COMMISSION ON MARINE RESOURCES

WORKSHOP

Tuesday, December 13, 2016
1:30 p.m.
Bolton State Building
1141 Bayview Avenue
Biloxi, Mississippi 39530

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Commission Members:

Richard Gollott, Chairman

Steve Bosarge, Vice Chairman

Ron Harmon

Mark Havard

Jolynne Trapani

Also Present:

Jamie M. Miller, Executive Director DMR
Sean Morrison, Esq., Assistant Attorney General





COMMISSIONER GOLLOTT: I call this meeting to order.

What we need is approval of the agenda, or any modifications.

Can I get a motion?

COMMISSIONER HAVARD: I make a motion that we approve the agenda.

COMMISSIONER GOLLOTT: Do we have a second?

COMMISSIONER BOSARGE: I'll second that motion.

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.

The Joe Jewell show continues.

JAMIE MILLER: I'm going to lead us off just to kind of give some context for why we got together today.

I think, after the last Commission meeting, either Mark, or Steve, or someone, maybe approached Chairman Gollott about having a more focused discussion on oyster management and kind of how we move forward which, I think, everybody thought was a good idea. So we chose today as our date to do that.





I prepared a memo. Of course, Richard and Steve, or Chairman Gollott and Commissioner Bosarge have been on the Commission for some time and are familiar with the industry and the resource.

Commissioner Harmon joined us about two years ago, I guess now, and we've got two new Commissioners that have just kind of entered the conversation in some ways. I wanted to kind of give some context for them and just make staff available to answer some questions that maybe we don't have time to ask, or answer, during normal Commission meetings.

Before I do that, I would like to also recognize that we've got a court reporter, Ms. Lucille, who is going to be taking down what we say. We've got Sean who is sitting in for Sandy today. Sandy had another appointment.

I think everybody else is staff, and, then, we've got Mike Cure with Bayou Caddy Fisheries here. I don't think we've got anybody from the press that I have seen.

With that in mind, I try to outline a purpose and goal and some of the background of oyster management, just kind of as the agency has been a part of it.

Generally speaking, for a long time, for many decades our oyster industry was basically managed fairly





simple and straight forward. We would have an opening in the fall and closures in the spring, and most of the authority, at least most years the Commission would give the Executive Director the authority to set some daily sack limits, and, then, based on effort and what resource was being taken from the reefs, there would be some point where there would be a recommendation for closure.

For the most part it rocked along that way really until, I would say, 2005 when Katrina hit and we had a devastating kind of impact to the industry. Of course, we received some federal funds. The Agency went to work to restore those reefs, through normal processes, cultch plants, cultivation, we did relays and employed the fishermen to do mapping.

We were closed, during the 06 and 07 years and, by 2008, we were producing above a hundred thousand sacks. In 2009, we were back to three hundred and ninety thousand sacks of oysters.

Then, in 2010, of course, the oil spill hit and we had a fisheries closure, and, then, following that, in 2011, we had the Bonnet Carre Spillway which released fresh water and we had another fisheries disaster.

Production was greatly impacted. There was a huge interruption to the industry.

By 2012, the State had received some natural

damage resource assessment money, or NRDA, and had invested eleven million dollars in cultch plants, and, at the time, in 2012 and 2013, just before I arrived, there was about fourteen hundred acres of reef area that, I think, we put limestone out at the time.

It was a large investment kind of on the heels of an investment that was made after Hurricane Katrina.

In 2014, we finally received some disaster money from the Bonnet Carre Spillway request we had made. It finally showed up and, I think, by 2015, we actually had the grant agreement and all those things were put together.

The first deployment of that money was this year, when we paid for the relay, when we had another scare from the Bonnet Carre when it was opened, and we mobilized and ended up hiring fishermen to move about forty thousand sacks of oysters and shell and hatch probably back toward Pass Christian and even all the way to Biloxi.

When I got here in 13, really about 14, the industry was kind of at a low. I think that the 14-15, we had harvested about six thousand sacks.

I reached out to the Governor and said, "We've got a real issue here and we are going to need your help and your leadership to pull this together. Larger than





just the industry, or any one user group, we are really going to need a bigger collaborative to kind of move this forward."

So he obliged and put forward an executive order. We established the Governor's Oyster Restoration Council, had a chairman and committee heads, and basically broke up into three committees and what I thought was real representation from the industry and others on the committee about the oysters and the economy, and, then, we had scientists working on the environment side, and, then, we had a group led by Corky Perret and Clay Wagner on emerging technologies in aquaculture and how that may fit into our future.

We went through that for several months and, eventually, produced a report to the Governor which he accepted and we had kind of a closeout ceremony and he kind of gave us our charge.

In that report it lists a whole host of, I guess, tactics, or different means to employ to see if we can't -- really with a goal of making the resource more sustainable, moving forward, so we didn't see these great peaks, and, then, very deep valleys after these manmade, or natural, disasters.

Just a few of the big recommendations that came out of it were we need to continue to enhance our public





reefs through cultch planting, through all those means that we traditionally had deployed, but we also needed to have a sustainable management strategy which also included harvest.

Another one was to incentivise private lease development, or incentivise more private leases in the Sound that would encourage more private production.

Of course, the other one was that we would engage in an aquaculture kind of program that would include a hatchery and potentially leases for off-bottom oyster farms.

We went to the legislature and tried to streamline some of the lease requirements to make them more favorable in Mississippi.

We went back and addressed some of the tideland parks this year that dealt with leases and where they could exist. We have worked in that direction.

The Governor, of course, announced this year that he would invest a million dollars in an oyster farming training program that we kicked off.

He just recently announced eight million dollars for an oyster hatchery that will be operated by USM.

We have been moving forward really with what recommendations came out of the plan.

As it relates to a sustainable resource, we





switched really two years ago, I guess, Joe, into a heavy sampling regime where we sent our staff divers and did one-minute square meter samples on all the reefs, one minute dredge tows, all to form a stock estimate.

One of a handful of ways to make recommendations about harvest would be that we would do stock estimates each year and recommend a quota for how much we should take to make sure that we were keeping the reefs sustainable. That's one of a few things that could be done, but it's the one that we adopted and practice and what we have been presenting to the Commission, at least the last two years.

Now, there have been questions about whether that ultimate recommendation for a quota should be ten percent, thirty percent, sixty percent. Those are details that I hope we can discuss.

COMMISSIONER GOLLOTT: Why don't you stop right there and let's discuss it while we're thinking about it?

JAMIE MILLER: Let me say one more thing. I'm almost finished.

What I hope that we can move toward really for the Commission and the staff, the staff has really bought into this, at least the idea that we want to do the best for the Commission and for the resource, and that's why, when we present those recommendations each year and each

time we have an update, we are basing our recommendations around what we have adopted in practice as a sustainable management model.

Now, we have talked about a shell budget. We have talked about a crop rotation where you would open up a reef, fish it, and, then, take off a year, fish it and take off a year.

We are not saying there are not other ways to do it sustainably, but we want to meet the expectations of the Commission and what they want to see year after year, but we believe the goal is a sustainable resource.

Once we have that kind of laid out and agreed upon, then, it will inform all of our other operational decisions about where do you cultch plant, where do you budget, where do you relay, where do you cultivate. All those things will fall in line, once we have, for lack of a better word, a management strategy, and, really, it revolves a lot around how we are going to recommend harvest each year.

We are open to different models to do that. We just want everybody's opinion, especially Jolynne and Mark who have not been able to participate in the council, or the history of all that.

I say all that to lay out kind of where we are and where we can take the discussion. We think we have





made a lot of progress, although we probably don't see it in actual number of production and sacks. I think we have done some other things, and I think we are close to having a management strategy that would be consistent with what the Commission and the Governor's Council and our agency would like to move forward with. I hope we can get there.

COMMISSIONER GOLLOTT: Backing up to quota, how did y'all come up with that?

What science are you using that says that we are supposed to leave seventy-five percent of the oysters, or fifty percent of the marketable oysters out there and it will help us?

I have talked to two Oyster Biologists, Corky Perret and Ed Cake. Both of them say it is ludicrous to leave harvestable oysters out there, that it does absolutely no good. One oyster one-inch long lays over a million eggs a year. There is plenty of spat to bring the reefs back.

Just tell me what your scientists -- who has done this?

Who has proven that it is the best thing?

COMMISSIONER BOSARGE: I think Corky Perret would also tell you it is ludicrous to work the same bottom two years in a row.

COMMISSIONER GOLLOTT: I don't think so.





COMMISSIONER BOSARGE: I have had the conversation with him, also.

COMMISSIONER GOLLOTT: I don't think so. If the oysters are over three inches and you are culling them -- back two hundred years ago, that's when they came up with this, or a hundred years ago they came up with culling the three inches, and it has been working ever since.

The biggest thing that has hurt us is saltwater intrusion. That is what is killing us.

COMMISSIONER BOSARGE: And I agree, but I agree with Jamie, until we come up with a management strategy to where everybody knows what we are going to do the coming year within reason. That is, we are going to take thirty-five percent, or we are going to rotate crops.

I really like the idea that Kelly presented where, if we are not going to do rotation, we are going to take a certain percentage off of each reef and, when it reaches that percentage, that reef closes. I thought that was a pretty good management strategy.

We need to come up with a management strategy where everybody knows what to expect the coming year -- I can understand Jamie's point -- so he knows where he can do his cultch plants and he knows when he can do them.

We can't do this to where we just sit in front of the Commission and we all debate on what we think





because where your thought may be one thing and my thought is something else, neither one of us may be right. We need to decide on a management strategy.

COMMISSIONER GOLLOTT: Well, I'm making my decision off of experience and, too, I'm talking to the oyster fishermen themselves to see what their experience has been, like Mike Cure here.

He's been in the business what, fifty or sixty years, Mike?

MIKE CURE: About forty-five.

COMMISSIONER GOLLOTT: About forty-five years, and he's an oyster fisherman, plus he plants his own reefs in Louisiana. He's in Bayou Caddy.

Mike, do you see any reason to leave seventy-five percent of the --

COMMISSIONER BOSARGE: (Interposing) Nobody is saying to leave seventy-five percent.

COMMISSIONER GOLLOTT: Well, that's all you want to harvest is thirty-five percent. So sixty-five percent.

COMMISSIONER BOSARGE: Richard, I think the strategy is to leave that on the reef while we're in the rebuilding mode.

We've got a lot of rebuilding to do and, until we get to that point --

COMMISSIONER GOLLOTT: (Interposing) Well, we

did it for two years in a row and they all died.

COMMISSIONER BOSARGE: Well, we also moved oysters off of a place and put them and killed them, too. Let's don't go --

COMMISSIONER GOLLOTT: (Interposing) Where did we move oysters and kill them?

COMMISSIONER BOSARGE: We moved oysters off of St. Joe and put them on whatever the name of that reef is, and, then, low oxygen killed every one of them. Let's don't go arguing over what we might have done. We are here where we are, now, and we need to move forward.

I think it would be best if --

COMMISSIONER GOLLOTT: (Interposing) I'm asking the staff to give us the reason they want to keep so many oysters on the reef that are three inches.

COMMISSIONER HAVARD: First of all, we've got to come up with a plan.

What is our plan for the next three years?

What is it for ten years?

COMMISSIONER GOLLOTT: Well, unless you know their science, or where they are coming from, you can't come up with a plan.

COMMISSIONER HAVARD: Right now, I think their science is irrelevant, until we come up with a plan and ask them what does science say that we've got to do to





achieve our goal. We've got to get a goal, first, and, then, we can ask questions on why and how and who.

COMMISSIONER GOLLOTT: My goal has been to keep these fishermen busy and not starve them to death and not close the reefs down. Let them harvest what they can.

To me, the only way we are going to enhance this thing and bring it back is planting in the areas that we are getting spat set and we are getting oysters growing and they are not dying from low oxygen. Concentrate in those areas. Don't concentrate on these areas where we have already wasted ten million dollars out here and we still haven't gotten anything.

Relay oysters out of Pascagoula where we've got a lot of oysters into Biloxi Bay, or off of Pass Christian, where they can keep working. The boat can move fifteen hundred sacks a day. Every ten days, that's fifteen thousand sacks. We've got that many oysters in Pascagoula that could be moved and enhance these reefs.

COMMISSIONER HAVARD: That works for this year.

COMMISSIONER GOLLOTT: It works for next year, too.

COMMISSIONER HAVARD: We can harvest them for next year.

COMMISSIONER GOLLOTT: Yes.

COMMISSIONER HAVARD: What about the following





year?

COMMISSIONER GOLLOTT: It works for all three years because you transplant oysters out of Pascagoula. You take everything, two inches, three inches and small oysters.

COMMISSIONER BOSARGE: I don't have any problem with that. You take everything.

This is where my problem is --

COMMISSIONER GOLLOTT: (Interposing) Wait a minute. Let me finish, now.

We take everything and we put it in Biloxi Bay. They go out and they harvest the three-inch oysters and leave the two-and-a-half and the smaller oysters there for the next year and the next year.

COMMISSIONER HAVARD: Every time they harvest a three-inch oyster, it has the next four years' worth of oysters on its shell.

COMMISSIONER GOLLOTT: Yes, but you are culling.

COMMISSIONER HAVARD: You can't cull these little spats.

COMMISSIONER GOLLOTT: That's where experience comes. When you have oysters that have six oysters on a shell, you have to cull them down.

In Pascagoula, they are growing what we call ranky. There are so many oysters and so clustered up, you





need to bust them up for them to grow because they are just overpopulated. They are not getting enough to eat.

COMMISSIONER BOSARGE: I will agree with that, but I don't think we need to move Pascagoula to Biloxi.

COMMISSIONER GOLLOTT: I'm just using that as an instance.

The next thing is, when we go in an area and take all the oysters out, plant it back. In eighteen months to two years, you will have three-inch oysters again.

COMMISSIONER HAVARD: That brings up another good point, when we take all the oysters out.

That's our problem, now.

COMMISSIONER GOLLOTT: You can't take all the oysters.

COMMISSIONER HAVARD: For the past forty years, we have overfished --

COMMISSIONER GOLLOTT: (Interposing) No. That's bogus. We haven't overfished anything. We have had saltwater intrusion that has killed the oysters.

You can't over fish a reef, if the spat set is going and you've got the ideal water conditions. You can't over fish it.

COMMISSIONER BOSARGE: I disagree.

COMMISSIONER GOLLOTT: Well, let's ask Mike Cure

what he thinks.

COMMISSIONER BOSARGE: Mike, do you fish the same grounds on your leases every year?

MIKE CURE: I do, sir.

COMMISSIONER BOSARGE: That's not what I've heard you say before.

MIKE CURE: You have never heard me say I have never fished my grounds every year. I fish my grounds every year, sir.

COMMISSIONER BOSARGE: Most everybody in Louisiana plants one year. Lets it rest a year. Fishes it the next year.

MIKE CURE: Excuse me.

Say that again, please.

COMMISSIONER BOSARGE: They plant one year. Let it sit a year. Then, they fish it the next year.

MIKE CURE: When we plant, it usually takes two to three years to get a crop to start off with, but we fish our oysters every year and we rotate our boats on our reefs.

COMMISSIONER BOSARGE: What I think we need to do here, we need to hear from the staff.

COMMISSIONER GOLLOTT: That's what I'm asking.

What do they want to do?

Give us some science.





JAMIE MILLER: Well, I'll start it, and, then, we can get the real smart people involved.

A stock estimate and a quota is one way we have identified. I think it is a standard of managing sustainably. It's just one of a few different ways to manage.

The thirty-five percent, honestly, we have contacted and stay in contact with a host of biologists in the Gulf, in Chesapeake and other places, and they always seem to say, "Well, where do you think your fishery is? If it's abundant and you've got millions of sacks of oysters, sure, take more than thirty percent. If you think you're in a rebuilding phase, it's like with anything. It's where you are starting from."

I don't think we are too hung up on whether it's thirty-five, or thirty, or twenty-five. All those things, I think, are negotiable.

The question for us is, do we want to continue to send our biologists out and do hundreds of dives to develop a stock assessment -- whatever that quota is, thirty percent, twenty percent, or sixty percent -- or do we want to just shift totally to a crop rotation sort of scheme where we say we're going to open up St. Joe this year, and, then, next year it is going to be shut down and we will move over here, and, then, we will cultch plant at





St. Joe. That is kind of a different philosophy, different way of managing sustainably.

The other strategy we talked about and continue to have a lot of discussion with Louisiana about is shell budget model which is not fully understood in every way, but we have been collecting that information because I think one of the other things that everybody seems to agree on is oyster shell is the best habitat and the best cultch material on which to grow oysters.

To the point of why would you leave oysters back in the water, well, fundamentally, I think our staff is convinced that we are trying to rebuild reefs. We are not where we were in 2004, and the most valuable thing that we can't seem to get our hands on, but it is right in front of us, is a live oyster and an oyster that is already on the reef.

There needs to be some budget, some allowance for leaving some of that reef there so it is going to catch the next year's spat set. Now, that's a high level general idea.

I don't think oyster management will look the same four years from now as it does today.

COMMISSIONER BOSARGE: I agree.

JAMIE MILLER: It didn't look this way in 2004, when we were harvesting half a million sacks. We didn't





even question what those things would look like.

Joe, can you add, or elaborate, on how we got to a stock estimate with a preferred quota?

COMMISSIONER GOLLOTT: Can I say something, before Joe starts?

JAMIE MILLER: Yes.

COMMISSIONER GOLLOTT: I think your assessing the reef is a good thing. I don't think it's a bad thing. I think wanting to leave seventy-five percent on the reef is bad. I think you can manage with your assessing how many oysters are out there.

Comparing us to Chesapeake Bay is apples and oranges. It takes twice as long for an oyster to grow to three inches in Chesapeake Bay. It's a whole different world, when you get up on that East Coast in that colder water.

Now, Louisiana and Mississippi are real similar. Even Texas is similar to Mississippi, but going up on the East Coast, the Carolinas and all that, is a different world up there.

I think your quota system is good. I just think we need to come up with a percentage that lets these fishermen make a living, while this thing is rebuilding. Like I've said -- I wish somebody would prove me wrong, if I'm wrong -- I don't think you can leave enough oysters

out there that is going to help you next year, or the year after, for spawning. You are going to get a lot of spawning out of the two-and-three-quarter inch oysters that you leave out there, and all that small stuff that you leave out there is going to lay eggs and, in two years, you will have a crop out of that.

When you harvest the same bottoms, you go out there -- they only harvest six months out of the year -- and you are cultivating these reefs and you are turning these oysters over and you are making it better.

As long as you don't get Dermo, or high salinity, you are in a rebuilding mode, as long as you take care of those reefs.

Go ahead, Joe. I'm sorry.

JOE JEWELL: I'm trying to take all of that in because there is a lot of information out there and there is a lot that the Commission has to consider.

Particularly our two new Commissioners that are relatively new to the playing field, there is a lot of information, a lot that has to be absorbed pretty quickly to make a management decision and to sort of get a feel of the playing ground that we are working with.

First, I want to take on the issue of depleting a resource. The staff does believe you can deplete a resource to where it is nonsustainable, and we feel that





we are awfully close to that, if we are not at it, right now.

Then, two, the concept that the reef can regenerate itself in spite of whatever you take off of it, that is a legitimate argument, but contrasting to that, just opposing to that is a legitimate argument that you manage the resource not only for today, but for tomorrow.

It is awfully hard to be at a Commission meeting, not only as a Commissioner, but as a staff member, and have a fisherman stand up there and talk to you in a very emotional sense about how they have to make a living. They have to pay their bills and they have to support their family off of a resource that you manage, but this resource is at such low levels, now, it is really at a tipping point.

A good example of that is in Biloxi Bay after Katrina where we depleted that resource down to almost no resource, and we had a good management reason why we did that because we were trying to recover from Katrina and build up our reefs which we did a pretty good job, as Jamie pointed out early in the discussion, but what we didn't do so well was we didn't repopulate Biloxi Bay, and that Bay did not recover until the last two, or three, years, when we started relaying from St. Joe and from Pascagoula into Biloxi Bay and repopulating that area.





If you deplete an area -- Biloxi Bay is a good example -- below its sustainability, its ability to come back takes a long time, at least a decade, as we have proven in Biloxi Bay.

There is some scientific evidence that if you do those types of activities, the consequences are not as positive as you would think they would be.

COMMISSIONER GOLLOTT: Wait a minute, Joe.

Can I say something right here?

JOE JEWELL: Sure.

COMMISSIONER GOLLOTT: You cannot compare Biloxi Bay with the reefs down here. The Biloxi Bay is all soft reefs. When you take something out of there, you leave mud.

You know what I'm saying?

You take the reef out, when you dredge oysters in Biloxi Bay.

JOE JEWELL: I agree with that.

COMMISSIONER GOLLOTT: This is all hard reefs. You can't drive a stake down in there, and there is plenty of cultch material down there.

The Biloxi Bay, I agree with you because we took everything out. If you are ever going to rebuild Biloxi Bay, you are going to have to do just like we are doing. You limit what you are taking out of there, but it's not





because Biloxi Bay doesn't get enough spat.

There are enough closed areas surrounding the Biloxi Bay with millions of barrels of oysters that spawn that have to cross over these reefs. If you put shells in Biloxi Bay, no matter how many these tongers take out, you are not going to deplete Biloxi Bay as far as spawning material.

You know what I'm saying.

JOE JEWELL: Yes.

COMMISSIONER GOLLOTT: The closed bedding ground is full of oysters. Davis Bayou is full of oysters. All of these oyster reefs are around that the fishermen can't even touch that, when they spawn, all this material goes over the top of these oyster reefs.

All we've got to do is put the shells in Biloxi Bay and it should recover.

One of the things, too, in Biloxi Bay, you've got a muddy oyster, and those spat can't set on mud. You have got to have a clean shell there for them to set on.

Just to make the comparison of Biloxi Bay to these reefs in the Western end of the Sound which are solid, you can't even put an anchor in Pass Marianne it is so hard. They've got so much shell material there.

Go ahead, Joe. I'm sorry.

JOE JEWELL: We have had this discussion. I

have spoken with at least three of y'all and given you this scenario.

If you have a hundred thousand sacks over in the Western Sound and those are market size harvestable oysters and, say, you've got fifty thousand the next size under that are not harvestable -- let's say it's a perfect world -- if you harvest all hundred thousand sacks off of there, well, next year the most you are going to have is fifty thousand.

Right?

COMMISSIONER GOLLOTT: What about the growth?

I mean, they are going to pick up another inch.

JOE JEWELL: That's right. They are coming and you've got oysters coming in the system, but you are also taking more out than that hundred thousand because there is spat and other oysters that are on there that can't be culled. So you are taking that out.

COMMISSIONER GOLLOTT: Joe, I don't think the fishermen are going to stay there and take the last oysters out of there. If they can't make a good living, they are going to move to another area.

Go ahead.

JOE JEWELL: Well, my point is the more you allow that to happen the less and less resource you are going to have available and, eventually, that strategy





will catch up with you, and it is catching up with us, now.

COMMISSIONER GOLLOTT: Only if you don't get a good spat set. If you get one good year of spat set and it holds, you are ahead of the game, way ahead of the game.

SCOTT GORDON: We have had spat failures.

COMMISSIONER GOLLOTT: Yes.

SCOTT GORDON: On this map in front of you, all those green hard reef areas, there were a couple of years prior to Hurricane Katrina that area outproduced the entire Eastern Coast of the United States in oyster production. That is pretty prenominal. We had some of the most productive oyster bottoms in the world.

After the 2011 flood, the great Mississippi River flood of 2011, we were undergoing an extraordinary drought here at that time and, instead of getting a hundred percent mortality that I thought we were, we only got about ninety percent mortality.

We had a spat failure immediately following that because of all that freshwater. We had the Mississippi River running through here for a couple of weeks. It sterilized all of the marine vertebrates and invertebrates in that area that normally would feed on organisms that are going to be growing on the shells.





That fowled the shell and, like Richard was saying, if the spat doesn't have something clean and hard to attach to, it is not going to live.

I remember Dr. Cake, at that time, talking about he wondered whether our brood stock got below a point where we were not going to be able to repopulate the reef areas as quickly.

I never thought I would see a day like that, or conditions such as that, but I believe, if we weren't there, we were very close to it.

We had moved some oysters with the Conservationist over to the St. Joe Reef area, in order to have some brood stock in that area, and I would like to think that that helped repopulate the Western Sound and also some of the Louisiana reefs that are in adjacent waters.

Can an area be overfished?

Corky never liked us to use those terms, but I believe they can be overfished, and that's my big concern. The thirty percent that we were recommending as a harvest level, that was an attempt to try to get these areas rebuilt a little more quickly.

Could we go and be happy with a higher catch rate?

As long as we have something, but just open-





ended like this, I don't think it is going to be productive.

I also field a lot of these calls from the oyster fishermen, and I really feel for them. I understand what a tight bind they are in. I want to see them catch as many oysters as they can and make as much money as they possibly can, but not just for this year. I'm talking about next year and two, three, four years down the road.

COMMISSIONER BOSARGE: In your guys' estimation, what would be the best management strategy to proceed with?

What is your recommendation for a management strategy?

I hear Richard talking about Chesapeake Bay, and I disagree with him somewhat in that we can't compare ourselves with the Chesapeake Bay, but those folks had these problems that we are having, now, years ago, and they have been through all the scenarios, and they figured out what it took to keep their oysters and to make them grow, and I think up there it's every third year.

The way they have done things and the things they have done, we need to learn from. Not necessarily adapt them, but learn from it.

Can you give us a management strategy?

What do we need to do?

I know the fishermen need to work. We all know that, but we could just say, yes, open it up, and they all go out there and, when it's all over with, we will all just go home.

JOE JEWELL: You only have a handful that the Commission can consider. You've got the oyster budget, the oyster model, but that is a newly developed tool. It is very labor intensive. It takes a lot of time to develop that data base.

COMMISSIONER BOSARGE: That's the strategy where you look at the reef and you look at the composition of the reef and you look at the percentage of the reef you haul off, and you try to stay within a certain percentage where it's a negative impact to the reef.

JOE JEWELL: As far as a practical tool, that is probably not going to fit the time frame that we are in, right now.

You've got that potential tool available, and, then, you have crop rotations, or area rotations. The issue with that hand right now is the fact that there is so little resource in all of those areas. If you close one area down and you say, "This area is available for you", well, there is not much there. It can't support the fleet.





You've got a two hundred vessel fleet out there and you tell them to go to Telegraph, or St. Joe. St. Joe has so little on it, right now, it won't support that. Then, you open Pass Marianne the next year. Well, there is not enough resource.

We are not at those levels that can support that type of rotation, right now. I sort of question the utilitarian of that type of strategy.

Really, the only option you have is the quota that would be effective, and how you implement that, you've got a couple of options.

The Commission has chosen over the last two years to implement a global quota over the whole season, but you can implement it over an area, or over certain areas, or over certain reefs. You've got certain ways that you could do that.

As a strategy, you have multiple tools that you could use to manage the reefs at a sustainable level, but practically, you really only have one, or two, that you could use that would put an impact on not only the resource, but the fishermen, and you've got to balance those two.

COMMISSIONER GOLLOTT: Well, one of the things that keeps burning in my mind is the two years, the NRDA area that we didn't touch, DEQ says don't touch it; we





want to see what happens. Well, they all died.

We went out there the next year and they had plenty of three-inch oysters we could have harvested. Our fishermen could have made a good living out there. We went out there the next year and they were all dead.

Henderson Point last year, beautiful. We left no telling how many oysters on there because we wanted to keep some. We went out there and they are all dead.

What do you do in a case like that?

Do you let people go make a living and catch the three-inch oysters and leave the culls behind for next year and the year after?

SCOTT GORDON: Well, if they hadn't died, we would have been heros.

COMMISSIONER HAVARD: I think what you do is you have a plan in place that is able to overcome such a circumstance.

COMMISSIONER GOLLOTT: Well, the only plan I can think of to come up with is to have enough oysters in Pascagoula and Biloxi where you can relay out of those and replenish these areas when you have a natural disaster.

COMMISSIONER HAVARD: That's why we have a whole team of folks in this room to come up with more suggestions.

What is the proper recovery level?





COMMISSIONER GOLLOTT: Well, we're not adopting anything today. We are just knocking it around.

COMMISSIONER HAVARD: What is a sustainable level?

COMMISSIONER GOLLOTT: I would like to get a couple of oyster biologists to tell us what they think, too.

COMMISSIONER HAVARD: Is it different on this reef than it is on this reef, or are you looking at Mississippi as a whole?

COMMISSIONER GOLLOTT: I was looking at the area as a whole, to be honest with you.

COMMISSIONER HAVARD: Those are the questions that I have.

COMMISSIONER BOSARGE: We can't do what we've done this year, and that is to put everybody in one spot and just hammer that spot. In other words, to me, that is not a strategy.

COMMISSIONER GOLLOTT: I don't know. Mike says there are still plenty of oysters in St. Joe Channel down there.

COMMISSIONER BOSARGE: Good. I'm glad. I'm glad to hear that.

COMMISSIONER GOLLOTT: I am, too.

COMMISSIONER BOSARGE: I'm glad to hear there is

something left because you can bet it has been turned over.

COMMISSIONER GOLLOTT: The first year they said there wasn't anything; keep St. Joe closed. They harvested them. We moved forty-seven thousand sacks of oysters out of there last year, relayed them out, and, then, look at all the oysters that have been harvested out of that area.

For two years they said, don't open it; there isn't enough there.

Then, they come back last meeting and said, we can't estimate what is there because it's too deep and the tug boats.

COMMISSIONER BOSARGE: That's why I like the strategy of each area being independent and taking a certain percentage from each area. To me, that keeps each area from being overfished. Right now, I see that as the only option we have.

Once we get somewhat into this rebuilding and hopefully some of these reefs come back -- you talk about the die off of these oysters. I agree. It's a shame that we missed catching those oysters, but the plus side of that is it built that reef.

COMMISSIONER GOLLOTT: Come on, man. There are enough oyster shells down there. They are ten foot deep.





You don't need to build any more reef.

COMMISSIONER BOSARGE: There are still more oyster shells on it, now.

COMMISSIONER GOLLOTT: Yes, I guarantee you, and what we need to do -- Scott Gordon had the best idea -- is go out there with the Conservationist and move them up underneath St. Stanislaus and off of Henderson Point.

COMMISSIONER BOSARGE: I agree. I think that is probably an option we should look at, but, right now, we have got to come up with a strategy to rebuild what we have.

COMMISSIONER GOLLOTT: Those reefs may never come back with the saltwater intrusion, if we don't do something.

COMMISSIONER BOSARGE: Well, let's hope they do come back.

COMMISSIONER GOLLOTT: I understand, but, if you do get a good spat set --

SCOTT GORDON: (Interposing) Well, that's my concern. We are working with NASA, right now, to look into some of these things. That's a theory that I had. Well, there are a couple of folks that have that, and it is all tied into the Louisiana marsh going away.

Years ago the Western Mississippi Sound, it was the perfect condition to grow oysters. We had the right





salinity regimes through there. Now, with losing so much of the Louisiana marsh and we're losing this freshwater, it's not just the saltwater coming in. We are not retaining the freshwater within the Sound.

That is going to change the whole physical makeup of the Western Sound and where the oysters are going to be able to survive.

Mike knows, with his leases down in Louisiana, how that has changed over the years and how much that marsh has changed.

After Katrina, we saw a lot of marsh that had gone away, but we have also had some of these areas where it used to be marsh, or it used to be islands, that have scoured out and, now, the water is draining a different way, instead of coming across these reefs and keeping the Dermo back and keeping the oyster drills away from the area and protecting the near-shore reefs that are getting their freshwater source out of St. Louis Bay.

That is the biggest problem that I have ever seen us face here, and it is going to have to take a lot of different strategies on how we manage this area.

COMMISSIONER TRAPANI: With that said, we are kind of all talking about tactics here, and I think that the one thing everybody in this entire room will agree on is that what we are doing is not working. I think





everybody is in agreement of that. We don't have the oysters that we need to have for the industry.

I understand that we are going through all of these different management ways, but we need to try to get to one way that we are going to manage this so we, as a Commission, can also do our job and apply it.

With what you said, this is going to change every year because this is the environment. We also have to have it open-ended enough that we can go, wait. This happened. We have to change that.

Everybody can have different beliefs on the way that it might work better, but I think that what we need to do is you actually, or whoever is going to lead this, agree these are the management ways that we should do it, and present that to us -- y'all might have done this -- and let us see.

Then, the other side of it I think we need to do, Mike is here. He's industry. He produces tons of oysters, and he is only three miles away from some of the reefs.

In your experience, which one do you actually think works better?

That is somebody doing it every day.

Let the scientists say these are the three things that work, and, then, us as a Commission decide

this is what we are going to do.

Of course, just like we are doing with the Speckled Trout, it is assessed every year. It's not set in stone, but we have to do that because we are all over the map. Nobody knows what is working and what is not. Nobody can really say that this works, or that works, because we are not going by anything, but just your thought that day, or this person said this.

That's just my opinion. I'm not a scientist and I know I'm the new kid on the block here, but that's what I'm picking up as to what is going on, and I think that we need to get to some consistency on how we are actually going to do this.

JOE JEWELL: I think you are picking up on it pretty good.

If you look at last year when we managed the resource and we set a quota, it was an El Nino year and it was rainy.

This year is not an El Nino year. It was relatively dry. When you try to intermix the interaction with the environment with management tools, it can be very challenging.

Then, if you look at Mike Cure, Mike has leases in Louisiana and he's got leases over here. It is sort of a balance. When the five-mile gap got enlarged with





Katrina, it allowed for that freshwater to flow in a different pattern. It traditionally flowed normally out through the Mississippi Sound over our reefs and kept those salinity levels, at a critical point in the reproductive cycle. That's why we had such large harvest of that key part in their reproductive cycle.

When that marsh got blown out in Hurricane Katrina, what happens now is a lot of that freshwater moves out through the Biloxi Marsh and not over our reefs. When we say the salinity regime has changed, that's what is happening.

Mike has been the beneficiary of all that freshwater. Some of those large lease holders are down there in the Biloxi Marsh and they have benefitted from that freshwater. Whereas, we are no longer benefitting.

COMMISSIONER TRAPANI: Aren't ours close enough to his that --

JOE JEWELL: (Interposing) No, they're not. That Sound, it is a very dynamic environment down there and, when it comes out, it flows almost due south, now. Before it would come more toward Cat Island, before it cut down through the Chandelier Sound. Now, it makes almost a due south curve, when it comes out of that channel.

What happened is the Biloxi Marsh sort of kept it up further north and relayed right over the top of our





reefs.

SCOTT GORDON: We still get water across the St. Joe Reef, but it's not as much as what there used to be and what used to flow across Telegraph and Pass Marianne Reefs, and, then, it would go south through the Cat Island channel.

COMMISSIONER TRAPANI: Is there any solution for that, then?

This is how the water flows.

JOE JEWELL: Ten years ago, we used to have huge harvests off of Telegraph.

COMMISSIONER TRAPANI: Is there any solution?

You can't control the water flow.

JOE JEWELL: Well, we have tried to work with Louisiana and try to fill that gap, and it was --

COMMISSIONER TRAPANI: (Interposing) I mean, we could be replenishing all these reefs that y'all are saying the water isn't going to flow right and they are not going to come back because of that.

Why are we doing them for nothing because we can't control the damage Katrina did?

JOE JEWELL: We have no intention of shell planting back on Telegraph, or any of those --

SCOTT GORDON: (Interposing) We have changed our strategy, since this has occurred.





JOE JEWELL: These are the reefs that we are talking about. The Biloxi Marshes are right here. We are going to do more shell plants closer in (indicating map).

SCOTT GORDON: Harold Strong, his thoughts are my thoughts, too, that the reefs are going to shift to the north and to the west closer to the freshwater sources.

COMMISSIONER BOSARGE: I agree.

COMMISSIONER GOLLOTT: What we can do is we can manage it like the last two years and not put any shells in these areas where they are not producing.

We should go into Pascagoula and divide it up into three sections and say, okay, we're going to bed this one this year and in three years, when that oyster is harvestable, or two-and-a-half years, we are going to go in there and move it to where we need it into clean water and work on getting those areas cleaned up, and Graveline Bayou and Pascagoula, some way to harvest oysters there.

COMMISSIONER HARMON: That's what I would like to see is progress on the east side.

COMMISSIONER TRAPANI: I have a question because y'all had said, prior to that, we were harvesting four hundred thousand sacks which is wonderful, but, then, we had Katrina and y'all said that changed the way the water flows, but, then, we have seven, eight and nine that we are back up to a hundred thousand sacks. That couldn't

have been Katrina because that was after Katrina and, now, of course, we have dipped down.

SCOTT GORDON: I asked myself the same question; why did that happen that we still had relatively high landings after Katrina.

Katrina knocked out these islands and marsh, but still those water bottoms had not scoured out.

Now, that area is scoured out deep enough where you can have shrimpers shrimp through areas that used to be marsh, or used to be islands. It took a period of time for that to scour out, and that's why we did see some of the higher landings because even though that marsh and the islands were gone, we were still getting a predominant amount of the flow across our southern reefs.

COMMISSIONER GOLLOTT: One of the things that we have done -- I don't know if Jamie wants to mention this, or not -- we met with the Corps of Engineers and talked about diverting the Mississippi River into the Pearl River.

You have some people in North Mississippi that are wanting to dam the Pearl River up and we have stood in their way. We told them if they would help us with a diversion up around Natchez coming into the Pearl where you could regulate the Pearl River, you could get the amount of freshwater you need to bring these reefs back.





COMMISSIONER TRAPANI: Is that really our problem for some of these reefs?

COMMISSIONER GOLLOTT: Yes, that's our problem, saltwater.

COMMISSIONER TRAPANI: That is something that we can't control.

COMMISSIONER GOLLOTT: No, but we can control trying to keep these fishermen alive and letting them catch enough oysters, until we could get something like Pascagoula going.

Pascagoula is already there. It's a goldmine. We could move a number of oysters out of there and never hurt it the least little bit. When we used to dredge oysters down there, they were so thick they needed busting up real bad.

I would love to see where Mike and them moved those oysters off of Pascagoula, off the bridge down there, what it looks like today, after they moved those oysters.

What was it, two years ago, Mike?

MIKE CURE: I believe it was two years ago.

COMMISSIONER GOLLOTT: They have got to be absolutely beautiful, after breaking them up.

COMMISSIONER BOSARGE: They are still clustered up, believe it, or not.





COMMISSIONER GOLLOTT: Are they?

COMMISSIONER BOSARGE: Yes.

COMMISSIONER GOLLOTT: They catch so much spat there. They have got to stay clustered up. You have to get them out of there.

COMMISSIONER BOSARGE: It's a good place. It's a good reef. It hasn't been open since, I think, 1958, 1959, or 1960, somewhere around in there.

COMMISSIONER GOLLOTT: When spat sets in Pascagoula, it's spat on top of spat. You get just clusters of oysters. Really, moving them and breaking them up and everything and building reefs with them would be the best thing to do with them.

COMMISSIONER BOSARGE: The last thing I want to do, like I say, is to haul off all of Pascagoula just to try to benefit this end. Don't get me wrong. We don't have any choice. We are going to have to move some of those oysters from Pascagoula to try to reseed --

COMMISSIONER GOLLOTT: (Interposing) Take a barge load of shells and put in there and let the spat set on them, in Pascagoula, and let them alone until they start getting up, and, then, you move them.

COMMISSIONER BOSARGE: A lot of that bottom there is mud bottom, also, Richard. It's not like that hard bottom like you are talking about down to the west.





There is a lot of mud bottom there.

COMMISSIONER GOLLOTT: After you get off of those reefs?

COMMISSIONER BOSARGE: Oh, yes. On the edges of all those reefs, it's all mud bottom.

COMMISSIONER GOLLOTT: Well, Mike dredged down there. He was very impressed with the amount of oysters we have down there.

COMMISSIONER BOSARGE: There are a lot of oysters.

COMMISSIONER GOLLOTT: To me, that is the only answer to letting these fishermen catch more oysters and building oysters in the Bay, put more shells and relay more oysters.

COMMISSIONER BOSARGE: I think the one option we have now would be to take some of those oysters from Pascagoula, move them down here and try to reseed some of these areas, and, then, at the same time, work as hard as we can to open those areas to where instead of depending on the Western Sound, we can depend a little bit more on the Eastern Sound. Take some pressure off the western Sound. Give these guys a place to work.

The same way in Biloxi, if we don't go there and take too much out of Biloxi, now, where we can't harvest again next year. In other words, let's try to take the

pressure off the Western Sound by applying a little bit of it to the Eastern Sound and use some of that resource to do some seeding.

If we need to move our resource further in and further to the west, then, let's work on that. Let's take some of these southern most reefs and move them inshore, move them to the west.

Right now, I think we have got to set on some type of a management plan for this area and, in my opinion, there has been a lot of work done and a lot of traveling. A lot of folks took a lot of time with the Oyster Council to come up with recommendations, and what I saw come out of it was what Joe just described, the different scenarios, and when we settle on one of those scenarios and say that this is going to be our guideline, then, I think we can look back and say, yes, we are in a rebuilding stage.

COMMISSIONER GOLLOTT: Well, let me say this. We are obligated by State Law. It says we will take oysters out of polluted areas and put them in areas that the fishermen can catch them. That is State Law.

COMMISSIONER BOSARGE: I don't have a problem with that, but I think, at some point, we've got to say we are only going to take a certain percentage of those oysters.





COMMISSIONER GOLLOTT: We need to do some of that, and I would like to see some of it kicked off and us start doing it. The Conservationist, the first thing they need to do is start moving some oysters.

COMMISSIONER TRAPANI: I have a question, too.

If we try to get to one type of management that we are going to try to follow, it sounds to me that every reef -- maybe I'm wrong.

Can you do them all the same, or is every reef different?

It sounds to me like every reef is different.

Does that apply?

Can that work with all reefs, if you do one type of management?

COMMISSIONER GOLLOTT: I think the first thing we need to do is go out and find some people and get some different ideas. Let's ask Corky Perret. Let's ask Cake and them to give us some kind of plan. We will let them come up with a plan, and we will sit down and look at all of them.

COMMISSIONER HAVARD: We've got plans and we've got a ton of ideas.

COMMISSIONER GOLLOTT: I was on this Council and a bunch of people sat around a room like this and there was very little work done actually.





SCOTT GORDON: We've got one, the Gulf States ??? Fisheries Commission. They've got the Oyster FMP with the Gulf of Mexico. There were quite a few oyster biologists from all over the Gulf, both with management agencies and universities, that were involved with this, and a lot of the recommendations that they have in here are also in the Governor's Oyster Council report.

COMMISSIONER HAVARD: Can we not attack this very similar to the way we attacked the Speckled Trout issue?

COMMISSIONER GOLLOTT: Is it a percentage in there to leave on the reef?

SCOTT GORDON: Every area is going to be different and it is going to be in different situations, but they are saying that sampling is very important, the resource assessment, and also they recommend adopting some sort of quotas and sticking to them.

COMMISSIONER GOLLOTT: I don't have a problem with that. We've just got to come up with the right quota that will benefit the fishermen and also rebuild the reefs at the same time.

COMMISSIONER HAVARD: The first thing we did with the Speckled Trout is we established the SPR. We established a goal. Then, we said, okay, staff, give us three, or four, or ten, recommendations that will help us





achieve this goal within a certain number of years, and, then, we narrowed it down and narrowed it down and finally we are off to the races. We know what it is going to take to get there. We are visiting it every year.

We are visiting stuff right now on the square meter sampling of the reefs and everything, but we have got to come up with a goal, first, and, then, we will ask you guys, how do we get there.

COMMISSIONER GOLLOTT: But remember, we are messing with people's livelihood here. It's not like Speckled Trout.

You know what I'm saying?

COMMISSIONER HAVARD: But it is.

COMMISSIONER GOLLOTT: No, it's not. You are not going to starve anybody to death, if you don't let them catch Speckled Trout.

SCOTT GORDON: The mortality event that we had in August-September, I think after our first presentation and our recommendation to the Commission on what we would recommend the harvest levels to be, they were way over estimated because the mortality event was still occurring at the time. Our initial estimates and our post estimates of how much mortality we had was a lot greater than what we were reporting, but we do know that we had in excess of a thirty-five percent mortality. I think we were closer

to eighty to ninety percent mortality on some of these areas.

For the National Marine Fisheries Service, all you have to do is show a thirty-five percent mortality to be able to get a declaration of a fisheries failure. We met and we exceeded that, but we were still recommending to allow some limited harvest on the area.

JOE JEWELL: To give you some idea of where we are, as far as the management that the Commission chose to adopt, they chose to adopt a thirty-five percent quota.

COMMISSIONER TRAPANI: I didn't know the Commission adopted it.

COMMISSIONER GOLLOTT: I don't remember that, adopting it.

COMMISSIONER TRAPANI: The Commission adopted it?

I wasn't here.

COMMISSIONER GOLLOTT: When was this?

JOE JEWELL: The Commission adopted a thirty-five percent quota in September.

COMMISSIONER BOSARGE: At the meeting we had in Hancock County.

JOE JEWELL: Yes.

COMMISSIONER GOLLOTT: I think that was their recommendation, and the Commission voted to --





COMMISSIONER BOSARGE: (Interposing) Remember you and I debated back and forth, and I said thirty percent, and finally you said, okay, thirty-five.

COMMISSIONER GOLLOTT: Yes, but we were opening the season to that. It wasn't a goal.

JOE JEWELL: It was at the September meeting that you came up with a thirty-five percent quota.

COMMISSIONER GOLLOTT: I don't think so.

JAMIE MILLER: Well, they adopted a quota for this year.

JOE JEWELL: That's right. It was just for this year.

COMMISSIONER BOSARGE: For this year, correct.

JOE JEWELL: Right now, as we sit today, for the Western Sound -- now, that was in the Western Sound. It wasn't for Biloxi Bay.

COMMISSIONER BOSARGE: That's right, just for the Western Sound.

JOE JEWELL: We are at forty percent, and we opened for five days, and now we have opened another five days. So we are projected to be at somewhere around forty-five percent, when we close for that five days.

The guidance that we would give is -- I think, Mark, you are hitting on it -- whatever the percent is should be the percent.





Does that make sense?

COMMISSIONER BOSARGE: Yes, but it --

JOE JEWELL: (Interposing) If the management criteria is the quota system -- we think that is probably the direction we are all moving toward, and that is the most reasonable, at this point, for sustainability and what resource is available -- then, whatever the percent is, we should adopt it and stay at it, if it is year-by-year, or area-by-area, but we started with thirty-five and we are roaring up on forty-five.

COMMISSIONER HAVARD: That does wonderful things for the fishermen, too. They can plan. Okay, guys, we are going to be able to catch up to this percentage, and, then, it's over so I need to have a job lined up somewhere around these dates, something other than tonging, or dredging, or whatever the case might be.

COMMISSIONER GOLLOTT: At the time we adopted this thirty-five percent, I went along with it because that is the only way I could get the reefs open, when I wanted them open. That is the only reason I agreed to it, and I told them, I don't agree to all this quota stuff. I think the quota should be much higher than this.

I like the quota system and I like for them to go out and give us an estimate, but I don't like for them to come back a year later and say, why didn't you do





another estimate; why didn't you do it six months down the road. Well, it takes too much effort.

JOE JEWELL: In Richard's defense, he did say that at the Commission meeting in September, but the Commission, as the reefs rebuild and you have more and more resource out there -- if you remember the Spotted Seatrout presentation that Dr. Mickle gave and he said there comes the point, that curve that he had, that you are leaving fish in the bank and you don't want do that, it's the same thing with the oysters. There comes a point where you are rebuilding, then, it does make sense that you want to increase the quota.

COMMISSIONER HAVARD: Where is that point?

SCOTT GORDON: I wish we had that problem.

JOE JEWELL: We are not that at point. I can tell you that.

COMMISSIONER HAVARD: That's what we've got to figure out.

COMMISSIONER TRAPANI: I have another question.

If we go to this quota system, it sounds to me like it might need to be done reef-by-reef, but, say, you go to that in the beginning of the year when oyster season opens -- this is what I'm gathering -- and you go to a reef and you don't know that they are all alive until you get there, so you've got to establish this is the

percentage for this reef, this is the percentage for this reef, when this one had all the oysters this year and that one had none, where this one you could have gone over thirty-five percent. You could have maybe done whatever, forty to fifty because it had all the oysters and these had none.

Does that work for every reef?

Am I right, you don't know what you have, until you go out there and fish it?

JOE JEWELL: We knew they were dying. We did. We didn't know the mortality event was going to last as long as it did and have the die off as many as it did.

COMMISSIONER TRAPANI: I guess what I'm saying is does one shoe size fit all?

JOE JEWELL: Here's something that the Commission needs to consider. Not every year is an El Nino year and not every year will have this mortality event. You can't manage on what happened that year is going to happen every year.

God help us that we don't have some other event next year. We hope next year will be a relatively normal year.

SCOTT GORDON: I guess for your example, Pass Marianne, June and July we estimated we had over ninety-two thousand sacks on Pass Marianne Reef.





After we saw that we were having a mortality event, we went back out and took some additional samples and we estimated a fifty-one-and-a-half percent mortality which would have brought it down to four thousand sacks.

We were recommending, I think, thirty percent of that. Well, let's see. Thirty-five percent of that would have been fifteen thousand sacks, but the mortality event continued after our second sampling, and I believe we have had two dozen oysters harvested off Pass Marianne Reef. That's not sacks. That's two dozen.

COMMISSIONER GOLLOTT: That is my point exactly. If you don't harvest those oysters, they have a good chance of dying.

SCOTT GORDON: But you can't predict that.

COMMISSIONER GOLLOTT: You have got to prepare for bad years. I would rather plan for bad years to relay into these areas and refurbish them and find a place where these fishermen can catch oysters in the Biloxi Bay, or Pascagoula, and, yes, keep working on this, but do something else, too, in case something like this happens, and, then, you haven't lost anything.

JOE JEWELL: You're right. If you are having a low DO event, you've got to strategically plan where you put that shell, where you relay to and from. You have got to be very targeted in your management approach to reef





management, particularly where we are now.

If the Commission moved towards a rotating, or a managed, quota for each reef, it makes some sense because you know at Telegraph you have nothing. The quota is irrelevant, at that point, but other reefs, you've got much more resource there so the quota would be larger, and the reefs where you have lower resources it would be a lot less.

You want to target those areas on a rotational basis because, if you have a high quota and a reef that has high resources, you are going to deplete it a lot quicker and the next year where you have sixty percent you may only have thirty-five percent the year after.

COMMISSIONER TRAPANI: Then, you don't want to leave so much more that they die because that reef had so many and that one didn't.

JOE JEWELL: Sure. That makes sense.

SCOTT GORDON: We can manage this basically by area because we have the check stations and they are reporting to us and that gets recorded.

COMMISSIONER BOSARGE: A scenario I see is maybe like, for instance, this year down at St. Joe where we looked at it and you did your sampling and you said there are fifty thousand sacks of oysters and for that reef, that reef is very populated. We can take seventy-five





percent of this reef and, at that point, it shuts down.

In other words, instead of saying we are only going to take thirty percent from every reef, look at each reef individually and say what percentage of that reef we are going to take, and, then, it shuts down which is a lot like I'm sure you do, look at your reef.

SCOTT GORDON: Yes. The thing with St. Joe, again, we were doing our estimates on the dark green areas.

COMMISSIONER BOSARGE: Correct.

SCOTT GORDON: I believe just about every bit of what we had predicted, or estimated, to be on there, that has been harvested. There are negligible amounts of market oysters that are available on those dark green areas, now. There are other small little scattered pockets of reef that are around the area.

Harold Strong, again, said, well, those oysters, those are big mud oysters; they are going to die.

But the thing is they are probably not going to die until next summer when either Dermo, or drills, would come in there.

When we need those oysters out there is this springtime for them to spawn. We need this area repopulated.

Now, I don't know if we got below some kind of a

critical amount of brood stock in the area. I never thought that we could see it, but I felt strongly enough that I have had the Conservationist move oysters to that area so we could have some brood stock, following a flood.

I would much rather see a flood come through and wipe out the area than to see these high salinities come in and wipe out a larger area on a more permanent basis.

COMMISSIONER GOLLOTT: Scott, where are you getting this brood stock?

All oysters are brood stock, from one inch and bigger.

SCOTT GORDON: Well, that's what we were moving, oysters out of, say, St. Louis Bay.

COMMISSIONER TRAPANI: I'm not trying to call Mike out, but I kind of am going to do it. He has taken his time to be here, and we have heard the scientist part of it. Mike, everybody knows him, he is in the industry, he has been successful in it, and I would just like to get his opinion.

What do you think about the quotas working area-by-area and, if you were looking at this and these were your reefs and you had your money at stake with this, what would you suggest?

MIKE CURE: Scott, you talk about your outside reefs.





What kind of material do you have on that ground?

Do you have good cultch materials and dead decayed shells?

SCOTT GORDON: Buoy Reef, you can crumble that up with your bare hands, now.

MIKE CURE: But it's a good reef, isn't it?

SCOTT GORDON: Well, it had been a good reef.

MIKE CURE: My question is, is it a solid reef?

SCOTT GORDON: Yes, I think it's pretty solid in there.

MIKE CURE: I'm not an expert, but I've been doing this my whole life and we have been blessed. The last ten years, our crop has grown more and more every year and our records are indicative of it.

SCOTT GORDON: You've got our water.

MIKE CURE: Well, we've got the same obstacles you've got. Our water is getting better because of the Mistago (phonetic). They closed off the Mistago. Now, that water is coming through the marsh. Prior to Katrina, we were having a lot of difficulties out there with salinity, and we are actually doing better now, when they blocked the Mistago off which, again, is helping Lake Borgne.

I disagree with you that everything is running





out of the marsh. A lot of it is. I agree more is, now, than it has in the past. However, it is still not detrimental to our industry where we are.

Lake Borgne is changing due, again, to the Mistago. We have hood muscles all the way to Shell Island Lake which we have never seen. Our future is getting extremely bright.

What I had to do to rebuild my reefs after Katrina is I went back to my original reefs that I had that were hard bottom and I started planting my shells. I have been able to get a catch every year no matter what. Mother Nature has given us a catch every year, some years better than others; last year being one of our worse.

I started planting shell in 07 -- I started planting crushed concrete I should say. I couldn't get shell.

What I concentrated on first was getting my reefs back up, something for the oysters to catch to.

What I have the availability to do -- I don't know if the State does -- is those outside reefs that y'all have, I would plant those shells, me personally, because I am only two-and-a-half, or three, miles away from y'all at Grand Pass. My salinity levels out there are eighteen to nineteen parts per thousand, as we speak, but, once I get that catch, I move them to where they are





going to grow.

SCOTT GORDON: Yes.

MIKE CURE: I'm trying to get my market going. I'm trying to get my cultch material back.

SCOTT GORDON: I think Commissioner Gollott referenced that. We have discussed that sort of thing, that in these offshore reef areas, Telegraph and the southern part of Pass Marianne, the higher salinity areas, you tend to get a higher spat set in that area.

If those reefs are not going to be able to survive, then, I can see, once you get a spat set on there, moving those to some of the near shore areas like the Henderson Point Reef area where those oysters will be able to thrive. They are not going to be generally as susceptible to the oyster drills, or the Dermo die off.

Those shells are really thick up in the Henderson Point area because it is closer to the ideal situation.

That is kind of how Louisiana does their seed grounds. They will plant those in higher salinity areas. They will catch a set on there. Then, they will move that to lower salinity areas where they can grow them out.

MIKE CURE: Well, they actually plant, but the fishermen themselves, the lease holders take them out. They provide the resource there for them to bed their

leases.

SCOTT GORDON: But we can't put all our eggs in one basket.

MIKE CURE: I understand and I realize the private sector is a little bit different than the public.

JOE JEWELL: I didn't quite understand what you were saying, Mike.

You would suggest that we shell plant Telegraph, and, then, when their spat set, move that inshore.

Is that what you are saying?

MIKE CURE: That's an option. It is something I did to get my reefs going. The higher salinity the better catch you are going to get, usually, and I moved them to start rebuilding my reefs.

Brood stock, this is something we are going to have a big, big difference of opinion on. For an oyster to get to three inches, it usually takes three years.

How old is an oyster, before it is considered a mature oyster?

I lost fifty percent of my crop on two reefs that were further on the out shore last year -- most of them three and three-and-a-quarter inch oysters -- because I didn't harvest them in time.

If I've got a three-inch oyster, gentlemen and ladies, it is going in a basket because you people know





about Dermo, just Dermo. The temperature can be right. Oxygen levels can be right. Dermo will kill them. If I've got a three-inch oyster, I'm selling it. It will be put in the basket and we are going to move it.

Like Mr. Richard Gollott said, your two-inch oysters, your inch-and-a-half, your two-and-three-quarters, they are all spawning. It doesn't have to be an oyster that big to spawn. We all know that.

JOE JEWELL: Those are just as susceptible to Dermo and predation as all the rest of them.

MIKE CURE: Well, they are, but Dermo usually afflicts the more mature oyster more than the younger oyster. I believe y'all will agree with that.

JOE JEWELL: Yes.

MIKE CURE: If I've got a marketable oyster and most people in the industry that I am in, we are going to ship it. As long as you've got spat, two-inch oysters, inch-and-a-half oysters, Mother Nature is going to give you oysters.

That's another thing. When an oyster spawns, those eggs aren't just sitting right there over that reef. If the wind blows out of the south for three days, they can be up in Lake Pontchartrain. Our oysters in the marsh could very well be spatted from oysters coming from Apalachicola Bay, when it blows out of the east for two





weeks in March.

Saving that three-inch oyster to spawn your reefs, the industry is not going to agree with that, our industry in Louisiana where we're from.

I don't know where you got that I don't fish my reefs every year. I actually cultivate my reefs every year. I worked very hard the months of February, March, April, May and June of this year, and I gave my reefs a break. We just now started back fishing again because the oysters are really growing good, now. The water temperatures are down. We do manage our reefs. We don't wipe anything out.

When we start getting two-and-a-half and two-and-three-quarter inch oysters, we stop fishing it.

I think a lot of problem with the State here is enforcement. If we've got oysters out there that are three inches that need to be caught they need to be caught, but, if we've got some that are two-and-three-quarter and we let them go in the basket, that is an enforcement job. Enforcement needs to be making those guys throw them overboard and write tickets.

If we are overfishing a reef, are we overfishing it because we are taking all the three-inch oysters and there are not three-inch oysters left, or we are putting a lot of two-and-half, or two-and-three-quarter, inch





oysters in the basket?

That's what is killing us, gentlemen. That is part of our problem.

I have the same problems on my reefs, but all I've got to do is cut my fishermen's price and that's how we tighten them up.

COMMISSIONER BOSARGE: There is a difference, I think, between what you do. You are in control of what you do.

MIKE CURE: That's a good point. You are talking about the fishing.

I don't have people pulling basket dredges on top of our reefs and plowing them up.

COMMISSIONER BOSARGE: You don't have a hundred boats at a time out there on your reefs.

MIKE CURE: That's correct.

COMMISSIONER BOSARGE: We have to look at things in a little bit different light than you do because you can control what happens on your reefs.

MIKE CURE: Yes, sir.

COMMISSIONER BOSARGE: You fish them every year, and I can understand that, but you know what to take off of them. You don't have a hundred boats out there turning this thing upside down each year. There is a little difference here.

COMMISSIONER GOLLOTT: Can we take about a fifteen minute recess here?

COMMISSIONER BOSARGE: Certainly.

(Whereupon, a short recess was taken.)

COMMISSIONER GOLLOTT: We are back on the record.

I don't know where we were, but let me start out by saying I was talking to Joe the other day and I was asking about Alabama, and he said that they have over harvested their reefs in Alabama and they couldn't come back.

I called the guy in Alabama who is in the industry and I asked him what happened because, when I was young and in the business, I hauled thousands of barrels of oysters out of Alabama to Mississippi.

We were discussing the reefs, and he said what happened to Alabama is they deepened and lengthened and widened their ship channel. It came up through middle of that thing, and they took the spoil and built some islands in Mobile Bay. This changed the water flow, the way the freshwater came through there, and that saltwater intrusion coming down that channel killed all of their oysters. It will never come back is what he is telling me.

One of the things he said that we need to do --





and we talked about it -- is when they start deepening this channel coming into Gulfport, we better watch out and try to get the Corps to mitigate the amount of saltwater coming out of that channel across Cat Island over in that way.

I don't think that is passed. I think we could still do that.

In Galveston Bay, when those ships come up through there and they have an oyster reef over there, he said, if the water is six feet deep, those ships are just pulling that water so hard around them that is just knocks the oysters off the reef.

I said that just to throw it out there. In case something happens, we need to make sure they don't do that to our reefs in Mississippi.

COMMISSIONER BOSARGE: There are all kinds of theories as to what happened in Alabama. The other theory is that Katrina cut through Dolphin Island.

COMMISSIONER GOLLOTT: I asked him about that. He said they closed it back up.

COMMISSIONER BOSARGE: Well, it is back open, now.

COMMISSIONER GOLLOTT: Is it?

COMMISSIONER BOSARGE: They closed it and it opened back up.





There are all kinds of theories, but, to me that was a prime example of over harvest.

You may think that they can't over harvest with a set of rakes, but you've seen those Alabama fishermen. Those guys know how to work.

COMMISSIONER GOLLOTT: But, when the water was good, they couldn't over harvest it because, back in the seventies, they harvested them by the millions.

COMMISSIONER BOSARGE: It took a period of time. Cedar Point is a perfect example to me.

JOE JEWELL: We are talking about Alabama, now, and what I discussed was just their tonging area which has not recovered. They are only harvesting a few hundred sacks. That's four, or five, hundred sacks for the entire State.

As poorly as we are doing, we are still doing pretty good compared to Alabama.

COMMISSIONER BOSARGE: Yes.

COMMISSIONER GOLLOTT: But, believe me, Alabama used to do a lot better than we did. They harvested some oysters out there.

SCOTT GORDON: Yes.

COMMISSIONER BOSARGE: Mobile Bay, that's a large freshwater body, but I think Alabama, in the time period you are referring to is when Middle Bay and all





those reefs there --

COMMISSIONER GOLLOTT: (Interposing) Back in the seventies.

COMMISSIONER BOSARGE: In other words, they actually harvested oysters from Middle Bay. Now, they don't. Really, the only area open is at Cedar Point and a little bit over on the other side, Bon Secour.

JOE JEWELL: That's it. There are only two areas.

SCOTT GORDON: Every major river system in Alabama has been impounded, every single one.

When I was at Auburn, in one class, the instructor asked the entire class what is the largest natural lake in Alabama, and we couldn't come up with an answer. Every answer that we came up with, it was a reservoir.

That is keeping the freshwater from coming down and, whenever, you get under the drought situations to the point where some of these towns that are bordering these reservoirs are running out of drinking water and talking about having to ship it in, they are not going to allow any more water through those dams than what they have to.

That, in conjunction with Highway 90 going across Mobile Bay at ground level, has changed the flow, and some of the channelization that Richard has been

talking about and Dauphin Island.

I remember talking with Vernon Minton, right after Hurricane Katrina, and I said, "You are going to have to close that island off, or close that hole."

He said that it was private property and there were some issues there, plus it had also become a very popular fishing spot. They were able to get it closed again, but that is not retaining the freshwater in the Sound there whenever it can get out and, also, it is allowing the saltwater retention. That is where you are going to have higher incidence of the Dermo and the higher incidence of drills.

We are just about a mirror image of Alabama, as far as the shape.

COMMISSIONER BOSARGE: Yes, but I think that we are way more proactive than they are. I don't keep up with Alabama that close, but where we do plants, we move oysters, they do very little. In other words, they leave it to nature to pretty much replenish their reefs. We may be leaps and bounds ahead of them, even though we are debating on how best to grow what we have.

JOE JEWELL: They were very proactive in designating one of the areas, the dredging area, so that we have that sense of reciprocity.

COMMISSIONER GOLLOTT: The next thing I would





like to see us discuss is what are we going to do with the Conservationist?

Can we start moving oysters, now, into an area into Biloxi Bay?

I think the Commission asked y'all a couple of months ago to designate an area that we could relay oysters into Biloxi Bay and maybe make sure that the tongers don't take too many oysters out of the Bay.

JOE JEWELL: Well, we actually have looked at a couple of spots in Biloxi Bay, but the issue that we have that has our back up against the wall, right now, is the Federal permit. That has not been given to us, yet, and that is really the big barrier for us, right now.

COMMISSIONER GOLLOTT: I thought we could relay.

SCOTT GORDON: Years ago, we didn't have to have the permit. It wasn't brought up until the St. Joe relay that the Corps started inquiring into that. It is really kind of frustrating to have to do something that traditionally we have been able to do.

JAMIE MILLER: I do want to explore this because, I think, it is one of the tools we have available to us to enhance reefs, without knowing what -- I guess I want to hear from Commissioner Gollott.

Is the intent to use the Conservationist to take oysters from Pascagoula, almost like a seeding program,





where you would take oysters and put them in Biloxi Bay, or other areas, to seed and propagate oysters, or are you talking about just moving and depurating them, and, then, harvest them?

COMMISSIONER GOLLOTT: If I was doing it for myself, what I would do is I would relay oysters out of Pascagoula with the Conservationist into an area for two, or three, weeks, as much as my money would handle it. I would let them sit there for two weeks, and, then, I would let the fishermen go in and cull the oysters to three inches and leave the smaller oysters there. You would be building the reef. You would be building a reef for next year and the year after, but you would be getting your money back, by letting the fishermen harvest some oysters this year.

If something happened and they died, you are only losing half of what you put out there. You are getting at least half of your money back, and that's looking at it from a private sector. You would want to do that.

If we had an area in the Bay -- I don't know what you've got in the Bay. If you had a hard reef, we could do a little bit of hand dredging, or something, in there next year to let some of these fishermen make a living with hand dredges.





If you can move a thousand sacks a day, in thirty days, you can move thirty thousand sacks, and that is almost as many oysters as we harvested this year.

COMMISSIONER BOSARGE: We also talked about even somewhat of a management plan for relaying oysters, and I would like to make sure that we have that on the table.

COMMISSIONER GOLLOTT: Well, that's what we are talking about, relaying out of Pascagoula into Biloxi.

COMMISSIONER BOSARGE: I'm talking about we look at what we have in Pascagoula and we say we are only going to take a certain percentage of this reef to move.

COMMISSIONER GOLLOTT: Yes, that would be okay, if you divided it up, say, in thirds, and you say we are going to take this one this year, and, then, we are going to plant it, and, then, we are going to take this one next year and we will plant it.

COMMISSIONER BOSARGE: I think we are on the same page. In other words, if we say we have a hundred thousand sacks in Pascagoula, we are going to take thirty-five percent and that's it. We are not going to pull anything from that for two years, until it rebuilds.

COMMISSIONER GOLLOTT: You reseed and you watch how your growth is and, when they get up to three inches, or close to three inches -- really, the people in Louisiana like to move smaller oysters because, then, they

get the growth and they get the multiplication out of it. A small oyster like that, when you move it, it really grows fast.

COMMISSIONER BOSARGE: Well, it looked to me like, what I saw -- when I went with them, with Erik out there, it looked like those oysters over there towards the causeway were the clustered small oysters.

COMMISSIONER GOLLOTT: Yes. It really needs to be worked.

Is there any way we can get an estimate on how many oysters are in Pascagoula?

JOE JEWELL: Absolutely.

JAMIE MILLER: We can, and relaying is similarly like cultch planting. We all agree cultch planting needs to occur. I think we all agree relaying needs to occur and can benefit us, but, I guess, what we want to keep in mind is to what end, meaning cultch planting is good and we have roughly ten to twelve thousand acres of reef that we are opening and working on, but, in any one year, we can only cultch plant about a hundred acres.

Same thing with the relays. If we are going to spend money, or time, or effort, we need to be strategic about where we are moving oysters to and where the right location is.

Maybe Biloxi Bay is the right location every





year. I don't know. Those decisions have to be informed by a larger umbrella kind of policy because we are budgeting. We had to submit our budget to the State six months ago for next year.

We are limited by resource about how much we can cultch plant. We do have the Conservationist which is a huge advantage. I mean, we can move oysters. I think we do need to determine how much we want to move and where do we want to move them to, but where we want to move them to will be informed by what that harvest looks like at that reef that year.

SCOTT GORDON: What the environmental conditions are.

JAMIE MILLER: The environmental conditions.

If y'all are saying we all agree that maybe we want to assess and move some oysters from Pascagoula to Biloxi Bay, that's fine, but I think your intent is that we would move them, depurate them and harvest them.

COMMISSIONER GOLLOTT: Well, a percentage of them.

JAMIE MILLER: Sure, and there is a mortality rate with that, and, then, you are going to take so many.

What does that look like, in the long term?

COMMISSIONER BOSARGE: In what you presented to us, I think you said thirty to fifty percent mortality





from transferring?

JAMIE MILLER: I got that number from Joe Jewell and Scott. I think that's consistent.

COMMISSIONER GOLLOTT: What are we talking about, thirty to fifty percent?

COMMISSIONER BOSARGE: In other words, you are going to kill thirty to fifty percent of the oysters you move. They are not going to survive.

COMMISSIONER GOLLOTT: That's hard for me to believe.

COMMISSIONER BOSARGE: Did I say that correctly?

ERIK BROUSSARD: What you put in is not what you get out. We moved fifteen thousand sacks from St. Joe to Biloxi last year. We, obviously, don't have that, now, before we opened the season. It's not one-for-one. It's not a hundred percent efficient.

COMMISSIONER BOSARGE: Correct.

COMMISSIONER GOLLOTT: You're right, but the stuff you leave there, say, the two-and-a-half inch oysters for next year that doubles in size -- you know what I'm saying. You are only going to harvest a percentage of what you put there, but, then, you are putting stuff there that is going to grow out next year and the year after.

You are seeding it and putting stuff there that





is going to grow from now on and spawn and you will have cultch material and reef material that you are putting there.

ERIK BROUSSARD: The mortality that does occur will leave a clean shell to catch spat.

COMMISSIONER GOLLOTT: Yes.

JOE JEWELL: We did a reassessment of Pascagoula a couple of years ago, when we moved those oysters off of there, and I think we took just a little over thirty percent, at that time. We did do that, and we can do that.

That was the first time ever we did the side scan image of the reef. I think Jimmy Sanders provided that for us. We have all of that data and information, and we can update that.

COMMISSIONER BOSARGE: I think going in there and moving some of those oysters is a great idea. I'm for it because just the fact that we are there and we are breaking things, that's good, but we have got to make sure we don't take more than we need to take.

JOE JEWELL: I agree.

COMMISSIONER GOLLOTT: You are cultivating it and you are making a better reef out of the whole thing.

COMMISSIONER TRAPANI: These are oysters that are sitting there and that can't be harvested because of

the water quality?

COMMISSIONER GOLLOTT: That's correct.

COMMISSIONER TRAPANI: We might as well use them somewhere else.

ERIK BROUSSARD: They do serve a valuable purpose to shrimp, crab and fish.

COMMISSIONER TRAPANI: Yes, and we don't need to wipe them out. I agree, but we are in such a crisis with the oysters that we need them.

COMMISSIONER GOLLOTT: That reef is so thick down there.

JOE JEWELL: It is our last big bank of oysters.

COMMISSIONER TRAPANI: It's a savings account.

JOE JEWELL: It is. If we have a disaster like Katrina again, there is no Biloxi Bay to relay from and reseed the oysters. Really, the only place we have left is Pascagoula.

COMMISSIONER BOSARGE: Has there been a Dermo event, or anything, in Pascagoula?

JOE JEWELL: In our resource assessments, not enough significant event to it.

COMMISSIONER GOLLOTT: That's the reason we want to put shell back in there to keep it built up.

COMMISSIONER TRAPANI: To kind of get back on focus, I really do think the entire Commission and the





whole staff -- I'm glad that we had this meeting today, this workshop -- we are on the same page and we are all here to help the oyster industry grow and we all know that there is a problem.

Especially for next year, we have to have some kind of management strategy. I guess that's what we are going back to and we are trying to get to.

Techniques are great, cultivating them, and I feel personally -- I haven't shared this with y'all -- that we should maybe change the basket dredge to have the net in it. I think they are tearing up the reefs.

There are other things we can work on, but I think that we need to adopt some type -- of course, we would never do it today but for the near future, for next year adopt something.

I don't know. I guess this is more of a question. What I've heard today, it sounds like every area has to be treated differently.

Is that true?

JOE JEWELL: I think that's correct.

What would the Commission like us, the staff, to do, or what would y'all like us to provide for y'all, that could help y'all in making a decision?

COMMISSIONER BOSARGE: I think maybe where most of us are on the same page is a management strategy, to





look at each reef individually, decide how healthy that reef is, determine what percentage to take off of that reef according to its health, and, then, use that maybe as a management strategy.

Right now, though, because next year is very bleak, I tend to agree with Richard and, then, I tend not to agree with him, in moving oysters from Pascagoula.

I think you guys need to sit down and say, what is the best educated guess as to where to put these oysters where they have the most chance of succeeding and living.

Here's where it's dammed if you do and dammed if you don't. Do we go there and harvest some of them? I think probably yes. I agree with Richard. It would be nice to go there and be able to burst some of that up because there are big clusters, but, then, again, we need something for next year.

I think that, yes, it would be probably a good idea to go in there and do a very limited harvest on what we move, but, more or less, just to try to separate, cull and spread out some of these oysters so maybe next year we've got a little something to look forward to.

I don't know. That's just me.

JOE JEWELL: Let me strategize this way.

As far as the relays and the cultivation, those





are activities that can take place. Pending the permits, we can do those relatively quickly. Those could be in the off season during the winter.

We don't do our square meter dives until the spring and the fall, when the water warms up and it is safe for our employees to get out in the water and we start doing those reef assessments.

Would it help if we did a presentation maybe January, or February, sometime in that time frame, just project like what we did last year and show y'all what it would look like, once we got the data, that type of management?

COMMISSIONER BOSARGE: Or what it looks like, at that point in time.

JOE JEWELL: You don't have to make a decision. We would just show you, with what data we have had in the past, here is what it would look like. Here is what would have happened. What it could have potentially been, if it was at thirty-five percent, or fifty-five percent, if we did a rotation through these reefs, based on what we have in the past.

Would that be helpful to do that?

COMMISSIONER BOSARGE: Oh, yes.

JOE JEWELL: Richard, what do you think?

I know you're not a big quota person.

COMMISSIONER GOLLOTT: The quota sounds okay. I just like harvesting about eighty percent of them.

JOE JEWELL: What I'm saying is, let's don't get stuck in our head, a percentage. Let's just say quota is one of the things that y'all are seriously considering, and we could arrange for a presentation that on our past assessments what each reef had, what we predicted, and you can look at that.

COMMISSIONER GOLLOTT: When can you come back and give us a projection on what Pascagoula has, how many oysters are there?

ERIK BROUSSARD: We have the data from two years ago.

JOE JEWELL: We can do all that, project what we did from the past, and, then, it would give you an idea of what we would do, when get into the spring and the summer.

COMMISSIONER BOSARGE: Maybe one piece of information that we are not getting that may be helpful is when the guys are working and when they are dredging and when they are culling, what percentage of the oysters are they putting back?

You see what I'm saying?

In other words, to give you an idea of what you are going to have, what percentage of small oysters are going back overboard compared to what they are keeping





because I'm sure there are times, like, when you get on Pascagoula, you get in those clustered oysters, you are going to have a lot of little oysters, but you move over and get on the edge of that older area and it is all going to be big single oysters.

I don't know if you can get that information.

Do you see what I'm saying?

JOE JEWELL: I don't know straight from the boats, but we have estimates from both our one-minute dredge tows and from our square meter samples.

SCOTT GORDON: How we look at it, from our samples, we are measuring everything that is within that sample. We are also keeping information about the clusters, but what we do not get is how many of those oysters can be culled off safely.

It's not going to be the same thing that Marine Patrol is looking at

I have heard Commissioner Gollott say many times, as long as you are harvesting three-inch oysters, you are not going to be hurting anything, but there are a lot of either spat, or seed oysters, that are attached that can't be culled off without killing it that Marine Patrol is not going to count against.

Maybe what we need to do is go down there to the docks, whenever they come in, and take our samples and





start counting, this is what is coming off.

Not that there is anything wrong with what is coming off and going in the sack and winding up on the shell pile at the factory, but y'all need to know that and that needs to be something that you understand, that this is coming off of the reef area.

COMMISSIONER GOLLOTT: Scott, Marine Patrol only allows ten percent under.

SCOTT GORDON: Yes, but they are not counting -- Rusty, correct me if I'm wrong. They are not counting things that cannot be culled off.

COMMISSIONER GOLLOTT: Do you count it all, or what?

RUSTY PITTMAN: We let it go towards the ten percent, that oyster that is left on there.

COMMISSIONER GOLLOTT: So it is counted in the ten percent?

RUSTY PITTMAN: Yes.

SCOTT GORDON: Not spat.

RUSTY PITTMAN: Not the spat, but, if you've got, like, a two-inch oyster on a three- or four-inch oyster, if you are going to knock it off and it is going to kill that oyster, we leave it on there and let them keep it.

COMMISSIONER BOSARGE: And that's with culling.





SCOTT GORDON: That's not counting towards the ten percent, though?

RUSTY PITTMAN: It's not, no. The ten percent is what we count, when we measure the oysters.

SCOTT GORDON: If it can be culled.

JOE JEWELL: Yes, if it can be culled.

RUSTY PITTMAN: If he can cull it out of his catch on the table, that's what we count.

SCOTT GORDON: We can look at that and we can maybe do a little better job to inform y'all.

I have seen years when we have opened where there would just be, like, fifty, or sixty. They would look like speckled oysters. If we were to count all that towards the cull, they would never be able to catch anything.

You have to make allowances that, okay, you know this is coming off of the reef as well.

COMMISSIONER BOSARGE: In other words, an oyster growing on an oyster, not an oyster that is separately attached to an oyster.

SCOTT GORDON: Yes.

COMMISSIONER BOSARGE: Anybody that has done much culling knows that, even when you cull, you are going to kill because you can't always just separate and not burst that other oyster that you are trying to get off.

JOE JEWELL: I've done a little bit of that in my lifetime. To get that oyster off of there, you don't know the damage you are doing to that oyster and the one you are going to keep.

COMMISSIONER BOSARGE: Most of the time you are looking at the oyster you are going to keep and you are not worried about the oyster that you are trying to get off.

JOE JEWELL: That's right.

What we will plan on doing is to give a presentation on a rotating quota throughout the areas, based on our previous year's data, to give y'all an idea of what that system would look like.

COMMISSIONER GOLLOTT: I was hoping to get that Conservationist cranked up before our next meeting.

JOE JEWELL: The Conservationist is up running. It's available. It can work. The fire hoses on it are functioning. They can operate. The problem is that there are some leaks in the seals and it doesn't give full pressure, but they work. It is functional.

The big issue we have, we just don't have the Federal permits.

We have ordered the new gaskets and they will be in soon.

COMMISSIONER GOLLOTT: Can you take a couple of





loads to Pass Christian?

Do we have to have permits for that, too?

JOE JEWELL: Yes. That's our big issue.

SCOTT GORDON: What we tried to get permitted was all of the current and historic reefs within the state. We are talking about twenty-three, or twenty-four, thousand acres.

I didn't think it was going to be that much of a problem, since we were talking current and historic reefs, but we are running into some problems through NOAA, I think, with primarily the endangered species.

JOE JEWELL: I think we are close, but what does close mean and what the time frame is, I have no idea.

The Conservationist is up and running. It has the capability to move oysters. It is not functioning one hundred percent, until we get the gaskets and seals for the pressure hoses.

JAMIE MILLER: Joe, Biloxi Bay will open again.

If we were able to move some oysters into Biloxi Bay, could be do that simultaneously?

SCOTT GORDON: I think we could pick an area that we could keep segregated from the other harvest areas, since the Commission already authorized us to select the areas and keep those closed to harvest, until they were opened to harvest.





JOE JEWELL: We just have to comport with the ISSC rules. As long as we abide by those, we're good.

COMMISSIONER GOLLOTT: Anybody got anything else?

SCOTT GORDON: We got all the problems solved.

COMMISSIONER BOSARGE: Can you look at your best guess as to where we need to put these oysters?

Whether we go in there and do a harvest on these oysters that we move, let's try to give our best guess as to where we need to put these oysters where they are most likely to survive.

Of course, every year is different. I understand that.

SCOTT GORDON: It's a balancing act.

COMMISSIONER BOSARGE: It is.

SCOTT GORDON: Whenever you are looking at water quality versus the survivability and the bottom type, trying to get the balancing act right is difficult.

We have already discussed some potential locations.

COMMISSIONER GOLLOTT: Have you got a map of Biloxi Bay?

There used to be a real good spot right across the channel in Biloxi.

SCOTT GORDON: We are talking in the south. We





were looking pretty hard at that southwest section. South of that east-west channel and east of the north-south main channel closer toward Deer Island.

COMMISSIONER GOLLOTT: Where the channel intersects right there.

SCOTT GORDON: Yes, on the south side.

COMMISSIONER GOLLOTT: Yes, right off to the southeast of it used to be real good.

SCOTT GORDON: Southwest of it.

COMMISSIONER GOLLOTT: The bootleggers used to go in there regularly.

JOE JEWELL: We probably won't do that until the hoses are working on the Conservationist.

COMMISSIONER BOSARGE: Maybe I'm not referring to areas that we have never planted before, or we planted.

I'm referring to the Western Sound.

Where would be the best spot to put these oysters there?

SCOTT GORDON: We have already had conversations on that.

COMMISSIONER BOSARGE: Okay.

COMMISSIONER GOLLOTT: I think if it was my money, I would go for St. Stanislaus and right off of Henderson Point up there where we found oysters, when we went back out there this year. They are still living

there. That's a good reef.

COMMISSIONER BOSARGE: Maybe even some down at St. Joe.

COMMISSIONER GOLLOTT: St. Joe would be a good idea.

COMMISSIONER BOSARGE: Of course, there are years when I think St. Joe probably produces nothing.

COMMISSIONER GOLLOTT: Have you ever seen St. Joe completely fail?

Do you know?

SCOTT GORDON: Yes, whenever you have these floods, like the major Bonnet Carre opening.

COMMISSIONER GOLLOTT: Yes, they kill them.

SCOTT GORDON: Like I said, I would rather deal with an occasional flood than with the high salinity all the time.

The Buoy Reef out near Cat Island, I used to call that an intermittent reef because, if we had several wet years in a row, Buoy Reef would come back. It hasn't come back.

We put the Conservationist to work out there doing some cultivation one spring in hopes that possibly it would catch a spat set, but I don't really hold high hopes that Buoy Reef is ever going to come back.

Some of these other reef areas, like, Telegraph





and Pass Marianne, we may put the Conservationist to work doing some cultivation out there in the springtime in hopes of catching a spat set on the material that is already there.

COMMISSIONER GOLLOTT: It is so much to do, and you've only got one boat.

SCOTT GORDON: Yes.

COMMISSIONER GOLLOTT: Is there anything else?

JAMIE MILLER: Just to be clear, the agency will continue to work under the concept of sampling with stock estimates and recommending quotas that are probably thirty, or thirty-five, percent.

Of course, y'all adopted a thirty-five percent quota this year, but the staff can bring back some additional information, by area, what that would look like.

COMMISSIONER BOSARGE: I don't think we need to say that we are going to do a thirty-five percent quota.

I think, if we have a reef like St. Joe was before we started, we could look at that reef and say, it's in good shape, a lot of oysters. We can go seventy-five percent.

In other words, lets look at the health of each reef and what we may think we need to take off of it.

JAMIE MILLER: Well, thank y'all very much,





unless there is something else you want to deal with, Chairman.

COMMISSIONER TRAPANI: Moving forward, then, y'all are going to give us a scenario?

JOE JEWELL: We are going to give y'all a synopsis on what it would look like, in the fall, when we give you the presentation that has all the accurate data from the summer.

We are going to give y'all a presentation, based on previous data, in the next couple of months, to give y'all an idea how it would look.

COMMISSIONER BOSARGE: Not to go off on a totally different tangent, but, when we know we're not going to have many oysters, would it not make more sense to hold that opening until the time of year when the market is at its best, right before Thanksgiving, or right before Christmas, and not open in October?

I'm just throwing this out here, and some of the things that may be more advantageous for the fishermen and for the resource.

COMMISSIONER GOLLOTT: This year was an ideal year, and I think we opened it at the right time because the market was completely dry. Louisiana was closed down. Mississippi was really the only place producing oysters. The only bad thing is they didn't yield real good.





They jumped ten dollars a sack, when they started harvesting out of Biloxi Bay because it was a better oyster. It was yielding better, but, now, we've got bad weather. We've got Biloxi Bay closed, now. We are getting into these weather patterns where it is going to be raining.

The one thing the fishermen can say, we have almost harvested as many oysters as we harvested last year. The money is in their pocket. They can't say, well, you are closing it out. Well, we can't help it.

We would have probably put it off a couple of weeks, if we had known what we know, now, but we didn't, and I think we made the best decision by opening it early.

I figured we would have a year like we had last year, be closed every other day because of the rain, but it hasn't been. We really got a lucky streak through there, and the fishermen caught a lot of oysters.

COMMISSIONER BOSARGE: I think it's something we need to consider.

COMMISSIONER GOLLOTT: It is, the market, yes.

Before I made the motion, I talked to Mike Cure and different people who are in marketing and asked them, what do you want?

Well, the market is clean. The fishermen can get the best price they can, right now.

Traditionally, after Christmas the market starts falling on oysters.

COMMISSIONER BOSARGE: Yes, just when they are really getting good to eat.

COMMISSIONER GOLLOTT: Yes, people start cutting the prices.

I think we all want the same thing, to maximize everything we can get and help these fishermen.

COMMISSIONER BOSARGE: I think so, too.

COMMISSIONER GOLLOTT: If there is nothing else, do I have a motion to adjourn?

COMMISSIONER BOSARGE: So moved.

COMMISSIONER GOLLOTT: I have a motion.

Second?

COMMISSIONER HARMON: Second.

COMMISSIONER GOLLOTT: We have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Adjourned.

(Whereupon, at 3:29 o'clock, p.m., the December 13, 2016, workshop meeting 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 December 13, 2016, workshop meeting of the Commission on Marine Resources, as taken by me at the time and place heretofore stated in the aforementioned matter in shorthand, with electronic verification, and later reduced to typewritten form to the best of my skill and ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.

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