**Oyster Task Force Meeting**

**May 3, 2022, 1pm**

**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

Sam Slavich

Peter Vujnovich

Willie Daisy

**Voting Members Absent:**

Shane Bagala

Tracy Collins

Matthew Slavich

**Non-Voting Members Present:**

Carolina Bourque

Justin Gremillion

Davis Madere in for Capt. Bryan Marie

Harry Vorhoff

Brian Lezina

**Non-Voting Members Absent:**

Karl Morgan

**III.** Peter Vujnovich motioned to approve the March 15, 2022 meeting minutes, 2nd by Jakov Jurisic. Motion carries.

Jakov Jurisic motioned to amend the agenda adding an item under new business, A.1- To Hear a Presentation on a Possible Oyster Industry Marketing Campaign- WWLTV/ Tegna, 2nd by Brad Robin Motion Carries.

Jakov Jurisic motioned to amend the agenda adding an item under new business, A.2- To Discuss an NOI that Would Add Oysters to the Domesticated Aquatic Organisms Approved Species List, 2nd by Brad Robin. Motion carries.

Jakov Jurisic motioned to approve the agenda as amended, 2nd by Brad Robin. Motion carries.

**IV.** Treasury report

Remaining fund balance- $586,399

Remaining budget balance- $122,658

Tag sales for the month of March are 298,800

Jakov Jurisic motioned to approve the treasury report as presented, 2nd by Willie Daisy. Motion Carries.

V. Committee Reports:

1. Public-Private Oyster Grounds Committee- no report
2. Enforcement Report-

REGION 4

IBERIA

No violations

REGION 5

CAMERON

1-take oyster illegal hours

1-take oysters from unapproved area (polluted)

Seized: 6 sacks of oysters

REGION 6

LAFOURCHE

2-take oysters illegal hours

2-violate sanitation code (log book)

2-violate sanitation code (refrigeration)

TERREBONNE

2-unlawfully take oysters off a private lease

2-fail to have written permission

No report on seizure

ST MARY

No report

REGION 8

JEFFERSON

1-violate oyster cargo vessel regulations

1-failure to tag sacked or containerized oysters

Seized: 28 sacks of oysters

ST BERNARD

1-fail to have commercial license in possession

1-violate sanitation code (waste bucket)

PLAQUEMINES

3-violate sanitation code (log book)

1-violate sanitation code (waste bucket)

1-fail to display proper number on vessel

1-take commercial fish without a commercial vessel license

1-improperly filling out oyster tags

1-fail to maintain records

1-adulterated or misbranding seafood

9-unlawfully take oysters off a private lease

9-fail to have written permission

Seized: 81 full sacks, 87 mini sacks

1. Legislative Report- no report
2. Legal Committee Report- no report
3. Research Committee Report- no report
4. Coastal Restoration Committee Report- no report
5. Marketing Report- no report, LA SPMB has not met in a while but Jakov Jurisic will keep the task force updated when this changes
6. Health Report- Big update in rule making, adding the AOC aquaculture section, following ISSC guidelines, we are not changing anything, just basically mimicking what ISSC had an putting it in the LDH section. This leaves some doors open, someone looking to get into oyster aquaculture will work with LDWF and LDH, the two agencies will look at the plan and decide on how it will fit in the ISSC guidelines. Also, had to make some changes from the 2019 NSSP regarding tags, time, and temperatures and there will be a little bit of shift with that as well. Have until May 25 to make comments regarding the Notice of Intent (NOI) for changes to be made to the Louisiana State Sanitary Code, Part 9, (the Seafood Chapter).

Jennifer Armentor stated that a draft of the NOI for changes to be made to the LA State Sanitary Code was published in the April 20, 2022 edition of the LA register, the public has until May 10 to request a public hearing and then until May 25 to make public comment on the draft. If a public hearing is requested then that will be held on May 25, if no public comments are received and no requests for a public hearing are made then the rule will go to an oversight committee for a 2nd oversight review on June 10 and then the final rule will published in the July edition of the LA register. Five things that the FDA cited the molluscan shellfish program on and that had to be addressed in administrative code- 3 of them had to do with relay, 1 aquaculture, and 1 change to time and temperature on green tags. The aquaculture chapter is basic; it’s copied straight out of the NSSP. The main thing is that we had to come up with was a maximum seed size to be produced in prohibited or unclassified waters. After discussions with LDWF and looking into what other Gulf States are doing, we decided on 1” maximum seed size. The reason for this maximum seed side is that the NSSP requires a 120 day grow out in open water, so that seed would have 120 days to get to market size. If the seed exceeds 1” then it is deemed adulterated and will be subject to seizure and destruction. Seed would not be able to be relayed because seed cannot be relayed from prohibited waters. The other items related to aquaculture deals with having to turn in an operational plan and mitigation for birds and mammals on cages. Relay had three items that needed to be clarified- 1. to clarify the species name of the eastern oyster, 2. Clarified that relay can be conducted year round, and had to establish and have in writing our critical values of salinity and temperature, 3. Had to state that when relay is complete the coliform levels and shellstock that has been relayed is the same as the coliform levels in the natural harvesting area. One thing was done on white tags and it had to be clarified that these tags are required to be attached until the container is empty and kept on file in chronological order for 90 days. Also, removed the performance bond and security guard requirements on checking on shellfish and the closed growing areas, those requirements have been removed. Green tags no longer use the average water temperature to get hours to refrigeration this has now changed to using the air temperature and not the water temperature for green tags. This change for green tags will affect six months out of the year, in the months May through October it will change the hours to refrigeration from 18 to 12 and the other months, December, January and February will be reduced to 18 hours to refrigeration. Therefore, there will no longer be a 24 hour green tag

Jakov Jurisic stated that fishermen may run into the issue where 12 hours is not possible

Jennifer Armentor stated that NSSP establishes the hours; this was done through a unanimous decision at the NSSP

Justin Gremillion stated that he will try and get a schedule of the board meetings to see if this can be done, can bring data to support that there has been no illnesses

Jakov Jurisic motioned to submit an issue to the ISSC to make an exception for green tag temperature requirements from May-Oct, changing the hours to refrigeration from 12 to 15 hours, try to present to the ISSC board at a board meeting if possible, before the conference, 2nd by Peter Vujnovich. Motion carries.

Al Sunseri stated that this issue may be able to be taken up at one of the board meetings, this might be able to be done before you get to that level, there are no cases

Justin Gremillion stated that he will prepare supporting documentation to support this change and forward to Jakov Jurisic and the task force

Brad Robin stated that white tags being put into the refrigerator every hour, is there any way we can go ISSC and get the hour changed to two hours? Would like to look into what Texas is doing on this

Al Sunseri asked about adverse conditions and LDH putting together a plan that can be used following adverse conditions that the industry can use to reopen faster based on past data, like done in Washington, New York, Etc.

Justin Gremillion stated that they talked about this the past a few times and have a little bit of information but not enough to come up with an adverse plan, this was put on hold for the rule making and will be able to take this back up now

John Zach Lea asked the OTF to consider make statement today to put in the form of a resolution when a person is growing oysters in one area, oysters grow at different rates, allow for a small percentage of oyster to be over 1”

Mitch Jurisich suggested hosting a health committee meeting prior to the full oyster task force meeting when the discussion is this lengthy

1. Aquaculture Committee Report- Dr. Melancon announced that the second round of Alternative Oyster Culture (AOC) grant applications will open May 6, 2022; the closing deadline for grow-out and nurseries is June 9 and for parks and hatcheries July 7. Applications can be found at www.laseafoodfuture.com/aoc
2. Joint Task Force Working Group- no report

**VI.** New Business

A.1- Sandy Garcia with WWL provided a presentation to the Oyster Task Force on a possible oyster industry marketing campaign with Louisiana Made, Louisiana Proud, WWLTV/ Tegna

The task force plans to host a marketing committee meeting prior to their next meeting to discuss and consider this further

A.2- The board discussed an NOI that would add oysters to the Domesticated Aquatic Organisms Approved Species List

The addition of oysters to the DAO will allow LDWF to permit nurseries and hatcheries, land based hatcheries and nurseries

Steve Pollock stated that he appreciates the task force supporting this endeavor

Sam Slavich motioned for the Task Force to send a letter of support to the LDWF Commission to add oysters to the Domesticated Aquatic Organisms Approved Species List, 2nd by Brad Robin. Motion carries.

B. Jack Isaacs provided a presentation on the results of the LDWF oyster shell assessment survey

The survey was done in response to a request from the legislature to do an assessment of the amount of oysters remaining in the state and being shipped out of the state so we can get an idea of how many oyster shells might be out there. The NMFS survey of seafood processors shed some light on what is likely to be happening. If you were to compare the amount of oysters processed in Louisiana in that survey, and that survey is incomplete, you would get a number that is a lot less than the amount of oysters landed in Louisiana. On the other hand, if you look at the amount of oysters processed in that survey in Alabama and the amount landed in Alabama you would get a different story. The amount processed over there is really, really big and the amount landed is relatively small. Those oyster are coming from somewhere, a lot of them are coming from other places like Louisiana. Therefore, that is a bit of evidence that suggested that many oysters are leaving the state. Other information came from oyster work I did in 2012, looking at oyster processors and seafood processors of all kinds, and what seen there was a substantial portion of processors sales were in the form of whole oysters and a lot of those were shipped to other states. When we put this survey together, we wanted to take advantage of information we had in our trip ticket landings database, which would include purchases of oysters from the commercial fishermen themselves. It was a relatively simple survey of these dealers just to figure out in the very first stage what percentage of oysters are being shipped out of the state as whole oysters and what percentage is staying in the state. So we looked at dealers who landings of oysters at some point between 2018 and 2020. We picked 26 of the largest dealers, which accounted for approx. 90% of the oyster purchases in LA, of the 26 about 16 firms answered the survey. The 16 firms who participated in the survey accounted for a little over 2/3 of the oyster landings in LA. Some of the questions asked in the survey- 1. Did you get your oysters from sources other than LA? Some of them did get oysters outside of LA so we accounted for how much oysters they reported came from outside the state. 2. What percentage of their oysters, they sell in two forms- whole or shucked oysters, did they sell inside the state and what % was sold outside of the state and if they sold any inside the state what different forms did they sell them? The interesting thing to come from all of this was that 91% of sales were in whole oysters and 9-10% were some sort of processed oyster. If we multiply the % of oysters for each respondent, that they reported selling as whole oysters times their trip ticket volume of oysters what we saw was, at least in this last year or so, 75% of the oysters landed in LA were shipped out of the state, almost immediately, as whole oysters and another 15% were sold as whole oysters to someone in the state. About 1% was sold to just restaurants, 5-6% were sent to LA processors and about 9% went to LA distributers. There is a black hole in some of the data, because there is the element of what is happening to the whole oysters that are being sold to distributers, not all of them are staying in the state. We do not have a whole lot of oysters that stayed in the state for processing in the state. Estimate that about 10-14% of oyster are processed in the state. The good news is that most LA processors have established markets for the oyster shell and most shell that is processed in LA is being returned to the water in LA already either by the processors themselves or by someone who purchases the oysters from them.

C. The task force heard an update on the low salinity tolerant oyster research

Lo-Spat project updates:

**Project Goals:**

* + Enhance understanding of low salinity and other stressors on LA oysters
	+ Improve resilience of oysters to low salinity events
	+ Build capacity for production of oysters with low salinity tolerance

**Enhanced environmental monitoring of oyster habitat**

* + Continuous YSI sensors measuring: temperature, salinity, total algae, dissolved oxygen, turbidity
	+ 2 initial sites chosen (variable salinity, active oyster reefs)
		- West Cove, Calcasieu Lake
		- Mosquito Bight, Eloi Bay
	+ Deployments scheduled for summer 2022
	+ Real-time data availability via www.lospat.org
	+ Additional 6 sites being planned for 2022-2023

**Building out Broodstock Capacity**

* + Located at UL Lafayette Ecology Center,
	+ Recirculating 180-gallon system
	+ Can hold 1500-1600 oysters at full capacity
	+ 5 out of 8 systems operational (Apr 2022)
	+ Currently fine tuning water quality, oyster husbandry protocols
	+ Build a low salinity tolerant broodstock population for use in large scale production

**Improve resilience of oysters to low salinity events**

* + Tolerance to low salinity is genetically determined, passed from parents to offspring
	+ Can use individual’s DNA to predict tolerance (genomic selection model)
	+ Benefits over traditional selective breeding:
	+ Minimizes time/effort spent testing for traits (e.g., low salinity tolerance)
	+ Better manage genetic diversity, minimize inbreeding
	+ To date: 5 populations spawned in 2021 for salinity challenge experiments starting May 2022
		- Predictive model in fall 2022

**Quantifying effects of low salinity co-stressors**

* + Oysters experience co-stressors of low salinity.
	+ Conducting research to understand impacts of:
		- Changing algal quantity & quality
		- Increased suspended sediments
		- Hypoxia, other co-stressors

**Opportunities for community input**

* + Technical Advisory Committee
	+ We want to hear from you!
	+ Support for aquaculture interns
	+ Potential for market-focused study
	(Dr. Geoff Stewart, ULL)

*For more information, Contact:* *lospat@louisiana.edu/* *or visit* [*www.lospat.org*](http://www.lospat.org)

Mitch Jurisich stated that these oysters already exist and a lot of money is being spent on this and will it ever turn into anything? how much money has been spent so far? Asked Dr. Stauffer to come back as soon as more information is available, would like to see some results for the money being spent, understands that the task force is not controlling the money but if this is not working there are other ways that this money can possibly be spent in a better way

Jakov Jurisic asked if expenditures could be provided at the next meeting. Asked that they bring this next time they come to a meeting

Brad Robin stated that people do not want a freshwater oyster, this study has been done with the opening of the Bonnet Carre Spillway

Dr. Stauffer stated that this is speeding up the natural process; this will take 3-5 years for a process what will naturally happen in 20-50-years

Al Sunseri stated that since the study is being done didn’t see one of the tolerances being temperature, develop the DNA of the oyster that is low salinity and high temperature those things can help farmers in the future

Used a salinity of 2 and temp of 83

Brad Robin stated that the time of the low salinity is the question, when you have low salinity events for 140 days how do you combat that?

Mitch Jurisich stated that the food source also needs to be looked into, as the food source can change when the water, tempt and salinity changes

C. The chairman took up item E. at this time, LDAF, Michelle Ribera provided an update on the LDAF’s Seafood Processors Pandemic Response and Safety Program

Eligible beneficiaries- Louisiana residents possessing any of the following LA Dept. of Wildlife and Fisheries licenses in 2020 and/or 2021:

* Residential Wholesale/Retail Seafood License- business
* Residential Wholesale/Retail Seafood License- vehicle
* Residential Seafood Retail/Dealer License- business
* Residential Seafood Retail/Dealer License- vehicle
* Residential Vessel License

Will begin taking applications from July 1- 29, 2022 (all applications must be delivered or post-marked no later than July 29, 2022)

Awarded amounts- Up to $100,000 based on approval and availability of funds. If, after the close of the application period, the total request for funds exceeds the program allocation, the state will use a pro-rata allocation process to make individual awards. Based on program demand at the close of the application process, the state will announce the final pro-rata formula and allocation if it is found to be necessary.

Disbursement- single or multiple payments, depending on the availability of funds.

Method- electronic funds transfer (EFT) unless check is requested by applicant

Eligibility- In order to be eligible for the benefits under the Louisiana Seafood Processors Pandemic Response and Safety Program, an applicant must meet the following requirements:

* Must have had a 2020 and/or 2021 Louisiana Residential Wholesale/Retail Seafood License – Business, Residential Wholesale/Retail Seafood License -Vehicle, Residential Seafood Retail/Dealer License – Business, Residential Seafood-Retail/Dealer License – Vehicle, or Residential Vessel Licenses issued by the Department of Wildlife and Fisheries.
* Sole proprietorships, partnerships (general, limited, or LLP), corporations (S Corps, C Corps, and LLCs), cooperatives, joint ventures, and other entities may participate. Processors and At-sea Processors attest that they change the physical condition of a fisheries resource suitable for human consumption, retail sale, industrial use, or long-term storage including cooking, canning, smoking, salting, drying, shucking, filleting, freezing, or rendering into meal or oil.
* Dealers attest that they receive fish by way of purchase and sell directly to restaurants, markets, other dealers, processors, or consumers without substantially altering the product.

Award

Awards will be 100 % grants. Total awards will be a maximum of $100,000 depending on the availability of funds. The applicant’s award amount will be based on the amount of pandemic-related loss expenses preparing for, preventing exposure to, and responding to the COVID-19 pandemic for seafood processing facilities and vessels. If eligible requests for funds exceed the dollars available, awards will be made on a pro-rata share.

The applicant will be responsible for submitting receipts for the use of funds in order to receive the grant award. Please attach any receipts relating to these expenses to the application. Receipts must be dated January 27, 2020, through December 31, 2021, and indicate payments have already been made. LDAF/LAFA may request expense justification for eligible expenses.

Estimate that funds will go out around March 2023-May 2023

For more information on the program details, visit <http://www.ldaf.la.us/louisiana-seafood-processors-pandemic-response-and-safety-block-grant-program/>

Eligible timeframe is from 2020-2021 need receipts and possible justifications

D. The board heard a legislative update on oyster related bills

There was a bill put up that would expand the LA Oyster Dealers and Growers Association appointments on the task force the change would allow LODGA seats to be parish wide instead of for a designated parish, the bill would also seek to add a seat to the task force that would be appointed by the Aquaculture Association

Mitch Jurisich stated that he attended the House meeting where the bill was being heard and Representative Kerner wanted to keep Jefferson Parish that LODGA would have to appoint a board member from for the OTF, it was explained to him that the intent was to keep the membership the same and appoint members from the designated parishes, but what happens when there is no longer a member on the LODGA that is from any of the designated parishes? Allowed amendment which allowed for a representative from either Lafourche or Terrebonne, to keep the seat from the western parishes, went through the House of Natural Resources Committee, but when it got to the House floor there was an issue raised by Representative Bourriaque about Calcasieu not being represented on OTF anymore. The Calcasieu organization that used to have a seat on the board is no longer a viable organization and because of this that seat has somewhat dissolved. Representative Bourriaque then amended the bill by adding a representative to the OTF from the Cameron Police Jury. There is concern with who the police jury might appoint and how this fits with the oyster industry, asked Representative Orgeron to remove that amendment and asked him to pull the bill, he refused to pull the bill, LODGA pulled support of the bill with that being said I know we had an approval to support that bill moving forward, may want to reconsider given the recent events/ changes

Al Sunseri stated that this bill was not on the LODGA agenda and he was not aware until recently of this legislation

Patrick Banks stated that Representative Orgeron called him on Friday and reiterated the concerns he had heard asked LDWF to draft language and to put some sidebars on only the Calcasieu seat, require that the person who holds the seat to have properly recorded landings in the current or previous year, assuming he is going to try and put that part in to the Senate Natural Resources Committee

Jakov Jurisic motioned for the Oyster Task Force to withdraw support for House Bill 234, which provides relative to the composition of the OTF, 2nd by Brad Robin. Motion carries.

Al Sunseri recommended getting in touch with the Senate Natural Resources Committee as well as the entire Senate before the committee passes it and express concern

Jakov Jurisic asked that the task force make themselves available to attend the legislative meetings, if need be

E. The task force discussed oyster tag issues

Brad Robin stated that there are issues with the current oyster tags being printed on and the tags are melting, they canceled the orders for these tags and the contract is ending but what can be done in the mean time?

AL Sunseri suggested that the contractor be held liable and those who paid money for these tags be reimbursed

Davis Madere stated that he would get with staff and notify them of the issues that are going on; have to be tagged but will notify captains of this going on

Secunda Byrd stated that the cancelation ends on May 7 then soon after that will go back to doing orders with previous vendor. Hopefully soon after orders can be placed with old vendor. It has been requested that a refund be made to credit customers who are requesting tag credits for tags that cannot be used. This request has been sent up the chain of command and we are awaiting feedback on how this can be handled.

Mitch Jurisich asked that if this happens in the future suggested getting a sample and bringing it to the task force to test to make sure the tags are good before a massive order is made

F. The task force discussed the Oyster Strategic Plan and the possibility of funding the closure of the failed Bohemia Salinity Control Structure and a partial opening of the MRGO

Mitch Jurisich stated that the task force received a bit of bad news, that the engineer who helped get the permit for closing the failed Bohemia Salinity Control Structure up to this point had passed away. We do know as of right now that a permit still sits with the Department of Natural Resources waiting for approval. In listening to what is going on with the Oyster Strategic Plan, it is a living document and there is money available that this sort of thing can fall under, like hydrologic restoration, which has a budget of around $13 million. I don’t know what would fit the bill better than this project for hydrologic restoration. The LA oyster industry is in dire condition right now and not having those public grounds is taking its toll. If the permit for this project were to come available, is this a possibility for funding under this category (hydrologic restoration) in the plan?

Patrick Banks stated that this is a possibility and this is actually a potential that was contemplated when putting this initiative in the plan, to have an initiative that would allow us to look a possible project like MRGO rocks or Mardi Gras Pass whether it’s closure or rehabilitation of that structure or somehow managing the outcome, that was part of the thought process when creating the strategic plan. We have taken the concept of that initiative, it is also in our spending plan for the 2019 Flood Disaster, which is still unfortunately at NOAA being reviewed, and we still have not received final word on that. The idea is that part of that money, the $53 million that we are set to get, when the plan is approved, is to fund that initiative. Once the money is there LDWF plans to sit down with the industry and discuss what hydrologic restoration is needed to use that $13 million.

Mitch Jurisich stated that he is not against the structure being rebuilt, but to rebuild the structure you must first stop the flow, if the money does come available requested that this project move quickly

Al Sunseri stated that the LDWF Commission passed resolution, that was sent to both the Senate and the House, requesting the authorization and appropriations for closing the Bohemia Salinity Control Structure may be an opportunity to talk to a legislator to put in a resolution in before the end of the session to request that this happen from someone in the legislature, it already has been expressed by the Commission to do it and the reasons why

Patrick Banks stated that House Bill 1, which is next year’s budget, is going through the legislature right now, and the legislature is trying to figure out how to appropriate money for next year’s State budget, there may be extra money in the budget and this project may be able to be put in that way, bill is on the Senate side right now and you might not even need a resolution, believe you would just need a senator to amend to add this in

Brad Robin stated that the oyster industry falls short of every other project out there, need support from LDWF and other organizations, need back up, limited on space because of the freshwater, if you close Mardi Gras Pass and open the ship channel and give the oyster industry three years and you will see the industry turn around

Mitch Jurisich stated that LRA needs to be on board

Patrick Banks clarified that the 2019 Flood Disaster is separate from the spending plan but trying to use some of the flood disaster money to help fund some of the oyster strategic plan initiatives, one of which is hydrologic restoration, NOAA freshwater flood,

Jakov Jurisich also have Bayou Lamoque and Quarantine Bay also need to be addressed

George Ricks stated that it’s a lack of habitat it is not a lack of abundance of oysters and the way to change that is to close off the failed Bohemia Salinity Control Structure

G. Robert Waldron led a presentation on an assessment of the potential value of ocean calcifiers in sequestration of atmospheric carbon

Peter Vujnovich stated that you should be reimbursed by how much rock is being planted not after the rock is out of the water

Dan Coulon stated that there is an issue with oysters producing enough shell

**VII.** Public Comment

Dr. John Zach Lea asked the board consider making a resolution to ask parishes to reduce their AOC related CUP fees

**VIII.** Next meeting was set for Tuesday, June 7 ~~Houma Library~~ the meeting venue was later moved to the New Orleans Lakefront Airport.

**IX.** Dan Coulon motioned to adjourn, 2nd by willie Daisy. Motion carries.