

MISSISSIPPI ADVISORY COMMISSION ON MARINE RESOURCES
COMMISSION MEETING

Tuesday, August 17, 2021
9:00 a.m.
Bolton Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi

Commission Members:

Ronnie Daniels, Chairman
Natalie Guess, Vice Chairman (via Zoom)
Cammack (Cam) Roberds

Also Present:

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

1 COMMISSIONER DANIELS: Ladies and gentlemen, we
2 are going to get today's meeting underway.

3 This morning I am going to ask Commissioner
4 Roberds to lead us in the Pledge of Allegiance.

5 (Pledge of Allegiance recited.)

6 COMMISSIONER DANIELS: As you can see, this
7 morning we've only got two commissioners up here.

8 Commissioner Guess, we've got her on a phone
9 call. She will be participating in the meeting, even
10 though she is not here in person.

11 I am going to turn it over to the Director.

12 JOE SPRAGGINS: If we could, I would just like to
13 do a little moment of silence.

14 Before we go into the moment of silence, I think
15 most of you may have heard about Officer Tommy Jennings,
16 one of our officers that had been with us for twenty-
17 something years passed away less than a month ago and his
18 family is taking it very hard. He was a good man. He had
19 fought hard. He did everything he could for the
20 community, and I would just like for you to remember him
21 in this moment of silence, if we could.

22 (Moment of silence observed.)

23 JOE SPRAGGINS: Thank y'all and, if you can, too,
24 let's keep our country in our minds and let's keep praying
25 for our country and a lot of people in Afghanistan, pray

1 for them for what is happening to them right now.

2 It is a very tough thing. We went over there
3 and tried hard, but I tell you it is very tough for those
4 people right now to be able to get out. They know what is
5 going to happen to them and they can't help it. They have
6 been there before. They have seen it and got the merit
7 badge and, also, the people in Haiti, please be with them,
8 too. They have been there before, too, a little over ten
9 years ago. Thank you.

10 COMMISSIONER DANIELS: Thank you, Joe.

11 Approval of minutes.

12 Do we have any discussion on the July 20th, 2021,
13 minutes?

14 (No response.)

15 COMMISSIONER DANIELS: No discussion.

16 Do we have a motion to approve the minutes?

17 COMMISSIONER ROBERDS: I'll make a motion to
18 approve the minutes.

19 COMMISSIONER DANIELS: I'll second that.

20 All those in favor?

21 COMMISSIONER ROBERDS: Aye.

22 COMMISSIONER DANIELS: Aye.

23 COMMISSIONER GUESS: Aye.

24 COMMISSIONER DANIELS: Motion passes.

25 Approval of the agenda.

1 Do we have any discussion for today's agenda?
2 (No response.)

3 COMMISSIONER DANIELS: Do we have a motion to
4 approve the agenda?

5 COMMISSIONER ROBERDS: I'll make a motion to
6 approve the agenda.

7 COMMISSIONER DANIELS: I'll second it.
8 All those in favor?

9 COMMISSIONER ROBERDS: Aye.

10 COMMISSIONER DANIELS: Aye.

11 COMMISSIONER GUESS: Aye.

12 COMMISSIONER DANIELS: Motion passes.

13 Mr. Joe, it is all yours again.

14 JOE SPRAGGINS: Employment updates.

15 Michele Marroy is a new hire. She is in
16 Procurement.

17 We have Todd Curry who is promoted to Senior
18 Master Sergeant in Marine Patrol.

19 We have Shay Smith who is promoted to Master
20 Sergeant.

21 Wyatt Webb who is promoted to Corporal.

22 Donovan Dawsey is promoted to a full-time job in
23 Marine Patrol. He was in Port Security before.

24 We are proud to have all of those, especially
25 the promotions and having the new ones coming in to help

1 us in contracting.

2 Any questions there?

3 (No response.)

4 JOE SPRAGGINS: We have no new procurements. I
5 don't think there are any procurement things up at this
6 time.

7 There are a couple of things that are happening
8 right now.

9 If you come in the main doors and you see all of
10 the new construction on the right there, it is going to be
11 licenses. You don't have to go upstairs anymore. You
12 just come through the main door down here on the first
13 floor and go in, and we will have that all set up and
14 ready to go.

15 License is moving under Marine Patrol. So
16 Marine Patrol will have control of that.

17 We have a beautiful nice little area set up
18 there with the glass so that we can work it. I think that
19 will help us a whole lot, as far as people being able to
20 get in and get their license and get out, and they have
21 security looking at it and it will be a good deal.

22 If you come up the stairs, or if you go up the
23 elevator, on the second floor when you get off, there is
24 going to be a new reception area, and that is where we are
25 going to move our reception for the DMR. If anybody is

1 coming to meet with anybody from DMR, they can go to that
2 reception area, and, then, she can call and get the person
3 to come meet them, so we can have a little bit of control
4 of what is going on.

5 we've got a couple of guys out on the West Coast
6 today. They are doing kind of a round robin in Oregon and
7 the Washington area and they are looking at oysters.

8 Basically, we have been looking and trying to do
9 a setting facility for oysters where USM does the spat and
10 larvae, and, then we take it and put it on shell, and it
11 is projected at Port of Gulfport and put them on the shell
12 and put them out in the water.

13 Well, we are looking at a lot of places up in
14 the northwest that have been doing that and we are trying
15 to get some education on the aquaculture side of it and
16 see exactly what it would take and trying to find out if
17 this is feasible, if this is the way to go, or not.

18 We don't know that answer. All we know is that
19 we have been given money by RESTORE Act, or NFWF, to be
20 able to go and look at it.

21 We are looking at it. We have a group of
22 engineers that are trying to design it, tell us how much
23 it will cost to build it, tell us how much it will cost to
24 maintain it, to operate it, and, also, how much will we
25 possibly get as far as the number of oysters that we would

1 put into the water compared to the number of oysters that
2 would live and what it would do for our oyster industry.

3 This is another way of trying to build that
4 oyster industry back as quick as we can. It seems like
5 nature is not helping us sometime, but we are trying very
6 hard.

7 Red Snapper. We are at -

8 Matt, is that a hundred thousand pounds?

9 MATT HILL: Yes, sir, hundred thousand pounds.

10 JOE SPRAGGINS: -- a hundred thousand pounds
11 right now and we are still open. We plan to be open
12 between now and through Labor Day, and, then, we will
13 reassess it at that point.

14 I think the snapper have gotten out in a little
15 bit deeper water with this temperature. We may have to
16 travel another mile, or so, to catch them, but there are
17 still some out there.

18 We are well below our limit, right now. We are
19 doing good. Everything is working on it and hopefully we
20 can keep that going for a while.

21 On our CARES Act, Traci, have you got any update
22 for that?

23 TRACI FLOYD: Good morning.

24 Yes, sir. We got our third round of comments
25 back from NOAA on our CARES Act 2 proposal. We are

1 getting very close to finalizing. I am hoping within the
2 next month we can start those applications.

3 JOE SPRAGGINS: We did get okay to do that second
4 pay of the first round.

5 Right?

6 TRACI FLOYD: That's right. We received the okay
7 from NOAA. They are just approving our applicant list.
8 That little bit of money we had left over from indirect
9 costs will go to the fishermen in the industry.

10 JOE SPRAGGINS: I know that when we first started
11 this, they wanted the money distributed before September.
12 We are getting close.

13 where are we?

14 TRACI FLOYD: I have no confirmation, but I am
15 hopeful that they will extend that deadline because until
16 they approve our process, we can't begin our process. It
17 is kind of a catch-22, but, hopefully, they will be able
18 to extend that.

19 JOE SPRAGGINS: Do any of you have any questions
20 on the CARES Act?

21 (No response.)

22 JOE SPRAGGINS: while you are still there, how
23 about going over the applications for the TEDs?

24 TRACI FLOYD: Sure.

25 we have received forty-six applications. of

1 those, forty have been processed, or paid. We have about
2 six folks, right now, who need to turn in their invoices
3 so they can be paid.

4 JOE SPRAGGINS: Well, we are doing pretty good
5 with that. We are about to get it under control.

6 we did extend that for what, a month, or so?

7 TRACI FLOYD: We extended for a month, and, then,
8 we spoke with NOAA and extended it through July 31st of
9 next year just in case they add some more TED regulations
10 we can help those boats under forty foot.

11 JOE SPRAGGINS: Any questions?

12 (No response.)

13 JOE SPRAGGINS: Thank you, Traci.

14 TRACI FLOYD: Thank you.

15 JOE SPRAGGINS: As far as the 2019 Bonnet Carre
16 update, we have done our part. We've got it in. We are
17 waiting. The situation is sitting with the Budget Office
18 in Washington, D.C. The Budget Office has to approve it.
19 As soon as they give us some kind of go forward with it,
20 that is what we will do.

21 we have ours laid out and I think our plan is
22 good and I think they are okay with the plan. It is a
23 fluid plan and we can use that thing as we need to. If we
24 see that we need more money in one area than the other, we
25 can do that and if we see that one area is being taken

1 care of because we do have a lot of other things that are
2 taking care of different areas, now, especially like the
3 BP funds.

4 I am co-chairing it this year to go back with
5 the governor for the seafood. We are having meetings on
6 it and talking about what we are going to do, to be able
7 to enhance our seafood in the Gulf of Mexico.

8 Mr. Ryan Bradley is on that with me, too, I
9 think. I see him back there.

10 You are on that same committee, I believe?

11 RYAN BRADLEY: Yes, sir.

12 JOE SPRAGGINS: Hopefully everything will work
13 out pretty good and we will get something done soon.

14 We are very lucky. We have been given a pretty
15 good bit of money in south Mississippi. Let's hope we
16 spend it in the right way and do what needs to be done and
17 get our oysters and our shrimp and our crabs and our
18 seafood back.

19 Sandy, do you have the update on actions?

20 SANDY CHESNUT: Yes, sir.

21 From last month's meeting, we had two
22 regulations forwarded to the Secretary of State's Office
23 for final adoption. That was Title 22, Part 22 and Part
24 1, and, then, we had two regulations forwarded to the
25 Secretary of State's Office for Notice of Intent and that

1 was for 10 and 11.

2 There was a motion to change the date of the
3 October Commission meeting from October 19th to October
4 12th.

5 There was a motion to recommend approval of the
6 Hancock County Port and Harbor Commission's request for
7 modification to remove the SAV mitigation proposal on the
8 Port Bienville Canal in Pearlington.

9 There was also a motion to recommend approval of
10 Jackson County Port Authority's request for modifications
11 to reduce the acreage of wetlands impact, to reduce the
12 mitigation from creation of three point eight acres of
13 tidal and tidally-influenced marsh to point nine acres, to
14 remove the purchase of wetland mitigation credits and
15 approve the variance requests contingent upon 401 Water
16 Quality Certification from MDEQ.

17 There was a motion to recommend that the
18 Executive Director approve the State Saltwater Finfish
19 Records. Those records are listed on the next page
20 (indicating slide).

21 The Director approved all the motions as
22 recommended by the Commission.

23 We have one pending item still from the April
24 meeting and that is the Benward/Barclay matter. That
25 decision is not going to take place until all parties are

1 present. I think that meeting is scheduled for this
2 afternoon, so we may have a decision on that next month.

3 That's it.

4 JOE SPRAGGINS: Any questions, Commissioners?

5 (No response.)

6 JOE SPRAGGINS: That's it. That is my report for
7 today. I thank you very much, sir.

8 COMMISSIONER DANIELS: Thank you, Joe.

9 Do any of our Commissioners have anything to
10 report today?

11 (No response.)

12 COMMISSIONER DANIELS: Office of Marine Patrol.
13 Chief, how are you doing?

14 KYLE WILKERSON: Doing well, sir.

15 How are you?

16 COMMISSIONER DANIELS: Good.

17 KYLE WILKERSON: Good morning everyone.

18 You have the citation report there. We had a
19 few oyster citations. Nothing just out of the ordinary.

20 We did have sixteen hundred and twenty-two
21 contacts for the month which is very good, a few accidents
22 and just miscellaneous citations.

23 I will field any questions.

24 COMMISSIONER DANIELS: Looks like it is on par
25 there, Chief.

1 KYLE WILKERSON: The folks have been really busy
2 this month which is pretty normal.

3 Now, we do have a presentation with Marine
4 Patrol.

5 JOE SPRAGGINS: Chief.

6 KYLE WILKERSON: Yes, sir.

7 JOE SPRAGGINS: Give us a little update on what
8 you found, as far as snapper.

9 Are we doing good, as far as the people having
10 Tails n' scales?

11 KYLE WILKERSON: Yes, sir. I was looking at the
12 citation report. We had failure to register Tails n'
13 scales, three. It is down substantially. Evidently
14 everybody is complying well with it. We had one over the
15 limit which is not uncommon.

16 We are at eleven point three percent on checks.

17 JOE SPRAGGINS: Thank you.

18 KYLE WILKERSON: Yes, sir.

19 What I was saying, Captain Strickland is going
20 to do our presentation for this month. Kind of like last
21 month, we are going to go over some changes.

22 I am going to give him the floor.

23 COMMISSIONER DANIELS: Thank you, Chief.

24 MICHAEL STRICKLAND: Good morning Director,
25 Commissioners, Ms. Chesnut.

1 First are the changes to Title 22, Part 12, for
2 Vessel Seafood Transport in the State of Mississippi.

3 Changes to Title 22, Part 12.

4 We have removed wording that was already covered
5 under Mississippi Code.

6 We referenced the applicable statutory, or
7 regulatory, authorities.

8 We also updated the chapter structure and format
9 to "Rules" and "Sources" to conform with the format
10 prescribed by the Secretary of State's Office.

11 Substantive changes.

12 There were no substantive changes made to any of
13 the chapters.

14 The following rules were reworded to state the
15 requirements in a more clear and straightforward manner.

16 Chapter 2, Transport Permit Required.

17 Rule 2.1, a transport permit is required for
18 each vessel desiring to land seafood in the state, which
19 is legally taken outside of the Mississippi territorial
20 waters without obtaining a license under Mississippi Code
21 Annotated 49-15-1.

22 Rule 2.2, a transport permit fee of one hundred
23 dollars shall be paid upon issuance of said transport
24 permit.

25 Chapter 3, under Penalties:

1 Rule 3.1, any unlawful act under this Part
2 committed by any person, firm, or corporation, shall be
3 deemed a violation of the provisions of this Part and
4 shall constitute a misdemeanor. In the case of continuing
5 violations, each day shall constitute a separate offense,
6 and we reference Mississippi Code Annotated 49-15-28, 49-
7 15-34 and 49-15-63.

8 Chapter 4, Chapters and Subchapters Declared
9 Separable.

10 Rule 4.1, each chapter and subchapter of this
11 Part is hereby declared separable and if any chapter, or
12 subchapter, or part thereof, shall be held invalid, or
13 unconstitutional, the balance of said Title 22, Part 12,
14 shall remain in full force and effect.

15 Rule 4.2, violations of more than one chapter,
16 or subchapter, of this Part, or part thereof, shall be
17 considered separate and punished as such.

18 Reference Mississippi Code Annotated 49-15-301.
19 Notice of Intent.

20 It is our recommendation to the Executive
21 Director that the new format and changes to Title 22, Part
22 12, be sent to the Secretary of State's Office for Notice
23 of Intent.

24 The second part on changes to -

25 SANDY CHESNUT: (Interposing) Can we go ahead and

1 get a motion on Part 12, before we move on to Part 16?

2 COMMISSIONER DANIELS: I've got one question on
3 this. This Rule 2.1, the transport permit, does that
4 pertain to recreational fishermen that may be fishing in
5 Louisiana, or Alabama, waters and coming back into
6 Mississippi?

7 MICHAEL STRICKLAND: No, sir.

8 COMMISSIONER DANIELS: Just commercial?

9 MICHAEL STRICKLAND: Yes, sir.

10 COMMISSIONER DANIELS: Do we have a motion to
11 approve?

12 COMMISSIONER ROBERDS: I'll make a motion.

13 COMMISSIONER DANIELS: I'll second that.

14 All those in favor?

15 COMMISSIONER ROBERDS: Aye.

16 COMMISSIONER DANIELS: Aye.

17 COMMISSIONER GUESS: Aye.

18 COMMISSIONER DANIELS: Motion passes.

19 MICHAEL STRICKLAND: Moving on to Title 22, Part
20 16, that is our Boat and Water Safety section on the
21 Marine Waters of the State of Mississippi.

22 Changes to Part 16:

23 we have also removed wording that was already
24 covered in Mississippi Code.

25 we referenced the applicable statutory, or

1 regulatory, authorities.

2 We updated the chapter structure and format to
3 "Rules" and "Sources" to conform with the format
4 prescribed by the Secretary of State's Office.

5 There were no substantive changes to Chapters 1,
6 6, 7, 8, 10 and 11. They remain the same.

7 Substantive changes to Chapter 2.

8 Definitions that we added:

9 A. COVERED RECREATIONAL VESSEL is a
10 recreational vessel that is less than twenty-six feet
11 overall in length and capable of developing one hundred
12 and fifteen pounds, or more, of static thrust.

13 C. ENGINE CUT-OFF SWITCH (ECOS). An engine
14 cut-off switch is a safety mechanism used to shut off
15 propulsion machinery when the operator is displaced from
16 the helm.

17 D. ENGINE CUT-OFF SWITCH LINK (ECOSL). An
18 ECOSL is the device that connects the operator to the
19 ECOS. The link must be attached to the operator, the
20 operator's clothing, or operator's personal floatation
21 device. It is typically a coiled lanyard, but may also be
22 an electronic fob.

23 Substantive Changes to Chapter 3 under
24 Restrictions:

25 Rule 3.1, a person may not operate, or give

1 permission to operate, on the marine of the State of
2 Mississippi, a personal watercraft, or any other covered
3 recreational vessel, unless it is equipped with an engine
4 cut-off switch and an engine cut-off switch link attached
5 to the operator while operating on plane, or above
6 displacement speed, except when:

7 A. The main helm of the covered vessel is
8 installed within an enclosed cabin, or

9 B. The vessel does not have an engine cut-off
10 switch and is not required to have one because it is not
11 considered a covered recreational vessel.

12 Rule 3.2, a vessel, or personal watercraft
13 livery (vendor) owner, or the owner's agent or employee,
14 shall prominently display these regulations governing
15 personal watercraft:

16 A. Advise renters to read the regulations.

17 B. Within thirty days of the effective date of
18 these regulations, add to the rental contract a statement
19 that the renter, or operator, has read and understand the
20 personal watercraft regulations. This statement shall be
21 signed by the renter, or operator, and the livery (vendor)
22 owner, retained in the files of the livery operator for at
23 least thirty days and be made available to the Mississippi
24 Department of Marine Resources upon request.

25 We referenced Mississippi Code Annotated 59-21-

1 81, 59-21-117, 59-21-119, 59-21-121, 59-21-127, 59-21-151
2 and the Federal Regulation 46 United States Code Annotated
3 4312.

4 Substantive Changes to Chapter 4 under Reckless
5 and Negligent Operation:

6 Rule 4.1, a person may not operate a vessel in
7 the marine waters of the State of Mississippi in a
8 reckless, or negligent, manner. Reckless and negligent
9 operation of a vessel shall include, but is not limited to
10 the following examples:

11 We highlighted the only thing that we added and
12 that is towing a person, or persons, on water skis,
13 aquaplane, or a similar device, during the hours between
14 legal sunset and legal sunrise would constitute reckless,
15 or negligent, operation.

16 We referenced Mississippi Code Annotated 59-21-
17 83, 59-21-87, 59-21-117, 59-21-119, 59-21-121, 59-21-127
18 and 59-21-151.

19 Substantive Changes to Chapter 5, establishing
20 no wake zones.

21 The only thing we added to Rule 5.1 is that the
22 results and staff recommendation will be presented to the
23 MACMR for their evaluation and recommendation to the
24 Executive Director for potential implementation.

25 Substantive changes to Chapter 9, Rules of the

1 Road.

2 Rule 9.1 states that nothing in this chapter
3 will excuse a boat operator from complying with any and
4 all navigation laws and rules of the road as published in
5 the United States Coast Guard Navigation Rules.

6 You can see the State Statutes that we
7 referenced there and the C.F.R.'s as well (indicating
8 slide).

9 The Notice of Intent. Recommendation to the
10 Executive Director that the new format and changes to
11 Title 22, Part 16, be sent to the Secretary of State's
12 Office for Notice of Intent.

13 COMMISSIONER DANIELS: Have we got any questions?

14 COMMISSIONER ROBERDS: For no wake zones, it
15 looks like it would go through the Board of Supervisors
16 for that specific county prior, and, then, they would come
17 to you guys.

18 Is that correct?

19 MICHAEL STRICKLAND: Yes, sir.

20 COMMISSIONER DANIELS: Do you want to make a
21 motion to approve this one?

22 COMMISSIONER ROBERDS: I'll make a motion.

23 COMMISSIONER DANIELS: I'll second it.

24 All those in favor?

25 COMMISSIONER ROBERDS: Aye.

1 COMMISSIONER DANIELS: Aye.

2 COMMISSIONER GUESS: Aye.

3 COMMISSIONER DANIELS: Motion passes.

4 Thank you.

5 MICHAEL STRICKLAND: We have the two titles that
6 we discussed that were sent for recommendation at the last
7 meeting. We are recommending those to the Commission for
8 final adoption. They are Title 22, Part 10 and Part 11,
9 as discussed in the previous meeting.

10 For Part 10, on July 20th, 2021, the Commission
11 recommended to the Executive Director that the new format
12 and changes to Title 22, Part 10, be sent to the Secretary
13 of State's Office for Notice of Intent.

14 The Executive Director approved the
15 recommendation and the proposed regulation was filed with
16 the Secretary of State's Office on July 22nd, 2021.

17 Publication of proposed regulation.

18 The notice of the proposed regulation was
19 published in the Sun Herald on August 6, 2021, and the
20 notice of the proposed regulation was also posted on the
21 MDMR website on July 23rd, 2021, as well.

22 There, you can see the publications (indicating
23 slide).

24 Public comments were due to the MDMR by 5:00
25 p.m. on August the 16th, 2021. There were no public

1 comments received.

2 Recommend a motion to the Executive Director
3 that the proposed changes to Title 22, Part 10, be
4 forwarded to the Secretary of State's Office for final
5 adoption.

6 COMMISSIONER DANIELS: Any questions?

7 (No response.)

8 COMMISSIONER DANIELS: I'll make a motion to
9 recommend final adoption.

10 COMMISSIONER ROBERDS: I'll second the motion.

11 COMMISSIONER DANIELS: All those in favor?

12 COMMISSIONER ROBERDS: Aye.

13 COMMISSIONER DANIELS: Aye.

14 COMMISSIONER GUESS: Aye.

15 COMMISSIONER DANIELS: The motion passes.

16 MICHAEL STRICKLAND: Title 22, Part 11, Equipment
17 and/or Nets Seized by the MDMR for final adoption.

18 Notice of Intent.

19 On July 20th, 2021, the Commission recommended to
20 the Executive Director that the new format and changes to
21 Title 22, Part 11, be sent to the Secretary of State's
22 Office for Notice of Intent.

23 Executive Director approved the recommendation
24 and the proposed regulation was filed with the Secretary
25 of State's Office on July 22nd, 2021.

1 Notice of the proposed regulation was published
2 in the Sun Herald on August 6, 2021, and the notice of the
3 proposed regulation was also posted on the MDMR website on
4 July 23rd, 2021.

5 You can see the Sun Herald publication and the
6 website notice (indicating slide).

7 Public comments were due to the MDMR by 5:00
8 p.m. on August 16th, 2021. There were no public comments
9 received.

10 Motion to recommend to the Executive Director
11 that the proposed changes to Title 22, Part 11, be
12 forwarded to the Secretary of State's Office for final
13 adoption.

14 COMMISSIONER DANIELS: Any questions on this one?
15 (No response.)

16 COMMISSIONER DANIELS: I will make the motion to
17 recommend final adoption.

18 COMMISSIONER ROBERDS: I'll second that motion.

19 COMMISSIONER DANIELS: All those in favor?

20 COMMISSIONER ROBERDS: Aye.

21 COMMISSIONER DANIELS: Aye.

22 COMMISSIONER GUESS: Aye.

23 COMMISSIONER DANIELS: Motion passes.

24 MICHAEL STRICKLAND: Lastly, we just have an
25 announcement. The City of Biloxi has filed for a new no

1 wake zone. That will be coming before the Commission next
2 month.

3 Thank you.

4 COMMISSIONER DANIELS: Thank you, Captain
5 Strickland.

6 Ms. Leslie Brewer.

7 BRANDI BUSBY: I will be filling in for Leslie
8 again this month. I'm Brandi Busby. Good morning
9 everyone.

10 I will be presenting the Agency's financials for
11 the month ending July 31st, 2021.

12 At the end of July, our State Revenue was three
13 million dollars. Total Agency Revenue was three million
14 dollars.

15 Our State Net Income was two point eight million
16 and our Total Agency Net Income was two point six million.

17 After one month of fiscal year 2022, the agency
18 has ninety-nine point six percent of the Operating Budget
19 remaining, while Tidelands Budget has ninety-nine point
20 four percent remaining.

21 It is the same as last month. We are still
22 waiting on our appropriations which may come in around
23 September from DFA.

24 Do y'all have any questions?

25 (No response.)

1 BRANDI BUSBY: Thank you.

2 COMMISSIONER DANIELS: Thank you.

3 Ms. Charmaine.

4 CHARMAINE SCHMERMUND: Good morning
5 Commissioners, Director Spraggins, Ms. Chesnut.

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

9 News items included state fish records, dive
10 teams finding sunken vessels near Ship Island and the
11 passing of Marine Patrol Officer Tommy Jennings.

12 Marine Patrol took part in the Back to School
13 Health and Safety Fair for the City of Gulfport on July
14 31st at Jones Park and Waveland Career Day on August 7th.

15 MDMR staff representing our Mississippi Seafood
16 Program participated at One Coast Day at the Neshoba
17 County Fair on July 29th. Many agencies and organizations
18 from the Gulf Coast attended One Coast Day to promote
19 everything our coast has to offer.

20 Our office also attended the Great American
21 Seafood Cook-off in New Orleans on August 7th. Austin
22 Sumrall with White Pillars in Biloxi was selected by
23 Mississippi Seafood to represent our state in the cook-off
24 which featured a total of thirteen U.S. states and Guam
25 competing for the title of King, or Queen, of seafood.

1 Austin won first place, along with the crown and
2 title, with his dish of "Snapper Three Ways". We are very
3 excited that this will help promote all the great Gulf
4 fresh seafood our waters have to offer.

5 COMMISSIONER DANIELS: Thank you, Charmaine.

6 CHARMAINE SCHMERMUND: Thank you.

7 JOE SPRAGGINS: We've got the best seafood in
8 America right here.

9 COMMISSIONER DANIELS: That's it.
10 Marine Fisheries, Josh Waters.

11 We have had a lot of records coming in this
12 year.

13 JOSH WATERS: Yes, sir. Just two today.

14 Good morning General Spraggins, Commissioners,
15 Ms. Chesnut. I will be presenting the State Saltwater
16 Finfish Records.

17 The first one is conventional state record for
18 Vermilion Snapper, *Rhomboplites aurorubens*.

19 The old record is five pounds one point zero
20 ounce. The current pending record is five pounds three
21 point two ounces. It was caught by Mr. James Landers.

22 Here is a picture of the Vermilion Snapper.
23 Here is Mr. Landers holding the snapper.

24 Our last state record is for the Youth
25 Conventional. It is a Ladyfish, *Elops saurus*.

1 The old record was one pound fourteen point five
2 eight ounces. The new record is two pounds nine point six
3 ounces. It was caught by Riley Armes.

4 Here is a picture of the fish and here is Ms.
5 Armes holding the fish.

6 COMMISSIONER DANIELS: Those look good.
7 Do we have a motion to approve the new records?

8 COMMISSIONER ROBERDS: I'll make a motion.

9 COMMISSIONER DANIELS: I'll second that.
10 All those in favor?

11 COMMISSIONER ROBERDS: Aye.

12 COMMISSIONER DANIELS: Aye.

13 COMMISSIONER GUESS: Aye.

14 COMMISSIONER DANIELS: Motion passes.

15 Do any of our Commissioners have any other
16 business today?

17 (No response.)

18 COMMISSIONER DANIELS: Joe, I believe you've got
19 something.

20 JOE SPRAGGINS: I do. I just wanted to bring it
21 up. Obviously, Gulf Council will meet again at the end of
22 this month in San Antonio.

23 One of the things that they keep bringing back
24 is our Red Snapper, our allocation and what we are going
25 to have for Red Snapper.

1 They keep bringing it up and we had asked to put
2 this on hold until 2023 to be able to get the SSC to do
3 some additional studies, but it will be brought back up.

4 There will be a time in public comment. If any
5 of you would like to call in on public comment, please
6 feel free to do so, and there is a time that we can talk
7 about this.

8 We look at it very hard and one of things that
9 we have asked is -- the catch limit came out at three
10 hundred thousand pounds more than what it was previously,
11 but the overfish limit was over ten million pounds more,
12 and this is from a stock assessment as far as Red Snapper
13 assessment that they came back with.

14 What we are trying to do is we went back and we
15 have asked the SSC and I'm not sure it ever really got put
16 on the formal thing to ask, but we are going to try to
17 make sure it does, for the SSC to come back and look at
18 that and tell us why such a big difference, why there is
19 such a big difference between the catch limit and the
20 overfish limit; why was that such a large amount of
21 numbers for one and just a small amount for the other.

22 The other thing is some of the things that have
23 been used for Mississippi have definitely skewed ours to
24 where it would be a lot lower than what it should be.

25 It is just because of a couple of years that

1 they looked at and what they did and, also, Trevor -- I
2 don't want to put him on the spot, but Trevor is on the
3 SSC with us, now. Thank you for doing that.

4 we are looking at it very hard to try to find a
5 way to be able to get them to understand that we are not
6 overfishing the Gulf of Mexico and we are not overfishing
7 the Red Snapper.

8 As a matter of fact, the team here at DMR gives
9 me a report at least once, or twice, a week about what is
10 happening there and they even look. If they have one
11 certain area that they are catching a lot of fish from,
12 they look at that for the possibility of do we need to
13 close that one little section to keep from overfishing it,
14 or do we need to do something else. They are looking at
15 everything that can possibly be looked at.

16 The other thing is they kept holding it against
17 us over the past and said, well, you can't use your state
18 information because it is not five years of it.

19 well, it will be this year.

20 Is that right, Trevor?

21 2022 is five years.

22 Right?

23 TREVOR MONCRIEF: Yes, sir.

24 JOE SPRAGGINS: So we will have that five years
25 and we can show them what we are talking about.

1 This is a big situation and I would advise every
2 one of you if you want to listen to the Gulf Council, it
3 will be on Tuesday afternoon, basically. Well, Tuesday
4 from about probably 10:00, or 11:00, o'clock up to about
5 1:00, or 2:00, o'clock in the afternoon they will be
6 talking about this.

7 If you want to listen during that time, you can
8 go in and listen on the website and listen to Gulf
9 Council, and, then, I think it is on Wednesdays when they
10 have the public comments that afternoon at about 2:45 to
11 5:30, if you want to come in and do public comment on it.

12 We are fighting it hard. I can promise you I
13 totally one hundred percent believe that the staff is
14 doing everything possible to make sure that we are not
15 overfishing and that we are not having any issues and we
16 are doing what is right and we are taking care of the
17 resource.

18 Please, if you talk to anyone else about it, if
19 you talk to your congressman, tell him about it, the
20 senators, anyone else, the state legislators. We need to
21 look at that very hard

22 Another thing real quick, too, if I can, we are
23 going to have a couple of meetings here in the next couple
24 of months on the Bonnet Carre again and on the Mid-Breton
25 Sound Diversion and we are going to talk about that.

1 There is a lot of information that needs to be
2 brought up about it, and we are trying to get with
3 Louisiana and talk to them about what is happening there.

4 I don't know the hundred percent answer. If I
5 did, I would tell you, now.

6 will the Mid-Breton Sound do damage?

7 I don't know.

8 will it do good?

9 I don't know, but I tell you what, we need to
10 find out and we need to find out before we allow something
11 to be built to say whether or not it is going to cause any
12 problems to our estuary.

13 We need to look at that very hard and I think
14 Secretary Watson has called a meeting. So we are going to
15 have a meeting with him, I think, on that, and, then, also
16 I am working with the state legislators to have another
17 meeting and we are going to talk about it to be able to
18 bring this up.

19 We want everybody understanding what is
20 happening there. There are still a couple of diversions
21 north of the Bonnet Carre that could be looked at very
22 hard. One is called the Union Diversion and that
23 diversion is between the two big diversions, now, and what
24 we could do -- I'm talking it is north of the Bonnet Carre
25 and it is south of Morganza, but it could be a situation

1 to where that water could spill out to the east and go
2 into a Cypress forest.

3 From the study by the scientists at Tulane,
4 using 2019, they are saying that we could have cut about
5 thirty days, or forty days, off of where the water would
6 have been coming into the Gulf. That would have been
7 tremendous, if we could have had something like that.

8 This could be something, if we have one like we
9 had in 2018, or one like we had in 2016, or something to
10 that effect, that it could almost dissipate it all to
11 where we never had to open up the Bonnet Carre. That is
12 something we need to look hard at.

13 If you get a chance, look up Union Diversion and
14 you will be able to find it.

15 It is something that we could look at. It
16 spills out into the east there. It goes into a Cypress
17 forest, and, then, eventually it is going to run into Lake
18 Pontchartrain. We understand that, but it is also
19 filtered a lot and it is also taking a lot of the
20 nutrients out of it before it gets there.

21 There are a lot of good things that could happen
22 there and it would slow it down as to how long it would
23 take to do it.

24 Just a thought. We are working hard at DMR. We
25 are trying to do everything we can to make sure that we

1 are covering everything possible to rebuild this and to
2 stop what is happening to us. Hopefully we will be able
3 to do that.

4 Thank you.

5 COMMISSIONER DANIELS: Joe, on the snapper stuff,
6 did I hear you right that there is a nine point seven
7 million pound gap between the overfished and the ACL?

8 JOE SPRAGGINS: It is over that.

9 Trevor, do you remember?

10 The overfish limit went up ten million and
11 something pounds?

12 TREVOR MONCRIEF: Yes. The OFL was approved to
13 be ten million pounds above the ACL and it was through a
14 SSC vote on discussion of the Great Red Snapper Count and
15 the incorporation of it. When they incorporated the
16 snapper count, they raised the OFL ten million pounds, but
17 the ABC remained below that mark.

18 JOE SPRAGGINS: It was only three hundred
19 thousand pounds they raised it, wasn't it?

20 TREVOR MONCRIEF: Correct.

21 JOE SPRAGGINS: Which is a huge disparity.

22 TREVOR MONCRIEF: Right.

23 JOE SPRAGGINS: I don't know if there is anything
24 that has come up about it, but have y'all even set any
25 meetings to look at this?

1 TREVOR MONCRIEF: It hasn't gotten brought up on
2 the SSC schedule again. With calibration coming back up
3 to the council, I am sure it will be on the agenda in an
4 upcoming meeting.

5 I think this next meeting, September, prior to
6 the next council meeting, we will be going over the
7 finalization of the Great Red Snapper Count report itself
8 and if the council asks us to reconsider the OFL and ABC,
9 that will be an item on a future meeting as well.

10 JOE SPRAGGINS: Thank you, Trevor.

11 COMMISSIONER DANIELS: We don't have any public
12 comments turned in.

13 Did we have anybody here wanting to make a
14 comment?

15 (No response.)

16 COMMISSIONER DANIELS: Can I get a motion to
17 adjourn?

18 COMMISSIONER ROBERDS: I'll make a motion.

19 COMMISSIONER DANIELS: I'll second that.

20 All those in favor?

21 COMMISSIONER ROBERDS: Aye.

22 COMMISSIONER DANIELS: Aye.

23 COMMISSIONER GUESS: Aye.

24 COMMISSIONER DANIELS: Thank you everybody. We
25 will see y'all next month.

1 (Whereupon, at 9:45 o'clock, a.m., the August
2 17, 2021, meeting of the Mississippi Advisory Commission
3 on Marine Resources was concluded.)

4 CERTIFICATE

5 I, Lucille Morgan, Certified Shorthand Reporter,
6 do hereby certify that the above thirty-four pages,
7 including this page, is a true and correct transcript of
8 the August 17, 2021, meeting of the Mississippi Advisory
9 Commission on Marine Resources, as taken by me at the time
10 and place heretofore stated in the aforementioned matter
11 in shorthand, with electronic verification, and later
12 reduced to typewritten form to the best of my skill and
13 ability; and, further, that I am not a relative, employee,
14 or agent, of any of the parties thereto, nor financially
15 interested in the cause.

16
17
18 s/ _____

19 COURT REPORTER
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