TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 7 REGULATIONS TO PROVIDE SIZE LIMITS AND BAG LIMITS ON CERTAIN FISH SPECIES AND TO PREVENT SALE OF SEAFOOD BY RECREATIONAL FISHERMEN

Chapter 01 Introduction

Purpose

100 This Part provides for the regulations of commercial and recreational fishermen through size limits, bag limits and gear restriction.

Chapter 02 Justification and Authority

100 The Mississippi Commission on Marine Resources has determined that the regulation of all user groups is necessary for the conservation, protection, or propagation of certain fish species.

101 The Mississippi Commission on Marine Resources has determined that regulations must be imposed on minimum lengths and bag limits of certain commercially and recreationally important fish species in order to insure the proper conservation, protection or spawning of stocks.

102 The Mississippi Commission on Marine Resources has determined that there is a need to support the decision of the United States Congress which authorized the United States Secretary of Commerce, the National Oceanic and Atmospheric Administration (NOAA) Assistant Administrator, for fisheries to adopt conservation measures for Atlantic Bluefin Tuna (*Thunnus thynnus*) as recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT), which was established by the International Convention for the Conservation of Atlantic Tunas, a treaty to which the United States and eighteen other countries are parties.

103 The Mississippi Commission on Marine Resources has determined a need to restrict the incidental catch of Atlantic Bluefin Tuna in accordance with Federal Regulations.

104 The Mississippi Commission on Marine Resources has determined that the ICCAT recommendation to prohibit a directed fishery on the Atlantic Bluefin Tuna spawning stocks in the Gulf of Mexico is a valid and necessary measure for the proper conservation of Atlantic Bluefin Tuna stocks.

105 The Mississippi Commission on Marine Resources is vested with the jurisdiction and authority over all marine aquatic life and is authorized to enact all regulations necessary for the protection, conservation or propagation of all shrimp, oysters, commercial fish and crabs in the waters under the territorial jurisdiction of the State of Mississippi, as provided for in Section 49-15-15 of the Mississippi Code of 1972, Annotated.

106 Section 49-15-63 of the Mississippi Code of 1972, Annotated, provides, in part, that any person, firm or corporation violating any of the provisions of any Title and Part adopted by the commission shall be guilty of a misdemeanor.

107 Section 49-15-96 of the Mississippi Code of 1972, Annotated; allows for the cleaning (filleting) of certain types of fish for personal consumption by licensed commercial shrimpers.

108 Section 49-15-317 of the Mississippi Code of 1972, Annotated; allows any charter or recreational fishing boat fishing outside the state's waters in the Gulf of Mexico over twenty-four (24) hours before returning to land and filing a float plan with the Department of Marine Resources may possess filleted fish in Mississippi waters.

Chapter 03 Definitions

100 **FINAL DESTINATION** shall be defined as a place on the mainland or a barrier island, not including piers or jetties, where the fishermen finally lands his catch and does not further transport the fish by boat.

101 **RECREATIONAL FISHERMAN** shall be defined as those individuals taking and/or catching seafood for recreation or personal consumption.

102 **BAG LIMIT** shall mean the total number of a particular species that a recreational fisherman can retain for a single day's catch.

103 **TROTLINE** shall be defined as a stationary anchored line with more than three (3) baited hooks.

104 **SET POLE and LINE** shall be defined as a line attached to a pole, suspended over water, located along a shoreline. This gear does not include rods with an attached reel or cane poles actively attended on-site by a fishermen engaged in fishing from the adjacent shoreline.

Chapter 04 Commercial Closure Area

100 It shall be unlawful for any person, firm, or corporation to commercially take finfish from the marine waters north of the CSX bridges in the three (3) coastal counties of Mississippi, except for any euryhaline species of minnow in the Pascagoula river system.

Chapter 05 Filet Regulations

100 It shall be unlawful for commercial or recreational fishermen to possess fish with heads, tails or flesh removed until delivered to the final destination; however, fish may be eviscerated, scaled or have gills removed. Any charter or recreational fishing boat fishing outside the state's waters in the Gulf of Mexico over twenty-four (24) hours before returning to land and filing a float plan with the Department of Marine Resources may possess filleted fish in Mississippi waters. Said float plan must be received and filed with the Department of Marine Resources prior to departure and during the regular operating hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, and a copy of which must be on board said vessel for the duration of the trip. Said float plan must be submitted on forms provided by the Department of Marine Resources signed by the applicant and official accepting the float plan; and will contain the following information:

100.01 Name of the applicant
100.02 Owner of the vessel
100.03 Name of the vessel captain
100.04 Official vessel registration number
100.05 Description of the vessel
100.06 Date, time and location of departure
100.07 Destination(s)
100.08 Anticipated date, time, and location of return

Chapter 06 Fish Allowed to Keep for Personal Consumption

100 Licensed commercial shrimp fishermen may keep in whole for personal consumption only, the following fish which are caught in shrimp nets or trawls of the vessel: White Trout, Atlantic Croaker, Black Drum, and Ground Mullet (Family Sciaenidae); Sheepshead (Family Sparidae); Gafftopsail Catfish (Family Ariidae); and flounders in the families Pleuronectidae and Bothidae. The cumulative total weight of fish shall not exceed twenty-five (25) pounds. These exemptions for personal consumption does not apply to fish that are otherwise illegal to possess.

Chapter 07 Charter Boat Exemption from Certain Bag Limits

100 Persons on a licensed charter boat or headboat may possess a two-day (2) bag limit only when complying with the following conditions and only for the species listed in 100.06 of this chapter.

100.01 Charter boats must be less than one hundred (100) gross tons and meet Coast Guard requirements to carry six or fewer passengers.
100.02 Headboats must hold a valid certificate of inspection issued by the Coast

Guard.

100.03 The charter boat or headboat must possess a reef fish permit if fishing for reef fish or in possession of reef fish in the EEZ.

100.04 The charter boat or headboat must have two (2) coast guard certified captains aboard (as required by Coast Guard regulations for trips over twelve (12) hours).

100.05 Each person aboard the charter boat or headboat must possess a certificate, issued in the name of the chartering company, stating the time and date the charter left the dock and the trip must be in excess of twenty-four (24) hours.

100.06 King and Spanish Mackerel, snappers (Red, Vermillion, Lane, Gray, Mutton, Yellowtail, Schoolmaster, Cubera, Dog, Mahogany, Queen, Blackfin, Silk, and Wenchman), groupers (Misty, Snowy, Yellowedge, Warsaw, Speckled Hind, Red, Yellowfin, Black, Gag, Scamp, Yellowmouth, Rock Hind, and Red Hind), Hogfish, Gray Triggerfish, Lesser Amberjack, Banded Rudderfish, Almaco Jack, Goldface Tilefish, Anchor Tilefish, Tilefish, Blackline Tilefish, Blueline Tilefish, and Greater Amberjack.

100.07 Charter vessel captain and crew are prohibited from keeping a recreational bag limit of Red Snapper, Greater Amberjack, and Spotted Seatrout.

101 A licensed for-hire vessel may obtain a two-day bag limit endorsement from the Department for a fee of $100 per year. The endorsement allows the vessel to possess a two-day bag limit (whole or filleted) of Spotted Seatrout, Red Drum, and Southern Flounder under all of the following conditions:

101.01 The endorsement only applies while fishing in Mississippi territorial waters.

101.02 The trip must extend beyond 24 hours before returning to the mainland.

101.03 The harvest must comply with Mississippi's current size limits, regardless of the place of harvest.

101.04 The harvest must comply with Mississippi daily catch limits. This endorsement does not authorize any person to take more than one daily Mississippi bag limit during one calendar day.

101.05 The vessel must obtain a float plan from the Department prior to each trip.

101.06 The vessel may possess the two-day limit only during its final return to the mainland. During the final return, fishing is prohibited.

102 The vessel operator must file a float plan with the Department during regular office hours prior to disembarking. A copy of the float plan must be on board the vessel for the duration of the trip. The float plan must be submitted on forms provided by the Department and must contain the following:

102.01 Name of the applicant.

102.02 Owner of the vessel.

102.03 Name of the vessel captain.

102.04 Official vessel registration number.

102.05 Description of the vessel.

102.06 Date, time, and location of departure.

102.07 Passenger manifest.

102.08 Destinations.
102.09 Anticipated date, time, and location of return.
102.10 Signatures of the applicant and the Department official receiving the plan.

103 The vessel's captain and crew are prohibited from keeping a recreational bag limit of Spotted Seatrout, Red Drum, or Southern Flounder while exercising the endorsement. The presence of the captain and crew does not count towards the vessel's daily possession limit for the species listed above.

104 This Chapter expires one year after the date of adoption. The Commission must review the efficacy of this endorsement, and determine whether to extend this Chapter, during its regular meeting the month prior to expiration.

Chapter 08 Recreational Bag, Possession and Size Limits

100 It shall be unlawful for a recreational fisherman to possess any fish in excess of a one (1) day bag limit of the following named species as prescribed:

100.01 Fifteen (15) Spotted Seatrout (*Cynoscion nebulosus*)
100.02 Three (3) Red Drum (*Sciaenops ocellatus*)
100.03 Two (2) Cobia (*Rachycentron canadum*)
100.04 Two (2) King Mackerel (*Scomberomorus cavalla*)
100.05 One (1) Greater Amberjack (*Seriola dumerili*)
100.06 Two (2) Red Snapper (*Lutjanus campechanus*)
100.07 Fifteen (15) Spanish mackerel (*Scomberomorus maculatus*)
100.08 Fifteen (15) flounder (*Paralichthys sp.*)
100.09 Five (5) Hogfish *(Lachnolaimus maximus)*
100.10 Three (3) Tripletail (*Lobotes surinamensis*)
100.11 Ten (10) in aggregate:
100.11.01 Gray Snapper (*Lutjanus griseus*)
100.11.02 Mutton Snapper (*Lutjanus analis*)
100.11.03 Yellowtail Snapper (*Ocyurus chrysurus*)
100.11.04 Schoolmaster *(Lutjanus apodus)*
100.11.05 Cubera *(Lutjanus cyanopterus)*
100.11.06 Dog *(Lutjanus jocu)*
100.11.07 Mahogany *(Lutjanus mahogany)*
100.11.08 Queen *(Etelis oculatus)*
100.11.09 Blackfin *(Lutjanus buccanella)*
100.11.10 Silk *(Lutjanus vivamus)*
100.11.11 Wenchman *(Pristipomoides aquilonaris)*
100.12 Four (4) in the grouper aggregate:
100.12.01 Misty Grouper (*Epinephelus mystacinus*)
100.12.02 Snowy Grouper (*Epinephelus niveatus*)
100.12.03 Yellowedge Grouper (*Epinephelus flavolimbatus*)
100.12.04 Red Grouper (*Epinephelus morio*)

100.12.05 Yellowfin Grouper (*Mycteroperca venenosa*)
100.12.06 Black Grouper (*Mycteroperca bonaci*)
100.12.07 Gag Grouper (*Mycteroperca microlepis*) – may possess two (2) within the four (4) fish grouper aggregate
100.12.08 Scamp (*Mycteroperca phenax*)
100.12.09 Yellowmouth *(Mycteroperca interstitialis)*
100.12.10 Rock Hind *(Epinephalus adscensionis)*
100.12.11 Red Hind *(Epinephalus guttatus)*

100.13 One (1) per vessel within the four (4) fish grouper aggregate:
100.13.01 Speckled Hind (*Epinephelus drummondhayi*)
100.13.02 Warsaw Grouper (*Epinephelus nigritus*)

100.14 Twenty (20) in aggregate:
100.14.01 Gray Triggerfish (*Balistes capriscus*)
100.14.02 Vermillion Snapper (*Rhomboplites aurorubens*)
100.14.03 Lane Snapper (*Lutjanus synagris*)
100.14.04 Almaco Jack (*Seriola rivoliana*)
100.14.05 Goldface Tilefish *(Caulolatilus chrysops)*
100.14.06 Anchor Tilefish *(Caulolatilus intermedius)*
100.14.07 Tilefish *(Lopholatilus chamaeleonticeps)*
100.14.08 Blacklined Tilefish *(Caulolatilus cyanops)*
100.14.09 Bluelined Tilefish *(Caulolatilus microps)*

100.15 Five (5) in aggregate:
100.15.01 Lesser Amberjack (*Seriola fasciata*)
100.15.02 Banded Rudderfish (*Seriola zonata*)

100.16 Three (3) - Yellowfin Tuna (*Thunnus albacares*)

100.17 It shall be unlawful for recreational fishermen to possess more than four (4) of the following shark species in aggregate per person per day (small coastal sharks):
100. 17.01 Atlantic Sharpnose (*Rhizoprionodon terraenovae*)
100. 17.02 Finetooth (*Carcharhinus isodon*)
100. 17.03 Blacknose (*Carcharhinus acronotus*)
100. 17.04 Bonnethead (*Sphyrna tiburo*)

100.18 It shall be unlawful for recreational fishermen to possess more than one (1) of the following shark species per person per day and no more than three (3) of the following shark species in aggregate per vessel per day (large coastal andpelagic sharks):
100.18.01 Blacktip (*Carcharhinus limbatus*)
100.18.02 Spinner (*Carcharhinus brevipinna*)
100.18.03 Bull (*Carcharhinus leucas*)
100.18.04 Tiger (*Galeocerdo cuvieri*)
100.18.05 Lemon (*Negaprion brevirostris*)
100.18.06 Nurse (*Ginglymostoma cirratum*)
100.18.07 Scalloped Hammerhead (*Sphyrna lewini*)
100.18.08 Great Hammerhead (*Sphyrna mokarran*)
100.18.09 Smooth Hammerhead (*Sphyrna zygaena*)
100.18.10 Shortfin Mako (*Isurus oxyrinchus*)
100.18.11 Porbeagle (*Lamna nasus*)

100.18.12 Thresher (*Alopias vulpinus*)
100.18.13 Blue (*Prionace glauca*)
100.18.14 Oceanic Whitetip (*Carcharhinus longimanus*)

100.19 It shall be unlawful for recreational fishermen to possess any of the following species of sharks (protected Species of Sharks):
100.19.01 Sand Tiger (*Odontaspis taurus*)
100.19.02 Bigeye Sand Tiger (*Odontaspis noronhai*)
100.19.03 Whale (*Rhincodon typus*)
100.19.04 Basking (*Cetorhinus maximus*)
100.19.05 White (*Carcharodon carcharias*)
100.19.06 Dusky (*Carcharhinus obscurus*)
100.19.07 Bignose (*Carcharhinus altimus*)
100.19.08 Galapagos (*Carcharhinus galapagensis*)
100.19.09 Night (*Carcharhinus signatus*)
100.19.10 Caribbean Reef (*Carcharhinus perezi*)
100.19.11 Narrowtooth (*Carcharhinus brachyurus*)
100.19.12 Caribbean Sharpnose (*Rhizorionodon porosus*)
100.19.13 Smalltail (*Carcharhinus porosus*)
100.19.14 Atlantic Angel (*Squatina dumerili*)
100.19.15 Longfin Mako (*Isurus paucus*)
100.19.16 Bigeye Thresher (*Alopias superciliousus*)
100.19.17 Sevengill (*Heptranchias perlo*)
100.19.18 Sixgill (*Hexanchus griseus*)
100.19.19 Bigeye Sixgill (*Hexanchus vitulus*)
100.19.20 Sandbar (*Carcharhinus plumbeus*)
100.19.21 Silky (*Carcharhinus falciformis*)

101 The practice of "finning", that is, removing only the fins and returning the remainder of the shark to the sea is unlawful.

102 It shall be unlawful for recreational fishermen to possess any of the following named species of fish under the lengths prescribed:

102.01 Spotted Seatrout – fifteen (15) inches (total length).
102.02 Red Drum – eighteen (18) inches (total length).
102.03 Cobia – thirty-three (33) inches (fork length).
102.04 Greater Amberjack – thirty (30) inches (fork length).
102.05 Red and Mutton Snapper – sixteen (16) inches (total length).
102.06 Vermillion Snapper – ten (10) inches (total length).
102.07 Lane Snapper – eight (8) inches (total length).
102.08 Gray, Schoolmaster, Cubera, Dog, Mahogany, and Yellowtail Snapper – twelve (12) inches (total length).
102.09 Red and Yellowfin Grouper – twenty (20) inches (total length).
102.10 Gag and Black Grouper – twenty-four (24) inches (total length).
102.11 Scamp – sixteen (16) inches (total length).
102.12 Gray Triggerfish – fourteen (14) inches (fork length).

102.13 King Mackerel – twenty-four (24) inches (fork length).
102.14 flounders *(Paralicthys sp.)* – twelve (12) inches (total length).
102.15 small coastal sharks – twenty-five (25) inches total length.
102.16 large coastal sharks – thirty-seven (37) inches total length.
102.17 Lesser Amberjack and Banded Rudderfish – may possess fish between fourteen (14) inches (fork length) to twenty-two (22) inches fork length.
102.18 Bigeye Tuna (*Thunnus obesus*) – twenty-seven (27) inches as measured from the tip of the upper jaw to the fork of the tail along the contour of the middle of the body (curved fork length).
102.19 Yellowfin Tuna (*Thunnus albacares*) – twenty-seven (27) inches as measured from the tip of the upper jaw to the fork of the tail along the contour of the middle of the body (curved fork length).
102.20 Blue Marlin (*Makaira nigricans*) – ninety-nine (99) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).
102.21 White Marlin (*Tetrapturus albidus*) – sixty-six (66) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).
102.22 Sailfish (*Istiophorus platypterus*) – sixty-three (63) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).
102.23 Hogfish – twelve (12) inches (fork length)
102.24 Tripletail (*Lobotes surinamensis*) eighteen (18) inches total length

103 However, recreational fishermen not fishing in Mississippi waters may transport and land fish that meet the minimum size and creel limits of the waters in which they were legally caught. Said recreational fishermen must possess a valid saltwater sportfishing license as may be required in the waters where the fish were caught. In the absence of minimum size or creel limits in another jurisdiction, Mississippi law will prevail.

104 It shall be unlawful for saltwater commercial or recreational fishermen to possess more than one (1) Red Drum exceeding thirty (30) inches total length for a single day's catch.

Chapter 09 Commercial Size, Possession and Catch Limits

100 It shall be unlawful for any person, firm, or corporation, to barter, sell, offer for sale or transport for sale or possess for sale in or from the State of Mississippi the following named species of fish under the lengths prescribed:

100.01 Red Drum – eighteen (18) inches (total length).
100.02 Spotted Seatrout – fourteen (14) inches (total length).
100.03 flounders (*Paralicthys sp.*) – twelve (12) inches (total length).
100.04 Tripletail (*Lobotes surinamensis*) eighteen (18) inches total length.
100.05 mullet *(Mugil sp.)* – ten (10) inches (total length).
100.06 Spanish Mackerel (*Scomberomorus maculates)* – fourteen (14) inches (fork length).
100.07 King Mackerel – twenty-four (24) inches (fork length).
100.08 Red Snapper – thirteen (13) inches (total length).

100.09 Vermillion Snapper – ten (10) inches (total length).
100.10 Lane Snapper – eight (8) inches (total length).
100.11 Mutton Snapper – sixteen (16) inches (total length)
100.12 Gray, Mahogany, Schoolmaster, Dog, Cubera, and Yellowtail Snapper – twelve (12) inches (total length).
100.13 Blackfin, Queen, Silk and Wenchman snapper – no minimum length.
100.14 Tilefish – no minimum length.
100.15 Red Grouper – eighteen (18) inches (total length).
100.16 Yellowfin Grouper – twenty (20) inches (total length).
100.17 Black Grouper – twenty-four (24) inches (total length).
100.18 Gag Grouper – twenty-two (22) inches (total length).
100.19 Scamp – sixteen (16) inches (total length).
100.20 Yellowmouth, Rock Hind, Red Hind Grouper – no minimum length.
100.21 Misty, Snowy Yellowedge, Warsaw, Speckled Hind Grouper – no minimum length.
100.22 Gray Triggerfish – fourteen (14) inches (fork length).
100.23 Hogfish – twelve (12) inches (fork length).
100.24 Greater Amberjack – thirty-six (36) inches (fork length).
100.25 Lesser Amberjack and Banded Rudderfish – may possess fish between fourteen (14) inches (fork length) to twenty-two (22) inches fork length.
100.26 Bigeye Tuna (*Thunnus obesus*) – twenty-seven (27) inches as measured from the tip of the upper jaw to the fork of the tail along the contour of the middle of the body (curved fork length).
100.27 Yellowfin Tuna (*Thunnus albacares*) – twenty-seven (27) inches as measured from the tip of the upper jaw to the fork of the tail along the contour of the middle of the body (curved fork length).

101 It shall be unlawful for commercial fishermen to possess any of the following species of sharks:
101.01 Sand Tiger (*Odontaspis taurus*)
101.02 Bigeye Sand Tiger (*Odontaspis noronhai*)
101.03 Whale (*Rhincodon typus*)
101.04 Basking (*Cetorhinus maximus*)
101.05 White (*Carcharodon carcharias*)
101.06 Dusky (*Carcharhinus obscurus*)
101.07 Bignose (*Carcharhinus altimus*)
101.08 Galapagos (*Carcharhinus galapagensis*)
101.09 Night (*Carcharhinus signatus*)
101.10 Caribbean Reef (*Carcharhinus perezi*)
101.11 Narrowtooth (*Carcharhinus brachyurus*)
101.12 Caribbean Sharpnose (*Rhizorionodon porosus*)
101.13 Smalltail (*Carcharhinus porosus*)
101.14 Atlantic Angel (*Squatina dumerili*)
101.15 Longfin Mako (*Isurus paucus*)
101.16 Bigeye Thresher (*Alopias superciliousus*)
101.17 Sevengill (*Heptranchias perlo*)

101.18 Sixgill (*Hexanchus griseus*)
101.19 Bigeye Sixgill (*Hexanchus vitulus*)
101.20 Sandbar (*Carcharhinus plumbeus*) sharks may only be possessed by fishermen possessing a research fishery permit issued by the National Marine Fisheries Service.
101.21 Silky (*Carcharhinus falciformis*)

102 The practice of "finning", that is, removing only the fins and returning the remainder of the shark to the sea is unlawful.

103 It shall be unlawful for any commercial fishermen to possess any Cobia smaller than thirty-three (33) inches fork length or to possess more than a daily bag limit of two (2) Cobia per person.

104 It shall be unlawful for any commercial fisherman, person, firm or corporation, to sell, barter or trade any species of reef fish (identified in Chapter 09 Sections 100.08 through 100.25) without possessing the proper federal permits and/or licenses required by the NOAA Gulf of Mexico Reef Fish Fishery Management Plan and complying with any other conditions set forth by federal or state regulations for the management of the identified reef fish.

105 It shall be unlawful for any commercial fisherman, person, firm or corporation, to possess or harvest from Mississippi territorial waters, in excess of three thousand pounds (3,000) of King Mackerel, per vessel, per trip, per day.

106 It shall be unlawful for person, firm, or corporation to sell or purchase the following species of billfish without the proper federal documentation: Blue Marlin *(Makaira nigricans)*, White Marlin *(Tetrapturus albidus)*, and Sailfish *(Istiophorus platypterus)*.

107 From and after January 1, 2012 the annual Total Allowable Catch (TAC) for commercial landings of flounder *(Paralicthys sp.)* will be set at seventy-four thousand (74,000) pounds. The 2012 commercial fishing season for landing flounder shall commence on January 1, 2012 and end December 31, 2012. Thereafter, the TAC shall commence on January 1 and end on December 31 of each subsequent year. The commercial fishing season for the current season will run from October 1, 2010 to December 31, 2011 and the TAC will be set at ninety-two thousand five hundred (92,500) pounds.

108 From and after October 1, 2015 the annual Total Allowable Catch (TAC) for commercial landings of Red Drum *(Sciaenops ocellatus)* will be set at sixty thousand (60,000) pounds. The_TAC shall commence on January 1st and end on December 31st of each year. The commercial TAC for the fishing season shall be divided into three four month periods as follows: January 1st – April 30th twenty thousand pounds (20,000); May 1st – August 31st twenty thousand pounds (20,000); September 1st – December 31st twenty thousand pounds (20,000). In the event the commercial TAC is not met or exceeded in any time period, the pounds shall be added or subtracted to the following time period.

109 From and after February 1st, 2013 the annual Total Allowable Catch (TAC) for commercial landings of Spotted Seatrout *(Cynoscion nebulosus)* will be set at fifty thousand (50,000) pounds. The 2015 commercial fishing season for landing Spotted Seatrout shall commence on February 1st, 2015 and end October 31, 2015 and each subsequent year thereafter. The commercial TAC for the fishing season shall be divided into two periods as follows: February 1st – May 31st twenty-five thousand pounds (25,000); June1st – October 31st twenty-five thousand pounds (25,000). In the event the commercial TAC is not met or exceeded in the first time period (February 1st – May 31st) the pounds shall be added or subtracted to the second time period (June1st – October 31st).

110 Individuals harvesting Spotted Seatrout (*Cynoscion nebulosus*) for sale must possess a Spotted Seatrout endorsement ($10.00) in addition to a current applicable harvester's license. To qualify for this endorsement an application must be completed. The fisher must present proof that five thousand dollars ($5000.00) of seafood product was sold in any twelve (12) consecutive months. Proof would be copies of sales records and a copy of the applicable harvester's license for the appropriate time period, or the fisher must present proof that ten (10) percent of their net income came from commercial fishing activities in a previous tax year. Proof would be a form provided by the DMR completed by a licensed tax preparer possessing a PTIN (Preparer Tax Identification Number), notarized, and submitted to the department. This endorsement will be valid for a three-year period at which time a new application with qualifying documents must be submitted for a new endorsement. The income requirement and seafood sale provision of this section shall cease to be in effect April 30, 2020 unless further Commission action is taken to extend the requirement.

111 The following provisions are provided to address safety concerns and allow fishermen to have another individual on board in case of an emergency.

For commercial hook and line fishermen, if only two fishermen are aboard a vessel commercially harvesting Spotted Seatrout, one of the fishermen is not required to possess the Spotted Seatrout endorsement; however, that fisherman is required to possess an applicable commercial harvester's license. If two or more commercial hook and line fishermen possessing the Spotted Seatrout endorsement are aboard a vessel commercially harvesting Spotted Seatrout, all fishermen aboard the vessel are required to possess the Spotted Seatrout endorsement.

For net fishermen, the vessel must possess a valid fishing boat license and if only two fishermen are aboard a vessel commercially harvesting Spotted Seatrout, one of the fishermen is not required to possess the Spotted Seatrout endorsement. If two or more net fishermen possessing the Spotted Seatrout endorsement are aboard a vessel commercially harvesting Spotted Seatrout, all fishermen aboard the vessel are required to possess the Spotted Seatrout endorsement.

112 It shall be unlawful for any commercial fisherman to possess a daily bag limit of more than three (3) Tripletail per person.

113 If any person, firm, or corporation, barters, sells, offers to sale or transports for sale or possesses for sale in the State of Mississippi any species of fish under the lengths or for which the fishing season is closed as prescribed in Title 22 Part 7 said person, firm or corporation shall possess valid documentation from the state or country of origin evidencing that the fish were legally harvested.

Chapter 10 Unlawful to Sell or Buy Recreational Caught Fish

100 It shall be unlawful for recreational fishermen to sell or offer for sale any seafood caught in or landed in the State of Mississippi and only licensed commercial fishermen may catch and sell seafood. Furthermore, it shall be unlawful for any person, firm or corporation to purchase, buy, barter for, or trade for any seafood caught in or landed in the State of Mississippi that was caught or landed by a recreational fisherman, or that was transported into the State of Mississippi by a recreational fisherman.

101 It shall be unlawful for any person, firm or corporation to transport or deliver any recreationally caught finfish into a building or structure used by any commercial business or establishment that buys, sells or processes finfish. Furthermore, it shall be unlawful for any commercial business or establishment that buys, sells or processes finfish to receive or possess recreationally caught finfish.

102 The commission may issue special permits, for the purpose of possessing recreationally caught mullet (*Mugil sp.*) in a building or structure used by any commercial business or establishment that buys, sells or processes seafood, to those nonprofit organizations that are tax exempt under Section 501 (c) of the United States Internal Revenue Code and which have on file with the State Tax Commission a tax exemption letter issued by the United States Internal Revenue Service. A copy of this permit must be possessed by the commercial business or establishment.

Chapter 11 Bluefin Tuna Possession Restrictions

100 It shall be unlawful for any person, firm, or corporation to take, catch, or have in possession any Atlantic Bluefin Tuna in the waters of the State of Mississippi except for incidental catches by recreational fishermen.

101 It is unlawful for landings of incidental catches of Atlantic Bluefin Tuna by recreational fishermen to exceed one (1) fish per boat per week, and landings must be reported to the Mississippi Department of Marine Resources.

Chapter 12 Fish Unlawful to Possess

100 It shall be unlawful for any person, firm, or corporation to take, catch, or have in possession any Goliath Grouper (*Epinephelus itajara*), Nassau Grouper (*Epinephelus striatus*), Longbill

Spearfish (*Tetrapturus pfluegeri*), Smalltooth Sawfish (*Pristis pectinata*), or Largetooth Sawfish (*Pristis perotteti*) in the waters of the State of Mississippi.

Chapter 13 Trotline Regulations

100 Anyone trot line fishing south of Interstate 10 shall be registered with the DMR and be issued a unique number that is to be attached along with the fisherman's name to both ends of the trot line in indelible ink on metal tags so that it is readable by DMR personnel. If name and number is not attached to both ends and readable by DMR personnel and tending the bottom the line will be deemed illegal and may be confiscated by DMR personnel. Additionally, a Marine Patrol Officer will issue a ticket to anyone operating an illegal trot line.

Chapter 14 Set Pole and Line Regulations

100 Anyone set pole and line fishing must be on-site and attending their gear from a distance of no greater than fifty (50) feet and be available to move gear to allow for safe navigation.

101 Illegal to use a set pole and line with more than one (1) hook.

102 Illegal for any individual to use more than ten (10) set poles and lines in any marine waters south of Interstate 10.

Chapter 15 Gear Restriction in Reef Areas

100 In the permitted reef areas bounded by the below coordinates it shall be illegal to fish with more than three (3) hooks per line or to use spear fishing gear equipped with power heads.

100.01 FH 4 - 3010.600/-8854.100,3010.245/-8854.100, 3010.600/-8853.600, 3010.395/-8853.600

100.02 FH 8 3016.100/-8857.600,3015.900/-8857.600, 3016.100/8857.800,3015.900/8857.800

100.03 FH 9/11 – 3016.000/-8853.600, 3015.300/-8853.600, 3016.000/- 8854.300, 3015.300/-8854.300

100.04 FH 10 - 3016.00/-8838.900,3015.860/-8838.900, 3016.000/-8839.000, 3015.860/-8839.000

100.05 FH 14 - 3012.440/-8849.499, 3012.200/-8849.499, 3012.440/-8849.720, 3012.200/-8849.720

100.06 Cat Island Reef - 3012.282/-8904.899, 3012.053/-8905.068, 3012.152/-8904.631, 3011.929/-8904.790

Chapter 16 Penalties

100 Any person, firm, or corporation violating any of the provisions of Title 22 Part 7 shall be guilty of a misdemeanor and on conviction shall be penalized as provided by law. Violations of more than one (1) section or subsection of this Title 22 Part 7, or part thereof, shall be considered separate offenses and punished as such.

Chapter 17 Sections and Subsections Declared Separable

100 Each section and subsection of Title 22 Part 7 shall be declared separable, and if any section or subsection or part thereof shall be held invalid or unconstitutional, the balance of said Title 22 Part 7 shall remain in full force and effect.

Chapter 18 Administrative Procedures Act

100 Pursuant to the amendments to the Administrative Procedures Act, Section 25 43-101.1, et seq., of the Mississippi Code of 1972, and the rules and regulations promulgated pursuant thereto by the Secretary of State; the former Ordinance 7.0029 has been modified and the commission and department have adopted the terminology and numbering system developed by the Secretary of State. Therefore, references to "ordinance" or to "Part" appearing in these regulations or the underlying statutes are used interchangeably and refer to the same instrument.

Title 22 MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, Part 7 REGULATIONS TO PROVIDE SIZE LIMITS AND BAG LIMITS ON CERTAIN FISH SPECIES AND TO PREVENT SALE OF SEAFOOD BY RECREATIONAL FISHERMEN, shall be in effect and be in force from and after the 16th day of January 2017.

Adopted this the 13th day of December 2016.

MISSISSIPPI COMMISSION ON MARINE RESOURCES

By: _____
Richard Gollott, Chairman

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

By: _____
Jamie M. Miller, Executive Director

Source: Miss. Code Ann § 49-15-15 (Rev. July 1, 2009)