COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, October 16, 2018
10:00 a.m.
Jackson County Board of Supervisors Boardroom
2915 Canty Street
Pascagoula, Mississippi 39568

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Commission Members:
Steve Bosarge, Chairman
Ronald Daniels
Richard Gollott
Natalie Guess
Mark Havard

Also Present:
Joe Spraggins, Executive Director DMR
Sandy Chesnut, Esq., Assistant Attorney General

Lucille Morgan, CSR 1251
COURT REPORTER
(228) 396-8788
COMMISSIONER BOSARGE: I call this meeting to order, our regular scheduled October meeting. Looks like we've got a good crowd.

We are going to work through this. We've got some new folks in the audience here. I see Senator Seymour is here, and we've got our new Commissioner, Ms. Natalie Guess.

We have a lot to do. We've got a full agenda. We are going to get started.

We are going to let Natalie lead us in the Pledge of Allegiance.

(Pledge of Allegiance was recited.)

COMMISSIONER BOSARGE: Next on the agenda is a moment of silence.

I have some in-laws that were just a little bit out of the city limits of Panama City. I went down this weekend and I'm going to tell you what. Hurricane Katrina was bad, but I never made it into the City of Panama City. That is bad. I have never seen so many trees down and power lines down and houses destroyed.

Maybe, in our moment of silence, we can say a silent prayer for those folks. If anybody can help them, please do.

(Moment of silence observed.)

COMMISSIONER BOSARGE: Thank you.
Next up on the agenda is approval of the minutes.

Do we have any changes to the minutes?

(No response.)

COMMISSIONER BOSARGE: Seeing none, do we have a motion to approve the minutes as written?

COMMISSIONER GOLLOTT: Mr. Chairman, I make a motion we approve the minutes as written.

COMMISSIONER BOSARGE: Do we have a second to that motion?

COMMISSIONER HAVARD: I’ll second the motion.

COMMISSIONER BOSARGE: We have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Next up will be approval of the agenda.

Do we have any changes, or modifications, to the agenda?

COMMISSIONER GOLLOTT: Mr. Chairman, I would like to make a change. If it's all right with the Commission, I would like to put grass beds on Cat Island on the agenda.
COMMISSIONER BOSARGE: You want to add that as K-7?

COMMISSIONER GOLLOTT: That sounds good.

COMMISSIONER BOSARGE: Ms. Chesnut, we need a motion for that?

SANDY CHESNUT: Yes, sir.

COMMISSIONER BOSARGE: Richard, you make that motion?

COMMISSIONER GOLLOTT: Yes.

COMMISSIONER BOSARGE: We have a motion to talk about grass beds on Cat Island.

Do we have a second for that motion?

(No response.)

COMMISSIONER BOSARGE: I will second his motion. Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Any other changes to the agenda?

JOE SPRAGGINS: Yes, sir, Mr. Chairman. If we could, I would like to ask if you could possibly change C-1 to modify the agenda for the oath of office to be
administered to our new Commissioner, Natalie Guess, by
the Court Reporter.

COMMISSIONER BOSARGE: We are going to move E up
to C-1.

JOE SPRAGGINS: Also, if we could, modify the
agenda and make D-1, request for Executive Session to
discuss possible litigations, and move D-1 that is now
Administrative Penalties to D-2.

COMMISSIONER BOSARGE: Let me make sure I write
it down correctly on here.

I will make that motion to make those changes.

Do we have a second for that motion?

COMMISSIONER GOLLOTT: I’ll second it, Mr.
Chairman.

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed same sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Now, we will go to Oath of Office.

SANDY CHESNUT: You need a motion to approve the
agenda as modified.

COMMISSIONER BOSARGE: You’re right.

Do we have a motion to approve the agenda as
modified?
COMMISSIONER DANIELS: I will make a motion to approve the agenda as modified.

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

COMMISSIONER GOLLOTT: I'll second it, Mr. Chairman.

COMMISSIONER BOSARGE: We have a motion and a second.

All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Next, we go to Oath of Office for Ms. Natalie Guess.

Before we do that, introduce your family.

COMMISSIONER GUESS: Sure.

COMMISSIONER BOSARGE: You've got some family members here. I don't want to put you on the spot.

COMMISSIONER GUESS: I have my husband, Eric Guess, and I have my mother-in-law and father-in-law, Linda and Kenneth Guess.

COMMISSIONER BOSARGE: Nice to meet you.

(Oath of Office was administered.)

COMMISSIONER BOSARGE: We welcome you aboard.
COMMISSIONER GUESS: Thank you.

COMMISSIONER BOSARGE: Sometimes it gets a little rocky, but you will make it through.

Next up on the agenda will be executive session.

COMMISSIONER GOLLOTT: Mr. Chairman, I make a motion that we go into closed session to discuss the need for executive session to discuss perspective litigation.

COMMISSIONER BOSARGE: We have a motion.

Do we have a second for that motion?

COMMISSIONER HAVARD: I’ll second the motion.

COMMISSIONER BOSARGE: We have a motion and a second.

Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

We are going to step out here for a little bit. We won’t take any longer than we have to, and we will be right back.

MEETING STANDS IN RECESS

COMMISSIONER BOSARGE: I would like to call the meeting back to order.
Ms. Chesnut, if you will, give everybody an update on the closed session.

SANDY CHESNUT: At 10:08, a motion was made by Commissioner Gollott to go into closed session to discuss the need for executive session to discuss perspective litigation. That motion was seconded by Commissioner Havard.

Commissioners present at the closed session were Chairman Bosarge, Commissioner Gollott, Commissioner Daniels, Commissioner Havard and Commissioner Guess. Also present were legal counsel Sandy Chesnut, Kim Papania and Executive Director Spraggins.

At 10:11, a motion was made by Commissioner Gollott to go into executive session to discuss perspective litigation. That motion was seconded by Commissioner Havard.

There was one motion made during the executive session and that was to give legal counsel the authority to establish a payment plan for fines established under the Administrative Penalties procedure.

That motion was made by Commissioner Guess and seconded by Commissioner Daniels.

At 11:08, Commissioner Havard made a motion to end the executive session, and that motion was seconded by Commissioner Gollott.
COMMISSIONER BOSARGE:  We move on down to Administrative Penalties.

Ms. Kim.

KIM PAPANIA:  Good morning Commissioners, Director, Ms. Sandy.

We are glad to have you, Ms. Guess.

COMMISSIONER GUESS:  Thank you.

KIM PAPANIA:  This is the result of the investigation that was ordered a few months ago for the failure to report Spotted Seatrout landings.

Sales receipts provided by Alabama Marine Resources Division revealed thousands of pounds of Spotted Seatrout sold in Alabama that were never reported on Mississippi trip tickets, during the spring commercial season.

The sales receipts indicated Mississippi licensed commercial fishermen were selling their own catch directly to Alabama dealers.

Marine Patrol interviewed the fishermen to investigate noncompliance. The interviews resulted in an additional twenty-eight thousand six hundred and sixty-three pounds of Spotted Seatrout submitted to the Mississippi Trip Ticket Program.

Currently, one thousand two hundred and ninety pounds of Spotted Seatrout are still unreported.
Is Mr. Stork present today, Bills Stork?

BILLY STORK: Yes.

KIM PAPANIA: Are you prepared to proceed with your case?

BILLY STORK: Yes.

KIM PAPANIA: The first case is going to be Mr. Billy Stork.

On, or about, July 25th, 2018, a Notice of Violation was served on Mr. Stork by Marine Patrol officer Patrick Carron.

On, or about, August 6th, 2018, the MDMR received a written response from Mr. Stork.

If any of you would like to see that, I brought copies. I think that was also in your packets.

Mr. Stork does possess a valid Mississippi Spotted Seatrout Endorsement and a Fresh Products Permit.

Mr. Stork sold two thousand seventy-nine pounds of Spotted Seatrout to PJ Seafood in Coden, Alabama, between February 1st and April 27th of 2018.

As of May 15th, 2018, Mr. Stork had reported two hundred and sixty pounds of Spotted Seatrout on Mississippi Trip Tickets.

Upon learning of the investigation, Mr. Stork late reported one thousand eight hundred and nineteen pounds.
The administrative penalty would be a fine in the amount of four thousand five hundred and forty-seven dollars.

Upon payment of one thousand eight hundred and nineteen dollars within forty-five days of the Commission’s final decision and have no new fishing violations in any jurisdiction for a period of one year, the remaining two thousand seven hundred and twenty-eight dollars will be forgiven.

At this time, the Commission can either accept, reject, and/or modify the Executive Director’s recommendation upon motion.

SANDY CHESNUT: Can we see if Mr. Stork would like to make a statement, before the Commission takes action?

KIM PAPANIA: Mr. Stork, would you like to make a statement?

BILLY STORK: No.

COMMISSIONER BOSARGE: I have a couple of questions for you, Mr. Stork.

I see on some of these receipts from PJ Seafood where it lists “area fished”. It’s hard to make out these tickets, but it says, “eleven three”.

SANDY CHESNUT: Mr. Stork, could you come to the podium, please?
COMMISSIONER BOSARGE: Please step forward, Mr. Stork.

BILLY STORK: Eleven three, that is east Jackson County?

COMMISSIONER BOSARGE: I don't know. That's what I'm asking you.

BILLY STORK: I think so.

FROM THE FLOOR: You need to turn your volume up.

COMMISSIONER BOSARGE: Pardon?

FROM THE FLOOR: Turn your volume up. It's hard for us to hear back here.

BILLY STORK: I fish east Jackson County.

COMMISSIONER BOSARGE: I will get closer to the mike. How about that?

Can you hear, now?

FROM THE FLOOR: Yes, sir.

We are having trouble hearing her (indicating Kim Papania).

COMMISSIONER BOSARGE: I was just curious because on some of the receipts it actually lists “area fished”, and it looked to me like “eleven three”. You say you think that is east Jackson County?

BILLY STORK: Yes. That's where I fish. That's
what they put down for that area.

COMMISSIONER BOSARGE: And, then, on another one, I noticed it had your license number. I went back and tried to look to see -- let's see if I can find one where it had your license number on it -- but I didn't see your license number as being that number.

Did you actually present a license?

BILLY STORK: Yes.

As a matter of fact, I had two boats. I had two licenses.

COMMISSIONER BOSARGE: It says, "1633864". I noticed, on any of your licenses, that number and I was just wondering if that was a mistake.

BILLY STORK: I don't believe.

Since then, I haven't bought but one license that I've got now on the boat I've got. I sold the other boat.

COMMISSIONER BOSARGE: Okay. That's fine. Does anybody else have any questions for Mr. Stork?

COMMISSIONER DANIELS: What was the difference between the eighteen hundred and nineteen pounds and the two thousand seventy-nine pounds?

BILLY STORK: What I did, I had lost tickets. I filled out trip tickets. When I first went in
the deposition, they had me been down for seven hundred and something pounds that I had turned in.

Then, since I got this paperwork, they said I didn't turn in but two hundred and something.

What it was, they didn't match up with the tickets they got over there, but everything I sold was at PJ Seafood. I didn't sell none nowhere else.

They had me down for seven hundred. That other four hundred and something pounds they added went to PJ's because I turned them in, but they added it back.

COMMISSIONER BOSARGE: Yes. I read it, and it was a little bit confusing. It said there was a two hundred and eighty-nine pound discrepancy which was a result of two double entries into the system; one for one sixty-four and a second one for one twenty-five. It was a little confusing for me, too, to try to kind of follow the rationale there.

BILLY STORK: What it was, I was filling out trip tickets. I couldn't remember the exact weight I had caught because I didn't have the trip ticket. I had lost it, and I put it down and it didn't correspond with what PJ had. I did report -- the seven hundred and something pounds I had reported, they all went to PJ. I caught them in east Jackson County.

COMMISSIONER BOSARGE: And your reasoning for
not reporting?

BILLY STORK: Just not keeping up with it. I didn’t think it was such a big issue, at the time, because it hadn’t been brought up that much -- you know what I mean -- and I wasn’t keeping up with my tickets, and that’s the truth.

COMMISSIONER BOSARGE: Thank you, Billy. Anybody else have any questions? (No response.)

COMMISSIONER BOSARGE: Kim.

KIM PAPANIA: The Commission can either accept, reject, and/or modify the Executive Director’s recommendation.

COMMISSIONER BOSARGE: We need somebody to make a motion to that affect.

COMMISSIONER HAVARD: I make a motion that we move forward with the administrative penalty as presented.

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

COMMISSIONER GOLLOTT: I’ll second the motion.

COMMISSIONER BOSARGE: Before we move on, we need to have a little further discussion. You have to bear with us. We have done this a little bit before, but we are working our way through it now and we will try to make it the best we can.
We need to change the payment schedule and we have elected, I think, to give as much as six months.

What we are going to do for those folks who can't afford to pay the fine at the present, we will have to do it in the form of a motion, but we are going to give Ms. Chesnut the authority for you guys to work with her and set up a payment plan.

Correct?

SANDY CHESNUT: Yes.

COMMISSIONER BOSARGE: The motion would be to accept the administrative penalty, with the changes being upon payment of eighteen hundred and nineteen dollars within one hundred and eighty days of the Commission's final decision.

SANDY CHESNUT: Yes.

COMMISSIONER BOSARGE: And have no new fishing violations in any jurisdiction for a period of one year.

SANDY CHESNUT: Yes.

COMMISSIONER BOSARGE: Then, if you pay your fine prior to that six-month termination date, then, it will only be eighteen hundred and nineteen dollars.

Are we still doing if they don't, then, the fine goes to the two thousand seven hundred twenty-eight dollars?

SANDY CHESNUT: That is up to the Commission.
COMMISSIONER BOSARGE: I think we decided against that.

So there won't be any remaining -- in other words, your fine is set at what it is.

JOE SPRAGGINS: Commissioner, if I could really quick?

COMMISSIONER BOSARGE: Yes, sir.

JOE SPRAGGINS: I think, when you made the motion in the executive session, it was to be a dollar per pound.

Is that not correct?

SANDY CHESNUT: Correct.

JOE SPRAGGINS: It was for a dollar per pound, and, then, if they couldn't pay it within forty-five days, then they could come to legal and set up a payment plan to be able to pay it within six months.

If you didn't pay it within that amount of time, it went to the other, I think that was taken out and I also think the no new fishing violations was taken out, if I'm not mistaken.

COMMISSIONER BOSARGE: I don't think we took that out.

Sandy, you were taking notes.

SANDY CHESNUT: I don’t recall that being taken out.
I think what we need to do is revise the recommendation to establish the fine at the eighteen hundred nineteen dollars, and they can set up a payment plan with the department, through the legal counsel, up to six months.

COMMISSIONER BOSARGE: I’m going to ask Commissioner Havard to modify his motion to include that.

COMMISSIONER HAVARD: I would like to modify the motion of administrative penalties.

COMMISSIONER BOSARGE: Can you use the mike, please, because surely they will record it?

COMMISSIONER HAVARD: At this time, we would like to modify the administrative penalties to read, instead of forty-five days, up to six months, upon payment of the eighteen hundred nineteen dollars.

COMMISSIONER BOSARGE: And, then, add to give the authority to Ms. Chesnut to set up a payment plan.

COMMISSIONER HAVARD: Yes.

COMMISSIONER BOSARGE: Correct?

SANDY CHESNUT: Yes. The fine is just going to be established at the eighteen hundred nineteen dollars.

COMMISSIONER DANIELS: Shouldn’t we strike the have no new fishing violations and the remaining balance?

SANDY CHESNUT: That’s what I’m understanding that the Commission wants to do.
COMMISSIONER HAVARD: Let's just rewrite the motion on the screen.

SANDY CHESNUT: Yes, let's do that.

COMMISSIONER BOSARGE: Let's rewrite the motion and put it back on the screen.

Just a little clarification, Ms. Chesnut.

SANDY CHESNUT: Yes, sir.

COMMISSIONER BOSARGE: Commissioner Guess made the motion and she said her motion was that they will have forty-five days to pay the fine, at which point if they don't have it paid, then, you have the authority to set up a payment plan. That would be what you need to add to the motion.

SANDY CHESNUT: Okay.

COMMISSIONER BOSARGE: I appreciate you guys being patient with us. We are going to work the bugs out of this.

JOE SPRAGGINS: Sandy, we need to change that to where it says the fine of eighteen hundred nineteen dollars needs to be paid within the forty-five days. If not, then, counsel may establish a payment plan.

SANDY CHESNUT: We are still working on it. Did your motion include no new fishing violations?

COMMISSIONER BOSARGE: Strike that. Strike both
of the last two (indicating screen).

SANDY CHESNUT: The fine in the amount of one thousand eight hundred and nineteen dollars within forty-five days. If necessary, legal counsel may establish a six-month payment plan.

COMMISSIONER BOSARGE: Correct.

SANDY CHESNUT: Is that good?

COMMISSIONER HAVARD: That looks good.

I would like to make a motion that we move forward with administrative penalty, a fine in the amount of one thousand eight hundred and nineteen dollars to be paid within forty-five days. If it is not able to be paid within the forty-five days, if necessary, legal counsel may establish a payment plan, a six-month payment plan.

COMMISSIONER BOSARGE: That’s the motion.

Do we have a second for that motion?

COMMISSIONER GOLLOTT: I’ll second it.

COMMISSIONER BOSARGE: Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

KIM PAPANIA: The next case we have is Mr. Ira
Mr. Martin, are you present today?
(No response.)

KIM PAPANIA: I would just like to say right now that he did request a settlement conference with the Executive Director. We did meet with him before this. He just did ask that if you raise the fines, if you would continue it to another meeting so that he would be able to make a statement to you.

JOE SPRAGGINS: If I could make a statement, Mr. Martin's wife is having chemo today and that is the reason he was not able to be here.

COMMISSIONER BOSARGE: Thank you.

KIM PAPANIA: On, or about, July 25\textsuperscript{th}, 2018, the Notice of Violation was served on Mr. Martin by Marine Patrol Officer Patrick Carron.

MDMR has not received a written response from Mr. Martin.

Mr. Martin possessed a valid Mississippi Fishing Boat License. However, he did not possess a Mississippi Spotted Seatrout Endorsement, or a Mississippi Fresh Products Permit, at the time of the violation.

Ira Martin sold one hundred and three pounds of Spotted Seatrout to PJ Seafood in Coden, Alabama, between February 1\textsuperscript{st} and April 27\textsuperscript{th}, 2018.
As of May 15th, 2018, Mr. Martin had reported zero pounds of Spotted Seatrout on Mississippi Trip Tickets.

On this one, you will notice that we did add a hundred dollars per permit that he did not have, so the fine on him would be increased two hundred dollars over the one dollar per pound. The fine is in the amount of seven hundred and fifty-seven dollars.

Upon payment of three hundred and three dollars, one hundred and three for not reporting one hundred and three pounds, one hundred dollars for not having a Spotted Seatrout Endorsement and one hundred dollars for not having a Fresh Products Permit, within forty-five days of the Commission's final decision and have no new fishing violations in any jurisdiction for a period of one year, the remaining four hundred and fifty-four dollars will be forgiven.

At this point, the Commission may accept, reject, and/or modify the Executive Director's recommendation upon motion.

I have already informed you about Mr. Martin's request, and I would just like to inform you that during our settlement conference with Mr. Martin, he did take responsibility for his mistake and attempted to pay the fine during the settlement conference, but we informed him
he can't do that until the Commission makes a ruling.

Also, Mr. Martin was charged with tickets for not having the two licenses. Those are charged in criminal court, right now. If the Commission were to fine him for that and those criminal cases go forward, it would be unconstitutional. If you do fine him for that, Marine Patrol is prepared to dismiss those cases in criminal court.

COMMISSIONER BOSARGE: In your fine for Mr. Martin, did you include those two?

KIM PAPANIA: I did.

He sold a hundred and three pounds of fish not reported. That would be a hundred and three dollars for that fine, and, then, you add a hundred dollars for not having a Spotted Seatrout Endorsement, plus a hundred dollars for not having a Fresh Products Permit.

COMMISSIONER BOSARGE: When you spoke with Mr. Martin, was he okay with paying this fine?

KIM PAPANIA: He was.

He did just ask if the Commission was going to raise it, if you would allow him the opportunity to speak to you first.

COMMISSIONER BOSARGE: Is Mr. Martin present?

KIM PAPANIA: He is not present.

COMMISSIONER BOSARGE: Do we have a motion for
Mr. Martin’s administrative penalty?

COMMISSIONER GOLLOTT: Mr. Chairman, I will make a motion that we accept the Executive Director’s recommendation on this.

A fine in the amount of three hundred and three dollars for not reporting a hundred and three pounds of Spotted Seatrout, a hundred dollars for not having a Spotted Seatrout Endorsement and a hundred dollars for not having a Fresh Products Permit within forty-five days of the Commission’s final decision. If necessary, legal counsel may establish a six-month payment plan.

COMMISSIONER BOSARGE: We have Commissioner Gollott’s motion.

Do we have a second for his motion?

COMMISSIONER HAVARD: I’ll second the motion.

COMMISSIONER BOSARGE: We have a second by Commissioner Havard.

Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

KIM PAPANIA: The next case is Melissa Ryan.
On, or about, July 25\textsuperscript{th}, 2018, the Notice of
Violation was served on Melissa Ryan by Marine Patrol
Officer Patrick Carron.

MDMR has not received a written response.

Melissa Ryan possesses a valid Mississippi
Spotted Seatrout Endorsement and a Fresh Products Permit.

She sold three thousand six hundred and ninety-seven pounds of Spotted Seatrout to Bryant Products, Inc.,
in Bayou La Batre, Alabama, between February 1\textsuperscript{st} and April 27\textsuperscript{th}, 2018.

As of May 15\textsuperscript{th}, 2018, Melissa Ryan had reported
zero pounds of Spotted Seatrout on Mississippi Trip
Tickets.

Upon learning of the investigation, Melissa Ryan
late reported three thousand six hundred and ninety-seven pounds.

The recommendation is a fine in the amount of
nine thousand two hundred and forty-two dollars.

Upon payment of three thousand six hundred and
ninety-seven dollars within forty-five days of the
Commission’s final decision and have no new fishing
violations in any jurisdiction for a period of one year,
the remaining five thousand five hundred and forty-five dollars will be forgiven.

The Commission can accept, reject, and/or modify
the Executive Director’s recommendation upon motion.

Ms. Ryan also did request a settlement conference and met with the Executive Director previous to this meeting.

Ms. Ryan would like to make a statement to the Commission, at this time.

Ms. Ryan, are you here?

MELISSA RYAN: I’m here. I’m good.

COMMISSIONER BOSARGE: You don’t have anything to say?

MELISSA RYAN: It’s my fault. There is not much else I can say. I just need time to pay it.

COMMISSIONER BOSARGE: Do we have a motion for the administrative penalty for Ms. Ryan?

COMMISSIONER DANIELS: I’ll make the motion for the fine in the amount of three thousand six hundred and ninety-seven dollars with forty-five days to pay. If necessary, legal counsel may set up a six-month payment plan, if she needs it.

COMMISSIONER BOSARGE: I have a motion.

Do I have a second for that motion?

COMMISSIONER HAVARD: I’ll second the motion.

COMMISSIONER BOSARGE: We have a motion and a second.

Any further discussion?
(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

KIM PAPANIA: The next case is Marcene and Rayme Ryan.

On, or about, July 25th, 2018, the Notice of Violation was served on Rayme Ryan by Marine Patrol Office Patrick Carron.

On, or about, August 7th, 2018, the MDMR received a written response from the Ryan's.

I have a copy of that, if any of you would like to see it, but it is in your packets.

Marcene and Rayme Ryan possess a valid Mississippi Spotted Seatrout Endorsement, but do not posses a Fresh Products Permit.

Marcene and Rayme Ryan sold four thousand seven hundred and sixty-one pounds of Spotted Seatrout to PJ Seafood in Coden, Alabama, between February 1st and April 27th, 2018.

As of May 15th, 2018, the Ryan’s had reported zero pounds of Spotted Seatrout on Mississippi Trip Tickets.

Upon learning of the investigation, the Ryan's
late reported four thousand three hundred and ninety-seven pounds, and there are still three hundred and sixty-four pounds that have not been reported.

The recommendation is a fine in the amount of ten thousand dollars because administrative penalties can't exceed ten thousand dollars.

Upon payment of four thousand seven hundred and sixty-one dollars within forty-five days of the Commission's final decision and have no new fishing violations in any jurisdiction for a period of one year, the remaining five thousand two hundred and thirty-nine dollars will be forgiven.

Also, the reason we did not add a hundred dollar penalty for not having the Fresh Products Permit was because they already met the ten thousand dollar threshold with just the pounds.

The Commission may accept, reject, and/or modify the Executive Director's recommendation upon motion.

SANDY CHESNUT: Are they here to speak to the Commission?

KIM PAPANIA: I apologize.

Marcene and Rayme Ryan, would you like to make a statement to the Commission?

RAYME RYAN: Yes, ma'am, if you don’t mind.

KIM PAPANIA: Yes.
COMMISSIONER BOSARGE: You have to come to the podium and state your name.

RAYME RYAN: My name is Rayme Ryan.

COMMISSIONER BOSARGE: Thank you, sir.

RAYME RYAN: The reason I didn’t turn this in is because I didn't know nothing about it because we didn’t even know we could even fish with the nets to start with, until I found out from Larry.

I haven’t sold no fish in Alabama, since way before pawpaw ever died which is Willie Harris and, back then, we didn’t have all of this.

As a matter of fact, one day about two, or three, months before, a couple of months before all this took place, I asked Rickey.

I said, “How does this work?” because I know Jennifer was selling crabs over there and had to turn in trip tickets.

Well, he told me that he turns it into Alabama and Alabama turns it into the State of Mississippi.

Well, the following morning, I was fishing out here in Bayou Heron and every night we come in. It ain't like we can hide fish because ninety-nine percent of the time -- you can ask anybody that fishes -- we get checked.

That’s one thing you can say about Marine Patrol. They are not buttholes, or nothing else, but they
are doing their job, and they see our fish. They check
our fish. There ain't no way we can hide these fish.

COMMISSIONER BOSARGE: Move that mike just a
little closer, please.

RAYME RYAN: All right.

COMMISSIONER BOSARGE: There you go.

RAYME RYAN: I'm sorry, sir.

COMMISSIONER BOSARGE: That's okay.

RAYME RYAN: Anyway, I was telling them about
this because of what Rickey had told me. Well, not one of
them said anything about having to have all this. That's
what gets me.

There was three of them there, whenever I was
telling them about all of this, and nobody ever told me
anything until Larry Lee called me and told me that we had
to have all this.

Well, I jumped in the truck because he had me
paranoid. I went over there and got my Fresh Products
Permit, and the reason I didn't have it is because I
didn't know I had to have it.

I've got hundreds of dollars worth of licenses I
buy every year.

Why wouldn't I get one that's free?

I try to do everything I can to make things
legal because I've got granddads and everything else
trying to raise.

COMMISSIONER BOSARGE: Yes, I know. It's a learning curve, and the trip tickets provide the information for us.

I'm with you. I've been through trip ticket systems in a bunch of different states. I learned my lesson the hard way, also.

You always want to turn the trip ticket in, but retain your copy of your trip ticket. You make sure you keep that.

RAYME RYAN: Well, see, that's like us. We've got all our tickets and that's like they've got us for four hundred and something pounds that we don't even know nothing about because we've got every copy we ever sold.

Like this fine, I don't see how somebody can get charged like me four thousand dollars and something, when some of them get charged eighteen hundred for the same dadgum thing.

We all done wrong. I will admit we all done wrong, but we ought to at least have one -- if it's fifteen hundred dollars, charge us all fifteen hundred dollars.

I know y'all got a job to do on the Commission. I appreciate that, but that's just my opinion.

COMMISSIONER BOSARGE: We have had a lot of
discussion on that. I appreciate you. Thank you.

RAYME RYAN: Thank you.

COMMISSIONER BOSARGE: We need to modify the
administrative penalty.

Do we have a motion for the penalty?

COMMISSIONER DANIELS: I will make the motion
for the fine in the amount of four thousand seven hundred
and sixty-nine dollars within forty-five days. If
necessary, legal counsel may establish a six-month payment
plan if needed.

COMMISSIONER BOSARGE: We have a motion.

Do we have a second?

COMMISSIONER HAVARD: I’ll second the motion.

COMMISSIONER BOSARGE: All those in favor aye.

(Commissioner Daniels, Commissioner Gollott,
Commissioner Guess, Commissioner Havard in favor.)

COMMISSIONER BOSARGE: Opposed same sign.

(Commissioner Bosarge opposed.)

COMMISSIONER BOSARGE: Motion carries.

KIM PAPANIA: The next case is Wayne Tillman.

On, or about, July 25th, 2018, the Notice of
Violation was served on Mr. Tillman by Marine Patrol
Officer Patrick Carron.

On, or about, August 1st, 2018, the MDMR received
a written response from Mr. Tillman.
Mr. Tillman possesses a valid Mississippi Spotted Seatrout Endorsement and a Fresh Products Permit. Mr. Tillman sold five hundred and fourteen pounds of Spotted Seatrout to PJ Seafood in Coden, Alabama, between February 1st and April 27th, 2018. As of May 15th, 2018, Mr. Tillman had reported zero pounds of Spotted Seatrout on Mississippi Trip Tickets. Upon learning of the investigation, Mr. Tillman late reported five hundred and fourteen pounds. The recommendation is a fine in the amount of one thousand two hundred and eighty-five dollars. Upon payment of five hundred and fourteen dollars within forty-five days of the Commission’s final decision and have no new fishing violations in any jurisdiction for a period of one year, the remaining seven hundred and seventy-one dollars will be forgiven. At this time, the Commission can accept, reject, and/or modify the Executive Director’s recommendation upon motion. Is Mr. Wayne Tillman present? WAYNE TILLMAN: Yes. KIM PAPANIA: Would you like to make a statement to the Commission? WAYNE TILLMAN: No, ma'am.
COMMISSIONER BOSARGE: We had to modify the administrative penalty.

Do we have a motion to proceed with the administrative penalty?

COMMISSIONER GUESS: I’ll make a motion.

COMMISSIONER BOSARGE: We have a motion by Commissioner Guess.

Do we have a second for that motion?

COMMISSIONER HAVARD: I’ll second the motion.

COMMISSIONER BOSARGE: Seconded by Commissioner Havard.

Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(Commissioner Daniels, Commissioner Gollott, Commissioner Guess, Commissioner Havard in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(Commissioner Bosarge opposed.)

KIM PAPANIA: The next case is Larry Ryan, Jr.

On, or about, July 25th, 2018, the Notice of Violation was served on Larry Ryan, Jr., by Marine Patrol Officer Patrick Carron.

On, or about, August 1st, 2018, the MDMR received a written response from Larry Ryan, Jr.

Mr. Ryan possesses a valid Mississippi Spotted
Seatrout Endorsement and a Fresh Products Permit.

Mr. Ryan sold twelve thousand seven hundred and fifty-two pounds of Spotted Seatrout to PJ Seafood in Coden, Alabama, between February 1st and April 27th, 2018.

As of May 15th, 2018, Mr. Ryan had reported zero pounds of Spotted Seatrout on Mississippi Trip Tickets.

Upon learning of the investigation, Mr. Ryan late reported twelve thousand five hundred and five pounds, and there are still two hundred and forty-seven pounds that have not been reported.

The recommendation is a fine in the amount of ten thousand dollars because, again, that is the maximum administrative penalty that you can give.

Mr. Ryan did request a settlement conference, but did not make it. He contacted us and said that his daughter went into labor four months early and he had to go out of town. He was not able to make that conference and has not contacted us since to set up the meeting.

The Commission may accept, reject, and/or modify the Executive Director’s recommendation upon motion.

SANDY CHESNUT: Is Mr. Ryan here?

LARRY RYAN, JR.: Yes.

COMMISSIONER BOSARGE: Would you like to say something, Mr. Ryan?

LARRY RYAN, JR.: No, not really.
COMMISSIONER BOSARGE: Ms. Chesnut is putting the motion on the screen.
Do we have a motion for Mr. Ryan's ten thousand dollar fine?
COMMISSIONER HAVARD: I'll make a motion that we move forward with the administrative penalty as written.
COMMISSIONER BOSARGE: Do we have a second for that motion?
COMMISSIONER DANIELS: I'll second that.
COMMISSIONER BOSARGE: Any further discussion?
(No response.)
COMMISSIONER BOSARGE: All those in favor aye.
(Commissioner Daniels, Commissioner Gollott, Commissioner Guess, Commissioner Havard in favor.)
COMMISSIONER BOSARGE: Opposed same sign.
(Commissioner Bosarge opposed.)
COMMISSIONER BOSARGE: Motion carries.
KIM PAPANIA: The next case is Mr. Mark Lewis, Sr.

On, or about, July 25th, 2018, the Notice of Violation was served on Mark Lewis, Sr., by Marine Patrol Officer Patrick Carron.

On, or about, August 5th, 2018, the MDMR received a written response from Mr. Lewis.
Mr. Lewis does possess a valid Mississippi
Spotted Seatrout Endorsement and a Fresh Products Permit.

Mark Lewis, Sr., sold three hundred and seventy-one pounds of Spotted Seatrout to Bryant Products, Inc., in Bayou La Batre, Alabama, between February 1st and April 27th, 2018.

As of May 15th, 2018, Mark Lewis, Sr., had only reported seventeen pounds of Spotted Seatrout on Mississippi Trip Tickets.

Upon learning of the investigation, Mr. Lewis late reported three hundred and nineteen pounds, and there are still fifty-two pounds that have not been reported.

The recommendation is a fine in the amount of eight hundred and eighty-five dollars.

Upon payment of three hundred and fifty-four dollars within forty-five days of the Commission’s final decision and have no new fishing violations in any jurisdiction for a period of one year, the remaining five hundred and thirty-one dollars will be forgiven.

The Commission may accept, reject, and/or modify the Executive Director’s recommendation upon motion.

Is Mr. Lewis present today?

MARK LEWIS, SR.: Yes, ma'am.

KIM PAPANIA: Would you like to make a statement?

MARK LEWIS, SR.: No, ma'am.
COMMISSIONER BOSARGE: This Commission would like to modify that administrative penalty.

SANDY CHESNUT: Yes, sir.

COMMISSIONER BOSARGE: Do we have a motion for Mr. Lewis' penalty?

COMMISSIONER GUESS: I'll make a motion.

COMMISSIONER BOSARGE: We have a motion by Commissioner Guess.

Do we have a second for that motion?

COMMISSIONER GOLLOTT: I'll second it.

COMMISSIONER BOSARGE: Seconded by Commissioner Gollott.

All those in favor aye.

(Commissioner Daniels, Commissioner Gollott, Commissioner Guess, Commissioner Havard in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(COMmissioner Bosarge opposed.)

COMMISSIONER BOSARGE: Motion carries.

That concludes the administrative penalties?

KIM PAPANIA: Yes, sir.

COMMISSIONER GOLLOTT: Mr. Chairman.

COMMISSIONER BOSARGE: Yes, sir.

COMMISSIONER GOLLOTT: Could we ask for a five-minute break?

COMMISSIONER BOSARGE: Yes, sir, Commissioner...
Gollott.

We will take a five-minute break.

MEETING STANDS IN RECESS

COMMISSIONER BOSARGE: I'm going to call the meeting back to order.

We have one request for public comment by State Senator Mr. Seymour.

MIKE SEYMOUR: Mike Seymour, State Senate.

I've just got one question.

Is this a finished investigation, or is it ongoing?

COMMISSIONER BOSARGE: This should be considered a finished investigation, as far as I know.

SANDY CHESNUT: As far as I know, the investigation is complete.

KYLE WILKERSON: That's correct. It is finished.

SANDY CHESNUT: Thank you.

JOE SPRAGGINS: There was one that did not get the information quick enough because they were out, and that will be brought up in the next meeting.

That one person, we were not able to serve him because he was out fishing and we couldn’t catch up with him. By the time we got to him, there was not enough time for him to be able to have the proper time.
MIKE SEYMOUR: Thank y'all.

COMMISSIONER BOSARGE: Thank you, Senator Seymour.

Next up on the agenda is Commissioner’s report.

Do we have any Commissioners that have anything they want to report, or talk about?

(No response.)

COMMISSIONER BOSARGE: Hearing none, we will move on.

Office of Marine Patrol, Chief Davis.

KYLE WILKERSON: Good morning. Chief Davis is out of pocket so I'm going to take his spot, Deputy Chief Wilkerson.

The Commission report for this month is pretty straight forward. Nothing jumps out at me that we need to discuss, but, if you have any questions on anything here, I will try to answer your questions.

COMMISSIONER BOSARGE: I'm trying to locate where I saw it, but we had a dead dolphin?

KYLE WILKERSON: Yes, sir. It was found at Cat Island. I think it was dispatched from Pass Christian Harbor. IMMS was contacted.

COMMISSIONER BOSARGE: And they said something about two dolphins?

KYLE WILKERSON: No. That's another one. It
survived. It is being cared for right now by IMMS.

COMMISSIONER BOSARGE: That was my only question.

Does anybody else have any questions?

(No response.)

KYLE WILKERSON: Congratulations on your appointment, Commissioner Guess.

COMMISSIONER GUESS: Thank you.

COMMISSIONER BOSARGE: Next up is Office of Coastal Resources Management, Mr. Jan Boyd.

JAN BOYD: Good morning Mr. Chairman, Commissioners, Director Spraggins, legal. We have one action item for your consideration this morning, and Chris Pickering will be presenting that.

CHRIS PICKERING: Good morning. Next up is an action item, request for a permit by the City of Biloxi. It is DMR Number 060766. It is located on the Back Bay of Biloxi at 578 Bayview Avenue in Biloxi, it is in the Industrial Use District, and the agent is Seymour Engineering.

The project purpose and need is to reconfigure the existing Sherman Canaan Commercial Harbor to provide a more stable docking facility, reduce collision and maintenance costs, mitigate impacts from storms, provide a safer work environment for mariners to service their
vessels, and to develop the area into a working waterfront shoreline.

The City is proposing to fill eight hundred and fifty-two square feet of Coastal Wetlands, dredge thirty-three thousand four hundred and twenty-five cubic yards.

They are requesting a ten-year permit for this. The rest of the impacts will be a five-year permit.

They will get a letter of exception from Jared Harris, our BU Director. This material will not have to go to beneficial use. He doesn’t think it is going to be suitable.

They are proposing to remove the existing piers and mooring pilings, construct a bulkhead eight hundred and eighty linear feet in length, construct a low profile bulkhead two hundred and ninety-eight linear feet in length -- this will help protect the marsh in the area along the dredging limits -- and put in fourteen new pilings.

There will be impacts to six hundred and eighty-nine square feet of tidal marsh.

They have proposed mitigation for this marsh where they are going to go in and create two thousand and seventy square feet of marsh near the existing boat launch.

There will be a net increase of seven thousand
four hundred and forty-three square feet of unvegetated waterbottoms.

There were six requests for variance to the Coastal Program. Those are listed here. You also have them in detail in your writeup packet.

If you want me to go over them, I will.

They justified those six variance requests under Chapter VIII, Section 2, Part 1.E.2.c.iii. and iv.

If you want me to go over that in detail, I will also.

They did meet all the statutory requirements for notification, and that is there is detail. You have that in your writeup, if you want me to go over it.

COMMISSIONER GOLLOTT: Mr. Chairman, I think we probably can forgo reading this and not go over it.

COMMISSIONER BOSARGE: Yes, sir. I had one question.

Just looking at the drawing, I guess what the plan is, is to take that dock down that they have, now, and, then, basically put it back up to a bulkhead.

Is that what I’m understanding?

CHRIS PICKERING: Correct. They are going to reconfigure the shoreline to where they will be able dock from the stern of the boats.

COMMISSIONER BOSARGE: And, then, it looks like
do some more in that low profile bulkhead that will be coming up in the slip.

Is that correct?

CHRIS PICKERING: Yes. That manmade canal area there where that existing boat launch is, they will be dredging that out, and that is why they are putting in the low profile bulkhead to protect that marsh.

COMMISSIONER BOSARGE: All right.

CHRIS PICKERING: The staff has conducted a thorough evaluation of the project and has made findings on the decision factors in accordance with Chapter VIII, Section 2, Part 1:E:2 of the Mississippi Coastal Program. These findings have been provided to the Commissioners. Based on the results of these findings, it is has been determined that the project is consistent with the Coastal Program because it will have a significant public benefit.

Therefore, staff recommends that the Commission approve the requested variance and issue a permit.

COMMISSIONER GOLLOTT: Mr. Chairman, I make a motion that we accept the recommendation of the staff.

COMMISSIONER BOSARGE: We have a motion by Commissioner Gollott.

Do we have a second for Commissioner Gollott's motion?
COMMISSIONER HAVARD: I’ll second the motion.

COMMISSIONER BOSARGE: Second by Commissioner Havard.

Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Thank you.

CHRIS PICKERING: Thank you.

COMMISSIONER BOSARGE: Next is Office of Finance and Administration, Ms. Shavay Gaines.

SHAVAY GAINES: Good afternoon Director Spraggins, Commissioners, Ms. Chesnut.

I’m Shavay Gaines, the Finance Director, and I will be presenting the financials for September 30th, 2018.

At the end of September, our State Revenues were three point five million. Our Agency Revenue totaled three point nine million.

Our State Net Income was two million and our Agency Net Income was thirty-two thousand. Of that thirty-two thousand, that one point three million we received one million last week and the remainder is
requested for NFWF.

After three months of the fiscal year 2019, we have ninety-one percent of Operating Funds remaining and ninety-two point four percent of Tidelands Funds remaining.

Do you have any questions?

COMMISSIONER BOSARGE: Commissioner Havard is the one that has to look at it. He is our money guru.

Thank you, Shavay.

SHAVAY GAINES: Thank you.

COMMISSIONER BOSARGE: Next up on the agenda will be Office of Public Affairs, Charmaine.

CHARMAINE SCHERMUND: Good morning Commissioners, Director Spraggins, Ms. Chesnut, and welcome Commissioner Guess.

COMMISSIONER GUESS: Thank you.

CHARMAINE SCHERMUND: The Mississippi Department of Marine Resources was mentioned thirty-two times in local, state and national media since the September CMR meeting.

Popular news items included previous director Bill Walker and the Airman who went missing on the Tchoutacabouffa River.

So far in fiscal year 19, Marine Patrol has taught six boat-and-water safety classes and certified one
hundred and six students.

Marine Patrol also participated in National Estuaries Day at the Grand Bay NERR, at the National Night Out Expo in Hancock County and Career on Wheels at Pass Road Elementary in Gulfport.

Our agency also participated in various events in the community. Kevin Landry and Tammy Reese in Oyster Aquaculture took part in Science Career Day at Pass Road Elementary, and Marty Jones in Fisheries took part in College and Career Day at West Harrison High School.

The FDA issued an In Compliance Rating to the MDMR Seafood Technology Bureau’s inspection of the seafood processing industry. This is the tenth year in a row that this positive rating has been achieved by the bureau and serves as a testament to their dedication and hard work to ensure safe seafood products for the public.

NOAA’s phytoplankton monitoring network was here October 11th and 12th in our Fisheries lab, updating staff on the latest information regarding phytoplankton monitoring which is crucial to our detection and preparedness for harmful algal blooms.

Finfish scientist Wade Hardy participated in the U.S. Coast Guard area committee meeting on October 10th at the Grand Bay NERR, hosted by the Mobile sector.

Pollution preparedness, oil spill research and
Coast hurricane response are several of the important topics for our agency.

The Seafood Technology Bureau taught the Basic Sanitation Control Course with seventeen students representing our seafood industry and partners.

Fisheries did a great job with the Jimmy Sanders Memorial Lionfish Challenge which recently concluded with Todd Cospelich as the all around winner.

The challenge honored DMR's Jimmy Sanders who initiated the event, and he passed away prematurely this year.

Jimmy was devoted to eradicating invasive Lionfish which would eventually endanger the offshore reefs he worked to deploy, enhance and maintain.

COMMISSIONER BOSARGE: He did a good job.

JOE SPRAGGINS: Charmaine, one thing real quick. Is it five December we are having the legislative forum?

CHARMAINE SCHMERMUND: Yes, December 5th.

JOE SPRAGGINS: Can you brief that real quick?

CHARMAINE SCHMERMUND: Our legislative forum that the Director presents everything about the agency and talks to the legislators to kind of get them ready for the upcoming legislative session, we will have it at the agency in the auditorium. It will be a breakfast. We
will start at 8:00 a.m.

COMMISSIONER BOSARGE: It will be where?
CHARMAINE SCHMERMUND: At the auditorium where we normally have the CMR meetings in Biloxi.

COMMISSIONER BOSARGE: The 5th of December?
CHARMAINE SCHMERMUND: Yes. You will get everything.

COMMISSIONER BOSARGE: All right. Thank you.
CHARMAINE SCHMERMUND: Thank you.
COMMISSIONER BOSARGE: Next up on the agenda is Office of Marine Fisheries, Mr. Joe Jewell.

JOE JEWELL: Good morning Commissioners.
I would like to welcome our new Commissioner. Commissioner Guess, we look forward to working with you. If there is anything you need, or require, just please feel free to reach out to me, or the Marine Fisheries staff. We will be glad to assist you with that.

COMMISSIONER GUESS: Thank you.

JOE JEWELL: I have several items for the Commission’s consideration, before we move into the agenda.

First, I want to give you a brief update of the shrimp season. We are a little behind where we are typically at this point. Just for the month of September, our average landings is a little over eight hundred
thousand, about eight-and-a-half thousand. Right now, we are about three hundred thousand pounds. We are a little down, behind where we are, but we haven’t processed all of the trip tickets that were submitted prior to the 10th of this month, and we anticipate that being a little more equitable once that is done.

If you look at the entire shrimp season, January through September, we are usually at about seven point seven million pounds landed and, right now, we are at about five point seven million pounds which is a little under, couple of million pounds under where we normally are.

We anticipate it being a little below, or average, season overall, when we shut down on December the 31st of this year.

Next, I have a couple of housecleaning issues.

As you may note, at the last Commission meeting in September, Chairman Bosarge made a request for modifying the agenda, the agenda minutes that were submitted by the Ms. Lucille for the August meeting.

I went back. I gave the staff the authority to modify those minutes as necessary. I went back and reviewed what happened and, at the August meeting, I was responding to the Commission’s request of how we got to the motion on haul seines versus all commercial fishing
nets and in saying that in August, I said two things that were incorrect.

The first thing was is I said Commissioner Trapani seconded the motion, when it should have been Commissioner Daniels seconded the motion. That was incorrect, but Ms. Lucille recorded it corrected, so it is going to stay in the record like that because I misspoke.

Then, the second thing I did in error and I don’t think you caught that, Commissioner Bosarge, but I went back and did a thorough review of the minutes. I said the vote was three one, when it was actually two one because there were only three Commissioners present.

I want to say that for the public records. It is a correction to the misstatements I made in August, even though the minutes have to stand as they were.

COMMISSIONER BOSARGE: I caught it, Mr. Joe, but I didn’t say anything.

JOE JEWELL: Now, the second faux pas that I committed was, as you noted during the oyster season update, I had said that last year’s sack limits -- we did a separate motion. We didn’t include that in the original motion. I pointed it out to the Commission. The Commission took that on and y’all had requested what was the sack limit last year, and the limit was fifteen tonging and twenty dredging.
Originally, I said the correct statement, but there was some discussion between myself and Mr. Broussard about what it was. It was a little confusing and I said twenty-five, and the Commission voted on fifteen tonging and twenty-five dredging.

The Commission can take that on any way they want. If they want to readdress it and go back to the twenty, or just leave it like it is, it is up to the Commission.

COMMISSIONER BOSARGE: I think it was Commissioner Gollott's motion.

COMMISSIONER GOLLOTT: Seems like it was.

COMMISSIONER BOSARGE: Do you want to put it like we agreed, in other words where it will be the same as it was last year, twenty and fifteen?

COMMISSIONER GOLLOTT: Yes. I will straighten it out.

COMMISSIONER BOSARGE: Can you make a motion to change that sack limit?

COMMISSIONER GOLLOTT: I’ll make a motion that we change the sack limit to agree with last season’s limits.

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

COMMISSIONER HAVARD: I’ll second the motion.
COMMISSIONER BOSARGE: We have a motion and a second.

Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

JOE JEWELL: Thank you, Commissioners.

With that being said, we are going to move --

COMMISSIONER BOSARGE: (Interposing) One thing, Joe.

JOE JEWELL: I’m sorry.

COMMISSIONER BOSARGE: I’m sorry. I don’t mean to interrupt you, but on our agenda is the Spotted Seatrout Stock Assessment.

JOE JEWELL: That’s correct.

COMMISSIONER BOSARGE: I still haven’t gotten it. In other words, I requested that stock assessment and I haven’t gotten it yet.

JOE JEWELL: Well, I apologize for that, Commissioner Bosarge. That is sort of my responsibility.

COMMISSIONER BOSARGE: I guess my point is would the Commission mind if we tabled that to give me just a
little time to look at it?

   JOE JEWELL: The staff has no issue with that.

   JOE SPRAGGINS: Joe, what he wants is not what we have here on the paper. He did get that.

   What he didn’t get is he wants how we got the figures.

   COMMISSIONER BOSARGE: I got your presentation,

   but I want --

   JOE JEWELL: (Interposing) You want the actual stock assessment?

   COMMISSIONER BOSARGE: Yes.

   JOE JEWELL: We can send that to you absolutely.

   COMMISSIONER BOSARGE: It's kind of like a math problem. You don't want the answer. You want the problem.

   JOE JEWELL: That's the normal procedure. I apologize for that. Usually I send that out in advance. I hadn't realized that I hadn't done that.

   If the Commission wants to table that item, we completely understand and we will respect that.

   COMMISSIONER BOSARGE: Well, I'll make a motion we table K-5 until the November meeting.

   COMMISSIONER GOLLOTT: I’ll second it, Mr. Chairman.

   COMMISSIONER BOSARGE: We have a motion and a
second.

Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

All right, Joe. Continue.

JOE JEWELL: Okay.

Next up for the Commission’s consideration is Title 22, Part 20, Chapter 21, Revocation of Endorsements under Certain Penalties.

This slide represents all of the public and legal and regulatory requirements that we are required to make, under the Administrative Procedures Act.

If there are no questions, I'm going to move on.

We only received one public comment and this is from the Mississippi Commercial Fisheries United organization by Mr. Ryan Bradley.

I'm going to summarize the comment pretty quickly, but y'all should have that in your packet for review.

COMMISSIONER BOSARGE: Yes, sir. It's in very small print, but we have it.
JOE JEWELL: Mississippi Commercial Fisheries United supports the revocation of fishing endorsements, tags, or permits, for bad actors in all sectors of the Mississippi saltwater fisheries.

However, we recommend that the Commission consider adopting additional language to the proposed regulation to ensure that only violations directly related to the regulatory program that revocations are sought are included and clearly articulate Mississippi Commercial Fisheries United argues that the current language of the proposed regulation is vague and gives the Commission broad discretionary powers that could be used for political purposes.

As I said, this is up for final adoption by the Commission. These are the regulatory actions that will be modified in Title 22, Part 20. For the record, I will read that.

In Chapter 21, Section 104, it will modify Section 104 to read:

“Suspension, or revocation, of licenses, permits, or endorsements, may be commenced, in addition to seeking administrative penalties.”

It will add Section 105, under Section 104:

“The Commission may revoke regulatory
program requirements, such as, but not
limited to endorsements, tags, permits,
or similar provisions, for violations
related to that particular program.”

I think that would address Mr. Ryan’s concern.

COMMISSIONER BOSARGE: Yes. When you say “that
particular program”, that would mean whatever it is the
fisherman might have been violating.

JOE JEWELL: Exactly. There are several
endorsements that are issued. The Spotted Seatrout
Endorsement, it would address specifically that issue, if
the Commission wanted to consider it.

COMMISSIONER HAVARD: Essentially, what we are
doing here is making sure that there is no possibility of
taking away a Spotted Seatrout Endorsement for a shrimp
violation.

Right?

JOE JEWELL: That’s correct. That’s exactly it.

Like I said at the original meeting in August
where this was presented, this has the unique feature of
addressing those bad actors, or those people that violate
the procedures that y’all had discussed earlier in the
presentation.

It doesn’t necessarily punish the good people
that are obeying the rules. It addresses those that are
not doing good practices obeying what the regulations are.

COMMISSIONER BOSARGE: So you did change the
wording somewhat to make sure that there was no way we
could just...

JOE JEWELL: No. This is the exact language as
it was presented to the Commission in August and this is
the exact language that is currently on the Administrative
Bulletin at the Secretary of State’s office.

Let me be a little bit clearer. It says:
“Provisions for violations related to that
particular program.”

For instance, the Commission couldn’t consider --
if there was one violation of the Spotted Seatrout
Endorsement, the Commission couldn’t consider everything,
or a blanket statement for all issues that may come up.

COMMISSIONER BOSARGE: If a fisherman was
boarded by the DMR and he got violations for no life
jackets, no toilet facilities while he was oystering,
could those violations be added to -- do you see where I’m
going, Joe?

In other words, something that maybe wasn’t a
fishing violation, but a safety violation.

JOE JEWELL: Those are issues that are already
in the regulations and Marine Patrol could give those
violations at any point.
Certainly, an example of a MSD is what is considered a pretty important violation and a significant one that affects public health, but that wouldn't come under this provision. That is a separate regulation that addresses that.

This one simply allows for administrative penalties with any endorsements. That's all it does. That is all it modifies.

SANDY CHESNUT: Commissioner Bosarge, I would like to point out that this would only apply if those administrative penalties were brought before the Commission, and the Commission would have that decision as to whether it should be.

COMMISSIONER BOSARGE: I see. Okay.

JOE JEWELL: Very similar to the procedures that y'all considered this morning.

All other issues for regulatory violations and the other parts would be considered separate. If they were in violation of it, they were in violation of it.

COMMISSIONER BOSARGE: I just have to ask these questions because my legal background is about this much (indicating).

All right, Joe.

JOE JEWELL: For the Commission to move forward with the final adoption, a motion would be required for
final adoption of modifications to Title 22, Part 20, Chapter 21, Section 104, including language to revoke endorsements under certain penalties, and addition of Section 105 to include language for revocation of tags, permits, endorsements and similar provisions for violations related to that particular program.

COMMISSIONER BOSARGE: Do we have a motion?

COMMISSIONER DANIELS: I'll make a motion for

final adoption for modifications to Title 22, Part 20, Chapter 21, Section 104, including language to revoke endorsements under certain penalties and addition of Section 105 to include language for revocation of tags, permits, endorsements and similar provisions for violations related to that particular program.

COMMISSIONER BOSARGE: We have a motion.

Do we have a second for that motion?

COMMISSIONER HAVARD: I'll second the motion.

COMMISSIONER BOSARGE: Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

J O E J E W E L L: Next up for the Commission's
consideration are changes to Title 22, Part 7, Chapter 9, Spotted Seatrout endorsement, and Mr. Matt Hill will be doing that presentation.

MATT HILL: Good afternoon Commissioners, Director Spraggins, Sandy, and I would like to welcome our new Commissioner, Ms. Guess.

COMMISSIONER GUESS: Thank you.

MATT HILL: It is going to be interesting.

I do want to take up for Joe a little bit on the comment on the Spotted Seatrout Assessment.

COMMISSIONER BOSARGE: I know.

MATT HILL: Well, our staff has been nitpicking it, just for some wordsmithing, but what is in the actual presentation is accurate numberwise. There are just a few changes we are making, and we actually have not gotten him the final document that I have signed off on yet.

We are working closely with Dr. Leaf and, hopefully, here shortly we will actually have the document.

COMMISSIONER BOSARGE: I would like to see the document.

MATT HILL: Yes, sir. I understand.

We will move on. This is Title 22, Part 7, Chapter 9, Spotted Seatrout Endorsement. This is the final adoption.
We have met all of our public notice requirements and legal notice requirements per the Administrative Procedures Act, as you can see on this slide.

Public comment period ran from September 20th through October 15th for a total of twenty-six days, and no public comments have been received during this time period.

Here is the marked-up language. The underlined language is the new language. The strikethrough represents the deleted language.

We will go to the clean version and I will read it into the record.

"Title 22, Part 7, Chapter 9, Commercial Size, Possession and Catch Limits, Section 110.

"Beginning January 1, 2019, individuals commercially harvesting Spotted Seatrout (Cynoscion nebulosus) must possess a Spotted Seatrout Endorsement ($10.00), in addition to a current applicable harvester's license.

"To qualify for this endorsement an application must be completed.

"For the 2019 fishing season, the
fisher must present documentation
that a minimum of twenty (20) percent
of their taxable income came from
commercial fishing activities in a
previous tax year between 2013-2018.
“Documentation shall be a copy of the
appropriate filed IRS tax form showing
the applicant's taxable income for one
of those years.
“A Marine Fisheries Trip Ticket Officer
will then run a sales summary for the
year chosen using trip tickets to
determine if the eligibility requirement
has been met.
“This endorsement shall be valid for a
one-year period at which time a new
application with qualifying documents
for the previous tax year shall be
submitted for a new endorsement. The
endorsement will be valid from January
1st through December 31st each year.
“In the event of a hardship approved by
the Commission, the Department may consider
qualifying documents for the two years
prior to the onset of the hardship.”
What will be required to put this language into the regulation will be a motion for final adoption of regulatory changes to Title 22, Part 7, Chapter 9, Section 110, Changes to Spotted Seatrout Endorsement.

Upon final adoption of the proposed regulation changes to Title 22, Part 7, Section 110, all Spotted Seatrout Endorsements shall expire November 1\textsuperscript{st}, 2018.

COMMISSIONER BOSARGE: Do we have a motion for final adoption?

COMMISSIONER GOLLOTT: Mr. Chairman, I make a motion that we move to final adoption on this Title 22, Part 7, Chapter 9, Section 110.

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

COMMISSIONER BOSARGE: I'll second the motion. Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(Commissioner Bosarge, Commissioner Daniels, Commissioner Gollott, Commercial Guess in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(Commissioner Havard opposed.)

COMMISSIONER BOSARGE: Motion carries.

MATT HILL: Thank you.

JOE JEWELL: Next up for the Commission's
consideration is establishing a Mississippi Oyster Task Force.

As you may recall, in September the Commission asked us to come back with a presentation with two items; to actually list the membership that we are proposing for consideration, and, then, for it to expire in one year. Ms. Kristina Broussard will be giving that presentation.

KERRISNA BROUSSARD: Good afternoon. I'm Kristina Broussard with the MDMR Shellfish Bureau, and I am going to present you the recommended names for the Oyster Task Force.

COMMISSIONER GOLLOTT: Ms. Broussard, have you contacted these people to see if they would accept it?

KERRISNA BROUSSARD: Yes, I have. I have contacted everyone on the list, with the exception of Mike Cure. I have left him several messages and he hasn't returned my call, but everyone else has accepted.

COMMISSIONER BOSARGE: I don't mean to get ahead of you with your presentation. Do we have an alternate for Mike Cure, if he decides not to serve?

KERRISNA BROUSSARD: We can definitely offer an alternate. I have not contacted anyone else to be an alternate, at this time, but we can do so.
COMMISSIONER BOSARGE: Okay. Thank you.

KRISTINA BROUSSARD: We have two different groups of members.

We have voting members. Nine are recommended. Then, we also have non-voting members, seven.

For our voting members, we have two dealers/processors, Jennifer Jenkins from Crystal Seas Seafood and Mike Cure from Bayou Caddy Fisheries.

We have two dredgers, John Livings who is a Pass Christian harvester and Keo Nguyen who is a Bayou Caddy harvester.

We have two tongers, George Storrs a Pass Christian harvester and Andrew Livings also a Pass Christian harvester.

We have one oyster aquaculture voting member, Walter Boasso with Spat Tech.

We have one recreational harvester, Dennis Laubmeir.

Then, finally, we have our MDMR Shellfish Bureau Director Erik Broussard.

These are our nine recommended voting members for the Oyster Task Force for your approval.

COMMISSIONER GOLLOTT: I have a question.

What does it mean, voting and non-voting?

KRISTINA BROUSSARD: Voting members would
actually have a say in what is brought to the Commission for recommendation.

Non-voting members would be there for -- you will see in the list, they are people that can make recommendations to the voting members, they can offer any science that has been done to help with the voting process.

COMMISSIONER BOSARGE: I guess to answer your question, those voting members, when there is an issue brought to the task force, everybody looks at the issue and weighs it out. We’ve got scientists. We’ve got law enforcement. We’ve got recreational.

They work out the issues, vote on it and, then, bring it as options to us. In other words, we look at what they voted on and that holds weight as to what they, as an industry, want.

KRISTINA BROUSSARD: Just a reminder, the task force will be making recommendations to the Commission. It is just an assistance. There aren’t any decisions made from this group.

Then, to move on with the non-voting members, we have seven.

First is our CMR Commissioner, Steve Bosarge.
We have our MDMR Oyster Aquaculture Extension Agent, Jason Rider
We have our MDMR Chief Scientific Officer, Dr. Paul Mickle.

Our Marine Patrol Officer will be determined.

We have the Gulf Coast Research Laboratory representative, Dr. Read Hendon.

We have the State Representative for District 93 in Poplarville, Timmy Ladner.

Finally, we have Johnny Marquez who is Director of Coastal Programs for the Mississippi Wildlife Federation.

You can see that the non-voting members are all part of the science community and DMR to offer assistance with decision making.

COMMISSIONER BOSARGE: We need a motion?

KRISTINA BROUSSARD: Yes.

Finally, we need a motion to adopt the CMR recommended membership of the Mississippi Oyster Task Force and proceed with the establishment of the Mississippi Oyster Task Force which will expire one year from the first scheduled meeting.

COMMISSIONER BOSARGE: Mr. Harold Strong asked for public comment.

You wanted to speak on this?

HAROLD STRONG: No. Actually, it was about the oyster season.
COMMISSIONER BOSARGE: Can we have you right after this?

HAROLD STRONG: You can, but I can tell you Mike Cure, I talked to him a while ago and he is not going to do it.

COMMISSIONER BOSARGE: We will have to come up with an alternate.

KRISTINA BROUSSARD: I would like to get in touch with him and have him tell me that personally, before we move on.

COMMISSIONER BOSARGE: That’s fine. So we need a motion to proceed forward.

COMMISSIONER HAVARD: I’ll make the motion we adopt the motion as written.

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

COMMISSIONER GUESS: I’ll second it.

COMMISSIONER BOSARGE: We have a motion and a second.

Any further discussion?

(No response.)

COMMISSIONER GOLLOTT: I still think it’s a bad idea.

COMMISSIONER BOSARGE: I just hope we can prove you wrong. I’m banking on it. You see my name up there.
We have a motion and we have a second.
All those in favor aye.
(Commissioner Bosarge, Commissioner Daniels, Commissioner Guess, Commissioner Havard in favor.)
COMMISSIONER BOSARGE: Opposed like sign.
(Commissioner Gollott opposed.)
COMMISSIONER BOSARGE: Commissioner Gollott opposed.
Motion carries.
KRISTINA BROUSSARD: Thank you.
COMMISSIONER BOSARGE: Thank you.
JOE JEWELL: Thank you Commissioners.
Before we move on to the next presentation, this might be a good point where you could --
COMMISSIONER BOSARGE: (Interposing) I'm sorry. We've got Harold Strong.
JOE JEWELL: I just want to make a comment.
COMMISSIONER BOSARGE: Okay.
JOE JEWELL: We have two regulatory actions that were approved and the Commission adopted the sack limit which means the season opening order needs to be signed. If Director Spraggins and you could just wait briefly afterwards, I need y'all to sign those three documents.
With that being said, now that we have all the
requirements for the opening order which part of it was the sack limits, this would be a good time for Harold to make a comment, if he would like.

COMMISSIONER BOSARGE: Mr. Strong.

JOE JEWELL: And, then, afterwards, Mr. Matt

Hill is going to give the recommendation for the Spotted Seatrout.

HAROLD STRONG: Hi. Harold Strong.

Good morning Commissioners, or afternoon now, I guess.

If we are going to do a five-day oyster season in November, and, then, you are talking about doing a relay in December, five days is not going to do anything. It's like putting a band-aid on an amputation. It's just not enough. It ain't really going to help.

Why don't you do the December relay and, if something happens and you can't do the relay, open it for ten days in December, instead of five and five?

That makes a lot more sense. That way, if we get to do the relay, we just don't have a season because all we have left down there -- St. Joe channel is the only place you are going to be able to open. It is the only place that's got any oysters. Probably don't have but fifteen, or twenty, thousand sacks of oysters down there to start with.
You can't keep taking all the brood stock and expect to have spat and stuff to cover the rest of this state.

It really needs to stay closed, if it possibly can and, if we are going to do a relay, let's do a relay. That's just food for thought. You are just really not helping. Five days is not enough to do any good for anybody.

That's just a suggestion from me. Leave it closed and, if you can do the relay in December, do the relay. If not, just give us ten days in December. That's better than a week and a week.

COMMISSIONER DANIELS: Would it make a difference harvesting them in December?

You say you would rather see it stay closed. Would it make a difference harvesting them in December, as opposed to November?

HAROLD STRONG: Well, if you don't have to harvest them at all is the best process, if we can just leave the oysters down there.

We don't have enough oysters, now, for brood stock. What you are taking is what we've got left.

Now, for some reason if we don't get to do the relay -- I understand people have got to eat -- just do ten days in December, instead of five and five.
If you can do the relay, just leave it closed
and not have an oyster season this year. It’s not really
enough oysters to make a difference anyway you go about
it.

COMMISSIONER BOSARGE: I guess really to answer
your question would be as we get closer to our five-day
opening -- I don’t know where Erik is, but does it look
like we are still in line for doing the relay?

JOE SPRAGGINS: Yes, sir. As a matter of fact,
right now we have sent it up to Jackson to approve the
processors and we are working on the barge. That’s the
issue. If the barge comes back in the price range that we
think it will come back, then, we will not have to take it
to that other board, and we could even make the relay in
November, or first of December.

We feel strongly we are going to be able to make
the relay by the first of December.

COMMISSIONER BOSARGE: That was my point last
time. If we are going to do the relay, we would be better
off to kind of hold that season closed and let them grow.

I know we had all these discussions at the last
meeting. It was quite a bit of discussion.

HAROLD STRONG: I didn’t make that one.

COMMISSIONER BOSARGE: I know.

COMMISSIONER GOLLOTT: Let me say something,
with all due respect.

COMMISSIONER BOSARGE: Yes, sir.

COMMISSIONER GOLLOTT: I think Mr. Strong, with all due respect, is speaking for himself. I don’t think he is talking for a lot of fishermen down in the Pass area.

We didn’t harvest but thirty percent of the oysters in St. Joe channel last year. It didn’t help out any. They thought all this brood stock was going to explode the spat set, and it didn’t do it.

Before we change anything, I would want to talk to a lot more fishermen and see what their opinion is. It might not be worth them even gearing up to harvest.

HAROLD STRONG: That’s my point.

COMMISSIONER GOLLOTT: I would just like to hear from those fishermen down there.

HAROLD STRONG: I have talked to some and some are here actually. I’m speaking for myself, but I was out there last year and a lot of other ones was, too.

In the beginning when we first started with that thirty percent that we took, it was fine. The first week we got it with no problem, and, then, it started dropping off day after day after day after day, until the last couple of days we were out there were pretty hard. In fact, I didn’t even go the last two days because it was
too hard to catch them, and I'm a pretty decent fisherman.
I've been knowing you for over fifty years.
COMMISSIONER GOLLOTT: Yes, sir.
HAROLD STRONG: I have been doing this a while.
COMMISSIONER GOLLOTT: We are also talking about
maybe eight hundred to a thousand dollars a day these
fishermen can make and they will be better off for
Christmas and Thanksgiving.
HAROLD STRONG: I'm just telling you there is
not that much out there. That's my recommendation to you.
You do what you want.
COMMISSIONER GOLLOTT: I understand.
COMMISSIONER BOSARGE: Mr. Strong, we appreciate
it.
Yes, sir, Mr. Spraggins.
JOE SPRAGGINS: Joe, you can help me with this,
too, but I think, Mr. Gollott, leaving the oysters in
there was a very good thing.
Tell me Joe, did we not have probably the best
spat season we have had in years?
JOE JEWELL: First, I want to apologize for Mr.
Broussard. He is down in Brownsville attending Gulf
States, representing me on the TCC. We had to kind of
split forces there.
We have had one of the more significant spat
sets we have had in quite a while. We feel very optimistic about that.

COMMISSIONER GOLLOTT: Now, wait a minute. That’s not what you told me.

JOE JEWELL: What did I tell you?

If I told you anything other than that, I’m wrong.

COMMISSIONER GOLLOTT: You told me that harvesting the thirty percent really didn’t make a lot of difference, that we don’t have that many oysters.

JOE JEWELL: Now, harvesting and spat set are two different things.

I absolutely told you that harvesting thirty percent, or closing the season, or those recommendations that we had were not going to have serious impact on the stability, or the sustainability, of the oyster reef. I absolutely said that.

COMMISSIONER GOLLOTT: Okay.

JOE JEWELL: But, now, spat set is a different thing.

COMMISSIONER GOLLOTT: But spat set is not putting them in a sack either.

JOE JEWELL: That’s right.

Now, Erik, in last month’s presentation, clearly made the point that we do have significant spat set,
unlike the past years.

    COMMISSIONER GOLLOTT: They have just got to survive.

    JOE JEWELL: That’s right. Exactly.

    I do want to point out one final thing. If the Commission changes, I will have to readdress the opening order and delay that a little bit.

    If the Commission so chooses to act on those recommendations, I will be delayed in getting those opening orders signed.

    COMMISSIONER BOSARGE: I understand, and that’s what I was trying to tell Mr. Strong. We battled this out last time.

    I think maybe, at this point, we are a little too far in the game to change a whole lot.

    JOE JEWELL: There are still a lot of things that could, or could not, happen to the relay program, so I think probably the wise course is to stay on point.

    COMMISSIONER DANIELS: What is your suggestion?

    JOE JEWELL: The wise course right now is to stay where you are. I mean, that’s what I would recommend, but y’all can clearly change it at y’all’s next meeting, if you wanted to readdress Mr. Strong’s question, and we would be further enough along to give you a more definitive answer on the relay.
COMMISSIONER BOSARGE: We do this first five days, and, then, if we see this relay is going to take place, and, then, maybe this Commission and maybe if the Oyster Task Force meets -- I don't know when that first meeting is scheduled.

COMMISSIONER GOLLOTT: Wasn't that in the motion last meeting, Steve, that we open it for a week?

COMMISSIONER BOSARGE: That's right.

JOE JEWELL: It is.

COMMISSIONER BOSARGE: And I think we could come back and change that. We could probably change it, now, if we wanted to, but I would rather --

COMMISSIONER GOLLOTT: (Interposing) I would rather go ahead and keep it like it is.

JOE JEWELL: The staff will do whatever the Commission decides. We certainly will honor that.

COMMISSIONER BOSARGE: I think we are so far down the path, now, it would be kind of hard to back up. If everybody is in agreement, we will continue on as decided.

JOE JEWELL: I do believe the Commission will meet before that November season opens, so you will have an opportunity to readdress, if you choose.

JOE SPRAGGINS: The Commission will not meet before the opening of the season.
JOE JEWELL: The season was the week before...

COMMISSIONER GOLLOTT: One week before Thanksgiving and one week before Christmas.

JOE SPRAGGINS: We are going to change the meeting date.

COMMISSIONER BOSARGE: We are going to move the meeting until after Thanksgiving.

JOE JEWELL: All right. I apologize. Without any further ado, I will invite Mr. Hill to step up and give the presentation for Spotted Seatrout.

MATT HILL: I do want to start out by saying whatever we decide, or whatever path we take with this, it is going to be a very challenging process.

COMMISSIONER BOSARGE: You will have you something to do, Matt.

MATT HILL: I just do want to put that out there.

We will give a little bit of background. In the past year, CMR has inquired about the viability of using an electronic reporting program to monitor Spotted Seatrout recreational landings in Mississippi waters.

In the August meeting, CMR passed a motion for staff to provide information regarding this subject at the October meeting.

This presentation will outline the potential use
of electronic reporting in the Spotted Seatrout fishery
and provide alternatives for consideration.

I do want to do a little comparison because the
electronic program that we have in place right now is for
Red Snapper. I just want to put this into perspective,
when we are talking about electronic reporting for Spotted
Seatrout versus the electronic reporting for Red Snapper
which is a very successful program.

The first point, Red Snapper has a small
population of anglers, approximately twenty-five hundred
anglers.

Spotted Seatrout has a large population of
anglers, approximately eighty thousand anglers.

The Red Snapper has a limited season, usually
less than a hundred days.

Spotted Seatrout is open year round.

Red Snapper is a single mode. You must be on a
vessel to catch Red Snapper.

Spotted Seatrout is a multi-mode. They can
catch them on boat, by shore, or the private recs can also
have their own methods.

Red Snapper is a localized habitat. We know
where they are.

Spotted Seatrout, a large amount of diverse
habitat, especially during certain seasons and times of
the year.

Red Snapper is a highly enforceable program, the electronic program we have in place.

Spotted Seatrout, although not unenforceable, will be difficult to enforce.

Red Snapper. Statistically sound validation procedure.

Spotted Seatrout. Currently no feasible validation procedure in place.

COMMISSIONER BOSARGE: Matt, there is so much of this I don’t understand.

You guys developed that Tails n’ Scales, and I understand the difference in the number of anglers and I understand one season is open year round, but, when you talk about diverse habitat, look at the square miles of area for Red Snapper enforcement. It’s out to two hundred miles; out to the shelf anyway. Whereas Spotted Seatrout is from the pilings to the CSX railroad bridge.

MATT HILL: I guess our biggest, when we were saying that, is we know where they are and we know where these boats have to come back through. We have bottlenecks, so it is very enforceable. They are coming through the islands. They have got to come under a bridge somewhere, and Marine Patrol knows when the season is and they know, for the most part, most of our anglers are
going to fish on fish havens right now. You have three highly productive fish havens, so those are the areas they go to.

Spotted Seatrout, my big concern with that is not that is not enforceable at the ramps, it's not enforceable at piers, or things like that.

My biggest concern --

COMMISSIONER BOSARGE: (Interposing) Wait a minute.

What do you mean, it’s not enforceable?

MATT HILL: It is enforceable there. It is not enforceable at somebody's private pier at nighttime, when they walk down there. We just have too much of that that goes on.

COMMISSIONER GOLLOTT: Wait a minute.

Why can't they go in on a cell phone and tell you that they are fishing speckled trout, just like they would tell you any other time?

MATT HILL: Well, the other problem with Spotted Seatrout is, also, it's a bycatch. They are not -- when you go Red Snapper fishing, that is what you are going to catch.

When you go White Trout fishing, maybe you are just going White Trout and Ground Mullet fishing and you catch three, or four, trout. It is hard for them to get
this identification number and use the authorization code
like we do for Red Snapper. They may only catch one, or
two.

    Maybe their intent was to catch Red Drum, or
Sheepshead, and they may get lucky and catch two trout.

    COMMISSIONER GOLLOTT: Well, wouldn’t it be
better off just to have them reporting everything, then,
if they go fishing?

    MATT HILL: We are going to get to that. Just
give me a little bit longer.

    COMMISSIONER GOLLOTT: We are going to do this.

    MATT HILL: What we have come up with is more of
a survey. The survey needs to provide a better estimate
of recreational Spotted Seatrout fishing effort. That is
what we have to focus on, and I think the new ways that we
are seeing NOAA do things have shown that with the
inflated numbers we have, and it is strictly from effort.
It has nothing to do with catch-per-unit effort. It has
nothing to do with the average weight of the fish. It is
strictly an effort survey. That's what we have to get a
hold on.

    MRIP currently gathers accurate data on catch
metrics for the fishery.

    The survey needs to provide an effort estimate
from all fishing modes, shore, ramp and charter.
Monitoring options.

A mandatory reporting program for the entire recreational fishery. This option is difficult to enforce and would be very difficult to implement.

For large angler populations, a survey-based approach is the most practical to estimate harvest. There are multiple options for survey-based approaches.

This is where Captain Daniels would come in and our task force. We do believe that, at some point, we can institute some type of electronic reporting, but we believe that we would need to start with the charter-for-hire industry.

It is a very small universe of anglers.

It would almost be a logbook-style approach where they would report everything. It is already coming down the pipeline with the Federal government, so we are studying that, and this would allow us to work with this smaller universe and evaluate the efficiency of electronic reporting with the Spotted Seatrout.

We will be taking a chunk out of the recreational fishery and almost do a panel study with it to see what would work and what wouldn't work, before we launch it to eighty thousand people.

That would be our plan, and I think that is
something that we could institute fairly quickly, with the
support of the charter-for-hire industry which I believe
we would have that.

It may not be completely mandatory at first, but
I believe that we could get that started and see the
efficiency of the program.

COMMISSIONER DANIELS: Are your thoughts on that
pen and paper, or electronic?

MATT HILL: Electronic. Everything would be
electronic. It would be very similar to the Tails n'
Scales system. We would almost copy the logbook program
that they have developed for the permitted charter-for-
hire industry.

We could set up the surveys like that, but it
would be all encompassing, all species. It would be
everything and it would be somewhere for us to start to
have a study to see just how feasible this is and the
tweaks we would need and, when we are dealing with eighty
people, it is going to be a lot easier for us than eighty
thousand people.

COMMISSIONER GOLLOTT: Matt, how many charter-
for-hire licenses have we issued in Mississippi?

I only know of three, or four.

Are there more than that?

MATT HILL: Charter for hire?
COMMISSIONER GOLLOTT: Yes.

MATT HILL: It’s fluctuates between ninety and a hundred and twenty, and it is variable.

COMMISSIONER GOLLOTT: Charter for hire?

MATT HILL: Yes, sir.

COMMISSIONER GOLLOTT: Wow.

COMMISSIONER DANIELS: I’ve got that. It’s around a hundred, maybe a hundred and twenty.

MATT HILL: And that is a much more of a manageable --

COMMISSIONER GOLLOTT: (Interposing) Of course, that’s Red Fish. That’s everything.

MATT HILL: That’s everything.

COMMISSIONER GOLLOTT: Okay. That sounds good.

MATT HILL: What we would do is -- what I would recommend doing is we obviously have some of the larger multi-passenger vessels that do not target, or never catch Spotted Seatrout, so we would give them the opportunity to maybe do their panel study on Red Drum, or some other species, but focus on these inshore guides, develop an electronic reporting system similar to the one we have now, and let them test this out, tell us what we are doing and what we need to do and how we can transition this into eighty thousand anglers.

That would be step one, and I think that is
something we could do very quickly, but in the meantime --

COMMISSIONER BOSARGE: (Interposing) I don’t think you need to waste your time in the meantime.

I don’t mean that in a bad way, but MRIP data. All you hear is MRIP data is bad this way, it’s bad that way, and that’s all MRIP data is, is surveys.

Why do we want to waste our time doing more surveys that everybody is going to dispute the information that you provide?

The only way that I see, if we are going to spend our time and effort doing anything, is maybe taking the charter-for-hire and trying to tweak a system.

I personally think we already have a system, but, if that’s where you think we need to go, I don’t think we need to waste our time doing surveys. That is just information everybody is going to dispute. I agree with it. I don’t agree with it. You didn’t do this right. You didn’t do that right. You didn’t check these people. You didn’t call that one.

MATT HILL: When we are dealing with a large group with the resources we currently have, it would be --

COMMISSIONER BOSARGE: (Interposing) A bunch of extrapolations.

MATT HILL: Exactly.

We have contacted Mississippi Wildlife,
Fisheries and Parks, and we have asked them about some
type of point of sales survey, just like they do with the
migratory birds to begin with. Give us an idea. When
they buy their license, have a survey there that would be
mandatory for them to fill out strictly for speckled
tROUT, and it would not be exact. How many times did you
Spotted Seatrout fish? How many times did you catch
speckled trout in the last year?

We would begin to compile this information, but, also, when
we are doing these surveys, have a completely
different add-on survey which we have done successfully
before. We did a flounder survey, with our MRIP.

We would partner it with MRIP, but it would have
nothing to do with it. While we are out there, we would
also survey these anglers with a specialized questionnaire
just on speckled trout that would be our data and we would
keep that.

Yes, there would still be some extrapolations
involved in that, but, then, we would also do the mail-
based survey like what Louisiana is doing and do some call
downs which we don’t think would be very successful, but
we think that it would be worth trying in the short term
until we can get this system, and it is something that we
would like to concentrate with the charter guys, a system
that would transfer to the entire population, something
that would be very user friendly for everybody.

COMMISSIONER GOLLOTT: What do we need to do, Matt, the first step?

MATT HILL: I don’t believe we would need a motion to begin doing this. This is something, honestly, we have already started working on since we did this.

COMMISSIONER BOSARGE: You will take it to the charter-for-hire task force and bring it before them?

MATT HILL: Yes, and I think we a mechanism that maybe we can go ahead and start -- I can get Commissioner Daniels something, and we can put it out there and just get a feeler for how they feel about it and start getting a few more answers from them, but we have already begun working with Bryan on developing the electronic collection system for them.

The wheels are spinning. They are turning, but the main thing would be the buy-in for the charter-for-hire industry.

COMMISSIONER HAVARD: Matt, is there any other state in the country that is attempting to do something of this magnitude?

MATT HILL: No. The closest we have found so far, and I was concentrating on the Gulf, but Virginia has a very successful program. We just got a hold of that program and we began some talks with them, but they are an
all encompassing mandatory reporting everything you catch. If it hits the dock, you have to report it.

    We are seeing exactly how that system works, and we just began talks with them to see what the pros and cons of it are.

COMMISSIONER GOLLOTT: Don’t you need a motion for, like, your endorsement, or something?

JOE JEWELL: Commissioner Gollott, not right now. The Commission has already directed the staff to look into it. There was no motion made because we didn't have enough information, or structure, to establish a program.

What we are doing to do is act on the Commission’s request and start outreaching to the charter-for-hire industry and, once we get to that point where we are going to try and establish a program, then, clearly, like Tails n’ Scales, it would require a motion by the Commission.

COMMISSIONER BOSARGE: Thank you, Joe. Matt, is that it on that?

MATT HILL: That's it.

COMMISSIONER BOSARGE: Are you satisfied, Commissioner Gollott?

COMMISSIONER GOLLOTT: Yes.

COMMISSIONER BOSARGE: Thank you, Matt.
COMMISSIONER DANIELS: Matt, if you will, get that to me.

MATT HILL: I will, yes, sir. We will take care of it.

COMMISSIONER DANIELS: And we will see where we are.

MATT HILL: Yes, sir.

JOE JEWELL: Commissioners, up for your consideration is the last Marine Fisheries item. It's some State Saltwater Fish Records presented by Mr. Jonathan Barr.

JONATHAN BARR: Good morning, and welcome Commissioner Guess.

COMMISSIONER GUESS: Thank you.

JONATHAN BARR: We have two new State Saltwater Fishing Records up for your consideration this month. The first one is a Gulf Flounder, Paralichthys albigutta. The old record was one pound two point four ounces. The new record is one pound seven point six eight ounces.

The angler is Mr. Kevin Sikes.

It is hard to see here, but there are three distinct oscillated spots on this. This is a different species than the Southern Flounder (indicating photograph).
COMMISSIONER HAVARD: What did you say the differences were?

JONATHAN BARR: There are a few, mainly habitat. This was caught around the islands.

COMMISSIONER BOSARGE: It's got spots on it.

JONATHAN BARR: There are three oscillated spots much like you would have on a Red Fish, the one oscillated spot.

It is a little hard to tell. It had been in the cooler for a little while. It had faded.

COMMISSIONER BOSARGE: And that is a good one.

JONATHAN BARR: The next one is actually new to our records. There is no old record. It's a Lowfin Pomfret, Brama dussumieri. This is a deepwater species. It is four point three seven ounces.

The angler is Mr. Junie Creel.

This is not a large species of fish. They usually max out around twelve, or fourteen, inches.

There is Mr. Creel with the fish (indicating photograph).

Required is a motion to adopt these new State Saltwater Records.

COMMISSIONER HAVARD: I would like to make a motion that we adopt the new State Saltwater Finfish Records.
COMMISSIONER BOSARGE: We have a motion.
Do we have a second for that motion?
COMMISSIONER GOLLOTT: I'll second it, Mr. Chairman.
COMMISSIONER BOSARGE: All those in favor aye.
(All in favor.)
COMMISSIONER BOSARGE: Opposed like sign.
(None opposed.)
COMMISSIONER BOSARGE: Motion carries.
JONATHAN BARR: Thank you.
COMMISSIONER BOSARGE: Thank you.

Next up will be K-7 which Commission Gollott wanted to talk about the grass beds at Cat Island.

COMMISSIONER GOLLOTT: The last time we were talking about the nets around Cat Island somebody brought it up that what is damaging the grass beds around Cat Island worse than the nets would be the propellers, the props on the back of these outboard motors crossing the grass beds and everything and they were cutting lanes in them.

What I would like to see is the staff to come back and give us a study on that.

I would like to do like some of the other states. Maybe fix it to where they can’t take an outboard motor across these beds. Maybe go across with a trolling
motor, or something like that. Drift across them, instead of tearing these beds up, strictly trying to take care of these grass beds.

They are wonderful speckled trout habitats. It would be a shame to just sit there and destroy them.

JOE SPRAGGINS: Dr. Mickle, are you not working on that, as we speak?

I had given it to Dr. Mickle, to look at that, to look at the grass beds.

COMMISSIONER GOLLOTT: I didn’t know.

JOE SPRAGGINS: Would you mind if he addresses this real quick?

COMMISSIONER GOLLOTT: No, sir. I would be glad.

PAUL MICKLE: Thank you, Commission.

Yes, I will address that topic. I have been tasked with looking at a scientific literature search on impacts of seagrass by different types of gears.

I can include equipment on top of gears. When the specific request was for fishing type, or fishing gear, I was looking at all sorts of different gears.

Equipment will be in addition to that, and I can bring that back for next meeting and provide a presentation, if needed, to look at that. There is a lot of literature out there.
Florida has gone through this for over twenty-five years. They have looked at it. There has been a lot of scientific studies done on it.

I have accumulated everything as far as types of gears, at this point, but I can add equipment type and bring that as well, but there is a lot of literature to talk about, and I can bring it to you.

COMMISSIONER BOSARGE: Maybe not just equipment, but anything that affects that grass.

PAUL MICKLE: All the way to pollutants?

That is going to be a long of presentation.

COMMISSIONER GOLLOTT: Stuff that we can do something about.


JOE SPRAGGINS: Do we need a motion to do that?

SANDY CHESNUT: Yes.

JOE JEWELL: Yes. You would need a motion to direct Dr. Mickle to come back next month with recommendations for consideration of all type issues that would affect seagrass beds around Cat Island.

COMMISSIONER GOLLOTT: Can we let our environmentalist have a chance to make the motion?

COMMISSIONER GUESS: I'll make a motion to have him create a presentation on all the different components.
that could be endangering the grass beds.

PAUL MICKLE: Cat Island specifically, or the State of Mississippi?

COMMISSIONER GUESS: Cat Island.

COMMISSIONER GOLLOTT: And I’ll second that motion.

COMMISSIONER BOSARGE: Motion by Commissioner Guess. Seconded by Commissioner Gollott.

Any further discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

PAUL MICKLE: Thank you.

COMMISSIONER BOSARGE: Thank you.

Under other business, at the last meeting, I asked to put something under other business and I apologize because I did not put it on the agenda. I meant to.

I guess Richard and I are the two that have been on this Commission the longest and Ms. Chesnut, also. Peer Review Committees. I remember back years ago when there was a lot going on within the DMR and it
involved Dr. Walker, and we had law enforcement folks come
to us and say, you should have been watching what was
going on.

Seeing Dr. Walker back in the news again, I know
it brought back a bunch of memories to me and I'm sure it
has to you.

COMMISSIONER GOLLOTT: Well, we were threatened
by some senators and stuff.

COMMISSIONER BOSARGE: In an effort just to make
sure, especially me now in the position because, if it
comes down, they are going to look at me and say, why
didn't you do something?

I'm not saying there is anything wrong, but
Chairman Vernon Asper set up -- we actually went through
the procedure to set up some oversight committees.

If I remember correctly, Joe, you were here and,
Matt, you were here.

JOE JEWELL: Yes.

COMMISSIONER BOSARGE: If I remember correctly,
we went through the motions, we put them in place and, at
that point, I think Vernon Asper resigned his position and
we never had the first meeting.

In an effort to, I think, do some good, I think
it's something we need and I think it's something that we
need to put back in place. Well, it is already in place.
We just need to exercise it.

Bear with me because I've got to find where I put it. There it is (indicating document).

If you go back to the minutes of the meeting, it was back on January 15th, 2013.

We actually set up three committees, a Financial Oversight Committee, a Contract Review Committee and a Program Review Committee, and it is all in the minutes.

Financial Oversight Committee.

The purpose of this committee is to closely monitor the financial status of the MDMR to ensure that the agency is financially sound and that expenditures on programs and facilities are justified and that the expenditures further the policy of the State as it relates to the management of the marine resources and coastal wetlands.

Contract Review Committee.

The purpose of this committee is to monitor and review contracts entered into by the MDMR. The committee will primarily review contracts with a value in excess of ten thousand dollars to determine the necessity of the contract and to ensure that the contract was not inappropriately awarded to a family member, or business associate, of other MDMR employees, or awarded as a result of undue influence from an elected, or appointed, public
official.

Program Review Committee.

The purpose of this committee is to review MDMR land acquisition and land management programs to ensure that the programs have established and justifiable criteria for identifying properties for inclusion in the programs and provisions for long-term management of properties acquired.

Vernon Asper, he did all of this, and those were the three committees. We can’t have but two members on each committee, and they could meet semi-annually.

I don’t want to make any motions, but I would like to ask the different members if they would agree to serve on these committees.

On the Financial Oversight, I would like Mark Havard and myself.

Are you agreeable?

COMMISSIONER HAVARD: I would like to learn a little more about what these committees are trying to do, but, if that were the case, I would be glad to serve.

COMMISSIONER BOSARGE: On the Contract Review Committee, you weren’t here, but I put the environmental representative down and, of course, Mark, I felt like you were probably the best person for that.

On the Program Review Committee, Ronnie Daniels
and Richard Gollott.

COMMISSIONER GOLLOTT: Mr. Chairman, let me pass on that. I have been sick pretty regular here lately. I couldn't give it my all.

COMMISSIONER BOSARGE: Unless somebody wanted to volunteer, I'll step in, in your place.

These are things that I respected, and I thought a lot of Vernon Asper. He did a really good job in overseeing this Commission and the process over the years, and he put a lot of thought into it, and I think it is something we need to put back in place and see how it works.

At the next meeting, Mr. Joe, could we actually add this as an agenda item, and, then, take a vote on it?

JOE SPRAGGINS: Be more than glad to. As a matter of fact, we will even get you some more details on it and have it there for you. I don't have a problem with any oversight.

A lot of things have been added, since January of 2013. The State has implemented a lot of oversight, and I think you are going to see that on the Contract Review which is fine. There is nothing wrong with having more eyes on it.

I think you are going to see that the contract review is pretty scrutinized pretty hard right now, but,
if you want more eyes on it, I don't have a problem with it.

COMMISSIONER BOSARGE: Like I said, when that went down last time, Commissioner Gollott and myself, we had some people pointing fingers at us.

I just think it's a good thing.

If we could get some copies of this maybe and let everybody look at it because it goes into detail on when to meet and how to meet (indicating document).

That's all I had.

JOE SPRAGGINS: I have one other thing, if I could, under other business. We would like to change the meeting, if possible.

If y'all would make a motion to change the November 20\textsuperscript{th} meeting to November 27\textsuperscript{th}, at 9:00 a.m., at the Bolton Building.

COMMISSIONER BOSARGE: Instead of having it before Thanksgiving, have it after Thanksgiving.

JOE SPRAGGINS: Right.

COMMISSIONER GOLLOTT: It's on the 20\textsuperscript{th}, now?

COMMISSIONER BOSARGE: Yes, and move it to the 27\textsuperscript{th}.

COMMISSIONER GOLLOTT: Okay.

JOE SPRAGGINS: We would like to move it to the 27\textsuperscript{th}, and I need y'all to vote on that.
COMMISSIONER BOSARGE: Do we have a motion to make that change?
COMMISSIONER GOLLOTT: I'll make the motion, Mr. Chairman.
COMMISSIONER BOSARGE: We have a motion to change the November meeting from the 20th of November to the 27th of November at the Biloxi Bolton Building.
JOE SPRAGGINS: At 9:00 a.m.
COMMISSIONER BOSARGE: At 9:00 a.m.
Do we have a second for that motion?
COMMISSIONER DANIELS: I'll second it.
COMMISSIONER BOSARGE: We have a motion and a second.
All those in favor aye.
(All in favor.)
COMMISSIONER BOSARGE: Opposed like sign.
(None opposed.)
COMMISSIONER BOSARGE: Motion carries.
Public comments.
Do we have anybody wishing to make public comments?
FROM THE FLOOR: (Indicating).
COMMISSIONER BOSARGE: Yes, sir. Step up to the podium and state your name, please.
J. KHAYAT: I'm J. Khayat, and I have a
question.

I know I’m a little late in the game. Y’all have done all of your studies and everything about Section K, Item 2, about the endorsement which y’all voted on to change the way the endorsements were issued.

Maybe I should have made my comment earlier, but I’m sure you noticed that this is endorsing people that do commercial fishing mostly for a living.

If they are going to show that twenty percent of their income comes from commercial fishing, a part-time fisherman probably is not going to make that, if he’s got a decent job somewhere.

I'm particularly talking about the hook-and-line fishermen, not the net fishermen because they do it for a living.

As you see what happened this year, all of your quota was caught up within about a month and a half.

I guess that’s what y’all were trying to get to by doing this because the hook-and-line guys really didn’t have a chance to get out there and do what we normally do, keep fresh fish on the market for the restaurants throughout the year.

COMMISSIONER BOSARGE: Jimmy, I guess it has been a lot of years back, but do you know where that commercial hook-and-line license came from?
It was actually put in place -- and correct me if I'm wrong, but, when we started displacing all the commercial net fishermen, that's when this commercial hook-and-line license actually came about.

In my opinion, the original intention was to give the commercial net fishermen that were put out of business another way to catch fish.

It has been a commercial license this whole time. I hope that kind of answers one of your questions.

J. KHAYAT: So you are saying that they have a hard time catching a limit of speckled trout with a net, so you are giving them a better chance to catch them?

COMMISSIONER BOSARGE: No. I'm saying when we outlawed their gear, and, then, pushed them half a mile off the beach, thirteen hundred foot off a pier, a mile from the islands, they didn't have much left.

J. KHAYAT: Well, they took care of that with the haul seine.

Right?

They don't have to be that far out, according to the rules.

COMMISSIONER BOSARGE: They have to be a mile from the islands. They can't be north of the CSX. They can't --

J. KHAYAT: (Interposing) I could see this year
that they really had a hard time catching speckled trout. I mean, y'all see the results.

I'm just saying, did you really think about what you were doing?

I know you did a study. I understand. Speckled trout, we want to keep that resource here. I do, too. I enjoy catching them. I enjoy selling them, too, because it pays for my passion, but, now, I can't do that.

I really think that it was sort of discriminatory, the way this was presented because I will be curious to see how many hook-and-line fishermen get an endorsement this year.

Plus, I paid for an endorsement two years ago that is supposed to go through the next year which you are rescinding that from me.

Are you going to reimburse me part of that ten dollars I paid?

I doubt it.

COMMISSIONER GOLLOTT: Sir, could you commercially fish?

How do you make a living?

J. KHAYAT: I'm just retired. I was hoping to do a lot more hook-and-line fishing.

COMMISSIONER GOLLOTT: I think, if you check into it, you will find that you don't have a problem, if
you just retired.

J. KHAYAT: Really?

It's hard enough for me to catch the...

COMMISSIONER GOLLOTT: Well, it's earned income.

Or have we changed that?

JOE JEWELL: Taxable income.

COMMISSIONER GOLLOTT: Twenty percent of your earned income.

J. KHAYAT: I'm not just speaking for me. I'm speaking for the other guys who do have a job and do this on the side.

COMMISSIONER GOLLOTT: I think we had over four hundred commercial speckled trout fishermen, when we got started. Everybody was buying a commercial license because they could go catch all the fish they wanted and sell them.

J. KHAYAT: Right.

COMMISSIONER GOLLOTT: So we had to cut it back. I mean, speckled trout were clearly being overfished, and this is a way to control it and get it down so the commercial people can make a living, or try to make some money catching speckled trout.

The price on speckled trout, since we put this endorsement in there, has more than doubled.

J. KHAYAT: What I'm saying is you are pretty
much limiting speckled trout fishing to a select few, and 
that’s what you want.

Right?

COMMISSIONER GOLLOTT: We had to limit it some 
kind of way, or either shut it down completely.

J. KHAYAT: Talking to Steve earlier this year, 
he was saying that the recreational people were really the 
major harvesters of speckled trout, by your statistics.

What are we doing about that?

COMMISSIONER BOSARGE: That’s why we are trying 
to get some reporting in place where we can see where the 
effort is and find out the true numbers where we can 
better manage this fishery. We want a fishery for 
everybody.

J. KHAYAT: Well, y'all have got a big job and I 
realize that, and I appreciate what you are doing, but I 
just feel like I have been discriminated against, and I 
know several other hook-and-line guys feel the same way.

COMMISSIONER BOSARGE: We appreciate your 
concerns.

J. KHAYAT: All right. Thank you.

JOE JEWELL: I just wanted to address Mr. 
Khayat's concerns there.

He is not locked out of the fishery. That's not 
the way the program works. That's not the changes the
Commission made.

He is certainly correct that if he can't meet that twenty percent for the Spotted Seatrout Endorsement initially, he could not get that, but he can fish other species at some point and make the twenty percent threshold, and, then, get the Spotted Seatrout Endorsement.

He is not locked out of the commercial fisheries, as he transitions into retirement.

COMMISSIONER BOSARGE: I got you.

JOE JEWELL: But all the other comments y'all made are correct.

COMMISSIONER GOLLOTT: If you are in retirement, you are not going to make any money anyhow. I mean, it's feasible that twenty percent might be several hundred dollars. It doesn't have to be big money to be twenty percent.

JOE JEWELL: That's right.

COMMISSIONER BOSARGE: Thank you, Mr. Joe.

Any other public comments?

(No response.)

COMMISSIONER BOSARGE: Seeing none, I need a motion to adjourn.

COMMISSIONER HAVARD: I make a motion that we adjourn.
COMMISSIONER GOLLOTT: I'll second it.

COMMISSIONER BOSARGE: We have a motion and a second.

All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Meeting is adjourned.

(Whereupon, at 1:22 o'clock, p.m., the October 16, 2018, meeting of the Commission on Marine Resources was concluded.)
CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing is a true and correct transcript of the October 16, 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.

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