COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, July 21, 2020
9:00 a.m.
Zoom Webinar

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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: We will go ahead and call the meeting to order of the Commission on Marine Resources for the meeting held on July the 21st, 2020.

I appreciate everybody joining in by the Zoom Webinar. That has kind of been a lifesaver during our challenging time that we are going through.

At this time, let’s get the meeting started, and I would like to ask Commissioner Guess to lead us in the Pledge of Allegiance.

(Pledge of Allegiance recited.)

COMMISSIONER HAVARD: Thank you, Commissioner Guess.

Next item is approval of the minutes.

JOE SPRAGGINS: Mark, if you could real quick, could you put a moment of silence?

We forgot to put it on the agenda.

COMMISSIONER HAVARD: Certainly.

Before we go into our moment of silence, we have had two unfortunate circumstances happen within our DMR family.

First, Reserve Officer Mr. Zachary Andrews passed away unexpectedly in a car accident. He has been on the reserve force for around ten years. I would like for all of us to think about the Andrews family in our prayers going forward because I know that they are going
through a very tough time.

Also, Executive Assistant Crystal Matta lost a child in the past couple of weeks and that is something that no parent can imagine what that feels like until you go through it. It is something that nobody would want to go through at any point in time.

I would like for us to all remember both families in our prayers, as we go through the coming weeks because they are going to go through some challenging times with their losses.

At this time, let’s observe a moment of silence, please.

(Moment of silence observed.)

COMMISSIONER HAVARD: Thank you guys for that. That brings us on to approval of the minutes. Do we have approval for the minutes for the meeting of June 16, 2020?

Can I get a motion to approve those, if there are no changes?

COMMISSIONER DANIELS: I will make that motion.

COMMISSIONER HAVARD: I have a motion. Do I have a second?

COMMISSIONER GUESS: I'll second, Commissioner Guess.

COMMISSIONER HAVARD: I have a motion and a
second.

All those in favor say aye.

COMMISSIONER DANIELS: Aye.

COMMISSIONER GUESS: Aye.

COMMISSIONER HAVARD: I have an aye from Commissioner Guess. Aye from Commissioner Daniels.

Commissioner Bosarge?

COMMISSIONER BOSARGE: Aye.

COMMISSIONER HAVARD: I've got an aye from Commissioner Bosarge and an aye from Commissioner Havard.

Motion moves.

JOE SPRAGGINS: Could you tell me who made the motion?

COMMISSIONER HAVARD: Commissioner Daniels made the motion. Commissioner Guess seconded the motion.

JOE SPRAGGINS: All right.

Commissioner Gollott is on, now.

COMMISSIONER HAVARD: Commissioner Gollott, did you get a chance to hear the motion to approve the minutes?

COMMISSIONER GOLLOTT: Yes, and I voted aye.

COMMISSIONER HAVARD: Motion moves.

Now, we are looking at approval for the agenda for today.

Can I get a motion to approve the agenda for
today?

COMMISSIONER GUESS: Commissioner Guess, I'll make a motion.

COMMISSIONER DANIELS: I'll second it.

COMMISSIONER HAVARD: Motion from Commissioner Guess. A second from Commissioner Daniels.

All those in favor say aye.

COMMISSIONER GOLLOTT: Aye.

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Aye.

COMMISSIONER BOSARGE: Aye.

COMMISSIONER HAVARD: Aye from Commissioner Havard.

Motion moves.

That brings us to the Executive Director's Report.

Director, what have you got for us today?

JOE SPRAGGINS: I am just going to give you a little bit of an idea of what is going on with current operations.

Obviously, with COVID the way it is today, we are having more issues than we have had since it started. The first three months, or so, we were in the work-at-home, but came back the first of June, and, then, things are getting a little worse in July.
I think we have a total of fifty-five people right now that are either out of the office and working telework because of a COVID test and waiting on results, or either have COVID, or either have been exposed to it, or just because of other outlying circumstances.

It is a situation we are working through as we go because we asked each one of them to look at it and tell us if they can telework, especially with the supervisors, and say, hey, can they do this. If somebody can do this, let’s look at it.

The minimum amount of exposure that we can have the better off we are, and that is what we are looking at.

I know the Governor wants to get everybody back to work. He is trying, but he is also understanding of this part of it, too, and we have got to get through this spike, whatever it is, and move forward on what we are doing.

We have had a couple of cases in the agency, but, hopefully, everybody is fine, and we are moving forward.

I think everybody has heard that our legislature, quite a few of them came down with COVID.

They left on July the 1st and did not pass a budget for DMR. I think everybody understands that.

Their total intention was to come back the next week and
do it.

The whole thing is not over how we operate the Department of Marine Resources. I have had no legislator either senator, or house member, or anybody else, the Lieutenant Governor, or speaker, or anyone else, or the Governor, have any issue with the way DMR is running. That is not their case.

What they are worried about is the thing called GOMESA. We have the funds in GOMESA and the funds in GOMESA, since 2006, have been controlled by the Governor through DMR.

From all indications from the House and the Senate and everyone else, they still won't allow DMR to control the operation of that. They don't have a problem with that.

The House thinks that the Senate and the House should have control on how we spend the money. The Senate and the Governor thinks that they ought to leave it the way it is, and we are caught between.

Because of that, they didn't pass the budget.

We are praying for each and every one of them to get well and we are praying that they will get back and hopefully something will change in the next week and we will be able to get them back into session and they can look at it and come to some kind of compromise and pass us
a budget for 2021.

From July the 1st through July the 8th -- is that right, Sandy -- we were on furlough, and, then, the Governor put us back to work on July the 9th using Special Funds and that could last all the way to the 31st of August, but that is the max that could even last. We are trying to get things worked out on it.

The one issue that we do have is the legislature has to come back and give us approval to pay -- the ones that were on furlough, they have to give approval for us to pay the employees, but it has to come from the legislature for that amount of time. It cannot come the Governor and cannot come from anywhere else. It has to come straight from the legislature.

Hopefully, they will do that and the personnel will not have to suffer those five, or six, days of loss of pay.

We may not get paid on the 1st of August. It may be a partial payment. Hopefully, they will do a supplemental to make it up to them.

It is just a tough situation. As I chalk it up, just another day in 2020. This year is just something. Every time we turn around it is something entirely different.

Do y'all have any questions on the operations,
as far as what we are doing there?

   COMMISSIONER BOSARGE: Yes, Mr. Joe.

   Where is the funding coming from, right now, to operate the DMR?

   JOE SPRAGGINS: It is coming out of Special Funds.

   COMMISSIONER BOSARGE: That being Special funds, is that a certain account?

   Has it got a title?

   JOE SPRAGGINS: Any type of special funds. We have special funds of different types.

   The large majority of our funds, Commissioner Bosarge, are Federal. So the people that are able to operate out of those Federal funds are being able to operate out of the Federal funds because they are special funds and they are allowing them to do that doing their job, whatever that job is, and they are the only ones that can get paid there.

   The others, we have some other special funds, like, Tidelands and some with the GOMESA, but it is only a very, very small amount in GOMESA that we can pay personnel that are doing it.

   Most of it is coming out of Tidelands, or other special funds that we have.

   COMMISSIONER BOSARGE: I've got you.
So those people that were furloughed, I would just hope that you will do everything in your power to see that they get paid.

I mean, they kind of got caught up in a catch twenty-two here that was no fault of their own, and I sure would hate to see them not get paid.

JOE SPRAGGINS: Sir, I agree with you one hundred percent, and I promise you I am fighting it every way I can.

I am leaving this afternoon after this meeting headed up to meet with the Governor's office again about it. We are trying every way we can.

Every one of the legislators I have talked to are telling me they are going to do this. I feel strongly it will happen, but I don’t ever put all my eggs in one basket. You know how that is, sir.

We are fighting it very hard. They are all telling me that they are going to do it. The employees at DMR had nothing to do with what is going on right now.

COMMISSIONER BOSARGE: If they don't get paid for that six days, they will.

JOE SPRAGGINS: I agree with that, but I'm talking about they had nothing to do to cause this.

So we are fighting it very hard, sir. I promise you we are, and I promise you we are going to give it
COMMISSIONER BOSARGE: All right.

JOE SPRAGGINS: Anybody else on that part of it?

(No response.)

JOE SPRAGGINS: If not, I will give you a couple other updates.

The CARES Act, we have a spend plan to put together for the one point five million dollars in the CARES Act. I am taking that to the Governor’s office this afternoon. I have sent it to them a couple of times to look at, and I have to get his approval to go forward to send it to NOAA. So I am waiting on the Governor to give it to his staff to say, yes, we can go forward and send this to NOAA so we can start trying to get some form of a setup to be able to do the CARES Act.

It is basically going to be for our commercial fishermen, any type of commercial fishing, or anything that deals with commercial fishing.

Also, it is going to be our processors and some of the I guess it would be the seafood markets. It cannot be retail. Retail will not be a part of this so that is going to take out some of that and also charter boats.

This is going to include the whole compass of everything in there, every type of fisheries, even your bait shops and other type stuff and the ones who fish for
that.

    We are being able to look at it and it is only a small amount. It is only one point five million, but hopefully we will be able to get something out and get it started.

    As soon as I can get the Governor's staff on that, that is what we will do.

    Traci has worked hard. Traci Floyd in Joe Jewell's office and them have worked hard on this and got us a spend plan together that I think will be workable to do what we need to do.

    Any questions on the CARES Act?

COMMISSIONER BOSARGE: Have you had any commercial input in this spend plan, Mr. Joe?

JOE SPRAGGINS: When you ask about commercial input, what we were given pretty much was guidance from NOAA.

    The commercial side right now, just to give you an idea if it goes the way we are looking at it -- I don’t have the exact numbers in front of me, but about eighty-four percent of it is going to commercial.

COMMISSIONER BOSARGE: I was just wondering if you had run it past any of the commercial folks. I know I haven’t had any input. I was just wondering if anybody had any input as to how the plan was...
JOE SPRAGGINS: I do not know if Traci and them have done that. I will ask the question and we will look at it.

NOAA has given us a plan, what they sent down and it says that we think that a certain percentage ought go to commercial fishing, a certain percentage ought to go to, like, the processors, that type, and a certain percentage to charter.

We split that up and it came down, and that is what it came to and that is what we are using, right now, to get a spend plan sent forward.

That does not mean we have to spend a hundred percent of it in each one of them, but that just means that we have the capability of looking at that.

I will check on that for you, Commissioner.

COMMISSIONER BOSARGE: All right. Thank you.

JOE SPRAGGINS: Any other questions?

COMMISSIONER DANIELS: I'm curious about all of that, as well, Joe.

Has anybody else out of the department, or outside of your office, seen that?

I haven’t seen anything about it either.

JOE SPRAGGINS: I will have to ask and get Traci to tell me who they have been talking with because basically they have been working it. Let me try and find
out, and it is not a done deal yet.

COMMISSIONER DANIELS: Thank you.

JOE SPRAGGINS: We will definitely check on that. I promise you.

The 2019 Bonnet Carre funds, we have a similar -- it is a first draft-type deal to where we are looking at that. Rick Burris is doing that, and I will ask him to do the exact same thing you both have asked me just now, before we go any further on it to make sure that we bring those into the table and look at it.

COMMISSIONER BOSARGE: All right.

JOE SPRAGGINS: As we speak, though, the problem with that is that we are not on the fast track and I will tell you why. When I talked to NOAA the other day, they have still not received the money from Commerce. So they can't tell us that we can do it. They can't even give us the money yet, even though it is sitting in Commerce, and they have not been given the money.

Until they are given the money, they won't approve any spend plan. So we are just trying to get ahead of the program on that.

COMMISSIONER BOSARGE: Well, that gives us time to work on it, then.

JOE SPRAGGINS: That’s right. We’ve got time to work on it.
We've got a year to pay this other, but I just want to get something to the people as soon as possible. They are hurting and we want to try to get something to them.

They have to qualify in the CARES Act with thirty-five percent loss and that includes if they got any other types of funds that came from the CARES and that would mean if they got a small business loan, or anything else, that type stuff takes away from it. It is going to be tough.

Texas, I talked with them the other day and they are not even sure that the amount of money that they have would qualify to spend all they have because of the situation.

They said that their charter boats were ahead of what they have been in the past. Their processors seem to be doing great. Everybody else seems to be doing great.

They didn't seem to have hardly any problems. So I don't know.

My theory is going to be, if you don't need it, give it to us. So we will ask about it.

Anyway, that is where we are. There will probably be something that comes up in the meeting that I forgot, but if it does, I will definitely bring it back forth at the time.
Any other questions for me, as far as the Commission?

COMMISSIONER HAVARD: I don’t think so, at this time, Director. I appreciate all of the insight on that.

JOE SPRAGGINS: The other thing we have is election of officers, sir.

COMMISSIONER BOSARGE: Mr. Joe, hold on just a minute. There have been a lot of changes taking place here, a lot of things that I feel need to be talked about just a little bit, and I feel like it probably needs to be during your Executive Director’s Report.

We have had some major changes to our statutory abilities, I guess you would say.

So where are we?

JOE SPRAGGINS: Well, right now, the only thing I can tell you is that the Governor did sign an Executive Order stating that all the Commissioners -- like, there are three of the Commissioners that are up for reappointment, or whatever, and those Commissioners have been extended to at least, he said, until he replaces that person, or reappoints that person, or the end of the 2021 session. So that is next spring. That is in place, right now.

Everybody is still in the same position they were in, until the Governor makes any type -- somebody
asked him the other day, when is he going to do the
appointments, and he said he is getting around to it.

I can tell you, right now, from when I was with
him the last time, it is not exactly on the very top of
his list because of the pure fact that he's got so much
going on and he's got Commissioners that he can keep and
do and, as long as they want to do that, he is fine.

Now, House Bill 827 that passed, that basically
said that the Commission would be an advisory only and
that the Executive Director would make the -- through the
Governor.

Basically, what we are doing there is -- my
thoughts to y'all -- I don't have a choice in what
happened. I wasn't the one who made this decision. I am
going to live with what I was given because I don't have a
choice, but my thoughts there would be that the Commission
continue to operate as normal. I would ask that y'all
please help me as much as you possibly can.

I need every one of your expertise on the things
that you have, and I would ask that you help me.

The way I would like to see things run is that
y'all continue to go in and y'all vote on things and tell
them that this is what the Commission would like to see
done, and I promise you I am going to look at that very
hard.
COMMISSIONER BOSARGE:  We can talk about that.

Let’s go back to that Executive Order just for a minute because that Executive Order, yes, did reinstate a bunch of commissions and boards, and I’m sure Sandy has read it and I would like to have a little discussion about it.

In there, on number two, it says:

“Any statute, rule, or regulation” -- this is in his Executive Order -- “that is inconsistent with this Executive Order, including one that would prevent any such interim, or holdover appointee, from continuing to serve as a director, commissioner, or member of such a state, or regulatory agency, board, or commission, is hereby suspended. Such interim, or holdover, appointee shall have all rights, authorities and duties conferred on a director, commissioner, or member of the state, or regulatory agency, board, or commission, on which they currently serve until earlier, or such time he, or she, is replaced by the Governor with advice and consent
of the Senate, or Sine Die of the 2021
session of the Mississippi legislature.”
So what takes precedent here?
I mean, if I read the Executive Order, it says
that he basically reinstated a bunch of boards and he
names them and commissions, with their full power and
authority that they had standing at that point in time,
and this one was signed on the 26th of June, and, then, the
legislature comes out with a law on the 30th, the House
Bill 827 that takes away that authority.

In other words, Sandy, what is your opinion on
this?

Is it your opinion, or is it the Attorney
General’s opinion?

SANDY CHESNUT: Well, this is the first time I
have answered this question. So I can’t say that it is
the Attorney General’s opinion as that question has not
been raised at the Attorney General’s office.

My opinion of the wording of the Executive Order
is there are certain provisions and statutes for some
commissions that exclude the right to holdover in a
position. Ours is one of them and that language, in the
Executive Order, says that if our statute conflicts with
that, then, his order supercedes that.

So what it is saying is even though we don't
have holdover provisions for the Commission, the Executive Order trumps that and says you guys can holdover.

As far as 827, I don't see it as a conflict with the Executive Order because 827 defines your functions.

COMMISSIONER BOSARGE: I would say it defines our authority. We still function the same way we always functioned, but it takes away our authority as a rule-making body.

I look at this and I wonder, you know, let's imagine if we took this same thing that happened to this commission and we applied it to the legislature where the senate and the house were only advisors and the governor made all the decisions. That doesn't sound very diplomatic to me, or democratic to me.

I would love to have the Attorney General weigh in on whether this Executive Order takes precedence over House Bill 827.

If you look at the time frame, me, I'm not an attorney, but, when I look at it, I look at the timing of the two. Had the timing been reversed, I could say, yes. Well, okay, HB 827 would probably take precedence.

Anyhow, I would love to have the Attorney General's opinion of this.

SANDY CHESNUT: Well, we are going to be getting the Attorney General's opinion on a lot of issues on HB
827. So we will definitely include that one as well.

COMMISSIONER BOSARGE: Sandy, part of the reason I bring this, you know and I know here is our handbook. It is one thing after another, and I read here it says:

“Whereas, the Commission on Marine Resources is authorized in Mississippi Code 5715-6 as amended to implement a Mississippi Coastal Program in recognition of the Coastal Zone Management Act of 1972 as amended, and, whereas the Mississippi Commission on Marine Resources has the authority to amend the Mississippi Coastal Program in accordance with the provisions of chapter 8 Section 1”-- and it goes on.

In other words, I go through this handbook and I look and I say, okay, where are we, now, because what I understand from House Bill 827, we no longer have this authority.

Therefore, what set of rules are we going by?

SANDY CHESNUT: All of the regulations will have to be updated, based upon the changes that were made by the legislature and, like I said, I will be consulting with the AG’s office on how those duties play out with the changes and specifically in reference to other statutes
that aren't referenced in House Bill 827, but I would imagine that most every one of our regulations will have to be updated, based on the changes.

COMMISSIONER BOSARGE: So the legislature has got us playing without a rule book, right now.

Is that correct?

SANDY CHESNUT: It has not been updated as of yet, no.

COMMISSIONER BOSARGE: In my opinion, we should probably suspend all meetings until such time as we have a set of rules in place that tell us what we can do and what we can't do.

Are the oversight committees still in place?

Is that still something we can do?

SANDY CHESNUT: The oversight committees were never added to the handbook. I sent that out many months ago for comment and I never received any comments back. So that was never added to the handbook.

COMMISSIONER BOSARGE: It was never added to the handbook?

SANDY CHESNUT: No. No one ever sent it back to me.

You had requested some changes. I sent it out asking for the changes that you wanted and I never received it back. So it was never addressed again.
COMMISSIONER BOSARGE: So, now, that we are nothing but an advisory panel -- anyhow, this gets really confusing.

Where is the oversight, or is there any oversight?

SANDY CHESNUT: As far as I read 827, the Commission is an advisory panel. There are statutes that provide for yearly audits over DMR. That provides oversight.

I don’t think General Spraggins has any intention of changing what he reports to your guys, as far as an oversight. So I don’t see any changes really in the oversight.

COMMISSIONER BOSARGE: Well, if we have no authority, I don’t see how you don’t see any changes.

Anyhow, this is getting really, really convoluted and complicated.

SANDY CHESNUT: I guess the ultimate oversight now would be with the Governor, since the Director reports directly to the governor.

COMMISSIONER BOSARGE: So, Director Spraggins.

JOE SPRAGGINS: Yes, sir.

COMMISSIONER BOSARGE: You made it clear that you had no prior knowledge of this taking place?

JOE SPRAGGINS: Yes, sir.
COMMISSIONER BOSARGE: I am sure you have had plenty of conversations, since then, about this with these legislatures?

JOE SPRAGGINS: Yes, sir.

COMMISSIONER BOSARGE: you know, I have been in business for a long time. Richard has been in business. Mark has been in business. Ronnie has been in business. You don't make changes without a reason for making the change.

Can you tell us, what was the reason?

JOE SPRAGGINS: Sir, I can tell you what I was told.

COMMISSIONER BOSARGE: Enlighten me because I'm just aching for it.

JOE SPRAGGINS: This was brought up and I'm not sure -- I think Timmy Ladner, Representative Ladner is the one who brought it out, and just to give you an idea. They told me point blank they left me out of it totally because they did not want me to be a person that was brought back in and said that you had something to do with this, which I did not.

Just to give you a little bit of a background, on Wednesday -- I can't remember what day it was. It was in June, I think, the 11th, if I'm not wrong. Maybe Thursday was the 11th. I'm in the capitol and I'm sitting
there and I need to come back for another meeting, and I talked to the members of the Ports and Harbor Commission which is Senator Moran and I asked him, I said, “we've got two bills that we need to be through.”

And he said, “Yes”, and he said, “what are they?”

I told him the two bills and I don't remember the numbers right now, but one of them was that we would be able to do the Deer Island oysters and the other one was for the high-water mark that we were able to do so we could do permits.

And he said, “Got them.”

And I said, “Is there any issue?”

“Do you need me to come back for a meeting on the 11th?”

And he said, “You don't need to be here at all. We've got this. We are going to stamp it and it is going to go forward.”

And I said, “Okay.”

“Are you sure?”

He said, “Yes.”

I said, “All right. Then, I won’t turn around and back.”

Well, I get a call at about 12:30, or 1:00 o'clock, from Timmy Ladner telling me. He said, “Well,
I’m going to tell you what we just did.”

I said, “What do you mean?”

“What did you just do?”

He said, “Well, we passed your bill on the Deer Island, but we took the one out on the high water.”

I said, “Why?”

“Why would you take that out?”

And he said, “Well, because we were only allowed two bills that we could get through and so we took the 827.”

I said, “I have already told you that I could work the CFO part of it out, that me and her had an agreement and we were fine and the state had a fine deal and we had no problems.”

He said, “Well, we had to make a change to it.”

I said, “What change did you make??

And he said, “We made the Commission advisory only.”

And I said, “What in the hell -- where did this come from??

And he said -- his point was, well, it has been building over time.

And I said, “It has been building over time doing what?”

And it goes back that they got upset when the
letter was sent to them, the letter that the Commission
sent to them stating that they didn't agree. I think it
was on the Net Bill, something to do with the nets.

  Is that right, Sandy?

I can't remember the bill, but you remember they
were going to pass something. This was done by the
senator out of -- oh, gosh.

  What is his name, Mike?

SANDY CHESNUT: Thompson.

JOE SPRAGGINS: Mike Thompson was the author of
that bill, and we sat there and talked and talked and
talked and talked and talked, and Sandy was with me a
couple of times when we did this with the legislators and
asked them to please don’t pass this bill, let it go and
let us move forward because we can manage this on our own,
but, then, the Commission decided to send them a letter
stating that they didn’t agree with it, and they took that
letter in their mind and, as they told me, they said,
“This Commission just told us we didn’t have the authority
to tell them what we think ought to happen.”

  I said, “I don’t know that.”

Anyway, that was the straw that broke the
camel’s back. They said, when they got that letter, they
had had enough and that was it and that they were going to
do this.
Now, I don't know if that is the whole facts. I asked them and that is all they told me, and Timmy Ladner said hasn't a single person called him.

He said, “Please tell any one of them to call me, if they want to.”

COMMISSIONER BOSARGE: You know, that is unreal. I mean, I can’t even imagine that...

JOE SPRAGGINS: I can tell you this. I called the Governor’s office right after that and they didn't know about it either.

COMMISSIONER BOSARGE: So some senators didn’t like that we made a decision based on science with the best facts and it wasn’t the decision that they thought needed to be made politically, not on science, but politically. So that was the reason they took the Commission and made us advisory.

Does anybody see what is going on in this world today?

I mean, really. Look at what is happening around us today and this is a prime example.

JOE SPRAGGINS: Well, sir, I can’t say why they do what they do. I can tell you that I have seen a lot of things different in the world, just like you are talking about, but that is the best, when you asked me why they did it.
COMMISSIONER BOSARGE: I appreciate your honesty. I really can’t believe that you said that because that just blows my mind. Anyhow, it is what it is.

JOE SPRAGGINS: Undoubtedly, House member Ladner introduced that bill in the meeting and introduced an amendment to it and they passed it, and, then, called me after they did it.

I will be honest with you. I sat there with the Governor, with his staff and his policy people. Up to the day of the 30th, we thought that they probably would not pass it through the House and the Senate.

COMMISSIONER BOSARGE: I just see the way this thing is going and it is scary. It is scary. Do we have a Chief of Enforcement yet?

JOE SPRAGGINS: No, sir. We have a Chief. We have Kyle who is acting Chief.

COMMISSIONER BOSARGE: I’m talking about Chief, somebody in charge.

JOE SPRAGGINS: Well, he is in charge. He is acting in charge and he is doing a great job.

COMMISSIONER BOSARGE: I’m sure he is and I am not taking anything away from anybody. Because he is acting Chief, that makes you the actual Chief, then.
Correct?

JOE SPRAGGINS: I hope not.

COMMISSIONER BOSARGE: Well, I mean, that's what it says to me.

JOE SPRAGGINS: I don't treat it that way, sir. I allow him to do it the same way Rusty was for a year. When Jamie was here, Rusty was the acting Chief for over a year and we were fine with that, and, then, they brought Chief Davis in, but I am getting close.

As a matter of fact, I am going to see the Governor's office tomorrow to ask them to allow me to do a couple of appointments because the Governor, his staff has asked that they be able to see any key appointments before it is done.

COMMISSIONER BOSARGE: There are a lot of folks asking me a lot of questions that I can't answer and a lot of things I would like to ask you, but I don't know if I really want to do that in a public forum.

JOE SPRAGGINS: Well, feel free to call me, sir. I will tell you the honest truth, everything I know.

COMMISSIONER BOSARGE: All right, Mr. Joe. I appreciate it.

JOE SPRAGGINS: Anything else?

COMMISSIONER BOSARGE: Well, I mean, are we going to continue to operate now with no handbook and no
set of rules?

   JOE SPRAGGINS: Sir, my thoughts are that we continue to operate the way we have been. The only thing that I see any different than that is I might have to sign it instead of the chairman.

   COMMISSIONER BOSARGE: I am a member of quite a few advisory panels, federal and state, and most advisory panels answer to another group. In other words, like, on the federal side, the council, they ask our opinion of things, we give them our opinion and it goes to a whole group of people. The same thing we do on the Oyster Task Force, Crab Task Force. We give our opinion. It comes up to the Commission.

   Right now, how are we going to know what your decisions are?

   Do you see what I'm saying?

   In other words, we may tell you, okay, Joe, this is what we advise you to do.

   When are you going to tell us what your decision was?

   JOE SPRAGGINS: Before it is published.

   COMMISSIONER BOSARGE: So you are going to come into a public meeting and say, well, last meeting y'all advised me to do A, B and C, and on A, this is what I decided, and on B, this is what I decided, and on C, this
is what I decided?

JOE SPRAGGINS: Well, what we will do -- to be honest with you, my thoughts there are that I do a thing where I can send to each one of y’all individually. What my thoughts with that would be, after everything is done, that I sit down and I look at it, and, then, I send it back to y’all and say, this is what I would like to do.

Once again, I am trying to use you as the advisory to tell me. That is what I would like to do.

COMMISSIONER BOSARGE: Well, if we are going to give you our opinion in a public forum, I would like for you to give us your answer in a public forum.

JOE SPRAGGINS: The answer, I guess I could give at the next meeting, but you want to hold up everything for another month just to give the answer?

COMMISSIONER BOSARGE: The wheels of government turn slow, Mr. Joe.

JOE SPRAGGINS: I know, but sometimes it needs to turn a little faster.

I'm just talking about if we decide to make a decision on something that affects the Fisheries real quick, I don’t need to wait a whole month to do that.

COMMISSIONER BOSARGE: You probably don’t.

Maybe you can do it in a press release, then.

JOE SPRAGGINS: We can work on it. I mean, I am
not going to hide it. I promise you that.

COMMISSIONER BOSARGE: I’m not saying you are going to hide it, but I think in an effort to be transparent, you need to let more than just the Commission know what your decisions are.

JOE SPRAGGINS: Okay. I have no problem with that.

COMMISSIONER BOSARGE: All right. Continue on there, Mr. Havard.

JOE SPRAGGINS: We are down to election of officers, sir.

COMMISSIONER HAVARD: All right. Let’s start with that.

Every year in July, we elect officers, and this year we are going to start the election with the Chairman, and, then, we will go to the Vice Chairman.

Are there any nominations for Chairman?

I will need a motion and a second for each nominee.

COMMISSIONER GUESS: I’ll make a motion to nominate Ronnie Daniels as Chairman.

COMMISSIONER HAVARD: I have a motion to put Commissioner Daniels as Chairman.

Do I have a second for that motion?

I’ll second that motion.
We have a motion and a second to put Commissioner Daniels as Chairman of our Commission.

All those in favor say aye, and please say aye Commissioner Havard, aye Commissioner so on and so forth.

All those in favor say aye.

JOE SPRAGGINS: Hang on.

SANDY CHESNUT: Mark, before you go on, will you see if there is another nomination for Chairman?

COMMISSIONER HAVARD: Okay.

Do I have anybody else that would like to make a nomination for the Chairman?

(No response.)

COMMISSIONER HAVARD: I have no other nominations at this time.

SANDY CHESNUT: Make a motion to close the nominations.

COMMISSIONER HAVARD: Make a motion to close the nominations for Chairman.

I have a motion and a second.

COMMISSIONER HAVARD: All those in favor say aye.

JOE SPRAGGINS: Who made the motion to close it?

SANDY CHESNUT: Who made the motion?

COMMISSIONER GUESS: I'll make the motion to close the nominations.
SANDY CHESNUT: Okay. Thank you.

Commissioner Havard, are you seconding that?

COMMISSIONER HAVARD: I’ll second the motion to close the nominations.

All those in favor say aye.

COMMISSIONER GOLLOTT: Aye, Gollott.

COMMISSIONER BOSARGE: Bosarge, aye.

COMMISSIONER GUESS: Guess, aye.

COMMISSIONER DANIELS: Daniels, aye.

COMMISSIONER HAVARD: Havard, aye.

The nominations are now closed.

We have one person that has been nominated for Chairman. We will have to vote on the Chairman at this point. I got a motion and a second for the nominee.

At this time, I would like to get a full vote for the Chairman.

All those in favor of having Commissioner Daniels as Chairman say aye.

COMMISSIONER GOLLOTT: Aye, Gollott.

COMMISSIONER BOSARGE: Aye, Bosarge.

COMMISSIONER GUESS: Aye, Guess.

COMMISSIONER HAVARD: Aye, Havard.

COMMISSIONER DANIELS: Aye, Daniels.

COMMISSIONER HAVARD: Motion moves. We have a new Chairman.
Second, we go to Vice Chairman.

We will open up the floor for any nominations for Vice Chairman. I will need a motion and a second.

COMMISSIONER DANIELS: I would like to make a motion to nominate Natalie Guess as Vice Chairman.

COMMISSIONER GOLLOTT: Commissioner Gollott will second that.

COMMISSIONER HAVARD: I have a motion and a second.

Are there any other nominations for Vice Chairman?

(No response.)

COMMISSIONER HAVARD: Can I get a motion to close the nominations for Vice Chairman?

COMMISSIONER DANIELS: I’ll make that motion.

COMMISSIONER HAVARD: I have a motion.

Do I have a second to close the nominations?

COMMISSIONER BOSARGE: So seconded, Mr. Chairman.

COMMISSIONER HAVARD: I have a motion and a second.

All those in favor of Commissioner Guess being Vice Chairman say aye.

SANDY CHESNUT: That vote should have been for the closing of the nominations.
JOE SPRAGGINS: They did that.

SANDY CHESNUT: They didn't vote on it.

JOE SPRAGGINS: Okay.

Vote on closing the nominations, Mark.

COMMISSIONER HAVARD: I’ve got a motion and a second to close the nominations for Vice Chairman.

All those in favor say aye.

COMMISSIONER BOSARGE: Bosarge, aye.

COMMISSIONER GOLLOTT: Aye, Gollott.

COMMISSIONER GUESS: Aye, Guess.

COMMISSIONER DANIELS: Aye, Daniels.

COMMISSIONER HAVARD: Aye, Havard.

Motion moves.

Now we will go to the vote for the one nominee that we have for Vice Chairman, Commissioner Guess.

All those in favor say aye.

COMMISSIONER DANIELS: Aye, Daniels.

COMMISSIONER BOSARGE: Aye, Bosarge.

COMMISSIONER GOLLOTT: Aye, Gollott.

COMMISSIONER GUESS: Aye, Guess.

COMMISSIONER HAVARD: Aye, Havard.

At this time, we have a new Chairman and a new Vice Chairman.

JOE SPRAGGINS: These will take over next month.

Is that right, Sandy?
SANDY CHESNUT: That’s correct.

JOE SPRAGGINS: Congratulations to both.

COMMISSIONER HAVARD: That brings us on to the Commissioner’s Report.

Do any of the Commissioners have anything they would like to speak of?

(No response.)

COMMISSIONER HAVARD: One thing I would like to bring to enforcement’s eye, I have been fishing quite a bit, more than my fair share during this Red Snapper season, and I have seen over and over and over again the state charter for-hire folks in the south part of FH-13 and that is beyond the line that they are supposed to cross.

I would appreciate that being addressed. We have rules for a reason and let’s make them comply with those rules.

Other than that, that is all I have.

JOE SPRAGGINS: Commissioner Havard, I can promise you we addressed that here about two, or three, weeks ago. Before the season closed, we addressed that very hard.

COMMISSIONER BOSARGE: I agree with you on that, Mark, and I’ve got maybe some comments whenever Matt comes up about that.
I would like to talk just a little bit about something the President has done. He signed an executive order on promoting American seafood competitiveness and economic growth.

I don’t know how familiar you guys are on this, but I thought it was a good move in the right direction. At least, somebody is kind of paying attention.

I’ve got a little thing I would just like to read just to educate most of you folks on a little bit of what is going on and what I think are some of the initiatives that could be looked at.

The President issued an order to promote domestic seafood and, therefore, the commercial fishing industry and specifically listed the goals of strengthening the American economy, ensuring food security, providing environmentally safe and sustainable seafood and supporting American workers.

In order to develop programs and initiatives to further these goals, the President’s order called for the creation of a seafood trade task force. This task force was well thought out in its diversity. It will include members from various government agencies such as Secretary of Commerce, United States Trade Representative, Secretary of State, Secretary of Agriculture, Secretary of Homeland Security, Director of the Office of Management and Budget,
Assistant to the President for the Economic Policy,
Assistant to the President for Domestic Policy,
Under Secretary of Commerce for International Trade,
Commissioner of Food and Drugs, and the Administrator of
NOAA.

Membership from so many different government
agencies will allow this task force to address issues and
implement initiatives that cross multiple agencies within
our Federal Government.

The strength of our U. S. Fisheries lies in
management and harvests based on science. With that said,
many of our fisheries are currently harvesting the maximum
sustainable amount allowed by the science.

If we cannot provide more fish for commercial
fishermen to catch, the best course of action to promote
commercial fishing is to create greater demand for our
domestic product thereby increasing jobs both primary and
secondary jobs, strengthening the American economy via the
increased revenues and adding to our gross domestic
product.

Increased demand will create lasting gains for
commercial fishermen in this country and ensure our
national food security.

I have a few ideas for projects that would be
ideal for implementing this executive order that I would
like to share. These projects will strengthen our Mississippi commercial fishing industry, as well as our state's economy.

Number one would be increased testing of imported seafood to ensure these imports meet our FDA standards and do not contain banned chemical substances. This is prevalent in imported seafood, especially shrimp.

We need a fairer playing field for our domestic fishermen that have to compete with these cheap imports, many of them subsidized, or worse said to use slave labor.

Number two would be country of origin labeling on restaurant menus nationwide. This is required at seafood markets. The COVID-19 has shown us that the bulk of U.S. seafood consumers get their seafood from restaurants, not markets.

There has been enough marketing pumped into the domestic wild-caught seafood that consumers are educated enough to know domestic seafood is what they want.

Unfortunately, they have no way of knowing if domestic seafood is what they are ordering, when they eat at a restaurant, because we don’t have a nationwide mandate that requires restaurants to tell consumers what country their seafood is sourced from. It is time to change that.

Virtual farmers market for seafood. The task
force should design and develop a national direct-to-consumer platform that provides a nationwide virtual coop storefront for fishermen and fish houses to sell directly to the public. This will strengthen the domestic seafood supply chain, the fragility of which was brought to light during COVID-19.

Think of it as a virtual farmers market. The Chipotle Restaurant owner has started something like this for the small farmers he sources from in the wake of the COVID crisis. Maybe that platform could be used as a template for a virtual fishermen’s farmers market, with some modifications to make it fit our industry, of course.

Put domestic seafood on lunch menus in public schools. It is shameful that our children are not getting seafood in school. U.S. domestic seafood products are more inclined to have a lesser environmental footprint than land-based proteins. Add to this the fact that seafood is naturally fortified with vitamins and minerals that are essential for growth and development both physical and mental, and, yet, even the cheapest of seafood options cannot be found on the lunch menu in our public schools.

At this point, many types of seafood are cheaper than beef. In addition to making our children and grandchildren healthier, it will also create a significant
increase in demand for domestic seafood, ensuring our food security for the future.

Number five, development and support of young fishermen’s development programs around the country. Something that we really need.

We have been seeing degrading of the fleet in commercial fisheries for quite sometime now. The average age of participants in U.S. domestic fisheries is increasing, while the ability to supply domestic labor in domestic fisheries for the future is waning.

This is not only creating a loss of cultural identify for many coastal areas, but it also creates labor issues in supplying domestic seafood to the U.S. marketplace. It is time that our young people in junior high and high school know that fishing is a career path and an option for them.

Young fishermen’s development programs will ensure our industry is present at career fairs in our schools and communities.

We have trade and vocational programs for our young people in the U.S. which promote industrial skills and agriculture. These programs should be expanded to include fisheries as an encouraged career path.

Number six is one that I have had a lot of back-and-forth with, but do away with the U.S. Coast Guard
Alternative Safety Compliance Program for commercial fishing vessels. This program has unrealistic expectations that are impossible to implement.

In reality, what it is doing is trapping fishermen in older vessels. You can’t build new vessels to their specification. You can't afford to build new vessels to their specification.

In the Gulf, it is not vessels sinking that causes the bulk of our fatalities, nor it is the gear. If you really want to save the lives of fishermen in the Gulf, focus on emergency shutoffs on winches and swimming skills.

The Coast Guard should add a question to the postpartum investigation, “Did the man/woman know how to swim?”

The alternative safety compliance program focuses on the structural integrity of the vessel, instead of the actual drivers of fatalities in the Gulf and for this reason it should be scrapped completely.

Number seven, reduce and mitigate the hypoxia dead zone in the Gulf of Mexico.

The task force has the right government agencies as members to actually make some real progress on reducing the hypoxia zone in the Gulf of Mexico.

I don't want to create a greater strain on
small-scale farmers in this country, but maybe we could
start at the top with the industrial large scale
agriculture sector and see if there are some small gains,
or some progress that could be made to create more viable
and productive habitat for the farmers of the sea, our
commercial fishermen.

Number eight, do not close any more areas to
commercial fishing and consider reopening closed areas.
The U.S. has closed countless nautical miles of
fishing grounds to commercial fishing and many of these
closures require little to no scientific justification,
objectives, or evaluation. These closures create an undue
burden on domestic seafood production and need to be
reevaluated and new closures certainly should not be
pursued at this time.

The seafood task force created by the executive
order is the perfect group to address each of these
initiatives because it is populated with members from a
diverse set of governmental agencies. It is a group that
can finally work across agency lines.

Initiatives like this will make our country
stronger from both an economic and national security
standpoint.

Since commercial fishing is based all along the
Mississippi Gulf Coast, it will have an economic impact
for our state’s economy as well.

I just wanted to bring some of that to you guys’ attention, give you something to think about. I hope that we as a group and us as a nation can work towards some of these things. Thank you.

COMMISSIONER HAVARD: Commissioner Bosarge, what document is that that you are reading that from?

COMMISSIONER BOSARGE: These are just comments. It’s not a document. These are just things that, within my group, we came up with that would be great things, I feel like, to pursue.

COMMISSIONER HAVARD: Okay. Thank you for doing that.

At this time, I’ve got to step away for a few moments. I’m going to ask Commissioner Daniels to go ahead and assume his role and step in and conduct the rest of the meeting.

COMMISSIONER DANIELS: Thank you, Commissioner Havard. We appreciate you being in that Chairman role for the past year and we appreciate you coming back to play with us a little bit longer.

COMMISSIONER HAVARD: I appreciate being given the opportunity. It was a good fun time, and we’ve got a lot of challenges ahead of us guys and it is a lot of unforseen challenges and most of these challenges we
haven’t ever been faced with, and it is going to take some
time to get through them and to iron out all of the
details to make sure that we make good decisions based on
our handbook, bylaws and science.

We have just got to keep hashing through it and
we will get there. We will get there.

COMMISSIONER DANIELS: Thank you.

That concludes our Commissioner’s report, unless
any of the other Commissioners have anything to talk
about.

(No response.)

COMMISSIONER DANIELS: We will move on to Office
of Marine Patrol, Assistant Chief Kyle Wilkerson with a
report on citations.

KYLE WILKERSON: Good morning Commissioners,
counsel, director.

I would like to start out just to say thank you
for the kind words you said for Officer Andrews. He will
be missed. Outstanding reserve officer. It was a shock
to Marine Patrol as a whole. Thank you for all you do.

Hope everybody is well.

As you can see in the report itself, we have
been busy in June.

Several citations were written on oysters.

Three out of four were to one individual at one stop.
Several no seafood dealers license. I can see approximately nine.

I will say, though, if the dealer had a 2019 license purchased before June 30th, the citations were changed to a warning. We try to work with the individuals.

Red Snapper. We wrote fourteen Tails n' Scales violations and three over-the-limit of Red Snapper. Pretty busy this month.

Several other citations. A couple of drownings, seven boat accidents, one dive recovery of an individual out of an eighteen wheeler over at the twin spans in the Pascagoula River. We helped out with Pascagoula and also the HP.

If you have any questions, I will field any answers.

COMMISSIONER BOSARGE: I did have one question. I'm just curious.

On the fourteen no Tails n' Scales, what excuse did they give you?

KYLE WILKERSON: Well, I don't have those answers, Commissioner. I am sure there were several excuses there, but it was just, I would say, one big excuse is that they have no reception out there, but there are ways around that, also, of doing the Tails n' Scales,
taking a picture of it and the date, and showing it to the officers on scene, but evidently that was not done.

COMMISSIONER BOSARGE: I was just curious if any of them actually said they didn’t know about the program?

KYLE WILKERSON: No, sir. I can’t answer that.

COMMISSIONER BOSARGE: All right. That’s all I had.

JOE SPRAGGINS: Commissioner Bosarge, I think we have somewhere in the neighborhood of ninety-five, or ninety-seven, percent that reported.

Joe Jewell, you might be able to answer that.

Maybe Joe can’t answer.

COMMISSIONER BOSARGE: Are you on, Joe?

(No response.)

COMMISSIONER DANIELS: Joe Jewell.

JOE SPRAGGINS: Matt, are you on?

JOE JEWELL: Can y’all hear me?

COMMISSIONER BOSARGE: Yes, I can hear you.

KYLE WILKERSON: Guys, I will say that the compliance rate is very high still.

JOE SPRAGGINS: Joe, what we were asking is the compliance rate for Tails n’ Scales is still at ninety-five plus.

Right?

JOE JEWELL: It is. It is in the high nineties.
JOE SPRAGGINS: Okay.

COMMISSIONER BOSARGE: Good. All right. Thank you.

COMMISSIONER DANIELS: Some discussion on one of the things Commissioner Havard brought up. Have we been patrolling that line out there where the state waters end?

KYLE WILKERSON: Yes, indeed, sir. That is pretty much our perimeter line. We do check it every day.

COMMISSIONER DANIELS: If there was anything going on that y'all knew about, it would be showing up in this report.

Correct?

KYLE WILKERSON: That’s right.

The failure to register for Tails n’ Scales, like I said, is a bulk number. I don’t have all the details on it.

I will look through that and see if we have any issues with the state for-hire vessels, but that is going to take me a little time to have to look through that.

COMMISSIONER DANIELS: All right. Thank you so much, Kyle, and thank you for the good work that y’all do out there. We appreciate you.

KYLE WILKERSON: Thank you, sir.

COMMISSIONER DANIELS: If none of the
Commissioners have any more questions on citations, we will move on to Office of Coastal Restoration, Brock Peacock.

BROCK PEACOCK: Good morning.
Can everybody hear me?

COMMISSIONER DANIELS: Yes, sir.

BROCK PEACOCK: Thank you for letting me come before you today.

The Office of Coastal Resources Management has come with a project located at Greenwood Island. We have an application submitted by DMR. The project is located in Pascagoula in Jackson County. It lies within the Industrial Use District, and the agent for the project is Renee Robertson who represents Anchor QEA.

The project as proposed includes an expansion of an existing twenty acre beneficial use site, located at Greenwood Island, and the expansion includes approximately two-hundred-and-nineteen acres of capacity by the construction of an eleven-thousand-linear-foot rock containment dike with a maximum crest elevation of three feet mean lower low water. The entire site, including the containment dike, will be approximately two-hundred-and-thirty-nine acres.

This diagram here is a revised diagram. The red line is the current alignment of the proposed containment
dike. Within the red line, it shows the two-hundred-and-nineteen acres that is being proposed currently and it also shows the previous design which included the two-hundred-and-fifty acre area (indicating slide).

Here we have some pictures that were taken during a site visit conducted by DMR. This is showing the existing beneficial use site and the containment dike that is already there.

This is what is being proposed and the expansion. The proposed containment dike will also look similar to these structures that are already there (indicating photograph).

The application has included some requests for variances from the Mississippi Coastal Program. A variance has been requested for the permanent filling of coastal wetlands. It is discouraged.

The applicant has justified the variance request, stating that the impacts to coastal wetlands would be no worse than if the guidelines were followed.

The filling of these shallow water bottoms in the Mississippi Sound is being conducted to support ecological restoration, which will provide a net positive environmental impact by creating productive tidal marsh and the associated upland habitats.

This project was put on public notice. It
appeared in The Sun Herald and The Mississippi Press on September 20th, September 27th and October 4th of 2019.

A public hearing was held on October 29th, 2019, at the Pelican Landing Event and Conference Center in Moss Point.

Once the agency notifications were conducted, the comments were received as follows:

The Department of Environment Quality, we have received their 401 Water Quality Certification.

The Department of Archives and History requested that a Cultural Resources survey be performed. It was completed and it was submitted to the Department of Archives and History, and they stated that they have no objections to the proposed project.

The Secretary of State's office requires a Rent-Exempt Tidelands Lease.

The Department of Wildlife, Fisheries and Parks has submitted no comments at this time.

Several public comments were received, during the permitting process. We have listed a summary of their concerns.

They included an alternative analysis and consideration for other proposed site locations.

The concerns address any potential negative impacts to the aesthetic value and the reduced viewshed,
diminished property value as a result of the project, any
total potential effluent and sedimentation of existing channel
as a result of disposal of the dredged material in the
future, and there was a request for a guarantee in the
conditions of the permit that was issued that the dredged
material that will be placed in the future within the site
will be sourced exclusively from Jackson County.

Some additional comments here. There was a
request for a guarantee in the conditions of the permit to
provide maintenance dredging within the adjacent bayous
and canals in perpetuity, as well as the possibility of
the county dredging the existing canals to minus ten feet
in depth to reduce the frequency of future dredging
projects.

There were concerns that the future disposal
will include potentially contaminated material, as well as
negative impacts to an existing sailboat racecourse
located south of Greenwood Island.

The responses to these public concerns are
included in the writeup that was provided.

At this time, based upon the departmental review
and evaluation, it has been determined that the project
will have a significant public benefit. Therefore, DMR
staff recommends approval of the variance and issuance of
the permit.
I will open the floor to any questions that you may have, now.

COMMISSIONER BOSARGE: I have a few questions.
Who am I speaking to?
I didn't catch who was doing the thing, again.
BROCK PEACOCK: My name is Brock Peacock. I'm with the Office of Coastal Resources Management.

COMMISSIONER BOSARGE: Yes. I know who you are.
BROCK PEACOCK: I am the project manager for this project.

COMMISSIONER BOSARGE: I have been involved. Jan asked me for my advice on this several years ago when all of this started, and we looked around and tried to figure the best place we could put this. Anyhow, this was the project that I saw that checked all the boxes. It was BP funding and it gave a place close enough for dredged spoils. It created mash habitat. Anyhow, to me, it was a win-win.

I recall I was invited to a meeting in the supervisors' chambers over in Pascagoula sometime back with Executive Director Spraggins and Jan Boyd and a bunch of folks, Liz Ford, Jimmy Estabrook, just a whole bunch of folks, commodore of the yacht club.

I'm looking at this and I'm wondering because I remember out of that meeting was -- Director Spraggins,
you said you were going to move this to a different place. Everything looks the same here, except for this one line.

I guess so I can answer the people here in Jackson County, what did we do, Director Spraggins? Remember the meeting?

JOE SPRAGGINS: Yes, sir, I do remember the meeting, and you remember we sat down and we drew kind of a line almost identical to this and drew it on a little map there, and stood up in front of the group there -- the mayor at that time was not even the mayor. He was running for mayor for Pascagoula -- and they all looked at it and said, we think we can live with that.

We were looking at trying to move it and that is exactly what I told them. I told them that we would do everything in our ability to look at other sites to see what we could do.

We did look at other sites. There were really no sites comparable to that one that we could get done in the next few years.

We were looking at the area over around the NERR to see if we could use some of that area. There seems to be some issues there that we were looking at, as to whether or not we could, or could not, do it.

We went back and met with Senator Brice Wiggins.
Senator Wiggins is the one who set up the meeting originally, and we went back with him and said, look at this and look at these things and if there is a way that we can come to a happy medium here.

My understanding is that it went to the City Council. The City Council voted on it and all but one voted for it and one nay. That is my understanding.

Y'all might be able to help me in Coastal, whether that is correct, or not.

I think the Board of Supervisors, they voted on it, also, I believe, at the county.

It was a happy medium to come to something where we could move forward. We worked with DEQ. DEQ agreed to go ahead and allow us to cut that area off and be able to do another assessment on it to keep us from having to take an extremely long amount of time to get something to work out.

Does that answer your question, sir?

COMMISSIONER BOSARGE: Well, it does and it doesn't. I remember, in that meeting, we actually drew that line in a different spot because the original diagram, those rocks went more to the south and they are kind of southwest, but, anyhow, I just want to make sure that when these people come up to me, I can answer them correctly.
I'm for the project. I have been for it all along, but I share their concerns, and I just want to be sure that their concerns have been taken into account and that everybody is good with this.

JOE SPRAGGINS: Brock, please tell me.
I believe the yacht club and everything agrees with this.

Is that correct?

BROCK PEACOCK: The revised project, there were some public concerns. It has been presented to the City Council and it has been approved and, once it was approved, I received the design as it is currently, and that is the way that I am presenting it, now. That’s what I have moving forward.

JOE SPRAGGINS: All indications, Commissioner Bosarge, are that everybody on there has beat this up as much as they wanted to and they have come back and given us this answer as to what they would live with.

This only took out about thirty-one acres, something in that neighborhood of the planned two-hundred-and-fifty acres, and the question was, would DEQ still fund it, and they said yes.

As far as I know, I'm not missing anything, but, if I am, I will definitely be glad to address it.

COMMISSIONER BOSARGE: I just wanted to be sure
that their concerns were voiced.

JOE SPRAGGINS: Yes, sir.

COMMISSIONER BOSARGE: I like the project. I like the original project. I think it is a win-win.

JOE SPRAGGINS: We are still looking. We are looking at other areas, too. We are looking at expanding the Round Island and doing some more stuff there. We are looking at could we possibly move over to the east and some other areas there. We are looking at the railroad, that railroad site. So we are looking at other sites. We are definitely doing that.

One of the things that they asked us in this -- I think I'm correct. Tell me if I'm wrong, someone from Coastal -- they asked us to say that we would not expand this site any further in the future.

BROCK PEACOCK: That is correct.

JOE SPRAGGINS: Is that not correct?

BROCK PEACOCK: That is correct.

JOE SPRAGGINS: And that also we would put a height restriction on it.

BROCK PEACOCK: That is correct.

COMMISSIONER BOSARGE: That was on it to begin with, correct.

JOE SPRAGGINS: I mean, those were the two things they were really concerned about. They were
concerned with having that same thing happen to them that happened before where they built it and the trees and everything are growing up, and they were very concerned about that.

COMMISSIONER BOSARGE: Here we are again with kind of no set of rules.

So what are we supposed to do?
We can’t approve a permit.
What are your intentions here?

JOE SPRAGGINS: I would like for y’all to tell me your thoughts on this.

Sandy, help me here, but I would say that y’all could take a vote as the Commission and say that we would recommend moving this forward.

SANDY CHESNUT: That’s correct. There is just no reason to change the procedure. You can go ahead and take a vote. Your vote constitutes what the Commission advises the Director to do, and, then, the Director could make the decision based upon your advice.

COMMISSIONER BOSARGE: All right, Sandy. That is fine and I don’t have a problem with that.

Before we have another meeting, I would like to have a set of rules.

SANDY CHESNUT: Commissioner Bosarge, I have been working on the rules. As you know, we have only had
twenty days in-between the statute change, and a lot has
occurred during that twenty days. We just can’t do
something overnight, and those rules are going to have to
go out on public notice just like they did before. So you
are not going to have a set of rules by the time the next
meeting comes around.

We are going to have proposed rules, but, in the
meantime, we are going to have to function as the statute
intends.

COMMISSIONER DANIELS: Commissioner Bosarge,
this is in your neck of the woods. You seem very well
versed on it.

Do you have any more comments on this particular
project?

COMMISSIONER BOSARGE: No, sir.

COMMISSIONER DANIELS: Okay.

COMMISSIONER BOSARGE: I have already said that
I agree with it. I liked it when it was first put in
there. We did a lot of looking and this is the only place
we could find that it would work and, like I say, it
checked all the boxes.

COMMISSIONER DANIELS: It looks like a good
project to me. So, at this time, I think we move forward
with making a motion to recommend, I guess would be the
right word, this project.
Do we have a motion for that?

COMMISSIONER GUESS: This is Commissioner Guess.

I'll make a motion.

COMMISSIONER DANIELS: Do we have a second for the motion?

I'll second the motion.

We have a motion and a second to recommend this project.

All those in favor say aye.

Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Bosarge?

COMMISSIONER BOSARGE: Aye.

COMMISSIONER DANIELS: Commissioner Gollott?

COMMISSIONER GOLLOTT: Aye.

COMMISSIONER DANIELS: Aye.

Commissioner Havard is not present, now.

Motion passes.

Moving on along, next up will be Office of Finance and Administration, Ms. Leslie Brewer.

LESLIE BREWER: Good morning Director,

Commissioners, legal.

My name is Leslie Brewer, CFO. I will be presenting the Agency’s financials for the month ending June 30th, 2020.
At the end of June, our State Revenue was five point three million. Our Total Agency Revenue was a hundred and eight million.

Our State Net Income was a negative one point four million, and our Total Agency Net Income was thirty-three point six million.

Next slide, please.

After twelve months of fiscal year 2020, we have fifty-eight point six permit of the Operating Budget remaining, and we have thirty point nine percent of the Tidelands Budget remaining.

Do you have any questions?

COMMISSIONER BOSARGE: Yes. I'm just curious. You said after twelve months of operating, we had fifty-eight percent of the budget left?

LESLIE BREWER: Yes -- well, that is a little bit skewed because of the GOMESA money that we received. Forty-one million dollars of that came in. So it kind of distorts the percentages.

COMMISSIONER BOSARGE: So, basically, I guess, are you saying that what we have is fifty-eight percent of the money left over after twelve months?

LESLIE BREWER: Correct. Like I said, it is because of that GOMESA money sitting in there. We haven’t done anything with it yet.
COMMISSIONER BOSARGE: So we don't have money to
operate on, now?

I don't understand that.

LESLIE BREWER: Well, are you talking about
July, fiscal year 2021?

COMMISSIONER BOSARGE: We didn’t get a budget
approved, but we still have operating funds left over from
the previous calendar year.

LESLIE BREWER: Well, it starts over at July 1st.
All of that gets started all over again. So this wasn’t
affecting fiscal year 2021. Basically, we've got a clean
slate come July 1st.

COMMISSIONER BOSARGE: And you deal with that
fifty-eight point six percent, now, that is left over?

LESLIE BREWER: Correct. It doesn’t rollover so
to speak like a normal business.

JOE SPRAGGINS: Commissioner Bosarge, I think
what you are trying to look at, too, is obviously with the
fifty-eight percent, we got forty-one million dollars that
came to us in May. That was just added to the thing and
that is for the GOMESA FY2020 funds. No dime of that has
been spent. So that is the large majority of that fifty-
eight percent sitting there.

If you talk about funds for now, we are
operating off of what we had leftover from last year to a
COMMISSIONER BOSARGE: That's my question.

JOE SPRAGGINS: That's what my understanding is, that we are allowed because we had a certain amount of funds.

Now, we can only spend it in the way that it was authorized to be spent. So I can't go in and pay everybody's salary out of GOMESA, just because we've got that money. I can't do that.

COMMISSIONER BOSARGE: I understand that, but you could use that -- once you take that GOMESA out, that remaining money could still be used to pay salaries. Correct?

JOE SPRAGGINS: Yes, sir, and that is exactly what we are doing.

COMMISSIONER BOSARGE: All right.

JOE SPRAGGINS: It is called a Special Fund, anything under Special Funds.

Does that answer your question, sir?

COMMISSIONER BOSARGE: Yes, sir.

COMMISSIONER DANIELS: All right. Thank you, Leslie.

LESLIE BREWER: Thank you.

COMMISSIONER DANIELS: Do any of the other Commissioners have any questions about this?
(No response.)

COMMISSIONER DANIELS: Moving on, Ms. Charmaine with Public Affairs.

CHARMAINE SCHMERMUND: Good morning.

The Mississippi Department of Marine Resources was mentioned fifty times in local, state and national media since the June CMR meeting.

Popular news items included our agency shutdown, state fish records and the area of private oyster closure.

Marine Patrol assisted with Biloxi’s Blessing of the Fleet and gave a boat-and-water safety presentation at West Wortham Christian Academy.

Mississippi Gulf Coast National Heritage Area is working with the Jackson County Tourism Coordinator who is assisting our staff with planning and promoting outdoor recreation opportunities. She will also promote the Gulf Coast Outpost Program and work with business centers towards recognition.

That is all I've got.

COMMISSIONER DANIELS: Thank you, Charmaine.

Moving on to Office of Marine Fisheries, this is always a fun one. I love seeing these new state records come up and show up.

Matt, are you on here?

MATT HILL: Yes, I'm on.
COMMISSIONER DANIELS: All right. It is all yours.

MATT HILL: These are new State Saltwater Finfish Records.

The first is in the Youth Division. It is a Spotted Seatrout. We had an old record of five pounds five point six ounces. The new record is five pounds eleven point seven eight ounces. The angler is Mr. Samuel Grayson.

Here is a picture of the fish. Here is a picture of Samuel with the fish (indicating photographs). Very nice fish. Like I said, our staff always enjoys when the children come in

Next is also a Youth Division record. It is a Spot. We did not have a current record for this. The new record would be four point one six ounces. The angler is Mr. Rodie Armes.

Here is the Spot, and here is a picture of Rodie with the fish (indicating photographs).

The next is in the All Tackle Division Spear Records. The fish is a Permit. The old record was nine pounds fifteen point six two ounces. The new record would be eleven pounds point seven six ounces. The angler is Mr. Sean Cook.

Here is a picture of the Permit and a picture of
Mr. Cook holding the fish (indicating photographs).

Next is also in the All Tackle. Again, it is spear, Spanish Hogfish. The old record is one pound fourteen point zero eight ounces. The new record is two pounds ten point seven two ounces. Again, the angler is Mr. Sean Cook.

Here is a picture of the Hogfish and a picture of Mr. Cook holding the fish (indicating photographs).

Next, is also in the All Tackle, with spear being again the tackle used. It is a Red Grouper. The old record is twenty pounds one point two eight ounces. The new record is twenty-two pounds two point zero five ounces. The angler is Mr. Tim Shivers.

Here is a picture of the fish and Mr. Shivers holding the fish (indicating photographs).

Finally, we have in the Conventional Tackle record a Spot. We do not currently have a record. The new record is four point four two ounces. The angler is Mr. Donnie Armes.

Here is a picture of the Spot and Mr. Armes holding the fish (indicating photographs).

Those are all of the potential records.

COMMISSIONER DANIELS: That is great. There is nothing much better than seeing those kids holding those fish. It is a lot of fun watching them catch fish.
Can we get a motion to approve these state records?

COMMISSIONER GOLLOTT: Mr. Chairman, I will make the motion that we approve the state records, Commissioner Gollott.

COMMISSIONER DANIELS: Thank you, Commissioner Gollott.

Can we get a second for that motion?

COMMISSIONER GUESS: Commissioner Guess, second.

COMMISSIONER DANIELS: We have a motion and a second. We will take a vote on that.

Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Bosarge?

COMMISSIONER BOSARGE: Aye. I’m not sure we can do this, but go ahead.

COMMISSIONER DANIELS: Commissioner Gollott?

COMMISSIONER GOLLOTT: Aye.

COMMISSIONER DANIELS: Aye.

Commissioner Havard is not here.

The motion passes.

Matt, have you got an update on Red Snapper for us?

JOE SPRAGGINS: Real quick. Just for the record, I can tell you, as far as the Director, I concur
with y'all one hundred percent.

COMMISSIONER DANIELS: Thank you, Director.

Matt, have we got an update on Red Snapper?

MATT HILL: Yes, we've got a brief update. I am just going to run through it. I'm sure there will be a few questions.

For our assigned 2020 ACL, it was one hundred fifty-one thousand five hundred and eighty-four pounds. The season has currently been open for forty-five days. It is currently closed.

Our estimated harvest stands at one hundred and thirty-two thousand five hundred and fifty-one pounds. This represents eighty-seven point four percent of the assigned ACL.

COMMISSIONER DANIELS: Matt, you said an estimated harvest.

We have been shutdown for quite a time, now. Have y'all not got those numbers finalized?

MATT HILL: Yes. These are the final numbers. We were still working on getting some of the Marine Patrol data in.

Like I said, the compliance rate currently stands at ninety-six point one percent, which gives us an increase of three point nine six zero four percent on the one hundred and twenty-seven thousand eight ninety-six.
Yes, this is the final number within, I would say, five hundred pounds. We are just making sure that we have all the data needed. All the trips, expired trips have been closed. Yes, we are fairly firm on that number, right now.

COMMISSIONER DANIELS: All right.

Any Commissioners have any further questions on that?

COMMISSIONER BOSARGE: Yes. I want to ask Matt just a couple of questions.

Matt, Commissioner Havard talked about the state charter for-hire just a little bit and getting below the line. I didn’t see any citations, or anything, for that.

In an effort to keep everybody honest, if you look at the system and the system we have in place, I see a way to game the system, and I was wondering if you could maybe run that calculation and see if what I’m thinking is true.

In other words, I know if I was a state charter for-hire fisherman and I knew I couldn’t go south of the line, I probably wouldn’t sign up my trip as being a charter trip. I would probably sign it up as a personal trip, and that would allow me to go south of the line.

Is there any way you kind of run those names, personal names in the state charter for-hire and see if
this is something we need to address?

    MATT HILL: What has happened is when we look at it, when you go in and you set up your profile, we have the current state charter license list that we go by. So when we look at someone’s profile and they go in there and they set themselves up as a private recreational, or a charter for-hire, we have that information and we cross reference that currently to the license data base.

    The state for-hire are still currently allowed to take private recreational trips, but we have found some instances where some mistakes were made and we have contacted the captains and we feel like we have gotten those corrected, but that is the system we have in place, now, is to cross reference our current state license data base with the profile that was set up in Tails n’ Scales.

    COMMISSIONER BOSARGE: When you say you found some mistakes -- anyhow, in other words, I just want to make sure that we make sure and close all the loopholes. If we are going to do it, let's get it right.

    MATT HILL: Yes. We are fairly confident. I mean, like I said, there were some mistakes made, but we are fairly confident that we are closing those out and making sure that everyone knows what the importance of accurately reporting is.

    We did contact a handful of captains that we
felt that they were swapping back and forth and there may have been some mistakes make, and there were some mistakes, but the majority of them that we contacted, it turned out that they were reporting accurately how they should be.

COMMISSIONER BOSARGE: So you just did this internally.

You didn't involve enforcement in any of it?

MATT HILL: We had some brief talks with enforcement about it. They actually called one time on the weekend with a couple of issues with the state for-hire and we all worked through those. They had access to the system. I'm not going to speak for Kyle, but I feel like we worked through it and came up with some solutions and, like I said, I feel like the reporting this year in that component was fairly accurate.

COMMISSIONER BOSARGE: So you don't have any percentages of how many mistakes were made?

MATT HILL: It was less than five percent of the trips that we looked at. We actually flagged and followed up on those with some conversations.

COMMISSIONER BOSARGE: All right. Good deal. Thank you, Matt.

COMMISSIONER DANIELS: Anybody else have any questions about Snapper?
JOE SPRAGGINS: I can tell you, Ronnie, if I can, we are looking at it. We are going to try to look at the staff and decide what we are going to do if we do have, like, eighteen, or twenty, thousand pounds left, what do we want to do with that, how we are going to operate.

Do we want to have another one-day season, or two-day season, a weekend, Memorial Day?

What do we feel like confidencewise that we could open up and not exceed ACL. As soon as we get that information, we will let you know.

COMMISSIONER DANIELS: Okay. Thank you very much, Joe.

Any other business today?

Do any of our Commissioners have any other business to talk about?

(No response.)

COMMISSIONER DANIELS: Hearing none, Director, do we have any public comments today?

JOE SPRAGGINS: We do have. We have two of them.

The first one is Mr. Ashford Rosenberg.

Is he available?

BRADY SMITH: Mr. Ashford, your mike is live.
JOE SPRAGGINS: Is what?

BRADY SMITH: His mike is live.

You need to unmute to speak.

ASHFORD ROSENBERG: She is available.

JOE SPRAGGINS: Okay.

ASHFORD ROSENBERG: Good morning and thank you

for the opportunity to speak.

First of all, thank you, Mr. Spraggins for your
update on the CARES Act. My main comment today was
requesting an update from the department on the spend plan
for the CARES Act. So I do appreciate you updating the
Commission and the public on that.

However, I would respectfully request if you
could go into a little bit more detail, what the
application process is going to be for fishermen, what the
review process is going to be like.

I fully support Commissioner Bosarge’s request
for some kind of input, or review, of that spend plan.

As you know, COVID-19 has really thrown us for a
loop and fishing businesses are hurting. The more
information that can get out quickly the better.

We respectfully request some more information
from you, if you have it, about what you plan to put into
that spend plan.

JOE SPRAGGINS: I can tell you that we are,
obviously, looking at that, the spend plan itself, now.

I don’t think Traci is onboard.

Is Traci onboard with us today?
(No response.)

JOE SPRAGGINS: I don’t hear that. So she must not be.

I can tell you that we are looking at the spend plan itself.

As to what the numbers are, obviously, the thirty-five percent is the given. You had to have at least a thirty-five percent loss in the field that you are in. That is over a five-year period, and we are given a five-year period dating back from the FY2020 season which is obviously the season that is in effect and anything five years prior to that.

We will look at those five years prior and see what your numbers were.

At the point right now, we are looking at using a fiscal year being July 1st to June the 30th as our year that we are looking at.

We have had some talk about changing that and only maybe looking at January to June as a possibility of that.

We are looking at every way we can, trying to find out what would work to have any affect the best way
we can to help the industry itself. We are looking at that and we are trying to come up with an answer on it.

I don't know a hundred percent which way we are going to go with that, at this time.

Does that answer your question?

ASHFORD ROSENBERG: Yes, in part.

The second part of the question is, is there going to be an opportunity for industry to submit formal comments on the spend plan itself, once you have made your decision?

JOE SPRAGGINS: I will need to get with Traci on that. I don't want to answer a hundred percent, but I will get with her and see if there is a way that we can do something to do that, before we send it in, and I will definitely let you know.

As a matter of fact, I can email you back at this address, too, to let you know.

Is that correct?

ASHFORD ROSENBERG: That would be fantastic. Thank you, sir.

JOE SPRAGGINS: Any thing else?

ASHFORD ROSENBERG: No, sir.

JOE SPRAGGINS: Thank you.

The next public comment we have is Mr. Ryan Bradley.

Lucille Morgan, CSR 1251
COURT REPORTER
(228) 396-8788
BRADY SMITH: Mr. Bradley, your mike is live.

RYAN BRADLEY: Hello Commissioners, Mr. Spraggins and counselor Chesnut, Dr. Mickle. It is good to see y'all in the office there on the screen.

JOE SPRAGGINS: Ryan, we are having trouble.

COMMISSIONER DANIELS: Mr. Bradley, we are having trouble hearing you.

RYAN BRADLEY: I was very interested in a lot of different options that are on the table for oyster restoration, and the number of different funding sources that are out there for oyster restoration.

I really think that our state and our public could benefit from the development of such a plan, and this may be something that y'all are already working on.

I would just like to encourage myself -- can y'all hear me?

JOE SPRAGGINS: Ryan, we can barely hear you, but I think what you said was that you --

RYAN BRADLEY: (Interposing) Can I get a signal that I am being heard?

PAUL MICKLE: Intermittently, Ryan. We didn't catch the bulk of your testimony. I would recommend you start over and maybe switch to a non-speaker phone.

RYAN BRADLEY: How are about now?

Are y'all hearing me, now?
JOE SPRAGGINS: We can hear you, now, Ryan.
Would you mind repeating what you said because
we could barely hear you?

RYAN BRADLEY: Ryan Bradley, Mississippi
Commercial Fisheries United.
I would like to request that the agency develop
a strategic oyster recovery plan.
I recently attended the Louisiana Oyster Task
Force meeting virtually, and they had a great plan that
they have laid out that they called their Strategic Oyster
Recovery Plan. You might have seen that in the news
recently.
It really laid out all the different options
that they were considering, as well as the different
funding sources that were available to fund some of this
oyster restoration.
I would love to see the state develop a similar
plan. Maybe y'all could take a look at Louisiana's plan,
if you haven't already.
I think that we could certainly benefit from
some transparency in our oyster restoration and recovery.
We are at ground zero in our Western Sound and
our oysters are very important not only to commercial
fisheries, but to recreational fisheries and water quality
in general.
That is what I would recommend. I would love to see that plan developed and brought to our Oyster Task Force for their consideration and input and feedback.

JOE SPRAGGINS: I would like to take it one step further. I would like the Oyster Task Force to be involved in developing a plan.

If the Oyster Task Force was involved in developing the plan itself, it might be a little bit better than just bringing something to them.

I have asked the staff to look at this and I know they have a plan, but I’m not sure how formal it is.

I did see Louisiana’s plan and it is a great plan. I wish I had their hundred million dollars, but they do have a good plan to work on. I saw it. It is a good operation.

We are looking at it, but I would like to ask the Commission also if I could get their thoughts on that, that we bring the Oyster Task Force together and maybe have them work on a plan together with our staff.

Does that sound reasonable?

COMMISSIONER BOSARGE: Yes. I think that would be great. I would love to see the staff -- I think we already have a plan, but to get in there and look at that plan now that we don’t have any oysters anymore, anyhow, look at the plan, do some modifications, make some
suggestions and kind of draft it, and, then, bring it to
the task force and let’s see how we may can make it better
and, yes, I’m with you one hundred percent.

JOE SPRAGGINS: Now is a good time to do it,
too, especially with the money that we have for the Bonnet
Carre 2019. I think we need to look at how we utilize the
rebuild of the oysters.

COMMISSIONER BOSARGE: Yes. That would be a
great idea, Mr. Joe.

JOE SPRAGGINS: Does that answer your question,
Mr. Bradley?

RYAN BRADLEY: Yes, sir.

Can y’all hear me?

JOE SPRAGGINS: Yes, sir.

RYAN BRADLEY: Yes. That would be great and we
really appreciate that. That is very important to us.
Those oyster resources are very important to our coastal
communities.

One last question, General. I didn’t hear much
discussion today about those 2019 Bonnet Carre funds.

Can you give us an update on the status of where
we stand on that and, secondly, is there going to be any
public input opportunity on those CARES Act funds?

JOE SPRAGGINS: Ryan, what we did, we did talk a
little bit about that and because we had two Commissioners
that had brought that up, we are definitely going to get some public input put into this and as will do also with the CARES Act, and we will definitely get some groups looking at it and kind of get an idea of where we are and make sure we get input from them.

As far as where we are, as I spoke a few days ago, NOAA still has not received the funds from Commerce and, when they get the funds, then, they can start working it, but we are working.

We have a draft, a first draft on a plan and we will definitely start working it to try to find out what we want to do, as far as the spend plan for I guess it would be the 2019 Bonnet Carre funds, but we are working on a plan and I definitely want to bring in some outside thoughts on that.

I appreciate both of the Commissioners bringing that up, and we will definitely look at that very hard.

The other thing, just to give you a little bit of an idea for the oysters -- Joe, tell me if I’m wrong here -- I think this last year we bought about a million oysters that were market-size oysters and we have distributed them in different locations across the Gulf, and these are live oysters to help to be able to bring spat to rebuild, as far as larvae and spat, to be able to go out and have some type of reproduction of the oyster
beds themselves.

We have also gone out -- Joe, I don’t remember the number. It is half a million, or a million, dollars in that neighborhood to buy new cultch to put in.

It that correct, Joe?

(No response.)

JOE SPRAGGINS: He’s not on, but I am pretty sure that is close, and I think it is even going to a million and a half, and we are going to put new cultch in.

One of things that we have asked for in the GOMESA funds is about a million to two million a year every year to be able to use that for oyster cultch and to be able to replace it. That is part of a plan that is already working.

We did buy sixty million oysters that we bought through Spat-Tech that have not been delivered at this time because we were not able to get them in there before the summer. Now, they will come in sometime in the fall around October-November time frame, and these will be about I guess the size of a dime, or a little bit bigger. Probably a little bit bigger than that, now, because they had a little bit more time to grow.

These are live oysters that we are putting in and we are going to put them back into the system, also, and we are putting these in different areas, and we are
putting them in different areas so we don't put it all in one place and have a chance of losing everything under another Bonnet Carre.

This year the Bonnet Carre did not do a whole lot of damage that we could see to the oysters that we had put in, the live oysters. The mortality rates were pretty low for that. That is something that helped us a little bit.

We are working hard at it. We did get the additional land that we are going to be able to utilize for the off-bottom on the south side of Deer Island. We are in the process, right now, of getting a permit from the Corps for that.

Does that help any at all for what you are looking for, sir?

RYAN BRADLEY: Yes, sir, General. I do appreciate that. I think that is good information. I wasn't aware of that purchase through Spat-Tech. That sounds like a good deal. Those are things that we certainly would love to have the Oyster Task Force take a look at. The devil is in the details, when it comes to oyster restoration. You have got to be very specific in the details.

I think you, sir, for your leadership.

One other concern. I just wanted to express
some of the insight that I am getting from the legislature is that there is a pretty good consensus that they want to take our public oyster reefs and bring them into a private leasing model similar to Louisiana.

As some of you may know, that was brought up two years ago in the legislature and it failed to pass, but that is some chatter that I am hearing and I think that it will affect the state and our fisheries and fishermen in a number of different ways.

Those are some of the things that I just wanted y’all to be aware of and hopefully we can address.

We do appreciate y’all working on the strategic oyster recovery plan and I think that with a good plan the state is capable of continuing to manage our oysters as they have in the past.

Thank y’all very much for your response. Hope y’all have a great day and a great week.

JOE SPRAGGINS: Thank you.

Commissioner Daniels, that is the last of public comments. I don’t know of any additional comments.

COMMISSIONER DANIELS: Thank you, Director.

I have just got to bring up one point on that. I certainly want to see all of oysters replenished here, but I think it is really hard for us to talk about replenishing oysters without talking about the Bonnet
Carre.

Has anything changed?

Has our position as a state been bettered in any way on the operations of the Bonnet Carre?

Do you have any updates on where we are with the Bonnet Carre lawsuit, or we are just still at the mercy of the that thing flooding our oysters in the Western Sound?

JOE SPRAGGINS: Well, I know that the Corps has been given authority to do the lower river structure study and they are looking at that.

I am trying to get the Senate and the House members that we have to push with other ones from the Coast area to be able to see if we can't get a fast track put on it and see if we can put some type of a fast track to do the studies.

One of the things, the Corps did have a meeting the other day. It was a virtual meeting. They had three different days they met.

George was on there for our agency. Paul, I don't know if you were on it at all.

They were on the meeting and basically it was talking about the Mid-Breton Sound and some other diversions that were happening.

My understanding is that the Corps is now coming back and saying that they are going to do a study for that
and, in the study, they are going to look at three different models.

I think one of them was if they put a hundred and fifteen thousand cubic feet per second through that what the damage would be and another one was seventy-five thousand, or seventy thousand cubic feet per second, and the other one is thirty thousand cubic feet per second for how much time and what that would do if that happened over a certain amount of time.

Now, the hundred and fifteen is above the seventy thousand max that they have, and the Corps’ answer to that that I was given was that they wanted to show even extremes more in case of rapid floods, or anything else that happened.

They are looking at something to help us. We do have a study that we have put together, Dr. Mickle has put together that we are trying to do and get funding through GOMESA for 2020. If that happens whenever we get that straightened out, that would help us to do more studies of the Gulf Coast of the Sound, and it would basically be a study as to the amount of freshwater, what we need to be able to do certain things to be able to grow oysters and do that the way it ought to be done and to rebuild it.

What do we really need?

Is it something from the Pearl?
Is it something from what happened with the Bonnet Carre, or any of these things, that would cause that?

We are asking the Corps to look. I know they are changing command next month. They have already made the change of command. She has not moved over yet, but she will be there. The young lady is coming out of Atlanta. I cannot remember her name, but she has a phone call set up with me shortly, I think the first of next month, to sit down and for us to talk about what we are looking at and our issues.

She is being proactive. She is being very proactive to do that.

I think that where we stand now is waiting to see how fast the Corps can do this study on the lower river structures, and that is going to be the thing that really makes a big difference.

Does that answer your questions, Commissioner?

COMMISSIONER DANIELS: Yes. I am just happy to know that there is something being done. They are all pieces of a bigger puzzle and we have to get it together to fix this problem.

JOE SPRAGGINS: The two lawsuits, I understand, are still in effect, the one from the Gulf Coast Coalition, I think, group and the other one from the
Secretary of State.

COMMISSIONER DANIELS: Thank you very much, Director.

JOE SPRAGGINS: I need to make one quick comment. Timmy Ladner sent me a text. I think he is on here listening.

He did not tell me that there were only two allowed. He said that I had told him that and I said, okay, and I think he is right.

I was told that there were probably only going to be two that were going to make it because of the number of the bills and the way the Senate and the House were, and I probably did tell him that, that there were two and those were the two that I wanted, the one for the off-bottom at Deer Island changing the riparian rights and the other one was for the high water mark, and that was my understanding that there were only two, and Timmy did not make that statement. He texted me, and I wanted to make the record clear.

COMMISSIONER DANIELS: Thank you, sir.

If we don’t have any more public comments, can we get a motion to adjourn?

COMMISSIONER BOSARGE: So moved, Mr. Chairman.

COMMISSIONER GUESS: I’ll second.

COMMISSIONER DANIELS: All those in favor?
Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Bosarge?

COMMISSIONER BOSARGE: Aye.

COMMISSIONER DANIELS: Commissioner Gollott?

COMMISSIONER GOLLOTT: Aye.

COMMISSIONER DANIELS: Aye.

Havard is not present.

Thank you. Everybody have a good day.

JOE SPRAGGINS: Thank y’all.
CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above and foregoing 90 pages, including this page, is a true and correct transcription of the zoom webinar of the July 21, 2020, meeting of the Commission on Marine Resources, 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.

s/ LUCILLE MORGAN, CSR 1251
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