

Artificial Reef Council Meeting

June 13, 2011

Louisiana Room, LDWF Headquarters, Baton Rouge, LA

Attendees:

Allen Verret, OOC
Brenda Verret, OOC
Herb Leedy, BOEMRE
Jimmie Martin, B&J Martin
Rian Riche, Shell
Esau Velazquez, TSB Offshore
Rusty Vincent, CCA
David Cresson, CCA
George Barisich, UCFA

- 1) The council members introduce themselves to the audience.
- 2) This is the first meeting of the council since 2008, and the council approves the previous meetings minutes unanimously and without discussion.
- 3) Chuck Wilson inquires about monitoring of inshore artificial reefs and if there is a plan to monitor the new reef installed at Independence Island.

Randy Pausina answers that the department has funded a study of Bay Ronquille since its inception and would be interested in doing the same with the Independence Reef.

Clint Guidry of the Louisiana Shrimp Association raises the concern that inshore reefs are being installed without the input of commercial fishermen.

R. Pausina answers that there is no formal process for the recommendation or choosing of locations for inshore reefs, but for the most part they are installed in areas that had been previously permitted. He mentions he would like to discuss implementing a process for inshore and nearshore reefs. He would like to see the institution of 'Planning Areas', so that everyone would know where these reefs are. He mentioned that the recently formed Shrimp Task Force might be ideal for transmitting info to shrimpers.

4) R. Pausina money being removed from the Artificial Reef Fund by the legislature--\$18M last fiscal year, plus a bill (HB477) to remove another \$26M this year. If HB477 passes as currently written, the fund would retain about \$7M. The yearly budget for the program has averaged a little over \$1M. The department has been able to get various budget authorities for the fund up to about \$7M for the 2011-12 fiscal year. Spending this money would leave the fund with a balance of 0, clearly below the \$25M floor the department asked the council to establish in 2005. Because that 'floor' left the fund with quite a bit of money for the legislature to remove, the

department is now requesting that the council remove this floor, so the Artificial Reef Fund can be used at its current level.

C. Wilson answers that the purpose of the floor was to leave the Conservation and General Funds untouched, to keep the program self-sufficient. He does raise the concern about what happens when money entering the fund slows down. He also says that with the government taking money from the fund, that the governor is essentially making the Office of Risk Management for any liability the program should incur in the future (which would not have been the case when the fund had a large reserve). Also questions whether the department has any options other than use it or lose it.

Dean D'Elia indicates that he concurs with this line of reasoning.

Rian Riche asks if the fund wasn't a trust that was not legal to raid.

C. Wilson says he would like for industry to indicate to the governor that they are not pleased.

Jimmie Martin says that the council has not delivered on any of its promises, so why shouldn't the fund go to pay for other things that are needed.

C. Wilson wants the department to have access to the fund, is in favor of changing guidelines

C. Guidry asked whether the bill had passed and whether there would be a legal challenge

R. Pausina stated there was \$18M taken last year without a legal challenge; oil companies would be who had the legal standing to challenge.

C. Wilson motioned that upon passage of HB 477, as written, the council strike the \$25M floor on the fund.

G. Barisich was concerned that the department would have *carte blanche* to do whatever they wanted with all the funds.

R. Pausina assured him that legislative budget authority is still required in order to use the money.

The council passes the resolution (contingent upon the present wording of HB 477)

5) R. Pausina states that the original Artificial Reef Plan did not make mention of inshore reefs. He would like to form a committee of stakeholders and form a plan for inshore reefs similar to that for the offshore reefs.

C. Wilson mentioned the exclusion mapping that was a component of the original plan.

Doug Peter asked if LSU had anything, there had been something done in the past once?

6) R. Pausina stated that he often has proposals for materials other than limestone for inshore reefs, often offered as donations to the department. He would like the department to come up with a plan to utilize those materials and a document to guide future use.

The department has begun to explore the use of recycled oyster shell from restaurants and excess concrete. It is cheaper than limestone, and there are many willing participants.

The oyster shell plan would have the department providing dumpsters to the restaurants and emptying the dumpsters 1-3x weekly. A key issue would be the cost of transportation.

C. Wilson mentioned it is important that the shells are not from 'exotic' sources, potentially having exotic pests.

7) no other business

8) Public comments were taken throughout meeting

9) Council decided to meet again before the end of the summer, but did briefly discuss BOEMRE's recent NTL on 'idle iron.'

There are approximately 3500 structures Gulf-wide, and about 3000 of those are off Louisiana. The NTL addresses structures that are not producing, in fact defines 'not producing' and gives a decommissioning schedule for structures that meet that definition.

R. Pausina asked what that meant for Rigs-to-Reefs

To sum it up: probably not too much.