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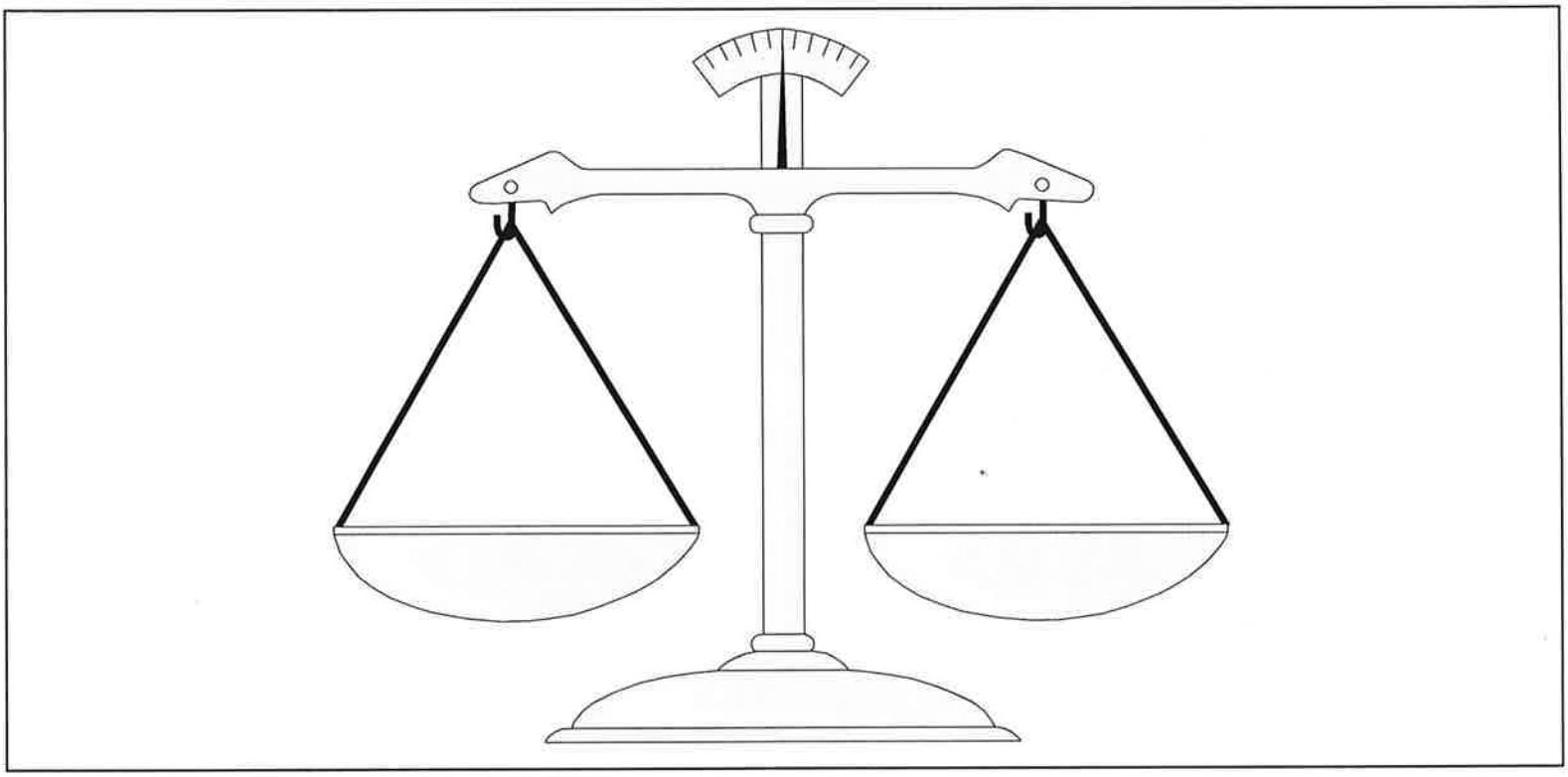

COMMISSION ON MARINE RESOURCES

COMMISSION MEETING

October 15, 2013

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COMMISSION ON MARINE RESOURCES

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TRANSCRIPT OF MEETING OF COMMISSION ON MARINE RESOURCES AT GRAND BAY NERR COASTAL RESOURCES CENTER, 6005 BAYOU HERON ROAD, MOSS POINT, MISSISSIPPI, ON THE 15TH DAY OF OCTOBER 2013 COMMENCING AT 9:00 A.M. AND REPORTED BY NORMA JEAN LADNER SOROE, CERTIFIED SHORTHAND REPORTER.

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COMMISSION MEMBERS PRESENT:

JIMMY TAYLOR, Chairman
RICHARD GOLLOTT
SHELBY DRUMMOND
STEVE BOSARGE

ALSO PRESENT:

JAMIE MILLER, Director DMR
JOSEPH R. RUNNELS, ESQ., Asst. Attorney General
SANDY CHESNUT, ESQ., Asst. Attorney General

A. Call to Order

MR. TAYLOR: I want to call the October meeting of the Commission on Marine Resources to order.

And first of all, I'd like to recognize Senator Bryce Wiggins, elected official. I think he's got a few comments he'd like to say, too.

SENATOR WIGGINS: Thank you, commissioners and Jamie.

As chairman of the Marine Resources Committee in the Senate, just wanted to say a couple of words.

I wanted to also clarify a few things that I saw in the printed media.

I wanted to commend and thank the commission for having their meeting out here and in Jackson County. I think it's a -- putting on a road show, so to speak, within budget constraints is a smart thing. And, in fact, I think when Jamie was up at the -- came before the Senate committee for confirmation, I think it was even myself who asked the question, would you consider having meetings at different parts of the coast. And that came from the legislature.

And so the commission and Jamie are doing what we on the Marine Resources Committee have asked them to do.

And going a little bit further, with the issues surrounding DMR, in my opinion from having looked at it, part of the issues were that kind of things tended to be centered

around the Bayview office, so to speak. And I think that led to some of the problems that you have. If you come out on the road and to meet with the people here and in a great facility like this, I think it's a great thing.

And as I saw some of the comments in the media, this is a commission, it's the State Commission on Marine Resources, not the Biloxi or the Harrison County or the Bayview commission. This is the State Commission on Marine Resources, and a lot of their work goes on in Hancock County and Jackson County, as well as Harrison County.

And I think as you can see by this location, there's plenty of great locations along the coast that people can recognize. I just throw one out there, the Gulf Coast Research Lab in Ocean Springs. In Hancock County, you have a number of locations over there.

So I just wanted to commend the commission for having the meeting here and recognizing what we on the committee had asked of you to do and y'all have done it. And I'll say, I don't -- I'm not privy or had no idea what led to this particular meeting being here today. I just know that it was here and it's in Jackson County, and the citizens of Jackson County, you know, have a right to have their agency come before them, just like the citizens of Hancock County, just like the citizens of Harrison County.

So I just wanted to commend you and thank y'all

for doing that and hope to see you continue to do that.

Thanks.

MR. TAYLOR: Thank you, Bryce. And just as a note, we as commissioners and with Jamie have discussed this, and we plan on having meetings in Hancock County and other places. We think it's important that we do go to those other areas other than Bayview. And also it does give maybe some people that can't get away to come to a commission meeting, and that's really kind of the whole purpose, you know, of that. And thank you for your comments.

SENATOR WIGGINS: If I may say one other thing. Just as an example, when I was -- an issue came up with the commission when I was first appointed about some of the material that was being put off the beach in Pascagoula.

And I heard from my constituents, as from a lot of people, that they didn't know what was going on. And they had talked about, you know, having meetings or being able to attend the meetings. And just like y'all have said, not everybody can make it over to Biloxi during the day when people are working, and this is an opportunity for that.

So again, I commend you for doing that.

MR. TAYLOR: Thank you.

We also have Representative Sonia Williams-Barnes. Okay. Thank you. Would you like to make a comment or anything?

MS. BARNES: No thanks.
MR. TAYLOR: Okay. Thank you.
Okay. If you want to make a comment -- also, Jim Blevens, the mayor of Pascagoula. Thank you for coming.
And that's just an example of what Bryce was just talking about, some of the things -- the reasons that we wanted to do this.
If you are going to make a public comment, there's a form -- I don't know what it is -- in the back. Please -- outside the door -- fill it out and give it to one of the staff, and they'll get it to me. We got to have it before we let you comment.
Okay.
B. Approval of Minutes
MR. TAYLOR: Next item on the agenda is approval of the minutes of the commission meeting from September 17. Do I have a motion to approve them?
MR. DRUMMOND: So moved, Mr. Chairman.
MR. TAYLOR: Do I have a second?
MR. GOLLOTT: Second, Mr. Chairman.
MR. TAYLOR: Those in favor. Passes.
C. Approval of Agenda
MR. TAYLOR: Okay. The next item is approval of the agenda. Are there any changes to the agenda?
MR. BOSARGE: I make a motion we approve the

agenda as printed.
MR. TAYLOR: Do I have a second?
MR. DRUMMOND: I second the motion, Mr. Chairman.
MR. TAYLOR: All those in favor. Passes.
I want to make a comment. I see a lot of people are here to talk about the MDA thing.
This is a non-action item. There will be no voting, no nothing on this. It's just an update from our staff on what's taking place. So I just wanted y'all to realize that.
D. Executive Director's Report
MR. TAYLOR: Next up is the executive director's report.
MR. MILLER: Thank you, Chairman Taylor.
Just got a few, one or two administrative items. Because the facility we don't come out here often, I guess this is the first time we've had a commission meeting, just in case you need to step out to the restroom, it's right down this hallway on your left.
But I really want to just welcome you to the Grand Bay National Estuarine Research Reserve and just give you a few key points about the reserve.
The NERR was designated by NOAA in 1999. It's the 24th reserve in the national estuarine research system.

Currently, there are only 28 reserves nationwide.
The NERR's mission is to practice and promote stewardship of coast estuaries, research, education, and training using a place based system of protected areas.
The Grand Bay NERR consists of about 18,000 acres of land and water from Bangs Lake in the west to the Mississippi-Alabama state line, including Bayou Cumbest, Bayou Heron, Middle Bay, and Pointe-aux-Chenes Bay.
The facility is actually located and built on refuge land owned by the state. It was completed in 2009. Staff and partners researchers undertake numerous research and monitoring projects, typically 25 to 30 at a time, focusing on water quality, resource protection, understanding the climate change, and coastal resiliency. Educators and trainers work with the general public, K-12 schools, local resource managers, and decisionmakers to promote better understanding of coastal resources and issues.
So we're glad that you're here today. If you've not been out here before, obviously you can see what an impressive facility it is. It truly is one of the research gems on the northern Gulf Coast. And we have researchers from all over the country that come here to finish up a Master's or a Ph.d.
So thank you for being here.
Next is what we've started a -- what I hope is a

new tradition at DMR. Within our marine patrol, we have started an Officer of the Quarter program by which lieutenants and officers will nominate marine patrol officers within the office and then they will ultimately be selected by our chief of marine patrol.
And so today we have two nominees. And the nominees, one from the east division of marine patrol, one from the west. The two nominees, the east nominee is Master Sergeant Jack Ewing. Jack, are you in the room? Come on up, Jack.
(Applause.)
MR. MILLER: Jack has spent over a thousand hours a month in boating patrols. He's been commended by officers and lieutenants. He's done an excellent job in enforcement of marine seafood laws, as well as boater safety.
The nominee from the west side is Master Sergeant Will Freeman.
(Applause.)
MR. MILLER: Come up front, Will. Make this as awkward as we can for you all.
Will also has spent nearly a thousand hours a month in boating patrols. Will has also went out of his way to help secure three Boston Whalers from the U.S. Coast Guard. He's personally worked on one of them to restore the vessel for use. He's met with the Bay St. Louis Chapter of the CCA and

requested emergency electronic positioning beacons for individual officer protection.

And so both of these guys have been great examples of what our marine patrol is about, going out of their way to serve the public through protection and conservation.

However, we can only name one Officer of the Quarter, although we've got two good choices. But for the first Officer of the Quarter award, it goes to Will Freeman.

(Applause.)

MR. MILLER: Thank you all.

One more item. Since we talked about moving locations for the commission meeting, I would just like to at least recommend or offer if y'all would consider it taking our November meeting into Hancock County.

I don't know if we need a motion for that or just if y'all want to direct me to do that, look for a location.

MR. TAYLOR: As long as you buy lunch at Trapani's.

MR. BOSARGE: If we need a motion, then, yes, sir, I'll make a motion.

And I also want to thank Mr. Dave Ruple and his staff for putting all this together. Great job. Great facility. Glad to be here in Jackson County.

MR. TAYLOR: We have a motion on the floor. Do

I have a second?

MR. GOLLOTT: I'll second it.

MR. TAYLOR: All those in favor. Passes.

MR. MILLER: Okay. We'll identify the proper location in Hancock County, and we'll make sure the public is made aware of it, and we'll get the press release out very soon.

E. Office of Marine Patrol

MR. TAYLOR: Okay. Next up is office of marine patrol, Interim Chief Rusty Pittman.

And I want to make a comment before -- well, Rusty is not here. But a lot of times as a commissioner, we get stopped by people on the road and tell me they were stopped by one of our officers.

And I'm going to say 99.9 tenths of the time it's very positive. They were polite. Some of them, you know, say, well, I got a ticket but, you know, the officer was courteous, polite, and very professional.

So I think that that's very, very good. It speaks for the agency itself.

1. Report on Citations

MR. GUNTER: Good morning, Director Miller, commissioners. My name is Olen Gunter with the office of marine patrol.

Rusty is not here. He's attending a Gulf

Fisheries Council meeting in San Padre. And I think he'll be back the next commission meeting.

You've got your report on the citations and violations for the month of September.

A couple of shrimping, a couple of crab.

We still have the no fishing license problem.

And then we have our boat and water safety stuff that we do.

We had one boat accident with injury, one boating accident without injury.

The barge was the people working on the I-110 had gotten away from the guy. The boat was under power. And it hit a few vessels around the D'Iberville marina.

Do y'all have any questions?

And congratulations to both them officers. They do a good job.

Thank you.

MR. TAYLOR: Thank you, Olen.

F. Office of Marine Fisheries

MR. TAYLOR: Next up is office of marine fisheries, Dale Diaz. And I don't believe Dale is here. I didn't see him.

MR. JEWELL: Good morning, commissioners. I'd like to welcome everybody over here to Jackson County. It's a wonderful facility. It's great to be over here.

Dale sends his regards. He and several of our staff are attending Gulf States meeting in San Padre.

We only have two items on the agenda today. First up is Jimmy Sanders to do a presentation on artificial reef that the commission had asked at the last meeting.

1. Artificial Reef Update

MR. SANDERS: Good morning, chairman, commissioners, Director Miller, Ms. Chesnut.

This is an artificial reef update in response to the petition for a new reef over in Hancock County.

The State of Mississippi DMR has 69 nearshore reefs that goes through all three coastal counties. They're always accessible to wade fishermen, piers, and small boats, and these include four keys.

Twenty-five of these 69 reefs are composed west of Gulfport Harbor, which also included three keys, as well.

One of the biggest problems that we have on creating new habitat in the Mississippi Sound is that is considered Gulf sturgeon critical habitat. In 2003, the National Marine Fisheries and U.S. Wildlife Service considered putting the endangered species on the Gulf sturgeon, and all the Mississippi Sound was included in that.

These fish go into the rivers to spawn in the spring, and they come back in winter around the barrier islands during the winter months.

One of the places that was requested was somewhere around Cat Island. And there's a couple of issues that we have with that.

Number one is that Cat Island's got a lot of SAVs which is submerged aquatic vegetation. There's a lot of this around Cat Island. And we really don't want to replace one habitat with another.

Another issue is that sandy bottom. Any time that there's a sandy bottom, that's going to throw a red flag to -- with the sturgeon habitat, because that's where they mainly feed in the sandy bottoms around the barrier islands.

And the third is conflict of interest with the other user groups. From what I was told, there's a lot of trawling that happens through here with our local shrimping. And that could be a conflict of interest.

This is just an updated slide of some of the SAVs surrounding Cat Island.

Two alternate sites that we kind of chose was number one would be Cat Island right here which is already a permitted reef, and it would be very easy to go ahead and enhance that one. And the other one was Buoy Reef.

Buoy Reef, from what my understanding is about a 70 acre area where in the 1980s they had a rig drilling there, and they put a thick layer of keystone shell. And since it's already established reef, that might be a good place to look

for another site.

I've been working hard with Ms. Willa Brantley, and she's been trying to very desperately find out what is required of studies that needs to be done with this. And with the government shutdown, we haven't got an answer as of right now.

And another good thing about the Buoy Reef is that at last month's commission meeting they were talking abut over-population of Pass Marianne Light. And this reef is located about three and a half miles to the northeast, which I think would be another good -- it's in the vicinity, and it could relieve some of the pressure off Pass Marianne Light. And like I said, also to the Cat Island reef which is very close, as well.

And that's really about it. Any questions?

MR. BOSARGE: And the keystone shells, what are you planning? Are you going to add to it or just try to designate it as a reef?

MR. SANDERS: Well, what we'll do is get this oyster crew to turn it over, and then we would come inside the permitted area and add some extra limestone to create more habitat there. It's kind of scattered shell, sand and mud, and we would concentrate on the bigger parts of the shell beds, cultivate it, and then re-enhance that area.

MR. BOSARGE: Yeah. It looks like a good spot.

Like you say, there is a lot of shrimping that takes place in there, especially around the channel. Good job.

MR. SANDERS: Thank you.

MR. TAYLOR: The site on the -- not the Buoy Reef, but the site to the west --

MR. SANDERS: Cat Island?

MR. TAYLOR: Yes. Is there anything on that site?

MR. SANDERS: Yes, sir. We got bay balls. We got concrete rubble. And we've also got some concrete culverts that are there already. And that would be like a super easy place to enhance because it's already permitted. So there wouldn't be no testing involved.

MR. GOLLOTT: On Buoy, you could put concrete rubble; right?

MR. SANDERS: We would do concrete rubble or limestone.

MR. TAYLOR: Would doing it like, I call it Taylor Key, I don't know what it is, out of the water if they had like Katrina Reef? Is that possible on either one of those so it's more visible?

MR. SANDERS: It could be possible, yes, sir.

MR. TAYLOR: What are the depths at the two things; do you know?

MR. SANDERS: Cat Island goes from about seven

feet to I think about 11 or 12. And Buoy Reef -- do you recall, John? -- around 14 foot.

MR. TAYLOR: Okay.

MR. GOLLOTT: How much time is it going to take you -- you've got the permits and everything to build it?

MR. SANDERS: No, sir. We haven't -- Ms. Willa has been in contact with the National Fish & Wildlife Service to figure out what kind of assessment, if any, would be required to permit this area. And with the government shutdown, we haven't been able to get an answer on what process we need to do in order to get it permitted.

MR. GOLLOTT: Thank you.

MR. SANDERS: So as soon as we find that out, then we can start forward with the process of that.

MR. TAYLOR: Thank you.

(Person speaking out from audience)

MR. SANDERS: Cat Island, but that's already permitted so that doesn't need any testing.

Buoy Reef since it is scattered shell, mud, and sand, we're not really sure what they would require.

The critical habitat is the fish in the Mississippi Sound, yes, sir.

MR. DRUMMOND: Looks like that we got more sturgeon over here in the Pascagoula River than you've got over to the west, so there ought to be some effort done over here on

our islands, too.

MR. SANDERS: Yes, sir. Mr. Peterson from USM, I went to his speech a couple of months ago, and he's actually tracked some sturgeon from the Pearl River that's been associated with Cat Island and part of Ship, and the same thing with Pascagoula, they're associated with Horn Island and part of Ship Island, as well.

So there's two actually river basins that populate sturgeon that are coming down that are wintering around our barrier islands.

MR. DRUMMOND: I think some more effort ought to be done over here in Jackson County.

MR. SANDERS: Yes, sir.

Thank y'all.

MR. TAYLOR: Thank you, Jimmy.

MR. JEWELL: Thank you.

Our final agenda item is Erick Porche, state fish records.

2. State Records

MR. PORCHE: Good morning. I have two records to submit for your approval this morning.

I have one conventional tackle and one fly fishing tackle, and both will be first time records.

First up is conventional. We have a blueline tilefish, Caulolatilus microps. It's going to be a new record

at 2 pounds 13 ounces, caught by Mr.John Parker. Our tilefish and Mr. Parker.

Secondly, we have fly fishing. We have a new record for Great Barracuda, Sphyraena barracuda. It would be a new record of 17 pounds 13 ounces caught by Doug Borries. The barracuda and Mr. Borries.

Any questions?

MR. DRUMMOND: Mr. Chairman, I make a motion we approve these new records for the State of Mississippi.

MR. TAYLOR: Do I have a second?

MR. BOSARGE: So second.

MR. TAYLOR: All those in favor. Passes unanimous.

Thank you, Erick.

MR. PORCHE: Thank you.

G. Office of Coastal Zone Management

MR. TAYLOR: Next up is Jan Boyd, bureau of wetlands permitting.

MR. BOYD: Good morning, Mr. Chairman, commissioners, Director Miller, Ms. Chesnut.

The office of coastal zone management has three action items for your consideration this morning, and one information update.

James Davis will be presenting our first action item.

1. Bureau of Wetlands Permitting

a. Maritime Development Center, LLC

MR. DAVIS: Good morning. I'm James Davis. I'll be presenting coastal zone management's first presentation.

We have a request for permit modification by Maritime Development Center. It's on Gulfport Lake at 10385 Seaway Road in Gulfport, Mississippi. It's in the industrial development use district. The agent is Billy Culpepper from Billy Culpepper & Associates.

You see here on the map it's just east of Highway 49 and south of I-10 in Gulfport Lake located between the Dock and Trinity Yachts on Gulfport Lake.

Previously authorized structures. The bulkhead 970 feet and fill of 52,300 square feet of unvegetated waterbottoms of which 6950 square feet are public trust tidelands. They are proposing to add an additional 75 linear feet of bulkhead for a total of 1,045 feet and add an additional 17,200 square feet of unvegetated waterbottoms. No new fill will be in public trust tidelands.

You can see here is the project. The new fill and new bulkhead will be on this section here.

And this is going to increase flushing and increase water quality.

Picture of the project location.

These are all the same decision factors you saw last month for this project.

Will be allowable in the industrial use district.

There are no new variance requests required.

The project was in notification in the Sun Herald on these dates. No comments were received. DEQ is currently reviewing the project. Archives & History is currently reviewing the project. Wildlife, Fisheries & Parks is currently reviewing the project. And Secretary of State says the project will require a tidelands lease.

This is still out on agency comment and review is the reason all the agencies are still currently reviewing the project.

Based on staff evaluation, it's been determined the project will be for a water dependent industry, will improve operations under diversification of barge construction. The project has a public benefit by increasing the local tax base and creating jobs. And project modification will improve or should improve water quality.

Staff recommends approval of the project contingent on receiving no negative comments or objections from agencies currently reviewing the project.

If any objections are received, the project will be brought back to the commission at the November meeting to

address the comments and/or objections.

Any questions?

MR. BOSARGE: I just have one, James.

Is that something that we asked them to do, or is it something that they want to do?

MR. DAVIS: I think it was a DEQ thing, increased flushing.

MR. BOSARGE: Yeah, where it's not like a keyhole slip.

MR. DAVIS: Yes.

MR. TAYLOR: Okay. Do I have a motion on the floor?

MR. BOSARGE: I'll make a motion we accept the staff's recommendation.

MR. TAYLOR: Do I have a second?

MR. DRUMMOND: I second the motion, Mr. Chairman.

MR. TAYLOR: All those in favor. Passes unanimous. Thank you.

b. V.T. Halter Marine, Inc.

MR. CHRISTODOULOU: Good morning. My name is Greg Christodoulou. I'll be presenting coastal zone management's next two items on the agenda this morning.

The first item is a permit modification by V.T. Halter Marine. It's located in Bayou Casotte at 900 Bayou

Casotte Parkway in Pascagoula. And it's in the industrial development use district.

The yellow thumb tack on the screen shows the location of the project. It's on Bayou Casotte across from Mississippi Phosphates, and you can see Chevron down to the south.

The applicant was previously given a permit and authorized 8,217 cubic yards of dredging to a depth of 32 feet below mean low water.

The applicant is currently proposing approximately 11,242 cubic yards of material, and the final depth on this will be 38 feet below mean low water.

Here is a diagram of the project. You can see the area shown in gray is an irregular area located near their tilt beam launch and kind of a little corner where the bulkhead ends.

The final dredging depth they're proposing is 38 feet, and the channel is 42 feet. So there wouldn't be any sump issues associated with this project for this dredging.

Public benefit of the project include increased employment opportunities for implementation of the project and employment opportunities for contracts received by the applicant to service vessels.

The project is allowable within the industrial development use district.

Similar projects have been approved by the commission, so there are no precedent setting effects anticipated with the project.

The project would result in a temporary increase in turbidity within Bayou Casotte. It will not exceed DEQ's recommendations, and there will also be a temporary increase in number of benthic organisms.

And the additional depth in this area will allow for deep draft vessels to be overhauled and repaired at the site.

And the suitable dredge material will be available for beneficial use according to Mississippi Code 49-27-61. The possible destination for this is probably the Round Island beneficial use site or the Greenwood Island beneficial use site.

Best management practices will be implemented throughout all phases of the dredging activity.

No additional sites were considered as this is a previously dredged area within the boundaries of the shipyard.

The site is located in an industrial area with other shipbuilding facilities located adjacent to the site, so scenic qualities should not be impaired by the project.

And V.T. Halter is contracted to construct and service vessels that support U.S. Military and companies essential to the nation's energy policy.

The project was placed on public notice in both the Sun Herald and the Mississippi Press.

No public comments have been received thus far. And should we receive any comments, they will be evaluated and presented during the commission meeting if we have any negative comments from the public notice.

Also, similar to Mr. Davis' previous project, this is still on notice to the agencies, so they're all currently reviewing the project.

And based on staff's evaluation, the project is for a water dependent industry that services vessels that support the Military and companies that support our nation's energy policy, and the project has a public benefit by increasing the local tax base and creating jobs in the area.

Staff recommends approval of the project contingent on receiving no negative comments. And if any objections are received, the project will be brought back to the commission at the November meeting to address any comments or objections.

Questions?

MR. TAYLOR: Do I have a motion?

MR. BOSARGE: I'll make a motion we accept staff's recommendation.

MR. TAYLOR: Do I have a second?

MR. DRUMMOND: Second the motion.

MR. TAYLOR: All those in favor. Passes unanimous. Thank you.

c. City of Long Beach Port Commission

MR. CHRISTODOULOU: Okay. The next item I have is a permit request by the City of Long Beach Port Commission. It's on the Mississippi Sound at the intersection of Cleveland Avenue and U.S. Highway 90 in Long Beach. It's in a commercial recreational fishing marina district. It also encompasses a general use district in the S-5 special use navigation channel. And the agent is BMI Environmental.

Of course, here's the Long Beach Harbor, Highway 90.

Project impacts associated are there will be cut and fill activities. The applicant is requesting to fill 1.56 acres of unvegetated state owned waterbottoms, 4.64 acres of sand beach, and there's also proposing to remove existing fill composed of solid walls and jetties, and that's 1.75 acres of removal.

Also requesting dredging for the expanded basin, and that area is 1,450 feet by 960 feet to a depth of eight feet with a half foot over-dredge and an access channel 1400 feet in length by 300 feet also to eight feet depth below mean low water and a half foot of over-dredge, and about 226,550 cubic yards will be removed.

I'm going to kind of skim through the pier

impacts, but you have main line piers, finger piers, electrical platforms, boat launch piers, perimeter piers around the basin, fishing piers, 220 mooring pilings, observation decks, fishing piers. You have west flow-through breakwaters, south flow-through breakwaters, and three boat ramps.

All the dredge material will be tested prior to commencement of dredging, and suitable material will be utilized for beneficial use.

Have several diagrams here. The first is how the existing harbor lays out currently. Currently, you have boat launches over here in this location. The piers, finger piers, associated with mooring. The dotted line here is the existing west wall is solid. The east wall is also solid. And the south wall is also a solid wall.

This harbor, I believe, was constructed back in the '60s, and at that time, it was designed basically just for boat shelter, and there wasn't a lot of detail that was brought into the design for water quality and flushing.

So there have been times where the water quality inside the harbor has gotten fairly bad. Also, stormwater discharge is also directed into the basin.

Here's an overlay of the expanded plan over the existing plan. The biggest difference you see is the size first of all, and then all of these walls here are pile supported. And this extension here are all pile supported and

will be flow-through to allow the marina basin to flush, as well. The boat launches will be moved over to the west side as not to conflict with launching vessels and them going out and being in conflict with anyone coming in or leaving their mooring places.

Again, this is just a view of the expanded harbor with some of the impacts that are stated.

Here is the cut and fill diagram showing the areas that will be cut and filled. The areas of fill will be for a boat ramp, some along the shore for the pier, squaring off this extension here, as well, and the new jetties at the entrance.

The removal areas will be these solid walls on the left side or on the west, and then on the south.

Proposed dredging for the basin, proposed dredging for the channel.

The project will improve access to harbor facilities, improve navigation, and reduce congestion within the harbor.

The project should add to the local tax base and provide construction related jobs and jobs in support of harbor function.

And the project has been designed to improve water quality in the harbor basin.

Applicant has requested a use plan change.

Currently the areas to the west of the harbor are considered a general use district, so to expand the area of the harbor it would require a use plan change to a commercial fishing and recreational marina district for the harbor. And then there'll also be a special use district S-5 for the access channel in front of the new harbor basin.

Applicant has justified that under Chapter VIII, Section 2, Part 1.E.2.e.1 that no significant environmental impacts would occur and no feasible alternate sites or use designation being requested are available, public, as well as governmental agencies, were notified of the activity, and no significant conflicts with surrounding users or public access to coastal wetlands will occur, and the activity does not adversely affect the public interest in wetlands protection.

Also, two variances associated with the project. One for vertical face structures shall be aligned no further waterward than mean high tide, and permanent filling of coastal wetlands because of potential adverse and cumulative environmental impacts are discouraged.

And justification under Chapter VIII, Section 2, Part 1.E.2.c.iv, the activity requires a waterfront location, a significant public benefit in the activity, and a public hearing has been held.

Similar projects have been approved, and no precedent setting effects are anticipated with the project.

Loss of benthic organisms during dredging operations and a temporary increase in turbidity will result in the project. There will also be an increase in noise levels during construction.

And the project will result in a net gain of waterbottoms, so there will be more jetties and solid structures removed than there will be fill for new jetties construction.

The harbor expansion will also impact two artificial reefs that the artificial reef bureau has just to the south of the existing harbor basin. And we've talked with Jimmy when we found out about this, and the applicant has agreed to re-establish the artificial reefs in an area specified by the artificial reef bureau. There are going to be a couple of new fishing piers that are associated with the project, so in all likelihood they're going to be in very close proximity to those new fishing piers. And we will condition the permit for the reefs to be of the same design, size, and have the same materials that were used to construct the reefs that are currently impacted that are in that location now.

Best management practices will be utilized.

And additional dredging would have been required if the project was expanded directly to the west instead of to the south where you have deeper depths.

Only areas immediately adjacent to the harbor

were considered for the project. And the Coastal Program designates the area of the expansion as an urban waterfront. And those areas are designed by the Coastal Program for areas that provide additional access to the water, restore areas that are of historical significance, or improve the area's economy.

Harbor facilities do require a waterfront location.

And the expansion of the existing harbor should not significantly decrease the existing scenic qualities of the area.

Public notice was placed in the Sun Herald as required. We received no public comments. And also had a public hearing for the project on October 3 at Long Beach City Hall, and we received no public comments at that meeting.

DEQ is reviewing the project. Archives & History has no reservations. And the project will require an amendment to the existing tidelands lease that the Secreaty of State has for the extended area of the harbor. Wildlife, Fisheries & Parks has stated that best management practices should be properly implemented, especially specific to marinas that DEQ has, and that construction take place between late April and early August to minimize disturbance to piping plovers and minimize the risk of encountering Gulf sturgeon.

So based on staff's recommendation, the project is consistent with Coastal Program and serves a higher public

purpose by providing increased accessibility to the water and providing increased economic opportunities to the area.

Staff recommends approval of the applicant's request for use plan change and variance request, along with issuance of requested permit, contingent on tidelands lease from the Secretary of State, the amendment, water quality certification from DEQ, and in kind replacement of two artificial reefs maintained by the DMR artificial reef bureau at specified locations.

MR. TAYLOR: Do we have any questions?

MR. BOSARGE: This looks like a nice project. Looks like somebody's done a lot of work.

MR. CHRISTODOULOU: I think it will help their water quality because I believe they've had problems with having fish kills inside the harbor at some time.

MR. BOSARGE: The time frame, looks like a pretty long project. There's a lot of work.

MR. CHRISTODOULOU: Yeah. I think they're still trying to secure a lot more of the funding, but this is the master plan that they would like to go with.

MR. GOLLOTT: Mr. Chairman, I'd like to make a motion that we go along with the staff's recommendation on this project.

MR. TAYLOR: Do I have a second?

MR. BOSARGE: I'll second the motion.

MR. TAYLOR: All those in favor. Passes unanimous. Thank you.

d. Mississippi Development Authority

MS. BRANTLEY: Good morning, commissioners. My name is Willa Brantley. I'll be presenting our final item. And as Commissioner Taylor said earlier, this is a non-action item. We're not asking for any decision to be made today. And we just wanted to give you an update on the process, how we're evaluating these documents, and the state we're at right now.

This is the request from the Mississippi Development Authority for coastal zone consistency review of the State of Mississippi offshore leasing rules and regulations and the State of Mississippi offshore seismic permitting rules and regulations.

This shows the map of the leasable blocks. As you can see, there are blocks all over the state and federal waters, but only the blocks that are in this bright blue and the areas of the blocks that are in bright blue will be available for leasing. And we have been told by MDA that the seismic testing will also be held only to those blocks. As you can see, there are buffers around the barrier islands and areas that were deemed environmentally important.

Just want to give you some update on the kind of review we're doing. This is a little bit different from things you usually see. The commission usually only sees things that

we have direct regulatory authority over that we are permitting and putting certain conditions on that have the potential to have major impacts to coastal wetlands.

For coastal zone consistency review, it's required for several things. When we have federal actions that are within our coastal zone, we review those. That could be issuance of permits by federal agencies. For example, when the Corps issues permits for fill in any of the three coastal counties, we have to review those. And if the federal agency is taking a direct action. The best example of this is when the Corps of Engineers goes out and maintenance dredges the federal navigation harbors. We have review over that, as well.

Then we also review federal actions on the outer continental shelf. This is mostly leasing of the blocks out there and the permitting of the exploration and drilling by the federal agencies for oil and gas.

We also have activities that are funded through federal grants. We've had a lot of this since Katrina, a lot of the damage has been replaced through federal grants. So we reviewed a lot of those since Katrina.

And then lastly is the one that this falls under which is state agency actions subject to review. The coastal program has a whole section with all the state agencies and tells us which actions those agencies take that we have to review to make sure that they're consistent.

The thing that we do most often in that category is DEQ's mining, their office of geology actually. They issue mining permits. And we review those pretty frequently. So that's one of the examples of another thing that would fall under our review in this category.

We did put these rules and regulations out on public notice. We ran them in the Sun Herald, the Mississippi Press, and the Sea Coast Echo, so that we would cover the whole coast. They were posted on our website from early September, and the comment period just ended on the 11th, which was Friday.

I'm going to give you a summary of the comments. Where we're at right now is we're not only evaluating these comments, but we're going through all the decision factors just like James and Greg just went through on the projects that we regulate. We go through those same decision factors for our consistency review.

So we're going through those and making findings and making a record. And we'll also go through all of the comments and evaluate those and make findings on those, as well.

So some of the comments -- I kind of grouped these into neutral, negative, and positive. So these starting with the neutral ones, these mostly talk about the process, the procedure.

So they said that the matter should be put on public notice and advertised in the news media, which did happen.

We had several requests for a public hearing.

We had statements that the rules and regulations should be made available electronically. That happened on our website, as well. And that the comment period should be extended, which it was.

We also had comments that pointed out that DMR is required by the coastal program to consider indirect and induced effects which could come from drilling in the future. And that's true, that's one of our decision factors that you see every month. So we will make a finding on that, as well.

There were statements that all of the coastal program agencies should be involved in the review. And at the same time that these went out on public notice, they did also get to the coastal program agencies, which are Archives & History and DEQ. We have not received any comments from DEQ, but we have received comments from Archives & History. We've also received comments from Wildlife, Fisheries & Parks. They're not a coastal program agency, but we do have them review, as well. And the Secretary of State.

And then there was a statement that DMR seismic agents must be adequately trained to observe and to help plan the surveys. One of the requirements in the seismic testing

rules right now is that DMR would have an agent on the boat that's doing the seismic testing. And that would be paid for I believe by the testing company.

So these are some of the comments that were more against approving consistency. People listed tourism, public lands, historic resources, and the seafood and fishing industries, and areas that would be detrimentally affected.

There were statements that seismic testing has been shown to harm marine life.

One person pointed out the exports of natural gas currently surpass the imports so there's no need for drilling right now.

That there should be no drilling within 12 miles south of the barrier islands.

That there should be no changes to the current regulations for the oil industry.

Many people talked about how a spill once drilling started would harm the coastal environment.

There were statements that the environment should be kept pristine and healthy.

Lots of people commented that visible oil rigs would harm the scenic beauty of the area, and this will lead to a decrease in tourism and also in people's desire to move here to live.

And there were several who pointed to a specific

study that referenced that losses in tourism revenue would likely surpass the revenues that would be brought about by drilling.

There was also a comment that a one mile buffer around the Grand Bay NERR and the Hancock County marshes should be added. There are Xs on the map buffers around the barrier islands, and the statement that the Grand Bay NERR and the habitat there and the Hancock County marshes are just as important as the barrier islands and should also be afforded the same protection.

There was a statement that removal of oil and gas from underneath the waterbottoms could exacerbate the subsidence that we're seeing in those areas already.

Several people stated -- referenced studies that showed that the public and businesses opposed seismic testing and drilling and that the Department of Marine Resources and the commission should support this position.

There was one statement that said the required seventy-five thousand bond is too low and that more damage can take place quickly, especially if they're in sea grass or marsh area, and that the $75,000 bond is not enough incentive to cause the companies to operate carefully.

There was a comment brought up about the potential for landside ports and access routes to and from shore that could be needed to support drilling and production

and that there should be considered as potential resultant impacts in those induced impacts that we have to look at.

There was also a statement that the area applicability is not clearly defined. MDA has verbally stated that only the leasable blocks will have seismic testing, but it's not clearly defined in the document.

And another pointed out that the rules have been appealed and a decision by the Department of Marine Resources on consistency should wait on the outcome of that appeal. And I believe that's being heard in Hinds County, and I have no idea what the time line on that would be.

We did have a few positive comments, responses. Several people stated that drilling will provide more jobs for the area. Some stated that drilling will provide increased marine habitat and increased recreational and commercial fishing and thereby will bring more tourism to the area for the fishing industry. And one stated that the energy companies have a good safety record.

So those are the comments that we have at this point that, like I said, we'll be evaluating those and making findings. We were given some studies by some of the commenters that they based their comments on, so we'll be looking at those studies and what they found. We're asking our fisheries office to help us out with responses for the comments on marine fisheries impacts.

And if you have any questions, I'll be happy to try to answer them.

MR. GOLLOTT: Willa, just to make things clear, before there would be any drilling or any activity in the Mississippi Sound, they would have to come before this commission and get a permit; is that correct?

MS. BRANTLEY: Yes. This only -- if we found this consistent, it would only approve the leasing of the blocks, which is mainly paperwork, and the seismic exploration, which has specific rules. If they want to do any production or drilling, it would come back -- each one would come to us separately or come before the commission.

MR. GOLLOTT: Thank you.

MR. MILLER: Richard -- Commissioner Gollott, I'd like to add to that just because there's been a lot of discussion, and we're taking this very seriously. But even if the rules as they state right now, even if there were to be a request for a seismic permit, even a seismic permit would have to come before this commission where we can put conditions on any seismic activity testing.

So even before any potential drilling permit would be applied for, even seismic activity in the Sound would have to come before the commission for review.

MR. GOLLOTT: And I think that's very good. I've had some experience with seismic. The wiped out an oyster

reef at Belle Fountain beach that we had tried to start and some seismic activity in the area. So it can do damage to a reef.

MR. DRUMMOND: Jamie, is there any way we can change the law so we won't have to accept this responsibility?

MR. MILLER: We can certainly make written comments on anything the commission decides it would like to do. But we certainly have always held that the commission and the Gulf Coast should have a say in it.

MS. BRANTLEY: And please, if you as commissioners have any comments you'd like to give us -- I know you're all experienced in the commercial and recreational fishing industries, if you have any -- like Commissioner Gollott said, if you have any personal experience that you could give us that would help us with the decision, we would appreciate that greatly.

MR. TAYLOR: Any other questions?

It's a non-action item, so we don't have to vote on anything.

I do want to recognize Representative Charles Busby. He came in a little while ago during the presentation. Thank you for coming.

MS. BRANTLEY: Thank you.

H. Office of Finance and Administration

MR. TAYLOR: Okay. Next up is office of finance

and administration. Kara.

1. FY14 Monthly Report

MS. VESA: Good morning. I'll be giving the status of our revenues and expenditures as of September 30, 2013.

Our total revenues total $4,180,737.08 comprised of general funds and off road fuel tax which remain unchanged from the prior month. License sales were $312,374.29. Fines and penalties, $4,747. Permits and dredging, $8,229.36. Interest, $30,765.92. Miscellaneous such as public records was $1,253.04. Boat sales, $126,114.05. And indirect costs, $84,579.14.

Our expenditures for the same time period September 30 were $1,812,486, comprised mostly of salaries, as you can see, which were $1,424,827, travel $285, contractual $314,118, commodoties $64,177, and equipment of $9,080.

And the last two slides include our projections for revenue which remain unchanged at $5,595,351, and our projected expenditures $7,294,677.

If there are any questions, I will be happy to try to answer them.

MR. TAYLOR: Thank you.

I. Directorate

MR. TAYLOR: Next up is public affairs, Melissa Scallan.

1. Public Affairs

MS. SCALLAN: Good morning, commissioners, Director Miller, Ms. Chesnut.

Since our last commission meeting in September, we have been mentioned in the local, regional, and national media 41 times.

We have had a lot of interest in our oyster reefs and the opening and closing, and with opening and then Tropical Storm Karen, we had to close them, and then we got a lot of calls about opening. So there's been a lot of interest in oyster reefs and things of that nature.

We also participated in a number of outreach events in the past month, including Woods & Water Expo, Chefs of the Coast, and Cruisin' the Coast. Our seafood marketing group participated in Cruisin' the Coast last week.

We have several events coming up this weekend. The big one is Coastal Cleanup, the Gautier Mullet Festival, and we also will have a booth at the Jackson County Fair during the week that it's on.

I also wanted to let you know we got word yesterday that the barrier islands likely would be closed for Coastal Cleanup because of the federal shutdown. We will get -- hopefully, we'll get a confirmation on that this morning, and we will send out that information this afternoon. But we're expecting to have to reroute those two to three hundred

volunteers who clean up the barrier islands, and we hope that they will go to other places on land. But it will affect the barrier islands and the Gulf Islands National Seashore. So we will redirect those people on Saturday from 8:00 to 11:00.

So if you have any questions, I'll be glad to answer them.

MR. GOLLOTT: How is the oyster season going?

MS. SCALLAN: You know, they say it's okay. That's what they tell me. Not as good as in past years, but we're making improvement.

MR. MILLER: Commissioner Gollott, I got an update this morning, of course, we can ask Scott because I got it from Scott and one of the marine patrol officers, but yesterday we opened up for dredgers, of course, and I think they said they had about 40 boats out dredging.

He said they didn't find all the ones they wanted to. A few got their limit. He said the tongers are still doing fairly well on the tonging reef. But seemed like it was a good turnout and no accidents or any mishaps to speak of.

MR. GOLLOTT: Look forward to eating some of them.

MR. TAYLOR: Thank you.

MS. BOSARGE: I have one question for Melissa. How would we learn or where will you post whether or not the

islands will be open?

MS. SCALLAN: We will send out a news release, and we will let all of you know, as well as everyone in the agency know, also. We'll send you an e-mail and let you know about that.

We're fairly certain that it's not going to happen, but, you know, but we are hoping -- I've been kind of waiting to get word during the meeting for sure.

MR. BOSARGE: We were looking forward to it.

MS. SCALLAN: Yeah, I know.

MR. BOSARGE: Thank you.

MR. TAYLOR: Thank you.

Next up is Sonja Slater, tidelands.

2. Tidelands Presentation

MS. SLATER: Good morning, commissioners, Director Miller, Ms. Chesnut. My name is Sonja Slater.

MR. TAYLOR: Speak into the microphone.

MS. SLATER: I'm sorry. This is my first presentation and my first opportunity to get to meet all of you, so if I haven't met you before, I'd like to meet you.

And I'm going to start my tidelands presentation going over Fiscal Year 2013. We received $8,714,713.21 in tideland funds.

We paid our last and final Deer Island payment of $1,006,000. We set aside $900,000 for our bond payment. And

we split the managed projects and public access equally by $3,404,356.

In our managed projects for Fiscal Year 2013, we had $599,930 awarded in external programs. We had $2,804,026 awarded in MDMR programs which had a matching federal fund of $1,600,686.

Our public access we broke up between the three coastal counties, Jackson, Harrison, and Hancock. Jackson County had $1,044,193. Harrison County had $1,399,086. And Hancock County had $927,000.

That was what Fiscal Year 2013 looked like.

And then for Fiscal Year 2014, our estimate to receive from tideland funds is $9,787,433.

We have set aside $528,155 for the Cat Island purchase. That is our final payment to Cat Island. It has already been paid. We have set aside $850,000 for the bond payment. And for the GCRL, $500,000.

The managed projects received $3,565,177. Of that, there were 44 submissions for the managed projects totaling $7 million. Twenty-eight were external submissions totaling $4.4 million, and 16 were MDMR submissions totaling $3 million.

Our public access, $4.3 million was awarded. Jackson County received $1.3. Harrison County received $1.9. And Hancock County received one million.

I'm sorry. There we go.

For tidelands Fiscal Year 2015, our applicants submitted a request for funding of $21 million. Of course, we set $900,000 aside for the bond payments. That left $7.1 million for managed projects and $14 million submitted for public access.

Under the managed projects, there were 51 submissions. Thirty-two of them were external programs totaling $4 million. Eighteen were MDMR programs totaling $3 million which we have matching funds of $1.2 million from federal projects.

Public access projects submitted, 47. Thirteen came from Jackson County totaling $3.9 million. Twenty-three came from Harrison County totaling $6.9 million. Ten from Hancock County totaling $3 million. And we have one tri-county project which is our land trust project for $250,000.

The schedule for Fiscal Year 2015:

In May of 2013 we published a request for proposals.

On July 1, 2013, that was the deadline for DMR to receive the proposals. During the month of July and August, we had a compliance review.

In September and October, we had a merit review which is now complete.

In November of 2013, there will be submitted --

the recommendations of the merit review will be submitted to CMR for your approval of the ranked proposals.

In December of 2013, we'll have the legislative forum.

In January of 2014, the project report to the legislature.

In April of 2014, Fiscal Year '15 appropriations.

In November of 2014, we expect to receive the check from the Secretary of State's Office. And in November and December of 2014, we will award the project.

And that was all I had for today. Do y'all have any questions?

MR. TAYLOR: I want to make a comment. I think it was very good. It's the first time I think in the six years that I've been on the commission that we've seen, you know, something this detailed. Thank you.

MR. MILLER: I just want to make one clarifying point. For 2015, the $21 million, those are requests. We will not receive $21 million in tidelands funds, just to be clear.

MS. SLATER: I'm sorry. I thought I said --

MR. MILLER: We have to make a lot of decisions. But, no -- yeah, it was stated clearly, but I just want to restate it.

MR. TAYLOR: Any questions, commissioners?

J. Other Business

MR. TAYLOR: Next up we have -- is there any other business to come before the commission?

K. Public Comments

MR. TAYLOR: If there's none, we'll move to public comments. And this is an area we really appreciate y'all taking time from your work and all and we value your comments whether we agree with them or not because it does -- it is your right to know.

So as typical, we normally allow three minutes to state whatever, you know, you want to talk about. And when you come to the podium and state your name and please speak into the mic.

And I'm just going to go in the order I received them. And first up is Don Abrams.

MR. ABRAMS: Good morning. I appreciate the opportunity to be here.

I want to speak just a little bit about the MDA seismic and exploration regulations and make one last final effort to use some of my individual time which I'm not being compensated for to try to get some common sense into this program.

I'm representing myself. I live in Ocean Springs. I fish. I shrimp. I do a lot of things on the water. I'm also the conservation officer for the fly fishing

club here on the coast.

This project from the get go has been misrepresented. It's been sold as not visible from shore, everything beyond the barrier islands.

Right down here, one of those shaded blocks you saw, is contiguous with the refuge water here. Same thing with our marshes on the western end of the state. The marshes that produce our seafood are going to have these areas, have these defined areas adjacent to them. Everything is not way out in the Gulf where it's not visible.

The public hasn't had any real input. We went through an exercise. And again, we took our time away from our jobs, read these regulations. I submitted seven pages of comments, pointing out things like typos that changed the meaning of the regulations they were proposing. Nothing was changed. None of the public comments were reflected in any changes in the regulations. The final regulations were identical to the draft regulations.

These things are slipshod. They're incomplete. They're wishy washy. There are legal issues in here. Any provision in these regulations can be overturned by the executive director. Anything in there. So nothing means anything.

There are places where DMR is going to be responsible for supervising the seismic exploration.

Regulations say that these people have to consult with DMR about what DMR sees. They don't have to be bound by it, they just have to consult with them.

Yeah, I heard you say we shouldn't blow this up here. But regulations say we don't have to pay any attention.

They say that people have to be contacted if they're available. So if you want to get around somebody's input, just wait until they're on vacation and make a phone call. You're off the hook.

Common sense issues. I can spend two hours here. I had kind of gotten over how frustrated I was with this, but sitting here this morning I'm getting upset all over again.

If I'm standing on a dock, the regulation says that they can't blow up the seismic charge within 300 feet of me. If I step off the dock onto the beach, they can drop one in my shirt pocket. If I'm wade fishing some place, no minimum distance. If I'm there in my boat and they decide to detonate a seismic charge, there's no requirement for being a certain distance away from me and my boat. They just have to come tell me they're going to do it.

These things are just full of those kinds of issues. There's a maximum seismic charge allowed. But you can go five times that charge for a trial detonation. You'd think they'd restrict the number of detonations you can call a trial,

but they don't. So if you want to use five times as much charge, just call them all trial detonations.

Someone needs to read these things. Someone needs to pay attention to the public that have put their time into finding these common sense problems. This looks like something that was cookie cutter from some place and put together. It's full of typos. Nobody has apparently read it. The typos we pointed out they didn't even fix.

You gentlemen are the last chance between reality and this slipshod mess we've been given from MDA.

I'm happy to talk with any of you about the other problems that I've seen here. I know a lot of these other folks that drove over here today would be, too.

But please help. Thank you.

MR. DRUMMOND: Didn't -- before Katrina, didn't the Sierra Club block all drilling operations that were going to happen in Mississippi Sound? That didn't have anything to do with you?

MR. ABRAMS: I'm not associated with the Sierra Club.

MR. DRUMMOND: Are you aware that that might have happened?

MR. ABRAMS: I've heard some conflicting things. But my understanding and from what I heard earlier this evening from one of the folks from DMR is that these waters are open

for permitting or for leasing if someone steps up.

MR. DRUMMOND: I didn't know whether this was going to affect any forthcoming activity as far as drilling in the Sound. Maybe it didn't.

MR. GOLLOTT: Mr. Abrams, it's my understanding if we issue a permit, you know, and put regulations and rules on it, they can't go around it. And we'd like to get legal's opinion on that, you know.

MR. ABRAMS: Well, the document that I was given to review and what I was given as the final rule says that any provision in those rules can be overturned.

MR. GOLLOTT: By who?

MR. ABRAMS: The executive director of MDA.

MR. GOLLOTT: In other words, if the DMR -- the CMR issues a permit, it can be overruled?

MR. ABRAMS: I don't know about permits. But this was just saying that the regulations, any aspect of them, can be changed. But I don't know about the permitting process.

MR. GOLLOTT: That's probably something we really need to dig into and find out.

MR. ABRAMS: Yes, absolutely.

Thanks very much.

MR. TAYLOR: Robert, I want to thank you for your comments. They're very well taken. And that's the kind of citizen input that we look forward to having facts and quite

frankly to the point, whether you agree or don't agree, but that's what we look for. Thank you.

Up next is -- I hope I pronounce the last name correct -- Ekoff.

I said Robert. It's Dan. I'm sorry.

MR. EKOFF: My name is Oscar Ekoff. I live in Biloxi. I signed up to comment on Item A and D, but since I didn't get a chance, maybe I've got six minutes, huh?

Speaking of unvegetated bottoms being filled in, I would say that that is a decrease in water quality.

Now, anything that disturbs Mother Nature is probably bad in the long run. But humans do not think long run.

In other words, in the course of evolution, it didn't make any difference what it would -- you know, what would happen five years, 50 years, 500, 5,000 years in the future because nothing is going to change. You can't change anything anyway. So we still don't care about the future.

In 1957 when I was in graduate school, I joined the American (inaudible) Union. At the time, they did not have biological oceanography. But we have found out that everything is connected to everything else, therefore biological oceanography is now included in their meetings.

Putting piers or anything else in the water, as far as I'm concerned, disturbs the water, and therefore, if it

disturbs the water, it disturbs the fish. And the fish don't like it, therefore we don't get as much fish from it.

Now, the problem we have as humans is, well, we cannot face the cause of the problem which is over-population. And the reason we can't is our DNA says we've got to have children.

So, anything that says otherwise, forget it. Not going to do it.

Now, I say that the -- you all are supposed to be preserving Mother Nature, not destroying it. I get disturbed whenever somebody says something else is going to improve the economy.

As a geologist, I got to say we live in a finite world and we only have so much oil, so much coal, so much lignite, natural gas, phosphorous, and so forth. We are using it up as fast as we possibly can, and when we get to the top and use it all up, everything is going to collapse. The population is going to decrease. Massive starvation, rebellion, war, everything bad you can think of.

What do we do when we run out of oil and coal and so forth? We have no electricity. And if you have no electricity and no electrical grid system, what do you do? There's no paper. There's no knowledge.

Even old computers run on electricity, and when don't have any, you don't have any of that.

I'm a member, a life member, of the World Future Society, and I even tried to go to a conference for the year 2000. Unfortunately, I didn't get a chance because it was by invitation only. But then me, I did not think what is going to happen 50 years in the future when we run out of oil and coal and natural gas.

I mean, if I can be that way, I'm sure all of y'all are just as bad.

Growth is impossible.

MR. TAYLOR: Thank you very much for your comments, Mr. Ekoff.

Next up is Ms. Terese Collins.

MS. COLLINS: Hi. Thanks for having us here, commissioners, Mr. Miller. My name is Terese Collins. I'm from Biloxi. I represent Gulf Islands Conservancy and I guess Twelve Miles South Coalition which may be what you're referring to, Mr. Drummond.

First before I start on the drilling issue, I'd like to comment on the artificial reef issue. And I'd like to know if the concrete is being tested, the riprap that you're throwing in the water, is that tested for other contaminants like asbestos because a lot of this concrete is old, and while new concrete may not have some of these products in it, we should make sure that the concrete that you're putting in the water for reefs is not going to damage the environment. And we

would hope that you are testing for that, but I don't know. It's just a question.

But to get to the MDA's request for consistency certification from DMR for the coastal program, we think it's far too soon to provide that consistency certification because the rules and regulations are so lax. How could they be consistent with the program when there is like Swiss cheese?

And until you vet those rules and regulations, and apparently you really haven't looked at them, maybe you should look at them a little bit harder and see what's missing, send them back to the MDA for improvement, and then come back to the public and to the costal program people to see if they are truly consistent with the rules and regulation guidelines and procedures of this program which are very important.

And we would request that you hold an adequate completely public hearing where we can come out at night, whether it's in the three coastal counties or one centrally located location, but have a nighttime public hearing where this issue can be vetted publicly, not privately behind closed doors.

It's too far, too great of an issue not to talk publicly. And the public did come out in 2005 and earlier against drilling in the Sound. And there are studies that show that if this goes forward, it will impact tourism to the extent far greater than any economic reward we'll get from drilling.

If the staff is relying only on the things that are submitted from the public for seismic testing impacts and no discharge, then we need to submit a whole lot more studies to you all because you should have this information, and we shouldn't be the one providing it. But we would like to know if you really have that information or not because it can be supplemented.

We're taking time off from our daily jobs to come do this. We're not paid to do it. Your staff and your consultants are. We hope that they're getting the right information to adequately consider it. But there should be no consistency certification on something that is incomplete.

The seismic finding. The bond should be a whole lot higher because it should be high enough to repair any damage -- not just by drilling, also. Should the bonds be much, much higher to be able to repair any damage that's done when it's done.

We submitted photographs of leaking gas wells in Louisiana. There is no one out there looking at the damages and looking at the leaking pipelines and rigs that constantly occur on a daily basis, and it's documented. We can send you to a website. There are Coast Guard reports on these leaks. And it's an active ongoing issue.

The job benefit issue can be easily debated.

There are many other issues. We have three

minutes, so I won't have a whole lot of time to get into details. But we would gladly do so.

It's not an issue of for fishing, against fishing. It is an issue of where we want this to be in the future.

You're bringing us here to this beautiful facility which is a natural estuarine preserve or reserve for research. Is this what the future of Mississippi is going to be? We have to set aside property on the eastern or western boundary of our shorelines to go look at what we used to have and destroy all the natural habitat we do have that creates habitat for the sturgeon, that creates habitat for our dolphins and turtles which are now being harmed, and that harm is still ongoing as a, whatever, mortality event. And you want to blow up the Sound and hurt these animals more?

There's got to be more thinking in this process before we allow this issue to move forward.

And literally we could go on forever if you want to discuss this logically and reasonably and what the damage could be done.

We don't want to lose this habitat. We don't want to stop being a seafood producing natural area. We want people to come to the coast for tourism and to live here.

And they come here because we're one of the most unique areas in the world, and we're going to lose that if

we're not careful.

So if you want to be a homogenized look like every other industrial place on earth where people really don't want to come and live and work, then we can do that.

If you want to be a natural place with a very balanced approach to development, environment, and living, we can also do that, and we have done that.

So we need to really focus on it now and decide what are we going to be in the next 20, 40, 50 years. And we've been saying this since I worked for this agency 35 years ago. And I worked for the City of Biloxi. So I've been on both sides of these issues, on your side from the state agency point of view, from the city, from our research and development point of view, and as a private business owner, I understand the economics of business because that's what I do every day. But when it comes to where I want to live and what I want it to look like, this is what I chose. And I chose it based on the rules and regulations that are in place.

And we expect those rules and regulations to continue to protect the habitat. Otherwise we will be just like everywhere else, with nothing special, and nothing for everyone to come to except more casinos, more industry, and no more fish.

I mean, really, we have one of the few wilderness areas in the barrier islands. Do you really want

rigs offshore of those islands? Go to Padre Island. Go to Dauphin Island. Those are not booming tourism economies, and their local housing market isn't real big, either, because it's not in an attractive place to live. And the impacts are pretty significant.

In Dauphin Island, they have gas warnings there because gas is -- you can't see it, you can't smell it, you just know if the bell rings you better run like heck or you could die.

Is what what you want?

We really need to think about what we're going to do and where we're going in the future. And giving consistency certification now is a greater impact than just receiving a permit later. There's a far reaching impact on this consistency certification, and it shouldn't just be written off as nothing and somebody can come back for a permit later, because you may not have a chance later.

You're already saying that their rules and regulations are consistent with your program. So how are you going to add to them later?

MR. TAYLOR: Thank you.

Next up, Mr. Skrmetta, Louis.

MR. SKRMETTA: Thank you, Mr. Chairman. I appreciate being here. Beautiful facility.

I'm Louis Skrmetta with Ship Island Excursions

and also with the Twelve Miles South Coalition.

I'll be brief. I just wanted to follow up on what Terese said about the impact to tourism.

There are a couple of studies in the comments that were submitted to this commission concerning the possibility of a two or three percent drop in tourism if drilling platforms are within sight of Gulf Islands National Seashore. Please look at those economic studies carefully.

We are working with the National Park Service right now -- I understand this agency is working with them, as well -- to consolidate east and west Ship Island. I believe there's $700 million allocated to fill in Camille Cut, Katrina Cut.

This is going to be a huge project, wonderful project for the Gulf Islands National Seashore. I can't speak for the park service, but I can tell you the National Park Service is very concerned about DMR -- MDA's push for this proposal.

Consider it very carefully, and I hope that you will have a public hearing on this in the future.

Thank you very much.

MR. TAYLOR: Thank you, Louis.

And I just want to comment again. We thank you for all your comments. They're not taken lightly. So thank you very much.

Is there anything else to come before the commission?

MR. GOLLOTT: Mr. Chairman, I make a motion that we adjourn.

MR. TAYLOR: Do I have a second?

MR. DRUMMOND: I second the motion.

MR. TAYLOR: All those in favor.

(Meting adjourned 10:30 a.m.)

COMMISSION ON MARINE RESOURCES

COURT REPORTER'S CERTIFICATE

I, Norma Jean Ladner Soroe, Certified Shorthand Reporter, do hereby certify that to the best of my skill and ability I have reported the meeting of the Commission on Marine Resources and that the foregoing 62 pages constitute a true and correct transcription of said meeting held on the 15th day of October 2013.

I do further certify that my certificate annexed hereto applies only to the original and certified transcript. The undersigned assumes no responsibility for the accuracy of any reproduced copies not made under my control and direction.

Witness my signature this the 11th day of November 2013.

NORMA JEAN LADNER SOROE, CSR #1297
Certified Shorthand Reporter