COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, May 19, 2015
9:00 a.m.
Bolton State Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi 39530

Commission Members:

Richard Gollott, Chairman

Shelby Drummond, Vice Chairman

Steve Bosarge

Ron Harmon

Also Present:

Jamie M. Miller, Executive Director DMR
Sandy Chestnut, Esq., Assistant Attorney General

COMMISSIONER GOLLOTT: What I would like to do, first, is ask Jamie Miller to lead us in the Pledge of Allegiance.

(whereupon, the Pledge of Allegiance was recited.)

COMMISSIONER GOLLOTT: We need to get approval of the minutes of the last meeting.

Do we have any modifications, or a motion to approve the minutes?

COMMISSIONER DRUMMOND: I make that motion, Mr. Chairman, to approve the minutes.

COMMISSIONER GOLLOTT: Do we have a second?

COMMISSIONER BOSARGE: So seconded.

COMMISSIONER GOLLOTT: Motion has been made and seconded.

All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Disapprove?

(None opposed.)

COMMISSIONER GOLLOTT: Motion carries.

Next, we have approval of the agenda.

JAMIE MILLER: Mr. Chairman, I've got one recommendation for y'all to consider. Item F2 which is the final adoption for the prohibition of basket dredges, I would like to ask y'all to move that to the June CMR

meeting so the staff can allow for additional public comment. We would like to extend the public comment for at least another two weeks and, also, have a public meeting, during that time. So I would ask that y'all consider moving that agenda item to June.

Then, F3 which has to do with trip ticket modifications for dealers and processors, we still have some software considerations to make there. So we would like to bring back additional information, in June. If you would consider tabling that one, as well, that would be our request.

COMMISSIONER GOLLOTT: Can I get a motion on that?

COMMISSIONER DRUMMOND: Mr. Chairman, I'll make a motion that we table F2 and F3 until the next meeting.

COMMISSIONER GOLLOTT: Do I have a second?

COMMISSIONER HARMON: I second it.

COMMISSIONER GOLLOTT: Motion has been made and seconded.

All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Opposed?

(None opposed.)

COMMISSIONER GOLLOTT: Motion carries unanimously.

Next, we have Executive Director's Report.

JAMIE MILLER: No report.

COMMISSIONER GOLLOTT: Mr. Keith Davis, Marine Patrol.

RUSTY PITTMAN: Good morning Mr. Chairman, Commissioners, Director Miller, Ms. Chestnut.

You have the report in front of you from last month. One thing I know that y'all notice on there is the crab violations where it says "Possession of Egg Bearing Crabs, two hundred and fourteen".

When that case was taken over to Justice Court in Jackson County, the county prosecutor decided to make each egg bearing crab a case. So that's two hundred and fourteen cases against the fisherman that is going to come up in court; two hundred and fourteen charges. He figured, since it was such a serious violation with each one of those female crabs, that he wanted to do it this way. It will be two hundred and fourteen charges that were issued against the commercial fisherman.

COMMISSIONER GOLLOTT: Rusty, does that increase the fines?

RUSTY PITTMAN: Anywhere from a hundred to five hundred for each charge.

On our fishing violations, if you notice, we had a few undersized fish.

We are still getting a few boat and water safety violations. Of course, this last month we had some bad weather.

We have Memorial Day weekend coming up this weekend, and we feel like it's going to be a busy weekend. We are going to have all officers working all three days of the holiday weekend. We will be out in force this weekend on all the waterways.

Boating accidents, we had four with injuries, and we had two water-related fatalities, drownings, not from a boat.

Our JEA patrols, we had six patrols this past month. The weather, like I said earlier, was bad and it was hard to get out the way the weather was.

Are there any questions?

COMMISSIONER DRUMMOND: Was one of those fatalities this past weekend?

RUSTY PITTMAN: The fatalities, no, sir.

COMMISSIONER DRUMMOND: Where the fisherman was out...

RUSTY PITTMAN: We heard about that one yesterday. We weren't called on that. The Coast Guard handled that.

About a fisherman that was stuck by a catfish?

COMMISSIONER DRUMMOND: Yes.

RUSTY PITTMAN: We heard about that yesterday. We don't know any information on that.

COMMISSIONER DRUMMOND: That's real strange about that. Of course, those catfish are poisonous anyway.

Thank you, Rusty.

RUSTY PITTMAN: Thank you.

COMMISSIONER GOLLOTT: Thank you, Rusty.

RUSTY PITTMAN: Thank you.

Next, we have Mr. Joe Jewell.

JOE JEWELL: Good morning Commissioners and counsel.

Pursuant to the request to table agenda item F2, Prohibition of Basket Dredges, the Commission requested the public comment period to be extended and a public hearing.

I just want to advise the Commission we will do that via our website and extend the public comment period through June the 15th which will be the day before the next Commission meeting.

Next, I want to update the Commission on a couple of items, before we proceed to the agenda.

Last Commission meeting I gave the Commission an update on some training that the Marine Fisheries staff had been engaged in. I wanted to update the Commission on

that process.

We have completed all of the FEMA required course work. There were four courses. All of the Marine Fisheries staff has now completed those, including our support staff and contract workers. We have had two new contract workers on board, and they have completed that training, also.

Second, the dive team that is responsible for our scientific and regulatory activities, as far as data collection, those employees that I advised at the last Commission meeting have completed all field and course requirements for the dive certification and, now, are active members of our dive team. What that means is we have gone from five members to seventeen which will greatly enhance our data gathering capabilities.

I want to give the Commission the update on the commercial quota landings.

Red drum. We're at forty thousand six hundred and eighty-four pounds. Of course, the quota limit is fifty thousand.

Spotted seatrout. Again, the quota limit is fifty thousand. We're at eight thousand three hundred and ninety.

Flounder. The quota limit is seventy-four thousand. We're at one thousand three hundred and sixty-

one pounds.

COMMISSIONER BOSARGE: Joe, on the red drum, you said we're at forty thousand six hundred pounds?

JOE JEWELL: Correct.

COMMISSIONER BOSARGE: The quota is fifty thousand?

JOE JEWELL: Yes.

COMMISSIONER BOSARGE: When do you expect that to be met, or do you have an estimation?

JOE JEWELL: Well, the effort has dropped off here recently. They are at a sustained level, but it has dropped off. So we are probably looking at a month, maybe two at the most, depending on how that effort continues.

COMMISSIONER BOSARGE: Do you think there is a possibility that we could maybe look at splitting the season?

I think of the commercial catch as being catch sold mostly here locally, and I see tourism really is just now getting started, and it would be nice if somehow or other we could draw that season on out a little further into the time frame when most of the tourists are here because most of the catch, I assume, is consumed locally.

Is there a chance you could look at some options?

JOE JEWELL: I do want to remind the Commission

that I think in 2013, when the Commission took up the speckled trout endorsement, that they had similar issues with and wanted to provide a couple of things. One is for the recreational fisherman, the ability to catch more standardized throughout the season, and, then, they wanted to provide that for the local markets more uniformly.

We did consider that, and we can consider that. The Commission would have to vote on that and direct the staff to come forward with some recommendations.

COMMISSIONER BOSARGE: Then, I'll make a motion that we ask the staff to come up with some recommendations to modify the season, commercial season on red fish.

COMMISSIONER GOLLOTT: We have a motion.

Do we have a second?

COMMISSIONER DRUMMOND: I'll second the motion.

COMMISSIONER GOLLOTT: All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Opposed?

(None opposed.)

COMMISSIONER GOLLOTT: Motion carries.

JOE JEWELL: Thank you, Commissioners.

With that being said, I will proceed into the main agenda items for Marine Fisheries. We have two of them.

First up will be Mr. Rick Burris with shrimp season update.

RICK BURRIS: Good morning Mr. Chairman, Commissioners, Director Miller, Ms. Chestnut.

Today, I want to give you an update on the 2015 Mississippi Shrimp Season.

Just a little bit of background. Here's a map of our shrimping grounds. This light area right here is other state and federal waters. This blue area right here dissected by this line which is the intracoastal waterway, these areas are north of the intracoastal waterway and south of the intracoastal waterway, and those areas are open to commercial and recreational shrimping, when the season allows.

This area right here that looks like it's turquoise is a half mile from shoreline, and that is closed to all commercial and recreational shrimping, but it is open to our licensed live bait shrimpers.

As you know, these yellow areas are north of the CSX railroad bridge which is closed to all commercial shrimping and all commercial fishing, in general, and recreational shrimping.

These areas that are around here are a one-mile boundary around the Gulf Islands National Seashore, Horn, Ship, and Petit Bois, and it is also closed to all

trawling.

Some of our conservation directives is we close that area north of the intracoastal waterway December 31st annually, and, then, south of the intracoastal waterway April 30th annually.

We can keep those areas open, if our sampling shows that there are larger legal size shrimp in the area. We can also close some of those areas, if there is an onset of sublegal shrimp.

I talked to your about the closed areas within half a mile of shoreline and the Gulf Islands.

We also have trawl and door size requirements and limitations, and we also require TEDs and sometimes tow time requirements to protect threatened and endangered sea turtles.

On opening day which is generally the day we have the most effort, we go out and do aerial surveys and on-the-water surveys to count the number of boats.

Last year, if you remember, we counted three hundred and sixty-eight boats, on opening day. That's the most, since prior to Hurricane Katrina, when we had six hundred and thirty-three.

As far as licenses sold last year, we sold four hundred and fifty resident commercial licenses, two hundred and eighty-one resident recreational licenses,

about three hundred non-resident commercial licenses, and just about six, or seven, non-resident recreational licenses.

As you see, there's a big jump in the non-resident commercial licenses, up about two hundred from last year (indicating slide).

Overall we sold one thousand and thirty-three shrimp licenses.

Here we have our landings and value. Landings are head on all species. Last year the data is still preliminary, but we landed around eight million pounds with a value of seventeen-and-a-half million dollars (indicating slide).

A couple of things we look at, when we are evaluating the upcoming season is our hydrological parameters, mainly water temperature and salinity. Those are the two things that are factors in brown shrimp growth.

To look at the salinity, we have to look at the rainfall, and this chart shows the rainfall from 2011 to 2015. The red is 2015. You can see we had a significant amount of rain in January, not so much in February, a good amount in March, and last month we had an almost record rainfall of about thirteen-point-four inches (indicating slide).

This month which is the main month we are looking which is when these shrimp are really growing, we haven't had much rain, according to the gauge. It said we only had two inches. I think that gauge must be wrong. I think we had a lot more rain than that Saturday, but the gauge said two inches.

As I said, salinity is directly correlated with rainfall, and the number we are looking for is ten parts per thousand. That's the lower end of the optimum range for brown shrimp growth.

If you remember, in April we had a lot of rain. So the salinity was low, but this month, with not so much rain, through yesterday, we are sitting at about eleven-and-a-half parts per thousand. That is optimum for brown shrimp growth. We like it a little higher, but, at least, it's above the ten parts per thousand.

As far as temperature goes, if you remember, we had a mild winter and a relatively warm spring. So temperature hasn't been a negative factor.

In April, we had temperatures above sixty-eight, and sixty-eight degrees Fahrenheit is the lower end of our optimum range for brown shrimp growth. This month, through yesterday, we are sitting at about seventy-seven. So the temperature looks good and the salinity looks good.

The take home from that is the optimum ranges

for brown shrimp growth is there. We just have to monitor it and see how quickly they are growing.

Since about the middle of April, we have been sampling twice a week at our non-historical monitoring stations that go from the Pascagoula River all the way to the mouth of Bay St. Louis.

I've got some pictures of our samples from yesterday.

This is Station 2, the mouth of Pascagoula River. There are a hundred and ninety-three brown shrimp. As you can see, there are some small ones mixed in with some larger ones. That is as expected right there by the mouth of the river (indicating photograph).

This is from Belle Fontaine Beach, or near the mouth of Biloxi Bay. There are six hundred and twenty-three brown shrimp (indicating photograph).

This is from the mouth of Bay St. Louis. We had two hundred and seventy-nine brown shrimp (indicating photograph).

We are catching some pretty good numbers of shrimp. They are growing. We are monitoring their growth every day, but we are going to need to continue to sample, in order to gather the data necessary to accurately pinpoint when we are going to open the season. Remember, they do have to be sixty-eight count to the pound for us

to legally open the season.

COMMISSIONER GOLLOTT: Excuse me, Rick.

Was that two hundred and ninety-three to the pound?

RICK BURRIS: I'm sorry. That's two hundred and ninety-three shrimp. Those aren't the counts. That is just the number of shrimp we caught.

COMMISSIONER GOLLOTT: What were the counts on those?

Do you know?

RICK BURRIS: Around ninety count.

COMMISSIONER GOLLOTT: Nine count?

RICK BURRIS: Ninety, nine zero. Sorry about that.

COMMISSIONER GOLLOTT: Thank you.

RICK BURRIS: Here are our dates from our previous openings. The past couple of years, we've opened as early as May 25th and as late as June 25th. Last year we opened June the 18th (indicating slide).

I don't expect this year to be that late of an opening, by any means, but, like I said, we still need to continue sampling so we can pinpoint that date.

What I would like to request from the Commission is that you grant authorization to the Executive Director to open the season, when our sampling shows that brown

shrimp have reached the state statute requirement of sixty-eight count per pound, and that will require a motion by the Commission.

COMMISSIONER BOSARGE: One question, Rick.

How do the samples look, compared to previous years?

RICK BURRIS: We are seeing good numbers across the board, and they came out a little earlier this year. That's why I think the season is going to be a little earlier than last year, but it's still too early to tell. We need a few more samples.

COMMISSIONER BOSARGE: It looks good, especially that six hundred and twenty-three.

RICK BURRIS: Yes, sir.

COMMISSIONER GOLLOTT: Do we have a motion to give the Executive Director the authority to open the season, when the count reaches sixty-eight per pound?

COMMISSIONER BOSARGE: Yes, sir. I'll make the motion that we give the Executive Director the authority to open the season, once the shrimp count reaches the required sixty-eight count per pound.

COMMISSIONER GOLLOTT: Do I have a second?

COMMISSIONER DRUMMOND: I second the motion.

COMMISSIONER GOLLOTT: Motion has been made and seconded.

All those in favor say aye.
(All in favor.)
COMMISSIONER GOLLOTT: Opposed?
(None opposed.)
COMMISSIONER GOLLOTT: The motion carries.
RICK BURRIS: Thank ya'll.
JOE JEWELL: Commissioners, the final agenda item for Marine Fisheries is consideration of opening a State Recreational Red Snapper season.
If the Commission will allow, I will sort of give you an update of where we are with the recreational red snapper numbers and data, particularly with other states.
The current Federal regulation for red snapper season opens on June the 1st. It will run for ten days. Pretty much all the other Gulf states have engaged in an inconsistent season with the Federal season.
Alabama's inconsistent season will run from July 1 through the 31st. It will run the entire month of July.
Texas, as you are pretty much aware, it stays open year.
Louisiana opened on March the 20th and it will stay open for seven days a week until further notice is the way the legal notice for Louisiana reads.
Florida will have an inconsistent season of

seventy days, and it will be spread out over certain weekends to optimize the tourist industry and the recreational community.
The current Federal season was adopted with the understanding that the Gulf states would have these inconsistent seasons and that includes the State of Mississippi. The current quota allocation was adopted with that in mind.
The Commission has several options that they can consider. They could not go inconsistent and have just the Federal season for the ten days, or they could have an inconsistent season.
Last year, the Commission voted and approved two inconsistent seasons. One of them ran in July. It was weekends only, and, then, a fall season was in October weekends only. The July season was for twelve days. Just over three thousand pounds was landed. The October weekend-only season was open for fifteen days, and, again, right at three thousand pounds was landed.
Any questions?
COMMISSIONER BOSARGE: I don't know where to start. If anybody wants to catch more red snapper, it's me. I actually had a permit at one time and, as the science dictated, I got shut out and I lost my -- I didn't lose it. I finally gave it up, once I lost my landings.

I see all the other states going noncompliant, and I see Mississippi standing up for what's right.
This reef fish management plan, I've been involved in it since it began. It began in 1984. That's when the original reef fish management plan was put into effect. That's a long time ago, and it has taken to this point to get to where we are, now.
The science said, in 1990, that it was over fished and being over fished, and they put in quotas and bag limits. That was amendment one.
Amendment four, science said stop, that they needed to place a moratorium on all commercial reef fish permits which they did.
In 1995, Amendment Eight was the implementation of the first individual fishing quota system.
It goes on and on, but everything has been done in science.
The commercial shrimp industry, I'm trying to remember just which year, but we were mandated to reduce bycatch of red snapper. We were mandated to use fish excluder devices. Then, it went on to where it was the bycatch of red snapper. We had to reduce the effort by seventy-four percent. The list goes on. It was thirteen through twenty-one, ten to thirty thousand. A lot of effort has been put into this.

What are you looking at for a state season?
In other words, I don't want to mess up what we've worked for all these years to get it to this point.
What are you suggesting for a state season?
JOE JEWELL: Well, the Commission is asking the staff for a suggested recommendation. We have looked at the other inconsistent seasons, for instance, the Texas program and the Florida program. Particularly, we've looked at Louisiana and Alabama that have the most similarities to our shoreline and our fisheries.
COMMISSIONER BOSARGE: Well, I tend to disagree in that Alabama and Mississippi are nothing alike in their shorelines and their boundaries.
JOE JEWELL: Well, you're correct about that as far as the telemetry goes.
Mississippi is rather unique. We are wedged between the Desoto Canyon and the mouth of the Mississippi River which puts us with a very shallow shoreline that limits us both regulatorywise and as far as adopting Federal regulations that are similar to the programs that they have in other Gulf states that have deep water telemetry line that runs close to the shoreline, and red snapper is a deep water fish.
COMMISSIONER BOSARGE: Correct.
JOE JEWELL: We are similar in the way we manage

the programs, as far as overall fisheries and Federal compliance and regulations, and we do have a mandatory snapper reporting program that is very similar to the State of Alabama's program, also.

Keep in mind last year, when we adopted the season, we did consider the other Gulf states and we did adopt seasons that were similar to our adjacent border states.

My recommendation would be very similar to what we did last year and what the State of Alabama is doing now, with the exception if the Commission wanted to consider -- for instance, the State of Florida has targeted specific holidays where they could take advantage of the tourists that come down during that time of the year. The Commission may want to consider, like, Memorial Day weekend which is coming up this weekend.

If you are asking me for a recommendation, my recommendation would be June the 1st through the 31st, with consideration if the Commission wanted to adopt other times.

COMMISSIONER BOSARGE: Do you have any science, any stock assessment, or anything, that tells us how many fish we have within three miles of the shoreline that we could adequately go out and harvest?

JOE JEWELL: Well, we rely on the stock

assessments and the science that is provided by the Gulf Council through NOAA that adopted the current quota. With it's twenty percent rule, it's going to be right at a little over five million pounds.

As far as the fishery in Mississippi waters, as you well know, that's very limited and it is typically in deeper areas that are to the east.

COMMISSIONER BOSARGE: I know how many fish we have in the state waters of Mississippi and it's a little more than that, but not much.

JOE JEWELL: They are very limited and they are very limited to very specific areas. Like you say, it is deep water fisheries, and we are limited by the telemetry.

COMMISSIONER DRUMMOND: Steve, did you read that article this weekend that was in the paper about red snapper?

COMMISSIONER BOSARGE: No, sir.

COMMISSIONER DRUMMOND: It was by Bob Shipp. Dr. Shipp is a professor of Marine Biology over in Mobile.

Anyway, we are kind of victimized in Mississippi because of the shallow water, and red snapper really don't occupy shallow water, unless they've got something to occupy around similar to deep water.

Alabama has a lot deeper water than we do, and they have put out a lot more recreational fishing areas

whether it be rocks, or whatever they build them out of. They've got more red snapper in Alabama than they ever had over there, right now.

I don't think the snapper population is down and I think you can use some of it and keep the population up. I think you could harvest some of it and you're okay. We're not way back where we were twenty years ago.

Anyway, I don't know whether to believe the article, or not.

COMMISSIONER BOSARGE: I hear where you're coming from and I have read a lot of Dr. Shipp's literature.

COMMISSIONER DRUMMOND: I can't hear you, Steve. You are going to have to speak up.

COMMISSIONER BOSARGE: I said I hear what you're saying and I have listened to what you're thinking, and I've read a lot of Dr. Shipp's literature and what he thinks and what he proposes.

I know, on the commercial side, when we were confronted with the science, we had two options. Either go out, hire the professionals to rebut the science, or pool our resources and commission our own study.

The one sector that's left, now, that is not in control on red snapper -- in other words, every other sector has been sectored out and they have some means of

controlling what they do and what they catch. We still have the recreational sector that, if they are that determined that the science is not correct, then, they need to prove that the science is not correct, not just say that it's not correct.

You and I both have opinions, and I tend to agree with some of what you say, but we have to make decisions based on science.

COMMISSIONER DRUMMOND: I hear you too, Steve. I don't know what to do.

COMMISSIONER BOSARGE: I'm not against some type of a limited Mississippi season. I just want this panel to recognize the fact that we don't have any fish in the State of Mississippi, and, by opening a season, in my opinion, you are enticing somebody to do something that they don't need to do.

COMMISSIONER GOLLOTT: Joe, let me ask you a question.

JOE JEWELL: Sure.

COMMISSIONER GOLLOTT: The most important question to me is will us opening a season in Mississippi make any difference at all, since we landed so few fish last year?

JOE JEWELL: Well, I thought I had pointed that out. Last year, in 2014, the forty-nine percent

recreational quota, the overall quota was five point four million pounds. In 2015, the overall recreational quota which represents forty-nine percent is just over seven million pounds.

Last year, if you looked at the Federal season combined with the two inconsistent seasons Mississippi had, we landed sixty-one thousand pounds, just over sixty-one thousand pounds.

The answer to your question, as far as the State of Mississippi with our Federal season, or even the inconsistent season, we are having very little impact on the quota, just very little.

If you looked at the two inconsistent seasons we had, one was in July weekends only and the other one was October weekends only, those two months combined together was just over six thousand pounds.

When you are looking at numbers, for instance, this year with the twenty percent buffer around four point three million pounds, as compared to if you went with the maximum number, sixty-one thousand pounds landed, the State of Mississippi's contribution to the overall quota is very minimal, very minimal.

COMMISSIONER GOLLOTT: The reason this is on the agenda today is I have had several charter boats and recreational fishermen asking us to open this thing

because they feel like they would be penalized, if Louisiana and Alabama are open and we're not. Our boats will just sit here. They won't be able to go snapper fishing, and Alabama and Louisiana will take advantage of it.

Can I get a motion on this?

(No response.)

COMMISSIONER GOLLOTT: Do we have a motion to open this season?

SANDY CHESTNUT: The motion can be for the Commission to open, or to delegate that authority to the Executive Director.

JOE JEWELL: The motion, last time the Commission made the motion, was to give the Executive Director the authority to open and close the red snapper season.

COMMISSIONER GOLLOTT: Do we have a motion on this?

COMMISSIONER HARMON: I would like to make a motion to extend that to the Executive Director on opening the recreational red snapper season.

COMMISSIONER GOLLOTT: We have a motion.

Do we have a second?

JOE JEWELL: Does that motion mean opening and closing?

COMMISSIONER HARMON: Yes, sir, opening and closing.

JOE JEWELL: Thank you.

COMMISSIONER DRUMMOND: We are going to put the Executive Director on the spot.

SANDY CHESTNUT: I'm sure it will be based on staff recommendation.

COMMISSIONER DRUMMOND: I'll second the motion.

COMMISSIONER GOLLOTT: We have a motion and a second.

All those in favor say aye.

(Commissioner Drummond, Commissioner Gollott, Commissioner Harmon in favor.)

COMMISSIONER GOLLOTT: Opposed?

COMMISSIONER BOSARGE: I oppose.

COMMISSIONER GOLLOTT: Motion carries. One descent.

Thank you.

JOE JEWELL: Thank you Commissioners. That concludes the Marine Fisheries segment of the agenda.

COMMISSIONER GOLLOTT: Mr. Jan Boyd is up next.

JAN BOYD: Good morning Mr. Chairman, Commissioners, Director Miller, Ms. Chestnut.

Coastal has one project for your consideration this morning, and Jennifer Wilder will be presenting that.

JENNIFER WILDER: Good morning. I'm presenting a permit request by Hancock County Board of Supervisors. It's file number 150170. The location is just waterward of the existing seawall from the south end of Beach Boulevard to just north of Lakeshore Drive in Bay St. Louis, Hancock County, Mississippi. It's in the General Use District, and the agent is Compton Engineering.

You can see here the location where it begins. It's going to be right around the Silver Slipper, moving up to just north of Lakeshore Drive (indicating map).

They are requesting to fill just waterward of the seawall three thousand one hundred feet by fourteen feet, a pedestrian pathway, two interpretive plazas six hundred and twenty-five square feet each, and a forty-three feet by thirty feet concrete driveway.

They are requesting a variance to Chapter VIII, Section 2, Part III.0.1, of the Mississippi Coastal Program.

Here is their diagram showing the fill just waterward of the seawall, and, then, down here. There is Lakeshore Drive ending with one of their plazas (indicating slide).

This is a picture looking north up Beach Boulevard (indicating photograph).

The project serves a higher public purpose, by

recreational quota, the overall quota was five point four million pounds. In 2015, the overall recreational quota which represents forty-nine percent is just over seven million pounds.

Last year, if you looked at the Federal season combined with the two inconsistent seasons Mississippi had, we landed sixty-one thousand pounds, just over sixty-one thousand pounds.

The answer to your question, as far as the State of Mississippi with our Federal season, or even the inconsistent season, we are having very little impact on the quota, just very little.

If you looked at the two inconsistent seasons we had, one was in July weekends only and the other one was October weekends only, those two months combined together was just over six thousand pounds.

When you are looking at numbers, for instance, this year with the twenty percent buffer around four point three million pounds, as compared to if you went with the maximum number, sixty-one thousand pounds landed, the State of Mississippi's contribution to the overall quota is very minimal, very minimal.

COMMISSIONER GOLLOTT: The reason this is on the agenda today is I have had several charter boats and recreational fishermen asking us to open this thing

because they feel like they would be penalized, if Louisiana and Alabama are open and we're not. Our boats will just sit here. They won't be able to go snapper fishing, and Alabama and Louisiana will take advantage of it.

Can I get a motion on this?

(No response.)

COMMISSIONER GOLLOTT: Do we have a motion to open this season?

SANDY CHESTNUT: The motion can be for the Commission to open, or to delegate that authority to the Executive Director.

JOE JEWELL: The motion, last time the Commission made the motion, was to give the Executive Director the authority to open and close the red snapper season.

COMMISSIONER GOLLOTT: Do we have a motion on this?

COMMISSIONER HARMON: I would like to make a motion to extend that to the Executive Director on opening the recreational red snapper season.

COMMISSIONER GOLLOTT: We have a motion.

Do we have a second?

JOE JEWELL: Does that motion mean opening and closing?

COMMISSIONER HARMON: Yes, sir, opening and closing.

JOE JEWELL: Thank you.

COMMISSIONER DRUMMOND: We are going to put the Executive Director on the spot.

SANDY CHESTNUT: I'm sure it will be based on staff recommendation.

COMMISSIONER DRUMMOND: I'll second the motion.

COMMISSIONER GOLLOTT: We have a motion and a second.

All those in favor say aye.

(Commissioner Drummond, Commissioner Gollott, Commissioner Harmon in favor.)

COMMISSIONER GOLLOTT: Opposed?

COMMISSIONER BOSARGE: I oppose.

COMMISSIONER GOLLOTT: Motion carries. One descent.

Thank you.

JOE JEWELL: Thank you Commissioners. That concludes the Marine Fisheries segment of the agenda.

COMMISSIONER GOLLOTT: Mr. Jan Boyd is up next.

JAN BOYD: Good morning Mr. Chairman, Commissioners, Director Miller, Ms. Chestnut.

Coastal has one project for your consideration this morning, and Jennifer Wilder will be presenting that.

JENNIFER WILDER: Good morning. I'm presenting a permit request by Hancock County Board of Supervisors. It's file number 150170. The location is just waterward of the existing seawall from the south end of Beach Boulevard to just north of Lakeshore Drive in Bay St. Louis, Hancock County, Mississippi. It's in the General Use District, and the agent is Compton Engineering.

You can see here the location where it begins. It's going to be right around the Silver Slipper, moving up to just north of Lakeshore Drive (indicating map).

They are requesting to fill just waterward of the seawall three thousand one hundred feet by fourteen feet, a pedestrian pathway, two interpretive plazas six hundred and twenty-five square feet each, and a forty-three feet by thirty feet concrete driveway.

They are requesting a variance to Chapter VIII, Section 2, Part III.0.1, of the Mississippi Coastal Program.

Here is their diagram showing the fill just waterward of the seawall, and, then, down here. There is Lakeshore Drive ending with one of their plazas (indicating slide).

This is a picture looking north up Beach Boulevard (indicating photograph).

The project serves a higher public purpose, by

providing a safe place for pedestrians and cyclists to travel along Beach Boulevard and improving traffic flow.

The proposed project is allowable within the General Use District.

They are requesting a variance to Chapter VIII, Section 2, Part III.0.1, "Permanent filling of coastal wetlands because of potential adverse and cumulative environmental impacts is discouraged."

They are justifying it under Chapter VIII, Section 2, Part I.E.2.c.iii, stating that no feasible alternative sites are available, there is a significant public benefit in the activity, and they held a public hearing on May 14th, 2015.

Similar projects have been approved and no precedent setting effects are anticipated.

The area where the proposed pathway will be constructed has already been filled with sand for the purpose of beach nourishment/creation, and, therefore, there should be no biological integrity, or productivity, of coastal wetland communities damaged.

There are no plans for development, beyond what is already described in the regulated activities.

Alternative designs that were rejected was the north side of Beach Boulevard for several reasons. Some of them are they were having difficulty acquiring the

property north of Beach Boulevard, there were potential impacts to marsh wetlands, there were utility lines that they would have to contend with, and there would be a lack of protection for cyclists and pedestrians.

Best management practices will be utilized, during all phases of construction.

The project is site specific and no alternative locations were considered.

A pedestrian pathway does not require a waterfront location. However, since the purpose of this particular walkway is to provide safe access to an already heavily-traveled area of the beach, in this instance, it does require a waterfront location.

It should not affect the coastal wetlands viewshed and will improve public access to the beach.

Notification of the project appeared in The Sun Herald and the Sea Coast Echo, as required by law, and no public comments were received.

DEQ is reviewing the project.

Department of Archives and History has no reservations.

Secretary of State's office is going to require a tidelands lease.

Department of Wildlife, Fisheries and Parks recommended that best management practices be utilized.

A public hearing was held May 14th, 2015, at 6:00 o'clock, in the Hancock County Board of Supervisors Board Room.

Based upon departmental review and evaluation, staff recommends the Commission approve the applicant's request, with the following conditions:

Tidelands lease from the Secretary of State's office and water quality certification from DEQ.

Any questions?

COMMISSIONER DRUMMOND: Jennifer, I have one question. This is probably the dumbest question in the world. This has to do with the project purpose and the need.

What is the world is interpretive plazas?

JENNIFER WILDER: It's a concrete area, square area that they are going to use for setting up things that they might have on the beach, or places for people to congregate, if they were having some sort of event.

COMMISSIONER DRUMMOND: Thank you.

COMMISSIONER GOLLOTT: We will need a motion to approve this.

Do I have a motion?

COMMISSIONER DRUMMOND: I make a motion we approve this project, as the recommendation of the staff.

COMMISSIONER GOLLOTT: Do we have a second?

COMMISSIONER BOSARGE: Second.

COMMISSIONER GOLLOTT: We have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Opposed?

(None opposed.)

COMMISSIONER GOLLOTT: Motion carries.

Next, is Bill Feidt, Finance.

KACEY WILLIAMS: Good morning Commissioners, Director Miller and Ms. Chestnut. My name is Kacey Williams, and I am the Director of Finance and Accounting. I will be presenting the financial results, as of April 30th, for the agency, as Bill is out of town today.

At the end of April, we had a state revenue of five point five million dollars. The total agency revenue is twenty-three point two million dollars.

State net income is negative two point eight million dollars, and that does not reflect the interest and appropriations revenues yet to be received and also includes spending of cash on hand for artificial reef, GOMESA and other obligated programs.

As Bill noted last month, we will probably stay in a negative position for state funding for the rest of the fiscal year.

The total agency net income is eight hundred and seventy thousand dollars.

Any questions on these figures?

(No response.)

KACEY WILLIAMS: After ten months of fiscal year 2015, we are in good shape from a budget standpoint. We still have thirty-six percent remaining of operating funds budget, and we also have forty-one percent of the tidelands budget remaining.

Any questions?

COMMISSIONER GOLLOTT: Thank you.

KACEY WILLIAMS: Thank you for your time.

COMMISSIONER GOLLOTT: Melissa.

MELISSA SCALLAN: Good morning Commissioners, Director Miller, Ms. Chestnut.

Since the April meeting of the CMR, the agency has been mentioned sixty-five times in local, state and national media.

Some of the items of particular interest were the announcement of the pier at Deer Island, the last meeting of the Governor's Oyster Council, and the State of Our Coast conference which we had last week.

Some activities we participated in were the cleanup of Deer Island. We had a hundred volunteers and our employees were a part of that group. They spent the

day cleaning trash and debris from the island, as part of Mississippi Power's Renew Our Rivers program. It has been done for about six years and, in that time, we have removed more than fourteen tons of litter from Deer Island. That is important for that pier that is coming.

We also participated in the Crawfish Festival, the State of Our Coast conference and Taste of Ocean Springs.

Some upcoming events are the Mississippi Seafood Cook-Off. We will be sending you more information about tickets for that event. That will be on June the 6th, the same weekend as the blessing of the fleet.

Our Office of Marine Patrol held four boat-and-water safety classes in April and certified sixty-nine students. So far in this fiscal year, Marine Patrol has taught seventeen classes and certified a hundred and ninety-three students. As a comparison, in fiscal year 2014, there were nine class with a hundred and eighty-five students. We still have about six weeks to go.

Officers also participated in several special events, including Spring Break in Biloxi. They helped us with Celebrate the Gulf in Pass Christian, and they taught several community outreach classes on boat-and-water safety.

They have been pretty busy, at the NERR, too.

They have had field days on the bayou with Moss Point fourth graders. They had a master naturalist presentation. They have had community boat tours of the reserve. They had an on-site field adventure with fifth graders from Castlen Elementary in Alabama. They had an interpretive center adventure for St. Martin special needs classes. They had Mad Scientist Day presentations at Trent Lott Academy, and a conservation tour of the reserve with representatives from Jones County Community College. They also had a nature photography class this past Saturday, on May the 16th.

Any questions?

COMMISSIONER GOLLOTT: Thank you, Melissa.

MELISSA SCALLAN: Thank you.

COMMISSIONER GOLLOTT: Next we have other business.

Does the Commission have any other business, at this time?

(No response.)

COMMISSIONER GOLLOTT: With no other business, we go to public comments. Mark Kopszywa.

MARK KOPSZYWA: I just wanted to mention that I talked with Rick and them. They are aware and Joe Jewell is aware that the full moon is the second of June, and we would like the shrimp season to be open somewhere in that

vicinity so the shrimp don't leave the sound.

We're not concerned about having the blessing.

I mean, what have we got, ten boats that go to the blessing?

I have another question. The skimmers are not required the use of TED's in state waters. They have to abide by tow times, but, with all the environmental groups that we have pressuring, like, Louisiana is on a black list. If we was to require skimmers to use TEDs in state waters, then, we could possibly market our shrimp as a niche as being turtle safe, and that would require a regulatory change on y'all's part.

That's all I have to say.

COMMISSIONER BOSARGE: Mark, I think I covered that, and I think what I was told was that the state cannot put into place laws that are more restrictive than the Federal laws so, therefore, unless we change the statute, I believe, if I'm correct -- maybe Sandy could clarify this -- we can't require TEDs in skimmers, unless the Federal Government requires TEDs in skimmers.

MARK KOPSZYWA: So, in other words, you can't set laws here in the state that the Federal doesn't.

COMMISSIONER BOSARGE: Sandy, could you clarify that?

I believe that's what I recall.

SANDY CHESTNUT: That is typically the case, that the state can't be more restrictive, but that is something we can look at.

MARK KOPSZYWA: Okay. Well, there's no limit on trawl size, in Federal waters.

Why do we have a limit on trawl size in state waters, if y'all can't set laws more than the Federal Government?

COMMISSIONER GOLLOTT: I think, Mark, we are going to have to look into it, but American Shrimp Processors are also working on getting certification. So we are aware of it.

MARK KOPSZYWA: I think if we market our shrimp as turtle safe, it would be a niche market because the price of the shrimp has bottomed out again and we need a niche.

COMMISSIONER GOLLOTT: Just changing the turtle exclusion device will not qualify us to be turtle safe.

MARK KOPSZYWA: We would have to have fin fish excluders, too, I'm sure.

COMMISSIONER GOLLOTT: We are working on it. Thank you.

MARK KOPSZYWA: I thank you.

COMMISSIONER GOLLOTT: Jessie M. Shifalo.

JESSIE M. SHIFALO: Good morning. I just have a

quick comment about the basket dredges.

Mr. Gollott, you made the comment that you have had people express concern about basket dredges, and Mr. Zimmerman said let's err on the side of the environment.

All I ask -- and I've been to several meetings, and our Director said that we will get data on the damage that dredges do, and there is no excuse that this Commission can't have that directed to have it done because we brag about all of our certified divers, now, and cameras to watch the dredges, like, three or four hundred dollars a pop, and we've got Federal funds for oyster restoration.

All I ask is that before we pass this regulation -- I know it's been extended -- that we collect the data to see which dredge is doing the damage, if any.

The basket dredge and the web basket, they fish a little bit different. Let's look at them and see what the data is, instead of just passing a regulation for the fun of it. Let's do it by facts.

COMMISSIONER GOLLOTT: Jessie, I don't think we are considering it for the fun of it. We have had fishermen, in the past, tell us that they have had these basket dredges on the boat and have had problems with them and they discontinued using them, but we are going to extend the public hearings.

JESSIE M. SHIFALO: All I ask is that we get some data on it so, when we have these hearings, you can present us with facts. I use basket dredges. I use web dredges. The web dredge catches best. That's a fact. The basket dredge is easier to operate, but, if you drag it behind your boat with seventy-five foot of chain for an extra ten, or fifteen, minutes, yes, you are doing damage, but I can do the same with a web basket, too.

Let's look at them with the cameras and get some divers down there to watch them operate so we will know what's going on down there, instead of guessing, because that's all we're doing now, is guessing.

COMMISSIONER GOLLOTT: I think that's the reason we extended it another month.

JESSIE M. SHIFALO: I hope that's we do.

Mr. Miller said we would look at it, and that's all I ask is that we look at them.

COMMISSIONER GOLLOTT: Thank you, sir.

JESSIE M. SHIFALO: Thank you.

COMMISSIONER GOLLOTT: Gilbert Ramsey.

GILBERT RAMSEY: Good morning Commissioners, Director Miller and legal. My name is Gilbert Ramsey. We are here to introduce a new program for the State of Mississippi to be recognized globally.

They have fifty-two chapters across the United

States. The director is coming down the 21st and 22nd to introduce a new chapter for the State of Mississippi at the Hiller Park location. It's a paraplegic mobility impaired fishing rodeo we are initiating.

This is phase one. We initiate various phases throughout the community to initiate more options and opportunities to affiliate the people that have been neglected all their lives.

Ladies and gentlemen, this is my friend Greg Smith. He is a strengthening coach. He is a motivational speaker from Ocean Springs, Mississippi. I was introduced to him by a Daily Herald newspaper clipping. I recognized his father putting him over his shoulder and taking him fishing all his life.

So I went to him strategically addressing this appropriately with him and his family, and I'm comfortable with him and the organization he has implemented in the community.

I'm here to help you understand, ladies and gentlemen, I have international recognition for independent living organizations around the world stepping up to the program.

Here we go. This is a hospitality state. We are going to recognize the hospitality state for this opportunity.

We are coming forth with the Fishing Has No Boundaries program, and Fishing Has No Boundaries' director is coming in town to initiate this with inlet waterway activities. We are going stretch is from Deer Island all the way up the inlet waterways up Tchoutacabouffa River to the twin bridges. That's our game plan, and I'm honored to be here to address this appropriately with y'all, ladies and gentlemen.

This is something I have been passionately working on, since 2012, and we have this organized and I have legislature law to associate us with funds. I have everything consolidated, and I'm ready to step forth with this opportunity.

I am also going to offer other amenities and options for these people to enjoy for tourism opportunities.

I've been to multiple properties. I'm also doing special olympics, different programs with them, but this is something I'm very passionately involved in to make sure it is implemented appropriately for everybody's best interest.

Any questions?

(No response.)

COMMISSIONER GOLLOTT: Thank you very much.

GILBERT RAMSEY: I will be at Biloxi Council

meeting at 1:30 today.

COMMISSIONER GOLLOTT: Public comments is over.

I would just like to remind the Commissioners that we have some picture taking after the Commission meeting. So don't run off.

Do I have a motion to adjourn?

COMMISSIONER DRUMMOND: I'll make a motion we adjourn, Mr. Chairman.

COMMISSIONER GOLLOTT: Do we have a second?

COMMISSIONER BOSARGE: So seconded.

COMMISSIONER GOLLOTT: Motion has been made and seconded.

All those in favor say aye.

(All in favor.)

COMMISSIONER GOLLOTT: Opposed?

(None opposed.)

COMMISSIONER GOLLOTT: Adjourned.

(Whereupon, at 9:58 o'clock, a.m., the May 19, 2015, meeting of the Commission on Marine Resources was concluded.)

C E R T I F I C A T E

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing is a true and correct transcript of the May 19, 2015, meeting of the Commission on Marine Resources, as taken by me at the time and place heretofore stated in the aforementioned matter in shorthand, with electronic verification, and later reduced to typewritten form to the best of my skill and ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.

_____

COURT REPORTER