

2021 Regular Session

HOUSE BILL NO. 535

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 geographic location for the taking of menhaden

1 AN ACT

2 To enact R.S. 56:325.5, relative to menhaden; to provide for a coastal exclusion zone; to  
3 prohibit the taking of menhaden in the exclusion zone; to prohibit the use of certain  
4 vessels and equipment in the exclusion zone; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 56:325.5 is hereby enacted to read as follows:

7 §325.5 Menhaden exclusion zones; prohibitions

8 A. Notwithstanding any other provision of law to the contrary, there is  
9 hereby created a menhaden exclusion zone extending from the coastal boundary  
10 between Texas and Louisiana to the coastal boundary between Mississippi and  
11 Louisiana and extending one half mile seaward from land where the taking of  
12 menhaden is prohibited. This prohibition applies to, but is not limited to, the use of  
13 any factory vessel, daughter craft, equipment, nets, autonomous vessel equipment,  
14 or any other equipment of any kind used for the specific purpose of taking  
15 menhaden.

16 B.(1) In addition to the exclusion zone established in Subsection A of this  
17 Section the following exclusions shall also apply:

18 (a) For the area from the western edge of Timbalier Island to the eastern  
19 edge of Grand Terre, the one half mile exclusion zone shall extend an additional one  
20 half mile seaward.

- 1           (b) In addition to the extension provided in Subparagraph (a) of this  
 2           Paragraph, the exclusion zone in the area between Caminada Pass and Barataria Pass  
 3           shall extend an additional two miles seaward.
- 4           (c) For Breton and Chandeleur Sounds, as described in LAC  
 5           76:VII.307(D)(1), the exclusion zone shall extend one half mile seaward from the  
 6           double rig line as defined in R.S. 56:495.1(A)(2).
- 7           (d) For the Chandeleur Islands, the exclusion zone shall extend one half mile  
 8           seaward in all directions.
- 9           (2) The provisions of Subparagraph (B)(1)(d) of this Section shall in no way  
 10          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 535 Original

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Orgeron

**Abstract:** Creates the menhaden exclusion zone where the taking of menhaden is prohibited.

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 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 additions and modifications to the exclusion zone:

- (1) From the western edge of Timbalier Island to the eastern edge of Grand Terre, the exclusion zone extends one mile seaward.
- (2) From Caminada Pass to Barataria Pass the exclusion zone extends three miles seaward.
- (3) For Breton and Chandeleur Sounds the exclusion zone extends an additional one half mile seaward from the double rig line as defined in present law.
- (5) 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.

(Adds R.S. 56:325.5)