Employment Updates

- Michele Marroy – New Hire - Procurement Specialist – 08.23.2021
- Todd Curry – Promoted to Senior Master Sergeant – 08.01.2021
- Shay Smith – Promoted to Master Sergeant – 08.01.2021
- Wyatt Webb – Promoted to Corporal – 08.01.2021
- Donovan Dawsey – Promoted into a Full Time State Position as Patrol Officer I – 08.01.2021 - (Previously Worked on The Port Security Grant in a Time Limited Position)
Mississippi Advisory Commission on Marine Resources

August 17, 2021
Actions Update
August 17, 2021
Discussed at the July 2021 meeting:

- 1) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 22 be forwarded to the Secretary of State’s Office for final adoption.

- 2) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 1 be forwarded to the Secretary of State’s Office for final adoption.

- 3) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 10 be sent to the Secretary of State’s Office for Notice of Intent.

- 4) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 11 be sent to the Secretary of State’s Office for Notice of Intent.
5) Motion to change the date of the October Commission meeting from October 19, 2021 to October 12, 2021.

6) Motion to recommend approval of the Hancock County Port and Harbor Commission’s request for modification to the Coastal Zone Consistency Determination and to remove the SAV mitigation proposal on the Port Bienville Canal in Pearlington, MS.

7) Motion to recommend approval of Jackson County Port Authority’s request for modification to:
   - Reduce the acreage of wetlands impacts from 4.89 to 0.9
   - Reduce the mitigation from creation of 3.8 acres of tidal and tidally-influenced marsh to 0.9 acres
   - Remove the purchase of wetland mitigation credits
   - Approve the variance requests contingent on 401 Water Quality Certification from MDEQ

8) Motion to recommend that the Executive Director approve the State Saltwater Finfish Records.

Director approved the motions as recommended.
July 2021 State Saltwater Finfish Records

- a. Conventional Record
  - 2. Bull Shark (*Carcharhinus leucas*) – 377 lbs. 4 oz. – David Rogers

- b. Fly Record
  - 1. Shark Sucker (*Echeneis naucrates*) - 3 lbs. 4.8 oz. - Doug Borries
  - 2. Little Tunny (*Euthynnus alletteratus*) – 14 lbs. 2.4 oz. - Doug Borries

- c. Youth Record
  - 1. Red Snapper (*Litjanus campechanus*) – 19 lbs. 1 oz. Mason Watts
Pending Items for Discussion (from April 2021 Meeting)

Commission’s motion to recommend that the request for after-the-fact authorization for existing boathouse, approval for proposed boathouse, and recommended fine for violation to the contractor, Cleo Benward, be tabled until such time that more information can be obtained from Vivek Barclay, the owner of the property located on Bayou Porteaux, 14113 El Camino Real Road in Ocean Springs, Jackson County, MS.

- A meeting with all parties present will take place prior to a final decision being made.
Mississippi Advisory Commission on Marine Resources

August 17, 2021
Changes to Title 22
Part 12
Vessel Seafood Transport in the State of Mississippi

Office of Marine Patrol
Captain Michael Strickland
Changes to Title 22 part 12

- Removed wording that was already covered in Mississippi Code.
- Referenced the applicable statutory or regulatory authorities.
- Updated the chapter structure and format to “Rules” and “Sources” to conform with the format prescribed by the Secretary of States Office.
Substantive Changes

- No Substantive Changes were made to any of the chapters.
- The following rules were reworded to state the requirements in a more clear straightforward manner.
Chapter 2
Transport Permit Required

• **Rule 2.1** A transport permit is required for each vessel desiring to land seafood in the state, which is legally taken outside of the Mississippi territorial waters without obtaining a license under Miss. Code Ann. §49-15-1 *et seq*.

• **Rule 2.2** A transport permit fee of one hundred dollars ($100.00) shall be paid upon issuance of said transport permit.
• Rule 3.1 Any unlawful act under this Part committed by any person, firm, or corporation shall be deemed a violation of the provisions of this Part and shall constitute a misdemeanor. In the case of continuing violations, each day shall constitute a separate offense.

Chapter 4

Chapters and Subchapters Declared Separable

• Rule 4.1 Each chapter and subchapter of this Part is hereby declared separable, and if any chapter or subchapter or part thereof shall be held invalid or unconstitutional, the balance of said Title 22 Part 12 shall remain in full force and effect.

• Rule 4.2 Violations of more than one chapter or subchapter of this Part or part thereof shall be considered separate and punished as such.

Notice of Intent

Recommendation to the Executive Director that the new format and changes to Title 22, Part 12 be sent to the Secretary of State’s Office for Notice of Intent.
Changes to Title 22 Part 16

Boat and Water Safety on the Marine Waters of the State of Mississippi

Office of Marine Patrol
Captain Michael Strickland
Changes to Part 16

- Removed wording that was already covered in Mississippi Code.
- Referenced the applicable statutory or regulatory authorities.
- Updated the chapter structure and format to “Rules” and “Sources” to conform with the format prescribed by the Secretary of States Office.
No Substantive Changes – Chapters

INTRODUCTION

- No Substantive Changes to Chapters 1, 6, 7, 8, 10, and 11
Substantive Changes – Chapter 2

Definitions added:

• A. COVERED RECREATIONAL VESSEL – means a recreational vessel that is less than 26 ft. overall in length and capable of developing 115 pounds or more of static thrust.

• C. ENGINE CUT-OFF SWITCH (ECOS) – An Engine Cut-off Switch is a safety mechanism used to shut off propulsion machinery when the operator is displaced from the helm.

• D. ENGINE CUT-OFF SWITCH LINK (ECOSL) – An ECOSL is the device that connects the operator to the ECOS. The link must be attached to the operator, the operator’s clothing, or operator’s personal floatation device. It is typically a coiled lanyard, but may also be an electronic fob.
Substantive Changes – Chapter 3

**Restrictions**

- **Rule 3.1** A person may not operate or give permission to operate on the marine waters of the State of Mississippi a personal watercraft or any other covered recreational vessel unless it is equipped with an engine cut-off switch and an engine cut-off switch link attached to the operator while operating on plane or above displacement speed except when:
  
  A. The main helm of the covered vessel is installed within an enclosed cabin; or
  B. The vessel does not have an engine cut-off switch and is not required to have one because it is not considered a covered recreational vessel.

- **Rule 3.2** A vessel or personal watercraft livery (vendor) owner, or the livery owner’s agent or employee shall prominently display these regulations governing personal watercraft:
  
  A. Advise renters to read the regulations.
  B. Within 30 days of the effective date of these regulations, add to the rental contract a statement that the renter or operator has read and understands the personal watercraft regulations. This statement shall be signed by the renter or operator and the livery (vendor) owner, retained in the files of the livery operator for at least 30 days, and be made available to the MDMR upon request.

Substantive Changes – Chapter 4

Reckless and Negligent operation

- Rule 4.1 A person may not operate a vessel on the marine waters of the State of Mississippi in a reckless or negligent manner. Reckless and negligent operation of a vessel shall include, but is not limited to the following examples:
  
  - A. Operating at an excessive speed within one hundred (100) feet of another occupied vessel except in a crossing or overtaking situation as described in the Federal Rules of the Road.
  - B. Jumping, or attempting to jump the wake of another vessel, within one hundred (100) feet of the vessel.
  - C. Following within one hundred (100) feet of a water skier.
  - D. Weaving through congested vessel traffic.
  - E. Speeding in restricted or no wake areas.
  - F. Operating a vessel or personal watercraft in a manner that endangers the life, limb, or property of any person, including the operator.
  - G. Bow riding or allowing a person to ride any place on the vessel where there is a potential risk of injury. This includes, but is not limited to, riding on exposed bow decks, riding on swim platforms, riding on gunwhales, or riding any place on the vessel which was not designed as a normal passenger seat.
  - H. Towing a person/persons on water skis, aquaplane or a similar device during the hours between legal sunset and legal sunrise.
  - I. Operating the vessel with operator visibility obscured due to passenger positioning.

Substantive Changes – Chapter 5

Procedures for establishing No Wake Zones

- Rule 5.1 No wake zones will be instituted pursuant to Miss. Code Ann. §59-21-129 and in instances as the need arises and according to this defined procedure. In cases where citizens feel that a no wake zone is needed, they shall petition their County Board of Supervisors for its establishment, providing reasonable justification and evidence for the need. The Board of Supervisors may evaluate the request, and if found to be warranted, deliver it to the MDMR for consideration. The MDMR staff will investigate the request in light of the specific site and other factors which may come into play. If the need for a no wake zone is substantiated by this investigation, the results and staff recommendation will be presented to the MACMR for their evaluation and recommendation to the Executive Director for potential implementation.

- Rule 5.2 This same procedure may be used by any citizen to request the removal or modification of an existing no wake zone.

Substantive Changes to Chapter 9
Rules of the Road

- Rule 9.1 Nothing in this Chapter will excuse a boat operator from complying with any and all navigation laws and rules of the road as published in the United States Coast Guard Navigation Rules.

Notice of Intent

Recommendation to the Executive Director that the new format and changes to Title 22, Part 16 be sent to the Secretary of State’s Office for Notice of Intent.
Title 22 Part 10
Marine Litter
Final Adoption

Office of Marine Patrol
Captain Michael Strickland
Notice of Intent

On July 20, 2021, the Commission recommended to the Executive Director that the new format and changes to Title 22, Part 10 be sent to the Secretary of State’s Office for Notice of Intent.

Executive Director approved the recommendation and the proposed regulation was filed with the SOS’s office on July 22, 2021.
Publication of Proposed Regulation

- Notice of the proposed regulation was published in the Sun Herald on August 6, 2021.
- Notice of the proposed regulation was also posted on the MDMR website on July 23, 2021.
Public Comments

- Public comments were due to the MDMR by 5:00 p.m. on August 16, 2021.
- No public comments were received.
• Motion to recommend to the Executive Director that the proposed changes to Title 22 Part 10 be forwarded to the Secretary of State’s office for final adoption.
Title 22 Part 11
Equipment and/or Nets
Seized by the MDMR
Final Adoption

Office of Marine Patrol
Captain Michael Strickland
Notice of Intent

On July 20, 2021, the Commission recommended to the Executive Director that the new format and changes to Title 22, Part 11 be sent to the Secretary of State’s Office for Notice of Intent.

Executive Director approved the recommendation and the proposed regulation was filed with the SOS’s office on July 22, 2021.
Publication of Proposed Regulation

- Notice of the proposed regulation was published in the Sun Herald on August 6, 2021.

- Notice of the proposed regulation was also posted on the MDMR website on July 23, 2021.
Public Comments

- Public comments were due to the MDMR by 5:00 p.m. on August 16, 2021.
- No public comments were received.
• Motion to recommend to the Executive Director that the proposed changes to Title 22 Part 11 be forwarded to the Secretary of State’s office for final adoption.
Mississippi Advisory Commission on Marine Resources

August 17, 2021
Mississippi
Department of Marine Resources
Agency Financial Results
as of July 31, 2021
Key Metrics:

- State Revenue of $3M
- Agency Revenue of $3M
- State Net Income of $2.8M
- Agency Net Income of $2.6M

### MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
Income Statement - Fiscal Year 2021
As of July 31, 2021

#### Federal:

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<thead>
<tr>
<th>GOMESA PHII: State</th>
<th>NFWF:</th>
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<tbody>
<tr>
<td>Revenue:</td>
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<tr>
<td>Transfer in from Other Governments</td>
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#### Operating Subtotal:

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<tr>
<th>Tidelands</th>
<th>Total DMR</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Expenditures:

- Salaries, Wages, Fringe: 232685, 130001
- Travel: 291, 127
- Contractual Services: 4325, 18873
- Commodities: 1402, 1687
- Other than Equipment: -
- Equipment: -
- Vehicles: -
- Wireless Devices: -
- Subsidies, Loans, and Grants: -

Current Budget Year Expenditures:

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<tr>
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Current Budget Year Net Income/(Loss):

<p>| | |</p>
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<tr>
<td>-2820113</td>
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<tr>
<td>-2669427</td>
<td>-68763</td>
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$2600664
Financial Budget Comparison

After twelve months of Fiscal Year 2021:

- Operating Funds have 99.6% of Budget remaining
- Tidelands Trust Fund has 99.4% 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>
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<tr>
<td></td>
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<td>Tidelands</td>
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<td>Salaries, Wages, Fringe</td>
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<td>Wireless Devices</td>
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<tr>
<td>Subsidies, Loans, and Grants</td>
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<tr>
<td>Total Expenditures:</td>
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<td>$68,763</td>
<td>$458,454</td>
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August 17, 2021
Mississippi Advisory Commission on Marine Resources

August 17, 2021
State Saltwater Finfish Records

Josh Waters
August 17, 2021
Saltwater Fishing Record
(Conventional)

Vermilion Snapper
*Rhomboplites aurorubens*

Old Record: 5 lbs. 1.0 oz.
New Record: 5 lbs. 3.2 oz.

Angler: James Landers
Saltwater Fishing Record
(Youth Conventional)

**Ladyfish**

*Elops saurus*

Old Record: 1 lbs. 14.58 oz.
New Record: 2 lbs. 9.6 oz.

Angler: Riley Armes