**Oyster Task Force Meeting**

**Tuesday, February 22, 2022, 1:00pm**

**New Orleans Lakefront Airport**

**6001 Stars and Stripes Blvd.**

**New Orleans, LA**

**I.** Pledge of Allegiance

**II.** Roll call and introduction of guests

**Voting Members Present:**

Dan Coulon

Jakov Jurisic

Mitch Jurisich

Brad Robin

Brandt Lafrance

Al Sunseri

Matthew Slavich

Sam Slavich

Peter Vujnovich

**Voting Members Absent:**

Shane Bagala

Tracy Collins

Byron Encalade

Willie Daisy

**Non-Voting Members Present:**

Carolina Bourque- via webinar

Justin Gremillion

Bryan Marie

Karl Morgan

Harry Vohoff

**Non-Voting Members Absent:**

Brian Lezina

**III.** Peter Vujnovich motioned to approve the February 1, 2022 meeting minutes, 2nd by Dan Coulon. Motion carries.

Peter Vujnovich motioned to approve the February 22, 2022 meeting agenda as presented, 2nd by Brandt Lafrance. Motion carries.

**IV.** Treasury Report

Remaining Fund Balance- $586,399

Remaining Budget Balance- $122,658

Peter Vujnovich motioned to accept the Treasury Report as presented, 2nd by Brad Robin. Motion carries.

**V.** Committee Reports

A. Public-Private Oyster Seed Grounds Committee report- no report

B. Enforcement Report- no report

C. Legislative Committee Report- the board discussed: 1. a proposal to change time/ temperature requirements in oyster coolers, 2. Making changes to oyster tagging regulations, 3. Making changes to regulations regarding untagged sacks

LDH and LDWF will discuss these items and possible changes in further detail and get back to the board with further information

D. Legal Committee Report- no report

E. Research Report- no report

F. Coastal Restoration Report- no report

G. Marketing Committee Report- no report

H. Health Report- discussed potentially changing some regulations regarding checking on leases/oysters, would like to eliminate the requirement of the $1,000 bond, officer on board, timeframe of two weeks, limit on number of leases you are allowed to check (currently can only check on 5 leases), will have to pitch this to the LDH legal department to see how this can be done (rule making/ legislation), if these requirements are eliminated/ changed will still require someone to call in and would issue a permit number that can be referenced for checking on a lease; Also discussed sampling certain areas in Sandy Point area; due to hurricanes this year were unable to get into the Sandy Point area to sample and will have to try and complete this year, will try and dedicate a special crew to complete the samples

Al Sunseri asked if LDH would consider a call in and form sort of thing that can be emailed for ease and record keeping, something similar to what is done for the fuchsia tag to make it easier

I. Aquaculture- Earl Melancon stated that the AOC selection committee has made the first award of grants, nursery grants $15K each and grow out grants at $45K each, gave four nursery and six grow out grants, Marcos Guerrero with Grand Isle Sea Farms received a nursery and grow out farm grant, Scott Maurer with LA Oyster Company Farm- received a nursery and grow out farm grant reward, Jules Melancon, Caminada Bay Oyster Farm- received a nursery and grow out farm grant reward , Brandi Shelley with Shelley Farms- received a nursery and grow out farm grant reward, Nathan Herring with Bright Side Oyster Farm- received a grow out farm grant reward, and Kim Galjour with Dos Gris Oyster Farm- received a grow out farm grant reward; total of $330,000 in grants, that’s the first round, had 14 applicants, those that did not make it in the first round will automatically make it in the second round, hoping to have the 2nd round rewards sometime in April, gave preference to those already in the business and who were affected by hurricanes

J. Joint Task Force Committee Report- no report; discussing possibly getting together

**VI.** New Business

1. The board discussed and considered changes to the 2019 Flood Disaster Spending Plan

Jason Froeba provided an update and presentation on the 2019 Flood Disaster Spending Plan

**Louisiana 2019 Flood Disaster Spend Plan**

**Approach:**

* Of the $58,284,841 allocated to Louisiana, $2,084,841, or approximately 3.5% will be set aside to cover administrative costs incurred by LDWF associated with this six-year plan
* LDWF is proposing to allocate the remaining $56,200,000 to the seven tasks listed below:



NOAA Spend Plan Review:

* Plan was submitted to NOAA in late December 2021
* Initial review was planned to be completed by the end of February 2022
* Review led to a meeting in which LDWF was informed NOAA’s stance on direct payments was not accurately reflected in prior communications
* Direct payments are now a viable option
* LDWF Administration is requesting input from the various Task Forces on whether or not direct payments should be pursued
* Doing so will require changes to the spend plan and minor to moderate delays in getting an approved spending plan

**Potential Program Changes:**

* Equipment and Marine Aquaculture Grants eliminated
* $26,950,000 allocated to a direct payment program



**Potential Eligibility Changes:**

* No loss requirement for equipment grants
* Direct payment eligibility requires a revenue loss and recipient cannot receive more than they lost (NOAA requirements)
* **Losses based on 2019 income compared to 5 year average from 2014-2018**

**DIRECT PAYMENT DISTRIBUTION OPTIONS:**

**CARES Act Approach:**

* Existing payment rations between sectors and full-time participants would be utilized
* New application
* Payment amounts determined by the number of approved applicants

|  |  |  |
| --- | --- | --- |
| Sector | Payment Ratio | Full-time Multiplier |
| Commercial Fisherman | 1x | 4.5 |
| Vessels | 1.3x | 4.5 |
| Charter Captain | 2.16x | 4.5 |
| Fresh Product Dealer | 0.65x | 4.5 |
| Wholesale Dealer Brokers | 0.96x | 4.5 |
| Wholesale Dealer Docks | 2.50x | 4.5 |
| Wholesale Dealer Processor | 4.87x | 4.5 |
| Aquaculture Facilities | 3.44x | 4.5 |

**Percent Loss Approach:**

* Application process similar to CARES documenting a revenue loss
* Payments determined by the ratio as a percentage of an individual applicants loss as compared to the total of all losses reported from all applicants
* Results in a set payment per dollar lost – Pennies on the dollar given the level of funding available
* Estimated average payment - $3,000 - $5,000 with the largest payments likely reaching several hundred thousand
* Potential to establish a minimum or maximum payment

**EXAMPLE:** (using $26,950,000 as available funding)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Entity** | **Individual Loss** | **Total Industry Loss** | **Percentage of Loss** | **Payment Amount** |
| ABC Vessel | $50,000.00 | $250,000,000.00 | 0.02 | $5,390.00 |
| DEF Processing | $350,000.00 | $250,000,000.00 | 0.14 | $37,730.00 |

**NEXT STEPS:**

* Gather recommendations from task forces and determine if a change will be made
* Any changes must be implemented as quickly as possible
* LDWF is requesting input and a recommendation today

Jakov Jurisic stated that the only way he can prove loss is to show pictures of dead oysters, show areas where mortality occurred or invoices as to how much rock was planted and what was expected return, and lastly can provide a biological report and survey from a 3rd party research

Jason Froeba stated that he will have to get with NOAA and find out if this would suffice, mostly has been revenue based, if we proceed with a direct payment program will work with NOAA for the oyster industry be able to prove an income loss, oyster income losses will be felt for years after, will work with NOAA to come up with a solution

Regarding the equipment grants- Anything that will help you be more resilient and marketable for future events, we estimated it can fund about 1000- 1500 applicants will be eligible, if we go with direct payments everyone will get something but less money

Jakov Jurisic stated that regarding purchasing new equipment will rocks for oyster bedding be approved? Jason Froeba stated that he will have to talk to NOAA about how they will view that, may be difficult to claim this under an equipment grant program, would be a better fit for a POLR Program

Brad Robin stated that the state has to be able to recognize the OTF’s loss beyond revenue

Al Sunseri stated that everyone should have tax returns on what you put out re: rocks, should be loss on tax returns based on what was put out

Mitch Jurisich stated that this event happened in 2019 and we are now in 2022 if we further complicate the program/ make changes it could extend

Peter Vujnovich motioned to leave the program as is and not make changes, 2nd by Dan Coulon. Motion carries.

Mitch Jurisich stated that they are hoping for a POLR Program with Hurricane Ida funding

1. Carolina Bourque led discussion on the reopening of Sister Lake Public Oyster Seed Reservation

**Sister Lake POSR-Terrebonne Basin**

• To Open March 7, 2022 • To Close March 10, 2022 • Limit 25 sacks/vessel/day • Market size only • 2021 cultch plant CLOSED

Steve Voisin stated that he thought it was a great idea, there is a polluted line on the northern end that is not reflected in the area on the map

Tony Citanovich stated that it’s a shame that the sack limit is so low, would have to travel far for only 25 sacks

Peter Vujnovich motioned to approve the presentation but to suggest increasing sack limit to 50 sacks; Motion withdrawn

Al Sunseri suggested changing the closing date, either leave it to the LDWF secretary or department or put a longer time

Al Sunseri motioned to approve the presentation but extend season to March 28; motion withdrawn

Tony Citanovich stated that he would like to ask if it’s possible to open for bedding one or two days

Carolina Bourque stated that if there is still a lot of resource left then they can still do another opening before March 30

Peter Vujnovich motioned to accept the season proposal that LDWF proposes for Sister Lake and based on further biological data and assessment look at the possibility of reopening the season, 2nd by Jakov Jurisic. Motion carries.

After this short season, if a biological assessment is performed, the LDWF Secretary has until April 30 to reopen Sister Lake for another season, if we have season between March 7-10 we are going to have to reassess and bring back to the April task force meeting to see if we can do another opening

1. John Zach Lea led discussion on a proposal to lower the cost associated with the AOC coastal use permit

Resolution of the Louisiana Oyster Task Force Requesting Coastal Parishes to set their Coastal Use Permit fees for Alternative Oyster Culture permits at $100 regardless of the number of acres of water bottom requested by the AOC permit application.

1. Whereas coastal parishes desire the protection, restoration, and sustainable development of coastal resources, and the respect for coastal cultures,
2. Whereas there are large areas of underutilized water bottoms capable of producing oysters in the coastal zone, (because the water bottoms are too soft for use with traditional oyster production practices),
3. Whereas Alternative Oyster Culture techniques are now available to produce oysters on or above these otherwise unused water bottoms,
4. Whereas the use of Alternative Oyster Culture techniques requires a Coastal Use Permit issued by the subject Parish,
5. Whereas the Parishes use the AOC/CUP fees to support coastal development programs,
6. Whereas the issuance of AOC/CUPs will lead to the private sector investing many more times the value of the AOC/CUP fees toward the development of the oyster industry,
7. Whereas lowering of AOC/CUP fees will encourage existing leaseholders to apply for permits and to establish AOC farms and parks on unused portions of their oyster leases, and lead to the fuller achievement of Parish objectives relative to protection, restoration, and sustainable development of coastal resources, and the respect for coastal cultures,
8. Whereas it is the desire of the Louisiana Oyster Task Force to encourage use of underutilized, existing oyster leases for the production of oysters and expansion of the Oyster Industry,

Now, therefore, be it Resolved:

The Louisiana Oyster Task Force requests St. Bernard, Plaquemines, Jefferson, Lafourche, Terrebonne, St. Mary, Iberia, Vermillion, and Cameron Parishes set their Coastal Use Permit fees for Alternative Oyster Culture permits at $100 regardless of the number of acres of water bottom requested by the AOC permit application.

Peter Vujnovich stated that $100 for any number of acres is not feasible, would like to hear back from DNR before the task force moves forward on this

Percy Dardar wrote in an email stating his support of the resolution

Peter Vujnovich stated that before the OTF passes a resolution to wait to hear back from DNR

Jakov Jurisic motioned to wait on further feedback from the Department of Natural Resources before passing a resolution on this, 2nd by Brandt Lafrance. Motion carries.

G. Officer Elections

The oyster task force opened the floor for officer nominations

Brad Robin motioned to keep Mitch Jurisich as OTF chairman and Peter Vujnovich as vice-chair, 2nd by Jakov Jurisic. Motion carries.

Jakov Jurisic motioned to close nominations, 2nd by Brad Robin. Motion carries.

**VII.** Public Comment:

Mitch Jurisich stated that he met with, Kellyn Lacour of CRCL, to discuss how they can make their projects, specifically the oyster shell recycling program, more successful, the task force has been very reluctant to work with certain organizations. This may be an opportunity for the industry can get their word out, this program has been doing a lot of work in Plaquemines and St. Bernard. Looking forward to working with this group, the task force will receive an update on the program at their next meeting

Mitch Jurisich stated that last meeting it was discussed that a $5M grant that was issued for research on a low salinity tolerant oyster, Met with Beth Stauffer and Jeff Stuart, discussed that this oyster already exists, the oyster that has survived the low salinity event has spawned many times but we still lose oysters everytime the salinity drops, money being put towards this political propaganda, she understood that the industry knows a lot more about oysters, they are 4 months into the research but reminded her we are also in the winter months and spawning will not work in this salinity, suggested that every other task force meeting want a full report from ULL on this and want transparency on progress of research and where the money is being spent

Buddy Pausina requested that the task force support a legislative proposal being put forth by LODGA, there is a potential problem in the requirement that one representative from the LOGDA must be from Plaquemines and one from Lafourche Parish, the current appointee from Lafourche Parish is retiring and do not know anyone who can replace him, this will be one less member on the task force, would like to change the legislation to where it can be anyone from any parish, would like the OTF to support the legislation; OTF to consider this legislation at their next meeting

Dr. Lea encouraged the OTF to become more active in promoting the AOC side of the industry, one way to do this is to establish AOC farms on your leases, announce where potential AOC farms can be located and help connect interested citizens, can draft the necessary AOC CUP applications, finally asked that the OTF discuss issue at the next OTF meeting for increasing it’s plan of AOC

**VIII.** The task force set their next meeting for Tuesday, March 15, 2022 for 1pm in Baton Rouge

**IX.** Peter Vujnovich motioned to adjourn, 2nd by Jakov Jurisic Motion carries.