

COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, March 31, 2020  
9:00 a.m.  
Via Webinar by Zoom

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Commission Members:

Mark Havard, Chairman

Ronald Daniels, Vice Chairman

Steve Bosarge

Natalie Guess

Also Present:

Joe Spraggins, Executive Director DMR

Sandy Chesnut, Esq., Assistant Attorney General

1           COMMISSIONER HAVARD: Ronnie, if you would just  
2 kind of take over, if my computer dies, or decides to get  
3 offline. Ronnie, if you would just resume the meeting as  
4 the chair, please.

5           COMMISSIONER DANIELS: Roger that.

6           COMMISSIONER HAVARD: March the 31<sup>st</sup>, 2020, a  
7 little after nine, I would like to call the meeting to  
8 order.

9           First off, I would like to get approval of the  
10 agenda.

11           Do we have any changes for the agenda today?

12           (No response.)

13           COMMISSIONER HAVARD: I don't think we do.

14           COMMISSIONER GUESS: I make a motion to approve  
15 the agenda.

16           COMMISSIONER HAVARD: I've got a motion to  
17 approve the agenda as written.

18           Do I have a second?

19           COMMISSIONER DANIELS: I'll second it.

20           COMMISSIONER HAVARD: I have a motion and a  
21 second.

22           All those in favor say aye.

23           (All in favor.)

24           COMMISSIONER HAVARD: All those opposed?

25           (None opposed.)

1 COMMISSIONER HAVARD: So moves.  
2 That brings us to the Executive Director's  
3 report.  
4 General Spraggins, what do you have for us  
5 today?

6 JOE SPRAGGINS: Thank you.  
7 Brian, are you on, Brian Sherwood?

8 BRADY SMITH: He is listening, but he is not on.

9 JOE SPRAGGINS: Brady, can you do this, then, if  
10 Brian is not on?

11 Can you tell anyone out there, if they would  
12 like to make public comment and they have not already sent  
13 it to Crystal, how they could go online and do this?

14 Can you explain that to them at this time,  
15 Brady?

16 BRADY SMITH: I'm going to connect Brian so he  
17 can explain. Just one second.

18 JOE SPRAGGINS: Okay.  
19 Where is Brian?

20 I'm not seeing him.

21 BRADY SMITH: Brian is good for talking.

22 BRIAN SHERWOOD: Good morning.

23 JOE SPRAGGINS: Brian?

24 BRIAN SHERWOOD: Yes, sir.

25 JOE SPRAGGINS: Can you explain to everyone if

1 they have not already sent a public comment to Crystal's  
2 email, or if they haven't already done one -- if they did  
3 last night, we've got them, but, if they have not, to go  
4 ahead and how they could go about being able to do a  
5 public comment?

6 BRIAN SHERWOOD: Certainly.

7 Anyone who wants to give public comment before  
8 the meeting is over who hasn't done so already, if you out  
9 to our website at dmr.ms.gov, there is a CMR link. If you  
10 guys go to dmr.ms.gov/CMR, it will take you directly to  
11 the page and from that page you will see a link that gives  
12 you information for the call as well as a public comment  
13 form.

14 As long as you put the phone number that you are  
15 calling in from, we will be able to identify you and we  
16 will unmute your call when it is time for your public  
17 comments.

18 You just have to submit that form and that form  
19 will get over to Director Spraggins and he can identify  
20 you at the proper time.

21 JOE SPRAGGINS: Okay, and what we will do, for  
22 anyone that has submitted one we have put it down to where  
23 we think it ought to be on the agenda and we will just  
24 call your name out at that time and Brady will unmute you  
25 to be able for you to add the public comment.

1 Mark and Commissioners, are y'all understanding  
2 that?

3 Do you understand how we are doing it?

4 COMMISSIONER HAVARD: Yes, sir.

5 COMMISSIONER GUESS: Yes.

6 COMMISSIONER DANIELS: Yes.

7 JOE SPRAGGINS: The next thing is we did do an  
8 oyster plant. Joe and them put together a big operation  
9 and we put one million oysters into the water this week,  
10 this past week, maybe a little over a week, but we put  
11 them in three different locations, at St. Joe, at Pass  
12 Christian and in Biloxi Bay. These are market size  
13 oysters that we have put in the water.

14 We are hoping that the Bonnet Carre won't open  
15 and we have to lose any of them in the Western Sound. We  
16 are giving it our best shot we can, but we need to go  
17 ahead and put the oysters in the water at this time, due  
18 to the fact that they were about to spawn and we want to  
19 try to get them into the spawn season in the spring, if  
20 that is possible, to help regenerate our oyster population  
21 that we lost.

22 Any questions on that from the Commissioners?

23 (No response.)

24 JOE SPRAGGINS: License. We suspended, as far  
25 as taking any license, as far as commercial license in

1 person, and the reason for that, the Governor has issued  
2 an order of basically distancing, and we didn't want to  
3 have people standing all out in line and doing things  
4 outside.

5 Sandy, I am going to turn it over to you and let  
6 you tell them now what the regulation is and why we did  
7 what we are doing.

8 SANDY CHESNUT: The statute provides that those  
9 commercial licenses expire April 30<sup>th</sup> of each year. The  
10 agency typically starts selling the licenses April 1<sup>st</sup> of  
11 each year, but, because of the executive order and mandate  
12 on social distancing, we made the decision to suspend the  
13 in-person license sales until the 17<sup>th</sup> of April because  
14 that is the date that the executive order goes through.

15 If the Governor issues a subsequent executive  
16 order, we will revisit that and let the public know how we  
17 are going to deal with it.

18 At this time, we won't be selling in-person  
19 commercial licenses until April 17<sup>th</sup>. They can still apply  
20 by mail, but they can't be coming up here in person  
21 because we want to comply with the executive order.

22 JOE SPRAGGINS: Commissioners, what we may do if  
23 the Governor -- which I anticipate, but I don't want to  
24 speak for him -- extends this distancing the same as the  
25 President of the United States did to the 30<sup>th</sup> of the

1 month, then, what we would probably recommend at that time  
2 -- and we will know this before our Commission meeting,  
3 but we will probably recommend that we just extend the  
4 current licenses that we have and allow them not to have  
5 to renew until maybe one June, until we can find out what  
6 we need to do with that.

7 we will get you that information before the next  
8 meeting and, if we have to, we will do some type of  
9 special call.

10 Any questions from any of the Commissioners on  
11 that?

12 COMMISSIONER HAVARD: No, sir.

13 COMMISSIONER GUESS: No. It sounds good.

14 JOE SPRAGGINS: The other thing, just to give  
15 you a quick update, we are working about ninety percent at  
16 home. From DMR, everyone is doing very well. Brian and  
17 his team have done a fantastic job of getting everybody  
18 online.

19 Thank y'all for that, Brian, and each one of the  
20 IT team.

21 we are able to do ninety percent of what we have  
22 been doing to a point. As far as our testing, the only  
23 thing that I know of -- and, Joe, tell me if something has  
24 changed, but we did stop MRIP because of personal contact  
25 with people, but that is about the only thing that we have

1 stopped as far as testing.

2 Is that correct, Joe?

3 And I think we delayed the testing in the  
4 Fisheries part of it, as far as with USM, until later in  
5 the month.

6 Is that correct?

7 JOE JEWELL: That is correct.

8 I do want to point out that two other Gulf  
9 states have also stopped their MRIP surveys and one is  
10 considering it right now. So we are in line with the rest  
11 of the Gulf.

12 JOE SPRAGGINS: We are checking with every  
13 Federal agency to make sure that they are okay with doing  
14 what we are doing and so far, other than National Park  
15 Service and I still haven't heard back from NFWF, but we  
16 are waiting on it to be able to find out if we do have to  
17 put people on administrative leave, if they will allow us  
18 to continue paying off of that and, if not, then, we will  
19 check with the Governor and see if we can use other funds  
20 that we have in the state to be able to do it. We are  
21 also waiting on an answer from the state as far as  
22 Tidelands.

23 As we are doing now, everyone is working. We  
24 have some type of work for them to do. Whether it is at  
25 home, or whether it is in the field, we have something for

1       them to be able to operate, and we are going to continue  
2       doing that until we see that we need to change things.

3               Any questions from the Commissioners?

4               COMMISSIONER HAVARD:   Yes.

5               Mr. Levine, did I see him in the conference  
6       room?

7               JOE SPRAGGINS:   Yes.

8               COMMISSIONER HAVARD:   How is enforcement  
9       handling the social distancing, but still trying to do  
10      their job?

11              How is that affecting you guys?

12              PATRICK LEVINE:   Good morning.

13              They have been doing a great job.  We have  
14      encouraged our guys to maintain a strong officer presence.  
15      The only time they are getting close to somebody is when  
16      there is a violation that warrants them taking action.

17              Public safety is number one.  We want to make  
18      sure we look out for officer safety.  They are out there  
19      looking for violations.  They are keeping a safe distance  
20      from everybody.  We are encouraging only to take action if  
21      it is something that is serious enough, but they are a  
22      hundred percent and they are working, and they are doing a  
23      good job.

24              I know the weekend was pretty busy.  There were  
25      a lot of boats out this weekend, and they were out there

1 in full force. I know there were a few violations that  
2 were written. There were some people that took the  
3 advantage of the social distancing to go out there and  
4 maybe consume a little more alcohol than they should. So  
5 we are making sure we are keeping everybody safe on the  
6 water and still protecting the resource.

7 COMMISSIONER HAVARD: Very good. I appreciate  
8 it.

9 JOE SPRAGGINS: One of the things we are also  
10 doing -- I talked with Kyle about it -- we are going to  
11 make sure that if they are out here on the islands and  
12 they are starting to congregate together, that they warn  
13 the people the first time to get out of there and move on  
14 and get away from each other. If they don't, then, we are  
15 going to authorize them to give them a ticket for it  
16 because the Governor is very strong about that. He is  
17 very strong about it and I think we have the right to do  
18 it. Sandy says we can issue the ticket because of the  
19 executive order.

20 We don't want to issue tickets, but we want  
21 people to understand and we want to give them every chance  
22 we can. We want to get them to understand because the  
23 social distancing needs to operate.

24 SANDY CHESNUT: A governor's executive order has  
25 full force and effective law, and there are provisions for

1 violations of the executive order in the emergency  
2 statutes. That is the authority we are going under.

3 JOE SPRAGGINS: Please, if you see something on  
4 there and it may be up in one of these areas north of I-  
5 10, we do not have jurisdiction of that. Understand that  
6 we are trying to do everything in our jurisdiction and we  
7 will help anywhere wildlife asks us to help them.

8 Any other questions?

9 (No response.)

10 JOE SPRAGGINS: The last thing I have is the  
11 GOMESA funds are out. I cannot tell you the number  
12 because the Governor has not released it. I have six  
13 bosses. I have you five, plus him. I know he is as busy  
14 as he can be, but he will release the GOMESA funds  
15 probably this week, what we are talking about, or how much  
16 we got this year. I think everybody will be impressed.  
17 It is very nice and I think we will be okay. We will be  
18 able to do a lot of projects.

19 Any other questions?

20 COMMISSIONER HAVARD: No, sir. I appreciate  
21 that.

22 JOE SPRAGGINS: Commissioners, I will send y'all  
23 a copy.

24 COMMISSIONER GUESS: Okay.

25 COMMISSIONER HAVARD: Very good.

1           That brings us along to Commissioners Report.  
2           Do any Commissioners have anything they would  
3 like to speak about?

4           COMMISSIONER GUESS: I don't have anything.

5           COMMISSIONER BOSARGE: I don't have anything  
6 either, Mark.

7           COMMISSIONER HAVARD: Ronnie?

8           COMMISSIONER DANIELS: Sorry. I had to unmute.  
9 No. I'm good.

10          COMMISSIONER HAVARD: well, that brings us on to  
11 Office of Marine Fisheries, Mr. Joe Jewell.

12          Tell us something good, Joe.

13          JOE JEWELL: Good morning, Commissioners. It is  
14 good to see all of y'all, even though it is from a  
15 distance.

16          We have five items on the agenda for y'all's  
17 consideration.

18          First up is the Charter For-Hire Reporting  
19 requirements that we have been addressing over the last  
20 two, or three, months.

21          Giving that presentation will be Mr. Matt Hill.

22          MATT HILL: I've got Trevor here with me. He  
23 will try to help me with this technology, but we will try  
24 to get through this.

25          A little bit of background.

1 BRADY SMITH: Matt and Trevor, you have control  
2 of the power equipment.

3 MATT HILL: A little background. At the  
4 November 2019 CMR meeting, the following motions were  
5 passed regarding a Charter For-Hire Reporting Program:

6 Motion eleven of the meeting was to forego  
7 moving forward with this particular project, and motion  
8 thirteen of the meeting was for staff to come back at the  
9 next meeting with language that requires reporting  
10 pursuant to Title 22, Part 9, Chapter 11, Paragraph 101,  
11 and I will read that here in the next few slides.

12 Then, at the December 2019 meeting, the  
13 following motion was passed regarding the Charter For-Hire  
14 Program:

15 Motion ten of the meeting was for staff to  
16 review pertinent sections of Title 22, Part 9, and bring  
17 back updated language and options to improve the reporting  
18 system within ninety days.

19 This presentation will outline potential options  
20 and considerations for improvement to charter for-hire  
21 reporting and potential language changes for pertinent  
22 sections of Title 22, Part 9.

23 It is going to delay. It is taking a minute.

24 The current regulation in Title 22, Part 9,  
25 Chapter 11 reads:

1           “Section 101, Charter and Head Boat  
2           Reporting.

3           “Charter Boat and Head Boat captains  
4           operating in Mississippi waters shall  
5           be required to complete questionnaires  
6           furnished by the MDMR for each trip.

7           “Completed questionnaires shall be  
8           furnished to an Information  
9           Confidentiality Officer upon request.

10          “In addition to the reporting required  
11          pursuant to this paragraph, the following  
12          reporting is also required” --

13                 we left his off to save some space. This refers  
14          to all the Tails n’ Scales reporting for Red Snapper.

15                 Here is what the effort portion of the current  
16          survey looks like which we administer it, but it is  
17          through the MRIP Program. It is a mailout survey to  
18          collect the effort information.

19                 The pre-evaluation is the sheet on the left hand  
20          side. Ten percent of the fleet is randomly drawn, and we  
21          physically have a technician that goes down to the harbors  
22          three days a week with the date, the time, the site, the  
23          source where we got their information and the status of  
24          that vessel. He is in. He is out fishing. He is out.  
25          we don’t know here he is.

1           Basically, we are seeing what they are doing for  
2 the week with our own eyes, before we send the post-  
3 evaluation on the right-hand side.

4           This is more for validation of whether the data  
5 is correct, or not, but these are the two forms that we  
6 currently use. The one on the right-hand side is sent  
7 through the mail. The charter captain has the ability to  
8 either fax it back to us, or we call him on the phone and  
9 we will get the information from him.

10           Most of them have begun faxing these to us. It  
11 is actually a pretty efficient process.

12           For the harvest portion of it, we do not collect  
13 that through the mailout survey. We do that through our  
14 dockside intercept surveys, and here is the portion of the  
15 forms that we use. The site is there. Where they left  
16 from. The target species. Angler participation. Several  
17 things that we would ask any recreational anglers off of a  
18 pier, or the private recreational anglers coming, we ask  
19 the same of the anglers coming off of the for-hire  
20 vessels.

21           That is a draw. It is given to us through Gulf  
22 States each month, and we go to our assigned sites and we  
23 do the charter surveys.

24           Here are some results from 2019 just to give you  
25 an idea about how many of these that we do accomplish.

1           The requirement is to survey ten percent of the  
2 charter for-hire vessels, and this is for the effort  
3 survey.

4           In that portion of the survey, we did three  
5 hundred and twelve pre-evaluations, and that is where a  
6 technician goes down to the site and validates whether the  
7 vessel is there, or not.

8           we completed three hundred and twelve phone  
9 surveys to determine fishing effort, targeted species and  
10 fishing locations. Like I said before, this portion does  
11 not cover the harvest.

12           we completed eight hundred and sixteen dockside  
13 surveys for the charter for-hire fleet to incorporate the  
14 harvest information and where these people come from.

15           Here are some of the options for the program to  
16 continue, or to be modified.

17           Our current approach is through MRIP.

18           The program is currently not mandatory per NOAA.  
19 They do not have to participate in it.

20           It is just like when we interview a private  
21 recreational angler, they have the ability to turn us  
22 down. So it is not mandatory.

23           If we continue to use this approach, we would  
24 need to adjust the language to fit the program that we  
25 were using.

1 It would need to read:  
2 "Charter Boat and Head Boat captains  
3 operating in Mississippi waters may  
4 complete questionnaires furnished by  
5 the MDMR" -- and it is not going to be  
6 for each trip, as I said. We will strike  
7 that out because it is a random draw of  
8 ten percent each week -- "and completed  
9 questionnaires shall be furnished to an  
10 Information Confidentiality Officer  
11 upon request.

12 "In addition to the reporting required  
13 pursuant to this paragraph, the  
14 following reporting is also required"  
15 -- and that is the Tails n' Scales  
16 reporting which is our reporting  
17 program which is mandatory through  
18 regulation. So there will not be any  
19 changes that will need to be made, so  
20 we would continue to comply with the  
21 regulations.

22 The next option is to establish a Charter For-  
23 Hire Reporting component within the Gulf States Program.

24 Currently this action will be implemented  
25 January 1<sup>st</sup>, 2021. A little bit of explanation on this.

1           Currently we are swapping the commercial trip  
2 ticket program over to a new program which is called  
3 vessel. vessel is not an acronym. It does not stand for  
4 anything. It is just a clever name they came up with.

5           It is all electronic reporting. The dealers  
6 will be able to report electronically. They will have  
7 their own user name and password. It will be very similar  
8 to the Tails n' Scales reporting where they can see the  
9 information that they are entering.

10           Also, currently we are adding the oyster  
11 aquaculture fishermen to that. They requested that to  
12 make it easier on them.

13           The live bait operators have also requested it.  
14 while we are doing it, we have explored the  
15 options of going ahead and adding a platform to the  
16 charter for-hire captains to begin reporting  
17 electronically.

18           There is currently no regulation for that, or  
19 how that would work, but while we have the funds available  
20 and we have the contractor available, that is the current  
21 preference of the staff is to continue with this to at  
22 least developing the platform similar to how we did with  
23 Tails n' Scales. We develop the platform, and, then, the  
24 Commission put regulations in place to make it mandatory.

25           Now, there will be a lot of things to work out

1 with that. All we would be asking here is to be able to  
2 continue with the platform, until we will be able to  
3 present it most likely to the Charter For-Hire Task Force  
4 and get some of their opinions, and, then, eventually to  
5 the Commission.

6 I know that is a little bit more complicated,  
7 but that is something that while we are changing some of  
8 these other platforms and formats, that we have been  
9 actively working on.

10 COMMISSIONER DANIELS: Matt, if I may, isn't it  
11 my understanding that y'all are already working on that  
12 Gulf States platform?

13 MATT HILL: Yes. Currently we are working with  
14 Gulf States. We are working with Bluefin Data right now.  
15 Gulf States has the overall contract on them and they are  
16 basically the keepers of the data and the keepers of the  
17 program for the commercial trip tickers. For all  
18 commercial activity, that is who we are using.

19 Then, we saw a need to -- we had a lot of paper  
20 tickets still out there, and we got a lot of requests from  
21 the fishermen and dealers to begin swapping to electronic  
22 and make it a much more user friendly platform.

23 what we have done is we have done the basics  
24 with the commercial fishermen and the dealers. While we  
25 were at it, like I said, we have added something that is

1 new that came along and we saw a need. Erik may can  
2 elaborate a little bit more on that.

3 They came to us and we have added, or began  
4 adding the oyster aquaculture program to reporting into  
5 that and the live bait dealers.

6 We said what are some of our options in here?  
7 South Carolina is currently going through a  
8 similar platform. We are kind of perusing through that  
9 and seeing what is good and bad about it.

10 Basically what it would be is the current  
11 surveys swapped over to electronic reporting, and, then,  
12 whatever regulations would accompany that.

13 COMMISSIONER DANIELS: Over the past I don't  
14 know how many months we have been talking about this now.  
15 It has been said repeatedly and now once again, there are  
16 other programs already in the works that we are waiting to  
17 be implemented.

18 I don't see a need to make any changes right  
19 now, whenever we already have other programs being built  
20 that we will have the ability to implement in the future.

21 Isn't that what I am understand from what y'all  
22 are doing here?

23 MATT HILL: Yes. We kind of saw the writing on  
24 the wall several months back, with the Seafire Program  
25 that NOAA is trying initiate. They are having a lot of

1 difficulties with it right now and it was my opinion --  
2 and this came up at the last Gulf States meeting. Joe was  
3 there. A few other people were there. They may want to  
4 chime in on this, but they had a lengthy discussion on  
5 when that program is initiated, that program is mandatory  
6 for all federally-permitted vessels. They will have the  
7 VMS system on there and other requirements.

8 The question raised is once that program comes  
9 online, is there going to be any funding left for state  
10 for-hire guys to continue to report through MRIP, and the  
11 answer was more than likely not.

12 We are developing this program to take care of  
13 our federally-permitted vessels. So once that program, if  
14 it goes into effect, we would be stuck with nothing for  
15 the state guys to be able to report to.

16 Now, once they begin reporting to that system,  
17 they would not be required, in my mind, to report to the  
18 system that we are building with vessel right now, but it  
19 would give the ability for the state guys to continue to  
20 do some type of reporting, whether we would continue with  
21 the ten percent random draw, or the dockside surveys, or  
22 however we want to do it with the validation.

23 It is just allowing us to continue to build the  
24 platform so that once they swap over to the Seafire  
25 Program, we don't leave the rest of these vessels out in

1 the cold, if we need to continue with the effort and  
2 harvest surveys form.

3 COMMISSIONER DANIELS: But you said it is  
4 allowing you to continue building this program.

5 Isn't that actively going on now?

6 MATT HILL: Yes. We haven't started actually  
7 building it. We are definitely -- like I said, we are  
8 concluding finishing up with the oyster aquaculture which  
9 was the most important thing that we needed to add, and,  
10 then, we are going to move on to the live bait, and, then,  
11 after that, we will begin to start to develop and work  
12 with Andrew and Bluefin on the charter for-hire.

13 COMMISSIONER DANIELS: But there is nothing that  
14 you need from us here today for you to be able to continue  
15 doing what you are doing.

16 Correct?

17 MATT HILL: No. We will continue on as we are.

18 COMMISSIONER DANIELS: So, in that case, it  
19 seems to me like we should leave things the way they are  
20 until y'all get your system built, and we are looking at  
21 that January 2021 time frame and we can revisit it then.

22 Did I make everybody get quiet?

23 COMMISSIONER HAVARD: I agree with you, Ronnie.

24 COMMISSIONER DANIELS: If it is all right, I  
25 would like to make a motion that we just change the

1 current language and wait until the new program is built  
2 to revisit adopting that.

3 COMMISSIONER HAVARD: Okay. We have a motion on  
4 the table.

5 Do we have anymore questions, or discussion,  
6 that needs to happen?

7 JOE JEWELL: Yes, Commissioner Havard.

8 Can I ask a quick question?

9 COMMISSIONER HAVARD: Yes.

10 JOE JEWELL: Matt, if the Commission so votes to  
11 delay until January 1 when the new program is online, will  
12 that require a regulatory change to continue going on as  
13 we are right now?

14 MATT HILL: In my opinion, it would not require  
15 a regulatory change. We are just exploring options. It  
16 is similar to the vessel program that we are implementing  
17 for the commercial trip tickets. We are changing  
18 programs. We are using a new platform, but we don't need  
19 a regulatory change for them to continue reporting as they  
20 are now.

21 JOE JEWELL: Okay. I just wanted to point that  
22 out.

23 COMMISSIONER DANIELS: I'm not sure.

24 Are you referring to my comment about making the  
25 language change?

1           In option one there, it said that there needed  
2 to be a language change in what we are currently doing.

3           JOE JEWELL: Yes. That is what I was referring  
4 to which would mean sort of status quo that we are  
5 continuing on with the ten percent survey that we are  
6 normally doing and as indicated, if we continued on with  
7 that, it would require a regulatory change, and I was just  
8 asking for clarification.

9           Hold on a second. I will pull that up.

10          That would be slide seven where Matt has  
11 identified certain language that would have to be struck  
12 through and deleted from the current regulation for us to  
13 continue on with our current program, and I was asking for  
14 clarification on that. Yes, that is the slide right  
15 there.

16          COMMISSIONER BOSARGE: Guys, I keep getting  
17 kicked off.

18          Do you hear me, now?

19          JOE JEWELL: Yes.

20          COMMISSIONER GUESS: Yes.

21          COMMISSIONER BOSARGE: I'm sorry. There is a  
22 lot going on there and I'm getting bits and pieces of it,  
23 but I'm trying to work with it as best I can.

24          I'm with Matt on trying to build a system for  
25 the future that would try to capture some of the catch and

1 discard.

2 I mean, right now we are capturing effort, I  
3 believe, if I'm correct, Matt, but we are not actually  
4 capturing any of the species that are being caught and/or  
5 discarded, other than maybe those post-evaluations.

6 Is that correct?

7 MATT HILL: In the effort survey, we are  
8 capturing obviously the effort and target species, the  
9 length of the trip, how many anglers participated in that  
10 trip, and, then, we combine that with the dockside  
11 intercept. It's not the post-evaluations, but the actual  
12 dockside surveys where we send a surveyor down there to  
13 the assigned site and we possibly we will get between  
14 twenty-five and thirty surveys each time we go down there.

15 COMMISSIONER BOSARGE: And my concern, like it  
16 has always been, is for these guys to have that  
17 information for the future.

18 I know I've seen it on my end of the industry  
19 and not just in the State of Mississippi, but in different  
20 states and...

21 MATT HILL: Did we lose Steve again?

22 COMMISSIONER DANIELS: Sounds like we lost him.

23 Matt, just one thing to clarify right now.

24 Isn't effort what you need, as opposed to catch  
25 data?

1           MATT HILL: Currently right now we rely heavily  
2 on the effort portion of the survey. Even if we  
3 instituted some type of newer electronic reporting, we  
4 would still have to go down -- we would still have to  
5 implement dockside surveys similar to what we do with  
6 Tails n' Scales to validate any type of data there, and  
7 that is where we continue to get our harvest data. We  
8 would continue to still get our length metrics, our weight  
9 metrics.

10           Obviously, that would not be any kind of census  
11 data. Basically we would be adding census effort data to  
12 survey harvest data. I don't see that changing. We don't  
13 have the staff to do that from state line to state line to  
14 capture all that and be able to validate it, and it would  
15 be very similar to me.

16           We are not talking about getting codes, or  
17 anything like that, but it would be very similar to me on  
18 how we come up with the harvest information for Tails n'  
19 Scales.

20           We have effort data and census data that is  
21 being reported on how many they caught and discarded, but  
22 we still have to go down to the docks and get the  
23 biological data to be combined to come up with these  
24 numbers.

25           COMMISSIONER DANIELS: Okay. Thank you.

1           JOE SPRAGGINS: Mark has had to get off. He  
2 lost it. They are having tornado warnings. He is going  
3 to try to call in.

4           Ronnie, you need to take over, as far as that,  
5 but one thing real quick.

6           On the 101, Matt, do we need to change that  
7 wording "shall be required to make" and, then, after the  
8 "furnished by the MDMR for each trip"?

9           Do we need to do that for right now to satisfy  
10 the issue?

11           If we leave it as it is saying, then, everybody  
12 should have to do it every time anyway.

13           MATT HILL: To Joe's point earlier is to that.  
14 We have done it this way for this long. Yes, for our  
15 current program to follow the letter of the law, we would  
16 need to change it to how we have it written in there  
17 because our current program does not meet these  
18 requirements, or nor does it have the ability to meet  
19 these requirements.

20           COMMISSIONER DANIELS: Legally it can't. We  
21 would be out of compliance, by requiring that.

22           Correct, Matt?

23           MATT HILL: That is correct because technically  
24 it is not our program. It is NOAA's program and it is not  
25 a mandatory program.

1           JOE JEWELL: Sandy, I want to ask this question.  
2           Ronnie, while you made that point, the motion  
3 that is on the floor right now, the motion is to delay  
4 implementation of a program until January 1<sup>st</sup>, 2021, then,  
5 that would, by default, require a regulatory change.

6           Is that correct?

7           SANDY CHESNUT: Yes.

8           JOE JEWELL: I just wanted to make that point  
9 clear, as they proceed with the motion.

10          SANDY CHESNUT: If you are not doing the  
11 questionnaires for each trip, that needs to be stricken  
12 from the regulation.

13          JOE JEWELL: That's correct, and that is what  
14 Matt has identified in option one.

15          SANDY CHESNUT: Right.

16          COMMISSIONER DANIELS: In my motion, I said go  
17 ahead and adjust the language in option one there as well.

18          JOE SPRAGGINS: Okay, Ronnie, I'm not sure who  
19 all is on.

20          Mark, have you been able to come on audio?

21          Mark is not able to come on audio.

22          Ronnie, we may not be able to do anything. We  
23 only have two people right now.

24          COMMISSIONER DANIELS: I've got it buddy. Take  
25 cover. Y'all be safe. Thank you.

1           That was Commissioner Havard that just called me  
2 on the phone. They've got a tornado headed straight at  
3 them at seventeen miles an hour. They are having to take  
4 shelter.

5           Joe, it looks like we have lost Steve as well.  
6 I don't know that we can vote on anything with two  
7 Commissioners.

8           BRADY SMITH: I looks like Commissioner Bosarge  
9 just dropped back in.

10          JOE SPRAGGINS: Steve, are you back on?

11          COMMISSIONER BOSARGE: Yes, sir, Mr. Joe, just  
12 temporarily here. This whole issue, there is a lot of  
13 conversation that needs to be had that we are not being  
14 able to have here.

15          JOE SPRAGGINS: why don't we just table this  
16 until the April 21<sup>st</sup> meeting?

17          Can we do that?

18          COMMISSIONER DANIELS: Sure. That is fine with  
19 me.

20          COMMISSIONER BOSARGE: Yes, sir, that is fine  
21 with me, Mr. Joe.

22          JOE SPRAGGINS: Natalie, is that okay with you?

23          COMMISSIONER GUESS: That sounds good.

24          MATT HILL: This is Matt. I would like  
25 clarification. I know we are tabling. we had a lot of

1 discussion about this, but I think we should continue the  
2 program that we have in place. We have been doing it this  
3 long and I understand it doesn't meet the letter of the  
4 law, but it is all we currently have.

5 COMMISSIONER BOSARGE: I agree, Matt.

6 MATT HILL: I understand some changes need to be  
7 made, but, in my opinion, we need to continue what we are  
8 doing until we get this resolved so we will at least have  
9 something.

10 JOE SPRAGGINS: Matt, I think if we don't do  
11 anything right now, we are going to continue as we have  
12 been operating.

13 Does anybody have an issue with that?

14 COMMISSIONER DANIELS: Matt, are you worried  
15 about us being out of compliance without making a vote to  
16 change that wording?

17 Is that what you are talking about?

18 MATT HILL: Yes, we would be out of compliance.

19 We are in compliance with NOAA. We would be out  
20 of compliance with our own regulation which we have been  
21 for several years. I think if everybody can live with  
22 that, I don't think we should suspend the program because  
23 it is not meeting the requirement in the regulation right  
24 now.

25 JOE JEWELL: Ronnie, you can make that clear.

1 In your motion to table, you can motion to table and to  
2 continue on with our current reporting program until the  
3 Commission takes it back up.

4 COMMISSIONER DANIELS: We are going to make a  
5 motion to table this until the April meeting.

6 I apologize for that. This is Mark again. We  
7 are going to table the current one until next month. Thank  
8 you.

9 For some reason, he is getting through to me and  
10 not y'all.

11 I apologize for the interruption.

12 I make a motion to table this until the April  
13 meeting without any changes to how we are currently  
14 operating, or implementing, this program.

15 COMMISSIONER BOSARGE: I will second your  
16 motion.

17 COMMISSIONER DANIELS: All in favor say aye.

18 COMMISSIONER GUESS: Aye.

19 COMMISSIONER BOSARGE: Aye.

20 COMMISSIONER DANIELS: Aye.

21 The motion passes.

22 JOE SPRAGGINS: Ronnie, the next thing is  
23 Mississippi For-Hire Task Force.

24 COMMISSIONER DANIELS: I am waiting for the  
25 slide to change there.

1           JOE SPRAGGINS:  Ronnie, just for your  
2 information, too, we do have about seven, or eight,  
3 comments on this one.  So before we make a motion, we will  
4 need to be able to allow them to make comments.

5           COMMISSIONER DANIELS:  Yes, sir.  I understand  
6 that.

7           JOE SPRAGGINS:  Okay.

8           COMMISSIONER DANIELS:  Matt, would you like to  
9 go ahead with this?

10          MATT HILL:  Yes, sir.

11          A little bit of background.  I do want to make  
12 this clear.  The reason I am giving this is the task force  
13 passed a motion requesting a Fisheries representative --  
14 I am the Fisheries representative on the task force -- to  
15 present recommendations passed at this meeting, and these  
16 are recommendations from the Charter For-Hire Task Force.

17          I will try not to ramble.  I am just going to  
18 read exactly what it says.

19          The Mississippi For-Hire Task Force met on March  
20 the 5<sup>th</sup> to discuss the upcoming Red Snapper season, captain  
21 and crew limits, and future federal reporting  
22 requirements.

23          The meeting was centered around the management  
24 of the State Charter For-Hire component for the 2020 Red  
25 Snapper season.

1           Topics covered included permit/endorsement for  
2 participants, reviewing initial allocation between  
3 components, increase in allocation, setting a number of  
4 days for the season, including state for-hire within the  
5 private recreational sector.

6           Minutes from the meeting are available to the  
7 public on the MDMR website.

8           This presentation will outline the three motions  
9 passed out of eight that were considered by the  
10 Mississippi For-Hire Task Force.

11           The first two motions address the State Charter  
12 For-Hire Red Snapper season and allocation.

13           The third motion addresses captain and crew bag  
14 limits.

15           Motions one and two of the State Charter For-  
16 Hire Red Snapper season.

17           Motion one. The task force recommends an  
18 endorsement to be developed with the cost of one hundred  
19 dollars per licensed captain and a designated cutoff date  
20 of purchase to be February 1<sup>st</sup>.

21           Discussion of this motion focused on the date of  
22 cutoff for purchase, along the necessity to define the  
23 universe of participating captains prior the start of the  
24 season.

25           Captains also commented that the amount may not

1 be enough to deter low-level participation.

2 To proceed requires regulatory action.

3 Motion two. The task force recommended an  
4 increase in the State Charter For-Hire quota by fifteen  
5 percent which recommends approximately an increase of  
6 sixteen hundred and fifty pounds, and season to be  
7 weekends only concurrent with the private recreational  
8 season.

9 Discussion of this motion focused on the  
10 structure, weekdays versus weekends, and a reasonable  
11 amount to recommend for an increase in quota.

12 This does not require regulatory action.

13 Motion three. This was something that we have  
14 been needing to fix and we brought it up because this  
15 directly applies to them. It will be captain and crew bag  
16 limits. To move Red Snapper and Amberjack to disallow  
17 captain and crew from keeping their limit and to correct  
18 the Spotted Seatrout placement.

19 Discussion on this motion included how the  
20 regulatory change for Spotted Seatrout was misplaced and  
21 options for regulatory modification.

22 To proceed, this would require regulatory  
23 action.

24 Any questions?

25 COMMISSIONER DANIELS: Do we have any

1 discussion?

2 We have public comments on this.

3 JOE SPRAGGINS: We do have public comments.

4 Do y'all have any discussion, before the public  
5 comments?

6 COMMISSIONER DANIELS: I would like to hear the  
7 public comments before I bring up any discussion on it.

8 JOE JEWELL: Ronnie, could I make one statement,  
9 please?

10 COMMISSIONER DANIELS: Yes, sir.

11 JOE JEWELL: I just want to make clear that  
12 these are recommendations that are coming from the Charter  
13 For-Hire Task Force. It is not a recommendation by the  
14 MDMR. It is coming from the task force, and I also want  
15 to point out that the official quota for the State of  
16 Mississippi has not been assigned yet. That may have an  
17 impact on any decision y'all might make. I just wanted  
18 top point that out.

19 COMMISSIONER DANIELS: Yes, sir.

20 JOE SPRAGGINS: Ronnie, the first person that I  
21 have on the list is Mark Wright.

22 Mr. Wright, can he be unmuted?

23 BRADY SMITH: Yes, sir. I am going to identify  
24 Mr. Mark and I will unmute his mike. Hold on one second.

25 Director, I don't see Mark Wright on the call.

1           JOE SPRAGGINS: If Mr. Mark Wright is not on  
2 there, then, the next one is Mr. Bryan Cuevas.

3           BRADY SMITH: I've got Bryan Cuevas.

4           BRYAN CUEVAS: Good morning, guys.

5           JOE SPRAGGINS: Good morning.

6           BRYAN CUEVAS: How are you guys?

7           COMMISSIONER DANIELS: Yes, sir, Bryan. Good  
8 morning. We are ready for your public comment on this.

9           BRYAN CUEVAS: well, I think there has been a  
10 lot of discussion about it, and the State For-Hire Task  
11 Force is individuals that represent the fleet. Everyone  
12 has a different opinion on this.

13           I agree that -- I think we all agree we need a  
14 little bit more quota. We need a little bit more time.  
15 We need to balance this in a fair and just way where we  
16 could fish this season, we could earn a living, we can  
17 bring more fishermen to the Coast.

18           Let's face it. Red Snapper is one of the most  
19 desired fish in the Gulf and that is what people want to  
20 catch.

21           We can now provide that to them, as a state for-  
22 hire fleet, and I would think and hope that the Commission  
23 would look at giving us a fair and just quota, or time  
24 frame.

25           I think that we need a time frame because we

1 know then when we start and we know when we stop.

2 Quotas are a little iffy. It makes it hard to  
3 book trips late in the year, or later toward the tail end  
4 of the quota.

5 Matt has done a great job in the past by giving  
6 us a buffer, or letting us know it looks like you've got a  
7 few days left, but the general public is not going to be  
8 aware of that.

9 The way we market, advertise and the way we  
10 books trips, some of us book far out. I might book trips  
11 more than sixty days out.

12 It is just hard right now, and I know that we  
13 are basically recreational fishermen and we are providing  
14 that recreational service. I know there were some things  
15 done in the past that separated us into a separate sector.  
16 It is just done. It has been done. We are here now and I  
17 think we want to move forward and go forward.

18 I have spoken to a lot of guys and for the most  
19 part a lot of people would like to be placed back in the  
20 box in the recreational sector because we are a  
21 recreational boat after all taking recreational fishermen.

22 I'm open for options.

23 COMMISSIONER DANIELS: Is that all you have  
24 there, Bryan, or did we lose him?

25 BRYAN CUEVAS: Yes. It is cutting in and out a

1 little bit on my end here. Sometimes my wifi is not super  
2 great, and I'm on my tablet and it is wifi only, but I did  
3 hear you a little bit there, Ronnie.

4 I would like to ask the Commission to look into  
5 possibly putting us in the recreational quota, if that is  
6 possible. I think that is where we should be. I think  
7 that is where we belong.

8 we fish recreational quota on every fish in the  
9 Gulf, every fish in the Sound, every fish in the river and  
10 the bay.

11 why exclude one species?

12 COMMISSIONER DANIELS: All right, Mr. Cuevas.  
13 We appreciate your time today talking with us. The time  
14 is up. I am sure everybody will take your comments into  
15 consideration.

16 BRYAN CUEVAS: Thank you.

17 COMMISSIONER DANIELS: Joe, you said we've got a  
18 couple of public comments on this issue?

19 JOE SPRAGGINS: Yes, we do.

20 The next one is Mr. Mike Freeman.

21 Do we have him, Brady?

22 BRADY SMITH: We are checking, now.

23 Mr. Mike Freeman, your mike is on.

24 MIKE FREEMAN: Good morning, Gentlemen.

25 COMMISSIONER DANIELS: Good morning.

1           How are you today?

2           MIKE FREEMAN: Doing well.

3           I will go ahead and get to it. I know I'm on a  
4 clock. I can't see the clock. So, Mr. Ronnie, if I get  
5 down to, like, thirty seconds just give me a heads up. I  
6 don't have any idea where my time is.

7           Is that okay?

8           COMMISSIONER DANIELS: It will cut you off  
9 probably.

10          MIKE FREEMAN: My name is Mike Freeman and I'm  
11 an operator of Boat Trash Charters and the owner and I'm a  
12 third generation fishing guide here on the Mississippi  
13 Gulf Coast, and I would like to comment for the record  
14 about this snapper situation and the state allocation.

15          I really, really believe that it is the right  
16 thing to do to put state for-hire back into the  
17 recreational quota. I am going to try to layout my  
18 argument as logically as I can.

19          State guides are recreational fishermen. There  
20 is no other fishery in Mississippi where state for-hire  
21 guides are separated from the recreational limits, or  
22 recreational quotas.

23          we have had issues with this already and I am  
24 not trying to call you out, Mr. Hill, but you have stated  
25 publicly at a task force meeting that separation was kind

1 of created arbitrarily and part of the reasoning was to  
2 protect the interest of federally-permitted charter boats.

3 You have also stated at a task force meeting  
4 that it was probably a mistake to separate us, but we are  
5 where we are was the comment.

6 It is my thought that we don't make regulations  
7 to protect one business at the detriment of others. This  
8 sector separation was flawed from the outset, and we are  
9 the only state separating state for-hire fleet from the  
10 recreational quota. This alone makes it unjustified at  
11 this point.

12 There has also been concern about increasing  
13 participation numbers from the state for-hire fleet, and I  
14 would counter that by saying DMR has created one of the  
15 most accurate and effective data collection tools I am  
16 aware of in the Tails n' Scales app.

17 We can easily track participation and catch  
18 numbers. If there is a problem, it can be addressed with  
19 real data in real time and not with suspected information  
20 about what may, or may not, happen.

21 In reality, it is doubtful there will be a huge  
22 increase in state for-hire boats because of a very limited  
23 access to a snapper fishery.

24 The process of obtaining a captain's license,  
25 increased insurance and permitting alone will continue to

1 limit these entries. Combined with a very limited  
2 opportunity in state waters, it is unlikely there would be  
3 outlandish catch numbers from the state fleet.

4 COMMISSIONER DANIELS: You've got thirty  
5 seconds.

6 MIKE FREEMAN: We have to recognize that these  
7 snapper aren't just there in the hottest months. They  
8 move out. We are very limited in the area we can fish.  
9 So it is going to limit our late season catch numbers.

10 Lastly, the task force is tainted on this issue.  
11 We are allowing half of the task force which are  
12 federally-permitted vessels to have input on a fishery  
13 they are not permitted to participate in.

14 Those recommendations from the three federally-  
15 permitted vessels were ridiculous, punitive and an obvious  
16 attempt to protect their own interests.

17 We need regulations based in science and factual  
18 numbers in the interest of the fishery, not protecting  
19 sixteen boats that already have a forty-two percent  
20 allocation of the overall quota.

21 Thank you for considering doing this.

22 COMMISSIONER DANIELS: Mr. Freeman, we  
23 appreciate you calling in and we appreciate your comments.  
24 We are out of time on that one.

25 Again, I'm sure everyone will take your comments

1 in their advisement.

2 Joe, have we got another one?

3 JOE SPRAGGINS: Yes, Mr. Bill Hancock.

4 BRADY SMITH: Director, I don't see a Bill  
5 Hancock in the call.

6 JOE SPRAGGINS: If not, Mr. Connor Knight.

7 COMMISSIONER DANIELS: Joe, I just got a text  
8 from him that he is not going to be able to comment. So  
9 we will move past that one.

10 BRADY SMITH: I've got Connor Knight on the  
11 mike.

12 JOE SPRAGGINS: Okay.

13 BRADY SMITH: Is that the one that is not going  
14 to be speaking?

15 COMMISSIONER DANIELS: I received a text about  
16 two minutes ago from him that said he is not going to be  
17 able to comment. I think he's got his phone logged in,  
18 but he is tied up doing something else.

19 BRADY SMITH: Okay.

20 JOE SPRAGGINS: Connor, you are talking about?

21 COMMISSIONER DANIELS: Connor Knight, yes.

22 JOE SPRAGGINS: The next one I have is Terry is  
23 all I have. It is TPRAT 25. It is a 6-0-1 number.

24 BRADY SMITH: I'm looking for him, now.

25 JOE SPRAGGINS: It is a 6-0-1 number where he

1 would be calling.

2 BRADY SMITH: I don't see his number, or his  
3 name, on the list.

4 JOE SPRAGGINS: Do you see a 6-0-1 number?

5 BRADY SMITH: No, sir.

6 JOE SPRAGGINS: All right. The other one, then,  
7 is Mr. Mark McDonald.

8 BRADY SMITH: I don't have a Mark McDonald  
9 either.

10 JOE SPRAGGINS: Okay.

11 The next one is Mr. Barry Deshamp.

12 BRADY SMITH: Barry Deshamp, your mike is live.

13 COMMISSIONER DANIELS: His TV sounds good.

14 JOE SPRAGGINS: Yes, he's got good TV coverage.  
15 I don't know if he is hearing us, or not.

16 BRADY SMITH: Barry, can you hear us?

17 (No response.)

18 JOE SPRAGGINS: We will have to do like Paul  
19 Finebaum. Move on.

20 COMMISSIONER DANIELS: Yes, sir.

21 JOE SPRAGGINS: Real quick, could you check Mark  
22 Wright again and see if he is on?

23 BRADY SMITH: Mark Wright?

24 JOE SPRAGGINS: Yes. He was on earlier. I know  
25 because I saw it, but I just didn't know if he might have

1 gone off and come back.

2 BRADY SMITH: I don't see his phone number, or  
3 his name, on the list.

4 JOE SPRAGGINS: If not, those are the only ones  
5 I have on that, Commissioner.

6 COMMISSIONER DANIELS: It sounds like we got  
7 what we were going to get out of our public comments.

8 Now, discussion on this topic.

9 COMMISSIONER HAVARD: This is Mark. I finally  
10 got back online.

11 we have plenty of fish out there to catch for  
12 everybody. I agree with that.

13 without knowing what our current year quota is,  
14 whether it is going to increase, decrease, or stay the  
15 same, that is a little bit concerning to me.

16 Everybody is a recreational fisherman. I  
17 understand that and it does bring money to our economy  
18 from a state level with all the fishermen coming in here  
19 wanting to charter fish.

20 I am a little bit reluctant about naming a  
21 poundage that we designate to this industry, without  
22 knowing what our current quota is.

23 what kind of time frame are looking at, Joe  
24 Jewell, to get our quota for the year?

25 JOE JEWELL: That generally occurs in mid to

1 late April, but it has been as late as the first, or  
2 second, week of May. Right around that late April, or  
3 early May, time frame.

4           JOE SPRAGGINS: This is Joe Spraggins. I was  
5 talking with Paul. We had talked to Roy and, Paul, did  
6 you not say that the council had said right now to use  
7 what we had last year, and, then, go with that and just  
8 try to use it as a baseline because we don't know the  
9 answer yet?

10           PAUL MICKLE: Sure. They released the federal  
11 fore-hire season and it was exactly the same amount of  
12 days as year two of the EFP which is last year.

13           When I approached Dr. Crabtree at Gulf States'  
14 meeting, I asked about the allocations, if they were going  
15 to be bumped up, or down, and he said that he is ninety-  
16 nine percent sure they would stay exactly the same.

17           So we should expect the allocation that we  
18 received in 2019 which I don't have it in front of me for  
19 the private sector, but I think it's a hundred and fifty-  
20 one thousand and change which would be the same from him  
21 orally telling me that verbally.

22           I think we can assume with some fairly strong  
23 confidence that the poundage will be within a percent, or  
24 two, of the last year's allocation.

25           He did mention other states that had overfished

1 their ACT in 2019 would have to go through paybacks. I  
2 will make it clear that Mississippi did not go through  
3 that. So we would not have a payback to endure like a  
4 couple of other states would.

5 COMMISSIONER HAVARD: Dr. Mickle, we get such a  
6 small portion of the allotted quota.

7 Is there any hope in the future, or anything we  
8 can do, to try to increase our quota in the future?

9 PAUL MICKLE: Sure. The federal process is  
10 divvying up the quota a hundred percent. Currently right  
11 now we have three point five five percent of the total  
12 recreational allocated quota which changes from year to  
13 year depending on the biomass that is measured out there.

14 Red Snapper is currently in a rebuilding plan.  
15 Over the last few years we have seen small bumps go up for  
16 each state because the percentage has been agreed upon by  
17 Amendment 50, but, during the rebuilding plan, we can  
18 expect a couple of bumps each year to go up until the  
19 rebuilding plan is complete. That is how the stock  
20 assessments work.

21 Now, allocations can be changed. Anyone on Gulf  
22 Council representing a state, or a sector, can bring it up  
23 and make a motion to reevaluate the allocations for each  
24 state under Amendment 50.

25 It can be done at any amount of time, but I

1 don't want to make it sound like it is an easy thing. It  
2 is a very aggressive process. It took us virtually five  
3 and a half, almost six years to get to Amendment 50.

4 We had Amendment 39 which made it to final vote,  
5 and, then, failed all because of allocation.

6 It is not a pretty process, but it can be  
7 brought up and started at any time. An allocation is just  
8 a formation of policy at the Gulf Council level.

9 JOE SPRAGGINS: Mark, I sit on the council also  
10 and we have sat down as executive directors and talked  
11 this through, through the five states, and I can tell you  
12 we went through a lot of different renditions on what to  
13 do. Of course, every state wants more, and it doesn't  
14 matter what state it is.

15 I can say the number of days that we have had  
16 over the last couple of years have been pretty good  
17 compared to most of the states and we have not overfished  
18 our hundred and forty-something thousand the year before.

19 I think we have done very good with managing it,  
20 but we are always asking them if nothing else a small  
21 percent, but if gave us one more percent, you are not  
22 talking that many more pounds of fish.

23 Now, Texas only gets, like, six percent.

24 Isn't the right, Paul?

25 PAUL MICKLE: No. They get less than that.

1           JOE SPRAGGINS: Yes, right at six percent, and  
2 we get three point five. That just gives you an idea of  
3 the size of Texas.

4           COMMISSIONER HAVARD: But our neighboring  
5 states, General, Louisiana and Alabama, and they get a  
6 very large percentage, and that is where my question comes  
7 from.

8           One concern that I do have is I have been  
9 advised that Alabama's reefs are full of Red Snapper, the  
10 resource is doing really well, and a lot of our reefs are  
11 starting to get silted over, over the past couple of years  
12 due to storms and just natural flow.

13           This Red Snapper fishery is very important to  
14 our economy, as we are hearing now and as most of us  
15 already know.

16           What are we doing to make sure that our reefs  
17 remain exposed and can hold these fish, when they leave  
18 the overcrowded reefs, some of the overcrowded reefs in  
19 our Alabama State waters?

20           Are we doing what we should be doing to hold  
21 these fish in our waters to ensure that our fishery  
22 remains strong in our waters?

23           JOE SPRAGGINS: Joe, do y'all have anything to  
24 say to that?

25           JOE JEWELL: I listened to the question. There

1 is not a lot of comparability between Alabama and  
2 Mississippi, as far as reefs.

3 Alabama has an extensive program both public and  
4 private to create reefs, and they also have a little bit  
5 different asymmetry that we do. Most of our state waters  
6 are very shallow waters.

7 The observation about the submersion of reefs,  
8 that has typically happened. There is not a lot of  
9 mitigation for that, other than to deploy new materials  
10 out there.

11 Does that help, Mark?

12 COMMISSIONER HAVARD: It does some, but I want  
13 to be proactive. I want to see our state be proactive in  
14 our reefs that we have out there. Depth is an important  
15 thing, but, as most of us know, we have snapper north of  
16 the islands. So depth is not the only factor that decides  
17 whether fish hold on a reef, or not.

18 I do know personally that a lot of our structure  
19 is silted over. I know that we've got plans to add  
20 additional structure out there, but I really think and I  
21 really would like to see -- Alabama has been doing this  
22 for many years and they have done some things that were  
23 not the best. They have taken approaches that were not  
24 the best approach, but they have learned from that and  
25 they have figured this out.

1           If we want to maintain a strong fishery that  
2 helps the state from the top to the bottom, we need to  
3 really pay attention to our reefs and make sure that we  
4 have adequate reefs out there for these fish to stay close  
5 to and to hold them.

6           JOE JEWELL: Sure. I understand that.

7           In light of your comments, I want to add a  
8 couple of additional statements for clarification.

9           We do have a pretty active program that is under  
10 the jurisdiction of Travis Williams. Travis is very  
11 proactive in working with the cities and counties here on  
12 the Coast in acquiring new materials. Our staging site is  
13 at maximum capacity right now waiting for deployment.

14           The main reason why we are waiting on deployment  
15 is our federal reef permits. Those have been held up by  
16 the feds' concerns they with the Endangered Species Act  
17 and our compliance with that act.

18           We are in the process of trying to mitigate that  
19 and address some of the concerns with those. Once those  
20 issues have been addressed, we do plan on continuing with  
21 our reef deployments.

22           The siltation of the reefs that you described,  
23 the strongest impact is on our low-profile reefs, the  
24 smaller materials that are deployed.

25           Our large-structure materials like the Rigs-to-

1 Reef Program and large vessels that are deployed,  
2 siltation and submersion has minimal impacts on those.

3 Our program is pretty proactive in addressing  
4 specific issues about reef loss, but our main hindrance  
5 right now is approval of the federal permits to deploy.

6 I hope that clarifies some of the issue.

7 JOE SPRAGGINS: Commissioner Havard, how about  
8 we sit down maybe between now and the next meeting which  
9 we have and we get you some information and send it to you  
10 on what we are doing to be able to maintain any of our  
11 reefs?

12 COMMISSIONER HAVARD: I would appreciate that,  
13 and what brought that to my attention was we went out in  
14 Pascagoula this weekend and I know that we have access to  
15 a large sinking dock, if you will, that Ingalls has so  
16 greatly given us the opportunity to use as reef structure.  
17 It has been moved, and I just don't want it to -- I don't  
18 want us to sit on our hands and miss that opportunity to  
19 get such a great structure for our reefs out there.

20 JOE SPRAGGINS: We are working hard to be able  
21 to get any of those and that is part of that FS13, and I  
22 know that they are very close.

23 Paul, do you have the update on it?

24 PAUL MICKLE: On the Ingalls reefs?

25 JOE SPRAGGINS: Yes.

1           PAUL MICKLE: Currently, Ingalls is searching  
2 for a contract. I think they have their RFP out for the  
3 demolition, or breaking down the drydock.

4           Then, from an agency perspective, we have  
5 acquired the funding agreement from NFWF, we have acquired  
6 the permit from the Corps, the federal permit and that  
7 provides the money to acquire the permits for deployment,  
8 and we have acquired the contracts for the barges to  
9 deploy the material.

10           Once demolition occurs, it will actually happen  
11 very quickly and deployment will go, I guess, within a  
12 two-week period I think the contractor had mentioned.

13           So there is strong indication that this will be  
14 completed literally mid summer, I think, is what the last  
15 meeting we met with Ingalls and the contractor for  
16 deployment was for the fruition of the current contracts.

17           All the very difficult hurdles have been  
18 crossed, as far as funding and permitting, and we are  
19 excited to see the benefits of it once material starts  
20 hitting the water out there.

21           It is not a small amount of material,  
22 Commissioners. It is a massive structure.

23           When you think about the amount of material that  
24 has gone out in the past compared to what is going out  
25 now, it is truly sizeable of things we used to do and we

1 are currently doing.

2 It is worth mentioning and identifying it in a  
3 category of a very large deployment.

4 COMMISSIONER HAVARD: Very good. Thank you, Dr.  
5 Mickle.

6 COMMISSIONER DANIELS: That is great news, but  
7 back to the point which is our state for-hire charter  
8 industry, and Mark brought up a good point in what he was  
9 talking about in what we lose to Alabama and Louisiana in  
10 tourism dollars alone. We are obviously all in very  
11 uncertain times right now. We don't know if and when this  
12 year our tourism will come back.

13 I think it would be a great advantage to our  
14 state to have that offered to our state for our charter  
15 industry to be able to book these Red Snapper trips and  
16 retain some of these people that are going over to  
17 Alabama, or Louisiana.

18 At thirty-three hundred pounds, I think that is  
19 the one thing everybody has agreed on is we are severely  
20 undervaluing the impact that our state charter for-hire  
21 industry can have here and we are limiting them. We are  
22 tying their hands. I think we have got to get them an  
23 increase.

24 I know there was a recommendation of fifty  
25 percent that came out of the Charter For-Hire Task Force

1 and that is great.

2 In talking with a lot of people since then, it  
3 just really doesn't seem like enough to me.

4 COMMISSIONER HAVARD: Ronnie, I'm not sure that  
5 it is ever going to be enough for anybody.

6 It is just like they talked about the quotas  
7 with each state. Every state wants a little more and that  
8 is just the American way.

9 I'm with you guys. I think that it is hard to  
10 book charters. It is hard to maintain a viable business,  
11 with such a small quota.

12 At this time, I think we ought to hear your  
13 motion, Ronnie, whatever that poundage increase might be.

14 COMMISSIONER DANIELS: I think something that  
15 would be fair without encroaching too much on the  
16 recreational sector. There has been a lot of talk about  
17 just open access back into the recreational quota, and I  
18 don't think that is the right thing at this time, but we  
19 have got to give these guys a fair shake at it.

20 Even if we doubled, or did a hundred percent  
21 increase, that would put us at sixty-six hundred pounds.

22 We are talking about a very small percentage of  
23 the overall quota. We are talking about a minimal amount  
24 of time, coming off of the recreational days.

25 I would like to make a motion that we do a

1 hundred percent increase to sixty-six hundred pounds for  
2 the upcoming year, and we can assess that as needed at the  
3 beginning of January.

4 COMMISSIONER HAVARD: I agree, Ronnie. I think  
5 that we need to look at this every year and make sure that  
6 we are continuing to get the quota that we have gotten in  
7 the past couple of years through the RFP, but I see no  
8 reason why we can't double the amount of quota that they  
9 have. So I will second your motion.

10 COMMISSIONER HAVARD: Any more discussion?

11 (No response.)

12 COMMISSIONER HAVARD: We have a motion on the  
13 table to double the for-hire industry's quota to sixty-six  
14 hundred pounds until the following year, and, then, it  
15 will be readdressed at that time.

16 I have a motion and a second.

17 All those in favor say aye.

18 COMMISSIONER DANIELS: Aye.

19 COMMISSIONER HAVARD: Aye.

20 COMMISSIONER GUESS: Aye.

21 COMMISSIONER BOSARGE: Aye.

22 COMMISSIONER HAVARD: All those opposed like  
23 sign.

24 (None opposed.)

25 COMMISSIONER HAVARD: Motion moves unanimously.

1 Thank you guys.

2 That brings us on to our next point.

3 COMMISSIONER DANIELS: Chairman, if we could  
4 address the Red Snapper endorsement that we have talked  
5 about doing?

6 If you don't mind, I will just say little bit on  
7 this.

8 This would be an endorsement that would have to  
9 be purchased in addition to their license at the beginning  
10 of each year, and the value of this endorsement is it will  
11 give Matt the ability to know exactly what the  
12 participation is going to be in the upcoming year and it  
13 guarantees that we have a set field of participants, not  
14 simply a lot of people jumping in and out of this fishery  
15 and making it harder to manage and predict based on a  
16 pretty day.

17 These guys are basically going to have to state  
18 at the beginning of the year that they are, or are not,  
19 going to participate in the Red Snapper fishery, and I  
20 don't believe I have talked to one person yet that has  
21 been opposed to this.

22 Anybody else?

23 JOE JEWELL: I just wanted to point out, Ronnie,  
24 your statement that the endorsements start at the  
25 beginning of each year.

1           The task force had recommended -- and, Matt, you  
2 might want to chime in on this -- that that be completed  
3 no later than February of each year. That would give  
4 staff enough time to accumulate those for the purchase of  
5 them.

6           Is that not correct, Matt?

7           MATT HILL: They asked me what the drop-dead  
8 date, or month, would be, and I want to say I told them  
9 April, and, then, we started backtracking a little bit so  
10 we could get a little more consistent, but we said  
11 somewhere in the end of February, or possibly mid March  
12 range, would give us an idea and we could get out some  
13 pretty accurate projections. Obviously that can't happen  
14 this year. We would just have to kind of wing it and do  
15 what we could do, but from here on out, I think no later  
16 than mid March would be fair.

17           JOE SPRAGGINS: Commissioner Daniels, I think we  
18 need to let Sandy speak on this. She has some issues.

19           SANDY CHESNUT: In order for the Commission to  
20 establish a fee, it has to be a limited-entry management  
21 program and I'm not sure this qualifies as a limited-entry  
22 management program. We might need to look at that.

23           COMMISSIONER DANIELS: Okay. I was unaware of  
24 that. I have not been told that to this point, and that  
25 is why we've got you here.

1           JOE SPRAGGINS: Maybe we can put this part of  
2 the meeting to the April meeting, regular meeting, and we  
3 can look at it then.

4                    would that be okay?

5           COMMISSIONER DANIELS: Okay. So I guess, at  
6 that point, we would like to make a motion for Ms. Sandy  
7 to bring us back some information on that and let us know  
8 what that would look like?

9           JOE SPRAGGINS: Yes, sir.

10          JOE JEWELL: I want to point out that that was  
11 discussed at the task force. Sandy tried to meet that  
12 minimum requirement.

13                    The initial fee that I heard the task force say  
14 was a thousand dollars, and the intent of that fee to be  
15 so high was to limit participation, or sort of restrict  
16 new entrants into the fisheries, but there was discussion  
17 at the task force and they thought that that might be  
18 unduly high, and, then, they resolved to a hundred dollar  
19 fee, and I think you are probably getting to the heart of  
20 it. At that low amount, it probably is not going to  
21 restrict entry into the fishery.

22          JOE SPRAGGINS: Plus, there are no  
23 qualifications for it, other than being a chart boat  
24 fisherman.

25          JOE JEWELL: That's correct.

1           JOE SPRAGGINS: We need to look at that.

2           Let us look at it. If it is okay with the  
3 Commission, let us look at this and let Sandy come forward  
4 at the mid April meeting that we are going to have and  
5 maybe bring some information back to you.

6           COMMISSIONER DANIELS: Ms. Sandy, one other  
7 thing to keep in mind, one of the qualifications that has  
8 been brought up a couple of times on that is that it be  
9 Mississippi resident only.

10          SANDY CHESNUT: Okay.

11          MATT HILL: This is Matt and there were a couple  
12 of qualifications that -- I mean, I think it meets the  
13 qualifications personally, but can you tell me where that  
14 is so I can look at it where it says the actual language?

15          SANDY CHESNUT: 49-15-16.

16          MATT HILL: Okay.

17          SANDY CHESNUT: I will get with Fisheries and  
18 get some more specific information about the parameters  
19 and look at it according to the statute and report back in  
20 April.

21          JOE SPRAGGINS: We are going to have a hard time  
22 getting this permitted before the season this year anyway.  
23 So it might be something that we have to look at for the  
24 next season, but we can look at it and come back with some  
25 more information for y'all on it, if that will be okay.

1 I think the 21<sup>st</sup> is our next meeting.

2 SANDY CHESNUT: Yes.

3 JOE SPRAGGINS: Commissioner Daniels, is that  
4 okay with y'all?

5 COMMISSIONER DANIELS: Yes. That would  
6 absolutely be fine with me.

7 JOE SPRAGGINS: Do we need a motion on that,  
8 Sandy, for you to come back?

9 SANDY CHESNUT: Yes.

10 JOE SPRAGGINS: would y'all make that motion,  
11 Ronnie?

12 COMMISSIONER DANIELS: I would like to make a  
13 motion that legal staff bring back information pertaining  
14 to a Red Snapper endorsement at the April meeting.

15 COMMISSIONER GUESS: I'll second it.

16 COMMISSIONER HAVARD: I have a motion and a  
17 second.

18 All those in favor say aye.

19 (All in favor.)

20 COMMISSIONER HAVARD: All those opposed like  
21 sign.

22 (None opposed.)

23 COMMISSIONER HAVARD: Motion moves.

24 Before we get too much farther along the agenda,  
25 I would like to get a full artificial reef update and the

1 upcoming efforts to do so inshore and offshore. That way,  
2 we kind of know what is coming down the pipe. It kind of  
3 talks to our fishery, tells what kind of reefs we've got  
4 out there and what we are actively doing to maintain these  
5 reefs.

6 I would like to make a motion that the  
7 department come back with an artificial reef update,  
8 including upcoming efforts for inshore and offshore.

9 JOE JEWELL: I just wanted to mention, Mark,  
10 before you move forward, we have done that in the past and  
11 we would be absolutely available to do that in April, or  
12 whenever the Commission designates. We would enjoy that  
13 opportunity to explain our inshore and offshore reefs.

14 COMMISSIONER HAVARD: I made a motion.

15 Do I have a second for the motion?

16 COMMISSIONER DANIELS: I'll second that.

17 COMMISSIONER HAVARD: I have a motion and a  
18 second.

19 All those in favor say aye.

20 JOE SPRAGGINS: Can y'all do one thing for us?  
21 We are having a hard time, as far as recording  
22 this.

23 Could we do a roll call on each one of the  
24 motions real quick?

25 COMMISSIONER HAVARD: Sure.

1 Mark says aye.  
2 COMMISSIONER DANIELS: Aye.  
3 COMMISSIONER HAVARD: Ronnie says aye.  
4 COMMISSIONER GUESS: Aye.  
5 COMMISSIONER HAVARD: Natalie says aye.  
6 I have three ayes.  
7 Is Steve still on the call?  
8 BRADY SMITH: Steve is on the call, but his mike  
9 is muted.  
10 COMMISSIONER HAVARD: Steve, did you want to  
11 vote on this?  
12 JOE SPRAGGINS: He is having trouble with his  
13 internet, too.  
14 BRADY SMITH: He dropped off.  
15 COMMISSIONER HAVARD: I think there are four  
16 Commissioners on here. So we have a quorum with three.  
17 We have three ayes. So the motion moves.  
18 JOE SPRAGGINS: If you don't mind, from now on  
19 let's do that so we will be able to record it.  
20 COMMISSIONER HAVARD: Yes, sir. No problem.  
21 That brings us to the Bonnet Carre Disaster  
22 Grant Appropriation Update.  
23 Trevor, are you with us?  
24 TREVOR MONCRIEF: Yes. I'm here with Matt.  
25 I'm just going to go over the Bonnet Carre

1 Disaster Grant Appropriation. I will give you a little  
2 bit of background.

3 At the February 18<sup>th</sup>, 2020, CMR meeting the  
4 following motion was passed. That motion was to authorize  
5 the MDMR to utilize 2011 Bonnet Carre Spillway Funds not  
6 to exceed one million dollars to distribute to oyster  
7 fishermen who qualify for the program as established by  
8 MDMR guidelines and approved by NOAA. This passed five to  
9 zero, unanimous.

10 This presentation will address the metrics of  
11 the program that will be established by the MDMR for the  
12 distribution of these funds.

13 We are going to go over a few different pathways  
14 for distribution of these funds to anglers.

15 The goal of this payout design is to create a  
16 standardized approach. As y'all know, we have had to deal  
17 with disasters recently and in the past.

18 We wanted to alleviate human input and potential  
19 biases associated with it, and, then, use historical catch  
20 data specifically from our trip ticket landings to inform  
21 proportional payback.

22 Really what we wanted to do was balance fairness  
23 and simplicity across the board.

24 The payout options, we are going to go over for  
25 your consideration. We've got basically three different

1 payment options for y'all to consider.

2 The first one is a licensed-based payout.  
3 Essentially what this is, is just the total number of  
4 qualified license holders divided by the total award.

5 It is similar to what the crab payout will be,  
6 since we don't have trip tickets, or landings, for the  
7 crab fishery during this time period.

8 The next one will be an individual-based payout.  
9 This will mean that each individual is reimbursed based on  
10 their proportion of landings.

11 The other one will be a binned payout, which we  
12 are going to call the base plus method. Each individual  
13 is reimbursed at a base rate, based on their license and a  
14 plus payout for their binned proportion of landings.  
15 whatever bin they fall into, they will be reimbursed for  
16 an amount, plus their base payout for their license.

17 Each one of these bins is just a representative  
18 range of values from the fishery that I grouped together.

19 Each option listed above has its own pros and  
20 cons, along with additional options for the CMR to  
21 consider. The following slides will provide a little bit  
22 more detailed information for each option, along with  
23 those pros and cons.

24 I will say, based on the CMR's decision, we can  
25 certainly bring back a more detailed explanation of the

1 specific method that is chosen and some options with that  
2 specific direction.

3 The first one we are going to go over real quick  
4 is the licensed-based payout. Remember this is the total  
5 award divided by the number of licenses.

6 The pros on this one is that it distributes  
7 funds equally across all license holders. Specifically,  
8 all license holders will receive the same payout.

9 This is the same as the crab payout, since we  
10 don't have any landings information for the crab fishery.

11 Some of the cons associated with this one is  
12 that it does not take into account any effort levels, or  
13 catch history, in the fishery, and anyone with a license  
14 receives a payout, even with no participation. So an  
15 individual with no landings during the time period will  
16 receive the same amount of money as the person with the  
17 highest landings in the fishery.

18 The next one I will talk about is the  
19 individual-based payout.

20 Some pros are that this awards individuals based  
21 on their catch history within the fishery, and it  
22 distributes the funds proportionally based on their past  
23 harvest. So their level of participation in the fishery  
24 will be linked to how much they actually get paid out from  
25 the award.

1           The cons are that it assumes the effort within  
2 the qualifying years will be the same as the disaster  
3 year. Specifically, the payouts for the 11-12 missing  
4 seasons. So we are making a critical assumption that  
5 their effort will be the same as it was for the previous  
6 years from 08 through 10. Then, a base payout will be  
7 needed if individuals with no catch are to be awarded.

8           This is simply based on catch at this moment.  
9 So individuals with zero catch would get zero for their  
10 award.

11           The last one we are going to talk about is a  
12 binned payout. Remember we called this one the base plus.

13           The pros are just like the individual-based  
14 payout. These bins are based on effort/catch history, all  
15 individuals receive a proportional payout based on their  
16 activity within the fishery, and, then, that base payout  
17 provides compensation for those with no catch. So  
18 everyone is getting a portion of the award.

19           The cons, once again, are the same as the one  
20 previous. It assumes that the anglers will fall within  
21 specific effort categories based on catch history. This  
22 does alleviate a little bit of that critical assumption of  
23 the individual-based payout. So we are grouping  
24 individuals based on effort levels.

25           Then, the biggest one is the disproportionate

1 effect within the first bin so that fishermen landing one  
2 sack will be awarded the same amount of money as those who  
3 landed fifteen hundred sacks.

4 I will say that if we move forward with  
5 something like this, we can look at minimum sack counts,  
6 or anything else that the Commission wants to consider.

7 Additional options for consideration. Joe  
8 Jewell will be able to explain a little bit more on this  
9 one, if y'all have any questions.

10 Oyster Job I.6. Increase to approximately one  
11 million two hundred ninety two thousand five hundred and  
12 forty-three dollars for eligible oyster fishermen, and  
13 approximately ten percent, or a hundred and twenty-nine  
14 thousand will be allotted for the oyster processors.

15 Crab Job II-2. Approximately two hundred and  
16 eleven thousand six hundred and seventy-two dollars  
17 available for eligible crab fishermen, and approximately  
18 ten percent, or twenty-one thousand one hundred and sixty-  
19 seven dollars would be allotted for the crab processors.

20 To proceed with these options, a motion and  
21 approval by the CMR would be required.

22 with that, I will take any questions.

23 JOE JEWELL: I will make a comment, while we are  
24 thinking about the programs.

25 I certainly want to highly recommend the binned

1 approach to the Commission. It takes a lot of the  
2 arbitrariness out of decision making and it bases it  
3 simply on metric within the program that Trevor and his  
4 staff, the Finfish staff and the staff in the Marine  
5 Fisheries office have input a lot of data, effort and  
6 time. So sort of that arbitrariness of it will be  
7 eliminated. The human component of it would be  
8 eliminated.

9 There is no program that you can develop that  
10 takes into all potential accounts, but this one is the  
11 best based approach right now.

12 Then, can you back up one slide?

13 I would like to discuss the evaluation of the  
14 program and the recommendation on that slide to the  
15 Commission.

16 As y'all recall, Director Spraggins had  
17 approached the Commission and we had approximate numbers  
18 at that time. He mentioned to the Commission and the  
19 Commission so motioned for one million dollars.

20 we have evaluated the program a little bit more  
21 detailed and we have identified, in Job I.6 for the oyster  
22 program, an additional approximately two hundred and  
23 ninety-two thousand dollars and, in the crab program,  
24 around two hundred and eleven thousand dollars.

25 In order to capture those funds and to able to

1 make that part of the program, the Commission would have  
2 to make a second motion that would override the original  
3 motion.

4 when we evaluated the grant and the original  
5 program in 2011, we had made funds available for the  
6 processors. That would be taken into account, by  
7 capturing approximately ten percent of these funds.

8 As you can see, it is relatively minimum amounts  
9 to be reimbursed to processors for their loss during this  
10 time.

11 If the Commission would consider this updated  
12 information, it would require a motion to move forward.

13 Of the three approaches that are available for  
14 the Commission's consideration, it is just the staff's  
15 opinion that the bin-based approach would be the most  
16 equitable. It would take into account most of the biases,  
17 or questions, from the industry and, as Trevor mentioned,  
18 it does have the flexibility that the Commission can alter  
19 some of the bandwidth of the bin approach.

20 JOE SPRAGGINS: Commissioners, this is Joe  
21 Spraggins. That is just the Fisheries staff. That is not  
22 the DMR staff.

23 The DMR staff does not recommend any one of the  
24 options. We ask that you look at it, each Commissioner,  
25 and make your decision on what you are looking at.

1           The idea was not to give you three options, and,  
2 then, give you an option to choose.

3           We want you to understand that we are not asking  
4 you to choose any one of those options. As the Director,  
5 we want you to pick the option you think is best for the  
6 people.

7           JOE JEWELL: I absolutely agree with that,  
8 Director Spraggins. We have discussed this internally,  
9 Commissioners, and we want to present to you on equal  
10 basis all three options that are available to the  
11 Commission.

12           It is just an opinion -- and it is not an  
13 opinion the Commission has to take into consideration --  
14 that the binned approach eliminates some of the biases,  
15 but, as Director Spraggins and Trevor pointed out, it has  
16 its unique biases, too. It is no better, or less, than  
17 the other options available.

18           I appreciate Director Spraggins pointing that  
19 out. I want to make that clear that we are not advocating  
20 one over the other. They are three approaches that are  
21 available to the Commission.

22           COMMISSIONER HAVARD: Trevor, do you mind  
23 sliding a slide back to where it shows the three options?

24           JOE SPRAGGINS: Commissioners, if I can real  
25 quick, Joe, we might want to explain it a little bit to

1       them.

2                   On the license-based payout, we had decided that  
3 if that would be divided among it, it would be somewhere  
4 in the neighborhood of seven thousand and something each.

5                   Is that correct?

6                   JOE JEWELL: I think that was correct for the  
7 oyster fishermen.

8                   JOE SPRAGGINS: The oyster fishermen at one  
9 point two million and, if you took out the hundred and  
10 twenty-something thousand for the processors, divided  
11 equally among the ones that we had that qualified that  
12 bought a license in those years it would be somewhere  
13 around seventy-five hundred, or seventy-seven hundred,  
14 dollars a person.

15                   For the individual-based payout, Commissioners,  
16 it would be -- tell me if I'm correct -- after you  
17 subtracted the amount for the oyster processors, it was  
18 eight hundred and something as a base which was ten  
19 percent.

20                   Is that correct?

21                   TREVOR MONCRIEF: Yes. The base will be  
22 approximately eight hundred and thirty dollars.

23                   Director, I can run through the range of each  
24 option.

25                   JOE SPRAGGINS: Let me just give them a base on

1 it, and, then, we will do that for you.

2 At eight hundred and something, that would mean  
3 that everybody that bought a license -- and we are talking  
4 roughly a hundred and fifty-five.

5 Is that correct?

6 TREVOR MONCRIEF: Yes, roughly.

7 JOE SPRAGGINS: If they bought a license,  
8 everyone had that license during the requirement, the same  
9 way we did in 2016 when we did the relay, they would be  
10 able to qualify. At that point, they would be given eight  
11 hundred and whatever dollars as a base.

12 Then, if you caught one sack of oysters, we  
13 estimated it at somewhere around three dollars a sack. So  
14 you would get paid that plus three dollars. If you caught  
15 fifteen hundred, then, you would get another forty-five  
16 hundred. It is based on what you caught, according to  
17 what you got paid back.

18 Then, the bin payout would be a base, the same  
19 thing around eight hundred, and, then, if you caught from  
20 one sack to fifteen hundred sacks, you would get another  
21 eight hundred and, if you caught from fifteen hundred to  
22 three thousand, you would get another eight hundred added  
23 to that. So it would be three eight hundreds and it would  
24 keep going up every fifteen hundred up to six thousand,  
25 and, then, I think the last one, the numbers of eight

1 thousand and something were the maximum amount of sacks  
2 that were caught.

3           So, basically, everybody that caught one sack to  
4 fifteen hundred would get the same amount. Everybody that  
5 caught from fifteen hundred to three thousand would get  
6 the same amount. Everybody that caught from three  
7 thousand to forty-five hundred would get the same amount.  
8 Everybody that caught from forty-five hundred to six  
9 thousand would get the same amount. Everybody that caught  
10 over six thousand would get the same amount.

11           Is that correct, the way I am stating all of  
12 this?

13           JOE JEWELL: Yes. Exactly.

14           JOE SPRAGGINS: So that gives you an idea,  
15 Commissioners, of what we are talking about.

16           COMMISSIONER DANIELS: Now, one thing, just so I  
17 can be clear on it -- I'm not sure I'm clear on it --  
18 whenever you say what they caught, are we basing off of  
19 one year's landing, or is it an average over a number of  
20 years?

21           JOE SPRAGGINS: Average over the number of  
22 years. It is the total amount they caught over the number  
23 of years.

24           Is that correct?

25           TREVOR MONCRIEF: It is the cumulative sum of

1 the three years prior to the 11-12 season.

2 COMMISSIONER DANIELS: Okay. Thank you.

3 COMMISSIONER HAVARD: I don't believe this is  
4 anything that we have to make a decision on today. I can  
5 probably speak for the masses here. We don't want to just  
6 hand out a check just because you own a license. We are  
7 not about that, but we do want to make sure the money goes  
8 to the appropriate spot where it is needed and where it is  
9 earned and deserved, or where it is missing in the income  
10 side of their business.

11 I would like to not make a decision on this  
12 today. I would like to give us a little bit of time to do  
13 a little bit more research and gather up the general  
14 consensus of each area that we represent.

15 At this time, I would like to table this maybe  
16 until the April meeting, if possible.

17 COMMISSIONER DANIELS: Joe, is that going to  
18 hinder getting this money out?

19 JOE SPRAGGINS: No. We have the money.

20 Here is the one thing I want y'all to look at.  
21 I want y'all to understand this and maybe we can do this  
22 at the April meeting and that is fine.

23 we have this money left over in the 2011 money.  
24 We are at a trying time with people in the United States  
25 and everybody is hurting just as bad as anyone else.

1           This would be a chance for us to be able to help  
2 the fishermen at this time and be able to help them and  
3 get them through a little bit of a trying time.

4           Also, I want to know if we spent the 2011.

5           We are looking at our 2019 allocation coming out  
6 in the next few weeks, I hope, and I would like for them  
7 not to hold that over my head. I don't know they will,  
8 but I would like for them not to.

9           We are trying to end out the 2011 allocation and  
10 move forward to the 2019.

11           Understanding Commissioner Havard's statement, I  
12 think we could live to the 21<sup>st</sup> without a problem, but we  
13 do need to make a decision pretty much, if possible.

14           COMMISSIONER DANIELS: Okay.

15           JOE SPRAGGINS: Once we make this, we have to go  
16 back and get NOAA to approve the actual payout, the way we  
17 are doing it.

18           We have been given approval from them to do what  
19 we are doing. We would have to back -- Joe, am I correct?  
20 -- and sit down and actually explain how we are doing it.

21           JOE JEWELL: That's correct. Once the  
22 Commission decides on the actual program they want to  
23 establish and the actual amount, we would update our  
24 submission to the feds for their consideration.

25           I do want to point out there are actually two

1 parts of this presentation. One is selection of a  
2 management program which is what this slide describes,  
3 and, then, the second part is a potential motion on the  
4 additional monies that are available because, right now,  
5 we can't exceed that one million dollar threshold the  
6 Commission established.

7 JOE SPRAGGINS: Joe, what you are saying is  
8 correct. Thank you for that.

9 We do need to make a motion, if you can  
10 Commissioners, to at least raise -- if we can go to that  
11 slide, the last slide?

12 If we could raise it for the oysters to not  
13 exceed one point three million, and, then, authorize the  
14 crab payout to not exceed two hundred and fifty thousand,  
15 we will be okay with those two numbers I believe.

16 Is that correct, Joe?

17 JOE JEWELL: Yes, that's correct.

18 These are sort of two separate motions the  
19 Commission can consider independently. You don't have to  
20 make a decision on the actual payout program right now,  
21 but it would help us in our coordination with the feds to  
22 have an amount available.

23 COMMISSIONER HAVARD: Have we polled, or  
24 discussed this with the Oyster Task Force and, if so, what  
25 were their recommendations?

1           JOE JEWELL: Well, as the Commission should  
2 recall, the Oyster Task Force expired in February of this  
3 year. We were in the process of trying to reestablish the  
4 permanent task force. We were not able to do that before  
5 the pandemic occurred. So that is still pending. We  
6 actually did not present this to the task force because we  
7 had those logistical problems.

8           COMMISSIONER HAVARD: These task forces are  
9 very, very important and we know when the expiration dates  
10 are going to happen, are going to occur, and, in the  
11 future, we need to make sure that they do not expire  
12 because those are the folks that are in the industry every  
13 day and they know better than most. So, in the future, I  
14 would like to work very hard not to let these task forces  
15 expire, and I would really love to hear them weigh in on  
16 what we have on the table today.

17           COMMISSIONER DANIELS: I would have to agree  
18 with you, Mark. I have a lot of faith in all of our task  
19 forces.

20           If I could interject for just one second, we  
21 approved a million dollars.

22           Have we given any of that money to any fishermen  
23 yet?

24           JOE JEWELL: No.

25           COMMISSIONER DANIELS: Director, one question

1 that I've got, these guys have taken a beating for several  
2 years and I'm sure they are not in any better position  
3 than any of the rest of us are right now.

4           Could we go ahead and get them a base payout out  
5 as immediate as possible, and, then, figure out which one  
6 of these options we are going to go from and subtract that  
7 base payout from wherever we end up in the future?

8           JOE SPRAGGINS: We would have to get NOAA's  
9 approval to do that, and I appreciate all of the  
10 Commissioners' thoughts.

11           We have talked about this for several months now  
12 and being able to get this money to the fishermen, and  
13 they have been asking daily, when are we going to be able  
14 to get something.

15           The situation right now, whatever we do, we have  
16 still got to get through NOAA. So it is going to take a  
17 couple of weeks after that to get an answer from them to  
18 give us whatever we need to do.

19           Every day that we wait, it is just adding a  
20 couple of weeks to whenever we get something done for the  
21 fishermen.

22           The money has been sitting there. I think it  
23 was the February meeting that we approved to move this  
24 money into this fund up to a million dollars and we only  
25 ask, if you could, to raise it to the one point three for

1 the oyster and also to include the crab fishermen up to  
2 two hundred and fifty thousand. That is because that is  
3 approximately what we have in there and we want to make  
4 sure.

5 I don't think we will go over one point three  
6 and I don't we can exceed two hundred and fifty thousand.  
7 I don't think we have the money.

8 This money has been reallocated. We have moved  
9 GOMESA funds to be able to take care of this from what we  
10 were going to use for oyster cultch for the oyster part of  
11 it to be able to help pay the fishermen.

12 Anything that y'all could do to expedite this, I  
13 would appreciate it.

14 COMMISSIONER DANIELS: I understand that y'all  
15 have been working on it for months, but I haven't been  
16 seeing this but just for a few days and I agree with  
17 Mark's statement on looking at it a little bit more.

18 I am kind of hung up between two of the options  
19 here, but I would like to see us get them some money as  
20 soon as possible.

21 So, if that is a possibility, I would like to  
22 say let's get them a base payout as quick as possible,  
23 and, then, make a final decision on this thing in April.

24 JOE SPRAGGINS: The only question I have there,  
25 sir, is the one thing that Commissioner Havard had, do we

1 want to pay people that didn't even participate.

2 That is in the base payout.

3 COMMISSIONER DANIELS: well, I think you would  
4 have to limit that because, if we don't choose an option,  
5 then, we would not pay them. I think you would have to  
6 start with just people that participated and, if we ended  
7 up on the option that pays everybody -- which I will tell  
8 you I'm not for -- if we were to end up at that option,  
9 then, we could make that retroactive and go back and pay  
10 that portion of the industry as well.

11 COMMISSIONER HAVARD: General Spraggins, is  
12 there a way that we can narrow down these options?

13 In my opinion, I am torn personally between  
14 options two and three, not so much option one, and I've  
15 got a general consensus here from Commissioner Bosarge  
16 because he is in and out on this meeting, that he would  
17 like to see it narrowed down possibly. He likes two, or  
18 three.

19 with those options two, or three, it talks about  
20 each individual is reimbursed based on their portion. At  
21 least they had to participate in the fishery to get some  
22 kind of payout and, if we went with option two, or three,  
23 or narrowed it down, that would eliminate that statement  
24 of total number of qualified license holders and that  
25 would allow some money to go ahead and get in these

1 fishermen's pocket, and, then, at the time April comes  
2 along, then, we can narrow it down to option two, or  
3 three.

4 Is that a possibility?

5 JOE SPRAGGINS: Anything is a possibility. I  
6 think the way it is stated right now is two and three both  
7 include everyone.

8 Trevor, tell me if I'm wrong, but I think two  
9 and three both included everyone. It just did a base for  
10 everyone, and, then, an option of paying what they  
11 participated with after that.

12 Is that correct, Trevor?

13 TREVOR MONCRIEF: Yes. I will clarify real  
14 quick.

15 Option two, as it is written in the actual  
16 presentation, does not include a base payout. I included  
17 a bullet in there that if we wanted to pay out everyone  
18 for their license itself, we would have to include that  
19 within there.

20 what I tried to do with these three is just lay  
21 out three overarching directions we could go with.

22 It is up to the CMR as to whether they want to  
23 include that base payout, or not, within each individual  
24 option.

25 COMMISSIONER BOSARGE: Brady actually got me on

1 the phone here so I am able to have a little input here.  
2 I appreciate it, Brady.

3 I was texting Mark trying to let him know kind  
4 of what my feelings were, but I do like the option three  
5 in that it brings everybody in, but it also gives an  
6 incentive for those guys that went out and actually  
7 fished.

8 In listening to it, the only problem I kind of  
9 had with it was, Mr. Joe, I think you said from zero to  
10 three thousand sacks was, like, eight hundred dollars?

11 COMMISSIONER GUESS: No. Zero to fifteen  
12 hundred.

13 JOE SPRAGGINS: Zero to fifteen hundred would  
14 pay an additional eight hundred dollars.

15 COMMISSIONER BOSARGE: Okay. That is better  
16 because I know from zero to three thousand, we've got  
17 years now that we don't have much more than that for the  
18 total catch. That was kind of a concern of mine that that  
19 might be a pretty big hill to climb.

20 Of course, I'm sure Matt and you guys have  
21 looked at all of it.

22 Does that makes sense to go that big a step,  
23 zero to fifteen hundred?

24 JOE JEWELL: I will comment on that because I  
25 don't want my comments to confuse y'all. I want to make

1 it clear that all three programs are options for the  
2 Commission to consider.

3 This particular one, my comments were directed  
4 on biases. This one clearly would give an advantage in  
5 reducing the biases, but it also has that big bandwidth  
6 between bins that you are discussing.

7 The reason why I made those comments was because  
8 this sort of eliminates all the human interaction in the  
9 payout so that it is just an arbitrary mechanical thing  
10 that is based on a formula, the inputs to the formula, and  
11 that is what my comments were addressing.

12 Now, specifically, my statement to the  
13 Commission when I made that statement was that the  
14 Commission does have the ability to reduce, or expand,  
15 that bandwidth, but that eliminates my comment.

16 The beauty of this particular system -- and I'm  
17 not advocating the Commission to go towards this one. You  
18 still have three options -- is that it eliminates that  
19 human interaction with it and it is a decision based on  
20 the inputs.

21 Now, the Commission can decide that that one to  
22 fifteen hundred, that is a little big because there may be  
23 a handful of people that have one and most of them are  
24 congregated towards fifteen hundred. That is not fair.

25 The Commission could choose, and I'm not

1 advocating that you do. If you choose option three, you  
2 could say, well, we want to reduce that bandwidth to one  
3 to a thousand, or one to five hundred, and the Commission  
4 absolutely has the ability to do that, but I do just want  
5 to point out, in doing that, it takes away the beauty of  
6 this one which is it doesn't have that human component to  
7 it.

8 Is that clear, Steve?

9 JOE SPRAGGINS: Joe, isn't that done off of --  
10 Trevor, I think that was a standard deviation?

11 TREVOR MONCRIEF: Yes. It is a formula that is  
12 based around standard deviation. It is a common practice  
13 within creating bins.

14 JOE SPRAGGINS: I think everybody is under it.  
15 Anything that we do off of the standard deviation puts  
16 human input into it, and I think that is what Joe is  
17 trying to say in his statement there.

18 JOE JEWELL: Yes.

19 COMMISSIONER BOSARGE: I've got you, and I just  
20 felt like that was a pretty long stretch from zero to  
21 fifteen hundred.

22 I think that option three, like you say, it does  
23 a good job in that it captures every fisherman with some  
24 payout, and, then, rewards the other ones that fished  
25 hard, but I would like to see us, if we do that -- and I

1 understand. I am kind of like Mark. I wish we had a  
2 little more time, but, then, at the same time, right now  
3 there is really no time. These guys, if they ever needed  
4 help, this is the time they need it.

5 so I feel like we probably need to do something  
6 at this meeting to try to move this on down the line.

7 If we could, could we reduce that and go from  
8 zero to five hundred, and, then, five hundred to fifteen  
9 hundred, and fifteen hundred to three thousand?

10 In other words, that kind of, I think, would  
11 make a little more sense.

12 TREVOR MONCRIEF: Can I make a quick comment on  
13 that?

14 COMMISSIONER BOSARGE: Yes, sir.

15 TREVOR MONCRIEF: Really what this presentation  
16 was meant is to give you those overarching directions that  
17 we could go.

18 Like I said in the beginning of the  
19 presentation, I think if y'all select, if y'all want to  
20 hear more on option two, or three, we can really kind of  
21 give you some more detailed options regarding those. That  
22 was one of the concerns specifically, Commissioner  
23 Bosarge, of that big gap, and we kind of looked at ways to  
24 be able to go through that with the data itself by  
25 establishing some minimum sack count, or minimum harvest

1 count, to be able to adjust for all those kinds of things.

2 If y'all want to go a specific direction, we can  
3 certainly provide more details on additional options,  
4 depending on which direction y'all want to go on.

5 COMMISSIONER HAVARD: Go ahead, Ronnie.

6 COMMISSIONER DANIELS: I would like to make a  
7 recommendation. I have got to say I agree a hundred  
8 percent with everything that you said, but instead of  
9 doing zero to five hundred, or zero to fifteen hundred,  
10 could we do ten to five hundred, or ten to fifteen  
11 hundred?

12 That way, you are not giving extra money to  
13 somebody that didn't participate at all.

14 JOE SPRAGGINS: What is the lowest number we  
15 have, Trevor?

16 TREVOR MONCRIEF: The lowest number as far as  
17 positive catch goes I think is two sacks, and there are  
18 only ten total license holders that have harvest below a  
19 hundred sacks.

20 COMMISSIONER HAVARD: It sounds to me like if  
21 you harvested less than fifty sacks, you didn't put forth  
22 a whole lot of effort, in my opinion.

23 I'm with Commissioner Daniels. If we can modify  
24 the option three to an agreeable bottom number, I think we  
25 are prepared to make a motion and move forward.

1           COMMISSIONER DANIELS: What was the sack limit  
2 in the year whenever they were harvesting that we are  
3 looking at?

4           JOE SPRAGGINS: Joe, I guess what he is asking  
5 there is, in the years they were harvesting prior to 2011,  
6 how many sack limits did they get per day?

7           JOE JEWELL: well, there are a couple of caveats  
8 to that. I can find that out. There is no one number  
9 because the data is based on three years, 2008, 09 and 10,  
10 those three years prior.

11           within each of those years, the average daily  
12 sack count could have changed and absolutely did change.  
13 It is sort of a roving number. I don't know that number  
14 right now, but we can find that out.

15           COMMISSIONER DANIELS: Joe, do you remember what  
16 it was in 2010?

17           what I am trying to get at here, the one thing  
18 that I am thinking about is if we've got a guy, or two,  
19 out there that was ready to go, went out and worked the  
20 first day, had a boat issue -- I know over the years we  
21 have had a couple of boats sink. we have had some  
22 problems with boats. I would hate to cut that guy out  
23 that was trying to work, but he had a major boat issue  
24 that put him out for the rest of the season. I would hate  
25 to set the minimum too high, but I would like to see it

1 high enough where we know that they were trying to make  
2 money.

3 JOE JEWELL: As I recall, it was around thirty  
4 sacks, a range between thirty and thirty-five. It would  
5 be under that fifty sack count threshold that Trevor  
6 talked about.

7 COMMISSIONER DANIELS: Mark, would you be okay  
8 with saying thirty?

9 COMMISSIONER HAVARD: I am good with that.

10 TREVOR MONCRIEF: Just one more quick comment.  
11 One of the things we did look at that me and Matt kind of  
12 went over while we were there, essentially what it does is  
13 establish some percentage. So it was one percent of the  
14 maximum value of sacks and it put it pretty close to one  
15 hundred being the minimum. In effort to eliminate human  
16 decision, that is kind of something to be able to go with.  
17 Rather than putting a hard number, you can put some sort  
18 of percentage basis around the total.

19 That is just a quick added comment.

20 JOE SPRAGGINS: So we are looking at it,  
21 Commissioners, that if you had less than whatever number  
22 y'all come up with, if we had less than that number, then,  
23 no one under that gets any buyout.

24 Right?

25 COMMISSIONER DANIELS: It was my understanding

1 that they get some type of base money, but the extra  
2 money, or the bonus money comes in above that number.

3 Right?

4 JOE SPRAGGINS: That's what I'm asking. I don't  
5 know. I'm getting mixed-in information here.

6 I guess the question is do we want to say that  
7 if you bought a license, that you participated?

8 We are going to have to do this with the crabs.  
9 I can tell you that is the only way we can do it, but, if  
10 we want to do that, if we can agree to, number one, if we  
11 are going to pay a base, if that is the case, do we want  
12 to set a base, or how do we want to do that?

13 COMMISSIONER DANIELS: I would say if they  
14 didn't participate, let's give them their license fee back  
15 and everybody that participated, let's get them some  
16 money.

17 COMMISSIONER HAVARD: I'm in agreement.

18 JOE SPRAGGINS: Participated means what, if they  
19 had one sack, or if they had a hundred sacks?

20 COMMISSIONER DANIELS: Thirty. Thirty sacks is  
21 the minimum.

22 JOE SPRAGGINS: Everybody that caught less than  
23 thirty sacks, but bought a license, they get -- but, now,  
24 we've got to go back -- when you say that, all three years  
25 we would give them their license, or four years, or what

1 do we say?

2 JOE JEWELL: Can I put out one thing here, also?

3 The thirty sack limit that we were discussing,  
4 this is what I assumed and I want to point this out to the  
5 Commission, that was for the dredgers which is the vast  
6 majority of the fishery.

7 The tonging fishery had a separate sack limit,  
8 and I want to say that was somewhere between ten and  
9 fifteen.

10 COMMISSIONER DANIELS: Can we say thirty for  
11 dredgers and fifteen for tongers?

12 JOE SPRAGGINS: It would be hard for us to go  
13 back.

14 Can I add something real quick?

15 The staff is very limited right now because we  
16 are all separated into fifteen hundred different places,  
17 but could we possibly say that if you participated at all  
18 and maybe work at it?

19 Trevor could help me here. If we want to go  
20 back, if y'all want to use some kind of standard deviation  
21 as numbers and you want to say from this sack limit to  
22 this sack limit, this sack limit to this sack limit, could  
23 we possibly, rather than try to just shoot from the hip  
24 here, give us time to sit down as a team here and develop  
25 something for you and give it to you under that option

1 three that you are looking at and give you three different  
2 options for different levels?

3 I think that we can figure it out because what I  
4 am trying to get at right now we are trying to find out do  
5 we pay a base, or do we not pay a base.

6 If everybody is agreeable to that, fine.

7 If they are not, fine. I understand, but we  
8 need to get some kind of guidelines to work off of.

9 I think maybe what Mark said earlier, let's come  
10 back and maybe we can do a phone one and do this and do it  
11 in a week and that way we don't hold them up two weeks. I  
12 can understand that, but I'm hard to put things together  
13 as a director as to where we want to go with this walking  
14 off of three different angles.

15 COMMISSIONER DANIELS: Can we have a telephone  
16 meeting in a week, if y'all get that information together?

17 JOE SPRAGGINS: We can, if the Commission agrees  
18 to it.

19 COMMISSIONER DANIELS: Are y'all good with that?

20 COMMISSIONER HAVARD: This is Mark. Yes, I am.

21 COMMISSIONER GUESS: That sounds good to me, as  
22 well.

23 Do we have to make a motion to increase those  
24 dollar amounts from the original slide?

25 JOE SPRAGGINS: We do need to do that.

1 COMMISSIONER GUESS: Okay.

2 COMMISSIONER BOSARGE: Mr. Joe.

3 JOE JEWELL: As Director Spraggins pointed out,  
4 this would be a separate motion here and it would be  
5 increasing oyster to approximately one point three, and,  
6 then, it is including the crab fishery up to two hundred  
7 fifty thousand.

8 JOE SPRAGGINS: Sandy has some proposed wording,  
9 if we could let her read it.

10 SANDY CHESNUT: Going off of the slide, the  
11 proposed motion would be motion to authorize additional  
12 funding of up to three hundred thousand for a total of one  
13 point three million for eligible oyster fishermen and an  
14 additional funding up to two hundred and fifty thousand  
15 for eligible crab fishermen.

16 COMMISSIONER HAVARD: I think Commissioner  
17 Bosarge had a comment.

18 COMMISSIONER BOSARGE: Yes. I appreciate that,  
19 Mark.

20 I'm with you. We can have a telephone meeting,  
21 but I was just curious -- and this may be a question for  
22 Matt -- it appears that Matt has a pretty good running  
23 total of who caught what.

24 Matt, would it be too difficult just to say so  
25 much a sack for whatever you produced?

1           In other words, is that a possibility, or is  
2 that just too much work?

3           JOE SPRAGGINS: That is option two, Steve.

4           COMMISSIONER BOSARGE: I'm sorry. I must have  
5 missed that.

6           JOE SPRAGGINS: Option two is a base, and, then,  
7 you get, like, three dollars per sack for every sack you  
8 caught.

9           COMMISSIONER BOSARGE: Okay. All right. I  
10 understand now. Sorry about that.

11          COMMISSIONER DANIELS: Motion to increase to --  
12 what Sandy just read, I will make that motion.

13          COMMISSIONER GUESS: I'll second that.

14          I know we are spoiled to having the motion typed  
15 up on the board for us, but that was a lot to try and  
16 remember.

17          COMMISSIONER HAVARD: The biggest thing is,  
18 guys, we have a motion and a second.

19          We just want to be good stewards of the money  
20 and make sure it goes to the right places. That is the  
21 bottom line.

22          At this time, I have a motion and a second.

23          All those in favor say aye.

24          COMMISSIONER GUESS: Aye.

25          COMMISSIONER DANIELS: Aye.

1 COMMISSIONER BOSARGE: Aye.

2 COMMISSIONER HAVARD: Aye.

3 I had Natalie with an aye. I had Steve with an  
4 aye. I had Mark with an aye.

5 what about Ronnie?

6 COMMISSIONER DANIELS: Aye.

7 COMMISSIONER HAVARD: Motion moves.

8 COMMISSIONER GUESS: We are increasing the  
9 dollar amount for oysters, we are including a dollar  
10 amount for crab and we are going to have a call in a week  
11 to discuss how we are going to roll out the money.

12 COMMISSIONER HAVARD: That's correct.

13 JOE SPRAGGINS: what I will do, Commissioners,  
14 if it is okay with y'all, we will sit down, Trevor, Joe  
15 and Matt, and let's get together. we will sit down and we  
16 will come up with an option three with different levels,  
17 we will give you the exact wording for option two if you  
18 want it, and, then, we will go from there, and that would  
19 say how much per dollar.

20 we will give y'all that and we will send it to  
21 you several days in advance before this next meeting so  
22 you will have time to look at it and think.

23 COMMISSIONER HAVARD: Sounds great, General, and  
24 I appreciate that. Options two and three, we will have  
25 additional verbiage on those within the next few days.

1 That sounds good.

2 Let's move on to the next agenda item.

3 JOE SPRAGGINS: Sandy said she needs a motion on  
4 that.

5 COMMISSIONER GUESS: I'll make a motion that we  
6 set up the call and have the information on options two  
7 and three expanded a few days prior.

8 COMMISSIONER HAVARD: Natalie has a motion on  
9 the table.

10 Do I have a second for Natalie's motion?

11 COMMISSIONER DANIELS: Ronnie seconds it.

12 COMMISSIONER HAVARD: I have a motion by Natalie  
13 and a second by Ronnie.

14 All those in favor say aye.

15 COMMISSIONER DANIELS: Aye.

16 COMMISSIONER BOSARGE: Aye.

17 COMMISSIONER GUESS: Aye.

18 COMMISSIONER HAVARD: Aye.

19 So that is an aye from Ronnie, Natalie, Steve  
20 and Mark. So motion moves.

21 JOE SPRAGGINS: Thank you.

22 COMMISSIONER HAVARD: That brings us on to item  
23 four, Gear Type Task Force Resolution, Frank Parker.

24 Do we have Frank on the line?

25 BRADY SMITH: Frank is on the line. Give me a

1 second and I will unmute his mike.

2 JOE SPRAGGINS: Commissioners, we do have two  
3 public comments on this, before we make any decisions.

4 BRADY SMITH: Frank, can you hear us?

5 FRANK PARKER: Yes.

6 Can you hear me?

7 BRADY SMITH: Yes. Your mike is live.

8 COMMISSIONER HAVARD: Go ahead, Frank.

9 FRANK PARKER: This is Frank Parker. I'm a  
10 commercial fisherman. I'm the chairman of the Gear Type  
11 Task Force.

12 I'm assuming y'all have the resolution, a copy  
13 of it in front of you. I have to apologize. I moved and  
14 don't have internet service. So I'm over the phone.

15 With that being said, the Gear Type Task Force  
16 consists of commercial and recreational fishing  
17 representatives, university scientists and several  
18 agencies.

19 We unanimously voted to oppose two legislative  
20 bills that would basically ban commercial haul seine  
21 fishing within one half mile around Cat Island.

22 These bills are not consistent with the best  
23 available science and it would make it more difficult for  
24 the commercial fishing industry to provide sustainable  
25 seafood to the general public.

1           This is especially important during the times of  
2 this pandemic when our local seafood production is  
3 essential to our nation's ability to produce our own food  
4 domestically.

5           These bills have been promulgated in spite of  
6 the fact that the task force made recommendations over a  
7 year ago defining haul seine gear and those  
8 recommendations were duly adopted by this Commission.

9           In doing so, this has put all but a handful of  
10 commercial net fishermen out of business.

11           we feel it is important that we maintain our  
12 local ability to commercially harvest seafood using  
13 traditional methods at traditional harvesting locations as  
14 a matter of national food security.

15           The Gear Task Force respectively asks the  
16 Commission to approve this resolution in opposition of  
17 these two pieces of legislation.

18           Any questions?

19           COMMISSIONER HAVARD: Frank, I do not have any  
20 questions.

21           Do any other Commissioners have any questions?

22           COMMISSIONER BOSARGE: Frank, just to be clear,  
23 what are you asking the Commission to do?

24           FRANK PARKER: To approve this resolution.

25           COMMISSIONER BOSARGE: I agree with you and I

1 think it's -- this has been an ongoing issue for some time  
2 and we all know and we have all fought it and we all came  
3 to kind of the same conclusion, and I find it kind of -- I  
4 don't know -- strange that there is a group in Jackson  
5 that feels that they know more than this group.

6           Anyhow, I agree. I think we need to support  
7 yours resolution.

8           FRANK PARKER: I think that was the basis of  
9 everybody that was on the Gear Type Task Force. Here we  
10 have all these so-called industry leaders, professionals,  
11 scientists, the people who are supposed to know what is  
12 going on and they make these recommendations and the  
13 people in Jackson -- why do we have two bodies doing  
14 management decisions. I think that was the whole  
15 consensus of the entire group.

16           JOE SPRAGGINS: Commissioner.

17           COMMISSIONER BOSARGE: Go ahead, Mr. Joe.

18           JOE SPRAGGINS: If I may, first off let me  
19 explain that this is not a DMR bill. Neither one of these  
20 bills were introduced by DMR, or supported for  
21 introduction by DMR, at the capitol.

22           These were both brought up. A bill was brought  
23 up out of the Senate, the Senate Bill, the 2720, and it  
24 was brought up, and, then, the 561 was brought up out of  
25 the House and that one has been discussed over and over,

1 and we have discussed it hard with them.

2 I had the House to the point that they were  
3 ready to say, okay, we understand. I told them that the  
4 Commission had made a ruling last year on what a haul  
5 seine net was and we had basically eliminated any uses  
6 that were there before, and asked them to please allow DMR  
7 to run the operation, but it seems right now that we have  
8 a couple of new legislators that are very hard to  
9 understand this at this point and they are looking hard at  
10 it and they are getting a lot complaints from their  
11 constituents, and the whole thing is about Cat Island.  
12 That is what it is about, Cat Island and the half a mile  
13 around it.

14 We also do have, sir, two comments, two public  
15 comments that would like to be made.

16 I just wanted you to know that we have fought  
17 hard for you on this and we have not been able to move  
18 forward.

19 COMMISSIONER HAVARD: At this time, let's take  
20 it up for comments.

21 JOE SPRAGGINS: The comment that I have is Mr.  
22 Martin Young, if he is on.

23 BRADY SMITH: I believe Martin Young is on. Let  
24 me identify him.

25 COMMISSIONER HAVARD: Mr. Young, are you with

1 us?

2 MARTIN YOUNG: Hello.

3 COMMISSIONER HAVARD: Go ahead.

4 MARTIN YOUNG: Am I there?

5 COMMISSIONER HAVARD: Yes, sir, you are live and  
6 with us. So go ahead and make your comment, please.

7 MARTIN YOUNG: I sent y'all the copy of the  
8 letter of my comments that I made and I just have no  
9 written copy. I thought I saved it, but evidently my  
10 computer still ain't good enough. I didn't save it, but  
11 for my comment to be said, someone there would have to  
12 read it, what I sent y'all because I don't have a copy of  
13 it.

14 JOE SPRAGGINS: Commissioners, I have a copy.  
15 If you would allow, Sandy says I could read it, if that is  
16 all right with Mr. Young.

17 MARTIN YOUNG: It's fine with me, anybody who  
18 wants to read it.

19 JOE SPRAGGINS: Commissioners, if it is okay, I  
20 will read it.

21 It says the item that you desire to talk about,  
22 and it talks about the agenda.

23 Public Comments. The Gear Task Force was  
24 appointed to define a haul seine, voted by a unanimous  
25 vote. This was by state experts, NOAA experts,

1 recreational fishermen and commercial fishermen. All  
2 agreed on their definition and it was approved by the  
3 Commission.

4 This eliminated all but two nets at Cat Island,  
5 solving the gill net issue.

6 These bills have no scientific data to support  
7 them. They discriminate against the net fishermen.

8 The Commission was appointed to handle seafood  
9 law on the Coast in the early nineties. So let the voice  
10 of the Commission speak loud to uphold their decision.

11 Please kill House Bill 561 and Senate Bill 2720.

12 If the subject is not on today's agenda, please  
13 state the topic that you will comment, and that is this.

14 Mr. Young, is that what you thought it was?

15 MARTIN YOUNG: I couldn't hear you. Excuse me.

16 JOE SPRAGGINS: I read it as you had sent it to  
17 us, Mr. Young.

18 MARTIN YOUNG: Oh, yes, sir. That was just  
19 right, yes, sir.

20 I feel like this bill is driven by hate and hate  
21 alone that is introduced in Jackson. That is the only  
22 other comment I would like to make about it.

23 COMMISSIONER HAVARD: Any more comments?

24 JOE SPRAGGINS: Yes, we do have one.

25 Mr. Tommy O'Brien, is he on?

1 BRADY SMITH: I'm looking for him now.  
2 I've got a Tommy listed. I'm going to allow his  
3 microphone and we will see if that is Tommy O'Brien.  
4 Tommy, you mike is live.  
5 Is this Tommy O'Brien?  
6 MRS. O'BRIEN: This is his wife.  
7 JOE SPRAGGINS: would you like to make a public  
8 comment?  
9 MRS. O'BRIEN: well, he asked me to ask you,  
10 General, if you could just read the comment that he made,  
11 that he submitted online, if that would be okay.  
12 JOE SPRAGGINS: I don't have it.  
13 MRS. O'BRIEN: Oh, you don't have it?  
14 JOE SPRAGGINS: Hang on. We are trying to find  
15 it.  
16 Brian, do you have that by any chance, or  
17 Crystal, do you have it?  
18 Does anybody have it?  
19 BRADY SMITH: We can get it for you. We will  
20 put you on hold for a second.  
21 JOE SPRAGGINS: If you would read it for us, we  
22 would appreciate it, if that is okay.  
23 BRADY SMITH: Director, I've got the comment  
24 here.  
25 would you like me to read it?

1           JOE SPRAGGINS: Yes, if you could, please read  
2 it, if you don't mind.

3           BRADY SMITH: Tommy O'Brien's public comment.  
4 I'm opposed to Bills 561 and 2720 for the  
5 following reasons:

6           The Gear Type Task Force was formed to define  
7 haul seines to the satisfaction of all members of the task  
8 force.

9           These bills are not based upon the decision made  
10 by the task force, or on scientific evidence. They are  
11 based upon the greed of the recreational sector and are  
12 not fair and equitable to the commercial net fishermen.

13           Let's not forget that there are only two  
14 licensed haul seine fishermen in the state and I am one of  
15 them.

16           Once again, it will take away from us the most  
17 lucrative fishing grounds we have.

18           That's all.

19           JOE SPRAGGINS: That's the comment.

20           Is she still on?

21           BRADY SMITH: Her mike is still on.

22           MRS. O'BRIEN: Yes, sir, I'm still here.

23           JOE SPRAGGINS: Is there any additional comment?

24           MRS. O'BRIEN: No, sir. It's is just kind of  
25 like a vicious circle that we go through here. I seems

1 like somebody is always trying to kick you out of making a  
2 little bit of money. Right now money is tight. We need  
3 all the help we can get.

4 Any input that you can have in Jackson to help  
5 quash these bills will be greatly appreciated.

6 JOE SPRAGGINS: Commissioner Havard, those are  
7 the only two comments that we have at this time, and I  
8 would like to tell you also that House Bill 561 and Senate  
9 Bill 2720 both passed on each individual floors, the  
10 Senate Bill on the Senate floor and the House Bill on the  
11 House floor.

12 The Senate Bill has been sent to the House  
13 Marine Resources.

14 The House Bill has not been sent anywhere at  
15 this time.

16 Sandy says that as far as the Gear Type  
17 resolution, we could not adopt their resolution.

18 Sandy, go ahead and repeat that, please.

19 SANDY CHESNUT: The Gear Type Task Force is an  
20 advisory committee to the Commission. If the Commission  
21 wants to take action on this, they would need to make  
22 their own resolution. They could incorporate the  
23 resolution of the Gear Type Task Force, or mention it  
24 somehow, or support it, whatever they need to do, but the  
25 Commission would need to make their own resolution.

1 JOE SPRAGGINS: Sir, did you get that?

2 COMMISSIONER BOSARGE: Yes, I got that, Mr. Joe.

3 I guess what Sandy is saying is that we can't  
4 adopt the Gear Type Task Force resolution. We would have  
5 to make our own resolution basically.

6 Correct, Sandy?

7 SANDY CHESNUT: That's correct.

8 In your resolution, you can adopt the wording of  
9 the Gear Type Task Force resolution. You just can't adopt  
10 the Gear Type Task Force resolution itself.

11 COMMISSIONER BOSARGE: I mean, I think this  
12 Commission, we talked about task forces and how important  
13 task forces are and the good work they do, and this task  
14 force has been put together and has a very, very -- the  
15 constituency comes from all sides, recreational fishermen,  
16 commercial fishermen, law enforcement.

17 With that being said, I think that we, as a  
18 Commission, need to make a statement that we should be the  
19 ones making the laws and not the state legislature.

20 We do ask the state legislature to make laws for  
21 us, and sometimes they do, sometimes they don't, but I  
22 can't ever remember a time when they did it on their own,  
23 at least in my time being here.

24 With that being said, yes, I would like to make  
25 a motion that we have the staff construct a resolution and

1 bring it back to us maybe at this meeting we are going to  
2 have, telephone meeting.

3 COMMISSIONER GUESS: Yes, I agree, Steve. I  
4 think what Sandy says is that we can adopt the wording  
5 from the Gear Type Task Force resolution. We just can't  
6 adopt their resolution.

7 Correct?

8 SANDY CHESNUT: Yes. It's just to keep that  
9 separation of the Gear Type Task Force advisory committee  
10 to the Commission.

11 COMMISSIONER GUESS: So can we go ahead and make  
12 a motion to adopt the wording from the resolution?

13 SANDY CHESNUT: Yes.

14 COMMISSIONER GUESS: Steve, does that sound good  
15 to you?

16 COMMISSIONER BOSARGE: Yes, that sounds good to  
17 me. I'm glad you understood. I'm having a hard time  
18 hearing Sandy. I always have a hard time hearing Sandy.

19 would you make the motion?

20 COMMISSIONER GUESS: Yes, I make the motion that  
21 we adopt the wording from the task force resolution.

22 COMMISSIONER BOSARGE: And I will second your  
23 motion.

24 COMMISSIONER HAVARD: We have a motion and a  
25 second.

1 All those in favor say aye.

2 COMMISSIONER GUESS: Aye.

3 COMMISSIONER BOSARGE: Aye.

4 COMMISSIONER HAVARD: So I've got Natalie and  
5 Steve.

6 All those opposed like sign.

7 Aye, Mark.

8 Ronnie, are you still with us?

9 BRADY SMITH: I don't see Ronnie on the call.

10 COMMISSIONER HAVARD: So Ronnie is out?

11 JOE SPRAGGINS: Yes. I don't see his name on my  
12 list. I don't know. We have lost him.

13 He said he had to step out.

14 Right now, we only have three Commissioners. So  
15 the vote is two to one.

16 COMMISSIONER HAVARD: So the motion moves.

17 JOE SPRAGGINS: We will get that back to you,  
18 some type of wording for y'all to adopt this resolution at  
19 the special meeting.

20 COMMISSIONER BOSARGE: That was what I kind of  
21 asked for, Mr. Joe, but I believe what we actually did was  
22 just to adopt the wording.

23 Natalie, correct me if I'm wrong.

24 Is that right?

25 COMMISSIONER GUESS: That is correct.

1 I think they are going to have that wording in  
2 our form at the call.

3 JOE SPRAGGINS: I just want to make sure I'm  
4 correct here and, Sandy, tell me if I'm correct, or wrong,  
5 here.

6 what Natalie has asked for is for us to put this  
7 into a resolution that they can adopt.

8 Is that correct?

9 SANDY CHESNUT: That's correct.

10 JOE SPRAGGINS: We are to word a resolution for  
11 them to adopt at that next called meeting?

12 SANDY CHESNUT: Once they have the resolution in  
13 front of them, they will adopt the resolution.

14 Her motion was for the staff to prepare a  
15 resolution for the Commission with the wording of Gear  
16 Type Task Force to be considered by the Commission.

17 JOE SPRAGGINS: Did everybody hear that?

18 COMMISSIONER GUESS: Yes.

19 COMMISSIONER HAVARD: Yes.

20 COMMISSIONER BOSARGE: I've got a lot of noise  
21 on my end.

22 Natalie, your motion I thought was to adopt the  
23 language that we have now.

24 Correct?

25 COMMISSIONER GUESS: Basically Sandy is going to

1 put the resolution in a format that is from the  
2 Commission, and, then, once we have that on the call, we  
3 can all vote to pass that resolution as a Commission.

4 COMMISSIONER BOSARGE: All right. Good deal.

5 JOE SPRAGGINS: Good. I just wanted to make  
6 sure we are correct.

7 Commissioner, I think we are up to number five,  
8 unless you needed more on that one, sir.

9 COMMISSIONER HAVARD: No. I think we will move  
10 forward.

11 JOE SPRAGGINS: Ronnie is not on.

12 COMMISSIONER BOSARGE: Is that all that Frank  
13 had?

14 COMMISSIONER HAVARD: Yes.

15 I think we are done. I think we are moving on  
16 to State Saltwater Finfish Record, Mr. Matt Hill.

17 MATT HILL: This will be easy. We have one  
18 record for the Commission's consideration.

19 It is in the All Tackle Division and the gear  
20 used was spear.

21 It is a Red Hind at a new record of four pounds  
22 seven point three six ounces. The angler is Mr. Harley J.  
23 Havard.

24 Here is the fish. Here is Mr. Havard with the  
25 Red Hind (indicating photographs).

1           What is required is a motion to adopt this new  
2 state record.

3           COMMISSIONER HAVARD: It is always good to see  
4 when these George County boys come down here and get down  
5 underneath the water and take advantage of our resource.  
6 That's a good thing. That's a long travel.

7           At this time, I would like to make a motion to  
8 adopt the new state record.

9           COMMISSIONER GUESS: I'll second that.

10          COMMISSIONER HAVARD: Motion and a second.

11          All those in favor say aye.

12          COMMISSIONER GUESS: Aye.

13          COMMISSIONER BOSARGE: Aye.

14          COMMISSIONER HAVARD: Aye.

15          All three ayes. Motion moves.

16          JOE SPRAGGINS: Steve, Mark and Natalie.

17          COMMISSIONER HAVARD: Do we have any other  
18 business to discuss?

19          (No response.)

20          COMMISSIONER HAVARD: Doesn't look like we have  
21 any other business.

22          Are there any additional public comments?

23          JOE SPRAGGINS: No, sir.

24          COMMISSIONER HAVARD: All right, guys. I  
25 appreciate everybody taking time out of their day and

1 coming on I guess this website here. That way we can all  
2 get together and make some good educated decisions.

3 We will look forward to hearing a date and a  
4 time for the phone meeting next week, or later on this  
5 week.

6 JOE SPRAGGINS: Is everything okay with the  
7 tornado?

8 COMMISSIONER HAVARD: Yes. Everything is good.  
9 It was about two miles down the road and it was headed our  
10 way. That is the reason I had to jet out of here real  
11 quick, but I don't really know what happened. I have been  
12 kind of stuck in my hole. It is probably the safest place  
13 where I am in the back corner somewhere.

14 Anyway, guys, I appreciate that and we will talk  
15 later on this week.

16 JOE SPRAGGINS: Make a motion to adjourn,  
17 please, sir.

18 COMMISSIONER HAVARD: Thank you guys. Y'all be  
19 safe.

20 JOE SPRAGGINS: Mark, make a motion to adjourn.

21 COMMISSIONER HAVARD: I make a motion that we  
22 adjourn.

23 COMMISSIONER GUESS: I'll second it.

24 COMMISSIONER HAVARD: I've got a motion and a  
25 second.

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All those in favor say aye.  
COMMISSIONER GUESS: Aye.  
COMMISSIONER BOSARGE: Aye.  
COMMISSIONER HAVARD: Aye.  
Motion moves. See y'all later.

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CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing is a true and correct transcript of the March 31, 2020, meeting of the Commission on Marine Resources via Webinar by Zoom, to the best of my ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.

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