

ADVISORY COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, November 17, 2020
9:00 a.m.
Zoom webinar

Commission Members:

Ronnie Daniels, Chairman

Natalie Guess, Vice Chairman

Steve Bosarge

Also Present:

Joe Spraggins, Executive Director DMR

Sandy Chesnut, Esq., Assistant Attorney General

1 COMMISSIONER DANIELS: At this time, I would
2 like to call the November 17th, Advisory Commission on
3 Marine Resources to order.

4 I will start off by asking Commissioner Bosarge
5 to lead us in The Pledge of Allegiance.

6 (The Pledge of Allegiance was recited.)

7 COMMISSIONER DANIELS: If y'all don't mind, we
8 will just take a moment of silence here to gather our
9 thoughts and say our prayers.

10 (Moment of silence observed.)

11 COMMISSIONER DANIELS: We need to approve the
12 minutes from the October 20th meeting.

13 Do we have any discussion on that?

14 (No response.)

15 COMMISSIONER BOSARGE: No, sir, Mr. Chairman.

16 I'll make a motion that we approve the minutes
17 for the October 20th, 2020, meeting.

18 COMMISSIONER DANIELS: Commissioner Bosarge
19 makes a motion.

20 Do we have a second?

21 COMMISSIONER GUESS: I'll second it.

22 COMMISSIONER DANIELS: Commissioner Guess
23 seconds.

24 All those in favor?

25 Commissioner Bosarge?

1 COMMISSIONER BOSARGE: Aye.

2 COMMISSIONER DANIELS: Commissioner Guess?

3 COMMISSIONER GUESS: Aye.

4 COMMISSIONER DANIELS: Commissioner Daniels,
5 aye.

6 Approval of the agenda for today's meeting.

7 Do we have a motion to approve that?

8 COMMISSIONER BOSARGE: So moved, Mr. Chairman.

9 COMMISSIONER DANIELS: Commissioner Bosarge
10 makes the motion. I will second it.

11 All those in favor?

12 Commissioner Guess?

13 COMMISSIONER GUESS: Aye.

14 COMMISSIONER DANIELS: Commissioner Bosarge?

15 COMMISSIONER BOSARGE: Aye.

16 COMMISSIONER DANIELS: Commissioner Daniels,
17 aye.

18 COMMISSIONER DANIELS: Mr. Joe, what have you
19 got for us today?

20 JOE SPRAGGINS: Just real quick, if anyone has
21 public comment that is out there, you can send it to
22 Crystal and we will get it on the list.

23 Right now, Crystal, you have none at this time?

24 CRYSTAL MATTA: None.

25 JOE SPRAGGINS: We will look at that and make

1 sure.

2 For employment, can we see the screen, please?

3 Jared Harris has been appointed as the Deputy
4 Director of Coastal Resources Management. So Jared moved
5 up in the position there.

6 Andrew Barrett has moved from Marine Fisheries
7 over to be a Marine Administrator I, and he is over in
8 Heritage, now, working in that group and the resilience.

9 Patrick Levine is our new Assistant Chief of
10 Marine Patrol. He has moved up into that position.

11 Michelle Williams has moved over to CZM to take
12 over Grants Administrator that Robin had left to take the
13 Grant Administrator job for the whole agency.

14 Looks like we've got four great moves there in
15 the agency and it is always wonderful to be able to move
16 people within.

17 Next slide.

18 That's not next, but anyway we have no
19 procurements.

20 Were there any procurements?

21 SANDY CHESNUT: It's the next slide, Brady.

22 JOE SPRAGGINS: How did that get in there?

23 SANDY CHESNUT: I don't know.

24 JOE SPRAGGINS: That is all the way to number
25 five.

1 SANDY CHESNUT: Agency update. CARES Act.

2 JOE SPRAGGINS: Never mind. Just hold off.

3 There must not be any procurements. I don't see
4 anything.

5 SANDY CHESNUT: No. There is not. I'm sorry.

6 JOE SPRAGGINS: Agency Update. We are working
7 every day trying to get some stuff done. COVID has
8 obviously taken its toll on everybody, but, so far, we are
9 holding pretty good.

10 Paul, what is it, twelve?

11 PAUL MICKLE: Thirteen.

12 JOE SPRAGGINS: Thirteen people in the agency
13 have had it. That is pretty good out of a hundred and
14 seventy-five, but we are holding and hoping that we can
15 keep it down to that number.

16 Looking at our reports as far as anything
17 happening in the community, obviously, the oyster season
18 is not looking very well to have much of an oyster season
19 this year, if we have any at all probably, because of the
20 fact that the Bonnet Carre 2019 basically devastated the
21 reefs, but there are some coming back.

22 Hopefully, we will be able to get something
23 happening in the near future with that, but, as you know,
24 it takes about two years to grow an oyster and we are
25 trying to make this work as quickly as possible.

1 As far as any other things that are happening in
2 the agency, we had the hurricane. The hurricane came
3 through, Zeta, and we didn't have hardly any damage. We
4 did have a little bit to some of the buildings in some of
5 the areas, but most of the boats and everything else, I
6 don't think we had any damage to any of our boats. So
7 that was good, and we got things working. We are back
8 operational a hundred percent.

9 we had a little bit of damage to a couple of
10 vehicles. A couple of trees fell on some. Little issues
11 there, but nothing major and we can work through it.

12 Hurricane Zeta is over with and hopefully we
13 have seen our last one for this year, but I don't know.
14 There is another one still brewing out there. You never
15 know.

16 As far as the CARES Act, Traci sent me an update
17 to it.

18 Right now, commercial, we have a total of fifty-
19 three people that have applied. Forty-six were eligible,
20 five ineligible, and two of them are still pending right
21 now, being processed.

22 As far as charter boat, we had sixteen that
23 applied. Thirteen that are eligible, two that are
24 ineligible, one under appeal, and one still being
25 processed.

1 Dealers/Processors, we have seven eligible, one
2 ineligible, and one still under process.

3 Hopefully, that will be something that we can
4 get out. I think the 8th, or 9th, of December is when you
5 have your last chance to be able to apply for that. If
6 anybody online is trying to find out, you can go on the
7 DMR website and it has a site there to be able to send you
8 to where you apply.

9 If you do not have the capability of downloading
10 it and do not have the capability of going on the website
11 for DMR, you can always call the agency at 228-374-5000
12 and ask for someone in Fisheries, either Joe Jewell,
13 Traci, or Rick. Either one of those can help you out and
14 they can get you to an application of how you can get
15 something, if you need to come pick one up.

16 We want everybody who can to be qualified for
17 this and, hopefully, we will be able to get something
18 done. By the 9th, if we get it closed out, we ought to be
19 able to start doing something before Christmas, if
20 possible. If not, as soon as possible after that.

21 That is the one point five million dollar
22 process that we are working on.

23 Any questions on that, Commissioners?

24 COMMISSIONER BOSARGE: No, sir.

25 JOE SPRAGGINS: The 2019 Bonnet Carre Update.

1 We have sent that to NOAA. We are waiting on it
2 and, hopefully, it will come out. As normal, we have to
3 wait to get what we can, as far as their comments back,
4 and, then, try to make things work.

5 It is going to be a process. It will definitely
6 be after the first of the year before we will be able to
7 get money to be able to do anything with. Hopefully, that
8 process will work out pretty quick.

9 Do any Commissioners have any comments, or any
10 questions, on it?

11 COMMISSIONER DANIELS: No, sir.

12 JOE SPRAGGINS: The other thing we are working
13 on is the actions update from prior meetings. I think
14 that is the next slide.

15 I am going to turn it over to Sandy.

16 SANDY CHESNUT: At the October meeting, the
17 following actions were recommended by the Commission:

18 There was a variance request/permit by Mr.
19 Trapolin in Pass Christian for a fifty-six foot jetty, and
20 that was contingent upon water quality certification from
21 MDEQ.

22 The Commission recommended approval, and the
23 Director has approved that request.

24 There was a recommendation to approve the
25 Finfish Record. It is a Youth Record that also qualifies

1 for an All Tackle and Conventional Tackle Record for the
2 Atlantic Needlefish by Rodie Armes, and the Director has
3 approved that, as well.

4 There is one item still pending from the
5 September meeting, and that is the Simmons Bayou No Wake
6 Zone Proposal.

7 As you know, this was recommended that we table
8 this and the Director approved that it be tabled. I
9 imagine that will be coming up in the next meeting, or so.

10 JOE SPRAGGINS: Patrick, are you on by any
11 chance?

12 PATRICK LEVINE: Good morning, Director. Good
13 morning, Commission.

14 I have met with the Jackson County Board of
15 Supervisors and, also, the homeowners about the no wake
16 zone on Simmons Bayou.

17 We have gathered some information. We have gone
18 out and flown the area with drones working with IT, and we
19 will be ready to represent that no wake zone at next
20 month's Commission meeting.

21 JOE SPRAGGINS: Thank you, Patrick.

22 Any questions, Commissioners?

23 COMMISSIONER DANIELS: No, sir.

24 JOE SPRAGGINS: If not, that is my report for
25 today, and I wish each and every one of you a Happy

1 Thanksgiving. I probably won't see you before then, or
2 talk to you, but hope y'all have a great one.

3 Sir, that is my report.

4 COMMISSIONER DANIELS: Thank you, Director.

5 Do any of our Commissioners that are on have
6 anything to report today?

7 COMMISSIONER BOSARGE: I don't.

8 COMMISSIONER DANIELS: Office of Marine Patrol,
9 Chief Kyle Wilkerson.

10 Are you on here today?

11 PATRICK LEVINE: Good morning, Commission.

12 This is Patrick Levine again. Chief Wilkerson
13 is on vacation this week and unavailable.

14 So this morning Captain Gex is going to be
15 presenting the Office of Marine Patrol.

16 BRYCE GEX: Good morning Commissioners,
17 Director, Ms. Chesnut.

18 The Office of Marine Patrol has been busy this
19 past month with storm response and moving assets back into
20 the respective areas along the Coast.

21 There have been a few enforcement actions of
22 note. A couple of oyster infractions, several no
23 recreational crab license infractions this month, and one
24 outlier case that I am going to go ahead and address at
25 this time.

1 There was an illegal harvest of a white-tailed
2 deer. That happened in the Grand Bay NERR area and one of
3 our officers was contacted by the NERR officials to
4 assist, and that white-tailed deer was under size for
5 antler restrictions. It was seized and U.S. Fish and
6 wildlife service took possession of the deer for evidence
7 for later.

8 The last thing I would like to mention in the
9 report is this is the first time that I know of that the
10 Marine Patrol Dive Team is fully certified across all
11 divers as Public Service Divers. They accomplished that
12 in the month of October as well.

13 Are there any questions?

14 COMMISSIONER BOSARGE: No, sir.

15 COMMISSIONER DANIELS: No, sir.

16 Congratulations on all of the certifications.
17 That is a good thing.

18 BRYCE GEX: Thank you, sir.

19 COMMISSIONER DANIELS: Coastal Resources
20 Management.

21 Is Jennifer Wittmann on?

22 JENNIFER WITTMANN: I am. Willa Brantley has
23 two presentations for our office today.

24 COMMISSIONER DANIELS: All right. Thank you.

25 WILLA BRANTLEY: Good morning.

1 Can you hear me?

2 COMMISSIONER DANIELS: Yes.

3 WILLA BRANTLEY: You couldn't at first. Sorry.
4 First up, I just wanted to update you. I hope
5 that all of you saw our news release about waiving permit
6 fees for rebuilding and repairing storm damaged
7 structures.

8 We wanted to make sure you knew about this, in
9 case you get any questions, and let you have an
10 opportunity to ask any questions.

11 What needs to happen is that the structure
12 should have been previously permitted. It should stay
13 within the existing footprint of the structure.

14 If it is rebuilding that structure in that same
15 footprint, we are not charging an application fee.

16 If they want to change the structure, take this
17 opportunity to rebuild something different, it would go
18 through the normal permitting process and would be charged
19 an application fee.

20 One thing to remember is if they are only
21 replacing decking boards, roofs and any structures that
22 are completely above the waterline so they don't have to
23 pull out any pilings, put any new pilings in, DMR does not
24 require authorization for that before they start work.

25 COMMISSIONER BOSARGE: That is good to know,

1 willa, because I have had some people ask me.

2 Explain to me one more time so we all know
3 exactly what they are allowed to do without having to come
4 to you for a permit.

5 WILLA BRANTLEY: Without having to coming to us,
6 they can replace their decking boards and any stringers
7 that those are attached to and they can replace their
8 roof, anything that is not touching the water.

9 If they need to touch the water, or work below
10 the water surface, they do need to get authorization, but,
11 as long as they stay in the footprint, the fee would be
12 waived.

13 COMMISSIONER BOSARGE: Good. Thank you.

14 WILLA BRANTLEY: Another thing. We are working
15 on expediting removals of derelict vessels that were
16 caused by Hurricane Zeta. We are issuing those as what we
17 call "emergency orders". Basically, that lets us issue a
18 certificate of waiver without going through the thirty-day
19 notice to the other agencies so we can get those certified
20 within just a couple of days, instead of taking thirty
21 days to wait on that certification.

22 COMMISSIONER BOSARGE: That's good.

23 COMMISSIONER DANIELS: There are a lot of them
24 scattered around out there.

25 WILLA BRANTLEY: There are. We have gotten lots

1 of calls, and I expect you will get some calls, too. Just
2 feel free to direct them to us and we will take care of
3 that.

4 COMMISSIONER BOSARGE: Thank you.

5 WILLA BRANTLEY: Next up is a request for a
6 permit extension by the Mississippi Department of
7 Environmental Quality. This is for the NRDA Early
8 Restoration Project over in Hancock County.

9 The networking title they use for it is The
10 Hancock County Marsh Living Shoreline. It is in the
11 Mississippi Sound south of Hancock County marshes. It is
12 from the mouth of the Pearl River over to past Heron Bay
13 and they are creating some marsh and oyster habitat within
14 Heron Bay.

15 The Use District started as a General Use
16 District and a Preservation District, and the agent is
17 Covington Civil and Environmental, LLC.

18 This is the footprint of the Use Plan Change
19 that was authorized. We changed it from that General Use
20 and Preservation District to Special Use for Restoration
21 District that covers the footprint of the project
22 (indicating slide).

23 This is a diagram of the project. The blue
24 lines that you see south of the marsh is the actual
25 breakwater/high profile reef. The slash lines kind of in

1 the center of the screen are where they are creating the
2 subtidal reef. To the southeast of that just north of
3 Lighthouse Bayou, right at that point, that is where they
4 are creating their intertidal marsh habitat, and that is
5 the part that they have not finished yet, so that is why
6 they need an extension (indicating slide).

7 They have had some delays due to storms and
8 other events. That is the part that they still need to
9 finish up.

10 Again, it is forty-six acres of marsh creation,
11 forty-six acres of submerged reef creation and right at
12 six miles of breakwater.

13 November 17th of 2015, is when the project was
14 originally presented to the Commission and was approved as
15 recommended.

16 On October 16th of this year, MDEQ's authorized
17 agent requested the permit extension which will be for two
18 years.

19 Based upon our review and evaluation, we
20 recommend that the applicant's request for the two-year
21 extension be approved.

22 COMMISSIONER BOSARGE: Willa, how did the
23 breakwater -- did it seem to help with all these storms?

24 Has there been anybody out looking at it?

25 WILLA BRANTLEY: I haven't heard anything

1 specifically related to Hurricane Zeta yet.

2 I know that since they created it, it has done
3 very well in stopping the erosion.

4 what they hoped that it would do and designed it
5 to do was to slow down the erosion. They actually didn't
6 even expect it to stop the erosion. They didn't expect it
7 to accrete any shoreline.

8 The reports I have had are that it not only
9 stops the erosion, but has had some accretion in some
10 points. They have started their monitoring for it.

11 COMMISSIONER DANIELS: I can tell you first
12 hand. We spend quite a bit of time over there. I grew up
13 fishing that Heron Bay area and we spend a lot of time
14 south of Bayou Caddy on those rocks and just in the few
15 years that it has been here, some of that behind those
16 rocks has begun to fill in. It is getting shallower back
17 there. That marsh seems to be working its way out towards
18 the rocks. It has been a huge benefit to fishermen over
19 there, adding structure for them to target.

20 we have been very pleased on this end of the
21 state with that project. It looks like it is doing
22 everything it should be and providing a lot of value.

23 COMMISSIONER BOSARGE: It was a big project. I
24 remember when it was presented and we approved it.

25 I think we've got a couple more that were going

1 in Back Bay of Biloxi.

2 whatever happened to that one, willa, really not
3 too far from the main office there in the Back Bay?

4 WILLA BRANTLEY: We have the one proposed for
5 south of Big Island and that is on hold to be presented to
6 the Commission until we have in-person meetings.

7 we do have some members of the community who are
8 opposed to that and want to speak to the Commission, and,
9 as of right now, we are trying to wait on that until we
10 have in-person meetings so that they can speak to the
11 Commission face-to-face.

12 COMMISSIONER BOSARGE: These projects are safe.
13 They really make a difference, at least the ones I have
14 been involved in.

15 I'll make a motion that we recommend staff's
16 approval of this project.

17 COMMISSIONER GUESS: I'll second it.

18 COMMISSIONER DANIELS: We've got a motion by
19 Commissioner Bosarge and a second by Commissioner Guess.

20 All those in favor?

21 Commissioner Guess?

22 COMMISSIONER GUESS: Aye.

23 COMMISSIONER DANIELS: Commissioner Bosarge?

24 COMMISSIONER BOSARGE: Aye.

25 COMMISSIONER DANIELS: Commissioner Daniels,

1 aye.

2 WILLA BRANTLEY: Thank you very much.

3 COMMISSIONER DANIELS: Looks like we are on to
4 Finance and Administration.

5 Ms. Brewer, are you on here?

6 LESLIE BREWER: I am.

7 Good morning Director, Commissioners, legal.

8 My name is Leslie Brewer, CFO. I will be
9 presenting the agency's financials for the month of
10 October 31st, 2020.

11 At the end of October, our State Revenue was
12 three point five million. Our Total Agency Revenue was
13 four point seven million.

14 Our State Net Income was one point six million,
15 and our Total Agency Net Income was a negative two
16 million.

17 Next slide, please.

18 LESLIE BREWER: After four months of fiscal year
19 2021, we have ninety point one percent of the Operating
20 Budget remaining, while the Tidelands Budget has seventy-
21 seven point six percent remaining.

22 We are still waiting for our Tidelands transfer
23 for our funds. That is why we are in the negative. That
24 will be hopefully soon.

25 Any questions?

1 COMMISSIONER DANIELS: I don't have any.
2 Does anybody else?

3 COMMISSIONER BOSARGE: No.

4 COMMISSIONER GUESS: No.

5 JOE SPRAGGINS: Commissioners, just real quick.
6 When we say in the negative, we are not in the negative.
7 We have Tidelands Funds in the bank. We just do it year-
8 by-year. That is what she is talking in reference to.

9 LESLIE BREWER: Yes. I explained that negative.
10 That's where I was going with that.

11 COMMISSIONER DANIELS: Ms. Charmaine.

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

14 The Mississippi Department of Marine Resources
15 was mentioned eighteen times in local, state and national
16 media since the October CMR meeting.

17 Popular news items included Director Spraggins
18 being reappointed as MDMR Executive Director by Governor
19 Reeves, MDMR waiving permit fees for repairing and
20 rebuilding structures following Hurricane Zeta, and the
21 CARES Act applications becoming available on November 9th.

22 Dr. Paul Mickle gave a presentation on oysters
23 yesterday to the Jackson County Board of Supervisors.

24 Marine Patrol also continues to assist with
25 marine events throughout the Gulf Coast.

1 That's it for me.

2 COMMISSIONER DANIELS: Sorry. I was on mute.
3 Thank you for that. I was talking away. Nobody was
4 listening.

5 Moving on through these things this month.

6 Does anyone have any other business?

7 JOE SPRAGGINS: Commissioner, only one thing.
8 Round Island, the one that we were rebuilding, did have
9 some damage after Hurricane Zeta.

10 I was talking with DEQ and also with Covington
11 the other day. They are in the process of repairing it,
12 now. It just mainly shifted some of the berms that they
13 had there. It shifted them more onto the land, but I
14 think that they will all be corrected very soon.

15 COMMISSIONER DANIELS: Okay. Thank you.
16 Any of our Commissioners have any other
17 business?

18 COMMISSIONER BOSARGE: No, sir.

19 COMMISSIONER DANIELS: Director, do we have any
20 public comments?

21 JOE SPRAGGINS: No, sir, none at this time.

22 COMMISSIONER DANIELS: Anybody want to make a
23 motion to adjourn?

24 COMMISSIONER BOSARGE: So moved, Mr. Chairman.

25 COMMISSIONER GUESS: I'll second it.

1 COMMISSIONER DANIELS: Motion to adjourn by
2 Commissioner Bosarge. Second by Commissioner Guess.

3 All those in favor?

4 Commissioner Guess?

5 COMMISSIONER GUESS: Aye.

6 COMMISSIONER DANIELS: Commissioner Bosarge?

7 COMMISSIONER BOSARGE: Aye.

8 COMMISSIONER DANIELS: Commissioner Daniels,
9 aye.

10 Everyone enjoy the rest of your day. Thank you.

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CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above twenty-one pages, including this page, is a true and correct transcription of the zoom webinar of the November 17, 2020, meeting of the Advisory Commission on Marine Resources, to the best of my skill and ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.

s/ _____

LUCILLE MORGAN, CSR 1251

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