COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, February 18, 2020
9:00 a.m.
Bolton Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi 39530

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Commission Members:
Mark Havard, Chairman
Ronald Daniels, Vice Chairman
Steve Bosarge
Richard Gollott
Natalie Guess

Also Present:
Joe Spraggins, Executive Director DMR
Sandy Chesnut, Esq., Assistant Attorney General

Lucille Morgan, CSR 1251
COURT REPORTER
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COMMISSIONER HAVARD: I would like to welcome everybody to the Commission on Marine Resources meeting February 18th, 2020.

I will first start this off with a call to order.

Keith Davis, do you mind leading us in the Pledge of Allegiance?

KEITH DAVIS: Thank you.

(Pledge of Allegiance was recited.)

COMMISSIONER HAVARD: We weren’t going to let him get away that easy.

I would like to recognize a moment of silence.

(Moment of silence observed.)

COMMISSIONER HAVARD: Thank you guys for doing that.

Approval of the Minutes.

Can we get approval of the minutes for January 21st, 2020?

Can I get a motion to approve the minutes?

COMMISSIONER GUESS: I'll make the motion.

COMMISSIONER HAVARD: I have a motion.

Do I have a second?

COMMISSIONER DANIELS: I'll second it.

COMMISSIONER HAVARD: I have a motion and a second for approval of the minutes for January 21st, 2020.
All those in favor say aye.

(All in favor.)

COMMISSIONER HAVARD: Opposed like sign.

(None opposed.)

COMMISSIONER HAVARD: Motion moves.

That brings us on to C, Approval of the Agenda.

I would like to make a motion that we move forward with the agenda as written.

JOE SPRAGGINS: Sir, if I could, we need to have one thing removed from the agenda, if y’all would look at it, and that is G1(a), because we have to go out for additional information. We didn't have the information back in time and I would ask, if you could, if you would entertain a motion taking that off the agenda.

COMMISSIONER HAVARD: Sure.

COMMISSIONER DANIELS: I’ll make a motion to remove G1(a) from the agenda today.

COMMISSIONER GOLLOTT: I’ll second it.

COMMISSIONER HAVARD: I have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER HAVARD: Motion so moves.

Any other changes that we want to make to the agenda?
No response.)

COMMISSIONER GOLLOTT: Mr. Chairman, I think you need to have a motion to approve the agenda as modified.

COMMISSIONER HAVARD: At this time, can I get a motion to approve the agenda as modified?

COMMISSIONER GOLLOTT: So moved.

COMMISSIONER HAVARD: All those in favor say aye.

(All in favor.)

COMMISSIONER HAVARD: Opposed like sign.

(None opposed.)

COMMISSIONER HAVARD: Motion moves. We have approval of the agenda.

We have some elected officials in our presence today. We have Mayor FoFo Gilich, Councilman Paul Tisdale, Councilman Robert Deming and Ms. Rebecca Powers Supervisor from Harrison County. We also have Keith Davis here representing the Secretary of State's office.

We appreciate all of you guys coming and joining us today.

That brings us down to Executive Director's report.

Director.

JOE SPRAGGINS: Thank you, sir.

As far as employment, contracts and procurement,
we have nothing to report today.

Next up on the agenda is the Lower Pearl River Water Project, and I would like to bring Mr. Gerald Blessey up and let him brief that to you, please.

GERALD BLESSEY: Thank you, General.

Mr. Chairman and members of the Commission, I am Gerald Blessey, Manager of the Mississippi Sound Coalition.

We are here today to give you an overall briefing of our activities to date and to talk in particular about some of the initiatives, the Lower Pearl Initiative and so forth.

I do want to kind of bring you up to date on our activities -- Mayor Gilich is here today with us and some of our associate members -- and also to answer any questions you may have because, of course, the Department of Marine Resources and the Commission on Marine Resources are the essential state agencies that we are really here to assist and ask for your guidance on how to protect and restore the Mississippi Sound.

The Mississippi Sound Coalition was formed last fall. Mayor Gilich, after the devastating summer that you are all aware of from the Bonnet Carre Spillway, asked me, as special counsel for Biloxi, to get together with the local governments and try to form a coalition to really
take some action on behalf of the local governments and have a presence, have a voice in this issue.

We formed this coalition last fall and twelve of the fifteen local governments are members, city and county governments, and they elected Marlin Ladner as the chair, and I’m not sure if Marlin is here today, but Rebecca Powers is certainly a fine stand-in and substitute pinch hitting here today for the Harrison County Board of Supervisors.

The vice chair is Scotty Adam, the new head of the Hancock County Board of Supervisors.

The group asked me to serve as manager, in order to kind of keep all of the administrative side going and also to chair the Attorney Committee which is the city attorneys and the board attorneys.

The coalition is really just an advisory group. It is not an official political body. It is formed to study the issues and make recommendations to the individual voting bodies which are the city and county governments and to assemble associate members, and I want to really talk a little bit about that and urge all of you to consider as individuals and even as an organization to be associate members.

Right now, our primary associate members are the Mississippi Commercial Fisheries United, Inc., and Ryan
Bradley is here. Y'all know Ryan. Mr. Mavar is also an associate member.

Also, the Mississippi Hotel and Lodging Association, Linda Hornsby's group, is a member.

Of course, fisheries and tourism in particular were devastated last summer, but all of our businesses really took a hit. We will talk about that in a little bit and Mayor Gilich is here to talk to you about it.

I will just give you one statistic. Last August, the sales tax in Biloxi alone for one month went down by a hundred and twenty-five thousand dollars year over year.

That is eighteen-and-a-half percent of the seven percent state sales tax. So the state took a hit, too, and that translates into over two million dollars in gross sales for the sales tax businesses, local businesses.

When you multiply that for the whole summer and fall -- hopefully it doesn't happen again this year, but, if it happens in the future, you can see the prospects are devastating on many levels, including to our local tax base.

The mission of the Mississippi Sound Coalition adopted by the twelve governments is to restore and protect the ecosystem of the Mississippi Sound and the way of life and the economies of coastal communities that
depend upon it, based on good science and fair public policy.

The good science, of course, we are on the learning curve and you have some great scientists right here, Dr. Mickle and others at the Gulf Coast Research Lab, Read Hendon and Monty Graham, and all of the state-based scientific community, we really look forward to partnering with and encouraging those studies.

Fair public policy is where we really are in need of great help.

This is a national problem, as you well know, that calls for national solutions. We have other issues looming on the horizon. The Mid-Breton Sediment Diversion for instance which is under consideration, Environmental Impact Statement going forward. We should be part of that.

A lot of the science that we see suggests that that is not a very good idea, that it is going to end up hurting the fisheries community. Hurting not only the Mid-Breton, but the Chandelier Sound and the Mississippi Sound.

The science is not all in. So, without jumping to conclusions, we are just feel that it really needs to be looked at very closely.

The new diversion for Lake Maurepas, is that
good, or bad?

We don’t want to jump to conclusions, but we need to be involved in the loop. We, the State of Mississippi and the local governments and this agency and Attorney General and our governor and all officials need to take serious looks at these things which are permanent long-term threats to the survival of the whole Gulf Coast. The Mississippi Sound is our front door. If it dies, we die.

As you know, the agricultural runoff from thirty-one states and two Canadian provinces come down the Mississippi River basin and flow past the Bonnet Carre Spillway and, when it is opened, all of those nutrients and all of those toxic substances come forward and, as you well know, that was really the source of the algal bloom last summer because it went into the summer months, the warmer water. It really incubated.

It is the kind of thing that if it continues to happen, our economy will just be totally devastated. Not just tourism, not just fisheries which is terrible enough, but the whole economy.

The Federal Agency NOAA predicts the long-term increased rainfall in the Mississippi River basin will rise for the next ten to fifteen years. Rainfall will be greater and greater.
We think we need a Marshall Plan, something like a Marshall Plan for the whole Mississippi River Basin to reform the flood control, management and the structures in the whole basin, not just the Bonnet Carre; look for incentives and grants for sustainable land use in all of these agricultural areas, incentives and grants for agriculture to avoid, or treat, the runoff.

This is huge. It affects all of us. The Mississippi Delta is partly still under water right now and you can see what is happening with the Pearl River.

The coalition has proposed the Mississippi Sound and Lake Pontchartrain Protection Act of 2020 to the United States Congress.

I sent them to you and, General, I think y'all distributed those documents to the Commission.

JOE SPRAGGINS: We did. We put it on the portal for them to look at.

GERALD BLESSEY: Okay. Good. We urge you to take a look at it. It has been sent. It endorsed by the coalition. Virtually all of our members have passed resolutions in their city councils and board of supervisors meetings to endorse it and sent that endorsement on to our senators and congressmen who are, we feel, one hundred percent supportive of what we are trying to do.
The bill hasn't been introduced yet. The staffs are working on it up there.

What does it do?

Briefly, the most important part is it requires by law that Mississippi, the State of Mississippi have a seat on the Mississippi River Commission.

Right now, the Commission is the one that decides what gets opened when and what gets closed when and the Corps of Engineers, or course, are members of that Commission. Mississippi does not have a lay person on that commission.

This bill would require the President to select from nominees nominated by the Governor of Mississippi, to put a lay person from Mississippi on there at least to have a voice when these decisions are being made and, secondly, to consult all the local governments in Mississippi, these fifteen local county and city governments, plus the DMR, plus the DEQ, plus MEMA. All of the state agencies should be consulted before these things occur, as they do in Louisiana by the way.

The Morganza was not opened last spring. The Corps was ready to open it and two days before they had a meeting in Morgan City and people understandably who were threatened by the flood and so forth raised a lot of Cain and it didn't get opened.
Was that the reason?

I don’t know. We don’t know because we are not in the thought process.

Then, finally to fund this Act, the congress would authorize the payment to the Corps of an accelerated Environmental Impact Statement on the Bonnet Carre Spillway.

They have not had an EIS since 1976. A lot has happened since then and we really feel that if the process for an environmental impact statement were done as mandated by congress in two years, they would have to look at alternatives to the Bonnet Carre and any other structures, any other diversions, including Mid-Breton. That is in this act.

Shift the burden, in other words, to the Federal Government to look for alternatives and look for mitigation.

This is a very powerful act. It is patterned after a precedent, the Grand Canyon Protection Act which is a similar kind of thing.

Now, the coalition also -- and one of the main reasons we are here today -- we endorse the Department of Marine Resources ongoing study and planning for a Lower Pearl River Water Reallocation Project.

Mr. Victor Mavar, Sr., who is here has been
working on this for years along with some members of your staff and I know it is an ongoing thing. Dr. Mickle has briefed us.

We really, as a group, encourage you to continue those studies and if we, as a coalition of local governments, can help lobby for whatever money you need from the state, or the federal government, to complete those studies and make a recommendation on the Lower Pearl River Reallocation Project, we are here to support that.

As you know, that project would consider the science and the engineering behind reallocating the Pearl River from the west to the east so that it comes back closer to a natural balance.

It used to be about fifty-fifty percent. Now, it is about eighty-five percent going into the west and about fifteen percent coming into the east which changes, of course, the salinity levels both south of the Rigolets and Lake Bourne and over to the Mississippi Sound. To get it back closer to a natural balance is part of the big picture.

We invited Pete Melby here today -- I'm not sure if he is here -- who has also been studying it from Mississippi State. Pete apparently has proposed a plan. It is somewhat separate. It is similar. It overlaps.

Our organization is here to urge you, the DMR
and your staff, to continue what you are doing and have one plan from the State of Mississippi for the Lower Pearl Project and not competing plans. Even though well intentioned, it would be better that the DMR be the clearing house that really asserts and hopefully by the summertime, or whenever you can finish those studies, there will be an engineering estimate.

That project would be one of many kinds of smaller solutions to the bigger process. If we don’t solve the Bonnet Carre, however, it will all be for naught.

The coalition also endorses the three bills in congress to reform the Fisheries Disaster Laws.

I think we sent that resolution to you, also, Joe.

Ryan Bradley is here to answer questions about that.

Our senators and Congressman Palazzo have been at the forefront in the leadership of trying to reform the Fisheries Disaster process so that it is quicker.

The last time the Bonnet Carre opened, I understand it took about six years before the whole disaster funds got to where they were needed. That is way too long.

Finally, you probably hopefully read about this,
but we wanted to brief you.

Eight members of the Mississippi Sound Coalition decided that we could not wait any longer. We needed to file in Federal Court which we did right before Christmas a Federal lawsuit seeking injunctive relief to compel the Corps and the Mississippi River Commission to give a seat at the table to the State of Mississippi and to the local government, similar to what we are asking for in the Protection Act, but that Protection Act may take a year, or two, to get adopted, to ask the local Federal Court in Gulfport to compel the Corps to at least help us there so that our scientists and our engineering experts can show that there are alternatives that should be considered before the Bonnet Carre is opened and there is mitigation that should be considered and there are other solutions that should be worked on, plus compel an EIS as quickly as possible.

The eight members of the coalition have filed that lawsuit. The government has not answered yet. It is about time they answer. We are all holding our breath. The river right now has not reached quite the flood level. The flood fight has begun with the Corps.

We are there. We are hoping that, at least, this will compel a close look at alternatives.

To that extent, Mayor Gilich is here and I
wonder, FoFo, if you would come forward for a moment and just reflect on why this is such an imperative for our local governments.

FOFO GILLICH: Thank you, Gerald. Thank you, General Spraggins and thanks to the Commission for listening to us a little bit.

Richard and I are probably the oldest ones in this room and we have never seen anything like what happened to us last year.

I think, Paul, there are some indices that we talk about. Well, my indices are I talked about my sixty-four hundred and thirty-five hotel rooms that are close to that beach.

It happens to you once like BP, but, if it happens to us again and again, we have lost it just from that part of the deal. It is very important. We have never seen that impact.

I want to thank Robert, General, Ryan, everybody and the counties that have been involved because it truly is an effort to get rolling in the right direction.

It is a survival thing, I think, and survival economically, environmentally.

Every time I walk in this building I learn something and I have appreciated that.

I encourage you individually and as a body to
support the efforts.

    I know it gets complicated when you sue people. People do things and are kind of locked up.

    If this happened to us again and shut that whole beach down, people are not even going to look at Coastal Mississippi as an alternative. So that is another indices that we want to at least address.

    All of the ideas that have been bounced around, it is not as complicated as Slavonian Lodge, but it has been a hell of a coalition.

    I thank you and thank everyone there. Thank you very much.

GERALD BLESSEY: Mr. Chairman and members of the Commission, Robert Wiygul, as the Mayor just mentioned, is here. The coalition hired Robert as our expert legal counsel in the lawsuit that we filed. Robert is an Ocean Springs resident and lawyer, as you well know, and very well versed in this field.

    We are here. Also, we would be glad, if you would like to ask questions about the lawsuit, or the legislation we have proposed, or anything. Ryan Bradley is here with us from the Fisheries group.

    We certainly would welcome any questions, or if you have anything else that you would like to know from us.
If not, then, of course, we stand by anytime to answer anything in writing, or you can call us on the phone.

Once again, as the Mayor just said, anybody can be an associate member. There are no dues. All you have to do is say we support the mission of the coalition to restore and protect the Mississippi Sound based on good science and fair public policy.

We hope to have an ongoing working relationship with General Spraggins and the staff so we will learn more and so we will be taking positions that are well based on good science. We need your guidance, but we are here to help.

We think that the congress will pay attention to three hundred thousand people, three hundred and fifty thousand people living in these three Coast counties, understanding we are not going away.

We have an independent voice and we are here to protect our heritage and our future.

If there are any questions, Mr. Chairman, we would be glad to answer them.

COMMISSIONER HAVARD: Commissioner Bosarge, do you have a question?

COMMISSIONER BOSARGE: Yes, sir.

It is nice to see your, Mr. Blessey.
GERALD BLESSEY: Thank you.

COMMISSIONER BOSARGE: I do appreciate everything this group has done to bring this to the forefront.

It truly is an issue that for whatever reason the past four, or five, years there have been multiple openings of the Bonnet Carre Spillway.

From what you have said and from what I see, it is something that may continue. We have got to work on this.

I did have a question, one question that maybe Mr. Bradley can answer better.

I am fairly familiar with Federal Fisheries disasters and the way that system works.

Could you brief us just a little bit on what changes will be made to the Federal Fisheries Disasters?

RYAN BRADLEY: Thank you for asking that, Commissioner. I will be glad to answer that.

Since this all started unfolding last year, our organization and several others, some fishing communities from Louisiana as well, we embarked on a mission to go to congress, and we have been up there several times this past year working with the congressional delegation and their staff to modify the Fishery Disaster process, the laws that govern that process.
What we have seen introduced in the senate from Wicker is the Fishery Fund Act. The key things that you need to know that that bill does is, one, it sets time lines, mandated time lines that when these disaster requests are made, it gives NOAA and Department of Commerce X amount of days to have to act on that request. It also puts in there time lines for the distribution of funds to get the money out the door.

It addresses the indirect costs of managing these grant dollars for both state and federal agencies. The last thing that it does it would give more input from the stakeholder community in that process.

Now, what we have seen in the House is that the House has introduced a companion bill, the Fishery Fund Act, but they have pulled out the aquaculture component. They said they don't want anything to do with aquaculture. We are going to see how that plays out.

There is another bill called the Commercial Fishing and Aquaculture Protection Act which was introduced by Senator Cindy Hyde-Smith, and we have not seen that bill gain much traction. We don't anticipate it to go very far.

If for some reason aquaculture is not included in this Fishery Fund Act, then, I would imagine the Senator Cindy Hyde-Smith's bill may become more important
at that time.

I wanted to mention that because of our oyster farms. We've got our oyster farms going well and they are doing good. They took a hit this past year. The oyster farms are covered under the USDA.

The Fishery Fund is Magnuson-Stevens Fishery Act. What they are doing with the Fishery Fund in congress, it will put it all under Magnuson-Stevens and do away with the interjurisdictional provisions.

I just wanted y'all to know that the oyster farming is covered under USDA.

What we have seen this past year is a lot of these farmers were not covered under the USDA program because the requirements require, I think, a minimum of two years of income to show some history before you can be eligible.

If possible, we would love to work with Cindy Hyde-Smith's office and address that to see if we can help some of those folks that are falling through the cracks, but I think when they talk about aquaculture in these bills, they are more worried about the big fish farms, the net pen farming that goes on on the East Coast and the West Coast and we trying to get in the Gulf.

That is what I know about the bills. I am happy to further clarify.
COMMISSIONER BOSARGE: That is great. I had heard a little bit about a lot of them, but the clarification is good.

As far as maybe the alternatives to the Bonnet Carre Spillway opening, other than the Mid-Breton Diversion, have you guys kind of thought of anything that may would work?

RYAN BRADLEY: You hear a lot about them opening the Morganza. The more I hear about the Morganza, it is likely that thing will never be opened is what I am hearing.

COMMISSIONER BOSARGE: Any chances of maybe diverting some more down the Atchafalaya?

GERALD BLESSEY: I think you hit the nail on the head, Mr. Bosarge.

This is what we are saying. The national government must take a look at the whole plumbing of the whole Mississippi River, both above and below the Bonnet Carre.

Dredging for instance. Recently, our delegation got some more money put into dredging. The river is clogged like an artery. You’ve got below New Orleans and above New Orleans, the Mississippi River depth is higher than it is in-between.

We are not engineers, but we understand that to
some extend if you get the dredging going, then, the water flows faster.

There are problems and consequences. If it goes too fast, it scars out the levies and it overflows anyway.

As you know, the history from the great flood in 1927, after that, the 1928 Act is basically what the Corps has been operating under for almost a hundred years. That whole Act and that whole regime needs to be looked at by modern science and modern engineering, and it will take a massive relook, and we think what we have started with this Protection Act and with our lawsuit is the beginning of what hopefully is a national conversation.

The Marshall Plan I mentioned, for instance, historically before 1927, there were a lot of flood plains in the mid west, the upper river, the lower river, long before it ever got down here. Most of those flood plains, many of them have been closed off by development, by levies and so the water keeps coming faster and faster down, instead of going into the ground water.

How do you reverse that?

It is a massive undertaking to reverse it, but it is one of many things that can be done.

The other thing is regardless of what is opened, or closed, if we don't clean up the water, it won't matter.
The hypoxia zone, the dead zone in the Gulf is growing. It is going to get worse.

If we don’t do something about the agriculture runoff, while we are trying to replumb the Mississippi River, the United States of America, not us by ourselves, if we don’t do something about the agriculture runoff, it is all going to die anyway. This is a massive problem.

Agriculture is exempt from the Clean Water Act. Cities and counties, Mayor Gilich and his colleagues, we have to pay lots of money to have tertiary treatment, wastewater treatment from the municipal waste, but the pig farms in the upper Mississippi River -- the largest one is owned by the Chinese by the way -- they are exempt from the Clean Water Act. So that manure can get down and without being contained, it goes into the river, and that is part of what causes the algae bloom.

We need to raise the consciousness on this. So part of our mission as the coalition is public education locally and nationally to call attention to this.

We have many other communities up and down the river that are suffering just like we are from the lack of modern management of the river by the Corps of Engineers.

FOFO GILICH: Let me make one point.

GERALD BLESSEY: Sure.

FOFO GILICH: One of the things I learned in
this room, I think the gauge was twenty foot at Carrollton
I believe is when they start considering opening the
thing.

When it hits twenty foot, they start pulling
slats out, but yet they let it go all the way down to
sixteen.

I think the inundation that we saw, the volume
of water -- those are the simple questions, you know, when
do you open it and when do you close it.

I don’t know how many cubic feet of water goes
through it from twenty to sixteen, but, if you would have
moderated that, that would have made at least a less
dramatic impact.

Those are the questions that need to be asked.

JOE SPRAGGINS: Mayor, it never got to twenty.

FOFO GILICH: It never got to twenty?

JOE SPRAGGINS: No. That is what you see in the
regs, but they also have other ways that they look at,
when they think it may breach the levies and they look at
that. It got up to seventeen and a half I think is when
they opened it this year, and they closed it at fifteen
point seven I think is what it was.

The point is it doesn’t automatically work off
of that.

FOFO GILICH: Right.
JOE SPRAGGINS: There are a lot of things.

FOFO GILICH: Yes. It is complex.

JOE SPRAGGINS: I have spent a lot of hours with the Corps, and there are a lot of things that cause it to happen the way it is, and I brought that up to them, and they had a good answer for me that I couldn’t back off from.

FOFO GILICH: Thank you.

COMMISSIONER BOSARGE: It appears you guys have got a pretty good handhold on it and I applaud you for getting the group together and bringing the public’s attention to the fact that we’ve got to work on this. Thank you.

RYAN BRADLEY: Just one thing I wanted to add for the record on that Fishery Fund Act -- there may be some folks in the room that were curious on this -- we did work to have specific language put in there about direct payments, where direct payments can go to the affected individuals and businesses that were impacted.

That has been a big issue for a lot of the fishing community and it is very important to help us sustain our coastal communities. I just wanted y’all to be clear on that.

GERALD BLESSEY: One final point, if I may. We appreciate your indulgence in giving us so much time.
As I mentioned, Robert Wiygul is here. The lawsuit that we filed, the Secretary of State has filed a similar lawsuit based on slightly different grounds asking for similar relief.

Keith Davis and Ray Carter are here and we really look forward to working in partnership with the Secretary of State and the state government in trying to get this not only in front of the Federal court by collaborating together, but also in the national congress.

I guess our request here is to please endorse the Mississippi Sound and Lake Pontchartrain Protection Act and let our senators and congressmen know, after you have thought about it and considered it.

We will answer any questions as you go along, but a thoughtful endorsement from this organization, this Commission and this department, I think would go a long way towards our delegation pushing that forward.

Thank you, Mr. Chairman.

JOE SPRAGGINS: One quick thing. We missed a big opportunity the other day. I don’t know if you knew about it, but they just appointed a new person to the Commission. It was an open seat and it was a unfilled and it came from Mr. R. D. James who had been on there 1981 to 2018. He left and became the Under Secretary for the Corps and the Army and, in turn, they appointed his son.
So his son is now on there from Missouri, and we missed that appointment. I just wanted you to know that.

GERALD BLESSEY: General, Thank you. We actually were aware of it and we tried to get involved in it, but it had gotten so far down the political process that it was too late to turn it around from the White House. This is an example of why we need a constant public presence and voice from the Gulf Coast on these kinds of issues. Going forward, we hope we don’t miss those opportunities.

Again, the Protection Act would require them to have a Mississippi resident. It seems fair to expect that.

The gentleman from Missouri I’m sure is a fine gentleman and all these people. This is not personal. All the Corps of Engineers, they are professionals. They do whatever the law tells them to do and the law, right now, is not telling them to pay attention to us.

We think we need a seat at the table.

JOE SPRAGGINS: Good part about it is he is a Mississippi State graduate.

We’ve got a couple other things in the Executive Director’s report. Next up is Melissa Ryan and I will turn that over to legal.

KIM PAPANIA: Good morning Commissioners,
Director and legal.

This is being brought today for a suspension of a commercial license for failure to pay fines which was presented to you guys in September of 2018. It was when we presented seven, or eight, Spotted Seatrout violations. The Commission ordered fines.

In this case, Ms. Ryan never has paid any of the fines.

On October 16th, the Commission ordered a fine in the amount of three thousand six hundred and ninety-seven dollars with six months to pay. The CMR did authorize a payment plan.

Ms. Ryan never made a payment and an enforcement action was filed in Pascagoula Chancery Court.

Judge Tanya Hasbrouck confirmed the Commission’s decision and ordered payments of a hundred dollars a month, starting September 1st, 2019, and ending when the fine amount of three thousand six hundred and ninety-seven dollars was paid in full.

Payments were still never made to the MDMR.

A Motion for Contempt was filed with Pascagoula Chancery Court in December. On January 13th, 2020, a hearing occurred on the Motion for Contempt and Judge Hasbrouck held Melissa in Contempt of Court and issued a Judgment lien on her commercial vessel.
The Pascagoula Chancery Clerk mailed a Notice on January 14th, 2020, informing Ms. Ryan that she had ten days to pay the amount due under the payment plan, or it would be presented for the Commission to suspend, or revoke, her license pursuant to Mississippi Code Annotated 49-15-325.

This is the Notice that was sent by the Court to Melissa informing her that if it was not paid in ten days that her privileges would be suspended, or revoked (indicating slide).

Mississippi Code Annotated 49-15-325 states:
“If a person does not comply with a summons, or citation, or does not pay a fine, fee, or assessment, for violating a seafood law, or regulation, the Commission may revoke the applicable license of that person.

“When a person does not comply, or fails to pay, the clerk of the Court shall notify the person in writing by first class mail that if the person does not comply, or pay, within ten days from the date of mailing, the Court will notify the Commission and the Commission will revoke the license of
that person.

“The cost of notice may be added to the Court costs. If the person does not comply, or pay, as required, the Court clerk shall immediately mail a copy of the Court record and a copy of the Notice to the Commission.

“After receiving the Notice from the Court, the Commission shall revoke the applicable license of that person.”

And three states:

“A person whose license has been revoked after Subsection 2 of this section shall remain revoked until the person can show proof that all obligations of the Court have been met”, which would mean paying up all of her fines.

The previous notice is the notice that complies with that statute.

Do you have any questions?

COMMISSIONER BOSARGE: Just one just for clarification.

You said Spotted Seatrout violations. I think it was actually a failure to report.

KIM PAPANIA: Yes, sir. It was a failure to
report Spotted Seatrout.

COMMISSIONER GOLLOTT: Mr. Chairman, what do we need, a motion to move forward?

SANDY CHESNUT: Yes. You will need a motion to revoke Melissa Ryan’s license until she has paid the fines as ordered by the Court.


COMMISSIONER GOLLOTT: I will make that motion.

SANDY CHESNUT: We are going to write that on the board.

COMMISSIONER GOLLOTT: Okay.

COMMISSIONER BOSARGE: I'm just curious. The law that we are using now, that is the law we just passed. Correct?

KIM PAPANIA: I'm not sure when it was passed. Let's see. I don't think it was passed, like, within the past year.

COMMISSIONER DANIELS: No, it’s not. Steve, I asked Sandy about that this morning, and I think she said this was something that was already in place prior to that. The law that we just recently passed would not apply to this because it was passed after the offense occurred.

KIM PAPANIA: It was approved March 18th, 2015.
COMMISSIONER DANIELS: Sandy explained to me this morning the law that we just passed is not applicable to this because it was passed after the offense occurred. This was something that was already there.

KIM PAPANIA: Correct.

COMMISSIONER BOSARGE: All right. Thank you.

KIM PAPANIA: Any more questions?

SANDY CHESNUT: Do you need anything else in the motion?

KIM PAPANIA: I would say to revoke Melissa Ryan’s commercial license.

SANDY CHESNUT: Okay. Commercial fishing license.

KIM PAPANIA: Other than that, I think it is fine.

COMMISSIONER GOLLOTT: If she wants to buy a recreational fishing license, I don’t think she ought to until she pays this fine.

KIM PAPANIA: The Commission can vote to do that, if you guys want to do that, but it has to apply to the license that was used for the violation.

SANDY CHESNUT: The statute says applicable license. I think the applicable license here would be here commercial fishing license.

KIM PAPANIA: Right.
COMMISSIONER HAVARD: Commissioner Gollott, is that okay with you?

COMMISSIONER GOLLOTT: That's good.

COMMISSIONER HAVARD: I have a motion on the table. Do I have a second for the motion?

COMMISSIONER DANIELS: I'll second it.

COMMISSIONER HAVARD: I have a motion and a second. All those in favor say aye.

(Commissioner Daniels, Commissioner Gollott, Commissioner Guess, Commissioner Havard in favor.)

COMMISSIONER HAVARD: Opposed like sign. (Commissioner Bosarge opposed.)

COMMISSIONER HAVARD: Motion moves.

KIM PAPANIA: Thank you.

JOE SPRAGGINS: Sir, I have a couple of things. Real quick, we have a public comment, if I could under this area. Ms. Julie Garrett with the SBA would like to spend a couple of minutes to brief the Commission about what they are trying to do to help the fishermen.

COMMISSIONER HAVARD: Very good.

JULIE GARRETT: Good morning.

I'm Julie Garrett. I'm from the Small Business
Administration Office of Disaster Assistance. I am here to talk about the Blue-Green Algae Disaster Declaration.

We are here in Mississippi. We are working in partnership with the state and counties to help businesses and nonprofits impacted by the algae bloom.

Businesses in Hancock, Harrison and Jackson counties, as well as the adjacent Mississippi counties of George, Pearl River and Stone are eligible to apply for economic injury disaster loans from SBA.

Disasters don’t stop at county, or state, lines. Businesses in Mobile County in Alabama and St. Tammany Parish in Louisiana are also eligible.

Small businesses, small agricultural cooperatives, small businesses engaged in aquaculture and most private nonprofit organizations can apply for these working capital loans.

These loans help businesses meet their ordinary and necessary financial obligations that cannot be met as a direct result of the disaster.

Some examples of eligible industries would include, but are not limited to commercial fishermen, shrimpers, crabbers, bait and tackle shops, seafood wholesalers and processors, charter boats, hotels and marinas, owners of rental property, restaurants, retailers and souvenir shops, a whole gamut of eligibility.
We strongly encourage anyone to apply, and our loan officers will determine their eligibility.

The figures are people may borrow up to two million dollars for alleviating economic injury caused by the disaster and the actual amount of each loan is limited to the economic injury to the business.

Interest rates are no more than four percent for businesses and two point seven-five percent for nonprofits.

Terms are up to thirty years, and the loan amounts and the terms are set by the SBA and are dependent on the applicant’s financial condition.

Collateral is not required on loans of twenty-five thousand, or less, and that seems to be of great interest here. So I am making that point.

How can you apply?

Right now, people can apply online at disasterloan.sba.gov. They can call our customer service center at 800-659-2955 and request a paper application through the mail, and people can also go into any SBA office, or to our resource partners such as SCORE, or SBDC, for free assistance in creating an application.

Businesses in your community, if you need to recover from the algae bloom, should submit an application to the SBA to be considered for disaster loan assistance.
The deadline is not until October 16th. They have a lot of time to apply, but we encourage them to apply as soon as possible. Thank you.

COMMISSIONER DANIELS: I've got one question for you on that.

JULIE GARRETT: Okay.

COMMISSIONER DANIELS: In one of the emails I received, I believe the offices assisting with that closed last week.

JULIE GARRETT: Yes.

COMMISSIONER DANIELS: But you said they could go into any SBA office.

Is there another location here on the Coast? It seems like some of this could get pretty confusing for some of these guys.

JULIE GARRETT: I understand that.

There is an SBA office here in Biloxi. There is an SBDC office in Biloxi. They can also call a SCORE office, anything connected with that and, if they go to our website, there is a location finder so they can just put in their information and it will show them all the different offices and how close they are.

Also, Ryan, Mr. Bradley has set up a special session tomorrow for your commercial fishermen. We are going to be working one-on-one with them tomorrow morning.
COMMISSIONER DANIELS: Ryan, is that limited just to commercial fishermen?

RYAN BRADLEY: That is anybody from the community. It is open to anybody. We took it upon ourselves to try to get that meeting set up because they closed all of those facilities and we still had a lot of guys asking questions that wanted to apply for this opportunity. Anybody is welcome.

The meeting is going to be at the MSU Coastal Research and Extension Center at 1815 Popps Ferry Road in Biloxi. That will be in room A102, and that starts at 9:00 o'clock tomorrow morning.

Representatives from the SBA will be on hand to provide a presentation, an overview of the application process and answer any questions anybody has.

COMMISSIONER DANIELS: Thank you for doing that.

RYAN BRADLEY: Thank you.

JULIE GARRETT: By the way, tomorrow we will actually have our computers set up and start helping people create their applications as well.

Any other questions?

COMMISSIONER HAVARD: Very good. Thank you for bringing that to our attention.

JULIE GARRETT: Thank you.

JOE SPRAGGINS: Thank you, Ms. Garrett.
Also, real quick. If you have any public comments, make sure you get it to Charmaine, and, then, she can get that filled out for you.

This is taking way longer than I thought it would on the Executive Director’s side of it, but a couple of things.

I have a meeting. It is either going to be this Friday of this week, or Monday of next week. It is going to be with Major General Toy who is the commanding General of the Corps of Engineers for the Vicksburg area and also the commander of the New Orleans and commander of Vicksburg District, along with the governor’s office, and we are going to meet and sit down and talk about the situation with the Bonnet Carre.

I will brief y’all as soon as I get anything on that and let you know what happened.

The other thing is I have a meeting this afternoon with DEQ and Milton Segarra with tourism, and we are going to talk about how to better put out information, if we do have another problem with the Bonnet Carre, if we do have another problem with blue-green algae, if there is anything else that happens here. We are going to find a way to be able to bring that out and bring it out in a better form than what we have had in the past.

We learned a lot of lessons this last year and
we want to make sure that we take those lessons and use them in a wise way.

Hopefully, if we do have any issues, we will bring it out a little different than what we have in the past.

Next week I am headed to D.C. for the Gulf States and I will be there. We will meet with all the congressmen and senators from all five states. We will meet with them and I can promise you that this will be a very hot topic on it as to what we can do to help resolve that.

Now, one last thing. I know this might make some people happy and I can’t promise everybody. I talked with Mr. Joe Jewell and we sat down and looked at it. He went to NOAA. NOAA has given us permission to be able to take one million dollars of the Bonnet Carre funds and divert it to pay the fishermen that were affected and the oyster fishermen that were affected by the Bonnet Carre.

That was used for cultch. I was able to backfill that with some GOMESA funds. The governor had given me GOMESA funds to backfill the cultch so we don’t lose the cultch. We will still get it, but we are going to be able to look at all the applicants that were available.

If you remember 2016 when we did the relay,
anybody pretty much that was involved in that as far as
the fishermen I think is what we will look at. We have a
big list and we will look at it and we are going to be
able to help and, with the Commission’s permission, we are
going to take one million dollars of the funds and divert
them to being able to direct pay the oyster fishermen to
help them get by some of this situation that have happened
in the past and to be able to try to help them get by what
they are facing right now.

Joe, is there anything I missed on that?

JOE JEWELL: No, sir. I think you got it all.

I would just point out these are the 2011
disaster funds.

JOE SPRAGGINS: You had to have a license the
year of and at least two years prior.

Is that right?

JOE JEWELL: That’s right. They have to meet
the eligibility requirements to participate in the
program.

JOE SPRAGGINS: We will be able to look at that.
It is a situation that we are trying to find any way in
the world we can to help our fishermen.

I’m sorry it is not for shrimpers. It is only
for oystermen, but that is the only thing that we could
use that money for.
Is that correct, Joe?

JOE JEWELL: Yes.

JOE SPRAGGINS: Commission, I would ask if you would approve that.

COMMISSIONER HAVARD: Do we need to do that in the form a motion?

JOE SPRAGGINS: I would appreciate it. That way we at least have it.

I think we have a question though. Wait just a minute.

FROM THE FLOOR: Actually, I have a comment more than a question.

My family has been --

COURT REPORTER: (Interposing) No.

FROM THE FLOOR: I’m sorry. I will come all the way up.

COURT REPORTER: You need to give your name.

ALYCIA MILLER: Alycia Miller.

My family has been in the oyster industry my entire life. My grandfather was an oysterman. My father is an oysterman.

I understand that you are going to allocate a million dollars to pay the fishermen, or the oystermen, however you want to say it, but I don’t feel that it is right.
You have three hundred licenses out there for people who have steady everyday jobs that only go oystering one, or two, days a week.

They are going to get the same amount of money as somebody who depends on their six-day-a-week oystering?

JOE SPRAGGINS: Ma’am, I can only do what the law allows me to do, and that is what NOAA has given us the permission to only do it for oystermen, and that is the only reason because that was part of the Bonnet Carre that was going to be utilized to put cultch and we asked them to help us and be able to do it, since I would be able to backfill the cultch.

ALYCIA MILLER: I understand that and that is great that you are just going to do it for oystermen, but I am talking about real oystermen. I’m not talking about the fake oystermen that just buy a license to buy a license to reap the benefits when things like this happen because there are people out there that just buy a license just to have one in their wallet that don’t even own a boat, that don’t even hit the reef, that don’t go out there and work every day just to try to make their money through the winter to pay their bills, to pull their boats up to fix things.

There are people out there that are chefs in a kitchen that cook every day, and, then, decide they are...
going to go oystering to get five sacks off the reef and they are good.

COMMISSIONER GUESS: I doubt it is going to be equally split.

ALYCIA MILLER: That is what I feel. That is my question.

JOE JEWELL: Let me provide a little bit of clarity there. People that have licenses within the last couple of years are not eligible.

To be eligible for this program, they had to be active fishermen in 2011, and to be considered participants in 2011, you had to have X number of trip tickets, not once a week, or once a month.

All of that criteria was established back in 2014 and 2015, when we initially implemented the program.

Those criteria that allowed the fishermen to participate in that in 2016 are the same ones that were approved by NOAA and the same ones that will be used now.

If there are new entrants into the program the last few years, they are not eligible.

ALYCIA MILLER: Thank you, sir.

JOE SPRAGGINS: We are just doing the best we can to try and find a way to do anything we can to help the oystermen, the fishermen and anyone out there.

ALYCIA MILLER: And I appreciate that. Thank
you.

COMMISSIONER HAVARD: Thank you.

SANDY CHESNUT: We have a draft motion up here, Joe. If you could take a look at it and make sure it covers everything.

JOE JEWELL: Yes.

COMMISSIONER BOSARGE: I will make the motion to authorize the MDMR to utilize the 2011 Bonnet Carre Spillway funds to distribute to oyster fishermen who qualify for the program as established by MDMR guidelines and approved by NOAA.

JOE SPRAGGINS: If I could real quick, could we have that say “not to exceed one million dollars”?

SANDY CHESNUT: Sure.

COMMISSIONER BOSARGE: And not to exceed one million dollars.

COMMISSIONER GUESS: I'll second it.

COMMISSIONER HAVARD: We have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER HAVARD: Opposed like sign.

(None opposed.)

COMMISSIONER HAVARD: Motion so moves.

We missed one public comment here, Frank Parker.
Frank, do you still want to talk for just a moment?

FRANK PARKER: Yes.

Good morning Commissioners. I appreciate the time to talk.

One thing I would like to point out, what the item was concerning Melissa Ryan.

A few weeks ago when I was in Tampa, Florida, I was at a meeting and we had some NOAA and National Marine Fisheries Service representatives there.

While I'm not making a stand for IUU fishing, or anything like that, it was brought to my attention by NOAA -- seeing how all of this is from late trip ticket reporting, that is all the violation was and I understand it is a quota fisheries, but according to NOAA what they told me and everybody in that public meeting was that this state is always late reporting their landings.

What is good for the goose is good for the gander. If the fishermen have to get a fine, then, what is the kickback for the state?

I understand that it goes to the amount of dealers you have, as far as public information, but for proper fishery management we need proper reporting.

I just figured I would bring that to you because I'm sure a lot of you Commissioners don't know that.
COMMISSIONER HAVARD: Thank you, Frank.

JOE SPRAGGINS: Sir, I think that is all for the Executive Director's report.

GILBERT RAMSEY: No, it isn't. I put my paperwork in.

JOE SPRAGGINS: Under Executive's Report? You put it under J.

GILBERT RAMSEY: Oh. I'm sorry. I will pay attention.

COMMISSIONER HAVARD: That brings us on to Commissioners Report.

March the 17th, we need to make a motion where we can move the meeting. We have one in Jackson County and one in Hancock County. This is the time that we need to make a motion that we move the meeting on March the 17th, 2020, to the Hancock County Board of Supervisors Boardroom, located at 854 Highway 90, Suite A, Bay St. Louis.

At this time, I would like to make a motion that we move next month's meeting to the Hancock County Board of Supervisors Boardroom.

SANDY CHESNUT: Mr. Chairman, I would just like to ask are you going to keep the same time, or are you going to move the time?

COMMISSIONER HAVARD: We will change it to
10:00. I think that follows suit with what we have done in the past.

SANDY CHESNUT: Okay. We will add that to the motion.

COMMISSIONER HAVARD: Sure.

COMMISSIONER GOLLOTT: I’ll second that motion, Mr. Chairman.

COMMISSIONER HAVARD: We have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER HAVARD: Opposed like sign.

(None opposed.)

COMMISSIONER HAVARD: Motion moves.

We are going to have a meeting in Hancock County next month.

Office of Marine Patrol, Assistant Chief Kyle Wilkerson.

Any other Commissioners have a report?

COMMISSIONER BOSARGE: Yes, sir. I just wanted to kind of brief you guys a little bit on the Spotted Seatrout Stock Assessment that came out for Louisiana. I’m sure Joe is probably pretty familiar with it.

It seems like these days all I do is spend my time reading stock assessments.
The Louisiana Stock Assessment was pretty interesting for Spotted Seatrout. Quite a few things. They've got some problems. It shows that the Spotted Seatrout is overfished and undergoing overfishing and has been since 2014.

It shows that overfishing was occurring six out of the last ten years.

It shows the spawning stock biomass has been declining since 2009 and that the spawning stock biomass is currently at the lowest level observed in Louisiana Department of Wildlife and Fisheries assessment history.

We have been doing this management for a long time and I have been involved in a lot of commercial fisheries management, and we have been able to pretty much figure out a way to right the ship so to speak, but the next bullet point that I got out of the assessment is one that kind of concerns me the most. It says:

“Despite the recent decrease in recreational Spotted Seatrout landings, fishing effort continues to rise.”

On the commercial side it was always when the stock went down, usually the fishermen quit fishing it because they could no longer make a profit at it. So it helped the stock to rebuild.

I don't know just what we are going to do. Our
stock assessment is yet to come, but in Louisiana it is
going to be tough, how to right the ship when you still
have effort on the increase.

They've got some pretty big issues and, if you
look up and down the whole Gulf of Mexico, Spotted
seatrout is in a world of hurt.

I'm looking for my paper here. They have
actually decreased landings in every state, most of them.

I think Texas now is five fish throughout the
whole state.

Louisiana started in the western part of the
state. They moved from twenty-five to fifteen fish.

We are still at fifteen.

Alabama, I think, is down now to six.

Florida is two to five, with no take from
basically Tampa to Fort Myers.

We just need to watch. We need to keep an eye
on things, and I am looking forward to when we get our
stock assessment.

Anyhow, just to kind of brief you guys and know
what we are up against on what may be coming our way.

COMMISSIONER HAVARD: Do we have any other
Commissioners who would like to report anything?

(No response.)

COMMISSIONER HAVARD: Now that brings us to
Office of Marine Patrol, Assistant Chief Kyle Wilkerson.

KYLE WILKERSON: Good morning Commissioners,
Director, legal.

Before I get started, do you need a break?

COMMISSIONER HAVARD: Carry on.

KYLE WILKERSON: Marine Patrol, we don’t do things for pats on the back. We try to do a good job for the state.

I would like to give props out to three of my officers.

On January 25th, a duck hunter unfortunately fell out of his boat and stock in the mud around the Ansley area over towards Pearl River.

He was stuck up to his chest. Could not get back in his boat. It was low tide.

I’m not to say the tide would have come in and he would have drowned, but emergency services could not get to him. They were within six hundred yards of him.

Two of my officers, Lieutenant Mike Yonce and Jack Husley, with the help of Hancock County and some EMT’s, trekked six hundred yards through the marsh with a harness to hook up to this guy and pull him out of the mud which is outstanding.

Your air boat responded and with Chris Collins (phonetic) driving, was able to put him back in the boat
and get him back to safety.

They are not here, but I would like to give them a hand.

(Applause.)

KYLE WILKERSON: They don't do that for that, but I would like to give them a pat on the back.

Let's see about this report. There are several little things that stick out in my mind pertaining to oysters.

Commissioners, if you have any type of questions about it, I will field them at this time.

COMMISSIONER HAVARD: Doesn't look like we have any questions.

KYLE WILKERSON: Good enough.

COMMISSIONER HAVARD: I think everybody is good. I appreciate you bringing that up and telling us about your guys. It is always good to hear something positive, as opposed to what the normal media picks up. That sounds good. We appreciate it.

KYLE WILKERSON: Thank you, sir.

COMMISSIONER HAVARD: Office of Coastal Resources Management, Mr. Jan Boyd.

JAN BOYD: We only had one item and it was removed from the agenda.

COMMISSIONER HAVARD: That is what we removed.
JAN BOYD: Yes, sir.

COMMISSIONER HAVARD: Mr. George doesn’t have anything.

Office of Finance and Administration. Ms. Leslie Brewer is going to tell us what kind of financial condition we are in.

LESLIE BREWER: Good morning director, Commissioners, legal.

I am Leslie Brewer, CFO. I will be presenting the agency’s financial statements for the month of January 31st, 2020.

At the end of January, our State Revenue was four point two million. Our Agency Revenue was twenty million.

Our State Net Income was three hundred eighty-five thousand, and our Total Agency Net Income was five point one million.

After seven months of fiscal year 2020, we have seventy-four point six percent of the Operating Budget remaining, while the Tidelands budget was at fifty-seven percent.

Do anyone have any questions?

COMMISSIONER HAVARD: No, Leslie. It looks good.

LESLIE BREWER: Thank you.
COMMISSIONER HAVARD: Thank you.

Ms. Charmaine, Public Affairs.

CHARMAINE SCHMERMUND: Good morning Commissioners, Director Spraggins, Ms. Chesnut.

The Mississippi Department of Marine Resources was mentioned twenty-five times in local, state and national media since the January CMR meeting.

Popular news items included the announcement of Red Snapper season’s opening date, Amendment 50 regarding Red Snapper and Director Spraggins serving as the keynote speaker for the Hancock County Chamber of Commerce’s Annual Meeting.

In January, Director Spraggins attended a meeting at IMMS with NOAA officials from the Protected Resources Office in Washington, D.C., the Gulf of Mexico Fishery Management Council Meeting in New Orleans, a meeting with the Governor’s staff in Jackson and with the SBA regarding disaster assistance. This month Director Spraggins attended the Senate Finance Committee Budget Hearing in Jackson.

Marine Patrol attended Career Days for Harper McCaughan Elementary School and St. Martin High School. They also participated in the Kids 101 area of the Biloxi Boat Show.

The Artificial Reef Bureau in the Office of
Marine Fisheries also provided an agency booth at the boat show for the whole weekend.

National Heritage Area is leading a project to interview people of the Mississippi Gulf Coast who have important and interesting stories to tell that help communicate the significance of this region as it relates to the nation.

Individuals who participate are residents of the six coastal counties and have agreed to tell their story and it be shared on video and through photography.

Interviews were held at the Biloxi Visitors Center, Jackson County Chamber of Commerce and the Picayune Train Depot this past week.

Finfish Bureau’s Jon Barr facilitated the first Mississippi Commercial Shark Endorsement Identification and Safe Handling Workshop on February 6th at MDMR which included eleven participants.

In addition, Jon Barr, Jarred Mitchell and Miles Barras received training on this subject February 13th at the Protected Species Safe Handling, Release and Identification Workshop in Gulfport presented by NOAA Fisheries and Angler Conservation Education.

On February 11th, Office of Marine Fisheries Director Joe Jewell conducted fisheries educational outreach that included cast net demonstrations for
students at Our Lady of Fatima Elementary School in Biloxi. Shellfish Bureau’s Erik Broussard and the Public Affairs office also assisted.

The Gulf of Mexico Fishery Management Council met the week of January 27th in New Orleans. Finfish Bureau’s Carly Somerset presented Mississippi’s Red Snapper “State Management Performance Report for the 2019 Private Angling Red Snapper Fishing Season” and was joined by Bureau leaders Matt Hill and Trevor Moncrief in sharing our state’s success story at the meeting.

At the Gulf Coast Ecosystem and Oil Spill Conference in Tampa, Florida, February 3rd through the 6th, Carly presented, “Improving Management of Mississippi’s Recreational Red Snapper Fishery Using the Tails n’ Scales Electronic Reporting System”, as part of the informative session, “Outcomes From Large-Scale Fishery Monitoring Projects following the Deepwater Horizon Oil Spill: What Have We learned, and Where Do we Go From here?”

Shrimp and Crab Bureau’s Jason Saucier participated in the Coastal Working Group meeting as part of the Southeast Aquatic Resources Partnership in New Orleans last week and discussed ongoing coastal programs throughout the region, as well as funding opportunities, available resources and planning tools. This year the focus was on aquaculture programs in each state.
The 46th Annual Mississippi Chapter of the American Fisheries Society Meeting was held in Gulfport last week. The Office of Marine Fisheries had excellent representation, including five presentations by staff:

Emily Satterfield presented Species Abundance and Richness of Mississippi Artificial Reefs According to Reef Composition.

Courtney Walker presented Pilot Survey to Assess Fishing Behaviors and Methods of Data Collection among Mississippi Saltwater Fishing License Holders.

Josh Waters presented Monitoring Southern Flounder in the Mississippi Sound using Fyke Nets.

Katya Jagolta presented Collecting Stakeholder Interests Based on a Survey of Mississippi Red Snapper Fishery.

Eric Gigli presented Pop-up Satellite Tagging of Atlantic Tripletail in the Northern Gulf of Mexico for Winter Migratory Pattern Research.

COMMISSIONER HAVARD: Very Good. You definitely keep us all informed of what is going on out there and we always appreciate that.

CHARMAINE SCHMERMUND: You are welcome.

COMMISSIONER HAVARD: We’ve got a couple of public comments.

Alycia Miller.
ALYCIA MILLER: How are you doing again?
I’m a little bit better this time.
I appreciate what y’all are going to do for the fishermen. I really do.

I know my dad has been working really hard trying to talk to everybody, trying to fix the situation, but I think personally that it might need some more publicity on it because not only are we trying to save our economy, just like Mr. Blessey said, we are trying to save our heritage. We have a heritage of fishing on the Gulf Coast.

We are the sea of the United States and with the Bonnet Carre Spillway being opened and ruining it every so many years, it is killing us.

If our fisheries fall, our whole Gulf Coast is going to fall. We are not going to be able to swim on the beach because that is part of fishing.

I am a fisherman myself. I own a fishing license. I own a crabbing license, a recreational one, to go out there myself. I couldn’t do that with the Blue-Green Algae Bloom. You couldn’t eat the fish. You deemed it unsafe.

Who wants to come visit the Gulf Coast, when everything about it is no good?

I think that the fishing industry really needs
to be backed up on this.

I understand that everybody else’s worries are if the casinos are going to make it. The casinos are not going stand, when our economy falls. They are going to fall harder. They are going to make everything worse because so many people have jobs everywhere down here, but the fishing industry is the core of all of those jobs.

Without a fishing industry, we have nothing. Without fishermen, we have nothing, and our fishermen are struggling. None of them can pay their bills.

I applied for the SBA loan for my father. I was denied for him before I left the parking lot. Within seven minutes of his application going through, we were denied for assistance.

I feel it is wrong that they even have to apply for an SBA loan because the government opened the Bonnet Carre Spillway. They destroyed the fishing industry. They destroyed the oyster industry.

Why is it their fault that they can’t pay their bills, that they can’t go to work?

Were they just supposed to go get another job somewhere else?

How hard would it be for a fifty-five year old man just to start over?

You can’t. It is something he was born and bred
to do like most of the fishermen are on the Gulf Coast.

The SBA loan, to me, it is just crap. It is just a way for them saying, oh, well, are trying to help you.

What fisherman do you know has credit?
What fisherman do you know goes and buys something off of credit, or has credit, or good credit?
No one, and I think that the SBA loan is not going to work for the fishermen.

We need some more help. I think it needs to be publicized more that the fishermen are hurting and they are in need. Thank you.

COMMISSIONER HAVARD: Thank you for bringing that to the table, Ms. Alycia.

Next we have Gilbert Ramsey.

Mr. Gilbert.

GILBERT RAMSEY: Good morning Mr. Joe, Ms. Chesnut, Commission.

My name is Gilbert Ramsey. I have been recognized as a military veterans outreach specialist.

I am introducing land acquisition with your strategic plan. Your strategic plan identifies a statewide goal of economic development, enhancement of the public use of the marine environment.

What I am introducing is education, recreation,
employment, accessability. Accessability tourism. Tribal
council education.

What we are introducing is bait and fuel shops,
cabins for economic development opportunities.

What we are introducing is public trust,
economic and recreational coastal resource management and
land acquisition like I mentioned, and once you recognize
the disabled community doesn’t have an opportunity to
clean up the beaches.

I want to give them an opportunity to clean up
the beaches with y’all with track wheelchairs. I want to
take them into nature with track wheelchairs. We want to
retrofit their boats for tourism, for assisted tourism.

For what?

Tournaments. Tournaments are coming, fishing
tournaments.

My corporate representatives will be here the 4th
through the 6th. We are going to introduce it in all three
counties. We are going to educate people appropriately
with twenty personnel at each county.

The Seabees are with me and Keesler is with me,
their public affairs representatives and all of their
assistance.

We have a veterans bottle water company.

YMCA, Boys and Girls Clubs, everybody knows me.
I am going to Washington with another initiative.

I am here to make sure that we accommodate our disabled community appropriately and represent Mississippi more appropriately instead of Mississippi burning.

At my church, we have a new historical thing coming up on the 29th, Heritage Methodist in D'Iberville. It is about black history. It is about stamps. It is about they were never recognized when there were slaves.

The lady that is doing it is an eighty-something year old woman, Ms. Marianne, and she is my nonprofit organization personnel for my organic gardening outreach I am doing to feed the homeless. I have organic gardening with floral arrangement and fertilization. I am coming into all three counties to introduce this to feed the homeless.

I am coming to ask Mr. Jamie Miller for assistance for the land acquisition, including y'all. I need y'all to participate and to acquire this property appropriately with the Choctaw Indians, American Legion in Gautier, at those two locations, including D'Iberville, including Bay St. Louis.

I have all of this composed in my heart and my head for y'all.

I can go to the United States Chamber of
Commerce and introduce it more appropriately and educate them. I have funds.

I have been invited to Switzerland, Israel, Germany, Canada and everything.

General Hammond is waiting on me at the University of Southern Mississippi to introduce things.

I have this composed for y’all because of what y’all represent, our heritage and our passion.

COMMISSIONER HAVARD: Thank you, Mr. Gilbert, for bringing that to the table today. You ran out of time.

GILBERT RAMSEY: Yes, sir. Thank you very much for your time and your assistance.

COMMISSIONER HAVARD: Yes, sir. Thank you.

Mr. Joe Jewell, would you like to tell us a little bit about Marine Fisheries?

JOE JEWELL: Thank you, Commissioner.

We have two items for the Commissioners’ consideration this morning.

First up will be Mr. Matt Hill. He will present a brief update of the 2020 Recreational Red Snapper Season.

MATT HILL: Good morning Commissioners, Director Spraggins, Sandy.

It will be brief. I'm sure there will be a few...
questions.

The presentation is the Mississippi 2020 Recreational Red Snapper Season Update.

A little bit of background.

At the January 21st, 2020, meeting the following motion was made, to give the Executive Director the authority to establish start date for the 2020 snapper season and brief the Commission at the February monthly meeting. This passed unanimously.

An initial press release was issued announcing a start date with an end date for the first segment of July the 12th. The start date was May 22nd.

A corrected press release was then issued on February 12th, 2020, that properly reflected this motion with only the start date of May 22nd included.

Any questions?

COMMISSIONER DANIELS: Matt, just so everybody is aware, we've got a Charter For-Hire Task Force meeting coming up March 5th, I believe it is.

MATT HILL: March the 5th at 6:00 p.m. in this building.

COMMISSIONER DANIELS: That will be based on the State For-Hire Snapper Season that we will be talking about.

I would like to ask if you could present us next
month with some ranked options that come out of that
meeting for that sector?

MATT HILL: Yes. We can definitely put together
a presentation with some of the options that have come out
and obviously some of the more popular options, and there
will possibly be a resolution that would come from that
task force that the chairman, or he can appoint someone to
come and represent the task force to read, or to brief you
some, but we can also have an additional presentation on
everything that was discussed and all the options talked
about.

I do want to also let all the Commissioners know
we did reach out to all of you last time. There will be a
call-in option again. We do encourage you to participate.
It was a very good meeting, the last meeting we had. If
you would like to participate in person, you are more than
welcome to, but you can also call in and listen.

COMMISSIONER BOSARGE: Matt.

MATT HILL: Yes, sir.

COMMISSIONER BOSARGE: I was just going to ask a
question while she is doing the motion.

At the task force meeting, are you going to talk
anything about the reporting for the charter for-hire?

MATT HILL: Yes. We touched on that some at the
last meeting. Obviously, it was dominated by the
structure of the state for-hire meeting. We can obviously include that on the agenda, or recommend that.

We have looked at some options. We have some costs. Right before I came to this meeting, we were talking again with Bluefin Data on some options on adding it to the current vessel program.

The ball is rolling on that. The structure will be in place. It will then be the Commission’s decision on how we implement that, if we implement that, and the regulations around it, but we are putting the infrastructure in place.

COMMISSIONER BOSARGE: I was wondering because I thought you were supposed to bring it back to us.

MATT HILL: I think we had ninety days and I think my ninety days are up in March. I think I’ve got one more month.

COMMISSIONER BOSARGE: Good for you.

MATT HILL: We do currently have the information and I can say what we are looking towards now is the vessel program which is the commercial trip ticket program that we are swapping over to.

South Carolina already utilizes that program for their for-hire reporting. So we are going to mimic that. We are not going to try and reinvent the wheel. It is a very successful program and we are working with Bluefin
Data in creating this program for the Commission's decision to implement it.

COMMISSIONER BOSARGE: Good deal. Thank you.

MATT HILL: Yes, sir.

COMMISSIONER HAVARD: Do we have a motion?

COMMISSIONER DANIELS: Yes.

COMMISSIONER HAVARD: I have a motion on the table.

Do I have a second the motion?

COMMISSIONER GUESS: I'll second it.

COMMISSIONER HAVARD: I have a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER HAVARD: Opposed like sign.

(None opposed.)

COMMISSIONER HAVARD: Motion moves.

MATT HILL: Thank you.

JOE JEWELL: Next up on the agenda is an update on the Oyster Task Force meeting for the Commissioners' consideration. Mr. Erik Broussard will present that.

Before we move into that presentation, I want to bring to the attention of the Commission -- Charmaine mentioned it -- at last week's AFS meeting, they held election of officers for the local chapter and as a
testament to the leadership of Marine Fisheries and this
agency, Mr. Rick Burris was elected as the President Elect
for the following year. I would like to congratulate him
on that honor.

(Applause.)

ERIK BROUSSARD: Good morning Commissioners,
Director Spraggins, Ms. Chesnut.

This morning I have prepared for you an update
on the Oyster Task Force.

On September 18, 2018, the Commission passed a
motion to reestablish the Oyster Task Force. As a part of
that motion, there was an effective period of one year.

The Oyster Task Force had its inaugural meeting
February 5th, 2019. We let the one year run from that
initial meeting because it took several months to get the
membership comprised.

We were contacted a few weeks ago about having
another meeting. Unfortunately, the time had expired.

We wanted to bring that back to the commission
for some directive.

COMMISSIONER BOSARGE: I guess what you are
looking for is possibly a motion from the Commission to
continue on with the task force.

ERIK BROUSSARD: To either reestablish, or
continue, the task force, or dissolve it.
COMMISSIONER HAVARD: I think it is very important that we reestablish these task forces, especially on the oyster side. There are so many things we've got changing right now.

COMMISSIONER GOLLOTT: I have to disagree with you, Mr. Chairman.

We have a task force. That is this Commission, and we should be able to sit down and come up with a way to help this oyster industry.

Listen to our fishermen, but a task force, I don't think it is necessary.

COMMISSIONER DANIELS: Unfortunately, outside of this room, we are not able to all sit down and talk about things.

Task forces, in my opinion, are valuable in making recommendations to us to provide information.

That is just my two cents on it.

COMMISSIONER HAVARD: I think if we do not do a task force, it is going to be one-sided going in.

If we do a task force, everybody is going to be well represented within the room.

COMMISSIONER HAVARD: Do we have a motion to help give Mr. Broussard some direction?

COMMISSIONER DANIELS: Let me back up just one second.
Who did you say requested another meeting?
ERIK BROUSSARD: Members of the task force had requested.
COMMISSIONER DANIELS: So the task force is wanting to be involved?
ERIK BROUSSARD: Yes.
COMMISSIONER GUESS: So it would be continuing, or reestablishing?
COMMISSIONER DANIELS: Will we continue the same membership, or would we reestablish a whole new task force?
ERIK BROUSSARD: We would continue. They only had the one meeting. I think there is a good representation.
COMMISSIONER GUESS: Yes. I think continue instead of reestablish.
COMMISSIONER HAVARD: Should they meet once a quarter, semi-annually?
Annually just doesn't seem to be enough.
ERIK BROUSSARD: Semi-annually would be probably more appropriate, at a minimum.
COMMISSIONER HAVARD: Yes, I would think at a minimum.
JOE SPRAGGINS: If you could maybe put something in there under the authorize the staff to continue with
the Oyster Task Force at the current Oyster Task Force. I think would be what we need to do.

    JOE JEWELL: The bylaws and standard operating procedures for the Oyster Task Force, like all the rest of the task forces, gives the task force the authority to meet so many times a year, or more than that, if they choose to do so.

    That option is already available in their operating procedures. The issue was they only met one time and that one year ticked out.

    COMMISSIONER DANIELS: So required biannually, unless otherwise needed.

    COMMISSIONER HAVARD: Sandy, do we want to put a time frame in there as well?

    SANDY CHESNUT: That is up to you. If you want to have it for another year, that is fine.

    COMMISSIONER HAVARD: We will just leave it open ended.

    SANDY CHESNUT: Who made the motion?

    COMMISSIONER DANIELS: I don't think anybody has yet.

    SANDY CHESNUT: Okay.

    COMMISSIONER GUESS: I'll make the motion.

    COMMISSIONER HAVARD: We have a motion as written on the board.
Do we have a second for the motion?

COMMISSIONER DANIELS: I’ll second it.

COMMISSIONER HAVARD: We have a motion and a second reestablishing, or continuation of our Oyster Task Force.

All those in favor say aye.

(Commissioner Bosarge, Commissioner Daniels, Commissioner Guess, Commissioner Havard in favor.)

COMMISSIONER HAVARD: Opposed like sign.

(Commissioner Gollott opposed.)

COMMISSIONER HAVARD: Motion moves.

ERIK BROUSSARD: Thank you, Commissioners.

JOE JEWELL: That completes the presentation by Office of Marine Fisheries.

COMMISSIONER HAVARD: Thank you, Mr. Jewell.

Other Business.

COMMISSIONER GUESS: I would like to make a motion to go into closed session to discuss the necessity of going into executive session about prospective litigation.

COMMISSIONER HAVARD: I have a motion.

Do we have a second?

COMMISSIONER BOSARGE: I will second that motion.
COMMISSIONER HAVARD: Motion and a second to go into closed session.

All those in favor say aye.

(All in favor.)

COMMISSIONER HAVARD: Opposed like sign.

(None opposed.)

COMMISSIONER HAVARD: Motion moves.

We will be back.

MEETING STANDS IN RECESS

COMMISSIONER HAVARD: We are finished with executive session.

Sandy, do you want to read?

SANDY CHESNUT: Yes, sir, I will give a report.

The Commission went into closed session upon motion in open meeting to discuss prospective litigation. That was at 10:30.

At 10:37, after a short briefing from the Director, the Commission made a motion to go into executive session. Commissioner Guess made the motion. Commissioner Gollott seconded it, and it was unanimous.

At that meeting, Mark Havard, Ronnie Daniels, Richard Gollott, Steve Bosarge, Natalie Guess, myself Sandy Chesnut, Executive Director Joe Spraggins and Chief Scientific Officer Paul Mickle were present. Discussion was had over prospective litigation.
At 11:33, there was an amended motion made to also discuss personnel matters. That motion was made by Commissioner Guess and seconded by Commissioner Gollott. Paul Mickle left the room, and, then, personnel matters were discussed. There were no motions made.

At 11:40, a motion was made by Commissioner Gollott, seconded by Commissioner Bosarge to end executive session and come back into open session.

COMMISSIONER HAVARD: That brings us to M, Public Comments.

Do we have any public comments?

HUNTER DAWKINS: (Indicating).

COMMISSIONER HAVARD: You have one?


Y'all went into executive session for quite some time.

Was there any action taken?

COMMISSIONER HAVARD: No. It was informing us of information that we were receiving.

HUNTER DAWKINS: Thank you. Appreciate it.

COMMISSIONER HAVARD: Anybody else for public comment?

(No response.)

COMMISSIONER GOLLOTT: Mr. Chairman, I would
like to make a motion that we adjourn.

COMMISSIONER DANIELS: I will second that.

COMMISSIONER HAVARD: I’ve got a motion and a second.

All those in favor say aye.

(All in favor.)

COMMISSIONER HAVARD: Opposed like sign.

(None opposed.)

COMMISSIONER HAVARD: Motion moves.

Meeting is adjourned.

(Whereupon, at 11:48 o'clock, a.m., the February 18, 2020, meeting of the Commission on Marine Resources was concluded.)
CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, to hereby certify that the above and foregoing is a true and correct transcript of the February 18, 2020, meeting of the Commission on Marine Resources, as taken by me at the time and place heretofore stated in the aforementioned matter in shorthand, with electronic verification, and later reduced to typewritten form to the best of my skill and ability; and, further, that I am not a relative, employee, or agent, of any of the parties thereto, nor financially interested in the cause.

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