

1 COMMISSION ON MARINE RESOURCES
2 COMMISSION MEETING
3 TUESDAY, October 17, 2017
4 10:00 a.m.
5 Hancock County Board of Supervisors Boardroom
6 854 Highway 90, Suite A
7 Bay St. Louis, Mississippi 39520

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9 Commission Members:
10 Steve Bosarge, Chairman
11 Ron Harmon, Vice Chairman
12 Richard Gollott
13 Mark Havard
14 Jolynne Trapani
15 Also Present:
16 Jamie M. Miller, Executive Director, DMR
17 Sandy Chesnut, Esq., Assistant Attorney General

1 COMMISSIONER BOSARGE: All right. Let's
2 get started. Welcome everybody to our October
3 meeting. I would like to thank the folks in Bay St.
4 Louis for giving us this fine facility to have our
5 meeting in.
6 I would like to start the meeting. We will
7 ask Jamie Miller to lead us in the Pledge of
8 Allegiance.
9 (THE PLEDGE OF ALLEGIANCE WAS RECITED BY
10 ALL IN ATTENDANCE.)
11 DIRECTOR MILLER: I would also like to
12 recognize Senator Seymour and thank him for coming
13 and spending his time with us this morning. Would
14 you please Mr. Seymour?
15 (SENATOR SEYMOUR COMPLIES.)
16 COMMISSIONER BOSARGE: There you go. Thank
17 you, sir.
18 On to approval of the minutes for the
19 September 19th meeting. Do we have any changes to
20 the minutes? Seeing none. Do we have a motion to
21 approve the minutes for the September meeting?
22 COMMISSIONER HARMON: Mr. Chairman, I make
23 a motion that we approve the minutes.
24 THE COURT: All right. We have a motion.
25 Do we have a second?

1 COMMISSIONER GOLLOTT: I will second it.
2 COMMISSIONER BOSARGE: All those in favor
3 Aye. (All in favor.)
4 COMMISSIONER BOSARGE: Opposed. Same sign.
5 (Motion carries.)
6 Approval of the agenda. Do we have any
7 changes to the agenda?
8 COMMISSIONER GOLLOTT: Hang on just a
9 minute. Let me see this agenda again.
10 COMMISSIONER BOSARGE: All right.
11 COMMISSIONER GOLLOTT: We were supposed to
12 make the report from marine fisheries an action item.
13 Did we do that? I don't see it on here.
14 COMMISSIONER TRAPANI: Item two.
15 DIRECTOR MILLER: Commissioner Gollott, we
16 did update the agenda. We had three amendments to
17 the agenda yesterday. Two involved removing two
18 affirmative action items off of the agenda. And then
19 we added from the Office of Marine Fisheries 1(b.)
20 Consideration to increase the Biloxi Bay Harvest
21 Quota as an action.
22 COMMISSIONER BOSARGE: Thank you, sir. Can
23 I -- is this speaker -- am I -- it doesn't sound like
24 I am coming through here. Anyhow, could I ask a
25 question? How did we get an action item on the

1 oysters? I thought we pretty well had gone through
2 all this at the last meeting.
3 COMMISSIONER GOLLOTT: I requested it,
4 Mr. Chairman.
5 COMMISSIONER BOSARGE: All right. Well, I
6 am not sure that we probably need to go there.
7 Sandy, I don't know quite where to go with
8 this, but is it possible to take a vote on this?
9 MS. CHESNUT: Yes. You can make a motion
10 to strike or add anything to the agenda that you
11 would like to.
12 COMMISSIONER BOSARGE: Okay. I would like
13 to make a motion that we take item 1(b) off the
14 agenda.
15 COMMISSIONER HAVARD: Mr. Chairman, I would
16 like to second that motion.
17 COMMISSIONER BOSARGE: We have a motion and
18 a second.
19 Any further discussion?
20 COMMISSIONER GOLLOTT: Yes, sir. I think
21 any commissioner has a right to put something on the
22 agenda, and I think it should be heard if a
23 commissioner wants to do that. So I am opposed to
24 your motion. So go ahead.
25 COMMISSIONER BOSARGE: I agree with you,

1 but I think that on this particular item we really
 2 need to get the consensus of the group to see if
 3 this is something that we need to move forward with.
 4 We have a motion and a second. All of
 5 those in favor for taking it off of the agenda.
 6 COMMISSIONER GOLLOTT: Mr. Chairman, would
 7 you call the roll on it, please?
 8 COMMISSIONER BOSARGE: We will have a roll
 9 call vote. Yes, sir.
 10 All of those in favor Aye.
 11 COMMISSIONER HAVARD: Aye.
 12 COMMISSIONER BOSARGE: Mr. Mark Havard,
 13 Commissioner Mark Havard. Aye, Steve Bosarge. All
 14 of those opposed.
 15 COMMISSIONER HARMON: Aye.
 16 COMMISSIONER GOLLOTT: Aye.
 17 COMMISSIONER TRAPANI: Aye.
 18 COMMISSIONER BOSARGE: There's three
 19 opposed. Motion carries.
 20 (Motion fails.)
 21 COMMISSIONER TRAPANI: I would like to ask
 22 something. Since this was added, you know, last
 23 minute yesterday, I think it was discussed and it was
 24 added last minute yesterday. I think we need to be
 25 able to discuss it.

1 We had a little visitor call me and come to
 2 the Mississippi Gulf Coast, and as you have heard in
 3 the news a lot of vessels have been misplaced. We
 4 have worked with the Executive Director's Office in
 5 coming up with a strategy in getting those vessels
 6 adequately approved.
 7 I have several reports that you will hear
 8 next month in the monthly report, but I do want you
 9 to know that marine patrol has been actively involved
 10 in identifying hazards and mitigating those hazards
 11 on the Mississippi Gulf Coast. But we will have that
 12 in the next month's meeting.
 13 I did want to mention that in case anybody
 14 had any questions about what was being done with
 15 marine patrol in response to the Hurricane Nate.
 16 If there is no questions I would like to
 17 talk a little bit about the report on page one. I
 18 want to identify that we continually have complaints
 19 of crab thefts over in Jackson County. And we were
 20 able to make one case involving the theft of crabs
 21 where a recreational fisherman was stealing from
 22 another recreational fisherman.
 23 On page two, under Fishing Violation
 24 Citations, since July 20th a total of 21 cases have
 25 been made in regards to possession of undersized

1 COMMISSIONER BOSARGE: It was a last
 2 minute. All right. Mighty fine. Motion passed.
 3 Okay.
 4 Do we have a motion to approve the agenda?
 5 COMMISSIONER GOLLOTT: Mr. Chairman, I make
 6 a motion that we approve the agenda as modified.
 7 COMMISSIONER BOSARGE: All right. So we
 8 have a motion. Do we have a second?
 9 COMMISSIONER HARMON: I will second it, Mr.
 10 Chairman.
 11 COMMISSIONER BOSARGE: All of those in
 12 favor, Aye.
 13 (All in favor.)
 14 COMMISSIONER BOSARGE: Opposed?
 15 (None opposed.)
 16 COMMISSIONER BOSARGE: Motion carries.
 17 (Motion Carries.)
 18 All right. Time for the executive
 19 director's report.
 20 DIRECTOR MILLER: I have no report.
 21 COMMISSIONER BOSARGE: We will go to Office
 22 of Marine Patrol. Chief Davis.
 23 CHIEF DAVIS: Good morning. The Office of
 24 Marine Patrol has been extremely busy since we well
 25 last met.

1 Spotted Sea Trout.
 2 I would also like to point out on red
 3 snapper that undersize Red Snapper for the season, if
 4 you want to highlight that, seven cases was made
 5 under that category.
 6 Since July 20th over the limit Spotted Sea
 7 trout, has been three cases. And we continually
 8 receive complaints of individuals keeping over the
 9 limit Spotted Sea Trout at our popular fishing piers
 10 as well as some in the back bay.
 11 So strategies are being implemented to
 12 identify and make cases against those individuals
 13 that's involved in that activity.
 14 Officers are aware of known fishing piers
 15 where this most likely taking place. And those
 16 strategies are being implemented as we speak.
 17 Those are the highlights of the report, but
 18 I would be more than happy to answer any questions
 19 that you may have for any of the other categories.
 20 COMMISSIONER BOSARGE: I have one question.
 21 And it's under the same fishing violation. I see
 22 "Possession of Shark Fins."
 23 CHIEF DAVIS: Yes, sir. There was a case
 24 while doing a JA patrol that we found shark fins
 25 onboard a vessel.

1 COMMISSIONER BOSARGE: A commercial vessel?
 2 CHIEF DAVIS: Yes, sir.
 3 COMMISSIONER BOSARGE: And then the same
 4 thing for "Possession of fillets?" I know it's
 5 probably hard to remember every case.
 6 CHIEF DAVIS: Yes, sir.
 7 COMMISSIONER BOSARGE: I don't want to test
 8 your memory up here.
 9 CHIEF DAVIS: I don't remember that fillet
 10 case, but I can get you some information.
 11 COMMISSIONER BOSARGE: Thank you, Chief.
 12 COMMISSIONER HARMON: Chief, I want to
 13 thank you -- I know this is coming up in next month's
 14 report, but there was an incident over here in
 15 Hancock County this past week with a sail boat.
 16 Had it not been for you guys and your staff
 17 and how they responded, this would have been a
 18 totally different incident. My hat is off to you
 19 gentlemen for standing up and doing that.
 20 CHIEF DAVIS: Commissioner, thank you very
 21 much for that. That was a hard decision to make, but
 22 it was the right decision to make. And we are
 23 certainly going to be bringing something before you
 24 to recognize those officers that were involved in
 25 that.

1 But, anyway, it was open from October 2nd to the 5th,
 2 but like I said, we harvested 657 sacks.
 3 So the next slide, this is just kind of a
 4 reminder to the conditions of all of our reefs, that
 5 they are not in very good shape. And that's why we
 6 are having to take some rather drastic measures to
 7 try to protect them and to try to rebuild the stock.
 8 It's also a reminder that on
 9 November 13th we are going to be opening up the
 10 western reefs with a 30 percent harvest limit, which
 11 comes out to 9,359 sacks.
 12 Just a quick summary on the number of -- of
 13 the activity that took place on Biloxi Bay Reef. We
 14 had 39 trips -- or 33 of Mississippi tongers, 40
 15 trips for non-resident tongers for a total of 73
 16 trips.
 17 Sacks harvested, Mississippi tongers
 18 harvested 301 sacks and non-resident tongers
 19 harvested 356 sacks.
 20 And as you remember the Commission asked us
 21 to conduct a relay from Pascagoula to Biloxi Bay
 22 Area. We did that on the 11th.
 23 We relayed 500 sacks and then we had some
 24 boat issues.
 25 As a matter of fact the boat is getting

1 COMMISSIONER BOSARGE: And, Chief, one
 2 more, if I can get back to my notes. I think one of
 3 your -- yeah, Roy Lipscomb, I see where he got
 4 Officer of The Year. That's quite an accomplishment.
 5 CHIEF DAVIS: Yes, sir. I was going to let
 6 our public relations person talk about that. Yes,
 7 sir. That is a very distinguished accomplishment.
 8 And we are very proud of him for being awarded that
 9 award.
 10 COMMISSIONER BOSARGE: Yes, sir. Very,
 11 very, good. Thank you, sir.
 12 CHIEF DAVIS: Thank you.
 13 COMMISSIONER BOSARGE: Office of Marine
 14 Fisheries.
 15 MIKE BRAINARD: Thank you. Good morning
 16 Commissioners, Director Miller, Ms. Chesnut.
 17 My name is Mike Brainard. Deputy Director
 18 of Marine Fisheries. And I will just be giving you a
 19 brief update on the oyster season so far.
 20 As you remember from the last commission
 21 meeting we had an estimation of 1,651 sacks on Biloxi
 22 Bay, Area V "A." The commission had set a 30 percent
 23 sack limit of 495 sacks. We ended up harvesting 657
 24 sacks, which actually came out to 59.8 percent of
 25 that -- 39.8 percent. Did I say -- sorry about that.

1 repaired today The Conservationist. So we plan on
 2 going out tomorrow again and doing some more relays.
 3 COMMISSIONER GOLLOTT: Mike, what happened
 4 to The Conservationist?
 5 MIKE BRAINARD: The steering messed up, the
 6 hydraulics, so we had to have it repaired.
 7 COMMISSIONER GOLLOTT: My understanding we
 8 moved about 2,000 sacks. That's not true?
 9 MIKE BRAINARD: No, it's 500.
 10 COMMISSIONER GOLLOTT: 500 sacks?
 11 MIKE BRAINARD: Like I said, we are going
 12 to try to go back out tomorrow as long as the boat
 13 gets fixed.
 14 COMMISSIONER GOLLOTT: Okay.
 15 DIRECTOR MILLER: Commissioner Gollott, you
 16 didn't make that number up. I did tell you 2,000
 17 sacks.
 18 COMMISSIONER GOLLOTT: Well, I wasn't going
 19 to put you on the spot.
 20 DIRECTOR MILLER: You had moved 500 sacks
 21 for the day. And I knew how long we had been
 22 working, but I didn't realize that you had taken the
 23 boat off three of those four days to get it started,
 24 so I did give you that number. I apologize. I
 25 didn't confirm it before I gave it to you.

1 COMMISSIONER TRAPANI: How many sacks do we
 2 intend on relaying?
 3 MIKE BRAINARD: I think right now we are
 4 looking at around 2.2 thousand. But it may go on
 5 longer, depending on. . .
 6 COMMISSIONER GOLLOTT: Wait a minute. Wait
 7 a minute. Wait a minute. Now, I am going to call
 8 the Director out. He told me it was going to be
 9 right around 10,000 sacks.
 10 MIKE BRAINARD: Yeah. Yeah, I'm sorry.
 11 yeah. That's what it is. It's not 2,000.
 12 DIRECTOR MILLER: 10,000 was the number we
 13 had come up with based on what the stock estimates
 14 for that was?
 15 MIKE BRAINARD: Yes.
 16 DIRECTOR MILLER: So 10,000.
 17 COMMISSIONER GOLLOTT: That's 10,000
 18 everything. That's undersize oysters, shell material
 19 and 3-inch oysters. What percentage -- do you have
 20 any idea what percentage is over three inches that
 21 you are relaying out of that 500 sacks? Do you have
 22 a breakdown?
 23 MIKE BRAINARD: No. We could look into
 24 that.
 25 COMMISSIONER GOLLOTT: That would be very

1 quota and it would be 30 percent. And then that next
 2 day we harvested another 150 over that.
 3 That's how that happened. There's no way
 4 to stop it exactly at that number, because we didn't
 5 know exactly when we were going to shut down that
 6 day, so. . .
 7 COMMISSIONER HAVARD: I was under the
 8 impression that we had ten sacks at that time. The
 9 day before closure. We had to reach our quota and
 10 then we opened it up whole another day and got an
 11 additional 160 sacks. Right?
 12 MIKE BRAINARD: That's correct. We were
 13 averaging around 10 sacks --
 14 COMMISSIONER GOLLOTT: Commissioner, let me
 15 say this: I was concerned about the out-of-state
 16 people coming in here and harvesting the oysters.
 17 But I have been assured that the oysters are being
 18 sold to a Mississippi dealer before they leave the
 19 state, so it's a big benefit to Mississippi to have
 20 these people come in and harvest the oysters and then
 21 sell them to a Mississippi dealer.
 22 DIRECTOR MILLER: That is true.
 23 MIKE BRAINARD: As far as the second part
 24 of your agenda --
 25 COMMISSIONER BOSARGE: You have no further

1 interesting to see what we come out with.
 2 MIKE BRAINARD: Right now we are just
 3 putting it -- you know, dumping them out to the deck
 4 and splaying it all out.
 5 DIRECTOR MILLER: Yeah, we can look into
 6 that for sure.
 7 COMMISSIONER GOLLOTT: Okay. Mike, thank
 8 you.
 9 MIKE BRAINARD: Okay. That's the end of my
 10 portion of it.
 11 COMMISSIONER HAVARD: All right. And I
 12 have a quick question. Based on the numbers of
 13 in-state tongers versus out of state, so those
 14 numbers show that we have more out of state tongers
 15 come in and tong than we had in state tongers. Is
 16 that correct?
 17 MIKE BRAINARD: That's correct. Yes.
 18 COMMISSIONER HAVARD: And we harvested 10
 19 percent more than the quota that we set. A little
 20 over nine percent.
 21 MIKE BRAINARD: Correct.
 22 COMMISSIONER HAVARD: Okay.
 23 MIKE BRAINARD: And basically what happened
 24 is that the day before that there was still a hundred
 25 and some sacks left to be harvested to reach the

1 comment?
 2 MIKE BRAINARD: I don't have any comments
 3 about that this morning.
 4 COMMISSIONER GOLLOTT: Okay. I think I
 5 will take over from here then.
 6 COMMISSIONER BOSARGE: Any discussions?
 7 COMMISSIONER GOLLOTT: Thank you.
 8 MIKE BRAINARD: Okay.
 9 COMMISSIONER GOLLOTT: Let me start out
 10 saying that when we started harvesting oysters out of
 11 the Biloxi Bay, I went over and looked at the
 12 oysters. The department had some people there going
 13 through the oysters dumping them out and looking at
 14 them. And they were absolutely gorgeous. They are
 15 on the verge of being a little bit too big. And
 16 there are 220, roughly 220 count to the sack, which
 17 is ideal for box oysters and half shell stuff.
 18 And I talked to Joe Jenkins, Mike Cure and
 19 -- a real good tonger. And they said that it would
 20 be -- let me back up a minute. First of all, there
 21 is not a lot of small oysters attached to these
 22 oysters they was harvesting, no spat set, not many in
 23 the next year's range.
 24 So we discussed it and decided there is
 25 roughly a thousand sacks left on this reef that we

1 was harvesting off of. The fishermen, the
2 processors, they all said it would be great to go
3 ahead and harvest these oysters before they get too
4 big. The fishermen got \$60 or \$70 a sack for these
5 oysters because they were ideal and are still ideal.

6 So we have set up a relaying program and
7 what we was intending to do is let them harvest some
8 of these relay oysters. They said they would rather
9 go ahead and harvest these oysters and let's relay
10 back onto the reef that these are coming off of, and
11 let those oysters stay there until next season.

12 Now, these oysters from Pascagoula there is
13 a lot of small oysters, nexial (phonetic) oysters, I
14 understand. This will give us -- and letting them
15 sit there for nine months will give us a big growth
16 out. And loosen them up and getting them out of an
17 overcrowded situation, will let these oysters grow.

18 People in Louisiana have been doing this
19 for years and years and making a ton of money. I
20 would really love to see us do this and keep very
21 close tabs on it to see just how much increase we get
22 for these oysters by letting them sit there enough
23 time to grow out.

24 And that's my reasoning for this 1(b) on
25 this thing. And I would like to make a motion that

1 And it took three and-a-half years to grow these
2 oysters to a perfect size. And that is the main
3 reason that I want to relay some small oysters back
4 on top of these things to let them grow out and get a
5 harvest the next year.

6 If we leave it like it is we might get a
7 1,000 sacks off of this area next year, but if we put
8 oysters from Pascagoula on top of it, we could have a
9 real good -- you know, I am not going to guess, but
10 we could probably -- depending of how many we put
11 there, but we could probably get a 20 percent grow
12 out or 30 percent grow out on these oysters and reap
13 a lot more out of it by doing it this way.

14 COMMISSIONER HAVARD: Mike, are we in
15 recovery mode and rebuild mode? Is that what I --

16 MIKE BRAINARD: Yeah. And that is what our
17 staff recommendation was. Well that is how the
18 30 percent came about.

19 COMMISSIONER HAVARD: And would that be a
20 harvest all of these oysters that are left and plant,
21 is that considered rebuild mode?

22 MIKE BRAINARD: No, it's not.

23 COMMISSIONER HAVARD: Okay. Thank you.

24 COMMISSIONER GOLLOTT: Why wouldn't it be
25 considered rebuilding if you are relaying oysters

1 we open the Biloxi Bay to harvest the remaining
2 amount of oysters that's on this reef, letting the
3 executive director close it when he sees fit, but the
4 goal is to get these oysters off of there and then
5 relay back to the same area where we have got a good
6 hard bottom with Pascagoula oysters and letting them
7 grow out until next season. I think it will give --
8 this is what the dealers, the fishermen want to do
9 with this product.

10 So I would like to make that motion that we
11 do that.

12 COMMISSIONER HAVARD: Mike, I have a quick
13 question.

14 MIKE BRAINARD: Um-hum. (Affirmative)

15 COMMISSIONER HAVARD: Last year was the
16 first year in 30 years that we have opened that area.
17 Is that not correct, for oyster harvest?

18 MIKE BRAINARD: Yes.

19 COMMISSIONER HAVARD: And then we went in
20 there and took a portion of 30 percent last year.

21 And then this year we are taking a recommendation
22 from the scientists and the governor from the State
23 of Mississippi.

24 COMMISSIONER GOLLOTT: No, sir. This is
25 the first year that we have harvested any oysters.

1 there?

2 MIKE BRAINARD: Well, you are moving from
3 one place to another place.

4 COMMISSIONER GOLLOTT: But you can't
5 harvest them in Pascagoula.

6 MIKE BRAINARD: No, I understand that.

7 COMMISSIONER GOLLOTT: Yeah.

8 MIKE BRAINARD: But you have to understand
9 that, you know, you have to look at each reef complex
10 individually. And that's all I know.

11 COMMISSIONER GOLLOTT: Okay. I have a
12 motion.

13 COMMISSIONER TRAPANI: I have something
14 that I want to add to that. What Commissioner
15 Gollott is proposing is that we replace the oysters
16 from Pascagoula, which Pascagoula was never part of
17 the 30 percent. Is that correct?

18 MIKE BRAINARD: Right.

19 COMMISSIONER TRAPANI: We are replacing
20 them. We are putting them back to the area that we
21 weren't pulling from.

22 MIKE BRAINARD: Right. In the big picture
23 that's not rebuilding, it's just shifting things
24 around, you know, instead of --

25 COMMISSIONER BOSARGE: We need to have

1 discussions like you said. One, Richard, I know you
 2 talked to different people.

3 I have got a young man that works for me
 4 and he actually came in on this trip when he was on
 5 his off time. And he made that season. And so I
 6 asked him about it. I said, "Tell me what you saw."
 7 He said, "Well, you know, there were some pretty
 8 oysters. And they were single oysters." He said
 9 "But we were having to move a lot of material to get
 10 them." And I asked him, I said, "So, if we were to
 11 leave it open how much longer do you think it would
 12 last?" He said "Two weeks and we would have cleaned
 13 it up." That would have been the end of it.

14 Now, we put a management plan in place at
 15 the last meeting that I feel like we need to stick
 16 to. And I made mention at the last meeting of the
 17 governor weighing in on this issue. And I would like
 18 to read into the record the letter.

19 COMMISSIONER GOLLOTT: I think we have
 20 already read that letter and we know what it says.

21 COMMISSIONER BOSARGE: You may have read
 22 it, but I want the people out there to be able to
 23 hear it.

24 COMMISSIONER GOLLOTT: Okay.

25 COMMISSIONER BOSARGE: And he has addressed

1 we just open this up and harvest 1,000 sacks, relay
 2 out of Pascagoula 10,000 sacks and let those things
 3 grown until we have a real good harvest, we could
 4 benefit greatly.

5 COMMISSIONER BOSARGE: Logic would tell me
 6 that if we don't take any more oysters and we relay
 7 10,000 sacks that we will have an exceptional harvest
 8 the following year.

9 COMMISSIONER GOLLOTT: But the 1,000 sacks
 10 is there, just perfect size for half shell right now.
 11 The fishermen are getting the maximum amount of
 12 money. And if it grows another year, it will be too
 13 big, is what I have been told.

14 COMMISSIONER BOSARGE: I agree, but in my
 15 opinion we are doing the same thing we have done year
 16 after year after year after year and it doesn't work.

17 COMMISSIONER GOLLOTT: I don't think so.
 18 We haven't done anything in the Biloxi Bay in a long
 19 time, and in Pascagoula. But anyhow --

20 COMMISSIONER BOSARGE: The way I see it, we
 21 have done what we can in the western sound and now we
 22 are moving to the middle of the state and we are
 23 starting to chew at what's on the east end of the
 24 state a little bit.

25 COMMISSIONER HAVARD: I don't want to

1 it to me: "Dear Mr. Bosarge: I am writing to
 2 encourage the Commission on Marine Resources to adopt
 3 the agency's recommendation for sustainable oyster
 4 harvest of 30 percent of the estimated 32,000 sacks
 5 available for the 2017-18 season.

6 This concept of sustainable harvest was the
 7 principle recommendation of the Governor's Oysters
 8 Counsel in 2015, and one that I support.

9 It is critical to the future of
 10 Mississippi's oyster resources and the oyster
 11 industry that the commission take action to allow the
 12 restoration of our depleted oyster reefs.

13 This decision will be for the 2017-18
 14 season, but it presents the Commission with a turning
 15 point decision to ensure the long-term sustainability
 16 for the oyster industry in Mississippi. I hope the
 17 Commission will exercise its leadership in making
 18 this difficult but necessary decision for the good of
 19 the Gulf Coast and Mississippi, Sincerely, Phil
 20 Bryant, Governor."

21 COMMISSIONER GOLLOTT: You have just proven
 22 my point. If we relay 10,000 sacks of oysters out of
 23 Pascagoula and we open it up this year and get
 24 30 percent of those we will be taking a lot more
 25 oysters out of the bay, out of the resource, than if

1 disagree with you, but that may have been the
 2 strategy that we have used in the past year that's
 3 why we are in the shape that we are in now, just
 4 harvesting what's there. That does not work. It's
 5 proven.

6 And then now we are taking the only decent
 7 reef that we have left in the whole state and
 8 transplanting and pillaging through what little few
 9 oysters we have left.

10 COMMISSIONER BOSARGE: The bright side to
 11 what the gentleman that works for me was telling me
 12 was that there is a lot of material in that reef.
 13 That's good.

14 COMMISSIONER GOLLOTT: There is a lot of
 15 material, sir, but it's no spats there or small
 16 oysters only, it's just a dead reef. The only thing
 17 we have really is the full grown oysters.

18 COMMISSIONER BOSARGE: Well, hopefully, we
 19 will make what we transplant. That will help it.
 20 But I don't see where going out and harvesting
 21 everything that is on there is something that is
 22 going to be good for the reef.

23 COMMISSIONER GOLLOTT: But beg your pardon,
 24 we are only going to harvest 3-inch oysters and
 25 bigger off of that reef. The rest of it will still

1 be there.

2 COMMISSIONER BOSARGE: Which is the same

3 thing we have been doing --

4 COMMISSIONER GOLLOTT: Yeah.

5 COMMISSIONER BOSARGE: -- up to this point.

6 COMMISSIONER GOLLOTT: Well, that's what

7 was done for 200 years. That's the way we manage the

8 reefs, but. . .

9 COMMISSIONER BOSARGE: Do we have a motion?

10 MS. CHESNUT: If I could verify the motion,

11 it's up there on the screen, if you could let me know

12 if that's what you want. And, also, if there is

13 going to be any opening or closing dates, or if that

14 authority is going to be left to the executive

15 director.

16 COMMISSIONER GOLLOTT: It really needs to

17 be left to the executive director, because we

18 don't know how long it will take them to harvest

19 those oysters. One of the things that we need to do,

20 is if we are going to do it, we need to go ahead and

21 harvest them, so we can rely on top of that reef out

22 of Pascagoula. We are up against a weather

23 situation.

24 When we start getting these cold north

25 winds and blow the water out, you won't be able to

1 COMMISSIONER GOLLOTT: Okay. 1,651. You

2 have already harvested 1,657. So roughly a thousand

3 sacks. Full grown oysters should be -- marketable

4 oysters should be left there. And that's where we

5 are coming up with that figure.

6 MIKE BRAINARD: You have got to remember

7 that that's an estimate too.

8 COMMISSIONER GOLLOTT: Well, and if the

9 director sees that they are getting down to nothing

10 he can close it if it's 800 sacks. You know what I'm

11 saying. And that's the reason I want to leave it up

12 to the director, but -- and he is going to know -- I

13 mean, it only took them what, four days to harvest

14 600 sacks.

15 MIKE BRAINARD: Yeah, it was open the 2nd

16 --

17 COMMISSIONER GOLLOTT: I mean, you're not

18 talking about a week.

19 MIKE BRAINARD: They were averaging like

20 ten sacks.

21 COMMISSIONER GOLLOTT: Yeah, I mean, you

22 are not talking but about a week or two at the very

23 most. You know, it's not a lot of oysters.

24 COMMISSIONER TRAPANI: Were they reaching

25 their limits?

1 harvest out of Pascagoula. That's a fact. The reef

2 is so shallow that you won't be able to get the

3 Conservationist in there. So the quicker we do this

4 -- if we vote to do it, then the better off we will

5 be. And I think the director, I think I trust the

6 director, you know, if we pass it, to go ahead and do

7 it that way.

8 COMMISSIONER HAVARD: Being that this is so

9 few and far between, and leaving it just up to the

10 executive director, you know, if we the Commissioners

11 put in place for a restock of what we have, five

12 votes to make a good sound decision from every angle.

13 And leaving it up to one person, the executive

14 director to make that call, I'm sure that that's why

15 the commission as a whole is in place.

16 COMMISSIONER TRAPANI: I thought that the

17 original intention was 1,000 sacks. Is it 1,000 or

18 is that right, and that the director is closing and

19 opening it. And where did the thousand sacks come

20 from?

21 COMMISSIONER GOLLOTT: Looking at the

22 estimates of what was on that reef they had 1,655

23 sacks I think it was estimated to be there.

24 Harvestable oysters.

25 MIKE BRAINARD: 1,651.

1 MIKE BRAINARD: No.

2 COMMISSIONER TRAPANI: I was thinking that.

3 MIKE BRAINARD: It was taking a while. And

4 like I said, the sack limit was 15 so -- and we were

5 averaging about ten?

6 COMMISSIONER TRAPANI: And did you see the

7 size of the oysters coming in?

8 MIKE BRAINARD: I didn't personally, no.

9 COMMISSIONER TRAPANI: So I just have

10 another question. I think what Commissioner Gollott

11 is focusing on is replacing these oysters from the

12 reef that is, like I said, where the 30 percent did

13 come from, how is that not replacing and rebuilding,

14 if you can explain that to me?

15 MIKE BRAINARD: Like I said, --

16 COMMISSIONER TRAPANI: I mean, if it is in

17 the area that we haven't used in a hundred years,

18 that is not even part of what we are taking into the

19 number of what we have.

20 MIKE BRAINARD: Right. I understand what

21 you're saying, but, like I said, you have to look at

22 each reef individually. You are taking a resource

23 from the Pascagoula reef, I mean, you are depleting

24 that resource, moving it to another place where it

25 could be harvested. And it is just -- you have at

1 each -- the 30 percent is based on each reef complex.

2 So you have to kind of manage those individually.

3 So just to replace -- I mean, it's kind of
4 like, you know, I am not sure of a good analogy, but
5 it's just, you know, you are just taking the resource
6 from one place and putting it to another, so they can
7 harvest it, so you are depleting one place and
8 opening up it eventually.

9 COMMISSIONER TRAPANI: My point is that
10 that was --

11 MIKE BRAINARD: Like I said, it's
12 resourcing around, it's not rebuilding it is actually
13 just shifting things around.

14 COMMISSIONER BOSARGE: This is the way I
15 see it. We set up a plan where we are going to take
16 30 percent, because right now we are in a rebuilding
17 mode. And we are going to use our bonus area, which
18 is the Pascagoula area, to try to help build
19 resources. So we took our 30 percent, which is
20 planned, we have documented it. And now we are going
21 to enhance what's left there with what we have in
22 Pascagoula.

23 If it was the intention of us doing nothing
24 more than what is in Pascagoula and bringing it over
25 and harvesting it, then we are not -- do you see what

1 I am staying? It doesn't fit.

2 COMMISSIONER GOLLOTT: Well, Commissioner,
3 I think if you look at the last motion at the last
4 meeting, we are going to harvest oysters that was
5 harvested or brought out of Pascagoula, relayed out
6 of Pascagoula. And we are going to get 30 percent of
7 those.

8 We are talking about leaving those there
9 for a year and not harvesting them this year. so we
10 are just trading off really.

11 COMMISSIONER BOSARGE: I don't consider it
12 a trade off. I consider robbing Peter to pay Paul.

13 COMMISSIONER GOLLOTT: I don't think so. I
14 don't see it that way. But anyhow, I call for a vote
15 on this thing. Let's vote on it.

16 COMMISSIONER BOSARGE: Thank you. We have
17 a motion. Do we have a second to the motion?

18 COMMISSIONER HARMON: So second,
19 Mr. Chairman.

20 COMMISSIONER BOSARGE: We have a motion and
21 a second. Any further discussion? All those in
22 favor. Aye.

23 COMMISSIONER GOLLOTT: Aye.

24 COMMISSIONER HARMON: Aye.

25 COMMISSIONER BOSARGE: Opposed? Aye.

1 COMMISSIONER HAVARD: Aye.

2 COMMISSIONER TRAPANI: Aye.

3 COMMISSIONER BOSARGE: Motion fails. All
4 right.

5 MS. CHESNUT: I think you need to continue
6 --

7 COMMISSIONER GOLLOTT: Take a count on
8 that?

9 COMMISSIONER BOSARGE: Pardon?

10 COMMISSIONER GOLLOTT: Get a count on who
11 voted which way.

12 COMMISSIONER BOSARGE: We have Commissioner
13 Gollott and Commissioner Harmon voting for it. And
14 we have Commissioner Bosarge, Tripani and Mr. Havard
15 voting against.

16 COMMISSIONER GOLLOTT: All right. Thank
17 you.

18 COMMISSIONER BOSARGE: Thank you. Let's go
19 on to Coastal Resources Management.

20 JAN BOYD: Commissioners, Director Miller,
21 Ms. Chesnut, we have four action items for your
22 consideration this morning. And Jennifer Wittmann
23 will be our first presenter today.

24 COMMISSIONER BOSARGE: Good morning.

25 JENNIFER WITTMANN: Good morning. I am

1 Jennifer Wittmann. And I will be presenting our
2 first item on the agenda. And it is a very lengthy
3 presentation. I know you have a very large packet of
4 information in front of you. And I will do my best
5 to give you all the information that you need to make
6 your decision without giving you more information.

7 So we have a request for an exclusion by
8 the Mississippi State Port Authority that is located
9 on Mississippi Sound at the intersection of Highway
10 90 and 30th Avenue in Gulfport.

11 And in the Industrial Development and
12 General Use District. And John Webb is the
13 Mississippi State Port Authority Agent.

14 The applicant is seeking authorization to
15 fill 196.5 acres of un-vegetated water bottoms. And
16 that would be done using 4.5 mcy of sandy fill
17 material. There has been some authorizations for
18 several structures, including a pier 3,500 X 130
19 feet; 3,500 linear feet of bulkhead, 250,000 cubic
20 yards of rip-rap and breakwater that totals 7,650
21 feet and the base will be no more than 102 feet.

22 For that breakwater the top width will be
23 about ten feet and the elevation will be ten feet.
24 And that would total approximately 18 acres of fill.

25 They are seeking authorization to dredge

1 7.68 million cubic yards of material. 560,000 cubic
2 yards of material which is the debris and sediment,
3 will be disposed of in Harrison County upland
4 disposal site located on the Harrison County
5 Industrial Seaway. Remaining dredged material would
6 be available for beneficial use and would be donated
7 to the DMR Biloxi Marsh Complex BU site, or ODMS,
8 which is Ocean Dredged Material Disposal Site or
9 another DMR BU Site if one becomes available.

10 And the Port is seeking an annual
11 maintenance dredging agreement, allowing them to
12 dredge, between 486,000 cubic yards and 1.3 million
13 cubic yards of material for a ten-year period.

14 A portion of the area that the Port is
15 seeking to fill is currently designated as a General
16 Use and so they are requesting a change in the
17 coastal wetlands use plan from General to Industrial
18 development.

19 And the applicant is also seeking four
20 variances to Chapter VIII, Section 2, Part III.C.3.
21 of the Mississippi Coastal Program.

22 The slide we are on shows the Port's
23 location in regards to Highway 49, I-10 and Highway
24 90. This is a diagram showing the dredging area.
25 The area in blue is the new work dredging that will

1 be going to the upland disposal site on the Harrison
2 County Industrial Seaway full of debris. And then
3 the area in orange is the new work dredging where
4 they will go in and excavate material and then that's
5 the area that they will be doing some filling in, so
6 that's in the north harbor and then to the south of
7 the west pier and the area in yellow will be the new
8 turning basin and the berthing areas. Those will be
9 the areas that will be continually maintenance
10 dredged.

11 This is a typical section of what the
12 breakwater will look like. It will be ranging from
13 that 98 to 102 feet at the base. And what's above
14 the water approximately ten feet and it will be
15 approximately ten feet in width at the top.

16 This diagram shows all of the different
17 structures and I think if you go -- moving forward
18 there will be breakwaters here and here to leave some
19 of the drop basin into the existing Federal
20 Navigation Channel. There will be a realignment of
21 the existing small craft channel, rip-rap piers and
22 bulkhead.

23 And this is a diagram showing the Biloxi
24 Marsh Complex, BU disposal site. This project is
25 currently being evaluated by the Louisiana Department

1 of Natural Resources and it is a DMR permit that we
2 have put in. And they are currently -- as I said,
3 reviewing our project. So Northwest Jack Williams
4 Bay there will be some containment structures and
5 some dredge material at Johnson Bay.

6 The expanded port will provide positive
7 public benefits in terms of new jobs that will
8 benefit the community along the Coast. The economic
9 benefits were examined and summarized in the final
10 Environmental Impact Statement that was prepared for
11 this project by the Corps of Engineers.

12 We will be increased 3 foot of -- to 1.7
13 Million TEUs a year which is a 20 foot equivalent
14 unit.

15 The EIS states that new employment and
16 income opportunities created by the port's expansion
17 includes temporary employment opportunities during
18 construction and permanent jobs in both full and
19 part-time, that wage earnings are anticipated to
20 increase that, that overall this project alternative
21 will have a benefit on all economic sectors and
22 greater economic benefit on labor force, employment
23 and the industrial sectors of the coast.

24 The applicant has requested a change, as I
25 said, from a General Use to an Industrial Use

1 District. And this change is being justified in
2 accordance with Chapter 8, Section 2, Part
3 1.E.2.b.ii, which states there is a significant
4 public benefit in the activity, impacts to public
5 access and adverse environmental impacts have been
6 minimized, and the general public as well as
7 government entities were notified of the project and
8 a public hearing has been held.

9 The applicant has requested four variances
10 to the Mississippi Coastal program. First, that the
11 vertical face structures shall be aligned no further
12 water-ward than mean high tide and shall be
13 constructed so that reflective wave energy does not
14 destroy wetland habitats.

15 The second is that for breakwaters, groins
16 and jetties, the vertical sloped surface area of the
17 structure created at mean high tide shall be greater
18 than the water bottom surface displaced by the
19 structure.

20 The third is that access canals shall be
21 designed to ensure adequate flushing and shall not
22 create stagnant pockets. It also states that they
23 shall be of uniform depth or become gradually
24 shallower from the proceeding receiving body of water
25 and shall be no deeper than the current body of

1 water; that in this case, because of the Mississippi
 2 Sound depth, the port basin has to dredge deeper to
 3 allow ships to come in.
 4 And then finally, the permanent filling of
 5 coastal wetlands because of potential adverse and
 6 cumulative impacts is discouraged. The applicant has
 7 justified these variances in accordance with Chapter
 8 8, Section 2, Part 1.E.2.c.iii, that feasible
 9 alternative sites or constructions techniques are
 10 available. There is a significant public benefit in
 11 the activity, and a public hearing has been held.
 12 And they are also justifying the importance
 13 of Chapter 8, Section 2 Part 1.E.2.C.iv that the
 14 action requires a waterfront location, there is a
 15 significant public benefit, and a public hearing has
 16 been held. The filling of 196.5 acres of
 17 un-vegetated water bottoms, the construction of
 18 7,650 linear feet of breakwater and the dredging of
 19 approximately 7.68 million cubic yards of material for
 20 the port expansion could set precedent. However, as
 21 I said earlier, the port has undergone the
 22 Environmental Impact Statement through the US Army
 23 Corps of Engineers. And this project was determined
 24 to be the least damaging of the alternatives that
 25 were reviewed.

1 and to dredge 168 acres for a new turning basin. And
 2 based on meetings with agencies and public comments
 3 from the EIS process the port has reduced their
 4 footprint to the current 196.5 acres of fill and 85
 5 five acres of dredging for the turning basin.
 6 The footprint reduction has substantially
 7 minimized the impacts that were originally proposed
 8 with the project.
 9 Approximately 7.68 million cubic yards of
 10 material will be dredged for the port Expansion
 11 Project and the port has proposed to place all the
 12 suitable dredge materials in a beneficial use site.
 13 There is currently not a beneficial use site in the
 14 State of Mississippi with the capacity for 7.68
 15 million cubic yards of material. And as I said
 16 earlier DMR has submitted an application with the
 17 Louisiana Department of Natural Resources for it to
 18 be used within the Biloxi Marsh Complex.
 19 A mitigation plan was developed in
 20 coordination with DMR and with support to mitigate
 21 some filling of the state water bottoms. The Port
 22 had consulted with DMR on several potential projects
 23 and has come to an agreement on a project that we
 24 feel is appropriate. The mitigation plan to increase
 25 the transfer of 148 acres of state -- Mississippi

1 Extent to which the proposed activity
 2 affects biological integrity, there will be
 3 short-term impacts to water and air quality during
 4 construction and dredging. There will be a loss of
 5 benthic organisms. There are no SAVs or shellfish in
 6 the project area.
 7 The potential impacts to threatened and
 8 endangered species as a result of the project and
 9 construction would be temporary and potential impact
 10 to federally listed species would be avoided or
 11 minimized by conservation measures formalized with
 12 the National Marine Fisheries Service in the Gulf
 13 Regional Biological Opinion and that greatly reduces
 14 the likelihood of adverse impact to sea turtles and
 15 the endangered Gulf sturgeon.
 16 There are no specific secondary or future
 17 developments proposed with the project. However,
 18 development of an expanded maritime facility would
 19 expect to generate secondary development such as
 20 warehouses and value-added distribution centers off
 21 of the State port property and not necessarily
 22 affiliated with the port.
 23 The original permit application for the
 24 expansion of the Mississippi State Port at Gulfport
 25 requested a permit to fill 678 acres of water bottoms

1 State Port Authority and property along Bayou Portage
 2 to Coastal Preserves Program, and purchase of three
 3 parcels of property in Jackson County with an
 4 estimated acreage of 180 acres that is contiguous
 5 with some additional properties that Coastal
 6 Preserves has. And on that site in Jackson County
 7 there will be some site improvements that the Port
 8 takes care of. They are going to remove a large
 9 stranded boat on the property. They will repair a
 10 culvert that was along the main access road. They
 11 will construct a boundary fence to insure that
 12 there's not recreational ATV riding and things on
 13 property that would potentially damage it. They will
 14 back-fill a small man-made ditch and remove some
 15 debris from Hurricane Katrina that is still there and
 16 unfortunately there is probably some additional
 17 debris from Nate.
 18 There is a proposal for them to permit an
 19 existing man-made canal on the property to be used at
 20 the BU site in Jackson County. The site is located
 21 north of I-10, so it would be something that would be
 22 available to some of the smaller projects in the area
 23 for residential areas that are doing some maintenance
 24 dredging that may not be feasible to go up to one of
 25 our larger offshore sites.

1 And then after all of that is complete, the
2 transfer of the property to the Coastal Preserves
3 Program for Conservation along with an endowment for
4 maintenance on property.

5 This is an expansion of the Mississippi
6 State Port and alternative sites were not considered.
7 The Port is a water-dependent industry and,
8 therefore, needs a waterfront location to expand its
9 current footprint. The expansion of the State Port
10 would increase the industrial land uses in the
11 greater Gulfport metro area and there will be no
12 major changes in land use adjacent -- land use to or
13 adjacent to the port.

14 In respect to the national interest in
15 November of 2015 the state port was designated a
16 Strategic Seaport out of the Department of Defense.
17 And US Seaports that are designated as Strategic
18 Seaports based on their proximity to DoD
19 installations and efficient transportation.
20 Strategic Seaports are used to transport cargo and
21 equipment from surrounding military installations to
22 fight overseas during times of war and international
23 emergencies.

24 And with the Port's central location to the
25 southeastern defense corridor, it can provide

1 military installations with direct on-dock rail
2 service and quick access to I-10. The Port will
3 support the Mississippi National Guard at Keesler Air
4 Force Base, Camp Shelby and the Naval Construction
5 Battalion in Gulfport.

6 And the Mississippi State Port at Gulfport
7 is one of 17 Strategic Seaports in the Country. And
8 as being a strategic seaport the responsibility of a
9 port is to ensure that specific facilities needed to
10 conduct military deployment will be made available to
11 the military within 48 hours of a request. And the
12 Port, as in our case, is required to have 28 acres
13 available and two berths available to the Department
14 of Defense within 48 hours.

15 Notification of the project appeared in the
16 Sun Herald as required and a public hearing was held
17 at the Bolton State Office Building on September
18 14th. Public comments were received concerning
19 several different things. And you received a copy of
20 the public comments in the response matrix that was
21 provided by the applicants. I believe that was
22 probably provided to you as an addendum to the
23 original had mail-out packets. But some of the high
24 points were concerning the use of ODMDS thin-layer
25 deposit for dredge material disposal, which would

1 have impact to reef shrimp and fish habitats as well
2 as potential impacts from sediment which may be moved
3 beyond the disposal site.

4 The responses from the applicants states
5 that for the Port expansion, EIS considered disposal
6 options for placement of the dredge material both new
7 and maintenance. The placement of the material is
8 only allowed in ODMDS and thin-layer deposit sites
9 that are approved and permitted by the Environmental
10 Protection Agency or the Beneficial Use Sites.

11 The EPA is the one who permits the ODMDS
12 sites. And prior to issuing those permits for the
13 ODMDS the EPA conducts Environmental evaluations of
14 potential impacts due to placement of dredge
15 material.

16 And that concerns on impacts to habitats
17 should be addressed through the EPA; that neither
18 Mississippi State Port nor DMR have the authority to
19 address concerns about the ODMDS site locations.

20 Public comments were also received
21 concerning impacts -- or the use of the Biloxi Marsh
22 Complex as a Beneficial Use Site, that there would be
23 impacts to oysters reefs. And that there should have
24 been a mitigation plan associated with the use of the
25 Biloxi Marsh Beneficial Use Site. And as I said

1 earlier, there is a permit application currently with
2 the Louisiana Department of Natural Resources for the
3 Biloxi Marsh Complex BU Site. And it provides all of
4 the information about the project. And so any
5 comments or concerns about that project, should be
6 submitted to the Louisiana Department of Natural
7 resources, as they are the permitting agency. And
8 then we have the permit number for anyone in the
9 public that would like to comment on that, and that
10 is P20160163.

11 Public comments were also received
12 concerning inadequate outreach, lack of transmitted
13 materials and the lack of opportunities to comment on
14 agency responses, public notice and public hearings
15 were conducted in accordance with Mississippi Code
16 49-27-17. There were three public notices published
17 in the Sun Herald and the public hearing date of
18 September 14th was included in all three of those
19 public notices.

20 And through the EIS process that the Port
21 has been going through since the project started,
22 there have been multiple opportunities for public
23 outreach and public involvement. There were also
24 comments about impacts to essential fish habitats.
25 And essential fish habitat falls under National

1 Marine Fisheries jurisdiction. Their comments and
2 impact on -- impacts to EFH are documented within the
3 EIS. And then the biological assessment and
4 biological opinions that go through the Port process,
5 it's a federal process and they are coordinated with
6 them throughout the entire permitting process.

7 And then finally, questions about water
8 quality in the small craft harbor. And the small
9 craft harbor is not part of the Port Expansion
10 Project, and they have their own water quality
11 monitoring. And they are working with DEQ for that.

12 Agency comments: DEQ issued water quality
13 certifications on October 5th of this year.
14 Department of Archives and History requested a
15 Cultural Resources Survey on a portion of the
16 mitigation plan that details the removal of the
17 stranded boat. If Archives and History determines
18 that the boat can't be removed that is something we
19 will work out with the port, but we believe that once
20 Archives and History see the condition of the vessel
21 that it is not in a position where it can be repaired
22 or floated; that they won't have a problem with the
23 removal of that vessel.

24 The Secretary of State's office states that
25 they do not agree with the removal of State owned

1 benefits to the State of Mississippi. Creating a BU
2 site and placing Mississippi sediments within the
3 Biloxi Marsh Complex would restore and stabilize one
4 of the most productive oyster habitats in the region
5 that are utilized by Mississippi oystermen. And they
6 have also concluded that will provide storm surge
7 protection for Hancock County.

8 And in this case while the Biloxi Marsh
9 Complex is the preferred alternative for the disposal
10 and expansion project, as it is stated in the
11 environmental impact statement, if the new BU site
12 becomes available in the State of Mississippi that
13 has the capacity needs, that the Port would evaluate
14 it's potential at the BU Site.

15 With all of this then being said, we have
16 conducted a thorough evaluation of this project and
17 have determined that it will have significant public
18 benefit. We recommend approval of the variance
19 request, approval of the use district changes and
20 approval of the project. And, as I said, should a
21 Beneficial Use Site in Mississippi be permitted prior
22 to execution of the project or any of the maintenance
23 dredging projects. The minute the project gets
24 started and they take the first set of material out
25 of the state or use ODMDS, if at any time in the next

1 sediments from the State-owned water bottoms for
2 beneficial use of the destination outside of the
3 State of Mississippi or the State's territorial
4 waters. And that if State-owned sediment qualifies
5 for a beneficial use project, they should be used to
6 benefit the State of Mississippi.

7 In the Department of Wildlife Fisheries and
8 Parks stated that they had no comment.

9 With regards to the Secretary of State's
10 comments, the port works with DMR in the Beneficial
11 Use Group. And the Beneficial Use Group is made up
12 of representatives from several different state and
13 federal entities.

14 They worked for over two years to try to
15 find a project that was suitable within the State of
16 Mississippi and based on depth, they would need to
17 have an area that is approximately 400 to 900 acres.
18 To avoid taking the sediments out of the system and
19 go to the ocean disposal site, or trying to go
20 upwind, the Port and the DMR are going to both look
21 to other options. They looked at two reports
22 including Governor's Oyster Counsel report for 2015
23 and the 2013 Gulf Coast 2020 plan, both of which
24 located that the Biloxi Marsh Complex and
25 stabilization of the Biloxi Marsh Complex would have

1 several years we get the site permitted, we would
2 prefer that the material stay within the State. So
3 we would prefer that maintenance dredging material be
4 placed there in preference to Biloxi Marsh or ODMDS.

5 And then it should be noted that there were
6 recent changes to Mississippi Code §49-27-29 that
7 limits the amount of time that a permit can be valid
8 to three to five years with the option of requesting
9 one two-year extension. In this case the Port has
10 requested a ten-year permit. The Statute limits
11 that. So should the statute change the Port would
12 have the option to come back in and request an
13 extension to the amount of time the permit would be
14 valid to coincide with the current laws and
15 regulations. And I have been working on the project
16 since 2008. So this is not something that they have
17 very quickly come up with and, as I said, the EIS
18 process is a very long and detailed process that the
19 actual client EIS is I think close to 600 pages. So
20 it is --

21 COMMISSIONER GOLLOTT: Jennifer, isn't this
22 the second time we have heard about this? What year
23 was it y'all came before us with this thing? I think
24 we had some different commissioners at that time.

25 JENNIFER WITTMANN: Several years -- well,

1 back in probably '98 or '99 they did the 84-acre
 2 expansion on the west pier. And then since then
 3 there have been some extensions to that side. But
 4 this actual expansion project hasn't been before the
 5 commission yet.
 6 COMMISSIONER GOLLOTT: Oh, okay.
 7 JENNIFER WITTMANN: They are just dredging.
 8 It is ultimately going to be related to the project
 9 --
 10 COMMISSIONER GOLLOTT: Well, we have heard
 11 about the Louisiana Marsh and to my recollection it
 12 was not going to help the Mississippi reefs, because
 13 where the Marsh is opened up and caused the salt
 14 water intrusion into the Mississippi Sound, you are
 15 not closing up, you are just closing up some
 16 convenient bayous over there.
 17 I am not against this project, but I think
 18 we are missing something here. If we look at -- if
 19 we look at the Mobile Bay when they dug that channel
 20 through there, it killed all their oysters reefs.
 21 Lake Calcasieu in Cameron, Louisiana, they dug a deep
 22 water canal through there. It killed all their
 23 oyster reefs, or a big part of them. Apalachicola,
 24 they don't have any oysters anymore. They used to be
 25 one of the capitals, you know, we had so many

1 putting millions of dollars down there trying to
 2 bring the oyster reefs back.
 3 And we are just going to open this up and
 4 let them wipe the oysters out by running more salt
 5 water in it?
 6 COMMISSIONER BOSARGE: I don't quite
 7 understand. We are bringing more salt water in by
 8 building a bigger turn basin. Is that what you are
 9 saying Commissioner Gollott?
 10 COMMISSIONER GOLLOTT: When you dig a
 11 deeper channel it's bringing more salt water in.
 12 COMMISSIONER BOSARGE: Deepening the
 13 channel by how many feet?
 14 COMMISSIONER GOLLOTT: I understand we need
 15 to mitigate --
 16 JENNIFER WITTMANN: I was conferring about
 17 that with the Port.
 18 The channel is not getting deeper. It is
 19 just going to be the deepening of the area that is
 20 currently not part of the turning basin.
 21 COMMISSIONER BOSARGE: Correct. That's
 22 what I thought.
 23 JENNIFER WITTMANN: But the actual ship
 24 channel will not be deeper.
 25 COMMISSIONER GOLLOTT: All the way in to

1 oysters.
 2 And salt water intrusion is what has wiped
 3 these oysters out, bringing a deeper channel into
 4 Gulfport is a good idea, but I personally agree with
 5 Delbert Hoseman. I think we ought to build an Island
 6 or something to keep that salt water out of the Cat
 7 Island and the Pass Christian area if there is a way
 8 to do it.
 9 JENNIFER WITTMANN: There are some
 10 preliminary projects that are very early on in the
 11 planning process within the beneficial use group.
 12 And within the coastal preserves program that we hope
 13 to be able to pull this material. But at this point
 14 in time those have not been permitted. They have to
 15 go through the entire federal permitting process.
 16 And we don't want to delay approval of the Port's
 17 permit for expansion based on a project that we don't
 18 have a permit for.
 19 COMMISSIONER GOLLOTT: Then, in other
 20 words, you are going to sacrifice the oyster industry
 21 in Mississippi for Port expansion?
 22 JENNIFER WITTMANN: No, sir.
 23 COMMISSIONER GOLLOTT: Well, how are you
 24 not, if you are bringing more salt into the Pass
 25 Christian area we are killing -- I mean, we are

1 the Gulfport channel, that's the way I understood it,
 2 y'all was going to deepen it down to.
 3 MS. HARRIS: The Gulfport channel deepening
 4 has been presented to the Commission, and has been
 5 approved.
 6 COMMISSIONER GOLLOTT: So you are deepening
 7 it.
 8 MS. HARRIS: It has already been deepened.
 9 COMMISSIONER GOLLOTT: It's already been
 10 deepened.
 11 JENNIFER WITTMANN: That's not part of this
 12 project. The only area that's going to be made
 13 deeper is this area where the turning basin is being
 14 expanded. And it's not going to. . .
 15 COMMISSIONER GOLLOTT: Okay. What about
 16 the Beneficial Use. Let's look at Louisiana marsh
 17 where you are planning on using the Beneficial Use,
 18 because my understanding is if you close Three Mile
 19 up it would give us back the oysters reefs.
 20 JENNIFER WITTMANN: They have looked at and
 21 Melissa Calvet with CH2 held research on a beneficial
 22 -- participates in the beneficial use group and may
 23 be able to speak to some of those concerns.
 24 I know that they have looked at several
 25 different configurations within the Biloxi Marsh

1 Complex and this was deemed to be the most probable
 2 for success.

3 COMMISSIONER GOLLOTT: The easiest, huh?
 4 JENNIFER WITTMANN: Well, it's not
 5 necessarily the easiest, but it's the land loss in
 6 the area right now is so great that you can go out to
 7 an area this year and next year it could be marsh
 8 now, and in a year it may be minus too. So we have
 9 to look at areas that it is feasible to do
 10 restoration.

11 COMMISSIONER GOLLOTT: Okay. If you do
 12 restoration there what guarantees you that it is not
 13 going to keep deteriorating at the same rate?
 14 COMMISSIONER BOSARGE: Let George come up.
 15 George is familiar with that.

16 COMMISSIONER GOLLOTT: I am just concerned
 17 about the oyster industry. Like I said, we have
 18 poured millions of dollars into it trying to rebuild
 19 it.

20 GEORGE RAMSEUR: George Ramseur. And
 21 Commissioner Gollott, you are exactly right. We need
 22 to be building Islands in that entire chain that
 23 keeps the salt water out. And that barrier
 24 so-to-speak really runs Lake Borgne all the way to
 25 Mobile Bay and we are definitely going to have

1 is this option is the only one that is fully funded
 2 at this point and fairly close to being permanent.

3 Now, the alternatives that we would like to
 4 have in the future to take advantage of the
 5 additional dredging of this complex at a minimum are
 6 going to be ten to \$20,000,000 additional to do that
 7 kind of stand-alone. And those are definitely on
 8 track and I mean, they moving out concept and looking
 9 into various stages of permitting, but, you know,
 10 they have got to be permitted and that's a long haul
 11 right now. And we have got to figure out where those
 12 tens of millions of dollars are going to come from to
 13 pay for these. So, if we get something before this
 14 site is used that's fine, but this is the best chance
 15 we have to avoid having to haul that into deep water
 16 and lose it, if the Port's schedule dictates they
 17 need to dredge.

18 COMMISSIONER GOLLOTT: So what are you
 19 going to do with Delbert Hoseman's being against this
 20 thing, moving material out of Mississippi?
 21 GEORGE RAMSEUR: Well, I think there is
 22 several things. There is funding that can change the
 23 face of this and the timing of the Port activity. So
 24 depending on how this comes together, we will just --
 25 I think we will just have to make a decision as a

1 opportunities to build islands directly, but in this
 2 particular case, we have a Section of the Biloxi
 3 Marsh that has been opening up significantly, and we
 4 have lost thousands of acres in there. So this is a
 5 chance to put some of that acreage back.

6 Now Louisiana has larger plans for some
 7 extensive barriers to go on the outside of Biloxi
 8 Marsh. And we would like to see those progress at
 9 some point. I don't know if they are going to do it
 10 on their own or not. That's the only ultimate
 11 solution that I aware of, that we will permanently
 12 protect Biloxi Marsh.

13 But in the meantime, instead of putting
 14 this material in the ocean where it would be no good
 15 we will get the back stock of some of the interior
 16 build up, sort of resiliency, in the Biloxi Marsh
 17 area.

18 COMMISSIONER GOLLOTT: George, have you
 19 looked at putting an island or something to block the
 20 salt water on maybe this side of Cat Island between
 21 --

22 GEORGE RAMSEUR: Yes, sir.
 23 COMMISSIONER GOLLOTT: -- the channel in
 24 the Pass Christian area?
 25 GEORGE RAMSEUR: Yes, sir. The main thing

1 state.

2 I think it is fairly complicated to look at
 3 all of the dynamics with the Biloxi Marsh. But one
 4 thing for sure, as you noted, that complex controls a
 5 lot of the salt and fresh water flow in particularly
 6 in the Western Sound. Three-Mile Pass is a totally
 7 different -- I mean, even if we put all of this
 8 material in Three-Mile Pass it wouldn't close it.
 9 That's going to be a project that probably -- if it's
 10 even permissible from the Louisiana side it's going
 11 to take a lot engineering, a lot of probably hard
 12 structure or something like that, because you have
 13 really got -- you've got deep water in there and it's
 14 really moving.

15 Now, on the bright side they finally closed
 16 off MRGO and the salinities in Lake Borgne have
 17 dropped a lot and in the western sound the trend has
 18 been down for the last six years. So there is some
 19 encouraging things coming from that Louisiana side.
 20 And, you know, this is not -- this is not the
 21 ultimate project, but it's a good way to start
 22 working on that complex, and maybe build it up a
 23 little bit instead of losing this resource.

24 COMMISSIONER GOLLOTT: George, you don't
 25 think by going to Louisiana and saying, "Hey, we have

1 got this material we would like to put it in your
2 marsh, by helping us here and closing up Three-Mile
3 it would go a long way to close up -- you might have
4 bulk head Three-Mile or something to close it, but it
5 would give us such a big boost on our oyster industry
6 in the western sound down there if they would close
7 Three-Mile.

8 GEORGE RAMSEUR: Oh, sure. And to me this
9 gets everybody -- this gets Mississippi and Louisiana
10 on the same table playing the same game. And I
11 think, you know, this kind of multi-state thing is
12 hard to put together. There is a lot of political
13 and agency interactions. And it's -- you know, this
14 permit has been in process for three years at this
15 point, and it's still not done.

16 So it -- this gives us a working
17 relationship that we can build on. And as I say,
18 they have got the lines of defense that they want to
19 -- the part of the 2012 master plan, they have been
20 held out of the '17, the 2017 master plan. But I
21 think they are reevaluating some parts of that. One
22 of the other things about Biloxi Marsh is that it is
23 actually one of the most stable marsh complexes in
24 the entire Mississippi Delta. There are no active
25 faults under it, so it's not subsiding like the rest

1 it's been, it's been pretty dynamic and changing.

2 COMMISSIONER GOLLOTT: Well, once we do
3 this permit it's over with as far as the Commission
4 having any say on what's happening or --

5 GEORGE RAMSEUR: Well, I think the way it
6 is put in here is what we would all like to see. I
7 think the primary thing that I think almost everybody
8 agrees with is we don't want to see 7.5 million yards
9 of Mississippi resource dumped in the ocean. And so
10 -- right.

11 COMMISSIONER GOLLOTT: Are you telling us
12 that's the alternative right now on --

13 GEORGE RAMSEUR: If they dredge -- if they
14 dredged this month or this year, yeah, that's about
15 what it is.

16 DIRECTOR MILLER: The concept to permit a
17 federal use site plus the marsh was in response to
18 the primary disposal, which was deep water ocean
19 disposal. And so we agree -- I agree. I have spoken
20 with Secretary Hoseman. We both prefer that this not
21 leave Mississippi at the initiation of the permit
22 application for the dredge material. The object is
23 for no one to get it, for it to go in the deep water
24 and no one benefits. And so we have looked at what
25 could be funded, what could be permitted, what could

1 of that delta area. So it's really -- it's really
2 one of the best places for them to restore marsh.

3 And that would be another hope here is if
4 we say, "Hey, look, this is really not that hard to
5 do. Why don't you guys" -- because they are having
6 some trouble capturing their smaller amounts of
7 dredge material, which for Louisiana, I wouldn't say
8 this is a small amount, but it's the kind of project
9 they have been focusing more on, diversions and that
10 sort of thing. This is also kind of far out from New
11 Orleans and their interest in funding tends to --
12 tends to center on stuff that is closer to, you know,
13 their urban center and stuff. So we are kind of
14 pulling them a little bit east with this project, and
15 we are obviously stretching west with it as well,
16 but. . .

17 COMMISSIONER GOLLOTT: George, if we table
18 this until the next meeting, do you think you could
19 go to Louisiana and come back with some answers or
20 something? I mean. . .

21 GEORGE RAMSEUR: No. I wish I could tell
22 you that, but, I mean, as I say, we have been -- we
23 have been going through one hurdle after the other
24 for three years. And, you know, it has been a pretty
25 dynamic -- I won't say it has been frustrating, but

1 benefit us and we landed in the Biloxi Marsh.

2 Now, George is right and Secretary Hoseman
3 has been adamant. Let's find an even better place.
4 The issue with those better places are the cost of
5 those go up, you know, a hundred fold, because you
6 have to build containment around them. But we are
7 pursuing those. And we will have those moving into
8 the future. So we may be back here in a year or two
9 with another alternative beneficial use site around
10 Cat Island or somewhere in Mississippi waters. But
11 we don't have the permit for the Biloxi Marsh yet.
12 And there's no guarantee we will get it.

13 GEORGE RAMSEUR: Right.

14 JENNIFER WITTMANN: And we don't -- and we
15 would absolutely condition the permit such as if a BU
16 site within the State of Mississippi is permitted
17 that can be such a material that that is the
18 preference.

19 COMMISSIONER GOLLOTT: Let met stay this:
20 And I appreciate y'all's hard work. It looks like
21 there you have put in a lot of hard work. And, you
22 know, I am not here to -- I am just trying to protect
23 the oyster industry. Thank you, Jennifer.

24 MS. HARRIS: Yes, sir. I understand. And
25 I think everybody does.

1 COMMISSIONER BOSARGE: There is a
2 biological opinion any EIS will be long drawn out and
3 takes a long time.

4 JENNIFER WITTMANN: They do.

5 COMMISSIONER BOSARGE: And they cover most
6 of their bases. Any more discussion? If not we have
7 got some public comment on the subject, if we could,
8 please, move on.

9 THE WITNESS: Ms. Thao Vu.

10 THAO VU: Good morning. Director Miller,
11 Commissioners. Tao Mu with the Mississippi Coalition
12 for Vietnamese-American Fisher Folks and Families.

13 I am here to reiterate the letter that was
14 submitted to the agency regarding this proposed
15 project to expand the Port of Gulfport. It was dated
16 September 17th of this year. And we are here to
17 implore the Commissioners to deny it.

18 To deny the port expansion. And here are
19 the reasons why: Just because this EIS Environments
20 Impact Statement has been conducted for years. And I
21 know there's been many years that doesn't mean it is
22 thorough, comprehensive or factors everything that it
23 should. And the one thing that has greatly factored
24 in is the impact to the shrimping industry. Decades
25 ago when the Port initially expanded it devastated an

1 area that was a prime shrimping area near Cat Island.
2 And since then all the old timers fishermen and
3 shrimpers can attest to that. And the shrimp has
4 never come back, because they have basically
5 destroyed and impacted the sediment there, the
6 habitat that should have been there. It needs good
7 stable habitat. And it moved away and never came
8 back. And that is something -- that is something
9 that is mentioned in the document, the National
10 Marine Fisheries Service has serious concerns about.
11 It's in this 2,000 page document that they expressed
12 concerns about the impacts to essential fish habitat
13 and shell fish.

14 And it's not to the public benefit if there
15 is a group that's really been seriously struggling,
16 starving right now, okay, because of all the
17 environment issues, you know, due to all of the
18 disasters that they are going to have to feel the
19 impacts of this too. How is that of public benefit?

20 Public benefit means benefiting everyone.
21 And not one who has to spare the disproportionate
22 impact, the adverse impact to it.

23 And I want to reiterate something here that
24 is one of your regulations under Coastal Wetlands.
25 It says: Under Costal Wetlands, Chapter 8, Section

1 2, Part I.E.2. "The extent to which the proposed
2 activity would directly and indirectly affect the
3 biological integrity and productivity of costal
4 wetlands communities and eco-systems."

5 It's very important you abide by that. I
6 am not here to attack the Commission, but the Port,
7 they don't need this expansion. Their current
8 activities has already taken a significant amount of
9 their salary base -- over 300 areas. Please do the
10 right thing and deny the permit. Thank you for the
11 opportunity.

12 COMMISSIONER BOSARGE: Thank you, Ms. Vu. I
13 think we have presented everything in
14 recommendations. Is there any further discussion?
15 Do we have a motion?

16 COMMISSIONER HAVARD: Mr. Chairman, I would
17 like to make a motion that we move along with taking
18 the staff's advice.

19 COMMISSIONER BOSARGE: Okay. Go with the
20 staff's recommendations if I understood you
21 correctly.

22 COMMISSIONER HAVARD: That's correct.

23 COMMISSIONER BOSARGE: Do we have a second?
24 I will second the motion.

25 There's been a lot of work. And I feel

1 like that even though there will be some detriment,
2 there is benefit without greater detriment.

3 COMMISSIONER GOLLOTT: Mr. Chairman, with
4 all due respect, tabling it or taking it up at the
5 next meeting is not killing it.

6 COMMISSIONER BOSARGE: I understand,
7 Commissioner Gollott, but I don't think that tabling
8 it or kicking the can down the road is going to get
9 us any further. I understand a lot it hinges on what
10 Louisiana is going to do and. . .

11 COMMISSIONER GOLLOTT: Is there any way to
12 find out what Louisiana is going to do before we go
13 forward?

14 COMMISSIONER BOSARGE: I think we built it
15 into the recommendations that if Louisiana doesn't
16 then it is going to go back to exactly where we are
17 now.

18 In other words, we will have to find
19 another use of another ocean dumping. So it's
20 either -- it's either put it in the Biloxi Marsh
21 where it will do some good, or bring it out and dump
22 it right into the Pascagoula channel. I think that's
23 the only site they have. Anyhow, we have a motion
24 and a second.

25 Any further discussion? All those in favor

1 say Aye.

2 COMMISSIONER GOLLOTT: Wait a minute. Wait

3 a minute. Wait a minute. Wait a minute. If you are

4 going to do a motion, you need to insert you're

5 coming back if Louisiana doesn't, because what we are

6 talking about is their motion right now.

7 COMMISSIONER BOSARGE: No. It is in there.

8 It is in their recommendation.

9 JENNIFER WITTMANN: That should a

10 beneficial use site in the State of Mississippi be

11 permitted prior to the execution of the project or

12 any of the maintenance dredging that the materials

13 should be placed there in preference to Biloxi Marsh

14 or ODMDS.

15 And I think at this point the Commission

16 has to either issue or deny or the Port would have to

17 agree to an extension.

18 COMMISSIONER BOSARGE: In other words,

19 everything that you've asked, Commissioner Gollott, I

20 believe is actually in that motion, in that if it

21 appears to me that there is work moving towards

22 building barriers and then if that does materialize

23 before this thing kicks off and takes place then

24 that's where that beneficial use material will go.

25 JENNIFER WITTMANN: Or even after it takes

1 the project. It will be issue, deny or the Port

2 would have to agree to an extension. And I know that

3 the Corps of Engineers is on a very tight timeline

4 right now trying to get that done. They are

5 anxiously awaiting our decision today.

6 COMMISSIONER GOLLOTT: All right. Okay.

7 COMMISSIONER BOSARGE: Any further

8 discussion?

9 All right. All those in favor, Aye.

10 COMMISSIONER HAVARD: Aye.

11 COMMISSIONER BOSARGE: Opposed. Like sign.

12 Motion carries.

13 (Motion carries.)

14 Thank you, Jennifer.

15 JENNIFER WITTMANN: Thank you.

16 COMMISSIONER BOSARGE: Good morning.

17 GREG CHRISTODOULOU: Good morning,

18 Commissioners. I am Greg Christodoulou and I will be

19 presenting the next two items on Coasts agenda. The

20 first is a modification request by the City of

21 Biloxi. Okay. Modification request by the City of

22 Biloxi located at Point Cadet, Mississippi Sound in

23 Biloxi. It's in the Commercial and Fishing and

24 Recreational Marinas Use District and the Agent is

25 Burk-Kleinpeter Incorporated.

1 it off. That's why we added in the special about the

2 maintenance dredging. We are requesting the

3 maintenance agreement. We didn't want to say

4 everything can go to Biloxi Marsh and then we get

5 something permitted to the State and then we lose

6 that material as well.

7 COMMISSIONER GOLLOTT: She is not. That's

8 us trying to come up with something at different

9 stages of dredge material. Have you got somebody

10 working to it?

11 JENNIFER WITTMANN: Yes, sir.

12 COMMISSIONER GOLLOTT: Who?

13 JENNIFER WITTMANN: Jared Harris, who is

14 the Beneficial Use Coordinator. And we have had some

15 bathymetric studies done. We are actively moving

16 forward with other projects. But at this point in

17 time we are not in a position to really talk about

18 this in depth, because they have not even begun their

19 permitting process.

20 COMMISSIONER GOLLOTT: Well, I am inclined

21 to table it. And then, like you say, if we table it,

22 it's not going to do any good.

23 JENNIFER WITTMANN: I don't know that

24 because you can table it, if the Port will not agree

25 to an extension, because of the timing constraint on

1 Currently the Point Cadet Marina has been

2 authorized to maintenance dredge 12,100 cubic yards

3 to 9.5' below Mean Low Water and currently they are

4 requesting to dredge an additional 30 -- close to

5 3,500 cubic yards of material. And the material will

6 be placed at the Deer Island Beneficial Use Site.

7 Location of Point Cadet Marina.

8 Here's a diagram showing what's currently

9 authorized in the green and what is proposed in the

10 yellow. And just some pictures. Again, this is the

11 area between the Margaritaville Resort and the Golden

12 Nugget Casino.

13 The project would serve a higher public

14 purpose by restoring safe navigational and berthing

15 depths as well as providing public access to and use

16 of the marina.

17 Project is allowable within the commercial

18 fishing and recreational marinas use district.

19 Similar projects have been approved by the

20 Commission, so no negative precedent is expected.

21 There will be a temporary increase in

22 turbidity and loss of benthic organisms during the

23 dredging. As we said, an increase in turbidity is

24 expected, however, it will not exceed DEQ's

25 guidelines.

1 Best Management Practices such as turbidity
2 streams during construction, will minimize the
3 impacts to coastal wetlands. This is a maintenance
4 dredging project, so no alternative sites were
5 considered. Maintenance dredging does require a
6 waterfront location. All of the work will be
7 conducted below the water service surface. And it's
8 in a existing marina so scenic quality should not be
9 impacted by the project.

10 The project was advertised as required. No
11 public comments were received.

12 DEQ has no comments. Archives and History,
13 no objections. Wildlife Fisheries and Parks has
14 recommended Best Management Practices be implemented.
15 And the Secretary of State has no objections.

16 And based on review, staff recommends
17 approval of the project contingent on clearance from
18 DEQ and with the condition that the applicant be
19 required to use a DMR approved Beneficial Use Site in
20 accordance with Mississippi Code 49-27-61 if
21 available.

22 COMMISSIONER GOLLOTT: Mr. Chairman, I make
23 a motion that we approve this project as recommended.

24 COMMISSIONER BOSARGE: All right. We have
25 a motion. Do we have a second?

1 Approximately 88,500 cubic yards of additional
2 material will be removed. The yellow highlighted
3 area is the location of the launch pit.

4 And the project has a public benefit by
5 allowing Ingalls to accommodate repairs to this
6 damaged naval vessel. The project is allowable
7 within the industrial development use district.

8 Variance is for the project -- previously
9 was granted a variance for Chapter 8, Section 2, Part
10 III.G.4., which states an "Access canals shall be of
11 uniform depth or become gradually shallower
12 proceeding from the receiving body of water and they
13 shall be no deeper than the parent body of water."

14 No precedent setting effects are expected
15 since this site has been historically utilized as an
16 industrial site, and similar projects have been
17 approved by the Commission.

18 Dredging activities, there will be a
19 temporary increase in turbidity and loss of benthic
20 organisms and Best Management Practices will be
21 utilized during all phases of construction.

22 Project should not have any adverse impact
23 other than loss of benthic organisms and will not
24 affect the natural supply of sediments, nutrients,
25 temperature, salinity, water flow or circulation.

1 COMMISSIONER HARMON: So second, Mr.
2 Chairman.

3 COMMISSIONER BOSARGE: All right. Motion
4 is seconded.

5 Any further discussion?

6 All those in favor, Aye.

7 COMMISSIONER HAVARD: Aye.

8 COMMISSIONER GOLLOTT: Aye.

9 COMMISSIONER TRAPANI: Aye.

10 COMMISSIONER BOSARGE: Oppose, same sign.
11 Motion carries.

12 Thank you, Greg.

13 GREG CHRISTODOULOU: And my final item will
14 be a modification request by Huntington-Ingalls
15 Industries located on Pascagoula Bay at 1000 Jerry
16 St. Pé Highway in Pascagoula. It's in the Industrial
17 Use District. Aerial of Ingalls.

18 The applicant is currently authorized to
19 continually maintenance dredge the areas at the
20 facility including the existing ship berth, a launch
21 pit and a sonar pit. This request for modification
22 is only for the launch pit. Currently is authorized
23 to be dredged to 74 and they are requesting an
24 increase to 78 feet below Mean Low Water to help with
25 the repair of a damaged naval destroyer.

1 Gain, an increase in turbidity is expected but should
2 not exceed Mississippi Department of Environmental
3 Qualities Guidelines.

4 Best Management Practices will reduce
5 adverse impact and the proposed depths are necessary
6 to allow Ingalls to meet the contractual
7 requirements to repair the vessel.

8 No off-site alternatives have been
9 considered since this is an existing launch pit and
10 only the launch pit will be deepened under this
11 modification.

12 The dredging requires a waterfront location
13 and the project is located in an area that has been
14 historically used as an industrial area. So scenic
15 qualities should not be adversely impacted.

16 National interests, the coast program
17 states that State agency shall consider the following
18 aspects of the national interest. The national need
19 for transportation including ports and navigation and
20 a need for national defense and to establish and
21 maintain facilities necessary to accomplish this.

22 Public notice advertised as required. No
23 public comments were received. DEQ reviewed the
24 project. Archives and History has no comments.
25 Secretary of State has no issues. And Wildlife,

1 Fisheries and Parks has no comments.
 2 And based upon review, project will have a
 3 public benefit by allowing the Ingalls Pascagoula
 4 Facility to accommodate repairs to a damaged U.S.
 5 Navy vessel; therefore, staff recommends approval of
 6 the project contingent on clearance from DEQ and with
 7 the conditions that the applicant be required to use
 8 a Beneficial Use Site in accordance with the
 9 Mississippi Code 49-27-61 if it is available. And
 10 that no negative comments are received by the end of
 11 the comment period, which is tomorrow.

12 COMMISSIONER BOSARGE: All right.

13 COMMISSIONER HAVARD: Mr. Chairman, I would
 14 like to make a motion that we accept these staff
 15 recommendations on this project.

16 COMMISSIONER GOLLOTT: And I will second
 17 it.

18 COMMISSIONER BOSARGE: We have a motion and
 19 a second. Any further questions? I have one
 20 comment.

21 GREG CHRISTODOULOU: Okay.

22 COMMISSIONER BOSARGE: Talking about that
 23 what we call shipyard hold. For years and years
 24 before the Navy base came in the bay fishermen were
 25 allowed or work that area to trawl that area. It's

1 pilings and a jetty.

2 This is the location of the violation
 3 (indicating.)

4 This is Mr. Norton's submitted application.
 5 I took and darkened it, so you can kind of see a
 6 little better.

7 These are the pictures of the location,
 8 just his access pier, jetty as it appears at the
 9 access pier.

10 Okay. So if you see where it says 417 and
 11 goes straight out, that is Mr. Norton's pier. I
 12 believe that is 2007. I'm sorry. I can't do this.
 13 So as we progress you can just watch the years up
 14 top. You will see that the structures are built on
 15 the end. Those were re-decked. And this year you
 16 can look at the beginning of the access pier and see
 17 that it is completely gone. And then you can see
 18 that more pilings were driven and the access pier was
 19 re-added along with a portion up at the top.

20 And you can see where that was actually a
 21 floating deck. Mr. Norton has removed that. He is
 22 going to put in an uncovered boatlift there. But if
 23 you watch from this side to the next you can see more
 24 pier was added to it. Obviously, more pilings were
 25 added. The decking is not -- you know, they have to

1 closed now, but that used to be a productive spot
 2 whenever. Whenever the weather would get real cold
 3 and the water would get cold, man, those shrimp for
 4 whatever reason went to that hole and those guys
 5 really caught a lot of shrimp out of that, of course,
 6 we called it a shipyard hole. Anyhow, it just
 7 reminded me talking about it. All right. We have a
 8 motion and a second. All of those in favor, Aye.

9 COMMISSIONER TRAPANI: Aye.

10 COMMISSIONER GOLLOTT: Aye.

11 COMMISSIONER HAVARD: Aye.

12 COMMISSIONER BOSARGE: Opposed. Same sign.

13 Motion carries.

14 (Motion Carries.)

15 Thank you.

16 KRISTYN McGUIRE: Good morning. I am
 17 Kristyn McGuire and I will be presenting violation by
 18 Taylor Norton.

19 The St. Louis Bay at 417 First Avenue in
 20 Pass Christian. It's in the General Use District.
 21 The agent as of yesterday, Mr. Larry Lewis was
 22 authorized, but the power point was finalized, so
 23 that's why it's not on here.

24 The structures are an access pier, three
 25 different piers: An uncovered boat lift, worn

1 have something to hold them up. This is kind of a
 2 picture showing -- if you look at where the red line
 3 is, that's where it was in the previous years. So
 4 under that red line is what was added.

5 In July 13, 2017 the violation was reported
 6 to DMR that a pier was constructed without a permit
 7 on the property line and a jetty was constructed
 8 without a permit as well.

9 July 13th the staff spoke with Mr. Norton
 10 and informed him of his potential violation. The
 11 staff informed Mr. Norton that he would need to
 12 submit an after-the-fact application to keep any
 13 unauthorized structures. Mr. Norton was emailed an
 14 application on that date as well.

15 July 17 the site visit was performed
 16 confirming the construction of piers without a permit
 17 and measurements of all the structures were taken.

18 August 3rd a notice of violation was mailed
 19 to Mr. Norton informing him again about the need for
 20 either an application or a plan to remove the
 21 unauthorized piers and that would be submitted by
 22 August 21st, 2017.

23 On October 4th Mr. Norton submitted an
 24 after-the-fact application. In your write-up you can
 25 see the documentation of the emails and phone calls,

1 you know, suggesting that Mr. Norton turn in
 2 application as soon as possible.

3 But from July to October is when we finally
 4 got the application. So violation was discovered to
 5 July 17 so the duration is 79 days. We recommended a
 6 \$250 fine to the applicant. This is his first
 7 violation, so he has no previous violations.

8 The recommendation is that the CMR grant
 9 the after-the-fact authorization, because the project
 10 would have been authorized by general permit if
 11 construction had not been completed prior to
 12 authorization.

13 Also issue of fine of \$250 to the applicant
 14 to pay within 30 days of the October Commission
 15 meeting. Forward the matter to the AG's office if
 16 this deadline is not met.

17 Mr. Norton is here today if you guys have
 18 any questions for him or myself.

19 COMMISSIONER GOLLOTT: Mr. Chairman, I
 20 would like to make a motion that we take the staff's
 21 recommendation on issuing the after-the-fact permit
 22 and charging the applicant \$250.

23 KRISTYN McGUIRE: Oh, and actually I need
 24 to add this, on the record. Sorry. Can I do that?
 25 COMMISSIONER GOLLOTT: Yes.

1 why would he have to --

2 KRISTYN McGUIRE: Because it's not
 3 functioning. And --

4 COMMISSIONER BOSARGE: And is this part of
 5 the recommendation from the --

6 COMMISSIONER GOLLOTT: We will need you to
 7 say it again.

8 WILLA BRANTLEY: No, I just wanted to add a
 9 little bit more. My name is Willa Brantley. I just
 10 wanted to add a little bit more. We actually have a
 11 guideline on jetties, that they can only be built now
 12 around public access points with public boat ramps
 13 and dredged -- dredged navigation channels that are
 14 for use of the public. So he would actually have to
 15 come before the commission and get a variance to that
 16 guideline to be able to rebuild the jetty once --

17 COMMISSIONER GOLLOTT: But he would have an
 18 option -- if it is only 20 we can give him a variance
 19 to build it 40?

20 WILLA BRANTLEY: You could.

21 COMMISSIONER GOLLOTT: When did we change
 22 the rules on jetties?

23 WILLA BRANTLEY: We haven't changed. Those
 24 rules have been in place since I have worked here.
 25 COMMISSIONER GOLLOTT: Okay. Well, you

1 KRISTYN McGUIRE: So we are authorizing all
 2 of the structures for Mr. Norton including the jetty,
 3 but within this general permit that we are going to
 4 issue, he is not to reconstruct the jetty as it is.
 5 So what we are going to do is we are going to give
 6 him the year for the general permit, within that year
 7 he can apply for a modification to reconstruct the
 8 jetty at our measurements, which was 56 feet I
 9 believe, 40 plus 16, yeah.

10 So he will have a year within that permit
 11 date to, you know, put in a modification and then we
 12 are going to have to do it as a waiver, because we do
 13 not allow jetties to be reconstructed under a general
 14 permit anymore.

15 So if he does not come back within the year
 16 of that general permit, say it is a year and 30 days,
 17 we are then going to have to go out and measure what
 18 his jetty is as existing, you know, as functioning.
 19 So, say, you know, it may have been 40 feet when we
 20 measured it back in July. Now, you know, if we go
 21 out and measure it and it's only 20 feet functioning,
 22 that's what we are going to be able to give him to
 23 rebuild it.

24 COMMISSIONER GOLLOTT: Why not? What's the
 25 difference? I mean, if he had a jetty there before,

1 just said, "that we don't do it anymore."

2 WILLA BRANTLEY: Once the jetty had stopped
 3 functioning as a jetty we don't allow it to be
 4 rebuilt is our policy.

5 COMMISSIONER GOLLOTT: How does it stop
 6 being a jetty?

7 WILLA BRANTLEY: It actually falls apart
 8 and is no longer in existence.

9 COMMISSIONER BOSARGE: Is this rise or what
 10 is it?

11 WILLA BRANTLEY: No, no, no. Most of these
 12 are wooden jetties.

13 COMMISSIONER BOSARGE: Yeah, that's what I
 14 was going to say. If you look at that picture, and I
 15 know you were looking over there. I was looking over
 16 here, but if you at the picture the jetty is
 17 basically -- it looks like a bulkhead.

18 COMMISSIONER GOLLOTT: Bulkhead.

19 COMMISSIONER BOSARGE: Yeah. Right.

20 WILLA BRANTLEY: Yes.

21 COMMISSIONER GOLLOTT: Where is picture to
 22 the shoreline?

23 WILLA BRANTLEY: Which picture was that in?
 24 COMMISSIONER GOLLOTT: Okay. It goes down
 25 beside the pier?

1 WILLA BRANTLEY: Yes.
 2 COMMISSIONER BOSARGE: Okay. It looks like
 3 just about everybody there has one.
 4 WILLA BRANTLEY: A lot of people do, but
 5 what we have limited people to rebuilding what is
 6 functioning at the time that they ask to rebuild it.
 7 COMMISSIONER BOSARGE: And Mr. Norton was
 8 okay with this?
 9 MR. NORTON: All I want to do is rebuild in
 10 the same time --
 11 COMMISSIONER BOSARGE: State your name.
 12 MR. NORTON: Taylor Norton. They were all
 13 built in 1970 before I was even born actually. They
 14 were all built at the same time approximately the
 15 same length if you will look at the Google Earth
 16 aeriels. They all have approximately an 80 foot, you
 17 know, jetties going out there, because the stand
 18 almost passes around up at Henderson Point and
 19 basically continues to preserve, you know, the
 20 natural beach front that still exists. We have come
 21 in with the parallel bulkheads, the two of them and
 22 we hope adding to it. So along our block we still
 23 have the National Beaches and everyone has the same
 24 80-foot jetties out there.
 25 And so, basically, there is about 40 feet

1 of which you can see is exposed above the water
 2 surface. And then as a lot of the other jetties do,
 3 is the balance of which is another approximate
 4 30 feet for a total of a 70-foot jetty that basically
 5 extends water ward out to an old creosote-soaked
 6 piling, you know, that was installed, you know,
 7 originally basically, and is sort of like the land
 8 marker, if you will.
 9 And from the 40-foot marker to the 70-foot
 10 marker is where majority of structure is submerged
 11 under water all still in the ground.
 12 Ideally, I would like to, you know,
 13 eventually replace that, hauling out the old creosote
 14 stuff and putting in environmentally friendly wood
 15 and so forth as opposed as what is in there today,
 16 just because of all the stuff I have read about
 17 leaching et cetera and so forth.
 18 I have four children that play in that
 19 water and on a daily basis, you know. So those
 20 structures, you know, exist, and have existed, you
 21 know, since the beginning of time as I know it. And
 22 so that's, you know, the history of --
 23 COMMISSIONER BOSARGE: My question to you
 24 is you are okay with basically doing what the staff
 25 recommends within a year?

1 MR. NORTON: Yes, sir. My understanding --
 2 I mean, y'all can, you know, correct me, or correct
 3 any of us, but my understanding from the receipt
 4 explanation is that, because they can't authorize --
 5 because the DMR can no longer authorize jetties under
 6 a general permit, it then has to be a waiver, an
 7 application for a waiver as I understand. And so if
 8 that is the case, I will follow the new ruling and
 9 apply for a waiver for the 70 feet and to whether or
 10 not it is functioning, I mean, is that -- I mean,
 11 it's apparently functioning because it works every
 12 year. I mean, you see the same boat over here, and
 13 it depending on which way, you know, wind is blowing
 14 basically.
 15 And I think that while essentially what I
 16 would like to do is file, you know, an amended
 17 application asking for a waiver for the same 70 feet
 18 of each of my neighbors, which is just north of me
 19 applied just last year and received authorization and
 20 north of them as you see in the aerial --
 21 COMMISSIONER BOSARGE: You bring it up
 22 before this board and we will look at it, as long as
 23 you understand the procedure and ultimately come back
 24 in a timely manner with your waiver, and then we will
 25 make a decision on that. Is that good?

1 MR. NORTON: I mean, is that --
 2 COMMISSIONER BOSARGE: I think, if I am --
 3 well, if I am understanding correctly.
 4 MR. NORTON: Unless y'all have the
 5 authority to approve it then I would accept that,
 6 but, you know.
 7 COMMISSIONER BOSARGE: Uh-huh.
 8 (Affirmative)
 9 COMMISSIONER GOLLOTT: You are going to
 10 have to put in an formal permit for us to approve it.
 11 MR. NORTON: Oh, I most definitely have
 12 made application.
 13 WILLA BRANTLEY: Right.
 14 MR. NORTON: And it is the application that
 15 is before you today, but, you know, the jetty is in
 16 the application that is before you today, so, I mean,
 17 you tell me if you have the authority for it --
 18 COMMISSIONER BOSARGE: Is the waiver in
 19 there?
 20 MR. NORTON: Not the waiver. I mean, it's
 21 just an application.
 22 WILLA BRANTLEY: Let me answer. It's our
 23 policy.
 24 COMMISSIONER BOSARGE: Okay. Yes.
 25 Clarify, please.

1 WILLA BRANTLEY: We cannot authorize the
2 jetty under a general permit. General permits are
3 the Corps general permits --

4 COMMISSIONER BOSARGE: Um-hum.
5 (Affirmative).

6 WILLA BRANTLEY: -- do not authorize
7 jetties out, rebuild or new. So that's why we have
8 to handle it separately. We haven't had time to send
9 that out to the other agencies that have to review
10 that, because if anything other than a general permit
11 we have state agencies, and we have to forward it to
12 the Corps and they have to write a separate permit.
13 So we haven't been through that procedure yet. So
14 that's why we can only approve today what we can
15 approve under the general permit, which is the piers.

16 Now he rebuilds - if he applies to rebuild
17 the 40 feet that we show that's functioning, then we
18 can -- I can write a certificate of waiver without
19 that having to come to the Commission. That's
20 considered a minor impact because it's already there
21 functioning.

22 COMMISSIONER BOSARGE: Uh-huh (indicating
23 yes).

24 WILLA BRANTLEY: He is just replacing
25 what's there. If he wants to rebuild more that's

1 when it would get kicked up to a permit and he would
2 have come before the Commission.

3 COMMISSIONER BOSARGE: Good. I am glad we
4 have cleared that.

5 MR. NORTON: It's my impression that since
6 we have documented the 70 feet including the DMR's
7 offer to document it at 70 feet, you know, is she
8 then authorized to issue the certificate of waiver
9 for the 70 feet? You know, because that is already
10 in the ground today.

11 COMMISSIONER GOLLOTT: I think what we are
12 trying to do is encourage you to go ahead and file if
13 that's what you want to do. And if we pass it today
14 we are going to mess you up on the other permit.

15 So stating that, Mr. Chairman, I would like
16 to make a motion that we accept the staff's
17 recommendation on this project.

18 COMMISSIONER BOSARGE: All right. Yeah.
19 And I think we all pretty well understand it now.

20 WILLA BRANTLEY: I just want to make sure
21 we -- we have seen that 40 feet were functioning
22 prior to Hurricane Nate. I'm not sure they are still
23 functioning, but we are willing to allow that to
24 stand that we have documented it before. There are
25 pieces of an old jetty out to 70 feet.

1 COMMISSIONER BOSARGE: Seventy feet.

2 WILLA BRANTLEY: But they are just
3 individual pieces that aren't acting as a jetty to
4 interrupt any sediment transport anymore.

5 COMMISSIONER BOSARGE: And if that is the
6 part he wants to continue he will have to come back,
7 ask for a variance.

8 WILLA BRANTLEY: Yes.

9 COMMISSIONER BOSARGE: Bring it before us
10 and we will go up or down.

11 WILLA BRANTLEY: And that's why we don't
12 have typically let private individuals put in jetties
13 anymore. It's because they do interrupt the sediment
14 transport processes severely.

15 COMMISSIONER BOSARGE: Thank you. Do I
16 have a motion? Thank you, sir.

17 MR. NORTON: Thank you.

18 THE WITNESS: We have a motion. Do we have
19 a second?

20 COMMISSIONER TRAPANI: I will second that.

21 COMMISSIONER BOSARGE: The motion is
22 seconded. Any further discussion? All those in
23 favor, Aye.

24 COMMISSIONER GOLLOTT: Aye.

25 COMMISSIONER HAVARD: Aye.

1 COMMISSIONER HARMON: Aye.

2 COMMISSIONER BOSARGE: Opposed. Like sign.
3 Motion carries.

4 (Motion Carries.)

5 Thank you.

6 All right. I think that brings us to Ms.

7 Kacey Williams.

8 JOE SPRAGGINS: Well, you are not going to
9 get Kacey, you are going to get something else.

10 COMMISSIONER BOSARGE: You don't look as
11 good as Ms. Williams.

12 JOE SPRAGGINS: Well, you know, I apologize
13 for that. I am doing all I can do here. Good
14 morning, Mr. Bosarge and all the Commissioners and
15 Jamie and Ms. Chesnut. Just to give you a little bit
16 of an idea of where we are at today, the financials
17 are coming up. Kacey is at another meeting so I am
18 helping her out here. Are you ready? Okay.

19 This is the financial result for September
20 30th, 2017. As you can see that we have 3.4 -- the
21 state revenue was 3.4 million. I guess I am suppose
22 to punch a button. Nope. All right. There we go.
23 And then the total agency revenues is 4.3 million and
24 our state's net income is 1.7 million. Total agency
25 net income is 1.3 million. Any questions on that

1 part?

2 COMMISSIONER BOSARGE: I have been trying

3 to think of a good one.

4 JOE SPRAGGINS: After three months of

5 fiscal year of 2018 we have 90.3 percent of the

6 operating budget remaining and 96.3 percent of the

7 titling budget remaining. And I will take any

8 questions you have.

9 COMMISSIONER GOLLOTT: Are we going to make

10 it to the end of the year?

11 JOE SPRAGGINS: I think so. Are you

12 talking fiscal or calendar?

13 COMMISSIONER BOSARGE: Both.

14 JOE SPRAGGINS: No. We are good.

15 Everything is good. Everything is good.

16 COMMISSIONER BOSARGE: You are doing good.

17 JOE SPRAGGINS: Thank you.

18 COMMISSIONER BOSARGE: All right. And we

19 have public -- wait a minute. I'm sorry. You are

20 right. Ms. Melissa come on up.

21 COMMISSIONER GOLLOTT: Let's get it

22 together Mr. Chairman.

23 COMMISSIONER BOSARGE: Yeah. I'm telling

24 you.

25 Melissa Scallan: Good morning.

1 COMMISSIONER BOSARGE: To do all of that

2 and six children. Yes.

3 Melissa Scallan: From, you know, 20s to

4 little bitty, so. . .

5 COMMISSIONER BOSARGE: He has worked his

6 way up the ladder. I tell you what, that's an honor

7 to be named out of all the states and all of the

8 different agencies, yeah, that's an honor.

9 Melissa Scallan: That's definitely an

10 honor. So we are very proud of him and all of our

11 Marine Patrol officers.

12 And were -- the Department of Marine

13 Resources has been in the news quite a bit lately.

14 Seventy-one times since the last commission meeting.

15 We had the opening and closing of oyster

16 season. We had our re-nourishment of the beach at

17 Cat Island, the Oyster Season at Biloxi Bay. We had

18 the permits, waiving the permit fees for piers and

19 other things so, you know, that has gotten a lot of

20 interest locally, nationally, regionally also.

21 We also have had quite a few events. Megan

22 Fleming and Andrew Meinzinger from Fisheries

23 participated in the Port of Gulfport of Environmental

24 Day at Lynn Meadows Discovery Center. Megan also

25 participated and is a member of Marine Patrol,

1 Commissioners, Director Miller, Ms. Chesnut.

2 Commissioner Bosarge asked about Roy Lipscomb. And I

3 was going to tell y'all about his award.

4 Master Sgt. Roy Lipscomb was named the 2016

5 Law Enforcement of the Year by the Gulf of Mexico

6 Fishery Management Council. He was chosen from

7 nominees submitted by the five Gulf States' Law

8 Enforcement agencies, the U.S. Coast Guard and the

9 NOAA Fisheries Office. And he received the award in

10 Biloxi at the council's meeting a couple of weeks

11 ago. And it was presented by Council Chairwoman

12 Leann Bosarge.

13 And he began working at the DMR as a

14 fisheries technician at the Shellfish Bureau and he

15 was a reserve officer for Marine Patrol at the same

16 time. And he became a full time Marine Patrol

17 Officer in 2014.

18 In addition to his work at the agency he

19 serves as a sergeant first class in the Army National

20 Guard. He has been deployed to Iraq and Afghanistan.

21 In addition to that he is married and has

22 six children.

23 So it was a great honor for him to get

24 this. He said how much he appreciated it. And it

25 was good for the agency.

1 Conservation Expose in Jackson County. And we have

2 members of our Seafood Technology Bureau at the

3 Jackson County Fair all week.

4 So Marine Patrol has had one boater safety

5 class since the last meeting, which was the St.

6 Martin High School. And I believe the Chief is

7 working to get those kids younger and younger so that

8 they can have that knowledge that they need at a

9 young age. So far this year they have held five

10 classes and certified 39 students. Any questions?

11 COMMISSIONER BOSARGE: That's Great. Thank

12 you, Melissa.

13 Any other business?

14 DIRECTOR MILLER: Chairman, I have one

15 matter of other business. I would like to ask the

16 Commission to consider moving the November meeting to

17 Jackson County to the Board of Supervisors Room in

18 Pascagoula for the November meeting.

19 CRYSTAL MATTA: I think it is the 21st.

20 Twenty-first.

21 COMMISSIONER BOSARGE: And we will move it

22 to ten o'clock.

23 CRYSTAL MATTA: Ten o'clock.


24 COMMISSIONER BOSARGE: All right. Do we

25 have a motion for that?

1 COMMISSIONER HAVARD: Yeah, Mr. Chairman, I
 2 would like to make a motion that we move November's
 3 meeting to November 21st to Jackson County at ten
 4 o'clock.
 5 COMMISSIONER BOSARGE: Ten o'clock. We
 6 have a motion. Do we have a second?
 7 DIRECTOR MILLER: So second.
 8 COMMISSIONER TRAPANI: I will second.
 9 COMMISSIONER BOSARGE: All right. We have
 10 amotion and second. All in favor, Aye.
 11 (UNANIMOUS, AYE.)
 12 Like sign, opposed. Motion carries.
 13 We do have one public comment. I have got
 14 to apologize. I didn't get to Mr. Harold Strong. I
 15 don't know if he is still here or not. He is not?
 16 Okay.
 17 All right. Seeing that there is no other
 18 business. Do we have a motion to adjourn?
 19 COMMISSIONER GOLLOTT: I make a motion to
 20 adjourn, Mr. Chairman.
 21 COMMISSIONER BOSARGE: Do we have a second?
 22 COMMISSIONER HAVARD: I will second the
 23 motion?
 24 COMMISSIONER BOSARGE: All those in favor
 25 say, Aye.

1 (UNANIMOUS, AYE.)
 2 COMMISSIONER BOSARGE: Motion carries.
 3 Meeting adjourned.
 4 (WHEREUPON, at 11:54:46 A.M., THE OCTOBER
 5 17, 2017, MEETING OF THE COMMISSION ON MARINE
 6 RESOURCES WAS CONCLUDED.)
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1 COURT REPORTER'S CERTIFICATE
 2
 3 STATE OF MISSISSIPPI
 4 COUNTY OF JACKSON
 5
 6 I, CANDACE C. LECHLER, Certified Court Reporter, do
 7 hereby certify that the foregoing NINETY-FOUR (94) pages
 8 contain a full, true and correct transcription, to the best of
 9 my ability, of my stenographic notes and/or electronic
 10 recording, of the testimony and proceedings of COMMISSION ON
 11 MARINE RESOURCES, on the 17TH day of OCTOBER, 2017.
 12 I do further certify that my certificate annexed hereto
 13 applies only to the original and certified transcript. The
 14 undersigned assumes no responsibility for the accuracy of any
 15 reproduced copies not made under my control or direction.
 16 This the 8TH day of NOVEMBER, 2017.
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 ID # 8598
 CANDACE C. LECHLER, CCR #1074
 Certified Court Reporter
 Notary Public, State of
 Mississippi, County of Jackson
 My commission Expires 10/1/21