

MISSISSIPPI ADVISORY COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, May 17, 2022  
9:00 a.m.  
Bolton Building Auditorium  
1141 Bayview Avenue  
Biloxi, Mississippi 39530

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Commission Members:

Ronnie Daniels, Chairman

Jonathan McClendon

Cammack (Cam) Roberds

Also Present:

Joe Spraggins, Executive Director DMR

Sandy Chesnut, Esq., Assistant Attorney General

*Lucille Morgan, CSR 1251*

*COURT REPORTER*

*(228) 396-8788*

1           COMMISSIONER DANIELS: welcome back everybody.  
2 It has been a while since we have been in here. We are  
3 happy to have everybody here today.

4           We are going to call to order the May 17<sup>th</sup>, 2022,  
5 Mississippi Advisory Commission on Marine Resources  
6 meeting.

7           I am going to start off by asking our newest  
8 commissioner, Jonathan McClendon, to lead us in the Pledge  
9 of Allegiance.

10           (Pledge of Allegiance was recited.)

11           COMMISSIONER DANIELS: Mr. Joe, would you like to  
12 lead us in a little prayer?

13           JOE SPRAGGINS: Yes and, once again, thank you  
14 everyone for coming today.

15           One of the things I would like for you to think  
16 about and in our prayers we've got a big shrimp season  
17 coming up and also the charter boat season and other  
18 things that are happening. Just keep all of our fishermen  
19 and all of our workers there in your prayers.

20           Let's go to the Lord, please.

21           Our Heavenly Father, we thank you so much for  
22 the opportunity. Lord, please take this commission and  
23 give them the wisdom to do what you would have them to do  
24 and give this agency the wisdom to carry that forward.

25           Lord, we ask that you take us and lead us and

1 guide us and direct us. We ask this in Jesus Christ's  
2 name. Amen.

3 COMMISSIONER DANIELS: Thank you Director  
4 Spraggins.

5 JOE SPRAGGINS: We have a new commissioner, Mr.  
6 Jonathan McClendon, and what we want to do at this time is  
7 swear him in.

8 Jonathan, what I will ask you to do, if you  
9 don't mind, is go down front before Ms. Lucille. If your  
10 wife and daughter would like to come with you, then they  
11 are more than welcome to stand there.

12 (Oath was administered.)

13 JOE SPRAGGINS: Congratulations.

14 COMMISSIONER McCLENDON: Thank you, General.

15 JOE SPRAGGINS: Jonathan is taking Mr. Gollott's  
16 slot who passed away. He will be over our seafood  
17 processors. He has a long history in it and we welcome  
18 him.

19 Is there anything you would like to say?

20 COMMISSIONER McCLENDON: It is an honor to be  
21 here and I look forward to representing the fine people of  
22 the State of Mississippi.

23 Thank you to Governor Reeves for the  
24 appointment.

25 COMMISSIONER DANIELS: Jonathan, we are happy to

1 have you. I feel confident you will be a positive  
2 influence on the commission.

3 COMMISSIONER McCLENDON: Thank you.

4 COMMISSIONER DANIELS: Approval of the minutes  
5 from February 15<sup>th</sup>, 2022.

6 Do we have any discussion on the minutes?

7 (No response.)

8 COMMISSIONER DANIELS: Do we have a motion to  
9 approve the minutes?

10 COMMISSIONER ROBERDS: I'll make a motion.

11 COMMISSIONER McCLENDON: Second.

12 COMMISSIONER DANIELS: All those in favor?

13 COMMISSIONER ROBERDS: Aye.

14 COMMISSIONER McCLENDON: Aye.

15 COMMISSIONER DANIELS: Aye.

16 Minutes are approved.

17 Approval of the agenda.

18 Do we have a motion to approve today's agenda?

19 COMMISSIONER ROBERDS: I'll make a motion.

20 COMMISSIONER McCLENDON: I'll second it.

21 COMMISSIONER DANIELS: All those in favor?

22 COMMISSIONER ROBERDS: Aye.

23 COMMISSIONER McCLENDON: Aye.

24 COMMISSIONER DANIELS: Aye.

25 Mr. Joe, I am going to turn it over to you.

1           JOE SPRAGGINS: Thank you very much and, once  
2 again, it is wonderful to have a quorum, to have three  
3 commissioners at least.

4           We are still looking for two more commissioners.  
5 We need a commercial fisherman and we need an  
6 environmentalist.

7           We've got to have a couple of things. We cannot  
8 have anyone else from Harrison County. We have got to  
9 have at least one from Hancock County and one of the other  
10 two can come from Jackson County, or Hancock County.

11           What the rules say is you can have no more than  
12 two per county, and we have two from Harrison County and  
13 one from Jackson County. We need at least one from  
14 Hancock County and the other one can be either Hancock  
15 County, or Jackson County.

16           If you know anybody who is interested, please  
17 tell them to get in touch with me. I would love to talk  
18 to them.

19           If you have a public comment, there are some  
20 sheets in the back and TJ is back there. If you have a  
21 public comment, fill out the form and TJ will bring it to  
22 us.

23           If you can, tell us what section you want to  
24 talk about. If it on the agenda, tell us where it is so  
25 we can bring it up at the right time.

1 well, the legislature is over for another year.  
2 We got through that one. I will give you an update on  
3 what happened.

4 We had House Bill 1130 which was approved by the  
5 governor on 3-16. It goes into effect July the 1<sup>st</sup>. That  
6 is Department of Marine Resources revised license issue  
7 for seafood dealers and seafood processors.

8 Basically, what this does is it separates the  
9 combination seafood dealer and processor license into two  
10 licenses. Only one license will be issued per business,  
11 depending on the type of operation.

12 Small dealers and roadside vendors will no  
13 longer be combined with the large scale processors for  
14 disaster recovery assistance.

15 This proposal allows non-resident commercial  
16 wholesalers and common carriers to deliver seafood  
17 products to the licensed Mississippi processors, dealers,  
18 restaurants and retailers.

19 No increase in the fees will result from this  
20 change and this change is supported by the local seafood  
21 industry.

22 Any questions, commissioners, on that?

23 (No response.)

24 JOE SPRAGGINS: The next one is Senate Bill 2476  
25 approved by the governor on 4-14, effective July the 1<sup>st</sup>,

1 The Molluscan Shellfish Aquaculture Operation revised  
2 licensing of vessel use.

3 what it is, it allows only aquaculture  
4 operations to license multiple vessels to one business  
5 instead of requiring each vessel to be licensed.

6 This provides flexibility and it is more  
7 efficient since multiple vessels are required for routine  
8 aquaculture farm operations. Additionally, this proposal  
9 also eliminates the captain's license -- currently ten  
10 dollar fee -- and eliminates the designation of the  
11 alternate captain for all oyster licenses.

12 This change will not result in any increase in  
13 license fees for operators, or harvesters, for the  
14 aquaculture, or the off-bottom oysters.

15 Basically, one of the major parts of that is a  
16 lot of the people doing the off-bottom, they have small  
17 boats and they have five, or six, boats that they utilize  
18 and go back and forth. There is no sense is having to  
19 license each and every one of them and it also helps with  
20 the captain's license on the other oyster boats.

21 Any questions on that one?

22 (No response.)

23 JOE SPRAGGINS: Senate Bill 2511 approved by the  
24 governor 4-14, effective July the 1<sup>st</sup> is license and fees  
25 for saltwater shrimp vessels.

1           This proposal eliminates the captain's license -  
2 - currently a ten dollar fee -- and eliminates the  
3 designation of an alternate captain for saltwater shrimp  
4 license.

5           This requirement is necessary to create a new  
6 uniform license data base so that commercial licenses will  
7 also be available to purchase online.

8           This is something we have been trying to do for  
9 a long time. I know everybody has a busy schedule and has  
10 to come up here to buy their license. A lot of commercial  
11 fishermen would love to buy them online, just like you can  
12 do the other licenses.

13           Any questions on that one?

14           (No response.)

15           JOE SPRAGGINS: Senate Bill 2076 approved by the  
16 governor 4-14, effective July the 1<sup>st</sup>, Derelict Vessels,  
17 providing certain requirements for the removal of.

18           It is to broaden the definition to include more  
19 categories of problem vessels such as abandoned,  
20 unregistered, in a neglected, or deteriorating condition,  
21 and moored, or affixed, to property not authorized by the  
22 landowner.

23           It eliminates the current registration process  
24 outlined in the statute because it does not align with the  
25 Mississippi current registration system.



1           It allows for MDMR to work with cities and  
2 counties to remove vessels from waterways.

3           This will also allow us to get federal funding  
4 to help in the removal of the derelict vessels.

5           For the ones of you who know about what I'm  
6 talking about with derelict vessels, there are a lot of  
7 times if it is on the shore, or it is not impending a  
8 waterway, or it is not leaking some type of fuel, then,  
9 DMR cannot do anything about it, even though it is an  
10 eyesore.

11           A lot of times people just let their boat go and  
12 they just put it out there and it may come up on your  
13 property and I can't do anything about it.

14           Well, now I can. This will come into effect  
15 July the 1<sup>st</sup> and we are putting money into it. The  
16 legislature gave us some money to put in it to be able to  
17 help remove these.

18           We've got a list already that we are working on.  
19 Hopefully we will get this process moving forward and be  
20 able to take some of these eyesores off the coastlines.

21           The other thing is that we are going to do  
22 everything in our power to find the owner. I can tell you  
23 that, too. We will do everything in our power to find the  
24 owner and try to get the owner to move it, or we will try  
25 to charge the owner for having to move it.

1           We've got one now that is over there in Ocean  
2 Springs. It is a big shrimp boat and I don't know what  
3 kind of shape it is in. It is a steel hull about forty-  
4 five foot shrimp boat. It's got big outriggers and we are  
5 going to have to move it.

6           The guy that owned it passed away and his son  
7 said he couldn't afford to do anything with it, so he sold  
8 it to some guy in Texas and the guy is supposed to have  
9 come and gotten it. That has been eleven months and he  
10 hasn't gotten it. If he doesn't get it by the end of  
11 June, we are getting it and we are going to move it and we  
12 will sell it, or do whatever we need to do with it.

13           Any questions on that?

14           COMMISSIONER ROBERDS: Director, I have a real  
15 quick question.

16           Is there a timeline, or a duration, once the  
17 vessel is identified, before you guys can actually  
18 relocate it, or get it out of the waterway?

19           JOE SPRAGGINS: what we will do is we will have  
20 Marine Patrol go tag it. Marine Patrol will tag it.

21           Sandy, is it seven days?

22           SANDY CHESNUT: The tagging, yes, is seven days.

23           There is a timeline that if it is left in the  
24 same spot I think it's like ten days -- I will have to  
25 look at the new bill -- under the new bill, then, we can

1 start taking action like tagging it. Once it is tagged,  
2 they have five, or seven, days to respond, and, then, if  
3 they respond, they get an additional time frame.

4 JOE SPRAGGINS: During that time, we will be  
5 trying to find the person who owns it.

6 Does that answer your question?

7 COMMISSIONER ROBERDS: Yes. Thank you.

8 JOE SPRAGGINS: Now, we've got non-agency  
9 sponsored legislation that also passed in 2022 and that is  
10 House Bill 972 and 1057.

11 House Bill 972 approved by the governor 3-22 and  
12 effective immediately. It creates a pilot program for  
13 bottomland leasing for oyster production and authorizes  
14 MDMR to lease certain areas for oyster production to  
15 oyster, or seafood, processors to only operate in the  
16 waters adjacent to Hancock County.

17 Funds derived from the lease shall be deposited  
18 in the seafood funds to further oyster production in the  
19 state.

20 This is only in the Hancock County area and just  
21 to give you an idea what we are talking about. The Old  
22 Telegraph Reef, that is one area that we are looking at,  
23 and the other area is a tonging area that is just south of  
24 the Hancock County line.

25 we are having to put together a program. what

1 will happen is we will be putting together some type of  
2 regulations for the agency here and we will go through the  
3 standard process. We will go through the process of  
4 putting together a regulation to say what can be done and  
5 what can't be done, and we will put that out. It will go  
6 out for public notice and we will have a meeting, whatever  
7 needs to be done.

8 This is not something that is going to happen  
9 immediately. It is going to take a little while to get it  
10 done. We will look at it. Be heads up on that and we  
11 will talk about it more in the future.

12 COMMISSIONER DANIELS: One question I've got on  
13 that.

14 To only operate in waters adjacent to Hancock  
15 County.

16 What does that mean?

17 JOE SPRAGGINS: You tell me and we will both  
18 know. We are looking at it right now. Sandy and them are  
19 looking at it. We have been working with the governor's  
20 office on it. We have been working with the legislature  
21 on it.

22 I think their intent was that they had to  
23 operate out of Hancock County, but some of the writing in  
24 the bill wasn't exactly correct, so we are going to work  
25 on it and we will see what happens.

1           Adjacent means to me that it has to touch it,  
2 but that doesn't mean that you can operate in Hancock  
3 County. I don't know. We don't know those answers. We  
4 are looking at it. We are going to do everything we can  
5 to make it right.

6           There are also some areas up there and I will be  
7 honest with you. It is areas like Waveland Reef and  
8 Stanislaus. We just culched that. I'm not about to try  
9 to give it away to somebody. I am going to do everything  
10 I can to keep that away from there because that is a  
11 tonging reef.

12           Now, if somebody wants to come in and put their  
13 own culch down and build a reef and do the things that  
14 need to be done, that has been legal before and it is  
15 still legal right now for anybody that wants to do it in  
16 any other county. The only difference is this with pilot  
17 program, they are charging them two dollars an acre and  
18 the other one is five dollars an acre. We are still  
19 working this.

20           Telegraph Reef, we haven't done anything to it  
21 in years since 06, or 07, and I will be honest with you.  
22 Our reason why is because the oyster drills, they kill  
23 everything we put out there, but if somebody can make it  
24 work and do something, that would be ideal.

25           They have ways of doing this in the private

1 industry where they can go out and put them on Telegraph,  
2 and, then, they can move them at certain times of the  
3 year, move their oysters and put them at another site.

4 we don't have the capability to do all of that  
5 with the agency here.

6 If somebody wants to take the time to do that  
7 and to work it, we would be more than glad. We want to do  
8 anything we can to grow an oyster.

9 COMMISSIONER DANIELS: Joe, let's say whoever  
10 leases five hundred acres, does that then relieve the  
11 state of the burden for maintaining, or replenishing, that  
12 reef?

13 JOE SPRAGGINS: Yes.

14 COMMISSIONER DANIELS: They have one hundred  
15 percent control and authority over that reef?

16 JOE SPRAGGINS: They have that. We've got  
17 several people who have leased bottoms in the state now,  
18 and, then, a lot of them in Louisiana, they do the same  
19 thing.

20 It is their lease. They have to pay the  
21 Secretary of State. They will pay us through the  
22 Secretary of State, but what we are going to do is we have  
23 the -- I take that back. The Secretary of State is not  
24 involved in that one. It is just us because they gave us  
25 the right to do it.

1           The other thing is we will put something in  
2 legislation and the regulation that says if you are not  
3 active with it and you are just letting it sit, then, it  
4 is going to come back to the state so somebody can use it.

5           That way, nobody can just go out there and  
6 purchase it and hold it for no reason. They have to use  
7 it and try to do something with it.

8           COMMISSIONER DANIELS: I think that has a lot of  
9 potential.

10          JOE SPRAGGINS: If it works and we can get more  
11 people doing on-bottom private business, that is great.

12           Any other questions on that one?

13           (No response.)

14          JOE SPRAGGINS: The next one is House Bill 1057  
15 and that was passed by the governor on 3-22, effective  
16 July the 1<sup>st</sup>, and it revised acreage of the bottomland  
17 authorized to be leased.

18           What that does is it revised the acreage of the  
19 bottomland authorization to be leased by the MDMR for  
20 oyster cultivation and gathering; no less than one acre  
21 and no more than thirty-five hundred acres.

22           Before it was five hundred acres. Now, you can  
23 go up to thirty-five hundred acres that one individual can  
24 lease, except for certain exceptions made in the  
25 legislation, and five year leases with the option to renew

1 for five years.

2 If you want to go out there to Telegraph Reef  
3 and you want to go wherever and you want to put some money  
4 in there and build it up, then, we are going to let you  
5 know that you can have that and you can have as much as  
6 you want up to thirty-five hundred acres. You can lease  
7 that and you can start working whatever you want to on it.

8 We are not going to hold you up. We want to  
9 make it work. If it works, we would love to have it  
10 happen.

11 Any questions on legislation?

12 (No response.)

13 JOE SPRAGGINS: We've got summer interns. We are  
14 trying to hire about eight, or ten, summer interns. I  
15 think that closed last Friday.

16 One of the things that we do with summer interns  
17 is we get a whole lot of benefit. Matter of fact a lot of  
18 times we get a lot of good employees.

19 We've got several of them. They are in college  
20 a junior, or something, and they do an intern for a year,  
21 or so, and, then, they come out of college and we hire  
22 them automatically because they are so good, and they know  
23 the process.

24 We would love for y'all to do that and we won't  
25 know exactly whether we got a hundred percent of the



1 number we need. If we don't, we will put it back out for  
2 some more shortly.

3 we will be closed Memorial Day, but the fishing  
4 won't be closed. Matter of fact, we will be wide open in  
5 the fishing world.

6 Snapper season starts that weekend on Friday at  
7 midnight.

8 Is that right?

9 RICK BURRIS: Friday morning at 12:01.

10 JOE SPRAGGINS: So it's Thursday at midnight,  
11 when it begins. Friday, Saturday, Sunday and Monday of  
12 Memorial Day weekend will be out first part of it. We  
13 will be able to have a Snapper season and keep moving  
14 forward.

15 Employment contracts.

16 If you look at them, we've got quite a bit. I'm  
17 not going to read all of these.

18 About eighty percent of them are people that  
19 have moved up. They have moved up in the agency. We've  
20 got some great people. We picked up a couple of new ones,  
21 but we've got some good people that have moved up. That  
22 is all of the employment changes (indicating slide).

23 We are buying some motors for the Dewey. Three,  
24 or four, hundred horsepower. It says "Yamaha", but they  
25 are Mercury.

1 Cypress Environmental is doing a contract with  
2 us, too.

3 Those are the two contracts there.

4 Any questions on those contracts?

5 COMMISSIONER DANIELS: Can I get one for that  
6 amount?

7 We got a good deal on that.

8 COMMISSIONER ROBERDS: I'm trying to figure out  
9 where you can find a four hundred Yamaha.

10 JOE SPRAGGINS: well, you're not. You are  
11 getting a four hundred Mercury.

12 It is six, or eight, months we have to wait,  
13 Kyle?

14 KYLE WILKERSON: what is that, sir?

15 JOE SPRAGGINS: what is the time frame, six, or  
16 eight, months?

17 KYLE WILKERSON: It will be March of next year.

18 JOE SPRAGGINS: Our processor grant. I know  
19 Crystal printed that off.

20 Come on up Traci and talk about it.

21 TRACI FLOYD: Good morning everyone. Welcome  
22 Commissioner McClendon. I'm Traci Floyd.

23 The processor grant will allow one point six  
24 million to the processors of the State of Mississippi.

25 Right now we are working to secure an accounting

1 firm that will handle the application process. We have  
2 identified a firm and we are working on negotiating that  
3 contract.

4 As soon as we get that firm in place, we can  
5 start the application process.

6 JOE SPRAGGINS: Have we contacted the ones from  
7 the state?

8 TRACI FLOYD: From Mississippi?

9 JOE SPRAGGINS: Yes. I know we looked at some  
10 local firms, but we were having trouble finding anybody  
11 that could do it, but there was one firm that the state  
12 had been using and we have already contacted them.

13 TRACI FLOYD: Yes. It looks very favorable.

14 JOE SPRAGGINS: Hopefully we will get something  
15 moving shortly.

16 TRACI FLOYD: Yes, sir.

17 JOE SPRAGGINS: This is for basically anything  
18 that they incurred abnormal for the processors and all  
19 during COVID.

20 Right?

21 TRACI FLOYD: That is correct, sir. It is a  
22 reimbursement program. They have to show receipts.

23 JOE SPRAGGINS: Good deal. We will hopefully get  
24 that out soon.

25 TRACI FLOYD: Thank you.

1           JOE SPRAGGINS: Rick, anything on Bonnet Carre?

2           RICK BURRIS: Actually, I do have a little bit of  
3 an update. Ironically, we talked to our grant specialist  
4 last week and she sent back a couple more minor  
5 comments/questions that I believe we previously answered  
6 before, but anyway I answered them again and provided  
7 additional comments.

8           Hopefully this will square it all up and I know  
9 it has been ping-ponging back and forth between multiple  
10 agencies. Hopefully this will kind of put a lid on it and  
11 we can move forward.

12           I haven't gotten confirmation that this was a  
13 final round of questions, but there is a little bit more  
14 movement than we had previously.

15           JOE SPRAGGINS: How did it go with the EPA?

16           RICK BURRIS: It went very well. We took the  
17 deputy administrator, regional administrator for the EPA  
18 yesterday to Deer Island with some other members of the  
19 EPA and Chris wells from the Mississippi Department of  
20 Environmental Quality. We toured some restoration areas  
21 around Deer Island, Jennifer Wittmann and myself.

22           They were very excited to see all of the  
23 restoration we have going on centralized around Deer  
24 Island and they appreciated the trip. They enjoyed it  
25 very much.

1           JOE SPRAGGINS: Good deal.

2           We were told the Bonnet Carre was waiting at the  
3 Budget Office, and, then, we found out four months later  
4 that the Budget Office said we have never seen it. We  
5 inquired where it was and they said, we haven't seen it.

6           Then, we had to go back to NOAA and NOAA said  
7 they are at the Budget Office. I don't know what they are  
8 talking about.

9           well, guess what?

10          It came back and now we are getting it headed in  
11 the right direction. It is amazing.

12          I tell you what. I will be so glad when America  
13 goes back to work and everybody is not working from home  
14 because when they are working from home half the stuff  
15 doesn't matter.

16          The last thing is actions update from prior  
17 meetings, Sandy.

18          SANDY CHESNUT: This is from the February 2022  
19 meeting.

20          The director approved the following motions and  
21 actions:

22          Motion to recommend approval of the Jackson  
23 County Board of Supervisor's Resolution requesting the  
24 Menhaden Fishery be limited to one mile offshore in  
25 Jackson County and I am pretty sure that was already

1 incorporated into one of our Titles and Parks.

2 Motion to recommend to the Executive Director  
3 that the proposed changes to Title 22, combined Parts 4  
4 and 21 (Crabs) be forwarded to the Secretary of State's  
5 Office for Notice of Intent.

6 Because we didn't have meetings between February  
7 and now, no comments were received, so Title 22, Part 4  
8 was sent to the Secretary of State's Office for adoption,  
9 since we already had the Advisory Commission's  
10 recommendations on that.

11 The same for Title 22, Parts 3, 5 and 7  
12 combined. Those were forwarded for Notice of Intent. No  
13 comments were received, so it was sent to the Secretary of  
14 State's Office for adoption based upon the Commission's  
15 recommendations.

16 That is it.

17 JOE SPRAGGINS: Any questions?

18 (No response.)

19 JOE SPRAGGINS: Couple of other quick things.

20 The Neshoba County Fair is coming up. It is  
21 going to be the last week of July. The Gulf Coast is  
22 going to be there the night of the 27<sup>th</sup> and we will have  
23 what is called a Coast Mixer. It is going to be where we  
24 bring a lot of people in and we are going to feed them  
25 shrimp and oysters and speckled trout all different ways

1 and different types.

2 Then, on that Thursday morning is when we have  
3 the Coast Day. The Coast Day we have the whole area there  
4 where all the speakers will be and this is when the  
5 governor and everybody else comes and speaks that morning.

6 If any of you have a business that you would  
7 like to come up and try to sell anything as far as what  
8 your business does for the Gulf Coast of Mississippi, we  
9 will offer you a free space to be there. You can come set  
10 up. You can take like a popup tent, or whatever, and put  
11 there and you can give out all kinds of information.

12 The City of Gulfport has agreed to take  
13 everything up for you. A couple of days before, if you  
14 want to do it, if you've got tents and stuff, you can take  
15 it to the City of Gulfport and we will get you set up with  
16 that. Tourism, Judy Young is heading this up with us.

17 The idea is if you've got tents and all, it is  
18 so hard to get them in and out, and we are going to put  
19 them on trailers and the City of Gulfport is going to  
20 bring them in there for you, and, then, we will load them  
21 back up and bring them back here for you.

22 I think they are doing everything in the world  
23 to be able to help you any way we can do it, and it is  
24 absolutely no cost other than what you want to give out,  
25 if you want to give out anything and what it costs you to

1 be there.

2 we will have a block of rooms at the casino  
3 hotels up there. Anybody who would like to get under that  
4 block of rooms, we will allow you to do that, too.

5 what we are trying to do more than anything is  
6 trying to sell south Mississippi again. We want to build  
7 the seafood back up. We want to build the seafood  
8 industry. We want to build the fishing industry. We want  
9 to build things back up about what we have in South  
10 Mississippi.

11 we used to be the seafood capital of the world  
12 and we need to get back. We need to get back to what we  
13 are doing and how do we get there. Number one, in 2005 we  
14 had a hurricane that tore up a lot of things and caused a  
15 lot of issues. In 2010, we had an oil spill that caused  
16 us a whole lot of issues with our seafood. In 2019, we  
17 had the world's biggest flood that we have had because we  
18 had zero salinity and killed our name.

19 A lot of it killed the name of it. We need to  
20 rebuild the name and that is what we are after. We are  
21 out to rebuild the name and when we rebuild it, the fish  
22 are still here, the shrimp are still here and we a growing  
23 oysters, I hope. The crabs are there. The thing about it  
24 is we need to get it back.

25 If y'all would love to come up there, we've got



1 room for eighty different groups to be there.

2 Like I said, you will get a lot out of it.  
3 Everybody that has been to it the last few years has said,  
4 man, this is unreal. We did not know.

5 There is only one part about it. It is the  
6 coldest day of the year, July the 28<sup>th</sup>, in Neshoba County,  
7 so be prepared for that.

8 If you can, we would love for y'all to come to  
9 that.

10 If you need anything, get with me, or you can  
11 call Judy Young with the Tourism and she will get you  
12 anything you need.

13 Sir, that's it. I took up too much time.

14 COMMISSIONER DANIELS: Well, you had a lot of  
15 information to get out. It has been piling up.

16 Commissioners Report.

17 Have any of our commissioners got anything to  
18 report today?

19 (No response.)

20 COMMISSIONER DANIELS: Chief, Office of Marine  
21 Patrol.

22 KYLE WILKERSON: Good morning. Good to see all  
23 of y'all back.

24 Commissioner McClendon, welcome.

25 COMMISSIONER McCLENDON: Thank you.

1           KYLE WILKERSON: Just a comment to the Director.  
2 Marine Patrol never sleeps, sir. We are always on duty on  
3 Memorial Day. We are good to go.

4           JOE SPRAGGINS: I told you that you are going to  
5 be here.

6           KYLE WILKERSON: The citation report is pretty  
7 self-explanatory.

8           The contacts have gone up a pretty good bit this  
9 month due to the fact there are a lot of people on the  
10 water. We are up to about twelve hundred plus contacts.  
11 That is a lot of folks to check a month.

12           We have had a few oyster violations, one gillnet  
13 violation. I am not going to get into any names on the  
14 oyster violations, but they were unrefrigerated, expired  
15 oysters, misbranded. They are pending investigations so I  
16 don't want to put any names out there.

17           Any questions feel free to ask and I will give  
18 you as much information as I can give you.

19           COMMISSIONER DANIELS: Keep up the good work.

20           KYLE WILKERSON: Thank you, sir.

21           COMMISSIONER DANIELS: I know y'all have a lot  
22 going on out there and I have said it plenty of times  
23 before. Every time I run into an officer interacting with  
24 somebody, y'all are doing a great job.

25           KYLE WILKERSON: Thank you, sir. That goes a

1 Long way.

2 COMMISSIONER DANIELS: Thank you, Chief.

3 Coastal Resources Management. It looks like we  
4 are going to have Greg up first.

5 GREG CHRISTODOULOU: Good morning everyone.

6 welcome Commissioner McClendon.

7 I'm Greg Christodoulou. I will be presenting  
8 the first three items for Coastal this morning.

9 The first is a Coastal Zone Consistency  
10 Determination by the Hancock County Port and Harbor  
11 Commission located on the Port Bienville Industrial Canal  
12 over toward Pearlington. It is in the Industrial  
13 Development Use District and the agent is Compton  
14 Engineering.

15 This is a barge staging area and holding area.  
16 The impacts associated with it are the excavation of  
17 approximately a tenth of an acre of tidal emergent  
18 vegetation.

19 The structures are four hundred and forty-five  
20 linear feet of riprap, T-shaped pier, four mooring  
21 dolphins, and they will be dredging an area four hundred  
22 by a hundred feet to a depth of twelve feet, seventy-four  
23 hundred cubic yards and there will also be some upland  
24 excavation to straighten the shoreline.

25 This is just a Topo map showing the area. You

1 can see the red arrow up toward the top and the end of the  
2 canal.

3 This is just an aerial version showing the area.  
4 Here is just kind of a schematic, the diagram of  
5 the project showing the marsh area to be removed in front  
6 of that pier, and, then, the excavation of the upland  
7 area.

8 Here is a picture of the site showing the  
9 vegetation that is present. It is more of what you see in  
10 a freshwater, or brackish water, situation. It is Piper  
11 weed and what is commonly called duck potato, if you are  
12 familiar with that.

13 For mitigation of removing that almost tenth of  
14 an acre of vegetation, the applicant is proposing using  
15 some leftover mitigation from a previous project.

16 The commission approved this project back in  
17 2020. It is further up the canal. It was for a much  
18 larger project. All the mitigation was not used for that  
19 project so there were some areas left over where this  
20 could be used.

21 This is just a diagram from that project showing  
22 the mitigation area that was used for that project.

23 There was a variance requested for the project.  
24 It as from Mississippi Administrative Code Title 22, Part  
25 23, Chapter 8, Section 106.03, alignments must avoid

1 sensitive coastal wetlands.

2 This variance request was justified under  
3 Mississippi Administrative Code Title 22, Part 23, Chapter  
4 8, Section 118.04. The activity requires a waterfront  
5 location, significant public benefit in the activity and a  
6 public hearing was held.

7 The project was placed on public notice.

8 we did have a public hearing for the project on  
9 March 15<sup>th</sup>.

10 we had no public comments from either. The only  
11 agency that we got comments from was the Secretary of  
12 State's Office and they could not determine where the  
13 boundary between public trust and non-public trust was, so  
14 they kind of just deferred to that.

15 Recommendation from the staff is that the  
16 project is consistent with the Coastal Program because it  
17 serves a higher public purpose by expanding the port and  
18 economic development of Hancock County.

19 The staff is requesting that the commission  
20 recommend to the Executive Director approval of the  
21 variance and the Coastal Zone Consistency Request.

22 COMMISSIONER DANIELS: Thank you.

23 Do we have any questions?

24 (No response.)

25 COMMISSIONER DANIELS: I don't have any

1 questions.

2 Do we have a motion to approve the  
3 recommendation by the staff?

4 COMMISSIONER ROBERDS: I'll make a motion.

5 COMMISSIONER DANIELS: I'll second that.

6 All those in favor?

7 COMMISSIONER ROBERDS: Aye.

8 COMMISSIONER McCLENDON: Aye.

9 COMMISSIONER DANIELS: Aye.

10 Motion passes.

11 GREG CHRISTODOULOU: The next project is a  
12 Request for Permit by Huntington Ingalls Industries. It  
13 is located in Pascagoula in the Industrial Development Use  
14 District. The agent is Burk-Kleinpeter, Incorporated.

15 This is the continual maintenance dredging and  
16 dredging at the Ingalls Shipbuilding facility in  
17 Pascagoula.

18 Here are the locations that are scheduled to be  
19 maintenance dredged. They currently have a permit that  
20 goes to 2024. Their current permit is still active. This  
21 would take place once their current permit is expired.

22 They are asking continued maintenance dredging  
23 to thirty-eight feet in several locations.

24 The only new dredging that is taking place is  
25 deepening of the West Bank Sonar Pit by five feet to

1 fifty-five feet.

2 This is a diagram with the aerial. The areas in  
3 kind of the green shading are the areas that will be  
4 maintenance dredged to thirty-eight feet. The orange  
5 areas are areas that were not covered in the 2014  
6 authorization, but have been previously dredged before.

7 You will notice the East Bank facility. They  
8 are trying to reopen that and get that going after it was  
9 pretty much devastated by Katrina in 2005 and there have  
10 not been any operations going on there, so they are trying  
11 to get that going again.

12 Here is just another kind of closeup drawing  
13 showing those areas to be dredged. Again, most of the  
14 orange areas are thirty-eight feet. The purple areas are  
15 also thirty-eight feet. The sonar pit, the blue is to  
16 fifty-five feet. The green area is the launch pit which  
17 is seventy-four feet.

18 There was a variance requested and that had to  
19 do with dredging/excavation must avoid creating sinks, or  
20 sumps, and the dredging depth is limited to the parent  
21 body of the water.

22 It was justified saying the impacts to coastal  
23 wetlands will be no worse than if the requirements were  
24 followed and that is that they already have an adjacent  
25 sonar pit that is dredged to the same depth and they also

1 have the launch pit that is dredged already to a much  
2 deeper depth of seventy-four feet than the fifty-five feet  
3 that they are requesting right now.

4 The project was placed on public notice. There  
5 were no comments received.

6 MDEQ had no comments.

7 Archives and History had no objections.

8 Secretary of State has stated that they would  
9 not like to see that dredged material reenter public trust  
10 tidelands.

11 Staff has evaluated the project and determined  
12 that it does serve a higher public interest by allowing  
13 Ingalls to continually maintenance dredge so they can  
14 construct and service vessels needed by the Navy, Coast  
15 Guard, Merchant Marine and commercial vessels.

16 Staff requests a motion that the commission  
17 recommend to the Executive Director approval of the  
18 variances, approval of the permit with the condition that  
19 the material be used for beneficial use, if it is deemed  
20 suitable and if there is a beneficial use site available.

21 Otherwise, Ingalls does have its own upland  
22 disposal area on site that they manage material in. If it  
23 is not suitable and if there is not a site available at  
24 the time, then, they will use the upland facility.

25 COMMISSIONER DANIELS: Any questions?



1 (No response.)

2 COMMISSIONER DANIELS: Do we have a motion to  
3 approve the recommendation?

4 COMMISSIONER McCLENDON: I'll make the motion.

5 COMMISSIONER DANIELS: I'll second that.

6 All those in favor?

7 COMMISSIONER McCLENDON: Aye.

8 COMMISSIONER ROBERDS: Aye.

9 COMMISSIONER DANIELS: Aye.

10 Keep on rolling.

11 GREG CHRISTODOULOU: One more.

12 This is a Certificate of Exclusion by the  
13 Jackson County Port Authority located on the Pascagoula  
14 Lower Sound and Bayou Casotte navigation channels. It is  
15 located in the (S5) Navigation Channel Use District and  
16 the agent is Anchor QEA.

17 A little background on this project. This  
18 project was previously approved in 2011, but the permit  
19 has expired.

20 The previous project went through a big EIS  
21 process. It was put through the wringer by federal and  
22 state agencies, before we got to this point.

23 The project was never undertaken, so they are  
24 requesting reauthorization of the project.

25 The project involves widening the navigation

1 channel to the west by one hundred feet. Seven point two  
2 miles of navigation channel. Thirty-eight thousand two  
3 hundred linear feet to forty-two feet with two feet of  
4 overdredge and two feet of advanced maintenance. The  
5 total amount of material is approximately three point four  
6 million cubic yards.

7 There was a variance request with regard to  
8 going below that forty-two foot dredging level because  
9 they had the overdredge and the enhanced maintenance in  
10 there.

11 That would be justified because it would be no  
12 worse than if the guidelines were followed. The  
13 overdredge and the advanced maintenance is allowable  
14 dredging that is pretty common with the Corps of Engineers  
15 and dredging. Dredging is not an exact science. There  
16 might be places that might be missed here and there along  
17 the way of this seven point two mile track. That is the  
18 reason for that overdredge and the maintenance.

19 Here is a diagram of the project. You can see  
20 the white area is the navigation channel in question.  
21 There are a couple of blue rectangles that are included  
22 there and those are going to be the highlighted points  
23 that I will have in the next couple of drawings that you  
24 will see.

25 You can see on this drawing this is where the

1 turn comes into the channel and you can see that  
2 transition area where the hundred feet to the west will  
3 take place. It is currently three-hundred-and-fifty feet  
4 wide and they are planning to go to four-hundred-and-fifty  
5 feet wide.

6 Here is a little bit closer to the mouth. This  
7 drawing also includes the alternative. One of the  
8 alternatives was to do fifty feet on each side instead of  
9 one hundred feet to the west.

10 The hundred feet to the west was a better option  
11 because if you are familiar with it, most of the sediment  
12 in the Sound moves from east to west. You would get a lot  
13 more siltation on that eastern side. That's why it was  
14 proposed to go to the east instead of fifty feet on each  
15 side.

16 This is just a dredge profile, or section view.  
17 with the variance request, impacts to coastal  
18 wetlands will be no worse than if the requirements were  
19 followed.

20 we did put this project on public notice. We  
21 received no comments.

22 MDEQ is reviewing the project.

23 we had no objections from Archives.

24 wildlife Fisheries no comments.

25 The Secretary of State again, as with the

1 previous dredging project, does not want to see the  
2 dredged material enter the public trust tidelands areas  
3 outside the designated placement areas.

4 As far as those placement areas go, as with the  
5 previous project, they had several options for that  
6 material, where it could go. One of the places was  
7 offshore disposal.

8 One of the options was also putting it in the  
9 littoral zone around Horn Island to where the sediment  
10 could actually be put in suspension, and, then, be put  
11 back in the normal flow of how the sediment would move  
12 anyway. You would still have that sediment be in the  
13 system and moving from east to west and, also, beneficial  
14 use which was very new at the time in 2011.

15 Staff recommends that it serves a higher public  
16 purpose by improving shipping transit conditions and  
17 safety of port operations and the industries that utilize  
18 Bayou Casotte.

19 Staff requests that the commission recommend to  
20 the Executive Director approval of the variance, approval  
21 of the project with the condition that, again, if there is  
22 a site available and the material is suitable that it go  
23 to that beneficial use.

24 I have been informed by the agent there has been  
25 a lot more talks lately about maybe trying to get the

1 whole into a beneficial use site.

2 This is going to be a long-term project. We  
3 don't know when it might start. There have been permitted  
4 beneficial use sites very, very close at the mouth of  
5 Bayou Casotte. If you are familiar with Greenwood Island,  
6 that was permitted, I believe, about last year and  
7 hopefully before long we will have construction of that  
8 and it will be a really large place to put a lot of that  
9 material.

10 Questions?

11 COMMISSIONER DANIELS: The question I've got is  
12 dredging just the west side and if we continue to do that  
13 with siltation coming from the east, wouldn't the channel  
14 actually move over time?

15 GREG CHRISTODOULOU: That is a possibility. I  
16 mean, it sounds plausible to me.

17 I think what you have is this channel is dredged  
18 pretty routinely. The Corps maintains it very well. This  
19 is the county actually applying for the permit. However,  
20 it is going to be the Corps that will actually be doing  
21 the work.

22 COMMISSIONER DANIELS: Regular maintenance  
23 dredging would maintain that eastern wall and we are not  
24 just continually taking out to the west of it.

25 GREG CHRISTODOULOU: That's right.

1 COMMISSIONER DANIELS: Any other questions?

2 (No response.)

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

5 COMMISSIONER ROBERDS: I'll make a motion.

6 COMMISSIONER McCLENDON: I'll second it.

7 COMMISSIONER DANIELS: All those in favor?

8 COMMISSIONER ROBERDS: Aye.

9 COMMISSIONER McCLENDON: Aye.

10 COMMISSIONER DANIELS: Aye.

11 Thank you, Greg.

12 GREG CHRISTODOULOU: That does it for me.

13 COMMISSIONER DANIELS: Before we bring Ms.  
14 Jennifer up, I would like to recognize from Senator  
15 Palazzo's office, Sawyer Walters. We appreciate you  
16 joining us today.

17 SAWYER WALTERS: Thank you.

18 JENNIFER WILDER: Good morning. My name is  
19 Jennifer Wilder and I am going to be presenting a request  
20 for a permit by the Harrison County Sand Beach Authority.

21 The location is Mississippi Sound from Henderson  
22 Point in Biloxi to the I-10 loop in Biloxi.

23 The project area is in the General Use District  
24 and the Commercial Fishing and Recreational Marinas  
25 District, and the agent is BMI Environmental Services.

1           They are requesting a ten-year permit for  
2 maintenance of the Harrison County beaches, most of  
3 Harrison County beaches. The fill area will be twenty-  
4 four point five nine miles in length and up to two-  
5 hundred-and-fifty feet in width from the existing seawall.

6           The material for the renourishment of the  
7 beaches is going to come from up to twenty-two borrow pits  
8 off the Coast.

9           They range in eighteen hundred feet to two  
10 thousand two hundred and seventy-nine feet from the  
11 seawall.

12           They are eighteen point six six acres to a  
13 hundred and three point two six acres in size.

14           It will be dredged between nine to sixteen feet  
15 below mean low water in depth.

16           They are also requesting to be able to maintain  
17 the outfall structures doing repairs to a hundred and  
18 eighty-three outfall pipes and eleven outfall channels.

19           Here is a map showing from Henderson Point to  
20 the I-10 loop.

21           They are requesting two variances to the Coastal  
22 Program; the first one being that the permanent filling of  
23 coastal wetlands below the mean high tide line because of  
24 potential adverse and cumulative environmental impacts is  
25 not authorized, and the second that the

1 dredging/excavation process must avoid creating sinks, or  
2 sumps.

3 They are justifying these requests by saying  
4 that the activity requires a waterfront location, there is  
5 significant public benefit and a public hearing was held  
6 March 16<sup>th</sup> of this year.

7 We did run a public notice in the Sun Herald.  
8 It was also published on the DMR website and there was a  
9 public hearing held, none of which had any public  
10 comments.

11 The Department of Environmental Quality had no  
12 comments.

13 The Department of Archives and History has no  
14 objections as long as the seawall is not going to be  
15 affected.

16 Wildlife, Fisheries and Parks had no comments.

17 The Secretary of State authorized the project.

18 The staff evaluated this project based on  
19 decision factors found in the Coastal Program and found  
20 that it is consistent with the Coastal Program because it  
21 serves a higher public purpose by providing protection to  
22 public roadways, protection to shoreline structures and  
23 will be able to increase public access to Coastal wetlands  
24 for recreational activities.

25 The staff requests that the commission make a



1 motion to the Executive Director to approve the requested  
2 variances and to approve the permit as requested.

3 Larry Lewis is here, if you have any questions  
4 about the project. He is with the agent.

5 JOE SPRAGGINS: I've got a couple questions.

6 This is all in Harrison County?

7 JENNIFER WILDER: Except for the part we already  
8 approved the City of Biloxi did.

9 JOE SPRAGGINS: Basically from the Bay St. Louis  
10 bridge to the Ocean Springs bridge?

11 JENNIFER WILDER: Yes, sir, the two permits  
12 together, the one we did for the City of Biloxi.

13 JOE SPRAGGINS: The other question is, like in  
14 Hancock County where they allowed them the dredging, or to  
15 be able to bring in sand from somewhere else, is that  
16 going to be in this permit to allow them to bring in sand  
17 from the rivers, or whatever?

18 JENNIFER WILDER: They are not requesting that,  
19 no, sir. They think that they can get all of the  
20 renourishment material offshore.

21 JOE SPRAGGINS: I guess the question I'm asking  
22 is if it is not going to hold up anything, why wouldn't  
23 they put it in there just for the simple thing that if  
24 they do and there is some reason that we have some with  
25 the Corps, or something happens offshore, that they would

1 have that capability?

2 They don't have to use it, but they would have  
3 the capability.

4 JENNIFER WILDER: Larry, is there a reason that  
5 y'all didn't include that?

6 Here comes willa.

7 WILLA BRANTLEY: We are actually permitting two  
8 things. We are permitting the fill for the beach and the  
9 dredging to get the material. That doesn't mean that the  
10 material has to come from those sites. It can come from  
11 anywhere as long as it is clean material. We are  
12 authorizing that fill separate.

13 JOE SPRAGGINS: They can truck it in from the  
14 Pearl River, if they want to?

15 WILLA BRANTLEY: Yes, sir, as long as it is  
16 clean.

17 JOE SPRAGGINS: That's all I wanted to know.

18 COMMISSIONER ROBERDS: That was the coarser sand,  
19 right, Director, to help with some of the blowing sand on  
20 Highway 90?

21 JOE SPRAGGINS: Yes, that and the other thing is  
22 that a lot of times it is just cheaper. Sometimes it is  
23 cheaper to do it and they can haul it in.

24 A lot of places like the Tombigbee, they will  
25 give you the sand. The Corps will give it to you and you

1 haul it. They will give it to you and you haul it here.  
2 That may be a little bit more expensive to do and could  
3 possibly be better over in Jackson County.

4 I know Hancock County has trucked it in and they  
5 have done that several times. It just depends on what  
6 works out best.

7 WILLA BRANTLEY: That's what the City of Biloxi  
8 requested.

9 JOE SPRAGGINS: Yes, that's what they are doing.  
10 We are doing a test there.

11 WILLA BRANTLEY: Yes, sir.

12 JOE SPRAGGINS: The test that we are doing in  
13 Biloxi is trying to use the Pearl River sand because it  
14 supposedly connects together better. I don't know if you  
15 can look at a sand particle and figure it out, but it  
16 connects better, or whatever, and the thing we are doing  
17 there we are building the boardwalk with an eighteen inch  
18 lip, and, then, it has a little curve on it, and, then, we  
19 are trying to do two, or three, things to find out whether  
20 this will help with the blow-off. The blow-off onto  
21 Highway 90 is what we are working on.

22 I think we are going to find out that the sand  
23 part may not be the actual answer because once that water  
24 washes in and out, it kind of mixes the sand anyway, but  
25 it might help some. We are doing everything we can.

1 COMMISSIONER DANIELS: Any other questions?

2 (No response.)

3 COMMISSIONER DANIELS: Do we have a motion to  
4 approve staff's recommendation?

5 COMMISSIONER ROBERDS: I'll make a motion.

6 COMMISSIONER McCLENDON: I'll second it.

7 COMMISSIONER DANIELS: All those in favor?

8 COMMISSIONER ROBERDS: Aye.

9 COMMISSIONER McCLENDON: Aye.

10 COMMISSIONER DANIELS: Aye.

11 Motion passes.

12 Thank you.

13 JENNIFER WILDER: Thank y'all.

14 COMMISSIONER DANIELS: Matt Murphy.

15 MATT MURPHY: Good morning. My name is Matt  
16 Murphy.

17 I have a request for a permit by the Mississippi  
18 Department of Marine Resources. It is in the St. Louis  
19 Bay in Pass Christian. It is in the General Use District.  
20 The agent is The Nature Conservancy.

21 The overall project is the creation of up to  
22 fifty-seven and a half acres of artificial oyster reef,  
23 while maintaining at least a two foot minimum clearance  
24 below mean lower low water, and the material for the  
25 creation of this oyster reef will be limestone, crushed

1 concrete, oyster shell, or some combination of those  
2 materials.

3 Here is the proposed project location for the  
4 oyster reef. The darker bold black outline is the new  
5 oyster reef and the shaded area to the west of it is the  
6 existing oyster reef that was created years back.

7 Here is just a more zoomed-in image showing the  
8 proposed new boarders for the new oyster reef, as well as  
9 the existing reef on the left.

10 Then, here is just a profile view of what the  
11 oyster reef will look like while maintaining that  
12 clearance.

13 The applicant did request a variance of the  
14 Coastal Program, filling of Coastal wetlands because of  
15 potential adverse and cumulative environmental impacts,  
16 and it justified this variance by stating that the impacts  
17 to Coastal wetlands would be no worse than if the  
18 requirements were followed.

19 The applicant is also requesting a Coastal  
20 Wetlands Use Plan change from a G which is General Use  
21 District to S-6 which is Special Use-Restoration and  
22 Enhancement.

23 Notification of the project did appear in the  
24 Sun Herald and was also posted on the MDMR website, and we  
25 received no public comments.

1 We have received no comments from DEQ.  
2 Archives and History has no objections.  
3 No comments from Wildlife Fisheries and Parks.  
4 The Secretary of State stated that to the extent  
5 that any authorization from them is required such is  
6 hereby given.

7 Staff of the Department of Marine Resources has  
8 conducted a thorough evaluation in accordance with the  
9 Coastal Program and based on the results of these  
10 findings, we have determined that it is consistent with  
11 the Coastal Program as it serves a higher public purpose  
12 in the creation of these oyster reefs.

13 Staff therefore requests a motion that the  
14 commission recommend to the Executive Director approval of  
15 the requested variance, approval of the requested use plan  
16 change and approval of the requested permit.

17 Are there any questions?

18 COMMISSIONER DANIELS: Before we do that, Sandy,  
19 I've got a question for you.

20 One of my companies has been involved in some  
21 work on this project.

22 Do I need to recuse myself from this?

23 SANDY CHESNUT: Has been involved in some work?

24 COMMISSIONER DANIELS: Yes, surveying out there.

25 SANDY CHESNUT: The work has already been done?

1           COMMISSIONER DANIELS: I believe it was  
2 preliminary surveys of the area, yes, ma'am.

3           SANDY CHESNUT: Granting of the permit really  
4 doesn't affect what has already been done.

5           COMMISSIONER DANIELS: There is the potential of  
6 future surveying that needs to be done after the fact.

7           SANDY CHESNUT: If there is potential future  
8 stuff, you can go ahead and recuse yourself.

9           COMMISSIONER DANIELS: I am going to recuse  
10 myself from this one.

11           Any questions?

12           (No response.)

13           COMMISSIONER DANIELS: It is up to y'all, if  
14 y'all would like to make a motion to approve the  
15 recommendation.

16           COMMISSIONER McCLENDON: I'll make a motion.

17           COMMISSIONER ROBERDS: I'll second the motion.

18           COMMISSIONER DANIELS: All in favor?

19           COMMISSIONER McCLENDON: Aye.

20           COMMISSIONER ROBERDS: Aye.

21           COMMISSIONER DANIELS: I recuse.

22           MATT MURPHY: Thank you.

23           COMMISSIONER DANIELS: Thank you.

24           That is all for Coastal Resources Management  
25 today.

1           Up next is going to be Ms. Leslie Brewer,  
2 Finance and Administration.

3           LESLIE BREWER: Good morning Direct,  
4 Commissioners, Sandy.

5           welcome Mr. McClendon.

6           I'm Leslie Brewer, CFO. I will be presenting  
7 the financial statements for the month ending April 30<sup>th</sup>,  
8 2022.

9           At the end of April, there was five million  
10 dollars in revenue. Total Agency Revenue was twenty-one  
11 point nine.

12           Our State Net Income was a negative four hundred  
13 and thirty-four thousand, and our Total Agency Net Income  
14 was one point five million.

15           We show a negative in the state because we don't  
16 typically get our appropriations until around September  
17 which is after the fiscal year ends.

18           After ten months of fiscal year 2022, we have  
19 eighty point two percent of the Operating Budget remaining  
20 and Tidelands has sixty-three point nine percent.

21           Does anyone have any questions?

22           COMMISSIONER DANIELS: A lot of numbers. I don't  
23 have any questions.

24           Anybody else?

25           COMMISSIONER McCLENDON: I'm just curious.



1 Are we on a calendar year here?

2 LESLIE BREWER: We are 6-30 year end.

3 COMMISSIONER McCLENDON: Six thirty?

4 LESLIE BREWER: Yes. We get our appropriations  
5 usually in September so it will never reflect on our  
6 financials. The state usually goes into the negative.

7 JOE SPRAGGINS: One thing we did get this year  
8 thanks to the legislature, they did the SEC2 which is to  
9 realign the personnel in the agency as to what their pay  
10 rates should be.

11 Obviously, the thing to do is to get them to  
12 what is called market. We are not going to get there, but  
13 they did give us the chance to get them to minimum.  
14 Hopefully we will get that at least, and, then, maybe some  
15 more in the future so some people are going to start being  
16 able to be paid a little bit more than they have in the  
17 past.

18 COMMISSIONER DANIELS: More money is always good.  
19 Thank you, Leslie.

20 LESLIE BREWER: Thank you.

21 COMMISSIONER DANIELS: Ms. Charmaine, Public  
22 Affairs.

23 CHARMAINE SCHMERMUND: Good morning  
24 Commissioners, Director Spraggins, Ms. Chesnut.  
25 welcome Commissioner McClendon.

1           The Mississippi Department of Marine Resources  
2 was mentioned twenty-seven times in local, state and  
3 national media since the February MACMR meeting. News  
4 items included our Mississippi Seafood Cook-off, oyster  
5 farming and the announcement for the opening of Red  
6 Snapper season.

7           The Office of Marine Patrol participated in  
8 various school events at 28<sup>th</sup> Street Elementary School,  
9 Nichols Elementary School and Biloxi High School.

10          Additional events included Touch-A-Truck for  
11 CASA of Hancock County and the Long Beach Chamber of  
12 Commerce, the South Mississippi Boat Show, Healthy Kids  
13 Day and Shuckers Education Day.

14          Earlier this year, the Office of Coastal  
15 Resources Management held a workshop on Alternative  
16 Bulkhead Design at the MSU Extension campus. There were  
17 more than forty people in attendance.

18          The Invasive Species Program at the Office of  
19 Coastal Resources Management took part in Mississippi  
20 Aquarium's Invasive Species Day in March. Approximately  
21 three hundred visitors stopped by to learn about invasive  
22 species in our state's marine waters.

23          In March, the agency assisted with the South  
24 Mississippi Saint Jude's Classic Bass Tournament by  
25 transporting over three hundred live adult bass back to

1 the south Mississippi river systems from areas they were  
2 caught during the tournaments.

3 we held the 2022 Mississippi Seafood Cook-off in  
4 Gulfport last week in conjunction with the Gulfport  
5 Chamber of Commerce's Taste, Rattle AND Roll. It was a  
6 great night with four chefs competing for the title.

7 we are proud to announce Cooper Miller with  
8 Forklift in Tupelo is this year's Mississippi Seafood King  
9 and he will go on to compete among other U.S. states and  
10 territories at the Great American Seafood Cook-off in New  
11 Orleans on August 6<sup>th</sup>.

12 COMMISSIONER DANIELS: You mean a boy from Tupelo  
13 came down her and whipped all these chefs on the Coast?

14 CHARMAINE SCHMERMUND: Yes.

15 COMMISSIONER DANIELS: That's great.

16 Thank you, Charmaine.

17 CHARMAINE SCHMERMUND: Thank you.

18 COMMISSIONER DANIELS: Office of Marine  
19 Fisheries.

20 we have Jason Saucier up first.

21 JASON SAUCIER: Good morning Commissioners.

22 I would like to welcome the new Commissioner,  
23 Commissioner McClendon.

24 I am going to be presenting to you the first  
25 presentation K.1, to go over final adoption of our

1 recently updated Parts 4 and 21.

2 Just a mention, we did combine 4 and 21. This  
3 was done back in February and y'all should have the  
4 background materials and hopefully you had a chance to  
5 look at those.

6 This is just a new title of the part. It does  
7 include harvesting and processing of saltwater crabs in  
8 Mississippi waters.

9 The Commission recommended on February the 15<sup>th</sup>  
10 to the Executive Director that the new format and changes  
11 to Parts 4 and 21 be send to the Secretary of State's  
12 Office for Notice of Intent.

13 The Director approved the recommendation, and  
14 the Notice of Intent for the proposed regulation was filed  
15 with the Secretary of State's Office on February 17<sup>th</sup>.

16 The notice of the proposed regulation was  
17 published in the Sun Herald on March 1<sup>st</sup>.

18 The notice of the proposed regulation was also  
19 posted on the MDMR website on February 25<sup>th</sup>.

20 There is the Notice of Intent on the Secretary  
21 of State's form, there is the link and the actual website  
22 notice, and here is the affidavit of publication in the  
23 Sun Herald (indicating slide).

24 No public comments were received.

25 we did make one minor change. We did consult

1 with the Secretary of State on if this was substantive  
2 change. It was not. It is rewording to make it more  
3 clear, but I did want to read that into the record since  
4 it was not presented to you in February.

5 The new Part 4, Rule 6.1, will read:

6 “Any person, firm, corporation, or any  
7 person in command of, or control of, any  
8 boat with a commercial shrimp license,  
9 fish net license, or oyster license, must  
10 also possess a commercial crab license to  
11 retain crabs for commercial purposes.  
12 This does not apply to crabs retained  
13 for personal consumption as allowed  
14 in statute.”

15 You will see the strike-through language there.  
16 Nothing was changed here. They were already required to  
17 possess the commercial license no matter the gear type of  
18 harvest (indicating slide).

19 For final adoption we did move ahead since we  
20 did have public notice period.

21 The proposed regulation was filed with the  
22 Secretary of State’s Office on March 28<sup>th</sup>. There is a copy  
23 of the filed notice (indicating slide).

24 I will take any questions you have at this time.

25 COMMISSIONER DANIELS: Any questions?

1 (No response.)

2 JASON SAUCIER: I just wanted to mention this is  
3 effective May 1<sup>st</sup> along with some other regulations that we  
4 presented to y'all over the last few months.

5 COMMISSIONER DANIELS: Y'all are doing great work  
6 with this. A lot of this stuff needed to be cleaned up  
7 and repetition taken out. I know it is a big task.

8 We don't have any questions.

9 Do we have a motion to approve?

10 SANDY CHESNUT: No motion is needed on this one,  
11 Commissioner.

12 COMMISSIONER DANIELS: No motion is needed?

13 SANDY CHESNUT: No motion is needed.

14 COMMISSIONER DANIELS: Good job.

15 JASON SAUCIER: Thank y'all.

16 COMMISSIONER DANIELS: Next is Matt Hill.

17 MATT HILL: Good morning.

18 This is along the same lines as Jason. This is  
19 the combination of our finfish rules into Part 3. I will  
20 try to be brief.

21 Notice of Intent was sent to the Secretary of  
22 State's Office on February the 25<sup>th</sup>.

23 We did have the publication of proposed  
24 regulation in the Sun Herald and we did post it on our  
25 website.

1           Here is the proper documentation (indicating  
2 slide).

3           We received no public comments and, like I said,  
4 this has been a long process. It was much needed. It is  
5 much cleaner. The public has had a good response to it.

6           With that, are there any questions?

7           COMMISSIONER DANIELS: None here.

8           Anybody else?

9           (No response.)

10          COMMISSIONER DANIELS: Thank you, Matt.

11          MATT HILL: Thank you.

12          JASON SAUCIER: I have K.3. This is a Notice of  
13 Intent presentation. You have not seen this one yet, but  
14 this is Rules and Regulations for Special Permits in the  
15 State of Mississippi.

16                 This is an overview. Special permits include  
17 scientific research permits, or special collection  
18 permits, brood stock collection, experimental gear and we  
19 are adding another permit type to this that I will show  
20 you in a second. It also includes nonprofit harvester  
21 permits.

22                 Just a quick summary of the changes.

23                 Revised application and reporting requirements.  
24 We updated a little bit of that language to include some  
25 additional information from the applicant.

1           Revised harvest time restrictions for nonprofit  
2 harvest permits.

3           We removed wording that was already included in  
4 state statute. We cited the applicable statutory and  
5 regulatory authorities as we have done with the other  
6 parts.

7           We updated the format to the new “Rules” and  
8 “Sources” to conform with the format prescribed by the  
9 Secretary of State’s Office, and we added rules for this  
10 Special Transport Permit which I will go over with you in  
11 a second.

12           Substantive changes, I will go through those.  
13 Chapter 3, conditions applicable to all special permits.

14           Rule 3.5. We added “or otherwise prohibited” to  
15 that language so that we could require that they provide  
16 us with a copy of the controlling regulatory agency’s  
17 authorization. It is not just limited to threatened, or  
18 endangered, species, but other prohibited species,  
19 federally managed things that are prohibited for take  
20 otherwise.

21           That way we can make sure that they have their  
22 federal authorization, or other state authorization,  
23 before we issue this special permit.

24           Moving on to Chapter 5, Nonprofit Organization  
25 Harvesters Permit. As I mentioned, we did change that one



1 a little bit as far as trawl time.

2 The new rule will read:

3 "Trawling and oyster harvesting is  
4 limited to the hours beginning thirty  
5 minutes before legal sunrise and ending  
6 thirty minutes after legal sunset" --

7 That new language, it was changed to make it  
8 more enforceable because the times are different based on  
9 the time of year and to conform with language in other  
10 parts so it is more consistent.

11 Moving down to Rule 5.6, we added:

12 "A complete written report of all harvest  
13 activities must be submitted on a form  
14 provided by the MDMR within thirty days  
15 of the expiration of the permit."

16 This is already required for our other permit  
17 types and the same reason. To be consistent with all the  
18 other permits, we put this as a requirement.

19 Moving on to Chapter 8, Special Transport  
20 Permit, this is a new permit and I'm not going to read all  
21 of that in, but, basically, we have a certain amount of  
22 information required from all applicants for all permits  
23 and this is the same language that you will for our other  
24 special permits, and, then, there at the bottom that they  
25 have to report to us for any activities conducted under

1 that permit within thirty days of expiration.

2 This is something that would allow for other  
3 institutions, or government organizations, to be able to  
4 transport specimens, or species, that are not collected  
5 here. It's not a collection permit. It is just to be  
6 able to transport those across state lines.

7 We do currently get requests from NOAA, for  
8 instance, to move sea turtles across the state lines that  
9 may have been stranded in Texas and they want to move them  
10 to a lab on the east coast, and this would be a more  
11 appropriate permit to issue for that scenario.

12 At this time, those are all of our changes. We  
13 ask for a recommendation to the Executive Director that  
14 the new format and changes to Title 22, Part 18, be sent  
15 to the Secretary of State's Office for Notice of Intent.

16 I will take any questions.

17 COMMISSIONER DANIELS: Any questions?

18 (No response.)

19 COMMISSIONER DANIELS: For this one, we do need a  
20 motion.

21 Right?

22 JASON SAUCIER: That's correct. Yes, sir.

23 COMMISSIONER DANIELS: Do we have a motion to  
24 approve the staff's recommendation?

25 COMMISSIONER ROBERDS: I'll make a motion.

1 COMMISSIONER DANIELS: I'll second that.

2 All those in favor?

3 COMMISSIONER ROBERDS: Aye.

4 COMMISSIONER McCLENDON: Aye.

5 COMMISSIONER DANIELS: Aye.

6 JASON SAUCIER: Thank you.

7 COMMISSIONER DANIELS: Thank you.

8 JASON SAUCIER: Moving on to the next one, I will  
9 be presenting to you our annual shrimp season update.

10 We do like to provide some metrics just looking  
11 at historical information in the fishery.

12 You will see there all of our opening dates from  
13 2002 to 2021, the last twenty years, and, then, the  
14 average date you see there in blue is the 9<sup>th</sup> of June.  
15 That average is based on opening days that go back to  
16 1975. It kind of gives you an idea of when we typically  
17 open the season we do manage, as a reminder, for brown  
18 shrimp (indicating slide).

19 This is the number of vessels that we have  
20 counted on opening day. We do go out every year in  
21 vessels and we do an aerial count and we count vessels so  
22 we can get an idea of the amount of effort we see  
23 (indicating slide).

24 You will see a huge disparity between 2014 peak  
25 to 2021. Less and less effort as we go. A lot of factors

1 came into play there. We all know about fuel prices.  
2 Import competition is a big part of this driving prices  
3 down, and, then, you will see a significant decline in  
4 2019. We recall what happened there with the Bonnet Carre  
5 opening. Since that time, we haven't seen near the effort  
6 that we had historically (indicating slide).

7 Just to give you an idea of the shrimp license  
8 sales, you will definitely see a trend there. Starting in  
9 01-02, a pretty good decline in the amount of licenses  
10 sold. The commercial licenses in red there that we sold  
11 for last year. A pretty consistent decline there. On  
12 recreational licenses, we actually saw a little uptick  
13 (indicating slide).

14 Just to go over, as a reminder, how we sample to  
15 determine when is the appropriate date for opening. We do  
16 contract out, or work with Gulf Coast Research Lab.

17 Beginning in February, they collect beam  
18 plankton trawl sampling to look at post larval brown  
19 shrimp at a historical station.

20 It kind of gives us an indication of when the  
21 shrimp are moving out into the Sound and helps us  
22 determine when to start sampling, and, then, in April we  
23 begin with our trawl sampling at historical stations. I  
24 will show you those in a minute, where those are located.

25 We've got ten sites that we pull ten-minute

1 trawls with a standard recreational shrimp net so we can a  
2 look at growth, and, then, we put all of that data  
3 together. It gives us information on average size for the  
4 sample date and that information is used across the sample  
5 period from April to June to help us project out when  
6 those shrimp will get to legal size. Legal size, as a  
7 reminder, is sixty-eight count shrimp. Here are those ten  
8 stations that I mentioned (indicating slide).

9 Just to wrap it up, certainly, if y'all have any  
10 questions, but the 2022-2023 shrimp season will be open by  
11 the Director when shrimp sampling shows Brown Shrimp have  
12 reached the average of sixty-eight count per pound, and  
13 that information will be provided to the Director as we  
14 continue to sample.

15 We do have staff out sampling today. We sample  
16 about twice a week beginning in May to try to get as many  
17 data points as we can to accurately project out when they  
18 will get to legal size.

19 I will take any questions you have.

20 COMMISSIONER DANIELS: At the beginning whenever  
21 you start sampling, are you seeing the juvenile Brown  
22 Shrimp?

23 JASON SAUCIER: We will start sampling in April.  
24 We start weekly sampling in mid April. Generally they  
25 show up in a lot more numbers in the first part of May.

1           The shrimp are a lot smaller, when we are  
2 picking them up in April, the few shrimp that we get.  
3 Some of those shrimp are too small to be retained by the  
4 webbing.

5           we generally start seeing a lot more numbers in  
6 the second week of may, I would say, on average. That is  
7 really when they are showing up in the samples a lot more,  
8 if you look at the historical data.

9           COMMISSIONER DANIELS: My question was about the  
10 recent closure that we had. Joe and I discussed this  
11 quite a bit. I was trying to wrap my head around it.

12           Do we sample to get to that closure, or it is  
13 just a hard date?

14           JASON SAUCIER: That is a hard date in statute,  
15 the end of April closure you are referring to south of the  
16 lane and west of Gulfport. Historically everything south  
17 of the lane closed and in 2017 state statute was changed  
18 to allow everything east of Gulfport and south of the ICW  
19 to remain open year round.

20           That is currently open. There are fishable  
21 waters, harvest areas that are open that they could go  
22 fish today, and that was based on historical data, what we  
23 saw in those areas during that period of time.

24           The whole idea of closing is to protect this  
25 year's crop. It is a similar thing that all the other

1 Gulf states do. You close the area so they can get to  
2 market size so that, when they go harvest, they've got a  
3 marketable product.

4 The areas that you see on this map are all  
5 inside waters, even the southern most points are on the  
6 ICW. These are in areas that are currently closed.

7 COMMISSIONER DANIELS: Seven, eight and nine  
8 would fall where that closure is?

9 JASON SAUCIER: Yes. They are currently closed  
10 because everything west of Gulfport ship channel is closed  
11 right now and those are on the lane anyway. Nine is  
12 actually well inside the lane, but those areas that we are  
13 sampling are currently closed and we are basing our  
14 projection and our recommendation to the Director that  
15 currently closed areas have legal shrimp at this time, or  
16 will have on this date.

17 COMMISSIONER DANIELS: Any other questions?

18 COMMISSIONER McCLENDON: Yes. I've got a quick  
19 question about methodology.

20 Jason, these ten spots that you are sampling,  
21 have these moved anytime let's just say in the past  
22 decade?

23 JASON SAUCIER: Not that I'm aware of. We did  
24 add a station. Station 10, which is near Broadwater, or  
25 Sharkheads, was added at some point in the last ten years

1 to give us a better area because we had sort of a gap  
2 there, and it was just to add data, but historically they  
3 have not moved since -- it has been a long time. These  
4 are standardized stations. We use the same methodology.  
5 Part of that is so that we can track abundance at that  
6 point in time.

7 we actually sample these year round, once a  
8 month year round once the season is open.

9 we make sure that our current management  
10 recommendations are still valid. These closure areas are  
11 still pertinent and we need these areas to be closed  
12 because we might have sublegal shrimp in these areas.

13 COMMISSIONER McCLENDON: As far as the count is  
14 concerned, when there is higher volumes in one area that  
15 may have a higher count, how do you offset those with a  
16 lower volume area with a lower count?

17 JASON SAUCIER: For the last at least four, or  
18 five, years what we have done is a weighted mean based on  
19 the abundance per station. They are more heavily weighted  
20 in the overall average.

21 Let's say we catch two-hundred-and-fifty shrimp  
22 at Station 3 and we catch two shrimp at Station 7. Those  
23 two shrimp which might be larger shrimp, they are not  
24 equal in the average as the two hundred and fifty we  
25 caught at Station 3.



1           COMMISSIONER McCLENDON: Louisiana opened this  
2 year on the 16<sup>th</sup> and the 23<sup>rd</sup>, and what they have actually  
3 seen is they started with about seventy-five percent large  
4 white Shrimp. A lot of people think that is from  
5 Hurricane Ida.

6           Have you seen anything like that in Mississippi  
7 so far?

8           JASON SAUCIER: We have seen a few white Shrimp,  
9 but not in any substantial numbers.

10          Like I said, we do have an area open out here.  
11 That is where they typically catch white Shrimp in the  
12 fall. All of our areas south of the lane around Horn  
13 Island, Ship Island, Petit Bois, those areas are open, so  
14 they probably are seeing more white Shrimp out there parts  
15 of the year, but our sample stations are not necessarily  
16 out there.

17          COMMISSIONER McCLENDON: Thank you.

18          COMMISSIONER DANIELS: I'm glad you brought that  
19 up, Jonathan.

20          That's where the questioning was being sent to  
21 me on the closure is in that area when we closed it. They  
22 were telling me that they were seeing little to no  
23 juvenile Brown Shrimp, but they still had a ton of big  
24 mature white Shrimp available.

25          JASON SAUCIER: You are talking about west of

1 Gulfport south of the lane?

2 COMMISSIONER DANIELS: Yes.

3 JASON SAUCIER: We have extended it when  
4 requested by the fishery and based on sampling.

5 what we have typically done in the past, if we  
6 get requested by fishermen that I'm actively fishing this  
7 area, I'm not seeing any sublegal shrimp, or recruits,  
8 this year's recruits to the fishery, I would like to  
9 request that it remain open, and, then, we sample in those  
10 areas and confirm that we are not seeing any because we  
11 have to have that information to substantiate.

12 We have not received requests in the last few  
13 years, or I haven't directly.

14 COMMISSIONER DANIELS: The whole reason that I  
15 was questioning this is because I was getting asked those  
16 questions and I was told that it is hard and fast in  
17 statute. Nothing can be done. It has to close on that  
18 date. There is nothing we can do about it.

19 JASON SAUCIER: We have historically opened it.  
20 It has been a few years, but I think we have done it as  
21 recent as probably 2017, and it is typically a seven-, or  
22 ten-day extension past May 1<sup>st</sup>, but that is allowable.

23 The Director would have to approve it, but we  
24 have to get the request directly and I didn't get a  
25 request.

1           COMMISSIONER DANIELS: If I had had that  
2 information, that would have been great. I could have  
3 passed that along to them and told them to make that  
4 request, but I was told it was hard and fast. It's a no.  
5 Shut it down.

6           JASON SAUCIER: Like I said, our stuff is on the  
7 lane. Seven, eight and nine, if you look at the data,  
8 those had small shrimp there. Now, those are in the  
9 closure area, but they are right on the line. There are  
10 some there. We would have to go do some additional  
11 sampling, if requested, south of that area, but it is  
12 highly likely that if we had a bunch of small Brown Shrimp  
13 in those areas, that there would be at least some that  
14 they would be catching south of that lane, too. They  
15 don't stop at that boundary necessarily, but, certainly,  
16 in the future, if somebody sends a request to you, or has  
17 that question, definitely forward it to me and we will  
18 investigate.

19           JOE SPRAGGINS: He asked me about it and I called  
20 Rick and we talked about it. Maybe it is my fault for  
21 misunderstanding, Commissioner, because I was  
22 understanding that they had looked at it.

23           Had y'all not even looked at it --

24           JASON SAUCIER: (Interposing) well, Rick is  
25 privy to the data that we send because we provide that to

1 him for seven, eight and nine, and the average, and he is  
2 right. Those shrimp are under size and maybe that's the  
3 way we looked at it in the past is those sites are enough  
4 information to tell us that this area needs to be closed  
5 because those shrimp are going to get across that.

6 RICK BURRIS: Yes. Looking at the data and that  
7 is the way we have already looked at it before, if there  
8 is any amount of juvenile shrimp in the samples, we don't  
9 recommend extending it and especially the past few years,  
10 and you saw on the data that Jason just presented our  
11 shrimp fishery has been pretty fragile, the Brown Shrimp  
12 especially the past few years, based on 2019.

13 we would not have recommended opening it because  
14 there was an abundance of juvenile Brown Shrimp in that  
15 area, and I talked to some fishermen as well that had seen  
16 the same thing. I always make a few calls around the end  
17 of the year and the ones that were working that area told  
18 me, we already saw some show up. We are not going to ask  
19 for an extension this year.

20 It just wasn't time this year because they  
21 showed up a little earlier than they normally do, but in  
22 years past when there are no Brown Shrimp in the area and  
23 they are catching White Shrimp and Pink Shrimp, we have  
24 always extended it.

25 JOE SPRAGGINS: I think the lesson learned here

1 is in the future if somebody asks you that, have them  
2 request it through Department of Marine Resources  
3 Fisheries and we will see if we can look at it because I  
4 misled you on that one.

5 COMMISSIONER DANIELS: All right.

6 Thank you.

7 JASON SAUCIER: Thank y'all.

8 COMMISSIONER DANIELS: Before we get done here,  
9 we do have a public comment by Joseph Ferguson on shrimp.  
10 welcome, Mr. Ferguson.

11 JOSEPH FERGUSON: Thank you, Commissioners.  
12 Congratulations, Mr. McClendon.

13 well, you know our shrimp season has been really  
14 lousy. They say all this and all that, but I look at the  
15 number of days the fishermen are out fishing. I look at  
16 the time.

17 This coming season, I hope that they shrimp more  
18 than a couple of days, more than a week, more than two  
19 weeks. I would like to see them fish for two months.

20 This can happen if you protect your shrimp when  
21 they are coming in to spawn.

22 NOAA just found a vessel, a whaling vessel. In  
23 old times, I used to hear stories in the net shops. They  
24 used to catch whales, baby whales. They are the ones with  
25 the cords in their mouths. The Pascagoula fishermen said

1 they made noise in the Pascagoula River estuaries.

2           These fish are no longer here, but think about  
3 how many shrimp would have to be here for whales. I think  
4 it was Beluga whales. I believe that's the ones with the  
5 cords in their mouth. Think about how many shrimp you  
6 would have to have to sustain such a number of whales,  
7 especially if you had a population that had small baby  
8 whales.

9           I want you to consider the amount of shrimp that  
10 our estuaries are capable of putting out, but you have got  
11 to have those shrimp coming in to lay the eggs so that our  
12 shrimp can come out.

13           They can only lay so many eggs, but let me give  
14 a little example of something. Say I had ten shrimp --  
15 the numbers aren't right, but I'm just going to give this  
16 out to you -- and each shrimp laid about ten eggs. I'm  
17 making this easy for mathematic reasons. That would be  
18 about a hundred eggs, but if I came along and I caught  
19 ninety-nine of the shrimp, now you've only got one shrimp  
20 giving you ten eggs. There is a big difference between a  
21 hundred and ten.

22           Those numbers aren't right because shrimp lay  
23 more eggs, but the number of shrimp coming in have to be  
24 protected in order to have the number of shrimp going out  
25 for a juvenile count.

1           This is not just for the Brown Shrimp. I'm  
2 talking about white Shrimp, Rock Shrimp, Pink Shrimp.  
3 They all come in at different times of the year. They  
4 don't just come in one time of the year. They come in at  
5 different times of the year to lay their eggs.

6           Now, the research was done years ago, about  
7 thirty I guess. I worked for a trawl company and we were  
8 looking at it and we said, how come our shrimping industry  
9 keeps going down.

10           Old men would come in and they would talk about  
11 stories and they would just catch tons and tons of shrimp.  
12 I'm not saying tons. I'm talking about millions of tons,  
13 not just a couple of tons.

14           They would talk about barrels. They would talk  
15 about a boat would go out and catch an astronomical amount  
16 of barrels. I don't know how many shrimp are in a barrel.  
17 That is the way they used to measure shrimp in the day.

18           My proposal would be to protect these shrimp so  
19 that we have a larger number of shrimp, not just for the  
20 fishermen to catch, but for the estuary, too, because  
21 speckled trout eat shrimp. Other fish eat shrimp. Thank  
22 about that.

23           This is important for us to protect these shrimp  
24 when they are spawning.

25           we found there can be four, not just one, or

1 two, but four commercial seasons for shrimping.

2 I see my time has run out.

3 Thank y'all for letting me talk.

4 Do you have any questions for me, before I step  
5 off?

6 COMMISSIONER DANIELS: I don't believe so.

7 Thank you for coming out.

8 JOSEPH FERGUSON: Thank you.

9 COMMISSIONER DANIELS: We are going to do  
10 something off the agenda here real quick. We are going to  
11 bring Marine Patrol back up.

12 There was a pretty interesting story. Some  
13 folks had a memorable camping trip to Horn Island I  
14 believe it was and they are here.

15 JOE SPRAGGINS: Just to give you an idea, this  
16 was on April the 28<sup>th</sup> of this year and Mr. Stevie Ray and  
17 Molly and Avery had a little incident out at Horn Island,  
18 and we had Senior Master Sergeant Daphne Moore, Corporal  
19 Tyler Foster and Captain Mike Strickland who responded.

20 They wanted to come today and talk to all the  
21 officers and tell them thank you. We would like to turn  
22 it over to y'all now.

23 STEVIE RAY: I just want to say that we are  
24 forever grateful. For those that don't know what  
25 happened, we had taken a trip and I consider myself pretty



1 good on the water. I grew up just across the Bay from  
2 here and did what I usually do, made sure we had our  
3 things and checked the weather. The weather was supposed  
4 to be beautiful. We were going to Horn Island to watch  
5 the stars under a dark sky away from light pollution.

6 We got out there. Everything was beautiful.  
7 watched the sunset, and, then, ate something and took some  
8 showers. Avery was laying down in the tent and the wind  
9 picked up a little bit. It probably got up to a constant  
10 maybe twenty miles an hour, or so.

11 In a given situation, if it had just been me and  
12 some buddies, I'm sure it would have been something where  
13 we could have waited it out and it would have been a good  
14 story to tell.

15 My three year old is laying in the tent and the  
16 wind picks the back of the tent up, and I don't think  
17 anything of it at first. I just put the stakes back down,  
18 and, then, there is another gust and it picks up the back  
19 of the tent again, and, then, it starts to pick up the  
20 second row and this overwhelming fear rushed over my body  
21 and made me numb for a split second. I hope nobody ever  
22 has to feel that fear.

23 I jumped in the tent. I laid down in the back  
24 and tried to stay calm because I didn't want to freak them  
25 out. I said I'm just going to lay here in the back of the

1 tent for a minute. Everything is fine.

2 It continued about twenty to twenty-five miles  
3 an hour four about an hour, or so, and, then, it calmed  
4 down just for a second and I was like, okay, I've got to  
5 check on the boat.

6 It is dark back there and you can't tell the  
7 difference between the sky and the water, and I don't see  
8 the boat. I'm thinking surely it is here. It has just  
9 drifted away a little bit. I walked a hundred to two  
10 hundred yards in each direction four, or five, times  
11 before Molly comes out and asks if everything is okay, and  
12 I tell her yes, just get back in the tent with Avery  
13 because I was scared that if the wind kicked up again it  
14 would have turned the tent into a kite and I would have  
15 watched my three year old disappear into the water.

16 Luckily I had service on my phone and I called  
17 911. They connected me with the Coast Guard and I  
18 remember the Coast Guard officer saying tell me what is  
19 going on, and, then, he said, well, you've got water and  
20 food.

21 Right?

22 And I knew that that meant us staying there  
23 overnight and I explained the tent situation to him again  
24 and he heard me get choked up and he said, all right, we  
25 are going to figure it out. We are going to go get you.

1           After getting cut off four, or five, times, I  
2 got in touch with the 911 operator again and they said,  
3 DMR is on their way to get you. They got out there so  
4 fast.

5           Thank y'all so much.

6           I remember it still wasn't over and I was  
7 thinking if I could see them coming around the corner, and  
8 I had a flashing blinking light and we had a fire going,  
9 we had Tiki torches, and I remember them saying that they  
10 saw the red light above everything.

11           They were attempting to nose the boat up to the  
12 island two, or three, times and I'm thinking what if this  
13 handoff goes bad. I put my light around Avery's neck just  
14 in case. You see it on TV all the time, but it just hits  
15 different when you are handing over the thing that you are  
16 supposed to protect to somebody else to protect, and that  
17 just meant the world to me.

18           We got on the boat, everything was fine, I  
19 kissed her on the head, and, then, I stepped out back and  
20 I cried like I have never cried before.

21           If you just looked at it on paper, it probably  
22 didn't look like there was anything bad going on. It  
23 wasn't rough seas, but it was enough to scare me to death  
24 that I knew I couldn't hesitate, that I needed to make a  
25 phone call.

1 I am just forever grateful for y'all not  
2 hesitating and getting out there as quickly as you did.

3 I almost felt embarrassed even having to call  
4 and y'all put me at ease and I will never forget Officer  
5 Strickland saying, things change out here fast, and it has  
6 been drilled into my head since I was a kid and it is the  
7 honest truth.

8 Prepare the best you can, prepare a little more  
9 and still be prepared for things to go wrong.

10 Thank y'all very much.

11 JOE SPRAGGINS: If I'm not mistaken, didn't y'all  
12 find the boat about a day later down at Chandelier?

13 STEVIE RAY: I was almost to Chandelier, yes,  
14 sir.

15 KYLE WILKERSON: Mr. Ray, thank you for thanking  
16 these officers for doing a great job.

17 We do that every day and it means the world to  
18 us and these officers that you are safe and appreciate  
19 what they have done.

20 Ms. Avery, I want to give this to you on behalf  
21 of Marine Patrol and the DMR (souvenir given to Avery).

22 STEVIE RAY: Thank you.

23 JOE SPRAGGINS: Thank y'all very much.

24 MOLLY RAY: Thank you.

25 JOE SPRAGGINS: Y'all are welcome to stay to the

1 end of the meeting. We are more proud that you are safe.

2 If I could, we never say enough thank you to our  
3 officers. We do appreciate each and every one of you.

4 Every day they are out there doing something and  
5 I tell you what; there are a lot of people that are saved  
6 today because of the officers. Thank y'all.

7 COMMISSIONER DANIELS: This gentleman obviously  
8 has experience on the water, and I get so frustrated  
9 sometimes looking at social media and people talking about  
10 what can I do, what can I do. It changes so fast out  
11 there and it can go south so quick.

12 One thing my dad always told me growing up, he  
13 said, son, you don't have to be afraid of that water, but  
14 you dang well better respect it and if you don't, it can  
15 get bad real fast.

16 Saltwater Finfish Records. This is always a fun  
17 one.

18 GREG CHRISTODOULOU: We've got two saltwater  
19 records for today. They are both conventional tackle.

20 The first is a Rock Hind, *Epinephelus*  
21 *adscensionis*. The old record was three pounds nine point  
22 six ounces. The new record is three pounds ten point four  
23 ounces. The angler was Mr. Trey Tinkle.

24 Here is a picture of the fish and here is a  
25 picture of Mr. Tinkle with the fish.

1           The second one we have is a Smooth Puffer,  
2           Lagocephalus laevigatus. The old record was six pounds  
3           six point four ounces. The new record is ten pounds. The  
4           angler is Mr. Phillip Overman.

5           Here is a picture of the fish and here is a  
6           picture of the angler with the fish.

7           We need a recommendation to be able to approve  
8           these records.

9           COMMISSIONER DANIELS: Do we have a motion to  
10          approve the records?

11          COMMISSIONER ROBERDS: I'll make a motion.

12          COMMISSIONER DANIELS: I'll second that.

13          All those in favor?

14          COMMISSIONER ROBERDS: Aye.

15          COMMISSIONER McCLENDON: Aye.

16          COMMISSIONER DANIELS: Aye.

17          GREG CHRISTODOULOU: Thank y'all.

18          COMMISSIONER DANIELS: Thank you.

19          Grand Bay NERR. We are going to have Dr.  
20          Jonathan Pitchford come up today.

21          JONATHAN PITCHFORD: Good morning. Good to be  
22          with y'all.

23          welcome Commissioner McClendon.

24          I am going to update you on a couple of the  
25          activities we have had going on at the Grand Bay NERR.

1 I'm Jonathan Pitchford. I'm the Stewardship  
2 Coordinator there.

3 The first one is the natural resource damage  
4 assessment, Grand Bay land acquisition habitat management  
5 project.

6 We have been working on this one since 2018, but  
7 one of our latest projects involves a mastication  
8 contract.

9 This map on the left is showing you an area we  
10 call the Pecan Loop. Pecan Road comes off of Highway 90  
11 and loops back around to Highway 90, and this is kind of  
12 the entrance to the reserve. We feel like this is an  
13 important area to restore.

14 The goal here is to restore it to a Pine  
15 Savanna, or Pine Flatwoods, habitat. It is about a  
16 hundred and fifteen acre project area.

17 This is showing you on the right side of the  
18 road is the south side of Pecan Road and that is the newly  
19 masticated area. On the left side, or the north side, of  
20 Pecan Road is where the contractor is moving next to do  
21 his work (indicating video).

22 The goal here really is just to reduce the shrub  
23 cover and get rid of some of the smaller trees and that  
24 will increase the light getting to the ground and we will  
25 get back some of the grasses and the forbs. This is a

1 very endangered habitat type, Pine Savannas and Pine  
2 Flatwoods.

3 We are working now in about a three thousand  
4 acre project area to bring a lot of this land back to  
5 where it used to be.

6 Another big part of what we do at Grand Bay is  
7 education and public outreach. We have done about thirty-  
8 two different events, I think, since January 1<sup>st</sup>. Some of  
9 these we host. Some of them we just go and attend.

10 We host things like the Sparrow Sweep on  
11 February 5<sup>th</sup>. That is where people come out and actually  
12 catch some of our endangered sparrows that occur at the  
13 reserve. They actually depend on that habitat type that I  
14 was showing you on the previous photos.

15 This ranges all the way to things like the  
16 Biloxi Boat Show.

17 Here are a few more of the different events that  
18 we participated in, in March and April (indicating slide).

19 One that I wanted to highlight is the Celebrate  
20 the Gulf Marine Education Festival. We actually handle  
21 the logistics for that. This year we had fifty-eight  
22 hundred people show up for Celebrate the Gulf, and this is  
23 a team effort. All of the staff at Grand Bay NERR  
24 participate in these events.

25 Celebrate the Gulf actually has a poster contest



1 where the public can enter and draw a poster. This is the  
2 winning poster this year. It was Samantha Breland from  
3 Grand Bay, Alabama, and she was there at the festival  
4 signing her posters (indicating photograph).

5 I think that is all I have.

6 Any questions?

7 COMMISSIONER DANIELS: No questions.

8 Y'all are doing good things. Y'all did a great  
9 job at the Biloxi and Mobile Boat shows. The kids love  
10 what y'all brought to show them.

11 JONATHAN PITCHFORD: I appreciate that.

12 COMMISSIONER DANIELS: Do we have any other  
13 business?

14 JOE SPRAGGINS: Sir, I would like to bring up one  
15 thing, the speckled trout endorsement. This came into  
16 effect May 1<sup>st</sup>. We changed that endorsement. Let's go  
17 ahead and just give a quick update on it so that people  
18 understand it.

19 MATT HILL: We did change it. It became  
20 effective May the 1<sup>st</sup>. We have had a steady flow of people  
21 coming in. The numbers look about the same right now. We  
22 are working through a couple applications. I think I have  
23 three on my desk right now that I have talked with Traci  
24 about that have qualified in the past and may not qualify  
25 now.

1           Our goal is to work with the fishermen. We want  
2 people to get this endorsement so we are looking at  
3 things. If someone deserves it and there is a way that we  
4 can help them, we obviously are going to recommend to the  
5 Director that that happen.

6           In some cases, it just doesn't work out that  
7 way, but I feel like it is going well. Our numbers still  
8 aren't where we want to be, but it is early on right now.  
9 We still have a lot of people trickling in getting their  
10 licenses.

11           Overall we did go to a thousand dollars of  
12 finfish sales. I feel like it is going to be a good  
13 thing. We are just going to have to give it a few more  
14 months and we can give a more in-depth report on the  
15 actual affect it is having. It is just too early on right  
16 now to tell.

17           Obviously with a change like that, there are  
18 going to be some hurdles and we have found a few problems  
19 that we are probably going to have to address, but we just  
20 need to give it some time to see where we are in three, or  
21 four, months.

22           COMMISSIONER DANIELS: My understanding is there  
23 is an avenue. Let's say for instance, a guy that didn't  
24 do anything but fish speckled trout before and he carried  
25 it for years, and, then, that forced him to lose it. Now

1 he doesn't have any records over the past few years.

2 MATT HILL: Like I said, something like that we  
3 definitely have the ability to go back and look into our  
4 records.

5 The three that I have right now don't  
6 necessarily meet that criteria, but there is the hardship  
7 clause. We did keep that in there. It will ultimately be  
8 Director Spraggins' decision. We will give him our  
9 recommendation on an individual basis, but there is still  
10 the hardship clause and we are going to do the best we  
11 can.

12 We are taking our time with the fishermen that  
13 do come in. We are not just saying no. We are sitting  
14 them down and we are trying to go through everything we  
15 can with them.

16 Like I said, we may not be able to give it to  
17 them this year, but our goal is to find a way in the  
18 future, if they want to participate in this fishery, to  
19 get them into the fishery.

20 JOE SPRAGGINS: Matt, I think, too, what the  
21 Commissioner is talking about is let's look at that and,  
22 if they have been doing it in the past and if there is a  
23 way that we can modify something and look at it, let's  
24 look at it because we are not going to ever get to the  
25 point of those people coming back in, if we don't give

1       them a chance to be able to fish and sell the fish.

2               MATT HILL: The biggest misconception that we are  
3       seeing is that they are coming in and they are not having  
4       the initial sales, but it is not based just on Spotted  
5       seatrout. It is finfish sales overall.

6               They can come get their license. You can go  
7       catch redbfish, you can catch flounder, you can catch  
8       sheepshead.

9               The thousand dollar threshold, in my opinion, is  
10       a very manageable number. If someone really wants to get  
11       into that fishery, they do have the opportunity. We have  
12       had two that I know of that have been in that situation  
13       already and they have come to us in the last month, and  
14       they have met the criteria.

15               It does not stop them from commercial fishing  
16       and that is the misconception that we are working through.  
17       We try to sit them down and talk to them, and try to guide  
18       them.

19               The easiest way for it and the quickest way is  
20       to get their Type 25 and Type 49 license and go out there  
21       and catch other species and come up here once they get the  
22       thousand dollars.

23               We will notify them when we see that in the  
24       system. They don't have to keep asking us. We are making  
25       a note. We will go back in there and we will tell them,

1       come on in; we are going to try to work with you.

2                 It does not stop them from commercial fishing  
3 activities. It just prolongs them from being able to  
4 catch the speckled trout until they reach that threshold.

5                 we feel like it is a fair way. Like I said,  
6 there will be hardships to consider and we are considering  
7 them, but the easiest and cleanest way is for them to go  
8 catch some other species and get that threshold.

9                 JOE SPRAGGINS: Matt, if we need to, let's look  
10 at what you get as far as the amount of participation in  
11 this and, if it seems like we are lacking because of the  
12 situation, maybe we could modify something to come back  
13 and look at it and say we will give you a year and if you  
14 go catch the fish and bring them in, we will let you do it  
15 and, then, if you don't do it, you are not getting a  
16 license next year.

17                 MATT HILL: Yes, sir. It is already set up on an  
18 annual basis so that is something that we can definitely  
19 consider because once you get it, you are just going to  
20 have to come in the next year. If you don't get it, we  
21 can revoke it at that period, but I do feel like we went  
22 in the positive direction.

23                 I just hate to make any type of drastic  
24 decisions until we give it a few months and just see.

25                 Like I said, we have had very little push back.

1 The fishermen understand and we are doing our best. The  
2 Trip Ticket staff, they are doing all they can. Anytime  
3 you walk by their office, there are three, or four,  
4 fishermen in there. We are trying to get them through  
5 this process.

6 COMMISSIONER DANIELS: Good job. Thank you.  
7 Do we have a motion to adjourn?

8 COMMISSIONER ROBERDS: I'll make a motion to  
9 adjourn.

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

12 COMMISSIONER ROBERDS: Aye.

13 COMMISSIONER DANIELS: Aye.

14 COMMISSIONER McCLENDON: Aye.

15 COMMISSIONER DANIELS: Thank you everyone for  
16 coming out. We will see y'all next month.

17 (At 10:54 o'clock, a.m., the May 17, 2022,  
18 meeting of the Mississippi Advisory Commission on Marine  
19 Resources was concluded.)  
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25

CERTIFICATE

1  
2  
3 I, Lucille Morgan, Certified Shorthand Reporter,  
4 do hereby certify that the above and foregoing eighty-six  
5 pages, including this page, is a true and correct  
6 transcript of the May 17, 2022, meeting of the Mississippi  
7 Advisory Commission on Marine Resources, as taken by me at  
8 the time and place heretofore stated in the aforementioned  
9 matter in shorthand, with electronic verification, and  
10 later reduced to typewritten form to the best of my skill  
11 and ability; and, further, that I am not a relative,  
12 employee, or agent, of any of the parties thereto, nor  
13 financially interested in the cause.

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16 s/ \_\_\_\_\_

17 COURT REPORTER  
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