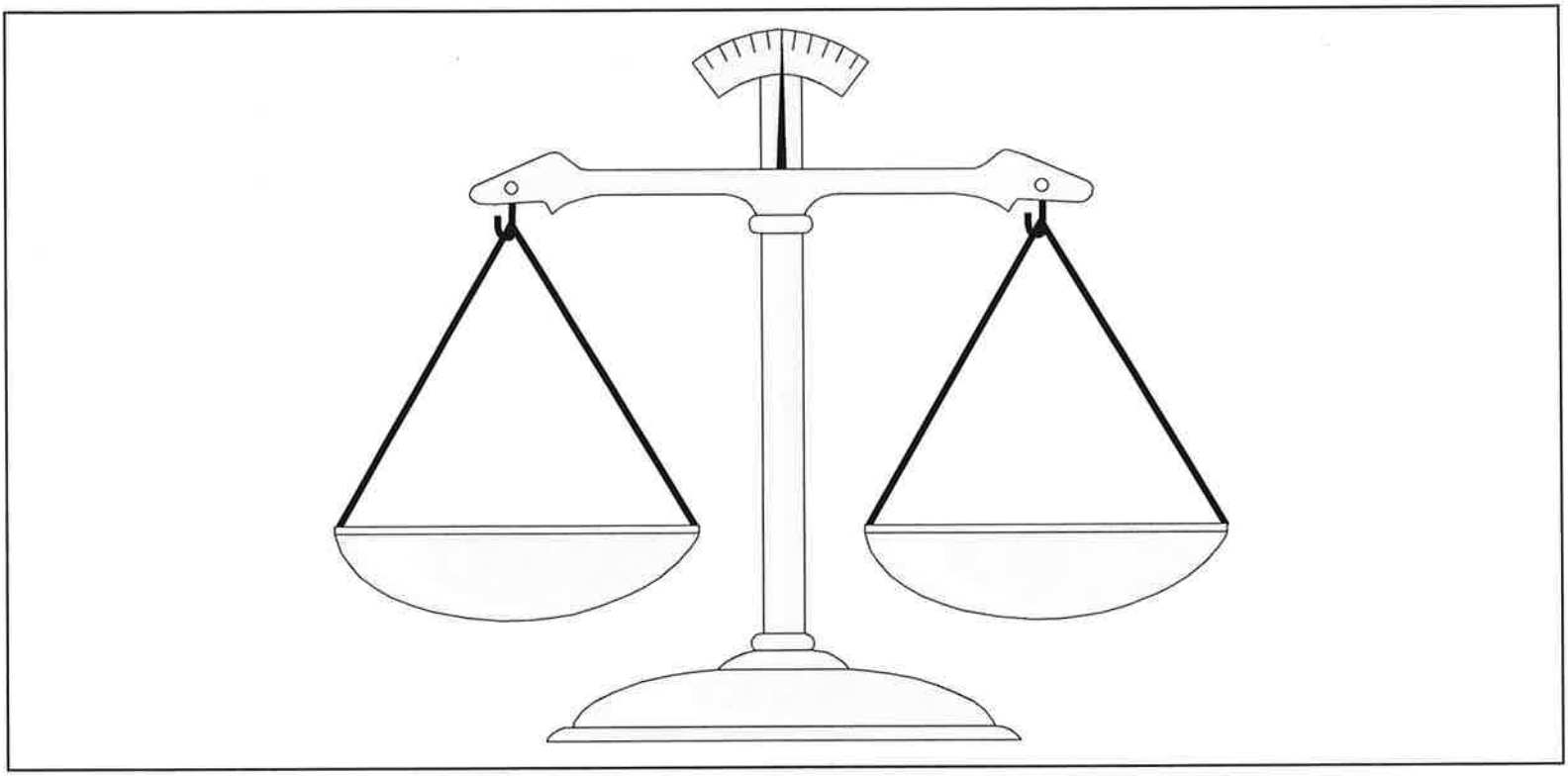
Compressed Transcript



COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

September 17, 2013

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

COMMISSION ON MARINE RESOURCES

MEETING OF COMMISSION ON MARINE RESOURCES
September 17, 2013

****

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

****

COMMISSION MEMBERS PRESENT:

JIMMY TAYLOR, Chairman
RICHARD GOLLOTT
SHELBY DRUMMOND
STEVE BOSARGE

ALSO PRESENT:

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

A. Call to Order

MR. TAYLOR: Good morning. I want to welcome y'all to the September meeting of the Commission on Marine Resources. I welcome y'all. There will be one change on the agenda. We're moving public -- because of the length of some of the ecological things we have and presentation, we're going to move the public comments to last on the agenda. And if any of y'all want to speak, please go to the rear and fill out one of those forms and give it to Ms. Leirer, Jennifer, or one of our people, and we'll be glad to let you speak there.

B. Approval of Minutes

MR. TAYLOR: So without further ado, we have the minutes. Is there a motion to approve the minutes from the August 20 meeting?

MR. DRUMMOND: So moved, Mr. Chairman.

MR. TAYLOR: Is there a second?

MR. GOLLOTT: Second, Mr. Chairman.

MR. TAYLOR: All in favor. Okay.

C. Approval of Agenda

MR. TAYLOR: Number 2, approval of the agenda. Are there any changes to the agenda other than what I announced?

MR. GOLLOTT: Mr. Chairman, I make a motion that we approve the agenda as amended.

MR. TAYLOR: Do I have a second?

MR. BOSARGE: So second.

MR. TAYLOR: All those in favor.

E. Executive Director's Report

MR. TAYLOR: Next up we have the executive director's report.

MR. MILLER: Thank you, Chairman Taylor. I've just got a few items I wanted to note.

First is reminder to everyone that our October CMR meeting will be held in Jackson County at the NERR, and we'll be making some public notices and releases available for directions and times coming up in October.

Two, want to remind everybody that we have -- based on some requests, we've extended our public comment period until September 30 regarding Mississippi Development Authority's request to receive coastal zone consistency for lot leasing and seismic activity. So we've extended that for an additional two weeks to receive comments.

Third, I wanted to mention because he won't be here in the October meeting, but Dale Diaz has announced his retirement. Dale is going to be at a Gulf States Marine Fisheries commission meeting in October, and just wanted to give y'all a chance and everyone a chance to say thank you. We'll say more thanks to you, Dale, in weeks to come, but wanted to recognize you today for 26 years of service to the agency.

Another staff person I want to recognize is Roy Lipscomb. Roy has been on tour in Afghanistan, a long tour in Afghanistan. I believe he's a sergeant in the Mississippi Army National Guard. Roy came back and joined us in August. Roy, if you want to stand up, I'd just like to give you a hand.

(Applause.)

MR. MILLER: Glad you're back safe.

And then another just brief announcement, and I didn't let these guys know I was going to do it right here, but I'd like for some of the marine patrol to step forward and show the new uniform. We had talked about putting together a new uniform, and we had a committee put together with marine patrol, and this is what they've come up with. So I wanted to make sure that if you see these guys in these new uniforms, they may look a little different, but we think they came out pretty good.

MR. PITTMAN: On the right side is Officer Casovich. And he's got the Class A uniform on which when he goes to curt he will have trousers on like I'm wearing. But the officer can wear that uniform while he's in the boat.

And on the left side, we've got the boat uniform. And Officer Strickland is in it with the polo shirt and the 511 or proper pants, navy blue.

We went back to the gray and blue that we came over here in in 1999. We let the officers decide. We had a

committee that came up and drew up the patch. Officer Casovich drew the patch up. And we presented it to all the officers, and they voted on it, and that's what they wanted to go back to, the gray and blue.

MR. MILLER: Thank you, Rusty. Thank you Matt and Mike.

That's all I have.

MR. TAYLOR: I want to make a comment about next month's meeting. And, Jamie, I don't know if you need to do this or someone. It would be nice after the meeting if there were maybe -- I know they have tours and stuff, because many people have not been there, including myself, and if we have time if the meeting is not too long and for some of the people y'all, that are coming to the meeting to make comments, it might be a good time to take a tour of the place. So if we could set something up maybe to do that, I think it would be good.

Okay. Next up is office of marine parole (sic). Rusty.

F. Office of Marine Patrol

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

You have the report in front of you. There's a few, couple of items I want to mention on it. And as you can see, we did make a couple of cases of commercial crabbing north

of the CSX railroad bridge.

We also had the crabbing at night case.

The saltwater fishing license citations were down a little bit. Whether that was due to the the weather, I have no idea, but that did drop a little bit. I think we had a total of 32.

We did have some undersized fish, spotted seatrout, red drum, citations issued.

And on the back you have -- on Page 3, excuse me, on Number 56, we had illegal possession of red snapper. That was a commercial shrimp boat that came in and had some red snapper on board mixed in with the shrimp that our officers found.

One thing -- another thing I want to mention on Page 4, negligent operations. We're starting to see -- we've made two cases this year on it this past month, I believe, they're calling it transom skiing. That's where a person gets overboard, grabs onto the transom of the boat, and the operator of the boat gets on a plane and tries to let him barefoot, which means he's right there by the motor. So a couple of those cases for negligent operation were made.

We have one boating accident with injury. Boating accidents without injury, we had one.

No dive report. We do -- next month you will have a dive report, but not in August.

And then on our JEA totals, we had 12 patrols, 128 man hours, 254 contacts, made four enforcement action reports, and three state issued citations.

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

MR. PITTMAN: Thank you very much.

MR. TAYLOR: I want to back up just a minute to the next month's meeting. If we could get someone from the staff to maybe go upstairs and print maybe a map how to get there because a lot of people, even like myself, don't know how to get there. Maybe we could print 10 or 20 of them or something, you know, Google it or whatever, and get it before the meeting is over, which will be a while.

Next up marine fisheries, Dale Diaz. And welcome back. We haven't seen you in a while.

G. Office of Marine Fisheries

MR. DIAZ: I have been off, away from the commission meetings for a few months.

Good morning, Mr. Chairman, commissioners, Director Miller, Ms. Chesnut. Being that Director Miller mentioned that I'll be retiring, I did want to mention that October 31 will be my last day. It just feels like the time is right for me to make a change. I'm starting to dust off my rod and reels and tune up the motor and stuff like that.

But I have to take a few minutes to try to thank some people that have been good examples to me throughout my

career.

I would like to start with Director Miller. Since Director Miller has been here, he has been a good example for me. He's got a work ethic you just would not believe, and he's doing everything he can do to put this agency on a good path. And I really appreciate that, Director Miller.

Also want to brag on the fisheries, the marine fisheries, staff. In my job, I get to work with scientists from across the Gulf Coast and throughout the country. And I can tell you that we have scientists right here in the Department of Marine Resources that is good or better than anywhere else that I go. So the staff here is first class. They've got good attitude. They work hard, and I'm very proud of the things that we've been able to accomplish together.

When I think about the staff and how hard they work, I can't help but think back after Katrina. You know, we come back after the storm to nothing, absolutely nothing. And, you know, this staff was able to cobble together what we needed to get out and start doing water quality checks and start doing our samples of our marine resources and start doing our job. And in short order, we was able to start helping, you know, the community and the fishermen, and that's because the hard work and the dedication of the staff. And I really appreciate that. And like I say, I can't say enough good about the marine fisheries staff and all the people at DMR, but especially the

people that have reported to me over the years.

And I would like to thank you, commissioners, because a lot of the successes that we have had in doing good things for our marine resources and helping our public, y'all have guided the way and y'all have supported the things that we needed to do. And I know a lot of people don't realize that y'all are -- y'all volunteer for these appointments and you put a lot of time in and you're dedicated, and I thank you for all your support over the years.

And that's enough of that. I just wish everybody success in the future.

Before we get to the fisheries presentations, I'd like to talk about a few things that's not on the agenda.

One, the commercial quota update. For flounder, we have a total allowable catch for the year of 74,000 pounds. To date, the commercial fishermen have harvested 12,550 pounds. For redfish, the total allowable catch is 35,000 pounds for the year. And to date, we've harvested 25,531 pounds. For speckled trout, the total allowable catch is 50,000 pounds. We did close speckled trout in the month of August, and the final numbers for this year's commercial speckled trout season is 51,247 pounds. So we went over slightly. But considering we're trying to track something that's a moving target, I think that's better than we have done in the past. And we do have a new system to track that where we project what the landings is

going to be, and that's helped us with that. And we'll continue that into the future.

The next thing I want to mention is that there will be a recreational red sapper season this year. The supplemental fall recreational season, fishing season, for red snapper will open in Mississippi territorial waters on October 1 at 12:01 a.m. with a two fish bag limit and a 16 inch size limit. The season is set to run for 14 consecutive days. So October 1 through October 14.

MR. TAYLOR: Dale, you mentioned federal waters, too.

MR. DIAZ: It will be in Mississippi state and federal waters. So thank you for that clarification.

And the last thing I have before we get to the fisheries agenda is we received a petition about a week ago from some fishermen in the western part of the state. And if y'all would indulge me, I'd like to read it.

The petition that I have in front of me has 183 signatures. And I understand Mr. Alan Taylor may have given Commissioner Gollott another one this morning that had another 20 or so signatures. So roughly 200 signatures so far supporting this idea.

And this was addressed to the Mississippi Department of Marine Resources and its commissioners. And the subject is shallow water fishing reefs in and around Cat Island

area. And it reads:

We, the undersigned, do petition the Department of Marine Resources and its commissioners to create more fishing reefs in the western area of the Mississippi Sound, primarily the Cat Island area to relieve the overcrowding by fishermen that now exists. Many Mississippi fishermen go to Louisiana to fish and spend their fishing dollars in that state due to this overcrowding. But they and many of the out of state fishermen and tourists would rather spend their money in Mississippi. Your prompt attention to this matter would be greatly appreciated.

So I have talked to Mr. Taylor who is one of the ones that's spearheading this petition. And he is here today if the commission wants to hear from him.

We have talked about this inhouse, and we love getting public input from people. So this is the exact thing that we like to hear from folks.

We are looking into some options and some things we could do in the western Sound. We already have a good many reefs over there. From Gulfport harbor to the Louisiana line, in just nearshore reefs, we have 25 reefs. And what they would like to see is some reefs further offshore closer to the island.

So I asked Mr. Taylor if he'd stick around after the meeting and maybe talk to us a little bit more about what

him and some of his other folks are thinking. And, like I say, we have had some inhouse discussions on how we could work with this group to accomplsih that.

We do have material on our staging site. We have some funding to put some reefs out. It's something we're going to be doing anyway. So public comment is a very good thing, and naturally any comment we could get from the commission would be helpful, also.

MR. TAYLOR: You can add my signature to the petition.

MR. DIAZ: Okay.

I do know Mr. Taylor was going to say a few things. I don't know if you want him to wait until public comments or you'd like him to speak now.

MR. TAYLOR: Go ahead, since you brought the subject up, we're going to go ahead and have him. So Alan.

MR. ALAN TAYLOR: Alan Taylor. I'm retired. And one of my favorite activities as a retired individual is to go fishing. And I primarily fish on the western side of the state.

And we fish quite a bit at Cat Island or Pass Marianne Light.

But you go over there and look, you have to get a traffic cop to get you a position around the Pass Marianne Light or any of the other reefs in that area.

It is very much overcrowded. And we'd appreciate your consideration of our request.

Thank you.

MR. TAYLOR: Thank you, Alan.

MR. DIAZ: Thank you, Alan.

All right.

MR. DRUMMOND: Dale.

MR. DIAZ: Yes, sir.

MR. DRUMMOND: I'd like to thank you for all your help to me especially. I'm sure you have helped other commissioners, but have a good retirement.

MR. DIAZ: Thank you. It's always been a pleasure working with you, Commissioner.

MR. GOLLOTT: Dale, one question. On this artificial reef on the west end of Cat Island, do we need a motion on that or can the staff handle that without a motion?

MR. DIAZ: I think we can handle it without a motion.

It would be good if we knew exactly -- we'll talk with them some more and see what they're thinking about.

To do something over there, we'd have to permit an area. So, I mean, there's some leg work that has to be done. It's not something that could happen real quick. So we'd have to permit an area. We may need to get some benthic studies done because Mississippi Sound is sturgeon habitat, and

that's an endangered species. So there's some work that would have to be done. So we need to figure out what areas they're considering and exactly what work needs to be done and if there's anything that might conflict with other user groups.

MR. BOSARGE: Dale, make sure that we don't take any fishing grounds from somebody else, so yeah.

MR. DIAZ: And we can certainly report back to you maybe at a future commission meeting.

MR. GOLLOTT: Get this started right away, because it's going to take a while, so we'd like to go ahead and get on it and get started with it.

Thank you. Maybe some possible sites at the next meeting.

MR. DIAZ: Sure.

And then that might be a good time for a motion if y'all want us to proceed after we come up with some potential sites, that would be a good time to do that.

First up for the office of marine fisheries, Traci Floyd is going to do a blue crab update for you.

1. Blue Crab Update

MS. FLOYD: Good morning, Mr. Chairman, commissioners, Director Miller, and Ms. Chesnut.

I'm Traci Floyd, and this is the blue crab update.

The annual economic impact of the Mississippi

crab fishery based on a recent study by Mississippi State University is that it produces over $8 million in total value of economic goods, creates nearly 250 jobs, and generates over $500,000 in income for the state.

Mississippi crabbers follow many conservation directives that are administered through this agency, and those include protected areas that are closed to commercial harvest in the bays and within one mile of the Gulf Island National Seashore barrier islands.

Also, we have a crab sanctuary in place from January 1 to March 31 in an area west of Cat Island.

We also have harvest limitations. No harvest of egg bearing or sponge crabs. And we have no harvest of hard crabs under five inches.

Also, we work to prevent lost traps and ghost fishing by requiring an owner ID on all floats and traps. We require a non-floating line and minimum six inch highly visible float.

Of course, we can have an optional annual closed season for crab trap cleanup.

Here we're looking at annual Gulf hard crab landings from 1950 through 2012. And I wanted to show you this just so you could see this increase in trend over time.

Back in 1950, it was less than 20 million pounds, and the Gulf made up 12 percent of the total U.S.

landings. Currently, we're at about 54 million pounds and make up over a third of the Gulf landings.

Here we're looking at Mississippi hard crab landings going back to 1963. And as you can see, crabs follow a cyclical, meaning their populations vary widely based on environmental fluctuations from year to year. But regulations also have a big impact. And you can see here in the early '90s, our landings were pretty much cut in half. And contributing to that were some of those regulations, such as we closed within one mile of the barrier islands, but mainly because we closed the bays to commercial crabbing. And from 1963 to 1997, we kind of went back and forth with some sponge crab prohibitions, season and area, and ultimately that harvest was eliminated by 1997.

So here we're looking at more recent years in our landings for value of our crab fishery, of course, in addition to environmental fluctuations and regulations. Our landings vary by the disaster events. And, of course, in 2005, Katrina, in 2010 precautionary closures for DEEP WATER HORIZON, and in 2011 we had the opening of the Bonnet Carre Spillway which inundated the Sound with fresh water, displaced crabs, and we had a federal fishery failure declared for our blue crab fishery.

Now, landings are back up in 2008, and you can see it's a little bit less than 800,000 pounds valued at over

$700,000. But keep in mind, too, that this is the first year of our trip ticket program, so we are getting a lot ore information from crabbers who sell to the public, but in additional information effort, as well, and I'll share some of that with you further on in the presentation.

But for 2013, landings are very poor. And we're down about 60 percent of what we would expect to see for this time this year.

This is not our worst year. That was back 1994. But still cause for concern. So I'm going to go through some of the data in our sampling, and we'll talk about some of the reasons why.

Currently in the state, we have around 150 commercial crabbers resident, 13 nonresident commercial, and 554 resident recreational. We have about 54 folks that come in from out of state to do it and 72 shrimpers that buy this trawl license so they can sell their crab catch commercially.

As I mentioned, the trip ticket data program began last year, so it's in its infancy. But I did want to share some of that information we've been able to get with you.

Effort information as far as the actual number of fishermen who are bringing in landings in the state. And as you can see, the highest in blue is 2012, red is 2013. The highest we've seen was February and March of last year with around 43 fishermen reporting. The lowest in July of this year

with only 15 reports.

And you can see the lower effort in 2013 as you would expect with those poor landings. Crabbers are working in other fisheries or doing other things to make ends meet during this hard year.

Also, we have our first ever monthly estimate of crab traps used per fisherman. And as you can see, it varies anywhere from 150 to 250 per month.

Next I'm going to talk about our catch per unit effort study, and this is done in conjunction with Gulf Coast Research Lab Center for Fisheries Research & Development.

And this program involves a biologist actually going out with a commercial crabber in each coastal county and actually measuring their catch.

So it's interesting to see that predominantly their catch is female. This is percent females in red, percent sponge crabs in green, percent males in blue. And this has been since the study began in 2007.

So our crabbers are kept out of the bay. Our commercial guys are kept out of the bays. They're in higher salinity waters. And that's where you're going to find the females. The males prefer the low to medium salinities.

So they catch more females. And as you can see in July and August, nearly a quarter of their catch is sponge crabs that they have to throw back.

Here we're looking at pounds of blue crabs per trap per day in our commercial CPUE study. And as you can see, when the program began back in 2007, it was a little over two pounds per trap per day. Again you see wide variations from year to year. But overall a downward trend to now less than one pound per trap per day.

And there was actually a historical study in catch per unit effort done back in the early '70s. And you see that here in green. In red is our current study. And the historical study was done by interviewing processors, so it was a little bit different than our work with the fishermen. But there's no doubt about it, we're seeing a great variation here. Look at June, nearly five pounds per trap per day, and it's under two pounds for the current study.

So next we'll look at our fishery independent data, again with our friends at Gulf Coast Research Lab. Most of the data I'm going to show you next comes from the Biloxi area here, but we have expanded our monitoring for trawling throughout the entire Sound back in 2009.

The first we're looking at megalopae. This is the last microscopic stage of blue crabs. And this is catch per unit effort in numbers. And as you can see, it's highly variable going back to 1987. But overall, the trend is increasing. And in Mississippi, we say blue crabs are not recruitment limited. That means there are plenty of recruits

or new crabs that go into the next generation. And we find that in this size life stage.

But when we go into the juvenile stage, it's again highly variable. But you can see the trend line going slightly downward for the juveniles caught in our bean plankton trawls.

In our seines, this is a bag seine that catches juveniles and adults, again a more marked decline. And this goes back to 1974, so this is a very valuable data set for all of our fisheries as we monitor that. But note that it predates the oil spill.

And the same for our trawl data decline, the catch per unit effort there.

So we'll talk about some of the reasons why we're seeing this, some possible reasons. There are many factors that I've mentioned already, but also on everybody's mind is DEEP WATER HORIZON, and as Joe described last month, we have our seafood safety testing ongoing. That includes crabs and all are well below levels of concern.

We look forward to the results of the NRDA or Natural Resource Damage Assessment program that will tell us more about impacts to crab populations and their habitat. Of course, we look forward to that from DEQ.

I wanted to mention the dead zone in the Gulf. And down in the bottom illustration in red is what NOAA has

predicted for a dead zone this year. Fortunately, it looks more like this over in Louisiana. And that's a dead zone that is the result of agricultural runoff that's causing algal blooms, when they decompose, it uses up oxygen in the water. And highly mobile species like crabs are going to move out of the way. They're going to be displaced. But it can kill some species.

So in Mississippi, we do see low dissolved oxygen areas as Matt explained to you about the jubilee earlier this year. So just about every year I get calls about dead crabs in traps, you know, since I've been here before the oil spill. And usually what it is is low dissolved oxygen when the water gets warm and there's not a lot of mixing, it's just naturally occurring. And crabs typically move out of the way.

A few words on climate. Guillermo Sanchez Rubio and some of the others at Gulf Coast Research Lab conducted a study called climate related hydrological regime and their effects on abundance of juvenile blue crabs in the north central Gulf.

Now, one of the things they found was that during periods of heavy local precipitation and heavy river discharge, predation on blue crabs is decreased. And this is because there's more wetland habitat that is inundated, and this allows for more refuge and thus more blue crabs, less predation. And he found these conditions to be true for the

northern Gulf from 1973 through '94.

He found the opposite, drought conditions that contribute to lower crab numbers, in 1997 through 2005.

Also we note from our own sampling that we have seasonally a higher catch per unit effort in the warmer months.

So as far as blue crab predators, everything just about eats blue crabs. Blue crabs are cannibalistic. They eat their own. Sea turtles eat blue crabs. But there are 64 species of fish that have been identified in the Gulf as predators of blue crab.

We wanted to look a little bit more closely at one of those. We had a few questions about this one. But red drum, depending on the study you read and the life stage you're referring to, anywhere from 34 to 54 percent of their diet is blue crabs. So they can have an impact on the population.

And what we did here was compare in blue our catch per unit effort and our agency sampling blue crabs to our commercial red drum landings over the years. And as you can see, those regulations for red drum, closing of federal waters, cutting down the commercial quota to 35,000 from 200,000, and, of course, limits on gill nets, theoretically you could say there were more red drum from that commercial fishery available to eat blue crabs. So that's just one thing to think about there.

Finally and most important is habitat loss.

There's a direct relationship between the amount of habitat you have and the amount of blue crabs you're going to have. In emergent vegetative wetlands, those provide essential habitat, not only for drabs, but their prey and their predators.

Now, of course, you know marshes are an integral part of our estuarine system. They provide nursery area. The detritus makes up the basis for our food web, and, of course, that refuge from those many predators of crabs.

So I thought this was interesting. Nearly a quarter of the salt marsh in the Mississippi Sound has been lost from 1956 to 2007. And note this is during the prime time we're seeing this crab decline. So that's over 9,000 acres.

And here's just one example over in Heron Bay where there were over 350 acres of marshland lost. And you can see, that's thousands of feet there. And fortunately, there is a restoration program in place for this area. But I can't stress enough the importance of wetlands preservation and restoration from the fisheries management aspect.

And I wanted to mention we are currently finishing our 2013 revision of the blue crab management plan which is in conjunction with Gulf States Marine Fisheries Commission and other Gulf states. And this document was originally written in 1990. We revised it in 2001. But the top management recommendation is to address habitat loss.

And finally, I wanted to mention our current

revision will include the first ever GDAR or Gulf Data Assessment and Review stock assessment of the blue crab fishery for the entire Gulf. And this takes into account environmental fluctuations, fishing pressure, recreational and commercial landings, and sampling from all of the Gulf states.

And what we have found is that our management is working, that even though there may be other problems in the fishery, it is not overfished and overfishing is not occurring.

And you can find that document on the Gulf States website, and the final FNB will be on our website, as well.

Any questions?

MR. TAYLOR: Yeah. One thing you said, habitat restoration. And I think one of the things that the DMR has come up with, beneficial use, where when you dredge you have to create habitat marsh and all. I think that's great, not only for this, but for other fisheries.

But I want to go back to something you said about the redfish. As a charter boat captain, you know, the local charter boats make their living on redfish basically in this area. And in 22 years they have not been able to keep a redfish in federal waters.

And if I go behind my boat at the small craft harbor, every day I'm seeing fishermen out there catching 15, 20, 20 pound redfish. I'm not talking about one, I'm talking

about four or five in the morning. And I'm just wondering if the abundance of redfish could be causing more than we think of this. And if so, would lowering the size of the redfish help with the population of the crabs?

I don't know if they're intertwined or what.

MS. FLOYD: Sure. I think that would take further study. I'm not sure that changing the size limit -- I think anything under about 24 inches is going to eat blue crabs. So I think that would take further study.

But definitely the red drum I believe have an impact on the blue crab population.

MR. GOLLOTT: One of the things that's interesting is our sister states on either side of us has got a 16 inch limit where we are 18 inches. And I don't know why there's such a difference, you know, why we think that we got to wait -- like Jimmy said over 22 years we haven't been able to take a redfish out of the Gulf.

I had a friend tell me he seen a school that day he thought he could walk on there were so many redfish in the Gulf. So, you know, that's NMFS's problem.

I'd like to look at bringing our limits in line with our sister states at least, if the staff could work on that and come back to us.

MS. FLOYD: Yes, sr.

MR. TAYLOR: I have another question. Are other

states, our sister states, seeing the same decline in catch per unit and all? I mean, do you know? Or do you --

MS. FLOYD: Of the blue crab?

MR. TAYLOR: Yes.

MS. FLOYD: Yes, sir. Alabama is very similar to us. Louisiana is touch and go depending on basis system. Florida is having -- is doing very well. And Texas is not as well. So it varies from state to state.

But Alabama is very similar to us.

MR. BOSARGE: Traci, tell me about the sponge crabs. Refresh my memory a little bit. Last year, I think you or Harriet Perry, one, did a presentation to us about the sponge crabs. And what I remember was in her studies she found that because it's been in place so long there's been no benefit from the sponge crabs. Correct? By the law of closing of sponge crabs.

MS. FLOYD: Harriet and other crabologists question the wisdom of protecting the sponge crabs because, you know, we are not recruitment limited. From our sampling, we know we have plenty of young from what we've seen so far.

Now, in Alabama, by comparison, they do not protect their sponge crabs. But their situation is very similar to ours. So it doesn't seem to be making that much of a difference.

MR. BOSARGE: Louisiana, also, they have no laws

against sponge crabs?

MS. FLOYD: They do protect sponge crabs there.

MR. BOSARGE: And if I remember correctly, because it's in state statute, we took it to the state to see if we could not have that law changed where it would allow fishermen to keep sponge crabs last year.

MS. FLOYD: We have in past years sent that up to the legislature, but, you know, it's kind of controversial. People want to protect the female, the pregnant females, so to speak, and it has been sent that way, but it has not been approved.

MR. BOSARGE: I would like to see it brought back again this year, you know, to open it back up to the sponge crabs. I mean, from all the data I see and everything I've heard, you know, there's been very little benefit from that, and really as you see by your graph, it's a lot of crabs those guys could be landing that would be beneficial to the industry.

MS. FLOYD: Sure. My only hesitation would be the oil spill study results. I would like to see those final results and include that in our consideration of sponge crabs just to be sure we're where we want to be with our population.

MR. BOSARGE: All right. When you get to where you feel comfortable, come back to us, please.

MS. FLOYD: Okay.

MR. GOLLOTT: Traci, one of the consequences of not harvesting sponge crabs like Alabama is we put our crab picking plants out of Mississippi. I don't know but one that we have in Mississippi any more. At one time, we probably had a dozen or two dozen.

MS. FLOYD: Yes, sir. I believe before Hurricane Katrina, we had about -- we were down to four. After Katrina, we had one. I think we're back up to two now. But certainly --

MR. GOLLOTT: One of the problems is not getting a consistent supply of crabs. When the sponge crabs come in, they just about have to quit catching crabs and that cuts it off in Mississippi.

MS. FLOYD: Yes, sir. Thank you.

MR. DIAZ: Thank you, Traci.

Next up for marine fisheries is going to be Scott Gordon, and he has the next two agenda items. The first one is a shellfish sampling update. And the second one is your permission to open a limited Mississippi oyster season, and that is an action item.

MR. TAYLOR: While Scott is preparing his thing, something I forgot. Next month's meeting of all of the team members, there's relaxed dress code since it will be at the NERR. You know, I'm not wearing a tie. I'll probably have shorts on. But that's just wanted to touch that base.

MR. DRUMMOND: Will that reflect on Jackson County, Mr. Chairman?

MR. TAYLOR: That's Jackson County formal code: shoes, T-shirt, and shorts, especially if they're cutoffs.

MR. DRUMMOND: That's why I asked you.

2. Shellfish Sampling Update

MR. GORDON: Good morning, Mr. Chairman, commissioners, Director Miller, Counselor Chesnut.

Before I get into my next two presentations, I would like to mention that I have enjoyed working for Dale. Dale had worked for me in the shellfish bureau, and now I've worked for him, and we're sure going to miss him.

An additional thing I would like to point out to add about Roy Lipscomb, wanted to toot his horn just a little bit. He was awarded the Bronze Star for his work over in Afghanistan. I think that's something very special. So we're all proud to have Roy back.

Sampling update. Each year, we go out and we sample. These are one minute dredge tows that we've averaged over -- I believe we've done 57 sample stations this year. And I've broken this down by the reef complex. The Pass Christian, Pass Marianne, St. Joseph, and Telegraph reef complexes. And I looked back over the last three years, so in each of these categories, we have the 2011, 2013, so you can see what each of these reef complexes did in the previous years.

These are mean oyster sample size class frequencies, and that's the sack oysters greater than 75 seed -- gosh. I've got the reef on here. This is the sack oysters, which are the legal size, that's the green. The yellow is the seed oysters that's between 25 and 75 millimeters. And the spat, which is the very smallest category. So I have those as red, yellow, and green, green being what we would expect to be able to harvest.

For the Pass Christian this year average, it's pretty similar to what we had last year. And the Pass Marianne is the same way. The St. Joseph and the Telegraph reef areas are not doing very well. But I do like to see on the St. Joe and the Telegraph areas, the St. Joe we have a nice amount of seed oysters. And also we've got a pretty heavy spat set his year. So that's something that is encouraging for the future.

And you may also want to keep these two areas in mind whenever I come down to what the season recommendation would be.

And this is something so you can visualize. Again, we went back 2010, 2012, and 2013. We did not do the sample in 2011 because of the Bonnet Carre Spillway opening.

What we did here was color coated the grids based on our one minute dredge tows. We did duplicate dredge tows in each of these grids. And we averaged them out. And all of these maps are going to be using the same

classification.

Where the red areas is none, this light pink area I guess between one and 20, 21 to 40 is this color. The blue is the 41 to 60, and 61 to 80 is going to be green. So that's going to be our best area.

So in 2010, this is what we had. 2012, which was last year, which we had the limited oyster season. If you look at some of these areas along the Pass Christian tonging area and the Pass Christian dredging reef area and the Pass Marianne reefs.

For those of you that aren't familiar, this is the Pass Christian reef complex. This we refer more to the Henderson Point Square Handkerchief. This is Pass sMarianne and Telegraph and the St. Joe reef areas.

This is what we found from our samples this year. St. Joe is still recovering. All of our reefs are recovering. And I would say we're in the recovery stage on that. We do have some harvestable oysters in the Pass Christian area, although our indications are that it's not as good as what we would have liked to have seen.

Keep in mind, these are from our one minute dredge tows.

But the Telegraph reef area, it's other than what the spat and the seed oysters on there, we don't have very many marketable oysters.

Are there any questions on our sampling?

MR. GOLLOTT: Go back to the previous slide I think where you had the graphs on spat. What is the yellow? What size is that in inches? I mean, I know an oyster can grow from --

MR. GORDON: Twenty-five to 75 millimeters, so it's just under three inches, basically an inch to three inches.

MR. GOLLOTT: So this --

MR. GORDON: That's the seed oysters.

MR. GOLLOTT: In other words, that can be ready in --

MR. GORDON: Towards the end of the season.

MR. GOLLOTT: That's what I was wondering. Thank you.

MR. GORDON: At least a portion of that.

Are there any other questions on the sampling?

3. Limited Mississippi 2013-2014 Oyster Season

MR. GORDON: Okay. For the 2013-2014, we're going to recommend a limited oyster season similar to how we did last year.

We do have oyster task force trip scheduled to go out on The CONSERVATIONIST this coming Friday. And it's basically our day on the Sound. You know, we want to show them the different reef areas. So we'll ask them which reef areas

would you like to look at. We'll go out there. We'll pull the dredge on it. We'll look. And we'll have some discussions.

Also, this coming Monday we're going to have another day on the Sound for anybody else. You know, we have some of the other dredgers and tongers that have shown interest. You know, we're inviting the dealers to come out. And I would also like to invite Director Miller and the commissioners. And I would encourage you to go on that. You know, that kind of lets you see firsthand what sort of season we would have to look towards.

Either Friday or Monday for the commissioners, but Friday is going to be the oyster task force, and Monday is going to be the other day on the Sound.

MR. BOSARGE: Scott, do you have any recommendations from the task force on what they would like to see on the season?

MR. GORDON: Not yet. That's one of the reasons that we're going to have the task force out on The CONSERVATIONIST on Friday before the other group goes out.

MR. BOSARGE: Maybe make sure we try to do that before the meeting, maybe we can get a little input from those guys.

MR. GORDON: Yes, sir.

And I thought the commission would like to see where our commercial license sales stand right now. This is

commercial oyster license sales by type for FY '04 through FY '14.

And the green category is the resident dredging licenses. This was last year and this year. We still have some licenses remaining.

The yellow is the resident tonging licenses, and the same holds with all of these categories. The red is the nonresident dredging. And the light blue is the nonresident tonging licenses. So there are still a few licenses left for this year.

This is going to be our recommendation for the 2013-2014 Mississippi limited oyster season.

It would be to authorize the executive director to open a limited 2013-2014 Mississippi oyster season in Area II conditionally approved waters to the harvest of oysters.

Also to authorize the executive director to extend the limited oyster season or open other areas that may become available.

Authorize the executive director to close areas to harvest to conserve the resource.

Starting off initially with a 20 sack daily commercial dredging sack limit and 12 sack daily commercial tonging limit. That's where we started last year.

And authorize the executive director to adjust the daily sack limit as required.

Authorize the executive director to modify the daily checkout time to no later than 4:00 p.m. And that sometime probably in October will have to go to a shorter period of time due to our vibrio time temperature matrix.

Open reefs Monday through Saturday, closed on Sundays, Thanksgiving Day, Christmas Eve, Christmas Day, and New Year's Day. These are standard provisions.

And then the other standard season provisions, such as check stations, correct change, etcetera.

And once the season opens, the condition of the reefs will continue to be monitored. And the executive director will make the necessary authorized adjustments.

For your information, for the -- I've been informed that the State of Texas is planning on opening up mainly the Galveston Bay area November 1. And Louisiana has decided to open up some of their areas east of the river on October 15.

So we have not selected any dates yet on this, but a lot of that is still up in the air. And I know we've got some of the fishermen in here that like to see it opened up as early as possible. There are some other fishermen would like to see it put off. But biologically, it really doesn't make any difference which way you want to go with that.

MR. GOLLOTT: Mr. Chairman, I'd like to make a motion that we open the tonging reef on September 30th. This

would be the real first week of October, and then open the dredging reef on October 14 with the sack limits that they recommend, and the rest of the recommendations, we'll accept them.

MR. TAYLOR: We have a motion on the floor. Do we have a second?

MR. BOSARGE: I'll second.

MR. TAYLOR: Any discussion? All those in favor. Passes unanimous.

MR. GORDON: Thank you.

MR. TAYLOR: Thank you, Scott.

MR. DIAZ: Thank you, Scott.

Next up for office of marine fisheries, Ms. Kristina Broussard is going to show you something that we just had. It's hot off the press. An Oysterman's Guide for the Mississippi Reefs. Kristina?

4. Presentation of Oysterman's Guide to Mississippi Oyster Reefs

MS. BROUSSARD: Good morning. My name is Kristina Broussard, and I'm the scientist for the shellfish bureau. I'm here to present the Oysterman's Guide to Mississippi Gulf Coast Oyster Reefs that we had printed.

This guide book is intended for all oystermen working in Mississippi waters. It will be distributed to working oyster licensed holders at the Pass Christian check

station beginning this October when oyster season begins.

Any oyster license holder is eligible to receive a copy, and we will also have a PDF version of this guide on the DMR's website.

The goal of this book is to offer oystermen a unified reference guide for working in the Mississippi Sound. This guide includes an abundance of information, including oyster reef harvesting locations, a map of the western Mississippi Sound oyster reefs, rules and regulations for harvesting oysters in Mississippi water, a description of our trip ticket program, the DMR's ongoing efforts to enhance and preserve the oyster reefs for future generations, a guide for spotting predators and threats to the oysters, understanding shellfish toxins and what the DMR does to monitor for these toxins, and boating safety on the water including weather emergencies.

This book was printed on waterproof tear resistant synthetic paper with a plastic spiral biding to avoid corrosion from sea water.

The goal is to have this be the reference guide for our oystermen for many years to come.

And this entire project was funded by a grant from the Emergency Disaster Recovery Program.

Are there any questions?

MR. TAYLOR: It's very nice looking, very

practical.

MS. BROUSSARD: Thank you.

MR. BOSARGE: A lot of information. Really a nice job.

MS. BROUSSARD: Thank you.

MR. DIAZ: Thank you, Kristina.

Kristina and the rest of the shellfish staff and our PR folks and a lot of other people contributed to putting this book together. And this is an effort for us to try to do something for the folks that we work for, the fishermen, to give them something that would be very handy for them. And I think the staff done a wonderful job on this, and I'm very proud of this book. I think it's going to be a must have thing for all oyster fishermen. And I appreciate the hard work to make that happen.

Last up for the office of marine fisheries is going to be state records, and Erick Porche will be presenting them. Erick?

5. State Records

MR. PORCHE: Good morning. I have three records for your consideration today. All three of them are conventional tackle.

The first one is for Gulf toadfish, Opsanus beta. The old record was two pounds. The new record will be 2 pounds 3.2 ounces caught by Cecily O'Brien. There's the

toadfish, and Ms. O'Brien.

Second is for Atlantic bumper, Chloroscombrus chrysurus. It will be a new record of 3.45 ounces caught by our own Donald Armes, Jr. Our bumper, and Donnie looking thrilled with his catch.

Third is for bull shark, Carcharhinus leucas. It was an old record of 130 pounds 7.36 ounces. The new record will be 164 pounds 6 ounces caught by Mr. Eric Slate. The shark and Mr. Slate.

Any questions?

MR. DRUMMOND: Mr. Chairman, I make a motion that we approve these new records for the State of Mississippi.

MR. TAYLOR: Do we have a second?

MR. GOLLOTT: Second.

MR. TAYLOR: All those in favor. Passes. Thank you, Erick.

We are going to -- the next part of the meeting is going to be pretty lengthy. We have a pretty good number of items in coastal zone, so we're going to take about a ten minute break here for anybody that needs to get to drink, use the restroom, whatever.

(Off the record.)

MR. TAYLOR: I'm going to bring the meeting back to order. And I realize we have some people that still need to come, so let's see. Next up on the agenda is office of coastal

management, Jan Boyd.

H. Office of Coastal Management

MS. BRANTLEY: Jan is at a Coastal States organization meeting in Virginia and sends his regrets. So I'm filling in for him. We have I think -- we got down to seven items on the agenda, and Chris Pickering will be presenting the first one.

1. Bureau of Wetlands Permitting

a. Ed Colton

MR. PICKERING: Good morning. My name is Chris Pickering. I'll be presenting a request for a permit by Mr. Ed Colton. The location is the St. Louis Bay at 207 Sandy Hook Drive in Pass Christian, Harrison County, Mississippi. This is in the general use district. And the agenda is A Step Above Marine Contractors.

The yellow thumb tack is the location of the project. You've got the St. Louis Bay and Highway 90.

He is proposing to construct a pier that's 25 feet long and 8 feet in width. This will make the total shading area 1,629 square feet.

This is a diagram. Basically, this is the property line here. He has a bulkhead that runs along here and then along the bay. And right now this is just an open area, and he wants to put a 25 by 8 foot pier over it. And he does have permission from the adjacent property owner to do this.

This was previously permitted --

MR. GOLLOTT: Excuse me. Would you back up to the last graph? Where is the bulkhead at on here?

MR. PICKERING: The bulkhead runs along here.

MR. GOLLOTT: It's behind there; right?

MR. PICKERING: Right. And the water is out here.

MR. GOLLOTT: Explain to me again, please.

MR. PICKERING: The bulkhead runs from here down to here, along here.

MR. GOLLOTT: Okay.

MR. PICKERING: And basically all this is open water.

MR. GOLLOTT: Okay. Thank you.

MR. PICKERING: You'll be able to see it better on the picture I have.

This was previously permitted through a general permit in July. It's a 275 foot access pier. It was four feet wide. And then a 15 by 15 foot covered pier and a 13 by 8 foot pier at the end.

And this is a picture of where his new 25 by 8 foot pier is going. You can see the bulkhead runs along here. And this is the property line. He's going to extend the fence out along the new pier.

The reason why we are taking this to commission

is because his previously permitted access pier will not be able to be considered an access pier any more because of the new pier. They're both providing access so you cannot have two access piers. So that's why the square footage is so high.

The project does not serve a high public purpose.

The project is allowable within the general use district.

Similar projects have been approved, and no precedent setting effects are anticipated with this project.

Piling installation may temporarily increase turbidity in the construction area and may result in a temporary decrease in number of benthic organisms. No more than 1629 square feet of waterbottoms will be shaded.

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

No offsite alternatives have been considered because this is a private residential lot and the project serves to allow the property owner access to the water.

The construction of the pier does require a waterfront location.

There are other piers in the area, and this project is not expected to adversely affect the natural scenic qualities.

Public notice went out to the Sun Herald on

August 11, 18, and 25. No comments were received.

DEQ is currently reviewing the project. Archives & History has no objection. Secretary of State says the project will not require a tidelands lease. And Wildlife & Fisheries recommends that best management practices.

Based upon departmental review and evaluation, the staff recommends that the CMR approve the applicant's request.

MR. TAYLOR: Any questions? Do I have a motion?

MR. GOLLOTT: Mr. Chairman, I make the motion that we accept the staff's recommendation and issue this permit.

MR. TAYLOR: Do I have a second?

MR. BOSARGE: So second.

MR. TAYLOR: All those in favor. Passes unanimous. Thank you.

b. Mike Odom

MR. CHRISTODOULOU: Good morning. My name is Greg Christodoulou. I'll be presenting the next three items for your consideration this morning.

The first is a request for a permit by Mike Odom. It's located on an unnamed canal adjacent to Breath Bayou in Bay St. Louis in a general use district. And the agent is A Step Above Marine Contractors.

Here's the location indicated by the thumb tack.

Here is Highway 603, 43, and I-10. This would be Exit 13, the Bay St. Louis exit.

The applicant is requesting a bulkhead 50 feet in length, a 30 foot by 12 foot boathouse, two piers, one 30 feet by 2 feet, and one 11 feet by 2 feet, along with the existing structures that are in place. The total shading of the project is 1,528 square feet.

Here is a broad diagram of the project. The area that's kind of in a brown color here is an existing pier about six feet wide around the entire perimeter of the property that's existing in place. The yellow is an existing floating jet ski dock.

The bulkhead that is proposed is on this lot right here. Currently there is no shoreline protection on it except for some riprap material. And the boathouse they're asking to construct. And the piers are associated with this structure right here. And I'll have a little better closeup of the boathouse.

The green is the existing dock. They're going to notch in about three feet on the existing dock so they do not extend too far out with that 25 percent the width of the waterway. The pink is the boathouse structure itself. And the two piers in front and along the side are in yellow.

Here is a picture of the site. You can see the existing pier that's in place, the jet ski lift, the flags

right here for the new bulkhead, and the boathouse would be in this location.

The project does not serve a higher public purpose.

The project is allowable within the general use district.

Similar projects have been approved, and no precedent setting effects are anticipated with the project.

Piling installation may temporarily increase turbidity in the construction area and result in a decrease in number of benthic organisms. And the total shading of this project will not exceed 1,528 square feet.

Best management practices will reduce adverse impacts.

No offsite alternatives were considered because this is a private residential lot and the project serves to allow the property owner access to the water.

Construction of bulkhead, boathouse, and piers does require a waterfront location.

There are other piers, bulkheads, and boathouses in the area, so the project is not expected to adversely affect the natural scenic qualities of the area.

Notification of the project was placed in Sun Herald and Sea Coast Echo. We received no public comments.

DEQ is reviewing the project. Archives &

History has no objections. There is no tidelands issues as the project is on a manmade canal.

And best management practices should be properly implemented from comment from the Wildlife, Fisheries & Parks.

Based on staff's review and evaluation, the project is consistent with the Coastal Program, and staff recommends approval of the requested permit.

MR. TAYLOR: Any questions?

MR. DRUMMOND: Greg, I have a question. Shading is not going to inhibit the process of this permit; does it?

MR. CHRISTODOULOU: No, sir. It's just when --

MR. DRUMMOND: It's gone away now. We don't have any problem with shading.

MR. CHRISTODOULOU: It's just waterbottoms that are being shaded and surface. There's no marsh or anything like that in the area.

MR. DRUMMOND: No marsh?

MR. CHRISTODOULOU: No, sir.

MR. DRUMMOND: I just saw you mentioned shading was 1500 square feet.

MR. CHRISTODOULOU: That's for the amount -- there's only a thousand square feet allowed for the general permit, so when projects exceed that thousand square feet, we have to elevate how we review those.

MR. DRUMMOND: Okay.

MR. TAYLOR: Do I have a motion?

MR. GOLLOTT: Mr. Chairman, I make a motion that we approve this permit.

MR. TAYLOR: Is there a second?

MR. BOSARGE: So second.

MR. DRUMMOND: I second the motion.

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

c. Diamondhead Corporation

MR. CHRISTODOULOU: Next project permit request by Diamondhead Corporation. It's located on Paradise Bayou in the Diamondhead marina and the accessory canals in south Diamondhead. It's in the general use and commercial fishing and recreational marinas district. And Wendell Mears from Anchor QEA is the agent.

The area in question is basically the entire south Diamondhead area. I-10 Diamondhead exit.

The applicant is requesting to dredge all the canals within south Diamondhead. Paradise Bayou is the main canal that services Diamondhead. That will be approximately 6,730 linear feet. The channel width is approximately 80 to 110 feet. The final depth proposed for the dredging is six feet below mean low water. Secondary canals, a total of approximately 11,000 linear feet. Dredge width approximately 20 to 40 feet. And also six feet below mean low water is the

final depth, proposed depth.

And finally, the marina area, 450 feet by 250 feet to a depth of six feet below mean low water.

Since the project covers a large area, three diagrams. This is the hydrographic bathorhythmic data supplied to the department. The greener areas are depths usually about five to six feet. When you start getting into kind of the hotter colors, the yellows and the reds, those are indicators of shallower water.

So you can see a lot of these secondary canals here have been impacted by previous storms, runoff, that nature, and there is probably still a lot of Katrina debris in these smaller canals, as well. There have been a few spot dredging permits that have taken place within it, but nothing very widespread.

Here is kind of a middle section showing again the main canal and some of the smaller canals.

And finally, the easternmost area of Diamondhead, the marina, and then the last four canals on the eastern end.

Here is a picture from just a typical shot down one of the smaller side canals. You have most of the area is bulkheaded. There are some lots that are not bulkheaded. And again, you have various stages of repair on some of these bulkheads, as well.

Here's a shot looking west down the main canal known as Paradise Bayou, much wider waterway.

The benefits of the project include increased accessibility and restoration of navigable depths to the waters of this area for residential property owners and the general public that may be utilizing the marina.

The project is allowable within the general use and commercial fishing and recreational marinas district.

Similar projects have been approved. No precedent setting effects are anticipated.

Dredging will result in a temporary increase in turbidity of these manmade canals, and the effects can be greatly minimized by adhering to best management practices, placing turbidity screens around dredge site, and the dredging will also result in a decrease in number of benthic organisms.

Maintenance dredging will result in removal of approximately 125,000 cubic yards of material. And the waterbottoms associated with this project are privately owned. They're not state owned waterbottoms, and as such, they're not subject to the beneficial use statute that we have.

For the time being, the material will be placed in adjacent onsite uplands. But there may be a modification down the road to where this material may be used for beneficial use. We would come back before the commission if that's the case later on.

Best management practices will be implemented throughout the maintenance dredging project. And the applicant will be required to maintain a minimum ten foot buffer between any wetland areas. And the applicant has also agreed to have a ten foot setback from the shoreline protection devices that are in place, any bulkheads. So no chance of undermining those.

No additional sites were considered as this is a maintenance dredging project located in previously dredged manmade canals.

The site has been dredged previously, and necessary equipment will only be present during dredging activities.

Any impact to the scenic qualities of the area will be temporary while the work is underway.

Notification of the project appeared in the Sun Herald and Sea Coast Echo. We received two comments in support of the project. We had one comment that drainage ditches and bulkheads be repaired prior to any dredging activity. We can't make people repair their bulkheads or get a bulkhead before they dredge. And we had a comment that the canals to the east of the marina be included in the project. There was some miscommunication on that. The canals on the east end, east of the marina, wouldn't be included, but they will be included.

DEQ is currently reviewing the project. Archives & History has no objections. Best management practices should be properly implemented according to Wildlife, Fisheries & Parks. And Secretary of State's Office, the project is not located in the public trust tidelands.

And based upon staff's review, the project is consistent with the Coastal Program because it serves a higher public purpose by providing safe navigational depths for residential property owners and the boating public. So staff recommends approval of the requested permit.

MR. TAYLOR: Questions?

MR. GOLLOTT: Yes. Let's go back to the beneficial use of the mud. Is there a site close to -- first of all, is it our call?

MR. CHRISTODOULOU: We can't make the call on this because the waterbottoms aren't state owned. So since they are not state owned waterbottoms, they do not have to abide by that statute. If the waters were state owned waterbottoms, they would have to have a beneficial use site considered. They'd have to do the testing.

As of now since they're private waterbottoms, we don't -- I don't think the statute has the authority to make them do the beneficial use.

However, there is an indication with meeting with the applicants and their agent that down the road that might be something that they would like to do.

But right now, they're not --

MR. GOLLOTT: Do we have an area down there that we could use the mud?

MR. CHRISTODOULOU: Not yet. As far as I know, there's not a beneficial use site at all in Hancock County. I think it's being worked on.

MR. DRUMMOND: Greg, who's paying for it?

MR. CHRISTODOULOU: I guess that's going to be the property owners association.

MR. DRUMMOND: Each property owner is going to pay for his fair share?

MR. CHRISTODOULOU: The property owners association is the group of all the property owners in the Diamondhead area, so I think they pay dues, and --

MR. DRUMMOND: They call it a Diamondhead marina, Paradise Bayou.

MR. CHRISTODOULOU: Yes. So it's all the property owners in Diamondhead pay into the property owners association, so I imagine there's --

MR. DRUMMOND: They've all agreed to pay for it, huh?

MR. CHRISTODOULOU: As far as I know.

MR. DRUMMOND: I hope we didn't spend a lot of money for nothing.

MR. CHRISTODOULOU: Well, I don't think any governmental agencies will be funding any of this dredging.

MR. GOLLOTT: Mr. Chairman, I'll make the motion that we approve this permit.

MS. BRANTLEY: Commissioner Gollott, I have a little more information on the beneficial use.

For the record, my name is Willa Brantley.

We've been talking about the marsh to the south, and it shows up in one of the pictures. Actually, that marsh right there is directly to the south of where they're going to be doing a lot of the dredging.

We're looking into whether they can dredge and then later deposit spray the material on the marsh. There's not enough research at this time to do a permit for that. But it is being looked at by their agent, by our beneficial use people, it's being discussed.

So if that works out where we think we can do the thin layer deposit and it will be a benefit rather than harming the marsh, we'll come back and present that as the alternative.

MR. GOLLOTT: Good. I was basing mine that we didn't have an area to discharge the permit, so...

MS. BRANTLEY: It's not approved as of yet, but we're looking into getting it approved if we think it will ultimately be beneficial.

MR. GOLLOTT: Good. Thank you very much.

MR. DRUMMOND: Is it a manmade canal, Willa?

MS. BRANTLEY: It is.

MR. TAYLOR: We have a motion on the floor. Do we have a second?

MR. BOSARGE: So second.

MR. TAYLOR: All those in favor. Passes unanimous. Thank you.

d. Jackson County Board of SUprvisors

MR. CHRISTODOULOU: The final item I have for your consideration is a request for permit modification by the Jackson County Board of Supervisors located on the Mississippi Sound, Ocean Springs. It's in the general use district. And the agent is Seymour Engineering.

And it's for a project that I believe the commissioners are very familiar with, and that's Lake Mars. Lake Mars boat launch located down here in Gulf Park Estates, Highway 90, Highway 57.

It's a maintenance dredging project for the first 300 feet out from the existing boat launch. Dredge area is 300 feet by 50 feet to a final depth of five feet below mean low water. There will be approximately 3,000 cubic yards of material removed, and that material will be utilized for beneficial use at the Deer Island beneficial use site.

Here is a diagram of the dredging. Here you see it's the first 300 feet between the jetties, the existing jetties, from the boat launch.

Here is a picture of the area. The launch is here, and this is the east jetty.

The project serves a higher public purpose by restoring safe navigational depths and improving access to the public launch.

The project is allowable within the general use district.

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

There will be a temporary increase in turbidity during dredging operations and a loss of benthic organisms within the dredging area.

Best management practices will reduce any adverse impacts.

No offsite alternatives have been considered. This is a maintenance dredging project. The same channel path that was previously dredged will be followed, and no new areas will be dredged.

The project will not change the location of the navigation channel and should not affect the natural scenic qualities.

Notification was placed in the Sun Herald and Mississippi Press. The only comment that we received was a comment from the adjacent property owner, and he has commented on past projects. And he has concerns that any work done at

the Lake Mars boat launch may cause erosion to his property. So he again asked what he has asked in previous permits modifications that the county has requested that we document that he does have shoreline loss and that the county is monitoring his property to document any losses that he has.

DEQ is reviewing the project. Archives & History has no objections with the project. Secretary of State's Office has said the project will require a tidelands lease. And Wildlife, Fisheries & Parks has best management practices will be properly implemented with the project.

And based upon our departmental review, the project is consistent with the Coastal Program because it serves a higher public purpose by restoring safe navigational depths in the launch area. Staff recommends approval of the requested permit modification with condition that the applicant shall continue to monitor the shoreline owned by the western adjacent property owner as required in the previous permit modification.

MR. TAYLOR: Any questions?

MR. GOLLOTT: Why would the Secretary of State -- for a channel? I mean, I can understand building or something like that. But a channel?

MR. CHRISTODOULOU: I think that was -- it's just a maintenance dredging project. I think it may need to be amended. But I think since -- I may have put the long heading

under there. I don't think it will require a lease after all.

MR. GOLLOTT: Mr. Chairman, I'll make a motion that we accept and issue this permit.

MR. TAYLOR: Second?

MR. BOSARGE: So second.

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

e. Signet Maritime Corporation

MS. WITTMANN: Good morning. My name is Jennifer Wittmann. I'll be presenting the next item on the agenda.

This is a request for a permit by Signet Maritime Corporation located on the Pascagoula River at 3802 Port River Road in Pascagoula. This is in the industrial development use district, and the agent is Seymour Engineering.

This is the location of Signet Maritime Corporation, 619, Highway 90, and Market Street in Pascagoula.

The applicant is seeking authorization to dredge the channel 580 feet in length, approximately 60 feet in width, to a depth of 20 feet below mean low water, to dredge within a existing keyhole boat slip 120 feet in length, 100 feet in width, to a depth of 20 feet below mean low water; 23,435 cubic yards of material will be removed. They are requesting authorization to replace 950 linear feet of bulkhead, construct 150 feet of new bulkhead, and approximately 0.051 acre of

non-vegetated state owned waterbottoms will be filled landward of the new and proposed bulkheads.

As mitigation for the impacts to state owned waterbottoms, the applicant is proposing to widen the existing onsite keyhole boat slip by 12 feet. This will create 0.082 acre of new waterbottoms which will be deeded to the state. And the dredge material will be tested prior to the commencement of dredging, and if suitable, it will be utilized for beneficial use at an approved beneficial use site.

The shaded area is the area that will be dredged. This is within the existing keyhole boat slip within the Pascagoula River. The bulkhead will be constructed along this line.

The area in green is the area that is proposed to be filled. Currently, the bulkhead ends here, and then there's riprap in this area. I have a picture that shows that better so you will be able to see the area.

This is the area of the bulkhead that will be replaced. This is that area with the riprap that will be filled. So the existing bulkhead will extend out, and this area of waterbottoms will be filled. It's currently not usable. And this is the existing keyhole boat slip.

The project will facilitate water access by commercial and industrial marine vessels, allowing Signet Maritime Corporation the ability to continue operating in a

safe manner and expand business and also increase tax revenue.

The project is allowable within the industrial development use district.

The applicant is seeking two variances to the Mississippi Coastal Program. That vertical face structures shall be aligned no further waterward than mean high tide, and the permanent filling of coastal wetlands because of potential adverse and cumulative environmental impacts is discouraged.

Both of these variances are justified because the activity requires a waterfront location, there is a significant public benefit, and a public hearing has been held.

Similar projects have been approved by the commission, and no precedent setting effects are anticipated.

The loss of benthic organisms during dredging operations can be expected, as well as a loss of waterbottoms due to the construction of the bulkhead. But the applicant again is creating 0.02 acre of waterbottoms by widening the existing keyhole boat slip, and that will offset the impact to 0.051 acre of waterbottoms.

A total of 43,435 cubic yards of material is proposed for removal. And the applicant has proposed that the dredge material be taken to a beneficial use site if appropriate.

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

No offsite alternatives have been considered since this is an expansion of an existing facility.

A vessel repair and maintenance facility does require a waterfront location.

The project is located in an area that is currently an industrial commercial area and should not impact scenic qualities.

Notification of the project appeared in the Sun Herald as required. No public comments were received. And a public hearing was held on September 9, 2013, and no public comments were received.

DEQ is currently reviewing the project. Archives & History has no reservations. Secretary of State's Office has stated that the project will require a tidelands lease. And Department of Wildlife, Fisheries & Parks has recommended best management practices, including the dredging, take place between the months of May and September when Gulf sturgeon are least likely to be in the area area.

The Pascagoula River industrial area is one of the industrial and port areas special management areas listed in Chapter 6 of the Mississippi Coastal Program which encourages effective utilization of existing waterfront industrial sites.

Based on departmental review and evaluation, it has been determined that the project is consistent with the

Mississippi Coastal Program because it will have a significant public benefit. Therefore, staff recommends approval of the project and the two variance requests.

MR. TAYLOR: Any questions?

MR. BOSARGE: If the dredge materials do prove to be able to be used in a beneficial site, do you know which one it would be used in?

MS. WITTMANN: I'm not sure. Probably Round Island.

MR. BOSARGE: Sounds like we're going to be putting a bunch of stuff in Round Island, so that's good.

I'll make a motion.

MR. TAYLOR: We have a motion on the floor. Do we have a second?

MR. BOSARGE: I make the motion we accept staff's recommendations.

MR. TAYLOR: Do we have a second?

MR. GOLLOTT: I'll second.

MR. TAYLOR: All those in favor. Opposed? Thank you.

MS. WITTMANN: Thank you.

f. Maritime Development Center

MR. DAVIS: Good morning. I'm James Davis. I'll be presenting the last two items on our agenda.

We have a request for permit modification by

Maritime Development Center. It's located on Gulfport Lake off Seaway Road in Gulfport. It's in the industrial development use center, and the agent is Billy Culpepper from Culpepper & Associates.

You see the project location here. Here's Gulfport Lake south of I-10 in Gulfport.

A little bit zoomed in view. It's between Trinity Yachts and the Dock in Gulfport off Gulfport Lake.

Previously authorized structures: A bulkhead 970 feet long, a keyhole boat slip, maintenance dredging, and debris removal in the form of the existing piers and pilings. And the applicant is currently seeking to abandon this project.

Instead, here they are proposing a bulkhead 970 feet long and filling of 1.2 acres of unvegetated tidal waterbottoms of which .16 acre is public trust tidelands.

Diagram of the proposed project. The existing shoreline is this area here. And they're proposing to bring the bulkhead out into the water directly adjacent to the federal channel.

MR. TAYLOR: Would you back up a couple of slides?

Did I mishear you or something that they're going to abandon the other permit, a keyhole boat slip?

MR. DAVIS: Right. They're abandoning this project. You see here the keyhole boat slip that was

permitted. And then they are doing away with that. They're going to fill in this area for a marine launch for large oceangoing barges and vessels.

Just a picture of the project area. You can see Trinity in the background.

Public benefits of the project include increased employment opportunities for construction of boat slip and bulkhead structures and the employment opportunities from contracts received to manufacture vessels.

The project is allowable in the designated industrial development use district.

They are seeking two variances to this project. The first being vertical face structures shall be aligned no further waterward than the existing mean high tide. And the second would be permanent filling of coastal wetlands because of potential adverse and the cumulative environmental impacts are discouraged.

This is being justified saying the activity requires a waterfront location, there is significant public benefit in the activity, and a hearing has been held.

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

The proposed bulkhead construction and fill would result in permanent loss of 1.2 acres of waterbottoms of which a sixteenth of an acre which is 6950 square feet of

public trust tidelands. If the appropriate mitigation for the impact is completed, the overall effect should be minimized and/or eliminated.

Due to the nature of the launch system, no alternative designs were considered.

No additional sites were considered. An alternative site was not feasible due to the expenses needed to relocate the existing shipyard.

The site is located in an industrial area with other shipbuilding facilities located adjacent to the site. Scenic qualities should not be impaired by the proposed project.

Notification was published in the Sun Herald on these dates. We received no comments.

A hearing was held on September 4, 2013. No comments were received. DEQ is currently reviewing the project. Archives & History has no objections. Wildlife, Fisheries & Parks, best management practices should be implemented. And the project will require a tidelands lease with the Secretary of State's Office.

Bernard Bayou Industrial Park is one of the six industrial and port areas special management area listed in Chapter 6 of the Coastal Program which encourages effective utilization of existing waterfront industrial sites.

Based upon staff evaluation, it has been

determined that the project is for a water dependent industry, will improve operations and diversification into barge construction, and the p oject also has a public benefit by increasing local tax base and creating jobs. Therefore, we recommend approval of the variance request and issuance of the permit with the condition that the applicant either create a sixteenth of an acre of tidal waterbottoms and deed the area to the Secretary of State, or pay $25,248 to the coastal preserves program to compensate for the permanent loss of coastal wetlands.

The amount will be utilized for wetland preservation, enhancement, restoration, and/or creation.

MR. TAYLOR: Questions?

MR. GOLLOTT: When would this project start?

MR. DAVIS: I'm thinking they're hoping as soon as they get all their permits in line.

MR. GOLLOTT: You know, this pains me because I've caught some beautiful speckled trout right there.

Mr. Chairman, I make a motion that we approve the permitting.

MR. TAYLOR: We have a motion. Do we have a second?

MR. BOSARGE: So second.

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

MR. DAVIS: Thank you.

g. Paul A. Lea, Jr.

MR. DAVIS: Next we have a request for after the fact permit by Paul Lea, Jr. It's located on an unnamed canal adjacent to Acadian Bayou at 5040 East Midway Drive in Pass Christian. It's in the general use district.

Project location here. It's on the eastern side of Mobile Bay just south of where the Wolf River -- or Bay St. Louis where the Wolf River empties out into the Bay.

Zoomed in location. Mr. Lea's property is right here. This is East Midway Drive. This is Arcadia Farm Road. And then this is Mr. Lea's boathouse here at the dead end of the canal.

The project description. The applicant has constructed structures outside the scope of the issued exclusion and is seeking after the fact authorization to retain the structure.

He was previously permitted for an access pier 29 feet by 4 feet, a pier 37 feet by 4 feet, another pier 46 by 8, an open sided covered boathouse 30 by 30 and no more than 25 feet in height.

Unauthorized structure. The open sided covered boathouse was constructed 30 by 30 and 31 feet in height.

Total shading associated with the project is 1416 square feet.

Just a diagram of the boathouse as constructed.

A picture of the boathouse.

Some project chronology:

On June 19, 2012, staff presented the violation to the commission. The commission then ordered Mr. Lea to bring the boathouse into compliance, issued a $1500 fine. The commission also ordered that if the violation was not compliant within 60 days an additional fine of $500 a day be levied for each day after August 18, 2012, and the project be forwarded to the attorney general's office for enforcement action.

On July 3, 2012, staff presented a petition for reconsideration from Mr. Lea.

On July 17, 2012, it was presented to -- the petition for reconsideration was presented to the commission. The petition was denied.

September 11, 2012, staff forwarded the violation to the attorney general's office.

July 20, 2013, staff received an after the fact application for the boathouse as constructed.

The project does not serve a higher public purpose.

The project is allowable within the general use district.

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

Pile supported structures should have a minimal impact on biological integrity and productivity.

Project has been completed, and no other adverse impacts are anticipated.

No other offsite alternatives have been considered because this is a private residence and the project serves to allow the homeowner access to the water.

The boathouse as currently constructed 31 feet above mean high tide is taller than other structures in the area and would impact natural scenic qualities to a greater extent.

Public notice ran in the Sun Herald on these dates. No comments were received.

DEQ is reviewing the project. Archives & History had no reservations. Secretary of State, no reservations.

And based upon departmental review and evaluation, staff recommends the commission approve the after the fact request and issue a fine in accordance with Mississippi Code 49-27-51.

The violation was discovered February 28, 2012. The violation duration has been 487 days.

Decision factors: Mr. Lea has had two previous violations at the site and is aware of the permitting process. Mr. Lea was previously told by DMR and legal staff that the

roof on his boathouse could only be one foot ten inches high over the deck because the boathouse measured 23 feet 2 inches. Mr. Lea was informed of this violation in March 2012 and did not attempt to bring it into compliance. The commission gave Mr. Lea additional time to apply for authorization, and then Mr. Lea did apply afterwards but withdrew his application because he felt it was not appropriate. And Mr. Lea has previous outstanding fines.

And Mr. Lea has a representative here if you guys have any questions.

MR. DRUMMOND: Yes. Why in the hell did you accept the permit from him period?

MR. DAVIS: Was that directed to me or Mr. --

MR. DRUMMOND: You said on July 20, DMR received after the fact application for the boathouse as constructed.

MR. DAVIS: Yes.

MR. DRUMMOND: I mean, he owes all these fines, and he's still going to apply for a permit to do whatever he wants to do? It doesn't make sense to me.

MR. DAVIS: Well, that was at the -- I believe at the time the commission was giving Mr. Lea an opportunity to apply to keep the boathouse as it was.

MR. TAYLOR: He could still apply for after the fact permit at any time probably according to statute.

MR. DAVIS: Yes, sir.

MR. TAYLOR: It has nothing to do with the fines, you know.

MR. BOSARGE: Wasn't it for Mr. Lea that we changed the rules from 25 foot to allow an up -- in other words, was that prior to the change of rules?

MR. DAVIS: It was -- I believe Mr. Zimmerman had applied before that rule came into effect. That was Mr. Zimmerman who had applied and gotten after the fact authorization for his structure that was over 25 feet in height.

But it was within a month or two's time frame.

MR. TAYLOR: Joe Runnels, did you want to shed some light?

MR. RUNNELS: No, sir. I was just moving up in case I needed to say something.

MR. TAYLOR: Sit back down.

MR. SCHMITT: Good morning. My name is Chris Schmitt. I'm with Fowler Rodriguez. We represent Mr. Lea.

I understand the concerns of the commission. I want to put maybe some context, some more information to you, that will ring some bells.

I know Mr. Lea's name is probably familiar to you unfortunately in this regard because he's been before the commission a couple of times.

The August meeting of your commission changed

somewhat or changed certainly the precedent in regards to roof height in which Dr. Zimmerman's application from Hancock County, you granted him I believe an after the fact permit or an exception, some nomenclature that you've given to it, which effectively said you can have a 25 foot roof height or be no greater than 14 feet above base flood elevation.

And Mr. Lea's roof, as constructed well before that, falls within those changes to your precedent. He comes in at 11 feet above base flood elevation.

So a month after the commission assessed the fine and rejected his motions for reconsideration, effectively that changed, and I would say that would de facto maybe perhaps authorize that roof height he has now.

We became engaged with this case shortly after it went to enforcement with Mr. Runnels, and we've had long discussions about the case on a kind of litigation track thinking this is going to end up in Chancery Court from either an enforcement perspective or some type of action on Mr. Lea's behalf to try to address these issues.

What we both agreed on, I should say I would think that Joe agreed on this, that this would be a case best left to your discretion and not necessarily one that we want to go spend Joe's time and effort or the commission or the department's time and effort and my client's resources to go to court and spend another 18, 24, 36 months litigating this

issue.

So, you know, that's why I'm back here today. That's why we kind of moved off this enforcement litigation track back to the permit side and ask that you consider the fact that he is, as effective essentially last August, the change in the roof height allowances permit him to have that roof as it was constructed, and let him pay -- he was assessed a $1500 fine. Mr. Zimmerman with the same infraction received a lesser fine. We're here today. We'd like to pay the $1500 fine and receive after the fact permit. And then you'll never see hopefully any of us again if y'all would consider that.

And I can answer any questions if you have any.

MR. TAYLOR: I'd like for Joe, would you comment?

MR. DAVIS: Might I make a note?

MR. TAYLOR: Go ahead.

MR. DAVIS: I'd just like to point out that Mr. Lea's petition was denied due to him withdrawing his application. Therefore, the commission had no application to consider granting a permit upon.

MR. RUNNELS: I think Chris adequately stated what we have agreed to and what we discussed and why we're back here before you.

MR. TAYLOR: Any other questions?

MR. GOLLOTT: The fine that was levied on him,

was it because of the roof?
MR. SCHMITT: Yes.
MR. GOLLOTT: What is the recommendation?
MR. DAVIS: We don't really have a recommendation. After discussing this with legal counsel, we have decided to leave it up to the commission to decide upon the recommended fine.
I have some numbers if you all would like to hear them.
MR. GOLLOTT: Let's hear your numbers.
MR. DAVIS: Minimum would have been $50, of course. The maximum, $243,500. We were prepared to recommend four thousand with a $2500 fine plus the fifteen hundred that was unpaid from the previous violation.
MR. GOLLOTT: But the previous violation was based on the roof.
MR. DAVIS: Yes, sir.
MR. GOLLOTT: I don't have a problem with that.
MR. SCHMITT: What we're asking, Mr. Gollott, is I want to distinguish, there was a prior violation and an assessment. I want to distinguish between that and this application. I don't think it would be proper to assess it different with an additional fine in that regard for the same thing. We've been kind of at a standstill from an appeal and an enforcement action going back a year.

So the fact that he's made another application, either those two be coalesced into the -- it's my request -- to the $1500 fine, but not to have the prior assessment and the subsequent assessment of the fine, just one.
MR. GOLLOTT: Mr. Chairman, I'd like to make a motion that we go ahead and issue the after the fact permit with a $1500 fine to be paid in 30 days.
MR. DAVIS: Yes, sir.
MR. GOLLOTT: All right.
MR. TAYLOR: We have a motion. Do we have a second?
MR. BOSARGE: I second the motion.
MR. TAYLOR: All those in favor. Thank you.
MR. SCHMITT: Thank you for your time, sir.
MR. TAYLOR: I think that concludes y'all's?
MR. DAVIS: Yes, sir. That concludes coastal zone.
MR. TAYLOR: Is Rusty still here -- Pittman?
Did you want to come forward, Rusty?
Okay. Is Charlie Stevens here? Okay. Charlie. Public comments.
Charlie, give me a minute. I'm sorry. I didn't see (h). Give me a few minutes.
Office of finance and administration. That's what happens when you get old like me and take your glasses

off.
I. Office of Finance and Administration
1. FY14 Monthly Report
MS. VESA: Good morning. My name is Kara Vesa. Today I'll be talking about our finance numbers for FY14 as of August 31, 2013.
The revenues as of August 31 totaled $3,842,059.25.
General funds and offroad fuel tax remained the same.
License sales at $202,036.29.
Fines and penalties, $1,974.
Permits and dredging, $4,894.52.
Interest, $20,146.43.
And miscellaneous revenues at $333.01.
Our expenditures as of August 31 in these budget categories:
Salaries, $1,013,394.
Travel, $113.
Contractual, $229,942.
Commodities, $49,725.
And equipment, $9,080.
For a total expenditures of $1,302,254.
Our projected revenues have not changed from last month which remain at $5,595,351.

And likewise our set expenditures projected remain at $7,294,677.
And that concludes my presentation if there are any questions.
Thank you.
MR. TAYLOR: Thank you.
Next up is Melissa Scallan, public affairs.
J. Directorate
1. Public Affairs
MS. SCALLAN: Good morning, commissioners, Director Miller, Ms. Chesnut.
Since the last commission meeting on August 20, we have been mentioned in about 30 times in newspapers, TV station stories, radio spots, across the coast, the state, and the nation.
We have also increased our presence in social media. We have a coastal cleanup facebook page that has been getting a lot of hits because of the upcoming event on October 19. We have a twitter account that we use regularly. So we're hoping to keep that up and increase that presence in social media.
We also are participating in many outreach events. In the past month, we have had employees at the Carl Leggett fishing tournament, the Lipton Cup sailboat championship, and the D'Iberville Moose Lodge kids fishing

rodeo. This past weekend was the Biloxi Seafood Festival, and we had representatives at that event both days.

This weekend, we are participating in the Woods & Water Expo at the Convention Center. Don't go to the Coliseum for that because it's the bull riding at the Coliseum. The Expo is at the Convention Center. Unless you want to see the bull riding, of course.

We will have representatives all three days on that.

We also have upcoming is Cruisin' The Coast October 6 through 13.

And, of course, we have coastal cleanup is October 19. We generally expect between 2,000 and 3,000 volunteers for that.

So if you have any questions, I'll be glad to take them.

Thank you.

MR. TAYLOR: Thank you.

Rusty? Rusty Pittman.

MR. PITTMAN: Thank you, Mr. Chairman. I just wanted to tell Dale Diaz congratulations, too, on his retirement.

And a lot of people don't know this, but back in 1990, we both came on board as marine conservation officers. He went to the academy in Jackson three months before I did,

and we both served together in the field.

And I'll never forget one of the helpful hints that he gave me when I showed up at the academy, he was getting ready to graduate that week, whatever they say, just do it, don't say anything about anything, just do it. And I said okay. And that rule did help me get through.

But he did get promoted to lieutenant on the west district, and I served under him as one of his officers. And we're really going to miss Dale when he leaves. And we really got along great, fisheries and law enforcement, as his time as director over fisheries.

But I also want to let him know that I did put a GPS tracking device on his boat when he does go fishing we'll know where he's at.

Congratulations, Dale.

(Applause.)

MR. TAYLOR: Any other business?

Public comments. Mr. Charlie Stevens. And we appreciate your patience in dealing with the agenda change, but we figured we were going to have a much longer meeting than what we did, so we did that.

And just so you'll know that the commission has and the department has received your application and the packet that you sent and are reviewing it, too.

And then any comments you want to make, go

ahead.

MR. STEVENS: First off, my name is Charlie Stevens. I operate the Capistrano Drayage.

I need to thank the Department of Marine Resources, specifically Scott and Ms. Ruth.

We're being right now in the midst of our discovery trying to figure out how we can make what we do work with what is currently available in the legislature for the off bottom cultivation.

I just want to thank y'all and hope you will be patient with us.

Thank you.

MR. TAYLOR: You're welcome. Thank you.

I think Commissioner Gollott has some questions.

MR. GOLLOTT: I was involved myself in off bottom depuration and had some patents and everything which ran out. I'm very interested in seeing you succeed in this off bottom cultivation.

Exactly what are you proposing to do?

MR. STEVENS: We use natural substrate shell stock, set the spat to the stock, and it's suspended. It keeps it up off the bottom, keeps it out of the predation. It's real easy to monitor.

MR. GOLLOTT: Good luck on it. Like I say, any way we can help you, we will. Thank you.

MR. STEVENS: I'm looking forward working with you all. Thank you.

MR. BOSARGE: And the areas where you're planning on trying to make this happen?

MR. STEVENS: We're still looking at the discovery site. There's places that we worked in the past, some of you may be familiar with the Cat Island project a few years back, couple of decades back, but there are some leases that are currently held, Crystal Seas has some leases. I think that there's sites available that will fit within the parameters of 22.

MR. BOSARGE: Are you thinking more in areas that are in protected waters or in open waters?

MR. STEVENS: Again we're back to the discovery, what will work, what will be -- what the regulations are, how we can make it fit.

MR. GOLLOTT: One of the things you might want to look at is what we did was actually dredge the oysters in polluted areas, put them in trays. They grow, and that would cut your time down the line when they grow.

So you might want to look at that.

And the legislation and everything is all set up to do that in Mississippi. And like I said, we'd be glad to help you in any way we can. Thank you.

MR. STEVENS: On behalf of myself and a bunch of

people who are looking for jobs, we all thank you.
MR. BOSARGE: Are you going to kind of mimic what's going on in the western part of Alabama?
MR. STEVENS: It's hard to describe. All you see from the surface would be a float.
MR. BOSARGE: Yeah. I read your proposal.
MR. STEVENS: There's several different types of cultivation. One is a ten foot wire, five foot wire, with stock attached to it. It hangs in the water column. Other practices are baskets that hold the specie in place. There's other systems.
This is what we found that works is profitable.
MR. BOSARGE: Good. We'll support you, at least I will, the best we can.
MR. STEVENS: Thank you.
MR. TAYLOR: Thank you.
Okay. Shelby, do you have a motion?
MR. DRUMMOND: I make a motion we adjourn, Mr. Chairman.
MR. TAYLOR: Do I have a second?
MR. GOLLOTT: Second, Mr. Chairman.
MR. TAYLOR: Okay. I'm sorry. Anybody that wants directions to the NERR, they have them in the back. I couldn't read sign language.
We have a motion and a second on the floor to

adjourn. All those in favor.
Thank you.
(Meeting adjourned 11:15 a.m.)

COMMISSION ON MARINE RESOURCES

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Soroe, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the meeting of the Commission on Marine Resources and that the foregoing 82 pages constitute a true and correct transcription of said meeting held on the 17th day of September 2013.

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

Witness my signature this the 3rd day of October 2013.

NORMA JEAN LADNER SOROE, CSR #1297
Certified Shorthand Reporter