

STATE OF MISSISSIPPI

MISSISSIPPI ADVISORY COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

Tuesday, June 20, 2023, 9:00 a.m.

Bolton Building Auditorium

1141 Bayview Avenue, Biloxi, Mississippi 39530

COMMISSION MEMBERS:

Ronnie Daniels
Jonathan McLendon
Cammack "Cam" Roberds

ALSO PRESENT:

Joe Spraggins, Director
Sandy Chesnut, Esquire
Steven Eckert, Esquire

REPORTED BY:

Melissa Burdine-Rodolfich
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1 RONNIE DANIELS:

2 Good morning, ladies and gentlemen. We
3 would like to welcome y'all to the June 20th
4 Mississippi Advisory Commission on Marine
5 Resources meeting.

6 I would like to start out by recognizing
7 Michael Watson for being here with us today.

8 Thank you for coming out today, sir.

9 MICHAEL WATSON:

10 You're quite welcome.

11 RONNIE DANIELS:

12 Would you like to get up and say
13 anything? Come on. Bring your can with you.

14 MICHAEL WATSON:

15 I thought you wanted me to do the pledge
16 and prayer.

17 JOE SPRAGGINS:

18 Drinking on the job.

19 MICHAEL WATSON:

20 Yeah. I really wanted to clear up
21 something. The guy in the back with the tallboy,
22 this is water. This is water, so don't think I'm
23 drinking on the job. I promise it says
24 hydro-alkaline purified water. I did ask them for
25 a brown bag. They didn't have one.

1 Thank y'all for what you do. I did want
2 to say thank you for letting me sit here. And the
3 professor, Rick Carter, in the back and I, we were
4 just talking about the relationship we have with
5 DMR, so I just want to say thank y'all for the
6 kindness that you show us, the relationship that we
7 have.

8 General, just yesterday -- actually, this
9 morning, Wade and I were talking. There was a
10 comment made about how present you are and how
11 active you are working for the state, so I want to
12 say thank you and commend you on the job that you
13 do.

14 JOE SPRAGGINS:

15 Thank you, sir.

16 MICHAEL WATSON:

17 We just appreciate the relationship that
18 we do have. And thank y'all for being here today.
19 I love seeing an engaged public. That's what
20 keeps us accountable. And as y'all are engaged,
21 you get better government, so thank y'all for
22 being here. And that's it for me.

23 JOE SPRAGGINS:

24 Well, we wish you four more good years.

25 MICHAEL WATSON:

1 Well, thank you, sir.

2 RONNIE DANIELS:

3 Jonathan, would you like to lead us in
4 the pledge today?

5 JONATHAN McLENDON:

6 Sure.

7 (Pledge of allegiance was recited.)

8 RONNIE DANIELS:

9 Thank you, Commissioner.

10 Mr. Joe, would you like to lead us with
11 a prayer this morning?

12 JOE SPRAGGINS:

13 Yeah. Before we start today, you know,
14 we definitely want to think -- have our hearts and
15 concerns and all and hope and prayers for the
16 people in Moss Point, the things that happened
17 over there yesterday. And I know that a lot of
18 people are hurt. A lot of people had a lot of
19 damage, and I hope each and every one of you will
20 find it in your heart to help them. All right.

21 (Moment of prayer.)

22 RONNIE DANIELS:

23 All right. Do we have any discussion on
24 the minutes from May 16th?

25 (No response.)

1 RONNIE DANIELS:

2 Do we have a motion to approve the
3 minutes from May 16th?

4 CAM ROBERDS:

5 I will make a motion to approve the
6 minutes from May 16th.

7 RONNIE DANIELS:

8 I'll second that.

9 All in favor?

10 CAM ROBERDS:

11 Aye.

12 JONATHAN McLENDON:

13 Aye.

14 RONNIE DANIELS:

15 Do we have any discussion on our agenda
16 today?

17 (No response.)

18 RONNIE DANIELS:

19 I will make a motion to approve today's
20 agenda as it's listed.

21 CAM ROBERDS:

22 I'll second.

23 RONNIE DANIELS:

24 All in favor?

25 CAM ROBERDS:

1 Aye.

2 JONATHAN McLENDON:

3 Aye.

4 RONNIE DANIELS:

5 All right. I'm going to turn it over
6 to, Mr. Joe.

7 JOE SPRAGGINS:

8 All right, sir. I appreciate it. And
9 once again, if you have public comment, in the
10 back, Patrick is back there. If anybody needs to
11 make anything, please let us know.

12 Let's see. We talked about the Moss
13 Point tornadoes and obviously a lot of damage
14 yesterday. And you just never know. We have got
15 more coming today, more issues with today, so
16 let's be prepared for it. You know, it's not just
17 hurricanes that does damage to us. We can have
18 damage from other ways.

19 And I realize that -- I know that the
20 high school and a lot of areas over there were
21 very damaged, and maybe we will be able to find
22 some way to help them, you know, get back on their
23 feet and hopefully before football season for them
24 because there was some football players in there
25 getting ready yesterday.

1 But you know, I heard a great statement
2 last night. One of the old football players said,
3 well, I don't need to worry about football right
4 now. I need to worry about helping my community
5 get back. That tells you something. That tells
6 you something. Got some good people out there.

7 All right. Mr. Doug Borries, if you
8 don't know him, he passed away. And why do I
9 mention Doug Borries? Because he probably holds
10 more state records than anybody else in state
11 fisheries, and he has quite a few state records.
12 And he just passed away, and I would just like
13 y'all to remember him. And his records will hold
14 until somebody breaks them, so he will always have
15 a name out there.

16 And also, Mr. Manly Barton, one of our
17 legislators' son, Kennon, passed away this last
18 week, and remember him and remember the Barton
19 family. He was also a teacher at Ocean Springs
20 High School and a great young man from what I
21 could see and just an outstanding person.

22 And so remember those and -- when you
23 have to time for a stop in the day or whatever
24 you're doing and think about just talking to the
25 Lord. Just remember them. Okay?

1 All right. We have got a lot of other
2 things. We had other people in North Mississippi
3 have tornadoes this week, too, and all, so please
4 don't forget them. There was one person I know
5 that was killed in it and numerous injuries. And
6 they are all over the whole southeast, so just
7 remember all of them, please.

8 So with that, we'll get into red snapper
9 season. Well, we're in there. We're two or three
10 weeks into it and snapper season is looking pretty
11 good. We're at around 40,000, a little over
12 40,000 -- Trevor, where are you at? 40,000?

13 TREVOR MONCRIEF:

14 Yes, sir.

15 JOE SPRAGGINS:

16 Somewhere around 40,000, caught right
17 now, pounds. We only have 62,000 for this year.
18 Maybe going to go to 82-. There is a push for
19 that, so we'll see. But it's okay. We're going
20 to make it. Our season will end at the -- and
21 we'll carry all the way to Fourth of July, you
22 know, that week of the Fourth of July hopefully.
23 And if they do do this modification on the snapper
24 season and all, it will probably be a situation to
25 where we'll get the allotment of a different

1 one -- them increasing the allotment later during
2 the year so we'll have a fall season.

3 Trevor, am I right on that?

4 TREVOR MONCRIEF:

5 Yes.

6 JOE SPRAGGINS:

7 Come on up here. You know more about
8 this than I ever thought about.

9 TREVOR MONCRIEF:

10 Yes. So the most recent council
11 meeting, it all went out for final action for the
12 increase up to the 82,000 number that was
13 presented a while back. It's between 82- and 84-.
14 The timing of when that's going to go through
15 right now is up in the air, right, because it goes
16 to NOAA. It goes to the agency to be reviewed and
17 then goes to the Secretary of Commerce to sign.
18 But I think everyone has, you know, listed their
19 concerns about getting it done as fast as possible
20 so we can have the opportunity to access those
21 fish within the current year.

22 So when that happens, there could be a
23 situation where it includes Labor Day. We'll just
24 see how the rest of the season plays out through
25 the rest of July 4th and the week.

1 JOE SPRAGGINS:

2 Okay. Anything for Trevor?

3 CAM ROBERDS:

4 No, sir. Thanks.

5 JOE SPRAGGINS:

6 Appreciate it, Trevor. Thanks for all
7 your work there. You're doing a great job.

8 I got more accolades on him again the
9 other day. I tell you what, they love him out
10 there. We've got to watch him. He might -- he
11 can't leave me.

12 All right. So anyways, snapper season
13 will continue. We're looking at our hurricane
14 boating season, and, you know, then -- we have got
15 hurricane season, and, you know, obviously -- I
16 was listening at Rotary the other day and they're
17 talking about, well there's a wave coming off of
18 Africa, first time it's ever happened. No, it's
19 not the first time it's ever happened. It's
20 happened several times this early during the year.
21 Normally it doesn't develop into a hurricane.
22 This one has not developed yet, but it is close,
23 so we will watch it and watch it very closely,
24 where it's going. Hopefully, then, if it does, it
25 will get no more than a Category 1, which is --

1 will not be as devastating as it could be.

2 But when the heat index is 110 and 112
3 and the temperature is 100 degrees in June, water
4 temperature has got to go up with it, okay, so
5 understand that. And we're going to be in this.
6 Get prepared. We will be prepared at DMR. I can
7 tell you that. We will be prepared for whatever
8 comes to us. If it's a -- if we get through
9 another season by the grace of God, then that's
10 what we'll do. But if we don't, then we will move
11 on and we'll catch up with where we need to go.

12 But I ask y'all to watch yourself and
13 prepare for -- your boats. What I'm talking about
14 there, if you see these things coming in the Gulf
15 of Mexico, move that boat somewhere to safety.
16 Don't let it sit out there because I'm going to
17 tell you a little bit here in a minute about
18 derelict vessels, but -- just to give you an idea.
19 But get the boat of out there, move the boat, find
20 a way.

21 If you can't move it and you don't have
22 a way to move it, let somebody know and we'll try
23 to help you. We'll try to find a way to get
24 someone around. I don't know what we could do
25 legally at the Department of Marine Resources

1 moving a private boat, but we can do some things
2 to get people to help you. And we know people who
3 have the capabilities and we can probably talk to
4 some different people to see what we can do to
5 help you. More importantly, I don't want a
6 derelict vessel that I have got to pick up one
7 day, so let's get the boat out of there.

8 We will be closed on the Fourth of July
9 in honor of the celebration of our country. And
10 so there is a free fishing day that way -- that
11 day, so if you want to fish in the Gulf of Mexico
12 free that day, you can. You don't have to have a
13 license, no matter what your age. Okay. So
14 that's one day that you can go out there and
15 catch -- but now, that doesn't change the limit
16 and it doesn't change the size. Okay? It's not a
17 free limit and free size, so I want you understand
18 that. So, you know, you have got to catch what's
19 legal, but it is legal to go ahead and have that
20 free fishing day. And so we hope y'all enjoy
21 yourself and do it, and hope it will be a
22 beautiful day.

23 Talking about derelict vessels, 108
24 derelict vessel cases have been reported since
25 last July. And that's when we started this

1 project that the legislature gave us the -- the
2 House and Senate gave us money to do this with.
3 All right. We have 70 vessels that we have
4 removed out of the 108. Thirty-eight of them are
5 pending removal, so that ought to tell you
6 something, the numbers there, doesn't it? We have
7 a pending removal for every one of them.

8 So hopefully we will get them out of
9 here, and the goal was to clean up the Gulf and
10 clean up the bayous, clean up everything else.
11 And we're going to continue doing this and we'll
12 be able to -- and starting 1 July, we applied and
13 got -- and was able to get a grant, and so now
14 we're going to have federal money to help us do
15 this, so this is even going to be better. You
16 know, we're going to be able to marry the federal
17 money with the state money that we have and be
18 able to do this, so this will be fantastic. And
19 we'll be able to move a lot more vessels if we
20 have to, but let's hope that everybody will move
21 them and we won't have to, and that will be the
22 better deal.

23 Let's see. I've got -- get into the
24 employment contracts. Rebecca Hardgrove started
25 on June 1st in -- Public Health Laboratory

1 Director. We're glad to have her.

2 We also have Matthew Byrnes who is
3 starting on June 14th, and he's an ENR specialist
4 III in Marine Fisheries.

5 And Jilliane Craft is starting
6 June 19th, as a Compliance Inspector for the
7 Marine Fisheries.

8 We promoted Cameron Keys to Law
9 Enforcement II, so he's a corporal now and doing
10 a great job with us. We're happy to have him.

11 We've got a young lady -- is she here?
12 Is Rita here by any chance? Rita, come up front a
13 minute.

14 Rita started her career with Shellfish
15 Bureau and was the -- a regular fixture of the
16 oyster check station, if y'all ever went to oyster
17 check station over the last few years that we had
18 them, so many going, and provided assistance with
19 Mississippi oystermen in some of the best years of
20 the oyster harvesting. I can tell you that. She
21 was wonderful with it, and she was loved by the
22 oyster fishermen.

23 She knew each and every one of them by
24 their name. She strengthened relations with DMR
25 with everyone there. She did -- the fishing

1 community in general, she strengthened everything
2 that we had because of DMR and because of her
3 attitude and the way that she did her job.

4 She later moved in to help the
5 Fisheries harvester report catch and -- through
6 MRIP -- trip ticket rather, and she has a lot of
7 knowledge about a lot of things at DMR. And she
8 worked hard and she has been a part of this team.

9 She has fought for most everybody on
10 this team. If anybody has ever had anything go
11 wrong in their life, Rita has been there. And she
12 fought a lot of battles herself, but she also
13 fought more for other people.

14 After 31 years, we're going to have to
15 let her go and do her stuff at home that she wants
16 to do because she said, I'm retired, Joe. We dang
17 sure are going to hate it. We love her and, Rita,
18 we thank you for everything.

19 Okay. All right. Let's see where we're
20 at now. We did agency updates.

21 Procurements, did we get those
22 procurements? Yes, we did. Spat Tech. All
23 right. If you know we were doing the -- we did a
24 test and RESTORE gave us money to be able to do a
25 test and look at it. And the question was, should

1 we build a setting facility on the harbor or
2 should we do it some other way? Well, they gave
3 us the funds, the numbers of what it would cost to
4 put a setting facility and how much it would cost
5 to do it and how much to operate it.

6 And then we said, well, we want to look
7 at another operation. Can we do this
8 public/private? Is there a way to do something
9 public/private here that we could do and still be
10 able to do what we're trying to do and that's put
11 spat on shells and put them in the water, you
12 know, for oysters.

13 So we did a contract and we worked it
14 out with Spat Tech, LLC. And they're in the
15 process and they're going to put oysters in the
16 water. I think it's about 75 million, is that
17 right, that they're going to put in the water?

18 RICK BURRIS:

19 (Nodding head affirmatively.)

20 JOE SPRAGGINS:

21 And so we're going to be able to test
22 that and we're going to see what would it cost us
23 to do that rather than building a facility and
24 having to maintain it and to keep it going. Which
25 one is the better deal? That's what we're looking

1 for, so hopefully that will come through.

2 Any questions on that, Commissioners?

3 (No response.)

4 JOE SPRAGGINS:

5 Hopefully, they will start working on
6 it. It has been passed by all -- by the personnel
7 board and all, so everything is done and we're
8 ready to go forward with it.

9 So any questions? If not, we'll move
10 on.

11 Action updates, Sandy.

12 SANDY CHESNUT:

13 Okay. From the May meeting, we had
14 several resolutions to name or rename different
15 tracts of land.

16 The first two were pursuant to
17 legislation that was passed. It was -- the
18 Dantzler Tract in Pascagoula was renamed the
19 Secretary of State Eric Clark Coastal Preserve.
20 That will be effective July 1st.

21 The Big Island in the Back Bay of Biloxi
22 was renamed Gollott Island, and then the
23 breakwater improvement south of the Big Island was
24 renamed Godfather Point. That was that will also
25 effective July 1st.

1 The third one was at the request of
2 citizens of Bay St. Louis. They brought it
3 forward. They wanted the oyster reef that was
4 constructed by the Nature Conservancy in the Bay
5 of St. Louis renamed the Tony Trapani Reef.

6 JOE SPRAGGINS:

7 And if I can, we're working on some
8 signage for all those, and so hopefully we will
9 get that done shortly and be able to do some type
10 of a dedication for that. And I know for the
11 Gollott Island and the Godfather Point, that will
12 probably be on the point where we'll put it
13 basically, and we'll put something there and do
14 some type --

15 And we're also working with Eric Clark,
16 and I have been asked by the senator that asked to
17 do this to hold off till August or so to do it
18 because he was out of town, so we'll do something
19 after that point.

20 And we did Trapani Reef and all this
21 last time, so just not -- we're not just walking
22 over this. We will definitely make sure all those
23 things are noted.

24 SANDY CHESNUT:

25 And then the Hancock County Port and

1 Harbor Commissioner requested to establish a
2 special management area designation for Port
3 Bienville Industrial Park and Stennis
4 International Airport and Airpark.

5 Then the Title 22, Part 1, the rules and
6 regulations for oysters -- because I can't say
7 molluscan shellfish right -- is the oyster regs,
8 that was rewritten to conform to the requirements
9 of Senate Bill 2544 and forwarded to the Secretary
10 of State's office for Notice of Intent. And I
11 think that's coming forward for final adoption.

12 JOE SPRAGGINS:

13 Yes, I think that's in -- in fisheries
14 coming up.

15 SANDY CHESNUT:

16 Okay. And that's it.

17 JOE SPRAGGINS:

18 Any questions, Commissioners?

19 (No response.)

20 JOE SPRAGGINS:

21 If there's not, I would like to also
22 just take this moment and -- Secretary, we do
23 appreciate you stopping by. We thank you so much
24 for everything you do for us. And, you know,
25 Secretary Watson is the one that hands us that

1 check every year around 10, \$12 million, you know,
2 whatever the number is for the -- that helps a lot
3 on what we do out here and how we operate this
4 agency.

5 But being a statewide elected official
6 from South Mississippi is even huge for us, bigger
7 things, and we just appreciate you and your team.
8 They're in this building here now, so, you know,
9 we have them. They're not in another building
10 somewhere else. They're right here with us and we
11 can come see them and they can come see us at any
12 time.

13 And it's just a blessing to have you,
14 sir. And thank y'all very much and wish you well,
15 sir.

16 That's it, sir.

17 RONNIE DANIELS:

18 All right. Busy month.

19 Commissioners, y'all got anything to
20 report?

21 JONATHAN McLENDON:

22 Yes, I have got just a quick thank you.
23 So the Shrimp Processors Association was
24 successful last month in defending the
25 anti-dumping orders against foreign government to,

1 you know, keep the price pressure down on our
2 commercial fisherman. So I just want to take this
3 time to thank all the federal and state officials
4 who wrote and testified on our behalf.

5 JOE SPRAGGINS:

6 Good deal.

7 RONNIE DANIELS:

8 Good news.

9 I have just got a question. Have we
10 heard anything else on Bonnet Carré stuff? Have
11 we made any movement?

12 JOE SPRAGGINS:

13 We do. Matter of fact, is that on the
14 list? Rick, is that on the list?

15 RONNIE DANIELS:

16 I don't see anything on there.

17 JOE SPRAGGINS:

18 Well, how about you just come up and
19 address the Commissioners on that right now.

20 RICK BURRIS:

21 Yes, sir. So good news, we have been
22 awarded the funds. We should shortly -- should
23 see something shortly coming out where we'll be
24 taking applications. We're still kind of working
25 through that process, but we have been awarded the

1 funds and so we're ready to start moving forward
2 with the \$21 million.

3 RONNIE DANIELS:

4 Is there anything that we put out, to
5 let the fishermen or the affected people know,
6 that we need to be gathering and getting together?

7 RICK BURRIS:

8 Yeah. So that's what I'm talking about.
9 We'll issue at some point in the near future an
10 application process, and we will send them out to
11 the -- so if you recall, the requirements for
12 the -- for receiving any funds would be a license
13 in the 2019 year when the -- when it happened and
14 then some licenses previous to that, the five
15 years prior to that, I believe. There's two
16 different processes in my mind, but you had to
17 have a 2019 license.

18 So we'll send out information, put press
19 releasees out, but we'll definitely send out
20 information directly to those license holders and
21 start the application process. We don't have a
22 date on that yet, but we will be looking forward
23 to that soon.

24 RONNIE DANIELS:

25 It will be a forward movement. That's

1 good.

2 RICK BURRIS:

3 That's correct.

4 JOE SPRAGGINS:

5 Rick, while you're there, what was the
6 poundage on shrimp?

7 RICK BURRIS:

8 So the last -- May -- this past May we
9 caught about 750,000 pounds of shrimp -- 764,000
10 pounds of shrimp. The average prior to that
11 previous five years was 387,000 pounds, so -- and
12 we did open last year in May, so all that's
13 considered. So they caught a pretty good bit of
14 shrimp this past May. It's still preliminary.

15 The big difference is the price, like
16 we're talking about. The price difference, I
17 believe, in the last five years was -- the value
18 over the last five years was about \$750,000 with
19 an average of 380,000 pounds landed. And this
20 year it was 764,000 pounds landed, and that was
21 value of \$846,000.

22 So you're looking at a difference of
23 almost of a dollar in the value of shrimp and we
24 have heard all about that. So that's an ongoing
25 issue and hopefully it will straighten out with

1 the market at some point. But price is a problem.
2 The shrimp are there, which is great. The
3 resource is starting to rebound from 2019, we
4 believe. You can see the numbers steady going up,
5 so it's looking bright for the future of the
6 industry hopefully.

7 JOE SPRAGGINS:

8 Just to give you an idea, I was talking
9 to Patrick the other day, the commissioner and --
10 the one over in Louisiana Fisheries. And he said
11 that 15, 20 count were selling for a dollar and a
12 half a pound on the market there at the docks, so
13 that tells you something about the price of
14 shrimp.

15 It's really low, but I hate it for the
16 shrimpers, and that's one of the things I have
17 advised the team. Let's get that money out to
18 them because they're the ones that are still
19 working hard and they need the money and we need
20 to get it to them. Not discounting the oystermen.
21 That's not what I'm after, but we have got to do
22 what we can. We've got to save the ones, and
23 shrimpers are a great thing.

24 And the shrimp are still a great asset
25 and there's still a lot of it in Mississippi.

1 And I tell you what, and -- it's the best protein
2 for the amount of money in the United States or
3 anywhere. You know, the amount of protein that
4 you get for the amount of cost for shrimp is one
5 of best in the world, and it's not very fat. Not
6 hardly any fat in it at all.

7 RICK BURRIS:

8 Yeah. You look at the difference in a
9 pound of hamburger meat and shrimp. It's always
10 best to go with shrimp, local shrimp.

11 JOE SPRAGGINS:

12 Yeah, local shrimp. That's Mississippi
13 Gulf shrimp.

14 RICK BURRIS:

15 Mississippi caught, that's right.

16 JOE SPRAGGINS:

17 All right. Thank you.

18 RONNIE DANIELS:

19 Thank you. I appreciate that.

20 All right. If the Commissioners don't
21 have anything else, we'll move on to Marine
22 Patrol, Chief.

23 KYLE WILKERSON:

24 Good morning. Glad to see everybody
25 healthy and wise and lack of better words, we all

1 try to be wise nowadays. Unfortunately, speaking
2 to what you said earlier, Commissioner Daniels, it
3 was a busy month.

4 And, you know, Memorial Day weekend
5 lands on -- at the end of May, and it was a big
6 boat and water safety month. We had a few
7 accidents. No fatalities, one injury. We really
8 are as -- when I say "we," the officers, they
9 really stepped up and did a phenomenal job with as
10 many boats as we had on the water.

11 I would roughly say that -- we were out
12 at Ship Island on that Saturday -- there were 400
13 boats out there. And the same with Horn Island.
14 It was -- it was, lack of better words, a
15 madhouse, but we were able to cope with it. No
16 one died, one injury. Well, I take that back.
17 One fatality up in the rivers, in the Jourdan
18 River. One little girl passed away with a boat
19 strike unfortunately, but that's going to be the
20 Department of Wildlife's issue. We have been
21 helping them tremendously with that.

22 All right. Let's get to fisheries now.
23 We have a few oyster violations. The ones that
24 you see on the report itself was one individual.
25 He was actually harvesting oysters on Ship Island

1 pier. Yeah. That was a shock to me also. But he
2 received a violation for it, so -- and we went on
3 with our day.

4 Panning red snapper on the Marine Patrol
5 side of it, as to date, we have 1,146 completed
6 trips, 10 percent compliance checks and only five
7 failure to register for Tails and Scales, as to
8 date, so compliance is high. And as long as
9 everybody is playing properly, we're good with it
10 ourselves. It's less work that we have to deal
11 with, but everybody is doing well.

12 I just would like say that, please stay
13 vigilant on the water this summer. We have really
14 started out with a lot of accidents, but luckily
15 we have been blessed with not too many fatalities.
16 But it is -- it's getting on up there pretty quick
17 and we haven't even met July yet.

18 So I will field any question, if you
19 have any.

20 RONNIE DANIELS:

21 Only five failure to registers on Tails
22 to Scales. With the amount of boats that have
23 been out, that's pretty good --

24 KYLE WILKERSON:

25 That's very good.

1 RONNIE DANIELS:

2 -- or people are using it.

3 JOE SPRAGGINS:

4 If we can get NOAA to --

5 RONNIE DANIELS:

6 Yeah. Exactly.

7 Y'all got anything?

8 JONATHAN McLENDON:

9 I'm good.

10 RONNIE DANIELS:

11 Y'all keep up the good work out there.

12 KYLE WILKERSON:

13 Thank you, sir.

14 RONNIE DANIELS:

15 It's hot.

16 KYLE WILKERSON:

17 Yes, indeed.

18 RONNIE DANIELS:

19 Coastal Resources Management, Anna

20 Gambling.

21 ANNA GAMBLING:

22 Good morning.

23 I'm here on behalf of wetlands

24 permitting for a violation at the Chambers'

25 residence at 110 Bayou Circle in Gulfport.

1 This is the General Use District, and
2 the agent is On The Water, LLC.

3 This is a big overview of where the
4 property is on the Coast. It is near Lorraine
5 Road, which is Mississippi 605, and it's right on
6 Bernard Bayou.

7 And then this is the overview or just an
8 aerial of the Chambers' residence on Bernard
9 Bayou.

10 Our project description, the agent
11 and/or contractor began construction of a bulkhead
12 prior to the issuance of authorization on behalf
13 of permitting.

14 The project chronology begins in --
15 March 13th. We received the bulkhead application.
16 And on April 20th, we were able to conduct a site
17 visit where construction of the bulkhead had
18 already begun. And we -- it was waterward of the
19 existing bulkhead. And we immediately spoke to
20 the contractor over the phone to stop working.

21 Later that day, the agent came to DMR to
22 meet with us in the office. I sent an e-mail
23 covering what had been discussed during this
24 meeting and informed the agent -- a written
25 statement that would -- that work would stop would

1 be required.

2 And on May 5th, I sent an update
3 requesting the same thing. On May 17th, DMR was
4 alerted the construction of the bulkhead had begun
5 again and a site visit was performed the same day
6 and revealed that construction had continued. On
7 May 19th, a Notice of Violation was sent to the
8 property and agent. May 22nd, the agent submitted
9 a letter stating that construction would stop.

10 On June 1st, DMR staff met with the
11 applicant/agent and Secretary of State's office to
12 determine allowable location of the bulkhead since
13 it is on public trust tidelands. And on the 8th,
14 Secretary of State sent us an e-mail stating that
15 they had no objection to the placement of the
16 bulkhead, as it was constructed under an old
17 creosote bulkhead and it would be better for the
18 environment that way.

19 This is just the diagram that was sent
20 in by the agent that I received. And it says
21 Gulfport Lake, but it's also Bernard Bayou.

22 This is the property as of the 20th.
23 Excavation had begun and pilings were placed in
24 the water in front of the previous bulkhead.

25 And on May 17th, deadmen had been placed

1 in the water because excavation had occurred and
2 ordinary high water had changed.

3 Our recommendation, the staff of the
4 Department of Marine Resources has conducted an
5 evaluation of the matter and recommends a fine be
6 issued to the agent On The water, LLC. The fines
7 should be within 45 days in accordance to
8 Mississippi Code 49-15-415 or the matter should be
9 forwarded to the Attorney General's office for
10 further enforcement action. At the request of On
11 the Water LLC, a payment plan can be agreed upon
12 to allow for time or payment.

13 The potential penalty range begins
14 April 20th and ends on the 22nd when the written
15 confirmation was received. The total violation
16 duration was 32 days. Maximum potential fine for
17 residential at \$500 a day is \$16,000. We
18 recommend no fine for the permittee and we
19 recommend the \$16,000 fine recommended for the
20 agent.

21 Our decision factors include that the
22 agent is very familiar with our permitting
23 process. They have had other compliance issues.
24 And we do not recommend a fine for the permittee,
25 as they have been cooperative. They facilitated a

1 meeting on site and was unaware that authorization
2 had not been issued and the permittee has had no
3 other compliance issues.

4 Any questions?

5 RONNIE DANIELS:

6 Do y'all -- were y'all looking to say
7 anything about this?

8 DOUG DELUCA:

9 Yes.

10 RONNIE DANIELS:

11 Come on up, sir. What is your name?

12 DOUG DELUCA:

13 Doug DeLuca.

14 RONNIE DANIELS:

15 Come on up to the microphone there.
16 That way they can get it. And you're the
17 contractor?

18 DOUG DELUCA:

19 I am.

20 JOE SPRAGGINS:

21 Please state your name and all.

22 DOUG DELUCA:

23 My name is Doug DeLuca, and we are the
24 contractor on the site there at Bayou Circle. We
25 did receive notice of a violation, which that day

1 we immediately stopped. And the following day, we
2 did come in and I sat down with Ms. Gambling and
3 Ms. Willa Brantley and we discussed what the
4 options were for moving forward, as well as the
5 violation.

6 At that point in time, I was told it was
7 probably up to maybe a \$500 fine, which that was
8 just simply, at the meeting between the three of
9 us, stated. We immediately ceased all
10 on-the-water work.

11 A few days after that, I did call and
12 ask if I can finish removing the roof on the
13 existing boathouse to be relocated -- or rebuilt,
14 excuse me. We did some work on the land side
15 inside of the bulkhead work, but no water. No
16 work was done on the water and our barge was
17 removed, so there was no construction from that
18 point on forward.

19 We respect the DMR's office and the
20 simple reason that we were out there was no one's
21 fault but mine. I take all that responsibility.

22 The 4th, I received a phone call asking
23 me a couple of questions about the permit proposed
24 and was told at that point in time that a permit
25 would be issued, as we had made our proposal. I

1 did not check that a few weeks after that and we
2 did begin work on that bulkhead, so that is no
3 one's responsibility but mine, and I accept that
4 responsibility. We have since moved forward with
5 the project.

6 The reason it went outside of the
7 existing bulkhead line was to protect the
8 environment, as it was filled with creosote
9 material, which we procured a letter from a local
10 fill in Vancleave who, Mr. Roger Applewhite, said
11 he would accept that material from that job site
12 so we would not have any continued leaching of
13 that contaminated product or leaching out into the
14 bayou.

15 We have since received our permit and
16 are moving forward with that job as we speak. I
17 apologize to the Commission for anything that I
18 have done wrong, but I accept full responsibility.
19 I did not follow through and check the portal to
20 see if the permit was issued and that was no one's
21 fault but mine. And I respect that y'all will
22 take that into consideration when y'all decide
23 what we do forward from here.

24 RONNIE DANIELS:

25 So you say after the first stop work

1 order was issued, the only thing that was done
2 after that was removing this roof or whatever?

3 DOUG DELUCA:

4 We had removed creosote material. We
5 didn't do any of the work as far as touching the
6 creosote until we finished with the Secretary of
7 State's office. Once we met with Mr. Carter and
8 his staff, we were able -- then we were issued at
9 his request -- or at least his permission to move
10 forward. The DMR then issued a permit and we have
11 removed the creosote, the contaminated material
12 from the waterway.

13 The work that was done after that stop
14 order, which was after a phone call to the office,
15 I had requested that we continue to remove the
16 shingles off the roof of the boathouse, remove the
17 plywood. And we did landward work from inside of
18 the bulkhead construction that had ceased. I was
19 under the understanding that we had that
20 permission to continue there until a permit was
21 released, which we did and we now have a permit
22 and are moving forward with that, that project,
23 sir.

24 CAM ROBERDS:

25 So all the creosote is pulled out now or

1 is going to be pulled out?

2 DOUG DELUCA:

3 All with the exception of the boathouse.
4 We're going to remove those six pilings tomorrow.
5 And the boathouse still has approximately 74 feet
6 of the contaminated creosote behind -- in the
7 existing boathouse, which we need to get access by
8 removing the roof and taking out the piling
9 support of the boathouse which are in themselves
10 creosote as well.

11 CAM ROBERDS:

12 So the second -- the second -- the
13 portion of the work that was started before the
14 permit was final and issued was -- you had a lag
15 there for several weeks, it sounds like, and you
16 just thought maybe the -- you had submitted
17 everything, but you hadn't received anything on
18 paper, an actual permit at the time?

19 DOUG DELUCA:

20 No, sir, that is correct. We did not.

21 JONATHAN McLENDON:

22 So on this April 20th date that you had
23 the discussions with the DMR, like, were you under
24 the impression that you were supposed to stop all
25 work? Like, I guess, I know -- I know you're

1 saying you removed shingles and things like that,
2 but what was the point of the discussion here?

3 DOUG DELUCA:

4 The meeting on April 20th, we did
5 discuss that the work was to cease and that was
6 per the three of us upstairs in this building,
7 which we did. And that following Friday, I had
8 called and asked, well, what about the landward
9 work, which is removing the shingles and I was
10 verbally told I can move forward with the landward
11 work. I could not touch anything that had to do
12 with the bulkhead or on the water.

13 JONATHAN McLENDON:

14 Who did you speak to in that
15 conversation?

16 DOUG DELUCA:

17 I believe that phone call went to
18 Ms. Gambling.

19 JOE SPRAGGINS:

20 If I can real quick, Willa or any of
21 them, the issue of moving anything inland, is
22 that any -- is that any type of issue as the
23 reason we're looking at this fine because I would
24 like to know why.

25 If you don't mind, she's behind you if

1 you want to let her talk for a second.

2 DOUG DELUCA:

3 Yes.

4 JOE SPRAGGINS:

5 But I guess the question I'm asking,
6 did -- when he stopped the work on the water --
7 but anything like on a pump house -- I mean, a
8 boathouse or anything like that, that's not
9 disrupting the water at all. Is there any legal
10 reason that they couldn't do that?

11 WILLA BRANTLEY:

12 Removing the roof would have been fine,
13 not touching the water. He could have continued
14 with that work, and Anna did tell him that.

15 But it appeared when we visited the site
16 again in May that they had continued digging back
17 for placing deadmen, which is landward of the
18 bulkhead, but they have to be dug back and there
19 was water touching those deadmen. So to our eyes,
20 there was more work that had been done disturbing
21 the shoreline.

22 JOE SPRAGGINS:

23 All right. Hey, can y'all put up that
24 picture? It's the one that with Slide Number --

25 RONNIE DANIELS:

1 May 17th, nine.

2 JONATHAN McLENDON:

3 Nine.

4 JOE SPRAGGINS:

5 -- 8 or 9, yeah.

6 RONNIE DANIELS:

7 That's where I was kind of going with my
8 question, is whenever these deadmen --

9 JOE SPRAGGINS:

10 All right. Look at nine. Go to the
11 next one. All right. Is that -- that work there,
12 okay, the bulkhead --

13 WILLA BRANTLEY:

14 Yes. This --

15 JOE SPRAGGINS:

16 The bulkhead was there. The bulkhead,
17 right? That's the old -- what's in the water
18 right there, that's touching now, that's the old
19 bulkhead --

20 WILLA BRANTLEY:

21 That's the old one.

22 JOE SPRAGGINS:

23 -- that you see in the picture to the
24 left and everything else, right?

25 WILLA BRANTLEY:

1 Right. And this digging back --

2 JOE SPRAGGINS:

3 And anything behind that old bulkhead,
4 is that considered water?

5 WILLA BRANTLEY:

6 Yes. Because at the time, once they had
7 done the excavation, it makes the water touch
8 that, so they're -- they're touching water that
9 also circulates out into here, so that is
10 considered still doing work after the cease and
11 desist had been given.

12 JOE SPRAGGINS:

13 Okay. And I understand that. And I
14 guess the question, too -- and sir, I understand
15 you met with the Secretary of State's office and
16 they said they had no problem with you removing
17 the creosote and stuff, which I think it's great
18 that we moved that.

19 But the question I have got there is,
20 they were talking about they had no problem with
21 you building the bulkhead, I think. Is that
22 correct, Willa? The Secretary of State was okay
23 with that?

24 WILLA BRANTLEY:

25 That's correct. The initial response

1 that we typically get from the Secretary of
2 State's office when the bulkhead touches -- the
3 old bulkhead touches public trust tidelands is
4 that the new bulkhead should be replaced in the
5 same footprint as the existing and not go out
6 further.

7 There are cases where the property owner
8 or their agent can ask for permission to go out
9 waterward because of environmental issues,
10 stability issues. We had not approached the
11 Secretary of State -- or the applicant and the
12 agent had not approached the Secretary of State's
13 office at that point, so that's why we had to
14 bring them in after and have the meeting and it
15 was finally resolved that they could go waterward
16 of the old bulkhead. So we went ahead and issued
17 the permit, you know, for where the construction
18 was currently taking place.

19 JOE SPRAGGINS:

20 Okay. And I guess what I'm trying to
21 ask so the Commissioners can understand, all
22 right, whenever -- I'm looking at this picture on
23 the left here and you see the old bulkhead which
24 obviously had creosote and everything else in it.
25 And then you're looking at that and then anything

1 back behind there, that is also part of the old
2 bulkhead or part of the old area that was there.
3 And so whenever they did that, you're saying that
4 the issue was that they shouldn't have dug
5 anything behind the bulkhead until after they got
6 the permit, is what you're saying?

7 WILLA BRANTLEY:

8 Right. If what they were digging was
9 touching the water.

10 JOE SPRAGGINS:

11 And since the Secretary of State is
12 here, it's very great. But the issue that I'm
13 thinking, too, is that the contractor talking to
14 the Secretary of State and thinking that, hey, you
15 know, he said it's okay. We can -- we're going to
16 let you -- we're not going to -- we're going to
17 ask DMR to go forward. Do you think there could
18 have been a little bit of a situation where
19 Secretary of State is trying to help us out,
20 trying to help out and we -- just because the
21 permit hadn't been issued that quick, do you think
22 there was anything done that was totally violating
23 what would have been done?

24 WILLA BRANTLEY:

25 I don't know of any communication

1 between the agent and the Secretary of State's
2 office prior to May 17th. We met on site --
3 RONNIE DANIELS:

4 It says June 1st, is the first time I
5 see the Secretary of State.

6 WILLA BRANTLEY:

7 Yes, June 1st.

8 JOE SPRAGGINS:

9 Yes. Mr. Carter. Hang on. We've got
10 Mr. Carter here.

11 RAY CARTER:

12 My boss says I can come up there and
13 talk to you.

14 WILLA BRANTLEY:

15 And if Mr. DeLuca, if they had had any,
16 you know, conversations that I'm not privy to, he
17 may have some information.

18 JOE SPRAGGINS:

19 Well, we just want to be 100 percent
20 fair on what we're doing here.

21 RAY CARTER:

22 Commissioners and Director, my name is
23 Ray Carter. I'm with the Secretary of State's
24 office.

25 Our standard response as Willa indicated

1 in these instances is that you can build it in the
2 footprint of the current bulkhead or the old
3 bulkhead. We had no knowledge at the time of any
4 creosote issue or any other issue for that matter.

5 It became -- we became aware of the
6 permit violation through contact through Ms.
7 Brantley's office. We arranged to have a joint
8 site visit, so that we fully understood what was
9 going on.

10 And when we arrived, we were told at the
11 time that there was a creosote issue. Okay. And
12 now, we had actually sent a letter to Mr. DeLuca
13 and the applicant saying that you needed to stop
14 work. You could not encroach on the tidelands.
15 We understood that they were building in front of
16 the old bulkhead.

17 At the site visit, we were made aware of
18 the creosote issue -- and the question was raised
19 with Ms. Brantley and she helped us out -- that if
20 you were building them two feet or more or as far
21 as necessary in front of the old bulkhead for
22 protection of the environment and the creosote,
23 why are you removing them the next step?

24 Ms. Brantley said that based on her
25 research -- and if I'm putting words in your

1 mouth, please correct me, but it was still
2 beneficial to the environment, even though you
3 encapsulated it by moving the bulkhead forward.
4 Removing was still an acceptable step. Is that a
5 fair statement?

6 WILLA BRANTLEY:

7 (Nodding head affirmatively.)

8 RAY CARTER:

9 Okay. Okay. So at that point in time,
10 according to a policy that we have adopted in the
11 Secretary of State's office, we agreed that if DMR
12 found that it was necessary to protect the
13 environment, we would have no objection to a
14 bulkhead the minimum distance necessary, but no
15 more than two feet in front of the existing
16 bulkhead location.

17 Okay. And that is my recitation of the
18 events as I remember them and should you -- if you
19 have any questions.

20 JOE SPRAGGINS:

21 Okay. I mean, that's -- and that's what
22 I have understood so far in this whole
23 conversation.

24 RAY CARTER:

25 Yeah.

1 JOE SPRAGGINS:

2 Well, that's great. All right. I mean,
3 once again, it's good that Secretary of State and
4 DMR -- if you see, we're working hand in hand on a
5 lot of things here. But what they did was
6 basically come back and look at it and took the
7 time to go out and look at it.

8 So I guess the question I have got,
9 Willa, is I'm sitting here looking at it, all
10 right. Obviously the contractor is admitting that
11 they did something they shouldn't have done.
12 Okay?

13 WILLA BRANTLEY:

14 (Nodding head affirmatively.)

15 JOE SPRAGGINS:

16 We understand that. We're going to
17 address that in just a minute. All right. But
18 the other part of that is that what they came back
19 with and what we have now is a viable option to
20 work with and it's -- I think y'all just issued
21 the permit; is that correct?

22 WILLA BRANTLEY:

23 Yes, sir. We issued it last week.

24 JOE SPRAGGINS:

25 Okay. So the work that has been done,

1 anything that has been done right now, is anything
2 there that would be in violation of -- if they had
3 never touched anything, if they had never touched
4 a thing, okay, and they came in and the permit
5 that you issued on Friday, is that permit on
6 Friday -- have they done anything that would be in
7 violation of that permit if they started it, you
8 know, this last weekend?

9 WILLA BRANTLEY:

10 Not to my knowledge, the last time I was
11 at the site.

12 JOE SPRAGGINS:

13 Okay. So I guess what I'm asking is --
14 I realize -- and we'll address other things, but I
15 realize that -- the point I'm getting at is the
16 Secretary of State agreed with us that we could
17 get no more that two feet from the current
18 bulkhead, right --

19 WILLA BRANTLEY:

20 (Nodding head affirmatively.)

21 JOE SPRAGGINS:

22 -- which is kind of a standard that we
23 have worked with over time. And we have come back
24 and said that it would probably be beneficial to
25 the environment and everything if we took the old

1 creosote out and did that.

2 WILLA BRANTLEY:

3 (Nodding head affirmatively.)

4 JOE SPRAGGINS:

5 So that's our statement to them and
6 that's another thing that's working.

7 All right. At that point, they have
8 done some work which -- obviously, on the
9 boathouse or something like that. Had nothing to
10 do with this. But the work that -- where you can
11 see they dug out a little bit or done some other
12 stuff, you know, on the backside, that was done
13 with -- probably under -- without having
14 permission to be done; is that correct?

15 WILLA BRANTLEY:

16 Yes.

17 JOE SPRAGGINS:

18 Is that a better way of saying that,
19 they did that without permission?

20 WILLA BRANTLEY:

21 Yes.

22 JOE SPRAGGINS:

23 But however, in the long run, it did not
24 affect anything that was going to happen in the
25 future?

1 WILLA BRANTLEY:

2 No, sir. It did not put the overall
3 project out of compliance.

4 JOE SPRAGGINS:

5 What I'm saying is, while the permit was
6 issued on Friday, what they have done so far has
7 done no harm to anything and it would not be
8 something that would need to be repaired?

9 WILLA BRANTLEY:

10 Right. No restoration is needed.

11 JOE SPRAGGINS:

12 Does that make sense, Commissioners?

13 RONNIE DANIELS:

14 Yes.

15 JOE SPRAGGINS:

16 All right. That's the other issue.

17 Now, the only thing I want to bring up
18 on this to the commissioners, too, is that the
19 company that's doing this business has been in
20 business for quite a while. They're not a new
21 company, but they have quite a -- and they have
22 had some violations in the past. All right? Out
23 of the number of actual times that they have done
24 work against the number of violations, it's
25 probably -- it's a small number, not --

1 compared -- you know, it's not like 50 percent of
2 the time or something like that.

3 All right. But with a contractor that
4 understands the business, that's another issue.
5 And if a contractor understands the business --
6 and I know the owner is sitting here and the owner
7 is probably going to be like me if I was sitting
8 out there. Before I ever came to work for DMR, I
9 wouldn't know what the heck is right or wrong.
10 You know, all I'm going to know is what the
11 contractor tells me and what the permit says and
12 what DMR and everybody else says we can do.

13 So I think what I'm looking at here
14 is -- is there something about the contractor
15 themselves, about how many violations they've had
16 and why they did this? Is that the reason for the
17 fine?

18 WILLA BRANTLEY:

19 Yes, sir.

20 JOE SPRAGGINS:

21 And the reason being that I remember us
22 talking some about this, you know, before. And
23 the reason for -- is there anything that we have
24 that's where the contractor has had numerous
25 violations in the last five years?

1 WILLA BRANTLEY:

2 This contractor in particular.

3 JOE SPRAGGINS:

4 Well, I guess so. You know, that's who
5 we're talking about, right?

6 WILLA BRANTLEY:

7 I didn't know if you meant like a
8 practice of recommending fines for other people.

9 We have had a few compliance issues. We
10 do have another that is currently under
11 investigation that may be presented -- that
12 probably will be presented next month with the
13 same contractor.

14 JOE SPRAGGINS:

15 Okay. What's the name of the company?

16 WILLA BRANTLEY:

17 It's On The Water.

18 JOE SPRAGGINS:

19 Okay. That's the name of the company?

20 WILLA BRANTLEY:

21 That's the name of the company.

22 JOE SPRAGGINS:

23 And On The Water, what have we had as
24 far as violations with On the Water?

25 WILLA BRANTLEY:

1 For On The Water, we have one violation
2 that was presented at Commission. We had one with
3 the previous owner. It was not presented to
4 Commission. Restoration was done.

5 And then currently under Doug DeLuca's
6 name, we have four violations. There is a little
7 bit of -- Doug DeLuca was working as an agent
8 prior to joining On The Water, so there is a
9 little bit of -- Doug DeLuca had some violations
10 just as him serving as the agent. We had a few
11 with On The Water before he joined them. And then
12 now this one is -- he is part of On The Water now.

13 JOE SPRAGGINS:

14 Okay. When you say "Doug DeLuca,"
15 that's you, sir, right?

16 DOUG DELUCA:

17 It is.

18 JOE SPRAGGINS:

19 He had a company hisself?

20 WILLA BRANTLEY:

21 Yes, sir.

22 JOE SPRAGGINS:

23 Before joining with this company?

24 WILLA BRANTLEY:

25 Yes, sir.

1 JOE SPRAGGINS:

2 And that company did on the water --
3 quite a bit of work on the water, or was it a --

4 WILLA BRANTLEY:

5 Not as On The Water, the company, but,
6 yes, on the water as far as construction.

7 JOE SPRAGGINS:

8 Yeah, I understand. I got that.

9 WILLA BRANTLEY:

10 I just want to be clear.

11 JOE SPRAGGINS:

12 I guess what I'm saying is, when
13 Mr. DeLuca -- when his company -- is that company
14 still in existence?

15 DOUG DELUCA:

16 It is not.

17 JOE SPRAGGINS:

18 When you had that -- when he had that
19 company before, was his primary job working, doing
20 bulkheads and things of that nature that we're
21 talking about now?

22 WILLA BRANTLEY:

23 He served as the agent. I know that he
24 did have one violation in Ocean Springs many years
25 ago. I know he did some restoration work where

1 some vegetation was destroyed, but he was agent
2 with another person. There were two agents, so I
3 really don't know which one did the actual
4 construction, to be honest.

5 JOE SPRAGGINS:

6 Okay. Just as if -- and I'm going to
7 make a statement here. DMR is not punished
8 because of what Joe Spraggins may have ever done
9 before -- before he became a member of DMR, and so
10 we're -- I guess the situation here is we need to
11 look at the company and -- now. The company's
12 name is On The Water. Is that it?

13 WILLA BRANTLEY:

14 Yes, sir.

15 JOE SPRAGGINS:

16 Okay. And that's just what I'm asking
17 y'all Commissioners to look at. This is a company
18 and -- you know, whether Mr. DeLuca did right or
19 wrong in the past, obviously he's in with a
20 company that has been in business for more than a
21 year or two, right?

22 WILLA BRANTLEY:

23 Yes.

24 JOE SPRAGGINS:

25 And has that company had a pretty good

1 record in general?

2 WILLA BRANTLEY:

3 What we have in the past 10 years was
4 that they submitted -- just the company submitted
5 34 applications, and there were two compliance
6 issues. One of which was presented at the
7 Commission.

8 JOE SPRAGGINS:

9 Okay. So well, really one big
10 compliance issue in 34 applications?

11 WILLA BRANTLEY:

12 Uh-huh. And it was the same thing. It
13 was a bulkhead being constructed and began work
14 before the permit was issued.

15 RONNIE DANIELS:

16 So let me see if -- let's just talk
17 about the one that we have here. So we submitted
18 an application, which tells me that we knew we
19 needed a permit, correct?

20 DOUG DELUCA:

21 Yes.

22 RONNIE DANIELS:

23 But we started work without the permit?

24 DOUG DELUCA:

25 Yes.

1 RONNIE DANIELS:

2 And we were told to stop working?

3 DOUG DELUCA:

4 Correct.

5 RONNIE DANIELS:

6 So now we're waiting on the permitting
7 end, but then we dig and drive deadmen. And then
8 we get told to stop again; is that correct?

9 DOUG DELUCA:

10 Actually, no. I wasn't told to stop the
11 second time. We -- there is no dredging and has
12 been no dredging done on that site, not a shovel
13 full. What you're seeing in those pictures is the
14 erosion that had occurred behind the existing
15 bulkhead. That was prior to us even arriving and
16 removing the deck. It was a five-foot deck with a
17 12-foot corner that hid those waterward
18 advancements onto said property behind the
19 existing bulkhead.

20 We have not dredged, nor have we touched
21 the soils other than to put the pilings down,
22 which was prior to when we were notified to stop
23 work. And that stop work did immediately start
24 and stop, and I came in the very next day and met
25 with them upstairs.

1 CAM ROBERDS:

2 I see it is an attempt that he, you
3 know, put in an application prior -- you didn't
4 touch the site before March 13th?

5 DOUG DELUCA:

6 No, sir.

7 CAM ROBERDS:

8 Well, once -- you put an application in
9 on the 13th. And then how many days would you
10 estimate that you actually worked on site, had
11 production in those 32 days?

12 DOUG DELUCA:

13 Four.

14 CAM ROBERDS:

15 I mean, it doesn't look like you
16 performed a lot of work. That's what I'm asking.

17 DOUG DELUCA:

18 We did not. We did not. Once we were
19 told to stop, we simply removed the shingles on
20 the roof, took some decking down. We cut the rest
21 of the new material to go down as a new decking,
22 but it was not applied until we received our
23 permit.

24 CAM ROBERDS:

25 I would -- I know it's hard to quantify

1 for us. We're going off what we're hearing, but
2 for me, it would be more of a fine based off of
3 the amount of days that he was working without a
4 permit. Because right now, they're hitting him
5 for 32 days, and I feel like the -- you know, the
6 amount of days that you were on site without a
7 permit would be more of a -- in my opinion, more
8 of a realistic fine.

9 JOE SPRAGGINS:

10 Being a contractor, you understand, I'm
11 sure.

12 CAM ROBERDS:

13 I do. And there is pressure to get out
14 there and get started, you know, and I understand
15 that --

16 DOUG DELUCA:

17 Yes, sir.

18 CAM ROBERDS:

19 -- and you want to mobilize. But still,
20 you know, you worked without -- obviously without
21 a permit. So...

22 DOUG DELUCA:

23 We did, and I acknowledge that. And
24 like I said, I was under the impression -- I did
25 not go and check the portal to see if it was

1 issued. I should have and that was what was my
2 fault. That was a couple of weeks after I had
3 received the call that was stating that, you know,
4 you were going to be getting issued as proposed,
5 which typically, it doesn't take that long to get
6 it issued. But I did not check the portal, so I
7 was in error and we did start that prior to having
8 a permit.

9 JOE SPRAGGINS:

10 And Commissioners -- and just to
11 think -- Joe going back thinking about this
12 conversation I have had, I think I'm the one that
13 put \$16,000 up there. Okay? It's not the staff.
14 I think I'm the one that put that number up there,
15 and I will tell you why I put that number up
16 there. I put it up there for two reasons.

17 Number 1 was I had been told that the --
18 the gentleman was doing several things that he
19 shouldn't have done and had done this in the past.

20 DOUG DELUCA:

21 No, sir.

22 JOE SPRAGGINS:

23 Since then -- to the staff, I want to
24 apologize because I put y'all on the line here.
25 Okay? But since then, after I thought about it,

1 as the statement I made a while ago, I can't
2 really punish the company that he's working for
3 now if -- in my mind for what he did, may have
4 done in the past, and I -- so I'm sorry to the
5 staff. I want y'all to know that, okay, because I
6 put y'all on the line there.

7 But after thinking about it and looking
8 at it, you know, I like your thoughts,
9 Commissioner, and -- but -- you know, and then
10 realizing, too, what has been done -- no matter
11 whether it was right or wrong -- is not impeding
12 anything that's going to be done in the future.
13 And, you know, what we have given him a permit to
14 do as of last week, there is nothing going to
15 happen with that from this point on. Everything
16 that has been done, any damage, anything that they
17 did prior to this is not going to cause any issues
18 on what we're giving the permit for next --
19 starting as of Friday.

20 The other thing that I have learned and
21 I did not realize -- and I'm going to tell you
22 that -- anytime that we're doing something to help
23 the environment, I don't think by law he has to
24 take up the creosote. Does he?

25 DOUG DELUCA:

1 No.

2 JOE SPRAGGINS:

3 But I think because of doing that and
4 helping the environment, we ought to look at that
5 too. Okay? I think we need to look at that,
6 because here's something that's going above and
7 beyond that the homeowner and the contractor are
8 doing to be able to make our environment better.
9 So I think we need to look at that also.

10 So I would ask that whenever --
11 obviously, y'all will decide what you think ought
12 to be the fine on this or anything on it, but I
13 would ask you to look at those two or three things
14 into it. And Number 1, let's look at the company
15 as it is today and not look at what was prior and
16 also that they are going over and above to help us
17 do some things that we shouldn't -- that they
18 don't have to.

19 DOUG DELUCA:

20 Thank you.

21 RONNIE DANIELS:

22 You know, we have had a lot of
23 discussion in the past, after the facts and this,
24 that and the other and the permitting process.
25 And the reason that we have the permitting process

1 is to ensure that our staff is able to guide
2 people to make sure that there aren't problems.
3 And I'm with Joe on the applauding you for pulling
4 the creosote out.

5 The problem I have with this situation
6 has nothing to do with anything in the past. But
7 the fact that we submitted a permit on the 13th
8 and we started work before we had that permit,
9 that's my problem with it.

10 JOE SPRAGGINS:

11 Anything?

12 JONATHAN McLENDON:

13 I'm good.

14 JOE SPRAGGINS:

15 So I guess it's up to Sandy. They would
16 need to make a recommendation?

17 SANDY CHESNUT:

18 Yes. They need to make a motion making
19 a recommendation.

20 JOE SPRAGGINS:

21 First of all, I guess, I want to see if
22 they have any questions.

23 DOUG DELUCA:

24 No, sir.

25 RONNIE DANIELS:

1 You said you had four or five days
2 working on site?

3 DOUG DELUCA:

4 Yes, sir.

5 RONNIE DANIELS:

6 Before the permit was issued?

7 DOUG DELUCA:

8 Yes, sir.

9 CAM ROBERDS:

10 It's hard to really tell. I mean, like
11 I said, we can't quantify. We're going off of
12 what Mr. DeLuca says, but I feel like I wouldn't
13 see more than five or six days of work out there
14 personally.

15 And I would like to make a motion, if
16 you guys are -- here, we're going to -- I would
17 like to give him five days of working without a
18 permit, so the fine would be \$2,500, would be the
19 motion I would like to make. It's not -- it
20 doesn't sound anywhere near \$16,000, but for a
21 small project, that will cut him pretty good. I
22 think he'll learn to be, you know, respectful on
23 waiting on that permit the next time around.

24 DOUG DELUCA:

25 Absolutely.

1 JONATHAN McLENDON:

2 I'll second that. That was kind of
3 right in line with what I was thinking.

4 RONNIE DANIELS:

5 Yeah. I'm in favor with y'all on that.
6 I think it gets kind of gray once we get past the
7 permitting process, so I'm fine with that as well.

8 JOE SPRAGGINS:

9 Could I ask y'all a question? Since
10 they're doing extra work and taking stuff out of
11 it, is there a possibility of taking \$1,000 off
12 that because of it.

13 JONATHAN McLENDON:

14 What's your landfill going to be,
15 Mr. DeLuca, for the creosote?

16 DOUG DELUCA:

17 It's based upon the cubic yards of
18 contaminate that I bring to Mr. Roger Applewhite.

19 JONATHAN McLENDON:

20 What you think you're estimating?

21 DOUG DELUCA:

22 I'm going to say that we're probably
23 looking around 3,5- to \$4,500, which when I'm
24 finished, I can submit that receipt, which our
25 company has absorbed that cost. We have not

1 pushed that onto the client.

2 JONATHAN McLENDON:

3 I'm fine with that.

4 CAM ROBERDS:

5 I will make an adjustment to the motion,
6 and I would like to make a motion for three days'
7 worth of the fines for \$1,500 for Mr. DeLuca.

8 JONATHAN McLENDON:

9 Second.

10 RONNIE DANIELS:

11 All in favor?

12 CAM ROBERDS:

13 Aye.

14 JONATHAN McLENDON:

15 Aye.

16 RONNIE DANIELS:

17 Aye.

18 SANDY CHESNUT:

19 As far as the recommendation screen, if
20 you could look at that. They also wanted the
21 conditions that it be paid within 45 days, and if
22 it wasn't paid, it would be forwarded to the
23 Attorney General's office for enforcement. Are we
24 going to --

25 RONNIE DANIELS:

1 Mr. DeLuca, do you have a problem paying
2 that in that amount of time?

3 DOUG DELUCA:

4 I'm sorry?

5 RONNIE DANIELS:

6 Do you have a problem paying the \$1,500
7 in -- what was --

8 CAM ROBERDS:

9 Forty-five days.

10 RONNIE DANIELS:

11 -- 45 days?

12 DOUG DELUCA:

13 I should be finished with my project,
14 and I do not, sir.

15 RONNIE DANIELS:

16 Okay.

17 SANDY CHESNUT:

18 So we will add that condition to your
19 motion.

20 CAM ROBERDS:

21 Sounds good. You want me to -- I want
22 to add the condition of 45 days to the payment
23 method to Mr. DeLuca on -- for \$1,500.

24 JOE SPRAGGINS:

25 Do we need to do anything about the

1 owner? Since they recommended nothing, we just
2 accept that.

3 SANDY CHESNUT:

4 Go ahead and state it if you're good
5 with that.

6 CAM ROBERDS:

7 And along with -- in addition with the
8 same motion, we would like to -- no fine is issued
9 to Mr. Chambers as the owner.

10 SANDY CHESNUT:

11 We can get another second on all of
12 that.

13 JONATHAN McLENDON:

14 I will second that.

15 SANDY CHESNUT:

16 Okay. Thanks, gentlemen.

17 RONNIE DANIELS:

18 All in favor?

19 CAM ROBERDS:

20 Aye.

21 RONNIE DANIELS:

22 Aye.

23 JONATHAN McLENDON:

24 Aye.

25 RONNIE DANIELS:

1 Thank you, sir.

2 DOUG DELUCA:

3 Thank you.

4 JOE SPRAGGINS:

5 All right. Mr. DeLuca, I think you got
6 a break here.

7 DOUG DELUCA:

8 Yes, sir.

9 JOE SPRAGGINS:

10 And I want you to understand this and I
11 want you know that we do this as a reason. And
12 please in the future when y'all are working on the
13 water and doing anything, follow the rules for us.
14 Okay? We would appreciate it very much, and we
15 thank y'all for -- but I do thank you for
16 taking -- the owner and all for taking the extra
17 effort to move the stuff out of water that --
18 because anytime we do that, we're helping the
19 environment. I appreciate it.

20 DOUG DELUCA:

21 Thank you, Commission. I greatly
22 appreciate this. I appreciate it.

23 RONNIE DANIELS:

24 All right. Finance and administration,
25 Ms. Brewer or who we got today?

1 JOANNA MILLER:

2 Good morning. My name is Joanna Miller,
3 and I'm filling in for Leslie today. I'm
4 presenting the agency financials as of the end of
5 May 31st, 2023.

6 At the end of May, the state revenue was
7 5.7 million. Agency revenue was 65.8 million.

8 State net income was negative
9 1.4 million, and that's the appropriations that we
10 received around October. Agency net income was
11 about 32.9 million.

12 After the 11 months of fiscal year 2023,
13 operating funds have 80.1 percent of the budget
14 remaining. Tidelands trust fund has 34.7 percent
15 of the budget remaining. Any questions?

16 RONNIE DANIELS:

17 No, ma'am. Thank you.

18 Charmaine.

19 CHARMAINE SCHMERMUND:

20 Good morning. The Mississippi
21 Department of Marine Resources had 16 media
22 mentions since the May MACMR meeting. News items
23 included boat and water safety, the opening of
24 shrimp season and the newly crowned Mississippi
25 Seafood King.

1 Marine Patrol participated in Safety Day
2 at Vancleave Middle School on May 17th, as well as
3 giving boat and water safety presentations at
4 Woolmarket Public Library on June 5th, Long Beach
5 Public Library on June 7th and Camp Believe on
6 June 13th.

7 IT attended a Mississippi Coast Fly
8 Fishers meeting on May 4th and a HOSSFly meeting
9 on May 9th. At both meetings Karen Clark and Roy
10 Carrell presented a demonstration of the
11 GulfSeelife App that the DMR is working on in
12 partnership with the University of Mississippi.

13 On June 9th, IT hosted the bi-monthly
14 meeting for the Mississippi Association for
15 Spatial Technologies, also known as MAST. This
16 group of GIS professionals in the state is
17 comprised of state and local government, private
18 business, non-profits and institutions of higher
19 learning.

20 Fisheries staff, Jason Saucier and Nick
21 Moreno in the Shrimp and Crab Bureau, participated
22 in the Jackson County Board of Supervisors' 2023
23 Sand Jam held at Pascagoula's Beach Park on
24 June 10th. The event was a day of family fun
25 celebrating our coast's wildlife and habitats.

1 Among various topics, our staff also discussed
2 with attendees how Mississippi shrimpers and
3 crabbers prevent sea turtle and Diamondback
4 terrapin bycatch using specialized gear.

5 Fisheries staff, Alicia Carron, Ellen
6 Coffin, Jason Saucier participated in TOTE, or the
7 Teachers on the Estuary, workshop. With a full
8 workshop of 13 teachers, Shrimp and Crab Bureau
9 Director, Jason Saucier gave a presentation on
10 managing Mississippi's marine fisheries, including
11 the scientific, historical and community aspects
12 involved. Ellen and Alicia, both of the Shellfish
13 Bureau, focused on Mississippi's oyster resource
14 management and engaged the teachers in an oyster
15 dissection activity.

16 Shellfish Bureau's Harrison Pittman
17 received the third-place trophy for the research
18 vessel conservationist in the Billy Creel Wooden
19 Boat Show June 3rd and 4th hosted by the Maritime
20 and Seafood Industry Museum.

21 Shellfish Bureau's Madison Parker gave a
22 presentation and provided hands-on activities on
23 June 6th at the Humane Society of South
24 Mississippi's kids summer program. Madison
25 discussed marine conservation and some of the

1 methods our agency implements. She also discussed
2 ways the campers may also help the Mississippi
3 Sound and shared an activity sheet on preventing
4 pollution sources, like collecting marine litter
5 and using reusable materials instead of plastics.
6 The campers also touched on oysters and learned
7 about their natural ability to filter and clean
8 the water.

9 Lastly, we will have our booth set up,
10 as we do each year, at the Mississippi Deep Sea
11 Fishing Rodeo at Jones Park in Gulfport July 1st
12 through 4th for anyone who wants to stop by and
13 visit us.

14 RONNIE DANIELS:

15 That's a lot.

16 CHARMAINE SCHMERMUND:

17 Busy summer.

18 RONNIE DANIELS:

19 Thank you.

20 All right. We're going to move on to
21 Marine Fisheries, and it looks like we're going to
22 have Jason Rider up.

23 JASON RIDER:

24 Good morning, everyone.

25 I wanted to follow up with last months's

1 presentation regarding the amendments to conform
2 with the requirements of Senate Bill 2544, and
3 today we're going to discuss the final adoptions.

4 So as y'all know, the May 16th meeting,
5 the Advisory Commission recommended to the
6 Executive Director that the changes to Title 22,
7 Part 1 be sent to the Secretary of State for
8 Notice of Intent.

9 The main changes that we requested to be
10 made were updated language in Chapter 10
11 pertaining to Senate Bill 2544. We added some
12 definitions. This is all related to the senate
13 bill. Remove the tonging line from regulations,
14 identified the state-owned reefs, updated harvest
15 requirements for on-bottom private leases, updated
16 tagging requirements for on-bottom private leases.
17 And then updated the following items to comply
18 with Senate Bill 2544: The application process,
19 the review process, the conditions, the
20 cultivation and propagation requirements, the
21 reporting to the DMR and then termination and
22 waivers.

23 I will not go through this. This is the
24 same information as last month, but we wanted to
25 review them all to make sure no one has any

1 questions regarding them.

2 Here's the definitions we added. The
3 tonging line was removed. We identified the
4 state-owned reefs. All right. Give me one second
5 here. There it is. State-owned reefs we
6 identified. We have the harvesting requirements
7 for private leases, again tagging requirements for
8 that, lease application process that the DMR has
9 instituted or proposing to institute, the review
10 process, conditions, additional conditions, the
11 cultivation and propagation requirements,
12 reporting, determination of waivers and then we
13 removed this chapter which was in regards to
14 subdivisions that was outdated language.
15 Relaying, adjusted that.

16 So again, in summary, to summarize, on
17 the 16th, we requested a Notice of Intent. The
18 Executive Director approved the recommendations
19 and we did file that with the Secretary of State
20 on May 18th.

21 Publication, we did run the publication
22 in the *Sun Herald* on May 21st. It met the
23 requirements, and then we also posted it to the
24 DMR website on the May 19th. Those have been
25 posted, and we have, to date, received no public

1 comments.

2 And at this time, our recommendation to
3 the Executive Director is that the proposed
4 changes to Title 22, Part 1 be sent to the
5 Secretary of State's office for final adoption.
6 We're just requesting a motion for that.

7 RONNIE DANIELS:

8 Y'all have any questions?

9 CAM ROBERDS:

10 This was going to start, was it, around
11 July 1st, I think we said?

12 JOE SPRAGGINS:

13 What's that?

14 CAM ROBERDS:

15 The program, the on-bottom program.

16 JOE SPRAGGINS:

17 Yeah. It will probably -- it will be
18 30 days from this point. If y'all approve this,
19 we would go 30 days from this point. And then
20 30 days later is whenever we can -- that it can
21 be -- we can start taking things, any type of
22 procedures to move forward. And at that point, it
23 will go out to an RFP or whatever we need to do.

24 Rick, you're looking at me funny, or is
25 that just your natural look. He is an Alabama

1 guy, so you have got to give him a hard time.

2 But anyway, the point I'm getting at,
3 is -- it's my understanding that -- Sandy, is that
4 correct, if they approve this today, that we will
5 go to the Secretary of State? And then 30 days
6 from that point is whenever can start moving
7 forward with the program; is that correct?

8 SANDY CHESNUT:

9 Yes. Once -- the date it's officially
10 filed with the Secretary of State's office, you
11 start counting the next day. Thirty days after
12 that day is when we can start taking action.

13 JOE SPRAGGINS:

14 Somewhere in the neighborhood of 19,
15 20 -- around 20th of July is when this would go in
16 effect.

17 SANDY CHESNUT:

18 Yeah.

19 JOE SPRAGGINS:

20 Does that answer your question, sir?

21 RONNIE DANIELS:

22 Yes, sir, thank you.

23 JOE SPRAGGINS:

24 And at that point, we would go out to an
25 RFP to be able -- that we would need, you know, to

1 be able to see who wants to lease it and what they
2 want to do and how they want to do it.

3 CAM ROBERDS:

4 Okay.

5 JOE SPRAGGINS:

6 You got anything?

7 JONATHAN McLENDON:

8 No.

9 RONNIE DANIELS:

10 All right. Do we have a motion to
11 recommend the Director send the proposed changes
12 to the Secretary of State for final adoption?

13 JONATHAN McLENDON:

14 I will make a motion.

15 RONNIE DANIELS:

16 I will second that.

17 All in favor? Aye.

18 CAM ROBERDS:

19 Aye.

20 JONATHAN McLENDON:

21 Aye.

22 JOE SPRAGGINS:

23 Sir, if I could, I would like to thank
24 the staff, Jason and all of y'all, for working
25 hard on this. This is something that came into

1 effect in -- starting this year. They couldn't
2 really do anything until April, and that was
3 whenever the legislation was passed to tell us
4 what we could do. They worked hard after that
5 trying to get things together, and I think that we
6 got it together in minimum time. Thank y'all very
7 much.

8 JASON RIDER:

9 Thank you, y'all.

10 RONNIE DANIELS:

11 Well, school let out for summer and it
12 doesn't take long for Rodie Armes to get back into
13 business.

14 TREVOR MONCRIEF:

15 He is back. All right. So we've got a
16 handful of youth records today. All right. So we
17 have got three.

18 First one is a youth conventional tackle
19 record. It is Mr. Rodie Armes. It's a cownose
20 ray, rhinoptera bonasus. It's new record
21 30 pounds 5.6 ounces. There's a picture of the
22 ray. There's a picture of Rodie with the ray.

23 Now, he also decided to get the Atlantic
24 needlefish record as well, strongylura marina.
25 It's a new record 7.06 ounces. There's a picture

1 of the fish. There is Mr. Rodie with that fish.

2 And then we have new one, new youth
3 fishing record, conventional tackle. It was a
4 gray triggerfish, the new record is 5 pounds 15.2
5 ounces caught on the last day of the season by
6 Mr. Thomas Brown. There is a picture of the fish.
7 There is a picture of Mr. Brown with that fish.

8 So all we need is a motion to recommend
9 adoption of the new state records.

10 RONNIE DANIELS:

11 I love these.

12 JONATHAN McLENDON:

13 I will make that motion, Trevor. But I
14 also want to know do we have hall of fame?

15 TREVOR MONCRIEF:

16 I mean, if there's one person at the top
17 of the hall of fame when it comes to adults is
18 Mr. Doug Borries, like he mentioned before. He's
19 got 75 percent of the fly fishing records and a
20 hand -- more than a handful of the conventional
21 tackle.

22 And when it comes to youth, Rodie is
23 leading the charge.

24 JONATHAN McLENDON:

25 How many does he got now?

1 TREVOR MONCRIEF:

2 I don't know the exact number. I'd
3 probably put it between 15 and 20 at this point.
4 It seems like we'd see him every other week for a
5 little while.

6 RONNIE DANIELS:

7 Yeah. Yep. That's great.

8 All right. We have a motion.

9 CAM ROBERDS:

10 Yeah. I will make a motion to approve
11 the --

12 RONNIE DANIELS:

13 Well, we've got a motion. We just need
14 a second.

15 CAM ROBERDS:

16 Well, I'll second.

17 RONNIE DANIELS:

18 All in favor?

19 CAM ROBERDS:

20 Aye.

21 JONATHAN McLENDON:

22 Aye.

23 RONNIE DANIELS:

24 Aye. All in favor.

25 Thank you. The Doug and Rodie Show,

1 that's what we need to call it.

2 All right. Do we have any other
3 business?

4 JOE SPRAGGINS:

5 Just one thing. The NERR is getting
6 pretty swacked over there. They are working, and
7 we do have the deputy administrator for NOAA
8 coming in tomorrow there to meet with us, so
9 hopefully that will be a good deal and we'll get
10 to look at some things and talk about what's going
11 on with the NERR and what kind of great work that
12 they're doing.

13 RONNIE DANIELS:

14 Okay. We don't have any public
15 comments?

16 JOE SPRAGGINS:

17 None that I saw. Patrick, no public
18 comments?

19 RONNIE DANIELS:

20 All right. If we don't have anything
21 else, I'll make a motion to adjourn.

22 CAM ROBERDS:

23 I'll will second.

24 RONNIE DANIELS:

25 All in favor? Aye.

1 JONATHAN McLENDON:

2 Aye.

3 CAM ROBERDS:

4 Aye.

5 (Adjourned at 10:16 a.m.)

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CERTIFICATE OF COURT REPORTER

1
2 I, MELISSA BURDINE-RODOLFICH, Court Reporter
3 and Notary Public, in and for the County of
4 Harrison, State of Mississippi, hereby certify that
5 the foregoing pages, and including this page,
6 contain a true and correct copy of my stenotype
7 notes and/or electronic tape recording of the
8 meeting as taken by me at the time and place
9 heretofore stated, to the best of my skill and
10 ability.

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

15 Witness my signature and seal, this the

16 _____ day of _____, 2023.

17
18 _____
19
20 Melissa Burdine-Rodolfich
21 My Commission Expires 4/28/24
22
23
24
25