

COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, August 18, 2020
9:00 a.m.
Zoom webinar

Commission Members:

Ronnie Daniels, Chairman

Natalie Guess, Vice Chairman

Mark Havard

Also Present:

Joe Spraggins, Executive Director DMR

Sandy Chesnut, Esq., Assistant Attorney General

1 COMMISSIONER DANIELS: We will get our August
2 18th, 2020, CMR meeting underway.

3 To start today's meeting off, I would like to
4 ask our Executive Director, Joe Spraggins, to lead us in
5 the Pledge of Allegiance.

6 (Pledge of Allegiance was recited.)

7 COMMISSIONER DANIELS: Thank you for that, Joe.
8 As we do each month, we will have a moment of
9 silence and I would like to ask that we keep Commissioner
10 Bosarge in our thoughts and prayers today.

11 (Moment of silence observed.)

12 COMMISSIONER DANIELS: First, we have the
13 approval of minutes from July 21st, 2020.

14 Do we have a motion to approve the minutes?

15 COMMISSIONER HAVARD: I'll make a motion to
16 approve the minutes from July.

17 COMMISSIONER GUESS: I'll second the motion.

18 COMMISSIONER DANIELS: I have a motion by
19 Commissioner Havard and a second by Commissioner Guess.

20 All those in favor; Commissioner Guess?

21 COMMISSIONER GUESS: Aye.

22 COMMISSIONER DANIELS: Commissioner Havard?

23 COMMISSIONER HAVARD: Aye.

24 COMMISSIONER DANIELS: Commissioner Daniels,
25 aye.

1 Motion passes.

2 Can we get a motion to approve the agenda for
3 today?

4 COMMISSIONER GUESS: I make the motion.

5 COMMISSIONER HAVARD: I'll second the motion.

6 COMMISSIONER DANIELS: Commissioner Guess makes
7 the motion. Commissioner Havard seconds the motion.

8 All those in favor; Commissioner Guess?

9 COMMISSIONER GUESS: Aye.

10 COMMISSIONER DANIELS: Commissioner Havard?

11 COMMISSIONER HAVARD: Aye.

12 COMMISSIONER DANIELS: Commissioner Daniels,
13 aye.

14 All right, Mr. Joe.

15 JOE SPRAGGINS: If we can, do we have anything
16 on procurement?

17 I don't think we have any new procurement. We
18 have, obviously, not been spending any money. No new
19 procurement. No new employment. We will just skip by
20 that, at this point.

21 The CARES Act update. Just to give you an idea,
22 we did our spend plan and our spend plan has been sent to
23 NOAA. NOAA has sent it back to us through the Gulf States
24 and asked for some information. Traci and them have sent
25 that back and, now, we are waiting on them to give us some

1 more information on the CARES Act, whenever we can move
2 forward with it.

3 Hopefully, it will happen in the next few weeks.
4 We are trying to get something working to where we can get
5 the funds distributed before the end of the year. I am
6 hoping that will happen shortly.

7 Basically, about fifty percent is going to the
8 commercial fishermen. I think it is somewhere around
9 thirty-two percent, or something like that, to the people
10 that are basically processors and that type, and, then,
11 about eighteen percent is going toward charter boat.

12 That is the way it is set up, as we talk. That
13 is what NOAA suggested that we use and that is what we
14 turned in and the governor and them approved, but any of
15 this can be adjusted according to what we need, once we
16 get started getting the information.

17 One thing that I want everyone to understand is
18 that you had to have a loss of thirty-five percent, or
19 greater, in whatever part of the fisheries you were in,
20 and this is going to be measured from five years back.

21 Our fiscal year which is July 1st to June 30th is what
22 we are using as the year of 2020. We will look at that,
23 and you will need to have at least a thirty-five percent
24 loss in your fisheries. Some of those definitely won't be
25 hard at all to come up with that.

1 Now, understanding that if you did have any
2 other CARES Act Funds, if you had a small business loan,
3 or you had other things that you were given because of
4 that, then, it does come off of that thirty-five percent,
5 but, if your loss is still greater than thirty-five
6 percent, after you received that, say, if you had a sixty
7 percent loss of business and you only got twenty percent
8 from the other parts of the CARES Act, then, you still
9 qualify.

10 Anybody that has any questions on that, please
11 feel free to call me and also Traci. She is handling it
12 for us by the Fisheries, and we will be glad to help you
13 with anything.

14 Does anybody have any questions on that, any of
15 the Commissioners?

16 COMMISSIONER DANIELS: No, sir. I'm just
17 anxious to see how it turns out.

18 JOE SPRAGGINS: The 2019 Bonnet Carre Funds
19 update. We are in the process, now, of updating some
20 information on it. We are working to get the data
21 together.

22 We are waiting on NOAA. I asked Chris Oliver
23 from NOAA last week if he is trying to find out the answer
24 for me, as to where we are with the funds on the 2019
25 Bonnet Carre.

1 As you know, we received twenty-one million
2 dollars, a little over that, to be allocated. We are
3 asking for NOAA to give us the information so we can go
4 forward.

5 We have a spend plan Rick Burris is working very
6 hard on and we have a spend plan that we are moving
7 forward with, as soon as we get some information from
8 NOAA.

9 What we are looking for is to say that the
10 Commerce Committee has given NOAA the money because, when
11 they give them the money, then, we can move forward.
12 Until that point, that is where we are.

13 Obviously, we will be going out and asking each
14 and every one of you that has anything to do with
15 Fisheries about your loss and try to help you and we are
16 going to try to move that money pretty quick, too. So
17 there are other parts we are doing.

18 I apologize to the fishing world that we haven't
19 gotten you the money from either one of them, but as soon
20 as we hear back from NOAA. We are waiting on NOAA to give
21 us information so we can move forward with it.

22 We have our plans ready to go. We are just
23 waiting on them.

24 Any questions on it?

25 (No response.)

1 JOE SPRAGGINS: Update on our agency. As you
2 know, we still do not have a budget. We are still working
3 off of, I call it a continuing resolution. Probably not
4 the right words for it, but we are still working. The
5 Governor found us a way to be able to be funded to the end
6 of August. So we are still working through that.
7 Everyone is working a hundred percent, as we know.

8 When I say "working a hundred percent", we are a
9 hundred percent employed. We are not able to do a hundred
10 percent of our jobs and the reason for that is because we
11 don't have the funding to do it with.

12 There is a lot of testing, a lot of things that
13 we need to do that we cannot do at this point and if you
14 have any contracts, any contracts that we had with other
15 state agencies, and I'm talking USM, Mississippi State and
16 other places, have been put on hold and that means that we
17 can't do certain water quality tests and some other things
18 that we need to do.

19 We are doing safety tests, at this point. USM
20 is really doing it for us to a point and helping us. They
21 are taking it and hoping that they will get repaid so we
22 can continue to be able to harvest oysters and other
23 seafood. They are still doing that for us just to help
24 us, at this point.

25 They can't do it very much longer because it is

1 getting to the point that it is almost to where they are
2 out of funds to be able to help us.

3 If they don't get repaid, I'm sure it is going
4 to hurt them very bad about their future in that field.
5 They have people that are being laid off and USM, right
6 now, is trying to fight hard to keep their people employed
7 and they are trying to move them to different grants to
8 keep them there hoping that we will get funded. That is a
9 large thing that is happening, also.

10 we have a lot of the contracts, all of your
11 GOMESA Funds, all your Tidelands Funds, anything that had
12 anything to do with it, as far as outside contracts, is
13 not being funded.

14 when I say it is not being funded at this time,
15 we have put stop work orders on all of it because of the
16 situation that we do not have authority, through the State
17 of Mississippi, to go forward and spend that money.

18 I realize that it was appropriated and passed
19 several years back, but the appropriation each year needs
20 to come to us.

21 The way we understand it and the way I have been
22 told is that each year the legislature has to appropriate
23 the funds that we can spend the next year that we did not
24 spend the year before.

25 In situations like Tidelands and GOMESA, we are

1 looking at about fifty-three million dollars right now and
2 that is not including the forty-one million that we have
3 that has not been appropriated, or been allocated to
4 anything.

5 There is forty-one million in the FY20 funds
6 that we are working on as we speak and what we are doing,
7 we have run it through the Attorney General's office and
8 asked their opinion. We had eighty-nine applicants. We
9 ran it through the Attorney General's office to ask for
10 their opinion to say that it did meet one of the criteria
11 of GOMESA, and, then, once we got that, we have also had
12 Paul Mickle to help us with a scientific review and they
13 have reviewed it and they said that it does meet and they
14 think that it would be something that would work into the
15 plan of what we are looking for on the Coast, as far as
16 restoration, or any type of ecological, that will help
17 with our estuary in the Gulf.

18 The other thing that we are looking at, once
19 that has happened, we narrowed it down and I think it is
20 down to, like, forty-nine projects and those forty-nine
21 projects, we have sent to DEQ and MDA to help with me to
22 review, and we are in the process of reviewing them as we
23 speak.

24 we are looking at MDA to say that it is
25 something that it would do that could maybe help the State

1 of Mississippi in a way that it would help also the
2 estuary of the Gulf, and, then, help that.

3 As far as the MDEQ, they are looking at it with
4 RESTORE and other different funds that they are doing and
5 making sure that we are not -- I know a lot of people put
6 in for each one of them. They will put in for RESTORE and
7 they will put in for GOMESA, or Tidelands, or any of them,
8 and we are just making sure that we are using the money
9 wisely in the best place.

10 When I say that, I mean we are making sure that
11 the money being utilized that we are looking at in the
12 forty-nine projects that we are looking at this point and
13 a lot of them have been vetted to the point that they did
14 not seem to meet the criteria a hundred percent, and some
15 of them only met just part of the criteria, and we still
16 kept those and looking at it.

17 We are looking at this very hard, and I want
18 everybody to understand that once this is happening, we
19 will look at it every way we can and we will come back and
20 we will try to pick the projects that meet the best
21 criteria.

22 A lot of the things, I can tell you, are dealing
23 with oysters that we are working on. There are some other
24 things that we are working on, as far as the water
25 quality.

1 Most of the projects that will be turned into
2 the Governor this year to ask for his funding approval to
3 fund are going to be dealing with either oysters, or some
4 type of restoration to the Gulf, or either something to do
5 with studying the water quality to tell us what we can do,
6 what we need to be able to grow the estuary that we would
7 like to have in the Gulf.

8 We are hoping that the legislature will let that
9 happen and we can move forward and we can get the
10 legislature to give the Governor the authority to move
11 forward and fund some of these projects. I think they are
12 going to be fantastic and I believe everyone would be very
13 happy to see what is happening with them.

14 Some of them are very important. One of the
15 things that we are holding up is a study on what would the
16 Mid-Breton Sound do. That diversion, the Mid-Breton
17 diversion, if it happens, what would it do to the estuary
18 of Mississippi. That is part of the study that Dr. Mickle
19 and USM are working on hand-in-hand and would have been
20 finished probably by the end of this month, but we had to
21 hold it off for the last month and a half.

22 That is something very vital to us to be able to
23 know and not have to wait on Louisiana and not have to
24 wait on the Corps, or anybody else, to tell us what it is.
25 Do our own study using Mississippi State and USM and

1 trying to figure out what we know, as the State of
2 Mississippi, what is best for us. That is a very vital
3 project that we are looking at.

4 One of the major projects that we are asking to
5 be funded next year is to be able to tell us what do we
6 need, what do we need in the western Sound in Mississippi
7 to be able to grow the oysters, the crabs, the shrimp and
8 the seafood that we need in the Gulf and also our estuary,
9 as far as the plant life and the things that we need, and
10 that is a study that we are looking at to decide whether,
11 or not, things coming from maybe the diversion of the West
12 Pearl back to the East Pearl because it was diverted years
13 ago and maybe that could help us.

14 what is the answer? what do we need?

15 But we can't do any of this without a study to
16 do it and we are waiting on it. We are asking the Corps
17 of Engineers -- we have sent a letter. I know that
18 Congressman Palazzo has sent a letter and others have sent
19 a letter asking them, and I think the CCA and some others
20 -- to look at it to make sure that the EIS for the Mid-
21 Breton diversion includes the Mississippi Sound all the
22 way at least to the channel in Gulfport, the ship channel
23 in Gulfport.

24 we are trying every way we can to get people to
25 understand that you have got to look at this, before you

1 make any decisions, because we don't want to make any
2 decision that is going to hurt us in the future. We are
3 working on it very hard every day.

4 I ask that each one of you please talk to your
5 legislators, tell them how important these things are for
6 us and how important it is that we get this agency funded
7 one hundred percent.

8 The men and women that work at this agency are
9 great people. They are working hard. They are doing
10 everything they can to be able to continue, but we need
11 help and we need your help to help us.

12 Are there any questions on that, sir, or lady,
13 any of the Commissioners?

14 (No response.)

15 JOE SPRAGGINS: The only other thing is just to
16 clarify one thing. We did not go forward and ask for an
17 Attorney General's opinion on what we are working on. We
18 looked at it.

19 1499 was the Governor's Executive Order. The
20 Governor's Executive Order was basically to state that the
21 Commission was reappointed and so was the Director, or
22 anyone else in a lot of different agencies, until the
23 Governor had time to be able to look at it and to either
24 reappoint the person that was in the position, or either
25 put another person in the position, and get the Senate to

1 confirm them. That is what 1499 was about.

2 827 was an entirely different bill and it was
3 signed by the legislature through the House and the Senate
4 and also by the Governor, and we working off the rules of
5 827, at this time.

6 Does anybody have any questions about that?

7 (No response.)

8 JOE SPRAGGINS: I think there was some
9 clarification asked of the Governor yesterday and I can
10 tell you that the agency here is working one hundred
11 percent off of 827, House Bill 827.

12 Any other questions, sir, or lady?

13 COMMISSIONER DANIELS: I don't hear any, Joe.

14 Thank you.

15 JOE SPRAGGINS: Thank you. That is my report,
16 sir.

17 COMMISSIONER DANIELS: Do any of our other
18 Commissioners have anything today?

19 COMMISSIONER HAVARD: I do not, Commissioner
20 Daniels.

21 COMMISSIONER DANIELS: All right. Thank you,
22 Mark.

23 Natalie?

24 COMMISSIONER GUESS: No. Nothing for me.

25 COMMISSIONER DANIELS: I've got one quick thing

1 I wanted to ask you about, Joe, something that came to my
2 attention. I have known about it for a while.

3 The boat launch at Courthouse Road in Gulfport,
4 is it something that we maintain, or is that City owned?

5 Do you know, or do we have somebody that knows?

6 JOE SPRAGGINS: You are talking about the one in
7 Gulfport, the main boat launch?

8 COMMISSIONER DANIELS: At Courthouse Road.

9 JOE SPRAGGINS: If we give them Tidelands Funds,
10 what we do with that -- it is probably a Tidelands
11 project, if I had to guess. I don't know. I would have
12 to go look at it, Commissioner Daniels, but it is probably
13 a Tidelands project and anytime we do that, what we do is
14 we give the city, or the county, or whoever, the funds to
15 build it, and, then, once they build it, they are there to
16 maintain it, at that point. They take over all the
17 maintenance for it and anything after that.

18 Is there an issue with it?

19 COMMISSIONER DANIELS: Yes. It has been silted
20 in for quite a while, and I know there were some issues
21 when people were trying to launch there recently and
22 running aground as soon as they got the boat in the water.

23 I was just wondering if that was something we
24 could look into possibly doing some dredging, or extending
25 the rock jetty, to prevent that silting issue that keeps

1 filling that thing in there. It is nearly useless, unless
2 you are launching a very, very small boat, from my
3 understanding.

4 JOE SPRAGGINS: That is a big area with the
5 parking and all. So I will check into it and see what we
6 can look at. I don't know what we can actually do with
7 it, but we will probably have to get the City of Gulfport
8 to request something and see what we can work on from that
9 point.

10 COMMISSIONER DANIELS: Thank you, Director.
11 Next up we have Assistant Chief Kyle Wilkerson
12 with our citations today.

13 KYLE WILKERSON: Good morning Commissioners,
14 Director, counsel. Hope everybody is well.

15 Looking at the report in front of me, it was a
16 lot.

17 Marine Patrol, as a whole, is running at a
18 hundred percent. Morale is high.

19 Looking at a few citations. We had a couple of
20 oyster citations. One no seafood dealer citation.
21 Nothing just jumps out at me. We had one possession of
22 Red Snapper, during the closed season, one HMS permit,
23 undersize shark, but nothing just major.

24 I will field any questions, if you have any.

25 COMMISSIONER DANIELS: Thank you, Kyle. We

1 appreciate everything y'all do out there. Doesn't sound
2 like anybody has too much on this today.

3 KYLE WILKERSON: Thank you.

4 COMMISSIONER DANIELS: Coastal Resources,
5 Wetlands Permitting.

6 Do we have Jennifer on?

7 JENNIFER WILDER: I'm right here.

8 COMMISSIONER DANIELS: All right.

9 JENNIFER WILDER: I'm Jennifer Wilder, and I am
10 presenting a permit for Harrison County Government to
11 construct a public boat launch.

12 The location is in the Mississippi Sound near
13 Camellia Street in Biloxi. It is in the Commercial
14 Fishing, Recreational Marina and Dockside Gaming Use
15 District, and the agent is Covington Civil and
16 Environmental.

17 The project consists of seven hundred square
18 feet of fill where there are presently dune grasses. They
19 are going to mitigate that by relocating the dune grasses
20 and creating more to reach a minimum of nine hundred
21 square feet of dune habitat.

22 The structures are going to be boat ramps,
23 finger piers, a rock jetty, eighty foot of bulkhead and a
24 parking lot. Where the parking lot is going to be
25 located, all but nine hundred square feet of that is

1 already existing concrete, and there will be maintenance
2 dredging of an existing channel. Approximately seven-five
3 thousand cubic yards of material will be removed.

4 They are going to be placing that dredge
5 material on the existing sand beach, but there will be no
6 dredge material placed in waterbottoms.

7 Here is the diagram showing the areas that the
8 sand will be placed, the jetty, the maintenance dredging
9 and you can see the boat ramp there (indicating slide).

10 Here is a picture of how it looks present day,
11 the dune grasses that are going to be moved (indicating
12 slide).

13 The proposed project is allowable within the
14 Commercial Fishing, Recreational Marina and Dockside
15 Gaming Use Plan.

16 They are requesting a variance to the Coastal
17 Program which states:

18 "The permanent filling of Coastal wetlands
19 below the mean high tide line because of
20 potential adverse and cumulative environmental
21 impacts is not authorized."

22 They are justifying it by saying that the
23 impacts to Coastal wetlands would not be worse than if the
24 guidelines were followed.

25 Notification appeared in The Sun Herald, as

1 required by law. A public hearing was held May 30th of
2 2019. There were no public comments received.

3 DEQ had no comments on the project.

4 Department of Archives and History had no
5 objections.

6 Department of wildlife, Fisheries and Parks said
7 that the project area is habitat of the Piping Plover and
8 the Snowy Plover. They recommended work should be
9 conducted between July and September, when the birds were
10 least likely to be present.

11 The applicant has provided guidelines to protect
12 the birds from being impacted by the construction and we
13 believe that it will be sufficient.

14 Best management practices will also be used.

15 The staff of the Department of Marine Resources
16 conducted a thorough evaluation of the project and, based
17 on the results of this evaluation, has determined the
18 project will have significant public benefit.

19 Therefore, we recommend issuance of the permit,
20 contingent on water quality certification.

21 Any questions?

22 COMMISSIONER DANIELS: I don't have any.

23 Mark and Natalie, have y'all got any questions
24 on this one?

25 COMMISSIONER GUESS: No, I don't have any

1 questions.

2 COMMISSIONER HAVARD: No questions.

3 COMMISSIONER DANIELS: Thank you.

4 Do we have a motion to approve the
5 recommendations?

6 COMMISSIONER GUESS: I'll make a motion that we
7 move forward on the staff's recommendation.

8 COMMISSIONER DANIELS: I'll second the motion.
9 All those in favor; Commissioner Guess?

10 COMMISSIONER GUESS: Aye.

11 COMMISSIONER DANIELS: Commissioner Havard?
12 (No response.)

13 COMMISSIONER DANIELS: Commissioner Havard, are
14 you there?

15 BRADY SMITH: He is still on the call, but I see
16 his mike is muted.

17 COMMISSIONER DANIELS: All right. Let's give
18 him just a second here. He may have gotten sidetracked
19 there.

20 Sandy, I'm not sure what we can do here. I
21 don't think two of us can vote on this.

22 Correct?

23 SANDY CHESNUT: That's correct.

24 COMMISSIONER HAVARD: I'm back, Ronnie.

25 COMMISSIONER DANIELS: Mark, were you able to

1 hear everything we were talking about?

2 We were voting on the boat launch

3 COMMISSIONER HAVARD: Yes, I was.

4 COMMISSIONER DANIELS: Are you in favor?

5 COMMISSIONER HAVARD: I am.

6 COMMISSIONER DANIELS: Commissioner Daniels,
7 aye.

8 The motion passes.

9 JENNIFER WILDER: Thank you very much.

10 COMMISSIONER DANIELS: Thank you.

11 Next up, G1-b, Hancock County.

12 Adam, are you on?

13 ADAM TERRELL: Yes, sir.

14 COMMISSIONER DANIELS: All right. You're up.

15 ADAM TERRELL: Brady, can you pass me control?

16 BRADY SMITH: You have control.

17 ADAM TERRELL: Thank you.

18 Today we have a permit request by the Hancock
19 County Board of Supervisors. Location is the sand beach
20 along north and south Beach Boulevard in Bay St. Louis and
21 wave land in Hancock County, Mississippi. This is in the
22 General Use District, and the agent is Compton
23 Engineering.

24 The project description. The Hancock County
25 Board of Supervisors would like to do a beach

1 renourishment by using conventional earth moving equipment
2 to retrieve accumulated sand in the near shore shallow
3 waters.

4 Near shore sand retrieval will occur in sections
5 no larger than two thousand feet long by five hundred feet
6 wide, located at a minimum two hundred and fifty feet away
7 from the existing seawall.

8 The beach will have a design width of
9 approximately two hundred feet, plus an intertidal zone of
10 fifty feet.

11 Sand will be removed in lifts of six inches, or
12 less, with a total excavation depth not to exceed one
13 foot. The annual proposed amount of retrieved sand is a
14 hundred thousand cubic yards.

15 This is an aerial view of the area to be
16 replenished all the way down here from the south up to the
17 bridge in Bay St. Louis. There are two sections here that
18 are shown on the next diagram that will not be renourished
19 (indicating slide).

20 Here are some pictures of the beach over in
21 Hancock County, and that diagram is in your supporting
22 documents. I thought I included in this presentation. It
23 shows some latitudes and longitudes of areas that will not
24 be renourished, and that is due to vegetation, marshes and
25 SAV (indicating slides).

1 Notification of this project appeared in The Sun
2 Herald on June 21st, June 28th and July 5th of 2020, and the
3 Sea Coast Echo on June 17th, June 24th and July 1st of 2020.

4 We received one public comment from an adjacent
5 property owner. There were some discrepancies he found
6 with the original submitted diagram. He had concerns for
7 protection of aquatic vegetation, and he opposed beach
8 dredging that was proposed in the application originally.
9 He also stated concerns of Hancock County dumping roadway
10 dirt and sand back onto the beach.

11 MDMR and Compton Engineering responded letting
12 him know the agent provided a corrected diagram, project
13 will include SAV surveys annually and beach dredging in
14 event of a storm was removed from the application.

15 MDMR informed the commenter that it was MDEQ
16 that regulated the buffer zone of what can and cannot be
17 placed back on the beach, and the commenter was satisfied
18 with these responses.

19 MDEQ issued their 401 Water Quality
20 Certification on May 21st, 2020.

21 Archives and History responded with a letter
22 requesting a Cultural Resources Survey.

23 However, Compton Engineering responded to this
24 letter with an email on May 4th, 2020, addressing that this
25 is an ongoing project that has been previously permitted

1 and also previously reviewed by Archives and History in
2 2010.

3 wildlife and Fisheries has no comment.

4 The staff of the Department of Marine Resources
5 has conducted a thorough evaluation of the project and has
6 made findings on the decision factors in accordance with
7 Chapter VIII, Section 06, 103 of the Mississippi Coastal
8 Program.

9 Based on the results of this evaluation, it has
10 been determined that this project is consistent with the
11 Mississippi Coastal Program and will serve a higher public
12 purpose.

13 Therefore, the staff recommends approval of the
14 request, contingent upon Archives and History's response.

15 That is all I have.

16 Any questions?

17 COMMISSIONER DANIELS: I don't have any.

18 Do any of the other Commissioners have any
19 questions?

20 COMMISSIONER GUESS: No, I don't have any
21 questions.

22 I'll make the motion to move forward with the
23 staff's recommendation on this project.

24 COMMISSIONER DANIELS: All right. I'll second
25 that.

1 All those in favor, Commissioner Guess?

2 COMMISSIONER GUESS: Aye.

3 COMMISSIONER DANIELS: Commissioner Havard?

4 COMMISSIONER HAVARD: Aye.

5 COMMISSIONER DANIELS: Commissioner Daniels,
6 aye.

7 Motion moves.

8 ADAM TERRELL: Thank you.

9 COMMISSIONER DANIELS: Office of Finance and
10 Administration, Ms. Leslie Brewer.

11 LESLIE BREWER: Good morning Director,
12 Commissioners, legal.

13 My name is Leslie Brewer, CFO. I will be
14 presenting the agency's financials for the month ending
15 July 31st, 2020.

16 At the end of July, our State Revenue was three
17 million. Our Total Agency Revenue was three million.

18 Our State Net Income was two point nine million
19 and our Total Agency Net Income was two point seven
20 million.

21 Next slide, please.

22 After one month of fiscal year 2021, we have
23 ninety-six point two percent of our two-month budget
24 remaining, while Tidelands has ninety-seven point three
25 percent.

1 Of course, as you can tell, it is pretty slim.
2 We just have salaries and fuel for July.

3 Does anybody have any questions?

4 COMMISSIONER DANIELS: No, it doesn't sound like
5 it. Thank you for that, Leslie.

6 LESLIE BREWER: Thank you.

7 COMMISSIONER DANIELS: Next up, Ms. Charmaine.

8 CHARMAINE SCHMERMUND: Good morning
9 Commissioners, Director, Ms. Chesnut.

10 The Mississippi Department of Marine Resources
11 was mentioned fifty-five times in local, state and
12 national media since the July CMR meeting.

13 Popular news items included the state
14 legislature not yet approving our budget, recreational and
15 commercial harvests opening and the invasive species giant
16 salvinia.

17 MDMR, along with other state agencies, are
18 taking part in Governor Reeves' "Mask Up" campaign. The
19 campaign which asks "Who Do You Mask Up For?" has been
20 posted on various state agencies' social media platforms,
21 and MDMR staff are great about wearing their masks to keep
22 each other safe while working and this is what we have
23 highlighted on our agency Facebook page.

24 That is all I've got.

25 COMMISSIONER DANIELS: Thank you, Charmaine.

1 We are just flying through this one here today.
2 Matt, are you on?

3 MATT HILL: Yes, I'm here.

4 We have one new state record for consideration.
5 This young man brought one in last month also
6 for the youth record, but he brought in another one that
7 was larger.

8 This is a Spot. The old record is four point
9 four two ounces. The new record is four point eight seven
10 ounces. The angler is Mr. Rodie Armes.

11 This does qualify for the All Tackle and, also,
12 the Youth Record.

13 Here is a picture of the Spot and here is a
14 picture of Rodie holding the spot (indicating slide).

15 COMMISSIONER DANIELS: That is awesome. That is
16 my favorite thing to see are these kids holding up their
17 fish and getting their records. This is great.

18 I would like to make a motion to approve it.

19 COMMISSIONER GUESS: I'll second.

20 All those in favor; Commissioner Guess?

21 COMMISSIONER GUESS: Aye.

22 COMMISSIONER DANIELS: Commissioner Havard?

23 COMMISSIONER HAVARD: Aye.

24 COMMISSIONER DANIELS: Commissioner Daniels,
25 aye.

1 Motion moves.

2 Other Business.

3 Joe, have we got anything else here today,
4 anybody?

5 JOE SPRAGGINS: Yes, just a couple of things.
6 Sandy.

7 SANDY CHESNUT: Just to clarify, when you guys
8 made motions and approved those motions, those motions
9 will consist of recommendations to the Director to take
10 further action. I just wanted to be clear on that for the
11 record.

12 COMMISSIONER DANIELS: Yes, ma'am. Thank you
13 for that.

14 SANDY CHESNUT: Okay.

15 JOE SPRAGGINS: I have one other thing,
16 Commissioner Daniels, if I could. I just wanted to brief
17 you.

18 We are still fighting a battle with NOAA on the
19 Red Snapper allocation.

20 Paul Mickle is in here. I'm going to ask Paul.
21 I know this is impromptu, Paul, but I think you can do it.
22 Give a little briefing about what happened in the SSC
23 meeting the other day so that we can give the information
24 to our Commissioners and keep them updated.

25 PAUL MICKLE: Sure.

1 Briefly, I will let y'all understand what has
2 happened to this point, and y'all understand most of this,
3 but NOAA has a federal landings program called MRIP and we
4 have talked about it many times as a Commission, and we
5 have Tails n' Scales.

6 There are two landings programs that measure how
7 many Red Snapper are landed in Mississippi. It is a
8 federally-managed fish and we have a certain allocation we
9 get because of Amendment 50, which is three point five
10 five percent of gulfwide landings for private rec.

11 They are going through a process of calibration.
12 They are taking state landings of Tails n' Scales and
13 calibrating it to MRIP and it has a strong chance of
14 changing what our allocation is, how many pounds we can
15 land next year and in future years.

16 We have been working as hard as we can, through
17 our budget restrictions, of moving forward on trying to
18 help NOAA with these calibration processes.

19 What has occurred to this point is they have
20 just literally divided Tails n' Scales landings into MRIP
21 landings and have come up with a flat calibration rate
22 just by dividing one into the other because that is the
23 simplest way.

24 I have been a big proponent, along with Marine
25 Fisheries, of weighting it because we know that Tails n'

1 Scales is a much more accurate landing system than MRIP,
2 and we all know this.

3 Even NOAA has said that they think Tails n'
4 Scales is so much better, and we all understand why it is
5 better because it is mandatory. You have to have trip
6 numbers to go out there.

7 The MRIP system is voluntary. So if you don't
8 want to do an interview, you don't have to do the
9 interview.

10 Tails n' Scales, I call it Old Testament. You
11 have to get a trip number, if you want to go fishing. If
12 you don't have that trip number, our Marine Patrol will
13 cite you and take your fish. That is pretty extreme.

14 Obviously, our landings are highly accurate and
15 the MRIP program, or the federal program, really struggles
16 with understanding how much is being landed.

17 Well, they are being treated equal in the
18 calibration process which I feel is egregious and lot of
19 folks with this agency and most of the scientists out
20 there, even the scientists on the SSC which is the
21 committee that stamps "this is the best available science"
22 believes that this needs to be looked at further.

23 This is a process we are working through right
24 now. Gulf Council is meeting next week to discuss this
25 further. There are other gulf states in the Gulf that are

1 struggling with this same issue of multiple landing
2 systems and NOAA wanting to just treat them equally in a
3 calibration process.

4 It is something that we need to all keep our eye
5 on. We are working very hard to try to bring the best
6 available information we can and get NOAA to actually
7 provide some clarity on maybe weighting the calibration
8 heavier toward a more accurate landing system such as
9 Tails n' Scales.

10 I firmly believe, along with Marine Fisheries
11 office, that our compliance rate is over ninety-five
12 percent; ninety-five percent of the boats. One out of
13 every twenty boats out there doesn't have a trip number,
14 and that is the overall annual average.

15 We all know that at the beginning of the season
16 compliance is around ninety-five percent, but, yet, at the
17 end of the season our compliance rates are close to a
18 hundred percent.

19 So we are very confident that the landings we
20 get from Tails n' Scales is exactly what we think has come
21 out of the Gulf, as far as Red Snapper, for the State of
22 Mississippi.

23 We are working through that. We will be
24 presenting a lot of arguments at Gulf Council next week,
25 showing that the process needs to be looked at a little

1 bit further and that decisions need to be put off for a
2 little bit more time, until we can bring the proper
3 science and have the SSC weigh in on a more acceptable
4 method of accounting for the accuracies that everyone
5 agrees that Tails n' Scales provides for landings.

6 Does that make sense to everybody?

7 It is a fairly complicated issue, but it boils
8 down to just two landings programs. One is state that is
9 very accurate, one is federal that is really not accurate
10 at all, and they are having to marry them together to get
11 a common currency they call it gulfwide so they can use it
12 in stock assessments and seasonal management, and the
13 scientists are kind of arguing on exactly how to do that.

14 You will see it come a little bit more out next
15 week during Gulf Council.

16 COMMISSIONER DANIELS: Thank you, Paul.

17 Please keep pushing for that. There are a lot
18 of people that question why we only get three-and-a-half
19 percent whenever our neighbors get so much more, and you
20 guys have developed the most accurate reporting system in
21 the Gulf of Mexico.

22 PAUL MICKLE: Commissioner, just to that point,
23 we get three point five five percent and our neighboring
24 states get more, but we have to understand that our fleets
25 are less than ten percent of their fleet size. So we

1 actually have more federal fishing days than our
2 neighboring states. When it actually came down to
3 allocation, Mississippi pretty much came out the best on
4 Amendment 50.

5 Even though the three point five five percent
6 isn't a monster share for our fishermen and our fleets
7 here in Mississippi which gives us, up to this point,
8 around eighty federal fishing days for Red Snapper in the
9 Gulf which our neighbors to the east are around twenty, or
10 thirty, or forty.

11 So we are literally double our lion share of
12 allocation which means we did very well with Amendment 50
13 in our process with Gulf Council. I just want to make
14 that clear.

15 COMMISSIONER DANIELS: Well, thank you, Paul. I
16 didn't realize that.

17 JOE SPRAGGINS: Another thing real quick, too.
18 A lot of us have written letters. Like I said, our
19 congressman, I think, is going to write one, and several
20 others have written letters.

21 I think that we need to push hard with our
22 federal legislators and ask them to help us to fight this
23 because there is a thing called the Great Red Snapper
24 Count and it is something that will definitely give us a
25 great assessment of Red Snapper in the Gulf of Mexico, and

1 that is something that we have been asking and asking the
2 council and what we are going to ask them next week is do
3 not do anything to the allocation to the states until that
4 has come out and it can be factored into it because, once
5 the Great Red Snapper Count is brought forward, then, I
6 think it will change a whole lot of the aspect of what is
7 going on right now with NOAA.

8 We need to be strong and we need to talk. So I
9 would encourage anyone to please to contact the senators
10 and congressmen and let them know how strong we need this
11 done.

12 It is going to have to come from federal. This
13 is not something we can do locally. It has to come
14 through the federal side.

15 We need NOAA to hold up and not make any rash
16 decisions until we can have a better study of what is
17 going on.

18 COMMISSIONER HAVARD: Dr. Mickle, that brings up
19 a good point about the snapper quota and how much we have
20 left.

21 The general public in the recreational world for
22 sure knows that we have some poundage left in our quota,
23 somewhere around nineteen thousand pounds, and the
24 question of the day is when are they going to reopen the
25 snapper season to allow us to fill the rest of the quota.

1 I don't expect you to answer that right off the
2 top, but it is something that we need to start thinking
3 about and start planning for and go ahead and get a date
4 in mind and go ahead and announce those dates.

5 JOE SPRAGGINS: We are looking at that,
6 Commissioner Havard. Matter of fact, we are trying to
7 narrow it down, what would be the best.

8 I can tell you right now it is looking like
9 Labor Day weekend. That is what we are looking at.

10 We've got about eighteen thousand and something
11 pounds left, right at nineteen thousand pounds. It
12 depends on the weather and what the fishing would be, as
13 to whether or not we could keep our ACL doing a whole
14 weekend, and that is exactly what we are working on.

15 We are getting with Matt and Joe and Rick and
16 them today, or tomorrow, to try to come up with an idea.
17 I would like to give people as much possible notice as I
18 can and, obviously, it is going to depend on the weather.
19 We are going to try to forecast the weather a little bit
20 in advance and see what happens, and that will tell us
21 what is the best time to do it.

22 I can tell you it is definitely on our minds.
23 We are definitely looking at it.

24 PAUL MICKLE: One quick thing, Commissioner.
25 The federal government has a twenty percent

1 buffer. When there is twenty percent of the fish left,
2 they shut the season down because the data system of MRIP
3 is so poor. Other states are around a ten percent buffer.

4 The State of Mississippi, because of Tails n'
5 Scales and your support of a program that is so accurate
6 and so powerful, we can hit our marks underneath the ten
7 percent buffer, and the folks in Marine Fisheries, Joe
8 Jewell, Matt Hill, Trevor Moncrief and Rick Burris, they
9 are incredible at taking in all those factors of weather,
10 effort, holiday weekend and weekday effort levels and
11 allow us to hit our targets every year within a percent.

12 It is really an incredible thing. I just have
13 to share that with everyone. It is unbelievable how far
14 more advanced we are than any state in the nation in the
15 federal government with our landings program, and we are
16 being treated pretty much as these programs are equal,
17 MRIP and Tails n' Scales, and it is truly egregious.
18 That's all.

19 COMMISSIONER HAVARD: Very good. Thanks, guys.

20 COMMISSIONER DANIELS: Joe, do we have any
21 public comments today?

22 JOE SPRAGGINS: I have one, Commissioner, and it
23 was sent to us. It is Mr. Ron Cook and he is not able to
24 be on.

25 Do you have a problem if I read an overview of

1 it?

2 COMMISSIONER DANIELS: No, sir.

3 Please, go ahead.

4 JOE SPRAGGINS: Basically what he is concerned
5 about is regarding recreational fishing and how it has
6 become very hard for the recreational fishermen.

7 He is worried about the Red Snapper 2020 season.
8 He is looking at that we gave a couple of hours notice to
9 close the season and he thinks that was very poor taste at
10 best, and the lack of followup afterwards.

11 I understand that we had picked somewhere around
12 July the 12th was going to be our shoot date to stop the
13 season for a couple of weeks, and, then, once we got into
14 that situation, just to answer Mr. Cook, we found out
15 because, like Paul said earlier, normally we would have
16 seventy to eighty days of season and, obviously, in the
17 first forty-five days of the season, we had a tremendous
18 amount of fishing going on because of three, or four
19 things.

20 Number one, I think because of COVID people
21 would go out to fish more because a lot of them were not
22 working as much as they were before.

23 Then, number two, the fuel price was extremely
24 low and everybody could afford to go out and catch snapper
25 fish, so that was another thing.

1 Number three, we had some beautiful weather.
2 Everything worked that way and our season which
3 normally we would be at the fifty thousand range having
4 additional now, and we are sitting here with eighteen
5 thousand.

6 Because of Matt and Trevor and them looking at
7 this so closely, we were able to narrow it down and, once
8 we came out of that 4th of July weekend, we were very
9 concerned whether or not we were going to max out. So we
10 had to look at it.

11 I apologize to Mr. Cook that we had to give such
12 a short notice because that is not our goal. If you are a
13 charter boat fishermen and you had planned trips, or other
14 people that were coming to south Mississippi to be able to
15 come down for the weekend and fish and bring your boat as
16 a recreational fishermen, we are very sorry that that
17 happened to you at the last minute. I can promise you
18 that we are going to try to give you as much notice as
19 possible.

20 His last statement is do the right thing and
21 represent the state permit holders of Mississippi and not
22 the federal, and he is concerned that the federal were
23 able to continue going all the way to August the 1st, but,
24 once again, they are supposed to be outside the nine
25 miles. They are not inside the nine miles, and that is

1 another issue that we can look at.

2 That is kind of a little bit of a synopsis. He
3 felt like that we shut him off six days early, that we
4 should have continued because of an average of around
5 twenty-nine hundred pounds a day, and that is true and
6 depending on what would have happened. We were just very
7 cautious and I am sorry if it caused him an inconvenience.

8 Any questions, sir, and lady?

9 (No response.)

10 COMMISSIONER DANIELS: All right.

11 JOE SPRAGGINS: That is it, sir.

12 COMMISSIONER DANIELS: We don't have any more
13 public comments.

14 Can I get a motion to adjourn?

15 COMMISSIONER GUESS: I'll make a motion.

16 COMMISSIONER DANIELS: And I'll second it.

17 All those in favor; Commissioner Guess?

18 COMMISSIONER GUESS: Aye.

19 COMMISSIONER DANIELS: Commissioner Havard?

20 (No response.)

21 COMMISSIONER DANIELS: Come on, Mark. Don't
22 fail us now.

23 COMMISSIONER HAVARD: I'm with you. Go ahead.

24 COMMISSIONER DANIELS: Commissioner Havard is an
25 aye.

1 Commissioner Daniels, aye.
2 Everybody have a great day. Thank you.
3 JOE SPRAGGINS: Appreciate it. Thank you very
4 much.

5 CERTIFICATE

6 I, Lucille Morgan, Certified Shorthand Reporter,
7 do hereby certify that the above thirty-nine pages,
8 including this page, is a true and correct transcription
9 of the zoom webinar of the August 18, 2020, meeting of the
10 Commission on Marine Resources, to the best of my skill
11 and ability; and, further, that I am not a relative,
12 employee, or agent, of any of the parties thereto, nor
13 financially interested in the cause.

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s/ _____
LUCILLE MORGAN, CSR 1251
COURT REPORTER