Commission on Marine Resources
August Meeting
August 21, 2018
DEPARTMENT OF MARINE RESOURCES MARINE PATROL REPORT
TO THE COMMISSION ON MARINE RESOURCES
AUGUST 21, 2018

OYSTER VIOLATION CITATIONS
Total- 0
FY 19 YTD: 0
FY 18 YTD: 0
Courtesy Citations-1
Verbal Warnings-0

SHRIMP VIOLATION CITATIONS
Total-0
FY 19 YTD: 0
FY 18 YTD: 1
Courtesy Citations-0
Verbal Warnings-0

CRAB VIOLATION CITATIONS
No Commercial Crab License- 1
Total-1
FY 19 YTD: 1
FY 18 YTD: 6
Courtesy Citations-0
Verbal Warnings-0

LIVE BAIT VIOLATION CITATIONS
Total-0
FY 19 YTD: 0
FY 18 YTD: 0
Courtesy Citations-0
Verbal Warnings-0

NET FISHING VIOLATION CITATIONS
Total-0
FY 19 YTD: 0
FY 18 YTD: 0
Courtesy Citations-0
Verbal Warnings-0
MISCELLANEOUS COMMERCIAL SEAFOOD VIOLATION CITATIONS
No Commercial Seafood Dealer’s License- 1
Sale of Spotted Sea Trout in a Closed Season- 2
Commercial Activity North of CSX- 1
Purchase of Recreationally Harvested Finfish- 10
Purchase of Spotted Sea Trout in Closed Season- 1
Purchase of Red Drum in Closed Season- 3
No Fresh Product Permit- 1
No Spotted Sea Trout Endorsement- 1
No Invoice for Red Drum- 1
No Invoice for Spotted Sea Trout- 1
Total-22
FY 19 YTD: 22
FY 18 YTD: 6
Courtesy Citations-1
Verbal Warnings-0

FISHING VIOLATION CITATIONS
No Saltwater Fishing License- 19
No Non-Resident Saltwater Fishing License- 1
No Federal Reef Fishing Permit- 1
Possession of Undersized Spotted Sea Trout- 3
Possession Over the Limit Spotted Sea Trout- 2
Possession of Undersized Red Drum- 2
Possession of Undersized Sheepshead- 1
Possession of Undersized Large Coastal Shark- 1
Possession of Undersized Small Coastal Shark- 1
Possession of Prohibited Shark Species- 1
Possession of Red Snapper during closed Season- 2
Possession Over the Limit Red Snapper- 1
Possession of Red Snapper without a Landing Permit- 9
Total- 44
FY 19 YTD: 44
FY 18 YTD: 79
Courtesy Citations- 4
Verbal Warnings-0

BOAT AND WATER SAFETY VIOLATION CITATIONS
Insufficient PFD’s- 5
Child Under 12 Without PFD- 4
No Boater Safety Card- 2
No Navigation Lights- 3
No Fire Extinguisher- 1
No Flare Kit- 2
Skiing without an Observer- 1
Reckless Operation- 1
Bow Riding- 5
Wake Zone Violation- 5
Negligent Operation/Jumping Wake- 2
Negligent Operation Involving Alcohol- 1
BUI- 4
Total- 36
FY 19 YTD: 36
FY 18 YTD: 60
Courtesy Citations-13
Verbal Warnings-2

MARINE LITTER VIOLATION CITATIONS
Total-0
FY 19 YTD: 0
FY 18 YTD: 0
Courtesy Citations-0
Verbal Warnings-0

WETLANDS VIOLATION CITATIONS
Operating a Vehicle on Wetlands- 2
Total-2
FY 19 YTD: 2
FY 18 YTD: 0
Courtesy Citations-0
Verbal Warnings-0

MISCELLANEOUS VIOLATION CITATIONS
Failure to Comply- 2
Public Profanity/Drunkenness- 2
Total-4
FY 19 YTD: 4
FY 18 YTD: 7
Courtesy Citations-0
Verbal Warnings-0

TOTAL VIOLATIONS CITED: 109
FY 19 YTD: 109
FY 18 YTD: 159

TOTAL COURTESY CITATIONS:
Fishing- 4
Boat and Water Safety-13
Oyster- 1
Misc. -1
Total- 19
TOTAL VERBAL WARNINGS:
Boat and Water Safety-2
Total-2

TOTAL COURTESY CITATIONS/VERBAL WARNINGS:
(2 verbal/ 19 courtesy citations)
Total-21
FY 19 YTD: 21
FY 18 YTD: 69

TOTAL STOPS: 3199
FY 19 YTD: 4646
FY 18 YTD: 4646

INCIDENT REPORTS FOR JULY 2018:

BOATING ACCIDENTS WITHOUT INJURIES: 7
There were seven boating accidents without injuries during the month of July. These accidents included three vessels sinking one at Round Island, one at Cat Island and one at the mouth of Bayou Casotte. There were two accidents involving vessels colliding with each other, one at the Shingle Mill Landing and one near Casino Row. There was one incident of a vessel hitting an object in the water near Broadwater Marina in Biloxi. The last accident occurred in the Bay St. Louis Harbor when a vessel caught on fire.

BOATING ACCIDENTS WITH INJURIES: 1
There was one boating accident with minor injuries during the month of July when a jet ski ran into a bulkhead in the Tchoutacabouffia River.

Total Accidents-8
FY 19 YTD: 8
FY 18 YTD: 4

TOTAL WATER INCIDENTS: 0
FY 19 YTD: 0
FY 18 YTD: 0

TOTAL FATALITIES (Boating and Non-Boating): 0
FY 19 YTD: 0
FY 18 YTD: 0

DIVE ACTIVITY: During the month of July the Dive Team was activated for response during the entire weekend of the Blue Angels Over Biloxi Air Show. Also, during the month of July the Dive team had one member to receive open water certification.
ASSISTS WITH PUBLIC SAFETY CONCERNS:

Assists to Another Agency- 21
Overturned Vessel- 2
Overdue Boater- 1
Kayak Taking on Water- 2
Domestic Dispute- 2
Assist to Swimmers- 3
Assist to Boaters in Distress/Tow-Ins- 9
Boaters Trespassing-1
Abandoned Vessel- 1
Missing Child- 1
Alligator in Public Area-3
Vehicle Fire- 1
Sunken Vessel – 1
Altercation Between Boaters- 1
Debris in Water- 4
Reckless Jet Ski- 1
Dolphin in Distress- 1
Vehicle in the Water-2
Injured Seagull- 3
Medical Emergency- 4
Vessel Afloat- 2
Vessel hit Bridge- 1
Shots Fired from a Boat- 1
Total- 68
FY 19 YTD: 68
FY 18 YTD: 61

MISCELLANEOUS COMPLAINTS/REPORTS:

Assist to Motorist- 2
Oil Sheen/ Suspicious Residue- 4
Theft of Crab Traps- 3
Vessel Blocking Channel/Slip- 4
Vessel Anchored in the Channel- 1
Hazard to Navigation-4
Oil/Diesel Spill- 2
Welfare Check- 1
Boaters Playing Loud Music-1
Overturned Vessel- 1
Derelict Vessel- 2
Suspicious Boaters-3
Illegal Fishing Activity- 1
Suspicious Net Boaters-1
Wetlands Violation- 1
Total- 31
FY 19 YTD: 31
FY 18 YTD: 59
Request for Permit by:
MSDMR-Beneficial Use Group
File: DMR-090302

- Location: Mississippi Sound-north side of Deer Island, Biloxi, Harrison County, MS
- Use District: (P) Preservation District
The applicant is proposing to create a 70-acre Beneficial Use (BU) of dredged material site for placement of dredged material in accordance with MS Code 49-27-61.

- Fill: Approximately 70 acres of Coastal Wetlands (unvegetated waterbottoms) with suitable dredged material

- Dredging: Two (2) access channels each approximately 1,000’ X 60’ to a depth of 10 feet below mean lower low water (MLLW). Approximately 17,780 cubic yards.
Figure 3
Deer Island Chenier and Beneficial Use Cell 3 Overview
Beneficial Use of Dredged Material Program
Mississippi Department Marine Resources
Figure 2
Deer Island Chenier and Beneficial Use Cell 3
Beneficial Use of Dredged Material Program
Mississippi Department Marine Resources
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
  
  - The project site will provide an additional location for the placement of dredged material. The material will eventually provide additional habitat and keep sediments from being disposed of in upland locations. Use of these BU sites is also less expensive to the municipalities and the companies performing dredging projects.
Applicable Decision Factors
continued

• b) Coastal Wetlands Use Plan...
  • The project will not affect the Preservation (P) designation as the area will be still be part of the Deer Island Coastal Preserve.
Applicable Decision Factors
continued

- c) Variance to the MS Coastal Program...
  - Ch. VIII, Sect. 2, Part III.O.1.
    - “Permanent filling of coastal wetlands because of potential adverse and cumulative environmental impacts is discouraged.”
  - Justified under Ch. VIII, Sect. 2, Part I.E.2.c.i.
    - Impacts to Coastal Wetlands would be no worse than if the guidelines were followed
      - The project would replace an area that is currently unvegetated, barren water bottom with 70 acres of productive marsh and beach/dune habitats.
Applicable Decision Factors
continued

• d) Precedent setting effects…
  • Two previous BU projects have been permitted adjacent to Deer Island. No precedent setting effects are expected with the project.
Applicable Decision Factors

continued

• e) The extent to which the proposed activity affects biological integrity of coastal wetlands...
  
  • Transform approximately 70 acres of unvegetated waterbottoms and eroding shoreline to productive marsh and beach/dune ecosystems
  
  • Provide additional habitat for marine organisms of recreational and commercial importance along with additional habitat for shorebirds
  
  • No shellfish or SAV were found in the project area
Applicable Decision Factors
continued

• f) The full extent of the project...
  While the main purpose of the project is to provide a location for the placement of dredged material, this project is also intended to complement other previous efforts to restore critical habitats on Deer Island.
g) Adverse impacts that can be avoided through modifications, safeguards, etc...

- Best Management practices will be utilized during all phases of construction
- All dredged material proposed for placement into the site will be tested for suitability prior to placement at the location.
- While pumping dredged material into the site is preferred, it may be necessary to dredge access channels for contractors who can only place material by mechanical methods.
Applicable Decision Factors continued

h) Alternative sites available...
   - Rejected due to:
     - Presence of SAV
     - Private ownership
     - Need for hardened containment
Applicable Decision Factors

continued

• i) The extent to which a proposed activity requires a waterfront location...
  • For the creation of marsh and beach/dune habitats a waterfront location is required.
Applicable Decision Factors
continued

• j) The preservation of natural scenic qualities...

  • The project abuts the northern shore of Deer Island which has and continues to undergo significant erosion. The project involves the creation of habitats that are native to this area and should either improve or have no adverse impact on the scenic qualities of the area.
Applicable Decision Factors

continued

I) Comments…

- Public Notice
  - Notification of the project appeared in the *Sun Herald* on July 2, 8, and 15, 2018 and on the MDMR Website
    - No public comments were received
- MS DEQ: Reviewing the project
- MS DAH: No objections as long as work is entirely below MHT
- MS SOS: No comments/objection
- MS DWFP: No comments
Recommendation

- Based upon departmental review and evaluation, staff recommends that the CMR approve the applicant’s variance and permit request contingent on 401 Water Quality certification from DEQ.
Request for Permit Extension by:
Diamondhead Corporation
File: DMR-100129

- Location: Paradise Bayou, Diamondhead Marina, and accessory canals in Diamondhead, Hancock County, MS

- Use District: (G) General Use and (C) Commercial Fishing and Recreational Marinas District
The applicant is requesting to extend an existing maintenance dredging permit for one (1) year until September 17, 2019. The previous Permit authorized:

- Maintenance Dredging

- Approximately 150,000 cubic yards of material from Paradise Bayou, Diamondhead Marina, and accessory canals on the south side of Diamondhead
Project Chronology

- **September 17, 2013**: CMR approved applicant’s request to dredge approximately 150,000 cubic yards of material

- **August 15, 2018**: Applicant submitted a one (1) year extension to the Permit
Recommendation

- Based upon departmental review and evaluation, staff recommends that the CMR approve the applicant’s request to extend the Permit for an additional year (September 17, 2019).
Request for Permit Modification by:
MS Department of Marine Resources
File: DMR-090383

- Location: Restoration area 72 on Back Bay of Biloxi, in Jackson County, MS.

- Use District: (S-1) Natural and artificial reefs
Project Purpose/Need

• The purpose of the modification is to experiment with the use of different cultch material and relief densities to help MDMR achieve the overall oyster reef restoration project.
Project Description

- Approximately 23,930 acres of existing and historical reefs were authorized in June 2016 to be restored with cultch material. Material was authorized to be placed at a density of 100 cubic yards per acre, totaling no more than 350,000 cubic yards of material within Phase I. This density ensured less than 6 inches of relief of cultch materials across the bottom of each restoration site.

- The applicant was granted a variance to Chapter 8, Section 2, Part III.O.1. of the Mississippi Coastal Program for filling of Coastal Wetlands. The MDMR also adjusted the Coastal Wetlands Use Plan by changing all the areas identified by the MDMR as public oyster reefs open to seafood harvest, and suitable for restoration, to a Special Use District S-1 classification (Special Use – Natural and artificial oyster reefs).

- The applicant has requested to modify restoration area 72 to allow a maximum 18 inches of relief (average relief of 8 inches). This will result in the cultch density increasing from 100 cubic yards per acre to 1,080 cubic yards per acre within the three (3) experimental plots, which covers 30 acres.
Comments

- Public Notice
  - Notification of this project appeared in *The Sun Herald* on July 15, July 22, and July 29, 2018.
  - One comment was received in favor of the project

- MS DEQ: Currently reviewing the project
- MS DAH: No Objections
- MS SOS: No comment
- MS DWFP: Recommends that if best management practices are implemented, and no submerged aquatic vegetation habitat is impacted, the proposed project likely poses no threat to the listed species of concern known to occur within 2 miles of the proposed project
Recommendation

- The modification to increase the relief and density in area 72 has not changed the findings made on the previous decision factors presented to the CMR on June 21, 2016. Based upon departmental review and evaluation, it has been determined that the project is consistent with the MS Coastal Program because it will have a significant public benefit. Therefore, staff recommends approval of this modification request contingent on water quality certification from MDEQ.
Title 22 Part 23
RULES AND REGULATIONS FOR THE COASTAL WETLANDS PROTECTION LAW AND THE MISSISSIPPI COASTAL PROGRAM
Final Adoption
Willa Brantley
August 21, 2018
CMR Passed Notice of Intent on July 17, 2018

Notice of Intent Filed with the SOS on July 19, 2018
Notice on DMR Website
July 20, 2018
Legal Notice
Appeared in the
Sun Herald on
July 29, August 5, and August 12, 2018
Public Comments

• Notice of Intent Published on July 19, 2018
• Public Comment period July 19th through August 20th, 2018 (32 days)
• To date, no public comments have been received
Required:
A motion for final adoption of
Title 22 Part 23
Mississippi
Department of Marine Resources
Agency Financial Results
as of July 31, 2018
Commission on Marine Resources
August 21, 2018
Key Metrics:

- State Revenue of $3M
- Agency Revenue of $3M
- State Net Income of $2.7M
- Agency Net Income of $2.5M

### MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
Income Statement - Fiscal Year 2019
As of July 31, 2018

<table>
<thead>
<tr>
<th>Revenue:</th>
<th>Federal:</th>
<th>Operating:</th>
<th>Tidelands</th>
<th>Total DMR</th>
</tr>
</thead>
<tbody>
<tr>
<td>State</td>
<td>State</td>
<td>Subtotal</td>
<td>Tidelands</td>
<td>Total DMR</td>
</tr>
<tr>
<td>Transfer in from Other Governments</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Off-road Fuel Tax</td>
<td>3,050,000</td>
<td>3,050,000</td>
<td>-</td>
<td>3,050,000</td>
</tr>
<tr>
<td>Federal Grants</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Sales Revenue</td>
<td>11,735</td>
<td>11,735</td>
<td>125</td>
<td>11,860</td>
</tr>
<tr>
<td>Indirect Cost Recovery</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other Revenue</td>
<td>996</td>
<td>996</td>
<td>-</td>
<td>996</td>
</tr>
<tr>
<td>Current Budget Year Revenue</td>
<td>3,062,731</td>
<td>3,062,731</td>
<td>125</td>
<td>3,062,856</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Expenditures:</th>
<th>State</th>
<th>Subtotal</th>
<th>Tidelands</th>
<th>Total DMR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries, Wages, Fringe</td>
<td>236,080</td>
<td>329,431</td>
<td>45,285</td>
<td>374,716</td>
</tr>
<tr>
<td>Travel</td>
<td>533</td>
<td>3,069</td>
<td>1,028</td>
<td>4,097</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>35,539</td>
<td>63,018</td>
<td>34,740</td>
<td>97,758</td>
</tr>
<tr>
<td>Commodities</td>
<td>7,079</td>
<td>8,134</td>
<td>1,721</td>
<td>9,856</td>
</tr>
<tr>
<td>Other than Equipment</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Equipment</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Vehicles</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Wireless Devices</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Subsidies, Loans, and Grants</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Current Budget Year Expenditures</td>
<td>279,231</td>
<td>403,653</td>
<td>82,774</td>
<td>486,427</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Budget Year Net Income/(Loss):</th>
<th>State</th>
<th>Subtotal</th>
<th>Tidelands</th>
<th>Total DMR</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 2,783,500</td>
<td>(124,421)</td>
<td>$ 2,659,078</td>
<td>(82,649)</td>
<td>$ 2,576,429</td>
</tr>
</tbody>
</table>
Financial Budget Comparison

- After one month of Fiscal Year 2019:
  - Operating Funds have 98.6% of Budget remaining
  - Tidelands Trust Fund has 99.2% of Budget remaining

<table>
<thead>
<tr>
<th>Expenditures</th>
<th>Actual Year to Date Expenditures</th>
<th>Budget Year Totals</th>
<th>Percent Remaining</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Operating</td>
<td>Tidelands</td>
<td>Total</td>
</tr>
<tr>
<td>Salaries, Wages, Fringe</td>
<td>$329,431</td>
<td>$45,285</td>
<td>$374,716</td>
</tr>
<tr>
<td>Travel</td>
<td>3,069</td>
<td>1,028</td>
<td>4,097</td>
</tr>
<tr>
<td>Contractual Services</td>
<td>63,018</td>
<td>34,740</td>
<td>97,758</td>
</tr>
<tr>
<td>Commodities</td>
<td>8,134</td>
<td>1,721</td>
<td>9,856</td>
</tr>
<tr>
<td>Equipment</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Vehicles</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Wireless Devices</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Subsidies, Loans, and Grants</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Expenditures:</strong></td>
<td>$403,653</td>
<td>$82,774</td>
<td>$486,427</td>
</tr>
</tbody>
</table>
The MS Department of Marine Resources was mentioned 25 times in local, state and national media since the July CMR meeting. Popular news items included the Blues over Biloxi Air Show, shrimp season and Red Snapper season.

Marine Patrol taught five boat-and-water safety classes and certified 101 students. So far in FY19, officers have taught five classes and certified 101 students.

Marine Patrol also participated in the community outreach event, Summer Jamboree, through the City of Gulfport. The Marine Patrol officer met with hundreds of children from throughout the community. There were also two fishing rodeos and tournaments that Marine Patrol, along with the Office of Marine Fisheries, attended. These were the Carl Leggett Fishing Tournament in Biloxi and the Horn Island CCA kids fishing rodeo in Pascagoula.

Our staff also participated in various events in the community. Public Affairs took part in the City of Gulfport’s Cinema by the Shore event. Mike Pursley in the Office of Coastal Resources Management gave a presentation on invasive species at the MS Pollinator Training workshop.

The annual Mississippi Wildlife Extravaganza was held August 3-5 in Jackson. The agency was on hand each day at the extravaganza meeting with attendees and distributing our rules and regulations publication, fish ruler stickers, fish posters and other informational pieces to the public.
Title 22 Part 7 Chapter 9
Spotted Seatrout Endorsement

Final Adoption
Matt Hill
August 21, 2018
CMR Passed Notice of Intent on July 17, 2018

Notice of Intent Filed with the SOS on July 18, 2018
Legal Notice Appeared in the Sun Herald on August 11, 2018
Public Comments

- Notice of Intent Published on July 18, 2018
- Public Comment period July 19th through August 20th, 2018 (33 days)
- To date, three (3) public comments have been received
July 25th – Ernest Cook: I’d like to suggest reducing the limit to 10….this would definitely cut down on how many a Sport fisherman would have to sale. And in all fairness reduce length to 14”. Also, no Commercial finish harvesting on the weekends….Recreational limits only Friday Midnight until Sunday Midnight.
August 10th—Mark Watts: This proposed regulation will make it virtually impossible for the part time fisherman to obtain an endorsement. All this proposal will do is take away the rights of the part time fisherman to participate in the allowable catch and give it to the full time or low income commercial fishermen.
August 20th- Mississippi Commercial Fisheries United: Supports regulatory change because it provides stronger protections for bona-fide commercial fishermen. The current quota is inadequate to support current effort. MSCFU does not oppose the inclusion of charter boat income to qualify.
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 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.
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.
Current Endorsements

Upon final adoption of the proposed regulation change to Title 22 Part 7 Section 110 all Spotted Seatrout Endorsements shall expire October 31, 2018.
Required:
Motion for Final Adoption of Regulatory Changes to Title 22 Part 7 Chapter 9 Section 110 Changes to Spotted Seatrout Endorsement.
Motion to withdraw Final Adoption of Regulatory Changes to Title 22 Part 7 Chapter 9 Section 110 Changes to Spotted Seatrout Endorsement.
Motion to bring back next month language regarding charter boat industry.
Motion to bring back language that addresses the 20% and different qualifiers for the endorsement.
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 and/or charter for hire 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.
Title 22 Part 5 Chapter 4

One-Mile Commercial Net Exclusion Zone Around Cat Island Update

Joe Jewell
August 21, 2018
Section 100

No person, firm, or corporation shall fish for any fish or shellfish in any water or stream within the State of Mississippi except as permitted by permit or license issued by the Secretary of the Department of Marine Resources. Any violation of this section shall be punishable by a fine of not less than $100 nor more than $500. Additionally, the Secretary may, in his or her discretion, impose other penalties or restrictions on the person or corporation violating this section.

Section 101

Any person, firm, or corporation that violates any of the provisions of this section shall be subject to a fine of not less than $100 nor more than $1,000. The Secretary of the Department of Marine Resources may, in his or her discretion, impose other penalties or restrictions on the person or corporation violating this section.
CMR Passed Notice of Intent on July 17, 2018

Notice of Intent filed with the SOS Office on July 18, 2018
MDMR Web Page Public Notice Published on July 19, 2018
Legal Notice Appeared in the Sun Herald on July 29, 2018
Public Comments - Summary

- Notice of Intent Published on July 18, 2018
- Public Comment period July 19th through August 20, 2018 (33 days).
- To date, nine-hundred and three (903) public comments have been received.
- Seventy (70) [14-17-38-1=70] requests for a public hearing were made.
- A Public Hearing has been scheduled for Wednesday September 5, 2018 at 6:00 p.m. in the Bolton Building Auditorium.
- Seventy (70) requests for an Economic Impact Statement to be conducted.
A total of nine-hundred and three (903) public comments have received concerning the proposed commercial net ban within one-mile of Cat Island.

1. Five-Hundred and seventy-one (571) comments support the commercial net ban around Cat Island.
2. Three-hundred and thirty-two (332) comments oppose the commercial net ban around Cat Island.
3. Two groups support the ban: HOSSFLY and the Sierra Club.
4. One group opposes the ban: Mississippi Commercial Fisheries United.
Summary of Public Comments Supporting the commercial net ban around Cat Island

Five-Hundred and seventy-one (571) comments in support of the commercial net ban around Cat Island.

- Limit commercial fishing to weekdays – no commercial fishing on the weekends.
- Oppose commercial net fishing around Cat Island.
- Support commercial hook-and-line fishing.
- Ban all commercial nets in Mississippi.
- Reduce the total numbers of Haul Seines and Gill Nets.
- Opposition to selling commercially caught SST out of state.
- Commercial hook-and-line should abide by the same size and quantity limits as the recreational fisherman and should not be allowed to sell over 30 trout per day.
- Require all commercial fishermen and Seafood Markets to fill out and submit Trip Tickets.
Summary of Comments Received from CCA Site Using Form Email

A total of 487 Comments have been received

Duplicate Comments:

• A total of 27 individuals commented twice (27 X 2 = 54)
• A total of 9 individuals commented three times (9 X 3 = 27)
• One person commented 4 times (1 X 4 = 4)

All duplicate comments equal 82 if considered one comment each would equal 37 comments

• Total comments = 487
• Total comments if only one comment each = 487 - (82-37=45) 45 = 442
Summary of Speckled Trout Petition Supporting Commercial Net Ban

On August 16th received Speckled Trout Petition hand delivered with a total of 118 signatures.

Summary of the comments on the form letter:

1. Ban all nets in MS waters for the catch & sell of speckled trout.
2. Commercial fisherman (Rod & Reel) who have endorsement will keep endorsement.
3. Commercial fishermen must abide by the same limits as the recreational fisherman and may only sell 30 speckle trout a day.
4. 50,000 pound quota would remain the same.
Summary of Public Comments Opposing the Commercial Net Ban around Cat Island – MCFU Petition

On August 6th Ryan Bradley submitted 17 comments on a form letter and again on August 13th submitted the form letter with 38 comment. Summary of the comments on the form letter:

1. Opposes the proposed fish net ban on Cat Island.
2. Requests an oral hearing be held on this proposed regulatory change.
3. Requests that an Economic Impact Statement be conducted.
4. Request that best available science be available and be considered with this proposal.

On August 20th Ryan Bradley submitted 14 comments on a form letter for a total of: 69

Example of form letter

Mississippi Department of Marine Resources
1141 Bayview Avenue
Biloxi, MS 39530

I oppose regulatory changes being proposed by the Mississippi Commission on Marine Resources to Title 22 Part 5, Chapter 4 that would make it 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, or any other like contrivances within an area formed by a line running one (1) mile from the shoreline of Cat Island. This proposed regulation will have a severe adverse impact on my commercial fishing business and affect my ability to make a living commercial fishing. I request that an oral proceeding be held before final adoption of this proposed regulation is voted upon. Due to the fact that this regulation is likely to have an adverse economic impact to the commercial fishing industry in excess of $120,000.00 in total I request that an economic impact statement be conducted. I also request that the need for this proposed regulation be clearly compared and that the best available science supporting the proposed regulation be presented before this proposed rule is considered for final adoption.

Name: Edith Price
Address: 4390 Calhoun Circle
Email Address: Phone number: 228-20 96 803
Signature: Edward Under

(Pages: 17+38+14=69)
1. Proposed changes is not consistent with standards for fishery conservation and management as required by SS 49-15-2.

2. No valid reason for the proposed regulation was stated publicly.

3. The Notice of Intent for the proposed regulation was not properly authorized by the Commission on Marine Resources.

4. The approval of the Notice of Intent for the proposed regulation is arbitrary and Capricious.

5. The proposed regulation has a disparate impact against a certain class of commercial fishermen in violation of the Fourteenth Amendment to the United States Constitution.
1. Where’s all the data for closing these waters my guess there is no data.
2. Because I’m a fisherman in Mississippi I support my family with my boats and this would put a burden on my income.
3. We need commercial fishing to stay here in the USA and provide America our fish. Keep the nets.
4. CCA is the enemy of hard working commercial fishermen. They won’t be happy until all seafood is imported.
Summary of Public Comments Opposing the Commercial Net Ban around Cat Island, Cont.

- Would like the MDMR to take into consideration that this would have a large financial impact on the local economy.
- No Scientific basis to support this action and is purely discriminatory.
- If CMR is truly concerned about SST on Cat Island then should conduct a scientific survey to determine how each user group has on Cat Island SST.
- Will have great economic impact on commercial fishermen and the local economy.
- This action will reallocate resource from one user group to another.
- Recreational fishermen have it all and now they want to take away Cat Island.
- If enacted will further reduce commercial fishermen’s area to fish.
- Finds it highly discriminatory as a net fishermen when other commercial activities can continue such as charter fishing, rod and reel fishing, crabbing and shrimping.
- Has large investment in commercial gear (boats, motors,
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.
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.

101.08 101.09 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 ½) inch stretch or larger, and it shall be unlawful for any boat to use more than one (1) such net.

101.09 101.10 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 (½) inch square, one (1) inch stretch or larger.

101.10 101.11 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.
Questions?
Title 22 Part 20 Chapter 21
Revocation of Spotted Seatrout Endorsement under Certain Penalties
Notice of Intent

Joe Jewell
August 21, 2018
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.

July 17th CMR tabled agenda item K.3. Revocation of SST Endorsement under Certain Penalties till August CMR Meeting pending further review.
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.
Required:

A motion for a NOI for modification to Title 22 Part 20 Chapter 21 Section 104 including language to revoke SST Endorsement under certain penalties.

A motion for a NOI for modification to Title 22 Part 20 Chapter 21 Section 104 to include Endorsements under certain penalties. Add Section 105 to read that 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.
The CMR may revoke any person’s, firm’s, or corporation’s Spotted Seatrout Endorsement for violating any of the endorsement’s regulating provisions.
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.
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.
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.
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.
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.
CMR Passed Notice of Intent on July 17, 2018

Notice of Intent filed with the SOS Office on July 18, 2018
MDMR Web Page Public Notice Published on July 19, 2018
Legal Notice Appeared in the Sun Herald on July 29, 2018
Public Comments

• Notice of Intent Published on July 18, 2018
• Public Comment period July 19, 2018 through August 20, 2018 (33 days)
• To-date no public comments have been received
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.
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 final adoption of regulatory changes to Title 22 Part 1 Chapter 7 Hand Dredge Specifications.
Commercial Size Limit Change for Gag
Notice of Intent

Carly Somerset
August 21, 2018
NOAA NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Gulf of Mexico Fishery Bulletin
Bringing Fishing News to You

FRB 15-043
FISHERY BULLETIN ISSUE DATE: June 22, 2016
CONTACT: Ron Malinowski, 727-824-5334, ron.malinowski@noaa.gov

Final Rule to Modify Gulf of Mexico Spotted Seatrout and Gag Management Measures

KEY MESSAGE:
NOAA Fisheries announces a final rule modifying commercial and recreational spotted seatrout and commercial gag management measures in the Gulf of Mexico. The rule:
- Modify the annual catch limit for spotted seatrout.
- Remove the annual catch target.
- Decrease the spotted seatrout recreational bag limit.
- Increase the spotted seatrout commercial and recreational minimum size limit.
- Increase the gag commercial minimum size limit.

WHEN THIS RULE WILL TAKE EFFECT:
- Regulations become effective July 22, 2016.

WHAT THIS MEANS:
- The annual catch limit for spotted seatrout during 2016-2020 will be decreased from 205,000 pounds whole weight:
  - 133,320 pounds whole weight in 2017.
  - 143,584 pounds whole weight in 2018.
  - 154,416 pounds whole weight in 2019 and subsequent years.
- The annual catch target will be removed.
- The spotted seatrout recreational bag limit will be decreased from 10 fish per angler per day with the 15-inches total length minimum size limit to 8 fish per angler per day with the 10-inch total length minimum size limit.
- The spotted seatrout commercial and recreational minimum size limit will be increased from 16 inches total length to 18 inches total length.
- The gag commercial minimum size limit will be increased from 20 inches total length to 24 inches total length.

FORMAL FEDERAL REGISTER NAME: "NOAA NMFISH 2016-0003 Published June 22, 2016

FREQUENTLY ASKED QUESTIONS (FAQs)

Why are these changes needed?
- In 2015, a population assessment indicated spotted seatrout are not experiencing overfishing (loss of removal is not less than 10%) and are not overabundant (stock abundance is too high) in the adult population relative to previously estimated.
- Therefore, a reduction in spotted seatrout harvest (limit) is necessary to ensure that overfishing does not occur.
Title 22 Part 7 Chapter 9

Commercial Size, Possession and Catch Limits

Section 100

100.18 Gag Grouper – twenty-two (22) twenty-four (24) inches (total length)
Required:

A Motion for a Notice of Intent to Amend Title 22 Part 7 Chapter 9 Section 100 Subsection 100.18 commercial size limit for Gag.
Title 22 Part 7
Chapters 8 and 9

Commercial and Recreational Bag and Size Limit Changes for Mutton Snapper
Notice of Intent

Brittany Chudzik
August 21, 2018
Final Rule to Modify Gulf of Mexico Blenny, Mutton Snapper and Gag Management Measures

KEY MESSAGE:
NOAA Fisheries announces a final rule modifying commercial and recreational mutton snapper and commercial gag management measures in the Gulf of Mexico. The rule:
- Modifies the annual catch limit for mutton snapper.
- Increases the annual catch limit.
- Decreases the mutton snapper commercial bag limit.
- Increases the mutton snapper commercial and recreational minimum size limits.
- Increases the gag commercial minimum size limit.

WHEN THIS RULE WILL TAKE EFFECT:
- Regulations will be effective July 23, 2018.

WHAT THIS MEANS:
- The annual catch limits for mutton snapper during 2018-2020 will be decreased from 203,000 pounds whole weight to:
  - 124,424 pounds whole weight in 2018.
  - 124,200 pounds whole weight in 2019.
  - 103,994 pounds whole weight in 2020 and subsequent years.
- The annual catch limit will be increased.
- The mutton snapper commercial bag limit will be decreased from 10 mutton snapper per angler per day within the Mississippi aggregation bag limit to 5 mutton snapper per angler per day within the Mississippi aggregation bag limit.
- The mutton snapper commercial and recreational minimum size limits will be increased from 8 inches total length (TL) to 10 inches TL.
- The gag commercial minimum size limit will be increased from 22 inches TL to 24 inches TL.


FREQUENTLY ASKED QUESTIONS (FAQs)

Why are these changes needed?
- In 2018, a stock assessment indicated mutton snapper and gag were overfished. The rule establishes a total allowable catch (TAC) for mutton snapper and gag that is lower than the total commercial and recreational harvest in 2017 and the previous two years, and is consistent with the mutton snapper assessment results. Therefore, a reduction in mutton snapper harvest limits is necessary to ensure that overfishing does not occur.
Title 22 Part 7 Chapter 8

Recreational Bag, Possession and Size Limits

Section 100
100.11.02 Mutton Snapper (*Lutjanus analis*) – may possess five (5) within the ten (10) fish aggregate

Section 102
102.06 Mutton Snapper – eighteen (18) inches (total length)
Chapter 8 Section 102
Recreational Bag, Possession and Size Limits

102.05 Red **and Mutton** Snapper – sixteen (16) inches (total length).
102.06 Mutton Snapper - eighteen (18) inches (total length).
102.07 Vermillion Snapper – ten (10) inches (total length).
102.08 Lane Snapper – eight (8) inches (total length).
102.09 Gray, Schoolmaster, Cubera, Dog, Mahogany, and Yellowtail Snapper – twelve (12) inches (total length).
102.10 Red and Yellowfin Grouper – twenty (20) inches (total length).
102.11 Gag and Black Grouper – twenty-four (24) inches (total length).
102.12 Scamp – sixteen (16) inches (total length).
102.13 Gray Triggerfish – fourteen (14) inches (fork length).
102.14 King Mackerel – twenty-four (24) inches (fork length).
102.15 Flounders (**Paralichthys sp.**) – twelve (12) inches (total length).
102.16 Small coastal sharks – twenty-five (25) inches total length.
102.17 Large coastal sharks – thirty-seven (37) inches total length.
102.18 Lesser Amberjack and Banded Rudderfish – may possess fish between fourteen (14) inches (fork length) to twenty-two (22) inches fork length.
102.19 **Bigeye Tuna** (*Thunnus obesus*) – twenty-seven (27) inches as measured from the tip of the upper jaw to the fork of the tail along the contour of the middle of the body (curved fork length).
102.20 **Yellowfin Tuna** (*Thunnus albacares*) – twenty-seven (27) inches as measured from the tip of the upper jaw to the fork of the tail along the contour of the middle of the body (curved fork length).
102.21 **Blue Marlin** (*Makaira nigricans*) – ninety-nine (99) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).
102.22 **White Marlin** (*Tetrapturus albidus*) – sixty-six (66) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).
102.23 **Sailfish** (*Istiophorus platypterus*) – sixty-three (63) inches as measured from the tip of the lower jaw to the fork of the tail (lower jaw fork length).
102.24 **Hogfish** – twelve (12) inches (fork length)
102.25 **Tripletail** (*Lobotes surinamensis*) eighteen (18) inches total length
Section 100

100.11 Mutton Snapper – sixteen (16) eighteen (18) inches (total length)
Required:

A Motion for a Notice of Intent to Amend Title 22 Part 7 Chapter 8 and Chapter 9, Section 100 Bag and Size Limit for Mutton Snapper.
Oyster Depuration Overview

Ruth Posadas
August 21, 2018
Background

**Motion**: For DMR to come back 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

- Regular Process
- Post-Harvest Process
- Resource Wild/Aquaculture
- Depuration Process

**Shucked**
**Shellstock**
**Depurated**
**Irradiated**
**IQF***

*Individually Quick Frozen*

**Other Options:**
- Wet Storage
- High Hydrostatic Pressure
- Pasteurization

---

*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

- Receiving
- Washing
- Ultra Violet Sterilizer
- DEPURATION PLANT Tanks or Raceways
- HARVESTING AND PACKAGING
- STORAGE COOLER AND/OR FREEZER
- MARKETING AND TRANSPORT

2 HOURS

42 - 78 HOURS

≤45 °
## Standards for Depuration

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flow Rate</td>
<td>1 gal/ minute/bushel (0.626 sack)</td>
</tr>
<tr>
<td>Volume of water</td>
<td>59.84 gallons/bushel</td>
</tr>
<tr>
<td>Salinity</td>
<td>10 ppt to 30 ppt</td>
</tr>
<tr>
<td>Temperature</td>
<td>≤ 60.7° F / 77 ° F, American Oyster spawns ≥60.7°F, Gulf of Mexico Oysters ≥77°F</td>
</tr>
<tr>
<td>pH</td>
<td>7.0 – 8.4</td>
</tr>
<tr>
<td>Turbidity</td>
<td>0-20 units</td>
</tr>
<tr>
<td>Dissolved Oxygen</td>
<td>5.0 mg/L to saturation</td>
</tr>
<tr>
<td>Bacteriological</td>
<td>(Total Coliform/100 ml): 0 to &lt; 1</td>
</tr>
<tr>
<td>Minimum Depuration Time</td>
<td>≥ 44 hours</td>
</tr>
</tbody>
</table>
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?
State Saltwater Finfish Records

Brittany Chudzik
August 21, 2018
Conventional Tackle
State Saltwater Fishing Record

Tiger Shark
*Galeocerdo cuvier*

Old Record: 390 lbs.
New Record: 675 lbs.

Angler: Michael Garrett
New Youth State Saltwater Fishing Record

Red Drum
Sciaenops ocellatus

New Record: 26 lbs. 8.00 oz.

Angler: Margaret Schindler
New Youth State Saltwater Fishing Record

Striped Burrfish

*Chilomycterus schoepfii*

New Record: 1 lbs. 5.62 oz.

Angler: Kyson Blocker
Required:
Motion to Adopt New State Records.