



ENHANCE ★ PROTECT ★ CONSERVE

Commission on Marine Resources July Meeting

July 17, 2018

**DEPARTMENT OF MARINE RESOURCES MARINE PATROL REPORT
TO THE COMMISSION ON MARINE RESOURCES
JULY 17, 2018**

OYSTER VIOLATION CITATIONS

Possession of Untagged Oysters- 1
Possession of Oysters past sell by date- 1
No Marine Sanitation Device- 1
Total- 3
FY 18 YTD: 23
FY 17 YTD: 41
Courtesy Citations-0
Verbal Warnings-0

SHRIMP VIOLATION CITATIONS

Shrimping in Closed Waters-2
Total-2
FY 18 YTD: 5
FY 17 YTD: 5
Courtesy Citations-0
Verbal Warnings-0

CRAB VIOLATION CITATIONS

No Escape Rings- 1
Total-1
FY 18 YTD: 32
FY 17 YTD: 60
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

No Commercial Shrimping License- 1

Total-1

FY 18 YTD: 50

FY 17 YTD: 61

Courtesy Citations-0

Verbal Warnings-0

FISHING VIOLATION CITATIONS

No Saltwater Fishing License- 13

No Non-Resident Saltwater Fishing License- 9

Possession of Undersized Spotted Sea Trout-3

Possession of Undersized Red Drum-3

Possession of Undersized Gray Trigger Fish- 1

Possession of Gray Trigger Fish during closed Season-1

Possession Over the Limit Gray Trigger Fish- 1

Possession of Red Snapper without a Landing Permit- 14

Total-45

FY 18 YTD: 462

FY 17 YTD: 294

Courtesy Citations- 2

Verbal Warnings-0

BOAT AND WATER SAFETY VIOLATION CITATIONS

Insufficient PFD's- 8

Child Under 12 Without PFD- 2

No Navigation Lights- 7

No Fire Extinguisher- 1

No Flare Kit-2

No Type IV Throwable- 1

Bow Riding-1

Wake Zone Violation-4

Negligent Operation Involving Alcohol-2

BUI- 2

Total-30

FY 18 YTD: 215

FY 17 YTD: 191

Courtesy Citations-15

Verbal Warnings-1

MARINE LITTER VIOLATION CITATIONS

Marine Litter- 1

Total-1

FY 18 YTD: 4

FY 17 YTD: 9

Courtesy Citations-1

Verbal Warnings-0

WETLANDS VIOLATION CITATIONS

Operating a Vehicle on Wetlands- 2

Total-2

FY 18 YTD: 2

FY 17 YTD: 3

Courtesy Citations-0

Verbal Warnings-0

MISCELLANEOUS VIOLATION CITATIONS

Total-8

FY 18 YTD: 32

FY 17 YTD: 22

Courtesy Citations-0

Verbal Warnings-0

TOTAL VIOLATIONS CITED: 99

FY 18 YTD: 832

FY 17 YTD: 691

TOTAL COURTESY CITATIONS:

Fishing-2

Boat and Water Safety-15

Misc.-0

Total- 17

TOTAL VERBAL WARNINGS:

Boat and Water Safety-1

Total-1

TOTAL COURTESY CITATIONS/VERBAL WARNINGS:

(5 verbal/ 17 courtesy citations)

Total-22

FY 18 YTD: 287

FY 17 YTD: 339

TOTAL STOPS: 3199
FY 18 YTD: 32318
FY 17 YTD: 31724

INCIDENT REPORTS FOR JUNE 2018:

BOATING ACCIDENTS WITH INJURIES: 1

There was one boating accident with minor injuries during the month of June involving a jet ski.

Total Accidents-1
FY 18 YTD: 27
FY 17 YTD: 31

TOTAL WATER INCIDENTS: 1

There was one incident during the month of June when a man fell from a commercial fishing vessel south of Horn Island. Marine Patrol assisted in the Search and Recovery of the individual.

FY 18 YTD: 2
FY 17 YTD: 6

TOTAL FATALITIES (Boating and Non-Boating): 1

FY 18 YTD: 5
FY 17 YTD: 7

DIVE ACTIVITY: During the month of June the dive team conducted training on 360 Sonar as well as an ROV from Harrison county.

ASSISTS WITH PUBLIC SAFETY CONCERNS:

Assists to Another Agency-12
Traffic Accident No Injuries- 3
Assist to Swimmers-1
Suicidal Person-1
Alligator in Public Area-2
Dead Alligator- 1
Dead Sea Turtle- 1
Dead Dolphin- 1
Vehicle in the Water-1

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Reckless/Drunken Boater- 2
Injured Seagull- 1
Capsized Vessel- 1
Medical Emergency- 3
Vessel Taking on Water- 5
Tow Ins/Assists to Boaters- 9
Total- 43
FY 18 YTD: 432
FY 17 YTD: 457

MISCELLANEOUS COMPLAINTS/REPORTS:

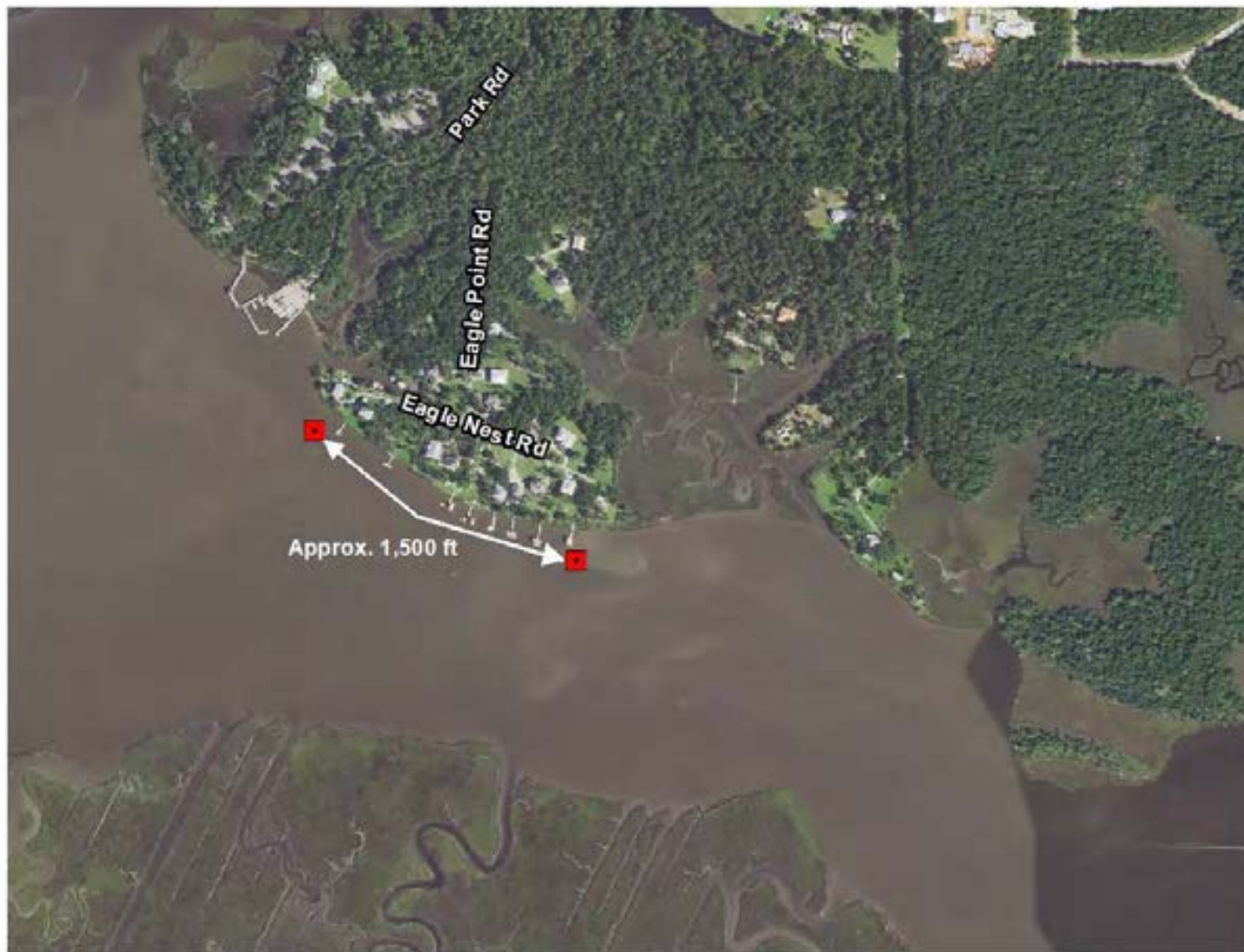
Dog in Distress in the water- 1
Illegal Fishing Activity- 2
Unmarked Crab Traps- 1
Larceny of Crab Traps-2
Fish Kill- 2
Theft of Crabs- 1
Construction Equipment in Marsh- 1
Reckless Jetskis-2
Boater Blocking Launch- 1
Debris in Water-2
Derelict Vessel- 4
Down Channel Marker-2
Fire on Island- 1
Hazard to Navigation-1
Vessel Afloat- 5
Vessel Blocking Channel-3
Altercation Between Boaters- 2
Boaters Playing Loud Music-2
Wake Zone Violation-2
Suspicious Boaters-2
Total- 39
FY 18 YTD: 417
FY 17 YTD: 407



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NO WAKE ZONE PROPOSAL

DAVIS BAYOU
EAGLE NEST AND EAGLE POINT
OCEAN SPRINGS, MS



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The background features a large, faint, circular seal of the Mississippi Department of Marine Resources. The seal contains a central emblem with a fish and a bird, surrounded by the text "MISSISSIPPI DEPARTMENT OF MARINE RESOURCES".

Required:

Motion to Establish a No Wake Zone as requested by the Jackson County Board of Supervisors in Davis Bayou South of Eagle Nest and Eagle Point roads

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NO WAKE ZONE PROPOSAL

East Pascagoula River
Pascagoula, MS



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- No wake Zone total length is approximately 4000'
- Total time of travel is approximately 9:37
- Safety Concerns
 - 2 Public Boat Launch facilities
 - Numerous Access points for Public Fishing
 - Use of location for Civic functions
 - Research facilities
 - Private and industrial docks

The background of the slide features a large, faint, circular seal of the Mississippi Department of Marine Resources. The seal contains a central emblem with a fish and waves, surrounded by the text "MISSISSIPPI DEPARTMENT OF MARINE RESOURCES".

Required:

Motion to Establish a No Wake Zone as requested by the Jackson County Board of Supervisors for the East Pascagoula River

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Mississippi Department of Marine Resources

Coastal Resources Management
July 2018

**Application from Excluded Entity:
Hancock County Port and Harbor Commission
File: DMR-180342**

- **Location:** The main channel and access channels of Port Bienville in Bay St. Louis, Hancock County, Mississippi.
- **Use District:** (I) Industrial Development Use District
- **Agent:** Anchor QEA

Project Description

- **Maintenance dredging**
 - **Main channel**
 - 21,000' x 150'
 - **Access channels**
 - 4,500' x 150'
 - **Proposed depth: 14' below MLLW**
 - **Existing depth ranges from -3.5 ft to -10 ft MLLW**
 - **Approximately 500,000 cubic yards of material will be removed**
 - **Heron Bay Beneficial Use site if the material is found to be acceptable**



Applicable Decision Factors

- **a) Applicable legislative and judicial statements of public interest...**
 - **Section 49-27-3, Public Policy Declared, Mississippi Coastal Wetlands Protection Law, and Chapter VIII, Mississippi Coastal Program**
 - **To maintain the design channel depth in order to provide sufficient draft for safe navigation for commercial vessels into and out of Port Bienville.**

Applicable Decision Factors

continued

- **b) Coastal Wetlands Use Plan...**
 - **The proposed project is allowable within the (I) Industrial Development Use District**

Applicable Decision Factors

continued

- **d) Precedent setting effects...**
 - There are no precedent setting effects anticipated because this is a maintenance dredging project.

Applicable Decision Factors

continued

- **e) The extent to which the proposed activity affects biological integrity of coastal wetlands...**
 - No shellfish or SAV were found in the project area
 - A loss of benthic organisms within the dredging area
 - Temporary increase in turbidity during dredging
 - Turbidity curtains where minimum buffers cannot be maintained

Applicable Decision Factors

continued

- **f) The full extent of the project...**
 - **No adverse impacts other than the temporary loss of benthic organisms**
 - **Increased turbidity will not exceed MS Department of Environmental Quality's guidelines**
 - **Should not affect the natural supply of**
 - **Sediments**
 - **Nutrients**
 - **Temperature**
 - **Water flow**
 - **Circulation**

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Applicable Decision Factors

continued

- **g) Adverse impacts that can be avoided through modifications, safeguards, etc...**
 - **Best Management Practices will be utilized during all phases of construction**

Applicable Decision Factors

continued

- **h) Alternative sites available...**
 - **No off-site alternatives were evaluated**
 - **The same channel path will be followed**

Applicable Decision Factors

continued

- **j) The preservation of natural scenic qualities...**
 - **These projects will not change the location of the navigation channels and should not effect the natural scenic qualities.**

Applicable Decision Factors

continued

- **k) The national interest, as specified in Section 7...**
 - The proposed project will support the national need for transportation, including ports and navigation.

Applicable Decision Factors

continued

- **I) Comments...**
 - **MS DEQ: Reviewing the project**
 - **MS DAH: No objections**
 - **MS SOS: No issues with the project**
 - **MS DWFP: No comments**

Conclusion

- **Based upon departmental review and evaluation, staff plans to approve the applicant's request and issue a Certificate of Exclusion.**



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Deer Island Prescribed Fire 2018

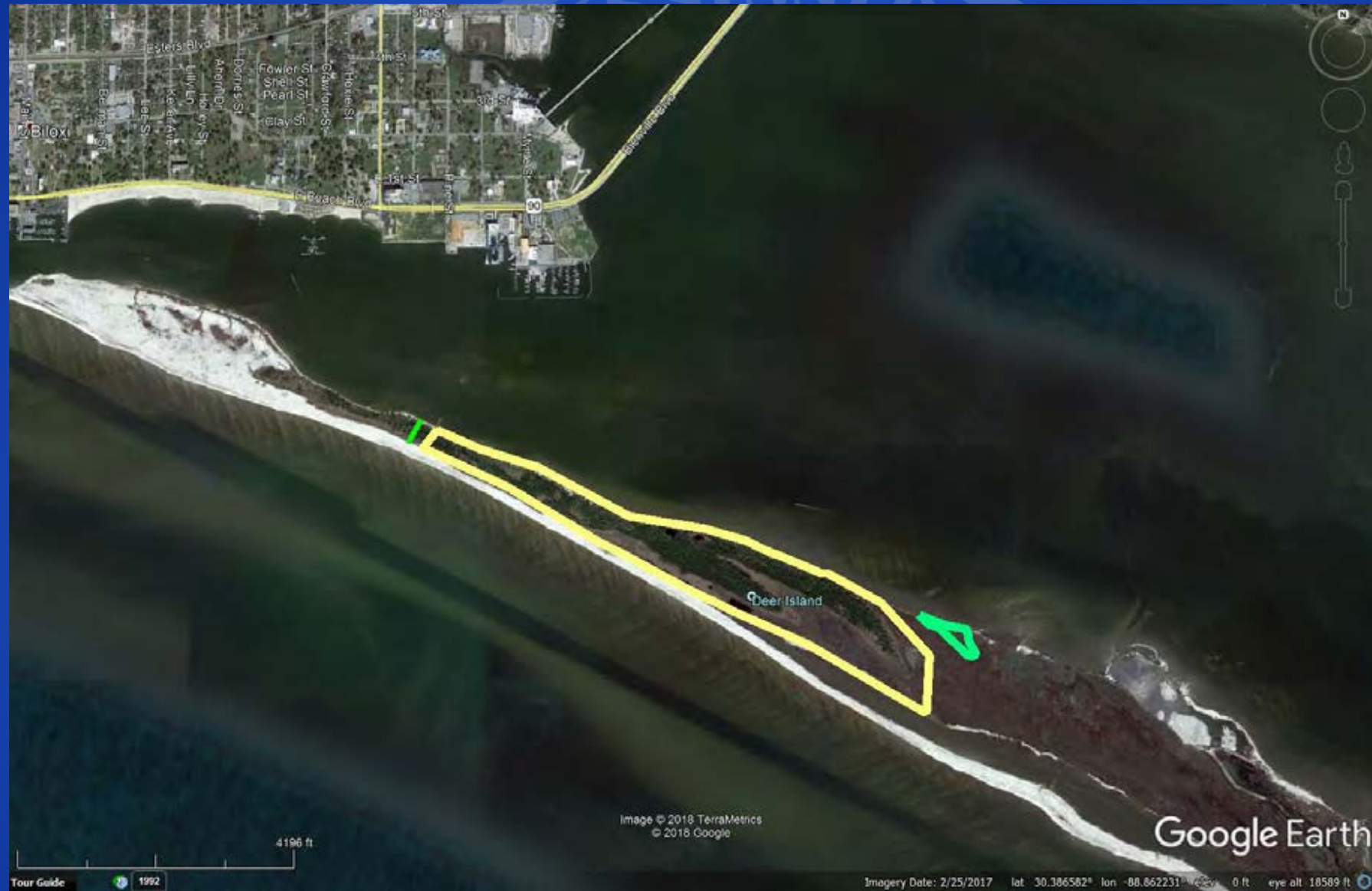


Why we burned:

- Remove heavy fuel loads to prevent intense wildfire
 - Hurricane debris, pine litter, etc...
- Invasive species control
 - Kill Chinese Tallow saplings
 - Open the island for staff to treat cogon grass and other species as needed with backpack sprayers and equipment
- Forest Thinning
 - Extremely dense population of slash pine emerged after Hurricane Katrina which needs to be reduced.
 - 500+ trees per acre (not including mature trees)
- Habitat Enhancement
 - Regeneration of ground cover species that are used by multiple species as foraging and nesting habitat

What was burned:

- ~130 acres of the central portion of Deer Island











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Current Conditions - Desired Future Result

After many more years of work *



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2018 Wildfire



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Mississippi

Department of Marine Resources

Agency Financial Results

as of June 30, 2018

Commission on Marine Resources
July 17, 2018

Key Metrics:

- State Revenue of \$28.5M
- Agency Revenue of \$43M
- State Net Income of \$20.6M
- Agency Net Income of \$21M

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Income Statement - Fiscal Year 2018

As of June 30, 2018

	State	Federal : NFWF:	Operating Subtotal	Tidelands	Total DMR
Revenue:					
Transfer in from Other Governments	(0)	515,785	515,785	8,253,215	8,769,000
Off-road Fuel Tax	3,050,000	-	3,050,000	-	3,050,000
Federal Grants	-	4,134,185	4,134,185	-	4,134,185
Sales Revenue	1,502,257	791	1,503,048	464	1,503,512
Indirect Cost Recovery	789,391	-	789,391	-	789,391
Other Revenue	23,168,034	1,322,298	24,490,332	334,435	24,824,767
Current Budget Year Revenue:	28,509,682	5,973,060	34,482,742	8,588,113	43,070,855
Expenditures:					
Salaries, Wages, Fringe	6,114,720	1,722,317	7,837,037	925,755	8,762,791
Travel	47,353	30,966	78,320	27,710	106,030
Contractual Services	677,255	1,219,500	1,896,755	635,863	2,532,618
Commodities	499,892	1,136,344	1,636,236	1,113,375	2,749,611
Other than Equipment	-	-	-	-	-
Equipment	96,973	212,404	309,377	12,288	321,665
Vehicles	43,159	-	43,159	-	43,159
Wireless Devices	-	-	-	-	-
Subsidies, Loans, and Grants	385,717	2,247,227	2,632,943	4,825,319	7,458,263
Current Budget Year Expenditures:	7,865,068	6,568,758	14,433,827	7,540,310	21,974,136
Current Budget Year Net Income/(Loss):	\$20,644,614	\$ (595,698)	\$20,048,916	\$ 1,047,804	\$ 21,096,719

Financial Budget Comparison

- After twelve months of Fiscal Year 2018:

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
2018 Budget Comparison
As of June 30, 2018

	<i>Actual Year to Date Expenditures</i>			<i>Budget Year Totals</i>			<i>Percent Remaining</i>		
	Operating	Tidelands	Total	Operating	Tidelands	Total	Operating	Tidelands	Total
Expenditures:									
Salaries, Wages, Fringe	\$ 7,837,037	\$ 925,755	\$ 8,762,791	\$ 9,924,571	\$ 1,130,617	\$ 11,055,188	21.0%	18.1%	20.7%
Travel	78,320	27,710	106,030	217,480	30,000	247,480	64.0%	7.6%	57.2%
Contractual Services	1,896,755	635,863	2,532,618	12,732,569	1,400,000	14,132,569	85.1%	54.6%	82.1%
Commodities	1,636,236	1,113,375	2,749,611	4,756,832	1,500,000	6,256,832	65.6%	25.8%	56.1%
Equipment	309,377	12,288	321,665	810,830	75,000	885,830	61.8%	83.6%	63.7%
Vehicles	43,159	-	43,159	122,000	-	122,000	64.6%	0.0%	0.0%
Wireless Devices	-	-	-	2,000	-	2,000	100.0%	0.0%	100.0%
Subsidies, Loans, and Grants	2,632,943	4,825,319	7,458,263	5,364,724	13,864,383	19,229,107	50.9%	65.2%	61.2%
Total Expenditures:	\$ 14,433,827	\$ 7,540,310	\$ 21,974,136	\$ 33,931,831	\$ 18,000,000	\$ 51,931,831	57.5%	58.1%	57.7%

- Operating Funds have 57.5% of Budget remaining
- Tidelands Trust Fund has 58.1% of Budget remaining



Public Affairs – July 2018

The MS Department of Marine Resources was mentioned 17 times in local, state and national media since the June CMR meeting. Popular news items included the temporary closure of Red Snapper season, an update on shrimp season and the Mississippi Deep Sea Fishing Rodeo.

Marine Patrol taught seven boat-and-water safety classes and certified 137 students. So far in FY18, officers have taught 24 classes and certified 450 students.

Marine Patrol also participated in several community outreach events, including Boats and Beignets, where we invited the community to meet our agency's Marine Patrol officers and they answered questions about boater safety and rules of the water. The Memorial Hospital Foundation was also on hand distributing free life jackets to children. Marine Patrol also participated in the CCA kid's fishing rodeo in Long Beach, Woolmarket Elementary School's Safety Day and several summer camps for the Biloxi and Gulfport school districts. Marine Patrol also provided assistance at three special marine events in June, including Operation DryWater June 29-31.

Our staff participated in various events in the community. Jennifer Frey in the Office of Coastal Resources Management gave two presentations to summer camps at the Humane Society of South Mississippi, Emily Satterfield in the Office of Marine Fisheries served as a guest lecturer on marine conservation at GCRL and Public Affairs gave a presentation at the Gulfport Public Library.

The annual Mississippi Deep Sea Fishing Rodeo was held June 29 through July 4. The agency was on hand each day at the fishing rodeo distributing our new rules and regulations publication, fish ruler stickers, fish posters and other informational pieces to the public.

Lou Larose, owner of Lou's Full-Serv in Jackson, will represent our state in the Great American Seafood Cookoff in New Orleans on August 4.



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Title 22 Part 7 Spotted Seatrout Endorsement

Matt Hill
July 17, 2018

K.1.

Background

June 19th Commission meeting the CMR made a motion to accept staff's proposed regulatory changes and bring the changes forward in July for notice of intent.

Title 22 Part 7

Chapter 09 Commercial Size, Possession and Catch Limits

Section 110

Beginning January 1, 2019 individuals commercially 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. For the 2019 fishing season the fisher must present documentation that a minimum of twenty (20) percent of their taxable 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 taxable 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 three one-year period at which time a new application with qualifying documents must for the previous tax year shall 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. The endorsement will be valid from January 1st – December 31st each year.

Title 22 Part 7

Chapter 09 Commercial Size, Possession and Catch Limits

Section 110

Beginning January 1, 2019 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 twenty (20) percent of their taxable 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 taxable 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. In the event of a hardship approved by the Commission the department may consider qualifying documents for the two years prior to the onset of the hardship.

Current Endorsements

Upon approval of the proposed regulation change to Title 22 Part 7 Section 110 all Spotted Seatrout Endorsements shall expire October 31, 2018.

Required:

A motion for a Notice of Intent to modify Title 22 Part 7 Chapter 9 Section 110 requirements for the Spotted Seatrout Endorsement.

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Title 22 Part 5 Finfish Net Endorsement

Matt Hill
July 17, 2018

K.2.

Background

June 19th the CMR made a motion to accept staff's proposed regulatory changes and bring the changes forward in July for notice of intent.

Title 22 Part 5

Chapter 04 Commercial Net Closure and Gear Size Restrictions

Section 101 Subsection 101.11

Beginning January 1, 2019 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 twenty (20) percent of their taxable 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 taxable 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. In the event of a hardship approved by the Commission the department may consider qualifying documents for the two years prior to the onset of the hardship.

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.

Current Tagged Nets

Upon approval of the proposed regulation change to Title 22 Part 5 Chapter 04 Section 101 Subsection 101.11 all current tags shall expire on December 31, 2018 and fishermen eligible for the net endorsement shall have their nets inspected and retagged.

Required:

A motion for Notice of Intent to establish Title 22 Part 5 Chapter 4 Section 101 Subsection 101.11 and 101.12 finfish net endorsement and tagging criteria.

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Spotted Seatrout Endorsement Revocation

Joe Jewell
July 17, 2018

K.3.

Background

June 19th the CMR requested staff propose a provision in the regulations granting the Commission authority to revoke the Spotted Seatrout Endorsement under certain penalties.

Title 22 Part 7

Chapter 09 Commercial Size, Possession and Catch Limits

Section 110

The CMR may revoke any person's, firm's, or corporation's
Spotted Seatrout Endorsement for violating any of the
endorsement's regulating provisions.

QUESTIONS?

-

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Title 22 Part 20
Chapter 21 Administrative Penalties
Section 104

104 Suspension or revocation of licenses or permits, or endorsements may be commenced in addition to seeking administrative penalties.

105 The Commission may revoke regulatory program requirements, such as but not limited to endorsements, tags, permits, or similar provisions for violations related to that particular program.

Title 22 Part 09

Chapter 06 Seafood Reporting Requirements

- 100 Each seafood dealer/processor is hereby required to complete Mississippi trip tickets provided by the MDMR. Commercial fishermen, who sell their catch to individuals other than a Mississippi dealer/processor or transport their catch out-of-state, are hereby required to complete Mississippi trip tickets provided by the MDMR and be in possession of a fresh product permit. A completed Mississippi trip ticket is only required for the initial point of sale of the seafood product. All trip tickets shall be returned to the MDMR or electronically submitted on or before the 10th of each month for actual transactions from every commercial fisherman during the preceding month. A trip ticket summary form that states the total trips taken in a given month shall be submitted by the 10th of each month by the seafood dealer/processor or commercial fisherman. The fisherman is required to provide to the dealer complete and accurate information necessary for the completion of the fisherman portion of the trip ticket. This may include, but is not limited to, commercial fisherman's name, valid license number, date and area of harvest, trip and fishing time, proper vessel identification, gear, quantity, and size of gear used, and applicable mesh size (if any) of gear used, seafood dealer's name, date of purchase, dealer license number, port and county product was landed, species being purchased, weight or any other applicable standard, condition of product, count or market grade of purchased seafood product, and price paid per unit (pound or number) per species. The seafood dealer/processor or fisherman is required to verify the accuracy of the tickets by signing each ticket.

Title 22 Part 09

Chapter 06 Seafood Reporting Requirements Section 100

- Each seafood dealer/processor is hereby required to complete Mississippi trip tickets provided by the MDMR.
- Commercial fishermen, who sell their catch to individuals other than a Mississippi dealer/processor or transport their catch out-of-state, are hereby required to complete Mississippi trip tickets provided by the MDMR and be in possession of a fresh product permit.
- A completed Mississippi trip ticket is only required for the initial point of sale of the seafood product.
- All trip tickets shall be returned to the MDMR or electronically submitted on or before the 10th of each month for actual transactions from every commercial fisherman during the preceding month.
- A trip ticket summary form that states the total trips taken in a given month shall be submitted by the 10th of each month by the seafood dealer/processor or commercial fisherman.
- The fisherman is required to provide to the dealer complete and accurate information necessary for the completion of the fisherman portion of the trip ticket.
- This may include, but is not limited to, commercial fisherman's name, valid license number, date and area of harvest, trip and fishing time, proper vessel identification, gear, quantity, and size of gear used, and applicable mesh size (if any) of gear used, seafood dealer's name, date of purchase, dealer license number, port and county product was landed, species being purchased, weight or any other applicable standard, condition of product, count or market grade of purchased seafood product, and price paid per unit (pound or number) per species.
- The seafood dealer/processor or fisherman is required to verify the accuracy of the tickets by signing each ticket.

Title 22 Part 7 Chapter 7

- 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:
 - The endorsement only applies while fishing in Mississippi territorial waters.
 - The trip must extend beyond 24 hours before returning to the mainland.
 - The harvest must comply with Mississippi's current size limits, regardless of the place of harvest.
 - 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.
 - The vessel must obtain a float plan from the Department prior to each trip.
 - The vessel may possess the two-day limit only during its final return to the mainland. During the final return, fishing is prohibited.

Title 22 Part 7 Chapter 9

- 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.

Title 22 Part 7 Chapter 9

- 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.



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Title 22 Part 5 One-Mile Exclusion Zone Around Cat Island

Joe Jewell
July 17, 2018

K.4.

- June 19th the CMR adopted a motion for the staff to come back to the July 17th meeting with a NOI to establish a one-mile commercial net exclusionary zone around Cat Island.

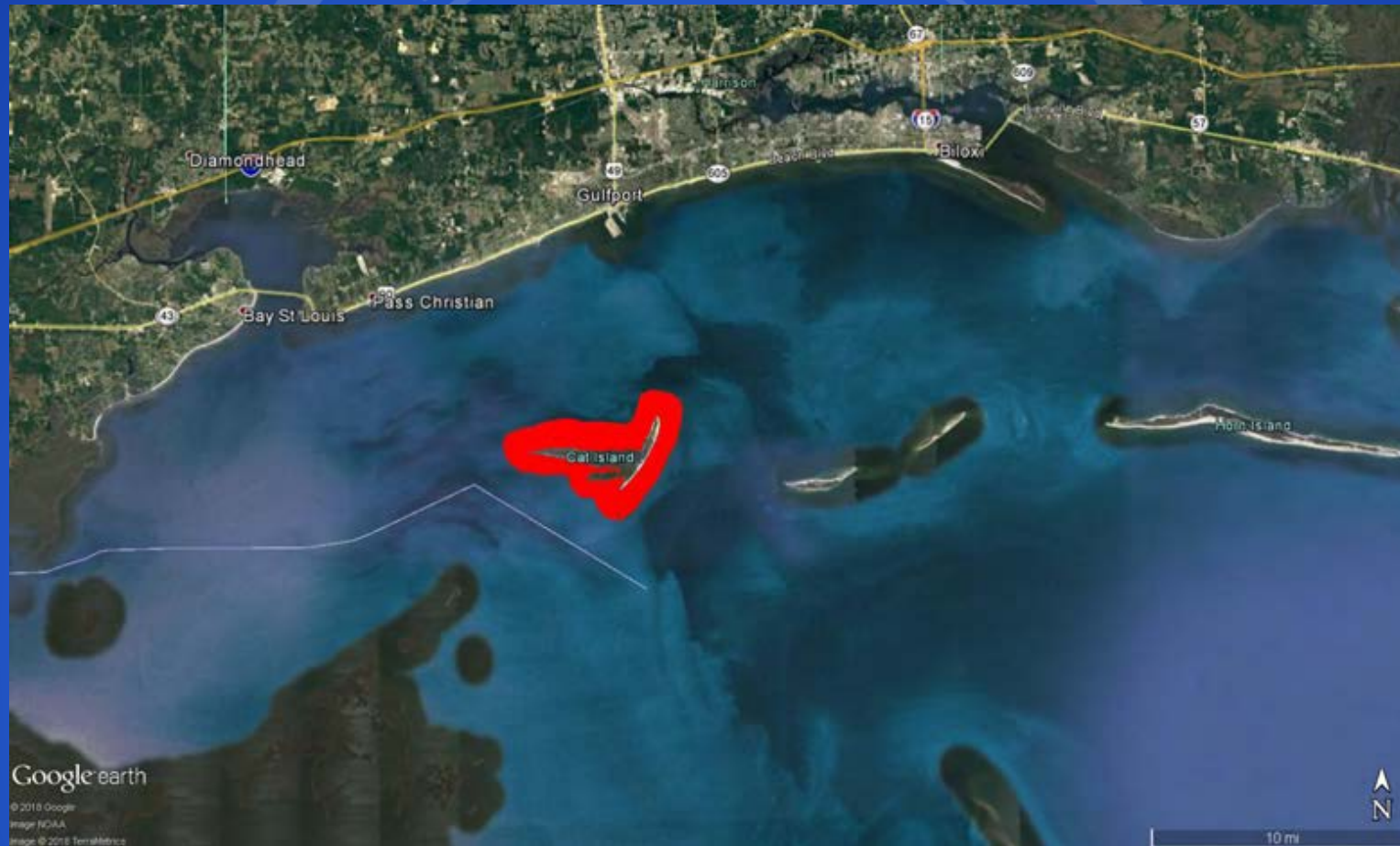
Title 22 Part 5

Chapter 04 Commercial Net Closure Areas and Gear Size Restrictions

Section 101

- 101.04 Within an area formed by a line running one (1) mile from the shoreline of Cat, Ship, Horn, Petit Bois, and Round Island, or from the shoals of Telegraph Keys and Telegraph Reef (Merrill Coquille), during the period from May 15 to September 15 of each year.
- 101.05 Within an area formed by a line running one (1) mile from the shoreline of Cat Island

One-Mile Commercial Net Ban Around Cat Island



ENHANCE ★ PROTECT ★ CONSERVE

Title 22 Part 5

Chapter 04 Commercial Net Closure Areas and Gear Size Restrictions

Section 101

- ~~101.05~~ 101.06 Within twelve hundred (1,200) feet of any private piers which extend a distance of seventy-five (75) feet or more from the shoreline, except when mullet fishing.
- ~~101.06~~ 101.07 Within three-hundred (300) feet of any private piers which extend a distance of seventy-five (75) feet or more from the shoreline when mullet fishing.
- ~~101.07~~ 101.08 All of the aforementioned piers must be in usable condition with boards spaced in such a way that persons can walk the entire distance of the pier.
- ~~100.08~~ 101.09 It shall be unlawful for any person, firm, or corporation to use at any time trammel nets, gill nets, seines, or any other like contrivances in excess of twelve-hundred (1200) feet in length. Except when fishing gill and trammel nets between October 15 through December 15 of each year, nets must be of a mesh size of one and one half (1-1/2) inch square, three (3) inch stretch or larger, and it shall be unlawful for any boat to use more than one (1) such net. Between October 15 through December 15 of each year, gill and trammel nets must be of a mesh size of one and three-fourths (1 3/4) inch square, three and one-half (3 1/2) inch stretch or larger, and it shall be unlawful for any boat to use more than one (1) such net.
- ~~100.09~~ 101.10 It shall be unlawful for any person, firm, or corporation other than licensed menhaden vessels engaged in menhaden fishing, to use or have in possession purse seine(s) in excess of fifteen hundred (1500) feet in length. Said nets must be of a mesh size of one-half (1/2) inch square, one (1) inch stretch or larger.
- ~~100.10~~ 101.11 It shall be unlawful for any person, firm, or corporation to leave a gill net, trammel net, purse seine, seine or any other net like contrivance governed by the restrictions set forth in this Part unattended in the waters of this state, and at least one person shall be required to stand by, within one boat length of the boat using said net, at all times the net is in the water. It shall further be unlawful for any person, firm, or corporation to use or have in their possession a gill net, trammel net, seine or like contrivance on the waters of this state without a visible buoy attached every one hundred (100) feet clearly marked with the license number or owner's full name thereon.

Required:

A motion for notice of intent of regulatory changes to Title 22 Part 5 Chapter 4 Section 101 adopting language to establish a one-mile commercial net exclusion zone around Cat Island.

-

Title 22 Part 5

Chapter 04 Commercial Net Closure Areas and Gear Size Restrictions

- Section 101

It shall be unlawful for any person, firm, or corporation to catch, take or carry away any saltwater fish by or with any gill nets, trammel nets, purse seines, seines, fish traps, and other like contrivances...



ENHANCE ★ PROTECT ★ CONSERVE

Hand Dredge Specifications

Erik Broussard

July 17, 2018

K.5.

Background

June 19th Commission meeting the CMR made a motion to table this item until the July CMR meeting.

May 29, 2018 Special Work Session. CMR Bench Motion: Staff to come back to the CMR at June meeting with proposed description of a hand dredge for NOI consideration.

Title 22 Part 1 Chapter 7

Dredge Specifications

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.

Title 22 Part 1 Chapter 7

Proposed Hand Dredge Changes

101 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 hand dredge using a mechanical-advantage retrieval system, having a weight in excess of 40 pounds and the tooth bar cannot have more than 10 teeth of not more than five and one quarter 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.

Proposed Changes

~~101~~ 103 No person, firm or corporation may use more than two such dredges, unless otherwise permitted or restricted by MCMR or as hereby authorized the MDMR, its Executive Director, Director of Marine Fisheries, Bureau Director, Program Coordinator or other MDMR designee.

Required:

A motion for a Notice of Intent to modify Title 22 Part 1
Chapter 07 Dredge Specifications.

-



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Title 22 Part 1

Area VI (6) Reclassification

Charlie Robertson

July 17, 2018

K.6.

CMR Passed Notice of Intent on June 19, 2018

Notice of Intent filed with the SOS Office on June 19, 2018

SOS APA Form 001

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AUTHOR NAME Mississippi Department of Marine Resources		CONTACT PERSON Joe Spraggins	TELEPHONE NUMBER 228-522-4972
ADDRESS 1041 Bayview Avenue		CITY Biloxi	STATE MS
EMAIL joe.spraggins@dmr.ms.gov		ZIP 39208	
SUBMIT DATE 6.19.2018		Name or number of comply Title 22, Part 1	

Short explanation of rule/amendment/ repeal and reason(s) for proposing rule/amendment/ repeal: TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 1 RULES AND REGULATIONS FOR SHELLFISH HARVESTING, TASSING, LANDING, UNLOADING, TRANSPORTING, RELAYING, MANAGING, AREA CLASSIFICATION, AND OTHER SHELLFISH RELATED ACTIVITIES IN THE STATE, AND THE LEASING OF TERRITORIAL WATERS UNDER THE JURISDICTION OF THE STATE OF MISSISSIPPI Chapter 17: Amends Sections 103 and 104; Chapter 18: Amends Sections 100, 102 and 103.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 20-43-1, 101 of am.

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 1: (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.

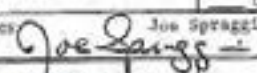
If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a person or persons (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing 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.



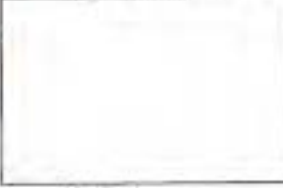
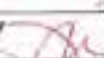
ECONOMIC IMPACT STATEMENT:

☒ 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) <input checked="" type="checkbox"/> Amendment to existing rule(s) Repeal of existing rule(s) Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 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: 

OFFICIAL FILING STAMP 	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP 	OFFICIAL FILING STAMP 
Accepted for filing by: _____	Accepted for filing by:  #23493	Accepted for filing by: _____

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

MDMR Web Page Public Notice Published on June 20, 2018

4/public-notice/1225-title-22-part-01-area-6-reclassification-proposed-changes-062018


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

 MISSISSIPPI
DEPARTMENT OF MARINE RESOURCES
ENHANCE • PROTECT • CONSERVE

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Home » Communications » Public Notices » Title 22 Part 01 - Area 6 Reclassification - Proposed Changes

Public Notices

Title 22 Part 01 - Area 6 Reclassification - Proposed Changes

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on June 19, 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 1. Said Notice of Intent was filed with the Mississippi Secretary of State's office on June 19, 2018. A complete copy of Title 22 Part 1 and the proposed changes are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through July 16, 2018. All comments should be mailed to the MDMR, Attn: Charles Robertson, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: Charles.Robertson@dmr.ms.gov and delivered by 5:00 PM on July 16, 2018.

Complete description of proposed changes:

TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 1 RULES AND REGULATIONS FOR SHELLFISH HARVESTING, TAGGING, LANDING, UNLOADING, TRANSPORTING, RELAYING, MANAGEMENT, AREA CLASSIFICATION, AND OTHER SHELLFISH RELATED ACTIVITIES IN THE STATE, AND THE LEASING OF TERRITORIAL WATERS UNDER THE JURISDICTION OF THE STATE OF MISSISSIPPI

Chapter 17 Management Plan for Shellfish Growing Waters

100.01.05.05 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 safe to consume and the shellfish have gone through a sufficient time interval to permit natural biological clearance.

Chapter 18 Classification and Description of Shellfish Growing Areas Waters

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



100.05.01 All waters enclosed by the following described line of the Pascagoula River system north of the C&N railroad bridge to the 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 north through the southernmost point on the western shore of Lee to Bush; thence, continuing due south to intersect the above described west-east restriction line running from Biloxi East Channel Light 8 to Pascagoula Channel Light 23; thence, running due east along that restriction line toward Pascagoula Channel Light 23 intersecting the Area 6 eastern boundary prior to reaching Pascagoula Channel Light 23; 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

Wetland Permitting Public Notices

PUBLIC NOTICE OF APPLICATION FOR COASTAL WETLANDS PERMIT AND WATER QUALITY CERTIFICATION

Share This

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Legal Notice Appeared in the Sun Herald on July 3, 2018

Ad Order Information

Ad Number 0003743934-01	Ad Type BLX-Legal Liner	Production Method AdBooker	Production Notes	
External Ad Number	Ad Attributes	Ad Released No	Pick Up	
Ad Size 1 X 171 3	Color			
<hr/>				
Product BLX- SunHerald		Placement 0000 - Legal Classified	Times Run 1	Schedule Cost \$100.44
Run Schedule Invoice Text The Mississippi Department of Marine Resources		Position 0001 - Legal & Public Notices		
Run Dates 07/03/2018				

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TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 1 RULES AND REGULATIONS FOR SHELLFISH HARVESTING, TAGGING, LANDINGS, UNLOADING, TRANSPORTING, RELAYING, MANAGEMENT, AREA CLASSIFICATION, AND OTHER SHELLFISH RELATED ACTIVITIES IN THE STATE, AND THE LEASING OF TERRITORIAL WATERS UNDER THE JURISDICTION OF THE STATE OF MISSISSIPPI

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.

Chapter 18 Classification and Description of Shellfish Growing Areas Waters

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

100.05.01 All waters enclosed by the following described line: at the Pascagoula River system north of the CSX railroad bridge to the 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 Biche, 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 B western boundary point to

Public Comments

- Notice of Intent Published on June 19, 2018
- Public Comment period June 20, 2018 through July 16, 2018 (27 days)
- To-date no public comments have been received

Required:

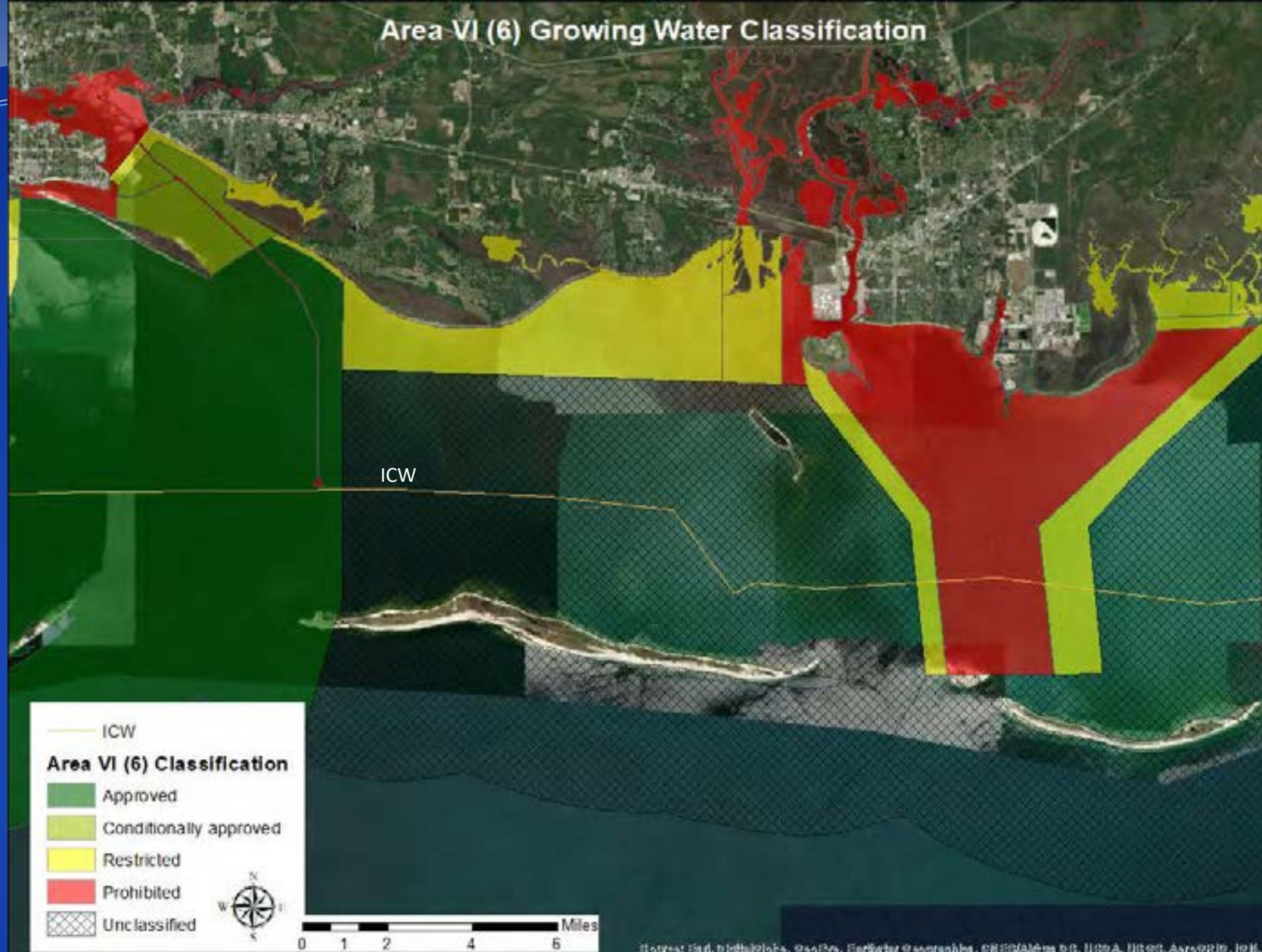
A motion for final adoption of regulatory changes to Title 22
Part 1 Updated Regulatory Language
for Shellfish Program.

-

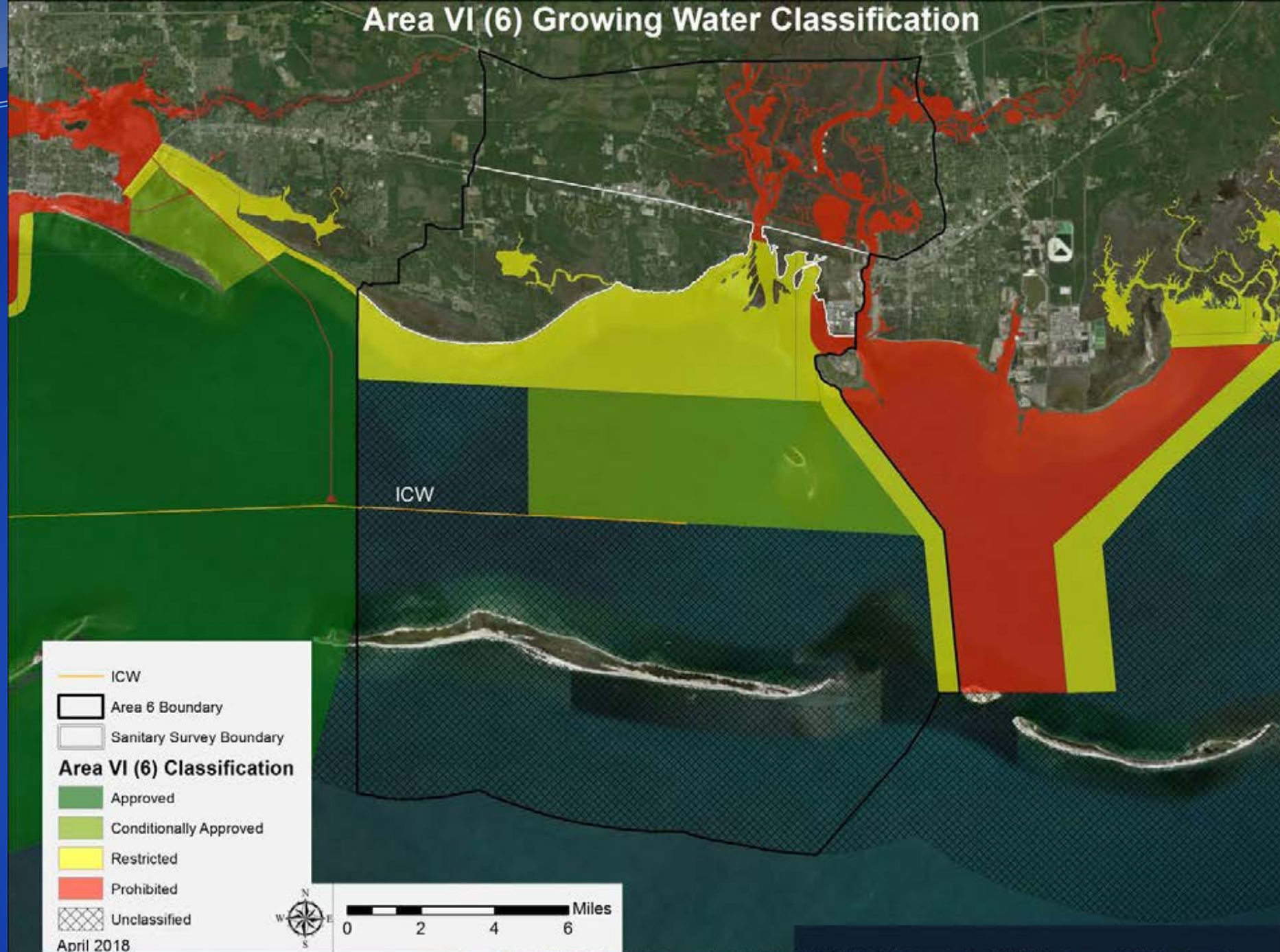


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Area VI (6) Growing Water Classification

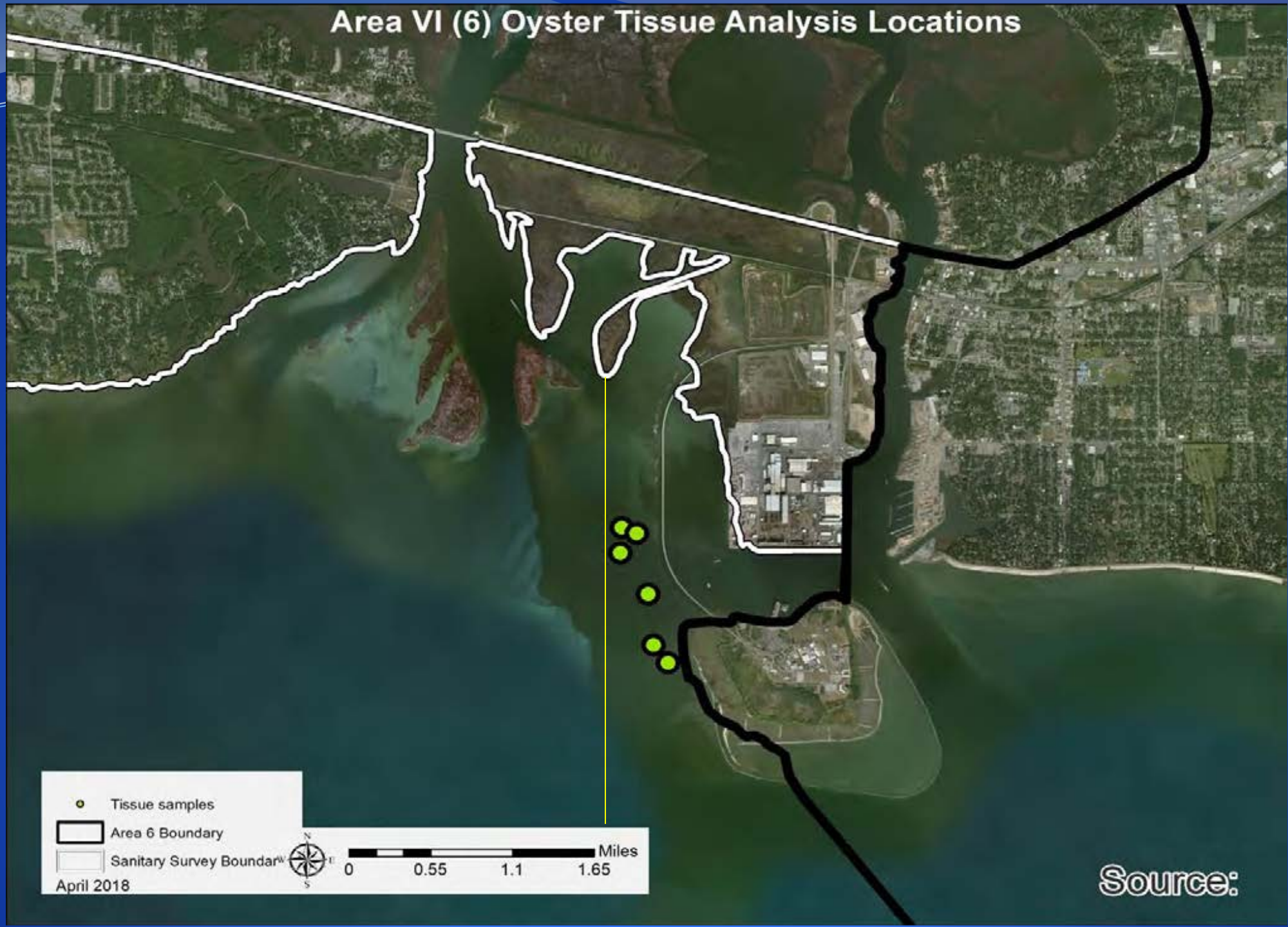


Area VI (6) Growing Water Classification



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, GeoMapping, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

Area VI (6) Oyster Tissue Analysis Locations



Source:



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Oyster Depuration Overview

Ruth Posadas
July 17, 2018

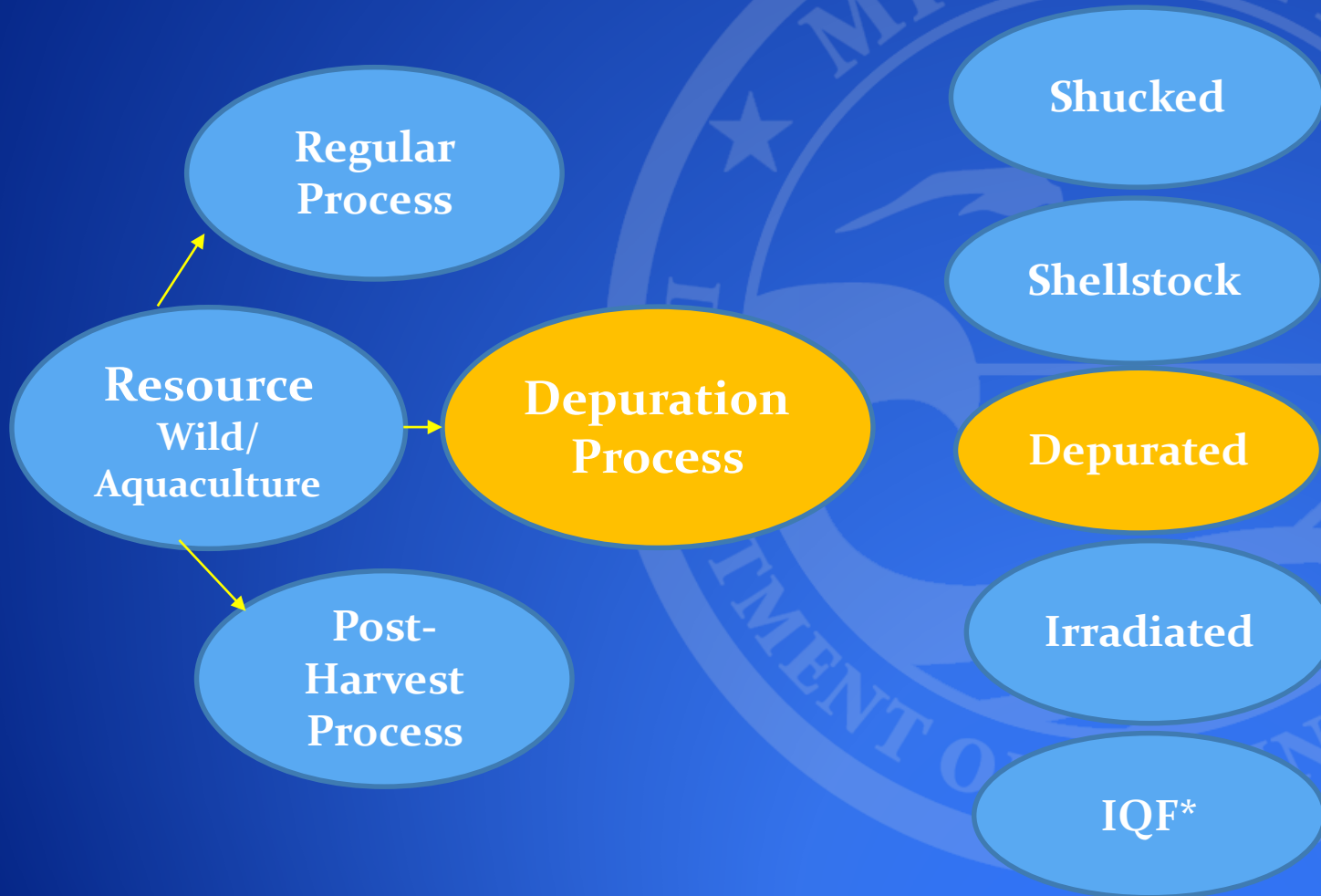
Background

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.

Needed Actions

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

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)

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

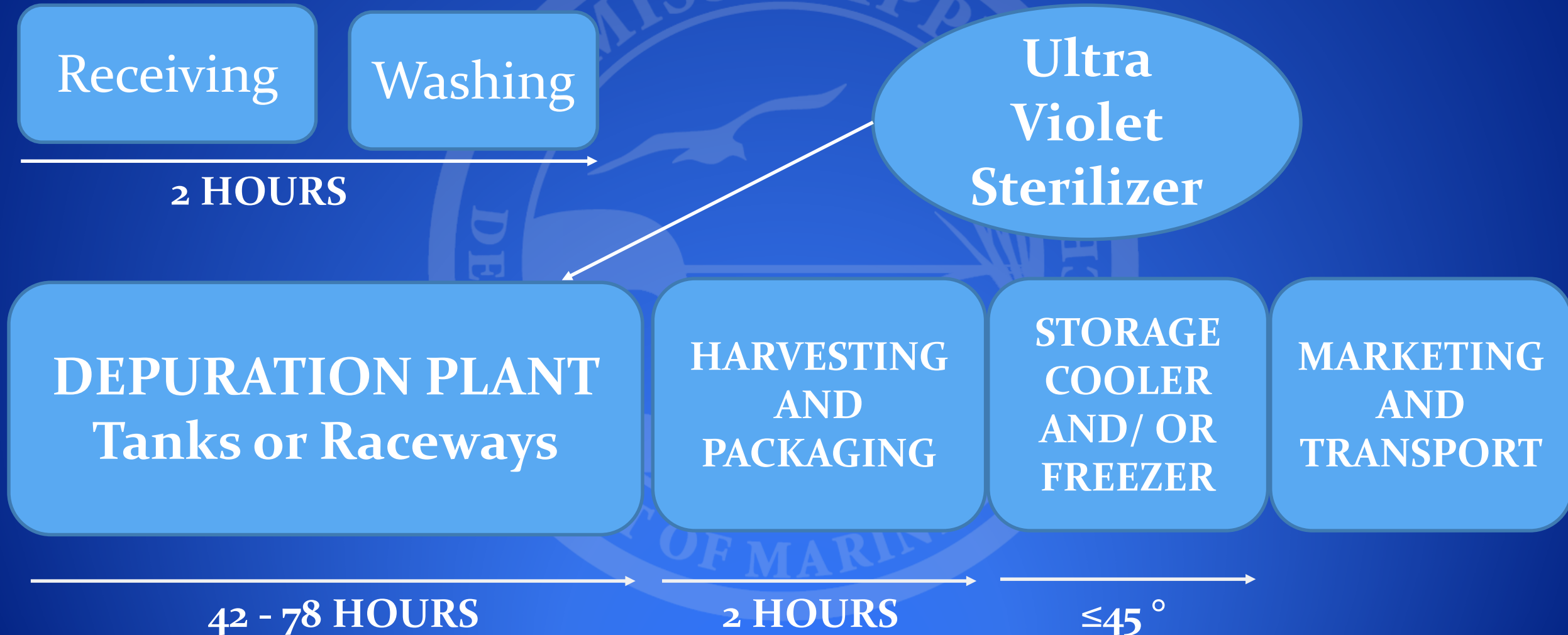
**Estimated
Oysters in
Jackson County:**

37,588 sacks *

Area 6

2017

Facility Operation



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:

0-20 units

pH: 7.0 – 8.4

Temperature:

$\leq 60.7^{\circ}\text{F}$ / 77°F

American Oyster spawns $\geq 60.7^{\circ}\text{F}$
Gulf of Mexico Oysters $\geq 77^{\circ}\text{F}$

Dissolved Oxygen:

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

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.

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

QUESTIONS?

-

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ENHANCE ★ PROTECT ★ CONSERVE

State Saltwater Fishing Record

Jonathan Barr
July 17, 2018

K.8.

The logo of the Mississippi Department of Marine Resources is a circular seal. It features a blue background with a white outline. Inside the circle, there is a stylized white bird in flight, a white fish, and white wavy lines representing water. The word "MISSISSIPPI" is written in a semi-circle at the top, and "DEPARTMENT OF MARINE RESOURCES" is written in a semi-circle at the bottom. Two white stars are positioned on the left and right sides of the circle.

Conventional Tackle

ENHANCE ★ PROTECT ★ CONSERVE

New State Saltwater Fishing Record

Graysby

Cephalopholis cruentata

New Record: 1 lbs. 9.93 oz.

Angler: Matt Glenn



ENHANCE ★ PROTECT ★ CONSERVE



ENHANCE ★ PROTECT ★ CONSERVE

Required: Motion to Adopt New State Record.

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