

ADVISORY COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, February 15, 2022
9:00 a.m.

Bolton Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi

Commission Members:

Ronnie Daniels, Chairman

Natalie Guess, Vice Chairman

Cammack (Cam) Roberds

Also Present:

Joe Spraggins, Executive Director DMR

Sandy Chesnut, Esq., Assistant Attorney General

Lucille Morgan, CSR 1251

COURT REPORTER

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1 COMMISSIONER DANIELS: Good morning ladies and
2 gentlemen. We would like to welcome you to the February
3 15, 2022, Commission meeting.

4 I will call the meeting to order and I would
5 like to ask Commissioner Roberds to lead us the Pledge of
6 Allegiance.

7 (Pledge of Allegiance was recited.)

8 COMMISSIONER DANIELS: Thank you, Cam.

9 Director, would you like to lead us with a
10 prayer?

11 JOE SPRAGGINS: Our Heavenly Father, we thank you
12 for the opportunity to be able to serve, Lord. Thank you
13 for giving us this great organization to work with and the
14 great people that are involved in it. Please take this
15 Commission and give them the wisdom to do what they need
16 to do for you and have it done your way and let us all do
17 everything your way, Lord, and not ours. We ask this in
18 Jesus Christ's name. Amen.

19 COMMISSIONER DANIELS: Thank you, Joe.

20 January 18th, 2022, minutes.

21 Do we have a motion to approve the minutes from
22 January 18th?

23 COMMISSIONER GUESS: I'll make a motion.

24 COMMISSIONER ROBERDS: I'll second it.

25 COMMISSIONER DANIELS: All those in favor?

1 COMMISSIONER GUESS: Aye.
2 COMMISSIONER DANIELS: Aye.
3 COMMISSIONER ROBERDS: Aye.
4 COMMISSIONER DANIELS: Today's agenda.
5 Do we have a motion to approve the agenda?
6 COMMISSIONER ROBERDS: I'll make a motion.
7 COMMISSIONER GUESS: I'll second it.
8 COMMISSIONER DANIELS: All those in favor?
9 COMMISSIONER GUESS: Aye.
10 COMMISSIONER ROBERDS: Aye.
11 COMMISSIONER DANIELS: Aye.
12 COMMISSIONER DANIELS: Mr. Joe, I am going to

13 turn it over to you.

14 JOE SPRAGGINS: Employment contracts.

15 Danielle Koushel is a Coastal Resource
16 Management Specialist II Permitter.

17 That is the only one that we have hired this
18 month.

19 As far as the agency update, we've got quite a
20 few things going on. Obviously, Jackson is in full swing
21 and we have made the rounds through the House and the
22 Senate. The House and the Senate have passed their
23 versions of each of the bills that they are going to pass.

24 Currently, right now, we have a House Bill that
25 is Bottomland Leasing for Oyster Production created for a

1 pilot program.

2 That is a program that is put in by the
3 legislature. What they are asking for is they are going
4 to use some areas and to be able to lease the land and to
5 be able to start some pilot programs for Oyster
6 Aquaculture for private business.

7 It is something that we have already had the
8 area to do. They are not asking to take anything that is
9 an area that is being used right now. They are looking at
10 some of the areas like over in the west side that have
11 already been permitted. They have been permitted to be
12 able to be used, but they want to do it as a sample to be
13 able to look at it.

14 Also, we have House Bill 1057 which is
15 Department of Marine Resources Revised Acreage off-bottom
16 authorized to be leased and it is, once again, the same
17 thing and it changes the numbers because it is allowing
18 them to do it under the pilot program at, like, two
19 dollars an acre instead of five dollars an acre, but,
20 then, it goes up to five dollars an acre after they have
21 had it three years I think is the number.

22 Department of Marine Resources authorized to
23 use, under 1058, any state institution of higher learning
24 as a resource. It died in the committee.

25 House Bill 1076, Derelict Vessels, provided

1 certain requirements for removal of the vessels. That is
2 a great bill that has come out and the bill is going to
3 allow us to restate what is -- it is not just derelict.
4 It is abandoned, or any type of other vessel that is out
5 there. What it will allow us to do is to be able to go
6 forward and say that we are going to be able to move it.

7 we have had such a hard time over the last few
8 years, especially with the cities and counties, them
9 asking us to help them, but we can't help them because it
10 is not impeding a waterway, as far as the navigation, or
11 it is not leaking fuel, or something else, and we can't do
12 anything about it.

13 well, this is going to change that. It is going
14 to allow us to be able to do it. Hopefully, the
15 legislature is going to put some money into the pot and we
16 will be able to have money to be able to work off of, and,
17 then, we will be able to obviously remove these vessels.

18 Right now, I think we've got thirty-seven that
19 we know of that we need to move. That just gives you an
20 idea of what we are talking about and the cities and
21 counties are very much for this.

22 House Bill 1077 is Shellfish Aquaculture
23 Operations. What it amounts to is if you are working in
24 the off-bottom and you've got three skiffs that you are
25 using, you don't have to license all three skiffs. You

1 only license the company itself, and, then, use those
2 three little skiffs for it.

3 It is not going to affect anything to do with
4 the regular oyster aquaculture as far as anybody
5 harvesting them off of reefs, or anything. It is not
6 going to change a thing on that. It is just for that. It
7 will make it a little bit easier for the people.

8 House Bill 1130 is Marine Resources revised the
9 license for issue of seafood dealers and seafood
10 processors.

11 Right now, they get the same license. The idea
12 is to change it where if you are a dealer, you get this
13 license. If you are a processor, you get this license.

14 It makes a little difference and it makes it
15 understandable because the person that is selling shrimp
16 on the side of the road shouldn't have to the same as the
17 processor license.

18 That is what it is about and it is just
19 straightening things out. It is not anything that is
20 going to be a big deal.

21 House Bill 1144, Flotation Device. That one
22 died in the committee.

23 House Bill 1320 is Cat Island prohibited the use
24 of purse seines within two miles.

25 House Bill 1321 prohibits taking of den within

1 one mile of the buffer zone of Jackson County.

2 These bills, if you look at them, they skewed
3 back and forth. The House Bill 1320 is the only one that
4 is alive and it is one mile, not two miles. We will
5 discuss that a little bit more as we go.

6 In the Senate, we have Senate Bill 2076 which is
7 derelict vessels. It is the same thing. It basically
8 just mirrored the House. It will go through with no
9 problem and it passed.

10 Senate Bill 2476 is the Aquaculture Farms. It
11 went through with no problem.

12 Senate Bill 2477, Duties of Mississippi
13 Department of Marine Resources in using higher
14 institutions. It passed out of committee and died on the
15 calendar.

16 Senate Bill 2478 is combination of seafood
17 dealers and processors license. It passed. It is pretty
18 much the same.

19 Senate Bill 2511 is the shrimp captain's license
20 and that is the one that changes to where only the captain
21 has to have a license and not everybody on the boat. That
22 is going to make it a whole lot different for people.

23 I would like to make one clarification on the
24 one for the higher institutions. I think some things got
25 a little bit misunderstood.

1 Our lawyers came to us and made a statement,
2 said that because it says GCRL only that you need to have
3 it where it can go to any institution.

4 This is nothing that GCRL was trying to say that
5 you couldn't do that. You do what you need to do.

6 It was the way that it was written. They first
7 wrote the thing and didn't put that in it, and, then, the
8 way things came out and we tried to straighten it out at
9 the last second, but the idea of the Department of Marine
10 Resources working with GCRL has not changed.

11 Our idea is to work with GCRL and we were
12 planning on working with GCRL and we continue to want to
13 work with GCRL. They are our go to. They are the ones
14 right there. It was just a formality thing with legal.

15 I want everybody to understand that it doesn't
16 change anything because we will operate and we will still
17 be doing what we need to do.

18 Any questions on the bills?

19 (No response.)

20 JOE SPRAGGINS: We will just move forward, now,
21 and talk about the CARES Act.

22 Traci, any update?

23 I know we gave the money out.

24 Are we pretty much done?

25 TRACI FLOYD: Yes. The money went out on January

1 25th. Everyone has been paid. The money has been spent.
2 We are just working on a final report.

3 JOE SPRAGGINS: So everybody has been paid?

4 TRACI FLOYD: Yes, sir, everyone who was
5 eligible.

6 JOE SPRAGGINS: Good.

7 TRACI FLOYD: Thank you.

8 JOE SPRAGGINS: Bonnet Carre.

9 Do we have any update on it, Rick?

10 RICK BURRIS: No, sir.

11 JOE SPRAGGINS: We are still just waiting.

12 Where is it, now, OMB?

13 RICK BURRIS: Yes, sir.

14 JOE SPRAGGINS: That is just the process. It is
15 something we are going to have to put up with. It takes
16 about a year at the minimum from the time you file it to
17 get through there. We just have to stay with it and hope
18 that we can work it out.

19 Actions update for the prior meeting.

20 Sandy.

21 SANDY CHESNUT: In January, there was a motion to
22 recommend the Executive Director approve the following in
23 relation to a Request for Permits by the MDMR for creation
24 of artificial oyster reefs for research activities in the
25 Pascagoula Bay in Pascagoula and the Mississippi Sound in

1 Pass Christian, and those actions were approval of the
2 requested variances, approval of the requested use plan
3 changes and approval of the requested permits.

4 There was also a motion to recommend the
5 Executive Director approve the ten-year permit request and
6 the requested variance by the City of Biloxi for beach
7 renourishment and maintenance between Oak Street and the
8 Biloxi Small Craft Harbor.

9 There was a motion to recommend to the Executive
10 Director to accept the proposed changes to Title 22, Parts
11 2 and 9, to be forwarded to the Secretary of State's
12 Office fo final adoption.

13 The Director approved all the motions as
14 recommended.

15 There are no pending items for discussion.

16 JOE SPRAGGINS: Any questions on that?

17 (No response.)

18 JOE SPRAGGINS: The next thing up is the Jackson
19 County Board of Supervisors has passed a resolution
20 requesting that menhaden fishing be limited to one mile
21 offshore in Jackson County.

22 we have received this and we are looking at it.

23 we are going to ask the Commission to look at it
24 and we can have it read, if you want it read, or it can be
25 in the minutes. It doesn't matter. It is basically just

1 stating that they want to marry up with the same thing
2 that is going on with Harrison and Hancock counties.

3 We are already in the process of rewriting, or
4 updating, Title 22, Part 3. So this would be Title 22,
5 Part 3. We will just add it to it and be able to get the
6 Commission to request that it be added to Title 22, Part
7 3, and, then, we would go forward with that and it will
8 have to go through the Administrative Procedures Act. The
9 Administrative Procedures Act means that it has to go out
10 for twenty-five days. So it will be twenty-five days that
11 it will be sitting out there for public comment. Anything
12 could be brought to us at that point.

13 Rick, is it that if we have over ten comments
14 that we have to have a public meeting?

15 RICK BURRIS: Yes, sir.

16 JOE SPRAGGINS: If we don't, then, we won't have
17 to have a public meeting. It will be brought back to the
18 Commission and y'all can recommend, or not recommend, to
19 me what to do, and, then, at that point, if it passes, it
20 would be thirty days from that point that it would go into
21 effect.

22 I will be honest with you. I want y'all to know
23 point blank. The Menhaden business in Mississippi is a
24 great operation. They are great people to us, Omega and
25 what they do as far as the community and as far as the

1 state and they are not hurting our fisheries.

2 Dr. Franks, I think, did a study on this a few
3 years ago and said that there were no issues that they are
4 doing any problems at all with any of our fisheries, and I
5 want y'all to understand that, and our fishery is fine.
6 The Menhaden fishery is fine and there is not anything at
7 all that I see in this that has anything to do with
8 something that is causing the fishery to have a problem.

9 If I did, I would have already addressed it. I
10 don't think that is the case, but, once again, I do
11 understand when the Board of Supervisors asks to have help
12 and do something that we pretty much honor the Board of
13 Supervisors and I understand that, too.

14 I want you to know that the Menhaden business is
15 a great asset for Mississippi and it is a great asset for
16 the Gulf Coast and there is not anything in the world that
17 we are doing in the Menhaden business, or that they are
18 doing in the Menhaden business that is causing any problem
19 that I know of to our fisheries.

20 I know a couple of you are here.

21 Do you have any comments, or anything?

22 FROM THE FLOOR: Indicating.

23 JOE SPRAGGINS: Yes. Go ahead.

24 BEN LANDRY: Good morning Director Spraggins,
25 Commissioners. My name is Ben Landry. I'm here

1 representing Omega Protein.

2 I do appreciate your words as it relates to the
3 Menhaden fishery and its impacts on the Mississippi eco
4 system as being minimal, if any.

5 It is a healthy fishery that is a sustainable
6 fishery. It is certified worldwide as being sustainable.

7 I understand Jackson County has their wishes and
8 we would love to have discussions with them. We look
9 forward to this opportunity to provide quite thoughtful
10 comments to you-all on maybe some ideas we have moving
11 forward with this because I think it is just that. It is
12 a user-conflict issue. It is not biological, and I think
13 that we can work together and figure this out.

14 We do appreciate the partnership that we have
15 had with this agency going back probably five, or six,
16 decades. We are always here to help. We look forward to
17 providing comments and working with y'all.

18 JOE SPRAGGINS: I appreciate it, Ben.

19 Do the Commissioners have any questions?

20 (No response.)

21 JOE SPRAGGINS: We do appreciate it and we
22 understand, and I stand on the grounds that I said that it
23 has nothing to do with the fishery.

24 I would ask that this resolution be added to
25 Title 22, Part 3, and, then, move in the process and that

1 will be it for the Commission.

2 COMMISSIONER DANIELS: Do we have a motion to add
3 the resolution to Title 22, Part 3?

4 COMMISSIONER ROBERDS: I'll make a motion?

5 COMMISSIONER DANIELS: I'll second the motion.
6 All those in favor?

7 COMMISSIONER ROBERDS: Aye.

8 COMMISSIONER DANIELS: Aye.

9 All those opposed?

10 COMMISSIONER GUESS: Aye.

11 COMMISSIONER DANIELS: Two to one. The motion
12 passes.

13 Anything else, Mr. Joe?

14 JOE SPRAGGINS: I think that's it, sir, and I
15 have said enough for the day.

16 CRYSTAL MATTA: No. You have to change the
17 meeting.

18 JOE SPRAGGINS: That's right. We should have
19 done that before I did it.

20 There is a conflict next month. Gulf States has
21 an annual meeting and they are having it in Florida. It
22 is the same time as when we have our meeting. A large
23 majority of the agency will be gone.

24 The question is do y'all want to change the
25 meeting and maybe go to the next Tuesday, or do y'all want

1 to keep it the same?

2 I will be honest with you. Patrick would be
3 here and he could sit in on the meeting, if you wanted to
4 keep it the same. I'm all right with that and I can
5 listen in on the phone. It is up to y'all what you want
6 to do.

7 I know Rick will be gone.

8 Traci, you will be gone?

9 TRACI FLOYD: Possibly.

10 JOE SPRAGGINS: A lot of the Fisheries department
11 will be gone.

12 COMMISSIONER DANIELS: I was actually going to
13 discuss with you after today's meeting. I'm not available
14 on the 15th.

15 JOE SPRAGGINS: Do y'all want to try it on the
16 22nd?

17 COMMISSIONER DANIELS: If the other Commissioners
18 don't have any issues with that, it would actually work
19 out a whole lot better for me.

20 COMMISSIONER ROBERDS: I'm good.

21 COMMISSIONER GUESS: It is okay with me.

22 JOE SPRAGGINS: I guess what we would need to do,
23 then, is ask for a motion to be able to change the next
24 meeting to March 22nd at 9:00 a.m.

25 COMMISSIONER DANIELS: I'll make that motion.

1 COMMISSIONER GUESS: I'll second it.

2 COMMISSIONER DANIELS: All those in favor?

3 COMMISSIONER GUESS: Aye.

4 COMMISSIONER ROBERDS: Aye.

5 COMMISSIONER DANIELS: Aye.

6 JOE SPRAGGINS: Only one other last thing. We
7 will be closed on the 21st which is next Monday for
8 President's Day.

9 COMMISSIONER DANIELS: Thank you.

10 JOE SPRAGGINS: Thank you. Sorry about that.
11 Thank you, Crystal.

12 CRYSTAL MATTA: You're welcome.

13 COMMISSIONER DANIELS: Next up we will have our
14 Commissioners Report.

15 Do any of our Commissioners have anything to
16 report today?

17 COMMISSIONER GUESS: I would like to ask and
18 bring up the proposed diversion project for Louisiana.
19 I'm just curious as to an agency, where we stand, where
20 our thoughts are, any feedback. We have been having
21 conversations with a few people about it, just curious.

22 COMMISSIONER DANIELS: Just to be clear, Natalie,
23 you are talking about the --

24 JOE SPRAGGINS: (Interposing) Mid-Breton is the
25 one you are talking about?

1 COMMISSIONER GUESS: Yes.

2 JOE SPRAGGINS: I can tell you as far as we go as
3 the agency, we have been in a lot of discussions with it.
4 We had a meeting here a couple of months ago.
5 The secretary of State called a meeting and invited some
6 people to it.

7 I know that Read is in the back. Read has been
8 working hand-in-hand with Michael Thompson. He has a
9 commission going as a senator, and we have been working
10 hand-in-hand with him on it, and Read has been very
11 involved with that as far as GCRL and Southern.

12 We are looking at it. One of the things I can
13 tell you that we are doing, we have paid for a study and I
14 know that they had asked the Corps to do a study and I'm
15 not sure where that one is, but we had asked for a study
16 to do the hydrological affect; what would it cause.

17 I wanted to know that if it was putting out
18 seventy-five thousand cubic feet per second, or if it was
19 putting out fifty thousand cubic feet per second, or if it
20 was putting our twenty-five, or thirty, thousand cubic
21 feet per second and how many days if it did that and with
22 the water levels and all, what it would do.

23 We are in the process of having that test run as
24 we speak and, Read, I think we are involved in a lot of
25 that with Southern and I know Paul Mickle is involved with

1 it at Mississippi State and I think even Auburn University
2 is involved in it because of some hydrological stuff that
3 they are doing with it.

4 We are trying to get an understanding because we
5 want a Mississippi understanding. We want our
6 understanding of what is going to happen.

7 You can look at it and people can talk to you
8 all they want to and they can say, well, in a normal time
9 of the year when the water levels are high in the
10 Mississippi River, the winds are coming out of the
11 northwest. That is going to push it away from us, if that
12 opened that, but it also would cause the Bonnet Carre to
13 open because it causes a flood and everything else.
14 That's when the highest rains are.

15 In the summer when the salinity is so high on
16 the Gulf Coast, the winds are out of the southeast which
17 would help us a little bit maybe if we got it, but, then,
18 it is probably not even going to be open during that time
19 because it has to be at a certain water level to be able
20 to open.

21 I don't know and I will be honest with you. I
22 have held a hard line that whatever science says is what
23 we are doing to do and that's what I want to find and that
24 is what I told the governor. Whatever science says is
25 what I want to find. I don't have a clue.

1 Read, you have been doing work on it.
2 Do y'all mind if Read talks a little bit, too,
3 about it?

4 COMMISSIONER GUESS: No. That would be great.
5 Read, while you are walking up, is there like a
6 deadline date that they are trying to make the decisions?

7 JOE SPRAGGINS: well, the EIS is supposed to be
8 out in November, I think.

9 Is that around the time frame you are looking
10 at?

11 READ HENDON: That is for Mid-Barataria.
12 Mid-Breton is not until August 2023.

13 JOE SPRAGGINS: Okay.

14 READ HENDON: We've got some time and actually
15 met last week with George and Rick about a timeline to
16 make sure we meet that.

17 Right now we have the hydrological modeling
18 going on and that is USM, Mississippi State, and, then,
19 Anna Lynn Hause (phonetic) who left Mississippi State and
20 went to Auburn. That is one consideration.

21 Also in our discussions with CPRA and with
22 Senator Thompson, it is not just the hydrological
23 modeling. what do we need to look at from ecological
24 modeling as well because it is not just the water. Even
25 if the hydrological ends up not being in Mississippi

1 waters, it could impact some of our estuarine-dependent
2 species like brown shrimp, red drum, blue crabs. So we
3 need to consider those potential impacts.

4 I think one of the key things that we have also
5 asked is what is CPRA ratio in terms of the success of the
6 study, how much marsh do they predict will be created over
7 five, ten, fifteen, fifty years because that is a key
8 consideration as well that the state needs to weigh
9 because ultimately if they restore twenty-five, or fifty,
10 percent of that marsh area, that is a huge benefit to us.
11 It is storm protection. It is storm buffering. It
12 prevents the saltwater intrusion. It helps with some of
13 the freshwater retention that we need.

14 we have to look long term at potential benefits,
15 but, then, weigh that with potential short-term risks.

16 There are a lot of considerations that we have
17 to look at in a relatively short period of time.

18 COMMISSIONER GUESS: And to make a case, if we
19 need to.

20 READ HENDON: Yes.

21 COMMISSIONER GUESS: Okay.

22 JOE SPRAGGINS: One of the things, too. I had
23 put in a request. It is for eight hundred and seventy-
24 four thousand and some few dollars for GOMESA funds to be
25 able to pay for exactly what you are talking about, the

1 ecological biological affect; what will it do.

2 Hopefully, I am going to be able to get that
3 funded this year through the governor. If that is the
4 case, we will be able to do that study, also, and that
5 will help to pay for it and be able to get the funds to go
6 forward with it.

7 One of the things that I have learned and I'm
8 just speaking, not as a scientist. I don't about the
9 actual finfish, or anything, what all it is going to do
10 because I'm not sure exactly what breeds in that area, or
11 anything to that effect, but I do know that the brown
12 shrimp, there is a big breeding area there.

13 Is that correct, Read?

14 READ HENDON: Yes.

15 Rick, you can chime in, too, anytime you want
16 to.

17 READ HENDON: There is a lot of uncertainty
18 around that and that's what we need to try to get a handle
19 on is what we think will happen, and, then, how confident
20 are we in those model outputs.

21 JOE SPRAGGINS: Louisiana can say, well, it's our
22 water, if they want to, but you know what, that shrimp
23 comes here.

24 READ HENDON: Right.

25 JOE SPRAGGINS: Those juvenile brown shrimp over

1 there, if that is the breeding ground for them, that is
2 something that means a lot to us.

3 Rick, have you got something?

4 RICK BURRIS: Yes. It's just what Read said, the
5 long-term impacts because that area of Louisiana and
6 actually just Louisiana in general, I want to say eighty
7 to ninety percent of the brown shrimp production in the
8 entire Gulf of Mexico comes from there. So protecting
9 that area one way, or the other, is important.

10 If there is going to be a detriment short term,
11 or mid term, with the freshwater that is coming out of
12 there, that is an issue, but, if long term, they have more
13 area to recruit to and your fishery is improved by that,
14 you have got to weigh those things out, but that is
15 important to consider because that is the pivotal part of
16 our brown shrimp fishery area.

17 JOE SPRAGGINS: Read, I don't want to speak for
18 GCRL, or anybody else, but I think all of us -- I know DMR
19 is. We are waiting to see what science says and that is
20 the whole idea.

21 Once we find out science says it will do and
22 what science affect is and that is what will we stand for
23 and that is what we are going to try to get the governor
24 to stand behind, and I am sure that he is going to look at
25 every aspect of it.

1 RICK BURRIS: To more so answer your question,
2 Commissioner Guess, after this is complete -- luckily we
3 have a pretty good amount of time until the EIS comes out,
4 or it is available for public comment, but once this is
5 finished, it is going to go through a pretty rigorous peer
6 review process so it is solidified in the scientific
7 community, and, then, we can make our stance based off of
8 that. We are well prepared to make sure this is the right
9 thing for us.

10 COMMISSIONER GUESS: Perfect.

11 JOE SPRAGGINS: That is another thing I have
12 learned. That peer review is important, very important.
13 If you have that backing everything that you do, at least
14 you've got something that will stand up in court, or other
15 places. That is what we are trying to make sure.

16 I don't want to go to the governor and tell him
17 one way, or the other, until I know a hundred percent and
18 am one hundred percent convinced which way I think it is
19 going to go and that would be because of science telling
20 us that.

21 Have y'all got anything else?

22 COMMISSIONER DANIELS: What I don't understand is
23 have we looked at what is there right now?

24 This weekend I read somewhere that the dredge
25 project that just happened in South Pass, they added about

1 nine hundred acres of new land with the spoils coming out
2 of the South Pass dredging.

3 We've got four, or five, diversions that are
4 already down the river over there.

5 How much land have any of those created?

6 READ HENDON: That is a good question.

7 COMMISSIONER DANIELS: Almost none. This is
8 where I can't wrap my head around it. If dredging is
9 working, it is immediately putting new land in. There are
10 already multiple diversions, Mardi Grass Pass and another
11 three, or four, and it has hurt the fishery, if you talk
12 to any fishermen down there, but I don't see where any
13 actual land has been created from it.

14 RICK BURRIS: This is all new to me, this aspect
15 of restoration, but my understanding is that the State of
16 Louisiana is losing so much habitat, so much marsh land
17 that they are trying to do everything they can to kind of
18 get back ahead of that. They are losing a lot daily and
19 you don't see the affects of that.

20 I think their anticipation, or their goal, is a
21 long-term restoration. You are not going to see any
22 immediate affects. It is going to take quite some time.

23 I know those diversions have been there for a
24 while and I don't know what the matrix are as to how much
25 they have actually contributed to the restoration, but I

1 feel pretty certain from my knowledge of it that CPRA is
2 trying to move forward and trying to mitigate all of the
3 land loss with these projects.

4 COMMISSIONER DANIELS: We see that land loss
5 every day running through the Biloxi marsh out there. A
6 lot of the places that I grew up fishing my kids will
7 never see because they are gone. I know that we are
8 losing Chandelier.

9 They just rebuilt Breton Island like we did with
10 Ship Island. They pumped a lot of sand in there and built
11 that thing back up.

12 It is sad, and I don't know what the answer is.
13 I just know what I have personally seen with my own eyes.
14 I don't understand it.

15 JOE SPRAGGINS: I'm like you. I think the
16 dredging idea works a whole lot better, as far as being
17 able to get an immediate process.

18 The last I remember, fifty years is when they
19 are looking at it, that it is going to take.

20 I don't know. I might be on a pacemaker by
21 then, but I'm not sure whether it will come in the fifty
22 years. I don't know that answer. I'm not sure why they
23 want to spend two hundred, or three hundred, million
24 dollars to do something, and it is up to a billion now I
25 think is what they are talking about.

1 COMMISSIONER DANIELS: You could pay for a lot of
2 dredging with that.

3 JOE SPRAGGINS: I'm not their agency either. So
4 I don't know what they are looking at, and I know they are
5 trying to do things scientifically, too, and I understand
6 that. I don't know why they are doing it, but they may
7 have a reason.

8 Read, you might have an understanding.

9 READ HENDON: Commissioner Daniels, the
10 additional question that we are asking that came up on a
11 call with Senator Thompson is the modeling is great in
12 terms of what it may do to water, but we need to know what
13 it is going to do in terms of success of restoration.

14 If they come back and say we are fifty percent
15 confident that we may create a hundred acres of marsh,
16 well, that is too much risk for the potential benefits.

17 We need to see their models, what they project
18 because they undoubtedly have had to do that to be able to
19 sell this costly project to the governor and to the state.
20 We just need to be able to get our hands on that and
21 understand the uncertainty around what they think their
22 success may be.

23 COMMISSIONER DANIELS: I think those questions
24 have just got to be answered and I always come back to
25 Mardi Gras Pass because I have personally been there, I

1 have personally seen that area and I have personally
2 talked to people from that area. I know what it has done
3 to the fishery there and I think you just have to ask that
4 question. It has been there for seventeen years and how
5 many acres of land has it built.

6 JOE SPRAGGINS: What is the one just north of
7 there, about eight thousand cubic feet per second?

8 READ HENDON: Carnarvon.

9 JOE SPRAGGINS: It hasn't done anything, has it?

10 COMMISSIONER DANIELS: No. That is up around
11 Delacroix. That has created a bunch of mud flats that
12 you've got to have a mud boat to get through.

13 JOE SPRAGGINS: What I'm saying it hasn't built
14 any marsh.

15 COMMISSIONER DANIELS: That's what I'm saying.
16 There are big mud flats up there and there is great bass
17 fishing there, now, where people used to catch speckled
18 trout, red fish and everything else.

19 READ HENDON: Director Spraggins, I think Senator
20 Thompson, they are doing the right thing. We are not
21 going to make a comment on this until we have some
22 independent information.

23 COMMISSIONER DANIELS: I agree.

24 READ HENDON: If it is long-term good, then, we
25 will say. If it long-term bad, then, we will say. Then,

1 the state will have to do what it needs to do, based on
2 that information.

3 JOE SPRAGGINS: Secretary of State Watson is
4 involved in this very strongly, too.

5 READ HENDON: Right.

6 COMMISSIONER GUESS: If there is anything we can
7 do, let us know. Keep us informed and if we need to be
8 somewhere, or say something, or sign something, or
9 whatever, we want to support it.

10 READ HENDON: As we move through the process, if
11 y'all want updates at each meeting, I can get some
12 information to Director Spraggins, or comment myself.

13 COMMISSIONER DANIELS: I think we would
14 absolutely love that. That would be great.

15 READ HENDON: Okay.

16 COMMISSIONER GUESS: Thank you.

17 READ HENDON: Thank y'all.

18 COMMISSIONER DANIELS: Thank you.

19 One more thing on the Commissioners Report I
20 would like to report. I would like to thank the
21 department.

22 we had the Biloxi Boat Show this weekend. I do
23 a big kids' event out there. Marine Patrol was great in
24 helping out with that. They touched a lot of kids this
25 weekend, and, then, did another seminar on boating safety.

1 I just want to thank them and the department and
2 Charmaine for helping us get all of that put together.

3 They did a really great job this weekend. Thank
4 y'all.

5 Anything else?

6 (No response.)

7 COMMISSIONER DANIELS: Chief, Office of Marine
8 Patrol.

9 KYLE WILKERSON: Good morning Commissioners and
10 Director and legal.

11 Thank you for being here and thank you for the
12 kind words you give us. That is part of the job that we
13 enjoy. We don't enjoy getting out there and being the bad
14 guy. We enjoy getting with kids and teaching them the
15 rules of the road and just being there for them.

16 Looking at the report, it was a very active --
17 and I am going to be real careful with my words this time
18 because the Director kind of schooled me last time. It
19 was a very active month for Marine Patrol.

20 The good thing about it, though, we had one boat
21 accident and no fatalities. That is the good thing.

22 Any of these citations we can discuss. I am not
23 going to go into length with them, due to the fact there
24 are pending investigations and all that stuff, but if you
25 guys want to ask any questions pertaining to these

1 citations, I will field any questions.

2 COMMISSIONER DANIELS: Do any of y'all have
3 anything?

4 (No response.)

5 COMMISSIONER DANIELS: Looks like y'all have been
6 busy.

7 KYLE WILKERSON: Yes, sir.

8 COMMISSIONER DANIELS: Keep up the good work.
9 Thank you.

10 KYLE WILKERSON: Thank you, Commissioner.

11 COMMISSIONER DANIELS: Next up is Ms. Leslie
12 Brewer, Finance and Administration.

13 LESLIE BREWER: Good morning Commissioners,
14 Director, Sandy.

15 I will be presenting the financials for the
16 month ending January 31st, 2022.

17 At the end of January, our State Revenue was
18 four point four million. Our Total Agency Revenue was
19 eighteen point six million.

20 Our State Net Income was six hundred and sixty-
21 five thousand and our Total Agency Net income was four
22 point two million.

23 After seven months of Fiscal Year 2022, we have
24 eighty-eight point one percent of our Operating Budget
25 remaining and seventy-six percent of Tidelands.

1 Does anyone have any questions?

2 COMMISSIONER DANIELS: No, ma'am. Thank you.

3 LESLIE BREWER: Thank you.

4 COMMISSIONER DANIELS: Public Affairs, Charmaine.

5 CHARMAINE SCHMERMUND: Good morning

6 Commissioners, Director Spraggins, Ms. Chesnut.

7 The Mississippi Department of Marine Resources
8 was mentioned six times in local, state and national media
9 since the January MACMR meeting. News items included
10 Traci Floyd being named Director for the Office of Marine
11 Fisheries and the students' oyster garden at St.
12 Stanislaus.

13 The MDMR hosted its Capitol Day at the rotunda
14 in Jackson on February 3rd. Our staff represented all
15 areas of the agency educating legislators, Capitol staff
16 and visitors about how our agency enhances, protects and
17 conserves our state's marine resources.

18 Marine Patrol taught one boat and water safety
19 class on January 19th. In Fiscal Year 22, five classes
20 have been taught with a total of sixty-seven students.
21 Marine Patrol also participated in Career Day at Holy
22 Trinity Catholic Church on February 11th.

23 The Artificial Reef Bureau manned the agency's
24 public outreach booth at the three-day Biloxi Boat Show
25 this past weekend at the Mississippi Coast Convention

1 Center. They shared insight on fishing reefs and fisheries
2 management, as well as handing out MDMR informational
3 materials. Marine Patrol provided an officer for the Kids
4 Fishing 101 Program, as well as the new boater program,
5 and the Grand Bay NERR also participated in the Kids
6 Fishing 101 program.

7 COMMISSIONER DANIELS: Thank you, Charmaine.

8 CHARMAINE SCHMERMUND: Thank you.

9 COMMISSIONER DANIELS: JASON SAUCIER.

10 JASON SAUCIER: Good morning Commissioners,
11 Director, legal.

12 I am going to be presenting to you this morning
13 proposed changes to Title 22, Parts 4 and 21, Rules and
14 Regulations for the Taking and Processing of Saltwater
15 Crabs.

16 Just as a side note, the proposed effective date
17 on this change would be May 1st of this year to coincide
18 with the new license year for commercial fishermen.

19 I am just going to go over a summary of our
20 substantive changes. We did combine Parts 4 and 21 which
21 deal with our harvesters and processors and we renamed
22 under one part, which will be Part 4, Rules and
23 Regulations for the Taking and Processing of Saltwater
24 Crabs.

25 We added new definitions for crab harvest and

1 wholesale dealers.

2 We removed wording that was already included in
3 Mississippi Code and we did cite the applicable statutory
4 and regulatory authorities.

5 We updated to the new Secretary of State
6 prescribed format.

7 We did add rules for harvesters acting as
8 wholesale dealers.

9 I am going to go through the substantive
10 changes. I am going to try to summarize some of these
11 because it is pretty lengthy, but please stop me if you
12 see something that you have a question on.

13 These are our title changes. We did go through
14 and change some titles on the back portion of this new
15 rule because these deal specifically with our processors,
16 just to clarify that these particular rules deal with
17 processors rather than harvesters.

18 We did change the title, as I mentioned, just to
19 indicate that it deals with harvesting and processing of
20 saltwater crabs.

21 Just moving through the chapters, this change
22 just as a clarification that this deals with both the
23 harvesting and the processing.

24 We did remove some justification and authority.
25 A lot of these have references to our State statute which

1 are still included in citation and similar to what we have
2 done with a lot of our other parts, we removed some of
3 this wording just in the interest of trying to reduce the
4 overall size and make it more clear and concise.

5 Moving to Chapter 3, these are all new
6 definitions dealing with harvesting and a couple of new
7 definitions there, adulterated and holding dealing with
8 processing and dealing with holding by wholesale dealers.

9 we also did define wholesale dealer.

10 Like I said, just stop me, if you want me to
11 read any of these through and I am happy to do so.

12 Moving to Chapter 5, Area Closures, both of
13 these rules, 5.1 was already there and 5.2 was also
14 already a rule. We just moved it from a different section
15 because it is more appropriately located here under "Area
16 Closures" just to clarify where commercial activity is
17 limited.

18 Chapter 6, Incidental Catch, just some minor
19 changes there. The reason for this particular change had
20 to do with this rule is directed at anybody harvesting
21 crabs using another gear.

22 It specifically previously mentioned trawls
23 only, but we clarified it could be for any net, or dredge,
24 since right above that "any commercial shrimp license,
25 fish net license, or oyster license". It is just a

1 clarification that it applies to any of those gears.

2 Chapter 7, Gear Regulations. The first part
3 there is already in statute so that is why it was removed,
4 and, then, actually 108 was moved to the new Rule 5.2. We
5 didn't get ride of the rule. We just moved it to a
6 different location.

7 Rule 7.8 there, the six crab trap limit per
8 household is also already covered under statute.

9 Chapter 8, Cat Island Sanctuary Closure. We
10 added latlong coordinates. We do have requests from time
11 to time from crabbers of where these landmarks are because
12 a lot of these don't exist anymore. In our day and age,
13 most of the crab fishermen have GPS on their boat. This
14 will help them in knowing where the boundary is, and,
15 then, also, if there was not previously listed in the
16 description of the boundary and we added that because that
17 is actually where it is enforced. It more accurately
18 depicts where a boundary is.

19 Chapter 9, Closed Seasons. This is already in
20 statute, and, then, we just changed the authority there to
21 be commensurate with the rest of the regulation.

22 Chapter 10, Crab Holding by a Wholesale Dealer.
23 This is a new chapter. This is a new Rule and this is
24 directed at commercial crab harvesters acting as wholesale
25 dealers, those that hold catch from other harvesters.

1 This just implements a little bit of a sanitation
2 requirement for that group to ensure that the quality of
3 the product remains.

4 Starting at Chapter 11, these were all rules
5 that were previously in 21. If y'all have any questions
6 specific to any of these processor rules, our Seafood
7 Technology Bureau Director Jeff Davis is here as well and
8 he can answer any specifics on this.

9 For most of these rules, we just clarified and
10 made some language more concise.

11 Rule 11.1. We removed 100.02 because we enforce
12 this requirement in any county in the State of
13 Mississippi. Any crab processor would have to be held to
14 the same standard, not just the three coastal counties.

15 Chapter 12. In a few of these rules in the next
16 few slides that I am going to show you, we changed the
17 designee of who is authorized to do recalls, temporary
18 holds, issue cease-and-desist orders, and that was in the
19 interest of limiting that authority to senior level staff.

20 We removed "MDMR designee in charge of saltwater
21 crab processing, or his designee" and we reassigned it to
22 the "Seafood Technology Bureau Director", and that is just
23 to ensure that only senior level staff have the authority
24 to make those decisions. We don't want to have that
25 decision made in situations where something may be able to

1 be remedied without having to take the product.

2 Same here. We just changed the language in the
3 bottom to change it from "the MDMR designee in charge" to
4 "The Director of Marine Fisheries, or the Seafood
5 Technology Bureau Director".

6 Same here for temporary holds. We changed the
7 authority to senior level staff.

8 Chapter 19, the same here for impoundment of
9 crab product. We changed that to "Seafood Technology
10 Bureau Director".

11 That is it. I can field any questions you have,
12 at this point.

13 COMMISSIONER DANIELS: Do y'all have any
14 questions on this?

15 COMMISSIONER ROBERDS: I've got one quick one,
16 Jason.

17 JASON SAUCIER: Okay.

18 COMMISSIONER ROBERDS: The only change for
19 recreational was just some boundary limits and that it is
20 from what I can see?

21 JASON SAUCIER: There was not actually any change
22 for those folks. We did change where it was located, but,
23 as far as regulations on that user group, there was not a
24 change.

25 COMMISSIONER ROBERDS: Thanks.

1 COMMISSIONER DANIELS: Do we have a motion to
2 approve?

3 COMMISSIONER GUESS: I'll make the motion.

4 COMMISSIONER ROBERDS: I'll second it.

5 COMMISSIONER DANIELS: All those in favor?

6 COMMISSIONER GUESS: Aye.

7 COMMISSIONER ROBERDS: Aye.

8 COMMISSIONER DANIELS: Aye.

9 Thank you, Jason.

10 JASON SAUCIER: Thank you.

11 COMMISSIONER DANIELS: Next up is Matt Hill.

12 JOE SPRAGGINS: If I could, Matt is the new
13 Deputy Director of Marine Fisheries.

14 (Applause.)

15 JOE SPRAGGINS: I never thought I would see the
16 day I got him to step up to the line.

17 MATT HILL: I was a little scared, but he finally
18 got me to do it.

19 COMMISSIONER DANIELS: Congratulations.

20 MATT HILL: Thank you. I appreciate it.

21 Basically, it is the same as what Jason just
22 did, but mine will be directed at Title 22, Parts 3, 5 and
23 7.

24 Part 3 deals with the Menhaden industry. Part 5
25 deals with our nets, fish traps and pots. Part 7,

1 obviously, deals with our catch limits, size limits and
2 quotas.

3 Briefly, I will go through what we have done to
4 all of these. We combined all finfish related rules and
5 regulations from Part 3, 5 and 7 into one part.

6 We removed wording that was already covered in
7 Mississippi Code and referenced the applicable statutory,
8 or regulatory, authorities.

9 We updated the format to "Rules" and "Sources"
10 to conform with the format prescribed by the Secretary of
11 State's Office.

12 We added new language, we updated old language
13 and we removed language not pertinent to the modern
14 fishery.

15 Part 3, Director Spraggins has touched on this.
16 What we have done in Part 3, it was our shortest
17 regulation to date. Ninety percent of the language in
18 there is in State statute. What we did is we retained the
19 language regarding the opening and closing date of the
20 season. That was not in State statute. State statute
21 only set the parameters on when the earliest we could open
22 it and the latest we could close it, but we actually set
23 the dates in regulations, so we did keep that, and we
24 added Jackson County to language regarding county-specific
25 closed areas.

1 what we did keep is:

2 “The commercial fishing season for Menhaden is
3 from the third Monday in April through the first day of
4 November of each year. It is unlawful to harvest Menhaden
5 for the purposes of reduction within one mile of the
6 mainland shoreline of Harrison, Hancock and Jackson
7 County.”

8 Obviously, we have added Jackson County, as we
9 discussed earlier.

10 All other language within Part 3 is listed in
11 State statute; therefore, has been removed for redundancy
12 purposes.

13 Part 5. We have had a lot of discussion about
14 Part 5. Marine Patrol was heavily involved in this. This
15 is the one that we all dreaded, but, actually, I believe
16 it turned out well for everybody.

17 We added definitions specific to gear types and
18 methods used in targeting finfish.

19 When I’m talking about adding definitions, all
20 of our definitions were contained in Part 8, The Standards
21 of Measures. We took all applicable definitions to this
22 part and placed them in there. There were no definitions
23 changed, or altered.

24 There were two definitions added, entanglement
25 and entrapment, and that is something we have done a few

1 years back. Commissioner Daniels was a big part of that.
2 It was the appropriate place to put these two definitions.

3 We also clarified regulations specific to
4 entrapment nets and entanglement nets.

5 In the regulations as they currently are, these
6 two nets are intertwined. The regulations were very
7 difficult to understand and it was difficult for fishermen
8 to know what they could use and what they could not use.

9 Gill nets and trammel nets were mixed with purse
10 seines and cast nets in some places. We separated them
11 and we made two separate categories. We did not change
12 any regulations on the areas that they can fish, or the
13 materials that could be used, the length of the nets. We
14 did take out some language regarding mullet fishing, the
15 roe fishery which is none existent here anymore. It is a
16 very small fishery.

17 Working with Marine Patrol, we did eliminate
18 some of that language, but it does not affect the overall
19 fishery.

20 We also updated regulations regarding the use of
21 fish traps. There was also some language in there that
22 also dealt with eel traps.

23 We have sold one eel trap license since 1996, I
24 believe. It was time to get rid of that. We have never
25 had an eel trap fishery, or an eel fishery, and commercial

1 eel fishing is defined here and it specifically says that
2 it is for adult eels only. The definition does take care
3 of the regulation that was in place. It was removed for
4 redundancy purposes.

5 we did add some language which is found with the
6 crab traps basically saying fish traps may not be placed
7 in areas to obstruct navigation.

8 Part 7. This is our size limits, bag limits and
9 our quotas. We did add definitions specific to activities
10 taking place during the targeting of finfish, and it is
11 not necessarily definitions. We added one definition and
12 we defined charter vessel.

13 we took this straight out of the Code of Federal
14 Regulations:

15 "A vessel carrying a passenger for hire who is
16 engaged in recreational fishing."

17 That is the only definition that we added. The
18 rest of them were put in alphabetical order and, again,
19 they were taken from Part 8 and they already existed in
20 our regulations.

21 we updated our filet regulations. Our filet
22 regulations were intertwined like our net regulations
23 were. We had specific regulations for the Federal
24 fisheries, when you could have two certified captains
25 onboard, there are certain species that you can have.

1 They were somewhat intertwined with the newer two-day bag
2 limit that we passed four, or five, years back. So we
3 separated those to make things a little bit clearer. We
4 do get a lot of questions on those. We did not change any
5 of the language. We did not change the species involved.
6 We just separated them for clarity.

7 We did update the size and possession limits as
8 needed. One was Vermillion Snapper which was something
9 that we needed for some consistency, and we deleted the
10 commercial minimum size limit for Mullet.

11 This regulation was promulgated in the mid
12 nineties to late nineties. That is when we had a thriving
13 roe mullet fishery. It was actually requested by the
14 fishermen because some of the fish were not reaching
15 mature size. That limit was put in place specifically for
16 that fishery and, in recent years, it has conflicted with
17 some of our live bait regulations. So, again, working
18 with Marine Patrol, we felt like this regulation, it is
19 not a resource-based regulation and it provided clarity.

20 We simplified language regarding the TACs for
21 Flounder, Red Drum and Spotted Seatrout. There was a lot
22 of language in there saying when we did things. There
23 were a lot of dates. It was very confusing. We just
24 stated what the TACs were, when that started and when they
25 ended, and the big one which we will get to on the next

1 slide is we revised language regarding spotted Seatrout
2 Endorsement which was requested by the advisory panel to
3 bring to them last month, and we updated the trotline
4 language.

5 Before we get to the Spotted Seatrout, do we
6 have questions?

7 COMMISSIONER DANIELS: Just on that one.

8 MATT HILL: We brought this, I believe, two years
9 ago. This is the exact language that we proposed. It has
10 been very difficult on the Fisheries staff dealing with
11 taxes. We never really felt comfortable with it. We are
12 not qualified for it.

13 Luckily we do have a CPA that does work in our
14 Trip Ticket office, but that is not in her job
15 description. I became very uncomfortable dealing with
16 people's taxes and how that was going.

17 We have always wanted to base this endorsement
18 on the Trip Ticket system. It validates the system. We
19 raised the quota twice and it took a lot of work to do
20 that and we are not coming near reaching the quota which
21 is very disappointing to me.

22 We figure we needed around seventy to seventy-
23 five people in this fishery for us to begin reaching the
24 quota again.

25 We ran the numbers and here is what we came up

1 with:

2 "Individuals commercially harvesting Spotted
3 Seatrout must possess a Spotted Seatrout endorsement at a
4 cost of ten dollars in addition to a current applicable
5 harvester's license. To qualify for this endorsement an
6 application must be completed.

7 "A Trip Ticket officer will validate, through
8 the Trip Ticket system, that the applicant sold at least
9 one thousand dollars of finfish, or five thousand dollars
10 of seafood product, in the previous, or current, calendar
11 year.

12 "The endorsement will be valid from January 1st
13 through December 31st of each year."

14 That is another change that we have made. The
15 season was beginning February 1st and it would end October
16 31st of every year. There was really no reason we felt
17 like resourcewise. We are trying to give the fishermen a
18 little bit extra time to reach the quota. We did extend
19 the season to twelve months out of the year as Flounder
20 and Red Drum are.

21 "In the event of a hardship approved by the
22 Executive Director, the department may consider the
23 applicant's qualification based on sales one year prior to
24 the onset of the approved hardship."

25 I will stop right there because the next slide

1 is the Notice of Intent and I don't think we are going to
2 get to it that quick.

3 JOE SPRAGGINS: If I could, Commissioners, one of
4 the things -- eighteen thousand pounds is what we caught
5 last season?

6 MATT HILL: We are right at twenty thousand.

7 JOE SPRAGGINS: We've got fifty thousand pounds?

8 MATT HILL: Yes, sir.

9 JOE SPRAGGINS: Obviously, they are not catching
10 anywhere close to our limit and it's not because the fish
11 aren't there. We just don't have the fishermen, I don't
12 think.

13 MATT HILL: We currently don't have the
14 participation we feel like to meet that quota.

15 JOE SPRAGGINS: Changing that to year round I
16 think will be a good thing, too, because it used to what,
17 April, or something?

18 MATT HILL: It began February 1st and it ended
19 October 31st. It knocked out November, December and
20 January every year, the holidays.

21 JOE SPRAGGINS: This will allow that to come back
22 in. We can always look at it and try this. It could be a
23 way that we could bring more fishermen to the process and
24 might have a chance to have more Speckled Trout on the
25 market out here for us. That would be very good.

1 COMMISSIONER DANIELS: I think you made a good
2 point there, too, Joe. The Speckled Trout in this quota
3 need to be filled and it doesn't just benefit fishermen.
4 It benefits our tourism industry.

5 I have always gotten so aggravated whenever I
6 got into a really good seafood restaurant and sit down and
7 I know I'm not eating a fish from the water that I'm
8 sitting there looking at.

9 Them being able to get fresh fish year round is
10 huge. That's great.

11 MATT HILL: This also brings in the most
12 important aspect to me. It puts the Trip Ticket system
13 front and center so there are no receipts coming in, there
14 are no taxes. You are coming in an office and we are
15 going to run your trip tickets which is required by
16 regulation. It helps with compliance on that and it
17 brings it to the front and center of people's attention
18 that they need to report their landings and we will have
19 them.

20 COMMISSIONER DANIELS: Matt, if you don't mind,
21 we are going to take a public comment here at this portion
22 of it.

23 MATT HILL: All right.

24 COMMISSIONER DANIELS: I believe it's David Wells
25 who wants to talk about Speckled Trout.

1 DAVID WELLS: Thank y'all for giving me this
2 opportunity. I just have a couple of quick comments.

3 I am a CCA member, but I'm just speaking on
4 behalf of myself as a recreational fisherman.

5 I am retired. I spend quite a few number of
6 days on the water a year and I hate to say last year, due
7 to all the freshwater, it was not a very good season in
8 Bay St. Louis.

9 One of the questions I have and my memory is not
10 that good, but when we increased the size of Speckled
11 Trout, wasn't the program supposed to last three years at
12 fifteen inches?

13 I was kind of wanting to come back to the
14 Commission to see how that study is going and if we might
15 could reduce that to a fourteen inch trout.

16 Can you enlighten me on that?

17 COMMISSIONER DANIELS: I think this was a little
18 different than what we were just talking about.

19 JOE SPRAGGINS: well, we can go ahead and answer
20 it, if you want to.

21 Rick, can you tell us, or either Matt?

22 COMMISSIONER DANIELS: One thing that I'm sure
23 Matt will touch on, I was always on the fence about going
24 to fifteen inches and once that guy right there explained
25 the science behind why they landed at fifteen inches, it

1 really clarified a lot of stuff for me.

2 MATT HILL: Read is in here. He was part of it.

3 We stayed at fourteen inches for a long period
4 of time, but for eight years the size limit was dropped
5 down to thirteen inches for various reasons. We went
6 through that period and, obviously, in that period we did
7 have some problems. Our SPR pretty much bottomed out
8 which is basically what you measure the health of that
9 stock with.

10 We began to run some preliminary assessments and
11 gauged the health of the fishery, and I believe this
12 gentleman was here when all of this was going on.

13 When we came to the Commission, we set a goal of
14 a percent SPR of twenty. That is what we felt like our
15 fishery needed to be back. That is pretty much the
16 standard across the Gulf of Mexico.

17 I was always a proponent of it going back to
18 fourteen inches, but, after we ran the assessment,
19 fourteen inches was not going to get us where we needed to
20 be in a reasonable period of time. We did go and push and
21 we did get it to fifteen inches.

22 Now, it has been fifteen inches for several
23 years. We do have a new assessment coming out this year.
24 We are not against having those discussions about possibly
25 -- obviously not going down to thirteen, but possibly the

1 fourteen inch speckled Trout. A hundred percent of
2 speckled Trout at fourteen inches are reproductive
3 capable. That is where that fourteen inches came from.

4 we just dug ourselves such a hole when we went
5 to thirteen that we had to get ourselves out of the hole.

6 we would like to see some more data to see that
7 we are out of the hole, and, then, we could possibly have
8 some discussions about whether the size limit should stay
9 where it currently is, or possibly make some adjustments,
10 but we do not have that data in hand right now.

11 It is improving we feel like. We feel like we
12 are going to have a good assessment that is going to come
13 out, but for us to feel confident to recommend some type
14 of drop like that, we would have to have several years of
15 consistent data.

16 That is why we did end up at fifteen inches.
17 The intention was never to go to fifteen inches until we
18 saw how bad a shape that we were in.

19 JOE SPRAGGINS: I was talking with Rick about
20 this yesterday, as matter of fact.

21 what are our numbers, at this time?

22 MATT HILL: Right now, Robert Leaf is running the
23 stock assessment for us and we are planning on having that
24 hopefully sooner than later. We are working with him very
25 diligently on there.

1 I don't like to look at it as a point SPR by
2 year. I like to look at it between a three-and-five-year
3 average. We are still around that fifteen to sixteen
4 percent SPR, when you look at it as an average, which is
5 not our goal. Our goal is a percent SPR of twenty
6 percent.

7 How long it is going to take us to reach that, I
8 don't know.

9 If that is an appropriate SPR for us, that is a
10 conversation that we can continue to have, but we do feel
11 like it is improving and we want to see what this
12 assessment says.

13 JOE SPRAGGINS: What was it, when we started
14 this?

15 MATT HILL: I think we got down to eight.

16 JOE SPRAGGINS: It is increasing and it is
17 working.

18 MATT HILL: It has.

19 JOE SPRAGGINS: That is what me and Rick were
20 talking about yesterday, and it is working.

21 MATT HILL: Yes.

22 JOE SPRAGGINS: There is something to this to
23 where we are actually increasing and being able to get a
24 better stock of Speckled Trout.

25 MATT HILL: And it has been effected some. I

1 mean, fish do swim. However, they got in front of that
2 freshwater. They got out of the way, but we also have
3 historical sites that have been and will continue to be in
4 the west.

5 Our independent numbers went down over there,
6 obviously, because it was full of freshwater. We are
7 having to smooth that out a little bit. When we saw some
8 of the drops, we have talked about could possibly be
9 because of the drops of the freshwater in our historical
10 sites that we have to continue to do those. We can't not
11 do them, but a lot of those were zeroes which it did
12 impact some of our independent indices that we were using.
13 That is some things that we have to take into
14 consideration.

15 Just being one hundred percent honest, we are
16 just not ready to have those conversations yet, or
17 recommendations to reduce that size limit, but I think it
18 is a possibility in the future.

19 DAVID WELLS: Let me ask you a question.

20 MATT HILL: Yes, sir.

21 DAVID WELLS: My friends aren't going to like me
22 for saying this, but reducing the creel limit down to ten,
23 or twelve, instead of fifteen, would that help the
24 resource?

25 MATT HILL: That is one of the things and we will

1 probably run those scenarios again, but, when we did this
2 the first time, to make any type of significant impact --
3 you catch a lot of fish. You are a good fisherman, but
4 the truth of the matter is to make any type of significant
5 impact on the population, at that time I believe we would
6 have had to drop the creel limit down to three because
7 over ninety percent of our fishermen, if they are
8 targeting trout, they catch three, or less. Only eight to
9 ten percent of those guys were catching over eight fish.

10 It was a very drastic cut to make. The biggest
11 bang for the buck was obviously the two-inch increase in
12 the size limit.

13 The creel limit, obviously, it would help.
14 Anything like that would help, but we looked at what would
15 help significantly.

16 Mississippi is still a subsident fishery and
17 dropping a creel limit down to three, or five, I just
18 didn't think was possible at that time.

19 JOE SPRAGGINS: I think I remember talking to
20 some from Louisiana and it seems like they are reassessing
21 now their twelve inch.

22 Right?

23 MATT HILL: They are reassessing.

24 JOE SPRAGGINS: They are reassessing both the
25 numbers.

1 Right?

2 MATT HILL: They brought it up at their last two
3 commission meetings ago. Trevor and I listened to it, had
4 some good conversations. They are wanting to bring back
5 some more information at their October meeting, I believe
6 they said. I don't think it is going to be a quick
7 process, from the conversations that we heard.

8 Their biologists and their scientists are
9 onboard with increasing the size limit and decreasing the
10 creel limit at the same time, but they were not
11 comfortable with doing that at that time, but I believe in
12 October they are going to have a larger discussion on it
13 over there.

14 Anybody is welcome to listen to that. I texted
15 Ronnie and told him it was coming. We had talked to some
16 of our counterparts over there, but, yes, it is in the
17 works in other states, also.

18 DAVID WELLS: Thank you.

19 The other question I would like some information
20 on is our inshore reefs.

21 As y'all know, we had a ton of rain, over a
22 hundred inches and it just kind of killed everything.

23 I do fish quite a few days a year and I do catch
24 a lot of fish, but I have to throw them all back. I don't
25 believe I have caught a keeper trout in Bay St. Louis,

1 Jordan River this year at all. What few I did catch were
2 out at Cat Island, the reef out there.

3 As I do fish around the Coast I have noticed
4 throughout the years and the storms we have had, that a
5 lot of our reefs, the signs are missing from them and I
6 would like to see if y'all could go back to those reefs
7 and update and put the signs back up. If you don't know
8 where they are, you can't fish them.

9 JOE SPRAGGINS: We talked about that, Kyle. I
10 think we were looking at that.

11 Is he still here?

12 KYLE WILKERSON: Yes, sir.

13 JOE SPRAGGINS: As a matter of fact, somebody
14 asked me the other day. They said, what are these white
15 posts out there? What do they mean?

16 KYLE WILKERSON: That was the Henderson Point
17 area and the structures that were down there.

18 COMMISSIONER DANIELS: That particular one wasn't
19 actually a designated reef.

20 Am I correct?

21 Are we talking about where we went and marked
22 all of that concrete?

23 KYLE WILKERSON: Yes, sir.

24 JOE SPRAGGINS: Is there something we can do
25 about marking the reefs and checking on that?

1 Is that in your department?

2 KYLE WILKERSON: We can actually get with
3 Fisheries and work on that.

4 JOE SPRAGGINS: We will definitely do it because
5 we need to mark them.

6 COMMISSIONER DANIELS: A really good tidbit of
7 information to put out there, if you go to the DMR
8 website, the coordinates to every one of our inshore and
9 offshore reefs are there.

10 JOE SPRAGGINS: Travis may have something on
11 that.

12 TRAVIS WILLIAMS: We do have some funding this
13 year coming up to remark the actual signs on the reefs.
14 That is something we will work through in the spring.

15 After the last storm, I guess Zeta last year,
16 and, then, this previous year we lost a lot of the signs.
17 We do have a program we will go through and we have also
18 got a large inshore reef assessment on schedule that is
19 funded through NFWF. We are going to start that
20 assessment this year, as well, but the signs should be
21 updated through the spring.

22 DAVID WELLS: That will be great.

23 COMMISSIONER DANIELS: Whenever you say
24 assessment, we are going to look at the condition of those
25 reefs?

1 TRAVIS WILLIAMS: Yes. The inshore reef
2 assessment, we will look at all sixty-seven of our inshore
3 reefs, the low-profile reefs. We are going to do side
4 scan work, and, then, we are also going to do some actual
5 biological assessments and, from that, we will actually
6 recommend back to the granting agency to try to look for
7 funding depending on the status of our reefs.

8 COMMISSIONER DANIELS: That is something I
9 brought up about a year ago is a lot of them seem to have
10 silted in over time and been covered over.

11 TRAVIS WILLIAMS: Yes, and we hope that with the
12 side scan assessments will have that information.

13 COMMISSIONER DANIELS: That's great.

14 JOE SPRAGGINS: We have a contract now, and I'm
15 not sure. I would have to look into it with NOARC, and
16 NOARC is doing some stuff for us that they are able to
17 look under water with some drone-type stuff and being able
18 to do some stuff. We will see where we are with that.

19 DAVID WELLS: I appreciate your time. Thank you
20 very much.

21 COMMISSIONER DANIELS: Thank you, Mr. Wells.
22 We've got one more on Speckled Trout, Johnny
23 Marquez.

24 JOHNNY MARQUEZ: Good morning Commissioners and
25 Director Spraggins.

1 I just had a quick question about the change in
2 the season for speckled Trout.

3 My recollection was back when that season was
4 shortened to be from February to November, it was because
5 there was a concern about commercial fishing was taking
6 place in the wintertime north of the CSX.

7 I just wanted to ask thoughts on that and how
8 that was being addressed, if that was no longer a concern.

9 It has been awhile. That was my memory.

10 JOE SPRAGGINS: I don't think it is a concern. I
11 think our Marine Patrol has that well under control and I
12 don't think we have that issue. I think it was a
13 situation more involved than that to be honest with you.
14 I don't want to go into it, but the people are not here
15 anymore that made those decisions and I don't think it had
16 anything to do with that at all.

17 JOHNNY MARQUEZ: That's great. Back at the time,
18 I think the quota was getting filled really fast in the
19 wintertime and it was unusual.

20 Thank you.

21 COMMISSIONER DANIELS: Thank you, Johnny.

22 JOE SPRAGGINS: Back in that time, we had a lot
23 of netting fishing going on.

24 COMMISSIONER DANIELS: Yes. That is kind of what
25 I was thinking, too.

1 Cam, have you got a question?

2 COMMISSIONER ROBERDS: Yes. I've got a quick
3 question.

4 A minute ago we were talking about the stock
5 assessment over the years. I know you talked about the
6 average which I agree with.

7 what was the last year's individual assessment
8 just to get a gauge on how quick we may get there?

9 MATT HILL: Trevor, was it 2019 when we got the
10 last one?

11 TREVOR MONCRIEF: I think the last SPR is between
12 ten and fifteen, but Matt touched on it earlier. When the
13 Bonnet Carre opened, a lot of our traditional sites in the
14 west had a lack of fish being caught, so our index
15 abundance dropped.

16 When it comes down to SPR, when your index drops
17 and there is seemingly less fish in the population, but
18 your fishing harvest, your actual recreational harvest and
19 everything else stays flat, that is when it leads to that
20 lower SPR rate, and that is where we are trying to
21 continue to do updates post Bonnet Carre to see how that
22 population comes back.

23 COMMISSIONER ROBERDS: what you guys are working
24 on now will be for 2020?

25 MATT HILL: It will be through 2021. The

1 terminal year will be 2021.

2 TREVOR MONCRIEF: Yes.

3 JOE SPRAGGINS: Before he walks away, this young
4 man, I tell you what, he is on our SSC for the Gulf
5 Council and does the stuff for the stock assessment.

6 whenever we tried to get him on there, I was
7 told he is too young. He is just too young to know.

8 Now, everybody on that SSC has come to me and
9 said, thank you, thank you, thank you because that is one
10 sharp individual right there.

11 TREVOR MONCRIEF: I appreciate those kind words.

12 COMMISSIONER DANIELS: Good job, Trevor.

13 MATT HILL: Director Spraggins did bring it up.

14 I have been here for going on twenty-three years
15 and myself and Rick Burris and another one of our staff
16 sat in my office the other day and listened to Trevor give
17 a one-hour presentation with NOAA. There were other state
18 directors on there, there were very highly paid
19 consultants on there, and it is probably the best
20 presentation I have ever heard.

21 Most of them, after the call was over, said that
22 was the most well put together presentation.

23 Trevor worked on it for two years. Two years he
24 worked on it, and Rick can also attest to it. We got
25 emails. We got texts. He definitely made an impression

1 and kind of put us in the lead again.

2 We have had Tails n' Scales for a little while
3 and, now, they are trying to pick on that, but that
4 presentation was probably the best I have ever seen and he
5 needs to be congratulated for that.

6 JOE SPRAGGINS: And we want it public, Trevor,
7 that we don't want you going anywhere.

8 TREVOR MONCRIEF: Thank you.

9 MATT HILL: Getting back to this, we do need to
10 have some discussion. We do need a Notice of Intent
11 recommendation to the Executive Director that the new
12 format and changes to Title 22, Parts, 3, 5 and 7, be sent
13 to the Secretary of State's Office for Notice of Intent.

14 COMMISSIONER DANIELS: Do we have a motion for
15 the Notice of Intent?

16 (No response.)

17 COMMISSIONER DANIELS: I'll make the motion.
18 Do we have a second?

19 COMMISSIONER ROBERDS: I'll second it.

20 COMMISSIONER DANIELS: All those in favor?

21 COMMISSIONER ROBERDS: Aye.

22 COMMISSIONER DANIELS: Aye.

23 COMMISSIONER GUESS: Aye.

24 COMMISSIONER DANIELS: Motion passes.

25 Thank you.

1 MATT HILL: Thank you.

2 COMMISSIONER DANIELS: Do we have any other
3 business today?

4 (No response.)

5 COMMISSIONER DANIELS: We have one more public
6 comment that we will do here at the end.

7 Is Mr. Ferguson here?

8 MR. FERGUSON: Good morning Commissioners. Thank
9 you for letting me speak.

10 Let me start off by saying I entered this
11 industry in 1985. I entered as a young man learning to
12 fill needles in the net shop which is gone these days.
13 There used to be four, or five, net shops in Mississippi
14 which is no longer.

15 I am going to talk about the shrimp. I would
16 like to touch on crabs at the end.

17 This past year, of course, we had lots of rain
18 which really decimated our brown shrimp and white shrimp
19 season because of all the rain we got in our estuaries.
20 Shrimp come all the way to the estuaries to lay their
21 eyes. So we have baby shrimp in the estuaries which the
22 rains flush them out in the open and our Speckled Trout
23 population has really grown. So they really work on our
24 shrimp population.

25 The fall shrimp is where I'm going to start

1 which this month is the end of our rock shrimp season.
2 when I talk about the old days, they shrimped year round.

3 The fall shrimp are not protected by law where
4 our brown shrimp and our white shrimp are kind of
5 protected, but they still allow -- I don't know about the
6 laws now. They used to allow commercial fishing from
7 intracoastal out. So those shrimp coming in out of the
8 Gulf are not protected, but the fall shrimp are not
9 protected and this would be the end of the fall shrimp
10 season right now at the end of February I would say
11 somewhere in the old times.

12 Then you have the pink shrimp, or the ruby reds,
13 which we are about halfway through now. There should be
14 some small ruby reds in the estuaries which we have had
15 some rain here this past month. So it is possible that
16 most of them got washed out, or killed.

17 I'm not here to talk about them. I'm here to
18 talk about the brown shrimp because right now is the start
19 of the brown shrimp season. The brown shrimp are starting
20 to come in out of the Gulf to come to the estuaries to lay
21 their eggs.

22 If the shrimping season is still open from the
23 intracoastal out, you are allowing the shrimpers to catch
24 these shrimp that need to come in and lay their eggs. If
25 you don't allow the shrimp to lay their eggs, you don't

1 have an industry.

2 If you had proper weather conditions -- I am
3 going to refer back to the fall shrimp right now. We had
4 phenomenal weather conditions for the fall shrimp. We
5 should have had tons and tons of shrimp coming out of the
6 estuaries from the fall shrimp, but we do not because they
7 are not protected. The adult shrimp are not protected.
8 You are losing all of those eggs. When those adult shrimp
9 are caught, you lose all of that.

10 That is basically what I had to say, and my time
11 is up.

12 One more thing. I wanted to speak on the crabs
13 real quick. What would help the crab industry
14 tremendously is taking commercial traps out of
15 recreational hands and what I mean by that, we all know
16 what a commercial trap looks like.

17 Recreational crabbers are using commercial
18 traps. They should be using recreational fishing gear,
19 not commercial fishing gear.

20 COMMISSIONER DANIELS: Thank you, Mr. Ferguson.

21 MR. FERGUSON: Thank you.

22 COMMISSIONER DANIELS: Do we have a motion to
23 adjourn?

24 COMMISSIONER GUESS: I make a motion.

25 COMMISSIONER ROBERDS: I'll second it.

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COMMISSIONER DANIELS: All those in favor?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Aye.

COMMISSIONER ROBERDS: Aye.

COMMISSIONER DANIELS: Thank you.

(Whereupon, at 10:25 o'clock, a.m., the February 15, 2022, meeting of the Mississippi Advisory Commission on Marine Resources was concluded.)

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CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing sixty-five pages, including this page, is a true and correct transcript of the February 15, 2022, meeting of the Mississippi Advisory Commission on Marine Resources, as taken by me at the time and place heretofore stated in the aforementioned matter in shorthand, with electronic verification, and later reduced to typewritten form to the best of my skill and ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.

s/ _____
LUCILLE MORGAN, CSR 1251
COURT REPORTER