

Commission on Marine Resources

COMMISSION ON MARINE RESOURCES  
COMMISSION MEETING

Tuesday, May 17, 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
- Ernie Zimmerman

Also Present:

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

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COMMISSIONER DRUMMOND: Richard Gollott asked me to chair this meeting today, and I reluctantly said, "Yes, I'll do that, Richard." I said, "What's wrong?"

He said, "Oh, I've got a little voice problem."

I said, "Do what? You never have had a voice problem before." I mean, the man can talk. Anyway, I said, "Yes, Richard, I'll do it."

At this time, I call this meeting to order.

This is May the 17<sup>th</sup>, 2016, the third Tuesday in May. We have a meeting every month on the third Tuesday. We like to have our guests here at these meetings, and we like to hear your comments, also.

Can you hear me?

FROM THE FLOOR: Yes.

COMMISSIONER DRUMMOND: If you want to address the Commission, if you would, get a form back there on that table and fill it out and put your name on it and your affiliation and, as we go down the agenda, we will call on you. If you do that, you are welcome to speak to the Commission.

Right now, I will lead us in the Pledge of Allegiance.

(whereupon, the Pledge of Allegiance was recited.)

COMMISSIONER DRUMMOND: The first item on the

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agenda is to approve the minutes from the April 19<sup>th</sup> meeting.

Do I hear a motion to approve the minutes from the last meeting?

COMMISSIONER GOLLOTT: I'll make a motion, Mr. Chairman, that we approve the minutes from April the 19<sup>th</sup>.

COMMISSIONER DRUMMOND: Does anybody have any corrections, or additions, to the minutes?

(No response.)

COMMISSIONER BOSARGE: I'll second the motion.

COMMISSIONER DRUMMOND: I hear a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER DRUMMOND: All opposed say aye.

(None opposed.)

COMMISSIONER DRUMMOND: None opposed. The motion carries.

Sandy, do you want to come on, at this time?

COMMISSIONER GOLLOTT: No. We need to approve the agenda, first.

COMMISSIONER DRUMMOND: The next item is to approve the agenda.

Are there any additions to the agenda?

COMMISSIONER GOLLOTT: I have one modification, Mr. Chairman, take off B1. That item has been resolved.

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COMMISSIONER BOSARGE: I also would like to ask to amend the agenda to include a Red snapper State Season discussion and put it as F4.

COMMISSIONER DRUMMOND: Snapper season?

COMMISSIONER BOSARGE: Yes, sir. I make that in the form of a motion.

COMMISSIONER DRUMMOND: Any other additions?

(No response.)

COMMISSIONER DRUMMOND: Do I hear a second to the motion to approve the minutes?

COMMISSIONER ZIMMERMAN: I'll second his motion.

COMMISSIONER DRUMMOND: All those in favor say aye.

(All in favor.)

COMMISSIONER DRUMMOND: All opposed say aye.

(None opposed.)

COMMISSIONER DRUMMOND: The amendment carries. Jamie, the Executive Director's report.

JAMIE MILLER: Yes, sir. Thank you, Chairman Drummond.

At this time, I would like to ask Officer Daniel Boyer to come to the front of the room.

Is Officer Boyer here?

FROM THE FLOOR: Yes.

JAMIE MILLER: Come up here. We are going to

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1 try to embarrass you. Stand here and face the crowd. I  
2 want to talk about you for a few minutes.

3 Yesterday, one of our very own Marine Patrol  
4 officers was awarded the title of the Mississippi Coast  
5 Law Enforcement Officer of the Year. He received the  
6 award at the annual Law Enforcement Appreciation breakfast  
7 sponsored by the Mississippi Coast Crime Stoppers  
8 organization.

9 I would like to just take a few moments to share  
10 the actions that lead to Officer Boyer's award.

11 On March 19<sup>th</sup>, 2016, at approximately 3:55 p.m.,  
12 DMR officer Daniel Boyer responded to a call concerning  
13 two missing kayakers south of Arbor Station Apartments in  
14 Pass Christian, Mississippi.

15 The reporting party was one of three kayakers in  
16 the group. He stated he had to leave the other two  
17 boaters, a man and a woman, to get help when all the  
18 kayaks capsized in heavy seas.

19 The woman's kayak sank completely, forcing her  
20 to tread water to stay afloat. The man's kayak was unable  
21 to be righted, forcing him to cling to it, as both were  
22 quickly swept away by strong currents. Neither of the two  
23 boaters were wearing a personal flotation device.

24 Officer Boyer was the first to respond to the  
25 area, having less than a twenty-minute response which

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1 included launching the patrol boat.

2 Officer Boyer located the woman the first,  
3 deployed a life ring and pulled her aboard the patrol  
4 boat.

5 Utilizing information gathered during her  
6 rescue, Boyer assisted in directing other responding boats  
7 to the location of the second boater. He was found nearly  
8 three miles south of the woman's location.

9 Both victims were taken to Pass Christian  
10 Harbor.

11 Boyer quickly assessed the woman for any medical  
12 conditions, realized signs and symptoms of hypothermia,  
13 and, then, called for an ambulance.

14 At the harbor, both subjects were assessed for  
15 hypothermia, treated onsite, and released approximately an  
16 hour later by paramedics.

17 Both victims expressed they had already made  
18 peace with their God and were minutes away from giving up.

19 The woman told officers that if Boyer's attempts  
20 to rescue her from the water had failed, she would have  
21 had no energy left to continue treading water. She was  
22 sure she was going to drown that day.

23 Officer Daniel Boyer has continued to strive for  
24 excellence in his career as a Marine Patrol officer,  
25 producing quality natural resource cases, conducting

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1 boating safety patrols to protect the boating public, and  
2 participates in community outreach programs on behalf of  
3 the Mississippi Department of Marine Resources.

4 Through Boyer's hard work and dedication to the  
5 job, the maritime community recognizes him as an officer  
6 they can rely on for help and trust him to protect the  
7 resources of the State of Mississippi.

8 Please join me in congratulating Marine Patrol  
9 Officer Daniel Boyer.

10 (Standing ovation.)

11 JAMIE MILLER: Officer Boyer, I hope that wasn't  
12 too hard for you.

13 These guys do a lot of hard work, and they  
14 consider that just part of their job and they don't look  
15 for recognition. They just look to do their job day-to-  
16 day, and we don't get to recognize them enough.

17 When someone stands out and the community and  
18 the Gulf Coast recognizes someone, I think it is  
19 appropriate to take time here to do the same.

20 Thank you again, Officer Boyer. Thank you,  
21 Marine Patrol. Thank you, Chief Davis for all the  
22 leadership you are providing.

23 That concludes my report, Chairman Drummond.

24 COMMISSIONER DRUMMOND: I would like to make a  
25 comment. I have a little problem hearing things today,

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1 and I left my aid at home. I should have brought her with  
2 me.

3 If the staff that is making presentations this  
4 morning would really speak up so I can hear you, I would  
5 appreciate it.

6 The next item on the agenda is Office of Marine  
7 Patrol, Chief Davis.

8 KEITH DAVIS: Good morning Commissioners,  
9 counsel, Director Miller.

10 You have the report in front of you. The only  
11 two things that I would like to point out are the crab  
12 violation citations where we wrote two citations for theft  
13 of crab traps, during the cleanup that we did last month,  
14 but I do want to point out that that case has been  
15 resolved.

16 The victim, in that case, agreed not to pursue  
17 charges against the Defendant for taking his crab traps as  
18 it was what we believe is an honest mistake.

19 Do you have any questions about the report this  
20 month?

21 COMMISSIONER DRUMMOND: Chief, I have a  
22 question; under Fishing Violations, over the limit of  
23 Vermillion Snapper.

24 I looked at some of the fishing regulations, but  
25 they were older regulations that said that the limit was

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1 seven, I believe.  
 2 Has that changed?  
 3 KEITH DAVIS: No, sir, but snapper season was  
 4 not open, during this time.  
 5 Is that what you are asking me, Mr. Drummond?  
 6 COMMISSIONER DRUMMOND: No. It just said  
 7 violation citations on fishing, and it said over the limit  
 8 of Vermillion Snapper one.  
 9 KEITH DAVIS: One citation was issued. That's  
 10 not the number of fish.  
 11 COMMISSIONER DRUMMOND: Over the limit?  
 12 KEITH DAVIS: Yes, sir. One citation was issued  
 13 for over the limit of Vermillion Snapper.  
 14 COMMISSIONER DRUMMOND: What is the limit?  
 15 COMMISSIONER BOSARGE: I think, Commissioner  
 16 Drummond, he is saying because the season was closed there  
 17 was no limit. In other words, anything he possessed would  
 18 be over the limit.  
 19 I think that's what you are trying to say?  
 20 KEITH DAVIS: That's correct. This particular  
 21 person had Vermillion Snapper and other species of  
 22 snapper, as well.  
 23 COMMISSIONER DRUMMOND: Thank you, Chief.  
 24 KEITH DAVIS: If there are no other questions,  
 25 that concludes our report.

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1 been quite detailed in the oyster season update over the  
 2 past two, or three, meetings. I'm going to give a summary  
 3 of the overall effect of the season and, if you have any  
 4 questions, I will be glad to answer them. Hold on. It's  
 5 been a tumultuous oyster season, and I'm just going to hit  
 6 the highlights.  
 7 The oyster season, as you recall, opened on  
 8 November the 10<sup>th</sup>, and, then, about a month later, on  
 9 December the 11<sup>th</sup>, we issued a precautionary harmful algal  
 10 bloom closure, and subsequent to that about a month later,  
 11 on January the 10<sup>th</sup>, the Bonnet Carre Spillway opened, and,  
 12 then, about a month later, on February 1<sup>st</sup>, 2016, the  
 13 Bonnet Carre closed.  
 14 In reaction to that, the Commission, through the  
 15 aid of the DMR, had an oyster relay program that lasted  
 16 for about three days. It was January the 18<sup>th</sup> through  
 17 January the 20<sup>th</sup> where we relayed, from St. Joe to some  
 18 selected areas, about thirty-nine thousand sacks of  
 19 oysters and we employed about ninety-five fishermen.  
 20 Then, on March the 3<sup>rd</sup>, 2016, we reopened the  
 21 oyster areas that had been closed because of the harmful  
 22 algal bloom. We, then, again closed the oyster season on  
 23 March the 11<sup>th</sup>, 2016, due to river stage and rainfall.  
 24 Then, we reopened the oyster areas 2E and 2F, on  
 25 March the 30<sup>th</sup>, for one day. We closed that same day at

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1 COMMISSIONER DRUMMOND: The next item on the  
 2 agenda is the Office of Marine Fisheries.  
 3 I saw Joe Jewell in the store the other day, and  
 4 I didn't realize how tall Joe was. I had to look up to  
 5 him.  
 6 JOE JEWELL: Thank you, Chairman Drummond.  
 7 COMMISSIONER DRUMMOND: Joe Jewell probably has  
 8 some tall words for us, right now.  
 9 JOE JEWELL: Most people have to look up to me.  
 10 Chairman Drummond, I want to point out to the  
 11 Commission and audience that you have been awfully kind to  
 12 me over the years, by affecting the elusion that I'm a  
 13 soft-spoken gentlemen, by creating this atmosphere that I  
 14 have to speak up so that you can hear me. Whereas most of  
 15 the staff and the Commission know that that is otherwise,  
 16 that I actually am very easily heard and very easily  
 17 understood, and I do appreciate you creating that elusion  
 18 on my behalf.  
 19 COMMISSIONER DRUMMOND: Are you saying you are a  
 20 loud mouth?  
 21 JOE JEWELL: Absolutely not.  
 22 I'm going to move into the agenda and my opening  
 23 comments. They are quite lengthy this morning, so I'm  
 24 going to try and be as short as possible.  
 25 First up is an oyster season update. I have

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1 4:00 p.m., due to bad water samples.  
 2 We, again, reopened on April the 27<sup>th</sup> and closed  
 3 the next day on April the 28<sup>th</sup> due to rainfall.  
 4 We, again, reopened on May the 9<sup>th</sup>, and  
 5 officially closed the 2015-16 oyster season on Friday, May  
 6 the 13<sup>th</sup>. Yes, that was Friday, the 13<sup>th</sup>.  
 7 We harvested a total of forty thousand three  
 8 hundred and fifty sacks for the 2015 oyster season.  
 9 Does anybody have any questions?  
 10 COMMISSIONER GOLLOTT: Joe, wasn't last season,  
 11 like, twenty-six thousand sacks?  
 12 JOE JEWELL: I think it was twenty-six thousand  
 13 and fifty-five sacks. Somewhere right in that  
 14 neighborhood.  
 15 COMMISSIONER GOLLOTT: So we almost doubled last  
 16 season. Even with all the bad weather and everything we  
 17 have had, we have almost doubled the number of sacks.  
 18 JOE JEWELL: We did pretty good. Absolutely.  
 19 COMMISSIONER BOSARGE: How many actual working  
 20 days was that?  
 21 Have you calculated that?  
 22 How many days was it open?  
 23 JOE JEWELL: We did calculate that. I don't  
 24 have that in front of me. We were open slightly less than  
 25 we were in 2015. I apologize. I don't have that in front

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1 of me.

2 COMMISSIONER BOSARGE: That's fine.

3 JOE JEWELL: Next up, I have an update on the

4 Conservationist. As you know, we lost our flagship back

5 in 2014. It has been up on the shipyard. The repairs are

6 coming along really well. I have been updating the

7 Commission at each of the meetings. In July, hopefully, a

8 reinauguration into the fleet.

9 The structure for the overhead canopy has been

10 completed onto the Conservationist. The bow rail has been

11 added.

12 Because of the modifications to the

13 Conservationist with the overhead dredge system, a safety

14 feature is required to be installed, the bow rails, to

15 prevent people from falling over because you are going to

16 have to be up on the bow, now, to operate the vessel.

17 The new shaft has been installed and they have

18 begun installation of the overhead winches onto the frame.

19 It is coming along fine and we are anticipating

20 no delays, but, in saying that, I'm hoping that everything

21 stays on task. So far, we are not anticipating any

22 delays.

23 An update to the commercial quotas.

24 Flounder, as you know, the quota is seventy-four

25 thousand pounds. We are at nine hundred and forty-four.

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1 COMMISSIONER GOLLOTT: Mr. Joe, Excuse me.

2 Let's back up to the Conservationist.

3 JOE JEWELL: Sure.

4 COMMISSIONER GOLLOTT: When can we expect this

5 thing to get off the yard?

6 JOE JEWELL: Well, everything is on schedule.

7 They are slightly ahead of schedule, but, in saying that,

8 we have added some modifications to the ship because, when

9 we issued the contract, we didn't anticipate certain

10 modifications that would have to happen because of the

11 overhead dredge and some of the system requirements.

12 They have made up some time, and the contract

13 goes through July the 14<sup>th</sup>. That is when they are

14 scheduled to be totally completed. They have until then,

15 and we are hoping they will finish before then.

16 COMMISSIONER GOLLOTT: Have we set up any time

17 to start bedding shells for the reefs?

18 I see the people in Louisiana are starting to

19 bed their reefs, now, for catching the spat.

20 JOE JEWELL: We are internally discussing that.

21 We still have some time before we do that. It's not

22 likely we will have a spring shell plant. We are doing

23 some modifications to some of our areas. You are going to

24 see that in some of the presentations I'm going to give

25 shortly.

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1 Some of our area management, we have dedicated a

2 lot of time to that, right now. We are anticipating some

3 fall plants, right now.

4 COMMISSIONER GOLLOTT: Thank you, Joe.

5 JOE JEWELL: I'm going to go into the commercial

6 quota update.

7 Flounder is seventy-four thousand pounds. We

8 are at nine hundred and forty-four pounds landed so far.

9 Red Drum, we have a total of sixty thousand

10 pounds. They are set up in increments of twenty thousand

11 pounds with three four-month periods. We are at a total

12 of thirty thousand six hundred and ninety-five pounds.

13 Spotted Seatrout is fifty thousand pounds total.

14 They are in three seasons, with one closed season November

15 through January. We're at a total of thirteen thousand

16 seven hundred and eighty-five pounds.

17 Are there any questions?

18 (No response.)

19 JOE JEWELL: My final update to the Commission,

20 before we get into the main agenda, I'm going to give you

21 a short update on the Spotted Seatrout Stock Assessment.

22 I have been giving updates to the Commission. I know that

23 y'all are very interested in this topic.

24 An internal DMR Stock Assessment Review Panel

25 was established to address the review of the stock

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1 assessment for the Spotted Seatrout.

2 The panel reviewed that document and provided

3 input, during the week of April the 25<sup>th</sup> through the 29<sup>th</sup>.

4 Those issues were addressed and completed.

5 The document was sent out for an external peer

6 review, on Friday, the 29<sup>th</sup>, with a thirty-day deadline.

7 That was sent out to three individuals for review on that

8 panel.

9 To date, we received one of those reviews back.

10 We are fully on schedule with that peer review.

11 We are anticipating, with no issues arising,

12 coming before the Commission as early as July with a final

13 presentation for consideration.

14 The Commission is aware that we have a joint

15 panel for stock assessment between the MDMR and GCRL. I

16 gave a presentation on that panel a couple of months ago.

17 We meet quarterly.

18 At the last Commission meeting, we met right

19 after the Commission meeting to discuss species that are

20 to be considered as we move forward.

21 I told the Commission informally and the next

22 species that will be considered are Sheepshead, Black Drum

23 and Red Drum.

24 We have already started the data inputs for

25 Sheepshead and Black Drum, and I want to make the

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1 Commission aware of that and, if the Commission has any  
 2 other species of concern that they would like us to  
 3 consider, please let us know and we will be very willing  
 4 to take those up, also.  
 5 with no further questions, we will move into the  
 6 main agenda items.  
 7 First up is Mr. Rick Burris with the 2016 shrimp  
 8 season update.  
 9 RICK BURRIS: Good morning Mr. Chairman,  
 10 Commissioners, Director Miller, Ms. Chestnut.  
 11 Today, I'm going to give the Commission an  
 12 update on the 2016 Mississippi Shrimp Season.  
 13 As we all know, the shrimp fishery is vitally  
 14 important to the Coast economy.  
 15 An economic impact study of the Mississippi  
 16 shrimp fishery was done by Benedict Posadas from  
 17 Mississippi State University Extension Center in 2014, and  
 18 he noted that the shrimp fishery produced a hundred and  
 19 thirty-two million dollars in sales impacts, fifty-two  
 20 point three million dollars in income, ten point two six  
 21 million dollars in taxes, and almost three thousand  
 22 industry-related jobs.  
 23 This chart shows all landings and value of all  
 24 species combined for the last twenty years. The red bars  
 25 are the landings head-on in millions of pounds, and the

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1 black line is the millions of dollars in value.  
 2 Our landings were almost cut in half, after  
 3 Hurricane Katrina. You can see that right here, and, of  
 4 course, the year of the oil spill it was down considerably  
 5 (indicating chart).  
 6 The last few years, it started coming back up.  
 7 If you will notice the price here, in 2013, was higher  
 8 than normal. As you remember, the lack of imports coming  
 9 in made the price go up, and it has continued to trend  
 10 down as those imports have started to come back in  
 11 (indicating chart).  
 12 Last year we landed around nine million pounds,  
 13 with a value of fifteen million dollars.  
 14 This chart shows our licenses sold. The red bar  
 15 is resident commercial. The blue bar is resident  
 16 recreational. The green bar is non-resident commercial.  
 17 That little purple bar which is very low is non-resident  
 18 recreational.  
 19 Once again, our license sales went down  
 20 considerably after Katrina. We sold about eighteen  
 21 hundred licenses every year, prior to Katrina. Since  
 22 then, we have sold an average of about nine hundred. Last  
 23 year we sold seven hundred and fifty (indicating chart).  
 24 This map is our shrimping grounds. As you know,  
 25 the yellow areas are closed to all commercial fishing,

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1 including shrimping. That's our bays and our rivers and  
 2 the one-mile boundary around the Gulf Islands National  
 3 Seashore.  
 4 The color is kind of strange, but this green  
 5 area right here is one-half mile from the shoreline. That  
 6 is reserved for our live bait shrimpers only (indicating  
 7 map).  
 8 This yellow line that intersects the Mississippi  
 9 Sound, that is the Intracoastal Waterway. All areas north  
 10 of that, that light blue closes December 31<sup>st</sup> annually,  
 11 and, then, the dark blue area south of that closes April  
 12 30<sup>th</sup> annually (indicating map).  
 13 We were able to extend that this year through  
 14 this past Sunday because they were catching a lot of nice  
 15 brown shrimp, white shrimp and pink shrimp up until about  
 16 last week. So we were able to extend that and let those  
 17 guys work a couple more weeks.  
 18 This chart shows our historic opening dates,  
 19 going back the last forty years. As you know, we open on  
 20 count size, legal requirement, of sixty-eight per pound.  
 21 That date varies annually. We have opened as early as May  
 22 the 25<sup>th</sup> in 2011, and as late as June the 25<sup>th</sup> in 2009.  
 23 Last year, if you remember, we opened on June the 3<sup>rd</sup>, and  
 24 our average day, over the past forty years, is June the  
 25 10<sup>th</sup>, and that is this blue line right here.

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1 On opening day, we go out and do an aerial  
 2 vessel count. We also go out on the water in our research  
 3 vessels and count boats, as well.  
 4 This day is typically the most effort that the  
 5 Sound will see in any one given day during the season, so  
 6 it's a pretty good gauge of effort. Prior to Katrina,  
 7 once again, the trend is the same. We saw a lot of boats,  
 8 up to a thousand. Since Katrina, the most we have counted  
 9 on opening day was three hundred and sixty-eight. That  
 10 was in 2014, and the second most was last year. We had  
 11 three hundred and ten (indicating chart).  
 12 Just to give you a brief summary of how we  
 13 sample to open the shrimp season, we start in February  
 14 doing a post-larval sampling, using a beam plankton trawl  
 15 with the help of the Gulf Coast Research Lab. Post larval  
 16 is obviously the stage in the shrimps' life cycle, after  
 17 the larval stage. They are very small, around twenty-five  
 18 millimeters, less than one inch. We start sampling those  
 19 in February and it usually goes through April, and we can  
 20 look at the numbers that they are catching and kind of  
 21 predict when we need to start sampling, and that is  
 22 usually in mid April.  
 23 We will do our standardized trawl sampling using  
 24 a sixteen foot trawl coast wide at historical stations,  
 25 and we will start catching shrimp. From day one, we start

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1 charting their growth. Once we get enough samples, we are  
2 able to project when those brown shrimp will be at sixty-  
3 eight count which is the State Statute requirement, and  
4 that is about a hundred millimeter, or a little bit  
5 smaller than a four-inch shrimp.

6 Here is some of the data from our post-larval  
7 counts. We started sampling in February, and, then, we  
8 didn't see any until about the second week of March. We  
9 had a big spike of three hundred and fifty on the 11<sup>th</sup>,  
10 Another big spike of just under three hundred on the 18<sup>th</sup>,  
11 and, then, real big spike of five hundred and fifty on the  
12 23<sup>rd</sup> (indicating chart).

13 If you will notice, all of these are in a pretty  
14 tight group, about a two-week group which is good. It  
15 should yield a lot of shrimp about the same size, once we  
16 start catching them, and I will show you that in just a  
17 minute. Then, we had a couple more smaller peaks later  
18 on, but they have pretty much played out, since then  
19 (indicating chart).

20 Our cumulative numbers, the red line is 2016,  
21 and to date we have caught close to two thousand post-  
22 larval shrimp. If you will notice, the abundance is much  
23 higher than previous years. This is not the best  
24 indication of the season, but it is encouraging because,  
25 now, all these post-larval shrimp are out there, they are

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1 actually juveniles and adults now, and they are growing  
2 (indicating chart).

3 For them to grow at their optimum rate which is  
4 about one millimeter a day, they need optimum conditions,  
5 and we have discussed this in the past. They like  
6 temperatures above sixty-eight degrees and salinities  
7 above ten parts per thousand.

8 Salinity is directly correlated to rainfall. We  
9 will talk about that first. As you all are aware, we have  
10 had a really wet spring. We had a lot of rain in March.  
11 In April, we were doing pretty good, until I think it was  
12 the 28<sup>th</sup>, when we had about ten inches of rain dumped on us  
13 in one day. That's why that shot up right there  
14 (indicating chart).

15 So far, this is prior to today, we are sitting  
16 under two inches, but I think it is supposed to rain the  
17 rest of the week. Hopefully, that won't affect it too  
18 much (indicating chart).

19 As I mentioned, ten parts per thousand is the  
20 magic number salinity-wise that we want to be above. We  
21 haven't been there. Since February, we have had a lot of  
22 rain.

23 This is Biloxi Bay. We like to chart Biloxi Bay  
24 because we get localized rainfall and not all the other  
25 watersheds across the state like the Pascagoula River and

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1 the Pearl River. This is right at the mouth of Biloxi  
2 Bay. It is much higher out in the Sound. You will see  
3 that in just a second, the results of that, but we have  
4 had a lot of rain, so it is a little bit of pressure out  
5 there (indicating chart).

6 The good news is that the water temperature has  
7 been up. We had a real mild winter and a warm spring. We  
8 are at that sixty-eight degrees, and we have been there  
9 for a while. That is good news (indicating chart).

10 Our shrimp are out there growing. We have been  
11 charting them since April. They are not growing to their  
12 optimum length per day, but they are growing and they are  
13 growing steady. That is good news, and I will show you  
14 some pictures of our recent samples.

15 This is from Friday, May the 13<sup>th</sup>. The guys are  
16 out today sampling. This is our most recent sample. This  
17 is station three over here at the mouth of Biloxi Bay. As  
18 I said, a legal shrimp is about ten millimeters which is  
19 right here. These guys are just a little bit smaller than  
20 that, but, since we are at the mouth of Biloxi Bay, we  
21 have a lot of small ones mixed in (indicating photograph).

22 This over here is the west side of Deer Island.  
23 You can see kind of the same thing. There is lot of  
24 pressure around this, and there is a lot less shrimp  
25 (indicating photograph).

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1 When you move out to Gulfport Ship Channel over  
2 here, station seven, we've got a lot of shrimp and they  
3 are all uniform which is good news. All of these shrimp  
4 are about the same size. These are about a hundred count  
5 shrimp, and you've got a few small ones mixed in  
6 (indicating photograph).

7 Over here at station six which is north of Ship  
8 Island, you are seeing about the same thing (indicating  
9 photograph).

10 We still have a lot of sampling to do, but they  
11 are growing at a pretty good rate.

12 What we would like to do is request  
13 authorization be given to the Executive Director to open  
14 the 2016 shrimp season, when sampling shows that the brown  
15 shrimp have reached the average of sixty-eight count per  
16 pound. That's the State Statute requirement found in 49-  
17 15-64.1.

18 As usual, that would take a motion to proceed.

19 COMMISSIONER ZIMMERMAN: I would like to make a  
20 motion to accept that.

21 COMMISSIONER DRUMMOND: We have a motion to  
22 accept the Executive Director opening shrimp season, when  
23 shrimp are sixty-eight count per pound.

24 COMMISSIONER HARMON: I'll second that, Mr.  
25 Chairman.

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1 COMMISSIONER DRUMMOND: Are there any  
2 discussions on the motion?  
3 COMMISSIONER BOSARGE: The extending of the  
4 extension of the closure, in other words, by leaving it  
5 open, looked like that worked pretty good.  
6 Have you talked to a lot of fishermen?  
7 RICK BURRIS: Yes. About the first week and a  
8 half, they caught a lot of nice shrimp, sixteen/twenty,  
9 twenty-one/twenty-five, brown shrimp, white shrimp and  
10 pink shrimp, and they were real happy. Pretty good  
11 numbers up to five hundred pounds a night. Of course,  
12 that played out, but, yes, we had some really good  
13 response to that.  
14 COMMISSIONER BOSARGE: That's good. I hope we  
15 can look forward to maybe doing it again in the next  
16 season, if the conditions dictate.  
17 RICK BURRIS: Yes, sir.  
18 COMMISSIONER BOSARGE: And the rainfall, how bad  
19 do you think that may have hurt us, or not hurt us?  
20 RICK BURRIS: The rainfall that we had didn't  
21 seem to have hurt us. We are still on track, and that one  
22 big washout we had, that ten inches on the 28<sup>th</sup>, that one  
23 big flush didn't seem to affect us as bad as several  
24 medium, or small, flushes.  
25 Right now, it is looking good, but we still have

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1 this week to move towards.  
2 COMMISSIONER BOSARGE: Thank you.  
3 RICK BURRIS: Yes, sir.  
4 COMMISSIONER DRUMMOND: Any other comments, or  
5 discussion?  
6 (No response.)  
7 COMMISSIONER DRUMMOND: We have a second to the  
8 motion.  
9 I would like to call for a vote, right now.  
10 All those in favor of this motion say aye.  
11 (All in favor.)  
12 COMMISSIONER DRUMMOND: All opposed say aye.  
13 (None opposed.)  
14 COMMISSIONER DRUMMOND: The motion carries.  
15 RICK BURRIS: Thank you.  
16 JOE JEWELL: Thank you, Mr. Burris.  
17 Next up for the Commission's consideration is  
18 Title 22 Part 9. We are requesting updated language for  
19 the TailsnScales Program.  
20 Before I get into the actual regulatory  
21 language, I want to do a little introduction of why we are  
22 requesting this.  
23 As the Commission may remember, back on May 9<sup>th</sup>,  
24 2014, our agency conducted a Red Snapper Summit. Part of  
25 the preconditions for that request was we were really

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1 looking for the fishing community -- the recreational  
2 fishermen and the charter boat fishermen were looking for  
3 better ways to capture the actual data that was out there.  
4 There was a lack of really good data, and our Part 19  
5 really did not provide for staff, or this agency, to  
6 collect data from that segment.  
7 The Commission in 2014, early that year,  
8 directed us to capture red snapper data on a voluntary  
9 basis. We had not modified the part, at that time, to  
10 give us the ability to do that, and the actual language in  
11 the part did not specifically allow us to conduct the  
12 program as it is now.  
13 Later that year, in September, at the  
14 Commission's request, once we had conducted several  
15 outreach programs, including the Red Snapper Summit, we  
16 came forward, at the Commission's request, with  
17 modifications to Title 22 Part 9.  
18 The language in white, that was the modified  
19 language that we came before the Commission and requested  
20 to make changes to, and that language was very vague, very  
21 general, and what it did was set up the ability for us to  
22 establish a program that became later mandatory, in  
23 December of 2014.  
24 At that time, we did not know specifically that  
25 we would set up an app, that we would set up a

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1 TailsnScales Program, and we had no idea what the very  
2 specific nature and requirements of the program would be.  
3 As you know, we developed the TailsnScales app  
4 and certain reporting requirements, and it had some very  
5 specific information that we request of the fishermen.  
6 Why we are coming before you today is not to  
7 change what came before you in 2014 which is the language  
8 that is in the white because we still want the ability to  
9 address that generalized language should we want to  
10 develop future programs.  
11 We are coming before you to ask that the  
12 regulatory language be placed in Title 22 Part 9 is the  
13 specific elements of the TailsnScales Program that  
14 addresses red snapper and potentially other fish, or  
15 species, as the Commission may ask.  
16 With that being said, I will read the specific  
17 regulatory language that we are asking the Commission to  
18 consider today.  
19 We are asking to strike out, "The owner, or  
20 captain, of any vessel recreationally harvesting red  
21 snapper is hereby required to complete a harvest report by  
22 the MDMR."  
23 The reason why we are asking that to be struck  
24 out is because now that we have developed the red snapper  
25 app, what the actual application for the TailsnScales

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1 Program requires is that any one person aboard the vessel  
 2 now can complete that. It's not necessarily the owner, or  
 3 the captain. Any person aboard the vessel can now  
 4 complete that program, as we have now developed it.

5 One hundred is the recreational fishermen and  
 6 one zero one is the charter boat, or head boat, and we  
 7 want to add two sentences and they are very similar in  
 8 structure. The very first sentence says:

9 "One person per vessel recreationally harvesting  
 10 Red Snapper is hereby required to complete a vessel  
 11 harvest report through the TailsnScales reporting system."

12 We will be very specific about the program we  
 13 have developed. We are not eliminating the general  
 14 language from before. We are addressing the very specific  
 15 program we have now developed.

16 The second sentence addresses any future species  
 17 that the Commission may direct us to address, and it  
 18 reads:

19 "When requested by the MDMR, one person per  
 20 vessel shall be required to complete a vessel harvest  
 21 report for any additional species through the TailsnScales  
 22 system."

23 That is all we are asking.

24 COMMISSIONER BOSARGE: I see where you are  
 25 coming from. It does seem a little confusing to me

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1 because, if you read the first sentence -- in other words,  
 2 if you read the first sentence, it is almost like you  
 3 don't have to fill out a report, unless you are requested  
 4 to.

5 JOE JEWELL: Well, it says, "Is hereby required  
 6 to complete a vessel harvest report through the  
 7 TailsnScales reporting system."

8 COMMISSIONER BOSARGE: "Persons engaged in  
 9 recreational fishing in waters under the jurisdiction of  
 10 the MDMR, or landing fish in Mississippi, shall be  
 11 required to furnished information, including harvest  
 12 report, pertaining to such fishing, when requested by an  
 13 information confidentiality officer."

14 In other words, it's almost like you don't have  
 15 to, unless you are requested to.

16 Am I reading something wrong here?

17 In other words, I know where you are coming  
 18 from, but I think myself and everybody else here wants to  
 19 be sure that our TailsnScales Program is a mandatory  
 20 reporting program, but, in my opinion, it is almost like  
 21 that first sentence is an out where you don't have to  
 22 report it.

23 Explain it to me.

24 JOE JEWELL: I can see that.

25 Let's let counselor Chestnut weigh in on that.

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1 We can simply strike that language out. That was clearly  
 2 an option, from the very beginning. We just left it in  
 3 there for convenience, should we develop other programs in  
 4 addition to TailsnScales. I clearly can see where that  
 5 would be a consideration, but it's not a barrier, or a  
 6 blockage, to us proceeding with the TailsnScales Program,  
 7 and one option would be to eliminate that language.

8 SANDY CHESTNUT: Commissioner, do you think it  
 9 would be clear, if we took that first sentence out?

10 COMMISSIONER BOSARGE: I'm sorry, Sandy. I  
 11 didn't quite hear you.

12 SANDY CHESTNUT: Do you think it would be clear,  
 13 if we struck the first sentence on one hundred?

14 Would that clear up any conflict in your mind?

15 COMMISSIONER BOSARGE: I think so.

16 SANDY CHESTNUT: Okay. That is not going to  
 17 change anything that we do here today. We can go ahead  
 18 and strike that.

19 JOE JEWELL: Mr. Hill pointed out that part of  
 20 the reason we left it in there is it addresses the MRIP  
 21 programs and some of our data collection. If we left it  
 22 in there, we would have to specifically write in there and  
 23 modify it further to address the MRIP program.

24 COMMISSIONER BOSARGE: What if we just struck  
 25 out, "when requested by an information confidentiality

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1 officer"?

2 In other words, would that still work?

3 JOE JEWELL: Delete the variability in it?

4 SANDY CHESTNUT: What if, after that first  
 5 sentence, we put a bullet, and, then, specifically specify  
 6 the reporting for Red Snapper, and, then, did a separate  
 7 bullet reporting for other species?

8 Would that clear it up?

9 JOE JEWELL: I'm sorry. We are talking about  
 10 the first sentence in white.

11 SANDY CHESTNUT: Keep the first sentence, and,  
 12 then, after that, you can actually specify that that is  
 13 for MRIP, if you need to, and, then, for the first  
 14 sentence that is being added, put a bullet before it  
 15 saying this is for Red Snapper reporting specifically,  
 16 and, then, the second sentence, this is specifically for  
 17 additional species reporting.

18 JOE JEWELL: Well, we say that when we say,  
 19 "Recreationally harvesting Red Snapper".

20 SANDY CHESTNUT: I understand, but visually it  
 21 would separate it out.

22 JOE JEWELL: We can do that.

23 The sentences in yellow?

24 SANDY CHESTNUT: Do we have the ability to do  
 25 it, right now, to see what it would look like?

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1 JOE JEWELL: Yes.

2 SANDY CHESTNUT: If you want to go on to the  
3 second one, while John is fixing that one?

4 JOE JEWELL: Now, go to "when requested by the  
5 MDMR" (indicating John Mitchell).

6 SANDY CHESTNUT: Commissioners, there is some  
7 language that can be added to that first sentence.

8 JOE JEWELL: Is that what you are looking for,  
9 to make it look like that (indicating screen)?

10 SANDY CHESTNUT: I would actually put a heading  
11 on it.

12 JOE JEWELL: 101.01, TailnsScales Program  
13 Requirements?

14 SANDY CHESTNUT: Okay.

15 JOE JEWELL: Go to one, hit enter, go up, put  
16 "101.01 TailnsScales Program Requirements for  
17 Recreationally Harvested Red Snapper" -- I'm sorry. It's  
18 100, and do the same thing for the second sentence, except  
19 "Program Requirements for Charter Boat and Head Boat" --  
20 no. No. Undue that. "Charter Boat and Head Boat  
21 Harvesting of Red Snapper" (indicating John Mitchell).

22 And, then, that last sentence again where it  
23 says, "Captains shall be required", let's bullet that,  
24 and, then, the 100 are not required to be bulleted. Let's  
25 leave it like that (indicating John Mitchell).

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1 Sandy, did you suggest language for the general  
2 program requirements that are in white?

3 I think Commission Bosarge, the issue that is  
4 being discussed is there is some variability where it  
5 says, "when requested".

6 COMMISSIONER ZIMMERMAN: Another thing we think,  
7 Joe, is that it should go on the captain of the vessel.  
8 If we start opening it up where eight guys out on a  
9 snapper trip --

10 JOE JEWELL: (Interposing) It's one person that  
11 is requested. One person there has to have that code,  
12 when reporting into the system. Any one person on the  
13 boat has to call in to get that code. Any one person has  
14 to have it. When a Marine Patrol officer boards the  
15 vessel, or comes up on side the vessel, and they are red  
16 snapper fishing, they have red snapper on the vessel, they  
17 are going to ask, "who has the code for this trip?"

18 One person is required legally to provide that  
19 code and, if no one has the code, they can be cited for a  
20 ticket for that. At that time, it's up to the officer at  
21 that point, and it's generally the captain of the vessel  
22 who is identified that is probably going to be issued a  
23 ticket, at this point.

24 we had those internal discussions, when we  
25 developed this section of the Code for the TailnsScales

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1 Program.

2 COMMISSIONER ZIMMERMAN: Is there a problem?  
3 what is causing us to do this?

4 COMMISSIONER BOSARGE: From the captain to just  
5 any person on the boat.

6 JOE JEWELL: when we established the  
7 TailnsScales Program, part of the issue was that we wanted  
8 the flexibility for any person to be able to call in  
9 because I could borrow my brother's boat and go out, or  
10 any individual. There were a whole host of reasons why  
11 the actual owner of the boat, or the captain of the boat,  
12 may not be onboard the vessel at the time.

13 we wanted the flexibility for the program to be  
14 mandatory and take in a whole host of different  
15 circumstances that we weren't able to anticipate, but it  
16 was mandatory and required for them to call in to get that  
17 code.

18 COMMISSIONER BOSARGE: Yes, but, if Bill is the  
19 captain and Joe is on the boat with them and Joe didn't  
20 get the code, Bill is going to get the ticket.

21 In my mind, whoever is the designated caption,  
22 whether he is on it, or not, should be the person that has  
23 to have the code because he ultimately is the one that is  
24 going to be held liable and responsible. He is the  
25 captain.

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1 COMMISSIONER ZIMMERMAN: Chief Davis, do you  
2 agree with that?

3 Do our guys, when they get on there -- I know I  
4 have been asked that, "who is the captain of the vessel".

5 KEITH DAVIS: To answer your question, yes, but  
6 I think Mr. Jewell is saying pretty much the same thing.  
7 we are going to give the captain of the boat, at the time  
8 of the stop, the ticket.

9 COMMISSIONER ZIMMERMAN: Okay.

10 JOE JEWELL: And he would get it anyway,  
11 regardless of any other issue of the stop.

12 You have had issues, when they have come before  
13 the Commission, where the Commissioners had to debate that  
14 very issue for federally landed species where the owner  
15 versus his crew, or passengers that have been on the  
16 vessel, where the passenger has been cited and "I was just  
17 with the captain. I didn't now what was going on. I  
18 didn't know what the rules are", and, then, the captain  
19 was cited, and the Commission has had to sort those very  
20 circumstances out.

21 Fortunately we have not had that issue come  
22 before us because, as Commission Bosarge has pointed out,  
23 very early in 2014, we have a community that they have  
24 come forward and wanted this to happen. They want this to  
25 be data driven, and we haven't really had that issue

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1 because it has been community driven. It's been the  
2 recreational, the for hire, the charter boat. They want  
3 this to happen so that we have better data and more data.  
4 we really haven't had that issue come before us yet  
5 because it is sort of community driven right now. we hope  
6 it doesn't come before us.

7 COMMISSIONER HARMON: Joe, I'm going to have to  
8 agree with Commissioner Zimmerman. I think you are  
9 creating a muddy situation for these reporting purposes.

10 If you want to label it as the operator of the  
11 vessel, regardless of whether it's the captain, or the  
12 owner, but, for reporting purposes, it needs to be  
13 delegated who is going to be responsible for it.

14 Any one person, I can think that you've got it  
15 and Richard you can think that I've got it. We need to  
16 make one person responsible for that.

17 JOE JEWELL: That person that calls in for the  
18 code is the person that is ultimately responsible for it.

19 COMMISSIONER HARMON: I realize that.

20 JOE JEWELL: Generally, it is the captain that  
21 does that.

22 COMMISSIONER HARMON: The way that is written  
23 right there, that is going to be very confusing.

24 SANDY CHESTNUT: I guess the question is -- and  
25 I missed some of the discussion. This may have already

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1 been asked -- if enforcement comes up on a boat and says,  
2 "whose got the reporting code?", and they all say, "Nobody  
3 got it. I thought Joe got it. I thought Sandy got it",  
4 who is going to get the ticket?

5 JOE JEWELL: Like I said, at that point, it's up  
6 to the officer who is onboard to make that determination,  
7 and generally it's the captain of the boat.

8 SANDY CHESTNUT: So the captain is ultimately  
9 responsible, in most cases?

10 JOE JEWELL: In most cases, yes.

11 SANDY CHESTNUT: Would there ever be a case  
12 where he wouldn't be?

13 If you've got four people on the boat and nobody  
14 has the code, it is always going to fall back to the  
15 captain.

16 JOE JEWELL: Well, a lot of it is going to be  
17 determined on -- if you come up alongside the boat, you  
18 are going to have to determine does he have the code, or  
19 doesn't he have the code.

20 If he doesn't have the code, first, he is in  
21 violation of this section of Code.

22 If the officer determines there is a violation,  
23 I'm going to give a ticket, and no one on board has that  
24 code, then, he is going to have to determine who I'm  
25 giving the ticket to because that's one violation, and

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1 usually it is the boat captain.

2 COMMISSIONER ZIMMERMAN: This is just the notice  
3 of intent is what we're talking about. I think we're  
4 getting to where we are beating a dead horse.

5 JOE JEWELL: We have discussed this before, when  
6 we established the actual TailsnScales Program back in  
7 2014, in September.

8 COMMISSIONER ZIMMERMAN: I understand that. We  
9 have another month. We can look at this and come up with  
10 better wording for it. Let's take that opportunity.  
11 That's my recommendation.

12 SANDY CHESTNUT: I did add another sentence,  
13 after the first sentence. After speaking with Matt, he  
14 advised that they need some flexibility in that first  
15 sentence because it is for other things other than MRIP  
16 and they may do pilot programs like they did with the  
17 TailsnScales Program.

18 I thought maybe if we added the other sentence,  
19 "In addition to the above-referenced reporting, the  
20 following TailsnScales reporting is required", and that  
21 would still give them the flexibility they need to do  
22 pilot programs and other programs that they want, as  
23 requested by the information confidentiality officer, but  
24 make it clear that the following requirements are  
25 specifically in reference to the TailsnScales Program.

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1 JOE JEWELL: Before we do this, do I hear the  
2 Commission -- is it the will of the Commission not to move  
3 forward, to table this and come back next Commission  
4 meeting?

5 If that is so, then, we will just develop some  
6 other language that addresses both specifically that and  
7 that sort of vague sentence that talks about when  
8 requested. We can change that, also, if the will of the  
9 Commission is to come back next Commission meeting.

10 COMMISSIONER ZIMMERMAN: What I would like to  
11 do, if I could, I would like to accept the Notice of  
12 Intent so that we can move forward, and, then, reword it,  
13 or let's look at it next month amongst the Commission and  
14 y'all, and let's see what we can do with the wording.

15 COMMISSIONER GOLLOTT: Commissioner, I don't  
16 think we can do that. You can't move forward with the  
17 intent unless you have the right wording. Let me make a  
18 motion.

19 Let's make a motion that we table this until  
20 next month.

21 JOE JEWELL: We will be okay with that.

22 COMMISSIONER GOLLOTT: Joe, get better language  
23 and come back to the Commission with it.

24 JOE JEWELL: I think we would feel more  
25 comfortable with that.

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1 COMMISSIONER ZIMMERMAN: I'll second that.  
 2 JOE JEWELL: That will give the Commission time  
 3 to work with the staff to develop that and address those  
 4 specific issues that y'all have and we can work with  
 5 Marine Patrol.  
 6 COMMISSIONER BOSARGE: Send it to us and let us  
 7 take a look at it.  
 8 JOE JEWELL: Absolutely.  
 9 COMMISSIONER BOSARGE: Thank you.  
 10 JOE JEWELL: Sure.  
 11 COMMISSIONER DRUMMOND: Do we put that in the  
 12 form of a motion?  
 13 SANDY CHESTNUT: Gollott made the motion and  
 14 Zimmerman seconded it. It's ready for a vote.  
 15 COMMISSIONER DRUMMOND: All those in favor say  
 16 aye.  
 17 (All in favor.)  
 18 COMMISSIONER DRUMMOND: Anybody opposed?  
 19 (None opposed.)  
 20 COMMISSIONER DRUMMOND: Motion carries.  
 21 JAMIE MILLER: Chairman Drummond, I need to make  
 22 a quick interruption. We had a few public comment forms  
 23 that were submitted after we started the Fisheries report.  
 24 One of the items that a gentlemen requested to  
 25 speak on was Item F1.

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1 Is Mark still here?  
 2 I can't pronounce your last name, Mark.  
 3 MARK KOPSZYWA: Everybody knows me.  
 4 JAMIE MILLER: I didn't want to attempt the last  
 5 name and mess it up.  
 6 MARK KOPSZYWA: I'm a commercial shrimper, and I  
 7 just wanted to thank the Commission and the shrimp and  
 8 Crab Bureau for extending the shrimp season for the extra  
 9 two weeks.  
 10 COMMISSIONER DRUMMOND: Give your name, Mark.  
 11 MARK KOPSZYWA: Mark Kopszywa. That's all. I  
 12 wanted to thank you.  
 13 JAMIE MILLER: Thank you very much for your  
 14 comments.  
 15 JOE JEWELL: Next up for the Commission's  
 16 consideration is Title 22 Part 1.  
 17 Before we get started, I want to advise the  
 18 Commission this one is a little time sensitive. There are  
 19 a couple of items in there that we really have to consider  
 20 for this Commission meeting for these actions to take  
 21 place.  
 22 This is sort of the reason why we are not  
 23 attempting to do some of the regulatory issues that  
 24 Commissioner Gollott brought up, and we are focusing our  
 25 attention on certain selected areas in Biloxi Bay and in

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1 Pass Christian and other activities for your  
 2 consideration.  
 3 Title 22 Part 1, before I get started on that, I  
 4 want to make a couple of preamble statements. I'm going  
 5 to try and keep this as simple as possible because some of  
 6 the requests here are very technical.  
 7 what I'm going to do is I'm going to have a copy  
 8 of Title 22 Part 1, and I've got it earmarked that has the  
 9 actual document with me and, if the Commission has any  
 10 questions, please interrupt me while I'm going through the  
 11 actual things, and I will read out to you the language as  
 12 it is in the document. I will be glad to do that.  
 13 I'm going to forego my regulatory stance that I  
 14 usually do and read all of that into the minutes. I will  
 15 try and be as general as possible, but, at its core, what  
 16 I'm going to do this morning is make two regulatory  
 17 changes to the document.  
 18 As you know, the Governor established the Oyster  
 19 Council on Restoration and Resiliency, and that council  
 20 met and formulated a plan to move forward to stabilize the  
 21 oyster industry and the oyster program in Mississippi, and  
 22 they made several substantive regulatory changes to  
 23 essentially two of our rules, and that is Title 22 Part 1  
 24 and Title 22 Part 13.  
 25 The changes to Part 1 were relatively minor in

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1 nature, except for one chapter. The bulk of the changes  
 2 will occur in Title 22 Part 13 which deal with  
 3 aquaculture, and most of the changes that will occur in  
 4 the overall program envisioned for the future are going to  
 5 be aquaculture in nature whether they be off bottom, or on  
 6 bottom.  
 7 Because those are quite extensive and expansive,  
 8 we are going to bring before you next Commission meeting  
 9 Title 22 Part 13.  
 10 In saying that, I'm going to move forward, and,  
 11 like I said, if y'all have any questions, please stop me,  
 12 and I can stop and refer back to the original document as  
 13 it is.  
 14 First up are modifications to Chapter 8 and it  
 15 simply addresses those regulatory issues that deal with  
 16 openings and closings.  
 17 As the Commission recalls, this is the first  
 18 time we have opened the season that we have included the  
 19 concept of quotas, and all we're asking here for this  
 20 particular section that addresses sack limits is that we  
 21 have the additional statement that includes the  
 22 flexibility to add quotas.  
 23 In Chapter 11, that addresses closed areas for  
 24 shell and cultch plants. If you look at the specific  
 25 language, it addresses keeping certain areas closed for

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1 portions of the time for net activity to keep those areas  
2 in reserve.

3 It specifically says "public reef". We are  
4 asking to strike out "public" so that even private lease,  
5 private areas, or special test areas, are reserved for  
6 that privilege, also.

7 In Chapter 14, the language, this is actually  
8 almost a couple of paragraphs long. We put this specific  
9 section in 100:

10 "Except as otherwise provided for leased  
11 bottoms, all waters north of a line herein described shall  
12 be defined as tonging reefs in accordance with Mississippi  
13 Code Annotated 4915-3(j), as amended."

14 We are putting that provision in there at the  
15 recommendation of the Governor's Oyster Council to  
16 include, should we make the decision to provide leased  
17 areas within the tonging line.

18 Again, in Chapter 14 Section 101, we are adding  
19 the language, "for a special management season". Again,  
20 that's at the Governor's request, and it somewhat complies  
21 with the language in State Statute 49-15-39 Section 2, and,  
22 then, we are adding the sentence, "or allowed for a lease  
23 holder harvesting oysters from their lease area by a valid  
24 lease harvest permit". Again, that is language that was  
25 recommended by the Governor's Oyster Council.

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1 In Chapter 17, Management Plan for Shellfish  
2 Growing Waters, again, in my opening comments, I said  
3 there are really two things that are going on here. We  
4 are having these regulatory changes that were recommended  
5 by the Governor's Oyster Council, but the staff, at the  
6 recommendation of the Marine Commission, has done a lot of  
7 work in the Biloxi Bay area to try and reestablish that as  
8 a viable area to open for harvest, and that is part of the  
9 changes here.

10 It is really good news for the fishermen, it  
11 good news for the Commission, and it's good news for the  
12 oyster community and the Gulf Coast as a whole.

13 These are some of the recommended changes. Some  
14 of these are going to be quite technical, and I'm going to  
15 try and address those as simply as I can.

16 In Chapter 17, Management Plan for Shellfish  
17 Growing Waters, to comply with the NSSP, the model  
18 ordinance requirements, we are asking to add the Section  
19 103.01.05.04 for conditionally approved areas.

20 We have to add the management criteria that will  
21 simply manage the Biloxi Bay area which is in Area Five,  
22 and that is going to be, "when one, or more, inches of  
23 rainfall occurs in any twenty-four consecutive hours as  
24 measured at the Keesler Air Force Base gauge".

25 Then, again, in Chapter 18, Classification and

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1 Description of Shellfish Growing Areas Waters, these  
2 simply are changes to the buffer area around a couple of  
3 the channels that are in Area Five.

4 I'm going to make this a lot easier. I have a  
5 map, so I'm going over these very generally. I have a map  
6 and a couple of slides I will show y'all. It's a lot  
7 easier to visually look at it, so I included a map.

8 What we are doing, essentially, here is, in  
9 these two areas, we are reducing a quarter of a mile  
10 buffer area around these to two hundred and fifty feet,  
11 and we've gotten concurrence from our Federal partners and  
12 our state partners to reduce this.

13 Then, in Chapter 18, the general chapter is  
14 Classification and Description of Shellfish Growing Areas.  
15 This is where all the areas are described as prohibited,  
16 approved, or restricted.

17 In 102.03, "The following waters of Area Five  
18 are restricted:"

19 And, then, it goes into 102.03.01, "All waters  
20 of Biloxi Bay and Davis Bayou and its tributaries south  
21 and east of the U.S. Highway 90 Biloxi Bay Bridge enclosed  
22 by the following described line; except for those waters  
23 classified as prohibited."

24 We want to strike out that particular language,  
25 and, then, add "conditionally approved" because we want

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1 the waters in Biloxi Bay to be upward classified as  
2 conditionally approved. We want to strike out that  
3 language that gives the area boundary, and, then, in  
4 Chapter 18, we want to add this area boundary, and it is  
5 going to be lot clearer on the next slide.

6 This is the map of that area that I'm trying to  
7 describe and those channels. If you see these narrow red  
8 bands that go here that cut through the channel areas that  
9 we describe, then, you see these really light green areas,  
10 these light green areas were the quarter of a mile, and we  
11 want to reduce those to two hundred and fifty feet  
12 (indicating map).

13 And, then, that boundary area that we struck out  
14 was the general area that we want to make it this light  
15 green area. That's what we are adding is the whole area  
16 within that mark. We want to include that as the  
17 conditionally approved area, and we added that language  
18 for one inch of rainfall in the Keesler gauge as the  
19 management criteria for that area (indicating map).

20 It is really a good thing that we are doing, and  
21 it is sort of time sensitive that we have to move forward  
22 with this so that we can have this upwardly classified  
23 with the management criteria so, hopefully in the fall, we  
24 can open this area for oyster harvest.

25 It's a good thing we are doing for the

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1 community. On behalf of the Commission, the DMR and the  
 2 oyster industry, we are moving forward finally.  
 3 Then, the last regulatory thing that we are  
 4 going to ask for approval to move forward on fits hand-in-  
 5 hand with the overall picture that the Governor's Oyster  
 6 Council requested for the regulatory changes for on-bottom  
 7 and off-bottom leasing.  
 8 Inside of Title 22 Part 1, we are requesting  
 9 that we remove Chapter 19 and move it to Title 22 Part 13  
 10 simply because of a better fit.  
 11 Title 22 Part 13 is the aquaculture regulation,  
 12 and it deals with a lot of these subjects as addressed in  
 13 Chapter 19 that are not really addressed in Part 1.  
 14 I'm going to read to you some of the chapters,  
 15 the main chapters in Part 1. Chapter 6, Shellfish  
 16 Harvesting Requirements and Specifications. Chapter 7,  
 17 Dredge Specifications. Chapter 9, Harvester License and  
 18 Check Stations. Chapter 13, Transportation of Shellstock  
 19 by vessels. Chapter 15, Marine Sanitation Devices.  
 20 If you look at Chapter 19, On-Bottom Shellfish  
 21 Leasing Regulations, it doesn't really pertain, or relate,  
 22 to oyster harvesting which is what Chapter 1 is about. We  
 23 are requesting simply to strike it completely from Title  
 24 22 Part 1, and, then, next month we are going to come  
 25 forward with modifications and changes to Title 22 Part

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1 Do we need to take those comments, before the  
 2 Commission takes final action?  
 3 SANDY CHESTNUT: Yes, go ahead and take the  
 4 comments.  
 5 COMMISSIONER DRUMMOND: We have a couple of  
 6 people that want to address the Commission.  
 7 Melonie Johnson, would you come forward, please?  
 8 MELONIE JOHNSON: My name is Melonie Johnson,  
 9 and I would like for Thao to speak for me.  
 10 THAO VU: Good morning Commissioners and  
 11 Director Miller.  
 12 First of all, I would like to request at least  
 13 five minutes, or six minutes, if Ms. Johnson is giving her  
 14 three minutes to myself, and, actually, there is someone  
 15 else who is here with the Vietnamese-American Fisher  
 16 Folks. She is sitting in the back. She would like to  
 17 also stand up, if that's all right, if we have permission  
 18 right now.  
 19 COMMISSIONER DRUMMOND: Is she going to speak?  
 20 THAO VU: Yes, she will speak. She is speaking  
 21 in Vietnamese and I'm going to interpret in English, but  
 22 it will be very brief.  
 23 COMMISSIONER DRUMMOND: We don't have a form on  
 24 her, do we?  
 25 JAMIE MILLER: Ask her to fill one out for us,

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1 13, and we are going to add Chapter 19 in a sequential  
 2 number to Chapter 13 with, again, changes done to it  
 3 because it more appropriately relates to the activities  
 4 that are being done in the aquaculture regulations.  
 5 with all that being said, if there are no  
 6 questions -- and I'm sure you are going to have some  
 7 questions -- we need a motion to proceed with a Notice of  
 8 Intent to Title 22 Part 1, Updated Regulatory Language for  
 9 Shellfish Program.  
 10 COMMISSIONER GOLLOTT: Mr. Chairman, I would  
 11 like to make a motion to proceed with Notice of Intent for  
 12 Title 22 Part 1, updating regulations.  
 13 Joe, I would like to thank the staff for their  
 14 hard work. We have been waiting for this a long time,  
 15 trying to get that Bay opened up to where we can harvest  
 16 some oysters on this end of the State.  
 17 JOE JEWELL: I appreciate that. I know you  
 18 particularly and Commissioner Bosarge, y'all have led the  
 19 charge on this and directed the staff to take this up, and  
 20 we have taken that charge quite seriously. This is really  
 21 a positive thing for the Commission and the DMR, and we  
 22 look forward to going forward with this.  
 23 JAMIE MILLER: Before there is a final motion,  
 24 we did have two public comments, or two people that wanted  
 25 to make public comment.

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1 please.  
 2 THAO VU: Okay. I will fill it out. Thank you,  
 3 Director Miller.  
 4 First of all, earlier Mr. Jewel was saying that  
 5 this past oyster season was very tumultuous, and we are  
 6 here to speak about the oyster seasons, or really the lack  
 7 of ability for the fishermen to work the past six years.  
 8 This past season, I think no one worked more  
 9 than thirty-two days. I think it was Commissioner Bosarge  
 10 who asked how many working days. I have been keeping  
 11 track. I think it has been no more than thirty-two days  
 12 total, including those three days of emergency relay in  
 13 Bayou Caddy. I may be off by one, or two, days, and that  
 14 is less than last year.  
 15 We are very, very concerned here. We are very,  
 16 very concerned about sustainable livelihood, and I have  
 17 brought this up. They just want to work. They are not  
 18 asking for a handout. They want to be able to work with  
 19 the agency and just give them some opportunities to work,  
 20 and more than a month. More than thirty, or thirty-two  
 21 days. They are not asking for much. They just want to  
 22 work. That's all. That's one of our primary concerns.  
 23 The other concern we have -- and, at the March  
 24 Commissioners meeting, our commercial fishermen, we  
 25 brought it up, and I have a copy of the law, and this law

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1 has been in existence in the books for a long time that  
2 oyster shells belong to the State of Mississippi and must  
3 return to these reefs, must return to the public reefs  
4 (indicating document).

5 We need enforcement on that. We are asking for  
6 the Commissioners and this agency to enforce that. That  
7 is one of the key reasons why these reefs are in such a  
8 terrible shape and the seasons are tumultuous for the past  
9 several years.

10 After BP, after the Bonnet Carre Spillway, after  
11 the harmful algal bloom, the high river stages, and every  
12 other environmental problem we are having, we need this to  
13 be enforced. That is why I'm bringing this up again.

14 Another thing is going back to the quotas. Last  
15 year, if I remember correctly, the quota was set at around  
16 thirty, or thirty-five, thousand. That quota is very,  
17 very low and it's not sustainable.

18 Basically, the quota allows for fishermen to  
19 work no more than the thirty, or thirty-two, days that I  
20 mentioned earlier. The quota has to at least be  
21 considered to be higher to give them at least three months  
22 of work. They just want to work. Give them three months  
23 of work.

24 The quotas can't be set that low. If they are  
25 set at thirty, or thirty-five, thousand, we already know

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1 they are not going to work long for the whole season. It  
2 will be only thirty, or thirty-two, days which it became a  
3 reality this past season.

4 we know -- in 2009, I think there were around  
5 two hundred and twenty thousand sacks harvested.

6 Then, in 2010, because of the BP disaster, it  
7 was down to zero.

8 The following year -- and these are the figures  
9 I'm getting from the report that DMR staff reports to the  
10 Mississippi legislative body -- it was sixty-five sacks,  
11 tonging sacks, and, after that, it went up to around  
12 fifty-two, or fifty-three, thousand sacks.

13 Then, the following year, it went up to around  
14 seventy-two, or seventy, thousand sacks.

15 We are concerned that if it was going up from  
16 fifty-two, or fifty-three, thousand all the way up to  
17 seventy-two, or seventy-three, thousand, why was it set  
18 down to around thirty, or thirty-five, thousand last year.

19 We are very, very concerned about the quotas and  
20 the very low number set for the quotas.

21 we can reiterate, or emphasize. They just want  
22 to work. That's all they want to do, have the ability to  
23 work and provide support to their families.

24 She doesn't even have money to pay for her  
25 utilities some months. It is disconnected.

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1 A boat should be working, not down most of the  
2 year. If they are only working one month a year, most of  
3 the time it's docked, and you have to wait for shrimping  
4 season, if it's a viable shrimping season.

5 what else can you do?

6 That's not right. The boats should be working,  
7 not docked. That is terrible for the past six years.

8 The other thing we are very concerned about is  
9 that we were informed that the Mississippi Department of  
10 Environmental Quality, as I speak, they have a bid now to  
11 look for a contractor to bid on using sonar technology to  
12 map oyster reefs.

13 This agency has in-house expertise. You have an  
14 Oyster Bureau. You have staff. You have universities and  
15 scientists you work with, specifically USM Gulf Coast  
16 Research Laboratory, that should know where all these  
17 reefs are located, should know the condition of these  
18 reefs.

19 why would a key agency in charge of restoration,  
20 MDEQ, need to bid that out?

21 That doesn't sound right to us. You have in-  
22 house capacity and expertise, or allow the fishermen to do  
23 some of the mapping. Give the fishermen some opportunity  
24 to do these mappings, like, mapping the Jackson County  
25 reefs that haven't been cultivated for a few decades, now.

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1 Those are our comments, and thank you.

2 THAT NGUYEN: My name is That Nguyen.

3 THAO VU: Her name is That Nguyen.

4 If the Commissioners and the DMR staff, right  
5 now, are planning to open any of the oyster reefs this  
6 fall and winter, please not only allow tonging, but  
7 dredging as well because the Vietnamese-American Fisher  
8 Folks need to dredge oysters and it is only fair.

9 Right now, you are in the planning stages.  
10 Before you make any final decisions, you must include  
11 opportunities for dredging as well as tonging.

12 Thank you for your consideration.

13 COMMISSIONER DRUMMOND: Thank you.

14 COMMISSIONER BOSARGE: If we could have Joe  
15 address some of her concerns, especially the State  
16 Statute.

17 JOE JEWELL: You have heard me talk passionately  
18 about the fishermen. As many of you know, I come from a  
19 fishing family and from a fishing community.

20 There are few people on the staff that would  
21 disagree in saying that what we do here and what the  
22 Commission does here is on behalf of the fishermen.  
23 That's part of the main reason why we are here is on  
24 behalf of the fishermen.

25 Certainly, one of our primary objectives, in all

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1 the decisions that we make, is public safety and public  
2 health. We have to provide a safe product to the  
3 fishermen.

4 No matter what decision you make -- and the  
5 Commission has taken into consideration the scientific  
6 data that we have provided and the Commission has made  
7 decisions that have benefitted the fishermen, in spite of  
8 that scientific data.

9 You can make whatever management decision you  
10 want for the season and you have done that over the past  
11 couple of years, but you can't overcome mother nature.  
12 You can open that season for as long as you want. You can  
13 establish a quota on the upper end, as much as you would  
14 like, but, when it rains, it is going to rain, and, when  
15 that river stage comes up, it is going to come up.

16 What you do as a Commission and what this agency  
17 does as a State agency is we must provide the safest  
18 product under the safest conditions we can, and none of us  
19 can overcome mother nature.

20 When we open that season, it is with the  
21 reluctance that mother nature is going to be kind to us  
22 and kind to our fishermen.

23 When that happens, we have to take the side of  
24 caution, as required with our Federal partners, the FDA,  
25 with our agreements with ISSC and the agreements with the

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1 National Shellfish Program to provide a safe product to  
2 the consumer.

3 All of us know that when we have the opportunity  
4 to open that season and make it a workable season for the  
5 fishermen, we do it.

6 This year alone, as you recall my earlier  
7 comments, we opened it for one day. We opened it again  
8 for two days. Every opportunity that the Commission has  
9 had to open this season, Director Miller has had the  
10 opportunity, all of us had the opportunity to open that  
11 season for the commercial fishermen, we have done it, but  
12 we can't fight mother nature.

13 Now, as to that statute that she is quoting, I  
14 challenge counselor Chestnut. I don't believe that is the  
15 most current statute that she is quoting because my  
16 understanding is that there have been provisions that have  
17 allowed for this agency to establish a trip ticket program  
18 and charge, in lieu of collection of shell, the tag fee.

19 I think what is being quoted is either an  
20 antiquated, or an outdated, statute because we now have  
21 the legal authority to charge a trip ticket and the trip  
22 ticket fee, fifty percent to the harvester and fifty  
23 percent to the processor, and not collect the actual  
24 shell.

25 Although that shell is property of the State of

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1 Mississippi, rather than collect the shell, we now collect  
2 a fee that has been given to us by a statutory change that  
3 gives us the authority, now.

4 Is that not correct?

5 SANDY CHESTNUT: I will have to look that up,  
6 Joe.

7 JOE JEWELL: I think it is.

8 SANDY CHESTNUT: I think you are right, but I  
9 will look that up and put that in the record.

10 JOE JEWELL: As far as the days, I said in my  
11 earlier comments I believe Ms. Vu is correct, and I will  
12 provide that. We have done an analysis of that  
13 internally. I apologize. I don't have that with me  
14 today. As you know, this is a quite lengthy Commission  
15 meeting. I have a quite lengthy agenda. I will send that  
16 to the Commissioners. I have that already. It is  
17 available. I will send that to you this afternoon for  
18 your consideration.

19 Like I said, I think Ms. Vu is correct on that,  
20 as I recall. As I said in my opening comments, this has  
21 been a challenging oyster season for all of us, for the  
22 Commission, for the staff of the DMR, but it has not  
23 impacted anybody as hard as it has the fishermen, but we  
24 don't have the ability to overcome mother nature.

25 COMMISSIONER BOSARGE: But, also, Joe, what we

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1 have going on further to the east in Biloxi should help.

2 JOE JEWELL: Are positive things, absolutely.

3 COMMISSIONER BOSARGE: And, then, hopefully,  
4 which I know we are, we are working on towards the east  
5 even further, maybe off of Jackson County to try to see if  
6 we can't come up with a management plan to open some of  
7 that area.

8 Hopefully, as these things evolve, it will make  
9 it to where there won't be any more thirty day seasons.  
10 We can move our effort around a little bit and keep  
11 everybody working.

12 JOE JEWELL: The Commission has challenged us to  
13 seek out and find other areas that are able to be open for  
14 harvest, and the staff has taken that challenge quite  
15 seriously and we are moving forward with other areas that  
16 we can upwardly classify, similar to what we are doing in  
17 Biloxi Bay.

18 COMMISSIONER BOSARGE: Great.

19 JOE JEWELL: If there are not any other  
20 questions, I will move forward with our final agenda item.

21 COMMISSIONER DRUMMOND: Thank you, Joe.

22 JOE JEWELL: The Commission has asked and added  
23 to the Commission agenda an update on the 2016 Red Snapper  
24 state season.

25 JAMIE MILLER: Commissioner Gollott had made a

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1 motion, and, then, we went into public comment.  
 2 JOE JEWELL: I'm sorry.  
 3 JAMIE MILLER: Commissioner Gollott made a  
 4 motion to accept the Notice of Intent. I think we need to  
 5 do that.  
 6 COMMISSIONER DRUMMOND: Did we have a second?  
 7 JOE JEWELL: We did.  
 8 COMMISSIONER ZIMMERMAN: I seconded it.  
 9 JOE JEWELL: We need a vote.  
 10 COMMISSIONER DRUMMOND: We have a motion and a  
 11 second.  
 12 I will call for a vote. All those in favor say  
 13 aye.  
 14 (All in favor.)  
 15 COMMISSIONER DRUMMOND: All opposed say no.  
 16 (None opposed.)  
 17 COMMISSIONER DRUMMOND: Motion carries.  
 18 Joe, are you finished?  
 19 JOE JEWELL: I'm sorry, Commissioner Drummond.  
 20 I have one more presentation. I will try and be brief.  
 21 COMMISSIONER DRUMMOND: I would like to take a  
 22 break, if we could.  
 23 JOE JEWELL: We can, if you would like to.  
 24 COMMISSIONER DRUMMOND: Let's take a fifteen-  
 25 minute break.

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1 JOE JEWELL: Sure.  
 2 (Whereupon, a short recess was taken.)  
 3 COMMISSIONER DRUMMOND: We are back on the  
 4 record.  
 5 JOE JEWELL: The Red Snapper update. The gulf-  
 6 wide allowable catch limit, the total is thirteen point  
 7 nine million pounds of whole weight. The Federal  
 8 commercial-recreational split is forty-eight point five  
 9 percent commercial and fifty-one point five percent  
 10 recreational.  
 11 The commercial annual catch limit is about six  
 12 point seven million pounds, the recreational annual catch  
 13 limit is about seven point one million pounds, with a  
 14 twenty percent buffer, and that leaves it at about five  
 15 point seven million pounds.  
 16 I was just mentioning the Gulf Council's passage  
 17 and approval of Amendment 40 which is sector separation  
 18 that further divides the private recreational sector and  
 19 the for-hire sector, and that leaves the private sector at  
 20 about four point one million pounds with a twenty percent  
 21 buffer, so that further reduces it to about three point  
 22 three million pounds.  
 23 The for-hire annual catch limit is established  
 24 at about three million pounds, with a twenty percent  
 25 buffer, or two point four million pounds.

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1 I will just give you a brief summary of the 2015  
 2 and 2016 seasons.  
 3 COMMISSIONER BOSARGE: Can I ask you a question,  
 4 Joe?  
 5 JOE JEWELL: Sure, Commissioner Bosarge.  
 6 COMMISSIONER BOSARGE: In the last few years --  
 7 even in my mind I can't keep track of it -- have we stayed  
 8 within the quota?  
 9 JOE JEWELL: Commercial, you absolutely did  
 10 because you notice there is no reserve, twenty percent, or  
 11 so, because they have such tight control over harvesting  
 12 and landing. Now, for commercial, absolutely, we have  
 13 stayed within the target quota.  
 14 COMMISSIONER BOSARGE: On the recreational side,  
 15 we are still within our twenty percent buffer?  
 16 JOE JEWELL: Yes. There have actually been  
 17 amendments to try and capture some of that twenty percent  
 18 that hasn't been captured.  
 19 For the 2015 season, the Federal recreation, as  
 20 you may recall, was June 1<sup>st</sup> through the 10<sup>th</sup>. It was a  
 21 total of about ten days.  
 22 The Federal permitted for hire was June 1<sup>st</sup>  
 23 through July 15<sup>th</sup> for a total of about forty-five days.  
 24 The State season that we sponsored was July the  
 25 16<sup>th</sup> through October the 31<sup>st</sup>. It was about a hundred and

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1 eight days and, as you may recall, we presented before the  
 2 Commission several presentations, and we harvested about  
 3 fifty-nine thousand pounds for the State of Mississippi.  
 4 For this year, the Federal season has been  
 5 established June the 1<sup>st</sup> through the 9<sup>th</sup> for the private  
 6 recreational. It's a total of about nine days.  
 7 The Federal permitted for hire is June the 1<sup>st</sup>  
 8 through July the 16<sup>th</sup>. It's a total of about forty-six  
 9 days.  
 10 What we are proposing before you today is a  
 11 State season of May 27<sup>th</sup> through September the 5<sup>th</sup>. It's  
 12 about a hundred and two days. A couple of things here.  
 13 It runs all the way through Labor Day.  
 14 I do want to mention that we had our State of  
 15 the Coast meeting where we announced it. I do want to  
 16 apologize. I take some blame in that. It wasn't trying  
 17 to circumvent the authority of the Commission in any way.  
 18 It's a forum that we have a lot of the Coast community  
 19 there. We had a lot of both commercial and recreational  
 20 fishermen there and some of the charter boat community was  
 21 there, and it was an opportunity.  
 22 Dr. Paul Mickle gave a Red Snapper update of the  
 23 overall program, the TailsScales Program, and it was an  
 24 opportunity -- we had such a large community there -- to  
 25 give them the same figures that you are seeing here on

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1 your presentation.  
 2 It wasn't a round to not give the Commission the  
 3 input. I do have some responsibility in that, and I  
 4 apologize for that.  
 5 COMMISSIONER BOSARGE: Opening it actually prior  
 6 to the Federal season?  
 7 JOE JEWELL: We have done that for the past  
 8 couple of years. As you recall, we did that in 2014. The  
 9 Commission opened it during the month of July for weekends  
 10 only. Last year we opened it. Again, we ran after the  
 11 Federal season.  
 12 The only difference, Commissioner Bosarge -- and  
 13 you pointed that out last year and you pointed it out this  
 14 year. The only difference this year is that the Federal  
 15 Government has expanded the State boundaries here in  
 16 Mississippi to nine nautical miles, but there is that  
 17 caveat. It is temporarily until September the 30<sup>th</sup>, unless  
 18 the Federal Government takes further action, and it is  
 19 only for reef fish.  
 20 COMMISSIONER BOSARGE: Correct.  
 21 JOE JEWELL: So there is that sort of condition  
 22 on those two.  
 23 COMMISSIONER BOSARGE: Correct me if I'm wrong,  
 24 but we have not opened the State season before the Federal  
 25 season opened, to my knowledge.

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1 JOE JEWELL: You would be correct. That's  
 2 correct.  
 3 COMMISSIONER BOSARGE: My concern would be the  
 4 temptation of getting outside of nine miles, prior to the  
 5 Federal season opening. If I would have had my way, I  
 6 think I would like to have seen it coincide with the  
 7 opening of the Federal season.  
 8 JOE JEWELL: We are just trying to provide the  
 9 convenience for our fishermen, with some of their input.  
 10 It coincides with a major holiday and provides that  
 11 service for them.  
 12 I can't speak for Marine Patrol. We haven't had  
 13 that much of a law enforcement issue with them, but you  
 14 are correct. This will be the first time that we have  
 15 opened inside that Federal boundary for the season.  
 16 Dr. Lucas has pointed out Alabama has had a  
 17 similar season with similar dates.  
 18 COMMISSIONER BOSARGE: Correct.  
 19 JOE JEWELL: And, then, we have had other  
 20 states, like Texas. They have year-round seasons.  
 21 Louisiana has opened a season that is outside of the  
 22 Federal season, but this will be the first time  
 23 Mississippi has had a season that is outside of the  
 24 Federal season.  
 25 COMMISSIONER BOSARGE: But this year is a little

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1 different in that we have actually nine miles to regulate.  
 2 JOE JEWELL: Correct, and it does take in a few  
 3 more of our fish havens. It allows them more opportunity  
 4 that they haven't had in the past.  
 5 COMMISSIONER ZIMMERMAN: I would like to make a  
 6 motion, Mr. Chairman.  
 7 COMMISSIONER DRUMMOND: Okay.  
 8 COMMISSIONER ZIMMERMAN: That we accept the  
 9 State Red Snapper season from May 27<sup>th</sup> to September 5<sup>th</sup>, as  
 10 has been set by MDMR.  
 11 COMMISSIONER DRUMMOND: We have a motion on the  
 12 floor to accept the records as stated and the procedures  
 13 as stated.  
 14 Do I hear a second?  
 15 COMMISSIONER HARMON: Mr. Chairman, I will  
 16 second that motion.  
 17 COMMISSIONER DRUMMOND: We have a motion and a  
 18 second.  
 19 All those in favor say aye.  
 20 (All in favor.)  
 21 COMMISSIONER DRUMMOND: All those opposed say  
 22 aye.  
 23 (None opposed.)  
 24 COMMISSIONER DRUMMOND: Motion carries.  
 25 JOE JEWELL: Thank you, Commissioners.

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1 Thank you, Commissioner Drummond for your  
 2 patience.  
 3 COMMISSIONER DRUMMOND: Thank you, Joe.  
 4 Next on the agenda is the Office of Coastal  
 5 Restoration and Resiliency, George Ramseur.  
 6 GEORGE RAMSEUR: Good morning Chairman Drummond,  
 7 Commissioners, Director Miller and counselor Chestnut.  
 8 Real quick summary here on our State of the  
 9 Coast. Second annual State of the Coast is in the books.  
 10 It was a lot of work, but I think we had a lot of reward  
 11 and a little bit of fun putting it on.  
 12 I want to thank everyone here at the agency that  
 13 pushed to make this happen, particularly the office  
 14 directors for letting some of their staff loose to help  
 15 with this.  
 16 In particular, I want to thank my hardworking  
 17 staff, Melissa Scallan's group and, most particularly, I  
 18 want to thank IT and Brian Sherwood's group because they  
 19 formatted the presentations through the whole day, gave us  
 20 a very interesting animated flyover of restoration  
 21 projects and I think really made the event special from a  
 22 visual standpoint.  
 23 One thing we learned last year is we didn't get  
 24 a survey out quickly, and we did do that this year.  
 25 Out of four hundred people registered, we had

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1 about three hundred and fifty attend the conference. We  
 2 had about a hundred and fifty at the reception that was  
 3 held the night before.  
 4 Out of those registrants, we have had about  
 5 fifty survey responses, and the initial results go  
 6 something like this:  
 7 Eighty-four percent said the conference met, or  
 8 exceeded, expectations.  
 9 Ninety-five percent said the conference met  
 10 some, or all, objectives.  
 11 Seventy-two percent attended both morning and  
 12 afternoon sessions.  
 13 Ninety-three percent were likely to definitely  
 14 going to recommend the conference to colleagues.  
 15 Eighty-four percent of participants agreed that  
 16 this conference should be on an annual basis.  
 17 We have gotten good media coverage on this,  
 18 particularly related to the subjects of restoration and  
 19 water quality.  
 20 What I've heard on the ground is the legislative  
 21 panel and the Blue Economy sessions were particularly well  
 22 received.  
 23 Melissa may have a little extra information  
 24 about the media coverage and other public outreach  
 25 aspects.

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1 Director Miller, in his closing remarks, brought  
 2 up the third annual. So I guess we are going to be  
 3 setting tracks for that as soon as possible.  
 4 That's all I have.  
 5 COMMISSIONER DRUMMOND: Thank you, George.  
 6 GEORGE RAMSEUR: Thank y'all.  
 7 COMMISSIONER DRUMMOND: Sounds like it was a  
 8 successful conference.  
 9 Next on the agenda is the Office of Finance and  
 10 Administration, Kacey Williams, Chief of that office.  
 11 JAMIE MILLER: Chairman, Kacey Williams is out  
 12 this morning, so I'm going to cover her report. It will  
 13 be fairly short.  
 14 As of the end of April, State Revenues were at  
 15 six point seven million dollars and overall Agency Revenue  
 16 was a little above twenty-three million.  
 17 Closing April, getting close to the end of our  
 18 fiscal year which ends in June, we had Operating Funds at  
 19 roughly fifty-seven percent and Tidelands Trust Fund at  
 20 about thirty-six percent remaining.  
 21 That's the report.  
 22 COMMISSIONER DRUMMOND: I thought the fiscal  
 23 year ended in September.  
 24 JAMIE MILLER: That's Federal fiscal year. You  
 25 are used to working with the Feds on that.

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1 COMMISSIONER DRUMMOND: We appreciate you taking  
 2 care of the money and spending it wisely. Thanks.  
 3 Next on the agenda is Public Affairs Director,  
 4 Melissa Scallan.  
 5 How are you, Melissa?  
 6 MELISSA SCALLAN: I'm great, Mr. Drummond.  
 7 How are you?  
 8 COMMISSIONER DRUMMOND: I'm fine.  
 9 MELISSA SCALLAN: You are doing a great job  
 10 today. Thank you.  
 11 Good morning, everybody, Director Miller, Ms.  
 12 Chestnut, Commissioners.  
 13 Since the last Commission meeting, the agency  
 14 was mentioned seventy-three times in local, state and  
 15 national media.  
 16 That is a little bit different from the report  
 17 that Crystal sent out to you because, over the weekend, we  
 18 had a few more things, the State of our Coast and oyster  
 19 season, Red Snapper season, and just this morning we had  
 20 Daniel Boyer who was mentioned on TV and in the newspaper,  
 21 and we are very proud of him for that honor.  
 22 Some of the other items that received media  
 23 attention were the workshop we had here for ferry service  
 24 to Deer Island. We had quite a bit of interest in that,  
 25 as well as the State of our Coast Conference.

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1 As George mentioned, we got some good media  
 2 coverage on that. All of our local media outlets were  
 3 there. It also was picked up throughout the State and  
 4 some other states even in the northeast. It did get a  
 5 good bit of attention. The Director was interviewed on  
 6 public radio, as well as live on WLOX on their eleven  
 7 o'clock show that day. George's group did a great job  
 8 with that.  
 9 The Office of Marine Patrol held two boat and  
 10 water safety classes in April and had a hundred and  
 11 ninety-six students.  
 12 One of the reasons that there were so many  
 13 students for two classes was they did one at a middle  
 14 school. It was a lot of work, and Chief Davis and Patrick  
 15 Levine did a great job with that. We know it is important  
 16 to teach kids young the importance of boat and water  
 17 safety. It was held during a whole week at the school. I  
 18 think the kids got a lot out of it, and the school liked  
 19 it, too.  
 20 Marine Patrol also participated in some  
 21 community outreach events in April, fishing tournaments,  
 22 Celebrate the Gulf, Reading on the River, two CCA kids  
 23 fishing tournaments, the Deer Island cleanup, riverfront  
 24 boat races, North Woolmarket career day, Biloxi Shuckers'  
 25 Safety Day and Safety Day at Lizana Elementary.

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1 Marine Patrol also took several training courses  
2 during April, including active shooting response and  
3 citizens' responsibility, sonar training, suicide calls,  
4 firearms and use of force, and NECL crimes in progress.

5 The Grand Bay NERR is hosting a nature  
6 photography class on Friday, from 3:00 to 8:00 p.m. If  
7 anybody is interested, they will tell you how to get those  
8 beautiful shots out at the NERR. It goes until 8:00  
9 o'clock. It's at dusk. If you want to go out there and  
10 learn how to take some good nature photos, you can do  
11 that. You can call the NERR and reserve a spot for that.

12 The Mississippi Seafood Cookoff will be next  
13 week on Thursday, May 26<sup>th</sup>. It's at Café Climb in  
14 Gulfport. We have twelve chefs competing and five judges.  
15 They will be named the king, or queen, of Mississippi  
16 Seafood, and they will represent Mississippi in New  
17 Orleans in August at the Great American Seafood Cookoff.

18 Any questions?

19 COMMISSIONER DRUMMOND: Are we invited?

20 MELISSA SCALLAN: Absolutely.

21 COMMISSIONER DRUMMOND: Thank you, Melissa.  
22 Appreciate it.

23 MELISSA SCALLAN: Thank you.

24 COMMISSIONER DRUMMOND: Ladies and gentlemen, we  
25 have to go into executive session. It is something we

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1 have to do, and I'm sure all of you realize that we do  
2 that occasionally. We don't want to stretch your  
3 patience. We will be back as soon as we can.

4 COMMISSIONER GOLLOTT: Mr. Chairman, I would  
5 like to make a motion that we go into closed session to  
6 determine the need to go into executive session and  
7 discuss pending litigation.

8 COMMISSIONER ZIMMERMAN: I second that motion.

9 COMMISSIONER DRUMMOND: We have a motion and a  
10 second.

11 All those in favor say aye.

12 (All in favor.)

13 COMMISSIONER DRUMMOND: All opposed?

14 (None opposed.)

15 COMMISSIONER DRUMMOND: Motion carries.

16 MEETING STANDS IN RECESS

17 COMMISSIONER DRUMMOND: Come back to order,  
18 please.

19 Sandy.

20 SANDY CHESTNUT: Yes, sir.

21 At 10:56, a motion was made by Commissioner  
22 Gollott to go into closed session to discuss the need for  
23 executive session to discuss pending litigation. That  
24 motion was seconded by Commissioner Zimmerman, and the  
25 motion passed unanimously.

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1 The Commissioners present in the closed session  
2 were Richard Gollott, Shelby Drummond, Steve Bosarge,  
3 Ernie Zimmerman, Ron Harmon, legal counsel Sandy Chestnut  
4 and Sean Morrison, and Executive Director Jamie Miller.

5 At 11:01, a motion was made by Commissioner  
6 Bosarge to go into executive session to discuss pending  
7 litigation. That motion was seconded by Commissioner  
8 Gollott, and it passed unanimously.

9 There were no motions made, during executive  
10 session. It was basically an update on all the pending  
11 litigation that is going on through the department. There  
12 were no official actions taken by the Commission.

13 At 11:27, a motion was made by Commissioner  
14 Gollott to end the executive session and return to open  
15 session. The motion was seconded by Commissioner Bosarge,  
16 and that motion also passed unanimously.

17 COMMISSIONER DRUMMOND: Is that it, Sandy?

18 SANDY CHESTNUT: That's it.

19 COMMISSIONER DRUMMOND: Do I hear a motion to  
20 adjourn?

21 SANDY CHESTNUT: Do we have any public comments  
22 that we haven't taken?

23 COMMISSIONER DRUMMOND: No. We have taken care  
24 of all of them.

25 SANDY CHESTNUT: Okay.

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1 COMMISSIONER GOLLOTT: Mr. Chairman, I make a  
2 motion we adjourn.

3 COMMISSIONER DRUMMOND: Do I hear a second to  
4 that?

5 COMMISSIONER ZIMMERMAN: Second.

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

8 (All in favor.)

9 COMMISSIONER DRUMMOND: Opposed?

10 (None opposed.)

11 COMMISSIONER DRUMMOND: Thank you very much.

12 (Whereupon, at 11:33 o'clock, a.m., the May 17,  
13 2016, meeting of the Commission on Marine Resources was  
14 concluded.)

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C E R T I F I C A T E

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing is a true and correct transcript of the May 17, 2016, meeting of the Commission on Marine Resources, as taken by me at the time and place heretofore stated in the aforementioned matter in shorthand, with electronic verification, and later reduced to typewritten form to the best of my skill and ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.

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