OFFICE OF THE STATE REGISTER INSERTION ORDER (eff. 08/02)
Claiborne Building 1201 North Third Street Suite 3-220 Post Office Box 94095
Baton Rouge, LA 70804-9095 (225)342-5015 FAX (225)342-0284

(Submit a separate insertion order per document)

☐ EMERGENCY RULE  ☒ NOTICE OF INTENT  ☐ RULE  ☐ POTPOURRI

REFER TO INSTRUCTIONS ON REVERSE SIDE

This is your authority to publish the document indicated above.

October 14, 20__ Louisiana Register

Office of Coastal Management
Office/Board/Commission promulgating this document
Keith Lovell Assistant Secretary
(name) (title)
Name and title of person whose signature will appear in the publication (at the end of the document)

Department of Natural Resources
Department under which office/board/commission is classified
Jessica Diez 2253427268 2253429439
(name) (phone) (fax)
Name, phone number, and FAX number of person to contact regarding this document
jessica.diez@la.gov
E-mail address of contact person

*If sending a diskette, indicate the name of the file on diskette:

______________________________
Signature of Agency Head or Designee
Keith Lovell, Assistant Secretary
Print Name and Title of Agency Head or Designee

________________________________________________________________________
LA-GOU Code: 4312010720
_CERTIFICATION OF AVAILABLE FUNDS

☐ ISIS AGENCY: I certify the availability of fiscal year ____ appropriated funds for the payment of the above referenced publication and authorize the processing of an Interagency Billing with the following coding on the 30th of the month of the publication. Attach supplemental sheet for additional lines of coding.

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>ORGANIZATION #</th>
<th>OBJECT</th>
<th>SUB-OBJECT</th>
<th>REPORTING CATEGORY</th>
</tr>
</thead>
<tbody>
<tr>
<td>431</td>
<td>2040</td>
<td>3650</td>
<td>SR</td>
<td></td>
</tr>
</tbody>
</table>

☐ NON-ISIS AGENCY: I certify the availability of fiscal year ____ appropriated funds for the payment of the above referenced publication and agree to place corresponding invoice in line for payment upon receipt.

______________________________
Signature of Agency Head or Designee - Phone #

Billing Address for Agencies:
LDNR Office of Coastal Management
Agency Name
P.O. Box 44487
Street Address or Post Office Box
Baton Rouge LA 70804
City State Zip Code

Lines/Other Charges $ Typesetting $ TOTAL $
Title 43
NATURAL RESOURCES
Part I. Office of the Secretary
Subpart 1. General
§1509. Claims—General Form and Content
A. - A.5.a. …
   b. the amount claimed together with proof of
      ownership of the gear which was damaged or lost on
      the obstruction. Proof of ownership must include: paid receipts
      which are completely filled out including the date, full name,
      address and telephone of the seller along with the claimant’s
      name and/or address together with proof of payment such as
      copies of money orders or bank cashier's checks for the gear;
      affidavits; or other evidence. No receipts paid by “cash” will
      be accepted for gear purchased after the effective date of this
      rule except for receipts from bona fide businesses in
      possession of a commercial or business permit/license,
      which was in effect at the time of the sale or repair, or a
      notarized affidavit from a business owner or chief executive
      officer of the business supporting the validity of the sale or
      repair. Claimants that made or repaired the damaged gear
      shall submit a notarized statement that he or she made his or
      her own gear along with paid receipts from bona fide business will now be accepted as an eligibility
      component. This action is not required by federal regulation.

Small Business Statement
In accordance with R.S. 49:965.6, the Department of Natural Resources Office of Coastal Management has conducted a Regulatory Flexibility Analysis and found that the proposed amendment of this Rule will have negligible impact on small businesses.

Provider Impact Statement
The proposed Rule should not have any known or foreseeable impact on providers as defined by HCR 170 of 2014 Regular Legislative Session.

1. The effect on the staffing level requirements or qualifications required to provide the same level of service. The proposed Rule has no effect on the staffing level requirements or qualifications required to provide the same level of service.

2. The total direct and indirect effect on the cost to the provider to provide the same level of service. The proposed Rule has no total direct and no total indirect effect on the cost to the provider to provide the same level of service.

3. The overall effect on the ability of the provider to provide the same level of service. The proposed Rule has no overall effect on the ability of the provider to provide the same level of service.

Public Comment
All interested persons are invited to submit written comments on the proposed regulation amendment. Persons commenting should reference this proposed regulation by Administration of the Fisherman’s Gear Compensation Fund. Such comments must be received no later than November 10, 2014, at 4:30 p.m., and should be sent to Jessica Diez, Coastal Resource Scientist, Office of Coastal Management P.O. Box 44487, Baton Rouge, LA 70804-4487 or by email to jessica.diez@la.gov. Copies of this proposed regulation can be purchased by contacting OCM at (225) 342-7360, and are available for viewing and copying on the internet at: http://dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home& pid=85&ngid=5.

Public Hearing
Requests for a public hearing must be received by 4:30 p.m. November 10, 2014. If determined a public hearing is warranted, the public hearing will be held on November 25, 2014 from 10 a.m. to 12 p.m. in the Griffon Room of the LaSalle Building, 617 North Third Street, Baton Rouge, LA 70802, so that interested persons may submit oral comments on the proposed amendments.

Keith Lovell
Assistant Secretary
amendment will not increase workload or paperwork as the claims will still be processed in the same manner as before. There is no anticipated direct material effect on local governmental expenditures as a result of the proposed rule change. The intent of the change is to remove programmatic discrimination against the use of legal U.S. currency in the course of doing business.

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

There is no anticipated effect on revenue collections of state or local governmental units resulting from the proposed rule change.

III. ESTIMATED COSTS AND OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule will have no measurable cost or benefit to directly affected persons or non-governmental groups. While a positive economic benefit may be realized by a statistically insignificant number of directly affected persons (claimants) through the payment of claims that were previously denied, the change will be absorbed within the usual fluctuation of claims paid, resulting in no net change. There were only nine (9) claims that were denied due to claimants attempting to use documentation that would be permitted with the proposed rule, and of those nine, at least five (5) would have been disallowed for various other reasons.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of this proposed rule change.

Keith Lovell Evan Brasseaux
Assistant Secretary Staff Director
1410#031 Legislative Fiscal Office
FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

Person
Preparing Statement: JESSICA DIEZ

Dept.: NATURAL RESOURCES

Phone: 225-342-7268
Office: COASTAL MANAGEMENT

Return Address: P.O. BOX 44887
Rule
Title: ADMINISTRATION OF THE FISHERMAN'S

Baton Rouge, LA 70804-4487

GEAR COMPENSATION FUND
Date Rule
Takes Effect: JANUARY, 2015 (anticipated)

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 may result in an increase in expenses in the statutorily dedicated Fisherman’s Gear Compensation Fund. The change will allow a previously excluded class of reimbursable claims. However, the change is not expected to result in a measurable increase in overall claims paid since the percentage impacted by the proposed rule change will be within the usual fluctuation of the percentage of rejected claims. The rule change better defines the required claim documentation and is a change to one of several claim denial criteria. The proposed rule amendment will not increase workload or paperwork as the claims will still be processed in the same manner as before. There is no anticipated direct material effect on local governmental expenditures as a result of the proposed rule change. The proposed rule removes the current practice of denying claims for equipment that was paid by cash since cash receipts from bona fide business will now be accepted as an eligibility component.

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

There is no anticipated effect on revenue collections of state or local governmental units resulting from the proposed rule change.

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

The proposed rule will have no measurable cost or benefit to directly affected persons or non-governmental groups. While a positive economic benefit may be realized by a statistically insignificant number of directly affected persons (claimants) through the payment of claims that were previously denied, the change will be absorbed within the usual fluctuation of claims paid, resulting in no net change. There were only nine (9) claims that were denied due to claimants attempting to use documentation that would be permitted with the proposed rule, and of those nine, at least five (5) would have been disallowed for various other reasons.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There is no estimated effect on competition and employment as a result of this proposed rule change.

Signature of Agency Head or Designee
Keith Lowell, Assistant Secretary
Typed Name & Title of Agency Head or Designee
10/8/14

Legislative Fiscal Officer or Designee

Date of Signature
10/8/14
FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

The following information is required in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberation on the proposed rule.

A. Provide a brief summary of the content of the rule (if proposed for adoption, or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The proposed rule amendment will better define the required claim documentation needed from claimants and is a change to one of the several claim denial criteria. The change of the denial criteria is in regards to proof of ownership documents of damaged equipment/gear and method of payment (i.e., cash paid receipts), removing programmatic discrimination against the use of legal U.S. currency in the course of doing business.

B. Summarize the circumstances, which require this action. If the Action is required by federal regulation, attach a copy of the applicable regulation.

The proposed rule amendment is part of an update of agency rules in order to better define the needs of the program. This action is not required by federal regulation.

C. Compliance with Act 11 of the 1986 First Extraordinary Session

(1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

No increase in expenditure of funds is anticipated as a result of the proposed rule amendment.

(2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) ______ Yes. If yes, attach documentation.

(b) X NO. If no, provide justification as to why this rule change should be published at this time

The proposed rule amendment should be published, as it is intended to update agency rules in order to better define the needs of the program.
FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

<table>
<thead>
<tr>
<th>COSTS</th>
<th>FY 14-15</th>
<th>FY 15-16</th>
<th>FY 16-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
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<td>0</td>
</tr>
<tr>
<td>Operating Expenses</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Professional Services</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Charges</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Equipment</td>
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<td>0</td>
</tr>
<tr>
<td>Major Repairs &amp; Constr.</td>
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<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

| POSITIONS (#)   | 0        | 0        | 0        |

2. Provide a narrative explanation of the costs or savings shown in "A. 1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

The proposed rule amendment will not increase expenses. The change, while allowing a previously excluded class of reimbursable claims, will not result in a measurable increase in overall claims paid as the percentage represented by the proposed change will be within the usual fluctuation of the percentage of rejected claims. The rule amendment better defines the required claim documentation and is a change to one of the several claim denial criteria. The proposed rule is not intended to increase workload or paperwork as the claims will still be processed in the same manner as before.

3. Sources of funding for implementing the proposed rule or rule change.

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>FY 14-15</th>
<th>FY 15-16</th>
<th>FY 16-17</th>
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<tr>
<td>State General Fund</td>
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<td>0</td>
</tr>
<tr>
<td>Agency Self-Generated</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dedicated</td>
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<td>0</td>
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<tr>
<td>Federal Funds</td>
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<td>0</td>
</tr>
<tr>
<td>Other (Specify)</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

Yes, sufficient funds are currently available to implement the proposed action. No increased costs associated with the implementation of the proposed rule amendment is anticipated.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

The proposed rule amendment will not impact local governmental units and will not cause any adjustments in workload or paperwork requirements.

2. Indicate the sources of funding of the local governmental unit, which will be affected by these costs or savings.

The proposed rule amendment will not impact local governmental units and therefore will not necessitate the need for adjustments in workload or paperwork requirements. Local governmental costs and savings will not be affected.
II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS

A. What increase (decrease) in revenues can be anticipated from the proposed action?

<table>
<thead>
<tr>
<th>REVENUE INCREASE/DECREASE</th>
<th>FY 14-15</th>
<th>FY 15-16</th>
<th>FY 16-17</th>
</tr>
</thead>
<tbody>
<tr>
<td>State General Fund</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Agency Self-Generated</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Dedicated Funds*</td>
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</tr>
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</tr>
<tr>
<td>Local Funds</td>
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<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

*Specify the particular fund being impacted.

There is no anticipated increase or decrease in revenue as a result of the proposed rule amendment.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A." Describe all data, assumptions, and methods used in calculating these increases or decreases.

There is no anticipated increase or decrease in revenue as a result of the proposed rule amendment.
III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

A. What persons or non-governmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number of new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

The proposed rule will have no measurable cost or benefit to directly affected persons or non-governmental groups. While a positive economic benefit may be realized by a statistically insignificant number of directly affected persons (claimants) through the payment of claims that were previously denied, the change will be absorbed within the usual fluctuation of claims paid, resulting in no net change. There were only nine (9) claims that were denied due to claimants attempting to use documentation that would be permitted with the proposed rule, and of those nine, at least five (5) would have been disallowed for various other reasons.

B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule or rule change to these groups.

There is no anticipated impact on receipts and/or income resulting from this proposed rule amendment.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

The proposed rule amendment is not anticipated to have any impact on competition and employment in the public and private sectors, since the proposed rule amendment is not a substantive change.