MR. DRUMMOND: I'll make the motion, Mr. Chairman.

MR. GOLLOIT: Mr. Drummond makes the motion.

Do we have a second?

MR. ZIMMERMAN: I second.

MR. GOLLOIT: We have a second. All those in favor say aye. Opposed? Motion carries.

D. Executive Director's Report

MR. GOLLOIT: Next on the agenda we have the executive director's report.

MR. MILLER: Thank you, Chairman Gollott.

Just a few items. Some of it's housekeeping. The Mississippi legislature opened the session January the 6th. Myself and some of our staff have made a few trips to Jackson and continue to monitor any legislation that may impact the agency and provide updates to you within the commission as needed.

Upcoming at the end of January is MDMA's Capitol Day. It's where our agency gets a chance to set up some of our displays in the Capitol and talk about the agency and what we do, give us exposure to some of the other parts of the state, some of the other legislature from Jackson and North Mississippi, as well as other people that will be in the Capitol that day.

And then more importantly, our February meeting and I'm mentioning this for y'all's consideration, our February meeting is scheduled the same day as Mardi Gras, February the 17th. And due to a lot of activity here in the City of Biloxi and potential conflicts, I would recommend that the commission consider moving the February meeting to that following Tuesday on the 24th.

And further, because we've got some scheduling conflicts with this room on the 24th, we've coordinated with the City of Gautier to host our February meeting in Jackson County. If y'all would consider that before you adjourn today's meeting.

Thank you.

MR. GOLLOIT: Do we need a motion to move the meeting to a different day and move it to Gautier?

MR. BOSARGE: And a different time?

MR. GOLLOIT: And a different time.

MR. BOSARGE: Yeah, that would be great.

I'll make a motion that we move the February meeting to Gautier on the 24th.

MR. GOLLOIT: Are we going to change it to 18:00 o'clock instead of 9:00?

MR. BOSARGE: 18:00 o'clock, yes, sir.

MR. GOLLOIT: Do I have a second on it?

MR. ZIMMERMAN: Second.
MR. GOLLOTT: All those in favor say aye.

Opposed? Motion carries.

Next we're going to move to public comments.

Do we have anyone that wants to speak today? Have you filled out any paperwork in the back of the room?

Looks like we don't have anyone wanting to speak.

We'll move on to Keith Davis, marine patrol.

E. Office of Marine Patrol

MR. DAVIS: Mr. Chairman, I'm going to refer to Assistant Chief Pittman to give the report.

MR. PITTMAN: Morning, Mr. Chairman.

Commissioners, Director Miller, Mr. Morrison, Ms. Chestnut. Excuse my voice, I've got some sinus issues right now. Y'all have had the report to look at the last few days.

There's one case that I would like to mention on this report and it happens to deal with our crab violation. We have received a lot of complaints from Jackson County with theft of crab pots at night. The theft of crabs at night. Our night shift patrol set up a detail and sat out a couple of nights and finally made an arrest in the early hours of the morning. They were sitting at a boat ramp. Two subjects came in on two boats with unmarked crab pots on the boat and also over three hundred pounds of crabs that they had taken out of the crab pots that night.

Citations were issued. The crab pots were seized as evidence. The crabs were sold at a competitive price at a local seafood dealer. And the subjects were booked into jail that night for theft of crab pots and theft of crabs.

We also had under commercial violations commercial fishing without a non-resident commercial license. It happened to be an oyster tonger. One of our officers checked him that morning and he didn't have his license on him. That is a minimum five thousand dollar fine. They issued the citation. The fisherman told him that he did have a license, he just didn't have it on him. He produced that license the next morning before he went out and the citation was taken away. Any questions?

MR. DURMOND: Rusty, I have a couple of comments to make. You know, to me, the commission has been very kind to the oyster industry on the Mississippi Gulf Coast this year. And to have these kind of violations, even though these people do have permits or license to fish for oysters, why in the hell are they doing these things to the fishery? I mean, the oyster fishery is bad enough, anyway.

And as I say, we've been very kind to the oyster fishermen this year. And it's just beyond me.

I don't understand why they're violating the laws when our oyster fishery is in such bad shape. Are we -- I mean, what are we doing to punish these people? Are we fining them enough? Are we taking their license away from them?

This to me is something that shouldn't be happening to such a poor fishery in Mississippi. I would like this industry to go back the way it was catching thousands of bags of oysters like it was years ago, and we can't do it by having these damn violations. So what's your answer to that, Rusty?

MR. PITTMAN: Well, if you're talking about the oyster violations, course when those citations are issued, they go to court. They go to justice court, and it's up to the judge then to decide what the penalty will be. If you look at one of them, the oystering in a prohibited area, that one case that was made, that was two people that were along the seawall picking up oysters. They had seven five-gallon buckets full of oysters, which is in a prohibited area. What they were going to do with then I have no idea. They said they were going to eat them, but there's no telling. They could have been bootlegging then, too.

But like I said, it all goes to justice court. Most of the judges -- you're looking at a hundred to five hundred dollar fine first offense.

Most of the judges are either fining them anywhere from two hundred and fifty to three hundred and fifty plus court costs. You would think that would drop the violations down when they got hit with a fine like that, especially if they lose their oysters. Like on the MSP case, they're going to lose the oysters. And most of the time it does take care of that violation, they do start dropping them.

MR. DURMOND: Okay. Well, I have a word for the oyster fishermen on the Mississippi Gulf Coast, and that is to be kind to your fishery and hopefully we can get it back to where it ought to be. Thank you, Rusty.

MR. PITTMAN: Thank you, Commissioner.

MR. GOLLOTT: Thank you, sir. Next we have Office of Marine Fisheries, Mr. Joe Jewell.

P. Office of Marine Fisheries

MR. JEWELL: Good morning, Commissioners. Joe Jewell reporting. Before we get into the main segment of our report, I'd like to update the commission on a couple of issues. I want to notify the commission that the quota for our red drum, spotted seatrout, and flounder were reset -- red drum and flounder were reset January 1, and spotted seatrout were reset February 1.
I also want to update the commission on the oyster season. The oyster season opened on November the 14th, and we had a little shutdown here recently and we reopened last week. So to date, we have harvested seventeen thousand two hundred and ninety-one sacks. Of that, thirteen thousand two hundred and forty-three sacks were harvested by Mississippi residents, and four thousand forty-eight were harvested by non-residents.

The Pass harvested six thousand seven hundred and sixty-five sacks. Of those, fifteen hundred and ninety-eight were harvested by dredgers; five thousand one hundred sixty-seven were harvested by tongsers. The bayou harvested ten thousand five hundred and twenty-six. And all of those were harvested by dredgers.

Of this past week, January the 14th when we reopened, through yesterday, January the 19th, we harvested twenty-three hundred and two sacks. Seven hundred and forty-one were harvested by tongsers and fifteen hundred and seventy-nine were harvested by dredgers. Are there any questions?

First up on the agenda is Mr. Scott Gordon, and he will report on the public hearing for the basket dredges.

MR. GORDON: Good morning, Mr. Chairman. Commissioners, Director Miller, Counselors. We held a public hearing on basket dredges in this room on January 13th to gather public input on the use of basket dredges. I believe you should all have a copy of our summary of the report. I'm just going to briefly go over it.

We had nineteen persons from the public show up. I did a brief presentation on basket dredges. We had some speakers. I believe there was eight speakers altogether. We had three persons spoke opposing the use of basket dredges. And their comments are summarized as Mississippi oyster reefs are not hard enough to use basket dredges; damaging and burying reefs because they are too heavy; brings up mud from the bottom. One speaker offered to take some of those favoring the use of basket dredges on his boat so they can see for themselves. Plows up the reef; reduces the amount of time a reef can be worked. And a couple gave examples of reefs they feel that were damaged by basket dredges.

Three persons also spoke supporting the use of basket dredges. The maximum weight is the same for basket and bag dredges. Basket dredge will not mud up any more than any other dredge type. Need scientific evidence using technology, such as cameras and divers.

Feel a group of fishermen are being blamed for the poor seasons. And carelessness and recklessness will destroy their livelihood.

We also had two speakers that neither directly supported nor opposed basket dredges but offered other comments, and they're there before you.

And we also received some written comments on a questionnaire sign-in sheet that we had, and they're summarized by those opposing basket dredges: damaging to the reefs; damaging to soft reefs and the edges on good reefs; kill oysters and reefs; should be prohibited.

And those supporting basket dredges, they said it's okay if not overweight and pull short on chain and don't pull too long; the ease of use of basket dredges; self-dumping features reduce crew requirements; and we need data to determine any impacts to reefs or oysters.

And that's basically the summary. You have some of the specifics before you in my summary for each of the speakers.

MR. GOLLOTT: Thank you, Scott. I personally attended the hearing. And after talking to the fishermen on both sides of the issue, I came away with the opinion that maybe we need to go back to the hundred and fifteen pound dredge. And I had Mr. Gordon go back and see -- you know, try to find out what the reason was. I know back years ago, we used -- it was a long time we used a hundred and fifteen pound dredges in Mississippi. Tried to find out why we went to a hundred and forty pounds.

But to err on the side of conservation, it's just my opinion -- and, of course, we don't have to make this decision today if the rest of the commissioners want to discuss this or look into it further -- I think we should go back to a hundred and fifteen pound dredges and do away with the basket dredges altogether and make sure that we're not damaging our reefs.

For some reason the people in our industry up until -- do you remember what year it was they changed this. Joe -- Scott?

MR. GORDON: It was 1987.

MR. GOLLOTT: Yeah. But for years before 1987, they used a hundred and fifteen pound dredge in Mississippi. I think we ought to go back to a hundred and fifteen pounds and do away with the basket dredges altogether and see if that won't help our reefs and err on the side of caution.

Does anybody else have some comments?
MR. ZIMMERMAN: I'd just like to ask. I see that they're asking for science in here, and I've seen some video that we have taken of the dredges. Do we have any data on that?

MR. GORDON: While we were still in the process of collecting that information, we were doing a lot of work off of the conservationist when we had an incident with the conservationist and so we've been delayed. But we do intend to get out and collect some more video and look at that.

I had one of the fishermen call me up this morning. He was on his way to St. Joe Reef and he had commented on how clear the water was out there. And so that should allow us to get some pretty decent video.

MR. ZIMMERMAN: Foot of the American Legion right now you can see seven, eight feet down, so it's a good time to get that type of data. On one of the aluminum boats I saw a dredge table on the back of the vessel. We couldn't use it.

MR. GORDON: Yes, sir. Yes, sir.

MR. ZIMMERMAN: All right.

MR. GOLLOTT: Do we have a motion to table this until further meetings, or what do y'all want to do?

MR. ZIMMERMAN: I'd like to collect some more data, if possible, to try to back it. I mean, the fishermen are asking on both sides kind of for more science, and I think we should be able to get more science to back it.

MR. GOLLOTT: All right. Would you like to make a motion on that?

MR. ZIMMERMAN: I'd like to make a motion that we table it until the next meeting and see if we can collect some more data.

MR. GOLLOTT: Do I have a second?

MR. DRUMMOND: I second the motion, Mr. Chairman.

MR. GOLLOTT: Okay. We have a motion that's been made and seconded. All those in favor say aye.

All opposed? Motion carries.

MR. GORDON: Thank you.

MR. JEWELL: Thank you, Commissioners. Next up on the agenda we have for your consideration a resolution addressing the Washington Parish and Pearl River Dams for your consideration. If acceptable, I'll read that into the public record.

MR. GOLLOTT: Please do so.

MR. JEWELL: Thank you. The Mississippi Commission on Marine Resources is a duly constituted governmental entity created to serve the great State of Mississippi.

The Commission service includes the management and enforcement of all matters pertaining to Mississippi's saltwater aquatic life and marine resources.

The seafood industry is of significant economic importance, employing thousands of our coastal residents, and has a significant history in Mississippi. It is dependent on the Mississippi Sound, estuaries, rivers, streams, creeks, baysouls and adjacent federal waters.

Large flows of freshwater into the estuarine areas of Mississippi and Louisiana are necessary for the health and economics of Mississippi's seafood industries. This includes potential indirect effects on the health of these areas and species.

The Commission is concerned about the detrimental impacts to estuarine areas and species experienced in other areas of the country with existing dams and reservoirs that reduce their freshwater inflow.

Further reduction of natural freshwater flowing into Mississippi's fragile estuarine areas may cause severe, permanent damage to those areas species and jobs dependent upon them.

Significant financial harm to the State of Mississippi and its citizens would result from any further reduction to natural freshwater inflows to Mississippi's fragile estuarine areas.

This harm impacts the commercial and recreational fishermen, natural and artificial reefs, and the economy of the Coast and State of Mississippi.

Therefore, the Commission resolves that the Commission is opposed to the permitting or construction of any dam or weir that would further reduce the natural seasonal flows of freshwater into Mississippi's estuarine waters.

The Commission is opposed to the permitting or construction of the proposed reservoir located on the Pearl River designated as the Mississippi Pearl River Lake Project located near Jackson, Mississippi.

The Commission is opposed to the permitting or construction of the proposed reservoir located in Washington Parish, Louisiana.

The Commission urges the U.S. Army Corps of Engineers to take whatever actions necessary to ensure that the State of Mississippi and its citizens are not adversely affected by the construction of dams or weirs.

Done and resolved in this duly constituted
and assembled meeting on this the 20th day of January, 2015.

If the Commission is resolved to this resolution, it would have to vote on a motion to approve.

MR. ZIMMERMAN: I think I'd like -- I see some confused eyes in the audience and would like to explain where this is coming from. There's talk of another dam/lake going in up in Jackson on the Pearl River, which would take away some more freshwater flow from the Pearl River coming into our coastal counties, which as we just got through talking about, we're fighting with our oysters. And oyster growth depends on this freshwater somewhat in their growth cycle, which is where they get their food, they get their -- it's just part of their life cycle and it helps then, and it's one of the things we're looking at.

The Louisiana marsh is opening up. We don't feel that the freshwater is coming across the coast as it used to be now because of the openings in the Louisiana marsh because of erosion. And this will just compound that and take more freshwater away. So that's where this is coming from.

The Commission is looking at this and have a concern about it and that's where we are now. With

as the transport permit definition did not incorporate what Mr. Schindler was requesting to do.

So we looked at our rules and regulations and determined that the most effective way to do it would be to modify Title 22, Part 7. So I have before you today what we have proposed to do. This is the title and the part. I'll read you the summary -- the introduction of the summary of the part.

We would modify section -- right below section 100, we would add this section to the language.

A licensed charter boat or head boat may obtain an endorsement at an annual cost of one hundred dollars allowing for the possession of a two-day bag limit, whole or filleted, of spotted seatrout, red drum, and southern flounder harvested while fishing Mississippi territorial waters in excess of twenty-four hours before returning to the mainland.

A float plan shall be filed with the Department of Marine Resources and approved allowing the vessel to possess a Mississippi two-day bag limit adhering to Mississippi's minimum size limits for the species listed above. Said float plan must be received and filed with the Department of Marine Resources prior to departure and during the regular operating hours between 8:00 a.m. and 5:00 p.m. Monday through Friday.

that, I would like to approve signing this by the Commission to not support this project.

MR. GOLLOTT: Okay. We have a motion to do this resolution.

MR. BOSARGE: Second.

MR. GOLLOTT: Mr. Bosarge seconds it. All those in favor say aye. Opposed? Motion carries.

Thank you.

Thank you.

MR. JEWELL: Thank you.

MR. GOLLOTT: Thank you.

MR. JEWELL: The final item on the agenda for marine fisheries, in the last meeting the commission heard comments from a charter boat member that asked the commission to address a two-day catch limit and fillet limit. And the commission charged marine fisheries, myself, to review the rules and regulations and come forward with a potential presentation that would address that issue, so today I have that presentation for you.

The staff worked with marine patrol and our legal staff to evaluate the most efficient way to address that issue because there was some discussion about the transit permit -- the transport permit.

Excuse me. And we determined that the transport permit was not the most effective way to address that issue,
 issued for the charter and the submitted float plan has
been approved for the two-day bag limit for that trip.

Approved vessels must comply with
Mississippi’s daily possession limits while in the
process of harvesting under this endorsement. The
two-day possession limit is only allowed onboard the
approved vessel upon its final return to the mainland
during which time the vessel — during which time
fishing is prohibited.

The option to purchase the two-day bag limit
endorsement as described in this section shall cease to
be in effect one year from the implementation unless
further commission action is taken to extend the option.

MR. GOLLOTT: Joe, let me see this. I see a
lot of problems with this — your recommendations. And
what I’d like to do is table this, if it’s all right
with the rest of the commission, and give you another
month to work on this thing and I think maybe work some
of those bugs out. Like I say, I see a lot of problems
with it for both sides, the applicant and the law
enforcement. If that would be acceptable, I’d like to
make a motion that we table this until the next
meeting.

MR. JEWELL: The staff would be very amenable
to that. We had several questions that we’d like to be
able to work out for both the applicant and the other
offices.

MR. GOLLOTT: Thank you. Do I have a second
on that motion?

MR. DRUMMOND: I’ll second the motion. Mr.
Chairman.

MR. GOLLOTT: All those in favor say aye.

Opposed? Motion carries.

MR. BOSARGE: And would it be possible, Joe,
for you to maybe keep us in the loop on what some of
the decisions — some of the changes that are being
made?

MR. JEWELL: Yes, Commission Bosarge, we can.
There are several issues that we are in discussions
with marine patrol and our legal office that we didn’t
quite feel comfortable with. And a little additional
time will give us a chance to resolve those issues and
produce a much better product.

MR. GOLLOTT: All right. Good. Thank you.

MR. JEWELL: If there are no other questions,
that completes Office of Marine Fisheries.

MR. GOLLOTT: Thank you, Joe. Next we have
Mr. Jan Boyd, Coastal Resource Management.

MR. BOYD: Good morning, Mr. Chairman.

Commissioners, Director Miller, Legal Counsel. Coastal
Resource Management office has four action items for
your consideration this morning, and Jennifer Wilder
will be our first presenter.

MR. WILDER: Good morning. I’ll be
presenting a permit application on behalf of Bernard J.
Rupert, Jr. The location is the Jourdan River at 181
Good Street in Bay St. Louis, Hancock County.

Mississippi. It’s in the general use district, and the
agent is Philip Bubanks. This is an aerial of the
area. You see I-10 here, Highway 603, and Highway 90,
and then here is our project location. This is a
zoomed-up aerial of the project location. The actual
location of the project will be here in this canal with
his existing structures in St. Louis Bay.

The project description, the structure, he
would like to build a boathouse 68 feet by 11.25 feet,
with a total square footage, including existing
structures, of 1,784.58.

For dredging, he would like to do some
maintenance dredging within the manmade canal.
Approximately 48.5 cubic yards of material will be
removed, be placed on-site in nonwetlands or an
approved wetland fill area.

Here is his diagram. This is in the canal
portion where he would like to put the boathouse.
These are his existing structures in St. Louis Bay. A
picture of the site location with his boathouse going
here and a picture of the existing structures.

The decision factors: The project does not
serve a higher public purpose. The proposed project is
allowable within the general use district. Similar
projects have been approved by Commission and this is
not expected to set any precedent. Piling
installation may temporarily increase the turbidity in
the construction area and may result in a decrease in
the number of benthic organisms. The shading of the
terminal structure for the proposed project would
result in the shading of no more than 1.784.5 square
feet of watertop. No further impacts beyond these
already described are proposed.

Best management practices will be utilized
during all phases of construction to minimize adverse
impacts to coastal wetlands. No off-site alternatives
were considered because this is a private residential
lot, and the project serves to allow the property owner
access to the water. The construction of a pier does
require a waterfront location. There are other similar
piers in the area, and this project is not expected to
adversely affect the natural scenic qualities.

Notification of the project appeared in the
Sun Herald as required by law and no public comments
were received. DEQ is still reviewing the project.
Department of Archives and History has no objections.
Secretary of State’s office is still reviewing the
project. The Department of Wildlife, Fisheries and
Parks recommended that best management practices be
utilized.

Based on departmental review and evaluation,
the staff recommends the commission approve the
applicant’s request. Any questions?

MR. GOLLOTT: The only question I have.

Jennifer, is how wide is that canal?

MS. WILDER: Less than twenty-five -- his
proposal is less than twenty-five percent of the width
of the water there.

MR. GOLLOTT: What is the canal width, and
how does the channel pass that area?

MS. WILDER: Fifteen yards is the total canal
width. And the twenty-five percent is what we require
for it to be a general permit. It’s the maximum a
general permit can be, so it’s within what we usually
do.

MR. GOLLOTT: Do we have a motion?

MR. DRUMMOND: I’ll make a motion we approve
this project, Mr. Chairman.

MR. GOLLOTT: Thank you, Mr. Drummond. Do we
have a second?

MR. ZIMMERMAN: Second.

MR. GOLLOTT: We have a motion and a second.
All those in favor say aye. Opposed? Motion carries.
Thank you.

MR. PICKERING: Good morning. My name is
Chris Pickering and I’ll be presenting the next three
projects. First up we got a request for a permit by
Mr. Jerrod Hunt, DMR-148113. It’s located on an inlet
adjacent to the Ichetucknabouff River on Courtney Lane
in Biloxi. It’s in the general use district.

On the yellow thumb tack, he owns these two
lots through here. And as you can see, this is a
peninsula that his neighbor actually owns, and this is
the main river here. This is the inlet where he’s
proposing to put the structure. There’s a zoomed-out
area. We got Popo Perry, Cedar Lake Road, I-10, and
the Ichetucknabouff River.

The structure will be constructed over
submerged aquatic vegetation, specifically
Ceratophyllum demersum, as an access pier 63 feet long
by 4 feet wide, a finger pier 17 feet by 4 feet -- or a
neighbor’s property, and the neighbor would not
authorize that.

Not allowing this uncovered boat slip and
associated piers over SAV would severely restrict Mr.
Hunt’s exercise of his riparian rights. The
installation of pilings will temporarily increase
turbidity in the construction area. Installation of
the boat lift will result in increased boat traffic
over the SAV and may result in materially damaging the
flora within the coastal wetlands.

SAV is considered essential fish habitat.
Shading of Ceratophyllum demersum could adversely
affect this habitat. National Marine Fisheries Service
was consulted and provided guidelines for minimizing
these shading impacts.

No impacts beyond those already described
are proposed. Best management practices will be
utilized during all phases of construction to minimize
adverse impacts to coastal wetlands. Measures have
been taken to minimize the impacts to SAV, based on
consultation with National Marine Fisheries Service.

Conditioning the permit to require that
vessels that utilize the boat lift do not operate above
idle speed could minimize the chance for damage to
SAV. Conditioning the permit to specify that
mechanical or chemical removal of SAV shall result in
enforcement action and fine will help minimize any
secondary impacts to the SAV.

One alternative considered was to extend the
access pier over the adjacent property owner's property
to reach the main body of the river. However, the
adjacent property owner was not willing to give this
authorization.

Several pier and boat lift configurations
were proposed by applicant that would shade a larger
area of the SAV. The current configuration minimizes
these impacts and meets the recommendations of National
Marine Fisheries for structures constructed over SAV.

Piers and a boat lift do require a
waterfront location. There are other structures in the
area, and this project is not expected to adversely
affect the natural scenic qualities.

A notification of the project appeared in
the Sun Herald on December 2nd, 9th, and 16th of 2014.
No public comments were received. DBS is reviewing the
project. Archives and History has no objection.

Secretary of State's office asked that all necessary
measures be taken to avoid adverse impacts to the
marsh. And Wildlife, Fisheries and Parks says if best
management practices are implemented, the project

likely poses no threat to the listed species or their
habitats.

Based upon departmental review and
evaluation, the only other option is to deny the
applicant access to the water. Therefore, staff
recommends that the commission approve the applicant's
request with the following conditions: Any vessels
that utilize the boat lift shall not operate above idle
speed while navigating to and from the boat lift within
areas where SAV growth is present. If SAV in the
project area is removed by chemical or mechanical
means, a fine shall be issued to the applicant in
accordance with Mississippi Code 49-27-51.

MR. GOLLOTT: Chris, would you state for the
record what SAV stands for?

MR. PICKERING: Submerged aquatic vegetation.

MR. GOLLOTT: Do we have a motion on this?

MR. DRUMMOND: I guess this is in our
district, isn't it, Chris?

MR. PICKERING: Yes, sir. It's in tidal
water.

MR. DRUMMOND: It's in tidal water?

MR. PICKERING: Yes, sir.

MR. DRUMMOND: I'll make a motion that we
approve this project, Mr. Chairman.
The violation was discovered on September 8th, 2014. The violation duration was thirty-three days. Maximum potential fine is sixteen thousand five hundred dollars. And we are recommending a fine of five hundred dollars issued to Mr. Scott Mullen, who is the applicant.

The applicant has been very cooperative throughout the after-the-fact permitting process. And just a note, the agent, Culpepper & Associates, he was acting as the agent for Mr. Mullen, but they were not the actual ones that constructed the structures. I'm not sure exactly who constructed it for him.

MR. GOLLOIT: Do we have any thoughts on this?

MR. DRUMOND: Mr. Mullen here?

MR. PICKERING: I do not believe anyone is here representing Mr. Mullen.

MR. DRUMOND: Mr. Chairman, I make a motion that we approve this project. And the recommendation of the staff is five hundred dollars, and I recommend that we approve that, also.

MR. BOSARGE: I'll second the motion.

MR. GOLLOIT: Okay. We have a motion and a second. All those in favor say aye. Opposed? Motion carries.

no further adverse impacts are expected. No off-site alternatives have been considered because this is a private residential lot, and the project serves to allow the property owner access to the water.

A boathouse, piers, and boat slip do require a waterfront location. There are other structures in the area, and this project is not expected to adversely affect the natural scenic qualities.

Notification of the project appeared in the Sun Herald on December 2nd, 9th, and 16th, 2014, and it also appeared in the Sea Coast Echo on November 20th, December 6th, and December 13th, 2014.

Staff received several public comments that were all in favor of the project. DEQ is currently reviewing the project. Archives and History has no objection. Secretary of State says the project is not located in public trust tidelands. Wildlife, Fisheries and Parks ask for best management practices to be implemented.

Based upon departmental review and evaluation, staff recommends that the Commission approve the applicant's request for after-the-fact authorization. Staff also recommends that a fine be issued to the applicant in accordance with Mississippi Code 49-27-51.

MR. PICKERING: Thank you. The last project for your consideration is a violation after-the-fact exclusion by Peter and Rochelle Johnson, DNR-140097. It's located on Bernard Bayou at 1614 Cypress Lane in Gulfport, Harrison County, Mississippi. It's in the general use district, and the agent is Steven James Drennen. The yellow thumb tack is the location of the project, Coun-Lorraine Road, East Pass Road, Highway 16, and this is Bernard Bayou. And there's a zoomed-in aerial. This is the location of the structure.

He was permitted for piers and a boathouse that totaled 993 square feet. And he currently has existing out of compliance/unauthorized piers and a boathouse totaling 1,043.82 square feet.

And this is the diagram of what was permitted before. And as was talked about in previous commission meetings, the adjacent property owner authorized for him to build out twenty-five feet from this point, and it is currently -- it's not showing it, but it was brought into compliance and is at the twenty-five feet. And here's a diagram -- I mean, a picture after it was brought into compliance. And as you can see, it looks like she has room to get out now.

On November 18th, 2014, because adjacent
property owner approval could not be obtained, the
commission ordered the agent to bring the project into
compliance with the adjacent property owner approval
within forty-five days of this date or he would be
issued a ten thousand dollar fine. If the structures
were brought into compliance, then the fine would be
waived.

On January 6th, 2015, a compliance check by
staff revealed the agent had started work to bring the
boathouse into compliance but the work was not
complete.

On January 13th staff met with the agent on
site. The compliance check revealed that two feet of
roof overhang still needed to be removed. And on
January 28th, a compliance check revealed that the
structure had been brought into compliance with the
adjacent property owner approval.

Because the structure has been brought into
compliance with the adjacent property owner approval,
staff recommends that the Commission approve the
Johnson's request for after-the-fact authorization of
the boathouse in the current footprint. And I believe
the agent is here.

M. Gollowit: Yes, sir. If you'd like to
talk, come to the podium and state your name for the
record. please.

M. Drennen: Commissioners, James Drennen,
ageent. We did everything you asked. We brought the
barge and we were working. I knew we wasn't in our
forty-five days, but we were on the job, and, you know,
we did everything we can. It was during the holidays
and all that, so -- and it was very difficult because
we had to pull up forty-five foot pilings. Just
reconstruct everything. So I just want this to be over
with and move on. That's all I'm asking.

M. Gollowit: I understand. Thank you. Do I
have a motion on this?

M. Bosarge: I'll make a motion that we
accept the staff's recommendation.

M. Gollowit: Do we have a second?

M. Drummond: Second the motion. Mr.
Chairman.

M. Gollowit: We have a motion and a second.
All those in favor say aye. Opposed? Motion carries.
Thank you very much.

M. Drennen: Thank you.

M. Gollowit: Next we have the monthly
report. Bill?

H. Office of Finance and Administration.

M. Feidt: Good morning everyone. I'll take

you through the financial results as of the end of
December. Through the end of December we had state
revenue of four million dollars. This did not include
interagency revenue of almost a million and half
dollars that's been held up due to the new accounting
system MAGIC. Total agency revenue was seventeen
million.

On the state side we had a negative number of
1.1 million dollars, but that would have been positive
when -- or will be positive when the interagency
revenues get posted at some point in the next couple of
months. Total agency net income is 5.5 million
dollars. Any questions?

M. Bosarge: What seems to be the problem
with the MAGIC accounting program?

M. Feidt: Director, do you want me to
answer that?

M. Miller: I apologize, what was the
question?

M. Feidt: He was asking about MAGIC and
some of the issues we've been having.


M. Feidt: It's a very complex new system.
It's based on a German product called SAP. Most of the
big companies in the world use it. They've been

working on it for many years. They're still working on
it. The director and I met with several people in
Jackson last week. They've just got a lot of things to
work through and they are working on it right now.

M. Bosarge: The system is up and
implemented and you're inputting data into it?

M. Feidt: Yes. The good news is, is we're
getting people paid. We're getting invoices paid. The
day-to-day business of the agency is working fine.
They're just having to work out the kinks about the
reporting and how things are handled on the back end.
So it's frustrating at times, but they are
working on it. And we're going to keep pushing them to
got things in place to where we can pass our audit
later on this year in the fall when we have to go
through our first audit.

M. Bosarge: All right. Good. That's
progress.

M. Feidt: Yeah. From a budget standpoint
after six months, we're in good shape. Operating funds
have sixty-five percent budget remaining. And on the
tidelands side we have seventy-five percent budget
remaining. Any questions?

M. Gollowit: Thank you, Bill, appreciate it.

Next we have Melissa, public affairs.
MS. SCALLAN: Good morning, Commissioners. Director Miller, Ms. Chestnut, Mr. Morrison. The Department of Marine Resources was mentioned thirty-three times in local, state, and national media since the last commission meeting. The items of particular interest included the opening and closing of oyster reefs and opening again. We also had several students from Ohio State University who helped the Shellfish Bureau and Coastal Preserve program do some work on Deer Island the first week, and they were impressed with our weather because they said it was warm.

I also want to introduce you to Amber Jones, Amber, stand up a second. Amber joined the public affairs team as social media coordinator. She's going to be handling our Facebook, Twitter, Google-plus, Instagram, all of those accounts, so welcome, Amber.

Marine Patrol helped several Coast communities, several communities here in December. They helped several cities with their Christmas on the Water parades, including Biloxi, Moss Point, Gulfport, and Ocean Springs. We appreciate that.

Also, the 2015 Marine Information calendars have been distributed coastwise. If you need one, let me know. The calendar features all the tidal information, sunsets, all of our events, commission meetings, all of that. So if you would like one, just let me know.

And also as Director Miller mentioned, we have Capitol Day on January the 28th, so if you're up in Jackson, please join us. Thank you.

MR. GOLLOTT: Thank you, Melissa. Next under other business, we have consideration for an executive session. Do I have a motion?

MR. ZIMMERMAN: I'd like to make a motion that we go into closed session to vote on going into executive session.

MR. GOLLOTT: We have a motion. Do we have a second?

MR. DRUMMOND: Second the motion. Mr. Chairman.

MR. GOLLOTT: We have a motion and a second. All those in favor say aye. All those opposed? Motion carries.

(COFF THE RECORD)

MS. CHESTNUT: The Commission is now in executive session to discuss personnel matters.

(COFF THE RECORD)