

PUBLIC OYSTER SEED GROUND VESSEL PERMIT APPEALS BOARD

MINUTES

July 30, 2013

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.

July 30, 2013 – 9:30 A.M.
2ND FLOOR CONFERENCE ROOM
LDWF OFFICE IN THE UNO ADVANCED TECHNOLOGY BUILDING
2021 LAKESHORE DRIVE, NEW ORLEANS, LA 70122

Meeting commenced at approximately 9:35am.

Due to the absence of Chairman Jakov Jurisic and Vice-Chairman Shane Bagala, an Acting Chairman was elected. Robin nominated Coulon with Vujnovich seconding the nomination. There were no further nominations or discussion. Coulon was voted unanimously as Acting Chairman.

AGENDA

I. Roll Call

- Wilbert Collins – Here
- Rodney Fox – Not Here
- Jakov Jurisic – Not Here
- Buddy Daisy – Not Here
- Shane Bagala – Not Here
- Brad Robin – Here
- Peter Vujnovich, Jr. – Here
- Dan Coulon – Here
- Byron Encalade – Here

Quorum present.

II. Approval of Minutes from Meeting of May 23, 2013

- Vujnovich – Motion to Approve
 - Collins – Seconded
 - MOTION CARRIED (unanimous)

III. Hearing of Deferred New Permit Appeals

A. Brett Johnson (attending)

- Ty Lindsey, Louisiana Department of Wildlife and Fisheries (LDWF) Biologist 3, stated that Johnson's appeal was deferred at the previous meeting of May 23, 2013 to allow Johnson time to obtain notarized affidavits from two licensed oyster harvesters in lieu of trip tickets to satisfy the hardship requirement.
- Johnson provided copies of two affidavits to the Board.
- Vujnovich – Motion to recommend a new permit be issued to Johnson.
 - Robin – Seconded
 - MOTION CARRIED (unanimous)

B. Marty Melerine (not attending)

- Lindsey reported that Melerine asked for a second deferment while he works on obtaining the necessary documentation to qualify for a permit under the 50% complete option.
- Vujnovich – Motion to defer
 - Encalade – Seconded
 - MOTION CARRIED (unanimous)

C. Vlaho Mjehovich (attending)

- At the last meeting, Lindsey said, the Board asked for Mjehovich to provide proof of vessel damage.
- Mjehovich provided the Board with photos of the vessel's damage as well as receipts and invoices for materials and work done to repair the damage.
- Coulon asked Lindsey to provide comment on the documentation.
 - Lindsey said Mjehovich has satisfied all requirements of a hardship appeal and that Mjehovich has provided photos as the Board requested.
- Encalade stated that he has personal knowledge of the vessel's damages.
- Encalade – Motion to recommend a new permit be issued to Mjehovich.
 - Collins – Seconded
 - MOTION CARRIED (unanimous)

IV. Hearing of Deferred Renewal Permit Appeals

A. Kerry Cosse' (attending)

- Lindsey stated that Cosse' held 2009 permits on the three vessels he is appealing for and that he attempted to renew the permits in 2013, but was denied due to the permits having expired.
- Vujnovich said that, at the time, LDWF was not notifying permit holders of the need to renew their permits in order to maintain the permits.
- Vujnovich – Motion to recommend renewal permits be issued on all three vessels.
 - Encalade – Seconded
 - MOTION CARRIED (unanimous)

V. Hearing of New Renewal Permit Appeals

A. Danny Smith (attending)

- Lindsey stated that Smith held a 2010 permit, but failed to renew the permit before it expired. Smith stated in appeal that the boat was in disrepair at the time. Smith satisfies the hardship appeal license requirement. Smith has trip tickets showing he fished oysters on the public grounds in only one of the qualifying years, therefore he does not satisfy the trip ticket hardship requirement.
- Vujnovich asked if LDWF Secretary Robert Barham generally agreed with the Board's recommendations.
 - Lindsey said yes.
- Vujnovich asked Smith if he wanted to obtain affidavits to satisfy the trip ticket requirement.

- Smith responded that he did not know how to go about getting affidavits.
- Robin stated that he knows Smith fishes and that he sells to Henry Martin. He further stated that he could vouch for Smith.
- Encalade said Smith held a permit and therefore it is clear that he qualified for a permit.
- Encalade – Motion to recommend renewal permits be issued to Smith.
 - Vujnovich amended motion to include Robin’s statement as support for the recommendation.
 - Collins – Seconded
 - MOTION CARRIED (unanimous)

VI. Update on Recommendations Made at May 23, 2013 Meeting

- The Board made two recommendations at its last meeting.
 - Raymond Nehlig appealed for a new permit. The Board recommended a permit be issued to him. Secretary Barham agreed with the Board’s recommendation. Nehlig was issued a permit.
 - Catfish Lake Oyster Company, LLC appealed for a renewal permit. The Board recommended a renewal permit be issued to the company. Secretary Barham agreed with the recommendation. Catfish Lake Oyster Company, LLC was issued a renewal permit.

VII. Receive Public Comments

- No comments received.

VIII. Set next meeting date

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

IX. Adjournment

- Encalade – Motion to Adjourn
 - Vujnovich – Seconded
 - MOTION CARRIED (unanimous)

Meeting adjourned at approximately 10:10am; Duration of Meeting: approximately 35 min.

Minutes submitted by Ty Lindsey, LDWF Biologist

**The OTF met later the same day as scheduled and set Tuesday, September 17, 2013 as their next meeting date. Therefore, the next Public Oyster Seed Ground Vessel Permit Appeals Board meeting is scheduled for 10:30am on Tuesday, September 17, 2013 at the LDWF offices on the UNO campus.*