

OLACP Public Comments 09/23/2020

from Amanda Phillips to everyone: 9:23 AM

What is the average price per acre of acquired oyster leases?

from Jerry Graves to everyone: 9:25 AM

The statute clearly states that leases impacted by dredging projects are eligible for OLACP. However, the statute also references "other work and activities" relative to coastal projects. Does this mean that any lease adversely impacted by any CPRA activity is also eligible for the program?

from ANDREW WILSON to everyone: 9:25 AM

One of the biggest issues with oyster lease acquisition remains the amount of compensation due, if any. Since oyster leases only have commercial value based upon the amount of oysters they produce, has CPRA given any thought to approaching LDWF to require oyster harvesters to record production by lease number as was done historically? This would eliminate efforts to seek compensation for worthless leases if not the entire concept of "speculative leases," a practice which the oyster industry does not deny.

from Niko Tesvich to everyone: 9:25 AM

Why is salinity considered an indirect impact?

from Amanda Phillips to everyone: 9:25 AM

How is the productivity measured?

from Niko Tesvich to everyone: 9:27 AM

You have a bad echo on your audio right now. It's affecting the clarity of what you're saying.

from Cynthia Duet to everyone: 9:28 AM

cannot hear you, Larry

from Beaux Jones (privately): 9:29 AM

Mute all. I think Briggs' mic was giving feedback

from Beaux Jones (privately): 9:29 AM

that worked

from Victoria to everyone: 9:29 AM

I apologize if this was stated already- is this webinar being recorded? If so, will it be posted to CPRA's website? If not being recorded, will these comments and answers be posted somewhere?

from Jerry Graves to everyone: 9:32 AM

One of the slides mentions the biological oyster lease survey as a tool used to establish "direct impact" areas. Is there a mechanism for lessees to dispute the State's direct impact designation and establish that their lease(s) will be directly impacted by a given activity, and therefore should be eligible for OLACP.

from ANDREW WILSON to everyone: 9:33 AM

Oftentimes there are efforts by public-private partnerships or purely private persons or organizations to implement coastal restoration projects but those efforts are stymied because an oyster lease lies in or near the footprint of the project and the leaseholder is demanding unreasonable amounts for the

project to proceed. Is CPRA giving any consideration to expanding its acquisition program to include such public/private or private projects?

from ANDREW WILSON to everyone: 9:36 AM

Since the Avenal and Bayou Canard court decisions clearly indicate that the oyster lease terms and conditions bar claims for damages to oyster leases against the State/CPRA related to coastal restoration projects, is there a Constitutional bar to payment of damages or compensation on a programmatic level rather than on a case by case basis for the State's own water bottoms?

from Don Briggs to everyone: 9:38 AM

As an original member of this program, I am pleased of the good work of CPR Thank you

from Niko Tesvich to everyone: 9:39 AM

Can you provide the specific statute that relates to indirect impacts?

from Niko Tesvich to everyone: 9:41 AM

Also, what is the time frame between the offer and the actual acquisition of the lease? What about between acquisition and the time fishing on the lease must cease? In other words, can you use the lease up until the time CPRA projects impact the lease?

from Lee Ledet to everyone: 9:45 AM

Acquiring leases on an individual basis seems extremely inefficient. There is a broader issue that needs to be addressed. Coastal erosion and saltwater intrusion has created oyster habitat where it once did not exist. The CPRA is attempting to restore the coast, inter alia. To do this, the CPRA will undoubtedly have to disrupt current oyster habitat. The oyster leases will continue to hamper the CPRA's core function. Has state considered a broader solutions? Like preemptively "acquiring" all non-productive leases or perhaps acquiring all leases that lie in historically non-oyster producing areas?

from Amanda Phillips to everyone: 9:45 AM

If the lease is acquired, shouldn't fishing terminate at the acquisition?

from ANDREW WILSON to everyone: 9:47 AM

What formal efforts and concrete steps are being undertaken by CPRA and/or LDWF to eliminate the perpetuation of worthless leases that are not producing oysters ?

from Amanda Phillips to everyone: 9:47 AM

Has the State considered not issuing or not renewing leases in areas scheduled for restoration instead of having to acquire leases?

from ANDREW WILSON to everyone: 10:00 AM

In response to my Question #2, Brian suggested that CPRA is involved in acquiring leases associated with private coastal restoration projects yet I am aware of at least one particular project in which Ducks Unlimited had to shell out (pun intended) \$60,000 for a worthless lease for a project to go forward. As a result, it has become difficult for these private efforts to secure funding for future projects as the would-be sponsors view such payments as a form of "extortion" resulting in an unnecessary increase in the cost of such projects. What specific efforts is CPRA undertaking to help fund oyster lease acquisition in connection with private coastal restoration projects?

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from ANDREW WILSON to everyone: 10:03 AM

I think you skipped Amanda's latest question.

from corey miller to everyone: 10:07 AM

Your presentations have shown that 4000 acres have been acquired through the program to date. How many individual leasees/ businesses does that account for?

from Ryan Lambert to everyone: 10:07 AM

It is very hard to justify to a donor why we have to give 10% of a project to an oyster lease holder when there are no oysters on the project. This needs to be addressed as there are many companies wanting to contribute to get new projects done.

from Cynthia Duet to everyone: 10:09 AM

Building on Corey's question, are there total costs for the 4000 acres acquired to date, including internal costs--surveys and legal fees? Thanks-

from Kenneth King to everyone: 10:20 AM

It was previously mentioned that payments for oyster resource are not paid if the project goes to construction outside of one year, what is the approximate percentage of projects that end up going to construction within one year and resource is actually paid? Does CPRA have any figures that show project savings by waiting the one year? And do you think this may show a need to initiate the oyster portion sooner in the overall process?

from Amanda Phillips to everyone: 10:25 AM

Has CPRA constructed any living shorelines that produce marketable oysters?

from Cynthia Duet to everyone: 10:29 AM

Does OLACP require that payments to oyster fishers be used for improvements to their leases (cultch, etc.)?