

PUBLIC OYSTER SEED GROUND VESSEL PERMIT APPEALS BOARD

MINUTES

April 7, 2015

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.

April 7, 2014 – 9:30 A.M.
2ND FLOOR CONFERENCE ROOM
LDWF OFFICE IN THE UNO ADVANCED TECHNOLOGY BUILDING
2021 LAKESHORE DRIVE, NEW ORLEANS, LA 70122

Meeting called to order by Vice-Chairman Shane Bagala at approximately 9:35am.

AGENDA

I. Roll Call

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

Quorum present.

II. Approval of Minutes from Meeting of February 24, 2015

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

III. Hearing of New Renewal Permit Appeals

A. Purified Oysters & Food (Selman Halili attending)

- Ty Lindsey, Louisiana Department of Wildlife and Fisheries (LDWF) Biologist, stated that Purified Oysters & Food, represented by Selman Halili, is appealing for renewal permits on its vessels TX-5316-JY and TX-5664-AH. Purified held 2012 permits on the vessels, but did not renew the permits by December 31, 2013 at which time the permits expired and were no longer eligible for renewal. Lindsey said Halili stated in the appeal that vessel repair costs as the reason for failing to renew.
- Bagala stated there is precedent in such cases to recommend renewal.
- Encalade – Motion to recommend renewal permits be issued
 - Vujnovich – Seconded
 - MOTION CARRIED (unanimous)

B. S & C Oyster Co., LLC (Slade Lovell attending)

- Lindsey stated that S& C Oyster Company, represented by Slade Lovell, is appealing for a renewal permit on its vessel LA-6813-FR. S & C held a 2013

permit on the vessel, but did not renew the permit by December 31, 2014 at which time the permit expired and was no longer eligible for renewal. Lindsey said Lovell stated in the appeal that he was not aware the permit needed to be renewed yearly as the reason for allowing the permit to lapse.

- Slavich – Motion to recommend a renewal permit be issued
 - Collins – Seconded
 - MOTION CARRIED (unanimous)

IV. Hearing of New Re-Issuance Permit Appeals

A. Michael Williams (attending)

- Lindsey explained that Williams held a 2010 permit on a vessel that Williams claims was taken from him due to 2010 BP oil spill damages. Williams is now requesting his old permit be issued on his new boat.
- Williams said his previous vessel was condemned due to oil related damages.
- Collins – Motion to recommend a permit be re-issued
 - Vujnovich – Seconded
 - MOTION CARRIED (unanimous)

Slavich – Motion to amend agenda by adding discussion of Fabian Guerra’s efforts to obtain a new seed ground vessel permit.

- Vujnovich – Seconded
- MOTION CARRIED (unanimous)

Slavich said he cannot stand by and see Guerra, a Louisiana resident, not get a permit.

Coulon suggested the topic be tabled until a legal review can be done.

Patrick Banks, LDWF Oyster Program, and Lindsey explained that current law prohibits the Department from accepting applications for new permits at this time, so, therefore, the Department cannot officially deny a permit application. It was further explained that the Board can only consider appeals of denials of permits.

There was considerable discussion among Board members and LDWF staff about how the Board could help Guerra.

Vujnovich – Motion to recommend a new permit be issued to Guerra [full motion on file]

- Slavich – Seconded
- Encalade questioned whether the Board was acting within its authority.
- Guerra said if you have oyster leases you should be able to get a permit. He also said he currently has no Public Oyster Seed Ground Vessel Permits. He claimed to have other fishing vessels, but only one of which is equipped to fish oysters.
- Vujnovich restated his full motion.
- Lindsey clarified that the recommendation is for one permit on Guerra’s vessel LA-7284-AG.
- Coulon recommended reference to Guerra being an oyster leaseholder be added.
- MOTION CARRIED (unanimous)

- V. Update on Recommendations Made at February 24, 2015 Meeting
 - Lindsey said the Board made a recommendation for one renewal permit for Goimir Zupanovic and that the permit had been issued.

- VI. Receive Public Comments
 - None received.

- VII. Set next meeting date
 - Coulon – Motion to set next meeting date, if needed, in conjunction with the next OTF meeting.*
 - Vujnovich – Seconded
 - MOTION CARRIED (unanimous)

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

Meeting adjourned at approximately 10:09am; Duration of Meeting: approximately 34 min.

Minutes submitted by Ty Lindsey, LDWF Biologist

**The OTF met later the same day as scheduled and set Tuesday, May 5, 2015 as their next meeting date with a relocation of venue to the Capital Park Welcome Center in Baton Rouge. Therefore, the next Public Oyster Seed Ground Vessel Permit Appeals Board meeting is scheduled for 9:00am on Tuesday, May 5, 2015 at the Capital Park Welcome Center in Baton Rouge.*