COMMISSION ON MARINE RESOURCES

SPECIAL SESSION

December 3, 2018
MDMR 6th Executive Conference Room
1141 Bayview Avenue
Biloxi, Mississippi 39530

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
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COMMISSIONER BOSARGE: We are going to call this meeting to order with everybody in attendance.

First on the agenda will be the approval of the agenda.

Has everybody has had a chance to look over the agenda?

If so, do we have a motion to approve the agenda?

COMMISSIONER HAVARD: I’ll make a motion we approve the agenda as written.

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

COMMISSIONER GOLLOTT: I’ll second it.

COMMISSIONER BOSARGE: You may have to say who you are because I’m not catching the voice right off.

JOE SPRAGGINS: Mark motioned and Commissioner Gollott seconded.

COMMISSIONER BOSARGE: Sounds good.

We have a motion and a second.

All those in favor signify by aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Executive Director's report.
Mr. Joe.

JOE SPRAGGINS: I just want to thank each of you for being able to take the time to be on the phone today and do this, or either come here.

One of the things that had happened is that we were looking into the situation of being able do this relay and the problem with it was that we were having a lot of issues with the dealers/processors saying, with the insurance and the cost of the insurance to work on the water, that it was just more costly for them to be able to do this and they could not do it for the two dollars a sack.

That was the issue that brought this about, plus in talking some of the Commissioners during the time and also now not understanding a hundred percent where we stand on the motion that was made about what type of dredge could be used during this.

I know we are going to do tonging to start with and I think it was three days is what we looked at.

Joe, is that correct?

JOE JEWELL: Yes.

JOE SPRAGGINS: Three days of tonging, and, then, after that would be dredging, but we need to decide if it is going to be hand dredge only.

The other thing was I know y'all had given me
permission to be able to manage this, but I would like to
go ahead, since we are here in a meeting anyway, to set
the sack limit for the tongers per trip because I don’t
want to take a chance of somebody going out there, putting
too much on a boat and causing them to have an accident
and maybe putting ourselves in some form of a liability.

That said, sir, that’s all I have, unless you
have any questions.

COMMISSIONER BOSARGE: No, sir. I don’t have
any questions.

I think we will probably go down through it and
try to make these decisions.

Next up would be the Commissioners report.

Does anybody have anything they want to report?

COMMISSIONER HAVARD: I would like to say that I
did reach out to some friends of mine that are in the
insurance industry and have been in the industry for quite
some time and talked over the premium that these
processors are trying to charge us.

Just over the phone, we did some simple math and
with all these Jones Acts and all these different acts
that are required due to people working over the water --
Steve, you might be very familiar with all of these -- it
is very expensive insurance, and what we calculated with
just some fast math is the cost of what we are trying to
do to the processors is going to be about a hundred thousand dollars, and there is going to be about twenty thousand dollars that is going to be cream, or profit, right off the top that these processors are getting.

   Amongst me and my insurance friends, we thought that that was a very fair rate at six dollars a sack.

   COMMISSIONER BOSARGE: I know exactly. We deal with that every day. When you get out over the water, it does get expensive.

   Let’s go ahead and get into the main part of the agenda.

   COMMISSIONER DANIELS: Steve, if I may, just a quick question.

   COMMISSIONER BOSARGE: Yes, sir.

   COMMISSIONER DANIELS: Which processors were offered the opportunity in participating in this?

   I paid a visit down to the Pass Christian dock the other day. One of the people that I talked to down there was Darlene Kimball and she kind of seemed like she didn’t really know anything about anything that was going on, and that may be her own fault.

   I’m just wondering who all was contacted about this.

   JOE SPRAGGINS: I know right off the bat it was Joe Jenkins, Mike Cure and Jerry Forte. They think
Kimball was contacted, and William Scarborough (phonetic).

    I know those, but I will get that answer for you. I’m trying to get her in here right now to get that answer for you, but I think those are the ones that were contacted for sure that I know.

    I know she and Forte work right beside each other, so I’m pretty such they know what is going on. He was one of the ones that had a real issue with it.

    COMMISSIONER DANIELS: Another question that was posed to me by her, is there any other opportunity for a processor of her size -- she obviously couldn’t take on the whole thing by herself, but is there any other opportunity for them to get involved, other than as the processor.

    One of the things that she mentioned was even if she just worked helping verify licenses and that type of stuff for the department.

    I don’t know if there is anything like that, but I told her I would ask.

    JOE SPRAGGINS: Hang on one second.

    Darlene was contacted?

    MICHELE WILLIAMS: Yes, she was.

    JOE JEWELL: She participated in the 2016 relay.

    JOE SPRAGGINS: She was contacted, Commissioner Daniels. I'm not sure what is going on with her on that.
SANDY CHESNUT: For the record, Michele Williams is in the room and she is the one answering the questions because this is going to have to be transcribed.

COMMISSIONER DANIELS: Okay.

JOE SPRAGGINS: Michele, stand up and tell which ones you contacted so we can have this official.

MICHELE WILLIAMS: The ones that were contacted were B and W Seafood, Bayou Caddy Seafood, Jerry Forte Seafood, Crystal Seas Seafood. Pinchers was contacted and Darlene Kimball was contacted.

JOE SPRAGGINS: Is William Scarborough in that?

MICHELE WILLIAMS: He is with B and W.

COMMISSIONER DANIELS: Was that an email that we sent out, or was there an actual physical contact with a phone call, or something like that?

MICHELE WILLIAMS: Both, with the exception of Pinchers. I tried calling. I left a voicemail and he never responded.

COMMISSIONER DANIELS: Okay. I just wanted to make sure I did what she asked me to do, and I think that satisfies that.

JOE SPRAGGINS: Commissioner, on your deal about the licenses, we have tried that several times to be able to sell licenses, like, in Pass Christian, or whatever.

We go down there and we put people there and we
have to put Marine Patrol officers and we have to put our license personnel there, and very seldom we hardly ever sell anything. It just is not feasible for us, as far as the dollar figure.

COMMISSIONER DANIELS: I know. I understand that. We have had that talk before.

What she had mentioned was during that last relay, she said the department had some tables set up, or something -- I don't know. I wasn't a part of it -- and they were verifying licenses, or tags, or something.

She mentioned possibly if there would be an opportunity for someone like her to help out with that.

JOE SPRAGGINS: Well, we are going to do that and it will be in the department, and that is going to happen.

As a matter of fact, this week is when we sent the message out for the ones that want to qualify to come and meet with the Fisheries Department and make sure that we can do that.

COMMISSIONER DANIELS: Okay. Thank you.

COMMISSIONER BOSARGE: Do anymore Commissioners have anything?

(No response.)

COMMISSIONER BOSARGE: I don't blame you for doing your due diligence on that, Commissioner Daniels.
Office of Marine Fisheries, Mr. Joe Jewell.

JOE JEWELL: There are three items up for discussion this morning.

First is the cost for dealer/processors to receive per sack of oysters in the relay that starts December 10th.

Second is the type dredge allowed during the December relay for action.

Then, finally, consideration for the maximum number of sacks allowed per trip by tonging fishermen.

I will open up with a conversation on item number One, cost for dealer/processors to receive per sack of oysters during the relay.

I do want to remind the Commissioners that at the special session on May the 29th of this year, the motion was passed and adopted unanimously that the fishermen would get twenty-eight dollars per sack and we were not to exceed two dollars a sack for the dealer/processors.

JOE SPRAGGINS: I thought it went to thirty.

Didn’t we change that to thirty?

It was changed to thirty. I don’t remember exactly when it was, but it was changed to thirty.

JOE JEWELL: You’re right.

I have that motion, if the Commissioners would
like me to read that to you.

COMMISSIONER GOLLOTT: What is the bottom line per sack, by the time you pay the fishermen and the processor?

JOE SPRAGGINS: It is thirty-two as it stands right now. It will be thirty-six, if we move to the six dollars for the processors.

JOE JEWELL: The actual motion was -- the final adopted motion -- there were three previous ones. Two failed for lack of a second, and, then, the other one was withdrawn.

The motion would be Commissioner Gollott's motion that says we pay the fishermen thirty dollars a sack, not to exceed two dollars a sack for the processor, and, then, anything that it costs for the barge is taken out of the grant. It is not in the sack price. That motion was passed unanimously, all in favor.

JOE SPRAGGINS: Right now, it's thirty dollars per sack for the oystermen, two dollars for the processor, plus the barge fee.

COMMISSIONER BOSARGE: It appears to me that the two dollars is not going to work. They can't make any money.

What is the total number of sacks that we are going to be moving, Mr. Joe, to refresh my memory?
JOE JEWELL: It is just over eighteen thousand seven hundred.

COMMISSIONER BOSARGE: That’s about a hundred and eight thousand, or so, or a hundred a ten. Something like that. Surely they can do their insurance and make money. Everybody has got to make money.

Richard, it was your original motion. Let’s talk about it some.

COMMISSIONER GOLLOTT: It’s high, but one of the things that we can do -- I just talked to Mike Cure, and he says that Louisiana allows them twenty percent shells. Instead of somebody just filling up the sack with shells, it has to be eighty percent oysters, and a spat on a shell says it’s an oyster.

I would like us to make sure -- give them another five percent. Say twenty-five percent can be shells without any oysters, but seventy-five percent oysters, and that covers ranky oysters.

I think we need something in there saying what we are getting for our money.

COMMISSIONER BOSARGE: That’s what I had said before. I was talking about making them cull which, on that reef, I don’t think would be a big deal.

I’m with you. I agree with you because there are places on that reef that they could go tong, or
dredge, and get nothing but shell, and that's not what we need right now.

COMMISSIONER GOLLOTT: And the shells could be already fouled up. They might never catch anything. You are right. We need to move at least that many oysters, in order to have some oyster seasons in the future.

JOE JEWELL: Commissioner Bosarge, the exact sack number that we are talking about is eighteen thousand eight hundred and sixty-four.

Commissioner Gollott, if you want to make some motion for percentage, you would have to do that because, at the May 29th meeting of this year, some discussion between the Commissioners, Commissioner Trapani said, I think we need the material. We need everything. You have got to move everything on that reef. The seeds, that seeds the reef. That gives you substrate. You need material and oysters to relay.

Currently, the way it reads it is everything.

If you want to modify that, you would have to do that in a motion.

COMMISSIONER GOLLOTT: I will make the motion that the allowable shells is twenty-five percent that the fishermen can bring in with the oysters. If it is a spat on a shell, then, it is considered an oyster.

COMMISSIONER BOSARGE: Let's address the six
dollars, Richard, in that motion also, if we could.

   COMMISSIONER GOLLOTT: Sure.

   COMMISSIONER DANIELS: If I may, one question
I've got, I've heard said that a lot of this is being done
to provide work for the oystermen. I know the ultimate
goal is to rebuild our resource.

   Could we have the oystermen share in some of
this overage with us?

   Could we go back to twenty-eight dollars a sack,
instead of thirty, and let them eat two of those dollars,
if we are going to put the rest of the money up?

   COMMISSIONER GOLLOTT: I was sitting here
thinking the same thing. Twenty-eight dollars a sack is
pretty juicy.

   Let me say this. I will say that we are going
to modify the amount of money that the dealers/processors
get to six dollars and the fishermen, we will go to
twenty-eight dollars with that.

   JOE SPRAGGINS: Commissioners, we do have some
personnel in here, but we don't have it set up the way we
normally do to have comments on each thing.

   Do you want to allow public comment, before we
make these motions?

   COMMISSIONER BOSARGE: I would like to hear, if
you've got some folks in there, yes, sir.
JOE SPRAGGINS: It needs a second before we got any further.

COMMISSIONER BOSARGE: Okay.

Richard, can you state that motion one more time?

COMMISSIONER GOLLOTT: I’ll make a motion that we pay the dealer six dollars a sack, that we pay the fishermen twenty-eight dollars a sack for the oysters, that we allow them twenty-five percent shells in a sack -- there was something else I was just thinking about and it flew out of my mind.

JOE JEWELL: The spat on shell consideration.

COMMISSIONER GOLLOTT: Yes, spat on a shell is considered an oyster.

Is that plain enough, Steve, do you think?

COMMISSIONER BOSARGE: I think so, yes, sir.

COMMISSIONER GOLLOTT: This is what I was thinking, that the dealers furnish the agency a proof of insurance.

COMMISSIONER DANIELS: Absolutely.

COMMISSIONER BOSARGE: Yes, I think that is a must for sure.

JOE SPRAGGINS: I think they have to, before we can sign a contract with them.

COMMISSIONER HAVARD: We need to verify that
JOE SPRAGGINS: We will. That is part of the rules. That is part of our contract with them. Ms. Faye is sitting here, and that is exactly what we would have to do. Leave that in the motion and that would be great.

COMMISSIONER BOSARGE: We have the motion and Joe, you are writing it down I'm sure.

Richard has a motion.

Do we have a second for Richard's motion?

COMMISSIONER DANIELS: I'll second his motion.

COMMISSIONER BOSARGE: Seconded by Commissioner Daniels.

Before we do any voting, let's hear some of the public comment, Mr. Joe.

JOE SPRAGGINS: Okay.

Is there anyone here who would like to make public comment?

BRAD STAPLETON: I would.

JOE SPRAGGINS: If you would, could you step up here and state your name?

BRAD STAPLETON: I'm Brad Stapleton. I'm a commercial fisherman out of Pass Christian. I have been doing it for two decades.

I don't have any problem with us giving up the two dollars for the insurance to help put us to work, but
our problem is that we are getting reports that a lot of this reef is dying and it is dead, now.

    If we go to that twenty-five percent shell, all of our material on the Pass Christian Reef is gray shell and dead. I have made trips with Ryan and them, and it needs any kind of material it could get.

    If we limit it down to only twenty-five percent shells, then, we have waited so long on this relay to where that is dying. It is going to be hard for us to make it, if we are also looking to substitute an income.

    That was the only thing I had to say.

    COMMISSIONER GOLLOTT: Let me assure you the oysters in the Bay and the oysters in Pascagoula are not dying -- in certain areas, but there are plenty of areas that they are just so ranky. They are small. They are ranky. You are going to be able to load a boat easy.

    COMMISSIONER BOSARGE: I agree with Richard on that. I don’t think you will have a problem there in Pascagoula with that.

    If we do, then, by all means, Mr. Joe, if that becomes an issue, you will get with us and we will see if we can’t modify it.

    COMMISSIONER GOLLOTT: Well, we’ve got the staff here that has been on the reef.

    Maybe Mr. Broussard can enlighten us on this.
ERIK BROUSSARD: I just want to say the quota was set based on live oysters. That was everything from spat to market-size oysters. The eighteen thousand sacks of material that we estimated, that is all pure live oysters.

When you are including twenty-five percent of shell, that should make it that much easier.

COMMISSIONER BOSARGE: Good.

JOE SPRAGGINS: If your research in the past said that we have ample oysters there to do this, thirty percent was off of the actual live oyster itself.

Right?

ERIK BROUSSARD: The thirty percent that we counted, that’s correct.

We have covered a lot of this in the previous Commission meetings on the condition of the reef and the amount of resource left to the State of Mississippi.

JOE SPRAGGINS: One other thing, too, just for your clarification, sir, as they have stated on there, if a shell has a spat on it, it is an oyster. It’s not a shell.

COMMISSIONER GOLLOTT: If you are getting all shells, we want you to look for the oysters.

JOE SPRAGGINS: Any other public comment?

(No response.)
JOE SPRAGGINS: I have one other question.
Ms. Faye, could you answer something for me?

FAYE JAMES: Yes, sir.

JOE SPRAGGINS: If we modify this from what we sent to Jackson, can we do this going to twenty-eight dollars for the sack because we put thirty dollars, I think?

FAYE JAMES: They have it on the agenda as to be determined.

JOE SPRAGGINS: No. I'm talking about what we originally passed, what we originally got through Jackson, was that thirty dollars in there?

FAYE JAMES: Yes, thirty dollars, plus two dollars for the dealer/processors.

JOE SPRAGGINS: My question is, can we modify both of these, if this is passed?

FAYE JAMES: Yes, sir, I think you can, once you are doing a modification. We will just have to explain it to them, why it is being lowered.

JOE SPRAGGINS: That's all I wanted to know.

COMMISSIONER BOSARGE: We have a motion and a second.

Any further discussion?

COMMISSIONER HAVARD: Just a second, Steve.

Commissioner Bosarge, do you feel that this is
the right thing to do and will the reef be able to sustain
us taking some seventeen thousand sacks off of it?

COMMISSIONER BOSARGE: I do believe so, yes. As
long as we do it correctly, I think it will probably be a
good thing. Yes, I’m good with it.

COMMISSIONER HAVARD: Okay.

COMMISSIONER BOSARGE: Any other discussion?

(No response.)

COMMISSIONER BOSARGE: All those in favor of
Richard’s motion, signify by aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: Motion carries.

Okay, Mr. Joe. Continue on.

JOE SPRAGGINS: Dredge type.

COMMISSIONER GOLLOTT: Let me put this in here.

One more thing, Steve, I want to ask you. You
buy Longshoreman’s insurance just like I do.

Why is the state liable for these people when
they are private contractors, these fishermen?

What happened there?

Do you have any idea if it has been changed, or
somebody in Jackson has put this in there just to cover
their butt, or what?
COMMISSIONER BOSARGE: I don't think that we as a state would be liable. In other words, I'm sure, yes, they can come back through the chain of command and get to us, that is the state, but the first one would be the person that is administering the contract and actually has the insurance in place.

I'm sure our legal could tell us more than I can, but, Richard, there is always a path back to the state.

COMMISSIONER GOLLOTT: Yes, I understand that. For years, we have been treating them as private contractors and they are in business and we are in business and they are selling us product straight out.

JOE SPRAGGINS: Ms. Faye, may be able to help you with it, as far as legal.

FAYE JAMES: Under the contract with the dealer/processors, it did not mention Longshoreman’s insurance.

Normally, when MDMR contracts with a vendor, an independent contractor, they do require that they have workers’ compensation, and, then, general commercial liability which is what was required in this contract.

COMMISSIONER GOLLOTT: Wait a minute. These people are not working for us. They are working for the dealers.
JOE SPRAGGINS: The dealers are who we are talking about, sir.

COMMISSIONER GOLLOTT: The dealers are going to have to have --

JOE SPRAGGINS: (Interposing) Insurance.

FAYE JAMES: They have to have workers’ comp on their employees, if they have --

COMMISSIONER GOLLOTT: (Interposing) But they are not an employee. They are somebody that is contracting to them.

FAYE JAMES: Yes, sir.

We require that the dealers have workers’ compensation on their employees, if they have enough employees to require workers’ comp.

If they've got two employees -- and that’s the way it is worded in the contract -- then, they would not have to have the workers’ comp.

JOE SPRAGGINS: The problem is that the dealers have gone back and talked to their insurance companies, and their insurance companies are telling them that because they are buying a product from these boats that they have to consider them as employees.

COMMISSIONER GOLLOTT: Employees?

JOE SPRAGGINS: Yes, sir, that is exactly what is happening to them.
The reason I say that, sir, I talked to Mr. Forte and Mr. Scarborough more in detail about this which are smaller business people, and they both told me. They said, we can’t even afford to buy the insurance by what the insurance companies are telling us we would have to pay for it before we turn around and get two dollars. He said we would pay more for the insurance than we would for the product that we got.

COMMISSIONER GOLLOTT: It's not the six dollars that is bothering me. It’s the internal revenue considers these people self-employed. I mean, the government considers them self-employed.

I don’t want to set a precedent here so they start beating these people like myself over the head, saying the state considers them employees. Now, you've got to have workmen's comp on all these boats that are selling you shrimp.

Do you see where I'm coming from?

JOE SPRAGGINS: Yes, sir, and I’m just trying to tell you we tried to do what you are trying to say. We tried to do a hundred percent what you are trying to say right now, that these guys are independent, but the insurance companies --

COMMISSIONER GOLLOTT: (Interposing) Let’s get the attorney general to give us an opinion on that,
please.

JOE SPRAGGINS: Sir, it’s not against the state. The state is not requiring this.

COMMISSIONER GOLLOTT: You just told me you were going to require it from the dealers.

JOE SPRAGGINS: No, sir. The state is requiring it from the dealer to have insurance and, if they have more than two employees, they have to have workmen’s comp. That is all we are requiring.

COMMISSIONER GOLLOTT: You are not saying they are employees. All you are saying is they have to have insurance.

JOE SPRAGGINS: That’s right. We are saying that they have to have one million dollars worth of liability insurance and, if they have more than five employees full-time, they have to have workmen’s comp. They problem is they are coming back telling us that we can’t do it because our insurance companies will not let us have it because they are saying that these people that we are buying the oysters from out on the boat that because they are on the water that we have to insure them.

That’s what they are telling me, sir.
I can’t tell you they are right, or wrong.

COMMISSIONER BOSARGE: I’m pretty sure, Richard,
yes. In other words, it’s just like the way it is kind of set up with you right now. Those guys, they are going to have to have a P and I insurance policy for those guys that are actually delivering oysters to them.

   In other words, they are not going to be paying workmen’s comp on those guys. They are only going to be paying workmen’s comp on the people that are working for them.

   The others are all subcontractors and they will have to have, I’m sure, quite a few million dollars of just general liability, and, then, they are going to have to have P and I coverage for anybody that is coming up there.

   It is going to be costly because it is a short-term thing. It is going to be costly. There is no doubt about it, anytime you get over the water. I don’t have to tell you. You know and I know.

   COMMISSIONER GOLLOTT: I know. I pay it on my people unloading the boats, and maybe that’s what this is. They have to furnish workmen’s comp over the water on the people that are actually unloading the oysters, or something.

   Their people are not unloading the oysters, are they?

   JOE SPRAGGINS: They are unloading them into a
bag, or a sack type, that is on the barge.

COMMISSIONER GOLLOTT: The people that you are buying them from, the dealers?

JOE SPRAGGINS: No, sir. That's just the actual tongers, or the actual dredgers, doing that.

COMMISSIONER GOLLOTT: What are the dealers doing for their money?

JOE SPRAGGINS: They are paying the tongers and the dredgers and taking the insurance and that's it.

Sir, the reason we went that way all along, all the way back from 2016 was that if we didn't and we went individual contracts with each one of the fishermen, they would each have to have a million dollars worth of liability insurance, and a lot of them could not afford it, or could not get that insurance in a short time enough to do it.

The only way we could get around it was to go with the dealer/processor.

Joe, am I wrong on any of that?

COMMISSIONER GOLLOTT: Well, I would just like to see us straighten it out because it is totally wrong, as far as I'm concerned, and I would like to see the state get involved in it. It's stupid.

JOE SPRAGGINS: We will be glad to address the attorney general and ask them if we can.
COMMISSIONER GOLLOTT: Would you please do that?

JOE SPRAGGINS: Yes, sir. We would be more than glad to.

COMMISSIONER BOSARGE: We have had a bunch of these conversations on this same subject, and we keep going in circles. Richard, I agree with you.

JOE SPRAGGINS: Okay.

COMMISSIONER BOSARGE: All right.

JOE JEWELL: Next up for consideration is item two as it appears on the agenda which is type dredge allowed during the December relay.

Before we have any discussion, I want to go back to how we got here. In the May 29th meeting, a motion was made by --

SANDY CHESNUT: (Interposing) Excuse me, Joe. You will need to go back to the May 15th meeting because the hand dredge was actually discussed at the May 15th meeting before the May 29th meeting.

I have been looking at this, this morning. It looks like the Commission actually authorized the hand dredge on May 15th. It was represented at the May 29th meeting that it wasn't authorized, and, then, we went into further meetings and actually defined what a hand dredge was and did the regulations.

May 15th, page one thirty-seven of the
transcript, Erik pointed out that there were no current regulations for hand dredges.

“Commissioner Bosarge: I would like to make a motion that we take option two, tonging and hand dredge.”

“Commissioner Gollott: I'll second that.”

“COMMISSIONER BOSARGE: All those in favor say aye.”

They were all in favor, so the motion actually carried.

COMMISSIONER GOLLOTT: It’s terrible to get old and lose your memory.

SANDY CHESNUT: That’s why we have transcripts.

JOE JEWELL: Since Sandy said that, I want to continue on where I was. There was discussion about hand dredge and it did come up at the very end of the May special session.

I will read the motion that was passed. That is the current motion that is active, as I understand it. If the attorneys feel otherwise, please correct me.

The motion starts on page fifty-six of the May 29th special session.

“Commissioner Gollott: Mr. Chairman, I make a motion that this Commission adopt Option Three to be fair to the dredgers and the tongers.”
There was some small discussion.

“Commissioner Bosarge: All those in favor say

aye.”

“(All in favor.)”

“Commissioner Bosarge: All those opposed.”

“(None opposed.)”

I will read to you the presentation that was
given and what Option Three was.

There were three options. One was for tonging
only, Option Two was for dredge only, and Option Three was
for dredge and tonging. That was the option the
Commission adopted.

Allow tongers to harvest the first two to three
days. It was a consideration for a weather day.

After tonging has been completed, dredgers will
be allowed to finish the quota of eighteen thousand eight
hundred and sixty-four sacks.

That was the motion that was passed and adopted,
and I will continue on where Sandy left off.

At the very end of this session, there was a
motion from the bench made to have the staff come back to
the CMR in the June meeting -- which we did -- with a
proposal for a description of a hand dredge for Notice of
Intent consideration.

JOE SPRAGGINS: Commissioners, if I could, I
think what happened here is my understanding was that
y’all did set up what you considered as a hand dredge,
and, then, I think the total intent was all along to use
tongers and hand dredge only because of all the discussion
that we had had out of Jackson County with the supervisors
and others that did not want us to do anything with
dredges and about the big boats coming in.

I think somehow, or another, in interpretation
it may have gotten misinterpreted the way it should, so my
recommendation is that you look at it and decide if you
want to use hand dredge only, to change that now and say
it is tonging and hand dredge only. That would be my
recommendation to you, sir, if that is what you would like
to do.

COMMISSIONER GOLLOTT: Mr. Chairman, let’s hear
from these fishermen because a hand dredge is brutal. I
mean, that is a lot of hard work on the back. I would
just like to hear what they would like to say.

COMMISSIONER BOSARGE: Joe, you are refreshing
our memory some, but I remember the gist because there
were several meetings that took place.

JOE JEWELL: That’s correct.

COMMISSIONER BOSARGE: Yes, and I don’t remember
how we got -- I remember. I’m like Richard now, your mind
the older you get, but I remember we all pretty well
agreed that it would be toning and hand dredge only.

The reason we didn’t actually nail down hand dredge is because we didn’t have a definition of a hand dredge, and, then, I remember -- I’m trying to remember his name. The one that brought the hand dredge in so we could look at it.

I even remember that second motion you are talking about, but it is almost like my time frame is different than what your time frame is. I thought we did that motion for the dredging for something totally different than what we are looking at now, but you are looking at the minutes and I know you are correct.

JOE JEWELL: I can give a little bit of background to that.

Like I said, the staff can only act on the motion that was passed, and the motion clearly was for dredgers and tongers, and it referenced option three which is dredging and tonging.

For the staff, there is no misinterpretation, or misunderstanding.

What happened subsequent to that was the Commission did give some thought about using the hand dredge, and they required us to come back with a definition of a hand dredge, and we did do that, but I think some of the discussion was that by adopting a
definition of a hand dredge, only hand dredges that meet that specific recommendation can be used.

Secondly, I think there was some discussion -- Sandy and Erik will have to correct me -- that the Commission didn’t necessarily have to pass the adoption for a hand dredge because, under the current regulations at that time, they had the ability to use hand dredges.

Is that correct, Sandy?

Do you recall that?

SANDY CHESNUT: No. We actually did have to pass regulations for a hand dredge and we did pass regulations.

(Inaudible. Talking at same time.)

JOE JEWELL: Hold on. One person at a time.

That was the discussion that was going on, and the Commission decided to proceed with the definition of a hand dredge which they did ultimately adopt.

SANDY CHESNUT: Right.

COMMISSIONER BOSARGE: And I think that that motion that we made where it said dredging and tonging, the intent was that dredging was the hand dredge, and the reason that we had to go back and do what we did was because we made that motion without a definition for a hand dredge and we had to define a hand dredge where we would know what we were talking about. Now, that's just
me, what I remember.

COMMISSIONER HAVARD: I agree with that because we talked about the depth of the water and the depth that a dredge boat has to have to operate properly. I think you are on the right page there, Steve.

COMMISSIONER BOSARGE: That’s what I remember.

JOE JEWELL: There was a lot of discussion on that. Commissioner Havard, you are correct about that.

COMMISSIONER DANIELS: Wasn’t there some correspondence from the Board of Supervisors asking that regular dredges not be allowed in there?

JOE SPRAGGINS: There were some letters that were sent to us and some of them were in consideration of not doing anything there, but they were concerned about tearing up the reef, and that was one of the issues they had, and I think y’all brought that very much up to your discussion at the time.

I don’t want to sit here and tell you I know a hundred percent because I’m like Commissioners Gollott and Bosarge. My brain, sometimes I can’t remember as much as I thought I could.

COMMISSIONER GOLLOTT: Let me say this. We got oysters moved for twelve dollars and fifty cents a sack total amount a couple of years ago.

When you limit it to dredge boats -- I’m not
saying we should keep all the power dredge boats off of this reef. We should do it now, but, in the future, let’s don’t close the door to that. I mean, that might be the only way that we have to move volumes of oysters at a reasonable price.

COMMISSIONER BOSARGE: I agree with you, Richard. I agree. We don’t want to close the door to that for sure, but I think that there has been enough discussion on this particular relay that that is what we all kind of agreed to.

Now, you may have some folks that want to speak on this issue there with you. I'm not sure.

COMMISSIONER GOLLOTT: I'm not sure either. We can ask.

JOE SPRAGGINS: We do have a couple that would like to, if y'all would like to hear them now.

Is that what you would like, Commissioner?

JOE JEWELL: Before we get to that, I want to point out the discussion. It went on for quite some time, but clearly the Commission raised the option of a hand dredge.

This is on page fifty-nine of the minutes.

"JOE JEWELL: If the Commission wants to consider hand dredges as part of this, they would have to make a motion."
“COMMISSIONER GOLLOTT: Option three has dredging and tonging. If a person wanted to hand dredge, they could. Right?”

“JOE JEWELL: Well, not now because we would have to adopt a definition of a hand dredge.”

“SANDY CHESNUT: You would have to change the regulations to allow for a hand dredge and define it, and that would have to go out on Notice of Intent to get passed.”

“COMMISSIONER GOLLOTT: Right now it’s tonging and dredging period.”

“JOE SPRAGGINS: Joe, I remember we did not pass anything on the hand dredges the last time.”

“JOE JEWELL: That’s correct.”

“JOE SPRAGGINS: The reason for that was because we had no definition a hundred percent of what it was.”

“JOE JEWELL: That’s right. There is no definition of a hand dredge in any of our regulations. There is a definition for a dredge. We work with that one. We went to one of the local shops that had experience in making hand dredges”, and on and on it went.

The motion as it was and the motion that passed
was for tonging and dredging both.

SANDY CHESNUT: Let me just say that that whole discussion was based upon an incorrect assumption that hand dredges was not approved. Hand dredging was approved at the May 15th meeting.

It was represented at that meeting that the motion didn't pass. That was incorrect. That whole discussion was based on an incorrect assumption.

COMMISSIONER GOLLOTT: Let me say this.

Mr. Chairman, I think the only difference that it should be in a hand dredge and a dredge pulled with a winch is that. It doesn't matter. As long as it is a legal dredge in Mississippi and you want to pull it by hand, that's up to you, or it's up to us.

If you want to make it to where a dredge boat can go in there with winches and everything like the Conservationist, we should leave that open.

I think the only definition we need is -- what is it -- sixteen teeth, a hundred and fifteen pounds?

COMMISSIONER BOSARGE: I think we actually did go in there and define it, Richard.

COMMISSIONER GOLLOTT: Did we?

SANDY CHESNUT: We did.

COMMISSIONER BOSARGE: I'm pretty sure we did.

We've got a definition of a hand dredge, as it
stands now.

SANDY CHESNUT: Yes.

JOE SPRAGGINS: Sir, we have two that would like to talk from the public, if you've got time for that.

COMMISSIONER BOSARGE: Okay. Yes, sir. Let’s hear what they've got to say.

RYAN BRADLEY: Commissioners, Ryan Bradley here.

As it currently stands, we are under the impression -- I think we are all clear on this -- that the last motion that was passed was for tonging and dredging, meaning any size dredge.

I think some of the concern from the industry was during the last relay, there were some Louisiana size dredges that were used during the emergency relay which is a lot bigger than a Mississippi dredge.

I think if we stick with a Mississippi size dredge which is maximum one fifteen, we may be fine there.

I do want to point out that the Conservationist has relayed -- correct me if I’m wrong here -- I think about ten thousand sacks from the Pascagoula Reef with a dredge, so we wouldn't be doing anything that hasn’t already been done in the recent history on this reef.

If the Commission does decide to go to a tonging and hand dredge only, we are going to need to extend this out past three days for the tongers because from my
estimates it would take about three to four weeks probably
to get this eighteen thousand sacks.

Very few people have a hand dredge. Very few
fishermen have a hand dredge. The odds that that many
people are actually going to use a hand dredge are going
to be slim.

Being that this relay is scheduled to start on
the 10th of this month, I don’t think very many will have
time to have one built either. I would like y'all to take
that into consideration, as well.

That’s all I have. Thank you.

JOE SPRAGGINS: One more, sir.

EDWARD RHODES: My name Edward Rhodes.

We did the relay out of Biloxi here, and we used
a dredge with it and we pulled it by hand. It was a
regular dredge. We had no problem with it.

It’s like he said. We can’t get the hand dredge
made in time to do this. I think all dredges should be
able to be used.

COMMISSIONER BOSARGE: That place that the
Conservationist has been working is one little area on
that reef where he can actually get.

There has been a lot of talk and a bunch of
people that have kept up with it. They have pretty well
known that the hand dredge and tonging is what the idea
was from the start of this, and that is where it has kind of worked down to up to this point.

I would have felt like if most people knew that that is what we were talking about and what we had actually put in place, if they were planning on using a hand dredge, they would have probably had one already built, or already ready for it.

JOE SPRAGGINS: Commissioner, could I say something, sir?

COMMISSIONER BOSARGE: Yes, sir.

JOE SPRAGGINS: In the essence of money, we can't afford to run this two weeks. The barge will cost us more money than we can afford to do that, if that is the case.

We were looking at one week basically is what we were looking at, and we can afford to do something under that.

By listening to the fishermen and some others, obviously the ones who bring a boat in, if they bring too big of a boat in they are probably going to damage their boat more than they are going to do any good, if they come in too close to that, and most of them understand that anyway, I think.

For us to be able to do this in a timely manner, we might need to do exactly what Commissioner Gollott is
talking about and the fishermen, that we just go ahead and allow them to use a dredge and allow them to do that, but, obviously, understanding that they are going to do more damage to themselves than they are to the reef, I would think, if they tear their boats up.

COMMISSIONER GOLLOTT: Steve, you could come in with a hand dredge and we don’t care what size the dredge is, as long as it is a Mississippi dredge.

JOE SPRAGGINS: That’s true, too.

COMMISSIONER BOSARGE: Yes. That’s true.

COMMISSIONER GOLLOTT: They are going to regulate it themselves because they have to pick that thing up by hand.

JOE SPRAGGINS: The only thing I would say there, Commissioner, we did have a lot of discussion with the Vietnamese community saying that they couldn’t pull that big dredge and it was discriminatory towards them. I just want to let you know that, sir.

COMMISSIONER BOSARGE: I’m like Richard. In other words, it would be up to them. I don’t know if that would be discriminatory.

COMMISSIONER GOLLOTT: They are not going to bog the dredge down, if it’s by hand. I promise you.

COMMISSIONER BOSARGE: Can we hear from some of the other Commissioners?
COMMISSIONER HAVARD: One thing we need to keep in mind guys is time frame is important, as always. The cost of the barge is definitely something that we need to think about in our thought process, but we need to do what is best for the reef because this is the last reef that we have that has not been diminished to a point where we are struggling to figure out how to get it to return.

We need to think about what is best for the reef.

COMMISSIONER GOLLOTT: Well, Mark, my experience says it is better if you cultivate that reef once in a while, instead of just letting it sit there and die. It has been sitting there for what, seventy-five years, or less, just getting dredged really not enough to break it up and keep it going.

Mississippi Law also instructs us to move these oysters.

COMMISSIONER HAVARD: We don't have any oysters left.

COMMISSIONER GOLLOTT: Yes, you do.

COMMISSIONER HAVARD: What we have been doing isn't working. We have got to figure out what will work.

COMMISSIONER GOLLOTT: Biloxi Bay is full of oysters and Pascagoula has got a lot of oysters. Those areas have not been worked.
SANDY CHESNUT: I would just like to remind everybody to not interrupt because of the transcript. Let everybody finish their sentence, and, then, make your statement.

COMMISSIONER BOSARGE: Yes, ma'am.

COMMISSIONER GOLLOTT: Excuse me. One of the things we are trying to do is get enough work for these fishermen. We are not going to go out there and just rape it because our people have already assessed it and told us we can move eighteen thousand sacks of oysters without hurting the reef.

COMMISSIONER HAVARD: I'm not saying we don't go through with the relay. I'm just saying we need to think about what is best for the reef, as far as mode of removing these oysters. That needs to be one of our thoughts, as we move forward.

COMMISSIONER GOLLOTT: Well, my experience in the oyster business was like I said. You go in there and you cultivate them once in a while. You break them up. It gives them a chance to grow. You spread them out and you create a much better reef by cultivating them.

COMMISSIONER BOSARGE: Richard, you would be okay if we stay with tonging and a dredge that is retrieved by hand no matter what size?

COMMISSIONER GOLLOTT: I would. I would let the
fishermen make that decision, and the fishermen are saying they would go with that.

JOE SPRAGGINS: Can I ask a question?

COMMISSIONER BOSARGE: Yes, sir.

JOE SPRAGGINS: How many sacks a day do you think we can get, if we do the tonging and hand dredge? Does anybody have any idea?

COMMISSIONER DANIELS: How far of a run is it from where they are going to be catching these oysters and where they are going to be dropping them off?

JOE SPRAGGINS: I don’t know.

Joe, y’all had it mapped out.

JOE JEWELL: Initially, we have the barge between the two reefs so that they could transfer pretty quickly.

ERIK BROUSSARD: No more than a couple hundred yards.

JOE JEWELL: It’s no more than a few hundred yards.

COMMISSIONER DANIELS: Are we going to be using the big hoop with a crane to offload them off of the boats, or are we going to be hand-loading them onto the barge?

JOE JEWELL: That is the initial plan, although we haven’t gotten the final technical specs for out in the
field, but that was the original plan to do like we did in Biloxi Bay.

JOE SPRAGGINS: One of the things I’m thinking about and I hate to throw something in the middle of something at the last minute, but, if we are only talking two thousand sacks a day on the tonging, why don’t we use the Conservationist?

Why don’t we use it for them to load the tonging on it, and, then, turn around --

COMMISSIONER GOLLOTT: (Interposing) It would give you a lot more money to relay oysters with.

JOE SPRAGGINS: It would save you fifteen thousand dollars a day for a barge. I’m trying to find a way to work this.

ERIK BROUSSARD: It’s fine to sit on the deck of that barge for a day, or two. You will have a couple of days of harvest, before we send the first barge.

COMMISSIONER GOLLOTT: If we use the Conservationist, that is fifteen thousand dollars. What difference does it make if it takes us twice as long to relay them, or it takes us six days, instead of three days.

ERIK BROUSSARD: The money is in the grant for the barge.

JOE SPRAGGINS: I understand that.
JOE JEWELL: The Conservationist is going to hold about a thousand sacks.

COMMISSIONER GOLLOTT: You could run it twice a day.

JOE SPRAGGINS: The commonsense thing goes back to the money that we save for the barge, if we don’t have to pay that much, could be used for cultch in the future.

COMMISSIONER GOLLOTT: That’s right.

ERIK BROUSSARD: There will still be some money.

JOE SPRAGGINS: You need to come up here, Charlie, where we can hear you.

CHARLIE ROBERTSON: The capacity on the Conservationist, we have measured it, and it is maxed at just under two thousand sacks. Even if they got two thousand, it would be tough for them to load it perfectly to where they would be able to fit all two thousand sacks on there.

ERIK BROUSSARD: You would be risking a half a million dollar vessel to save fifteen thousand dollars.

CHARLIE ROBERTSON: We would have to turn on the water canons constantly and be blowing them back. If they are trying to load sacks on there and us using the water canons, it would be pretty tough.

COMMISSIONER GOLLOTT: Well, I’m going to tell you something. I’m sick and tired of that boat just
sitting there and not doing anything. That’s the reason we put all that money in that boat and just rebuilt the whole thing to get it working.

We could have already relayed these eighteen thousand sacks with the Conservationist, if we had just gotten off our butt and done it.

JOE JEWELL: Well, a couple of things. We have been relaying in Biloxi Bay. We have sent that information out to the Commission.

COMMISSIONER GOLLOTT: How many sacks have you relayed?

JOE JEWELL: How many total sacks?

ERIK BROUSSARD: In 2017, we moved three thousand sacks.

This year we spent -- we are trying to get out of the mind set of robbing Peter to pay Paul with the cultch planting, period, with the boat. We have been cultch planting is what we have been doing.

COMMISSIONER GOLLOTT: How much have you cultch planted?

COMMISSIONER BOSARGE: We are getting off the subject here now.

JOE SPRAGGINS: Sorry about that. I brought up something. I should have kept my mouth shut.

COMMISSIONER BOSARGE: That’s okay. Everybody
wants to be as cost efficient as we can. I think we are
probably a little bit too far down this bridge to be
turning around now with the plans. We need to keep going
with this one, and we will learn and we will see what
works best and what doesn’t.

Right now let's get back to the agenda and look
at E-2 which is type of dredge allowed.

I understand I think that the consensus will be
that we do tonging and hand dredge, and the hand dredge be
any type of dredge they want to pull that they retrieve by
hand without a mechanical means.

Is that correct, Commissioner Gollott?

COMMISSIONER GOLLOTT: That's the motion I would
like to make.

COMMISSIONER BOSARGE: You are going to make
that motion, then?

COMMISSIONER GOLLOTT: You just made it. That's
fine. They got it.

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.

COMMISSIONER GOLLOTT: Let me ask the Director something here. It just hit me.

What happens if we go out there with this barge and we only load a thousand, or fifteen hundred, sacks?

Can we turn this barge back in and go with the Conservationist?

JOE SPRAGGINS: We can do anything under that, but the point I’m getting at is once we sign up with him it’s like fifteen thousand dollars a day that barge costs us, and that’s what I was trying to get at.

When we were doing the thing, when we did it --

COMMISSIONER GOLLOTT: (Interposing) Well, then, it is going to be saving more than fifteen thousand dollars.

JOE SPRAGGINS: Yes, sir.

When we did this before, when we did it over in the western sound, we were bringing in quite a few sacks of oysters every day. It only took a couple of days to do that forty thousand sacks and that was a very feasible way to do it, but this was the only way that we could make this work.

Once again, I’m just thinking if nothing but in
the tonging side of it, that we limited it to that, that
we could save that money. I'm trying to save money, sir.

COMMISSIONER GOLLOTT: You are going to tell the
fishermen how many sacks they can catch?

JOE SPRAGGINS: Yes.

COMMISSIONER GOLLOTT: How many?

Do you have any idea?

COMMISSIONER BOSARGRE: This will be sacks per
trip. They can make multiple trips, and I'm sure they
will, but we just don't want them to overload their boats
and have a cause to have to use this insurance.

That's what we want to do, now, is look at --
and I'm sure Joe is on that -- the maximum number of sacks
per trip. They are not going to be far from the barge.
Let's don't have them putting forty sacks on a boat that
doesn't need to have but twenty, and, then, trying to make
it to that barge, when they could go take twenty, unload
and go back and get twenty more.

COMMISSIONER GOLLOTT: Steve, I don't have a
problem with that. What I was getting at is -- let's see.
It's going to be about -- a fisherman can make roughly
four hundred and twenty dollars a trip.

If you maybe had to limit them two trips a day
and you could still use the Conservationist, you would be
far ahead, as far as moneywise.
Fifteen thousand dollars a day is a lot of
dadgum money to put on a barge, when you could use the
Conservationist, and you would give the fishermen a chance
to do more days.

COMMISSIONER HAVARD: I’m with you, Richard. I
think what I’m hearing is the maximum load on the
Conservationist is two thousand sacks.

COMMISSIONER GOLLOTT: Yes.

COMMISSIONER HAVARD: If we set it down to
fifteen hundred sacks, you are only talking about eleven
days with the Conservationist.

COMMISSIONER GOLLOTT: That’s all.

COMMISSIONER HAVARD: That’s all.

JOE JEWELL: But that is running two trips a day
seven days a week.

COMMISSIONER GOLLOTT: Not necessarily. If you
see how many fishermen you’ve got, you divide it, and,
then, you can go from there.

Would it be too late to get this barge if you
get overwhelmed?

JOE SPRAGGINS: The barge, we’ve got to have it
approved. It is going to be approved in Jackson Wednesday
and, once again, I talked to the owner of the barge which
is J. E. Borries and he just needs a heads-up if we want
him there by the 10th so he can have his ready. He has a
barge available, but, I guess, if we modified it, he could
do whatever he needed to with the contract.

Tell me if I'm wrong, Ms. Faye.

FAYE JAMES: Assuming that the barge contract is
approved by the PPRB, that contract states a certain
number of days, three days for tonging and the rest of the
time for dredging.

Once that contract has been signed, then, that
pretty much fixes how it is going to go down.

Now, if Mr. Borries, the contractor, would agree
to limit his involvement with just dredging, then, that
would be fine, but the contract that is up there to be
approved on Wednesday states exactly what the Commission
had approved, three days for tonging and the rest for
dredging.

COMMISSIONER HAVARD: What if it doesn’t get
approved?

JOE SPRAGGINS: Then, we are going to be back to
square one anyway.

FAYE JAMES: That’s right.

JOE SPRAGGINS: It is going to be approved. I
don’t think there is an issue with it because they don’t
seem to think there is an issue with it, the PPRB, or
anybody.

FAYE JAMES: As far as I know, there hasn’t been
any communication back from the staff that are analyzing the contract that there are any problem with it.

JOE SPRAGGINS: Just between y'all, the rules in contracting are so strict. I wanted to be able to once it was said that this is the person that could have it, that I could negotiate the price with him. I couldn’t even do that. That's against the law.

COMMISSIONER GOLLOTT: It stinks to high heaven. I don’t think you are going to have -- a hundred people. Fifteen sacks a days. You ain’t going to get a hundred people. We don’t have that any tongers in Mississippi.

JOE SPRAGGINS: We only have, what, twenty tongers?

(Inaudible.)

COMMISSIONER GOLLOTT: Those people aren’t going to be using a hand dredge.

SANDY CHESNUT: Hold up.

Who are you speaking?

BRAD STAPLETON: Commercial fisherman Brad Stapleton again.

The issue with that is like in the previous years, people rented their license out, or leased them out, to other fishermen that weren’t eligible. All the people holding dredge licenses, they rented their license out to tongers, different ones.
There are going to be a lot of tonged oysters coming in every day; a lot more than what y'all are talking about.

SANDY CHESNUT: Hold up.
State your name.
RYAN BRADLEY: Ryan Bradley.
Just to clarify what he is saying, a dredger to lease his license out, he can only lease it to another dredge boat, unless he comes up to the department and transferred that license to a tonger. You can’t have both licenses, tong and dredge on the same boat at the same time.
Correct me if I’m wrong.
BRAD STAPLETON: In 2016, it was that way, Ryan. I had a dredge license and a tonging license, and I dredged one boat and I hired the other license out to another dredger.
COMMISSIONER GOLLOTT: We shouldn’t have that.
JOE SPRAGGINS: We didn’t do anything but dredging on that.
BRAD STAPLETON: That is not going to be an issue with this.
COMMISSIONER GOLLOTT: We don’t need the subcontracting in this thing. We are here to help the fishermen, not help somebody...
JOE SPRAGGINS: Real quick, if I could.

Erik, you said how many tonging licenses do we have, Mississippi residents only?

ERIK BROUSSARD: The first three days tonging only. That’s the Bonnet Carre qualified Mississippi fishermen.

JOE SPRAGGINS: Correct.

ERIK BROUSSARD: There are twenty-two of those. The maximum you can have in the first three days is twenty-two fishermen.

JOE SPRAGGINS: If they got a hundred sacks a day, we are talking twenty-two hundred sacks a day.

ERIK BROUSSARD: Which we can’t handle, so somebody has to stay.

COMMISSIONER GOLLOTT: You need to cut that in half.

ERIK BROUSSARD: When a boat comes in and he’s loaded, but we can’t fit any more, he is going to have to sit loaded until we come back?

COMMISSIONER GOLLOTT: If you gave them sixty sacks a day, twenty-two of them --

SANDY CHESNUT: (Interposing) Hold up.

ERIK BROUSSARD: You have to adjust it, but that still puts the boat sitting until three on the reef, leaving, a four-hour trip, unload the boat and come back
for the next morning. If not, we are not going to be back.

   Just so you know what you are asking for, it's twenty-four hours a day for unlimited time frame.

   JOE SPRAGGINS: How long would it take you to run the Conservationist from that point of where it is to be able to unload the oysters and get back?

   ERIK BROUSSARD: Four hours to get there and probably four hours to unload it.

   COMMISSIONER GOLLOTT: Four hours from Pascagoula to Biloxi?

   ERIK BROUSSARD: Loaded, yes, and, then, back.

   JOE JEWELL: Then, they are going to have to take four, or five, hours to unload it.

   JOE SPRAGGINS: So you are talking six to ten hours.

   ERIK BROUSSARD: Eight to twelve. If everybody shows up at 3:00 o'clock, all twenty-two fishermen show up at 3:00 o'clock, we've got to load the boat before we can leave.

   It's not like loading a barge. We've got a bunch of oysters. We don't know what time we will leave, and, then, turn around.

   JOE JEWELL: Four hour trip, and, then, it is going to take -- I don't know -- three, or four, more
hours to deploy all of those.

    JOE SPRAGGINS: I guess the other thing, Commissioners, if it is all right with y'all, we can look at this thing and say -- how many days can I leave a sack of oysters on that boat, two days, or three days?

    ERIK BROUSSARD: Couple of days, if it's cool outside.

    JOE SPRAGGINS: Maybe we can work out something. Let me work this individually, but I guess the biggest thing we need to set here and what you are talking about Commissioner Bosarge is how many sacks each tonger can take on a boat at one time.

    COMMISSIONER BOSARGE: Maybe I could make a suggestion. Like I say, we are still kind of learning here, what we can do and what we can’t do.

        With what Richard is talking about, maybe the suggestion would be that we go ahead and do the barge.

        When we say barge, a barge, tugboat and he’s got to have some kind of crane.

    COMMISSIONER DANIELS: Richard, I’m sorry to interrupt, but I just got a text from Commissioner Havard that said he has lost connection on this thing. He’s not here anymore.

        What do we need to do about that?

    JOE SPRAGGINS: He can't dial back in?
COMMISSIONER DANIELS: He just texted me and said, "I lost connection".

JOE SPRAGGINS: Tell him to call back in. He can still call in.

Is that you, Mark?

COMMISSIONER HAVARD: It is. I don’t know what happened, guys. It just lost me.

COMMISSIONER BOSARGE: Good. I’m glad you’re back.

My suggestion would be, Richard, is that we go ahead and -- like I say, it’s more than just a barge. It’s a barge, a tug and I’m sure they are going to have some kind of a crane on there to pick stuff up.

Let’s bring the Conservationist, also, and maybe we can see how that works with the Conservationist and let them make a couple of runs, and that may knock some time off of that barge.

See what I’m saying?

COMMISSIONER GOLLOTT: Yes, Steve.

Let me say this. What we might could do is contact Mike Cure and have him furnish a boat so we could load the Conservationist, and, then, load another --

JOE SPRAGGINS: (Interposing) We can’t do that, sir. It has already been out on contract.

JOE JEWELL: The plans right now for the
Conservationist is it to be the field check station and also for a platform for law enforcement because it has coverage, it has capacity, it has an enclosure for staff, we are going to leave it there out on the reef overnight so that we have staff in place for the next day.

We really don't have a vessel that is equivalent to the Conservationist to use as a check station so, then, we would have to do something else for a field check station for these oysters because the fishermen are going to have to check in, the sacks will have to be counted, they will have to be measured for the twenty-five percent shell.

I'm interested in any suggestions.

Of we are not using the Conservationist as a check station, what other option do we have on the table?

COMMISSIONER BOSARGE: I'm with you, Joe.

JOE SPRAGGINS: The only other option that we would have there is to go to J. E.'s land-based deal which would take a lot more time for the people to be able to transport back and forth.

Right?

JOE JEWELL: It’s about an eight-mile trip.

JOE SPRAGGINS: Instead of going five hundred yards, they would have to go five, or six, miles.

JOE JEWELL: Two hundred yards. Five, or six,
miles. That's correct.

JOE SPRAGGINS: That is the only other option we would have that I know of.

Does anybody have any different...?

COMMISSIONER GOLLOTT: What do you mean, J. E.'s?

JOE SPRAGGINS: He's got a dock that he could dock the barge up against like we did over in Bayou Caddy, but it's five, or six, miles from where they are compared to two, or three, hundred years. It is going to limit tremendously what the fishermen can do each time.

COMMISSIONER BOSARGE: Yes. They would have to run under the bridge and around all the way up the river.

JOE JEWELL: The dredgers would have to go around and up the river.

COMMISSIONER BOSARGE: Yes. It would be rough in the river.

COMMISSIONER GOLLOTT: Once this is done, is the money over with?

Do we have anymore?

JOE SPRAGGINS: We are ending the Bonnet Carre. We are getting toward the end of it.

Is that correct?

Is there a deadline of when we had to have it spent?
JOE JEWELL: I think it’s five years.
ERIK BROUSSARD: Five years for the grant, and we are about three years into it.
JOE SPRAGGINS: This is the money that was left to be able to spend for paying the oystermen to do something, or it was crabbers and oystermen.
That was it?
ERIK BROUSSARD: Well, this job one five which was relay.
JOE JEWELL: So we did St. Joe.
COMMISSIONER GOLLOTT: Joe, are you relaying to the state reef, what I call the state reef?
JOE JEWELL: The Biloxi Bay site, yes.
JOE SPRAGGINS: Sir, I hate to intervene, but I think the motion that we are looking at is how many sacks per trip for tongers right now more than anything.
JOE JEWELL: That’s correct. We are on Agenda Item E-3, the maximum number of sacks allowed per trip for tonging fishermen.
COMMISSIONER GOLLOTT: I think you need to put a maximum a day.
You know what I’m saying?
JOE SPRAGGINS: Well, we need to put a maximum per boat load.
JOE JEWELL: We could do both.
COMMISSIONER GOLLOTT: I'm not worried about how many you put on that boat. That's their problem. They are independent fishermen.

COMMISSIONER BOSARGE: I disagree with you, Richard.

We have got to be careful. We need to keep it at a reasonable amount to where they don't over judge and overload the boat.

COMMISSIONER GOLLOTT: You mean the captains haven't got the sense to know?

JOE SPRAGGINS: Sir, with all due respect, we learned a lesson during the relay in 2016. We put a two hundred sack limit, and some of them put more on the boat than they should have and they sank the boat.

COMMISSIONER BOSARGE: Yes, that's right.

I think we can probably set it at twenty sacks per trip.

JOE SPRAGGINS: I think that's applicable.

COMMISSIONER DANIELS: Per trip?

JOE SPRAGGINS: Yes.

COMMISSIONER BOSARGE: And I think that would give everybody -- by the time they get their twenty sacks, they are ready for a little break anyway, so they go offload and go back again.

JOE SPRAGGINS: I would suggest, sir, that no
limit per day so we can move as quick as we can with this.

If some tonger likes to go out there and really work hard and they want to get ten loads, fine. I don’t think they can do it, but if they could do it, whatever we can do for them that would help us.

COMMISSIONER BOSARGE: I think they are going to get their twenty sacks pretty quick because there are a lot of oysters and a lot material on the reef.

JOE SPRAGGINS: If they can do five, or six, or seven, loads, whatever they can do.

COMMISSIONER BOSARGE: Correct.

COMMISSIONER GOLLOTT: Steve, that’s tough work, man, tonging oysters.

COMMISSIONER BOSARGE: I agree with you, Richard. I agree with you. There is no doubt.

That’s what I say, by the time they get their twenty sacks, they will be ready for a break.

COMMISSIONER GOLLOTT: I would be ready to come home.

COMMISSIONER BOSARGE: You may be right. I hope not, but you may be right.

COMMISSIONER GOLLOTT: I just hope we’re not wasting a lot of money on this barge.

COMMISSIONER BOSARGE: I know it. I know it, Richard. I’m with you.
Hopefully, we can give the Executive Director the authority, if this looks like this is going to take too long and we are going to spend too much money, so he can bring us back in for another just like we’re doing now.

COMMISSIONER GOLLOTT: Well, I think once we pull the trigger, it’s over with. It is going to have to go that way.

Let me ask you this. What would be wrong with using the Conservationist and relaying every other day? Give it chance to go down and unload, a day off and come back?

COMMISSIONER BOSARGE: I think like Joe Jewell was saying, they are using it. They’ve got plans for it, and I can understand that. In other words, they have got to have people there to look at the oysters and make sure we are doing our seventy-five/twenty-five, make sure they are getting their twenty sacks, and that’s the platform they are going to be working off of.

COMMISSIONER GOLLOTT: Well, they’ve got some fine boats they could use for that, too. They don’t have to just use the Conservationist.

If the Conservationist wasn’t available, they would use other boats.
COMMISSIONER BOSARGE: Well, I would have to refer to them on that. I’m not there.

JOE JEWELL: I don’t know what other boat we could use.

COMMISSIONER GOLLOTT: You don’t have any other boats?

JOE JEWELL: I have boats, but they are real small.

JOE SPRAGGINS: Sir, I think the motion on the table was about twenty sacks.

COMMISSIONER BOSARGE: Yes, sir. Let’s get that done, Richard. I’ll make the motion that we set the number of sacks at twenty sacks per trip by tonging fishermen.

JOE SPRAGGINS: Who made the motion?

SANDY CHESNUT: Bosarge.

COMMISSIONER BOSARGE: Steve.

COMMISSIONER HAVARD: And Mark seconded it.

COMMISSIONER BOSARGE: We had a second by Commissioner Havard.

JOE SPRAGGINS: Okay.

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)
COMMISSIONER BOSARGE: Motion carries.

Richard, I don’t know where you want to go with this on the oyster boat.

In other words, if we don’t have another platform for them to use, you will have to get with those guys there because I’m not there.

COMMISSIONER GOLLOTT: Listen. Let’s go ahead and do it their way. They’ve got all the answers.

You know, I’m a guy, if there’s a will, there’s a way, and apparently they don’t want to use the Conservationist, so let’s go with the barge and go ahead and piss the money away and get it over with.

COMMISSIONER BOSARGE: I’ve got you.

JOE JEWELL: Steve, let me say one thing, since I’ve got all the Commissioners here.

I think I understand Commissioner Gollott’s position, but I want to assure the Commission, including Commissioner Gollott, that we didn’t refurbish this boat for nothing. This boat has been being used, will continue to be used and is certainly used more than it has been in the past. We have relayed. We have culch planted. We have done some significant planting here in the Biloxi Bay that Commissioner Gollott has expressed concerns over.

I have sent that on to make sure that y’all get that. We can resend that again to make sure that y’all
get that so y'all understand that we have been using the Conservationist to deploy.

    I do appreciate that latitude because it is going to be a major operation no matter what scale it’s on, and we use the Conservationist as a platform not only to issue trip tickets and counts and do all those things, but it is a stable platform, so it is better suited for what we are using it for right now.

    COMMISSIONER GOLLOTT: How many cubic yards have you bedded so far?

    JOE JEWELL: We will send it again to y'all today.

    COMMISSIONER GOLLOTT: Okay.

    JOE SPRAGGINS: Sir, if I can, we will look at this. Y'all have given me the authority to manage this one, and what we will do is once we get to a point that we start doing this with the barge, if we are seeing that we are going excessive because of time, then, we will work on something about delaying, and, then, starting back over again, but we will manage this to the eighteen thousand correctly as much as possible.

    COMMISSIONER GOLLOTT: Please be as frugal as you can possibly be with this money because once it’s gone, it’s over.

    JOE SPRAGGINS: I think Ryan Bradley wanted to
RYAN BRADLEY: I just wanted to throw one idea out there, back to what Mr. Gollott was getting at.

If you wanted to avoid using the barge for the first three days -- correct me, attorneys -- I think that we could contract with someone like Mike Cure to use one of his boats, or one of the fishermen's boats. As long as the individual contract was less than a certain amount, you wouldn't be bound by the procurement procedures.

FAYE JAMES: Well, let me say this. Assuming that PPRB approves the contract with Mr. Borries on Wednesday, that contract sets out three days for tonging and however many days for dredging.

Now, if Mr. Borries wants to agree to not do the tonging portion of it, then, that is something that he could work out with the Director, but that contract will be in place, once it is approved and once it is signed.

Also, the contract was procured through an invitation for bids, and all of the barge owners were contacted and asked to bid on it, including Mr. Cure, but I think he was in Florida, or something, doing some cleanup, and MDMR only had one bid and that was from Mr. Borries.

If there had been more interest in this project, then, that fifteen thousand dollars a day may have been
less. We don’t know. I mean, Mr. Borries still could have been the low bidder.

RYAN BRADLEY: What is the maximum contract you can have before you have to go out for procurement?

FAYE JAMES: This is considered a service and it’s seventy-five thousand dollars.

RYAN BRADLEY: You could contract a fisherman's boat, whether it’s Mike, or anybody, for three days to haul these oysters and as long as that individual contract is less than seventy-five thousand, that wouldn’t have to go out for bid, and you could hire them immediately.

FAYE JAMES: No. There are some internal policies here at DMR that talks about the number of quotes that have to be obtained. There are rules that apply to it, but it does not have to be approved by PPRB.

COMMISSIONER GOLLOTT: But your internal rules are up to the Commission. The Commission sets policies and makes the rules for the department.

COMMISSIONER BOSARGE: The only way I see that that could work would be if the contractor that you have hired that is doing this relay, he could hire some boats. Then, it might would work that way, in my opinion, Richard.

Do you see what I’m saying?

COMMISSIONER GOLLOTT: Yes, I see what you are
saying, but I don't think so. I think if the Commission wanted to hire a boat and keep the price down -- like I said, where there's a will there's a way.

They are talking about internal rules. We didn’t pass any internal rules. I have been here for fourteen years.

SANDY CHESNUT: Let me clarify here. The policies are internal departmental policies. The Commission establishes regulations for the community, for the seafood community. The Director passes policies for internal department operations.

That is the difference of what we are looking at here.

COMMISSIONER GOLLOTT: So, Sandy, what happens if the Commission is opposed to one of your regulations? Who wins?

SANDY CHESNUT: A regulation?

COMMISSIONER GOLLOTT: One of your departmental policies.

Who has the final say on it?

SANDY CHESNUT: The Director has the final say on policies.

Now, if the Commission does not agree with the policy that the Director has established, then, that is
something they can discuss, but the Director runs the
department.

COMMISSIONER HAVARD: I think we are getting way
off the subject. Let’s kind of steer back toward the
subject.

COMMISSIONER BOSARGE: Yes.

COMMISSIONER GOLLOTT: Listen, like I say, where
there’s a will there’s a way. This could be done with a
different boat. We can save some of that money that we
are going to waste on the barge.

If y’all are just bound and determined to do it,
go with it.

JOE SPRAGGINS: For the record, sir, I would
like to --

COMMISSIONER BOSARGE: (Interposing) Let’s go
with what we’ve got. Like I say, we are already too far
out on this bridge now to turn around.

We already have given the Executive Director the
authority to manage this. If he sees that this is not
working. It is going to cost too much money. He can come
back to us, and we’ve got some ideas here. We will see
which way we can go.

Is that good enough for you, Richard?

COMMISSIONER GOLLOTT: Well, I didn’t hear a
motion to give Joe that authority, did I, or was it given

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to him at the last meeting?

COMMISSIONER BOSARGE: That was the last meeting.

COMMISSIONER GOLLOTT: That was to handle the oyster season.

JOE SPRAGGINS: No. They was to handle the relay, also.

COMMISSIONER BOSARGE: Yes, sir. Relay, also.

COMMISSIONER GOLLOTT: Was it the relay, also?

COMMISSIONER BOSARGE: Yes, sir.

COMMISSIONER GOLLOTT: I was the one that made the motion, but I don't remember it being the relay, too.

ERIK BROUSSARD: It was specifically for it. There was no reason to make it for the season.

COMMISSIONER GOLLOTT: Yes, because we didn't know how much it was going to rain and all that kind of stuff, so we gave Joe that authority.

ERIK BROUSSARD: Sandy interpreted that that the seven days could run after Thanksgiving, so there was nothing to do.

COMMISSIONER GOLLOTT: What was the motion, Sandy, at the last meeting?

SANDY CHESNUT: I wasn't at the meeting.

COMMISSIONER GOLLOTT: Who was at the meeting?

FAYE JAMES: The motion was to give the
Executive Director the authority to manage the season and

to manage the relay.

COMMISSIONER GOLLOTT: You've got that down?

FAYE JAMES: I don't.

Brian, can you pull the motions back up from the

last meeting?

COMMISSIONER GOLLOTT: I'm sorry. I just want
to know for sure.

COMMISSIONER BOSARGE: I think we did.

COMMISSIONER GOLLOTT: We probably did, but I

would like to know for sure because I remember giving Joe

the authority to handle the oyster season because it was

so unpredictable.

JOE JEWELL: Wouldn't you know the one set of
documents I didn’t bring with me. I do have that, but I
don't have it with me.

JASON SAUCIER: I've got it written down from

last week.

JOE JEWELL: That’s Jason Saucier. He is our

scribe in Fisheries.

What was the motion, Jason?

JASON SAUCIER: To give Director the authority
to work with staff to management the oyster season and

relay programs.

That motion was made by Commission Gollott.
Seconded by Commissioner Havard. Passed unanimously.

COMMISSIONER GOLLOTT: Okay. That’s fine.

COMMISSIONER BOSARGE: Any further discussion on any of this?

COMMISSIONER DANIELS: I’ve got one question about one thing we did here today.

On the hand dredge, I’m a little confused here. We spent three, or four, meetings defining this hand dredge with a maximum weight, and we made a specific definition.

Now, today we have gone back and said that a hand dredge can be any weight.

Are we even legal doing that?

Have we already discredited the Gear Type Task Force that we are forming now to make these definitions?

COMMISSIONER GOLLOTT: Let me say this. We didn’t -- in other words, what we are saying is as long as it is pulled by hand and not by a winch, then, we are considering the dredge legal.

The fishermen don’t have enough time to make small dredges like this and participate.

SANDY CHESNUT: I think it is just a matter of terminology for the oyster relay. From what I’m getting, the Commission wants to allow the fishermen to be able to pull a dredge by hand, not necessarily a hand dredge as
defined by the Commission.

COMMISSIONER DANIELS: Is that what we said in that?

SANDY CHESNUT: That’s what I got from the discussion.

COMMISSIONER GOLLOTT: Do we need to have a modification of the motion to make sure it says that? I think that’s what the Commission voted on.

COMMISSIONER DANIELS: I don’t want to set a precedent here that we are going to end up having to eat next year.

You know what I’m saying?

I’m not trying to be difficult and I’m onboard with letting these guys do what they do, but I don’t want to set a precedent here that may come back and bite us six months from now.

JOE SPRAGGINS: I think he is correct on the hand dredge.

COMMISSIONER BOSARGE: I could be wrong, but I don’t see that happening.

If you have ever pulled a dredge, you are not going to pull a full-blown dredge by hand. You may do it once, but you won’t probably put it back after that.

COMMISSIONER DANIELS: I agree with you a hundred percent.
I'm just saying on the verbiage that we have done here today, I want to make sure that we don't set a precedent that we are going to have to fight later, by defining something as one thing, and, then, allowing something else.

SANDY CHESNUT: The other thing to consider is this is allowed just for this relay. This is something the Commission has approved just for the relay.

COMMISSIONER BOSARGE: Right.

SANDY CHESNUT: Any further action that takes place, it is going to have to be hand dredge, mechanical dredge, or tonging.

COMMISSIONER GOLLOTT: Mark, I've been here for over fourteen years, and this is the first time hand dredges have ever even come up. There is nobody that really likes to mess with them.

JOE JEWELL: Commissioner Daniels, I want to address some of your comments.

The motion was, to paraphrase it, for tonging and hand dredges, or by any dredge that can be used by hand.

I guess what we are saying is if they are out on these large dredge boats, they can use pretty much any size dredge. They can only pull it in by hand is my understanding.
Is that correct?

COMMISSIONER BOSARGE: Correct.

JOE SPRAGGINS: Commissioners, could I do one thing?

Could I ask someone please to read back the three, I guess, motions that were made today so we are all settled that we did this and this is what we agreed on?

Does somebody have that?

JOE JEWELL: I can attempt it.

The first motion was made by Commissioner Gollott. It was seconded by Commissioner Daniels. It was to pay the dealers six dollars, the fishermen twenty-eight dollars and there be allowable twenty-five percent shell. Spat on shell is considered oyster.

COMMISSIONER HAVARD: That is all correct.

ERIK BROUSSARD: The dealers are to provide insurance.

JOE JEWELL: Dealers provide insurance.

ERIK BROUSSARD: That was in there, as well.

JOE SPRAGGINS: Dealers provide proof of insurance.

JOE JEWELL: Proof of insurance and it be verified.

Motion two was made by Chairman Bosarge. Seconded by Commissioner Gollott. Tong and hand dredge,
or any dredge that can be pulled in by hand.

COMMISSIONER DANIELS: So we did say “or” there?

JOE JEWELL: Let Jason --

JOE SPRAGGINS: (Interposing) He wrote it down, too.

JASON SAUCIER: I’ve got that same motion, but the motion was made by Commissioner Gollott. Seconded by Commissioner Havard. Passed unanimous.

JOE SPRAGGINS: Okay. Just change that to Havard, then.

JOE JEWELL: Okay.

JOE SPRAGGINS: And, then, the last one?

JOE JEWELL: The last motion was made by Steve and seconded by Mark, and it was for twenty sacks per trip.

JOE SPRAGGINS: For tongers.

JOE JEWELL: For tongers, and the motion passed unanimously.

FAYE JAMES: No limit per day?

JOE JEWELL: No daily limit.

JOE SPRAGGINS: No limit per day.

Commissioners, are y’all all good with that? Commissioner Bosarge, are you okay with all of those, sir?

COMMISSIONER BOSARGE: Yes, sir.
JOE SPRAGGINS: I just want to clarify this so we don't have any questions.

COMMISSIONER BOSARGE: The last motion where we said twenty sacks allowed for tonging fishermen, we might ought to include dredging in that, don't you think?

If somebody has a dredge on the boat, they may say, well, I can put fifty on my boat because I've got a dredge.

You see what I'm saying?

COMMISSIONER HAVARD: I agree.

COMMISSIONER BOSARGE: I think I made that motion. I will modify that motion to say maximum of twenty sacks allowed per trip by tonging and dredging fishermen.

I will ask for a second on that.

COMMISSIONER HAVARD: I'll second that motion.

COMMISSIONER BOSARGE: We have a motion and a second.

Any further discussion?

JOE SPRAGGINS: Any further discussion?

COMMISSIONER BOSARGE: All those in favor aye.

(All in favor.)

COMMISSIONER BOSARGE: Opposed like sign.

(None opposed.)

COMMISSIONER BOSARGE: The motion carries.
I think, hopefully, that has clarified everything.

Any further discussion on any of this?

JOE SPRAGGINS: Anything else?

Have you got something?

RYAN BRADLEY: Yes. I was going to say should we really have to go so low with twenty sacks on a dredge boat?

Maybe fifty sacks, or something, on a dredge boat would probably be more ideal to be tide fishing. That way, we don’t run this relay out for two weeks.

COMMISSIONER BOSARGE: The only thing is it’s a hand dredge, now. It may be a big boat, but you have got to pull it by hand.

RYAN BRADLEY: I see your point.

BRAD STAPLETON: I’m Brad Stapleton again.

The problem I have with that is you are going to spend so much time at the barge. It takes so long to get unloaded each time. With only getting twenty sacks, it is going to take a long time to get the eighteen thousand sacks. The majority of your time is going to be tied up at that barge. I’ve seen times where we were two hours waiting to get unloaded, when we did the previous relays.

COMMISSIONER BOSARGE: The last time it was probably because some of those guys had fifty and sixty
sacks on the boats.

   JOE SPRAGGINS: Two hundred sacks.

   BRAD STAPLETON: Even the ones at forty sacks we did years back, it was the same way. Once you got to the barge, you were several hours to get unloaded. I think we should go up to a higher limit.

   COMMISSIONER GOLLOTT: Steve.

   COMMISSIONER BOSARGE: Yes, sir.

   COMMISSIONER GOLLOTT: Can’t we give the Director the authority to adjust it as he sees fit because that is something he will know a lot more about when they start working?

   COMMISSIONER BOSARGE: I think you are correct. Yes, sir.

   JOE SPRAGGINS: Can y'all put that in a motion for me, sir?

   COMMISSIONER BOSARGE: Well, we already have. We gave you the authority to manage it, so that is part of managing.

   JOE SPRAGGINS: All right. Just want to make sure.

   COMMISSIONER BOSARGE: Are you fishermen all right with that, if we leave on Joe, if it looks like twenty is not enough, he can up it?

   JOE JEWELL: I'm hearing them say “yes”; not all
of them, but most of them are saying “yes”.

JOE SPRAGGINS: When they get through dragging that dredge, it will probably go down lower.

COMMISSIONER BOSARGE: Good enough.

Any other business?

(No response.)

COMMISSIONER BOSARGE: Hearing none, I want to thank everybody for taking their time, even the guys that showed up to do public comment.

Do we have a motion to adjourn?

JOE SPRAGGINS: One last thing, sir. You had public comments on the end.

Did you ask for any additional?

COMMISSIONER BOSARGE: I didn’t see it on here. Go ahead.

Do we have any other public comments?

BRAD STAPLETON: Yes. I have another question.

JOE SPRAGGINS: One quick one, sir.

BRAD STAPLETON: After the three days of tonging, when it comes to only hand dredging, you may not get your quota. A lot of people are not going to pull that dredge by hand.

Do we have an option of continuing to tong, if you would like, during that time, also?

COMMISSIONER BOSARGE: Hopefully Mr. Joe will
see that and continue it on, if need be.

Is that correct, Joe?

JOE SPRAGGINS: I don't think tonging was ever stopped, that you couldn't tong.

I think the issue was that we wanted to give the first three days to tongers themselves, and that was to give them some payback from where they weren't able to do a hundred percent during the last one. I don't see why we couldn't have them.

The only issue I would see is about the boats themselves and where the safety would be, and we would have to address that, and I will be more than glad to look at it, sir.

JOE JEWELL: That’s correct.

The concerns of the Commission expressed in April and May was that you would have both dredgers and tonging on the reef at the same time, and that there could be some safety reasons for separating those two.

If you give that discretion to the Commission, we will try and work that out.

SANDY CHESNUT: To the Director.

JOE JEWELL: To the Director. I’m sorry.

COMMISSIONER GOLLOTT: The Director sure is a good escape goat here.

COMMISSIONER BOSARGE: All I can say is he
better tighten up.

JOE SPRAGGINS: If a boat sinks, y'all can find me in the Bahamas.

COMMISSIONER BOSARGE: Any other public comment?

(No response.)

COMMISSIONER BOSARGE: Hearing none, do I have a motion for adjournment?

COMMISSIONER GOLLOTT: I'll make the motion that we adjourn, Mr. Chairman.

COMMISSIONER BOSARGE: Do we have a second?

COMMISSIONER HAVARD: I'll second the motion.

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.

Thank you everybody for taking the time out of your days.

JOE SPRAGGINS: Please don't forget. Wednesday, if you can make it, at 8:00, we are having the legislative forum.

COMMISSIONER BOSARGE: Thank you, Mr. Joe.

JOE SPRAGGINS: Thank y'all. We are going to be
I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing is a true and correct transcript of the audio of the December 3, 2018, special session of the Commission on Marine Resources, 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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COURT REPORTER

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