

2023 Regular Session

HOUSE BILL NO. 576

BY REPRESENTATIVE ORGERON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FISHING/COMMERCIAL: Provides relative to the taking of menhaden

1 AN ACT

2 To amend and reenact R.S. 56:324 and to enact R.S. 56:325.7, relative to menhaden; to  
3 provide for legislative findings; to provide restrictions and requirements applicable  
4 to commercial menhaden catch; to provide for the duties and responsibilities of the  
5 Department of Wildlife and Fisheries to provide for a coastal exclusion zones; to  
6 provide for the taking of menhaden; to prohibit the use of certain vessels and  
7 equipment in the exclusion zone; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The legislature hereby finds that, in light of findings in the 2022  
10 Louisiana Department of Wildlife and Fisheries report titled, "Assessment of Red Drum  
11 *Sciaenops ocellatus* in Louisiana", that spawning stock for redfish has decreased to a point  
12 where it needs extra protection, it is essential to place additional limitations on commercial  
13 menhaden fishing, and especially during the redfish spawning season.

14 Section 2. R.S. 56:324 is hereby amended and reenacted and R.S. 56:325.7 is hereby  
15 enacted to read as follows:

16 §324. Menhaden seines; restrictions

17 A. All commercial menhaden companies utilizing vessels equipped with  
18 purse seines operating in Louisiana territorial waters for the purpose of reduction  
19 fishing shall take no more than two hundred sixty-six thousand metric tons of  
20 menhaden from Louisiana territorial waters on an annual basis.



1           C. Notwithstanding the exclusion zones provided in Subsections A and B of  
2           this Section, the following exclusion zones shall be applicable year round:

3           (1) For the area from the western edge of Timbalier Island to the eastern  
4           edge of Grand Terre Island, the exclusion zone shall extend one mile seaward from  
5           land.

6           (2) The exclusion zone in the area between Caminada Pass and Barataria  
7           Pass shall be three miles seaward from land.

8           (3) For Breton and Chandeleur Sounds, as described in LAC 76:VII.307(E),  
9           the exclusion zone shall extend one half mile seaward from the double rig line as  
10          defined in R.S. 56:495.1(A)(2).

11          (4) For the Chandeleur Islands, the exclusion zone shall extend one half mile  
12          seaward in all directions.

13          D. The provisions of Paragraph (C)(4) of this Section shall in no way  
14          interfere with any federally designated sanctuary, preserve, or protected waters.

#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 576 Original

2023 Regular Session

Orgeron

**Abstract:** Provides limits on annual tonnage of commercial menhaden catch for reduction and exclusion zones where the taking of menhaden is prohibited.

Present law provides that anyone legally taking menhaden cannot have in their possession more than five percent, by weight, of any species of fish other than menhaden and herring-like species.

Proposed law retains present law and provides the total menhaden catch for the purpose of reduction fishing in La. territorial water can be no more than 266,000 metric tons annually.

Proposed law further gives the secretary of the La. Dept. of Wildlife and Fisheries the authority to close the harvest within La. territorial waters when the total catch meets 266,000 metric tons.

Proposed law further provides that any set occurring once the harvest is closed shall result in reduced harvest in total annual tons in subsequent years. In addition, the LDWF may assess specific fines and penalties to captains and/or companies for annual tonnage violations.

Proposed law creates an exclusion zone which extends from the coastal boundary between Texas and La. to the coastal boundary between Mississippi and La. extending one half mile

seaward from land where the taking of menhaden is prohibited. Proposed law further provides that from Aug. 1<sup>st</sup> through Oct. 31<sup>st</sup> each year, this exclusion zone shall be extended from one half mile to one mile.

Proposed law prevents the use of vessels and any equipment used for the specific purpose of taking menhaden in the exclusion zone.

Proposed law provides for the following special exclusion zones, which are measured independently from the default exclusion zone and which apply year round without additional distance added during redfish spawning season:

- (1) From the western edge of Timbalier Island to the eastern edge of Grand Terre, the exclusion zone shall be one mile seaward from land.
- (2) From Caminada Pass to Barataria Pass, the exclusion zone shall be three miles seaward from land.
- (3) For Breton and Chandeleur Sounds the exclusion zone shall be one half mile seaward from the double rig line as defined in present law.
- (4) For the Chandeleur Islands, the exclusion zone shall extend one half mile seaward in all directions.

Proposed law clarifies that the exclusion zone applicable to the Chandeleur Islands may not interfere with any federally designated sanctuary, preserve, or protected waters.

(Amends R.S. 56:324; Adds R.S. 56:325.7)