

**NOTICE OF INTENT**

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

Reef Fish – Harvest Regulations  
(LAC 76:VII.335)

The Wildlife and Fisheries Commission does hereby give notice of intent to amend a Rule (LAC 76:VII.335) modifying existing reef fish harvest regulations. Proposed changes modify the trip limit for the commercial harvest of greater amberjack and provide authority to the secretary of the Department to modify any commercial trip limits for a reef fish species or species group when notified by the Regional Administrator of NOAA Fisheries that such a change has been made in adjacent federal waters. Authority for amendment of this Rule is included in the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 56:6(25)(a), 56:320.2, 56:326.1, and 56:326.3 to the Wildlife and Fisheries Commission.

**Title 76**

**WILDLIFE AND FISHERIES**

**Part VII. Fish and Other Aquatic Life**

**Chapter 3. Saltwater Sport and Commercial Fishery**

**§335. Reef Fish - Harvest Regulations**

A. – D.7. ...

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.

<b>Species or Group</b>	<b>Trip Limit</b>
a. Gray Triggerfish	16 Fish

Species or Group	Trip Limit
b. Greater Amberjack	1,000 pounds gutted weight

E. – J. ...

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 (June 1998), LR 24:1139 (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:\_\_\_\_\_.

The Secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the Commission to promulgate and effectuate this notice of intent and the final rule, including but not limited to, the filing of the fiscal and economic impact statements, the filing of the notice of intent and final rule and the preparation of reports and correspondence to other agencies of government.

#### **Family Impact Statement**

In accordance with Act 1183 of 1999, the Department of Wildlife and Fisheries/Wildlife and Fisheries Commission hereby issue its Family Impact Statement in connection with the preceding Notice of Intent. This Notice of Intent will have no impact on the six criteria set out at R.S. 49:972(B).

#### **Poverty Impact Statement**

This proposed Rule will have no impact on poverty as described in R.S. 49:973.

#### **Small Business Analysis**

This proposed Rule has no known impact on small businesses as described in R.S. 49:965.2 through R.S. 49:965.8.

## **Provider Impact Statement**

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

### **Public Comments**

Interested persons may submit comments relative to the proposed Rule to Jason Adriance, Fisheries Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to jadriance@wlf.la.gov prior to Thursday, August 6, 2020.

William Hogan

Chairman

## **FISCAL AND ECONOMIC IMPACT STATEMENT**

### **SUMMARY**

#### **I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

There is no impact on expenditures of the Department of Wildlife and Fisheries (LDWF) or local governmental units associated with the proposed rule altering the trip limit for greater amberjack. The rule changes the trip limit for greater amberjack caught commercially from 1,500 pounds per trip to 1,000 per trip.

The proposed rule also gives the Secretary of Wildlife and Fisheries the authority to alter the trip limit for any commercially harvested reef fish or species group when notified that the Regional Administrator of National Oceanographic and Atmospheric Administration (NOAA) Fisheries that an adjustment has been made to the trip limit for a species or species group in adjacent federal waters.

#### **II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)**

The proposed rule change is anticipated to have no effect on revenue collections of state or local governmental units.

#### **III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS, SMALL BUSINESSES, OR NON-GOVERNMENTAL GROUPS (Summary)**

The proposed lower trip limit to 1,000 pounds per trip for greater amberjack caught commercially, will have a negative impact for commercial fishers. LDWF estimates an annual loss to fishers of \$26,000.

#### **IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)**

The proposed rule change is anticipated to have a minor negative impact on receipts or income in Louisiana.