COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, August 18, 2020
9:00 a.m.
Zoom Webinar

Commission Members:
Ronnie Daniels, Chairman
Natalie Guess, Vice Chairman
Mark Havard

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

Lucille Morgan, CSR 1251
COURT REPORTER
(228) 396-8788
COMMISSIONER DANIELS: We will get our August 18th, 2020, CMR meeting underway. To start today’s meeting off, I would like to ask our Executive Director, Joe Spraggins, to lead us in the Pledge of Allegiance. (Pledge of Allegiance was recited.)

COMMISSIONER DANIELS: Thank you for that, Joe. As we do each month, we will have a moment of silence and I would like to ask that we keep Commissioner Bosarge in our thoughts and prayers today. (Moment of silence observed.)

COMMISSIONER DANIELS: First, we have the approval of minutes from July 21st, 2020. Do we have a motion to approve the minutes?

COMMISSIONER HAVARD: I’ll make a motion to approve the minutes from July.

COMMISSIONER GUESS: I’ll second the motion.

COMMISSIONER DANIELS: I have a motion by Commissioner Havard and a second by Commissioner Guess. All those in favor; Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Havard?

COMMISSIONER HAVARD: Aye.

COMMISSIONER DANIELS: Commissioner Daniels, aye.

Lucille Morgan, CSR 1251
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Motion passes.

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

COMMISSIONER GUESS: I make the motion.

COMMISSIONER HAVARD: I’ll second the motion.

COMMISSIONER DANIELS: Commissioner Guess makes the motion. Commissioner Havard seconds the motion.

All those in favor; Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Havard?

COMMISSIONER HAVARD: Aye.

COMMISSIONER DANIELS: Commissioner Daniels, aye.

All right, Mr. Joe.

JOE SPRAGGINS: If we can, do we have anything on procurement?

I don't think we have any new procurement. We have, obviously, not been spending any money. No new procurement. No new employment. We will just skip by that, at this point.

The CARES Act update. Just to give you an idea, we did our spend plan and our spend plan has been sent to NOAA. NOAA has sent it back to us through the Gulf States and asked for some information. Traci and them have sent that back and, now, we are waiting on them to give us some
more information on the CARES Act, whenever we can move forward with it.

Hopefully, it will happen in the next few weeks. We are trying to get something working to where we can get the funds distributed before the end of the year. I am hoping that will happen shortly.

Basically, about fifty percent is going to the commercial fishermen. I think it is somewhere around thirty-two percent, or something like that, to the people that are basically processors and that type, and, then, about eighteen percent is going toward charter boat.

That is the way it is set up, as we talk. That is what NOAA suggested that we use and that is what we turned in and the governor and them approved, but any of this can be adjusted according to what we need, once we get started getting the information.

One thing that I want everyone to understand is that you had to have a loss of thirty-five percent, or greater, in whatever part of the fisheries you were in, and this is going to be measured from five years back.

Our fiscal year which is July 1st to June 30th is what we are using as the year of 2020. We will look at that, and you will need to have at least a thirty-five percent loss in your fisheries. Some of those definitely won't be hard at all to come up with that.
Now, understanding that if you did have any other CARES Act Funds, if you had a small business loan, or you had other things that you were given because of that, then, it does come off of that thirty-five percent, but, if your loss is still greater than thirty-five percent, after you received that, say, if you had a sixty percent loss of business and you only got twenty percent from the other parts of the CARES Act, then, you still qualify.

Anybody that has any questions on that, please feel free to call me and also Traci. She is handling it for us by the Fisheries, and we will be glad to help you with anything.

Does anybody have any questions on that, any of the Commissioners?

COMMISSIONER DANIELS: No, sir. I’m just anxious to see how it turns out.

JOE SPRAGGINS: The 2019 Bonnet Carre Funds update. We are in the process, now, of updating some information on it. We are working to get the data together.

We are waiting on NOAA. I asked Chris Oliver from NOAA last week if he is trying to find out the answer for me, as to where we are with the funds on the 2019 Bonnet Carre.
As you know, we received twenty-one million dollars, a little over that, to be allocated. We are asking for NOAA to give us the information so we can go forward.

We have a spend plan Rick Burris is working very hard on and we have a spend plan that we are moving forward with, as soon as we get some information from NOAA.

What we are looking for is to say that the Commerce Committee has given NOAA the money because, when they give them the money, then, we can move forward. Until that point, that is where we are.

Obviously, we will be going out and asking each and every one of you that has anything to do with Fisheries about your loss and try to help you and we are going to try to move that money pretty quick, too. So there are other parts we are doing.

I apologize to the fishing world that we haven’t gotten you the money from either one of them, but as soon as we hear back from NOAA. We are waiting on NOAA to give us information so we can move forward with it.

We have our plans ready to go. We are just waiting on them.

Any questions on it?

(No response.)
JOE SPRAGGINS: Update on our agency. As you know, we still do not have a budget. We are still working off of, I call it a continuing resolution. Probably not the right words for it, but we are still working. The Governor found us a way to be able to be funded to the end of August. So we are still working through that. Everyone is working a hundred percent, as we know.

When I say “working a hundred percent”, we are a hundred percent employed. We are not able to do a hundred percent of our jobs and the reason for that is because we don't have the funding to do it with.

There is a lot of testing, a lot of things that we need to do that we cannot do at this point and if you have any contracts, any contracts that we had with other state agencies, and I’m talking USM, Mississippi State and other places, have been put on hold and that means that we can't do certain water quality tests and some other things that we need to do.

We are doing safety tests, at this point. USM is really doing it for us to a point and helping us. They are taking it and hoping that they will get repaid so we can continue to be able to harvest oysters and other seafood. They are still doing that for us just to help us, at this point.

They can't do it very much longer because it is
getting to the point that it is almost to where they are out of funds to be able to help us.

   If they don't get repaid, I'm sure it is going to hurt them very bad about their future in that field. They have people that are being laid off and USM, right now, is trying to fight hard to keep their people employed and they are trying to move them to different grants to keep them there hoping that we will get funded. That is a large thing that is happening, also.

   We have a lot of the contracts, all of your GOMESA Funds, all your Tidelands Funds, anything that had anything to do with it, as far as outside contracts, is not being funded.

   When I say it is not being funded at this time, we have put stop work orders on all of it because of the situation that we do not have authority, through the State of Mississippi, to go forward and spend that money.

   I realize that it was appropriated and passed several years back, but the appropriation each year needs to come to us.

   The way we understand it and the way I have been told is that each year the legislature has to appropriate the funds that we can spend the next year that we did not spend the year before.

   In situations like Tidelands and GOMESA, we are
looking at about fifty-three million dollars right now and that is not including the forty-one million that we have that has not been appropriated, or been allocated to anything.

There is forty-one million in the FY20 funds that we are working on as we speak and what we are doing, we have run it through the Attorney General’s office and asked their opinion. We had eighty-nine applicants. We ran it through the Attorney General's office to ask for their opinion to say that it did meet one of the criteria of GOMESA, and, then, once we got that, we have also had Paul Mickle to help us with a scientific review and they have reviewed it and they said that it does meet and they think that it would be something that would work into the plan of what we are looking for on the Coast, as far as restoration, or any type of ecological, that will help with our estuary in the Gulf.

The other thing that we are looking at, once that has happened, we narrowed it down and I think it is down to, like, forty-nine projects and those forty-nine projects, we have sent to DEQ and MDA to help with me to review, and we are in the process of reviewing them as we speak.

We are looking at MDA to say that it is something that it would do that could maybe help the State
of Mississippi in a way that it would help also the
estuary of the Gulf, and, then, help that.

As far as the MDEQ, they are looking at it with
RESTORE and other different funds that they are doing and
making sure that we are not -- I know a lot of people put
in for each one of them. They will put in for RESTORE and
they will put in for GOMESA, or Tidelands, or any of them,
and we are just making sure that we are using the money
wisely in the best place.

When I say that, I mean we are making sure that
the money being utilized that we are looking at in the
forty-nine projects that we are looking at this point and
a lot of them have been vetted to the point that they did
not seem to meet the criteria a hundred percent, and some
of them only met just part of the criteria, and we still
kept those and looking at it.

We are looking at this very hard, and I want
everybody to understand that once this is happening, we
will look at it every way we can and we will come back and
we will try to pick the projects that meet the best
criteria.

A lot of the things, I can tell you, are dealing
with oysters that we are working on. There are some other
things that we are working on, as far as the water
quality.

Lucille Morgan, CSR 1251
COURT REPORTER
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Most of the projects that will be turned into the Governor this year to ask for his funding approval to fund are going to be dealing with either oysters, or some type of restoration to the Gulf, or either something to do with studying the water quality to tell us what we can do, what we need to be able to grow the estuary that we would like to have in the Gulf.

We are hoping that the legislature will let that happen and we can move forward and we can get the legislature to give the Governor the authority to move forward and fund some of these projects. I think they are going to be fantastic and I believe everyone would be very happy to see what is happening with them.

Some of them are very important. One of the things that we are holding up is a study on what would the Mid-Breton Sound do. That diversion, the Mid-Breton diversion, if it happens, what would it do to the estuary of Mississippi. That is part of the study that Dr. Mickle and USM are working on hand-in-hand and would have been finished probably by the end of this month, but we had to hold it off for the last month and a half.

That is something very vital to us to be able to know and not have to wait on Louisiana and not have to wait on the Corps, or anybody else, to tell us what it is. Do our own study using Mississippi State and USM and
trying to figure out what we know, as the State of Mississippi, what is best for us. That is a very vital project that we are looking at.

One of the major projects that we are asking to be funded next year is to be able to tell us what do we need, what do we need in the Western Sound in Mississippi to be able to grow the oysters, the crabs, the shrimp and the seafood that we need in the Gulf and also our estuary, as far as the plant life and the things that we need, and that is a study that we are looking at to decide whether, or not, things coming from maybe the diversion of the West Pearl back to the East Pearl because it was diverted years ago and maybe that could help us.

What is the answer? What do we need?

But we can't do any of this without a study to do it and we are waiting on it. We are asking the Corps of Engineers -- we have sent a letter. I know that Congressman Palazzo has sent a letter and others have sent a letter asking them, and I think the CCA and some others -- to look at it to make sure that the EIS for the Mid-Breton diversion includes the Mississippi Sound all the way at least to the channel in Gulfport, the ship channel in Gulfport.

We are trying every way we can to get people to understand that you have got to look at this, before you
make any decisions, because we don't want to make any
decision that is going to hurt us in the future. We are
working on it very hard every day.

I ask that each one of you please talk to your
legislators, tell them how important these things are for
us and how important it is that we get this agency funded
one hundred percent.

The men and women that work at this agency are
great people. They are working hard. They are doing
everything they can to be able to continue, but we need
help and we need your help to help us.

Are there any questions on that, sir, or lady,
any of the Commissioners?

(No response.)

JOE SPRAGGINS: The only other thing is just to
clarify one thing. We did not go forward and ask for an
Attorney General’s opinion on what we are working on. We
looked at it.

1499 was the Governor’s Executive Order. The
Governor's Executive Order was basically to state that the
Commission was reappointed and so was the Director, or
anyone else in a lot of different agencies, until the
Governor had time to be able to look at it and to either
reappoint the person that was in the position, or either
put another person in the position, and get the Senate to
confirm them. That is what 1499 was about.

827 was an entirely different bill and it was signed by the legislature through the House and the Senate and also by the Governor, and we working off the rules of 827, at this time.

Does anybody have any questions about that?

(No response.)

JOE SPRAGGINS: I think there was some clarification asked of the Governor yesterday and I can tell you that the agency here is working one hundred percent off of 827, House Bill 827.

Any other questions, sir, or lady?

COMMISSIONER DANIELS: I don't hear any, Joe.

Thank you.

JOE SPRAGGINS: Thank you. That is my report, sir.

COMMISSIONER DANIELS: Do any of our other Commissioners have anything today?

COMMISSIONER HAVARD: I do not, Commissioner Daniels.

COMMISSIONER DANIELS: All right. Thank you, Mark.

Natalie?

COMMISSIONER GUESS: No. Nothing for me.

COMMISSIONER DANIELS: I've got one quick thing
I wanted to ask you about, Joe, something that came to my attention. I have known about it for a while.

The boat launch at Courthouse Road in Gulfport, is it something that we maintain, or is that City owned?

Do you know, or do we have somebody that knows?

JOE SPRAGGINS: You are talking about the one in Gulfport, the main boat launch?

COMMISSIONER DANIELS: At Courthouse Road.

JOE SPRAGGINS: If we give them Tidelands Funds, what we do with that -- it is probably a Tidelands project, if I had to guess. I don’t know. I would have to go look at it, Commissioner Daniels, but it is probably a Tidelands project and anytime we do that, what we do is we give the city, or the county, or whoever, the funds to build it, and, then, once they build it, they are there to maintain it, at that point. They take over all the maintenance for it and anything after that.

Is there an issue with it?

COMMISSIONER DANIELS: Yes. It has been silted in for quite a while, and I know there were some issues when people were trying to launch there recently and running aground as soon as they got the boat in the water.

I was just wondering if that was something we could look into possibly doing some dredging, or extending the rock jetty, to prevent that silting issue that keeps
filling that thing in there. It is nearly useless, unless you are launching a very, very small boat, from my understanding.

JOE SPRAGGINS: That is a big area with the parking and all. So I will check into it and see what we can look at. I don’t know what we can actually do with it, but we will probably have to get the City of Gulfport to request something and see what we can work on from that point.

COMMISSIONER DANIELS: Thank you, Director.

Next up we have Assistant Chief Kyle Wilkerson with our citations today.

KYLE WILKERSON: Good morning Commissioners, Director, counsel. Hope everybody is well.

Looking at the report in front of me, it was a lot.

Marine Patrol, as a whole, is running at a hundred percent. Morale is high.

Looking at a few citations. We had a couple of oyster citations. One no seafood dealer citation. Nothing just jumps out at me. We had one possession of Red Snapper, during the closed season, one HMS permit, undersize shark, but nothing just major.

I will field any questions, if you have any.

COMMISSIONER DANIELS: Thank you, Kyle. We
appreciate everything y'all do out there. Doesn't sound like anybody has too much on this today.

KYLE WILKERSON: Thank you.

COMMISSIONER DANIELS: Coastal Resources, Wetlands Permitting.

Do we have Jennifer on?

JENNIFER WILDER: I'm right here.

COMMISSIONER DANIELS: All right.

JENNIFER WILDER: I'm Jennifer Wilder, and I am presenting a permit for Harrison County Government to construct a public boat launch.

The location is in the Mississippi Sound near Camellia Street in Biloxi. It is in the Commercial Fishing, Recreational Marina and Dockside Gaming Use District, and the agent is Covington Civil and Environmental.

The project consists of seven hundred square feet of fill where there are presently dune grasses. They are going to mitigate that by relocating the dune grasses and creating more to reach a minimum of nine hundred square feet of dune habitat.

The structures are going to be boat ramps, finger piers, a rock jetty, eighty foot of bulkhead and a parking lot. Where the parking lot is going to be located, all but nine hundred square feet of that is
already existing concrete, and there will be maintenance
dredging of an existing channel. Approximately seven-five
thousand cubic yards of material will be removed.

They are going to be placing that dredge
material on the existing sand beach, but there will be no
dredge material placed in waterbottoms.

Here is the diagram showing the areas that the
sand will be placed, the jetty, the maintenance dredging
and you can see the boat ramp there (indicating slide).

Here is a picture of how it looks present day,
the dune grasses that are going to be moved (indicating
slide).

The proposed project is allowable within the
Commercial Fishing, Recreational Marina and Dockside
Gaming Use Plan.

They are requesting a variance to the Coastal
Program which states:

“The permanent filling of Coastal wetlands
below the mean high tide line because of
potential adverse and cumulative environmental
impacts is not authorized.”

They are justifying it by saying that the
impacts to Coastal wetlands would not be worse than if the
guidelines were followed.

Notification appeared in The Sun Herald, as
required by law. A public hearing was held May 30th of 2019. There were no public comments received.

DEQ had no comments on the project.

Department of Archives and History had no objections.

Department of Wildlife, Fisheries and Parks said that the project area is habitat of the Piping Plover and the Snowy Plover. They recommended work should be conducted between July and September, when the birds were least likely to be present.

The applicant has provided guidelines to protect the birds from being impacted by the construction and we believe that it will be sufficient.

Best management practices will also be used.

The staff of the Department of Marine Resources conducted a thorough evaluation of the project and, based on the results of this evaluation, has determined the project will have significant public benefit.

Therefore, we recommend issuance of the permit, contingent on water quality certification.

Any questions?

COMMISSIONER DANIELS: I don’t have any.

Mark and Natalie, have y’all got any questions on this one?

COMMISSIONER GUESS: No, I don’t have any
questions.

COMMISSIONER HAVARD: No questions.

COMMISSIONER DANIELS: Thank you.

Do we have a motion to approve the recommendations?

COMMISSIONER GUESS: I'll make a motion that we move forward on the staff’s recommendation.

COMMISSIONER DANIELS: I'll second the motion.

All those in favor; Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Havard?

(No response.)

COMMISSIONER DANIELS: Commissioner Havard, are you there?

BRADY SMITH: He is still on the call, but I see his mike is muted.

COMMISSIONER DANIELS: All right. Let’s give him just a second here. He may have gotten sidetracked there.

Sandy, I’m not sure what we can do here. I don’t think two of us can vote on this.

Correct?

SANDY CHESNUT: That’s correct.

COMMISSIONER HAVARD: I’m back, Ronnie.

COMMISSIONER DANIELS: Mark, were you able to
hear everything we were talking about?

We were voting on the boat launch

COMMISSIONER HAVARD: Yes, I was.

COMMISSIONER DANIELS: Are you in favor?

COMMISSIONER HAVARD: I am.

COMMISSIONER DANIELS: Commissioner Daniels, aye.

The motion passes.

JENNIFER WILDER: Thank you very much.

COMMISSIONER DANIELS: Thank you.

Next up, G1-b, Hancock County.

Adam, are you on?

ADAM TERRELL: Yes, sir.

COMMISSIONER DANIELS: All right. You’re up.

ADAM TERRELL: Brady, can you pass me control?

BRADY SMITH: You have control.

ADAM TERRELL: Thank you.

Today we have a permit request by the Hancock County Board of Supervisors. Location is the sand beach along north and south Beach Boulevard in Bay St. Louis and Waveland in Hancock County, Mississippi. This is in the General Use District, and the agent is Compton Engineering.

The project description. The Hancock County Board of Supervisors would like to do a beach
renourishment by using conventional earth moving equipment
to retrieve accumulated sand in the near shore shallow
waters.

Near shore sand retrieval will occur in sections
no larger than two thousand feet long by five hundred feet
wide, located at a minimum two hundred and fifty feet away
from the existing seawall.

The beach will have a design width of
approximately two hundred feet, plus an intertidal zone of
fifty feet.

Sand will be removed in lifts of six inches, or
less, with a total excavation depth not to exceed one
foot. The annual proposed amount of retrieved sand is a
hundred thousand cubic yards.

This is an aerial view of the area to be
replenished all the way down here from the south up to the
bridge in Bay St. Louis. There are two sections here that
are shown on the next diagram that will not be renourished
(indicating slide).

Here are some pictures of the beach over in
Hancock County, and that diagram is in your supporting
documents. I thought I included in this presentation. It
shows some latitudes and longitudes of areas that will not
be renourished, and that is due to vegetation, marshes and
SAV (indicating slides).
Notification of this project appeared in The Sun Herald on June 21st, June 28th and July 5th of 2020, and the Sea Coast Echo on June 17th, June 24th and July 1st of 2020.

We received one public comment from an adjacent property owner. There were some discrepancies he found with the original submitted diagram. He had concerns for protection of aquatic vegetation, and he opposed beach dredging that was proposed in the application originally. He also stated concerns of Hancock County dumping roadway dirt and sand back onto the beach.

MDMR and Compton Engineering responded letting him know the agent provided a corrected diagram, project will include SAV surveys annually and beach dredging in event of a storm was removed from the application.

MDMR informed the commenter that it was MDEQ that regulated the buffer zone of what can and cannot be placed back on the beach, and the commenter was satisfied with these responses.

MDEQ issued their 401 Water Quality Certification on May 21st, 2020.

Archives and History responded with a letter requesting a Cultural Resources Survey.

However, Compton Engineering responded to this letter with an email on May 4th, 2020, addressing that this is an ongoing project that has been previously permitted.
and also previously reviewed by Archives and History in 2010.

Wildlife and Fisheries has no comment.

The staff of the Department of Marine Resources has conducted a thorough evaluation of the project and has made findings on the decision factors in accordance with Chapter VIII, Section 06, 103 of the Mississippi Coastal Program.

Based on the results of this evaluation, it has been determined that this project is consistent with the Mississippi Coastal Program and will serve a higher public purpose.

Therefore, the staff recommends approval of the request, contingent upon Archives and History’s response.

That is all I have.

Any questions?

COMMISSIONER DANIELS: I don’t have any.

Do any of the other Commissioners have any questions?

COMMISSIONER GUESS: No, I don’t have any questions.

I’ll make the motion to move forward with the staff’s recommendation on this project.

COMMISSIONER DANIELS: All right. I’ll second that.
All those in favor, Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Havard?

COMMISSIONER HAVARD: Aye.

COMMISSIONER DANIELS: Commissioner Daniels, aye.

Motion moves.

ADAM TERRELL: Thank you.

COMMISSIONER DANIELS: Office of Finance and Administration, Ms. Leslie Brewer.

LESLIE BREWER: Good morning Director, Commissioners, legal.

My name is Leslie Brewer, CFO. I will be presenting the agency’s financials for the month ending July 31st, 2020.

At the end of July, our State Revenue was three million. Our Total Agency Revenue was three million.

Our State Net Income was two point nine million and our Total Agency Net Income was two point seven million.

Next slide, please.

After one month of fiscal year 2021, we have ninety-six point two percent of our two-month budget remaining, while Tidelands has ninety-seven point three percent.
Of course, as you can tell, it is pretty slim. We just have salaries and fuel for July. Does anybody have any questions?

COMMISSIONER DANIELS: No, it doesn't sound like it. Thank you for that, Leslie.

LESLIE BREWER: Thank you.

COMMISSIONER DANIELS: Next up, Ms. Charmaine.

CHARMAINE SCHERMUND: Good morning Commissioners, Director, Ms. Chesnut.

The Mississippi Department of Marine Resources was mentioned fifty-five times in local, state and national media since the July CMR meeting. Popular news items included the state legislature not yet approving our budget, recreational and commercial harvests opening and the invasive species giant Salvinia.

MDMR, along with other state agencies, are taking part in Governor Reeves’ “Mask Up” campaign. The campaign which asks “Who Do You Mask Up For?” has been posted on various state agencies' social media platforms, and MDMR staff are great about wearing their masks to keep each other safe while working and this is what we have highlighted on our agency Facebook page.

That is all I've got.

COMMISSIONER DANIELS: Thank you, Charmaine.
We are just flying through this one here today.
Matt, are you on?

MATT HILL: Yes, I'm here.

We have one new state record for consideration.
This young man brought one in last month also
for the youth record, but he brought in another one that
was larger.

This is a Spot. The old record is four point
four two ounces. The new record is four point eight seven
ounces. The angler is Mr. Rodie Armes.

This does qualify for the All Tackle and, also,
the Youth Record.

Here is a picture of the Spot and here is a
picture of Rodie holding the spot (indicating slide).

COMMISSIONER DANIELS: That is awesome. That is
my favorite thing to see are these kids holding up their
fish and getting their records. This is great.

I would like to make a motion to approve it.

COMMISSIONER GUESS: I'll second.

All those in favor; Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Havard?

COMMISSIONER HAVARD: Aye.

COMMISSIONER DANIELS: Commissioner Daniels,

aye.
Motion moves.

Other Business.

Joe, have we got anything else here today, anybody?

JOE SPRAGGINS: Yes, just a couple of things.

Sandy.

SANDY CHESNUT: Just to clarify, when you guys made motions and approved those motions, those motions will consist of recommendations to the Director to take further action. I just wanted to be clear on that for the record.

COMMISSIONER DANIELS: Yes, ma'am. Thank you for that.

SANDY CHESNUT: Okay.

JOE SPRAGGINS: I have one other thing, Commissioner Daniels, if I could. I just wanted to brief you.

We are still fighting a battle with NOAA on the Red Snapper allocation.

Paul Mickle is in here. I'm going to ask Paul. I know this is impromptu, Paul, but I think you can do it. Give a little briefing about what happened in the SSC meeting the other day so that we can give the information to our Commissioners and keep them updated.

PAUL MICKLE: Sure.
Briefly, I will let y'all understand what has happened to this point, and y'all understand most of this, but NOAA has a federal landings program called MRIP and we have talked about it many times as a Commission, and we have Tails n' Scales.

There are two landings programs that measure how many Red Snapper are landed in Mississippi. It is a federally-managed fish and we have a certain allocation we get because of Amendment 50, which is three point five percent of gulfwide landings for private rec.

They are going through a process of calibration. They are taking state landings of Tails n' Scales and calibrating it to MRIP and it has a strong chance of changing what our allocation is, how many pounds we can land next year and in future years.

We have been working as hard as we can, through our budget restrictions, of moving forward on trying to help NOAA with these calibration processes.

What has occurred to this point is they have just literally divided Tails n' Scales landings into MRIP landings and have come up with a flat calibration rate just by dividing one into the other because that is the simplest way.

I have been a big proponent, along with Marine Fisheries, of weighting it because we know that Tails n'
Scales is a much more accurate landing system than MRIP, and we all know this.

    Even NOAA has said that they think Tails n’ Scales is so much better, and we all understand why it is better because it is mandatory. You have to have trip numbers to go out there.

    The MRIP system is voluntary. So if you don’t want to do an interview, you don’t have to do the interview.

    Tails n’ Scales, I call it Old Testament. You have to get a trip number, if you want to go fishing. If you don’t have that trip number, our Marine Patrol will cite you and take your fish. That is pretty extreme.

    Obviously, our landings are highly accurate and the MRIP program, or the federal program, really struggles with understanding how much is being landed.

    Well, they are being treated equal in the calibration process which I feel is egregious and lot of folks with this agency and most of the scientists out there, even the scientists on the SSC which is the committee that stamps “this is the best available science” believes that this needs to be looked at further.

    This is a process we are working through right now. Gulf Council is meeting next week to discuss this further. There are other gulf states in the Gulf that are
struggling with this same issue of multiple landing systems and NOAA wanting to just treat them equally in a calibration process.

It is something that we need to all keep our eye on. We are working very hard to try to bring the best available information we can and get NOAA to actually provide some clarity on maybe weighting the calibration heavier toward a more accurate landing system such as Tails n’ Scales.

I firmly believe, along with Marine Fisheries office, that our compliance rate is over ninety-five percent; ninety-five percent of the boats. One out of every twenty boats out there doesn’t have a trip number, and that is the overall annual average.

We all know that at the beginning of the season compliance is around ninety-five percent, but, yet, at the end of the season our compliance rates are close to a hundred percent.

So we are very confident that the landings we get from Tails n’ Scales is exactly what we think has come out of the Gulf, as far as Red Snapper, for the State of Mississippi.

We are working through that. We will be presenting a lot of arguments at Gulf Council next week, showing that the process needs to be looked at a little
bit further and that decisions need to be put off for a
little bit more time, until we can bring the proper
science and have the SSC weigh in on a more acceptable
method of accounting for the accuracies that everyone
agrees that Tails n’ Scales provides for landings.

Does that make sense to everybody?

It is a fairly complicated issue, but it boils
down to just two landings programs. One is state that is
very accurate, one is federal that is really not accurate
at all, and they are having to marry them together to get
a common currency they call it gulfwide so they can use it
in stock assessments and seasonal management, and the
scientists are kind of arguing on exactly how to do that.

You will see it come a little bit more out next
week during Gulf Council.

COMMISSIONER DANIELS: Thank you, Paul.

Please keep pushing for that. There are a lot
of people that question why we only get three-and-a-half
percent whenever our neighbors get so much more, and you
guys have developed the most accurate reporting system in
the Gulf of Mexico.

PAUL MICKLE: Commissioner, just to that point,
we get three point five five percent and our neighboring
states get more, but we have to understand that our fleets
are less than ten percent of their fleet size. So we
actually have more federal fishing days than our
neighboring states. When it actually came down to
allocation, Mississippi pretty much came out the best on
Amendment 50.

Even though the three point five five percent
isn’t a monster share for our fishermen and our fleets
here in Mississippi which gives us, up to this point,
around eighty federal fishing days for Red Snapper in the
Gulf which our neighbors to the east are around twenty, or
thirty, or forty.

So we are literally double our lion share of
allocation which means we did very well with Amendment 50
in our process with Gulf Council. I just want to make
that clear.

COMMISSIONER DANIELS: Well, thank you, Paul. I
didn’t realize that.

JOE SPRAGGINS: Another thing real quick, too.
A lot of us have written letters. Like I said, our
congressman, I think, is going to write one, and several
others have written letters.

I think that we need to push hard with our
federal legislators and ask them to help us to fight this
because there is a thing called the Great Red Snapper
Count and it is something that will definitely give us a
great assessment of Red Snapper in the Gulf of Mexico, and
that is something that we have been asking and asking the
council and what we are going to ask them next week is do
not do anything to the allocation to the states until that
has come out and it can be factored into it because, once
the Great Red Snapper Count is brought forward, then, I
think it will change a whole lot of the aspect of what is
going on right now with NOAA.

We need to be strong and we need to talk. So I
would encourage anyone to please to contact the senators
and congressmen and let them know how strong we need this
done.

It is going to have to come from federal. This
is not something we can do locally. It has to come
through the federal side.

We need NOAA to hold up and not make any rash
decisions until we can have a better study of what is
going on.

COMMISSIONER HAVARD: Dr. Mickle, that brings up
a good point about the snapper quota and how much we have
left.

The general public in the recreational world for
sure knows that we have some poundage left in our quota,
somewhere around nineteen thousand pounds, and the
question of the day is when are they going to reopen the
snapper season to allow us to fill the rest of the quota.
I don’t expect you to answer that right off the top, but it is something that we need to start thinking about and start planning for and go ahead and get a date in mind and go ahead and announce those dates.

JOE SPRAGGINS: We are looking at that, Commissioner Havard. Matter of fact, we are trying to narrow it down, what would be the best.

I can tell you right now it is looking like Labor Day weekend. That is what we are looking at.

We’ve got about eighteen thousand and something pounds left, right at nineteen thousand pounds. It depends on the weather and what the fishing would be, as to whether or not we could keep our ACL doing a whole weekend, and that is exactly what we are working on.

We are getting with Matt and Joe and Rick and them today, or tomorrow, to try to come up with an idea. I would like to give people as much possible notice as I can and, obviously, it is going to depend on the weather. We are going to try to forecast the weather a little bit in advance and see what happens, and that will tell us what is the best time to do it.

I can tell you it is definitely on our minds. We are definitely looking at it.

PAUL MICKLE: One quick thing, Commissioner.

The federal government has a twenty percent
buffer. When there is twenty percent of the fish left, they shut the season down because the data system of MRIP is so poor. Other states are around a ten percent buffer.

The State of Mississippi, because of Tails n’ Scales and your support of a program that is so accurate and so powerful, we can hit our marks underneath the ten percent buffer, and the folks in Marine Fisheries, Joe Jewell, Matt Hill, Trevor Moncrief and Rick Burris, they are incredible at taking in all those factors of weather, effort, holiday weekend and weekday effort levels and allow us to hit our targets every year within a percent.

It is really an incredible thing. I just have to share that with everyone. It is unbelievable how far more advanced we are than any state in the nation in the federal government with our landings program, and we are being treated pretty much as these programs are equal, MRIP and Tails n’ Scales, and it is truly egregious.

That’s all.

COMMISSIONER HAVARD: Very good. Thanks, guys.

COMMISSIONER DANIELS: Joe, do we have any public comments today?

JOE SPRAGGINS: I have one, Commissioner, and it was sent to us. It is Mr. Ron Cook and he is not able to be on.

Do you have a problem if I read an overview of
COMMISSIONER DANIELS: No, sir.

Please, go ahead.

JOE SPRAGGINS: Basically what he is concerned about is regarding recreational fishing and how it has become very hard for the recreational fishermen.

He is worried about the Red Snapper 2020 season. He is looking at that we gave a couple of hours notice to close the season and he thinks that was very poor taste at best, and the lack of followup afterwards.

I understand that we had picked somewhere around July the 12th was going to be our shoot date to stop the season for a couple of weeks, and, then, once we got into that situation, just to answer Mr. Cook, we found out because, like Paul said earlier, normally we would have seventy to eighty days of season and, obviously, in the first forty-five days of the season, we had a tremendous amount of fishing going on because of three, or four things.

Number one, I think because of COVID people would go out to fish more because a lot of them were not working as much as they were before.

Then, number two, the fuel price was extremely low and everybody could afford to go out and catch snapper fish, so that was another thing.
Number three, we had some beautiful weather.
Everything worked that way and our season which
normally we would be at the fifty thousand range having
additional now, and we are sitting here with eighteen
thousand.

Because of Matt and Trevor and them looking at
this so closely, we were able to narrow it down and, once
we came out of that 4th of July weekend, we were very
concerned whether or not we were going to max out. So we
had to look at it.

I apologize to Mr. Cook that we had to give such
a short notice because that is not our goal. If you are a
charter boat fishermen and you had planned trips, or other
people that were coming to south Mississippi to be able to
come down for the weekend and fish and bring your boat as
a recreational fishermen, we are very sorry that that
happened to you at the last minute. I can promise you
that we are going to try to give you as much notice as
possible.

His last statement is do the right thing and
represent the state permit holders of Mississippi and not
the federal, and he is concerned that the federal were
able to continue going all the way to August the 1st, but,
once again, they are supposed to be outside the nine
miles. They are not inside the nine miles, and that is
another issue that we can look at.

That is kind of a little bit of a synopsis. He felt like that we shut him off six days early, that we should have continued because of an average of around twenty-nine hundred pounds a day, and that is true and depending on what would have happened. We were just very cautious and I am sorry if it caused him an inconvenience.

Any questions, sir, and lady?

(No response.)

COMMISSIONER DANIELS: All right.

JOE SPRAGGINS: That is it, sir.

COMMISSIONER DANIELS: We don't have any more public comments.

Can I get a motion to adjourn?

COMMISSIONER GUESS: I'll make a motion.

COMMISSIONER DANIELS: And I'll second it.

All those in favor; Commissioner Guess?

COMMISSIONER GUESS: Aye.

COMMISSIONER DANIELS: Commissioner Havard?

(No response.)

COMMISSIONER DANIELS: Come on, Mark. Don't fail us now.

COMMISSIONER HAVARD: I’m with you. Go ahead.

COMMISSIONER DANIELS: Commissioner Havard is an aye.
Commissioner Daniels, aye.

Everybody have a great day. Thank you.

JOE SPRAGGINS: Appreciate it. Thank you very much.

CERTIFICATE

I, Lucille Morgan, Certified Shorthand Reporter, do hereby certify that the above thirty-nine pages, including this page, is a true and correct transcription of the zoom webinar of the August 18, 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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