

Commission on Marine Resources

COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, May 15, 2018
9:00 a.m.
Bolton Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi 39530

Commission Members:

- Steve Bosarge, Chairman
Ron Harmon, Vice Chairman
Richard Gollott
Mark Havard
JoLynne Trapani

Also Present:

- Joe Spraggins, Executive Director DMR
Sandy Chestnut, Esq., Assistant Attorney General

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COMMISSIONER BOSARGE: I would like to
welcome everybody to the May meeting of the
Commission on Marine Resources.

Looks like we've got a good crowd, a
lot of interested folks. Hopefully, it will be
a productive meeting.

We are going to start with The Pledge
of Allegiance, and I will ask Mr. Joe Spraggins
to lead us.

(Pledge of Allegiance was recited.)

COMMISSIONER BOSARGE: Next on the
agenda is a moment of silence, and I'm going to
ask Mr. Joe to say a couple of words.

JOE SPRAGGINS: We have a moment of
silence for a lot of things. About a week ago,
a little over, the Department of Marine
Resources lost a great man and we need to
continue to honor Jimmy.

Jimmy Sanders was a great person. He
loved everybody and everybody loved him.

I ask everybody in the room if you
would just stand and let's have a moment of
silence for Jimmy and his family.

(Moment of silence observed.)

JOE SPRAGGINS: Thank you, and may the

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Lord bless him and his family.

COMMISSIONER BOSARGE: I echo Joe's
sentiments. Jimmy was one of those people that
always had a smile on his face. You would meet
him in the hall, and you couldn't help but stand
there and talk to him. He always had something
on his mind and something good to say.

We are going to move on.

Next will be approval of the minutes
for the April 17th meeting.

Are there any changes to the minutes?

COMMISSIONER GOLLOTT: Mr. Chairman, I
would like to make a motion that we take K(4)
off of the agenda.

COMMISSIONER BOSARGE: We have a
motion to take K(4) off the agenda.

Do we have a second on that motion?

COMMISSIONER HARMON: So seconded, Mr.
Chairman.

JOE JEWELL: Commissioners, I'm sorry
to interrupt. I think y'all are approving the
minutes from the last meeting.

COMMISSIONER BOSARGE: I understand,
Joe. We're okay. We will go right back to it.

JOE JEWELL: Yes, sir.

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COMMISSIONER BOSARGE: We have a
motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed?

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Now, we are going to go back to
approval of the minutes for the April 17th
meeting.

Are there any changes to the minutes?

(No response.)

COMMISSIONER BOSARGE: Hearing none,
do I have a motion to approve the minutes as
written?

COMMISSIONER HAVARD: Mr. Chairman, I
will make a motion that we approve the minutes
as written.

COMMISSIONER GOLLOTT: I'll second it.

COMMISSIONER BOSARGE: We have a
motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed?

(None opposed.)

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1 COMMISSIONER BOSARGE: Motion carries.  
 2 Next will be approval of the agenda,  
 3 which we made a modification to the agenda.  
 4 Do I have a motion to proceed with the  
 5 agenda as modified?  
 6 COMMISSIONER GOLLOTT: I'll make that  
 7 motion.  
 8 COMMISSIONER BOSARGE: We have a  
 9 motion.  
 10 Do we have a second?  
 11 COMMISSIONER HARMON: I'll second it.  
 12 COMMISSIONER BOSARGE: We have a  
 13 motion and a second.  
 14 All those in favor say aye.  
 15 (All in favor.)  
 16 COMMISSIONER BOSARGE: Opposed?  
 17 (None opposed.)  
 18 COMMISSIONER BOSARGE: Motion carries.  
 19 Next will be the Executive Director's  
 20 report, Mr. Joe Spraggins.  
 21 JOE SPRAGGINS: Yes, sir. A couple of  
 22 things. We do have some real good news for DMR.  
 23 We received the information back from the  
 24 Federal Government and our Gulf of Mexico Energy  
 25 Security Act, which is called GOMESA.

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1 I think y'all have seen over the past  
 2 that we were able to get a little bit of money.  
 3 I think a total of about seven million dollars  
 4 was given to the State of Mississippi, since  
 5 2006, when this thing's inception.  
 6 2018 had always been the big year.  
 7 Well, the big year came and the State of  
 8 Mississippi received twenty-seven point seven  
 9 million.  
 10 Twenty-two million of that goes  
 11 straight to state basically into a fund for the  
 12 state to operate, and the Governor has put that  
 13 under the Department of Marine Resources. We  
 14 will be the administrators of that money.  
 15 This money should be money that comes  
 16 every year. It is money that is coming off of  
 17 our oil leases that are out in the Gulf. If it  
 18 works out, we could get as much as twenty to  
 19 twenty-five to thirty million dollars a year for  
 20 the next twenty-five to thirty years.  
 21 That will come straight to the State  
 22 of Mississippi, and the Governor has earmarked  
 23 everything in this, in his term. Obviously, it  
 24 is the Governor's option to do what he wants to  
 25 do and he said, I want it on water quality and I

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1 want to spend it on water quality.  
 2 He has made a three-person basically  
 3 committee. It is myself as the Executive  
 4 Director of Department of Marine Resources, Gary  
 5 Rikard as Executive Director of DEQ, and the  
 6 Executive Director, or his representative, for  
 7 Mississippi Development Authority. Jamie  
 8 Miller, I think is going to be that one, so you  
 9 will see Jamie back again.  
 10 We will be making decisions on what to  
 11 do with the water quality in South Mississippi  
 12 and how to spend that money appropriately and to  
 13 be able to take care of some things that are  
 14 very definitely needed.  
 15 I think that is a great deal for us.  
 16 Obviously, it will help us, too, with our staff.  
 17 We will be able to pay some staff for some  
 18 operations that are being done with that, and  
 19 that will be something that will work out better  
 20 for our budget, and I'm sure Kacey -- she's not  
 21 here, but she will be tickled to death.  
 22 Each one of you have a packet. That  
 23 is our plan, our Phase Two Plan. It will give  
 24 you an idea, if you would like to read over what  
 25 we are going to do. I think it will be a great

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1 project.  
 2 COMMISSIONER BOSARGE: Good news.  
 3 Glad to hear it. Water quality, if we don't  
 4 have good water, we don't have anything, so  
 5 that's good.  
 6 JOE SPRAGGINS: I have learned a  
 7 little bit over my last four-and-a-half, or  
 8 five, years that oysters are very great for  
 9 water quality.  
 10 COMMISSIONER BOSARGE: Oh, yes.  
 11 JOE SPRAGGINS: That's what I  
 12 understand. Maybe we can grow some oysters.  
 13 COMMISSIONER BOSARGE: Good news.  
 14 Thank you, Mr. Joe.  
 15 Commissioners report.  
 16 Do any of the Commissioners have  
 17 anything they would like to say, at this time?  
 18 (No response.)  
 19 COMMISSIONER BOSARGE: Hearing none,  
 20 we will go on to Office of Marine Patrol, Chief  
 21 Davis.  
 22 KEITH DAVIS: Good morning  
 23 Commissioners.  
 24 I know we've got a packed house and a  
 25 packed agenda. There is really nothing that

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stands out on the report this month, unless there is something that any of the Commissioners may have a question about.

COMMISSIONER BOSARGE: There are a couple and I should have marked them when I was going through it, but I didn't.

The "No Spotted Seatrout Endorsement", was that somebody in a boat that didn't have one?

KEITH DAVIS: Yes, sir. There was a crew of several individuals on the boat, and they only had one endorsement. If I remember correctly, that was in Gulfport.

COMMISSIONER BOSARGE: That was my only question.

KEITH DAVIS: There is one thing I want to point out. Following our last meeting, Marine Patrol officers were able to catch one individual in possession of Red Snapper, and that person received a ticket for that offense, as well as failure to register with Tails n' Scales. I'm sure the Commission will appreciate that.

After that lengthy discussion over in Hancock County, I want you to understand Marine

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Patrol takes that very seriously and the guys are definitely out looking for that.

Any other questions?  
(No response.)

COMMISSIONER BOSARGE: Thank you, Chief.

KEITH DAVIS: Thank you.

COMMISSIONER BOSARGE: Office of Coastal Resources Management, Mr. Jan Boyd.

JAN BOYD: Good morning Mr. Chairman, Commissioners, Director Spraggins, Ms. Chestnut.

Greg Chistodoulou is going to present our only action item today, but, before he does that, Willa Brantley wants to give the Commission just a short update on where we stand with our renewal of the General Permits.

WILLA BRANTLEY: Good morning.

If you remember, I went through the changes of the General Permit last month, and we still have not gotten those issued by the Corps. Those guidelines have to be issued by the Corps, before we can issue permits under those guidelines. We issue those on behalf of the Corps and DMR and DEQ. It's one-stop permitting.

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It is supposed to be faster. Right now, it's not because those GP's expired April 12<sup>th</sup> and they have not gotten those renewed. We have approximately one hundred applications waiting to be issued that would qualify for those general permits that we can't do anything with at this time.

Our option is to issue a Certificate of waiver on behalf of DMR and send all of those applications over to the Corps which would probably take a lot longer than leaving out the Corps to get them issued.

What we hear right now is hopefully next week, but we have heard that several times. We don't really know.

I know some of you are getting calls about that, but that is why we have so many waiting.

COMMISSIONER BOSARGE: I guess to be sure I understand you, you can't issue a permit under the old guidelines, now?

WILLA BRANTLEY: No.

COMMISSIONER BOSARGE: So you are kind of in limbo?

WILLA BRANTLEY: Yes.

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The two five-year cycles before, when they knew they weren't going to get the new ones issued, they extended the old ones for either thirty, or sixty, days so that we still could issue under the old ones, but this year they chose not to do that for whatever reason.

JOE SPRAGGINS: Commissioners, I have a call in to the colonel who is over the Corps, and he is going to call me back this afternoon. One of the suggestions is going to be that you just go ahead and extend the ones that are waiting and not wait until next week. We want to do it. We want it done ASAP.

COMMISSIONER BOSARGE: I guarantee there are a lot of folks waiting on permits, I'm sure.

WILLA BRANTLEY: Right.

The issue with that is, if they extend them and we start issuing permits under those guidelines, they will only be good for a year the way those are written which is fine for a lot of people, but we will be sure and tell people up front, do you want your permit right now for a year, or do you want to wait for the new ones to get five-year coverage, and, then,

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1 it will be up to them.

2 COMMISSIONER BOSARGE: Thank you.

3 WILLA BRANTLEY: You're welcome.

4 GREG CHRISTODOULOU: Good morning.

5 I'm presenting a Violation/After-the-  
6 Fact Waiver request by Kim Ivy-Talley. It is  
7 located on an inlet of the Biloxi River at 12046  
8 Lorraine Road in Biloxi. It's in the General  
9 Use District.

10 Approximately a hundred and seventy-  
11 seven linear feet of bulkhead has been  
12 constructed without authorization, and the  
13 applicant is requesting construction of a pier a  
14 hundred and seventy-seven feet by six feet that  
15 is going to run right along that bulkhead.

16 The yellow thumbtack is showing the  
17 project location, I-10 down below, 605 over to  
18 the west (indicating aerial view).

19 Here is a diagram of the project, and  
20 you can see the hundred and eighteen feet that  
21 was constructed without a permit.

22 There was another fifty-nine feet that  
23 was in front of the slab of the home, and that  
24 part of the bulkhead was constructed  
25 approximately two feet out from an old bulkhead,

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1 after a good bit of research.

2 Here are two photos of the site  
3 showing the bulkheads in question. The one you  
4 see in the background was constructed at the  
5 current mean high tide line, and, then, the one  
6 in the foreground, or closest to you, is the  
7 area that was constructed out in front of an old  
8 bulkhead.

9 We had the applicant go out and dig  
10 the area that had been filled in previously, and  
11 we did find the old bulkhead, as I have  
12 highlighted there in the drawing, and it  
13 measured to be two feet behind the new bulkhead  
14 that had been constructed. There is another  
15 shot of it (Indicating photograph).

16 The chronology.

17 On January 23<sup>rd</sup> of 2017, an  
18 application to construct a pier was submitted.

19 When a site visit was performed, on  
20 February 7<sup>th</sup>, we found that a bulkhead had been  
21 recently constructed without a permit and that a  
22 fifty-nine foot section that was in front of the  
23 home had been constructed waterward of the mean  
24 high tide line. At that time, we didn't know  
25 how far out in front of the old bulkhead.

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1 February 24<sup>th</sup>, we sent the owner a  
2 cease and desist, or a notice of violation, and  
3 we also contacted them by phone.

4 We had a year long period from March  
5 of 2017 to March of 2018 where we were dealing  
6 with the property owner. During that period of  
7 time, they had several deaths in the family and  
8 there were a couple of bouts of hospitalization,  
9 as well.

10 We are willing to work with people who  
11 are working with us. We remained in contact  
12 with the people throughout the time. There was  
13 no fill running into the waterway. There was  
14 nothing of dire consequence that needed to be  
15 taken care of at the time.

16 In March of this year, we had an on-  
17 site meeting with the owner, and the excavation  
18 that you saw revealed the new bulkhead that was  
19 constructed was just two foot waterward of the  
20 existing bulkhead.

21 On March 28<sup>th</sup>, we received the after-  
22 the-fact application request for the bulkhead.

23 The penalty range is the violation was  
24 discovered on February 7<sup>th</sup>. We had a seventeen  
25 day time period for when we were able to contact

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1 and notify the owner to start working with us.

2 The maximum potential fine is eighty-  
3 five hundred dollars; minimum is fifty. The  
4 recommended fine on this occasion is just a  
5 hundred dollars, due to no previous violations  
6 of the property owner and they have been  
7 cooperative throughout the fairly long process.

8 COMMISSIONER BOSARGE: Does the  
9 Commission have any questions?

10 SANDY CHESTNUT: Is anyone here to  
11 speak on behalf of the applicant?

12 GREG CHRISTODOULOU: The applicant is  
13 here, if y'all have any questions for her.

14 COMMISSIONER GOLLOTT: Why just a  
15 hundred dollar fine?

16 GREG CHRISTODOULOU: This actually  
17 lasted a long time because we were waiting. We  
18 were being patient with them, and they were able  
19 to use their own equipment. They didn't have to  
20 go out and expend a lot of resources to do it.

21 I will let her explain her side of the  
22 story.

23 COMMISSIONER BOSARGE: State your  
24 name, please.

25 KIM IVY-TALLEY: My name is Kim Ivy-

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1 Talley.  
2 COMMISSIONER BOSARGE: How are you  
3 doing?  
4 KIM IVY-TALLEY: Good. Thank you.  
5 COMMISSIONER BOSARGE: Commissioner  
6 Gollott, do you have some questions for her?  
7 COMMISSIONER GOLLOTT: Why didn't you  
8 seek a permit, before you built this bulkhead?  
9 KIM IVY-TALLEY: I don't know that I  
10 have an explanation for that. I would tell you  
11 that I have been working with the City for quite  
12 some time because we have plans for this  
13 property.  
14 When I came in and applied for the  
15 permit for the pier, I knew I needed a permit  
16 for new construction, but we were under the  
17 understanding -- and I can tell you that my  
18 research may not have been in depth enough --  
19 that, if we replaced the old bulkhead board-for-  
20 board and repaired what was there that was going  
21 to cause everything to fail and we stayed within  
22 a two-foot tolerance, we were good.  
23 Those were some mistakes that I made  
24 and, of course, when I came and met with  
25 everyone and explained how many meetings I had

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1 had with the City of Biloxi for all the things  
2 that we were going to do to this property and  
3 gotten variances approved and meeting after  
4 meeting after meeting, this meeting was not one  
5 I left out intentionally.  
6 Clearly some of my information needed  
7 to be more in depth than it was.  
8 COMMISSIONER GOLLOTT: Just curious.  
9 Did you tell the City of Biloxi that  
10 you were going to build a bulkhead?  
11 KIM IVY-TALLEY: No. I did not  
12 discuss that with them.  
13 COMMISSIONER GOLLOTT: Okay.  
14 KIM IVY-TALLEY: These meetings that I  
15 have been having with Chris are my first  
16 interaction with DMR. I have never owned a  
17 property on the river before, or in a waterway.  
18 One thing that I guess had me a little  
19 confused is because our property is on a lake  
20 inlet off of the river. The traffic flow  
21 doesn't run by it. It is a little bit secluded.  
22 I was under the understanding that I  
23 had a little different situation, and that is on  
24 me. That is my misunderstanding of everything.  
25 COMMISSIONER GOLLOTT: It certainly is

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1 a nice improvement to that property. It looks  
2 good.  
3 KIM IVY-TALLEY: Thank you.  
4 COMMISSIONER BOSARGE: Any more  
5 questions?  
6 (No response.)  
7 COMMISSIONER BOSARGE: Do we have a  
8 recommendation, or a motion?  
9 COMMISSIONER GOLLOTT: Mr. Chairman,  
10 I'll make a motion that we go with the staff's  
11 recommendation on this permit.  
12 COMMISSIONER BOSARGE: And issue the  
13 one hundred dollar fine?  
14 COMMISSIONER GOLLOTT: One hundred  
15 dollar fine.  
16 COMMISSIONER BOSARGE: We have a  
17 motion.  
18 Any further discussion?  
19 (No response.)  
20 COMMISSIONER BOSARGE: Do we have a  
21 second for that motion?  
22 COMMISSIONER TRAPANI: I'll second  
23 that.  
24 COMMISSIONER BOSARGE: We have a  
25 motion and a second.

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1 All those in favor say aye.  
2 (All in favor.)  
3 COMMISSIONER BOSARGE: Opposed?  
4 (None opposed.)  
5 COMMISSIONER BOSARGE: Motion carries.  
6 KIM IVY-TALLEY: Thank you for your  
7 time.  
8 COMMISSIONER BOSARGE: Thank you.  
9 GREG CHRISTODOULOU: That concludes  
10 Coastal.  
11 COMMISSIONER BOSARGE: Thank you,  
12 Greg.  
13 I just wanted to mention that Senator  
14 Seymour, we certainly appreciate you being here  
15 and taking time out of your day to join us in  
16 our meeting.  
17 SENATOR SEYMOUR: Thank you.  
18 COMMISSIONER BOSARGE: Next is Office  
19 of Finance and Administration. I think Kacey is  
20 out sick. Mr. Joe is going to have the stage  
21 here for a minute.  
22 JOE SPRAGGINS: First, before you see  
23 all the great increase in the numbers,  
24 understand that we had twenty-two million  
25 dollars put into our account from GOMESA. Don't

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1 get too carried away here.

2 We are doing good. We are showing  
3 forty million dollars sitting there, now.  
4 Obviously, the twenty-two million is there, but  
5 we are doing good. Everything is fine. We are  
6 getting our money back.

7 At the end of the year, we will still  
8 get more money from some of our grants and all  
9 coming in, and we still have not received our  
10 not quite a million dollars that we get from the  
11 state that will come in at the end of the year.

12 Next slide. As you see, sixty-six  
13 point six percent is still there and seventy-  
14 three point six percent, so I think we are fine.  
15 We are doing good. The numbers are great.

16 Any questions?

17 COMMISSIONER TRAPANI: I have one  
18 question.

19 The GOMESA account, is that going to  
20 stay a separate account?

21 JOE SPRAGGINS: Yes. It will be kind  
22 of a separate account like Tidelands, and we  
23 will utilize it and, once we do any expenditure  
24 out of it, it will come straight from that  
25 GOMESA, the twenty-two million, and this is

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1 Phase Two because Phase One is a different one,  
2 and we will have to keep those separate, too,  
3 because of the way it is set up.

4 Any other questions?

5 (No response.)

6 JOE SPRAGGINS: Thank you.

7 COMMISSIONER BOSARGE: Thank you.

8 Next is Ms. Melissa, Public Affairs.

9 MELISSA SCALLAN: I'm not used to  
10 being up here so early in the meeting.

11 Good morning everybody.

12 The agency was mentioned thirty-five  
13 times in local, state and national media, since  
14 the April meeting.

15 Some of the most popular items  
16 included the prescribed burn that Coastal  
17 Preserves conducted on Deer Island -- and I can  
18 tell you that we posted a video that was viewed  
19 over three thousand times, a short clip of that  
20 burning -- as well as the opening of Red Snapper  
21 season.

22 I can tell you also that we are  
23 working with Fisheries to promote Red Snapper  
24 season and when it is. We bought new signs.

25 Bryan Sherwood and I are working with

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1 wildlife and Fisheries to get addresses of  
2 people who live north of Hattiesburg so we can  
3 target them directly, send them something to  
4 say, don't forget if you come down here to fish  
5 for Red Snapper, you have to register with Tails  
6 n' Scales. We have a lot of things going with  
7 that.

8 Marine Patrol has taught two boat-and-  
9 water safety classes and certified twenty-five  
10 students, since the last meeting. So far in  
11 2018, officers have taught fourteen classes and  
12 certified two hundred and fifty-eight students.

13 Marine Patrol participated in several  
14 community outreach events this past month,  
15 including Conservation Day in Stone County,  
16 Career Day at Southern MS in Hattiesburg, the  
17 CCA Kid's Fishing Rodeo in Diamondhead, the  
18 Biloxi Shucker's Education Day and Career Day at  
19 Ocean Springs High School. They have been  
20 pretty busy.

21 I want to tell you guys about another  
22 event. It was not an outreach event. It was an  
23 event we did here at the agency. As most of you  
24 know, Jimmy Sanders was the biggest Mississippi  
25 State fan that I know.

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1 Director Spraggins was kind enough to  
2 declare last Friday DMR Maroon Friday. All of  
3 us, no matter our school affiliation, dressed in  
4 maroon in honor of Jimmy, and we had the photo  
5 of Jimmy and his family to be there with us and  
6 put those words over that, as we celebrated the  
7 life of a great man (indicating slide).

8 COMMISSIONER BOSARGE: He would have  
9 been proud.

10 MELISSA SCALLAN: He was laughing at  
11 all of us who don't normally wear maroon I can  
12 tell you.

13 COMMISSIONER BOSARGE: I can imagine.

14 MELISSA SCALLAN: Thank you.

15 COMMISSIONER BOSARGE: Thank you,  
16 Melissa.

17 Next is Office of Marine Fisheries,  
18 Mr. Joe Jewell.

19 JOE JEWELL: Good morning  
20 Commissioners.

21 We've got a large agenda ahead of us  
22 this morning. I want to make a couple of  
23 comments before we get started.

24 First, I want to thank y'all for  
25 recognizing Mr. Jimmy Sanders. He was a beloved

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1 father, husband and coworker. We are going to  
 2 desperately miss him.  
 3 I do want to apologize to the public.  
 4 As you know, we had a workshop scheduled  
 5 Wednesday on a couple of issues that are now  
 6 Commission agenda items, but, unfortunately,  
 7 life waits for no one and, on that particular  
 8 day, we had Jimmy Sanders' wake and his funeral.  
 9 I want the public to understand and be patient  
 10 with us, as we move through the agenda.  
 11 The next thing I want to say is that  
 12 we have a couple of items on the agenda that are  
 13 relatively controversial.  
 14 We have a bunch of representatives  
 15 here in the audience this morning that would  
 16 like to comment on those, our oyster relay  
 17 program and our haul seine issue. We want to be  
 18 respectful to all of those user groups.  
 19 We certainly have the recreational  
 20 community here represented by several  
 21 organizations and individuals.  
 22 We have the commercial fishing group  
 23 that is here that is represented.  
 24 We have our commercial oyster group  
 25 here today.

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1 I don't think I need to say this, but  
 2 I ask that we be respectful and polite in giving  
 3 comments because I know there are going to be  
 4 some very emotionally-charged comments, and I  
 5 want all of us to be patient with that and be  
 6 understanding.  
 7 With that being said, I want to move  
 8 into our agenda, and first will be Mr. Rick  
 9 Burris who is giving an update on the 2018  
 10 shrimp season.  
 11 COMMISSIONER BOSARGE: Thank you, Joe.  
 12 RICK BURRIS: Thank you, Joe.  
 13 Good morning Mr. Chairman,  
 14 Commissioners, General Spraggins, Ms. Chestnut.  
 15 As Joe said, I'm going to give you an  
 16 update on where we are for the 2018 Mississippi  
 17 shrimp season, and I'm going to go over a little  
 18 bit of last shrimp season as well.  
 19 Just to give you an overview, this is  
 20 a nice colorful map of our shrimping grounds,  
 21 our territorial waters.  
 22 The yellow is closed to all  
 23 recreational and commercial trawling. That's  
 24 our major bay systems and the islands of Ship,  
 25 Horne and Petit Bois.

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1 The green area constitutes a half a  
 2 mile from the shoreline from Bayou Caddy all the  
 3 way to the state line, and that is reserved for  
 4 our licensed live bait fishermen who can shrimp  
 5 year round.  
 6 First of all, this line here is the  
 7 tugboat lane, or the Intracoastal Waterway, and  
 8 that light blue area north of that will close  
 9 annually December 31<sup>st</sup>.  
 10 The dark blue area which is south of  
 11 the Intracoastal Waterway and west of the  
 12 Gulfport ship channel closes on a seasonal basis  
 13 April 30<sup>th</sup>.  
 14 We were able to extend that area this  
 15 year. There were a pretty good amount of pink  
 16 shrimp being caught, so we extended that through  
 17 May the 6<sup>th</sup>.  
 18 Then, if you will remember this area  
 19 over here, this light green area east of the  
 20 Gulfport ship channel and south of the ICW, it  
 21 will remain open year round. It is currently  
 22 open.  
 23 Just to give you an idea of the  
 24 licenses we have sold going back to 1997, you  
 25 can see that the red bar is the resident

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1 commercial, the blue bar is the resident  
 2 recreational, the green line is nonresident  
 3 commercial and the yellow line is nonresident  
 4 recreational.  
 5 You can see that there is a trend line  
 6 going down to about the 05-06 season and, after  
 7 that, we have been averaging about four hundred  
 8 and twenty-five resident commercial licenses and  
 9 about two hundred nonresident commercial  
 10 licenses.  
 11 Last year we sold four hundred and  
 12 eight resident commercial and about two hundred  
 13 and twenty nonresident commercial.  
 14 This chart indicates the landings and  
 15 value of all species combined. That is head-on.  
 16 The red bar represents the landings and the  
 17 black line represents the value.  
 18 The trend has been about the same.  
 19 After about the 2004 season, we began to see a  
 20 drop off that was mainly due to, if y'all  
 21 remember, low shrimp prices and very high fuel  
 22 prices, on top of a lot of hurricanes in 2005.  
 23 Since then, we have averaged about  
 24 nine million pounds landed with a value of about  
 25 seventeen million dollars. Last year we landed

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1 approximately eleven million pounds with a value  
2 of eighteen million dollars.

3 I broke those landings down by species  
4 by month. Brown shrimp is in the blue bar.  
5 White shrimp is the red bar. Pink shrimp is the  
6 green bar.

7 Basically shrimp are a seasonal  
8 species, seasonal fishery. The first few months  
9 of the year we don't have very many landings.  
10 In May, that starts to pick up. Then, June and  
11 July and sometimes August are our highest  
12 months. Last year we landed almost three  
13 million pounds in June.

14 Brown shrimp are a spring and summer  
15 species, but typically, in the fall, we do land  
16 a lot more white shrimp. We did not last year,  
17 and I will go over that in a minute.

18 I broke those landings down by  
19 species. That's head-on weight again.

20 Last year we landed about seven point  
21 six million pounds of brown shrimp which is  
22 sixty-eight percent of the landings.

23 We landed about three point four  
24 million pounds of white shrimp which was thirty-  
25 one percent of the landings.

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1 Then, just a little under one percent  
2 was pink shrimp.

3 I also broke those into values.

4 The value of brown shrimp was ten  
5 point three million dollars.

6 The value of white shrimp was eight  
7 point four million dollars.

8 The value of pink shrimp was one  
9 million dollars.

10 Fifty-five percent of the value was  
11 the brown shrimp, forty-four percent of the  
12 value was the white shrimp, and, then, a little  
13 under one percent of the value was the pink  
14 shrimp.

15 Then we broke our brown shrimp  
16 landings into count size. You can see the  
17 majority of the brown shrimp landed were between  
18 41-50 and 51-60.

19 The white shrimp, of course, is skewed  
20 the other way. They are a larger species and  
21 those landings were between 15 and 21-25.

22 Again, we typically, in the fall, land  
23 a medium smaller size white shrimp, but last  
24 year we did not do that, and I will go over that  
25 in a minute.

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1 We were talking about the opening of  
2 the 2018 shrimp season and, as you all know, our  
3 State statute dictates when we can open it, when  
4 those shrimp are a legal size of sixty-eight  
5 count per pound, and that is dependent on a lot  
6 of environmental conditions, so it varies every  
7 year.

8 This chart is of the historic opening  
9 dates of our shrimp season, going back to 1975.  
10 You can see it is highly variable. We have  
11 opened as early as the 25<sup>th</sup> of May back in 2011,  
12 and as late as the 25<sup>th</sup> of June in 2009. Last  
13 year we opened on the 7<sup>th</sup> of June, and our  
14 average date of opening is about the 10<sup>th</sup> of  
15 June.

16 Opening day of shrimp season is  
17 basically the most effort we will see on any one  
18 day. What we do is we do aerial surveys, vessel  
19 surveys and fly over the Sound, and we count the  
20 number of boats that are working.

21 This is that data going back to 1995.  
22 This is the number of boats that we counted; the  
23 same kind of trend as the licenses and the  
24 landings.

25 Prior to 2004, we had a lot of boats

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1 working the Sound, upwards of twelve hundred  
2 back in 1996, and, then, beginning in 2004 and  
3 2005, those dropped off dramatically.

4 Since then, we have averaged about two  
5 hundred and fifty boats on opening day, and last  
6 year we counted right at two hundred and fifty.

7 How do we go about opening shrimp  
8 season?

9 We begin in February with our post  
10 larval sampling. This is done by the Gulf Coast  
11 Research Lab.

12 They go out and they pull standardized  
13 beam plankton trawls at the historical stations,  
14 they bring those samples back, they count the  
15 number of post larval shrimp and they are able  
16 to chart those.

17 I believe they go every other day, so  
18 we get a good idea of what is coming out at that  
19 time of year.

20 When we see these high peaks -- I will  
21 show you in a minute -- we can look at the peaks  
22 and kind of plan our sampling.

23 Usually about forty-five days after  
24 that is when we will start seeing those juvenile  
25 shrimp show up in our trawl sampling. That is

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1 typically around April.

2 From April until we open the season,  
3 we will be doing our standardized sixteen-foot  
4 trawl sampling at historical locations.

5 We go out. We catch the shrimp. We  
6 bring them back. We innumerate them. We weigh  
7 them to get a count, and, then, we actually  
8 measure each shrimp to get a size.

9 We have to take those links and put  
10 them in a regression analysis and chart their  
11 growth over our sampling time.

12 Sixty-eight count shrimp, that's when  
13 we can open. They are usually about a hundred  
14 millimeters, or about three-and-a-half inches,  
15 or three-and-three-quarter inches. Excuse me.

16 This is a map of our sampling areas.  
17 They go from Bay St. Louis. There are ten  
18 stations from Bay St. Louis all the way to the  
19 east end of Round Island.

20 As I mentioned about the post larval  
21 sampling, in this chart the blue line is the  
22 number of post larval shrimp counted on that  
23 specific sampling day, and the green line is the  
24 water temperature.

25 Usually when the water temperature

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1 gets up around sixty-eight to seventy degrees,  
2 we start seeing a lot of those post larval  
3 shrimp exit the marsh and we can catch them in  
4 those plankton tows.

5 I will go over our temperature in a  
6 minute, but, back in late February and early  
7 March, we started seeing a lot of these post  
8 larval shrimp come out.

9 In previous years, a good peak -- and  
10 this is a peak here -- is about two hundred, and  
11 our first peak this year was about two hundred.  
12 We had another peak the next day. It was about  
13 three hundred, and, then, the first sampling in  
14 the month of March was almost a thousand.

15 There were a lot of post larval shrimp  
16 coming out early. That's because we had a  
17 really warm February, and, then, it got cold  
18 again. The temperature dropped down below  
19 seventy and we stopped having those big peaks.

20 To give you an idea of cumulative  
21 numbers, these are the number of post larval  
22 shrimp that were counted from the day they  
23 started until May the 5<sup>th</sup> for each year.

24 In 2007, we saw over five thousand.  
25 After that you can see they have averaged about

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1 two thousand to fifteen hundred, and, then, this  
2 year is the most we have seen since that 2007  
3 season.

4 Now, that doesn't mean anything, in  
5 terms of how it is going to translate into the  
6 season, but those are in our system and it is a  
7 positive thing and we are encouraged by that.

8 There are two things that brown shrimp  
9 depend on, water temperature and salinity, so we  
10 monitor those closely.

11 This chart shows the water temperature  
12 in Biloxi Bay from 2014. That is every month,  
13 and, then, our 2018 data is in the red.

14 Obviously this January was extremely  
15 cold, and you can see that here. It was well  
16 below average. We had a very warm February.  
17 Again, it is above average.

18 This line here represents sixty-eight  
19 degrees Fahrenheit. That is the optimum water  
20 temperature for brown shrimp growth. That's why  
21 I put that in there.

22 In March, the water temperature  
23 dropped a little bit, and, then, in April, it  
24 started to rise.

25 Through yesterday, our water

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1 temperature is well above that sixty-eight.  
2 Right now, it is just below eighty degrees,  
3 about seventy-eight, so we've got some really  
4 warm water out there. I'm sure everybody is  
5 aware of that as it is starting to get warmer  
6 every day.

7 The next thing we look at is salinity.  
8 Salinity is directly correlated to rainfall, so  
9 we wanted to look at that first.

10 This is the same chart, the same area.

11 Our 2018 data is in red. January was  
12 pretty dry. We had a pretty wet February. It  
13 was well above average. We had almost eight  
14 inches of rain. March was above average as  
15 well. April was still above average, but lower  
16 than the past few years. So far for the month  
17 of May, we have had no rain which is good. It's  
18 great. It's great for brown shrimp growth. We  
19 hope it stays that way.

20 I know there are some workings over in  
21 the State of Florida, but, if we can keep that  
22 away and keep the salinity up, we will be all  
23 right.

24 What I was mentioning earlier about  
25 the white shrimp, 2017, I believe, was one of

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1 the wettest years on record, and I know that  
2 June of 2017 was probably the wettest June on  
3 record. We had twenty-six inches of rain.

4 If y'all remember, we had tropical  
5 storm Cindy and another couple of really big  
6 weather events, and that translated going into  
7 July and even August.

8 We think that that had a lot to do  
9 with our white shrimp recruitment into the  
10 fishery. They just never had a chance. With  
11 all that rain, they all got flushed out. That  
12 is probably why we didn't see a whole lot of  
13 white shrimp last year in the fall season.

14 We caught a lot of the larger white  
15 shrimp that came from the previous year, but we  
16 didn't catch last year's recruits like we  
17 typically do.

18 Like I said, rainfall translates into  
19 salinity. Again, the same chart, the same  
20 information.

21 In January, we had little rainfall, so  
22 we had really high salinity. It dropped off in  
23 February and March due to rainfall, but in  
24 April, we started coming back up and so far, in  
25 the month of May through yesterday, we were

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1 sitting at about sixteen parts per thousand  
2 which is really good for our shrimp growth.

3 Like I said, we've got the temperature  
4 and we've got the salinity. That should get  
5 those brown shrimp growing pretty fast.

6 I can tell you, through our sampling,  
7 we have seen that they are starting to grow.  
8 They are starting to show up. Every sample, we  
9 are starting to catch more, and they are getting  
10 a little bit bigger.

11 I added two pictures in here from our  
12 sampling yesterday.

13 Station one on the east end of Round  
14 Island, you probably can't see that very well,  
15 but these shrimp up here are right at legal, and  
16 these shrimp obviously are not. These are your  
17 juveniles and these are you sub-adults that are  
18 almost ready to become adults. We've got a lot  
19 of these nice size shrimp and a lot of these  
20 little shrimp mixed in.

21 The same way over around the west end  
22 of Deer Island. They are almost cookie-cutter  
23 size. Right now, we are looking at about 80-  
24 100; actually closer to about a ninety count.

25 That's where we are right now, but,

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1 like I said, with our warm temperatures and our  
2 salinity, they should start to grow pretty good,  
3 but there are a lot of variables between now and  
4 then.

5 What we would like to do is request  
6 authorization be given to the Executive Director  
7 to open the 2018 shrimp season when sampling  
8 shows brown shrimp have reached the average of  
9 sixty-eight count per pound, State statute  
10 requirement, and that would be required in the  
11 form of a motion.

12 COMMISSIONER BOSARGE: Are there any  
13 questions for Rick?

14 (No response.)

15 COMMISSIONER BOSARGE: What is your  
16 prediction, Rick?

17 We are going to pin you to the wall  
18 here.

19 Average, above average, or below  
20 average?

21 RICK BURRIS: I say average so far.  
22 It is looking good though.

23 COMMISSIONER BOSARGE: Yes, it looks  
24 good. I think there are a bunch of folks ready  
25 for it.

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1 COMMISSIONER GOLLOTT: Mr. Chairman, I  
2 would like to make a motion that we give the  
3 Executive Director the authority to open the  
4 shrimp season when everything is right.

5 COMMISSIONER BOSARGE: We have a  
6 motion.

7 Do we have a second for the motion?

8 COMMISSIONER HARMON: I'll second  
9 that, Mr. Chairman.

10 COMMISSIONER BOSARGE: We have a  
11 motion and a second.

12 Any further discussion?

13 (No response.)

14 COMMISSIONER BOSARGE: All those in  
15 favor say aye.

16 (All in favor.)

17 COMMISSIONER BOSARGE: Opposed?

18 (None opposed.)

19 COMMISSIONER BOSARGE: Motion carries.

20 Thank you, Rick.

21 RICK BURRIS: Thank you.

22 JOE JEWELL: Commissioners, our next  
23 agenda item is a Southern Flounder update.

24 As the Commission knows, they have  
25 been considering regulatory changes to this

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1 particular species over the last four, or five,  
2 months.

3 Today, we are going to present to you  
4 the most recent updated data that we have  
5 available for the Commission's consideration.

6 Mr. Trevor Moncrief will be giving  
7 that presentation.

8 TREVOR MONCRIEF: Thank you, Joe.

9 Good morning Commissioners, Director  
10 Spraggins, Ms. Chestnut.

11 As Joe mentioned, I will be giving an  
12 update on our Southern Flounder, to give  
13 everyone a brief background.

14 Stakeholders have voiced concerns over  
15 the decline of Southern Flounder in Mississippi  
16 waters.

17 CMR made a motion, in December of  
18 2017, to address these concerns and for the  
19 Finfish Bureau to present information on the  
20 Southern Founder fishery in the March 2018 CMR  
21 meeting.

22 In our latest meeting, the CMR  
23 requested information on the effectiveness of  
24 the current bag limit for Southern Flounder in  
25 Mississippi.

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1 If we look at the Southern Flounder  
2 fishery as a whole in the Gulf, we notice that  
3 multiple gulf states have noticed declines in  
4 flounder abundance, when we talk to our  
5 neighboring states.

6 Alabama has observed declines in catch  
7 of flounder in their fishery-independent  
8 surveys.

9 Louisiana has also seen a decline in  
10 founder abundance in their fishery-independent  
11 trawl surveys.

12 In Mississippi, commercial and  
13 recreational catches observed were the lowest  
14 since 2013.

15 Looking at the graph on the right, we  
16 can see our commercial harvest, that top figure.  
17 We can see that it has a little bit of a dome  
18 shape to it where it started out below ten  
19 thousand pounds, and, then, in 2017, it ended up  
20 right around ten thousand pounds.

21 If you look at the bottom, you can see  
22 our commercial gig catch per unit effort, and we  
23 see a drop over time from 2012 all the way to  
24 2017, with a corresponding decrease in effort as  
25 well.

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1 If we look at this in a little bit  
2 more detail, these synchronous declines between  
3 multiple gulf states point to a non-fishing  
4 driver. Fishing mortality likely is not the  
5 cause of these declines.

6 We have also observed cycles in the  
7 past recreational harvest of Southern Flounder.  
8 These cycles typically last around six to ten  
9 years. They start out with low harvest. They  
10 begin to peak and drop off again, as you can see  
11 on this figure here on the right.

12 Additional fishery-independent  
13 information will be needed to gather evidence on  
14 these annual shifts which, as we discussed in  
15 past meetings, will be conducted jointly with  
16 GCRL and DMR. Through a gig and fyke net  
17 survey, we will be able to gather more of that  
18 information to get information on those shifts  
19 in abundance.

20 Gulf wide cooperation has been  
21 discussed with our neighboring states, Louisiana  
22 and Alabama, so that we can gather all the  
23 information from each state to be able to form a  
24 larger analysis on what is going on with  
25 Southern Flounder in the Gulf.

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1 Looking at the regulations from other  
2 states, we will focus on the size limit, first.

3 Mississippi, Florida and Alabama all  
4 maintain a minimum size limit of twelve inches.

5 Louisiana currently has no size limit.

6 Texas is the most conservative with a  
7 minimum size limit of fourteen inches.

8 If we look at our bag limit, currently  
9 Mississippi is the most liberal at fifteen per  
10 person.

11 Florida, Alabama and Louisiana have a  
12 ten per person bag limit.

13 Texas has the most conservative bag  
14 limit at five and two per person; five during  
15 all months, except for November and December.

16 In Federal waters, there is no limit  
17 on either bag, or size.

18 We did a little more analysis into the  
19 effectiveness, as proposed by CMR, and we looked  
20 at the size limit. Right now, we are at twelve  
21 inches minimum size limit and we ran an SPR  
22 model.

23 Remember, we used SPR to look at  
24 Spotted Seatrout.

25 What we did was look at the minimum

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1 size limit and our estimated mortality, and what  
2 this shows is that a twelve-inch minimum size  
3 limit is an optimum length of entry for this  
4 fishery.

5 Right now, we are sitting around forty  
6 to fifty percent SPR and, remember, we managed  
7 Spotted Seatrout to twenty percent SPR, so we  
8 are pretty high on that.

9 Then, for our bag limit, we are  
10 currently at fifteen per person, and, if we look  
11 at the catch of anglers per trip, we can see  
12 that only a small portion of anglers harvest  
13 over five flounders in a trip.

14 A bag limit change to ten flounders  
15 per person would only yield an increase in SPR  
16 of less than one percent, while a larger  
17 percentage change in SPR is realized at bag  
18 limits of less than three fish per person.

19 Next, we have some options to present  
20 for the Commission.

21 The first one will be status quo, the  
22 twelve-inch minimum length limit and fifteen per  
23 person.

24 A bag limit change from fifteen to ten  
25 per person.

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1 A bag limit change from fifteen to  
2 three per person.

3 A bag and size limit change to  
4 increase the size limit to fourteen inches and  
5 reduce the bag limit to ten per person.

6 A size limit change from twelve to  
7 fourteen inches minimum length.

8 Before the Commission deliberates on  
9 this, I would like to state that we have  
10 observed flounder in our recreational catches,  
11 we have observed them in our fishery-independent  
12 surveys, and we have been getting commercial  
13 trip ticket data with flounder in them.

14 It seems like flounder is on a  
15 positive change this year and we hope that  
16 continues.

17 With that information and with the  
18 synchronous declines across the states, our  
19 bureau's recommendation would be to remain at  
20 status quo.

21 With that, I will let y'all deliberate  
22 and, if you have any questions, I will be glad  
23 to answer.

24 COMMISSIONER BOSARGE: Commissioner  
25 Trapani.

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1 COMMISSIONER TRAPANI: The staff is  
2 recommending that it stays at status quo, even  
3 though we are more liberal in the bag limit than  
4 anybody else and we know this fishery is in  
5 decline?

6 TREVOR MONCRIEF: Yes, ma'am.

7 If we focus on the bag limit analysis  
8 that we did, when we saw that only a small  
9 amount of anglers harvested over five fish per  
10 person, it shows that a bag limit change from  
11 fifteen to ten will not affect mortality as a  
12 whole, or our percent SPR.

13 COMMISSIONER TRAPANI: If we would  
14 increase the length, what would you think the  
15 result would be on that?

16 Would it increase the SPR?

17 TREVOR MONCRIEF: It likely would,  
18 but, as we showed, right now our twelve-inch  
19 minimum length limit is an optimum size of entry  
20 for this fishery. Around forty to fifty percent  
21 SPR with that minimum size length.

22 COMMISSIONER BOSARGE: Can you go back  
23 to your SPR?

24 TREVOR MONCRIEF: Yes, sir.

25 COMMISSIONER BOSARGE: What did you

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1 say the SPR was?

2 TREVOR MONCRIEF: Of the boxes over to  
3 the left, there is a red box sitting at twelve  
4 inches, and, then, the mortality is between  
5 point six and point eight and you can see where  
6 they overlap.

7 Those lines that go across represent  
8 the SPR value, based on that model and, right  
9 now, we are sitting at around forty to fifty  
10 percent SPR based on that minimum length entry.

11 COMMISSIONER BOSARGE: That's amazing.

12 COMMISSIONER GOLLOTT: Do you have any  
13 idea why it has been so difficult for people to  
14 catch flounder in the last season?

15 TREVOR MONCRIEF: It is very difficult  
16 to figure out what is going on with them. Like  
17 I said, it points toward a non-fishing driver,  
18 and typically non-fishing drivers are in the  
19 environmental realm. We are talking about  
20 rainfall, dissolved oxygen, some other water  
21 quality issue over time.

22 What we need to do to look at that is  
23 to increase our fishery-independent information,  
24 not only us, but also the other gulf states, so  
25 we try and figure out why these fluctuations

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1 happen over time.

2 COMMISSIONER BOSARGE: Right now, I  
3 guess, on the commercial side effort, it is  
4 pretty well capped and it looks to be production  
5 decreasing, and it's the same on the  
6 recreational side.

7 To me, it doesn't make a lot of sense,  
8 what you are saying, that we leave it.

9 If we don't change it drastically,  
10 then, the change we make won't make a difference  
11 because nobody is reaching that bag limit.

12 With the fishery in decline, we as a  
13 group, I don't see how we have an option of not  
14 trying to do something to help this fishery  
15 along.

16 COMMISSIONER GOLLOTT: Didn't y'all  
17 say that you would have to move the bag limit to  
18 two to make any difference?

19 MATT HILL: We're not saying that a  
20 more conservative approach may have some type of  
21 affect.

22 We do not believe it will have a  
23 significant enough affect to change the course  
24 of the fishery, unless we set the bag limit less  
25 than three, right now.

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1 What we are saying is we are starting  
2 to see -- actually since the last meeting, we  
3 started reviewing some of our independent data,  
4 some of our dependent data coming from the  
5 fishery, and we actually have seen a pretty  
6 significant uptake in the commercial fishery,  
7 also.

8 We are seeing some signs that we knew  
9 it was a non-fishing driver, but we are seeing  
10 maybe some of the environmental conditions are  
11 starting to get back in favor of some of these  
12 fish starting to show back up.

13 We just hate to put a regulation in  
14 place of this magnitude in the early stages. We  
15 would like to give it a little bit more time.

16 We have always seen that the flounder,  
17 it's very cyclic. If you look back through the  
18 years, it is usually a six to eight year cycle.

19 I believe we are in the eighth year of  
20 the cycle, and we are beginning to see some  
21 flounders show up, some very encouraging  
22 reports.

23 We are not opposed to dropping the bag  
24 limit to ten. We just do not believe it is  
25 going to have the impact, a significant impact

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1 on the fishery as a whole, currently at this  
2 time.

3 We feel that the current regulations  
4 in place are sufficient, if we just let the  
5 fishery rebound on it's own environmentally.

6 Like I said, we are very confident  
7 that this is a non-fishing, non-effort driver,  
8 and there are really a lot of things that we  
9 can't do about that.

10 If it was a fishing driver, if they  
11 were routinely catching close to their limit, or  
12 right at their limit, it would be different,  
13 but, when we are seeing they are catching two,  
14 or three, of them, unless you drastically change  
15 the bag limit, we are not going to see any kind  
16 of significant change in the fishery for a long  
17 time.

18 COMMISSIONER TRAPANI: Well, let's say  
19 that the fishery does start to come back and we  
20 are still at a fifteen per person bag limit,  
21 then, we are still only hurting that fishery.

22 I feel like the responsible thing for  
23 the Commission to do is we at least need to be  
24 in line with the other states, since this  
25 fishery is in decline.

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1 COMMISSIONER BOSARGE: Can you put  
2 that slide back up, the options?

3 MATT HILL: Yes.

4 COMMISSIONER HAVARD: Matt, what I'm  
5 understanding is it's not going to do anything  
6 but help. It's not going to hurt anything, if  
7 we change it and we lower the limit to get in  
8 line. It is only going to help on a small  
9 scale.

10 MATT HILL: It is going to be a very  
11 small scale. We are talking about an increase  
12 of possibly one percent best case scenario, but  
13 it will not hurt the fishery, if that is the  
14 Commission's desire to fall in line with the  
15 other states.

16 Like I said, we are the most lenient  
17 state on the bag limit, right now. It will not  
18 hurt anything. It is a very conservative  
19 approach. It's not the silver bullet that we  
20 are looking for. It is not going to bring back  
21 this fishery overnight, by dropping it by five,  
22 because we are just not seeing these kinds of  
23 catches, right now.

24 when the environmental conditions get  
25 back right and we are looking at possibly two to

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1 three years, we may see some significant  
2 differences, but, if the Commission is looking  
3 to be proactive on this, then, dropping it to  
4 ten would be something that we could support.

5 It's just when we look at it, from a  
6 resource, it is not going to make an immediate  
7 impact that I think some people are looking for.

8 COMMISSIONER BOSARGE: where is effort  
9 at, as far as are we in steady decline?

10 MATT HILL: Effort is declining  
11 because the fishery is currently not there. We  
12 have seen it in the commercial. I mean, we have  
13 more people out there, but we have less people  
14 targeting flounder because they are just having  
15 a tough time catching them.

16 We do track the commercial fisheries  
17 very heavily, and you can see a steep decline in  
18 the effort to target these fish because they  
19 have such a difficult time.

20 COMMISSIONER BOSARGE: The effort is  
21 still there, once the fish comes back?

22 MATT HILL: Yes, once the fish comes  
23 back, and we have seen a increase in effort,  
24 once the fish did make their way back.

25 There were some good reports we have

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1 seen, and we are basing this on a six-week  
2 period. We just ran it and we did see a fairly  
3 significant increase in the commercial fishery  
4 in the six weeks.

5 COMMISSIONER BOSARGE: All right.

6 JOE SPRAGGINS: If I could comment  
7 real quick.

8 COMMISSIONER BOSARGE: Yes, sir.

9 JOE SPRAGGINS: we are doing a study  
10 on this. I funded it through Tidelands, and we  
11 are going to do a study using USM and the  
12 Department of Marine Resources to try to figure  
13 out what is causing the problem.

14 We are going to do that, and we will  
15 get that through shortly. It will probably take  
16 a year, or more, to get it done, but, at least,  
17 we will have some kind of idea.

18 COMMISSIONER GOLLOTT: One of the  
19 things I have observed is these big aluminum  
20 boats with all these big lights on the front of  
21 the boats and they come up in the Bay and  
22 flounder around these islands, and, then, I have  
23 been told that they are selling them  
24 commercially and some of them are taking them  
25 home, putting them in ice chests, and, then,

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1 going back and catching some more flounders.

2 Is there any way we can keep these  
3 aluminum boats with these big lights from doing  
4 this?

5 I mean, the technology with the  
6 generators and the lights now is just amazing.

7 MATT HILL: There are definitely some  
8 gear restrictions that we are currently looking  
9 at.

10 whenever you start to look at this, it  
11 is very hard to pinpoint exactly how many of  
12 these fishermen are out there actually doing  
13 this.

14 On the trip ticket, it is basically  
15 declared as gigging, but they don't necessarily  
16 have to tell us that they are on a vessel with  
17 lights and things like that.

18 It is a little bit more in depth of an  
19 analysis. We are currently doing it. We would  
20 like to be able to come up with some fairly  
21 accurate numbers, before we make a  
22 recommendation like that to maybe start doing  
23 some type of gear adjustments.

24 COMMISSIONER GOLLOTT: It is illegal  
25 to go in the Bay and gig flounders and sell them

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1 commercially, but I understand they are skirting  
2 around the law.

3 MATT HILL: Yes, sir.

4 COMMISSIONER GOLLOTT: I would like to  
5 see y'all look into that and come back with a  
6 recommendation.

7 MATT HILL: We are definitely looking  
8 into many gear restrictions currently, and that  
9 is one of them.

10 COMMISSIONER TRAPANI: First of all,  
11 I'm glad the agency is looking at this fishery  
12 because it is in decline.

13 with all of that being said, I think,  
14 as a Commissioner, that we really need to bring  
15 this down to at least be in line with the other  
16 states, knowing that this fishery is in decline.

17 I would like to make a motion to  
18 decrease the bag limit from fifteen to ten per  
19 person.

20 COMMISSIONER GOLLOTT: I'll second  
21 that motion.

22 JOE JEWELL: Commissioners, before  
23 y'all make a final vote, I understand  
24 Commissioner Trapani's motion is to go out for a  
25 Notice of Intent to reduce the bag limit from

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1 fifteen to ten.  
 2 Is that correct?  
 3 COMMISSIONER BOSARGE: Yes, sir.  
 4 JOE JEWELL: For recreational fishing  
 5 only.  
 6 COMMISSIONER BOSARGE: Correct.  
 7 We have a motion to go out for Notice  
 8 of Intent to change the bag limit from fifteen  
 9 to ten.  
 10 JOE JEWELL: For recreational.  
 11 COMMISSIONER BOSARGE: For  
 12 recreational, yes.  
 13 COMMISSIONER TRAPANI: Yes.  
 14 COMMISSIONER BOSARGE: We have a  
 15 motion and a second.  
 16 Any further discussion?  
 17 (No response.)  
 18 COMMISSIONER BOSARGE: All those in  
 19 favor say aye.  
 20 (Commissioner Bosarge, Commissioner  
 21 Gollott, Commissioner Havard, Commissioner  
 22 Trapani in favor.)  
 23 COMMISSIONER BOSARGE: Opposed?  
 24 (Commissioner Harmon opposed.)  
 25 COMMISSIONER BOSARGE: We have one

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1 opposed.  
 2 Motion carries.  
 3 JOE JEWELL: Next up for the  
 4 Commission's consideration, at our last  
 5 Commission meeting, the Commission wanted some  
 6 updated information on the regulatory process  
 7 for consideration of the establishment of oyster  
 8 depuration facilities in Mississippi.  
 9 Ms. Ruth Posadas will give that  
 10 presentation.  
 11 RUTH POSADAS: Good morning  
 12 Commissioners, Director Spraggins and Ms.  
 13 Chestnut.  
 14 This presentation has been requested  
 15 by the Commission to be presented for this  
 16 month's meeting.  
 17 Why do we have oyster depuration?  
 18 I just want to put it in perspective.  
 19 Oysters filter at least an average of fifty  
 20 gallons of water per day. It can go to over  
 21 three hundred gallons and, if you have one acre  
 22 of oysters with a thousand oysters in it, it can  
 23 filter about forty million gallons of water per  
 24 day.  
 25 what is oyster depuration?

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1 We are using the ISSC, or Interstate  
 2 Shellfish Sanitation Conference Model Ordinance  
 3 definition because that is what we follow as the  
 4 law.  
 5 Depuration, or depurate, means the  
 6 process of reducing the pathogenic organisms  
 7 that may be present in shellstock, by using a  
 8 controlled aquatic environment as the treatment  
 9 process.  
 10 In laymen's terms, oyster depuration  
 11 would be a purification process that holds  
 12 shellfish in bags, or raceways, with clean  
 13 seawater where natural filtering allows  
 14 expulsion of intestinal contents by separating  
 15 expelled contaminants from the shellfish and  
 16 preventing recontamination.  
 17 Now, depuration is a process wherein  
 18 harvested oysters should come from approved,  
 19 conditionally approved, restricted, or  
 20 conditionally restricted, growing areas. These  
 21 are the only oysters that can be harvested and  
 22 brought to a depuration facility.  
 23 In the depuration facility, the law  
 24 says that no one can depurate oysters less than  
 25 forty-four hours.

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1 Usually depuration facilities will  
 2 depurate oysters between forty-eight hours to  
 3 seventy-two hours.  
 4 Then, after cleansing and purging,  
 5 they get harvested for the market.  
 6 Who is an oyster depuration processor?  
 7 Just like any harvester, an oyster  
 8 depuration processor is a person who harvests,  
 9 or receives, shellstock from growing areas that  
 10 are approved, or conditionally approved,  
 11 restricted, or conditionally restricted, and,  
 12 then, they have to be depurated in an approved  
 13 depuration process.  
 14 As of May 2018, this month, the  
 15 Interstate Shellfish Sanitation Conference had  
 16 given three depuration facilities in the  
 17 continental USA. Three states were given  
 18 permits to depurate oysters, muscles, or clams.  
 19 In the gulf states, there is no state  
 20 that has been given a permit. Alabama and  
 21 Florida, I heard, have pending applications  
 22 because they have aquaculture.  
 23 Here are some examples of oyster  
 24 depuration facilities. These pictures were  
 25 taken from the internet. This one is from New

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1 Jersey, and that one is from Maine. All the  
2 others are from other countries (indicating  
3 photographs).

4 How effective is an approved  
5 depuration process?

6 Depuration is effective only in  
7 removing fecal coliform.

8 It is not effective in removing viral  
9 contaminants in the water. It is also not  
10 effective in removing Norovirus, or Vibrios. It  
11 is not effective to take away marine biotoxins,  
12 or heavy metals, or organic chemicals.

13 Criteria for an effective process.

14 Shellfish must be properly handled  
15 during harvest and pre-depuration transport and  
16 storage.

17 Shellfish should also be placed in  
18 properly designed operations for depuration  
19 systems, and it should follow good manufacturing  
20 practices in its operation.

21 Mississippi Department of Marine  
22 Resources has adopted regulations for depuration  
23 purposes.

24 Prior to authorization, the authority  
25 which is MDMR shall develop and maintain an

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1 effective program to control shellstock  
2 harvesting by special license.

3 Now, this special license is still to  
4 be established and created by MDMR because we  
5 don't have a depuration facility here.

6 There should also be controlled  
7 transportation between the harvest area and the  
8 depuration facility to prevent shellstock from  
9 being illegally diverted for other purposes.

10 The facility should have an approved  
11 design and construction, before it begins  
12 operation.

13 Another requirement is that if a  
14 processor would like to transport oysters from  
15 other states for depuration purposes, the  
16 processor must get an agreement, a memorandum of  
17 agreement from the state where the oysters would  
18 come from and the recipient state.

19 The authority will require the  
20 processor to have an approved depuration plant  
21 operating manual, before they even get to be  
22 granted a certification.

23 The authority shall review depuration  
24 plant performance index and other records as  
25 part of the monthly inspections to verify the

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1 process and critical control points, during the  
2 process of depuration.

3 Following are our requirements as the  
4 authority:

5 We will maintain records of each  
6 depuration facility, and all the inspection  
7 records will be maintained for five years.

8 We will also assure each dealer that  
9 all shellstock that they will harvest from their  
10 facility, we have to be there and inspect and be  
11 informed when they do that.

12 Depuration dealer requirements:

13 The processor must follow the Model  
14 Ordinance requirements of the ISSC.

15 The processor has to follow and be  
16 inspected using the Hazard Analysis Critical  
17 Control Point Plan made for their operations.

18 The processor's Depuration Plant  
19 Operations Manual, they will have to update it  
20 regularly and we will inspect it.

21 A successful depuration facility, or  
22 operation, must have access to the low-cost  
23 technology. To be successful, you have to use  
24 the low-cost technology and you have to have a  
25 steady supply of clean water and you have to

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1 have a steady supply of a source of shellstock  
2 to depurate.

3 Any questions?

4 COMMISSIONER GOLLOTT: Yes, ma'am.

5 You said that this depuration will not  
6 get rid of Vibrio.

7 I understand that Vibrio really  
8 doesn't show up in the wintertime when the water  
9 in cold.

10 Ruth, do you know what the  
11 temperatures are that can eliminate Vibrio?

12 RUTH POSADAS: The oyster can only  
13 reduce because it is a naturally occurring  
14 organism and it is their food. It stays in  
15 their stomach.

16 If they get depurated, it will not  
17 grow when it is forty degrees, but it will still  
18 be alive.

19 In depuration, it was observed by many  
20 experiments these naturally organisms, their  
21 number gets reduced, but they have never  
22 experienced that it was fully expelled.

23 COMMISSIONER GOLLOTT: Will radiation  
24 get rid of the Vibrio?

25 RUTH POSADAS: Yes, sir.

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1 COMMISSIONER GOLLOTT: You can  
 2 deperate the oyster, and, then, radiate it, and  
 3 get rid of the Vibrio?  
 4 RUTH POSADAS: Yes, you can.  
 5 COMMISSIONER GOLLOTT: What about the  
 6 Norovirus and stuff like that?  
 7 RUTH POSADAS: The Norovirus, it can,  
 8 but it has never been -- the radiation has never  
 9 been validated. They just assume that it can  
 10 kill virus, but it needs validation.  
 11 COMMISSIONER GOLLOTT: I understand  
 12 that you can actually make your own saltwater  
 13 and recirculate that stuff and send it through  
 14 the lights that kill bacteria.  
 15 RUTH POSADAS: Yes, sir. The lowest-  
 16 cost technology is the use of ultra violent  
 17 rays.  
 18 In Europe, they use chlorine to  
 19 sterilize the water, and others have used ozone,  
 20 but that is very expensive and very complicated.  
 21 COMMISSIONER GOLLOTT: Which one of  
 22 them is expensive?  
 23 RUTH POSADAS: The ozone and the  
 24 chlorine.  
 25 COMMISSIONER GOLLOTT: The ultra

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1 violent light?  
 2 RUTH POSADAS: The ultra violent light  
 3 is compact and the water just goes through a  
 4 tube and the light will --  
 5 COMMISSIONER GOLLOTT: (Interposing)  
 6 Kill the bacteria?  
 7 RUTH POSADAS: Yes, sir.  
 8 COMMISSIONER GOLLOTT: I'm just  
 9 guessing that you are talking about saltwater,  
 10 clean saltwater?  
 11 RUTH POSADAS: Yes, sir.  
 12 COMMISSIONER GOLLOTT: Why would you  
 13 need to have it, if you are going to kill all  
 14 the bacteria?  
 15 RUTH POSADAS: Well, the oysters -- if  
 16 you get the oysters from, for example, full-  
 17 strength seawater, you can only acclimate them  
 18 within ten parts per thousand.  
 19 If it is thirty-three PPT, or twenty  
 20 PPT, you can acclimate it within ten to twenty,  
 21 or with the range of twenty-five to fifteen.  
 22 COMMISSIONER GOLLOTT: With the  
 23 Pascagoula River, you are not going to be that  
 24 high at any time.  
 25 RUTH POSADAS: Other people, they use

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1 artificial seawater. You can do artificial  
 2 seawater.  
 3 COMMISSIONER GOLLOTT: In that case,  
 4 you wouldn't have to pipe seawater?  
 5 RUTH POSADAS: If you can afford  
 6 artificial seawater, it's good. They  
 7 recirculate artificial seawater because it is  
 8 expensive to have artificial seawater.  
 9 COMMISSIONER GOLLOTT: I understand.  
 10 I had the experience of deputation. I  
 11 did offshore deputation. I had a patented  
 12 system that I was using. Unfortunately, the  
 13 captain on the boat got killed, and I went into  
 14 a different business, but this is a business I  
 15 think where Jackson County could really have a  
 16 real good business here, whole different  
 17 industry depurating oysters in Jackson County,  
 18 if we had a deputation plant, say, on that  
 19 island that is right off of Pascagoula.  
 20 I understand there are a lot of  
 21 buildings there that are available.  
 22 RUTH POSADAS: That's true.  
 23 COMMISSIONER GOLLOTT: I would like to  
 24 see us look at the feasibility of putting a  
 25 deputation plant there.

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1 Mississippi has wasted millions and  
 2 millions of dollars in cultch plants and pie-in-  
 3 the-sky stuff, but I think this would be a real  
 4 good industry for the State of Mississippi. It  
 5 would help our fishermen. They could fish year  
 6 round. If the weather is bad, they could always  
 7 fish in Pascagoula.  
 8 Of course, you would have to have all  
 9 the regulations and everything in place.  
 10 I would like to see us try to promote  
 11 this, instead of keeping people from getting  
 12 into it.  
 13 Like I said, I think it would be a  
 14 good industry for Jackson County, and I would  
 15 like to see yourself and the agency come back  
 16 with some recommendations on how we could make  
 17 this feasible, how we could help somebody  
 18 getting into this industry and building a  
 19 business like this, instead of trying to keep  
 20 them from doing it.  
 21 RUTH POSADAS: We will help, and there  
 22 is a lot of information. The Food and  
 23 Agriculture organization has done a good study  
 24 of this, and they have issued a bulletin that  
 25 is, like, a hundred and sixty pages, and all the

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1 technology that they have collected from  
2 different places in the world, it's in there.

3 In fact, I have read, too, in 1986 and  
4 1980, a study done by scientists here in  
5 Mississippi, there is an economic analysis  
6 there, too. It can be updated to see what can  
7 be done for the future.

8 JOE JEWELL: Commissioner Gollott, the  
9 way I understand what you are stating is a  
10 motion for the staff to come forward with  
11 recommendations to develop a program for  
12 development of a depuration facility,  
13 specifically in Jackson County.

14 Are there any other specifics, other  
15 than that, that you want to add to the motion,  
16 for instance, the funding?

17 It takes a substantial amount of  
18 funding to develop such a facility and a funding  
19 source.

20 As I mentioned before, there are  
21 really three driving factors in the development  
22 of a depuration facility.

23 One, as Ruth has mentioned to you,  
24 they have to have extremely low overhead for the  
25 facility to be economically feasible.

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1 Two, they have to have a direct, or  
2 indirect, water source. It could be directly  
3 from the Mississippi Sound, or, as Ruth  
4 mentioned, it could be artificial development of  
5 their own saltwater.

6 Three, they have to have a relatively  
7 constant source of resource, a constant amount  
8 of oysters going into the facility for it to  
9 remain in production.

10 Those three factors, the Commission  
11 has to consider those, when making the motion.

12 COMMISSIONER BOSARGE: Maybe that  
13 needs to be incorporated, a feasibility study to  
14 see where these other states are with their  
15 depuration facilities and if a depuration  
16 facility here could be used by other states and  
17 see just how many oysters would have to go  
18 through here. Just look at it from all aspects.

19 JOE JEWELL: Sure.

20 COMMISSIONER GOLLOTT: I had a friend  
21 over in Texas who went through all this process,  
22 set up the depuration plant, and was getting  
23 underway, and the State of Texas came in and  
24 just killed it. They closed him. He couldn't  
25 do it, but certain periods of time and stuff

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1 like that, and he was very disheartened because  
2 he had put a lot of money into it.

3 I see this as an opportunity for  
4 Mississippi to shine and come forth with a  
5 depuration plant and put our fishermen to work  
6 year round.

7 At the price of oysters today, I see a  
8 lot more opportunities in making money.

9 I'm sure at forty, or fifty, dollars a  
10 sack, the fishermen would take ten dollars less  
11 for an oyster that had been depurated and that  
12 they can fish year round and wouldn't get closed  
13 down at the holidays and all that. They can  
14 make a living.

15 I think you could put a profit margin  
16 in there and the overhead, and take care of it.

17 Like I say, I would like to see y'all  
18 come forth with --

19 RUTH POSADAS: (Interposing) In other  
20 states, sir, that have aquaculture, or wild  
21 harvest, what they have is also called wet  
22 storage. Wet storage is just a holding. It's  
23 like depuration, but you don't have to do a  
24 validation to prove that it has no more fecal  
25 coliform, or Norovirus, or Vibrio.

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1 what they do is they put it in wet  
2 storage, and, then, they have to do another  
3 post-harvest process. They can go through  
4 irrigation, or IQF, or high pressure. It can be  
5 done like that, too.

6 COMMISSIONER GOLLOTT: What I'm  
7 interested in and I'm sure the Commission is  
8 interested in is getting another business  
9 started that it will benefit our fishermen.

10 RUTH POSADAS: I am hoping and I have  
11 been dreaming that we will have aquaculture here  
12 in Mississippi, and it is almost there.

13 I think depuration, or wet storage,  
14 will be the next one.

15 It can go hand-in-hand so that the  
16 oyster industry will grow.

17 COMMISSIONER GOLLOTT: That's what we  
18 are interested in.

19 To me, the Pascagoula area, if you  
20 could really get in there and plant and start  
21 raising oysters in the Pascagoula area in those  
22 closed areas, the amount of oysters would just  
23 be unlimited because it's such a great area to  
24 raise oysters.

25 JOE JEWELL: Commissioner Gollott, if

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1 you want to move forward, I suggest you make a  
2 motion.

3 From what I've heard from you and  
4 Chairman Bosarge, I think the motion would be  
5 for the DMR to come back with recommendations to  
6 develop a depuration facility and to develop a  
7 feasibility study for a depuration facility.

8 COMMISSIONER GOLLOTT: I'll make that  
9 motion on what Joe said.

10 COMMISSIONER BOSARGE: Where you can  
11 do a cost analysis and maybe also look at where  
12 funding may come from to build this facility, or  
13 modify one of the existing buildings. Sounds  
14 good to me.

15 COMMISSIONER TRAPANI: You had  
16 mentioned that Alabama and Florida have pending  
17 applications.

18 You may want to add for us to also  
19 look at what they are doing and their facilities  
20 and maybe we could get some ideas and see where  
21 they are with theirs, also.

22 COMMISSIONER BOSARGE: We have a  
23 motion.

24 Do we have a second?

25 COMMISSIONER HARMON: I'll second

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1 that, Mr. Chairman.

2 COMMISSIONER BOSARGE: We have a  
3 motion and a second.

4 Any further discussion?

5 (No response.)

6 COMMISSIONER BOSARGE: All those in  
7 favor say aye.

8 (Commissioner Bosarge, Commissioner  
9 Gollott, Commissioner Harmon, Commissioner  
10 Trapani in favor.)

11 COMMISSIONER BOSARGE: Opposed?

12 (Commissioner Havard opposed.)

13 RUTH POSADAS: Thank you.

14 COMMISSIONER BOSARGE: Thank you,  
15 Ruth.

16 Let's take a quick break, Joe.

17 JOE JEWELL: Sure.

18 COMMISSIONER BOSARGE: In ten minutes,  
19 we will be back here and we will get started  
20 again.

21 MEETING STANDS IN RECESS

22 COMMISSIONER BOSARGE: I call this  
23 meeting back to order.

24 Hold on just a second, Joe.

25 Before we go on, I would like to

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1 recognize Ms. Stacey Wilkes. She is House  
2 Representative District 108 and she is also Vice  
3 Chair of our house Marine Resources committee.

4 Glad you are here.

5 STACEY WILKES: Happy to be here.

6 COMMISSIONER BOSARGE: Thank you.

7 COMMISSIONER GOLLOTT: Tell her to  
8 stand up and wave.

9 STACEY WILKES: Standing.

10 COMMISSIONER BOSARGE: Okay, Mr. Joe.

11 I think we've got state saltwater records.

12 JOE JEWELL: Next for consideration by  
13 the Commission are state saltwater fishing  
14 records. Mr. Jonathan Barr will be presenting  
15 those.

16 JONATHAN BARR: Good morning  
17 Commissioners, General Spraggins, Ms. Chestnut.

18 We have one record up for  
19 consideration this month. It's conventional  
20 tackle. It's an Almaco Jack, Seriola rivoliana.

21 The old record was thirty-two pounds  
22 ten point five six ounces.

23 The new record is thirty-five pounds  
24 two point four zero ounces.

25 The angler is Mr. Lonnie Carroll.

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1 There is the very large Almaco, and  
2 there is Mr. Carroll holding the fish  
3 (indicating photographs).

4 Required is a motion to adopt the new  
5 state record.

6 COMMISSIONER HAVARD: I would like to  
7 make a motion that we adopt the new state  
8 record. That is a big fish.

9 COMMISSIONER GOLLOTT: I'll second the  
10 motion.

11 COMMISSIONER BOSARGE: We have a  
12 motion and a second.

13 Any further discussion?

14 (No response.)

15 COMMISSIONER BOSARGE: All those in  
16 favor say aye.

17 (All in favor.)

18 COMMISSIONER BOSARGE: Opposed?

19 (None opposed.)

20 COMMISSIONER BOSARGE: Motion carries.  
21 I will say one thing there is a

22 Federal fishing permit, aquaculture permit that  
23 is the process. Whether it is approved, or  
24 disapproved, or whatever, it is in the process,  
25 and that is what they intend to raise is Almaco

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1 Jack.

2 JONATHAN BARR: Is that right?

3 COMMISSIONER BOSARGE: Yes, in south  
4 Florida down off of Fort Myers in a pen, I  
5 think, in about a hundred and ten foot of water,  
6 or something like that. It is interesting.

7 JONATHAN BARR: Absolutely.

8 COMMISSIONER BOSARGE: Thank you.

9 JONATHAN BARR: Thank you.

10 JOE JEWELL: Commissioners, we are  
11 going to move into the meat of our presentation.

12 Like I said, we have a lot of user  
13 groups here that have a multitude of opinions  
14 about the next two agenda items.

15 We appreciate the public being here.  
16 We appreciate our user groups being here. I  
17 just ask everyone to be patient, kind and  
18 generous, when comments are made.

19 Everybody is entitled to their  
20 opinion, and I know the Commission wants to hear  
21 all of those opinions, as well as the staff.

22 Next for consideration by the  
23 Commission is the Mississippi Bonnet Carre  
24 Fisheries Disaster Recovery Program.

25 As you know, the Commission has

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1 considered this over the last two, or three,  
2 months and we had scheduled a workshop.

3 We had to reissue the formal  
4 presentation for this Commission meeting, and  
5 Mr. Erik Broussard will be doing this  
6 presentation.

7 ERIK BROUSSARD: Good morning  
8 Commissioners, Director Spraggins and Ms.  
9 Chestnut.

10 As Mr. Jewell said, we are here this  
11 morning to discuss a potential work program  
12 utilizing the Bonnet Carre Disaster Recovery  
13 Program.

14 As we go through the presentation,  
15 just to remind you from last month's meeting, we  
16 have two limiting factors. One is our budget,  
17 and the other one is the amount of resource that  
18 is available to us.

19 As far as the budget goes, we have  
20 about a million dollars left in Job Title I.5:  
21 Commercial Oyster Reef Cultivation and Relay  
22 Program.

23 Here is our 2017 Pascagoula Causeway  
24 Reef assessment. That particular reef is two  
25 hundred and thirty-three acres (indicating

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1 graph).

2 In the top left corner, you have the  
3 previous three reef assessments, and you can see  
4 there is a downward trend.

5 2017 was the wettest year on record  
6 and, with that inundation of freshwater in the  
7 Pascagoula River, we saw some significant  
8 mortality at about sixty percent reduction in  
9 market-size oysters.

10 During that reef assessment, it was  
11 found that we had seven point eight market size  
12 oysters per square meter which would still be  
13 considered in the healthy category.

14 The West Pascagoula Reef is about a  
15 hundred and eight acres.

16 Again, in the top left corner is the  
17 last two reef assessments. About fifty percent  
18 reduction in market-size oysters there, at six  
19 point three sack size oysters per square meter  
20 (indicating graph).

21 Here we have the Pascagoula sack  
22 volume estimate (indicating graph).

23 The Commission asked us last fall to  
24 look into what made up a sack of oysters that  
25 came off of this reef, and this particular slide

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1 is important when we get into the contracting  
2 portion of the presentation and looking into how  
3 we can contract the live oyster portion that  
4 makes contracting easier.

5 That's what we are going to focus on,  
6 that fifty-four percent, which equates to about  
7 seventy-four thousand sacks of oysters.

8 We did about thirty percent harvest  
9 which would be close to around twenty-two  
10 thousand sacks.

11 I also remind you, when these numbers  
12 were calculated, we took about three thousand  
13 sacks, and we will talk about some of the  
14 harvest history last fall, as well.

15 Here we have a chart just giving you  
16 the geographic location of where both of these  
17 reefs are located. This is a footprint of the  
18 reefs, verified through side scan sonar.

19 The reef on the left is your West  
20 Pascagoula Reef. At about a hundred and eight  
21 acres, it's about ten thousand sacks of market-  
22 size oysters.

23 The Causeway Reef on the right, two  
24 hundred and thirty-three acres, is about twenty-  
25 six thousand sacks of market-size oysters.

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The yellow line represents the line between restricted area and prohibited area.

Everything on the left of the yellow line would be restricted, and right of the yellow line is currently prohibited and would not allow access for relay.

We are currently working with the FDA to move that line to the causeway where we would have the whole area in the restricted category, and, then, at that point, we would be able to relay oysters from the whole reef.

COMMISSIONER BOSARGE: Do you think that is going to happen anytime soon?

ERIK BROUSSARD: Yes. We have conducted the samples and sent them off for analysis, and the FDA is currently reviewing, but it does look favorable and hopefully we will be able to come forward in the future.

Since this would be a lengthy contracting process, we would have an answer before the relay would take place.

COMMISSIONER BOSARGE: Good.

ERIK BROUSSARD: A little bit of harvest history.

In 2014, about ninety-five hundred

sacks of material was removed by MDMR staff and an independent contractor.

Then, last fall, staff moved a little over three thousand sacks from Pascagoula to Biloxi.

We are going to give the Commission some options. These are just options that we came up with.

If the Commission has other options, we can discuss those, as well.

There are several slides with different options on each slide, and one thing that we will need to decide is the relay option.

Option One is to hire Bonnet Carre qualified fishermen to harvest and deploy the material.

Option Two is to hire Bonnet Carre qualified processors and fishermen to harvest and a contractor to deploy the material.

Option Three is to hire a contractor to harvest and deploy the material.

I would want to point out that Option Two, from a logistical standpoint and also a liability standpoint, is the cleanest most efficient way to make this process happen.

Method of take. There has been some discussion on method. Everybody that qualifies for the grant would have to abide by whatever method of take.

Option One, tonging only.

Option Two, tonging and hand dredge.

Option Three, dredge only.

Option Four, dredge and tonging.

COMMISSIONER GOLLOTT: Erik.

ERIK BROUSSARD: Yes, sir.

COMMISSIONER GOLLOTT: Would you explain what it takes to be qualified, Bonnet Carre qualified for this?

ERIK BROUSSARD: Yes, sir. This particular grant is a source of funding that we received from the 2011 Bonnet Carre Spillway opening.

In order to qualify, the fishermen would have to have had a license in prior years to 2011, excluding the oil spill, which would be 07-08, 08-09, 09-10, and, then, also have a license the year of the Bonnet Carre Spillway opening of 2011. That's the initial, and you would have to be a Mississippi resident. Those are the major qualifying factors.

COMMISSIONER GOLLOTT: Do y'all have the paperwork on all of that so you can check these fishermen and make sure they have the licenses?

ERIK BROUSSARD: Yes, sir.

COMMISSIONER GOLLOTT: Okay.

COMMISSIONER BOSARGE: Do you know what that number is approximately?

ERIK BROUSSARD: Yes. The universe is a hundred and fifty-five participants.

Just to give you an idea, in 2016 we did the same process. We had, I think, around ninety-three, or ninety-five, participants out of the hundred and fifty-five that showed up to participate.

COMMISSIONER BOSARGE: All right.

ERIK BROUSSARD: Then, we have a price/resource. This is just kind of an example, scenario.

We can pay the fishermen up to the fair market value of last year. Last year the fair market value would be forty-five dollars a sack.

We had a fifty sack limit which that could be more flexible.

1 There were a hundred boats. Again,  
2 that is based on the 2016 relay.

3 The relay would last about four days.

4 We would take about twenty thousand  
5 sacks of material which is back to that  
6 sustainable number.

7 It would cost nine hundred thousand  
8 dollars, and that would leave a hundred thousand  
9 dollars for a deployment contact, coming in  
10 right at the budget of a million dollars.

11 Like I said, this is more just to give  
12 you an example. It doesn't have to be exactly  
13 like this. It's just to give an idea.

14 COMMISSIONER GOLLOTT: Erik, where is  
15 your shell planting money coming from?

16 Is it part of this?

17 ERIK BROUSSARD: Under the grant,  
18 there is a cultch plant pot of money. It can  
19 come from there, or you could decide to go ahead  
20 and earmark some money right off the top from  
21 this budget and use that to cultch plant.

22 COMMISSIONER GOLLOTT: We had talked  
23 about planting the Pascagoula area as a project.

24 Have you set that aside, enough money  
25 to do that, or should we get some of this money

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1 to do it?

2 ERIK BROUSSARD: We do have some  
3 material already at the staging site. It is  
4 from a Tidelands grant to restore reefs in  
5 Biloxi Bay and in the eastern Sound in general.

6 Depending on how much material we take  
7 is going kind of dictate how much material needs  
8 to go back onto the reef.

9 I'm not sure if we have enough  
10 material on the staging site, now, to replenish  
11 after a relay.

12 COMMISSIONER GOLLOTT: I think that is  
13 the most feasible thing that we can do is plant.

14 I'm not against relaying, but I don't  
15 think we should put all of our eggs in one  
16 basket. I think we should do both.

17 Can you give us a rough figure on what  
18 you have got set aside for planting and what is  
19 it going to take?

20 ERIK BROUSSARD: Yes, sir. At the  
21 staging site, we have several hundred cubic  
22 yards of material. It is going to take more  
23 than that.

24 We would have to go out and either  
25 hire a contractor to come back and cultch plant

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1 which would be probably the most effective way  
2 to get it done in a timely manner, versus using  
3 something like the Conservationist to replant.

4 We do have a fall contract that is  
5 going to be going out, and we might be able to  
6 fit that in that umbrella.

7 The one thing to consider is every  
8 dollar that we spend replenishing material in  
9 Pascagoula is one less dollar that we can spend  
10 in, say, St. Joe. That's just the other factor  
11 that needs to be thought about, when you  
12 consider doing that.

13 COMMISSIONER GOLLOTT: I don't have a  
14 problem with that because we are gambling in St.  
15 Joe. Pascagoula, to me, is a sure thing.

16 We have put so many millions of  
17 dollars down in St. Joe and those areas that it  
18 is just unreal for what we have gotten back out  
19 of it.

20 How do you come with something like  
21 this, if you don't know the figures that you  
22 need?

23 How much of this money do you need to  
24 do Pascagoula and Biloxi in a feasible manner  
25 that would ensure the future of oysters?

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1 That's what we are trying to do. They  
2 are talking about opening the Bonnet Carre  
3 Spillway again this year. We are gambling  
4 again.

5 ERIK BROUSSARD: The money is there.  
6 It is just a matter of where we are going to  
7 take it from.

8 COMMISSIONER GOLLOTT: But how do we  
9 know how to divide it, if we don't know what the  
10 figures are?

11 JOE SPRAGGINS: Commissioner, if I  
12 could. I know we've got around six hundred  
13 thousand that we are looking at to add cultch  
14 back.

15 Is that right, Erik?

16 ERIK BROUSSARD: That will be for the  
17 fall cultch plant.

18 JOE SPRAGGINS: That's right, for the  
19 fall cultch plant.

20 One of the things that we are looking  
21 at there, also, is because of the way this the  
22 GOMESA money has come across, water quality is  
23 number one and, by putting cultch into the water  
24 and being able to allow the cultch to grow  
25 oysters, that is water quality. That is

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1 improving water quality, and that is one of the  
2 projects that we are going to look at.

3 I think we will be able to put a  
4 substantial amount of money into that every year  
5 out of this GOMESA money.

6 I'm going to push for a million plus a  
7 year to go to it, and try to maybe even go  
8 higher than that, just to put water quality  
9 back, and that is putting cultch into the water  
10 so we can grow oysters because that's what it  
11 takes.

12 This is the only fund that we have  
13 that I know of that we can pay the oystermen,  
14 and those are the ones that have suffered during  
15 this time, just like everybody else. This is  
16 the only way that I know of that we can pay  
17 them. We need to look after them, too, as much  
18 as we can.

19 COMMISSIONER GOLLOTT: Well, I  
20 understand that, but, even if the water quality  
21 is not up to par in Pascagoula, we have oysters  
22 down there. We have a place to go get oysters  
23 and relay.

24 If everything in the western Sound  
25 dies, we will have oysters down there, but, if

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1 we keep taking and don't put anything back in  
2 Pascagoula, then, we are going to end up on the  
3 short end of the stick.

4 This is not going to be popular for me  
5 to say this, but I think forty-five dollars a  
6 sack to go catch rough oysters and not cull  
7 them, or anything, is just too much. I think it  
8 should be probably around thirty dollars a sack.

9 After all, these people are helping  
10 themselves. We are going to take these oysters,  
11 plant them in another place and they are going  
12 to go back and catch them and probably get a lot  
13 more than forty-five dollars a sack.

14 I think forty-five dollars a sack is a  
15 little steep. I think it should be somewhere  
16 around thirty dollars a sack.

17 COMMISSIONER BOSARGE: Not to  
18 interrupt, Commissioner Gollott, but if we are  
19 going to Pascagoula and we are taking thirty  
20 percent of what is left there and, as you saw,  
21 it is on a decline, we have to be careful, but,  
22 at the same time, in my opinion, we need to be  
23 sure that we get two things.

24 The folks most affected by this need  
25 to be the ones involved in it, but, at the same

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1 time, we need to be sure that the money we spend  
2 we get the best return from.

3 I would say that the oysters that we  
4 move we cull so we don't move anything, but  
5 oysters, and that gives us the best return on  
6 our money, instead of just moving material.

7 If we do that, then, the forty-five  
8 dollars will probably be fair.

9 COMMISSIONER GOLLOTT: Well, the  
10 problem is, when you cull them, you are beating  
11 on them and the water is getting warm and you  
12 are going to lose more oysters that way.

13 After all, when you move a small  
14 oyster to Biloxi, I mean, it is going to grow  
15 there. You hope it lives and grows there, and  
16 it will just be a lot better chance, if you  
17 don't beat on them.

18 COMMISSIONER BOSARGE: What was the  
19 percentage of oysters versus just material?

20 ERIK BROUSSARD: Fifty-four percent of  
21 live oysters versus forty-six percent of  
22 material.

23 COMMISSIONER BOSARGE: I think we are  
24 going to come out much better, even with some of  
25 that, because you are going to do damage just

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1 catching them.

2 COMMISSIONER GOLLOTT: Would you be  
3 better off just catching oysters and culling the  
4 shell material and putting it back, rather than  
5 actually culling them and beating on them, where  
6 you just shovel them into the sack, as long as  
7 there were oysters and not just shell material?

8 ERIK BROUSSARD: That would be one of  
9 the requirements in the contract, that we would  
10 be paying for live oysters. The shell would  
11 need to be thrown over and anything with a spat,  
12 or greater, attached would be retained. That's  
13 how we traditionally handled this.

14 COMMISSIONER GOLLOTT: Do you have an  
15 opinion on culling them, or not culling them?  
16 What is your preference?

17 ERIK BROUSSARD: Traditionally, we  
18 have not had them culled. It just had to have a  
19 live oyster attached.

20 JOE JEWELL: A couple of things for  
21 the Commission to consider. We have two  
22 separate issues going on.

23 One is the relay program that we are  
24 discussing, now.

25 Then, as Commissioner Gollott brought

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1 up, a relay to sort of augment and stabilize the  
2 Pascagoula Reef as we relay from it. That is a  
3 separate issue.

4 The Commission considered that and  
5 voted on that. I think it was passed at the  
6 December meeting for Director Spraggins and  
7 myself to meet and try and find potential  
8 funding.

9 Now, Director Spraggins and myself  
10 have been discussing several options, as far as  
11 funding cultch planting for the Pascagoula Reef  
12 area because we all know it is sort of limited,  
13 but we have identified one, or two, funding  
14 sources.

15 As Director Spraggins mentioned,  
16 GOMESA is certainly one of the more stable  
17 funding sources over the long run.

18 What the Commission is considering  
19 today is a relay program; whether to have one,  
20 or not have one.

21 If they have one, there are three  
22 options that Mr. Broussard mentioned that the  
23 Commission has to consider.

24 whether it's culling, or not culling,  
25 as Erik mentioned, in the past we traditionally

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1 don't have them culled. The point of it is to  
2 engage in a relay to benefit the fishermen.

3 Now, if we are talking about the  
4 resource, certainly culling it is the best  
5 option for the resource because you are leaving  
6 more and more material there on the reef. You  
7 are doing less harm to the reef, and you are  
8 leaving more of the younger year classes out  
9 there to reproduce and grow out on the reef.

10 Those are things that you have to  
11 consider what your options are, as far as  
12 culling, or not culling.

13 There are three total options on the  
14 table that the Commission has to consider, and  
15 we have up right now the relay options.

16 Certainly, how we go about that will  
17 be key not only for the resources, but for the  
18 fishermen and how many can participate.

19 You saw that larger universe that the  
20 Bonnet Carre Grant allows for. We traditionally  
21 have had lower numbers of fishermen participate  
22 for lots of different reasons.

23 If you choose an option, like, tonging  
24 only, you are going to eliminate a large portion  
25 of the commercial oystermen from that program.

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1 Considering options, like, allowing  
2 for tonging and dredging will allow for most of  
3 the eligible applicants to be a part of that  
4 relay.

5 There are other options that we  
6 considered at our last Commission meeting, and  
7 that was have a tong versus having a relay for  
8 the larger dredge boats. Mr. Broussard has  
9 mentioned that.

10 One of the first votes that the  
11 Commission needs to consider is how are we going  
12 to go about it.

13 As Erik mentioned, option two is the  
14 safest because, as you know, we had three, or  
15 four, boats sink during our St. Joe relay.

16 We are recommending a lot lower sack  
17 limit, fifty versus a hundred. We think that  
18 will be a safer option for the boats.

19 That is not necessarily what the  
20 Commission has to vote for. The Commission  
21 certainly can direct staff otherwise.

22 I hope that helps.

23 COMMISSIONER BOSARGE: Yes.

24 COMMISSIONER GOLLOTT: Well, one more  
25 question.

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1 My question is should we put two  
2 hundred thousand dollars out of this million  
3 dollars aside for cultch material, a hundred  
4 thousand, or should we put any money aside for  
5 future harvesting out of Pascagoula maybe next  
6 year, or the year after?

7 JOE JEWELL: We are considering three  
8 options, and how you choose those options will  
9 affect the other two options.

10 For instance, if you have more  
11 fishermen in the relay program, that means you  
12 will be able to harvest less resource.

13 If you harvest more resource, you will  
14 have to have more money.

15 If you reduce the amount of money,  
16 that million dollars that we have, you take some  
17 of that money and capitalize on the cultch  
18 plant, that means the overall program  
19 participants will be reduced. The Commission  
20 has to consider that.

21 I think we have the options Director  
22 Spraggins has identified as being outside of  
23 that million dollars. We will have the ability  
24 to replant with other funds.

25 ERIK BROUSSARD: I want to add that I

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1 don't think it would prohibit us from moving  
2 forward just yet.

3 If we go ahead and choose some options  
4 and establish that we are going to cultch plant,  
5 where the funding is going to come from we can  
6 decide later, as long as we say we are going to  
7 cultch plant.

8 COMMISSIONER GOLLOTT: The way they  
9 are harvested, I think that we need to go  
10 tonging and dredging because I don't see how we  
11 can discriminate against one, or the other.

12 ERIK BROUSSARD: Well, how we handled  
13 that in the past was, in 2016 everybody  
14 qualified, but it was a dredging relay. The  
15 tonging boats found a dredge boat to work with,  
16 and they went dredging,

17 You don't have to go one way, or the  
18 other, necessarily.

19 If you went all tonging, then, the  
20 dredgers would have to find a tonging skiff.

21 If you went dredging, again, the  
22 tongers would find a dredge boat.

23 COMMISSIONER BOSARGE: Before we get  
24 too far into this, maybe we should get some  
25 public comment.

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1 JOE JEWELL: The presentation has been  
2 made.

3 COMMISSIONER BOSARGE: Is that okay  
4 with you, Erik?

5 ERIK BROUSSARD: Sure.

6 COMMISSIONER BOSARGE: Because I would  
7 like to hear from these guys, too.

8 Drew Livings. State your name.

9 DREW LIVINGS: My name is Drew  
10 Livings. I have been a commercial fishermen,  
11 tonging and dredging.

12 I have something to say about the  
13 tonging, or dredging, situation.

14 St. Joe was open and it was dredging.  
15 A lot of tongers got shut out. A lot of tongers  
16 couldn't find boats to get on to go.

17 It was our understanding that a relay  
18 was going to be done for tongers, so that  
19 tongers could have the same opportunity as all  
20 the dredge boats had.

21 A lot of our tonging community didn't  
22 even get to go to work because it was strictly  
23 dredging.

24 I do think a relay needs to be done  
25 because our reefs are in dire need of some help

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1 from not just material alone, but we need seed  
2 material from somewhere to put on there.

3 We already have a bunch of cultch  
4 plants all over the place, and I think that the  
5 seed material needs to be put on there.

6 I believe that the fishermen should be  
7 allowed to go catch them and the fishermen  
8 should be allowed to transport them.

9 I don't think we should hire outside  
10 help, other contractors, or things of that  
11 nature, because who else knows where to put the  
12 oysters better than a fishermen who is actually  
13 catching them, or has caught them.

14 I have been in this industry for  
15 twenty-seven-plus year.

16 COMMISSIONER BOSARGE: Do you feel  
17 that it needs to be designated areas?

18 In other words, we don't need to just  
19 scatter oysters to the wind so to speak, or  
20 somebody put them in their favorite little spot.

21 DREW LIVINGS: Well, wherever the  
22 state cultch plants are. I mean, there is no  
23 just favorite spot. You are going to have  
24 people out there telling you where to dump them  
25 anyhow.

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1 I just believe that the fishermen  
2 should be the ones that are allowed to haul the  
3 oysters, too.

4 The people that have dredge boats that  
5 don't have tonging boats, allow them to be the  
6 ones to haul them.

7 Do you know what I mean?

8 COMMISSIONER BOSARGE: Yes. I tend to  
9 agree with that.

10 COMMISSIONER GOLLOTT: Can I make a  
11 statement here?

12 COMMISSIONER BOSARGE: Go ahead.

13 COMMISSIONER GOLLOTT: With all due  
14 respect, it would be a total nightmare for our  
15 staff to try to keep up with how many barrels  
16 and how many sacks are going to be put on the  
17 reef and all that kind of stuff.

18 Can you imagine trying to govern a  
19 hundred boats out there at one time?

20 It would be a total nightmare.

21 I understand where you are coming  
22 from.

23 DREW LIVINGS: Well, last time at St.  
24 Joe, they did fairly well. When the barge was  
25 getting overloaded and time was issued, they had

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1 just one officer watching over where they were  
 2 put and we didn't have a problem then.  
 3 The fishermen pretty much know how and  
 4 where to disperse.  
 5 The last time it was done, I feel it  
 6 was done well, as far as keeping up with  
 7 everything.  
 8 COMMISSIONER GOLLOTT: Well, I  
 9 understand and believe me I know we've got some  
 10 great fishermen, but I understand several were  
 11 caught putting mud in the sacks and trying to  
 12 sell them for oysters. You have always got some  
 13 crooks.  
 14 DREW LIVINGS: Well, you are going to  
 15 have them everywhere.  
 16 COMMISSIONER GOLLOTT: Ninety-nine  
 17 percent of the fishermen can be doing it right,  
 18 and one can mess it up.  
 19 DREW LIVINGS: Even in congress,  
 20 you've got crooks. You have them wherever you  
 21 go regardless.  
 22 What you do is, when you find the ones  
 23 who are violating that, eliminate them from the  
 24 program immediately. Don't penalize the ones  
 25 who are trying for the ones who are illegal.

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1 I just believe that a relay needs to  
 2 be done and the commercial fishermen need to be  
 3 the ones who handle it. We don't need to hire  
 4 these multimillionaire contractors to come put  
 5 oysters on some place, when you have enough  
 6 fishermen with boats to do it for half the cost.  
 7 COMMISSIONER BOSARGE: Would you be  
 8 against culling?  
 9 DREW LIVINGS: I am because the simple  
 10 reason is we use a twelve-ounce hatchet and,  
 11 when you hit that oyster, you do destroy the  
 12 smaller spat, and I would rather see the smaller  
 13 spat put somewhere to grow than just to destroy  
 14 it.  
 15 Now, if it's just a shell that doesn't  
 16 have any spat on it, you could just knock it off  
 17 on the table because you are asking for oysters,  
 18 or you are asking for material with spat on it  
 19 which is an inch, or larger, I believe.  
 20 If you get to the culling to make a  
 21 clean marketable oyster, then, you are going to  
 22 have more damage than anything else.  
 23 I believe that hand dredge and tonging  
 24 should be in the same qualification because the  
 25 hand dredge is not a mechanical device. There

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1 are no winches, nothing like that. They are not  
 2 as heavy, and it does less damage than a larger  
 3 dredge. I'm also a dredger, too.  
 4 COMMISSIONER BOSARGE: You are saying  
 5 hand dredge and tonging?  
 6 DREW LIVINGS: Yes, sir.  
 7 COMMISSIONER BOSARGE: And not  
 8 mechanical dredging?  
 9 DREW LIVINGS: No mechanical dredging  
 10 for the simple reason that all the dredge boats  
 11 got to work at St. Joe and made good money  
 12 because it was a two hundred sack limit.  
 13 Now, y'all are talking about a fifty  
 14 sack limit here for tongers and hand dredgers.  
 15 Give the tongers their chance to make their  
 16 money because they got shut out at St. Joe.  
 17 COMMISSIONER BOSARGE: Any other  
 18 questions?  
 19 COMMISSIONER TRAPANI: I just want to  
 20 make a comment that I do believe that we should  
 21 probably not cull because, like you said, I  
 22 think we need the seed on these reefs and we do  
 23 need substrate.  
 24 DREW LIVINGS: Right.  
 25 COMMISSIONER TRAPANI: I understand we

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1 are taking the classes that are under from  
 2 Pascagoula, but we are also planting the classes  
 3 that are under back on that new reef. I think  
 4 it would be a good idea to not cull them, and we  
 5 haven't done that in the past.  
 6 I do feel like Richard, that price is  
 7 kind of high for a lot of substrate and not a  
 8 lot of live oysters.  
 9 DREW LIVINGS: But you have also got  
 10 to look at the price of fuel, the cost of all  
 11 your material, the wear and tear.  
 12 Forty-five dollars is a fair price  
 13 because we are getting sixty dollars per sack  
 14 for marketable oysters. That is twenty-  
 15 something dollars, thirty dollars less.  
 16 COMMISSIONER GOLLOTT: Fifteen.  
 17 DREW LIVINGS: Fifteen, okay. My math  
 18 isn't that good.  
 19 COMMISSIONER BOSARGE: Thank you, sir.  
 20 DREW LIVINGS: Thank you.  
 21 COMMISSIONER BOSARGE: Next is Mr.  
 22 Ryan Bradley.  
 23 RYAN BRADLEY: Good morning  
 24 Commissioners, General Spraggins, Ms. Chestnut.  
 25 Ryan Bradley, Director of Mississippi

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Commercial Fisheries United.

I really don't have much else to say. I think Drew hit the nail on the head pretty good.

Most of the guys I have spoken with support the use of tongs and the small hand dredge for this relay. We think that will help support the conservation on the reef.

These reefs are very shallow, and you really need a small draft vessel to get on the reef, and that is really going to limit the number of participants that are able to relay.

I think you had a hundred vessels on the screen. I would be surprised if we had half of that number that actually participated. That is going to knock down the amount of money you spend.

Mr. Gollott, that is going to leave some money there for your cultch plant.

I don't think we are going to spend anywhere near that million dollars on the relay.

With that being said, I would like to see those larger dredge vessels who can't float on the reef be used to transport the oysters back to wherever y'all want to go with them.

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Ask the fishermen for their input on where to go with them. Put them on the hard bottom.

The reason we want to do that is do we really want those oysters sitting on that hot barge all day, when we've got a boat sitting there waiting that can take off with them right away.

Load up fifty, sixty, or a hundred, sacks on one boat as they come in, as they harvest. That boat can take off with the direction of the DMR Patrol and they can tell them exactly where to go put them. I think it will be very successful.

To address some of the safety concerns that Mr. Jewell spoke about, about the vessels sinking, I think it is wise to go with a lower sack limit.

Some of these boats may not even be able to hold fifty sacks, but I think we should allow them to harvest that, even if they have to make multiple trips. If they had twenty, or twenty-five, they could go unload. Let them go back to work and work all day long to get what they need to get.

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I do think forty-five dollars a sack is a fair price. Like Drew said, sixty dollars a sack, I want to say, was the going rate for tonged oysters in Biloxi Bay last year.

I would just reiterate everything Drew said. He hit it spot on. I don't think there is much else for me to say.

COMMISSIONER BOSARGE: It would be nice to use some of those dredge boats. We have just got to look at the logistics of being able to transfer oysters without getting anybody hurt.

RYAN BRADLEY: I don't think we are going to have a whole lot of dredge boats that, one, will be eligible and, two, that will be willing to participate to do this.

I think your pool of transfer boats will also be fairly small because September is a hot month for shrimping. There are still going to be a lot of guys out shrimping. If we could get a dozen, or so, I think that will be good.

If there are any questions, I will be glad to answer them.

COMMISSIONER GOLLOTT: What month did you say?

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RYAN BRADLEY: September.

Is that when you said you wanted the relay, sir?

COMMISSIONER GOLLOTT: That's the time of year that they relay a lot of oysters in Louisiana, and I was just going from that.

What I was thinking is we probably need to do something right away so we will have oysters to harvest in October and November for the holidays.

It is looking mighty skinny on what we have in front of us for next season. Whatever we can harvest now, it would help us, like I say, in the fall of the year.

RYAN BRADLEY: When you say "right away" --

COMMISSIONER GOLLOTT: (Interposing) As soon as possible.

RYAN BRADLEY: July?

COMMISSIONER GOLLOTT: June.

RYAN BRADLEY: I think you need to take temperature into consideration. I think using those vessels to transport would help to mitigate some of that temperature concern.

Like I said, there are going to be a

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1 lot of guys shrimping, then, so the pool of  
2 boats that are going to be able to do that will  
3 be low.

4 I think you are still going to have  
5 plenty of money left on the table to do your  
6 cultch plant. That's my opinion.

7 COMMISSIONER GOLLOTT: We ate that  
8 million dollars up in St. Joe the last time we  
9 relayed out of there.

10 RYAN BRADLEY: We are talking about a  
11 lot less sacks per day and a lot less boats that  
12 are going to be able to participate in this, if  
13 we stipulate non-mechanical harvest.

14 Thank you so much.

15 COMMISSIONER BOSARGE: Thank you, Mr.  
16 Bradley.

17 Next is Mr. Howard Page.

18 HOWARD PAGE: I'm Howard Page. I'm  
19 not a fisherman, and I will keep my comments  
20 very brief because of that. I think it is most  
21 important that y'all hear from the fishermen.

22 I'm from Gulfport. My concern -- and  
23 I hear a lot of talk about how quickly you are  
24 going to be able to harvest these oysters that  
25 are moved.

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1 Mr. John Livings. Big John.

2 JOHN LIVINGS: Good morning. My name  
3 is John Livings.

4 I was coming to say that I was in  
5 favor of the relay, and I'm good with the  
6 tonging and the hand dredging, and the boats  
7 that can't float there let them transport.

8 I know what he was talking about,  
9 about the industrial pollution and the oysters,  
10 but I think that is why we have a restricted  
11 area and a prohibited because they have already  
12 tested the restricted area and it doesn't have  
13 the industrial pollution in it.

14 COMMISSIONER BOSARGE: I somewhat take  
15 offense to that. That's my home.

16 If you look in Pascagoula, we have no  
17 industry left up those rivers. It is all gone.  
18 The only thing we've got left is the shipyard,  
19 and they are building Navy vessels and they have  
20 to watch what they let out and what they don't.  
21 They are getting just about everything under  
22 cover, now. As far as that, that is getting  
23 better.

24 JOHN LIVINGS: We know because they  
25 tell us that the restricted areas are tested.

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1 Fundamentally, I'm concerned that  
2 these oysters are coming from an area that has  
3 not only sewage contamination, but industrial  
4 contamination.

5 I would refer you to the Oyster  
6 Depuration review you just heard from your  
7 staff. They told you that not only does this  
8 not remove a lot of pathogens like vibrio, but  
9 it absolutely does not remove heavy metals and  
10 other industrial pollutants.

11 My concern is that we are going to  
12 take oysters from an area that has some  
13 industrial pollution and move them somewhere.

14 I fully support the oystermen working.  
15 I fully support having more oyster population  
16 out there, but I am concerned of public health  
17 of selling these oysters without being  
18 specifically aware of the unique situation here,  
19 where these oysters are coming from and the fact  
20 that if you just move for them a couple of weeks  
21 somewhere and assume that they get cleaned up  
22 that that is prudent.

23 I will stop there, but I just want to  
24 raise that issue. Thank you.

25 COMMISSIONER BOSARGE: Thank you.

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1 They were talking about the market-  
2 size oysters in Pascagoula. We really don't  
3 care about the marketable size, right now,  
4 because we need seed. We need live product.  
5 That's what we need.

6 I don't want to completely strip a  
7 reef, but I don't think we can do that with  
8 tongs, or the hand dredging.

9 I think the fifty sacks is a little  
10 bit much. I really do. Some of your tonging  
11 boats, they could do forty like they did before.  
12 I think it was forty, when y'all did the first  
13 relay in Biloxi. I mean, if you want us to make  
14 two trips, that's fine. We can do it.

15 The forty-five dollars, they were  
16 talking about it being a little much, but no one  
17 said that once we catch those oysters, we have  
18 to go and physically put the oysters on another  
19 boat. We are moving those oysters two times  
20 instead of once, by hand. I don't think the  
21 forty-five dollars is out of the question.

22 That's about all I had to say, unless  
23 you have any questions.

24 COMMISSIONER HAVARD: I've got one  
25 question.

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1 In your opinion, bringing those  
2 oysters over there for three months, and, then,  
3 harvesting those oysters in three, or four,  
4 months, would it be more beneficial to the  
5 resource to let them lie for a year?

6 Let them go through the spawning  
7 process, and, then, harvest them next fall?

8 JOHN LIVINGS: Well, how many years  
9 have they been there, now, that we haven't  
10 relayed ever from Pascagoula?

11 There has never been a season there.  
12 There has never been anything there, so they  
13 have just been there growing and dying.

14 COMMISSIONER HAVARD: That's the  
15 reason we are transporting them over there for  
16 harvest.

17 Since there are no oysters over there,  
18 why not leave them there a year and let them go  
19 through the spawning process?

20 JOHN LIVINGS: Well, for one, we  
21 really need the product on our west reefs.

22 There has been some cultivation and a  
23 little bit of cultch plant, but the only thing  
24 that was done for, like, the tonging reef was  
25 from St. Joe, but the only reason we got to do

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1 that on that relay is because we thought  
2 everything was going to die.

3 When they opened the Bonnet Carre  
4 Spillway, we had all the fresh water. That is  
5 the only reason we got to move those oysters  
6 when we moved those oysters, and they didn't  
7 make it, but they were going to die where they  
8 were anyway. That was the chance we had to  
9 take.

10 There has been no real seed product  
11 put on the western reefs in a long time, and the  
12 tonging area which is inshore, it needs cultch  
13 and live product.

14 You can see the bottom in the  
15 summertime when the water is clear. There is  
16 hardly any shell on the bottom on II "A".

17 COMMISSIONER HAVARD: At this point,  
18 are you going to leave them there, during the  
19 spawning process?

20 JOHN LIVINGS: Well, according to Mr.  
21 Joe and them, it takes fourteen days to purify  
22 an oyster completely one hundred percent in  
23 natural water.

24 Thirty days is over double that. I  
25 think they would be fine to harvest then, or

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1 whatever the Commission -- if they wanted to  
2 test the meat, but if it only takes fourteen  
3 days, when you leave them double the time, then,  
4 I think we will be good.

5 COMMISSIONER HAVARD: I'm just having  
6 a hard time understanding that we are going to  
7 collect all these oysters, put them in another  
8 part of the Sound, spread them all out, and,  
9 then, we are going to go scoop them back up and  
10 not let them go through the spawning process.

11 Why don't we just bring them to the  
12 other side of the Bay and dump them in a pile?

13 That way, we don't have to look for  
14 them again, and let them go through the  
15 depuration process.

16 JOHN LIVINGS: Well, you can't stack  
17 them on top of each other because they can't  
18 feed. That would be the same as the muscles  
19 taking over. They are going to die. Even  
20 though they are in the water on the bottom, if  
21 they can't open to feed, they are going to die.

22 Like I say, we are not going to just  
23 be catching marketable oysters. In thirty days,  
24 we will be able to catch marketable oysters, but  
25 the other eighty percent is going to be younger

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1 spat and smaller seed oysters that will be  
2 caught with it, also, and that will still be on  
3 the bottom, and, then, when we work that in the  
4 fall, we will be cultivating for the smaller  
5 stuff that is down there.

6 COMMISSIONER HAVARD: I'm just trying  
7 to get a better understanding.

8 COMMISSIONER BOSARGE: Any more  
9 questions for John?

10 (No response.)

11 COMMISSIONER BOSARGE: Thank you.

12 JOHN LIVINGS: Thank y'all.

13 COMMISSIONER GOLLOTT: Let me say  
14 something, Mr. Chairman.

15 COMMISSIONER BOSARGE: Yes, sir.

16 COMMISSIONER GOLLOTT: First of all, I  
17 was heavily involved in depurating oysters back  
18 several years ago.

19 The FDA monitored it real well, and  
20 they had tested for heavy metals in oysters  
21 coming from the Pascagoula Reef. They found  
22 absolutely no heavy metals in the oysters, and I  
23 was surprised.

24 We were allowed to harvest oysters in  
25 fourteen days because that was the law.

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1 The oysters were actually cleansing  
2 themselves before fourteen days because we had  
3 to go pull samples on those oysters. They were  
4 checked at the Gulf Coast Research Laboratory,  
5 and, then, we had to get an okay to harvest  
6 those oysters.

7 We never had any problem with the  
8 oysters, unless the Pascagoula River came up and  
9 was overflowing and we got that freshwater from  
10 the Pascagoula River.

11 We were deparating them outside of  
12 Deer Island, and a couple of times that  
13 happened.

14 In fourteen days, those oysters are  
15 very clean and very clear and, like I said, the  
16 only reason we had to leave them there for two  
17 weeks was that was FDA's regulations.

18 We have the data that we can look back  
19 on those FDA records and the DMR kept their  
20 records on what was harvested and how many days  
21 they stayed out there and all that kind of  
22 stuff. It was very successful.

23 COMMISSIONER BOSARGE: All right.

24 COMMISSIONER GOLLOTT: I hear Mr.  
25 Havard talking about spawning, but there is no

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1 problem in our area, as far as catching spawn.  
2 I mean, these oysters in Pascagoula lay billions  
3 of eggs every year. Spawning is not a problem.

4 Spreading these oysters out and just  
5 harvesting legal-size oysters and letting the  
6 smaller ones stay there and grow is a good idea.

7 It gives you a start. Maybe  
8 these oysters are two years old, or a year-and-  
9 a-half old, the ones you are leaving out there  
10 to grow some more.

11 I just wanted to clear that up. You  
12 have no health problems with these oysters.

13 COMMISSIONER BOSARGE: To get back,  
14 now, to where we were and looking at your  
15 options.

16 JOE SPRAGGINS: May I say something  
17 real quick?

18 COMMISSIONER BOSARGE: Yes, sir, Mr.  
19 Joe.

20 JOE SPRAGGINS: Just looking at it,  
21 there have been a couple of things brought up  
22 today, and one is that oystermen, number one,  
23 are going to figure out the best way that they  
24 can do this, and they have given us options here  
25 of what they think, and they think they can take

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1 the oysters and do what needs to be done and  
2 move them.

3 The second thing is if we utilize the  
4 boats that are able to do the process, I think  
5 in my mind that oystermen themselves, the  
6 fishermen are going to take more pride and more  
7 care putting that oyster back in the water if  
8 they put it back in the water, than if we just  
9 hire it out and let them just push the oysters  
10 into the water.

11 They know this is their resource.  
12 They know it's their resource to live off of.  
13 It is their resource to bring something back to  
14 them and bring it back to where they can harvest  
15 it later.

16 I would ask y'all to please look at  
17 that very hard to allow them to do both, and  
18 that is to be able to take them and put them  
19 back in the water.

20 ERIK BROUSSARD: I will address a few  
21 of the comments.

22 This contract can take anywhere from  
23 three to six months. In order to get moving, we  
24 have to make some decisions.

25 If we decided to go with the hand

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1 dredge, there are no regulations on what a hand  
2 dredge is currently. That is something else  
3 that we would -- we wouldn't have to decide the  
4 regulation today, but it is something that would  
5 need to be in place before we went there.

6 As far as reclassification of the area  
7 and testing for heavy metals, that is the  
8 process that we are currently going through with  
9 the FDA. All of that will be addressed, if we  
10 move from restricted to prohibited.

11 A couple of other things to think  
12 about, if we start right here. Relay options is  
13 where we need to start.

14 How would you decide who is going to  
15 harvest and who is going to deploy?

16 If you split it to where some of the  
17 skiffs can't make the trip from Pascagoula to  
18 Biloxi, or Pascagoula to the western Sound,  
19 then, you would be loading and unloading.

20 If you have a hundred plus vessels out  
21 there on the reef, there is going to have to be  
22 some verification process that you got your  
23 limit and we had trip tickets. That is one  
24 problem.

25 The other problem, again, is bad

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1 weather, and heavily loaded boats can equal some  
2 problems.

3 whatever decision you go forward with  
4 on the method portion, it is shallow and it is a  
5 small area.

6 Those are just some of the things that  
7 you should consider, as well as there is an  
8 extra layer of liability that is associated with  
9 the transport.

10 As Mr. Livings said, they would be  
11 handling the oysters more than once. If you  
12 have a contractor with a barge, there's another  
13 layer of separation from the agency.

14 This is where we would need to start  
15 to get this process rolling.

16 COMMISSIONER BOSARGE: That's right,  
17 and I think this is where we need to begin  
18 trying to make some decisions.

19 I know there are obstacles. We are  
20 going to have to put it on your shoulders to  
21 overcome them; that is figuring out how we can  
22 make it all work, what is best for the resource  
23 and best for the fishermen.

24 Does anybody want to make a motion on  
25 the relay options?

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1 COMMISSIONER TRAPANI: I have a  
2 question.

3 COMMISSIONER BOSARGE: Go ahead.

4 COMMISSIONER TRAPANI: Erik, in your  
5 opinion, of the three options on the relay  
6 options, the staff's opinion, which one do you  
7 think is probably something that would work the  
8 best, that will flow the best and be the best  
9 way to get the best results?

10 ERIK BROUSSARD: Again, from a  
11 logistical standpoint and a liability  
12 standpoint, option two would be the best for us.

13 COMMISSIONER BOSARGE: I think we need  
14 to do option one, and I will make the motion  
15 that we go with option one on relay options.

16 COMMISSIONER HARMON: I will second  
17 that motion.

18 COMMISSIONER BOSARGE: We have a  
19 motion and a second.

20 Any further discussion?

21 SANDY CHESTNUT: Excuse me, before you  
22 take a vote.

23 There are some liability issues with  
24 option one.

25 Right?

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1 ERIK BROUSSARD: There are liability  
2 issues.

3 SANDY CHESTNUT: We are not sure  
4 whether those can be overcome, at this time.  
5 Right?

6 ERIK BROUSSARD: That is correct.  
7 Option one is still a viable option,  
8 but, as the Commissioner said, there are some  
9 hurdles that we are going to have to work  
10 through, if that's the route we go.

11 SANDY CHESTNUT: Contracting issues.

12 COMMISSIONER BOSARGE: I understand  
13 that, and I'm getting over my head a little bit,  
14 but I think letters of subrogation.

15 In other words, for this to work and  
16 for it to work correctly, the DMR can't be held  
17 solely liable for anything that should happen.

18 If these fishermen want to  
19 participate, then, they are going to have to  
20 sign off that they are going to have to be held  
21 responsible, if somebody gets hurt.

22 In other words, there is more than one  
23 way to get around it, in my opinion, to try to  
24 make it work and make it work better.

25 JOE SPRAGGINS: Mr. Chairman.

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1 COMMISSIONER BOSARGE: Yes, sir.

2 JOE SPRAGGINS: We did this in 2016.  
3 Halfway through the process in 2016, we stopped  
4 putting them on the barge and started letting  
5 them put them out in the water. I don't know  
6 where the difference in the liability is there.

7 Erik, you know and please help me.

8 We will work this. I promise you. We  
9 will work it out. As the Department of Marine  
10 Resources, we can figure out how to do that with  
11 legal.

12 COMMISSIONER GOLLOTT: Let me say one  
13 thing here. I just talked with Sandy and she  
14 said it is something that would have to be run  
15 by the Personnel Board.

16 I don't think the fishermen can sign  
17 any papers that would relieve us of all  
18 liability. I think this is something we need to  
19 look into further.

20 Can we have a workshop in a week, or  
21 two weeks, or something like that, on this and  
22 go through all this stuff and give the staff a  
23 chance to look at all the options?

24 I really don't have a problem with  
25 these fishermen catching oysters and putting

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1 them over, but, we don't want to get into --

2 COMMISSIONER BOSARGE: (Interposing)

3 I agree, but I think we need to go ahead and  
4 decide the options where they will know which  
5 direction they need to work towards.

6 JOE JEWELL: Commissioners, just a  
7 couple of comments. If you look at the three  
8 options available that we proposed -- certainly  
9 the Commission can come up with their option --  
10 these are the ones that the staff thought most  
11 available for us.

12 If we look at option one and option  
13 two, there is liability. There is no way around  
14 that.

15 If you look at option three, well,  
16 there is liability, too, but the contractor has  
17 to produce insurance. He has to be self-  
18 insured. He has to produce that type of  
19 liability.

20 The State of Mississippi Department of  
21 Marine Resources is not assuming any liability,  
22 if you hire a contractor under option three.

23 I think Sandy can more address the  
24 liability options for options one and two. I  
25 don't think the State of Mississippi can

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1 indemnify itself. You can't assume liability  
2 for this process, or any process, when issuing  
3 the contract.

4 Is that right, Sandy?

5 SANDY CHESTNUT: This is Faye's area.  
6 I'm going to let her talk to this. She has been  
7 researching this.

8 FAYE JAMES: Good morning. I'm Faye  
9 James with the Attorney General's office. I  
10 work with Sandy.

11 The problem with the liability is  
12 third-party liability for one thing, liability  
13 in case someone gets hurt.

14 From what I understand, most of the  
15 fishermen do not have commercial insurance,  
16 commercial liability insurance.

17 Mr. Bradley had mentioned at one time  
18 that he could get insurance to cover them. In  
19 that case, that would be a good option, if he  
20 can do that.

21 In January of 2016, the fishermen  
22 harvested the oysters. They were sold to the  
23 processors who are also covered under the grant,  
24 and those processors had liability insurance,  
25 and, then, the barge that deployed, that the

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1 oysters were put on had liability insurance. In  
2 the contracts with those processors and the  
3 barge, that liability insurance was required.

4 As a matter of fact, generally  
5 speaking, when DMR contracts with a vendor, the  
6 DMR does require that they have liability  
7 insurance.

8 As far as liability that DMR would  
9 assume, DMR is covered by the Tort Claims Act,  
10 but there is still a five hundred thousand  
11 dollar limit that can be recovered and just the  
12 cost of litigation could be very expensive to  
13 the state.

14 Obviously for option three, the  
15 contractor would have liability insurance that  
16 would protect the DMR and the state.

17 COMMISSIONER BOSARGE: I'm just trying  
18 to kind of look at all the options.

19 Would it be possible for the DMR to  
20 use some of that grant money to purchase a  
21 blanket policy to cover it?

22 FAYE JAMES: No, sir. The DMR does  
23 not have legislative authority to purchase  
24 insurance and they have to have -- DFA would not  
25 let MDMR purchase the insurance because there is

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1 no legislative authority for them to do so.

2 COMMISSIONER TRAPANI: What you are  
3 saying is, in 2016, when they did do this and  
4 allowed fishermen to harvest and deploy, the  
5 fishermen had to show their liability insurance  
6 in order to do that?

7 FAYE JAMES: The fishermen did not,  
8 but the DMR did not contract directly with the  
9 fishermen.

10 The DMR had a contract with  
11 dealer/processors. The dealer/processors hired  
12 the fishermen to go get the oysters, and the  
13 dealer/processors did have liability insurance.

14 COMMISSIONER TRAPANI: Maybe we could  
15 do what they did then, if it protected the DMR.

16 FAYE JAMES: Right, and option two is  
17 essentially that option.

18 COMMISSIONER TRAPANI: Even if they  
19 showed proof of insurance, then individually, we  
20 still would be liable for that five hundred  
21 thousand per incident?

22 FAYE JAMES: If the fishermen had  
23 commercial liability insurance, if they have  
24 commercial liability insurance, or if Mr.  
25 Bradley can purchase it for them.

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I haven't spoken to him in probably a couple of months about that. I don't know if that is still an option.

If Mr. Bradley could, if he can purchase it, then, that would protect the MDMR.

COMMISSIONER TRAPANI: Maybe we could go with option one to help the fishermen, but, in that motion put that they have to have commercial liability insurance.

COMMISSIONER GOLLOTT: You are going to be hurting a lot of fishermen, if we do that.

COMMISSIONER BOSARGE: We are not going to pick a preferred option. We are going to say that our preferred option, I guess, would be to use qualified fishermen to catch and deploy, but we are going to table this. We are not going to make a decision on it, and we will give you a couple of weeks.

We have got to get outside the box here and try to figure out how we can make this work best for everybody.

We don't want to get anybody hurt and we don't want to get ourselves in trouble in a lawsuit, but, at the same time, these are the folks that were most harmed and these are the

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folks that need to be most helped.

We are going to table this portion of it. We are going to continue on and try to decide some more things where these guys know how they need to proceed.

JOE JEWELL: Sandy, can you clarify?

We have a motion on the floor and a second.

How does the Commission proceed with that?

SANDY CHESTNUT: Whoever made the motion can withdraw it, if they don't want to go forward with it.

COMMISSIONER BOSARGE: Yes, ma'am. I will withdraw my motion.

COMMISSIONER GOLLOTT: Mr. Chairman, let me say I would like to table this until May the 29<sup>th</sup>.

Will the Commissioners check their calendar and see if they can make a workshop, on May the 29<sup>th</sup>, which is a Tuesday?

COMMISSIONER BOSARGE: With all due respect, I think this would be about the third time we have tabled it.

I would like to continue on and, at

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least, try to get just a few decisions made here anyway. I think there are some decisions we could make that we don't need to table.

Part of it needs some more research, and, then, we will try to determine how best to proceed, especially with this part here when it comes to liabilities.

When it comes to method of take, price/resource, I think we can move on with that.

RYAN BRADLEY: Mr. Chairman.

COMMISSIONER BOSARGE: Mr. Bradley, make it quick.

RYAN BRADLEY: I just wanted to clarify some things with Ms. Faye. We had spoken months ago, after we had a discussion about this relay. We had talked about a couple of ideas.

We have done a lot of research into not only the liability concerns, but procurement concerns with this relay.

One of the options we discussed was doing it like we did the last one. Work through the dealers. The dealers were impacted by the Bonnet Carre Spillway opening. They are covered

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under the grant. We could contract with them. They all have the limited liability. We could do it just like we did last time.

For some reason y'all didn't want to do it that way, an organization, a nonprofit organization such as the Mississippi Commercial Fisheries United, or there are several other nonprofit organizations in this room that would be willing to step forward and help secure that liability coverage for these fishermen to work under.

We think there are plenty of options to put these fishermen to work not only harvesting, but transporting the oysters to where they need to go.

Also, on the procurement, depending on how much we contract with the individual fishermen, you could possibly skirt some of the procurement laws where you wouldn't have this long timetable for procurement. You would be exempt from the procurement requirements. It just depends on what the math worked out to for each contract.

COMMISSIONER GOLLOTT: Mr. Chairman, with all due respect I make a motion for the

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1 29<sup>th</sup>.

2 Can we go forward with that motion?

3 COMMISSIONER TRAPANI: I will second  
4 that.

5 COMMISSIONER GOLLOTT: The motion is  
6 to table the relaying program until May the  
7 29<sup>th</sup>, at 9:00 o'clock. We will set up a special  
8 workshop for the Commission and go forward with  
9 it, then.

10 There is no reason to sit here and  
11 beat all this stuff up, when we will be able to  
12 do it all on the 29<sup>th</sup>.

13 I made the motion and there is a  
14 second.

15 COMMISSIONER BOSARGE: We have a  
16 motion and a second.

17 Do we have an alternative motion?

18 COMMISSIONER HAVARD: I would like to  
19 make an alternative motion. Let's hear these  
20 options, now, and that will give the department  
21 less research that they have to do for this  
22 special meeting.

23 COMMISSIONER BOSARGE: I'll second the  
24 motion. I think it is correct.

25 COMMISSIONER TRAPANI: Are we voting

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1 but narrow it down to which one?

2 COMMISSIONER BOSARGE: To not do  
3 anything with the relay option. We will table  
4 that to give them more time, but to go ahead and  
5 decide the method of take and the price of the  
6 resource.

7 We have one more public comment. Ms.  
8 Thao Vu would like to speak. Let's give her the  
9 opportunity to speak, and, then, we will go to  
10 method of take.

11 THAO VU: Good morning General  
12 Spraggins and Commissioners. I am Thao Vu,  
13 Director of the Mississippi Coalition for  
14 Vietnamese-American Fisher Folks and Families.

15 I am here to express my great support  
16 for the proposed oyster relay from the  
17 Pascagoula Reefs, and it should include tongs  
18 as well as the dredge boats.

19 The boats that can't get into the  
20 shallow reefs, they can definitely transport the  
21 oysters.

22 In terms of the liability concerns, I  
23 recall that during the St. Joe relay, not all  
24 the fishermen brought their sacks of oysters to  
25 the barge. In fact, some of the fishermen were

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1 on the first motion, or the second motion?

2 COMMISSIONER BOSARGE: The alternative  
3 motion is voted on, first. If it fails, then,  
4 we vote on the first motion.

5 JOE JEWELL: My understanding is the  
6 alternative motion is to narrow down the options  
7 in advance of the workshop, and that motion was  
8 made by Commissioner Harmon.

9 COMMISSIONER BOSARGE: No. There was  
10 an alternative motion made by Commissioner  
11 Havard.

12 JOE JEWELL: I'm sorry. The motion  
13 was made by Commissioner Havard and seconded by  
14 you, Commissioner Bosarge.

15 COMMISSIONER BOSARGE: Seconded by me.  
16 All those in favor of the alternative  
17 motion say aye.

18 (Commissioner Bosarge, Commissioner  
19 Havard, Commissioner Harmon in favor.)

20 COMMISSIONER BOSARGE: Opposed?

21 (Commissioner Gollott, Commissioner  
22 Trapani opposed.)

23 COMMISSIONER BOSARGE: Three for and  
24 two against. Motion carries.

25 COMMISSIONER TRAPANI: Narrow it down,

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1 instructed to place their oysters on Henderson  
2 Point.

3 When they did that, were they covered  
4 under the processor's insurance?

5 That's what I would like to ask.

6 I remember that, and some of them are  
7 here. Not everyone put their oysters on the  
8 barge back then. There were some instructed to  
9 take their oysters to Henderson Point because of  
10 how long it was taking. There were not enough  
11 barges and some were instructed to go ahead and  
12 bring their sacks to Henderson Point, and I  
13 don't think they were covered under that at that  
14 time.

15 COMMISSIONER BOSARGE: My  
16 understanding, Ms. Vu, is because they were  
17 being contracted, that they were covered under  
18 the contractor's insurance.

19 THAO VU: Well, I just wanted to get  
20 clarification on that.

21 The third thing is my organization is  
22 willing to step up and help acquire any  
23 necessary needed insurance to cover these  
24 fishermen.

25 My organization, having worked with

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1 the fishermen for many years, we are working on  
2 several projects that we actually give fishermen  
3 training and they are compensated. They are  
4 compensated for things that they have been part  
5 of, to really help with their livelihood and  
6 sustainability issues, and this is another key  
7 livelihood sustainability issue.

8 I am willing to step up and help  
9 provide resources. Thank you.

10 COMMISSIONER BOSARGE: Thank you.

11 Erik, method of take.

12 ERIK BROUSSARD: Just to reiterate,  
13 there are no current regulations on hand  
14 dredges. That is something that is going to  
15 have to be considered and decided on, as well as  
16 it might be an added cost that the fishermen  
17 have to incur.

18 Since hand dredging has not typically  
19 been used, then, there are not many out there.  
20 That would be something to consider.

21 COMMISSIONER BOSARGE: Most of these  
22 fishermen, if they know they are going to be  
23 able to make a few dollars, they will build a  
24 dredge.

25 I would like to make a motion that we

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1 define what this hand dredge is going to be.

2 JOE JEWELL: A couple of things. As  
3 you noted at a previous presentation that Mr.  
4 Broussard gave on this, he did have a definition  
5 of a hand dredge for y'all that he had found.

6 Then, two, I want to make it clear  
7 that when we are talking about hand dredges,  
8 that means no mechanical operation. It has to  
9 be operated solely by hand. They can't use a  
10 winch, a hand crank, or any mechanical device.

11 COMMISSIONER BOSARGE: Most of the  
12 oystermen, they can handle it.

13 COMMISSIONER TRAPANI: I guess I'm  
14 saying I would like to make a motion to have  
15 maybe a special session meeting for the 29<sup>th</sup>.

16 We know how long all these things  
17 take. There are a lot of things to concentrate  
18 on to try to move forward with this. I think  
19 the fishermen really want this to happen, also.

20 I feel like we need to have one meeting  
21 to try to work out the details. We have a  
22 couple of important things to work on with this.

23 I would like to make a motion to meet  
24 on May 29<sup>th</sup>, Tuesday, at 9:00.

25 COMMISSIONER BOSARGE: Do you think

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1 take option two, tonging and hand dredge.

2 COMMISSIONER GOLLOTT: I'll second  
3 that, Mr. Chairman.

4 COMMISSIONER BOSARGE: We have a  
5 motion and a second.

6 Any further discussion?

7 (No response.)

8 COMMISSIONER BOSARGE: All those in  
9 favor say aye.

10 (All in favor.)

11 COMMISSIONER BOSARGE: Opposed?

12 (None opposed.)

13 COMMISSIONER BOSARGE: Motion carries.

14 COMMISSIONER TRAPANI: Just to go  
15 backwards, we are going to pick this up at the  
16 next meeting, or are we going to do it on the  
17 29<sup>th</sup>?

18 COMMISSIONER BOSARGE: That's a good  
19 point.

20 We are going to have to come back and  
21 revisit how we are going to involve the people  
22 safely. We are going to have to define that  
23 hand dredge.

24 We have to give these guys all the  
25 time they need to build what they need. Let's

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1 that will give the staff enough time?

2 COMMISSIONER GOLLOTT: It's two weeks.  
3 You should have enough time.

4 COMMISSIONER HAVARD: Do we want to go  
5 ahead and set a fair market value per sack to  
6 allow the staff to go ahead and create a  
7 realistic budget?

8 COMMISSIONER BOSARGE: Yes, we will  
9 get to that.

10 Commissioner Trapani, you would like  
11 to make a motion that we have a special meeting  
12 on May 29<sup>th</sup> to hammer out the rest of the  
13 details that we don't set in this meeting today  
14 Correct?

15 COMMISSIONER TRAPANI: Correct.

16 COMMISSIONER GOLLOTT: I'll second  
17 that motion.

18 COMMISSIONER BOSARGE: 9:00 a.m. in  
19 this building.

20 COMMISSIONER TRAPANI: Yes.

21 COMMISSIONER BOSARGE: We have a  
22 motion and we have a second.

23 Any further discussion?

24 (No response.)

25 COMMISSIONER BOSARGE: All those in

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1 favor say aye.

2 (All in favor.)

3 COMMISSIONER BOSARGE: Opposed?

4 (None opposed.)

5 COMMISSIONER BOSARGE: Motion carries.

6 Now, let's talk about price and  
7 resource.

8 ERIK BROUSSARD: Again, forty-five  
9 dollars a sack was the fair market value in  
10 2018. That was the average. Sixty dollars a  
11 sack in Biloxi. It comes out to right at about  
12 forty-five dollars a sack. That is the maximum  
13 we can pay the fishermen.

14 COMMISSIONER TRAPANI: I have a  
15 question.

16 COMMISSIONER BOSARGE: Go ahead.

17 COMMISSIONER TRAPANI: What did we pay  
18 in 2016?

19 Do you recall?

20 ERIK BROUSSARD: I believe it was  
21 twenty. The fishermen will probably correct me,  
22 if I'm wrong. That's what I remember -- it was  
23 twenty-two dollars a sack and two dollars went  
24 to the dealers/processors and twenty went to the  
25 fishermen.

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1 forty-five dollars, does that include the  
2 transportation cost, once the oysters are  
3 tonged, or do we need to figure that in the  
4 total of forty-five dollars?

5 ERIK BROUSSARD: That would be a  
6 Commission decision.

7 COMMISSIONER GOLLOTT: That should  
8 cover everything.

9 COMMISSIONER BOSARGE: The transport  
10 vessels, that needs to be a day rate. In other  
11 words, they get paid per day everyday they haul  
12 oysters.

13 Harvesters are paid per sack and the  
14 transport vessels are paid daily.

15 ERIK BROUSSARD: How are we going to  
16 decide who is going to be a harvester?

17 Everybody qualifies the same.  
18 Somebody is going to have to say, you are going  
19 to have to transport and you are going to have  
20 to harvest.

21 COMMISSIONER BOSARGE: The guy that  
22 has a boat that can't get in there, he will be  
23 one of the ones that will have to be a transport  
24 vessel.

25 ERIK BROUSSARD: We are going to put a

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1 COMMISSIONER BOSARGE: I believe in  
2 this relay it will be different in that there  
3 won't be that two hundred sack limit, plus they  
4 are going to have to knock some of that material  
5 off of those oysters. In other words, it can't  
6 be a shell in a sack.

7 ERIK BROUSSARD: Correct.

8 COMMISSIONER BOSARGE: It has got to  
9 be a shell with a seed oyster on it.

10 Correct?

11 ERIK BROUSSARD: That is correct.

12 COMMISSIONER BOSARGE: They are not  
13 culling marketable oysters.

14 COMMISSIONER TRAPANI: I thought we  
15 were just dredging and not culling.

16 ERIK BROUSSARD: The contract is for  
17 live animals. If it has a spat on it, then, it  
18 would go in a sack. If there is just a shell  
19 laying on a deck, it would go back over.

20 COMMISSIONER BOSARGE: At St. Joe, it  
21 was basically anything that came onboard the  
22 boat for the most part.

23 ERIK BROUSSARD: The contract was for  
24 live animals.

25 COMMISSIONER HAVARD: within this

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1 limit on draft constraint?

2 COMMISSIONER BOSARGE: No. It is  
3 going to have to be a voluntary thing, I would  
4 imagine.

5 You will have enough of those guys  
6 that want to haul oysters that don't have the  
7 ability, or have a hand dredge, or able to tong.

8 COMMISSIONER TRAPANI: Mr. Chairman, I  
9 understand y'all want to vote on that, but right  
10 now our staff is not sure if that includes the  
11 transportation cost, et cetera.

12 I think we should leave that for May  
13 29<sup>th</sup> and go over that in detail because these  
14 are important things that we need to be able to  
15 find out.

16 If y'all would find out if it is  
17 forty-five dollars a sack, exactly what that  
18 includes.

19 Does it include transportation, et  
20 cetera?

21 Those are things we need to know, when  
22 we go to vote on it, because, with these things  
23 being left unanswered, it's hard to vote on it.

24 COMMISSIONER BOSARGE: That's fine  
25 with me. At least, we've got a little better

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1 idea of what we are looking at.  
 2 ERIK BROUSSARD: Something else that  
 3 everyone might want to start thinking about is  
 4 what constitutes a load. One boat might be able  
 5 to hold a hundred sacks. The next boat can hold  
 6 several more.  
 7 Is it going to be price per sack, or  
 8 price per load, on the daily rate?  
 9 That is just something to think about  
 10 for the next meeting.  
 11 COMMISSIONER BOSARGE: If you are  
 12 paying a day rate, there is not an incentive to  
 13 overload the boat.  
 14 Do you see what I'm saying?  
 15 COMMISSIONER TRAPANI: Right.  
 16 COMMISSIONER BOSARGE: Do we want to  
 17 look at the number of sacks of material we are  
 18 going to take?  
 19 ERIK BROUSSARD: Sure.  
 20 This, again, like I said, was an  
 21 example of a scenario to where everything was  
 22 kind of evened out and we had the budget  
 23 (indicating slide).  
 24 Twenty thousand sacks was thirty  
 25 percent. That is where we have kind of been on

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1 the season because we don't want to do damage  
 2 and we want to be sustainable.  
 3 COMMISSIONER BOSARGE: I think, if I  
 4 remember correctly, it was like twenty-two  
 5 thousand and we had taken three thousand.  
 6 ERIK BROUSSARD: That's correct.  
 7 COMMISSIONER BOSARGE: Where did we  
 8 take the three thousand from?  
 9 ERIK BROUSSARD: We took the three  
 10 thousand from both the west River and the  
 11 Causeway. It was a combination which is where  
 12 you get the total number from. It still equals  
 13 out.  
 14 The seventy-three thousand is both of  
 15 those reefs combined. Thirty percent is twenty-  
 16 two thousand. Minus the three thousand, you are  
 17 still right there around twenty thousand.  
 18 COMMISSIONER GOLLOTT: I have a  
 19 question for you.  
 20 How many barrels of shells would it  
 21 take to replace the twenty thousand sacks?  
 22 ERIK BROUSSARD: Let's go at it from a  
 23 different angle.  
 24 We are looking at about three hundred  
 25 and fifty acres of reef.

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1 COMMISSIONER GOLLOTT: Okay.  
 2 ERIK BROUSSARD: We are just  
 3 replenishing. It is already an established  
 4 reef. Traditionally, you would go with about a  
 5 hundred cubic yards of material, cultch material  
 6 per acre.  
 7 To do three hundred acres of  
 8 replenishment, you would need probably four  
 9 hundred thousand.  
 10 COMMISSIONER GOLLOTT: How many?  
 11 ERIK BROUSSARD: Four hundred  
 12 thousand.  
 13 COMMISSIONER GOLLOTT: Four hundred  
 14 thousand barrels?  
 15 ERIK BROUSSARD: No. Four hundred  
 16 thousand dollars, to restore three hundred and  
 17 fifty acres.  
 18 COMMISSIONER GOLLOTT: Okay.  
 19 COMMISSIONER BOSARGE: Are we all in  
 20 agreement that twenty thousand sacks is going to  
 21 be --  
 22 COMMISSIONER HAVARD: (Interposing) I  
 23 will go ahead and make a motion that we take  
 24 thirty percent.  
 25 COMMISSIONER BOSARGE: Thirty percent

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1 minus the three thousand that we have already  
 2 taken?  
 3 COMMISSIONER HAVARD: That's correct.  
 4 COMMISSIONER BOSARGE: We have a  
 5 motion to take thirty percent, minus the three  
 6 thousand that we have already taken.  
 7 Do we have a second for that motion?  
 8 COMMISSIONER HARMON: I'll second that  
 9 motion, Mr. Chairman.  
 10 COMMISSIONER BOSARGE: We have a  
 11 motion and a second.  
 12 Any further discussion?  
 13 (No response.)  
 14 COMMISSIONER BOSARGE: All those in  
 15 favor say aye.  
 16 (Commissioner Bosarge, Commissioner  
 17 Havard, Commissioner Harmon in favor.)  
 18 COMMISSIONER BOSARGE: Opposed?  
 19 (Commissioner Gollott, Commissioner  
 20 Trapani opposed.)  
 21 COMMISSIONER BOSARGE: Motion carries.  
 22 JOE JEWELL: Just for clarification,  
 23 it was two-two, and you broke the tie by voting  
 24 for it?  
 25 COMMISSIONER BOSARGE: It was three to

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1 two, yes, sir.  
 2 JOE JEWELL: Thank you.  
 3 COMMISSIONER BOSARGE: I think that is  
 4 probably about as far as we can go.  
 5 Isn't it, Erik?  
 6 ERIK BROUSSARD: Yes, sir.  
 7 COMMISSIONER BOSARGE: You've got your  
 8 directions and you know what to look at and  
 9 where to go and what to bring back to us.  
 10 ERIK BROUSSARD: Yes, sir.  
 11 Thank you, Commissioners.  
 12 COMMISSIONER BOSARGE: Thank you.  
 13 JOE JEWELL: Can we take a short  
 14 break?  
 15 COMMISSIONER BOSARGE: Yes. We will  
 16 take a short break.  
 17 MEETING STANDS IN RECESS.  
 18 COMMISSIONER BOSARGE: I call this  
 19 meeting back to order.  
 20 Next on the agenda is Mr. Matt Hill.  
 21 MATT HILL: Good morning  
 22 Commissioners, Director Spraggins, Sandy.  
 23 We are going to have a little session  
 24 today on the haul seine information. I think it  
 25 is a little bit overdue. We have done our best

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1 to put some information together and, hopefully,  
 2 we can answer many questions.  
 3 I am going to try to go through this  
 4 very deliberately, however efficiently.  
 5 If there are any questions from the  
 6 Commissioners, please stop me.  
 7 Little bit of an overview.  
 8 Recently, recreational stakeholders  
 9 have expressed concern over the use of haul  
 10 seines by the commercial fishery.  
 11 Hopefully this presentation will  
 12 provide a synopsis of the haul seine fishery,  
 13 detailing area closures, regulations and harvest  
 14 metrics.  
 15 Regulations pertaining to haul seines  
 16 are found exclusively in Title 22 Part 5,  
 17 specifically Chapter 4.  
 18 Title 22 Part 5 is Rules and  
 19 Regulations that Establish Restrictions  
 20 Governing the Use of Nets, Fish Traps and Pots  
 21 within the Territorial Waters of the State of  
 22 Mississippi and Establishing Certain Catch  
 23 Limitations and Quotas.  
 24 We begin by talking about focusing on  
 25 Chapter 4 and we will begin with the haul seine

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1 gear size restrictions, Section 101 Subsection  
 2 101.08, and I will begin to paraphrase for  
 3 efficiency sake, and I'm sure we will have many  
 4 questions.  
 5 Basically this subsection states that  
 6 haul seines may not be in excess of twelve  
 7 hundred feet in length.  
 8 Moving on to Section 101 Subsection  
 9 101.10, we begin to talk about the marking and  
 10 tending requirements for the haul seines and,  
 11 again, I will paraphrase.  
 12 Fishermen must tend the net within one  
 13 boat length at all times. Nets must be visibly  
 14 buoyed every one hundred feet, with the license  
 15 number and owner's name clearly marked.  
 16 We have done this a little bit  
 17 differently. This is basically dealing with the  
 18 closures areas, and I will begin by saying we  
 19 have broken this up into the commercial rule for  
 20 closure areas and the recreational rule for  
 21 these closure areas, and I will proceed by  
 22 saying -- and I will not continue to repeat it,  
 23 but for every commercial rule that I do state  
 24 there is no equivalent recreational rule, or  
 25 restrictions, for each of the sections to be

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1 discussed. Again, I will paraphrase.  
 2 The first rule in Chapter 4 Section  
 3 100 begins by talking about haul seines are  
 4 unlawful within twelve hundred feet of a public  
 5 pier and also twelve hundred feet of the  
 6 shoreline of Deer Island.  
 7 In Chapter 4 Section 101, it begins to  
 8 describe the closure line. This is a very  
 9 complex line, and we will discuss this on the  
 10 map later in the presentation where we will have  
 11 it laid out for everybody to understand this.  
 12 In Chapter 4 Section 101.02, we begin  
 13 to talk about the Hancock County shoreline  
 14 closure, and we will again reference the map,  
 15 once we get there.  
 16 In Chapter 4 Section 101.03, we begin  
 17 talking about it is unlawful to block the mouths  
 18 of various waterways, such as rivers, bayous,  
 19 creeks, streams, et cetera.  
 20 I will read this one. I think there  
 21 is a little bit of confusion on this one, so I  
 22 will read it word-for-word.  
 23 In Chapter 4 Section 101.04, when we  
 24 begin talking about the haul seine fishery:  
 25 "It shall be unlawful within an area

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1 formed by a line running one mile from the  
2 shoreline of Cat, Ship, Horn, Petit Bois and  
3 Round Island, or from the shoals of Telegraph  
4 Keys and Telegraph Reef, during the period from  
5 May 15<sup>th</sup> through September 15<sup>th</sup> of each year."

6 Moving on in Chapter 4 Section 101.05,  
7 it begins to talk about it is unlawful to set  
8 the haul seine within twelve hundred feet of any  
9 private piers.

10 However, in Section 101.06, that  
11 distance is reduced to three hundred feet and it  
12 is seventy-five feet, or more, from the  
13 shoreline when mullet fishing.

14 There are some caveats in here, when  
15 we begin to talk about mullet fishing.

16 In 101.07, it states that all these  
17 piers above mentioned, must be in working  
18 condition.

19 Again, with all these area closures,  
20 there is no recreational equivalent for these  
21 closures.

22 We will continue by looking at the  
23 Federal regulations and we will specifically  
24 focus on the National Park Service regulations.  
25 The commercial rule is:

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1 "Commercial fishing, including  
2 commercial shrimping and commercial crabbing, is  
3 prohibited within the seashore waters", and this  
4 is a one-mile boundary around the National  
5 Seashore.

6 The caveat.

7 "waters around Cat Island:

8 "The National Park Service does not  
9 have jurisdiction in the waters off Cat Island."

10 The recreational rule to fish in these  
11 areas is the recreational fishermen must possess  
12 a valid recreational license and they are  
13 allowed to fish within the one-mile boundary of  
14 the National Park Service three hundred and  
15 sixty-five days a year.

16 Here is the map that we were talking  
17 about. I know it's a little tough to see with  
18 the glare, but everything shaded in green is the  
19 haul seine closure areas, and this is out of the  
20 May 15<sup>th</sup> through September 15<sup>th</sup> closure.

21 Basically, the fall and winter months,  
22 this is where you could fish. However,  
23 beginning May 15<sup>th</sup> through September 15<sup>th</sup>, there  
24 is an additional closure and you see it right  
25 here (indicating map).

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1 Actually, I do want to go back to this  
2 slide right here. Regular haul seine closure  
3 area makes up eighty-nine thousand ninety-four  
4 acres of the total five hundred and fourteen  
5 thousand nine hundred and eleven total acres in  
6 the Mississippi Sound. This is roughly twenty  
7 percent of the actual waters that are open.

8 In addition to these closures, certain  
9 areas are closed from May 15<sup>th</sup> through September  
10 15<sup>th</sup>, as we will see on the next slide.

11 Additional haul seine closures from  
12 May 15<sup>th</sup>, today, through September 15<sup>th</sup>.

13 From May 15<sup>th</sup> through September 15<sup>th</sup>,  
14 haul seine closures make up approximately one  
15 hundred and seven thousand five hundred and  
16 eleven acres of the total five hundred and  
17 fourteen thousand nine hundred and eleven acres  
18 in the Mississippi Sound.

19 Most of these closures are within one  
20 mile of shore which do not allow haul seine  
21 fishermen to set nets near the shoreline.

22 We further did a shoreline analysis  
23 and this analysis will examine shoreline  
24 availability for these fishermen.

25 It might take a little time on this

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1 slide. It is a little confusing. It is a  
2 little hard to look at, but this is a shoreline  
3 survey. This is all of the available shoreline  
4 in the territorial waters of the State of  
5 Mississippi.

6 We currently have a little over four  
7 point eight million linear feet of shoreline in  
8 the marine waters of the State of Mississippi.

9 The commercial net fishery, during the  
10 closure of May 15<sup>th</sup> through September 15<sup>th</sup>, is  
11 allowed to fish seven hundred and thirty-eight  
12 thousand two hundred and eighty-nine feet of  
13 this shoreline which is roughly fifteen percent.  
14 They are not allowed to fish eighty-five percent  
15 of the shoreline, during this time.

16 Outside of the closure, they are  
17 allowed to fish nine hundred and seventy-four  
18 thousand nine hundred and seventy-one linear  
19 feet which is approximately twenty percent of  
20 the total shoreline.

21 This total shoreline is total  
22 available shoreline south of I-110 which is  
23 considered marine waters of the State of  
24 Mississippi.

25 As you can see right here, everything

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1 is yellow in the beginning and that is where the  
2 recreational fisherman is allowed to fish, and  
3 we began to overlay the closures.

4 The red is the closure for the haul  
5 seine fishery, and, then, during the closure May  
6 15<sup>th</sup> through September 15<sup>th</sup>, you see it changes  
7 to blue around Cat Island and Round Island, and  
8 we did leave off the Telegraph Keys shoal area.  
9 That is not a shoreline. That is just a natural  
10 occurring reef that was disclosed in the  
11 regulations, but we did include that in the  
12 acreage closures.

13 This is the recreational closure area.  
14 The recreational closure area is not shaded in  
15 green. There are no recreational closure areas  
16 in marine waters of the State of Mississippi.  
17 All shorelines, waters, islands are available to  
18 the recreational fishery.

19 Then, we decided we needed to do a  
20 commercial license comparison, and this is from  
21 the sectors of the net fishermen which are Type  
22 ELeven fishermen and our hook-and-line  
23 fishermen.

24 We compiled commercial license data  
25 from 2003 to 2018 and examined it to compare

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1 license sales within the commercial fishery.

2 To compare this, we compiled total  
3 license sales and the total number of active  
4 licenses -- we did this using trip tickets --  
5 from the hook-and-line and the haul seine  
6 fishery.

7 We are going to begin with the  
8 commercial hook-and-line licenses. As you can  
9 see, beginning in 2003, we had forty-nine  
10 individual hook-and-line fishermen.

11 The smaller number in the black is  
12 thirty-one because the vessel also has to be  
13 licensed in this fishery.

14 As you can see, we had a pretty steep  
15 increase right there, especially after the oil  
16 spill. It began in 2011 to 2014.

17 We have seen this in all of our  
18 fisheries as people were beginning to try to  
19 start some type of catch history, or license  
20 history, for payments during the BP oil spill.

21 After that, you can see it began in  
22 2015 to currently.

23 It has leveled off, and we are  
24 confident that we have approximately three  
25 hundred hook-and-line fishermen right now,

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1 compared to the fifty that we had in 2003.

2 In a fifteen-year period, we had a  
3 pretty significant increase.

4 To analyze this further, we have  
5 divided this into four distinct periods for ease  
6 of understanding.

7 Beginning in 2003 to 2006, as you can  
8 see -- we did this as an average -- we had  
9 forty-three commercial hook-and-line fishermen.

10 In 2007 to 2010, that number jumped to  
11 two hundred. A lot of this was after Hurricane  
12 Katrina. It had the same effect as the oil  
13 spill.

14 Then, you can see we jumped back up to  
15 four hundred and sixty. We probably will not  
16 see those numbers again. There were many  
17 factors on why that many licenses were sold.

18 Now, 2014 to 2018, we are back around  
19 three hundred hook-and-line fishermen.

20 As you can see, this is a pretty  
21 significant increase. Basically, we feel like  
22 we are dealing with a different animal right  
23 now, and we are trying to monitor the commercial  
24 species.

25 Through the Trip Ticket Program, we

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1 were able to go back to 2013, and this is still  
2 focused on the commercial hook-and-line  
3 fishermen. We did active fishermen versus the  
4 purchased licenses.

5 As you can see, there are three  
6 columns here.

7 The first column is the gray column.  
8 That is how many purchased their license.

9 The second column is what we consider  
10 active, if they sold any type of commercial  
11 product.

12 The checkerboard is all those that  
13 sold speckled trout.

14 As you can see in 2013, we had four  
15 hundred and fifty-six licenses and, out of  
16 those, one hundred and eighty sold speckled  
17 trout.

18 In 2014, it was three seventy-one, and  
19 a hundred and sixty-four sold speckled trout.

20 An endorsement took place somewhat in  
21 2015. It was passed in 2014. It took place in  
22 2015. It did cut the numbers down, however we  
23 did see people selling trout outside the  
24 endorsement. We went from two hundred and sixty  
25 licenses to one hundred and eighteen sold.

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1 The endorsement somewhat took a little  
2 bit better of a hold in 2016, and you can see  
3 those numbers dropping.

4 In 2019, that number is so low because  
5 the license year just began. We have a lot of  
6 these fishermen that have not come in and bought  
7 their licenses for one reason, or the other. We  
8 do believe that number will increase.

9 We feel like, on average, we have  
10 approximately one hundred hook-and-line  
11 fishermen selling speckled trout in any given  
12 year.

13 Here are haul seine licenses, and I do  
14 want to take a little bit of time to explain how  
15 these haul seines are licensed.

16 Anyone with a Type Eleven license is  
17 eligible to have a haul seine.

18 I pulled the records yesterday and,  
19 currently, we have approximately a hundred and  
20 sixty-two Type Eleven licenses that have been  
21 sold for the year expiring in 2019.

22 We all know that we do not have that  
23 many haul seines out there. We began a program  
24 in 2015 with an expiration date in 2016 to begin  
25 tracking how many people we believe were using

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1 active. Some of them bought their license one  
2 year and did not buy their license any other  
3 year.

4 In 2018, as you can see, we had  
5 sixteen certificates out that were properly  
6 licensed with the Type Eleven license. These  
7 gentlemen were legally able to fish the haul  
8 seine.

9 We tracked them through the trip  
10 ticket system and found out that only seven of  
11 them actively sold fish during that year.

12 As of right now through 2019, we still  
13 have the same sixteen unique individuals,  
14 however, in fairness, I did put that two of them  
15 have multiple vessels. That is why the number  
16 eighteen is up there because their license goes  
17 to the vessel not the individual.

18 Out of those eighteen vessels, eight  
19 of the owners of those vessels have actively  
20 sold seafood, or fish, during this time period.

21 I'm going to get to some of the  
22 harvest metrics.

23 Finfish staff analyzed data from the  
24 trip ticket program and the MRIP recreational  
25 survey to summarize commercial and recreational

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1 the haul seine.

2 We began meeting with them and looking  
3 at their gear, issuing them some certificates  
4 and approving their gear as approved gear as  
5 through the regulation, and we have tracked this  
6 throughout the years.

7 There have been a lot of numbers that  
8 have flown around.

9 The first haul seine that we actually  
10 encountered and tagged was on September 11<sup>th</sup>,  
11 2015. This gentleman is not in the fishery  
12 anymore, but this is when we began tracking haul  
13 seines.

14 Since that date to today, we have had  
15 twenty-six unique individuals come in and  
16 inquire about using a haul seine in those four  
17 years.

18 Three of them did have multiple  
19 vessels. They would have twenty-nine unique  
20 vessels that were licensed to potentially use a  
21 haul seine.

22 Throughout the years, however, as they  
23 have come to me, many of these licenses have  
24 been voided. They have turned them in. They  
25 have been sold, or some of them just were never

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1 landings.

2 We did this for multiple species  
3 harvested, and we chose the top ten commercial  
4 and recreational caught species.

5 Additionally, staff looked  
6 specifically at Spotted Seatrout landings.

7 These top ten species -- please keep  
8 these in mind. If you have a question, we will  
9 go back to them -- are Spotted Seatrout, Red  
10 Drum, Sand Seatrout, or White Trout, Striped  
11 Mullet, Sheepshead, Southern Kingfish, or ground  
12 mullet, Black Drum, Atlantic Croaker, Southern  
13 Flounder and Spanish Mackerel.

14 Here is the harvest distribution of  
15 the top ten species.

16 Like I said, we began tracking the use  
17 of this gear in 2015.

18 From 2015 through 2017, the total  
19 pounds that were harvested between the  
20 recreational and commercial fishery was four  
21 million four hundred and sixty-four thousand  
22 five hundred and sixty-four pounds.

23 The recreational fishery accounted for  
24 almost four point two million pounds of that, or  
25 ninety-four percent.

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1 We split the commercial gear into all  
2 other commercial gear and haul seine.

3 All other commercial gear which is  
4 hook-and-line, cast net, gig and several other  
5 gears, accounted for two hundred and twenty-five  
6 thousand four hundred and thirty-two pounds, or  
7 five percent of the total of four point four  
8 million pounds.

9 The haul seine industry accounted for  
10 less than one percent, point nine eight percent,  
11 or forty-three thousand nine hundred and sixty-  
12 eight pounds.

13 COMMISSIONER GOLLOTT: That is just  
14 unbelievable.

15 Four million pounds of speckled trout?

16 MATT HILL: No. This is of the top  
17 ten species that we listed earlier.

18 COMMISSIONER GOLLOTT: Okay.

19 MATT HILL: We added all top ten  
20 species, recreational and commercial, and we  
21 averaged them for those three years, and we came  
22 up with those ten species are a little over four  
23 point four million pounds.

24 COMMISSIONER GOLLOTT: Still over a  
25 million pounds a year?

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1 The recreational fishery was  
2 responsible for one point four million pounds,  
3 or close to ninety-seven percent of this catch.

4 All other commercial gear besides the  
5 haul seine was responsible for a little over  
6 thirty-nine thousand pounds, or two and three-  
7 quarter percent.

8 The haul seine industry was  
9 responsible for five thousand four hundred and  
10 twenty-eight pounds, or a little less than half  
11 a percent.

12 Any questions?

13 COMMISSIONER BOSARGE: Matt, if you  
14 want, we will go ahead and do some public  
15 testimony. We've got some folks who would like  
16 to speak.

17 Is that all right with you?

18 MATT HILL: Yes, sir.

19 COMMISSIONER GOLLOTT: One question,  
20 before we begin. Back up one slide.

21 How many pounds for recreational and  
22 commercial?

23 MATT HILL: This is just an average.  
24 We had close to two million pounds, and, then,  
25 we had eight hundred thousand pounds.

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1 MATT HILL: Yes, sir, and we are going  
2 to get to the speckled trout.

3 COMMISSIONER GOLLOTT: Okay.

4 MATT HILL: Here we go with the  
5 commercial harvest of the top ten species as we  
6 talked about from 2015 to 2017, and this is just  
7 broken up commercially.

8 For these years, all commercial  
9 harvest was close to two hundred and seventy  
10 thousand pounds.

11 All other gear besides haul seine  
12 contributed two hundred twenty-five thousand  
13 four hundred and thirty-two pounds, or close to  
14 eighty-four percent.

15 The haul seine industry contributed  
16 forty-three thousand nine hundred and sixty  
17 eight pounds, or sixteen percent of the catch of  
18 these ten species on average for these three  
19 years.

20 Here are the Spotted Seatrout  
21 landings. Again, we did the average for 2015  
22 through 2017.

23 On average, the harvest commercial and  
24 recreational was one million four hundred  
25 thirty-four thousand and ninety-eight pounds.

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1 I'm going to give you the total first  
2 of both of these sectors together.

3 The total Spotted Seatrout catch  
4 average for those three years is a little over  
5 one point four million pounds.

6 The recreational sector was  
7 responsible for catching one point four million  
8 pounds of that, or ninety-seven percent of those  
9 fish.

10 When we are talking about the  
11 commercial industry, they were responsible for  
12 the other three percent.

13 The haul seine industry was  
14 responsible for point four percent, and all  
15 other commercial gear, hook-and-line, cast net,  
16 gig, however you want to put it, any other  
17 commercial gear was responsible for thirty-nine  
18 thousand forty pounds, or two point seven two  
19 percent.

20 That is strictly Spotted Seatrout, and  
21 we do have all top ten species broken down, if  
22 the Commission would like to go through all the  
23 species.

24 COMMISSIONER GOLLOTT: I don't think  
25 so. I think everybody is just interested in

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1 speckled trout.

2 COMMISSIONER BOSARGE: We are going to  
3 do some public comment.

4 Mr. F. J. Eicke.

5 F. J. EICKE: My name is F. J. Eicke.  
6 I'm the chairman of the Government Relations  
7 Committee for CCA Mississippi.

8 The information that Matt just  
9 provided is really a repeat of what we heard on  
10 September 19<sup>th</sup> of 2017, with some additional and  
11 equally irrelevant information as far as we are  
12 concerned.

13 We are disappointed with this  
14 presentation because we think it really  
15 presented a lot of data that was not germane to  
16 the task, or to the topic being discussed.

17 For example, to contend that  
18 regulations of the recreational fishing  
19 community is somehow complicit in this current  
20 issue that has so engaged recreational fishermen  
21 shows the clear bias of this presentation that  
22 ought to be focused on haul seines.

23 As many of you know, CCA Mississippi  
24 and recreational anglers in general have  
25 understood the necessity for conservation and

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1 have supported every effort by this Commission  
2 to sustain and protect fishery sources and  
3 environment that supports them and expects  
4 really fairer treatment that is relevant to our  
5 concerns.

6 Most importantly, the presentation  
7 completely ignores the stated purpose to address  
8 the concerns of recreational stakeholders by the  
9 use of haul seines by the commercial fishery.

10 That overriding concern is that these  
11 nets are constructed in such a way and are being  
12 used in a manner that do, in fact, catch fish by  
13 gills -- I think there is some video  
14 documentation of that that the staff is well  
15 aware of -- and are de facto gill nets as a  
16 result, and observations by recreational charter  
17 fishermen of these nets in use substantiate that  
18 concern.

19 What we have presented to you is a  
20 statement that proposes to close this loophole  
21 that we think is a loophole, by simple  
22 definition, and we have presented you with a  
23 definition that you can consider as you move  
24 forward.

25 The language in that would clearly

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1 differentiate haul seines from any other fishing  
2 gear and ensure that they are utilized in a  
3 method consistent with the existing ordinance  
4 and statute.

5 The alternative for the Commission and  
6 the department would be to admit that these nets  
7 are simply gill nets by another name and apply  
8 all the regulations that you apply to the same  
9 in Title 22 Part 5 Chapter 5.

10 The adoption of this regulation would  
11 negate any concerns and provide clear regulatory  
12 guidelines for the future.

13 That is the conclusion of my report,  
14 and you have the definition which I did not want  
15 to repeat at this time.

16 COMMISSIONER BOSARGE: Thank you, Mr.  
17 Eicke.

18 F. J. EICKE: Thank you.

19 COMMISSIONER BOSARGE: Next we have  
20 Mr. Ryan Bradley.

21 RYAN BRADLEY: Commissioners, glad to  
22 be up here again and speak to you, General and  
23 Ms. Chestnut.

24 COMMISSIONER BOSARGE: State your  
25 name.

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1 RYAN BRADLEY: My name is Ryan  
2 Bradley, Director of Mississippi Commercial  
3 Fisheries United, Incorporated.

4 Speaking on behalf of some of these  
5 net fishermen and commercial fishermen, I really  
6 think it is unjust that they have been attacked  
7 for the use of these nets.

8 When you look at the landings of the  
9 overall commercial versus recreational, it blows  
10 my mind that commercial is being allocated such  
11 a low percentage of fish.

12 Fisheries allocation is a big deal.  
13 There are big battles that are fought at the  
14 Gulf Council level and the fisheries management  
15 all across the nation over is it fifty-one  
16 percent, is it forty-nine percent, whatever it  
17 is going to be split commercial-recreational.

18 Here we are in Mississippi, and we've  
19 got two percent commercial for speckled trout.  
20 I think there should be an uproar over that.

21 With that being said, I think the  
22 Commission deserves a big pat on the back when  
23 y'all changed the regulation to fifteen inches  
24 for the recreational sector.

25 I pulled the preliminary MRIP numbers

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1 for 2017 to see how many speckled trout were  
2 caught in 2017.

3 The numbers indicate seven hundred and  
4 twelve thousand six hundred and four pounds  
5 recreational speckled trout in Mississippi.

6 That is down from two point one three  
7 four million pounds in 2016.

8 Y'all did a great job in that change.

9 Also, the charter boats gave up some,  
10 too. They no longer keep a bag limit for the  
11 captain and crew on charter vessels and that  
12 doesn't contribute.

13 Thank you. You did a good job. You  
14 deserve a big pat on the back for that.

15 With that, I also would like to read  
16 into the record and remind the Commission that  
17 there are options to address some of these  
18 shortfalls in the recreational sector.

19 Title 22 Part 5 Chapter 7 Section 100  
20 -- and I will just summarize -- the Commission  
21 may establish an annual total allowable catch  
22 for both commercial and recreational fishermen.  
23 Said catch rates may apply to Red Drum, Speckled  
24 Trout, Mullet, et cetera.

25 The Commission may close a fishery and

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1 Bradley.

2 COMMISSIONER HAVARD: I just want to  
3 remind everybody this is not a recreational  
4 versus commercial problem. We are talking about  
5 a gear issue.

6 COMMISSIONER BOSARGE: Ms. Jean Lebow,  
7 Sierra Club.

8 JEAN LEBOW: Thank you for the  
9 opportunity to speak.

10 COMMISSIONER BOSARGE: State your  
11 name, please.

12 JEAN LEBOW: I certainly will. It's  
13 Jean Lebow, and I live in Jackson County, in  
14 Ocean Springs. I represent myself, as well as  
15 the Sierra Club.

16 The State of Florida, I think most  
17 people would agree, has a vast amount of  
18 fishable water compared with the State of  
19 Mississippi.

20 In Florida, they have decided to limit  
21 both recreational and commercial fishing to two  
22 types of gear, cast nets and hook-and-line.

23 They do not have a problem with their  
24 sea markets, their fish markets. They have  
25 quite a few of them and they are full. You can

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1 disallow the taking of any particular species of  
2 fish by commercial fishermen, recreational  
3 fishermen, or both commercial and recreational  
4 fishermen, in responses to catches meeting, or  
5 exceeding, a total allowable catch established  
6 by the Commission.

7 We have a total catch allowed in the  
8 Commercial sector.

9 Why don't we have a total allowable  
10 catch in the recreational sector?

11 This is about conservation, and we  
12 need to be looking at limiting some of that  
13 effort.

14 With that being said, I will leave it  
15 there.

16 I don't see a problem with these net  
17 fishermen. They are landing very little, and  
18 the only people that have a concern are the  
19 hook-and-line. Speckled Trout seems to be the  
20 only issue that is the problem.

21 We could look at things like trip  
22 limits and stuff like that, if you wanted to  
23 spread the season out longer.

24 Thank you.

25 COMMISSIONER BOSARGE: Thank you, Mr.

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1 get pretty much whatever you would like.

2 They do not have haul seines, or, as I  
3 like to call them, nontraditional haul seines  
4 that are equipped with non biodegradable  
5 monofilament gill net mesh.

6 The main functionality of these nets  
7 is to catch everything by gilling it  
8 essentially. The bag obviously is going to  
9 catch some, but this is a very indiscriminant  
10 way of fishing.

11 People who fish hook-and-line can  
12 always throw back fish. In fact, I have thrown  
13 back quite a few more speckled trout that I have  
14 ever kept.

15 COMMISSIONER BOSARGE: Continue on.

16 JEAN LEBOW: I really think that the  
17 way the haul seines are being used is not  
18 necessarily a good thing for the fisheries of  
19 the State of Mississippi.

20 I would like to see, at some time, the  
21 State of Mississippi do what Florida has done  
22 and have equal commercial and recreational  
23 fishing, hook-and-line and cast nets.

24 Thank you.

25 COMMISSIONER BOSARGE: If we were

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1 going to make it equal, we would divide the  
 2 resource down the middle, also?  
 3           JEAN LEBOW: I don't know if you could  
 4 ever divide resource down the middle. There is  
 5 not going to be any way of doing that.  
 6 It just depends on how many people want to pay  
 7 their hundred dollars, or whatever, to get a  
 8 commercial license and to supply fish markets  
 9 with fish and to do more than supply their  
 10 families.  
 11           I don't know if you are ever going to  
 12 able to split it fifty-fifty, and I don't think  
 13 the fish will tell you the answer either.  
 14           COMMISSIONER BOSARGE: Thank you.  
 15           Mr. Steve Shepard, Sierra Club.  
 16           STEVE SHEPARD: My name is Steve  
 17 Shepard. I'm the Gulf Coast group chair of the  
 18 Sierra Club.  
 19           This presentation was ridiculous, as  
 20 far as trying to equate recreational fishing to  
 21 haul seine, and, then, to list all --  
 22           COMMISSIONER BOSARGE: (Interposing)  
 23 Excuse me.  
 24           Can you explain how it is ridiculous?  
 25           STEVE SHEPARD: Yes. It's ridiculous

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1 because, first of all, you show all these  
 2 regulations.  
 3           You don't have any enforcement. I  
 4 have seen illegal netting in my area in the last  
 5 month, and Marine Patrol cannot reach it and  
 6 enforce it.  
 7           The netting is going on in the areas  
 8 that you have said it's not allowed, period.  
 9           It is ridiculous that a gill net is  
 10 disguised as a haul seine. That is very  
 11 offensive, and we have the film footage to show  
 12 these fish are being gilled.  
 13           COMMISSIONER GOLLOTT: Mr. Shepard?  
 14           STEVE SHEPARD: Yes.  
 15           COMMISSIONER GOLLOTT: Would you  
 16 repeat that, now that our chief law enforcement  
 17 officer is here?  
 18           STEVE SHEPARD: Yes, and listen -- I  
 19 mean, the Marine Patrol is very nice when I call  
 20 them. They are very nice people.  
 21           COMMISSIONER GOLLOTT: That's not what  
 22 you just said.  
 23           STEVE SHEPARD: I said they did the  
 24 best they could.  
 25           Here's the thing. If you're going to

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1 have -- I said they did an inadequate -- well,  
 2 they cannot do it. They cannot enforce it, yes.  
 3           Is that what I needed to say?  
 4           COMMISSIONER GOLLOTT: Where were the  
 5 nets that they can't catch them?  
 6           STEVE SHEPARD: Mouth of West River up  
 7 in the marshes where they are not supposed to be  
 8 netting, and they run in there constantly.  
 9 Don't always set their nets.  
 10           They also run right by the wharves,  
 11 but they don't set their nets, and, then, low  
 12 and behold once in a while they do set the nets.  
 13 They also set the nets within twelve hundred  
 14 feet of wharves.  
 15           COMMISSIONER GOLLOTT: Have you picked  
 16 up your cell phone and called Marine Patrol?  
 17           STEVE SHEPARD: Yes, I did, and they  
 18 could not get there fast enough.  
 19           COMMISSIONER GOLLOTT: Okay.  
 20           STEVE SHEPARD: And I don't blame them  
 21 for that.  
 22           That's the old story with the gill  
 23 nets. They never could get there fast enough.  
 24           COMMISSIONER BOSARGE: Go ahead, Mr.  
 25 Shepard. Continue on.

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1           STEVE SHEPARD: The bottom line is we  
 2 should have equal access to the water. We  
 3 should have hook-and-line fishing and cast net  
 4 throwing.  
 5           I just got back from Destin, Florida.  
 6 I was really surprised by what I saw.  
 7           First of all, I visited a seafood  
 8 market. I happen to know the owner of a seafood  
 9 market, and I do business with him.  
 10           To be honest with you, when I first  
 11 met him, I didn't want to come in and say I  
 12 disliked gill nets and that I was all in favor  
 13 of Florida's net ban because I didn't want to  
 14 run off business for myself that had nothing to  
 15 do with the fishery.  
 16           The more I talked to him, the more I  
 17 realized that he didn't like the net fishing  
 18 either, and that he was getting all the fish he  
 19 wanted hook-and-line and cast net.  
 20           I was actually out on his little wharf  
 21 -- it's about twenty feet long -- over the  
 22 weekend, and he pointed out.  
 23           He said, "There's the guy that I get  
 24 my mullet from", and he had a nice aluminum boat  
 25 and he was a cast net thrower.

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1 He said the guy goes out at six in the  
2 morning, comes in at ten with four hundred  
3 pounds of mullet, and he buys them for a buck a  
4 pound. That is pretty good money.

5 They are very happy without haul  
6 seines, or gill nets, and it's working, and the  
7 seafood market is very happy.

8 I went in the back of his seafood  
9 market. He showed me his boxes of various fish.  
10 He showed me his boats he uses for catching  
11 snapper. He uses boats for tuna and all that,  
12 what you would expect out of Destin.

13 Meanwhile, on his wharf -- I've been  
14 in Destin on the water now for about thirty  
15 minutes.

16 In a thirty-minute period, while he  
17 was out tossing a little lure and catching a  
18 couple of rat reds off of a twenty-foot long  
19 wharf in four feet of water on sand with a few  
20 rocks around, while he is sitting there catching  
21 a couple of rat reds, up swims a six pound  
22 speckled trout. It swims right up to the wharf.  
23 There it is.

24 We don't do that here. We don't get  
25 that opportunity. We are catching too many

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1 fish. You would like to blame the recreational  
2 fishermen.

3 I can tell you those guys at Cat  
4 Island, a thousand feet of net is not equal to a  
5 rod and reel. I'm sorry. I hate to break that  
6 to you, but there is no comparison, and it is  
7 much better for this state to have the rod and  
8 reel.

9 COMMISSIONER BOSARGE: Thank you, sir.

10 STEVE SHEPARD: Thank you.

11 COMMISSIONER BOSARGE: Mr. Tony  
12 Trapani.

13 TONY TRAPANI: How are y'all doing?

14 COMMISSIONER BOSARGE: Just fine.

15 TONY TRAPANI: Tony Trapani.

16 I'm not here to cause some big giant  
17 fight between commercial people and recreational  
18 people. All I'm concerned about is -- first of  
19 all, what kind of baffles me a little bit is how  
20 you come up with recreational will catch one  
21 point three million pounds of speckled trout.

22 COMMISSIONER BOSARGE: That is the  
23 fact.

24 TONY TRAPANI: How do they get the  
25 fact?

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1 COMMISSIONER BOSARGE: That is the  
2 fact.

3 TONY TRAPANI: How do they get it?

4 COMMISSIONER BOSARGE: Mr. Joe can  
5 address that.

6 I think it's two thousand and three  
7 hundred actual interviews at the docks.

8 JOE JEWELL: We do a lot of  
9 intervention at the docks.

10 It's our MRIP surveys that collect all  
11 that data and it is reported on the National  
12 Marine Fisheries website.

13 TONY TRAPANI: That's a fact?

14 JOE JEWELL: That was an average over  
15 three years.

16 TONY TRAPANI: If that's the case,  
17 then, the haul seine thing is not that big of a  
18 deal.

19 COMMISSIONER BOSARGE: That's why we  
20 are here to get this education.

21 TONY TRAPANI: This is what I would  
22 like you to be concerned with.

23 If the haul seine is only taking this  
24 much trout out of here, then, can we maybe get  
25 them off the island just a little bit?

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1 COMMISSIONER BOSARGE: They are off  
2 the islands.

3 TONY TRAPANI: Well, not when I saw  
4 them a couple of months ago.

5 COMMISSIONER BOSARGE: They have about  
6 three months that they can fish Cat Island, but  
7 they can't get within twelve hundred feet of the  
8 beach.

9 TONY TRAPANI: Well, they were on the  
10 beach. I was there.

11 COMMISSIONER BOSARGE: That would be  
12 the Chief. The Chief would have to look into  
13 that.

14 TONY TRAPANI: I understand that about  
15 the Marine Patrol because I spoke to the guy,  
16 one of them -- I can't remember who it was --  
17 and he said, "We can't be everywhere at one  
18 time."

19 I understand that, but, if it is a law  
20 for the haul seine to be off the island -- is  
21 that right?

22 COMMISSIONER TRAPANI: I want to  
23 interrupt that because I'm from Hancock County,  
24 and we don't have any problem with that, but I  
25 think that most of the people in the room do not

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1 know that Cat Island is one of the islands that  
2 you can go to the island, and the other ones you  
3 cannot.

4 You are right. Y'all did see that.

5 That is something that we might want  
6 to look at, but somehow, when the law was made,  
7 Cat Island did get left out.

8 TONY TRAPANI: So the problem, now, is  
9 that the recreational guys are going out there  
10 fishing and they are actually seeing the  
11 commercial guys with these nets.

12 This wasn't a problem for a long time.  
13 All of a sudden they are seeing the net and,  
14 now, it's a problem.

15 COMMISSIONER BOSARGE: I understand  
16 that, and they are upset because they see a net.

17 TONY TRAPANI: I'm not upset about  
18 anything. All I want to understand is that --

19 COMMISSIONER BOSARGE: (Interposing)  
20 I understand where you're coming from.

21 TONY TRAPANI: Okay.

22 COMMISSIONER BOSARGE: Understand,  
23 now, the marine resources in the State of  
24 Mississippi belong to all the people of the  
25 State of Mississippi.

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1 TONY TRAPANI: Right.

2 COMMISSIONER BOSARGE: Just because  
3 there are people here on the Coast that own  
4 boats and can go harvest that resource, there  
5 are people in the other end of this state that  
6 like to eat fish, too, and those people, they  
7 are the ones that provide that fish for them.  
8 You have to both coexist here.

9 You get upset when you see a net  
10 fisherman.

11 You think those guys don't get upset  
12 when they see you fishing places that they can't  
13 go?

14 TONY TRAPANI: Let's get this clear  
15 right now. I'm not upset. I'm here to try to  
16 make -- I think the whole problem was we had a  
17 problem with the depletion of the speckled trout  
18 population.

19 Is that right?

20 COMMISSIONER BOSARGE: I said --

21 TONY TRAPANI: (Interposing) Well,  
22 let's do this.

23 Hey man, I'm a recreational person,  
24 but I'm not against the commercial guy because I  
25 own a restaurant. We need that, but what I

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1 would be willing to do, as a recreational  
2 fisherman, is make the recreational fisherman go  
3 down to a ten trout per person limit.

4 Don't get upset. Everybody goes out  
5 here and catches fifty.

6 What did you do with the limit?

7 I stuck it in the freezer. We are  
8 going tomorrow.

9 Guess what happens in three months?

10 The trout is garbage.

11 So let's make it ten, and put one  
12 trout over twenty-five inches, in case you catch  
13 a really big trout, per person. That would be a  
14 lower limit on the recreational side.

15 COMMISSIONER BOSARGE: I agree, and  
16 eventually we've got to come to that because the  
17 effort on the recreational side is still  
18 continuing to thrive. Eventually we will get  
19 there.

20 We are working on it. We did the  
21 fifteen inches. It has helped. We just have to  
22 take the time to see how much help it is going  
23 to be.

24 We are out of time.

25 TONY TRAPANI: I'm good.

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1 I just want y'all to know that I'm not  
2 against the commercial person. I'm friends with  
3 everybody over there at Jerry Forte Seafood.

4 COMMISSIONER BOSARGE: Let me get them  
5 in order here.

6 Mr. John Livings.

7 JOHN LIVINGS: My name is John

8 Livings. I'm for both. I'm a commercial  
9 fisherman and I'm a recreational fishermen. I  
10 do both.

11 We had some of the groups that were  
12 talking about the gilling of the fish and it  
13 kills them.

14 If you gut hook a trout, dead is dead.  
15 It doesn't matter if it's in a net, or if it is  
16 on a hook. It really doesn't matter. It's not  
17 coming back.

18 The biggest thing that people have  
19 asked me about was the quota, the hook and line  
20 versus the haul seine.

21 If they want a quota, it costs a lot  
22 more money to run a net than a hook and line.  
23 No doubt. It just does.

24 Me personally, I think it should be  
25 separated. Maybe seventy-five percent haul

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1 seine and twenty-five hook and line, or fifty-  
2 fifty. Whatever you think would be fair.

3 If they feel like the haul seine is  
4 catching all the quota and they don't have time  
5 to catch them hook and line, I can understand  
6 that. Quota is quota regardless.

7 The time of the year when it's closed  
8 where a haul seine can't go to the shoals, or by  
9 Cat Island on the shoals, that one-mile  
10 perimeter, if you cut off all the shoals and the  
11 reefs, then, not that many speckled trout are  
12 going to be caught anyway with a haul seine  
13 because you can't just go and drop it anywhere,  
14 and just automatically there's a haul seine that  
15 I'm going to get in it. It doesn't work that  
16 way.

17 COMMISSIONER BOSARGE: Those were some  
18 of the points that I was hoping the folks would  
19 realize with the presentation that Matt did,  
20 shoreline.

21 JOHN LIVINGS: Right.

22 COMMISSIONER BOSARGE: How many folks  
23 that recreational hook-and-line fish, fish out  
24 in the middle of nowhere?

25 JOHN LIVINGS: Not a one -- well,

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1 maybe the ones that would come back with empty  
2 coolers.

3 COMMISSIONER BOSARGE: There are just  
4 a few places left that you can still fish that  
5 are out in the middle, but there is going to be  
6 some structure, or some reef, or some shoals, or  
7 something.

8 JOHN LIVINGS: The time limits that  
9 they have where it is closed for the haul seines  
10 are the hottest times for hook-and-line fishing.  
11 I don't see where the problem is. I think  
12 everybody just wants it their way and they are  
13 just too bullheaded and stubborn to look at  
14 anybody else's point of view.

15 COMMISSIONER BOSARGE: To me, this  
16 haul seine that everybody is concerned about, as  
17 you can see, it is only a little biddy small  
18 portion of the catch.

19 JOHN LIVINGS: That's right.

20 COMMISSIONER BOSARGE: To me, I look  
21 at it as cutting grass. If you had an acre of  
22 grass to cut and somebody handed you a weed  
23 eater, or a lawnmower, it is going to be more  
24 efficient to cut it with that lawnmower and get  
25 it done.

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1 The same way with that haul seine.  
2 They go out and they catch. When they get to  
3 their fifty thousand pounds of speckled trout,  
4 they are done.

5 JOHN LIVINGS: They are done.

6 COMMISSIONER BOSARGE: They actually  
7 were able to make a little money because they  
8 did it efficiently.

9 JOHN LIVINGS: I'm definitely for it.

10 I mean, how many years have they been  
11 sitting making zero money for their families?

12 COMMISSIONER BOSARGE: We are out of  
13 time, again. Thank you, John.

14 JOHN LIVINGS: well, you talked most  
15 of my time.

16 COMMISSIONER BOSARGE: Sorry about  
17 that.

18 Mr. Casey Haughton.

19 CASEY HAUGHTON: Good afternoon. My  
20 name is Casey Haughton. I want to speak a  
21 little bit on behalf of the recreational side.

22 One of the biggest issues we see is  
23 not -- ninety-five percent of commercial fishing  
24 is needed. The five percent of the bad apples  
25 give the rest a bad name.

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1 They are running trout which I believe  
2 is against the law. They cover up the bayous at  
3 Cat Island, run their boats in the back of it  
4 and run the fish out.

5 Most of them don't do it. Most of  
6 them are law-abiding trying to make a dollar for  
7 their families and are doing the right thing,  
8 but nobody sees that.

9 Everybody sees these bad apples  
10 running to Mobile to go drop their catch off and  
11 giving a bad name to the rest of the commercial  
12 guys.

13 As a recreational guy, you have got to  
14 have a commercial fishery. Ninety-nine percent  
15 of Americans don't live on the water, don't get  
16 an opportunity to go catch fish and eat these  
17 fish, but there needs to be more law enforcement  
18 to catch these bad apples, to make sure that  
19 these few individuals don't ruin it for the rest  
20 of them.

21 That's all I've got.

22 Thank you.

23 COMMISSIONER BOSARGE: Thank you.

24 Mr. Chad Ryan.

25 CHAD RYAN: Hello. My name is Chad

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1 Ryan.

2 I have been in this since I was a kid.  
3 This is hereditary to us, our fishermen. They  
4 are not just taking their nets and seines and  
5 all that. They are taking away our livelihood.  
6 This is what we do.

7 We are not trying to hurt anyone. We  
8 are trying to keep it on a professional level.  
9 Let's not discriminate against the fishermen,  
10 the hook and line, or the haul seine. Let's  
11 look at the percentage of what is caught and  
12 base it on that. Let us go back to work and do  
13 what we've got to do.

14 I think Mr. John Livings said most of  
15 what I had to say.

16 COMMISSIONER BOSARGE: Thank you,  
17 Chad.

18 CHAD RYAN: Thank you.

19 COMMISSIONER BOSARGE: Those are all  
20 of our public comments.

21 We have had so many questions, so many  
22 people and a lot of finger pointing, a lot of  
23 folks that don't understand maybe what we  
24 understand.

25 we get an education because these

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1 folks out here educate us as to who is doing  
2 what, how they are doing it and when they are  
3 doing it.

4 If you look at the whole big picture,  
5 this haul seine issue is a very small part of  
6 it.

7 I'm not saying that we don't probably  
8 need to make some changes. I think there are  
9 some things we can do, especially with the  
10 qualifier for the hook and line. I think we  
11 might could tweak that a little bit and make it  
12 a little more stringent so to speak.

13 I would like to see the haul seine go  
14 under that same endorsement.

15 I would also like to see some of the  
16 things with making sure that our fishermen are  
17 doing what is right, try to help these guys with  
18 enforcement.

19 I think the hook-and-line license, if  
20 we could have these guys where these folks could  
21 recognize that hook-and-line license from a  
22 distance, whether it's a red flag they have to  
23 fly. Something to make it where it is a little  
24 easier to enforce because they have got their  
25 hands full. They try, believe me, but they

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1 cannot be everywhere all the time.

2 COMMISSIONER TRAPANI: I would like to  
3 add one more thing, too. I think a lot of this,  
4 like we said, came from some fishermen at Cat  
5 Island.

6 I myself did not know that they could  
7 fish on the shoreline.

8 For the people in our area, when you  
9 saw them doing that, that was legal that they  
10 had nets right on the shoreline, and I wasn't  
11 aware that it is legal.

12 I think that is where all of this  
13 started, and there might be something we might  
14 need to look at.

15 I will just add this one thing. It is  
16 a little ludicrous to say they would have equal  
17 rights because, if that was the case, right now  
18 from May 15<sup>th</sup> through September 15<sup>th</sup>, our  
19 recreational guys would not be fishing because  
20 it is closed to them, right now.

21 The recreational guys which I'm one of  
22 them can fish all the time. We are lucky. We  
23 have to look at that, that we can fish all year  
24 long, and they only get a small amount of time  
25 to fish and, again, they have limits.

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1 Like Mark had said, this isn't an  
2 issue of one, or the other. It's an issue that  
3 we just need to look at and, again, learn the  
4 numbers and the education and see what is out  
5 there and what is actually going on.

6 COMMISSIONER BOSARGE: Commissioner  
7 Havard.

8 COMMISSIONER HAVARD: From a  
9 recreational point of view, I could sit up here  
10 and go on and on for a long time. When these  
11 nets first got approved --

12 COMMISSIONER BOSARGE: (Interposing)  
13 Speak into the mike just a little bit more.

14 COMMISSIONER HAVARD: Can you hear me,  
15 now?

16 COMMISSIONER BOSARGE: Yes.

17 COMMISSIONER HAVARD: There are  
18 multiple states up the east coast and on into  
19 the Gulf of Mexico that have outlawed these nets  
20 totally, and they have scientific evidence, from  
21 my understanding, showing why they outlawed  
22 these nets. It's not just somebody's opinion.

23 Before we approved this net, did we do  
24 any scientific research?

25 Did we look at their scientific

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1 research to see if it would pertain to the Gulf  
2 of Mexico, Matt?

3 MATT HILL: I want to be clear on  
4 that. I have been here for eighteen years, and  
5 these nets have been legal for eighteen years,  
6 and they have been in use.

7 There were between two and five every  
8 year, before we started tracking it, because we  
9 started getting a few people interested in it,  
10 but what you had to have, a Type Eleven license  
11 allowed you to fish these nets.

12 These nets are nothing new. We have  
13 some gentlemen back here who have been fishing  
14 these nets for a long time and they have been  
15 fishing them at Cat Island for a long time,  
16 during certain periods.

17 This is not something that was just  
18 constructed. They are not constructed in any  
19 different manner.

20 The mesh sizes, there have never been  
21 any restrictions on the mesh size, the material,  
22 anything like that, but they were fishing haul  
23 seines.

24 We felt it necessary to start tracking  
25 them, and that's what the big question is; how

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1 many of them are out there?

2 In our opinion, there are not a lot  
3 out there. The number is growing, but we look  
4 at the active number.

5 When you start talking about  
6 completely outlawing nets, that is not a one  
7 hundred percent factual statement. They have  
8 done certain things like we have done, area  
9 restrictions.

10 You can still use nets in many states.  
11 Louisiana is a perfect example. You can still  
12 use nets in those states. It's just for certain  
13 species.

14 Now, what they did do in Louisiana,  
15 when they had the controversy -- and they do  
16 have a speckled trout quota over there, but they  
17 gave the entire speckled trout quota to the  
18 fishermen that possessed a gill net license, or  
19 what we would call a Type Eleven license, from  
20 1993 through 1995. They had to have it two out  
21 of those three years.

22 They compensated those fishermen for  
23 what they had done. You can go catch them with  
24 hook and line, now, but you had to be a  
25 historical gill netter.

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1 The nets are not outlawed in all these  
2 areas as you think they are. There are just  
3 some very restrictive areas, as we have, as we  
4 showed here earlier, and we can present that at  
5 a later date, if we need to, but there are many  
6 nets that continue to be used.

7 You can still net in Alabama for  
8 certain species in certain areas, just like we  
9 have.

10 I feel like our area closures are very  
11 comparable to all other states' area closures.

12 Now, certain states have deemed  
13 certain species game fish and have not allowed  
14 them to be caught in the net. They can't even  
15 be caught commercially. Mainly it is Spotted  
16 Seatrout and Red Drum. Texas is one. Alabama  
17 is another.

18 To say that net fishing has been one  
19 hundred percent banned in all these states, I  
20 think that is a misinterpretation.

21 I was reading through some of the  
22 things, and I was actually surprised at some of  
23 the things that we did find on what you could  
24 and couldn't do.

25 Maybe we should present that, at some

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1 point.

2 COMMISSIONER HAVARD: Prior to  
3 approving any kind of new taking of fish, I  
4 think we need to do our due diligence and check  
5 with these other states because they might have  
6 already been down this road with this particular  
7 type of net, or another type of net, or it might  
8 be certain restraints you have to put on them.  
9 Whatever it is, just see whatever research is  
10 out there.

11 I have had a lot of folks contact me  
12 over the past several months, just as all of us,  
13 I believe, have.

14 I would like to ask Chief Davis a  
15 question.

16 Are you aware of any underreporting of  
17 Spotted Seatrout in the State of Mississippi?

18 KEITH DAVIS: Well, first let me say  
19 that you know how I am about talking about  
20 ongoing investigations, but I can tell you that  
21 Marine Patrol is currently working to identify  
22 some underreporting situations that have been  
23 talked about today.

24 COMMISSIONER HAVARD: Is that in  
25 Mississippi, or is it out of state, or is it a

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1 mixture, or would you rather not speak on that?

2 There are concerns from the  
3 recreational world, I guess, from the resource  
4 standpoint.

5 There are concerns that these fish --  
6 whatever the means, whether it is hook and line,  
7 or haul seine, it doesn't matter. They are  
8 catching these fish in Mississippi waters and  
9 scooting right over the Alabama line, or right  
10 over the Louisiana line, and selling these fish,  
11 and they are selling large quantities of fish  
12 daily.

13 I have even heard numbers such as two  
14 thousand pounds a day. That is just what I have  
15 heard.

16 COMMISSIONER BOSARGE: I think that's  
17 a lot of hearsay.

18 Just being devil's advocate here, do  
19 you have any reports, or any ongoing  
20 investigations, of recreational caught Spotted  
21 Seatrout?

22 We've got eighty-two thousand  
23 recreational fishermen.

24 KEITH DAVIS: Yes, sir.

25 I was happy to hear the discussion

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1 about more Marine Patrol officers needed. I  
2 hope you take that under consideration.

3 I can tell you both ways. Last  
4 summer, you requested that Marine Patrol take a  
5 more active approach to individuals,  
6 recreational guys keeping undersized speckled  
7 trout, and I can assure you that, in our  
8 efforts, we have found that has happened.

9 I can tell you that there is a  
10 significant case being worked as we speak  
11 dealing with underreporting. As I stand before  
12 you today, I can tell you that we do anticipate  
13 making several arrests in that active  
14 investigation.

15 COMMISSIONER HAVARD: We appreciate  
16 all that Marine Patrol does. Thank you, Chief.

17 MATT HILL: I do want to clear up one  
18 thing, and it has been a question that has come  
19 up time and again.

20 The State of Mississippi does allow  
21 intrastate commerce. You are allowed to take  
22 your product across state lines. Alabama is a  
23 prime example.

24 The State of Mississippi has no way to  
25 force an Alabama dealer, an Alabama licensed

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1 dealer, to fill out a Mississippi trip ticket.

2 If you read it carefully, if a  
3 fisherman takes his product over the line and  
4 takes it to Alabama and sells it to a dealer, it  
5 is his and only his responsibility to fill out  
6 that trip ticket. If he does not fill it out,  
7 it is not the Alabama dealer's responsibility.

8 If that fisherman does not fill out  
9 his trip ticket, when he sells those fish in  
10 Alabama, or Louisiana, he is breaking the law  
11 and he should be ticketed.

12 We are in contact with Alabama dealers  
13 on a regular basis. We know the big players  
14 over there. We do talk to them. We get a  
15 pretty good idea of the fish that are coming  
16 from Mississippi. We do compare it with the  
17 trip tickets that do come in and, for the most  
18 part, they are fairly accurate. We are very  
19 confident in that.

20 Do I believe there may be some  
21 underreporting?

22 I do.

23 Do I believe it is significant  
24 underreporting?

25 I do not, just from the numbers that

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1 we see.

2 What you have to understand,  
3 especially when we were talking about the  
4 program earlier, when you start talking about  
5 moratoriums, when you start talking about  
6 disaster relief programs, qualifications --  
7 Commissioner Gollott asked how do they qualify --  
8 - how they are going to qualify for fisheries  
9 disaster relief is through those trip tickets.

10 If they don't turn them in, they are  
11 not going to qualify and these fishermen, they  
12 understand that.

13 There is no incentive for them to not  
14 turn their tickets into us. None at all  
15 because, when it comes down to it, if we get to  
16 the qualifier, if we do a twenty-five, or fifty-  
17 one, percent, if we had a disaster relief  
18 program, you can bring us all the licenses you  
19 want, but we are going to want to see your  
20 sales.

21 It is the law to turn those trip  
22 tickets in. That is where we go, and we are  
23 very clear with the fishermen.

24 Do some of them break the law and not  
25 do it?

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1 Absolutely.

2 We have recreational fishermen that

3 don't buy licenses and go fish, but we are

4 confident that the program is working and it is

5 working adequately to ensure that the quota is

6 not exceeded.

7 COMMISSIONER GOLLOTT: Matt.

8 MATT HILL: Yes, sir.

9 COMMISSIONER GOLLOTT: Do you have any

10 ideas on how we can close the loophole?

11 What happens if you catch somebody

12 underreporting?

13 Do they get fined, or are they kicked

14 out where they can't buy a another commercial

15 license?

16 MATT HILL: They would be charged

17 under Title 22 Part 9 because it is in there

18 that they are required to do that, when they

19 take it over the state lines and, after their

20 third offense, we can come to the Commission and

21 we can revoke their license, or the Commission

22 has the choice to revoke their license.

23 COMMISSIONER GOLLOTT: Could the

24 Commission revoke the license, on the first

25 offense?

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1 MATT HILL: No.

2 COMMISSIONER GOLLOTT: Is that State

3 Law, or is that a regulation?

4 SANDY CHESTNUT: It's State Law.

5 COMMISSIONER GOLLOTT: Sandy has

6 answered the question.

7 JOE JEWELL: It is State Law and it is

8 in our regulation.

9 COMMISSIONER GOLLOTT: I had a

10 recreational fisherman tell me that Quality

11 Market had bought two thousand pounds of

12 speckled trout. He was there and he saw it.

13 Then, the fisherman told him to hurry

14 up. He was going to get another two thousand

15 that day.

16 I went down and asked Quality -- we

17 were raised together -- and he pulled his

18 records. He hadn't bought over seven hundred

19 pounds of fish from anybody. I think he bought

20 twenty that month, and nineteen, or eighteen, or

21 maybe fifteen of them, was under a hundred

22 pounds.

23 MATT HILL: That's correct.

24 I get in that nervous area, when we

25 are starting to get close to the quota.

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1 We call the dealers every Monday and

2 Thursday. We call them on Monday and get their

3 weekend harvest, and we call on Thursday to get

4 that midweek harvest. We call them religiously,

5 and we also do contact Alabama dealers and we

6 get a feel for what has been brought over there

7 because the only people that can sell Spotted

8 Seatrout in Alabama are Mississippi fishermen.

9 We do contact them and we do have a very

10 good working relationship with them, and we do

11 our best to match up the tickets.

12 Do they not match sometimes?

13 Yes, they do not, but, for the most

14 part, we are confident that we are capturing the

15 sales.

16 COMMISSIONER BOSARGE: I think Mr. Joe

17 had a comment to make.

18 JOE SPRAGGINS: Yes. I just want to

19 let everybody know two things.

20 Number one, the Department of Marine

21 Resources is here to do our job, and our job is

22 to look at everything and look at every angle

23 that we have possible.

24 Our Marine Patrol is out there working

25 every day trying to do exactly what they can to

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1 make sure that we enforce all the laws.

2 Our departments here are doing the

3 same thing.

4 Before you start throwing the hatchet,

5 as I used to call the hatch theory -- before you

6 start throwing the hatchet at people, please

7 know the rules and know the law before you do it

8 because sometimes just because you think it is

9 not legal, it might be legal.

10 Just like some people didn't know it

11 was legal to use a haul seine around Cat Island,

12 understand the law, first.

13 I think, if you will do that more,

14 then, we will have less of this controversy that

15 we are having.

16 I promise you, if you see something

17 that is not legal and you know it's not legal,

18 please pick up the phone.

19 Chief, our dispatch number, is it

20 publicized?

21 KEITH DAVIS: Yes, it is.

22 JOE SPRAGGINS: If it isn't, we will

23 get it publicized, the dispatch number you can

24 call and you can get Marine Patrol there ASAP,

25 if the weather is permitting to put a boat in

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1 the water.

2 COMMISSIONER BOSARGE: I also want to  
3 thank our State Representative and State Senator  
4 for attending the meeting and getting educated.  
5 That's what you need to do. Thank you.

6 COMMISSIONER BOSARGE: We will move  
7 on.

8 Any other business?  
9 (No response.)

10 COMMISSIONER BOSARGE: Hearing none,  
11 do we have a motion for adjournment?

12 COMMISSIONER GOLLOTT: I will make  
13 that motion, Mr. Chairman.

14 COMMISSIONER HARMON: So seconded.

15 COMMISSIONER BOSARGE: We have a  
16 motion and a second.

17 All those in favor say aye.

18 (All in favor.)

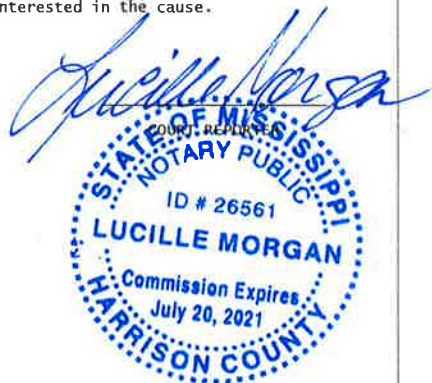
19 COMMISSIONER BOSARGE: Meeting is  
20 adjourned.

21 (Whereupon, at 1:20 o'clock, p.m., the  
22 May 15, 2018, meeting of the Commission on  
23 Marine Resources was concluded.)  
24  
25

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C E R T I F I C A T E

1 I, Lucille Morgan, Certified Shorthand  
2 Reporter, do hereby certify that the above and  
3 foregoing is a true and correct transcript of  
4 the May 15, 2018, meeting of the Commission on  
5 Marine Resources, as taken by me at the time and  
6 place heretofore stated in the aforementioned  
7 matter in shorthand, with electronic  
8 verification, and later reduced to typewritten  
9 form to the best of my skill and ability; and,  
10 further, that I am not a relative, employee, or  
11 agent, of any of the parties thereto, nor  
12 financially interested in the cause.  
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