

1 COMMISSION ON MARINE RESOURCES  
2 COMMISSION MEETING  
3 TUESDAY, November 21, 2017  
4 10:00 a.m.  
5 JACKSON County Board of Supervisors Boardroom  
6 2915 Canty Street  
7 Pascagoula, Mississippi 39567  
8 -----  
9

10 Commission Members:

- 11 Steve Bosarge, Chairman
- 12 Ron Harmon, Vice Chairman
- 13 Richard Gollott
- 14 Mark Havard
- 15 Jolynne Trapani

16 Also Present:

- 17 Jamie M. Miller, Executive Director, DMR
- 18 Sandy Chesnut, Esq., Assistant Attorney General

1 COMMISSIONER BOSARGE: All right. I would  
2 like to call the meeting to order. I want to  
3 thank everybody for attending and thank the City  
4 of Pascagoula for giving us the facility to have  
5 our meeting in. It's nice to be over on my end  
6 of the state for a little bit, so, anyhow, to  
7 get started I would like to ask Richard Gollott  
8 to lead us in the Pledge of Allegiance. (Pledge  
9 of Allegiance)

10 COMMISSIONER BOSARGE: It looks like we  
11 have got a full schedule here today, so we will  
12 get started.

13 Approval of the minutes. We had actually  
14 two meetings. And so we have two approvals to  
15 do. Do I have a motion to approve the minutes  
16 for the October 17th, 2017 meeting?

17 COMMISSIONER GOLLOTT: So moved, Mr.  
18 Chairman.

19 COMMISSIONER BOSARGE: I have a motion. Do  
20 I have a second.

21 COMMISSIONER HARMON: So second, Mr.  
22 Chairman.

23 COMMISSIONER BOSARGE: We have a motion and  
24 a second. Any further discussion? All those in  
25 favor, Aye. Oppose, like sign. The motion

1 carries.  
2 (Motion carries.)  
3 All right approval of the minutes for the  
4 October 26 meeting. Do I have a motion to  
5 approve those minutes?  
6 COMMISSIONER GOLLOTT: So moved, Mr.  
7 Chairman.  
8 COMMISSIONER BOSARGE: Do we have a second?  
9 COMMISSIONER HAVARD: I will second, Mr.  
10 Chairman.  
11 COMMISSIONER BOSARGE: Okay. We have a  
12 motion and a second. All those in favor, Aye.  
13 Opposed, like sign. Motion carries.  
14 All right. We got that out of the way.  
15 Approval of the agenda. Do we have any changes  
16 to the agenda?  
17 COMMISSIONER TRAPANI: Mr. Chairman, I  
18 would like to make a motion to remove item F4 --  
19 COMMISSIONER BOSARGE: All right.  
20 COMMISSIONER TRAPANI: -- on that agenda.  
21 COMMISSIONER BOSARGE: Okay.  
22 COMMISSIONER TRAPANI: Second on that.  
23 COMMISSIONER BOSARGE: We have a motion.  
24 Do we have a second?  
25 COMMISSIONER GOLLOTT: I'll second it.

1 COMMISSIONER BOSARGE: Any further  
2 discussion? All those in favor, Aye. Opposed  
3 same sign. Motion carries (unanimous.)

4 Executive Director's report.

5 DIRECTOR MILLER: Chairman --

6 COMMISSIONER BOSARGE: Okay.

7 DIRECTOR MILLER: -- let me just make one  
8 more comment about the agenda, because we  
9 extended the agenda that was -- we had decided  
10 to host a work session on some additional topics  
11 the same day and also decided we needed to go  
12 into executive session at some point. So we've  
13 put all of those things into a single agenda  
14 under other business. And depending on the  
15 timing how long the meeting will last, if  
16 necessary we will just go into recess and then  
17 come back and finish up the remainder of the  
18 meeting.

19 But we didn't want to call for two separate  
20 meetings just to create any confusion, so it's  
21 all in one agenda under one meeting, but we will  
22 see how the time goes when we get to that part  
23 of the agenda.

24 COMMISSIONER BOSARGE: All right. I see.

25 COMMISSIONER GOLLOTT: Mr. Chairman, don't

1 you need a motion to approve the agenda as  
 2 modified?  
 3 COMMISSIONER BOSARGE: Yes, sir.  
 4 COMMISSIONER GOLLOTT: Yes, sir. Okay.  
 5 COMMISSIONER BOSARGE: Do we have a motion  
 6 to approve the agenda as modified?  
 7 COMMISSIONER GOLLOTT: So move, Mr.  
 8 chairman.  
 9 COMMISSIONER BOSARGE: All right. Do we  
 10 have a second?  
 11 COMMISSIONER HARMON: Second, Mr. Chairman.  
 12 COMMISSIONER BOSARGE: Motion is seconded.  
 13 All those in favor, Aye. Motion carries.  
 14 COMMISSIONER GOLLOTT: All right. We move  
 15 on to Office of Marine Patrol.  
 16 DIRECTOR MILLER: I'm sorry. I do have a  
 17 report, Chairman. I apologize for that. I  
 18 didn't mean to confuse you. I have a few items.  
 19 The first up is, the city of Biloxi has  
 20 presented the commission and the agency with a  
 21 resolution. I am going to read the resolution  
 22 into the record. And Gerald Blessey is here to  
 23 answer any questions that the Commission may  
 24 have about the purpose or the intent of the  
 25 resolution and how we are going to move forward.

1 expansions to the current IHL pier for research  
 2 vessels at the Point Cadet Marina in order to  
 3 upgrade and expand the facility for research  
 4 vessels and to add public offloading dock for  
 5 oystermen to offload fresh oysters from natural  
 6 reefs and aquaculture farms without an  
 7 offloading fee.  
 8 And, whereas, the proposed oyster  
 9 aquaculture and conservation center within the  
 10 vacant land adjacent to the offloading ramp and  
 11 IHL Research Vessel Pier at the Point Cadet  
 12 Marina.  
 13 And, Whereas the seafood marketplace would  
 14 be located either within the vacant green space  
 15 or on other vacant un- -- upland adjacent to the  
 16 western side of the Point Cadet Marina. And the  
 17 seafood marketplace would market and sell  
 18 Mississippi wild-caught and aquaculture seafood  
 19 showcasing Mississippi Oysters in particular.  
 20 And, whereas, the joint planning and  
 21 applications for funding would include other  
 22 marine-related facilities on or adjacent to the  
 23 green space including public access boardwalks  
 24 on the waterfront perimeter, a Mississippi deep  
 25 sea fishing tournament and conservation center

1 So if you will just be patient with me for one  
 2 moment I am going to read through the  
 3 resolution.  
 4 "Resolution Regarding Planning for the  
 5 Mississippi Aquaculture and Conservation Center  
 6 and related facilities at Point Cadet Biloxi,  
 7 Mississippi. Whereas, the Mayor of Biloxi has  
 8 requested the Commission on Marine Resources to  
 9 authorize the Department of Marine Resources to  
 10 participate in joint planning with the City of  
 11 Biloxi, Board of Trustees of Institutions of  
 12 Higher Learning, the University of Southern  
 13 Mississippi and the Secretary of State to  
 14 establish facilities for a Mississippi Oyster  
 15 Aquaculture and Conservation Center at  
 16 Mississippi Seafood Market Place and a public  
 17 offloading dock for aquaculture and natural reef  
 18 Mississippi Oysters and other marine related  
 19 facilities in the currently unoccupied green  
 20 space adjacent to the Point Cadet Marina in  
 21 Biloxi on land jointly owned by the City, State  
 22 and IHL depicted on the attached aerial photo."  
 23 And there's an attached photo with the  
 24 resolution. "Whereas, as part of the project  
 25 the mayor is proposing improvements and

1 with open air pavilions and upgrades to the  
 2 berthing docks in the Point Caden Marina.  
 3 And, whereas, the Mayor of Biloxi has  
 4 requested the Commission on Marine Resources to  
 5 authorize the staff of the Department of Marine  
 6 Resources to work with the City, IHL, and the  
 7 Secretary of State on preliminary site and  
 8 building planning and on applying for grant  
 9 applications and/or legislation for potential  
 10 federal, state and local funding sources for  
 11 project and/or matching funds for federal, state  
 12 and local grants for the project.  
 13 Whereas, the three owners of the subject  
 14 property: State, IHL and City are jointly  
 15 receiving significant income as landlords of  
 16 tenants of upland property adjacent to the  
 17 vacant green space. And some of that income  
 18 could be dedicated to funding aspects of the  
 19 proposed projects.  
 20 Now, therefore, be it resolved by the  
 21 Commissions on Marine Resources, the Commission  
 22 hereby authorizes and directs the executive  
 23 director of the Mississippi Department of Marine  
 24 Resources and his staff to work with the City,  
 25 IHL, and Secretary of State in site and facility

1 planning and applications for grants legislation  
 2 and/or other funding to establish facilities on  
 3 and adjacent to the vacant green space at Point  
 4 Cadet in Biloxi, which is adjacent to the Point  
 5 Cadet Marina depicted on the attached aerial  
 6 photo in order to provide a public oyster  
 7 offloading ramp, free of any offloading fee,  
 8 Mississippi Aquaculture and Conservation Center,  
 9 the Mississippi Seafood Marketplace, Mississippi  
 10 Deep Sea Fishing Tournament and conservation  
 11 center with open-air pavilion and public  
 12 boardwalks along the waterfront and related  
 13 facilities and to report back to the Commission  
 14 on Marine Resources the progress regarding these  
 15 efforts." Okay. Gerald.

16 MAYOR BLESSEY: Thank you, Mr. Chairman,  
 17 and members of the Commission. I am really here  
 18 to answer questions. The resolution is pretty  
 19 much self explanatory. On the aerial photograph  
 20 that is attached, the green space, you know, is  
 21 on the eastern tip of the peninsula. It has  
 22 been underutilized really, since Katrina.  
 23 Remember the marine education center was on part  
 24 of that. But the three partners, along with, if  
 25 you were kind enough to pass this resolution,

1 The good news here, we are not asking you  
 2 for money. We are asking you to try to help,  
 3 let's go together and ask for some money.

4 The three landlords now, you know, from  
 5 that site, the Golden Nugget Casino and several  
 6 other facilities are putting money into the  
 7 Point Cadet leasing fund, which is owned by the  
 8 three landlords. And Biloxi gets the first 2.7  
 9 million because that was our original investment  
 10 in developing the property. And then after that  
 11 everything is shared by a third, the State, IHL  
 12 and the City. That's yielding about a 1.5  
 13 million now.

14 And so one of the ideas we wanted to  
 15 explore with the Legislature would be to see if  
 16 we could take some or all of that 1.5 million  
 17 and put it into bonds or other financing to do  
 18 these facilities we are talking about, or  
 19 perhaps match with some other funds that may be  
 20 coming down the pike but even that alone could  
 21 possibly establish this oysters and seafood  
 22 facility.

23 The City of Biloxi recently with the County  
 24 passed a 7.5 million port bond issue and part of  
 25 that, we are already going ahead and doing a

1 what we are basically asking, is that the three  
 2 partners who owned it, plus DMR kind of work  
 3 jointly on planning to really make maximum use  
 4 of this beautiful green space area for taking  
 5 advantage of these initiatives that y'all have  
 6 really taken leadership in promoting the  
 7 upgrading and the revitalization of the oyster  
 8 industry.

9 It's my understanding -- our understanding  
 10 that currently there's no free offloading dock  
 11 for oystermen. And so what we are proposing  
 12 here is that part of this would be to be a free  
 13 offloading dock. No fee attached to whether  
 14 they are tonging oysters or bringing in from  
 15 what hopefully will be a very successful  
 16 aquaculture farming effort that y'all have taken  
 17 a lead on there south of Deer Island.

18 And the other natural reef that's between  
 19 Biloxi and Ocean Springs or any other reefs for  
 20 that matter. So we see it as a win-win  
 21 opportunity. All we are really asking for today  
 22 is to do some joint planning and then come back  
 23 to you and to the others with possible  
 24 solutions. The Legislature, of course, will be  
 25 in session in January.

1 public access boardwalk along the eastern tip to  
 2 make it safer and more accessible to the public.  
 3 It's a beautiful opportunity for sort of a  
 4 combined synergy of having tourism and seafood  
 5 and the deep sea fishing tournaments and so  
 6 forth along with a really active oyster  
 7 aquaculture and natural reef offloading ramp.  
 8 We just think it would be really dynamite and  
 9 increasing economic development of the area. So  
 10 I would be glad to answer any questions.

11 COMMISSIONER BOSARGE: Oh, yeah, I think  
 12 it's a great idea. It sounds like you have  
 13 given it a lot of thought. And I guess from my  
 14 prospective, yeah, as far as, because Biloxi is  
 15 all about tourism. That would be a great  
 16 tourism draw for sure. And help the industry at  
 17 the same time. Yes.

18 Do we have any questions?

19 And do we need in a form of a motion maybe,  
 20 I am asking you Jamie, to support this?

21 DIRECTOR MILLER: Yes, we do.

22 COMMISSIONER BOSARGE: Okay.

23 COMMISSIONER GOLLOTT: Okay. Mr. Chairman,  
 24 I would like to make a motion that we go forward  
 25 with this resolution with the City of Biloxi.

1 COMMISSIONER BOSARGE: All right. We have  
 2 a motion. Do we have a second?  
 3 COMMISSIONER TRAPANI: I second that.  
 4 COMMISSIONER BOSARGE: I have a motion and  
 5 a second. All those in favor, Aye. (Motion  
 6 carries.)  
 7 MAYOR BLESSEY: Thank you very much.  
 8 COMMISSIONER BOSARGE: Thank you, Mr.  
 9 Blessey.  
 10 MAYOR BLESSEY: Yes, sir.  
 11 COMMISSIONER BOSARGE: All right.  
 12 DIRECTOR MILLER: Okay. Just one or two  
 13 more items, Mr. Chairman.  
 14 I want to make sure the Commission knows  
 15 the DMR will host it's annual 2017 Legislative  
 16 Forum in the Commission Room at the Bolton  
 17 Building in Biloxi on December 7<sup>th</sup>. We will  
 18 start at 8:30. We will serve just a small  
 19 breakfast and coffee. And then we will get into  
 20 the program probably at nine o'clock. We will  
 21 present our annual report. We will go over the  
 22 tidelands proposals and we will discuss any  
 23 possible legislation with the Legislature at the  
 24 time.  
 25 And so we will send y'all a reminder on

1 quite an executive director's report.  
 2 We move on to the Office of Marine Patrol.  
 3 Chief Davis.  
 4 CHIEF DAVIS: Good morning. You have the  
 5 report in front of you.  
 6 But there is a couple of things I would  
 7 like to highlight from last month. If you could  
 8 go to page four. Office of Marine Patrol  
 9 investigated four boating accidents luckily that  
 10 did not involve any injuries.  
 11 Also, under boating safety we reported in  
 12 your last meeting that Hurricane Nate -- we did  
 13 have one rescue where some individuals were  
 14 rescued during that event.  
 15 Some of the highlights on fishing activity,  
 16 on page two, you notice there is an illegal sale  
 17 of red snapper. That was erroneously placed on  
 18 the report due to our record keeper. That was  
 19 actually a case involving a commercial fisherman  
 20 coming in with red snapper that had not properly  
 21 reported.  
 22 On page one, illegal use of a net over --  
 23 across the mouth of an inlet. This was the  
 24 offenders second offense within six months. And  
 25 under oyster violations we uncovered an

1 that. And we have been communicating with the  
 2 Legislature about that date and so, please, mark  
 3 your calendar. We will send you a reminder as  
 4 well.  
 5 Also this week is Thanksgiving holiday and  
 6 so the DMR offices will be closed Thursday,  
 7 November 23rd and Friday the 24th.  
 8 Joe, I know we have got one more item that  
 9 we are discussing about bringing up now. Do you  
 10 want to wait until your presentation and just  
 11 handle it?  
 12 JOE JEWELL: Sure.  
 13 DIRECTOR MILLER: Okay. Chairman, I also  
 14 want to remind anybody in the audience if you  
 15 want to make a public comment we have public  
 16 comment cards in the back. And we ask that you  
 17 just mark the agenda item that you like to speak  
 18 about. If there is no agenda item that you want  
 19 to speak on directly and you just want to make  
 20 some public comments, we will hold those to the  
 21 very end. But if you want to do that now, you  
 22 can bring those up to Crystal Matta right here.  
 23 And she will bring them up to the dais. Thank  
 24 you.  
 25 COMMISSIONER BOSARGE: All right. That's

1 individual selling oysters on social media, and  
 2 we are still working that case.  
 3 COMMISSIONER BOSARGE: Sounds like you have  
 4 been busy. All right. Any questions for Chief  
 5 Davis?  
 6 COMMISSIONER GOLLOTT: Chief, it's amazing  
 7 how many tags this oyster violation for our  
 8 season. That's great. I mean, you know, your  
 9 officers are apparently are doing a good job  
 10 keeping these undersized oysters out of these  
 11 sacks. Thank you.  
 12 CHIEF DAVIS: Thank you, Mr. Gollott.  
 13 COMMISSIONER HAVARD: Chief Davis, on this  
 14 net violation, would this be one of our  
 15 permitted haul seine nets stretched across the  
 16 mouth of a bayou?  
 17 CHIEF DAVIS: Yes, sir. Can we answer any  
 18 particular questions involving a criminal matter  
 19 offline, if you don't mind.  
 20 COMMISSIONER BOSARGE: We can. We can.  
 21 All right. Any further questions for Chief  
 22 Davis?  
 23 CHIEF DAVIS: Involving a pending criminal  
 24 matter.  
 25 COMMISSIONER BOSARGE: Thank you, Chief.

1 Thank you, sir.  
 2 All right. We will move on to Office of  
 3 Marine Fisheries. Mr. Joe Jewell.  
 4 DIRECTOR MILLER: Before Joe gets started,  
 5 I need to mention one thing. December 8th is  
 6 going to be Joe's anniversary. Joe has been  
 7 with the agency for 20 years. And so I wanted  
 8 to recognize him in the commission meeting. We  
 9 recognized him earlier in the agency All Hands  
 10 Meeting. But he has been with us for 20 years,  
 11 obviously, you know the value that he brings to  
 12 the agency. And he is a trusted advisor of  
 13 mine. And I'm not sure what we are going to do  
 14 if you ever plan to retire. So I am hoping you  
 15 can put another twenty years in. Right?  
 16 Anyways, I wanted to recognize you and thank you  
 17 for your service. And he received his 20-year  
 18 pin and was recognized by the state personnel  
 19 board as well.  
 20 COMMISSIONER BOSARGE: Yes, sir. Good job,  
 21 Joe.  
 22 (Applause.)  
 23 COMMISSIONER BOSARGE: I noticed you pulled  
 24 most of your hair out over the years.  
 25 JOE JEWELL: Thank you, Commissioner

1 Miller, I appreciate those kind words.  
 2 So the Office of Marine Fisheries with the  
 3 removal of item four has three items on the  
 4 agenda for your consideration this morning. And  
 5 first up will be a red snapper recreational  
 6 season update presented by Ms. Carly Somerset.  
 7 CARLY SOMERSET: All right. Good morning,  
 8 Commissioners, Director Miller, Ms. Chesnut.  
 9 So I will start fisheries off with an  
 10 overview of the 2018 recreational red snapper  
 11 season. So first the review of our state and  
 12 federal seasons in 2017. So the original  
 13 federal season began on June 1<sup>st</sup> and ended  
 14 June 3<sup>rd</sup> giving private recreational anglers  
 15 three days to fish out to federal waters. And  
 16 the Department of Commerce reopened the  
 17 recreational season on June 16<sup>th</sup> for a 39-day  
 18 federal extension on weekends only. So that was  
 19 Fridays, Saturdays and Sundays along with the  
 20 holiday weekends of July 4<sup>th</sup> and Labor Day on  
 21 September 4<sup>th</sup>.  
 22 So we did have a state season that opened  
 23 on May 26 and ran every day through June 16, at  
 24 which point it became concurrent with the  
 25 federal extension. And federal for-hire fleet

1 was allowed to fish for red snapper June 1st and  
 2 ending July 19th for a total of 49 days.  
 3 Next slide. So an overview of the  
 4 program's purpose again, it actually began as a  
 5 voluntary program in 2014. Then the Commission  
 6 adopted a regulatory modification to the Title  
 7 22 Part 9 requiring reporting of all red snapper  
 8 harvested in Mississippi by recreational anglers  
 9 beginning in 2015.  
 10 On September 1st, 2017 the language in  
 11 title 22 Part 9 was updated to indicate Tails n'  
 12 Scales is the required method of reporting red  
 13 snapper harvest. So all anglers targeting red  
 14 snapper must acquire a trip authorization number  
 15 prior to fishing for them, as well as report  
 16 their trip information once the trip has been  
 17 completed.  
 18 And DMR makes sure that every angler can  
 19 acquire a trip number 24 hours a day seven days  
 20 a week.  
 21 Some information about our validation. So  
 22 in order to validate our reported data we have a  
 23 few methods we use. So the main one is dockside  
 24 intercepts, much like we do with our federal NRP  
 25 survey.

1 Tails n' Scales intercepts are done to  
 2 validate the soft reported trip information  
 3 that's submitted by the anglers by intercepting  
 4 all the anglers fishing for red snapper once  
 5 they return to the dock. And we confirm their  
 6 trip information by asking their trip number,  
 7 number of anglers, the number of red snapper  
 8 they catch, the number released and the hours  
 9 they spent fishing for red snapper.  
 10 We also gather as much biological data as  
 11 possible during these interviews, such as  
 12 length, weight otoliths for age data. So those  
 13 take a few minutes, but we really appreciate all  
 14 the anglers giving us this information, because  
 15 it is very valuable to us.  
 16 So this year we also worked with marine  
 17 patrol to get information from on the water  
 18 enforcement reports. Marine patrol had  
 19 intercept cards that asked anglers for their  
 20 vessel registration number, their trip  
 21 authorization number and whether they used a  
 22 private or public ramp, which was very useful  
 23 information for us to get regarding who used  
 24 private versus, you know, public access points.  
 25 And we also continue to have email

1 messaging and phone reminders for expired  
2 reports not completed by the angler. So anglers  
3 have a 24-hour period after finishing their trip  
4 to report their information. So we try to  
5 remind anglers to report as soon as possible to  
6 increase recall accuracy.

7 All right. These are 2017 red snapper  
8 results. As split by sector -- private,  
9 recreational and for-hire, the totals given are  
10 by numbers of fish and then also in pounds. So  
11 the private recreational sector harvested close  
12 to 24,000 with a biomass of 135,103 pounds. And  
13 the charter vessels caught a little over 3,000  
14 fish for a total of 18,997 pounds, giving an  
15 overall total of 27,189 fish for a harvest  
16 weight of 154,100 pounds.

17 And looking at this year's harvest results  
18 in a little more detail and comparing them to  
19 2016, I notice that 2017 the recreational sector  
20 lasted for a total of 60 days. And in 2016 the  
21 number of days was 102. The majority of those  
22 were within the state season. So the for hire  
23 sector had a slight increase in their fishing  
24 days in 2017 over 2016, 46 to 49.

25 And I should note that these results are

1 the finalized estimated results. So this is  
2 after we compiled the raw data from the reports  
3 and run it through our estimator.

4 So you can see the total weight harvested  
5 in 2017 was quite a bit higher than in 2016.  
6 And also the number of fish harvested almost  
7 doubled as well as the number of trips almost  
8 doubling. But if you will look at the average  
9 weight and length between years they are  
10 extremely close as well as the effort and  
11 harvest rates. They are also very similar.

12 So if we track this over seasons I think  
13 this shows a strong stable fishery that we have  
14 going. And I think we can attribute the  
15 increase in harvest in 2017 to the way the  
16 season was set up. So as a weekend base season  
17 it concentrated angler efforts on weekdays and  
18 holidays since anglers were only allowed to fish  
19 on Fridays Saturdays and Sundays, and the two  
20 holidays rather than spread out over a longer  
21 period of time. And, actually, I will  
22 demonstrate this on the next slide.

23 So if we will look at angler effort by day  
24 of the week comparing 2016 and 2017, you can see  
25 that there are observed increases and effort on

1 the weekends. And so these numbers are the mean  
2 number of trips per weekday. And they nearly  
3 doubled for every weekday -- sorry weekend day  
4 in 2017.

5 Monday effort actually increased quite a  
6 bit too, for the private sector, but that was  
7 likely due to the holidays, July 3rd, 4th and  
8 Labor Day was also given in that federal  
9 extension.

10 So the value of our reporting system, we  
11 are excited about how it's continued to  
12 progress. It's been very valuable for us. I  
13 think it's been a success since the beginning.  
14 And we continue to work hard to improve it every  
15 year.

16 Based on the reporting process and the data  
17 that we've collected over the past three years,  
18 we believe it represents and provides the most  
19 accurate estimates of red snapper harvest and  
20 angler effort in the Gulf of Mexico.

21 The data gathered can be used in stock  
22 assessments as we are able to calculate effort  
23 landings, watched angler universe change over  
24 time in the system and the biological data  
25 collected, so the weight, length and the

1 otoliths that we pull from the fish for age  
2 data. And they are all very valuable.

3 And we are able to estimate and project  
4 harvest in real time and we are not constrained  
5 to, you know, annually or one estimate. We can  
6 look at it over seasons, over months and then,  
7 of course, we will track it over years that we  
8 continue to do it. And it's also valuable for  
9 safety purposes as a float plan.

10 Just an update on the certification  
11 process. Currently Alabama is undergoing the  
12 federal review process with NOAA and the  
13 consultants. Mississippi's review period is  
14 scheduled next. Alabama is expected to be  
15 certified in the Spring of 2018. So we will be  
16 right behind that. And the review is primarily  
17 methodological. So it will provide insight to  
18 us in two additional ways of analyzing our catch  
19 data.

20 So I mentioned earlier that we collected as  
21 much biological data as possible. To date we  
22 have collected over 500 \*OTILIS from red  
23 snapper. That's quite a bit over -- that's even  
24 better than what we did last year. So far 212  
25 have been finalized, meaning they have been

1 processed and read by several readers.  
 2 The age data we collect from the fish is  
 3 vital to the management of the fishery, as  
 4 length and age date can be put into stock  
 5 assessments. And we can also look at the age  
 6 distribution of our catch. They will actually  
 7 show that here. This is our age distribution  
 8 for the 212 that we have done so far. The  
 9 majority of fish are between two to four, five  
 10 years. And you can see that we have close to  
 11 two percent of fish that were caught that were  
 12 actually above ten years old.  
 13 So finally I would like to end with our  
 14 compliance rates over the course of the program.  
 15 So I think the slide shows the benefits of our  
 16 program and how it has changed over time and its  
 17 increased success each year as we have steadily  
 18 increased our angler compliance. The terminal  
 19 compliance rate of private recreational anglers  
 20 for 2017 is 86 percent. And our Charter vessels  
 21 were nearly 100 percent compliant.  
 22 So I think since we have done -- we have  
 23 continued to do outreach, people coming from up  
 24 north down here to fish have increased. I think  
 25 most anglers understand the importance and the

1 of two to five year olds is --  
 2 COMMISSIONER BOSARGE: Yeah.  
 3 CARLY SOMERSET: -- that's also -- that's  
 4 common, so. . .  
 5 COMMISSIONER BOSARGE: And it looks like to  
 6 me, you know, we are having a better success at  
 7 having people reporting. So giving you better  
 8 information more to go by.  
 9 CARLY SOMERSET: Yeah. So it's been great.  
 10 I mean, I might be a little biased, but I think  
 11 it has been good.  
 12 COMMISSIONER BOSARGE: Yeah. Good program.  
 13 I see us maybe moving it to different species at  
 14 some point in time. So it's great. All right.  
 15 Thank you.  
 16 CARLY SOMERSET: Thank you.  
 17 COMMISSIONER BOSARGE: Hold on just a  
 18 minute, Joe. We have got one public comment  
 19 that would like to talk on this issue. I think  
 20 F.J. Eicke.  
 21 JOE JEWELL: All right. While he is  
 22 working his way up here, I just want to say that  
 23 the oldest fish that we have caught in our  
 24 programs is 28 years. A little over 28 years.  
 25 So some of these fish can get pretty long-lived.

1 benefits of reporting their catch through this  
 2 program. And before I stop for any questions  
 3 just a note that we will post the 2017 finalized  
 4 estimates to our website so that they can be  
 5 accessed. I will take any questions.  
 6 COMMISSIONER BOSARGE: All right. Do we  
 7 have any questions?  
 8 COMMISSIONER HAVARD: That was a very  
 9 thorough report.  
 10 COMMISSIONER BOSARGE: When you did your  
 11 age estimates and the percentage of fish that  
 12 were caught, I see you went out to 14 years.  
 13 One of the -- I guess, what's the average oldest  
 14 age of those fish of that class of fish?  
 15 CARLY SOMERSET: Average oldest fish?  
 16 COMMISSIONER BOSARGE: Yeah. In other  
 17 words, I have been told by different people that  
 18 large sow snapper is as much as 25 to 50 years  
 19 old.  
 20 CARLY SOMERSET: They can. Yes. They can  
 21 be much older than ten.  
 22 COMMISSIONER BOSARGE: Yes.  
 23 CARLY SOMERSET: Historically that's been,  
 24 that's the 2 percent of over ten years old is  
 25 about -- that's pretty normal, but the majority

1 COMMISSIONER BOSARGE: Get pretty old.  
 2 JOE JEWELL: And then, of course, I want to  
 3 thank you. Part of our compliance programs,  
 4 some of the ideas that you came up with,  
 5 reporting to the northern tier counties, the  
 6 adjacent counties and other states and then at  
 7 the boat ramps, the flags.  
 8 COMMISSIONER BOSARGE: Yeah. Yeah.  
 9 JOE JEWELL: So that's helped out a lot  
 10 with our compliance rates. You can see it went  
 11 up dramatically after we implemented those  
 12 changes. Okay. Is Mr. Eicke going to comment?  
 13 COMMISSIONER BOSARGE: No. I think Mr.  
 14 Eicke passed on that one. So that's good.  
 15 Continue on.  
 16 JOE JEWELL: Next upon the agenda for the  
 17 Commission's consideration is an artificial reef  
 18 program update by Ms. Emily Satterfield.  
 19 EMILY SATTERFIELD: Good morning,  
 20 Commissioners, Director Miller and Ms. Chesnut.  
 21 I am here today, as Joe said, to give an  
 22 overview of the Official Reef program.  
 23 We will start with a brief history of the  
 24 Artificial Reef Program. The first known  
 25 efforts of artificial reef construction on the

1 Mississippi Coast took place during the 1960s  
2 deploying automobile bodies near the barrier  
3 islands. In '72 public law 92-402 was  
4 established which made the Liberty Ships Program  
5 available. And then in 1978 Mississippi  
6 received and deployed five of these derelict  
7 vessels.

8 And in 1985 the National Marine Fisheries  
9 Service published a National Artificial Reef  
10 Plan. That opened the door for federal support  
11 for offshore artificial reef projects.

12 And in 1999 Mississippi developed their own  
13 Artificial Reef Plan. That can be found in its  
14 entirety on our website.

15 Also in 1999 the Mississippi Legislature  
16 approved state statutes that gave the Commission  
17 on Marine Resources the authority for Rigs to  
18 Reefs Program.

19 Perhaps the best summation of what the  
20 Artificial Reef Bureau does can be found in  
21 state statute 49-15-15. We promote, construct,  
22 monitor and maintain artificial fishing reefs in  
23 the marine waters of the State of Mississippi  
24 and adjacent federal waters. We accept grants  
25 and donations of money or materials from public

1 with a total of approximately 4,000 cubic yards  
2 of limestone.

3 And Spring 2013, 154 deployments with a  
4 total of approximately 24,500 cubic yards of  
5 limestone.

6 In addition to the crushed concrete and  
7 limestone we also have used rubble to create  
8 keys:

9 So, in order from west to east, we will  
10 start with Jail House Key. This was completed  
11 in August 2010. It's a little less than one  
12 mile south of Buccaneer State Park. The  
13 material was donated by the Hancock County and  
14 the Mississippi Department of transportation.  
15 It is rubble from the old Hancock County Jail  
16 and some roads that were strictly made of  
17 concrete that were torn up.

18 The next would be Square Handkerchief.  
19 This was completed in 2003, located about two  
20 miles south of the CSX Railroad Tracks in Bay  
21 St. Louis. And this is made up of the I-10  
22 bridge crossing the Jourdan River when that  
23 bridge was rebuilt.

24 Moving to Pass Christian Key. About a half  
25 mile south of Pass Christian and about a mile

1 and private sources for such reefs.

2 And we apply for any federal permits  
3 necessary for the construction or maintenance of  
4 artificial fishing reefs in federal waters.

5 There are three major types, categories, if  
6 you will, of artificial reefs in the State of  
7 Mississippi. We categorize those as near shore,  
8 offshore and our Rigs to Reef Program.

9 So we are going to start with the near  
10 shore artificial reef sites. There are 67  
11 currently permitted artificial reef sites in the  
12 State of Mississippi.

13 And since Katrina funding from NRDA and  
14 EDRP has allowed 367 deployments in all three  
15 coastal counties with a total of 67,500 cubic  
16 yards of crushed concrete and limestone to be  
17 deployed on these nearshore reefs.

18 To break that down a little bit for you, in  
19 2007 there were 141 deployments with a total of  
20 approximately 24,000 cubic yards of crushed  
21 concrete and limestone.

22 2009 we made 62 deployments with a total of  
23 approximately 15,000 cubic yards of crushed  
24 concrete and limestone.

25 Fall of 2012, there were ten deployments

1 east of Pass Christian Harbor this material came  
2 from leftover from Jailhouse Key. So again,  
3 from the donated jailhouse and the concrete  
4 roads. That was completed in 2011 one year  
5 after Jailhouse Key.

6 And then finally Katrina Key. A little  
7 over a half a mile south of Deer Island the  
8 original leg started in 2006 and it was rubble  
9 from the Highway 90 Biloxi-Ocean Springs Bridge.  
10 There have been three expansions made since  
11 then.

12 May 2011 rubble from the -- what is now the  
13 Highway 90 fishing bridge. May 2012 rubble from  
14 the Back Bay fishing bridge.

15 And in 2014 another expansion with 786  
16 culverts from the old Margaritaville Casino.  
17 That was the latest one in August of 2014 was  
18 completed.

19 Moving on to the next category, the  
20 offshore fishing reefs. Each of these shaded  
21 areas on this map is an artificial reef zone.  
22 There are multiple structures deployed within  
23 these zones. The types of material that we  
24 deploy within them are several different types  
25 starting with concrete culverts. We have made



1 57 deployments. This is in a time since  
2 Katrina. We have made 57 deployments ranging  
3 between three to five feet in diameter concrete  
4 culverts and four to eight feet in length.

5 Steel hull vessels have been deployed. We  
6 have deployed 19 such vessels ranging in 48 to  
7 175 in length. This image is of the Barataria  
8 Bay that was deployed in 2015.

9 The next type of materials that we use are  
10 "Florida Limestone" which is in parenthesis  
11 because it's not actually limestone. You can  
12 see the photo here at the bottom is an image.  
13 It is actually a manmade material, but it is  
14 nicknamed "Florida Limestone." We have made 34  
15 deployments of those for a total of 326  
16 individual Florida Limestone pyramids.

17 It's a design with three panels. The base  
18 is 12' triangle with a height of 8' and they  
19 weigh 3.5 tons.

20 These were generally deployed a little bit  
21 further off water in our deeper fish havens.

22 The Reef Balls are the picture in the  
23 middle. We have made seven deployments of those  
24 for a total of 315 individual reef balls. They  
25 are of spherical design 6' wide, 5' tall and

1 So you can imagine sometimes the rigs are moved  
2 from their original site into our permitted  
3 site. So Main Pass 129 was deployed in the Main  
4 Pass 132 site. So that gets kind of confusing.  
5 But that was the first one that we spoke of a  
6 moment ago. These are deployed anywhere from  
7 150 to 350 feet of depth. The last closest one  
8 was in December of '14. And that was Main Pass  
9 185.

10 So this image on the left is the Rowan New  
11 Orleans Deck of Main Pass 185. That was the one  
12 I just discussed the last and most recent one.  
13 And it's at a depth of 150 feet. The image on  
14 the right is Main Pass 313 that was moved to and  
15 deployed in Main Pass 312 at a depth of 245  
16 feet.

17 Moving on to our staging site. A  
18 description of what we have out there. It's a  
19 five-acre site located off Reichold Road in  
20 Gulfport on the Industrial Seaway.

21 We have had since 2015 six different  
22 companies donate concrete materials that have  
23 been stockpiled there. We've had 197 loads  
24 delivered for a total of 2,789 pieces of  
25 concrete material.

1 would have a weight of 2.5 tons. These are sort  
2 of a mid-water depth deployment. Anything that  
3 is not quite deep water but not what we would  
4 consider inshore or within the sound.

5 And then finally we have Bay Balls which  
6 are very similar to the reef ball construction,  
7 but they are smaller. We have made 17  
8 deployments for 550 individual bay balls. Again  
9 the same divide. These weigh 450 pounds. So  
10 you can see as they shrink they lose a whole lot  
11 of weight.

12 So that wraps up the offshore artificial  
13 reefs. So we will move on to the Rigs to Reefs  
14 sites. These are -- we have eight permitted  
15 Rigs to Reefs sites. The furthest one is 75  
16 miles due south of the mouth of the Pascagoula  
17 River. The closest is 50 miles. The oldest is  
18 MP 132 which is approximately in the middle of  
19 that map you can see. And it was originally --  
20 it's first deployment took place on  
21 September 2000. And it was a first donated  
22 structure for the Rigs to Reef Programs was Main  
23 Pass 129.

24 Currently, there are 16 Rigs to Reefs that  
25 have been permitted in eight different sites.

1 Some of that material was used to create  
2 the Cat Island concrete culvert deployment that  
3 we did as a cooperative event with CCA. CCA  
4 provided \$25,000 for this event. Artificial  
5 Reef Bureau provided \$7,000 and the material for  
6 the deployment for a total of 207 tons of  
7 material that was deployed to create four new  
8 sites all within the permitted Cat Island reef  
9 zone.

10 And then the last deployment we did this  
11 year, 2017 was the Lee Street concrete culvert  
12 deployment. These were reclaimed concrete  
13 culverts from the Biloxi infrastructure project.  
14 They were donated by Oscar Renda Contracting.  
15 There were 11 sites total that we deployed.  
16 They were on the furthest deepest fish havens,  
17 one, two and 13.

18 We enhanced seven existing sites and  
19 created four new sites within those fish havens  
20 with a total of 5,600 tons of material. Eight  
21 of those 11 were within the nine nautical miles  
22 for re-fish, for the State of Mississippi. And,  
23 yes, seaward of the Barrier Islands, the  
24 contractor there that deployed that was WC-4  
25 Trucking.

1 And then lastly we have some options that  
 2 we are exploring for new potential artificial  
 3 zones.  
 4 Potential site one would be a total of  
 5 1,773 acres. It would be between FH-1 and FH-2.  
 6 Potential site number two would be a total of  
 7 2,316 acres finishing out that corner of fish  
 8 haven 13 for a total between the two of  
 9 4,089 acres.  
 10 And that concludes my presentation, if  
 11 anyone has any questions.  
 12 COMMISSIONER BOSARGE: That's a lot of  
 13 information. A lot of good work has been done.  
 14 On these proposed permitted sites, what is the  
 15 process for that?  
 16 EMILY SATTERFIELD: Well, right now we are  
 17 in the very preliminary processes of it. There  
 18 are a lot of -- just a lot of components that we  
 19 need to look into. And we are at the very  
 20 beginning stages of that.  
 21 COMMISSIONER BOSARGE: All right. And  
 22 FH-13 in nautical miles, in other words, how  
 23 many miles is it, Joe, down one face and across  
 24 the other? Just curious. Do you know the  
 25 answer to that question by chance?

1 We will start off with a map of the western  
 2 sound. As you know, the Commission opened the  
 3 reef November 6. As of today we are in our 14th  
 4 day of the season.  
 5 We will start with St. Joe. The quota for  
 6 that area was 5,133 sacks, and 5,453 sacks were  
 7 harvested. It took about eight days to reach  
 8 the quota.  
 9 Moving over to your right, the green area  
 10 where is approved areas there was a lack of  
 11 resource in that area; and the commission  
 12 decided to keep that area closed.  
 13 Moving up to Pass Marianne. The quota for  
 14 that area is 1,208 sacks and 711 sacks have been  
 15 harvested, and that was as of yesterday  
 16 afternoon at close of business.  
 17 Moving up to Henderson Point the quota for  
 18 that area is 635 sacks. We reached 640 sacks  
 19 yesterday afternoon. It took about 13 days.  
 20 Over to Pass Christian dredging the quota  
 21 for the area is 1,059 sacks. Twenty sacks have  
 22 been harvested.  
 23 Up to Pass Tong with no catch reported.  
 24 Between the bridges the quota is 74 sacks,  
 25 67 sacks have been harvested. That was as of

1 EMILY SATTERFIELD: The perimeter of it?  
 2 COMMISSIONER BOSARGE: Well, or --  
 3 EMILY SATTERFIELD: -- or where the nine  
 4 nautical miles --  
 5 COMMISSIONER BOSARGE: In other words, is  
 6 it seven miles long and five miles wide?  
 7 EMILY SATTERFIELD: I wouldn't know that.  
 8 I would have to look that up and get back with  
 9 you.  
 10 COMMISSIONER BOSARGE: Okay. All right.  
 11 good.  
 12 JOE JEWELL: I thought you was going to ask  
 13 a question about depth. We can tell you that.  
 14 COMMISSIONER BOSARGE: I got the depth.  
 15 There you go. All right. Thank you, ma'am.  
 16 Are there any more questions? All right. Thank  
 17 you, ma'am.  
 18 EMILY SATTERFIELD: Thank you.  
 19 JOE JEWELL: The final agenda item for  
 20 Marine Fisheries is an Oyster Season update and  
 21 that will be presented by Mr. Eric Broussard.  
 22 ERIK BROUSSARD: Good morning,  
 23 Commissioners, Director Miller, Ms. Chesnut.  
 24 This morning I have an oyster season update  
 25 prepared for you.

1 yesterday afternoon. The decision was made to  
 2 close. We had about 20 sacks come in. If we  
 3 would have left it another day we would have  
 4 exceeded the quota by over ten percent.  
 5 Down to Stanislaus, the quota 1,249 sacks  
 6 and 395 sacks have been harvested.  
 7 Over here we have a table that you are  
 8 familiar with. That's basically a compilation  
 9 of everything we have just discussed. First  
 10 column is going to be reef. Next column is our  
 11 estimated sack total that's from our annual reef  
 12 assessment followed by 30 percent harvest rate.  
 13 And then next column is going to be your actual  
 14 harvest. And so we have closed three areas in  
 15 the western sound.  
 16 With the few remaining areas left there is  
 17 still about 1,000 sacks to harvest off Pass  
 18 Dredge. There's about 500 sacks left to the  
 19 quota on Pass Marianne, area II"G". And as well  
 20 as St. Stanislaus for the tongers. There's a  
 21 little under 1,000 sacks available for harvest  
 22 there.  
 23 So the commission had asked us what the  
 24 breakdown would look like on some of the relay  
 25 material from Pascagoula, and so we looked at

1 that last week. So to date we have moved 3,173  
2 sacks of material. The breakdown is 46.2  
3 percent of that is shell. And that's just plain  
4 shell with no spat, no seed, just raw shell.

5 Then you have 27 percent of non-market  
6 oysters. And that's going to be anything from  
7 two millimeter spat to two and three-quarter  
8 inch oysters. And then you have about  
9 27 percent of the material is marketable size  
10 oysters. And so we also have it in a sack  
11 breakdown. Out of the 3,173, you have 854 sacks  
12 of marketable oysters, 854 sacks of  
13 non-marketable oysters and 1,466 sacks of just  
14 shell.

15 All of that material has been moved to  
16 conditionally approved area 5-A in Biloxi Bay  
17 and we are going to continue with those efforts.

18 COMMISSIONER GOLLOTT: I would still like  
19 to open the area that was opened prior to this  
20 time in the Biloxi Bay 1,000 I was after at the  
21 last meeting. I would still like to open that  
22 right prior to Christmas and give these  
23 fishermen a little shot in the arm for  
24 Christmas. Like I said last time that 1,000  
25 sacks is what it is, it's -- it don't have a lot

1 of spat on it, it doesn't have a lot of small  
2 oysters with it. I think we can harvest that,  
3 plus you have already replaced the oysters that  
4 -- that 1,000 sacks with these -- this 1,000  
5 sacks or so. And you are going to keep trying  
6 and I think this is what needs to be done for  
7 next season and maybe let these things sit there  
8 until next season since you are not really  
9 moving that many marketable oysters with this.

10 And I would like to make a motion that we  
11 open the Biloxi Bay for that 1,000 sacks of  
12 tonging those oysters and right -- a week before  
13 Christmas or ten days before Christmas and let  
14 these -- let them have a small tonging.

15 And, now, I have been assured that the  
16 people that's going to buy the oysters, those  
17 1,000, is going to give us some shells back,  
18 donate the shells back to the State.

19 Now, we haven't got that in writing or  
20 anything, but I think that's a good start.

21 JOE JEWELL: Commissioner Gollott, just a  
22 verification. Your motion is for them to  
23 harvest up to a thousand sacks?

24 COMMISSIONER BOSARGE: That's correct.

25 JOE JEWELL: Ten days before Christmas?

1 COMMISSIONER GOLLOTT: Yeah.

2 COMMISSIONER BOSARGE: Before we go any  
3 further we have got some folks that want to  
4 speak on this issue.

5 ERIK BROUSSARD: Sure.

6 COMMISSIONER GOLLOTT: Go ahead.

7 COMMISSIONER BOSARGE: Erik, we have got  
8 some public comment. Erik, I was going to let  
9 these guys get in.

10 ERIK BROUSSARD: Okay.

11 COMMISSIONER BOSARGE: Brad Stapleton.

12 BRAD STAPLETON: How are y'all doing? I'm  
13 Commercial Fisherman Brad Stapleton there on  
14 the Pass.

15 Some of the questions we would like to ask,  
16 you know, like the oysters at St. Joe, you know,  
17 they have got an estimated quota of what's down  
18 there from dive. There's a real hard tide down  
19 there and that's deep water. As the fishermen,  
20 from what we have seen, it's hard to believe  
21 that estimated number is correct.

22 On top of that the boats are still making  
23 their limit down there and they wasn't working  
24 any small oysters. If you got, you know,  
25 marketable size oysters, why wouldn't you work

1 them? You know, we tried to save the oysters  
2 south of the Pass two years ago. They are all  
3 dead. So, you know, we would like to see that  
4 extended and work it more. It's all full of  
5 mussel. If you are not going to work that  
6 mussel off no spat is ever going to set to it.  
7 So we would like to ask, and if we can have a  
8 showing of hands of all of the commercial  
9 fishermen here, there's a lot of people here  
10 that agrees -- the same thing. We would like to  
11 see if we could get it open longer.

12 COMMISSIONER BOSARGE: Well, I will let  
13 Erik address that. I tell you --

14 ERIK BROUSSARD: Let them all comment?

15 COMMISSIONER BOSARGE: Yeah. Let's them  
16 all. Harold Strong, please.

17 BRAD STAPLETON: That's all we have got.

18 HAROLD STRONG: Harold Strong, commercial  
19 fisherman. Good morning to all of you. Jamie.

20 There's a lot of big oysters left at St.  
21 Joe Channel, four or five inch oysters. And  
22 they are covered with a lot of mussel. So one  
23 of two things really needs to be done, because  
24 all of the reefs are covered with hook mussel.  
25 You are not going to get a spat catch. There is

1 no spat down here. So you are really protecting  
 2 the big oysters that's there is what you are  
 3 protecting, which -- which I am not going to  
 4 argue one way or the other, leaving them or  
 5 staying -- but I am just saying there is a lot  
 6 and there are several reefs down there that's  
 7 not even been worked yet.

8 Because we are making oysters so fast where  
 9 we are working at there was no reason to move.  
 10 You could possibly catch a few more oysters in  
 11 there.

12 We need a program to cultivate these reefs.  
 13 There's money available from two separate  
 14 sources that y'all have available to do that  
 15 with. So if we don't do a cultivation plant,  
 16 the reefs that you have are going to just be  
 17 overtaken by hook mussel and dying. You're  
 18 never going to get a spat catch where they are  
 19 at. You are going to have to come up with some  
 20 kind of program. And I am sure that Joe and the  
 21 rest of them would agree with that, that you  
 22 can't just let the reefs covered with mussel.

23 You are worried about doing culch plants  
 24 and letting your existing reefs die. Your  
 25 natural reefs are going to die. Somewhere along

1 ever catch oysters down there like that, because  
 2 it's going to over -- you are putting culch  
 3 plants down there and it's going to be overtaken  
 4 by the mussel too. You are going to have to  
 5 kill it some kind of way, and there's not but  
 6 one-way to do it, with dredges.

7 COMMISSIONER BOSARGE: I got you. All  
 8 right. Thank you. Mr. Andrew Livings.

9 ANDREW LIVINGS: Good morning, Ladies and  
 10 Gentlemen. How are y'all doing? I am Andrew  
 11 Livings. I have been a commercial fisherman 26  
 12 plus years.

13 Pretty much the same thing. The mussels  
 14 has over taken our reefs. And at St. Joe we  
 15 worked one area around one bouy for eight days,  
 16 seven days. I'm sorry, seven days.

17 We never moved out of the same circle for  
 18 seven days. And that was an area that was  
 19 probably, I am going to guess, 200, 300 feet by  
 20 200-300 feet square, somewhere in that area.  
 21 The oysters are so deep that the whole top of  
 22 the reef is completely covered with mussels, you  
 23 can't even see the oysters. And once you get a  
 24 couple boats working on them, getting underneath  
 25 them, there's nice pretty live oysters under

1 the line you're going to have to make an  
 2 adjustment in what your doing. One way or  
 3 another -- if you are going to build reefs and  
 4 let reefs die, you're essentially doing nothing.  
 5 And there is so much reef out there that's just  
 6 covered with so much mussel that it's never  
 7 going to take a catch. Never.

8 COMMISSIONER BOSARGE: Would you consider  
 9 what we done at St. Joe cultivation though now  
 10 by opening the season.

11 HAROLD STRONG: You cultivated a little  
 12 bit. But I am going to tell you there's so much  
 13 reef left down there that hasn't been touched  
 14 that it's so full of mussel it is unbelievable.  
 15 And it all needs to be worked, one way or  
 16 another. Either by letting it -- extend it and  
 17 open it, let them catch some oysters or do a  
 18 culch plant -- some kind of cultivation on it,  
 19 because it's definitely being overtaken.

20 COMMISSIONER BOSARGE: Yeah.

21 HAROLD STRONG: And you have a lot of  
 22 salinity right now because you have no rain.  
 23 But just as soon as we get some rain, them  
 24 mussels is not going to die, they are just going  
 25 to overtake everything. And you're not going to

1 there that's going to die because the reefs are  
 2 overtaken by these mussels. So I am here to ask  
 3 to reopen St. Joe, because like they say there's  
 4 plenty of oysters down there to be caught and  
 5 the reefs is just going to wind up dying out.  
 6 We are starting to see excessive mussels as far  
 7 east as Pass Marianne now. Used to there was  
 8 not even no mussels there at all.

9 But because of the way they are overtaking  
 10 our reefs that it is steady walking further and  
 11 further east. And if we don't do something to  
 12 flip over and turn them. Turn them over,  
 13 catch'em up, chop'em off, kill them or  
 14 something. These mussels is going to overtake  
 15 our whole entire reef and is going to kill them  
 16 all off. And some of the projections I have  
 17 seen like for Henderson Point, those numbers are  
 18 not accurate, because we have some fishermen  
 19 that's -- don't know where they are at, I guess  
 20 I could say, because for the past two to three  
 21 days there has not even been no one working at  
 22 Henderson Point.

23 They have all been around us at Marianne,  
 24 working where we are working. So there has not  
 25 even been a boat for two to three days, but they

1 are still saying that they caught them boats  
2 from -- I mean, caught them oysters from  
3 Henderson Point because that's where they turned  
4 in their trip ticket for.

5 COMMISSIONER BOSARGE: Um-hum.  
6 (Affirmative)

7 ANDREW LIVINGS: So the assessments are not  
8 as accurate as some of them are, you know.  
9 Because St. Joe -- like I say, we worked there.  
10 And there are oysters at St. Joe. And there's  
11 oysters at Henderson Point, but they need to be  
12 worked because they are completely covered in  
13 mussels.

14 And it seems like everything that's live  
15 has mussels on them and everything that is dead  
16 dead doesn't. So I was asking if y'all could to  
17 let us work them to help our reefs and to help  
18 us out also. Thank you.

19 COMMISSIONER GOLLOTT: When would you want  
20 to do this? What is your suggestion?

21 ANDREW LIVINGS: Tomorrow.  
22 (LAUGHTER)

23 ANDREW LIVINGS: I can't say today, because  
24 I am here, but as soon as possible. Because the  
25 the reefs are in desperate need of turning. I

1 But the mussels like they were talking  
2 about at St. Joe, the mussels are bad. There is  
3 a whole hard reef to the northwest that I - I  
4 can't say no boats worked. There was one boat  
5 made a few rolls on it the very last day. And  
6 he said there was nice four and five-inch  
7 oysters, but they were covered up worse than  
8 where we were. So he come back over and worked  
9 where they weren't as bad.

10 So, I mean, if -- we've probably worked  
11 maybe 20 percent of the reef, because it was  
12 kind of like split. The Pass Christian fleet  
13 was all the way to the east and the Bayou Caddy  
14 was all the way to the very far southeast --  
15 -west as they could go. No one worked in  
16 between it along the channel. No boats worked  
17 to the north of it where the hard reef was. So  
18 I mean, if we are going to do conservation of  
19 the reef, we have got to do the conservation of  
20 the reef right. Because if we work one area and  
21 it's going to grow some oysters now that we've  
22 killed the mussels there, they can go sample and  
23 see the mussels are tore up in that spot. They  
24 are gone. They are chopped to pieces. Go half  
25 a mile to the northwest, it's solid mussels. It

1 mean, these mussels we've got is so -- I have  
2 seen y'all have had an invasive species up  
3 there, but y'all didn't have the mussels up  
4 there. That is the most invasive species I have  
5 seen in my fishing career is that they have  
6 taken over more reefs than -- they have done  
7 more damage, almost as much damage as the conchs  
8 have done, because they stay longer, so. . .

9 COMMISSIONER BOSARGE: Yeah. All right.

10 ANDREW LIVINGS: Any other questions.

11 COMMISSIONER GOLLOTT: Thank you.

12 COMMISSIONER BOSARGE: John Livings. Big  
13 John.

14 JOHN LIVINGS: Good morning.

15 COMMISSIONER BOSARGE: Good morning, John.

16 JOHN LIVINGS: My name is John Livings.  
17 Y'all picked me third, so I don't have much to  
18 say, they said it. But he is right about the  
19 sack quotas on the reef. The past two days  
20 there's been no boats on Henderson Point. Zero.  
21 But they still have boats that are checking out  
22 that they worked Henderson Point, when they were  
23 actually on 2-G. So if would have did it right  
24 2-G would have been a rich quota already and  
25 closed down too.

1 just doesn't make sense.

2 COMMISSIONER BOSARGE: Yeah, I know we are  
3 caught between a rock and a hard place here  
4 trying to --

5 JOHN LIVINGS: -- it doesn't make sense to  
6 shut down --

7 COMMISSIONER BOSARGE: -- trying to build a  
8 reef, trying to build a resource without taking  
9 a resource --

10 JOHN LIVINGS: Well, if we save the four  
11 and five inch oysters for the mussel, it's going  
12 to be dead anyway. So what are we saving? We  
13 are not saving it for spat, because spat is not  
14 going to stick to a slick mussel. It's not  
15 going to happen. No one in this room has ever  
16 seen an oyster growing on a mussel.

17 COMMISSIONER BOSARGE: Yeah.

18 JOHN LIVINGS: But you definitely see  
19 mussels growing on oysters.

20 COMMISSIONER BOSARGE: Oh yeah.

21 JOHN LIVINGS: But as the conservation part  
22 of it, we shut the best most productive reef  
23 down to work the worst lowest number productive  
24 reef. That backwards in conservation.  
25 Conservation you keep the bad closed and work

1 the good, not --  
 2 COMMISSIONER BOSARGE: But you at the same  
 3 time, you know, by leaving the bad open, it  
 4 hopefully would give some opportunity to go  
 5 cultivate it. Work it a little bit.  
 6 JOHN LIVINGS: Well, we understand --  
 7 COMMISSIONER BOSARGE: -- so some spat will  
 8 stick.  
 9 JOHN LIVINGS: And don't take me wrong. We  
 10 understand that they want the boats to cultivate  
 11 the reef for free, I mean --  
 12 COMMISSIONER BOSARGE: Yeah. Well, I mean,  
 13 I would think it would be --  
 14 JOHN LIVINGS: We go look and burn our fuel  
 15 and our time, it's for free.  
 16 COMMISSIONER BOSARGE: Well, it's to your  
 17 benefit in the long run.  
 18 JOHN LIVINGS: No. Huh?  
 19 COMMISSIONER BOSARGE: It's to your  
 20 benefit.  
 21 JOHN LIVINGS: Whoa. What's the millions  
 22 of dollars for cultivating and stuff for?  
 23 COMMISSIONER BOSARGE: Yeah. Well, I agree  
 24 --  
 25 JOHN LIVINGS: We don't get that in our

1 understand that the oysters are poor right now  
 2 and they are just not yielding. And someone has  
 3 -- they suggested that we wait until after the  
 4 first of the year we would be a much better  
 5 price for these oysters because they would  
 6 fatten up, maybe have a small season after  
 7 December, and then that would be closer to your  
 8 spawning season and bust these mussels up and  
 9 everything, clean the shells up a little bit,  
 10 that we would probably benefit by having it in  
 11 either December or January another season. What  
 12 do you think?  
 13 JOHN LIVINGS: I don't think you are ever  
 14 going to get an honest answer out of an oyster  
 15 dealer. I mean, we sent two sacks off and had  
 16 them opened and they got almost 9 quarts. And  
 17 they swear they are getting 5 pints. So either  
 18 somebody cannot do math or somebody is lying,  
 19 so. . . I mean, I don't know. We open them  
 20 ourself and see them, and they swear they are  
 21 not there. But when they knew it was fixing to  
 22 close down, they were having a fit, saying,  
 23 "Man, the oysters were just now yielding." It's  
 24 always "just now" at the last day, you know.  
 25 But, none of them is here to help try to get it

1 fuel tanks.  
 2 COMMISSIONER BOSARGE: No, but hopefully  
 3 you get the outcome of it.  
 4 JOHN LIVINGS: Well, I sent some pictures  
 5 to both Mr. Jamie and Mr. Richard that we had to  
 6 chop the shells to see if it was a shell or an  
 7 oyster.  
 8 COMMISSIONER BOSARGE: Yeah.  
 9 JOHN LIVINGS: So it's past on that. The  
 10 shells are rotten.  
 11 COMMISSIONER BOSARGE: Yeah.  
 12 JOHN LIVINGS: So if we cultivate in some  
 13 of these areas, it's probably still not going to  
 14 do any good. But if we cultivate where we know  
 15 there's live oysters and they're healthy, and we  
 16 work the mussels off, so we can get a spat set,  
 17 come spring, I, mean, I don't know what we are  
 18 saving for.  
 19 COMMISSIONER BOSARGE: All right.  
 20 JOHN LIVINGS: Do you have any questions  
 21 for me?  
 22 COMMISSIONER BOSARGE: No. I appreciate  
 23 it.  
 24 JOHN LIVINGS: Thank you.  
 25 COMMISSIONER GOLLOTT: My question is, I

1 open either so. . .  
 2 COMMISSIONER GOLLOTT: Okay.  
 3 COMMISSIONER BOSARGE: Thank you, John.  
 4 JOHN LIVINGS: Thank y'all. (applause.)  
 5 COMMISSIONER BOSARGE: Brian Bradley.  
 6 BRIAN BRADLEY: I think they beat up on  
 7 that. Can you move my comments to agenda item  
 8 K-2, please.  
 9 COMMISSIONER BOSARGE: All right. And this  
 10 one doesn't have a name.  
 11 DIRECTOR MILLER: Yes. We have got another  
 12 sheet that asked to speak on F-3, but you didn't  
 13 leave your name. But if anyone at this point  
 14 wants to come make a comment you are welcome to  
 15 come up. James?  
 16 COMMISSIONER BOSARGE: Was this you  
 17 Catfish?  
 18 CATFISH: Probably so. How are y'all  
 19 doing, Commissioners?  
 20 I have been operating an oyster boat all of  
 21 my life. And I think that we ought to have the  
 22 opportunity to go down there and harvest these  
 23 oysters. The oyster size is five or four  
 24 inches. There is a lot of work that needs to be  
 25 done down there. I don't think in my wildest

1 dreams -- y'all have the resource to do what we  
 2 are going to do. You don't want to pay us, you  
 3 don't want to have a bagless dredge program for  
 4 us to eliminate some of these mussels. So give  
 5 us the opportunity to go down and clean them up.  
 6 Do something for us. Y'all have got millions of  
 7 dollars. I have always said this. Y'all chase  
 8 grant money. And our reef is in poor shape.  
 9 Marianne's perhaps, rotten oysters. When is our  
 10 state ever going to do something with Marianne?  
 11 I'm sorry it's like that, because I have been  
 12 out there for the last few days on it,  
 13 harvesting what oysters are there.

14 There is no spat, spat is not going to  
 15 stick to that. So you have closed the best area  
 16 on us down there I think and it's got a lot of  
 17 mussel. I am not trying to deplete our  
 18 resources so we will have nothing for the next  
 19 year. I agree upon that. I'm there. But I  
 20 just think that if there's a way that we can get  
 21 a few more days out of St. Joe, you know, down  
 22 there, I am all for it. I'm sure everybody is,  
 23 you know, but there is harvestable oysters  
 24 there, a lot of mussel there. And I don't think  
 25 if we don't go down there and work it, turn it,

1 on, us. Commercial fishermen. It's what we do  
 2 for a living. It's what we have been doing for  
 3 a living all of our lives. And to ask somebody  
 4 to go out there and pull dredges around for free  
 5 is foolish. I can't even believe it came out of  
 6 your mouth.

7 COMMISSIONER BOSARGE: I think you  
 8 misunderstood me, Harold.

9 HAROLD STRONG: Well, no, that's exactly  
 10 what it sounded like. Maybe I did misunderstand  
 11 you, but --

12 COMMISSIONER BOSARGE: What I said was --

13 HAROLD STRONG: It definitely didn't make  
 14 any --

15 COMMISSIONER BOSARGE: I said the areas  
 16 that are open --

17 HAROLD STRONG: -- sense. And you need a  
 18 cultivation program. And nothing needs to be  
 19 done right now. It needs to be done in March,  
 20 for the month of March.

21 COMMISSIONER BOSARGE: Thank you.

22 HAROLD STRONG: So that you will get a spat  
 23 catch. I don't mean to be rude or anything, but  
 24 it sure sounded that way.

25 COMMISSIONER BOSARGE: Well, my point was

1 chop them out, they will be there for a long  
 2 time.

3 COMMISSIONER BOSARGE: Yeah.

4 CATFISH: Thank y'all for listening to me.

5 COMMISSIONER BOSARGE: All right. Thank  
 6 you, Catfish.

7 HAROLD STRONG: I would like to make  
 8 another comment.

9 COMMISSIONER BOSARGE: All right. Harold  
 10 Strong. State your name, please.

11 HAROLD STRONG: Harold Strong. One thing,  
 12 nobody works for free to start with. Nobody.  
 13 Whether it is to benefit them in the future or  
 14 the past or anywhere's else. There is money  
 15 available here and it needs to be spent to  
 16 cultivate these reefs. And to ask people to do  
 17 it for nothing is idiotic. I mean, I am not  
 18 calling you an idiot, but it's an idiotic  
 19 statement. Nobody would do that. They can't go  
 20 burn their fuel to hope that they are going to  
 21 clean the reef for the future when you have  
 22 money to do it with. You represent the State.  
 23 You have our money, you don't have your money.  
 24 You have our money. And our money needs to be  
 25 spent on the people that it needs to be spent

1 to work some of the areas that are open, where  
 2 there are a few oysters, where you could  
 3 actually make a day's work. It might take you a  
 4 little longer, but you will be cultivating at  
 5 the same time. That was my point. All right.  
 6 Thank you. Erik --

7 COMMISSIONER GOLLOTT: May I ask you a  
 8 question?

9 ERIK BROUSSARD: Sure.

10 COMMISSIONER GOLLOTT: All right, Mr.  
 11 Chairman?

12 COMMISSIONER GOLLOTT: Erik, how much area  
 13 down there? They are telling me that there are  
 14 some reefs down there that they didn't work in  
 15 St. Joe. Is there any way to segregate them  
 16 reefs and just get them to work the reefs that  
 17 they haven't worked already to break the mussels  
 18 up off of the, or do we have to open the whole  
 19 area if we open it?

20 ERIK BROUSSARD: Yeah, we are going to have  
 21 to open up the whole area. St. Joe is about 500  
 22 acres and it is relatively small in the grand  
 23 scheme of things. You get 40 or 50 boats.  
 24 There's no way to segregate. Who knows who  
 25 worked where and when they worked it. I mean,

1 it's, there's no way --  
 2 COMMISSIONER BOSARGE: All right. Go  
 3 ahead. You have something else you want to say.  
 4 ERIK BROUSSARD: No, that's it. That's  
 5 fine.  
 6 COMMISSIONER BOSARGE: No, I mean, what --  
 7 COMMISSIONER TRAPANI: Erik, I have a  
 8 question for you. So how do you -- what is your  
 9 thoughts on them, because I have -- besides  
 10 today I have had many calls in the last couple  
 11 of weeks from fishermen saying that there's  
 12 mussels all in these oysters.  
 13 ERIK BROUSSARD: Yeah.  
 14 COMMISSIONER TRAPANI: So what are your  
 15 thoughts on that, because it's not just coming  
 16 from one or two. It's coming from all of them.  
 17 ERIK BROUSSARD: Yeah.  
 18 COMMISSIONER TRAPANI: And we do need to  
 19 work the reefs to be able to get it off there or  
 20 they are going to take over the reefs.  
 21 ERIK BROUSSARD: Yes. So we are just  
 22 coming off of two years of record rainfall.  
 23 And, hook mussels, they like the fresher  
 24 water. And so we are seeing what we would  
 25 expect to see. There are hook mussels, they are

1 vote to increase the quota.  
 2 All of these other conditions and things  
 3 that are being spoken to are things that have  
 4 been spoken to ad infinitum. Ever since that I  
 5 have ever been here. The Bonnet Carré is going  
 6 to open. There's going to be a storm. The hook  
 7 mussels. You know, these are all realistic  
 8 things that the fishermen have to encounter,  
 9 that we occasionally have to encounter and deal  
 10 with. But they are not realistic reasons to  
 11 manage a reef on sustainability.  
 12 And what we have been saying for two or  
 13 three years now is that these reefs are not  
 14 sustainable. And we have asked the Commission  
 15 to take actions that cause these to be  
 16 sustainable.  
 17 Because what these fishermen are talking  
 18 about is now. Today. And that's a very real  
 19 thing for them. But what we have to do is plan  
 20 for the future. You know, I am not going to be  
 21 here in ten years -- I know Director Miller  
 22 would like me to be here, and none of you may be  
 23 here in ten years -- but the decisions that we  
 24 make today, what we do now, what we do in this  
 25 season for these oysters is going to be what the

1 present for sure. In most extreme cases it  
 2 might cause mortality. I don't think it's that  
 3 extreme of a case just yet. They are small.  
 4 What they don't like is salinity. Salinity is  
 5 on the rise. It's over 15 parts per thousand at  
 6 St. Joe, and so that could be a sign that would  
 7 knock them back if the salinity holds on.  
 8 So to the point about spat. There is no  
 9 spat set right now. Harold was right it will be  
 10 in the Spring. So if you are going to  
 11 cultivate, you want to cultivate when it gets  
 12 closer time for spat set.  
 13 COMMISSIONER BOSARGE: Joe? I think Joe  
 14 wants to say something.  
 15 COMMISSIONER HAVARD: So I want to address  
 16 all of the comments that the fishermen made.  
 17 Now, these fishermen have to make a living.  
 18 This is their livelihood. This is what puts the  
 19 food on the table. And so we all have to  
 20 respect that. The Commission has to consider  
 21 that.  
 22 Now, if the commission chooses to operate  
 23 outside of that 30 percent quota that they  
 24 adopted as a management strategy for  
 25 sustainability, then it is simply that. It's a

1 future commissioners make, and what the future  
 2 director of marine fisheries has to deal with.  
 3 And certainly what the fishermen have to deal  
 4 with. The one perspective that we are not  
 5 considering when we make these decisions is that  
 6 we have to consider these reefs for  
 7 sustainability and for future harvest by the  
 8 fishermen.  
 9 COMMISSIONER BOSARGE: I know. I know,  
 10 it's hard, Joe, to look them in the face and  
 11 tell them, "Hey, we adopted a plan 30 percent,  
 12 with time it will work." But right now --  
 13 JOE JEWELL: Right.  
 14 COMMISSIONER BOSARGE: -- it hurts.  
 15 JOE JEWELL: Right.  
 16 COMMISSIONER BOSARGE: You know what I am  
 17 saying? And that's where we are. As far as  
 18 working the reefs and if we are going to do some  
 19 of that, it needs to be on every year.  
 20 JOE JEWELL: We've done that. We have  
 21 hired the fishermen in the past during Katrina.  
 22 We have --  
 23 COMMISSIONER BOSARGE: Yeah. Yeah.  
 24 JOE JEWELL: We continue to do that. We --  
 25 you know, we do all of those management things.



1 We have done all of those things. But none of  
2 those -- those are all regular management  
3 practices.

4 The 30 percent quota that the Commission  
5 adopted was a management practice to make the  
6 reefs sustainable, so they will have this  
7 resource for harvest for now and the future. If  
8 the Commission wants to vote outside of the  
9 30 percent, that's okay. The Commission has  
10 that authority to do that. They have to  
11 consider other things. But the 30 percent quota  
12 and the recommendation that we made is simply  
13 that.

14 COMMISSIONER GOLLOTT: Joe, please tell me,  
15 and I still haven't understand this yet. How  
16 is leaving 70 percent of the marketable oysters  
17 out there doing anything? How does it increase  
18 your reef?

19 I mean, if you have a thousand sacks, next  
20 year you might have 1,100 of those sacks,  
21 because they have grown a little bit. But what  
22 has it done. I mean, you've got plenty of  
23 oysters that spawn, you know, to me the culch  
24 material is the most important thing that you  
25 can do.

1 It hasn't had a hook mussel -- I mean, a drill  
2 problem.

3 So all of the three things that's killed  
4 our reefs back in the last several years, St.  
5 Joe has survived all of them. That's the reason  
6 why there is significant resource there. It's  
7 still not in healthy shape, but it is just doing  
8 better than the rest.

9 You do need some spawning stock? So that  
10 is where the majority of the oysters are.  
11 That's where we are going to get our brood stock  
12 from. The list goes on, but I think y'all  
13 understand where I am coming from.

14 COMMISSIONER BOSARGE: Yeah.

15 COMMISSIONER GOLLOTT: Yeah, but you still  
16 haven't answered my question. How is a thousand  
17 sacks going to multiply? You know what I am  
18 saying? You have still got -- one oyster can  
19 repopulate that whole reef down there.

20 ERIK BROUSSARD: Oh, that's not true. Or  
21 two oysters --

22 COMMISSIONER GOLLOTT: Yeah.

23 ERIK BROUSSARD: You are assuming --

24 COMMISSIONER GOLLOTT: If they are all  
25 caught.

1 ERIK BROUSSARD: So there's been a lot of  
2 discussion about. And I think we are  
3 specifically talking about St. Joe. That's  
4 where the fishermen want to get. There's  
5 several reasons to leave the oysters there.  
6 Seventy percent is a lot. But right off the  
7 top, we have the lowest reef assessment on  
8 record in Mississippi. Where we are talking  
9 about 10,000 sacks here. Louisiana, same thing.  
10 Lowest reef assessment on record. So 30 percent  
11 is conservative. But you have to take  
12 conservative measures to get it back to where we  
13 all want it to be, the fishermen, staff,  
14 commission.

15 We all want it to be 300-400,000 sacks.  
16 And so the question is: How do you get there?  
17 That's just to start off with. Sustainability,  
18 you have to fish sustainable.

19 If you go take those oysters, you are  
20 basically not giving the reef a chance. You are  
21 saying they are going to die anyway. But that  
22 might not be the case. At St. Joe, there's no  
23 indication that St. Joe is going to die off. It  
24 survived the last Bonnet Carré. It has not had  
25 a significant mortality in the low DO events.

1 ERIK BROUSSARD: -- that's an assumption  
2 that every sperm and every egg is going to be  
3 fertilized. They don't just make spat. It has  
4 to be fertilized.

5 COMMISSIONER GOLLOTT: That's true.

6 ERIK BROUSSARD: Then you are assuming that  
7 that has to fall and find it's way for ten days  
8 and land on a culch plant or some type of culch,  
9 which won't be there if we take it all.

10 COMMISSIONER BOSARGE: Yeah.

11 ERIK BROUSSARD: Does that address it?

12 COMMISSIONER TRAPANI: I just want to add,  
13 and I think the staff, and the fishermen, and  
14 all -- we are all on the same page of -- the  
15 problem is that that reef it's not being worked.  
16 And I understand that we need to leave -- we are  
17 committed to this management program, that, you  
18 know, we are only going to take 30 percent, but  
19 taking 30 percent and just leaving the reef the  
20 whole time, when it is the healthiest reef we  
21 have is creating the mussels to grow.

22 So if we are not going to allow the  
23 fishermen because we agree that 70 percent have  
24 to stay there, then the staff has to go and work  
25 these reefs. We have to turn over these reefs.

1 If we don't go around and turn over these reefs  
 2 next year doesn't matter if we leave it. We are  
 3 in the same predicament we are because it's  
 4 going to have mussels on it. So --  
 5 ERIK BROUSSARD: I agree. That's --  
 6 COMMISSIONER TRAPANI: -- if we are not  
 7 going to let the fishermen work these reefs we  
 8 have to make a commitment to work these reefs  
 9 and all of them, because that is the biggest  
 10 thing that I am hearing from everybody. They  
 11 are out there. They are the ones seeing it  
 12 every day.  
 13 I mean, from dealers to fishermen, to -- I  
 14 know, because I buy them. This is what we are  
 15 hearing. So I just think that we need to get on  
 16 the same page and however we need to do it, we  
 17 have to work these reefs --  
 18 ERIK BROUSSARD: Sure.  
 19 COMMISSIONER TRAPANI: -- to make the  
 20 commitment to that.  
 21 ERIK BROUSSARD: So working the reef  
 22 doesn't necessarily mean harvesting the reef.  
 23 COMMISSIONER TRAPANI: Right. I understand  
 24 that.  
 25 ERIK BROUSSARD: So you can go --

1 acreages of reef did we turn over in the Spring,  
 2 just roughly, I mean. . .  
 3 ERIK BROUSSARD: Oh, just us? With The  
 4 Conservationist?  
 5 COMMISSIONER BOSARGE: Just with The  
 6 Conservationist.  
 7 ERIK BROUSSARD: No, it was just a few  
 8 hundred, you know, it was just one boat with one  
 9 dredge. It takes us -- it is going to take a  
 10 lot of fishermen to get out there and work the  
 11 reef. If it is all the reefs or if it just St.  
 12 Joe, 500 acres, then it would take a  
 13 considerable amount of time.  
 14 DIRECTOR MILLER: But we have spent most of  
 15 our time in Pass Christian not at St. Joe. Is  
 16 that right?  
 17 ERIK BROUSSARD: We have spent time on  
 18 Henderson Point and Pass Marianne.  
 19 COMMISSIONER GOLLOTT: Mr. Broussard, why  
 20 would you only pull one dredge with The  
 21 Conservationist when you are trying to --  
 22 ERIK BROUSSARD: We are pulling two. You  
 23 are right.  
 24 COMMISSIONER GOLLOTT: Oh, okay.  
 25 ERIK BROUSSARD: Two dredges that are four

1 COMMISSIONER TRAPANI: Right. So if we --  
 2 ERIK BROUSSARD: -- we can have a  
 3 cultivation program.  
 4 COMMISSIONER TRAPANI: -- are not going to  
 5 let them fish it, then we need to turn them and  
 6 our staff needs to turn over the reefs.  
 7 COMMISSIONER BOSARGE: Are any funds  
 8 available for a bagless dredge program?  
 9 ERIK BROUSSARD: There are. There are.  
 10 There are still some funds in Bonnet Carré for  
 11 cultivation and relay.  
 12 COMMISSIONER BOSARGE: Do you think that's  
 13 something we could work on towards the end of  
 14 the year? January? Try to get it in at the  
 15 correct time if that's a -- go ahead, Joe. I  
 16 see you are wanting to --  
 17 JOE JEWELL: It absolutely is something we  
 18 work on, I but think Director Miller is going to  
 19 explain to you the process, or the new process.  
 20 COMMISSIONER BOSARGE: Before we go through  
 21 the process have we undertaken some reef  
 22 cultivation in Pass Christian? I know earlier  
 23 --  
 24 JOE JEWELL: That too, we have.  
 25 COMMISSIONER BOSARGE: And how much

1 foot wide. I mean, it --  
 2 DIRECTOR MILLER: So we have undertaken  
 3 some cultivation in Pass Christian.  
 4 ERIK BROUSSARD: I think Joe is going to go  
 5 over that later today.  
 6 JOE JEWELL: So Ms. Tripani -- Commissioner  
 7 Tripani, to your comments, you know, you can't  
 8 have it both ways. I mean, the hook mussels are  
 9 an issue, they are an ubiquitous issue. They  
 10 are there all of the time. They kind of wax and  
 11 wane depending on salinity. They are a  
 12 relatively fresh water species. They can  
 13 tolerate some salinity. But if -- we can't say  
 14 that we want to harvest at a sustainable level  
 15 at 30 percent and then say, well, the hook  
 16 mussels are killing the oysters or they are so  
 17 pervasive on the reef that we have to harvest  
 18 them now. Because in saying that, you know, it  
 19 takes a lot pounding to get them hook mussels  
 20 off where a dealer processor will purchase those  
 21 oysters. And so there is a lot of effort that  
 22 goes into that to do that. And we can say that.  
 23 And we can say all of those other things,  
 24 but that's not reaching 30 percent  
 25 sustainability or any sustainability level. And

1 that's great.

2 COMMISSIONER TRAPANI: I think you are

3 misunderstanding me. I am not insinuating that

4 we need to go and harvest them. I am

5 insinuating that we need to work the reefs.

6 Whether it's --

7 JOE JEWELL: Sure.

8 COMMISSIONER TRAPANI: -- we take it away

9 from the fishermen and only let them do the 30

10 percent then the staff is going to have to work

11 the reefs and turn them over. And, you know,

12 with the backless dredge, whatever, but that's

13 what I'm saying. I'm not saying --

14 JOE JEWELL: I absolutely agree with that.

15 COMMISSIONER TRAPANI: -- to do it in the

16 way of harvesting.

17 JOE JEWELL: Yeah. And we have done that.

18 We will continue to do that.

19 COMMISSIONER TRAPANI: We really need to do

20 that, because what we are hearing from all the

21 fishermen is they see mussels everywhere.

22 JOE JEWELL: And they are not telling you

23 an untruth. There are a lot of hook mussels out

24 there. We have had the wettest -- two -- a

25 couple of the wettest years on record. And that

1 all freshwater invaders into the estuarine

2 systems including the hook mussel. So I

3 absolutely can do that.

4 COMMISSIONER GOLLOTT: Can we ask the staff

5 to do an assessment on the reefs, say, in

6 February and March and tell us about the hook

7 mussels if they are gone or what, you know, like

8 in February.

9 JOE JEWELL: I can tell you that right now.

10 The hook mussels will never be gone. They are

11 always in the environment. They are always in

12 the background. They are --

13 COMMISSIONER GOLLOTT: Are they depleted

14 enough that --

15 JOE JEWELL: You are talking about the

16 density of --

17 COMMISSIONER GOLLOTT: -- to get the spat

18 set?

19 JOE JEWELL: Sure. Sure.

20 COMMISSIONER BOSARGE: So as it stands

21 right now, Joe, you are going to try to look at

22 a cultivation program, possibly if the funds are

23 available or --

24 DIRECTOR MILLER: No, we can look. I mean,

25 we certainly will look at that. I am not making

1 causes a lot of hook mussel growth. So there's

2 a lot more out there than we normally see. But

3 they typically. . .

4 COMMISSIONER TRAPANI: Right. And so with

5 that information, you know, with all of us

6 moving forward with the plan, then we go, okay.

7 This is the situation we are in that this is

8 what is created, because of the low salinity,

9 well, we need to work more on that and turn the

10 reefs.

11 JOE JEWELL: Sure. Sure.

12 COMMISSIONER TRAPANI: And for next year

13 when we open the oyster season, maybe,

14 hopefully, you know, we worked hard enough that

15 we have improved this situation that they are

16 not seeing all of this. You typically see a lot

17 of freshwater input into the estuarine system in

18 the spring and early summer. That's when the

19 rivers that will flow out from the ice back up

20 north comes down the river and it floods the

21 rivers and it gets into our estuarine system.

22 The rivers are at their lowest stage during

23 the winter months. And that's when the salinity

24 -- you have less fresh water, so that's when the

25 salinity rises and it tends to kill back the --

1 excuses. I mean, we are going to run into some

2 real, just pure red tape at the State with

3 contracting. The procurement laws in

4 Mississippi changed last year. And we are being

5 told that it's months if not years to do any

6 kind of contracting now.

7 So we'll start the process, but don't --

8 don't expect anything to move quickly.

9 COMMISSIONER TRAPANI: Well, maybe our

10 December meeting with the legislators might help

11 that.

12 JOE JEWELL: The answer is yes, but there

13 is a lot of obstacles that we have to incur to

14 get that to happen quickly.

15 COMMISSIONER BOSARGE: No good answers,

16 Joe.

17 Back to where we were. I'm sorry. Yes,

18 John come on up.

19 JOHN LIVINGS: We all agree that St. Joe is

20 the best reef right now we have. But everybody

21 is forgetting why it is the best reef we have.

22 We did a relay on that reef a few years back.

23 and they said it was completely wiped out,

24 nothing would grow there. And it's the best

25 reef we have right now.

1 COMMISSIONER BOSARGE: Yeah.

2 JOHN LIVINGS: Because a lot of the mussels

3 were pulled off of that reef and moved -- but

4 unfortunately they died. Everything died. But

5 the reefs come back better than any of the other

6 reefs.

7 COMMISSIONER BOSARGE: Um-hum.

8 (Affirmative)

9 JOHN LIVINGS: I mean, there's a reason for

10 that.

11 And for the bagless dredges. I don't care

12 what they do. One boat is not going to do the

13 reef. It's not going to happen.

14 I mean, the harbor is full of boats with

15 dredges. I mean, I thought there was money for

16 us to maybe do something with the bagless dredge

17 program.

18 COMMISSIONER BOSARGE: Well, that's what we

19 are looking at and trying to figure out how we

20 can move it from us to you.

21 DIRECTOR MILLER: Yeah.

22 JOHN LIVINGS: If it's two to three years

23 you may not have them boats.

24 COMMISSIONER BOSARGE: Yeah.

25 JOHN LIVINGS: Because an eight-day season,

1 extended it?

2 COMMISSIONER BOSARGE: I believe so. Yeah.

3 JOHN LIVINGS: When they extended it we

4 caught 2,000 more sacks than what was even

5 predicted was on that reef. So. . .

6 COMMISSIONER BOSARGE: All right. Thank

7 you.

8 JOHN LIVINGS: I think that's right. I

9 know that's right.

10 COMMISSIONER BOSARGE: All right, John.

11 DIRECTOR MILLER: We will go back and look

12 at it, John.

13 COMMISSIONER BOSARGE: Yeah.

14 JOE JEWELL: But a couple of things. When

15 the decision was made to relay those -- there

16 was about 40,000 sacks off of St. Joe -- it

17 wasn't because of an oyster issue or a

18 management issue. It was because we were

19 anticipating the opening of The Bonnet Carré.

20 And that didn't really pan out. But we took

21 40,000 sacks of oysters off of St. Joe. And

22 that shows you how resilient and healthy the

23 reef is. And then for that season most of that

24 40,000 sack season came off of St. Joe. Most of

25 the landings were coming there. So it had a

1 people can't keep boats --

2 COMMISSIONER BOSARGE: Yeah. We knew that

3 was coming. We all knew it was coming.

4 JOHN LIVINGS: And it's a very limited

5 number of boats that's been catching the limit.

6 Fortunately, I have caught the limit every day.

7 But --

8 COMMISSIONER BOSARGE: Yeah.

9 JOHN LIVINGS: -- there won't be too many

10 more limits after today, I can tell you that.

11 COMMISSIONER BOSARGE: Yeah.

12 JOHN LIVINGS: But I just wanted to make

13 sure we all remember why the reef is in good

14 shape, because it did get turned over and it got

15 worked hard.

16 COMMISSIONER BOSARGE: Yeah.

17 JOHN LIVINGS: And it come back the same

18 year. The next year we went right back, just a

19 few months later and there was oysters.

20 COMMISSIONER BOSARGE: Yeah.

21 JOHN LIVINGS: And I think we actually

22 caught 2,000 more sacks than that was estimated

23 what was there.

24 COMMISSIONER BOSARGE: I believe so, yeah.

25 JOHN LIVINGS: Isn't that right, when they

1 tremendous amount of pressure in what the

2 Commission did in response to all of that

3 pressure that's been on St. Joe, it's the one

4 healthy reef that we have. It's the most

5 productive one. The commission wanted to keep

6 that one continuously available. The Commission

7 was to discuss it in December of 2016.

8 COMMISSIONER BOSARGE: Yes.

9 JOE JEWELL: -- a management plan and they

10 finally started with 35 percent and they

11 eventually landed on 30 percent quota for that

12 area. And that's what we have been managing

13 since then. Now, the -- we keep bringing that

14 up. But I am going to keep responding to that.

15 When we did our assessments back in 2015 that

16 was the knowledge, the clear knowledge, because

17 the fishermen came before the commission and set

18 it. And we acknowledged that, that we didn't

19 have the full length of the reef, but what we

20 did have in the pocket was -- we were doing a

21 side-scan sonar of the reef so we would know the

22 full extent of it. So Mr. Living is telling you

23 correct.

24 You know, when we did our first assessment

25 it was based on what we knew as the historic

1 reef, not in all these little pockets, little  
 2 side channels and all those other things. And  
 3 so I just wanted the Commission to understand  
 4 that. That's what that was based on.  
 5 Now, subsequent to that we have had a  
 6 side-scan survey the entire area 1-2B. We know  
 7 where all those areas are. They all came up and  
 8 we have a clear understanding of what the total  
 9 amount of the reef is out there. And our reef  
 10 assessments is based on the complete reef  
 11 structure at St. Joe.  
 12 COMMISSIONER BOSARGE: And it is one of our  
 13 last remaining healthy reefs, so. . . All  
 14 right.  
 15 JOE JEWELL: And the Commission has to keep  
 16 this in perspective. If y'all make this  
 17 decision, because, if you open it up, you have  
 18 got to think the last two years we have  
 19 harvested around 40,000.  
 20 The entire reef assessment for everything  
 21 is not that. If we opened up this hundred  
 22 percent-take philosophy -- if we do that, the  
 23 Commission still can't take what we have  
 24 harvested the last two years. And then we are  
 25 still in a reductionist mode. We have been

1 JOE JEWELL: -- it has --  
 2 COMMISSIONER BOSARGE: Yeah.  
 3 JOE JEWELL: It has gone --  
 4 COMMISSIONER BOSARGE: We don't know why,  
 5 your know, but it's not -- this is not just a  
 6 problem we have right here. It's everywhere.  
 7 JOE JEWELL: Well, I think Commissioner  
 8 Gollott is right. We are going to have a little  
 9 bit more discussion on this in item "K."  
 10 COMMISSIONER GOLLOTT: Yeah.  
 11 COMMISSIONER BOSARGE: All right. Good.  
 12 Thank you.  
 13 COMMISSIONER GOLLOTT: And let me say this:  
 14 How many sacks would we be looking at if we  
 15 increased the St. Joe reef to 50 percent instead  
 16 of 30 percent, just that area, Joe? How many  
 17 sacks?  
 18 JOE JEWELL: So in St. Joe our reef  
 19 assessment for the total amount of legal size  
 20 oysters available is around 4,100. About 4,100  
 21 sacks. And we did a quota of about 1,200 sacks.  
 22 I'm sorry. I am reading the wrong column. We  
 23 assessed around 17,000 sacks of legal  
 24 marketable-sized oysters on St. Joe. And our 30  
 25 percent came to around 5,100 sacks, 5,100. And

1 going downward in the last 10-12 years.  
 2 COMMISSIONER BOSARGE: Um-hum.  
 3 (Affirmative)  
 4 JOE JEWELL: And then what the Commission  
 5 considered when they adopted a management plan  
 6 was the way to try and arrest that process, try  
 7 to turn it around and start increasing the  
 8 harvest landings.  
 9 COMMISSIONER BOSARGE: And, you know, me,  
 10 when I look at it on a whole, it's not just St.  
 11 Joe reef, and it's not just State of  
 12 Mississippi, it's everywhere. I mean, you look  
 13 at the Pascagoula reef. It hasn't been touched  
 14 since 1963. Down 30 percent.  
 15 JOE JEWELL: Um-hum. (Affirmative)  
 16 COMMISSIONER BOSARGE: I mean, Louisiana --  
 17 JOE JEWELL: We weren't doing these --  
 18 COMMISSIONER BOSARGE: -- in other words --  
 19 JOE JEWELL: -- extensive reef surveys in  
 20 the 1963 either though.  
 21 COMMISSIONER BOSARGE: That's right.  
 22 JOE JEWELL: But from the time we have been  
 23 doing it --  
 24 COMMISSIONER BOSARGE: But I mean, we don't  
 25 know --

1 they have harvested 5,400. So if the Commission  
 2 decided to allow for 100 percent take that would  
 3 mean there is roughly 12,000 sacks more  
 4 available of marketable of these oysters.  
 5 COMMISSIONER BOSARGE: He said 50 percent.  
 6 So I think that's about 3,000 additional sacks.  
 7 JOE JEWELL: Yeah.  
 8 COMMISSIONER GOLLOTT: Okay. All right.  
 9 We've got a motion on the Biloxi Bay, though, we  
 10 need to go back to.  
 11 JOE JEWELL: We need a second at this  
 12 point.  
 13 COMMISSIONER BOSARGE: That's right.  
 14 That's right. We have a motion -- Can we repeat  
 15 that motion, please?  
 16 COMMISSIONER TRAPANI: I just would like to  
 17 add something to that motion.  
 18 COMMISSIONER BOSARGE: Go ahead.  
 19 COMMISSIONER TRAPANI: -- or just a  
 20 comment. Just to kind of clarify. So the  
 21 oysters that we would be harvesting from Biloxi  
 22 Bay, if we do past that, just to clarify,  
 23 because we did agree that we were doing the  
 24 30 percent. That's in addition to -- because  
 25 those are oysters that were relayed. All right.

1 JOE JEWELL: The oysters that are relayed  
 2 are not part of the -- they can't be part of the  
 3 process.  
 4 COMMISSIONER TRAPANI: Right.  
 5 JOE JEWELL: They have to be deperated  
 6 right now.  
 7 COMMISSIONER TRAPANI: Right.  
 8 COMMISSIONER GOLLOTT: This is just the  
 9 oysters that was left on that reef.  
 10 COMMISSIONER TRAPANI: From --  
 11 JOE JEWELL: From our assessment.  
 12 COMMISSIONER TRAPANI: Okay.  
 13 JOE JEWELL: Our assessment said that there  
 14 were about 1600 sacks of marketable-size  
 15 oysters.  
 16 COMMISSIONER TRAPANI: This is not the  
 17 relayed oysters.  
 18 JOE JEWELL: No this the assessment  
 19 oysters.  
 20 COMMISSIONER TRAPANI: Oh. I just wanted  
 21 to make sure.  
 22 COMMISSIONER HAVARD: Is this not the same  
 23 motion we voted on last meeting?  
 24 COMMISSIONER GOLLOTT: Sure is.  
 25 COMMISSIONER HAVARD: This is actually

1 considered harvesting 100 percent of the  
 2 harvestable oysters --  
 3 COMMISSIONER GOLLOTT: No, because we have  
 4 replaced these oysters with relayed oysters out  
 5 of Pascagoula.  
 6 COMMISSIONER TRAPANI: Yeah.  
 7 COMMISSIONER HAVARD: This is 100 percent  
 8 of the oysters that were there four months ago.  
 9 COMMISSIONER GOLLOTT: They are marketable  
 10 oysters. What's not small. They were culled.  
 11 But the oysters -- it's been determined that the  
 12 oysters don't have any small oysters on them.  
 13 They are growing. It's not going to produce  
 14 more. The only thing we can do is harvest this  
 15 1,000 sacks and then plant some more stuff there  
 16 and make it -- you know, use the reef.  
 17 COMMISSIONER HAVARD: Right. So what's the  
 18 difference in this motion and last month's  
 19 motion?  
 20 COMMISSIONER GOLLOTT: Not really anything.  
 21 I just am just determined to get them harvested.  
 22 They are the perfect size to harvest. They will  
 23 bring the most money for the fishermen. If we  
 24 let them sit there until next year they are  
 25 going to be too big for box oysters. And the

1 value will be down. And the fishermen -- this  
 2 will give our tongers a little shot in their arm  
 3 for Christmas.  
 4 JOE JEWELL: So a couple of things. So we  
 5 estimated 1,600 -- about 1,600 sacks. They have  
 6 harvested about 15 -- I mean, 500 sacks. The  
 7 motion was for a 1,000 sacks, so we would leave  
 8 a hundred, a couple hundred on the reef of the  
 9 legal size oysters. So it would be --  
 10 COMMISSIONER HAVARD: A hundred percent --  
 11 JOE JEWELL: So it would be about 98  
 12 percent take. And then as far as at the motion,  
 13 the motion was to open -- and I want to clarify  
 14 that a little bit. The motion to open Biloxi  
 15 Bay to harvest for 1,000 sacks ten days before  
 16 Christmas. And that would be opening on  
 17 December the 15th, which is a Friday. Is that  
 18 correct?  
 19 COMMISSIONER GOLLOTT: Let's back it up to  
 20 about the 11<sup>th</sup>. And that would give them a  
 21 chance to put them on the market for Christmas.  
 22 COMMISSIONER BOSARGE: All right.  
 23 COMMISSIONER GOLLOTT: I was just thinking  
 24 something and it just -- getting an old-age  
 25 moment here.

1 JOE JEWELL: So one thing else for the  
 2 Commission to consider, as St. Stanislaus which  
 3 is the tonging reef, there's about a thousand  
 4 sacks of marketable-size oysters that are still  
 5 available for harvest.  
 6 COMMISSIONER GOLLOTT: That can stay open.  
 7 Right?  
 8 COMMISSIONER BOSARGE: It is open. Yes.  
 9 COMMISSIONER GOLLOTT: A couple thousand  
 10 sacks of oysters is not a lot of oysters for  
 11 those tongers, you know.  
 12 COMMISSIONER BOSARGE: So we have a motion  
 13 on the floor. Do we have a second for that  
 14 motion?  
 15 COMMISSIONER TRAPANI: I will second that.  
 16 COMMISSIONER GOLLOTT: Okay. We have a  
 17 motion and we a second. Any further discussion?  
 18 COMMISSIONER HAVARD: I would like to know  
 19 how that fits into our management strategy.  
 20 JOE JEWELL: It does not. The strategy the  
 21 Commission is moving towards is a sustainable  
 22 strategy so that this is an available resource  
 23 for the fishermen for the future, taking a 100  
 24 percent of the resource is not in that strategy.  
 25 COMMISSIONER BOSARGE: Yeah.

1 COMMISSIONER HAVARD: What does the staff  
2 recommend we do in a situation like this?

3 JOE JEWELL: Well, we were going to talk  
4 about this in Item K, but we can talk about that  
5 now.

6 As far as the sustainable resources that  
7 the agency has worked on and the Commission has  
8 voted on, we have done that. And we are going  
9 to show that in Item K. The graph that shows  
10 the 20-year average of landings and the 20-year  
11 average of predicted, with available resource,  
12 well, the averages about what we predict out  
13 there is averaged out over 20 years about  
14 400,000 sacks. And what has been landed is  
15 about 200,000 sacks. So that's a 50 percent  
16 reduction, a 50 percent take. And that has not  
17 worked. We are being in a decline anywhere  
18 between 12 and 14 years. We have less and less  
19 and less landings each year for over the last  
20 decade. So we know that 50 percent doesn't  
21 work.

22 We know that Louisiana 50 percent doesn't  
23 work because they were at 50 percent and now  
24 they have adopted the shell budget model. And  
25 so the commission tried to do something very

1 similarly by establishing a quota. So 50  
2 percent is not it. And we clearly have stated  
3 on record that somewhere below 40 percent will  
4 just make it sustainable, break even. And so  
5 that's how we came to that discussion last  
6 December, were do we go? 30 or 35? And the  
7 Commission rested on 30 percent as a sustainable  
8 yield, hopefully at that point. So that's where  
9 we got to the 30 percent.

10 COMMISSIONER HAVARD: Mr. Broussard, I did  
11 hear you say that our resource is at an all time  
12 record low, the lowest on record. Is that  
13 correct?

14 ERIK BROUSSARD: That's correct. Last year  
15 was the previous, and then this year took it --

16 COMMISSIONER HAVARD: It's worse.

17 ERIK BROUSSARD: Worse.

18 COMMISSIONER HAVARD: And we are wanting to  
19 harvest a hundred percent.

20 ERIK BROUSSARD: Louisiana is the worst on  
21 record as well this year.

22 COMMISSIONER BOSARGE: Okay. And these  
23 oysters in Biloxi Bay, wasn't last year the  
24 first year we worked that area?

25 ERIK BROUSSARD: Right. So that's a 17

1 acre three-and-a-half year old culch plant last  
2 year we worked. The majority of the effort was  
3 on Shearwater, but there was some effort there  
4 on the 17 acres, so. . .

5 COMMISSIONER BOSARGE: I guess my point is  
6 -- or question is: How long did it take for  
7 these oysters to be where they are now?

8 ERIK BROUSSARD: Three and a half years.

9 COMMISSIONER BOSARGE: Three and a half  
10 years?

11 ERIK BROUSSARD: Yes.

12 COMMISSIONER BOSARGE: So if we go harvest  
13 100 percent --

14 ERIK BROUSSARD: Start from scratch.

15 COMMISSIONER BOSARGE: Start from scratch.

16 ERIK BROUSSARD: There is some spat --

17 COMMISSIONER GOLLOTT: What's the  
18 difference if you harvest 100 percent this year,  
19 or a hundred percent next year? You are still  
20 taking the same amount of oysters. There is not  
21 a lot of small oysters there. And there's no  
22 culch material.

23 ERIK BROUSSARD: There is spat and seed on  
24 Biloxi, and there is spat and seed on Stanislaus  
25 more so than any of the other.

1 COMMISSIONER GOLLOTT: On this 17 acres.

2 ERIK BROUSSARD: If you look back at the  
3 September presentation then --

4 COMMISSIONER GOLLOTT: On this 17 acres?  
5 Because I went and looked at the oysters. There  
6 was no small oysters there.

7 ERIK BROUSSARD: That's right. They culled  
8 them.

9 COMMISSIONER GOLLOTT: Yeah.

10 ERIK BROUSSARD: So they did cull. So when  
11 you are looking at a sack of oysters they had  
12 been culled --

13 COMMISSIONER GOLLOTT: If you tong them you  
14 are not going to take hundred percent. You are  
15 still going to leave what's there undersize, you  
16 are going to leave there.

17 ERIK BROUSSARD: You are going to leave  
18 some spat and seed.

19 COMMISSIONER GOLLOTT: You have probably  
20 got about 500 or 600 sacks there, or 1,000 sacks  
21 there that's over marketable size.

22 JOE JEWELL: But if you have a 1,000 sacks,  
23 if you take 100 percent next year, you don't  
24 what -- you don't have 1,000 sacks, you have got  
25 what's coming in next and that's not 1,000

1 sacks.

2 COMMISSIONER GOLLOTT: But why -- you know,

3 you have got more oysters in polluted areas

4 around that area that spawned. You had

5 thousands of sacks of oysters living around that

6 area that's going to spawn. If you put some

7 culch material there it will catch.

8 ERIK BROUSSARD: That is the plan to start

9 culching in Biloxi Bay.

10 COMMISSIONER GOLLOTT: Yeah. Exactly.

11 ERIK BROUSSARD: That is correct.

12 COMMISSIONER GOLLOTT: So let the fishermen

13 have their 1,000 sacks of oysters and let them

14 make some money and then we will culch material

15 it.

16 COMMISSIONER BOSARGE: I guess my comment

17 would be this is the same thing we have been

18 doing on all the reefs. And this is what got us

19 where we are at. But anyhow we have a --

20 COMMISSIONER GOLLOTT: I don't believe

21 that. I think we have been very successful for

22 the last three or four years. Our fishermen has

23 been making \$1,000,000 or \$1.5 million a year.

24 And because we didn't listen to the staff and we

25 didn't shut it all down and just let them go

1 protective reef in Mississippi down to the

2 levels where we are at.

3 COMMISSIONER HAVARD: The last -- the last

4 reef that we have.

5 JOE JEWELL: I mean, we are in the

6 reduction circle --

7 COMMISSIONER TRAPANI: How many sacks of

8 oysters have we relayed? 40? What was it?

9 What was the number?

10 ERIK BROUSSARD: 173.

11 COMMISSIONER TRAPANI: 4,500 oysters to

12 relay in one season is not going to -- is not

13 depleting that whole entire reef in Pascagoula.

14 JOE JEWELL: No, it's not.

15 COMMISSIONER TRAPANI: It's not even close,

16 because when we went out there, I saw seeds and

17 I saw spat --

18 JOE JEWELL: But I mean if we continue that

19 every year --

20 COMMISSIONER TRAPANI: -- we saw marketable

21 oysters --

22 JOE JEWELL: -- eventually it will catch

23 up.

24 COMMISSIONER TRAPANI: -- that's not

25 depleting Pascagoula. Those oysters have been

1 hungry. We have been trying to take care of our

2 fishermen and the resource. And I think we have

3 done a pretty decent job of it.

4 COMMISSIONER BOSARGE: All right. We have

5 a motion.

6 COMMISSIONER TRAPANI: I just want to add

7 this. I understand that we are not taking the

8 exact oysters that we are relaying, but we are

9 relaying to that area. So I guess that's my

10 point is that we are not taking 100 percent,

11 because we just put some back in that area.

12 Right? It's not the exact oyster, I understand

13 that.

14 JOE JEWELL: That's right. But our intent

15 is to reduce those too. I mean, that's what's

16 going to happen next year. Right?

17 COMMISSIONER TRAPANI: Well, we need to do

18 another relay.

19 JOE JEWELL: And these are being relayed

20 for harvest.

21 COMMISSIONER TRAPANI: Right.

22 JOE JEWELL: It's just that --

23 COMMISSIONER TRAPANI: And then we need to

24 do another relay and put those back.

25 JOE JEWELL: And then we are reducing a

1 sitting there for a hundred years. We've got to

2 do something with them. Should we just let them

3 sit there for another 100 years? I am just

4 saying, we have got to do something with them.

5 COMMISSIONER BOSARGE: All right. We have

6 a motion and we have a second. All those in

7 favor Aye.

8 COMMISSIONER BOSARGE: All opposed Aye.

9 COMMISSIONER BOSARGE: Motion carries.

10 (Motion Carries.)

11 JOE JEWELL: That completes the regular

12 agenda for Marine Fisheries.

13 COMMISSIONER BOSARGE: Thank you, Mr. Joe.

14 Office of Coastal Resources Management. Mr. Jan

15 Boyd.

16 DIRECTOR MILLER: Give them a chance to

17 clear the room.

18 COMMISSIONER GOLLOTT: Let me call it back

19 to order for just a minute. We are going to

20 take a quick recess, about ten minutes, and we

21 will be back.

22 (RECESS.)

23 JENNIFER WITTMANN: Good morning. We have

24 two action items, one public agenda item and one

25 non-action item today and Jennifer Wilder has



1 the first item on our agenda.  
 2 COMMISSIONER BOSARGE: All right. Thank  
 3 you.  
 4 JENNIFER WILDER: Good morning. I am going  
 5 to be presenting a request for a permit  
 6 modification by the City of Biloxi. The  
 7 location is in the Hiller Park Boat Ramp area in  
 8 Biloxi. It's in the General Use District. And  
 9 the agent is Burk-Kleinpeter. The project  
 10 description: They are requesting to remove an  
 11 additional 8,677 cubic yards making the total  
 12 project removal of 17,452 cubic yards.  
 13 The original previously permitted  
 14 dimensions are 2,885' by 50' with a proposed  
 15 addition of 1,425' by 80'. Both with a final  
 16 depth of six feet below mean low water.  
 17 The Commission has previously approved for  
 18 this permit a 10-year maintenance dredging  
 19 agreement.  
 20 This diagram, the center area, shows the  
 21 original area to be dredged and the area coming  
 22 off to the left is the area that they wish to  
 23 add to the project.  
 24 And then on to our decision factors: The  
 25 project does served a higher public purpose by

1 path as previously dredged. There will be no  
 2 new areas dredged.  
 3 Maintenance dredging does require a  
 4 waterfront location.  
 5 This project will not change the location  
 6 of the navigation channel and therefore will not  
 7 affect natural scenic qualities.  
 8 Notification of the project appeared in the  
 9 Sun Herald as required by law.  
 10 And no public comments were received --  
 11 DEQ is reviewing the project. The  
 12 Department of Archives and History has no  
 13 objections. Secretary of State's office had no  
 14 lease issues. And Wildlife Fisheries and Parks  
 15 recommended that Best Management Practices be  
 16 utilized.  
 17 The Hiller Park shorefront access area is  
 18 identified in Chapter VI, Table VI-1 of the  
 19 Mississippi Coastal Program. It's an area  
 20 requiring access improvement with regards to  
 21 dredging.  
 22 Based upon environmental review and  
 23 evaluation staff recommends that the commission  
 24 approve the applicant's request for this  
 25 modification.

1 restoring safe navigational depth and providing  
 2 public access and the use of the waterways.  
 3 The proposed project is allowable within  
 4 the General Use District.  
 5 This is a maintenance dredging project and  
 6 similar projects have been approved by the  
 7 Commission.  
 8 The project will cause a temporary increase  
 9 in turbidity and a loss of benthic organisms  
 10 within the dredging areas.  
 11 This project should not have any adverse  
 12 impacts other than the loss of benthic  
 13 organisms. An increase in turbidity is expected  
 14 during the dredging process; however the  
 15 conditions shall not exceed the Mississippi  
 16 Department of Environmental Quality's  
 17 Guidelines.  
 18 The Best Management Practices will reduce  
 19 the adverse impacts and dredging will remain the  
 20 required ten feet off emergent and submerged  
 21 aquatic vegetation.  
 22 No off-site alternatives have been  
 23 considered.  
 24 This is a maintenance dredging project and  
 25 they are going to be dredging the same channel

1 COMMISSIONER BOSARGE: All right.  
 2 JENNIFER WILDER: Do you have any  
 3 questions?  
 4 COMMISSIONER BOSARGE: No questions? Do we  
 5 have a motion?  
 6 COMMISSIONER GOLLOTT: Mr. Chairman, I  
 7 would like to make a motion that we go with this  
 8 project and issue the permit.  
 9 COMMISSIONER BOSARGE: All right. And do  
 10 we have a second for that motion?  
 11 COMMISSIONER HAVARD: I will second that  
 12 motion, Mr. Chairman.  
 13 COMMISSIONER BOSARGE: We have a motion and  
 14 a second. All those in fall, Aye. Opposed same  
 15 sign. Motion Carries.  
 16 (Motion Carries.).  
 17 COMMISSIONER BOSARGE: Thank you, Jennifer.  
 18 JENNIFER WILDER: Thank you.  
 19 GREG CHRISTODOULOU: Greg Christodoulou. I  
 20 will be presenting the next item for Coastal.  
 21 And this is a permit request by the  
 22 Department of Marine Resources.  
 23 The location is south of Deer Island in  
 24 Harrison County and is located in both the  
 25 Preservation and the General Use District.

1 And the applicant is proposing to create a  
 2 76-acre off-bottom oyster aquaculture lease site  
 3 for training and for commercial use.  
 4 The impacts associated with the project  
 5 consists of the floating basket gear type that  
 6 will be used for one of the methods, and that  
 7 will be a maximum of 12 percent coverage of the  
 8 lease area. Pilings that will be associated  
 9 with the project there will be up to 8" diamter  
 10 wooden piling and they will be limited to 40 per  
 11 acre max. And then PVC pilings will be 2" in  
 12 diameter and they will be finished out at 1,200  
 13 PVC pilings per acre. Both of those are only  
 14 for the walking long-line method, which we will  
 15 talk a little bit about in a moment. Also  
 16 screw-down anchors for some of the gear.  
 17 The yellow thumb tack showing the location,  
 18 and here is a pretty busy diagram, but I want to  
 19 try to point out everything on this diagram,  
 20 because the project underwent some revisions.  
 21 The first thing I want to direct your  
 22 attention to is the black hatched area. The  
 23 black hatched area was the original location of  
 24 the lease area proposed. It was a total of 85  
 25 acres.

1 where the oysters will be submerged or close to  
 2 the surface of the water column. If biofouling  
 3 organisms become a problem, they can be turned  
 4 upright and floated to have those organisms  
 5 removed and the arrangement of those.  
 6 Decision factors: The applicant states  
 7 that the project will provide jobs as well as a  
 8 product that is in high demand for processors,  
 9 restaurants and consumers. And the creation of  
 10 this off-bottom aquaculture lease site will also  
 11 provide some habitat for fish and marine  
 12 invertebrates.  
 13 The applicant is proposing a use plan  
 14 change for the General Use portion of the  
 15 project to a S2 and S3, which is a special area  
 16 for leased wetlands by the state for other  
 17 purposes and leased wetlands for oystering  
 18 cultivation.  
 19 And justification for the use plan change  
 20 comes from Chapter 8, Section 2, Part 1.E. 2.b.  
 21 ii. "There is a significant public benefit in  
 22 the activity, impacts to public access and  
 23 adverse environmental impacts have been  
 24 minimized and the general public as well as  
 25 governmental agencies were notified of the

1 Based on some comments that we had gotten  
 2 and with talking with the staff the project was  
 3 revised.  
 4 And the next line I want to direct your  
 5 attention to is the solid black line that does a  
 6 little bit of a meandering. That is the 750  
 7 acre -- 750 yard line from the Island. That is  
 8 the riparian rights line.  
 9 The lease area is located partially within  
 10 and outside that 750-acre area. Only the  
 11 commercial portions of the project will be  
 12 located outside the 750-acre area. The training  
 13 and the research portion of the project will be  
 14 located within that 750-acre line.  
 15 Just a little quick diagram of one of the  
 16 methods that will be used, the adjustable  
 17 long-line system. Basically, wooden pilings on  
 18 the end, PVC pilings in between to allow the  
 19 oyster baskets to be placed on different levels  
 20 of the water column and outside of the column if  
 21 needed for removing biofouling organisms.  
 22 And then the arrangement as you can see --  
 23 the other method is the floating-cage system.  
 24 Basically these are cages with floats. Most of  
 25 the time they will be in a downward location

1 project and public hearing was held.  
 2 No precedent setting effects are  
 3 anticipated with this project.  
 4 The installation of the pilings and the  
 5 anchoring devices could create some turbidity  
 6 and loss of benthic organisms in that project  
 7 area; however, the installation of the gear will  
 8 add more habitat for fish and marine  
 9 invertebrates, plus the oysters that will be  
 10 cultured in these areas will increase the  
 11 filtering capacity of the water and could  
 12 improve the water quality in the area.  
 13 And the applicant is proposing to create a  
 14 76-acre off-bottom aquaculture site for both  
 15 training and commercial use. But we can  
 16 anticipate because of the use of the area  
 17 increasing that we will have increase in the  
 18 amount of litter and some fuel discharges;  
 19 however, all lessees of the area will have to  
 20 abide by the regulations that are set forth in  
 21 DMR's Administrative Code Title 22, Part 13 as  
 22 well as Mississippi Code 79-22, which is the  
 23 Mississippi Aquaculture Act of 1988.  
 24 As far as user conflicts and ingress and  
 25 egress to the area, the applicant has stated

1 that culture gear will be arranged so that  
2 reasonable ingress and egress by small vessels  
3 can be allowed and recreation hook and line  
4 fishing will be allowed in these areas.

5 Portions of the 76-acre lease site that are  
6 not in production will still be able to be  
7 freely accessed by both commercial and  
8 recreational fishermen.

9 The applicant did have alternative sites in  
10 the application; however, they did say that only  
11 areas that were adjacent to public held lands  
12 that are outside of riparian zones would be  
13 considered.

14 And to the current proposal -- the first  
15 proposal that the project would be partially  
16 within the riparian rights zone of the Deer  
17 Island Coastal Preserve; however, the revisions  
18 have moved that project, the commercial portion  
19 of the project, outside of that riparian right  
20 zone to where only the training portion would be  
21 there.

22 This type of aquaculture does require a  
23 waterfront location. The applicant has  
24 minimized -- tried to reduce the impact to the  
25 scenic quality by reducing the height of both

1 wave and wind protection.

2 Also other comments included economic  
3 benefits and it would also make Mississippi more  
4 sustainable as far as their own oyster industry  
5 went, because it could grow and manage its own  
6 oysters rather than relying on supplies from  
7 other states.

8 The economic benefits that were considered:  
9 Increased oyster production, job opportunities,  
10 state revenue from leases and a high quality,  
11 high value product.

12 Environmental benefits: Improved water  
13 quality, increased habitat and potential to  
14 reduce fishing on wild reefs.

15 Now, we had also comments that were not in  
16 favor of the original project. Some of the  
17 revisions were made in response to the comments.  
18 The first comments that we had were that they  
19 didn't want the project within the coastal  
20 preserves boundary.

21 In the past a commercial lease-holder of an  
22 on-bottom oyster lease was forced to remove the  
23 oysters from his lease. That was back in the  
24 late '90s that was within the coastal preserves  
25 boundary.

1 the wooden pilings that could be used and the  
2 PVC pilings that would be used. Wooden pilings  
3 would be maximum of 4' above the mean high water  
4 mark and the PVC pilings would only be  
5 two-and-a-half feet above the mean high water  
6 mark.

7 And, in addition, any PVC pilings that  
8 would be used would be gray in color to help  
9 reduce visibility.

10 And floating baskets when they are in the  
11 upright position for the drying portion for  
12 biofouling organisms would be about two to three  
13 feet above the water surface. The project did  
14 appear in the Sun Herald on different occasions.

15 The first before the revisions was during  
16 the month of August and then with the revised  
17 project application, the public hearings were  
18 held on September 5th and November 7th.

19 And we did receive public comments from the  
20 project. And I will go over some of those.

21 Okay. Some of the comments we had were the  
22 the project was consistent with the Governor's  
23 Oyster Council findings.

24 Also that that location south of Deer  
25 Island was a good location because it provided

1 Also some of the other comments that we had  
2 dealt with the deed to Deer Island opposing use  
3 plan. A use plan change in a preservation area.  
4 The responses to those were that alternative  
5 sites were considered the commercial leases have  
6 been moved outside the riparian zone.

7 On-the-training and research portion will  
8 be within the riparian right zone of Deer  
9 Island.

10 And the only use plan change being  
11 considered is the use plan change from general  
12 to special use. The preservation will remain  
13 the same as research and training is allowed  
14 withing the preservation district.

15 Other comments included there will be no  
16 public benefit of the project, it could have a  
17 negative impact on tourism, and user conflicts  
18 in the area.

19 Responses to those comments were that  
20 increased oyster availability for consumers  
21 would provide jobs to farmers and reduce fishing  
22 pressure on the public reefs. There also could  
23 be improved water quality conditions and which  
24 would increase beach usage in the area and the  
25 aquaculture gear would provide habitat for

1 enhanced recreational fishing activities. And  
2 the lease areas, like I mentioned earlier, will  
3 have buffers and will have pathways throughout  
4 to allow small vessels to move in and out and  
5 through the lease areas.

6 We had comments regarding wildlife  
7 entanglement nesting shore birds.

8 During the federal review of the project,  
9 the project was reviewed by National Marine  
10 Fisheries Service. National Marine Fisheries  
11 Service concluded that based on their review of  
12 the project that the action is not likely to  
13 adverse the listed species, threaten endangered  
14 species and the critical habitat that is under  
15 the NMFS' review.

16 Some of the other items that were placed in  
17 there to minimize this action with entanglement  
18 is any mesh sizes that are used for holding the  
19 cultured oysters would have a mesh size of less  
20 than one inch or equal to.

21 Also wildlife entanglement is talked about  
22 in Title 22, Part 13, Chapter IV, Section 100.07  
23 and Title 22, Part 13, Chapter VII, Section 100.

24 And also shellfish bureau will have to  
25 issue a permit to these individual leaseholders

1 required document for our permitting decisions.

2 The enforcement of any violations will be  
3 done by the State. And as we know, as most  
4 know, as far as management of marine resources  
5 DMR is not just a regulatory agency. So we have  
6 other functions besides that. And, again, one  
7 of these that was noted was including  
8 alternative ways of managing these resources and  
9 aquaculture is one of those ways.

10 Storm plans: There was questions about  
11 what's going to happen if a storm comes up?  
12 Each individual lessee is responsible for  
13 submitting a storm plan to the agency, and that  
14 includes if the project needs to be removed, how  
15 long they have to get the gear afterwards, after  
16 a storm how it's marked. So that's all included  
17 in Title 22, Part 13, Chapter 4, Section 100.05.  
18 And also DMR can add additional requirements to  
19 these lease agreements.

20 Some more comments regarding that  
21 aquaculture is going to be some savior to the  
22 oyster industry, talking about the genetics of  
23 these hatchery raised oysters, pollution at the  
24 site, lighting the site, and the future impacts  
25 at the Deer Island site.

1 and they have -- they are going to include in  
2 their leases that individual oyster farmers will  
3 only be able to use motorized equipment south of  
4 the leased area and none within the riparian  
5 right zone with the exception of outboard  
6 motors.

7 We had -- also had comments regarding the  
8 economic issues associated with the project, the  
9 funding for the project and actually DMR's  
10 involvement in the permitting and function of  
11 the leases.

12 DMR was provided funding for training and  
13 establishing these lease areas. The individual  
14 farmers will be responsible for their own  
15 startup costs. So DMR is not paying for these  
16 guys to get starting. Basically, they are just  
17 just doing a permit for the lease area.

18 They will be responsible for the training,  
19 but all of the costs incurred by the individual  
20 commercial farmers will be their responsibility.

21 Security costs for the project will be held  
22 by the commercial operations.

23 Now a lot of times we get questions about  
24 an economic impact statement with the project.  
25 And an economic impact statement is not a

1 So your first response is that it's readily  
2 admitted that oyster aquaculture is not going to  
3 save the industry. It is just another way of  
4 increasing the oyster harvest in Mississippi.  
5 And it has been successful in the U.S.

6 Just a statistic to add there. NOAA  
7 Fisheries calculated that in 2013 that there was  
8 54-and-a-half million pounds of  
9 aquaculture-raised oysters and clams that were  
10 produced, and they had a value of 274 million  
11 dollars.

12 Hatchery: One of the questions was, "Well,  
13 how is the hatchery raised stock going to  
14 survive in the waters that we have?" Well, the  
15 hatchery raised oyster seed is commonly used in  
16 aquaculture. So it's not a day big deal there.

17 And they also said -- had concerns about  
18 genetic mutation with triploid oysters.  
19 Triploid oysters are basically an oyster that  
20 has an extra set of chromosomes. It's not  
21 reproductive. And they are designed --  
22 genetically designed this way so they can grow  
23 larger quicker. They don't have to channel any  
24 resources toward reproduction.

25 As far as pollution goes, the waters are

1 considered approved by the National Shellfish  
2 Sanitation Program. Coast Guard lighting  
3 requirements will have to be followed by each  
4 leaseholder.

5 And all work on the leases will only occur  
6 during daylight hours.

7 And finally, the DMR has no plans to  
8 located any additional lease areas around Deer  
9 Island.

10 Agency Comments: DEQ is currently  
11 reviewing the project. Archives and History has  
12 no objections. Wildlife, Fisheries and Parks  
13 recommends that that best management practices  
14 be implemented.

15 And the Secretary of State has stated that  
16 they have a rent exempt lease for research and  
17 education portion of the project; however,  
18 commercial leases will be required for -- at a  
19 fair market value for those projects.

20 And DMR Coastal Reserve Program had  
21 concerns that the increase in the human  
22 influence south of the Deer Island could result  
23 in an increase in litter and have a negative  
24 effect on threatened and endangered species and  
25 nesting shore birds.

1 reduce the fishing pressure on public reefs in  
2 Mississippi. So staff recommends approval of  
3 the use plan change and permit contingent on  
4 water quality certification from DEQ.

5 And if you have any more specific questions  
6 there's people here who can answer them.

7 COMMISSIONER GOLLOTT: Jim, I would like to  
8 make a motion that we approve this  
9 recommendation.

10 COMMISSIONER BOSARGE: All right. We have  
11 a motion. So we have a second?

12 COMMISSIONER HAVARD: So second, Mr.  
13 Chairman.

14 COMMISSIONER BOSARGE: All right. Any  
15 further discussion?

16 I would just like to say that it looks like  
17 you guys have done a lot to find a spot that  
18 everybody, I guess you would say --

19 GREG CHRISTODOULOU: There's been a lot of  
20 give and take throughout the whole process.

21 COMMISSIONER BOSARGE: Yeah, a lot of give  
22 and take. And I see where you've made a lot of  
23 changes.

24 GREG CHRISTODOULOU: Yeah.

25 COMMISSIONER BOSARGE: Is there -- and

1 The coastal program designates Deer Island  
2 as a special management area in two ways.  
3 First, is a shore front access area. A lot of  
4 these are kind of are not applicable, except to  
5 the training portion, because that's the only  
6 portion that is going to be within the riparian  
7 zone.

8 And then also it designates it as a major  
9 beach area. And the lowest priority use is  
10 development that impedes public access or  
11 preservation and the highest priority of use.  
12 It would be an exercise of riparian rights  
13 commensurate with public access.

14 So, again, both of these are outside the  
15 Deer Island riparian zone, but it needs to be  
16 noted that Deer Island is a special management  
17 area.

18 Finally our recommendation is that we  
19 believe that the site -- that the project would  
20 establish a site for DMR to train those who are  
21 interested in starting an oyster aquaculture and  
22 venture and provide some lease areas to anyone  
23 who would like to start a commercial operation.  
24 So we think the project could supplement  
25 traditional oyster harvesting and possibly

1 maybe this is down the road, but I know in  
2 Alabama they have an oyster gardening where --

3 GREG CHRISTODOULOU: There's an oyster  
4 gardening program in Mississippi. I don't know  
5 all the details about it, but I know that there  
6 is one in Mississippi.

7 COMMISSIONER BOSARGE: Yeah. They do a lot  
8 of that. And it works good. It gets the public  
9 involved.

10 GREG CHRISTODOULOU: Right.

11 COMMISSIONER BOSARGE: All right. Any  
12 further questions?

13 All right. We have a motion and we have a  
14 second. All those in favor, Aye. Opposed, same  
15 sign. Motion carries. Thank you, Greg.

16 (Motion carries.)

17 CHRIS PICKERING: Good afternoon. I will  
18 try and make this short and sweet. This is --

19 DIRECTOR MILLER: One moment before you get  
20 started there.

21 COMMISSIONER BOSARGE: One second there. I  
22 would like to recognize a couple of people. I  
23 didn't see them earlier, but we have Senator  
24 Mike Seymour in the audience and Ray Carter from  
25 Secretary of State's office. Yeah. Stand up.

1 Thank you, guys, for being here, yes, sir, and  
 2 all you do.  
 3 All right. Go ahead.  
 4 COMMISSIONER BOSARGE: All right. Go  
 5 ahead.  
 6 CHRIS PICKERING: All right. So next up is  
 7 a request for a permit and modification by the  
 8 Harrison County Sand Beach Authority. It is  
 9 located along US Highway 90 in the Mississippi  
 10 Sound from Henderson Point to Chalmers Drive in  
 11 Harrison County. It's in the General USE  
 12 District and the agent is BMI Environmental  
 13 Services.  
 14 So they are proposing to increase the  
 15 quantity from the previously permitted  
 16 295,520 cubic yards to 350,000 -- yeah, cubic  
 17 yards of sand from pre-designated borrow areas.  
 18 The proposed depth isn't changing. It's  
 19 still from 10' to 15' feet below mean low water.  
 20 And the borrow areas, that's not changing  
 21 either. They range from 1,150' to 2,550' from  
 22 the seawall.  
 23 So these are the nine renourishment areas  
 24 with the new numbers associated with them. If  
 25 you want I can go through them all, but I don't

1 5th. We didn't receive any comments.  
 2 DEQ is reviewing the project.  
 3 Archives and History did request a culture  
 4 resource survey, but I just received a message  
 5 with a picture from -- of a letter we just got  
 6 from them. They have withdrawn that request.  
 7 The agent provided them with some additional  
 8 information. And they are no longer requesting  
 9 that. They have no objection.  
 10 Secretary of State has no comment.  
 11 Wildlife, Fisheries and Parks, we have  
 12 received no comments from them.  
 13 So based upon departmental review and  
 14 evaluation it has been determined that the  
 15 project is consistent with the Mississippi  
 16 Coastal Program, because it will serve a higher  
 17 public purpose by supplying recreational  
 18 opportunities, expanding beach habitat,  
 19 protecting existing storm outfalls and  
 20 protecting the seawall and US Highway 90.  
 21 So since we did clearance from the  
 22 Department of Archives and History, staff  
 23 recommends approval that the project be  
 24 contingent upon water quality certification from  
 25 the Mississippi Department of Environmental

1 think we need that.  
 2 COMMISSIONER BOSARGE: That all looks good.  
 3 CHRIS PICKERING: So the increase in dredge  
 4 material is required to replace sand washed away  
 5 from Hurricane Nate.  
 6 The applicant was granted a variance to  
 7 Chapter 8, Section 2, Part III.G.4. of the  
 8 Mississippi Coastal Program.  
 9 And the applicant has received a letter of  
 10 exception from the Mississippi Beneficial Use of  
 11 Dredge Material Program regarding the projects  
 12 conformance with the Mississippi Code Section  
 13 49-27-61. That exception is valid for one year,  
 14 which expires April 19th of 2018.  
 15 The darkened areas along the beach are the  
 16 non-renourishment areas. There's a typical  
 17 profile of Sand Beach. You've seen these  
 18 before.  
 19 I'm not going to go through all of the  
 20 decision factors unless y'all have questions.  
 21 Those are not changing because the dredge areas  
 22 are not changing and the depths aren't changing.  
 23 But we did send the project modification out on  
 24 public notice again. It appeared in the Sun  
 25 Herald on October 22, October 29th and November

1 Quality.  
 2 COMMISSIONER BOSARGE: Sounds good. Do we  
 3 have any further questions for Chris? And do we  
 4 have a motion?  
 5 COMMISSIONER GOLLOTT: Mr. Chairman, I make  
 6 a motion that we go with the staffs  
 7 recommendation on this project.  
 8 COMMISSIONER BOSARGE: And we have a  
 9 motion. Do we have a second?  
 10 COMMISSIONER TRAPANI: I will second that.  
 11 COMMISSIONER BOSARGE: We have a motion and  
 12 a second. Any further discussion?  
 13 All those in favor, Aye. Opposed same  
 14 sign. Motion carries. Thank you Chris.  
 15 (Motion carries.)  
 16 COMMISSIONER BOSARGE: I think we have Don  
 17 Shaddock. Okay. Mr. Shaddock. Reconsideration  
 18 of violation and fine. Yes, ma'am.  
 19 LINDA SHADDOCK: Yes, sir. My name is  
 20 Linda Shaddock. I live at 8240 Egret Lane in  
 21 Gautier. And I am here to ask for the  
 22 reconsideration from the Commission of the  
 23 violation and fine. And to try to give you a  
 24 little bit of a background as to why this has  
 25 come to this point, if you will.

1 COMMISSIONER BOSARGE: And just to refresh  
 2 our memory that was the --  
 3 LINDA SHADDOCK: Boathouse we were trying  
 4 to build with pilings.  
 5 COMMISSIONER BOSARGE: And a boat launch,  
 6 wasn't it?  
 7 LINDA SHADDOCK: Sir?  
 8 COMMISSIONER BOSARGE: Wasn't there a boat  
 9 launch there also or a keyhole boat slip.  
 10 LINDA SHADDOCK: Boat slip, yes, sir. We  
 11 bought that lot in September of 2013. And we  
 12 used an attorney to close on the lot. And since  
 13 I have never dealt with the DMR before and my  
 14 husband is up -- from up in the Anniston area he  
 15 has never dealt with the DMR or waterfront or  
 16 anything like that. So we asked the attorney  
 17 that day, do you have someone who is familiar  
 18 with dealing with the guidelines so that we stay  
 19 in compliance with the DMR. And he recommended  
 20 Randy Ellis. That following week we hired Randy  
 21 Ellis to be there and to represent us and help  
 22 guide us along, because we heard that he was  
 23 very proficient with dealing with even some of  
 24 the casinos and what all had been done over  
 25 there about it.

1 State's office -- I'm sorry. Attorney General's  
 2 office. Sorry about that Mr. Carter. And it's  
 3 out of our hands so-to-speak.  
 4 And I want to hear your story, but there's  
 5 not a lot we can do. We can take it under  
 6 consideration and possibly make a  
 7 recommendation, but that's about as far as we  
 8 can go. We can't do anything to help you right  
 9 now.  
 10 LINDA SHADDOCK: Well, just to let you know  
 11 a little bit more about what has happened this  
 12 year to get it to that point of being turned  
 13 over --  
 14 COMMISSIONER BOSARGE: Yes, ma'am.  
 15 LINDA SHADDOCK: -- my father died in  
 16 March. Don's parents have been in and out of  
 17 the hospital so many times that I can't even  
 18 tell you and NICU. His mother has had two  
 19 wrecks and had to have her insurance and her  
 20 driver's license taken away from her, to where  
 21 he couldn't be here to handle this in person.  
 22 After my father died in March, my  
 23 18-year-old nephew fell and hit his head and  
 24 drowned. My son, my youngest son was diagnosed  
 25 with cancer and has had a terrible operation.

1 We had a real problem this past year with  
 2 just life in general. My husband has been for  
 3 one full year up there in Anniston with his 95  
 4 and 96-year-old elderly parents who have been in  
 5 and out of the hospital, in and out of ICU and  
 6 everything, and unable to be here for one full  
 7 year.  
 8 He comes home for one or two days if he has  
 9 to handle something and then he goes back. But  
 10 we thought that we were being represented,  
 11 because now we have hired a second person,  
 12 Mr. Moran.  
 13 Are you familiar with Mr. Terry Moran? He  
 14 has picked up now where Randy Ellis has been  
 15 unable to do this.  
 16 But, anyway, during this year -- and I have  
 17 28 pages here for you to look at from March  
 18 until November 28 pages back and forth of texts,  
 19 e-mails and correspondence back and forth trying  
 20 to -- as we would receive something, try to get  
 21 to our representatives that we were paying to do  
 22 these things for us.  
 23 COMMISSIONER BOSARGE: And not to stop you,  
 24 just so you can understand where we are, this  
 25 issue has been forwarded to the Secretary of

1 And he went through 35 days of chemo and  
 2 radiation to try to shrink it to a point of them  
 3 to even be able to operate. During that time we  
 4 were trying to have a benefit to try to help  
 5 them to keep from losing their home. He's had  
 6 this surgery. He is now going for six months or  
 7 189 days of two kinds of chemo every day to keep  
 8 him now from losing his life. I could go on and  
 9 on and on.  
 10 COMMISSIONER BOSARGE: I understand. Yeah.  
 11 LINDA SHADDOCK: I have got two pages that  
 12 are two pages full, one line after the other.  
 13 And having said, that we were paying  
 14 someone to handle this.  
 15 Now, the in other words, in order for them  
 16 to be able to handle it with the men who had the  
 17 heavy equipment, we had to do it between rain.  
 18 And there were lots of days that whenever they  
 19 were able to be able to do it, they had another  
 20 job going on and they couldn't get their  
 21 equipment over here.  
 22 And I even have pictures here to show  
 23 you --  
 24 COMMISSIONER BOSARGE: I understand you  
 25 have --

1 LINDA SHADDOCK: -- how wet it was. Even  
2 the day that they did come to do the work, that  
3 afternoon it rained so bad that they had to halt  
4 in the 30 loads of dirt, which we were afraid to  
5 do all this time because we didn't want to be  
6 non-compliant of what we thought we could down  
7 there for the DMR.

8 COMMISSIONER BOSARGE: Well, just, if you  
9 could, give us the information. Give it to  
10 Jamie and we will take it under consideration  
11 and we will see what we can do.

12 LINDA SHADDOCK: And, you know, at this  
13 point in our life we just really don't have the  
14 money for fines. We have done everything that  
15 even Jennifer came out and took pictures and  
16 said, "Yeah, everything looks great" That,  
17 "You've done everything." If we were a month  
18 late -- I even got the NOAA reports for the  
19 rainfall from April through there to show you  
20 how bad it has been.

21 COMMISSIONER BOSARGE: Done your homework.

22 LINDA SHADDOCK: That it was -- I mean,  
23 that I have gone to every length there was. My  
24 husband didn't want to turn this over to me,  
25 because my plate has just been absolutely loaded

1 against right now. It has been a fight the  
2 whole way.

3 And I can e-mail to you every bit of this.  
4 Jamie, I only brought one copy of it.

5 DIRECTOR MILLER: Okay.

6 COMMISSIONER BOSARGE: Please do.

7 LINDA SHADDOCK: Every time that somebody  
8 was not here that we thought were representing  
9 us that told us they were going to be here, it  
10 was after the fact that we found out they didn't  
11 come to represent us.

12 You are talking to two almost 70-year-old  
13 people that have never had a ticket, a traffic  
14 ticket. We are not out to do anything but just  
15 -- we were trying to --

16 COMMISSIONER BOSARGE: All right.

17 LINDA SHADDOCK: -- stay within the  
18 guidelines. I don't know of many people that  
19 would have hired two representatives to be here  
20 to represent them that we thought were  
21 representing us and doing the right thing --

22 COMMISSIONER BOSARGE: Yeah.

23 LINDA SHADDOCK: In following y'all's  
24 guidelines, because we didn't know what we were  
25 doing.

1 down full.

2 Right now I am trying to keep my son and  
3 his family from losing their home, because he  
4 works on commission only.

5 And I just don't have \$8,000 for a fine,  
6 when I have done what was asked of us to do. I  
7 couldn't get it done by X number of days.

8 Ricky Register was a gentleman that helped  
9 us to put pilings in and pull pilings out. We  
10 are in for over \$20,000 to have it back to zero.

11 COMMISSIONER BOSARGE: Oh, I'm sure. I'm  
12 sure.

13 LINDA SHADDOCK: At this point it is  
14 \$20,000.

15 COMMISSIONER BOSARGE: Yeah.

16 LINDA SHADDOCK: And we have it back  
17 exactly like it was when we moved there with no  
18 -- all we wanted was a place to park a pontoon  
19 boat to have family time.

20 COMMISSIONER BOSARGE: Yeah.

21 LINDA SHADDOCK: We have got 350' of  
22 waterfront property. And we wanted a place to  
23 park a pontoon boat.

24 COMMISSIONER BOSARGE: Yeah.

25 LINDA SHADDOCK: And that's what we are up

1 COMMISSIONER BOSARGE: Yes, ma'am.

2 LINDA SHADDOCK: And when you pay somebody  
3 to go out there it's like if you pay somebody to  
4 build a house and they go out there and they  
5 don't do it to specifications, you don't know it  
6 until after the fact and somebody comes and  
7 tells you about it. And we were at that point,  
8 I guess, to where we --

9 COMMISSIONER BOSARGE: Well, we appreciate  
10 you pleading your case. And we will see what we  
11 can do. All right. Thank you.

12 MS. CHESNUT: MS. Shaddock, I would like to  
13 point out that I am sure the Commission  
14 appreciates all the information you've brought  
15 to them.

16 At this point the Commission is the client  
17 in this matter. Okay? So it's very important  
18 that if someone from the Attorney General's  
19 office contacts you or your husband that you  
20 deal with the Attorney General's office. Okay?

21 LINDA SHADDOCK: And we have tried to do  
22 with that.

23 MS. CHESNUT: Okay.

24 LINDA SHADDOCK: And we thought our  
25 representatives were then also, since they knew



1 more about what we did and didn't do correctly,  
 2 from our people that were working for us --  
 3 MS. CHESNUT: I just want you to understand  
 4 procedurally where this is. Okay? It's at the  
 5 Attorney General's office. It's out of the  
 6 Commission's hands. But the Attorney General's  
 7 office will be consulting with the Commission on  
 8 how they want to handle it.  
 9 LINDA SHADDOCK: Well, I just thank you for  
 10 listening to me today.  
 11 MS. CHESNUT: Um-hum. (Affirmative)  
 12 LINDA SHADDOCK: And I ask you that if it  
 13 was your family that had gone through this many  
 14 things and you couldn't be there to specifically  
 15 take care of everything in person that you would  
 16 be respectful enough to consider that.  
 17 And since y'all are the ones that are the  
 18 ones that passed it on to them that we were  
 19 in -- not in compliance, or that we didn't show  
 20 up to represent ourselves in person, or that we  
 21 seemed like we didn't care, I would ask that you  
 22 just consider that.  
 23 COMMISSIONER BOSARGE: All right.  
 24 LINDA SHADDOCK: Thank you very much.  
 25 COMMISSIONER BOSARGE: Thank you.

1 It's been documented that a lot of  
 2 extinctions have been caused by invasive  
 3 species.  
 4 Economically speaking, about 120 million a  
 5 year can be attributed to people trying to like  
 6 ameliorate the damage from invasive species or  
 7 control them. In Mississippi alone \$70 million  
 8 a year are spent on wild hogs.  
 9 Today I just want to talk about a few of  
 10 the things we are working on, the lists of  
 11 things that we deal with is quite long. Today  
 12 we will talk about these.  
 13 One of the most recent problems we have had  
 14 has been the giant apple snail. It's an  
 15 aquarium snail. It tends to get too big. And  
 16 when they get really big and messy people tend  
 17 to dump them in the bayou. And the problem with  
 18 that is that they are real -- they are really  
 19 destructive vegetation. They have an enormous  
 20 appetite and they do nothing but eat and breed.  
 21 Like one female giant apple snail can  
 22 produce 80,000 copies of herself in her  
 23 lifetime. And so if you look at that and the  
 24 fact that they can breed within one season the  
 25 population dynamics are just amazing. And

1 All right. Break here or. . .  
 2 DIRECTOR MILLER: There's one more  
 3 presentation under Coastal Preserves.  
 4 COMMISSIONER BOSARGE: All right.  
 5 DIRECTOR MILLER: Let's go ahead and do  
 6 that one.  
 7 COMMISSIONER BOSARGE: All right. We will  
 8 continue on with Coastal Preserves. Mr. Mike  
 9 Pursley.  
 10 MIKE PURSLEY: Good morning.  
 11 COMMISSIONER BOSARGE: Good morning.  
 12 MIKE PURSLEY: I am Mike Pursley with the  
 13 Coastal Preserves Program. I am here to speak  
 14 about what we are doing with the invasive  
 15 species work in the department.  
 16 I will be talking today about some invasive  
 17 plants, an invasive mollusk, a couple of finfish  
 18 and a tree.  
 19 Now, what an invasive species is and a  
 20 quick review, it's a non-native organism.  
 21 Somehow, usually by man, gets into an  
 22 environment and since there are no natural  
 23 enemies of that organism they tend to take over  
 24 and disrupt and displace native species. And  
 25 they can also bring foreign parasites.

1 there's some chance that the snails we have,  
 2 like the ones in New Orleans, are a host to rat  
 3 lungworm parasite, which makes it a hazard to  
 4 human health.  
 5 We discovered these snails in Robertson  
 6 Bayou in 2014 and implemented control measures  
 7 immediately, by destroying it, because you can  
 8 see egg masses are those pink bubblegum-looking  
 9 things you see. They lay the eggs just above  
 10 the waterline.  
 11 And we've been going along -- and they  
 12 hatch every 10 to 14 days. So during the season  
 13 where they are active from mid April to mid  
 14 October, we have been going along and physically  
 15 destroying the egg masses and trapping all the  
 16 snails we can find.  
 17 We have gotten a little over 11,000 egg  
 18 masses and close to 500 snails. And if you take  
 19 and multiply the number of egg masses by the  
 20 number of snails available, we have physically  
 21 prevented more than 23 million from being born.  
 22 And it was pretty all well and good.  
 23 But this year we have had enormous rain and  
 24 flooding events from hurricanes, Hurricane Cindy  
 25 and Tropical Storm Nate. Or is that vice versa?

1 And the flooding in the area where they were at  
2 the water was 8' over its normal stage for about  
3 two weeks. and these snails can trap air and  
4 float and go to different places so they may  
5 have spread to a wider area than we have been  
6 able to keep them in control of.

7 So I just wanted to make you guys aware of  
8 this snail. It grows to about the size of a  
9 baseball if given enough time. And they are a  
10 potential real threat to the Pascagoula River  
11 marsh and other areas that we manage.

12 One of the plants that we have been  
13 managing since 2005 is Giant Salvinia. And with  
14 all the rainfall we had this year it had a  
15 wonderful year and managed to fill up some of  
16 the manmade bayous. And even with our using the  
17 day salvinia weevils as recommended by the  
18 Department of Agriculture it still wasn't enough  
19 to keep track of it. But things are okay with  
20 that now, but I just wanted to make sure you are  
21 aware that it's an on-going problem.

22 One of the more recent things that have  
23 come across our radar too is Lion Fish. These  
24 are a super predator fish that eat everything in  
25 sight. And they tend to occupy reef areas. We

1 state.

2 In the bottom slide you can see the brown  
3 areas along side the road. Those are all dead  
4 and dying tallow trees that will decompose in  
5 place and hopefully the native vegetation will  
6 resume and it will be a much more natural area.  
7 That is Admiral Isle preserve.

8 Feral hogs is another problem we face  
9 primarily in the Hancock County marsh and then  
10 some in Jackson County too.

11 The top left picture is one we trapped off  
12 of Deer Island back in 2016. We have been  
13 working in conjunction with USDA to do aerial  
14 gunning of these hogs. And to date we have got  
15 about 716 of them removed from property that we  
16 own and manage. But the pilots are saying  
17 there's a lot more on private land that they did  
18 not get access to.

19 The hogs are kind of a double whammy. They  
20 disturb the soil and then they also bring the  
21 seeds with them to just inoculate the soil. So  
22 they are not only the problem, they are also the  
23 vector.

24 Cogon grass is another perennial problem we  
25 have been having for many years out here. It's

1 are working in conjunction with the Artificial  
2 Reef Program to monitor and try to find a way to  
3 deal with these. About the only solution known  
4 is for spear fishermen to go in and spear them  
5 and then bring them back.

6 And there's some economic opportunity with  
7 that. There is a growing market for lion fish  
8 in restaurants, but it's -- it may not be  
9 enough. These things go to 8-900' deep and none  
10 of the experts consider control of this actually  
11 feasible.

12 Chinese tallow tree, we have good year  
13 with. With some of our NFWF, National Fish and  
14 Wildlife Foundation funding and our contractors,  
15 we have been able to control about 1,258 acres  
16 of these invasive trees on coastal preserves.

17 After Katrina there was a lot of soil  
18 disturbance in these tallow trees. It's ideal  
19 for them to take root and occupy these lands and  
20 they tend to disrupt the soil so bad where  
21 nothing else can live there if they stay there  
22 long enough.

23 So with some of the money we recently had  
24 we have been able to do some really good work to  
25 kind of turn our preserves into more natural

1 an invasive grass that's very hard to treat. It  
2 takes repeat treatments over years to even -- to  
3 get it controlled if it is an old infestation.  
4 This year we treated 46 acres of cogon grass on  
5 our coastal preserve areas.

6 One of the ones that is kind of more  
7 interesting is the Asian tiger shrimp. Lots not  
8 known about this or what the effects are going  
9 to be. But they are a very large shrimp. They  
10 grow to be about a pound in size. And when  
11 these first started in -- they first arrived in  
12 Mississippi in 2009. We were getting a lot of  
13 questions about them. "Are they edible?" You  
14 know, "What should we do with this?" And so we  
15 were advising people, you know, "Please don't  
16 return them to the water and report them." And  
17 for a couple of years it was going well, but now  
18 people are -- they are used to them, I think.  
19 And we are not getting the reports from the  
20 public that we would like about how many are  
21 occurring.

22 And it's not really known whether they are  
23 reproducing on the Gulf. They appear to be, but  
24 it's not been documented.

25 One of the things that's on our radar to

1 look out for in the future is an invasive  
2 aquatic plant called Hydrilla. And it tends to  
3 completely choke out waterways and make the  
4 habitat unsuitable for fish. And it harbors a  
5 toxic cyanobacteria that's been linked with  
6 rapture deaths and deaths of bald eagles. So we  
7 are really on the lookout for this. This is in  
8 Louisiana, it's in Alabama, and it's gradually  
9 encroaching into our area.

10 We have not found it yet. But we are  
11 always on the lookout for this and, hopefully,  
12 to be able to get a good early response to  
13 anything we find.

14 The last thing I will talk about today is  
15 silver carp. This is a fish from Asia that was  
16 introduced for aquaculture purposes. And it's  
17 all over the place in Louisiana. It's all over  
18 Texas. And the flooding events have created an  
19 opportunity for them to come from Louisiana when  
20 the water is really fresh. They would normally  
21 have a barrier with the salinity in the Sound.  
22 But there's been an opportunity where they could  
23 actually pass. And one was caught in Hancock  
24 County off the Washington Street Pier in 2014, a  
25 pretty good size one.

1 species and to keep them -- and to keep their  
2 numbers down.

3 MIKE PURSLEY: With any overabundance of  
4 things there comes opportunity. And so we -- we  
5 have a situation where if this is the case, what  
6 they are doing in the Mississippi River where  
7 they are quite abundant is they are harvesting  
8 them and they are selling them back to the  
9 Chinese. That's what aquaculture has done.  
10 It's the most aqua-cultured fish in China.

11 COMMISSIONER BOSARGE: Yeah. Leave it to  
12 the Frenchmen. All right. Yes, sir. All  
13 right. Thank you.

14 Do we have any other questions? All right.  
15 We certainly appreciate it. It looks like  
16 you've got your hands full. Thank you, sir.

17 COMMISSIONER BOSARGE: We have one request  
18 for public comment on the agenda item that we  
19 pulled, but if he is still here and would like  
20 to comment that would be Terry Stork.

21 TERRY STORK: I would like to thank y'all  
22 for letting me have a minute of your time.

23 COMMISSIONER BOSARGE: All right. State  
24 your name for us, please, sir.

25 TERRY STORK: Speckled trout. Y'all raised

1 These things grow to about 60 pounds. They  
2 reproduce like crazy. And they have the ability  
3 when startled to jump about ten feet. And  
4 people have been hospitalized by these things  
5 hitting them. And waterskiing is very hazardous  
6 in these type of environments. So this is one  
7 thing we are working cooperatively with the  
8 Finfish Bureau to monitor for and to keep a  
9 sharp eye out for any time we may have some  
10 documented population of these in our area. And  
11 I would be happy to entertain any questions.

12 COMMISSIONER BOSARGE: Yeah. Is that carp  
13 any good to eat?

14 MIKE PURSLEY: It's really bony. They say  
15 it's a white fish.

16 COMMISSIONER BOSARGE: Um-hum.  
17 (Affirmative)

18 MIKE PURSLEY: -- that has -- well, it can  
19 have no flavor, so it kinds of depend on the  
20 environment that it comes out of.

21 COMMISSIONER BOSARGE: Yeah. I know the  
22 lion fish, that's what they -- you know, they  
23 tried to develop recipes for it. And they say  
24 it's pretty good. You know, we are trying to  
25 figure a way to capture some of these invasive

1 the limit to 15". The commercial line is 14. I  
2 got no gripe with them. I was one.

3 But I believe if you went back to 14, cut  
4 the limit to ten that would -- that would be a  
5 fair deal between both parties.

6 COMMISSIONER BOSARGE: Yes, sir.

7 TERRY STORK: I would like for y'all to  
8 consider that.

9 COMMISSIONER BOSARGE: All right. We have  
10 done a lot of work on speckled trout --

11 TERRY STORK: I understand.

12 COMMISSIONER BOSARGE: -- and have a  
13 management plan. And Dr. Michel has been  
14 working on.

15 TERRY STORK: I fished for three days a  
16 week. When you catch 40 or 50 fish, and you  
17 can't take nothing home.

18 COMMISSIONER BOSARGE: Yeah. I hear you.

19 TERRY STORK: You know?

20 COMMISSIONER BOSARGE: Yes, sir. Yes, sir.  
21 All right.

22 TERRY STORK: But commercial man is 14.  
23 It's a double standard.

24 COMMISSIONER BOSARGE: Yeah, but they are  
25 under a 50,000-pound quota. So it's -- thank

1 you, sir.

2 TERRY STORK: All right.

3 COMMISSIONER BOSARGE: All right. We've

4 got a long meeting here today, so we are going

5 recess until 2:00 o'clock, give everybody a

6 break to catch a little lunch and then we will

7 meet back here at 2:00 and try to finish up, so

8 that ends it for right now.

9 (LUNCH RECESS.)

10 COMMISSIONER BOSARGE: I am going to call

11 the meeting the back to order. I will call the

12 meeting back to order. And we will begin where

13 we left off.

14 KASEY WILLIAMS: Good afternoon

15 Commissioners, Director Miller, Ms. Chesnut. At

16 the end of October was \$3,500,000. Our total

17 agency revenue was 4.8 million dollars. Our

18 State net income was 1.2 million. And our total

19 agency net income was negative \$390,000.

20 After four months of physical year 2018, we

21 have 83.9 percent of the operating budget

22 remaining. And 92.8 percent of the tidelands

23 budget remaining. Any questions?

24 COMMISSIONER BOSARGE: No. I don't have

25 any. Does anybody have any questions? All

1 if you got phone calls about it that's what the

2 reason was. We don't forecast that happening

3 again.

4 Our tidelands 2020 application schedule is

5 the same schedule that we do every year. The

6 only thing is that we just started over in 2018.

7 So we start taking applications May 31st. Our

8 deadline for proposals are July 1<sup>st</sup>. We do

9 our compliance review between July and August.

10 We do our merit review in September and October

11 and then in November I present everything to the

12 Commission. And then in January it goes to the

13 Legislature. Sometime around April we will get

14 our appropriations bill. And if the checks come

15 in in a timely fashion they should be in

16 November and everyone should have their grant

17 agreement December.

18 Our 2019 tidelands applications, we

19 received 143 applications to the tune of

20 \$50,000,000. We received 61 of those -- were

21 public access projects for \$35,000,000. Of

22 those public access projects 41 were from cities

23 or municipalities for \$27,000,000. Thirteen

24 were from Board of Supervisors, counties for

25 \$6,000,000. And then there were \$7,000,000

1 right. No, ma'am. Thank you. Now for our --

2 All right. And now for our tidelands, and

3 Ms. Sonja Slater.

4 SONYA SLATER: Good afternoon. Thank

5 y'all. I am just going to go over the tidelands

6 application process for 2019.

7 We, as y'all all are aware, we have the

8 tidelands program that allows for managed

9 projects and public access projects. And it's

10 all around protecting, conserving preservation

11 acquisition of tidelands affected lands.

12 We have a slide that shows you a history of

13 the tidelands funding from 2008 all the way to

14 2018. This slide is a little different than

15 what I have done in the past. It just basically

16 shows you in green what the actual tidelands

17 check was. And the black line tells you what

18 the appropriations were for that year. And the

19 red area is the difference between what was what

20 was appropriated and what was actually received

21 in a check.

22 So as you can see 2017 they appropriated

23 9.8 and we only got a check for 4.7 million. So

24 we were -- that's the reason we had to reduce a

25 lot of the projects funding by 50 percent. So

1 miscellaneous. And miscellaneous is our

2 non-profit organization that are associated with

3 a municipality or a county. On the managed

4 projects side we received 82 managed projects

5 for \$14,000,000. Thirty of them were submitted

6 by MDMR for \$4,000,000. And 37 were submitted

7 by the universities between USM and Mississippi

8 State and Mississippi Gulf Coast Community

9 College \$7,000,000. And, of course, \$15,000,000

10 were from miscellaneous organizations.

11 All right. And in 2018 our appropriation

12 was \$9.7 million. Our check was less than that

13 this year. It was closer than it was for 2017.

14 In 2019 the way the breakout turned out for your

15 cities and municipalities, this shows you -- the

16 City of Biloxi put in the most applications.

17 They put in ten applications for a total of

18 \$16,000,000.

19 Everyone else hovered around one or two.

20 The City of Moss Point put in five applications

21 for \$1.2 million. They all kind of level each

22 other out. But the City of Biloxi is really

23 being aggressive and putting in more

24 applications because they have more projects

25 that they are trying to get off the ground. The

1 County Board of Supervisors, Jackson County put  
2 in three applications for \$700,000. Hancock  
3 County put in four applications for \$1.6  
4 million. And Harrison County six applications  
5 for \$3.9 million. There was a total of 13  
6 projects for the total of \$6 million just from  
7 the board of supervisors.

8 The miscellaneous projects that were  
9 received in 2019, again, these are from the  
10 non-profits, such as land trust, maritime  
11 seafood museum. Mississippi Gulf Coast  
12 Community College was one of them and MSU --  
13 Mississippi State and USM, because they were  
14 public access, they were listed as miscellaneous  
15 projects. On the managed projects side they are  
16 listed as universities. But there was seven of  
17 those for \$2 million.

18 On the managed projects side, we received  
19 30 applications from MDMR for \$4.7 million and  
20 15 from miscellaneous projects for \$2.4 million.  
21 And 37 project requests from universities for  
22 \$7.6 million. Do y'all have any questions?  
23 That's it.

24 COMMISSIONER BOSARGE: A lot of projects  
25 and a lot of money.

1 well there.

2 Last week we had two -- three different  
3 departments that participated in pathways to  
4 possibilities. Y'all may have seen that on the  
5 news. It's at the Coast Coliseum they have  
6 6,000 eighth graders that pass through and  
7 there's different pathways. And so we were in  
8 the Marine Science Pathway with Marine Fisheries  
9 and the NERR and then the Law Enforcement  
10 Pathway with Marine Patrol. So that was -- that  
11 got us a lot of good exposure and maybe some job  
12 applications in the future.

13 On Friday November 10th Marine Patrol Chief  
14 Keith Davis and Assistant Chief Rusty Pittman  
15 delivered a 33 foot patrol boat to the Warren  
16 County Sheriff's Office. We donated that vessel  
17 to that office. And they were very appreciative  
18 and that got a lot of news coverage also. And  
19 they said it will be the agency's first  
20 all-weather patrol vessel. Any questions?.

21 COMMISSIONER BOSARGE: That's great.

22 MELISSA SCALLAN: Thank you.

23 COMMISSIONER BOSARGE: Keep up the good  
24 work, Melissa. All right. In other business.

25 COMMISSIONER HARMON: Mr. Chairman, I would

1 MS. SONNIER: Okay. Thank you.

2 COMMISSIONER BOSARGE: Thank you. All  
3 right. Ms. Melissa. Public Affairs.

4 MELISSA SCALLAN: Good afternoon,  
5 Commissioners, Director Miller, Ms. Chesnut.  
6 Happy Thanksgiving to everybody.

7 The agency was mentioned 48 times in local,  
8 state, and national medias since the last  
9 meeting.

10 Some of the new stories that were --  
11 generated the most interest were the opening of  
12 the oysters season in the western portion of the  
13 Mississippi Sound and the awarding of the  
14 tidelands check.

15 We participated in several events. We were  
16 at the Gautier Mullet and Music Festival.  
17 Brittany Chudzik in Fisheries represented the  
18 agency at Quarles Elementary's Fall Festival.

19 We also -- Mississippi Seafood sponsored  
20 several teams at the Hangout Oyster Cook-off in  
21 Gulf Shores. And Walker's Drive-In won first  
22 place in the raw category. Desporte and Sons  
23 Seafoods second place in the Cajun category.  
24 And then David Crews' team won third Place in  
25 the Rockefeller category. So they did really

1 like to make a motion that we go into closed  
2 session to determine the need to go into  
3 executive session to consider pending  
4 litigation.

5 COMMISSIONER BOSARGE: All right. And do  
6 we have a second to that motion?

7 COMMISSIONER GOLLOTT: I will second it,  
8 Mr. Chairman.

9 COMMISSIONER BOSARGE: I have a motion and  
10 a second. All those in favor, Aye. Opposed,  
11 same sign. Motion Carries.

12 (Motion carries.)

13 All right. We will be in closed session  
14 just for a short -- and be back shortly.

15 (THE COMMISSION WENT INTO EXECUTIVE SESSION  
16 AT 2:12:49 P.M. AND RECONVENED AT 2:40)

17 COMMISSIONER BOSARGE: All right. We would  
18 like to call this meeting back into session. If  
19 we could get a report from Ms. Chesnut.

20 MS. CHESNUT: Okay. At 2:13 a motion was  
21 made by Commissioner Harmon to go into closed  
22 session to discuss the need for executive  
23 session to discuss pending litigation. Excuse  
24 me. That motion was seconded by Commissioner  
25 Gollott. Commissioners present were Steve

1 Bosarge; Ron Harmon; Richard Gollott; Mark  
2 Havard; Jolynn Trapani; legal counsel, Sandy  
3 Chesnut, Shawn Morrison and Executive Director  
4 Jamie Miller.

5 At 2:14 Gollott made a motion to go into  
6 executive session to discuss pending litigation  
7 and that motion was seconded by Havard.

8 During the executive session at 2:38 p.m.  
9 Commissioner Tripani made a motion to grant the  
10 AG's office the authority to settle the  
11 Shaddocks case and to work out the details.  
12 That motion was seconded by Harmon.

13 At 2:39 a motion was made by Commissioner  
14 Gollott to end the executive session and that  
15 motion was seconded by Havard.

16 COMMISSIONER BOSARGE: Okay. And that  
17 finishes that. Now, we are on K-2 Oyster  
18 Management Program Compliance Proposed  
19 Legislation. We did have one request for public  
20 comment. Mr. Ryan Bradley isn't this where you  
21 told us --

22 RYAN BRADLEY: Can I make a comment after  
23 you do the report?

24 COMMISSIONER BOSARGE: All right. Mr. Joe.

25 JOE JEWELL: Let me get all of my notes

1 DR. F. J. EICKE: Can I make a comment? I  
2 think I put a request.

3 COMMISSIONER BOSARGE: Did you have it on  
4 there. Mr. Eicke you had a --

5 DR. F. J. EICKE: I think that I put four  
6 numbers I put on it.

7 COMMISSIONER BOSARGE: I believe you are  
8 correct. Joe, do you mind if Mr. Eicke makes a  
9 comment?

10 JOE JEWELL: Absolutely. Mr. F. J. Eicke.  
11 Dr. Eicke. Dr. F.J. Eicke.

12 DR. F. J. EICKE: My name is F.J. Eicke. I  
13 am here representing Coastal Conservation  
14 Association of Mississippi. As I understand it,  
15 what we are talking about is opening what has  
16 been -- and I realize and I'm going to put a  
17 quote around traditional fisheries reefs,  
18 because they could be used by either  
19 recreational or commercial, and that what y'all  
20 are proposing to do is to change the  
21 legislation, which I think is illegal, to allow  
22 that. This is bad public relations.

23 And, you know, if that kind of thing is  
24 going forward, there's going to be a bunch of  
25 upset people out there in the community -- one

1 here. There's one item that we need to address  
2 before we get into my presentation. I spoke to  
3 a couple of the Commissioners including the  
4 Chairman and issuing the opening orders for the  
5 2017-18 Oyster Season.

6 We included Item No. H which is an item we  
7 have included in the past. And it reads: "No  
8 harvest within 500 feet of artificial reef sites  
9 except the Waveland reef. We did a rules and  
10 regulations check. And we can find no place in  
11 either statute, federal rules, state rules or  
12 the DMR rules and regulations -- that harvest on  
13 these artificial reefs. It's not allowed. So  
14 we are asking the Commission -- and we have  
15 allowed that harvest to occur. We are asking  
16 the Commission for sake of consistency to motion  
17 to remove that statement from the opening order  
18 of the 2017-18 season.

19 COMMISSIONER GOLLOTT: I will make a motion  
20 that we remove that from the statement.

21 COMMISSIONER BOSARGE: All right. We have  
22 a motion. Do we have a second?.

23 COMMISSIONER TRAPANI: I will second that.

24 COMMISSIONER BOSARGE: Any further  
25 discussion?

1 of whom will be me.

2 I'm aware that last year there was talk of  
3 tonging operations on what has been thought of  
4 as again traditional recreational or finfish  
5 reefs, not oystering reefs. And it just seem  
6 like a bad move. If anything we should go the  
7 other way and find out if there's some kind of  
8 way to close off these reefs that were set up  
9 for people to access on an easy basis, even in  
10 some cases without a boat.

11 You have that whole string of reefs that  
12 are out there by the markers off the sand beach.  
13 And those potentially are open to what you are  
14 talking about. That's crazy.

15 Now, you can defend it and say there's no  
16 legal basis for it. But the point is that, you  
17 know, that doing that kind of thing on an open  
18 basis and just as Mr. Joe just said, it has been  
19 done already by some authorization, or somebody  
20 just took the point and did it and there were  
21 repercussions apparently.

22 But, you know, I can -- I can envision  
23 someone oystering Katrina Reef. Man, can you  
24 imagine the response to that, by primarily  
25 recreational fishermen. I can. And I don't --

1 I don't really -- I am just questioning the  
 2 action y'all are about to take, because you can  
 3 take it. And because this oyster situation has  
 4 gotten to the point where it is like if there's  
 5 an oyster out there we should go harvest it.  
 6 COMMISSIONER BOSARGE: You know, and --  
 7 COMMISSIONER GOLLOTT: Mr. Eicke, when we  
 8 used to fish in Graveline Bayou we would try to  
 9 get as close to those tongers as we possibly  
 10 could to catch speckled trout.  
 11 DR. F. J. EICKE: That's fine. And the  
 12 point is that you're just going beyond -- we are  
 13 so involved with the oyster situation, which I  
 14 tell people all of the time, if we ever added up  
 15 what we put into oysters over the years in the  
 16 time that I've been involved in this process and  
 17 looked at what the economic outcome was, I don't  
 18 think there's any doubt that the input as  
 19 exceeded the output.  
 20 Now, we are going into other things with  
 21 oysters. But here you are talking about giving  
 22 commercial or recreational, because it would be  
 23 tongers who are recreational, access to reefs  
 24 that have never been opened before on kind of a  
 25 knowledge basis.

1 oyster people are there.  
 2 JOE JEWELL: Very possible.  
 3 DR. F. J. EICKE: And I just think this is  
 4 -- the bottom line is -- this may be legal, it's  
 5 just not right. Okay?  
 6 COMMISSIONER BOSARGE: Thank you, Mr.  
 7 Eicke.  
 8 THE COURT: Ron Bradley. Do you want to do  
 9 your public comment now?  
 10 RYAN BRADLEY: I guess I can. Yeah. Ryan  
 11 Bradley. So I had a lot of fishermen contact me  
 12 last year about this issue of tonging on these  
 13 reefs. And from what they told me a lot of  
 14 these reefs are 40 years old were commercial  
 15 fished decades ago.  
 16 And they go and get some grant money and  
 17 put rocks on it and now, all of a sudden they  
 18 own it and want to push commercial fishermen off  
 19 of it. I mean, I think it's ridiculous. I  
 20 think that, you know, they are already getting  
 21 the majority of the speckled trout and whatnot  
 22 already.  
 23 I think now they want to take the reefs  
 24 away. Take -- just another way to take away  
 25 from the commercial fishermen. So I think y'all

1 COMMISSIONER BOSARGE: And I can see both  
 2 sides of the issue, I guess, from the -- and I  
 3 really don't have a dog in the hunt, but just to  
 4 me, I could see the opposite side of that issue  
 5 would be, okay, all of the commercial reefs we  
 6 shouldn't open for recreational fishing. You  
 7 know, so, you know, it's --  
 8 DR. F. J. EICKE: Well, I mean, that's  
 9 argument you've used in contexts.  
 10 COMMISSIONER BOSARGE: Yeah.  
 11 DR. F. J. EICKE: But the point is that I  
 12 don't think you are going to find a bunch of  
 13 fishermen, anglers from Mississippi in a  
 14 situation where they are around as, you know,  
 15 some were described today, where you've got ten,  
 16 fifteen boats on a reef. I don't think you are  
 17 going to be out there.  
 18 COMMISSIONER BOSARGE: Come on, Mr. Eicke.  
 19 Pass Marianne is heavily fished by recreational  
 20 fishermen and that's a commercial reef.  
 21 DR. F. J. EICKE: Oh, I am not debating  
 22 that. I have been there myself.  
 23 COMMISSIONER GOLLOTT: Yeah.  
 24 DR. F. J. EICKE: But the point is they are  
 25 not going to be out there when the commercial

1 are making the right decision here so thank you.  
 2 COMMISSIONER BOSARGE: All right. Thank  
 3 you.  
 4 JOE JEWELL: So before we proceed. I want  
 5 to address a couple of those comments. For the  
 6 record, what we are requesting is a modification  
 7 of the opening order that is authorized by the  
 8 Marine Commission to 45-15-15. It's not a  
 9 federal rule or regulation.  
 10 So I just want that to be clear. All we  
 11 are asking is the Commission to vote for and  
 12 approve removing Item H out of the original  
 13 opening order. It's an opening order by the  
 14 Commission authorizing the Oyster Season --  
 15 2017-18 Oyster Season.  
 16 And then, too, I think there needs to be  
 17 some clarification on the reefs we are talking  
 18 about. These reefs that we are talking about  
 19 are artificial reefs that have been  
 20 intentionally planted or purposed for that  
 21 reason. They are not the natural reefs that  
 22 occur in Graveline or in Pass Marianne or in  
 23 these areas.  
 24 And then, three, there was some we -- the  
 25 Waveland Reef. That reef had some recreational

1 material placed on it. And it traditionally has  
2 been a commercial harvesting reef for the oyster  
3 industry. And then we have identified two other  
4 reefs; Oak Street and -- St. Marie, is it? St.  
5 Claire. St. Claire, that are in that footprint  
6 of historic commercial oyster reefs. And we are  
7 going to delist all three of those sites of the  
8 recreational -- you saw that earlier from the  
9 program that Mrs. Satterfield presented. We are  
10 going to de-list those off of that map.

11 COMMISSIONER BOSARGE: So you are saying  
12 that any of the reefs that are in the areas that  
13 are already designated as area 1-B or St.  
14 Stanislaus or whatever, you are going to delete  
15 those?

16 JOE JEWELL: No. No. The ones that are in  
17 the historic footprint of the commercial reefs,  
18 we are going to de-list those off of the inshore  
19 reefs. All of the other reefs are still there.

20 COMMISSIONER BOSARGE: All right.

21 JOE JEWELL: And so you brought up an  
22 important point. We are not talking about  
23 opening reefs in any other area than in the  
24 western sound in the conditionally approved  
25 areas. That's the only artificial reefs that we

1 COMMISSIONER HAVARD: We have spent and  
2 continue to spend millions of dollars to upkeep  
3 these piers where the fishermen can get to these  
4 reefs and fish, and now we are going to go  
5 deplete the reefs?

6 JOE JEWELL: When they are in that close,  
7 those reefs are only for tonging. And they  
8 could potentially be in that area and that could  
9 potentially happen, yes.

10 But the dredging operations cannot get in  
11 that close.

12 COMMISSIONER BOSARGE: The tonging doesn't  
13 hurt -- hurt a reef.

14 JOE JEWELL: The tonging line is a line  
15 that goes out from Bayou Caddy all the way over  
16 to the Alabama line. It goes within a few  
17 hundred feet of the shoreline that is restricted  
18 to just tonging only.

19 COMMISSIONER HAVARD: And the harvest off  
20 of these individual reefs it's going to fall  
21 into the 30 percent for the whole area?

22 JOE JEWELL: It does count against the 30  
23 percent quota.

24 COMMISSIONER HAVARD: So they could  
25 potentially go in there and decimate a reef

1 are talking about.

2 COMMISSIONER GOLLOTT: But, Joe, isn't the  
3 State going to plant those again? I mean, you  
4 know, I am not for not planting them just  
5 because they are recreational fishing reefs. We  
6 should plant that; try to make them thrive.

7 JOE JEWELL: Oh, I agree with that. But if  
8 you saw the presentation that was given earlier,  
9 some of the latest on the inshore reefs we have  
10 been planting since 2009 or '10, it just -- we  
11 replant those on availability of funds. And  
12 when funds become available we most certainly  
13 will replant those.

14 COMMISSIONER BOSARGE: So just because we  
15 change this opening order that doesn't affect  
16 reefs that are not in the designated areas for  
17 oystering?

18 JOE JEWELL: That's right. That's correct.  
19 I just wanted to clarify that.

20 COMMISSIONER HAVARD: The piers that go  
21 out --

22 JOE JEWELL: Some of them potentially do  
23 and then some of them -- we brought up the keys.  
24 They have been on Jailhouse Key and those areas.  
25 It absolutely includes those. Yes?

1 that's got good --

2 JOE JEWELL: Well --

3 COMMISSIONER HAVARD: -- harvestable  
4 oysters on it?

5 JOE JEWELL: They could take a hundred  
6 percent of it -- of the marketable oysters.  
7 That's correct.

8 COMMISSIONER GOLLOTT: No. Not if they  
9 cull them three inches, they are not going to  
10 take 100 percent.

11 JOE JEWELL: I am just saying potentially  
12 they could. I mean, they -- once we open that,  
13 that is available for harvest. They could  
14 potentially take all of the marketable size  
15 oysters.

16 COMMISSIONER GOLLOTT: Yeah.

17 JOE JEWELL: It would be -- it's just like  
18 the regular opening of the oyster season, they  
19 just have additional resources available to  
20 them.

21 And it would count again -- we didn't  
22 really consider that when we issued the opening  
23 orders, but it will account against the quota  
24 for that area.

25 COMMISSIONER BOSARGE: Correct.



1 JOE JEWELL: We are already seeing some  
 2 impacts of that now.  
 3 COMMISSIONER BOSARGE: All right.  
 4 COMMISSIONER HAVARD: It could change the  
 5 reef from holding bait fish, which brings in  
 6 finfish. It doesn't matter whether it's  
 7 recreational or commercial, but by tonging, it  
 8 would change the structure, therefore it would  
 9 change the bait fish that it actually holds as  
 10 well.  
 11 JOE JEWELL: Well, I think one of the  
 12 points that Mr. Eicke made when we were talking  
 13 about this issue, I think the last Commission  
 14 meeting or the time before. The only difference  
 15 between any other commercial activity is they  
 16 are removing some of the bottom that was planted  
 17 there to intentionally attract fish.  
 18 We do -- now, in defense of this, we do  
 19 allow commercial rod and reel, hook and line  
 20 activities on the reefs. So there is some  
 21 precedent for that. But the only difference is  
 22 that they are actually moving the bottom type  
 23 that was planted there to attract fish.  
 24 And the answer that your question  
 25 specifically is: There is a certain amount of

1 oyster and benthic communities down there that  
 2 supports a certain amount of finfish resource.  
 3 And when you take that away, it's not going to  
 4 support as much finfish resources as it did  
 5 before. But that is absolutely true.  
 6 COMMISSIONER BOSARGE: Would it be  
 7 possible, Joe. I don't mean to interrupt you.  
 8 But would it be possible that by working those  
 9 areas some, it may actually help?  
 10 JOE JEWELL: In some of the reefs that are  
 11 potentially dense, a real structured reef, the  
 12 answer is yes.  
 13 COMMISSIONER BOSARGE: Yes. I know that  
 14 once you go to moving things around it creates  
 15 feed, you know, for other critters.  
 16 JOE JEWELL: Right. Yes. I think the  
 17 Commission's discussed this ad nauseam.  
 18 You know, if you have a real dense reef  
 19 with a -- really a 3-D structured relief to it,  
 20 management practices like allowing tonging is  
 21 probably going to help it a little bit.  
 22 COMMISSIONER BOSARGE: Yeah.  
 23 JOE JEWELL: But I'm not sure how dense  
 24 these reefs are, you know.  
 25 COMMISSIONER BOSARGE: Yeah. I agree with

1 Mr. Eicke, I don't see -- I don't like seeing  
 2 the two user groups competing for the same piece  
 3 of bottom, but anyhow.  
 4 COMMISSIONER HAVARD: So, I see what's  
 5 happening is we -- due to lack of management or  
 6 natural disaster, our oystering reefs are not  
 7 producing. And our numbers are at an all-time  
 8 low.  
 9 So now we have resorted to other measures  
 10 of going and attacking these small reefs and  
 11 thinking that we are going to do a better job at  
 12 managing the take off of these small reefs.  
 13 JOE JEWELL: Well, I think the staff -- and  
 14 I personally, I said that this morning -- I've  
 15 beat that horse to death. We are absolutley are  
 16 in a reductionist process right now. Each year  
 17 we are producing less and less and less. I  
 18 mean, we have gone that race. We have done  
 19 that.  
 20 We absolutely -- I think everybody has  
 21 agree to that, just looking at the landings  
 22 data. And then expanding into other  
 23 territories, well, we did that last year. I  
 24 mean, when we adopted a 30-percent quota, well,  
 25 we went back and opened up areas for a longer

1 amount of time, for a longer amount of days. We  
 2 increased the sack limits. I mean, we did that  
 3 last year.  
 4 COMMISSIONER HAVARD: The proof is in the  
 5 numbers.  
 6 JOE JEWELL: Sure.  
 7 COMMISSIONER HAVARD: Black and white. We  
 8 are going in the wrong direction to reach our  
 9 goal.  
 10 COMMISSIONER GOLLOTT: Joe, what is the  
 11 reason for us -- what is your opinion now? I  
 12 have got a different opinion I'm sure. I don't  
 13 think we are over-harvesting. I think our  
 14 problem is culch material, fresh water, lack of  
 15 oxygen in the water killing the oysters, stuff  
 16 like that. I don't think we are over-harvesting  
 17 them.  
 18 What is the staff's opinion on this?  
 19 JOE JEWELL: So we've got seven agenda  
 20 items to go through. And one of them is going  
 21 to take up that issue.  
 22 This issue is simply -- so I will put it to  
 23 you this way. We put in that language to try  
 24 and preserve the recreational reefs for their  
 25 intent. They were intended to be for the

1 recreational fishermen.  
2 It's not precluding them from available for  
3 commercial harvest. It never was intended that  
4 way. We can find no language statute, federal  
5 rule, regulation ordinance anywhere that says  
6 they are precluded from that process.

7 And so this year we included that language  
8 in there, as We typically do, for those reefs in  
9 those areas. We haven't in, I think the last  
10 opening order, but we generally do in Biloxi  
11 Bay, we included that language.

12 But -- so the situation that we are at now,  
13 you know, the fishermen have called. They want  
14 to be in those areas. They want to capture that  
15 resource. And so we are allowing that. So we  
16 have a contradiction in the opening order and  
17 the process that is going on now.

18 So in order to continue that process, the  
19 Commission has to vote to remove Item H out of  
20 the opening order.

21 The other alternative is not allow the  
22 fishermen on the recreational reefs.

23 COMMISSIONER BOSARGE: Is there a path  
24 where we do this on a temporary basis?

25 JOE JEWELL: Absolutely. That certainly is

1 JOE JEWELL: It's just a few acres.

2 COMMISSIONER GOLLOTT: Don't we set a bad  
3 precedent setting stuff, "Oh, this only for  
4 recreational," "This is only for commercial?"  
5 You know, isn't that a bad precedent to start  
6 setting?

7 JOE JEWELL: Well, like we have discussed  
8 before there is no statute, federal rule or  
9 regulation that prohibits that. If there was,  
10 certainly I would have mentioned it to all of  
11 the Commissioners; but there is no rule that  
12 says that you can't. The only precedent set is  
13 that these were intended for recreational  
14 purposes. They were built for recreational  
15 purposes. And that was the purpose of them, but  
16 there is no nothing that says you can't open  
17 them for commercial use.

18 COMMISSIONER HAVARD: It is to attract  
19 fish.

20 JOE JEWELL: That's correct.

21 COMMISSIONER HAVARD: It doesn't matter who  
22 has got the hook and line. The reefs were put  
23 in place to attract fish. They are fishing  
24 reefs. And then we go and harvest the reef.

25 COMMISSIONER BOSARGE: All right. We have

1 a consideration.

2 COMMISSIONER BOSARGE: Well, I don't think  
3 that's in the motion, but, in other words, to  
4 see --

5 COMMISSIONER GOLLOTT: Well, we will have  
6 next season. When it comes up we can make a  
7 decision on that, but right now, we have a  
8 decision to make. And we have a motion to  
9 remove it from this season only.

10 COMMISSIONER HAVARD: The resource is going  
11 to decide for us.

12 COMMISSIONER GOLLOTT: Yeah.

13 COMMISSIONER BOSARGE: Yeah. So the motion  
14 that is put forth is strictly for this season.  
15 It's not a permanent thing?

16 JOE JEWELL: That's correct.

17 COMMISSIONER BOSARGE: Okay.

18 JOE JEWELL: Commission can reconsider it.  
19 So you can't think of the artificial reefs like  
20 you do a oyster reef. You know, there is  
21 material that is down there that is  
22 intentionally growing oysters. It's in a very  
23 limited space a very limited structure. It's  
24 not a very dense, huge --

25 COMMISSIONER BOSARGE: That's right.

1 a motion and we have a second. All those in  
2 favor, Aye. Opposed, Aye. We have got -- the  
3 motion carries.

4 (Motion carries.)

5 JOE JEWELL: Okay. Thank you,  
6 commissioners.

7 Next, like I said, we have six items that  
8 the Commission needs to consider, or at least  
9 discuss this afternoon.

10 First up is a process that occurred I think  
11 originally in our September Commission meeting.  
12 I want to give a little regulatory background  
13 before we actually move into it. The ISSE Model  
14 Ordinance defines a prohibited area as "An area  
15 where the harvest of shell stock for any purpose  
16 with the exception of depletion or gathering of  
17 seed for aquaculture is not permitted."

18 In the Commission and DMR rules it is  
19 defined in Title 22, Part 1: "A prohibited  
20 water" -- it's slightly a modification of that  
21 ISSE definition -- it says: "Waters that are  
22 prohibited for the harvest of shellfish for any  
23 purpose except depletion. A prohibited  
24 shellfish growing area is closed for the  
25 harvesting of shellfish at all times."

1 The classification definition for  
 2 restricted area, "Closed area waters for which  
 3 shellfish may be harvested only if permitted and  
 4 subject to suitable and effective purification  
 5 processes as determined and permitted by the  
 6 Commission on Marine Resources."  
 7 Next slide. So we originally gave an  
 8 estimate for the relay activities in the  
 9 Pascagoula area based on the entire reef of  
 10 Pascagoula Causeway. That's that large green  
 11 area to the east, to the right on the map. If  
 12 you look closely at the map there is a dotted  
 13 hatched area. That is the restricted area. The  
 14 area to the east that kind of divides the  
 15 Pascagoula reef into thirds, two-thirds of the  
 16 Pascagoula reef lies in prohibited waters.  
 17 And so when that was determined, we gave a  
 18 re-estimate of the available resources for  
 19 the-one -- I mean, the 30 percent quota. It was  
 20 around five, 6,000 sacks, not that 11,000 sacks  
 21 that we originally had discussed. So I wanted  
 22 to bring that to the Commission's attention and  
 23 then answer any questions. I think, Mr. Gollott  
 24 --  
 25 COMMISSIONER BOSARGE: How many sacks?

1 reef. So I think that's where some of the  
 2 confusion came from. But we did discuss 30  
 3 percent reduction in that area.  
 4 COMMISSIONER GOLLOTT: So what is your  
 5 percentage that's completely off limits? We  
 6 can't do anything with them?  
 7 JOE JEWELL: Oh, no. The Commission can  
 8 reconsider that right now if you would like to.  
 9 COMMISSIONER GOLLOTT: So we can relay from  
 10 a prohibited area?  
 11 JOE JEWELL: Not prohibited.  
 12 COMMISSIONER GOLLOTT: Well, you're saying  
 13 that part of the -- part of this reef is  
 14 prohibited now.  
 15 JOE JEWELL: Three quarters of it is  
 16 prohibited.  
 17 COMMISSIONER GOLLOTT: Three quarters of  
 18 it.  
 19 JOE JEWELL: It always been prohibited. We  
 20 just do not make that as clear as we should  
 21 have.  
 22 COMMISSIONER BOSARGE: And when you say  
 23 only for depletion, only to get rid of it. Is  
 24 that what you are saying?  
 25 JOE JEWELL: No, depletion means moving

1 Would you repeat that, please?  
 2 JOE JEWELL: We originally estimated around  
 3 11,000 sacks that would be available in that  
 4 entire area --  
 5 COMMISSIONER GOLLOTT: Thirty percent of  
 6 it.  
 7 JOE JEWELL: -- but that was including the  
 8 entire footprint of the causeway reef.  
 9 COMMISSIONER GOLLOTT: Okay.  
 10 JOE JEWELL: Now, we are estimating just  
 11 under 16,000 sacks.  
 12 COMMISSIONER GOLLOTT: To get 30 percent.  
 13 JOE JEWELL: To get 30 percent of the  
 14 available area.  
 15 COMMISSIONER GOLLOTT: Where did we come up  
 16 with the 30 percent on this? I know we did the  
 17 30 percent on the harvest on the west end of the  
 18 sound. But I didn't think we addressed this.  
 19 JOE JEWELL: We did.  
 20 COMMISSIONER BOSARGE: I think we--  
 21 JOE JEWELL: We had some discussion about  
 22 it. We did have some discussion about -- and we  
 23 did state that we were going to reduce by  
 24 30 percent the Pascagoula area. We said "area."  
 25 we didn't actually say the reef or causeway

1 from one area of high concentration to an area  
 2 of low concentration, but they are both  
 3 prohibited areas.  
 4 You can't move from a prohibited area to a  
 5 conditionally approved approved area, because  
 6 where ever you move that oyster becomes  
 7 prohibited. Well, like we have discussed  
 8 before, I think this BS. You can take these  
 9 oysters and depurate them in two weeks. Nobody  
 10 has ever said you can't. The shells doesn't  
 11 become polluted, you know, and this is something  
 12 that ISSC come up with.  
 13 And I think we need to try to get it  
 14 changed to where we can relay these oysters out  
 15 of here, if they got to sit there six months or  
 16 if they have got to sit there a year for them to  
 17 depurate and become to become clean, that's what  
 18 we need to be able to do.  
 19 JOE JEWELL: I think you've made your  
 20 intentions clear. Actually, I have had a  
 21 discussion with several of the fishermen out at  
 22 break. And they had some very innovative ideas  
 23 about that. I want to explore all of those, but  
 24 --  
 25 COMMISSIONER GOLLOTT: Okay.

1 JOE JEWELL: -- the reclassification of the  
2 area, I can tell y'all that from ISS- a federal  
3 process. That's not to happen soon or quick.  
4 We can reconsider it. We certainly can propose  
5 it. But I can tell you, as y'all all know,  
6 dealing with the federal government that will  
7 not go fast. And so that's not probably the  
8 first option.

9 But the fishermen had some pretty good idea  
10 about what to think about and maybe explore.  
11 Some of them liked the ideas that you discussed,  
12 Richard, and some of them actually included  
13 making a proposal for reclassification of  
14 "prohibited" to the ISSC and their next annual  
15 meeting. So there is some ideas out there or  
16 ways to get around, but right now, we are kind  
17 of in this place where two-thirds of the reef is  
18 in prohibited areas, where there is nothing that  
19 we can really do with it. Only a third of it is  
20 in there and that's with the re-estimation they  
21 gave you for all of that area. There is several  
22 -- the east Pascagoula Reef area. We did that  
23 assessment there. So it is just under 6,000  
24 sacks.

25 COMMISSIONER GOLLOTT: Well, what you are

1 Shellfish Bureau years ago and they started  
2 building a database and area classification for  
3 that several years ago. It wasn't something  
4 that happened overnight or within a year. That  
5 took a long process of accumulating the  
6 appropriate number of water samples to get that  
7 reclassification. This is an area that's been  
8 in this classification system before any of us  
9 have been here. And we are just now considering  
10 that. So we certainly -- you know, the reason  
11 why that's there is because if you look, of  
12 course, Ingalls Shipyard, one of the largest  
13 employers in the nation, is a very huge  
14 commercial activity that puts a lot of stuff  
15 into the water as byproduct from their process.

16 COMMISSIONER GOLLOTT: Let me say this:  
17 Back in the 1970's when I was relaying oysters  
18 out of here and put them in baskets to dehydrate  
19 them, the federal government checked heavy  
20 metals and all of that stuff in the oysters, and  
21 surprising to me there was no heavy metals  
22 around Ingalls or anythings. Apparently, they  
23 ran a good clean operation there for years.

24 So I don't think heavy metals and stuff  
25 like that will be a problem.

1 doing, is you are setting two-thirds of the reef  
2 aside. We can't touch that.

3 JOE JEWELL: We're not doing it. That's  
4 the regulatory process.

5 COMMISSIONER GOLLOTT: Well, I understand.  
6 But now you want to split -- take 30 percent of  
7 the area that we can relay?

8 JOE JEWELL: Well, no, we are taking  
9 30 percent from that entire area. That includes  
10 the west of Pascagoula River.

11 COMMISSIONER GOLLOTT: Since we are only  
12 taking one-third of it, why not take 100  
13 percent?

14 JOE JEWELL: Well, it is because it is --

15 COMMISSIONER GOLLOTT: --that we only got  
16 30 percent.

17 JOE JEWELL: Well, it's in prohibited  
18 waters. That's why.

19 COMMISSIONER GOLLOTT: How long do you  
20 think it will take us to get the federal boys to  
21 change their mind? We did a pretty good job  
22 with getting the bay open.

23 JOE JEWELL: We did. But that -- getting  
24 the bay open actually took years to accomplish.  
25 that's something that the Commission charged the

1 My problem is we need --

2 JOE JEWELL: I don't think the --

3 COMMISSIONER GOLLOTT: -- oysters in the  
4 bay so these fishermen will have something to  
5 catch next year. Three years from now, you  
6 know, our culch material should be producing  
7 just like the reef that produced in the Biloxi  
8 Bay.

9 So I think setting only 30 percent of this  
10 thing aside is kind of silly, since you already  
11 have got two-thirds of it set aside, you can't  
12 touch anyhow.

13 JOE JEWELL: Well, I think most of the  
14 fishermen are not going to disagree with you,  
15 but be that as it may, two-thirds of the reef is  
16 in prohibited classification and there is not  
17 anything that that Commission nor the DMR can do  
18 about that until that classification is changed.

19 COMMISSIONER TRAPANI: And how long has  
20 that classification been that classification?

21 JOE JEWELL: Like I said, I can't say an  
22 exact amount but I clearly want the Commission  
23 to understand that's a protracted process. That  
24 will not happen this year. That probably will  
25 not happen next year. It will take a while to

1 restructure that area.  
 2 COMMISSIONER TRAPANI: Oh, actually, what I  
 3 was saying is the classification that is here,  
 4 not us trying to get a new classification, how  
 5 long has this existed, this classification,  
 6 where the prohibited area is and where the  
 7 restricted is.  
 8 COMMISSIONER BOSARGE: As far as I know  
 9 1963.  
 10 JOE JEWELL: It's been there at least -- I  
 11 can say at least 35 years.  
 12 COMMISSIONER TRAPANI: So I am just a  
 13 little confused that in the beginning of the  
 14 season when we discussed this we had other  
 15 numbers, and now we have these numbers, so if  
 16 that was since 1960 did you not know that?  
 17 JOE JEWELL: We -- the staff --  
 18 COMMISSIONER TRAPANI: That we couldn't  
 19 pull from that, because -- do you see what I am  
 20 saying? Do you understand my question?  
 21 JOE JEWELL: Oh, absolutely. And we have  
 22 had this discussion before too. And, you know,  
 23 I take complete responsibility for that.  
 24 The staff made that estimate using a map  
 25 that didn't have this classification on it, but

1 then when we started the actual process of  
 2 depletion, we have a GIS program that prints the  
 3 map, this map in there, it clearly printed it  
 4 out and we detected a problem right away. And  
 5 we made the Commission, the executive director,  
 6 aware of that as quickly as we knew that the  
 7 areas were not properly estimated as we said.  
 8 And, certainly, that was not done correctly.  
 9 And like I say, I take responsibility for that.  
 10 COMMISSIONER GOLLOTT: So, Joe, let me ask  
 11 you this: In other words, if we relay out of  
 12 this area and get the 30 percent, then we stop  
 13 and we move to another area in the bay and we  
 14 move these prohibited oysters there for seed,  
 15 how many years have they got to sit there before  
 16 we can harvest them?  
 17 COMMISSIONER BOSARGE: I think he is --  
 18 JOE JEWELL: You can't harvest them.  
 19 COMMISSIONER BOSARGE: You can't. The way  
 20 -- if I understand correctly, the way the law  
 21 is, the only way you could move those oysters  
 22 would be to move prohibited oysters in an area  
 23 that is prohibited also. You couldn't move  
 24 prohibited oysters --  
 25 JOE JEWELL: You can't harvest them. So if

1 our aquaculture program called me up and said,  
 2 "We need some oysters for seed." We could  
 3 accommodate them through this process, because  
 4 they are not putting that into the food chain,  
 5 not directly putting it into the food chain.  
 6 If we deplete for harvest we are directly  
 7 putting those oysters into the food chain.  
 8 COMMISSIONER GOLLOTT: How quick can we  
 9 meet with the federal government to find out?  
 10 The last time we got the bay open we met with  
 11 the federal inspector, and he sat down and gave  
 12 us advice on how to get this thing done.  
 13 JOE JEWELL: Oh, we could do as early as  
 14 this afternoon or tomorrow morning, when I can  
 15 send an e-mail notifying them that we are  
 16 interested in --  
 17 COMMISSIONER GOLLOTT: We want to look at  
 18 it. We want to see what the --  
 19 JOE JEWELL: -- getting reclassified in  
 20 that area.  
 21 COMMISSIONER HAVARD: If something happens  
 22 to this reef that's it. We have no where else  
 23 to go get seed oysters. That's it. If a  
 24 natural occurrence -- if a DO occurs, that's it.  
 25 We are done. Where do we get oysters from then?

1 COMMISSIONER BOSARGE: Well, there's a few  
 2 more spots and maybe not as big of places, but  
 3 we still have Graveline, we still have got Bayou  
 4 Cumbest and Bayou Herring, Bangs Lake. There's  
 5 a few more places, but nothing to this --  
 6 COMMISSIONER HAVARD: Nothing of this  
 7 magnitude.  
 8 COMMISSIONER BOSARGE: No. that's right.  
 9 That's right.  
 10 COMMISSIONER TRAPANI: Didn't a couple of  
 11 years back didn't you used to relay from this,  
 12 like ten years ago let other people go in here  
 13 and relay, like fishermen, or not?  
 14 JOE JEWELL: I don't recall that.  
 15 COMMISSIONER TRAPANI: Because I have  
 16 talked to a fisherman and that's what he told  
 17 me. He said that's how he has built a lot of  
 18 his reefs is taking it out of here and putting  
 19 it in --  
 20 JOE JEWELL: I know way before I ever got  
 21 here, I have heard of people that were doing  
 22 that out of Pascagoula, but that was more than  
 23 --  
 24 COMMISSIONER TRAPANI: I mean, this area  
 25 grows oysters is what I am saying. I mean, I

1 just feel like if you take away from this area  
 2 and you culch plant it, it is going to come  
 3 back, that's why these oysters are living here.  
 4 JOE JEWELL: Um-hum. (Affirmative)  
 5 COMMISSIONER TRAPANI: They are just -- the  
 6 water is wrong, but --  
 7 JOE JEWELL: Commissioner Gollott has  
 8 brought that point up. When we deplete these  
 9 resources in the Pascagoula River that we try  
 10 and replenish them for culch planting.  
 11 COMMISSIONER TRAPANI: Yeah, we need to  
 12 make sure we are doing that.  
 13 JOE JEWELL: And so that's going to be in  
 14 one of my presentations coming up too. We are  
 15 sort of getting a little ahead of it, but that  
 16 certainly is a management option that should be  
 17 executed when we deplete, reflect this.  
 18 COMMISSIONER HAVARD: Three or four years  
 19 ago I bet no one could fathom that Henderson  
 20 Point would be in the condition today that it  
 21 is. I'm just scared that's what is going to  
 22 happen here eventually. If something -- if an  
 23 occurrence occurs like that, we are in a bind at  
 24 that point.  
 25 COMMISSIONER TRAPANI: But are we blaming

1 make a living.  
 2 JOE JEWELL: Okay.  
 3 COMMISSIONER BOSARGE: All right.  
 4 JOE JEWELL: All right. Next item for the  
 5 Commission's consideration, I would like to do a  
 6 short update of our relay activities.  
 7 I am not going to go through all of these  
 8 dates for the expense of time, but needless to  
 9 say that we dredged oysters for a total of three  
 10 days. We had a deployment of those oysters -- I  
 11 mean, four days. And we had a deployment of  
 12 those oysters for three days. The total amount  
 13 of the sacks that were relayed were 3,173. Eric  
 14 mentioned that number earlier this morning. All  
 15 of these oysters that were relayed from the area  
 16 were deployed in the Biloxi Bay reef. If you  
 17 will look on the site you will see.  
 18 We reclassified -- we had to reclassify  
 19 area B -- I mean, Area 5 into Area 5A and 5B.  
 20 5B is the area north of the Biloxi channel.  
 21 That area has been restricted until we can  
 22 increase the water quality.  
 23 The area south of the channel, of course,  
 24 it is split by the connector channel. That area  
 25 that's west of the connector channel is where we

1 that on being overfished, or are we blaming it  
 2 on fresh water and we can't get them to grow.  
 3 COMMISSIONER HAVARD: It's a natural  
 4 occurrence.  
 5 COMMISSIONER TRAPANI: I mean --  
 6 COMMISSIONER HAVARD: So fresh water.  
 7 COMMISSIONER GOLLOTT: The reason this reef  
 8 has lasted a hundred years like it has and  
 9 produced is because it is shallower coming out  
 10 of the Pascagoula River and that's where the  
 11 water mixes with the saltwater. And you've got  
 12 just about ideal conditions to raise oysters  
 13 here and for oyster spat and everything. That's  
 14 --  
 15 JOE JEWELL: It's very similar --  
 16 COMMISSIONER GOLLOTT: It's just an ideal  
 17 area.  
 18 COMMISSIONER HAVARD: Let's increase it.  
 19 Let's move some of these oysters in the same  
 20 area, so that the way we will grow an additional  
 21 reef.  
 22 COMMISSIONER GOLLOTT: You don't need  
 23 additional reefs here. you have got plenty,  
 24 plenty reef here. And it's thriving. We need  
 25 reef in the Biloxi Bay where these fishermen can

1 are going to try and do most of our relay  
 2 activities too. It has the most suitable bottom  
 3 type and the most suitable for reproduction of  
 4 oysters.  
 5 So we have moved that 3,100 sacks of  
 6 oysters to the area indicated on the map. Are  
 7 there any questions?  
 8 Item number three, an update on our culch  
 9 planting activities. I think, Ms. Trapani, this  
 10 is what you were most interested in.  
 11 So far the site, we have 792 cubic yards of  
 12 shell that we have stored at our site in  
 13 Gulfport, on the intercoastal waterway.  
 14 396 cubic yards of shell is being used by  
 15 the remote set project. We have approximately  
 16 1,900 cubic yards of limestone that's going to  
 17 be stored at the Gulfport staging site. So we  
 18 are in -- we are ramping up to start culch  
 19 planting these areas.  
 20 A further update on the site, you know, we  
 21 have to modify the site to get The  
 22 Conservationist in there so that we can put the  
 23 material on there and bring out into the bay to  
 24 deploy.  
 25 So we completed the electrical component

1 that supplies power to the hopper conveyor. We  
2 are in the process right now of grading the  
3 bank. It's at a very steep angle. The angle  
4 has to be reduced so that the hopper can lay as  
5 flat as possible to the Conservationist. And  
6 then we are extending the pier eastward so that  
7 the Conversationist can just pull up to the pier  
8 and then be loaded up directly off of the site.

9 Richard, you've got that question written  
10 all over your face.

11 COMMISSIONER GOLLOTT: Go ahead. You are  
12 doing good.

13 JOE JEWELL: Okay. Item number four,  
14 shellfish legislation. I guess to get into this  
15 component of the presentation it's important for  
16 the Commission to understand their authority.  
17 So 49-15-5 states that "all seafood initially is  
18 the property of the State of Mississippi.

19 So originally when we started this process,  
20 the DMR had the ability to collect all of the  
21 oyster shell from the harvesting component. And  
22 then as you know, on the next line, years later  
23 we altered that for a lot of management reasons.

24 We -- the Senate -- I mean the Legislature  
25 passed the process where -- can you advance to

1 We changed that to a shell retention fee.

2 But the fee is so minor, you know, we are  
3 getting 30 cents or 50 cents a sack. And our  
4 production is down, so it's not really creating  
5 any revenue to go buy shell. And so we wanted  
6 to go back -- or we did attempt to go back last  
7 year to the Legislature and increase the fee.

8 We were gonna just try to get an increase in the  
9 fee to try to get on balance a little more  
10 revenue where we could go out and buy shell.

11 It failed. At least for one reason that,  
12 you know, there's no appetite in the Legislature  
13 to increase any fees or tax, just because it's  
14 politically unpopular. And so although we were  
15 just asking for a very minor increase, just --  
16 it failed.

17 And so we were trying to circle back and  
18 look at this. And Commissioner had some other  
19 thoughts about, you know, either -- you know, if  
20 we don't change it, you know, the fishermen and  
21 the processors are taking ownership of this  
22 shell. And the fishermen are not doing anything  
23 with it. I mean, basically after they sell it  
24 to the processor they walk away from it and the  
25 processors, at least one of our processors here

1 the next -- oh yeah. So what this essentially  
2 says is that we collect a fee for those shells,  
3 15 percent -- 30 percent total. Fifteen percent  
4 is paid by the harvester and 15 percent is paid  
5 by the dealer or processor. And so with that  
6 being said, I will open it up for further  
7 comment.

8 COMMISSIONER BOSARGE: Okay. What have you  
9 --

10 DIRECTOR MILLER: Well, let me comment  
11 first.

12 COMMISSIONER BOSARGE: All right.

13 DIRECTOR MILLER: Because this has come up  
14 in previous years when we go into legislative  
15 session. And one item that continues to plague  
16 us is the amount of culch material that we can  
17 put out. And the previous -- and I don't  
18 know -- Sandy did some research on this last  
19 year trying to determine when they changed the  
20 law. And I think it was early 2000.

21 You know, the department used to get the  
22 shells that were harvested, because they were  
23 state property. And then, you know, we would  
24 stage the shells and eventually put them back  
25 out.

1 in the state, you know, retains that shell.

2 So is there a way that the agency could go  
3 back and at least get half of those shells that  
4 the fishermen have paid for, but have somewhat  
5 forfeited to the processor, because they don't  
6 have any means to really go back and get it or  
7 take it out. So we were exploring that a little  
8 bit.

9 Now, there may be other legislative fixes  
10 without increasing the fee, maybe we go back,  
11 maybe we do away with the fee. And we do  
12 something similar to what Texas did, that you  
13 just showed me Commissioner.

14 But the idea is that we have got to find  
15 some way of getting that shell back into the  
16 water, and letting it produce the way that we  
17 know that it can produce. But right now  
18 increasing the fee doesn't seem like a  
19 legislative hill that can climb.

20 COMMISSIONER GOLLOTT: You know, I just  
21 acquired this -- Texas just passed this law that  
22 requires seafood dealers to distribute oyster  
23 shells in an amount equal to 30 percent of the  
24 total volume of oysters purchased in the waters  
25 designated by the Texas Parks and Wildlife

1 Department.

2 TPWD, which is the Texas Parks and Wildlife

3 Department. Oyster dealers can pay TDWD an

4 amount calculated equal to the current cost of

5 shells acquisition and deposition of the same

6 30 percent. In other words, if they -- if they

7 don't want to put the shells out themselves then

8 the agency can charge the dealers whatever it

9 takes to put them back in the water. Back years

10 ago when I was in the business, we had to give

11 50 percent of the shells back. And then the

12 agency had to spend the money to put them back

13 in the water. I was just asking Jamie wouldn't

14 this 30 percent be better on our agency if the

15 people that was purchasing the oyster shells had

16 to put them back in the water where ever we

17 designated them or either pay the equal amount.

18 It's pretty expensive to put these shells

19 back in the water. But the way I see it, this

20 is the only salvation for the oyster industry to

21 really get our volume back up, is to get enough

22 culch material out there.

23 And we have already proven that if you put

24 the culch material out there just like this 17

25 acres we did and what we -- I know we have

1 calculation. It's been quite a while since I

2 have done some calculations. The manual process

3 -- that exchange is quite expensive. Director

4 Miller and Commissioner Gollott pointed out,

5 have done that calculation.

6 COMMISSIONER BOSARGE: Yeah. And I'm

7 talking about, you know, involving the fishermen

8 in it to where if we don't have shells then we

9 need to get the next best thing that's

10 available. And then take those fishermen and

11 require that if they catch ten sacks they bring

12 ten sacks back the next day and put them out in

13 the designated area.

14 JOE JEWELL: I haven't done that

15 calculation.

16 COMMISSIONER BOSARGE: Yeah, in other

17 words, just an idea. Some way of -- some means

18 of replenishing some of the shell that we're

19 taking off.

20 COMMISSIONER GOLLOTT: Well, the problem

21 with that is -- and that's a great idea. But

22 the problem with that is, you need to put this

23 culch material down at a certain time of the

24 year when these oysters are spawning so you will

25 get the best catch. Because it's possible you

1 harvested over 2,000 sacks of oysters off of

2 that little square that we planted three years

3 ago. So if we put the shells out there, they

4 will come back.

5 I think that was the biggest downfall of

6 the whole industry. Everybody wanted to get

7 into the shell business and sell the shells

8 instead of putting them back in the water.

9 But I think the agency needs to lobby the

10 legislature this year to do something to get

11 the -- to either get the shell price up, which I

12 don't think we can do. But we might stand a

13 chance at 30 to -- 30 percent or something like

14 that for these dealers to have to put them back

15 on the public reefs. It's something to

16 consider.

17 COMMISSIONER GOLLOTT: Joe, have you ever

18 sat down and put a pencil to it to see -- and

19 I'm just going to use crushed concrete as an

20 example -- what, say, a oyster harvester catches

21 ten stacks of oysters, and he is required to

22 take ten sacks of material back out. What would

23 ten sacks in crushed concrete cost? Do you see

24 what I'm staying?

25 JOE JEWELL: I do. I haven't done that

1 could put that material out there and it foul up

2 with barnacles and stuff like that and you

3 wouldn't get a catch on it.

4 COMMISSIONER BOSARGE: Well, I agree but I

5 think right now any, any program that would put

6 material back out there at any time has got to

7 be a benefit.

8 But anyhow, if you could kind of look at

9 that. I mean, in my opinion, I don't think that

10 that would -- you know, a cubic yard of crushed

11 concrete, I don't think is about \$27 or

12 something like that.

13 JOE JEWELL: Uh-huh. (Affirmative). Okay.

14 COMMISSIONER GOLLOTT: Yeah. And I don't

15 know how much that translates into sacks.

16 But anyhow, it may be something that's not

17 as expensive that whether -- that dealers put

18 this pile of concrete up there -- anyhow, just

19 run it through. Think about it.

20 JOE JEWELL: Oh, absolutely. I wasn't

21 ignoring you. I just noticed the screens went

22 blank here. I was looking back here for my cue.

23 COMMISSIONER TRAPANI: I would just like to

24 add, that you know, we all know that we have got

25 to put this material back. And we are all



1 talking about it, and I'm not saying that we are  
2 not going to move on it, but this is really  
3 important, because, you know, now we are going  
4 into another legislative session. I guess the  
5 consensus is that we feel that that might not  
6 get passed. So we can't let another season go  
7 by without doing something to get these shells  
8 back, or get the money back. So, I guess, you  
9 know, we can talk about it today, but we really  
10 need to put this into action somehow, you know,  
11 if we feel like it's not going to get passed.

12 This is about half of our problem. And I  
13 want to say that I don't -- you know, it's great  
14 if we put it back, but I will agree with  
15 Richard. If we don't put it back at the right  
16 time, then we are not getting the biggest bang  
17 for our buck. We have got to put it back at the  
18 right time.

19 COMMISSIONER BOSARGE: I was talking about  
20 a program that didn't cost us anything.

21 JOE JEWELL: I'm sorry.

22 COMMISSIONER BOSARGE: The program I was  
23 referring to wouldn't cost us anything.

24 JOE JEWELL: It would cost the fishermen  
25 something though.

1 So my prospective is that the chances of it  
2 passing are moderate to small.

3 COMMISSIONER TRAPANI: Right. So we might  
4 need to go the other way.

5 DIRECTOR MILLER: Well, just to be clear,  
6 you know, we have our Legislature Forum each  
7 year to talk about these issues and to get the  
8 thoughts of our legislature about how we can be  
9 successful when we get up there.

10 I think what plagued this bill specifically  
11 was that there was a fee increase. And so when  
12 you have any legislation that has a fee increase  
13 it gets assigned to ways and means in the house.

14 And they just don't have an appetite to get  
15 it out of committee, because they don't want to  
16 take responsibility for anything.

17 But there is other -- other legislative  
18 fixes in this bill that may not require that,  
19 that may be possible. But I think when we sit  
20 with our Legislature on December 7th, we kind of  
21 go through this and tell them what we are trying  
22 to get done. And then let those folks advise us  
23 how the best path is.

24 So we are not letting it go. I just -- I  
25 think this kind of straightforward approach

1 COMMISSIONER BOSARGE: Cost the fishermen.  
2 That's right. He is the one that's got to  
3 purchase the shell or the concrete or whatever.

4 JOE JEWELL: So to answer, Commissioner  
5 Trapani, your question, I have 20 years of  
6 experience at sort of as a unique insider of the  
7 process that the legislature takes to pass a  
8 bill. And then I think Executive Director  
9 Miller who deals directly with the Commission  
10 may have some ideas.

11 But I can tell you this from my experience,  
12 it takes a quite a bit of effort to get a bill  
13 presented to the Legislature to go through that  
14 legislative process that sort of jurisprudence  
15 it has to be considered by the house.

16 COMMISSIONER TRAPANI: Right.

17 JOE JEWELL: By the senate. They have to  
18 meet and hammer out a negotiated deal between  
19 the two differences in the bills, and eventually  
20 it arrives to the governor's desk that can veto  
21 it. It takes quite a bit of legislative effort  
22 to pass any bill. So my input would be that we  
23 have attempted that process.

24 Director Miller has clearly pointed that  
25 out and the success that we've had with that.

1 about increasing the fee just is probably not  
2 the right way to go. We just need to find  
3 another work around.

4 COMMISSIONER TRAPANI: And if that doesn't  
5 work, you know, why can't we go back to those  
6 are -- the shells are owned by the state, you  
7 have to return the shells.

8 DIRECTOR MILLER: Well, we have to change  
9 the legislation to do that.

10 JOE JEWELL: This slide right here is the  
11 updated legislation that sort of allows that --  
12 provides that mechanism that the DMR gets around  
13 from collecting that shell.

14 Instead of collecting that shell, we  
15 collect this fee.

16 COMMISSIONER TRAPANI: Right.

17 JOE JEWELL: And so we have to undo this  
18 legislation to be able to do it.

19 COMMISSIONER TRAPANI: Right. But it's not  
20 -- I understand. But it's not substantial  
21 enough right now to do what we need to do.

22 DR. F. J. EICKE: Where's the fee going?

23 DIRECTOR MILLER: It goes to the agency.

24 DR. F. J. EICKE: Okay. And it's  
25 designated for use for something dealing with

1 oysters.  
 2 DIRECTOR MILLER: Yes. It is.  
 3 DR. F. J. EICKE: Okay.  
 4 JOE JEWELL: It goes into a special fund  
 5 designated specifically for shellfish  
 6 restoration.  
 7 COMMISSIONER GOLLOTT: How much did you  
 8 have to spend last year. Do you remember?  
 9 DR. F. J. EICKE: Pardon me. One other  
 10 comment. What Commissioner Gollott did not  
 11 refer to is the very first item. I sent the  
 12 Commissioners a description of the oysters law  
 13 in Texas.  
 14 COMMISSIONER BOSARGE: Mr. Eicke, we either  
 15 have to be on the mic or off the mic, but just  
 16 let him continue on just for a minute.  
 17 Go ahead, Joe.  
 18 JOE JEWELL: Oh, I was finished with my  
 19 comments. Yeah, this is a good stopping point  
 20 to allow comment.  
 21 COMMISSIONER BOSARGE: All right. But you  
 22 will have to come to the mic, Mr. Eicke.  
 23 DR. F. J. EICKE: This may not be real  
 24 popular, but I am going to say it anyway. If  
 25 Commissioner Gollott is using what I sent y'all

1 DR. F. J. EICKE: And they actually put a  
 2 additional fee on recreational fishermen to pay  
 3 for that buy-back. Now, that would raise holy  
 4 hell in this state. Okay? And I know that.  
 5 But we seem to not be able to take that  
 6 kind of prospective on things.  
 7 COMMISSIONER BOSARGE: And once again --  
 8 DR. F. J. EICKE: I know it's difficult.  
 9 COMMISSIONER BOSARGE: I know. And once  
 10 again, I don't mean to turn things around on  
 11 you, but we have too many fishermen in the  
 12 spotted sea trout fishery also.  
 13 DR. F. J. EICKE: Oh, okay. No problem.  
 14 COMMISSIONER BOSARGE: So are we going to  
 15 buy those licenses back too and put those people  
 16 out?  
 17 DR. F. J. EICKE: I don't think -- it's a  
 18 different ballgame, because you are talking  
 19 about a public resource.  
 20 COMMISSIONER BOSARGE: I know.  
 21 DR. F. J. EICKE: I mean, we could argue  
 22 that one, but --  
 23 COMMISSIONER BOSARGE: I know. I know.  
 24 DR. F. J. EICKE: But the point is that I  
 25 just wanted to make sure that if we are going to

1 which is a CCA article about the comprehensive  
 2 oyster law, which takes effect, which is in  
 3 Texas, the very first item in that list of what  
 4 that law did, is it established a commercial  
 5 oyster license buy-back program.  
 6 One of the things that we see to not be  
 7 able to deal with in Mississippi is that we have  
 8 a restricted resource in all -- in various  
 9 areas. I think it's true in oystering. And we  
 10 may have a situation where we have got more  
 11 oyster people than we can sustain in a  
 12 livelihood.  
 13 COMMISSIONER BOSARGE: I think that covers  
 14 a lot of ground in a lot of fisheries. Go  
 15 ahead.  
 16 DR. F. J. EICKE: Okay. And I think it  
 17 also applies, quite frankly, to shrimp. And, in  
 18 fact, Texas years ago -- and I made the staff --  
 19 certain members of the staff, actually Dale Diaz  
 20 when he was in Joe's position -- aware that  
 21 Texas had a buy-back program in shrimp -- inside  
 22 shrimp in Galveston.  
 23 COMMISSIONER BOSARGE: Bay license.  
 24 DR. F. J. EICKE: You may be aware of that.  
 25 COMMISSIONER BOSARGE: Bay license.

1 describe the Texas law that we include one of  
 2 the provisions that has been omitted.  
 3 COMMISSIONER GOLLOTT: And to answer your  
 4 question, Mr. Eicke, I would never use any CCA  
 5 propaganda.  
 6 DR. F. J. EICKE: Are you using my article?  
 7 COMMISSIONER GOLLOTT: No, sir. Absolutely  
 8 not.  
 9 DR. F. J. EICKE: So you got to the law.  
 10 You went to the law.  
 11 COMMISSIONER GOLLOTT: Yeah. I went to the  
 12 law.  
 13 DR. F. J. EICKE: Fine. But, I mean, what  
 14 was described was consistent so it doesn't  
 15 matter whether you read from the law or the  
 16 article in Time Magazine. And I realize he  
 17 wouldn't use CCA propaganda.  
 18 COMMISSIONER BOSARGE: Thank you, Mr.  
 19 Eicke.  
 20 Continue on, Mr. Joe.  
 21 JOE JEWELL: Thank you. Next item is  
 22 number five. Riparian rights. Of course, you  
 23 heard some discussion about this earlier this  
 24 morning in coastal's presentation on some of the  
 25 issues that came up, the riparian rights issue.

1 So I want to point out a couple of the  
2 statutes that regulate this before we move into  
3 further discussion on the topic.

4 So 49-15-9 it states -- and I will read  
5 just the relative parts of it. "The sole right  
6 of planting, cultivating the racks or other  
7 structures in gathering oysters and erecting  
8 bath houses and other structures in front of any  
9 land bordering on the Gulf of Mexico or the  
10 Mississippi Sound, the waters, tributaries  
11 thereto belongs to the riparian rights owner."

12 And so you heard earlier this morning -- I  
13 want to use an example of this. If you will  
14 move to the next slide please. Of course, we  
15 all know Mr. Cure. Mike is a good friend of  
16 mine. I have known him for years and years.  
17 And the reference to this earlier this morning  
18 about riparian rights in the coastal preserve --  
19 this happened to Mike's leases in 1998.

20 I was actually here during that process  
21 when that happened. He was subleasing that  
22 particular -- that's sort of a little triangular  
23 shape. He had like three leases within that  
24 area.

25 He subleased from a guy name Julian

1 Steinberg. And Mr. Steinberg sold the property  
2 to the State of Mississippi. And we became not  
3 only the owners of that property and it went to  
4 coastal preserves. We also became the riparian  
5 rights owners. And then at the time Mr. Cure's  
6 leases in that area was terminated, because they  
7 were all within the 750-yard zone.

8 And so with that being said, I think  
9 there's some more discussion that wants to be  
10 made.

11 COMMISSIONER GOLLOTT: Well, the riparian

12 --

13 JOE JEWELL: Just for discussion.

14 COMMISSIONER GOLLOTT: The riparian rights  
15 I think was -- in the beginning was for private  
16 landowners. I don't think it was for the State  
17 of Mississippi as far as riparian rights. So i  
18 think this was a miscarriage of justice here.

19 I could see it if you had took the riparian  
20 rights and maybe the state planted a reef there  
21 and was doing something with it. But it's just  
22 been a dead area since Mike lost it.

23 And I would like to see us challenge that  
24 and find out if the riparian rights were for  
25 private landowners and not the state. Why

1 should the state have riparian rights.

2 JOE JEWELL: So I think I'm probably going  
3 to disagree with you there. The statute clearly  
4 states who the title the property owns to is in  
5 control of the riparian rights. Now, as to  
6 whether -- and, you know, the DMR controls those  
7 riparian rights.

8 Now as to whether those rights should be  
9 restored under the current landowner or not,  
10 that's something the Commission would have to  
11 address.

12 COMMISSIONER GOLLOTT: I think the law  
13 clearly says that DMR is -- controls all of the  
14 water bottoms that's not riparian. Really, I  
15 guess it controls the riparian rights too.

16 The only thing riparian rights -- if I am  
17 recollecting right is allows you to build piers  
18 or raise oysters in your riparian rights. So,  
19 you know, if a person is not raising oysters  
20 there, they don't really have any right. I  
21 mean, fishing in an area that's over riparian  
22 rights, you can do anything but build a pier and  
23 plant somebody else's oysters there.

24 But why should the state have riparian  
25 rights?

1 JOE JEWELL: Well, like I said, the state  
2 is the owner now of that property. And the  
3 state moved that into the coastal preserves.

4 Now, another portion of 49-15-9 reads and  
5 it's a relevant consideration for the  
6 Commission: "A riparian owner shall comply with  
7 the Coastal Wetlands Protection Act in  
8 exercising the use of these riparian rights."  
9 So whoever owns those, including the Department  
10 of Marine Resources, has to comply with the  
11 Coastal Wetlands Protection Act.

12 COMMISSIONER GOLLOTT: And what stops the  
13 DMR from leasing this riparian rights?

14 JOE JEWELL: I think that's something  
15 Counsel Chesnut would have to answer.

16 COMMISSIONER GOLLOTT: Can we give her a  
17 little time to look into it and maybe get back  
18 with us on that?

19 Sandy, do you understand what we are trying  
20 to do?

21 MS. CHESNUT: Thank you.

22 JOE JEWELL: I simply brought that up for  
23 consideration --

24 COMMISSIONER GOLLOTT: Sure.

25 JOE JEWELL: -- because I know the

1 Commission has been asking questions about that.  
2 They have been interacting with our coastal  
3 office and the Office of Marine Fisheries. And  
4 so I wanted to bring that up for consideration.

5 MS. CHESNUT: So what we are considering  
6 here is looking at whether the Commission can  
7 lease for commercial purposes areas within the  
8 riparian rights off of state-owned property?

9 COMMISSIONER GOLLOTT: That's correct.

10 MS. CHESNUT: Okay. We can take a look at  
11 that and certainly get back to you.

12 COMMISSIONER BOSARGE: All right.

13 JOE JEWELL: Thank you, Ms. Chesnut, for  
14 that insightful interpretation.

15 JOE JEWELL: Next up for the Commission's  
16 consideration, the Commission has asked me to  
17 have a discussion on the justification for the  
18 30 percent recommendation that the staff has  
19 made and the Commission adopted at the October  
20 meeting for the opening of the 2017-18 oyster  
21 season.

22 So before we enter into that discussion, I  
23 know we have had a lot of discussion already on  
24 this in the earlier session this morning, I want  
25 to read the two items that we have here, not all

1 of it. I am going to abbreviate some of this.

2 So this is how -- when we first started  
3 this process, we were in a reductionist mode, we  
4 wanted to consider rebuilding the resource so we  
5 can retain or rebuild to harvest levels at two,  
6 three, 400,000 sacks like we did repetitively  
7 for years. And we were not harvesting at  
8 sustainable levels.

9 And so we looked out and reached out to  
10 other states and see -- to decide what they were  
11 doing. And so many of the Atlantic states on  
12 the east coast, Maryland, both of the Carolinas,  
13 Virginia, they restricted harvest somewhere  
14 between 24 and 35 percent. So we looked at what  
15 other states were doing and they were clearly in  
16 line with that recommendation that we made to  
17 the Commission.

18 Now, again we had some discussion about  
19 Louisiana, because there's been noted on public  
20 record that Louisiana is most like Mississippi.  
21 So when we look at Louisiana and how they go  
22 about managing their oyster resources, they have  
23 adopted the oyster budget model. And that's  
24 simply -- I think, Steve, you know a lot about  
25 this.

1 You are trying to get no net gain. What  
2 you take off you replace with something so that  
3 the reef is sustainable.

4 Louisiana detected about the same time the  
5 State of Mississippi did that the 50 percent  
6 reduction rate was not working for them. That  
7 was not a sustainable harvest. They clearly  
8 state that.

9 And we stated that. I stated that earlier  
10 this morning. If you look at where we were  
11 historically on a 20-year average, we were  
12 assessing that there were 400,000 sacks  
13 available. We were harvesting on a 20-year  
14 average, 200,000 sacks. So that's a 50 percent  
15 reduction that we are taking out of the  
16 resource.

17 The resource was not sustaining at that  
18 level. Over the ten, 12, even 14 years back  
19 that slide -- and I had that slide I think in  
20 this presentation. I will flip to it in a  
21 second. But you can see that we started a  
22 downward cycle, that we continue on now.

23 And it's at a really historic lows of  
24 harvest where we are at. We are in that 30,  
25 40,000 sack harvest.

1 And so we reached out to the other states.  
2 We saw that most of the states up on the east  
3 coast were adopting a similar type quotas for  
4 the management of their -- even lower quotas,  
5 the state of Louisiana, which is the largest  
6 harvest of oysters in the country, has tried to  
7 certify their program as a sustainable program,  
8 and doing that through the oyster model, the  
9 budget model.

10 And so that is the recommendation that we  
11 have given to the Commission. We had a special  
12 session in 2000 -- December of 2016, it was  
13 almost a year ago.

14 We, essentially, gave the same rationale  
15 for why we recommended that. And we are doing  
16 the same here today.

17 COMMISSIONER BOSARGE: Yep. And just maybe  
18 one comment, Joe. You know, so everybody maybe  
19 understands the thing, I think what I hear you  
20 saying, you can only take off the reef what the  
21 reef can produce in one year's time if you are  
22 fishing that reef every year and it be  
23 sustainable. If you take off 10,000 sacks that  
24 reef has to grow 10,000 sacks in a year's  
25 time --

1 JOE JEWELL: At a minimum.  
 2 COMMISSIONER BOSARGE: -- for it to be  
 3 sustainable.  
 4 JOE JEWELL: Correct.  
 5 COMMISSIONER BOSARGE: And if I understand  
 6 what you're saying we are taking off more than  
 7 that reef can put back.  
 8 JOE JEWELL: Absolutely.  
 9 COMMISSIONER BOSARGE: Yeah. That's right.  
 10 JOE JEWELL: We said that for the last  
 11 three years.  
 12 COMMISSIONER BOSARGE: So we can't continue  
 13 to do that.  
 14 JOE JEWELL: That's correct.  
 15 COMMISSIONER GOLLOTT: Can I ask something  
 16 when you are finished. I'm sorry.  
 17 COMMISSIONER BOSARGE: Yeah. Yeah, I'm  
 18 sure. Yeah. Sure. So we have to figure out  
 19 what, basically, what percentage on average of  
 20 that reef we can take off and it will replenish  
 21 itself to maintain that harvest level. I don't  
 22 know if -- anyhow.  
 23 And when we looked at what other states do,  
 24 and the ones that are successful, the -- either  
 25 rotating, where they fish one reef one year --

1 COMMISSIONER GOLLOTT: First of all,  
 2 Maryland, and Carolina, and Virginia is two  
 3 different worlds, I mean, as far as oyster  
 4 industry.  
 5 It takes as much as five years to raise an  
 6 oyster in the Chesapeake Bay wherein on the  
 7 coast you can do it three years. But has  
 8 anybody ever put the right amount of culch  
 9 material back to see if they could sustain these  
 10 reefs. I mean, I don't think in 20 years  
 11 Mississippi has ever planted enough shell  
 12 material to justify what they have taken off.  
 13 Have they, Joe?  
 14 JOE JEWELL: Well, I would probably  
 15 disagree with you. I know when Mr. Scott Gordon  
 16 was here -- before Katrina we had some of the  
 17 largest culch planting operations in the  
 18 country. The little State of Mississippi.  
 19 And that was the reason why we were able to  
 20 sustain those huge harvests that we were seeing.  
 21 It wasn't until we started reaching at 50  
 22 percent or just over 50 percent that overall  
 23 production started dropping off dramatically.  
 24 Is that -- can you flip through to --  
 25 there's a-- after the end of the -- yeah go--

1 JOE JEWELL: They do that.  
 2 COMMISSIONER BOSARGE: -- leave it for two  
 3 years. That was successful in some places.  
 4 Taking a percentage of the reef was successful  
 5 in places. And then the -- what Louisiana has  
 6 tried to do which was the --  
 7 JOE JEWELL: The budget model.  
 8 COMMISSIONER BOSARGE: Yeah, the budget  
 9 model. I don't know if that's successful or  
 10 not.  
 11 JOE JEWELL: Well, they have had some  
 12 success, but the success of that model is in  
 13 long term data collection to be able to make a  
 14 total assessment of it as a tool. And so they  
 15 have just adopted over the last two, three years  
 16 -- it hasn't been in effect in Louisiana for  
 17 very long.  
 18 But they were in similar -- they saw  
 19 similar reductions in their overall-production  
 20 like we had. Their commission has considered  
 21 similar things that this commission has  
 22 considered.  
 23 COMMISSIONER BOSARGE: I didn't mean to  
 24 interrupt you, but, Richard, if you want to  
 25 comment, go ahead.

1 keep going. There. That slide right there.  
 2 So this is a slide that Mr. Broussard has  
 3 presented to the Commission. At least a couple  
 4 times before we have discussed this slide.  
 5 But it has really a lot of good information  
 6 on it, if you really look at it and study it.  
 7 So you will see that dotted black line and  
 8 the straight green line, those are the  
 9 benchmarks that I was describing earlier this  
 10 morning and just now.  
 11 So over a 20-year period if you look at it  
 12 on average we predicted that there was 400,000  
 13 sacks of available resource. And on average we  
 14 harvested about 200,000 sacks of oysters. Well,  
 15 that process didn't work for us.  
 16 If you look at somewhere around '03, '05  
 17 you can see the bars go down -- start -- so if  
 18 you look at the 2001 where we had our largest --  
 19 just over 500,000 sacks harvested, you can see  
 20 where we dramatically dropped off the next year.  
 21 Look at '04, '05. And then we didn't have a  
 22 reassessment in '05-'06.  
 23 But then you can see when we started  
 24 approaching the Katrina years, we predicted a  
 25 lot of harvest. But we were taking again 50

1 percent of everything that is out there, or  
 2 more. And you can see the harvest levels just  
 3 drop off. That's the gray bar.  
 4 They continue to drop off. They are not  
 5 getting bigger, they are going smaller. So  
 6 that's the point that we have tried to reach out  
 7 to the Commission and make that the reduction of  
 8 50 percent is not an effective management  
 9 strategy.  
 10 It is not growing the resource. It is not  
 11 even sustaining the resource. It continues to  
 12 get lower and lower and to the very end where we  
 13 are at right now.  
 14 And so we made this discussion -- December  
 15 we had a special workshop meeting with the  
 16 Commission. And we discussed all of that,  
 17 Commissioner Gollott, you are right.  
 18 We brought all of that up. It's a little  
 19 bit deeper water. Industry up on the east coast  
 20 it's a lot colder. It takes the oysters to grow  
 21 a lot longer. We discussed all of that ad  
 22 nauseam at that December special workshop.  
 23 But I added Louisiana in there as a  
 24 contrast, because we are most described as being  
 25 similar to Louisiana. And they are in the same

1 culch back, it looks like you are saying that we  
 2 had one of the biggest culch planting --  
 3 JOE JEWELL: Before Katrina.  
 4 COMMISSIONER TRAPANI: -- times. Right.  
 5 JOE JEWELL: And if you look we were  
 6 producing two, three, 400 sacks. If you look  
 7 from '09 to about 2002, we sustained --  
 8 COMMISSIONER TRAPANI: But with putting  
 9 that much back in the private --  
 10 UNKOWN SPEAKER: Well, we absolutely were.  
 11 COMMISSIONER TRAPANI: Right. And that's  
 12 what the private guys do, they put back what  
 13 they take off.  
 14 JOE JEWELL: Correct. I agree with you.  
 15 yes.  
 16 COMMISSIONER TRAPANI: And if we don't do  
 17 that then we are going to still be where we are.  
 18 JOE JEWELL: That's right. We are not  
 19 doing that now. That's correct.  
 20 COMMISSIONER TRAPANI: So, I mean, you  
 21 know, that's almost the answers to the test  
 22 right there.  
 23 JOE JEWELL: That costs a lot of money.  
 24 COMMISSIONER TRAPANI: But I know, we don't  
 25 have the money. But we are all sitting here

1 condition that we are.  
 2 COMMISSIONER TRAPANI: I mean, I want to  
 3 add, I just think that we really can't be  
 4 compared to Louisiana, because --  
 5 JOE JEWELL: I don't think we can either.  
 6 COMMISSIONER TRAPANI: -- they are  
 7 90 percent, or whatever the percentage is,  
 8 private, ten percent public. They do produce  
 9 more oysters than anywhere. So we can't -- we  
 10 can't compare ourselves to that.  
 11 JOE JEWELL: I absolutely agree with you.  
 12 COMMISSIONER TRAPANI: And, secondly, you  
 13 know, if you look at what the private guys are  
 14 doing and what the public guys are doing,  
 15 whatever they are taking off, you are right,  
 16 they are putting back on.  
 17 We might not can put ours back on, but even  
 18 when we do, it sounds like over the years when  
 19 we put it back on, we don't have a problem with  
 20 the fishing and harvesting, we have a problem  
 21 with growing the oysters.  
 22 So it's something that -- I don't know that  
 23 -- the oysters aren't growing back.  
 24 JOE JEWELL: Well, I think --  
 25 COMMISSIONER TRAPANI: Even if you put the

1 talking in circles, but when you look what they  
 2 do and what they produce and what we do and what  
 3 we produce, it is really easy. Just look at  
 4 what they are doing. It's working. And if we  
 5 are so similar to them, then maybe we should.  
 6 JOE JEWELL: I don't agree that we are  
 7 similar, but we have been described as similar.  
 8 COMMISSIONER TRAPANI: And I agree.  
 9 JOE JEWELL: And I don't agree with that.  
 10 COMMISSIONER TRAPANI: But you said that  
 11 like three times that we are similar.  
 12 JOE JEWELL: I did. But the Commission has  
 13 stated in some --  
 14 COMMISSIONER TRAPANI: And I think that --  
 15 JOE JEWELL: -- of their meetings that we  
 16 are very similar to Louisiana.  
 17 COMMISSIONER TRAPANI: -- the reefs are ran  
 18 differently --  
 19 JOE JEWELL: And I don't agree with that.  
 20 COMMISSIONER TRAPANI: -- because most of  
 21 them are private.  
 22 JOE JEWELL: As far as the estuarine system  
 23 and environment, you know, the water  
 24 temperatures and the salinity levels are  
 25 relatively similar but there is nothing else

1 similar about it, you know, not even the way it  
2 is managed. But they are in these nooks and  
3 crannies and bayous. And there Calcasieu Lake.  
4 They have a totally different estuarine of where  
5 the oysters, where these are grown.

6 Where we are sort of this open-water system  
7 between the islands that they are located  
8 primarily at the openings of bays that are  
9 freshwater inputs, the Pearl River, the  
10 Pascagoula River. That's where you see the  
11 largest numbers of oysters at. And that's where  
12 the biggest number of reefs are.

13 COMMISSIONER TRAPANI: I think sometimes we  
14 get caught up in, you know, in a debate over  
15 harvesting more than overgrowing the oysters.  
16 And we need to put our focus --

17 COMMISSIONER BOSARGE: The thing that --

18 COMMISSIONER TRAPANI: -- and we need to  
19 put our focus back on that, not on everything is  
20 about harvesting and taking the oysters that are  
21 there. And I think we are not looking at what  
22 the real problem is. You know, it's --

23 COMMISSIONER HARMON: This chart right here  
24 is very much saying exactly what Commissioner  
25 Tripani is saying. If you look at these numbers

1 working over there we should -- it's easy.  
2 Let's try to do what they are doing.

3 MS. CHESNUT: Excuse me. We are going to  
4 have to pay attention to who's talking and make  
5 sure that only one person is talking at one time  
6 for the court reporter.

7 COMMISSIONER BOSARGE: I'm sorry.

8 COMMISSIONER TRAPANI: Okay.

9 JOE JEWELL: I will address Commissioner  
10 Harmon's concern and then Commissioner Trapani  
11 can take over from there.

12 But if you look at the times and when we  
13 had the largest harvest, that is the gray bar,  
14 not the black bar. The gray bar.

15 So when we look at '08 and '09 that's just  
16 after Katrina, and that's just when we had these  
17 huge inputs of disaster -- federal disaster  
18 funds. And we did some pretty extensive culch  
19 planting. And the result of that was:  
20 Increased harvest production.

21 But then as people have pointed out on  
22 numerous occasions, different groups here that  
23 we had the BP Oil event happen. And then the  
24 worst thing that we had, and probably in  
25 combination with BP, was opening the Bonnet

1 from '99 all the way to '04, that's unreal.

2 And you are getting 50 percent of them at  
3 that time.

4 And look at the sack count. And it shows  
5 you have another problem down here. And they  
6 come back in '08 and '09.

7 I mean, we need to look at, you know, what  
8 was done different then than versus now. And I  
9 don't think it is harvest on it.

10 COMMISSIONER BOSARGE: Well, but the one  
11 thing and the point I want to make as far as  
12 what you are saying about the private sector and  
13 them putting back, the difference is they don't  
14 go harvest that same spot the next year.

15 COMMISSIONER TRAPANI: I know. You are  
16 right. They move it around.

17 COMMISSIONER BOSARGE: But see, that's what  
18 we don't do.

19 COMMISSIONER TRAPANI: Well, then maybe we  
20 need to look and instead of doing 30 percent, we  
21 need to go we just planted that, don't touch  
22 that reef.

23 JOE JEWELL: So I want to make one point  
24 with Commissioner Harmon before we move --

25 COMMISSIONER TRAPANI: I mean, if it is

1 Carré. And there was no way getting out of  
2 that, because that was almost a complete  
3 devastation to all of the oysters out there.

4 So when you see the highest bars of what we  
5 are accessing out there that's when we had  
6 paired with lots of culch-planting activities.  
7 But there was a lot of federal dollars that were  
8 available back then when that was going on. So.

9 I think, Commissioner Trapani, you are  
10 pointing out a one pathway forward that was  
11 available to us when federal funding was  
12 available. When we were harvesting at high  
13 levels we were also replenishing it with culch  
14 materials, but the harvest was still on the  
15 decline.

16 I mean, you see those three years -- and  
17 then we harvested almost 500,000 sacks, well,  
18 the next year we back down to just a little over  
19 200,000. And we were still culch-planting.

20 COMMISSIONER TRAPANI: But not to those  
21 numbers we weren't. Correct?

22 JOE JEWELL: I mean, we just so  
23 over-harvesting --

24 COMMISSIONER TRAPANI: And I understand  
25 it's very --

1 JOE JEWELL: -- at that point.  
 2 COMMISSIONER TRAPANI: -- expensive. I'm  
 3 just trying to get to maybe what our problem is,  
 4 you know. Right?  
 5 JOE JEWELL: It's one of the problems, but  
 6 I mean, we have discussed a whole bunch of them.  
 7 We have low DO, we have predators, and  
 8 freshwater input. That certainly is clearly one  
 9 of the issues that we were confronted with, but  
 10 we have a whole bunch of them. That's one we  
 11 could do something about if we had money.  
 12 COMMISSIONER TRAPANI: Right. Well. . .  
 13 COMMISSIONER GOLLOTT: Are we planting in  
 14 the wrong place? Should we really be -- instead  
 15 of putting it so much in the western sound where  
 16 you have got Henderson Point and the dissolved  
 17 oxygen problems and the Bonnet Carré Spillway,  
 18 should we be trying to build up the Bay of  
 19 Biloxi where it doesn't look like they have  
 20 these natural disasters every few years.  
 21 JOE JEWELL: Well, you know, you have got  
 22 to give some credit to Mr. Broussard. He has  
 23 been reaching out to some of our industry  
 24 members. And we are planting smarter. We are  
 25 looking at those one meter square dives that we

1 do and we are also getting bottom type to us.  
 2 And so we are distributing the culches in  
 3 smaller groups so that if we have a failure on  
 4 one side of the sound we recover on the other  
 5 side.  
 6 We are planting them in areas where we are  
 7 predicting the highest success for them. And  
 8 certainly in Biloxi Bay, I agree, there's a lot  
 9 of room for culch plant in Biloxi Bay,  
 10 particularly after what we did right after  
 11 Katrina.  
 12 You know, we depleted the bay pretty  
 13 significantly afterwards, but we did no culch  
 14 planting.  
 15 And so we are at where we are at in Biloxi  
 16 Bay. And that played a significant role in that  
 17 process.  
 18 COMMISSIONER TRAPANI: Right. Right.  
 19 JOE JEWELL: Are there any other questions?  
 20 COMMISSIONER TRAPANI: I guess in the  
 21 future, we should have, you know, known what we  
 22 are going to take from it, we need to culch  
 23 plant.  
 24 JOE JEWELL: Sure.  
 25 COMMISSIONER TRAPANI: Are we going to

1 culch plant where we are taking from the relay?  
 2 JOE JEWELL: We are going to do that.  
 3 Absolutely.  
 4 COMMISSIONER TRAPANI: Okay. Good.  
 5 JOE JEWELL: But our main target is Biloxi  
 6 Bay. I mean, we are going to try and bring that  
 7 to an area where they are have an alternative  
 8 place to harvest when the western reefs are  
 9 down.  
 10 So we are going to put a lot of effort into  
 11 Biloxi Bay, but we are going to do some in to  
 12 Pascagoula. Sure.  
 13 Is there anything?  
 14 COMMISSIONER BOSARGE: I am waiting on you,  
 15 Joe.  
 16 JOE JEWELL: Oh, I'm sorry. I didn't know  
 17 y'all were waiting on me. I think that's it.  
 18 That's all I have for y'all's consideration.  
 19 COMMISSIONER BOSARGE: All right. And,  
 20 Paul, did you have a comment you wanted to make?  
 21 Or are we past that point?  
 22 JOE JEWELL: I think I wore everybody out.  
 23 DR. PAUL MICKLE: Paul Mickle, Chief  
 24 Scientific Officer at DMR. I just want to say  
 25 that these are all tough conversations. I want

1 to admire all of you for going through this.  
 2 We are going to be going through it for  
 3 years to come. And I want to say that the  
 4 agency is taking a real strong stance on that  
 5 30 percent.  
 6 I want to echo that. And talk about just  
 7 we have seen and what we have learned with  
 8 oysters so far.  
 9 We have learned a lot. All of us have  
 10 moved forward. And Joe's been here a long time  
 11 and gotten through these conversations, but  
 12 there is certain areas of the Gulf and there's  
 13 certain areas here that have lost the ability to  
 14 spawn. And when you lose that ability to spawn  
 15 it's gone forever.  
 16 There's areas in Alabama that they have no  
 17 more spawn left. And once it's gone you don't  
 18 get it back. So having the ability to spawn  
 19 within your areas and your regions is still here  
 20 in Mississippi.  
 21 The western sound we see spat, whether the  
 22 spat is surviving through natural mortality is a  
 23 different issue that I am hopeful is gone now  
 24 and is gone away. And we are going to see  
 25 recruitment in our fishery.



1 But the western sound we see -- we have  
2 hard data showing that spawning viability of  
3 that population is still there and it's still  
4 very strong. So when we start harvesting very  
5 aggressively we -- the biologists get nervous,  
6 because we still have that ability. We don't  
7 want to lose that ability that our viability or  
8 viable population has.

9 I think the eastern sound struggles with  
10 spawning. The data shows that. And we need to  
11 be fairly conservative with harvest in those  
12 areas too. But we --

13 COMMISSIONER GOLLOTT: Wait a minute, Paul,  
14 what area are you talking about in the eastern  
15 sound? It can't be Pascagoula you are talking  
16 about.

17 MR. MIKHAIL: No, I'm not talking about  
18 Pascagoula reef. I'm talking about some of the  
19 other areas.

20 COMMISSIONER GOLLOTT: Oh, okay.

21 DR. PAUL MICKLE: You know a hundred years  
22 ago the largest oyster bar in the entire Gulf of  
23 Mexico is right off -- right at the mouth of the  
24 Biloxi Bay. They built an island out of the  
25 shells they were so big.

1 you know I sat down with Director Miller before  
2 I talked about a shell recycling program with  
3 the restaurants. And I know a lot of these  
4 other states are doing that. And I'm just  
5 wondering why we aren't willing to go down that  
6 path.

7 And, you know, I was at this restoration  
8 summit. And they said they spent like  
9 \$72,000,000 on oyster restoration so far. And  
10 I'm sure that's probably not all of it.

11 But it seems like to me that we could be  
12 spending some of that money going around to  
13 these restaurants collecting the shells.

14 When I talk with the restaurants they are  
15 more than willing to save it for us. I know it  
16 may not amount to nothing, but, you know, if we  
17 are getting a lot more bang for our buck it just  
18 makes a lot of sense that we pursue something  
19 like that. I know you talked about opening the  
20 reefs on a rotating basis.

21 I think one of the fishermen that got up  
22 and said, you know, he had rather see St. Joe  
23 opened up this year, and the rest of the reef  
24 stay closed. There is a state statute on that,  
25 the round-robin rule, where essentially, you

1 You know, it's just part of that -- I think  
2 the spawning variability in certain areas is  
3 down, and certain areas it's up.

4 And in the western sound I think we need to  
5 be very hopeful that we are going to see some  
6 oyster production there.

7 But I applaud y'all on the difficult  
8 discussions we have had here today. This is how  
9 we get things done, so thank you.

10 COMMISSIONER BOSARGE: Yeah. Thank you,  
11 Paul. Do we have any other -- Ryan Bradley,  
12 your public comment, you had something about you  
13 wanted to reserve some of it.

14 RYAN BRADLEY: I will make mine brief here,  
15 a couple of things.

16 COMMISSIONER BOSARGE: Thank you, Joe.  
17 JOE JEWELL: Thank you.

18 RYAN BRADLEY: Ryan Bradley. I will be  
19 brief. I know y'all are ready to go home today.  
20 I just want to say, I really appreciate you guys  
21 really considering getting those shells back on  
22 the reef. I think that out of the most concerns  
23 I hear from the fishermen, they really question  
24 the use of this limestone. And they think there  
25 may be some unintended consequences there. But,

1 know, it says the Commission may open the reefs  
2 on a rotating basis. And I think that maybe  
3 that's something they was doing, back in the,  
4 you know, the early parts of 2000s and late '90s  
5 that maybe that had something to do with it.

6 Let's see, oh, on the stock assessment  
7 methodology, you heard a lot of guys speak today  
8 about they really didn't trust the numbers of  
9 the stock assessment. I really applaud this  
10 innovative quota system that we have on the  
11 oysters. I think we are the only state, one of  
12 the only states doing that, the Gulf. I think  
13 that's a great approach.

14 And I really understand this 30 percent  
15 concept. We are in the rebuilding phase. But,  
16 you know, to me if you don't want fishermen  
17 coming up here disputing the numbers, you know,  
18 I would suggest, you know, maybe we can get some  
19 fishermen involved and some cooperative research  
20 while we are doing this stock assessment. Some  
21 of these guys that were here in the room today,  
22 they would love to take you out on their boats  
23 or go out on the boat, on the Conservationist  
24 with you and show you where to go out.

25 I have a hard time believing that, you

1 know, you have got maybe some inexperienced  
 2 operators out on the Conservationist. Maybe  
 3 they have got a lot of experience. But, you  
 4 know, they know just how to set that chain and  
 5 do it all the way these guys have been doing it  
 6 for decades. But just something for y'all to  
 7 consider there and thank you for all of your  
 8 hard work and appreciate it.

9 COMMISSIONER BOSARGE: All right. Thank  
 10 you, Mr. Bradley.

11 All right. We have one more. Ms. Thao Vu.

12 THAO VU: Good afternoon, commissioners and  
 13 Director Miller. Thao Vu for Mississippi  
 14 Coalition for Vietnamese-American Fisher Folks  
 15 and Families. And since I'm the last person  
 16 making public comments, I think I will  
 17 respectfully request a little bit more than  
 18 three minutes. More than three minutes.

19 First of all, I would like to reiterate the  
 20 fisherman who made the earlier comments this  
 21 morning. You know, all the ones who came today,  
 22 this morning, they missed a day of harvesting  
 23 today to come here to plead their case.

24 It's not an over-harvesting problem. They  
 25 are struggling so much. Dear God help us.

1 The other thing is that I attended the  
 2 recent MDEQ Restoration Summit. And I am  
 3 actually shocked. I attend almost every single  
 4 summit since restoration has started and DMR has  
 5 never had a presence that I am aware of.

6 This year there was a presence by DMR.  
 7 Now, how in world can the public be informed  
 8 that 70 approximately, \$70,000,000 has been  
 9 spent on oyster restoration and our struggling  
 10 hard-working fishermen can't even get two months  
 11 of harvesting. That is seriously egregiously  
 12 wrong.

13 Where's the accountability transparency?  
 14 And how come this agency has an Office of  
 15 Restoration Resiliency set up years ago and we  
 16 do not get any monthly presentations? How come?  
 17 Projects are being proposed and implemented  
 18 without the community, the public, aware of it.  
 19 Millions of dollars. And all of this  
 20 restoration. Money. How come we are not  
 21 getting -- how come the fishing community are  
 22 not being consulted about the development of  
 23 these projects?

24 One of the projects, the Round Island  
 25 Project, is a project that affects prime

1 They used to have six, seven months. It's  
 2 whittled down to what 12, 13 days this year?  
 3 They can't survive. There is about to be  
 4 shutdown, because we are about to reach the  
 5 10,000 sack quota limit. What are they going to  
 6 do for December, January, February, March,  
 7 April?

8 Maybe start shrimping in April, end of May,  
 9 start shrimping in June, the Mississippi Sound?  
 10 You know they all have families. Part timers  
 11 work more than them.

12 It is not an over-harvesting problem. It's  
 13 not. It's environment stressors as I have  
 14 stated over and over from BP to freshwater  
 15 inflow to hypoxia, low dissolved oxygen, and the  
 16 things that we have not done right, not putting  
 17 shells back.

18 We used have barrels of oysters, barrels.  
 19 but then also at that time, we used to put the  
 20 shells back. There are pictures to document  
 21 that. The fisherman should be contracted to do  
 22 those things, to put their best material back on  
 23 the reefs, like the shells.

24 Absolutely that must be done. It should be  
 25 done, no if, ands or buts about that.

1 shrimping habitat. Were we ever consulted? No.  
 2 we were never consulted about that.

3 The only time we knew that project was  
 4 about to be implemented is when we hear that it  
 5 was about to be implemented. That is  
 6 egregiously wrong. You are the office of  
 7 restoration. We the public should be afforded  
 8 opportunities to attend meetings, workshops, and  
 9 hear presentations on these.

10 Most of the year the only thing we hear is  
 11 no presentation followed by no presentation.  
 12 And that's a fact. That needs to change  
 13 immediately.

14 And all of these relay activities, bagless  
 15 dredging that should be contracted by our  
 16 fishermen.

17 This agency, you have so many roles and  
 18 other responsibilities already. Let the  
 19 fishermen carry out what they should do,  
 20 rightfully do. They need to work, not have  
 21 their boats docked most of the year. You know,  
 22 we have talked a lot about -- we have discussed  
 23 a lot about sustainability. What about the  
 24 sustainability of our fishing community? The  
 25 people who built this Gulf Coast, what about

1 them? We are going to just let -- we are going  
 2 to just forget about them as if they don't  
 3 matter. That's all egregious. I want to make  
 4 all those comments for the public record. Thank  
 5 you.  
 6 COMMISSIONER BOSARGE: Thank you, Ms. Vu.  
 7 All right. Do we have any other business?  
 8 Seeing no other business, I'll call for a motion  
 9 to adjourn.  
 10 COMMISSIONER GOLLOTT: So moved, Mr.  
 11 Chairman.  
 12 COMMISSIONER BOSARGE: Do we have a second?  
 13 COMMISSIONER HAVARD: So second, Mr.  
 14 Chairman.  
 15 COMMISSIONER BOSARGE: We have a motion and  
 16 a second. All those in favor, Aye. Motion  
 17 carries.  
 18 (Motion carries.)  
 19 Meeting adjourned. And I thank everybody  
 20 for being patient with us. This was a long one.  
 21 - - -  
 22 (WHEREUPON, at 4:06:44 P.M., THE NOVEMBER  
 23 21ST, 2017, MEETING OF THE COMMISSION ON MARINE  
 24 RESOURCES WAS CONCLUDED.)  
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1 COURT REPORTER'S CERTIFICATE  
 2  
 3 STATE OF MISSISSIPPI  
 4 COUNTY OF JACKSON  
 5  
 6 I, CANDACE C. LECHLER, Certified Court Reporter, do  
 7 hereby certify that the foregoing TWO HUNDRED THIRTY-THREE  
 8 (233) pages contain a full, true and correct transcription,  
 9 To the best of my ability, of my stenographic notes and/or  
 10 Electronic recording, of the testimony and proceedings of  
 11 COMMISSION ONMARINE RESOURCES, on the 21ST day of NOVEMBER,  
 12 2017.  
 13 I do further certify that my certificate annexed hereto  
 14 applies only to the original and certified transcript. The  
 15 undersigned assumes no responsibility for the accuracy of  
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 18 This the 6TH day of DECEMBER, 2017.  
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