Commission on Marine Resources

January 21, 2020
Employment, Contracts and Procurement Updates
January 21, 2020
Employment Updates

• 01.06.2020 – Ana Osowski – Lyman Scientist III

• 01.09.2020 – Ellen Flaherty – Off-Bottom Aquaculture Technician

• 01.16.2020 – Sharmin Cullwell – Projects Officer IV

• 01.16.2020 – Joe Chambless – Administrative Assistant and Dispatcher
# Contracts and Procurements for January 2020

<table>
<thead>
<tr>
<th>Commodity Contracts</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Vendor</strong></td>
</tr>
<tr>
<td>Auburn University</td>
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<tr>
<td>USM</td>
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<table>
<thead>
<tr>
<th>Service Contracts</th>
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<tr>
<td><strong>Vendor</strong></td>
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<td>Auburn University</td>
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<td>USM</td>
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<tr>
<td>USM</td>
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<tr>
<td>Wetlands Permitting</td>
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<tr>
<td>Extensions</td>
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<tr>
<td>Reviews</td>
</tr>
<tr>
<td>Coastal Zone Consistency Determinations</td>
</tr>
<tr>
<td>Excluded Activities/Entities</td>
</tr>
<tr>
<td>General Permits</td>
</tr>
<tr>
<td>Permits</td>
</tr>
<tr>
<td>Violations</td>
</tr>
</tbody>
</table>

2% (15) presented to CMR  
Total: 711 731 749 727

<table>
<thead>
<tr>
<th>4-Year Overview</th>
<th>2016</th>
<th>2017</th>
<th>2018</th>
<th>2019</th>
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<tr>
<td>Standard</td>
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<td>123</td>
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<tr>
<td>More Complex</td>
<td>523</td>
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<td>582</td>
<td>596</td>
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<tr>
<td>Most Complex</td>
<td>79</td>
<td>71</td>
<td>44</td>
<td>29</td>
</tr>
</tbody>
</table>
Coastal Zone Consistency Determination by:
Hancock County Port and Harbor Commission
File: DMR-180249

- Location: On the Port Bienville Industrial Canal in Pearlington, Hancock County, MS.

- Use District: (I) Industrial Use District

- Agent: Compton Engineering, P.A.
Project Description

- **Wetland Impacts:**
  - Total 6.91 acre acres of wetlands
  - 2.21 acres of freshwater marsh
  - 0.14 acre of tidal marsh
  - 0.14 acre of submerged aquatic vegetation (SAV)
  - The applicant proposes to mitigate for impacts to emergent and forested wetlands by purchasing credits at an approved mitigation bank, and impacts to freshwater marsh and tidal wetlands through permittee-responsible mitigation.

- **Structures:**
  - 1,000 linear feet of riprap
  - A bulkhead 850’ in length
  - A pier 144’ x 30’
  - A pier 215’ x 10’
  - 236 linear feet of wave attenuator
Project Description

- Dredging and Excavation
  - Maintenance dredging within manmade canals
    - 850' x 50-60'
    - Existing depth: 0' to 10' below MLW
    - Proposed depth: 12' below MLW
    - Approximately 84,683 cubic yards of material will be removed
  - The applicant has received a Letter of Exception to the BU Statute. Material will be placed on-site and used for daily maintenance purposes.

- Excavation of uplands and wetlands
  - Approximately 21,030 cubic yards of material will be removed
  - Keyhole slip 290' x 370'

The applicant has requested a variance to Chapter 8, Section 2, Part III.N.1.f of the Mississippi Coastal Program (MCP) and to Miss. Admin. Code Title 22, Part 23, Chapter 8, Section 113.01, Item 6, which states, “Activities affecting coastal wetlands, but located outside of coastal wetlands must not affect ... the long-term biological productivity of the coastal wetlands’ ecosystem.”

The applicant has justified these variance requests under Chapter 8, Section 2, Part I.E.2.c.iv of the MCP and Miss. Admin. Code Title 22, Part 23, Chapter 8, Section 118.04 by stating the activity requires a waterfront location; there is a significant public benefit in the activity; and a public hearing was held.
Public and Agency Notification

- Comments…
  - Notification of this project appeared in *The Sun Herald* on August 18, August 25, and September 1, 2019, and in *The Sea Coast Echo* on August 17, August 24, and August 31, 2019.
  
  - One public comment was received concerning:
    - Loud noises from construction and operation activities
    - Requested noise levels be taken into account, especially late at night
  
  - A public hearing was held on Tuesday, September 24, 2019 at 6:00 p.m. at the David N. McDonald Training Center of the Hancock County Port and Harbor Commission located at 3060 Port and Harbor Drive, Pearlington, MS. No comments were received.

- MS DEQ: Currently reviewing the project
- MS DAH: Has no objections
- MS DWFP: Recommends best management practices
- MS SOS: Notes the project is adjacent to the Hancock County Marsh Coastal Preserve and asks that all reasonable measures be imposed to protect the integrity of the ecosystem.
Recommendation

- Based upon departmental review and evaluation of the decision factors in Ch. 8, Sect. 2, Part I.E.2. of the MCP, it has been determined that the project will allow significant expansion of the port and benefit the economic development of Hancock County. Therefore, staff recommends approval of the requested variance and the proposed project contingent on clearance from DEQ.
Request for Exclusion by:
Jackson County Port Authority
File: DMR-190178

- Location: Wetlands adjacent to the Escatawpa River in Moss Point, Jackson County, MS.
- Use District: (G) General Use District
- Agent: Compton Engineering
- Project Purpose/Need: More efficient rail transport of goods and abandonment of existing railroad crossings.
Project Description

- **Fill:**
  - 4.89 acres of wetland impacts
    - 3.73 acres of tidal and tidally-influenced marsh
    - 1.16 acres of forested, non-tidal wetlands

- **Mitigation:**
  - Creation of 3.8 acres of tidal and tidally-influenced marsh immediately adjacent to the project area
Variance requests MCP:

- Chapter VIII, Sect. 2, Part III.O.1: “Permanent filling of coastal wetlands because of potential adverse and cumulative environmental impacts is discouraged.”
- Chapter VIII, Sect. 2, Part III.O.2: “Areas containing submerged vegetation or regularly flooded emergent vegetation shall not be filled”
- Chapter VIII, Sect. 2, Part III.F.1: “Bridging shall be used in preference to filling”
- Chapter VIII, Sect. 2, Part III.F.3: “Except for the construction of replacement bridges and approaches, transportation improvement projects shall generally follow existing alignments in coastal wetlands.”

Justification:

- Chapter 8, Section 2, Part I.E.2.c.iii: “No feasible, alternative sites or construction techniques are available, there is a significant public benefit in the activity, and a public hearing has been held.”
  - Efficient transport of goods including those which support the nation’s energy policy
  - Increase public safety by closing railroad crossing.
Variance requests Title 22, Part 23:

- Chapter 8, Sect. 114.01: “Permanent filling of coastal wetlands below the mean high tide line because of potential adverse and cumulative environmental impacts is not authorized.”
- Chapter 8, Sect. 114.03: “Sensitive coastal wetlands must not be filled”
- Chapter 8, Sect. 105.01: “Bridging must be used in preference to filling to create roadbeds, railways, and other transportation facilities…”
- Chapter 8, Sect. 105.03: “Except for the construction of replacement bridges and approaches, transportation improvement projects shall generally follow existing alignments in coastal wetlands.”

Justification:

- Chapter 8, Section 118.03: “No feasible, alternative sites or construction techniques are available, there is a significant public benefit in the activity, and a public hearing has been held.”
  - Efficient transport of goods including those which support the nation’s energy policy
  - Increase public safety by closing railroad crossing.
Alternative Layouts
Public and Agency Notification

- Notification of this project appeared in *The Sun Herald* on June 23, June 30, and July 7, 2019.
  - No public comments were received

- MS DEQ: Currently reviewing the project
- MS DAH: No objections
- MS SOS: Rent exempt lease will be required
Recommendation

- The staff of the Department of Marine Resources has conducted a thorough evaluation of the project and has made findings on the decision factors in accordance with Chapter VIII, Section 2, Part I.E.2. of the Mississippi Coastal Program (MCP). The project would allow more efficient movement of goods by rail from Bayou Casotte and the Port of Pascagoula as well as allow for the abandonment of approximately 21 rail crossings in areas of Pascagoula and Moss Point which would increase public safety. Staff recommends approval of the variance requests and permit contingent on clearance from DEQ.
Request for Permit by:
Gulf LNG Liquefaction Company, LLC
File: DMR-060870

• Location: Bayou Casotte in Pascagoula, Jackson County, MS.

• Use District: (I) Industrial Development Use District

• Agent: Jacobs Engineering

• Project Purpose/Need: Expand the current facility to allow for the export of natural gas
Project Description

• Fill:
  • 27.8 acres tidal and tidally influenced wetlands
  • 10.9 acres of non-tidal wetlands
  • North Marine Off-loading Facility (MOF): 0.91-acre of waterbottoms
  • South MOF: 0.15-acre of waterbottoms (temporary)
  • MOF: 1,350 linear feet of sheet-pile wall-fill containment (350 LF temporary)
  • 50 acres of unvegetated, state-owned waterbottoms for mitigation area

• Dredging:
  • 200,000 cubic yards for MOFs
  • (Material has been tested and found suitable for Beneficial Use per MS Code §49-27-61)
Mitigation:

- Creation of 50 Acres of tidal marsh wetlands at the mouth of Bayou Casotte.
- For permanent fill of state-owned waterbottoms: One-time payment in the amount of $117,268.04 to the MDMR Coastal Preserves Bureau for acquisition, conservation, and management of Coastal Preserves properties.
- Purchase of mitigation credits from a U.S. Army Corps of Engineers Mobile District IRT-approved mitigation bank within the service area.
- Tidelands Lease (SOS) for mitigation area.
Project Description
continued

- Variance requests MCP:
  - Chapter VIII, Sect. 2, Part III.O.1: “Permanent filling of coastal wetlands because of potential adverse and cumulative environmental impacts is discouraged.”
  - Chapter VIII, Sect. 2, Part III.O.2: “Areas containing submerged vegetation or regularly flooded emergent vegetation shall not be filled.”
  - Chapter VIII, Sect. 2, Part III.K.1b: “Proposed road alignments shall use upland or already disturbed marsh areas.”

- Variance requests Title 22, Part 23:
  - Chapter 8, Section 114.01: “Permanent filling of coastal wetlands below the mean high tide line because of potential adverse and cumulative environmental impacts is not authorized.”
  - Chapter 8, Section 114.03 which states, “Sensitive coastal wetlands must not be filled.”
  - Chapter 8, Section 110.02 which states, “Proposed road alignments shall use upland or already disturbed marsh areas.”
Project Description

- Justification:
  - Chapter 8, Section 2, Part I.E.2.c.iv of the MCP and Chapter 8, Section 118.04 of Title 22, Part 23, : “The activity requires a waterfront location, there is a significant public benefit, and a public hearing will be held.”
  - Significant economic impact
  - Decrease dependency on foreign countries for energy
  - Reduce global greenhouse gas emissions
  - Additional tidal marsh habitat
  - Reduce coastal erosion
Public and Agency Notification

- Notification of this project appeared in *The Sun Herald* and *Mississippi Press* on February 21, 28, and March 6, 2016. As well as November 3, 10, and 17, 2019.
- Public comments were received from two (2) respondents to the 2016 notice.
Public and Agency Notification

• Comment: Loss of flood protection and storm water control resulting from permanent wetland impacts and the mitigation proposed would not replace these important wetland functions

• Response: Based on modeling completed for the Project, construction of the project and associated tidal wetlands would have negligible effect on the current flood storage capacity in the Bayou Casotte area.
• Comment: A detailed, well-reasoned .... more robust mitigation plan is needed and should be shown before this project can proceed”.

• Response: The mitigation plan was still in the draft stages at the time of the first public notice. A final mitigation plan has been provisionally approved by the USACE.
Comment: Skeptical of the success of the mitigation plan due to its direct exposure to MS Sound.

Response: The mitigation plan was designed per the latest USACE manuals for Shore Protection and Coastal Engineering.

Comment: Questions the use of three variances to the MDMR’s Mississippi Coastal Plan.

Response: See write-up
• Comment: Reduce barge berths from 2 to 1 to avoid wetland impacts.

• Response: Increased accessibility for the offloading of fill materials and aggregate, while reducing traffic impacts to Industrial Road to the north.

• A public Hearing was held on November 12, 2019. No public comments were received
Public and Agency Notification

continued

• MS DEQ: Currently reviewing the project

• MS DAH: No objections.

• MS SOS: Tidelands Lease will be required

• Federal Energy Regulatory Commission (FERC): Issued Certification after an approximate five (5) year-EIS process

• USACE: Issued Provisional Permit
Recommendation

- The staff of the Department of Marine Resources has conducted a thorough evaluation of the project and has made findings on the decision factors in accordance with Chapter VIII, Section 2, Part I.E.2. of the Mississippi Coastal Program (MCP). The project would allow both the import and export of natural gas at the Bayou Casotte Terminal. The project would create a significant amount of economic activity by creating jobs directly associated with the facility as well as construction employment. The project would be in support of the nation’s energy policy by reducing dependence on foreign countries for energy. Staff recommends approval of the variance requests and permit contingent on clearance from DEQ.
Western Mississippi Sound Hydrodynamics and Lower Pearl River Discharge

George Ramseur and Paul F. Mickle Ph.D.
Western Sound Freshwater Inputs

- Pearl River
- Jourdan River
- Wolf River
- Bonnet Carré
- Other MS River Diversions?
Mississippi River Gulf Outlet (MRGO)

Ship Island “Camille Cut” 1969

“The Camille Cut” (2.3 miles, now closed!)

Three Mile Pass

Mississippi River Gulf Outlet (MRGO)

1850 – 23 miles

2004 – 30 miles

2016 – 33 miles

2020 +/- 30 miles

The passes enlarge as the islands and marshes erode...
Hancock County Shoreline Regression, 1852 to 2016

Long term erosion rates have doubled.

Loss appears to be directly fetch related...
Water Quality Variation

Data from: USGS 301429089145600 MISSISSIPPI SOUND AT USGS MERRILL SHELL BANK LIGHT
Bonnet Carré Influences on Water Quality
Understanding the Western Sound
Pearl River Drainage

- Navigation
- Flood Control
- Industry
- Access
- Agriculture
Developing bypass
Potential Paths Forward

- Identifying the WQ based HSI for:
  - Oysters
  - Crab
  - Brown Shrimp
  - Finfish?

- Allow the spatial HSI for each species drive the project support for the state of MS
Mississippi
Department of Marine Resources
Agency Financial Results
as of December 31, 2019
Commission on Marine Resources
January 21, 2020
### Key Metrics:

- **State Revenue of $4.1M**
- **Agency Revenue of $19.4M**
- **State Net Income of $950K**
- **Agency Net Income of $6.5M**

### Revenue:

<table>
<thead>
<tr>
<th>Source</th>
<th>State</th>
<th>NFWF</th>
<th>Subtotal</th>
<th>Tidelands</th>
<th>Total DMR</th>
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<tbody>
<tr>
<td>Transfer in from Other Governments</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Off-road Fuel Tax</td>
<td>3,050,000</td>
<td>-</td>
<td>3,050,000</td>
<td>-</td>
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<tr>
<td>Federal/NonFederal Grants</td>
<td>-</td>
<td>3,030,688</td>
<td>-</td>
<td>3,030,688</td>
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<tr>
<td>Sales Revenue</td>
<td>463,341</td>
<td>1,170</td>
<td>464,510</td>
<td>1,781</td>
<td>466,292</td>
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<tr>
<td>Other Revenue</td>
<td>100,355</td>
<td>317,323</td>
<td>417,858</td>
<td>11,970,750</td>
<td>12,388,608</td>
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<tr>
<td><strong>Current Budget Year Revenue</strong></td>
<td><strong>4,115,033</strong></td>
<td><strong>3,349,181</strong></td>
<td><strong>7,464,213</strong></td>
<td><strong>11,972,531</strong></td>
<td><strong>19,436,745</strong></td>
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</table>

### Expenditures:

<table>
<thead>
<tr>
<th>Category</th>
<th>State</th>
<th>NFWF</th>
<th>Subtotal</th>
<th>Tidelands</th>
<th>Total DMR</th>
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<tbody>
<tr>
<td>Salaries, Wages, Fringe</td>
<td>2,617,427</td>
<td>1,380,777</td>
<td>3,998,204</td>
<td>396,645</td>
<td>4,394,849</td>
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<td>Travel</td>
<td>16,094</td>
<td>21,551</td>
<td>37,645</td>
<td>19,432</td>
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<td>Contractual Services</td>
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<td>2,598,901</td>
<td>2,893,287</td>
<td>435,862</td>
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<td>Commodities</td>
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<td>75,298</td>
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<td>Other than Equipment</td>
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<td>Equipment</td>
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<td>71,514</td>
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<td>Vehicles</td>
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<tr>
<td>Wireless Devices</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>Subsidies, Loans, and Grants</td>
<td>5,208</td>
<td>1,832,445</td>
<td>1,837,653</td>
<td>1,648,139</td>
<td>3,505,792</td>
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<tr>
<td><strong>Current Budget Year Expenditures</strong></td>
<td><strong>3,164,853</strong></td>
<td><strong>7,052,568</strong></td>
<td><strong>10,217,421</strong></td>
<td><strong>2,624,208</strong></td>
<td><strong>12,841,629</strong></td>
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### Current Budget Year Net Income/(Loss):

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td><strong>Current Budget Year Net Income/(Loss)</strong></td>
<td><strong>$ 950,180</strong></td>
</tr>
</tbody>
</table>
Financial Budget Comparison

- After six months of Fiscal Year 2020:
  - Operating Funds have 78.9% of Budget remaining
  - Tidelands Trust Fund has 65.4% of Budget remaining
Mississippi Department of Marine Resources
FY2021 Tidelands Trust Fund
## Tidelands FY2022 Schedule

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 31, 2020</td>
<td>Request for Proposals</td>
</tr>
<tr>
<td>July 1, 2020</td>
<td>Deadline for Proposals</td>
</tr>
<tr>
<td>July - Aug 2020</td>
<td>Compliance Review</td>
</tr>
<tr>
<td>September - October 2020</td>
<td>Merit Review</td>
</tr>
<tr>
<td>November 2020</td>
<td>Recommendations and CMR Approval of Ranked Proposals</td>
</tr>
<tr>
<td>December 2020</td>
<td>Legislative Forum</td>
</tr>
<tr>
<td>January 2021</td>
<td>Projects/Report to Legislature</td>
</tr>
<tr>
<td>April 2021</td>
<td>FY2020 Appropriations</td>
</tr>
<tr>
<td>November 2021</td>
<td>Check from SOS Office</td>
</tr>
<tr>
<td>November - December 2021</td>
<td>Projects Awarded</td>
</tr>
</tbody>
</table>
Tidelands Trust Fund
FY2021 Proposal Results

121 APPLICATIONS SUBMITTED
$57,944,477

55 PUBLIC ACCESS
$46,464,529

27 Submitted by Cities
$37,706,275

16 Submitted by Counties
$5,559,420

12 Miscellaneous
$3,198,834

66 TIDELANDS MANAGEMENT
$11,479,948

25 Submitted by MDMR
$4,258,792

32 Submitted by Universities
$6,001,581

9 Miscellaneous
$1,219,575

Appropriated for FY2020: $11,000,000
Public Access Awards FY2020

Tidelands FY2020 Public Access Awards Total $ 6,405,000
Managed Projects Awards FY2020

Tidelands FY2020 Managed Projects Allocated $3,508,641

- MDMR $1,869,981
- USM $111,085
- MSU $222,092
- Misc. $1,115,000
- Not Yet Awarded $930,482.25
- Bond Payment $1,086,359
Title 22 Part 7: Commercial Tarpon Regulations

Final Adoption

Joe Jewell
January 21, 2020
Background

- At the September 17, 2019 CMR meeting, the following motion was passed:
  - **Motion**: To proceed with a Notice of Intent for regulatory changes to Title 22 Part 7 Chapter 9 to add Paragraph 114 prohibiting the harvest or possession of an Atlantic Tarpon for commercial purposes.

- At the October 15, 2019 CMR meeting this item was removed from the agenda.

- November 19, 2019 CMR meeting the Commission passed motion to withdraw the previously approved commercial Tarpon NOI. Tabled issue and requested staff to discuss further.

- At the December 17, 2019 CMR meeting, the following motion was passed:
  - To proceed with a Notice of Intent for regulatory changes to Title 22 Part 7 Chapter 9 regarding commercial rules for Atlantic Tarpon (*Megalops atlanticus*) within Mississippi waters.
CMR Passed Notice of Intent on December 17, 2019

Notice of Intent filed with the SOS on December 19, 2019

December 20, 2019
MDMR Web Page Notice

Legal Notice Appeared in the Sun Herald on December 22, 2019.
Public Comments on Title 22 Part 7 NOI

- Public comment period: December 19, 2019 through January 13, – 26 Days.
- No public comments were received.
Chapter 9 Commercial Size, Possession and Catch Limits

114 It shall be unlawful for any person, firm, or corporation, to barter, sell, offer for sale or transport for sale or possess for sale Atlantic Tarpon (*Megalops atlanticus*).

115 It shall be unlawful for any commercial fishermen to possess any Atlantic Tarpon smaller than seventy-five (75) inches fork length or to possess more than a daily bag limit of one (1) Atlantic Tarpon per vessel.
Required:

A motion to proceed with Final Adoption for regulatory changes to Title 22 Part 7 Chapter 9 regarding commercial rules for Atlantic Tarpon (*Megalops atlanticus*).
State Saltwater Finfish Records

Matt Hill
January 21, 2020
Youth Division: Conventional Tackle
Youth Saltwater Fishing Record

**Knobbed Porgy**

*Calamus nodosus*

New Record: **1 lb. 4.8 oz.**

**Angler: Blake Bosarge**

*Also qualifies as All Tackle and Conventional Tackle Record*
Youth Saltwater Fishing Record

Spanish Flag
*Gonioplectrus hispanus*

New Record: 10.98 oz.

Angler: Blake Bosarge

*Also qualifies as All Tackle and Conventional Tackle Record*
Youth Saltwater Fishing Record

Vermilion Snapper
*Rhomboplites aurorubens*

New Record: 2 lbs. 9.0 oz.

Angler: Blake Bosarge
Required:
Motion to Adopt New State Records
All in ONE Platform

- Data Collection on recreational harvest and discard catches
- Real-time Rule & Regulation changes from Gov. Agencies
  - Ability to search all states rules/regs
- Weather API for forecast/entry logging
- Local
  - Search for fuel dock/marinas
- Multi-state License sale
  - Proof of purchase with user ID number
  - Renewal program
- Safety features for users
  - Distress
  - Tracking system
- Better survey access
News

- Directly connected to TruSportsman
- Have all commission meetings & events being put on
- Season closure
Entries

- Auto date/time
- Picture of total catch
  - Measuring tool
- State zones separated
- Water clarity
Species Entry

- Species search
- Quantity of each species
- Harvest/Discard separation
- Multi-Person/Multi-Day Entries
  - Bar-code participation additions
  - Statistics go to each user
  - Available to search “multi’s” separate from single person entries
Statistics

- Track all harvest & discard catches
- Zones participated
- Weather recorded with each entry
- Picture records
Additions

Entry calendar, weather & zone record statistics, GPS tracking
User Search

- Law Enforcement access by bar-code
- License validation
- Statistics access
- Violation history
CMR Meeting
Added or Modified Motions
January 21, 2020
Agenda Item: E.1.

Motion: Give Executive Director the authority to establish start date for 2020 snapper season and brief the Commission at the February monthly meeting.