Employment, Contracts and Procurement Updates

July 20, 2021
Employment Updates

• Joanna Miller – Professional Accountant – 06.21.21
• Janie Ballew–Promoted to Lead Contracts Analyst – 06.01.21
• Will Freeman–Promoted to Marine Patrol Manager (Captain) in CID-06.01.21
• Patrick Carron–Promoted to Marine Patrol Supervisor (Lieutenant) in CID-06.16.21
• Alyssa Stoner– Intern – Coastal Preserves – 06.21.21
• Ocean Gerhmann– Intern – Coastal Preserves – 06.28.21
# Contracts For July 2021

<table>
<thead>
<tr>
<th>Service Contracts</th>
<th>Office Requesting</th>
<th>Procurement Method</th>
<th>Amount</th>
<th>Description</th>
<th>Board Approval</th>
<th>Funding Source</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Marine Patrol</td>
<td>Reverse Auction</td>
<td>83,912.79</td>
<td>Furnish and Install Two Floating Docks</td>
<td>PPRB/OPTFM</td>
<td>FY 21 JEA</td>
</tr>
<tr>
<td></td>
<td>Costal Zone Management</td>
<td>IFB</td>
<td>113,233.31</td>
<td>Bells Ferry Boardwalk Removal and Replacement Project</td>
<td>PPRB/BOB</td>
<td>NOAA/Special Coastal Preserves</td>
</tr>
</tbody>
</table>
Actions Update
July 20, 2021
Discussed at the June 2021 meeting:

1) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 22 be sent to the Secretary of State’s Office for Notice of Intent.

2) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 1 be sent to the Secretary of State’s Office for Notice of Intent.

3) Motion to recommend that the Executive Director approve the State Saltwater Finfish Records.

Director approved the recommendations.
a. All Tackle Record:

1. Almaco Jack (Seriola rivoliana) – 36lbs. 3.2oz. – Dylan Camplejohn

2. Red Lionfish (Pterois volitans) – 2lbs. 5.4oz. – Stanford Georgen

b. Conventional Record:

1. Gag (Mycteroperca microlepis) – 67lbs. 6.4oz. – Travis Gessley

2. Gulf Flounder (Paralichthys albaguttata – 1lb. 11.52oz. – Donald Bosarge II


c. Youth Conventional Record:

1. Gag (Mycteroperca microlepis) 45lbs. 1.6oz. – Blake Bosarge

2. Gaftopsail Catfish (Bagre marinus) 5lbs. 12.8oz. – Samuel Wright
Pending Items for Discussion (from April 2021 Meeting)

1) Commission’s motion to recommend a Violation and fine in the amount of $5000.00 to Shawn Gollott for the unauthorized placement of rip-rap and for an After-the-Fact general permit for the existing rip-rap and construction of piers as proposed in the Back Bay of Biloxi, 3393 and 3387 Bay Shore Drive in D’Iberville, Harrison County, MS.

Executive Director approved a $1000 fine be issued. Mr. Gollott was notified that he could be at the meeting today to address the Commission and the Executive Director and that he would have 14 days from the meeting date to file a Petition for Reconsideration.
2) Commission’s motion to recommend that the request for after-the-fact authorization for existing boathouse, approval for proposed boathouse, and recommended fine for violation to the contractor, Cleo Benward, be tabled until such time that more information can be obtained from Vivek Barclay, the owner of the property located on Bayou Porteaux, 14113 El Camino Real Road in Ocean Springs, Jackson County, MS.

- A meeting with all parties present will take place prior to a final decision being made.
Title 22 Part 22
Final Adoption

Sandy Chesnut
Special Assistant Attorney General
Notice of Intent

On June 15, 2021, the Commission recommended to the Executive Director that the new format and changes to Title 22, Part 22 be sent to the Secretary of State’s Office for Notice of Intent.

Executive Director approved the recommendation and the proposed regulation was filed with the SOS’s office on June 17, 2021.
Publication of Proposed Regulation

- Notice of the proposed regulation was published in the Sun Herald on June 23, 2021.

- Notice of the proposed regulation was also posted on the MDMR website on June 18, 2021.
Public Comments

- Public comments were due to the MDMR by July 13, 2021.
- No public comments were received.
Motion to recommend to the Executive Director that the proposed changes to Title 22 Part 22 be forwarded to the Secretary of State’s office for final adoption.
Changes to Title 22
Part 10
Marine Litter

Office of Marine Patrol
Captain Michael Strickland
Changes to Title 10

- Removed wording that was already covered in Mississippi Code.
- Referenced the applicable statutory or regulatory authorities.
- Updated the chapter structure and format to “Rules” and “Sources” to conform with the format prescribed by the Secretary of States Office.
Substantive Changes – Chapter 1, 2, 3, 5 and 8

• No Substantive Changes
Substantive Changes – Chapter 4

**UNLAWFUL DISCHARGE**

- Updated chapter structure and format
Substantive Changes – Chapter 6

EMERGENCY AND ACCIDENTAL RELEASE OF SUBSTANCES

- Removed “all hazardous substance shall be kept in closed containers.......” was deleted because these requirements are stated in Miss. Code Ann. §51-2-3
- Added exceptions for emergency situations such as accidents or release due to acts of nature.
- Referenced applicable statutory and regulatory authorities
- Updated chapter structure and format
Substantive Changes – Chapter 7

PENALTIES

• All violations of this part will be charged in accordance with Miss. Code Ann. §§51-2-1 and 51-2-3
• Referenced applicable statutory and regulatory authorities
• Updated chapter structure and format
Notice of Intent

Recommendation to the Executive Director that the new format and changes to Title 22, Part 10 be sent to the Secretary of State’s Office for Notice of Intent.
Mississippi Advisory Commission on Marine Resources

July 20, 2021
Changes to Title 22
Part 11
Equipment and/or Nets
Seized by the MDMR

Office of Marine Patrol
Captain Michael Strickland
Changes to part 11

- Removed wording that was already covered in Mississippi Code.
- Referenced the applicable statutory or regulatory authorities.
- Updated the chapter structure and format to “Rules” and “Sources” to conform with the format prescribed by the Secretary of States Office.
Substantive Changes – Chapter 1

INTRODUCTION

• No Substantive Changes
Substantive Changes – Chapter 2
SALE and DISPOSITION OF SEIZED EQUIPMENT and/or NETS

• **Rule 2.1** Forfeiture Proceedings for property seized will be in accordance with Miss. Code Ann. §§ 49-15-205 or 49-15-207.

• **Rule 2.2** All property subject to forfeiture shall be sold at public auction in accordance with Miss. Code Ann. §§49-15-205(4) or destroyed upon approval of the MDMR Executive Director.
Substantive Changes – Chapter 3

CHAPTERS AND SUBCHAPTERS

DECLARED SEPERABLE

• No Substantive Changes
Notice of Intent

Recommendation to the Executive Director that the new format and changes to Title 22, Part 11 be sent to the Secretary of State’s Office for Notice of Intent.
## Wetland Permitting Actions
### Jan-Jun 2021

<table>
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<tr>
<th>Total Actions</th>
<th>Count</th>
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<tbody>
<tr>
<td><strong>Total</strong></td>
<td>472</td>
</tr>
<tr>
<td>Regulated Activities/ CZ Consistency Determinations</td>
<td>436</td>
</tr>
<tr>
<td>Reviews/ Pre-Application Meetings</td>
<td>30</td>
</tr>
<tr>
<td>Violations</td>
<td>6</td>
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</table>
# Wetland Permitting Actions Comparison

<table>
<thead>
<tr>
<th></th>
<th>2019</th>
<th>2020</th>
<th>1st half 2019</th>
<th>1st half 2020</th>
<th>1st half 2021</th>
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<tr>
<td><strong>Total Actions</strong></td>
<td>735</td>
<td>672</td>
<td>396</td>
<td>276</td>
<td>472</td>
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<tr>
<td><strong>Regulated Activities/ CZ Consistency Determinations</strong></td>
<td>609</td>
<td>562</td>
<td>324</td>
<td>237</td>
<td>436</td>
</tr>
<tr>
<td><strong>Reviews/ Pre-Application Meetings</strong></td>
<td>105</td>
<td>96</td>
<td>54</td>
<td>31</td>
<td>30</td>
</tr>
<tr>
<td><strong>Violations</strong></td>
<td>21</td>
<td>14</td>
<td>12</td>
<td>8</td>
<td>6</td>
</tr>
</tbody>
</table>
Modification to Coastal Zone Consistency Determination by:
Hancock County Port and Harbor Commission
Permit: DMR21-000472

- Location: On the Port Bienville Industrial Canal in Pearlington, Hancock County, MS.
- Use District: (I) Industrial Use District
- Agent: Compton Engineering, P.A.
The previous Consistency authorized 0.14 acre of submerged aquatic vegetation (SAV) impacts. These impacts were to be mitigated by transplanting the SAV to another location and constructing a wooden wave attenuation device to help protect the transplanted area.

Inspection of the area by the applicant and agent prior to construction activities revealed that the SAV was no longer within the project footprint. A new SAV Survey was conducted on June 11, 2021, and revealed no SAV within the project area. Therefore, the applicant is requesting that mitigation for 0.14 acre of SAV impacts be removed from their Coastal Zone Consistency Determination and Mitigation Proposal.

It is common for SAV to be present sporadically since it is sensitive to turbidity, temperature, and salinity. The loss of SAV within the project area could be caused by these parameters.
Staff Recommendation

- The staff conducted a site visit and concurs with the recently submitted SAV Survey which indicates that there is no longer SAV within the project area. Based on the results, it has been determined that the project no longer has SAV impacts, therefore, staff recommends approval of the requested Modification to the Coastal Zone Consistency Determination and to the Mitigation Proposal.
Requested Motion

- Motion to recommend approval of the Hancock County Port and Harbor Commission’s request for modification to the Coastal Zone Consistency Determination and to remove the SAV mitigation proposal on the Port Bienville Canal in Pearlington, MS.
Mississippi Advisory Commission on Marine Resources

July 20, 2021
Request for Modification by:
Jackson County Port Authority
Permit # DMR-20-000346

• Location: Wetlands adjacent to the Escatawpa River in Moss Point, Jackson County, MS.

• Use District: (G) General Use District

• Agent: Compton Engineering

• Project Purpose/Need: More efficient rail transport of goods and abandonment of existing railroad crossings.
Project Description
(previously authorized)

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

- **Mitigation:**
  - Creation of 3.8 acres of tidal and tidally-influenced marsh immediately adjacent to the project area
  - Purchase of wetland mitigation credits for impacts to non-tidal wetlands
Project Description
(currently proposed)

• Fill:
  • 0.9 acre of tidal and tidally-influenced marsh impacts

• Mitigation:
  • Creation of 1.0 acres of tidal and tidally-influenced marsh immediately adjacent to the project area
Project Description
continued

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

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

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

Justification:

- Chapter 8, Section 118.03: “No feasible, alternative sites or construction techniques are available, there is a significant public benefit in the activity, and a public hearing has been held.”
  - Efficient transport of goods including those which support the nation’s energy policy
  - Increase public safety by closing railroad crossings.
Wetland fill areas = 0.9 acre
Previously authorized alignment vs Currently proposed alignment
Public and Agency Notification

- Notification of this project appeared in *The Sun Herald* and *Mississippi Press* on May 16, 23, and 30, 2021.
  - No public comments were received
  - Public Hearing: July 14, 2021

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

- The staff of the Department of Marine Resources has conducted a thorough evaluation of the project and has made findings on the decision factors in accordance with Chapter VIII, Section 2, Part I.E.2. of the Mississippi Coastal Program (MCP). The project would allow more efficient movement of goods by rail from Bayou Casotte and the Port of Pascagoula as well as allow for the abandonment of approximately 21 rail crossings in areas of Pascagoula and Moss Point which would increase public safety. Impacts have been significantly reduced from the previously authorized project, therefore staff recommends approval of the variance requests and modification request contingent on 401 Water Quality Certification from DEQ.
Requested Motion

• Motion to recommend approval of Jackson County Port Authority’s request for modification to:
  • Reduce the acreage of wetland impacts from 4.89 to 0.9
  • Reduce the mitigation from creation of 3.8 acres of tidal and tidally-influenced marsh to 0.9 acres
  • Remove the purchase of wetland mitigation credits
  • Approve the variance requests contingent on 401 Water Quality Certification from MDEQ
Mississippi Advisory Commission on Marine Resources

July 20, 2021
Mississippi
Department of Marine Resources
Agency Financial Results
as of June 30, 2021
Key Metrics:

- **State Revenue of $5.1M**
- **Agency Revenue of $47M**
- **State Net Income of ($1.2M)**
- **Agency Net Income of $23.5M**
### Financial Budget Comparison

After twelve months of Fiscal Year 2021:

- **Operating Funds** have 68.1% of Budget remaining
- **Tidelands Trust Fund** has 27.7% of Budget remaining

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**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**

**2021 Budget Comparison**

As of June 30, 2021

<table>
<thead>
<tr>
<th>Expenditures:</th>
<th>Operating</th>
<th>Tidelands</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages, Fringe</td>
<td>$8,156,408</td>
<td>$939,748</td>
<td>$9,096,155</td>
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<td>Travel</td>
<td>9,845</td>
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<td>9,845</td>
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<td>Contractual Services</td>
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<td>602,637</td>
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<td>Commodities</td>
<td>605,582</td>
<td>57,622</td>
<td>663,205</td>
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<tr>
<td>Other than Equipment</td>
<td>-</td>
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<tr>
<td>Equipment</td>
<td>253,809</td>
<td>902</td>
<td>254,711</td>
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<tr>
<td>Vehicles</td>
<td>61,119</td>
<td>-</td>
<td>61,119</td>
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<tr>
<td>Wireless Devices</td>
<td>485</td>
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<td>485</td>
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<tr>
<td>Subsidies, Loans, and Grants</td>
<td>5,207,726</td>
<td>5,161,558</td>
<td>10,369,284</td>
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<tr>
<td><strong>Total Expenditures:</strong></td>
<td>$16,750,298</td>
<td>$6,762,467</td>
<td>$23,512,765</td>
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<table>
<thead>
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<th>Budget Year Totals:</th>
<th>Operating</th>
<th>Tidelands</th>
<th>Total</th>
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<td>$11,141,304</td>
<td>$1,259,291</td>
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<td>182,516</td>
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<td>7,409,477</td>
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<td>3,750</td>
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<td>30,108,057</td>
<td>6,378,986</td>
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<td><strong>Total Budget Year Totals:</strong></td>
<td>$52,533,457</td>
<td>$9,349,277</td>
<td>$61,882,734</td>
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<table>
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<th>Percent Remaining:</th>
<th>Operating</th>
<th>Tidelands</th>
<th>Total</th>
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<tbody>
<tr>
<td>26.8%</td>
<td>25.4%</td>
<td>26.6%</td>
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<tr>
<td>94.6%</td>
<td>100.0%</td>
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<td>51.8%</td>
<td>64.7%</td>
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<tr>
<td>52.8%</td>
<td>98.8%</td>
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<td>87.1%</td>
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<tr>
<td>82.7%</td>
<td>19.1%</td>
<td>71.6%</td>
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</tr>
</tbody>
</table>

**Percent Remaining:** 68.1% for Operating, 27.7% for Tidelands

**Total Percent Remaining:** 62.0%
Parts 1, 13 and 17
Final Adoption

Erik Broussard
July 20, 2021
Notice of Intent

On June 15, 2021, the Commission recommended to the Executive Director that the new format and changes to Title 22, Part 1, 13 and 17 be sent to the Secretary of State’s Office for Notice of Intent.

Executive Director approved the recommendation and the proposed regulation was filed with the SOS’s office on June 16, 2021.
Publication of Proposed Regulation

- Notice of the proposed regulation was published in the Sun Herald on June 23, 2021.

- Notice of the proposed regulation was also posted on the MDMR website on June 18, 2020.
Public Comments

- Public comments were due to the MDMR by July 13, 2021.
- No public comments were received.
• Motion to recommend to the Executive Director that the proposed changes to Title 22 Part 1, 13, and 17 be forwarded to the Secretary of State’s office for final adoption.
State Saltwater Finfish Records

Josh Waters
July 20, 2021
Saltwater Fishing Record
(Conventional)

Keeltail Pomfret
*Taractes rubescens*

Old Record: 14 lbs. 3.82 oz.
New Record: 16 lbs. 8.0 oz.

Angler: Jimmy Boleware
Saltwater Fishing Record (Conventional)

Bull Shark
Carcharhinus leucas

Old Record: 354 lbs. 4 oz.
New Record: 377 lbs. 4 oz.

Angler: David Rogers
Saltwater Fishing Record

(Fly)

Shark Sucker

*Echeneis naucrates*

Old Record: 1 lb. 4.64 oz.
New Record: 3 lbs. 4.8 oz.

Angler: Doug Borries
Saltwater Fishing Record (Fly)

Little Tunny
*Euthynnus alletteratus*

Old Record: 12 lbs. 15.04 oz.
New Record: 14 lbs. 2.4 oz.

Angler: Doug Borries
Saltwater Fishing Record
(Youth Conventional)

Red Snapper
*Lutjanus campechanus*

New Record: 19 lbs. 1 oz.

Angler: Mason Watts
Mississippi Advisory Commission on Marine Resources

July 20, 2021