COMMISSION ON MARINE RESOURCES

MEETING OF COMMISSION ON MARINE RESOURCES

December 17, 2013

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TRANSCRIPT OF MEETING OF COMMISSION ON MARINE RESOURCES AT
BOLTON STATE BUILDING, PUBLIC MEETING ROOM, 1141 BAYVIEW
AVENUE, BILOXI, MISSISSIPPI, ON THE 17TH DAY OF DECEMBER 2013
COMMENCING AT 9:00 A.M. AND REPORTED BY NORMA JEAN LADNER
SOREE, CERTIFIED SHORTHAND REPORTER.

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COMMISSION MEMBERS PRESENT:

JIMMY TAYLOR, Chairman
RICHARD GOLLOTT
SHELBY DRUMMOND
STEVE BOSARGE
ERNIE ZIMMERMAN

ALSO PRESENT:

JAMIE MILLER, Director DMR
JOSEPH R. RUNNELS, ESQ., Asst. Attorney General
SANDY CHESNUT, ESQ., Asst. Attorney General

N. J. SOROE, CSR #1297
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A. Call to Order

MR. TAYLOR: I want to welcome y'all to the December meeting if the Commission on Marine Resources. And I want to wish all of y'all, as the rest of the commission, I want to wish the executive director, wish all of y'all happy holidays and hope you have a good one and a safe one and all.

B. Approval of Minutes

MR. TAYLOR: So first on the agenda is approval of the minutes. Are there any changes? Or do I have a motion to accept the minutes?

MR. DRUMMOND: I make a motion we accept the minutes, Mr. Chairman.

MR. TAYLOR: Do I have a second?

MR. DRUMMOND: Second.

MR TAYLOR: All those in favor. Passes unanimously.

C. Approval of Agenda

MR. TAYLOR: Next up is approval of the agenda. Are there any changes to the agenda?

MR. MILLER: Mr. Chairman, I've got a request that we add in other business as an Item J-1 for the commission to consider going into executive session to discuss a personnel matter.

MR. TAYLOR: Do I have a second on that?

MR. GOLLOTT: I'll second it.
MR. TAYLOR: There was no motion.
MR. GOLLOTT: I'll make a motion.
MR. TAYLOR: Do I have a second?
MR. DRUMMOND: You have a second here.
MR. TAYLOR: All those in favor. Passes. Okay.
So at the end of -- during other business, the commission will
adjourn and go -- not adjourn, but retire and go into executive
session.
Okay.
MR. GOLLOTT: Mr. Chairman, point of order. We
need to accept the agenda as amended. I'll make that motion.
MR. TAYLOR: Thank you. Do I have a second?
MR. DRUMMOND: I'll second the motion, Mr.
Chairman.
MR. TAYLOR: All those in favor. It passes.
D. Executive Director's Report
MR. TAYLOR: Okay. Next up we have the
executive director's report. Mr. Miller.
MR. MILLER: Thank you, Chairman Taylor.
I've just got two items.
The first item is, as you may have saw this
morning, Sun Herald was reporting that DMR had made a decision
on its consistency for oil and gas leases and seismic activity.
I want to be clear about what our letter states
and what it does not state.
First, DMR did not issue blanket consistency for
the MDA rules. But rather we recognize them as a lawful permit
process mandated by the Mississippi legislature.

The question before our agency was: Do their
rules for issuing seismic permits and leases, are they
sufficient -- are they a sufficient substitute for DMR's
mandated review process for regulated activities?

And our answer is no. My letter states that we
recognize MDA as a duly authorized agency. We do not believe
their rules should be a substitute for our case by case review.

I believe it's important that DMR retain the
right to review each seismic permit application on a case by
case basis. And my letter to MDA makes it clear that we will
recognize their permit authority, but we will not relinquish
ours.

So just want to make that clear. It wasn't
clear in the press release we sent out. And I'm sure we can
make our letter available to those who may want it.

On another note, just I want to thank the
commissioners and those who attended our legislative forum two
weeks ago. I thought it was well received. And thank y'all
for participating in that.

And then also just want to make you aware, I'm
sure you're already aware, that the legislative session will
begin January 7. And, of course, we'll have a presence up
there and continue to do the work of the agency in Jackson. So
thank you.

E. Office of Marine Patrol

MR. TAYLOR: Okay. Next up is office of marine
patrol, Interim Chief Rusty Pittman.

One thing, if you want to speak during public
comments, please fill out a form and hand it to one of the
staff so we can recognize you. Thanks.

MR. PITTMAN: Good morning, Mr. Chairman,
commissioners, Director Miller, Ms. Chesnut.

You have the report in front of you. Last
month, we did have a few more citations on the oyster
violations.

If there's anything in the report that you see
that you would like to ask questions.

MR. GOLLOTT: Chief, what is this failure to
call in?

MR. PITTMAN: That's failure to check in is he
went out oystering without checking in, turning in his ticket
at the check station, and he went out and he didn't turn his
ticket in.

MR. GOLLOTT: You mean they have to check in
before they go oystering?

MR. PITTMAN: They put a ticket in the box. And
that way, when the oyster crew gets down there, they pull all
these tickets out, and they check it and write down and check the oyster licenses.

We had those in the past happen before. The people didn't have word about it, you know, the word didn't get out. But in this instance, this may have been a new fisherman. I have no idea on that though.

MR. GOLLOTT: I'm just trying to get it straight in my mind. Before they leave, they have to fill out something and put it in a box?

MR. PITTMAN: And put it in a box.

MR. GOLLOTT: At the Pass harbor?

MR. PITTMAN: At Pass and at Bayou Cadet. And then when they come back in, they're what they call checking out. Then they get their oyster tags.

MR. GOLLOTT: Is that something that we passed?

MR. PITTMAN: Yes, sir. That's been in effect for years.

MR. GOLLOTT: Okay. Thank you.

MR. PITTMAN: You're welcome.

MR. TAYLOR: This no commercial fishing license, no Mississippi trip ticket, commercial sale of recreational fish, all the same person, were these fish caught in Mississippi or in another state?

MR. PITTMAN: They were caught in Mississippi.

It has to do with this big investigation that was going on and
didn't have a commercial license. At first he said that he
bought the fish. He couldn't prove that he bought them. Then
he said he sold them, they were his fish and he sold them to
his restaurant, and he couldn't prove that, so...

MR. DRUMMOND: Rusty, dredging on a tonging
reef. What's the penalty for that?

MR. PITTMAN: Minimum is $500. It used to be a
hundred to five hundred, but they upped it to make it harder
for the fishermen if they get caught dredging, it would be a
little bit more stiffer fine.

MR. DRUMMOND: Thank you.

MR. PITTMAN: On the second page, you may want
to know about the miscellaneous violations, disorderly conduct.
Two of our officers were on patrol one night and here in Back
Bay, they noticed four people fishing over by -- behind
Gollott's over here on Back Bay. And there's a big sign up
there says no fishing, and they pulled up to check them for
their license, and they all ran. And they did get one, and he
kind of put up a little tussle, so they went ahead and got him
for no saltwater fishing license and also disorderly conduct.
And the other three got away.

And then on the JEA report on the last page, the
weather was pretty bad last month. You notice we only had
three trips go out.

Any more questions?
MR. TAYLOR: Thank you, Rusty.

MR. PITTMAN: Marine patrol would like to wish y'all Merry Christmas and have a safe and Happy New Year, too.

F. Office of Marine Fisheries

MR. TAYLOR: Thank you. Next up is office of marine fisheries, Mr. Joe Jewell.

MR. JEWELL: Good morning, commissioners. I also would like to wish everyone a happy holiday, Merry Christmas and Happy New Year.

Today on our agenda, we have one item. It concerns recreational and commercial fisheries. Matt Hill will be doing that presentation.

1. Commercial/Recreational Red Drum Update and Recommendations

MS. HILL: Good morning, commissioners, Director Miller, Sandy. I'm Matt Hill with the finfish bureau director. I'm here to give a red drum update. I'm going to give the commercial first, and then the recreational update.

We'll start with commercial. Our current commercial regulations, we have 18 inch minimum size length. Our fishermen may retain only one red drum over 30 inches. We currently have a 35,000 pound annual quota beginning on January 1 of each year. This 35,000 pound quota has been in place for 23 years now. And the fisherman must possess a current applicable harvester's license to commercially harvest these
fish.

Like I said, our current quota is 35,000 pounds. It was implemented October 1, 1990. The fishery has met the quota in 11 years since implementation, 1991, '93 through '97, '99 through 2001, late in 2011, and recently here this year in 2013.

With the ongoing conversations about some of the red drum, and we were asked at the last commission meeting to come up with some options and possibly a recommendation of what to do with the commercial red drum quota, some of the options would be status quo. Leave it at 35,000 pounds. We can increase the commercial red drum quota by a certain amount. We can place the red drum under the species endorsement or the means test. This is what we've done with the spotted sea trout. Or we can increase the commercial red drum quota and we can also place it under the species endorsement. Those are the options that are on the table.

For those who aren't familiar or can't recall some of the details of the endorsement, I'm going to go over the endorsement that we do have in place for spotted sea trout just so everybody is clear.

Individuals harvesting spotted sea trout for sale must possess a spotted sea trout endorsement at a cost of $10 in addition to a current applicable harvester's license. To qualify for this endorsement, an application must be
completed. The fisherman must present proof that $5,000 of
seafood product was sold in any 12 consecutive months. Proof
will be copies of sales records and a copy of the applicable
harvester's license for the appropriate time period, or the
fisherman must present proof that 10 percent of their net
income came from commercial fishing activities in a previous
tax year. Proof will be a form provided by the MDMR completed
by a licensed tax preparer possessing a preparer tax
identification number. Must be notarized and submitted to the
MDMR. This endorsement will be valid for a three year period,
at which time a new form must be submitted for a new
endorsement.

Now, what this is, they can come buy their hook
and line or their net license, and however if they plan on
harvesting and selling spotted sea trout, they must have this
endorsement to go along with it.

So that is one of the options that is on the
table for the red drum.

We'll go back to the options, and here are our
options.

Do you want to stop here and take care of this?

MR. TAYLOR: I want to ask a question, Matt. Go
back to the slide that shows the years that the limits were
reached. Okay.

In these years 2011 and 2013, it wasn't in '12,
were the limits reached late in the season, say maybe after the
speckled trout season was closed and the fishermen are fishing
for other species?

MR. HILL: That is correct. And we've actually
pulled -- one of the exercises we did prior to this meeting was
we pulled some of the tickets that the fishermen are selling
red drum on, and these fishermen when they have smaller catches
of red drum, you can see that they were almost a bycatch. They
c caught two or three and they sold them along with their
speckled trout. But when the spotted sea trout season closed,
you can see these same fishermen shifted to that red drum
fishery.

MR. TAYLOR: You can go back to the slide with
the options.

MR. GOLLOTT: Excuse me, Mr. Chairman.
Matt, do you have a recommendation on maybe
raising the commercial red drum or something?

MR. HILL: The staff recommendation at this time
would be to -- on the commercial sector would be to just simply
increase the commercial red drum quota by a reasonable amount.

MR. GOLLOTT: What would you think a reasonable
would be? I'm going to pin you down.

MR. HILL: That's the million dollar question.

MR. DRUMMOND: How about 2,000 pounds?

MR. HILL: I don't think that's reasonable.
MR. DRUMMOND: How about 15,000 pounds?

MR. HILL: I like that.

MR. TAYLOR: Under your staff -- you know, a reasonable amount, I assume that this would not I'm going to assume hurt the species in any way.

MR. HILL: No. We're talking about a recreational harvest and commercial harvest combined. We're up between -- it's fluctuating between 500,000 pounds and 800,000 pounds annually. And with a 35,000 pound quota on red drum, it's -- I think it's a one and a half percent increase we're asking for in the total harvest.

The reason we came up with some of the numbers we came up with -- and the 50,000 is not the maximum. That's the number that we are comfortable with. Historically, when the quota was set, if you look at the proportions, they set it back with the catches back in the 1980s, and the 50,000 pounds brings it back into the historical proportion that was set in 1990 using the data from the 1980s.

MR. GOLLOTT: Mr. Chairman, I think I'd like to make a motion that we accept the staff's recommendation on raising the quota to 50,000 pounds on the red drum commercial fishery.

MR. TAYLOR: Do I have a second?

MR. BOSARGE: I'll second his motion.

MR. TAYLOR: Any discussion?
MR. DRUMMOND: Yes. I would like to discuss the
motion of raising it to 50,000 as opposed to 45,000. Would you
consider, Richard, to 45,000 as opposed to 50,000?

MR. GOLLOTT: Well, the staff has recommended
15,000. I don't think --

MR. DRUMMOND: Recommendations are
recommendations.

MR. GOLLOTT: I understand that. But we're
going by -- you know, a lot of things we base it based on the
staff's recommendation. And I think that's reasonable for us
here.

One of the things I'm concerned about is how
many red drum is eating all the crabs. There's some reason why
the dilution of the crab industry. And the red drum eat a lot
of crabs, and there's a lot of drum, red drum, that for 20
years haven't been taken out of the Gulf of Mexico. You can
almost walk on them out there. There's plenty of red drum
around, so I don't think it's a problem.

If there's a problem in a year, we'll come back
and adjust it down, but 50,000 is reasonable, like Matt said.

MR. DRUMMOND: Another thing you have to
understand, Richard, too, is that there's a moratorium on red
drum offshore. So that population should increase for sure in
the last 15 years.

MR. TAYLOR: There hasn't been a red drum taken
in the Gulf in 22 years I believe -- or, excuse me, legally
taken in the Gulf in 22 years. And they haven't done a stock
assessment, either, which is goofy, too.

MR. GOLLOTT: Again, I think that with so many
in the Gulf and any of our recreational, I mean, our charter
boat people can defend that, with so many out there, I don't
think it can hurt the fishery by increasing to 15,000 pounds.
It will boost our commercial fishermen's income, and that's
something we can do is to make sure our commercial fishermen
can make a living.

MR. BOSARGE: It's only like one and a half
percent increase of the total catch of the state. So I think
he said we're over 800,000.

MR. HILL: This year -- and this year may be an
outlyer, only time will tell, but right -- in 2012 we were at
the 800,000 mark and preliminary numbers look like we're going
to be pretty close to that mark again this year.

But the five year average, and you can go back
to the ten year average if you'd like, we're between four
hundred fifty and five hundred thousand pounds. We're
definitely on an upward trend now.

MR. BOSARGE: What would be the pros and cons of
doing the means test for redfish?

MR. HILL: The means test, we just enacted it.
We haven't -- it's not in place yet. We do know we have the
EIS 99 percent completed. We're fixing to get it to the
Secretary of State. And we should have it in place for this
commercial harvest year.

My concerns, when I look at the numbers, is I
think our short term goal from the last meeting was to extend
-- to try to extend the season for these fishermen. And it's
very top heavy. The top 20 of our fishermen are accounting for
over 90 to 92 percent of the catch in the red drum harvest. So
if we're just going to reallocate ten percent, I don't think
the means test is going to help us meet our goal of extending
the season for these fishermen.

MR. TAYLOR: Matt -- did most of the --

MR. ZIMMERMAN: So that means that you're
predicting that 80 percent of the commercial people would be
affected by the means test, from what I took your numbers at.

MR. HILL: I think it would be less than eight
percent. I think some of those eight percent that are catching
eight percent would still qualify for the means test under --
because it's sale of any seafood product. It's not just
species specific.

They could sell $5,000 worth of shrimp or
anything.

So realistically, I think the means test in this
situation would only affect -- it would be less than five
percent, five percent at best.
MR. GOLLOTT: Matt, you don't see recreational fishermen selling redfish like you do the speckled trout?

MR. HILL: We don't think that we have, and that's just an observation. I'm just looking at the tickets. I don't think that we have that same type of issue.

I recognize the names on the list, and I've gone through it fairly tediously, and the guys that are selling red drum, the majority of the red drum, we're talking about 90 percent of them, they are the commercial fishermen that will pass the means test without any problem. I mean, it wasn't like the speckled trout when we looked at it. I mean, being around for so long you recognize their names. We were seeing people's names on there that we knew were recreational fishermen.

MR. TAYLOR: So if you do the means test, basically most of the people already meet it that are harvesting the red drum, you're just adding another cost and another I don't want to say aggravation, but another thing to the commercial fishermen that most of them already have anyway.

MR. HILL: We think it may be a tool in the future that we can use, but we would just like to see how it affects the whole fishery, the spotted sea trout endorsement is going to affect.

I think some of the guys when they don't meet the means test for the spotted sea trout, they're not going to
be catching the red drum anyway.

    So we'd just like to see, let it have a few
years and let's see how it's going to affect the fishery before
we add --

    MR. BOSARGE: And I just wanted to have the
conversation where we all kind of knew what may or may not
happen.

    MR. HILL: I'm not saying to take it completely
off the table. I think right now our goal is to extend the
season for these fishermen. The best way to do that is a
simple increase in the commercial quota.

    MR. TAYLOR: Okay. We have a motion on the
floor and a second. Any other discussion?

    MR. DRUMMOND: I have one more comment.

    MR. TAYLOR: Go ahead.

    MR. DRUMMOND: This is a possibility at this
point, Matt.

    MR. HILL: Yes, sir.

    MR. DRUMMOND: I think we ought to state in the
regulations that this is a one year deal. And one year.

    MR. HILL: It's going to take us a year to get
it into effect. We're going to have to run an EIS. This isn't
going to happen this coming up year. It's highly unlikely.

    We still have to go through the Administrative
Procedures Act. And the way things are set up now, we're
trying to find a more efficient way to do this.

I do think a sunset clause in there may be
something that we can support, if that's something that y'all
would like.

But the time frame, I think, probably should be
a little longer.

MR. DRUMMOND: So are you asking us to vote on
this today?

MR. HILL: There's a motion on the table.

MR. GOLLOTT: Let me make a statement here.

This is one of the things that's hitting me. If we harvested
this 800,000 pounds of fish last year, that meant the
recreational fishermen got over 750,000 pounds of this thing, I
mean. And the commercial fishery only asking for 50,000 pounds
is kind of ridiculous. I mean, it's a one-sided deal here. So
I don't see a problem in giving the commercial fishermen an
increase.

MR. HILL: The recreational fishermen harvested
786,437 pounds.

MR. GOLLOTT: Compared to 35,000 for the
commercial fishermen.

MR. HILL: It was less than 35,000. We didn't
shut the quota down last year.

MR. TAYLOR: Okay. We have a motion and a
second on the floor. All those in favor. Opposed? Passes.
Thank you, Matt.

MR. HILL: We'll move to the recreational portion.

We'll start by going over our current Gulf states recreational regulations.

Florida is currently 18 inch minimum size length with a 27 inch maximum -- it's 18 to 27 inch slot limit, and they allow eight fish vessel limit, one fish over the slot limit.

Alabama is 16 inches to 26 inches, three fish per person.

Louisiana, 16 to 27, five fish per person.

Texas, 20 to 28, three fish per person.

And currently we're at 18 to 30 inch slot limit, and we allow one of these fish to be over 30 inches.

What we'd like to see and what we are judging currently our stock status on is escapement rate. Our escapement rate is defined as the proportion of fish that survive to a given age in the presence of fishing mortality relative to a population not subjected to fishing mortality.

Basically it's the fished population versus the unfished population.

We've chosen age four fish as our target age for our escapement calculation, and the reason for this is literature shows and our data shows that 100 percent of these
fish are sexually mature at age four.

Current Gulf states escapement targets. The FMP or the Fisheries Management Plan escapement rate target recommendation for red drum is 30 percent. Mississippi, Alabama, and Louisiana follow the FMP recommendation of 30 percent for stock status and management decisions. Texas and Florida also follow the FMP regulation of 30 percent escapement as a minimum; however, both states strive for a 40 percent escapement rate when determining stock status and setting regulations. They're just a little more conservative.

Here is similar to what I showed at the last meeting, but we were also asked to run it at 16 inches and see what the escapement rate would have been over the same time period with the decreased size limit of 16 inches. And as I said, we're very confident in the green line there. That's the 18 inch. That's hard data. That's data that we have. The yellow line at 16 inches, there is some uncertainty in that line. It was hard for us to -- there was many factors that we were going to have to go into to put uncertainty levels on there, so we just wanted to let you know there definitely is some uncertainty in it.

However, what it did show is basically over the same time period, you would have had approximate four percent decrease in your escapement rate. The red line is your 30 percent. So you see even with the 18 inches we did get below
it a few times. But overall, the lines are comparable. The numbers may not be precise, but you can see they do follow the same trend.

Our status. The FMP recommendation is an escapement rate of at least 30 percent. Our average calculated escapement rate at 18 inches is -- between 2004 and 2012 is currently 31.8 percent. Our average escapement rate for the same time period at 18 inches excluding the outlyer year of 2010 -- this was the BP oil spill and I'll go back to the chart and show you. You can see it bottomed out, there's some other factors we would like to look at. We feel it should not have done that. There's something in the data that is making it -- we had some closures and some other things, but we don't feel it should have went that low, so we think we may have an issue somewhere that we'd like to find.

But what we were tasked to do is run it at 16 inches. So the average calculated escapement rate of 16 inches for 2004 to 2012 is 27.9 percent. The average escapement rate for the same time period at 16 inches, and we excluded the outlyer year of 2010 again, is 30 and a half percent.

Our conclusions are current regulations are effective in maintaining the recommended 30 percent escapement rate set forth in the FMP. However, the calculated escapement rate with a minimum size limit set at 16 inches would have also been effective in maintaining the recommended 30 percent
escapement rate set forth in the FMP for the same time period. The staff is requesting to further evaluate Title 22 Part 7 to determine maximum flexibility in setting new regulations to allow for more timely changes and to also consult additional predictive models to better manage our fisheries stocks.

MR. TAYLOR: So I gather from that you would like for us to table this.

MR. HILL: Yes, sir.

MR. TAYLOR: Okay.

MR. GOLLOTT: Just one question. On each side of us, Alabama and Louisiana both have 16 inch limits.

MR. HILL: Yes, sir.

MR. GOLLOTT: And what we're doing with the escapement rate is we're enhancing the federal fishery; is that correct?

MR. HILL: That's one way to look at it. We're allowing more fish to escape to the spawning stock which is said to stay in federal waters.

MR. GOLLOTT: When they get out there, nobody can catch them in federal waters.

MR. HILL: That's correct currently.

MR. GOLLOTT: So, you know, why not let the sister states feed the fishery and take advantage of it? That's just a statement, you know. If you want more time, I'm
for that.

MR. HILL: We're not opposed -- I mean, we're not recommending the power, we're not opposed to it, we'd just like more time to consult some of the other models that we can go a little bit more in depth in and create some more assumptions that we're a little more comfortable with.

MR. GOLLOTT: I don't have a problem with that.

I'd like to get it right if we do it.

MR. BOSARGE: You're going to bring it back to us maybe next couple of meetings or so?

MR. HILL: We're going to need more than a month this time if that's okay.

MR. DRUMMOND: I make that in the form of a motion.

MR. TAYLOR: Hold on a second. Mr. Eicke, can I talk to you? Do you want to wait and talk, or --

MR. EICKE: Not if y'all are going to act like you're talking about.

MR. TAYLOR: Okay. Go ahead. I'm sorry.

MR. DRUMMOND: I just wondered if you need that in the form of a motion.

MR. TAYLOR: Yes.

MR. DRUMMOND: Well, I'll make that motion to table it until Matt and his group a year from now gets the information to us.
MR. GOLLOTT: We aren't going for that.

MR. HILL: I'll compromise with you. How about six months?

MR. DRUMMOND: Mr. Eicke, you got something?

MR. EICKE: Yes. I think we would like to --

MR. TAYLOR: Come forward and state your name and who you're with and what.

MR. EICKE: My name is F.J. Eicke. I'm the chair of the government relations committee for Coastal Conservation Association, Mississippi.

If this motion is tabled, that would be fine. What we would request is that I have provided the commission with a statement that kind of details many of our concerns about any action that would affect the regulations of red drum and would ask that the commission consider making this a part of the record so that we're on record and also that the DMR staff will consider our comments, as well, as they study this issue.

MR. TAYLOR: So done. Thank you.

MR. DRUMMOND: Mr. Eicke --

MR. GOLLOTT: Would you like to withdraw your motion for a year? I mean, that's kind of ridiculous.

MR. DRUMMOND: Wait just a minute, Richard.

Mr. Eicke, I've solicited some recreational fishermen over in Jackson County, and I found that most of them
want to reduce the size of the redfish to 16 inches for catch purposes.

So the CCA is contradicting that to me. And I'm a member of the CCA.

MR. EICKE: We're really not. What we're saying is that action at this point, based on the data that we have available right now, is not justified. But we're not opposing the change if a change were to be warranted based on what we have available.

When I was taking statistics in my doctoral program, the statistics professor had a way of describing what statistics is. And he described it -- he identified it or defined it as methods we use to make decisions in the face of uncertainty.

I think there's a lot of uncertainty here. And with that uncertainty, we need to look further, which is what I think y'all have in mind which we support.

But in terms of proposing a change just on the face of it, that's not what we're doing. In that document that we presented to you, we clearly say that we're not opposed just on the face of it to a change. We're opposed to making a change at this point based on what we know.

MR. TAYLOR: Thank you very much.

MR. DRUMMOND: You can do anything with statistics, Mr. Eicke.
MR. EICKE: I agree. And that's why the uncertainty is always a part of it.

MR. TAYLOR: Okay. We have a motion on the floor. Is there a second?

MR. DRUMMOND: I second the motion.

MR. TAYLOR: You made it.

MR. DRUMMOND: I really want to change my motion to eliminate that year time frame.

MR. JEWELL: And it sort of addresses your concern, Shelby, about the time frame.

I want to talk -- make one statement. You know, our staff supports and has a lot in common with the CCA position now, and also some of the concerns that the commission has mentioned to us.

And so that's part of the reason why we want to take some more time to consider this issue. There are other models that we are looking at that we want to work with our associates at Gulf Coast Research Laboratory. We want to look at the data, do a little more data analysis, and we certainly want to take time to refocus the language in Title 22 Part 7.

So we have a lot of common interest here. And I think we're moving in that right direction. But I think what Matt is trying to say that this should take two or three months. It shouldn't take a year. It will be a couple of months before we're able to put all that together and come
forward with a stronger recommendation.

But I do want to keep in mind that any of these
potential changes that impact titles and parts, those take
quite a bit of time now under the new Administrative Procedures
Act with economic impact. They take anywhere between 12 and 14
months as our previous track history has indicated.

So please keep that in mind. When the
commission votes on the recommended changes that impacts the
regulations, it takes a while for that to go into force.

MR. GOLLOTT: What kind of time frame were you
looking at, Joe or Matt?

MR. JEWELL: I think we're looking at least a
minimum of two months, not more than about three months.

MR. GOLLOTT: Okay.

MR. JEWELL: So I think Shelby was about to
amend his motion just to tell the staff to table the issue and
to come forward at an appropriate time with the updated data.

MR. DRUMMOND: That's fine with me.

MR. GOLLOTT: I'll second the motion.

MR. TAYLOR: Okay. The motion is to table it
until the staff comes back with the appropriate time and data,
at the time and data. We have a motion and a second on the
floor. All those in favor. Opposed? Passes unanimously.

Thank you, Matt.

MR. DRUMMOND: Thank you, Matt.
F. Office of Coastal Zone Management

MR. TAYLOR: Next up is office of coastal zone management, Jan Boyd.

MR. BOYD: Good morning, Mr. Chairman, commissioners, Director Miller, Ms. Chesnut.

The office of coastal zone management has one action item for your consideration this morning, and Greg Christodoulou will be presenting that for you.

1. Bureau of Wetlands Permitting

   a. Jackson County Board of Supervisors

MR. CHRISTODOULO: Good morning, everyone. We have a request for a permit extension by the Jackson County Board of Supervisors. It's located -- there's three locations on the Sound: Front Beach in Pascagoula and Front Beach and East Beach in Ocean Springs. It's in a general use district.

   Here is the area showing the Front Beach and the red arrow, and East Beach and Front Beach in Ocean Springs. Of course, we have the bridge.

The applicant is requesting a renewal and extension of DMR 0329 until July 31st of 2019. That is to correspond with the date of the expiration of the Corps of Engineers permit for this project.

And that permit allowed for renourishment of beach areas in the following areas and amounts.

Pascagoula Front Beach for 7500 cubic yards.
Ocean Springs Front Beach for 17,500 cubic yards.

And East Beach in Ocean Springs of 16,000 cubic yards.

Chronology.

In March of 2003, a permit was approved by the commission that the work be completed by March 20, 2008.

DMR received a request to renew and extend that permit for an additional five years. And the commission did approve that request in September of 2008 which extended the permit until March 20, 2013.

And then in November, we received a request to renew DMR 03298 until July 31, 2019, to correspond with the Corps of Engineers permit.

Here's a diagram, a typical diagram, of what we're looking at in these areas. Basically, the permit area would be total of 100 feet from the existing seawall. That's the way it was permitted previously. This will also, the areas that do contain any marsh vegetation will be avoided and so there won't be a renourishment that would impact those marsh areas.

And based upon staff's review, the project is consistent with the Coastal Program because it serves a higher public purpose by restoring public beach areas for recreational use and helping protect the seawall and the associated

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roadways. So staff recommends approval of the requested extension until July 31, 2019.

Any questions?

MR. TAYLOR: Do I have a motion?

MR. ZIMMERMAN: I'd like to make a motion to accept what they're recommending.

MR. TAYLOR: Do I have a second?

MR. DRUMMOND: I'll second the motion, Mr. Chairman.

MR. TAYLOR: All those in favor. Passes unanimously.

Thank you.

H. Office of Finance and Administration

MR. TAYLOR: Next up is office of finance and administration. Bill Feidt.

1. FY14 Monthly Report

MR. FEIDT: Good morning, everyone. Take you through the financial picture of the agency as of the end of November.

Revenues so far this year on the state side were about $4.4 million, predominantly that's offroad fuel tax of over three million and then it's half of our state apportionment which is five hundred sixty thousand. And we're about five hundred thousand on the license sales year to date.

I mentioned last month we'll be adding some
things to these reports as we go through. I've added a couple
of headings on here for this month for a couple of the small
items just to line it up to the budget as we get into the new
year. That's one reason those have been added here. But the
general content is still the same.

Any questions on the revenue side?

On the expenditure side, we're just over $3
million year to date. The bulk of it is on salaries and wages,
$2.2 million. And the contractual services were almost six
hundred thousand, commodities just under $200,000.

And then I was asked to mention that for
Shelby's benefit the travel has picked up a little bit this
month.

MR. DRUMMOND: Thank you, Bill.

MR. FEIDT: I do what I can to help.

Any questions on the expenditure side?

The last two slides are unchanged from last
month. This is our projected position at the end of the year.
As I mentioned, we'll be looking to update this as we get into
the new year.

On the revenue side, we're about $5.6 million.
Again, I've got the categories lining up with the first page.

And then here's our expenditures staying put at
the end of this year as we projected right now.

Any questions?
MR. TAYLOR: Thank you, Bill.

MR. FEIDT: Thank you.

I. Directorate

1. Public Affairs

MR. TAYLOR: Next up is public affairs, Melissa Scallan.

MS. SCALLAN: Good morning, commissioners, Director Miller, Ms. Chesnut.

We also would like to wish everyone a Merry Christmas and Happy New Year.

We had since the last commission meeting, the department has been mentioned 46 times in the media. That includes newspapers, TV stations, radio stations on the coast and in this region.

I think we had one or two more this morning. So it probably is 48 as of this morning.

I wanted to mention something to you that our marine patrol did that we got some recognition for. There was some -- about 100 pounds of redfish that were caught illegally. And our marine patrol officers gave that to the Salvation Army in Gulfport for them to feed people. It was the day after Thanksgiving. So people got some good fish. Someone did something wrong, but there was benefit from it. So there were lot of people who thanked us for that, and we want to thank marine patrol for thinking of that to do that with those fish.
We have had several events. We're kind of winding down at the end of the year, but we did have a few things that have gone on. We participated in an event in Ocean Springs to encourage local shopping, and they had a place at the Mary C where they had chefs fixing some food, and we contributed some seafood to that so people would continue shopping and they would be able to do that. And they enjoyed our seafood.

That night, our DMR wellness team ran its first 5K. So everybody finished and, you know, it was cold as anything. I think they ran to keep warm that night. But that was a nice event.

The Charley Norwood House in Ocean Springs, we had our first open house for that home on December 8. Very well received. We had probably I would guess a couple hundred people that passed through in the three hours they were open.

It's also open if you're interested on Friday and Saturday afternoons from 2:00 to 5:00 during the month of December. And we'll decide -- they're going to work with us and decide when we're going to keep that open after the first of the year.

We also had the Grand Bay NERR last Friday had a star gazing event. And we had about 60 people that attended that. So that was well received also.

This Friday we want to let you know about
something going on. There will be a reinterment ceremony on  
the west side of the Biloxi Visitors Center at ten o'clock. A  
professor, Marie Danforth from USM and her students, did a dig  
there and excavated remains of about 31 European settlers who  
were here in the 17th Century. And they -- Hurricane Katrina  
disrupted their burial spot. So we are going to have a  
ceremony with Bishop Morin and some state and local officials,  
so you guys are welcome to join us for that, also.  

We did want to tell you about some things going  
on in January at the legislature. On January 8, typically  
every year the Coast Chamber and the tourism group sponsor a  
coast reception. And so that's going to be January 8, and all  
of you are invited to that event.  

We are having on January 23, we're going to have  
DMR day at the Capitol in Jackson from 7:30 to noon.  

On January 29, we will be participating in a  
Best of Mississippi Seafood Edition. There's a group in  
Jackson doing a -- sponsoring events called Best of  
Mississippi. This one is seafood, and so that's going to be at  
the Old Capitol Inn from 6:30 to 8:30. And I'll send you guys  
e-mails about that so you can be aware of that.  

Any questions?  

MR. TAYLOR: Thank you very much.  

MS. SCALLAN: Thank you.  

J. Other Business
MR. TAYLOR: Next up, any other business to come before the commission?

MR. GOLLOTT: Mr. Chairman, I'd like to make a motion that we go into closed session to determine the need to go into executive session to discuss personnel matters.

MR. TAYLOR: We have a motion on the floor. Is there a second?

MR. DRUMMOND: I second the motion, Mr. Chairman.

MR. TAYLOR: Those in favor. Passes unanimously. Thank you.

(Off the record 9:53 a.m.)

MS. ROYALS: The commissioners are in executive session to consider personnel matters.

(Off the record.)

(On the record 10:54 a.m.)

MR. TAYLOR: We'll come back into session, but we're going to wait a minute until one of the commissioners gets back.

Okay, Sandy.

MS. CHESNUT: At 9:53, a motion was made by Commissioner Gollott to go into the closed session to discuss the need for executive session to discuss personnel matters.

The commissioners present were Jimmy Taylor, Richard Gollott, Shelby Drummond, Steve Bosarge, and Ernie
Zimmerman.

Oh, and that motion by Gollott was seconded by Mr. Drummond.

Also present in the room during executive session or the closed session was Joseph Runnels and myself and the executive director.

At ten o'clock, a motion was made also by Commissioner Gollott to go into executive session to discuss personnel matters. And that motion was seconded by Ernie Zimmerman.

Legal counsel and executive director briefed the commissioners during the executive session on several different personnel matters. No motions were made.

And then at 10:52, Commissioner Gollott made a motion to end the executive session and return to regular session. That motion was seconded by Mr. Zimmerman.

MR. TAYLOR: Okay. Thank you, Sandy.

K. Public Comments

MR. TAYLOR: Next on the agenda is public comments. And when I call your name, please come to the podium, state your name and who you represent and your subject matter, please.

First up is Louis Skrmetta.

And it's three minutes, y'all.

MR. SKRMETTA: Thank you, Mr. Chairman.
In 1971, Gulf Islands National Seashore was established to ensure that the Mississippi barrier islands are preserved and protected for future generations.

The current proposal to open up state waters to oil and gas drilling is a direct threat to a 40 year effort to conserve these exquisite sand islands for our children.

As it stands now, the thousands of coastal residences and businesses that depend on tourism could be impacted by this complex proposal.

We shouldn't risk spoiling a proven economic resource like our national seashore just to please Governor Barbour and Governor Bryant and the oil and gas lobby. This is pretty much who's pushing this thing.

Any potential oil and gas royalties MDA claims will be forthcoming to the county supervisors, municipalities, and state agencies will be wiped out by the loss of tourism dollars, and the unknown cost to regulate and manage this very complex and hazardous industry.

The people of the Gulf Coast are not opposed to oil and gas drilling. Those of us that live in this region understand how important offshore drilling is to our economy. There are more than 3,000 drilling sites south of Ship Island and Fort Massachusetts. But the drilling platforms associated with the current operations do not dominate the unimpaired viewshed found on the south side of the Mississippi barrier.
islands like they do off Dauphin Island, Alabama.

A visit to Dauphin Island is proof positive that allowing drilling platforms within the three miles of state controlled waters south of Petit Bois, Horn, and Ship and Cat Islands is not a sufficient distance to prevent the noise and visual impacts from affecting one's visitor experience to the national seashore.

Elements such as wilderness, solitude, and unaltered night sky are what make national parks so special and like thousands of people from all around the nation and the world visit Mississippi islands each year.

Mississippi Development Authority's own public comment record shows overwhelming opposition to their proposal to lease Mississippi waters to oil and gas drilling. Over 85 percent of the comments received during the official comment period were in opposition. The public has spoken clearly, this proposal is a bad bet for our expanding tourism industry, bad for the health of our beleaguered Mississippi Sound, and bad for the future of Mississippi's barrier islands and national seashore.

Is Jackson going to force the Mississippi Gulf Coast to become a gas drilling destination like Mobile Bay and Dauphin Island, Alabama?

Or are we going to become a premier tourist and gaming destination?
We can't have it both ways.

Billions of dollars have been spent and will be spent transforming the Mississippi Gulf Coast into a premier tourist destination. Tourism alone counts for 17 percent of the area's employment. Local tourism leaders are currently engaged in one of the most ambitious advertising campaigns in state history thanks to millions of dollars in restitution money provided by BP.

Resources are finally available to properly showcase the wonderful culture, history, and natural resources of South Mississippi to the nation and world.

Instead of officials pushing offshore drilling next to the state's most valuable waterfront property, MDA is pushing this, as you know, they should be working on ways to bring more visitors to the area by promoting and not diminishing the value of some of the state's most precious tourism assets, Gulf Islands National Seashore.

I hope that this commission will look at this very carefully, the economic study prepared by Dr. Jeff Bounds, Ph.D. states that we can expect a three percent drop in tourism if one drilling platform is set up south of Horn Island.

That's just a start.

So I know that the commission somehow -- I'm not sure exactly what your authority is in this case, but I respectfully request that this commission look at this very
carefully and not allow this to take place.

Thank you so much.

MR. TAYLOR: Mr. Skrmetta, I'm going to let Mr. Miller respond to some stuff, to the comments, because there is a separation of power there.

MR. MILLER: Well, I just want to speak again to the possible confusion about what the agency's response to MDA was.

After several months now, or at least three months, since we've got MDAQ's request for coastal zone consistency, we just basically said we're going to follow the law. And we believe that the state legislature has absolutely given MDA as a duly authorized agency the authority to issue permits. But that is not a substitute for what this agency is here to do. Through phone calls and a lot of conversations with people on the coast and in Jackson, what our letter says, and I don't know if you've had a chance to read the actual letter, but what the letter says is, you know, MDA's rules and regulations are not a substitute for this agency's responsibility to review those potential impacts through seismic activity leasing and that we will retain our mandated authority to do that independently from commenting on what MDA's rules may or may not say.

So I just want to restate that anyone who asks or applies for a seismic permit will absolutely go to MDA to
get one. They will also absolutely have to apply to us to get one.

MR. SKRMETTA: Thank you, sir.

MR. TAYLOR: Thank you, Louis.

Next up is Jennifer Wittmann.

MS. WITTMANN: Just really quickly. I'm sorry.

Jennifer Wittmann. I'm with Christmas on the Bayou in Gulfport. And just wanted to take an opportunity to publicly thank our marine patrol officers for once again providing for a safe parade this Saturday night. I know that they worked parades all up and down the coast, but we had about 45 boats in the parade. It was not the greatest weather in the world. But they were there. They kept us safe. They had officers and reserves there, and sometimes the people overlook the fact that, you know, it's their job, but they're out there, and they keep everyone safe.

So thank you.

MR. TAYLOR: Thank you.

Next up is Steve I believe it's Shepard.

MR. SHEPARD: Yes. My name is Steve Shepard. I'm from Gautier, Mississippi. I represent the Sierra Club Gulf Coast Group Chair. Was there something else you wanted in advance?

MR. TAYLOR: That's fine.

MR. SHEPARD: I'm here again on the drilling in
the Sound issue. And I do like it sounds like Jamie Miller did
the best he could for us and that he is not giving away the
power that we on the coast need. And I understand that power
is going to come through this commission.

So I'm frankly looking for three votes that are
going to say no every time a seismic permit comes in and every
time an oil rig permit comes in, I'm hoping that three on this
commission will vote against it and try to keep it out of our
Sound.

I want to make one point that we have --
different representatives of this issue have brought up a
number of times, and the fact that we have an economic report
by Jeffrey Bounds, a completely qualified guy, got a Ph.D.,
completely qualified to analyze that he thinks the outcome of
drilling in the Mississippi Sound is going to have on our
economy. And his results are definitely suggesting that when
we drill, yes, a few drilling jobs will be created, but that at
the same time at least the same number, and it sounded like his
analysis was that more jobs would be lost from our tourist
activity.

And so we won't gain an economy from any of this
drilling activity. And I'm hoping that our commissioners will
protect our economy.

I want to say, why doesn't the MDA hire
somebody, I'm sure they can, and dispute our findings? They
don't dispute it.

So what you have is you have one economist who has analyzed this question. The MDA has never analyzed this question. They have not come up with their own report where you would have a chance to say, hey, you're wrong about that. The tourism will increase when we get oil rigs. The more oil rigs, the more economic activity from tourism and the other areas of our economy.

I mean, I would worry about seafood. I think you've got to ask yourself how many tourists are buying seafood. I know my sister comes down from Nashville, and she goes over to Quality Seafood and buys seafood. What if she's discouraged by the oil rigs? What if she starts thinking, you know, gosh -- I say oil rigs, gas rigs. It's almost certainly be gas. What about the water quality? I think I'll go buy my seafood over at Gulf Shores or somewhere else. I don't know, but I do think you ought to ask that question: Will it affect seafood sales?

I also want to say in terms of fishing, we've got this notion that the rigs could possibly increase the fishing. If we didn't already have some really wonderful rubble out there, we definitely need more habitat, if we didn't already have rubble reefs, I'd say, well, maybe, you know, if you had a completely empty bottom covered with sand and mud and an oil rig showed up, yeah, I wouldn't be surprised if a few
more fish showed up.

But right now, I can't see that happening because we've already got pretty good habitat. And, of course, they're going to be dumping drilling mud. Drilling mud is going to create turbidity, and that turbidity is likely to at least make the fish get displaced to some extent. So we could be affecting fishing directly, not including what the tourist impact could be.

At any rate, I'm asking our local people that are on this commission to definitely seriously look out for us and consider what our findings show, what Dr. Jeffrey Bounds showed, which is that we won't gain anything from these rigs, that we will lose. And so we need to -- I hope that three of you on there will vote this way, and that's what we're going to be looking for.

So thank you very much.

MR. TAYLOR: Thank you.

MR. DRUMMOND: Mr. Shepard, who is Dr. Bounds and what is his affiliation?

MR. SHEPARD: I'm not sure I can answer that as well as someone else.

Does someone have his credentials? Do you have it, Helen?

MR. TAYLOR: State your name when you come forward, Helen.
MS. PATTERSON: Hi. I'm Helen Rose Patterson. I'm the Mississippi organizer with the Gulf Restoration Network.

Jeff Bounds is up at MIT, but he is local. He was here, and I'm not 100 percent sure on all the details, he was here post-Katrina helping to do economic impact assessment work as far as our rebuilding. And, of course, the issue of drilling had first come up right before that. And so when the rules for seismic testing and leasing were released back in December 2011, he did a full economic impact report on detailing exactly what drilling would mean for the coastal economy. And it's available on the Twelve Miles South Coalition website, and I believe it's been made available to a number of decisionmakers over that time.

But he's a professor at MIT, I believe these days, but local, originally grew up here.

MR. TAYLOR: Thank you.

MR. SHEPARD: And anyway, like I say, why doesn't the MDA come up with their own that disputes it? That's all I'm asking. When you don't have anyone disputing it, can't we just go ahead and believe Jeffrey Bounds?

Thank you.

MR. TAYLOR: Thank you very much.

Next up is Ms. Carol Lightner.

MS. LIGHTNER: My name is Carol Lightner. I'm
from D'Iberville, Mississippi.

And we, the people of the already wronged scarred battered and bruised Gulf Coast, don't want oil drilling.

It is ludicrous to say it will help the Gulf Coast tourism, environment, economic future, etcetera, for two days worth of oil or gas.

The impact on the historical resources, natural scenic qualities, wetlands, due to oil equals four to five story rigs within a mile of our barrier islands visible from the towns along the coast, oil activity so close not in line with environment or economic future of the coast.

Please protect our future of the coast. Please protect our natural resources for our health and the future of the coast.

If the whole environment is demolished, what good is a boat?

A wronged scarred battered and bruised region already, 170 million plus gallons f crude oil in the Gulf habitat, wildlife, employment, health, family welfare. Ask: Are we any safer or better off today?

Congress has failed to act, misjudgment, operation failure, oversight and mistakes.

Washington allies are resisting reform.

We cannot continue to place lives of our
workers, health of our waters, survival of the coast economics, 
wildlife of the Gulf in harm's way.

Our leaders in Washington and local leaders must restore the Gulf and make its people whole again. 

Oil discovered on the bottom of the Gulf contaminated slash smothered tracts of the soft bottom sponges, sea fans, coral reefs, rich bottom habitats of the Gulf. There are less than 2,000 sperm whales left.

Whales are like dolphins. Surface to breathe and can ingest oil.

Oil impacts the whole prey like fish and squid. One hundred seventy million plus gallons of crude oil flooded the Gulf. The rest in the environment, dispersed in the water columns, floated to the surface, deposited on the coast and sank to the bottom.

Large portions in the air included hazardous chemicals, benzene hydrogen sulfate. Winds carried the toxic chemicals and hydrocarbons to shore threatening health of humans and wildlife.

The oil slick threatened the health of humans and wildlife. And the oil slicks around the Gulf and islands harming marine animals such as turtles, birds, marine mammals, and larva fish, as well as coastal habitat such as rich marshland.

Tar balls traveled hundreds of miles and will
continue to wash on the beaches for years.

Thank you for your time in letting the citizens comment.

MR. TAYLOR: Thank you very much, Ms. Lightner.

Next up, Ms. Helen Rose Patterson.

MS. PATTERSON: As I said before, I'm Helen Rose Patterson. I'm the Mississippi organizer with the Gulf Restoration Network.

Thanks for allowing us the opportunity.

MR. TAYLOR: We're going to dock you a minute because you spoke earlier. I'm just kidding.

MS. PATTERSON: I'm going to be brief anyway.

MR. TAYLOR: Take your time.

MS. PATTERSON: I'm not going to ramble on, I promise.

I do want to thank you for making an effort to maintain the authority of this agency and this commission as far as the rules for seismic testing and leasing go.

Obviously, there are still major concerns about what drilling really does mean for our coast, and I think that's the fundamental issue that has not yet been addressed.

No one has looked at anything beyond seismic testing and leasing. And those two things lead to drilling. And we have to know what drilling means.

I think Steve's point about making sure that the
state does do an adequate economic impact assessment is incredibly important and it's something that this commission and this agency should call for because it's an important tool in forming your decisions about allowing permits for these things to move forward.

I do want to know when we'll be able publicly to see the document that you've provided to MDA. I don't know if you want to answer that now or...

MR. MILLER: It should be available now. I don't know if the Sun Herald has posted it, but it should be.

MS. PATTERSON: They have not.

MR. MILLER: I'll make it available to you before you leave if you would like.

MS. PATTERSON: I'd appreciate that. Thank you.

I do want to mention that I think one of the things that we really must consider is that there's been a national paradigm shift over the last five or six years to this notion that exploiting all of our fossil fuel resources in this country is mandatory. And I think what that really fails to take into account is the incredibly important historic and natural resources that individual communities have. And while there are valid reasons to make sure that this nation is energy independent, I don't think we can sacrifice our soul and what makes our communities whole, what gives us the quality of life that we really expect, especially in unique places like the

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Gulf Coast to this national ideal of using all of our possible fossil fuel resources.

And I think it's very important for anyone making decisions regarding drilling to consider where that decision is really coming from, if it's coming from a place that, you know, going with this national idea or if it's coming from a place of protecting communities.

So keeping that in mind, we need a good economic impact assessment so we know what this means for our communities. And that should be the driving force behind any decision that this state, this agency, this commission makes as far as drilling is concerned.

Thank you all so much.

MR. TAYLOR: Thank you very much.

Next up, Manny Skinner.

MR. SKINNER: Good morning. Been a long morning. Thank y'all for hearing us.

I'm a commercial fisherman. I tong oysters down in the Pass. And I'm going to state my comments on something that Richard said just a while ago that he would like to see the commercial fishermen make a living.

And we are kind of having a hard time doing that right now.

And I've also heard that a lot of folks talking about a Merry Christmas. I don't think it's going to be such a
Merry Christmas for the oystermen because we opened this thing up in October, and we closed it down in November, and we got two days in this December so far. And we just can't make enough money to pay our bills and feed our families.

I know that down in the Pass we have a water problem with the Pearl River. It's been a water problem for years. And it will continue to be a problem for years until somebody fixes the Pearl River.

Now, there's a way to fix the Pearl River, but it would have to go through Washington first to get it fixed. But we ain't going to talk about that today.

What I propose and I've proposed before and other people that have been here has heard this proposal and some of them are still here and some of them ain't here no more, but I'm suggesting that we not put all our eggs in one basket down at the Pass. We have spent millions and millions of dollars down there trying to refurbish all these oyster reefs down there. And it takes anywheres from three to four years before you can even harvest a oyster off them reefs after they put the shells and the limestone and all that stuff down there.

And in that period of time, three years, we could have a hurricane, we could have the Bonnet Carre Spillway, we could have another oil spill, we could have a lot of things happen.
What I suggested in the past is build a reef out here on the south side of Deer Island between the Katrina jetty and south side of the island.

Now, this reef could be a very large reef, and I heard here the last meeting I was at here, a gentleman came up and suggested to build a reef on the west end of Cat Island. And he wasn't building it there for the commercial fishermen; he was building it there for the recreational fishermen.

And somebody, I think it was Mr. Diaz, said that we had plenty rocks still left over from the barges that didn't dump on the Pass reef that we could build a new reef on the west end of Cat Island.

Now, that's for the recreational fishermen.

Here we are, we're trying to make a living feeding our families on these reefs that's never open. It's a sad plight.

This reef I'm talking about could be put in between the jetty and the island, a strip through there, it would be a fantastic fishing reef for everybody. A fantastic fishing reef.

And later on in maybe a couple of years, if we put oysters out of the Bay here that they're destroying over here on the Ocean Springs side, all them little pocket reef that we have along Davis Bayou and all that, they're all being covered up because they're dredging sand up on the beach up there so somebody can go out there and lay in a bathing suit
for the tourists.

But the commercial fishermen, such as I and others, I don't know why these other guys don't say anything about -- I have ever heard -- about not having no work. We can't make a living. This industry that we are in is diminishing. A young man is not going to stay here and not be able to feed his family.

But they want to take and they dredge this thing up and they covered these oyster reefs right up out there, what few we got left. I say take the oysters and dredge them up out of that bay and put them somewheres where the commercial fishermen can catch them.

But I don't know. It's just -- it's a terrible plight for us. We can't make a living. We can't feed our families. We just need help is what we need.

And I suggested it many times that we build a reef out here where we can even work when the wind blows. When the north wind blows and when the south wind blows and the waves are down at the Pass so high you can't stand up in your boat, you can work here whenever -- when the water comes out of the Pearl River and floods that place for two or three weeks, we can work here.

Give us a place to where we can feed our families.

Thank you very much.
MR. TAYLOR: Thank you very much, Manny. Your comments are always welcome and to the point.

I believe if I'm not mistaken that we have looked at putting -- we've had the fisheries people look at putting reefs in those areas. Some of the bottoms are not good I'm told. I don't know. I don't oyster. But we are very concerned about the oyster harvest. We've also -- and if my memory serves me right -- last meeting or the meeting before last instructed some of our staff to look at sources of pollution to the east so that we could find and solve what some of the pollution is so these oysters can be harvested to the east.

So your comments are not falling on deaf ears by any means. I know Mr. Gollott has, you know, worked to try to get some reefs. As a matter of fact, we did put some oysters on the old White House reef. I don't know if you remember that, Mr. Skinner. I do as a kid.

And I'm not sure about Katrina. But we'll look at it. You know, your comments -- and none of your comments, y'all, are on deaf ears. And we appreciate them.

Thank you.

Next up, Richard Gable.

MR. GABLE: Hello. My name is Richard Gable. I've come to ask y'all about the nylon net again, the use of nylon versus cotton.
I think it was last December I was here asking for the use of nylon because I couldn't find the cotton webbing.

Well, fisheries helped me find it. It was in Florida which it come out of China. But I was able to get some.

I bought 90 pounds of it. I brought this bag that has never been opened. Just the humid air will cause it to rot. It's been left in the original bag that it was shipped to me in. It's been inside the shop. And it's done started to deteriorate.

When I take my boat out, every time you use that net you got to take it and hang it. When you take it and hang it, then you dry it out or it's supposedly dry or supposed to be dry. But then it goes back to the humid air.

I put it inside of our shop which is 30 by 80 foot long, and I hung it in there. You can go out there in the morning and feel it, and it's wet. And steadily, by it being wet, it's steadily rotting.

Now, the money I had to spend on this, it was $10 a pound, this is a 32 pound bundle, $320 basically went to poop. That's what I'm being made to fish with.

And I can't see why we can't use nylon. I don't want monofilament. I don't think monofilament should be brought back. But cotton is as useless as a boar hog having to
be able to fish. It just don't make good sense.

I wanted y'all, if you would, pull on this. I
can show you or let y'all do it, so you won't think I'm lying
or I've altered it. Just that easy.

MR. BOSARGE: Show them again, Mr. Gable. Pull
a little bit out where they can actually see what you're doing.

MR. GABLE: (Complies.)

MR. BOSARGE: How would you like to know you
were casting with cotton material?

MR. GABLE: For me to have to buy the 90 pounds
that come from China whenever there's a man in Biloxi, George
Booth, that has a nylon company in Ocean Springs that I could
buy my webbing local.

The gill net, back in the day I was called an
outlaw and a thief because I used a gill net. And all I was
doing was trying to make a living for my family.

Now this, I have to be a half mile off the beach
with a sport fisherman when I don't want to be around them.
They don't want to be around me. And I'm being forced to fish
out there and use stuff like this that's no good, that don't
work.

And what I'm asking for is to be able to use
nylon and at certain times of the year, say like when mullet
season opens, from October to Lent, let us fish the shoreline
west of Bayou Cadet. During the summer months when the sport
fishermen are out there, I don't have to be nowhere around
them. I don't fish in the summer months. I try to crab. Then
I could fish a half mile off the beach and catch pogeys if the
crabs have come back to use for my bait. Fish don't get fat
until the fall of the year anyway. That would give me a chance
to catch redfish.

For two years, I haven't been able to work,
catch crabs, catch fish, and I think in fisheries they said
that there was 73,000 pounds of fish that was caught
recreational and thirty something thousand pounds commercially.
Rod and reel don't fit in my hand. I was raised
to fish with a net. Why can't I do that?
Whenever the commissioners or the commission
meeting back in the day was out of Jackson I could fish.
I fussed and raised all kind of Cain because I
didn't think that the commissioners should be from north
Mississippi where they grow cotton. I thought they should be
from the coast.
But what I did is, I think I shot myself in the
foot because whenever it come back to the coast or it come to
the coast, then I was called an outlaw and a thief, and I can't
fish no more.
And they give me stuff like this and tell me
this is what I got to use. And I've wasted a lot of money on
building a big building to hang a net that's going to rot
anyway.

And I was just looking at the bag. If you take, the bag is sitting in the building, there's little water droplets in it. It went straight from the shop, straight inside my truck, and straight in here. And it's got moisture in it now, and it's supposed to be dry. And it's not. And you seen how it tore.

And like I said, all I'm asking for to let us have our nylon back and to seriously consider seasonal place that we can fish that I don't have to be around the sports because, like I said, they don't want to be around me, and I don't want to be around them.

MR. TAYLOR: Thank you very much.

MR. GABLE: Thank you.

MR. GOLLOTT: Mr. Chairman, could I ask a question, please?

MR. TAYLOR: Yes.

MR. GOLLOTT: Is this state statute or is it regulation the commission came down?

Corky, could you answer that? Or Matt?

MR. HILL: The half mile is in state statute. That was set by the legislature.

The degradable material ordinance, regulation, whatever you want to call it, is in Title 22 Part 5. That was set through the commission.
MR. BOSARGE: Matt, just from fishing, honestly, cotton was way before my time. That's how long it's been since there was any nets made out of cotton. But I have fished with nylon, and I have fished with monofilament.

And most anybody -- I mean, this man is asking to fish with nylon which was something that when we got away from it, it was like, wow, because when you strike nylon, especially if you put it around the wrong thing, you've got your work cut out for you because it doesn't work as well as monofilament.

But I guess my point I'm trying to make is that you saw what -- I mean, that's it. I don't see how you can strike it without tearing it up, to be honest with you. But still and all, that is a biodegradable material, but that's impossible material to work with.

MR. HILL: I do have one comment. I talk to Richard on a regular basis.

There has been some confusion with the nylon what he's asking me, and I was confused in the beginning. But what he's asking for is undipped nylon. They don't want to be able to dip it or so it will become like a shrimp trawl or something. But there still would be some degradable qualities to it. I don't think it would meet our standards that are currently in our regulations. But I think that is one important thing and he has pointed that out to me that if he
came before the commission that it would be undipped nylon.

And one reason that this has become so hard to get, we did a little bit of research, and there's only a handful of places that are actually -- you can get the material. There was a misconception. You can get the material anyway. If you want cotton linen twine, get on the internet, you can find it wherever you want.

If you want cotton linen mesh to fish with, that's a different story. The manufacturer stopped making it because their machines would generate so much heat spinning the cotton and nylon, they would catch on fire. So it was a safety hazard. So there's very few of them that do any more, and they only do it in limited quantities, and the two that I've spoken to say that's their biggest reason is because just the safety of the factory.

So it is in limited quantity. Can you get it?

Obviously, you can get it.

Are there some problems with it? If I was a commercial fisherman, yeah, I would think there were some problems with it.

MR. GOLLOTT: What's the objection to monofilament?

MR. GABLE: Do what?

MR. GOLLOTT: Why wouldn't you go back to monofilament if you could?
MR. GABLE: I don't want monofilament for two reasons. I want to speak plain and blunt. I don't want to --
it's kind of brown nosing. The sports is the ones that was
objecting to the gill net to begin with.

A crab can eat nylon. I believe that there's
enough water out there that we all can share it.

And I give a little; they give a little.

Now, the monofilament, a crab can't eat out of a
monofilament net as good as he can a nylon.

Now, if you catch a fish, they said that there
were so many lost nets. A true commercial fisherman will not
lose his net. You just don't do it. There's too much money in
it.

But if it catches a fish, a crab is going to go
there and eat the fish. When the crab gets tangled up in it,
he's going to eat hisself out that nylon. When you pick your
net up, you're going to have a hole big enough that you can
drive your truck through. Monofilament won't do that.

MR. BOSARGE: I guess really to answer his
question, if you had your choice, you would rather have a
monofilament net, but you're trying to --

MR. GABLE: If I had my druthers, I would ask
for monofilament. But to -- there's been enough bickering and
fussing and lies told about the commercial fishermen that I
think that I could deal with a nylon net and still be able to
work and make a living, and I could do without the
monofilament. That's why I said, well, I can give in, and I
don't -- monofilament I don't -- I cut my teeth on nylon.

MR. BOSARGE: And that's my point, you know, you
couldn't take just anybody and hand him a nylon net and say go
fish because nylon gets you in trouble.

But a true fisherman that knows what he's doing
can take that nylon net and make it work.

MR. GABLE: Well, that's the point.

MR. BOSARGE: Even though it's not going to fish
as good as that monofilament, but at least you can -- that
right there, that's nothing.

MR. GABLE: Well, this thing is 23 foot deep.

Me and my wife fish. And she ain't no bigger than a minute.

And for us trying to handle a 23 foot deep net on cotton that's
rotting away just does not make good logical sense.

And like I said, to go along with the sports,
too, because they got the right to go out there and fish just
as I think I have the right.

But I would be happy if I could use a nylon that
it could be wet and I could put it in a pile somewhere. It
eventually would rot, but not like this. It's not going to
deteriorate to nothing.

MR. BOSARGE: Especially undipped.

MR. GABLE: I don't want -- you see, if it's
dipped --

MR. BOSARGE: It will last longer and dipped would actually somewhat fish better, but I understand you're willing to sacrifice and willing to take the undipped nylon net, something that you could use to actually work with.

MR. GABLE: Right. I got a piece. It's not that old.

But dye it, don't dip it. You'd have to change the color because if you put that in the water white, fish is going to see it, it's like putting a picket fence up. You couldn't beat them in it.

But, I say that the nylon you could dye the color of it red, brown, green, whatever, but if you dip it, it would be kind of like trying to beat a fish into a chain link fence. He's going to bounce off of it.

So I don't want it dipped. I just -- and a crab could still eat the nylon if it's not dipped. And if you dip it, it's going to be harder -- it would be like a shrimp trawl. I guess that may be why they dip shrimp trawls so it lasts longer and makes it stronger to where it don't tear up as quick.

MR. BOSARGE: It doesn't rot.

MR. GABLE: Right. But that's why I was asking for the nylon, but be allowed to not dip it, not to dip, but to dye it so that it would change the color of it.
MR. GOLLOTT: Matt, how many commercial fishermen have we got, gill net fishermen?

MR. HILL: Right now on record, we've given out 12 net tags. We've actually certified the material that they're using on 12 of them. But that's going back to right after the storm. Some of these nets are seven, eight years old, and they -- if I had to guess, I'd say five or six of them may still be --

MR. GOLLOTT: Are they licensed yearly?

MR. HILL: They buy a license yearly but if they are claiming they're still using -- we only have to -- once we tag the net, it's for that specific net, and we get the packing list, we get the material, and they don't have to come back in and re-tag that net. It's tagged. And so they're saying that they're -- and it becomes an enforcement issue then.

MR. GOLLOTT: How long can the net be?

MR. HILL: Twelve hundred foot.

MR. GOLLOTT: Twelve hundred feet?

MR. HILL: Yes, sir.

MR. GOLLOTT: A fisherman can have how many nets?

MR. HILL: One 1200 foot.

MR. GOLLOTT: Let us take this under advisement and then come back. We'll look at it.

MR. BOSARGE: Can we ask Matt to look into it
and tell us what we -- we're going to put it on you again.

    MR. HILL: I don't think we'll give a
3 recommendation. How about an option? We'll look into it and
4 take some things under advisement, and when we get ready, it
5 may not be a bad idea to --
6
    MR. GOLLOTT: In those seasons that they can
7 fish mullet and avoid catching speckled trout and redfish and
8 something like that, or is that...
9
    MR. HILL: I don't think you're going to avoid
10 catching the other species when you're catching mullet. You
11 can target, you can make the gear selective toward the mullet
12 with the larger mesh sizes and things. There are some ways to
13 look at it, but there's also both sides of the fence. And I
14 think a little bit more research on this and possibly down the
15 road having a public hearing just to get some comments and see
16 how everybody feels.
17
    MR. DRUMMOND: Are we talking strictly about
18 gill nets, not trammel nets?
19
    MR. GABLE: Gill net and a trammel net is
20 basically the same thing.
21
    MR. DRUMMOND: No, i's a little different.
22
    MR. GABLE: It's --
23
    MR. DRUMMOND: That's okay. I just wanted --
24
    MR. GABLE: Well, it's basically they're about
25 the same way, except the trammel net will catch, say like a
sheephead. I think Mississippi state law says it has to be a stretch limit of three inches. Well, if you had a trammel net that had three inch inside wall and three inches outside wall and it's got 14 inch mylutes on it, it would be able to catch sheephead, black drum, flounder, or whatever that the type of fish that you're targeting.

I wanted to say about an area to fish, and that goes back to the length of the net.

Saying like if we was able to fish west of Bayou Cadet down in the marsh where most of the sports go offshore and fish, that's them rock piles, instead of us having 1200 foot of net, you can catch more fish with a 300 foot piece of net along the shoreline than you can with a 1200 foot piece of net. You don't need 1200 foot.

Well, if we're able to fish inside that half mile along the shoreline, then we wouldn't have to have so much net, and we could still -- if we were setting it. Now, if you was hauling a net going from point to point to point to work, then you would want to have at least six, eight hundred foot of net. I'm getting too old to be pulling on 1200 foot of net.

But I could make it -- me, myself. Now, others, they may prefer the 1200 foot piece.

But that's where it goes back to where I was wanting to give -- I'm willing to give if something could be give to me.
MR. DRUMMOND: Thank you, Mr. Gable.

MR. GABLE: Thank you.

MR. TAYLOR: Thank you very much.

Any other business?

What is the name, ma'am?

MS. RAMSEY: Maxine Ramsey.

MR. TAYLOR: I'm sorry. Come on up.

MS. RAMSEY: I wouldn't let you forget. It's afternoon, probably. Good morning or good afternoon, whatever you want to say.

I'm Maxine Ramsey, and I live in Ocean Springs. We are really not surprised that Mr. Miller went along with MDA on the rules, but we'll just have to wait and see what really is being said.

In April of 2009, myself and several others from the coast attended an economic development meeting promoting more oil and gas drilling in the Gulf and New Orleans. It was attended by numerous lawyers in their thousand dollar plus suits, workers and peons, also, all claiming that oil drilling in Louisiana was in essence the best thing since sliced bread. They claim no damages to the wildlife, the seafood industry, the environment, and so forth. They gave such a glowing report of the gas and oil industry.

Two weeks after this meeting, I read and saw on TV where the same people with the grounds and wetlands in
Louisiana are sinking and they are losing acres every year due
to manmade canals and other problems that occur with the
monumental project of oil and gas drilling.

They were begging for federal assistance.

Then two years later, the worst oil spill in
Gulf Coast history happened. Lieutenant Governor Phil Bryant,
now Governor Bryant, claimed we were smelling our lawn mower
gas. What an intelligent remark.

And when 11 men lost their lives (inaudible).

In reference to the leasing and drilling
project, may I add that Gulf Islands National Seashore is
hallowed ground. In case you all want a history lesson,
hallowed ground is where our ancestors and forefathers died in
battle for their country. Fort Massachusetts was a Civil War
prison camp. Men died from mosquitoes, starvation, disease,
heat and so forth on this sand covered land, both southern and
northern soldiers.

Gettysburg, Pennsylvania, was the largest battle
of the Civil War in 1862, I think, a three day battle with
165,000 men with 52,000 plus died in that battle.

In Orange County, Virginia, in the whole state
of Virginia, probably had more Civil War battles than any.
These two states refuse to let tourism deal be
decimated, I guess would be, by the casinos and the Wal-Marts
and whatever that was going to impede the hallowed ground of
Tourism and tourists who visit our coast and especially Fort Massachusetts do not expect and do not want to see oil rigs. There is little gas and oil in the Gulf. I don't know if you all will falsify your comments and claim that drilling will lower the price of gas at the pumps because it hasn't so far.

I know that many of our elected officials receive thousands of dollars from the oil and gas companies, including Senator Wicker that is the top dog in our state, and I guess it's just a coincidence that his son-in-law, Manny McPhillips, is the big wig at MDA.

Will you, the commission, sell your souls to okay the leasing and drilling in the hallowed grounds of Mississippi?

Quoting from the late Nelson Mandela, good and evil are always at war, and you must choose.

Thank you.

MR. TAYLOR: Thank you, Ms. Ramsey.

Any other business?

Do I have a motion, Shelby?

MR. DRUMMOND: I'll make a motion we adjourn.

MR. GOLLOTT: Second it.

MR. TAYLOR: All those in favor.

(Meeting adjourned 11:51 a.m.)
COMMISSION ON MARINE RESOURCES

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Srooe, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the meeting of the Commission on Marine Resources and that the foregoing 69 pages constitute a true and correct transcription of said meeting held on the 17th day of December 2013.

I do further certify that my certificate annexed hereto applies only to the original and certified transcript. The undersigned assumes no responsibility for the accuracy of any reproduced copies not made under my control and direction.

Witness my signature this the 9th day of January 2014.

[Signature]

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