

Louisiana Oyster Task Force Meeting
John Tesvich, Chairman

Tuesday, December 4 1:00 PM

UNO Advanced Technology Center, 2021 Lakeshore Drive, Suite 210, New Orleans

Minutes

I. Roll Call-Meeting called to order at 1:04 p.m.

Present:

Shane Bagala
Mark Schexnyder
David Guilbeau in for Tenney Sibley
Wilbert Collins
Dan Coulon
Byron Encalade
Jakov Jurisic
Major Sammy Martin
Karl Morgan
Buddy Pausina
Brad Robin
Brandt Lafrance
John Tesvich
Sam Slavich
Mike Voisin- entered at 1:06 p.m.

Absent:

Al Sunseri
Chip Kline
Jerome Zeringue
Peter Vujnovich

Guests:

Darren Bourgeois-LDWF	John Hewitt-Audubon Nature Institute
Katie Semon-LDWF	John Fallon-Audubon Nature Institute
Kevin Ford-Louisiana Outdoor Adventures	Julianna Mullen-Audubon Nature Institute
Jon Bell-LSU Agcenter	Gordon Leblanc-DHH
Nolan Lapeyrouse- Lapeyrouse Brothers	Brian Marks-University of Arizona
Anh-Dao T. Nguyen- S.E.A.F.A	Earl Melancon-Nicholls State University
Maura Wood-NWF	Nick Collins-Collins Oyster Company
Susan Colley-UNO	Tom Soniat-UNO
Steve McManus-LDWF	David Guilbeau-DHH
Patrick Banks-LDWF	
Ty Lindsey-LDWF	

Guests were asked to introduce themselves

II. Approval of September 25, 2012 MINUTES- Motion by Mike Voisin to accept September 25, 2012 minutes. Second by Wilbert Collins. Motion adopted.

III. Motion to adopt agenda with revision to add Out Da Bayou under new business by Wilbert Collins, second by Brad Robin. Motion adopted.

IV. Treasury Report

A. Oyster Tag Sales- October sales tag total was 80,846

B. LOTF Financial Report-Balance is \$115,430.12 and fund balance available is \$215,037.01.

Motion to adopt treasury report by Mike Voisin, second by Wilbert Collins. Motion adopted.

IV. Committee Reports

A. Public and Private Oyster Grounds Committee – (Buddy Pausina)

Buddy Pausina introduced the sustainability program and Rene Lebreton with LDWF and Julianna with Audubon gave presentations. Discussion was held on the issue.

Sustainability Committee recommends that all parties involved continue this process and that the oyster task force stay involved especially through the technical advisory committee. Motion by Mike Voisin to accept the committee recommendations, second by Wilbert Collins, motion adopted unanimously.

Public/Private Grounds Committee- Met this morning and discussed several lease issues and Title 56. The committee's full report is attached.

Public and Private Grounds Committee recommends that we invite someone from the state land office to give a status of the current private owned water bottoms situation and bring maps. And that the oyster task force, LDWF, state lands and specialty enforcement division look at what exists and what doesn't exist and identify shortfalls and seek to fix those and keep everyone updated. Motion by Mike Voisin to accept the committee's recommendations, second by Jakov Jurisic. Motion adopted unanimously.

B. Enforcement - Steve McManus addressed the task force and listed several enforcement violations. He reminded the task force that green tags are more restrictive now than white tags.

C. Legislative -

Mike Voisin told the Oyster Task Force that Eric Sunstrom will not be sending out legislative updates to the task force any longer but that Cole Garret with LDWF will be sending those updates out and also working on the development of legislation and communicating positions.

D. Research –

E. Coastal Restoration – Dan Coulon addressed the group. Drue Banta was called on to address the group on the BP claim dollars that will be going to the National Fish and Wildlife Foundation. Discussion was held.

The chairman asked that Brad Robin address his item originally scheduled under new business as this time. Brad Robin made a motion that the monies from the BP Criminal charges prioritize funding to barrier islands rather than fresh water diversions. Second by Wilbert Collins. Motion adopted unanimously. The chairman will send a letter to CPRA.

F. Marketing –

G. Health – (Tenney Sibley)

V. Old Business

- A. BP Oil Spill Remediation
 - 1. Claims Process
 - 2. Public Reef Remediation
 - 3. Oyster Lease Remediation

Drue Banta addressed the group again. Second round of restoration programs are out for bid, but these projects are not in Louisiana.

- B. Letter to coastal district attorneys-Motion by Wilbert Collins to accept the letter to district attorney with edits and schedule follow up meetings. Second by Mike Voisin. Motion adopted unanimously. Ashley Roth will compile list of coastal D.A.'s. ad mail letter.
- C. Mike Voisin reported on Oct. 15, 2012 ISSC Board Meeting
- D. Kevin Ford from Out Da Bayou productions addressed the group and Mike Voisin made a motion that we move forward with the Out Da Bayou Sponsorship, but that LSPMB staff work with Out Da Bayou to negotiate details and will report back to the chairman for his approval. Second by Sam Slavich. Motion adopted unanimously.

VI. New Business

- A. Oysters Jubilee – LSPMB
Ewell Smith reported to the task force. Motion by Mike Voisin that the oyster task force sponsor the oyster jubilee for this year in the amount of \$10,000. Second by Wilbert Collins. Motion adopted unanimously.
- B. Charbroiled and Fried Oyster Study – Mike Voisin
- C. Oyster Predation by Drum Fish : can regulations be changed to help alleviate the problem- John Tesvich
John Tesvich suggested a motion that this go to the legislative committee. Discussion was held. Randy Pausina that he would help set up a meeting with CCA. Mike Voisin made a motion that the chairman be authorized to set up a committee to discuss this and department personnel should be included and discuss potential legislation. Wilbert Collins seconds the motion. Motion adopted unanimously. John Supan, Mike Voisin, Sam Slavich, Cole Garrett, Randy Pausina volunteered to be on the committee.
- D. Oyster Tags and Requirements Video-LDWF showed the video they produced to help educate industry on oyster tag requirements.
- E. VMS Discussion-Dan Coulon asked that Mark Schexnyder address the group about the VMS systems. Dan Coulon asked that the task force be included in the discussion about the VMS programs. Dan Coulon made a motion that discussion on VMS be moved to the public/private lease committee. Second by Mike Voisin. Motion adopted. Jakov Jurisic abstained.
Jakov Jurisic asked why boats from out of state were allowed to participate in the remote setting program. Mark Schexnyder and Randy Pausina addressed the task force. Discussion was held.

VII. Set Next Meeting- Wednesday, February 6, 2012 1 p.m.

VIII. Adjourn- Motion by Sam Slavich to adjourn, second by Byron Enclade. Meeting adjourned at 4 p.m.

Dec 4, 2012

Public & Private Grounds Committee Meeting Report

Subject: Issues pertaining to oyster leases on private lands.

LDWF position:

The department must establish State ownership of any water bottom in order to lease that bottom.

Private land can under water.

Three types of oyster bottom

- 1 – Public seed ground
- 2 – Private lease on state owned water bottom
- 3 – Private lease on privately owned water bottom

DWF requires nothing with regard to the 3rd type. DWF treats these leases as

It treats a deer lease.

There is no need to register them with State

There is no need for notification of lease.

Lease owners must follow DHHR requirements

Discussion followed with these recommendations –

- 1-Rules and Regulations should be established for the operation of a private lease on private lands (water bottoms).
- 2 –Establish which agency/agencies should write these rules and regulations
- 3-Establish who owns water bottoms.
- 4-Seek attorney General opinions where necessary
- 5-Register these leases with Parish Clerk of Court
- 6- Issue concerning leases in Bayous or along shorelines. How to handle the erosion problem.
- 7-Marking requirements on PL on PL
- 8-Challenges regarding navigation thru private claimed waters.
- 9-Competition issues. Overall maps showing all leases (State and private)
- 10-When there is a dual claim issue, either at onset or at renewal. What is the procedure in these cases and how are they to be resolved?

11-Problem resulting where the landowner owns their land (water bottom) and the State owns the product (oyster and/or shell)

12-There is also a need to notify all landowners of water bottom of all the Laws, Rules, and Regulations concerning all aspects of an oyster operation.

13-Include in the discussions all of the guidance included in the Moratorium Lifting recommendations which the Legislative Study Committee made to the DWF Commission.

14-There is a need to clarify all Laws, Rules, and Regulations and Responsibilities concerning these issues.

15- Follow up on the ongoing study being done by the Geological Survey.

16-Ask someone from the State Lands Office to come to the OTF's next meeting for the purpose of explaining the procedure they follow in determining who owns any water bottom.

17-Develop a policy to address all these issues.

These items were recommended for adoption to the OTF. They were adopted.

Submitted by the Committee , Ralph Pausina, Chair