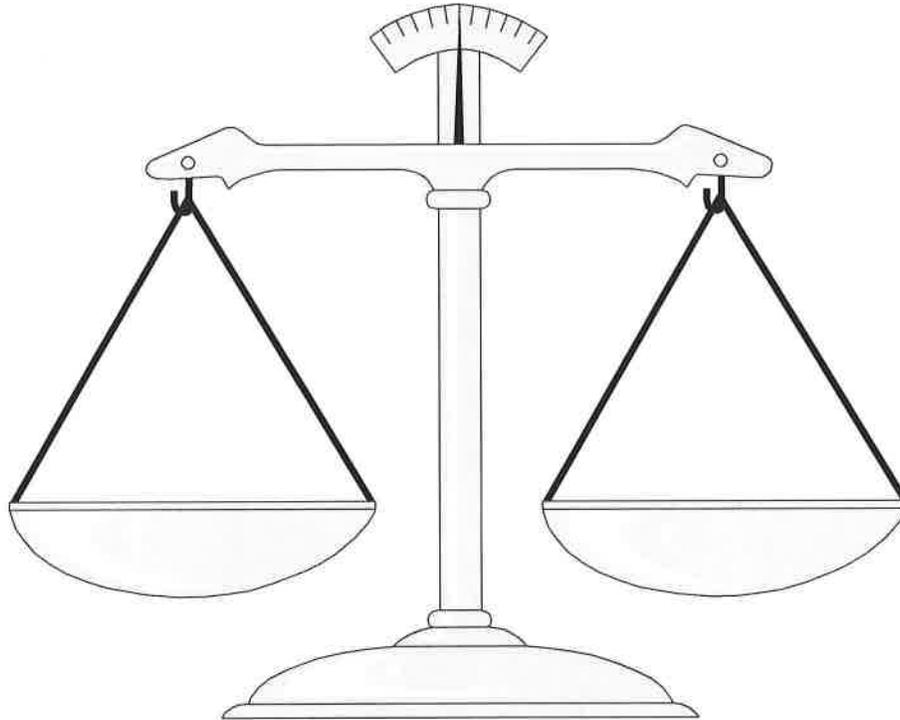


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COMMISSION ON MARINE RESOURCES

## COMMISSION MEETING

January 17, 2012

**N.J. Soroie, CSR, P.O. Box 2102, Bay St. Louis, MS 39521  
(228) 467-2199**

1 COMMISSION ON MARINE RESOURCES  
2  
3 MEETING OF COMMISSION ON MARINE RESOURCES  
4 January 17, 2012  
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7 TRANSCRIPT OF MEETING OF COMMISSION ON MARINE RESOURCES AT  
8 BOLTON STATE BUILDING, PUBLIC MEETING ROOM, 1141 BAYVIEW  
9 AVENUE, BILOXI, MISSISSIPPI, ON THE 17TH DAY OF JANUARY 2012  
10 COMMENCING AT 9:00 A.M. AND REPORTED BY NORMA JEAN LADNER  
11 SOROE, CERTIFIED SHORTHAND REPORTER.  
12 \*\*\*\*\*  
13  
14 COMMISSION MEMBERS PRESENT:  
15 JIMMY TAYLOR, Acting Chairman  
16 RICHARD GOLLOTT  
17 STEVE BOSARGE  
18  
19 ALSO PRESENT:  
20 DR. WILLIAM WALKER, Executive Director DMR  
21 JOSEPH R. RUNNELS, ESQ., Asst. Attorney General  
22 SANDY CHESNUT, ESQ., Asst. Attorney General  
23  
24  
25

1 MR. GOLLOTT: Second.  
2 MR. TAYLOR: All in favor. Passes unanimously.  
3 DR. WALKER: Mr. Chairman, I have one actual  
4 change to the agenda itself, and that is to remove Item H-4(a),  
5 the beneficial use dredge material program. That project is  
6 not ready to come to the commission and needs some work by the  
7 department. We will do the work on that and try to have it  
8 ready for you all next month.  
9 MR. TAYLOR: Thank you. Anything else?  
10 First of all, I want to welcome all of the  
11 public, and I want to welcome the staff of the DMR. Thank  
12 y'all for being here today.  
13 I need a motion to take H-4(a) off the agenda.  
14 Do I have one?  
15 MR. BOSARGE: Yes, sir. I make a motion we  
16 remove H-4(a).  
17 MR. TAYLOR: Second?  
18 MR. GOLLOTT: Second.  
19 MR. TAYLOR: All those in favor. Passes  
20 unanimous.  
21 Okay. Again, we want to thank you all for  
22 coming.  
23 D. Public Comments  
24 MR. TAYLOR: The next thing is public comments.  
25 We welcome your public comments. This is not a session to

1 A. Call to Order  
2 MR. TAYLOR: I'd like to call the meeting to  
3 order of the January Commission -- Department of Marine  
4 Resources Commission.  
5 B. Approval of Minutes Commission Meeting -  
6 December 20, 2011 - Action  
7 MR. TAYLOR: Is there minutes? Are there any  
8 changes to the minutes? Do I hear a motion to approve them?  
9 MR. GOLLOTT: So moved, Mr. Chairman.  
10 MR. BOSARGE: So second.  
11 MR. TAYLOR: All in favor. Passes unanimously.  
12 C. Approval of Agenda  
13 MR. TAYLOR: Agenda, approval of the agenda.  
14 Are there any changes?  
15 DR. WALKER: Yes, sir, Mr. Chairman. We have  
16 three suggested changes. One, this isn't an agenda change, but  
17 I want to bring it up at this time, if you all would consider  
18 moving the February commission meeting to the 14th, the 21st  
19 being Mardi Gras. And then the March meeting, consider moving  
20 the March commission meeting to the 13th because we can't use  
21 this room on the 20th.  
22 MR. TAYLOR: Do I have a motion?  
23 MR. BOSARGE: I make a motion that we accept the  
24 changes.  
25 MR. TAYLOR: Is there a second?

1 belittle or destroy, try to berate commissioners, directors, or  
2 whatever. So I'm going to ask you to keep your comments on  
3 facts and stuff and act in a civil manner.  
4 Okay. The first comment is Samuel Carruthers,  
5 and it's something on little mullet. Is Mr. Carruthers here?  
6 PERSON IN AUDIENCE: Mr. Chairman, Mr.  
7 Carruthers changed his mind, he doesn't want to comment.  
8 MR. TAYLOR: George Storrs.  
9 MR. STORRS: My name is George Storrs. I'm a  
10 commercial oyster fisherman.  
11 I noticed on the agenda when I came in, I was  
12 going to say this anyway, but I notice there's a piece in the  
13 back page on L-5 about policies, planning, special projects.  
14 And I notice it all falls under Irvin Jackson. But it also  
15 falls in what I wanted to speak on.  
16 And I know that there's going to be some  
17 meetings, and as a matter of fact, one of them is tomorrow  
18 night I'm going to go to. But it's a public input thing about  
19 this restoring the reefs and the policies involved in that and  
20 how and where and what we are going to do about it.  
21 But I wanted to talk to you guys about this  
22 first to let you know that -- and I know you know this, but I  
23 just want to reiterate it, that the fishermen need to be  
24 involved in -- if we're going to move oysters, we need to be  
25 involved in this. Paying a contractor, and we need a

1 contractor, we couldn't do this without a contractor, but just  
2 to pay a contractor to do this, it's clean, it's easy, write a  
3 check, and it's done. But it just eliminates all the fishermen  
4 involved except for a handful that may be the friends of the  
5 contractor. And everybody else is not working.

6 All I want to do is speak for the people that  
7 are not working, like me, and maybe put a bug in your ear that  
8 we need to be involved in this as far as moving shells or  
9 whatever project or however they want to spend this money. I  
10 just want to be involved, and I want our fishermen involved in  
11 this, not to be looked over, because it's easy to look over and  
12 you get the most bang for the buck and all by writing a check.

13 But the end product is what we're going to put  
14 on that reef anyway. It's all going to work out the same. I  
15 just want the fishermen to be involved in the money end of this  
16 thing because we need to go back to work. I know that even  
17 though some of us made a lot of money on the VOO deal, some of  
18 us didn't. But the ones even who did, I'm sure they want to go  
19 back to work. And this is a way that we can get back sooner,  
20 and we can restore what we had at one time. Just let us be  
21 involved.

22 That's the little bug I wanted to put in your  
23 ear now. I know you guys will kick this around. And I  
24 appreciate you just letting me say this to get this before you.  
25 Thank you.

1 I was one of those persons didn't know how to spend my money  
2 wisely in life.

3 But I don't understand why you don't have a  
4 program for us fishermen. I'm struggling for answers. And I  
5 know other fishermen are, too, not just alone by myself out  
6 here.

7 And I wished you did understand, Mr. Taylor, I  
8 swear. You receive a check. I don't know how your company is  
9 run, but my company is run by what I catch. And I know your  
10 company is run by how many cars you can get insurance on.

11 And it's a real struggle for me to sit here and  
12 being on the record the top fisherman in Pass Christian for  
13 nine years after I got out of prison, sir. That's something my  
14 father taught me to do was catch oysters. And y'all can't find  
15 me a job. What I need to go back to doing the wrong thing  
16 again in life? I'm 46 years old. I'm trying to do the right  
17 thing.

18 I'm begging you for a job to put us to work just  
19 like this fellow here, Mr. George, was. We ain't belittling  
20 y'all. We're just tired of getting no response from our board  
21 members. No comment. Who wants to get up here and have no  
22 comment?

23 I'm tired of that, Dr. Walker. I see you done  
24 everything on this paper right here I'm reading today, one-two  
25 punch. Man, put us to work. We're struggling for answers.

1 MR. TAYLOR: We thank you very much for your  
2 comments. And we share your concerns. And one of the concerns  
3 that I have is that the oystermen haven't really worked in a  
4 year or really haven't had a good year in several years. And  
5 I'm afraid that if we don't do some things that we're going to  
6 lose the heritage of some of our fishermen. Our fishermen are  
7 going to go somewhere else and do something else. So thank you  
8 very much.

9 Mr. Miller.

10 MR. MILLER: Mr. Bosarge, how y'all doing today?  
11 Mr. Bill Walker, Taylor, Mr. Gollott. How y'all doing today?

12 My name is James A. Miller ak Catfish. I'm a  
13 concerned fisherman.

14 About our oyster reefs. I know you want to say  
15 here that I'm up here to belittle y'all again. I'm up here  
16 every month screaming about these millions of dollars we got  
17 that we can't seem to get the fishermens to work.

18 You are our board members. You're the power  
19 source, Mr. Dr. Walker. I've lost \$165,000 in two years on  
20 record from my oyster reef out there. And I ain't been to work  
21 yet.

22 I begged you to get a program for us. If you  
23 need me to go buy a small skiff, I will, whatever, wash your  
24 trucks; however you want me to do it, Cowboy, I'm ready.

25 I'm on the verge of going to get food stamps if

1 Our families got to eat and feed ourselves, too.  
2 And we're depending on you. You used my license to go up there  
3 and struggle for that government money. Well, put me to work  
4 with it instead of harboring it and giving it to the  
5 contractors. Put us to work, sir. I'm overwhelmed.

6 I don't call your office no more because I get  
7 angry. It's crazy the way you talk to people on the phone.  
8 That's why I don't call you no more, sir.

9 You're supposed to be an outstanding citizen up  
10 here to help us when we got struggling for answers and  
11 questions, and we're getting no response.

12 And here I'm at today to try to belittle you.  
13 I'm sorry y'all feel this way. But I'm a very angry fisherman  
14 that needs some answers, and you ain't giving us any. None.  
15 Zero.

16 Where is the money at?

17 Let me go.

18 MR. TAYLOR: Time is up. Thank you. Your  
19 comments are well taken, Catfish.

20 MR. MILLER: I appreciate it, man. I've been  
21 struggling, man.

22 MR. TAYLOR: I understand.

23 MR. MILLER: I'm on Paxil, Xanax. Y'all don't  
24 understand.

25 MR. TAYLOR: Mark Stewart.

1 MR. STEWART: How y'all doing this morning?  
 2 Mark Stewart, commercial fisherman.  
 3 I'm also concerned about the oysters, oyster  
 4 reefs. I got two boats steady costing me money, steady paying  
 5 slip fees on them. No money coming in. Don't look like  
 6 anything is headed our way.  
 7 I'm hopefully here today to hear that we got  
 8 something going for the fishermen to go to work in the  
 9 oystering process.  
 10 And I want to make an opinion about this shell  
 11 plant, this cultch plant. I think that it's a shot in the dark  
 12 for something years to come down the road. It's a shot in the  
 13 dark years down the road.  
 14 Mr. Gollott several months ago had mentioned  
 15 let's put the fishermen to work to make some money so they'll  
 16 have some money for Christmas.  
 17 Somebody shot that down. It just went away.  
 18 Well, I'm here today to tell you that the  
 19 fishermen need to go to work and put live oysters on that reef  
 20 that can be harvested very shortly instead of spending all the  
 21 money on a shell plant and a cultch plant that's a shot in the  
 22 dark that may not work at all anyway.  
 23 The fishermen need to go to work. We're going  
 24 to catch live good oysters and put all over the reefs over  
 25 there as long as we can be let to catch them. They're all over

9

1 Jackson County, more than y'all got money to pay the fishermen  
 2 to even harvest to put on our reefs. It will be ready to catch  
 3 before the end of this oyster season if you'd have done got  
 4 started on the program.  
 5 Anyhow, that's mainly one of the points I wanted  
 6 to make.  
 7 MR. TAYLOR: Thank you very much.  
 8 MR. STEWART: Also about the safe seafood deal  
 9 where we have to turn in the paperwork, the fresh permits. I  
 10 understand some rules about that I may not be exactly right on  
 11 them. But, you know, if you are not going out shrimping or  
 12 anything, you still have to turn in paperwork saying that  
 13 you're not catching anything? And if you don't, can you be  
 14 fined if you turn it in late or not turn it in?  
 15 MR. GOLLOTT: The staff needs to answer that.  
 16 MR. STEWART: Well, I've checked into it, and  
 17 that's my understanding that we're going to be fined if we  
 18 don't report on time every month or if we forget to report  
 19 we'll be fined. And, you know, the way the permit process is  
 20 if you don't catch nothing, you don't report nothing. If you  
 21 don't report nothing, it's pretty well understood you didn't  
 22 catch nothing.  
 23 I'd like to check into that and see.  
 24 And once again, one last question. Is there  
 25 anything coming down the tube for the fishermen?

10

1 Any ideas of putting us to work catching these  
 2 oysters? The fishermen want to go to work, and we need to go  
 3 to work yesterday.  
 4 Can anybody answer me whether we're going to?  
 5 Mr. Richard, what about it?  
 6 MR. GOLLOTT: I understand, I heard Dr. Walker a  
 7 few meetings ago tell you he was working on it. So...  
 8 MR. STEWART: How long we going to work on it,  
 9 you know? And I can't get an answer out of him today whether  
 10 we're working on it or not.  
 11 MR. TAYLOR: One of the things, Mark, that I  
 12 think you were talking about that Commissioner Gollott was  
 13 talking about was transplant or doing something behind Deer  
 14 Island in case the Bonnet Carre Spillway, you know, they open  
 15 it again. And that did get pushed back because they're still  
 16 dredging, filling the island. And it's my understanding that  
 17 the silt from that would kill the oysters they put there.  
 18 So that's --  
 19 MR. STEWART: Yeah, that was part of what was  
 20 discussed.  
 21 It was also discussed us transplanting o  
 22 oysters.  
 23 MR. GOLLOTT: I think there's another problem.  
 24 We've had such high salinities that the drills are eating the  
 25 oysters up. Even near the bridges is what I understand.

11

1 So if we plant oysters right now, it would be a  
 2 waste of time because the drills are eating them.  
 3 We'd probably be better of holding our resources  
 4 until September or something like that.  
 5 MR. STEWART: Well, this is two oyster seasons  
 6 now that's a complete loss for all the oystermen, two complete  
 7 oyster seasons down the drain, no compensation, no hope for  
 8 anything.  
 9 But yet, we got to keep buying our license,  
 10 paying that, keep paying our stall fees.  
 11 I understand that there is money coming in to  
 12 restore the oyster reefs. Why aren't the fishermen a part of  
 13 it? I don't understand. Something is going on here.  
 14 Something is definitely going on why the fishermen aren't being  
 15 compensated and why they're not being put to work.  
 16 There's something behind this, and I'm doing my  
 17 best to try to find out what it is because it ain't right.  
 18 MR. TAYLOR: Thank you.  
 19 E. Executive Director's Report  
 20 MR. TAYLOR: Executive director's report.  
 21 DR. WALKER: I don't have anything today, Mr.  
 22 Chairman.  
 23 Marine patrol. Mr. Chatagnier.  
 24 F. MARINE PATROL  
 25 2. Marine Patrol Report

12

1 MR. CHATAGNIER: Good morning, Mr. Chairman,  
 2 commissioners, Dr. Walker, legal, ladies and gentlemen.  
 3 Wasn't a bunch of activity going on during the  
 4 month of December. We had one person that was picked up for  
 5 possession of illegal oysters. He also at the same time was  
 6 taken for larceny of crab traps.  
 7 Saltwater fishing license, we only had three  
 8 violations in December.  
 9 Like I say, there's still people out there,  
 10 there just wasn't a bunch of fishing activity.  
 11 Not much boating activity, either. There's a  
 12 few.  
 13 We didn't have any fatalities, no diving.  
 14 Taught a marine patrol class -- excuse me --  
 15 boat and water safety class taught by marine patrol at the  
 16 Gautier Middle School during December, and we certified 58  
 17 students.  
 18 Of course, we had all the Christmas on the Water  
 19 parades during December that we handled with them.  
 20 Come over to JEA reports. Did 25 patrols, used  
 21 395 man hours, made 123 contacts, and had one enforcement  
 22 action report.  
 23 That was pretty much it for marine patrol last  
 24 month.  
 25 Any questions?

1 restoration plan.  
 2 The plan's draft outlines eight restoration  
 3 projects to receive funding from the one billion dollar  
 4 commitment announced by BP and NRDA, the trustees, in April of  
 5 2011.  
 6 The first phase of the plan proposes two  
 7 projects each in Mississippi, Louisiana, Alabama, and Florida.  
 8 The projects in Mississippi are an \$11 million  
 9 oyster cultch plant project comprising of approximately 1430  
 10 acres in the Mississippi Sound and a \$2.6 million artificial  
 11 reef project involving 100 acres of artificial reefs benefiting  
 12 nearshore habitat.  
 13 The meetings will be held, the first one is  
 14 tonight in Jackson County from 6:00 to 9:00, and it's at the  
 15 Gautier Convention Center on 2012 Library Lane. The next one  
 16 is tomorrow night from 6:00 to 9:00, and it's at the Westside  
 17 Community Center at 4006 A Street in Gulfport. And the last  
 18 one for Mississippi will be Thursday at Bay St. Louis Community  
 19 Hall at 301 Blaize Avenue in Bay St. Louis.  
 20 And public comments are welcome for those and  
 21 appreciated for those restoration projects.  
 22 MR. BOSARGE: Dale, would this be where those  
 23 gentlemen need to basically give their public comments? And  
 24 you're talking about the cultch plant, I believe that's what  
 25 everybody is talking about.

1 MR. TAYLOR: Thank you.  
 2 Next up is Mr. Diaz, marine fisheries.  
 3 G. Marine Fisheries  
 4 MR. DIAZ: Good morning, Mr. Chairman,  
 5 commissioners, Dr. Walker, Ms. Chesnut.  
 6 I have two things I'd like to mention before we  
 7 get started with the marine fisheries agenda.  
 8 The first one is good news. We have secured  
 9 funds for two separate projects to plant sub-tidal oyster reefs  
 10 in Bay St. Louis and Biloxi Bay. The first project is for  
 11 \$58,000, and it is a partnership between NOAA, the Nature  
 12 Conservancy, and MDMR. It will be planted in Bay St. Louis.  
 13 The second project is for \$130,000, and it is a partnership  
 14 between the National Fish & Wildlife Foundation, the Nature  
 15 Conservancy, and MDMR. And it will be planted in Biloxi Bay.  
 16 I'd like to recognize Joe Jewell. Joe has been  
 17 the lead for fisheries, working with the Nature Conservancy and  
 18 NOAA and National Fish & Wildlife Foundation trying to secure  
 19 this money. He's done a good job. He's worked real hard. And  
 20 we appreciate him going the extra mile to secure these funds.  
 21 Next thing I want to mention is, as some of the  
 22 folks have mentioned to you tonight, there's a series of three  
 23 public meetings that will be held on the coast this week for  
 24 residents to get information and to provide input on the draft  
 25 of the natural resource damage assessment Phase 1 early

1 MR. DIAZ: Yes, sir, I think that's what they're  
 2 referring to. That would be the spot to show up and give their  
 3 public input.  
 4 MR. BOSARGE: To try to involve the fishermen in  
 5 that, those public meetings would be where you would want to  
 6 put your input.  
 7 MR. MILLER: Yes, sir, we're going to attend.  
 8 We appreciate your input, Mr. Bosarge.  
 9 MR. BOSARGE: I'm with you. I've seen fishermen  
 10 involved in that.  
 11 MR. DIAZ: Okay. First up for marine fisheries  
 12 is going to be Joe Jewell, and he's got a 2011 marine fisheries  
 13 year in review presentation.  
 14 3. 2011 Marine Fisheries Year in Review  
 15 MR. JEWELL: Good morning, commissioners. My  
 16 name is Joe Jewell, and I will be giving annual review of the  
 17 2011 program, office of marine fisheries and all five bureaus.  
 18 First up is the shrimp and crab bureau. It's  
 19 directed by Ms. Traci Floyd.  
 20 As you know, the shrimp season, which is one of  
 21 the major functions under the shrimp and crab bureau, opened on  
 22 May 25. We had a total of about five and a half million  
 23 pounds. That's up over the last four or five years. But  
 24 that's not really reflective of what happened. Although our  
 25 landings was up, somewhere around the second week of September,

1 our landings actually dropped. And as you know, many of our  
2 shrimpermen showed up here at our commission meeting and  
3 reported that to you.

4           Within any shrimp season, you know, there will  
5 be ups and downs, and then the overall shrimp seasons when  
6 compared to year to year, there will be ups and downs in those  
7 seasons. We did have a market downward cycle in September, and  
8 that continued on into October, into the white season.

9           We did have the Bonnet Carre opening which was a  
10 significant impact onto our marine resources. I'll report  
11 those impacts in some of those other bureaus. And we did file  
12 a federal disaster claim for oysters and crabs.

13           And we are monitoring closely the impacts onto  
14 the shrimp landings, and we're continuing those monitoring  
15 efforts. And should those efforts meet the minimum  
16 requirements for the federal standards, we will add the shrimp  
17 data to those claims.

18           Continuing on. We did do approximately 330  
19 trawl samplings in support of the shrimp season. We inspected  
20 14 live bait camps. The bureau produced a shrimp newsletter  
21 that was mailed to all 475 commercial fishermen. That  
22 newsletter is available on our DMR website at [www.dmr.ms.gov](http://www.dmr.ms.gov).

23           I would also like to at this point to thank some  
24 of our other offices that support the office of marine  
25 fisheries. The IT department, our law enforcement, marine

17

1 and protect our natural resources. So they do a very good job  
2 with that.

3           The bureau has also held two crab task force  
4 meetings to involve the commercial crab industry in their  
5 program.

6           They have distributed 380 shrimp TEDs to shrimp  
7 boats utilizing skimmer trawls. And in support of that, they  
8 have conducted five training sessions on how to properly  
9 install these TEDs in skimmer nets.

10           They have distributed over 475 angle meters to  
11 Mississippi resident commercial shrimpers to assist in  
12 determining the correct angle size.

13           They have conducted 38 sea turtle observation  
14 trips.

15           And they have conducted eight aerial surveys of  
16 fishing effort in the Mississippi Sound.

17           And all of these are in support of the increased  
18 sea turtle mortalities that occurred over the 2011 year, as you  
19 all are well aware of.

20           This is a photograph of our staff assisting a  
21 commercial fisherman in helping measuring a sea turtle angle.

22           We also work very closely with the office of  
23 coastal ecology, as I mentioned. As y'all are aware of, over  
24 the past year, we have increased our reportings of the Asian  
25 tiger shrimp, *Penaeus monodon*. Currently we have a total

19

1 patrol that does a very good effort of helping us assist,  
2 coastal ecology, our public affairs office, our office of  
3 management and planning that support the goals and efforts of  
4 the office of marine fisheries.

5           January through October, we had our crab  
6 landings 300,000 pounds. That was down significantly, about 50  
7 percent what it normally is over the past few years, and that  
8 was due to the Bonnet Carre opening. And like I said  
9 previously, we have added crab to our federal disaster grant  
10 application.

11           That application actually has made it from the  
12 regional office to the national office, and it's been sent back  
13 to the regional office for its final round of review. We are  
14 anticipating final notification of that process any time now.  
15 Like I said, once that happens, we'll do an official  
16 notification, once we receive that final ruling.

17           The bureau of shrimp and crabs has distributed  
18 over 440 crab trap tags at the Gautier Mullet Festival. And  
19 this is to show you what a crab trap tag looks like. This is a  
20 device that's attached to the opening where crabs would go into  
21 the crab, and it allows -- doesn't allow for diamond back  
22 terrapins to get into crab trap where they subsequently drown.  
23 It's a public service to the public and crab trap fishermen,  
24 recreational fishermen. I have a few of these in my  
25 recreational crab trap. It's a community service to help try

18

1 reported Mississippi landings of 16 shrimp in the Mississippi  
2 Sound. Most of those are located in the east Biloxi approach  
3 channel.

4           Information on these landings and the  
5 Mississippi shrimp are on this website, [nas.e.er.usgs.gov](http://nas.e.er.usgs.gov). All  
6 the shrimp from the five Gulf states are reported on this site.  
7 You'll see the information on the Mississippi shrimp reported  
8 there.

9           The first occurrence was reported by Gulf Coast  
10 Research Lab. There were two shrimp reported in 2009. And no  
11 reportings were mentioned until 2011, this year. Subsequently,  
12 we have 14 reported this year. So we're not quite sure what  
13 the increase all of a sudden were. But throughout the Gulf,  
14 all five Gulf states are reporting increased landings of this  
15 invasive shrimp.

16           As I mentioned in previous commission meetings,  
17 Mr. Mike Pursley of coastal ecology is our statewide invasive  
18 species coordinator. He's the one heading up this project.  
19 The bureau of shrimp and crab coordinate very closely with Mr.  
20 Pursley. They have developed this sticker that goes out to all  
21 of our commercial shrimpermen. That and information is located  
22 on our newly revised DMR website. That website has gone online  
23 our new website, plus it's available at [22.dmr.ms.gov](http://22.dmr.ms.gov).

24           In addition, the shrimp and crab bureau conducts  
25 public seminars. It conducted two of these series. The first

20

1 one was conducted on March 25. It was entitled Mississippi  
2 Living Seashores. The second one was conducted in late  
3 November. It was on Mississippi spotted seatrout. It involves  
4 Gulf Coast Research Laboratory.

5 We had several guest speakers from the staff,  
6 the DMR, Stennis Space Center, and the charter boat industry.  
7 And we are planning several more for the 2012 series.

8 This newsletter is primarily focused through the  
9 bureau of shrimp and crabs. But it is available on our  
10 website. It is in response to the DEEPWATER HORIZON oil spill.  
11 It is published on our website. It is to get information out  
12 to the public concerning the seafood safety data.

13 On that site, the public and anyone that visits  
14 can find the data concerning the test results of the seafood.

15 So far today, we've taken a total of 107 shrimp  
16 samples, 83 crab samples, 177 finfish samples, and 91 oyster  
17 samples. All of these samples are below the established limits  
18 for seafood safety. These samples represent pelagic, Mezic,  
19 and benthic samples, top, middle, and bottom dweller shrimp.  
20 There are a total of 22 different types of finfish. Of course,  
21 blue crabs. There are all three major species of shrimp and  
22 our major species of oysters.

23 Our next bureau up is finfish under the  
24 direction of Mr. Mike Buchanan. One of our major functions  
25 under there is IJ and our FAM sampling, interjurisdictional or

1 been conducted.

2 Biological sampling program. Again, this is a  
3 Gulfwide program. All five states participate in this program.  
4 Similar sampling and evaluation program. Approximately 1,000  
5 otoliths have been collected. Again, this is a bony structure  
6 that's located in the head of the fish behind the ear  
7 apparatus. It's used to collect age and growth. It's sliced,  
8 and it has rings in it like the rings of a tree.

9 We have collected nine recreationally important  
10 species that are identified, and over 35 sampling trips have  
11 been conducted so far.

12 Again, trip ticket program. As you are all well  
13 aware, this program has been implemented and has taken effect  
14 January 1 this year. It's part of Title 22 Part 9 of our  
15 regulations that can be found on our website.

16 This program has been implemented. We have  
17 contacted all of our licensed dealers and fishermen. They've  
18 been sent out a letter notifying them of the program. We have  
19 developed a manual, and we have on hand right now trip tickets  
20 for the program. The staff has been trained and ready to  
21 explain how to fill out the trip ticket program.

22 So far, we have given out and interacted with  
23 the public about 50 individuals. We also have on line about  
24 four or five of our dealers and processors have voluntarily  
25 decided to participate in the program. As y'all are aware, our

1 fisheries assessment management. They have taken a total for  
2 2011 season 96 gill net samples, a total of 39 species, just  
3 over 4200 fish they've sampled. Approximately 500 otoliths  
4 were collected from ten different species.

5 And otoliths are sort of a bony calcium deposit  
6 in the head structure behind the ear. It's a structure sort of  
7 like a tree where you take the ring structure and you can get  
8 age and growth information.

9 This is a program that's Gulfwide. All five  
10 Gulf states participate in it through Gulf States Marine  
11 Fisheries Commission. They take unified sampling with similar  
12 gear structure.

13 Next up is the MRFS sampling. This program has  
14 been updated. Its current title is Marine Recreational  
15 Information Program or MRIP, but it's most commonly identified  
16 as MRFS. YOU know, it's such an old program, it's still  
17 continued to be called MRFS, but its updated name is MRIP.

18 Data is collected across the Gulf through  
19 interactions between our staff and recreational fishermen.  
20 They go out along commercial docks. Many of you probably have  
21 been encountered on these surveys. There are three types of  
22 modes. There are shoreline surveys where our staff will go out  
23 to public ramps, piers, and docks. There are party boats and  
24 charter boats and then there are private boats or rental boats.

25 So far today, the total of 1800 interviews have

1 dealers and processors are a voluntary process. And so we have  
2 about four or five of them that have volunteered to participate  
3 in the program.

4 So I also wanted to mention -- I don't have a  
5 slide for this -- but we have a commercial landings program  
6 where Ms. Christine Murrell goes out and collects information  
7 from our dealers and processors. That sort of goes hand in  
8 hand with the trip ticket program. That's an ongoing process.

9 And one of our public outreach components under  
10 the finfish bureau is our monofilament recycling program. This  
11 is how we do public outreach to the public to try and reduce  
12 the amount of monofilament that's out there in our environment.  
13 This is an entanglement apparatus that inadvertently kills  
14 viable fish. So we have these containers. There's the ones  
15 that are outside, these PVC pipes that's out on the docks and  
16 piers that the public can -- excess line they can deposit in  
17 these pipes. And then there's the ones that are inside these  
18 cartons. They're put in there. We currently have about 58  
19 recycling stations. And you can see the breakdown for the  
20 counties: 15 six boxes in Jackson County, 22 seven boxes in  
21 Harrison County, and three boxes in Hancock County.

22 And continuing on with our public outreach. As  
23 you can see, we have a children's rodeo that we participate in  
24 in our partnership with the Coast Conservation Association,  
25 CCA, and Gulf Coast Research Laboratory. We've done four of

1 those in 2011. You can see one of our future scientists that  
2 we're hoping to get in our ranks.

3           During these rodeos, each child through a grant  
4 that we have applied for and received, each child gets a free  
5 rod and reel. We set up educational stations where the fish  
6 are identified. We show how to tie a hook and line. And we  
7 have literature and outreach for fish safety and conservation.

8           Next up is our shellfish bureau under the  
9 direction of Mr. Scott Gordon. Of course, it's sort of hard to  
10 talk about the shellfish bureau without mentioning the Bonnet  
11 Carre Spillway.

12           And I'm going to try and be brief on that  
13 because y'all probably heard about as much as y'all want to  
14 hear about that. It overwhelmed much of the fall. It opened  
15 on May 9, and it closed on June 20. So it stayed open for a  
16 total of 42 days. But it's sort of hard to not mention the  
17 dramatic impact that it had on the State of Mississippi and on  
18 the Gulf Coast. It was one of the largest openings in historic  
19 times since the construction of the Bonnet Carre Spillway.

20           So it shows these two slides from previous  
21 presentations that were made here at the Commission on Marine  
22 Resources. The one on the left shows the operational period of  
23 the Bonnet Carre during this time. And it shows pretty much  
24 the opening that occurred in early May and the closing in about  
25 mid-June. And it shows the flow rate as it was opened. And it

25

1 the Bonnet Carre? I was talking with a captain last week over  
2 -- well, he's a tugboat captain with Mississippi. But he was  
3 telling me that the river is 12 feet above normal stage now and  
4 that it might affect us again if we get some heavy snows or  
5 snow melt.

6           Can you just give a little information on it or  
7 what we can expect? Do we have any thoughts on what's going to  
8 happen this year with the Bonnet Carre?

9           MR. JEWELL: Well, it's not too early. This is  
10 the time of the year where we start monitoring the snow and the  
11 ice pack. And what happened last year, we had an unseasonable  
12 amount of snow that occurred. And then throughout the Missouri  
13 and the Mississippi basin when that snow started melting, we  
14 had large amounts of rainfall input that occurred.

15           There were a combination of things that  
16 happened. And so we are monitoring the snowfall. And although  
17 we had seen significant amount of snowfall in isolated parts --  
18 we're not seeing an unusual amount of accumulated snowfall  
19 right now.

20           And what happened last year was we saw large  
21 amounts of snowfall for prolonged periods of time with  
22 significant low levels of temperatures that remained in place  
23 for long periods of time and then an unusual warming period  
24 that led to dramatic melting over a short period of time that  
25 had a large input of fresh water into the system over a very

27

1 shows the number of bays that were opened. The total amount of  
2 bays was 330 out of 350 bays. So it was almost at full  
3 capacity during the peak time.

4           And then on the right-hand side, there were many  
5 of these that were produced, shows the St. Joe monitoring  
6 station on the western end of the Mississippi Sound. And it  
7 shows again the time period May through June. And it shows the  
8 introduction of the fresh water as it incurred into the  
9 Mississippi Sound for that protracted period of time and  
10 impacts that it had primarily on but not limited to the oyster  
11 resources.

12           So again, you see pictures that were shown here  
13 at the Commission of Marine Resources, the impacts on the  
14 oysters on the western end of the Mississippi Sound. And  
15 again, we have some operational slides of those impacts on our  
16 resources. You will see a pre-assessment of the resources that  
17 were available, our estimation -- again, these are estimations  
18 -- that sacks, these are legal size oysters, was approximately  
19 250 sacks available. That's throughout the Pass Marianne, Pass  
20 Christian complex prior to the opening, that's early May of the  
21 Bonnet Carre Spillway. And then after in late July, our  
22 assessment was about 34 sacks.

23           So overall, we were estimating about an 86  
24 percent mortality.

25           MR. TAYLOR: Can I just ask you a question about

26

1 short period of time.

2           So we're not seeing any early indications of  
3 that occurring right now.

4           MR. TAYLOR: Thank you.

5           MR. JEWELL: These are some of our regulatory  
6 functions. We do have some good news. Our oyster check  
7 station, our new oyster check station in Pass Christian that  
8 was destroyed by Hurricane Katrina, the new oyster check  
9 station is being rebuilt. Its scheduled completion date is  
10 sometime in mid-March. We're hoping that will occur. You know  
11 how construction is. There may be some delay. But it's still  
12 anticipated mid-March.

13           Some of our regulatory facts.

14           September 16 was sort of a public outreach with  
15 our commercial fishermen. We conducted some tours out onto the  
16 tonging reefs with our fishermen. We had a very limited oyster  
17 season for tonging opening only on October 24. It closed on  
18 October 29. There were a total of 21 trips. Sixty-five sacks  
19 of oysters were harvested. There was a ten sack limit. We  
20 realized prior to this happening that there probably wasn't  
21 much resource out there. We had done a lot of surveys prior to  
22 the end, but we were doing anything we could to help our  
23 fishermen at that point.

24           We did a total of about 1600 fecal coliform  
25 water samples during 2011.

28

1 We did cultivate oysters. This is were a dredge  
2 is towed along the reef with no bag trying to move up the  
3 material so it can be available for spat set.

4 We installed an additional meteorological  
5 monitoring station that uses to monitor the condition in  
6 support of the shellfish growing areas.

7 We conducted about 60 intensive reef analysis.  
8 We did that twice. There were 240 one-minute dredge tows and  
9 194 square meter dye samples. Those are the ones that were  
10 done prior to the opening of the Bonnet Carre and after the  
11 opening of the Bonnet Carre Spillway.

12 Shell plants, we did two of those. We did a  
13 spring shell plant, approximately 175 acres, and we did a fall  
14 one, a little over 1,000 acres. As you well know, we have  
15 several plants for this year.

16 Seafood technology is under the direction of Ms.  
17 Ruth Posadas.

18 MR. GOLLOTT: Hold on just a second. Joe, what  
19 about your spat? Have we checked those shells to see if they  
20 have good spat sets since you planted them?

21 MR. JEWELL: We have. They have that. I think  
22 Mr. Scott Gordon has got a better assessment of that. But they  
23 are average. We are not seeing anything significantly reduced,  
24 but we're not seeing a really great spat set either.

25 I would characterize it as average.

29

1 MR. GOLLOTT: Could you give us a report on that  
2 at the next meeting?

3 MR. JEWELL: Sure, we can do a follow-up.  
4 (Person speaking out from audience.)

5 MR. TAYLOR: You have a question, Mark?

6 MR. STEWART: Mark Stewart. I just find it  
7 really odd that we have a lot of statistics up here and lot of  
8 information up here, but there's a key part of information  
9 missing up here. Where is the part where the damage from the  
10 BP oil spill occurred? That's what we want to know. Why is it  
11 so quiet that this oil spill never existed, it never affected  
12 these fishermen? We are getting highly upset of being swept  
13 under the table here.

14 Where is the clip of the BP oil spill damage?

15 I have the article in the newspaper with your  
16 boat on it says 85 to 90 percent of oysters are dead. Right  
17 after the oil spill, way before the Bonnet Carre Spillway.  
18 What's up with that?

19 I also have the video of the man on the boat  
20 videoing the dead oysters after the oil spill before the Bonnet  
21 Carre.

22 How about let's get our facts straight here and  
23 tell the truth because that ain't the truth.

24 MR. TAYLOR: Thank you, Mark.

25 Go ahead, Joe.

30

1 MR. JEWELL: Like I said, this is the seafood  
2 technology bureau under the direction of Ms. Ruth Posadas.

3 This slide indicates the types and nuymbers of  
4 permits that we've issued. On the left-hand side is the types  
5 of permit. For 2011 we started off to a pretty good start.  
6 About mid-year we had 48. And at the end of the year we had  
7 45.

8 Our bureau conducted about 400 regulatory  
9 inspections. We had 125 technical assistance for a total of  
10 about 5800 total technical assistance actions.

11 A total of 27 public outreach events were  
12 attended, and we participated in ten food borne investigations.

13 I wanted to put this slide up here because  
14 several of y'all have asked me this, and I know many people and  
15 the seafood dealers and processors themselves have asked me  
16 where are we at, where we have been, what is the history over  
17 the past few years of our industry.

18 And so what I wanted to show you is sort of a  
19 history over the past ten years. And if you'll look, ten years  
20 ago about 74 certified dealers and processors. And the two  
21 events that I wanted to point out here is in 2005, you'll see  
22 we had 76 certified dealers and processors. And, of course,  
23 that's the year that Hurricane Katrina hit.

24 And the subsequent year, the year that I have  
25 highlighted, that caused us a reduction about half. Afterwards

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1 we had about 41.

2 And then you can see slowly over the years we  
3 started to recover, and another important event occurred  
4 somewhere around the year 2008, most people tell you was we had  
5 the slowing of the economy. And, of course, people will tell  
6 you in Mississippi the economy, usually we're the last to feel  
7 it and the last to recover from it. But the slowing of the  
8 economy did impact us. It did impact the dealers and  
9 processors.

10 And the next arrow that you'll see up on the  
11 slide is 2010 which was the BP oil spill. And subsequently  
12 you'll see we had 55 starting out in 2010, and then here in  
13 2011 we have 45.

14 So, you know, I think a combination of the BP  
15 oil spill, the slowing of the economy, that had an impact on  
16 our dealers and processors. And we are now at 45.

17 So if you overall look at the history of the  
18 seafood industry about ten years ago 74, and now we're about  
19 45. And there are a whole bunch of factors that play into  
20 that.

21 Our bureau, also, we had threee primary public  
22 outreach functions. We had marine fisheries education, seafood  
23 marketing, and seafood safety.

24 We do have something to sort of brag about. Ms.  
25 Posadas has written a grant and received a grant. As many of

32

1 y'all know that most of our elementary schools received  
2 significant damage from Hurricane Katrina. And they have been  
3 repaired subsequently. But one of the things that they have  
4 not been able to recover from is their programs. And many of  
5 these schools had programs that related directly to science.  
6 They had trails. They had inhouse programs inside their  
7 schoolrooms that they were unable to economically recover.

8 So Ms. Posadas wrote a grant that they could  
9 apply for and participate in and recover these programs.

10 And so I put up a selective few. We currently  
11 have nine schools that have received these grants, and we have  
12 nine more that have applied for or are in that process.

13 So I selected a few of them. And the important  
14 thing to understand about these grants the way they have been  
15 written is they encourage community involvement in the grant.

16 And so Woolmarket Elementary developed a garden  
17 pond. And you'll see in the slide there are Keesler Air Force  
18 participants that helped build the pond. We had Seabees from  
19 the Seabee base that had come on board to help. Pass Road  
20 Elementary developed a saltwater aquarium in their school.  
21 D'Iberville Elementary developed a butterfly garden along with  
22 a plant garden. Magnolia Park Elementary School in Ocean  
23 Springs, they had a woodland trail prior to Katrina that was  
24 damaged and unable to support the schoolchildren on it that  
25 they have reestablished.

1 The Pass Christian, Harrison County, key, that  
2 key was completed in 2011, total of 54 deployments. Aabout  
3 17,000 tons of concrete rubble was used in development of this  
4 reef key. This was completed in October of 2011.

5 Our offshore deployments. There was a total of  
6 nine for about 20,000 tons of concrete culvert materials was  
7 used. As y'all are familiar with at a presentation here, it's  
8 the big round tank, as we call it, the big round thing. This  
9 was a fuel storage tank that was used during the Saturn V  
10 rocket program. It was donated to us from Stennis Space  
11 Center.

12 The artificial reef program is very active in  
13 procuring material, suitable materials, for our artificial reef  
14 program. This is a very successful program and very utilized  
15 by the public in development of artificial reef and expanding  
16 fishing opportunities for the recreational community. It's  
17 very useful for our program.

18 Our artificial reef bureau has participated in  
19 18 public outreach events, including Christmas in the Pass and  
20 the Carl Leggett rodeo.

21 And that concludes the presentation. Any  
22 questions?

23 MR. TAYLOR: I have a comment I want to make  
24 back on the turtle excluder thing.

25 MR. JEWELL: Sure.

1 Our next and final bureau is artificial reef  
2 bureau under the direction of Mr. Kerwin Cuevas.

3 They have conducted three trips to release a  
4 total of 7500 cobia in state waters near or on artificial reef  
5 sites which is the photograph there of them in that process.

6 This program has really been a very successful  
7 program. It's been in partnership between the DMR, Gulf Coast  
8 Research Laboratory, and Aquagreen. It's an aquaculture  
9 facility up in Stone County. Our lead person under that is Mr.  
10 Mike Brainard. He's been very helpful in developing that  
11 program.

12 Also the bureau has conducted a total of 36 gill  
13 nets on our inshore artificial reefs. They have conducted 23  
14 seafood safety tissue sampling trips. These are the trips that  
15 are used that are part of our seafood safety program. They  
16 assess the health and safety of the finfish on our offshore  
17 reefs.

18 They are continuing to add to the Katrina Key.  
19 This is a key that's just south of Deer Island. They have  
20 participated in nine -- I mean, six oyster reef zones,  
21 side-scanning activities. Of course, we have eight oyster reef  
22 zones. They're going to continue those activities throughout  
23 the 2012 year.

24 They have side-scanned seven of our artificial  
25 offshore reefs.

1 MR. TAYLOR: Earlier in the year, a group of  
2 people field suit to shut down shrimping in the Gulf. And I  
3 think NOAA had some bad information.

4 I want to commend you and your staff and Dale  
5 and all for putting together the information that really kind  
6 of stopped that from happening, the shrimping in the Gulf.  
7 You know, there was a lot of false information about what was  
8 killing the turtles and so on. I think your group did flyovers  
9 at the time and also did sampling and went out on a boat and  
10 forwarded that to I believe it was NOAA who was making a  
11 decision.

12 I don't think all the shrimpers know what y'all  
13 did to try to help them, but I want to just comment again and  
14 thank you.

15 And Catfish, I believe you had a question?

16 MR. MILLER: Yes, sir.

17 MR. TAYLOR: Come up to the podium. State your  
18 name.

19 MR. JEWELL: I do want to thank you for those  
20 comments.

21 And I also want to mention that marine patrol  
22 was very active in that process. Marine patrol did a lot of  
23 onsite boarding of vessels to ensure regulatory functions. And  
24 like I said, we had a lot of other offices that made that very  
25 successful. Without our law enforcement office, this would not

1 have been as successful year as we did have. And they were  
2 very active in the turtle program during that time.  
3 MR. TAYLOR: I'm just saying it shows when  
4 decisions are made on bad data that it takes a lot of folks  
5 when the data that is out there is correct, it can help folks.

6 Okay, Catfish.

7 MR. MILLER: My name is James Miller Catfish.

8 About the spat on the oysters. And my question  
9 is, Mr. Joe, I'm sure he got -- we just had a brand-new spat  
10 perhaps. I want to know how long will it take, three years,  
11 four years, for these oysters to be ready to harvest?

12 MR. TAYLOR: That's a good question.

13 MR. MILLER: I got another one after that. But  
14 let Mr. Joe answer it.

15 MR. JEWELL: Well, this time of the year, spat  
16 will set just about all year round. But the most active spat  
17 sets will occur in the early spring and early fall. So our  
18 biggest spat set is going to occur in the spring, and our next  
19 one will occur in the fall.

20 So our most active spat set has not yet occurred  
21 yet. It will be happening in the spring.

22 And we time our cultch plants to occur with  
23 those spat sets so we can maximize the catch rate with the  
24 spat, the cultch.

25 MR. MILLER: He still didn't answer my question.

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1 give us some kind of relay program, transplanting live oysters,  
2 not dead, live, people, to that reef so we can catch next year  
3 be prepared for ourself. Because apparently this board is not  
4 thinking about these fishermen.

5 MR. TAYLOR: Catfish, I'm going to disagree with  
6 you because you just heard Mr. Jewell say two plants that we've  
7 got planned. And your time is up, please. You said what you  
8 wanted to say.

9 MR. MILLER: Wow. Is it like that?

10 MR. TAYLOR: Yes, it is.

11 MR. MILLER: Gee. I'm glad I don't have no  
12 insurance with you, sir.

13 MR. TAYLOR: I'm glad you don't, either.

14 But we have two plants planned. We've got  
15 several million dollars or whatever Mr. Jewell said.

16 And if you have a problem with the oil spill, I  
17 suggest you get an attorney and sue BP. We're not in the  
18 business to bolster your claim or to hurt you. We're in the  
19 business of protecting the resources and trying to help people  
20 that do that.

21 Your time is up, Mr. Miller.

22 MR. MILLER: Yeah, but you were directing a  
23 question to me at my seat.

24 MR. TAYLOR: I'm not directing a question to  
25 you.

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1 My question was: How long from now if the  
2 projected water is right is it going to be possible to harvest  
3 that oyster next year? Tell me how long.

4 MR. TAYLOR: I think he's about to answer.

5 MR. MILLER: Tell us, Dale.

6 MR. DIAZ: Generally in Mississippi, it takes  
7 oysters about 18 to 24 months to reach three inch which is the  
8 legal size in Mississippi. And that's generally what it takes.

9 MR. MILLER: And this is the point I'm making to  
10 my board, to the backbone of the organization. It's two years  
11 now, and we had a 100 percent death rate from that oil  
12 disaster. I went out on it with Ed Cake, brought a bunch of  
13 intelligent people out there. I was just a boat driver, Dr.  
14 Walker. I know you hate the man, but don't look at me like I'm  
15 the bad guy.

16 In the study from different individuals from the  
17 Sea Shepherd, from the Hulverton Press -- now, listen to me --  
18 they said we're going to have problems if we don't put new  
19 shell plant and get them out there now.

20 So it's going to be three years before you're  
21 going to put me back to work on my public reef.

22 Now, this is what I'm talking about. I'll lose  
23 six hundred something thousand dollars in five years, Mr.  
24 Walker. How am I going to get recushion from my money from  
25 this reef out here? I don't know. We got to step aboard and

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1 MR. MILLER: Well, don't look at me when you're  
2 saying that.

3 MR. TAYLOR: Mr. Miller, your time is up. Sit  
4 down or be escorted out.

5 MR. MILLER: I ain't done nothing wrong, sir,  
6 but answer your question.

7 MR. TAYLOR: Sit down and be quiet or you'll be  
8 escorted out. Do you understand that?

9 MR. MILLER: I don't know, sir.

10 MR. JEWELL: Do y'all have any other additional  
11 questions?

12 MR. BOSARGE: Yeah, I have a couple of  
13 comments. Thanks for all the hard work improving the effort  
14 data to substantiate the claims that basically the shrimpers  
15 weren't the problem with the (inaudible).

16 The other thing, backing up, on the trip  
17 tickets, Mr. Stewart made a comment about when the guys aren't  
18 fishing still having to fill out a trip ticket. I think that's  
19 something we may want to look at. And we all said it's going  
20 to be kind of a learning curve on this. So I'm going to pursue  
21 that because I agree with him that it was a trip ticket as in  
22 when you're fishing providing a trip ticket, when you're not,  
23 you're not. But anyhow.

24 And then I had a couple of folks within the past  
25 week, on the trip ticket does it delineate the difference

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1 between otter trawls and skimmer trawls? In other words,  
2 because of the issues with the turtles, there's a lot of  
3 attention being paid to skimmer trawls versus otter trawls.  
4 And I've been asked several times if we could in some means,  
5 manner, or fashion either on the license or on the trip ticket,  
6 if we could put it to where it tells whether that vessel is  
7 working with otter trawls or skimmer trawls. Is that something  
8 we can try to facilitate?

9 MR. JEWELL: I know on the license, it doesn't  
10 distinguish that. But it doesn't on the trip ticket.

11 MR. GOLLOTT: Let me help you with that. I  
12 think we have to put the gear on the trip ticket. Once they  
13 have the information, then it follows the boat down. But I  
14 think it would do that for you, Commissioner. I think it does  
15 it, if I'm not mistaken.

16 MR. STEWART: Can I ask one question? On these  
17 trip tickets, does it say where the shrimp are coming from?  
18 What actual waters? Are we actually going to have a map  
19 sectioned off with numbers and say I caught my shrimp, fish,  
20 right here?

21 MR. BOSARGE: Yes.

22 MR. STEWART: And when every boat comes to the  
23 dock, are they going to go in there and their information go  
24 into the computer right then?

25 MR. BOSARGE: I think it's an option as to

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1 whether you fill it out by computer or by hand.

2 MR. STEWART: That's what I understand, that  
3 there's an option. Y'all really just wasted your time. I'm  
4 sorry to tell you that. But you made a complete mess of the  
5 trip ticket system. You should have taken (sic) a picture of  
6 what Louisiana and the other states already have implied  
7 (sic) and went with that. Instead we made some kind of joke to  
8 go by. It's totally ridiculous.

9 MR. TAYLOR: Thank you for your comments.

10 MR. STEWART: If it's not filled out when the  
11 boat comes in to the processor in the computer right then, done  
12 deal, it could be changed to whatever you want it.

13 MR. TAYLOR: Thank you.

14 MR. GOLLOTT: Dale, is that correct, that the  
15 gear is filled out on the trip tickets and follows the boat?

16 MR. DIAZ: Yes, sir. I believe we capture  
17 whether it's a skimmer trawl or an otter trawl. I'll double  
18 check on that and make sure, but I'm pretty sure we can  
19 distinguish that.

20 MR. JEWELL: It does. It is -- this trip ticket  
21 program is modeled very similar after the trip ticket program  
22 that's in place in all the other five Gulf states.

23 (Comments from audience.)

24 MR. JEWELL: Does anybody else have any other  
25 questions?

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1 Thank you.

2 MR. TAYLOR: Coastal ecology, Jan Boyd.

3 H. Coastal Ecology

4 MR. BOYD: Good morning, Mr. Chairman,  
5 commissioners, Dr. Walker.

6 Coastal ecology has one action item on the  
7 agenda for your consideration, but before we get to that, Dave  
8 Ruple would like to give you an update on the salt marsh  
9 topminnow conservation plan project.

10 3. Grand Bay NERR

11 MR. RUPLE: Good morning, commissioners, Dr.  
12 Walker and Sandy.

13 I would like to sort of follow some of the tone  
14 that Joe just presented talking about some of the nonregulatory  
15 projects that the department has underway. And, of course, the  
16 reserve is totally nonregulatory in its function.

17 First of all just a little background on the  
18 reserve again to remind you all of some of the things that we  
19 do. Located in eastern Jackson County, our real role is to  
20 study the ecology of the coastal habitats and the species that  
21 live within the estuarine systems of coastal Mississippi. And  
22 in doing that, we not only work through the scientists here at  
23 the department, but we also facilitate the research of many  
24 other institutions, organizations from around the country  
25 actually that come to Grand Bay to do this research.

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1 So we have an important role in facilitating and  
2 coordinating this research with managers on the coast.

3 And the final result of what we are attempting  
4 to do is trying to gain a better understanding of the local  
5 ecology and to have that information put to use by  
6 decisionmakers.

7 Back in 2005, the department, along with the  
8 Nature Conservancy and USM, applied for some funding through  
9 NOAA to develop a conservation plan for a species of fish that  
10 occurs in our local marshes, really throughout the northern  
11 Gulf of Mexico. And through this effort, it's to provide a  
12 plan for voluntary conservation efforts by the states.

13 And we put together a project basically looking  
14 at we knew that we had this species here in Mississippi. The  
15 folks at USM actually were one of the few people that knew  
16 anything about it.

17 It occurs from Galveston Bay, Texas, over to  
18 Escambia Bay in Florida in sort of the upper reaches of the  
19 marshes. It's not something that is typically obviously  
20 captured in trawls. It's related to the bull minnow. It is a  
21 small fundulate fish. And back in 2004, it was placed on the  
22 species of special concern list, and that's hence the reason  
23 for NOAA basically seeking some additional information on the  
24 species.

25 It is sort of our thought that one of the

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1 reasons that NOAA had it listed is that it was small and it  
2 occurred in the upper reaches of the marshes really where no  
3 sampling vessels or gear typically would be able to capture it.  
4 And that sort of led to their really misunderstanding or lack  
5 of understanding of the species.

6 So, we were granted funds in 2006 to develop a  
7 conservation plan. And in doing that, because there was so  
8 little done, we spent the first two years working with some of  
9 our staff, as well as staff and graduate researchers from USM,  
10 to sample the species for where does it occur, in what  
11 abundances, and what type of habitats along the northern Gulf  
12 of Mexico.

13 And then that was followed up after we had that  
14 information. We worked primarily with the Nature Conservancy  
15 through their conservation action planning program, bringing  
16 together various experts -- again, not many experts on this  
17 species, but because few folks knew about it, but folks that  
18 were familiar with some of our estuarine fishes, especially the  
19 lower species on the food chain. Again, you know, like a lot  
20 of the species that occur in the marshes, those are a forage  
21 food.

22 The conservation plan was developed. And now  
23 myself and members of the staff of the local nature conservancy  
24 are presenting this to the various states and staffs of marine  
25 resources agencies across the northern Gulf, Mississippi,

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1 months, concerns over a species of killing fish that occurred  
2 over in Louisiana from results of the oil spill.

3 And then also, you know, into the future  
4 potential impacts from climate change or sea level rise were  
5 thought to be things that could affect the species.

6 What are the conservation actions that we feel  
7 that are most useful?

8 Basically increasing the knowledge of the  
9 biology and ecology of the species. Several papers were  
10 published by what we know about the species so far. The  
11 sampling was somewhat limited to those estuaries that I  
12 mentioned.

13 Looking to protect various habitats within its  
14 range through acquisition programs, restoration opportunities  
15 as they occur. And we would encourage our coastal preserves  
16 here at DMR and then other marine agencies across the northern  
17 Gulf to do likewise.

18 And then again, we'll keep monitoring those  
19 activities and doing adaptive management to the restoration  
20 activities that are undertaken.

21 What are the next steps in Mississippi? Again,  
22 as I said, we'll be sharing this information and the plan and  
23 distribution maps to the other marine agencies along the  
24 northern Gulf and working with our folks here in coastal  
25 ecology and fisheries to do likewise.

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1 Alabama, Louisiana, and Florida.

2 As I said, the range really is somewhat  
3 restrictive from the original occurrence of a specimen in  
4 Florida really was not -- we were not able to document that or  
5 confirm that. So really, we did sampling from Escambia Bay,  
6 Florida, over to Baritone Bay and in Louisiana, as I said, not  
7 conventional gear using plexiglass traps in the upper reaches  
8 of the -- in our case here primarily the black needle rush  
9 marshes.

10 You can see here how the placement of the traps  
11 as the tide flowed out of the marsh grass, that's when the fish  
12 were captured. Obviously again, how many of the forage species  
13 that occur in the marshes go into the more main bayous and are  
14 utilized by some of our gamefishes.

15 In developing our conservation plan, we looked  
16 at many of the typical things that we have concerns over and  
17 how they may impact our estuarine waters, things like dredging  
18 and filling, shoreline cordoning, alteration of freshwater  
19 flow. So that it appears that this species occurs over a broad  
20 range of salinities. It seems to be a little more common in  
21 areas with lower salinities. Hence, their occurrences in the  
22 top of our marshes.

23 In coastal development, obviously the BP oil  
24 spill brought to light potential impacts again to our marshes.  
25 And you may recall there were recent, within the last six

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1 Again, I do have a copy of the plan today if  
2 anyone is interested. I'd be happy to provide that to you.

3 Any questions?

4 MR. TAYLOR: Speckled trout eat them?

5 MR. RUPLE: Speckled trout would eat them if  
6 they could get to them. Probably the small speckled trout.  
7 And again, you know, they may occur in small numbers in the  
8 bait fish industry, but we really didn't feel that that was a  
9 major threat to the species.

10 MR. TAYLOR: Thank you very much.

11 MR. RUPLE: Thank you.

12 Next up is City of Bay St. Louis.

13 4. Bureau of Wetlands Permitting

14 b. City of Bay St. Louis

15 MR. CHRISTODOULOU: Good morning, commissioners,  
16 Dr. Walker, Ms. Chesnut.

17 I have a permit modification by the City of Bay  
18 St. Louis. It's located on the Bay of St. Louis between the  
19 CSX railroad bridge and DeMontluzin Avenue in Bay St. Louis.  
20 It's in the commercial fishing and recreational marinas  
21 district, and the agent is BMI Environmental.

22 Here is the project location. This is the  
23 Highway 90 bridge, Bay Bridge, CSX railroad bridge, and the  
24 proposed harbor -- actually permitted harbor is just north of  
25 the railroad tracks.

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1 There's basically two modifications being made,  
2 both structural in nature.

3 The first is the breakwater structures that were  
4 previously permitted for the harbor. The previously authorized  
5 breakwater structure consisted of continuous concrete sheetpile  
6 walls with 16 inch concrete batter pilings. The proposed  
7 modification of that is concrete sheetpile panels separated by  
8 54 inch diameter concrete pipe pilings.

9 Also, the second modification is to the central  
10 pier and platform, and it was previously authorized as an 8,080  
11 square foot pile supported deck. And the proposed modification  
12 is 9,075 square feet of concrete surface on structural fill.

13 Here is a diagram of the breakwater structures.  
14 This is the elevation view. This is the previously permitted  
15 structure. It had sheetpile, concrete sheetpiles, with  
16 openings, 15 and a half inch openings, to allow flow through  
17 into the basin.

18 The way this worked was, there was basically  
19 three solid panels, and then you had three consecutive open  
20 panels, and then a series of three solid and three open  
21 throughout the length of the breakwater structure.

22 The new design is the sheetpiles are back, but  
23 they are staggered between every other pile. So you still have  
24 the same amount of opening per area.

25 Here is a section view of the project where you

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1 have pilings over here and the wall in between. Now you have  
2 one solid piling here with the sheetpile wall.

3 There is no change to the footprint or to the  
4 alignment. They will be basically in the same footprint as the  
5 previously proposed.

6 The change to the pier and platform, the central  
7 pier, this was the previously permitted area here. It was a  
8 pile supported deck. And here is the proposed structure. It  
9 is a filled area of concrete surface.

10 The modified construction methods will provide  
11 the public a more stable deck platform structure that is less  
12 likely to be damaged by storms, as well as one that will  
13 require less maintenance and upkeep. And these factors reduce  
14 the overall cost of the project, as well as the long term cost  
15 to the city.

16 The project is allowable within the C use  
17 district.

18 A variance was requested for the project for the  
19 filling of coastal wetlands because of adverse and cumulative  
20 environmental impacts.

21 The applicant has justified the variance request  
22 by saying that the impacts on coastal wetlands would be no  
23 worse than if the guidelines were followed. And basically  
24 that's because with the new project -- with the previously  
25 permitted project there was a surplus of waterbottoms created

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1 to compensate for the cut. This will also take place in this  
2 modification, as well. There will still be a net gain of  
3 waterbottoms with the project.

4 Similar projects have been approved by the  
5 commission, and this should not set a negative precedent.

6 Fill for the central deck platform will  
7 eliminate approximately 9,075 square feet of waterbottoms.  
8 However, there will be a net increase in waterbottoms with the  
9 completion of the harbor project. And the amount of coastal  
10 wetlands created for the harbor project will exceed the amount  
11 of coastal wetlands filled. And no vegetated wetlands or  
12 critical habitats will be impacted. There's not marsh. It's  
13 just open waterbottom.

14 And the full extent of the project is the harbor  
15 facility will have a ship store for retail goods and fuel  
16 sales.

17 Best management practices will be put in place  
18 to reduce impacts.

19 The alternative design, the previous design was  
20 a wood decking on concrete piling, and that was rejected by the  
21 applicants due to a number of reasons, the first being the  
22 initial cost of having prefabricated concrete pilings. You  
23 have a little bit of structural integrity because this central  
24 platform will be pretty much a gathering area in case there's  
25 fishing rodeos, fishing tournaments, it will be the handicap

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1 accessible area so it needs to be a level area and over time  
2 decking, timber decking can warp. And that will also help  
3 reduce the long term maintenance costs with having to replace  
4 pilings and decking.

5 The proposed location is within the previously  
6 authorized footprint of the harbor, and the breakwaters will  
7 also be in the same exact location. No changes to the  
8 alignment of those.

9 The area is already authorized to be a municipal  
10 harbor, so the structural changes that they've proposed  
11 shouldn't decrease the scenic qualities of the area.

12 Public notice was placed, both in the Sun Herald  
13 and the Sea Coast Echo. We did receive comments on the  
14 project. Several of the comments were not relevant to the  
15 modification at hand. So specifically toward the  
16 modifications, we had two major comments. And that was that  
17 property and ownership riparian rights were being violated.  
18 There is a upland landowner who does have a suit against the  
19 Secretary of State and the city about the ownership of the  
20 waterfront area.

21 But DMR, as has been stated many times on other  
22 projects, we don't grant ownership to land or water with our  
23 permits.

24 Also, another comment was received that there  
25 was no mitigation plan for the filling of the waterbottoms.

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## COMMISSION ON MARINE RESOURCES

COURT REPORTER'S CERTIFICATE

1 Basically, the mitigation plan for the filling of the  
2 waterbottoms is the creation of waterbottoms, and there will be  
3 a net gain in waterbottoms created from the project.

4 Archives & History has no reservation with the  
5 project.

6 DEQ is reviewing the project.  
7 Secretary of State already has the area under  
8 lease.

9 And Wildlife, Fisheries & Parks is currently  
10 reviewing the project.

11 And based on results of staff's evaluation, we  
12 recommend approval of the applicant's variance request and  
13 issuance of the modification contingent on water quality  
14 certification from DEQ.

15 MR. TAYLOR: Does this facility have a pumpout  
16 station?

17 MR. CHRISTODOULOU: It does, yes.

18 MR. GOLLOTT: Mr. Chairman, I'd like to make a  
19 motion that we accept the staff's recommendation for the  
20 project.

21 MR. TAYLOR: Motion has been made. Is there a  
22 second?

23 MR. BOSARGE: I'll second.

24 MR. TAYLOR: All those in favor. Opposed?  
25 Motion carries. Thank you.

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I, Norma Jean Ladner Soroe, 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 54 pages constitute a true and  
correct transcription of said meeting held on the 17th day of  
January 2012.

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 2nd day of February  
2012.



NORMA JEAN LADNER SOROE, CSR #1297

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1 Next up we have financial report, Kara Vesa.

2 J. Administrative Services

3 2. Financial Report

4 MS. VESA: Good morning. The budget for  
5 December 31, 2011, remain unchanged from last month. It was  
6 \$6,267,493. We have spent \$3,539,561, leaving a balance of  
7 \$2,727,932 on December 31. And our tidelands portion of our  
8 budget remain unchanged from last month.

9 If there are no questions, that concludes my  
10 presentation.

11 MR. TAYLOR: Thank you.

12 MR. BOSARGE: I make a motion we adjourn.

13 MR. GOLLOTT: Second.

14 MR. TAYLOR: All those in favor.

15 (Meeting adjourned 10:37 a.m.)

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