ADVISORY COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, February 15, 2022
9:00 a.m.
Bolton Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi

Commission Members:

Ronnie Daniels, Chairman
Natalie Guess, Vice Chairman
Cammack (Cam) Roberds

Also Present:

Joe Spraggins, Executive Director DMR
Sandy Chesnut, Esq., Assistant Attorney General

Lucille Morgan, CSR 1251
COURT REPORTER
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COMMISSIONER DANIELS: Good morning ladies and gentlemen. We would like to welcome you to the February 15, 2022, Commission meeting.

I will call the meeting to order and I would like to ask Commissioner Roberds to lead us the Pledge of Allegiance.

(Pledge of Allegiance was recited.)

COMMISSIONER DANIELS: Thank you, Cam.

Director, would you like to lead us with a prayer?

JOE SPRAGGINS: Our Heavenly Father, we thank you for the opportunity to be able to serve, Lord. Thank you for giving us this great organization to work with and the great people that are involved in it. Please take this Commission and give them the wisdom to do what they need to do for you and have it done your way and let us all do everything your way, Lord, and not ours. We ask this in Jesus Christ's name. Amen.

COMMISSIONER DANIELS: Thank you, Joe.

January 18th, 2022, minutes.
Do we have a motion to approve the minutes from January 18th?

COMMISSIONER GUESS: I'll make a motion.

COMMISSIONER ROBERDS: I'll second it.

COMMISSIONER DANIELS: All those in favor?
COMMISSIONER GUESS: Aye.
COMMISSIONER DANIELS: Aye.
COMMISSIONER ROBERDS: Aye.
COMMISSIONER DANIELS: Today’s agenda. Do we have a motion to approve the agenda?
COMMISSIONER ROBERDS: I’ll make a motion.
COMMISSIONER GUESS: I’ll second it.
COMMISSIONER DANIELS: All those in favor?
COMMISSIONER GUESS: Aye.
COMMISSIONER ROBERDS: Aye.
COMMISSIONER DANIELS: Aye.
COMMISSIONER DANIELS: Mr. Joe, I am going to turn it over to you.

JOE SPRAGGINS: Employment contracts.

Danielle Koushel is a Coastal Resource Management Specialist II Permitter.

That is the only one that we have hired this month.

As far as the agency update, We’ve got quite a few things going on. Obviously, Jackson is in full swing and we have made the rounds through the House and the Senate. The House and the Senate have passed their versions of each of the bills that they are going to pass.

Currently, right now, we have a House Bill that is Bottomland Leasing for Oyster Production created for a
pilot program.

That is a program that is put in by the legislature. What they are asking for is they are going to use some areas and to be able to lease the land and to be able to start some pilot programs for Oyster Aquaculture for private business.

It is something that we have already had the area to do. They are not asking to take anything that is an area that is being used right now. They are looking at some of the areas like over in the west side that have already been permitted. They have been permitted to be able to be used, but they want to do it as a sample to be able to look at it.

Also, we have House Bill 1057 which is Department of Marine Resources Revised Acreage off-bottom authorized to be leased and it is, once again, the same thing and it changes the numbers because it is allowing them to do it under the pilot program at, like, two dollars an acre instead of five dollars an acre, but, then, it goes up to five dollars an acre after they have had it three years I think is the number.

Department of Marine Resources authorized to use, under 1058, any state institution of higher learning as a resource. It died in the committee.

House Bill 1076, Derelict Vessels, provided
certain requirements for removal of the vessels. That is
a great bill that has come out and the bill is going to
allow us to restate what is -- it is not just derelict.
It is abandoned, or any type of other vessel that is out
there. What it will allow us to do is to be able to go
forward and say that we are going to be able to move it.

We have had such a hard time over the last few
years, especially with the cities and counties, them
asking us to help them, but we can’t help them because it
is not impeding a waterway, as far as the navigation, or
it is not leaking fuel, or something else, and we can’t do
anything about it.

Well, this is going to change that. It is going
to allow us to be able to do it. Hopefully, the
legislature is going to put some money into the pot and we
will be able to have money to be able to work off of, and,
then, we will be able to obviously remove these vessels.

Right now, I think we’ve got thirty-seven that
we know of that we need to move. That just gives you an
idea of what we are talking about and the cities and
counties are very much for this.

House Bill 1077 is Shellfish Aquaculture
Operations. What it amounts to is if you are working in
the off-bottom and you’ve got three skiffs that you are
using, you don’t have to license all three skiffs. You
only license the company itself, and, then, use those three little skiffs for it.

   It is not going to affect anything to do with the regular oyster aquaculture as far as anybody harvesting them off of reefs, or anything. It is not going to change a thing on that. It is just for that. It will make it a little bit easier for the people.

   House Bill 1130 is Marine Resources revised the license for issue of seafood dealers and seafood processors.

   Right now, they get the same license. The idea is to change it where if you are a dealer, you get this license. If you are a processor, you get this license. It makes a little difference and it makes it understandable because the person that is selling shrimp on the side of the road shouldn't have to the same as the processor license.

   That is what it is about and it is just straightening things out. It is not anything that is going to be a big deal.

   House Bill 1144, Flotation Device. That one died in the committee.

   House Bill 1320 is Cat Island prohibited the use of purse seines within two miles.

   House Bill 1321 prohibits taking of den within
one mile of the buffer zone of Jackson County.

These bills, if you look at them, they skewed back and forth. The House Bill 1320 is the only one that is alive and it is one mile, not two miles. We will discuss that a little bit more as we go.

In the Senate, we have Senate Bill 2076 which is derelict vessels. It is the same thing. It basically just mirrored the House. It will go through with no problem and it passed.

Senate Bill 2476 is the Aquaculture Farms. It went through with no problem.

Senate Bill 2477, Duties of Mississippi Department of Marine Resources in using higher institutions. It passed out of committee and died on the calendar.

Senate Bill 2478 is combination of seafood dealers and processors license. It passed. It is pretty much the same.

Senate Bill 2511 is the shrimp captain’s license and that is the one that changes to where only the captain has to have a license and not everybody on the boat. That is going to make it a whole lot different for people.

I would like to make one clarification on the one for the higher institutions. I think some things got a little bit misunderstood.
Our lawyers came to us and made a statement, said that because it says GCRL only that you need to have it where it can go to any institution.

This is nothing that GCRL was trying to say that you couldn’t do that. You do what you need to do.

It was the way that it was written. They first wrote the thing and didn’t put that in it, and, then, the way things came out and we tried to straighten it out at the last second, but the idea of the Department of Marine Resources working with GCRL has not changed.

Our idea is to work with GCRL and we were planning on working with GCRL and we continue to want to work with GCRL. They are our go to. They are the ones right there. It was just a formality thing with legal.

I want everybody to understand that it doesn’t change anything because we will operate and we will still be doing what we need to do.

Any questions on the bills?

(No response.)

JOE SPRAGGINS: We will just move forward, now, and talk about the CARES Act.

Traci, any update?

I know we gave the money out.

Are we pretty much done?

TRACI FLOYD: Yes. The money went out on January
25th. Everyone has been paid. The money has been spent. We are just working on a final report.

    JOE SPRAGGINS: So everybody has been paid?
    TRACI FLOYD: Yes, sir, everyone who was eligible.

    JOE SPRAGGINS: Good.
    TRACI FLOYD: Thank you.
    JOE SPRAGGINS: Bonnet Carre. Do we have any update on it, Rick?
    RICK BURRIS: No, sir.
    JOE SPRAGGINS: We are still just waiting. Where is it, now, OMB?
    RICK BURRIS: Yes, sir.
    JOE SPRAGGINS: That is just the process. It is something we are going to have to put up with. It takes about a year at the minimum from the time you file it to get through there. We just have to stay with it and hope that we can work it out.

    Actions update for the prior meeting.
    Sandy.

    SANDY CHESNUT: In January, there was a motion to recommend the Executive Director approve the following in relation to a Request for Permits by the MDMR for creation of artificial oyster reefs for research activities in the Pascagoula Bay in Pascagoula and the Mississippi Sound in
Pass Christian, and those actions were approval of the requested variances, approval of the requested use plan changes and approval of the requested permits.

There was also a motion to recommend the Executive Director approve the ten-year permit request and the requested variance by the City of Biloxi for beach renourishment and maintenance between Oak Street and the Biloxi Small Craft Harbor.

There was a motion to recommend to the Executive Director to accept the proposed changes to Title 22, Parts 2 and 9, to be forwarded to the Secretary of State's Office for final adoption.

The Director approved all the motions as recommended.

There are no pending items for discussion.

JOE SPRAGGINS: Any questions on that?

(No response.)

JOE SPRAGGINS: The next thing up is the Jackson County Board of Supervisors has passed a resolution requesting that menhaden fishing be limited to one mile offshore in Jackson County.

We have received this and we are looking at it. We are going to ask the Commission to look at it and we can have it read, if you want it read, or it can be in the minutes. It doesn't matter. It is basically just
stating that they want to marry up with the same thing that is going on with Harrison and Hancock counties.

We are already in the process of rewriting, or updating, Title 22, Part 3. So this would be Title 22, Part 3. We will just add it to it and be able to get the Commission to request that it be added to Title 22, Part 3, and, then, we would go forward with that and it will have to go through the Administrative Procedures Act. The Administrative Procedures Act means that it has to go out for twenty-five days. So it will be twenty-five days that it will be sitting out there for public comment. Anything could be brought to us at that point.

Rick, is it that if we have over ten comments that we have to have a public meeting?

RICK BURRIS: Yes, sir.

JOE SPRAGGINS: If we don’t, then, we won’t have to have a public meeting. It will be brought back to the Commission and y’all can recommend, or not recommend, to me what to do, and, then, at that point, if it passes, it would be thirty days from that point that it would go into effect.

I will be honest with you. I want y’all to know point blank. The Menhaden business in Mississippi is a great operation. They are great people to us, Omega and what they do as far as the community and as far as the
state and they are not hurting our fisheries.

Dr. Franks, I think, did a study on this a few years ago and said that there were no issues that they are doing any problems at all with any of our fisheries, and I want y'all to understand that, and our fishery is fine. The Menhaden fishery is fine and there is not anything at all that I see in this that has anything to do with something that is causing the fishery to have a problem.

If I did, I would have already addressed it. I don't think that is the case, but, once again, I do understand when the Board of Supervisors asks to have help and do something that we pretty much honor the Board of Supervisors and I understand that, too.

I want you to know that the Menhaden business is a great asset for Mississippi and it is a great asset for the Gulf Coast and there is not anything in the world that we are doing in the Menhaden business, or that they are doing in the Menhaden business that is causing any problem that I know of to our fisheries.

I know a couple of you are here. Do you have any comments, or anything?

FROM THE FLOOR: Indicating.

JOE SPRAGGINS: Yes. Go ahead.

BEN LANDRY: Good morning Director Spraggins, Commissioners. My name is Ben Landry. I'm here
representing Omega Protein.

I do appreciate your words as it relates to the Menhaden fishery and its impacts on the Mississippi eco system as being minimal, if any.

It is a healthy fishery that is a sustainable fishery. It is certified worldwide as being sustainable.

I understand Jackson County has their wishes and we would love to have discussions with them. We look forward to this opportunity to provide quite thoughtful comments to you-all on maybe some ideas we have moving forward with this because I think it is just that. It is a user-conflict issue. It is not biological, and I think that we can work together and figure this out.

We do appreciate the partnership that we have had with this agency going back probably five, or six, decades. We are always here to help. We look forward to providing comments and working with y'all.

JOE SPRAGGINS: I appreciate it, Ben.

Do the Commissioners have any questions?

(No response.)

JOE SPRAGGINS: We do appreciate it and we understand, and I stand on the grounds that I said that it has nothing to do with the fishery.

I would ask that this resolution be added to Title 22, Part 3, and, then, move in the process and that
will be it for the Commission.

    COMMISSIONER DANIELS: Do we have a motion to add the resolution to Title 22, Part 3?
    COMMISSIONER ROBERDS: I’ll make a motion?
    COMMISSIONER DANIELS: I’ll second the motion.
    All those in favor?
    COMMISSIONER ROBERDS: Aye.
    COMMISSIONER DANIELS: Aye.
    All those opposed?
    COMMISSIONER GUESS: Aye.
    COMMISSIONER DANIELS: Two to one. The motion passes.
    Anything else, Mr. Joe?
    JOE SPRAGGINS: I think that’s it, sir, and I have said enough for the day.
    CRYSTAL MATTA: No. You have to change the meeting.
    JOE SPRAGGINS: That’s right. We should have done that before I did it.
    There is a conflict next month. Gulf States has an annual meeting and they are having it in Florida. It is the same time as when we have our meeting. A large majority of the agency will be gone.
    The question is do y’all want to change the meeting and maybe go to the next Tuesday, or do y’all want...
to keep it the same?

I will be honest with you. Patrick would be here and he could sit in on the meeting, if you wanted to keep it the same. I'm all right with that and I can listen in on the phone. It is up to y'all what you want to do.

I know Rick will be gone.

Traci, you will be gone?

TRACI FLOYD: Possibly.

JOE SPRAGGINS: A lot of the Fisheries department will be gone.

COMMISSIONER DANIELS: I was actually going to discuss with you after today's meeting. I'm not available on the 15th.

JOE SPRAGGINS: Do y'all want to try it on the 22nd?

COMMISSIONER DANIELS: If the other Commissioners don't have any issues with that, it would actually work out a whole lot better for me.

COMMISSIONER ROBERDS: I'm good.

COMMISSIONER GUESS: It is okay with me.

JOE SPRAGGINS: I guess what we would need to do, then, is ask for a motion to be able to change the next meeting to March 22nd at 9:00 a.m.

COMMISSIONER DANIELS: I'll make that motion.
COMMISSIONER GUESS: I'll second it.

COMMISSIONER DANIELS: All those in favor?

COMMISSIONER GUESS: Aye.

COMMISSIONER ROBERDS: Aye.

COMMISSIONER DANIELS: Aye.

JOE SPRAGGINS: Only one other last thing. We will be closed on the 21st which is next Monday for President's Day.

COMMISSIONER DANIELS: Thank you.

JOE SPRAGGINS: Thank you. Sorry about that. Thank you, Crystal.

CRYSTAL MATTA: You're welcome.

COMMISSIONER DANIELS: Next up we will have our Commissioners Report.

Do any of our Commissioners have anything to report today?

COMMISSIONER GUESS: I would like to ask and bring up the proposed diversion project for Louisiana. I'm just curious as to an agency, where we stand, where our thoughts are, any feedback. We have been having conversations with a few people about it, just curious.

COMMISSIONER DANIELS: Just to be clear, Natalie, you are talking about the --

JOE SPRAGGINS: (Interposing) Mid-Breton is the one you are talking about?
COMMISSIONER GUESS: Yes.

JOE SPRAGGINS: I can tell you as far as we go as the agency, we have been in a lot of discussions with it. We had a meeting here a couple of months ago. The Secretary of State called a meeting and invited some people to it.

I know that Read is in the back. Read has been working hand-in-hand with Michael Thompson. He has a commission going as a senator, and we have been working hand-in-hand with him on it, and Read has been very involved with that as far as GCRL and Southern.

We are looking at it. One of the things I can tell you that we are doing, we have paid for a study and I know that they had asked the Corps to do a study and I'm not sure where that one is, but we had asked for a study to do the hydrological affect; what would it cause.

I wanted to know that if it was putting out seventy-five thousand cubic feet per second, or if it was putting out fifty thousand cubic feet per second, or if it was putting our twenty-five, or thirty, thousand cubic feet per second and how many days if it did that and with the water levels and all, what it would do.

We are in the process of having that test run as we speak and, Read, I think we are involved in a lot of that with Southern and I know Paul Mickle is involved with...
it at Mississippi State and I think even Auburn University is involved in it because of some hydrological stuff that they are doing with it.

We are trying to get an understanding because we want a Mississippi understanding. We want our understanding of what is going to happen.

You can look at it and people can talk to you all they want to and they can say, well, in a normal time of the year when the water levels are high in the Mississippi River, the winds are coming out of the northwest. That is going to push it away from us, if that opened that, but it also would cause the Bonnet Carre to open because it causes a flood and everything else. That’s when the highest rains are.

In the summer when the salinity is so high on the Gulf Coast, the winds are out of the southeast which would help us a little bit maybe if we got it, but, then, it is probably not even going to be open during that time because it has to be at a certain water level to be able to open.

I don’t know and I will be honest with you. I have held a hard line that whatever science says is what we are doing to do and that’s what I want to find and that is what I told the governor. Whatever science says is what I want to find. I don’t have a clue.
Read, you have been doing work on it.
Do y'all mind if Read talks a little bit, too, about it?

COMMISSIONER GUESS: No. That would be great.
Read, while you are walking up, is there like a deadline date that they are trying to make the decisions?

JOE SPRAGGINS: Well, the EIS is supposed to be out in November, I think.
Is that around the time frame you are looking at?

READ HENDON: That is for Mid-Barataria.
Mid-Breton is not until August 2023.

JOE SPRAGGINS: Okay.

READ HENDON: We’ve got some time and actually met last week with George and Rick about a timeline to make sure we meet that.
Right now we have the hydrological modeling going on and that is USM, Mississippi State, and, then, Anna Lynn Hause (phonetic) who left Mississippi State and went to Auburn. That is one consideration.

Also in our discussions with CPRA and with Senator Thompson, it is not just the hydrological modeling. What do we need to look at from ecological modeling as well because it is not just the water. Even if the hydrological ends up not being in Mississippi...
waters, it could impact some of our estuarine-dependent species like brown shrimp, red drum, blue crabs. So we need to consider those potential impacts.

I think one of the key things that we have also asked is what is CPRA ratio in terms of the success of the study, how much marsh do they predict will be created over five, ten, fifteen, fifty years because that is a key consideration as well that the state needs to weigh because ultimately if they restore twenty-five, or fifty, percent of that marsh area, that is a huge benefit to us. It is storm protection. It is storm buffering. It prevents the saltwater intrusion. It helps with some of the freshwater retention that we need.

We have to look long term at potential benefits, but, then, weigh that with potential short-term risks.

There are a lot of considerations that we have to look at in a relatively short period of time.

COMMISSIONER GUESS: And to make a case, if we need to.

READ HENDON: Yes.

COMMISSIONER GUESS: Okay.

JOE SPRAGGINS: One of the things, too. I had put in a request. It is for eight hundred and seventy-four thousand and some few dollars for GOMESA funds to be able to pay for exactly what you are talking about, the
ecological biological affect; what will it do.

Hopefully, I am going to be able to get that funded this year through the governor. If that is the case, we will be able to do that study, also, and that will help to pay for it and be able to get the funds to go forward with it.

One of the things that I have learned and I’m just speaking, not as a scientist. I don’t about the actual finfish, or anything, what all it is going to do because I’m not sure exactly what breeds in that area, or anything to that effect, but I do know that the brown shrimp, there is a big breeding area there.

Is that correct, Read?

READ HENDON: Yes.

Rick, you can chime in, too, anytime you want to.

READ HENDON: There is a lot of uncertainty around that and that’s what we need to try to get a handle on is what we think will happen, and, then, how confident are we in those model outputs.

JOE SPRAGGINS: Louisiana can say, well, it’s our water, if they want to, but you know what, that shrimp comes here.

READ HENDON: Right.

JOE SPRAGGINS: Those juvenile brown shrimp over
there, if that is the breeding ground for them, that is something that means a lot to us.

Rick, have you got something?

RICK BURRIS: Yes. It’s just what Read said, the long-term impacts because that area of Louisiana and actually just Louisiana in general, I want to say eighty to ninety percent of the brown shrimp production in the entire Gulf of Mexico comes from there. So protecting that area one way, or the other, is important.

If there is going to be a detriment short term, or mid term, with the freshwater that is coming out of there, that is an issue, but, if long term, they have more area to recruit to and your fishery is improved by that, you have got to weigh those things out, but that is important to consider because that is the pivotal part of our brown shrimp fishery area.

JOE SPRAGGINS: Read, I don’t want to speak for GCRL, or anybody else, but I think all of us -- I know DMR is. We are waiting to see what science says and that is the whole idea.

Once we find out science says it will do and what science affect is and that is what will we stand for and that is what we are going to try to get the governor to stand behind, and I am sure that he is going to look at every aspect of it.
RICK BURRIS: To more so answer your question, Commissioner Guess, after this is complete -- luckily we have a pretty good amount of time until the EIS comes out, or it is available for public comment, but once this is finished, it is going to go through a pretty rigorous peer review process so it is solidified in the scientific community, and, then, we can make our stance based off of that. We are well prepared to make sure this is the right thing for us.

COMMISSIONER GUESS: Perfect.

JOE SPRAGGINS: That is another thing I have learned. That peer review is important, very important. If you have that backing everything that you do, at least you’ve got something that will stand up in court, or other places. That is what we are trying to make sure.

I don’t want to go to the governor and tell him one way, or the other, until I know a hundred percent and am one hundred percent convinced which way I think it is going to go and that would be because of science telling us that.

Have y’all got anything else?

COMMISSIONER DANIELS: What I don’t understand is have we looked at what is there right now?

This weekend I read somewhere that the dredge project that just happened in South Pass, they added about
nine hundred acres of new land with the spoils coming out of the South Pass dredging.

We've got four, or five, diversions that are already down the river over there.

How much land have any of those created?

READ HENDON: That is a good question.

COMMISSIONER DANIELS: Almost none. This is where I can't wrap my head around it. If dredging is working, it is immediately putting new land in. There are already multiple diversions, Mardi Grass Pass and another three, or four, and it has hurt the fishery, if you talk to any fishermen down there, but I don't see where any actual land has been created from it.

RICK BURRIS: This is all new to me, this aspect of restoration, but my understanding is that the State of Louisiana is losing so much habitat, so much marsh land that they are trying to do everything they can to kind of get back ahead of that. They are losing a lot daily and you don't see the affects of that.

I think their anticipation, or their goal, is a long-term restoration. You are not going to see any immediate affects. It is going to take quite some time.

I know those diversions have been there for a while and I don't know what the matrix are as to how much they have actually contributed to the restoration, but I
feel pretty certain from my knowledge of it that CPRA is trying to move forward and trying to mitigate all of the land loss with these projects.

COMMISSIONER DANIELS: We see that land loss every day running through the Biloxi marsh out there. A lot of the places that I grew up fishing my kids will never see because they are gone. I know that we are losing Chandelier.

They just rebuilt Breton Island like we did with Ship Island. They pumped a lot of sand in there and built that thing back up.

It is sad, and I don't know what the answer is. I just know what I have personally seen with my own eyes. I don’t understand it.

JOE SPRAGGINS: I'm like you. I think the dredging idea works a whole lot better, as far as being able to get an immediate process.

The last I remember, fifty years is when they are looking at it, that it is going to take.

I don’t know. I might be on a pacemaker by then, but I’m not sure whether it will come in the fifty years. I don’t know that answer. I’m not sure why they want to spend two hundred, or three hundred, million dollars to do something, and it is up to a billion now I think is what they are talking about.
COMMISSIONER DANIELS: You could pay for a lot of dredging with that.

JOE SPRAGGINS: I'm not their agency either. So I don't know what they are looking at, and I know they are trying to do things scientifically, too, and I understand that. I don't know why they are doing it, but they may have a reason.

Read, you might have an understanding.

READ HENDON: Commissioner Daniels, the additional question that we are asking that came up on a call with Senator Thompson is the modeling is great in terms of what it may do to water, but we need to know what it is going to do in terms of success of restoration.

If they come back and say we are fifty percent confident that we may create a hundred acres of marsh, well, that is too much risk for the potential benefits.

We need to see their models, what they project because they undoubtedly have had to do that to be able to sell this costly project to the governor and to the state. We just need to be able to get our hands on that and understand the uncertainty around what they think their success may be.

COMMISSIONER DANIELS: I think those questions have just got to be answered and I always come back to Mardi Gras Pass because I have personally been there, I
have personally seen that area and I have personally
talked to people from that area. I know what it has done
to the fishery there and I think you just have to ask that
question. It has been there for seventeen years and how
many acres of land has it built.

JOE SPRAGGINS: What is the one just north of
there, about eight thousand cubic feet per second?

READ HENDON: Carnarvon.

JOE SPRAGGINS: It hasn't done anything, has it?

COMMISSIONER DANIELS: No. That is up around
Delacroix. That has created a bunch of mud flats that
you've got to have a mud boat to get through.

JOE SPRAGGINS: What I'm saying it hasn't built
any marsh.

COMMISSIONER DANIELS: That's what I'm saying.
There are big mud flats up there and there is great bass
fishing there, now, where people used to catch speckled
tROUT, red fish and everything else.

READ HENDON: Director Spraggins, I think Senator
Thompson, they are doing the right thing. We are not
going to make a comment on this until we have some
independent information.

COMMISSIONER DANIELS: I agree.

READ HENDON: If it is long-term good, then, we
will say. If it long-term bad, then, we will say. Then,
the state will have to do what it needs to do, based on that information.

    JOE SPRAGGINS: Secretary of State Watson is involved in this very strongly, too.

    READ HENDON: Right.

    COMMISSIONER GUESS: If there is anything we can do, let us know. Keep us informed and if we need to be somewhere, or say something, or sign something, or whatever, we want to support it.

    READ HENDON: As we move through the process, if y’all want updates at each meeting, I can get some information to Director Spraggins, or comment myself.

    COMMISSIONER DANIELS: I think we would absolutely love that. That would be great.

    READ HENDON: Okay.

    COMMISSIONER GUESS: Thank you.

    READ HENDON: Thank y’all.

    COMMISSIONER DANIELS: Thank you.

One more thing on the Commissioners Report I would like to report. I would like to thank the department.

We had the Biloxi Boat Show this weekend. I do a big kids’ event out there. Marine Patrol was great in helping out with that. They touched a lot of kids this weekend, and, then, did another seminar on boating safety.
I just want to thank them and the department and Charmaine for helping us get all of that put together. They did a really great job this weekend. Thank y'all.

Anything else?

(No response.)

COMMISSIONER DANIELS: Chief, Office of Marine Patrol.

KYLE WILKERSON: Good morning Commissioners and Director and legal.

Thank you for being here and thank you for the kind words you give us. That is part of the job that we enjoy. We don't enjoy getting out there and being the bad guy. We enjoy getting with kids and teaching them the rules of the road and just being there for them.

Looking at the report, it was a very active -- and I am going to be real careful with my words this time because the Director kind of schooled me last time. It was a very active month for Marine Patrol.

The good thing about it, though, we had one boat accident and no fatalities. That is the good thing.

Any of these citations we can discuss. I am not going to go into length with them, due to the fact there are pending investigations and all that stuff, but if you guys want to ask any questions pertaining to these
citations, I will field any questions.

COMMISSIONER DANIELS: Do any of y'all have anything?

(No response.)

COMMISSIONER DANIELS: Looks like y'all have been busy.

KYLE WILKERSON: Yes, sir.

COMMISSIONER DANIELS: Keep up the good work.

Thank you.

KYLE WILKERSON: Thank you, Commissioner.

COMMISSIONER DANIELS: Next up is Ms. Leslie Brewer, Finance and Administration.

LESLIE BREWER: Good morning Commissioners, Director, Sandy.

I will be presenting the financials for the month ending January 31st, 2022.

At the end of January, our State Revenue was four point four million. Our Total Agency Revenue was eighteen point six million.

Our State Net Income was six hundred and sixty-five thousand and our Total Agency Net income was four point two million.

After seven months of Fiscal Year 2022, we have eighty-eight point one percent of our Operating Budget remaining and seventy-six percent of Tidelands.
Does anyone have any questions?

COMMISSIONER DANIELS: No, ma’am. Thank you.

LESLIE BREWER: Thank you.

COMMISSIONER DANIELS: Public Affairs, Charmaine.

CHARMAINE SCHMERMUND: Good morning Commissioners, Director Spraggins, Ms. Chesnut.

The Mississippi Department of Marine Resources was mentioned six times in local, state and national media since the January MACMR meeting. News items included Traci Floyd being named Director for the Office of Marine Fisheries and the students’ oyster garden at St. Stanislaus.

The MDMR hosted its Capitol Day at the rotunda in Jackson on February 3rd. Our staff represented all areas of the agency educating legislators, Capitol staff and visitors about how our agency enhances, protects and conserves our state’s marine resources.

Marine Patrol taught one boat and water safety class on January 19th. In Fiscal Year 22, five classes have been taught with a total of sixty-seven students. Marine Patrol also participated in Career Day at Holy Trinity Catholic Church on February 11th.

The Artificial Reef Bureau manned the agency’s public outreach booth at the three-day Biloxi Boat Show this past weekend at the Mississippi Coast Convention...
Center. They shared insight on fishing reefs and fisheries management, as well as handing out MDMR informational materials. Marine Patrol provided an officer for the Kids Fishing 101 Program, as well as the new boater program, and the Grand Bay NERR also participated in the Kids Fishing 101 program.

COMMISSIONER DANIELS: Thank you, Charmaine.
CHARMAINE SCHERMUND: Thank you.
COMMISSIONER DANIELS: JASON SAUCIER.
JASON SAUCIER: Good morning Commissioners, Director, legal.

I am going to be presenting to you this morning proposed changes to Title 22, Parts 4 and 21, Rules and Regulations for the Taking and Processing of Saltwater Crabs.

Just as a side note, the proposed effective date on this change would be May 1st of this year to coincide with the new license year for commercial fishermen.

I am just going to go over a summary of our substantive changes. We did combine Parts 4 and 21 which deal with our harvesters and processors and we renamed under one part, which will be Part 4, Rules and Regulations for the Taking and Processing of Saltwater Crabs.

We added new definitions for crab harvest and
wholesale dealers.

We removed wording that was already included in Mississippi Code and we did cite the applicable statutory and regulatory authorities.

We updated to the new Secretary of State prescribed format.

We did add rules for harvesters acting as wholesale dealers.

I am going to go through the substantive changes. I am going to try to summarize some of these because it is pretty lengthy, but please stop me if you see something that you have a question on.

These are our title changes. We did go through and change some titles on the back portion of this new rule because these deal specifically with our processors, just to clarify that these particular rules deal with processors rather than harvesters.

We did change the title, as I mentioned, just to indicate that it deals with harvesting and processing of saltwater crabs.

Just moving through the chapters, this change just as a clarification that this deals with both the harvesting and the processing.

We did remove some justification and authority. A lot of these have references to our State statute which
are still included in citation and similar to what we have done with a lot of our other parts, we removed some of this wording just in the interest of trying to reduce the overall size and make it more clear and concise.

Moving to Chapter 3, these are all new definitions dealing with harvesting and a couple of new definitions there, adulterated and holding dealing with processing and dealing with holding by wholesale dealers.

We also did define wholesale dealer.

Like I said, just stop me, if you want me to read any of these through and I am happy to do so.

Moving to Chapter 5, Area Closures, both of these rules, 5.1 was already there and 5.2 was also already a rule. We just moved it from a different section because it is more appropriately located here under "Area Closures" just to clarify where commercial activity is limited.

Chapter 6, Incidental Catch, just some minor changes there. The reason for this particular change had to do with this rule is directed at anybody harvesting crabs using another gear.

It specifically previously mentioned trawls only, but we clarified it could be for any net, or dredge, since right above that "any commercial shrimp license, fish net license, or oyster license". It is just a
clarification that it applies to any of those gears.

Chapter 7, Gear Regulations. The first part there is already in statute so that is why it was removed, and, then, actually 108 was moved to the new Rule 5.2. We didn’t get ride of the rule. We just moved it to a different location.

Rule 7.8 there, the six crab trap limit per household is also already covered under statute.

Chapter 8, Cat Island Sanctuary Closure. We added latlong coordinates. We do have requests from time to time from crabbers of where these landmarks are because a lot of these don’t exist anymore. In our day and age, most of the crab fishermen have GPS on their boat. This will help them in knowing where the boundary is, and, then, also, if there was not previously listed in the description of the boundary and we added that because that is actually where it is enforced. It more accurately depicts where a boundary is.

Chapter 9, Closed Seasons. This is already in statute, and, then, we just changed the authority there to be commensurate with the rest of the regulation.

Chapter 10, Crab Holding by a Wholesale Dealer. This is a new chapter. This is a new Rule and this is directed at commercial crab harvesters acting as wholesale dealers, those that hold catch from other harvesters.
This just implements a little bit of a sanitation requirement for that group to ensure that the quality of the product remains.

Starting at Chapter 11, these were all rules that were previously in 21. If y’all have any questions specific to any of these processor rules, our Seafood Technology Bureau Director Jeff Davis is here as well and he can answer any specifics on this.

For most of these rules, we just clarified and made some language more concise.

Rule 11.1. We removed 100.02 because we enforce this requirement in any county in the State of Mississippi. Any crab processor would have to be held to the same standard, not just the three coastal counties.

Chapter 12. In a few of these rules in the next few slides that I am going to show you, we changed the designee of who is authorized to do recalls, temporary holds, issue cease-and-desist orders, and that was in the interest of limiting that authority to senior level staff.

We removed “MDMR designee in charge of saltwater crab processing, or his designee” and we reassigned it to the “Seafood Technology Bureau Director”, and that is just to ensure that only senior level staff have the authority to make those decisions. We don’t want to have that decision made in situations where something may be able to
be remedied without having to take the product.

Same here. We just changed the language in the bottom to change it from “the MDMR designee in charge” to “The Director of Marine Fisheries, or the Seafood Technology Bureau Director”.

Same here for temporary holds. We changed the authority to senior level staff.

Chapter 19, the same here for impoundment of crab product. We changed that to “Seafood Technology Bureau Director”.

That is it. I can field any questions you have, at this point.

COMMISSIONER DANIELS: Do y’all have any questions on this?

COMMISSIONER ROBERDS: I’ve got one quick one, Jason.

JASON SAUCIER: Okay.

COMMISSIONER ROBERDS: The only change for recreational was just some boundary limits and that it is from what I can see?

JASON SAUCIER: There was not actually any change for those folks. We did change where it was located, but, as far as regulations on that user group, there was not a change.

COMMISSIONER ROBERDS: Thanks.
COMMISSIONER DANIELS: Do we have a motion to approve?

COMMISSIONER GUESS: I'll make the motion.
COMMISSIONER ROBERDS: I'll second it.
COMMISSIONER DANIELS: All those in favor?
COMMISSIONER GUESS: Aye.
COMMISSIONER ROBERDS: Aye.
COMMISSIONER DANIELS: Aye.

Thank you, Jason.

JASON SAUCIER: Thank you.

COMMISSIONER DANIELS: Next up is Matt Hill.

JOE SPRAGGINS: If I could, Matt is the new Deputy Director of Marine Fisheries.

(Appause.)

JOE SPRAGGINS: I never thought I would see the day I got him to step up to the line.

MATT HILL: I was a little scared, but he finally got me to do it.

COMMISSIONER DANIELS: Congratulations.

MATT HILL: Thank you. I appreciate it.

Basically, it is the same as what Jason just did, but mine will be directed at Title 22, Parts 3, 5 and 7.

Part 3 deals with the Menhaden industry. Part 5 deals with our nets, fish traps and pots. Part 7,
obviously, deals with our catch limits, size limits and quotas.

Briefly, I will go through what we have done to all of these. We combined all finfish related rules and regulations from Part 3, 5 and 7 into one part. We removed wording that was already covered in Mississippi Code and referenced the applicable statutory, or regulatory, authorities.

We updated the format to “Rules” and “Sources” to conform with the format prescribed by the Secretary of State’s Office.

We added new language, we updated old language and we removed language not pertinent to the modern fishery.

Part 3, Director Spraggins has touched on this. What we have done in Part 3, it was our shortest regulation to date. Ninety percent of the language in there is in State statute. What we did is we retained the language regarding the opening and closing date of the season. That was not in State statute. State statute only set the parameters on when the earliest we could open it and the latest we could close it, but we actually set the dates in regulations, so we did keep that, and we added Jackson County to language regarding county-specific closed areas.
What we did keep is:

“The commercial fishing season for Menhaden is from the third Monday in April through the first day of November of each year. It is unlawful to harvest Menhaden for the purposes of reduction within one mile of the mainland shoreline of Harrison, Hancock and Jackson County.”

Obviously, we have added Jackson County, as we discussed earlier.

All other language within Part 3 is listed in State statute; therefore, has been removed for redundancy purposes.

Part 5. We have had a lot of discussion about Part 5. Marine Patrol was heavily involved in this. This is the one that we all dreaded, but, actually, I believe it turned out well for everybody.

We added definitions specific to gear types and methods used in targeting finfish.

When I’m talking about adding definitions, all of our definitions were contained in Part 8, The Standards of Measures. We took all applicable definitions to this part and placed them in there. There were no definitions changed, or altered.

There were two definitions added, entanglement and entrapment, and that is something we have done a few
years back. Commissioner Daniels was a big part of that. It was the appropriate place to put these two definitions. We also clarified regulations specific to entrapment nets and entanglement nets.

In the regulations as they currently are, these two nets are intertwined. The regulations were very difficult to understand and it was difficult for fishermen to know what they could use and what they could not use.

Gill nets and trammel nets were mixed with purse seines and cast nets in some places. We separated them and we made two separate categories. We did not change any regulations on the areas that they can fish, or the materials that could be used, the length of the nets. We did take out some language regarding mullet fishing, the roe fishery which is none existent here anymore. It is a very small fishery.

Working with Marine Patrol, we did eliminate some of that language, but it does not affect the overall fishery.

We also updated regulations regarding the use of fish traps. There was also some language in there that also dealt with eel traps.

We have sold one eel trap license since 1996, I believe. It was time to get rid of that. We have never had an eel trap fishery, or an eel fishery, and commercial
eel fishing is defined here and it specifically says that it is for adult eels only. The definition does take care of the regulation that was in place. It was removed for redundancy purposes.

We did add some language which is found with the crab traps basically saying fish traps may not be placed in areas to obstruct navigation.

Part 7. This is our size limits, bag limits and our quotas. We did add definitions specific to activities taking place during the targeting of finfish, and it is not necessarily definitions. We added one definition and we defined charter vessel.

We took this straight out of the Code of Federal Regulations:

“A vessel carrying a passenger for hire who is engaged in recreational fishing.”

That is the only definition that we added. The rest of them were put in alphabetical order and, again, they were taken from Part 8 and they already existed in our regulations.

We updated our filet regulations. Our filet regulations were intertwined like our net regulations were. We had specific regulations for the Federal fisheries, when you could have two certified captains onboard, there are certain species that you can have.
They were somewhat intertwined with the newer two-day bag limit that we passed four, or five, years back. So we separated those to make things a little bit clearer. We do get a lot of questions on those. We did not change any of the language. We did not change the species involved. We just separated them for clarity.

We did update the size and possession limits as needed. One was Vermillion Snapper which was something that we needed for some consistency, and we deleted the commercial minimum size limit for Mullet.

This regulation was promulgated in the mid nineties to late nineties. That is when we had a thriving roe mullet fishery. It was actually requested by the fishermen because some of the fish were not reaching mature size. That limit was put in place specifically for that fishery and, in recent years, it has conflicted with some of our live bait regulations. So, again, working with Marine Patrol, we felt like this regulation, it is not a resource-based regulation and it provided clarity.

We simplified language regarding the TACs for Flounder, Red Drum and Spotted Seatrout. There was a lot of language in there saying when we did things. There were a lot of dates. It was very confusing. We just stated what the TACs were, when that started and when they ended, and the big one which we will get to on the next
slide is we revised language regarding Spotted Seatrout
Endorsement which was requested by the advisory panel to
bring to them last month, and we updated the trotline
language.

Before we get to the Spotted Seatrout, do we
have questions?

COMMISSIONER DANIELS: Just on that one.

MATT HILL: We brought this, I believe, two years
ago. This is the exact language that we proposed. It has
been very difficult on the Fisheries staff dealing with
taxes. We never really felt comfortable with it. We are
not qualified for it.

Luckily we do have a CPA that does work in our
Trip Ticket office, but that is not in her job
description. I became very uncomfortable dealing with
people’s taxes and how that was going.

We have always wanted to base this endorsement
on the Trip Ticket system. It validates the system. We
raised the quota twice and it took a lot of work to do
that and we are not coming near reaching the quota which
is very disappointing to me.

We figure we needed around seventy to seventy-
five people in this fishery for us to begin reaching the
quota again.

We ran the numbers and here is what we came up
with:

“Individuals commercially harvesting Spotted Seatrout must possess a Spotted Seatrout endorsement at a cost of ten dollars in addition to a current applicable harvester’s license. To qualify for this endorsement an application must be completed.

“A Trip Ticket officer will validate, through the Trip Ticket system, that the applicant sold at least one thousand dollars of finfish, or five thousand dollars of seafood product, in the previous, or current, calendar year.

“The endorsement will be valid from January 1st through December 31st of each year.”

That is another change that we have made. The season was beginning February 1st and it would end October 31st of every year. There was really no reason we felt like resourcewise. We are trying to give the fishermen a little bit extra time to reach the quota. We did extend the season to twelve months out of the year as Flounder and Red Drum are.

“In the event of a hardship approved by the Executive Director, the department may consider the applicant’s qualification based on sales one year prior to the onset of the approved hardship.”

I will stop right there because the next slide
is the Notice of Intent and I don’t think we are going to get to it that quick.

   JOE SPRAGGINS: If I could, Commissioners, one of the things -- eighteen thousand pounds is what we caught last season?

   MATT HILL: We are right at twenty thousand.

   JOE SPRAGGINS: We’ve got fifty thousand pounds?

   MATT HILL: Yes, sir.

   JOE SPRAGGINS: Obviously, they are not catching anywhere close to our limit and it’s not because the fish aren’t there. We just don’t have the fishermen, I don’t think.

   MATT HILL: We currently don’t have the participation we feel like to meet that quota.

   JOE SPRAGGINS: Changing that to year round I think will be a good thing, too, because it used to what, April, or something?

   MATT HILL: It began February 1\textsuperscript{st} and it ended October 31\textsuperscript{st}. It knocked out November, December and January every year, the holidays.

   JOE SPRAGGINS: This will allow that to come back in. We can always look at it and try this. It could be a way that we could bring more fishermen to the process and might have a chance to have more Speckled Trout on the market out here for us. That would be very good.
COMMISSIONER DANIELS: I think you made a good point there, too, Joe. The Speckled Trout in this quota need to be filled and it doesn’t just benefit fishermen. It benefits our tourism industry.

I have always gotten so aggravated whenever I got into a really good seafood restaurant and sit down and I know I’m not eating a fish from the water that I’m sitting there looking at.

Them being able to get fresh fish year round is huge. That’s great.

MATT HILL: This also brings in the most important aspect to me. It puts the Trip Ticket system front and center so there are no receipts coming in, there are no taxes. You are coming in an office and we are going to run your trip tickets which is required by regulation. It helps with compliance on that and it brings it to the front and center of people’s attention that they need to report their landings and we will have them.

COMMISSIONER DANIELS: Matt, if you don’t mind, we are going to take a public comment here at this portion of it.

MATT HILL: All right.

COMMISSIONER DANIELS: I believe it’s David Wells who wants to talk about Speckled Trout.
DAVID WELLS: Thank y'all for giving me this opportunity. I just have a couple of quick comments.

I am a CCA member, but I'm just speaking on behalf of myself as a recreational fisherman.

I am retired. I spend quite a few number of days on the water a year and I hate to say last year, due to all the freshwater, it was not a very good season in Bay St. Louis.

One of the questions I have and my memory is not that good, but when we increased the size of Speckled Trout, wasn't the program supposed to last three years at fifteen inches?

I was kind of wanting to come back to the Commission to see how that study is going and if we might could reduce that to a fourteen inch trout.

Can you enlighten me on that?

COMMISSIONER DANIELS: I think this was a little different than what we were just talking about.

JOE SPRAGGINS: Well, we can go ahead and answer it, if you want to.

Rick, can you tell us, or either Matt?

COMMISSIONER DANIELS: One thing that I'm sure Matt will touch on, I was always on the fence about going to fifteen inches and once that guy right there explained the science behind why they landed at fifteen inches, it
really clarified a lot of stuff for me.

MATT HILL: Read is in here. He was part of it.

We stayed at fourteen inches for a long period of time, but for eight years the size limit was dropped down to thirteen inches for various reasons. We went through that period and, obviously, in that period we did have some problems. Our SPR pretty much bottomed out which is basically what you measure the health of that stock with.

We began to run some preliminary assessments and gauged the health of the fishery, and I believe this gentleman was here when all of this was going on.

When we came to the Commission, we set a goal of a percent SPR of twenty. That is what we felt like our fishery needed to be back. That is pretty much the standard across the Gulf of Mexico.

I was always a proponent of it going back to fourteen inches, but, after we ran the assessment, fourteen inches was not going to get us where we needed to be in a reasonable period of time. We did go and push and we did get it to fifteen inches.

Now, it has been fifteen inches for several years. We do have a new assessment coming out this year. We are not against having those discussions about possibly -- obviously not going down to thirteen, but possibly the
fourteen inch Speckled Trout. A hundred percent of Speckled Trout at fourteen inches are reproductive capable. That is where that fourteen inches came from.

We just dug ourselves such a hole when we went to thirteen that we had to get ourselves out of the hole. We would like to see some more data to see that we are out of the hole, and, then, we could possibly have some discussions about whether the size limit should stay where it currently is, or possibly make some adjustments, but we do not have that data in hand right now.

It is improving we feel like. We feel like we are going to have a good assessment that is going to come out, but for us to feel confident to recommend some type of drop like that, we would have to have several years of consistent data.

That is why we did end up at fifteen inches. The intention was never to go to fifteen inches until we saw how bad a shape that we were in.

JOE SPRAGGINS: I was talking with Rick about this yesterday, as matter of fact.

What are our numbers, at this time?

MATT HILL: Right now, Robert Leaf is running the stock assessment for us and we are planning on having that hopefully sooner than later. We are working with him very diligently on there.
I don’t like to look at it as a point SPR by year. I like to look at it between a three-and-five-year average. We are still around that fifteen to sixteen percent SPR, when you look at it as an average, which is not our goal. Our goal is a percent SPR of twenty percent.

How long it is going to take us to reach that, I don’t know.

If that is an appropriate SPR for us, that is a conversation that we can continue to have, but we do feel like it is improving and we want to see what this assessment says.

JOE SPRAGGINS: What was it, when we started this?

MATT HILL: I think we got down to eight.

JOE SPRAGGINS: It is increasing and it is working.

MATT HILL: It has.

JOE SPRAGGINS: That is what me and Rick were talking about yesterday, and it is working.

MATT HILL: Yes.

JOE SPRAGGINS: There is something to this to where we are actually increasing and being able to get a better stock of Speckled Trout.

MATT HILL: And it has been effected some. I
mean, fish do swim. However, they got in front of that freshwater. They got out of the way, but we also have historical sites that have been and will continue to be in the west.

Our independent numbers went down over there, obviously, because it was full of freshwater. We are having to smooth that out a little bit. When we saw some of the drops, we have talked about could possibly be because of the drops of the freshwater in our historical sites that we have to continue to do those. We can’t not do them, but a lot of those were zeroes which it did impact some of our independent indices that we were using. That is some things that we have to take into consideration.

Just being one hundred percent honest, we are just not ready to have those conversations yet, or recommendations to reduce that size limit, but I think it is a possibility in the future.

DAVID WELLS: Let me ask you a question.

MATT HILL: Yes, sir.

DAVID WELLS: My friends aren’t going to like me for saying this, but reducing the creel limit down to ten, or twelve, instead of fifteen, would that help the resource?

MATT HILL: That is one of the things and we will
probably run those scenarios again, but, when we did this
the first time, to make any type of significant impact --
you catch a lot of fish. You are a good fisherman, but
the truth of the matter is to make any type of significant
impact on the population, at that time I believe we would
have had to drop the creel limit down to three because
over ninety percent of our fishermen, if they are
targeting trout, they catch three, or less. Only eight to
ten percent of those guys were catching over eight fish.

It was a very drastic cut to make. The biggest
bang for the buck was obviously the two-inch increase in
the size limit.

The creel limit, obviously, it would help.
Anything like that would help, but we looked at what would
help significantly.

Mississippi is still a subsident fishery and
dropping a creel limit down to three, or five, I just
didn’t think was possible at that time.

JOE SPRAGGINS: I think I remember talking to
some from Louisiana and it seems like they are reassessing
now their twelve inch.

Right?

MATT HILL: They are reassessing.

JOE SPRAGGINS: They are reassessing both the
numbers.
Right?

MATT HILL: They brought it up at their last two commission meetings ago. Trevor and I listened to it, had some good conversations. They are wanting to bring back some more information at their October meeting, I believe they said. I don't think it is going to be a quick process, from the conversations that we heard.

Their biologists and their scientists are onboard with increasing the size limit and decreasing the creel limit at the same time, but they were not comfortable with doing that at that time, but I believe in October they are going to have a larger discussion on it over there.

Anybody is welcome to listen to that. I texted Ronnie and told him it was coming. We had talked to some of our counterparts over there, but, yes, it is in the works in other states, also.

DAVID WELLS: Thank you.

The other question I would like some information on is our inshore reefs.

As y'all know, we had a ton of rain, over a hundred inches and it just kind of killed everything.

I do fish quite a few days a year and I do catch a lot of fish, but I have to throw them all back. I don't believe I have caught a keeper trout in Bay St. Louis,
Jordan River this year at all. What few I did catch were out at Cat Island, the reef out there.

As I do fish around the Coast I have noticed throughout the years and the storms we have had, that a lot of our reefs, the signs are missing from them and I would like to see if y'all could go back to those reefs and update and put the signs back up. If you don't know where they are, you can't fish them.

JOE SPRAGGINS: We talked about that, Kyle. I think we were looking at that.

Is he still here?

KYLE WILKERSON: Yes, sir.

JOE SPRAGGINS: As a matter of fact, somebody asked me the other day. They said, what are these white posts out there? What do they mean?

KYLE WILKERSON: That was the Henderson Point area and the structures that were down there.

COMMISSIONER DANIELS: That particular one wasn't actually a designated reef.

Am I correct?

Are we talking about where we went and marked all of that concrete?

KYLE WILKERSON: Yes, sir.

JOE SPRAGGINS: Is there something we can do about marking the reefs and checking on that?
Is that in your department?

KYLE WILKERSON: We can actually get with Fisheries and work on that.

JOE SPRAGGINS: We will definitely do it because we need to mark them.

COMMISSIONER DANIELS: A really good tidbit of information to put out there, if you go to the DMR website, the coordinates to every one of our inshore and offshore reefs are there.

JOE SPRAGGINS: Travis may have something on that.

TRAVIS WILLIAMS: We do have some funding this year coming up to remark the actual signs on the reefs. That is something we will work through in the spring.

After the last storm, I guess Zeta last year, and, then, this previous year we lost a lot of the signs. We do have a program we will go through and we have also got a large inshore reef assessment on schedule that is funded through NFWF. We are going to start that assessment this year, as well, but the signs should be updated through the spring.

DAVID WELLS: That will be great.

COMMISSIONER DANIELS: Whenever you say assessment, we are going to look at the condition of those reefs?
TRAVIS WILLIAMS: Yes. The inshore reef assessment, we will look at all sixty-seven of our inshore reefs, the low-profile reefs. We are going to do side scan work, and, then, we are also going to do some actual biological assessments and, from that, we will actually recommend back to the granting agency to try to look for funding depending on the status of our reefs.

COMMISSIONER DANIELS: That is something I brought up about a year ago is a lot of them seem to have silted in over time and been covered over.

TRAVIS WILLIAMS: Yes, and we hope that with the side scan assessments will have that information.

COMMISSIONER DANIELS: That’s great.

JOE SPRAGGINS: We have a contract now, and I’m not sure. I would have to look into it with NOARC, and NOARC is doing some stuff for us that they are able to look under water with some drone-type stuff and being able to do some stuff. We will see where we are with that.

DAVID WELLS: I appreciate your time. Thank you very much.

COMMISSIONER DANIELS: Thank you, Mr. Wells. We’ve got one more on Speckled Trout, Johnny Marquez.

JOHNNY MARQUEZ: Good morning Commissioners and Director Spraggins.
I just had a quick question about the change in the season for Speckled Trout.

My recollection was back when that season was shortened to be from February to November, it was because there was a concern about commercial fishing was taking place in the wintertime north of the CSX.

I just wanted to ask thoughts on that and how that was being addressed, if that was no longer a concern.

It has been awhile. That was my memory.

JOE SPRAGGINS: I don’t think it is a concern. I think our Marine Patrol has that well under control and I don't think we have that issue. I think it was a situation more involved than that to be honest with you. I don’t want to go into it, but the people are not here anymore that made those decisions and I don’t think it had anything to do with that at all.

JOHNNY MARQUEZ: That’s great. Back at the time, I think the quota was getting filled really fast in the wintertime and it was unusual.

Thank you.

COMMISSIONER DANIELS: Thank you, Johnny.

JOE SPRAGGINS: Back in that time, we had a lot of netting fishing going on.

COMMISSIONER DANIELS: Yes. That is kind of what I was thinking, too.
Cam, have you got a question?

COMMISSIONER ROBERDS: Yes. I’ve got a quick question.

A minute ago we were talking about the stock assessment over the years. I know you talked about the average which I agree with.

What was the last year's individual assessment just to get a gauge on how quick we may get there?

MATT HILL: Trevor, was it 2019 when we got the last one?

TREVOR MONCRIEF: I think the last SPR is between ten and fifteen, but Matt touched on it earlier. When the Bonnet Carre opened, a lot of our traditional sites in the west had a lack of fish being caught, so our index abundance dropped.

When it comes down to SPR, when your index drops and there is seemingly less fish in the population, but your fishing harvest, your actual recreational harvest and everything else stays flat, that is when it leads to that lower SPR rate, and that is where we are trying to continue to do updates post Bonnet Carre to see how that population comes back.

COMMISSIONER ROBERDS: What you guys are working on now will be for 2020?

MATT HILL: It will be through 2021. The
terminal year will be 2021.

TREVOR MONCRIEF: Yes.

JOE SPRAGGINS: Before he walks away, this young man, I tell you what, he is on our SSC for the Gulf Council and does the stuff for the stock assessment.

Whenever we tried to get him on there, I was told he is too young. He is just too young to know.

Now, everybody on that SSC has come to me and said, thank you, thank you, thank you because that is one sharp individual right there.

TREVOR MONCRIEF: I appreciate those kind words.

COMMISSIONER DANIELS: Good job, Trevor.

MATT HILL: Director Spraggins did bring it up.

I have been here for going on twenty-three years and myself and Rick Burris and another one of our staff sat in my office the other day and listened to Trevor give a one-hour presentation with NOAA. There were other state directors on there, there were very highly paid consultants on there, and it is probably the best presentation I have ever heard.

Most of them, after the call was over, said that was the most well put together presentation.

Trevor worked on it for two years. Two years he worked on it, and Rick can also attest to it. We got emails. We got texts. He definitely made an impression
and kind of put us in the lead again.

We have had Tails n' Scales for a little while and, now, they are trying to pick on that, but that presentation was probably the best I have ever seen and he needs to be congratulated for that.

JOE SPRAGGINS: And we want it public, Trevor, that we don’t want you going anywhere.

TREVOR MONCRIEF: Thank you.

MATT HILL: Getting back to this, we do need to have some discussion. We do need a Notice of Intent recommendation to the Executive Director that the new format and changes to Title 22, Parts, 3, 5 and 7, be sent to the Secretary of State’s Office for Notice of Intent.

COMMISSIONER DANIELS: Do we have a motion for the Notice of Intent?

(No response.)

COMMISSIONER DANIELS: I’ll make the motion. Do we have a second?

COMMISSIONER ROBERDS: I’ll second it.

COMMISSIONER DANIELS: All those in favor?

COMMISSIONER ROBERDS: Aye.

COMMISSIONER DANIELS: Aye.

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Motion passes.

Thank you.
MATT HILL: Thank you.

COMMISSIONER DANIELS: Do we have any other business today?

(No response.)

COMMISSIONER DANIELS: We have one more public comment that we will do here at the end.

Is Mr. Ferguson here?

MR. FERGUSON: Good morning Commissioners. Thank you for letting me speak.

Let me start off by saying I entered this industry in 1985. I entered as a young man learning to fill needles in the net shop which is gone these days. There used to be four, or five, net shops in Mississippi which is no longer.

I am going to talk about the shrimp. I would like to touch on crabs at the end.

This past year, of course, we had lots of rain which really decimated our brown shrimp and white shrimp season because of all the rain we got in our estuaries. Shrimp come all the way to the estuaries to lay their eyes. So we have baby shrimp in the estuaries which the rains flush them out in the open and our Speckled Trout population has really grown. So they really work on our shrimp population.

The fall shrimp is where I'm going to start
which this month is the end of our rock shrimp season. When I talk about the old days, they shrimped year round.

The fall shrimp are not protected by law where our brown shrimp and our white shrimp are kind of protected, but they still allow -- I don't know about the laws now. They used to allow commercial fishing from intracoastal out. So those shrimp coming in out of the Gulf are not protected, but the fall shrimp are not protected and this would be the end of the fall shrimp season right now at the end of February I would say somewhere in the old times.

Then you have the pink shrimp, or the ruby reds, which we are about halfway through now. There should be some small ruby reds in the estuaries which we have had some rain here this past month. So it is possible that most of them got washed out, or killed.

I'm not here to talk about them. I'm here to talk about the brown shrimp because right now is the start of the brown shrimp season. The brown shrimp are starting to come in out of the Gulf to come to the estuaries to lay their eggs.

If the shrimping season is still open from the intracoastal out, you are allowing the shrimpers to catch these shrimp that need to come in and lay their eggs. If you don't allow the shrimp to lay their eggs, you don't
have an industry.

If you had proper weather conditions -- I am going to refer back to the fall shrimp right now. We had phenomenal weather conditions for the fall shrimp. We should have had tons and tons of shrimp coming out of the estuaries from the fall shrimp, but we do not because they are not protected. The adult shrimp are not protected. You are losing all of those eggs. When those adult shrimp are caught, you lose all of that.

That is basically what I had to say, and my time is up.

One more thing. I wanted to speak on the crabs real quick. What would help the crab industry tremendously is taking commercial traps out of recreational hands and what I mean by that, we all know what a commercial trap looks like.

Recreational crabbers are using commercial traps. They should be using recreational fishing gear, not commercial fishing gear.

COMMISSIONER DANIELS: Thank you, Mr. Ferguson.
MR. FERGUSON: Thank you.
COMMISSIONER DANIELS: Do we have a motion to adjourn?
COMMISSIONER GUESS: I make a motion.
COMMISSIONER ROBERDS: I'll second it.
COMMISSIONER DANIELS: All those in favor?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Aye.

COMMISSIONER ROBERDS: Aye.

COMMISSIONER DANIELS: Thank you.

(Whereupon, at 10:25 o'clock, a.m., the February 15, 2022, meeting of the Mississippi Advisory Commission on Marine Resources was concluded.)
CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing sixty-five pages, including this page, is a true and correct transcript of the February 15, 2022, meeting of the Mississippi Advisory Commission on Marine Resources, as taken by me at the time and place heretofore stated in the aforementioned matter in shorthand, with electronic verification, and later reduced to typewritten form to the best of my skill and ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.

s/______________________________
LUCILLE MORGAN, CSR 1251
COURT REPORTER