

**PUBLIC OYSTER SEED GROUND VESSEL PERMIT APPEALS BOARD**

**MINUTES**

**August 26, 2015**

**JAKOV JURISIC**

**CHAIRMAN**

**NEW ORLEANS, LOUISIANA**

The following constitute minutes of the Public Oyster Seed Ground Vessel Permit Appeals  
Board Meeting

and are not a verbatim transcript of the proceedings.

Tapes of the meetings are maintained by the  
Louisiana Department of Wildlife and Fisheries

2000 Quail Drive

Baton Rouge, Louisiana 70808.

For more information, call (225) 765-2387.

August 26, 2015 – 10:00 A.M.  
2ND FLOOR CONFERENCE ROOM  
LDWF OFFICE IN THE UNO ADVANCED TECHNOLOGY BUILDING  
2021 LAKESHORE DRIVE, NEW ORLEANS, LA 70122

Meeting called to order by Chairman Jakov Jurisic at approximately 10:04am.

AGENDA

I. Roll Call

- Shane Bagala – Present
- Wilbert Collins – Present
- Buddy Daisy – Absent
- Dan Coulon – Present
- Byron Encalade – Present
- Jakov Jurisic – Present
- Brad Robin – Present
- Sam Slavich – Present
- Peter Vujnovich, Jr. – Present

Quorum present.

II. Approval of Minutes from Meeting of April 7, 2015

- Bagala – Motion to Approve
  - Coulon – Seconded
  - Vujnovich pointed out error in the minutes. Error will be fixed prior to posting.
  - MOTION CARRIED (unanimous)

III. Hearing of New Renewal Permit Appeals

A. Robert Nelson (attending)

- Ty Lindsey, Louisiana Department of Wildlife and Fisheries (LDWF) Biologist, stated that Nelson is appealing for a renewal permit on his vessel AL-1084-RE. Nelson purchased a 2013 permit on January 9, 2013 for the vessel, but did not renew the permit by December 31, 2014 at which time the permit expired and was no longer eligible for renewal. Lindsey said Nelson stated in his appeal that Nelson did not know the permit would expire as the reason for failing to renew.
- Jurisic asked if Nelson received notice to renew permit.
  - Lindsey could not say with certainty that Nelson did or did not.
  - Robin related a recent issue similar to Nelson's in which he did not receive a renewal notice.
- Slavich verified with Lindsey that a permit purchased in January 2013 did not have the new wording explaining the permit was subject to expiration.

- Encalade told the Board that there is precedent in such cases to recommend renewal.
- Robin expressed support for a recommendation for renewal and that he knows Nelson as a commercial fisherman.
- Encalade – Motion to recommend a renewal permit be issued
  - Vujnovich – Seconded
  - MOTION CARRIED (unanimous)

B. Todd Stipelcovich (attending)

- Lindsey stated that Stipelcovich is appealing for a renewal permit on his vessel USCG# 259000. Stipelcovich held a 2013 permit on the vessel, but did not renew the permit by December 31, 2014 at which time the permit expired and was no longer eligible for renewal. Stipelcovich attempted to renew the permit on July 14, 2015. Stipelcovich stated in the appeal that he had health issues that prevented him from earning income. With no income, he was not able to renew the permit.
- Stipelcovich briefly explained his medical issues.
- Jurisic asked Stipelcovich if he had any documentation of medical procedures, etc.
  - Stipelcovich said he did, but did not have any of it with him.
- Robin said Stipelcovich’s case is similar to Nelson’s and feels the Board should recommend for renewal.
- Jurisic stated that he knows Stipelcovich well.
- Robin – Motion to recommend a renewal permit be issued
  - Encalade – Seconded
  - MOTION CARRIED (unanimous)

IV. Update on Recommendations Made at April 7, 2015 Meeting

- Lindsey reported the following:
  - Board recommended two renewal permits be issued to Purified Oysters & Food.
    - Secretary Barham agreed with the recommendations.
    - Permits were issued in April.
  - Board recommended one renewal permit be issued to S & C Oyster Co., LLC.
    - Secretary Barham agreed with the recommendation.
    - Permit was issued in April.
  - Board recommended one renewal permit be issued to Michael Williams.
    - Secretary Barham agreed with the recommendation.
    - Permit was issued in April.
  - Board recommended, via letter, that a new permit be issued to Fabian Guerra.
    - No action on the recommendation had been taken as far as Lindsey was aware.
- Slavich – Motion to amend agenda by adding discussion of Fabian Guerra’s efforts to obtain a new seed ground vessel permit.
  - Robin – Seconded

- Encalade reiterated his statement from the previous discussion of Guerra questioning whether such action was within the purview of the Board.
- MOTION CARRIED (unanimous)
- Slavich – Motion to draft a second letter of recommendation to Secretary Barham in support of issuing a new permit to Guerra.
  - Robin – Seconded
  - Coulon – amend motion to include mentioning the pending start of the public oyster season as reason for needing action on recommendation.
  - Slavich agreed with Coulon’s amendment.
  - Coulon requested Secretary Barham respond to the Board’s recommendation.
  - MOTION CARRIED (unanimous)
- Lindsey reminded Board that the permit law expires November 2016 unless action is taken in the next legislative session.
- Slavich said that does not help Guerra right now.
- Encalade asked to have a discussion of legislation concerning the Public Oyster Seed Ground Vessel Permit be put on the agenda for the next meeting.
- Vujnovich requested LDWF Legal Counselor Cole Garrett be present at the next Board meeting to assist in the discussion.

V. Receive Public Comments

- None received.

VI. Set next meeting date

- Coulon – Motion to set next meeting date, if needed, in conjunction with the next OTF meeting.\*
  - Vujnovich – Seconded
  - MOTION CARRIED (unanimous)

VII. Adjournment

- Vujnovich – Motion to Adjourn
    - Encalade – Seconded
    - MOTION CARRIED (unanimous)
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Meeting adjourned at approximately 10:55am; Duration of Meeting: approximately 51 min.

Minutes drafted by Ty Lindsey, LDWF Biologist

\*The OTF met later the same day as scheduled and set Tuesday, November 10, 2015 as their next meeting date. Therefore, the next Public Oyster Seed Ground Vessel Permit Appeals Board meeting is scheduled for 10:00am on Tuesday, November 10, 2015 in the second floor conference room of the UNO Advanced Technology Building, 2021 Lakeshore Drive, New Orleans, LA 70122.