

STATE OF MISSISSIPPI

MISSISSIPPI ADVISORY COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, February 14, 2023, 9:04 a.m.,

Bolton Building Auditorium

1141 Bayview Avenue, Biloxi, Mississippi 39530

COMMISSION MEMBERS:

Ronnie Daniels
Jonathan McLendon
Cammack "Cam" Roberds

ALSO PRESENT:

Joe Spraggins
Sandy Chesnut, Esquire

REPORTED BY:

Melissa Burdine-Rodolfich
mburdine@sbmreporting.com

1 RONNIE DANIELS:

2 Good morning, ladies and gentlemen.

3 Thank you, everyone, for coming out to the
4 Tuesday, February 14th Commission on Marine
5 Resources meeting.

6 At this time I'm going to ask Director
7 Spraggins to lead us in the Pledge of Allegiance.

8 (Pledge of Allegiance was recited.)

9 RONNIE DANIELS:

10 Mr. Joe, if you want to lead us in a
11 prayer this morning.

12 JOE SPRAGGINS:

13 Yes. And, you know, I would just like
14 everybody to know that, you know, we have had a
15 lot of great things happen. Y'all saw what
16 happened at Michigan State yesterday and the four
17 students that passed away there and some other --
18 and there is a lot of things going on in this
19 country, and I just ask you to keep it in your
20 heart and keep praying for our country and praying
21 for the people here.

22 If we could, let's go to the Lord.

23 (Moment of prayer.)

24 RONNIE DANIELS:

25 All right. Do we have any discussion on

1 last month's minutes, January 17th?

2 (No response.)

3 RONNIE DANIELS:

4 Do I have a motion to approve the
5 minutes?

6 CAM ROBERDS:

7 I'll make a motion to approve the
8 minutes.

9 JONATHAN McLENDON:

10 I'll second it.

11 RONNIE DANIELS:

12 All in favor? Aye.

13 CAM ROBERDS:

14 Aye.

15 JONATHAN McLENDON:

16 Aye.

17 RONNIE DANIELS:

18 Minutes are approved.

19 Joe, do we need to make a change to
20 today's agenda?

21 JOE SPRAGGINS:

22 Yes, sir. Mr. Chairman, if you would, I
23 would like to ask that we adjourn this meeting in
24 honor of Major General Al Hopkins. He passed away
25 on Sunday afternoon, Sunday night. And great man,

1 was Assistant Adjutant General for the State of
2 Mississippi for the Army National Guard and since
3 2015 had been the head of the Gaming Commission, a
4 great individual, a great Christian. And I just
5 ask that we close it in his honor, sir.

6 RONNIE DANIELS:

7 It would be our honor to honor him.
8 Thank you. We'll certainly do that.

9 JOE SPRAGGINS:

10 Do I have to have a vote on that, Sandy
11 to change, the --

12 SANDY CHESNUT:

13 No.

14 RONNIE DANIELS:

15 Okay. So with that said, do we have a
16 motion to approve today's agenda?

17 CAM ROBERDS:

18 I'll make a motion to approve today's
19 agenda.

20 RONNIE DANIELS:

21 I'll second.

22 All in favor?

23 CAM ROBERDS:

24 Aye.

25 JONATHAN McLENDON:

1 Aye.

2 RONNIE DANIELS:

3 Aye.

4 All right. Mr. Joe, it's all yours.

5 JOE SPRAGGINS:

6 Let's see what we can do here coming up.
7 If I can go back and forth to Crystal's notes.

8 All right. Chris Graham, promoted to an
9 ENRS II, Marine Fisheries, finfish. Katie Nelson
10 was promoted to ENRS II in Coastal Resources
11 Management, permitting. Kaitlyn Payne came out of
12 Marine Patrol and is now promoted to ENRS I,
13 Coastal Resource Management, permitting. Anna
14 Gamblin is promoted to ENRS II in Coastal Resource
15 Management, permitting.

16 We have a hire. We have Trevor's boss,
17 Ms. Laura Moncrief, and she is now with -- program
18 specialist IV with Coastal -- she's doing our
19 grants there. I've heard all the words. It's
20 either she is -- it's Trevor's boss or she is
21 what -- you know, there's about 19 different ones,
22 but all of them put it the right perspective.

23 But anyway, Ashton -- is it Sipriano?
24 Anyway, ever how I said that, if I messed it up,
25 I'm sorry -- is a part-time contractor for Marine

1 Fisheries.

2 All right. Let's see. What else have
3 we got here? No contracts. Did I miss one?
4 Excuse me. I'm moving along the schedule. Go
5 ahead. Sit down.

6 CRYSTAL MATTA:

7 God Bless.

8 JOE SPRAGGINS:

9 I have got to give her a hard time.

10 All right. There's no contracts, as I
11 was looking at.

12 Now, we're going to the Agency Update.

13 Okay. So we have the Proposed
14 Mid-Breton Diversion update. Do we have that on
15 the -- that we can bring that up? If not --

16 SANDY CHESNUT:

17 No, no slide.

18 JOE SPRAGGINS:

19 No slides. Well, I wish we'd put slides
20 up, and I'm sure -- can we get that -- can I hold
21 that till later and put the slides in there? Can
22 y'all get those three slides so they can see it?
23 And then I will step over that.

24 Our Legislative Updates, all right. We
25 have got several bills that have passed through

1 the Senate and they have gone to the House now.
2 One is the one for crab boats where everybody on
3 the boat does not have to have a license, just the
4 boat will be licensed to match up with oysters and
5 shrimp. And also, we have -- that one has gone
6 forward into the House.

7 Then we have the Marine Patrol, allowing
8 them to be able to do the things that they can in
9 the federal waters and be able to make it all
10 100 percent correct. That's in there also.

11 We -- the on-bottom leasing has passed,
12 and it's passed through the Senate to the House.
13 And hopefully that will come through, too, and
14 we're trying to get that one where we can pass it
15 and then have it upon passage and maybe even go to
16 conference and have it done by sometime in March
17 so they can start leasing it. That's the ones
18 that want to use that property, to be able to use
19 the on-bottom during the spring time for the spat
20 set so that we can do some work there.

21 There is a couple other bills out there.
22 One of them is renaming the Round Island -- I
23 mean, Big Island over here as Tommy Gollott
24 Island, and another one is to rename an area for
25 former Secretary Clark, an area over to the west.

1 And then we're also looking at the possibility of
2 naming The Point as Godfather Point.

3 So we will see what happens there, but
4 that's the bills that are being put there for
5 that. And if you don't know what Godfather Point
6 is, that's Tommy Gollott, so, you know, the
7 godfather. And so we'd love to honor Mr. Tommy
8 and everything that he has done for us over the
9 years.

10 A couple of other small things out
11 there, the last I saw on it about the -- doing --
12 the Comprehensive Plan has not passed. I don't
13 think it's -- I don't know if it's going to be
14 brought back up or not, but we're looking at it.
15 But just a few other things, but the mostly main
16 bills that we had is the ones we were talking
17 about there.

18 We'll -- we've got -- it's come out of
19 the Senate. Has to go to the House. The House
20 will have it about, I think, next week. And I
21 talked to Timmy and Timmy is pretty much okay with
22 everything and -- you know, and we'll -- he will
23 do a reverse appeal, I think he said, and then
24 turn around and take it to conference, which they
25 can call a conference at any time. He don't have

1 to wait till the end of the session. So hopefully
2 that will work out.

3 Any questions on the legislative
4 updates?

5 (No response.)

6 JOE SPRAGGINS:

7 All right. We had a council meeting
8 January 30th through February 2nd in Baton Rouge.
9 It didn't actually go the way we wanted it. I can
10 tell you, we fought hard for some things. Trevor
11 and them -- Trevor did a heck of a job, I tell you
12 what, and I got more accolades about that young
13 man when I was over there the other day and the
14 things that he did as far as stepping up to the
15 SSC and trying to do what's right.

16 We are going to take a cut. As it
17 stands right now, we go to 59,000.

18 Trevor, are you here? 59,000-something?
19 What is it?

20 TREVOR MONCRIEF:

21 It's 62- for the recent bump.

22 JOE SPRAGGINS:

23 Huh?

24 TREVOR MONCRIEF:

25 It's 62- with the recent bump in the

1 overall ACL.

2 JOE SPRAGGINS:

3 52- or 59-?

4 RONNIE DANIELS:

5 62-.

6 TREVOR MONCRIEF:

7 62-.

8 JOE SPRAGGINS:

9 62-.

10 TREVOR MONCRIEF:

11 62-.

12 JOE SPRAGGINS:

13 And then if we get the amendment that
14 they're working on, it will go to 80-something?

15 TREVOR MONCRIEF:

16 Yes. 82,300, something like that.

17 JOE SPRAGGINS:

18 And that would be probably July before
19 we could get that?

20 TREVOR MONCRIEF:

21 Yeah. I'm not sure of the --

22 JOE SPRAGGINS:

23 We'll be able to open the season with
24 that. And there is some talk from some other
25 states that are -- that know that we took it the

1 wrong -- that it wasn't right for us, and they're
2 talking about giving us some additional of theirs,
3 so we're working on that. And I think Florida is
4 the state that's trying to help us out. So we're
5 going to get there. We're going to -- and Trevor,
6 is there anything you want to talk about that
7 other than that on the assessment?

8 TREVOR MONCRIEF:

9 No. I mean, I just think, you know,
10 we're going to have a lot of questions from
11 y'all's constituents as commissioners and
12 everything else, so, you know, understanding the
13 process we went through to get here is going to be
14 important for everyone because I think when the
15 season comes out, folks will be starting to ask
16 those questions.

17 JOE SPRAGGINS:

18 And we will be looking at it very hard.
19 We'll look at it very hard as we go. We're
20 opening the season about the same time we always
21 do, Memorial Day weekend, and we will see where we
22 go, but I think we will be okay. I think we will
23 be able to do our average 70-plus days. I think
24 we'll be okay by the time we get others -- other
25 things worked out, so I think it will work out.

1 Any questions on that?

2 (No response.)

3 JOE SPRAGGINS:

4 All right. That was the major thing in
5 the meeting there. The Staff Update, we just got
6 part of that.

7 Capitol Day, we had it February 8th in
8 Jackson. It was a very good day. Everything
9 worked out. Had quite a few people stop by. We
10 were not able to do the things that we used to be
11 able to do. We couldn't take them food or
12 everything else, but there was some king cakes
13 distributed up that way, so there was a lot of
14 people happy with that. So they had a good time,
15 and -- but we appreciate the staff going up and at
16 least telling our story and hopefully the few
17 people got something out of it.

18 If you'll look on the screen now, you
19 see the Mid-Breton Diversion and -- the Sediment
20 Diversion Proposed Structure is intended to
21 rebuild marshes and all in the -- over Biloxi
22 marsh area. If you can look at it, you will see
23 where we see the overall, the EIS.

24 I talked to Brent Hodge yesterday with
25 DCRF, and he said that they were just in the

1 beginning stages of the EIS, so it has not, you
2 know, gone formal or anything.

3 We did a USM model. What I did is I
4 asked Paul Mickle, who used to be our chief
5 scientific officer at Mississippi State, to put
6 together a team. And we gave them the funds to do
7 it and to do an EIS -- I mean, a model and --
8 basically on what we would do as far as a --
9 if the water itself -- the movement of the water.
10 I wanted to know what would happen with the
11 movement of the water, and so we're -- next slide.

12 We have got three scenarios. The first
13 scenario is a project that is a significant
14 increase in cumulative days of less than five
15 parts per thousand, and I'm talking salinity of
16 less than five parts per thousand, within the
17 Western Sound and the Central Mississippi Sound.
18 And that is when the Mid-Breton Diversion is
19 active.

20 And I want you to understand that this
21 is not -- this is -- it says a denotable increase
22 in cumulative -- total days, I'll get that out in
23 a minute -- is also indicated in the Eastern
24 Mobile Bay area.

25 But this first one, when we talk about

1 it, I want you to understand, this is without the
2 Bonnet Carré being in it, so there is no effect to
3 the Bonnet Carré at any time. It's an 11-year
4 time frame that we're looking at.

5 Scenario 2 and 3 is a model that
6 projects mixed results of minor increases and
7 decreases throughout the Mississippi Sound and
8 indicating that the diversion did not further
9 degrade it. And basically what we're talking
10 about, that's bottom salinity. When they -- if we
11 use it like the second model, it's putting the --
12 the Bonnet Carré in it. And the third model is at
13 the 2019, the year 2019, which is our strongest
14 year nominally of what would happen. And we'll go
15 to that as we get to it.

16 Next slide.

17 You see that first model. All right.
18 And if you look over to your right, you see the
19 number of days from zero to 100 in red or in blue.
20 And the red is a salinities above it; blue is the
21 salinities below it. And what it basically shows,
22 if you ran that 11-year model for the Mississippi
23 Sound and only used the Mid-Breton as being
24 opened, and this is being -- it being opened the
25 days that it would have been when the river level

1 was that high and then run it to the max, it could
2 run, which is 75,000 cubic feet per second, I
3 think, that's right, Rick, and -- but this is a --
4 if you look at it and you see what's going on
5 there -- wish I had a pointer. I'll tell you
6 what, I can walk down there.

7 If you look at this area, this is mainly
8 where all of our oysters are in the Western Sound.
9 That's our main areas and you see how dark that
10 is, so you're looking at 50-plus days of the
11 salinity being below five parts. Our oyster
12 business -- our oysters cannot live in that.

13 All right? And if you see down here,
14 even further down in this area, it's a lot more in
15 that area also.

16 If you look over -- all the way over to
17 the east over here and you see Mobile Bay, the
18 effect of Mobile Bay, what's happened there is
19 this water is coming out and pushing that way,
20 which is pushing back on the Mobile Bay, the water
21 coming out of the bay and they're not able to be
22 able to bring the salinity, so it's going to hurt
23 them also.

24 You'll also see a little red -- the red
25 color in the middle, and that's because it's

1 basically going south of it and pushing it. But
2 I'll tell you, it's not good for where we normally
3 have our oysters and that's our Western Sound. It
4 is not a good scenario.

5 Rick, anything else on that, that part
6 of it?

7 RICK BURRIS:

8 Yes. Just -- so again, this is the
9 model that was run. And like Director Spraggins
10 said, this is based on that 11-year average of all
11 the river -- all the river inputs, and so what
12 this is, is days additional on top of what the
13 rivers would normally do. It's not adding the
14 river, the fresh water input from the rivers in
15 there. It's in addition to. So you're looking at
16 between 50 and 100 days extra on top of the fresh
17 water that we normally get, like you said, without
18 the Bonnet Carré Spillway.

19 The other two scenarios, we didn't
20 include on there because one of them is running it
21 at max all year long and that's just not possible.
22 They ran that model just to see if there would be
23 any -- they ran that model first to see if there
24 would be any changes and if there was -- if there
25 weren't any changes, then they would know that

1 they didn't need to continue running the model.
2 So they ran that model and obviously if that ran
3 at 75,000 cubic feet per second all year long, you
4 would be much more significant than this. So they
5 continue to run the other, and that was the 2019.

6 But this is the most significant as if
7 it was to operate in the normal condition with
8 various river levels that we would get pretty
9 significant impacts based on this model.

10 JOE SPRAGGINS:

11 If you look at it -- I don't know. Did
12 y'all load the other models up at all?

13 RICK BURRIS:

14 No. They're in your book.

15 JOE SPRAGGINS:

16 Okay. Basically what you would see, if
17 you look where the blue is, it would be white in
18 the Sound area and that's because with the Bonnet
19 Carré and everything else opening, it's already
20 dead with zero salinity, so you can't change it.
21 You know, it's not going to make a difference.
22 This is a delta between the difference of where
23 the salinity is at. It's not about what the fresh
24 water is doing other than that.

25 So the only thing that I can tell you on

1 it would be that you would look down around the
2 Chandeleurs, in that area, and there was a lot
3 more fresh water in that area than there would
4 have been in the normal times, so that was a big
5 thing that we saw there.

6 That was -- even if it's not going to
7 hurt anything because the Bonnet Carré has already
8 wiped out the Western Sound, it's still going to
9 hurt the Eastern Sound -- I mean, the southern
10 part of the Western Sound. It's still going to
11 hurt that. And the water still pushes to the east
12 and it will still push to the east and do some
13 things you're talking about.

14 Rick, you got something?

15 RICK BURRIS:

16 Yeah. That's on -- I think that's on
17 about the third page of your -- of the report
18 there.

19 JOE SPRAGGINS:

20 You want that to go to the next page,
21 next slide?

22 RICK BURRIS:

23 No. That was it. That was -- it was
24 just that -- it was just that Scenario 1 we
25 provided.

1 JOE SPRAGGINS:

2 The next slide is -- okay. That's it.
3 Yeah. Okay. All right. So is there any
4 questions? I know this is short. I gave you a
5 copy of it. We're going to put the copy of the
6 study on our website so if anybody would go to
7 download it off the website, it's like 88 pages,
8 if you want the whole study. The first four pages
9 will tell you pretty much everything. I believe
10 that's right, Rick, something like that --

11 RICK BURRIS:

12 Yes, sir.

13 JOE SPRAGGINS:

14 -- kind of a short synopsis of it?

15 But I think it's something that we
16 definitely need to look at very hard and we
17 definitely need to stay on top of it with the
18 Corps of Engineers. And we need to make sure that
19 the Corps understands that we want to be a part of
20 this EIS, and we want this information put out
21 because I realize Louisiana wants to build marsh
22 back. I understand that. Okay? But I don't want
23 them to build marsh back at our expense and that's
24 what we need to look at.

25 RONNIE DANIELS:

1 Well, I feel like there would be more of
2 an expense than just oysters. I mean, obviously
3 oysters wouldn't be able to withstand this, but
4 now we're talking about a third of the year with
5 salinity below five. Our trout can't --

6 JOE SPRAGGINS:

7 Well, it's not necessarily that. We're
8 doing a -- your trout and then also your brown
9 shrimp. Your major deaths are your brown shrimp.

10 RONNIE DANIELS:

11 That was my next point, were the trout
12 as well, so, I mean, we're getting -- our
13 commercial fishermen --

14 JOE SPRAGGINS:

15 We're doing another study right now that
16 has gone into an internal review with the same
17 group, but different scientists and they're doing
18 a study to be able to look at the biological
19 effect, what would it do to the shrimp, to the
20 oysters and the crabs and what will happen there.
21 And so that will go into peer review probably in a
22 few weeks and come out in the summer, early summer
23 from a peer review on it.

24 So we're looking at it and we need to
25 make sure that's exactly what you're talking about

1 because, I mean, you just think about it. If you
2 look at that as we're seeing it now -- and most of
3 you know that -- what happened in 2019 Bonnet
4 Carré did what it did. Our speckled trout moved
5 down to Cat Island, right, and south of Cat Island
6 well, they can't even go south of Cat Island, so I
7 guess they're going to have to go down to South
8 America somewhere and then come back.

9 But it's not good, and the Western
10 Sound -- it's not very good at all for the whole
11 Western Sound.

12 RICK BURRIS:

13 Yes. We've seen some significant
14 impacts on every species that we've had from
15 oysters all the way to dolphins and sea turtles,
16 kind of like we did in 2019. The Spillway was
17 open for 123 days. And I don't remember the
18 number of days below five parts per thousand, but
19 it was probably similar to what this model is
20 showing.

21 JOE SPRAGGINS:

22 I would imagine out of the 123 days we
23 were less than five parts in the Western Sound
24 about 80 of it or more.

25 RICK BURRIS:

1 So this is -- another thing, this is
2 run, like I said, based on river stage, so this is
3 basically from January to September. From
4 September to December, we didn't see -- there
5 wasn't any change, so it would be the prime
6 months.

7 RONNIE DANIELS:

8 This is what, now?

9 RICK BURRIS:

10 January to September. That's when your
11 river levels are going to be at the highest, when
12 it would be activated.

13 JOE SPRAGGINS:

14 Well, that's in the peak of our fishing
15 season on most of the things.

16 RICK BURRIS:

17 Yeah.

18 JOE SPRAGGINS:

19 And the other thing, too, is you have
20 got to understand that just because -- if we --
21 all right. If the Bonnet Carré opens, you can
22 guarantee this one is going to be running at full
23 capacity. You can -- you know, you can guarantee
24 that. So all that's going to do is add to it.
25 It's not going to take away from it. It's going

1 to add to it. And the predominant winds in the
2 summertime is out of the southwest, right?

3 RONNIE DANIELS:

4 Southeast.

5 JOE SPRAGGINS:

6 Southeast, yeah.

7 RONNIE DANIELS:

8 It's pushing it all back in here right
9 into water.

10 JOE SPRAGGINS:

11 It's pushing it all back into us, so,
12 you know, it's not a good scenario overall. I
13 have been very unvocal about this and y'all know
14 that. I have not said a whole lot one way or the
15 other until I got some kind of scientific evidence
16 of what it would do.

17 But when I did -- this was done by a
18 peer review and it was non-partisan. We gave it
19 to Sea Grant. Sea Grant was the ones to hire --
20 that put it out to the ones to review it, so it
21 was a very non-partisan study on what we could --
22 would happen and I feel strongly it will hold up
23 in court. And that's the thing that we looked at.

24 And we're going to do the same thing
25 with the biological. I want facts. I don't want

1 thoughts. I want facts, and that's what we work
2 off of. And I think when the science puts the
3 facts out, it's a different story.

4 RICK BURRIS:

5 As it stands, this currently is the best
6 scientific information available. There is
7 nothing else that refutes it, so right now this
8 is --

9 JOE SPRAGGINS:

10 Yes. And you can -- I know that
11 Louisiana has this now and they're going to try to
12 start picking it apart the best they can, but
13 as -- I talked to Brent yesterday, and I told him,
14 I said -- he said, well, I know it said 75,000,
15 but we'll only go -- probably do 50,000. I said,
16 well, that's not what it says, Brent. It says
17 75-.

18 JONATHAN McLENDON:

19 Rick, what is the time frame for them
20 making a decision on this?

21 RICK BURRIS:

22 I think the EIS is scheduled to come out
23 in the fall or the EIS and the --

24 JOE SPRAGGINS:

25 Well, it's under the draft -- it's under

1 the beginning stage of the EIS right now.

2 RICK BURRIS:

3 There is a public comment period that
4 whenever they -- they're going to publish it on
5 the Federal Register and the public has, I don't
6 know, 60 to 90 days, or maybe 30 days to be able
7 to comment, and this will be the State's comments.
8 This will go into the record for that, correct?

9 JOE SPRAGGINS:

10 Uh-huh.

11 RICK BURRIS:

12 Yeah.

13 RONNIE DANIELS:

14 What are -- I'm sorry. What's the
15 geographic boundaries of the EIS that they're
16 running? Does it come into our waters or does it
17 stop like --

18 JOE SPRAGGINS:

19 Not originally, they did not.
20 Originally, they stopped over west of the
21 Chandeleurs, well west of there, and it was
22 Louisiana water. And because it was Louisiana and
23 that's -- we did talk with the Corps and I think
24 the Corps has agreed to put the Mississippi Sound
25 into it.

1 But we met with the senators and
2 legislators last week about this. They're on
3 board with us. We met with Gulf Coast Coalition,
4 and they're on board with us to be able to look at
5 that. Whatever it needs, I think the senators and
6 the governor and the -- our congressmen, we're
7 going to have to get them to make sure we put the
8 pressure on the Corps to make sure that this is
9 included and they have to look at this and they
10 have to be able to understand it.

11 You know, I don't doubt that Louisiana
12 is going to fight and, you know, they have got to
13 look at what they think is right, but I think that
14 we need to put our full efforts forward on this,
15 too, because this is not just for one day. This
16 is not just for one year. This is for a lifetime,
17 and, you know, I think that we can -- unless we
18 can find fish, crab and oysters and shrimp that
19 can adapt to fresh water, I think we're going to
20 have a problem.

21 Anything else?

22 RICK BURRIS:

23 No.

24 JOE SPRAGGINS:

25 All right. Any questions on that any

1 further?

2 (No response.)

3 JOE SPRAGGINS:

4 Okay. And just another update, too,
5 with -- the total 79 derelict vessels cases have
6 been reported, 57 of them have been removed, 22
7 are pending right now and four have received court
8 orders, and so we are moving along with that.

9 And we encourage anyone if you have a
10 derelict vessel out there to please call the
11 number. I think it's listed on our website. Is
12 that correct? It is on our website, and so you
13 can be able to get that number.

14 All right. We will be closed next
15 Monday in honor of President's Day and probably be
16 trying to recover next Wednesday from next
17 Tuesday, so -- but, you know, it being Mardi Gras.

18 Sir, with that, that's all the comments
19 I have. I've taken up too much of your time. Any
20 other questions?

21 RONNIE DANIELS:

22 I don't think so. Thank you, Joe.

23 Commissioners Report, we got anything
24 else from your commissioners today? Yes, sir.

25 JONATHAN McLENDON:

1 Well, you know, I can't help but comment
2 about that flooding over there. The brown shrimp
3 season, you know, those things are extremely
4 skittish of fresh water, and so all I think that
5 that would do is just lead to a further decimation
6 of the inshore fleet because what the shrimp are
7 going to do is just move off offshore where you've
8 got federally-permitted boats and I think our
9 local guys would certainly suffer.

10 RONNIE DANIELS:

11 I absolutely have to agree with you on
12 that. It's a scary thought.

13 JONATHAN McLENDON:

14 Uh-huh. And all indications from a
15 bunch of seafood shows and things like that that
16 we're going to is the imported shrimp is going to
17 keep pouring into this country at significantly
18 cheaper levels than our domestics folks are able
19 to catch it and produce it with the high price of
20 fuel. So, you know, everything is going to lead
21 to -- it looks like it's going to lead to lower
22 prices, higher cost and more stress on our local
23 fishermen and processors. So all of you guys just
24 keep eating domestic shrimp any time you can.

25 RONNIE DANIELS:

1 I agree with that.

2 CAM ROBERDS:

3 100 percent.

4 SANDY CHESNUT:

5 Commissioner, we forgot the Actions
6 Update from the prior meeting.

7 JOE SPRAGGINS:

8 Oh, I did?

9 SANDY CHESNUT:

10 Yes.

11 JOE SPRAGGINS:

12 Well, you know what, you're exactly
13 right. How about actions from the prior meeting?
14 I'm sorry.

15 SANDY CHESNUT:

16 It was Crystal's fault.

17 At the January meeting, the Commission
18 recommended and the Director approved a variance
19 and a permit that was requested by Mike
20 Fitzpatrick for the construction of a 90-foot
21 jetty in the Bay of St. Louis in Pass Christian.

22 And there was a state saltwater for all
23 tackle. A scrawled filefish by Tommy Phelps, and
24 that's it.

25 RONNIE DANIELS:

1 All right. We got that out of the way.

2 JOE SPRAGGINS:

3 Did forget anything else?

4 SANDY CHESNUT:

5 No.

6 CRYSTAL MATTA:

7 I'm out. I'm not telling you anymore.

8 RONNIE DANIELS:

9 You were warned.

10 All right, Chief.

11 KYLE WILKERSON:

12 Well, I'm going to be short-winded as I
13 normally am.

14 I will say I do -- I do like where we're
15 going with everything pressing forward. This
16 Agency has impressed me over and over again and
17 it's a pleasure to work for it.

18 Okay. Director, your people, your
19 Marine Patrol officers have worked diligently
20 during January. Normally, January is somewhat --
21 I would say it's never slow, but slower. And your
22 officers have pressed forward and they've done a
23 phenomenal job with compliance, with the -- with
24 all of our constituents and all of our people out
25 there that buy these fishing licenses and

1 commercial licenses. They have worked well with
2 them.

3 We have checked over 1,300 individuals
4 this month, and there were several citations in
5 the report itself. I will delve into it a little
6 bit, even though they are pending, if you have any
7 questions.

8 RONNIE DANIELS:

9 1,300 this month? Boy, y'all are
10 getting -- y'all are busy.

11 KYLE WILKERSON:

12 That's what I'm saying. It's normally a
13 slower month.

14 JOE SPRAGGINS:

15 Would you -- you remember we had a
16 couple of -- we had a family that was missing and
17 found them, right?

18 KYLE WILKERSON:

19 Yes, indeed.

20 JOE SPRAGGINS:

21 And would you mind giving a little
22 details on what they found when they found them?

23 KYLE WILKERSON:

24 Well, we actually -- we got in on the
25 tail end of the search. I think we put about, I

1 would say, 15 to 20 hours in it. I think it was a
2 total of a 30-hour search.

3 When we responded and Coast Guard
4 responded, we found that they actually had some
5 illegal fish on board, red snapper. And that was
6 their intent, to go fishing for red snapper, even
7 though it is closed. And they had -- they were in
8 possession.

9 We wrote them one citation. We didn't
10 stack any charges on them because they had an
11 ordeal, but they had to -- they have to be in
12 compliance.

13 JOE SPRAGGINS:

14 I mean, don't get me wrong, I'm glad
15 they were found safe. I'm glad that y'all were --

16 KYLE WILKERSON:

17 Yes, sir. That was the main goal.

18 JOE SPRAGGINS:

19 But I think they had like 17 --

20 KYLE WILKERSON:

21 There was actually seven on board and I
22 think there were multiple ones floating in the
23 water.

24 JOE SPRAGGINS:

25 They were floating in the water when

1 they was throwing them out. But anyway, long
2 story short, I'm just glad that they were found.

3 KYLE WILKERSON:

4 Yes, indeed.

5 RONNIE DANIELS:

6 We have any questions?

7 CAM ROBERDS:

8 No.

9 RONNIE DANIELS:

10 All right. We appreciate it, Chief.

11 Y'all keep up the good work.

12 KYLE WILKERSON:

13 Yes, sir. Thank you.

14 RONNIE DANIELS:

15 Permitting Update, Ms. Willa Brantley.

16 WILLA BRANTLEY:

17 Good morning. I have some more numbers
18 for you. Ours aren't quite as impressive coming
19 after that 1,300 in a month. Ours are for the
20 full year. Ours do take a little longer.

21 We had 836 total actions that the
22 permitters processed last year in the calendar
23 year. 708 -- the vast majority of those were
24 either regulated activities directly or things
25 that we review for coastal zone consistency, so

1 that means things that happen outside of our
2 coastal wetlands, outside of tidal waters but that
3 could impact our waters and habitats and fisheries
4 out in tidal waters. So that's 708 things that we
5 reviewed there.

6 And we reviewed another 84 projects or
7 had pre-application meetings for those projects.
8 That's where we meet with the proposed applicants
9 prior to the application coming in so that we
10 hopefully get a complete application and can
11 review it quickly. And then some things, we
12 reviewed whether they even need a permit or not,
13 and a lot don't.

14 We also have 41 violations and that's up
15 from last year.

16 So this next one kind of compares the
17 last couple of years and the last couple of half
18 years showing our numbers. So our total actions
19 actually stayed exactly the same from last year.

20 Our regulated activities consistencies
21 determinations did go down, but our reviews and
22 especially our violations, did go up this year.

23 I do have some specifics on those
24 violations. Twenty of those 41, so right at half,
25 were not a violation once staff got out and looked

1 at them. Those are all ones that were reported by
2 the public, usually neighbors, and sometimes they
3 don't have a good, true view of what's going on.
4 So once we get out there, there is actually no
5 violation.

6 The rest, 21, were violations. Thirteen
7 were covered through the after-the-fact permitting
8 process and eight were resolved by the violator
9 voluntarily. So that usually means either they
10 have cut down some vegetation and they need to
11 just let it regrow or maybe there is some silt
12 that has gone off of their property into the
13 waterway and they have to pull that out and get
14 their silt fencing and erosion control in place.
15 Those are the two most common that can be resolved
16 easily.

17 RONNIE DANIELS:

18 So we had 22 actual violations, but
19 there weren't any fines assessed at all for any of
20 those?

21 WILLA BRANTLEY:

22 No, sir.

23 RONNIE DANIELS:

24 We talked several months ago about the
25 after-the-fact stuff and all that, and we had

1 discussed doing some more outreach, make sure that
2 marine contractors know what they need to do and
3 can get in here.

4 Have we done anything with that?

5 WILLA BRANTLEY:

6 We haven't yet. Well, we have done some
7 outreach in the past year on living shoreline
8 projects. We haven't done specific to what is
9 regulated and what is not. We have been trying to
10 wait for the new general permit revision to come
11 out by the Corps, and that is imminently coming
12 out. So we plan to do some meetings in each of
13 the three counties for contractors and city,
14 county workers. We're going to do that hopefully
15 at least by June, if not before then.

16 RONNIE DANIELS:

17 Okay.

18 CAM ROBERDS:

19 Yes. Some kind of approval for the
20 contractors or, you know, it could be a
21 representative of the -- you know, the actual
22 ownership of the property to go through maybe some
23 kind of training and get a license so they fully
24 understand what's on the line here.

25 WILLA BRANTLEY:

1 Yeah. There's no legal provision that
2 they have to have a license. Marine contractors
3 don't have to have a license in the state unless
4 they're working on a commercial project.

5 CAM ROBERDS:

6 Or if it's over -- if they engage in
7 over \$50,000, I think they have to have a license.
8 You can't do a whole lot these days for -- that's
9 a state requirement for construction for any
10 contractor.

11 RONNIE DANIELS:

12 Is that a single -- obviously a single
13 job?

14 CAM ROBERDS:

15 Yeah. I was just thinking maybe like
16 a -- just a -- like a lot of the local, like,
17 municipalities or counties have like a local
18 license for the contractor, which just means them
19 coming in and understanding what the repercussions
20 or what the rules are that they need to follow for
21 the wetlands.

22 WILLA BRANTLEY:

23 Right. Biloxi and Gulfport have
24 historically supported us pretty well. They'll
25 send people over here if they don't have a permit

1 from us if they're on the water before they will
2 give a building permit. Some of the other cities,
3 not so much. So that's the ones that we're going
4 to be targeting in those municipal trainings is
5 the city and county, like, building permit people
6 and inspectors so they will know, you know, what
7 is a wetland, what is a regulated activity for us.
8 And the Corps -- we bring in the Corps, DEQ,
9 Secretary of State. All the different agencies
10 talk about what we look at through the permitting
11 process.

12 RONNIE DANIELS:

13 I think that's something that we
14 discussed, too, was really reaching out more to
15 the municipalities and giving them some additional
16 literature and info.

17 WILLA BRANTLEY:

18 We -- I did forget. We have done a
19 couple of articles in our "Coastal Markers" about
20 what needs a permit, what doesn't need a permit,
21 what the permit process is, why we permit things,
22 you know, not just to charge an application fee,
23 but to actually protect the habitat, things like
24 that. So we have done those. Okay.

25 RONNIE DANIELS:

1 Okay.

2 JOE SPRAGGINS:

3 All right. Thank you.

4 I know Jennifer is not here. Jared, can
5 you come up a minute? I have just got some
6 questions. You know, we've been looking at this,
7 the EIS and everything that's going to happen.
8 Could you give us kind of an idea of what you
9 think might be the damage to the estuary itself as
10 far as our marshlands and everything else if we
11 build this Mid-Breton Diversion, if they do do it?

12 JARED HARRIS:

13 That's a good question. I guess I'll
14 save an answer for when I actually see the EIS to
15 where I can make an educated answer on that.

16 JOE SPRAGGINS:

17 Well, you know, the fresh water being at
18 minus -- less than five parts per thousand, you
19 know, over a 50-day period or something, is that
20 going to do anything to the grass?

21 JARED HARRIS:

22 It's a possibility.

23 JOE SPRAGGINS:

24 And, you know, what about the -- you
25 know, the bottom, because we're talking bottom

1 salinity less than five?

2 JARED HARRIS:

3 It could have an impact, but I would
4 like to read the EIS before I make any -- this is
5 the first time I have seen the data that was
6 presented here today. I would like to see the
7 full report first.

8 JOE SPRAGGINS:

9 Okay. Any questions?

10 RONNIE DANIELS:

11 I would say he handled that pretty well.
12 If you can't have fun, you ain't doing it right.

13 JOE SPRAGGINS:

14 All I can say is I bet he has a good
15 glass tonight.

16 RONNIE DANIELS:

17 All right. If we don't have anything
18 else on that, we're going to move on to Finance
19 Administration, Ms. Brewer.

20 LESLIE BREWER:

21 Good morning, everyone. I'm Leslie
22 Brewer, CFO. I'll be presenting the financials
23 for January 31st, 2023.

24 Our state revenue was 4.8 million.
25 Agency review is 20.1 million.

1 State net income is 484,000, and Agency
2 net income was at 440 -- 440,000.

3 And after seven months, we are at 87.9
4 percent of our budget for operations, and
5 tidelands is at 62.3 percent.

6 Questions?

7 RONNIE DANIELS:

8 Anybody got anything?

9 (No response.)

10 RONNIE DANIELS:

11 Thank you. You keep up with a lot of
12 numbers that cross my eyes.

13 Ms. Charmaine.

14 CHARMAINE SCHMERMUND:

15 Good morning, Commissioners, Director
16 Spraggins, Sandy.

17 The Mississippi Department of Marine
18 Resources had 11 media mentions since the January
19 MACMR meeting. News items included the Bonnet
20 Carré spillway court ruling, missing boaters who
21 were rescued and the MDMR joining the Foundation
22 for Mississippi Wildlife, Fisheries and Parks.

23 The Office of Marine Patrol took part in
24 the career readiness experience at Mississippi
25 Gulf Coast Community College on February 9th.

1 Marine Patrol also participated in the Kids 101
2 Program on Saturday and Sunday at the Biloxi Boat
3 Show, along with the Grand Bay NERR staff and
4 Coastal Resources Management invasive species
5 program. Each group featured a booth at the event
6 and saw over 300 children and parents over the
7 weekend.

8 In addition to the Kids 101 program at
9 the Biloxi Boat Show, the Artificial Reef Bureau
10 staffed the Agency's public outreach booth each of
11 the three days of the boat show at the Mississippi
12 Coast Convention Center. They shared insight on
13 fishing reefs and fisheries management as well as
14 handing out MDMR informational materials.

15 The Bays and Bayou Symposium took place
16 January 24th and 25th at the Mobile Convention
17 Center. The event was sponsored by the MDMR and
18 Grand Bay NERR. Staff from the Grand Bay NERR and
19 Office of Marine Fisheries Shellfish Bureau
20 presented talks or posters. Presenters were
21 Dr. Ayesha Gray, Sandra Bilbo, Jonathan Pitchford,
22 Michael Archer, Andrew Heaton, Brianna Andrews,
23 Amanda Free, Katherine Glover and Ellen Coffin.
24 Also in attendance at the symposium were Traci
25 Floyd, Jason Rider, Jason Saucier, Jon Barr and

1 Nick Moreno.

2 The Shellfish bureau hosted their
3 off-bottom oyster aquaculture class on
4 January 21st. Finfish Bureau, biological
5 coordinator, Megan Fleming gave a career pathways
6 presentation to ninth graders January 26th hosted
7 by the Biloxi Chamber of Commerce. At the Grand
8 Bay NERR, Jennifer Cumbest visited St. Martin
9 gifted students January 13th for an On-the-Road
10 Education Program. The NERR also hosted a batik
11 art workshop instructed by Dr. Gray. Avery Beck,
12 Sandra Bilbo and Jennifer Cumbest also led other
13 instructional aspects of the workshop, which
14 highlighted awareness on invasive species at the
15 Reserve. Sandra Bilbo and Brianna Andrews
16 attended and presented at the GOMA Education and
17 Engagement mid-year meeting and Southern
18 Association of Marine Educators' annual meeting in
19 Mandeville, Louisiana January 19th through the
20 21st.

21 Margo Posten and Dennis McGrury with
22 Grand Bay NERR's Coastal Training Program
23 co-hosted a Social Science Basics training
24 workshop in Mobile, Alabama January 26th and 27th.

25 D'Iberville Middle School gifted

1 students took a field trip to Grand Bay NERR
2 January 31st and February 1st. Avery Beck and
3 Sandra Bilbo took the students on nature walks
4 around the Reserve, where students explored
5 different habitats and engaged in hands-on
6 learning.

7 The Office of Coastal Restoration and
8 Resiliency's Jeff Rosenberg and the NERR's Sandra
9 Bilbo collaborated on an educational program for
10 Ocean Springs Upper Elementary gifted fifth
11 graders. On February 6-9, students visited the
12 Charnley-Norwood House in Ocean Springs. Students
13 explored the home's native plant meadow with
14 Sandra through sensory activities and a nature
15 scavenger hunt, and Jeff led the students on a
16 tour of the house.

17 The MDMR hosted its Capitol Day at the
18 Rotunda in Jackson on February 8th. Our staff
19 represented all areas of the agency educating
20 legislators, Capitol staff and visitors about how
21 our agency enhances, protects and conserves our
22 state's marine resources.

23 And then lastly, we have the printed
24 issue of our "Coastal Markers" that has come out.
25 We also have the digital version that has been

1 e-mailed out. So if anybody wants to pick up a
2 copy, they're in the back. So it just talks about
3 some great things that our agency is doing.

4 RONNIE DANIELS:

5 You have had a busy month.

6 CHARMAINE SCHMERMUND:

7 Oh, yes.

8 RONNIE DANIELS:

9 I did want to take a moment to thank you
10 for all the help with Kids 101 and getting that --
11 everybody lined up and all of our departments that
12 came out and helped. That was -- that's an event
13 that I put together several years ago and we hoped
14 to have 25 or maybe 40 kids that first year, and
15 now between Mobile and Biloxi, we're reaching
16 upwards of maybe 600 kids with that event. And
17 we're just planting seeds for our natural
18 resources with these kids and it's a great event
19 for them. And we really appreciate everyone's
20 participation in it.

21 CHARMAINE SCHMERMUND:

22 Well, everyone was excited to be a part
23 of it, so...

24 RONNIE DANIELS:

25 It was great. The kids had a really

1 good time there.

2 CHARMAINE SCHMERMUND:

3 Good. Thank you.

4 JOE SPRAGGINS:

5 Charmaine, do we have the "Coastal
6 Markers"? Are they printed yet?

7 CHARMAINE SCHMERMUND:

8 Yeah, they're in the back.

9 RONNIE DANIELS:

10 Yeah, they're in the back.

11 JOE SPRAGGINS:

12 They're in the back. Oh, we do have
13 some in the back?

14 CHARMAINE SCHMERMUND:

15 Uh-huh.

16 JOE SPRAGGINS:

17 Okay. I was just wanting to make sure
18 we had some for anybody that wanted any. And we
19 will get the Commissioners a copy of it.

20 That's what I was texting trying to
21 figure out.

22 RONNIE DANIELS:

23 All right. We're going to move on to
24 Marine Fisheries. We have got some new records.

25 Brodie Arms must be spending a lot of

1 time in school because he ain't on here right now.

2 TREVOR MONCRIEF:

3 That's what I was thinking too.

4 RONNIE DANIELS:

5 Where is he at?

6 TREVOR MONCRIEF:

7 I don't know. Maybe he has got him a
8 girlfriend or something and just taking time away
9 from fishing.

10 RONNIE DANIELS:

11 Do we have a junior hall of fame? I
12 think he would be at the top of the list for that.

13 JONATHAN McLENDON:

14 He made honor roll.

15 TREVOR MONCRIEF:

16 Between him and Doug Borries, who's on
17 here, they hold about 20 records apiece.

18 All right. So morning, Commissioners.
19 We have got two records to consider today. First
20 one is the mutton snapper. I mentioned that one
21 last meeting. This is our first submission of a
22 mutton snapper, five pounds, 8.8 ounces. Angler
23 was John Montgomery. This is a picture of the
24 fish, picture of Mr. Montgomery with the fish.

25 And then we've got a fly fishing record

1 for Mr. Doug Borries. It's a sheephead. The old
2 record was seven pounds, 12 ounces. New record is
3 eight pounds, 1.6 ounces. So a picture of the
4 fish. There is a picture of Mr. Borries with the
5 fish.

6 And I know I mentioned we've got a
7 smoothhound that we're waiting on. We sent it off
8 for genetic identification, and we've got a
9 positive ID, but they're wanting to go
10 double-check just because it is a rare species.
11 So we might be having that one pop up next month.

12 But all we need is a motion to recommend
13 adoption of these two records.

14 RONNIE DANIELS:

15 All right. I'll make the motion to
16 recommend the adoption.

17 JONATHAN McLENDON:

18 I will second it.

19 RONNIE DANIELS:

20 All in favor?

21 CAM ROBERDS:

22 Aye.

23 RONNIE DANIELS:

24 Aye.

25 JONATHAN McLENDON:

1 Aye.

2 RONNIE DANIELS:

3 All right. Thank you.

4 Do we have any other business today?

5 JOE SPRAGGINS:

6 Yes, sir. I would -- I don't know -- I
7 know we probably mentioned it the other day in the
8 last meeting, but I just want to reiterate the
9 Department of Marine Resources is now a member of
10 Mississippi Wildlife Foundation and Parks
11 Foundation.

12 I think this is a great thing for us to
13 be able to be a part of this. We are a standing
14 member with them and the director is a -- of the
15 agency will be a member of the board. We also
16 have two members from South Mississippi, Paul
17 Benton and David Machado that are both on that
18 board, and we have another that's been from South
19 Mississippi. And -- but we have quite a few
20 people that are on there that are looking at it.

21 I will tell you right now that they're
22 very, very fired up about us being a part of it,
23 and I think it's a great thing for us to be able
24 to be a part of the foundation. And we -- it is a
25 well run organization. And we will be able to

1 hopefully do some things in the near future to be
2 able to help the fisheries and the -- as far as
3 being able to help teach children how to and other
4 people how to fish and do some things there that
5 need to be done.

6 And we're looking to try to do -- one of
7 the things I have asked them is to give me some --
8 to be able to raise funds to give scholarships for
9 the students to go into marine resources and be
10 able to study that. So that hopefully those
11 things will work out and I just think that will be
12 a great deal for us and I appreciate them letting
13 us be a part of it.

14 RONNIE DANIELS:

15 That's good news for sure.

16 Do we have anything else?

17 (No response.)

18 RONNIE DANIELS:

19 All right. Do we have any public
20 comments?

21 JOE SPRAGGINS:

22 No public comments. I don't have any.

23 RONNIE DANIELS:

24 You want to close this out today, Joe?

25 JOE SPRAGGINS:

1 Yes, sir, if I could. Once again, I'd
2 like to close this meeting in honor of Major
3 General Al Hopkins, great man. Again, worked for
4 the Coast. He is a Mississippi resident from up
5 in North Mississippi area, but went to Delta State
6 and Mississippi -- University of Mississippi to
7 get his juris doctor. He is a -- was an Assistant
8 Adjutant General for the Army and as I said, the
9 gaming -- head of the Gaming Commission since
10 2015.

11 He is a great Christian. He is a deacon
12 at First Baptist Church, and he has led our Scrap
13 Iron class at First Baptist Church for as long as
14 I can remember as a -- and that's a group of --
15 that's our Sunday school class. And I will tell
16 you what, our average age is about 75, so that
17 gives you a number. But General Hopkins would
18 have been 82 today. And a great man, great
19 person. And if I could, I'd just ask to close
20 this in his honor, sir.

21 RONNIE DANIELS:

22 Yes, sir, absolutely.

23 Do we have a motion to adjourn?

24 CAM ROBERDS:

25 I'll make a motion to adjourn.

1 RONNIE DANIELS:

2 I will second.

3 All in favor?

4 JONATHAN McLENDON:

5 Aye.

6 CAM ROBERDS:

7 Aye.

8 RONNIE DANIELS:

9 Aye.

10 (Meeting adjourned at 9:51 a.m.)

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CERTIFICATE OF COURT REPORTER

I, MELISSA BURDINE-RODOLFICH, Court Reporter and Notary Public, in and for the County of Harrison, State of Mississippi, hereby certify that the foregoing pages, and including this page, contain a true and correct copy of my stenotype notes and/or electronic tape recording of the testimony of the witness, as taken by me at the time and place heretofore stated, to the best of my skill and ability.

I further certify that I am not in the employ of, or related to, any counsel or party in this matter, and have no interest, monetary or otherwise, in the final outcome of the proceedings.

Witness my signature and seal, this the _____ day of _____, 2023.

Melissa Burdine-Rodolfich
My Commission Expires 4/28/24