoms within a 4-sided figure with the following corners.

29° 20' 30.73200" N 90° 31' 09.14598" W
29° 19' 51.16104" N 90° 29' 28.99726" W
29° 19' 59.29224" N 90° 29' 26.60078" W
29° 19' 50.06346" N 90° 30' 49.92953" W

3. Lake Chien, Terrebonne Parish. The state waterbottoms within a 4-sided figure with the following corners.

29° 20' 32.76107" N 90° 27' 00.06196" W
29° 19' 52.97766" N 90°27' 17.37544" W
29° 19' 48.08926" N 90° 26' 08.51018" W
29° 20' 17.07711" N 90° 26' 01.32145" W

4. Lake Felicity, Terrebonne Parish. The state waterbottoms within a 4-sided figure with the following corners.

29° 19' 04.72932" N 90° 26' 58.50922" W
29° 18' 01.44630" N 90° 27' 47.32882" W
29° 18' 24.61153" N 90° 24' 04.57895" W
29° 19' 11.54946" N 90° 25' 19.67927" W

5. Deep Lake, Lafourche Parish. The state waterbottoms within a 4-sided figure with the following corners.

29° 17' 59.74050" N 90° 21' 25.89465" W
29° 17' 18.88030" N 90° 21' 24.62348" W
29° 17' 17.26209" N 90° 21' 03.04101" W
29° 18' 17.57225" N 90° 21' 01.40994" W

6. Barataria Bay, Jefferson Parish. The state waterbottoms within a 4-sided figure with the following corners.

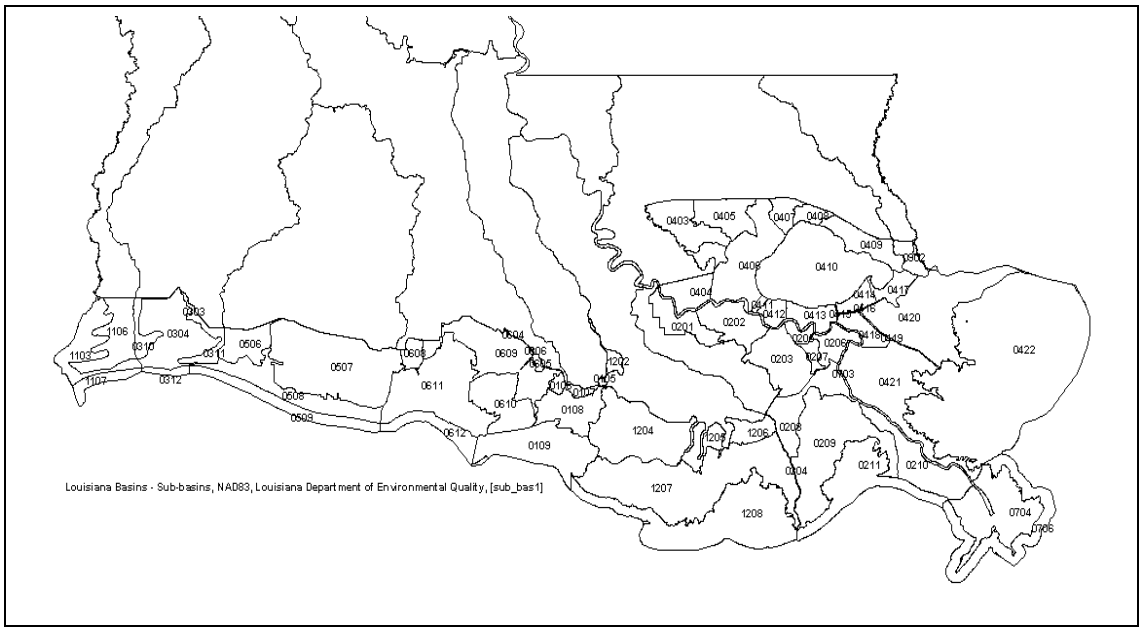
29° 20' 13.14881" N 89° 56' 54.91540" W
29° 17' 47.14426" N 89° 56' 59.91355" W
29° 17' 46.05927" N 89° 56' 23.01176" W
29° 20' 12.06107" N 89° 56' 19.01249" W

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(12) and R.S. 56:434(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 27:215 (February 2001), repromulgated LR 27:431 (March 2001), amended LR 33:2791 (December 2007).

§519. Establishment of an Oyster Harvest Area Grid System

A. For the purpose of submission of oyster leaseholder production information, as required in R.S. 56:430.1, the oyster harvest area grid system is established as those grid areas detailed on the map which is attached hereto and made a part hereof.



AUTHORITY NOTE: Promulgated in accordance with R.S. 56:430.1.B.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 28:524 (March 2002), amended LR 29:2515 (November 2003).

§521. Public Oyster Seed Grounds—Little Lake

A. The Little Lake Public Oyster Seed Grounds is described as that portion of the state-owned water bottoms within the boundary as shown on a map by the Department of Wildlife and Fisheries, dated August 29, 2006, and more particularly described.

1. Beginning at the intersection of the western shoreline of Barataria Waterway and the northern shoreline of Bayou St. Denis at latitude 29 degrees 29 minutes 41.385 seconds North, longitude 90 degrees 01 minutes 12.443 seconds West; thence southerly to a point at latitude 29 degrees 29 minutes 32.297 seconds North, longitude 90 degrees 01 minutes 08.030 seconds West; thence southerly to a point at latitude 29 degrees 29 minutes 23.314 seconds North, longitude 90 degrees 01 minutes 10.035 seconds West; thence southerly to a point at latitude 29 degrees 29 minutes 09.521 seconds North, longitude 90 degrees 01 minutes 15.178 seconds West; thence westerly to a point at latitude 29 degrees 29 minutes 10.637 seconds North, longitude 90 degrees 01 minutes 29.713 seconds West; thence southerly to a point at latitude 29 degrees 28 minutes 33.134 seconds North, longitude 90 degrees 01 minutes 30.449 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 40.110 seconds North, longitude 90 degrees 03 minutes 27.833 seconds West,

thence southerly to a point at latitude 29 degrees 28 minutes 36.574 seconds North, longitude 90 degrees 03 minutes 29.741 seconds West; thence southwesterly to a point at latitude 29 degrees 28 minutes 22.052 seconds North, longitude 90 degrees 03 minutes 56.413 seconds West; thence southwesterly to a point at latitude 29 degrees 28 minutes 20.369 seconds North, longitude 90 degrees 04 minutes 01.526 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 19.527 seconds North, longitude 90 degrees 04 minutes 16.811 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 19.340 seconds North, longitude 90 degrees 04 minutes 23.149 seconds West; thence southwesterly to a point at latitude 29 degrees 28 minutes 12.363 seconds North, longitude 90 degrees 04 minutes 28.498 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 13.253 seconds North, longitude 90 degrees 04 minutes 33.578 seconds West; thence westerly to a point at latitude 29 degrees 28 minutes 13.533 seconds North, longitude 90 degrees 04 minutes 36.968 seconds West; thence southerly to a point at latitude 29 degrees 28 minutes 11.567 seconds North, longitude 90 degrees 04 minutes 38.407 seconds West; thence southerly to a point at latitude 29 degrees 28 minutes 05.627 seconds North, longitude 90 degrees 04 minutes 38.482 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 58.698 seconds North, longitude 90 degrees 04 minutes 38.568 seconds West; thence westerly to a point at latitude 29 degrees 27 minutes 55.110 seconds North, longitude 90 degrees 04 minutes 46.543 seconds West; thence westerly to a point at latitude 29 degrees 27 minutes 52.581 seconds North, longitude 90 degrees 05 minutes 06.066 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 48.538 seconds North, longitude 90 degrees 05 minutes 03.132 seconds West; thence easterly to a point at latitude 29 degrees 27 minutes 49.851 seconds North, longitude 90 degrees 04 minutes 45.184 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 37.031 seconds North, longitude 90 degrees 04 minutes 37.154 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 36.560 seconds North, longitude 90 degrees 04 minutes 36.658 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 24.833 seconds North, longitude 90 degrees 04 minutes 38.534 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 18.564 seconds North, longitude 90 degrees 04 minutes 37.351 seconds West; thence westerly to a point at latitude 29 degrees 27 minutes 23.151 seconds North, longitude 90 degrees 04 minutes 54.963 seconds West; thence southwesterly to a point at latitude 29 degrees 27 minutes 11.170 seconds North, longitude 90 degrees 05 minutes 08.473 seconds West; thence southerly to a point at latitude 29 degrees 27 minutes 06.634 seconds North, longitude 90 degrees 05 minutes 08.198 seconds West; thence southwesterly to a point on the southern shoreline of Little Lake at latitude 29 degrees 27 minutes 03.038 seconds North, longitude 90 degrees 05 minutes 14.223 seconds West; thence westerly along the shoreline of Little Lake to the intersection of the western shoreline of Little Lake and the southern shoreline of Bay L'ours at latitude 29 degrees 30 minutes 02.067 seconds North, longitude 90 degrees 12 minutes 02.839 seconds West; thence westerly along the shoreline of Bay L'ours to the intersection of the northern shoreline of Bay L'ours and the western shoreline of Little Lake at latitude 29 degrees 31 minutes 05.281 seconds North, longitude 90 degrees 11 minutes 51.880 seconds West; thence northerly along the western shoreline of Little Lake to the intersection of the northern shoreline of Little Lake and the western shoreline of Bayou Perot at latitude 29 degrees 34 minutes 11.659 seconds North, longitude 90 degrees 10 minutes 13.934 seconds West; thence northerly along the western shoreline of Bayou Perot to a point on the western shoreline of Bayou Perot at latitude 29 degrees 34 minutes 40.000 seconds North, longitude 90 degrees 10 minutes 08.000 seconds West; thence east to a point on the eastern shoreline of Bayou Perot at latitude 29 degrees 34 minutes 40.000 seconds North, longitude 90 degrees 09 minutes 20.000 seconds West; thence southerly along the eastern shoreline of Bayou Perot to the intersection of the eastern shoreline of Bayou Perot and the northern shoreline of Little Lake at latitude 29 degrees 33 minutes 55.686 seconds North, longitude 90 degrees 10 minutes 18.146 seconds West; thence southeasterly along the northern shoreline of Little Lake to the intersection of the northern shoreline of Little Lake and the western shoreline of Turtle Bay at latitude 29 degrees 31 minutes 57.674 seconds North, longitude 90 degrees 08 minutes 55.092 seconds West; thence northeasterly along the shoreline of Turtle Bay to the intersection of the eastern shoreline of Turtle Bay and the northern shoreline of Little Lake at latitude 29 degrees 31 minutes 55.937 seconds North, longitude 90 degrees 06 minutes 28.544 seconds West; thence southeasterly along the northern shoreline of Little Lake to a point on the northern shoreline of Little Lake at latitude 29 degrees 31 minutes 28.031 seconds North, longitude 90 degrees 05 minutes 14.708 seconds West; thence southeasterly to the intersection of the eastern shoreline of Little Lake and the northern shoreline of Bayou St. Denis at latitude 29 degrees 31 minutes 20.272 seconds North, longitude 90 degrees 04 minutes 50.608 seconds West; thence southeasterly along the northern shoreline of Bayou St. Denis to the point of beginning.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(12) and R.S. 56:434(A).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:297 (February 2007).

§523. Oyster Cargo Vessels

A. Policy. The Oyster Cargo Vessel (OCV) permit is intended to assist oyster harvesters with meeting refrigeration requirements as set forth in the Louisiana Department of Health and Hospitals Shellfish Sanitation Code (Title 51) and to facilitate harvest and transport of shell-stock harvested from Louisiana water bottoms. It is also intended to provide an effective method of regulating the transfer of oysters from harvest vessels to cargo vessels which will land or off-load oysters. Violation of any provision of the rules, regulations or statutes concerning the oyster cargo vessel permit by the permittee, oyster harvester

or vessel owner while operating under the OCV permit shall result in suspension and/or revocation of the permit in addition to any citations resulting from activities.

B. Permit Procedures

1. Permits shall be available from the Department of Wildlife and Fisheries (LDWF) licensing office in Baton Rouge at any time during regular business hours. The OCV permit may be purchased at any time of the year for the current license year and from November 15 for the immediately following year, and shall be valid for up to one calendar year beginning January 1 and expiring on December 31 of the same calendar year. The annual fee per permit shall be $250 for residents and $1105 for nonresidents.

2. Permits shall be issued in the name of the vessel owner and shall have the vessel identified on the license.

3. Any designee obtaining the permit on the vessel owners behalf must present to LDWF licensing a signed, notarized document from the vessel owner, which includes the vessel owner's name, address, Social Security number, date of birth and driver's license number, and registration number or USCG document number of the vessel to be permitted, giving permission for the designee to obtain the permit. If the owner of such vessel is a corporation, the Louisiana Secretary of State's charter/organization identification number shall be required and the permission document shall be signed by a registered agent or director of the corporation as identified by the Louisiana Secretary of State's office. Permits shall only be issued to validly licensed vessels.

C. Operations. Permits are non-transferable and only the vessel listed on the permit can be used with the permit and only one vessel is allowed per permit. The vessel must maintain the original permit on board at all times while operating under the permit, including times of fishing and transportation. The permitted vessel shall display signs, visible from either side of the vessel and from the air, with the words "OCV Permit" and the permit number shall be placed on these signs in letters at least 12 inches in height.

1. All vessels operating as oyster cargo vessels under this permit shall be required to meet Louisiana Department of Health and Hospitals Shellfish Sanitation Code requirements.

D. Records, Reporting. The applicant, vessel owner or a designee on board a legally permitted oyster cargo vessel shall only transport oysters taken by the other legally licensed commercial oyster harvesters on behalf of a certified dealer legally licensed in Louisiana and shall be required (on behalf of a certified dealer only) to complete all required records pertaining to oysters at the point oysters are transferred to the receiving vessel. No person shall transfer oysters to any commercial vessel for purposes of refrigeration, sale or transport unless the receiving vessel has an oyster cargo vessel permit as described in R.S. 56:422(E).

E. Landing. All oysters taken from the reefs of this state and transported by a legally permitted oyster cargo vessel must be landed in Louisiana in accordance with R.S. 56:424G(1). No person operating under an oyster cargo vessel permit shall land any oysters taken by another harvester outside the jurisdiction of Louisiana.

F. Tagging. All oysters transferred to an oyster cargo vessel must be properly sacked or containerized and tagged in accordance with the provisions of R.S. 56:449 and must meet all Louisiana Department of Health and Hospital Shellfish Sanitation Administrative Code requirements that relate to the tagging of shellfish prior to being placed on board any oyster cargo vessel.

G. Monitoring. The vessel utilized under this permit shall have on-board and in working order an electronic vessel monitoring system as required by R.S. 56:424, and as provided in LAC 76:VII.371. The owner or operator of any vessel issued an oyster cargo vessel permit, must have an operable vessel monitoring system (VMS) installed on-board that meets the requirements of LAC 76:VII.371. The VMS unit must be certified, installed on board and operable, and the department notified of the installation, before the vessel may begin receiving and transporting oysters.

H. Violation. Failure to abide by any regulation set forth regarding permitted oyster cargo vessels shall be deemed a violation of this Section. All oysters placed on-board from another vessel, possessed, or transported by an oyster vessel in violation shall be considered illegally taken, possessed, or transported. All persons aboard vessels with oysters placed on-board from another vessel without complying with the requirements herein shall be in violation of the oyster cargo vessel regulations. The provisions of this Section do not exempt any person from any other laws, rules, regulations and license requirements for this or other states as they pertain to the transfer or shipment of shellfish. Violations of this Section shall constitute a class 4 violation.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:422(E).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:2679 (December 2008).

§525. Commercial Oyster Seed Ground Vessel Permit

A. Policy. For license year beginning 2009 any oysters taken for commercial purposes from the public natural reefs or the oyster seed grounds or reservations, except those in Calcasieu Lake or Sabine Lake, shall be placed only on a vessel which has an oyster seed ground permit issued exclusively by the department. The permit does not grant any rights to the oyster resource or any rights to harvest oysters from the waters of the state and shall not be sold, exchanged, or otherwise transferred. No new applications for vessel permits shall be accepted after December 31, 2009. The permit shall be valid for up to one calendar year beginning on January 1 and ending on December 31 of the same year, but may be made available for purchase beginning on November 15 for the immediately following license year. The cost per permit shall be $15 for residents and $60 for non-residents.

B. Eligibility. Only vessel owners meeting the eligibility requirements outlined in R.S. 56:433.1 shall be issued a

permit. Permit applicants must provide to the Licensing Section of the department proof of vessel ownership by submitting the current certificate of registration or certificate of documentation with the United States Coast Guard to the Licensing Section of the department.

C. Proof of Participation: In addition to the requirement in Subsection B herein, applicants must meet either Paragraph 1, 2 or 3 below to be issued a permit:

1. applicant owned a vessel that was properly licensed and registered in applicant's name during a time in which department trip ticket records demonstrate that the vessel had commercial oyster landings in the state of Louisiana between January 1, 2004 and May 31, 2007;

2. for applicants who purchased or constructed a vessel and licensed that vessel for commercial fishing in the state of Louisiana between January 1, 2004 and April 30, 2008, and department trip ticket records demonstrate that oysters were landed on that vessel in the state of Louisiana between the time of the vessel's purchase or construction and July 1, 2008;

3. for applicants with a newly constructed vessel or a vessel under construction, the vessel has not been previously registered in any state or foreign country or issued a USCG documentation number, and the applicant presents to the Licensing Section of the department:

a. a signed, dated, and notarized verification from a marine surveyor qualified and accredited by NAMS (National Society of Marine Surveyors) or SAMS (Society of Accredited Marine Surveyors) that construction of the vessel for which the permit will be issued was at least 50 percent complete by July 1, 2008, or

b. a signed, dated, and notarized verification from the corporation that built the vessel that construction of the vessel for which the permit will be issued was at least 50 percent complete by July 1, 2008.

D. Applications. Applications for the initial permit shall only be accepted by the department from such persons who meet eligibility requirements as outlined in R.S. 56:433.1 and this rule. Applications shall only be made on forms supplied by the department. No new applications for vessel permits shall be accepted after December 31, 2009. Only permit holders who held a valid permit during the prior year shall be eligible to purchase a permit for the following license year.

E. Operations

1. Permits are non-transferable and only the vessel listed on the permit can be used with the permit and only one vessel is allowed per permit. The original valid permit must be onboard at all times while operating under the permit.

2. Permits cannot be assigned or transferred or used by any other vessel than the one to which permit was issued.

3. Vessels engaged in an activity for which this permit is required must have onboard the vessel the valid original permit and shall show the permit upon demand to a duly authorized agent of the department.

4. The secretary shall have the authority to require the use of a vessel monitoring system (VMS) for use by a vessel taking oysters for commercial purposes under the authority of the oyster seed ground vessel permit in accordance with R.S. 56:433.1. All equipment, installation, and service costs associated with this requirement shall be paid for by the department. The secretary shall review this requirement annually for management needs and funding availability and may, at his sole discretion, make the determination to continue the requirement.

a. All vessels operating under the authority of the oyster seed ground vessel permit will be required to have a VMS on board which is fully operable and recording data while vessel is fishing on public oyster seed grounds.

i. In instances where funding is limited, the secretary may choose a sub-sample of vessels through use of a random selection process, geographic area, and/or trip ticket landings data.

b. Owners of vessels requiring the use of VMS will be notified of such requirement by certified mail at the address listed on their permit.

c. Notwithstanding applicable requirements pursuant to provisions in LAC 76:VII.371, any vessel required to use VMS under this provision must use the VMS system provided by the department.

d. Presumption. If a VMS unit fails to record or transmit the required signal of a vessel's position (identified by the indicator light), the vessel shall be deemed to have incurred a VMS violation, for as long as the unit fails to record or transmit a signal, unless a preponderance of evidence shows that the failure to transmit was due to an unavoidable malfunction, or disruption of the transmission that occurred while the vessel was declared out of the fishery, as applicable, or was not at sea. If the indicator light is on, then the unit is presumed to be functioning properly; however, if the indicator light is off then the unit is presumed to not be recording or transmitting. The permit holder shall have an affirmative duty to immediately notify the Department of Wildlife and Fisheries (LDWF) if the VMS fails to record or transmit the required signal or if the indicator light indicates such a failure.

e. Replacement. If the indicator light on the VMS unit is not working, then upon notification to LDWF, a new unit shall be re-installed in no later than seven days. During the period without a functional VMS unit, it is the affirmative duty of the permit holder to report daily to LDWF, prior to departure, the vessel’s anticipated fishing location and estimated time on water, and upon return, the vessel’s actual fishing location and time on water.

f. Access. All vessel owners shall allow the LDWF, and their authorized wildlife enforcement agents or designees access to the vessel's VMS unit and data, if applicable, and location data obtained from its VMS unit, if required, at the time of or after its transmission to the vendor or receiver, as the case may be.

g. Tampering. Tampering with a VMS, a VMS unit, or a VMS signal, is prohibited. Tampering includes any activity that is likely to affect the unit's ability to operate properly, signal, or accurately compute the vessel's position fix.

h. Violation. Failure to abide by any regulation set forth by this Section regarding the use or operation of a VMS by a vessel taking oysters for commercial purposes under the authority of the oyster seed ground vessel permit, shall be a violation of the Louisiana Revised Statutes and shall result in immediate revocation of the permit governed herein and shall constitute a class 1 violation under the authority of R.S. 56:23. All fish taken or possessed by a person in violation of these rules shall be deemed illegally taken and possessed. The provisions of this Section do not exempt any person from any other laws, rules, regulation, and license requirements for this or other jurisdictions.

F. Appeals. An applicant may appeal a decision of the department denying a permit to the Oyster Seed Ground Vessel Permit Appeals Board. An appeal must be received by the department no later than 30 days after the date of denial by the department on a form prescribed by the department. The appeal must include a statement as to why the applicant believes the department incorrectly determined the applicant ineligible for the permit or why the applicant is entitled to a permit based on a determination of hardship. The appeal shall include any documentation in support thereof.

1. The board's decision shall be limited to a determination of whether the department incorrectly determined that the applicant was ineligible for a permit or a determination that the applicant should be issued a permit based on determination of hardship.

2. The board shall review all information provided and after deliberation determine whether an applicant should be issued a permit. A decision to issue a permit shall be upon favorable vote of the majority of the appointed members of the board. The board shall issue a written decision which clearly states the rationale for the decision.

3. The board shall make a decision within 60 days of the date of appeal.

G. Enforcement. The taking of oysters for commercial purposes from public natural reefs or oyster seed grounds or reservations without an oyster seed ground permit is a Class 2 violation and upon conviction will require use of a vessel monitoring system for that vessel.

AUTHORITY NOTE: Promulgated in accordance with R.S. 36:610(L), R.S. 56:6, R.S. 56:23, and R.S. 56:433.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:2681 (December 2008), amended LR 38:1998 (August 2012).

§527. Oyster Seed Ground Vessel Permit Renewal and Re-Issuance

A. Renewal Permit. A holder of a valid permit for the current license year may apply for a renewal of the permit for the immediately following license year beginning on November 15 of the current license year or at any time during the immediately following license year, provided the holder and the vessel are identical to the holder and vessel listed on the permit for the current license year.

B. Re-Issuance Permit. The following persons shall be eligible to apply for a re-issuance permit.

1. A holder of a valid permit for the current or immediately preceding license year whose vessel listed on the permit is no longer in-service for the commercial harvest of oysters on the public seed grounds may apply for a re-issuance permit in the holders name for another vessel. The current permit shall be relinquished to the department prior to obtaining a re-issuance permit.

2. A person acquiring a vessel listed on a valid permit for the current or immediately preceding license year may apply for a re-issuance permit for the vessel in the applicant’s name upon providing documentation to the department that the vessel is titled in the applicant's name. Documentation shall be in the form of a bill of sale, judgment of possession, or act of donation. The current permit shall be relinquished to the department prior to obtaining a re-issuance permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:433.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 35:503 (March 2009).

§529. Oyster Seed Ground Vessel Permit Appeals Board

A. A person whose application for an Oyster Seed Ground Vessel Permit is denied by the department may appeal the denial to the Oyster Seed Ground Vessel Appeals Board. Based upon the following procedure and requirements, the appeals board may recommend to the secretary that a permit be issued.

1. Hardship. The appeals board may recommend issuance of an Oyster Seed Ground Vessel Permit based on a decision of hardship.

a. An applicant submitting an appeal based upon the denial of an initial application submitted on or before December 31, 2009 for a Seed Ground Vessel Permit shall demonstrate by clear evidence that all of the following requirements have been met.

i. The applicant legally harvested oysters from the public seed grounds, either for market or seed, during at least two of the license years 2004, 2005, 2006, 2007, and 2008. This evidence may be trip ticket information or notarized written statements of two Louisiana licensed oyster harvesters.

ii. If the applicant is an individual, the applicant shall have held a Louisiana Commercial Fishing License and a Louisiana Oyster Harvester's License for at least two of the license years 2004, 2005, 2006, 2007, and 2008.

iii. One of the following conditions prevented the applicant's ability to otherwise meet the statutory eligibility requirements for a permit:

(a). divorce proceeding;

(b). bankruptcy or bank foreclosure;

(c). dissolution of an oyster harvesting business partnership;

(d). applicant's former or current vessel was the subject of a lawsuit;

(e). military service;

(f). serious medical condition or death;

(g). applicant's former or current vessel was damaged or destroyed in a fire, natural disaster, sinking, or other accident.

b. An applicant submitting an appeal based upon the denial of a renewal or re-issuance permit application, shall provide clear evidence that one of the following prevented the applicant from otherwise meeting the eligibility requirements for a renewal or re-issuance permit:

i. military service;

ii. serious medical condition or death;

iii. applicant's former or current vessel was damaged or destroyed in a fire, natural disaster, sinking, or other accident.

2. Eligibility. The appeal application for a permit based upon eligibility must set forth in detail the facts the applicant is contending meet the eligibility requirements for a permit under the eligibility requirements provided in R.S. 56:433.1 and the rules promulgated pursuant thereto. The appeal application shall include the application submitted to and denied by the department.

3. The appeal application shall include the applicant's name, address, tax identification or Social Security number, date of birth or date of incorporation, and vessel registration or documentation number.

4. No other appeals shall be considered by the board unless additional rules or regulations are developed to address different circumstances.

5. After consideration, the appeals board may recommend to the secretary that the department issue a permit, but only upon affirmative vote of a majority of the appointed members of the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:433.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 35:503 (March 2009).

§531. Oyster Lease Relocation

A. Eligibility. Those leases which are currently located wholly within a public oyster seed ground, and any former leases which were determined by the Department of Wildlife and Fisheries to have been non-renewed since 1998 due to the fact that such leases were wholly contained within a public oyster seed ground, shall be eligible for relocation.

B. Area of Relocation. The below described area, recommended by the Department of Wildlife and Fisheries and approved by the Office of Coastal Protection and Restoration, in consultation with the Louisiana Oyster Task Force, is hereby set aside from the Public Oyster Seed Grounds east of the Mississippi River, as described in Louisiana Administrative Code (LAC) 76:VII.511. This area is more particularly described as that area within the following coordinates (North American Datum 1983):

1. 89 degrees 27 minutes 49.74 seconds W
   29 degrees 27 minutes 48.91 seconds N;

2. 89 degrees 26 minutes 36.54 seconds W
   29 degrees 27 minutes 48.89 seconds N;

3. 89 degrees 26 minutes 36.47 seconds W
   29 degrees 26 minutes 38.48 seconds N;

4. 89 degrees 28 minutes 04.69 seconds W
   29 degrees 26 minutes 43.66 seconds N;

5. 89 degrees 28 minutes 58.49 seconds W
   29 degrees 26 minutes 41.69 seconds N.

C. Amount Lease Acreage Available. Any new lease issued under this relocation program shall be for an amount of acreage not to exceed the acreage of the lease which is being relocated.

D. Notification and Application Process. The Department of Wildlife and Fisheries shall notify the leaseholder of an affected existing lease, or the leaseholder of record for a lease that was previously not renewed, of the option to relocate the lease. The affected leaseholder or leaseholder of record shall have 60 days from the date of notification to appear in person at the LDWF Oyster Lease Survey Section office to apply for a relocation lease. Applications shall be on application forms provided by the department and shall be processed by the department in the order in which they are received by the department.

E. Deceased Leaseholders. Any person or entity desiring to exercise the relocation rights of an otherwise eligible deceased applicant must present a valid “letter of administration” or “judgment of possession” in order to exercise the relocation rights provided in this Section.

F. Partitioning of Leases. Any qualifying leasehold person or entity who requests to have his rights in a qualifying lease partitioned into two or more leases within the relocation area shall provide to the LDWF Oyster Lease Survey Section a valid court order designating such persons or entities, and their respective percentage of lease relocation rights.

G. Issuance of Relocated Leases. Relocated leases shall be issued pursuant to LAC 76:VII.501 and 503.

H. Expiration Date. This Rule shall expire on January 1, 2013.

AUTHORITY NOTE: Promulgated in accordance with Act 265 of the 2010 Regular Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 37:1625 (June 2011).

§533. Calcasieu Lake Oyster Harvester Permit

A. Any oyster taken from the Calcasieu Lake Public Oyster Area for commercial purposes during the open season shall only be taken by a person legally issued a Calcasieu Lake Oyster Harvester Permit by the department. The permit does not grant any rights to the oyster resource or any rights to harvest oysters from the waters of the state and shall not be sold, exchanged, or otherwise transferred. The permit is valid for one calendar year, beginning on January 1 and expiring on December 31 of the same calendar year. The permit may be obtained at any time of the year until November 15 for the current license year. A permit obtained on or after November 15 of the current license year shall be valid for the remainder of the current license year and expires on December 31 of the immediately following license year. This permit is only applicable for commercial harvest. Recreational fishermen may harvest one sack per person per day.

B. Applications. Initial application for the permit shall be made to the department. To be eligible for this permit the applicant must hold current and valid licenses and permits required for the harvest of oysters, including a commercial fisherman license and an oyster harvester license.

C. Operations. Vessels engaged in an activity for which this permit is required must have onboard the vessel the valid original permit and shall show the permit upon demand to a duly authorized agent of the department.

D. Enforcement. The penalties for violation of these commission regulations pertaining to taking, possessing, recording or reporting of landings or selling oysters from Calcasieu Lake shall be as provided for in R.S. 56:435.1.1(E).

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 and R.S. 56:435.1.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 37:3065 (October 2011), amended LR 38:2567 (October 2012).

§535. Alternative Oyster Culture Permits

A. Definitions. For purposes of this Section, the following terms shall have the following meanings.

Alternative Oyster Culture Activity or *AOC Activity*—any on-bottom, off-bottom, or other means of cultivating or growing oysters other than directly on reefs or other water bottoms, including but not limited to the use of on-bottom cages or bags or floating, suspended, or otherwise off-bottom cages or bags, and includes the harvesting of oysters so grown or cultivated.

Alternative Oyster Culture Permit, *AOC Permit*, or *Permit*—permit authorizing AOC activity, as authorized by R.S. 56:431.2, unless otherwise specifically provided.

Alternative Oyster Culture Permittee, *AOC Permittee*, or *Permittee*—person to whom an AOC permit has been issued or transferred, unless otherwise specifically provided.

Oyster Lease or *Lease*—oyster bedding ground lease of state water bottoms, or renewal thereof, pursuant to R.S. 56:427 or 428.

Secretary—secretary of the Department of Wildlife and Fisheries or his designee.

B. Permits. The secretary may issue alternative oyster culture activity permits in accordance with R.S. 56:431.2 and this rule.

1. Authorized Activity. An AOC permit authorizes the permittee and, upon written authorization by the permittee, any authorized user of the permit to engage in the AOC activities specified in the permit on the permit area. The permittee, any authorized user, and any laborer, deckhand, or other person working under the direction of a permittee or authorized user may engage in such activities on the water bottoms, in the water column, and on the water surface above the water bottoms within the permit area, to the extent specified in the permit, and in accordance with the provisions of R.S. 56:431.2 and this rule.

2. Term. An AOC permit is valid for 10 years or until termination of the oyster lease containing the permitted area (including any renewal thereof) to which the permit pertains, whichever occurs first. If the lease is renewed pursuant to R.S. 56:428, the permit shall continue in effect until expiration of the 10-year term. All permits shall expire December 31 of the last year of the permitted term.

3. Transfer. An AOC permit is transferrable only with the transfer of the lease containing the permitted area, and only to the transferee of the lease. If the lease is transferred, the permit shall automatically terminate on the effective date of the transfer of the lease unless the permit is transferred simultaneously with the transfer of the lease. If the lease is transferred by succession, the permit shall be presumed to have been transferred with the lease unless the transferee of the lease surrenders the permit to the department. Under no circumstances may the permittee be any person other than the lessee of the lease containing the permitted area. Wherever the term “permittee” is used in a permit or this rule, it includes any transferee of that permit unless the context clearly requires otherwise. The department will charge the transferee a fee of $10 per permit for transfer of a permit.

4. Authorized Users. An AOC permittee may authorize any person holding a valid oyster harvester license pursuant to R.S. 56:303.6 and a valid commercial fisherman's license pursuant to R.S. 56:303 to engage in permitted AOC activities on the permit area. Any such authorization shall be in writing. Laborers, deckhands, and other persons working under the direction of a permittee or authorized user do not themselves need a permit or authorization. Wherever the term “permittee” is used in a permit or this rule, it includes any authorized user of that permit unless the context clearly requires otherwise.

5. Permit Availability. Persons engaged in AOC activities must show the permit upon demand to a duly authorized agent of the department. Authorized users

engaged in AOC activities must also show the written authorization upon demand to a duly authorized agent of the department.

6. Permit Fee. The fee for an AOC permit is $2 per acre or fraction of an acre, per year (or fraction of a year through December 31, for the first year).

a. AOC permit fee notices will be mailed to AOC permittees at least 30 days in advance of the due date, which is January 1 of each year.

b. During the first week of February of each year, the department will compile a list of AOC permits that are in default. After compiling the list, each AOC permittee will be notified by certified mail that his permit is in default and will be canceled if payment is not received by March 31.

7. Hours of Operation. No person shall conduct AOC activities between the hours of one-half hour after sunset and one-half hour before sunrise.

8. Compliance with Other Laws

a. The permittee shall comply with all other applicable laws, regulations, and orders, including but not limited to those pertaining to oyster leases, oyster fishing, fisheries closures, coastal use permits, and obstruction to navigation, construction, wetlands, dredge, or fill permits.

b. With respect to any oysters grown, harvested, or otherwise present in or removed from the permit area, the permittee shall comply with all requirements that would be applicable under any law, regulation, or order if the oysters had been grown on the water bottom, unless otherwise provided in R.S. 56:431.2 or this rule.

9. Amendment. Upon application by the permittee, an AOC permit may be amended by the secretary, subject to the same requirements for and discretion of the secretary regarding an original permit application. The application for the amendment shall specify all respects in which the permit is sought to be amended. A new plat and schematics shall be provided, if the permitted acreage or location or extent of permitted facilities is sought to be amended. A greater or lesser removal bond may be required, if the types or extent of the permitted AOC activities, facilities, or equipment are sought to be amended. The original term of the permit cannot be amended.

10. Termination. An AOC permit is terminable by the secretary:

a. upon conviction or guilty plea to a significant violation or repeated violations of the permit, or a Class 4 or greater oyster-related violation as defined in the laws pertaining to wildlife and fisheries, by the permittee or anyone authorized by the permittee to engage in AOC activities on the permitted area;

b. for failure to pay the annual permit fee by March 31;

c. for provision of false information in relation to the permit or the application for the permit; or

d. upon the permittee's surrender of the permit to the department.

11. Removal of Equipment. The AOC permittee shall remove all equipment, facilities, and other items used for AOC activities from the permit area within 120 days after termination, cancellation, or expiration of the AOC permit. However, the department may allow facilities or portions thereof (such as pilings below the surface of the water bottoms) to remain if authorized in writing by the Department of Natural Resources and the U.S. Army Corps of Engineers and in accordance with any such permission. The department will allow additional time for completion of removal activities during the pendency of a request for such authorization, and may also allow additional time due to extenuating circumstances upon written request by the permittee.

C. Applications

1. Eligibility. Applications for an AOC permit shall be accepted by the department only from persons who meet the eligibility requirements provided in R.S. 56:431.2 and this rule.

a. An AOC permit may be issued only to a leaseholder holding a valid oyster lease of state water bottoms pursuant to R.S. 56:427 or 428, and only for the state water bottoms leased pursuant to that lease.

b. No AOC permit may be issued to an applicant who has been convicted of or pled guilty to a class 4 or greater oyster-related violation, as defined in the laws pertaining to wildlife and fisheries, within three years prior to the submission of the application.

2. Appearance. An applicant must appear in person at the department's Oyster Lease Survey Section office in order to apply for an AOC permit, or provide power of attorney to an agent to appear and act on the applicant's behalf.

3. Forms and Required Information and Materials

a. Applications shall be accepted by the department only on forms supplied by the department, which shall include at a minimum:

i. name, physical address, mailing address, telephone number, and if applicable, email address of the applicant;

ii. commercial fisherman license number and oyster harvester license number of the applicant;

iii. lessee name and lease number of the oyster lease where the applicant seeks to engage in AOC activities;

iv. description of all AOC activities sought to be permitted;

v. description of all equipment or gear sought to be permitted and the quantities thereof; and

vi. description of all facilities sought to be permitted.

b. The applicant shall outline on a department map the area sought to be permitted, and the location and horizontal and vertical physical extent of all AOC activities and related facilities sought to be permitted.

c. The applicant shall submit one application per permit sought. The secretary or his designee may grant more than one permit per lease and more than one permit per leaseholder, but permit areas cannot overlap and cannot extend across lease boundaries.

d. The applicant shall submit all other local, state, and federal permits necessary for the activity authorized by the AOC permit, specifically including state coastal use permits (R.S. 49:214.30), federal obstruction to navigation section 10 (33 U.S.C.§ 403) and section 9 (33 U.S.C. §401) permits, Clean Water Act section 404 fill permits (33 U.S.C. §1344), and state water quality certification (33 U.S.C. §1341); or documentation from the relevant agencies establishing that such permits are unnecessary.

e. The applicant shall submit a cost estimate to remove and properly dispose of all equipment, facilities, and other items sought to be permitted. The cost estimate must be prepared by a contractor with no familial or business relationship with the applicant and with all licenses necessary to provide such services.

f. The department may request the applicant to submit additional information or documentation.

g. The application for an AOC permit shall be accompanied by an application fee of $100.

h. The application shall be deemed complete only upon receipt by the department of all information and documentation required by this rule, including any additional information or documentation required by the department. The secretary will consider only a complete application.

4. Plat. Prior to issuance of an AOC permit, the applicant shall submit to the department a plat meeting department specifications.

a. The plat shall comply with the following.

i. All corners of the lease and the proposed AOC permit area shall be shown, referenced to geographic coordinates (latitude and longitude) or the Louisiana State Plane Coordinate System, South Zone, NAD83, Survey Feet.

ii. All corners of the proposed facilities and equipment shall be shown, referenced to geographic coordinates (latitude and longitude) or the Louisiana State Plane Coordinate System, South Zone, NAD83, Survey Feet.

iii. Plats shall be drawn in black ink on standard oyster lease plats furnished by the Oyster Lease Survey Section, and the original shall become the property of same. The applicant shall provide a formatted ASCII file of the coordinates for each corner on the plat that complies with the Oyster Lease Survey Section's geographic information system. The plat shall contain the applicant's name, license number, and signature.

iv. The exact acreage sought to be permitted shall be shown on the plat, but for all purposes pertaining to the permit the acreage, even though calculated to the hundredth of acre, shall be rounded up to the next highest acre.

v. Application number and the applicant's name and lease number shall be shown on all plats as indicated on the original application.

vi. Use standard signs and symbols.

b. The plat shall include or be accompanied by a plot plan and schematics clearly showing the nature, location, and physical extent of all AOC activities sought to be permitted within the permit area, horizontally and vertically, and all facilities and equipment sought to be placed therein or used pursuant to the permit.

5. Investigation of State Water Bottoms. No AOC permit may be issued unless a reasonable investigation into the question of ownership is complete and, based on the findings, a determination is made that the State owns the water bottom to be covered by the AOC permit.

6. The department shall post notice of the application and a point of contact for comment on the department website, and provide such notice by email to all persons who have requested such notification in writing, at least 15 days prior to acting on the application.

7. Provision of insufficient or false information. Failure to provide information required by the department, after 30-day notification from the department by certified mail, or provision of false information, shall result in cancellation of the application and forfeiture of all fees to the department.

8. Initial Annual Fee. Upon issuance of the AOC permit, the permittee shall pay the first annual permit fee, which is $2 per acre or fraction of an acre permitted.

D. Discretionary Provisions. The secretary shall have discretion with respect to the following provisions in any AOC permit.

1. Permitted Activities. The secretary may issue AOC permits specifying particular AOC activities that are authorized thereby, regardless of whether the AOC permit as issued deviates from the application. The types of AOC activities that may be permitted are:

a. on-bottom cages, racks, or bags;

b. off-bottom cages, racks, or bags, suspended by poles or floats;

c. string or longline culture;

d. any other AOC activity as approved by the secretary in the permit.

2. Permitted Species. Unless otherwise specifically authorized by the secretary in the permit, AOC activities may be performed using only *Crassostrea virginica* (including all subspecies thereof or triploid *Crassostrea virginica*) from the Gulf of Mexico. However, the permittee shall obtain a disease certification issued by a competent

biologist and approved by the department for all oysters, including seed or spat, sourced from any location outside the State of Louisiana.

3. Permit Area. The secretary may issue AOC permits in numbers, locations, sizes, and configurations specified by the secretary, regardless of whether the AOC permit as issued deviates from the application, except:

a. no permit area may extend beyond the boundaries of an existent oyster lease;

b. no permit area may exceed 2,000 feet in length or width;

c. permit areas must be separated by at least 100 feet;

d. no AOC permit may authorize AOC activities in an area that is any of the following at the time the AOC permit is issued:

i. designated by the United States Army Corps of Engineers as a navigation channel or waterway or within 1,500 feet of the centerline of such a channel or waterway;

ii. covered by a coastal use permit or drilling permit for fixed items such as wellheads, pipelines, access channels, wharves, docks, piers, or mooring dolphins, or located within 1,500 feet of the outside of the exterior boundaries of an area covered by such a coastal use permit or drilling permit;

iii. designated for dredging, direct placement of dredged or other materials, or other work or activities for the construction or maintenance of a project for integrated coastal protection or within 1,500 feet of the outside of the exterior boundaries of an area designated for such dredging, direct placement, or other work or activities;

iv. located on land, or on water bottoms that are not claimed by the state of Louisiana, as determined by the State Land Office; or

v. otherwise determined by the department to be unsuitable or inappropriate for AOC activities. In making this determination, the department shall use the suitability mapping required by R.S. 56:431.2, any update or revision to the initial suitability mapping, any master plan or annual plan issued pursuant to R.S. 49:214.5.3, and any other information and data deemed relevant by the department, to identify areas that are unsuitable or inappropriate for AOC activities due to creation of unreasonable conflicts with other existing or anticipated uses of state waters and water bottoms. The department shall also consider the location and nature of existing AOC permits;

d. the permit area shall be located and configured so as to avoid unreasonable interference with surface navigation, passage by water craft, and any other authorized public use;

e. no fencing shall be allowed.

4. Equipment. The secretary may specify or impose limitations in the permit regarding the equipment and materials authorized or required to be used for AOC activities.

a. All equipment and materials used for AOC activities shall, at a minimum, comply with United States Coast Guard regulations and requirements, and with all state and federal fishing laws and regulations, as amended from time to time.

b. The secretary may impose additional requirements or limitations on equipment and materials usable or used for AOC activities from time to time.

c. Any equipment and materials used for AOC activities authorized pursuant to this Section may be transported or used in compliance with the provisions of this Section.

5. Marking. The secretary may specify or impose requirements in the permit for marking, lighting, or warning devices authorized or required in relation to AOC activities.

a. Marking, lighting, and warning devices for AOC activities shall, at a minimum, comply with United States Coast Guard regulations and requirements, and with all state and federal laws and regulations, as amended from time to time.

b. All areas where such equipment or materials are present on state water bottoms or in the water column shall be clearly marked. At a minimum, the AOC permittee shall comply at all times with the following requirements.

i. The AOC permittee shall place and maintain markers along the boundaries of the permit area, at intervals of 75 feet, between 3 and 12 feet above the water level.

ii. The AOC permittee shall place and maintain markers along the boundaries of the areas where AOC facilities or equipment are actually located, at intervals of 20 feet, between 3 and 12 feet above the water level.

iii. The AOC permittee shall place and maintain buoys conforming to United States Coast Guard markings at all corners of the permit area and the areas where AOC equipment or facilities are actually located, and midway between the corners if separated by more than 1000 feet.

c. Each buoy, each main cage, bag, or float, and each structure used for AOC activities shall contain an indelible and permanent tag that includes the AOC permit number.

6. Reporting. The secretary may impose requirements in the permit for the AOC permittee to report information or data to enable the department to monitor the activities under the AOC permit or to study such activities and their results. Such information is not privileged and may be disseminated to the public.

7. Removal Bond. The secretary may require an AOC permittee to post a reasonable surety bond in an amount to be determined by the department, commensurate with the anticipated cost to remove and properly dispose of all permitted equipment, facilities, and other items. In determining the amount of the bond, the department shall

consider but is not bound by the cost estimate for removal provided by the applicant, and shall take into account reasonably-anticipated cost increases through the term of the permit and any other relevant information.

E. Mandatory Provisions. The secretary shall include the following provisions in any AOC permit.

1. "This permit is terminable by the department upon significant or repeated violation of the permit or any applicable statutes, rules, or regulations by the permittee or anyone authorized by the permittee to engage in AOC activities on the permitted area."

2. "The permittee hereby indemnifies and holds harmless the State of Louisiana, political subdivisions of the state, the United States, and any agency, agent, contractor, or employee thereof against and from any claim arising as a result of operations by or for the permittee pursuant to this permit."

3. "The permittee and anyone using this permit hereby holds the State of Louisiana, political subdivisions of the state, the United States, and any agency, agent, contractor, or employee thereof harmless from any claims arising under or as a result of the issuance of this permit in relation to diversions of fresh water or sediment, dredging or direct placement of dredged or other materials, any other actions taken for the purpose of integrated coastal protection, or adverse effects on water quality, including but not limited to increased sedimentation or eutrophication or fluctuations in salinity or pH."

4. "The permittee shall remove and properly dispose of all equipment, facilities, and other items used for alternative oyster culture activities within 120 days after termination, cancellation, or expiration of the permit, unless otherwise authorized by the department."

F. Office Procedures

1. Copy Fees. A fee for all maps, leases, plats or documents, will be charged, as set forth at LAC 76:VII.501.E, as such fees may change from time to time.

G. Enforcement

1. Violation of an AOC permit, including conducting any AOC activity that is not expressly authorized by a permit, is a class 3 violation, as defined in R.S. 56:33.

2. Theft of or intentionally causing damage to properly permitted alternative oyster culture equipment or oysters contained in such equipment is a class 4 violation, as defined in R.S. 56:34.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:431.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 39:516 (March 2013).

§537. Establishment of Recreational Reef Sites and Restriction of Oyster Harvest

A. The Wildlife and Fisheries Commission hereby establishes the following recreational reef sites as that area within the following coordinates (North America Datum 1983):

1. California Point—Plaquemines Parish:
   a. 29 degrees 29 minutes 08.86 seconds N, 89 degrees 29 minutes 11.15 seconds W;
   b. 29 degrees 29 minutes 08.63 seconds N, 89 degrees 28 minutes 54.46 seconds W;
   c. 29 degrees 28 minutes 54.02 seconds N, 89 degrees 28 minutes 54.73 seconds W;
   d. 29 degrees 28 minutes 54.25 seconds N, 89 degrees 29 minutes 11.42 seconds W;
2. Bay Ronquille—Plaquemines Parish:
   a. 29 degrees 20 minutes 04.46 seconds N, 89 degrees 50 minutes 33.38 seconds W;
   b. 29 degrees 20 minutes 04.54 seconds N, 89 degrees 50 minutes 39.29 seconds W;
   c. 29 degrees 20 minutes 07.96 seconds N, 89 degrees 50 minutes 40.22 seconds W;
   d. 29 degrees 20 minutes 09.09 seconds N, 89 degrees 50 minutes 44.75 seconds W;
   e. 29 degrees 20 minutes 01.34 seconds N, 89 degrees 50 minutes 44.21 seconds W;
   f. 29 degrees 20 minutes 01.59 seconds N, 89 degrees 50 minutes 41.69 seconds W;
   g. 29 degrees 19 minutes 50.07 seconds N, 89 degrees 50 minutes 38.19 seconds W;
   h. 29 degrees 19 minutes 53.35 seconds N, 89 degrees 50 minutes 34.71 seconds W;
   i. 29 degrees 19 minutes 52.76 seconds N, 89 degrees 50 minutes 34.16 seconds W;
   j. 29 degrees 20 minutes 02.34 seconds N, 89 degrees 50 minutes 24.99 seconds W;
   k. 29 degrees 20 minutes 05.37 seconds N, 89 degrees 50 minutes 31.18 seconds W;
3. St. Tammany East—St. Tammany Parish:
   a. 30 degrees 13 minutes 48.36 seconds N, 89 degrees 57 minutes 15.24 seconds W;
   b. 30 degrees 13 minutes 48.36 seconds N, 89 degrees 56 minutes 27.24 seconds W;
   c. 30 degrees 13 minutes 06.36 seconds N,

89 degrees 56 minutes 27.24 seconds W;

d. 30 degrees 13 minutes 06.36 seconds N, 89 degrees 57 minutes 15.24 seconds W;

4. St. Tammany West—St. Tammany Parish:

a. 30 degrees 18 minutes 41.88 seconds N, 90 degrees 09 minutes 24.00 seconds W;

b. 30 degrees 18 minutes 41.88 seconds N, 90 degrees 08 minutes 36.00 seconds W;

c. 30 degrees 17 minutes 59.88 seconds N, 90 degrees 08 minutes 36.00 seconds W;

d. 30 degrees 17 minutes 59.88 seconds N, 90 degrees 09 minutes 24.00 seconds W;

5. St. Tammany Pier—St. Tammany Parish:

a. 30 degrees 12 minutes 28.34 seconds N, 89 degrees 47 minutes 54.03 seconds W;

b. 30 degrees 12 minutes 27.96 seconds N, 89 degrees 47 minutes 53.57 seconds W;

c. 30 degrees 12 minutes 20.66 seconds N, 89 degrees 48 minutes 01.30 seconds W;

d. 30 degrees 12 minutes 21.03 seconds N, 89 degrees 48 minutes 01.76 seconds W;

6. North Shore—St. Tammany Parish:

a. 30 degrees 16 minutes 38.00 seconds N, 90 degrees 04 minutes 08.00 seconds W;

b. 30 degrees 16 minutes 38.00 seconds N, 90 degrees 03 minutes 21.00 seconds W;

c. 30 degrees 15 minutes 58.00 seconds N, 90 degrees 03 minutes 21.00 seconds W;

d. 30 degrees 15 minutes 58.00 seconds N, 90 degrees 04 minutes 08.00 seconds W;

7. North Twin Span—St. Tammany Parish:

a. 30 degrees 11 minutes 39.13 seconds N, 89 degrees 50 minutes 15.54 seconds W;

b. 30 degrees 11 minutes 39.13 seconds N, 89 degrees 50 minutes 10.78 seconds W;

c. 30 degrees 11 minutes 35.02 seconds N, 89 degrees 50 minutes 10.78 seconds W;

d. 30 degrees 11 minutes 35.02 seconds N, 89 degrees 50 minutes 15.54 seconds W;

8. South Twin Span—Orleans Parish:

a. 30 degrees 10 minutes 12.23 seconds N, 89 degrees 50 minutes 47.04 seconds W;

b. 30 degrees 10 minutes 12.23 seconds N, 89 degrees 50 minutes 42.27 seconds W;

c. 30 degrees 10 minutes 08.11 seconds N, 89 degrees 50 minutes 42.27 seconds W;

d. 30 degrees 10 minutes 08.11 seconds N, 89 degrees 50 minutes 47.04 seconds W;

9. Orleans—Orleans Parish:

a. 30 degrees 07 minutes 47.46 seconds N, 90 degrees 05 minutes 05.70 seconds W;

b. 30 degrees 07 minutes 47.46 seconds N, 90 degrees 04 minutes 17.70 seconds W;

c. 30 degrees 07 minutes 05.46 seconds N, 90 degrees 04 minutes 17.70 seconds W;

d. 30 degrees 07 minutes 05.46 seconds N, 90 degrees 05 minutes 05.70 seconds W;

10. Lake Front—Orleans Parish:

a. 30 degrees 03 minutes 34.72 seconds N, 89 degrees 59 minutes 40.25 seconds W;

b. 30 degrees 03 minutes 35.72 seconds N, 89 degrees 59 minutes 38.25 seconds W;

c. 30 degrees 03 minutes 35.57 seconds N, 89 degrees 59 minutes 38.05 seconds W;

d. 30 degrees 03 minutes 30.22 seconds N, 89 degrees 59 minutes 33.25 seconds W;

e. 30 degrees 03 minutes 28.22 seconds N, 89 degrees 59 minutes 35.25 seconds W;

11. West End—Orleans Parish:

a. 30 degrees 01 minutes 54.23 seconds N, 90 degrees 07 minutes 17.97 seconds W;

b. 30 degrees 01 minutes 54.70 seconds N, 90 degrees 07 minutes 11.13 seconds W;

c. 30 degrees 01 minutes 47.65 seconds N, 90 degrees 07 minutes 09.28 seconds W;

d. 30 degrees 01 minutes 47.19 seconds N, 90 degrees 07 minutes 16.12 seconds W;

12. St. John—St. John the Baptist Parish:

a. 30 degrees 05 minutes 53.21 seconds N, 90 degrees 24 minutes 20.29 seconds W;

b. 30 degrees 05 minutes 53.16 seconds N, 90 degrees 24 minutes 12.77 seconds W;

c. 30 degrees 05 minutes 46.63 seconds N, 90 degrees 24 minutes 12.83 seconds W;

d. 30 degrees 05 minutes 46.68 seconds N, 90 degrees 24 minutes 20.35 seconds W;

13. South Shore 1, 2, and 3—Jefferson Parish

a. 30 degrees 05 minutes 25.00 seconds N, 90 degrees 12 minutes 42.00 seconds W;

b. 30 degrees 05 minutes 25.00 seconds N, 90 degrees 11 minutes 56.00 seconds W;

c. 30 degrees 04 minutes 44.00 seconds N, 90 degrees 11 minutes 56.00 seconds W;

d. 30 degrees 04 minutes 44.00 seconds N, 90 degrees 12 minutes 42.00 seconds W;

14. Laketown—Jefferson Parish:

a. 30 degrees 02 minutes 40.92 seconds N, 90 degrees 14 minutes 23.11 seconds W;

b. 30 degrees 02 minutes 38.30 seconds N, 90 degrees 14 minutes 18.46 seconds W;

c. 30 degrees 02 minutes 35.07 seconds N, 90 degrees 14 minutes 20.28 seconds W;

d. 30 degrees 02 minutes 37.69 seconds N, 90 degrees 14 minutes 24.93 seconds W;

15. Independence Island—Jefferson Parish:

a. 29 degrees 18 minutes 34.48 seconds N, 89 degrees 56 minutes 13.37 seconds W;

b. 29 degrees 18 minutes 34.22 seconds N, 89 degrees 55 minutes 48.52 seconds W;

c. 29 degrees 18 minutes 24.32 seconds N, 89 degrees 55 minutes 48.66 seconds W;

d. 29 degrees 18 minutes 24.58 seconds N, 89 degrees 56 minutes 13.51 seconds W;

16. Bully Camp 1—Lafourche Parish:

a. 29 degrees 27 minutes 30.08 seconds N, 90 degrees 22 minutes 43.33 seconds W;

b. 29 degrees 27 minutes 30.04 seconds N, 90 degrees 22 minutes 38.63 seconds W;

c. 29 degrees 27 minutes 25.92 seconds N, 90 degrees 22 minutes 38.67 seconds W;

d. 29 degrees 27 minutes 25.96 seconds N, 90 degrees 22 minutes 43.37 seconds W;

17. Bully Camp 2—Lafourche Parish:

a. 29 degrees 27 minutes 44.08 seconds N, 90 degrees 23 minutes 03.33 seconds W;

b. 29 degrees 27 minutes 44.04 seconds N, 90 degrees 22 minutes 58.63 seconds W;

c. 29 degrees 27 minutes 39.92 seconds N, 90 degrees 22 minutes 58.67 seconds W;

d. 29 degrees 27 minutes 39.96 seconds N, 90 degrees 23 minutes 03.37 seconds W;

18. St. Charles—St. Charles Parish:

a. 30 degrees 08 minutes 26.10 seconds N, 90 degrees 19 minutes 26.28 seconds W;

b. 30 degrees 08 minutes 26.10 seconds N, 90 degrees 18 minutes 38.28 seconds W;

c. 30 degrees 07 minutes 44.10 seconds N, 90 degrees 18 minutes 38.28 seconds W;

d. 30 degrees 07 minutes 44.10 seconds N, 90 degrees 19 minutes 26.28 seconds W;

19. Rabbit Island—St. Mary Parish:

a. 29 degrees 30 minutes 41.31 seconds N, 91 degrees 34 minutes 00.39 seconds W;

b. 29 degrees 30 minutes 41.34 seconds N, 91 degrees 33 minutes 43.68 seconds W;

c. 29 degrees 30 minutes 26.73 seconds N, 91 degrees 33 minutes 43.65 seconds W;

d. 29 degrees 30 minutes 26.70 seconds N, 91 degrees 34 minutes 00.35 seconds W;

20. Finfish—Cameron Parish:

a. 29 degrees 58 minutes 15.58 seconds N, 93 degrees 18 minutes 12.25 seconds W;

b. 29 degrees 58 minutes 15.83 seconds N, 93 degrees 17 minutes 55.47 seconds W;

c. 29 degrees 58 minutes 01.22 seconds N, 93 degrees 17 minutes 55.19 seconds W;

d. 29 degrees 58 minutes 00.97 seconds N, 93 degrees 18 minutes 11.97 seconds W;

21. Turner's Bay Island—Calcasieu Parish:

a. 30 degrees 03 minutes 20.56 seconds N,

93 degrees 18 minutes 29.54 seconds W;

b. 30 degrees 03 minutes 20.11 seconds N, 93 degrees 18 minutes 26.51 seconds W;

c. 30 degrees 03 minutes 18.54 seconds N, 93 degrees 18 minutes 26.82 seconds W;

d. 30 degrees 03 minutes 18.99 seconds N, 93 degrees 18 minutes 29.85 seconds W;

22. East Calcasieu—Cameron Parish:

a. 29 degrees 53 minutes 16.49 seconds N, 93 degrees 16 minutes 58.85 seconds W;

b. 29 degrees 53 minutes 16.52 seconds N, 93 degrees 16 minutes 34.79 seconds W;

c. 29 degrees 52 minutes 57.20 seconds N, 93 degrees 16 minutes 34.74 seconds W;

d. 29 degrees 52 minutes 57.17 seconds N, 93 degrees 16 minutes 56.85 seconds W;

23. Sweet Lake—Cameron Parish:

a. 29 degrees 56 minutes 38.05 seconds N, 93 degrees 17 minutes 33.42 seconds W;

b. 29 degrees 56 minutes 38.27 seconds N, 93 degrees 17 minutes 16.65 seconds W;

c. 29 degrees 56 minutes 23.66 seconds N, 93 degrees 17 minutes 16.36 seconds W;

d. 29 degrees 56 minutes 23.41 seconds N, 93 degrees 17 minutes 33.14 seconds W;

24. Bird Island 1 and 2—Terrebonne Parish:

a. 29 degrees 03 minutes 40.34 seconds N, 90 degrees 43 minutes 34.07 seconds W;

b. 29 degrees 03 minutes 41.97 seconds N, 90 degrees 43 minutes 29.63 seconds W;

c. 29 degrees 03 minutes 41.89 seconds N, 90 degrees 43 minutes 12.99 seconds W;

d. 29 degrees 03 minutes 27.28 seconds N, 90 degrees 43 minutes 13.08 seconds W;

e. 29 degrees 03 minutes 25.65 seconds N, 90 degrees 43 minutes 17.53 seconds W;

f. 29 degrees 03 minutes 25.73 seconds N, 90 degrees 43 minutes 34.16 seconds W;

25. Point Mast—Terrebonne Parish:

a. 29 degrees 06 minutes 34.01 seconds N, 90 degrees 38 minutes 16.87 seconds W;

b. 29 degrees 06 minutes 33.92 seconds N, 90 degrees 38 minutes 00.24 seconds W;

c. 29 degrees 06 minutes 19.31 seconds N, 90 degrees 38 minutes 00.34 seconds W;

d. 29 degrees 06 minutes 19.40 seconds N, 90 degrees 38 minutes 16.97 seconds W;

26. Cypremort Point 1—Iberia Parish:

a. 29 degrees 43 minutes 21.03 seconds N, 91 degrees 52 minutes 23.19 seconds W;

b. 29 degrees 43 minutes 21.04 seconds N, 91 degrees 52 minutes 20.82 seconds W;

c. 29 degrees 43 minutes 18.97 seconds N, 91 degrees 52 minutes 20.81 seconds W;

d. 29 degrees 43 minutes 18.96 seconds N, 91 degrees 52 minutes 23.18 seconds W;

27. Cypremort Point 2—Iberia Parish:

a. 29 degrees 44 minutes 26.95 seconds N, 91 degrees 52 minutes 54.25 seconds W;

b. 29 degrees 44 minutes 27.02 seconds N, 91 degrees 52 minutes 37.51 seconds W;

c. 29 degrees 44 minutes 12.41 seconds N, 91 degrees 52 minutes 37.43 seconds W;

d. 29 degrees 44 minutes 12.34 seconds N, 91 degrees 52 minutes 54.17 seconds W;

28. Redfish Point—Vermilion Parish:

a. 29 degrees 40 minutes 44.28 seconds N, 92 degrees 07 minutes 13.40 seconds W;

b. 29 degrees 40 minutes 44.38 seconds N, 92 degrees 06 minutes 56.67 seconds W;

c. 29 degrees 40 minutes 29.76 seconds N, 92 degrees 06 minutes 56.56 seconds W;

d. 29 degrees 40 minutes 29.66 seconds N, 92 degrees 07 minutes 13.29 seconds W;

29. Prien Point—Vermilion Parish:

a. 29 degrees 39 minutes 45.53 seconds N, 92 degrees 08 minutes 05.36 seconds W;

b. 29 degrees 39 minutes 45.64 seconds N, 92 degrees 07 minutes 48.63 seconds W;

c. 29 degrees 39 minutes 31.02 seconds N,

92 degrees 07 minutes 48.52 seconds W;

d. 29 degrees 39 minutes 30.92 seconds N,

92 degrees 08 minutes 05.25 seconds W.

30. Lake Borgne Reef-Saint Bernard Parish

a. 30 degrees 04 minutes 20.28 seconds N 89 degrees 35 minutes 10.32 seconds W

b. 30 degrees 04 minutes 20.28 seconds N 89 degrees 35 minutes 02.76 seconds W

c. 30 degrees 04 minutes 13.8 seconds N 89 degrees 35 minutes 09.96 seconds W

d. 30 degrees 04 minutes 13.80 seconds N 89 degrees 35 minutes 02.40 seconds W

31. Grand Banks Reef-Saint Bernard Parish

a. 30 degrees 08 minutes 53.16 seconds N 89 degrees 22 minutes 55.56 seconds W

b. 30 degrees 08 minutes 53.52 seconds N 89 degrees 22 minutes 48.00 seconds W

c. 30 degrees 08 minutes 46.68 seconds N 89 degrees 22 minutes 55.38 seconds W

d. 30 degrees 08 minutes 47.04 seconds N 89 degrees 22 minutes 48.00 seconds W

32. Cabbage Reef-Saint Bernard Parish

a. 30 degrees 08 minutes 02.76 seconds N 89 degrees 14 minutes 53.52 seconds W

b. 30 degrees 08 minutes 02.76 seconds N 89 degrees 14 minutes 45.96 seconds W

c. 30 degrees 07 minutes 55.92 seconds N 89 degrees 14 minutes 53.16 seconds W

d. 30 degrees 07 minutes 56.28 seconds N 89 degrees 14 minutes 45.60 seconds W

33. West Karako Bay Reef-Saint Bernard Parish

a. 30 degrees 01 minutes 03.36 seconds N 89 degrees 16 minutes 32.88 seconds W

b. 30 degrees 01 minutes 03.36 seconds N 89 degrees 16 minutes 25.32 seconds W

c. 30 degrees 00 minutes 56.52 seconds N 89 degrees 16 minutes 32.52 seconds W

d. 30 degrees 00 minutes 56.88 seconds N 89 degrees 16 minutes 25.32 seconds W

B. No person shall harvest oysters from these recreational reefs.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:805.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 41:1309 (July 2015), amended LR 43:91 (January 2017), LR 46:363 (March 2020).

§539. Oyster Harvester Training Program

A. The following defines the requirements necessary to complete the program to develop professionalism in the commercial oyster industry pursuant to R.S. 56:303.6(D). This program shall hereafter be referred to as the Oyster Harvester Training Program.

B. Policy. Applicants for an oyster harvester license shall complete and receive a certificate for an online course within the previous three years, or within the previous year if the requirements covered in course material have substantively changed, in order to receive the oyster harvester license. The course will provide a detailed overview of the Louisiana Shellfish Sanitation Program, Chapter 3 of Part IX of Title 51 of the *Louisiana Administrative Code*, "Preparation and Handling of Seafood for Market," and cover the legalities and best management practices of oyster fishing, including but not limited to, licensing and permitting requirements, oyster harvest regulations, reporting requirements, responsible fishing, and vessel operation. The applicant will be required to view 100 percent of the course content and score a minimum of 80 percent in order to receive a certificate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:303.6(D).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1694 (October 2016).

Chapter 7. Experimental Fisheries Program

§701. Permits

A. Purpose. Under Louisiana law, only gear which is legally sanctioned may be used in a fishery. All other types of gear require permits. These permits may be issued for the development of new fisheries, gear designed to harvest underutilized species and to persons who are interested in the development of experimental gear. The purpose of the permit system is to:

1. allow the department to closely supervise all fisheries not sanctioned by statutory law which may conflict with established fisheries or which may use gear prohibited by statutory law;

2. allow the permittee to develop experimental gear for fisheries development, while providing information of this activity to the department for scientific purposes.

NOTE: The following points delineate criteria used in the issuance of permits.

B. General Regulations

1. Permits will not be issued for species which are threatened or endangered. Permits will not be issued for fisheries, gear types or applications of otherwise legal gear which are specifically prohibited by law unless otherwise explicitly authorized by the secretary.

2. Possession of a permit does not exempt the bearer from laws or regulations except for those which may be specifically exempted by the permit. Violation of a fish or game law which carries a Class 2 penalty or greater shall constitute a violation of the permit.

3. Permits will be issued only for such time to allow the department to properly evaluate the fishery, gear or methods being used. The department may withdraw any permit because it has a deleterious effect, may withdraw any permit in order to conduct its own evaluation of the gear or fishery, may effect management regulations which render any permit inoperative or may extend any permit as a means of regulating the fishery until such time the fishery comes under statutory laws.

4. The secretary reserves the right to limit the number of permits issued each year. When the number is limited, permits will be granted on a first come, first served basis. A permit does not entitle the bearer the exclusive harvest of the resource.

5. Information gained by the department through the issuance of a permit is not privileged and may be disseminated to the public.

6. Applicants with a citation(s) pending for three years or less, which is a Class 2 fish or game violation(s) or greater shall be denied a permit until such time as the applicant appears before department officials for the purpose of reviewing the citation(s) issued. The secretary, after reviewing the proceedings, may issue or deny the permit.

7. Permits shall not be issued to any applicant who within three years of the date of his application, has been convicted or plead guilty to a Class 2 fish or game violation or greater, as defined in the laws pertaining to wildlife and fisheries.

8. Applicants found guilty of two or more Class 2 fish or game violations or greater within five years of the application date shall not receive a permit.

9. The bearer of a permit shall report monthly the catch and effort under the permit, even when catch or effort is zero. This report shall contain total catch, effort, and other parameters which may be required by the department. A report shall be received by the department no later than 30 days following the last day of each month.

10. Permitted vessel and permitted gear is the specific gear and vessel designated on the permit.

11. When a permit is issued, only the permitted specie(s) can be retained unless other provisions are specifically stated in the permit. All other species shall be immediately returned to waters from which they were caught. No other fish may be in the possession of the permittee and all fish on board the permitted vessel shall have the head and caudal fin (tail) intact.

12. The permittee shall have the permit in possession at all times when using permitted gear or harvesting permitted specie(s). Permit holder shall be on board permitted vessel when operating under conditions of permit. No permit is transferable without written permission from the department secretary.

13. When permitted gear is on board permitted vessel or in possession of permittee, permittee and vessel are assumed to be operating under conditions of the permit. No gear other than permitted gear may be on board or in possession of permittee unless specifically provided for in the permit.

14. If citation(s) are issued to any permittee for violation of a Class 2 fish or game law or conditions regulated by the permit, all permittee's permits shall be suspended until such time as the permittee appears before the department's officials for the purpose of reviewing the citation(s) issued. The secretary, after reviewing the proceedings, may reinstate or revoke the permit, and the permittee may lose all rights and privileges to participate in the program.

15. Any violation of the conditions of the permit shall result in the immediate suspension of the permit and forfeiture of the deposit and may result in the permanent revocation of the permit.

16. The department reserves the right to observe the operations taking place under the permit at any time and permittee shall be required to provide food and lodging on the permitted vessel for an observer at the request of the department.

17. All permittees shall notify the department prior to leaving port to fish under permitted conditions and immediately upon returning from permitted trip. The department shall be notified by calling a designated phone number.

18. If any permittee does not report monthly as required, his permit shall be suspended. If no report is received by January 31, following suspension, the deposit is forfeited.

19. The permitted boat used in the program shall have a distinguishing sign so that it may be identified. The sign shall have the word “EXPERIMENTAL” printed on it in at least 6-inch high letters on a contrasting background so as to be visible from low flying aircraft or from any other vessel in the immediate vicinity.

C. Permit Application

1. All permits shall be valid for the calendar year in which they are issued and expire December 31 following the date of issuance. Any permits issued on or after November 15 of each year shall be valid for the remainder of the current calendar year as well as the following calendar year.

2. Each applicant for a permit under this program will be assessed an administrative fee of $50 prior to the issuance of the permit. Each applicant who is a resident of Louisiana will be required to post a performance fee deposit of $1,000 payable by cashier's check. All nonresidents shall post a performance fee deposit of $4,000 also payable by cashier's check. These deposits are required prior to the issuance of the permit and are valid until expiration of the permit.

3. Permit requests for experimental gear shall include complete descriptions of the gear and methods used, including drawings or pictures, and the specie(s) to be fished. All potential permittees shall send requests to the Office of Fisheries permit manager. Proof of ownership or written permission from the owner of the proposed permitted vessel(s) shall be provided prior to the issuance of the permit. The person requesting a permit shall show proof that all applicable licenses have been acquired prior to the issuance of the permit. Proof of bona fide residency is also required prior to the issuance of the permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:571, R.S. 56:322.1, and R.S. 56:322.2.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 12:119 (February 1986), LR 12:847 (December 1986), amended by the Department of Wildlife and Fisheries, Office of Fisheries, LR 15:1098 (December 1989), LR 28:1601 (July 2002), LR 29:49 (January 2003), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 31:947 (April 2005), LR 40:545 (March 2014), LR 43:1558 (August 2017).

§703. Pompano Permits

A. Harvest Regulations

1. Possession of a permit does not exempt the bearer from laws or regulations except for those which may be specifically exempted by the permit. Violation of a law pertaining to fishing, which carries a Class 2 penalty or greater shall constitute a violation of the permit.

2. Information gained by the department through the issuance of a permit is not privileged and will be disseminated to the public.

3. When operating under the conditions of a permit, only pompano can be retained. All other species shall be immediately returned to waters from which they were caught. No other fish may be in the possession of the permittee and all fish on board the permitted vessel shall have the head and caudal fin (tail) intact.

4. The permittee shall have the permit in possession at all times when using permitted gear or harvesting permitted specie(s). Permit holder shall be on board permitted vessel when operating under conditions of permit. No permit is transferable without written permission from the department secretary.

5. When permitted gear is on board permitted vessel or in possession of permittee, permittee and vessel are assumed to be operating under conditions of the permit. No gear other than permitted gear may be on board or in possession of permittee.

6. Any violation of the conditions of the permit shall result in the immediate suspension of the permit, and may result in the permanent revocation of the permit.

7. For permitting purposes, a pompano net shall be defined as a pompano strike net not exceeding 2,400 feet in length and not smaller than 2-1/2 inches bar or 5 inches stretched mesh, that is not anchored or secured to the water bottom and that is actively worked while being used. A pompano net shall not be constructed of monofilament.

8. The permitted boat used in the program shall have a distinguishing sign so that it may be identified. The sign shall have the operator's permit number printed on it in at least 8-inch high letters on a contrasting background so as to be visible from low flying aircraft or from any other vessel in the immediate vicinity.

9. Pompano strike nets may be used during the period from August 1 through October 31 of each year in waters in excess of 7 feet in depth and beyond 2,500 feet from land within the Chandeleur and Breton Sound area described in R.S. 56:406(A)(2).

10. No person shall fish under this permit during the hours after sunset and before sunrise. No person shall fish under this permit on Saturday or Sunday of any week during the open season, or on Labor Day.

11. Each pompano strike net shall have attached to it a tag issued by the department which states the name, address, and Social Security number of the owner of the net and the permit number of the permit issued to commercially take pompano. The department shall not issue any tag to a person who does not have a Social Security number.

12. The department reserves the right to observe the operations taking place under the permit at any time and permittee shall be required to provide food and lodging on the permitted vessel for an observer at the request of the department.

13. All permittees shall notify the department prior to leaving port to fish under permitted conditions and immediately upon returning from permitted trip. The department shall be notified by calling a designated phone number.

B. Qualification for Permit

1. All permits shall be applied for and/or granted from January 1 to April 30 of each year from the New Orleans or Baton Rouge offices. All permits expire December 31 following the date of issuance.

2. Permits shall not be issued to any applicant who within three years of the date of his application, has been convicted or pled guilty to a Class 2 or greater fishery violation, as defined in the laws pertaining to wildlife and fisheries.

3. Applicants who have been convicted of, or have pled guilty to, two or more Class 2 or greater fishery violations within five years of the application date shall not receive a permit.

4. Proof of ownership of the proposed permitted vessel(s) and proof that all applicable licenses have been applied for shall be provided at the time of application. Proof of bona fide residency, as defined in R.S. 56:8(12), is also required at this time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(25)(a) and R.S. 56:406A(3).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 12:119 (February 1986), amended LR 12:846 (December 1986), amended by the Department of Wildlife and Fisheries, Office of Fisheries, LR 16:322 (April 1990), LR 22:859 (September 1996), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 26:2332 (October 2000), LR 27:2269 (December 2001), repromulgated LR 28:354 (February 2002).

§705. Permits

A. The Louisiana Wildlife and Fisheries Commission does hereby adopt rules and regulations establishing the maximum legal length of nets permissible for use to capture pompano and black drum under the permits program at 2,400 feet.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:406.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 13:440 (August 1987).

Chapter 9. Aquaculture

§901. Triploid Grass Carp

A. General Provisions

1. No person, firm or corporation shall at any time possess, sell or cause to be transported into this state, triploid grass carp (Ctenopharyngodon idella), except in accordance with and in compliance with the following regulations.

a. The following regulations govern the importation, transportation, possession, disposal and sale of live triploid grass carp for aquatic plant control in private and public waters, including ponds on public golf courses, municipal water treatment plants, parks and zoos. Nothing contained herein shall be construed to restrict or prevent the department from conducting bona-fide research studies and fish and aquatic plant management programs as authorized by law or regulation.

2. Definitions

Department—the Louisiana Department of Wildlife and Fisheries or an authorized employee of the department.

Permittee—individual that possesses a valid Louisiana triploid grass carp permit. A permittee can only be a natural person. A permittee may represent himself, a business, corporation or organization. The permittee is responsible for compliance with all stipulations in the permit.

Secretary—the secretary of the Louisiana Department of Wildlife and Fisheries.

Triploid Grass Carp—refers to Ctenopharyngodon idella fingerlings and larger individuals that are certified as triploid carp (3N chromosomes) by the U.S. Fish and Wildlife Service or a qualified agent or contractor approved by the department.

Triploid Grass Carp Possession and Transportation Permit—the official document that identifies the terms of and allows for the importation, transportation and possession of live triploid grass carp in Louisiana for use in privately owned waterbodies.

Triploid Grass Carp Sales Permit—the official document that allows for the importation, transportation, possession and sale of live triploid grass carp in Louisiana as approved by the secretary or his designee.

Triploid Grass Carp Seller—a properly licensed fish farmer who possesses a triploid grass carp sales permit.

B. Triploid Grass Carp Possession and Transport Permit

1. General Rules for Triploid Grass Carp Possession and Transportation Permit

a. No person shall stock private waterbodies in the state of Louisiana without a triploid grass carp possession and transport permit.

b. No person shall import, transport and/or purchase triploid grass carp to be brought into the state of Louisiana unless such fish are certified as triploid grass carp by the U.S. Fish and Wildlife Service or a qualified agent or contractor approved by the department.

c. No person shall import, transport or possess fingerlings less than six inches in total length or eggs or fry within the state of Louisiana.

d. Permits are not transferable from person to person or from site location to site location.

e. Permittee shall provide an adequate number of triploid grass carp to the department, at no cost to the department, upon request, to verify ploidy. The permittee shall agree to allow department officials or a department approved contractor to conduct unannounced random inspections of the transport vehicle, property, waterbody site and fish.

f. Department officials may be accompanied by other persons during these inspections. The department or its agents have the right to remove or take fish samples for analysis and/or inspection.

g. Permittee is responsible for damages caused by any escapement.

h. In cases of mortality or unavoidable loss, restocking will be permitted as long as permit is still valid.

i. If a permittee terminates the use of triploid grass carp in the permitted waterbody, the permittee shall notify the department immediately and dispose of the triploid grass carp according to methods approved by the department.

j. In additional to all other legal remedies, failure to comply with any of the provisions in this Section shall be just cause to immediately suspend and/or revoke the permittee's permit. All triploid grass carp shall be destroyed at permittee's expense under the department's supervision within 30 days of permit revocation. Violation of any of the provisions of the permit constitutes a Class Four violation in accordance with R.S. 56:319(E).

k. Any permittee charged with violation of this Section may make a written response to the alleged violation(s) to the secretary, and may request a hearing to review the alleged violation(s).

l. Qualified universities and public entities conducting research approved by or in conjunction with the department shall be exempt from fee charges.

2. Request Procedure for a Triploid Grass Carp Possession and Transport Permit

a. Individuals wishing to import or possess live triploid grass carp in Louisiana, but not sell them, must apply for a triploid grass carp possession and transport permit from the department for a fee of $50.

b. The triploid grass carp possession and transport permit shall be valid for one year from date of purchase. Permittee must request new permit for subsequent purchases if permit has expired.

c. Permittees may stock up to 10 fish per acre of water, and shall not exceed 500 fish. Request to stock more than 500 fish must be approved by the department through site visitations by a department representative. Fisheries staff of the Louisiana Cooperative Extension Service or other qualified fisheries professional approved by the department may be used as a substitution for departmental site visit.

3. Requirement for transporting and stocking of triploid grass carp in private water bodies

a. Permittee mush have in his immediate possession and available upon demand by department representatives, a triploid grass carp possession and transportation permit when importing, transporting and/or purchasing live triploid grass carp within the state of Louisiana.

b. A bill of lading must accompany those individuals in possession of live triploid grass carp during transportation and shall include:

i. source of triploid grass carp (hatchery);

ii. name, address and phone number of seller;

iii. name, address and phone number of buyer;

iv. copy of triploid certification;

v. total number of fish;

vi. destination of shipment.

c. No person shall stock private waters in the state of Louisiana without a valid triploid grass carp possession and transport permit.

d. Permittee is responsible for containing triploid grass carp in his private waterbody. Permittee is also responsible for erecting barriers to prevent the escape of triploid grass carp into adjoining waters.

e. This permit does not authorize the permittee to stock triploid grass carp in public waterbodies of the state. Release of any fish into the waters of the state is strictly prohibited, except as provided in Subsection D below.

C. Triploid Grass Carp Sales Permit

1. Request Procedure for a Triploid Grass Carp Permit

a. Individuals wishing to sell live triploid grass carp in the state of Louisiana must first request a triploid grass carp sales permit through an application furnished by the department.

b. The triploid grass carp sales permit shall be valid for one year beginning January first and ending December thirty-first of that same calendar year. The permit may be purchased at any time during the year for the current permit year and beginning November fifteenth for the immediately following permit year. The cost of a triploid grass carp sales permit is $250.

c. An annual report detailing each sales transaction, including name and address of permitted buyer, permit number, date and number of triploid grass carp sold must be submitted with permit renewal application.

2. Requirement for Triploid Grass Carp Sales Permit

a. No person shall import or cause to be imported into the state of Louisiana triploid grass carp unless certified as triploid grass carp by the U.S. Fish and Wildlife Service or a qualified agent or contractor approved by the department. Such certification must be furnished to and approved by the department prior to importing of any fish into the state of Louisiana for stocking.

b. A triploid grass carp seller must possess a valid domestic aquatic organism license.

c. The person shall ship triploid grass carp with the words "TRIPLOID GRASS CARP" prominently on at least two sides of the vehicle or hauling tank with block letters that are not less than four inches high.

d. A triploid grass carp seller is bound by the triploid grass carp possession and transportation regulations as stipulated in LAC 76:VII.901.B; except that:

i. the triploid grass carp sales permit serves in lieu of the triploid grass carp possession and transportation permit;

ii. the holders of a triploid grass carp sales permit may only sell live triploid grass carp to holders of a valid triploid grass carp possession and transportation permit or a triploid grass carp sales permit;

iii. no person shall sell more than 500 triploid grass carp to an individual possessing a valid triploid grass carp possession and transport permit unless otherwise stipulated by the department in the permit.

e. A triploid grass carp seller shall notify the department at the designated telephone number (1-800-442-2511) of shipments of live triploid grass carp to permitted buyers at least 24 hours prior to shipment. Notification shall include seller’s permit number, buyer's name, address, buyer’s permit number, number of fish, destination of shipment and date.

f. In addition to all other legal remedies, failure to comply with any of the provisions in this section shall be just cause to immediately suspend and/or revoke the permittee's permit. All triploid grass carp shall be destroyed at permittee's expense under the department's supervision within 30 days of permit revocation. Violation of any of the provisions of the permit constitutes a class four violation in accordance with R.S. 56:319(E).

D. Requirements for Stocking Triploid Grass Carp in Public (state or local) Waterbodies

1. No person shall release triploid grass carp into the public waters of Louisiana without written approval of the secretary or his designee. Individuals, organizations and local governments may request, in writing, that they be allowed to stock triploid grass carp in public waters. The department shall review the request, and if approved, shall provide written approval signed by the secretary or his designee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:318, R.S. 56:319 and R.S. 56:319.1.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Fisheries, LR 17:806 (August 1991), amended LR 19:511 (April 1993), LR 24:962 (May 1998), LR 37:3534 (December 2011), repromulgated LR 38:433 (February 2012).

§903. Tilapia

A. Rules and Regulations on Importation, Culture, Possession, Disposal and Sale of Tilapia in Louisiana. The following terms shall have the following meanings in this Section.

Culture—all activities associated with the propagation and nurturing of tilapia.

Culture Permittee—the individual or organization that possesses a valid Louisiana tilapia culture permit.

Culture System—shall be an approved indoor system designed such that all water containing, or that at any time might contain, tilapia (adult fish, juvenile fish, fry, or fish eggs) is filtered, screened and/or sterilized in such a manner as the department deems adequate to prevent any possibility of escape from the system.

Department—the Louisiana Department of Wildlife and Fisheries or an authorized employee of the department.

Disposal—the business of processing, selling, or purposely removing tilapia from the culture system.

Live Holding Permittee—the individual or organization that possesses a valid Louisiana tilapia live holding permit.

Live Holding System—an approved indoor holding or display system designed such that all water containing, or at any time might contain, tilapia (adult fish, juvenile fish, fry or fish eggs) is filtered, screened and/or sterilized prior to release in such manner as the department deems adequate to prevent any possibility of escape.

Process—the act of chill killing whole tilapia in an ice slurry for a period of not less than 60 minutes, or removal of tilapia intestines followed by immersion in an ice slurry for a period of not less than two minutes or removal and proper disposal of tilapia heads in such manner as the department deems necessary to prevent any possibility of accidental release of fry or fertilized eggs.

Secretary—the Secretary of the Department of Wildlife and Fisheries.

Tilapia—eggs, fish, or body parts belonging to the genera *Tilapia*, *Sarotherdon*, or *Oreochromis* and their hybrids.

Tilapia Culture Permit—official document pertaining to culture that identifies the terms of, and allows for the importation, exportation, transport, culture, possession, disposal, transfer and sale of tilapia in Louisiana as approved by the secretary or his designee.

Tilapia Live Holding Permit—official document pertaining to live holding for retail sale that identifies the terms of, and allows for the possession and sale of tilapia in Louisiana as approved by the secretary or his designee.

B. Tilapia Permit Request Procedures

1. Individuals or organizations wishing to import, export, transport, culture, possess, dispose, transfer or sell live tilapia in Louisiana must first request a tilapia culture or live holding permit from the secretary or his designee of the Department of Wildlife and Fisheries. The following procedures will be necessary.

a. Applications for permits can be obtained by contacting the:

Administrator, Inland Fisheries Division
Department of Wildlife and Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000.

b. The completed applications should be returned to the same address whereby Inland Fisheries Division personnel will review the application. Department personnel or a department approved contractor, at the applicant's expense, will then make an on-site inspection of the property and culture or live holding system.

c. After the on-site inspection has been completed, department personnel will make a final determination as to whether the applicant is in full compliance with all rules for a tilapia culture or live holding permit. Department personnel will then recommend to the secretary or his designee if the applicant's request should be approved or disapproved.

d. The secretary or his designee will notify the applicant, in writing, as to whether or not the permit has been granted and if not, why. In the event of disapproval, applicants may reapply after correcting specified deficiencies noted in the secretary's or his designee's letter of denial.

C. Rules on Transport of Live Tilapia

1. The department shall be notified in writing at least 24 hours prior to shipments of live tilapia from one

Louisiana culture permit holder to another Louisiana culture permit holder or live holders within the state or shipments out-of-state on a form provided by the department. Notification shall include Louisiana tilapia culture permit number, route, date and time(s) of transport, destination, owner of transport vehicle, total number of each species, permit number of resident tilapia culturer or live holder, and a copy or reference to electrophoretic certification of shipped stock by species. Anyone possessing live tilapia within the state must have a tilapia culture or live holding permit. Live tilapia showing signs of diseases shall not be transported into or within the state of Louisiana.

2. For each occurrence of tilapia being imported into Louisiana from out of state to a permitted resident culturer or live holder, the permittee must obtain, in writing, approval from the department. Procedures and necessary information for obtaining approval are:

a. requests shall be made to:

Administrator, Inland Fisheries Division
Louisiana Department of Wildlife and Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000;

b. requests shall include:

i. Louisiana tilapia permit number, or a copy of the permit;

ii. route of transport;

iii. date of transport;

iv. time(s) of transport;

v. destination;

vi. owner of transport vehicle;

vii. electrophoretic certification made within the past 30 days identifying shipped stock(s) to species;

viii. total number of each species;

ix. identification of seller and buyer.

3. A bill of lading must accompany the live tilapia during import, export, transport, transfer or sale and shall include:

a. copy of the permittee's written approval as described in LAC 76:VII.903.C.2. above;

b. date and approximate time of shipment;

c. route of shipment;

d. source of tilapia (culture facility);

e. name, address and phone number of seller;

f. name, address and phone number of buyer;

g. identification and certification as to species;

h. total number of each species;

i. destination;

j. letter from source stating that tilapia are not showing signs of diseases;

k. display the word "TILAPIA" prominently on at least two sides of the vehicle or hauling tank with letters that are no less than 6 inches high.

D. Rules for Security of Tilapia Culture or Live Holding Facility

1. Applicant must demonstrate to the satisfaction of department officials that adequate security measures are in place at the culture facility that will guard against vandalism and theft of tilapia.

2. Any changes or modification of a permitted security system must first have the approval of department officials.

3. The department will have just cause to revoke a tilapia permit for lapses in security if:

a. the permittee is found to be in noncompliance with Paragraphs 1 and 2 above;

b. the permittee is determined to be derelict in maintaining the security measures that were approved for the permit;

c. failure to take appropriate measures when vandalism, theft, or accidental release of fish occurs.

4. It shall be the responsibility of the permittee to immediately notify the secretary or his designee of any tilapia that leave the facility for any reason other than those specifically identified and allowed for under their current permit, including but not limited to accidental releases, theft, etc.

5. It shall be the responsibility of the permittee to have at least one individual who is familiar with the culture system readily available for emergencies, inspections, etc.

E. Rules of Tilapia Culture and Live Holding Site

1. A legal description of the tilapia culture facility site that shows ownership must be submitted along with the permit request.

2. The applicant must agree to allow department officials or a department approved contractor, at the applicant's expense, to conduct unannounced random inspections of the transport vehicle, property, culture system or live holding system, and fish. Department officials may request other officials to accompany them during these inspections. Additionally, those individuals performing these inspections may remove or take fish samples for analysis and/or inspection.

3. All aspects of the tilapia culture facility must be at least 1 foot above the 100-year flood elevation. Additionally, the department may require a surface hydrological assessment of the proposed site at permittee's expense.

4. The department will require a live holding contingency plan for disposal of live tilapia in the event of impending flooding or other natural disasters.

F. Rules for the Tilapia Culture and Live Holding System

1. Applicant must provide a detailed narrative description, including scale drawings, of the tilapia culture or live holding system.

2. The tilapia culture or live holding system shall be an approved indoor system designed such that tilapia eggs, larvae, juveniles or adults cannot escape.

3. All water utilized in the culture or live holding of tilapia shall be accounted for and shall be filtered, screened, and/or sterilized prior to leaving the culture or live holding system and the permittee's property in such a manner as the department deems adequate to prevent any possibility of escape from the system.

4. All aspects of the tilapia culture or live holding system and processing shall be completely enclosed so that predation from birds, mammals, amphibians, and reptiles is precluded.

5. A means to dispose of tilapia through chlorination, desiccation, or other appropriate methods, in the event of an emergency must be included as a component of any department-approved live-holding system.

6. One or more persons responsible for the operation of the live holding system must demonstrate to the department's satisfaction a basic knowledge and understanding of the culture, biology, and potential local ecological impacts of tilapia.

G. Rules for the Processing of Tilapia

1. All tilapia and tilapia parts other than live tilapia specifically permitted by the department must be properly processed and killed prior to leaving the tilapia culture or live holding facility.

2. All tilapia, other than live tilapia specifically permitted by the department, being brought into the state from without the state must be dead.

3. Records shall be kept of all tilapia processed at a culture or live holding facility and shall include the following information:

a. source of fish;

b. processed pounds;

c. date processed.

4. A copy of this information shall be sent to the department's Baton Rouge office at the end of each year, or at anytime upon the request of department officials.

H. General Rules for Tilapia

1. The cost of a tilapia culture or live holding permit shall be $50, plus the actual cost of the on-site inspection. Qualified universities conducting research approved by the department shall be exempt from the fee charge.

2. In order for the permit to be valid, the following license is required as a prerequisite:

a. a fish farming license for tilapia culturers;

b. a retail dealer's license for live holders.

3. Permits are valid for 12 months.

4. Permits are not transferable from person to person, or property to property.

5. Live tilapia, may be sold within the state only to a holder of a valid tilapia culture or live holding permit. A tilapia culture permit shall be required for the possession or transport of tilapia eggs, fry or juveniles.

6. No person may release live tilapia, fish or eggs, into the waters of Louisiana (whether public or private) without the written approval of the secretary.

7. Permittee must agree to collect and provide an adequate number of tilapia to the department or a department-approved contractor upon request for identification and analysis, at the permittee's expense.

8. Only those persons or organizations with valid tilapia permits may propagate, culture or possess the following species and/or hybrids produced from their crosses.

Tilapia aurea	*Tilapia nilotica*
Tilapia mossambica	*Tilapia hornorum*

9. Tilapia culturers shall be required to submit an annual report to the secretary or his designee on a form provided by the department.

10. The department may employ whatever means it deems necessary to prevent the release or escapement of tilapia or their eggs into the environment. The permittee shall agree to reimburse the department for all costs including, but not limited to, man hours and materials utilized during corrective actions.

11. The department shall be overseer of all escape incidents and may implement or require to be implemented whatever measures deemed necessary to contain, kill or recapture fish. The permittee shall agree to reimburse Wildlife and Fisheries for all department costs including, but not limited to, man hours and materials utilized during these corrective actions. In order to assure the secretary that the permittee will fulfill their financial obligations, the tilapia culturer shall, at the option of the department, post a $25,000 performance bond, or present a letter of credit from a financial institution stating that the $25,000 is available to the department on a certificate of deposit. Tilapia live holder permittees will be required to post a $10,000 performance bond, or present a letter of credit from a financial institution stating that the $10,000 is available to the department on a certificate of deposit.

12. If a permittee terminates tilapia production or live holding, the permittee shall notify the secretary or his designee immediately and dispose of the tilapia according to methods approved by the department.

13. In addition to all other legal remedies, including provisions of R.S. 56:319.E, failure to comply with any of the provisions herein shall be just cause to immediately suspend and/or revoke the permittee's permit. All tilapia shall be destroyed at permittee's expense under the department's supervision within 30 days of permit revocation.

14. Any permittee allegedly in violation of the above rules has a right to make a written response of the alleged violation(s) to the secretary requesting a hearing to review the alleged violation(s) within five days.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:318 and R.S. 56:319.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Fisheries, LR 17:804 (August 1991), amended LR 20:1022 (September 1994), LR 21:594 (June 1995), LR 25:1987 (October 1999).

§905. Domesticated Aquatic Organisms

A. Procedures for Approving a New Species of Domesticated Aquatic Organism

1. An application to consider a new aquatic species shall be made to the Louisiana Department of Wildlife and Fisheries, Assistant Secretary, Office of Fisheries. The applicant should include the following information:

a. American Fisheries Society approved species and common name(s);

b. intended use or uses;

c. biology, including environmental tolerances, diseases and life history;

d. sources of broodstock;

e. references;

f. location of proposed facility; and

g. design and operation of proposed aquaculture facility.

2. The assistant secretary will forward the application to the appropriate fisheries division. Freshwater species will be handled by the Inland Fisheries Division and saltwater species will be handled by the Marine Fisheries Division, regardless of where the species is proposed to be raised.

3. The division administrator may request the applicant to provide additional information.

4. The division will convene a technical committee of individuals, including enforcement division representation, with sufficient expertise to consider the application.

5. The technical committee will be responsible for evaluating all relevant information regarding the species. The committee will consider approving a new aquatic species by evaluating the potential negative risks the new species might have on native species, their habitats, and human health. The committee will also consider mitigation measures that reduce risk. The committee will ultimately provide a recommendation to the Assistant Secretary, Office of Fisheries to either deny the applicant's request or approve the request with or without mitigating requirements.

6. The assistant secretary, through a deliberative process, will determine whether to recommend to the secretary that the species be approved as a domesticated aquatic organism and under what mitigating measures. If approved by the secretary, a formal request will be made to the Louisiana Wildlife and Fisheries Commission in the form of a Notice of Intent.

B. The following is a list of "Domesticated Aquatic Organisms" approved for use in aquaculture:

1. shadow bass (*Ambloplites ariommus*) not exceeding a maximum total length of 3 inches;

2. white bass (*Morone chrysops*) not exceeding a maximum total length of 3 inches;

3. yellow bass (*Morone mississippiensis*) not exceeding a maximum total length of 3 inches;

4. crappie (*Pomoxis spp*.) not exceeding a maximum total length of 3 inches;

5. bream (*Lepomis spp*.) not exceeding a maximum total length of 3 inches;

6. spotted bass (*Micropterus punctulatus*) not exceeding maximum total length of 10 inches;

7. striped bass (*Morone saxatilis*) not exceeding a maximum total length of 10 inches;

8. largemouth bass (*Micropterus salmoides*) of any size;

9. hybrid striped bass (*Morone saxatilis x Morone chrysops*) or (*Morone saxatilis x Morone mississippiensis*) of any size;

10. coppernose bluegill (*Lepomis macrochirus purpurescens*) of any size;

11. hybrid bream limited to a bluegill (*Lepomis macrochirus*) and green sunfish (*L. cyanellus*) cross or a redear sunfish (*L. microlophus*) and bluegill (*L. macrochirus*) cross of any size;

12. carp (*Cyprinus carpio*) of any size;

13. freshwater drum (*Aplodinotus grunniens*) of any size;

14. buffaloes (*Ictiobus spp*.) of any size;

15. golden shiner (*Notemigonus crysoleucas*) of any size;

16. fathead minnow (*Pimephales promelas*) of any size;

17. mosquito fish (*Gambusia affinis*) of any size;

18. red drum (*Sciaenops ocellatus*);

19. triploid grass carp (*Ctenopharyngodon idella*); See LAC 76:VII.901;

20. tilapia (*Oreochromis aurea, O. niloticus, O. mossambicus and O. urolepis hornorum*); See LAC 76.VII.903.

21. Reserved.

22. shovelnose sturgeon (*Scaphirhynchus platorynchus*), see LAC 76:VII.911.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:327(A)(2) and R.S. 56:411.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:2679 (December 2008), amended LR 35:1139 (June 2009), repromulgated LR 35:1263 (July 2009), amended LR 44:1455 (August 2018).

§907. Game Fish Fingerling Aquaculture—Rules and Regulations
[Formerly LAC 76:VII.159]

A. A fish farmer raising and selling live game fish fingerlings must obtain an annual domesticated aquatic organism license issued by the Department of Wildlife and Fisheries.

B. Live game fish fingerlings sold from an approved fish farm shall be subject to all applicable statute and rule limitations, if any.

C. A fish farmer raising and selling live game fish fingerlings must maintain a record of all sales and shipments of fish and these records must be open for inspection by designated employees of the Department of Wildlife and Fisheries.

D. Game fish farmers transporting game fish fingerlings for sale must possess a bill of lading which shall accompany each shipment showing species of fish contained in the shipment, number, the origin of the payload, destination of the shipment, the name of the consignee and consignor, and the grower's name and domesticated aquatic organism license number.

E. All trucks transporting game fish fingerlings for sale must have the words "GAME FISH FARMER" prominently displayed with a minimum of 3-inch block letters.

F. Fish farmers holding a domesticated aquatic organism license are not granted any fishing privileges greater than those stated in title 56 of the *Louisiana Revised Statutes* and must abide by all statutes pertaining to domestic fish farming.

G. The department shall have the authority to cancel sales or to confiscate and destroy shipments of game fish fingerlings that are determined by department personnel to have fish diseases or parasites that would endanger native fish populations. Game fish farmers must agree to allow department personnel or a department approved contractor to conduct unannounced random inspections of the transport vehicle. Those individuals may remove or take fish samples for analysis and/or inspection.

H. Genetic purity shall be maintained and game fish fingerlings produced shall not be genetically manipulated or altered in any way without prior approval of the department, except for hybrid crosses within the genera of *Lepomis*, *Pomoxis*, *Micropterus*, or *Morone*, or fish produced with polyploid chromosomes.

I. The secretary may revoke any or all licenses issued for the raising and selling of game fish fingerlings if the licensee fails to adhere to any of the above regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:327 (A)(2), R.S. 56:411, and R.S. 56:412.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 17:893 (September 1991), amended by the Department of Wildlife and Fisheries, Office of Fisheries, LR 24:2155 (November 1998), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:546 (March 2014).

§911. Shovelnose Sturgeon

A. Rules and Regulations on Importation, Culture, Disposal and Sale of Shovelnose Sturgeon in Louisiana. The following terms shall have the following meanings in this Section.

Culture—all activities associated with the rearing and nurturing of shovelnose sturgeon.

Culture System—shall be an approved recirculating indoor system designed such that all water containing, or that at any time might contain, shovelnose sturgeon (adult fish, juvenile fish, fingerlings, fry and eggs) is filtered, screened and/or sterilized in such a manner as the department deems adequate to prevent any possibility of escape from the system.

Department—the Louisiana Department of Wildlife and Fisheries or an authorized employee of the department.

Disposal—the business of processing, selling, or purposely removing shovelnose sturgeon from the culture system.

Permittee—the individual or organization that possesses a valid Louisiana shovelnose sturgeon permit.

Process—the act of killing shovelnose sturgeon, and proper disposal of shovelnose sturgeon in such manner as the department deems necessary to prevent any possibility of accidental release of live fish.

Secretary—the secretary of the Department of Wildlife and Fisheries.

Shovelnose Sturgeon—pure strain of genetically unaltered fish (adult fish, juvenile fish, fingerlings, fry and eggs), belonging to the species *Scaphirhynchus platorynchus*.

Shovelnose Sturgeon Permit—official document pertaining to culture of shovelnose sturgeon, and allows for the importation, exportation, transport, culture, possession, disposal, transfer and sale of shovelnose sturgeon in Louisiana as approved by the secretary or his designee.

B. Shovelnose Sturgeon Permit Request Procedures

1. Individuals or organizations wishing to import, export, transport, culture, dispose, or transfer live shovelnose sturgeon in Louisiana must first request a shovelnose sturgeon permit from the secretary or his designee of the Department of Wildlife and Fisheries. A separate permit will be required for each facility or location. The following procedures will be necessary.

a. Applications for permits can be obtained by contacting the:

Louisiana Department of Wildlife and Fisheries
Fisheries Permit Manager
P.O. Box 98000
Baton Rouge, LA 70898-9000

b. The completed applications should be returned to the same address whereby Fisheries Division personnel will review the application. Department personnel or a department approved contractor, at the applicant's expense, will then make an on-site inspection of the property and culture system.

c. After the on-site inspection has been completed, department personnel will make a final determination as to whether the applicant is in full compliance with all rules for a shovelnose sturgeon permit. Department personnel will then recommend to the secretary or his designee if the applicant's request should be approved or disapproved.

d. The secretary or his designee will notify the applicant, in writing, as to whether or not the permit has been granted and if not, why. In the event of disapproval, applicants may reapply after correcting specified deficiencies noted in the secretary's or his designee's letter of denial.

C. Rules on Transport of Live Shovelnose Sturgeon

1. Export of live shovelnose sturgeon will not be allowed for Louisiana shovelnose sturgeon permit.

2. For each occurrence of live shovelnose sturgeon being imported into Louisiana from out of state, or live transfer within the state, the permittee must obtain, in writing, approval from the department. These importations will only be allowed from fish that are acquired outside of the Red River drainage, and limited only to those populations occurring outside of the range for the similarity of appearance listing for the species. These requests shall be made no less than three business days before the expected date of shipment. Procedures and necessary information for obtaining approval are:

a. requests shall be made via email to the designated Departmental contact or via mail to:

Louisiana Department of Wildlife and Fisheries

Fisheries Permit Manager

P.O. Box 98000

Baton Rouge, LA 70898-9000;

b. requests shall include:

i. Louisiana shovelnose sturgeon permit number;

ii route of transport;

iii. date of transport;

iv. time(s) of transport;

v. destination;

vi. owner of transport vehicle;

vii. species certification made within the past 30 days identifying shipped stock to species;

viii. total number of shovelnose sturgeon;

ix. identification of seller and buyer and any permit numbers from the jurisdiction of origin to the jurisdiction of destination in which they are coming from.

3. A bill of lading must accompany the live shovelnose sturgeon during import, transport, transfer or sale and shall include:

a. copy of the permittee's written approval as described in Paragraph C.2 above;

b. date and approximate time of shipment;

c. route of shipment;

d. source of shovelnose sturgeon;

e. name, address and phone number of seller,

f. name, address and phone number of buyer;

g. identification and certification as to species;

h. total number of shovelnose sturgeon;

i. destination;

j. if imported, the source must provide certificate of health from a veterinarian or other certified expert stating that Shovelnose are not showing signs of diseases;

k. display the words "SHOVELNOSE" prominently on at least two sides of the vehicle or hauling tank with letters that are no less than 6 inches high.

D. Rules for Security of Shovelnose Sturgeon Culture Facility

1. Shovelnose sturgeon live holding facilities will only be permitted in the following parishes: Acadia, Allen, Beauregard, Bienville, Bossier, Caddo, Calcasieu, Caldwell, Cameron, Catahoula, Claiborne, De Soto, Evangeline, Franklin, Grant, Jackson, Jefferson Davis, LaSalle, Lafayette, Lincoln, Morehouse, Natchitoches, Ouachita, Rapides, Sabine, Union, Vermilion, Vernon, Webster, West Carrol and Winn.

2. Applicant must demonstrate to the satisfaction of department officials that adequate security measures are in place at the live holding facility that will guard against vandalism and theft of shovelnose sturgeon.

3. Any changes or modification of a permitted security system must first have the approval of department officials.

4. The department will have just cause to revoke a shovelnose sturgeon permit for lapses in security if:

a. the permittee is found to be in noncompliance with Paragraphs 2 and 3 above;

b. the permittee is determined to be derelict in maintaining the security measures that were approved for the permit;

c. failure to take appropriate measures when vandalism, theft, or accidental release of fish occurs.

5. It shall be the responsibility of the permittee to immediately notify the secretary or his designee of any shovelnose sturgeon that leave the facility for any reason other than those specifically identified and allowed for under their current permit, including but not limited to accidental releases due to weather related events, vandalism and theft.

6. It shall be the responsibility of the permittee to have at least one individual who is familiar with the live holder system readily available for emergencies and inspections, both announced and unannounced.

E. Rules of Shovelnose Sturgeon Culture Site

1. A legal description of the shovelnose sturgeon live holding facility site that shows ownership must be submitted along with the permit request.

2. The applicant must agree to allow department officials or a department approved contractor, at the applicant's expense, to conduct unannounced random inspections of the transport vehicle, property culture system, and fish. Department officials may request other officials to accompany them during these inspections. Additionally, those individuals performing these inspections may remove or take fish samples for analysis and/or inspection.

3. All aspects of the shovelnose sturgeon culture facility must be at least 1 foot above the 100-year flood elevation. Additionally, the department may require a surface hydrological assessment of the proposed site at permittee's expense.

4. The department will require a live holding contingency plan for disposal of live shovelnose sturgeon in the event of impending flooding or other natural disasters.

5. All shovelnose sturgeon shall be tagged with a departmental approved non-removable tag.

F. Rules for the Shovelnose Sturgeon Culture System

1. Applicant must provide a detailed narrative description, including scale drawings, of the shovelnose sturgeon culture system.

2. The shovelnose sturgeon culture system shall be an approved indoor recirculating system designed such that shovelnose sturgeon eggs, larvae, fingerlings, juveniles or adults cannot escape.

3. All water utilized in the culture of shovelnose sturgeon shall be accounted for and shall be filtered, screened, and/or sterilized prior to leaving the live holding system and the permittee's property in such a manner as the department deems adequate to prevent any possibility of escape from the system.

4. All aspects of the shovelnose sturgeon culture system and processing shall be completely enclosed so that predation from birds, mammals, amphibians, and reptiles is precluded.

5. A means to dispose of shovelnose sturgeon through chlorination, desiccation, or other appropriate methods, in the event of an emergency must be included as a component of any department-approved live-holding system.

6. One or more persons responsible for the operation of the live holding system must demonstrate to the department's satisfaction a basic knowledge and understanding of the culture, rearing (care and feeding), biology, and potential local ecological impacts of shovelnose sturgeon.

G. Rules for the Processing of Shovelnose Sturgeon

1. All shovelnose sturgeon and shovelnose sturgeon parts other than live shovelnose sturgeon specifically permitted by the department must be properly processed and killed prior to leaving the shovelnose sturgeon culture facility. At no time will live shovelnose be allowed to be moved within Louisiana without expressed approval of the department. No live shovelnose shall be sold or transferred to any parties outside of Louisiana. Transfer between Louisiana shovelnose sturgeon permittees within the state of Louisiana must be approved prior to shipment as described in Paragraph C.2 above.

2. Records for the previous five years shall be kept at the facility of all shovelnose sturgeon processed at a culture facility and shall include the following information:

a. source of fish;

b. processed pounds of both meat and caviar; and

c. date processed.

3. A copy of this information shall be sent to the department's Baton Rouge office at the end of each year, or at any time upon the request of department officials.

H. General Rules for Shovelnose Sturgeon

1. The cost of a shovelnose sturgeon live holding permit shall be $50, plus the actual cost of the on-site inspection. Qualified universities and other facilities conducting research approved by the department shall be exempt from the fee charge.

2. In order for the permit to be valid, the following licenses are required as a prerequisite:

a. domesticated aquatic organism license;

b. wholesale/retail dealers license or a retail dealer's license.

3. Permits are valid for 12 months and expire December 31 every year.

4. Permits are not transferable from person to person, or property to property.

5. Live shovelnose sturgeon shall not be sold within Louisiana except to a permitted culture facility.

6. No person may release live shovelnose sturgeon, fish or eggs, into the waters of Louisiana (whether public or private).

7. Permittee must agree to collect and provide an adequate number of shovelnose sturgeon to the department or a department-approved contractor upon request for identification and analysis, at the permittee's expense.

8. The only sturgeon allowed in commercial aquaculture under the Louisiana shovelnose sturgeon permit is *Scaphirhynchus platorynchus.* No genetically altered shovelnose sturgeon or their hybrids are allowed.

9. Shovelnose sturgeon permittees shall be required to submit an annual report to the secretary or his designee on a form provided by the department.

10. The department may employ whatever means it deems necessary to prevent the release or escapement of shovelnose sturgeon or their eggs into the environment. The permittee shall agree to reimburse the department for all costs including, but not limited to, man hours and materials utilized during corrective actions.

11. The department shall be overseer of all escape incidents and may implement or require to be implemented whatever measures deemed necessary to contain, kill or recapture fish. The permittee shall agree to reimburse the Department of Wildlife and Fisheries for all department costs including, but not limited to, man hours and materials utilized during these corrective actions. In order to assure the secretary that the permittee will fulfill their financial obligations, the shovelnose sturgeon permittee shall post a $50,000 performance bond, or present a letter of credit from a financial institution stating that the $50,000 is available to the department on a certificate of deposit.

12. If a permittee terminates shovelnose sturgeon culture, the permittee shall notify the secretary or his designee immediately and dispose of the shovelnose sturgeon according to methods approved by the department.

13. In addition to all other legal remedies, including provisions of R.S. 56:319(E), failure to comply with any of the provisions herein shall be just cause to immediately suspend and/or revoke the permittee's permit. All shovelnose sturgeon shall be destroyed at permittee's expense under the department's supervision within 30 days of permit revocation.

14. Any permittee allegedly in violation of the above rules has a right to make a written response of the alleged violation(s) to the secretary requesting a hearing to review the alleged violation(s) within five days.

I. Collection of Shovelnose Sturgeon Broodstock from Louisiana Waters

1. The Department of Wildlife and Fisheries will allow legally permitted shovelnose sturgeon permit holders to collect local broodstock from approved locations on the Red River while under the supervision of departmental personnel or other approved third parties. The permittee may be charged for man-power and equipment.

2. This collection of broodstock will be limited to 3 years. The permittee may be granted additional years upon approval by the secretary. The collection must be approved and coordinated with the LDWF fisheries permit manager and the director of Inland Fisheries and would require a special broodstock collection permit from the secretary.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:318 and R.S. 56:319.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 44:1455 (August 2018).

Chapter 11. Invasive Noxious Aquatic Plants

§1101. Invasive Noxious Aquatic Plants

A. Definitions. The following words and phrases for purposes of these regulations shall have the meaning ascribed to them in this Section, unless the context wherein the particular word or phrase is used clearly indicates a different meaning.

Department—the Louisiana Department of Wildlife and Fisheries or an authorized employee of the Department.

Invasive Noxious Aquatic Plant Permit—the official document that identifies the terms of and allows for the importation, transportation or possession of any of the listed prohibited aquatic plants.

Listed Plant—any of the listed invasive noxious aquatic plants.

Permittee—person or organization that possesses a valid permit to possess, import or transport invasive noxious aquatic plants. A permittee may represent himself, a business, corporation or organization. The permittee is responsible for compliance with all stipulations in the permit.

Secretary—the Secretary of the Louisiana Department of Wildlife and Fisheries.

B. Importation and Transportation of Invasive Noxious Aquatic Plants; Permit Required

1. No person shall at any time import or cause to be transported into the jurisdiction of the state of Louisiana, from any other state or country any of the invasive noxious aquatic plants identified below, without first obtaining an Invasive Noxious Aquatic Plant permit from the department and complying with all rules, regulations, and conditions associated therein. Prohibited invasive noxious aquatic plants:

a. *Aeschynomene fluitans* (giant sensitive fern);

b. *Casuarina spp.* (Australian pine);

c. *Egeria densa* (Brazilian elodea);

d. *Eichhornia azurea* (rooting water hyacinth);

e. *Elodea canadensis* (elodea);

f. *Hydrilla verticillata* (hydrilla);

g. *Hygrophila polysperma* (Indian swampweed);

h. *Ipomoea aquatica* (water spinach);

i. *Lagarosiphon major and Lagarosiphon muscoides* (African elodea);

j. *Landoltia punctata* (giant duckweed);

k. *Limnophila sessiliflora* (Asian marshweed);

l. *Lythrum salicaria* (purple loosestrife);

m. *Marsilea minuta and Marsilea mutica* (water clovers);

n. *Melaleuca quinquenervia* (kapok tree);

o. *Monochoria hastata and Monochoria vaginalis* (false pickerelweeds);

p. *Myriophyllum spicatum* (Eurasian watermilfoil);

q. *Najas marina* (marine naiad) and *Naja minor* (slender naiad);

r. *Nymphoides cristata, Nymphoides indica, and Nymphoides peltata* (little floating hearts);

s. *Ottelia alismoides* (duck lettuce);

t. *Panicum repens* (torpedograss);

u. *Pistia stratiotes* (water lettuce);

v. *Rotala rotundifolia* (roundleaf toothcup);

w. *Salvinia spp.* (salvinia);

x. *Trapa natans* (water chestnut);

y. *Solanum tampicense* (aquatic soda apple);

z. *Urochloa mutica* (paragrass).

C. Permits may be issued by the Secretary of the Department of Wildlife and Fisheries or his designee for the importation, transportation or possession of any invasive noxious aquatic plant for the purpose of conducting scientific investigations.

1. Application Requirements

a. Individuals wishing to import, transport, or possess any listed plant for the purpose of conducting scientific investigations in Louisiana must first request an Invasive Noxious Aquatic Plant permit from the department through an application form furnished by the department.

b. Site visits will be made to inspect the facility and determine if all possible safeguards have been taken to prevent escape into the natural habitat.

c. The department shall ensure that the applicant is furnished with a copy of the terms and conditions pertaining to the importation, transportation or possession of any of the listed plants.

d. The secretary or his designee shall notify the applicant in writing as to whether or not the permit has been granted and if not, the reasons therefore. In the event of disapproval, applicants may re-apply after meeting department requirements.

2. Terms and Conditions of Permit

a. Permits are not transferable from person to person or from site location to site location.

b. Specimens of the listed plant(s) shall be handled deliberately, cautiously, and in controlled settings to avoid contamination of state habitats.

c. Specimens shall be processed and grown within the confines of controlled facilities (growth chambers, greenhouses, laboratories, etc.).

d. Reproductive parts of plants (seeds, tubers, roots, etc.) that are collected in the field shall be transported in double zip lock bags such that the reproductive part cannot escape en route.

e. A U.S. Department of Agriculture (USDA) permit shall be required to import and possess specimens of prohibited plants from other countries and such plants shall be sent through a USDA inspection center at a port of entry as described by the USDA permit.

f. Before processing, the plants or plant parts shall be stored in a locked office or laboratory. Only qualified individuals shall have access to these materials.

g. Any part of the plant used for molecular work shall be subjected to a departmentally approved procedure that will render the plant material incapable of further growth or reproduction.

h. Specimens to be used for environmental studies (e.g., climate, shading, etc.) shall be grown in pots within the confines of growth chambers or greenhouses.

i. After the experimental work is completed, all plant materials, and the soil within the growth pots, and the pots shall be sterilized in some manner (e.g., autoclaved) to kill any remaining seeds or living plant material to render the plant material incapable of further growth or reproduction.

j. All collections by and shipments to or from the permittee shall be reported to the department one week prior to said collections or shipments. Information to be included shall be the type of material (whole plant, leaves, seeds, etc.) and the quantity collected or shipped.

k. The disposition of the plant material at the conclusion of the experimental work shall be reported to the department.

l. Personnel from the department shall have the authority to inspect the facility and operation with 24 hours notice.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:328 (C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Fisheries, LR 33:536 (March 2007), amended LR 35:1140 (June2009).

Title 76
WILDLIFE AND FISHERIES
Part IX. Natural and Scenic River Systems

Chapter 1. Administration of the Natural and Scenic Rivers and Historic and Scenic Rivers

§101. Authority and Purpose

A. These regulations are adopted pursuant to the authority of the "Louisiana Scenic Rivers Act," Acts 1988, No. 947, Section 1, effective July 27, 1988, or R.S. 56:1840 et seq.

B. The purpose of these regulations is to establish procedures and provide a mechanism whereby the Department of Wildlife and Fisheries can preserve, protect, develop, reclaim and enhance the wilderness qualities, scenic beauties and ecological regime of rivers and streams or segments thereof included within the Louisiana Natural and Scenic Rivers and Historic and Scenic Rivers System and for the further purposes of preserving aesthetic, scenic, recreational, fish, wildlife, ecological, archaeological, geological, botanical and other natural and physical features and resources found along these rivers and streams or segments thereof.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1841(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:679 (July 1991).

§103. Definitions

Act—the Louisiana Scenic Rivers Act, Acts 1988, No. 947, Section 1, effective July 27, 1988, or R.S. 56:1840 et seq.

Administrator—the Secretary of the Department of Wildlife and Fisheries.

Channel Realignment—the practice by which dredging, ditching, or other means are used to shorten or reroute the natural stream course.

Channelization—the practice of changing a natural stream, or segment thereof, into a man-made ditch or canal with channels of a relatively uniform width and depth usually necessitating the removal of trees and other woody vegetation adjacent to the stream and constructed for the purpose of accelerating water runoff.

Clearing and Snagging—the practice of removing most obstructions, trees, snags and other impediments that retard the natural stream flow.

Historic and Scenic River—a river, stream, or bayou or segment thereof that has been designated by the legislature as part of the Louisiana Historic and Scenic River System.

Natural and Scenic River—a river, stream, or bayou or segment thereof that has been designated by the legislature as part of the Louisiana Natural and Scenic Rivers System.

Normal Activities—those activities on lands that do not directly and significantly degrade the ecological integrity of a natural and scenic river.

Person—an individual, firm, corporation, association, partnership, consortium, joint venture, commercial entity, receiver, tutor, curator, executor, administrator, fiduciary, organization or representative of any kind, the United States Government, Federal agency, the State of Louisiana, state agency, municipality, commission, political subdivision, local governing authority or special subdivision of the State of Louisiana.

Pollutant—any substance in concentrations which tend to degrade the chemical, physical, biological, or radiological integrity or quality of the water in a river.

Reservoir Construction—any permanent dam or impoundment which alters the shoreline of a river in the system.

River—includes rivers, streams, bayous and segments thereof and their waters, and generally those bodies of water having the characteristics of being confined within a distinct, longitudinal channel which is defined by continuous or interrupted banks and which exhibits a width to length ratio of less than one (W/L < 1).

Scenic Servitude—a contract between the adjacent riparian landowner and the administrator that shall be in the nature of a development agreement for the purpose of preserving the natural state of the landscape through mutual agreement on the activities which might affect the natural landscape.

Selective Harvesting—the removal of trees, either as single scattered individuals or in small groups at relatively short intervals resulting in openings generally less in width than twice the height of the dominant trees. Repeated indefinitely, selective harvesting ensures the continuous establishment of reproduction, and an uneven aged stand adequate to encourage and maintain stream shading and stream and stream bank integrity.

Surface Servitude—a contract between the stream owner and the administrator that shall relieve the landowner of liabilities and assure the public of access and use of the stream surface.

System—all natural and scenic rivers and all historic and scenic rivers.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1842.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:680 (July 1991).

§105. Applicability of These Regulations

A. These regulations shall apply to all uses proposed to be undertaken on the stream or on adjacent lands within 100 feet of a designated system stream by any "person" whether or not concurrence, authorization, or matching funding is provided by any state agency, local governing authority, political subdivision, or special district of the State of Louisiana, unless restriction of those uses are exempted from regulations pursuant to the provisions of R.S. 56:1852(B). These regulations shall further apply to all activities more than 100 feet from designated system streams that have potential to significantly impact the ecological integrity of a system stream.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1850 and 56:1852(B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:680 (July 1991), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:546 (March 2014).

§107. Duties and Powers of the Administrator

A. The administrator may delegate powers and duties to individuals within the Department of Wildlife and Fisheries for the implementation of these regulations and procedures and to ensure compliance with the act. The administrator shall provide said individuals with sufficient technical and clerical assistance to accomplish this purpose.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1843.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:680 (July 1991).

§109. Study and Recommendation of Natural and Scenic Rivers

A. Study and Report to the Legislature. Upon nomination for inclusion or declassification of a river by the legislature through passage of a concurrent resolution, the administrator shall study, file a report, and issue a recommendation, to the natural resource committees of the legislature regarding any river nominated for inclusion in or declassification from the system. The administrator's recommendation shall be made no sooner than eight months and no later than 12 months from the date of nomination for inclusion and no later than 120 days from the date of nomination for declassification. All recommendations shall use evaluation procedures provided for in these regulations.

B. Criteria for Study and Recommendation. In undertaking the study and making the recommendation, the administrator shall consider, but will not be limited to, the following criteria:

1. whether the river is free flowing;

2. whether the river has been channelized, cleared or snagged, realigned, inundated, or otherwise altered, within the past 25 years;

3. whether the river has a shoreline covered by native vegetation;

4. whether the river has no or few man-made structures along its banks;

5. whether the scene as viewed from the river is pleasing (i.e., primitive or rural-pastoral) or these conditions are restorable;

6. whether the river and its setting possess natural and recreational values of outstanding quality;

7. whether the river and its setting are large enough to sustain substantial recreational use and to accommodate existing uses without undue impairment of the natural values of the resource or quality of the recreational experience;

8. whether the river will provide present and future benefits to Louisiana citizens through preserving, protecting, and enhancing its wilderness qualities, scenic beauties, and ecological regimes and its aesthetic, scenic, recreational, fish, wildlife, ecological, geological, botanical, and other natural and physical features and resources found along the river and adjacent lands;

9. whether the river receives any point source discharges that would tend to cause pollution;

10. existing uses of adjacent lands within 100 feet of the ordinary low water line of the river, and the economic impact of such usages;

11. state ownership of the bed of the river; and

12. appropriate longitudinal boundaries for the river segment to be included within the system.

C. Consultation. Prior to submission of the report and recommendation to the legislature, the administrator shall consult with the Louisiana State Planning Office, the Department of Environmental Quality, the Louisiana Department of Culture, Recreation and Tourism, the Department of Agriculture and Forestry and other agencies that the administrator determines may have an interest in the evaluation.

D. Form of Report and Recommendation. The report and recommendation to the legislature shall:

1. be in the form of a written report;

2. include the evaluation of the criteria and the recommendation of the administrator;

3. include the written comments of other agencies; and

4. become part of the record of the decision regarding the proposed recommendation.

E. Copies of Report. The administrator shall provide copies of the report to the Louisiana State Planning Office, the Department of Environmental Quality, the Department of

Culture, Recreation and Tourism, the Department of Agriculture and Forestry, the governing authorities of those parishes through which the river flows, and all readily identifiable adjacent landowners. Upon payment to the department for reproduction costs, the administrator shall provide copies of the report to all other interested parties who have made a written request for the report.

F. Written Comments and Public Hearing. As part of the evaluation process and prior to any recommendation to the legislature, the administrator shall:

1. provide all interested parties and the public with the opportunity to submit written comment on the nomination, allowing a 45-day comment period;

2. pursuant to the Louisiana Administrative Procedure Act, hold not less than one public hearing in the vicinity of the river nominated for inclusion in or declassification from the system to receive comments and recommendations from all interested parties and the public. The administrator shall give its first notice at least 30 days prior to the hearing;

3. notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The administrator shall also give special notice of the public hearing to all readily identifiable landowners with property adjacent to the nominated stream and to other interested parties who have requested such notifications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1845.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:680 (July 1991).

§111. Management Plan

A. Period for Plan Development. Within one year from the time a river is designated as a Natural and Scenic River or a Historic and Scenic River by the legislature the administrator shall adopt and commence development of a management plan for each river or designated segment. For rivers designated prior to January 1, 1989 development of management plans will commence no later than January 1, 1990.

B. Consultation. The plans shall be developed by the administrator in consultation with the:

1. Louisiana State Planning Office;

2. Department of Environmental Quality;

3. Department of Culture, Recreation and Tourism;

4. Department of Agriculture and Forestry; and

5. any other agency that the administrator determines may have an interest in the plan.

C. Plan Contents. Each management plan shall be in the form of a written document, and shall:

1. be consistent with the purposes, policies, and provisions of the Scenic Rivers Act;

2. contain a clear description and delineation in narrative and graphic form (maps or photographs) of:

a. natural, cultural and aesthetic resources and features of the river area;

b. existing land and water uses;

c. land ownership; and

d. existing land and water use controls, management devices and programs;

3. set forth a detailed program to address existing features which have been identified as being important to be protected and preserved, and potential issues, problems and needs that impact, or may impact, resources and features of the river. The plan may include recommendations to federal, state, local and private entities on enhancement and reclamation of resources and features on a system river and may specify the mechanism through which the recommendations can be implemented;

4. set forth management goals, objectives, policies, standards and management guidelines for the preservation of the system river;

5. be reviewed every five years; and

6. provide for the continuing involvement of the public in the development, implementation and administration of the plan.

D. Copies. The administrator shall provide copies of the plan to:

1. Louisiana State Planning Office;

2. Department of Environmental Quality;

3. Department of Culture, Recreation and Tourism;

4. governing authorities of those parishes through which the river flows;

5. Department of Agriculture and Forestry;

6. all readily identifiable adjacent landowners; and

7. interested parties who have made a written request.

E. Written Comments and Public Hearing. Prior to adoption of the final management plan, the administrator shall:

1. provide all interested parties and the public, the opportunity to submit written comment on the draft management plan, allowing a 45-day comment period;

2. pursuant to the Louisiana Administrative Procedure Act, hold not less than one public hearing in the vicinity of the river included in the management plan to receive comments and recommendations from all interested parties

and the public. The administrator shall give the first notice at least 30 days prior to the hearing;

3. notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The administrator shall also give special notice of the public hearing to all readily identifiable landowners with property adjacent to the nominated stream and to other interested parties who have requested such notifications.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1845.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:681 (July 1991).

§113. Planning Considerations

A. Revised Statute 56:1848 specifies responsibility of local, state, and federal agencies.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1848.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:682 (July 1991).

§115. Prohibited Activities

A. The following uses of a system river, and all uses functionally related thereto, shall be absolutely prohibited:

1. channelization;

2. clearing and snagging;

3. channel realignment;

4. reservoir construction;

5. commercial cutting or harvesting of trees or timber in violation of the provisions of R.S. 56:1854;

6. use of a motor vehicle or other wheeled or tracked vehicle on a designated system stream, except for permitted uses, and direct crossings by immediately adjacent landowners, lessees, or other persons who have written permission from the landowner to access adjoining tracts of land, for noncommercial activities in a manner that does not directly and significantly degrade the ecological integrity of the stream. Written permission must be in the person's possession and include the landowner's contact information; and

7. any use requiring a permit where a permit has not been obtained.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1853.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:682 (July 1991), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:547 (March 2014).

§117. Permitted Activities

A. All activities that may detrimentally affect or significantly degrade the wilderness quality, aesthetic values, or the ecological integrity of a system river shall be subject to a permit except:

1. those prohibited uses set forth in §115 of these regulations;

2. normal activities of private landowners within the boundaries of their property as provided by R.S. 56:1852(B); and

3. harvesting of trees in accordance with R.S. 56:1854, provided that prior notification of any commercial harvesting of trees shall be given to the Louisiana Office of Forestry.

B. Activities requiring permits shall include, but not be limited to, the following activities:

1. crossings by roads, bridges, railroads, pipelines or utilities;

2. sharing of land and airspace by such roads,

railroads, pipelines and utilities;

3. point source discharge of any pollutant (prior to any person applying to the Department of Environmental Quality for a permit to discharge any pollutant into a system river, the person shall give written notice to the administrator);

4. prospecting, drilling and mining for nonrenewable natural resources;

5. structures and buildings of any kind or size;

6. piers, boat slips, bulkheads and landings;

7. commercial uses, activities and access;

8. commercial signs or other forms of outdoor advertising that are visible from the waters within a natural and scenic river;

9. water withdrawals, except for withdrawals made by an individual, adjacent property owner solely for residential purposes;

10. mooring of houseboats or floating camps on system streams except:

a. when the houseboat or floating camp is moored to a legally permitted piling, pier or bulkhead or moored to trees using connections that do not damage the trees and with the written permission of the owner of the trees. Written permission must be physically on the houseboat or floating camp and include the owner's contact information; and

b. houseboats moored on a System Stream shall have a permit or letter of certification from the Health Unit (Department of Health and Hospitals) of the parish within which the system stream is located verifying that it has an

approved sewerage disposal system on board. Furthermore, all occupants of houseboats and floating camps when on a system stream must utilize an approved sewerage disposal system.

C. Application. The administrator shall provide an application to any person wishing to apply for a permit. Any person who proposes to make any permitted use of a system river, shall submit one complete original application to the administrator. Any documents larger than 8 1/2" x 14" must be submitted digitally in a department approved digital format. The application shall contain:

1. name, address and telephone numbers of the applicant;

2. names and addresses of adjoining property owners whose property also adjoins the waterway;

3. background information on the proposed use;

4. a detailed description of the proposed use;

5. full description of any portion of the project which is under development or is completed;

6. photographs and maps of the area where the uses would be made;

7. full and thorough evaluation of the use's effect on the criteria listed in Subsection F below;

8. any alternatives to the proposed action;

9. description of steps taken to minimize detrimental effects to the system river, and measures taken to ensure preservation of the system;

10. identification of all authorizing local, state, and federal agencies and all permits applied for or obtained from such agency; and

11. description of any noncompliance by applicant, adjudicated within Louisiana, regarding the Louisiana Scenic Rivers Act, the United States Wild and Scenic River Act, and all regulations and ordinances pertaining to these acts.

D. Insufficient and Incomplete Application. Upon receipt of an application, the administrator shall determine whether the application is sufficient and complete in light of the requirements enumerated in Subsection C, above. If the application is not sufficient and complete, the administrator shall return the application to the applicant with a description of how and why the petition is insufficient or incomplete. The applicant shall be entitled to resubmit the petition after making the necessary changes or amendments.

E. Application Fees. An administrative fee of $100 shall accompany each application. The administrative fee shall be deposited immediately upon receipt into the state treasury to be credited to the Scenic River Fund.

F. Project Evaluation. In determining whether or not a permit should be issued, the administrator's evaluation shall consider the purposes for which the system is established and shall be made with a view toward maintaining the fundamental character and unique natural values associated with the system river. Any evaluation required to be made by this Section, shall fully and thoroughly consider, but not be limited to, the following criteria:

1. wilderness qualities;

2. scenic values;

3. ecological regimes;

4. recreation;

5. aesthetic values;

6. fish and other aquatic life;

7. wildlife;

8. historical and archaeological resources;

9. geological resources;

10. botanical resources;

11. water quality;

12. cultural resources;

13. economics;

14. compliance history as required in §117.C.11;

15. any reasonable alternatives to the proposed use; and

16.a. whether reasonable steps have been taken by the applicant to minimize and/or offset any detrimental effects on natural and physical features and resources;

b. a field evaluation of the project site by the administrator's staff may be required. If such a field evaluation is necessary, the applicant shall pay a service charge of $135 for each day required to complete the actual, on-site field evaluation.

G. Consultation. Prior to any final decision on any application for a permit, the administrator shall prepare a written evaluation of the application and shall consult with the Louisiana State Planning Office, the Department of Environmental Quality, the Department of Culture, Recreation and Tourism, the Department of Agriculture and Forestry and any other agency the administrator determines may have an interest in the permit. The consultation shall be conducted within 30 days of receipt of a sufficient and complete application. By the end of this time period, the reviewing agencies shall forward any written comments and supporting documents to the administrator. However, the administrator can grant additional time for a consultation for good cause.

H. Written Comments and Public Hearing. Prior to making the final decision on a permit application, the administrator shall:

1. provide all interested parties and the public, the opportunity to submit written comment on the permit application, allowing a 45-day comment period;

2. in response to a showing of substantial interest by the public for a hearing as demonstrated by written requests from no less than 25 persons or from a group representing

not less than 25 members, or upon request by the applicant, or at the administrator's own discretion, hold a public hearing. The hearing will be held whenever such a hearing might clarify one or more issues concerning the application, and to receive comments and recommendations from all interested parties and the public. If a hearing is held it shall be in the vicinity of the river. The administrator shall give its first notice at least 30 days prior to the hearing;

3. notices referred to in this Section will be published in the official journal of each parish in which the river is located in three separate issues and in the official state journal; however, the comment period shall begin with publication of the notice in the official state journal. The administrator shall notify each parish governing authority of the hearing by letter to its chief executive officer. The administrator shall also give special notice of the public hearing to all readily identifiable landowners with property adjacent to the nominated stream and to other interested parties who have requested such notifications.

I. Time Period for Review of the Application. The administrator shall make a decision whether to grant or deny the permit within 30 days after the adjournment of the hearing or the end of the written comment period, whichever is latest.

J. Waiver of Evaluation Time Period. Upon the specific authorization of the administrator, or the state legislature, the evaluation required by §117.F-I, and/or the procedural delays provided for in Subsections L and M may be waived; provided, however, that the administrator may only authorize a waiver in emergency circumstances clearly appearing from the face of the applicant's application and only after concurrence in the waiver is given by personnel of the Department of Wildlife and Fisheries, the Department of Culture, Recreation and Tourism, State Planning Office, the Department of Agriculture and Forestry, and the Department of Environmental Quality.

K. Reports of Permitted Uses. To the extent that it is feasible, it shall be the policy of the administrator to inform users and potential users of system rivers as to what types of uses will be permitted. In carrying out this policy, the administrator shall, from time to time, publish reports describing what types of uses have been permitted and what types of uses have not been permitted after the evaluations required by §117 have been undertaken.

L. Denial of Permits. The administrator shall deny a permit for use of a system river if, after a full and thorough evaluation, the administrator finds that the proposed or alternative use would be unreasonable in light of the objective of maintaining the fundamental character and unique natural values associated with the system river.

M. Permit Conditions

1. In issuing any permit, the administrator may:

a. require conditions in the use and may require that appropriate steps be taken to minimize and/or offset the detrimental effects on the natural and physical features and resources enumerated by Subsection F, above, as a condition to the granting of the permit; and

b. require assurance, including security, during the construction phase of the project, to assure compliance with permit requirements.

2. In setting the required assurance and security, the administrator shall consider any noncompliance by applicant, adjudicated within Louisiana, regarding the Louisiana Scenic Rivers Act, the United States Wild and Scenic Rivers Act, and all regulations and ordinances pertaining to these acts.

N. Final Decision. The final decision by the administrator on any application for a permit shall:

1. be in the form of a written report;

2. be part of the record of the decision;

3. include an evaluation of the impacts on the criteria provided for in Subsection F, above; and

4. give full and meaningful consideration and appropriate weight to the comments from other reviewing agencies.

O. Copies. The administrator shall provide copies of the final decision to:

1. Louisiana State Planning Office;

2. Department of Environmental Quality;

3. Department of Culture, Recreation and Tourism;

4. Department of Agriculture and Forestry; and

5. other interested parties who provide a written request.

P. Modification and Revocation. The administrator may modify or revoke a permit, for good cause, after notice and an adjudicatory hearing, unless waived by permittee. Good cause includes, but is not limited to:

1. any adjudicated violation of the permit conditions, the act or these regulations;

2. new and material evidence regarding the evaluation criteria listed in §117.F; and

3. intentional misrepresentation of a material fact on the permit application.

Q. Failure to Begin Activity—Extensions. The permit shall expire if the activity has not begun within 18 months of permit issuance, except that the administrator may grant a maximum of two extensions of six months each upon a finding that there has been no significant change in circumstances.

R. Appeals of Final Decision. Any person who is denied a permit by the department may institute legal proceedings against the department in the Nineteenth Judicial District Court.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1844, 56:1849, 56:1852 and 56:1854.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), amended by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:682 (July 1991), amended by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 40:547 (March 2014).

§119. Civil Penalties and Enforcement

A. For any violation of the provisions of §117.A and B, or any permit condition the administrator, in accordance with R.S. 49:950 et seq. (Administrative Procedure Act) may:

1. impose a civil penalty of up to $1,000 for each violation;

2. suspend, annul, withdraw, or revoke any permit;

3. institute civil proceedings to enforce department rulings in the district court for the parish in which the violation occurs; and

4. issue cease and desist orders, compliance orders, and obtain injunctions or other appropriate relief upon determining that a violation of these regulations has occurred, is about to occur, or is occurring.

B. Each day in which a violation occurs prior to voluntary cessation of the activity as a result of the receipt of any lawful order from the administrator or the administrator's authorized representative, or prior to cessation as the result of an injunction, shall be a separate offense.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1851(A) and (B).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:684 (July 1991).

§121. Criminal Penalties and Enforcement

A. Criminal penalties shall be assessed in accordance with R.S. 56:1851.C.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1851.C.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:684 (July 1991).

§123. Complaints

A. Any person shall have the right to file a complaint with the administrator alleging a violation of the act or regulations. When, from the complaint, it appears to the administrator that there is reasonable cause to believe that a violation has occurred, is about to occur, or is occurring, the administrator shall conduct an investigation. If the investigation indicates that a violation has occurred, is about to occur, or is occurring, the administrator shall initiate an enforcement action pursuant to §119 or shall refer the matter to the attorney general or appropriate district attorney for an enforcement action pursuant to the statutes referenced in §121. The administrator shall respond to the complainant in an appropriate manner.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1841 and 56:1843.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:684 (July 1991).

§125. Grants, Donations and Servitudes

A. Pursuant to R.S. 56:1843(2) and R.S. 56:1844 the administrator may accept donations and grants for the purposes of administering the Scenic River System from public and private sources. The donations shall be deposited immediately upon receipt into the state treasury to be credited to the Scenic River Fund. Further, pursuant to R.S. 56:1843(7), the administrator may enter into scenic and surface servitude agreements with landowners for the purposes of the Scenic River Act.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1843(2), 56:1843(7) and 56:1844.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:684 (July 1991).

§127. Severability

A. If any provision of these regulations is held invalid, such invalidity shall not affect the other provisions of these regulations which can be given effect without the invalid provisions, and to this end the provisions of these regulations are here declared severable.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:1850.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 2:456 (December 1976), repromulgated by the Department of Wildlife and Fisheries, Office of the Secretary, LR 17:685 (July 1991).

Title 76
WILDLIFE AND FISHERIES
Part XI. Boating

Chapter 1. Vessel Equipment; Requirements; Penalties

§101. Introduction

A.1. This rule was adopted by the Wildlife and Fisheries Commission at its regular meeting held in Baton Rouge, Louisiana, July 3, 1985.

2. The Wildlife and Fisheries Commission as per R.S. 34:851.24F shall prescribe the regulations pertaining to personal flotation devices to be used for each person on board every motorboat or vessel used upon all navigable waterways of the state.

3. As per R.S. 34:851.24(G) the Wildlife and Fisheries Commission shall prescribe the regulations pertaining to the number, size and type of fire extinguishers to be carried by each motorboat and vessel operating upon all navigable waterways of the state.

4. Additionally the Wildlife and Fisheries Commission shall prescribe proper standards for flame arrestors through R.S. 34:851.24(H) and for ventilation requirements for boats of closed construction through R.S. 34:851.24(I) on motorboats operating upon the waters of this state.

5. The Wildlife and Fisheries Commission does hereby adopt the federal regulations for personal flotation devices, fire extinguishers, flame arrestors and ventilation as follows.

6. The following rules and regulations have been adopted by the Wildlife and Fisheries Commission pursuant to R.S. 34:851.24F(1), 851.24(G), 851.24(H) and 851.24I.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.24.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 11:705 (July 1985).

§103. Flotation Devices

A. In accordance with R.S. 34:851.24(F)1, the provisions of this Act shall apply on all waters within the jurisdiction of this state.

B. Definitions

Hand Tiller Outboard Motor—an outboard motor that has a tiller or steering arm attached to the outboard motor to facilitate steering and does not have any mechanical assist device which is rigidly attached to the boat and used in steering the vessel, including but not limited to mechanical, hydraulic, or electronic control systems. Hand tiller outboard motor shall not mean any type of electronic trolling motor.

Operate—to navigate or otherwise control the movement of a vessel, including controlling the vessel's propulsion system.

Operator—any person who navigates or is otherwise in control or in charge of the movement of a vessel, including the vessel's propulsion system.

Owner—a person, other than the lienholder, having the property in or registration to the vessel.

Personal Flotation Device or *PFD*—a device approved by the United States Coast Guard under 46 CFR Part 160, which is labeled with such approval and with the appropriate size for the person intended and which is in serviceable condition.

Readily Accessible—easily located and retrieved without searching, delay, hindrance or being in a locked area.

Serviceable Condition—a condition as defined by the United States Coast Guard under 33 CFR Part 175.23.

Trick Water-Skier—a trick water-skier is a person whose equipment and activities have all of the following characteristics:

a. type of skis: for standard double trick skis, a length of no more than 46 inches and width of at least 8 inches, with no keels on the bottom; for single trick boards, a length of no more than 56 inches and width of at least 22 inches, with no keel on bottom; and

b. tow rope no longer than 50 feet.

Vessel—watercraft and airboats of every description, other than seaplane(s), located on the water and, used orcapable of being used as a means of transportation on the water.

Watersports—activities that involve being towed by, or riding in the wake of, a vessel and include but are not limited to water skiing, wake boarding, wake surfing, and tubing.

C. Personal Flotation Device Requirements

1. Every operator of a vessel shall ensure that the vessel is carrying at least one readily accessible Type I, II, or III wearable personal flotation device for each person on board. In addition, vessels 16 feet or over in length shall carry at least one Type IV throwable personal flotation device.

2. A United States Coast Guard approved Type V PFD may be used in lieu of a Type I, II, or III PFD required by this Part provided:

a. the approval label on the Type V PFD indicates that the device is approved by the United States Coast Guard:

i. for the activity for which the vessel is being used; or

ii. as a substitute for a PFD of the type required by this Act on the vessel in use; and

b. the PFD is used in accordance with any requirements of its approval label; and

c. the PFD is used in accordance with requirements in its owner's manual, if its approval label makes reference to such manual.

3. All persons onboard a Class A motorboat which is being propelled by a hand tiller outboard motor shall be required to wear a USCG approved Type I, II, III, or V personal flotation device while the motorboat is underway.

a. The operator shall be responsible to ensure all persons on board are in compliance with this Section. Violation of this Section is a Class 1 violation as defined in R.S. 56:31.

4. Persons engaged in watersports shall wear a Type I, II, III or V PFD. No vessel operator shall tow a watersports participant who is not wearing such a device. No person shall use an inflatable PFD to meet the requirements of this Section. Exceptions to the requirements of this Subsection are allowed during Department of Wildlife and Fisheries and/or United States Coast Guard permitted marine events under the following conditions:

a. a skier engaged in barefoot water-skiing who wears a barefoot wetsuit designed specifically for such activity;

b. a skier engaged in trick water-skiing whose movements would be restricted or impeded by the bulk of a PFD;

c. the operator of a vessel towing a trick water-skier or barefoot water-skier shall make a PFD readily available aboard the tow vessel for each such skier who elects not to wear such a device while skiing.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.24.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 11:705 (July 1985), amended LR 26:1493 (July 2000), LR 33:538 (March 2007), LR 34:885 (May 2008).

§105. Fire Extinguishers

A. In accordance with R.S. 34:851.24(G) the commission prescribes the following regulations for fire extinguishers on motorboats.

B. All motorboats of closed construction shall carry the appropriate approved fire extinguishers according to its length.

1. Class A (under 16 feet in length). At least one approved B-I or 5B type extinguisher.

2. Class I (16 feet to less than 26 feet in length). At least one approved B-I or 5B type extinguisher.

3. Class II (26 feet to less than 40 feet in length). At least two approved B-I or two 5B extinguishers or at least one approved B-II or one 6B extinguisher.

4. Class III (40 feet and above in length). At least three approved B-I or 5B extinguishers or at least one approved B-I, 5B and one approved B-II or 6B extinguishers. When an approved fixed extinguishing system is installed one less B-I or 5B type extinguisher is required.

C. All open motorboats shall be required to carry the same approved fire extinguishers according to class, except that open motorboats of outboard design where the construction of such motorboats will not permit the entrapment of explosive or flammable gases or vapors and less than 26 feet in length shall not require fire extinguishers.

D. For the purpose of this Part, motorboats of closed construction shall mean any motorboat that has one or more of the following conditions:

1. inboard engine;

2. closed compartments under thwarts and seats wherein portable fuel tanks are stored;

3. double bottoms not sealed to the hull or which are not completely filled with flotation materials;

4. closed living spaces;

5. closed storage compartments in which combustible or flammable material is stored;

6. permanently installed fuel tanks.

E. The term *approved* for this Part shall mean certified by the U.S. Coast Guard and bearing the U.S. Coast Guard approval number of UL (Underwriters Laboratory) seal listing its approval for marine use.

F. All fire extinguishers must be maintained in proper working order and fully charged.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.24.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 11:706 (July 1985).

§107. Flame Arrestors

A. The following regulations are prescribed by the commission pertaining to flame arrestors or backfire traps in accordance with R.S. 34:851.24(H).

B. Every motorboat shall have the carburetor or carburetors of every engine (except outboard engines) using gasoline as fuel, equipped with a U.S. Coast Guard-approved device so labeled and emplaced as to prevent danger of backfire.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.24.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 11:706 (July 1985).

§109. Ventilation

A. The following regulations are prescribed by the commission pertaining to the requirements of ventilation of boats of closed construction in accordance with R.S. 34:851.24(I).

B. Every motorboat, (except open boats) using as fuel any liquid of a volatile nature shall be equipped with a ventilation system consisting of at least two ventilation ducts fitted with cowls. One of the ducts must be designated as an exhaust duct and installed so as to extend to the lower portion of the bilge. Another is to be designated as the intake duct and be so installed to a point below the level of the carburetor air intake. This system will be acceptable as will any U.S. Coast Guard-approved system, however either system must be maintained in proper working order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.24.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 11:706 (July 1985).

§111. Emergency Cut-off Switches

A. In accordance with R.S. 34:851.24 and R.S. 34:851.27, the provisions of this Act shall apply on all waters within the jurisdiction of this state.

B. Definitions

Engine Cut-off Switch—an operable emergency cut-off engine stop switch installed on a motorboat and that attaches to the motorboat operator by an engine cut-off switch link.

Engine Cut-off Switch Link—the lanyard and/or cut-off device used to attach the motorboat operator to the engine cut-off switch installed on the motorboat.

Hand Tiller Outboard Motor—an outboard motor that has a tiller or steering arm attached to the outboard motor to facilitate steering and does not have any mechanical assist device which is rigidly attached to the boat and used in steering the vessel, including but not limited to mechanical, hydraulic or electronic control systems. Hand tiller outboard motor shall not mean any type of electronic trolling motor.

C. No person shall operate a Class A or Class One motorboat with a hand tiller outboard motor in excess of 10 horsepower designed to have or having an engine cut-off switch, while the engine is running and the motorboat is underway, unless:

1. the engine cut-off switch is fully functional and in operable condition; and

2. the engine cut-off switch link is attached to the operator, the operator's clothing, or if worn, the operator's personal flotation device.

D. The provisions of this Section shall not apply to licensed commercial fishermen operating a motorboat while engaged in a commercial fishing activity.

E. The provisions of this Section shall not apply to sailboats.

F. Violation of this Section is a class one violation as defined in R.S. 56:31.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.24 and R.S. 34:851.27.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:1049 (June 2008), repromulgated LR 34:1429 (July 2008).

Chapter 3. Boating Safety

§303. Signage Identifying "No Wake Zone(s)" at Boat Launches Accessible by the Public and Docking Facilities Adjacent to a Boat Launch Accessible by the Public

A. The following regulations shall prescribe the dimensions and physical appearance of signage indicating a "no wake zone" to be placed at boat launches accessible to the public and docking facilities adjacent to boat launches accessible by the public as required by R.S. 34:851.27.

B. For the purposes of being recognized under state law, "no wake zone" signage shall be clearly visible and posted upon a board not less than 3 feet by 3 feet square in size having a white colored background. The signage shall have 2 inch reflective orange borders along each edge and shall contain a circle in the middle of the sign. The circle shall have a 2 inch wide reflective orange border. Within the orange circle shall be the words "SLOW NO WAKE ZONE" in black characters no less than 5 inches high, with the words "SLOW" on the first line, "NO WAKE" on the second line, and "ZONE" on the third line as depicted on Figure 1 in this Section. On the top right hand corner of the signage shall be listed "LA R.S. 34:851.27" or the applicable local ordinance.

Figure 1

C. No wake zones established pursuant to this Section shall be clearly marked with prescribed signage, 300 feet in all directions from a boat launch or docking facility adjacent to the boat launch which is open to the general public. Signs shall be posted so as to be read both from the launch and the waterway.

D. Local and parish authorities in their respective jurisdictions shall place and maintain signage as prescribed by "LA R.S. 34:851.27" at the start and end of the no wake zones in safe and visible locations. No wake zone endings may be designated on the rear of a sign indicating "end no

wake zone" and, signs may indicate the established distance of a no wake zone.

E. Regulatory buoys visible no less than 30 inches high above the water line placed in safe and visible locations may be used to identify start and end points of no wake zones. Regulatory buoys shall have proportionate orange markings as described in Subsection B with the words "SLOW NO WAKE ZONE" in black lettering.

F. No person operating a vessel shall violate the provisions of properly established and marked no wake zones. A violation of this Section shall constitute a Class 1 violation as provided in R.S. 56:851.31 and R.S. 56:31.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.27.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 33:114 (January 2007).

§305. Marine Event Permits

A. The following regulations shall prescribe the permitting requirements for marine events on the navigable waterways within the jurisdiction of this state so as insure the safety of life. Through Memorandum of Understanding between the United States Coast Guard and the Louisiana Department of Wildlife and Fisheries and authority vested in the commission, the Department of Wildlife and Fisheries has the responsibility to permit and regulate marine events on navigable waters over which the state has jurisdiction.

B. Definitions

Marine Event or *Events*—an organized event of limited duration held on the water, including but not limited to regattas, parades, fireworks displays, and boat races, which by its nature, circumstances or location, will introduce extra or unusual hazards to the safety of lives on the navigable waters within the jurisdiction of the state of Louisiana.

a. Examples of conditions which are deemed to introduce extra or unusual hazards to the safety of life include but are not limited to:

i. an inherently hazardous competition;

ii. an event occurring in an area where there is a customary presence of pleasure craft;

iii. any obstruction of navigable channel which may reasonably be expected to result; and

iv. the expected accumulation of spectator craft.

C. An individual or organization planning to hold a marine event, shall submit an application to the LDWF.

1. The application shall be submitted 30 days prior to the proposed event.

2. The application shall include the following details:

a. name and address of sponsoring person or organization;

b. name, address, and telephone of person in charge of the event;

c. nature and purpose of the event;

d. information as to general public interest;

e. estimated number and types of watercraft participating in the event;

f. estimated number and types of spectator watercraft;

g. number of boats being furnished by sponsoring organizations to patrol event;

h. a time schedule and description of events; and

i. a section of a chart or scale drawing showing the boundaries of the event, various water courses, or areas to be utilized by participants, officials, and spectator craft.

D. The department's law enforcement division may issue regulations to promote safety of life on waters before, during, and after a marine event. The departments law enforcement division can limit, exclude or restrict movement of vessel traffic before, during, and after a marine event and may assign patrol boats, if safety requires, to enforce regulations and provide assistance work.

E. Violation of this Section is a Class 1 violation as provided in R.S. 56:31. The department is authorized to prohibit, suspend or terminate any marine event in order to protect life, public safety or for failure to secure a marine event permit.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.24 and R.S. 34:851.27.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 34:887 (May 2008).

§307. Numbering of United States Coast Guard Documented Motorboats

A. The following regulations shall dictate the location, placement and special requirements for certificate of numbers and decals issued to United States Coast Guard documented motorboats that are registered with the Department of Wildlife and Fisheries as required by R.S. 34:851.19.

B. United States Coast Guard documented motorboats that are registered with the Department of Wildlife and Fisheries shall not be required to paint or attach the certificate of number to each side of the bow of the motorboat, but shall maintain proper marking of the motorboat as required by United States Coast Guard regulations for such motorboats. Persons operating such motorboats shall be required to have the actual certificate of numbers issued by the department immediately available for inspection at all times when such motorboat is in operation.

C. Operators of United States Coast Guard documented motorboats required to be registered with the Department of Wildlife of Fisheries shall display valid decals which are issued along with the certificate of number to the motorboat, and have such decals permanently attached to the motorboat. Decals shall be placed in a location clearly visible on each

side of the motorboat so as to be easily accessible and available for inspection.

D. Violation of this Section is a class one violation as provided in R.S. 56:31.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.20 and R.S. 34:851.27

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 35:704 (April 2009).

§309. Assignment of Hull Identification Numbers to Undocumented Vessels Manufactured in Louisiana

A. The following regulations shall provide for the assignment of hull identification numbers (HIN) to undocumented vessels manufactured in this state that do not qualify for the assignment of such numbers by the United States Coast Guard.

B. The manufacturer(s) of such vessels shall submit an Application for Eligibility requesting approval from the department. The manufacturer must be capable of producing a minimum of 10 vessels annually and must provide proof of security in one of the following forms to be eligible to receive the HIN's:

1. pre-payment of a minimum of one block of 10 HIN numbers, or

2. bond, letter of credit, or other security, in an amount and form acceptable to the secretary, determined on a case by case basis.

C. Upon receipt of an application for eligibility from a manufacturer, an agent from the enforcement division shall conduct an initial inspection of the manufacturer's vessel fabrication location.

D. Upon favorable inspection, the manufacturer(s) shall be approved to receive HIN's issued in blocks of 10 individual HINs upon the manufacturer's request. The department shall charge a fee of $25 per issued HIN.

E. Manufacturer(s) receiving department-issued HIN, as described in this Section, shall comply with the following procedures.

1. The HIN must be stamped on the vessel before it leaves the manufacturer's facility.

2. The manufacturer(s) must produce a manufacturer statement of origin (MSO) as described in R.S. 34:852.11. The manufacturer shall provide the purchaser and/or transferee with the original MSO.

3. Manufacturer(s) must maintain records of all vessels stamped with HIN from the block of numbers issued to the manufacturer by the department. These records must include the date the vessel was stamped, vessel make, principle vessel hull material, vessel length, vessel type, HIN stamped on vessel, date vessel was sold or ownership transferred, and name and address of the transferee. These records shall be kept in the form of a log book issued by the department. The log book shall be returned to the department upon completion. Manufacturers must maintain a copy of the log book for three years.

F. Agents from the enforcement division may inspect the manufacturer(s)' facility, records, and/or vessels to verify that the manufacturer is maintaining compliance with the stated procedures.

G. Violation of this Section shall be fined not less than $500; but no more than $1000, or imprisoned for not more than 30 days, or both, for each violation as provided in R.S. 34:852.22.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:852.13.B.

HISTORICAL NOTE: Promulgated by Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 37:922 (March 2011).

Chapter 5. Houseboats

§501. Houseboat Registration

A. Beginning on January 1, 2019 every houseboat operated, occupied, inhabited, utilized, or otherwise deployed on the waters of this state must be registered with the Department of Wildlife and Fisheries and be properly numbered in accordance with R.S. 34:851.20.

B. *Houseboat*—a vessel constructed or utilized for the primary purpose of a temporary or permanent dwelling without an effective means of propulsion for safe navigation.

1. When determining whether a vessel meets the definition of a "houseboat", the department shall utilize the standard such that a reasonable observer would conclude that the vessel is capable of being used as an abode, habitation, or dwelling for at least a temporary basis.

a. Such determination should involve, but is not limited to, whether the vessel has a roof and is enclosed, or has multiple walls or structures capable of protecting inhabitants from the elements.

b. Additional evidence that may be considered in determining whether a vessel satisfies the reasonable observer standard include the presence of doors, windows, electrical wiring, plumbing, appliances, cabinetry, bedding, or any other features commonly found in a dwelling. However, the existence or absence of any of these items is not dispositive.

C. Owners of houseboats shall submit an application for registration of houseboats on a department-approved form that contains the following:

1. the name and address of the owner;

2. a description of the houseboat including either the HIN or a photo showing the vessel in its entirety;

3. proof of ownership via title, bill of sale, judgment, or an affidavit averring ownership;

4. evidence that taxes were paid (i.e. Department of Revenue "R-1331 Form") on the houseboat or the materials

used to construct it, or that the vessel was acquired by casual sale and no taxes were due;

5. signature of the owner.

D. The certificate of number shall be issued in addition to a decal which shall be permanently attached to the houseboat, both to be accessible for inspection at all times when such vessel is upon the waters of the state.

E. Notwithstanding the requirements in R.S. 34:851.20(M), titling of houseboats, whether commercially manufactured or homemade, is not required.

AUTHORITY NOTE: Promulgated in accordance with R.S. 34:851.2(13), R.S. 34:851.19, R.S. 34:851.20, R.S. 34:851.21, R.S. 34:851.32(C), and R.S. 56:10(B)(17).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission LR 45:80 (January 2019).

Title 76
WILDLIFE AND FISHERIES
Part XIII. Fill Material

Chapter 1. Royalties

§101. License to Dredge; Classes of License; Royalties

A. No person or firm shall dredge fill material, sand or gravel from water bottoms of this state without a license from the Department of Wildlife and Fisheries.

B. The fee for such license shall be set at $25 for a noncommercial license and $50 for a commercial license. The license fee is nonrefundable.

C. There shall be five classes of license as indicated in the schedule below. A severance royalty payment, based on cubic yards of material removed from water bottoms of this state, shall be paid to the state through the Department of Wildlife and Fisheries in the amounts indicated in the schedule below.

Class	Applicability	Royalty Payment	License Fee
A	applicable to commercial dredging or initial acquisition of fill sand or fill material with the specific intent to offer such fill for resale	$0.29 / cubic yard	$50
B	applicable to dredging of fill sand or fill material for commercial purposes other than the specific intent to offer such fill for resale. Such commercial purposes shall include operations related to mineral activities	$0.25 / cubic yard	$50
C	applicable to a person dredging or contracting for dredging of fill sand or fill material for private, noncommercial purposes	$0.15 / cubic yard	$25
D	applicable to dredging of fill sand or fill material for an activity that has a public benefit, such as but not limited to a coastal conservation or restoration activity, navigation purpose, removal of sediment buildup, or recreational activity, except as provided in R.S. 56:2011.E.	$0.05 / cubic yard	$25
E	applicable to all other dredging of fill sand or fill material	$0.25 / cubic yard	$25

1. The license shall be valid for one year beginning January 1 and ending December 31 of that same calendar year. The license may be purchased at any time during the year for the current license year and beginning November 15 for the immediately following license year. No person with an outstanding violation of this Chapter may purchase a license. At all times, the original license shall be available at the dredge site for inspection by a duly authorized agent of the department.

2. Upon failure to pay royalty when due, a penalty of 1.5 percent per month calculated upon the royalty due, shall be levied and collected by the department in addition to the royalty due. This penalty shall become due without demand for payment by the department. This penalty is in addition to any other penalties or fines as provided by law.

3. Holder of a class A or B license that exceeds the licensed dredge volume may be levied a penalty of $0.05 / cubic yard calculated on the volume that exceeds the licensed volume. This penalty shall become due without demand for payment by the department.

4. Any interest and/or penalty owed on unpaid royalty shall be established by the department in accordance with the Administrative Procedure Act, R.S. 49:950 et seq.

D. A license shall not be issued to an applicant who is, or who contracts for the removal of fill material with someone whose fill material license has been revoked or suspended for cause within the past 12 months, or who has an outstanding, unresolved royalty debt to the department, or who has repeatedly violated other provisions of previous permits or agreements may be deemed to not be in good standing with the department.

E. An application, including the applicant's name and contact information, dredge site information, estimated amount of material to be removed, detailed description of the proposed activity, and state and federal permit numbers, shall be submitted to the department.

F. A performance bond to run concurrently with the period of the license shall accompany the application. In lieu, the entire royalty fee owed to the state shall be remitted with the application.

1. The performance bond shall be in the amount equal to the known volume (historical capacity) of the existing pit(s) to be filled.

2. A certified copy of such bond must be submitted to the Department of Wildlife and Fisheries before commencement of any dredging operation.

G.1 The extent of a single permitted site in the Mississippi River, the Atchafalaya River, the Red River, the Pearl River (not including the West Pearl), the Calcasieu River below the saltwater barrier, the Ouachita/Black River south of the confluence of Bayou Bartholomew shall not exceed 1 linear mile and shall not extend across the geometric center line of the stream.

2. The extent of a single permitted site on all other streams except designated Natural and Scenic streams shall not exceed 1 linear half mile. Fill material, sand and gravel shall not be permitted to be removed from the water bottom of any designated Natural and Scenic River unless removal of such material is specifically allowed by statute.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:2011.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:1341 (October 1993), amended LR 45:1477 (October 2019).

§103. Reporting Requirement

A. Holders of a class A, B, D or E licenses shall notify the department, in writing, their intent to begin dredging. Notification shall include anticipated beginning and ending dates of dredging activity.

B. Holders of a class A or B license shall file a monthly report, on forms obtained from the department.

1. The monthly report must include the total cubic yards of material dredged. The monthly report must be submitted to the department on or before the fifteenth of the following month.

2. In cases where there was no dredging during the month, a report shall be filed with the department indicating therein that no dredging occurred.

3. Failure to submit a monthly report or submitting a monthly report with false information will be cause for permit revocation or suspension.

4. Licensee will provide for each dredge project a pre- and post-dredging cross section survey of the receiving pit to be completed and certified by a registered professional engineer or a registered professional land surveyor for the purpose of determining the quantity of material removed from water bottoms of this state. Upon completion of a cross section survey by a qualified engineer, licensee shall have said engineer complete an affidavit giving pertinent details of the cross section survey. The department will furnish an affidavit form for this purpose. This affidavit will be used as an attachment in conjunction with all cross section surveys. Each dredging event that occurs during the life of a license will be certified in this manner by a qualified engineer. Pre- and post-dredging photographs of the pit shall be provided with the affidavit and cross section survey.

5. No fill material shall be removed from a pit prior to a post dredging survey being conducted.

6. Dredge volumes may be calculated by other methods as accepted and approved by the department on a case-by-case basis and prior to any dredging.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:2011.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 45:1478 (October 2019).

§105. Audit and Inspection

A. The department reserves the right, and the said licensee so agrees, to permit the department's authorized representatives to examine any and all of the licensee's books, records and memoranda of whatever nature, pertaining to or having connection whatever with the removal or sale of said permitted material.

B. Department reserves the right to have the department's authorized agents or representatives inspect the dredges, barges, boats, scows or other related equipment of any kind by which the said permitted material is removed, and to keep a check on the number of holding pits at the project stockpile site, and also to determine by whatever means it may deem necessary, the number of cubic yards of permitted material which have been removed from the hereinabove described beds or water bottoms, and to require the payment thereof. Furthermore, the department reserves the right to inspect any contracts held by the licensee that related to the licensee's pit operation.

C. Licensee will acquire all other federal, state, local, and municipal permits and permissions required for the licensed activity prior to commencement of work.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:2011.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 45:1478 (October 2019).

§107. Violations and penalties

A. Any person or firm found to be dredging without, or in violation of a validly issued license from this department shall be subject to criminal and civil penalties pursuant to R.S. 56:2012, et seq.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:2011.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 45:1478 (October 2019).

Title 76
WILDLIFE AND FISHERIES
Part XV. Reptiles and Amphibians

Chapter 1. Guidelines

§101. Recreational and Commercial Harvests; Prohibitions

A. Purpose. These regulations are to govern the collection, captive maintenance, research and management of native and certain exotic species of reptiles and amphibians. Consistent with the constitutional authority and legislative mandates, the Wildlife and Fisheries Commission, Department of Wildlife and Fisheries and the Louisiana Reptile and Amphibian Task Force support the following guidelines, principles and regulations for collectors, buyers/dealers and scientists handling native species of reptiles and amphibians.

B. General Considerations

1. The living conditions of animals held in captivity at field sites should be appropriate for that species and contribute to their health and well-being. The housing, feeding, and nonmedical care of the animals will be directed by a person trained and experienced in proper care, handling, and use of the species being maintained. Mixed housing is also appropriate for holding or displaying certain species.

2. Individuals of endangered or threatened taxa should neither be removed from the wild (except in collaboration with conservation efforts), nor imported or exported, except in compliance with applicable regulations.

3. Removal from the wild of potentially tending individuals of species known to tend nests should, as a general principle, be avoided during the nesting season unless justified for scientific reasons.

C. Collecting

1. Live-capture techniques should prevent or minimize damage to the animal.

2. Traps should be checked at least daily when weather conditions threaten survival of trapped animals. Investigators must make every effort to prevent trap deaths from exposure, drowning, cardiogenic shock, or capture myopathy.

3. Collecting should always be conducted so as to leave habitat as undisturbed as possible. Permanent removal of more than 50 percent of the animals from any breeding or hibernation aggregation should be avoided unless justified in writing for scientific reasons by the investigator. Similarly, relative large collections of gravid females from any populations for destructive sampling should be avoided unless justified for scientific reasons.

D. Methods of Collection (R.S. 56:632.6)

1. The use of gasoline, chemicals, or other volatile substances to flush reptiles and amphibians from natural hiding places, nests, or dens is prohibited.

2. The destruction of natural habitats is prohibited. All logs, rocks, stumps, and other natural objects may be turned over or moved, but they must be replaced in their original position upon completion of the collector's inspection.

3. Any trap or other device designed to capture reptiles or amphibians, which remains in the field unattended, must bear a tag with the name, address, and license number of the collector. All such devices must be checked every 24 hours or they must be rendered unworkable during periods of nonuse.

E. Restraint and Handling

1. General Principles. The decision to use physical or chemical restraint of wild amphibians or reptiles should be based upon knowledge of behavior of the animals, and availability of facilities. Collectors and dealers should determine and use the least amount of restraint necessary to do the job in a humane manner. Because amphibians or reptiles, especially venomous species (including those with toxic skin secretions), may be capable of inflicting serious injury either on themselves or those handling them, some form of restraint often is prudent. Species should not be confined with other species (other than food prey) that they may injure. The well-being of the captive animal is of paramount importance; improper restraint, especially of frightened animals, can lead to major physiological disturbances that can result in deleterious or even fatal consequences.

2. Animals are best handled quietly and with the minimum personnel necessary. Darkened conditions tend to alleviate stress and quiet the animals and are recommended whenever appropriate. When handling large reptiles, netting or maneuvering or dropping them into a bag via hook, tongs, etc., is preferable inasmuch as they may suffer disproportionately great damage while struggling.

F. Housing and Maintenance

1. Normal field maintenance should incorporate, as far as possible, those aspects of natural habitat deemed important to the survival and well-being of the animal. Adequacy of maintenance can be judged, relative to the natural environment, by monitoring a combination of factors such as changes in growth and weight, survival rates, breeding success, activity levels, general behavior, and appearance. Consideration should be given to providing an environment that includes features such as natural materials,

refuges, perches, and water baths. Natural foods should be duplicated as closely as possible, as should natural light, moisture, and temperature conditions unless alterations of these are factors under investigation.

2. Frequency of cage cleaning should represent a compromise between the level of cleanliness necessary to prevent disease, and the amount of stress imposed by frequent handling and exposure to unfamiliar surroundings and bedding.

G. Turtle Rules and Regulations

1. *Turtle Trap*—any device constructed with horizontal funnel entrances not positioned in tandem, or opening on the upper surface, with or without attractants, with openings in the upper surface to allow constant functional breathing of any air-breathing captured specimens, designed to attract and/or capture turtles in aquatic habitats.

a. Each trap or device shall be clearly marked as "TURTLE TRAP."

b. Trap or device placement in the water column shall provide continuous breathing opportunities for the captured specimens by having openings in the upper surface to allow functional breathing of the captured specimens.

c. All fish and/or other nontarget species other than watersnakes and salamanders (e.g., amphiumas) shall be released into the wild upon discovery or within 24 hours, whichever comes first.

d. Possession of finfish in the field while engaging in the commercial turtle trapping operations shall be prohibited.

e. A reptile and amphibian collector's license is required to collect and sell turtles.

2. Restricted Turtles

a. List of restricted turtles:

i. alligator snapping turtle (*Macrochelys temminkii*);

ii. razor-backed musk turtle (*Sternotherus carinatus*);

iii. box turtles (*Terrapene sp.*).

b. Commercial Prohibition. No person shall commercially take, possess, sell, purchase, trade, barter, or exchange restricted turtles, their eggs, or any parts thereof. Except that nothing herein shall prohibit the legal commercial sale, and possession of restricted turtles by licensed turtle farmers as provided in R.S. 56:632 et seq., and R.S. 3:2358.1 et seq., which were legally acquired prior to the effective date of this prohibition or imported legally into this state which have proper records as provided for in 56:637.

c. Recreational Take and Possession Limit. Persons engaged in collection of native reptiles and amphibians shall be licensed in accordance with R.S. 56:632.3. No person shall possess restricted turtles taken with commercial gear. No person shall possess in the field more than one alligator snapping turtle, two box turtles, or two razor-backed musk turtles. No person shall possess more than four box turtles or four razor-backed musk turtles. Certified zoos, aquariums, universities, research and nature centers will be exempted from take limits.

H. Green Anole Rule. It shall be illegal to sell or purchase any Green Anole (*Anolis carolinesis*) with a snout-vent length of less than 1 3/4 inches or an overall length of less than 5 inches with the tail intact.

I. Checklist of native or established amphibians and reptiles of Louisiana as listed by Dundee and Rossman, 1989, *The Amphibians and Reptiles of Louisiana*, LSU Press.

Salamanders	
Spotted Salamander	(*Ambystoma maculatum*)
Marbled Salamander	(*Ambystoma opacum*)
Mole Salamander	(*Ambystoma talpoideum*)
Small-mouthed Salamander	(*Ambystoma texanum*)
Eastern Tiger Salamander	(*Ambystoma tigrinum tigrinum*)
Two-toed Amphiuma	(*Amphiuma means*)
Three-toed Amphiuma	(*Amphiuma tridactylum*)
Spotty Dusky Salamander	(*Desmognathus fuscus conanti*)
Southern Dusky Salamander	(*Desmognathus auriculatus*)
Southern Two-lined Salamander	(*Eurycea cirrigera*)
Three-lined Salamander	(*Eurycea longicauda guttolineata*)
Dwarf Salamander	(*Eurycea quadridigitata*)
Four-toed Salamander	(*Hemidactylium scutatum*)
Slimy Salamanders	(*Plethodon glutinosus* complex)*
Southern Red-backed Salamander	(*Plethodon serratus*)
Webster's Salamander	(*Plethodon websteri*)
Gulf Coast Mud Salamander	(*Pseudotriton montanus flavissimus*)
Southern Red Salamander	(*Pseudotriton ruber vioscai*)
Gulf Coast Waterdog	(*Necturus beyeri*)
Red River Waterdog	(*Necturus maculosus louisianensis*)
Central Newt	(*Notophthalmus viridescens louisianensis*)
Western Lesser Siren	(*Siren intermedia nettingi*)
* *Plethodon glutinosus* includes *P. mississippi* and *P. kisatchie* which can be distinguished only by biochemical methods.	

Toads and Frogs	
Dwarf American Toad	(*Bufo americanus charlesmithi)*
Oak Toad	(*Bufo quercicus*)
Southern Toad	(*Bufo terrestris*)
Gulf Coast Toad	(*Bufo valliceps*)
Fowler's Toad	(*Bufo woodhousii fowleri*)
Northern Cricket Frog	(*Acris crepitans crepitans*)
Southern Cricket Frog	(*Acris gryllus gryllus*)
Bird-voiced Treefrog	(*Hyla avivoca*)
Cope's Gray Treefrog	(*Hyla chrysoscelis*)
Greater Gray Treefrog	(*Hyla versicolor*)
Green Treefrog	(*Hyla cinerea*)
Northern Spring Peeper	(*Hyla crucifer crucifer*)
Pine Woods Treefrog	(*Hyla femoralis*)
Barking Treefrog	(*Hyla gratiosa*)
Squirrel Treefrog	(*Hyla squirella*)
Ornate Chorus Frog	(*Pseudacris ornata*)
Strecker's Chorus Frog	(*Pseudacris streckeri*)
Upland Chorus Frog	(*Pseudacris triseriata feriarum*)
Greenhouse Frog	(*Eleutherodactylus planirostri*) established exotic
Eastern Narrow-mouthed Frog	(*Gastrophryne carolinensis*)

Toads and Frogs	
Eastern Spadefoot	(*Scaphiopus holbrookii holbrookii*)
Hurter's Spadefoot	(*Scaphiopus holbrooki hurterii*)
Southern Crawfish Frog	(*Rana areolata areolata*)
Dusky Gopher Frog	(*Rana areolata sevosa*)
Bullfrog	(*Rana catesbeiana*)
Bronze Frog	(*Rana clamitans clamitans*)
Pig Frog	(*Rana grylio*)
Pickerel Frog	(*Rana palustris*)
Southern Leopard Frog	(*Rana sphenocephala*)

Turtles	
Common Snapping Turtle	(*Chelydra serpentina serpentina*)
Alligator Snapping Turtle	(*Macroclemys temminckii*)
Southern Painted Turtle	(*Chrysemys picta dorsalis*)
Eastern Chicken Turtle	(*Deirochelys reticularia reticularia*)
Western Chicken Turtle	(*Deirochelys reticularia miaria*)
Mississippi Map Turtle	(*Graptemys kohnii*)
Ringed Map Turtle	(*Graptemys oculifera*)
Ouachita Map Turtle	(*Graptemyspseudogeographica ouachitensis*)
Sabine Map Turtle	(*Graptemyspseudogeographica sabinensis*)
Alabama Map Turtle	(*Graptemys pulchra*)
Mississippi Diamondback Terrapin	(*Malaclemys terrapin pileata*)
River Cooter	(*Pseudemys concinna* complex)
Florida Cooter	(*Pseudemys floridana* complex)
Gulf Coast Box Turtle	(*Terrapene carolina major*)
Three-toed Box Turtle	(*Terrapene carolina triunguis*)
Ornate Box Turtle	(*Terrapene ornata ornata*)
Red-eared Slider	(*Trachemys scripta elegans*)
Mississippi Mud Turtle	(*Kinosternon subrubrum hippocrepis*)
Razor-backed Musk Turtle	(*Sternotherus carinatus*)
Stripe-necked Musk Turtle	(*Sternotherus minor peltifer*)
Stinkpot	(*Sternotherus odoratus*)
Gopher Tortoise	(*Gopherus polyphemus*)
Midland Smooth Softshell	(*Apalone mutica mutica*)
Gulf Coast Smooth Softshell	(*Apalone mutica calvata*)
Gulf Coast Spiny Softshell	(*Apalone spinifera aspera*)
Pallid Spiny Softshell	(*Apalone spinifera pallida*)

Lizards	
Eastern Slender Glass Lizard	(*Ophisaurus attenuatus longicaudus*)
Western Slender Glass Lizard	(*Ophisaurus attenuatus attenuatus*)
Eastern Glass Lizard	(*Ophisaurus ventralis*)
Mediterranean Gecko	(*Hemidactylus turcicus turcicus*) established exotic
Green Anole	(*Anolis carolinensis*)
Southern Fence Lizard	(*Sceloporus undulatus undulatus*)
Northern Fence Lizard	(*Sceloporus undulatus hyacinthinus*)
Southern Coal Skink	(*Eumeces anthracinus pluvialis*)
Five-lined Skink	(*Eumeces fasciatus*)
Southeastern Five-lined Skink	(*Eumeces inexpectatus*)
Broad-headed Skink	(*Eumeces laticeps*)
Southern Prairie Skink	(*Eumeces septentrionalis obtusirostris*)
Ground Skink	(*Scincella lateralis*)
Six-lined Racerunner	(*Cnemidophorus sexlineatus sexlineatus*)

Snakes	
Midwest Worm Snake	(*Carphophis amoenus helenae*)
Western Worm Snake	(*Carphophis amoenus vermis*)

Snakes	
Northern Scarlet Snake	(*Cemophora coccinea copei*)
Buttermilk Racer	(*Coluber constrictor anthicus*)
Black-masked Racer	(*Coluber constrictor latrunculus*)
Tan Racer	(*Coluber constrictor etheridgei*)
Eastern Yellow-bellied Racer	(*Coluber constrictor flaviventris*)
Southern Black Racer	(*Coluber constrictor priapus*)
Mississippi Ringneck Snake	(*Diadophis punctatus stictogenys*)
Great Plains Rat Snake	(*Elaphe guttata emoryi*)
Corn Snake	(*Elaphe guttata guttata*)
Black Rat Snake	(*Elaphe obsoleta obsoleta*)
Texas Rat Snake	(*Elaphe obsoleta lindheimeri*)
Western Mud Snake	(*Farancia abacura reinwardtii*)
Rainbow Snake	(*Farancia erytrogramma erytrogramma*)
Eastern Hognose Snake	(*Heterodon platyrhinos*) (*Lampropeltis calligaster calligaster*)
Prairie Kingsnake	(*Lampropeltis calligaster rhombomaculata*)
Mole Kingsnake	(*Lampropeltis getulus holbrooki*)
Speckled Kingsnake	(*Lampropeltis triangulum amaura*)
Louisiana Milk Snake	(*Lampropeltis*
Scarlet Kingsnake	*Triangulum elapsoides*)
Eastern Coachwhip	(*Masticophis flagellum flagellum*)
Gulf Salt Marsh Snake	(*Nerodia clarkii clarkii*)
Western Green Water Snake	(*Nerodia cyclopion*)
Yellow-bellied Water Snake	(*Nerodia erythrogastor flavigaster*)
Blotched Water Snake	(*Nerodia erythrogaster transversa*)
Broad-banded Water Snake	(*Nerodia fasciata confluens*)
Diamond-backed Water Snake	(*Nerodia rhomobifer rhombifer*)
Midland Water Snake	(*Nerodia sipedon pleuralis*)
Rough Green Snake	(*Opheodrys aestivus*)
Black Pine Snake	(*Pituophis melanoleucus lodingi*)
Louisiana Pine Snake	(*Pituophis melanoleucus ruthveni*)
Graham's Crayfish Snake	(*Regina grahamii*)
Delta Glossy Crayfish Snake	(*Regina rigida deltae*)
Western Glossy Crayfish Snake	(*Regina rigida sinicola*)
Pine Woods Snake	(*Rhadinaea flavilata*)
Marsh Brown Snake	(*Storeria dekayi limnetes*)
Texas Brown Snake	(*Storeria dekayi texana*)
Midland Brown Snake	(*Storeria dekayi wrightorum*)
Florida Red-bellied Snake	(*Storeria occipitomaculata obscura*)
Southeastern Crowned Snake	(*Tantilla coronata*)
Flat-headed Snake	(*Tantilla gracilis*)
Western Ribbon Snake	(*Thamnophis proximus proximus*)
Gulf Coast Ribbon Snake	(*Thamnophis proximus orarius*)
Eastern Ribbon Snake	(*Thamnophis sauritus sauritus*)
Eastern Garter Snake	(*Thamnophis sirtalis sirtalis*)
Rough Earth Snake	(*Virginia striatula*)
Western Smooth Earth Snake	(*Virginia valeriae elegans*)
Eastern Coral Snake	(*Micrurus fulvius fulvius*)
Texas Coral Snake	(*Micrurus fulvius tenere*)
Southern Copperhead	(*Agkistrodon contortrix contortrix*)
Western Cottonmouth	(*Agkistrodon piscivorus leucostoma*)
Eastern Diamondback Rattlesnake	(*Crotalus adamanteus*)
Canebrake Rattlesnake	(*Crotalus horridus atricaudatus*)
Western Pygmy Rattlesnake	(*Sistrurus miliarius streckeri*)

Alligator	
American Alligator	(*Alligator mississippiensis*)

J. Restricted Amphibians and Reptiles

1. The species listed below are considered species of conservation concern by the department.

a. No live individual of the species listed in Paragraph J.3 of this Subsection may be killed or removed from the wild without permit issued by the department.

b. Up to five individuals of these species found dead may be salvaged.

c. Any number of individuals of these species may be captured, processed on site (i.e. measured, marked, tissue samples taken by means deemed acceptable by Department of Wildlife and Fisheries, etc.) and immediately released alive without removal from the site as part of a legitimate scientific study.

2. As more information concerning the status of these and other amphibians and reptiles becomes available, species may be removed from or added to this list.

3. List of amphibians and reptiles that may not be killed or removed from the wild without permit:

a. ambystoma tigrinum—tiger salamander;

b. plethodon serratussouthern red-backed salamander;

c. plethodon websteri—Webster's salamander;

d. pseudotriton montanus—mud salamander;

e. pseudotriton ruber—red salamander;

f. pituophis ruthveni—Louisiana pine snake;

g. pituophis melanoleucus lodingi—black pine snake;

h. crotalus adamanteus—eastern diamondback rattlesnake.

4. List of Threatened or Endangered Amphibians and Reptiles. The following species are listed as threatened or endangered in Louisiana (LAC 76:I.317) and may not be collected:

a. rana sevosa—Mississippi gopher frog;

b. chelonia mydas—green sea turtle;

c. eretmochelys imbricata—hawksbill sea turtle;

d. lepidochelys kempii—Kemp's ridley sea turtle;

e. dermochelys coriacea—leatherback sea turtle;

f. caretta caretta—loggerhead sea turtle;

g. gopherus polyphemus—gopher tortoise;

h. graptemys oculifera—ringed sawback turtle.

K. Venomous and Large Constricting Snakes

1. The importation and/or private possession of constrictor snakes in excess of 12 feet, including but not limited to the following species: Apodora Papuana (Papuan Python), Liasis Olivacea, (Olive Python), Morelia Spilota (Carpet or Diamond Python), Morelia Kinghorni (Scrub Python), Morelia Amethystina (Amethystine Python), Python Natalensis (Southern African Python), Python Sebae (African Rock Python), Python Molurus (Indian Or Burmese Python), Python Reticulatus (Reticulate Python), any species of the genus Boa (Boa Constrictors), and any species of the genus Eunectes (Anacondas), and venomous snakes, (hereinafter "restricted snakes") obtained in any manner, shall be by permit issued by the Department of Wildlife and Fisheries except for animals kept by animal sanctuaries, zoos, aquariums, wildlife research centers, scientific organizations, and medical research facilities as defined in the Animal Welfare Act as found in the United States Code Title 7, Chapter 54, 2132(e).

Venomous Snakes—any species under current taxonomic standing recognized to belong to the Families Viperidae (Pitvipers and Vipers), Elapidae (Cobras and Mambas), Hydrophiidae (Sea Snakes), Atractaspididae (Mole Vipers), as well as the genera Dispholidus, Thelotornis, and Rhabdophis of the Family Colubridae only.

i. Any person requesting a permit to allow importation and/or private possession of venomous snakes shall demonstrate no less than one year of substantial, practical experience (to consist of no less than 500 hours) in the care, feeding, handling, and/or husbandry of the species for which the permit is sought, or other species within the same zoological family, which are substantially similar in size, characteristics, care, and nutritional requirements to the species for which the permit is sought.

ii. For the purpose of demonstrating compliance, applicants shall submit documentation of such experience, including a detailed description of the experience acquired, the dates and time frames the experience was obtained and the specific location(s) where it was acquired, and references of no less than two individuals having personal knowledge of your stated experience. Personal reference letters do not need to be authored by venomous reptile permit holders. Additional documentation may include records of prior permits for the keeping of venomous reptiles, employment records, or any other competent documentation of the required experience.

iii. Documented educational experience in zoology or other relevant biological sciences obtained at the college or technical school level or above may substitute for up to 250 hours of the required experience. The Department of Wildlife and Fisheries shall be responsible for judgment of the adequacy of the documentation.

iv. Applicant must be at least 18 years old at the time of application.

v. Notification of relocation of facilities shall be made within 30 days of a move, and permittee shall be allowed to keep the animals in the same setup(s) until the inspection of the facility and/or room and cages within which the animals are to be kept at the new location can be undertaken by Department of Wildlife and Fisheries personnel.

vi. In the event of an escape where a constrictor snake in excess of 12 feet or a venomous snake escapes its cage and its secure containment room, and becomes outside

the control of the permit holder and/or owner, notification shall immediately be made to the Department of Wildlife and Fisheries emergency notification number.

vii. A secure transport container shall be required to transport venomous snakes away from any field collection sites.

viii. Those persons who can prove prior ownership of restricted snakes have 90 days from the final ruling to obtain a permit from the department.

ix. Restricted snakes shall be kept in secure, escape proof enclosures with doors that lock, or such secure enclosures shall be enclosed in secure, escape proof rooms that are kept locked except when the animals are being fed, the cages are being cleaned, or otherwise worked by the person trained and experienced in proper care, handling, and use of the species being maintained. Entrance doors shall be kept securely locked on all outdoor enclosures to prevent escape and unauthorized intrusion and the enclosure shall be equipped with barriers to prevent visitors from falling into enclosures that are constructed below ground level.

x. Facilities that house constrictor snakes in excess of 12 feet or venomous snakes in private possession shall be open to inspection prior to issuance of a permit and at other times deemed necessary to ensure compliance with the permit by Department of Wildlife and Fisheries personnel or other persons authorized by Department of Wildlife and Fisheries to perform such inspections.

xi. Any non-permitted individual in possession of restricted snakes shall have 30 days to obtain a permit. Any individual who possesses restricted snakes in a manner not compliant with this rule shall have 30 days to demonstrate compliance to Department of Wildlife and Fisheries personnel. Any individual who remains non-compliant after 30 days shall forfeit all restricted snakes to Department of Wildlife and Fisheries personnel, who may dispose of the snakes in any manner.

2. A first violation of this Section will result in a five-year period of probation; a violation during the probationary period shall be considered a second violation, and will result in a one-year suspension of the permit; a third violation will result in a five-year suspension of a permit.

L. Except as provided in Subsection K, whoever violates the provisions of this Rule shall be subject to penalties as provided for in R.S. 56:31.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6(10), (13), (15) and (25), R.S. 56:23, and R.S. 56:632.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 20:1135 (October 1994), amended LR 30:2495 (November 2004), LR 31:2569 (October 2005), LR 39:1834 (July 2013), LR 42:1692 (October 2016).

Title 76
WILDLIFE AND FISHERIES
Part XVII. Commercial Fisherman's Assistance Program

Chapter 1. Proof of Income

§101. Criteria for Establishing Proof of Income and Procedures

A. The eligibility of applicants for economic assistance under R.S. 56:13.1, Commercial Fisherman's Assistance Program, shall be determined in accordance with the following criteria:

1. the applicant shall have purchased a saltwater gill net license in at least two of the years 1993, 1994 and 1995; and

2. the applicant shall have derived more than 50 percent of his earned income from the legal capture and sale of seafood species in at least two of the years 1993, 1994 and 1995; and

3. the applicant shall have suffered a loss of income due to the enactment of the Louisiana Marine Resources Conservation Act of 1995; and

4. applicant must have been a bona fide resident of Louisiana on June 30, 1995 and must provide proof of such as defined under R.S. 56:8(12)(a); and

5. the applicant must have submitted his/her application not later than October 1, 1998.

B. Proof of such income for any of the years 1993, 1994 and 1995 shall be provided by applicant using any of the methods listed below.

1. Method 1. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a copy of his federal income tax return including all attachments (i.e., Schedule C of Federal Form 1040, Form W-2, etc.), which has been certified by the Internal Revenue Service (IRS).

2. Method 2. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a copy of his federal income tax return including all attachments (i.e., Schedule C of Federal Form 1040, Form W-2, etc.), which has been filed and stamped "received" at a local IRS office accompanied with a signed cover letter acknowledging receipt by the IRS.

3. Method 3. Applicant shall submit to the Department of Wildlife and Fisheries (Licensing Section) a signed copy of his federal tax return including all attachments (i.e., Schedule C of Federal Form 1040, Form W-2, etc.), along with IRS stamped transcripts and IRS signed cover letter. Transcripts are available at local IRS offices.

C. The Socioeconomic Section of the Department of Wildlife and Fisheries, Office of Management and Finance will review the submitted tax return information and determine applicants income eligibility as defined by R.S. 56:13.1(B)(1). Proof of loss of income by the applicant shall be provided in the form of federal tax returns as specified in §101.B and determined by using the method below.

1. Proof of income loss will be determined by comparing the applicants average earned income from the legal capture and sale of seafood species for two of the years 1993, 1994 and 1995 and the earned income for tax years 1996 or 1997 as reported on their federal income tax returns. Proof of such income shall be provided by the applicant using any of the methods listed in §101.B.

2. The criteria for providing economic assistance shall be determined by the Department of Wildlife and Fisheries, and shall be based on an individual's loss of income due to the enactment of the Louisiana Marine Resources Conservation Act of 1995.

D. Applicants who receive economic assistance under the Commercial Fisherman's Assistance Program (R.S. 56:13.1) shall be disqualified from receiving any mullet license permit pursuant to R.S. 56:333.

E. The Department of Labor will provide to the Department of Wildlife and Fisheries Licensing Section a quarterly status report containing the name, address, Social Security number, type of training with beginning date and estimated ending date, the anticipated cost and actual cost as incurred, for each fisherman receiving economic assistance under the Commercial Fisherman's Assistance Program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:13.1(D).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22:235 (March 1996), amended LR 24:1785 (September 1998).

Chapter 3. Net Buy-Back Program

§301. Criteria for Qualification; Procedures

A. Until January 1, 1996, the Department of Wildlife and Fisheries shall purchase from qualified persons those commercial fishing nets that have been rendered illegal or useless due to the enactment of the Louisiana Marine Resources Conservation Act of 1995 (Act 1316).

B. In order to qualify, persons must have applied for assistance under the Commercial Fisherman's Assistance Program on or before October 1, 1995, and must have met all of the following criteria:

1. must have purchased a saltwater gill net license in at least two of the years 1995, 1994, and 1993;

2. during two of those years shall have derived more than 50 percent of his earned income from the legal capture and sale of seafood species;

3. shall not have been convicted of any fishery-related offense that constitutes a Class 3 or greater violation; and

4. must have been a bona fide resident of Louisiana on June 30, 1995.

C.1. Proof of income shall be provided by the applicant in the form of a copy of his federal tax return, including Schedule C of Federal Form 1040, which has been certified by the Internal Revenue Service. The Department of Wildlife and Fisheries can provide the applicant with the appropriate Internal Revenue Service Form to request this. In the event that the certified copy of the tax return, including Schedule C, does not confirm the applicant's claim that more than 50 percent of the income was earned from the legal capture and sale of seafood species, the applicant shall provide a certified, audited return to that effect prepared and signed by a certified public accountant (CPA) which includes copies of all documents relied upon by the CPA in preparation of the audit. Said documentation shall be in the form of records which the applicant would rely on to document his return to the Internal Revenue Service. Tax returns for at least two of the years 1995, 1994, and 1993 shall be provided by the applicant. Fishermen applying for fishing permits which require proof that 50 percent of his income was derived from the legal capture and sale of seafood species may also qualify using the following alternative method.

2. Alternative Method. Provided a fisherman meets all other qualifications for obtaining a commercial fishing permit except for having a tax return in one of the years 1994 or 1993, he will be allowed to provide proof that 50 percent of his income was derived from the legal capture and sale of seafood species for the current calendar year 1995 along with a 1040 and Schedule C from 1994 or 1993 which meets the qualifying standard. Said proof of the nature and amount of his 1995 income shall be as follows with no exceptions.

a. Applicant shall submit to the Department of Wildlife and Fisheries an affidavit signed by a certified public accountant (CPA) attesting to the audit of applicant's financial records and applicant's eligibility as defined by Act 1316.

b. The Department of Wildlife and Fisheries shall make available the affidavit referred to in Subparagraph C.2.a of this Section.

c. CPAs engaged by applicants to prepare financial data shall adhere to generally accepted accounting principals as recognized by the American Institute of Certified Public Accountants (AICPA).

d. The CPA shall require and accept documentation of applicant's financial transactions in the form normally acceptable to the IRS. The record keeping standards required by IRS shall be adhered to in the evaluation of applicant's documentation.

e. The CPA shall prepare a financial statement depicting and listing separately applicant's total earned income as well as his earned income derived solely from the capture and sale of seafood species. This financial statement shall represent the period beginning January 1, 1995 through September 30, 1995.

f. The CPA shall provide an unqualified opinion attesting to the nature and amount of the applicant's earned income and whether said income complies with the requirement that more than 50 percent of the applicant's earned income was derived from the legal capture and sale of seafood species.

g. The CPA shall provide copies to the Department of Wildlife and Fisheries (Licensing Section) of all financial documents relied upon in support of his unqualified opinion.

h. The alternative method of fulfilling the earned income requirement shall become obsolete and discontinued on May 1, 1996. Applicants qualifying under the alternative method subsequent to December 31, 1995 shall be allowed to acquire a temporary permit which will be valid only through May 1, 1996. Those applicants receiving a temporary fishing permit valid from January 1, 1996 through May 1, 1996 may reapply for the usual permit at no additional cost, provided said applicant can provide proof of earned income as described in Act 1316 for two 12-month periods (calendar years) including the years 1993, 1994 and 1995 exclusively.

i. Irrespective of the method used by applicant fishermen to qualify under the 50 percent earned income from the capture and sale of seafood species criteria, each applicant shall make available to the Department of Wildlife and Fisheries (Licensing Section) a certified copy of his Federal Income Tax return, including Schedule C of Federal Form 1040 prior to being issued any additional permits which require the 50 percent earned income test. Currently accepted 1040 and Schedule C Transcripts shall not be sufficient to qualify a permit applicant to renew or acquire a fishing permit beyond the period May 1, 1996. It is incumbent upon each permit applicant to obtain said 1040 and Schedule C information from the Internal Revenue Service.

D. Beginning September 1, 1995, qualified persons desiring to have their nets purchased by the Department of Wildlife and Fisheries may obtain an application form provided by the department from any departmental district office; the completed form shall include all information necessary to assist in the determination of the eligibility status of the applicant. All requested information regarding size, type and number of nets must be provided. The completed form, along with proof of income as described herein, a copy of the applicants Louisiana driver's license, and copies of appropriate saltwater gill net licenses, shall be submitted no later than October 1, 1995, to the Commercial License Section of Wildlife and Fisheries located at 2000 Quail Drive, Baton Rouge, LA or by mail to Box 98000, Baton Rouge, LA 70898. Applicants will be notified by mail as to the disposition of their application.

E. Only those nets that were legal for use in the saltwater areas of this state on June 1, 1995, and only those nets in usable condition, will be eligible for purchase under the provisions of Act 1316.

F. Applicants must have had a gear license issued in their name for at least one of the years 1995, 1994, or 1993, for the specific type of net(s) being presented for purchase.

This is in addition to the requirements for having a saltwater gill net license for two of the three years.

G. Monetary reimbursement for nets to be purchased under this rule shall be determined based on the availability of funds collected from the issuance of the Louisiana Marine Resources Conservation Act Stamp. Funds collected through June 30, 1996, will be distributed as follows: 30 percent to the Enforcement Division of the department in accordance with the act; and the remaining 70 percent to be made available for the net buy-back portion of the Commercial Fisherman's Assistance Program. Subsequent to June 1996, 70 percent of the revenue collected from the LMRC Stamp will be used for the remainder of the Commercial Fisherman's Assistance Program as defined in Act 1316, R.S. 56:13(1)(C).

H. The disbursement of available funds for nets shall be calculated on a pro rata basis to accommodate the number of qualified applicants at a rate not to exceed 50 percent of the average cost of each qualifying net. The following is a schedule of the maximum amount to be paid for each type and size of net based upon 50 percent of the average standard 1995 catalog prices not including sales tax, shipping charges, or options. Actual prices to be paid will be limited by the number of qualifying nets and by the amount of revenue collected.

Mesh Depth	Gill Nets Price per Foot	Seines Price per Foot
4' -6'	$ 0.25	$ 0.76
Over 6' - 8'	$ 0.30	$ 0.80
Over 8' - 10'	$ 0.38	$ 0.87
Over 10' - 12'	$ 0.42	$ 0.92
Over 12' - 14'	$ 0.44	$ 0.96
Over 14'	$ 0.53	$1.02

Trammel Nets Price per Foot	
4' - 6'	$ .38
Over 6' - 8	$ .40
Over 8' - 10'	$ .43
Over 10'	$ .45

Fish Trawls	
Complete	$ 11.22 per foot of trawl width
Trawl only	$ 6.84 per foot of trawl width

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:13.1.D.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Office of Management and Finance, LR 22:231 (March 1996).

Title 76
WILDLIFE AND FISHERIES
Part XIX. Hunting and WMA Regulations

Chapter 1. Resident Game Hunting Season

§101. General

A. The resident game hunting season regulations have been adopted by the Wildlife and Fisheries Commission. A complete copy of the regulations pamphlet may be obtained from the department.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), LR 30:1493 (July 2004), LR 31:1627 (July 2005), LR 32:1253 (July 2006), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 36:1580 (July 2010), LR 37:2206 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1534 (August 2014), LR 41:958 (May 2015), LR 42:1107 (July 2016), LR 44:1273 (July 2018), LR 45:933 (July 2019), LR 46:957 (July 2020).

§103. Resident Game Birds and Animals

A. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

B. Consult Regulation Pamphlet for Seasons or Specific Regulations on Wildlife Management Areas or Specific Localities

Species	Season Dates	Daily Bag Limit	Possession Limit
Quail	OPENS: 3rd Saturday of November CLOSES: Last Day of February	10	30
Rabbit and Squirrel	OPENS: 1st Saturday of October CLOSES: Last Day of February	8	24
Squirrel*	OPENS: 1st Saturday of May for 23 days	3	9
Deer 2020-2021	See Schedule	1 antlered and 1 antlerless (when legal)	Deer Areas 1,2,3,5,6,7,8, and 9 6/season (not to exceed 3 antlered deer or 4 antlerless deer). Deer Areas 4 and 10 limit 3/season (not to exceed 2 antlered or 2 antlerless deer).

*NOTE: Spring squirrel season is closed on the Kisatchie National Forest, National Wildlife Refuges, U.S. Army Corps of Engineers property. Some state wildlife management areas will be open, check WMA season schedule.

C. Deer Hunting Schedule 2020-2021

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
2	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: Next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: After 7 days.	OPENS: Last Sat. of Oct. CLOSES: Tues. before 2nd Sat. of Dec. in odd numbered years and on Wed. during even numbered years EXCEPT when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the 1st Sat. of Dec.	OPENS: Wed. before the 2nd Sat. of Dec. in odd numbered years and on Thurs. during even numbered years EXCEPT when there are 5 Sats. in Nov., then it will open on the Wed. before the 1st Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
3	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
4	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
5	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas (EITHER SEX).
6	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan.
7	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15.	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
8	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day.	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
9	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: Last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Sunday of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas.

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
10	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: after 7 days	OPENS: 3rd Sat. of Oct. CLOSES: 38 days after Thanksgiving Day	

D. Deer Hunting Schedule 2021-2022

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
1	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
2	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: Next to last Sat. of Oct. CLOSES: Fri. before last Sat. of Oct. OPENS: Mon. after the last day of Modern Firearm Season in Jan. CLOSES: After 7 days.	OPENS: Last Sat. of Oct. CLOSES: Tues. before 2nd Sat. of Dec. in odd numbered years and on Wed. during even numbered years EXCEPT when there are 5 Sats. in Nov. and then it will close on the Tues. in odd numbered years or Wed. during even numbered years before the 1st Sat. of Dec.	OPENS: Wed. before the 2nd Sat. of Dec. in odd numbered years and on Thurs. during even numbered years EXCEPT when there are 5 Sats. in Nov., then it will open on the Wed. before the 1st Sat. of Dec. on odd years and Thurs. during even numbered years CLOSES: 40 days after opening in odd numbered years or 39 days after opening in even numbered years
3	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
4	OPENS: 1st day of Oct. CLOSES: Last day of Jan.	OPENS: 2nd Sat. of Nov. CLOSES: Fri. after 2nd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. OPENS: Mon. after 1st Sat. of Jan. CLOSES: next to last Sun. of Jan.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Sun. after 1st Sat. of Jan.
5	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	(All Either Sex except as noted.) OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. Bucks Only CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Sun. of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas.
6	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after the next to last Sun. of Jan. CLOSES: Last day of Jan.	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec.	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan.

Area	Archery	Primitive Firearms (All Either Sex Except as Noted)	Still Hunt (No dogs allowed)	With or Without Dogs
7	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15.	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
8	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearm Season CLOSES: After 7 days	OPENS: 3rd Sat. of Oct. CLOSES: Sun. after Thanksgiving Day.	OPENS: Mon. after Thanksgiving Day CLOSES: After 35 days
9	OPENS: 1st day of Oct. CLOSES: Feb. 15 (1st 15 days are BUCKS ONLY)	OPENS: 2nd Sat. of Nov. CLOSES: Fri. before 3rd Sat. of Nov. OPENS: Mon. after next to last Sun. of Jan. CLOSES: Last day of Jan. Bucks Only	OPENS: Sat. before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Fri. before 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov. and then it will close on the Fri. before the 1st Sat. of Dec. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: Sat before Thanksgiving Day EXCEPT when there are 5 Sats. in Nov., then it will open on the 3rd Sat. of Nov. CLOSES: Sunday of the same weekend. (EITHER SEX) OPENS: Fri. after Thanksgiving Day. CLOSES: Sun. after Thanksgiving day. (EITHER SEX)	OPENS: 2nd Sat. of Dec. EXCEPT when there are 5 Sats. in Nov., then it will open on the 1st Sat. of Dec. CLOSES: Next to last Sun. of Jan. (BUCKS ONLY UNLESS EITHER SEX SEASON IS IN PROGRESS) OPENS: 2nd Sat. of Dec. CLOSES: Sun. after 2nd Sat. of Dec. (EITHER SEX) OPENS: Sat. before Christmas. CLOSES: Sun. before Christmas
10	OPENS: 3rd Sat. of Sept. CLOSES: Jan. 15	OPENS: 2nd Sat. of Oct. CLOSES: Fri. before 3rd Sat. of Oct. OPENS: Mon. after last day of Modern Firearms CLOSES: After 7 days		

E. Farm-raised white-tailed deer on supplemented shooting preserves:

1. archery, firearm, primitive firearms—October 1-January 31 (either-sex).

F. Exotics on supplemented shooting preserves:

1. either sex—no closed season.

G. Spring squirrel hunting:

1. season dates—opens 1st Saturday of May for 23 days;

2. closed areas:

a. Kisatchie National Forest, national wildlife refuges, and U.S. Army Corps of Engineers property and all WMAs except as provided in Paragraph 3 below;

3. wildlife management area schedule—opens first Saturday of May for nine days on all WMAs except Fort Polk, Peason Ridge, Camp Beauregard, Pass-a-Loutre and Salvador. Dogs are allowed during this season for squirrel hunting;

4. limits—daily bag limit is three and possession limit is nine.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115, R.S. 56:109(B) and R.S. 56:141(C).

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 21:707 (July 1995), amended LR 22:585 (July 1996), LR 23:871 (July 1997), LR 24:1324 (July 1998), LR 25:1290 (July 1999), repromulgated LR 25:1526 (August 1999), LR 26:1506 (July 2000), LR 27:1061 (July 2001), LR 28:1615 (July 2002), LR 29:1122 (July 2003), repromulgated LR 29:1521 (August 2003), amended LR 30:1494 (July 2004), LR 31:1627 (July 2005), LR 32:1254 (July 2006), LR 33:115 (January 2007), LR 33:1399 (July 2007), LR 34:1447 (July 2008), LR 35:1278 (July 2009), LR 35:2856 (December 2009), LR 36:1580 (July 2010), LR 37:2207 (July 2011), LR 38:1747 (July 2012), LR 39:2307 (August 2013), LR 40:1535 (August 2014), LR 41:958 (May 2015), LR 42:1108 (July 2016), LR 43:1420 (July 2017), LR 44:1273 (July 2018), LR 45:934 (July 2019), LR 46:957 (July 2020).

§105. Physically Challenged Hunters Permit

A. Definitions

ATV—an off-road vehicle (not legal for highway use) with factory specifications not to exceed the following: weight—750 lbs.; length—85"; width—48". ATV tires are restricted to those no larger than 26x12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi as indicated on the tire by the manufacturer.

Commission—the Louisiana Wildlife and Fisheries Commission.

Commission Approved Physician—any physician licensed to practice medicine by the Louisiana state Board of Medical Examiners who evaluates permit applicants to determine the physically challenged hunter rule classification of permanent disability. Also, includes any

Louisiana licensed optometrist or ophthalmologist to determine visual impairment.

Department—the Louisiana *Department* of Wildlife and Fisheries.

Enforcement Division—the *Enforcement Division* of the Louisiana Department of Wildlife and Fisheries.

Helper—an individual who accompanies a permitted physically challenged hunter to assist the physically challenged hunter in accessing a hunting area, carrying hunting gear, and retrieving harvested game.

Permanent Disability—a qualifying disability that a commission approved physician has determined will not improve over time or with medical treatment.

Physically Challenged ATV Permit—a permit issued by the Wildlife Division to certain physically challenged hunters to allow access to the specially designated ATV trails on *wildlife management areas.*

Physically Challenged Hunter Permit—a permit issued by the Department of Wildlife and Fisheries to qualified physically challenged individuals.

Special Deer Season—a special deer season only for individuals with valid physically challenged hunter permits established by the Louisiana Wildlife and Fisheries Commission.

Special Physically Challenged Hunt—special hunt or hunts on certain *WMA*s only for individuals with valid physically challenged hunter permits.

WMA—a tract of land managed by the Louisiana Department of Wildlife and Fisheries and proclaimed as a wildlife management area by the governor of Louisiana.

Wildlife Division—the Wildlife Division of the Louisiana Department of Wildlife and Fisheries.

B. Wheelchair Bound

1. Qualifications

a. Permanent Disability. The disability must permanently confine the applicant to the use of a wheelchair. If the applicant may eventually recover enough to not require the use of a wheelchair, he or she does not qualify for this class permit. If the future prognosis is uncertain, the applicant does not qualify at this time.

b. Certification by Commission Approved Physician

i. Applicants must be certified permanently disabled and confined to a wheelchair by:

(a). a commission approved physician;

ii. Should the commission approved physician determine the applicant is not permanently confined to a wheelchair for medical reasons, the application is rejected and no permit shall be issued. If approved by the physician, the Enforcement Division must complete a wildlife criminal history check. The application must then be forwarded to the Wildlife Division administrator for approval or disapproval.

c. Disqualification

i. Applicants not disabled sufficiently to meet the confined to a wheelchair criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or with class two or above wildlife convictions, WMA or littering violations within the last five years, as determined by the enforcement division, shall not be issued permits. Fishing and boating violations are excluded.

2. Approved applicants receive the following considerations:

a. special physically challenged hunts—may participate in special WMA hunts;

b. special deer seasons:

i. may participate in special statewide physically challenged hunts;

c. access to wildlife management areas. permittees of this class shall receive a physically challenged ATV permit for access to specially designated ATV trails on WMAs;

d. hunting from vehicles—may hunt resident game from a stationary vehicle or stationary boat statewide, provided that this activity does not violate state or parish laws;

e. helpers—permittee may be accompanied by helpers (no more than two) as necessary to get to and from a hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the helper is hunting. Permittee is allowed one extra ATV for his helper(s). At no time will parked or unattended helper's ATV and permittee's ATV be placed at separate locations.

3. Conditions of Approval

a. Nontransferable. The physically challenged hunter permit is non-transferable and is valid for named permittee only.

b. Permit in Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of photo identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying physically challenged hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or WMA regulations (see Subparagraph B.2.e).

d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and specially designated ATV trails on WMA maps.

ii. Approved individuals (permittees and helpers) may drive the ATV to a stand within 100 yards of an ATV

trail. The ATV may also be used to retrieve the permittees harvested deer or hogs. Travel on an ATV beyond 100 yards of the designated trail, except to retrieve a deer or hogs, is prohibited.

e. Other Licenses Required. The issuance of a physically challenged hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittees possession while hunting.

f. Revocation

i. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

ii. Should there be a change in the permittee's condition, the permittee must notify the Wildlife Division administrator. If said change is sufficient to make the permanent use of a wheelchair unnecessary, the permit shall be revoked.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the department.

ii. The department shall retain the right to change the duration and/or conditions of the disabled hunter permits to comply with future commission or legislative actions.

h. Cost—none.

C. Mobility Impaired

1. Qualifications

a. Permanent Disability

i. The disability must be permanent and impair the applicant sufficiently to preclude walking farther than very short distances (cannot walk 200 feet without stopping to rest) even with mechanical aids. If the applicant may eventually recover, or if the future prognosis is uncertain, the applicant does not qualify at this time; provided however, individuals who are temporarily disabled for a minimum of one year duration may be issued this permit for a period of one year only. If the condition still exists after one year, the individual would have to reapply and be issued a new permit.

ii. Qualifying disabilities under this class may include, but are not limited to:

(a). permanent and continual use of artificial limbs, crutches, leg braces, or canes due to injury, disease, or birth defect. Cannot walk without the assistance of another person, walker, cane, crutches, braces, or prosthetic device, or temporary use of a wheelchair;

(b). defects of circulatory system, respiratory system, skeletal structure, or neurological disorders caused by disease, injury, or birth defect. Applicant must be restricted by a lung disease to such an extent that the person's forced (respiratory) volume for one second, when measured by spirometry, is less than one liter, or the arterial oxygen tension is less than sixty mm/hg on room air at rest, or uses portable oxygen, or has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association, or has a diagnosed disease or disorder, including a severe arthritic, neurological, or orthopedic impairment, which creates a severe mobility limitation.

iii. Nonqualifying disabilities may include, but are not limited to:

(a). vision impairment;

(b). arm, hand, shoulder, or other impairments that do not affect walking;

(c). any impairment considered to be a part of or resulting from the normal aging process;

(d). any impairment resulting from or due to a lack of physical conditioning.

b. Certification by Commission Approved Physician

i. Applicants must be certified permanently disabled and mobility impaired by:

(a). a commission approved physician.

ii. Should the commission approved physician determine the applicant is not permanently mobility impaired, the application is rejected and no permit shall be issued. If approved by the physician, the Enforcement Division must complete a wildlife criminal history check. The application must then be forwarded to the Wildlife Division administrator for approval or disapproval.

c. Disqualification

i. Applicants not disabled sufficiently to meet the mobility impaired criterion shall not qualify for the class permit.

ii. Applicants with felony convictions or with class two or above wildlife convictions, WMA or littering violations within the last five years, as determined by the Enforcement Division, shall not be issued permits. Fishing and boating violations are excluded.

2. Approved applicants receive the following considerations:

a. special physically challenged hunts—may participate in special WMA hunts;

b. special deer seasons—may participate in special statewide physically challenged hunts;

c. access to wildlife management areas—permittees of this class shall receive a physically challenged ATV permit for access to specially designated ATV trails on WMAs;

d. helpers—permittee may be accompanied by helpers (no more than two) as necessary to get to and from a hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a helper unless the weapon is legal for the game hunted and the season is open

to all licensed hunters in the area the helper is hunting. Permittee is allowed one extra ATV for his helper(s). At no time will parked or unattended helper's ATV and permittee's ATV be placed at separate locations.

3. Conditions of Approval

a. Nontransferable. The *physically challenged hunter permit* is non-transferable and is valid for named permittee only.

b. Permit in Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of photo identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying physically challenged hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or WMA regulations (see Subparagraph C.2.d).

d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and ATV trails on WMA maps.

e. Other Licenses Required. The issuance of a physically challenged hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittee's possession while hunting.

f. Revocation

i. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of the permit.

ii. Should there be a change in the permittee's condition, the permittee must notify the Wildlife Division administrator. If said change is sufficient to enable the permittee to walk more than 200 feet without stopping to rest the permit shall be revoked.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the department.

ii. The department shall retain the right to change the duration and/or conditions of the physically challenged hunter permits to comply with future commission or legislative action.

h. Cost—none.

D. Amputee of the Upper Extremity

1. Qualifications

a. Permanent Disability. The applicant must have an amputation of at least one arm, hand, or all five fingers of one hand to qualify for a permit of this class.

b. Certification by Commission Approved Physician

i. Applicants must be certified permanently disabled as an amputee of the upper extremity by a commission approved physician.

ii. Should the commission approved physician determine the applicant is not an amputee of the upper extremity, the application shall be rejected. If approved by the physician, the Enforcement Division must complete a wildlife criminal history check. The application must then be forwarded to the Wildlife Division Administrator for approval or disapproval.

c. Disqualification

i. Applicants not disabled sufficiently to meet the amputee of the upper extremity criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or with Class Two or above wildlife convictions, WMA or littering violations within the last five years, as determined by the Enforcement Division, shall not be issued permits. Fishing and boating violations are excluded.

2. Approved applicants receive the following considerations:

a. special physically challenged hunts—may participate in special WMA hunts;

b. special deer seasons—may participate in special statewide physically challenged hunts;

c. access to wildlife management areas—permittees of this class shall receive a physically challenged ATV permit for access to specially designated ATV trails on WMAs;

d. helpers—permittee may be accompanied by helpers (no more than two) as necessary to get to and from a hunting area or stand and to assist in retrieving harvested game. Helpers may not use or possess firearms/bows/crossbows when acting as a helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the helper is hunting. Permittee is allowed one extra ATV for his helper(s). At no time will parked or unattended helper's ATV and permittee's ATV be placed at separate locations.

3. Conditions of Approval

a. Nontransferable. The physically challenged hunter permit is nontransferable and is valid for named permittee only.

b. Permit in Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of photo identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying physically challenged hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or WMA regulations (see Subparagraph D.2.d).

d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and physically challenged ATV trails as specially designated on WMA maps.

e. Other Licenses Required. The issuance of a physically challenged hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittees possession while hunting.

f. Revocation. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the department.

ii. The department shall retain the right to change the duration and/or conditions of the physically challenged hunter permits to comply with future commission or legislative action.

h. Cost—none.

E. Visually Impaired

1. Qualifications

a. Permanent Disability. The applicant must have an impairment of visual functioning, even after treatment and/or standard refractive correction, and has a visual acuity of equal to or less than 20/200 to light perception, or a visual field of less than ten degrees from the point of fixation, as certified by a Louisiana licensed optometrist or ophthalmologist to qualify for a permit of this class.

b. Certification by Commission Approved Physician

i. Applicants must be certified permanently disabled as visually impaired by a commission approved physician.

ii. Should the commission approved physician determine the applicant is not visually impaired, the application shall be rejected. If approved by the physician, the Enforcement Division must complete a wildlife criminal history check. The application must then be forwarded to the Wildlife Division administrator for approval or disapproval.

c. Disqualification

i. Applicants not disabled sufficiently to meet the visually impaired criterion shall not qualify for this class permit.

ii. Applicants with felony convictions or with class two or above wildlife convictions, WMA or littering violations within the last five years, as determined by the Enforcement Division, shall not be issued permits. Fishing and boating violations are excluded.

2. Approved applicants receive the following considerations:

a. special physically challenged hunts—may participate in special WMA hunts;

b. special deer seasons. may participate in special statewide physically challenged hunts;

c. access to wildlife management areas—permittees of this class shall receive a physically challenged ATV permit for access to specially designated ATV trails on WMAs;

d. helpers—the permittee shall be accompanied by another licensed hunter and only the person holding the physically challenged hunter permit may discharge the firearm. Helpers may not use or possess firearms/bows/crossbows when acting as a helper unless the weapon is legal for the game hunted and the season is open to all licensed hunters in the area the helper is hunting. Permittee is allowed one extra ATV for his helper(s). At no time will parked or unattended helper's ATV and permittee's ATV be placed at separate locations;

e. the permittee shall be permitted to use a laser sight or sighting device which projects a beam of light to the target only.

3. Conditions of Approval

a. Nontransferable. The physically challenged hunter permit is nontransferable and is valid for named permittee only.

b. Permit in Possession

i. The permit must be carried by named permittee at all times while hunting in the field or transporting game harvested under the permit.

ii. Permittee must, in addition to the permit, carry one other form of photo identification while hunting or transporting harvested game.

c. Helpers. Helpers accompanying physically challenged hunters are not permitted to carry firearms/bows/crossbows except as provided for by statewide or WMA regulations (see Subparagraph E.2.d).

d. All Terrain Vehicles

i. ATVs may be used only on regular public ATV trails and specially designated ATV trails on WMA maps.

e. Other Licenses Required. The issuance of a physically challenged hunter permit does not exempt the permittee from other license requirements. All applicable licenses required to hunt a particular species of game must be purchased and in the permittees possession while hunting.

f. Revocation. Any violation of the permit conditions by the permittee and/or helper of wildlife laws and/or regulations may result in cancellation of this permit.

g. Duration

i. This permit is valid for the lifetime of named permittee or until revoked by the department.

ii. The department shall retain the right to change the duration and/or conditions of the physically challenged

hunter permits to comply with future commission or legislative action.

h. Cost—none.

AUTHORITY NOTE: Promulgated in accordance with Act 1226 of the 1995 Louisiana Legislative Session.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 22:856 (September 1996), amended LR 34:1444 (July 2008), LR 36:2051 (September 2010), LR 44:1277 (July 2018).

§107. Experimental Dove Field Leasing Program

A. In recognition of the popularity of dove hunting and the lack of lands available to the general public for dove hunting, the Wildlife and Fisheries Commission establishes rules for an Experimental Public Dove Hunting Program on private lands leased by the Department of Wildlife and Fisheries.

B. The following rules will apply to those lands which dove hunting rights have been leased by the Department of Wildlife and Fisheries for the day(s) specified in the lease.

1. All hunters are required to have a daily permit. This permit will be available at the field on the day of the hunt. Permits will be issued on a first come, first serve basis. An administrative fee may be charged for daily permits.

2. Leased fields may be closed to additional hunters when a predetermined number of permits have been issued. However, additional hunters may be admitted throughout the day as hunters leave the field and surrender their permits.

3. No alcoholic beverages may be consumed or possessed on the leased property. Persons who appear to be impaired or under the influence of alcohol or other controlled substances will be denied access to the field(s).

4. Shot is restricted to non-toxic shot, size 6 and smaller.

5. Loaded firearms are prohibited in vehicles or at check stations.

6. Persons exhibiting unsafe gun handling as determined by LDWF staff or assigns shall be removed from the field(s).

7. Vehicles are restricted to designated areas or roads.

8. No Littering. Each hunter is responsible for removing his/her trash, including shell hulls, from the leased property.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:783 and 56:109B.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 23:593 (May 1997), amended LR 43:1423 (July 2017).

§111. General and Wildlife Management Area Hunting Rules and Regulations

A. Hunting Seasons and Wildlife Management Area (WMA) Regulations

1. The rules and regulations contained within this digest have been officially approved and adopted by the Wildlife and Fisheries Commission under authority vested by sections 115 and 116 of title 56 of the *Louisiana Revised Statutes* of 1950 and are in full force and effect in conjunction with all applicable statutory laws. The secretary of the Department of Wildlife and Fisheries (LDWF) has the authority to close or alter seasons in emergency situations in order to protect fish and wildlife resources.

2. Pursuant to section 40.1 of title 56 of the *Louisiana Revised Statutes* of 1950, the Wildlife and Fisheries Commission has adopted monetary values which are assigned to all illegally taken, possessed, injured or destroyed fish, wild birds, wild quadrupeds and other wildlife and aquatic life. Anyone taking, possessing, injuring or destroying fish, wild birds, wild quadrupeds and other wildlife and aquatic life shall be required to reimburse the LDWF a sum of money equal to the value of the wildlife illegally taken, possessed, injured or destroyed. This monetary reimbursement shall be in addition to any and all criminal penalties imposed for the illegal act.

B. Resident Game Birds and Animals

1. Shooting hours: one-half hour before sunrise to one-half hour after sunset.

C. Other Season Dates

1. Turkey. Please refer to turkey regulations.

2. Raccoon and Opossum. No closed season. Raccoon and opossum can be taken at night by one or more licensed hunters with one or more dogs and one .22 caliber or smaller rimfire firearm. A licensed hunter may take raccoon or opossum with .22 caliber or smaller rimfire firearm, .36 caliber or smaller muzzleloader rifle or shotgun during daylight hours. Hunting from boats or motor vehicles is prohibited. No bag limit for nighttime or daytime raccoon or opossum hunting during the open trapping season except on certain WMAs as listed. The remainder of the year, the raccoon and opossum bag limit for daytime or nighttime is two per person per day or night. No one who hunts raccoons or opossums as prescribed above shall pelt during the closed trapping season nor sell skins or carcasses of raccoons and opossums taken during the open trapping season unless he is the holder of a valid trapping license which shall be required in addition to his basic hunting license. Pelting or selling carcasses is illegal during closed trapping season.

3. Nutria. On WMAs and private property nutria may be taken recreationally by licensed hunters from September 1 through the last day of February, during legal shooting hours by any legal hunting method with a daily limit of five. Except nutria may be taken on Atchafalaya Delta, Salvador/Timken, Pointe-Aux-Chenes and Pass-a-Loutre WMAs from September 1 to March 31. When taken with a shotgun, non-toxic shot must be used. On WMAs during waterfowl seasons, nutria may be taken only with the use of shotguns with shot no larger than F steel, and during gun deer seasons, anyone taking nutria must display 400 square inches of “hunter orange” and wear a “hunter orange” cap or hat. Recreational nutria hunters must remove each nutria carcass in whole condition from the hunting area, except that nutria may be gutted. Possession of detached nutria parts, including nutria tails, by recreational hunters is illegal. Nutria harvested recreationally may not be pelted nor may

such nutria or any nutria parts from recreationally taken nutria be sold, including the tail. Trespassing upon private property for the purpose of taking nutria or other furbearing animals is punishable by fines and possible jail time (R.S. 56:265). The Coastwide Nutria Control Program is a separate program and is in no way related to the nutria recreational season. For questions on the Coastwide Nutria Control Program, call the Lafayette Field Office, (337) 735-8672.

4. Blackbirds and Crows. The season for crows shall be September 1 through January 1 with no limit; however crows, blackbirds, cowbirds and grackles may be taken year round during legal shooting hours if they are depredating or about to depredate upon ornamentals or shade trees, agricultural crops, livestock, wildlife, or when concentrated in such numbers as to cause a health hazard. Louisiana has determined that the birds listed above are crop depredators and that crows have been implicated in the spread of the West Nile virus in humans. As described in 50 CFR Part 21, non-toxic shot must be used for the take of crows, blackbirds, cowbirds and grackles under the special depredation order. In addition an annual report has to be submitted to the U.S. Fish and Wildlife Service for those that participate in the take of these species.

5. Pheasant. Open concurrently with the quail season; no limit.

6. Falconry. Special permit required. Resident and migratory game species may be taken except turkeys. Seasons and bag limits are the same as for statewide and WMA regulations. Refer to LAC 76:V.301 for specific falconry rules.

7. Licensed Hunting Preserve, October 1-April 30, Pen-Raised Birds Only. No limit entire season. Refer to LAC 76:V.305 for specific hunting preserve rules.

8. Deer Management Assistance Program (DMAP). Refer to LAC 76:V.111 for specific DMAP rules. Deer management assistance tags must be in the possession of the hunter in order to harvest an antlerless deer. The tag shall be attached through the hock in such a manner that it cannot be removed before the deer is transported (including those taken on either-sex days and those taken with approved archery equipment or primitive firearms). Failure to do so is a violation of R.S. 56:115. Deer harvested on property enrolled in DMAP do not count in the season or daily bag limit for hunters when legally tagged with DMAP tags. Failing to follow DMAP rules and regulations may result in suspension and cancellation of the program on those lands involved.

9. Farm Raised White-tailed Deer and Exotics on Licensed Supplemented Shooting Preserves

a. Definitions

Exotics—for purposes of this Section means any animal of the family *Bovidae* (except the *Tribe Bovini* [cattle]) or *Cervidae* which is not indigenous to Louisiana and which is confined on a supplemented hunting preserve. *Exotics* shall include, but are not limited to, fallow deer, red deer, elk, sika deer, axis deer, and black buck antelope.

Hunting—in its different tenses and for purposes of this Section means to take or attempt to take, in accordance with R.S. 56:8.

Same as Outside—for purposes of this Section means hunting on a supplemented hunting preserve must conform to applicable statutes and rules governing hunting and deer hunting, as provided for in title 56 of the *Louisiana Revised Statutes* and as established annually by the Wildlife and Fisheries Commission.

Supplemented Hunting Preserve—for purposes of this Section means any enclosure for which a current farm-raising license has been issued by the Department of Agriculture and Forestry (LDAF) with concurrence of the LDWF and is authorized in writing by the LDAF and LDWF to permit hunting.

White-Tailed Deer—for purposes of this Rule means any animal of the species *Odocoileus virginianus* which is confined on a supplemented hunting preserve.

b. Seasons:

i. farm-raised white-tailed deer: consult the regulations pamphlet;

ii. exotics: year round.

c. Methods of take:

i. white-tailed deer: same as outside;

ii. exotics: exotics may be taken with traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means; shotguns not larger than 10 gauge, loaded with buckshot or rifled slug; handguns and rifles no smaller than .22 caliber centerfire; or muzzleloading rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle or cap and ball cylinder, using black powder or an approved substitute only, and using ball or bullet projectile, including saboted bullets only and other approved primitive firearms.

d. Shooting hours:

i. white-tailed deer: same as outside;

ii. exotics: one-half hour before sunrise to one-half hour after sunset.

e. Bag limit:

i. farm-raised white-tailed deer: same as outside;

ii. exotics: no limit.

f. Hunting licenses:

i. white-tailed deer: same as outside;

ii. exotics: no person shall hunt any exotic without possessing a valid basic and big game hunting license.

g. Tagging. White-tailed deer and exotics: each animal shall be tagged in the left ear or left antler immediately upon being killed and before being moved from

the site of the kill with a tag provided by the LDAF. The tag shall remain with the carcass at all times.

10. Bobcat. No person other than the holder of a valid big game license may take or possess bobcat, except licensed trappers who may take or possess bobcat during the open trapping season. A big game licensee shall only take bobcat during the time period from one-half hour before sunrise to one-half hour after sunset with approved archery equipment, shotgun, muzzleloader or centerfire firearm. A big game licensee shall not take more than one bobcat per calendar year. This regulation applies only to property that is privately owned, state WMAs, Kisatchie National Forest, and the Bayou des Ourses, Bodcau, Bonnet Carre, and Indian Bayou tracts owned by the Corps of Engineers, but does not apply to state wildlife refuges, or other federally owned refuges and lands. On state WMAs and Kisatchie National Forest, the take of bobcat is restricted to those open seasons on the WMAs which require the respective legal weapons noted above.

D. Hunting—General Provisions

1. A basic resident or non-resident hunting license is required of all persons to hunt, take, possess or cause to be transported by any other person any wild bird or quadruped. See information below for exceptions.

2. No person born on or after September 1, 1969, shall hunt unless that person has first been issued a certificate of satisfactory completion of a firearm and hunter education course approved by the department, except any active or veteran member of the United States armed services or any POST-certified law enforcement officer. Application for the exemption shall be filed in person at the LDWF main office building in the city of Baton Rouge. A person under 16 years of age may hunt without such certificate if he/she is accompanied by and is under the direct supervision of a person who was born before September 1, 1969, and has a valid hunting license or who is 18 years of age or older and has proof of successful completion of a firearm and hunter education course approved by the department.

3. A big game license is required in addition to the basic hunting license to hunt, take, possess or cause to be transported any deer. A separate wild turkey license is required in addition to the basic hunting license and the big game license to hunt, take, possess or cause to be transported any turkey.

4. Taking game quadrupeds or birds from aircraft or participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

5. Methods of Taking Resident Game Birds and Quadrupeds

a. It is illegal to intentionally feed, deposit, place, distribute, expose, scatter, or cause to be fed, deposited, placed, distributed, exposed, or scattered raw sweet potatoes to wild game quadrupeds.

b. Use of a traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means or a shotgun not larger than a 10 gauge fired from the shoulder shall be legal for taking all resident game birds and quadrupeds. Also, the use of a handgun, rifle and falconry (special permit required) shall be legal for taking all game species except turkey. It shall be illegal to hunt or take squirrels or rabbits at any time with a breech-loaded rifle or handgun larger than .22 caliber, any centerfire firearm, or a muzzleloading firearm larger than .36 caliber. It shall be legal to hunt or take squirrels, rabbits, and outlaw quadrupeds with air rifles.

c. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs is prohibited when or where a still hunting season or area is designated, and will be strictly enforced. Shotguns larger than 10 gauge or capable of holding more than three shells shall be prohibited. Plugs used in shotguns must be incapable of being removed without disassembly. Refer to game schedules contained within these regulations for specific restrictions on the use of firearms and other devices.

d. No person shall take or kill any game bird or wild quadruped with a firearm fitted with an infrared sight, laser sight, or except as provided in R.S. 56:116(A)(8) any sighting device which projects a beam of light to the target or otherwise electronically illuminates the target, or device specifically designed to enhance vision at night [R.S. 56:116.1(B)(3)].

6. Nuisance Animals. Landowners or their designees may remove beaver and nutria causing damage to their property without a special permit. Water set traps and firearms may be used to remove beaver; nutria may be removed by any means except that nutria cannot be taken by the use of headlight and gun between the hours of sunset and sunrise. With a special permit issued by the LDWF, beavers may be taken between one-half hour after official sunset to one-half hour before official sunrise for a period of three consecutive calendar evenings from the effective date of the permit. Any nuisance beaver or nutria trapped or shot outside open trapping season cannot be pelted or sold. A trapping license is required to sell or pelt nuisance beavers or nutria taken during open trapping season. Squirrels found depredating commercial crops of pecans may be taken year-round by permit issued by the LDWF. This permit shall be valid for 30 days from the date of issuance. Contact the local region office for details.

7. Threatened and Endangered Species. Taking or harassment of any of these species is a violation of state and federal laws. (LAC 76:I.317)

1. Invertebrates		
Pink Mucket	*Lampsilis abrupta*	E
Louisiana Pearlshell	*Margaritifera hembeli*	T
Fat Pocketbook	*Potamilus capax*	E
Inflated Heelsplitter	*Potamilus inflatus*	T
Rabbitsfoot	*Quadrula cylindrica*	T
2. Fish		
Gulf Sturgeon	*Acipenser oxyrinchus desotoi*	T
Pallid Sturgeon	Scaphirhynchus albus	E
Smalltooth Sawfish	*Pristis pectinata*	E
3. Amphibians		
Dusky Gopher Frog	*Lithobates sevosus*	E

4. Reptiles (including eggs)		
Loggerhead Sea Turtle	*Caretta caretta*	T
Green Sea Turtle	*Chelonia mydas*	T
Hawksbill Sea Turtle	*Eretmochelys imbricata*	E
Kemp's Ridley Sea Turtle	*Lepidochelys kempii*	E
Leatherback Sea Turtle	*Dermochelys coriacea*	E
Ringed Map Turtle	*Graptemys oculifera*	T
Gopher Tortoise	*Gopherus polyphemus*	T
Black Pinesnake	*Pituophis melanoleucus lodingi*	T
Louisiana Pinesnake	*Pituophis ruthveni*	T
5. Birds (including eggs)		
Whooping Crane	*Grus americana*	E
Piping Plover	*Charadrius melodus*	T
Red Knot	Calidris canutus rufa	T
Interior Least Tern	*Sternula antillarum athalassos*	E
Red-cockaded Woodpecker	*Picoides borealis*	E
6. Mammals		
West Indian Manatee	*Trichechus manatus*	T
Northern Long-eared Bat	*Myotis septentrionalis*	T
Sperm Whale	*Physeter macrocephalus*	E
Florida Panther	Felis concolor coryi	E
7. Plants		
American Chaffseed	*Schwalbea americana*	E
Earth-fruit	*Geocarpon minimum*	T
Louisiana Quillwort	*Isoetes louisianensis*	E
Pondberry	*Lindera melissifolia*	E
E = Endangered; T = Threatened		

8. Outlaw Quadrupeds. Holders of a legal hunting license may take coyotes, feral hogs, and armadillos year round during legal daylight shooting hours. The running of coyotes with dogs is prohibited in all turkey hunting areas during the open turkey season. Coyote hunting is restricted to chase only when using dogs during still hunting segments of the firearm and archery only seasons for deer. Foxes are protected quadrupeds and may be taken only with traps by licensed trappers during the trapping season. Remainder of the year "chase only" allowed by licensed hunters.

9. Nighttime Take of Nuisance Animals and Outlaw Quadrupeds. On private property, the landowner, or his lessee or agent with written permission from the landowner and the landowner's contact information in his possession, may take outlaw quadrupeds (coyotes, armadillos and feral hogs), nutria, or beaver during the nighttime hours from one-half hour after official sunset on the last day of February to one-half hour after official sunset the last day of August of that same year or as provided for by LAC 76:V.126. Such taking may be with or without the aid of artificial light, infrared or laser sighting devices, or night vision devices. In addition, pursuant to R.S. 56:116(D)(3) any person who is authorized to possess a firearm suppressor may use a firearm fitted with a sound suppressor when taking outlaw quadrupeds, nutria, or beaver. Any person attempting to take outlaw quadrupeds under the provisions of the paragraph, within 24 hours prior to the attempted taking, shall notify the sheriff of the parish in which the property is located and the LDWF Enforcement Division by calling (800) 442-2511 of their intention to attempt to take outlaw quadrupeds under the provision of this Paragraph.

10. Hunting and/or Discharging Firearms on Public Roads. Hunting, standing, loitering or shooting game quadrupeds or game birds while on a public road or public road right-of-way is prohibited. Hunting or the discharge of firearms on roads or highways located on public levees or within 100 feet from the centerline of such levee roads or highways is prohibited. Spot lighting or shining from public roads is prohibited by state law. Hunting from all public roads and public road rights-of-way is prohibited.

11. Tags. Any part of the deer or wild turkey divided shall have affixed thereto the name, date, address and big game license number of the person killing the deer or wild turkey and the sex of that animal. This information shall be legibly written in pen or pencil, on any piece of paper or cardboard or any material, which is attached or secured to or enclosing the part or parts. On lands enrolled in DMAP, deer management assistance tags must be attached and locked through the hock of antlerless deer, (including those taken with approved archery and primitive firearms, and those antlerless deer taken on either-sex days) in a manner that it cannot be removed, before the deer is moved from the site of the kill.

12. Sex Identification. Positive evidence of sex identification, including the head or sex organs, shall remain on any deer taken or killed within the state of Louisiana, or on all turkeys taken or killed so long as such deer or turkey is kept in camp or field, or is in route to the domicile of its possessor, or until such deer or turkey has been stored at the domicile of its possessor or divided at a cold storage facility and has become identifiable as food rather than as wild game.

E. General Deer Hunting Regulations

1. Prior to hunting deer, all deer hunters, regardless of age or license status, must obtain deer tags and have in possession when hunting deer. Immediately upon harvesting a deer, the hunter must tag the deer with the appropriate carcass tag and document the kill on the deer tag license. Within 72 hours of the kill, the hunter must validate the kill. Hunters harvesting deer on DMAP lands can validate deer per instructions by LDWF using the DMAP harvest data sheets. Hunters on WMAS can validate deer during mandatory deer check hunts, when deer check stations are in operation. Hunters may validate deer by calling the validation toll free number or using the validation website.

2. 2020-2021 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou Area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days.

3. 2021-2022 Season. One antlered and one antlerless deer per day (when legal) except on Kisatchie National Forest, Indian Bayou area owned by the US Army Corps of Engineers, and some federal refuges (check refuge regulations) where the daily limit shall be one deer per day. Antlerless deer may be harvested during entire deer season

on private lands (all seasons included) except as specified in deer hunting schedule. This does not apply to public lands (WMAs, national forest lands, and federal refuges) which will have specified either-sex days.

4. A legal antlered deer is a deer with at least one visible antler of hardened bony material, broken naturally through the skin. Killing antlerless deer is prohibited except where specifically allowed.

5. *Either-sex deer* is defined as male or female deer. Taking or possessing spotted fawns is prohibited.

6. It is illegal to hunt or shoot deer with firearms smaller than .22 caliber centerfire or a shotgun loaded with anything other than buckshot or slug. Handguns may be used for hunting.

7. Taking game quadrupeds or birds from aircraft, participating in the taking of deer with the aid of aircraft or from automobiles or other moving land vehicles is prohibited.

8. Still hunting is defined as stalking or stationary stand hunting without the use of dog(s). Pursuing, driving or hunting deer with dogs or moving vehicles, including ATVs, when or where a still hunting season or area is designated, is prohibited and will be strictly enforced. The training of deer dogs is prohibited in all still hunting areas during the gun still hunting and archery only season. Deer hunting with dogs is allowed in all other areas having open deer seasons that are not specifically designated as still hunting only. A leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address, and phone number. In addition, a dog may be used to trail and retrieve unrecovered deer after legal hunting hours.

9. It is illegal to take deer while deer are swimming or while the hunter is in a boat with motor attached in operating position; however the restriction in this Paragraph shall not apply to any person who has lost one or more limbs.

10. Areas not specifically designated as open are closed.

11. It is unlawful to import, sell, use or possess scents or lures that contain natural deer urine or other bodily fluids, except natural deer urine products produced by manufacturers or entities that are actively enrolled and participating in the Archery Trade Association Deer Protection Program, which has been tested using real-time quaking induced conversion (RT-QuIC) and certified that no detectable levels of Chronic Wasting Disease (CWD) are present and is clearly labeled as such.

12. Primitive Firearms Season: Still Hunt Only. Specific WMAs will also be open, check WMA schedule for specific details. Primitive firearms license is required for resident hunters between the ages of 16 and 59 inclusive and non-residents 16 years of age and older. Either-sex deer may be taken in all deer hunting areas except as otherwise specified.

a. Legal Firearms for Primitive Firearms Season

i. Rifles or pistols, .44 caliber minimum, or shotguns 10 gauge or smaller, all of which must load exclusively from the muzzle, use black powder or approved substitute only, take ball, shot, or bullet projectile only, including saboted bullets, and may be fitted with magnified scopes.

ii. Single shot, breech loading rifles or single shot, breech loading pistols, .35 caliber or larger, having an exposed hammer, that use metallic cartridges loaded either with black powder or modern smokeless powder, and may be fitted with magnified scopes.

iii. Single shot, breech loading shotguns, 10 gauge or smaller, having an exposed hammer, loaded with buckshot or slug.

iv. Youths 17 or younger may hunt deer with any legal weapon during the primitive firearms season in each deer hunting area.

13. Archery Season. Archery license required for resident bow hunters between the ages of 16 and 59 inclusive and non-residents 16 years of age and older. Either-sex deer may be taken in all areas open for deer hunting except when a bucks only season is in progress for gun hunting, and except in areas 6 and 9 from October 1-15. Archers must conform to the bucks only regulations. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMA. Also, archery season restricted on Atchafalaya Delta, Salvador, Lake Boeuf, and Pointe-aux-Chenes WMAs (see schedule).

a. Bow and Arrow Regulations. Traditional bow, compound bow and crossbow or any bow drawn, held or released by mechanical means will be a legal means of take for all properly licensed hunters. Hunting arrows for deer must have well-sharpened broadhead points. Bow and arrow fishermen must have a sport fishing license and may not carry any arrows with broadhead points unless a big game season is in progress.

i. It is unlawful:

(a). to have in possession or use any poisoned or drugged arrow or arrows with explosive tips;

(b). to hunt deer with a bow having a pull less than 30 pounds;

(c). to hunt with a bow or crossbow fitted with an infrared, laser sight, electrically-operated sight or device specifically designed to enhance vision at night (does not include non-projecting red dot sights) [R.S. 56:116.1.B.(4)].

14. Hunter Orange or Blaze Pink. Any person hunting any wildlife during the open gun deer hunting season and possessing buckshot, slugs, a primitive firearm, or a centerfire rifle shall display on his head, chest and/or back a total of not less than 400 square inches of "hunter orange" or "blaze pink". Persons hunting on privately owned land may wear a "hunter orange" or "blaze pink" cap or hat in lieu of the 400 square inches. These provisions shall not apply to persons hunting deer from elevated stands on property that is privately owned or to archery deer hunters hunting on lands where firearm hunting is not allowed by agreement of the

landowner or lessee. However, anyone hunting deer on such lands where hunting with firearms is allowed shall be required to display the 400 square inches or a "hunter orange" or "blaze pink" cap or hat while walking to and from elevated stands. While a person is hunting from an elevated stand, the 400 square inches or cap or hat may be concealed. Warning: deer hunters are cautioned to watch for persons hunting other game or engaged in activities not requiring "hunter orange" or "blaze pink".

15. Physically Challenged Season on Private Lands (Either-Sex): first Saturday of October for two days. Restricted to individuals with physically challenged hunter permit.

16. Youth and Honorably Discharged Veterans Season on Private Lands (Either-Sex). Areas 1, 4, 5, 6 and 9: last Saturday of October for seven days; area 2: second Saturday of October for seven days; and areas 3, 7, 8 and 10: fourth Saturday of September for seven days. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times. Except properly licensed youths 16-17 years old and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. One of the following must be carried by veterans while hunting:

a. Louisiana OMV issued U.S. Veterans Driver's License; or

b. U.S. Department of Defense Form 214 or one of the following DD_214 equivalents:

i. pre DD 214 era documents (1941_1950):

(a). WE AGO (war department adjutant general) forms, to include WD AGO 53, WD AGO 55, WD AGO 53_55;

(b). JAVPERS (naval personnel) discharge documents, to include NAVPERS 553, NAVMC78PD, NAVCG 553;

ii. National Personnel Records Center NPRC "statement of service," issued as a result of a destroyed discharge record during the 1973 National Archives fire;

iii. National Guard/Air National Guard must have NGB_22 with 6 or more years of service.

F. Description of Areas, 2020-2022

1. Area 1

a. All of the following parishes are open: Concordia, East Carroll, Franklin, Madison, Richland, Tensas, West Carrol.

b. Portions of the following parishes are also open:

i. Catahoula—east of Boeuf River to Ouachita River, east of Ouachita River from its confluence with Boeuf River to LA 8, south and east of LA 8 southwesterly to parish line;

ii. Grant—east of US 165 and south of LA 8;

iii. LaSalle—south of a line beginning where Little River enters Catahoula Lake following the center of the lake eastward to Old River then to US 84, east of US 84 northward to LA 8, south of LA 8 eastward to parish line;

iv. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Bake;

v. Rapides—east of US 165 and north of Red River.

c. Still hunting only in all or portions of the following parishes:

i. Catahoula—south of Deer Creek to Boeuf River, east of Boeuf and Ouachita Rivers to LA 8 at Harrisonburg, west of LA 8 to LA 913, west of LA 913 and LA 15 to Deer Creek;

ii. East Carroll—all;

iii. Franklin—all;

iv. Morehouse—east of US 165 (from Arkansas state line) to Bonita, south and east of LA 140 to junction of LA 830-4 (Cooper Lake Road), east of LA 830-4 to Bastrop, east of LA 139 at Bastrop to junction of LA 593, east and north of LA 593 to Collinston, east of LA 138 to junction of LA 134 and south of LA 134 to Ouachita line at Wham Brake;

v. Ouachita—south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse line at Wham Bake;

vi. Richland—all;

vii. West Carroll.

2. Area 2

a. All of the following parishes are open:

i. Bienville, Bossier, Caddo, Caldwell, Claiborne, DeSoto, Jackson, Lincoln, Natchitoches, Red River, Sabine, Union, Webster, Winn;

ii. except: Kisatchie National Forest which has special regulations. Caney, Corney, Middlefork tracts of Kisatchie have the same regulations as area 2, except still hunting only for deer.

b. Portions of the following parishes are also open:

i. Allen—north of US 190 from parish line westward to Kinder, east of US 165 from Kinder northward to LA 10 at Oakdale, north of LA 10 from Oakdale westward to the parish line;

ii. Avoyelles—that portion west of I-49;

iii. Catahoula—west of Boeuf River to Ouachita River, west of Ouachita River from its confluence with Boeuf River to LA 8, north and west of LA 8 southwesterly to parish line;

iv. Evangeline—all except the following portions: east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte, and north of US 167 east of Ville Platte;

v. Grant—all except that portion south of LA 8 and east of US 165;

vi. Jefferson Davis—north of US 190;

vii. LaSalle—north of a line beginning where Little River enters Catahoula Lake, following the center of the lake eastward to Old River then to US 84, west of US 84 northward to LA 8, north of LA 8 eastward to parish line;

viii. Morehouse—west of US 165 (from Arkansas state line) to Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to Bastrop, west of LA 139 to junction of LA 593, west and south of LA 593 to Collinston, west of LA 138 to junction of LA 134 and north of LA 134 to Ouachita Parish line at Wham Brake;

ix. Ouachita—all except south of US 80 and east of Ouachita River, east of LA 139 from Sicard to junction of LA 134, south of LA 134 to Morehouse Parish line at Wham Brake;

x. Rapides—all except north of Red River and east of US 165, south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill, and north of LA 113 from Union Hill to Vernon Parish line, and that portion south of Alexandria between Red River and US 167 to junction of US 167 with I-49 at Turkey Creek exit, east of I-49 southward to parish line;

xi. Vernon—north of LA 10 from the parish line westward to LA 113, south of LA 113 eastward to parish line. Also the portion north of LA 465 west of LA 117 from Kurthwood to Leesville and north of LA 8 from Leesville to Texas state line.

c. Still hunting only in all or portions of the following parishes:

i. Claiborne and Webster—Caney, Corney and Middlefork tracts of Kisatchie National Forest (see Kisatchie National Forest regulations);

ii. Ouachita—east of Ouachita River;

iii. Rapides—west of US 167 from Alexandria southward to I-49 at Turkey Creek exit, west of I-49 southward to parish line, north of parish line westward to US 165, east of US 165 northward to US 167 at Alexandria. North of LA 465 from Vernon Parish line to LA 121, west of LA 121 to I-49, west of I-49 to LA 8, south and east of LA 8 to LA 118 (Mora Road), south and west of LA 118 to Natchitoches Parish line;

iv. Vernon—east of Mora-Hutton Road from Natchitoches Parish line to Hillman Loop Road, south and east of Hillman Loop Road to Comrade Road, south of Comrade Road to LA 465, east and north of LA 465 to Rapides Parish line.

3. Area 3

a. Portions of the following parishes are open:

i. Acadia—north of I-10;

ii. Allen—west of US 165 and south of LA 10;

iii. Beauregard—east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;

iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;

v. Jefferson Davis—north of I-10 and south of US 190;

vi. Lafayette—west of I-49 and north of I-10;

vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;

viii. St. Landry—west of US 167;

ix. Vernon— east of LA 113 to Pitkin, south of LA 10 to Allen Parish line, west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

b. Still hunting only for portions of the following parishes:

i. Acadia—north of I-10;

ii. Allen—south of US 190 and west of LA 113;

iii. Beauregard—west of LA 113 and east of LA 27 from the parish line northward to DeRidder and north of US 190 westward from DeRidder to Texas state line;

iv. Calcasieu—east of LA 27 from Sulphur northward to the parish line, and north of I-10;

v. Jefferson Davis—north of I-10 and south of US 190;

vi. Lafayette—west of I-49 and north of I-10;

vii. Rapides—south of LA 465 to junction of LA 121, west of LA 121 and LA 112 to Union Hill and north of LA 113 from Union Hill to Vernon Parish line;

viii. St. Landry—west of US 167;

ix. Vernon—west and north of LA 113, south of LA 465, east of LA 117 from Kurthwood to Leesville, and south of LA 8 from Leesville to Texas state line.

4. Area 4

a. All of St. Helena and Washington Parishes are open.

b. Portions of the following parishes are also open:

i. East Baton Rouge—all except that portion west of I-110 and west of US 61;

ii. East Feliciana—east of US 61;

iii. Livingston—north of I-12;

iv. Tangipahoa—north of I-12;

v. St. Tammany—all except that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain.

c. Still hunting only in all or portions of the following parishes:

i. East Feliciana and East Baton Rouge—east of Thompson Creek from the Mississippi state line to LA 10, north of LA 10 from Thompson Creek to LA 67 at Clinton, west of LA 67 from Clinton to Mississippi state line, south of Mississippi state line from LA 67 to Thompson Creek. Also that portion of East Baton Rouge Parish east of LA 67 from LA 64 north to Parish Line, south of Parish Line from LA 64 eastward to Amite River, west of Amite River southward to LA 64, north of LA 64 to LA 37 at Magnolia, east of LA 37 northward to LA 64 at Indian Mound, north of LA 64 from Indian Mound to LA 67. Also, that portion of East Feliciana Parish east of LA 67 from parish line north to LA 959, south of LA 959 east to LA 63, west of LA 63 to Amite River, west of Amite River southward to parish line, north of parish line westward to LA 67;

ii. St. Helena—north of LA 16 from Tickfaw River at Montpelier westward to LA 449, east and south of LA 449 from LA 16 at Pine Grove northward to Rohner Road, south of Rohner Road to LA 1045, south of LA 1045 to the Tickfaw River, west of the Tickfaw River from LA 1045 southward to LA 16 at Montpelier;

iii. Tangipahoa—that portion of Tangipahoa Parish north of LA 10 from the Tchefuncte River to LA 1061 at Wilmer, east of LA 1061 to LA 440 at Bolivar, south of LA 440 to the Tchefuncte River, west of the Tchefuncte River from LA 440 southward to LA 10;

iv. Washington and St. Tammany—east of LA 21 from the Mississippi state line southward to the Bogue Chitto River, north of the Bogue Chitto River from LA 21 eastward to the Pearl River Navigation Canal, east of the Pearl River Navigation Canal southward to the West Pearl River, north of the West Pearl River from the Pearl River Navigation Canal to Holmes Bayou, west of Holmes Bayou from the West Pearl River northward to the Pearl River, west of the Pearl River from Holmes Bayou northward to the Mississippi state line, south of the Mississippi state line from the Pearl River westward to LA 21. Also, that portion of Washington Parish west of LA 25 from the Mississippi state line southward to the Bogue Chitto River, then west of the Bogue Chitto River to its junction with the St. Tammany Parish line, north of the St. Tammany Parish line to the Tangipahoa Parish line, east of the Tangipahoa Parish line to the Mississippi state line, south of the Mississippi state line to its junction with LA 25.

5. Area 5

a. Portions of the following parishes are open:

i. St. Martin—south of I-10 and east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

ii. Iberville—south of I-10 and west of the East Atchafalaya Basin Protection Levee;

iii. Iberia—east of the West Atchafalaya Basin Protection Levee and west of the East Atchafalaya Basin Protection Levee;

iv. St. Mary—east of the West Atchafalaya Basin Protection Levee;

v. high water benchmark closure. Deer hunting in those portions of Iberville and St. Martin parishes south of I-10, west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee, and north of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 18 feet msl at Butte LaRose, and will reopen when the river stage recedes to 17 feet msl at Butte LaRose. Deer hunting in those portions of Iberville, St. Martin, St. Mary and Iberia parishes west of the East Atchafalaya Basin Protection Levee, east of the West Atchafalaya Basin Protection Levee and south of Alligator Bayou and Bayou Sorrel will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose, and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

6. Area 6

a. All of West Feliciana and Pointe Coupee Parish is open.

b. Portions of the following parishes are also open:

i. Avoyelles—all except that portion west of I-49;

ii. East Baton Rouge—that portion west of I-110 and west of US 61;

iii. East Feliciana—west of US 61;

iv. Evangeline—that portion east of I-49 to junction of LA 29, east of LA 29 south of I-49 to Ville Platte and north of US 167 east of Ville Platte;

v. Iberville—all north of I-10, and that portion south of I-10 at the Atchafalaya Basin protection levee south to Upper Grand River, then north of Upper Grand River to the Intracoastal Canal at Jack Miller, then west of the Intracoastal Canal northward to Bayou Plaquemine, then north of Bayou Plaquemine to the Mississippi River;

vi. Lafayette—north of I-10 and east of I-49;

vii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

viii. St. Landry—east of US 167;

ix. St. Martin—north of I-10;

x. West Baton Rouge—north I-10.

c. Still hunting only in all or portions of the following parishes:

i. Avoyelles—north of LA 1 from Simmesport westward to LA 115 at Marksville, east of LA 115 from Marksville northward to the Red River near Moncla, south and west of the Red River to LA 1 at Simmesport;

ii. Rapides—south of Alexandria between Red River and US 167 to the junction of US 167 with I-49 at Turkey Creek Exit, east of I-49 southward to parish line;

iii. West Feliciana—west of Thompson Creek to Illinois-Central Railroad, north of Illinois-Central Railroad to Parish Road #7, east of Parish Road #7 to the junction of US 61 and LA 966, east of LA 966 from US 61 to Chaney Creek, south of Chaney Creek to Thompson Creek.

7. Area 7

a. Portions of the following parishes are open:

i. Iberia—south of LA 14 and west of US 90;

ii. St. Mary—all except that portion north of US 90 from Iberia Parish line eastward to Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River.

8. Area 8

a. Portions of the following parishes are open:

i. Beauregard—that portion west of LA 27 from parish line northward to DeRidder, south of US 190 from DeRidder to Texas state line;

ii. Calcasieu—that portion west of LA 27 from the parish line southward to Sulphur and north of I-10 from Sulphur to the Texas state line.

9. Area 9

a. All of the following parishes are open: Ascension, Assumption, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John, Terrebonne.

b. Portions of the following parishes are open:

i. Iberia—east of US 90 and west of the West Atchafalaya Basin Protection Levee and east of the East Atchafalaya Basin Protection Levee;

ii. Iberville—east of the East Atchafalaya Basin Protection Levee and south of Upper Grand River to the Intracoastal Canal to Bayou Plaquemines, then south of Bayou Plaquemines to the Mississippi River;

iii. Lafayette—south of I-10 and east of US 90;

iv. Livingston—south of I-12;

v. St. Martin—west of the Atchafalaya Basin Protection Levee and south of I-10. East of the East Atchafalaya Basin Protection Levee and south of I-10;

vi. St. Mary—east of US 90 from Iberia Parish line to the Wax Lake Outlet, east of Wax Lake Outlet southward to Intracoastal Waterway, north of Intracoastal Waterway eastward to the Atchafalaya River, east of the Atchafalaya River except for portion within the East and West Atchafalaya Basin Protection Levees;

vii. St. Tammany—that portion south of I-12, west of LA 1077 to LA 22, south of LA 22 to Tchefuncte River, west of Tchefuncte River southward to Lake Pontchartrain;

viii. Tangipahoa—south of I-12.

c. Still hunting only in all or portions of the following parishes:

i. Iberville—east of the Mississippi River;

ii. Plaquemines—east of the Mississippi River;

iii. St. Bernard—all of the parish shall be still hunting only except that portion of St. Bernard known as the spoil area between the MRGO on the east and Access Canal on the west, south of Bayou Bienvenue and north of Bayou la Loutre;

iv. St. John—south of Pass Manchac from Lake Pontchartrain to US 51, east of US 51 from Pass Manchac to LA 638 (Frenier Beach Road). North of LA 638 from US 51 to Lake Pontchartrain, west of Lake Pontchartrain from LA 638 to Pass Manchac.

10. Area 10

a. All of Cameron and Vermillion Parishes are open.

b. Portions of the following parishes are open:

i. Acadia—south of I-10;

ii. Calcasieu—south of I-10;

iii. Iberia—west of US 90 and north of LA 14;

iv. Jefferson Davis—south of I-10;

v. Lafayette—south of I-10 and west of Hwy 90.

G. WMA Regulations

1. General

a. The following rules and regulations concerning the management, protection and harvest of wildlife have been officially approved and adopted by the Wildlife and Fisheries Commission in accordance with the authority provided in *Louisiana Revised Statutes* of 1950, section 109 of title 56. Failure to comply with these regulations will subject individual to citation and/or expulsion from the management area.

b. Citizens are cautioned that by entering a WMA managed by the LDWF they may be subjecting themselves and/or their vehicles to game and/or license checks, inspections and searches.

c. WMA seasons may be altered or closed anytime by the LDWF secretary in emergency situations (floods, fire or other critical circumstances).

d. Hunters may enter the WMA no earlier than 4 a.m. unless otherwise specified. Hunters must check out and

exit the WMA no later than two hours after sunset, or as otherwise specified.

e. Private lands, regardless of number of parcels or size, completely within WMA boundaries (including those that are bordered by a public road or waterway) will have the same deer season dates and regulations pertaining to baiting and use of dogs as the WMA within which the lands are enclosed; except private lands enclosed within a WMA and enrolled in DMAP may elect to hunt according to regular deer season dates and baiting regulations applicable to the Deer Area in which the lands are located. Interested parties should contact the nearest LDWF region office for additional information.

f. Dumping garbage or trash on WMAs is prohibited. Garbage and trash may be properly disposed of in designated locations if provided.

g. Disorderly conduct or hunting under influence of alcoholic beverages, chemicals and other similar substances is prohibited.

h. Damage to or removal of trees, shrubs, hard mast (including but not limited to acorns and pecans), wild plants, non-game wildlife (including reptiles and amphibians) or any species of butterflies, skippers or moths is prohibited without a permit from the LDWF. Gathering and/or removal of American lotus (grande volèe, *Nelumbo lutea*) seeds and pods, soft fruits, mushrooms and berries shall be limited to five gallons per person per day.

i. Burning of marshes is prohibited. Hunting actively burning marsh is prohibited.

j. Nature Trails. Trails shall be limited to pedestrians only. No vehicles, ATVs, horses, mules, bicycles, etc. allowed. Removal of vegetation (standing or down) or other natural material prohibited.

k. Deer seasons are for legal antlered deer unless otherwise specified.

l. Small game, when listed under the WMA regulations may include both resident game animals and game birds as well as migratory species of birds.

m. Oysters may not be harvested from any WMA, except that oysters may be harvested from private oyster leases and state seed grounds located within a WMA, when authorized by the Wildlife and Fisheries Commission and upon approval by the Department of Health and Hospitals.

n. Free ranging livestock prohibited.

o. Operation of drones or unmanned aerial vehicles (UAV) on WMAs is prohibited.

p. Operating, modifying, tampering with or altering any water control structures on WMAs is prohibited.

q. Limited Access Areas (LAA): Operation of internal combustion powered vessels prohibited September through January. Vehicles prohibited November through January. Limited access areas are on Atchafalaya Delta, Boeuf, Dewey W. Wills, Joyce, Manchac, Pass-a-Loutre, Pointe-aux-Chenes and Russell Sage WMAs. See WMA maps for specific locations.

2. Permits

a. A WMA hunting permit is required for persons ages 18 through 59 to hunt on WMAs.

b. Self-Clearing Permits. A self-clearing permit is required for all activities (hunting, fishing, hiking, bird watching, sightseeing, etc.) on WMAs. The self-clearing permit will consist of two portions: check in, check out. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA self-clearing permit from an information station. Users may check in one day in advance of use. Users that check in by electronic means are required to possess proof of check in and must check out within 24 hours. If utilizing paper Self-Clearing Permit from an information station, check in portion must be completed and put in a permit box before each day's activity. The check out portion must be carried by each person while on the WMA and must be completed and put in a permit box immediately upon exiting the WMA. No permit is required of fishers and boaters who do not travel on a WMA road and/or launch on the WMA as long as they do not get out of the boat and onto the WMA. When mandatory deer checks are specified on WMAs, hunters must check deer at a check station. When mandatory check in for deer seasons is specified on WMAs, hunters must check in at designated locations, and obtain a daily hunt permit. Self-clearing permits are not required for persons only traveling through the WMA provided that the most direct route is taken and no activities or stops take place.

c. Persons using WMAs or other LDWF administered lands for any purpose must possess one of the following: a valid wild Louisiana stamp, a valid Louisiana fishing license, or a valid Louisiana hunting license. Persons younger than 16 or older than 60 years of age are exempt from this requirement. Additionally, a self-clearing WMA permit, detailed above, is required (available at most entrances to each WMA and electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal).

3. Special Seasons

a. Youth Deer Hunt. Youths 17 or younger only. Youths must be accompanied by an adult 18 years of age or older. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. Legal firearms are the same as described for deer hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Contact the appropriate region office for maps of specific hunting areas. Either-sex deer may be taken

on WMAs with youth hunts. Consult the regulations pamphlet for WMAs offering youth hunts.

NOTE: Some hunts may be by pre-application lottery.

b. Youth Squirrel Hunt (on selected WMAs only). Only youths 17 or younger may hunt. Squirrel, rabbit, raccoon, hogs and opossum may be taken. No dogs allowed. All other seasons will remain open to other hunters. Youths must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for the youth. Adults may not possess a firearm. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Self-clearing permits are required. Consult the regulations pamphlet for WMAs offering youth squirrel hunts.

c. Youth Mourning Dove Hunt. A youth mourning dove hunt will be conducted on specific WMAs and will follow the same regulations provided for youth deer hunts on the first or second weekend of the mourning dove season (Saturday and/or Sunday only). Consult the regulations pamphlet for WMAs offering youth mourning dove hunts.

d. Physically Challenged Season. An either-sex deer season will be held for hunters possessing a physically challenged hunter permit on WMAs during the dates specified under the individual WMA. Participants must possess a physically challenged hunter permit. Contact region office for permit application and map of specific hunting area. Consult the regulations pamphlet for WMAs offering physically challenged seasons.

e. Turkey Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadlines. Contact region offices for more details.

f. Waterfowl Lottery Hunts. Hunts restricted to those persons selected by lottery. Consult the regulations pamphlet for deadline. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

g. Mourning Dove Lottery Hunts. Consult regulations pamphlet for individual WMA schedules or contact any Wildlife Division office for more details.

h. Trapping. Consult annual trapping regulations for specific dates. All traps must be run daily. Traps with teeth are illegal. Hunter orange required when a deer gun season is in progress.

i. Raccoon Hunting. A licensed hunter may take raccoon or opossum, two per person per day, during daylight hours only, during the open hunting season in progress on WMAs.

Nighttime Experimental—all nighttime raccoon hunting where allowed is with dogs only. There is no bag limit. Self-clearing permit required.

j. Sport Fishing. Sport fishing, crawfishing and frogging are allowed on WMAs when in compliance with current laws and regulations except as otherwise specified under individual WMA listings.

k. Small Game Emphasis Areas. Specially designated areas on certain WMAs will allow small game hunting with dogs, confined to that specific area when the remainder of the WMA is restricted to still hunt only. Additionally, off season training of rabbit and bird dogs may be allowed on some of the small game emphasis areas. Small game emphasis areas are offered on Big Colewa Bayou, Bayou Macon, Bayou Pierre, Boeuf, Dewey W. Wills, Marsh Bayou, Pomme de Terre, Richard K. Yancey, Russell Sage, Sandy Hollow, Sherburne, Tunica Hills and Walnut Hill WMAs.

4. Firearms

a. Firearms having live ammunition in the chamber, magazine, cylinder or clip when attached to firearms and crossbows cocked in the ready position are not allowed in or on vehicles, boats under power, motorcycles, ATVs, UTVs, ATCs or in camping areas on WMAs. Firearms may not be carried on any area before or after permitted hours except in authorized camping areas and except as may be permitted for authorized trappers.

b. Firearms and bows and arrows are not allowed on WMAs during closed seasons except on designated shooting ranges or as permitted for trapping and except as allowed pursuant to R.S. 56:109(C) and R.S. 56:1691. Bows and broadhead arrows are not allowed on WMAs except during deer archery season, turkey season or as permitted for bowfishing. Active and retired law enforcement officers in compliance with POST requirements, federal law enforcement officers and holders of Louisiana concealed handgun permits or permit holders from a reciprocal state who are in compliance with all other state and federal firearms regulations may possess firearms on WMAs provided these firearms are not used for any hunting purpose.

c. Encased or broken down firearms and any game harvested may be transported through the areas by the most direct route provided that no other route exists except as specified under WMA listing.

d. Loaded firearms are not allowed near WMA check stations.

e. The following cannot be carried onto any WMA except during modern and primitive firearm deer seasons and during special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador WMAs (consult regulations pamphlet for specific WMA regulations):

i. centerfire rifles;

ii. centerfire break-action and centerfire bolt-action handguns;

iii. centerfire scoped handguns;

iv. shotgun slugs or shot larger than BB lead or F steel.

f. Target shooting and other forms of practice shooting are prohibited on WMAs except as otherwise specified.

g. Discharging of firearms on or across, or hunting from designated roads, ATV/UTV trails, nature trails, hiking trails, and their rights-of-way is prohibited during the modern firearms and primitive firearms deer seasons.

5. Methods of Taking Game

a. Moving deer or hogs on a WMA with organized drives and standers, drivers or making use of noises or noise-making devices is prohibited.

b. On WMAs the daily limit shall be one antlered deer and one antlerless deer (when legal) per day, not to exceed the Deer Area limit for the Deer Area that a WMA is contained within (all segments included) by all methods of take.

c. Baiting, hunting over bait, or possession of bait is prohibited on all WMAs, except bait may be kept in a vehicle traversing a WMA road or parked on a WMA road. Bait is defined as any substance used to attract game via ingestion.

d. During mandatory deer check hunts, deer may not be skinned nor have any external body parts removed including but not limited to feet, legs, tail, head or ears before being checked out.

e. Deer hunting on WMAs is restricted to still hunting only.

f. Construction of and/or hunting from permanent tree stands or permanent blinds on WMAs is prohibited. Any permanent stand or permanent blind will be removed and destroyed. A permanent blind is any blind using non-natural materials or having a frame which is not dismantled within two hours after the end of legal shooting time each day. Blinds with frames of wood, plastic, metal poles, wire, mesh, webbing or other materials may be used but must be removed from the WMA within two hours after the end of legal shooting time each day. Blinds made solely of natural vegetation and not held together by nails or other metallic fasteners may be left in place but cannot be used to reserve hunting locations. Natural vegetation (including any material used as corner posts) is defined as natural branches that are 2 inches or less in diameter. All decoys must be removed from the WMA daily. Permanent tree stands are any stands that use nails, screws, spikes, etc., to attach to trees and are strictly prohibited. Deer stands may not be left on WMAs unless the stands are removed from trees, placed flat on the ground, and left in a non-hunting position (a non-hunting position is one in which a hunter could not hunt from the stand in its present position). Also, all stands left must be legibly tagged with the user's name, address, phone number and LDWF ID number. No stand may be left on any WMA prior to the day before deer season opens on that WMA and all stands must be removed from the WMA within one day after the close of deer hunting on that WMA. Free standing blinds must be disassembled when not in use. Stands left will not reserve hunting sites for the owner or user. All portable stands, blinds, tripods, etc., found unattended in a hunting position, not placed flat on the ground, or untagged will be confiscated and disposed of by the LDWF. LDWF is not responsible for unattended stands left on an area.

g. Physically Challenged Wheelchair Confined Deer and Waterfowl Hunting Areas: special deer and waterfowl hunting areas, blinds and stands identified with LDWF logos, have been established for physically challenged hunter permit (PCHP) wheelchair confined hunters on WMAs. Hunters must obtain a PCHP permit and are required to make reservations to use blinds and stands. PCHP wheelchair hunting areas are available on Alexander State Forest, Bayou Pierre, Big Colewa Bayou, Buckhorn, Clear Creek, Floy McElroy, Fort Polk-Vernon, Maurepas Swamp, Russell Sage, Sandy Hollow, and Sherburne WMAs. Check WMA hunting schedules or call the LDWF field offices in Pineville, Lafayette, Lake Charles, Minden, Monroe or Hammond for information.

h. Hunting from utility poles and structures, and oil and gas exploration facilities or platforms is prohibited.

i. It is illegal to save or reserve hunting locations using permanent stands or blinds. Stands or blinds attached to trees with screws, nails, spikes, etc. are illegal.

j. Tree climbing spurs, spikes or screw-in steps are prohibited.

k. Unattended decoys will be confiscated and forfeited to the LDWF and disposed of by the LDWF. This action is necessary to prevent preemption of hunting space.

l. Spot lighting (shining) from vehicles is prohibited on all WMAs.

m. Horses and mules may be ridden on WMAs except where prohibited and except during gun seasons for deer and turkey. Riding is restricted to designated roads and trails depicted on WMA map, self-clearing permit is required. Organized trail rides prohibited except allowed by permit only on Camp Beauregard. Hunting and trapping from horses and mules is prohibited except for quail hunting or as otherwise specified. Horse-drawn conveyances are prohibited.

n. All hunters (including archers and small game hunters) except waterfowl hunters and mourning dove hunters on WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during open gun season for deer. Quail and woodcock hunters and hunters participating in special dog seasons for rabbit, squirrel and feral hogs are required to wear a minimum of a "hunter orange" or "blaze pink" cap. All other hunters and archers (while on the ground) except waterfowl hunters also must wear a minimum of a "hunter orange" or "blaze pink" cap during special dog seasons for rabbit and squirrel and feral hogs. Also all persons afield during hunting seasons are encouraged to display "hunter orange" or "blaze pink". Hunters participating in special shotgun season for feral hogs on Atchafalaya Delta, Pass-a-

Loutre, Pointe-aux-Chenes and Salvador WMAs must display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap.

o. Deer hunters hunting from concealed ground blinds must display a minimum of 400 square inches of "hunter orange" or "blaze pink" above or around their blinds which is visible from 360 degrees.

p. Archery Season for Deer. The archery season on WMAs is the same as outside and is open for either-sex deer except as otherwise specified on individual WMAs. Archery season restricted on Atchafalaya Delta and closed on certain WMAs when special seasons for youth or physically challenged hunts are in progress. Consult regulations pamphlet for specific seasons.

q. Either-sex deer may be taken on WMAs at any time during archery season except when bucks only seasons are in progress on the respective WMAs. Archers must abide by bucks only regulations and other restrictions when such seasons are in progress.

r. Primitive Firearms Season for Deer. Either-sex unless otherwise specified. See WMA deer schedule. Except youths 17 or younger may use any legal weapon during the primitive firearm season.

6. Camping

a. Camping on WMAs, including trailers, houseboats, vessels, recreational vehicles and tents, is allowed only in designated areas and for a period not to exceed 16 consecutive days, regardless if the camp is attended or unattended. At the end of the 16-day period, camps must be removed from the area for at least 48 hours. Camping area use limited exclusively to outdoor recreational activities. Camping is available on a first-come, first-serve basis unless otherwise specified.

b. Houseboats and vessels utilized for recreational activities are prohibited from overnight mooring within WMAs except on stream banks adjacent to designated camping areas. Overnight mooring of vessels that provide lodging for hire are prohibited on WMAs. Houseboats and vessels shall not impede navigation. On Atchafalaya Delta WMA houseboats may be moored by permit only in designated areas during hunting season. Permits are available by lottery annually or by five year lease through a bid program.

c. Discharge of human waste onto lands or waters of any WMA is strictly prohibited by state and federal law. In the event public restroom facilities are not available at a WMA, the following is required. Anyone camping on a WMA in a camper, trailer, or other unit (other than a houseboat or tent) shall have and shall utilize an operational disposal system attached to the unit. Tent campers shall have and shall utilize portable waste disposal units and shall remove all human waste from the WMA upon leaving. Houseboats moored on a WMA shall have a permit or letter of certification from the Health Unit (Department of Health and Hospitals) of the parish within which the WMA occurs verifying that it has an approved sewerage disposal system on board. Further, that system shall be utilized by occupants of the houseboats when on the WMA.

d. No refuse or garbage may be dumped from these boats.

e. Firearms may not be kept loaded or discharged in a camping area unless otherwise specified.

f. Campsites must be cleaned by occupants prior to leaving and all refuse placed in designated locations when provided or carried off by campers.

g. Trash must be contained at all times while camping.

h. Burning of trash is prohibited.

i. Glass containers prohibited on campgrounds.

j. Non-compliance with camping regulations will subject occupant to immediate expulsion and/or citation, including restitution for damages.

k. Swimming is prohibited within 100 yards of boat launching ramps.

7. Restricted Areas

a. For your safety, all oil and gas production facilities (wells, pumping stations and storage facilities) are off limits.

b. No unauthorized entry or unauthorized hunting in restricted areas, refuges, or limited use areas unless otherwise specified.

8. Dogs. All use of dogs on WMAs, except for bird hunting and duck hunting, is experimental as required by law. Having or using dogs on any WMA is prohibited except for nighttime experimental raccoon hunting, squirrel hunting, rabbit hunting, bird hunting, duck hunting, hog hunting and bird dog training when allowed; see individual WMA season listings for WMAs that allow dogs. Dogs running at large are prohibited on WMAs. The owner or handler of said dogs shall be liable. Only recognizable breeds of bird dogs and retrievers are allowed for quail and migratory bird hunting. Only beagle hounds which do not exceed 15 inches at the front shoulders and which have recognizable characteristics of the breed may be used on WMAs having experimental rabbit seasons. A leashed dog may be used to trail and retrieve wounded or unrecovered deer during legal hunting hours. Any dog used to trail or retrieve wounded or unrecovered deer shall have on a collar with owner's name, address and phone number. In addition, a dog may be used to trail and retrieve unrecovered deer after legal hunting hours; however, no person accompanying a dog after legal hunting hours may carry a firearm of any sort.

9. Vehicles

a. An all-terrain vehicle is an off-road vehicle (not legal for highway use) with factory specifications not to exceed the following: weight-750 pounds, length-85", and width-48". ATV tires are restricted to those no larger than 26 x 12 with a maximum l" lug height and a maximum allowable tire pressure of 12 psi. as indicated on the tire by the manufacturer. Use of all other ATVs or ATV tires are prohibited on a WMA.

b. *Utility Type Vehicle* (*UTV*, also *Utility Terrain Vehicle*)—any recreational motor vehicle other than an ATV, not legal for highway use, designed for and capable of travel over designated unpaved roads, traveling on four or more low-pressure tires, with factory specifications not to exceed the following: weight-1900 pounds, length-128" and width-68". UTV tires are restricted to those no larger than 27 x 12 with a maximum 1" lug height and a maximum allowable tire pressure of 12 psi. UTV's are commonly referred to as side by sides and may include golf carts.

c. Vehicles having wheels with a wheel-tire combination radius of 17 inches or more measured from the center of the hub and horizontal to ground are prohibited.

d. The testing, racing, speeding or unusual maneuvering of any type of vehicle is prohibited within WMAs due to property damages resulting in high maintenance costs, disturbance of wildlife and destruction of forest reproduction.

e. Tractor or implement tires with farm tread designs Rl, R2 and R4 known commonly as spade or lug grip types are prohibited on all vehicles.

f. Airboats, aircraft, personal water craft, "mud crawling vessels" (commonly referred to as crawfish combines which use paddle wheels for locomotion) and hover craft are prohibited on all WMAs and refuges, except type A personal water craft, model year 2003 and beyond, which are eight feet in length and greater, may be operated within WMAs except Bussey Brake WMA from April 1 until the Monday of Labor Day weekend, from sunrise to sunset only, and except personal water craft allowed on designated portions of Alexander State Forest WMA year-round. Personal water craft are defined as a vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and is designed to be operated by a person sitting, standing or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel. No person shall operate such water craft at a speed greater than slow/no wake within 100 feet of an anchored or moored vessel, shoreline, dock, pier, or persons engaged in angling or any other manually powered vessel.

g. Driving or parking vehicles on food or cover plots and strips is prohibited.

h. Blocking the entrance to roads and trails is prohibited.

i. Licensed motorized vehicles (LMVs) legal for highway use, including motorcycles, are restricted entirely to designated roads as indicated on WMA maps. UTVs are restricted to marked UTV trails only, except that those UTVs in which the manufacturer's specifications do not exceed the weight, length, width, and tire restrictions for ATVs are allowed on ATV trails. ATVs are restricted to marked ATV trails only. When WMA roads are closed to LMVs, ATVs and UTVs may then use those roads when allowed. This restriction does not apply to bicycles.

NOTE: Only ATV and UTV trails marked with signs and/or paint, and depicted on WMA maps are open for use.

j. Use of special ATV/UTV trails for physically challenged persons is restricted to ATV/UTV physically challenged permittees. Physically challenged ATV/UTV permittees are restricted to physically challenged ATV/UTV trails or other ATV/UTV trails only as indicated on WMA maps or as marked by sign and/or paint. Persons 60 years of age and older, with proof of age, are also allowed to use special physically challenged trails and need not obtain a permit. However, these persons must abide by all rules in place for these trails. Physically challenged persons under the age of 60 must apply for and obtain a physically challenged hunter program permit from the LDWF.

k. Entrances to ATV trails will be marked with peach colored paint. Entrances to physically challenged-only ATV/UTV trails will be marked with blue colored paint. Entrances to ATV/UTV trails that are open year round will be marked with purple paint. The end of all ATV/UTV trails will be marked by red paint. WMA maps serve only as a general guide to the route of most ATV/UTV trails, therefore all signage and paint marking as previously described will be used to determine compliance.

l. Roads and trails may be closed due to poor condition, construction or wet weather.

m. ATVs, and motorcycles cannot be left overnight on WMAs except on designated camping areas. ATVs are prohibited from two hours after sunset to 4 a.m., except raccoon hunters may use ATVs during nighttime raccoon take seasons only. ATVs are prohibited from March 1 through August 31 except squirrel hunters are allowed to use ATV trails during the spring squirrel season on the WMA and except certain trails may be open during this time period to provide access for fishing or other purposes and some ATV trails will be open all year long on certain WMAs.

n. Caution. Many LDWF-maintained roadways on WMAs are unimproved and substandard. A maximum 20 mph speed limit is recommended for all land vehicles using these roads, unless specific signage otherwise allows or restricts.

o. Hunters are allowed to retrieve their own downed deer and hogs with the aid of an ATV or electric bicycle except on Thistlethwaite, Sherburne, Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes, Salvador, Timken, Lake Boeuf, Biloxi, and the Crusel Tract of Maurepas Swamp WMAs under the following conditions:

i. no firearms or archery equipment is in possession of the retrieval party or on the ATV;

ii. the retrieval party may consist of no more than one ATV and one helper;

iii. ATVs may not be used to locate or search for wounded game or for any other purpose than retrieval of deer and hogs once they have been legally harvested and located;

iv. UTV's may not be used to retrieve downed deer or hogs.

p. No wake zones. Operation of vessels beyond bare steerage speed (the slowest speed a vessel can travel while

allowing the operator to maintain directional control of the vessel) in posted no wake zones is prohibited.

q. Electric bicycles are restricted to designated roads and ATV/UTV trails.

10. Commercial Activities

a. Hunting Guides/Outfitters. No person or group may act as a hunting guide, outfitter or in any other capacity for which they are paid or promised to be paid directly or indirectly by any other individual or individuals for services rendered to any other person or persons hunting on any WMA, regardless of whether such payment is for guiding, outfitting, lodging or club memberships.

b. Except for licensed activities otherwise allowed by law, commercial activities are prohibited without a permit issued by the secretary of the LDWF.

c. Commercial Fishing. Permits are required of all commercial fishermen using Grassy Lake, Pomme de Terre and Spring Bayou WMAs. Drag seines (except minnow and bait seines) are prohibited except experimental bait seines allowed on Dewey Wills WMA north of LA 28 in Diversion Canal. Commercial fishing is prohibited during regular waterfowl seasons on Grand Bay, Silver Lake and Lower Sunk Lake on Richard K. Yancey WMA. Commercial fishing is prohibited on Salvador/Timken, Pointe-aux-Chenes, and Russell Sage WMAs except commercial fishing on Pointe-aux-Chenes is allowed in Cut Off Canal. No commercial fishing activity shall impede navigation and no unattended vessels or barges will be allowed. Non-compliance with permit regulations will result in revocation of commercial fishing privileges for the period the license is issued and one year thereafter. Commercial fishing is allowed on Pass-a-Loutre and Atchafalaya Delta WMAs. See Pass-a-Loutre for additional commercial fishing regulations on mullet.

11. WMAs Basic Season Structure. For season dates, bag limits, shooting hours, special seasons and other information consult the annual regulations pamphlet for specific details.

12. Resident Small Game (squirrel, rabbit, quail, mourning dove, woodcock, snipe, rail and gallinule). Same as outside except closed during modern firearm either-sex deer seasons on certain WMAs (see WMA schedule) and except non-toxic shot, size 6 or smaller must be used for dove, rail, snipe, and gallinule. Unless otherwise specified under a specific WMA hunting schedule, the use of dogs for rabbit and squirrel hunting is prohibited. Spring squirrel season with or without dogs: first Saturday of May for nine days. Consult regulations pamphlet for specific WMAs.

13. Waterfowl (ducks, geese and coots). Consult regulations pamphlet. Hunting after 2 p.m. prohibited on all WMAs except for Atchafalaya Delta, Biloxi, Pass-a-Loutre, and Salvador/Timken WMAs. Consult specific WMA regulations for shooting hours on these WMAs.

14. Archery. Consult regulations pamphlet.

15. Hogs. Feral hogs may be taken during any open hunting season on WMAs by properly licensed and/or permitted hunters using only guns or bow and arrow legal for specified seasons in progress, except take of hogs is prohibited during nighttime raccoon seasons. Hogs may not be taken with the aid of dogs, except feral hogs may be taken with the aid of dogs during the month of February on Attakapas, Bodcau, Clear Creek, Little River, Pearl River, Sabine, Sabine Island, and West Bay and that portion of Dewey W. Wills north of the Catahoula Lake Diversion Canal by self-clearing permit. All hogs must be killed immediately and may not be transported live under any conditions. During the February dog season hunters may use centerfire handguns in addition to using guns allowed for season in progress. Additionally, feral hogs may be taken on Atchafalaya Delta, Pass-a-Loutre, Pointe-aux-Chenes and Salvador/Timken WMAs from February 16 through March 31 with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber. Additional requirements may be specified under individual WMAs, see regulation pamphlet.

16. Outlaw Quadrupeds and Birds. Consult regulations pamphlet. During hunting seasons specified on WMAs, except the turkey and spring squirrel seasons, take of outlaw quadrupeds and birds, with or without the use of electronic calls, is allowed by properly licensed hunters and only with guns or bows and arrows legal for season in progress on WMA. However, crows, blackbirds, grackles and cowbirds may not be taken before September 1 or after January 1. As described in 50 CFR Part 21, non-toxic shot must be used for the take of crows, blackbirds, cowbirds and grackles under the special depredation order. In addition an annual report has to be submitted to the U.S. Fish and Wildlife Service for those that participate in the take of these species.

17. WMAs Hunting Schedule and Regulations

a. Acadiana Conservation Corridor. Self-Clearing Permit required for all activities.

i. Archery Only: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

ii. All other seasons closed. No motorized vehicles allowed and no access via I-49 right-of-way.

b. Alexander State Forest. From December through February all hunters must check daily with the Office of Forestry for scheduled burning activity. No hunting or other activity will be permitted in burn units the day of the burning. Call 318-487-5172 or 318-487-5058 for information on burning schedules. Attaching stands to Red Cockaded Woodpecker cavity trees is prohibited. Cavity trees are marked with painted, double white bands. Self-Clearing Permits required for hunters only. Vehicles restricted to paved and graveled roads. No parking on or fishing or swimming from bridges. No open fires except in recreational areas. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Pineville or Baton Rouge Offices for details and applications. PCHP blind hunting by reservation for Class I, III and IV PCHP permittees only.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex. PCHP blinds: Oct. 1-Oct. 7, either sex.

(b). Firearms: first Sat. of Nov. for 2 days, either sex. Mandatory Deer Check; Fri. after Thanksgiving Day for 3 days, bucks only. PCHP blinds: Fri. after Thanksgiving Day for 3 days, bucks only; 4th Sat. of Oct. for 2 days, 1st Sat. of Nov. for 2 days, Mandatory Deer Check; 2nd Sat. in Dec. for 2 days, 3rd Sat. in Dec. for 2 days, either sex.

(c). Primitive Firearms: 2nd Sat. of Oct. for 2 days. Mandatory Deer Check.

ii. Small Game: same as outside except closed during primitive firearms season and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

iii. Waterfowl: same as outside. (Certain areas may be closed as posted).

c. Atchafalaya Delta. Self-Clearing Permit required for all activities. All persons must either check in/check out electronically through the LDWF WMA Self-Clearing Permit app/Internet Web Portal or obtain a WMA Self-Clearing Permit from an information station located at Main Delta campground, Wax Delta Campground, Cul-de-sac on Big Island, and Berwick Public Boat Launch (Jesse Fontenot Boat Launch). Camping and houseboat mooring allowed ONLY in designated campgrounds. Houseboat mooring allowed by permit only (see Subparagraph G. 6. Camping b. for details). Vessels/Vehicles: Mudboats or air-cooled propulsion vessels powered by more than 36 total horsepower are prohibited on the WMA. All ATVs/UTVs, motorcycles, horses and mules prohibited except as permitted for authorized WMA trappers. Big Island: closed to all activities during the month of October, except LDWF Lottery Hunts.

i. Deer Archery (either-sex): Oct. 1 - Jan. 31 on Main Delta only (Big Island closed during October); no deer hunting on Wax Lake Delta. All harvested deer must be checked in at Atchafalaya Delta Headquarters.

ii. Deer Youth Lottery (either-sex): 2nd Sat. of Oct. for 2 days; 3rd Sat. of Oct. for 2 days, daily youth hunt permit required. Call the Lafayette Field Office, Coastal WMAs at 337-735-8667 for details.

iii. Small Game: same as outside except Rabbit Only:

(a). Wax Lake Delta: 1st Sat. of Oct. through last day of Feb. Beagles prohibited November through January.

(b). Main Delta: 1st day of Feb. through last day of Feb. with or without beagles. Closed October through January.

iv. Waterfowl: same as outside, except shooting hours shall be 1/2 hour before sunrise to 2 p.m. during opening weekends of teal and duck season and 1/2 hour before sunrise to sunset the remainder of the season, and except shooting hours are the same as outside for the Youth Hunt weekend.

v. Feral Hogs: may be taken by properly licensed hunters Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of “hunter orange” or “blaze pink” and wear a “hunter orange” or “blaze pink” cap during special shotgun season for feral hogs. All harvested hogs must be checked in at the Atchafalaya Delta WMA headquarters.

d. Attakapas. Area closed to all except Youth Deer Hunters when the Youth deer season is open.

i. Deer

(a). Deer hunting will be closed when the river stage of the Atchafalaya River reaches 15 feet msl at Butte LaRose and will reopen when the river stage recedes to 14 feet msl at Butte LaRose.

(b). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

(c). Youth: last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-Sex: Fri. after Thanksgiving Day for 2 days.

(e). Firearms Bucks Only: 4th Sat. of Dec. for 9 days.

(f). Primitive Firearms (Bucks only): 3rd Saturday of January for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except small game hunting closed during either-sex modern firearms seasons closed during youth deer seasons and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

e. Bayou Macon. Area Closed: To all except Youth Deer Hunters last Sat. of Oct. for 2 days. All night activities prohibited except as otherwise provided.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms: Either sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Primitive Firearms: 3rd Sat. of Dec. for 9 days.

ii. Turkey: General Lottery: Last Sat. of Area B season for 2 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex modern firearms season and open to squirrel hunting during the spring season, 1st Sat. of

May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after 3rd Sat. of Oct.-Sun. prior to firearms either-sex deer, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon: (Nighttime): Sept. 1st for 16 days and 1st Sat. of Jan. to the last day of Feb.

f. Bayou Pierre. Waterfowl Refuge is closed to all hunting, trapping and fishing except for archery hunting for deer, which is allowed on the entire area. Refuge is marked with "Waterfowl Refuge" signs. Contact Minden Office for details for lottery hunts listed below at 318-371-3050.

i. Deer

(a). Archery Only: Oct. 1-Jan. 31, either-sex. Archery hunting is allowed in the waterfowl refuge.

ii. Dove: same as outside.

iii. Waterfowl Lottery Only: (Designated Portion)

(a). Lottery Youth Hunt: same as outside youth waterfowl hunt.

(b). General Lottery Hunt: 2nd weekend of 1st split and 1st and 4th weekends of 2nd split of the West Zone season.

iv. Other Small Game: same as outside and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

v. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

g. Big Colewa Bayou. Physically Challenged Wheelchair Confined Deer Hunting Area: access restricted. Check WMA map for location and call Monroe or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Fri. after Thanksgiving for 3 days, either-sex and 2nd Sat. of Dec. for 16 days, bucks only.

i. Deer

(a). Archery Only: Oct. 1-Jan. 31, either-sex.

ii. Small Game and Waterfowl: same as outside and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbit hunting Jan. 1st to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after 3rd Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iii. All nighttime activities prohibited.

h. Big Lake. Area closed to all south of Big Lake and Crystal Roads when youth deer season is open. North of Big Lake and Crystal Roads open to all activities.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: last Sat. of Oct. for 2 days, either-sex. Youth hunt on designated portion. See WMA map for specific location.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: 2nd Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after firearms bucks only season closes for 14 days.

ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens on Good Friday.

(a). Youth: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend then season will open on Good Friday for 3 days.

iii. Small Game: same as outside except closed during either-sex firearms seasons and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iv. Waterfowl: Same as outside except closed during either-sex modern firearms seasons.

v. Raccoon (Nighttime): the day after primitive firearms season ends to the last day of Feb.

vi. Sport Fishing: yoyos, limblines and trotlines prohibited on Big and Chain Lakes.

vii. Commercial Fishing: commercial fishing is prohibited.

i. Biloxi. Self-Clearing Permits required for all activities. Vessels/Vehicles: all ATVs/UTVs, motorcycles, horses, and mules are prohibited. Mud boats or air cooled propulsion vessels can only be powered by straight shaft "long-tail" air-cooled mud motors that are 25 total horsepower or less. All other types of mud boats or air cooled propulsion vessels, including "surface-drive" boats, are prohibited. Overnight mooring of all vessels 50 feet in length or more is prohibited.

i. Deer

(a). Archery (bucks only): Oct. 1-15

(b). Deer Archery (either-sex): Oct. 16 - Jan. 31

ii. Small Game and Waterfowl: same as outside except beagles allowed for rabbits when duck season is closed and except closed to squirrel hunting during the spring season.

j. Bodcau. Area closed to all except Youth deer hunters during the Youth Deer Hunt on designated portion.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: Sat. after 2nd Fri. of Oct. for 2 days, either-sex on designated portion.

(c). Firearms either-sex: last Sat. of Oct. to the Sun. after Thanksgiving Day. Last Sat. of Oct. and Sun. after last Sat. of Oct., Mandatory Deer Check.

(d). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.

ii. Turkey

(a). Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

(b). Youth: Sat. before opening day of statewide season for 2 days except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days. 4th Sat. of April for 2 days.

iii. Small Game and Waterfowl: same as outside except closed during the youth deer hunt on designated portion and entire area 1st 2 days of modern firearms deer season except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Day after firearms deer season ends to the last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon: (Nighttime) day after firearms deer season ends to the last day of Feb.

v. Bird Dog Training Area: permit required. Open all year except closed during WMA Turkey Season. Contact Minden Office for permits and information.

vi. Fishing: nets and traps prohibited on Ivan Lake.

k. Boeuf. Area closed to all south of LA 4 except Youth Deer Hunters when youth deer season is open. North of LA 4 open to all activities. Internal combustion engines and craft limited to 10 hp rating or less in the Greentree Reservoir.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: 2nd Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. - Mandatory Deer Check, Sun. - Self-Clearing Permit.

(d). Firearms Bucks Only: 1st Sat. of Dec. for 14 days.

(e). Primitive Firearms: day after the close of Firearms Bucks Only for 14 days. 2nd Sat. of Nov. for 7 days.

ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: same as outside except closed during Deer Either-sex modern firearms season, and except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb. Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after 3rd Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

l. Buckhorn. Area Closed: last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit; and 2nd Sat. of Dec. for 2 days.

(d). Firearms Bucks Only: 3rd Sat. of Dec. for 14 days.

(e). Primitive Firearms: Day after firearms bucks only season ends for 14 days.

(f). Youth and Physically Challenged Wheelchair Confined Deer Hunting Area: check map for location. Access restricted. Call Monroe or Baton Rouge Offices for further details.

(g). Youth Lottery: 2nd weekend and last consecutive Sat. and Sun. of Dec. and 1st consecutive Sat. and Sun. in Jan. Either-sex. Hunting by pre-application lottery only.

(h). Physically Challenged Wheelchair Confined: 2nd weekend and last consecutive Sat. and Sun. of Dec. and 1st consecutive Sat. and Sun. in Jan. Either-sex. Hunting by reservation for wheelchair confined. PCHP permittees only.

ii. Small Game and Waterfowl: same as outside except closed during either-sex modern firearm season and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after primitive firearms season ends to the last day of Feb.

iii. Raccoon (Nighttime): day after primitive firearms season ends to the last day of Feb.

m. Bussey Brake. Area closed to all hunting and trapping activity. Recreational fishing and all other allowed non-consumptive uses only. No personal watercraft or water skiing. No camping. No ATVs/UTVs or electric bicycles allowed. No motorized vehicles of any type allowed on reservoir levee except at boat launch for purpose of launching boat or to access fishing pier. Pulling boats over levees or any other activities that cause detriment to the levees is prohibited. Horseback riding and non-motorized bicycles are allowed only on the designated trail named Levee Trail (see map at boat launch kiosk). Access is granted at two marked locations, adjacent to the boat launch and just beyond the boat launch parking area. No tying boats to channel marker poles. A No-Wake Zone is in effect in the harbor inside the wave break. No boats allowed within 30 feet of fishing piers.

i. Fishing. Fish may be taken only by rod and reel or cane pole for recreational purposes. All types of nets, including but not limited to gill nets, trammel nets, hoop nets, wire nets, fyke nets and fish seines are prohibited. Trotlines, yo-yos, limb lines, stump lines, slat traps, jugs, cans, and pipes are prohibited. Shoreline (non-boat) fishing only allowed at designated locations. No fishing or lake access from rocks along interior of reservoir levee.

(a). Black Bass (*Micropterus spp.*)

(i). Daily limit: recreational daily creel limit shall be fish (5) fish, in the aggregate;

(ii). Possession limit: possession limit shall be five (5) fish while on water and ten (10) fish while off water, in the aggregate;

(iii). Length: the maximum total length limit shall be 16 inches, with the exception that one fish over 16 inches may be kept.

(b). Crappie (*Pomoxis spp.*)

(i). Daily limit: recreational daily limit shall be 25 fish in the aggregate;

(ii). Possession limit: possession limit shall be 25 fish while on water and 50 fish while off water, in the aggregate;

(iii). Length: the minimum total length shall be 10 inches.

(c). Bream (*Lepomis spp.*)

(i). Daily limit: recreational daily creel limit shall be 50 fish, in the aggregate;

(ii). Possession limit: possession limit shall be 50 fish while on the water and 100 while off the water in the aggregate;

(iii). Length: no minimum length.

n. Camp Beauregard. All or portions of the area may be closed daily due to military activities. All game harvested must be reported on self-clearing checkout permit. No hunting in Restricted Areas. Swimming in Twin Lakes prohibited. Retriever training allowed on selected portions of the WMA. Area Closed: to all except Youth Deer Hunters and Permitted Disabled Veterans Hunters Sat. and Sun. preceding Veterans Day.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Deer Hunt: Sat. and Sun. preceding Veterans Day, either-sex on designated portion of the WMA.

(c). Disabled Veterans Deer Hunt: Sat. and Sun. preceding Veterans Day, by lottery only, either-sex on designated portion of the WMA. Call Pineville office for details and application.

(d). Firearms Bucks Only: Dec. 26-Jan. 1.

(e). Primitive Firearms: Fri. after Thanksgiving Day for 2 days, Mandatory Deer Check. All deer harvested must be brought to Rifle Range Road Weigh Station. 2nd Sat. of Dec. for 2 days Self-Clearing Permit.

ii. Turkey: opening day of statewide season for 9 days, except season will open for 10 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: same as outside, except closed during either-sex gun hunts for deer and except closed to squirrel hunting during the spring season. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to the last day of Feb.

iv. Raccoon (Nighttime): Last consecutive Sat. and Sun. in Jan. to last day of Feb.

v. Fishing: Special regulations to be posted at Twin Lakes.

o. Clear Creek. Area Closed to all except Youth Deer Hunters when the Youth Deer Season is open. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer

(a). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex.

(b). Youth Deer Hunt: Next to last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Last Sat. of Oct. for 2 days, Mandatory Deer Check and Fri. after Thanksgiving for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and 2nd Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after 1st either-sex firearms weekend for 7 days.

ii. Turkey

(a). Mon. after 2nd Sat. of April for 21 days.

(b). General Lottery: opening day of statewide season for 2 days, 2nd Sat. of April for 2 days.

(c). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: same as outside except closed during either-sex gun hunts and except spring squirrel season will be open 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after firearms bucks only season closes to the last day of Feb. Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): day after firearms bucks only season closes to the last day of Feb.

p. Dewey Wills. Area Closed: to all except Youth and Physically Challenged Deer Hunters during the Physically Challenged and Youth Deer Hunt only on that portion of the area north of the Diversion Canal. High Water Benchmark Road Closures: Hunt Road (South of the Catahoula Lake Diversion Canal) and Muddy Bayou Road east of Nolan Bayou Road will be closed when water levels at the Larto Lake gauge reaches 45.0 ft. msl, and will reopen when water levels recede to 43.0 ft. msl, and Muddy Bayou Road west of the intersection of Nolan Bayou Road and Sandy Bayou Road will be closed when water levels at the Larto Lake gauge reaches 42.0 ft. msl and will reopen when water levels recede to 40.0 ft. msl.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Physically Challenged and Youth: last Sat. of Oct. for 2 days, either-sex. Only that portion of the area north of the Diversion Canal shall be open only to Physically Challenged and youth deer hunters. The remainder of the area is open to all.

(c). Youth Lottery: 1st Sat. of Dec. for 2 days, 1st Sat. of Jan. for 2 days, 2nd Sat. of Jan. for 2 days, and 3rd Sat. of Jan. for 2 days, either-sex. Contact Pineville Office (318-487-5885) for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit. No hunting allowed in the greentree impoundment or within 100 feet of the greentree levee if duck season is in progress.

(e). Firearms Bucks Only: 4th Sat. of Dec. for 16 days.

(f). Primitive Firearms: 2nd Sat of Dec. for 2 days.

ii. Turkey: closed.

iii. Small Game and Waterfowl: same as outside except closed during Physically Challenged and Youth Deer Season north of the Diversion Canal and the entire area during the either-sex firearm hunt except waterfowl hunting will be allowed in the greentree impoundment during the firearm either-sex season and open to squirrel hunting during the spring season 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after Firearms Bucks-Only season ends to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct. to the 3rd Sun. of Nov., and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon

(a). Nighttime: day after primitive firearms season ends to the last day of Feb.

(b). Nighttime Chase only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take season only.

v. Crawfish: Limited to 100 pounds per person per day.

vi. Larto Tracts: All season dates on Larto Tracts (see WMA map) same as outside, except deer hunting restricted to archery only. All vehicles, including ATVs, are prohibited.

q. Elbow Slough

i. Mourning Dove: Saturdays, Sundays and Wednesdays only during Sept. and Oct. of the outside season, except by lottery only opening weekend of 1st split. Applications available at Pineville office and online. Contact Pineville office for details.

ii. Rabbit: Feb. 1 to the last day of Feb. Beagles allowed.

iii. Crawfish: March-July. Limit: 100 lbs. per person per day. Recreational crawfishing only. No traps or nets left overnight.

iv. All other seasons closed. Non-toxic (minimum size #6) shot only for all hunting. All motorized vehicles prohibited.

r. Elm Hall. ATVs/UTVs prohibited.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15, either sex.

(b). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days.

(c). Firearms Bucks Only: Sun. after Thanksgiving Day and the 4th Sat. of Dec. for 9 days.

(d). Primitive Firearms: Next to last Sat. in Jan. for 2 days.

ii. Small Game and Waterfowl: Same as outside except closed during either-sex firearm seasons for deer, beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the close of primitive firearms to the end of Feb. and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs.

s. Floy Ward McElroy. Access restricted. Contact Monroe Wildlife Field Office at 318-343-4045 for information.

i. Deer: limit 1 deer per participant per weekend for all hunts.

(a). Youth Lottery: 2nd weekend and last consecutive Sat. and Sun. of Dec., and 2nd consecutive Sat. and Sun. in Jan., either-sex. Restricted to those selected as a result of the pre-application lottery.

(b). Physically Challenged Wheelchair Confined Lottery: 1st Sat. of Nov. for 2 days, either-sex. Restricted to wheelchair confined PCHP permittees only selected as a result of the pre-application lottery.

(c). Beyond Becoming an Outdoors Woman (BOW) Lottery Deer Hunt: 1st weekend in Dec. Hunt restricted to those that have successfully completed the Becoming an Outdoors Woman Deer Management Course. Must be Hunter Education certified. Contact LDWF Education Section, 318-343-1241, for more information.

t. Fort Polk-Vernon. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Information on open areas and special ATV regulations can be accessed at the following website: http://www.jrtc-polk.army.mil/hunt2/hunt/default.htm. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lake Charles Office for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer

(a). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex. Special Archery regulations for Archery Only Area, check locally at Building 2396 on 22nd St., either-sex deer legal the entire season. Remainder of WMA restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: 2nd Sat. of Oct. for 7 days, Self-Clearing Permit required.

(c). Firearms Either-sex: Last Sat. of Oct. for 2 days, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, 2nd Sat. of Dec. to Jan. 1.

ii. Turkey: Same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. “Hunter orange” or “blaze pink” must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to the last day of Feb.

iv. Feral Hogs: May be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of “hunter orange” or “blaze pink” and wear a “hunter orange” or “blaze pink” cap during special shotgun season for hogs.

v. Fishing: Special regulations pertaining to fishing are posted at specific lakes.

vi. Experimental Hunting Area: Refer to Fort Polk WMA Hunting Map: Small game and squirrel hunting with dogs allowed Mon. after Thanksgiving Day to last day of Feb. in Mill Creek 2 Alpha (MC2A) and Mill Creek 2 Bravo (MC2B) Mill Creek Unit. This area will be closed to deer and hog hunting during this time.

u. Grassy Lake. Area Closed: To all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: Last Sat. of Oct. for 2 days.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: 4th Sat. of Dec. for 9 days.

(e). Primitive Firearms (either-sex): 2nd Saturday of Dec. for 2 days.

ii. Turkey: Closed.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Sport Fishing: Same as outside except permitted only after 2 p.m. during waterfowl season on Smith Bay, Red River Bay and Grassy Lake proper.

v. Commercial Fishing: Permitted except on Smith Bay, Red River Bay and Grassy Lake proper on Saturday and Sunday and during waterfowl season. Permits available from area supervisor Spring Bayou Headquarters or Lafayette Field Office.

vi. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days, day after primitive firearms season ends for 12 days, and day after bucks only firearm season ends to the last day of Feb.

vii. Crawfish: March 15-July 31. Recreational only. 100 pounds per person daily. No nets or traps may be left overnight.

v. Hutchinson Creek

i. Deer: Same as outside, Archery Only, Either-sex.

ii. Turkey: Same as outside.

iii. Small Game and Waterfowl: Same as outside. Open to squirrel hunting during the spring season 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting 1st Sat. of Jan to the last day of Feb.

iv. Raccoon: 2nd Sat. of Sept. for 16 days and 1st Sat. of Jan to the last day of Feb.

w. J. C. Sonny Gilbert. Area Closed: Last Sat. of Oct. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth: Last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, self-clearing permit.

(d). Firearms Bucks Only: 1st Sat. of Dec. for 14 days.

(e). Primitive Firearms: Day after close of Firearms Bucks Only for 14 days.

ii. Turkey

(a). General Lottery: Opening day of statewide season for 9 days, with 3 consecutive 3 day hunts.

(b). Youth Lottery: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex modern firearms seasons for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to the last day of Feb.

iv. Raccoon (Nighttime): the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

v. Sport Fishing: Restricted to rod and reel, and pole fishing only. All other gear prohibited.

x. Joyce. Swamp Walk: Closed from 30 minutes after sunset to 30 minutes before sunrise. No loaded firearms or hunting allowed within 100 yards of walkways. Check hunting schedule and use walkway at your own risk.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth: 1st Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: 3rd Sat. of Dec. for 16 days.

(e). Primitive Firearms (either-sex): 2nd Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan for 7 days.

ii. Small Game and Waterfowl: Same as outside and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): Day after primitive firearms ends to last day of Feb.

iv. Crawfish: Limited to 100 pounds per person per day.

y. Lake Boeuf. Self-Clearing Permit required for all activities. Self-Clearing Permit available at Theriot Canal boat landing off LA 308. All nighttime activities prohibited. ATVs/UTVs, motorcycles, horses and mules are prohibited.

i. Deer

(a). Archery (bucks only): Oct. 1-15

(b). Archery (either-sex): Oct. 16 - Jan. 31

ii. Waterfowl: Same as outside.

iii. Small Game: 1st day of Nov. to the last day of Feb. and open to squirrel hunting during the spring season from the 1st Sat. of May for 9 days, with or without dogs. Beagles prohibited November and December.

z. Lake Ramsey. All vehicles restricted to Parish Roads and designated parking areas.

i. Deer

(a). Archery only, Oct. 1-Jan. 31, either-sex.

ii. Turkey: Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: Same as outside and Open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. after Jan. 1 to last day of Feb.

iv. Foot traffic only - All vehicles restricted to Parish Roads, except ATVs allowed for hunters retrieving downed deer or feral hogs.

v. Bird Dog Training Area: Open all year except closed during WMA Turkey Season. Contact Hammond Office (985-543-4777) for information.

aa. Little River

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Firearms Bucks Only: Last Sat. of Oct. for 16 days.

(c). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, and 2nd Sat. of Dec. for 2 days.

ii. Turkey: Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

iii. Raccoon

(a). Nighttime: Mon. after 2nd Sat. of Jan. to last day of Feb.

(b). Nighttime Chase Only: May 1-Sept. 25, Tuesdays and Thursdays only. Raccoon hunters may use ATVs on designated trails during take seasons only.

iv. Small Game and Waterfowl: Same as outside except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

v. Crawfish: March-July. Limit: 100 pounds per person per day. Recreational crawfishing only. No traps or nets left overnight.

bb. Loggy Bayou. Limited Use Area: Small game same as rest of WMA. Deer hunting archery only. See WMA map for specific location.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(c). Primitive Firearms: Mon. after Thanksgiving Day for 7 days.

ii. Small Game and Waterfowl: Same as outside except youth hunt only on opening Saturday of first split of dove season (following regulations for Youth Deer Hunt on WMAs), and except closed during either-sex firearms seasons for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to the last day of Feb.

iii. Raccoon (Nighttime): Sat. before Christmas to the last day of Feb.

cc. Manchac.

i. Deer

(a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either-sex.

ii. Small Game and Waterfowl: Same as outside except steel shot required for rails, snipe and gallinules and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Feb. 1 to the last day of Feb.

iii. Raccoon (Nighttime): Feb. 1 to the last day of Feb.

iv. Crabs: No crab traps allowed. Attended lift nets are allowed.

dd. Marsh Bayou

i. Deer: Same as outside, Archery Only, Either-sex.

ii. Small Game: Same as outside. Open to squirrel hunting during the spring season 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting 1st Sat. of Jan to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Feb. 28, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iii. Raccoon: 2nd Sat. of Sept. for 16 days and 1st Sat. of Jan to the last day of Feb.

ee. Maurepas Swamp. Camping limited to tent camping in designated areas. See WMA map for locations. No loaded firearms or hunting allowed within 100 yards of Nature Trail. Benchmark Closure: Area Closed to all deer hunting when USGS water level gauge CRMS 5373, available at http://waterdata.usgs.gov/la/nwis/rt is at or above 3.0 ft. msl and reopens to deer hunting when water levels recede to 2.5 ft. msl following a closure. Motorized vehicles prohibited on Crusel Tract (see WMA map for Crusel Tract). Limited Use Area: Small game same as outside except shotgun only. Deer hunting archery only. See WMA map for specific location. Area Closed to all hunters except Youth Deer Hunters during Youth Deer Season. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Hammond Office for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons listed below.

i. Deer

(a). Archery: Oct. 1-15 bucks only; Oct. 16-Feb. 15 either sex.

(b). Youth: 1st Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, and Sun. Self-Clearing Permit

(d). Firearms Bucks Only: 3rd Sat. of Dec. for 16 days.

(e). Primitive Firearms: 2nd Sat. of Jan. for 2 days and Mon. after the next to last Sun. of Jan. for 7 days.

ii. Small Game and Waterfowl: Same as outside except closed Friday after Thanksgiving Day for 3 days during either-sex firearms hunts and closed during youth deer season and except spring squirrel season will be open the 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms ends to the last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): Day after primitive firearms ends to last day of Feb.

iv. Crawfish: Limited to 100 pounds per person per day.

ff. Pass-A-Loutre. Self-Clearing Permit required for all activities. Permits available at Pass-a-Loutre Headquarters, Camp Canal and all designated camping areas. Oyster harvesting is prohibited. Camping allowed only in designated areas. See self-clearing permit station at headquarters and WMA map for designated camping areas. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules are prohibited. Mud boats or air-cooled propulsion vessels powered by more than 36 total horsepower prohibited. Operation of mud boats and air-cooled propulsion engines prohibited after 2 p.m. Sept. 1 - Jan. 31, except allowed after 2 p.m. in South Pass, Pass-a-Loutre, Southeast Pass, Loomis Pass, Dennis Pass, and Cadro Pass.

i. Deer

(a). Archery (bucks only): Oct. 1- Feb.15.

(b). Youth Shotgun bucks only: second to last Sat in Oct. for 2 days.

(c). Deer Shotgun: Bucks only may be taken with shotguns with either slugs or buckshot from the day after the first split of the duck season closes for seven days.

ii. Small Game and Waterfowl: Same as outside. Beagles prohibited October through last day of waterfowl season.

iii. Feral Hogs: May be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hogs may be taken with the aid of dogs Feb. 16 - March 15. Hunters must also display 400 square inches of “hunter orange” or “blaze pink” and wear a “hunter orange” or “blaze pink” cap during special shotgun season for feral hogs.

iv. Commercial Fishing: Same as outside. Commercial mullet fishing open only in: South Pass, Pass-a-Loutre, North Pass, Southeast Pass, Northeast Pass, Dennis Pass, Johnson Pass, Loomis Pass, Cadro Pass, Wright Pass, Viveats Pass, Cognevich Pass, Blind Bay, Redfish Bay, Garden Island Bay, Northshore Bay, East Bay (west of barrier islands) and oil and gas canals as described on the LDWF Pass-a-Loutre WMA map.

gg. Pearl River. Shooting range: Self-clearing permit not required but all range users must obtain a daily check in validation slip at the range upon sign-in at the range. For dates, time or more information call 985-643-3938 or www.honeyisland.org. No loaded firearms or hunting within 100 yards of boardwalk. All roads closed 8 p.m. - 4 a.m. to all vehicles. Old Hwy. 11 will be closed when river gauge at Pearl River, Louisiana, reaches 16.5 feet. All hunting except waterfowl hunting south of Hwy. 90 will be closed when the river stage at Pearl River reaches 16.5 feet. No hunting in the vicinity of the Nature Trail. Observe “No Hunting” signs. Area Closed to all hunters except Youth Hunters during Youth deer hunt.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Deer Hunt: 1st Sat. of Nov. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: 1st Sat. of Dec. for 16 days.

(e). Primitive Firearms: 2 Sats. prior to Thanksgiving for 7 days and day after firearms bucks only season closes for 14 days.

ii. Turkey:

(a). General Lottery: Opening day of statewide season for 2 days.

(b). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game: Same as outside except closed the Friday after Thanksgiving Day for 3 days during either-sex firearms hunts for deer, and closed during youth deer hunt, and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Waterfowl: Same as outside except no hunting in Waterfowl Refuge Area and except closed Fri. after Thanksgiving for 3 days, and during youth deer hunt north of U.S. Hwy. 90.

v. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vi. Crawfish: Commercial crawfishing prohibited. Limited to 100 pounds per person per day.

hh. Peason Ridge. Self-clearing permit required daily for all activities. All or portions of the area may be closed daily due to military activities. Information on open areas and special ATV regulations can be accessed at the following website: http://www.jrtc-polk.army.mil/hunt2/hunt/default.htm. Hunters are cautioned not to pick up any foreign material or objects while hunting on the WMA. Also, it is mandatory for hunters to check the open area maps, located at check stations, daily for sudden closures.

i. Deer

(a). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex except restricted to bucks only when bucks only gun season is in progress.

(b). Primitive Firearms: 2nd Sat. of Oct. for 7 days. Self-Clearing Permit required.

(c). Firearms Either-sex: Last Sat. of Oct. for 2 days, and Fri. after Thanksgiving Day for 3 days, Fri. and Sat. mandatory deer check, Sun. self-clearing permit.

(d). Firearms Bucks Only: Mon. after last Sat. of Oct. to Thanksgiving Day, 2nd Sat. of Dec. to Jan. 1.

ii. Turkey: Same as outside.

(a). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and except closed to squirrel hunting during the spring season. "Hunter orange" or "blaze pink" must be worn when bucks only gun hunts for deer are in progress. Squirrel hunting with dogs allowed Mon. after Thanksgiving Day for 12 days and Jan. 2 to last day of Feb.

iv. Feral Hogs: May be taken by properly licensed hunters from beginning of Archery Season to Jan. 1. Hunters may hunt feral hogs with shotguns loaded with buckshot or slugs from Jan. 2 to the end of Feb. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for hogs.

ii. Pointe-Aux-Chenes. All nighttime activities prohibited. Possession of more than one daily limit of fish/crab/shrimp while on the WMA is prohibited. Self-clearing permits available at Grand Bayou Boat Launch and at Point Farm gate behind Montegut Middle School. Parking of vehicles on levees prohibited. Vessels/Vehicles: All boats powered by internal combustion engines having total horsepower above 25 Hp are not allowed in the Grand Bayou, Montegut and Pointe-aux-Chenes water management units. Public is permitted to travel anytime through the WMA for access purposes only, in the waterways known as Grand Bayou, Humble Canal, Little Bayou Blue, Grand Bayou Blue, St. Louis Canal, and Bayou Pointe-aux-Chenes unless authorized by LDWF. All ATVs/UTVs, motorcycles, horses and mules are prohibited.

i. Feral Hogs: May be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of "hunter orange" or "blaze pink" and wear a "hunter orange" or "blaze pink" cap during special shotgun season for feral hogs. All Point-aux-Chenes Property except Point Farm Unit and Restricted Areas

ii. Deer

(a). Archery (bucks only): Oct. 1-15.

(b). Archery (either-sex): Oct. 16 - Feb. 15.

(c). Firearms (bucks only): Fri. after Thanksgiving Day for 3 days and 2nd Sat. of Dec. for 7 days.

iii. Waterfowl: Same as outside except closes at 2 pm.

iv. Small Game: Same as outside except closed during bucks only firearms season and open to squirrel hunting during the spring season from the 1st Sat. of May for 9 days, with or without dogs. Beagles prohibited October through December.

v. Recreational Fishing: The harvest of all fish, shrimp, crabs and crawfish is for recreational purposes only and any commercial use is prohibited. All castnet contents shall be contained and bycatch returned to the water immediately.

vi. Shrimp may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat or vehicle per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat or vehicle per day (heads on) may be taken for bait.

vii. Oyster Harvesting Prohibited.

viii. Fish may be taken only by rod and reel or hand lines for recreational purposes only.

ix. Crabs may be taken only through the use of hand lines or nets; however, none are to remain set overnight. No drop net is allowed to be left unattended at any time. A maximum of 12 drop nets may be possessed/attended per boat or vehicle. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

x. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Gear used to catch crawfish shall not remain set overnight.

xi. Point Farm Unit (Pointe-aux-Chenes). An approximately 1,000-acre area inside the Pointe-aux-Chenes WMA which is generally bounded on the west by the double gates behind the Montegut Middle School and the WMA boundary, and on the north by the WMA boundary and Point Farm ridge levee, and is bounded on the east and south by the Point Farm ridge levee. The boundary of Point Farm is more accurately marked with signs. Point Farm gate will be open all Saturdays during the month of February, weather permitting. Parking in designated areas required for mourning dove hunting. No motorized vessels allowed in the drainage ditches. Except for mourning dove hunting, (provided for below) all other hunting activities closed until after the last day of youth deer hunts.

(a). Deer

(i). Youth Lottery (either-sex): 1st Sat. of Oct. for 2 days, 2nd Sat. of Oct. for 2 days, daily youth hunt permit required. Call the Lafayette Field Office, Coastal WMAs, 337-735-8667 for details.

(ii). Archery (either-sex): Oct. 16 – Jan. 14

(b). Waterfowl: closed

(c). Small Game: Same as outside, except closed until the day after the last youth deer hunt day and open to squirrel hunting during the spring season from the 1st Sat. of May for 9 days, with or without dogs. Beagles prohibited October and November. Non-toxic shot only south of the dove field gate.

(d). Mourning Dove: Hunting will be permitted each day during the September split and each day of the second and third splits (AFTER the last youth deer hunt day). Shooting hours will be from 1/2 hour before sunrise until sunset, except opening day of the first split, which will be 12:00 pm (noon) until sunset. Gates will be opened on Saturdays during the first and second segments, weather permitting, except during waterfowl season and Youth Deer Hunt weekends. Parking will be allowed in designated areas only. Non-toxic shot only south of the dove field gate.

jj. Pomme de Terre. Area Closed: To all except Youth Deer Hunters during Youth Deer Hunt.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth: Last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: 4th Sat. of Dec. for 16 days.

(e). Primitive Firearms: Day after firearms bucks only season ends for 7 days.

ii. Turkey: 4th Sat. of April for 9 days.

(a). Youth Lottery: 3rd Sat. of April for 2 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunt for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Oct. 31, and Mon. after Thanksgiving for 21 days, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

v. Commercial Fishing: Permitted Monday through Friday except closed during duck season. Commercial Fishing Permits available from area supervisor, Lafayette Wildlife Field Office or Spring Bayou Headquarters.

vi. Sport Fishing: Same as outside except allowed only after 2 p.m. only during waterfowl season.

vii. Crawfish: March 15-July 31. Recreational only. 100 lbs. per person daily. No nets or traps may be left overnight.

kk. Richard K. Yancey. Area closed on that portion of the area south of Black Hawk Acme Levee Road, west of LA Hwy. 15, southward to Old River Control Structure, thence south to Sugar Mill Chute, last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. The remainder of the WMA is open to all users.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth Lottery: 3rd and 4th Sat of Dec. except if the 4th Sat. is Christmas Day, then the hunt will be the 2nd and 3rd Sat. of Dec. and the 1st and 2nd Sat. in Jan. except when the 1st Sat. of Jan. is New Year's Day then the hunt will be the 2nd and 3rd Sat. of Jan., either-sex.

(c). Youth and Physically Challenged: Last Sat. of Oct. for 2 days, either-sex.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(e). Firearms Bucks Only: Last Sat. of Dec. for 9 days.

(f). Primitive Firearms (Either-Sex): 2nd Saturday in December for 2 days.

ii. Turkey: Opening day of statewide season for 9 days except season will open for 10 days when statewide season opens on Good Friday.

(a). Youth Lottery: Sat. before opening day of statewide season for 2 days, except when that Sat. falls on Easter weekend, then season will open on Good Friday for 3 days.

iii. Small Game and Waterfowl: Same as outside except closed during the either-sex firearms season and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after firearms bucks only season ends to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Oct. 31, and Mon. after Thanksgiving for 12 days, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Quail: Closed.

v. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after firearms bucks only season ends to last day of Feb.

vi. Crawfish: Recreational crawfishing allowed west of the Mississippi River Levee only Mar. 15 to July 31, recreational crawfishing only. Crawfish harvested limited to 100 pounds per person per day. No traps left overnight. No motorized watercraft allowed.

vii. Sport Fishing and Commercial Fishing: Same as Outside except closed from 30 minutes before sunrise until 2 p.m. on: Grand Bay, Silver Lake, Lower Sunk Lake, Lac A' Sostien, Moreau Lake, and Hog Pen Lake during

open waterfowl seasons, except during early Teal Season, recreational fishing allowed after 10 a.m.

ll. Russell Sage. AREA closed: Last Sat. of Oct. for 2 days South of I-20 only to all except Youth and Physically Challenged Deer Hunters. North of I-20 open to all other allowable activities. Wham Brake: September 1-Jan. 31 all motorized vessels prohibited 2 p.m.-4 a.m., and all nighttime activities prohibited during open waterfowl season. Waterfowl Refuge: North of LA Highway 15 closed to all hunting, fishing, trapping and ATV use during duck season including early teal season, except hunting allowed during Falconry Waterfowl Season. Transporting trash or garbage on WMA roads is prohibited. All nighttime activities prohibited except as otherwise provided. Chauvin Tract: All season dates on Chauvin Tract (US 165 North) same as outside, except still hunt only, except deer hunting restricted to archery only, and except small game shotgun only. All vehicles including ATVs prohibited. Wham Brake Area: Waterfowl hunting open during either-sex deer season.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: Last Sat. of Oct. for 2 days, either-sex, south of I-20 only.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit.

(d). Firearms Bucks Only: 2nd Sat. of Dec. for 14 days.

(e) Primitive Firearms: Mon. after Firearms either-sex season for 7 days.

ii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms deer seasons, except Wham Brake area, South Bosco Tract and Pintail Alley area will remain open during either-sex firearms deer seasons, and except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting the day after the last deer firearms season (bucks only or primitive) to last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel Mon. after 3rd Sat. of Oct.-Sun. prior to Thanksgiving, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31. Snipe hunting after 2 p.m. prohibited during duck season.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iii. Raccoon (Nighttime): 1st Sat. of Sept. for 16 days and the day after the last deer firearms season (bucks only or primitive) to last day of Feb.

iv. Crawfish: 100 pounds per person per day limit.

mm. Sabine. Area Closed: That portion designated as the Physically Challenged Deer Hunting Area is closed to all activities the Fri. before 3rd Sat. of Oct. for 3 days to all but Physically Challenged Deer Hunters. Remainder of area closed to all activities 3rd Sat. of Oct. for 2 days to all but Youth Deer Hunters. Physically Challenged Deer Hunt limited to those chosen by lottery. Contact LDWF Pineville Field office for details.

i. Deer

(a). Archery: Oct. 1-Jan. 31, either-sex.

(b). Youth and Physically Challenged: 3rd Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: 4th Sat. of Oct. for 2 days, Fri. after Thanksgiving Day for 3 days, Self-clearing Permit.

(d). Firearms Bucks Only: day after primitive firearm season to day before Thanksgiving Day. First Sat. of December for 9 days.

(e). Primitive Firearms: Monday after the 4th Sat. in Oct. for 7 days.

ii. Turkey

(a). General Lottery: 2nd Fri. of April for 3 days, 4th Fri. of April for 3 days.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting Sat. before Christmas to last day of Feb.

iv. Raccoon (Nighttime): Sat. before Christmas to last day of Feb.

nn. Sabine Island. Sabine Island boundaries are Sabine River on the west, Cut-Off Bayou on the north, and Old River and Big Bayou on the south and east. Self-clearing permits required for hunters only. Area Closed: 4th Sat. of Sept. for 2 days to all except Youth Deer Hunters.

i. Deer

(a). Same as Area 8 Deer Season except still hunt only.

(b). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex.

(c). Youth: 4th Sat. of Sept. for 2 days, either-sex.

ii. Small Game and Waterfowl: Same as outside except closed 4th Sat. of Sept. for 2 days and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Squirrel hunting with dogs allowed day after Area 8 deer season ends to last day of Feb.

iii. Raccoon (Nighttime): Day after Area 8 deer season ends to last day of Feb.

iv. Feral Hogs: May be taken by properly licensed hunters from 3rd Sat. of Sept. to last day of Feb. Hogs may be taken with the aid of dogs Feb. 1 to last day of Feb.

oo. Salvador/Timken. Self-Clearing Permit required for all activities. Permits available at Pier 90, Bayou Gauche, Bayou Segnette State Park landings, and at Airboat Adventures in Lafitte. Vessels/Vehicles: All ATVs/UTVs, motorcycles, horses and mules prohibited. Use of mud boats powered by internal combustion engines with more than four

cylinders is prohibited. Pulling boats over levees, dams or water control structures or any other activities which cause detriment to the integrity of levees, dams and water control structures is prohibited. AREA closed: During the month of October to all activities except fishing, Youth Deer Hunters and Youth Waterfowl Hunters, if the latter is provided for.

i. Deer

(a). Archery (either-sex): Nov. 1 - Jan. 31

(b). Youth (either-sex): Last 4 Sats. of Oct. for 2 days each except when the last Sat. is the 31st in which case the season will be the 1st four Sats. of Oct. for 2 days each, either sex.

(c). Firearms (either-sex): Fri. before Thanksgiving Day for 3 days.

(d). Firearms (bucks only): Mon. before Thanksgiving Day for 28 days.

(e). Deer Primitive Firearms (either-sex): Day after Firearms Bucks Only for 7 days.

ii. Waterfowl: Same as outside.

iii. Small Game: Same as outside except closed October through December. Beagles allowed for rabbits Jan. through last day of Feb.

iv. Feral Hogs: May be taken by properly licensed hunters from Oct. 1 to the last day of February. In addition, hunters may hunt feral hogs with archery equipment, shotguns loaded with buckshot or slugs, or rimfire rifles no larger than .22 caliber from Feb. 16 - March 31. Hunters must also display 400 square inches of “hunter orange” or “blaze pink” and wear a “hunter orange” or “blaze pink” cap during special shotgun season for feral hogs.

v. Recreational Fishing: The harvest of all fish, shrimp, crabs and crawfish are for recreational purposes only and any commercial use is prohibited.

vi. Shrimp: may be taken by the use of cast nets only. During the inside open shrimp season, 25 lbs. per boat per day (heads on) maximum shall be permitted. Size count to conform with open season requirements. During the inside closed season, 10 lbs. per boat per day (heads on) maximum may be taken for bait. All castnet contents shall be contained and bycatch returned to the water immediately.

vii. Fish: may be taken only by rod and reel or hand lines for recreational purposes.

viii. Crabs: may be taken only through the use of hand lines or nets; however, none are to remain set overnight. Twelve dozen crabs maximum are allowed per boat or vehicle per day.

ix. Crawfish: may be harvested in unrestricted portions of the WMA and shall be limited to 100 lbs. per person per day. Fishing gear used to catch crawfish shall not remain set overnight.

x. Experimental Nighttime Activity Season:

(a). 12 a.m., June 1 through official sunrise Aug. 15. Nighttime activities LIMITED to the take of frogs and fishing with a rod and reel. All other nighttime activities prohibited. Daily limit of 50 frogs per vessel in aggregate (bull frogs/pig frogs). If engaged in frogging on or while traversing the WMA, all frogs in possession will be deemed to have been taken from the WMA. At no time may anyone possess more than one daily limit of frogs while on the water.

(b). Size Limit: (Measured from the tip of the muzzle to the posterior end of the body between the hind legs). Bull frogs harvested must be 5 inches or larger. Pig frogs harvested must be 3 inches or larger.

(c). Check out portion of self-clearing permit must include boat registration number under the comments section. Possession of firearms while participation in any experimental nighttime activity is prohibited.

pp. Sandy Hollow. No hunting with any firearm south of Jackson Road, except school board tract, on days of scheduled field trials. Dates of field trials are listed on the check stations or can be obtained from the Hammond office (985-543-4777). Area Closed: North tract closed to all hunters 1st Sat. of Nov. for 2 days, except Youth and Physically Challenged Deer Hunters.

i. Deer

(a). Youth/Physically Challenged: 1st Sat. of Nov. For 2 days, either-sex.

(b). Archery: Oct. 1-Jan. 31, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, and 3rd Sat. of Dec. for 2 days.

(d). Primitive Firearms: 2nd Sat. of Dec. for 7 days, 4th Sat. of Dec. for 7 days, and the 1st Sat. of Jan. for 2 days.

ii. Turkey: Opening day of statewide season for 16 days, except season will open for 17 days when statewide season opens Good Friday.

iii. Small Game and Waterfowl: Same as outside except closed Fri. after Thanksgiving for 3 days and Youth/Physically Challenged hunt, and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days. On that portion designated as Small Game Emphasis Area, training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon (Nighttime): Day after primitive firearms season ends to last day of Feb.

v. Mourning Dove: 1st day and 2nd Sat. through end of 1st split. Closed remainder of 1st split. Second and third splits are same as outside except Youth Hunt on Northern tract during the opening day of the first segment. Hunt restricted to youths younger than 18 years of age and

supervising adult who must be 18 years of age or older. The supervising adult must maintain visual and voice contact with the youth at all times.

vi. Bird Dog Training: Mon. after opening day of Mourning Dove Season to the Sun. before opening of Quail Season and Feb. 1 to last day of Feb., except restricted to that portion south of LA Hwy. 10 only and except blank pistols only. Wild birds only (use of pen-raised birds prohibited).

vii. Bird Dog Training Area: An area has been designated to allow use of released birds for dog training purposes. Open all year except closed during either-sex modern firearm hunts for deer, WMA turkey season and opening weekend of the 1st segment of dove season. Contact Hammond Office (985-543-4777) for information.

viii. Bird Dog Field Trials: Permit required from Hammond Office.

ix. Horseback Riding: Self-clearing Permit required. Organized trail rides prohibited. Riding allowed only on designated roads and trails (see WMA map). Horses and mules are specifically prohibited during turkey and gun season for deer except as allowed for bird dog field trials. No horses and mules on green planted areas. Horse-drawn conveyances prohibited.

qq. Sherburne. The area known as the South Farm is located on the East Side of Sherburne WMA. No hunting will be allowed except specified lottery hunts, within the levee system of the farm from the Fri. before the 1st lottery youth deer hunt on the South Farm until the day after the last lottery duck hunt on the South Farm. Waterfowl hunting will be allowed by lottery only during the open regular duck hunting season. Hunting will be allowed in the wooded portions east of the waterfowl impoundments. Consult the WMA maps for exact locations. No hunting allowed within the levee system of the farm. Area Closed: Last Sat. of Oct. for 2 days except to Youth and Physically Challenged Deer Hunters and South Farm closed to all hunters except youth lottery deer hunters. Physically Challenged Wheelchair Confined Deer Hunting Area: Access restricted. Check WMA map for location and call Lafayette or Baton Rouge Offices for details and applications. Hunting by reservation for wheelchair confined PCHP permittees only. Same deer seasons as listed below. Physically Challenged Wheelchair Confined Waterfowl Hunting Area: Access restricted. Call Lafayette or Baton Rouge Offices for further details. Hunting by reservation for wheelchair confined PCHP permittees only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth and Physically Challenged: Last Sat. of Oct. for 2 days, either-sex, ALL OTHER SEASONS closed. Self-Clearing Permit.

(c). Youth Lottery: Last Sat. and Sun. of Oct., 4th Mon. of Dec., and 1st and 2nd Sun. of Jan. except no hunt on Christmas Day or Christmas Eve, either-sex. Contact Lafayette office, 337-262-2080 for details and applications.

(d). Firearms Either-sex: Fri. after Thanksgiving Day for 2 days Mandatory Deer Check and Sun. after Thanksgiving, Self-Clearing Permit, and 2nd Fri. after Thanksgiving for 10 days, Self-Clearing Permit.

(e). Firearms Bucks Only: 4th Sat. of Dec. for 16 days.

(f). Primitive Firearms: Mon. after close of Firearms Bucks only for 7 days.

ii. Turkey: Mon. after 3rd Sat. of April for 3 days.

(a). General Lottery: 3rd Sat. of April for 2 days.

(b). Youth Lottery: 2nd Sat. in April

iii. Small Game: Same as outside except closed during Firearms Either-Sex Deer and except spring squirrel season will be open the 1st Sat. of May for 9 days only, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

(b). On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Oct. 31, and Mon. after close of 2nd firearms either-sex deer season for 9 days, except closed last Sat. of Oct. for 2 days, and training of beagles for rabbit and dogs for squirrel allowed June 1 – August 31.

iv. Waterfowl, Snipe, Rail, and Gallinules: Same as outside except closed during Firearms Either-Sex Deer and except hunting after 2 p.m. prohibited except no hunting in Waterfowl Refuge. That portion of Sherburne WMA known as the South Farm restricted to Lottery hunts only. South Farm waterfowl hunting limited to one hunt per calendar week per person. All other hunting closed on South Farm complex from the Friday before Youth Lottery Deer Hunt until the day after the last Waterfowl hunt on the South Farm. Contact the Wildlife Field Office for details and description of "South Farm."

(a). Youth Waterfowl Lottery: Contact Lafayette Office for details and applications.

(b). Disabled Veterans Waterfowl Lottery: Contact Lafayette Office for details and applications.

v. Quail: closed

vi. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

vii. Crawfish: March 15-July 31, Recreational crawfishing only. Crawfish harvest limited to 100 pounds per person per day. No traps or nets left overnight. No motorized water craft allowed on farm complexes. Retriever training allowed on selected portions of the WMA. Contact the Wildlife Field office for specific details.

viii. Vehicular traffic prohibited on East Atchafalaya River levee within Sherburne WMA boundaries.

ix. Rifle and Pistol/Handgun Range open daily. Skeet ranges open by appointment only, contact Hunter Education Office, telephone 225-765-2931. No trespassing in restricted areas behind ranges.

NOTE: Atchafalaya National Wildlife Refuge and U.S. Army Corps of Engineers land holdings adjacent to the Sherburne Wildlife Management Area will have the same rules and regulations as Sherburne WMA. No hunting or trapping in restricted area.

x. Bird Dog Training Area: Open to bird dog training all year except closed during either-sex modern firearm hunts for deer, WMA turkey season, and opening weekend of 1st and 2nd segments of dove season.

rr. Soda Lake. Bicycles allowed. Vehicle parking allowed only in designated parking area on LA 173 at Twelve Mile Bayou and LA 169 adjacent to levee. All trapping and hunting prohibited except:

i. Deer

(a). Archery Only, Oct. 1-Jan. 31, either-sex.

ii. Small Game: Portion West of Twelve Mile Bayou same as outside, falconry only and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, Falconry only. Portion east of Twelve Mile Bayou open same as outside. Beagles allowed for rabbits and dogs allowed for squirrel Sat. before Christmas to end of Feb. Open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs.

ss. Spring Bayou. Area Closed: Last Sat. of Oct. for 2 days to all except Youth Deer Hunters. No hunting allowed in Headquarters area. Only overnight campers allowed in the improved Boggy Bayou Camping area. Rules and Regulations posted at campsite. A fee is assessed for use of this campsite. Water skiing permitted only in Old River and Grand Lac.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either sex.

(b). Youth: Last Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-sex: Fri. after Thanksgiving Day for 3 days, Self-Clearing Permit.

(d). Firearms Bucks Only: 4th Sat. of Dec. for 16 days.

(e). Primitive Firearms: Mon. after close of Firearms Bucks only for 7 days.

ii. Turkey

(a). Youth Lottery: 4th Sat. of April for 2 days.

iii. Small Game and Waterfowl: Same as outside except small game closed during either-sex firearms hunts for deer. Waterfowl to remain open during either-sex firearms hunts for deer. Open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): 2nd Sat. of Sept. for 16 days and day after primitive firearms season ends to last day of Feb.

v. Commercial Fishing: Gill nets and trammel nets 3.5 inches and greater permitted Monday through Friday except slat traps and hoop nets permitted any day. The take and possession of grass carp is prohibited. Permits available from area supervisor or Lafayette Wildlife Field Office. closed until after 2 p.m. during waterfowl season.

vi. Sport Fishing: Same as outside except only allowed after 2 p.m. during waterfowl season, except during early Teal Season, recreational fishing allowed after 10 a.m.

vii. Crawfish: March 15-July 31. Recreational only, 100 lbs. per person per day.

tt. Tangipahoa Parish School Board. Self-Clearing Permits required for all activities. No horseback riding during gun season for deer or turkey. ATVs are not allowed except as otherwise specified.

i. Deer: Same as outside.

ii. Turkey: Same as outside.

iii. Small Game and Waterfowl: Same as outside and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after primitive firearms season ends to the last day of Feb.

iv. Raccoon (Nighttime): Day after primitive firearms season ends to last day of Feb.

uu. Thistlethwaite. Restricted Area: Small game hunting allowed with shotgun only loaded with shot no larger than BB lead or F steel. Deer hunting allowed by archery only. Area Closed: Last Sat. of Oct. for 2 days, except to Youth Deer Hunters. All motorized vehicles restricted to improved roads only. All users must enter and leave through Main Gate only.

i. Deer

(a). Archery: Oct. 1-15 bucks only, Oct. 16-Feb. 15 either-sex.

(b). Youth Deer Hunt: Last. Sat. of Oct. for 2 days, either-sex.

(c). Firearms Either-Sex: Fri. after Thanksgiving Day for 3 days, 1st Saturday of Dec. for 9 days, and 4th Saturday of Dec. for 2 days.

(d). Firearms Bucks Only: Monday after the last Either-Sex Firearm hunt in Dec. for 14 days.

(e). Primitive Firearms: 2nd Saturday in November for 2 days and Monday after close of Firearms Bucks Only for 7 days.

ii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts for deer and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting February 1-28.

vv. Tunica Hills. Area Closed Sat. before opening day of statewide turkey season except youth turkey hunters and all weekends in April except turkey hunters. Area Closed: 1st Sat. of Nov. for 2 days to all except Youth Deer Hunters. Camping limited to tents only in designated areas.

i. Deer

(a). Archery: Oct. 1-15, bucks only, Oct. 16-Jan. 31, either sex.

(b). Youth Hunt: 1st Sat. of Nov. for 2 days, either-sex.

(c). Primitive Firearms: Fri. after Thanksgiving Day for 3 days, Fri. and Sat. Mandatory Deer Check, Sun. Self-Clearing Permit, either-sex, 2nd Sat. of Dec. for 9 days, except when there are 5 Sats. in Dec. then it will open on the 3rd Sat. of Dec., the initial Sat. and Sun. either-sex and mandatory deer check, the remaining 7 days bucks only, self-clearing permit.

ii. Turkey: Mon. after 3rd Sat. of April for 7 days.

(a). General Lottery: Opening day of statewide season for 2 days, 2nd Sat. of April for 2 days, 3rd Sat. of April for 2 days.

(b). Youth Lottery: Sat. and Sun. before opening day of statewide season.

iii. Small Game and Waterfowl: Same as outside except closed during Youth Deer Hunt and Primitive Firearms Deer Hunt and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs, South Tract only. Beagles allowed for rabbits and dogs allowed for squirrel hunting 3rd Saturday of Oct. for 7 days and Feb. 1 to last day of Feb. on South Tract only. On that portion designated as Small Game Emphasis Area (South Tract Only), training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon (Nighttime): Feb. 1 to last day of Feb. on South Tract only.

ww. Walnut Hill.

i. Deer: Same as outside, Archery Only, Either-sex.

ii. Turkey: Same as outside.

iii. Small Game: Same as outside. Open to squirrel hunting during the spring season 1st Sat. of May for 9 days. Beagles allowed for rabbits and dogs allowed for squirrel hunting 1st Sat. of Jan. to the last day of Feb. On that portion designated as Small Game Emphasis Area, beagles are allowed for rabbit and dogs are allowed for squirrel 1st Sat. of Oct.-Feb. 28, and training of beagles for rabbit and dogs for squirrel allowed June 1- August 31.

iv. Raccoon: 2nd Sat. of Sept. for 16 days and 1st Sat. of Jan. to the last day of Feb.

xx. West Bay. Area Closed: Next to last Sat. of Oct. for 2 days to all except Youth and Physically Challenged Deer Hunters. Limited USE Area: Small game same as outside except shotgun only and deer hunting - Archery only. See WMA map for specific location.

i. Deer

(a). Archery: 3rd Sat. of Sept. to Jan. 15, either-sex.

(b). Youth and Physically Challenged: Next to last Sat. of Oct. for 2 days, either-sex, for physically challenged and youth hunters only.

(c). Firearms Either-sex: Last Sat. of Oct. for 2 days Mandatory Deer Check and Fri. after Thanksgiving Day for 3 days, Self-Clearing.

(d). Firearms Bucks Only: Mon. after close of Primitive Season to Thanksgiving Day, and 2nd Sat. of Dec. to Jan. 1.

(e). Primitive Firearms: Mon. after 1st either-sex firearms weekend for 7 days.

ii. Turkey:

(a). General Lottery: Opening day of statewide season for 2 days, 2nd Sat. of April for 2 days, 3rd Sat. of April for 2 days.

(b). Youth Lottery: Sat. before opening day of statewide season.

iii. Small Game and Waterfowl: Same as outside except closed during either-sex firearms hunts and open to squirrel hunting during the spring season, 1st Sat. of May for 9 days, with or without dogs. Beagles allowed for rabbits and dogs allowed for squirrel hunting day after firearms bucks only season closes to last day of Feb.

(a). Youth Squirrel Hunt: 4th Sat. of Sept. for 2 days.

iv. Raccoon (Nighttime): Day after firearms bucks only season closes to last day of Feb.

18. Other Areas

a. Camp Avondale Scout Reservation

i. Deer

(a). Firearms Either-sex: 2nd Sat. in November for 3 days. Restricted to scout program.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115 and R.S. 56:116.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:1279 (July 1999), amended LR 26:1494 (July 2000), LR 27:1049 (July 2001), LR 28:1603 (July 2002), LR 29:1124 (July 2003), repromulgated LR 29:1522 (August 2003), amended LR 30:1495 (July 2004), LR 31:1611 (July 2005), LR 32:1251 (July 2006), LR 33:1382 (July 2007), LR 34:1429 (July 2008), LR 35:1264 (July 2009), LR 36:1566 (July 2010), LR 37:2190 (July 2011), LR 38:1732 (July 2012), LR 39:2292 (August 2013), LR 40:1540 (August 2014), LR 41:963 (May 2015), LR 42:1112 (July 2016), LR 43:1423 (July 2017), LR 44:1277 (July 2018), LR 45:938 (July 2019), LR 46:961 (July 2020).

§113. General and WMA Turkey Hunting Regulations

A. General Regulations. Only gobblers (male turkeys) may be taken. Taking of hen (female) turkeys, including bearded hens, is prohibited; still hunting only. Use of dogs, electronic calling devices, motorized decoys and live decoys is illegal. Turkeys may be hunted with shotguns, including muzzleloading shotguns, using shot not larger than #2 lead, #2 non-toxic, or BB steel shot, and approved archery equipment but by no other means. Shooting turkeys from a moving or stationary vehicle is prohibited. Shotguns capable of holding more than three shells prohibited. The running of coyote with dogs is prohibited in all turkey hunting areas during the open turkey season. No person shall hunt, trap or take turkeys by the aid of baiting or on or over any baited area. Baiting means placing, exposing, depositing or scattering of corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed so as to constitute a lure, attraction or enticement to, on or over any areas where hunters are attempting to take turkeys. A baited area is any area where corn (shelled, shucked or unshucked), wheat or other grain, salt, or other feed capable of luring, attracting or enticing turkeys is directly or indirectly placed, exposed, deposited, distributed or scattered. Such areas remain baited areas for 15 days following complete removal of all such corn, wheat or other grain, salt, or other feed. Wildlife agents are authorized to close such baited areas and to place signs in the immediate vicinity designating closed zones and dates of closures. No person hunting turkeys more than 200 yards from a baited area will be in violation of the turkey baiting regulation.

B. Tags

1. Prior to hunting turkeys, all turkey hunters, regardless of age or license status, must obtain turkey tags and have them in their possession while turkey hunting. Immediately upon killing a turkey, hunters must attach a carcass tag to the turkey before it is moved from the site of the kill and must document the kill on the turkey harvest report card. The date of kill and parish of kill must be recorded on the carcass tag. The tag must remain attached to the turkey while kept at camp or while it is transported to the domicile of the hunter or to a cold storage facility. Hunters who keep the carcass or meat at a camp must also comply with game possession tag regulations. Within 72 hours of the kill, the hunter must report the kill. Hunters may report turkeys by calling the validation phone number or using the validation website.

2. Turkey hunters purchasing licenses by phone or internet will be given an authorization number and a LDWF identification number that will serve as their license and tags until the physical license and tags arrive by mail. Turkey hunters who have purchased a license with tags, but have not yet received their physical license and tags, must immediately tag their kill with a possession tag before moving it from the site of the kill. The authorization number and LDWF identification number must be recorded on the possession tag. Hunters must retain documentation of any turkeys killed and upon receiving their physical tags and harvest report card, validate their kill as required in these regulations. The tags for turkeys killed prior to receiving the physical tags must be removed from the turkey harvest report card and discarded.

3. Tags removed from the turkey harvest report card prior to killing a turkey are no longer valid and if lost will not be replaced. Duplicate tags and turkey harvest report cards are available to replace lost report cards and attached tags. Hunters will be charged a fee for duplicate turkey harvest report cards and tags. Hunters that have killed a turkey prior to losing their remaining tag and harvest report card must remove and discard the duplicate tag to account for the original tag that was used and validated. Hunters must record any previously validated turkey on the duplicate turkey harvest report card.

C. Possession of Live Wild Turkeys. No person shall take live wild turkeys or their eggs from the wild. No person shall possess captive live wild turkeys, (*Meleagris gallopavo silvestris, M.g. osceola, M.g. intermedia, M.g. merriami, M.g. mexicana*) or their eggs, regardless of origin, without a valid game breeder license. No pen-raised turkeys from within or without the state shall be liberated (released) within the state.

D. Statewide Youth and Physically Challenged Season Regulations. Only youths 17 years of age or younger or hunters possessing a physically challenged hunter permit with wheelchair classification may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Adults accompanying youth may not possess a firearm or bow. Youths may possess only one firearm or bow while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times, except properly licensed youths 16-17 years old and youths 12 years old or older who have successfully completed a hunter safety course may hunt without a supervising adult. Only one gobbler per day may be taken and any gobbler taken by the hunter during this special season counts towards their season bag limit of two.

E. Shooting Hours—one-half hour before sunrise to one-half hour after sunset.

F. Turkey Hunting Area Descriptions

1. Area A

a. All of the following parishes are open:

i. Beauregard;

ii. Bienville;

iii. Bossier;

iv. Claiborne;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

v. East Baton Rouge;

vi. East Feliciana;

vii. Grant;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

viii. Jackson;

ix. LaSalle;

x. Lincoln;

xi. Livingston;

xii. Natchitoches;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

xiii. Sabine;

xiv. St. Helena;

xv. Tangipahoa;

xvi. Union;

xvii. Vernon;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

xviii. Webster

xix. West Feliciana (including Raccourci Island);

xx. Winn.

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

b. Portions of the following parishes are also open:

i. Allen—north of US 190 east of Kinder, west of US 165 south of Kinder;

ii. Calcasieu—north of I-10;

iii. Caldwell—west of Ouachita River southward to Catahoula Parish line;

iv. Catahoula—south and west of the Ouachita River from the Caldwell Parish line southward to LA 8 at Harrisonburg, north and west of LA 8 from Harrisonburg to the LaSalle Parish line, also that portion lying east of LA 15;

v. Evangeline—north and west of LA 115, north of LA 106 west of LA 115 to US 167, west of US 167 south to LA 10, north of LA 10 west of US 167 to LA 13, west of LA 13 south of LA 10 to Mamou and north of LA 104 west of Mamou;

vi. Franklin—that portion lying east of LA 17 and east of LA 15 from its juncture with LA 17 at Winnsboro;

vii. Jefferson Davis—north of US 190 from junction with LA 26 to Kinder, west of US 165 and north of I-10 west from junction of US 165;

viii. Madison—that portion lying east of US 65 from East Carroll Parish line to US 80 and south of US 80. Also, all lands east of the main channel of the Mississippi River;

ix. Morehouse—west of US 165 from the Arkansas line to the junction of LA 140 at Bonita, north and west of LA 140 to junction of LA 830-4 (Cooper Lake Road), west of LA 830-4 to US 165 at Bastrop, south of US 165 to junction of LA 3051 (Grabault Road) south of LA 3051 to junction of LA 138, west of LA 138 to junction of LA 134, north of LA 134 to the Ouachita Parish line;

x. Ouachita—all west of the Ouachita River. That portion east of the Ouachita River lying north of US 80;

xi. Rapides—all west of Red River and north of LA 28 east from Pineville, LA east to LaSalle Parish line

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

xii. Richland—that portion south of US 80 and east of LA 17;

xiii. Tensas—that portion west of US 65 from the Concordia Parish line to its juncture with LA 128, north of LA 128 to St. Joseph; west and north of LA 605, 604 and 3078 northward to Port Gibson Ferry; also all lands east of the main channel of the Mississippi River.

2. Area B

a. All of the following parishes are open:

i. DeSoto;

ii. Red River;

iii. St. Tammany;

iv. Washington.

b. Portions of the following parishes are open:

i. Caddo—all except that portion north of I-20 from the Texas state line to I-220, west of I-220 to LA 1, west of LA 1 to Caddo Lake, south of Caddo Lake to the Texas state line;

ii. East Carroll—east of US 65 from Arkansas state line to Madison Parish line;

EXCEPTION: see federal lands hunting schedule for Kisatchie National Forest dates.

3. Area C

a. All of the following parishes are open:

i. Ascension;

ii. Concordia;

iii. Iberville;

iv. Pointe Coupee;

EXCEPTION: see Sherburne WMA for special season dates on all state, federal and private lands within Sherburne boundaries.

v. West Baton Rouge.

b. Portions of the following parishes are open:

i. Avoyelles—that portion bounded on the east by the Atchafalaya River, on the north by Red River to the Brouillette Community, on the west by LA 452 from Brouillette to LA 1, on the south by LA 1, eastward to Hamburg, thence by the west Atchafalaya Basin protection levee southward;

ii. Caldwell—all east of the Ouachita River;

iii. Catahoula—all of the parish except for that portion located in area A;

iv. Franklin—west of LA 17 from the Richland Parish line southward to Winnsboro, west of LA 15 southward to the Catahoula Parish line;

EXCEPTION: see Sherburne WMA for special season dates on all state, federal and private lands within Sherburne boundaries.

v. Iberia—east of the west Atchafalaya Basin protection levee;

vi. Richland—west of LA 17 from Franklin Parish line to Ringle Road, south of Ringle Road to Ferguson Road, south of Ferguson Road to Little Road, south of Little Road to Big Creek, east of Big Creek to Franklin Parish line;

vii. St. Landry—that portion bounded on the west by the west Atchafalaya Basin Protection Levee and on the east by the Atchafalaya River;

Exception: the Indian Bayou area; see federal lands hunting schedule for Indian Bayou area dates.

viii. Tensas—east and south of US 65 from Concordia Parish line to LA 128, south of LA 128 to St. Joseph, east and south of LA 605, 604 and 3078 northward to Port Gibson Ferry;

ix. Upper St. Martin—all within the Atchafalaya Basin; in addition, that area bounded on the North by LA 352; on the West by LA 349, to LA 3039, to LA 347, to the Catahoula Hwy. (LA 96), to LA 679, to LA 345; and on the south by LA 3242;

EXCEPTIONS: Sherburne WMA and Indian Bayou area, see WMA Turkey Hunting Schedule for special season dates on all state, federal and private lands within Sherburne WMA boundaries and see federal lands hunting schedule for Indian Bayou dates.

4. Turkey season dates on wildlife management areas, national wildlife refuges, Kisatchie National Forest and U.S. Army Corps of Engineers land located within areas A, B, and C may vary from the season set for the parish in which they are located. Seasons for these lands are specified in LAC 76:XIX.115.

G. WMA Turkey Hunting Regulations

1. WMAs with youth turkey hunts are closed to all activities except turkey hunting by authorized youth hunt participants, shooting range use, and fishing on the day(s) of the youth hunt.

2. Rules Specific to Certain WMAs

a. Sandy Hollow. No turkey hunting within 100 yards of food plots identified by two yellow paint rings around the nearest tree.

b. Sherburne. All turkeys taken must be checked at the WMA headquarters.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2263 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2375 (November 2002), LR 29:2512 (November 2003), LR 30:2874 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2469 (November 2007), LR 35:91 (January 2009), LR 35:2478 (November 2009), LR 36:2581 (November 2010), LR 37:3535 (December 2011), LR 38:2941 (November 2012), LR 40:96 (January 2014), LR 40:1554 (August 2014), LR 41:977 (May 2015), LR 42:1127 (July 2016), LR 43:1426 (July 2017), LR 44:1303 (July 2018), LR 45:964 (July 2019), LR 46:988 (July 2020).

§115. Turkey Hunting Areas, Seasons, and Bag Limits

A. Daily limit is one gobbler. Season limit is two gobblers. Turkeys taken on WMAs are part of the season bag limit. Only one turkey may be taken during spring WMA lottery hunts.

B. Turkey season will open on the first Saturday in April. The area A turkey season will be 30 consecutive days in length, the area B turkey season will be 23 consecutive days in length, and the area C turkey season will be 16 consecutive days in length. Wildlife management areas, national forests, national wildlife refuges, and U.S. Army Corps of Engineers land may vary from this framework. On those years when the first Saturday in April falls the day before Easter, then the season will open the Friday before the first Saturday in April.

C. Statewide youth turkey and physically challenged season on private lands shall be the weekend prior to the start of the regular turkey season. On those years when the weekend prior to the start of regular turkey seasons falls on Easter weekend, then the youth and physically challenged season will open on Good Friday.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 25:2264 (November 1999), amended LR 26:2634 (November 2000), LR 27:2270 (December 2001), LR 28:2376 (November 2002), LR 29:2512 (November 2003), LR 30:2875 (December 2004), LR 31:3167 (December 2005), LR 32:2272 (December 2006), LR 33:2470 (November 2007), LR 35:90 (January 2009), LR 35:2481 (November 2009), LR 36:2583 (November 2010), LR 37:3541 (December 2011), LR 38:2944 (November 2012), LR 40:99 (January 2014), LR 40:1556 (August 2014), LR 41:980 (May 2015), LR 42:1129 (July 2016), LR 43:1426 (July 2017), LR 44:1306 (July 2018), LR:966 (July 2019), LR 46:990 (July 2020).

§117. Migratory Bird Seasons, Regulations, and Bag Limits

A. Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	South Zone: Sept. 5-Sept. 16 Oct. 17-Nov. 29 Dec. 19-Jan. 21 North Zone: Sept. 5-Sept. 27 Oct. 10-Nov. 15 Dec. 26-Jan. 24	15 (in aggregate)	45 (in aggregate)
Woodcock	Dec. 18-Jan. 31	3	9
Teal (Blue-winged, Green-winged and Cinnamon)	Sept. 12-Sept. 27	6	18
King and Clapper Rails	Sept. 12-Sept. 27 Nov. 14-Jan. 6	15 (in aggregate)	45 (in aggregate)
Sora and Virginia Rails	Sept. 12-Sept. 27 Nov. 14-Jan. 6	25 (in aggregate)	75 (in aggregate)
Gallinules	Sept. 12-Sept. 27 Nov. 14-Jan. 6	15	45
Snipe	Coastal Zone: Nov. 2-Dec. 6 Dec. 19-Feb. 28 West Zone: Nov. 2-Dec. 6 Dec. 19-Feb. 28 East Zone: Nov. 2-Dec. 6 Dec. 19-Feb. 28	8	24
Ducks, Coots and Mergansers	Coastal Zone: Nov. 7-8 (youth only) Nov. 14-Dec. 6 Dec. 19-Jan. 24 Jan. 30-31 (veterans only) West Zone: Nov. 7 (youth only) Nov. 8 (veterans only) Nov. 14-Dec. 6 Dec. 19-Jan. 24 Jan. 30 (youth only) Jan. 31 (veterans only) East Zone: Nov. 14 (youth only) Nov. 15 (veterans only) Nov. 21-Dec. 6 Dec. 19-Jan. 31 Feb. 6 (youth only) Feb. 7 (veterans only)	Daily bag limit on ducks is 6 and may include no more than 4 mallards (no more than 2 females), 3 wood ducks, 2 canvasbacks, 2 redheads, 1 mottled duck, 1 black duck and 1 pintail. Only 1 scaup may be taken for the first 15 days of the season with 2 per day allowed for the remainder. Daily bag limit on coots is 15. Mergansers-The daily bag limit for mergansers is 5, only 2 of which may be hooded mergansers, in addition to the daily bag limit for ducks.	Three times the daily bag limit.
Light Geese (Snow, Blue, and Ross') and White-Fronted Geese	North Zone: Nov. 7-Dec. 6 Dec. 19-Jan. 31 South Zone: Nov.14-Dec. 6 Dec. 19-Feb. 7	Daily bag limit on Light Geese (snow, blue, and ross') is 20. Daily bag limit on White-Fronted Geese is 3.	No possession limit on Light Geese (snow, blue, and ross') Possession limit on White-Fronted Geese is 9.
Canada Geese	North Zone: Nov. 7-Dec. 6 Dec. 19-Jan. 31 South Zone: Nov. 14-Dec. 6 Dec. 19-Feb. 7	1	3

B. Conservation Order for Light Geese Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit	Possession Limit
Light Geese (Snow, Blue, and Ross')	North Zone: Dec. 7-Dec. 18 Feb. 1-March 7 South Zone: Dec. 7-Dec. 18 Feb. 8-March 7	No daily bag limit.	No possession limit.

C. Extended Falconry Seasons and Bag Limits

Species	Season Dates	Daily Bag Limit
Mourning and White Winged Doves and fully-dressed Eurasian and Collared Doves	Sept. 15-Oct. 1	Falconry daily bag and possession limit for all permitted migratory game birds must not exceed 3 and 9 birds, respectively, singly or in aggregate, during the extended falconry seasons and regular hunting seasons.
Woodcock	Nov. 2-Jan. 31	
Rails and Gallinule	Nov. 5-Jan. 31	
Ducks	Nov. 5-Jan. 31	

D. Dove Hunting Regulations

1. Shooting hours one-half hour before sunrise to sunset except on opening day of the first split on wildlife management areas and on fields leased through the LDWF experimental dove field leasing program, where hunting will be from 12 p.m. to sunset, except for Elbow Slough Wildlife Management Area which will be open one-half hour before sunrise to 12 p.m. (noon) on opening weekend of first split.

2. There is no bag limit on Eurasian collared-doves or Ringed Turtle-doves provided that a fully feathered wing and head remain attached to the carcass of the bird. Fully dressed Eurasian collared-doves and ringed turtle doves (those without a fully feathered wing and head naturally attached to the carcass) shall be included in the aggregate bag.

3. The following boundary divides the dove season zones: beginning at the Texas-Louisiana border on LA Hwy. 12; thence east along LA Hwy 12 to its intersection with U.S. Hwy 190; thence east along U.S. Hwy 190 to its intersection with I-12; thence east along I-12 to its intersection with I-10; then east along I-10 to the Mississippi state line.

E. Snipe Hunting Regulations. Shooting hours one-half hour before sunrise to sunset, except at the Spanish Lake recreation area in Iberia Parish where shooting hours, including the conservation end at 2 p.m.

F. Conservation Order for light geese. Only snow, blue, and Ross' geese may be taken under the terms of the conservation order. Electronic calls and unplugged shotguns allowed. No daily bag or possession limit. Shooting hours one-half hour before sunrise until one-half hour after sunset.

G. Canada Goose Season Closure. The Canada goose season will be open statewide except for a portion of southwest Louisiana described as follows: beginning at the Texas State Line, proceeding east along LA Hwy. 82 to the Calcasieu Ship Channel, then north along the Calcasieu Ship Channel to its junction with the Intracoastal Canal, then east along the Intracoastal Canal to its juncture with LA Hwy. 82, then south along LA Hwy. 82 to its juncture with Parish Road 3147, then south and east along Parish Road 3147 to Freshwater Bayou Canal, then south to the Gulf of Mexico, then west along the shoreline of the Gulf of Mexico to the Texas State Line, then north to the point of beginning at LA Hwy. 82. Open waters of Lake Arthur and the Mermentau River, from the Hwy 14 bridge southward, will also be closed.

H. Statewide Youth Waterfowl Season Regulations. Only youths 17 years of age or younger may hunt. Youth must possess a hunter safety certification or proof of successful completion of a hunter safety course. Youths must be accompanied by one adult 18 years of age or older. If the accompanying adult is in possession of hunter safety certification, a valid hunting license or proof of successful completion of a hunter safety course, this requirement is waived for youth younger than 16 years of age. Youths may possess only one firearm while hunting. The supervising adult shall maintain visual and voice contact with the youth at all times.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:115.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 42:1130 (July 2016), amended LR 43:1427 (July 2017), LR 44:1306 (July 2018), LR 45:966 (July 2019), LR 46:991 (July 2020).