

Commission on Marine Resources

COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, March 20, 2018
9:00 a.m.
Bolton Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi 39530

Commission Members:

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

Also Present:

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

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1 COMMISSIONER BOSARGE: Good morning everyone. I
2 would like to welcome everybody to our regular March
3 meeting of the Commission on Marine Resources.
4 To start it all off, we will ask Commission
5 Gollott to lead us in the Pledge of Allegiance.
6 (Pledge of Allegiance was recited.)
7 COMMISSIONER BOSARGE: At this time, I would
8 like to ask for a moment of silence to contemplate where
9 we are in this country and where we may need to go.
10 (Moment of silence observed.)
11 COMMISSIONER BOSARGE: Thank you.
12 Approval of the minutes.
13 Do we have any changes, or modifications, to the
14 minutes from the February meeting?
15 (No response.)
16 COMMISSIONER BOSARGE: Hearing none, do we have
17 a motion to approve the minutes of the February meeting?
18 COMMISSIONER HAVARD: Mr. Chairman, I would like
19 to make a motion we approve the minutes of February 20th,
20 2018, Commission meeting.
21 COMMISSIONER BOSARGE: We have a motion.
22 Do we have a second?
23 COMMISSIONER HARMON: I'll second that motion,
24 Mr. Chairman.
25 COMMISSIONER BOSARGE: We have a motion and a

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1 second.
2 All those in favor say aye.
3 (All in favor.)
4 COMMISSIONER BOSARGE: Opposed?
5 (None opposed.)
6 COMMISSIONER BOSARGE: Motion carries.
7 Approval of the agenda.
8 Do we have any changes, or modifications, to the
9 agenda?
10 (No response.)
11 COMMISSIONER BOSARGE: Hearing none, do we have
12 a motion to approve the agenda as written?
13 COMMISSIONER HARMON: Mr. Chairman, I make a
14 motion that we approve the agenda as written.
15 COMMISSIONER BOSARGE: We have a motion.
16 Do we have a second?
17 COMMISSIONER GOLLOTT: I'll second that motion.
18 COMMISSIONER BOSARGE: We have a motion and a
19 second.
20 All those in favor say aye.
21 (All in favor.)
22 COMMISSIONER BOSARGE: Opposed?
23 (None opposed.)
24 COMMISSIONER BOSARGE: Motion carries.
25 Executive Director's report, Mr. Joe.

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1 JOE SPRAGGINS: Yes, sir. I only have a couple
2 of things.
3 House Bill 1041 did get signed into law by the
4 Governor which changes our permitting from five to ten
5 years for government agencies. It is going to help a lot
6 with that. We appreciate that.
7 The other thing is we would like to look at the
8 possibility of moving our next meeting to Hancock County.
9 We try to move to Hancock County and Jackson
10 County at least once a year.
11 We talked with the Hancock County Board of
12 Supervisors, and we can use their room.
13 If I could, I would like to be able to move the
14 April meeting to Hancock County.
15 COMMISSIONER BOSARGE: I enjoy going to Hancock
16 County. We get to see different people and get a
17 different perspective.
18 I guess we will need a motion.
19 COMMISSIONER TRAPANI: I'll make that motion to
20 move our next Commission meeting to Hancock County.
21 COMMISSIONER BOSARGE: And the meeting will
22 start at 10:00 o'clock, instead of 9:00?
23 COMMISSIONER TRAPANI: Yes.
24 COMMISSIONER BOSARGE: We have a motion.
25 Do we have a second?

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1 COMMISSIONER HAVARD: I'll second that motion.
2 COMMISSIONER BOSARGE: We have a motion and a
3 second.

4 All those in favor say aye.
5 (All in favor.)

6 COMMISSIONER BOSARGE: Opposed?
7 (None opposed.)

8 COMMISSIONER BOSARGE: Motion carries.
9 Next month our Commission meeting will be in
10 Hancock County at 10:00 o'clock.

11 Next on the agenda is Office of Marine Patrol,
12 Chief Davis. We are glad to have you back.

13 KEITH DAVIS: Good morning, Commissioners.

14 The report is pretty straight forward this
15 month. There is nothing that really stands out, other
16 than one citation was written to a tonger for no marine
17 sanitation device on the Biloxi Reef.

18 I do want to ask that you take a look at this
19 report and look at the year-to-date category and see that,
20 in most categories, there have been more citations written
21 this year over last year, with the exception of the boat
22 and water safety category.

23 Any questions?

24 JOE SPRAGGINS: Just one quick thing. We did
25 get approval the other day. We have always kind of had a

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1 Of course, everyone has been very interested in
2 this process of the opening. This is the twelfth opening
3 of the Bonnet Carre.

4 These are a couple of pictures for the
5 Commission to look at. I know we have several new
6 Commissioners who may not have visited the structure.

7 This shows the gates along the Bonnet Carre
8 Spillway, and it also shows the trucks that open the
9 gates. This is from the 2011 opening. You can see the
10 trucks on the right-hand side opening the gates. They
11 have these long pins in each one of the gates that they
12 slide up.

13 This is a little bit of history on the Bonnet
14 Carre. It was completed in 1931. Work started in 1929.
15 It is located in Narco, Louisiana. It's about thirty
16 miles north of New Orleans. Its purpose is protection for
17 the citizens of Louisiana.

18 The triggering factor that starts the opening of
19 the gates is one point two five million cubic feet per
20 second.

21 There is a total of three hundred and fifty
22 bays. Each bay is about twenty feet wide.

23 The largest CFS of water through the structure
24 was three hundred sixteen thousand CFS in 2011.

25 This is sort of a little bit of historical

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1 Deputy Chief. We just got approval by the State of
2 Mississippi Personnel Board to have a Deputy Chief.

3 KEITH DAVIS: Thank you, Director. I would like
4 to expound on that.

5 If you remember last year, the State legislator
6 gave us authorization to realign with the Mississippi
7 Department of Wildlife and Fisheries. During that
8 realignment, it occurred to my administration that an
9 Assistant Chief had never officially been created for the
10 Mississippi Department of Marine Resources. Working with
11 our HR Department, we were able to get that approved.

12 We, now, have an official Assistant Chief for
13 Marine Patrol.

14 COMMISSIONER BOSARGE: Who is our Assistant
15 Chief?

16 KEITH DAVIS: That person hasn't been named yet.

17 COMMISSIONER BOSARGE: I'm sure you will let us
18 know when that happens.

19 KEITH DAVIS: I will definitely do that.

20 COMMISSIONER BOSARGE: Thank you.

21 KEITH DAVIS: Thank you.

22 COMMISSIONER BOSARGE: We move on to Office of
23 Marine Fisheries.

24 JOE JEWELL: First on the agenda for the
25 Commission's consideration is the Bonnet Carre update.

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1 comparison between the most comparable opening to the 2018
2 opening.

3 In 2016, it was the eleventh spillway opening.
4 It had been open three other times since 2008; 2008, 2011
5 and 2016.

6 It was the January opening which was the
7 earliest opening on record for the Bonnet Carre. It
8 opened on January the 10th, and it closed on February the
9 1st. It was open for a total of twenty-three days, with
10 maximum gates opened of two hundred and ten out of three
11 hundred and fifty.

12 Where we are today, the 2018 opening, this is
13 the twelfth spillway opening. It has been opened four
14 times, since 2008. We have a March 2018 opening. It
15 opened on March 8th. The expected close date is the 27th.
16 That was updated yesterday, by the Corps, to the 29th. The
17 total maximum open gates was, at that time, a hundred and
18 sixty to a hundred and seventy. Currently, we have one
19 hundred and sixty-eight gates open.

20 This is a comparison of the four most recent
21 years. When we started in this process on March the 8th,
22 it was most comparable to the 2008 opening. Now, it is up
23 a little bit to be more comparable to 2016.

24 You can see the bays open. It is the second
25 shortest on record. Originally, it was twenty days. It

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1 is, now, at twenty-two days. Bays open was estimated at
2 one hundred and sixty. Of course, it's a hundred and
3 sixty-eight, and the cubic feet per second was projected
4 at maximum one sixty to one seventy. It's at one ninety-
5 five.

6 This is a little bit of a historical overview of
7 the twelve openings. You can see they range in date and
8 in intensity throughout the years.

9 I updated this graph. Originally, it was going
10 to be the second smallest opening. Now, it's the third
11 smallest opening.

12 You can see the 2016 opening on your far left-
13 hand side which was the earliest opening and one of the
14 shortest.

15 Now, we are updated to twenty-two days at a
16 hundred and ninety-five thousand CFS.

17 This, again, is a chart that shows that in a
18 linear form. On the left-hand side is the cubic feet per
19 second and on the bottom is the days. You can see we are
20 sort in that dark yellow range. That's 2018. It is still
21 projected at twenty-two days which would be one of the
22 smallest openings on record.

23 I have updated this graph. Originally, we were
24 predicted at twenty days ranging from a hundred and sixty
25 to a hundred and seventy CFS. The graph on the right is

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1 updated. It is, now, twenty-two days and a maximum of a
2 hundred and ninety-five CFS.

3 This is a little bit of the background
4 information that we are monitoring. The temperature gauge
5 near the St. Joe Reef, it shows in early February where we
6 expect the water to start warming quickly, but, then, we
7 had a lot of runoff from the Pearl River and rainfall in
8 that area which reduced not only the temperature, but, as
9 we see on the right, the salinity levels.

10 I think, at this point, most of this is being
11 influenced by the Pearl River and not the opening of the
12 Bonnet Carre.

13 There is a USGS gauge at Pearl River. This sort
14 of directs and addresses our management criteria for the
15 western area, the reef areas in the Mississippi Sound.

16 The flood stage is at fourteen foot for the
17 Pearl River and, as you can see, since about mid February
18 we have been above the fourteen foot level and have stayed
19 there. Today it is about fifteen foot. It's about a foot
20 above flood level.

21 Our management criteria for the offshore areas
22 is twelve point five feet, and our management criteria for
23 the inshore reefs is ten feet. You can see we are
24 significantly above both of those criteria.

25 These are our monitoring stations, in the event

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1 of the opening of the Bonnet Carre. We have our data
2 Sonde out which measures physical parameters. We monitor
3 the finfish and invertebrates with water quality stations
4 and oyster monitoring stations.

5 This is sort of some satellite imagery of the
6 area. If you notice on the left-hand side there is the
7 data for opening both the Lake Pontchartrain and Lake
8 Bourne. Even in Mobile Bay and over in the Atchafalaya
9 Basin, there is a significant amount of sediment. We have
10 had several major fronts that came through that area and
11 contributed to a lot of rainfall and high river stages on
12 the Pearl River.

13 This is the day after the opening. Most of the
14 sediment has kind of settled down. There is no
15 significant source from the opening of the spillway.

16 Now, we move into March 15th and 16th. This is
17 just the most recent satellite imagery that we have
18 available. There is a lot of cloud cover that occurred.

19 On the March 15th image, you can clearly see the
20 opening of the Bonnet Carre and sediment starting to build
21 on the western portion of Lake Pontchartrain. That
22 continues the following day and has moved almost through
23 the Rigolets, at this point, but you can also see, on the
24 16th, significant sediment on the Atchafalaya and
25 Mississippi River basin.

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1 Are there any questions?

2 COMMISSIONER BOSARGE: What are our concerns,
3 Joe, or do we have any?

4 JOE JEWELL: Well, we have concerns anytime the
5 Bonnet Carre is open, and that is that we will have enough
6 fresh water overflow in our Western Sound that stays there
7 long enough, significant enough to cause mortality on our
8 western reefs. We are very concerned about that. We are
9 monitoring that on a daily basis. We are more close to
10 the 2016 opening, now, which was a major event that didn't
11 cause significant damage, or mortality. This opening is
12 very similar to that, but it also is dissimilar in some
13 ways.

14 COMMISSIONER BOSARGE: Later in the year.

15 JOE JEWELL: We've got those lows that are
16 coming through that are pushing that wind from the
17 southwest. We are watching that.

18 COMMISSIONER BOSARGE: When are they predicted
19 to start actually closing some of the gates?

20 JOE JEWELL: Our most recent update is that they
21 have opened fifteen additional gates which brings the
22 total, right now, to a hundred and eighty-three, and they
23 are predicting to start closing the gates later this week
24 until the March 29th official closing that is projected.

25 COMMISSIONER BOSARGE: Good. All right.

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1 JOE JEWELL: Sometime later this week they will
2 starting closing the spillway.

3 JOE SPRAGGINS: Just a couple of things, Joe,
4 and you help me here. The staff has been looking at this
5 every day, more than one time a day about what is
6 happening here. Even over the weekends, we stay in touch
7 with each other about what is happening.

8 We looked at every test of any time during the
9 time since they started the talk back the first of March
10 of being able to open the spillway, as to is there a
11 chance to harvest those oysters, the ones that are there.

12 I think our management program has not allowed
13 that since day one, March the 1st.

14 Right?

15 JOE JEWELL: Correct. The reason why I included
16 that graph that showed the Pearl River was to give the
17 Commission some idea that if they had an option to open
18 for harvest, it would have been predating the spillway
19 opening. The Pearl River was significantly up in early
20 mid March.

21 If the Commission had decided to increase the
22 thirty percent quota which was in place, that decision
23 would have to have been made somewhere mid January.

24 Right now, we are well above flood stage. For a
25 harvest, there would be no option for it until it went

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1 down.

2 The only option on the table, right now, is a
3 relay.

4 COMMISSIONER BOSARGE: Any further questions?
5 (No response.)

6 COMMISSIONER BOSARGE: Thank you, Joe.

7 JOE JEWELL: Our next presentation is a
8 presentation that both myself and Robbie Kroger gave to
9 the Oyster Restoration Conference late last year that was
10 held in the coliseum.

11 As I said, myself and Dr. Robbie Kroger gave
12 this presentation. It was very successful, very
13 informative, and the Commission has asked several of the
14 questions that are addressed in this presentation.

15 COMMISSIONER BOSARGE: Can I interrupt you one
16 moment?

17 JOE JEWELL: Sure.

18 COMMISSIONER BOSARGE: We've got a request for a
19 public comment from Ryan Bradley on F1.

20 Can we do that real quick, before you get
21 started?

22 JOE JEWELL: Absolutely.

23 RYAN BRADLEY: For the record, my name is Ryan
24 Bradley. I'm with the Mississippi Commercial Fisheries
25 United.

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1 Several members had instructed me to send a
2 letter to the Commission requesting an emergency
3 Commission meeting to discuss what was, at the time, the
4 pending opening of the Bonnet Carre Spillway, in which
5 they had hoped to provide input regarding the protection
6 and best utilization of Mississippi's oyster resources,
7 particularly at the vulnerable St. Joe Reef.

8 On March 7th, 2018, our organization sent this
9 letter via email to the Commission and several staff
10 members of DMR, including General Spraggins.

11 We did receive a quick response in which it was
12 indicated that the Commission and the DMR had declined to
13 hold the requested emergency meeting to receive
14 stakeholder input from the fishing community.

15 We would have obviously preferred to see our
16 fishermen have an opportunity to provide input on this
17 matter, but we do respect the decision that was made and,
18 at least, appreciate the consideration that was given to
19 our request. We do appreciate that.

20 I just wanted to reiterate that I don't have to
21 stress how big of an impact this opening of the Bonnet
22 Carre Spillway has on our fisheries.

23 Not as many bays have been opened this year as
24 in 2011, or 2016, but the potential for lasting damage to
25 our fisheries and irreparable harm to our fishing

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1 communities is still very high. I just don't know how
2 much more these fishermen can take of all these multiple
3 stressors that we keep getting.

4 I just wanted to reiterate why it is very
5 important to include our fishermen in any restoration
6 projects that you can because they are really feeling the
7 pinch from all of these openings. Please keep that in
8 consideration, and I will leave it at that.

9 COMMISSIONER BOSARGE: Thank you, Mr. Bradley.
10 We are glad you are paying attention, also.

11 COMMISSIONER TRAPANI: Mr. Bradley, I would like
12 to add one thing on the Commission's part.

13 RYAN BRADLEY: Yes, ma'am.

14 COMMISSIONER TRAPANI: I want to also commend
15 the DMR and their departments because they have kept us
16 advised almost daily on what is going on with the Bonnet
17 Carre Spillway.

18 Our communications between the Commission and
19 the DMR have been really on top of this, and I want all
20 the fishermen to know that we understand how important
21 this is and we have all been watching it very closely.

22 Even though we are not in a Commission meeting
23 formally, we are all watching it very closely and
24 understand the importance of it.

25 RYAN BRADLEY: That's great. We are definitely

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1 glad to hear that, and we appreciate all the great work
2 y'all have done. Thank you.

3 COMMISSIONER BOSARGE: I thought there was
4 something wrong with my email for awhile because all it
5 said was "Joe Jewell. Joe Jewell. Joe Jewell." Believe
6 me, he is keeping us up to date.

7 RYAN BRADLEY: I've just got to keep them honest
8 sometimes. Thank you.

9 JOE JEWELL: Thank you, Mr. Bradley, for those
10 comments.

11 I will move on to our presentation. This should
12 look very familiar to the Commission. This is the
13 management plan that the Commission adopted, at the April
14 18th, 2017, meeting. The oyster management sits on three
15 legs.

16 One is compliance. That's our program reviews,
17 our shoreline surveys, our water sampling data which is
18 all included in our data gathering for compliance that all
19 fits in that category.

20 Replenishment and restoration. These activities
21 include things like our cultch plants and monitoring.

22 Our oyster harvest strategy, that is sort of the
23 overall picture of what the Commission and Department of
24 Marine Resources try to do to affect a sustainable
25 resource for the fishery.

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1 These graphs have been presented to the
2 Commission. I will give you a little update.

3 On the left-hand side, this is the oyster
4 landings data from roughly about 2013. You can see some
5 significant events that occurred that impacted the
6 landings data.

7 First was Hurricane Katrina which occurred in
8 2005. You will notice a significant gap in landings
9 there. It impacted our fisheries very negatively.

10 A couple of years afterwards, we significantly
11 undertook a shell cultch planting regime. It was
12 primarily limestone, but there was some shell that was
13 moved to these reefs to help them recover, and, then, you
14 can see that we had some very significant landings in 2008
15 and 2009. There was about a hundred and fifty, a hundred
16 and sixty thousand sacks that we did land and start
17 recovering the industry.

18 Then, again, we had a couple of events that
19 impacted us very negatively again. One was the BP oil
20 spill in 2010, and, then, more significantly the Bonnet
21 Carre Spillway opening in 2011.

22 On the right-hand side, you will see a graph of
23 comparison of the DMR's field sampling, our estimates of
24 available resource, and, then, the lighter gray bars are
25 the number of sacks harvested. Again, for your

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1 clarification, I have noted on there the years of the BP
2 oil spill and the Bonnet Carre opening in 2011.

3 Moving forward, we want to talk a little bit
4 about restoration and sustainability of the resource.

5 The Governor convened a council to address this
6 issue that he felt was so important for the industry of
7 South Mississippi and for the economy of the State of
8 Mississippi.

9 That committee established one million sacks of
10 oysters harvested by 2025. That is a pretty ambitious
11 goal, but it was the bar set very high so that our
12 industry could start recovering.

13 The top three priorities would be self reliance,
14 the industry to be sustainable, be able to scale up and
15 replenish with restoration efforts and with diversity of
16 the harvest strategies. Rather than just the public
17 reefs, other strategies were considered for stability of
18 the industry.

19 One of those strategies is to grow oysters to
20 help plant and reseed a lot of reefs.

21 This is a facility up in the northeast. It is
22 very similar to our Aqua Green facility her on the Coast.
23 You can see a lot of the grow-out projects that are
24 occurring to help restore reefs.

25 These are the remote set grow-out tanks that are

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1 very new in our process. This, again, is a facility up in
2 the northeast. You can see it is a rather large expansive
3 project.

4 Here in Mississippi we have something very
5 similar. It is located at the Port of Gulfport. They
6 currently have six tanks that contain about sixty thousand
7 shells per tank, and about eight and a half million larvae
8 are introduced into those shells to help grow our
9 facility.

10 what happens is they will put these larvae in
11 there and they will grow to about thumbnail size, and,
12 then, the Shellfish Bureau and Office of Marine Fisheries
13 will take those oysters and plant them over our reefs to
14 help sustain those and grow.

15 There is a move to expand these facilities to
16 increase their production which would scale up our
17 abilities to recover and restore our reefs.

18 In addition, we are trying to diversify the
19 industry. Rather than just have our wild harvest, we are
20 trying to provide other opportunities for the commercial
21 fishermen.

22 Here you will see a couple of different
23 strategies. The sort of triangular cage on the top there
24 really is an off-bottom long line. You see that string of
25 pilings in the background. You can see very similar

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1 devices on the right. That's one strategy for
2 diversification (indicating photograph).

3 Then, we have these sort of floating cages that
4 the triangular cage is sitting on top of. That's a
5 separate one. We actually have some test cases for those
6 in the back of Deer Island. We have somewhere from ten to
7 fifteen of those cages that are being experimented with to
8 try and help diversify the industry and cross train our
9 commercial fishermen (indicating photograph).

10 Then, finally, we want to talk about some of our
11 restoration efforts. Here you can see our current and
12 historical distributions on our oyster reefs on the left,
13 and, then, on the right you can see the locations of our
14 spring and fall cultch plants that occurred (indicating
15 slide).

16 We, again, plan to have spring and fall cultch
17 plants this year and next year, and we also try to listen
18 to a lot of the input from our industry from our
19 fishermen, and we are going to try and diversify some of
20 our cultch planting.

21 We now have a contract out that is solely for
22 the purpose of oyster shells. They are a little bit hard
23 to get and a little bit pricier, but they are much more
24 effective than any other material. We are going to try
25 and accumulate some of that on our reefs.

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1 with that being said, I'm going to turn it over
2 to Dr. Kroger for his portion of the presentation.

3 COMMISSIONER BOSARGE: Joe, I have a question.

4 JOE JEWELL: Yes, sir.

5 COMMISSIONER BOSARGE: The tanks in Gulfport,
6 are they located in Gulfport because you are circulating
7 sea water out of the Port through those tanks?

8 JOE JEWELL: There are a couple of reasons why.
9 That is certainly one of the primary reasons, but it is
10 also centrally located. It's about the midway point
11 between our western reefs and the Pascagoula and Biloxi
12 Bay reefs. It gives us an option to move those oysters in
13 either direction.

14 COMMISSIONER BOSARGE: The oysters in those
15 tanks, do they actually feed them, or are they getting
16 their nutrients from the water?

17 JOE JEWELL: They get most of it from the water.
18 It's a pumping facility.

19 COMMISSIONER BOSARGE: Thank you.

20 JOE SPRAGGINS: Another thing is the Port has
21 offered an area for us to be able expand, if we want to,
22 in the future which would be a huge area to be able to do
23 what we are talking about. It could multiply numerous
24 times what we are doing, right now, and it is working very
25 good. The Port is onboard with us. They want to do it as

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1 much as possible. We just have to prove to ourselves that
2 we can do this. I think that they are well on track to
3 doing that, and I appreciate it.

4 COMMISSIONER BOSARGE: That brings to mind a
5 facility that was down in Cape Canaveral where there was a
6 gentleman raising clams basically with that same concept.
7 It was very productive. It really surprised me what he
8 could do just in that small area.

9 JOE JEWELL: Once they ramp up, the facilities
10 can be very effective, extremely effective.

11 ROBBIE KROGER: Let me just introduce myself,
12 General Spraggins and the Commission. My name is Robbie
13 Kroger. I'm the chief scientific officer of Covington
14 Civil and Environmental. I serve as the chief scientist
15 supporting DEQ in pretty much all their restoration
16 efforts across all the funding streams.

17 As Joe mentioned, this is a presentation that
18 Joe and I gave collaboratively at the Restoration Summit
19 back in November and, really, the point of the whole
20 presentation was to give a global look of how DEQ and DMR
21 are collaborating and significantly coordinating those
22 efforts towards that goal that you guys have set, an
23 ambitious goal that we believe is possible, given all the
24 items and all the potential options that we have put in
25 place for restoration.

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1 General Spraggins, to your point, in terms of
2 the remote setting, that remote setting facility, right
3 now, that you have is a pilot project in coordination with
4 DEQ and yourself. They put an eight-and-a-half million
5 dollar remote setting facility on the last state
6 expenditure plan. That essentially has been moved to the
7 chair -- the EPA is the chair of the RESTORE Council,
8 right now -- for approval. We are days away from that
9 project being officially approved. Hopefully, by the end
10 of this year, we will have a project that has been granted
11 to the state to start investigating what that facility
12 wants to look like.

13 Hopefully, within a year and half, that ramping
14 up of replenishment and renourishment efforts has come to
15 fruition, so that you can essentially scale up those
16 restoration efforts.

17 We talked about the oyster hatchery. The oyster
18 hatchery is the way to make the state self reliant, in
19 terms of being able to produce those larvae that can then
20 be placed on the new remote-setting facility and be able
21 to scale up and really get to that goal.

22 I want to commend the Commission and the DMR
23 staff. When you look at the oyster monitoring that occurs
24 in the State of Mississippi, it is by far the most
25 comprehensive oyster monitoring that you guys have in the

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1 Gulf Coast. We have a very good handle on what is out
2 there. We have a very good handle on what needs to
3 happen. I commend you and commend the staff for the
4 amount of monitoring that you have to inform you, in terms
5 of decision making.

6 I wanted to give you some ideas, in terms of the
7 additional evidence that is being infused into the oyster
8 restoration landscape so you can understand all of the
9 gaps that are being filled from a scientific knowledge
10 perspective.

11 The first one is a significant benthic habitat
12 mapping project. You may not be aware, but we have mapped
13 fourteen thousand acres of the western Mississippi Sound
14 oyster complex.

15 What does that mean?

16 Well, this is just an idea of what that means.
17 In the past, you might have thought St. Joe Reef was a
18 nice square block, nice square rectangular block, but that
19 is actually what St. Joe looks like (indicating slide).

20 We will be able to tell you what is out there,
21 the biometric analysis of the height of the reef, how much
22 is there and give you specific geographic locations for
23 where we would be able to replenish cultch.

24 Instead of broadcasting cultch over the entire
25 area, you now have a very defined geography of where you

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1 can put cultch. Maximizing the cost. Maximizing the
2 benefit of that cultch deployment. Maximizing the oyster
3 production benefits.

4 Tied with the benthic habitat mapping is a task
5 for testing cultch materials. It is our experimental
6 cultch project.

7 We know that oyster shell is the best, but we
8 also know that oyster shell is in the greatest demand and
9 in the least supply, so we need to find the next best
10 thing.

11 What we are doing is testing limestone against
12 crushed concrete. This is an area outside of the Ocean
13 Springs bridge. We have done a two-hundred-and-fifty-six
14 acre benthic habit map that you can see. In coordination
15 with the Oyster Bureau, we've got three distinct plots,
16 ten acres in size.

17 You guys have signed a resolution not to harvest
18 those for the next three years, and we appreciate that.
19 It will give us fantastic data on relief, types of cultch
20 and their effects on oyster recruitment which will be
21 phenomenal information, as you move forward in your
22 decision making.

23 We've got a significant environmental
24 characterization that is tied to the benthic habitat
25 mapping. We have a hundred and nineteen sites that are

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1 monitored quarterly for water quality.

2 This data set will be a five-year long data set
3 that, then, can be incorporated into two additional pieces
4 that are extremely important for understanding.

5 The hydrodynamic model of the western
6 Mississippi Sound, as well as the hydrodynamic model for
7 the lower sixty-five kilometers of the Pearl River, all of
8 that will give us the understanding of how salinity
9 regimes will change, given Bonnet Carre Spillway openings,
10 given high stages in the Pearl River, and give you a good
11 set of information to understand where to put oysters
12 reefs in the future, in terms of restoration.

13 Finally, we have an oyster gardening program
14 that is being put in place. These are the sites for 2017
15 and 2018.

16 Given some information that was passed along to
17 me by your Chief Scientific Officer, the decision was made
18 that oyster gardening can now occur anywhere that is
19 biologically feasible. That is going to wrap up
20 significantly the outreach efforts on oysters and growing
21 oysters and also produce more oysters to be put back onto
22 some reefs somewhere that would add to the spawning stock
23 available in our estuaries (indicating map).

24 We've also got a project that is coming down
25 from RESTORE. Again, diversifying the oyster growth is a

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1 relay off of the Pascagoula Reef complex. There is
2 significant money there for relay, for benthic habitat
3 mapping, for additional disease and water quality
4 monitoring, again, to get a very good capture of what that
5 reef wants to look like today and what it wants to look
6 like in the future.

7 Again, I hope that Joe and I have communicated
8 to you that this is a multi-pronged effort that we have
9 hit this thing from all sides that we can possibly think
10 of, in terms of diversification of the oyster resources,
11 water quality, cultch restoration, hatchery remote
12 setting, all towards that end goal of getting towards that
13 oyster restoration end goal that you are looking for.

14 I appreciate your time this morning. If you
15 have any questions, I will be happy to answer them.

16 COMMISSIONER BOSARGE: Jolynne has a question.

17 COMMISSIONER TRAPANI: The results from what
18 substance works the best is years from now?

19 ROBBIE KROGER: Yes, ma'am. We have yet to put
20 it in the water.

21 COMMISSIONER TRAPANI: Then, the rest of the
22 test areas we are probably looking at three years from now
23 for all of the results?

24 ROBBIE KROGER: The experimental cultch
25 deployment, once we go in the water, we really want three

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1 years worth of growing potential. It may be that in two
2 years we are seeing great results.

3 Obviously, every year we would come back to you
4 and give you the results, but for the experimental cultch
5 component of the project, we are three years out.

6 Everything else, I would say by the middle of
7 next year, the fall of 2019, we will probably have eighty
8 percent of the information out of this project.

9 COMMISSIONER TRAPANI: Thank you.

10 COMMISSIONER BOSARGE: I have a question. You
11 were talking about the gardening, oyster gardening.

12 ROBBIE KROGER: Yes, sir.

13 COMMISSIONER BOSARGE: Joe and I have had this
14 conversation.

15 Now, we have it where we can do the oyster
16 gardening just about anywhere?

17 ROBBIE KROGER: Correct.

18 COMMISSIONER BOSARGE: For somebody to do this,
19 what is the procedure?

20 ROBBIE KROGER: They can reach out to me, or
21 they can reach out -- they have just hired a Mississippi
22 Oyster Gardening Coordinator. It is through the
23 Mississippi-Alabama Sea Grant. There is a dedicated
24 individual in Mississippi that will help people with their
25 baskets, help grow their oysters, check in periodically.

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1 It's a fantastic effort.

2 COMMISSIONER BOSARGE: It's great, and I like
3 what I see. I see a plan coming together, Joe, and we've
4 got to pat somebody on the back.

5 With your mapping on where to put the cultch
6 material, looking at the fresh water and where it is and
7 when it is, I see a good plan coming together.

8 JOE JEWELL: I want to provide a little bit more
9 detail to Robbie's comments about the oyster gardening
10 program.

11 Traditionally, when we first kicked off the
12 program, it was in areas that, like other programs, had
13 approved water. The expansion that we took upon for this
14 year was we had a lot of input from people who were up in
15 the upper bays, or in an estuary system, that were in
16 restricted, or unclassified, areas.

17 We worked with our partners at Covington and
18 Mississippi-Alabama Sea Grant, and we expanded the program
19 into these restricted areas, but they had some additional
20 program requirements, as we interacted with ISSC and NSSP.

21 If you are in a restricted area like up here in
22 Biloxi Bay and you want to participate in the program, we
23 are now allowing that, but the movement of the oysters are
24 from a restricted to a restricted area. They are not from
25 a restricted area to an approved, or conditionally

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1 approved, area, to try and ensure that these oysters are
2 not for public consumption.

3 Their movement into the lower bay areas do help
4 provide a spawning, or seed source, for the lower estuary
5 reefs. I just wanted to make that clear.

6 COMMISSIONER BOSARGE: You and I had the
7 conversation that in our neighboring state they were able
8 to do oyster gardening off of piers in areas where they
9 may have met, or may not have met, water quality. I don't
10 know.

11 In other words, there were different parties
12 that were actually growing oysters on private piers for
13 sale in Mobile Bay.

14 Did we ever learn how they are doing that?

15 JOE JEWELL: I did not. I wasn't aware of that.

16 Now, the oyster gardening project itself is
17 simply an educational informative program that allows the
18 public to participate in an oyster project. The oysters
19 are absolutely not for public consumption, and
20 participants understand that and have to sign an
21 agreement.

22 I'm not sure of the requirements over in
23 Alabama. I can check into that, but I know for the oyster
24 gardening portion of it in Alabama they have very similar
25 requirements that we have, so that type of activity would

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1 not be permitted, but I can check into that and see how
2 that is working.

3 COMMISSIONER BOSARGE: I may be confused.

4 JOE JEWELL: Now, there are some aquaculture
5 programs out there where there are a couple of people that
6 are growing oysters under their state-sponsored
7 aquaculture program that they are allowed to sell for
8 consumption. That is different from the oyster gardening
9 project.

10 COMMISSIONER TRAPANI: I have another question.
11 what is the update on the off-bottom, the area
12 that we had passed?

13 what is the update on that?

14 JOE JEWELL: The area has been established. It
15 is on the back of Deer Island. There are actually two
16 areas. One is sort of a commercial outgrowth area that,
17 once the commercial fishermen go through that process,
18 they would be able to request a permit to move their
19 facility.

20 Then there is an educational component. It's a
21 test pilot that we are doing, right now, and we are
22 actively engaged in it.

23 Is that appropriate enough, or would you like
24 for Dale Diaz to give you some of the details?

25 COMMISSIONER TRAPANI: Well, I just wondered

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1 where we are with it.
 2 You have had fishermen that have applied and are
 3 going through the program?
 4 JOE JEWELL: They have gone through the program.
 5 I think they have the first class of graduates.
 6 COMMISSIONER TRAPANI: Are there a good number
 7 of them that are considering doing it?
 8 JOE JEWELL: I'm sorry.
 9 COMMISSIONER TRAPANI: What is the number like?
 10 Are there a good number of people that are
 11 actually engaging in this program?
 12 DALE DIAZ: Thank you, Commissioner, for asking
 13 that question. It is actually very timely.
 14 We did a grant to do off-bottom oyster
 15 aquaculture training and, like Joe said, we have two areas
 16 behind Deer Island. One is strictly for training.
 17 We are in the process of working up a news
 18 release, now, to invite people to an informational session
 19 that we are going to have in April to come and learn more
 20 about the training program that we are going to provide.
 21 It is our intention to start that training in
 22 June for people that are interested in taking it. We are
 23 going to be putting out more information about that very
 24 soon.
 25 COMMISSIONER TRAPANI: Have y'all had a lot of

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1 response?
 2 DALE DIAZ: We haven't specifically requested
 3 people to respond and apply for the program yet, but we
 4 are keeping a list of people who are interested, and it's
 5 around forty people that have already signed up and want
 6 more information about the class coming up.
 7 I'm sure, when we put out the news release and
 8 we announce the informational class that we are going to
 9 have, we are probably going to get some additional folks
 10 that are interested in looking into it.
 11 COMMISSIONER TRAPANI: Sounds good.
 12 JOE SPRAGGINS: Just one thing.
 13 We can do twenty, I think?
 14 DALE DIAZ: Right. The grant that we have right
 15 now is to train twenty people a year, and we are going to
 16 be able to run that program for two years. We put enough
 17 money into the grant to buy gear and everything that we
 18 need for twenty people for two years.
 19 COMMISSIONER BOSARGE: Thank you, Dale.
 20 DALE DIAZ: Thank you.
 21 COMMISSIONER BOSARGE: We have a public comment,
 22 Ms. Thao Vu.
 23 THAO VU: Good morning Commissioners. My name
 24 is Thao Vu, and I work with the Mississippi Coalition for
 25 Vietnamese American Fisher Folks and Families. We are a

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1 community-based organization in Biloxi. I respectfully
 2 request more than three minutes.
 3 The first question I have is regarding -- this
 4 is not specifically on the agenda, but it is relating to
 5 oysters. There has just been a presentation on oysters.
 6 I would like to specifically ask Mr. Joe Jewell,
 7 or the Commissioners, when the recently DMR-initiated bag
 8 exchange program regarding the dredges will end?
 9 I would like to know the final date for that
 10 program to end.
 11 SANDY CHESTNUT: The end date for that program
 12 has not been established. As far as applications, we will
 13 be taking applications up to a certain point. I think the
 14 grant actually runs until next year, but we will have to
 15 have a cutoff date for the applications.
 16 JOE JEWELL: I can address a little bit of that.
 17 Sandy is right. The actual Bonnet Carre Grant,
 18 the funding source of the grant does run through the end
 19 of this year, but we are taking applications. If we
 20 haven't established an end date, it will be here soon, the
 21 end of next month, or so, for applications.
 22 Now, the application review will continue on,
 23 but we are requesting that fishermen engage in this
 24 process as quickly as possible.
 25 We have about thirty-one participants that have

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1 been successfully approved in the program. We have, in
 2 the contract, up to about a hundred spaces for that. That
 3 is why we are asking that fishermen who want to
 4 participate in the program act as quickly as possible.
 5 THAO VU: The official notice of the end date,
 6 where would it be posted?
 7 JOE JEWELL: We are going to work with our
 8 staff, now, based on the participation level, and
 9 establish that date pretty quickly.
 10 It will be posted on our website and we will
 11 give public notice of that date, too.
 12 THAO VU: Thank you, Mr. Jewell.
 13 The second comment I would like to make is
 14 regarding the Bonnet Carre Spillway opening. I know that
 15 in the past year we have actually had an Oyster Task Force
 16 formed.
 17 The Louisiana Oyster Task Force, they meet
 18 monthly, or almost monthly, and they meet on the
 19 University of New Orleans campus. They actually have a
 20 very robust task force. They have bonafide very
 21 experienced oyster harvesters representing different areas
 22 of the state that are actually giving the right format to
 23 meet, discuss issues and provide a lot of guidance and
 24 have decision-making authority. They meet very quickly.
 25 I highly recommend that we implement a similar model here

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1 in Mississippi.

2 The second thing is that today, while they will
3 be meeting this afternoon, they are meeting about holding
4 and initiating a special oyster relay project for local
5 oyster harvesters over there to go and relay oysters
6 before they are killed by the spillway, the fresh water
7 inflow.

8 That is something that I highly suggest, also,
9 that this agency amend your management plan to incorporate
10 times when Commissioners with the Oyster Task Force should
11 be meeting, maybe an emergency meeting, to be more active
12 and take steps, when you are expecting a lot of excessive
13 rainfall, or fresh water inflow, into the Mississippi
14 Sound, particularly our reefs, to take some emergency
15 action such as a relay, or a special time, circumstances
16 for them to harvest, or relay these oysters, before they
17 are decimated and killed.

18 Those are some of the things that I think we
19 should learn more from Louisiana.

20 The last thing I want to reiterate about the
21 Bonnet Carre Spillway is the last relay program we had was
22 from the Bonnet Carre Spillway and we didn't have a lot of
23 time. From the time it was announced until the time it
24 was initiated was only a matter of several days, and we
25 needed more time.

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1 I'm actually just giving this suggestion to give
2 you some more proactive planning and not waiting until it
3 gets too -- the level of fresh water is just too high. We
4 are greatly concerned, and, then, we implement some
5 project, but it doesn't give fishermen enough time to
6 prepare and implement it.

7 I would like to also comment about the oyster
8 restoration update given by Mr. Jewell and Dr. Robbie
9 Kroger which was very comprehensive.

10 Dr. Kroger actually gave a very -- his
11 presentation had a chart of different restoration
12 strategies, including remote setting, and other
13 strategies, cultch planting. However, tens of millions of
14 dollars have been used for various oyster restoration
15 projects through the years. We have been following to the
16 best of our ability.

17 where is the return on this investment?

18 we need to ask where is the return?

19 Any corporation, any organization should be
20 asking where is the return. We should be expecting
21 healthier robust reefs, if you are investing forty, fifty,
22 sixty, seventy million, going on a hundred million. We
23 are not getting that. In fact, it's horrible. Every year
24 it is worse and worse.

25 We know our reefs in the Western Sound are

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1 highly degraded and decimated. We know that already, and
2 it is ultimately hurting our fishing community. We need
3 to incorporate other restoration strategies.

4 For example, more bagless dredging contracted by
5 the fishermen, more relay programs, more rotating the
6 reefs, and more efforts to put oyster shells back, not
7 limestone and other materials.

8 We need restoration activities that you can
9 actually get input from very knowledgeable fishermen who
10 know the waters, who know the resources.

11 They have been requesting and advocating for
12 these strategies through the years and it has remained
13 unimplemented, and that is where we are, now. We are in a
14 very serious predicament right now.

15 Last year, only around ten thousand sacks of
16 oysters. We can never reach the one million sack goal in
17 2025, at this rate.

18 Thank you.

19 COMMISSIONER BOSARGE: All of your information,
20 it is falling on their ears. They hear you.

21 Joe, did you have anything you want to respond
22 with?

23 JOE JEWELL: I do want to say that we have
24 listened to our industry and our fishermen, and we are
25 trying to be very adaptive in that process.

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1 If you looked at the charts that I provided --
2 we have made these presentations to the Commission several
3 times in the past -- when we had our highest landings,
4 those were before Hurricane Katrina. We were harvesting
5 two, three, four hundred thousand sacks annually for ten
6 to twelve years. Those were also equivalent to the times
7 when we were doing some of our largest cultch planting in
8 the Western Mississippi Sound.

9 We were having significant returns on that, and,
10 then, again, if you looked at the graph, our agency
11 engaged in a large scale restoration program after
12 Katrina, and that did pay benefits. We were back up in
13 that hundred and fifty, hundred and sixty thousand sack
14 landing range for a couple of years, and, then, again, we
15 had the BP oil spill and more significantly the 2011
16 opening of the Bonnet Carre that we have not recovered
17 from, but we also did not have as intensive amount of
18 cultch planting that we did back then either.

19 COMMISSIONER BOSARGE: We have also had the
20 Dermo that seemed to play a big role in it, also.

21 To her point, the Oyster Task force, I would
22 love to see that utilized more.

23 JOE JEWELL: We are under discussions, right
24 now, to try and resurrect the Oyster Task Force. It was
25 never as effective as some of our other task forces.

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1 Now, in Mississippi, the regulatory authority
2 lies with the Commission, not with any appointed task
3 force.

4 COMMISSIONER BOSARGE: Correct.

5 JOE JEWELL: That's why we come before the
6 Commission and request the establishment of a task force.
7 We are in discussions, right now, of how we are
8 going to reconstitute and reform a task force because,
9 like I said, it was not as effective as some of our other
10 task forces. If we are going to resurrect that, we want
11 to give it its charge to make it was effective as
12 possible.

13 COMMISSIONER BOSARGE: I see it in management on
14 the Federal level and different state levels where
15 advisory panels, task forces, they serve a vital role in
16 that they get together with fishermen, science people, law
17 enforcement, everybody in the same room and talk about the
18 issues, narrow it down, and, then, bring it to the
19 management authority where the decisions are made, but
20 they are based on information provided from that task
21 force, or advisory panel. It's a good thing. It's just
22 that you are going to have to put the right management in
23 place to make it work.

24 JOE JEWELL: Absolutely.

25 The task forces that we have now that are most

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1 effective, their comments are that the task force
2 represents the industry. It is a place for the industry
3 to speak their concerns, or comments that they may have.
4 Some people, they can't come to the Commission meetings
5 during working hours. We generally have the task force
6 meetings after hours. It is a forum for the community
7 that it represents to vocalize their concerns.

8 COMMISSIONER BOSARGE: That's correct.

9 JOE JEWELL: Then, one final thing that I will
10 address is that the Louisiana Oyster Task Force has met
11 and they have made recommendations, and we are monitoring
12 that. We are aware of those meetings and their
13 recommendations.

14 Now, the areas that they are recommending an
15 emergency harvest are directly in the path of the water.
16 It's in Lake Bourne and the Rigolets and sort of that
17 Biloxi Marsh area; not any other areas. It is just the
18 areas that are directly in the path of the outflow from
19 the Mississippi River.

20 COMMISSIONER BOSARGE: I can see their concern.

21 COMMISSIONER TRAPANI: When was the last time
22 that we actually had an Oyster Task Force?

23 JOE JEWELL: I believe the last meeting that I
24 recall was in 2015 and, at that time, several of the
25 members resigned their positions and it was a pretty

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1 animated meeting.

2 Then, they were in discussions with our
3 Executive Director to reconstitute, or reformulate the
4 Shellfish Task Force with a different charge and a
5 different duty, to try to address some of the concerns
6 that had made the committee meetings so animated, at that
7 time.

8 That sort of got backtracked with a lot of other
9 programmatic issues, but we are in discussions of how to
10 recharge that task force.

11 If we did that, we would have to come before the
12 Commission and present that new task force for approval of
13 the Commission.

14 COMMISSIONER TRAPANI: Just to clarify, in the
15 State of Mississippi, the task force would be more of an
16 informational group that would relay information to the
17 Commission.

18 Right?

19 JOE JEWELL: That's correct. They have a
20 regulatory charge. In Mississippi, to give a task force a
21 regulatory charge would require a State statute change
22 because, right now, the Commission is the sole authority
23 for the management of marine resources.

24 COMMISSIONER TRAPANI: Thank you.

25 JOE JEWELL: Any other questions?

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1 COMMISSIONER BOSARGE: Any more questions?

2 (No response.)

3 JOE JEWELL: Next on the agenda for the
4 Commission's consideration is our Exempted Fish Permit.

5 This is typically the time of the year that we
6 come forward with a program for the Commission to approve
7 that involves the Federal season.

8 As you know, last year we had less and less days
9 to the point where this year we would only have one, or
10 two, days. To address that with the Federal Government,
11 NOAA and National Marine Fisheries Service, there is work
12 through the Council with the Gulf States just to have an
13 Exempted Fish Permits for Federal waters.

14 Mr. Matt Hill will present the State of
15 Mississippi's EFP to the Commission.

16 MATT HILL: Good morning Commissioners, Director
17 Spraggins and Sandy.

18 I would like to share your concerns, Chairman
19 Bosarge. We also do have to wade through about three
20 hours of Joe's emails every morning, before we can get our
21 day started. That cuts into a little bit of our time.

22 what I would like to present today for some
23 consideration and maybe some feedback from the Commission
24 is Mississippi's 2018 Exempted Fish Permit Update, and I
25 do want to clarify this.

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1 We submitted an Exempted Fish Permit for the
2 years of 2018 and 2019. They are very similar. I just
3 want to focus on the 2018, first.

4 A little bit of background on exempted fishing
5 permits. We have only attempted one of these in the past
6 and that was for Red Drum.

7 Exempted fishing permits are permits issued by
8 NOAA that allow harvest of certain species that would
9 otherwise not be allowed under Federal regulations.
10 Typically, these permits are used for scientific purposes.

11 NOAA recently invited all states to apply for an
12 exempted fishing permit to participate in an experimental
13 two-year pilot program for the recreational Red Snapper
14 harvest, and this would be for the years of 2018 and 2019.

15 Without an EFP for these two years, managers
16 anticipated there would not be a recreational federal Red
17 Snapper season. The EFP will allow managers the
18 flexibility to provide a season to anglers which gives
19 them the opportunity to harvest Red Snapper in both
20 federal and state territorial waters. When we are talking
21 about this, we are talking about waters that extend out to
22 two hundred nautical miles.

23 A little history of the Mississippi Red Snapper
24 EFP.

25 At the February Gulf Council meeting, members

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1 recommended to approve all gulf state's EFPs. All of the
2 states got together and submitted their own individual
3 EFPs. They are all a little different, but the gulf
4 states EFPs were approved by the Gulf Council with
5 revisions such as the removal of Federally permitted for-
6 hire vessels and clarification on the territorial
7 boundaries in which State for-hire vessels may harvest Red
8 Snapper.

9 I want to clarify what a State for-hire vessel
10 is. That is a for-hire vessel that can legally fish in
11 the state territorial waters out to nine nautical miles
12 for Red Snapper without being Federally permitted.

13 The revised EFPs have been submitted to NOAA by
14 all gulf states. If approved, these EFPs will give state
15 fisheries managers a mechanism to manage recreational
16 harvest of Red Snapper for 2018 and 2019.

17 Mississippi's EFP will allow the state to
18 control harvest for both the state for-hire and private
19 recreational components of the recreational sector.
20 Again, the federally permitted for-hire vessels have been
21 excluded from Mississippi's EFP.

22 The purpose is to determine if a recreational
23 Mississippi landed annual catch limit, or ACL -- we will
24 get into this a little later, the difference between ACL
25 and ACT -- can be accurately attained, and to gather

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1 region-specific scientific data that is currently limited
2 on Red Snapper in the Gulf of Mexico.

3 The ultimate goal in this would be we hear about
4 these gulf-wide stock assessments, but, as we progress in
5 the state management, the ultimate goal would be to do a
6 state specific Red Snapper stock assessment on our reefs
7 and our areas that we would like to manage.

8 The data collection would include that MDMR
9 would utilize the Tails n' Scales Program to collect data
10 on Red Snapper harvest, angler effort and biological
11 samples in Mississippi state and federal waters out to two
12 hundred nautical miles.

13 The EFP Annual Catch Limit for Mississippi.

14 The requested annual catch limit for Mississippi
15 was based on the 2017 harvest of private recreational and
16 state for-hire components.

17 The total would actually include the federally
18 permitted for-hire vessels which is sixteen thousand one
19 hundred pounds, and we did remove that, which left the
20 harvest for the two components at one hundred thirty-seven
21 thousand nine hundred and forty-nine pounds.

22 The private recreational sector harvested one
23 hundred thirty-five thousand one hundred and forty-nine
24 pounds.

25 The state for-hire vessels harvested a total of

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1 twenty-eight hundred pounds.

2 We are proposing to apply a ten percent buffer
3 to ensure Mississippi does not exceed its annual catch
4 limit.

5 This buffer would subtract thirteen thousand
6 seven hundred and ninety-five pounds from the one hundred
7 and thirty-seven thousand nine hundred and forty-nine
8 pound number which would yield the annual catch target of
9 one hundred and twenty-four thousand one hundred and
10 fifty-four pounds.

11 I would like to stress that Mississippi will
12 manage to the annual catch target, not the annual catch
13 limit, to ensure that we do not exceed this limit, or this
14 quota.

15 Where we currently are with the EFP.

16 NOAA is currently reviewing all five gulf states
17 EFPs for Red Snapper. The approval by NOAA is anticipated
18 by mid April, with possible modifications.

19 Approval of the EFP would provide anglers in
20 Mississippi more opportunity and greater flexibility to
21 harvest Red Snapper and allow MDMR to closely monitor
22 harvest using the Tails n' Scales Program.

23 This is something that we debated on going ahead
24 and putting out, but we would like to show people what our
25 projections show, if we were granted the EFP as is.

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1 The Fisheries staff, after much discussion and
 2 we have talked to a few Commissioners about it and got
 3 their opinion and some of the more prominent recreational
 4 fishermen, has come up with a recreational season, or we
 5 would like to propose a recreational season to begin
 6 Memorial Day weekend. It will be that Friday, May 25th,
 7 and end no later than Labor Day, September 3rd.

8 This will give anglers a total of one hundred
 9 and two days, and is projected to meet our annual catch
 10 target as listed in Mississippi's Red Snapper EFP.

11 Additionally, we would like to request to have
 12 the ability to set a mid-season closure, if needed, and I
 13 would like to stress "if needed". This would be the
 14 halfway point of the season and would allow us to run some
 15 projections on the angler effort that we are seeing
 16 because we have not had a season that has looked like this
 17 in over ten years where they can fish all of these waters
 18 for this many consecutive days.

19 There are too many unknowns for us to use
 20 historical projections. We would like to use the
 21 projections that we would gain from the first half of the
 22 season and see if a closure is needed to stretch the
 23 season out to Labor Day.

24 This would ensure our ACL is not met before
 25 Labor Day. This request will allow the Red Snapper season

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1 to be closed for a brief time only, if our in-season
 2 projections show that we will exceed our quota prior to
 3 the season's end date.

4 The principal justification for this request is
 5 that it is unknown how angler effort, or behavior, will
 6 change with a one-hundred-and-two-day Red Snapper season
 7 in which anglers are allowed to fish out to two hundred
 8 nautical miles.

9 Like I said, we have not seen a season like this
 10 in over ten years.

11 A little bit more about the mid-season closure,
 12 and I would also like to stress again if needed.

13 The season closure would occur from July 9th and
 14 run through July 23rd.

15 This closure would allow MDMR staff to analyze
 16 all data from the first segment of the season and run
 17 projections based on harvest up to this date.

18 Also, this closure should increase, but not
 19 guarantee, the possibility of the season to run through
 20 Labor Day weekend.

21 If the Commission so desires, what would be
 22 required is a motion granting the Executive Director
 23 authority to manage Mississippi's 2018 Recreational Red
 24 Snapper season under the guidelines established in the
 25 Mississippi Exempted Fish Permit expected to be granted by

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1 NOAA, and we believe this will happen sometime in mid
 2 April.

3 I'm sure we are going to have a few questions.

4 COMMISSIONER BOSARGE: A little discussion
 5 anyway.

6 MATT HILL: I figured.

7 COMMISSIONER BOSARGE: I have a few concerns. I
 8 look at this, and I think back in time on what has
 9 transpired from years past to now, and I've got to give it
 10 to the DMR staff and yourself included that you put
 11 together a heck of a plan. Out of all the five states, it
 12 is the best one I've seen yet.

13 I still have reservations and my reservations,
 14 from a commercial fisherman's perspective, looking at
 15 where we are and where we've been, and where we've been in
 16 overages on the quota year after year after year after
 17 year until last year, a very short season, and we go to
 18 the Secretary of Commerce over management's head and get a
 19 season that we should not have had and, now, this year,
 20 when we shouldn't even have a season, we are having a
 21 hundred and two days.

22 I'm trying to overlook most of that and see the
 23 good in it, and the good in it is that hopefully we will
 24 get a shot at state management and try to devise a system
 25 where all the folks in Mississippi can enjoy the fishery,

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1 but, at the same time, not destroy it.

2 Those are some of my concerns.

3 JOE JEWELL: Can I address a couple of them?

4 COMMISSIONER BOSARGE: Yes, sir.

5 You are going to have to speak up, Joe. I know
 6 I'm hard of hearing, but I can't hear you from that mike
 7 very well.

8 JOE JEWELL: Well, that's very kind of you to
 9 say that. Very few people do.

10 Some of the concerns that you expressed are ones
 11 that we have discussed before and they are certainly
 12 legitimate concerns, as the ACL is exceeded, the ACT is
 13 exceeded, by the recreational community, but, in
 14 Mississippi, our EFP landings are based on the 2017
 15 landings data from our Tails n' Scales program. It is a
 16 pretty accurate program. We can disagree on how accurate,
 17 but it is the most accurate in the Gulf we feel.

18 Those projected landings data carried over into
 19 our EFP. We feel very confident, at least in Mississippi,
 20 that those will not be exceeded. We have a ten percent
 21 buffer on those, and that the landings that were reported
 22 through the Tails n' Scales Program in 2017 will not be
 23 exceeded in 2018.

24 Just for Mississippi, we feel like we have a
 25 pretty good grip on the three components that will be

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1 participating.

2 COMMISSIONER BOSARGE: I'm with you.

3 One of my concerns is if you look at our
4 neighboring state of Alabama, I believe they have a forty-
5 seven day season weekends only.

6 what's to say that their season is closed during
7 the week and somebody wants to go fishing?

8 In thirty minutes they are here in Mississippi,
9 get their Tails n' Scales, launch their boat, fish, come
10 back in, and Alabama just landed fish on your quota.

11 MATT HILL: Well, an Alabama resident landing
12 fish on the quota, what we are requiring is through the
13 Tails n' Scales system -- I know you are familiar with it
14 -- when you use it, you are required to tell us where you
15 are leaving from and where you are coming back from.

16 Now, all of those are Mississippi ramps. We
17 will not allow --

18 COMMISSIONER BOSARGE: (Interposing) No. I
19 said if they drive to Mississippi.

20 MATT HILL: They can do that.

21 COMMISSIONER BOSARGE: Launch in Mississippi.

22 MATT HILL: If they have an out-of-state
23 license, they would be able to participate in our fishery
24 and land those fish here.

25 COMMISSIONER BOSARGE: That is one of my

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1 concerns.

2 My other concern is enforcement. It is going to
3 be a little bit of a nightmare in that now you are
4 enforcing out to two hundred nautical miles. There are
5 going to be some areas where one state is closed and one
6 state is open, one state has a higher bag limit. When you
7 are offshore, you can claim, well, I'm fishing from out of
8 Louisiana.

9 MATT HILL: I will say this. I was unable to
10 attend the last Gulf Council meeting. We had a few
11 conflicts. However, these questions were raised by
12 Mississippi specifically, and they were raised about the
13 consistency of the season, the consistency of the size and
14 the bag limits. We were very persistent in saying that
15 and trying to help enforcement to enforce everything that
16 needed to be enforced, and we knew there were going to be
17 some inconsistent seasons.

18 That is why we actually suggested and I talked
19 to several council members, and one of the things I've
20 said is no later than Labor Day, and I was a very strong
21 advocate of I believe the council should have put some
22 dates on there you could see; they may not start before
23 date and may not end beyond this date.

24 The reason I feel like that is if you don't
25 catch you limit by Labor Day, oh, well, then, you are just

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1 going to leave it on the table.

2 Greed is what got us here in this sector of the
3 history. I believe with a hundred and two days, the least
4 we would have would be eighty-eight days with the closure.
5 That is still a three-month period.

6 During this first year, I felt it was very
7 important for all the states to show a little conservation
8 and, if we don't catch the limit, or we don't even catch
9 the target, as long as we can give more opportunity and
10 flexibility than they have had in years, I believe
11 everyone should be happy.

12 Now, the council felt they didn't want to tackle
13 that. Now, what we are stuck with is I would like to see
14 us not fish past Labor Day, but, if I have only caught a
15 hundred thousand pounds by Labor Day, I know we are going
16 to get pressured to continue the season past that, and the
17 fisheries staff does not agree with that.

18 Maybe next year, after we see how this goes,
19 but, in the first year, I believe it is very important, if
20 we truly want state management in the future, to show that
21 we are conservation minded, that we can stay within these
22 targets and that we are just not going to be greedy, and
23 we are going to try to rebuild this fishery where it needs
24 to be.

25 COMMISSIONER BOSARGE: Thank you.

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1 JOE JEWELL: Let me address some of the law
2 enforcement questions. We have had a couple of these
3 issues. I don't want to speak for Chief Davis, but I do
4 want to speak up for Marine Patrol. They do a very good
5 job at this.

6 When we first started our certification program
7 for the Tails n' Scales app, Chief Davis and a couple of
8 his law enforcement were involved in those meeting early
9 on. One of the unique things that our program brings to
10 the table that other gulf states do not, aside from the
11 authorization code each day, is the fact that there are
12 only just a few places where they can exit, or enter, back
13 into the estuarine system and land.

14 Our certification reviewers felt that was a very
15 effective process. That was one of the things they were
16 most impressed with. Marine Patrol just simply has to sit
17 in the island passes waiting for people to come back and
18 forth. I think they did a very good job, in representing
19 our agency at the certification program, and I think they
20 will do a very good job this year as they have in the
21 past.

22 COMMISSIONER BOSARGE: I agree, but I still
23 think that I would like to see this Commission, our Marine
24 Patrol guys, enforcement guys and you guys sit down, and
25 let's set out some goals and objectives on enforcement.

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In other words, part of making management decisions is having the information. with our Tails n' Scales, right now, we are all over as to who thinks how accurate we are.

You would agree?

JOE JEWELL: I agree.

COMMISSIONER BOSARGE: The only way we are ever going to determine how accurate we are is to validate and to validate it, it is going to take checks at sea. That is the only way we can validate how effective we are.

Until we all sit down in the same room and have a discussion on what those goals and objectives need to be, I don't think that we will ever really know how effective we are.

JOE JEWELL: I agree with your comments, and our reviewers will be very happy to hear your comments.

I can say that Chief Davis has always been very receptive. Every time we have requested a meeting, he has agreed with us.

If you want to have another meeting and sit down, we are certainly all receptive to that.

COMMISSIONER HAVARD: I think it's a good time for us to close the gap on non-compliance, fishermen that are not filing trip numbers. It is vital that we get these trip numbers filed, in order to get our quota, our

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KEITH DAVIS: Commissioner, we appreciate those sentiments, and Marine Patrol does agree with you that this is a vital part of conserving this fishery, and I can assure you that Marine Patrol will step up enforcement.

As you remember, the history of Tails n' Scales, the first year we were kind of lenient trying to educate people on filing a report. The second year we have tightened down a little bit more. Then, this year we expect that the enforcement effort will continue to get tighter.

COMMISSIONER BOSARGE: Would you be willing to sit down and let's have -- in other words, I don't want to mandate what you have to do, but, at the same time, in order to validate this program, I think there needs to be a certain percentage of things that are done to where at the end of this year we can say, we're ninety-nine percent sure that this is the right information.

KEITH DAVIS: Yes, sir. We would love to sit down and have a closed-door session with the Commission to discuss those issues. We can share with you --

COMMISSIONER BOSARGE: (Interposing) I don't think we can do a closed door. It will have to be an open meeting, but I would like the staff to put together --

JOE JEWELL: (Interposing) I will step up here and say a couple of things. If Marine Fisheries can help

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estimated catch the best that we can.

I want it to be one of the first things that a fisherman thinks about when he is loading his boat, or getting ready to launch his boat; I've got to file a trip number. It is that important to the state for us to do that to be able to get good data.

I expect to see all vessels stopped by enforcement that have not filed a trip number and have Red Snapper onboard.

I expect and we as a Commission, I think we expect you guys to confiscate the fish, Red Snapper at that time, and give it a local food bank.

We have been going on this for three, four, or five years with this Tails n' Scales app, and it's time, now, to force having a trip number. Make it mandatory.

I think that is a good way to get the fishermen's attention is to confiscate the fish that they have spent all day going after.

You know the laws prior to going fishing, or hunting, or whatever the case is. It is the fishermen's responsibility to read the laws and understand them.

I expect some enforcement to be done on folks that have not filed.

JOE JEWELL: I will let Chief Davis address that.

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facilitate that meeting, we certainly will.

COMMISSIONER BOSARGE: Right.

JOE JEWELL: Chief Davis has been very receptive to having that type meeting. We may have a meeting with a representative of the Commission. If we have to have a complete Commission meeting, it would be a public meeting. I want to make sure everybody would understand that.

KEITH DAVIS: I would like to ask a question of counsel.

When we are talking about enforcement efforts, law enforcement strategies, that has to be done in open session?

SANDY CHESTNUT: Yes. That's not a specific exemption under the Open Meetings Act.

KEITH DAVIS: Okay. In discussing this, just be aware that there are some law enforcement strategies that I think the Commission needs to understand.

COMMISSIONER BOSARGE: what I think we need from you guys is you need to look at past history, trips per day, trips per month, what percentage of those trips, what percentage of fishermen need to be checked.

You are going to have to set up the strategy.

JOE JEWELL: I will let Matt address that, but I want to echo what Chief Davis said.

Our first year was a non-regulatory mode. We

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1 were not regulatory. It was a voluntary participating
 2 program.
 3 Then, as you may recall, Matt and I came before
 4 the Commission the following year and requested that you
 5 make modifications to our regulations to make this a very
 6 distinct program, a stand-alone program within the
 7 regulation, and, then, it became very regulatory at that
 8 point.
 9 In talking about strategies and specific
 10 issuances, we can do all of that at the meeting and we
 11 will come prepared.
 12 We will work with our Executive Director and we
 13 will try and set up that meeting.
 14 The issues that you addressed about how we
 15 monitor the data and how we work with Marine Patrol and
 16 the Commission and the implementation of it, those are all
 17 things that we can discuss at the meeting.
 18 COMMISSIONER BOSARGE: It is going to take you
 19 guys to figure out the strategy of where we need to be.
 20 COMMISSIONER TRAPANI: I have a question.
 21 Just looking backwards so we can move forward in
 22 the right direction, at this point you've had two
 23 different explanations of when someone is fishing and how
 24 we are treating them and going by these laws, but, at this
 25 point, what did we actually do to someone that you pull

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1 compliance, it is hard to say that it was one way, or the
 2 other. Most people were compliant, but we did find there
 3 were a couple that weren't and they did comply with the
 4 opportunity to file a trip.
 5 COMMISSIONER TRAPANI: I understand with this
 6 you can't just the very next year jump into it and do
 7 that. We have moved slowly into enforcing this. It might
 8 be time to enforce a little bit stricter, but I was just
 9 trying to see where we were with it and what y'all were
 10 actually doing.
 11 KEITH DAVIS: Yes, ma'am. We certainly agree
 12 with the commission's position on this, and we do agree
 13 that it is a vital part of what the state wants to do in
 14 state management.
 15 MATT HILL: I do want to add that we haven't
 16 really talked about this yet. I know law enforcement has
 17 some things that they can do, but we are currently doing
 18 some updates on the system right now, and we will come
 19 before the Commission. We are adding some capabilities.
 20 One of the things that we have found is that we
 21 do have, in speaking with Marine Patrol, some repeat
 22 offenders. It's not that every now and then this person
 23 has not gotten a trip ticket. It seems to be there is a
 24 pattern.
 25 what we have done is we have added an option in

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1 over and they didn't give you a trip number?
 2 what is the protocol?
 3 what do we do this year?
 4 We are saying that we enforced a little bit
 5 more.
 6 what actually did happen?
 7 Did we, like, tell them you have a chance now,
 8 fill out the app, put your number in and we are going to
 9 let you go?
 10 Did we give them a citation?
 11 How did we end the season last year?
 12 KEITH DAVIS: Last year what we were doing is we
 13 were issuing an actual citation, a court action, but we
 14 were giving them a couple of days to file the trip. We
 15 would document the number of fish, and we would go back
 16 and verify that they did go back and file the trip with
 17 the accurate fish that they had onboard.
 18 If they did that, we were dismissing the
 19 citation. We were being, in my opinion, very easy on the
 20 fishermen to encourage compliance with Tails n' Scales.
 21 COMMISSIONER TRAPANI: With that, did you find
 22 that a lot of them were not doing the trip number, or did
 23 you find more of them that were doing it?
 24 what would you say the percentage is?
 25 KEITH DAVIS: Because of the low numbers of non-

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1 the system that we can lock them out of the system so they
 2 cannot get a confirmation number, until they come up here.
 3 They have to talk with us. We have to have a conversation
 4 with them.
 5 Basically, we call it the stop button. I can
 6 hit the button and they no longer exist in the system and,
 7 if they try to register for a trip, it will pop up on
 8 there saying, "You must contact a DMR administrator
 9 through Tails n' Scales system to be able to continue".
 10 Now, that is something that we don't have the
 11 authority to do that yet. That is something the
 12 Commission would have to do, but there are certain things
 13 that we can do with the system to lock fishermen out,
 14 actually vessels out.
 15 One of the issues with the system is that only
 16 one person on the vessel has to register and that's fine,
 17 if the system works well like that, but what we can do is
 18 we can basically take the owner of that vessel and lock
 19 him out and his vessel out. We can make him responsible
 20 and, hopefully, we would get a reaction. We could do
 21 that, you are locked out for the next two weeks, or you're
 22 locked out for the next three weeks. That is something
 23 that is very easy to do.
 24 Those are some things that have come up in some
 25 of our certification with NOAA. They have been very

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1 impressed, actually, with some of our enforcement that we
2 are doing, and there are some things that we have ideas of
3 doing, but I also would like to reiterate that we still
4 are in the infant stages of this program. We are not
5 trying to ease into it anymore, but we are just trying to
6 find some of the most effective ways to continue to raise
7 compliance.

8 COMMISSIONER HAVARD: My whole point, Chief
9 Davis, is if we are going to hang our hat on Tails n'
10 Scales being the main way that we are collecting data, a
11 citation is not going to fix it.

12 If you are going on a daily trip on a boat,
13 being a boat owner myself, I spend more than a hundred
14 dollars on food. A hundred dollar ticket is not going to
15 get my attention necessarily, but if you take my harvest
16 for that day, you only have to do it one time and it's
17 done. You've got my attention. If I know that potential
18 is out there, you've got my attention.

19 KEITH DAVIS: Yes, sir. I agree with you.

20 Adding to what Matt was talking about, we are in
21 discussions that when a fisherman is locked out, that
22 information goes out to the officers in the field. They
23 are, then, looking for those vessels, those particular
24 vessels and the fishermen.

25 what is good about our agency is that all of our

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1 enforcement officers are very familiar with the fishermen.

2 If Keith Davis has been locked out of the
3 system, there is a good chance Marine Patrol is going to
4 come across Keith Davis that day while he is out there
5 illegally fishing.

6 I agree with you. I have met and talked with a
7 lot of our legislators. Our fines have not increased ever
8 that anybody can tell me. We are going to be looking at
9 that next year, but I think this is a multi-faceted
10 approach.

11 I think there needs to be a heavy media campaign
12 to discuss how important it is to file these trip tickets.
13 In addition to that, letting the fishermen know that
14 Marine Patrol will have a zero tolerance on failure to
15 report and that one of the enforcement efforts will be
16 seizure of the harvest.

17 COMMISSIONER TRAPANI: I think that just needs
18 to permanently be a rule that a repeat offender has zero
19 tolerance. People might not know and they make mistakes
20 and we will give them a chance, but repeat offenders, they
21 know what they are doing, they are purposely not doing it
22 right, and we need to make something to where we lock them
23 out; not lock out the fishermen, but lock out the vessel.

24 Everybody has a cell phone number and somebody
25 else can pull up that app. I think it's more important to

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1 lock out the vessel. A repeat offender, they know that
2 they don't really have to do it and this doesn't mean
3 anything to them. It really needs to be enforced.

4 KEITH DAVIS: Commissioner, I do want you to
5 understand that we are talking about a lot of
6 administrative tactics here, but I want you to remember
7 that we are law enforcement empowered as well. Repeat
8 offenders are not only going to have their harvest taken,
9 but they are going to go to jail.

10 Again, we don't want to talk about enforcement
11 strategies, but I can assure this Commission that Marine
12 Patrol is fully onboard with how important it is to report
13 Tails n' Scales in our recreational fishery.

14 COMMISSIONER BOSARGE: Does anyone else want to
15 comment?

16 COMMISSIONER HARMON: Matt, first of all, hats
17 off to all of you. I know y'all work really hard on this
18 program. I think we are kind of missing something here.
19 This is a pilot program. This is not forever.

20 We need this period to collect this data and
21 this information, and there are going to be kinks and
22 there are going to be bugs in it.

23 Our law enforcement division is one of the best
24 on the water out there. They know how to do the job.
25 Yes, they are going to have offenders.

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1 Just like Chief Davis said, they know how to
2 deal with these, depending on their severity and how often
3 they do it.

4 I do feel this is a fantastic program for us to
5 get some information, but do keep in mind this is not set
6 in stone forever.

7 MATT HILL: That is correct. It is just a two-
8 year EFP. Joe and I have had some colorful discussions on
9 what year two would look like. We feel like there may be
10 some wiggle room to maybe modify some things, but,
11 basically, this is what it would continue to look like.

12 One of the sticking points that we have had and
13 we have had a lot of comments on is there have been a lot
14 of people worried about the state for-hire guys, not the
15 federally permitted. They are completely out. They will
16 be under federal management.

17 We will manage the state for-hire vessels
18 separately, and they will receive a total of twenty-eight
19 hundred pounds. That is it. That is their historical
20 catch that they have had.

21 We got this today. As of last year, we had
22 seventeen state for-hire fishermen active for Red Snapper,
23 and eleven of those only reported one trip each. We feel
24 this is adequate.

25 We know that we will probably have more

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1 participants in there, but we didn't feel like it was fair
2 to increase this number and allow more participants in
3 there. That is something that we can begin to discuss,
4 but their season will most likely be less than the private
5 recreational season.

6 The federally permitted vessels, we still don't
7 know what that season is which we are very disappointed
8 in.

9 The private recreational fishermen will receive
10 one hundred and thirty-five thousand one hundred and
11 forty-nine pounds, minus ten percent. Now, we can go over
12 the target, but we will manage to the target to ensure
13 that we do not exceed the ACL.

14 It takes three days to close the fishery down.
15 Once we project that we are going to reach one hundred and
16 twenty-four thousand one hundred and fifty-four pounds, we
17 know we are going to have some non-compliance issues to
18 deal with and we know we are going to have some closed-out
19 trips. We will recommend the season shut down, even if it
20 is before the Labor Day weekend. That is just a
21 projection. That is not a hard season.

22 COMMISSIONER BOSARGE: Mississippi is setting
23 the bar for these programs and, like I say, hats off, but
24 I think this Commission wants you to come back with some
25 goals and some targets that we need to meet so that, at

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1 the end of this season, we and everybody here will feel
2 like we know what the numbers are and we're good with
3 these numbers. We can move forward from here on.

4 For me, Matt, in looking at the historical data
5 and where we are and to have a hundred-and-two-day season,
6 when we should not have any season, we need to stay within
7 this. We don't need more because this is a delicate
8 fishery. These are long-lived fish. They take a long
9 time to grow. They are easily overfished. We have got to
10 be careful.

11 MATT HILL: We completely agree with that and we
12 intend to stay within the target. That is our goal, and
13 that leaves us ten percent of a buffer there.

14 The issue with it is we believe we could have a
15 buffer of less than ten percent because we feel like we
16 have a very accurate system, once we figure in the non
17 compliance.

18 However, we are very uncertain and we are just
19 being honest about what the mean weight is going to be,
20 what the angler behavior is going to be, when they can
21 fish out to two hundred nautical miles for that many days.
22 We just don't know.

23 COMMISSIONER BOSARGE: I think if we all work
24 together, we can make it happen.

25 JOE SPRAGGINS: Last week I was down and Joe was

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1 with us and we met and NOAA talked about this, and they
2 talked about Mississippi and they talked about Mississippi
3 in general. I just wanted the Commissioners to understand
4 that they couldn't put it out in writing that day, but
5 they said that we might as well look at Mississippi as a
6 model because what we are doing is a model, compared to
7 what other states are doing.

8 I can tell you right now, just listening to the
9 NOAA representatives, they are very proud of what we are
10 trying to do. They have seen that this group of people is
11 trying to do something that is correct and try to do what
12 is right and not over fish their area.

13 My hat is off to the group. I think they are
14 doing a fantastic job, and I definitely know that the
15 enforcement is strong and will get stronger.

16 COMMISSIONER BOSARGE: I have one comment. Last
17 year we made this same motion, and I kind of said to
18 myself I would never do this again, simply because it took
19 any authority for managing the season out of our hands and
20 gave it to one person.

21 I like the way your motion is crafted in that we
22 are still giving one person the authority, but he has to
23 stay within the parameters.

24 MATT HILL: We tried to do this very carefully.

25 COMMISSIONER BOSARGE: Do we have a motion?

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1 COMMISSIONER HARMON: Mr. Chairman, I'll make a
2 motion granting the Executive Director the authority to
3 manage Mississippi's 2018 Recreational Red Snapper season
4 under the guidelines established in the MS EFP anticipated
5 to be granted by NOAA.

6 COMMISSIONER BOSARGE: We have a motion.
7 Do we have a second?

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

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

12 All those in favor say aye.
13 (All in favor.)

14 COMMISSIONER BOSARGE: Opposed?
15 (None opposed.)

16 COMMISSIONER BOSARGE: Motion carries.
17 Before we go any further, let's take a ten-
18 minute break.

19 (Meeting stands in recess.)

20 COMMISSIONER BOSARGE: I call this meeting back
21 to order.

22 Continue on, Matt.

23 MATT HILL: We are going to give a stock
24 assessment update, and the first that we are going to talk
25 about is the Sheepshead update and recommendations.

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1 The Commissioners that have been here know that
2 I normally don't give recommendations, but I'm going to
3 give in this time and give a recommendation on this
4 particular species.

5 I will get right into it, a little bit of the
6 background of why we are here, why we initiated the stock
7 assessment and some of the findings that we found.

8 The Sheepshead stakeholders have voiced concerns
9 over the management of Sheepshead in Mississippi waters.

10 we recently assessed this stock between MDMR and
11 GCRL.

12 We did conclude, after the stock assessment,
13 that additional fishery-dependent data and the life
14 history characteristics needed to be taken into
15 consideration for staff recommendation, and we will get
16 into that on the reason why.

17 Little bit of an overview.

18 Sheepshead are found throughout Mississippi's
19 coastal waters and adjacent federal waters.

20 The 2017 stock assessment evaluated
21 Mississippi's Sheepshead stock.

22 The model did have difficulty converging and,
23 when I say this, the reason it did is there were some
24 characteristics that the model didn't like. It was
25 borderline, what we would consider a data-poor species,

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1 and the model just didn't handle it very well. I think we
2 got spoiled with the Spotted Seatrout model.

3 We are getting into some of these other species
4 for which we don't have quite as much data and it is
5 something that we are going to have to address here in the
6 near future.

7 The initial results did indicate that Sheepshead
8 were neither overfished nor undergoing overfishing.

9 A little bit of life history on Sheepshead.

10 we will talk about maturity, first. Age/length
11 at maturity occurs between two to four years old.

12 Females are one hundred percent mature by
13 fourteen inches in length, and they have a spawning season
14 of late winter into spring.

15 Spawning behavior.

16 They are considered to be aggregate spawners.

17 They migrate to structures into large groups to
18 spawn.

19 Aggregations begin prior and persist throughout
20 the spawning season.

21 Implications of harvesting aggregations must be
22 considered, when looking at potential regulations.

23 When we are talking about aggregate spawning,
24 the implications of harvest on spawning aggregations is an
25 opportunity for angles to harvest large amounts of fish in

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1 a single trip and localized depletion of individual
2 aggregations.

3 Now, this does not necessarily mean that they
4 are harming the overall stock in any manner, but, with
5 these localized spawning aggregations, you do have some
6 localized depletions.

7 when we begin to look at catch per unit effort
8 which is something very important in our fisheries
9 management, what we see is hyperstability.

10 what that is, in these spawning aggregations,
11 anglers are allowed to catch large numbers in a short
12 period of time and it elevates the catch per unit effort
13 and probably gives a false indication of what it actually
14 is in the overall stock.

15 Even if we improve fishery data collection,
16 declines in relative abundance may go unobserved.

17 when we talk about the dependent fishery, or the
18 fishery that we see the recreational anglers fishing on,
19 when we are talking about the length distribution and the
20 harvest, the majority of the harvest is larger than
21 fourteen inches.

22 when we are talking about the majority, we are
23 talking about eighty-seven percent of fish harvested are
24 greater than fourteen inches in length.

25 This matches with findings from the Spawning

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1 Stock Biomass per Recruit model.

2 Following is some brief information on the
3 current recreational regulations:

4 In Mississippi, we currently have no size limit,
5 no bag limit and no season.

6 In Florida, there is a twelve-inch total length
7 and fifteen per person bag limit. However, Florida is in
8 the process of reducing the bag limit from fifteen to five
9 fish per person, and that should happen sometime in the
10 middle of April.

11 Florida has also implemented a fifty fish per
12 vessel per day limit for recreational anglers, and they
13 have also extended the limits and regulations to their
14 adjacent federal waters.

15 In Alabama, there is currently a twelve inch
16 fork length with ten per person with no season.

17 In Louisiana, there is a ten inch fork length,
18 no limit and no season.

19 Texas is the most aggressive with a fifteen inch
20 total length, five per person with no season.

21 In federal waters, there currently is no limit.

22 Conclusions on Sheepshead. We will start with
23 the stock assessment.

24 The stock assessment did show that Sheepshead in
25 Mississippi were neither overfished, or undergoing

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1 overfishing.

2 Spawning Stock Biomass per Recruit model showed
3 an optimum size range of ten to fifteen inches. However,
4 if you remember earlier, I said one hundred percent of
5 females are spawning capable at fourteen inches.

6 Fishery data.

7 Fishery dependent harvest consists largely of
8 fish in excess of fourteen inches in total length.

9 Female Sheepshead are one hundred percent mature
10 by fourteen inches in total length.

11 Considerations based on the fishery.

12 Sheepshead are aggregate spawners.

13 We do see localized depletions that could become
14 an issue if harvest is localized on these aggregations.

15 Hyperstability may be an issue, when calculating
16 catch per unit effort over time, which will give us a
17 falsely elevated catch per unit effort.

18 Currently, Mississippi is the only state in the
19 Gulf with neither a length, or a bag limit.

20 Florida recently reduced their bag limit from
21 fifteen to five. This regulation will take effect in the
22 middle of April, despite no overfishing occurring in their
23 waters. Their stock assessment basically showed the same
24 results are ours.

25 Reluctantly I will give a recommendation. The

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1 staff recommends a recreational minimum size length of
2 fourteen inches total length and a recreational bag limit
3 of fifteen fish per person.

4 These recommendations are based on life history
5 characteristics and fishing dynamics of Mississippi's
6 localized populations of Sheepshead.

7 COMMISSIONER BOSARGE: I'm with you and have
8 been watching Sheepshead. To me the kicker is we don't
9 know what the universe of Sheepshead was in the past.

10 MATT HILL: That is correct.

11 COMMISSIONER BOSARGE: It is hard to determine
12 where we are, now.

13 MATT HILL: That is correct.

14 COMMISSIONER BOSARGE: Looking at your
15 recommendation, I would have to ask Chief Davis -- I'm
16 sure you have talked with him -- if this is okay with
17 enforcement?

18 KEITH DAVIS: Yes, sir. We agree with the
19 recommendation.

20 COMMISSIONER GOLLOTT: Mr. Chairman, at this
21 time I would like to make a motion that we accept the
22 staff's recommendation on these limits and adopt them.

23 COMMISSIONER BOSARGE: We have a motion.

24 Do we have a second?

25 COMMISSIONER TRAPANI: I'll second that.

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

3 All those in favor say aye.

4 (All in favor.)

5 COMMISSIONER BOSARGE: Opposed?

6 (None opposed.)

7 COMMISSIONER BOSARGE: Motion carries.

8 MATT HILL: Thank you.

9 I'm going to hand the next two, Black Drum and
10 Southern Flounder, to Mr. Travis Williams.

11 TRAVIS WILLIAMS: Good morning Commissioners,
12 Director Spraggins, Ms. Chestnut.

13 As Matt mentioned, I'm Travis Williams. I will
14 be giving the update on Black Drum and Southern Flounder.

15 This is a little background on Black Drum.

16 Stakeholders have voiced their concerns over the
17 management of Black Drum.

18 In Mississippi waters, this stock is in the
19 preliminary stages of an assessment. Dr. Robert Leaf is
20 in the initial analysis. We have been working on some of
21 the daily compilations for this assessment.

22 Some additional fishery-dependent data and life
23 history characteristics were taken into consideration for
24 this update.

25 Looking at some of the specific concerns of

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1 stakeholders, we heard some fishermen expressing concern
2 over fishermen harvesting a large amount of small Black
3 Drum, what we call juvenile puppy drum.

4 There are also some concerns over increasing
5 fishing pressure on Black Drum due to other fishing
6 regulations.

7 The timeline for this assessment.

8 As I mentioned, it is in the preliminary stages.
9 We are working on it this year. It is scheduled to be
10 completed by the end of 2018. We hope to have a reviewed
11 assessment in early 2019.

12 Looking at the life history of Black Drum, fifty
13 percent of the females are mature between twenty-three to
14 twenty-six inches. These fish are typically four to five
15 years old.

16 Their spawning season occurs December through
17 April, although it's not uncommon and it has been seen to
18 have spawning-capable individuals in June and July as
19 well.

20 Their spawning behavior is similar to that of
21 Red Drum where they will form large schools and broadcast
22 spawn eggs into the water. This spawning occurs in both
23 the estuaries and the island passes. They will spawn at
24 the mouth of the bays, the Mississippi Sound and in the
25 Gulf.

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1 Current recreational regulations in the five
2 Gulf states.

3 In Mississippi, we don't have any size, or bag,
4 limits, as well as Alabama. We are the two states that do
5 not have regulations.

6 Florida has a fourteen to twenty-four inch size
7 limit with five per person.

8 Louisiana has a sixteen to twenty-seven inch
9 size limit, with one of those fish being over twenty-seven
10 inches, and a bag limit of five per person.

11 Texas has a size limit of fourteen to thirty
12 inches, with one fish over fifty-two inches, and a bag
13 limit of five per person.

14 A summary of where we are with this species.

15 As I mentioned, we are in the initial stages of
16 a stock assessment.

17 The preliminary finish date for the stock
18 assessment is early 2019.

19 Fishery data that we have looked at.

20 Harvest by the recreational fishery consists
21 largely of fish that are less than twenty-four inches in
22 length. A lot of our recreational fishermen and women,
23 they do not tend to harvest these mature drum. That's not
24 what they are after. We do see these larger spawning
25 capable fish continuing to populate the fishery.

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1 As mentioned, Black Drum females do reach sexual
2 maturity at twenty-three to twenty-six inches in length.

3 Some of the considerations based on this
4 fishery.

5 Like I said, the majority of the harvest does
6 occur prior to sexual maturity. Folks are looking to
7 harvest these fish under twenty-four inches.

8 The life history is similar to that of Red Drum.

9 As mentioned, Mississippi and Alabama are two of
10 the Gulf states that do not have regulations on this
11 species.

12 With that, I will take any questions on this
13 particular update.

14 COMMISSIONER GOLLOTT: Mr. Chairman, I would
15 like to make a couple of statements.

16 COMMISSIONER BOSARGE: Go ahead.

17 COMMISSIONER GOLLOTT: It is my understanding
18 that Black Drum love juvenile crabs, crabs and oysters.

19 I have been told in Louisiana that a school of
20 Black Drum can wipe out an oyster reef completely.

21 For this reason, I am against putting any kind
22 of limit on Black Drum. I think we ought to let it go.
23 It's a good fish for our commercial fishermen, and it
24 helps our crab and oyster industry to keep them in low
25 concentration.

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1 COMMISSIONER BOSARGE: I have a couple of
2 questions.

3 You said that at four to five years fifty
4 percent of females reach sexual maturity.

5 Do you how many years it is before a hundred
6 percent sexual maturity?

7 TRAVIS WILLIAMS: It is typically within that
8 larger than twenty-six inch range. It's just over five
9 years.

10 COMMISSIONER BOSARGE: How long will these fish
11 live?

12 TRAVIS WILLIAMS: There have been some that
13 lived over fifty years. It is not uncommon to have them
14 ten to fifteen years old.

15 COMMISSIONER BOSARGE: Because the fishermen are
16 targeting the smaller fish, you feel that by them not
17 targeting the larger fish which are a hundred percent
18 sexually mature that, like Commissioner Gollott said, the
19 fishery is stable?

20 TRAVIS WILLIAMS: That is correct. Initially,
21 yes.

22 COMMISSIONER BOSARGE: Thank you.

23 TRAVIS WILLIAMS: Moving on, I will start the
24 update on Southern Flounder and where we are with this
25 particular species.

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1 Once again, the stakeholders have voiced their
2 concerns over the decline that we have seen in the past
3 few years of Southern Flounder in Mississippi waters.

4 The stock assessment is on course to be
5 completed in 2020. We do know that this is currently
6 considered a data-poor species, going into the assessment.

7 With additional development of fishery-
8 independent sampling, we hope to aid in the development of
9 this assessment. We are implementing a few new programs.

10 I will expand on those new programs right now.

11 The expanded sampling effort occurred between
12 MDMR and the Gulf Coast Research Laboratory. We have had
13 some conversations with them, and we are looking at
14 expanding our fishery-independent sampling.

15 Two of the ways that we are going to do this is
16 through a gigging sample and a fyke net sample. We are
17 going to do these through the summer months to try to get
18 a relative abundance on just how many flounder we have on
19 the Mississippi Coast.

20 These sampling efforts, we hope, will allow us
21 to assess this fishery within the next five to seven
22 years. We have basically a five-year plan, right now, for
23 this sampling to occur.

24 This is the first effort that we know of to
25 specifically target flounder and monitor and look at their

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1 relative abundance in the Gulf of Mexico.
 2 Life History of the Southern Flounder.
 3 Their length at maturity. Again, typically at
 4 twelve inches fifty percent of the females are mature,
 5 sexually reproductive.
 6 Their spawning season is November to January.
 7 It typically peaks in December.
 8 There is not a whole lot known about the
 9 specific areas where they migrate offshore to spawn. We
 10 do know that they migrate offshore during their spawning
 11 seasons.
 12 The Gulf Flounder which is commonly found to be
 13 more prevalent in Florida, a close relative, they spawn
 14 around structure, offshore structure, reefs, wrecks, rigs,
 15 platforms.
 16 These are some of the current recreational
 17 regulations (indicating slide).
 18 In Mississippi, we do have a twelve inch size
 19 limit, with a fifteen per person bag limit.
 20 Florida has a twelve inch size limit, with a ten
 21 per person bag limit.
 22 Alabama has a twelve inch size limit, with a ten
 23 per person bag limit.
 24 Louisiana Does not have a size limit, but they
 25 have a bag limit of ten per person.

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1 In Texas, there are more regulations on their
 2 flounder. It is a fourteen inch size limit, and five per
 3 person, and they also have a few months out of the year
 4 where they only allow two per person.
 5 Summary for the Southern Flounder.
 6 As I mentioned, the stock assessment is
 7 scheduled for 2020. We will begin compiling some of that
 8 data next year, 2019.
 9 The fishery-dependent data, based on the
 10 recreational harvest, consists largely of fish between
 11 twelve and eighteen inches which is what our size limit is
 12 right now.
 13 As I mentioned, fifty percent of the females do
 14 reach sexual maturity at twelve inches.
 15 Considerations based on this fishery.
 16 Like I said, majority of the harvest is after
 17 sexual maturity. This is due to the current regulation.
 18 Little information is known about their
 19 particular spawning migration and where they go.
 20 Multiple factors could influence harvest. A lot
 21 of environmental conditions could play to some of the
 22 numbers being low, fishing effort, increased fishing
 23 effort, or if we have a low recruitment season.
 24 We do feel that some of the focused monitoring
 25 that we are going to be doing with the independent

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1 sampling will give us some insight into Southern Flounder
 2 in the next few years.
 3 With that, I will take any questions.
 4 COMMISSIONER GOLLOTT: Travis, what happened to
 5 the flounder?
 6 Just a few years ago, every shrimp boat on the
 7 Gulf Coast kept Flounders and sold flounders by the
 8 hundreds of pounds.
 9 I have had so many people asking me lately. I
 10 know a guy who used to fish flounders every day with a rod
 11 and reel, and he said he hasn't caught any flounder.
 12 Do you have any idea what has happened?
 13 TRAVIS WILLIAMS: It's not just Mississippi.
 14 This is a gulf-wide issue. Other states are seeing that.
 15 The numbers are down from Louisiana through Alabama,
 16 Florida and Texas. The harvest over the past few years is
 17 down, since 2014.
 18 We really don't have an idea on the relative
 19 abundance of this species. That is kind of what we are
 20 looking forward to, with the two programs that we are
 21 initiating this year, is to kind of get an index of
 22 abundance for the species so we can know what the
 23 Mississippi population is, kind of what they are doing,
 24 but we do not have a particular answer on why they are
 25 down. We just feel that it could be some environmental

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1 conditions, or it could be related to increased fishing
 2 effort.
 3 COMMISSIONER GOLLOTT: What I can see, just from
 4 my eyes, the fishing effort is way down compared to what
 5 it used to be.
 6 I knew people that went out and caught flounders
 7 for a living and sold them to the restaurants, and that
 8 just doesn't happen anymore.
 9 What is the lab saying about this?
 10 Have you talked to the lab about it?
 11 TRAVIS WILLIAMS: Yes. Like I said, we are
 12 working and doing the stock assessment with the lab. The
 13 sampling that we have set up now for our independent data
 14 collection, they are kind of the same way we are. The
 15 collection efforts that we have done in the past, they
 16 have not specifically targeted flounder. We really have
 17 no idea what type of abundance there was before.
 18 COMMISSIONER GOLLOTT: Do you think it's time to
 19 put a moratorium on flounders to let them catch up?
 20 TRAVIS WILLIAMS: That is not something I can
 21 speak to at the moment. I'm hoping that with the sampling
 22 efforts we have going forward, we will have a better idea.
 23 COMMISSIONER BOSARGE: Just looking at different
 24 states' regulations, we are at fifteen fish per person --
 25 I'm sorry, Commissioner Trapani. I didn't mean to cut you

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1 off.

2 COMMISSIONER TRAPANI: I wanted to comment on
3 that.

4 I know, as person who purchases flounder -- I
5 have being doing it for twenty-three years -- I have never
6 had problems getting flounder. We cannot buy flounder.
7 We cannot buy flounder from Alabama. You're right. I
8 can't buy from Louisiana. It is a problem.

9 If we can go back to that slide on the limits --
10 at least we can do something proactive -- look at what our
11 bag limit is, compared to the other states.

12 Do you think that we should, at least, right now
13 be in line with the same bag limit as the other states,
14 knowing that this fishery is hurting?

15 MATT HILL: I just want to make a comment on
16 that. One of the things that we do see is the bag limit,
17 if we could get it in line, but they are not catching
18 anything close to that. We may be seeing one, or two.
19 The bag limit is not really going to help us, right now.

20 what we are really starting to see, hopefully,
21 in the long run, if we lowered it, it would help us.

22 We are not seeing people come back with fifteen,
23 or ten, or eight.

24 We have reached out to Texas. They have shown
25 some improvement. One of the things that they did is

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1 something that we have looked at on other species before,
2 but we have never done. They have had some closure areas,
3 and we are studying what they have done very closely and
4 seeing if it is something that we can model over here.

5 That is about the only state that we have found
6 so far that has had any kind of success, and they are
7 still down. They are not where they need to be, but they
8 are showing some improvement. They basically tried
9 everything they could and, until they started closing some
10 of these areas, that's when they started seeing some
11 improvement.

12 We have reached out to Texas, and we are working
13 with them to try to get some of their data.

14 COMMISSIONER TRAPANI: I understand what you are
15 saying that they are not coming back with the bag limit.

16 There are some people that are going to kill
17 themselves to come back with the limit.

18 MATT HILL: Oh, yes.

19 COMMISSIONER TRAPANI: This fishery is in
20 trouble, so we need to be in line with, at least, what the
21 other states are doing.

22 I think that is one thing that we can be
23 proactive in, changing the bag limit to at least be in
24 line with the other states.

25 I understand that they are not coming back with

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1 the bag limit, but there are going to be some that do.

2 why would we not at least be in line with the
3 other states, knowing that this is gulf wide and this is a
4 big problem with flounder right now?

5 COMMISSIONER GOLLOTT: I would be in favor of
6 closing the season for a year, put a moratorium on
7 flounder for a year, and let's see what happens.

8 JOE JEWELL: Let me say this. Certainly we are
9 seeing that the impacts of the bag limit are not --

10 COMMISSIONER GOLLOTT: (Interposing) You need
11 to speak up, Joe.

12 JOE JEWELL: I would say to Commissioner
13 Trapani's request that if you want to make the motion to
14 decrease the bag limit from fifteen to ten, that we do
15 that at the next Commission meeting so we have time to
16 prepare the documentation and paperwork for that.

17 We will come forward with a flounder
18 recommendation for the Commission, if that is the
19 Commission's intent.

20 COMMISSIONER GOLLOTT: Reducing it to ten is
21 really not doing any good. Five, or maybe lower than
22 that, would be better.

23 JOE JEWELL: Like I said, if Commissioner
24 Trapani's will, or the Commission's will, is for us to set
25 a reduced bag limit, let us come before the Commission in

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1 April, and we will get our best data effort for y'all and
2 a recommendation.

3 COMMISSIONER TRAPANI: That's fine. I just
4 think that it is a commonsense approach that we don't have
5 the information yet, but we need to make some kind of
6 proactive movement to try to do something positive for
7 this fishery. If you could please give us that
8 information.

9 Like Commissioner Gollott said, maybe it's not
10 ten. Maybe it is seven. Maybe it is five. Whatever that
11 might be, after we get the information. We don't have the
12 correct information to understand what is happening, but
13 we do know we can look at pure numbers and know we are way
14 out of line with that right now.

15 JOE JEWELL: Sure, we can do that.

16 COMMISSIONER BOSARGE: If you would come back at
17 the next meeting with some more information because I
18 think everybody here, as well as you guys, see the
19 problem, and I don't think we need to wait until 2020 to
20 address it.

21 Do your best to look at it and see if you can
22 come up with some recommendations that we actually think
23 would make a difference.

24 JOE JEWELL: We will come back in April and do a
25 presentation to the Commission with an update.

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1 If there are no additional questions --

2 COMMISSIONER BOSARGE: (Interposing) wait a

3 minute. I always get interested in the life cycle. Fifty

4 percent maturity at twelve to fourteen inches.

5 What is the life cycle?

6 TRAVIS WILLIAMS: Typically the Southern

7 Flounder the average life cycle is seven years. The

8 females grow larger faster than the males. At a year,

9 they are ten to twelve inches. The female fish, in

10 optimum conditions, can be spawning capable in a year.

11 COMMISSIONER BOSARGE: To kind of answer

12 Commissioner Gollott's question about the commercial

13 fishermen, especially the shrimpers, with TEDs, we don't

14 see that many founders anymore because of that bar spacing

15 and that wide flounder. When he hits the bars, he's out.

16 You would think that because we do play a part

17 in the management of flounder, that there would be more

18 flounders. We don't catch that many anymore with the

19 TEDs. It hasn't made a difference.

20 COMMISSIONER GOLLOTT: What about getting with

21 the Gulf Coast Research Laboratory and come up with some

22 kind of maybe a hatchery program where they could hatch

23 founders and put them back in the water and enhance it?

24 It is something to look at.

25 COMMISSIONER BOSARGE: To answer your question a

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1 little bit about where they go, talk to the fishermen

2 because in the wintertime, December and January, we would

3 always see those fish, before TEDs, and you would see them

4 in anywhere from seven foot of water out to about twenty-

5 five foot of water in those really salty areas, especially

6 down around the passes. That's where they go.

7 COMMISSIONER TRAPANI: I just have a comment,

8 not a question.

9 It is just amazing to me that as great as

10 founder are -- they are one of the best fish to eat --

11 that this has happened is sad.

12 I'm like Richard, what happened to them?

13 I guess it happened so fast that we are now

14 realizing it came upon us this fast. We just can't get

15 them.

16 Where are they?

17 What happened to the fishery?

18 It is sad. It is a great fish to eat and enjoy

19 catching. The way that you catch them, the enjoyment of

20 it and the whole thing.

21 It's something that we all need to work on and

22 work really hard on this and, like Richard said, maybe

23 look at the hatchery.

24 It's a fish that is almost gone. It is amazing,

25 and it is gulf wide. This is not just Mississippi.

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1 COMMISSIONER BOSARGE: In Mississippi, we have

2 the seventy-four thousand pound quota.

3 When was the last time that was met, or was it

4 ever met?

5 MATT HILL: Never.

6 JOE JEWELL: It has never been met.

7 COMMISSIONER BOSARGE: When was that

8 implemented?

9 Do you recall, Joe?

10 JOE JEWELL: The seventy-four thousand pound

11 quota was just as we transitioned, in 2002.

12 COMMISSIONER BOSARGE: What has the average been

13 on the commercial side?

14 I know I'm asking a lot of questions you are not

15 prepared for. In other words, you could somewhat see a

16 trend.

17 JOE JEWELL: I can tell you our commercial

18 landings right now is at ten thousand pounds.

19 MATT HILL: The average has been about eighteen

20 thousand pounds, since 2002.

21 COMMISSIONER BOSARGE: Thank you.

22 JOE JEWELL: Are there any other questions?

23 (No response.)

24 JOE JEWELL: Mr. Williams is going to continue

25 on and present to the Commission the regulatory changes

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1 for final adoption to Title 22 Part 7.

2 TRAVIS WILLIAMS: The regulatory change to Title

3 22 Part 7 Chapter 8 is a Recreational Bag and Size Limit

4 Change to King Mackerel and Gray Triggerfish.

5 CMR passed the Notice of Intent on February the

6 20th, last month, and, on that same day, we filed the

7 Notice of Intent with the Secretary of State's office.

8 The following day, February 21st, we published

9 the public notice on our department web page.

10 The legal notice appeared in the Sun Herald on

11 February the 26th, 2018.

12 To this date, after the Notice of Intent was

13 published, no public comments have been received. The

14 public comment period was from February 21st through March

15 19th which was twenty-seven days.

16 For the record, I will read the regulations.

17 Chapter 8 Section 100 Subsection 100.04, 100.14

18 and 100.14.01, Recreational Bag, Possession and Size

19 Limits.

20 100.04. Three King Mackerel (Scomberomorus

21 cavalla).

22 100.14. Twenty in reef fish aggregate:

23 100.14.01. Gray Triggerfish (Balistes

24 capricus) - may possess one within the twenty reef fish

25 aggregate.

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Chapter 8 Section 102 Subsection 102.12, Recreational Bag, Possession and Size Limits.

102.12. Gray Triggerfish - fifteen inches fork length.

What is required from the Commission is a motion for final adoption of regulatory changes to Title 22 Part 7 Chapter 8 Section 100 Subsection 100.04, 100.14, 100.14.01 and 102.12, Recreational Bag and Size Limit change for King Mackerel and Gray Triggerfish.

COMMISSIONER BOSARGE: Any further discussion? (No response.)

COMMISSIONER BOSARGE: Do we have a motion?

COMMISSIONER HARMON: Mr. Chairman, I'll make a motion for the final adoption of regulatory changes to Title 22 Part 7 Chapter 8 Section 100 Subsection 100.04, 100.14, 100.14.01 and 102.12, Recreational Bag and Size Limit change for King Mackerel and Gray Triggerfish.

COMMISSIONER BOSARGE: We have a motion. Do we have a second for that motion?

COMMISSIONER TRAPANI: I'll second that.

COMMISSIONER BOSARGE: We have a motion and a second.

All those in favor say aye.
(All in favor.)

COMMISSIONER BOSARGE: Opposed?

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(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

TRAVIS WILLIAMS: Thank you.

COMMISSIONER BOSARGE: Thank you, Travis.

JOE JEWELL: If there are no additional questions, that concludes the Office of Marine Fisheries.

COMMISSIONER BOSARGE: We will move on to office of Coastal Resources Management, Mr. Jan Boyd.

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

We have one action item for your consideration this morning.

Before we get to that, Willa Brantley will give you an update on our permitting actions.

WILLA BRANTLEY: Good morning.

Real quick just like I did last month I wanted to show you how many things we had come into the office in February which was fifty-eight items. We closed out forty seven.

Those numbers are a little bit down from what we had last month and there are a couple of reasons. One reason is February is our shortest month, and I will say that on March 1st, I signed twelve authorizations on that one day. If you counted in March 1st, we actually closed out more things than we received for the month.

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We do expect a lot more applications to be coming in, in the next month. We have the new General Permits that are being issued by the Corps. The current ones expire on April 12th, so we expect the new ones to come in by April 12th, as well.

I plan to do a very short presentation next month. There are some significant changes in those general permits to size limitations and things like that that you have gotten used to hearing over the years.

Once they get those completely drafted and issued, next month I will be able to do a presentation and let you know about those.

A lot of people have been waiting for those to get close to coming into effect to turn in their applications. We expect a lot of applications to come in, in the next month.

COMMISSIONER BOSARGE: Are these going to be major changes?

WILLA BRANTLEY: Things like our size limit has been a thousand square feet. We are taking that up to two thousand square feet.

Height of piers over marsh, we're taking it from five feet to six feet. It has to be at least that high.

Length from mean high tide line to the end of the structure has always been three hundred feet. The

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Corps is getting rid of that limit, and we are just going with some general guidelines such as make sure that it is no further out than other structures in the area. It only goes as far as it needs to be to reach navigatable water. It's not a hazard to navigation.

It gives us a lot more leniency to be able to issue more authorizations without people having to go to the Corps because they are very overworked.

COMMISSIONER BOSARGE: That's good.

COMMISSIONER TRAPANI: How are y'all going to get that information out to the public?

WILLA BRANTLEY: We have actually talked about doing a training for the marine contractors. We did that last time five years ago. There were some significant changes then, as well. It went over really well.

We will probably get with Melissa and not do really a public notice, but maybe a press release type thing to get the information out there, maybe the main points, and, then, have those linked on our website with the changes highlighted.

COMMISSIONER TRAPANI: I think that is really important because that is going to help y'all and all the contractors.

WILLA BRANTLEY: Right.

COMMISSIONER TRAPANI: You don't want all these

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1 applications coming in with the wrong specs and holding
 2 y'all up and holding them up, and, then, that is when they
 3 get angry. It's just kind of a fire that you can help put
 4 out before it happens.

5 WILLA BRANTLEY: We have actually been talking
 6 with a lot of the marine contractors and consultants that
 7 we work with on a continual basis. We have already given
 8 them heads-up notices about the changes that are coming.
 9 That is why they are waiting to turn in things that don't
 10 fit the general permits now that they have to go get a
 11 separate Corps permit. They are waiting until this last
 12 few weeks to turn in those applications.

13 COMMISSIONER BOSARGE: It is good to see that
 14 they are evolving with the times.

15 WILLA BRANTLEY: Yes.

16 When I first started fourteen years ago, we
 17 didn't really know where a lot of those regulations came
 18 from. They have just always been there. There is a lot
 19 of research that has gone into building piers over marsh
 20 and what is the best criteria for that, which criteria
 21 actually do affect the marsh and which criteria don't.

22 They used to have board spacing requirements to
 23 let sunlight get through, and the science has shown that
 24 doesn't really have an impact. It puts more of the
 25 orientation in the height.

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1 COMMISSIONER BOSARGE: Thank you, willa.

2 WILLA BRANTLEY: Thank you.

3 KRISTYN MCGUIRE: Good morning. My name is
 4 Kristyn McGuire, and I am presenting a violation by
 5 Margaret Barnes. It is on Bayou Porteaux at 14528
 6 Porteaux Bay Drive in Biloxi. It's in the General Use
 7 District, and she has no agent.

8 There was a thirty-two-by-twenty-five foot roof
 9 that was constructed over an existing uncovered boat slip.

10 This is just kind of a location map showing the
 11 project area.

12 This was the diagram submitted.

13 This is a picture of the roof that was
 14 constructed over the slip.

15 On February 20th, 2018, an application to
 16 maintenance dredge was submitted.

17 February 28th, 2018, a site visit was performed,
 18 and it revealed a structure had been constructed without a
 19 permit.

20 March 6th, 2018, she submitted a new application
 21 for after-the-fact authorization for the roof, and, then,
 22 to maintenance dredge, also.

23 On March 7th, 2018, a letter was sent to the
 24 applicant notifying her of the upcoming Commission
 25 meeting.

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1 The violation was discovered February 28th, 2018.
 2 It lasted for six days. The maximum potential fine is
 3 three thousand dollars. We are recommending a hundred
 4 dollar fine to the applicant because this is the first
 5 instance that the applicant has constructed without prior
 6 authorization.

7 We recommend that the after-the-fact
 8 authorization is granted because the project would have
 9 been authorized by General Permit, if the applicant had
 10 submitted an application prior to completing the
 11 structures.

12 We also recommend that a fine is issued in the
 13 amount of a hundred dollars to the applicant to be paid
 14 within thirty days of the March Commission meeting and, if
 15 it is not, that the matter be forwarded to the Attorney
 16 General's office.

17 COMMISSIONER BOSARGE: Is Ms. Barnes here?
 18 Does she want to say anything?

19 KRISTYN MCGUIRE: I don't think she is here.

20 COMMISSIONER GOLLOTT: The way I'm looking at
 21 this they are just replacing a roof.

22 why should they have to have a permit?

23 KRISTYN MCGUIRE: They never had a roof to begin
 24 with. They had the pier, the u-shaped pier with the
 25 uncovered slip that has been there since forever, but they

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1 have never had a roof over it. They were never permitted
 2 for a roof.

3 COMMISSIONER GOLLOTT: The roof was constructed
 4 over an exiting boat slip without a permit.

5 KRISTYN MCGUIRE: Right. Once they put the roof
 6 on, they completely shaded the bottom where that slip was.

7 COMMISSIONER GOLLOTT: Mr. Chairman, I would
 8 like to make a motion we issue an after-the-fact permit
 9 and waive the fine.

10 COMMISSIONER BOSARGE: We have a motion to issue
 11 the after-the-fact permit and waive the fine.

12 Do we have a second?

13 COMMISSIONER HARMON: So seconded, Mr. Chairman.

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

16 All those in favor say aye.

17 (All in favor.)

18 COMMISSIONER BOSARGE: Opposed?

19 (None opposed.)

20 COMMISSIONER BOSARGE: Motion carries.

21 KRISTYN MCGUIRE: Thank you.

22 COMMISSIONER BOSARGE: Thank you.

23 Next is Office of Finance and Administration,
 24 Ms. Kacey.

25 KACEY WILLIAMS: Good morning Commissioners,

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Commission on Marine Resources

1 Director Spraggins, Ms. Chestnut.
 2 These are the financial results as of February
 3 28th, 2018.
 4 As of the end of February, we had a State
 5 Revenue of four point seven million. Total Agency Revenue
 6 was seventeen million.
 7 Our State Net Income was negative four hundred
 8 and twelve thousand, and our Agency Net Income was five
 9 million.
 10 After eight months of this fiscal year, 2018, we
 11 still have seventy-five percent of our Operating Funds
 12 Budget remaining and eighty point four percent of our
 13 Tidelands Budget remaining.
 14 Any questions?
 15 COMMISSIONER BOSARGE: Any questions?
 16 (No response.)
 17 COMMISSIONER BOSARGE: Thank you, Kacey.
 18 KACEY WILLIAMS: Thank you.
 19 COMMISSIONER BOSARGE: Public Affairs, Ms.
 20 Melissa.
 21 MELISSA SCALLAN: Good morning Commissioners,
 22 Director Spraggins, Ms. Chestnut.
 23 The agency was mentioned twenty-one times in
 24 local, state and national media, since the February CMR
 25 meeting.

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1 Last month the most popular item was that Chief
 2 Davis was leaving us and going to Moss Point.
 3 This month the most popular item is that he is
 4 staying with us. We are very glad to hear that.
 5 We had a few people that participated in events
 6 around the community. Marty Jones participated in Career
 7 Day at North Gulfport Middle School, and Public Affairs
 8 participated in Read Across America Day at Bayou View
 9 Elementary.
 10 We also had a booth at Governor Phil Bryant's
 11 Homeland Security Summit at the Coast Convention Center.
 12 Marine Patrol had the Admiral Dewey on display, as well as
 13 the jet skis, and the governor toured that area and got a
 14 look at some of our vessels.
 15 Marine Patrol held one boat-and-water safety
 16 class in February and certified ten students. So far in
 17 fiscal year 2018, there have been ten classes and a
 18 hundred and sixty-two students certified. By this time
 19 last year, Marine Patrol had conducted twelve classes and
 20 certified eighty-five students. We have more students
 21 being certified.
 22 Public Affairs attended the annual awards
 23 banquet of the American Advertising Federation, the
 24 Mississippi Gulf Coast Chapter. We won two awards. One
 25 for the 2017 Annual Report and one for the Mississippi

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1 Seafood Cookbook.
 2 COMMISSIONER BOSARGE: Good job.
 3 I like to see the number of students going up,
 4 the number of students certified. That's a good sign.
 5 MELISSA SCALLAN: Commissioner Havard talked
 6 about some sort of media campaign, and we certainly will
 7 meet with Fisheries and Marine Patrol and talk about what
 8 we need to do, and what is the best way to get the word
 9 out about the Red Snapper.
 10 COMMISSIONER BOSARGE: Educate the public.
 11 Thank you.
 12 MELISSA SCALLAN: Thank you.
 13 COMMISSIONER BOSARGE: Joe, Other Business,
 14 Tails n' Scales, we have pretty well covered that, don't
 15 you feel?
 16 JOE JEWELL: Yes. I spoke with Commissioner
 17 Harmon at break and I think we have covered all the items
 18 that were going to be presented in the presentation.
 19 I do want to mentioned one other thing for the
 20 public record. The Commission, by adopting the
 21 recommended changes to Sheepshead, that will require a
 22 Notice of Intent, and we will start that paperwork and
 23 documentation today. Just officially, I wanted to put
 24 that on the public record.
 25 Thank you.

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1 COMMISSIONER BOSARGE: Thank you.
 2 We have two public comments. First is Mr.
 3 Gilbert Ramsey.
 4 GILBERT RAMSEY: Well, I have anxiously
 5 anticipated this meeting, and what we are introducing is a
 6 memorandum of understanding. It's from the Department of
 7 Interior, and it's in reference to boating access, boating
 8 and fishing access and education access from the marine
 9 accessible means.
 10 I shot the file to y'all's file. Ms. Crystal
 11 helped me out with this. It's on y'all's file, when you
 12 get back to your office.
 13 Also, what we are doing, I was recognized by the
 14 Harrison County Board of Supervisors on March 5th. Gilbert
 15 Ramsey recognized the Military Veterans Association
 16 outreach specialist to discuss disability community
 17 outreach programs and partnerships.
 18 I would like to partner up with the Department
 19 of Marine Resources to enable us to go into Deer Island,
 20 into all the islands, the disabled community, and the Gulf
 21 Coast Research Laboratory included with Cedar Pointe
 22 Development and IMMS.
 23 We will be deploying our vessels from
 24 D'Iberville location and we will be installing lifting
 25 systems at all outreach posts on all piers in all

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1 locations in all counties, in all eighty-two counties in
2 the State of Mississippi.

3 We will service them and manage them and provide
4 training for that installation and training purposes for
5 deploying our personnel people and patrons to enjoy their
6 activities with their loved ones and care takers.

7 what I've done, ladies and gentlemen, I have
8 done new technology, new industry. I'm going to Stennis
9 and Ingalls this week to introduce it.

10 I'm here persistently to address it precisely
11 with y'all.

12 I am a patient with heart medication. Bear with
13 me. I have been trying to stay focused with my initial
14 approach.

15 Here we go. I have funds. I have resources. I
16 also have a BP contract. The BP contract identifies
17 educate, recreate, employ and facilitate the disabled
18 community.

19 I have National Science Federation funds with
20 NASA, Stennis Space Center.

21 I have also associated for no more students
22 loans for our kids. I have all of this. I will pay for
23 all student loans, initiatives.

24 I have counsel coming forth to help me out with
25 my legal status.

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1 Everything is associated appropriately now. It
2 is left up to us to identify what we want to do to
3 introduce it to the world.

4 I have recognition around the world. World
5 Health Organization and Pittsburgh University, they all
6 know me from my introduction. For six years I have been
7 talking.

8 Well, I'm over talking, ladies and gentlemen.
9 It is time for action. I'm here for business.

10 Harrison County Board of Supervisors, they
11 offered me the coliseum. We will be opening it up for our
12 vendors' initiative to recognize all my vendors, all my
13 electrical industries. I'm using electrical power for our
14 vessels and solar power for our vessels, meaning shallow
15 draft vessels, meaning incorporated with shallow draft
16 vessels to deploy our people onto the islands.

17 I have mechanical devices in water parks and
18 everything to be associated with the disabled community.

19 I am an entertainment master. I have a master
20 plan with the Red Cross to introduce rural area medical
21 training, rural area medical training for emergency
22 situations.

23 Thank you very much for your attention.

24 Any questions?

25 COMMISSIONER BOSARGE: No, sir. Persistent, you

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1 are. Keep it up. It looks good.

2 GILBERT RAMSEY: I have been, sir. Thank you
3 very much for your attention.

4 We have bottled water. We were on the news
5 yesterday. Look at this (indicating bottle). We just
6 started a veterans bottled water company. It is here
7 locally in Gulfport. We are going internationally around
8 the world.

9 We have everything to be associated
10 appropriately. We have the planes waiting on us and the
11 ships are waiting on us. Here we go, ladies and
12 gentlemen.

13 Thank you, Mr. Joe, for taking me to the Gulf
14 Coast Bicentennial Event.

15 One more thing, I would like to recognize Mr.
16 Michael Lee, Agricultural Manager. He was at the fishing
17 tournament in D'Iberville this weekend for the kids, and
18 an outstanding engagement. I'm telling you this for a
19 reason. He is an honorable gentleman. I recognize what
20 he is about, what he has achieved in his life.

21 COMMISSIONER BOSARGE: Thank you, Mr. Ramsey.

22 GILBERT RAMSEY: Yes, sir.

23 COMMISSIONER BOSARGE: We have Ricky Mitchell.
24 I know you have been patient.

25 RICKY MITCHELL: My name is Ricky Mitchell. I'm

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1 a commercial fisherman, been a commercial fisherman for a
2 lot of years.

3 I have been studying the environment for fifty
4 years. All what y'all are saying with this reproducing
5 and bag limits and all, the biggest problem is it's not
6 surviving. It could be reproducing, but it's not
7 surviving.

8 You can shut the fishing down today for ten
9 years, and it's not going to help. If y'all don't stop
10 the pollution, it ain't going to work. You have got to
11 stop the pollution. That is our biggest problem.

12 I can't work my oyster reef right now.

13 How come? Pollution.

14 I've got an oyster lease out there, been having
15 it for a lot a years. It's got oysters on it. I can't
16 work it.

17 why can't I work it? Pollution.

18 The best idea I heard out of this whole deal
19 today was Mr. Gollott saying about the research lab
20 hatchery.

21 Stop the pollution. Find out why these fish are
22 not reproducing, or why it's not surviving, and y'all will
23 find out it's going to be pollution.

24 You can put limits on everything you want, but
25 in God's eyes, that lake is supposed to feed everybody in

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1 this world, and it's not doing it because of man. We are
 2 polluting. You have got to stop the pollution.
 3 The Pearl River, everybody knows where the
 4 pollution is.
 5 Why is nobody going to see who is doing that?
 6 I can't pollute. When you flush the toilet on
 7 my boat, my toilet goes into a tank. I'm the only one in
 8 Bayou Caddy that's got that, but I don't pollute. Most of
 9 these boats are polluting. It's up them rivers. It's big
 10 companies.
 11 We've got a research lab.
 12 Is anybody here that is with the research
 13 laboratory today?
 14 (No response.)
 15 RICKY MITCHELL: Where are they?
 16 I'm just trying to tell you the problem is not
 17 easy to fix, but we know what the problem is.
 18 Now, everybody sits here and makes up all these
 19 presentations and they do this and they do that, and that
 20 is not our problem. Our problem is pollution. Pollution
 21 is the problem.
 22 I used to say there is no way we are polluting
 23 all of our water, but they've got me shut down. Now, it's
 24 pollution.
 25 I don't mean to get upset like this, but I have

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1 been doing it a long time and I am seeing stuff happening,
 2 and we are pointing in the wrong directions.
 3 Like I say, hatcheries, that's a way to do it,
 4 but, before you start throwing fish out there, when the
 5 hatchlings hatch, they are not going to survive because of
 6 the pollution. You have got to get down to the bottom of
 7 it.
 8 COMMISSIONER BOSARGE: I agree with you. There
 9 are a lot of things we can do, Ricky. Hopefully, some of
 10 this BP money will be spent towards some of that pollution
 11 like you call it at sewage treatment plants.
 12 RICKY MITCHELL: Mr. Steve, I want to say one
 13 thing. Off of the Pearl River right there by the bridge
 14 like going towards NASA, as soon as you get off the bridge
 15 to the left there is a pipe under water. They've got
 16 stuff coming out of that pipe all the time.
 17 A lot of people won't know this because they are
 18 young. They don't know none of this.
 19 All that pipe that is going to the railroad
 20 company where they make up the boxcars and send them out,
 21 all of that doesn't drain off into the city water system.
 22 It is draining right into the Pearl River.
 23 Another deal, and I know people don't know this.
 24 COMMISSIONER BOSARGE: You are running out of
 25 time, Ricky, so make it quick.

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1 RICKY MITCHELL: Okay. Jackson Landing used to
 2 be a dump. That's the State park at Buccaneer State Park.
 3 They built a park on top of a dump.
 4 In the hot summer, when you get that low tide,
 5 you pass by there and you don't smell the marsh. You
 6 smell that dump.
 7 My grandpa used to work there and I used to play
 8 in it as a kid. That's how I know all of this.
 9 Mr. Gollott, that is a good idea.
 10 The problem really is the pollution. We won't
 11 have to do all the studying. Just find out who is doing
 12 the pollution and stop it. They can stop it. We are
 13 living in the twenty-first century today. They can find
 14 out all that is going on.
 15 COMMISSIONER BOSARGE: We appreciate you letting
 16 us know where it is.
 17 RICKY MITCHELL: I'm sure they know.
 18 Thank y'all for y'all's time. I didn't mean to
 19 come dressed like this, but, when I heard about the
 20 meeting, I wanted to come and see what was going on.
 21 Now, y'all are regulating the sport fishermen
 22 out of business. That's what is fixing to happen.
 23 COMMISSIONER BOSARGE: We are trying not to.
 24 We appreciate it, Ricky.
 25 RICKY MITCHELL: I do know what is going on.

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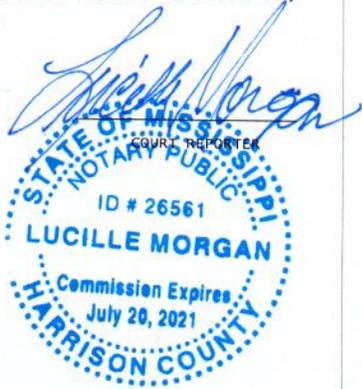
1 I'm fifty years in this. It's the third generation of
 2 fishermen.
 3 COMMISSIONER BOSARGE: Thank you.
 4 RICKY MITCHELL: Thank y'all.
 5 COMMISSIONER BOSARGE: I believe that pretty
 6 well wraps things up.
 7 Do I have a motion to adjourn?
 8 COMMISSIONER HARMON: Mr. Chairman, I make a
 9 motion that we adjourn.
 10 COMMISSIONER BOSARGE: We have a motion to
 11 adjourn.
 12 Do we have a second?
 13 COMMISSIONER TRAPANI: I'll second that.
 14 COMMISSIONER BOSARGE: All those in favor say
 15 aye.
 16 (All in favor.)
 17 COMMISSIONER BOSARGE: The meeting is adjourned.
 18 (Whereupon, at 11:54 o'clock, a.m., the March
 19 20, 2018, meeting of the Commission on Marine Resources
 20 was concluded.)
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 22
 23
 24
 25

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I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing is a true and correct transcript of the March 20, 2018, meeting of the Commission on Marine Resources, as taken by me at the time and place heretofore stated in the aforementioned matter in shorthand, with electronic verification, and later reduced to typewritten form to the best of my skill and ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.



Lucille Morgan, CSR 1251
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