

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

**MINUTES**

**May 14, 2019**

**JAKOV JURISIC**

**CHAIRMAN**

**CHALMETTE, 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.  
Audio recordings of the meetings are maintained by the  
Louisiana Department of Wildlife and Fisheries  
2000 Quail Drive  
Baton Rouge, Louisiana 70808.

For more information, contact Ty Lindsey at (225) 765-2387 or [tlindsey@wlf.la.gov](mailto:tlindsey@wlf.la.gov).

May 14, 2019 – 10:00 A.M.  
St. Bernard Port, Harbor, and Terminal  
100 Port Blvd., Chalmette, LA 70043

AGENDA

- I. Pledge of Allegiance
- II. Call to order
  - Meeting called to order by Chairman Jakov Jurisic at approximately 10:16am.

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

Quorum present.

- IV. Approval of Agenda
  - Vujnovich – Motion to Approve
    - Coulon – Seconded
    - MOTION CARRIED (unanimous)
- V. Approval of Minutes from Meeting of November 7, 2018
  - Encalade – Motion to Approve
    - Robin – Seconded
    - MOTION CARRIED (unanimous)
- VI. Hearing of Deferred Renewal Permit Appeals
  1. Mauricio Blanco (not attending)
    - Ty Lindsey, Louisiana Department of Wildlife and Fisheries biologist, informed the Board that Blanco told him that he did not wish to pursue his appeal any further. Lindsey requested something in writing from Blanco stating his wish. Blanco had not responded to calls, emails, or letters. Without confirmation, Lindsey had no proof of what Blanco told him. Lindsey requested a recommendation on Blanco's appeal.
    - Vujnovich – Motion to recommend against permit renewal.
      - Bagala – Seconded
      - Coulon asked if motion would permanently end Blanco's appeal.
        - Lindsey confirmed that it would and that the permit in question would be voided permanently.

- Encalade and Jurisic stated their support for the motion due to Blanco having adequate opportunity to participate in defense of his appeal.
- MOTION CARRIED (unanimous)

## VII. Hearing of New Renewal Permit Appeals

### 1. Pannagl Seafood (Curt Pannagl attending)

- Lindsey informed the Board that Curt Pannagl held a 2017 permit on vessel LA9806AX under Pannagl Seafood and that the permit expired for renewal purposes on December 31, 2018. He said Curt Pannagl attempted to renew the permit on or about January 23, 2019 and that Pannagl lists a blown motor as a factor for not renewing the permit. Lindsey also told the Board that Pannagl has held a permit on the boat every year since 2009, except for 2018.
- Jurisic asked Pannagl when the engine blew.
  - Pannagl said 2017 and it was on his flat boat.
- Jurisic asked what happened.
  - Pannagl explained that he did not get a permit renewal notice.
- Jurisic asked if the engine had been repaired and if he had documentation of the work.
  - Pannagl said he bought a new engine and that it was installed on the boat for which he is appealing. He also said he had photos of the motor. He did not have an invoice with him.
- Robin said he had issues getting all of his licenses and permits renewed and understood Pannagl's situation. He also said he thinks the Board should recommend for permit renewal in this case.
- Robin – Motion to recommend permit renewal.
  - Coulon – Seconded
  - Jurisic asked Pannagl to forward a copy of the invoice for the new engine to Lindsey.
  - MOTION CARRIED (unanimous)

### 2. Sophin Men (attending)

- Lindsey said Men held a 2017 permit on vessel LA1684CA under his name. Permit expired for renewal purposes on December 31, 2018. Attempted to renew the permit on or about April 24, 2019. Men stated in his appeal that he was not aware he needed to renew annually to keep permit.
- Vujnovich – Motion to recommend permit renewal.
- Encalade – Seconded
- Jurisic asked Men if he just forgot to renew. Men said yes and that he fishes Sister Lake only, which is open every other year. He thought that since he did not intend to fish oysters when Sister Lake is closed, he could skip renewal.
- MOTION CARRIED (unanimous)
- Vujnovich explained to Men that he could purchase a single-scraper permit in years Sister Lake is closed and purchase a double-scraper permit in years Sister Lake is open.
- Lindsey offered to assist anyone with choosing which permit, single or double, to purchase.

VIII. Receive Department Response to Special Mailing of Permit Notices Request Hearing of New Renewal and Re-Issuance Permit Appeals

Lindsey reminded the Board that they had requested the Department to provide special handling of unexpired permits to reduce the number of appeals in which appellants stated they forgot to renew, did not know they were supposed to renew each year, or claimed they did not receive a permit renewal notice. He reported that the Department is unwilling to do that for fear of setting a precedent. Lindsey told the Board that if the Board wants to pursue the matter, that they should contact Secretary Montoucet. Robin clarified with Lindsey, to the best of Lindsey's knowledge, that there are no other licenses or permits that require renewing in order to keep it. Jurisic voiced his agreement with Robin's comments. Lindsey said he had been thinking of approaches that might reduce work and cost to the Department, such as doing a separate mail-out late in the year for those who have not renewed last year's permit.

Jurisic asked Lindsey if he could request a meeting with Sec. Montoucet to discuss the topic and Lindsey said the Board could write a letter to the Secretary or meeting with him. Lindsey requested that the Board notify him ahead of time in either case.

Bagala believed permit renewal should mimic the method used in private oyster lease renewals in which reminders are mailed to those who have not renewed their lease by a certain time.

Encalade and Robin spoke about addressing the issue through legislation and/or the full Oyster Task Force.

Discussions among Board members concerning options to accomplish notifying permit holders who have not renewed continued for several minutes.

- Vujnovich – Motion to request legal opinion from the Department concerning whether or not legislative action is required to have focused permit renewal notices and to extend the renewal period.
  - Coulon – Seconded
  - MOTION CARRIED (unanimous)

IX. Receive Report on Public Oyster Seed Ground Vessel Permit Numbers

Lindsey used PowerPoint to discuss the legislative history of the permit starting with the law that created the permit. He covered several acts that affected the permit before moving on to a history of permit numbers. Permit numbers were broken down to resident and non-resident, then starting with 2017, by scraper number. He explained that the fee structure changed in license year 2017 from \$15 per vessel for residents and \$60 per vessel for non-resident to \$250 per scraper for residents and \$1,000 per scraper for non-residents. A separate law limited the number of active scrapers to two per vessel.

Lindsey showed how the number of permits issued has fallen each year since the permit's creation in 2009, mostly among non-resident harvesters.

Lindsey informed the Board that if a harvester opts for a single-scrapper permit and then later in the same license year decides he wants a double-scrapper permit, he will not receive credit for the single-scrapper permit. He will have to purchase a double-scrapper permit at full price.

- X. Receive public comments
    - None received.
  
  - XI. Set next meeting date
    - Vujnovich – Motion to set next meeting date in conjunction with the next OTF meeting.\*
      - Coulon – Seconded
      - MOTION CARRIED (unanimous)
  
  - XII. Adjournment
    - Vujnovich – Motion to Adjourn
      - Bagala – Seconded
      - MOTION CARRIED (unanimous)
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Meeting adjourned at approximately 11:41am; Duration of Meeting: approximately 1hr. 25 minutes.

Minutes drafted by Ty Lindsey, LDWF Biologist.

\*The OTF met later the same day as scheduled and set Tuesday, June 25, 2019 as their next meeting date to be held in New Orleans, Louisiana. Therefore, the next Public Oyster Seed Ground Vessel Permit Appeals Board meeting will be scheduled for Tuesday, June 25, 2019 in New Orleans, Louisiana if needed.