

## FAQS

1. What is the Fishermen's Gear Compensation Fund?

The Fisherman's Gear Compensation Fund (FGCF) was created by Act 673 of 1979. The program is designed to compensate Commercial Fishermen whose fishing gear, equipment, or vessels are damaged by underwater obstructions in the Louisiana Coastal Zone (LCZ). The FGCF is Programed by levying fees upon each lessee of a state mineral lease, and each grantee of a state right-of-way which is located in the coastal zone boundary as described in [Revised Statute Title 49.§214.24](#). This is an important program in that it reduces coastal user conflicts in the LCZ. The FGCF was incorporated into the Louisiana Coastal Resources Program (LCRP) in February 1995.

2. How do I contact the Fishermen's Gear Compensation Fund?

Claimants can call the Fishermen's Gear Compensation Fund at # (225) 342-7268.

The mailing address is:

Fishermen's Gear Compensation Fund  
Department of Natural Resources  
P.O. Box 44487  
Baton Rouge, LA 70804-4487

General Purpose Fax # (225) 342-6760

3. What are your business hours?

Our core business hours are 8:00 AM – 4:30 PM

4. How does the claim process work?

In general, Claimants call the Fishermen's Gear Compensation Fund to provide necessary information about the incident. Once information is gathered, a claim number is assigned, and then a claim packet is mailed to the Claimant. Following the instructions in the claim packet, the Claimant returns the required documentation by mail and the Fishermen's Gear staff processes the claim documents. Once all of the claim documents are submitted and the information is verified, the Fishermen's Gear staff assigns the claim to a Field Services staff member for an investigation. A site visit is coordinated with the Claimant to verify vessel and/or gear damage and to verify the location of the incident. After the site investigation, the claim processing is finalized and the file is sent to the LDNR Undersecretary's Office and to the Accounting Department for final approval, signatures and payment processing.

5. How long does the claim process take from beginning to end?

The length of the claim process mainly depends on the length of time it takes for the Claimant to return the necessary documents to process the claim. A Claimant has 90 days from the date of the incident to submit a completed, notarized claim form. Once the claim form and all other documents are submitted and the information is verified, the claim is sent out to a Field Services staff for the site investigation. Depending on the Claimant's schedule, the site investigation can take anywhere from 1-2 weeks to complete. Final claim processing can take on average another 2-4 weeks depending on the schedules of the Undersecretary's Office and the Accounting Department to complete final approval, signatures and payment processing.

6. What laws, rules and regulations govern the Fishermen's Gear Compensation Fund?

Louisiana Revised Statutes, Title 56 Sections §700.1-§700.6

Click [here](#) for more information.

Louisiana Administrative Code (LAC) Title 43, Chapter 15, Section §1501-§1517

Click [here](#) for more information.

7. Can I file a claim online or do I have to call and get a claim packet mailed to me?

For purposes of assigning a claim number and verifying incident information, the preferred method is to call the FGCF and get a claim packet mailed to you. However, you may print the necessary forms from the [website](#) and mail them in. Once received, the claim will be assigned a claim number and will be processed accordingly.

8. Why do I have to send in tax information?

The FGCF uses the Claimant's income tax information to determine the Claimant's Commercial Fishing Income. [LAC §1501.A.](#) states that "any claimant who presents satisfactory proof that at least 50 percent of his or her annual income in the year preceding the year of the claim was earned from commercial fishing endeavors shall be deemed to derive a primary source of his or her income therefrom." Tax documents should be provided for the year previous to the year of the claim and should be signed and dated. For example, if the claim incident occurred on October 2, 2012, we would require a copy of the 2011 filed Federal and State tax documents.

9. Why does the FGCF no longer accept LORAN readings for the incident location?

LORAN (LOng RANge Navigation) is an obsolete radio navigation system which enabled vessels to determine their position using low frequency radio signals transmitted by fixed land based radio beacons. LORAN was phased out in the U.S. and Canada in 2010 and ceased transmitting signals. Presently, the FGCF requires the incident location to be provided in Latitude/Longitude Coordinates in Degree Decimal Minutes. If the Claimant does not have coordinates available, a map with the marked incident location can be sent in.

10. Is the FGCF only for Commercial Fishermen, or can Charter Fishermen apply too?

The FGCF only applies to Commercial Fishermen, not Charter Fishermen or Recreational Fishermen. According to the [LAC §1501.A.](#) a Commercial Fisherman is "any citizen of the state of Louisiana who possesses a valid Louisiana residential commercial fishing license and who derives a primary source of his or her income from the harvesting of living marine resources for commercial purposes."

11. Does the Program compensate claimants for lost crab traps?

The LAC Title 43, Part I, §1503A. states that a claim "shall be based on damage or loss of fishing gear due to an encounter with an obstruction in state waters located below the northern boundary of the Louisiana Coastal Zone..." The FGCF only compensates Commercial Fishermen for damage to fishing gear, equipment, or vessels which are damaged by underwater obstructions in the LCZ. Typically, crab traps are damaged or lost due to means other than underwater obstructions. Therefore, the loss or damage to crab traps is not typically compensated by the Fishermen's Gear Compensation Program.

12. What do I do if I cannot provide copies of old gear receipts for my damaged gear due to them being lost, destroyed, etc?

If copies of old gear receipts cannot be obtained, the FGCF will accept a handwritten or typed notarized statement providing the Claimant's name, address, and telephone number, along with the

date that the equipment was purchased, place purchased, equipment description and approximate cost of the equipment. If the equipment was original to the vessel when it was purchased, the FGCF will accept a copy of the bill of sale for the vessel.

13. What do I do if I cannot locate copies of my Federal or State taxes?

To obtain a copy of your Federal taxes, you can request a copy from the IRS online at the following website: <http://www.irs.gov/Individuals/Order-a-Transcript>, or by calling: 1-800-908-9946.

To obtain a copy of your Louisiana State taxes, you can call the Louisiana Department of Revenue at: 225-219-0102.

14. What do I do if I cannot locate copies of my current Commercial Fishing, vessel and gear licenses?

To obtain a copy of your Commercial Fishing, Vessel and any gear licenses, you can request a copy from the Louisiana Department of Wildlife and Fisheries at the following website: <http://www.wlf.louisiana.gov/commercial-licenses>, or by calling: 1-800-256-2749.

15. In what situations can my claim be denied?

- If your claim documents are submitted later than 90 days after the date of the incident. If you cannot obtain all of the required documentation for your claim within a reasonable time, you can mail your completed, notarized claim form without the attachments to avoid missing the 90 day deadline.
- If you cannot provide the required documentation to show satisfactory proof of your claim. A claim shall be deemed invalid if the claimant cannot, for any reason, produce the documentation required below.
- If your most recent tax return indicates that you have not derived 50% or more of your income from commercial fishing endeavors.
- If your old gear receipts/proof of ownership were paid in “cash”. No receipts paid “cash” will be accepted for gear purchased.
- If you do not provide photos that show the damage to the boat/motor/other equipment while the equipment is on the vessel. The program cannot accept photos of lower units, props, etc. on the ground because there is no way to tell that it came off your vessel.
- If the incident occurred in Federal waters. The Program will forward your claim to the Federal Fishermen’s Contingency Fund.

16. Where can I view a map of Fishermen’s Gear hang points?

There are two ways that you can view a map with Fishermen’s Gear hang points.

- 1) There is an interactive map on the Fishermen’s Gear [website](#) with all hang points.
- 2) You can view the Fishermen’s Gear hang points through DNR’s Interactive Maps – just click [here](#) to access the link to the Interactive Map layer in the GIS access. Once in the Interactive Maps screen, the Fishermen’s Gear hang points are found under ‘Reference Layers’ in the Table of Contents.

17. Can I obtain a printed copy of Fishermen’s Gear hang points?

Each month the Fishermen’s Gear Compensation Fund publishes on its website a report of the number and total dollar amount of the claims approved and denied that month, along with their Latitude/Longitude coordinates in Degree Decimal Minutes. The current month’s report is found on the Fishermen’s Gear Compensation Fund [website](#) under “Incident Site Map Update” and “Current

Fisherman's Gear Incident Site Report". Older, archived reports are available for viewing on the website or by request to the Fishermen's Gear Compensation Fund. All Fishermen's Gear hang points are reported digitally on the Fisherman's Gear website, in the DNR Interactive Map layer in the GIS access.

18. Why am I receiving an invoice for the Fishermen's Gear Compensation Fund?

When the balance of the Fishermen's Gear Compensation Fund is less than \$250,000 and the Secretary of LDNR determines that monies are needed to pay justified claims, fees are levied upon each lessee of a state mineral lease, and each grantee of a state right-of-way which is located in the coastal zone boundary as described in [Revised Statute Title 49, §214.24](#). Invoices for pipeline leases are only sent to the entity that is listed as the largest acreage owner on the lease. Invoices are not sent to operators of leases, only lessees or owners. Invoices are not sent out more than once in a Fiscal Year and will not exceed \$1,000 per mineral lease or right-of-way as per [Revised Statute Title 56, §700.2.D](#). The frequency of invoices being sent out is dependent upon how much money is collected by invoices and how many claims are paid out in a given Fiscal Year.

Information on state mineral leases is obtained from the [Office of Mineral Resources Geology, Engineering & Lands Division](#). Research on a particular pipeline lease can be conducted by accessing the online Mineral Resources database by the following link: <http://dnr.louisiana.gov/>. Click on the orange "SONRIS" block then the "Data Access" link. Scroll down to the "Mineral Resources" link and "Lease Related Info".

Information on state rights-of-way is obtained from the [Office of State Lands](#). Research on a particular right-of-way can be conducted by accessing the online State Lands database <https://www.doa.la.gov/Pages/osl/GIS-Data.aspx>. Rights-of-way are listed in numerical order.