

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

1           COMMISSIONER HAVARD: We will go ahead and call  
2 the meeting to order of the Commission on Marine Resources  
3 for the meeting held on July the 21<sup>st</sup>, 2020.

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

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

10           (Pledge of Allegiance recited.)

11           COMMISSIONER HAVARD: Thank you, Commissioner  
12 Guess.

13           Next item is approval of the minutes.

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

16           We forgot to put it on the agenda.

17           COMMISSIONER HAVARD: Certainly.

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

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

1 through a very tough time.

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

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

11 At this time, let's observe a moment of silence,  
12 please.

13 (Moment of silence observed.)

14 COMMISSIONER HAVARD: Thank you guys for that.  
15 That brings us on to approval of the minutes.

16 Do we have approval for the minutes for the  
17 meeting of June 16, 2020?

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

20 COMMISSIONER DANIELS: I will make that motion.

21 COMMISSIONER HAVARD: I have a motion.

22 Do I have a second?

23 COMMISSIONER GUESS: I'll second, Commissioner  
24 Guess.

25 COMMISSIONER HAVARD: I have a motion and a

1 second.

2 All those in favor say aye.

3 COMMISSIONER DANIELS: Aye.

4 COMMISSIONER GUESS: Aye.

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

7 Commissioner Bosarge?

8 COMMISSIONER BOSARGE: Aye.

9 COMMISSIONER HAVARD: I've got an aye from  
10 Commissioner Bosarge and an aye from Commissioner Havard.  
11 Motion moves.

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

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

16 JOE SPRAGGINS: All right.

17 Commissioner Gollott is on, now.

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

21 COMMISSIONER GOLLOTT: Yes, and I voted aye.

22 COMMISSIONER HAVARD: Motion moves.

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

25 Can I get a motion to approve the agenda for

1 today?

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

4 COMMISSIONER DANIELS: I'll second it.

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

7 All those in favor say aye.

8 COMMISSIONER GOLLOTT: Aye.

9 COMMISSIONER GUESS: Aye.

10 COMMISSIONER DANIELS: Aye.

11 COMMISSIONER BOSARGE: Aye.

12 COMMISSIONER HAVARD: Aye from Commissioner  
13 Havard.

14 Motion moves.

15 That brings us to the Executive Director's  
16 Report.

17 Director, what have you got for us today?

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

21 Obviously, with COVID the way it is today, we  
22 are having more issues than we have had since it started.  
23 The first three months, or so, we were in the work-at-  
24 home, but came back the first of June, and, then, things  
25 are getting a little worse in July.

1 I think we have a total of fifty-five people  
2 right now that are either out of the office and working  
3 telework because of a COVID test and waiting on results,  
4 or either have COVID, or either have been exposed to it,  
5 or just because of other outlying circumstances.

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

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

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

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

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

23 They left on July the 1<sup>st</sup> and did not pass a  
24 budget for DMR. I think everybody understands that.  
25 Their total intention was to come back the next week and

1 do it.

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

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

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

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

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

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

1 a budget for 2021.

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

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

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

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

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

25 Do y'all have any questions on the operations,



1 as far as what we are doing there?

2 COMMISSIONER BOSARGE: Yes, Mr. Joe.

3 where is the funding coming from, right now, to  
4 operate the DMR?

5 JOE SPRAGGINS: It is coming out of special  
6 Funds.

7 COMMISSIONER BOSARGE: That being special funds,  
8 is that a certain account?

9 Has it got a title?

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

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

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

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

25 COMMISSIONER BOSARGE: I've got you.

1           So those people that were furloughed, I would  
2 just hope that you will do everything in your power to see  
3 that they get paid.

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

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

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

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

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

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

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

24           So we are fighting it very hard, sir. I promise  
25 you we are, and I promise you we are going to give it

1 every effort that can possibly happen.

2 COMMISSIONER BOSARGE: All right.

3 JOE SPRAGGINS: Anybody else on that part of it?  
4 (No response.)

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

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

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

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

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

1 that.

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

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

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

12 Any questions on the CARES Act?

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

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

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

22 COMMISSIONER BOSARGE: I was just wondering if  
23 you had run it past any of the commercial folks. I know I  
24 haven't had any input. I was just wondering if anybody  
25 had any input as to how the plan was...

1           JOE SPRAGGINS: I do not know if Traci and them  
2 have done that. I will ask the question and we will look  
3 at it.

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

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

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

15           I will check on that for you, Commissioner.

16           COMMISSIONER BOSARGE: All right. Thank you.

17           JOE SPRAGGINS: Any other questions?

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

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

22           I haven't seen anything about it either.

23           JOE SPRAGGINS: I will have to ask and get Traci  
24 to tell me who they have been talking with because  
25 basically they have been working it. Let me try and find

1 out, and it is not a done deal yet.

2 COMMISSIONER DANIELS: Thank you.

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

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

11 COMMISSIONER BOSARGE: All right.

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

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

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

24 JOE SPRAGGINS: That's right. We've got time to  
25 work on it.

1           We've got a year to pay this other, but I just  
2 want to get something to the people as soon as possible.  
3 They are hurting and we want to try to get something to  
4 them.

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

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

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

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

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

22           Anyway, that is where we are. There will  
23 probably be something that comes up in the meeting that I  
24 forgot, but if it does, I will definitely bring it back  
25 forth at the time.

1 Any other questions for me, as far as the  
2 Commission?

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

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

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

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

14 So where are we?

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

24 Everybody is still in the same position they  
25 were in, until the Governor makes any type -- somebody



1 asked him the other day, when is he going to do the  
2 appointments, and he said he is getting around to it.

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

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

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

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

21 The way I would like to see things run is that  
22 y'all continue to go in and y'all vote on things and tell  
23 them that this is what the Commission would like to see  
24 done, and I promise you I am going to look at that very  
25 hard.

1           COMMISSIONER BOSARGE: We can talk about that.  
2           Let's go back to that Executive Order just for a  
3 minute because that Executive Order, yes, did reinstate a  
4 bunch of commissions and boards, and I'm sure Sandy has  
5 read it and I would like to have a little discussion about  
6 it.

7           In there, on number two, it says:  
8           "Any statute, rule, or regulation" --  
9           this is in his Executive Order -- "that  
10          is inconsistent with this Executive  
11          Order, including one that would prevent  
12          any such interim, or holdover  
13          appointee, from continuing to serve as  
14          a director, commissioner, or member of  
15          such a state, or regulatory agency,  
16          board, or commission, is hereby  
17          suspended. Such interim, or holdover,  
18          appointee shall have all rights,  
19          authorities and duties conferred on a  
20          director, commissioner, or member of  
21          the state, or regulatory agency,  
22          board, or commission, on which they  
23          currently serve until earlier, or  
24          such time he, or she, is replaced by  
25          the Governor with advice and consent

1 of the Senate, or Sine Die of the 2021  
2 session of the Mississippi legislature.”

3 So what takes precedent here?

4 I mean, if I read the Executive Order, it says  
5 that he basically reinstated a bunch of boards and he  
6 names them and commissions, with their full power and  
7 authority that they had standing at that point in time,  
8 and this one was signed on the 26<sup>th</sup> of June, and, then, the  
9 legislature comes out with a law on the 30<sup>th</sup>, the House  
10 Bill 827 that takes away that authority.

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

13 Is it your opinion, or is it the Attorney  
14 General's opinion?

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

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

25 So what it is saying is even though we don't

1 have holdover provisions for the Commission, the Executive  
2 Order trumps that and says you guys can holdover.

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

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

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

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

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

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

24 SANDY CHESNUT: Well, we are going to be getting  
25 the Attorney General's opinion on a lot of issues on HB

1 827. So we will definitely include that one as well.

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

5 "Whereas, the Commission on Marine  
6 Resources is authorized in Mississippi  
7 Code 5715-6 as amended to implement a  
8 Mississippi Coastal Program in  
9 recognition of the Coastal Zone  
10 Management Act of 1972 as amended, and,  
11 whereas the Mississippi Commission on  
12 Marine Resources has the authority to  
13 amend the Mississippi Coastal Program  
14 in accordance with the provisions of  
15 chapter 8 Section 1"-- and it goes on.

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

20 Therefore, what set of rules are we going by?

21 SANDY CHESNUT: All of the regulations will have  
22 to be updated, based upon the changes that were made by  
23 the legislature and, like I said, I will be consulting  
24 with the AG's office on how those duties play out with the  
25 changes and specifically in reference to other statutes

1 that aren't referenced in House Bill 827, but I would  
2 imagine that most every one of our regulations will have  
3 to be updated, based on the changes.

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

6 Is that correct?

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

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

13 Are the oversight committees still in place?

14 Is that still something we can do?

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

19 COMMISSIONER BOSARGE: It was never added to the  
20 handbook?

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

23 You had requested some changes. I sent it out  
24 asking for the changes that you wanted and I never  
25 received it back. So it was never addressed again.

1           COMMISSIONER BOSARGE: So, now, that we are  
2 nothing but an advisory panel -- anyhow, this gets really  
3 confusing.

4           where is the oversight, or is there any  
5 oversight?

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

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

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

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

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

21          COMMISSIONER BOSARGE: So, Director Spraggins.

22          JOE SPRAGGINS: Yes, sir.

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

25          JOE SPRAGGINS: Yes, sir.

1           COMMISSIONER BOSARGE: I am sure you have had  
2 plenty of conversations, since then, about this with these  
3 legislatures?

4           JOE SPRAGGINS: Yes, sir.

5           COMMISSIONER BOSARGE: you know, I have been in  
6 business for a long time. Richard has been in business.  
7 Mark has been in business. Ronnie has been in business.

8           You don't make changes without a reason for  
9 making the change.

10          Can you tell us, what was the reason?

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

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

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

22          Just to give you a little bit of a background,  
23 on Wednesday -- I can't remember what day it was. It was  
24 in June, I think, the 11<sup>th</sup>, if I'm not wrong. Maybe  
25 Thursday was the 11<sup>th</sup>. I'm in the capitol and I'm sitting



1 there and I need to come back for another meeting, and I  
2 talked to the members of the Ports and Harbor Commission  
3 which is Senator Moran and I asked him, I said, "we've got  
4 two bills that we need to be through."

5 And he said, "Yes", and he said, "what are  
6 they?"

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

12 And he said, "Got them."

13 And I said, "Is there any issue?"

14 "Do you need me to come back for a meeting on  
15 the 11<sup>th</sup>?"

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

19 And I said, "Okay."

20 "Are you sure?"

21 He said, "Yes."

22 I said, "All right. Then, I won't turn around  
23 and back."

24 well, I get a call at about 12:30, or 1:00  
25 o'clock, from Timmy Ladner telling me. He said, "well,

1 I'm going to tell you what we just did."

2 I said, "what do you mean?"

3 "what did you just do?"

4 He said, "well, we passed your bill on the Deer  
5 Island, but we took the one out on the high water."

6 I said, "why?"

7 "why would you take that out?"

8 And he said, "well, because we were only allowed  
9 two bills that we could get through and so we took the  
10 827."

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

15 He said, "well, we had to make a change to it."

16 I said, "what change did you make??"

17 And he said, "we made the Commission advisory  
18 only."

19 And I said, "what in the hell -- where did this  
20 come from??"

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

23 And I said, "It has been building over time  
24 doing what?"

25 And it goes back that they got upset when the

1 letter was sent to them, the letter that the Commission  
2 sent to them stating that they didn't agree. I think it  
3 was on the Net Bill, something to do with the nets.

4 Is that right, Sandy?

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

8 What is his name, Mike?

9 SANDY CHESNUT: Thompson.

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

21 I said, "I don't know that."

22 Anyway, that was the straw that broke the  
23 camel's back. They said, when they got that letter, they  
24 had had enough and that was it and that they were going to  
25 do this.

1           Now, I don't know if that is the whole facts. I  
2 asked them and that is all they told me, and Timmy Ladner  
3 said hasn't a single person called him.

4           He said, "Please tell any one of them to call  
5 me, if they want to."

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

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

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

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

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

21           JOE SPRAGGINS: Well, sir, I can't say why they  
22 do what they do. I can tell you that I have seen a lot of  
23 things different in the world, just like you are talking  
24 about, but that is the best, when you asked me why they  
25 did it.

1           COMMISSIONER BOSARGE: I appreciate your  
2 honesty. I really can't believe that you said that  
3 because that just blows my mind. Anyhow, it is what it  
4 is.

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

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

13           COMMISSIONER BOSARGE: I just see the way this  
14 thing is going and it is scary. It is scary.

15           Do we have a Chief of Enforcement yet?

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

18           COMMISSIONER BOSARGE: I'm talking about Chief,  
19 somebody in charge.

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

22           COMMISSIONER BOSARGE: I'm sure he is and I am  
23 not taking anything away from anybody.

24           Because he is acting Chief, that makes you the  
25 actual Chief, then.

1 Correct?

2 JOE SPRAGGINS: I hope not.

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

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

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

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

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

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

23 JOE SPRAGGINS: Anything else?

24 COMMISSIONER BOSARGE: Well, I mean, are we  
25 going to continue to operate now with no handbook and no

1 set of rules?

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

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

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

16 Do you see what I'm saying?

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

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

21 JOE SPRAGGINS: Before it is published.

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

1 is what I decided?

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

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

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

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

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

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

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

23 COMMISSIONER BOSARGE: You probably don't.  
24 Maybe you can do it in a press release, then.

25 JOE SPRAGGINS: We can work on it. I mean, I am



1 not going to hide it. I promise you that.

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

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

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

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

12 COMMISSIONER HAVARD: All right. Let's start  
13 with that.

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

17 Are there any nominations for Chairman?

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

20 COMMISSIONER GUESS: I'll make a motion to  
21 nominate Ronnie Daniels as Chairman.

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

24 Do I have a second for that motion?

25 I'll second that motion.

1           We have a motion and a second to put  
2 Commissioner Daniels as Chairman of our Commission.

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

5           All those in favor say aye.

6           JOE SPRAGGINS: Hang on.

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

9           COMMISSIONER HAVARD: Okay.

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

12          (No response.)

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

15          SANDY CHESNUT: Make a motion to close the  
16 nominations.

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

19          I have a motion and a second.

20          COMMISSIONER HAVARD: All those in favor say  
21 aye.

22          JOE SPRAGGINS: who made the motion to close it?

23          SANDY CHESNUT: who made the motion?

24          COMMISSIONER GUESS: I'll make the motion to  
25 close the nominations.

1 SANDY CHESNUT: Okay. Thank you.

2 Commissioner Havard, are you seconding that?

3 COMMISSIONER HAVARD: I'll second the motion to  
4 close the nominations.

5 All those in favor say aye.

6 COMMISSIONER GOLLOTT: Aye, Gollott.

7 COMMISSIONER BOSARGE: Bosarge, aye.

8 COMMISSIONER GUESS: Guess, aye.

9 COMMISSIONER DANIELS: Daniels, aye.

10 COMMISSIONER HAVARD: Havard, aye.

11 The nominations are now closed.

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

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

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

19 COMMISSIONER GOLLOTT: Aye, Gollott.

20 COMMISSIONER BOSARGE: Aye, Bosarge.

21 COMMISSIONER GUESS: Aye, Guess.

22 COMMISSIONER HAVARD: Aye, Havard.

23 COMMISSIONER DANIELS: Aye, Daniels.

24 COMMISSIONER HAVARD: Motion moves. We have a  
25 new Chairman.

1           Second, we go to Vice Chairman.

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

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

6           COMMISSIONER GOLLOTT: Commissioner Gollott will  
7 second that.

8           COMMISSIONER HAVARD: I have a motion and a  
9 second.

10          Are there any other nominations for Vice  
11 Chairman?

12          (No response.)

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

15          COMMISSIONER DANIELS: I'll make that motion.

16          COMMISSIONER HAVARD: I have a motion.

17          Do I have a second to close the nominations?

18          COMMISSIONER BOSARGE: So seconded, Mr.  
19 Chairman.

20          COMMISSIONER HAVARD: I have a motion and a  
21 second.

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

24          SANDY CHESNUT: That vote should have been for  
25 the closing of the nominations.

1           JOE SPRAGGINS: They did that.  
2           SANDY CHESNUT: They didn't vote on it.  
3           JOE SPRAGGINS: Okay.  
4           Vote on closing the nominations, Mark.  
5           COMMISSIONER HAVARD: I've got a motion and a  
6 second to close the nominations for Vice Chairman.  
7           All those in favor say aye.  
8           COMMISSIONER BOSARGE: Bosarge, aye.  
9           COMMISSIONER GOLLOTT: Aye, Gollott.  
10          COMMISSIONER GUESS: Aye, Guess.  
11          COMMISSIONER DANIELS: Aye, Daniels.  
12          COMMISSIONER HAVARD: Aye, Havard.  
13          Motion moves.  
14          Now we will go to the vote for the one nominee  
15 that we have for Vice Chairman, Commissioner Guess.  
16          All those in favor say aye.  
17          COMMISSIONER DANIELS: Aye, Daniels.  
18          COMMISSIONER BOSARGE: Aye, Bosarge.  
19          COMMISSIONER GOLLOTT: Aye, Gollott.  
20          COMMISSIONER GUESS: Aye, Guess.  
21          COMMISSIONER HAVARD: Aye, Havard.  
22          At this time, we have a new Chairman and a new  
23 Vice Chairman.  
24          JOE SPRAGGINS: These will take over next month.  
25          Is that right, Sandy?

1 SANDY CHESNUT: That's correct.

2 JOE SPRAGGINS: Congratulations to both.

3 COMMISSIONER HAVARD: That brings us on to the  
4 Commissioner's Report.

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

7 (No response.)

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

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

18 Other than that, that is all I have.

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

23 COMMISSIONER BOSARGE: I agree with you on that,  
24 Mark, and I've got maybe some comments whenever Matt comes  
25 up about that.

1 I would like to talk just a little bit about  
2 something the President has done. He signed an executive  
3 order on promoting American seafood competitiveness and  
4 economic growth.

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

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

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

18 In order to develop programs and initiatives to  
19 further these goals, the President's order called for the  
20 creation of a seafood trade task force. This task force  
21 was well thought out in its diversity. It will include  
22 members from various government agencies such as Secretary  
23 of Commerce, United States Trade Representative, Secretary  
24 of State, Secretary of Agriculture, Secretary of Homeland  
25 Security, Director of the Office of Management and Budget,

1 Assistant to the President for the Economic Policy,  
2 Assistant to the President for Domestic Policy,  
3 Under Secretary of Commerce for International Trade,  
4 Commissioner of Food and Drugs, and the Administrator of  
5 NOAA.

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

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

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

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

24 I have a few ideas for projects that would be  
25 ideal for implementing this executive order that I would



1 like to share. These projects will strengthen our  
2 Mississippi commercial fishing industry, as well as our  
3 state's economy.

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

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

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

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

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

25 virtual farmers market for seafood. The task

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

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

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

23 At this point, many types of seafood are cheaper  
24 than beef. In addition to making our children and  
25 grandchildren healthier, it will also create a significant

1 increase in demand for domestic seafood, ensuring our food  
2 security for the future.

3 Number five, development and support of young  
4 fishermen's development programs around the country.  
5 something that we really need.

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

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

17 Young fishermen's development programs will  
18 ensure our industry is present at career fairs in our  
19 schools and communities.

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

24 Number six is one that I have had a lot of back-  
25 and-forth with, but do away with the U.S. Coast Guard

1 Alternative Safety Compliance Program for commercial  
2 fishing vessels. This program has unrealistic  
3 expectations that are impossible to implement.

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

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

13 The Coast Guard should add a question to the  
14 postpartum investigation, "Did the man/woman know how to  
15 swim?"

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

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

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

25 I don't want to create a greater strain on

1 small-scale farmers in this country, but maybe we could  
2 start at the top with the industrial large scale  
3 agriculture sector and see if there are some small gains,  
4 or some progress that could be made to create more viable  
5 and productive habitat for the farmers of the sea, our  
6 commercial fishermen.

7           Number eight, do not close any more areas to  
8 commercial fishing and consider reopening closed areas.

9           The U.S. has closed countless nautical miles of  
10 fishing grounds to commercial fishing and many of these  
11 closures require little to no scientific justification,  
12 objectives, or evaluation. These closures create an undue  
13 burden on domestic seafood production and need to be  
14 reevaluated and new closures certainly should not be  
15 pursued at this time.

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

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

24           Since commercial fishing is based all along the  
25 Mississippi Gulf Coast, it will have an economic impact

1 for our state's economy as well.

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

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

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

12 COMMISSIONER HAVARD: Okay. Thank you for doing  
13 that.

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

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

22 COMMISSIONER HAVARD: I appreciate being given  
23 the opportunity. It was a good fun time, and we've got a  
24 lot of challenges ahead of us guys and it is a lot of  
25 unforeseen challenges and most of these challenges we

1 haven't ever been faced with, and it is going to take some  
2 time to get through them and to iron out all of the  
3 details to make sure that we make good decisions based on  
4 our handbook, bylaws and science.

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

7 COMMISSIONER DANIELS: Thank you.

8 That concludes our Commissioner's report, unless  
9 any of the other Commissioners have anything to talk  
10 about.

11 (No response.)

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

15 KYLE WILKERSON: Good morning Commissioners,  
16 counsel, director.

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

21 Hope everybody is well.

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

24 Several citations were written on oysters.  
25 Three out of four were to one individual at one stop.

1           Several no seafood dealers license. I can see  
2 approximately nine.

3           I will say, though, if the dealer had a 2019  
4 license purchased before June 30<sup>th</sup>, the citations were  
5 changed to a warning. We try to work with the  
6 individuals.

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

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

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

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

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

21           KYLE WILKERSON: Well, I don't have those  
22 answers, Commissioner. I am sure there were several  
23 excuses there, but it was just, I would say, one big  
24 excuse is that they have no reception out there, but there  
25 are ways around that, also, of doing the Tails n' Scales,



1 taking a picture of it and the date, and showing it to the  
2 officers on scene, but evidently that was not done.

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

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

6 COMMISSIONER BOSARGE: All right. That's all I  
7 had.

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

11 Joe Jewell, you might be able to answer that.  
12 Maybe Joe can't answer.

13 COMMISSIONER BOSARGE: Are you on, Joe?

14 (No response.)

15 COMMISSIONER DANIELS: Joe Jewell.

16 JOE SPRAGGINS: Matt, are you on?

17 JOE JEWELL: Can y'all hear me?

18 COMMISSIONER BOSARGE: Yes, I can hear you.

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

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

24 Right?

25 JOE JEWELL: It is. It is in the high nineties.

1 JOE SPRAGGINS: Okay.

2 COMMISSIONER BOSARGE: Good. All right. Thank  
3 you.

4 COMMISSIONER DANIELS: Some discussion on one of  
5 the things Commissioner Havard brought up.

6 Have we been patrolling that line out there  
7 where the state waters end?

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

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

13 Correct?

14 KYLE WILKERSON: That's right.

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

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

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

24 KYLE WILKERSON: Thank you, sir.

25 COMMISSIONER DANIELS: If none of the

1 Commissioners have any more questions on citations, we  
2 will move on to Office of Coastal Restoration, Brock  
3 Peacock.

4 BROCK PEACOCK: Good morning.

5 Can everybody hear me?

6 COMMISSIONER DANIELS: Yes, sir.

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

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

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

24 This diagram here is a revised diagram. The red  
25 line is the current alignment of the proposed containment

1 dike. Within the red line, it shows the two-hundred-and-  
2 nineteen acres that is being proposed currently and it  
3 also shows the previous design which included the two-  
4 hundred-and-fifty acre area (indicating slide).

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

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

13 The application has included some requests for  
14 variances from the Mississippi Coastal Program.

15 A variance has been requested for the permanent  
16 filling of coastal wetlands. It is discouraged.

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

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

25 This project was put on public notice. It

1 appeared in The Sun Herald and The Mississippi Press on  
2 September 20<sup>th</sup>, September 27<sup>th</sup> and October 4<sup>th</sup> of 2019.

3 A public hearing was held on October 29<sup>th</sup>, 2019,  
4 at the Pelican Landing Event and Conference Center in Moss  
5 Point.

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

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

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

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

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

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

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

24 The concerns address any potential negative  
25 impacts to the aesthetic value and the reduced viewshed,

1 diminished property value as a result of the project, any  
2 potential effluent and sedimentation of existing channel  
3 as a result of disposal of the dredged material in the  
4 future, and there was a request for a guarantee in the  
5 conditions of the permit that was issued that the dredged  
6 material that will be placed in the future within the site  
7 will be sourced exclusively from Jackson County.

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

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

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

21 At this time, based upon the departmental review  
22 and evaluation, it has been determined that the project  
23 will have a significant public benefit. Therefore, DMR  
24 staff recommends approval of the variance and issuance of  
25 the permit.

1 I will open the floor to any questions that you  
2 may have, now.

3 COMMISSIONER BOSARGE: I have a few questions.  
4 Who am I speaking to?

5 I didn't catch who was doing the thing, again.

6 BROCK PEACOCK: My name is Brock Peacock. I'm  
7 with the Office of Coastal Resources Management.

8 COMMISSIONER BOSARGE: Yes. I know who you are.

9 BROCK PEACOCK: I am the project manager for  
10 this project.

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

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

24 I'm looking at this and I'm wondering because I  
25 remember out of that meeting was -- Director Spraggins,

1 you said you were going to move this to a different place.

2 Everything looks the same here, except for this  
3 one line.

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

6 Remember the meeting?

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

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

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

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

25 We went back and met with Senator Brice Wiggins.



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

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

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

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

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

18 Does that answer your question, sir?

19 COMMISSIONER BOSARGE: well, it does and it  
20 doesn't. I remember, in that meeting, we actually drew  
21 that line in a different spot because the original  
22 diagram, those rocks went more to the south and they are  
23 kind of southwest, but, anyhow, I just want to make sure  
24 that when these people come up to me, I can answer them  
25 correctly.

1 I'm for the project. I have been for it all  
2 along, but I share their concerns, and I just want to be  
3 sure that their concerns have been taken into account and  
4 that everybody is good with this.

5 JOE SPRAGGINS: Brock, please tell me.

6 I believe the yacht club and everything agrees  
7 with this.

8 Is that correct?

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

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

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

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

25 COMMISSIONER BOSARGE: I just wanted to be sure

1 that their concerns were voiced.

2 JOE SPRAGGINS: Yes, sir.

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

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

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

16 BROCK PEACOCK: That is correct.

17 JOE SPRAGGINS: Is that not correct?

18 BROCK PEACOCK: That is correct.

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

21 BROCK PEACOCK: That is correct.

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

24 JOE SPRAGGINS: I mean, those were the two  
25 things they were really concerned about. They were

1 concerned with having that same thing happen to them that  
2 happened before where they built it and the trees and  
3 everything are growing up, and they were very concerned  
4 about that.

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

7 So what are we supposed to do?

8 We can't approve a permit.

9 What are your intentions here?

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

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

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

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

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

24 SANDY CHESNUT: Commissioner Bosarge, I have  
25 been working on the rules. As you know, we have only had

1 twenty days in-between the statute change, and a lot has  
2 occurred during that twenty days. We just can't do  
3 something overnight, and those rules are going to have to  
4 go out on public notice just like they did before. So you  
5 are not going to have a set of rules by the time the next  
6 meeting comes around.

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

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

13 Do you have any more comments on this particular  
14 project?

15 COMMISSIONER BOSARGE: No, sir.

16 COMMISSIONER DANIELS: Okay.

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

22 COMMISSIONER DANIELS: It looks like a good  
23 project to me. So, at this time, I think we move forward  
24 with making a motion to recommend, I guess would be the  
25 right word, this project.

1 Do we have a motion for that?

2 COMMISSIONER GUESS: This is Commissioner Guess.  
3 I'll make a motion.

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

6 I'll second the motion.

7 we have a motion and a second to recommend this  
8 project.

9 All those in favor say aye.

10 Commissioner Guess?

11 COMMISSIONER GUESS: Aye.

12 COMMISSIONER DANIELS: Commissioner Bosarge?

13 COMMISSIONER BOSARGE: Aye.

14 COMMISSIONER DANIELS: Commissioner Gollott?

15 COMMISSIONER GOLLOTT: Aye.

16 COMMISSIONER DANIELS: Aye.

17 Commissioner Havard is not present, now.

18 Motion passes.

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

21 LESLIE BREWER: Good morning Director,  
22 Commissioners, legal.

23 My name is Leslie Brewer, CFO. I will be  
24 presenting the Agency's financials for the month ending  
25 June 30<sup>th</sup>, 2020.

1           At the end of June, our State Revenue was five  
2 point three million. Our Total Agency Revenue was a  
3 hundred and eight million.

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

7           Next slide, please.

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

12           Do you have any questions?

13           COMMISSIONER BOSARGE: Yes. I'm just curious.

14           You said after twelve months of operating, we  
15 had fifty-eight percent of the budget left?

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

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

23           LESLIE BREWER: Correct. Like I said, it is  
24 because of that GOMESA money sitting in there. We haven't  
25 done anything with it yet.

1           COMMISSIONER BOSARGE: So we don't have money to  
2 operate on, now?

3           I don't understand that.

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

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

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

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

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

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

24           If you talk about funds for now, we are  
25 operating off of what we had leftover from last year to a



1 point.

2 COMMISSIONER BOSARGE: That's my question.

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

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

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

13 Correct?

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

16 COMMISSIONER BOSARGE: All right.

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

19 Does that answer your question, sir?

20 COMMISSIONER BOSARGE: Yes, sir.

21 COMMISSIONER DANIELS: All right. Thank you,  
22 Leslie.

23 LESLIE BREWER: Thank you.

24 COMMISSIONER DANIELS: Do any of the other  
25 Commissioners have any questions about this?

1 (No response.)

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

4 CHARMAINE SCHMERMUND: Good morning.

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

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

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

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

19 That is all I've got.

20 COMMISSIONER DANIELS: Thank you, Charmaine.

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

24 Matt, are you on here?

25 MATT HILL: Yes, I'm on.

1           COMMISSIONER DANIELS: All right. It is all  
2 yours.

3           MATT HILL: These are new State Saltwater  
4 Finfish Records.

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

10           Here is a picture of the fish. Here is a  
11 picture of Samuel with the fish (indicating photographs).

12           Very nice fish. Like I said, our staff always  
13 enjoys when the children come in

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

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

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

25           Here is a picture of the Permit and a picture of

1 Mr. Cook holding the fish (indicating photographs).

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

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

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

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

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

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

22 Those are all of the potential records.

23 COMMISSIONER DANIELS: That is great. There is  
24 nothing much better than seeing those kids holding those  
25 fish. It is a lot of fun watching them catch fish.

1                   Can we get a motion to approve these state  
2 records?

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

6                   COMMISSIONER DANIELS: Thank you, Commissioner  
7 Gollott.

8                   Can we get a second for that motion?

9                   COMMISSIONER GUESS: Commissioner Guess, second.

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

12                  Commissioner Guess?

13                  COMMISSIONER GUESS: Aye.

14                  COMMISSIONER DANIELS: Commissioner Bosarge?

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

17                  COMMISSIONER DANIELS: Commissioner Gollott?

18                  COMMISSIONER GOLLOTT: Aye.

19                  COMMISSIONER DANIELS: Aye.

20                  Commissioner Havard is not here.

21                  The motion passes.

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

24                  JOE SPRAGGINS: Real quick. Just for the  
25 record, I can tell you, as far as the Director, I concur

1 with y'all one hundred percent.

2 COMMISSIONER DANIELS: Thank you, Director.

3 Matt, have we got an update on Red Snapper?

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

7 For our assigned 2020 ACL, it was one hundred  
8 fifty-one thousand five hundred and eighty-four pounds.

9 The season has currently been open for forty-  
10 five days. It is currently closed.

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

15 COMMISSIONER DANIELS: Matt, you said an  
16 estimated harvest.

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

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

22 Like I said, the compliance rate currently  
23 stands at ninety-six point one percent, which gives us an  
24 increase of three point nine six zero four percent on the  
25 one hundred and twenty-seven thousand eight ninety-six.

1           Yes, this is the final number within, I would  
2 say, five hundred pounds. We are just making sure that we  
3 have all the data needed. All the trips, expired trips  
4 have been closed. Yes, we are fairly firm on that number,  
5 right now.

6           COMMISSIONER DANIELS: All right.

7           Any Commissioners have any further questions on  
8 that?

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

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

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

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

24           Is there any way you kind of run those names,  
25 personal names in the state charter for-hire and see if

1 this is something we need to address?

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

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

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

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

25 we did contact a handful of captains that we



1 felt that they were swapping back and forth and there may  
2 have been some mistakes make, and there were some  
3 mistakes, but the majority of them that we contacted, it  
4 turned out that they were reporting accurately how they  
5 should be.

6 COMMISSIONER BOSARGE: So you just did this  
7 internally.

8 You didn't involve enforcement in any of it?

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

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

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

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

24 COMMISSIONER DANIELS: Anybody else have any  
25 questions about Snapper?

1 (No response.)

2 JOE SPRAGGINS: I can tell you, Ronnie, if I  
3 can, we are looking at it. We are going to try to look at  
4 the staff and decide what we are going to do if we do  
5 have, like, eighteen, or twenty, thousand pounds left,  
6 what do we want to do with that, how we are going to  
7 operate.

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

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

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

15 Any other business today?

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

18 (No response.)

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

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

23 The first one is Mr. Ashford Rosenberg.

24 Is he available?

25 BRADY SMITH: Mr. Ashford, your mike is live.

1 JOE SPRAGGINS: Is what?

2 BRADY SMITH: His mike is live.

3 You need to unmute to speak.

4 ASHFORD ROSENBERG: She is available.

5 JOE SPRAGGINS: Okay.

6 ASHFORD ROSENBERG: Good morning and thank you  
7 for the opportunity to speak.

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

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

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

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

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

25 JOE SPRAGGINS: I can tell you that we are,

1 obviously, looking at that, the spend plan itself, now.

2 I don't think Traci is onboard.

3 Is Traci onboard with us today?

4 (No response.)

5 JOE SPRAGGINS: I don't hear that. So she must  
6 not be.

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

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

16 we will look at those five years prior and see  
17 what your numbers were.

18 At the point right now, we are looking at using  
19 a fiscal year being July 1<sup>st</sup> to June the 30<sup>th</sup> as our year  
20 that we are looking at.

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

24 we are looking at every way we can, trying to  
25 find out what would work to have any affect the best way

1 we can to help the industry itself. We are looking at  
2 that and we are trying to come up with an answer on it.

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

5 Does that answer your question?

6 ASHFORD ROSENBERG: Yes, in part.

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

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

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

18 Is that correct?

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

21 JOE SPRAGGINS: Any thing else?

22 ASHFORD ROSENBERG: No, sir.

23 JOE SPRAGGINS: Thank you.

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

1 BRADY SMITH: Mr. Bradley, your mike is live.

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

5 JOE SPRAGGINS: Ryan, we are having trouble.

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

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

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

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

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

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

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

24 RYAN BRADLEY: How are about now?  
25 Are y'all hearing me, now?

1           JOE SPRAGGINS: We can hear you, now, Ryan.  
2            Would you mind repeating what you said because  
3 we could barely hear you?

4           RYAN BRADLEY: Ryan Bradley, Mississippi  
5 Commercial Fisheries United.

6            I would like to request that the agency develop  
7 a strategic oyster recovery plan.

8            I recently attended that Louisiana Oyster Task  
9 Force meeting virtually, and they had a great plan that  
10 they have laid out that they called their Strategic Oyster  
11 Recovery Plan. You might have seen that in the news  
12 recently.

13           It really laid out all the different options  
14 that they were considering, as well as the different  
15 funding sources that were available to fund some of this  
16 oyster restoration.

17            I would love to see the state develop a similar  
18 plan. Maybe y'all could take a look at Louisiana's plan,  
19 if you haven't already.

20            I think that we could certainly benefit from  
21 some transparency in our oyster restoration and recovery.

22            We are at ground zero in our Western Sound and  
23 our oysters are very important not only to commercial  
24 fisheries, but to recreational fisheries and water quality  
25 in general.

1           That is what I would recommend. I would love to  
2 see that plan developed and brought to our Oyster Task  
3 Force for their consideration and input and feedback.

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

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

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

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

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

20           Does that sound reasonable?

21           COMMISSIONER BOSARGE: Yes. I think that would  
22 be great. I would love to see the staff -- I think we  
23 already have a plan, but to get in there and look at that  
24 plan now that we don't have any oysters anymore, anyhow,  
25 look at the plan, do some modifications, make some



1 suggestions and kind of draft it, and, then, bring it to  
2 the task force and let's see how we may can make it better  
3 and, yes, I'm with you one hundred percent.

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

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

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

12 RYAN BRADLEY: Yes, sir.

13 Can y'all hear me?

14 JOE SPRAGGINS: Yes, sir.

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

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

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

24 JOE SPRAGGINS: Ryan, what we did, we did talk a  
25 little bit about that and because we had two Commissioners

1 that had brought that up, we are definitely going to get  
2 some public input put into this and as will do also with  
3 the CARES Act, and we will definitely get some groups  
4 looking at it and kind of get an idea of where we are and  
5 make sure we get input from them.

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

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

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

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

1 beds themselves.

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

5 It that correct, Joe?

6 (No response.)

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

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

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

23 These are live oysters that we are putting in  
24 and we are going to put them back into the system, also,  
25 and we are putting these in different areas, and we are

1 putting them in different areas so we don't put it all in  
2 one place and have a chance of losing everything under  
3 another Bonnet Carre.

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

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

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

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

24 I think you, sir, for your leadership.

25 One other concern. I just wanted to express

1 some of the insight that I am getting from the legislature  
2 is that there is a pretty good consensus that they want to  
3 take our public oyster reefs and bring them into a private  
4 leasing model similar to Louisiana.

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

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

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

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

18 JOE SPRAGGINS: Thank you.

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

21 COMMISSIONER DANIELS: Thank you, Director.

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

1 Carre.

2 Has anything changed?

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

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

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

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

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

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

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

24 My understanding is that the Corps is now coming  
25 back and saying that they are going to do a study for that

1 and, in the study, they are going to look at three  
2 different models.

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

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

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

24 what do we really need?

25 Is it something from the Pearl?

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

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

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

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

18           Does that answer your questions, Commissioner?

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

23           JOE SPRAGGINS: The two lawsuits, I understand,  
24 are still in effect, the one from the Gulf Coast  
25 Coalition, I think, group and the other one from the



1 Secretary of State.

2 COMMISSIONER DANIELS: Thank you very much,  
3 Director.

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

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

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

20 COMMISSIONER DANIELS: Thank you, sir.

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

23 COMMISSIONER BOSARGE: So moved, Mr. Chairman.

24 COMMISSIONER GUESS: I'll second.

25 COMMISSIONER DANIELS: All those in favor?

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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.

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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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