

PUBLIC OYSTER SEED GROUND VESSEL PERMIT APPEALS BOARD

MINUTES

November 10, 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.

November 10, 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 10:13am.

AGENDA

I. Roll Call

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

Quorum present.

II. Approval of Minutes from Meeting of August 26, 2015

- Encalade – Motion to Approve
 - Coulon – Seconded
 - MOTION CARRIED (unanimous)

III. Hearing of New Renewal Permit Appeals

1. Michael Anglin (attending)

- Ty Lindsey, Louisiana Department of Wildlife and Fisheries (LDWF) Biologist, stated that Anglin is appealing for a renewal permit on his vessel LA-7102-BR. Anglin purchased a 2011 permit on November 7, 2011 for the vessel, but did not renew the permit by December 31, 2012 at which time the permit expired and was no longer eligible for renewal. Lindsey said Anglin stated in his appeal that he did not receive a renewal notice nor did he know the permit would expire. Lindsey also said Anglin's case is similar to previous cases in which permit holders were not aware the permit would expire if not renewed.
- Jurisic asked if the Department advised Anglin that the permit was subject to expiration if not renewed.
 - Lindsey replied that with a 2012 permit he would not have received any notice concerning permit expiration.
- Jurisic asked Anglin if he is an oyster leaseholder.
 - Anglin responded that he is not.
- Encalade asked if the permit was always in Anglin's name.

- Anglin said yes.
 - Encalade – Motion to recommend a renewal permit be issued
 - Coulon – Seconded
 - MOTION CARRIED (unanimous)
2. John W. Parker, Jr. (attending)
- Lindsey stated that Parker is appealing for renewal permits on five vessels, 282858, 636816, LA-7556-BB, LA-0162-NE, and LA-3375-EL. Parker held 2013 permits on all five vessels, but did not renew the permits by December 31, 2014 at which time the permit expired and was no longer eligible for renewal. Parker attempted to renew the permits on October 27, 2015. Lindsey said Parker stated in his appeal that he did not know the permits would expire and that he did not receive renewal notices, possibly due to moving.
 - Jurisic asked Parker where he moved to.
 - Parker said Houston and that he put in a change of address notice with the Post Office.
 - Parker said all boats are registered in Louisiana and that he did not get licenses or permits in 2014.
 - Coulon – Motion to recommend renewal permits be issued
 - Encalade – Seconded
 - MOTION CARRIED (unanimous)
3. Myron Prosperie (not attending)
- Lindsey reported that Prosperie was not able to attend the meeting due to health issues.
 - Coulon – Motion to defer
 - Collins – Seconded
 - MOTION CARRIED (unanimous)
- IV. Hearing of New Re-Issuance Permit Appeals
1. Durvin Lombas, Jr. (attending)
- Lindsey explained that Lombas purchased a 2013 permitted vessel (LA-2273-FU/903900), but that Lombas was not aware that the permit had expired.
 - Jurisic asked if the previous owner knew the permit was expired.
 - Lombas said no.
 - Encalade – Motion to recommend a permit be issued
 - Collins – Seconded
 - Encalade stated that this is an existing permit and that the permit should be allowed to continue to exist since doing so would not increase the number of permitted vessels.
 - MOTION CARRIED (unanimous)
- V. Update on Recommendations Made at August 26, 2015 Meeting
- Lindsey reported the Board made two recommendations for permit renewals at its August 26, 2015 meeting and that both permits had been issued.
- VI. Discussion of legislation concerning the Public Oyster Seed Ground Vessel Permit

- Jurisic said Board members Sam Slavich and Brad Robin were the ones that wanted to have this discussion and neither were in attendance.
- Encalade believed Slavich and Robin were clear in their position, which is to allow the permit law to sunset in 2016 and that he agrees with them.
- Jurisic thinks the issue should be brought up at the Oyster Task Force (OTF) meeting.
- Jurisic believes the permit law should be allowed to continue although he feels that local people should be protected first.
- Encalade thinks the current law has hurt local fishermen more than out-of-state fishermen.
- Daisy asked if a parish could establish permits of some sort as a means of protecting state public oyster grounds.
 - Cole Garrett, LDWF Legal Counsel, said that was not likely since those grounds are owned by the State.

VII. Receive public comments

- None received.

VIII. Set next meeting date

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

IX. Adjournment

- Collins – Motion to Adjourn
 - Daisy – Seconded
 - MOTION CARRIED (unanimous)
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Meeting adjourned at approximately 11:13am; Duration of Meeting: approximately 60 min.

Minutes drafted by Ty Lindsey, LDWF Biologist

*The OTF met later the same day as scheduled and set Tuesday, January 5, 2016 as their next meeting date. Therefore, the next Public Oyster Seed Ground Vessel Permit Appeals Board meeting is scheduled for 10:00am on Tuesday, January 5, 2016 in the second floor conference room of the UNO Advanced Technology Building, 2021 Lakeshore Drive, New Orleans, LA 70122.