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# Lagniappe



EXTENSION PROGRAMS  
Agriculture and Forestry  
Community Leadership  
Economic Development  
Environmental Sciences  
Family and Consumer Sciences  
4-H Youth Development  
Natural Resources

August 1, 2001

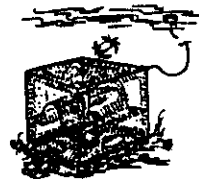
Volume 25, No. 8

## THANKS!

We would like to express our thanks to Bill Healy of [rodreel.com](http://rodreel.com). Healy is the volunteer web designer who is now posting the LAGNIAPPE fisheries newsletter on the web at [www.rodreel.com/articles](http://www.rodreel.com/articles). Click on "LSU AgCenter Lagniappe" to find it. Each month's newsletter is listed in two parts. Our thanks are also extended to Mike Lane, President of Rodreel.com.

## DERELICT CRAB TRAPS IN TEXAS

The 2001 Texas Legislature passed a bill closing Texas waters to crabbing for at least 10, but not more than 30 days during February and March. The closed period is to allow Texas Parks and Wildlife Department (TPW) staff and volunteers to clean up abandoned or lost crab traps from coastal waters. Texas officials estimate that thousands of such traps exist and create hazards for fishermen and boaters as well as for crabs and other marine life.



TPW biologists met with members of the agency's Crab Advisory Committee, Crab License Review Board, and Finfish License Review Board, and also held 8 public meetings to gather ideas from fishermen on how best to conduct the project. Among the items discussed was whether to close to crabbing the entire coast at one time or to keep some areas open while others are closed.

## SHRIMPING AND NAVIGATION

Shrimping is big business in Louisiana, and so is navigation. Each year, in some part of the state, it seems that the two bump heads seriously, usually in established navigation channels. Under ordinary circumstances, the U.S. Coast Guard "Rules of the Road" provide that a vessel with fishing gear in the water has the right-of-way over a



navigating vessel. However, this does not hold true in established channels and their entrances. In these areas, fishing vessels do not have right-of-way over other vessels and cannot in any way obstruct navigation. State laws also apply to the subject. Section 499 of Title 56 states that "Operation of butterfly and skimmer nets shall in no way impede or restrict normal navigation". This includes the cables or ropes used to anchor wing net barges.

## **FEDERAL DOLLARS BEEF UP OFFSHORE ENFORCEMENT**

Federal dollars from the National Oceanic and Atmospheric Administration, the parent agency to the National Marine Fisheries Service will be used to strengthen the presence of the Louisiana Department of Wildlife and Fisheries Enforcement Division in offshore waters, both federal and state. Louisiana will receive \$2 of the \$15 million appropriated nationally, according to Capt. Jeff Mayne, who helped coordinate and push this initiative. Funding from this agreement will be used for the purchase of five vehicles and five 24-foot offshore patrol boats. Additionally, it will fund more patrol hours in coastal waters and community oriental education programs.

## **NEW FISHERIES LAWS**

The following bills were passed by the Regular Session of the 2001 Louisiana Legislature and will go into effect August 15 (unless otherwise noted). In these bill summaries, the Department of Wildlife and Fisheries is referred to as DWF, the Wildlife and Fisheries Commission as WFC, and the Department of Natural Resources as DNR.

### Senate Bill 269 - Dupre (Act 83)

Provides that the WFC shall open the spring brown shrimp season in the area between South Pass of the Mississippi River and the western shore of Vermilion Bay, and Southwest Pass at Marsh Island no later than the third Monday in May, after considering DWF projections on when 50% of the brown shrimp crop will be 100 per pound or larger.

### Senate Bill 359 - McPherson (Act 322)

Establishes the Hunting and Fishing Advisory Education Council within DWF to educate citizens about the benefits of hunting and fishing.

### Senate Bill 362 - Dupre & Gautreaux (Act 87)

Provides that skimmer nets may be measured diagonally, with a 20 ft diagonal size limit. Also provides that reinforcement framing shall not be considered in measuring the size of a skimmer.

### Senate Bill 474 - Smith & others (Act 325)

Allows nonresident full-time college students who are attending Louisiana colleges to purchase nonresident hunting, and basic and saltwater fishing licenses at the same

prices charged for resident licenses if that student's home state provides the same option to Louisiana residents attending college in that state. Also allows nonresidents to purchase a \$30 annual black bass tournament fishing license instead of a nonresident basic fishing license. This license may be used only when the person is fishing in an official, tournament registered with DWF. The person must carry proof of participation in the tournament while fishing. With this license, only black bass, which are to be returned to Louisiana public waters, maybe possessed.

Senate Bill 569 - Ullo (Act 705)

Extends the Underwater Obstruction Removal Fund for 3 years with \$250,000 annually.

Senate Bill 577 - Ullo (Act 394)

Provides that shrimp may be sold by count if the size of the shrimp in a container are within the specified count size listed on the container.

Senate Bill 578 - Ullo (Act 706)

Requires that when state agencies purchase shrimp, that the bid specifications shall require the use of count sizes rather than terms such as "jumbo", "extra large", etc.

Senate Bill 579 - Ullo (Act 200)

Requires that for product to be labeled as "crawfish" in Louisiana, it must be red swamp crawfish, white river crawfish, or Louisiana pond-raised crawfish.

Senate Bill 650 - Dupre (Act 329)

Provides that aliens who have lived in Louisiana for 12 months shall be considered residents and that aliens living in another state or U.S. territory shall be considered "nonresidents" for the purpose of purchasing commercial fishing licenses.

Senate Bill 928 - Gautreaux (Act 333)

Allows the use of unattended hoop nets, for catfish harvest only, in the saltwater areas of the state.

Senate Bill 950 - Romero & Schedler (Act 19)

Reduces the nonresident annual saltwater recreational angler's license from \$50 to \$30.

Senate Bill 974 - Ullo & Bruneau (Act 1137)

Abolishes 38 agencies and commissions, including the Alligator Market Development Authority, the Environment and Natural Resources Council, and the Recreational Fishing Development Board.

**Senate Bill 1024 - Dupre (Act 112)**

Makes permanent the \$10 annual shrimp gear fee charged to anyone who purchases one or more commercial shrimp gear licenses, with the money to be used to market and promote shrimp by the Louisiana Seafood Promotion and Marketing Board.

**Senate Bill 1073 - Ellington & others (Act 761)**

Requires that any catfish product sold in Louisiana be labeled with the country it came from. Also defines "farm-raised" so as to not include catfish raised in pens or cages located in natural streams or rivers. Effective September 1, 2001.

**Senate Concurrent Resolution 25 - Ullio**

Requests the Louisiana Division of Administration to review and update, with recommendations from the Louisiana Seafood Standards of Identity Task Force, the bid specifications used by state agencies to buy seafood.

**Senate Concurrent Resolution 34 - Dupre**

Requests DWF to, in the future, print summaries of introduced legislation concerning fish and wildlife on its internet web site.

**Senate Concurrent Resolution 45 - McPherson & Theunissen**

Requests WFC to allow senior citizens who have a basic recreational fishing license to use up to two freshwater hoops.

**Senate Concurrent Resolution 47 - McPherson & Malone**

Requests WFC to establish a recreational hunting season for nutria to lessen wetland damage.

**Senate Concurrent Resolution 49 - McPherson**

Requests the Office of State Lands and all other state agencies to identify state lands that could be dedicated to public outdoor recreational use.

**Senate Concurrent Resolution 52 - McPherson**

Requests that the Louisiana Attorney General, the Coastal Zone Management Program and the Office of State Lands require that plans for gates and barricades that may block public access to waters the public uses be announced by public notice before any barricading, gating, closure, or blockage.

**Senate Concurrent Resolution 107 - Marionneaux & others**

Requests the U.S. Army Corps of Engineers to increase the flow of water from the Mississippi River through the Old River Control Structure into the Atchafalaya River to keep the river at a minimum stage of 12 feet at Butte La Rose throughout the spring to allow normal crawfish production and harvest.

Senate Concurrent Resolution 130 - Cain

Nominates all or part of Whisky Chitto, Barnes, Bearhead, Bundicks, Beckwith, and Hickory Creeks in Allen, Beauregard, Calcasieu and Vernon Parishes for the Louisiana Natural and Scenic Rivers System.

Senate Resolution 70 - Ullo & Romero

Directs the Wetlands Conservation and Restoration Authority to present for approval, to the Senate and House Natural Resources Committees at least 30 days before the legislative session, all projects being considered for the year for the Coastal Wetlands Conservation and Restoration Plan.

House Bill 65 - Pitre & Dupre (Act 28)

Requires that a commercial fisherman's license may be purchased at any district DWF office located south of Interstate Highway 10 and at the fisheries office located in Bourg and the office located in New Iberia, as well as at the Baton Rouge and New Orleans DWF offices. Also repeals the requirement that the license be in the form of a "Commercial Fisherman's Sales Card" and requires seafood dealers who make purchases from fishermen to copy the fishermen's names and license numbers on the receipt forms rather than imprint them with the card.

House Bill 79 - John Smith (Act 29)

Increases the minimum size limit for spotted bass from 12 to 14 inches on Toledo Bend Reservoir. Also for Toledo Bend and the Sabine River, provides a recreational limit of 25 for each species of catfish—channel, blue and flathead (yellow), rather than the current limit of 100 for the 3 species combined, and repeals for these areas the allowable of 25 catfish (of the total limit of 100) under the minimum size limit and creates recreational limits of 50 for crappie (sac au lait), and 25 for white bass. Effective September 1, 2001 if and when Texas passes identical limits.

House Bill 85 - Salter (Act 30)

Creates a recreational gear license allowing the use of up to 3 hoop nets for \$20 in waters north of I-12 between Baton Rouge and the Mississippi state line, north of I-10 between Baton Rouge and Ragley, and north of LA 12 from Ragley to the Texas line. Effective immediately.

House Bill 158 - Daniel (Act 344)

Allows the secretary of DWF to add an additional 10% penalty for late payment of civil and class one penalties. Also allows the secretary to assess hearing costs and begin civil proceedings to collect penalties.

House Bill 159 - Daniel (Act 113)

Adds to the DWF Office of Management and Finance the responsibilities of budget forecasting, socioeconomic research and analysis, property control, boat registration, and

customer service. Also requires the DWF undersecretary to assist in administration of licensing and permits, collection of money, and media information.

House Bill 179 - Nevers (Act 215)

Exempts dealers in marine products and all-terrain vehicles who are licensed by the Louisiana Used Motor Vehicle and Parts Commission from collection and payment of advance sales tax. Effective immediately.

House Bill 281 - Pitre (Act 226)

Allows WFC to develop rules for a recreational hunting season for nutria.

House Bill 329 - Odinet & Dean (Act 51)

Provides that the waters of the Intracoastal Waterway in Orleans Parish from the overhead power lines at the Interharbor Navigation Canal east to the Rigolets shall be considered both salt and freshwater for taking of fish and use or possession of gear. Also provides that mullet may be taken in this area and in that portion of Lake Pontchartrain located east and south of the Interstate 10 bridge.

House Bill 336 - Daniel (Act 804)

Provides that if a class one fish and wildlife law violator does not appear when summoned, that it shall be considered a plea of no contest and that all hunting and fishing privileges are lost until the civil penalties are paid. Further provides that violators who have civil penalties or restitution assessed against them at a hearing shall be liable for attorney fees, and that failure to pay these fees will also result in loss of fishing and hunting privileges.

House Bill 337 - Daniel (Act 805)

Authorizes payment of fines for class one violations electronically .

House Bill 338 - Daniel (Act 963)

Provides that mineral leases and rights remain with the landowner on lands that have become water bottoms of an arm of the sea by the actions of erosion, subsidence or other conditions.

House Bill 445 - Gary Smith (Act 57)

Makes permanent the Crab Task Force which has been meeting independently for over 10 years. Effective immediately.

House Bill 480 - Odinet (Act 116)

Creates a Mullet Task Force comprised of the DWF secretary or his designee and one member each of the United Commercial Fishermen's Association, the Delta Commercial Fisherman's Association, the Lake Pontchartrain Commercial Fishermen's Organization, and the Louisiana Commercial Fisherman's Association of Dulac to advise the WFC as to the most appropriate date to open the mullet season. Effective immediately.

House Bill 569 - McCallum & Gautreaux (Act 582)

Directs WFC to develop a 7-day nonresident outdoor press pass (for fishing and hunting) with a fee of \$20. Effective immediately.

House Bill 603 - Diez (Act 123)

Provides that the Secretary of the Department of Transportation and Development shall issue permits to move oversize boats which are not wider than 16 feet on interstate highways. Limits speeds to 55 miles per hour and authorizes refusal of a permit if conditions would endanger the public.

House Bill 715 - Diez & Nevers (Act 834)

Allows a manufacturer to change a marine, all terrain, or motorcycle dealer's area of responsibility or add another dealership within the area, if the manufacturer gives notice to the Louisiana Used Motor Vehicle and Parts Commission. The commission must then notify the existing same line dealers in the area, who may object in writing within 15 days. The commission must hold a hearing within 30 days and make a decision within 90 days.

House Bill 787 - Frith (Act 591)

Provides the following penalties for the theft of crawfish: \$300 or less of crawfish carries a fine of up to \$500 and up to 6 months in jail, unless the offender is a repeat offender and then the penalty is up to a \$2,000 fine and 2 years imprisonment. Theft of \$300 to \$500 of crawfish carries a penalty of \$2,000 and two years in jail. Over \$500 of crawfish theft carries a penalty of \$3,000 and not more than 10 years imprisonment.

House Bill 998 - Pierre (Act 1061)

Includes state-owned water bottoms in the law which allows the State Land Office to grant surface leases to people who had, before January 1, 1985, constructed improvements on the area valued at greater than \$10,000.

House Bill 1407 - Odinet & Dean (Act 147)

Replaces the penalty system for the mullet fishery from a class 6 violation and a person being barred for life for violation of any fisheries law or regulation to a person who violates mullet fishery law or regulation receiving a class 6 violation and the following penalties: First offense, loss of mullet permit and strike net license for the rest of the year of issue, plus one year; second offense, loss of same permit and license for the rest of the year, plus 2 years; and third offense, loss of same permit and license for life.

House Bill 1415 - Odinet & Dean (Act 271)

Replaces the penalty system for the commercial rod and reel speckled trout fishery from a class 6 violation and a person being barred for life for violation of any fisheries law or regulation to being a class 6 violation and the following penalties for violation of commercial rod and reel speckled trout fishery law or regulation. First offense, loss of speckled trout permit and commercial fisherman's license for the rest of the year of issue,

plus one year; second offense, loss of same permit and license for the rest of the year, plus 2 years; and for the third offense, loss of the same permit and license for life.

House Bill 1416 - Odinet & Dean (Act 148)

Slightly changes the latitude and longitude coordinates for the boundaries of Breton and Chandeleur Sounds (for the use of trawling vessels).

House Bill 1417 - Jack Smith (Act 149)

Defines bandit gear as "vertical hook-and-line gear with rods attached to a vessel and with line retrieved by manual, electric or hydraulic reels. Defines longline gear as "a line over 400 yards long to which gangions and hooks are attached that is deployed horizontally and is retrieved by an electric or hydraulic hauler." Provides that trotlines are not longlines and defines trotlines as less than 400 yards in length, but does allow the use of an electric or hydraulic haulers. Prohibits the use of bandit gear or longline gear in state territorial (outside) waters. Prohibits the possession of any fish taken from territorial waters by bandit or longline gear.

House Bill 1419 - Jack Smith (Act 150)

Allows tuna to be landed with their head removed so long as the carcass with the head removed is over the minimum legal size. Prohibits recreational fishermen from removing the heads and/or tails of sharks before landing. Also provides that commercial shark permit holders no longer have to make monthly reports and creates the following penalties for violation of commercial shark regulations: First offense, loss of current shark permit, plus loss for one more year; second offense, loss of current shark permit, plus 2 years; third offense, loss of shark permit for life.

House Bill 1420 - Pierre & others (Act 448)

Replaces the \$30, 3 day nonresident basic fishing license with a temporary nonresident basic license costing \$5 per day. Replaces the \$40, three day nonresident saltwater fishing license with a temporary nonresident saltwater fishing license, costing \$15 per day. Also creates a nonresident four day basic fishing license for \$15 and a nonresident four day saltwater fishing license for \$45. Effective immediately.

House Bill 1422 - Jack Smith (Act 185)

Adds the DWF Enforcement Training Academy to those programs from which graduates qualify for general law enforcement powers.

House Bill 1423 - Odinet & Dean (Act 152)

Provides that when a vessel is found to be illegally harvesting oysters within an unapproved or closed area that all oysters on board shall be considered a health hazard and seized and returned to the water.



House Bill 1424 - Odiner & Dean (Act 153)

Makes technical changes in the wording of the law that prohibits the use of trawls, menhaden purse seines and pompano strike nets within 2,500 feet of land within Breton Sound and near the Chandeleur Islands.

House Bill 1427 - Pierre (Act 901)

Allows Louisiana residents to purchase a \$5 three-day charter passenger fishing trip license when they fish on board a licensed charter vessel.

House Bill 1429 - Flavin (Act 902)

Requires that anyone acting or representing himself (including advertising) as a charter fishing guide must be licensed as one. Also requires possession of the license while on the water.

House Bill 1481 - Johns (Act 548)

Changes the saltwater/freshwater line in Cameron and Calcasieu Parishes to follow the Intracoastal Waterway rather than Louisiana Highway 82.

House Bill 1606 - Damico (Act 438)

Requires oyster leaseholders to report to DWF each year beginning in 2003, the following information: Name of leaseholder, harvest grid numbers, amount of marketable oysters removed, amount of seed oysters removed, amount of cultch material placed, and amount and source of seed oysters placed. DNR will develop the grid system for reporting. The information collected will be available only to DNR for coastal restoration project efforts. The names of the people submitting the report shall remain confidential.

House Bill 1676 - Winston (Act 163)

Increases the minimum claw size for stone crabs from 2½ inches to 2¾ inches. Allows live stone crabs to be held onboard the vessel in any container, but not landed. Requires the stone crabs to be returned to the water from which they were taken.

House Bill 1692 - Triche & others (Act 165)

Makes the speckled trout the official state saltwater fish.

House Bill 1696 - Pierre & others (Act 919)

Charges the State Land Office with the responsibility and duties of administering public lands and waters. Creates four sections within the State Land Office, an administrative section, a land and water bottom management section, an historical records section, and a titles and survey section. Requires the State Land Office to develop a state master plan for state lands and water bottoms and to develop a master list of all public lands and water bottoms. Transfers from DNR to the State Land Office responsibility for waterside land reclamation applications and administration, and all responsibility for permits and leases.

**House Bill 1716 - Pierre & others (Act 449)**

Creates a license for large charter vessels which carry smaller fishing skiffs for use by 2 people each. The fee is \$1,000 for vessels carrying 6 or fewer skiffs and \$2,000 for vessels carrying more than 6. No main vessel licensed under these licenses may enter any wildlife management area managed by DWF. Each skiff must also have a \$50 charter skiff license which identifies the charter vessel to which it is attached. Each nonresident who fishes from such a skiff must purchase a \$30 license valid which is valid for 3 consecutive days. Effective immediately.

**House Bill 1795 - Damico (Act 439)**

Requires that the projected impact areas of coastal restoration projects and recommendations about length of oyster leases in those areas shall be presented by DNR to the Oyster Task Force by August 15 of each year. Provides that final recommendations be given to DWF and the Oyster Task Force before September 30. Provides that the Oyster Task Force may request in writing, review of the DNR recommendations by the House and Senate Natural Resources Committees.

**House Concurrent Resolution 36 - Odinet**

Requests DWF to create equal opportunity for fishermen with disabilities by adopting rules to allow them twice the daily fish limits, for reasons that include lack of finger dexterity, lack of hand and wrist strength, and lack of access to the water.

**House Concurrent Resolution 42 - Flavin**

Creates a task force to study trespass laws and make a report of its findings to the 2003 state legislature.

**House Concurrent Resolution 76 - Townsend**

Urges the Secretary of DWF to develop a relationship with the Louisiana Wildlife and Fisheries Foundation and directs the secretary to make a written report to the Senate and House Natural Resources Committees on the relationship between the DWF and the foundation and the steps which have been taken by DWF to further that relationship.

**House Concurrent Resolution 85 - LaFleur**

Declares Melville to be the "Atchafalaya River Catfish Capital of Louisiana".

**House Concurrent Resolution 86 - Fauchaux and Fontenot**

Requests U.S. Congress to support with funding the construction of the Maurepas Swamp Diversion from the Mississippi River.

**House Concurrent Resolution 92 - Odinet**

Creates the Louisiana State Seafood Industry Advisory Board to improve communications between the seafood industry and regulatory agencies and to make recommendations on proposed regulations and the needs of the seafood industry to agencies and the legislature.

House Concurrent Resolution 129 - Pitre & others

Urges the U.S. President and Congress to put fully into effect the Gulf Hypoxia Action Plan.

House Concurrent Resolution 143 - Baudoin & others

Requests U.S. Congress to assist the Federal Trade Commission in preventing the sale of crawfish and catfish imported from Asia and Spain at prices with which Louisiana producers cannot compete.

House Concurrent Resolution 167 - Damico

Requests U.S. Congress to fully fund the Estuary Restoration Act of 2000.

House Concurrent Resolution 168 - Romero & others

Requests the U.S. Army Corps of Engineers to increase the water flow rate from the Mississippi River, through the Old River Control Structure, into the Atchafalaya River.

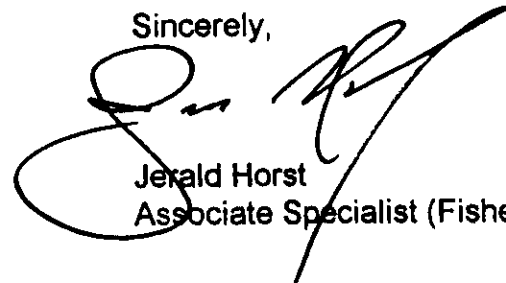
House Concurrent Resolution 177 - Frith

Requests U.S. Congress to have the U.S. Fish and Wildlife Service establish and fund a cooperative enforcement program with DWF.

House Concurrent Resolution 233 - Frith

Requests DWF to study the feasibility of a recreational cast netting license and the use of the fees collected to build and maintain restroom facilities near certain waterways.

Sincerely,



Jerald Horst  
Associate Specialist (Fisheries)