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Commission on Marine Resources June Meeting

June 19, 2018

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Spotted Seatrout

Reported/Unreported Landings Investigation

February 1, 2018 – April 27, 2018

Background

- In March 2018, Marine Patrol was contacted by Alabama Marine Resources Division (MRD)
- MRD inspectors noticed unusually large quantities of Spotted Seatrout being sold in Alabama by Mississippi harvesters using Mississippi Fresh Product Permits
- MRD requested Marine Patrol verify the Spotted Seatrout were being legally harvested and reported

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Investigation

- Sales receipts provided by MRD revealed thousands of pounds of Spotted Seatrout sold in Alabama that were never reported on Mississippi Trip Tickets during the spring commercial season
- The sales receipts indicated Mississippi licensed commercial fisherman were selling their own catch directly to Alabama dealers

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Update

- Marine Patrol interviewed the fisherman to investigate non-compliance.
- Interviews resulted in over 28,663 pounds of Spotted Sea trout submitted to Mississippi Trip Ticket Program
- Currently 1290 pounds of Spotted Sea Trout still non-reported

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2018 Spotted Sea Trout Landing

Dealer / Harvester	Lbs. of Spotted Sea Trout	Late Reported	Un-Reported	Violations
Subject A	12753	12485	389	Failure to Report
Subject B	4761	4397	493	Failure to Report
Subject C	3697	3657	160	Failure to Report
Subject D	2515	2515	0	Failure to Report
Subject E	1735	1698	37	Failure to Report
Subject F	563	563	0	Failure to Report
Subject G	520	520	0	Failure to Report
Subject H	377	330	54	Failure to Report
Subject I	56	7	49	Failure to Report
Subject J	103	0	103	Failure to Report No Fresh Product Permit No Trout Endorsement
Subject K	5	0	5	Failure to Report No Fresh Product Permit

2018 Spotted Sea Trout Landing

Dealer / Harvester	Lbs. of Spotted Sea Trout	Late Reported	Un-Reported	Violations
Subject L	15962	0	0	
Subject M	4726	1622	0	Failure to Report
Subject N	2515	743	0	Failure to Report
Subject O	897	0	0	
Subject P	661	0	0	
Subject Q	588	0	0	
Subject R	479	0	0	
Subject S	126	0	0	
Subject T	28	0	0	

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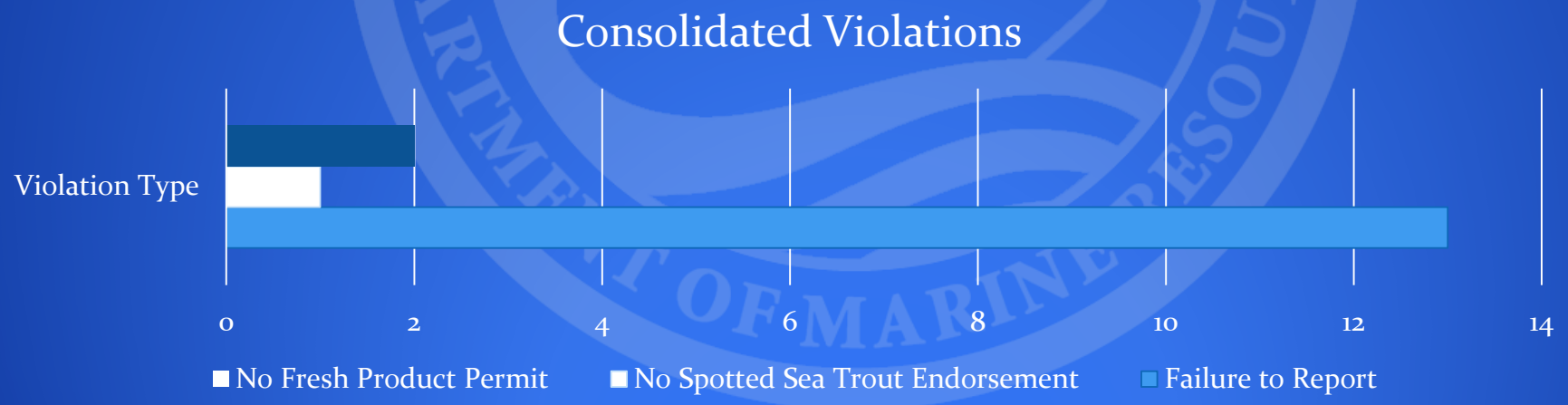
2018 Spotted Seatrout Violations

- Failure to Report : 13
- No Spotted Trout Endorsement: 1
- No Fresh Product License: 2



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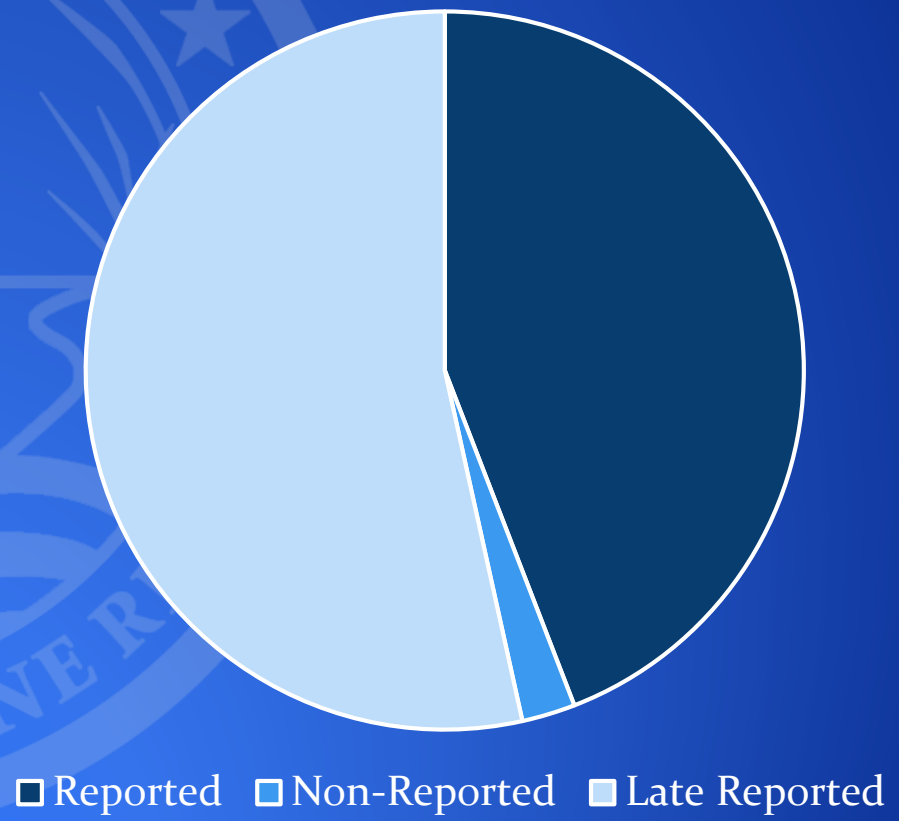
Total Spotted Seatrout Landings to Date

- Reported – 23,655 lbs.
- Late-Reported – 29105 lbs.
- Total – 52760 lbs.
- Non-Reported – 1290
- Total Landing - 54050



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§49-15-63

- 1st Offense - $100 - $500
  - During Closed Season - $500 - $1,000
- 2nd Offense (w/in 3 yrs) - $500 - $1,000
- 3rd or Subsequent - $2,000 - $4,000 or 30 days
  - (w/in 3 yrs of 1st offense)

3 offenses w/in 3 yrs – 1 yr license revocation (court)

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Commission Actions - §49-15-63

- 1st offense - 5 day license suspension
- 2nd offense - 30 days license suspension
- 5th offense w/in 5 yrs - license revoked

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Administrative Penalties Overview

- Complaint
- Response within 30 days
- Executive Director sends recommendation to the commission and the alleged violator.
- Fine not to exceed $10,000 for each violation.
- License suspension or revocation as provided in §49-15-63

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Informal Settlement Conference

- Within 15 days from Executive Director's recommendation
- Executive Director may revise his recommendation
- The Commission shall consider the allegations and the recommendation at a regularly scheduled meeting.

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Formal Hearing

- If informal settlement conference is not requested
- May request formal hearing
- Within 20 days following Executive Director's recommendation.
- Hearing officer submits recommendation to the Commission
- Commission makes final disposition at a regularly scheduled meeting.

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Judicial Review

- Chancery Court.
- Within 30 days after Commission's decision.
- Limited scope of review:
  - Not supported by any substantial evidence;
  - Arbitrary or capricious; or
  - In violation of statutory or constitutional right.

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Payment of Penalties

- Due within 45 days Commission’s decision.
- Enforcement in Chancery Court.
- License may be revoked for nonpayment of fines.
- Revoked until proof of payment.

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Motion

Pursuant to Miss Code 49-15-401 the commission requests Marine Patrol to bring forth spotted seatrout violations, occurring during the 2018 spring commercial fishing season, to the commission for processing under the administrative penalty procedures.

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Marine Patrol

Update Red Snapper Enforcement

Stops and Citations for May 27 thru September 4, 2017

- Total Stops 174
- Total Number of Fishermen checked 465
- Percentages based on number of authorized trips (4185)
  - 4.2% stops

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Today's Stops

13

Last update: a few seconds ago

Today's Snapper Count

44

Last update: a few seconds ago

Today's Seized Snapper

8

Last update: a few seconds ago

Today's Stops:

MP# 36
MI1851BJ
Registerd? Yes
Trip #: **06071810462**
Snapper Count: **2**
Citation Written: No
Count of Seized Snapper:
Ramp Type: Public
Comments:

MP# 36
MI4057BY
Registerd? Yes
Trip #: **06061810506**
Snapper Count: **0**

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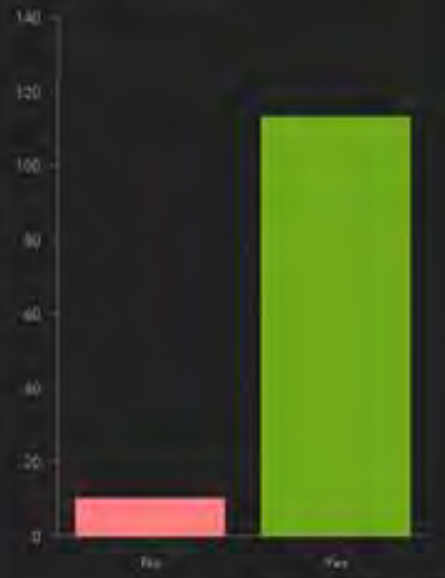
Trip Registered?



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Yesterday's Stops

21

Last update: a few seconds ago

Yesterday's Snapper Count

101

Last update: a few seconds ago

Yesterday's Snapper Seized

7

Last update: a few seconds ago

Yesterday's Stops:

MP# 30
MI7390BR
Registerd? Yes
Trip #: **06061810421**
Snapper Count: **6**
Citation Written: No
Count of Seized Snapper:
Ramp Type: Private
Comments:

MP# 36
MI0359BT
Registerd? No
Trip #:
Snapper Count: **6**
Citation Written: Yes
Count of Seized Snapper: 6
Ramp Type: Public

Last update: a few seconds ago

Ramp Type:

Last update: a few seconds ago

Stops This Season

124

Last update: a few seconds ago

Season Snapper Count

445

Last update: a few seconds ago

This Season's Seized Snapper

37

Last update: a few seconds ago

All Stops:

MP#
MI9700BA
Registerd? Yes
Trip #: **0525189557**
Snapper Count:
Citation Written:
Count of Seized Snapper:
Ramp Type: Public
Comments: Point Cadet Marina

MP#
MI2165bw
Registerd? Yes
Trip #: **0601162461**
Snapper Count:
Citation Written:

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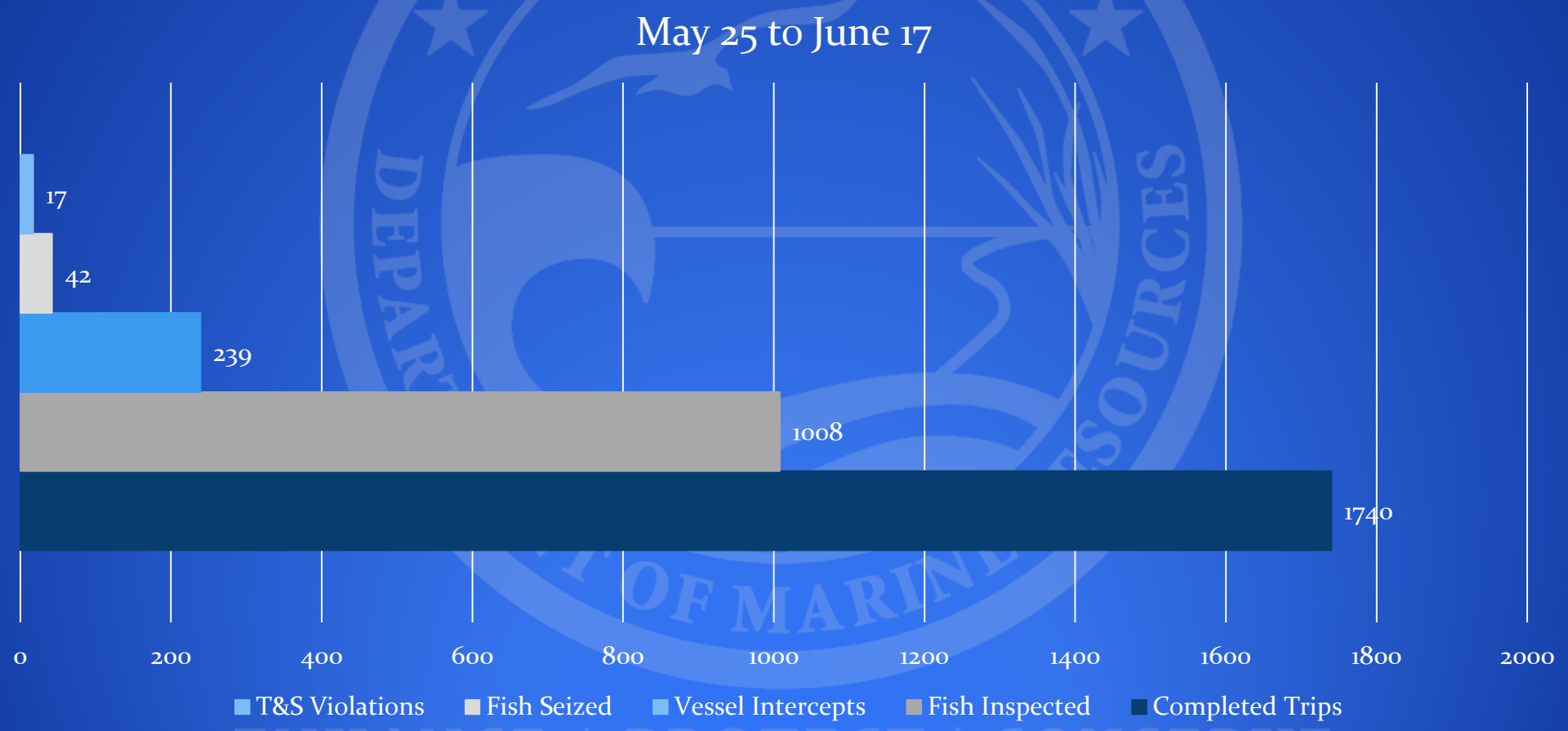
Enforcement Effort



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Enforcement Effort Continued

- To date, marine patrol has encountered/stopped approximately 13.7% of recreational red snapper fishing trips
- Seized approximately 4% of inspected fish
- Less than 1% at 0.9% received a citation for Failure to register with TalesNScales
- No over the limit or undersized violations have been noted to date

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
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DEPARTMENT OF MARINE RESOURCES MARINE PATROL REPORT TO THE COMMISSION ON MARINE RESOURCES JUNE 19, 2018

OYSTER VIOLATION CITATIONS
Possession of Untagged Oysters- 2
Total-2
FY 18 YTD: 20
FY 17 YTD: 40
Courtesy Citations-0
Verbal Warnings-0

SHRIMP VIOLATION CITATIONS
Shrimping in Closed Waters-1
Total-1
FY 18 YTD: 3
FY 17 YTD: 5
Courtesy Citations-0
Verbal Warnings-0

CRAB VIOLATION CITATIONS
Possession of Undersized Crabs-2
Unmarked Crab Traps-1
Total-3
FY 18 YTD:31
FY 17 YTD: 53
Courtesy Citations-0
Verbal Warnings-0

LIVE BAIT VIOLATION CITATIONS
Total-0
FY 18 YTD: 0
FY 17 YTD: 1
Courtesy Citations-0
Verbal Warnings-0

NET FISHING VIOLATION CITATIONS
Total-0
FY 18 YTD: 1
FY 17 YTD: 4
Courtesy Citations-0
Verbal Warnings-0

MISCELLANEOUS COMMERCIAL SEAFOOD VIOLATION CITATIONS
Expired Seafood Dealers License-1
Expired Commercial Crab License-1
Purchase of Out of Season Spotted Sea Trout-2
Total-4
FY 18 YTD:49
FY 17 YTD: 54
Courtesy Citations-0
Verbal Warnings-0

FISHING VIOLATION CITATIONS
No Saltwater Fishing License-36
No Non-Resident Saltwater Fishing License-6
Possession of Undersized Spotted Sea Trout-8
Possession of Undersized Red Drum-8
Possession of Undersized Gray Snapper- 1
Possession of Undersized Sheepshead-3
Possession of Red Snapper in Closed Season-4
Total-66
FY 18 YTD: 417
FY 17 YTD: 275
Courtesy Citations-4
Verbal Warnings-0

BOAT AND WATER SAFETY VIOLATION CITATIONS
Insufficient PFD's-3
Child Under 12 Without PFD-1
No Boat and Water Safety Card-6
No Boat Registration-1
No Type IV Throwable Device-3
No PFD on Jet Ski-3
No Navigation Lights-5
No Fire Extinguisher-4
No Flare Kit-10
No Sound Producing Device-3
Bow Riding-4
Wake Zone Violation-5
Negligent Operation Involving Alcohol-2
Negligent Operation-3
Total-53
FY 18 YTD: 185
FY 17 YTD: 180
Courtesy Citations-33
Verbal Warnings-0

MARINE LITTER VIOLATION CITATIONS
Total-0
FY 18 YTD: 3
FY 17 YTD: 7
Courtesy Citations-0
Verbal Warnings-0

WETLANDS VIOLATION CITATIONS
Total-0
FY 18 YTD: 0
FY 17 YTD: 3
Courtesy Citations-0
Verbal Warnings-1

MISCELLANEOUS VIOLATION CITATIONS
Total-2
FY 18 YTD: 24
FY 17 YTD: 22
Courtesy Citations-0
Verbal Warnings-5

TOTAL VIOLATIONS CITED: 131
FY 18 YTD:733
FY 17 YTD: 644

TOTAL COURTESY CITATIONS:
Fishing-4
Boat and Water Safety-33
Misc.-1
Total-37

TOTAL VERBAL WARNINGS:
Boat and Water Safety-1
Misc.- 5
Total-6

TOTAL COURTESY CITATIONS/VERBAL WARNINGS:
(**6** verbal/ **37** courtesy citations)
Total-43
FY 18 YTD: 265
FY 17 YTD: 315

TOTAL STOPS: 4786
FY 18 YTD: 29119
FY 17 YTD: 25579

INCIDENT REPORTS FOR MAY 2018:

BOATING ACCIDENTS WITHOUT INJURIES: 2
There were two boat fires in the month of May. One on Bayview Ave in Biloxi, the vessel was docked at the time of the fire and no one was on board. The second one was near Deer Island and no one was injured.
Total Accidents-2
FY 18 YTD: 23
FY 17 YTD: 25

BOATING ACCIDENT WITH FATALITY: 1
There was one kayak accident during the month of May causing a fatality. The accident happened North of I-10 on the Wolf River. Marine Patrol assisted in locating the Individuals involved.
Total Accidents-1
FY 18 YTD: 2
FY 17 YTD:

TOTAL WATER INCIDENTS: 0
FY 18 YTD: 1
FY 17 YTD: 6

TOTAL FATALITIES (Boating and Non-Boating): 1
FY 18 YTD: 4
FY 17 YTD: 5

DIVE ACTIVITY: There was no Dive Activity for the month of May.

ASSISTS WITH PUBLIC SAFETY CONCERNS:

Assists to Another Agency-15
Assists to a Motorist-1
Vehicle Fire-1
Assist to Pedestrian-1
Traffic Accident No Injuries-4
Assist to Swimmers-1
Marine Life in Distress-1
Injured Blue Heron-1
Sailboat with broken Mast-1
Kayak Taking on Water-1
Suicidal Person-1
Alligator in Public Area-1
Injured Sea Gull-1
Dead Sea Turtle-1
Disturbing Bird Nesting Area-1
Pelican in Distress-1
Dead Manatee-1
Dead Dolphin-1
Tow Ins/Assists to Boaters-4
Total-39
FY 18 YTD: 389
FY 17 YTD: 467

MISCELLANEOUS COMPLAINTS/REPORTS:

Paddle boat Afloat-1
Wetlands Fire-1
Domestic Dispute on Boat-1
Suspicious Net Boat- 1
Overdue Boater-3
Larceny of Crab Traps-1
Vessel Fire- 1
Fish Dumping-1
Fire on Island-3
Possible Wetlands Violation-1
Flare Sighting-2
Reckless Jetskis-1
Debris in Water-3
Derelict Vessel-2
Down Channel Marker-1
Hazard to Navigation-6

Recovered Missing Sailboat-1
Vessel Afloat-1
Trespassing on Boat-1
Vessel Blocking Channel-1
Vessel Dumped on Private Property-1
Larceny from Vessel-1
Oil Sheen-1
Boaters Playing Loud Music-1
Wake Zone Violation-1
Marine Littering-2
Abandoned Crab Traps-1
Vessel Blocking Channel-1
Suspicious Boaters-3
Total-45
FY 18 YTD: 378
FY 17 YTD: 373

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Mississippi Department of Marine Resources

Coastal Resources Management

June 2018

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G-1a

Title 22 Part 23

RULES AND REGULATIONS FOR THE COASTAL WETLANDS PROTECTION LAW AND THE MISSISSIPPI COASTAL PROGRAM

June 2018 Commission Meeting

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Wetlands Permitting Overview

- Coastal Zone Management
  - Coastal Zone Management Act (federal law)
- Implementation of State Law in Coastal Wetlands
  - Coastal Wetlands Protection Act (state law)
- Mississippi Coastal Program

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NOAA Necessary Action

- Based on 312 Evaluation - March 2009
  - The MSCP must complete an update of their Program Document that addresses:
    (1) changes to DMR regulations
    (2)changes in development patterns and natural resource issues, and
    (3) reorganization of relevant state agencies and offices
- MCP was adopted October 1, 1980
- Revised October 1988
- No substantive changes in current revision
- Updated and rearranged

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Overview of Update

- Agency names and responsibilities updated
- Legislative changes reflected
- Commission decisions codified
- Increased accessibility
- Removed contradictions
- Streamlined and eliminated redundancies
- Altered to reflect agency workflow

Updated Changes

Ch. 08 Requirements for Conducting Regulated Activities

- Must be constructed such that a minimum of ten (10) feet is maintained between authorized structures which extend waterward of mean high tide and the adjacent littoral/riparian rights boundaries unless authorized in writing by the adjacent upland owners.
- No creosote or asphalt building materials are allowed

Updated Changes

Ch. 08 Requirements for Conducting Regulated Activities

- ~~Must be constructed such that a minimum of ten (10) feet is maintained between authorized structures which extend waterward of mean high tide and the adjacent littoral/riparian rights boundaries unless authorized in writing by the adjacent upland owners.~~

- ~~No creosote or asphalt building materials are allowed~~

Updated Changes

Ch. 08 Requirements for Conducting Regulated Activities

- ~~Vertical face structures intended to replace failed erosion control structures that are beyond repair shall not extend more than 24" waterward from the base of a failed structure.~~

Updated Changes

Ch. 08 Requirements for Conducting Regulated Activities

- Vertical face structures intended to replace failed erosion control structures that are beyond repair shall not extend more than 24” waterward from the base of a failed structure.

Updated Changes

Ch. 15 Federal Licenses and Permits

- Federal license and permit applicants must provide a consistency certification that the proposed activity is consistent with the enforceable policies of the coastal program, along with any necessary data and information required at 15 C.F.R. § 930.58. The certification must be provided to the DMR ~~in accordance with the application procedure in Chapter 04~~.

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Required:

A Motion to Proceed with Notice of Intent to Adopt Title 22 Part 23

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Request for Permit by:
Harrison County Government
File: DMR-180343

- Location: The Biloxi River just north of Interstate 10 and adjacent to Lorraine Road in Biloxi, Harrison County, Mississippi

- Use District: (G) General Use District

- Agent: Covington Civil & Environmental, LLC

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Project Description

- **Boat Ramp:**
  - 32’ wide
  - 175 cubic yards of concrete and stone bedding
  - Approximately 85 square feet of emergent marsh fringe will be impacted
  - The applicant proposes mitigate at a 3:1 ratio

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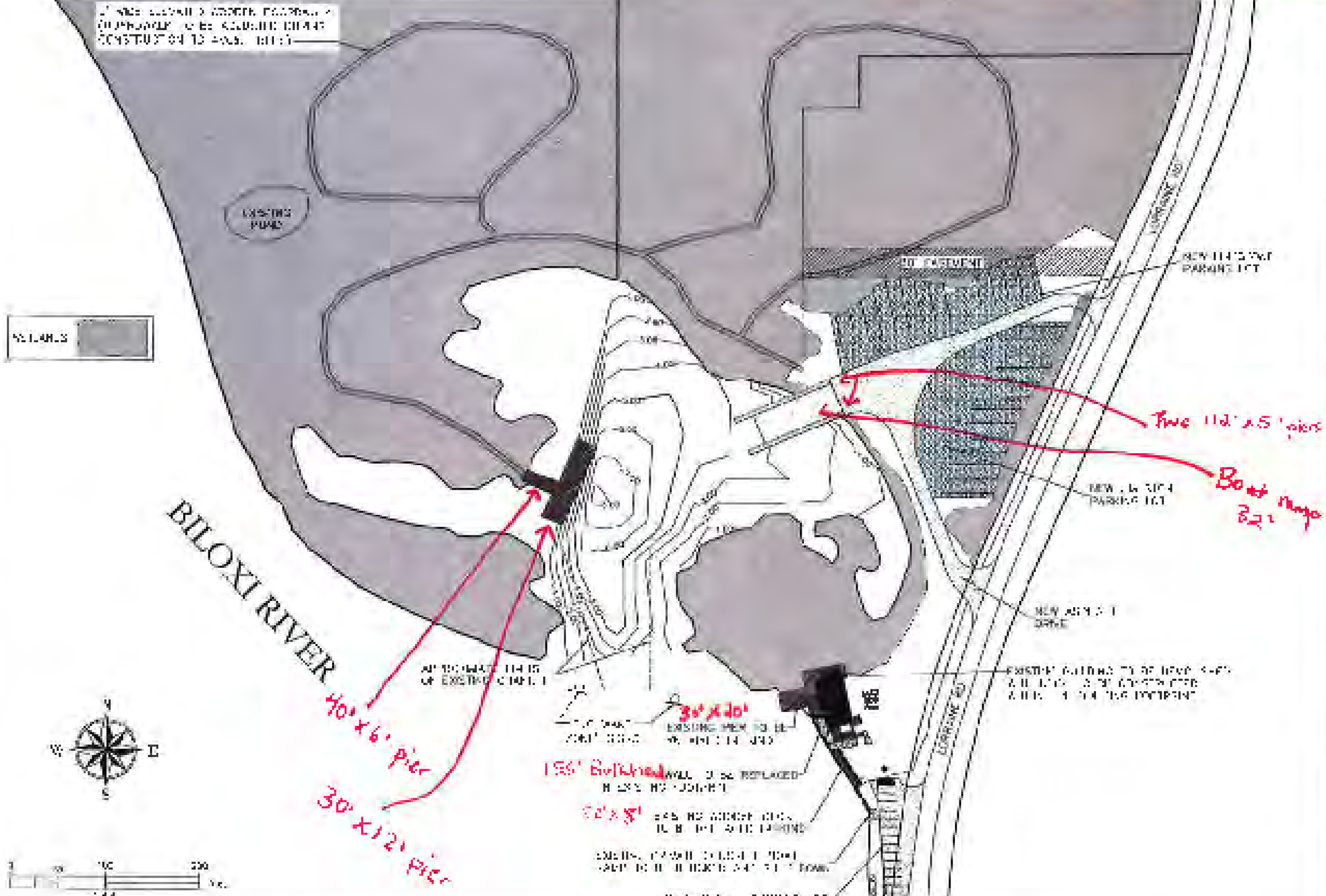
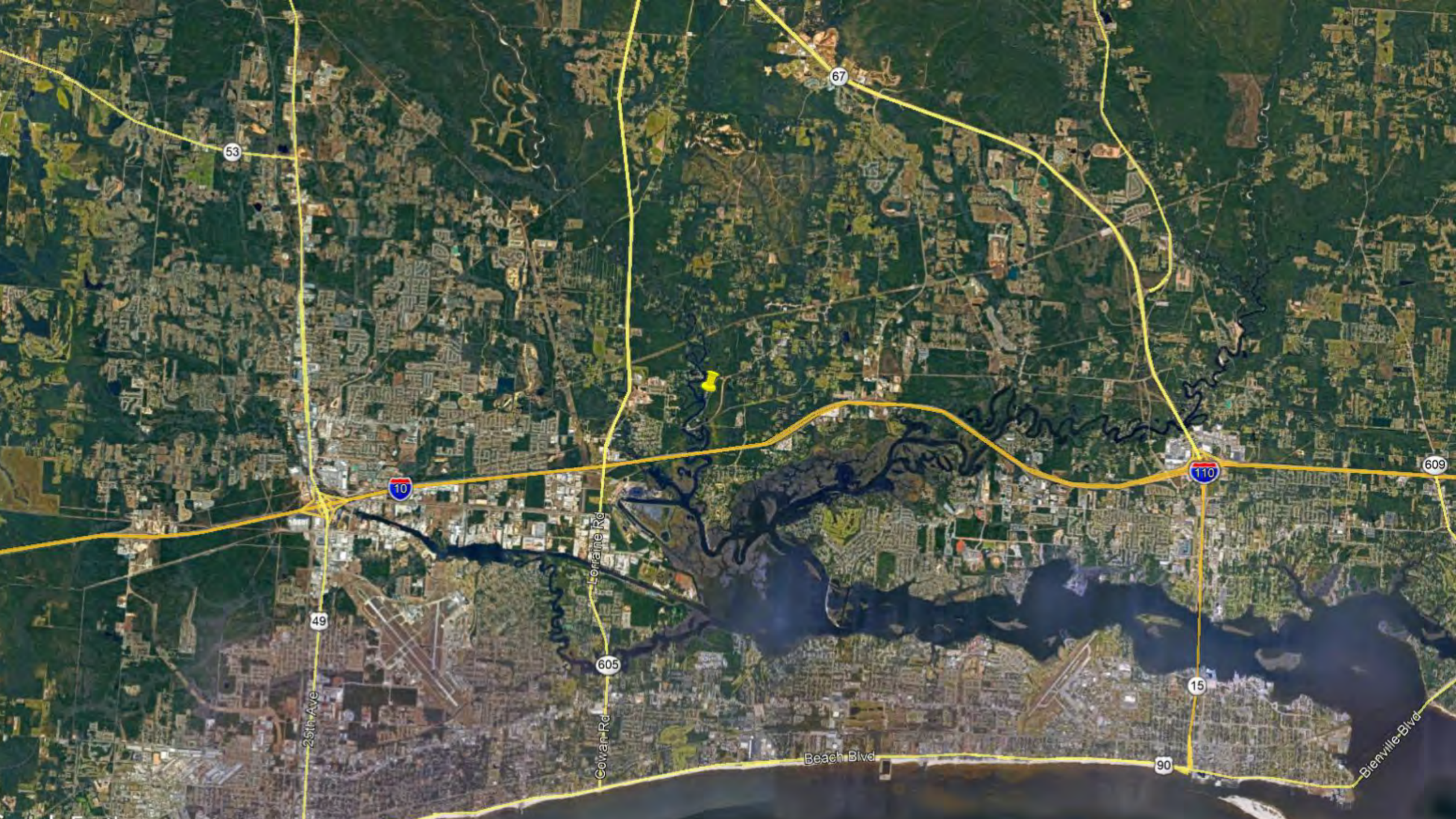
Project Description

- **Structures:**
  - Two finger piers each 112’ x 5’ to support the boat ramp
  - Replacement of a bulkhead 155’ in length
  - A pier 40’ x 6’
  - A pier 30’ x 12’
  - Replacement of a 30’ x 20’ pier
  - Replacement of a 50’ x 8’ pier



BILOXI RIVER BOAT RAMP

SITE PLAN


53
67
10
110
609
49
605
15
90
Lorraine Rd
Cowan Rd
25th Ave
Beach Blvd
Bienville Blvd

Nancy Dr
B Ave
Rd 252
Fishermans Trail
Rd 248
Pinecrest Dr
Stella Ave
Tiffany Ln
Charlotte Rd
Charlotte Dr
Riverroad Dr
Wesley Way
Highland Way
Plummer Cir
Boyette Rd
John Ross Rd
605
Fairfax Ln
Highland Cir
Ollie Rd
Ashtoplen E
N Oaklawn Rd
Lorraine Rd
Pine Dr
Cedar St
Gould Rd
Sweetgum St
Shorecrest Rd
Oaklawn Rd
10
Creek Dr
Alden Dr
S Pine Dr
Eva Dr
Helen Richards Dr
Scenic River Dr

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Applicable Decision Factors

- a) Applicable legislative and judicial statements of public interest…
  - Section 49-27-3, Public Policy Declared, Mississippi Coastal Wetlands Protection Law
  - Chapter VIII, Mississippi Coastal Program
  - The public will have access to a boat ramp and a natural resource

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Applicable Decision Factors

continued

- b) Coastal Wetlands Use Plan…
  - The proposed project is allowable within the (G) General Use District

Applicable Decision Factors

continued

- c) The applicant has requested two (2) variances to the Mississippi Coastal Program:
  - Chapter VIII, Sect. 2, Part III.B.1 which states: “Boat ramps shall be located in areas which do not require the destruction of coastal wetlands…”
  - Chapter VIII, Sect. 2, Part III.B.3 which states: “Fill for boat ramp surfaces shall be the minimum necessary to meet project requirements and shall not exceed 100-cubic yards of fill material (concrete, shell, etc.).”

Applicable Decision Factors

continued

- c) Variance to the MS Coastal Program…
  - Justified under Ch. VIII, Sect. 2, Part I.E.2.c.iv.
    - The activity requires a waterfront location
    - There is a significant public benefit
    - A public hearing has been held

Applicable Decision Factors

continued

- d) Precedent setting effects…
  - Similar projects have been approved by the CMR. No precedent setting effects are anticipated

Applicable Decision Factors

continued

- e) The extent to which the proposed activity affects biological integrity of coastal wetlands…
  - Eighty-five (85) square feet of emergent fringe marsh will be impacted by the construction of the proposed boat ramp. The applicant proposes to mitigate by transplanting the impacted vegetation and creating commensurate habitat at a 3:1 ratio, which should adequately compensate for the impacts.

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Applicable Decision Factors

continued

- f) The full extent of the project…
  - The applicant is also proposing construction of a driveway and a parking lot located in uplands to support the boat ramp as well as 3,500 linear foot elevated wooden walking path.

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Applicable Decision Factors

continued

- g) Adverse impacts that can be avoided through modifications, safeguards, etc…
  - The applicant has surveyed and chosen the narrowest portion of emergent marsh fringe to impact with the boat ramp
  - Best Management practices will be utilized during all phases of construction to minimize adverse impacts to coastal wetlands

Applicable Decision Factors

continued

- h) Alternative sites available…
  - The applicant looked at two other alternative sites, but upon review they ruled out the two sites because the impacts to wetlands and marsh fringe would be far greater than at the proposed site. Also, a property owner was not willing to sell a parcel needed for the project.

Applicable Decision Factors

continued

- i) The extent to which a proposed activity requires a waterfront location…
  - A boat ramp and bulkhead require a waterfront location

Applicable Decision Factors

continued

- j) The preservation of natural scenic qualities…
  - A boat ramp, building, and piers currently exist on the proposed site. Therefore, the proposed project should not impact scenic quality.

Applicable Decision Factors

continued

- I) Comments…
  - Public Notice
    - Notification of the project appeared in the Sun Herald on May 13, May 20, and May 27, 2018
      - No public comments were received
    - A public hearing was held on Tuesday, June 7, 2018 at 5:30 p.m. in the Public Meeting Room of the Bolton State Office Building located at 1141 Bayview Avenue in Biloxi, Mississippi
      - No public comments were received
  - City of Biloxi: Passed a resolution in support of the project

Applicable Decision Factors

continued

- l) Comments…
  - MS DEQ: No comments
  - MS DAH: Requested a Cultural Resource Survey
  - MS SOS: Requiring a rent exempt Tidelands lease
  - MS DWFP: No comments received

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Recommendation

- The staff of the Department of Marine Resources has conducted a thorough evaluation of the project and has made findings on the decision factors in accordance with Chapter VIII, Section 2, Part I.E.2. of the MCP. Based on the results of this evaluation, it has been determined that the project will have a significant public benefit, therefore, we recommend approval of the requested variances and issuance of a permit contingent on clearance by MDEQ and MDAH.

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Mississippi
Department of Marine Resources

Agency Financial Results

as of May 31, 2018

Commission on Marine Resources
June 19, 2018

Key Metrics:

- State Revenue of $28M
- Agency Revenue of $40.8M
- State Net Income of $20.8M
- Agency Net Income of $22.9M

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
Income Statement - Fiscal Year 2018
As of May 31, 2018

	State	Federal : NFWF:	Operating Subtotal	Tidelands	Total DMR
Revenue:					
Transfer in from Other Governments	188,960	515,785	704,745	8,253,215	8,957,960
Off-road Fuel Tax	3,050,000	-	3,050,000	-	3,050,000
Federal Grants	-	3,593,319	3,593,319	-	3,593,319
Sales Revenue	1,107,608	791	1,108,399	464	1,108,863
Indirect Cost Recovery	728,475	-	728,475	-	728,475
Other Revenue	22,955,986	195,435	23,151,421	262,728	23,414,149
Current Budget Year Revenue:	28,031,028	4,305,330	32,336,358	8,516,407	40,852,765
Expenditures:					
Salaries, Wages, Fringe	5,598,931	1,560,318	7,159,248	828,681	7,987,929
Travel	41,680	28,979	70,659	27,058	97,717
Contractual Services	615,815	1,132,908	1,748,723	597,981	2,346,704
Commodities	448,036	522,680	970,715	248,955	1,219,671
Other than Equipment	-	-	-	-	-
Equipment	49,683	160,786	210,469	8,852	219,321
Vehicles	35,323	-	35,323	-	35,323
Wireless Devices	-	-	-	-	-
Subsidies, Loans, and Grants	370,244	1,908,093	2,278,337	3,682,159	5,960,496
Current Budget Year Expenditures:	7,159,711	5,313,763	12,473,474	5,393,687	17,867,161
Current Budget Year Net Income/(Loss):	$20,871,317	$ (1,008,433)	$19,862,884	$ 3,122,720	$ 22,985,604

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Financial Budget Comparison

- After eleven months of Fiscal Year 2018:

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
2018 Budget Comparison
As of May 31, 2018

	Actual Year to Date Expenditures			*Budget Year Totals*			*Percent Remaining*		
	Operating	**Tidelands**	**Total**	**Operating**	**Tidelands**	**Total**	**Operating**	**Tidelands**	**Total**
Expenditures:									
Salaries, Wages, Fringe	$ 7,159,248	$ 828,681	$ 7,987,929	$ 9,924,571	$ 1,130,617	$ 11,055,188	27.9%	26.7%	27.7%
Travel	70,659	27,058	97,717	217,480	30,000	247,480	67.5%	9.8%	60.5%
Contractual Services	1,748,723	597,981	2,346,704	12,732,569	1,400,000	14,132,569	86.3%	57.3%	83.4%
Commodities	970,715	248,955	1,219,671	4,756,832	1,500,000	6,256,832	79.6%	83.4%	80.5%
Equipment	210,469	8,852	219,321	810,830	75,000	885,830	74.0%	88.2%	75.2%
Vehicles	35,323	-	35,323	122,000	-	122,000	71.0%	0.0%	0.0%
Wireless Devices	-	-	-	2,000	-	2,000	100.0%	0.0%	100.0%
Subsidies, Loans, and Grants	2,278,337	3,682,159	5,960,496	5,364,724	13,864,383	19,229,107	57.5%	73.4%	69.0%
Total Expenditures:	$ 12,473,474	$ 5,393,687	$ 17,867,161	$ 33,931,831	$ 18,000,000	$ 51,931,831	63.2%	70.0%	65.6%

- Operating Funds have 63.2% of Budget remaining
- Tidelands Trust Fund has 70.0% of Budget remaining

ENHANCE ★ PROTECT ★ CONSERVE

Public Affairs – June 2018

The MS Department of Marine Resources was mentioned 63 times in local, state and national media since the May CMR meeting. Popular news items included the opening of Red Snapper season, the opening of shrimp season, the closing of commercial Speckled Trout season and the oyster relay program.

Marine Patrol taught three boat-and-water safety classes and certified 55 students. So far in FY18, officers have taught 17 classes and certified 313 students.

Marine Patrol also participated in several community outreach events, including the Hurricane Preparedness Workshop in Biloxi, Field Day at Gorenflo Elementary and Nichols Elementary, the Special Olympics Torch Run, the Island Cleanup safety presentation at Vancleave Junior High, Biloxi, Special Needs Kids Fishing Rodeo in Diamondhead and Paddle for Paws at Pascagoula Lighthouse Park. Marine Patrol also provided assistance at four special marine events in May.

The agency recently received an email from someone telling us how two Marine Fisheries employees helped her grandfather. In May, the gentleman had a flat tire on the I-110 bridge. He tried to change it himself but couldn't. The battery on his cell phone died and he couldn't call anyone. He sat in his truck for two hours. Marine Fisheries employees Chris Spurlin and Scott Heggins were the only ones who stopped to help. His granddaughter, Shelly Fontenot, said "When he got home he was dehydrated. I hate to think what might have happened had they not come along."

Chris Spurlin also helped an elderly couple who were landing their boat at Mary Walker Marina. The woman attempted to disembark the boat before it was completely stopped, and she fell between the pier and the boat. Her husband immediately jumped in after her, and the two of them were holding onto the stern. Another gentleman launching his boat saw what happened and jumped onto the boat to try and provide assistance. Chris grabbed the boat and walked it down the pier toward the ramp as they held on. The goal was to bring the boat to shallow water so they could walk out of the water because neither of them had the energy to swim. The woman had some minor cuts and abrasions from barnacles, and Chris gave her some hand sanitizer to clean it out. They both were shaken up but were OK.

Fisheries employee Courtney Walker was doing an MRIP survey and was approached by two teenagers who said someone hit their vehicle and took off. They asked her if she had any tools to help strap down things on the vehicle, so she gave them some zip ties. They approached her again and said their battery died. Chris Spurlin arrived then to switch vehicles with her, and he helped them with the battery.

Kristin Allen, her husband and two children were fishing on a reef on June 2 when the bilge pump on the boat went out. They started making their way back to shore, but the boat kept taking on more water. “I made the call to 911 and these three heroes showed up literally less than five minutes from the time I called. They immediately grabbed my children, then helped us get all the way back to the boat launch,” Kristin said in a Facebook post. The officers involved were Bradley Byers, Matt Kasovich, Daphne Moore and Mike Strickland. Lt. Strickland was off duty. “I am forever grateful to these four heroes for saving us. Thank you doesn’t even begin to scratch the surface of my gratitude for all four of these relentless heroes. Keith Davis, your officers were amazing.”

ENHANCE ★ PROTECT ★ CONSERVE

James W. Sanders, III Resolution

June 19, 2018
Commission Meeting

Joe Jewell

K.1

COMMISSION ON MARINE RESOURCES

RESOLUTION NO. 061918-1

WHEREAS, the Mississippi Commission on Marine Resources is a duly constituted governmental entity, created to serve the Great State of Mississippi; and

WHEREAS, said service includes the conservation and wise management of the marine resources of Mississippi; and

WHEREAS, the Mississippi Commission on Marine Resources acknowledges contributions to the betterment of the fisheries of the Gulf of Mexico through significant biological, industrial, legislative, enforcement or administrative activities; and

WHEREAS, James W. Sanders, III served the Mississippi Department of Marine Resources from 2001 to 2018; and

WHEREAS, James W. Sanders, III served as a Marine Fisheries Technician, a Marine Fisheries Scientist, and as the Director of the Artificial Reef Bureau; and

WHEREAS, James W. Sanders, III dedicated seventeen (17) years to the Mississippi Commission on Marine Resources and the Mississippi Department of Marine Resources; and

WHEREAS, James W. Sanders, III was a loving husband, father, son, brother, uncle, and friend; and

WHEREAS, James W. Sanders, III passed away on May 5, 2018.

NOW THEREFORE, in a duly constituted and assembled meeting, the Mississippi Commission on Marine Resources recognizes and appreciates the long and valuable service of James W. Sanders, III to the Marine Commission, the Department of Marine Resources and the marine resources of the State of Mississippi.

DONE AND RESOLVED in this duly constituted and assembled meeting on this the 19th day of June 2018.

ENHANCE ★ PROTECT ★ CONSERVE

Required: Motion to Adopt James W. Sanders, III Resolution

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
ENHANCE ★ PROTECT ★ CONSERVE

ENHANCE ★ PROTECT ★ CONSERVE

Title 22 Part 1

Area VI (6) Reclassification

Charlie Robertson

June 19, 2018

K.2.

Chapter 17 Management Plan for Shellfish Growing Waters

103.01.05.05 **AREA VI "B" CONDITIONALLY APPROVED WATERS –** When one (1) or more inches of rainfall occurs in any 24 consecutive hours as measured at the rainfall gauge located at Jackson County Public Works Department in Gautier, MS.

104.07.04 **AREA VI "B" CONDITIONALLY APPROVED WATERS –** The microbiological analysis of the seawater samples indicate that the seawater is again acceptable and the shellfish have gone through a sufficient time interval to permit natural biological cleansing.

ENHANCE ★ PROTECT ★ CONSERVE

Chapter 18 Classification and Description of Shellfish Growing Waters

100.05 The following waters of **AREA VI (6)** are **PROHIBITED**:

100.05.01 All waters ~~enclosed by the following described line:~~ of the Pascagoula River system north of the CSX railroad bridge to the boundary of **AREA VI**.

100.05.02 All waters east of the Singing River Island Bridge to the western most boundary of **AREA VI**.

~~100.05.01.01 This line commences at a point on the U.S. Highway 90 Pascagoula River Bridge running due south through the southeastern most point on the western shore of Lac La Buche, thence, continuing due south to intersect the above described west-east restriction line running from Biloxi East Channel Light 8 to Pascagoula Channel Light 39, thence, running due east along that restriction line toward Pascagoula Channel Light 39 intersecting the Area 6 eastern boundary prior to reaching Pascagoula Channel Light 39, thence, running in a northwestern and northern direction along the eastern boundary of Area 6, which is the prohibiting line running 0.5 nautical mile west of and parallel to the west spoil line of the Pascagoula Channel and the West bank of the East Pascagoula River, to the east end of the U. S. Highway 90 Pascagoula River Bridge, thence, in a northwestern direction along said Bridge to the point of beginning.~~

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102.04 The following waters of **AREA VI (6)** are **RESTRICTED**:

102.04.01 AREA VI "A" enclosed by the following described line:

102.04.01.01 The line commences at the Lake Mars Boat Launch (Latitude 30.360893 Longitude -88.764220) running due east following the meanderings of the mainland shoreline to a point (Latitude 30.377615 Longitude -88.610933) on the CSX Railroad Bridge following the CSX Railroad Bridge east to a point (Latitude 30.376293 Longitude -88.604185); thence proceeding south along the meanderings of the mainland shoreline to a point (Latitude 30.361541 Longitude -88.584336) on the Singing River Bridge; thence proceeding south along the western boundary of said Bridge to a point (Latitude 30.338510 Longitude -88.582114); thence proceeding south following the meandering shoreline of Singing River Island to a point (Latitude 30.323815 Longitude -88.574723); thence running southeasterly to a point (Latitude 30.279013 Longitude -88.53495); thence proceeding south to a point (Latitude 30.223857 Longitude -88.528741); thence proceeding west to a point (Latitude 30.223858 Longitude -88.537121); thence proceeding north to a point (Latitude 30.257444 Longitude -88.542928); thence proceeding northwest to a point (Latitude 30.322604 Longitude -88.583315); thence running west to a point (Latitude 30.330218 Longitude -88.765587); thence running north to the POINT OF BEGINNING. This area includes the public reefs known as Pascagoula Causeway and West Pascagoula.

Chapter 18 Classification and Description of Shellfish Growing Waters

102 **Restricted Areas**

~~102.04~~102.05 The following waters of **AREA VIII (8)** are **RESTRICTED**:

~~102.04.01~~102.05.01 All waters of Bayou Cumbest

~~102.04.02~~102.05.02 All waters of Bayou Heron and its tributaries and all waters of Mattie Clark Bayou and its tributaries.

~~102.04.03~~102.05.03 All waters of Bang's Lake, North Bayou and Bangs Bayou and their tributaries south of Latitude 30°23.000'N.

~~102.04.04~~102.05.04 All waters and tributaries of Point Aux Chenes Bay and Mississippi Sound north of a line beginning at a point on the western shoreline of Point Aux Chenes Bay north of Brown Bayou at Latitude 30°20.500'N and running due east to the Mississippi/Alabama state line boundary; including all waters and tributaries of L'Isle Chaude Bay, Jose Bay, Grand Bay, North and South Rigolets, Middle Bay, Jose Bayou, Graw Point Bay, Crooked Bayou, Southwest Bayou, Clay Bayou and Middle Bayou, unless otherwise classified.

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Chapter 18 Classification and Description of Shellfish Growing Waters

103 Conditionally Approved Areas

103.02.06 **AREA VI "B"** enclosed by the following described line:

103.02.06.01 The line commences at the northwestern most point (Latitude 30.327367 Longitude -88.698183); thence running east to a point (Latitude 30.322604 Longitude -88.583315); thence proceeding southeasterly to a point (Latitude 30.277430 Longitude -88.544702); thence running west to a point (Latitude 30.284142 Longitude -88.698114); thence running north to the POINT OF BEGINNING.

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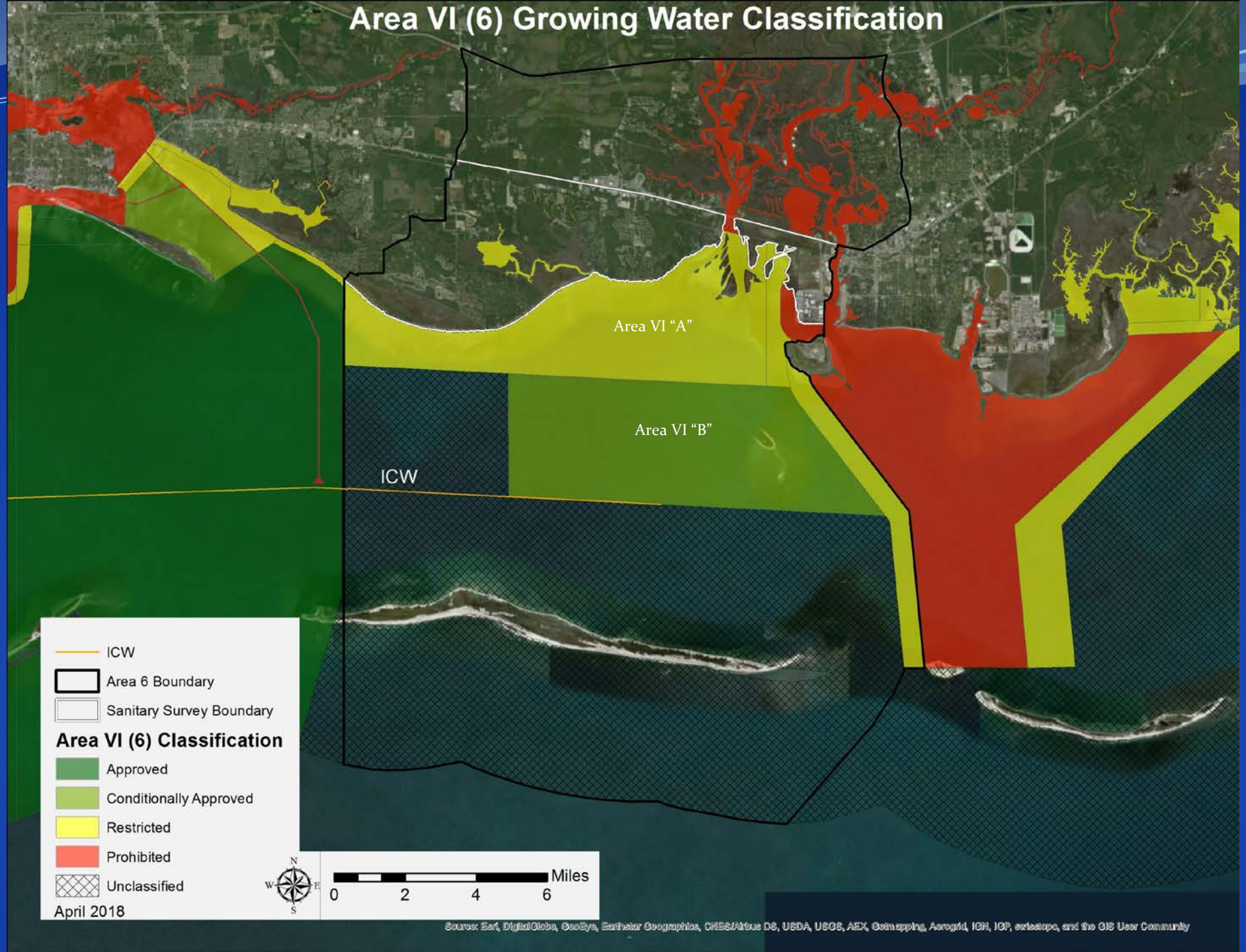
Area VI (6) Growing Water Classification
Area VI "A"
Area VI "B"
ICW
ICW
Area 6 Boundary
Sanitary Survey Boundary
Area VI (6) Classification
Approved
Conditionally Approved
Restricted
Prohibited
Unclassified
April 2018
N
W
E
S
Miles
0
2
4
6
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

Required:

A Motion to Proceed with a Notice of Intent (NOI) for Title 22 Part 1 Updated Regulatory Language for Shellfish Program

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
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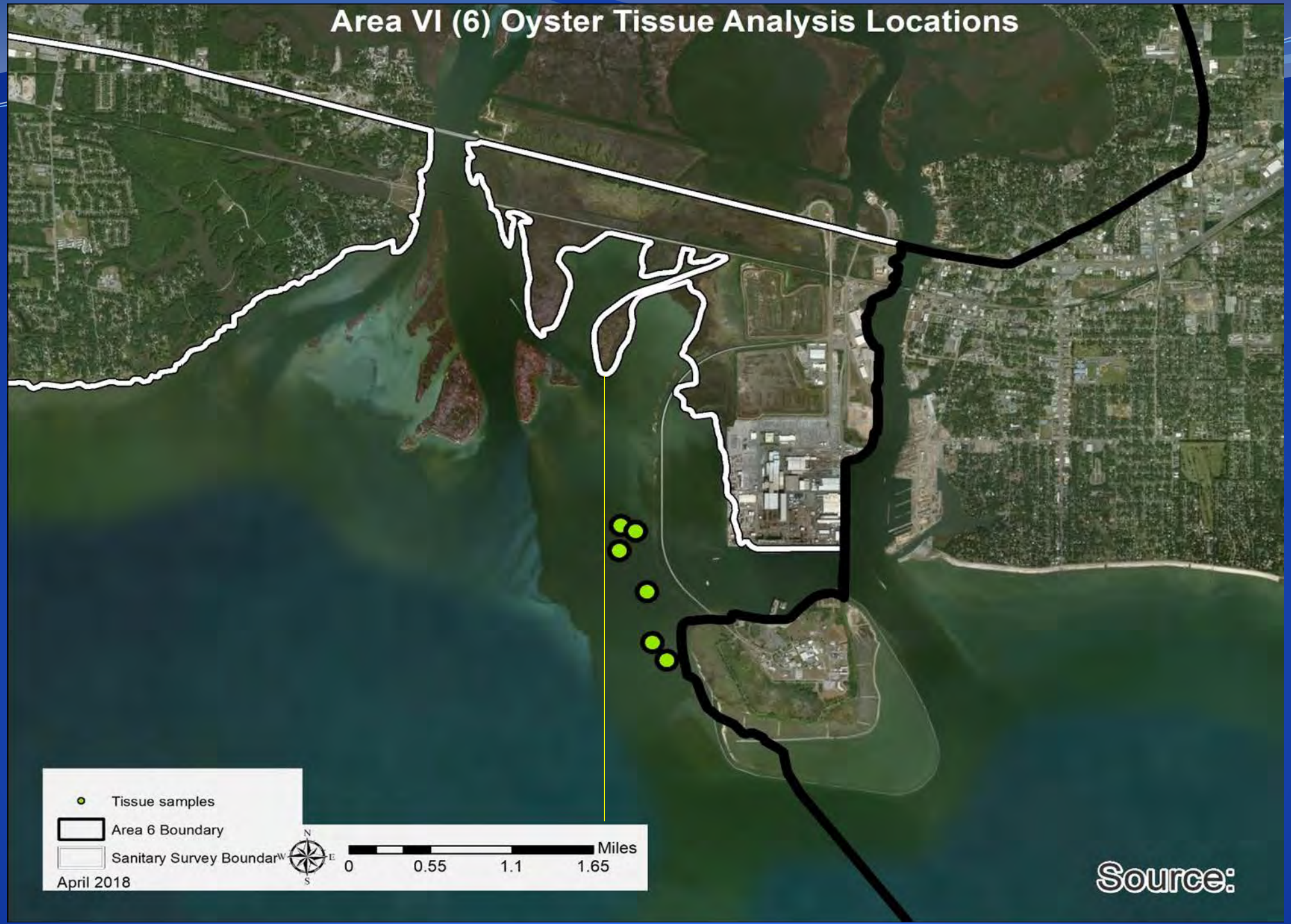
Area VI (6) Oyster Tissue Analysis Locations



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Hand Dredge Specifications

Erik Broussard

June 19, 2018

K.3.

Title 22 Part 1 Chapter 7 Dredge Specifications

- If the CMR adopts "hand dredges" as a preferred method, then Title 22 Part 1 Chapter 7 would have to be modified to include this new definition. This will create a new subsection 103 to accomplish this.

100 It is unlawful for any person, firm, or corporation to take or attempt to take any oysters from the waters under the territorial jurisdiction of the State of Mississippi by the use of a dredge having a weight in excess of 115 pounds and the tooth bar cannot have more than 16 teeth and the teeth on the tooth bar cannot exceed five inches unless otherwise permitted by the MCMR or as hereby authorized the MDMR, its Executive Director, Director of Marine Fisheries, Bureau Director, Program Coordinator or other MDMR designee.

Hand Dredge Specifications

1. Cannot exceed 30 pounds
2. Tooth Bar cannot exceed 10 teeth
3. Teeth cannot be longer than 5.25 inches in length
4. Cannot be deployed/retrieved with any mechanical assistance

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Questions?

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
ENHANCE ★ PROTECT ★ CONSERVE

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Oyster Depuration Part 2

Ruth Posadas

June 19, 2018

K4

Approved Motion
(CMR May 2018 Meeting)

Motion: For DMR to comeback with recommendations to develop a program for a depuration facility and to develop a feasibility study, a cost analysis and a funding source.

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Needed Actions

- Develop an Oyster Depuration Program
- Develop a Feasibility Study
- Present a Cost Analysis
- Find a Funding Source

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
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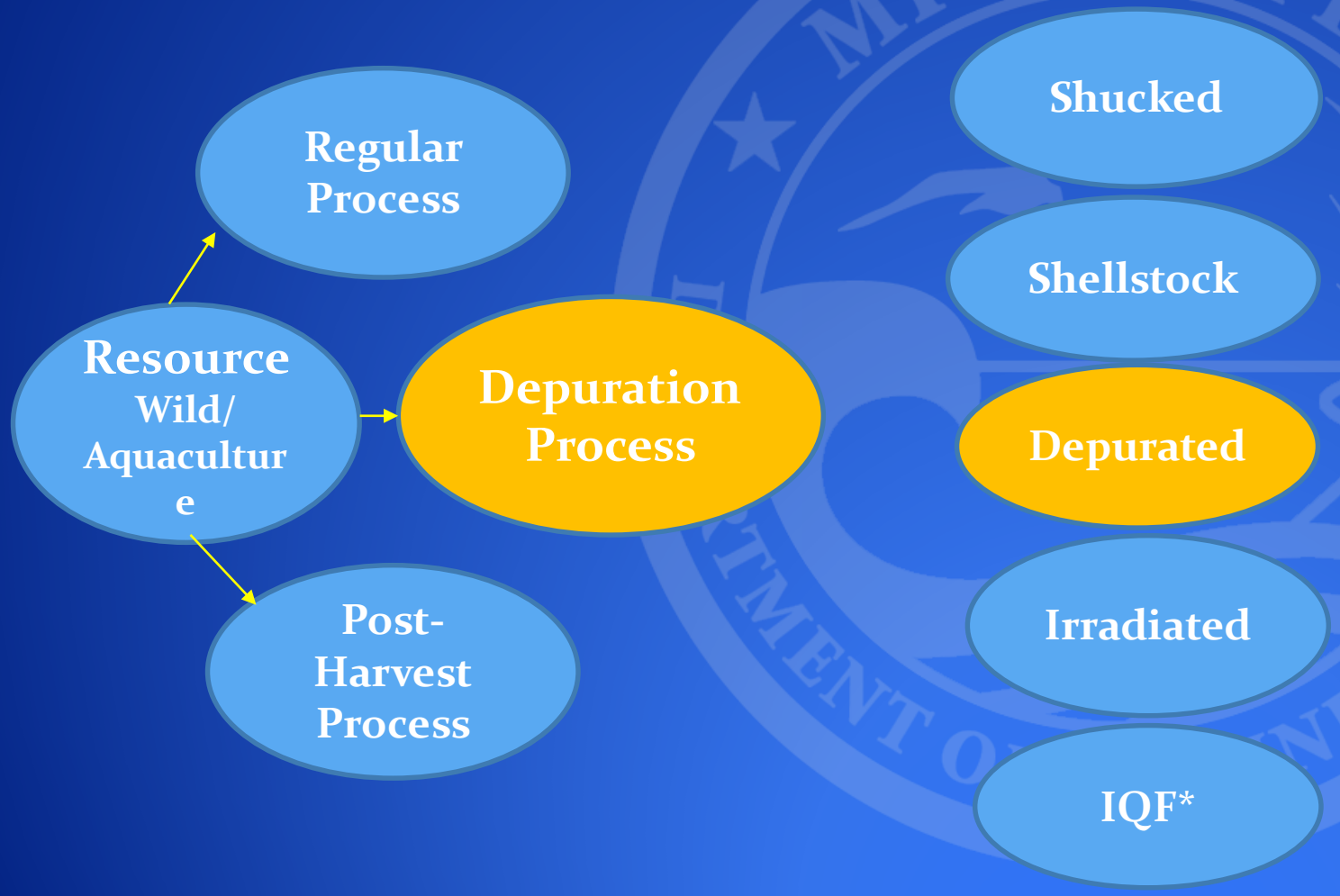
Oyster Processing Options and Products



Other Options:

- Wet Storage
- High Hydrostatic Pressure
- Pasteurization

* Individually Quick Frozen

Available Options

Proposed Option

Oyster Depuration Program Needs

- Guidelines to Build a Program – (Rules and Regulations)
- Site Selection - (Technology, Water and Resource)
- Facility – (Plant Design, Construction, Equipment and Operating System)
- Labor – (Expertise for Management and Trained Manpower)
- Utilities – (Power and Potable Water)
- Laboratory – (In-house/Independent FDA Certified Lab)
- Regulatory Concerns - (Inspector, Permits, Licenses and Certifications)
- Feasibility Study - (Cost Benefits and Returns)

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Site Selection

- JACKSON COUNTY - Commission Recommendation
  - Available Water (Source/Effluence outlet)
  - Available Technology
  - Limited Expertise
  - Private/State Laboratory
  - Limited Manpower
  - Limited Resource

  - * Legal size Oysters

Estimated Oysters in Jackson County:

37,588 sacks * Area 6

2017

Facility Operation

Receiving

Washing

2 HOURS

Ultra Violet Sterilizer

DEPURATION PLANT
Tanks or Raceways

HARVESTING AND PACKAGING

STORAGE COOLER AND/ OR FREEZER

MARKETING AND TRANSPORT

42-78 HOURS

2 HOURS

≤45 °

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Standards for Depuration

Flow Rate:
1 gal/ minute/bushel
(0.626 sack)

Volume of water:
59.84 gallons/bushel

Salinity:
10 ppt to 30 ppt.

Turbidity
(Jackson Turbidity Units):
0-20 units.

pH: 7.0 – 8.4

Temperature:
≤ 60.7° F / 77 ° F

American Oyster spawns ≥60.7°F
Gulf of Mexico Oysters ≥77°F

Dissolved Oxygen
(mg/L):
5.0 mg/L to saturation

Bacteriological
(Total Coliform/100 ml):
0 to < 1

Minimum Depuration
Time:
≥ 44 hours

Regulatory Requirements

- MUST HAVE:
  - License: MS Seafood Dealer's License (MDMR)
  - Permit: MS Aquaculture Permit (MDAC)
  - Certification: MS –001– DP (MDMR)
  - Depuration Plant Operations Manual (Company)
  - Memorandum of Agreement (MS and another state)
    - The company plans to do business with a dealer from a different state as source or a receiver of depurated oysters
  - Laboratory to analyze bacteriological contents of water and end product testing

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A FEASIBILITY STUDY

A feasibility study will be contracted to conduct an economic feasibility of a depuration plant in Jackson County with cost analysis on the specific requirements of a depuration plant.

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POTENTIAL FUNDING SOURCES

- Feasibility Study – Tideland's Funds/ BP Restore Funds
- Partner with Colleges or Universities to get federal funding from the Department of Labor and Department of Education under the Mandated Workforce Innovation and Opportunity Act (July 22, 2014)
- Depuration Plant – Collaboration with Local Government and Private Sector
- Saltonstall-Kennedy Grant(NOAA) - Address the Needs of Fishing Communities

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QUESTIONS?

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
ENHANCE ★ PROTECT ★ CONSERVE

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Spotted Seatrout Endorsement and Regulatory Recommendations

Matt Hill
June 19, 2018

K.5.

Overview

- Recently stakeholders have expressed concern over the current number of Spotted Seatrout endorsements and qualifications required to participate in the commercial finfish net fishery

- This presentation will provide a synopsis of the Spotted Seatrout endorsement and proposed modifications to the finfish net fishery

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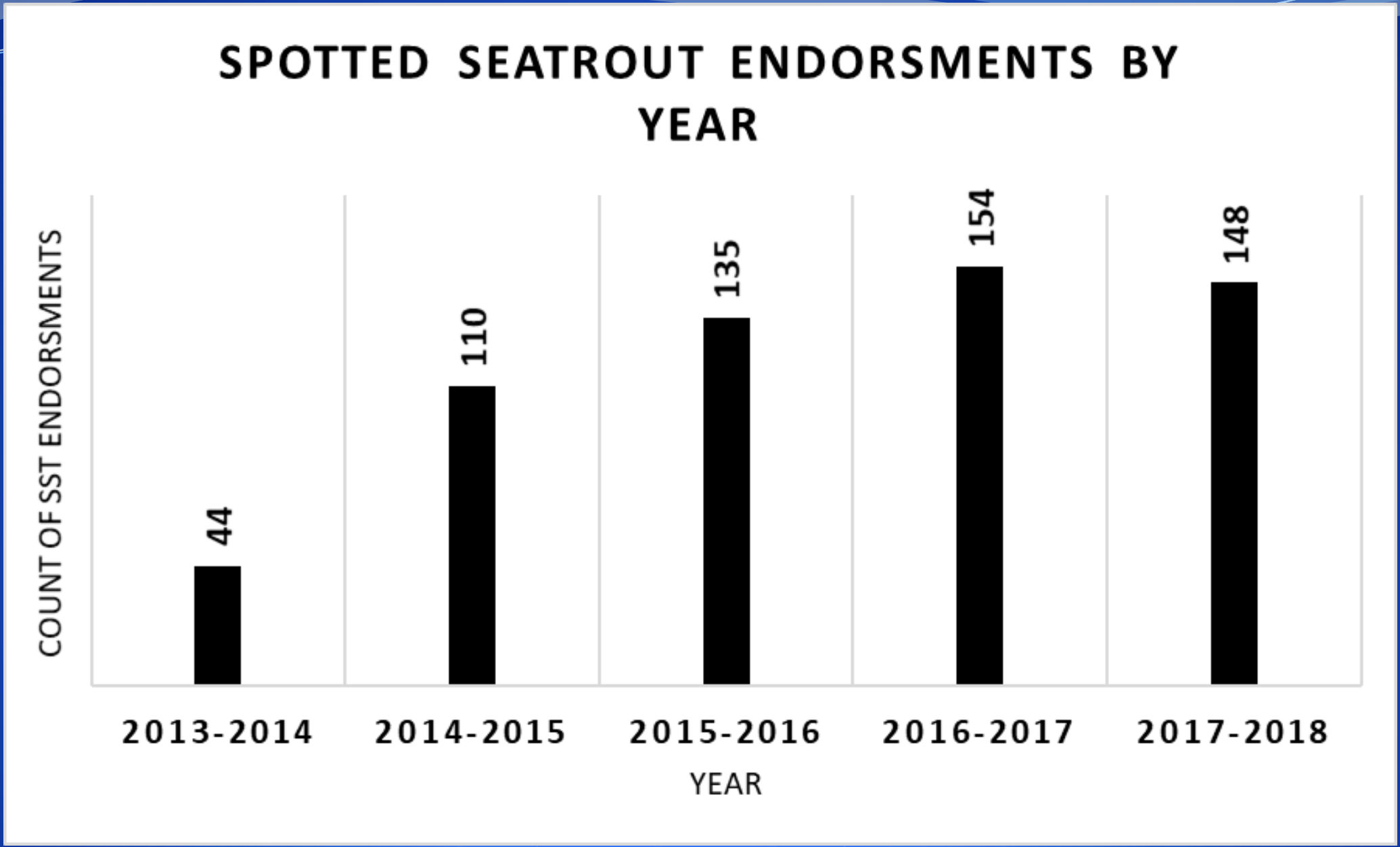

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Requested Regulatory Changes to Title 22 Part 7 Chapter 09 Commercial Size, Possession and Catch Limits Section 110

Individuals commercially harvesting Spotted Seatrout (Cynoscion nebulosus) 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. For the 2019 fishing season the fisher must present documentation that a minimum of thirty-five (35) percent of their earned income came from commercial fishing activities in a previous tax year between 2013-2018. Documentation shall be a copy of the appropriate filed IRS tax form showing the applicant's earned income for one of those years. A Marine Fisheries Trip Ticket officer will then run a sales summary for the year chosen using trip tickets to determine if the eligibility requirement has been met. This endorsement will be valid for a one-year period at which time a new application with qualifying documents for the previous tax year shall be submitted for a new endorsement. The endorsement will be valid from January 1st – December 31st each year.

ENHANCE ★ PROTECT ★ CONSERVE

Requested Regulatory Changes to Title 22 Part 5 Chapter 04 Commercial Net Closure and Gear Size Restrictions Section 101 Subsection 101.11

Individuals using a gill net, trammel net, or haul seine to commercially harvest finfish must possess a finfish net endorsement ($10.00) in addition to a current applicable harvester's license. To qualify for this endorsement an application must be completed. For the 2019 fishing season the fisher must present documentation that a minimum of thirty-five (35) percent of their earned income came from commercial harvest of finfish in a previous tax year between 2013-2018. Documentation shall be a copy of the appropriate filed IRS tax form showing the applicant's earned income for one of those years. A Marine Fisheries Trip Ticket officer will then run a sales summary for the year chosen using trip tickets to determine if the eligibility requirement has been met. This endorsement will be valid for a one-year period at which time a new application with qualifying documents for the previous tax year shall be submitted for a new endorsement. The endorsement will be valid from January 1st – December 31st each year.

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Requested Regulatory Changes to Title 22 Part 5 Chapter 04 Commercial Net Closure and Gear Size Restrictions Section 101 Subsection 101.12

Individuals qualifying for the finfish net endorsement must have nets inspected and tagged on an annual basis. The tags associated with each net will be valid from January 1st – December 31st each year.

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QUESTIONS

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
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Title 22 Part 7 Chapter 8

Recreational Bag Limit for Flounder

June 19, 2018

Trevor Moncrief

K.6.

CMR Passed Notice of Intent on May 15, 2018

Notice of Intent filed with the SOS Office on May 15, 2018

SOS APA Form 001

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME		CONTACT PERSON	TELEPHONE NUMBER	
Mississippi Department of Marine Resources		Joe Jewell	(228) 523-4072	
ADDRESS 1141 Bayview Ave.		CITY Biloxi	STATE MS	ZIP 39530
EMAIL Joe.Jewell@dmr.ms.gov	SUBMIT DATE 5/15/18	Name or number of rule(s): Title 22 Part 7		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: 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 8 Recreational Bag, Possession and Size Limits Section 100 Subsection 100.08 Modifying the established bag limit from fifteen (15) to ten (10)

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-1.101 *et seq.*

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 7: (see above summary description; complete description attached).

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: ____ Time: ____ Place: ____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
____ Original filing ____ Renewal of effectiveness To be in effect in ____ days Effective date: ____ Immediately upon filing ____ Other (specify): ____	Action proposed: ____ New rule(s) X Amendment to existing rule(s) ____ Repeal of existing rule(s) ____ Adoption by reference Proposed final effective date: X 30 days after filing ____ Other (specify): ____	Date Proposed Rule Filed: Action taken: ____ Adopted with no changes in text ____ Adopted with changes ____ Adopted by reference ____ Withdrawn ____ Repeal adopted as proposed Effective date: ____ 30 days after filing ____ Other (specify): ____

Printed name and Title of person authorized to file rules: Joe Spraggins Executive Director

Signature of person authorized to file rules: Joe Spraggins

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
	FILED MAY 15 2018 MISSISSIPPI SECRETARY OF STATE	
Accepted for filing by	Accepted for filing by #23368	Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

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MDMR Web Page Public Notice Published on May 16, 2018

Agency Info | Coastal Resources Management | Restoration & Resiliency | Marine Fisheries | Marine Patrol | Communications | Finance

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

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Public Notices

Title 22 Part 07 - Finfish Size and Bag Limits - Proposed Changes

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on May 15, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Notice of Intent to update, modify and change below listed sections of Title 22 Part 7. Said Notice of Intent was filed with the Mississippi Secretary of State's office on May 15, 2018. A complete copy of Title 22 Part 7 and the proposed changes are available are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through June 18, 2018. All comments should be mailed to the MDMR, Attn: Travis Williams, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: Travis Williams at travis.williams@dmr.ms.gov and delivered by 5:00 PM on June 18, 2018.

Complete description of proposed changes:

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 8 Recreational Bag, Possession and Size Limits

100

100.08 ~~Fifteen (15)~~ Ten (10) flounder (*Paralichthys sp.*)

[Download PDF]

Wetland Permitting Public Notices

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1141 Bayview Ave Biloxi MS 39530 | (228) 374-5000 | Marine Emergencies (228) 523-4134

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Legal Notice Appeared in the Sun Herald on May 23, 2018

Ad Order Information

Ad Number	Ad Type	Production Method	Production Notes
0003671112-01	BLX-Legal Liner	AdBooker	

External Ad Number	Ad Attributes	Ad Released	Pick Up
		No	

Ad Size	Color
1 X 37 li	

Product	Placement	Times Run	Schedule Cost
BLX- SunHerald	0300 - Legals Classified	1	$25.20

Run Schedule Invoice Text	Position
The Mississippi Department of Marine Res	0301 - Legals & Public Notices

Run Dates
05/23/2018

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on May 15, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Notice of Intent to update, modify and change below listed sections of Title 22 Part 7. Said Notice of Intent was filed with the Mississippi Secretary of State's office on May 15, 2018. A complete copy of Title 22 Part 7 and the proposed changes are available are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through June 18, 2018. All comments should be mailed to the MDMR, Attn: Travis Williams, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: Travis Williams at travis.williams@dmr.ms.gov and delivered by 5:00 PM on June 18, 2018.
Complete description of proposed changes:
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 8 Recreational Bag, Possession and Size Limits
100
100.08 Fifteen (15) Ten (10) flounder (Paralichthys sp.)
ADV23
0003671112

Public Comments

- Notice of Intent Published on May 15, 2018
- Public Comment period May 16, 2018 through June 18, 2018 (34 days)
- 6 public comments have been received to date.
- All 6 comments are opposed to the regulatory change.

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Summary of the Public Comments

1. June 5th – Michael Miller: I would like to express my personal opposition to this reduction unless the limit was only going to be applied when gigging flounder. Flounder are hard enough to target and it is more common not to catch a limit of 15 per person by hook and line than to catch a limit.
2. June 5th – Matt Carpenter: What is the basis for this? Has there been any studies done on this species that shows a reduced catch is needed? Did I miss the proposed change to the commercial take on flounder? I would assume it would be for the same % reduction as the proposed recreational change (approximately 33% reduction).
3. June 5 – Al Simm: I am strongly opposed to the proposed change. I am a hook and line recreational fisherman who primarily fishes for flounders. I flounder fish all the time and have never had a BMR agent check my catch. Therefore, I don't believe that checking the catches of hook and line fisherman would have played into the equation, so what science brought about this proposed change. I have not seen a big decline in flounders in recent years.

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Summary of the Public Comments

4. June 5th – Nathaniel Kyle Miller: Since the net fisherman are killing our speckled trout & flounder population what kind of change will you propose to the net fishermen ? If you are going to reduce the recreational bag limit you need to reduce the commercial quota.
5. June 7th – Ralph Humphrey: I attended the CMR meeting when this change was proposed. I firmly support rules to protect fin fish when they are proposed by scientists using scientific research to support them. I am firmly and adamantly opposed to a proposal that will do absolutely nothing.
6. June 8th – Josh: This proposed change in the flounder bag limit is beyond absurd. There is absolutely nothing wrong with the flounder population. There is no reason for this and it is ridiculous that recreational fisherman are continuing to have fishing for food taken away from us by the very state agency that is supposed to be support us and that WE the recreational fisherman support with our tax dollars.

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Chapter 8 Section 100
Subsection 100.08

Recreational Bag, Possession and Size Limits

100.08 Ten (10) flounder (*Paralichthys sp.)*

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Required:

A motion for final adoption of regulatory changes to Title 22 Part 7 Chapter 8 Section 100 Subsection 100.08 Recreational Bag, Possession and Size Limit change for Flounder.

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Public Comments

- I just ran across the proposed change on the flounder bag limit from 15 to 10. I would like to express my personal opposition to this reduction unless the limit was only going to be applied when gigging flounder. Flounder are the main species I target when I am able to go inshore fishing (by hook and line). There are not a lot of people who specifically target flounder versus other inshore species and I cannot believe a reduction in the bag limit is necessary for those hook and line fishermen. Flounder are hard enough to target and it is more common not to catch a limit of 15 per person by hook and line than to catch a limit. However, it is nice to be able to take home a few extra if you get lucky and catch a good bite and do catch 15.
- I ask that you reconsider this reduction. I would also be interested in understanding why this reduction was purposed in the first place.

Thanks,

Michael Miller

Pascagoula, MS

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- In regards to the changes of the recreational bag limit of flounder I have a few questions and comments. What is the basis for this? Has there been any studies done on this species that shows a reduced catch is needed? I am assuming that it has, can you please forward this information or publicize it on the DMR web page? Did I miss the proposed change to the commercial take on flounder? I would assume it would be for the same % reduction as the proposed recreational change (approximately 33% reduction). Thank you for your time and I look forward to your answers

Matt Carpenter

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- I am strongly opposed to the proposed change. I am a hook and line recreational fisherman who primarily fishes for flounders.
- What is reason for the proposed change? I assume you, or someone at the BMR has determined that the fish has greatly declined in numbers. What methods or research was used to make this determination? I flounder fish all the time and have never had a BMR agent check my catch. Therefore, I don't believe that checking the catches of hook and line fisherman would have played into the equation, so what science brought about this proposed change. | *have not seen a big decline in flounders in recent years.*
- *If the BMR wants to really fix the problem of declining fish stocks they need to address the real problems. The hook and line fisherman aren't having an impact on the fish stock. Very few hook and line fisherman specifically target flounder. The real problems with the declining flounder stock are: 1) The use of generators while gigging flounders, and 2) Gill Netting. Both methods should be outlawed.*

- *I look forward to your response. Thanks for an opportunity comment.*

Al Simm

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- Since the net fisherman are killing our speckled trout & flounder population what kind of change will you propose to the net fishermen ?
- If you are going to reduce the recreational bag limit you need to reduce the commercial quota.
- I work rotational for Chevron overseas, I work 28 days on 28 days off, when I am off I am in my boat more than I am in my truck. With that being said it makes me sick to see net fishermen working the Grand Bature bar, mouth of Graveline, & the causeway just to mention a few places in our area. So from what I hear the speckled trout quota was reached but……the netters will still be setting every morning in the locations mentioned above for mullet, & flounder which in turn hurts the speckled trout population.
- Cat island was another location the speckled trout got slaughtered.

Thanks,

Concerned Gautier, Ms resident / fisherman

Nathaniel Kyle Miller

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- I attended the CMR meeting when this change was proposed. It is astounding that Commissioner Trapani made this new jerk proposal despite the protestations of the DMR scientists. I firmly support rules to protect fin fish when they are proposed by scientists using scientific research to support them. I am firmly and adamantly opposed to a proposal that will do absolutely nothing but make Commissioner Trapani feel good.

Ralph Humphrey

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- This proposed change in the flounder bag limit is beyond absurd. There is absolutely nothing wrong with the flounder population. There is no reason for this and it is ridiculous that recreational fisherman are continuing to have fishing for food taken away from us by the very state agency that is supposed to be support us and that WE the recreational fisherman support with our tax dollars.

Josh

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New State Saltwater Fishing Record

June 19, 2018
Commission Meeting

Jonathan Barr

K.7

Conventional Tackle

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New Youth State Saltwater Fishing Record

Hardhead Catfish
Ariopsis felis

New Record: 1 lbs. 12.97 oz.

Angler: Greyson Borries

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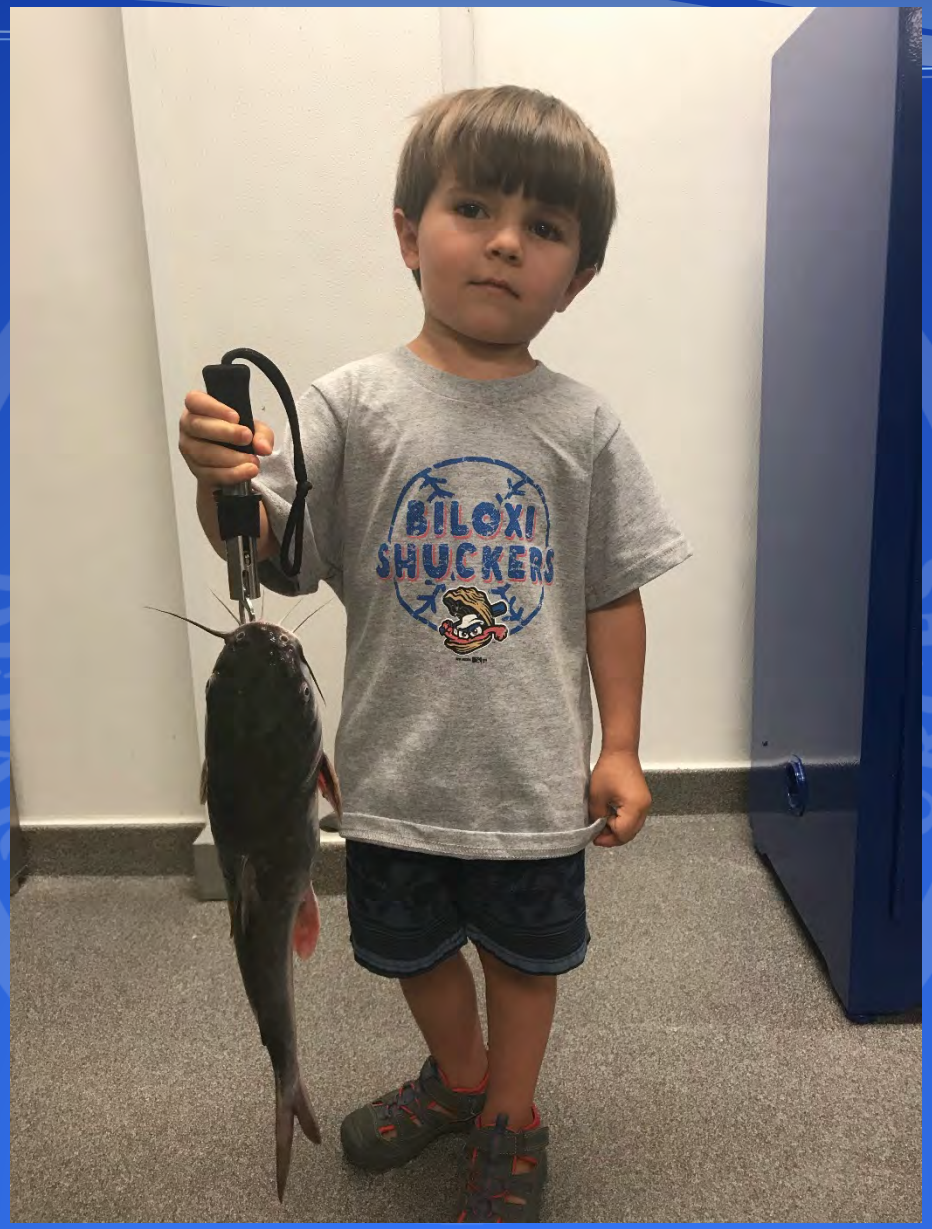

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Required: Motion to Adopt New State Record

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