

MISSISSIPPI ADVISORY COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, March 16, 2020
9:00 a.m.
Zoom webinar

Commission Members:

Ronnie Daniels, Chairman
Natalie Guess, Vice Chairman
Steve Bosarge
Richard Gollott
Cam Roberds

Also Present:

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

1 COMMISSIONER DANIELS: At this time, we will
2 call the Tuesday, March 16th, 2021, Mississippi Advisory
3 Commission on Marine Resources meeting to order.

4 I would like to ask Cam Roberds to lead us in
5 our Pledge of Allegiance today.

6 (Pledge of Allegiance was recited.)

7 COMMISSIONER DANIELS: Cam, welcome aboard.

8 COMMISSIONER ROBERDS: Thank you.

9 COMMISSIONER DANIELS: We are going to have a
10 moment of silence and I would like to ask the Director to
11 give us a little prayer this morning.

12 JOE SPRAGGINS: Lord, we ask you just to
13 take us today and give each and every one
14 of us that represents this agency the
15 ability to do what you would have us to do;
16 be it your way, not ours. We just ask you
17 to lead and guide and direct us and watch
18 over us and make sure that the agency is
19 run the way you would have it done. We ask
20 this in Jesus Christ's name. Amen.

21 COMMISSIONER DANIELS: We are going to turn it
22 over to Lucille.

23 COURT REPORTER: Cam?

24 COMMISSIONER ROBERDS: Yes, ma'am.

25 COURT REPORTER: Repeat after me.

1 (Oath was administered.)

2 JOE SPRAGGINS: All right. Round of applause
3 for Cam.

4 I tell you this virtual method is fun, isn't it?

5 COMMISSIONER DANIELS: It certainly adds a
6 different twist on things.

7 welcome aboard Cam. We appreciate you taking
8 over the spot of Commissioner Havard. Commissioner Havard
9 has done a great job, put a lot of time and work and
10 effort in representing the recreational fishermen, and we
11 have full faith that you will continue on where he left
12 off.

13 COMMISSIONER ROBERDS: I appreciate that,
14 Ronnie. I'm looking forward to continuing what you guys
15 have going. You had a really great team and I am looking
16 forward to helping preserve our resource for many years.

17 COMMISSIONER DANIELS: On to the approval of the
18 minutes.

19 Can we get a motion to approve the February 16th,
20 2021, minutes, or do we have any discussion on that?

21 COMMISSIONER GOLLOTT: Mr. Chairman, I'll make
22 the motion that we approve the minutes.

23 COMMISSIONER BOSARGE: I'll second that motion.
24 This is Steve.

25 COMMISSIONER DANIELS: Motion made by Commission

1 Gollott.

2 Steve, you look like you are in a nice place
3 there in that background.

4 COMMISSIONER BOSARGE: Too much work going on
5 here, Ronnie.

6 JOE SPRAGGINS: It doesn't look like work. I
7 looks like you are partying.

8 COMMISSIONER BOSARGE: I hear you.

9 COMMISSIONER DANIELS: Second by Commissioner
10 Bosarge.

11 All those in favor.

12 Commissioner Guess?

13 (No response.)

14 COMMISSIONER DANIELS: Natalie, are you on?

15 (No response.)

16 COMMISSIONER DANIELS: Commissioner Roberds?

17 COMMISSIONER ROBERDS: Aye.

18 COMMISSIONER DANIELS: Commissioner Daniels,
19 aye.

20 COMMISSIONER DANIELS: Commissioner Bosarge?

21 COMMISSIONER BOSARGE: Aye.

22 COMMISSIONER DANIELS: Commissioner Gollott?

23 COMMISSIONER GOLLOTT: Aye.

24 COMMISSIONER DANIELS: Motion passes.

25 we need to approve the agenda for today.

1 Can I get a motion to approve the agenda?

2 COMMISSIONER BOSARGE: So moved, Mr. Chairman.

3 COMMISSIONER DANIELS: Motion made by
4 Commissioner Bosarge.

5 I'll second it.

6 All those in favor.

7 Commissioner Roberds?

8 COMMISSIONER ROBERDS: Aye.

9 COMMISSIONER DANIELS: Commissioner Gollott?

10 COMMISSIONER GOLLOTT: Aye.

11 COMMISSIONER DANIELS: Commissioner Daniels,
12 aye.

13 Commissioner Bosarge?

14 COMMISSIONER BOSARGE: Aye.

15 COMMISSIONER DANIELS: Director, we are going to
16 turn it over to you.

17 JOE SPRAGGINS: Natalie just texted me.

18 She said, "I'm on audio through the phone.

19 Please let them add my number."

20 So add her number.

21 welcome aboard, Commissioner Roberds. We
22 appreciate you being here.

23 Maybe if we have just a second, you can take
24 just a few seconds and tell people about you and what you
25 do and your representation.

1 COMMISSIONER ROBERDS: Born in Biloxi,
2 Mississippi. Grew up in Gulfport. Was in Gulfport the
3 majority of my life. Went to Southern Mississippi.
4 Finished Southern Mississippi. Came back to the Coast.
5 Got wrapped up in construction somehow and along with
6 construction, I got wrapped up in Chandelier Island
7 Brewing Company. I have been a lifelong fisherman here on
8 the Gulf Coast and I have never been able to get far away
9 from our Gulf waters for some reason. I feel like if I'm
10 north of I-10, I am going a little bit far.

11 That is really it. I live in Ocean Springs now.
12 I have been here since 2005. Moved over here, my wife and
13 I, right before Katrina and, of course, we got wiped out
14 by Katrina and had to rebuild, and we have been here ever
15 since.

16 I am looking forward to working with this team.
17 Over the last couple of meetings watching, you guys really
18 have a great system. It appears to be honed in, and I am
19 proud of what you guys are doing for our resource here on
20 the Coast.

21 JOE SPRAGGINS: welcome aboard and, hopefully,
22 if we can get this thing fixed by next month, we will have
23 our Commission meetings back in the board room and
24 everybody gets to look each other in the face for a minute
25 and say hello.

1 We are glad to have you and you come highly
2 recommended from a lot of people. I think that you will
3 do a great job and we look forward to it.

4 Employment updates. Put the slide up, please.
5 There you go.

6 As you can see, Joshua Waters is a DMR Marine
7 Fisheries Scientist, III.

8 Then, we've got Katherine Ramon and she is our
9 new Grants Administrator working there as Grants
10 Administrator I.

11 Chris Pickering moved up to DMR Biological
12 Program Coordinator.

13 Jennifer Wilder has moved up to Permitter V.
14 Matt Kasovich has moved up to Senior Master
15 Sergeant.

16 Dylan Kessen is now a Corporal.

17 Kaitlyn Payne is now a Dispatcher III.

18 Debbie Griffin is Dispatch Supervisor. She is a
19 new hire. She came in and has a tremendous amount of
20 experience in dispatch over the years. We are lucky to
21 have her to take over our supervisor slot there.

22 Erin Smyth is our new Permitter II, a new
23 person.

24 The last two are new. Everybody above that has
25 moved up. I always look to move up employees. We also

1 Look forward to having new ones onboard.

2 Anybody have any questions, any of the
3 Commissioners?

4 (No response.)

5 JOE SPRAGGINS: No new contracts.

6 Just to give you an update, especially with not
7 meeting and talking about different things, the contract
8 that we have with Aqua Green, or Spat-Tech I think is the
9 name of the company, is a 2019 contract and here it is
10 2021, and that is to be able to buy the sixty million
11 oysters that are about a half inch size and being able to
12 put them in the water. That contract is still ongoing.

13 The Bonnet Carre keeps causing a little havoc and
14 last year we were not able to put them out correctly
15 because they didn't want to put them in, but we are
16 waiting.

17 we told them we don't want them until we get our
18 oysters the way we want them. So we are waiting on our
19 sixty million.

20 we have not spent anything, except we paid for
21 the baskets and the cultch which they have there, and,
22 then, everything else will be done. Hopefully, we are
23 going to try to get them in the water sometime this May,
24 June, July time frame, and we will continue to relocate
25 them across the Gulf so we can try to help replenish the

1 oyster stock.

2 Any questions on that?

3 COMMISSIONER BOSARGE: Yes.

4 Mr. Joe, where are you planning on putting these
5 oysters?

6 I had one other question.

7 Did you actually tell us about this contract to
8 begin with?

9 I don't remember going over that contract. Of
10 course, that is probably not anything to be surprised
11 about. My memory is not that good anyway. Anyhow, I
12 don't recall.

13 JOE SPRAGGINS: We did a contract back in 2019.
14 We had one with them in 2016, or 2017, I think
15 it was, and they put the oysters in the water and they
16 were doing fine, and, then, all of a sudden the Bonnet
17 Carre killed everything.

18 What we are doing with this, Commissioner
19 Bosarge, we are trying to find out every way we can what
20 is the best way to grow oysters, what is the best way to
21 spend our money.

22 What he is doing -- he is up at Aqua Green, if
23 you know where I'm talking about, at Poplarville I think
24 it is at the place there.

25 COMMISSIONER BOSARGE: Yes. I've been there.

1 JOE SPRAGGINS: what he is doing is he is
2 putting the oysters -- he is growing them all the way from
3 hatching the oysters all the way to taking them to the
4 nursery and putting them in a nursery on shells, and,
5 then, bringing them to us.

6 Sixty million of them is what we are supposed to
7 get. That is somewhere in the neighborhood of two
8 thousand baskets. They put thirty thousand oysters in a
9 basket which, I think, adds up to sixty million.

10 we will go over there to the nursery where the
11 nursery is on the Mississippi-Louisiana border and a staff
12 member will make sure we are getting what we are supposed
13 to get. They put them on the barge and turn it over to
14 Fisheries and Fisheries is -- since we haven't actually
15 been given a deployment date, I don't think they have
16 actually put together a hundred percent what they are
17 going to put at each place.

18 One of the things we want to do is we want to
19 strategically locate them across the Gulf.

20 Last time we put everything in the western Gulf
21 and, obviously, they died.

22 We want to put some in the Pass Christian area.
23 We are going to put some in the western Gulf, also, and,
24 then, the Pass Christian area, and, then, also over to
25 Horn Island, in the areas over here in Back Bay around

1 Ocean Springs and other places.

2 We are trying to put them in different places
3 because of two things. Number one, we want to see if they
4 live and reproduce. Number two, we can sample them better
5 and we have less chance of them totally getting wiped out
6 by the Bonnet Carre.

7 Does that make sense to you?

8 COMMISSIONER BOSARGE: Yes. Well, that's what I
9 was wondering.

10 Is this part of that, I guess, master oyster
11 plan?

12 JOE SPRAGGINS: It is part of the oyster plan
13 that we are working on, now, but it was also part of when
14 they came up with the Governor's Oyster Council back in
15 the 2015 time frame and this is one of the things, to try
16 to set oysters different ways.

17 We are also looking at it, just for your
18 information -- since we are on it, might as well talk
19 about it right now. We are in the stage of looking --
20 part of that was to be able to go and put a setting
21 facility on the Port in Gulfport. That was something that
22 they came out with and we were looking at it.

23 USM is doing the hatching part of it and they
24 are going to be able to give us larvae to put on the
25 shells, and, then, what we were going to do was basically

1 try to put them in the tanks on the Port, and, then, take
2 them from there and take them out and put them in the
3 water.

4 Now, the question is, is that feasible?

5 we don't know that answer. So what we are doing
6 is we are doing a feasibility study to look at it, which
7 they are working on it and I have forgotten who the
8 contractor was. We talked about this a couple of meetings
9 ago.

10 It's a group out of Ocean Springs, wasn't it?

11 (No response.)

12 JOE SPRAGGINS: Leslie, maybe one of y'all can
13 chime in and tell me the name of that contractor.

14 LESLIE BREWER: I'll think of it, too.

15 JOE SPRAGGINS: The name is just not coming out
16 right now. I'll think of it in a minute. I'll think of
17 it before this meeting is over. I promise you.

18 They are looking at it and trying to say, number
19 one, what is it going to cost us to build this thing on
20 the Port.

21 The estimate was ten million dollars to do
22 everything.

23 well, is it going to cost ten million dollars?

24 Is it going to cost twenty million dollars?

25 Is it going to cost five million dollars?

1 we don't even know. Nobody has a clue. So we
2 are trying to get that. That is number one.

3 Number two is according to what USM can give us
4 in larvae, how much will be able to put on the shells and
5 that will tell us how much we need.

6 Number three is what is it going to cost to
7 operate this thing.

8 How much money is it going to cost?

9 Is it going to be feasible?

10 Number four is estimated how many oysters we
11 think we will get in an ideal situation. All we can work
12 off of is an ideal situation, saying that the Bonnet Carre
13 is not opened and we don't have low oxygen, or something,
14 and we are going to try to find out.

15 That is before we ever spend ten million dollars
16 to build this facility. We are going to find out a lot of
17 answers, before moving forward.

18 COMMISSIONER BOSARGE: I guess while we are on
19 that, I have another question.

20 You know, we did the -- I'm pretty sure we did.
21 It was a research project where we put out crushed
22 concrete, and, then, limestone and something else in those
23 plots.

24 How is that coming?

25 JOE SPRAGGINS: I think the one you are thinking

1 about is with DEQ.

2 Is that correct?

3 Joe, are you on?

4 JOE JEWELL: Can you repeat that?

5 I'm sorry.

6 JOE SPRAGGINS: He is talking about the testing
7 of the limestone, the crushed concrete and the oyster
8 shells.

9 DEQ is doing the setting of those areas.

10 Is that correct?

11 RICK BURRIS: Yes, Director, that's correct.
12 That's on Ocean Springs beach. It's a NFWF project,
13 experimental cultch.

14 JOE SPRAGGINS: Do we know where we stand on
15 that, as we speak?

16 RICK BURRIS: It was deployed last summer and
17 the monitoring will begin this summer, 2021.

18 JOE SPRAGGINS: Commissioner, does that answer
19 what you were looking for?

20 COMMISSIONER BOSARGE: Yes.

21 Joe, when do you think we will get kind of an
22 update on it?

23 JOE JEWELL: Well, we are anticipating sampling,
24 like Erik says, early this summer, and we should have some
25 preliminary results that we can disseminate to the

1 Commission by the end of the summer, or early fall. That
2 would be preliminary data.

3 You really have to go through this two, or
4 three, years to get an accurate assessment of how
5 Biologically it is responding to the environment.

6 COMMISSIONER BOSARGE: That's correct.
7 wasn't that in the mouth of Bay St. Louis?
8 Isn't that where they did that, Joe?

9 JOE JEWELL: No. The experimental cultch site
10 is right there at the mouth of Biloxi Bay. It is more
11 toward Ocean Springs Yacht Club, in that general area
12 along that beach line.

13 COMMISSIONER BOSARGE: All right. Okay. I
14 couldn't remember. I knew that it was ongoing and it
15 would probably provide some pretty good answers. I just
16 wanted to ask about it. Thank you.

17 JOE SPRAGGINS: Commissioner Bosarge, just for
18 your input on that, too, a lot of the legislators had
19 questions about that because, in the past, we have asked
20 to be able to use, like, crushed concrete, or limestone,
21 or either regular shells, and we tried to explain to them
22 how much it costs for each one of them, and we were trying
23 the cultch with limestone and they were not very happy
24 with us about that because they are being told that
25 limestone doesn't work.

1 well, this may help. I know, if we go back and
2 look at in the past prior to my coming to DMR, one of the
3 big things that y'all used, even after Katrina, to
4 replenish the oyster beds was limestone and it worked
5 great, but this is something to help prove that.

6 COMMISSIONER BOSARGE: I know the bigger
7 limestone works because several of the sacks of oysters
8 that I got this year had been planted on that limestone
9 and they had little chunks of limestone on them.

10 when I talked to a lot of the sure enough old
11 fishermen -- I guess we are all old, but some of them are
12 sure enough old -- they tell me about stories of when
13 their parents and grandparents wanted to help replenish a
14 reef and that is what they would do. He said they would
15 use pine tree tops and it made a lot of sense.

16 It is shallow reefs, now, but they would bring
17 those pine tree tops out on those reefs, stake them off
18 and because they are up in the water, the spat would
19 actually stick to those pine tree needles and limbs and
20 grow, and, then, as that tree deteriorated and rotted,
21 they would fall to the bottom and it was a way of
22 replenishing the reefs.

23 I thought it was a pretty good idea. I mean, to
24 me, it's what they could afford to do, but it worked.

25 Anyhow, it was just an observation that I had

1 passed on to Joe a few years back, also.

2 JOE SPRAGGINS: I have heard that, also, sir.

3 Obviously, growing up in Alabama, we used to
4 take Christmas trees and put them in the water and make
5 fish beds out of them and they were great.

6 I'm not saying that would work, but I think we
7 were looking at it and I don't remember what it was about
8 putting trees in the water. I don't remember exactly what
9 it was, but, anyway, this will help us a whole lot just to
10 help us have some kind of scientific data to show that.

11 It will show that it either grows the same on all
12 three, or it grows better on one of the three. We will be
13 able to see that, and it is in an area that should not be
14 damaged by any freshwater pollution like the Bonnet Carre.

15 Okay?

16 COMMISSIONER BOSARGE: Yes, sir.

17 JOE SPRAGGINS: The Agency Update. Our bill for
18 the high watermark came out of the House and Senate, and
19 it is in the House again. The House is going to go to
20 conference with it.

21 I was told yesterday that they are taking it to
22 conference and the reason for it is that they want to look
23 at some wording in it, and I don't have it back. I am
24 heading up to Jackson this afternoon and I will be able to
25 talk to them and find out.

1 As far as the other one, that one passed the
2 House and the Senate, and the Senate made strike all and
3 it basically came back and it was approved and concurred
4 by the House. They were supposed to concur it today. I
5 don't know if they have, or not.

6 As far as any of the other bills, that was it.
7 The one about taking the trees out of the water with the
8 Secretary of State and all did not pass the House. That
9 is a dead issue, I think, at this point.

10 There is one about being allowed to serve
11 alcohol on charter boats that are something like forty
12 people, or above, I believe is what the number is. That
13 one did pass the House and the Senate. I'm not sure
14 exactly where it is, as far as it getting totally
15 concurred on.

16 I can't think of anything else that we had.

17 TJ, are you on?

18 (No response.)

19 JOE SPRAGGINS: That seems to answer, as far as
20 where we are.

21 As far as confirmation, I would like to
22 congratulate Commissioner Bosarge and Commissioner Gollott
23 for being reappointed. Thank y'all for being willing to
24 do this. You have both been reappointed, and I think it
25 is just the formality of going through the Senate

1 confirmation, and, then, the new Senate confirmation of
2 the appointment of Cam.

3 Thank y'all for being willing to serve on this
4 and we appreciate it.

5 As soon as I get any date of when the Senate is
6 going to bring it up, I will let you know and they may
7 want you to come to Jackson, if y'all could. If not, we
8 may be able to do it virtually for you. That would be
9 something we can work on.

10 COMMISSIONER BOSARGE: Mr. Joe, I'm proud to be
11 able to serve.

12 JOE SPRAGGINS: Thank y'all. We appreciate you
13 doing it.

14 Machado Patano is the name of the company for
15 the oyster setting area.

16 Commissioner Gollott, were you saying something?

17 COMMISSIONER GOLLOTT: I'm sorry, sir. I am
18 also proud to serve and I have been here, I think it is
19 twenty years now and I have enjoyed it.

20 JOE SPRAGGINS: You have been here about as long
21 as I am old.

22 Right?

23 COMMISSIONER GOLLOTT: Yes, just about it.

24 JOE SPRAGGINS: I wouldn't say that.

25 Other than that, the agency is running fine. We

1 are all back a hundred percent, as far as everybody here.
2 Everybody is working. They don't have any issues.

3 On other thing. We did get our spending
4 authority for the Tidelands. We did get an extra two
5 million dollars in spending authority. So, now, we are
6 going to be able to go back and release those projects and
7 be able to move forward and help do some things that we
8 had as far as outreach. We will do that, and Sonja is
9 working on that as we speak.

10 I talked with the legislators and I don't have
11 an update on GOMESA. As far as I know on GOMESA, the
12 Governor is still looking it and deciding what he wants to
13 do with the projects. The legislators are still looking
14 at it. As soon as I get an update on that, I will give it
15 to you. If you know anything about it, any more than
16 that, you probably know more than I do.

17 We are just trying to work it out. They are
18 trying to get everything settled and I think it will all
19 pan out. We should be okay and we should have our budget
20 worked out this year and we will move forward.

21 Any questions on the agency update?

22 (No response.)

23 JOE SPRAGGINS: CARES Act real quick.

24 Traci, are you on?

25 TRACI FLOYD: Yes, sir.

1 JOE SPRAGGINS: Go ahead and give them an
2 update.

3 TRACI FLOYD: All of the funds, the direct
4 assistance to the fisheries participants have been sent
5 out. We are wrapping up that grant, just working on some
6 final reports and some salary charges to even out and we
7 are near the end of the grant.

8 JOE SPRAGGINS: Any questions on the CARES Act?

9 COMMISSIONER BOSARGE: I understand there is a
10 possibility of a second round of CARES Act funding.

11 Is that correct?

12 TRACI FLOYD: Director Spraggins may know more
13 than me. I have only heard discussions. I have not seen
14 any evidence of it.

15 JOE SPRAGGINS: They have not told us,
16 Commissioner Bosarge, that it is coming.

17 Trying to some wording of what it is, we asked
18 more, and they are, like, yes, no, yes, no. We think it
19 is going to happen, but they just passed the bill so it
20 ought to be there. They were trying to raise it to, like,
21 six hundred million instead of three hundred million, and
22 I have not been able to get a solid answer, and I can't
23 find a copy of that bill where they passed the last one
24 point nine trillion dollars, what those were. It breaks
25 it down some, but I haven't been able to see it where it

1 broke it down the way it used to before.

2 As soon as we get that, we will let y'all know
3 that we do have a round two.

4 COMMISSIONER BOSARGE: All right. That is all I
5 was wondering.

6 when and if you do hear, please let us know.

7 JOE SPRAGGINS: Yes, I will.

8 COMMISSIONER BOSARGE: Thank you.

9 JOE SPRAGGINS: Any other questions on the CARES
10 Act?

11 (No response.)

12 JOE SPRAGGINS: Bonnet Carre.

13 Rick, are you on?

14 RICK BURRIS: Yes, sir.

15 JOE SPRAGGINS: Just give us an update.

16 RICK BURRIS: We are still in consultation with
17 NOAA about tweaking some minor things before it gets sent
18 off to OMB for final approval. We will be in consultation
19 with them, until everything is cleaned up, but that is
20 where we are, now.

21 JOE SPRAGGINS: Commissioner Bosarge had asked
22 to have a meeting on this. We are going do it Friday at
23 2:00 o'clock.

24 Is that right, Commissioner?

25 COMMISSIONER BOSARGE: I believe so, Joe, yes.

1 I hope I'm back by then.

2 JOE SPRAGGINS: He wants to talk to us about the
3 commercial fishing side of it.

4 If any of the other Commissioners would like to
5 be part of that, we are going to do it here and, if he
6 can't do it on Friday at 2:00 p.m., we will be glad to
7 meet you another time, but we are going to sit down and
8 look at it.

9 This is a draft document. They came quickly and
10 put it together. We took it to the Governor. The
11 Governor said okay. It is a draft, but he understands
12 just like us it is a draft and it can be changed.

13 It went to NOAA for an initial look, and NOAA
14 came back and said, okay, we've got some questions here.

15 Then, we turned around and sent that back to
16 NOAA and that is where we stand at this point.

17 Is that right, Rick?

18 RICK BURRIS: Yes, sir.

19 JOE SPRAGGINS: Once that comes back from NOAA,
20 then, we will have some more initial look at it, and,
21 then, we will sit down and, before it goes final in any
22 way, we will definitely make sure each and every one of
23 you have a copy before it does that, and we will give you
24 time to comment on it. If we failed in that in the past,
25 I apologize.

1 COMMISSIONER BOSARGE: That was my concern, Mr.
2 Joe. The first time I have seen it was when you gave us
3 the copy of it at the last meeting, sent us a copy.

4 I would love to have some input.

5 JOE SPRAGGINS: I apologize for not giving it to
6 you earlier. Obviously, it is a draft and sometimes I am
7 looking at the draft and don't think that much about it,
8 but we will definitely read you into it. When we do the
9 CARES Act and get a round two, we will read everyone into
10 it.

11 COMMISSIONER BOSARGE: All right.

12 JOE SPRAGGINS: Any other questions on the
13 Bonnet Carre?

14 (No response.)

15 JOE SPRAGGINS: Sandy, do you have the actions
16 update from the prior meetings?

17 SANDY CHESNUT: I do.

18 At the February 2021 meeting, the following
19 actions were discussed:

20 Jackson County Board of Supervisors' request for
21 a two-year extension of previously permitted maintenance
22 dredging of Davis and Stark Bayous in Ocean Springs.

23 Then, the MDMR's request for Permit and Use Plan
24 Change contingent upon water quality certification from
25 MDEQ to allow for commercial off-bottom oyster aquaculture

1 south of Deer Island in Harrison County, Mississippi.

2 The Commission recommended approval of the
3 requests.

4 The Director approved both of the requests.

5 There are no pending items from prior meetings.

6 JOE SPRAGGINS: Anything on that, Commissioners?

7 COMMISSIONER BOSARGE: Yes, sir, Mr. Joe.

8 I had a question for Sandy.

9 Since the change of the Commissioners to just
10 advisory, do we have a new handbook, Sandy?

11 Are we going to have a new handbook?

12 what is the plan there?

13 SANDY CHESNUT: We are going to have a new
14 handbook. We are actually going to have all new
15 regulations and we have been in discussions with the
16 Secretary of State's office on the best process in doing
17 that, since all are going to have to be changed.

18 They are in the works. As soon as I get a
19 draft, as soon as we figure out the best process, then, I
20 will be submitting that to the Commission for their review
21 and approval.

22 COMMISSIONER BOSARGE: So, for now, we are just
23 kind of going by our old handbook?

24 SANDY CHESNUT: For now, we are going by the
25 old, but we are also taking into consideration the

1 parameters of House Bill 827. There are some changes.

2 Just like we are with the statutes that weren't
3 specifically updated, we have to take into account the
4 changes that were made by the legislature.

5 COMMISSIONER BOSARGE: I've got you.

6 I think, Mr. Joe, there was a bill there, wasn't
7 it, for those administrative penalties.

8 Did they figure it out?

9 JOE SPRAGGINS: They did pass that. That is the
10 one that passed the House and the Senate, and it went
11 back. There was a word change in it where it said should
12 for shall. I don't remember exactly what the word was,
13 but they sent it back to the House. I talked to the House
14 yesterday and I think they are going to clean it up today,
15 and they were going to recommend to concur with the Senate
16 and it will be passed.

17 COMMISSIONER BOSARGE: How would it change it,
18 Mr. Joe, from where it was to where it is, now?

19 JOE SPRAGGINS: Sandy, do you want to brief them
20 a hundred percent?

21 You wrote it.

22 SANDY CHESNUT: I wrote it, but they did a
23 strike through.

24 I can get you the proposed bill, Steve, and send
25 that over to you.

1 COMMISSIONER BOSARGE: I was just curious. If
2 you could just explain the changes, but, if you don't know
3 them, that's fine.

4 If you get it, just send it to me, please.

5 SANDY CHESNUT: If I had them in front of me, I
6 would do it. I don't feel comfortable just off the top of
7 my head because I don't want to misrepresent something.

8 I can certainly have that ready for next month
9 and I will go ahead and send it to you before then.

10 COMMISSIONER BOSARGE: All right.

11 JOE SPRAGGINS: One of the main things, sir,
12 that it did is that before it would come to me, and, then,
13 I would send it to y'all to be able to recommend what we
14 need to do and y'all would administer the penalty, if that
15 was the case.

16 Now, it comes to the staff and the staff looks
17 at it, and, then, they turn around and tell me what they
18 would like to do, and, then, I take it and say I want to
19 do an administrative penalty, or not.

20 If someone does not agree with what I do, they
21 have an opportunity to come back and they have fifteen
22 days for them to review it and to affirm it. If that does
23 not work, then, they can take it to the Attorney General
24 and the Attorney General will listen.

25 COMMISSIONER BOSARGE: I've got you. I was

1 wondering how the procedure would be changed to make it
2 all work.

3 JOE SPRAGGINS: I think that is the gist of it,
4 sir. Please don't hold me a hundred percent to that, but
5 I think is pretty much the way it is.

6 COMMISSIONER BOSARGE: All right.

7 One other thing and I will let you go. We just
8 don't get to talk very much. I want to try to cover all
9 the bases.

10 There is a change to the TED rules for the
11 skimmer boats.

12 Correct?

13 JOE SPRAGGINS: Yes, sir.

14 COMMISSIONER BOSARGE: I think it goes in effect
15 here in April.

16 I believe there was some money that was sent to
17 the state to do whatever with to help this change for
18 these skimmer boats.

19 Is that correct?

20 JOE SPRAGGINS: Yes.

21 Traci, are you on?

22 TRACI FLOYD: Yes, sir.

23 There was funding in our NFWF Protective Species
24 Grant. We have a hundred and forty thousand dollars, and
25 we will be using that to reimburse the skimmer trawlers

1 for the cost up to seven hundred dollars per vessel for
2 equipping their boat with that gear.

3 COMMISSIONER BOSARGE: So it is going to be a
4 reimbursement program?

5 TRACI FLOYD: Yes, sir.

6 COMMISSIONER BOSARGE: Has this gone out
7 anywhere?

8 Any of these fishermen, are they aware of it?

9 In other words, I guess my point is the time is
10 running out, Traci, in April. It will be here before too
11 long and I would hate to see them buy a piece of gear that
12 is not maybe an approved piece of gear that they can't get
13 reimbursed for.

14 JOE SPRAGGINS: Sir, I think it has been
15 extended to August.

16 Is that correct, Traci?

17 TRACI FLOYD: I'm sorry.

18 JOE SPRAGGINS: The time line is not April, now.
19 It is August, now.

20 Is that correct?

21 TRACI FLOYD: I have not seen any change from
22 April.

23 However, I would like to comment that our
24 program is in place. We are just waiting on final
25 approvals within the state.

1 Once a shrimper submits his application, if he
2 has already bought it, it is within ninety days of that
3 application we will reimburse him, or her.

4 JOE SPRAGGINS: Let's go back and do something
5 because we got a call on that, Traci. I think I'm on the
6 right track here that NOAA called and was working it and
7 one of the things that they were looking at, they said
8 that we don't think you need to submit everything you need
9 to do by a time frame and they wanted to know if it was
10 okay to send it to us and we agree.

11 Are you familiar with that?

12 TRACI FLOYD: Yes, sir. I remember speaking to
13 you that you had spoken to someone about that possibly
14 being --

15 JOE SPRAGGINS: (Interposing) Let's do
16 something real quick, or as soon as you can. If you can
17 get in touch with NOAA right now while we are on this
18 meeting, if you could find it, and, then, let us know and
19 maybe you can answer it here, but I think that has been
20 extended. Please see if you can find out on that so we
21 are not putting out information that it will be
22 implemented on the first of April. I think it is going to
23 be later.

24 TRACI FLOYD: I will check, sir.

25 JOE SPRAGGINS: See if you can talk with

1 somebody with NOAA and find out about that for us.

2 COMMISSIONER BOSARGE: Appreciate it, Traci.

3 JOE SPRAGGINS: Anything else, sir?

4 (No response.)

5 JOE SPRAGGINS: One other thing I do want to
6 bring up. The Chief Scientific Officer, we are still
7 looking. We went out nationwide on it, and we looking
8 internally and external. We are in the review stage of
9 that, just to let you know in case anybody is asking why
10 we haven't filled that position.

11 If y'all don't have anything else, that is all I
12 have this morning. Sorry for taking up too much of your
13 time.

14 Commissioner Daniels.

15 COMMISSIONER DANIELS: I forgot to turn mute off
16 there.

17 Do any of our Commissioners have anything to
18 report today?

19 (No response.)

20 COMMISSIONER DANIELS: We will move on to Marine
21 Patrol.

22 Chief Kyle, are you on?

23 KYLE WILKERSON: Yes.

24 I hope we find you well today. Good morning
25 Commissioners.

1 Can you hear me?

2 CRYSTAL MATTA: Yes.

3 KYLE WILKERSON: From Marine Patrol, I would
4 like to say thank you for your dedication to the
5 Commission.

6 Also, I would like to give a warm welcome to
7 Commissioner Roberds. Hopefully, we will get to meet in
8 the future.

9 In saying that, I would like to get on to the
10 report.

11 Once again, Marine Patrol has been busy this
12 month. We have several citations that have been written.
13 They have been very productive.

14 As I expect, stops are down a little bit due to
15 the fact of the inclement weather we had back in February
16 was substantial and we had a lot of training going on, but
17 the men and women of Marine Patrol were up for it
18 wholeheartedly. They know their job well.

19 If you have any questions on any of the
20 citations, please don't be afraid to ask.

21 JOE SPRAGGINS: Any questions, sir?

22 (No response.)

23 COMMISSIONER DANIELS: Sounds like we are good
24 on that.

25 Coastal Resources.

1 willa, are you on?

2 WILLA BRANTLEY: I am.

3 Can you hear me?

4 COMMISSIONER DANIELS: Yes, ma'am.

5 WILLA BRANTLEY: Good morning to all of you.

6 I will be presenting a request for a permit
7 modification by the Mississippi Department of
8 Environmental quality.

9 The original permit was issued back around the
10 middle of 2019. It is located along the western shoreline
11 of Point Aux Chenes Bay and the banks of Bangs Bayou east
12 of Pascagoula in Jackson County.

13 The use district is Preservation and General. A
14 little bit of the project is in each of those different
15 districts and it is allowable within either of those
16 districts.

17 The agent is Alane Young with Covington Civil
18 and Environmental, LLC.

19 As was explained back in 2019 when this project
20 was originally approved, this is part of the early
21 restoration projects intended to restore habitat lost
22 after the Deepwater Horizon Oil Spill. This is part of
23 NRDA Phase IV, if you are familiar with that.

24 The specific goals on this particular project
25 were to restore and permit lost benthic secondary

1 productivity by constructing intertidal reefs and subtidal
2 reefs, and they are meant to support benthic productivity,
3 including things like mollusks, worms, shrimp, crabs and
4 possibly some oysters, but that is not the intent and it
5 is not the goal that DEQ has to meet with the project.

6 The subtidal reef is being created in Point Aux
7 Chenes Bay, and they are creating six-and-a-half acres
8 within a thirty-five acre evaluated area. That is the
9 specific portion that they need to relocate because of
10 shoreline and substrate changes caused by Hurricane Zeta
11 and some of the other storms that we have had this past
12 year.

13 Then, the intertidal reef creation is
14 approximately three acres in Bangs Bayou, and that is
15 actually being constructed right now.

16 We have kind of rushed this modification through
17 a little bit simply because the construction in Bangs
18 Bayou is already taking place and DEQ does not want to
19 lose their contractor and have to pay for them to
20 remobilize later.

21 You've got a table with the specifics of the
22 project in the writeup; not in the PowerPoint, but in the
23 writeup, and this picture that you are looking at right
24 now is the portion that they are asking to modify. This
25 is the part in Point Aux Chenes Bay.

1 The next diagram shows a closeup of the areas.
2 If you can see those dashed lines that are right along the
3 shoreline to the left of where the pink boxes are, those
4 are the original acreages that were evaluated and the six-
5 and-a-half acres was supposed to be within one of those
6 boxes. Because of the substrate changes, the depths have
7 gotten shallower further out away from the marsh
8 shoreline, so they need to move them out further.

9 That is what those pink boxes are is where they
10 want to move the final locations of the subtidal reefs to.

11 The next slide shows the elevations of how the
12 subtidal reefs would be constructed, showing that minimum
13 clearance of two feet at mean lower low water.

14 Then, the next slide is a picture of where they
15 are constructing the intertidal reefs along Bangs Bayou.

16 The next slide shows the elevations of those
17 intertidal reefs and how they are being constructed with
18 the oyster bags and the aggregate.

19 Then, there are a couple of pictures that DEQ
20 sent us of the actual construction showing those
21 intertidal reefs.

22 Now, again, these are the intertidal reefs that
23 are being constructed right now. These are closer to the
24 shoreline and in much shallower water than the subtidal
25 reefs will be placed in.

1 The next slide gets into the details of the
2 project description.

3 The applicant was granted a variance in 2019 for
4 the requirement for regulated activities that states that
5 permanent filling of Coastal wetlands because of potential
6 adverse and cumulative environmental impacts is
7 discourages.

8 The variance was justified by stating that the
9 impacts on Coastal wetlands would be no worse than if the
10 guidelines were followed. That is because overall this is
11 a positive project which is intended to enhance the
12 habitats.

13 The next slide covers the notifications that
14 were required.

15 Notification of the modification ran in The Sun
16 Herald in February and March of this year.

17 We did receive one public comment and I have
18 kind of summarized. It was a long letter. You got the
19 full letter uploaded to the portal, but I kind of
20 summarized what the commenter was concerned with here.

21 The main concerns are that the area is not deep
22 enough to achieve a two foot clearance at extreme low
23 winter tides and where they would have to move the reefs
24 to obtain that clearance.

25 You also received the response that DEQ provided

1 to those comments and basically what they said was that
2 they have designed it to mean lower low water, which is an
3 average of the lowest tides over an eighteen to nineteen
4 year cycle, and they will achieve the clearance of at
5 least two feet at that mean lower low water, but there
6 always will be outlier low tides that can go lower than
7 that.

8 They are planning to mark the reefs as the Coast
9 Guard requires and they have also committed to adding
10 extra markers, if DMR feels that they should be added.

11 Move on to the next slide which covers some
12 comments that we received about marking and the depths
13 from our Office of Marine Fisheries.

14 Again, I have summarized them here, but you
15 should have the full comment on the portal, and they
16 covered mostly the same thing about depth and the
17 potential for damage to vessels during those extreme low
18 tides and that the clearance is not enough and that the
19 reefs should be clearly marked to prevent damage, or
20 injury, but they did state that overall the project
21 provides the resource benefits. They are just concerned
22 that safety measures of marking and maintaining those
23 markers need to be clearly outlined, before the project
24 proceeds.

25 when we get down to the recommendation, we will

1 see our recommendation is based on these comments.

2 The rest of the public notice:

3 The NERR stated that they have no comments.

4 DEQ, Water Quality Certification was issued in
5 August of 2019, and they stated that modification at this
6 time was not required. DEQ doing the project just has to
7 meet that same certification in the new area.

8 Archives and History stated that they have no
9 objections and they stated that a new survey is not
10 required for the new location.

11 Secretary of State did say that the project will
12 require a rent exempt lease.

13 wildlife Fisheries and Parks made no comments to
14 date.

15 Our recommendation is that based on review and
16 evaluation with the decision factors in the Coastal
17 Program, we have determined that this project will have a
18 significant public benefit. Therefore, we recommend that
19 the request for modification be approved and that marking
20 of the reefs and the plan for maintaining the markings
21 must be approved by MDMR prior to completion of the
22 project.

23 I specifically worded that as MDMR because I
24 don't want it to just be permitting. Once they get that
25 plan in place, we would also run that by Fisheries and by

1 Marine Patrol to make sure that everybody who is concerned
2 with the safety of the area approves of that project, and
3 I believe conversations about markings and what
4 constitutes safe markings and enough markings have already
5 started with DEQ concerning some of their other projects.
6 So that will just move forward, and, then, MDMR would need
7 to sign off on the plan for marking and maintaining those
8 markers, prior to DEQ completing this project and moving
9 their contractors out of the area.

10 I believe the agent and possibly the engineer
11 should be on the call, if you have any technical questions
12 about those depths, concerns that were brought up and how
13 the project was designed, and, then, I can answer any
14 questions about the permitting and evaluation process.

15 COMMISSIONER BOSARGE: Willa, I understand the
16 moving out, but they have added some areas.

17 I was looking at the drawing and I couldn't
18 determine if the areas that they moved were the other side
19 of the bayou, or are they just out further?

20 WILLA BRANTLEY: They are just out further to
21 the east.

22 COMMISSIONER BOSARGE: So that adds to the
23 footprint of the project?

24 WILLA BRANTLEY: It actually doesn't. It will
25 still be six-and-a-half acres. It just relocates it

1 outside of those original four boxes that they had
2 evaluated for the previous permit. So we needed to modify
3 where the actual footprint was going to end up.

4 COMMISSIONER BOSARGE: These are the ones that
5 will be marked.

6 Is that correct?

7 WILLA BRANTLEY: Yes, sir.

8 COMMISSIONER BOSARGE: I'm with you. We
9 definitely need everybody onboard for the marking because
10 I can imagine some people tearing some lower units up on
11 stuff like that.

12 I don't have any other questions.

13 WILLA BRANTLEY: I believe both the intertidal
14 and the subtidal reefs are not only going to be marked per
15 the Coast Guard, but they will be added to the Coast
16 Guard's official maps of the area.

17 COMMISSIONER BOSARGE: All right.

18 If guess, if there are no other questions, I
19 will make the motion that we accept the staff's
20 recommendations.

21 COMMISSIONER DANIELS: Do we have a second?

22 I'll second it.

23 COMMISSIONER GUESS: I'll second.

24 COMMISSIONER DANIELS: Sorry, Natalie. I think
25 I beat you to that one.

1 All those in favor.
2 Commissioner Guess?
3 COMMISSIONER GUESS: Aye.
4 COMMISSIONER DANIELS: Commissioner Roberds?
5 COMMISSIONER ROBERDS: Aye.
6 COMMISSIONER DANIELS: Commissioner Gollott?
7 (No response.)
8 COMMISSIONER DANIELS: Commissioner Gollott?
9 (No response.)
10 COMMISSIONER BOSARGE: Something happened to
11 him.
12 COMMISSIONER DANIELS: Commissioner Bosarge?
13 COMMISSIONER BOSARGE: Aye.
14 COMMISSIONER DANIELS: Commissioner Daniels,
15 aye.
16 Motion passes.
17 COMMISSIONER GOLLOTT: I think I unmuted it.
18 Can you hear me, now?
19 COMMISSIONER DANIELS: Yes. We've got you, now.
20 COMMISSIONER GOLLOTT: Okay. Aye.
21 COMMISSIONER DANIELS: Commissioner Gollott was
22 an aye as well.
23 Ms. Leslie, are you on?
24 LESLIE BREWER: I am.
25 Good morning Director, Commissioners, legal.

1 My name is Leslie Brewer, CFO. I will
2 presenting the agency's financials for the month of
3 February 28th, 2021.

4 At the end of February, our State Revenue was
5 four point one million. Our Total Agency Revenue was
6 fourteen point seven million.

7 Our State Net Income was twenty-two thousand and
8 our Total Agency Net Income was a negative three hundred
9 eighty-seven thousand.

10 Next slide, please.

11 JOE SPRAGGINS: Explain that, Leslie.

12 LESLIE BREWER: I was going to at the end, but
13 we are still waiting on our state appropriations for one
14 point three million and we don't typically get that until
15 after the year ends, usually September, or October. We
16 are waiting on that.

17 After eight months of fiscal year 2021, we have
18 seventy-eight point eight percent of the Operating Budget
19 remaining, while the Tidelands budget has forty-three
20 point two percent remaining.

21 Are there any questions?

22 JOE SPRAGGINS: I just wanted to make sure that
23 everybody understands that we are not operating under a
24 deficit. It is the fact that the money is there.

25 LESLIE BREWER: Correct.

1 COMMISSIONER DANIELS: Thank you.

2 Ms. Charmaine.

3 CHARMAINE SCHMERMUND: Good morning
4 Commissioners, Director and Counsel, and I welcome
5 Commissioner Roberds.

6 The Mississippi Department of Marine Resources
7 was mentioned twenty times in local, state and national
8 media since the February MACMR meeting.

9 News items included the search for a missing
10 boater in Pascagoula and the Mississippi Gulf Coast
11 National Heritage Area's recognition of Jackson County
12 businesses as Gulf Coast outposts.

13 The Gulf Coast National Heritage Area held a
14 ceremony in February recognizing those five businesses at
15 Twelve Oaks in Ocean Springs. With those five businesses,
16 the Gulf Coast Outpost Program now has a total of twelve
17 businesses who are committed to help protect and foster
18 our coast's environmental and cultural resources.

19 That is all I have for this month.

20 COMMISSIONER DANIELS: Thank you, Charmaine.

21 Do we have any other business today?

22 (No response.)

23 COMMISSIONER DANIELS: Joe, do we have any
24 public comments?

25 JOE SPRAGGINS: None, at this time.

1 COMMISSIONER DANIELS: I would like to make a
2 motion to adjourn today's meeting.

3 Do we have a second?

4 COMMISSIONER ROBERDS: I'll second, Commissioner
5 Daniels.

6 COMMISSIONER DANIELS: Commissioner Roberds'
7 first second.

8 All those in favor.

9 Commissioner Guess?

10 COMMISSIONER GUESS: Aye.

11 COMMISSIONER DANIELS: Commissioner Gollott?

12 COMMISSIONER GOLLOTT: Aye.

13 COMMISSIONER DANIELS: Commissioner Bosarge?

14 COMMISSIONER BOSARGE: Aye.

15 COMMISSIONER DANIELS: Commissioner Roberds?

16 COMMISSIONER ROBERDS: Aye.

17 COMMISSIONER DANIELS: Commissioner Daniels,
18 aye.

19 Everybody have a great day. Thank y'all.

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CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing forty-four pages, including this page, is a true and correct transcription of the zoom webinar of the March 16, 2021, meeting of the Mississippi 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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