

Commission on Marine Resources

COMMISSION ON MARINE RESOURCES
COMMISSION MEETING

Tuesday, February 16, 2016
9:00 a.m.
Bolton State Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi 39530

Commission Members:

- Richard Gollott, Chairman
- Shelby Drummond, Vice Chairman
- Steve Bosarge
- Ron Harmon

Also Present:

- Jamie M. Miller, Executive Director DMR
- Sandy Chestnut, Esq., Assistant Attorney General

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COMMISSIONER GOLLOTT: I would like to call this meeting to order and welcome everyone to our regular meeting.

First thing on the agenda, we are going to have the Pledge of Allegiance. We will ask Jamie Miller to lead us in the pledge.

(Whereupon, the Pledge of Allegiance was recited.)

COMMISSIONER GOLLOTT: Next on the agenda is approval of the minutes.

Do I have a motion to approve the minutes, or have any adjustments?

COMMISSIONER DRUMMOND: So moved, Mr. Chairman.

COMMISSIONER GOLLOTT: Do we have a second?

COMMISSIONER BOSARGE: Second.

COMMISSIONER GOLLOTT: Everybody in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Opposed?

(None opposed.)

COMMISSIONER GOLLOTT: Motion carries.

Next we have approval of the agenda.

Do we have any modifications, or do we have a motion to approve it?

COMMISSIONER DRUMMOND: I make a motion we

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approve the agenda, Mr. Chairman.

COMMISSIONER GOLLOTT: We have a motion.

Do we have a second?

COMMISSIONER BOSARGE: So seconded.

COMMISSIONER GOLLOTT: All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: All opposed?

(None opposed.)

COMMISSIONER GOLLOTT: Motion carries.

Next we have the Executive Director's report.

JAMIE MILLER: No report, Chairman.

COMMISSIONER GOLLOTT: Thank you, sir.

Next we have Marine Patrol.

RUSTY PITTMAN: Good morning Mr. Chairman, Commissioners, Director Miller, Ms. Chestnut.

Before we get into the report, I wanted to talk to Commissioner Bosarge about something he mentioned last month on the dogs.

We hope to have, in the near future -- probably won't be next month -- Alabama bring their two dogs over. They have two and they said that they would be glad to bring them over and let them demonstrate how they work; hide some fish filets and let them find them for y'all. So we look forward to that.

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COMMISSIONER BOSARGE: That's good. I appreciate that. I think it would be a very useful tool. We will see how it goes.

RUSTY PITTMAN: They were donated by Auburn University.

COMMISSIONER DRUMMOND: Did Auburn train them, Rusty?

RUSTY PITTMAN: They are trained in Europe.

COMMISSIONER DRUMMOND: Europe?

RUSTY PITTMAN: In Europe. They are Cocker Spaniels.

COMMISSIONER DRUMMOND: We don't have the same fish here that they've got in Europe.

RUSTY PITTMAN: They must have sent some over there.

This month's report, if you will look, there is not really much on it that just stands out.

On the second page, "No Seafood Dealer's License", those were roadside vendors, and I will have to mention somebody that made one of those cases. He happens to be sitting at the table over here. Chief Davis made a case on a roadside vendor with no seafood dealer's license. It shows everybody in Marine Patrol is working.

We only had four JEA patrols, mainly due to the weather conditions we had last month.

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1 Another one on page three, y'all may see in
2 there about the hunting violations. That was called in to
3 us by Biloxi PD, and we sent an officer out there and they
4 made the arrest on that.

5 Any questions?

6 COMMISSIONER DRUMMOND: I've got one, Rusty.

7 On "Oyster Violation Citations", number one, why
8 have we got nineteen in FY 15 and eight in FY 16?

9 RUSTY PITTMAN: FY 16, we are in fiscal year 16,
10 right now. So far, only eight violations with the
11 oysters.

12 In fiscal year 15, last year, we had a total of
13 nineteen at this time.

14 COMMISSIONER DRUMMOND: One other question,
15 Rusty. On "Miscellaneous Commercial Seafood Violation
16 Citations", we've got more in FY 16 than we had in FY 15.

17 RUSTY PITTMAN: That is probably due to some of
18 the seafood shops that hadn't been checked before north of
19 the three coastal counties had some violations and that
20 added into that.

21 COMMISSIONER DRUMMOND: I don't know whether
22 I've got any more questions, or not.

23 COMMISSIONER GOLLOTT: Thank you, Rusty.

24 RUSTY PITTMAN: Thank you.

25 COMMISSIONER GOLLOTT: Next we have Mr. Joe

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1 Jewell, Marine Fisheries.

2 JOE JEWELL: Good morning Commissioners,
3 counsel, Director Miller.

4 Before we get into the agenda, I would like to
5 make a couple of announcements.

6 First, I want to recognize the Shellfish and
7 Seafood Sanitation Bureaus for accomplishment they have
8 made this year.

9 The Vibrio Management Plan was found in
10 conformity with the FDA Shellfish Sanitation Guidelines
11 and the Shellfish Sanitation Program which is a milestone
12 for our agency and the State of Mississippi. Both
13 programs were found in conformity with the National
14 Shellfish Sanitation Program which is a great
15 accomplishment.

16 Particularly, I want to call out the Vibrio
17 Management Plan. In reviewing the elements of the
18 program, I have been here going on two decades and this is
19 the first time I have seen that every element that was
20 evaluated in the program reached the superior standard. I
21 think that is the first time, in the history of our
22 agency, that has happened.

23 I want to thank Ms. Ruth Posadas and Mr. Scott
24 Gordon for the excellent work they do on behalf of our
25 agency and the State of Mississippi.

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1 Next, I want to inform the Commission that this
2 past February the 3rd, we established the third task force
3 in the history of our agency. It's the Mississippi For
4 Hire Task Force.

5 As you know, the history of these task forces
6 are to increase the interactions of the task force with
7 the DMR and with the Marine Commission. It is an exchange
8 of information between these user groups and our agency to
9 make them aware of Federal and State Rules and Regulations
10 that impact their user groups.

11 I want to acknowledge the members before the
12 Commission.

13 The MDMR representative is Mr. Matt Hill from
14 the Finfish Bureau.

15 I'm going to call out the particular members
16 that represent their groups within the For Hire Task
17 Force.

18 Mr. Clarence Seymour, he's a Federal Charter and
19 was elected Chairman that Wednesday night.

20 Mr. Mike Foto, he's a Federal For Hire Charter
21 member.

22 Mr. Jay Trochesset, Federal Head Boat Multi-
23 Passenger member.

24 Mr. Mike Adams, Non-federal Charter.

25 Mr. Mark Miller, Non-federal Offshore Charter.

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1 Mr. Sonny Schindler, Non-federal Inshore
2 Charter.

3 Mr. Randall Broussard, non-industry member.

4 Mr. Jack Ewing is our Marine Patrol member.

5 There will be, also, technical advisors to the
6 For Hire Task Force. Several of those will include Dr.
7 Paul Mickle and Ms. Carly Somerset from the DMR. I also
8 serve as a technical advisor to the task force and helped
9 establish the task force that Wednesday night.

10 I want to congratulate this new user group task
11 force.

12 I also want to give the Commission an update on
13 the commercial quota. We have just started off most of
14 the three commercial quotas. For spotted seatrout and
15 flounder, there are no really important numbers I can give
16 the commission so far. For red drum, we have reported
17 just over nine thousand pounds.

18 With that being said, we will go into the first
19 Commission item for Marine Fisheries.

20 The first agenda item will be presented by me.
21 It is an update on the Bonnet Carre Spillway.

22 These are just a few selected pictures to give
23 you an idea of the actual spillway.

24 This is a picture of the spillway with the gates
25 being open.

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1 This is the Mississippi River side of the
 2 spillway.
 3 This is the raceway that, when open -- you see
 4 the gates are open -- runs off into Lake Pontchartrain.
 5 This is an overview of the spillway. This past
 6 January is the eleventh time the spillway has been opened.
 7 It has been opened three times, since 2008. It was opened
 8 in 2008, 2011 and 2016.
 9 An overview of the 2016 opening. It was open on
 10 January the 10th. It closed on February the 1st, for an
 11 opening total of twenty-three days. The maximum gate
 12 opening was two hundred and ten out of three hundred and
 13 fifty.
 14 This is a chart that shows the actual opening by
 15 days and the bays that were open and the amount of water
 16 that passed through per day.
 17 On your left is an analysis of comparison
 18 between 2008, 2011 and 2016. 2008, it was open for
 19 twenty-nine days. 2011, it was open for forty-three days.
 20 2016, it was open for twenty-three days.
 21 The bay openings, again, respectively was a
 22 hundred and six, three hundred and thirty, and two hundred
 23 and ten, and these were the maximum days of cubic feet per
 24 second of water flow.
 25 You can see, in January of this year, it was two

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1 hundred and three thousand, and that occurred on January
 2 the 17th.
 3 I want to give a little bit of background, as we
 4 move through the presentation, on factors that impacted
 5 the opening of the Bonnet Carre.
 6 One of the significant factors that reduced the
 7 pressure on the opening of the Bonnet Carre this time
 8 around was the opening of the Old River Complex. That
 9 occurred on December the 30th.
 10 The Old River Complex is a series of structures
 11 that occur on the Mississippi River that divert the flow
 12 and it is open three hundred and sixty-five days a year.
 13 This structure right here, the hydrologic
 14 station is open year-round and diverts the flow through
 15 the outflow channel into the Atchafalaya River.
 16 The Overbank Structure is what opened on
 17 December the 31st and diverted a significant amount of
 18 water through the Atchafalaya River down through the basin
 19 area.
 20 That structure geographically is located up
 21 above Baton Rouge. The water was diverted down here. You
 22 will see, in the satellite imagery, the outflow that
 23 occurred (indicating slide).
 24 Additionally, the Pearl River, if you will note,
 25 this is between early January and just after the gates

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1 were closed. The Bonnet Carre was opened here on the 10th
 2 and closed on February the 1st. You can see that the Pearl
 3 River stayed below, or right at, the ten-foot stage, but
 4 somewhere towards the end of January, it rose above --
 5 fourteen foot is the flood stage, and it remained above
 6 flood stage until late this past Sunday, or Monday
 7 morning.
 8 I want to point out the U.S. Coast Guard gauge
 9 at St. Joe also reflected this relationship. Again,
 10 somewhere around January 9th through towards the end of
 11 January, salinity levels remained low. You will see that
 12 January 10th is when Bonnet Carre was open and around
 13 February 1st it closed.
 14 We want to look at some satellite imagery during
 15 the opening of the Bonnet Carre. This is the Atchafalaya
 16 basin here. You can see significant amounts of sediment
 17 that are going through the Atchafalaya basin. This is the
 18 opening, the day after the Bonnet Carre. You can see very
 19 small amount that is occurring. You can see in the Mobile
 20 Bay area there is a lot of sediment. It is a little
 21 cloudy, but there is a lot of sediment coming out through
 22 the mouth of the Mississippi, again, through Atchafalaya.
 23 We are getting towards the mid point of the
 24 opening of the Bonnet Carre. Again, significant amounts
 25 of sediment outflow through the Atchafalaya basin, the

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1 Mississippi River delta and here in lake Pontchartrain.
 2 Again, you can see a lot of this drifting offshore off the
 3 shelf area.
 4 There is some mixing occurring, as we are
 5 getting towards the end of the event. You can see it
 6 moving up into the St. Joe area, but it is moving through
 7 the Breton and Chandeleur Sound moving more offshore.
 8 Then, towards the very end of the event, you see
 9 significant amounts of outflow through the Atchafalaya
 10 basin, the Mississippi River delta and through Lake
 11 Pontchartrain, mixing and moving offshore through the
 12 Chandeleur sound.
 13 We established a series of monitoring stations,
 14 our existing stations and we established our EXO-
 15 Datasondes. These were stations that we put out and
 16 monitored certain environmental conditions, like, salinity
 17 and temperature. These are the red dots. We did
 18 monitoring stations for finfish and oysters, and our
 19 hydrological water stations are existing (indicating
 20 slide).
 21 This is a map that just shows EXO-Datasonde
 22 data.
 23 I'm going to show you, in the next couple of
 24 graphs, this station and this station. This station right
 25 here was removed due to the Oyster Relay Program for a

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1 couple of days, and it will reflect on the graph
 2 (indicating slide).
 3 This is the station that was at Henderson Point.
 4 You can see it dropped significantly, during the opening
 5 of the Bonnet Carre and, again, when the Pearl River began
 6 to rise, and, then, conditions resumed relatively normal,
 7 after the Bonnet Carre closed, but, then, the Pearl River
 8 began to flood. It reached about a fourteen foot stage
 9 (indicating slide).
 10 This is at the St. Joe Reef site. This is where
 11 I mentioned we removed the Exo Sonde for the relay
 12 program, but, again, we are seeing the same general trend
 13 at that site, although we had lower salinities. Again,
 14 after the Bonnet Carre closed, it resumed to relatively
 15 normal conditions, but, then, the Pearl River began to
 16 flood (indicating slide).
 17 Any questions?
 18 COMMISSIONER BOSARGE: I guess, in summary, we
 19 escaped really getting harmed?
 20 JOE JEWELL: I think so. I think, at this
 21 point, it is initial findings that we are dealing with. A
 22 lot of the data that we had for our sampling stations is
 23 still getting analyzed. It is still coming in, but, from
 24 what we have right now, the event is looking more like
 25 2008 and not 2011.

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1 COMMISSIONER BOSARGE: That is good. The
 2 satellite pictures were amazing. That is some technology
 3 where you can really see it. Looks like they actually let
 4 go a whole lot more water on the other side of the river
 5 than they did this side.
 6 JOE JEWELL: I think that had a significant
 7 impact on the harm that happened on this side of the
 8 river, when they opened the Old River Structure. It
 9 significantly reduced the pressure on the Bonnet Carre
 10 Spillway.
 11 You always have to prepare for the worse case
 12 scenario.
 13 COMMISSIONER BOSARGE: Oh, yes.
 14 JOE JEWELL: We had no indication of how much
 15 water was going to come, or how much would pass through
 16 the Bonnet Carre.
 17 It's sort of like a hurricane. When you get a
 18 forecast of one coming, you have to prepare for the worse
 19 case scenario and hope for the best, and that's what we
 20 did.
 21 COMMISSIONER BOSARGE: Great.
 22 COMMISSIONER GOLLOTT: Does anyone else have any
 23 questions?
 24 (No response.)
 25 JOE JEWELL: Before we move on to the next

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1 agenda item, there is one other thing I want to address.
 2 We have a lot of oyster fishermen out in the
 3 audience today, and I know they, at least, have one
 4 question on their mind. It's a question that I have been
 5 asked a lot over the last week, or so.
 6 I think one of the things they want to ask, we
 7 are going to address in one of our presentations later,
 8 but I will mention that we do intend to open the regular
 9 oyster season, as soon as conditions allow.
 10 We did pass through the ELISA test and the Mouse
 11 Bioassay test successfully. The way we are managing the
 12 reefs, under our normal management conditions, are river
 13 stage and rainfall. The river stage has dropped
 14 significantly, under our management criteria.
 15 We did go out and water sample yesterday, and
 16 those results are pending. We do intend to go out and
 17 water sample again tomorrow.
 18 We are anticipating the river stage rising again
 19 because of the front that moved through yesterday and
 20 dumped significant rainfall into the Pearl River water
 21 basin, and we did have significant rainfall in a couple of
 22 our water gauges that exceeded two inches. That is not
 23 the best of news for the fishermen who are trying to get
 24 back to work.
 25 The good scenario is that we are managing our

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1 oyster reef areas, under our normal management criteria.
 2 As soon as river stage and rainfall indicates
 3 that we are able to open the areas again, we do intend to
 4 open those areas.
 5 We have been out water sampling. We were out
 6 yesterday which was a holiday. It was a significant
 7 weather event that passed through, but we were out water
 8 sampling and we do intend to be out again water sampling
 9 tomorrow.
 10 I just wanted to update the fishermen who are
 11 out and are likely going to ask that question.
 12 COMMISSIONER GOLLOTT: Joe, your best
 13 guesstimate, if everything goes right, as to when oyster
 14 season could open?
 15 JOE JEWELL: Well, that is kind of a tough
 16 question, right now.
 17 COMMISSIONER GOLLOTT: I know.
 18 JOE JEWELL: The Pearl River is dropping. It is
 19 below flood stage, but I don't know how much rainfall went
 20 into the Pearl River basin which will be coming down
 21 river. There was a lot of rainfall that occurred in the
 22 Jackson area, and that will be coming our way. I do
 23 anticipate the river rising again, but how much of a rise,
 24 I don't know.
 25 I know that we did exceed the two-inch criteria

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1 in a couple of our rain gauges, but how significant of an
2 impact that will have, I'm not really sure.

3 Certainly, towards the end of this week, or
4 early next week, we will likely be able to open the oyster
5 season.

6 Remember, we were at about thirteen thousand
7 sacks, in this season. So we are still at a very low
8 number, and there is a significant opportunity for the
9 fishermen to be back out harvesting again.

10 COMMISSIONER DRUMMOND: Joe, if you do open it,
11 when are you going to close it?

12 JOE JEWELL: I will update the Commission on
13 that. At the November meeting, the Commission established
14 a thirty-five thousand sack quota, with fifteen and ten,
15 dredging-tonging moratorium.

16 Then, the Commission met again in special
17 session in December and sort of belayed those criteria and
18 allowed the Executive Director to establish those criteria
19 as necessary, or as the resource mandated.

20 We haven't decided that yet. We haven't made
21 those decisions. The Executive Director has that
22 authority. The Commission gave him that authority in
23 December, but we are still at a very low number,
24 Commissioner Drummond. We are still only at thirteen
25 thousand. So there is the significant potential for the

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1 fishermen to make a living at this, once we open back up.

2 COMMISSIONER DRUMMOND: Don't you usually close
3 it in April?

4 JOE JEWELL: We normally close in April, yes.
5 That's when the tide and temperature matrix kicks in.

6 COMMISSIONER DRUMMOND: Thanks.

7 JOE JEWELL: with that being said, we are going
8 to move on to our next agenda item which is an update on
9 the Oyster Restoration Program by Mr. Erik Broussard.

10 ERIK BROUSSARD: Good morning Commissioners,
11 Director Miller, counsel.

12 This morning the Shellfish Bureau has an update
13 on the Oyster Restoration Program.

14 At the December 23rd, 2015, special CMR session,
15 the Commission directed MDMR staff to develop an Oyster
16 Restoration Program.

17 In response to this directive, the MDMR, in
18 coordination with the opening of the Bonnet Carre and the
19 current Red Tide event, developed an emergency relay
20 program from area 1B, or the St. Joe Reef area.

21 We utilized the 2011 Bonnet Carre Federal
22 Disaster Grant money and with that came some program
23 eligibility requirements.

24 Participants must have had a license in 2011-12
25 and a license in one of the following three years; the 07-

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1 08, 08-09 and 09-10 seasons.

2 Participants also had to reflect effort in the
3 Trip Ticket program.

4 MDMR conducted public eligibility meetings on
5 January 13th. Two sessions were held; one at 9:00 a.m. and
6 one at 5:30 p.m. Approximately, one hundred and ninety
7 people participated in the morning session and,
8 approximately, fifty people participated in the evening
9 session.

10 Prior to the meeting, staff estimated,
11 approximately, two hundred and fifty could be eligible,
12 and a hundred and fifty-five were found eligible for the
13 program.

14 Here we have some aerial photos that were taken
15 during the relay. This is on St. Joe Reef. You can see
16 the heavy concentration of boats on top of the reef.

17 Totals. The program lasted three days, January
18 18th through January 20th.

19 Again, we had a hundred and fifty-five enrolled,
20 with ninety-five fishermen participating.

21 They transferred thirty-nine thousand two
22 hundred and sixty-four sack of material to other reefs in
23 the Mississippi Sound.

24 Here we have a map of the Henderson Point and
25 Pass Christian Reef complexes. We transferred,

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1 approximately, twenty-four thousand sacks of material to
2 these areas.

3 We have two sites located on Henderson Point,
4 one site located on Pass Christian dredging, and two sites
5 in the tonging box (indicating map).

6 We transferred an additional fifteen thousand
7 sacks to the mouth of the Biloxi Bay area. You can see
8 the light blue shaded area is a historic reef and we are
9 currently in the process of reclassifying this area as
10 conditionally approved. We would like to see future
11 harvest in this area (indicating map).

12 Any questions?

13 COMMISSIONER GOLLOTT: Erik, has anyone checked
14 those oysters, since they were planted off of Ocean
15 Springs?

16 ERIK BROUSSARD: We have, and they look like
17 they are doing well. It's a good bottom in that area.
18 Like I said, it's a historic reef, and we are confident of
19 their survival.

20 COMMISSIONER GOLLOTT: Some of that product was
21 loaded up with muscles.

22 Have the muscles started falling off of them
23 yet?

24 ERIK BROUSSARD: No. With all the rain we have
25 been having, the muscles are still attached.

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1 COMMISSIONER GOLLOTT: Does anybody else have a
 2 question for Erik?
 3 (No response.)
 4 COMMISSIONER GOLLOTT: Thank you.
 5 ERIK BROUSSARD: Thank you.
 6 COMMISSIONER GOLLOTT: At this time, let me stop
 7 it here and take public comments. Catfish Miller wanted
 8 to say something.
 9 Would you come to the podium, Catfish, and state
 10 your name?
 11 JAMES MILLER: James Miller, a long-life
 12 fisherman.
 13 I'm really concerned. I'm glad y'all let us
 14 speak about this program we just went through. It was a
 15 very good program. I think we need to have more of them,
 16 especially on our down time with this Pearl River.
 17 I'm glad Joe Jewel showed us about the Pearl
 18 River. We have been plagued with it for a long time.
 19 I think we need to move some of our focus to the
 20 east and figure out where we can harvest to the east,
 21 instead of us being down during the winter months for long
 22 periods of time.
 23 We are struggling as it is, with all these
 24 disasters we've been having back-to-back, and, as a
 25 fisherman, I'm feeling the pressure and I don't think that

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1 I should be feeling this way because I love to work and my
 2 industry has been plagued.
 3 If all these people can put their resources to
 4 the east, on this downtime, to figure out where we can
 5 work in Pascagoula, Jackson County, dredging reefs, I'm
 6 sure we can adjust to it and we are willing to adjust to
 7 it, instead of being in Pass Christian, Henderson Point,
 8 Bayou Caddy, St. Joe, all these reefs that have really
 9 been beaten down over the years, and we can give them a
 10 break.
 11 We will go to the east and work because we are
 12 willing to work. If there are any programs that are
 13 coming, we need them, if it is even churning the bottom,
 14 hauling sacks.
 15 I know we had a lot of problems with boats
 16 sinking. It is going to happen, when you put that many
 17 people on that reef out there.
 18 I'm lost for words. If there is a Commission
 19 that wants to back these fishermen up, now is the time
 20 because we are struggling. This is an industry that is
 21 trying to come back from devastation, from back-to-back
 22 disasters.
 23 We want to be heard. We want to work. We don't
 24 want to get out of this industry and suffer.
 25 I've been doing this all my life, since I was

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1 four years old, and this is the worse I have ever seen
 2 oystering.
 3 I just hope that our Commission can put together
 4 something for us soon because we've been off already two,
 5 or three, months with the algal bloom out here. I mean,
 6 this has hit us hard. We just need some help for us to
 7 get through these hard times.
 8 I speak for Vietnamese, black people, white
 9 people. We are here, and this is our industry.
 10 I'm not going anywhere. I plan to retire
 11 fishing, and I want to see us do something for our future.
 12 I just appreciate being allowed this time and
 13 thank y'all.
 14 COMMISSIONER GOLLOTT: Thank you, Catfish.
 15 Next we have George Stors (phonetic).
 16 GEORGE STORS: George Stors, oyster fisherman
 17 seems like for a thousand years, but only about forty-
 18 something.
 19 Catfish had a good little speech this morning.
 20 I'm proud of him, but I need to reiterate on a few things
 21 he did say that we really do need to go ahead on.
 22 I would like to ask is that you guys -- and I
 23 know you know this, especially Director Miller -- tell me
 24 what the tengers are going to be involved in, like, what
 25 phase, when are we going to do it.

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1 There are a couple of other things I need to
 2 ask.
 3 Do you want me to go through everything I need
 4 to ask, and, then, you will address this?
 5 JAMIE MILLER: George, yes, you can ask whatever
 6 you want, and, if we don't get to all the answers, I will
 7 be glad to spend some time with you after the meeting.
 8 GEORGE STORS: Everybody that has ever come up
 9 here that was a fisherman said, look, we don't want a
 10 check. We just want to work.
 11 If the money is going to be here and it is
 12 Federal money and it is for a disaster and it should have
 13 been for the fishermen, I think it is, and, if we are not
 14 going to be able to participate in this thing in a parity
 15 way, in a way that is equal and well between us all, then,
 16 I would be for writing a check, but I know we can't do
 17 that because our laws are screwed up and they are not ever
 18 going to do that, but I'm with Harold on that part, and
 19 I'm sure some of these other guys will go ahead and do
 20 that, and not just say, look, I want to work and don't
 21 give us a check.
 22 We would rather work, but, if we are not going
 23 to all be able to participate in this thing, then, I will
 24 go the other way on it.
 25 I just need you to explain to me what we are

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1 going to be involved in as a tonger.
 2 There is one other thing about that Pearl River,
 3 Joe. There is a fabulous plan in place, but it was
 4 written way back, and I was just a little baby in the
 5 business, but I knew what it would do, that it would
 6 impact us fishermen and it would take us out, take us
 7 down, and that is what it has done.
 8 I believe you need to take this Pearl River part
 9 of this plan and really, really work hard on it, as far as
 10 this flood stage part, and we need to work on just the
 11 bacteria end of it because the flood stage happens, even
 12 when it is not raining, or flooding, up there because they
 13 dump that Ross Barnett Spillway. They just dump it, when
 14 they get ready. It's the Corps of Engineers. If you guys
 15 could work with the Corps of Engineers, we wouldn't ever
 16 have this problem, but you have got to get with them and
 17 make the Feds stop dumping this water and raising that
 18 thing up, when it's the very time -- we could have been
 19 working all last week, if it wasn't for that. I'm sure
 20 the bacteria levels would have been down.
 21 I know that the bacteria levels do climb, when
 22 you've got a high river, but they don't climb for a long
 23 time, until that water gets down to where it needs to be,
 24 and that's where you've got the check stations at, but I
 25 think we need to work on that plan.

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1 If you will just clue me in about what we are
 2 going to do about that other stuff, I would be glad to
 3 hear it. Thank you.
 4 COMMISSIONER GOLLOTT: Thank you, George.
 5 JAMIE MILLER: Thank you, George.
 6 COMMISSIONER GOLLOTT: Joe Jewel.
 7 JOE JEWELL: Thank you. We are always thankful
 8 to hear from our fishermen.
 9 The next agenda item is the Red Tide update by
 10 Ms. Kristina Broussard.
 11 KRISTINA BROUSSARD: Good morning.
 12 The Shellfish Bureau has an update for you on
 13 the harmful algal bloom, Karenia brevis, that caused the
 14 Red Tide across the Mississippi Gulf Coast.
 15 To date, we have two hundred and sixty-three
 16 samples that we collected and identified.
 17 We started looking for Karenia brevis on
 18 November 10th, when we received word from the Alabama state
 19 authorities that the cell counts were high in their area.
 20 Our first citing of Karenia brevis, in
 21 Mississippi waters, was on December 1st.
 22 We started conducting cell counts on December
 23 10th, and, then, our last official citing of Karenia brevis
 24 was January 6th.
 25 From January 6th to January 9th, we had three

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1 coast-wide series of cell counts that showed low to no
 2 presence of Karenia brevis.
 3 At this point, we were able to move forward with
 4 a two-step process to examine the oyster meat for
 5 toxicity.
 6 The first step in that process was the ELISA
 7 test. This is an Enzyme-Linked Immunosorbant Assay test,
 8 and it is strictly used to pre-screen the oysters for the
 9 presence, or absence, of brevetoxins. This test was
 10 conducted at the Dauphin Island Sea Lab in Alabama on
 11 January 13th.
 12 We collected seven meat samples from Pass
 13 Christian dredging and tonging reefs, Pass Marianne Reef,
 14 St. Joe Reef, St. Stanislaus Reef, Between the Bridges,
 15 and Henderson Point Reef.
 16 These meat samples show that there were levels
 17 well below the FDA guidance level of eight hundred parts
 18 per billion.
 19 Then, we were able to move forward with the
 20 second step of the process which is the Mouse Bioassay.
 21 Essentially, this is a Neurotoxic Shellfish Poisoning
 22 Bioassay.
 23 We collected six samples and sent them to the
 24 Florida Fish and Wildlife Conservation Commission in St.
 25 Petersburg, Florida, where they received the samples and

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1 processed them for the bioassay.
 2 At that point, the FWRI was backed up with their
 3 own state samples and they partnered with the Resource
 4 Access International in Brunswick, Maine, to complete the
 5 Mouse Bioassay.
 6 We had six locations of oyster meat samples that
 7 we collected; Pass Christian Dredging and Tonging Reefs,
 8 St. Joe Reef, St. Stanislaus Reef, Between the Bridges,
 9 and Henderson Point Reef.
 10 All of these samples came back clear of the
 11 biotoxins. The mice survived the test which means that
 12 there was less than twenty Mouse Units per one hundred
 13 grams of oyster meat.
 14 This is a map of the six locations where we
 15 collected meat samples for the Mouse Bioassay.
 16 Then, just to go over the model Ordinance:
 17 The closed status of an oyster reef shall remain
 18 in effect until the Authority has data to show that the
 19 toxin content of the shellfish in the growing area is
 20 below the levels established for closing that area, and
 21 the levels established by the NSP are five thousand cells
 22 per liter, or less, and twenty Mouse Units per one hundred
 23 grams of oyster meat.
 24 with the zero cell counts, the ELISA Tests that
 25 were well below eight hundred parts per billion, and the

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1 Mouse Bioassay which was below the twenty Mouse Units per
2 one hundred grams of oyster meat, we officially have the
3 event behind us.

4 Any questions?

5 COMMISSIONER BOSARGE: I have one.

6 COMMISSIONER GOLLOTT: Go ahead.

7 COMMISSIONER BOSARGE: Just out of curiosity,
8 about how long did it take for the oysters to shed
9 themselves of the toxin?

10 KRISTINA BROUSSARD: It usually takes about
11 thirty days for them to filter the toxin.

12 COMMISSIONER BOSARGE: Is that about the time
13 period we had there?

14 KRISTINA BROUSSARD: It is about that time.

15 COMMISSIONER BOSARGE: Thank you.

16 COMMISSIONER GOLLOTT: Joe, let me stop you one
17 more time.

18 Ms. Thao Vu would like to say something.
19 would you come to the podium, please?

20 THAO VU: Thao Vu, with the Mississippi
21 Coalition for Vietnamese-American Fisher Folks and
22 Families.

23 Good morning Director Miller, Commissioners, Ms.
24 Chestnut. Good to see everyone again.

25 I would like to speak on the Oyster Restoration

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1 Program.

2 First of all, thank you for giving some update
3 information in the PowerPoint presentation and slides, but
4 I do want to reiterate some of the concerns I expressed
5 earlier.

6 The Emergency Oyster Recovery Program, all the
7 fishermen that are back there -- there are at least
8 twenty-five fishermen, multi-ethnic group of Vietnamese
9 and Caucasian -- they didn't think there was really
10 adequate planning time and preparation, and the
11 implementation was not well executed either because there
12 was a lack of planning time and there were a number of
13 issues, as a result.

14 There are serious concerns that we have, and we
15 really would like the Commissioners and the DMR staff to
16 please, please help these fishermen who have been
17 suffering so hard to have some livelihood sustainability.

18 They have been fishermen for decades. They come
19 from multi-generational families of fishermen for many,
20 many decades, and the path they are on is not very
21 sustainable.

22 I have expressed this many times that the past
23 six years, with all these disasters, they haven't been
24 able to harvest seven months combined. No one could
25 survive like that, none of us can.

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1 There must be equal opportunities and access for
2 everyone.

3 why were the tonging boats not allowed to work,
4 during the recent program?

5 There was a role for them. There could have
6 been a role for them.

7 How come everyone wasn't using the same size
8 equipment, even though this agency had implemented
9 regulations stating that dredges must be a hundred and
10 fifteen pounds?

11 why were some boats allowed to use the heavier
12 dredge?

13 Equal opportunity. Fairness. It should be
14 fair. It should not be favored because one group is more
15 affluent, or more politically connected.

16 who has been most impacted by this?

17 It's the fishermen. They and their families for
18 decades have contributed to this local economy and the
19 state economy, the regional economy, and the national
20 economy. The seafood industry, they are the backbone of
21 this.

22 We strongly, strongly recommend for this agency
23 to get on the path of restoration, real genuine oyster
24 reef restoration.

25 Last month, at the public meeting, Mr. Joe

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1 Jewell himself gave a presentation that I have in front of
2 me. It's called The Oyster Restoration Program.

3 Thank you for providing it, Mr. Gollott.

4 The Commercial Oyster Recovery and Relay
5 Program, we think that program should be implemented in a
6 month, or a month and a half. with adequate planning
7 time, we think that is on the path of restoration.

8 Just like Mr. Miller said earlier, allow the
9 fishermen to go out and cultivate and dredge those reefs
10 that have not been harvested in many decades and break up
11 those clumps of oysters, and those reefs will become more
12 viable and they will have a sustainable livelihood. Thank
13 you.

14 COMMISSIONER GOLLOTT: Thank you, Thao.
15 Do we have any comments?

16 COMMISSIONER BOSARGE: A question for Joe.
17 Do we have any plans for some sort of a relay
18 program for the tongers maybe?

19 JOE JEWELL: Well, as Ms. Vu mentioned, these
20 monies were the Bonnet Carre Spillway Federal Disaster
21 Dollars. It's a five-year program.

22 It is not our intent to use all of the dollars
23 outside of the program mandates. We have a plan that we
24 are going to use the dollars over a five-year period.

25 We certainly used the funds for this relay

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1 program and, as I mentioned before in a presentation
2 before the Commission, when the Commission asked us to
3 develop an oyster relief program, we had to do that
4 quickly, in advance of the Bonnet Carre Spillway opening.

5 COMMISSIONER BOSARGE: I think everybody
6 understands that.

7 JOE JEWELL: Most everybody understands that.

8 COMMISSIONER BOSARGE: Pardon?

9 JOE JEWELL: I said most everybody understands
10 that.

11 COMMISSIONER BOSARGE: In the scheme of things,
12 maybe it benefitted one sector of the fishery more than it
13 did the other; that is the dredgers versus the tongers.

14 JOE JEWELL: I think they benefitted more than
15 others, but we did not intentionally, or directionally,
16 not allow tongers.

17 We did allow tongers to participate. We found
18 tongers eligible and we did allow tongers that could find
19 other boats, or vessels, to substitute as vessels.

20 I think what Ms. Vu was trying to say was that
21 had there been enough time more tongers would have found
22 more vessels and been able to participate more equally
23 than dredgers did, and that probably is a true statement.

24 COMMISSIONER BOSARGE: I agree.

25 I think there are some opportunities for us to

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1 take some of that disaster money and use it in places
2 where there can only be tongers, maybe Graveline, or some
3 places like that, where we could do some relays and
4 restoration.

5 JOE JEWELL: In that particular segment of the
6 grant where we implement the rest of the funding with that
7 five-year program, when we are not facing an issue like
8 the opening of the Bonnet Carre Spillway, we do intend to
9 represent the segments of the oyster industry more fairly
10 and more openly.

11 It was just at that particular time, when we
12 were facing a disaster that was impending on an industry,
13 that we were trying to do the best we could with the time
14 frame that we had and the momentum that we were facing
15 with that particular event, but we didn't intentionally,
16 or segmently, restrict access to the program.

17 We will certainly do a much better job with that
18 in the future.

19 COMMISSIONER BOSARGE: I guess most of your
20 point is, when we did this relay, it was because of a
21 possible disaster to the environment, and I think now it
22 is more a possible disaster to their livelihood.

23 If we could move towards some type of a relay
24 program that would involve more of the tongers, I am sure
25 they would appreciate it.

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1 JOE JEWELL: Absolutely. Sure.

2 COMMISSIONER GOLLOTT: Joe, let me address the
3 oversize dredgers.

4 The Commission did pass an emergency measure to
5 let people use the size dredges that they had on their
6 boats, but all the fishermen could have used the larger
7 dredges at that time.

8 The reason I'm saying this is that I got dressed
9 down, by a lady on the phone, pretty good on this, and she
10 accused me of my family being able to use the larger
11 dredges, and I assured her I had no immediate family
12 involved in this whatsoever.

13 Everybody was treated equally. The tongers, we
14 need to do something for them, I agree, but the dredgers
15 were treated equally, as far as dredge sizes and the
16 amount of oysters they could catch and such as that.

17 JOE JEWELL: They were, but I think Ms. Vu's
18 point is that the information that got out probably didn't
19 get out as efficiently and wasn't distributed as equally
20 as it possibly could be, and I'm not disagreeing with that
21 point.

22 The point I'm trying to make is that we were
23 trying to react as quickly as possible to an event that
24 was beyond our control. We had no say, or input, to the
25 opening of the Bonnet Carre or to how many gates were

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1 going to be open. We were just reacting to an event that
2 we had no control over.

3 While I recognize Ms. Vu's input and I do
4 appreciate her comments, we were reacting to an event and
5 trying to provide a program with as equal access as we
6 possibly could under the conditions that we were given.

7 To her comments, I think they were fair
8 comments. We are certainly going to take those under
9 consideration, when we implement the other segments of the
10 2011 Bonnet Carre Disaster Grant. They were fair
11 comments, and we are going to consider those absolutely.

12 JAMIE MILLER: Let me add one last comment
13 because I believe we did act quickly and we did not have
14 the time we normally would have wanted to plan.

15 One of the major obstacles to contracting with
16 the fishermen directly -- and we heard this a lot, in the
17 public meetings we had on that Wednesday -- is that the
18 State does not currently have a mechanism for us to
19 contract with individual fishermen, without requiring
20 liability insurance, which is just a real barrier.

21 Even in this instance, we made people eligible
22 to participate in the program, but we ultimately did not
23 contract with any one individual fisherman, dredger, or
24 tonger.

25 It is true that we made tongers eligible for the

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1 program, and some had the means to get other boats, or
 2 other ways to participate in the program; some did not.
 3 Any future program that we have, we absolutely
 4 have been trying to put together what that would like that
 5 would include tongsers.
 6 I want to remind everybody, we still don't have
 7 a way to directly contract with the fishermen.
 8 Even if we have a program, or a project, that
 9 would include tongsers, that type of work, we still have to
 10 overcome how do we make it inclusive for all to
 11 participate, without directly contracting with them.
 12 I don't want to leave that out. It is an
 13 obstacle we are dealing with, but I believe we have
 14 listened in each of these public meetings. I have met
 15 with Ms. Vu on a few occasions, and we absolutely are
 16 trying to do a program that is inclusive, but, at the same
 17 time, spends the money wisely in that we get the biggest
 18 bang for our buck in the recovery. Thank you.
 19 COMMISSIONER BOSARGE: Did we learn anything, or
 20 any means of being able to maybe not contract, but to hire
 21 fishermen, with the relay that took place?
 22 JAMIE MILLER: What we ended up doing was
 23 contracting with the licensed dealers that could buy the
 24 sacks of oysters. So we had contracts with five dealer-
 25 processors and, in the contract, it specified how much

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1 they would pay for a sack of oysters and who they could
 2 buy from.
 3 You had to be an eligible participant in the
 4 program to sell the sacks of oysters and to be on the
 5 reef, and, then, we specifically mandated in the contract
 6 how much they would pay per sack. That's how we kind of
 7 worked around it.
 8 COMMISSIONER BOSARGE: Do you see us being able
 9 to use that formula for any other relays?
 10 JAMIE MILLER: I think we are going to have to
 11 be creative in that way and the dealer-processors
 12 themselves also have to be eligible through the grant
 13 process. They also have to meet the criteria of the
 14 grant. That is the other governing factor.
 15 COMMISSIONER BOSARGE: Too many steps. Thank
 16 you.
 17 JOE JEWELL: For our final presentation, I want
 18 to make sort of an opening statement for the Marine
 19 Commission about the Stock Assessment Panel. That is what
 20 is driving this issue and what is driving the data and
 21 what is driving this presentation.
 22 The joint DMR and GCRL Stock Assessment Panel
 23 was formed in January of 2013, in response to the CMR's
 24 request for more reliable and updated information on which
 25 to make a more informed management decision.

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1 The purpose of the panel is to conduct stock
 2 assessments of the State of Mississippi's marine
 3 fisheries, provide scientific support for the Commission
 4 on Marine Resources, and advise the Commission on marine
 5 fisheries management issues.
 6 Here are some of the specific charges of the
 7 Stock Assessment Panel:
 8 Identify stocks in need of assessment, in
 9 collaboration with the Commission.
 10 As the Commission may recall, one of the first
 11 tasks that the Commission assigned to the Stock Assessment
 12 Panel was the red drum escapement rate, and, then, of
 13 course, the first true stock assessment is the spotted
 14 seatrout.
 15 Second, the evaluation of scientific data
 16 available and identify data gaps.
 17 Next, address data inadequacies.
 18 Evaluate current assessment models.
 19 Finally, conduct assessments and present the
 20 results to the Marine Commission.
 21 I want to sort of give you the membership of the
 22 Stock Assessment Panel.
 23 From the Department of Marine Resources, Matt
 24 Hill and Dr. Paul Mickle.
 25 From GCRL is Dr. Robert Leaf and Ms. Jill

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1 Hendon.
 2 Technical advisors to the Stock Assessment Panel
 3 are, from GCRL, Dr. Read Hendon, and from DMR, myself.
 4 As the Commission may remember, the spotted
 5 seatrout stock assessment, the Commission had requested
 6 the results of that assessment be presented in October of
 7 last year, but the modeling results were not available at
 8 that time, and there are still some issues that need to be
 9 resolved with that complete stock assessment.
 10 Before you today is just the initial findings.
 11 There is a process that has to be presented and
 12 evaluated, before any true stock assessment can be
 13 finalized.
 14 Once the data has been evaluated, on GCRL's end
 15 -- it is in its final stages right now -- that data will
 16 be presented to the stock assessment evaluation team
 17 within DMR to review.
 18 Once that has been reviewed by our internal
 19 committee, it will be peer reviewed by a larger group
 20 external from DMR.
 21 Once that peer review analysis has been done,
 22 then, it will be in its final form and, when that is done,
 23 that will be presented before the Commission on Marine
 24 Resources at which time the Commission may, or may not,
 25 decide to take action.

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1 With that being said, if you have no questions,
2 Dr. Paul Mickle will give the initial analysis of the
3 spotted seatrout stock assessment.

4 COMMISSIONER BOSARGE: Joe, what kind of time
5 frame do you think it will be before the peer review is
6 done?

7 JOE JEWELL: Well, GCRL is putting the modeling,
8 the data, into a final format. That should take about
9 two, or three, weeks. It will take another couple of
10 weeks for the DMR internal review panel to assess that.
11 and, then, when it goes out for a formal peer review
12 committee, that takes anywhere from two to three months.
13 So it is going to be a process. It is a formal technical
14 scientific document.

15 COMMISSIONER BOSARGE: Good.

16 COMMISSIONER DRUMMOND: Joe, is this
17 recreational data and commercial?

18 JOE JEWELL: It is both.

19 PAUL MICKLE: Good morning Commissioners,
20 Director Miller, Ms. Chestnut,

21 Like Joe said, these are initial findings that I
22 am going to present here today.

23 As we know, spotted seatrout are arguably the
24 most popular sport fish and commercial fish in our State
25 waters. They have been heavily managed because of this.

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1 Because of their popularity, it is important
2 that we look back and see what has been done with this
3 species. It has been closely monitored. It has been
4 closely studied.

5 There is a lot of literature out there on this
6 species and just within our State we have seen, through
7 the history, some changes in our recreational sector of
8 size range, bag limit, all sorts of different things
9 moving through the years.

10 Most recently, the size limit changed, in 2008,
11 to thirteen inches, and, then, in the commercial sector,
12 they have had size changes as well and a quota increase
13 from forty thousand to fifty thousand pounds.

14 Because of the popularity and the high
15 management level of the species, you can see throughout
16 the Gulf it has been the same story.

17 These are just present management regulations
18 (indicating slide):

19 You can see Texas has a lot of different
20 regulatory actions being taken, at the present.

21 Louisiana has also done a lot of different
22 things, and they are presently considering additional
23 changes as well.

24 We have seen our changes, and this is what we
25 are currently at, recreational and commercial.

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1 Alabama, very similar to our waters, seeing
2 their present regulatory activities.

3 Then, Florida, has probably been the most
4 aggressive in regulatory changes. They have many, many
5 zones, many different regulations within those zones, and
6 they have had six changes just in the last ten years.
7 Very aggressive management strategies taking place. This
8 makes sense for Florida because Florida has, by far, the
9 most recreational angler pressure being seen, and you
10 would think that they would have the most regulatory
11 changes.

12 A little bit about the life history, a little
13 review. Like I said, it is heavily studied. We know a
14 lot about spotted seatrout. We know a lot about their
15 ecology and life history.

16 Throughout the Gulf, the literature states they
17 primarily feed on small crustaceans. The good news is
18 they reach maturity in one to two years. They become
19 reproductive very young.

20 They spawn between March and September. Larger
21 females can produce up to a million eggs. They spawn
22 primarily in shallow grassy areas. They utilize deep bays
23 in the rivers during winter months.

24 Mississippi kind of has a spin on this. We
25 don't really have that sea grass kind of player in the

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1 life history. They don't depend on sea grass like a lot
2 of the literature states throughout the Gulf. We have
3 these beautiful estuaries within our State waters that
4 support large food bases.

5 Interestingly, a lot of the literature within
6 the northern Gulf, even in our State, shows that these
7 fish are not really leaving in large numbers. They are
8 staying in our waters. They are spending their entire
9 lives within our waters. So it is important that
10 management stays very closely observing what is going on
11 with our population.

12 We have a few fish that come in and out, and
13 things that push fish populations around, but, for the
14 most part, our fish are ours to manage.

15 Like I said, they reproduce at young ages.
16 That's the good news. It makes it a very powerful tool in
17 management.

18 You can see here that at very small lengths,
19 some portion of them are becoming reproductive. That is
20 very good news. By fourteen inches, one hundred percent
21 of the fourteen inch fish are reproductive and capable of
22 spawning (indicating graph).

23 Let's get to the model stuff. What is going
24 into the model is mostly fishery dependent data and
25 fishery independent data.

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1 As Commissioner Drummond brought up, we have the
2 fishery dependent data which is the recreational survey
3 data and the commercial side.

4 Then, the independent data is our data gathering
5 programs here at DMR and GCRL.

6 At this point, I would like to thank David
7 Dippold, Dr. Robert Leaf and Dr. Read Hendon for producing
8 the output that I am about to share today. The model that
9 they use is a Age Structure Assessment Program that is
10 called ASAP, and it is what NOAA uses for their stock
11 assessments throughout the Gulf of Mexico and in the
12 Atlantic as well.

13 In modeling and in management, what has become
14 very popular, in driving management, are these reference
15 points. These are statistical summaries, statistics that
16 we use to set bench marks and to try to aim for things in
17 our management strategies.

18 what has been particularly popular, in spotted
19 seatrout, is SPR, Spawning Potential Ratio. This is
20 literally just the number of eggs produced by the fish
21 stock, the stock that is being fished recreationally and
22 commercially, divided by the number of eggs produced per
23 fish over its lifetime in unfished stock. That is fish
24 that are too small and, in some cases, too large.

25 SPR is kind of our driving force in how we kind

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1 of see how things are going, this Spawning Potential
2 Ratio.

3 This first figure here, this is the X Axis for
4 the years and SPR percentage on the Y Axis, and you can
5 see here it is fairly stable with some variability going
6 on, and, then, recently, we have seen a downturn, starting
7 around 2007-2008, somewhere around there, sequential years
8 of downturn within SPR.

9 Looking at the spawning stock biomass, this is
10 the stock out in the water, the biomass that is capable of
11 spawning out there. We measure this and show it on the X
12 Axis here as years, just like before, and spawning stock
13 biomass on the Y Axis with metric tons (indicating graph).

14 You can see, even with commercial and
15 recreational fishing going on and increasing recreational
16 fishing pressure, the spawning stock biomass over the
17 years is increasing, but we, now, see a very sharp
18 downturn with many years of falling spawning stock biomass
19 showing up until 2014 (indicating graph).

20 Then, the total biomass, this is the biomass of
21 spawning ability fish and non-capable spawning fish. This
22 is everything out there that is spotted seatrout. You can
23 see here the very same trend as the last figure; X Axis of
24 the years, and, then, total biomass is in metric tons,
25 going up sequential years here, and, then, sequential

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1 years decreasing up to 2014 (indicating graph).

2 The next figure is fishing mortality. This is
3 what is being removed and causing mortality through
4 fishing, whether it be commercial, or recreational. Just
5 like before, the years are on the X Axis, and, then, the
6 mortality value on the Y Axis. Very little variation
7 throughout the years, and, then, you see fishing mortality
8 increasing very quickly within the last few years
9 (indicating graph).

10 This is called Fishery Independent Index of
11 Abundance. Instead of including all the data, this is
12 just fishery independent. This is the data that the DMR
13 and GCRL are gathering together. The dots, that is actual
14 data, and, then, the lines is the model output data. You
15 can see that it is following the dots very closely so it
16 is showing model strength. This is a strong model, and it
17 is showing decreasing trend within fish abundance
18 (indicating graph).

19 Looking at the Fishery Dependent Data, you see
20 the high variability, but the same trend, in the last few
21 years, of trending down within those late years
22 (indicating graph).

23 There is something going on and it is something
24 to definitely look at further.

25 Are there any questions this morning?

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1 COMMISSIONER BOSARGE: Could you go back a
2 couple of slides where you have the SPR values for
3 different years?

4 PAUL MICKLE: This one (indicating slide)?

5 COMMISSIONER BOSARGE: Yes. That slide was left
6 out of my presentation.

7 PAUL MICKLE: Yes. We updated it. We had
8 values up to about 2000. We had to update it for this
9 presentation. It just came out.

10 Again these are initial findings. They are
11 literally coming out, as the process goes on.

12 COMMISSIONER BOSARGE: I guess, from everything
13 I have read and seen, the SPR is basically the benchmark
14 for where you stock is?

15 PAUL MICKLE: Yes. SPR has been involved with
16 spotted seatrout through the Atlantic even. It is just
17 one of those reference points.

18 COMMISSIONER BOSARGE: I looked at your
19 presentation and I was trying to determine what SPR meant,
20 and I found a little better definition. It is a measure
21 of the affect of fishing pressure on the relative
22 abundance of mature females.

23 PAUL MICKLE: Exactly.

24 COMMISSIONER BOSARGE: To me, that described it
25 a little bit better in terms that I can understand.

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1 When you talk about SPR and you look at the
2 different years, where would you put the benchmark?

3 From what I see and what I read, Florida, of
4 course, if the most stringent. It looks like they manage
5 their fishery more into trophy fish, in other words, where
6 people catch a lot of big fish.

7 Louisiana, on the other hand, manages theirs on
8 the bottom end of it, and I see that their SPR, in
9 Louisiana, they try to maintain eighteen percent, and
10 Florida is thirty-five.

11 Where is the point of no return?
12 where is the point where that SPR ratio gets so
13 low that we are close to a collapse of the fishery?

14 PAUL MICKLE: Well, they are a highly regional
15 fish, and estuaries of high production, such as Louisiana,
16 very productive estuaries, have very productive fisheries
17 and can sustain heavy fishing and things like that.

18 Now, Florida is nutrient dependent. Their
19 estuaries are much smaller. They have constraints on a
20 lot of different things that the central Gulf really
21 doesn't have, and they have much higher recreational
22 pressures.

23 Installing larger SPR's in lower productive
24 systems and higher fishing pressure systems is obviously a
25 good strategy to take.

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1 first time I've gotten to see this.

2 If I read your chart correctly, we are somewhere
3 around seven maybe?

4 PAUL MICKLE: Yes. We are below ten.

5 You can see here that we are bouncing around, in
6 prior years, right around twenty percent with natural
7 variabilities (indicating graph).

8 JOE JEWELL: Steve, let me sort of address some
9 of your questions about data.

10 The data that you see presented right here, some
11 of the initial data, the data from the actual models is
12 not going to significantly change, but one of the things
13 that is going to change, in the presentation that we are
14 going to present before the Commission in the next two or
15 three months, is how we approach the data and the
16 management decisions that we will make about the data.

17 Today, we are probably not going to address some
18 of those issues because, like I said, we have to peer
19 review this data. There is going to have to be a lot of
20 people that are going to have to do some analysis of the
21 models, they are going to have to do some analysis of the
22 inputs, the outputs. We are going to have to really do a
23 lot of critical review of not only the data, but how the
24 data was manipulated, how it interacted with the models
25 and some of the sensitivity studies that were done of the

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1 As far as understanding what Mississippi's SPR
2 should be, I think there should be a lot of discussion. I
3 think we should understand and look at the models and the
4 data to understand exactly what is going on, long years of
5 data, understand the natural rhythms of what is going on
6 out there, and see what truly fishing impact is occurring
7 and try to all decide what is going on and what a
8 desirable SPR value would be for spotted seatrout in
9 Mississippi.

10 COMMISSIONER BOSARGE: From what I understand,
11 Mississippi probably has as much, or more, data than any
12 other state, as it relates to speckled trout, or spotted
13 seatrout.

14 PAUL MICKLE: Yes. It has been heavily studied
15 within the State of Mississippi.

16 COMMISSIONER BOSARGE: My understanding is that,
17 basically from everything I can read, the benchmark for
18 SPR for most states to maintain a decent fishery is about
19 twenty percent.

20 Would you agree?

21 PAUL MICKLE: I would definitely want to look
22 and see a lot more of the models to understand and put an
23 exact number on it, but I would think we would want it to
24 be in that neighborhood.

25 COMMISSIONER BOSARGE: Like I said, this is the

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1 model.

2 The data itself is not significantly going to
3 change. Your questions of point are probably pretty
4 relevant, but the actual management decisions that we are
5 going to have to address are probably not germane right
6 now because we've got a lot of work to do ahead of us.

7 COMMISSIONER BOSARGE: I see your point.

8 My point is that the more education we can get,
9 the better decisions we can make.

10 JOE JEWELL: Sure.

11 COMMISSIONER BOSARGE: There is a lot to be
12 learned about the models, and I guess the good point would
13 be that we are not the first state that has had to do
14 this. As a matter of fact, we are probably the last state
15 that has had to do it, as far as to actually come up with
16 a fishery management plan.

17 On the other side, I'm the commercial fishing
18 representative. I have a long history of where we are and
19 how we got to where we are, now.

20 I have a vested interest in what we do and how
21 we proceed from this point forward. I am going to be
22 involved.

23 Would you like for me to hold most of my
24 questions, until we can get data?

25 JOE JEWELL: No. I think the more questions you

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1 feel comfortable asking, I certainly will address those
2 questions, now. I don't want you to hold back, but I
3 think when we start asking questions that are going to
4 address the management options, let's wait for those until
5 we get ready to do the final presentation.

6 Any questions about the data, we are more than
7 willing to address those.

8 COMMISSIONER BOSARGE: Just what I see in the
9 data, that scares me.

10 JOE JEWELL: It is for concern. We should be
11 concerned about that, but, like Dr. Mickle pointed out,
12 there is natural variation. There is significance about
13 the estuary systems that we have to take into
14 consideration, but the data is the data, and, at some
15 point, we are going to have to address it.

16 COMMISSIONER BOSARGE: Thank you.

17 COMMISSIONER GOLLOTT: Paul and Joe, thank you
18 very much.

19 At this time, Shelby Drummond is insisting on
20 having a break. We will take about a ten-minute break.
21 (Whereupon, a short recess was taken.)

22 COMMISSIONER GOLLOTT: I would like to bring
23 this meeting back to order.

24 Next on the agenda we have Jan Boyd, Coastal
25 Resource Management.

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1 COMMISSIONER BOSARGE: Can we go just a little
2 bit further?

3 COMMISSIONER GOLLOTT: We will back up and let
4 Joe finish. I thought he was finished.

5 JOE JEWELL: I think there is one more question
6 about the spotted seatrout stock assessment.

7 Steve, do you want to go ahead and ask your
8 question?

9 I think I cut you off, at the very end.

10 COMMISSIONER BOSARGE: We were talking about the
11 SPR and, from my take, that is basically the benchmark as
12 to where you manage to.

13 When you come back at the next meeting, if you
14 could give us options for managing it, the fifteen
15 percent, twenty percent, twenty-five, thirty, thirty-five
16 and forty, what we would have to do to manage to that
17 percent?

18 JOE JEWELL: We could do that. I think we had
19 spoken internally, the Stock Assessment Panel, about
20 providing certain options for y'all to consider at the
21 next meeting.

22 We certainly can consider those specific SPR's
23 for y'all, at the next presentation.

24 COMMISSIONER BOSARGE: Thank you.

25 JOE JEWELL: If there are no other questions,

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1 that concludes Marine Fisheries.

2 COMMISSIONER GOLLOTT: Thank you, Joe.

3 Now, we go to Mr. Jan Boyd.

4 JAN BOYD: Good morning Mr. Chairman,
5 Commissioners, Director Miller, Ms. Chestnut.

6 We have two action items on the agenda for your
7 consideration this morning, and Jennifer Wittman will be
8 our first presenter.

9 JENNIFER WITTMANN: Good morning.

10 The first thing we have on the agenda today is a
11 request for a permit by Brandon Bosarge. It is located on
12 Bayou St. Pierre at 405 Italian Isle Drive in Gautier. It
13 is located in the General Use District.

14 The applicant is proposing to remove an existing
15 boathouse and reconfigure the layout to accommodate
16 vessels that he currently owns and to perform maintenance
17 dredging.

18 The dredged material will be disposed of at an
19 approved upland location on site, or a beneficial use
20 site.

21 There is also an existing access pier and pier
22 located on the Mississippi Sound.

23 The proposed boathouse and associated pier will
24 be two thousand three hundred and sixty-seven square feet
25 over Bayou St. Pierre. Total shading at the property,

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1 including the pier, on the Mississippi Sound will be two
2 thousand six hundred and thirty-seven square feet. The
3 maintenance dredging will be approximately two hundred and
4 seventy-nine cubic yards.

5 This is Mr. Bosarge's property, in reference to
6 Highway 90 and Bayou Pierre Road, and this is a zoomed-in
7 aerial showing Bayou St. Pierre and the Mississippi Sound.

8 This is the pier and access pier, and, then,
9 this is the boathouse that will be removed and replaced
10 (indicating photograph).

11 This is a picture showing the existing pier and
12 boathouse located at 405 Italian Isle Drive. Currently,
13 the boathouse will not accommodate the vessels that are
14 owned by Mr. Bosarge, and you should have received a
15 picture of those vessels in your packet.

16 This is a diagram showing the proposed
17 structure. You can see that there is a small pier area
18 that comes out from the bulkhead, and that is going to
19 help minimize the amount of dredging that needs to take
20 place to accommodate the large forty-two foot Yellowfin.
21 There will also be a smaller Everglades Bay boat and a jet
22 ski.

23 This diagram also shows the distances that will
24 be increased across the width of waterway from the
25 bulkhead on the opposite bank.

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1 This is the dredging diagram, showing a small
 2 channel that leads up to the boathouse. This area here is
 3 the dredge material disposal site for the onsite location,
 4 and there will be silt fencing and hay bales placed around
 5 the material, if it is placed on site and not taken to a
 6 beneficial use site.

7 This is a private pier that will benefit the
 8 property owner and there are no public benefits.

9 The project is allowable within the General Use
 10 District.

11 The project will set a new precedent for the
 12 amount of shading associated with a single residential
 13 property. Currently, the maximum shading the Commission
 14 has allowed for a residence is two thousand sixteen square
 15 feet, but this precedent was set by a violation more than
 16 ten years ago, and the applicant has exhibited a need for
 17 the structure, based on the vessels that he currently
 18 owns. Again, you received pictures of those in your
 19 packet.

20 Biological productivity should not be adversely
 21 impacted. The presence of the existing boathouse would
 22 not allow for SAV growth along the shoreline and the area
 23 is routinely management dredged by the surrounding
 24 property owners.

25 Best management practices will be utilized,

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1 during all phases of construction.

2 Currently there is a minimum of fifty-eight-and-
 3 a-half feet of navigable waterway between the existing
 4 boathouse and the bulkhead on the opposite bank. The
 5 proposed boathouse will leave a minimum of sixty-one feet
 6 of navigation area between the new boathouse and the
 7 opposite bulkhead.

8 The upstream property owners have signed the
 9 diagram and have no objections to the new project design.

10 Alternative sites have not been considered.
 11 This is a private residence.

12 The project should not adversely impact the
 13 natural scenic qualities. There are several other large
 14 boathouses in the vicinity of the property. Most of the
 15 shoreline along Bayou St. Pierre has been armored and many
 16 of the lots have been developed.

17 This is a picture of some of the other large
 18 boathouses that are along Bayou St. Pierre. You can see
 19 there are several large boathouses along the way.

20 Public notice appeared in the Sun Herald, as
 21 required, and no public comments were received.

22 DEQ is currently reviewing the project.

23 Secretary of State's office has requested
 24 Coastal Resource Survey only if earth disturbing water is
 25 anticipated upland from the shore, and that is not

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1 currently anything that the applicant is proposing.

2 wildlife, Fisheries and Parks has recommended
 3 best management practices.

4 Secretary of State has no lease issues.

5 Based on department review and evaluation, it
 6 has been determined that the project is consistent with
 7 the Mississippi Coastal Program, and staff recommends
 8 issuance of the permit.

9 Mr. Bosarge is here, if you have any questions
 10 for him, and I would be happy to answer any questions, as
 11 well.

12 COMMISSIONER BOSARGE: I will recuse myself from
 13 the vote, simply because Mr. Bosarge is a relative of
 14 mine.

15 COMMISSIONER GOLLOTT: There are no questions.
 16 Do we have a motion?

17 COMMISSIONER DRUMMOND: I make a motion we
 18 accept this request for this project.

19 COMMISSIONER GOLLOTT: We have a motion.
 20 Do we have a second?

21 COMMISSIONER HARMON: I'll second that, Mr.
 22 Chairman.

23 COMMISSIONER GOLLOTT: We have a motion and a
 24 second.

25 All those in favor say aye.

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1 (Mr. Drummond, Mr. Gollott, Mr. Harmon in
 2 favor.)

3 COMMISSIONER GOLLOTT: Opposed?

4 (None opposed.)

5 COMMISSIONER GOLLOTT: Motion carries.

6 On the next item, Bureau of Coastal Preserves, I
 7 would like to make a motion that might save us some time
 8 on this thing.

9 I will make a motion that the Notice of Intent
 10 for the Coastal Preserves Regulations be rescinded and
 11 that the Notice is removed from the Administrative
 12 bulletins to provide the Commission more time to review
 13 and fully consider the impact of these proposed
 14 regulations; furthermore, that at such time as the staff
 15 brings the proposed regulations back before the
 16 Commission, the regulations be reformatted consistent with
 17 the existing Title 22 Regulations and in the same format
 18 as all the other regulations.

19 Additionally, the Commission requests that these
 20 changes be submitted to Ms. Sandy Chestnut, the CMR
 21 attorney, for review and verification.

22 Do I have a second on this motion?

23 COMMISSIONER HARMON: Mr. Chairman, I will
 24 second that motion.

25 COMMISSIONER GOLLOTT: We have a motion and a

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1 second.
 2 All those in favor say aye.
 3 (All in favor.)
 4 COMMISSIONER GOLLOTT: Opposed?
 5 (None opposed.)
 6 COMMISSIONER GOLLOTT: The motion carries.
 7 COMMISSIONER BOSARGE: Maybe just to clarify
 8 things, the regulations that have been proposed, we don't
 9 necessarily have a problem with them. We just need to
 10 have some clarifications, sit down and talk about them,
 11 and, then, have them written in a different language, and,
 12 then, brought back.
 13 Correct?
 14 COMMISSIONER GOLLOTT: Yes, that's correct.
 15 COMMISSIONER BOSARGE: Thank you.
 16 COMMISSIONER GOLLOTT: At this time, Ms. Peggy
 17 Stowers would like to say something.
 18 PEGGY STOWERS: Good morning Commissioners and
 19 Director Miller.
 20 Thank you for allowing me to speak. It gives me
 21 an opportunity to thank you and Ali Leggett for
 22 considering the proposed Coastal Preserves Regulations.
 23 This set of regulations is critical for
 24 maintaining and ensuring public safety on our Coastal
 25 Preserves, along with making sure that we maintain the

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1 integrity of these wetlands, habitats and the nature
 2 preserves for conservation.
 3 As a volunteer and coordinator of the
 4 Mississippi Habitat Stewards Program that does countless
 5 hours of volunteer work on the Coastal Preserves for the
 6 Commission, we are pleased to support these regulations
 7 and the enforcement of regulations to ensure the future
 8 preservation of the Coastal Preserves for the safety and
 9 enjoyment of our visitors, our citizens and our Gulf
 10 Coast.
 11 With that being said, please remember the
 12 Coastal Preserves are living habitats that require
 13 management and continuous care and oversight to maintain
 14 their function and their service to both citizens and
 15 wildlife.
 16 The Habitat Stewards fully support the need for
 17 these regulations that would encourage appropriate use and
 18 management to ensure their successful future.
 19 We look forward to your public meetings on
 20 comments for the regulations and we will be present during
 21 that time.
 22 Thank you so much.
 23 COMMISSIONER GOLLOTT: Thank you, ma'am.
 24 I think, at this time, our Director has
 25 something to say about the meetings.

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1 JAMIE MILLER: Yes, sir.
 2 As a result of initiating the original public
 3 notice and meetings subsequent to that, the staff did
 4 prepare and announce some public hearings on the proposed
 5 regulations that we will, now, rescind, but we still want
 6 to hear from the public on this.
 7 The meetings scheduled this evening in Gautier,
 8 on February 17th at the Biloxi Visitors Center, and
 9 December 18th at Bay St. Louis Yacht Club, it is the intent
 10 of the commission, I believe, that those public hearing
 11 happen and that staff receive public comment and that be a
 12 part of the record that they will eventually bring back to
 13 y'all, as we start the process again.
 14 COMMISSIONER BOSARGE: Yes, I agree.
 15 COMMISSIONER GOLLOTT: Would you repeat that?
 16 Gautier is going to be when?
 17 JAMIE MILLER: This evening at the Gautier
 18 Community Center, the Estaurine Center.
 19 COMMISSIONER GOLLOTT: What time?
 20 JAMIE MILLER: At 6:00 p.m.
 21 COMMISSIONER GOLLOTT: Biloxi Visitors Center?
 22 JAMIE MILLER: Biloxi Visitors Center on the
 23 17th. That's tomorrow evening at 6:00 p.m.
 24 Then, Thursday, in Bay St. Louis at the Yacht
 25 Club at 6:00 p.m.

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1 COMMISSIONER GOLLOTT: Thank you, sir.
 2 JAMIE MILLER: Thank you.
 3 COMMISSIONER GOLLOTT: Next we have Office of
 4 Finance.
 5 ALI LEGGETT: We have one more comment from the
 6 public.
 7 FROM THE FLOOR: I filled out the form, but you
 8 didn't call my name.
 9 JAMIE MILLER: I'm sorry. The form, it didn't
 10 make it to us, but we are happy to have you come up and
 11 comment. I apologize.
 12 JULIA O'NEAL: I'm sorry. I guess I didn't put
 13 it in the right place.
 14 JAMIE MILLER: That's fine. Just state your
 15 name, please.
 16 JULIA O'NEAL: Julia O'Neal.
 17 Thank you for allowing me to speak,
 18 Commissioners and Director.
 19 I also am a Habitat Steward, and I want to just
 20 say that I saw these regulations on the Habitat Stewards
 21 Facebook page, and I was very surprised that they didn't
 22 already exist.
 23 A lot of what you guys have been talking about
 24 today involves the word "management", and I had always
 25 just assumed that the Coastal Preserves had management in

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1 place just like all the other aspects of the DMR. It is
2 long overdue, in any case.

3 As a Habitat Steward, I have noticed lots of
4 times and places when people really needed to know more
5 about how to take care of these Coastal Preserves.

6 We have had vandalism. We often end up just
7 picking up garbage, instead of getting rid of invasives
8 and things like that, simply because the people aren't
9 paying attention and they really don't know.

10 I think the future of Deer Island and the
11 visitors there is going to make this even more important.
12 It is going to be a heavy task to make sure that everybody
13 who gets on that boat and goes to Deer Island knows what
14 the rules are and what they can and can't do.

15 I, too, look forward to the public meetings, and
16 I wanted to say that one of our other Habitat Stewards,
17 Janet Wright, wanted to be here, but she couldn't, and I'm
18 going to read something that she wrote which, I think, is
19 very accurate.

20 "The public needs to understand that having
21 right of access to Coastal Preserve lands does not include
22 having the right to destroy them. People respect
23 reasonable, enforceable regulations that restrict damaging
24 activities. Regulations not only protect these habitats,
25 but also help inform the public how they can play a part

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1 in that protection."

2 In the interest of public education, as well as
3 management, I think you should definitely pass these
4 regulations, whatever their final form is. Thank you.

5 COMMISSIONER BOSARGE: I do believe that we will
6 pass a form of regulations. We just have to make sure
7 that it works for everybody.

8 As soon as we can iron all the bugs and
9 everybody is satisfied, then, yes, we will put it forth.

10 COMMISSIONER GOLLOTT: Is there a period that
11 write-insurance can be submitted?

12 Ali, maybe you can answer that.

13 ALI LEGGETT: I had that in my presentation, but
14 one of the things I wanted to point out is that we came
15 into this process knowing the --

16 COMMISSIONER GOLLOTT: (Interposing) Come to
17 the mike, please.

18 ALI LEGGETT: One of the things that I was going
19 to say, in my presentation, is that we came into this
20 process knowing that, as written, the regs may not be
21 perfect, but that is the point of the public comment
22 period.

23 We have had five sets of public comments already
24 received. We have been incorporating those into a working
25 document.

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1 We have received some comments from you, Mr.
2 Gollott, and other Commissioners and other members of the
3 public.

4 The point is so that we can get a document that
5 everyone is comfortable with because the end result is
6 that we have something that the public can support and the
7 resource managers can support because, in the end, we know
8 that the only regulations that people support are the ones
9 they understand.

10 I believe that there is time for write-in. I
11 wanted to incorporate the comments received at the public
12 meetings and the ones from the Commission and the public
13 today, and bring those back in front of you in March.

14 COMMISSIONER GOLLOTT: Is there a time limit?

15 Are you going to give them a week, or two weeks,
16 if somebody wanted to submit something in writing?

17 SANDY CHESTNUT: If I could just clarify. It
18 sounds like there is going to be some substantive changes
19 to these regulations. So they are going to have to go
20 back out on public notice and, at that time, we will have
21 another public comment period that all public comments
22 will be taken on that final form that is actually
23 submitted.

24 COMMISSIONER GOLLOTT: That is the reason the
25 Commission is encouraging you to have these public

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1 comments. Get the public comments and let's get it
2 together and see if we can come up with something that
3 satisfies everybody.

4 ALI LEGGETT: Okay.

5 COMMISSIONER GOLLOTT: Thank you.

6 Next is Office of Finance and Administration,
7 Kacey.

8 KACEY WILLIAMS: Good morning Commissioners,
9 Director Miller, Ms. Chestnut.

10 These are the financial results as of January
11 31st, 2016. At the end of January, we had State revenue of
12 five point two million dollars. We had a total Agency
13 revenue of eighteen point five million. We had a State
14 net income of negative one hundred and seventy-seven
15 thousand which includes spending of cash on hand. We also
16 had a total Agency net income for this fiscal year of
17 three point two million.

18 After seven months of this fiscal year, we are
19 doing really good from a budgetary standpoint. We have
20 sixty-three point eight percent left of our operating
21 funds and fifty-three point five percent of our Tidelands
22 budget.

23 Any questions?

24 COMMISSIONER GOLLOTT: Thank you very much.

25 KACEY WILLIAMS: Thank you.

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Commission on Marine Resources

1 COMMISSIONER GOLLOTT: Melissa.
 2 MELISSA SCALLAN: Good morning Commissioners,
 3 Director Miller and Ms. Chestnut.
 4 The Mississippi Department of Marine Resources
 5 was mentioned forty-four times in local, state and
 6 national media, since the last Commission meeting. The
 7 items of particular interest, of course, included the
 8 relocation of forty thousand sacks of oysters from St. Joe
 9 Reef, as well as the possibility of reopening oyster
 10 season.
 11 I did just get an update from Dr. Lucas. I have
 12 gotten some questions about the wildfire in Jackson
 13 County. So far, there are more than four thousand acres
 14 that have burned. They are flying a helicopter, right
 15 now, to determine the acreage and the containment.
 16 Bayou Heron Road is still closed. However, our
 17 staff is able to be at the NERR. We will keep you guys
 18 updated on that situation.
 19 COMMISSIONER GOLLOTT: It didn't have any affect
 20 on our fine facility down there?
 21 MELISSA SCALLAN: They did close early on
 22 Thursday, but not to the building, or anything.
 23 COMMISSIONER BOSARGE: Is the fire mainly
 24 towards the water's edge?
 25 I see the smoke, but I really haven't seen where

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1 it is located.
 2 KELLY LUCAS: Part of the problem with being
 3 able to contain the fire is it has been in the marsh and
 4 they have not been able to get heavy equipment down into
 5 the marsh. They have been putting the fire lines up on a
 6 little bit of the uplands to protect structures, to
 7 protect the NERR, to protect people's housing.
 8 The first was able to jump several of those fire
 9 lines that they put in place, but, once it gets in the
 10 more marshy areas, they just can't get equipment down in
 11 there. It is really more about trying to get ahead of it,
 12 in that case.
 13 COMMISSIONER BOSARGE: Do they know how it
 14 started?
 15 KELLY LUCAS: It was on private property off
 16 Grand Bature Road. It started on the back of that private
 17 property and it just continued to move north and east.
 18 COMMISSIONER BOSARGE: Where is it, now?
 19 KELLY LUCAS: The fire moved into Alabama. It
 20 was moving towards the Grand Bay area, and they were over
 21 there cutting lines in Alabama and working with the
 22 Alabama Forestry Commission and Lands to get those lines
 23 cut.
 24 Of course, it also was in the marsh, and that
 25 was part of their problem, not being able to get equipment

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1 in there.
 2 COMMISSIONER BOSARGE: Did the rain help us any?
 3 KELLY LUCAS: I do believe the rain has helped.
 4 We should get an update. After they fly the
 5 helicopter, they will send out an update, I think, to all
 6 media, as well as to us, as to how the rain was able to
 7 help them.
 8 COMMISSIONER BOSARGE: Thank you.
 9 MELISSA SCALLAN: Last week we also held our
 10 annual Capitol Day in the rotunda at the State Capitol,
 11 and we had representatives from all of our offices who
 12 attended and talked to several hundred people about our
 13 programs and everything we have going on here at the
 14 agency. We feel like that was a success.
 15 Marine Patrol handled a few events. They helped
 16 with security at the Donald Trump rally in Biloxi last
 17 month. They also participated in training regarding
 18 bloodborne pathogens, vibrio and communicable disease
 19 awareness. We also had four Marine Patrol officers who
 20 completed dive training in January.
 21 Any questions?
 22 COMMISSIONER GOLLOTT: Thank you, Melissa.
 23 COMMISSIONER DRUMMOND: Mr. Chairman, can I make
 24 a motion we adjourn?
 25 COMMISSIONER GOLLOTT: No, sir, not yet. We

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1 have other business.
 2 At this time, I would like to make a motion that
 3 we move our March meeting to the 22nd.
 4 Do I have a second on that motion?
 5 COMMISSIONER DRUMMOND: I second the motion, Mr.
 6 Chairman.
 7 COMMISSIONER GOLLOTT: We have a motion and a
 8 second.
 9 All those in favor say aye.
 10 (All in favor.)
 11 COMMISSIONER GOLLOTT: Opposed?
 12 (None opposed.)
 13 COMMISSIONER GOLLOTT: Motion carries.
 14 JAMIE MILLER: We were originally scheduled to
 15 be in Gautier, in Jackson County.
 16 Are you still requesting to stay in Gautier?
 17 COMMISSIONER GOLLOTT: Yes.
 18 JAMIE MILLER: Our staff will confirm and make
 19 sure that date is still available for the City, and we
 20 will plan to be in Gautier on March the 22nd.
 21 SANDY CHESTNUT: Are you going to change the
 22 time, or are you going to keep it at 9:00 o'clock?
 23 COMMISSIONER GOLLOTT: Nine o'clock is all right
 24 with me.
 25 How about the rest of y'all?

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1 JAMIE MILLER: I think when we went out of the
2 normal Commission room, we moved it to 10:00 a.m. just to
3 give people a chance to get there.

4 COMMISSIONER GOLLOTT: Either way is all right
5 with me.

6 COMMISSIONER DRUMMOND: So 10:00 o'clock?

7 COMMISSIONER GOLLOTT: Ten o'clock, since it's
8 in Gautier.

9 We have another public comment.

10 Franklin Parker, would you please come to the
11 podium?

12 FRANKLIN PARKER: Good morning Commissioners and
13 Director Miller. Thank you for giving me the opportunity
14 to speak this morning. My name is Franklin Parker. I'm a
15 commercial shrimp fisherman from Biloxi.

16 I kind of got a few answers to some of the
17 questions I had, but I still would like to bring something
18 to your attention.

19 I would like to see that the shrimping waters
20 south of the Intracoastal waterway from, like, Gulfport
21 ship channel to the Mississippi-Alabama state line, I
22 would like to see it stay open year-round.

23 It seems like every year -- I know definitely
24 the people in this office, they get a lot of phone calls.
25 You opened it too late. You opened it too early.

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1 Well, it seems like it would be an economic
2 benefit to some of the local smaller boats because just
3 say last year in particular some of the smaller boats were
4 getting three to four hundred pounds a night of nice
5 twenty-one/twenty-fives, sixteen/twenties, twenty-
6 six/thirty shrimp, and getting three to four dollars a
7 pound retail for them.

8 Well, when we close it for a month and a half,
9 the brown shrimp are small. They are catching
10 forty/fifties; getting seventy cents a pound.

11 I would like to see what can be done to keep it
12 open.

13 Other states are doing it. Louisiana hasn't
14 closed their Breton Sound and Chandeleur Sound in probably
15 twelve or fifteen years, and they are still getting the
16 migration of the brownies into the marshes and Lake
17 Borgne.

18 Also, Alabama has been doing the same thing.

19 It seems to me that it is more of a benefit to
20 the local smaller boats, trying to make a few more
21 dollars.

22 It doesn't seem like it has any negative impacts
23 on other states. Maybe it won't have any negative impact
24 on our state.

25 COMMISSIONER BOSARGE: I'm with you. I have

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1 kind of asked for the same thing.

2 Joe, do you know where we are on that, if we
3 have made any headway?

4 I remember something about the State Statute.

5 COMMISSIONER DRUMMOND: I think we ought to do
6 it, Joe.

7 JOE JEWELL: Actually, I remember Commission
8 Bosarge last year you addressed that issue and you
9 addressed it at last Commission meeting.

10 We are internally reviewing that. It is State
11 Statute. It's 49-15-64.1.

12 We are making recommendations for the specific
13 section of Code that addresses that issue. That will
14 require a statutory change, and we will make that
15 recommendation to our Executive Director.

16 COMMISSIONER BOSARGE: Do we have any options
17 that we can do, from the Commission standpoint?

18 JOE JEWELL: We would have to review that with
19 our attorneys, but it is my understanding that State
20 Statute takes precedent so it would require a statutory
21 change.

22 The options would be to change the existing
23 statute to reflect the language of a permit east of the
24 Gulfport Ship channel, or, as we have done in the past,
25 modify the State statute to give the Commission the

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1 authority to make that recommendation which would be the
2 most flexible of the options because, if there was a
3 biological, or ecological, reason to shift back to the
4 current way we manage it, the Commission is much more
5 flexible and nimble and able to do that.

6 COMMISSIONER BOSARGE: That's a time-consuming
7 procedure to go through the State statute.

8 If I could request, could you talk to legal and
9 see if there is a means?

10 JOE JEWELL: We can do that, but we would have
11 to, at some point, address the statutory change. I can do
12 that and will do that.

13 COMMISSIONER BOSARGE: Thank you.

14 COMMISSIONER GOLLOTT: Thank you, Joe.

15 I think that's your clue, Mr. Drummond.

16 COMMISSIONER DRUMMOND: Mr. Chairman, can I make
17 a motion we adjourn?

18 COMMISSIONER GOLLOTT: Yes, sir.

19 COMMISSIONER DRUMMOND: I make a motion we
20 adjourn.

21 COMMISSIONER GOLLOTT: All those in favor say
22 aye.

23 (All in favor.)

24 COMMISSIONER GOLLOTT: Motion carries.

25 Adjourned.

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1 (Whereupon, at 10:55 o'clock, a.m., the February
2 16, 2016, meeting of the Commission on Marine Resources
3 was concluded.)

4 C E R T I F I C A T E

5
6 I, Lucille Morgan, Certified Shorthand Reporter, do
7 hereby certify that the above and foregoing is a true and
8 correct transcript of the February 16, 2016, meeting of
9 the Commission on Marine Resources, as taken by me at the
10 time and place heretofore stated in the aforementioned
11 matter in shorthand, with electronic verification, and
12 later reduced to typewritten form to the best of my skill
13 and ability; and, further, that I am not a relative,
14 employee, or agent, of any of the parties thereto, nor
15 financially interested in the cause.

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18 _____
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