

MISSISSIPPI ADVISORY COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, June 15, 2021
9:00 a.m.
Bolton Building Auditorium
1141 Bayview Avenue
Biloxi, Mississippi

Commission Members:

Ronnie Daniels, Chairman
Natalie Guess, Vice Chairman
Cammack (Cam) A. Roberds

Also Present:

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

1 COMMISSIONER DANIELS: Good morning everyone.
2 At this time, we will call the Tuesday, June
3 15th, 2021, meeting to order.

4 First up, we are going to have our Pledge of
5 Allegiance.

6 We've got Commissioner Roberds back in the
7 building today. I am going to ask him to lead us in it.

8 (Pledge of Allegiance was recited.)

9 COMMISSIONER DANIELS: At this time, I would like
10 to ask the Director to provide us with a little prayer for
11 today.

12 JOE SPRAGGINS: First off, I just want everyone
13 to thank you and also put in your hearts and your prayers
14 for everybody who is working out there every day for us.
15 There are a lot of people out there on the water. There
16 are a lot of people on the streets that are helping us
17 every day. So let's keep them all in your minds and keep
18 them all in your hearts.

19 If we could, let's go to the Lord in prayer.

20 Heavenly Father, we thank you for the
21 opportunity. Thank you for allowing us to serve you.
22 Just take this group and lead us and guide us and direct
23 us to do the things you would have done and not what we
24 would do.

25 Lord, we just ask you to lead and guide us every

1 day. We ask this in Jesus Christ's name. Amen.

2 COMMISSIONER DANIELS: Approval of the minutes
3 from the May 18th, 2021, meeting.

4 Do we have any discussion on that?

5 (No response.)

6 COMMISSIONER DANIELS: Can I get a motion to
7 approve the minutes?

8 COMMISSIONER GUESS: I'll make a motion.

9 COMMISSIONER ROBERDS: I'll second it.

10 COMMISSIONER DANIELS: I have a motion and a
11 second.

12 All those in favor aye.

13 COMMISSIONER GUESS: Aye.

14 COMMISSIONER ROBERDS: Aye.

15 COMMISSIONER DANIELS: Aye.

16 Motion passes.

17 Approval of today's agenda.

18 Do I have a motion for that?

19 COMMISSIONER ROBERDS: I'll make a motion.

20 COMMISSIONER GUESS: I'll second it.

21 COMMISSIONER DANIELS: Commissioner Roberds makes
22 a motion. Commissioner Guess seconds.

23 All those in favor aye.

24 COMMISSIONER ROBERDS: Aye.

25 COMMISSIONER GUESS: Aye.

1 COMMISSIONER DANIELS: Aye.

2 Mr. Joe, it is yours.

3 JOE SPRAGGINS: I appreciate it. Thank you very
4 much.

5 First off, if you have any public comments,
6 please hold your hand up and TJ is in the back. He can
7 get it from you and we just need to make sure that we put
8 it down so we can get you where you need to be in the
9 public comment part of it.

10 One announcement real quick. We want to let you
11 know that we have a new Chief Scientific Officer. We have
12 been in the search for this and looked hard and were able
13 to select one of our own, Rick Burris. He is coming out
14 of Fisheries to be our new Chief Scientific Officer for
15 the Department of Marine Resources.

16 (Applause.)

17 RICK BURRIS: Thank you.

18 JOE SPRAGGINS: Rick comes to us with a lot of
19 knowledge. He has been in the agency for about eighteen
20 years.

21 Is that right?

22 RICK BURRIS: Fourteen years.

23 JOE SPRAGGINS: Fourteen years. Well, I gave you
24 four extra.

25 He has worked hard and he is now the Assistant

1 Director in Fisheries. He is doing a fantastic job. We
2 are very proud to have him to move forward with the
3 agency.

4 I've got a couple of things here.
5 Employment contracts.

6 As you see, we've got a few new people, or some
7 that have moved around.

8 We've got Mr. Jack Husley who is promoted to
9 Marine Patrol Officer II, Corporal.

10 Chris Collins is one of our new Lieutenants and
11 Marine Patrol Supervisor.

12 Bryce Gex is promoted to Assistant Chief of
13 Marine Patrol.

14 Merritt McCall is Marine Fisheries Scientist II
15 in the Shellfish Bureau.

16 Nickolas Moreno is Marine Fisheries III in the
17 Shrimp and Crab Bureau.

18 Luke wall is one of our new interns.

19 Logan Jones is an intern.

20 Taylor Cook is an intern.

21 Paul Frye is an intern.

22 Lauren Kegley is an intern.

23 Nathan Blackledge is an intern with us.

24 They are all working in different areas. The
25 first three in Fisheries and some in the NERR and IT.

1 Ethan Favre is an intern working at Lyman.

2 Natalie Favre is an intern working for Public
3 Affairs.

4 We've got Bettie Shoemaker who is an intern in
5 Coastal Preserves.

6 Also, we have Alyssa Stoner, an intern in
7 Coastal Preserves.

8 We have Glenn Ocean Gehrman and he is an intern
9 in Coastal Preserves.

10 We are very proud to have those. We take a lot
11 out of those interns. If you go back and look around the
12 agency, several of those interns wound up being full-time
13 employees here at this agency and they are still here. So
14 that is a great thing for us to have.

15 Bad News. We've got a couple of retirements.

16 Mike Yonce is retired. He retired as of June 1,
17 from Marine Patrol. We wish Michael the greatest in life
18 and we hope that he will come back by and see us on a
19 regular basis. We think a lot of that young man.

20 Ms. Shavay Gaines, Finance Director, says there
21 is no way I can talk her into staying. She is leaving,
22 too. She has her twenty-five years in service and she
23 wanted to move on and start her second life. We are
24 definitely going to miss her, too.

25 Mr. Joe Jewel. Joe is an icon here. He has

1 been in this agency for as long as I can remember and has
2 done a fantastic job heading Fisheries. Joe has decided
3 it is time to retire.

4 I'm not sure that we are going to be able to do
5 much as far as retirement for any of them because most of
6 them just want to go ahead and ease on out the door, but,
7 if you see them, please tell them how much we appreciate
8 everything they have done for us.

9 We are definitely going to miss them. They are
10 great people and we want to continue to be able to stay in
11 touch with them and, hopefully, they will continue to talk
12 to us and continue to help us. We would appreciate that.

13 Real quick on another thing. The skimmer trawl
14 TED on the reimbursement of that, we have total
15 applications received of thirty-nine. We have completed
16 twenty-six, and we've got thirteen that are incomplete.
17 The most recent payment was made as late as June the 9th.

18 We are doing it. If any of the fishermen out
19 there need to be able to purchase that, you can come and
20 meet with our Fisheries Department and they will show you
21 what to do.

22 Traci is the one handling that, I think?

23 RICK BURRIS: Yes, sir.

24 JOE SPRAGGINS: Traci Floyd will help you get
25 what you need there.

1 As far as an agency update, if you didn't know,
2 we had snapper season started the end of last month. If
3 you haven't seen snapper season, I can tell you right now
4 it is pretty good out there. We had two of three good
5 weekends.

6 I think we are probably close to fifty percent.
7 We are not quite fifty percent; just under it, but we are
8 probably at fifty percent of the ACT, but the ACL, we are
9 just under it.

10 We have caught quite a few; about sixty thousand
11 pounds.

12 Rick, is that right, something like that?

13 RICK BURRIS: Yes, sir.

14 JOE SPRAGGINS: The weather is beautiful. If you
15 weren't out the today, guess what, you missed a good one.

16 I don't know that we will have too much fishing
17 this weekend. If you do, you are going to have to fish in
18 high waves. It is going to be a different story.

19 Snapper season is going good and shrimp season
20 is going good. It started out. We had about a hundred-
21 plus boats starting out the shrimp season and, obviously,
22 it depends on the weather, it depends on the moon and it
23 depends on everything in the world, as to how that works,
24 but people are catching shrimp, and they are about normal
25 market price from what Rick and them have told us on that.

1 I'm sure there may be more update for that here in a
2 second.

3 I am going to meet with the Governor's office
4 this week and we are going to talk about GOMESA, what we
5 are going to do with some additional projects with that.

6 If you have been around the last few weeks, he
7 has made a couple of announcements over the last couple of
8 months of new GOMESA projects that are going out. So we
9 are able to move forward with it and, hopefully,
10 everything will be good.

11 CARES Act.

12 Rick, do you want to comment?

13 RICK BURRIS: Yes, sir.

14 Traci is out today, but she did submit the CARES
15 Act Two proposal to Gulf States last week. After the
16 public comment period, we were able to incorporate a few
17 of those public comments, and we sent that out last week
18 and they subsequently sent it on to NOAA. It is with NOAA
19 for approval.

20 We don't anticipate there being a whole lot of
21 issues because it is essentially the same plan as it was
22 last time for the CARES Act One that has already been
23 approved. So we should get some comments here pretty
24 quickly within the next week, or two, and, then, be able
25 to address those.

1 I think they wanted payments out by the end of
2 September.

3 Is that correct?

4 JOE SPRAGGINS: Yes, and I would assume that they
5 are going to move this as quick as possible because they
6 are trying to get those payments out as quick as possible.

7 Any questions on the CARES Act?

8 COMMISSIONER DANIELS: Yes.

9 I have been getting a few phone calls asking
10 about what is going to be the process for people that may
11 have applied previously and they only used a certain
12 amount of the time that they could turn in, as opposed to
13 turning in the full year.

14 JOE SPRAGGINS: Well, it is basically a whole
15 year, now. Even if you didn't apply the first half, when
16 we did it last year, you can use that first half now and
17 you can apply for it under that way. It is going to go
18 for the whole year of 2020.

19 Just to give you an idea, say that a fisherman
20 lost ten thousand dollars and out of that ten thousand
21 dollars they got forty-five hundred. Well, they still
22 have fifty-five hundred dollars worth of loss and they can
23 still apply for it.

24 As long as they are not made whole. They cannot
25 go farther than whole. If you only lost ten thousand, you

1 can't get twelve thousand. You can only get back the ten
2 thousand that you lost.

3 The same way with the processors. The same way
4 with anyone else.

5 It is the whole year. We had looked at it.
6 There have been some questions about the possibility of
7 carrying it into the first half of 2021, but there was no
8 way to backup the records on that. Every other state is
9 doing it the same way. So we would recommend that they
10 stay where we are with 2020. We will do the whole year of
11 2020.

12 Any loss. If you filed and you received money,
13 if you were not made whole, you can still file more.

14 COMMISSIONER DANIELS: There will be a time
15 period where they can either make an initial application,
16 or they can make an additional application than what they
17 originally put in.

18 JOE SPRAGGINS: That's right, and that should
19 come shortly.

20 COMMISSIONER DANIELS: That was what the question
21 was,

22 RICK BURRIS: That is what is in our proposal and
23 we don't anticipate any issues with that, but that is what
24 we plan on doing, yes, sir.

25 COMMISSIONER DANIELS: Thank you.

1 JOE SPRAGGINS: Rick, you might as well stay up
2 there.

3 We have the Bonnet Carre update.

4 RICK BURRIS: Yes, sir.

5 As I mentioned to y'all last time, we did submit
6 the spend plan, with some more comments, back to NOAA.

7 It is currently, I believe, with the Office of
8 Management and Budget which, as I have learned over the
9 past week, they don't really have a time line. As they
10 are under the Executive branch, they don't answer to
11 anybody but the president. It is in their hands and we
12 are waiting on their review and if they have any comments
13 -- I don't know that they will, but they have to approve
14 that spend plan for us to be allocated the money, or to be
15 awarded the money. We are currently waiting on the Office
16 of Management and Budget to approve our spend plan.

17 COMMISSIONER DANIELS: What is the next step,
18 after they approve it?

19 RICK BURRIS: Once they approve it, the funds
20 will be awarded to us, and, then, we will implement all
21 our programs. We are ready to go.

22 As y'all know, at least for the direct payment
23 part, we did this last year on a complete whim as quick as
24 we could.

25 We are ready to go, as far as that goes. All

1 our other long-term programs are restoration projects and
2 some of the management projects that we have, we are ready
3 to start those as well, but, as far as the direct payments
4 go, as soon as we get awarded that, we can start the
5 application process, start the application process, review
6 those applications, and, then, line everything up.

7 Once we get that award, it shouldn't be an
8 issue.

9 JOE SPRAGGINS: The biggest thing we are getting
10 is OMB holds up things, once it gets there, and I'm not
11 saying OMB is holding it up deliberately. I'm just saying
12 it gets to a point. when you get things to them, it's not
13 just like NOAA and it is the only thing going to them.
14 Everything in the world is going to them and, when it gets
15 there, the Office of Management and Budget, they have got
16 to review everything to the very T, and, then, come back
17 and give them permission.

18 That sometimes can take a year, or more, to get
19 it done. Hopefully, we are going to get something pushed
20 through with this. We are trying to get Senator Wicker
21 and them to help us, and they are trying to help as much
22 as they can, and we are going to try to get something
23 pushed through as quick as possible, but it is a process.

24 We are ready. NOAA may be ready, but that
25 doesn't mean that it has a chance to get through OMB and

1 to get done.

2 As soon as we get it, I can promise you as soon
3 as it comes in, we will have it out to be able to process
4 it and be able to get people the money as quick as
5 possible.

6 Anything else, Rick?

7 RICK BURRIS: Until then, we've got the CARES
8 Act.

9 JOE SPRAGGINS: Yes, and two rounds of CARES Act
10 has helped a little bit, and we had the 2011 Bonnet Carre.

11 RICK BURRIS: That's right. It was a blessing.

12 Joe spraggins: So we have had a little bit over
13 the last year, or two, and hopefully we will get some more
14 here shortly.

15 RICK BURRIS: That's right.

16 JOE SPRAGGINS: Anything else, Rick?

17 RICK BURRIS: No, sir.

18 JOE SPRAGGINS: Actions update from prior
19 meetings.

20 SANDY CHESNUT: There was one item discussed at
21 the May meeting. That was the motion to recommend that
22 the 2021-2022 shrimp season be opened by the Director when
23 sampling reached the statutory requirement of sixty-eight
24 count per pound.

25 The Commission recommended approval of the

1 request, and the Director approved the request and shrimp
2 season was opened.

3 There are two actions still pending from April.
4 The recommended fines for Shawn Gollott and the
5 recommended fines for Cleo Benward.

6 I think they are still in the process of
7 gathering more information for those.

8 JOE SPRAGGINS: Any questions?

9 (No response.)

10 JOE SPRAGGINS: Then, we've got the Advisory
11 Commission Handbooks.

12 SANDY CHESNUT: Yes. I am presenting recommended
13 changes to Title 22, Part 22, otherwise known as the
14 Commission Handbook.

15 These changes reflect the changes prescribed by
16 House Bill 827. It is removing wording that was already
17 covered in Mississippi Code, but those references are
18 still included so that everybody knows where it comes
19 from.

20 We are updating the format to "Rules" and
21 "Sources" to conform with the format prescribed by the
22 Secretary of State's Office.

23 Substantive changes specifically are:

24 Changed the Commission's authority to advisory
25 to the Executive Director.

1 Added provision for educational meetings where
2 no Commission action is necessary.

3 Deleted the four hours advance notice of called
4 Special Meetings. This conflicts with Mississippi
5 statute. So Mississippi statute will be followed.

6 Changed to reflect that the Executive Director
7 establishes the agenda for the public meetings.

8 Clarified that public comments related to an
9 agenda item will be taken up during discussion of that
10 item and all other public comments will be heard during
11 the public comments sections of the meeting. That is kind
12 of the way we have been doing it anyway.

13 Established the three-minute time frame for each
14 individual to make public comments. Again, that is
15 something we have been following.

16 Revised the Regulations section to reflect
17 Commission's advisory role.

18 We removed the Petition for Review section.
19 That information is already covered in Title 22, Part 15,
20 and that title will also be revised based upon House Bill
21 1211.

22 We deleted the Policies and Directives section
23 based upon the changes to the Commission's role as
24 advisory.

25 We deleted the changes to the Commission

1 Handbook section. The changes will be processed as all
2 other regulation changes.

3 A draft of how it will look in its final form
4 was provided to all the Commissioners and it will also be
5 available on the website.

6 what I need now is a recommendation to the
7 Executive Director. If there are no questions, we need a
8 recommendation to the Executive Director that the new
9 format and changes to Title 22, Part 22, be sent to the
10 Secretary of State's Office for Notice of Intent, and that
11 is the site where it will be (indicating slide).

12 JOE SPRAGGINS: Any questions?

13 (No response.)

14 COMMISSIONER DANIELS: We need a motion on this.

15 I will make the motion to make the

16 recommendation to the Executive Director.

17 COMMISSIONER GUESS: I'll second it.

18 COMMISSIONER DANIELS: All those in favor aye.

19 COMMISSIONER GUESS: Aye.

20 COMMISSIONER ROBERDS: Aye.

21 COMMISSIONER DANIELS: Aye.

22 Motion passes.

23 SANDY CHESNUT: Thank you.

24 JOE SPRAGGINS: The Secretary of State is trying
25 to work hard to cut down a lot of the stuff that is out

1 there.

2 I tell you what, there are only a couple of
3 pages out there on the Secretary of State that he has to
4 look at every day. I wouldn't want to know, but there are
5 probably in the millions of words, but he is trying to get
6 everything and not make things redundant and get them back
7 more in line where they can be understood and not be
8 repetitious. We appreciate that, and thank you very much.

9 Sir, that is my report, unless you have anything
10 else.

11 COMMISSIONER DANIELS: Thank you, Mr. Joe. I
12 appreciate it.

13 Do any of our Commissioners have anything to
14 report?

15 (No response.)

16 COMMISSIONER DANIELS: Joe, I would like to bring
17 up one thing just real quick.

18 I was loading my boat this past week just before
19 shrimp season started, and I got to kind of eavesdrop on
20 one of our Marine Patrol officers having an encounter with
21 a crabber.

22 Chief, he was great, super polite, respectful,
23 professional, but in hearing what was going on there, the
24 crabber had a complaint about notification of opening
25 shrimp season. They were having to rush to get their

1 traps out of the water, out of the way of the shrimp
2 boats.

3 I asked him if he had seen the press release, or
4 anything like that, and he just didn't really seem like he
5 spends a whole lot of time on the computer.

6 One of the things that he asked about is would
7 there be any possible way leading up to shrimp season that
8 we could do temporary signage at the boat docks, or
9 something, letting them know a week ahead of time when we
10 would be opening the season.

11 Just a concern that I got to overhear at the
12 boat launch and I figured I would pass it along.

13 JOE SPRAGGINS: Obviously, we want to give them
14 as much notice as we can.

15 Kyle, if there is something we could look at, as
16 far as your concern and, Rick, as far as Fisheries, if
17 there some little sign that we could put up at a place we
18 could do it, I don't have a problem with that.

19 The problem with it is we don't know until we
20 get to working at the time.

21 You were putting it out, what was it, seven to
22 ten days in advance?

23 RICK BURRIS: Yes. As long as I have been here
24 -- I know this time line was established probably fifteen,
25 or twenty, years before that -- we have given the

1 fishermen and given the public seven days notice, and that
2 is pretty advanced notice.

3 We would like to do it within three, or four,
4 days because we get a better feel on what the shrimp size
5 is going to be, but we have always given them seven days.
6 We gave them seven days this year and it is no different
7 than any other year.

8 The word, especially at the docks, tends to
9 spread like wildfire. Everybody knows. All it takes is
10 one phone call to me and the whole fleet knows.

11 It is unfortunate that this particular fisherman
12 didn't know that shrimp season was coming within those
13 seven days, but we can try to do something to get that
14 information out a little bit better next time.

15 COMMISSIONER DANIELS: Like I said, it was just
16 something I got to overhear and it peaked my interest and
17 I figured I would pass it along.

18 JOE SPRAGGINS: We did put it on WLOX and Fox and
19 I think several other channels, and we did press releases
20 on it. Once again, we put it on our website.

21 COMMISSIONER DANIELS: I know we did everything
22 we can.

23 JOE SPRAGGINS: There is always room for
24 improvement. So we are not arguing that at all. We will
25 definitely look at it.

1 COMMISSIONER DANIELS: Thank you.

2 Chief, are you ready?

3 KYLE WILKERSON: Yes, indeed.

4 I would like to say that we will get with Rick
5 and Fisheries and everything and do the best we can to get
6 it out to them, assimilate it into the public because,
7 like Rick says, it is just that quick (indicating). I've
8 got a loud voice anyway. I don't want to blow you out.

9 Commissioners, Director, Counsel, I would
10 personally like to congratulate Rick on his advancement.

11 I would like to congratulate Bryce Gex. He is a
12 cog in the machine. So he is going to do well.

13 well, let's get started with this.

14 As y'all know, May is a busy month, especially
15 the last part of it, and it was a tremendous month for
16 Marine Patrol.

17 I would like to say that for the four days of
18 the Memorial Day weekend, we checked thirteen hundred and
19 forty people. That is four days.

20 Very good snapper counts. Unfortunately, we had
21 to seize seventy-three of them due to the fact that they
22 didn't do the Tails n' Scales program which is very
23 simple. There were fourteen violations for that. There
24 were three violations for under-sized snapper.

25 we had a percentage rate of seventeen point five

1 percent checks on the weekend. As of right now, it is
2 thirteen point seven percent. We try to keep it above
3 five percent. So we are really blowing it out of the
4 water, right now.

5 Several violations for BUI's. We had a lot of
6 seizures for Mangrove Snapper and Red Snapper and Gray
7 Trigger Fish. One possession of filets for that matter.
8 They try to sneak it under the radar there.

9 It is pretty much self-explanatory. I will
10 field any questions that you folks may have.

11 JOE SPRAGGINS: One thing I've got is if you
12 don't do a snapper check, shame on you. I'm talking about
13 Tails n' Scales. We have been doing this for four years,
14 now, five years, and we have given you every benefit in
15 the world.

16 If you want to lose your fish and get a fine, go
17 ahead, just don't take the time to do it, but it is not
18 hurting you one bit. It is not hurting one thing that you
19 are doing. It is not going against anything against your
20 allocation, or anything else.

21 We are going to get our numbers anyway, the way
22 we have do it. Please. Please go out and get your Tails
23 n' Scales so we don't have to do this.

24 COMMISSIONER DANIELS: We made a trip three weeks
25 ago. It took two minutes out of my day, and that was the

1 first time I have done it. I don't ever fish for snapper.
2 I argue about them a lot, but I never get to fish for
3 them. It took two minutes for my first shot.

4 KYLE WILKERSON: I would like to say real quick
5 before I close that the total checks on individuals for
6 the month of May was twenty-three hundred and ninety-six
7 people.

8 The folks in Marine Patrol, the ladies and
9 gentlemen are doing a phenomenal job. They make my job
10 easy.

11 JOE SPRAGGINS: Be safe out there.

12 KYLE WILKERSON: Yes, sir. Thank you.

13 COMMISSIONER ROBERDS: Great job by you and your
14 team, Chief.

15 KYLE WILKERSON: Thank you, sir.

16 COMMISSIONER DANIELS: Thank you, Chief. We
17 appreciate it. Y'all keep up the good work.

18 KYLE WILKERSON: Yes, sir.

19 COMMISSIONER DANIELS: Next up is going to be Ms.
20 Leslie Brewer, Office of Finance and Administration.

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

23 My name is Leslie Brewer, CFO. I will be
24 presenting the financial statements for the end of May
25 31st, 2021.

1 At the end of May, our State Revenue was four
2 point six million. Our Total Agency Revenue was forty-six
3 million.

4 Our State Net Income was a negative one million
5 and Total Agency Net Income was twenty-four point eight
6 million.

7 Of course, we are still waiting for our state
8 appropriations to be transferred.

9 After eleven months of fiscal year 2021, we have
10 seventy-one point two percent of our Operating Budget
11 remaining, while the Tidelands Budget is at thirty-four
12 point five percent.

13 Does anyone have any questions?

14 COMMISSIONER DANIELS: Any questions?

15 (No response.)

16 COMMISSIONER DANIELS: Thank you.

17 LESLIE BREWER: Thank you.

18 COMMISSIONER DANIELS: Ms. Charmaine.

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

21 The Mississippi Department of Marine Resources
22 was mentioned twenty-one times in local, state and
23 national media, since the May MACMR meeting.

24 News items included the opening of Red Snapper
25 season, the opening of Shrimp season and fishermen who

1 were rescued when their boat capsized near Katrina Reef.

2 Marine Patrol took part in the Ag Safety Day at
3 Vancleave Middle School on May 18th.

4 Tiffany Weidner, Melody Chaplin and Nicholas
5 Moreno in the Shrimp and Crab Bureau, as well as the Grand
6 Bay NERR staff, took part in Sand Jam 2021 on the beach in
7 Ocean Springs this past Saturday. The staff had a booth
8 set up to educate the public about turtle excluder devices
9 and to distribute educational material.

10 On May 17th, Alicia Carron in the Shellfish
11 Bureau held oyster harvester training virtual sessions as
12 required by the Interstate Shellfish Sanitation
13 Conference. The seminar, which had five participants,
14 covers basic oyster handling, hygiene and regulations
15 involving oyster harvesting practices.

16 COMMISSION DANIELS: Thank you for keeping us
17 informed.

18 CHARMAINE SCHMERMUND: Thank you.

19 COMMISSIONER DANIELS: Next up we are going to
20 have Erik Broussard.

21 RICK BURRIS: Good morning Commissioners,
22 Director Spraggins, Ms. Chesnut.

23 Obviously, I'm not Erik Broussard. He is out
24 today doing some training. So I'm going to fill in for
25 him for these regulatory changes.

1 However, I would like to, for the record, just
2 say a few words about Joe Jewel's retirement. He was
3 pretty adamant about not making a big display about this
4 event. So out of respect for his wishes, I will keep it
5 brief.

6 I think everybody knows how much Joe meant, not
7 only to the Office of Marine Fisheries, but to the overall
8 agency as well. He was here for twenty-three plus years
9 and had an integral part in developing many agency
10 policies, procedures and programs that are still in use
11 today.

12 Joe gave everything he had to the Department of
13 Marine Resources and the marine resources that we are
14 charged to protect. In coach speech, he left it all on
15 the field.

16 Joe's leadership had a profound affect on the
17 Office of Marine Fisheries, but most importantly
18 instilling in us that nothing short of perfection should
19 be our standard. His commitment to excellence was
20 exemplified through the achievements and milestones that
21 our office accomplished during his tenure.

22 As I said, I am going to keep it brief. So I'm
23 not going to go down that long, long list.

24 with the exception of a very few, Joe had an
25 integral part in hiring most all of the employees in the

1 Office of Marine Fisheries. This collection of
2 professionals includes some of the Gulf of Mexico's most
3 brilliant scientists and managers that I am extremely
4 privileged and honored to work with today.

5 For me personally, from my very first day
6 literally at this agency as a young scientist fresh out of
7 school, Joe pushed me as hard as he could. He absolutely
8 never let up. He saw something in me and wanted to
9 utilize me for my fullest potential, and I can honestly
10 say that one of the main reasons as to where I'm at today
11 is because of those efforts.

12 To sum it all up, through Joe's vision and
13 guidance, he set up our office, the Office of Marine
14 Fisheries for future success and he can definitely hang
15 his hat on leaving us in a much better shape than when he
16 got us.

17 All that being said, Joe, we thank you for all
18 you have done, we will miss you and may God bless you in
19 all your future endeavors.

20 JOE SPRAGGINS: Amen.

21 RICK BURRIS: Thank you for that opportunity.

22 What I am going to present to you today is
23 regulatory changes to Title 22, Part 1, 13 and 17. This
24 is kind of in line with what Sandy brought up. The
25 Secretary of State has charged us with conforming all of

1 our regulations, condensing all of our regulations so we
2 decided to start with the first part, which is oysters.

3 We had three regulations that involved oysters.
4 Part 1, the Rules and Regulations for Shellfish
5 Harvesting, Tagging, Landing, Unloading, Transporting,
6 Relaying, Management, Area Classification and Other
7 Shellfish Related Activities in the State, and the Leasing
8 of Territorial waters under the jurisdiction of the State
9 of Mississippi. We have condensed that down to a very
10 short title.

11 We are also putting pieces of Part 13 in there,
12 which is the Rules and Regulations for Aquaculture in the
13 Marine Environment in the State of Mississippi. We will
14 be adding just the shellfish rules.

15 Then, lastly, Part 17 is the Regulation of
16 Molluscan Shellfish Landing and Loading, Transporting,
17 Processing, Buying, Selling, Opening and Other Molluscan
18 Shellfish Related Activities in the State of Mississippi.

19 What we have done is condensed all those titles
20 into one short title that is now going to read Part 1,
21 Rules and Regulations for Molluscan Shellfish Related
22 Activities. Make it a little bit more palatable.

23 This was a very arduous process. It took
24 between six and eight months to combine all these
25 regulations because there was so much to do, but we

1 removed the wording that was already covered in State
2 statute. State statute stands alone. There is no reason
3 for us to repeat it.

4 Then, we took out a lot of language that was
5 straight from the Nssp model ordinances, which we managed
6 our shellfish resources with under that purview.

7 what we did is we went through and referenced
8 the applicable statutory and regulatory authorities rather
9 than repeating it verbatim.

10 we updated the format to "Rules" and "Sources"
11 to conform with the Secretary of State's request.

12 we added new language and updated old language,
13 while we were in this process.

14 This went through Marine Fisheries review for
15 our management purposes. It, then, went through legal
16 review and review from Marine Patrol for enforceability
17 and to ensure that everything was in line with the
18 Secretary of State's request.

19 Due to the massive amounts of content, I am not
20 going to present the actual changes verbatim as we
21 normally do. Rather, we will summarize the substantive
22 changes within the documents.

23 The detailed changes and the language were made
24 available to you on the portal and, again, as Sandy
25 mentioned, we will make those changes available on our

1 website, once this goes out for public comment.

2 Basically, we did a major reorganization of
3 these three titles and parts into one.

4 I will go by chapter and chapter, going over the
5 substantive changes.

6 Chapter 1, there were no substantive changes.

7 Chapter 2 was the definition section. We added
8 some new definitions, about seventeen of them that were
9 important for management. We added the definition of
10 aquaculture intermediate market and seed size.

11 Intermediate size is one to two inches.
12 Aquaculture market size is two inches, or greater, and,
13 then, aquaculture seed size is zero to twenty-five
14 millimeters. We did this so our harvesters can proceed
15 with the way they need to operate.

16 We added definitions for authority, bulk
17 tagging.

18 We also added definitions for commercial
19 Molluscan Shellfish aquaculture permit, commercial
20 Molluscan Shellfish lease permit, commercial Molluscan
21 Shellfish transport permit, which those were already in
22 place, but they weren't defined, or noted, in our
23 regulations. Per legal and Marine Patrol recommendation,
24 we added those in there to give those documents teeth, not
25 only for the harvesters, but for our enforcement officers

1 as well.

2 We added definition of marina, depuration,
3 public reef, retailer, seed, and, then, shellfish-related
4 activities.

5 We also defined the different tag colors. White
6 tag is a sack of oysters, or oysters that are harvested
7 commercially in open areas available for raw consumption.
8 Green tag will be harvested in commercially open areas for
9 shucking purposes only. Red tag is for personal use.
10 Purple tag is for oysters that are cultivated, removed
11 from a lessee's sublease, cultivated and they must be
12 returned back to that lease and not harvested.

13 Chapter 3. We removed the Growing Waters
14 Management Plan. It is now found in our Molluscan
15 Shellfish Growing Waters Management Plan document which
16 will be available online.

17 Previously, all our area classifications, your
18 approved, conditionally approved, restricted, harvested
19 and all those specific areas with the GPS coordinates and
20 everything were all found in the regulations and because
21 it is not a regulatory process, it is more of a data-
22 driven process, the Shellfish Bureau goes out and conducts
23 these annual assessments of the growing waters. They do
24 shoreline surveys, sanitary surveys, water quality
25 analysis, and they take that data and they analyze it to

1 determine the best management practices for varying the
2 classifications of growing waters.

3 This is updated annually and because it is not a
4 regulatory process, it is a data-driven process, we
5 referenced it in the regulation, but it is going to
6 continue to be updated annually and made available to the
7 public, to our harvesters and to our enforcement officers
8 to be able to determine where those open and closed areas
9 are.

10 Chapter 4. We essentially took what was in the
11 existing regulation and reorganized them into
12 subcategories. We have a public Reef Harvest rule, an On-
13 Bottom Private Lease Harvest rule and an Off-Bottom
14 Aquaculture Lease Harvest rule. All those follow
15 different sets of rules. So we separated them out for
16 clarification and for ease of use for the public, as well
17 as our enforcement officers.

18 Chapter 5. We added some wording on the tagging
19 of On-Bottom Lease Harvest. We added some wording on the
20 Tagging of Off-Bottom Aquaculture Harvest.

21 We added a rule in Chapter 6, 6.3E, the
22 Cleansing of Adulterated Shellstock.

23 Once again, all of this comes from the model
24 ordinance that all shellfish harvesting and shellfish
25 transporting states adhere to. We are not reinventing the

1 wheel. We are just following those standards as we signed
2 up to do.

3 For instance, if some shellstock is found to be
4 adulterated in a certain manner that could be cleansed, we
5 put some language in there to where they have to deurate
6 that shellstock for a period of time to where they can,
7 then, harvest it again, rather than destroying it, if that
8 is the case.

9 There are multiple cases where they have to be
10 destroyed, but if there is a case where it can be saved,
11 we did put that into the regulation.

12 Chapter 7, no substantial changes.

13 Chapter 8. The Off-Bottom Molluscan Shellfish
14 Aquaculture, we added Rule 8.3A which is seed grow-out in
15 prohibited waters.

16 This is a common practice with the off-bottom
17 aquaculture oyster industry. They grow out seed up to
18 twenty-five millimeters in prohibited waters. They, then,
19 sell that seed, or move that seed, to their farms in
20 conditionally approved, or approved, areas where they grow
21 out for ninety to a hundred and twenty days until they
22 reach that two-inch size, at which point they have
23 deurated enough to where just because they were grown in
24 prohibited waters at such a small size they don't bile
25 accumulate up to that size.

1 we, then, also added some additional reporting
2 requirements to Rule 8.3 as well.

3 Chapter 9. We added Rule 9.1 C1. We clarified
4 retailer activity.

5 what this means is that an entity that is a
6 retailer that only sells to the end user can break down
7 sacks of oysters and sell them individually. They are not
8 processing.

9 Before that, the wording read as if they had to
10 be certified to break down sacks, but the FDA has
11 clarified that a retailer can break down a sack and sell
12 it. As long as they are not processing, they don't have
13 to be certified.

14 Chapter 10, Rule 10.2, some language on off-
15 bottom Molluscan Shellfish leases. Basically that the
16 lessees must follow the sublease agreement, the permit,
17 this title and parts, and, then, the model ordinance, as
18 well.

19 Just to give you a brief rundown, like Sandy
20 said, when we go through this today, these changes will be
21 filed with the Secretary of State's Office. They will go
22 out on public comment for a period of no less than twenty-
23 five days. We will have them available on our website.

24 Once that public comment period is over with, we
25 will take a look at those public comments. If there are

1 any substantive comments, we will bring it back to the
2 Commission.

3 Next month, we will bring it back to the
4 Commission anyway for final adoption, after that public
5 comment period. So this will also be brought up next
6 month, as well.

7 Again, we will provide the link to the actual
8 language on our website and it will also be out for public
9 comment on the Secretary of State's website.

10 Before I get into the motion, or ask for any
11 questions, I just want to thank Kristina Broussard. She
12 did the lion's share of this work. She works tirelessly
13 days, nights, holidays. She worked this weekend on it.
14 She did a lot of work, and I just want to thank her for
15 helping out through this whole process because it was one
16 of the biggest regulatory changes that I have been a part
17 of, that most of us have been a part of since we have been
18 here.

19 Are there any questions?

20 COMMISSIONER DANIELS: I think you explained it
21 all very well.

22 RICK BURRIS: Well, good. I'm glad.

23 COMMISSIONER DANIELS: I understood every word of
24 it.

25 JOE SPRAGGINS: Commissioners, this is something

1 that really needed to be done. A lot of times things
2 change over the years and we just need to get things so
3 people understand exactly what they can and cannot do.

4 RICK BURRIS: Yes, and because this was Part 1,
5 this is the first part of many series that we are going to
6 come back. We are going to do the same thing. We are
7 going to have to get all of our regulations in line with
8 this format. We plan on taking it fishery by fishery and
9 regulation by regulation. We will come back with Finfish.
10 We will put all of those into one, Crab and Shrimp, and
11 that way we will conform our regulations from twenty-two
12 down to however many and condense it to probably less than
13 half of what it is now.

14 COMMISSIONER DANIELS: Redundancy in these things
15 I have seen over the years a couple of times have just
16 created gray areas.

17 RICK BURRIS: I got the matrix on it. When we
18 started out with these three regulations, there were
19 twenty thousand eight hundred and eighty-seven words,
20 fifty-nine pages, and we got it down to thirty-one pages
21 and about ten thousand words. We are going to continue to
22 do this.

23 COMMISSIONER DANIELS: That is great. It makes
24 it easier to find and makes it cleaner to read.

25 RICK BURRIS: That's right.

1 COMMISSIONER DANIELS: Do we have a motion?

2 COMMISSIONER GUESS: I'll make the motion, the
3 recommendation to the Executive Director.

4 COMMISSIONER ROBERDS: I'll second that motion.

5 COMMISSIONER DANIELS: We have a motion and a
6 second.

7 All those in favor aye.

8 COMMISSIONER GUESS: Aye.

9 COMMISSIONER ROBERDS: Aye.

10 COMMISSIONER DANIELS: Aye.

11 The motion passes.

12 Thank you.

13 JOE SPRAGGINS: Real quick. I know it's not on
14 the agenda, but the oyster plan, can you go ahead and just
15 say something?

16 RICK BURRIS: Yes. The public comment period for
17 the oyster plan, we put it out last month. The public
18 comment period ended at the month, end of May. We are
19 currently evaluating all those comments and we will
20 summarize them and sit down and see which ones need to be
21 incorporated, which ones we feel need to be incorporated.
22 We will evaluate that, and, then, if it is substantive,
23 which it probably will be, we will put it back out on
24 public comment, let the public see what we have added to
25 it, and, then, if there are any more public comments, take

1 those out, and, then, probably hold some public hearings
2 to go over the management plan and let everybody know what
3 our plans are for the future, how we are going to
4 implement these plans, and just kind of get everybody on
5 the same page, let them know that we are working to
6 restore the oysters and the shellfish resources in the
7 state of Mississippi.

8 COMMISSIONER DANIELS: Thank you.

9 RICK BURRIS: Matt Hill is going to fill in for
10 Jonathan Barr today with some state records.

11 COMMISSIONER DANIELS: We've got a bunch of them
12 today. This is always fun.

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

15 I am here for Jonathan today. It is a pretty
16 day. My staff seems to get to slip out on pretty days.
17 So I told him I would fill in today.

18 I would like to take a brief opportunity, first,
19 to congratulate Rick. One thing I can say about Rick is I
20 have worked with him for a while, now. I respect his
21 opinion, but one thing I respect about him is he brings
22 professionalism to just about situation that we are in.

23 He does get a little excited at times, but he
24 stays professional and, in the end, he is very level
25 headed.

1 There are a couple of people in the agency that
2 when I do make a decision for my bureau, the first person
3 is to go run it by Rick and just see what he thinks.

4 I do appreciate his professionalism and the
5 opportunity that I have had to work with him and,
6 hopefully, he will come down and visit us and continue to
7 work together for a while.

8 Also, the next one obviously will be Joe. I
9 can't speak as eloquently as Rick did about Joe because,
10 as most people know, a lot of mine and Joe's conversations
11 were not very eloquent.

12 We were very, very close. I cherished our
13 personal relationship very much. We worked together for
14 well over twenty years, but, like I said, the personal
15 side of our relationship is what I do cherish.

16 Professionally, we always had the same goal. We
17 usually never had the same path to get there. We usually
18 would meet in the middle and we would make something work,
19 but, if anybody was in those offices, they heard several
20 arguments between Joe and myself which were not very
21 professional, but, in the end, we would work things out
22 and we would go lunch and, like I said, we were the best
23 of friends in the end and, like I said, it is something
24 that I will continue to cherish and, hopefully, he will
25 get to keep coming up here and help us out.

1 He has a lot of institutional knowledge that we
2 have lost over the years and that is something that I do
3 cherish, and I just want to say thank you to him and I
4 appreciate everything he has done for me professionally
5 and mainly personally.

6 We will get into this. We do have several state
7 records today.

8 The first is an all tackle record, the Almaco
9 Jack. The old record is thirty-five pounds two point four
10 ounces. The new record is thirty-six pounds three point
11 two ounces. Mr. Dyllan Camplejohn is the angler.

12 Here is a picture of the fish. Here is a
13 picture of Dyllan holding up the fish.

14 Our next is also going to be an all tackle
15 record of the Red Lionfish with the old record of one
16 pound fifteen point zero four ounces and a new record of
17 two pounds five point four ounces. The angler is Mr.
18 Stanford Georgen.

19 Here is a picture of the Lionfish and a picture
20 of our angler with the Lionfish.

21 Our conventional record begins with a Gag. The
22 old record was fifty-eight pounds four point eight ounces.
23 The new record is sixty-seven pounds six point four
24 ounces, and our angler was Mr. Travis Gessley.

25 There was also another Gag caught on this with a

1 youth record that we are going to get to later, but it was
2 neat to see these two fish together on the same vessel.

3 Here is a picture of the Gag and here is a
4 picture of the angler holding it up and, as you can see,
5 it is very impressive.

6 Also, in the conventional record we have a Gulf
7 Flounder. The old record is one pound seven point six
8 eight ounces. The new record is one pound eleven point
9 five two ounces and Mr. Donald Bosarge II is the angler.

10 Here is a picture and it is hard to see here,
11 but, like I said, this is the Gulf Flounder. There are
12 some dots there, some black dots that are in a triangular
13 formation. Sometimes we can't get the best pictures, but
14 it is a pretty fish.

15 The one everybody has been waiting for,
16 obviously, this past weekend we had the Swordfish. The
17 old record was two hundred forty-two pounds eight point
18 six four ounces, and they shattered it with the new record
19 of three hundred and nine pounds fourteen point four zero
20 ounces, and the angler was Mr. Donnie Jackson, Jr.

21 Here is a picture of the Swordfish, and here is
22 a picture of Mr. Jackson with the fish.

23 COMMISSIONER DANIELS: Matt, do you mind if we
24 interject on this one?

25 We've got a public comment on this particular

1 one here.

2 MATT HILL: Yes, sir.

3 COMMISSIONER DANIELS: Mr. Robert Carter.

4 ROBERT CARTER: Thank you. Thank you. Thank
5 you.

6 First, let's start with a few weeks ago. Your
7 team back here helped my dad save two lives and that was
8 the preface to all of this.

9 This is a family affair that we do this. I have
10 my three young ones back here, and it just brings everyone
11 together.

12 We have been doing this for twenty-five years
13 and we couldn't do it without y'all, the community, just
14 everybody, the State of Mississippi.

15 Just so are aware. The largest event in the
16 Gulf of Mexico belongs here. The largest Blue Marlin ever
17 caught in the Gulf belongs here. The largest payout for a
18 swordfish, the top two ever paid out belongs here.

19 We are very proud of where we are from, our
20 families. Everyone here is greatly appreciative.

21 Thank you, and I don't know else to say. It is
22 just that it is awesome to be here.

23 COMMISSIONER DANIELS: Thank you for that.

24 JOE SPRAGGINS: I also want to thank the team,
25 Matt and them for being there all weekend working hard. I

1 was texting them on a regular basis about things, and I
2 want to thank them for working hard on that, too.

3 That Billfish Tournament is a pretty nice place,
4 and there were quite a few people there, one of the
5 greatest sights in the world.

6 We ought to have a picture of it right now
7 somewhere. We ought to have a video and be able to
8 publicize this all over America, but on that morning on
9 that Thursday when they were going out and when they had
10 that hundred and something billfish boats going out, and,
11 then, that hundred and something shrimp boats going out,
12 the Gulf of Mexico was looking good.

13 MATT HILL: Along with Director Spraggins'
14 comment there, I would like to personally thank Jonathan
15 Barr. He is our lead taxonomist and he did stay down
16 there with me all evening until it was over with. We
17 didn't leave until after eleven o'clock waiting on this
18 fish to come in.

19 He did his job. He is very professional. He
20 asked all the right questions. We got all the information
21 we needed without delay and we worked tirelessly with the
22 tournament committee to get all the paperwork done so we
23 can congratulate this young man and get this behind us.

24 I do want to thank Jonathan personally.

25 These are the records that we look most forward

1 to. It's in our Youth Division.

2 This Gag was also caught on that same trip, like
3 I said, with Mr. Bosarge's Gag earlier. It is just a new
4 record. There was not an old record in the Youth
5 Division, and it sets the new record at forty-five pounds
6 one point six ounces. The angler was little Blake
7 Bosarge.

8 Here is a picture of the fish, and here is a
9 picture of Blake with the fish, and you can see the other
10 Gag that we mentioned earlier laying right next to it
11 there.

12 Also, for the Gafftopsail Catfish in the Youth
13 Division, it does set a new record of five pounds twelve
14 point eight ounces, and the angler is Mr. Samuel Wright.

15 Here is the fish, and here is a picture of
16 Samuel with the Gafftop.

17 what we are asking, now, is a recommendation
18 from the advisory commission to Director Spraggins to
19 approve these records.

20 COMMISSIONER DANIELS: I will be happy to make
21 that motion.

22 COMMISSIONER ROBERDS: I'll second it.

23 COMMISSIONER DANIELS: All those in favor aye.

24 COMMISSIONER GUESS: Aye.

25 COMMISSIONER ROBERDS: Aye.

1 COMMISSIONER DANIELS: Aye.

2 Motion passes.

3 Good job everybody. That is a lot of records
4 for one month.

5 MATT HILL: It is.

6 COMMISSIONER DANIELS: Thank you, Matt.

7 MATT HILL: Thank you.

8 COMMISSIONER DANIELS: Does anybody have any
9 other business?

10 (No response.)

11 COMMISSIONER DANIELS: No more comments, Joe,
12 public comments?

13 This was the only one we had?

14 JOE SPRAGGINS: That is all I had.

15 COMMISSIONER DANIELS: Can I get a motion to
16 adjourn?

17 COMMISSIONER GUESS: I'll make the motion.

18 COMMISSIONER DANIELS: I'll second that.

19 All those in favor aye.

20 COMMISSIONER GUESS: Aye.

21 COMMISSIONER ROBERDS: Aye.

22 COMMISSIONER DANIELS: Aye.

23 The meeting is adjourned.

24 (Whereupon, at 9:54 o'clock, a.m. the June 15,
25 2021, meeting of the Mississippi Advisory Commission on

1 Marine Resources was concluded.)

2 CERTIFICATE

3
4 I, Lucille Morgan, Certified Shorthand Reporter,
5 do hereby certify that the above and foregoing forty-five
6 pages, including this page, is a true and correct
7 transcript of the June 15, 2021, meeting of the
8 Mississippi Advisory Commission on Marine Resources, as
9 taken by me at the time and place heretofore stated in the
10 aforementioned matter in shorthand, with electronic
11 verification, and later reduced to typewritten form to the
12 best of my skill and ability; and, further, that I am not
13 a relative, employee, or agent, of any of the parties
14 thereto, nor financially interested in the cause.

15
16
17 s/ _____

18 LUCILLE MORGAN, CSR 1251

19 COURT REPORTER
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