COMMISSION ON MARINE RESOURCES

WORK SESSION

Tuesday, March 21, 2017
12:30 p.m.
1141 Bayview Avenue
Biloxi, Mississippi 39530

Commission Members:

Richard Gollott, Chairman

Steve Bosarge, Vice Chairman

Mark Havard

Ron Harmon

Jolynne Trapani

Also Present:

Jamie M. Miller, Executive Director DMR
Sandy Chestnut, Esq., Assistant Attorney General

JAMIE MILLER: We will open it up, now. If someone knows they are going to comment, I will write their name down, and, then, after the presentation, we will invite anyone else to make a comment.

If someone knows they want to make a comment, now?

RON BRADLEY: Ron Bradley.

COMMISSIONER GOLLOTT: We are going to limit it to five minutes.

JAMIE MILLER: I think we will go through our presentation, first, and, then, if there are comments on the presentation, you can provide comments.

COMMISSIONER GOLLOTT: Okay, Joe. It's your show.

JOE JEWELL: Thank you, Commissioners.

There are several items we are going to get through this afternoon. First up is a Letter of Agreement between the Commission on Marine Resources. It's a Letter of Agreement with the National Fish and Wildlife Foundation for some agreed test plots.

I have discussed this previously, in the February meeting. This is a Letter of Intent to hold in abeyance three fifteen-acre test plots that are scheduled to be in the Biloxi Bay Area for three years, until they grow to maturity and we have time to test the project as

it is.

With your acknowledgment, I'm going to read into the public record the resolution that will allow this to happen.

"Whereas: The Mississippi Department of Environmental Quality has executed a funding agreement with the National Fish and Wildlife Federation, NFWF, Gulf Environmental Benefit Fund, to enhance the restoration and management of oysters in the Mississippi waters,

"Whereas: The project is multifaceted, including an experiment to compare the success of two different cultch materials for oyster growth and development,

"Whereas: Oyster cultch deployment is one of the most critical restoration actions that any state agency can utilize the productivity of its oyster reefs.

"Whereas: Project description includes:

"Approximately forty-five acres of cultch material will be placed in three fifteen-acre blocks south of the Ocean Springs Bridge on the outer edge of Back Bay.

"Two materials will be used against one another., One-inch-by-four-inch limestone and similar sized crushed concrete.

"High relief and low relief will be incorporated into the reef to assess relief effects on age structure

and development.

"MDMR will monitor the cultch materials for three growing seasons to document growth, size structure and development.

"MDEQ will provide high resolution habitat maps of the reefs annually to document changes.

"Whereas: the purpose of the project funded under the Gulf Environmental Benefit Fund is to remedy harm to natural resources affected by the Deep Water Horizon oil spill in accordance with the plea agreements, and any disruption to the project scope and/or time line as proposed may generate compliance issues for MDEQ.

"Whereas: It is imperative that enforcement of the no-harvest area for experimental cultch be enforced for three growing-season duration, consistent with the terms of funding agreement entered into to provide data collection and resource information that MDEQ, the Commission, and MDMR can use in their future management decisions.

"Now, therefore, be it resolved: In a duly constituted and assembled meeting, that the Commission on Marine Resources supports the investment of oyster restoration and management being made by the Mississippi Department of Environmental Quality and, as such, will not open these cultch areas for commercial and recreational

shellfish harvesting for a minimum of three growing seasons after the cultch deployment."

With that being said, I will need a motion by the Commission to adopt the resolution.

COMMISSIONER GOLLOTT: Well, let's look at where you want to put these.

Can we do that, first?

JOE JEWELL: Sure.

Do we have a map?

JAMIE MILLER: We've got a map on the other presentation.

Can you go to the other presentation and pull up Biloxi Bay?

JOE JEWELL: Yes.

Right now, the tentative plan is to place it here, somewhere in this zone right here because the area, right now, is unclassified (indicating map).

COMMISSIONER GOLLOTT: You are looking at three fifteen-acre spots?

JOE JEWELL: Total of forty-five acres.

COMMISSIONER GOLLOTT: Are you going to put all of that together, or are you going to split it up in different areas?

JOE JEWELL: There is a little gap between each one of them.

COMMISSIONER GOLLOTT: Are we talking about almost under the bridge?

JOE JEWELL: It is going to be offset from the bridge because there is a band in the bridge that is not classified, right now. It is either going to abut that band, or partially in that band. A lot of it is going to depend on bottom type.

They are actually mapping the Bay, right now, and a lot of it is going to depend on the bottom type, the suitability of the soil, so we can get the maximum potential there.

We want to keep it away from the reefs, like, Shearwater and Biloxi Bay, so that we can keep those in abeyance for three years as much as possible.

The positive side of it is, after three years, it is forty-five acres of oyster resource that we are adding at the end of the project which the ultimate goal of the Commission is to try to increase productivity in the Bay.

COMMISSIONER GOLLOTT: Do you have any idea how many cubic yards they are going to plant, or any details on it?

JOE JEWELL: I do not. I know, right now, it's addressing cultch material and ability to retain oysters.

COMMISSIONER BOSARGE: And they are looking at

different substraights, different types of bottom?

JOE JEWELL: They are going to monitor that because there isn't enough of one habitat to incorporate an entire fifteen-acre block. That is exactly why they are doing the mapping project in advance of deployment, absolutely.

COMMISSIONER GOLLOTT: This is not going to cost us anything.

They are going to plant forty-five acres and, at the end of three years, they are going to give it to us to harvest?

JOE JEWELL: Absolutely. Our only obligation is to monitor it for those three years.

COMMISSIONER GOLLOTT: You need a motion to accept this contract, or resolution?

JOE JEWELL: That's exactly right. It's a resolution like any other normal resolution by the Commission.

If the Commission so desires and makes a motion to adopt it, I have the signed resolution that requires all of the Commissioners' signatures (indicating document).

COMMISSIONER BOSARGE: I'll make the motion to adopt the CMR-NFWF Letter of Agreement.

COMMISSIONER HAVARD: I will second the motion

to adopt the Letter of Agreement.

COMMISSIONER GOLLOTT: We have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Opposed?

(None opposed.)

COMMISSIONER GOLLOTT: Motion carries.

JOE JEWELL: Thank you, Commissioners.

Next on the agenda is the Oyster Management Plan.

I do want to mention, before we get started into the plan, the Commission asked me to come back and reorganize the structure of the plan and provide a little bit more overview of the plan, before y'all adopt it.

I think I've done that. I mailed that out to y'all a little late. I don't know how much time y'all had to review it.

I also wanted to mention that there is a plan that, I think, Mr. Bradford is going to comment on, during the public comment section, that he would like to mention. I do want to say that for public record.

With that, I will get started.

Sort of a way to look at the management plan is that I wanted to try and organize it in a way that is a

little more structured so, when you look at it, it is more understandable.

The way to look at it is sort of like a three-legged stool where all three of the components have to work in concert for the plan to work really well and to provide the results that the Commission is looking for.

When I thought of it that way, I think the best way to structure that is to look at it as compliance which is what the Office of Marine Fisheries, through its Shellfish Bureau, provides. These are the Federal and State Regulations that we have to comply with, the way we organize and address the issues, as far as the management of the areas and how we water sample, and, then, I'm going to get into some details.

The second is replenishment and restoration, how we keep the areas going year after year, and, then, I spoke in some detail of this at the February meeting, the oyster harvest strategy.

With that being said, I'm going to move into the compliance component. I'm not going to spend a lot of time on that because at pretty much every Commission meeting, when we are in an active season, we discuss those issues in some detail. I will give an overview of it. It has components, like, water sampling program.

We monitor all of the areas. Every month we are

in these areas. There are eight of them. We water sample every month. We sample more actively in the areas that are open for oyster harvesting.

There is our sanitary shoreline survey. This is a survey where we try and identify all potential pollution sources.

The area classification and management, this is where we have to classify each area and how it is managed. We do it primarily through river stage and rainfall.

We have a harmful algal bloom program. As y'all know, we painfully went through one of those, at the end of 2015 and the beginning of 2016.

Then, we have our required Vibrio Management Program that puts some limitation on our ability to open and close, and the time that we open and close.

With that being said, I will move on to the second leg of the stool which is the replenishment and restoration component. I tried to keep an upper level view of this.

I have identified at least four major components of the replenishment and restoration portion of it.

There are cultch plants, relays, we have a remote set program and the oyster leases.

Under the cultch plants, we discussed at the February meeting that one of the ways we do that is

contracts to deploy cultch plants.

As you know, we have an active contract that has been issued for eight hundred thousand dollars. I have listed some of the main areas that we and the Commission have considered that these cultch plants occur in.

Of course, you know Henderson Point, St. Joe and Waveland, these are the inshore reefs where we are likely to have the most success and the Commission has identified.

In the contract, it mentions the western reef areas and Biloxi Bay because the Commission has weighed in and mentioned Biloxi Bay.

COMMISSIONER GOLLOTT: Joe, can I ask you a question?

JOE JEWELL: Absolutely.

COMMISSIONER GOLLOTT: What about Pascagoula?

We had agreed that we wanted to put some cultch material in Pascagoula to replenish what we are going to take out. We are going to relay out of there this season.

JOE JEWELL: We do have a plan for that. I'm going to get to that, but that is not part of this contract. This contract was issued way in advance of us having discussion of that because of State procedures. It takes quite some time to get one of these through that gauntlet. The contract actually mentions the Western Reef

areas and Biloxi Bay, but we do have a plan for Biloxi Bay and continuation into the Pascagoula area, if we relay off of there.

Then, under Cultch Plants is Option B, Conservationist, staging site and Biloxi Bay, and I'm going to talk more about that in detail. This is just an overview. I've got a slide for each one of them. I'm going to give some detail for the Commission to consider.

Then, we talked about relays. I'm going to provide some more detail about that. Of course, as we discussed, Pascagoula is really the only viable option for relays to occur from, and we are going to consider two options; relay to the Biloxi Bay, or the Western reefs. Of course, the staff's preferred option is to relay to Biloxi Bay, and we are going to discuss our remote set program and the private oyster leases.

Of course, Option A, under Replenishment and Restoration, is our contract for the eight hundred thousand dollar cultch plant.

What I've done here, if you look in the lower right-hand corner, there is a white square, and for the contract that we have issued -- it depends on how you do that, but it equates to about three hundred and seventy-three acres. That's what we are working with. I've got a box there that equates to that amount of area that we are

going to be working with under this contract. That's how we are going to divide it, somewhere in this area (indicating slide).

We discussed St. Joe, Stanislaus, Waveland, or even Henderson Point, and, then, in the Biloxi Bay area.

That is the amount of acres that we have to deal with under this contract, and, then, I've got a map of Biloxi Bay that has the same square in proportion there.

We are not going to put all of that in these areas. We are going to subdivide that up into some amount of proportional acres for each one of these areas.

COMMISSIONER GOLLOTT: The areas that you mentioned have been the most productive in the last couple of years.

Right?

JOE JEWELL: They had been the most productive and, like I said, it is going to be a proportional ratio. Probably most of it is going to go maybe in the St. Joe area. There are going to be other factors that factor into where we put those, but St. Joe clearly has had the most effort exerted on it over the last year, or two, so a lot of cultch plant will occur on St. Joe.

This goes to some of your concerns, Commissioner Gollott. We are now currently staging, in our staging area on the Industrial Canal in Gulfport, our Gulfport

site, oyster shells. We purchased some oyster shells. They are on site. We also have some limestone on site that we are planning to cultch plant in Biloxi Bay and certainly can be used in Pascagoula, when we relay from there. We are preplanning that already. I compliment our Oyster Bureau staff for being in advance to do that.

We are in the process of purchasing a conveyor belt that will actually aid in loading the Conservationist and modifying the site so the Conservationist can pull up close to the site and be loaded directly from the site. We are in advance planning for that.

COMMISSIONER GOLLOTT: Are you adding to this pile, or is that it (indicating photograph)?

JOE JEWELL: For now, that's it.

COMMISSIONER TRAPANI: What is the percentage of the limestone and the shell?

JAMIE MILLER: This picture doesn't do it justice, but we couldn't get a better picture.

JOE JEWELL: It was late in the evening. That's correct, and that is only half of what we have.

JAMIE MILLER: We purchased eight hundred and eleven cubic yards of shell at a cost of right at forty-nine thousand and some change.

This is not the entire pile. This is a picture of part of the pile.

JOE JEWELL: Almost half.

JAMIE MILLER: If you were standing on it, or standing next to it, it would look more impressive than it does in the photo, but this is only shell.

Now, if you saw the whole site, we also probably have double that in just limestone, but this purchase was just for shell. We went out for quotes and purchased a little more than eight hundred cubic yards.

COMMISSIONER TRAPANI: What is the limestone to shell percent?

How much are y'all doing with limestone and how much are y'all doing with shell?

JAMIE MILLER: Well, we are going to do all the shell. We are going to do eight hundred cubic yards of shell.

COMMISSIONER TRAPANI: When you plant it, in general, are you going to have seventy percent limestone and thirty percent shell?

How much do you have of each?

JAMIE MILLER: Are you talking about will we plant shell and limestone in the same place?

COMMISSIONER TRAPANI: Yes.

JAMIE MILLER: No.

JOE JEWELL: What we generally do is usually a hundred percent limestone.

COMMISSIONER TRAPANI: Just one, and, then, all shell in another place?

JOE JEWELL: Yes, but we had the luxury of getting some shell this time.

Director Miller is right. This pile doesn't do it justice. It is a lot larger than that, and it goes back further, too.

You see over here in the left-hand corner there is another pile that is equal to this one. We actually have two piles because we've got two things going on at once. I will get to that in a little bit, our remote set project. We are actually piling some oyster shell here for our remote set facility in Gulfport. We have two, or three, things going on all at once (indicating photograph).

COMMISSIONER BOSARGE: Where in Gulfport is this?

Is this next to the water?

JOE JEWELL: Yes.

JAMIE MILLER: It's on the Seaway. It's on the Industrial Canal.

COMMISSIONER BOSARGE: Okay.

JOE JEWELL: It's a pretty convenient place to do it because it is almost a straight shot out to Biloxi Bay.

Under the Replenishment and Restoration Plan, number two is relay and plants. We plan to use the Conservationist. Option A, Biloxi Bay, is our preferred option, of course, because it's closer to a relay that would occur from Pascagoula. It's a shorter trip. It is approximately just thirty-eight miles round trip, where from Pascagoula to Henderson Point is just over a hundred miles round trip and it would take approximately three days.

I have a map here that shows approximately the course that we would take with the Conservationist. The green line is from Pascagoula which is where we would relay from up into Biloxi Bay, which is about thirty-eight, or forty, miles round trip.

Then, if you notice, the orange line shows the approximate path for the Conservationist for the Western reefs over in Henderson Point which is a much longer course, and it takes a lot longer to get over there.

Our preferred option is Biloxi Bay.

COMMISSIONER GOLLOTT: I agree with you, but I think our biggest problem is going to be the dredged oysters in the Western Sound this season.

I'm not too worried about the tongers because we've got several things going for keeping the tongers busy for this next season.

It's the dredgers that are not going to have a season, if we don't relay to the west, or come up with a place in Biloxi Bay that could be open for dredging.

JOE JEWELL: Well, the majority of that eight hundred thousand dollar contract is going to be in the west.

COMMISSIONER GOLLOTT: That's not going to give you oysters for this coming season.

JOE JEWELL: No, and even the relay from there is not going to do much.

COMMISSIONER TRAPANI: Most of our tonging is done by tongers from Alabama, and those are the oysters we are going to relay over there, and, then, the Alabama guys are going to get it and bring it back to Alabama, and Mississippi is not going to benefit from that.

JOE JEWELL: That is a concern, but we do --

COMMISSIONER TRAPANI: (Interposing) I understand it is a little bit harder to get it over there, but we are doing all that work for people from Alabama to bring it back to their state.

JAMIE MILLER: In terms of the Alabama fishermen that fish and harvest, how much of their catch is being taken back to Alabama?

I know, in Biloxi Bay, Joe Jenkins and Mike Cure bought, I think, everything that everybody was catching.

Can you put a percentage on it?

Is it five percent, or is it eighty percent?

My observations are that all the stuff that those Alabama folks catch gets processed here.

SCOTT GORDON: Small percentage.

JAMIE MILLER: So most of everything they catch gets processed here.

COMMISSIONER TRAPANI: I have a little concern about trying to help the dredgers. That is where the problem is going to be.

JOE JEWELL: I think the issue of them tonging and where you put it, where you put it is going to be the same whether it be Biloxi Bay, or the Western Sound. That's not the issue, and they do land most of them here.

The dredgers are going to be a critical issue. We can't relay enough from Pascagoula to the Western Sound to compensate for that. There is not resource for them to have a successful season. There is so little resource available, now.

COMMISSIONER HAVARD: As of right now, there is not going to be enough resource there for the dredgers next year?

JOE JEWELL: Well, we haven't done our assessment yet. That generally starts in the spring. We are always hopeful every year that we go into it, but,

from the indications of the landing data at the very end of the season, if you had to stop just there, and that's not a stopping point, but, if you had to stop just there, it is not very hopeful because a lot can happen. As Commissioner Gollott has pointed out numerous times, you've got that next year class that comes up, the fifty to seventy-four year class that comes up.

How much of that will survive?

How much growth will occur over the summer plays an important factor into the success of the following year, but there is not a lot of that available either.

I think Commissioner Trapani is right. This is going to be a challenging year, this coming year.

JAMIE MILLER: Joe, do we have some numbers?

Obviously, the time that it takes to relay to Biloxi is much shorter than Pass Christian, but that doesn't mean we can't relay to Pass Christian.

JOE JEWELL: That's correct.

JAMIE MILLER: What does the resource look like?

What are we recommending, in terms of sacks to be relayed from Pascagoula?

JOE JEWELL: I actually do have some figures from Pascagoula, and I mentioned this at our February Commission meeting. We are estimating, from our last assessment, there is approximately about seventy thousand

sacks of available resource.

If we look down the year class, if we look at all year classes, we are estimating somewhere around -- a market sack of live oysters, a three-inch-or-greater sack, is anywhere between two hundred and fifty and three hundred oysters. It depends on if it's three inches, or if most of them are four inches, or if there are clusters.

We generally say somewhere around two hundred and fifty to three hundred oysters make a legal size sack of oysters, but, when you look down the year classes anywhere from twenty all the way up to seventy-four, it's very --

JAMIE MILLER: Millimeters.

JOE JEWELL: -- it is very difficult to determine how many of those will make a legal size sack of oysters because you don't know how many of them are twenty millimeters, or how many of them are just about to be legal. It is very difficult to determine how many more of those because it takes a lot more of those to make a legal sack of oysters because none of them are legal size.

We are estimating, with all year classes, somewhere right around ninety thousand sacks.

Does that make sense?

JAMIE MILLER: When you relay, we are not culling out. We are not separating.

JOE JEWELL: We take everything.

JAMIE MILLER: They are not culling out. They are going to relay what they put on the deck. There will be multiple year classes.

COMMISSIONER HAVARD: Until we come up with that third leg of the stool, we need to be real careful of pillaging that last healthy reef that we have in Pascagoula.

JOE JEWELL: We absolutely agree with that, and we have been very cautious in our management and our recommendation to the Commission for a lot of different reasons because it is the last sort of abundant resource for the Commission to do a lot of things with.

If we have a natural disaster, or manmade disaster, and we are forced to replenish, like after Hurricane Katrina, that is the last major area where you can do that from, and you never know what year you will have it, or you won't have it.

We have had a lot of successful years to rebuild our Gulf Coast after Katrina where we have not had a major storm, and that has been a blessed event for us, but you never now when another one will come, or where it will hit.

COMMISSIONER GOLLOTT: 49-15-37 State Law says we will relay oysters from that area and put them in an

area where they need to be harvested.

JOE JEWELL: It does say that, Commissioner Gollott, but, in the larger context of 49-15-37, it is referring to public reefs that have been contaminated, or polluted, and it says that from time to time, not all the time, and, then, it refers specifically, in 49-15-37, as in 49-15-36, and that has some very specific language in there about how you manage reefs.

JAMIE MILLER: Joe, currently, as part of the plan that we are presenting to the Commission, the staff recommendation is that we relay some amount of resource from Pascagoula.

To Commissioner Havard's point, we have assigned a stock estimate that you said is right at ninety thousand sacks, given those multiple year classes, and we would recommend that some percentage of that would be allowable to relay this year.

Is that right?

JOE JEWELL: That's right.

JAMIE MILLER: Why don't you give us that number, what the staff believes would be available to relay without doing harm?

JOE JEWELL: We have recommended, in the past in guidance to the data that is available to us, the sciences available and the Governor's Oyster Management Plan that

was given by the Governor's Oyster Council, anywhere between thirty and thirty-five percent.

We have made that recommendation, in the past, to the Commission, and we are currently making that recommendation, with the caveat, as Commissioner Gollott has recommended, that we replenish that area, too, once we remove that amount of oysters.

That is our current recommendation to the Commission.

COMMISSIONER GOLLOTT: Let me throw this out, just food for thought. We have harvested about forty thousand sacks from the Mississippi area this year.

Is that correct?

JOE JEWELL: That's correct.

COMMISSIONER GOLLOTT: And we have done that for about the last three years. It has been real close.

JOE JEWELL: That's correct.

COMMISSIONER GOLLOTT: If we relayed fifty percent of the oysters out of Pascagoula and put them in the Western Sound -- I'm not all for that. We need to put some stuff in Biloxi Bay to build that reef -- with what is already there and what we could harvest, if we tried to hold it down to thirty-five, or forty, thousand sacks -- that's just a thought -- we could have a pretty decent oyster season next year.

JAMIE MILLER: Well, I want to make sure, as it relates to where Joe is in his presentation -- we have been through this presentation, but don't let me put words in your mouth -- staff is recommending we take thirty-five percent of what we believe is the available resource.

JOE JEWELL: Correct.

JAMIE MILLER: Which, in terms of actual sacks, is around twenty-eight thousand sacks of oysters, or thirty thousand sacks. Based on what we are suggesting, we would take about thirty thousand sacks from Pascagoula and we would move them to either Biloxi, or Pass Christian, or both, in some combination. Some number of sacks would be taken to both locations.

That is our current recommendation.

COMMISSIONER GOLLOTT: What I'm thinking is we've got two bad years, before we hit the third year of cultch plants, your oyster production. If your oyster spat set this year takes real good, you've got three years before you will have oysters again in abundance, and it should be real abundant.

JOE JEWELL: But all the time we are harvesting off of there. We are removing resources.

COMMISSIONER GOLLOTT: We've still got two seasons that we've got to worry about and, if we take and plant Pascagoula, in other words if we took fifty percent

and put that many shells back in there, the third year shouldn't be any problems. If they grow and catch like they have in the past in Pascagoula, you will have oysters running out your ears in Pascagoula again in three years.

I'm just throwing that out there.

COMMISSIONER BOSARGE: I'm against taking fifty percent simply because, in my opinion, that's too much.

Here, again, I think maybe the discussion we need to have would be are we going to do this in an effort to have production out of these oysters next year, or are we doing this in an effort to try to rebuild the resource so, at a future time, we will have production off those areas?

COMMISSIONER GOLLOTT: Well, I'm thinking about next year, your fishermen, trying to keep them alive.

If you plant all these shells, in three years, you are going to have production, if everything catches and, with any kind of luck at all, you will have enough oysters to supply the world.

What would be your objection of taking fifty percent of the oysters, since you are trying to keep the fishermen going and you are trying to rebuild your reefs?

I mean, the oysters have been sitting there for years and not doing anybody any good.

COMMISSIONER BOSARGE: I think that's where we

have gone wrong in the past is we have taken too much of the total resource of what we've had for too many years.

COMMISSIONER GOLLOTT: Where was this that we took too many?

COMMISSIONER BOSARGE: Which area do you want me to point to?

COMMISSIONER GOLLOTT: Point at any of them.

COMMISSIONER BOSARGE: That's what I mean, any of them.

COMMISSIONER GOLLOTT: No. Natural mortality has killed them. Spillways have killed them, but you have never over harvested any reefs in the State of Mississippi.

COMMISSIONER BOSARGE: I disagree with you, and I think we should ask the staff.

COMMISSIONER GOLLOTT: Well, give me a date and a time and a reef.

COMMISSIONER BOSARGE: We have done it every year for the past --

COMMISSIONER GOLLOTT: (Interposing) I don't think so.

COMMISSIONER BOSARGE: Anyhow, I think the discussion we need to have is more -- I agree with moving some oysters. Now, whether we move them to Biloxi Bay, or down to the Western Sound, I think it would be nice if we

could spread them out and move some both places.

COMMISSIONER GOLLOTT: I think we need to move some in both places, but I am also worried about the dredgers next year because there is not going to be much down there.

COMMISSIONER BOSARGE: I am, too, but I don't think that, right now, we are past -- there is nothing we can do for them. It wouldn't matter if we moved all the Pascagoula down there. It is still not going to do anything for them. We have dug ourselves into this hole.

COMMISSIONER GOLLOTT: Wait a minute.

You move ninety thousand sacks of oysters down there and let them open it next year and they are not going to catch any oysters?

COMMISSIONER BOSARGE: Richard, nobody here said we are going to move ninety thousand sacks of oysters.

COMMISSIONER GOLLOTT: But I'm just saying, you said if we moved them all down there, that's just not true.

COMMISSIONER HAVARD: Are we talking about relaying these oysters and harvesting them next year, or are we just talking about relaying oysters?

JOE JEWELL: We are not recommending that. The Commission is talking about that.

COMMISSIONER GOLLOTT: We are talking about

relaying them.

COMMISSIONER HAVARD: We are still talking the harvest strategy.

JAMIE MILLER: No. We're not talking about harvest strategy. We've got to decide. The staff is recommending that we do relay thirty-five percent from Pascagoula which is roughly thirty thousand --

COMMISSIONER GOLLOTT: (Interposing) Thirty thousand sacks.

JAMIE MILLER: I think we can decide where we want to take the majority of those.

JOE JEWELL: The Commission has to keep in mind that it will take pretty much an entire day to load up the Conservationist. We will stay there overnight.

The next day, we will have to drive all the way down and offload those oysters, and, then, the next day drive all the way back. Each time we do this, it will be a three-day trip.

COMMISSIONER TRAPANI: It is just one boat doing all of that?

JOE JEWELL: Yes.

COMMISSIONER TRAPANI: Have you thought about hiring some extra people to help you do it?

I don't know. I'm just saying we only have one boat to do that.

JOE JEWELL: We have done that, in the past.

COMMISSIONER TRAPANI: If you contract two other boats and we have the money for it, it will get it there faster and probably safer and all those things.

COMMISSIONER BOSARGE: What is the capacity on the Conservationist?

COMMISSIONER TRAPANI: I do think that they need to go both places.

ERIK BROUSSARD: Eleven hundred, or twelve hundred, thousand.

COMMISSIONER GOLLOTT: I have heard fifteen hundred. I've heard all over the place.

Has anybody ever measured it?

ERIK BROUSSARD: Sixty tons.

JOHN CIRINO: Sixty cubic yards, when we loaded it to the hilt.

COMMISSIONER GOLLOTT: How many sacks to a cubic yard, five?

JOHN CIRINO: Fifteen.

COMMISSIONER GOLLOTT: Fifteen?

JOHN CIRINO: Roughly fifteen.

JOE JEWELL: We've got a little bit more deck space.

JOHN CIRINO: It ain't as much as what we used to say, Richard.

COMMISSIONER GOLLOTT: Is that right?

JOHN CIRINO: When it is loaded to the hilt down the sidewalls, maybe fifteen hundred sacks.

When we loaded that last Pascagoula relay, about sixty yards which is roughly four, or five, or six, hundred sacks a load.

COMMISSIONER GOLLOTT: It would be a lot easier and a lot quicker to relay them to Biloxi.

JOE JEWELL: Yes, a lot safer, too.

COMMISSIONER GOLLOTT: A lot easier, but the only problem is the bottom is soft there.

John, do you know of any hard bottom that we could put them on and let dredgers get in there without tearing the whole thing up?

JOHN CIRINO: Rather than trying to handle it twice and relay it that far, go with your container relaying like you used to do. Let them dredge Pascagoula where it is, containerize it, move it and put it overboard, let it clean two weeks, or twenty-one days, whatever you've got to do to get around the FDA, and let them harvest it right there on the reef.

JOE JEWELL: We've got hard bottom in Biloxi Bay.

JOHN CIRINO: You've got hard bottom where the old relay site used to be. You've still got gravel there

they could relay to.

JOE JEWELL: It's not on Shearwater. Shearwater over there on the Ocean Springs side in the northern part of the Bay, it's not real mud, but it's softer.

Towards the Biloxi Bay part of it is a lot firmer.

COMMISSIONER GOLLOTT: The dredgers are the ones we've got to worry about. We have talked about an onshore depuration plant that would work your tongers. I think we can work the tongers for the next two years and keep them out of trouble.

It's the dredgers that are going to be in trouble, and that's what I'm thinking about.

Do you have any idea what it would cost us to get boats to move this stuff?

SANDY CHESTNUT: If I could interrupt for just a moment.

COMMISSIONER GOLLOTT: Yes.

SANDY CHESTNUT: We need your name for the court reporter.

JOHN CIRINO: John Cirino, C-i-r-i-n-o.

SANDY CHESTNUT: Thank you.

JOE JEWELL: If y'all are going to call from the gallery, y'all need to recognize who is speaking.

COMMISSIONER GOLLOTT: I'm sorry. I asked him

because he's an Oyster Biologist that used to work for the department, and he knows about the Bay.

COMMISSIONER BOSARGE: What are the limitations? Why can't we travel at night?

I mean, most fishermen, it's twenty-four hours, if that's what it takes.

How come we've got to leave the boat parked, load the boat, and, then, it sits there until the next day?

Is there some reason the boat can't travel at night?

JOE JEWELL: Well, we can travel at night, but there is a safety reason. Traveling at night is a much more dangerous proposition than traveling during the daytime.

COMMISSIONER BOSARGE: Yes, but it's not out of the ordinary, or it's not something that is not done every day, in other words traveling at night. When we are traveling, we are traveling.

JOE JEWELL: Yes, but you have a crew of fishermen and that's what they do for a living. We've got a crew of biologists.

COMMISSIONER BOSARGE: I mean, to shorten up the trip and shorten up the run, if once the boat was loaded, the boat could be making headway, then, now you can make

it down to the Pass and not have the oysters sit on deck too long, to be able to move more oysters further west.

JOE JEWELL: I know that, but, then, you've got a crew that is working twenty-four hours a day.

COMMISSIONER BOSARGE: No. You would have a different crew. In other words, you can't work people twenty-four hours a day. The crew that loaded the boat is not the crew that needs to take it to the west.

JOE JEWELL: The Shellfish Bureau has eleven people.

COMMISSIONER TRAPANI: Just from my viewpoint, the more efficient thing to do is -- I was going to add this in there.

Even if you change out shifts and crews and all that, you have one boat. That's the problem.

JOE JEWELL: And one boat captain.

COMMISSIONER TRAPANI: You only can carry so much on that boat because that boat can only hold so much.

I feel that you have to put some in the Western reefs, too. The logical answer to it is, if you don't have enough boats, you need to contract somebody else to help you carry these, or it is going to take us two years to bring the oysters where they need to be. That's logical.

JAMIE MILLER: I think you're right, and I think

the points the Commission is making are exactly the points that our staff, on whiteboards, roll their sleeves up on and try to figure out how to get done.

The reality is we have one boat captain. We just invested a huge amount of money in the Conservationist to keep it going.

The last time we contracted to relay from Pascagoula, we paid fifteen dollars a sack for about nine hundred sacks, or about a hundred grand.

To relay thirty thousand sacks, it would cost half a million dollars, and it would take us six months to contract.

We kind of are where we are. We have available staff and the Conservationist and a way of starting. I think we can deliver some amount of resource to Pass Christian, and I think we can do it quicker than maybe what we have talked about in three-days time frame, but, of course, we are dealing with the staff, and maybe we can look at bringing another boat captain under contract, or something.

The reality is there are some limitations. We do want to relay. Contracting, at this point, probably is not practical because we don't have that much money and we want to get started quickly.

I'm for going to Pass Christian.

JOE JEWELL: I think I agree with you, Commissioner Bosarge. Look at your end result. Let's take half of them, forty-five thousand sacks, and put them in the Pass.

Now, it took the fishermen four-and-a-half months to get forty thousand sacks, and they went everywhere. They took all the resource off of the inshore artificial reefs. They were everywhere to get those forty thousand sacks in four-and-a-half months.

If we take these oysters and plant them out there, it is not going to take them very long to go to where we put them and harvest that resource. It is not going to take them four-and-a-half months to do it. This is not going to protract the season out for them.

Forty thousand sacks, we may have been doing that in a month-and-a-half, when we were harvesting two, or three, hundred thousand sacks.

COMMISSIONER BOSARGE: I just don't see any way we are going to have a dredge season this coming year. Hopefully, there are some options out there we can exercise.

COMMISSIONER TRAPANI: Well, I mean, we are hoping that is in addition to. We are not going to just have the oysters relayed.

JOE JEWELL: That's right.

COMMISSIONER TRAPANI: Hopefully, in the meantime, there are actually oysters growing there.

JOE JEWELL: They are going to go where the oysters are densest, first.

COMMISSIONER TRAPANI: I'm just saying that what we relay is in addition to what is out there.

COMMISSIONER GOLLOTT: Like I say, Biloxi Bay is great for Pascagoula relaying because you ought to be able to do it in a day.

JOE JEWELL: Oh, yes. That's why it is the staff's preferred option because it is quicker, it is within reach of Pascagoula and there are firm bottoms in Biloxi Bay that will be optimum for the relay.

COMMISSIONER GOLLOTT: Then, if we just relayed to the Biloxi Bay and we planted this area out here, Steve is probably right. You are probably going to have to have a limited oyster season on St. Joe, when you find out how many is there, and Waveland and St. Stanislaus, that area that produced so well this year.

JOE JEWELL: Well, if you looked at St. Joe, we had that relay in 2016 where we took about forty thousand sacks. That was in January, and, then, we just had this 2016-17 season. We harvested forty thousand one hundred and sixty-five sacks. Most of those oysters came off of St. Joe. St. Joe has had some significant pressure on it,

in the past year and a half.

COMMISSIONER BOSARGE: Have you got the slide that you presented to us that showed the percentage of oysters on each reef, prior to the opening of the season last year, in other words, something that we can look at?

JAMIE MILLER: Doesn't the map show what was taken off?

COMMISSIONER GOLLOTT: You are still going to have to have an assessment of what you've got out there to get a true picture of it.

JOE JEWELL: We are updating that this year.

This one was not the updated figures, after the mortality event. This is when we were assessing and gave estimates, as the mortality event was occurring, if you look at Pass Marianne (indicating slide).

COMMISSIONER BOSARGE: Yes.

JOE JEWELL: We did an updated one that we gave to the Commission that showed after we went back and reassessed, after the event.

COMMISSIONER GOLLOTT: I think, Pass Marianne was wiped out.

JOE JEWELL: It was pretty much nothing. It was, like, one sack, or a partial sack, that was found.

COMMISSIONER GOLLOTT: Have y'all checked any of that to see if we are getting any spat set, or oyster

growth out there at all, at Pass Marianne and Telegraph?

JOE JEWELL: We are about to start our assessments. We haven't checked, right now, but we are about to start our annual assessments.

I know which slide you are talking about. I was going to put that in here, but I thought I didn't want to go dig down in the weed. I wanted to kind of keep this one up here because we've been in the weeds, and I don't know how much progress that we've made, when we do that.

COMMISSIONER BOSARGE: We are definitely going to do a cultch plant out of Pascagoula.

Have we made the decision amongst us on the percentage of oysters we are going to take?

JOE JEWELL: The point of this presentation is for y'all to adopt an oyster management plan. It is going to be very high level. It is going to the overall picture; that one slide that I showed in the very beginning that showed the three legs of the stool. It is not to get into details. At one point, we will. It is just to give the big overall functions of the oyster management plan, define sort of the mission.

It's not to talk about these individual tiny details, at this point, that we have been discussing, that there is no consensus on. The whole point of it was to keep an overall view so that we can agree on some big

major things.

I think the Commission can agree on those three legs that hold up this whole plan that we're talking about, the big picture.

When we start talking about how much we are going to take off of Pascagoula, where we are going to relay it to, how much you have at the staging site, how much resource is available at St. Joe, I think that's where we just sort of get bogged down. There are disagreements. There is not common ground, or consensus.

The whole point of having this sort of overview is to find common ground and consensus on things that we can agree on, and sort of keep that big picture and that management plan upper level. I think there are things we can agree on.

Then, if we adopt the plan, as we implement the plan and we start saying, now that we've got this plan and we've got Pascagoula, what are we going to do with it.

COMMISSIONER BOSARGE: We don't need to be making these decisions today. We just need to look at the plan as a whole.

JOE JEWELL: Let's go through the plan, and, then, if you don't like the plan, or there are things in the plan that you want to tweak, or alter, or adjust, we will do that today, but it is good that we are having that

discussion about how much we are going to take.

That is part of the plan and we should have those discussions, but, in order to get the plan approved, we probably need to move forward.

COMMISSIONER BOSARGE: I'll make one more suggestion, and, then, I'll shut up.

JOE JEWELL: Sure.

COMMISSIONER BOSARGE: If we do hire any more boats to move oysters, hire them on a day rate, not on a per sack rate. In other words, put it out for bids on a day rate. If you are getting paid so much a day, period, I think you will come out a whole lot better.

JOE JEWELL: Sure.

We sort of talked about this. This is our remote set. It falls under replenishment and restoration.

COURT REPORTER: Joe, I can't hear you.

JOE JEWELL: If y'all can hold it down a little bit, my voice is going this afternoon. I have never been accused of having a soft voice. I appreciate that.

We are still under replenishment and restoration. We are under option number three which is remote set.

As I said, we have a facility out at the Port of Gulfport. The plan for 2017 is to increase the facility capacity to four tanks which would be around twenty-six

hundred gallons.

We plan to have eighteen million larvae per month and enhance the forty-plus acres of water bottoms.

The larvae will be produced at the University of Southern Mississippi's Aqua Green facility which is just up the road north on Highway 49.

Plans are currently being developed to partnership with the University of South Mississippi, Port of Gulfport and DMR to build a permanent large scale facility for long-term production. That's where we are in 2017.

There are only two tanks there, now, but we had a total of fifteen million larvae that was equivalent to about a hundred and thirty-six thousand shells that we moved from the Port of Gulfport to Biloxi Bay. We planted those oysters in Biloxi Bay.

We plan to expand those facilities this year to almost double the capacity.

COMMISSIONER GOLLOTT: What month did you do that in?

JOE JEWELL: That was in June and July.

COMMISSIONER BOSARGE: That was in September and October.

COMMISSIONER GOLLOTT: Can you bring us some of it and let us look at it and see how much it has grown?

JOE JEWELL: Sure.

COMMISSIONER BOSARGE: I don't know the scientific term, but is this an oyster that reproduces, or an oyster that doesn't reproduce?

JOE JEWELL: It does reproduce.

That's our remote set facility.

COMMISSIONER GOLLOTT: Have you done an assessment on it?

What do you think about it?

Did it work?

JOE JEWELL: We haven't done an assessment. We are about to do all of that, now, but we do know those areas and we will revisit them. We planted all of those in Biloxi Bay.

We are in the final option under replenishment and restoration, and that's our active private leases. They are a valuable contribution in the overall picture of oyster management.

We have a total of five hundred and twenty-four active private leases. We have five one hundred acre leases, one ten acre lease, one fourteen acre lease, and we have four pending leases. That is a very active part of our program.

The third leg that supports the stool and works in concert to make this an overall effective management

plan is our oyster harvest strategy. I have tried to model this sort of the way we handle things at Gulf States and Gulf Council.

The first is alternative one which is status quo, and that is the way we have managed our reefs in the past, when we had high productivity and high landings. We typically open the season in October of each year, and we try to close in April of the following year.

We do this by field sampling to monitor the resource conditions during the active season.

Pressure was measured by the decrease in landings. We did that through our trip ticket program. We would open at a certain sack limit and we would monitor that sack limit and, when it dipped appreciatively, we adjusted it by dropping the sack limit. Our target was to try and keep the season open as long as possible. That was the status quo, the way we managed the reef.

Still under option number three is number two, alternative two, which is management by quota. We have two alternatives under there.

Alternative two option one is quota by regions, and that was to establish a quota for an entire region which would be like the Western Mississippi Sound, or Biloxi Bay.

If you recall, the Commission first considered a

quota, I think, a couple of years ago, and it was for the entire Western Sound.

The reason the Commission is considering alternative two option two is to make it a more affective process. Alternative two option two is a quota by area which is the preferred option by staff. It is to establish a quota by a specific area.

An example of that would be I "B" which is the St. Joe Reef. That would be to target each area by a specific quota which could be adopted by the Commission, and it could be a different quota for different areas. It could be a roving quota between the season, or a different quotas annually for different areas, and that would be established by the Commission.

That sort of completes the presentation. If the Commission wants to reconsider that presentation, the motion would be to adopt the management plan as I presented to you.

I did want to specifically put up the two preferred options for staff for y'all to consider, before you made a motion, or considered a motion.

Under the restoration component, the relay of the Pascagoula Causeway Reef, we did have a preferred option A which is we preferred to go to Biloxi Bay.

Then, under the third leg which is oyster

harvest strategy, we had a preferred option of alternative two option two which is quota by area.

Is there any discussion, before we make a motion, or consider a motion?

COMMISSIONER GOLLOTT: Well, I think some folks want to speak to this.

JOE JEWELL: Sure.

COMMISSIONER TRAPANI: I do have one question on the quota system.

Every year after you take a stock assessment, we decide the quota.

Right?

JOE JEWELL: Correct. If you had an area that had abundant resource, you might have a higher quota in that specific area. If you had an area that had little resource, you might consider a very low, or no, quota.

COMMISSIONER TRAPANI: I just wanted to clarify that.

RYAN BRADLEY: My name is Ryan Bradley, and I wanted to thank you on behalf of the commercial fishermen of Mississippi for allowing us to be here and be present during these discussions and present our plan that we have come up with.

Pretty much what we did was we did outreach over the last several months and weeks with various commercial

fishermen throughout Mississippi.

We compiled their recommendations and prioritized those, and we also consulted with a couple of oyster biologists, on these recommendations, for the viability of their proposed recommendations.

At this time, I would like to briefly go through as much as I can to summarize the plan and take any questions y'all may have.

The first recommendation that we had come up with was a resounding issue from the fishermen that they opposed all limestone substraight cultch planting, regardless of the rock size.

It was their belief that the limestone planting is ineffective at building oyster reefs for long-term commercial viability.

What I'm hearing a lot -- and I've seen this firsthand oyster harvesting myself -- is that with the rocks, you get one oyster that sticks to one rock, compared to oyster shells where you can have dozens of spat sticking to those.

Now, there has been success with the limestone in the marsh from the leaseholders, and I would attribute that to the fact that those guys spend a whole lot of time farming those oysters and moving them from one place to another, cultivating those to make that work.

Another issue with the limestone is that, once the oysters reach a certain size, we are seeing them die off. I don't know how much data we have to verify that, but this is what the fishermen have agreed on.

They recommend that we abandon the use of limestone substraight on all of Mississippi's public wild oyster reefs.

The second recommendation was that the fishermen supported oyster shell reclamation and cultch planting on traditional reefs in a very specific manner.

They came up with this idea of a Mississippi oyster shell recycling program that serves to reclaim used oyster shells from restaurants and other drop-off locations throughout Mississippi.

These shells could be collected, stored and sanitized, before being returned to areas; the entire priority on Mississippi's traditional oyster reefs, to help achieve optimal oyster spat recruitment.

The Mississippi Commission on Marine Resources should support a public-private partnership that helps to achieve these goals of reclaiming recyclable oyster shells.

Furthermore, the fishermen recommend a very specific method of placing the shells onto the oyster reefs. They recommend small mounds of oysters, rather

than scattering them out on a thin layer across the bottom.

These mounds will give the shells optimal chance to recruit spat, and it kind of builds up, from what they are telling me, kind of a safety barrier there for the oysters.

The oysters on top are subject to predation from the drills and fish eating them. If we could have kind of a pile there to let some of those under there be protected from the fish and other predation, we would have a better chance at long-term restoration.

The next recommendation was that they supported bagless dredging to cultivate the reef.

Since all of the mass mortality that we've had on the reefs here in the recent years, the only good thing about that is we've got lots of shells on the reef. There is not necessarily a need to plant a bunch of rocks, when we already have a lot of shell out there.

If we can go cultivate some of that shell, turn it over, get rid of some of the sediment on it and allow that spat to stick to it, I think we would be in a lot better shape. This is something that the fishermen agreed on.

The timing of the bagless dredging would be critical. After speaking with some of the biologists, we

would need to do it before the summer spatting season before the water gets seventy-five degrees, and we would need to do it after the spring flooding season. If they open Bonnet Carre and we get a bunch of silt and stuff, we would need to come after that and cultivate it. It would be a very small window that would make that option viable.

The next recommendation would be to support an oyster management plan that opens reefs on a rotating basis, pursuant to Mississippi Code 49-15-36, specifically Section 2, and I can touch on that real quick. Oyster reefs and bottoms, rotating, opening, closing of oyster reefs is the 49-15-36.

Section 2 specifically states, public reefs may be open for harvest of oysters during the season on a rotating basis. If the Commission determines that a particular reef has been over harvested, or that a high percentage of sublegal size oysters exists on a particular reef and that harvest could damage future oyster crops, the Commission may close designated reef areas and keep them closed during the season.

Now, obviously, we've got to have some resources, before we start being able to rotate, do this on a rotating basis, but, again, this is the fishermen. They would like to see a rotating basis.

Recommendation number five. Mississippi

commercial fishermen, bonafide commercial fishermen should have preference on contract opportunities for all oyster restoration projects in the State of Mississippi.

We highly support and strongly encourage an oyster management policy that is inclusive of the commercial fishing industry and gives Mississippi resident oyster harvesters preference on all oyster reef restoration projects, specifically oyster relay programs.

We went into what to do with the oysters, once they are relayed, and I think y'all touched on some of that.

I know, Mr. Gollott, you wanted some to go right back out to be caught again. Maybe a small percentage would be available for that, but we should definitely look at where we put them, spreading them evenly across the eastern and the western sound, and allowing those oysters time to recruit and to reproduce.

Moving on to the next recommendation, oyster aquaculture activities. The traditional oyster dredgers and tongers have been skeptical of this off-bottom aquaculture that has been pushed the last year, or so.

There are some fishermen that are in favor of this type of stuff, but they really would like to have some hands-on evaluation. Let some of these bonafide fishermen look at this stuff, experiment with it and see

how feasible it is for commercial production.

We feel pretty confident we can produce oysters doing that method, but can we do it and it be profitable for the commercial industry is something we really need to look at.

We had made some recommendations regarding how to further along aquaculture, and we recommend that these lease sites, should any lease sites be permitted for aquaculture, that we give bonafide traditional oyster harvesters from Mississippi preference on these lease sites. Give them the first shot at having access to these lease sites.

Additionally, I would like the Commission to consider granting a grant to these fishermen maybe like a two-year lease permit, fee waived, to kind of spur investment in this stuff and I think, after two years, they will know if it is viable, or not. That would be a way to spur investment and potentially increase the production of our oysters here in Mississippi.

The next recommendation the fishermen had was to establish a Mississippi oyster task force with commercial fishermen representation.

The oyster council created by the Governor, there were probably a lot of good things that came out of it. A lot of the concerns from the fishermen were that

they were not included in a lot of these task forces and a lot of these discussions and a lot of these ideas that were presented and implemented, or took place.

We have attended some oyster task force meetings in Louisiana, and we feel strongly that they have a real good framework for engaging the fishing community and coming up with the best ways to move forward and manage the resource. We would strongly support that and would hope you would take that into consideration, specifically utilizing fishermen that have verified landings to advise the task force and the Commission on how to proceed on some of these oyster issues.

Number eight, this is kind of a larger area of concern that encompasses some things that have been taking place for several years regarding water quality and the impact on traditional oyster reefs in Mississippi waters, due to past and present Army Corps of Engineers projects, specifically the opening of the Bonnet Carre Spillway and the permanent closing of the Mississippi River gulf outlet.

The Mississippi Commission on Marine Resources should thoroughly evaluate and strongly oppose any proposed major water diversions that could significantly impact the marine environment in and around Mississippi's waterways.

Just to touch on that a tad bit more, we are starting to realize, now, and the fishermen have been saying this for some time, that when they shut off that Mississippi River gulf outlet, it really changed the tidal flow in our coastal waters. It has been to the benefit of the oyster harvesters in Louisiana's marshes. They have been doing real good. There is a lot more fresh water and salt water flowing through there. It has been at the expense of our oyster industry. That may have a lot to do with some of the problems we are having, now; not to say that our oysters will not come back. They will, most likely, but maybe not in the traditional areas that they were in the last twenty years.

With that being said, that wraps up the plan that the fishermen have proposed, and I would like to answer any questions that the Commissioners may have regarding the proposed plan.

Y'all take time to think about it.

COMMISSIONER GOLLOTT: Thank you, sir. We appreciate it.

JAMIE MILLER: We've got one more person who wants to speak.

COMMISSIONER GOLLOTT: Come up to the table, please.

THAO VU: Good afternoon Commissioners, Director

Miller and DMR staff. Thank you for giving us this opportunity to participate in this workshop.

My name is Thao Vu. Currently, I'm the Director of the Mississippi Coalition for Vietnamese American Fisher Folks and Families.

I would like to, basically, just read and summarize this letter. I think all of you have a copy of this letter that is attached with our proposed plan.

It basically just states:

"Dear Commissioners,

"On behalf of the Mississippi Coalition for Vietnamese American Fisher Folks and Families and the Mississippi Commercial Fisheries United, our respective constituencies and members, for the public record, we submit the following comments, concerns and attached recommendations.

"Prior to the 2010 devastating BP oil spill, an oyster season typically lasted from fall to spring, September-October to April-May.

"Since the BP disaster, the Bonnet Carre Spillway freshwater, other environmental and water quality issues, combined with continued poor mismanagement decisions that have contributed to high oyster mortality and critical degradation of our oyster reefs in the Western Sound has subsequently caused tremendous financial

hardship and seriously threaten our fishing livelihoods.

"The Mississippi commercial oyster harvesting community has thoroughly investigated and reviewed recommendations for perceived best oyster reef management practices for the State of Mississippi.

"Several recommendations have been peer reviewed, evaluated and agreed upon by experienced senior fishermen and leaders of the Mississippi oyster fishing community.

"The attached proposal for an oyster management plan should be strongly considered for implementation by the Mississippi Commission on Marine Resources, while considering actions on future oyster management decisions.

"In conclusion, the Mississippi Department of Marine Resources, MDMR, as a taxpayer funded State agency in managing our state invaluable marine resources has a great responsibility to ensure transparency in the development and propagation of relevant fisheries management policies and regulations, provide sufficient advance notice of public meetings and workshops such as this one, address language access needs for the Vietnamese American population on the Coast, readily provide scientific data and water monitoring samples, fiscal responsibility and accountability for fisheries disaster funds, ensure restoration projects are meeting restoration

objectives and engage in mutual respect and open dialog with commercial fishermen, a key stakeholder group, utilize fishermen's traditional ecological knowledge, and provide contracting work opportunities."

There are actually sixty-seven of us who signed this, multiethnic fishermen and/or organizations, and all the ones who attended here for the Vietnamese American and several of the Caucasian, they signed this letter, as well (indicating document).

Thank you.

COMMISSIONER GOLLOTT: Thank you.

COMMISSIONER BOSARGE: I've got one question, Joe.

Within your oyster management plan, where does the task force fit in there?

JOE JEWELL: Well, we do have an oyster task force. It just hasn't met in quite a while. There is an oyster task force, and there was a Vietnamese representative on the task force.

COMMISSIONER BOSARGE: It would be nice to get that group together and maybe populate it a little bit more, and, then, have that input come to us through you.

JOE JEWELL: We can do that.

Before we move on to the other item, does the Commission want to consider the management plan, or move

on?

COMMISSIONER GOLLOTT: Joe, let me say this. I would like to table that and give me a chance to look at it and think about it.

JOE JEWELL: We can do that.

COMMISSIONER GOLLOTT: Would that be all right with the rest of the Commission?

JAMIE MILLER: We have one more gentleman who wants to make a public comment, I think.

COMMISSIONER GOLLOTT: Okay.

JAMIE MILLER: You can come up here, sir.

CHRIS LAGARDE: I'm Chris Lagarde, Bay St. Louis. I don't know where to begin.

I will tell you a little short story. I took a graduate level statistics course at Mississippi State twice because I didn't do so well the first time. The second time I got it.

One of the things I learned is you have got to remove the variables, and we have plenty of variables, when you talk about oysters.

Every one of us in here could come up with a different idea and we think we're right. I think we need to go back and look at where we really are and what we have done.

In 2004, the fall, we harvested almost five

hundred thousand sacks of oysters. Check my numbers. I think I'm right. A half a million sacks, in 2004. We can't even conceive approaching that, now. What was different, I don't know.

One thing I know, a variable, we did put shells back on the reef. I mean oyster shells. I don't mean limestone.

I think I understand that we spent eleven million dollars on rock, and we don't know where it is.

I don't know if that's true, or not, but that's one of the things I've been told.

The thing that concerns me about the hatchery is that it is like we have written off the natural stock, and I'm afraid, if we write off the natural stock, we are going down the wrong road.

I'm not saying we shouldn't try and do something different, but I walk that Washington Street rock pile and I see Rusty's Marine Patrol down there every day, and I know they are wondering what I'm doing because I'm always scratching in those rocks, and there are lots of oysters. I'm amazed at the number of oysters -- I'm talking about inch and a half this year -- that are growing on those rocks and they are exposed to air. I've got to believe if there are oysters growing on those rock piles, we've got oysters growing out there in the water somewhere.

I don't see any notice of the St. Stanislaus Reef, or Waveland Reef. I know we built that Bay St. Louis marina. I don't know if we ever put anything back for the oysters that we killed, and I know there were oysters where they put that marina, from being out there when I was a child.

The tonging reef seems to be inconsequential, and I understand that because the dredgers and the processors kind of drive the train, but the tonging reefs, as I understand, Stanislaus and Waveland, actually produced a few oysters this year, and I'm scratching my head, well, if everything else died, why do we have oysters at the toning reef. I don't know. That's that variable that we can't seem to get a handle on.

One question I have about the hatchery, are these going to be diploid, or triploid, oysters?

Nobody said anything about that.

Do we know?

JOE JEWELL: We do.

JAMIE MILLER: In what context, Chris?

They can be either, but I think primarily they will be diploid.

CHRIS LAGARDE: Which is what we have, now.

We are not going to fool with triploid?

JAMIE MILLER: We are going to fool with

triploid.

CHRIS LAGARDE: Well, that's a concern. I don't know if we really have looked into that.

I can go on and on. I just think we need to -- I'm not sure what the answer is, but I believe putting shells back would help.

I'm not opposed to limestone, but, if you put it down and it sinks in the mud, then, what you got.

I understand that we are still waiting on the permit for the expansion of the reefs.

Is that correct?

I don't know if that's true, or not. Let's just assume it is.

I'm not sure why we are expanding the reef. We can't take care of what we've got, now.

In terms of relaying, we relayed for St. Joe. We don't know how many we lost. We don't know what the mortality was. I still don't believe we know what the real number was that we caught.

If we are going to relay, it seems to me we ought to do it and get boats in there that can get in, get the oysters and move them.

Working the Conservationist is great, but the only way I would suggest using the Conservationist is if you are going to put them back in Back Bay Bay St. Louis

where nobody is going to touch them because you can't move enough oysters with that Conservationist. I mean, it's backbreaking work. You've got to get the fishermen who can do it to move oysters.

If you are going to move oysters, move them. Don't piddle around with one boat. Get them in and get them out.

I did renew my tonging license this morning. I did contribute the sixty dollars, or whatever, to the cause. I will end with that.

I know it's a tough job and y'all have got all kinds of people coming at you all different ways, but if you can consider any of that.

COMMISSIONER GOLLOTT: Thank you, Chris.

JOE JEWELL: I know you've got that quizzical look, so I will try and answer the one issue that Chris brought up --

COMMISSIONER HAVARD: Expansion of the reef?

JOE JEWELL: -- and we addressed that at the last Commission meeting.

The DMR is no exception to any other entity that wants to place material out in the Sound, and we are in the process of renewing our permit for the natural reefs that are out there. I mentioned that at the last Commission meeting. We are making some progress on that.

Just prior to the start of this meeting, I went and spoke to the Corps representatives that we have here at the DMR, and we are still somewhat on schedule. It has been backed up another week, or so. It was mid April we were expecting it. It is somewhere towards the end of April.

As you know, the contract for the eight hundred thousand dollar shell plant starts in early May. We are still in the time frame for that to occur.

COMMISSIONER GOLLOTT: Joe, there is one question, I think, that is hanging out there. Of course, I've got my opinion. Other people have their opinion.

What devastated our oyster reefs?

Can the staff look into that?

What do they think actually happened the last time we harvested half a million sacks, and, then, the next year we didn't harvest anything?

JOE JEWELL: We stayed very consistent in our harvest, until Katrina. Katrina impacted our reefs. Particularly in the Western Sound, they were devastated, but we implemented a large cultch plant. It was all limestone, and we went over a hundred thousand sacks, at that point, and we were back on par for recovery until they opened the Bonnet Carre Spillway in 2011, and we have never recovered from that.

Now, it could have been simply from the devastation of the Bonnet Carre. I suspect probably not. There are a lot of other environmental factors and geophysical factors that are occurring. The gap at three mile in the Biloxi marsh is ever deepening and ever widening, and we suspect greatly that the fresh water that periodically flowed over the reef and provided that flushing, that mechanism for reducing predation, reducing disease, and, then, finally the spat set is, now, filtering through the Biloxi marsh and not coming on our reefs like we traditionally saw.

There are a lot of factors that are playing in tandem that are affecting the reefs that we suspect, but the overall big event that impacted the reefs that started the decline that we are seeing, now, was the opening of the Bonnet Carre in 2011 because we were well on our way to recovery with the cultch plant that we had and the hundred thousand and something sack season that we had.

COMMISSIONER GOLLOTT: Has anybody kept track of the salinities on the reefs, since then?

JOE JEWELL: We do.

COMMISSIONER GOLLOTT: Have the salinities increased?

JOE JEWELL: The overall salinities are slightly increased. You have to go through a longer period of time

than we are to say there is a large trend occurring, but particularly the outer stations are slightly increasing. The water temperature is increasing. There is definitely a trend occurring. It is warming earlier, faster and staying warmer longer.

A good example of that was the event that occurred in 2015, early 2016. As y'all recall, the water temperature stayed alarmingly warm all the way through the winter. That contributed to the extent and duration of the algal bloom that occurred. That plays a big factor into this larger picture, too.

COMMISSIONER GOLLOTT: What about this depletion of oxygen?

I had never heard of that, until this last season when the oysters died.

JOE JEWELL: That periodically occurs. That is not unusual. That has happened for time immortal, but the issue with that is, as water temperature rises, it is harder molecularly for it to hold more oxygen. The warmer the water temperatures occur and the longer they occur, the more chances there are for oxygen depletion to occur and for the duration to occur longer. We are seeing more of that.

When events happen like harmful algal blooms, they tend to drain a lot of the oxygen out of the water

because they are driven by that.

COMMISSIONER BOSARGE: I've got a question.

You said you want to table this.

What do you hope to achieve by tabling it?

COMMISSIONER GOLLOTT: I would just like to look at it until the next meeting. I don't have any plans, or anything. I would just like to look at it and think about it.

JOE JEWELL: That's fine. The options in there, I want y'all to consider those. You can leave them in there and, if you don't want them to be the preferred options, just like at the Gulf Council, you can remove those as preferred options and just leave them in there as just simply an option.

COMMISSIONER GOLLOTT: I don't have a problem with any of them. I would just like to have a chance to sit down and study it and try to see long term.

If a Commissioner wants to make a motion, you can.

COMMISSIONER TRAPANI: I have one other question.

From our public comments, it seems to be that the fishermen feel like limestone is not a great choice. Of course, I think everybody is in agreement that shell is the best. Evidently, it must be hard to get.

What is the staff's view on crushed concrete, compared to the limestone?

Every time different fishermen get up, they seem to not want to have the limestone.

JOE JEWELL: We are in agreement that shell is the preferred option, if you can get it. The issue is that as a State agency, we have limited resources and a limited budget for it.

The difficulty is the shell is four, five, six times more expensive than crushed limestone, and it's a lot more difficult to get and there is a lot less of it.

In a great condition, in an optimum condition, we would like every bit of shell that we could get, but the reality of it is there is very limited ability for us to get it.

COMMISSIONER TRAPANI: What about compared to crushed concrete?

JOE JEWELL: Concrete has its own issues, but we will use it, when it is available, under certain conditions, absolutely.

COMMISSIONER BOSARGE: What is the difference in the price?

JOE JEWELL: Price is the overall factor for us.

COMMISSIONER BOSARGE: I know, but what is the difference between crushed concrete and larger limestone?

JOE JEWELL: I'm not sure. I don't have that available. I do know it's the price.

JAMIE MILLER: The crushed concrete is comparable.

JOE JEWELL: It's just a little bit more expensive.

COMMISSIONER BOSARGE: It is all over.

COMMISSIONER GOLLOTT: One of the alternatives is relic shell. Mike is in love with that relic shell. He said it is doing a fantastic job. You might want to look at that.

JOE JEWELL: We have. It's a premium, too. It's a little pricey.

COMMISSIONER GOLLOTT: Yes, but, if it produces more, it might be worth it, just like an oyster shell would be worth more than concrete to me because you are going to get a better spat set, you are going to get more spat set on a shell and more likely to have more oysters survive.

JOE JEWELL: Geologically, you know this is not an oyster shell. All the cells have been replaced. It is limestone.

COMMISSIONER GOLLOTT: The shell?

JOE JEWELL: Yes. It's not shell anymore. It is millions of years old and like all --

COMMISSIONER GOLLOTT: (Interposing) Well, whatever it is, the oysters are setting on it and they are growing. According to Mike, they are doing a good job.

JOE JEWELL: Mike is right. All of those materials are viable options and they work under certain conditions.

Remember, part of the NFWF oyster project is to test under conditions, which one of those limestones, or concrete, works best.

There is a lot of discussion on the table as to which one of those materials produces the best spat, or the most spat, under which conditions, and we are going to test those conditions and see which one of them is more viable because there is a lot of discussion between fishermen, between managers, between processors, which one is the best.

Now, processors love that limestone because, as they say, it produces one large oyster and that is great to have, but when you've got a shell that produces a whole bunch of them, they have got to beat those oysters and they are less productive, they are less efficient. They produce less oysters.

COMMISSIONER HAVARD: It appears that we have a lot of details to work out, but, as a starting point, I would like to make a motion to adopt the oyster management

plan that we currently have.

I haven't heard any of us disagree with the basis that this is talking about. It's just how we go about doing all the details to get this accomplished.

I would like to make a motion that we adopt the oyster management plan.

COMMISSIONER GOLLOTT: I already had a motion to table it until the next meeting.

JOE JEWELL: Sandy, I think that would have to be in the form of an alternate motion.

SANDY CHESTNUT: You made the motion to table. Was that motion seconded?

COMMISSIONER GOLLOTT: No.

SANDY CHESTNUT: So you made an amended motion?

COMMISSIONER HAVARD: Yes.

SANDY CHESTNUT: Or an alternative motion?

COMMISSIONER HAVARD: I would like to make an alternative motion that we go ahead and pass the oyster management plan because we have talked about this time and time again, and I think we all are in agreement that this is the approach that we need to take and work out the details later.

COMMISSIONER BOSARGE: I agree, and I've said it too many times. We have got to start somewhere.

I will second his motion.

COMMISSIONER GOLLOTT: All those in favor say aye.

(Commissioner Bosarge, Commissioner Havard in favor.)

COMMISSIONER GOLLOTT: Two in favor.

COMMISSIONER TRAPANI: I'm not in favor and the reason why is I agree that we need a plan and we have all agreed on that. We just got this information last night. I mean, if we called a special meeting two weeks from now, I wouldn't have a problem, but I would like to do some homework on it. I haven't really gotten to study it and make sure that I agree with all of it. I just wanted to say that for the record.

I do think that we need a plan, but I need time to actually go over this.

COMMISSIONER GOLLOTT: So you want to second my motion?

COMMISSIONER TRAPANI: Yes.

SANDY CHESTNUT: So the motion to adopt was two to three?

COMMISSIONER GOLLOTT: Yes.

COURT REPORTER: Who voted against the motion to adopt?

COMMISSIONER GOLLOTT: I voted against it.

COMMISSIONER HARMON: I voted against it.

COMMISSIONER TRAPANI: I voted against it.

SANDY CHESTNUT: So that motion failed.

COMMISSIONER GOLLOTT: I would just like to make the motion that it is tabled until the next meeting.

COMMISSIONER TRAPANI: I second it.

COMMISSIONER GOLLOTT: All those in favor say aye.

(Commissioner Gollott, Commissioner Harmon, Commissioner Trapani in favor.)

COMMISSIONER GOLLOTT: Opposed?

(Commissioner Bosarge, Commissioner Havard.)

COMMISSIONER GOLLOTT: Three in favor. Two opposed. It is tabled until the next meeting.

Basket dredge.

JOE JEWELL: I have a presentation for y'all that sort of outlines all of that actions the Commission has taken on this issue. For the benefit of our new Commissioners and for the Commissioner that has not been around for the entire process, I'm going to read a summarized, abbreviated version of that into the record.

On September the 16th, 2014, at the request of the Commission, the staff made a presentation on basket dredges. It was a PowerPoint presentation that included a video that compared the side-by-side analysis of a regular dredge versus a basket dredge to the CMR. At that point,

the CMR took no action.

On November the 5th, 2014, the Commission had a special workshop and, at that workshop, the Commission motioned for the DMR staff to conduct a public hearing on basket dredges.

On January the 13th, 2015, the DMR staff conducted a public hearing on the basket dredges. There were a total of seven people that commented, at that public hearing. Three people opposed the basket dredges, three people were in favor of keeping basket dredges and two people were neutral on the use of basket dredges.

On March the 17th, 2015, DMR staff presented to the CMR dredge recommendations that included gathering updated information on harvesters using basket dredges and to work with the harvesters defined on modified basket dredges that will help minimize damage.

At the March 17th meeting, the CMR passed a motion to prohibit the basket dredge and to go to a maximum bag dredge of a hundred and fifteen pounds and sixteen teeth, The previous weight was a hundred a forty pounds. I don't know if y'all recall that.

Then, on April the 15th, the CMR staff which was me presented a Notice of Intent to prohibit basket dredges and to go from a hundred and forty pounds to a hundred and fifteen pounds standard dredge weight. The CMR passed

unanimously the motion to proceed with the Notice of Intent.

On May the 19th, 2015, the Executive Director requested that agenda item F2 which was the basket dredge be tabled until the June CMR meeting. The reason for that was that the Commission wanted to go out for a second public hearing.

On May the 28th, 2015, the DMR staff conducted a second public hearing for the Notice of Intent on basket dredges. Seven people attended that meeting, and all were opposed to banning the basket dredge. That means they wanted to keep it.

At that time, for the Notice of Intent, we received public comments. Forty-six were in favor of keeping the basket dredge and one was opposed to the basket dredge. That gentleman called me this morning, and he wanted to reaffirm that he is opposed to basket dredges.

Then, on June 16th, 2015, the CMR tables a portion of the basket dredge issue and moves forward with the weight changes to the standard dredge, and that became effective August 1st, 2015.

With that, if the Commission so desires to move forward and reconvene the issue of the tabled motion, I will read into the public record the motion.

COMMISSIONER GOLLOTT: I think it's time to look at this thing again because the reefs are in such bad shape and a lot of the fishermen said, yes, you looked at a video, but they had the right amount of chain out. If you give it too much chain, that thing is going to bog and tear the reefs up. That's all I've heard for the last year, that these people are still tearing the reefs up.

Rather than take a chance on that, I would rather just outlaw the basket dredge, right now, until we can get our reefs rebuilt and make sure that we are doing the right thing on how to take oysters. I have even thought about making the dredges smaller and lighter to make sure we're not damaging the reefs, but we're not going to go there, now.

JOE JEWELL: The current basket dredges as they are, they have to meet the hundred and fifteen pound weight requirement.

COMMISSIONER GOLLOTT: Until they start catching oysters, and, then, from I understand, they start pushing down because of the weight that is right above the teeth. It makes sense.

JOE JEWELL: If the Commission so moves forward, we would have to have a motion for Notice of Intent to modify Title 22 Part 1.

COMMISSIONER GOLLOTT: I'll make that motion.

JOE JEWELL: If you do that, I will read into the pubic record the original language that was included in Title 22 Part 1 that was tabled.

COMMISSIONER BOSARGE: Right now at the present, I don't know that it is going to matter, until we get some resource to damage, but how much work was done?

I remember the presentation that you presented, but I don't remember what the outcome was. In other words, we may need a pretty good refresher.

JOE JEWELL: I think the side-by-side analysis proved there was no appreciable difference between the two dredges.

Mr. Gordon is here, if you want to weigh in on that.

SCOTT GORDON: Yes. We can probably show the Commission, at the next meeting, the video that was taken at that time. I believe Commissioner Gollott is correct that a lot of it hinges on how much cable, or chain, is out at the time. Basically, a dredge is a dredge.

If you want to have the least impact, I think you would probably go to tonging.

COMMISSIONER GOLLOTT: But you could see the weight being directly over the teeth, in that basket, pushing it down harder.

SCOTT GORDON: I believe I have stated this to

the Commission before. If I was convinced that they were actually causing damage to the reefs, I would want to have them outlawed altogether, but I'm not convinced of that.

THAO VU: I would like to request to be able to make public comment regarding this basket dredge discussion.

COMMISSIONER GOLLOTT: Go ahead. You've got five minutes.

THAO VU: Yes. Thank you.

JOE JEWELL: Can I state one thing, before you get started?

THAO VU: Yes.

JOE JEWELL: Ms. Thao Vu, for the public record, at the May 28, 2015, meeting was the representative that submitted the forty-six public comments opposing banning the basket dredge.

THAO VU: Yes.

My initial thought on this is that it is deeply troubling to us that this is on the agenda, and this workshop was not notified in advance because this basket dredge discussion actually affects all the Vietnamese American dredgers. All of them dredge. None of them tong.

To give some context and history, when the proposed rule was -- before it was adopted in June of

2015, we had reached out to a lot of our constituents, primarily Vietnamese American fishermen. Every single one of them use a basket dredge. None of them tong. One of the limitations for them is that they don't have a lot of the physical upper body strength to do tonging. So they have been accustomed to dredging.

Also, at the time, we were attending all the Commission meetings and we also viewed the presentation that Mr. Gordon gave and, at that time, that presentation did not give conclusive absolute evidence that these dredges were damaging the reefs.

The other important point we would like to raise is that since the BP disaster, these oyster reefs, mainly in the Western Sound, remain mostly closed. We haven't even had a season where it has been three months consecutively.

We are disputing the notion and claim that these dredging boats are damaging the reefs because they are not even allowed to get near these reefs. That was one of our key contingency issues back then, and we included it in our public comment letter, and the lack of conclusive scientific data stating that these heavy dredges damage these reefs.

The other point is the economic cost. After the rule was finalized, it cost these fishermen an additional

eight hundred to a thousand dollars to modify from a hundred and forty-five pounds down to a hundred and fifteen pounds which is a significant drop. It's not like the dredge weight dropped only five, or ten, pounds, and it is much lighter.

The other thing I would like to bring up is last year during the emergency oyster relay program at the St. Joe reef, several boats were allowed to use a heavier dredge. That is not fair. If the rule has been finalized and it had been, since June 2015, all boats would have had to use that same hundred and fifteen pound dredge. That is blatantly unfair that you would make an exception, during that program, and blame a group of fishermen when you don't even have scientific clear data showing that these heavier dredges were damaging these reefs.

This meeting was very problematic because it wasn't publicly announced. It was not on the website. We found out about it only a few days ago, and I did some outreach to some fishermen. I did share with them to be here at 1:00 o'clock, and, then, right after the earlier Commission meeting, we find out that it was moved to 11:30. That is deeply, deeply problematic.

We expect this agency, in terms of public meetings and workshops, to do it more openly and transparent and give people advance sufficient notice, and

that's why a number of the fishermen were walking in and out because of all these different time changes. They were arriving late and many of them did not even know about this meeting, and this is a critically important issue that they need to be allowed to be given the opportunity to give their input before any vote is taken. Thank you.

COMMISSIONER GOLLOTT: Thank you, Ms. Vu.

This is not pressing. I mean, this is something we are doing for next season. We just wanted to start it and get it out on the table so it could be tabled to the next meeting, as far as I'm concerned.

SANDY CHESTNUT: I would like to point out that any regulation change will have to go out on public notice for comment, in accordance with the Administrative Procedures Act. There is going to be plenty of opportunity for comment.

RYAN BRADLEY: Ryan Bradley, Mississippi Commercial Fisheries United.

I would like to make one statement for the record on this basket dredging issue. If you open the door to outlawing basket dredging, you open the door, like Mr. Gordon said, to outlawing all dredges, and that is something you need to consider. If you outlaw basket dredging, you open the door for these environmental groups

to come in and say, well, if you say basket dredging is bad, all dredging is bad. You need to really think about that.

That's all I've got.

COMMISSIONER GOLLOTT: Thank you, sir.

Anyone else?

JOHN CIRINO: Yes.

COMMISSIONER GOLLOTT: Go ahead.

JOHN CIRINO: John Cirino. Just a question.

Do you have any scientific evidence, or data, that the basket dredges cause negative impact to the reefs and increased mortality, or buried shell?

COMMISSIONER GOLLOTT: Just about the whole State of Louisiana has quit using them.

Back in the 1980's, they just about all went to the automatic basket dredges and everything, and I have talked to different fishermen down there and oyster lease holders, and they have gotten rid of it because it was destroying their reefs.

JOHN CIRINO: I hear that, but I haven't seen any scientific evidence of increased mortality, or burial.

COMMISSIONER GOLLOTT: Have you seen anybody putting the basket dredges on in Louisiana?

JOHN CIRINO: Yes. I've seen basket dredges being used.

I saw the contingent here, and I hear what they say about when the basket dredges showed up, two weeks later there was nothing there. That would suggest to me they are more sufficient. They caught everything, if there is nothing there.

You are making decisions, without any scientific data. You want to adopt a management plan with a quota you don't know. You don't know what oysters are on there. You adopt a management plan without the science to support it. You want to outlaw something because you looked at a video.

Just because everyone else says it does damage, without scientific evidence that it causes increased mortality, or damage, I wouldn't be looking at it until you spent some money and investigate that.

COMMISSIONER GOLLOTT: As much as you know about oysters, would you say letting too much chain out would make a dredge bury?

JOHN CIRINO: Yes. We had that problem before, when the Vietnamese first came here and they wanted us to pass an ordinance of how much chain you could pull. It was basically unenforceable, and the answer to that would be we need to educate these fishermen on how to pull the dredge correctly.

If you are pulling that dredge and burying that

reef, in my opinion -- it's not scientific -- you are not going to be fishing long because you are not catching many oysters.

If you are damaging the reef, you should see it, but I haven't seen it.

If he is pulling it wrong, I can pull a regular dredge with too much rope and it will go under the reef.

COMMISSIONER GOLLOTT: Like I say, I would like to table it until the next meeting, and, then, we can go through all of this and see.

I think we need to do everything we can to protect these reefs and to build them. Once we get them built, it's a whole different ball game, but they are in bad shape, right now.

JOHN CIRINO: Let me add that your Pascagoula Reef has been seriously impacted by the expansion of Ingalls. You have some reports sent to you that they buried a lot of that reef with that expansion. We lost a lot of acreage there. It was damage done, when they built the causeway that wasn't properly mitigated.

You should repair some of that damage, but what we found when we relayed those oysters, as you said, Richard, if you don't fish them they get overcrowded. I believe Mr. Bosarge used the term "ranky". Nobody wants them.

When we relayed them, they blossomed up. The reef grew.

They need working, but there is some serious damage done by the expansion of the shipyard that needs to be repaired.

COMMISSIONER GOLLOTT: I think our staff has done an assessment of that reef, since then.

Haven't you, Joe?

JOE JEWELL: The Causeway Reef, on the west side of it is what we find is the traditional reef. I think John is talking about the other side which was damaged.

COMMISSIONER BOSARGE: That seems to be where most of those clustered ranky oysters are, west of that causeway.

Right?

JOHN CIRINO: Right.

COMMISSIONER BOSARGE: The further west go the better the oysters get.

JOE JEWELL: Mississippi Phosphates terminated most of the available resource, at one point.

I want to ask Sandy a question.

Since this is not an action item -- it actually says on the agenda "Basket Dredge Discussion" -- I think technically the Commission would not have to table it. I think, if you wanted to consider it at the next Commission

meeting, it would have to be put on the agenda as an item for consideration.

Is that correct?

SANDY CHESTNUT: That's correct.

COMMISSIONER GOLLOTT: Just let the staff know to get ready because it will be on the agenda.

Do we have anything else?

(No response.)

COMMISSIONER GOLLOTT: If we have nothing else, we need a motion to adjourn.

COMMISSIONER BOSARGE: So moved, Mr. Chairman.

COMMISSIONER GOLLOTT: We have a motion.

Do we have a second?

COMMERCIAL HARMON: So seconded, Mr. Chairman.

COMMISSIONER GOLLOTT: We have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Opposed?

(None opposed.)

COMMISSIONER GOLLOTT: Motion carries. We are adjourned.

(Whereupon, at 2:12 o'clock, p.m., the March 21, 2017, work session of the Commission on Marine Resources was concluded.)

C E R T I F I C A T E

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing is a true and correct transcript of the March 21, 2017, meeting of the Commission on Marine Resources, as taken by me at the time and place heretofore stated in the aforementioned matter in shorthand, which 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.

_____

COURT REPORTER