1	STATE OF MISSISSIPPI						
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5	MISSISSIPPI ADVISORY COMMISSION ON MARINE RESOURCES						
6	COMMISSION MEETING						
7	Tuesday, December 13, 2022, 9:11 a.m.,						
8	Bolton Building Auditorium						
9	1141 Bayview Avenue, Biloxi, Mississippi 39530						
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11							
12	CONTRACTOR ACTION						
13	COMMISSION MEMBERS:						
14	Jonathan McLendon Cammack "Cam" Roberds						
15							
16	ALSO PRESENT:						
17	Joe Spraggins						
18	Sandy Chesnut, Esquire Steven Eckert, Esquire						
19							
20							
21							
22	REPORTED BY:						
23	Melissa Burdine-Rodolfich						
24	mburdine@sbmreporting.com						
25							

1	CAM ROBERDS:						
2	Good morning, everyone. Call to order						
3	this Tuesday, December 13th Advisory Commission on						
4	Marine Resources.						
5	We'll start out with the Pledge of						
6	Allegiance, and I guess I will start that myself.						
7	(Pledge of allegiance was recited.)						
8	CAM ROBERDS:						
9	And I think we have a moment of silence.						
10	JOE SPRAGGINS:						
11	Can I do a prayer?						
12	CAM ROBERDS:						
13	Yes, sir, please.						
14	JOE SPRAGGINS:						
15	All right. Before we go to the prayer,						
16	though, I just want to bring up a couple of						
17	things. One of our members, Russell Weatherly,						
18	his daughter had a severe accident the other day						
19	heading back to Mississippi State, and she is in						
20	ICU in Jackson right now. And we'd ask that you						
21	keep her in your prayers.						
22	And that we could also, we want to						
23	remember Coach Leach and Coach Leach's family.						
24	You know, we had a tremendous tragedy that						
25	happened over the weekend with him, and we						

1 just want everyone in the Mississippi State world 2 to know that we're all with you and, Coach, rest 3 in peace. 4 Let's go to the Lord in prayer, please. 5 (Moment of prayer.) 6 CAM ROBERDS: 7 All right. We have to skip over the 8 approval of the minutes today and -- along with 9 the agenda as well. 10 And we're going to go right into the 11 Director's Report, Mr. Spraggins. 12 JOE SPRAGGINS: 13 All right. Let's see. Employment, do 14 we have something up there? Maybe so. Joshua 15 Waters is promoted -- that's the only thing we 16 have on this -- Environmental/Natural Resource 17 Specialist III for Marine Fisheries. So that's 18 the only thing in employment. 19 Okay. Then, any contracts, we're 20 working on contracts right now, on a couple of 21 things, but we have nothing to update at this 22 time. 23 As far as the Agency Update goes, we had 24 a legislative forum last week and it was a good 25 We've got -- we had, I think, 10 of the forum.

legislators from the Coast here out of 18, so that was a -- very good. Able to brief them and understand what we're doing. We talked about four or five different parts of legislation that we're looking at coming up in January, and most of them were basically just clarifying some stuff and getting the language right in it.

But a couple of things we're working on -- one of the major things that we're working on is the on-bottom fishing lease, oyster leases, so we're working on that. We're trying to get something done with it, and that -- and I think that will be the one that will be the biggest bill we'll do this year.

The rest of them, we're doing some things like changing -- trying to change the law where if you -- everybody on a crab boat doesn't have to have a crab license, you know, just a boat and make it to where it's the same -- basically the same as if you have oysters or shrimp, to make it line up with that.

We've got a couple of other things that we're changing some wording, ability for law enforcement, some things -- the wording on it to be able to change the wording to get it

1 correctly. I am trying to think of the other one. Which one? Rick, do you remember? 2 3 RICK BURRIS: 4 The definition of marina. 5 JOE SPRAGGINS: 6 Oh, marina. Yeah, definition of marina. 7 And, you know, basically it's -- by NOAA and EPA, it's 10 -- you know, 10 or less boats is not 8 9 considered a marina, but 10 or more is. More than 10 10 is, and we're trying to get that straightened 11 out. Everybody will be grandfathered that are in 12 now, so it's not something that's going to be a 13 big effect. Okay? 14 But I'm sure there's something else I 15 missed in there that -- but it's nothing major. 16 We're just -- the big thing is going to be the 17 on-bottom. 18 All right. As far as oyster deployment, 19 we had the 925 sacks of oysters that we had 20 purchased that was in -- pretty good sized 21 oysters. I mean, they were in -- a good deal that 22 we were able to get from Spat Tech. And they 23 finished that deployment yesterday, so we have all 24 those oysters in the water. And hopefully that

will work at a perfect time to be able to set next

year for the spring and it will be a good deal for us. And we deployed those in several different locations, not just one, so most of them were in the Western Gulf, so that's where we had them.

Update on derelict vessels, we had a total of 71 cases that had been turned in to us of derelict vessels. Out of that, 51 of them have been removed since July 1st. Eighteen are pending removal and two we have received court orders to remove.

And so one of the issues we had in Gulfport Lake, there was five vessels there. It's clear. We have it done, and it's a great deal. I think that the team has done a fantastic job, and I appreciate every one of them for working hard to be able to do that. To get 51 vessels moved in this short amount of time is, I think, a very great operation that's happened there, so — cooperating with Patrick and Roy and the ones that's working on that. And, of course, our great lawyers have been right in the middle of this, and we appreciate that very much. And so they've — I don't think you've lost a case yet, have you? STEVEN ECKERT:

Undefeated still.

## JOE SPRAGGINS:

Undefeated. All right. So we'll keep working on it. We're going to continue this.

This is not something that's just going to happen one time. We're going to continue to be able to do this. The legislature is more than glad to fund us to do it, and so we will continue to be able to get vessels out.

We have some issues. One of the things that was brought to me yesterday — and Patrick is working on it — if you have a fiberglass boat and you want to dispose of it, how do you dispose of it? Because most of the places that you want to take it to dispose, they will tell you they're not taking them, you know, we don't take fiberglass. So we have got to find a way to do something. We've got to come up with a way to do something for that and dispose of it. We ought to be able to grind it some way or something into powder, and there ought to be some way that we can do something with it, so we're going to work on that.

All right. Let's see. What else am I missing in here? DMR will be closed for Christmas on Friday, the 23th, and Monday, the 26th, and we will be closed on the day after New Year's,

1 January 2nd. 2 We had our annual Christmas this past 3 week -- and this week -- last week, last Friday, 4 and it was a very good turnout from a lot of 5 people. Our former director showed up, Jamie 6 Miller, so we was able to have Jamie here. And we 7 had a good time and it was a lot of -- good time 8 had by a lot of good people. Too much food to 9 eat, but there was a lot of great times. 10 We're -- tomorrow, I'm going to leave 11 and Thursday I have got a meeting with the 12 governor. And we will be discussing anything that 13 we're going to do in the legislative session as 14 far as DMR and other parts of the agencies. 15 And other than that, I think that covers 16 basically new updates from the agency. 17 Now, USDA processors grants, we're 18 100 percent. It's paid out, right? \$1.6 million 19 paid, right? 20 TRACI FLOYD: 21 It's paid. 22 JOE SPRAGGINS: 23 Paid out. Great deal. Traci, thank 24 y'all, and, you know, great job y'all did for 25 that. We appreciate it.

And we don't have any update on the Bonnet Carre. It's still sitting at the OMB, so I don't expect anything to come out of there until after January because of the holidays and what's going on.

I did speak with Janet Coit -- two or three times with her about this over the last month or so and I talked about what the situation was and how -- and she's the head of NOAA Fisheries, and she agrees it's broke and it needs to be fixed. So hopefully we will get something done with this. And they are working on it very hard.

Any action updates from the prior meeting? We can go over them, but can't vote, right?

## SANDY CHESNUT:

2.

You don't vote on these anyway. It's just for informational purposes.

At the November meeting, the Commission recommended and the Director approved the following motions: Requested variance use plan change and permit requested by DMR Beneficial Use Program to fill 900 acres of unvegetated water bottoms to construct a beneficial use site in the

1 Mississippi Sound approximately 7 miles south of 2 Pass Christian and 5.5 miles west of the western 3 tip of Cat Island. 4 And then the Commission also approved a 5 state saltwater finish record for all tackle for 6 dog snapper, 24 pounds, 2.4 ounces for Mark 7 Kleinpeter. And that was it. 8 JOE SPRAGGINS: 9 Okay. And I do apologize that I 10 don't -- I'm not sure what happened with 11 Commissioner Daniels, but we'll find out. 12 we -- and today, we can only make -- we can go 13 through the process of the whole meeting, but any 14 motions will have to be deferred till the next 15 meeting, okay, so understand that. 16 Sir, that's all I have. 17 CAM ROBERDS: 18 Thank you, Director. 19 Anything to report, Commissioner? 20 JONATHAN McLENDON: 21 I just want to reiterate my thanks 22 to the team about getting those USDA processors 23 grants out so quickly. It was a great benefit to 24 the local industry. 25 CAM ROBERDS:

1 Thank you. 2. There is still some snapper out there. 3 I was fortunate enough to sneak out yesterday 4 and -- some good sized snapper. They're out 5 there. So we have got a few days left. If you 6 can fight the fog, I would suggest trying to make 7 it out. 8 Chief Wilkerson, Marine Patrol report. 9 MICHAEL STRICKLAND: 10 Good morning, I'm going to fill in for 11 Chief this morning. Good morning, everyone. 12 trust everyone is enjoying the holiday. 13 If you've had a chance to look over the 14 commission report that was uploaded, you'll notice 15 that everything seems pretty much in line. 16 Recreational traffic and commercial traffic stayed 17 pretty consistent. We were blessed with some 18 pretty good weather. And like he mentioned, the 19 snapper season is still going strong. 20 I'm happy to report there was zero water 21 fatalities for the month of November, so that was 22 good on our part. 23 Any questions? 24 JONATHAN McLENDON: 25 No, sir.

# 1 MICHAEL STRICKLAND: 2 All right. Thank you. 3 CAM ROBERDS: 4 Thank you, Captain Strickland. 5 Moving on to Office of Coastal Resources 6 Management, Jennifer Wittmann. 7 JENNIFER WILDER: 8 So Jennifer Wittmann is in Jackson today 9 at a meeting. But I am Jennifer Wilder, and I 10 will be presenting for a permit application by 11 Mike Fitzpatrick and his sister, Jill Fitzpatrick 12 Laroussini. 13 The project location is at 439 1st 14 Avenue, which is on St. Louis Bay and adjacent to 15 Mallini Bayou in Harrison County, and it's in the 16 General Use District. 17 They're requesting to build a 90-foot 18 This is actually a historical jetty. jetty. 19 There has been one on the property for as many 20 years as anyone can remember, but it failed and 21 they removed it, not realizing that it would 22 complicate the permitting process. 23 So here's the location. You can see the 24 yellow thumbtack, Highway 90 and Mallini Bayou in 25

the picture.

So this is a diagram of what they want to construct. It's actually adjacent to the Harrison County jetty that is 75 feet at present. They were permitted for 125 feet, but because of some financial issues did not build it that far, and that is why the Fitzpatrick family would like to come in and build this jetty, to restore the beach that they have always had in front of their property. But as a secondary impact, it will also help with the sand drifting into Mallini Bayou.

This is a picture from the property.

You can see Harrison County's jetty there and the Fitzpatricks' bulkhead.

The proposed project is allowable within the General Use District. They are requesting a variance to the coastal program stating that groins and jetties to trap sediments are only allowed as a means to reduce shoaling of navigable channels and boat basins.

And they're justifying saying that the variance — building the jetty would cause the environment to be no worse than if the guidelines were followed. Now, we're allowing that to be just — as the justification because it is a reconstruction of a historic jetty.

1 A sediment transport study has been done 2. on this area of beach, and an engineer has said 3 that there will be no negative effects. 4 Harrison County has signed off and supports the 5 project. 6 Notification of the project appeared in 7 the Sun Herald as required by law, and we received 8 no public comments. DEQ and Wildlife, Fisheries 9 and Parks submitted no comments, and Department of 10 Archives and History and Secretary of State had no 11 objections to the project. 12 So the staff recommends that a motion to 13 the Commission -- that the Commissioners recommend 14 to the Executive Director to approve the requested 15 variance and approve the permit as requested. 16 Do y'all have any questions? 17 Ms. Laroussini is here and is prepared to speak on 18 behalf of her family if y'all would like to hear 19 her comments. 20 CAM ROBERDS: 21 I would think so. That way, we can --22 JENNIFER WILDER: 23 She actually traveled from Okav. 24 Lafayette today, so --25 CAM ROBERDS:

1 Okay. 2. JILL LAROUSSINI: 3 Good morning. 4 CAM ROBERDS: 5 Good morning. 6 JILL LAROUSSINI: 7 First, I want to acknowledge both 8 Jennifer Wilder and Ms. Willa Brantley for their 9 assistance in this process. 10 I'm a nurse. I don't know a whole lot. 11 about this, but I'm learning. 12 My parents bought this location after Hurricane Camille. My dad had a sister here in 13 14 Pass Christian. In 1974, they moved over full 15 time. And my father was an excellent steward to 16 the land. He understood waterways, and he worked 17 real hard to keep the land from eroding. 18 And I'm the executor of their estate, 19 and so this action will be my one last action to 20 really put it back the way it was. So if you have 21 any questions, I'm here to answer them. 22 In terms of the jetty being removed, in 23 19 -- no, 2014, when the rock jetty went in, I 24 have a document here that indicated the existing

dilapidated wooden jetty will be rebuilt using

riprap and extend no farther into Bay St. Louis than it does now. It was 125 feet. That's the jetty that they had to scale down because of some protected wetlands, and they had to put money into building a bulkhead a little bit more north of the bayou.

I was busy taking care of my mother at the time, but my brother-in-law was in conversation with the group who were intending to put this jetty in. And they indicated it would essentially do the same thing, and we found that this hasn't. And the south end of Mallini Bayou is silting in and we no longer can haul our kayaks out or have a beach or -- we're dealing with erosion in that corner of the land right now.

So I'm hoping this will be a win-win for the county. I will feel like I have done my job as an executor and honored my parents in this way. And it's a real privilege to be in this position.

My mom was born in Columbus,
Mississippi. She was thrilled to move back.
Following Katrina, she lived in Lafayette near me until my dad died and then she moved back, albeit to Dunbar nursing home, but she wanted to be back in her beloved Mississippi. And I just feel like

1 this is something I need to see to the end. 2 So my siblings could not be here today. 3 One has COVID. The other had a medical 4 appointment, but I never complain about having to 5 I'm thrilled to come and spend time here. come. 6 Any questions for me? 7 CAM ROBERDS: 8 I have got one question. It says that 9 the -- it looks like 20-foot pilings are going to 10 be 5-foot on center on each side of the jetty. 11 Did I read that correctly? 12 JILL LAROUSSINI: 13 Oh, boy. Well, Lamulle Construction --14 actually the picture she showed, it looks so much 15 better now because Lamulle completed our pier, 16 which was permitted. We lost it in Hurricane 17 Zeta, and that was a pier that was there since 18 Hurricane Katrina. 19 CAM ROBERDS: 20 I think it's a good -- I mean, it's a 21 good -- you know, to have the pilings on both 22 sides, a boater is going to much rather hit a 23 piling than tearing their lower units up on a rock 24 jetty? So --25 JILL LAROUSSINI:

	10					
1	Well, the bayou will be on the rock					
2	jetty side. It would be hard for a boat to hit					
3	that, I would think.					
4	CAM ROBERDS:					
5	Oh, it will be on the existing side					
6	the other side of the existing jetty?					
7	JENNIFER WILDER:					
8	South side.					
9	JILL LAROUSSINI:					
10	The south side of the rock jetty.					
11	JENNIFER WILDER:					
12	Other than the 15 feet that hers will be					
13	longer than the County's, it is all south of the					
14	County's jetty.					
15	CAM ROBERDS:					
16	Okay. I understand. Thank you. I					
17	don't have any					
18	JONATHAN McLENDON:					
19	No. I'm good.					
20	CAM ROBERDS:					
21	Thank you, ma'am.					
22	JILL LAROUSSINI:					
23	Thank you.					
24	JOE SPRAGGINS:					
25	Thank you. The only other question, I					

	1.7					
1	think you have already told me, Willa, that nobody					
2	is objecting to this and the					
3	JENNIFER WILDER:					
4	We have received no comments.					
5	JOE SPRAGGINS:					
6	Got it. But if we can look at this					
7	and try to bring it up on the January meeting.					
8	Okay?					
9	JENNIFER WILDER:					
10	Thank you.					
11	CAM ROBERDS:					
12	Finance and administration, Ms. Leslie.					
13	LESLIE BREWER:					
14	Good morning, I'm Leslie Brewer, CFO. I					
15	will be presenting the financials for					
16	November 30th, 2022.					
17	On the state revenue at the end of the					
18	month, it was 4.3 million. The agency revenue,					
19	17.2.					
20	State net income is 1.5, and agency net					
21	income is 5.9 million.					
22	After five months of Fiscal Year '23, we					
23	have operating funds at 92.1 percent of the					
24	budget, and Tidelands is at 87.4 percent.					
25	Do y'all have any questions?					

1	CAM ROBERDS:						
2	No, ma'am. Thank you.						
3	LESLIE BREWER:						
4	Thanks.						
5	CAM ROBERDS:						
6	Ms. Charmaine, public affairs.						
7	CHARMAINE SCHMERMUND:						
8	Good morning.						
9	The Mississippi Department of Marine						
10	Resources had six media mentions since the						
11	November MACMR meeting. News items included the						
12	extension of the gear reimbursement for turtle						
13	excluder devices, last month's fish record and						
14	off-bottom oysters in Mississippi.						
15	Marine Patrol participated in College						
16	and Career Day at Vancleave High School on						
17	November 15th and Safety Day at East Central						
18	Middle School on November 18th. Both Marine						
19	Patrol and the Artificial Reef Bureau each took						
20	part in Pathways 2 Possibilities on November 16th						
21	and 17th. Marine Patrol were stationed in the Law						
22	and Public Safety Pathway, and the Artificial Reef						
23	Bureau had their booth in the Marine Science						
24	Pathway. The two-day event had thousands of						

students participate from throughout the southern

1 part of the state. 2. On November 17th, the Invasive Species 3 program in Coastal Resources Management took part 4 in Homeschool Day on Biodiversity at the 5 Mississippi Aquarium. At the event, they educated 6 participants on the invasive species found on our 7 Coast. 8 On November 19th, the agency sponsored 9 seafood at Gumbo Fest in Gulfport. Also, the Office of Public Affairs provided a booth in the 10 11 kids' area at the festival. We provided 12 informational materials and brought a game for the 13 kids to play. 14 Also, our marine information calendars 15 have been delivered, so we are working on getting 16 those out to the distribution sites and bait camps 17 this week and next week. I also put some in the 18 back of the room, and we have them in our 19 licensing office and the front desk at the Bolton 20 Building. 21 CAM ROBERDS: 22 That's a lot. That's a lot going on. 23 Thank you. 24 I think we're going to go ahead and have

the finfish record come up. Tommy or Trevor.

#### TREVOR MONCRIEF:

Morning, Commissioners and Director.

We have got one state record for y'all's consideration. I guess we will move it to January for approval. It is a scrawled filefish, Aluterus scriptus. The old record was 4.8 ounces. The new record is 3 pounds, 2.45 ounces.

The angler is Mr. Tommy Phelps. This is a picture of the fish, Tommy with the fish. And we will make that motion next month.

And then the next item on the agenda is an update for red snapper. So as of yesterday, we're sitting around 130,000 pounds harvested, right around 85 percent of the ACL. There's still some left. That season will close likely at the end of the year, so we will make it all the way through.

And Commissioner, you mentioned that you were able to get out and catch a few fish, and that's exactly what we have been seeing for the last two weeks. We've had folks go out, and our, you know, catch per angler has increased all the way up to 1.5, 1.6 fish per person, which is a fantastic number to be at and where we like to see it.

1 We -- the proposal that I had described 2. to you all, I believe, two months ago for the 3 updated calibration where we used 2018 through 4 2020 and removed wave five, we submitted that 5 letter to SERO and the Gulf Council. It will be 6 presented to the Gulf Council SSC in January where 7 it will be, you know, discussed and voted on and 8 either voted -- or approved or altered or anything 9 So we'll see where the discussion goes and else. 10 see what comes out of it, and then it will go to 11 the Council that February. 12 So that proposal is for 109,000 pounds 13 for our state. We think it's a fair compromise. 14 We think it's where we should be and hopefully 15 everyone sees it the same, so we'll see what 16 happens in January. 17 JOE SPRAGGINS: 18 Trevor, now, they're going to -- the 19 calibration will come out. You know, I think they 20 put it out. What is it, 50-something thousand 21 that we'll go to? 22 TREVOR MONCRIEF: 23 Yes, sir. It's right at 60,000 pounds. 24 JOE SPRAGGINS: 25 And that's supposed to start

January 1st.

2 TREVOR MONCRIEF:

Right.

JOE SPRAGGINS:

We will probably not start -- unless something changes that I don't know, normally, it will be Memorial Day weekend, is when we'll start the snapper season next year. And hopefully what we're going to do is be able to work this through with the SSC that Trevor is a part of and work through the SSC and be able to bring it back to the Council and get the Council to vote to change the numbers to 109 -- it's roughly 109,000 pounds.

So don't get alarmed when you see the 58 or whatever the number is, 60. Let's give us a chance and let's see what we can do and — because I think that we can definitely get there. And if you look at what we're doing right now, we're all the way to December, end of December, and we haven't caught the 151,000 yet. So it tells you that — I think that we can compromise some and we will work at that.

And so I just wanted to let you know that Trevor is working hard for us up there. He fights for us on the SSC and we're lucky to have

him there, and we appreciate it.

And me and Rick are working on the Council, trying to get things done there, so give us a chance before you get too upset about it.

## TREVOR MONCRIEF:

All right?

And just to mention, we've got additional conservation measures that are listed within the proposal, such as fixed seasons and potentials for introduction of harvest control rules based on what we observe in the fishery. And all that's just to describe how good the Tails to Scales Program has performed and how good of a hold we have on the fishery to be able to try to introduce some of these concepts and take a further step than what's been done in the fisheries in decades. So we're trying, trying hard. We'll just see how it goes in January. CAM ROBERDS:

Man, we're lucky to have you guys fight for us on this, representing us for this snapper situation. It's a tough, tough deal the last couple of years, so thank you, everybody.

TREVOR MONCRIEF:

That's it. Thank y'all.

1	CAM ROBERDS:
2	Well, that's it.
3	Do we have anything else? Any other
4	business?
5	JONATHAN McLENDON:
6	I don't.
7	JOE SPRAGGINS:
8	The only thing I would like to do is
9	wish everybody a very Merry Christmas and a Happy
10	New Year. We'll see you next year sometime, I
11	hope. And please don't forget to keep the
12	families in your prayers and especially Coach
13	Leach and his family and also Russell and his
14	family.
15	CAM ROBERDS:
16	Thank you, Director.
17	I guess we will close this meeting of
18	December 13th. Thank you. We appreciate it.
19	(Adjourned at 9:38 a.m.)
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21	
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25	

# 1 CERTIFICATE OF COURT REPORTER

I, MELISSA BURDINE-RODOLFICH, Court Reporter and Notary Public, in and for the County of Harrison, State of Mississippi, hereby certify that the foregoing pages, and including this page, contain a true and correct copy of my stenotype notes and/or electronic tape recording of the testimony of the witness, as taken by me at the time and place heretofore stated, to the best of my skill and ability.

I further certify that I am not in the employ of, or related to, any counsel or party in this matter, and have no interest, monetary or otherwise, in the final outcome of the proceedings.

Witness	my	signature	and	seal,	this	the
day	of					2023

2.

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Melissa Burdine-Rodolfich 20 My Commission Expires 4/28/24