

## **NOTICE OF INTENT**

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

#### **Daily Take and Possession Limits of King and Spanish Mackerel and Cobia (LAC 76:VII.327)**

The Wildlife and Fisheries Commission does hereby give notice of intent to amend a Rule (LAC 76:VII.327) by modifying the daily bag and possession limit for recreationally and commercially harvested cobia from 2 fish per person to 1 fish per person per day. Further modifications to the rule also establish a recreational and commercial vessel limit of no more than 2 cobia per day. The proposed changes are a result of recent changes made by NOAA Fisheries, through the Gulf of Mexico Fishery Management Council, to establish a vessel limit and modify the possession limits for recreationally and commercially harvested cobia in the federal waters of the Gulf of Mexico. The authority for amendment of this Rule is included in the Administrative Procedure Act, R.S. 49:961 et seq., and through the authority granted in R.S. 56:6(25)(a), R.S. 56:325.1, and 56:326.3 to the Wildlife and Fisheries Commission.

The secretary of the Department of Wildlife and Fisheries is authorized to take any and all necessary steps on behalf of the commission to promulgate and effectuate this Notice of Intent, including but not limited to, the filing of the Fiscal and Economic Impact Statement, the filing of the Notice of Intent and compiling public comments and submissions for the commission's review and consideration. In the absence of any further action by the commission following an opportunity to consider all public comments regarding the proposed rule, the secretary is authorized and directed to prepare and transmit a summary report to the legislative oversight committees and file the final Rule.

**Title 76**

## **WILDLIFE AND FISHERIES**

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

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

##### **§327. Daily Take and Possession Limits of King and Spanish Mackerel and Cobia**

A.-C.2. ...

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 one fish per person per day with a vessel limit not to exceed two fish per vessel per day, regardless of the number of trips or persons on the vessel.

E.-E.6. ...

**AUTHORITY NOTE:** Promulgated in accordance with 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 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), LR

#### **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**

The proposed rulemaking 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, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000, or via e-mail to [jadriance@wlf.la.gov](mailto:jadriance@wlf.la.gov) prior to Thursday, March 2, 2023.

Joe McPherson

Chairman

SUMMARY  
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

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

The proposed rule change will have no impact on state or local governmental unit expenditures.

The proposed rule change lowers the bag limit for cobia (also known as ling or lemonfish) caught recreationally or commercially in Louisiana from two to one fish per person and sets a vessel limit of two fish per vessel per day.

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

The proposed rule change is expected to have no effect on revenue collections of the Louisiana Department of Wildlife and Fisheries (LDWF) or other 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 decrease in the bag limits and the imposition of a vessel limit for cobia is expected to reduce the recreational harvest of cobia on approximately 1,795 vessel-trips per year by one fish or more.

The proposed imposition of a two-fish vessel limit for cobia may reduce landings revenue for commercial fishers by approximately \$4,447 per year.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change is anticipated to have a minor negative impact on competition and employment in Louisiana.