The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on September 21, 2021 at the regularly scheduled meeting of the Mississippi Advisory Commission on Marine Resources (MACMR), the Commission recommended approval of and the Executive Director approved a Notice of Intent to update, modify and change below listed sections of Title 22 Part 19. Said Notice of Intent was filed with the Mississippi Secretary of State's office on September 24, 2021. A complete copy of Title 22 Part 19 and the proposed changes are available are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through Friday October 29, 2021. All comments should be mailed to the MDMR, Attn: James Davis, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: James Davis at publiccomments@dmr.ms.gov and delivered by 5:00 PM on October 29, 2021.

Complete description of proposed changes:

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PART 19 RULES AND REGULATIONS FOR THE USE OF STATE-OWNED COASTAL PRESERVE AREAS

CHAPTER 01: INTRODUCTION

Rule 1.1 This Part establishes regulations for public use of state-owned Coastal Preserve Areas (CPAs).

MISS. CODE ANN. §49-27-1 et seq.

CHAPTER 02: JUSTIFICATION AND AUTHORITY

Rule 2.1 The mission of the Coastal Preserves Program is to effectively preserve, conserve, restore, and manage Mississippi's coastal ecosystems to perpetuate their natural characteristics, features, ecological integrity, social, economic and aesthetic values for future benefit.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.2 The Coastal Preserves Program is charged with managing and maintaining its properties to the fullest extent possible in their natural state, except for the public purposes of hunting, fishing, and public outdoor recreational purposes consistent with preservation of the properties in their natural state.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.3 It is the public policy of this state to favor the preservation of the natural state of the coastal wetlands and their ecosystems and to prevent the despoliation and destruction of

them.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.4 The Executive Director is vested with authority to adopt, modify or repeal rules or regulations to utilize, manage, conserve, preserve and protect the flora (plants), fauna (animals), tidelands, coastal wetlands, coastal preserves, marine waters and any other matter pertaining to the marine resources under its jurisdiction.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.5 The killing or materially damaging any flora or fauna on or in any coastal wetland is subject to regulation by the Executive Director.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.6 The Executive Director is vested with the authority to adopt regulations to manage any matter pertaining to the marine resources of the state.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

CHAPTER 03: GENERAL

Rule 3.1 These regulations are effective within and on all state-owned Coastal Preserve Areas (CPAs) under the jurisdiction of the Mississippi Department of Marine Resources (MDMR).

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.2 Users shall be responsible for any loss or damage caused to CPA facilities and natural resources within CPA boundaries. The MDMR reserves the right to pursue any legal means, whether civil and/or criminal, to recover its losses or damages.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.3 CPAs are open to the public from 1 (one) hour before sunrise to 1 (one) hour after sunset with the exception of the state-owned portions of Deer Island and the state-owned portions of Cat Island, which are open twenty-four (24) hours.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.4 Any CPA or parts thereof, including Deer Island and Cat Island, may be closed at any time for the protection and safety of the public or for the protection and management of the natural resources. Signs will be posted indicating the site is closed to the public and the public will be notified on the MDMR website and social media outlets.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.5 The MDMR is not responsible for any accidents or injuries to any persons.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.6 The MDMR shall not be responsible for any property or article lost, stolen, or damaged on or in any CPA.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

CHAPTER 04: CAMPING

Rule 4.1 Recreational camping is only allowed on the state-owned sand beach areas of the Deer Island CPA and the Cat Island CPA. Camping may be considered on other CPAs on a case by case basis. If approved, a Letter of Permission will be granted from the MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-3 et seq.

Rule 4.2 Recreational camping is limited to no more than seven (7) consecutive days without prior written approval, in the form of a Letter of Permission, from the MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-3 et seq.

Rule 4.3 Camping within three hundred (300) feet of any beach nesting shore bird colonies, bald eagle nests or osprey nests shall be considered harassment of wildlife.

MISS. CODE ANN. §49-27-3 et seq.

Rule 4.4 Campfires are permitted on bare sandy areas of the Cat Island and Deer Island CPAs near the water. Fire must be completely extinguished before leaving the area. In seasons of unusual dryness or excessive fire danger, fires may be prohibited on all CPAs. Burn bans will be enforced.

MISS. CODE ANN. §49-27-3 et seq.

Rule 4.5 Carving, chopping, or cutting down any live or dead standing vegetation for firewood or other use is prohibited. No wood containing nails, staples or metal of any kind may be used as firewood. Only loose, woody material on the ground may be collected for burning.

MISS. CODE ANN. §49-27-3 et seq.

CHAPTER 05: BOATING

Rule 5.1 Boaters must abide by the Mississippi Boating Law of 1960 and the Alcohol Boating Safety Act of 1995.

MISS. CODE ANN. §§59-21-1 et seq. and 59-23-1 et seq.

Rule 5.2 Liveaboards and houseboats are not allowed to be secured or otherwise attached to any lands or structures within CPAs for more than seven (7) consecutive days without prior written approval, in the form of a Letter of Permission, from the MDMR Coastal Preserves Program.

MISS. CODE ANN. §§59-21-1 et seq. and 59-23-1 et seq.

CHAPTER 06: HUNTING, TRAPPING, FISHING AND WILDLIFE

Rule 6.1 All persons must abide by all local, state and federal laws, and regulations governing hunting, trapping and fishing promulgated by the Mississippi Department of Marine Resources and the Mississippi Commission on Wildlife, Fisheries and Parks.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.2 Any CPA property lying within city limits is closed to hunting unless otherwise provided through city ordinance.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.3 Construction of, or hunting from, any permanent stands or blinds is prohibited. Destroying, defacing, cutting, driving nails or spikes into, or otherwise damaging any standing live tree, natural feature, or plant is prohibited. Portable stands (including tripods and ground blinds) must be removed from the CPA daily. Stands not in compliance with these regulations will be confiscated and disposed of by the MDMR.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.4 For safety purposes, no hunting is permitted within six hundred (600) feet of nature trails, roadways, parking lots, residences or other permanent structures, with the exception of archery hunting, with a safety zone of three hundred (300) feet. Discharge of a firearm or bow must be conducted in a manner not reasonably expected to cause the projectile to cross the boundary of the state-owned CPA, parking lot, road, or trail or to impact near any persons or manmade structures.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.5 Feeders shall not be erected on any CPA. Any feeders found will be confiscated and

disposed of by the MDMR.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.6 Trapping of any kind is not allowed on CPAs unless a Letter of Permission is granted by the MDMR Coastal Preserve Program. A Letter Permission will generally be considered only for invasive species control. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.7 Releasing into the wild any live animal or plant of any kind is prohibited without prior written approval in the form of a Letter of Permission from MDMR Coastal Preserves Program and a permit from the Mississippi Department of Wildlife, Fisheries and Parks.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.8 Any person engaging in fishing activities must have a valid Mississippi Fishing License. Any person engaging in hunting actives must have a valid Mississippi Hunting License. Only species that can be lawfully taken with these licenses may be removed from state-owned CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.9 Nuisance animals may be hunted in accordance with Title 40, Part 2, Chapter 7 Nuisance Animals.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.10 Harassment of wildlife, including spotlighting, is prohibited.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.11 All birds of prey (eagles, hawks, osprey, owls, kites and vultures) and other nongame birds and animals are protected and shall not be captured, hunted, molested, removed, bought or sold. A Letter of Permission for interaction with these species may be granted, if the applicant has been issued the necessary permits from the appropriate state and federal regulatory agencies. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

CHAPTER 07: COASTAL PRESERVES PROPERTY

Rule 7.1 No person shall destroy, cut, break, remove, mutilate, injure, take, or gather in any manner any tree, shrub, plant, rock, or mineral unless authorized by the MDMR. No person

shall cut or saw any live or dead trees or their parts, with any type of equipment, power or otherwise, or remove any live or dead trees. Permission to collect plant material will be considered only for research purposes or invasive species control. A Special Permit as defined in Title 22, Part 18, is required for research on all CPAs.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.2 No person shall throw, dump, or leave trash of any kind anywhere in the waters, along the roads, on camping sites, beaches, or any other lands or water of a CPA. No person shall throw, cast, lay or discard into or leave any substance, matter or thing, liquid or solid, in the lakes, streams, and water which would pollute such waters in accordance with Title 22, Part 10.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.3 No person shall dump any dead wildlife, wildlife parts or waste in an CPA.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.4 No person shall in any manner injure, deface, disturb, destroy, disfigure, or remove any part of a building, sign, wall, fence, bench, or other object or structure within the CPA property.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.5 Homesteading or otherwise using CPAs for a sole place of residence is prohibited. The act of Homesteading includes but is not limited to: erecting permanent or semi-permanent structures. No person shall construct or erect any building or structure on CPA land or water.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.6 Dogs are welcome on all CPAs but shall be on a leash at all times and owners shall properly dispose of their animal's waste.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.7 Possession of metal detectors is prohibited on all CPA.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.8 No person shall attach or post notices, signs, or any other objects or structures. The use of paint, blazes, tacks, or other types of markers is prohibited.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.9 No person shall distribute any handbills, circulate, post, place, or erect any bills, notices, papers, advertising devices, signs, or printed matter of any kind.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.10 No person shall remove or plant, seeds or vegetation of any kind on CPA except as otherwise provided in this part.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.11 Native American sites, old home sites, and other structures, along with objects and artifacts associated with them, are state historical and archaeological resources. No person shall excavate, damage, or remove historical artifacts from state property without a permit from the Mississippi Department of Archives and History, and a Letter of Permission from the MDMR.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

CHAPTER 08: VEHICLE USE

Rule 8.1 All motorized vehicles, ATVs (all-terrain vehicles), ORVs (off-road vehicles), motorcycles, personal watercraft, airboats, hovercrafts, vessels and aircraft or aquaplanes are prohibited in the emergent vegetation and surrounding land areas of the CPAs, except those vehicles and vessels operated by the MDMR or as otherwise permitted pursuant to Title 22, Part 19. Operating any vehicle in disregard of the rights and safety of others is prohibited.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.2 Both the owner and the operator of any motorized vehicles, ATVs (all-terrain vehicles), ORVs (off-road vehicles), motorcycles, personal watercraft, airboats, hovercrafts, vessels and aircraft or aquaplanes shall be held liable for the injury and/or damages resulting from any motorized vehicles accident and/or misuse of motorized vehicles resulting in damages to others, state property or the wildlife thereof.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.3 Any operator of any vehicle motorized or otherwise must comply with all applicable Mississippi laws.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.4 No owner or driver shall cause or permit a vehicle to stand anywhere outside of designated parking areas, except to receive and discharge passengers.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.5 Blocking any gate, road, trail, or right-of-way is prohibited and vehicle will be towed at the owner's expense.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.6 Bicycles are permitted only on designated trails.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.7 Electronic Personal Mobility Devices (EPAMDs) shall not be operated at a speed greater than five (5) mph on any path, or trail. Only persons with disabilities shall operate EPAMDs and wheelchairs.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.8 Golf carts and Limited Speed Motor Vehicles (LSMVs) shall be used on the Heritage Trail Possum Walk only and operated only by NASA Infinity staff or volunteers. (LSMV is a four-wheeled vehicle whose top speed is twenty (20) mph).

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.9 The provisions of this chapter shall not apply in the case of an emergency or to any employee conducting the official business of a municipal, county, state, or federal agency, or persons conducting activities pursuant to a contract or sub-grant with a state or federal agency. Exceptions to the provisions in this chapter may be given, in the form of a Letter of Permission from the MDMR Coastal Preserves Program, on a case by case basis for vehicle use directly related to scientific research or other specific uses.

MISS. CODE ANN. §49-27-1 et seq.

CHAPTER 09: FIREARMS, FIREWORKS AND EXPLOSIVES

Rule 9.1 Any person possessing a valid permit to carry a concealed handgun, as issued by the Mississippi Department of Public Safety - or any state which Mississippi recognizes as having reciprocal requirements for issuing such licenses - may carry a handgun concealed upon his or her person while in or on any CPA.

MISS. CODE ANN. §§45-9-101 and 49-27-1.

Rule 9.2 Firearm use is restricted to hunting. No target shooting, practice, or random shooting of any kind are allowed on CPAs. No person shall shoot paintballs, clay pigeons, or any other shooting competitions on CPAs.

Source: MISS. CODE ANN. §§45-9-101 and 49-27-1.

Rule 9.3 The possession of any explosive substance, such as dynamite, tannerite, fireworks,

or rockets in any CPA is prohibited. Pursuant to Title 22, Part 16, any Marine Event within the riparian zone of any CPA, permitted through the Office of Marine Patrol is exempt from this regulation.

Source: MISS. CODE ANN. §§45-9-101 and 49-27-1.

CHAPTER 10: LETTERS OF PERMISSION

Rule 10.1 All activities other than hiking, hunting, fishing, wildlife watching, or exempt camping on Deer Island CPA and Cat Island CPA, require a Letter of Permission issued by MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-1 et seq.

Rule 10.2 Activities requiring a Letter of Permission include, but are not limited to, archaeological research, invasive species control, trapping, extended camping, special events, and establishing a geocache. Approval is dependent on an assessment by CPA staff that the activity will have only minimal, temporary, impacts to public safety and the natural resources. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §49-27-1 et seq.

Rule 10.3 Education, outreach, and special events including but not limited to competitive races, receptions, lectures, benefits, etc. may be authorized, by a Letter of Permission, if impacts are deemed negligible by CPA staff, purpose serves a higher public interest, and all other limitations set forth by this document are addressed and met.

MISS. CODE ANN. §49-27-1 et seq.

Rule 10.4 MDMR retains the authority to revoke a Letter of Permission authorization at any time.

MISS. CODE ANN. §49-27-1 et seq.

Rule 10.5 Letters of Permission shall be issued for a specific activity or group of activities on a specific day or group of days. If an event needs to be rescheduled, a modification to the Letter of Permission will be required.

MISS. CODE ANN. §49-27-1 et seq.

CHAPTER 11: PENALTIES

Rule 11.1 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

MISS. CODE ANN. §§49-15-63 and 49-27-1 et seq.

CHAPTER 12: CHAPTERS AND SUBCHAPTERS DECLARED SEPARABLE

Rule 12.1 Each chapter and subchapter of Title 22, Part 19 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 19 shall remain in full force and effect.

MISS. CODE ANN. §49-15-301.

Rule 12.2 Violations of more than one chapter or subchapter of this Part or part thereof shall be considered separate offenses and punished as such.

MISS. CODE ANN. §49-15-301.

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PART 19 RULES AND REGULATIONS FOR THE USE OF STATE-OWNED COASTAL PRESERVE AREAS

~~Chapter 01 Introduction~~ CHAPTER 01 INTRODUCTION

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MISS. CODE ANN. §49-27-1 et seq.

~~Chapter 02 Justification and Authority~~ CHAPTER 02 JUSTIFICATION AND AUTHORITY

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MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

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MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~102~~ Rule 2.3 It is the public policy of this state to favor the preservation of the natural state of the coastal wetlands and their ecosystems and to prevent the despoliation and destruction of them ~~pursuant to Miss. Code Ann. § 49-27-3, as amended~~.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~103~~ Rule 2.4 The ~~MCMR~~ Executive Director is vested with authority to adopt, modify or repeal rules or regulations to utilize, manage, conserve, preserve and protect the flora (plants), fauna (animals), tidelands, coastal wetlands, coastal preserves, marine waters and any other matter pertaining to the marine resources under its jurisdiction ~~pursuant to Miss. Code Ann. § 49-15-304, as amended.~~

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~104~~ Rule 2.5 The killing or materially damaging any flora or fauna on or in any coastal wetland is subject to regulation by the MCMR ~~pursuant to Miss. Code Ann. § 49-27-5 © (iii), as amended.~~ MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~105~~ Rule 2.6 The ~~MCMR~~ Executive Director is vested with the authority to adopt regulations to manage any matter pertaining to the marine resources of the state, as provided for in ~~Miss. Code Ann. § 57-15-10 (1), as amended.~~

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~~101~~ Rule 3.2 Users shall be responsible for any loss or damage caused to CPA facilities and natural resources within CPA boundaries. The MDMR reserves the right to pursue any legal means, whether civil and/or criminal, to recover its losses or damages ~~in accordance with Miss. Code Ann §97-17-1 through 97-17-103.~~

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq

~~102~~ Rule 3.3 CPAs are open to the public from 1 (one) hour before sunrise to 1 (one) hour after sunset with the exception of the state-owned portions of Deer Island and the state-owned portions of Cat Island, which are open twenty-four (24) hours.

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~~103~~ Any CPA or parts thereof, including Deer Island and Cat Island, may be closed at any time for the protection and safety of the public or for the protection and management of the natural resources. Signs will be posted indicating the site is closed to the public and the public will be notified on the MDMR website and social media outlets.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq

~~104~~ The MDMR is not responsible for any accidents or injuries to any persons~~, except as~~

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MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq

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100 Boaters must abide by the Mississippi Boating Law of 1960 as provided in ~~Miss. Code Ann~~ ~~§59-21-1 through 59-21-163 (including all revisions since its adoption)~~ and the Alcohol Boating Safety Act of 1995 ~~as provided in Miss Code Ann § 59-23-1 through 59-23-7~~.

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~~106~~ Rule 6.7 Releasing into the wild any live animal or plant of any kind is prohibited without prior written approval in the form of a Letter of Permission from MDMR Coastal Preserves Program and a permit from the Mississippi Department of Wildlife, Fisheries and Parks in accordance with Miss. Code Ann.§49-7-80.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~107~~ Rule 6.8 Any person engaging in fishing activities must have a valid Mississippi Fishing License in accordance with Miss Code Ann. § 49-7-3, § 49-7-8 and/or § 49-15-69. Any person engaging in hunting actives must have a valid Mississippi Hunting License in accordance with Miss Code Ann. § 49-7-3 and/or § 49-7-8. Only species that can be lawfully taken with these licenses may be removed from state-owned CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~108~~ Rule 6.9 Nuisance animals as defined in Miss Code Ann. § 49-7-1, may be hunted in accordance with Title 40, Part 2, Chapter 7 Nuisance Animals.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~109~~ Rule 6.10 Harassment of wildlife, including spotlighting, is prohibited in accordance with MS Code Ann. § 49-7-95.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~110~~ Rule 6.11 All birds of prey (eagles, hawks, osprey, owls, kites and vultures) and other nongame birds and animals are protected and shall not be captured, hunted, molested, removed, bought or sold. A Letter of Permission for interaction with these species may be granted, if the applicant has been issued the necessary permits from the appropriate state and federal regulatory agencies. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~Chapter 07 Coastal Preserves Property~~ CHAPTER 07 COASTAL PRESERVES PROPERTY

~~100~~ Rule 7.1 No person shall destroy, cut, break, remove, mutilate, injure, take, or gather in any manner any tree, shrub, plant, rock, or mineral unless authorized by the MDMR. No person shall cut or saw any live or dead trees or their parts, with any type of equipment, power or otherwise, or remove any live or dead trees. Permission to collect plant material will be considered only for research purposes or invasive species control. A Special Permit as defined in

Title 22, Part 18, is required for research on all CPAs.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~101~~ Rule 7.2 No person shall throw, dump, or leave trash of any kind anywhere in the waters, along the roads, on camping sites, beaches, or any other lands or water of a CPA. No person shall throw, cast, lay or discard into or leave any substance, matter or thing, liquid or solid, in the lakes, streams, and water which would pollute such waters in accordance with Title 22, Part 10.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~102~~ Rule 7.3 No person shall dump any dead wildlife, wildlife parts or waste in an CPA pursuant to Miss. Code Ann.§97-15-32.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~103~~ Rule 7.4 No person shall in any manner injure, deface, disturb, destroy, disfigure, or remove any part of a building, sign, wall, fence, bench, or other object or structure within the CPA property.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~104~~ Rule 7.5 Homesteading or otherwise using CPAs for a sole place of residence is prohibited. The act of Homesteading includes but is not limited to: erecting permanent or semi-permanent structures. No person shall construct or erect any building or structure on CPA land or water.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~105~~ Rule 7.6 Dogs are welcome on all CPAs but shall be on a leash at all times and owners shall properly dispose of their animal's waste.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~106~~ Rule 7.7 Possession of metal detectors is prohibited on all CPA. ~~(See, Miss Code Ann. §39-7-1 through 39-7-41)~~

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~107~~ Rule 7.8 No person shall attach or post notices, signs, or any other objects or structures. The use of paint, blazes, tacks, or other types of markers is prohibited.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~108~~ Rule 7.9 No person shall distribute any handbills, circulate, post, place, or erect any bills, notices, papers, advertising devices, signs, or printed matter of any kind.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~109~~ Rule 7.10 No person shall remove or plant, seeds or vegetation of any kind on CPA except as otherwise provided in this part.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~110~~ Rule 7.11 Native American sites, old home sites, and other structures, along with objects and artifacts associated with them, are state historical and archaeological resources. No person shall excavate, damage, or remove historical artifacts from state property without a permit from the Mississippi Department of Archives and History, and a Letter of Permission from the MDMR.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~Chapter 08 Vehicle Use~~ CHAPTER 08 VEHICLE USE

~~100~~ Rule 8.1 All motorized vehicles, ATVs (all-terrain vehicles), ORVs (off-road vehicles), motorcycles, personal water craft, airboats, hovercrafts, vessels and aircraft or aquaplanes are prohibited in the emergent vegetation and surrounding land areas of the CPAs, except those vehicles and vessels operated by the MDMR or as otherwise permitted pursuant to Title 22, Part 19. Operating any vehicle in disregard of the rights and safety of others is prohibited

MISS. CODE ANN. §49-27-1 et seq.

~~101~~ Rule 8.2 Both the owner and the operator of any motorized vehicles, ATVs (all-terrain vehicles), ORVs (off-road vehicles), motorcycles, personal water craft, airboats, hovercrafts, vessels and aircraft or aquaplanes shall be held liable for the injury and/or damages resulting from any motorized vehicles accident and/or misuse of motorized vehicles resulting in damages to others, state property or the wildlife thereof.

MISS. CODE ANN. §49-27-1 et seq.

~~102~~ Rule 8.3 Any operator of any vehicle motorized or otherwise must comply with all applicable Mississippi laws.

MISS. CODE ANN. §49-27-1 et seq.

~~103~~ Rule 8.4 No owner or driver shall cause or permit a vehicle to stand anywhere outside of designated parking areas, except to receive and discharge passengers.

MISS. CODE ANN. §49-27-1 et seq.

~~104~~ Rule 8.5 Blocking any gate, road, trail, or right-of-way is prohibited and vehicle will be towed at the owner's expense.

MISS. CODE ANN. §49-27-1 et seq.

~~105~~ Rule 8.6 Bicycles are permitted only on designated trails.

MISS. CODE ANN. §49-27-1 et seq.

~~106~~ Rule 8.7 Electronic Personal Mobility Devices (EPAMDs) shall not be operated at a speed greater than five (5) mph on any path, or trail. Only persons with disabilities shall operate EPAMDs and wheelchairs.

MISS. CODE ANN. §49-27-1 et seq.

~~107~~ Rule 8.8 Golf carts and Limited Speed Motor Vehicles (LSMVs) shall be used on the Heritage Trail Possum Walk only and operated only by NASA Infinity staff or volunteers. (LSMV is a four-wheeled vehicle whose top speed is twenty (20) mph).

MISS. CODE ANN. §49-27-1 et seq.

~~108~~ Rule 8.9 The provisions of this chapter shall not apply in the case of an emergency or to any employee conducting the official business of a municipal, county, state, or federal agency, or persons conducting activities pursuant to a contract or sub-grant with a state or federal agency. Exceptions to the provisions in this chapter may be given, in the form of a Letter of Permission from the MDMR Coastal Preserves Program, on a case by case basis for vehicle use directly related to scientific research or other specific uses.

MISS. CODE ANN. §49-27-1 et seq.

~~Chapter 9 Firearms, Fireworks and Explosives~~ CHAPTER 09 FIREARMS, FIREWORKS AND EXPLOSIVES

~~100~~ Rule 9.1 Pursuant to the terms of Miss Code Ann. § 45-9-101, as amended, any person possessing a valid permit to carry a concealed handgun, as issued by the Mississippi Department of Public Safety - or any state which Mississippi recognizes as having reciprocal requirements for issuing such licenses - may carry a handgun concealed upon his or her person while in or on any CPA.

MISS. CODE ANN. §§45-9-101 and 49-27-1.

~~101~~ Rule 9.2 Firearm use is restricted to hunting. No target shooting, practice, or random shooting of any kind are allowed on CPAs. No person shall shoot paintballs, clay pigeons, or any other shooting competitions on CPAs.

MISS. CODE ANN. §§45-9-101 and 49-27-1.

~~102~~ Rule 9.3 The possession of any explosive substance, such as dynamite, tannerite, fireworks, or rockets in any CPA is prohibited. Pursuant to Title 22, Part 16, any

Marine Event within the riparian zone of any CPA, permitted through the Office of Marine Patrol is exempt from this regulation.

MISS. CODE ANN. §§45-9-101 and 49-27-1.

~~Chapter 10 Letters of Permission~~ CHAPTER 10 LETTERS OF PERMISSION

~~100~~ Rule 10.1 All activities other than hiking, hunting, fishing, wildlife watching, or exempt camping on Deer Island CPA and Cat Island CPA, require a Letter of Permission issued by MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-1 et seq.

~~101~~ Rule 10.2 Activities requiring a Letter of Permission include, but are not limited to, archaeological research, invasive species control, trapping, extended camping, special events, and establishing a geocache. Approval is dependent on an assessment by CPA staff that the activity will have only minimal, temporary, impacts to public safety and the natural resources. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §49-27-1 et seq.

~~102~~ Rule 10.3 Education, outreach, and special events including but not limited to competitive races, receptions, lectures, benefits, etc. may be authorized, by a Letter of Permission, if impacts are deemed negligible by CPA staff, purpose serves a higher public interest, and all other limitations set forth by this document are addressed and met.

MISS. CODE ANN. §49-27-1 et seq.

~~103~~ Rule 10.4 MDMR retains the authority to revoke a Letter of Permission authorization at any time.

MISS. CODE ANN. §49-27-1 et seq.

~~104~~ Rule 10.5 Letters of Permission shall be issued for a specific activity or group of activities on a specific day or group of days. If an event needs to be rescheduled, a modification to the Letter of Permission will be required.

MISS. CODE ANN. §49-27-1 et seq.

~~Chapter 11 Penalties~~ CHAPTER 11 PENALTIES

~~100~~ Rule 11.1 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 and upon conviction. ~~, said person shall be punished in accordance with Miss. Code Ann. § 49-15-63,~~

~~as amended, unless a penalty is specifically provided elsewhere in the Mississippi Code Ann. of 1972, as amended.~~

MISS. CODE ANN. §§49-15-63 and 49-27-1 et seq.

~~Chapter 12 Chapters and Subchapters Declared Separable~~ CHAPTER 12 CHAPTERS AND SUBCHAPTERS DECLARED SEPARABLE

~~100~~ Rule 12.1 Each chapter and subchapter of Title 22, Part 19 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 19 shall remain in full force and effect.

MISS. CODE ANN. §49-15-301.

~~101~~ Rule 12.2 Violations of more than one chapter or subchapter of this Part or part thereof shall be considered separate offenses and punished as such.

MISS. CODE ANN. §49-15-301.

~~Chapter 13 Administrative Procedures Act~~ ~~CHAPTER 13 ADMINISTRATIVE PROCEDURES~~

~~100 Rule 13.1 Pursuant to the amendments to the Administrative Procedures Act, § 25-43-1.101, *et seq*., of the Mississippi Code Ann. of 1972, as amended, and the rules and regulations promulgated pursuant thereto by the Secretary of State; the former Ordinance 19.000 has been modified and the MCMR and MDMR have adopted the terminology and numbering system developed by the Secretary of State. Therefore, references to "ordinance" or to "Part" appearing in these regulations or the underlying statutes are used interchangeably and refer to the same instrument.~~

~~Title 22 MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, Part 19~~
~~REGULATIONS FOR THE PUBLIC USE OF STATE-OWNED COASTAL PRESERVE AREAS, shall be in effect and be in force from and after the 19th of September.~~

~~Adopted this the 20th day of August.~~

~~MISSISSIPPI COMMISSION ON MARINE RESOURCES~~

~~By:~~ ~~/s/ Mark Havard~~
~~Mark Havard, Chairman~~

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

By: /s/ Joe Spraggins
Joe Spraggins, Executive Director

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

SOS APA Form 001

Mississippi Secretary of State
125 S. Congress Street, Jackson, MS 39201

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME	CONTACT PERSON	TELEPHONE NUMBER	
Mississippi Department of Marine Resources	TJ Moran	228-523-4184	
ADDRESS	CITY	STATE	ZIP
1141 Bayview Ave.	Biloxi	MS	39530
EMAIL	SUBMIT DATE	Name or number of rule(s):	
TJ.Moran@dmr.ms.gov	9.24.21	Title 22 Part 19	

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES Part 10 was updated to remove wording already codified in Mississippi Code. References to the Mississippi Code were placed in the regulation. The structure and format were changed to comply with the Secretary of States Guidelines.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. §§ 49-15-15 et seq.

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 19

ORAL PROCEEDING:

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

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

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

ECONOMIC IMPACT STATEMENT:

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

TEMPORARY RULES

_____ Original filing
_____ Renewal of effectiveness
To be in effect in _____ days
Effective date:
_____ Immediately upon filing
_____ Other (specify): _____

PROPOSED ACTION ON RULES

Action proposed:
_____ New rule(s)
__X__ Amendment to existing rule(s)
_____ Repeal of existing rule(s)
_____ Adoption by reference
Proposed final effective date:
__X__ 30 days after filing
_____ Other (specify): _____

FINAL ACTION ON RULES

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

Accepted for filing by

DO NOT WRITE BELOW THIS LINE
OFFICIAL FILING STAMP

FILED
SEP 24 2021
MISSISSIPPI
SECRETARY OF STATE

Accepted for filing by 25880 PAM

OFFICIAL FILING STAMP

Accepted for filing by

TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PART 19 RULES AND REGULATIONS FOR THE USE OF STATE-OWNED COASTAL PRESERVE AREAS

CHAPTER 01: INTRODUCTION

Rule 1.1 This Part establishes regulations for public use of state-owned Coastal Preserve Areas (CPAs).

MISS. CODE ANN. §49-27-1 et seq.

CHAPTER 02: JUSTIFICATION AND AUTHORITY

Rule 2.1 The mission of the Coastal Preserves Program is to effectively preserve, conserve, restore, and manage Mississippi's coastal ecosystems to perpetuate their natural characteristics, features, ecological integrity, social, economic and aesthetic values for future benefit.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.2 The Coastal Preserves Program is charged with managing and maintaining its properties to the fullest extent possible in their natural state, except for the public purposes of hunting, fishing, and public outdoor recreational purposes consistent with preservation of the properties in their natural state.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.3 It is the public policy of this state to favor the preservation of the natural state of the coastal wetlands and their ecosystems and to prevent the despoliation and destruction of them.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.4 The Executive Director is vested with authority to adopt, modify or repeal rules or regulations to utilize, manage, conserve, preserve and protect the flora (plants), fauna (animals), tidelands, coastal wetlands, coastal preserves, marine waters and any other matter pertaining to the marine resources under its jurisdiction.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.5 The killing or materially damaging any flora or fauna on or in any coastal wetland is subject to regulation by the Executive Director.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

Rule 2.6 The Executive Director is vested with the authority to adopt regulations to manage any matter pertaining to the marine resources of the state.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

CHAPTER 03: GENERAL

Rule 3.1 These regulations are effective within and on all state-owned Coastal Preserve Areas (CPAs) under the jurisdiction of the Mississippi Department of Marine Resources (MDMR).

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.2 Users shall be responsible for any loss or damage caused to CPA facilities and natural resources within CPA boundaries. The MDMR reserves the right to pursue any legal means, whether civil and/or criminal, to recover its losses or damages.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.3 CPAs are open to the public from 1 (one) hour before sunrise to 1 (one) hour after sunset with the exception of the state-owned portions of Deer Island and the state-owned portions of Cat Island, which are open twenty-four (24) hours.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.4 Any CPA or parts thereof, including Deer Island and Cat Island, may be closed at any time for the protection and safety of the public or for the protection and management of the natural resources. Signs will be posted indicating the site is closed to the public and the public will be notified on the MDMR website and social media outlets.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.5 The MDMR is not responsible for any accidents or injuries to any persons.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

Rule 3.6 The MDMR shall not be responsible for any property or article lost, stolen, or damaged on or in any CPA.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

CHAPTER 04: CAMPING

Rule 4.1 Recreational camping is only allowed on the state-owned sand beach areas of the Deer Island CPA and the Cat Island CPA. Camping may be considered on other CPAs on a

case by case basis. If approved, a Letter of Permission will be granted from the MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-3 et seq.

Rule 4.2 Recreational camping is limited to no more than seven (7) consecutive days without prior written approval, in the form of a Letter of Permission, from the MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-3 et seq.

Rule 4.3 Camping within three hundred (300) feet of any beach nesting shore bird colonies, bald eagle nests or osprey nests shall be considered harassment of wildlife.

MISS. CODE ANN. §49-27-3 et seq.

Rule 4.4 Campfires are permitted on bare sandy areas of the Cat Island and Deer Island CPAs near the water. Fire must be completely extinguished before leaving the area. In seasons of unusual dryness or excessive fire danger, fires may be prohibited on all CPAs. Burn bans will be enforced.

MISS. CODE ANN. §49-27-3 et seq.

Rule 4.5 Carving, chopping, or cutting down any live or dead standing vegetation for firewood or other use is prohibited. No wood containing nails, staples or metal of any kind may be used as firewood. Only loose, woody material on the ground may be collected for burning.

MISS. CODE ANN. §49-27-3 et seq.

CHAPTER 05: BOATING

Rule 5.1 Boaters must abide by the Mississippi Boating Law of 1960 and the Alcohol Boating Safety Act of 1995.

MISS. CODE ANN. §§59-21-1 et seq. and 59-23-1 et seq.

Rule 5.2 Liveaboards and houseboats are not allowed to be secured or otherwise attached to any lands or structures within CPAs for more than seven (7) consecutive days without prior written approval, in the form of a Letter of Permission, from the MDMR Coastal Preserves Program.

MISS. CODE ANN. §§59-21-1 et seq. and 59-23-1 et seq.

CHAPTER 06: HUNTING, TRAPPING, FISHING AND WILDLIFE

Rule 6.1 All persons must abide by all local, state and federal laws, and regulations governing hunting, trapping and fishing promulgated by the Mississippi Department of Marine Resources and the Mississippi Commission on Wildlife, Fisheries and Parks.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.2 Any CPA property lying within city limits is closed to hunting unless otherwise provided through city ordinance.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.3 Construction of, or hunting from, any permanent stands or blinds is prohibited. Destroying, defacing, cutting, driving nails or spikes into, or otherwise damaging any standing live tree, natural feature, or plant is prohibited. Portable stands (including tripods and ground blinds) must be removed from the CPA daily. Stands not in compliance with these regulations will be confiscated and disposed of by the MDMR.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.4 For safety purposes, no hunting is permitted within six hundred (600) feet of nature trails, roadways, parking lots, residences or other permanent structures, with the exception of archery hunting, with a safety zone of three hundred (300) feet. Discharge of a firearm or bow must be conducted in a manner not reasonably expected to cause the projectile to cross the boundary of the state-owned CPA, parking lot, road, or trail or to impact near any persons or manmade structures.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.5 Feeders shall not be erected on any CPA. Any feeders found will be confiscated and disposed of by the MDMR.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.6 Trapping of any kind is not allowed on CPAs unless a Letter of Permission is granted by the MDMR Coastal Preserve Program. A Letter Permission will generally be considered only for invasive species control. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.7 Releasing into the wild any live animal or plant of any kind is prohibited without prior written approval in the form of a Letter of Permission from MDMR Coastal Preserves Program and a permit from the Mississippi Department of Wildlife, Fisheries and Parks.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.8 Any person engaging in fishing activities must have a valid Mississippi Fishing License. Any person engaging in hunting actives must have a valid Mississippi Hunting License. Only species that can be lawfully taken with these licenses may be removed from state-owned CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.9 Nuisance animals may be hunted in accordance with Title 40, Part 2, Chapter 7 Nuisance Animals.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.10 Harassment of wildlife, including spotlighting, is prohibited.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

Rule 6.11 All birds of prey (eagles, hawks, osprey, owls, kites and vultures) and other nongame birds and animals are protected and shall not be captured, hunted, molested, removed, bought or sold. A Letter of Permission for interaction with these species may be granted, if the applicant has been issued the necessary permits from the appropriate state and federal regulatory agencies. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

CHAPTER 07: COASTAL PRESERVES PROPERTY

Rule 7.1 No person shall destroy, cut, break, remove, mutilate, injure, take, or gather in any manner any tree, shrub, plant, rock, or mineral unless authorized by the MDMR. No person shall cut or saw any live or dead trees or their parts, with any type of equipment, power or otherwise, or remove any live or dead trees. Permission to collect plant material will be considered only for research purposes or invasive species control. A Special Permit as defined in Title 22, Part 18, is required for research on all CPAs.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.2 No person shall throw, dump, or leave trash of any kind anywhere in the waters, along the roads, on camping sites, beaches, or any other lands or water of a CPA. No person shall throw, cast, lay or discard into or leave any substance, matter or thing, liquid or solid, in the lakes, streams, and water which would pollute such waters in accordance with Title 22, Part 10.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.3 No person shall dump any dead wildlife, wildlife parts or waste in an CPA.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.4 No person shall in any manner injure, deface, disturb, destroy, disfigure, or remove any part of a building, sign, wall, fence, bench, or other object or structure within the CPA property.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.5 Homesteading or otherwise using CPAs for a sole place of residence is prohibited. The act of Homesteading includes but is not limited to: erecting permanent or semi-permanent structures. No person shall construct or erect any building or structure on CPA land or water.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.6 Dogs are welcome on all CPAs but shall be on a leash at all times and owners shall properly dispose of their animal's waste.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.7 Possession of metal detectors is prohibited on all CPA.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.8 No person shall attach or post notices, signs, or any other objects or structures. The use of paint, blazes, tacks, or other types of markers is prohibited.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.9 No person shall distribute any handbills, circulate, post, place, or erect any bills, notices, papers, advertising devices, signs, or printed matter of any kind.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.10 No person shall remove or plant, seeds or vegetation of any kind on CPA except as otherwise provided in this part.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

Rule 7.11 Native American sites, old home sites, and other structures, along with objects and artifacts associated with them, are state historical and archaeological resources. No person shall excavate, damage, or remove historical artifacts from state property without a permit from the Mississippi Department of Archives and History, and a Letter of Permission from the MDMR.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

CHAPTER 08: VEHICLE USE

Rule 8.1 All motorized vehicles, ATVs (all-terrain vehicles), ORVs (off-road vehicles), motorcycles, personal watercraft, airboats, hovercrafts, vessels and aircraft or aquaplanes are prohibited in the emergent vegetation and surrounding land areas of the CPAs, except those vehicles and vessels operated by the MDMR or as otherwise permitted pursuant to Title 22, Part 19. Operating any vehicle in disregard of the rights and safety of others is prohibited.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.2 Both the owner and the operator of any motorized vehicles, ATVs (all-terrain vehicles), ORVs (off-road vehicles), motorcycles, personal watercraft, airboats, hovercrafts, vessels and aircraft or aquaplanes shall be held liable for the injury and/or damages resulting from any motorized vehicles accident and/or misuse of motorized vehicles resulting in damages to others, state property or the wildlife thereof.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.3 Any operator of any vehicle motorized or otherwise must comply with all applicable Mississippi laws.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.4 No owner or driver shall cause or permit a vehicle to stand anywhere outside of designated parking areas, except to receive and discharge passengers.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.5 Blocking any gate, road, trail, or right-of-way is prohibited and vehicle will be towed at the owner's expense.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.6 Bicycles are permitted only on designated trails.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.7 Electronic Personal Mobility Devices (EPAMDs) shall not be operated at a speed greater than five (5) mph on any path, or trail. Only persons with disabilities shall operate EPAMDs and wheelchairs.

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.8 Golf carts and Limited Speed Motor Vehicles (LSMVs) shall be used on the Heritage Trail Possum Walk only and operated only by NASA Infinity staff or volunteers. (LSMV is a four-wheeled vehicle whose top speed is twenty (20) mph).

MISS. CODE ANN. §49-27-1 et seq.

Rule 8.9 The provisions of this chapter shall not apply in the case of an emergency or to any employee conducting the official business of a municipal, county, state, or federal agency, or persons conducting activities pursuant to a contract or sub-grant with a state or federal agency. Exceptions to the provisions in this chapter may be given, in the form of a Letter of Permission from the MDMR Coastal Preserves Program, on a case by case basis for vehicle use directly related to scientific research or other specific uses.

MISS. CODE ANN. §49-27-1 et seq.

CHAPTER 09: FIREARMS, FIREWORKS AND EXPLOSIVES

Rule 9.1 Any person possessing a valid permit to carry a concealed handgun, as issued by the Mississippi Department of Public Safety - or any state which Mississippi recognizes as having reciprocal requirements for issuing such licenses - may carry a handgun concealed upon his or her person while in or on any CPA.

MISS. CODE ANN. §§45-9-101 and 49-27-1.

Rule 9.2 Firearm use is restricted to hunting. No target shooting, practice, or random shooting of any kind are allowed on CPAs. No person shall shoot paintballs, clay pigeons, or any other shooting competitions on CPAs.

Source: MISS. CODE ANN. §§45-9-101 and 49-27-1.

Rule 9.3 The possession of any explosive substance, such as dynamite, tannerite, fireworks, or rockets in any CPA is prohibited. Pursuant to Title 22, Part 16, any Marine Event within the riparian zone of any CPA, permitted through the Office of Marine Patrol is exempt from this regulation.

Source: MISS. CODE ANN. §§45-9-101 and 49-27-1.

CHAPTER 10: LETTERS OF PERMISSION

Rule 10.1 All activities other than hiking, hunting, fishing, wildlife watching, or exempt camping on Deer Island CPA and Cat Island CPA, require a Letter of Permission issued by MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-1 et seq.

Rule 10.2 Activities requiring a Letter of Permission include, but are not limited to,

archaeological research, invasive species control, trapping, extended camping, special events, and establishing a geocache. Approval is dependent on an assessment by CPA staff that the activity will have only minimal, temporary, impacts to public safety and the natural resources. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §49-27-1 et seq.

Rule 10.3 Education, outreach, and special events including but not limited to competitive races, receptions, lectures, benefits, etc. may be authorized, by a Letter of Permission, if impacts are deemed negligible by CPA staff, purpose serves a higher public interest, and all other limitations set forth by this document are addressed and met.

MISS. CODE ANN. §49-27-1 et seq.

Rule 10.4 MDMR retains the authority to revoke a Letter of Permission authorization at any time.

MISS. CODE ANN. §49-27-1 et seq.

Rule 10.5 Letters of Permission shall be issued for a specific activity or group of activities on a specific day or group of days. If an event needs to be rescheduled, a modification to the Letter of Permission will be required.

MISS. CODE ANN. §49-27-1 et seq.

CHAPTER 11: PENALTIES

Rule 11.1 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

MISS. CODE ANN. §§49-15-63 and 49-27-1 et seq.

CHAPTER 12: CHAPTERS AND SUBCHAPTERS DECLARED SEPARABLE

Rule 12.1 Each chapter and subchapter of Title 22, Part 19 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 19 shall remain in full force and effect.

MISS. CODE ANN. §49-15-301.

Rule 12.2 Violations of more than one chapter or subchapter of this Part or part thereof shall be considered separate offenses and punished as such.

MISS. CODE ANN. §49-15-301.

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PART 19 RULES AND REGULATIONS FOR THE USE OF STATE-OWNED COASTAL PRESERVE AREAS

~~Chapter 01 Introduction~~ CHAPTER 01 INTRODUCTION

~~100~~ Rule 1.1 This Part establishes regulations for public use of state-owned Coastal Areas (CPAs).

MISS. CODE ANN. §49-27-1 et seq.

~~Chapter 02 Justification and Authority~~ CHAPTER 02 JUSTIFICATION AND AUTHORITY

~~100~~ Rule 2.1 The mission of the Coastal Preserves Program is to effectively preserve, conserve, restore, and manage Mississippi's coastal ecosystems to perpetuate their natural characteristics, features, ecological integrity, social, economic and aesthetic values for future benefit.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~101~~ Rule 2.2 The Coastal Preserves Program is charged with managing and maintaining its properties to the fullest extent possible in their natural state, except for the public purposes of hunting, fishing, and public outdoor recreational purposes consistent with preservation of the properties in their natural state.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~102~~ Rule 2.3 It is the public policy of this state to favor the preservation of the natural state of the coastal wetlands and their ecosystems and to prevent the despoliation and destruction of them ~~pursuant to Miss. Code Ann. § 49-27-3, as amended~~.

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~103~~ Rule 2.4 The ~~MCMR~~ Executive Director is vested with authority to adopt, modify or repeal rules or regulations to utilize, manage, conserve, preserve and protect the flora (plants), fauna (animals), tidelands, coastal wetlands, coastal preserves, marine waters and any other matter pertaining to the marine resources under its jurisdiction ~~pursuant to Miss. Code Ann. § 49-15-304, as amended.~~

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~104~~ Rule 2.5 The killing or materially damaging any flora or fauna on or in any coastal wetland is subject to regulation by the MCMR ~~pursuant to Miss. Code Ann. § 49-27-5 © (iii), as amended.~~

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~105~~ Rule 2.6 The ~~MCMR~~ Executive Director is vested with the authority to adopt regulations to

manage any matter pertaining to the marine resources of the state, as provided for in ~~Miss. Code Ann. § 57-15-10 (1), as amended.~~

MISS. CODE ANN. §§49-15-304, 49-27-3, 49-27-5, and 57-15-10.

~~Chapter 03 General~~ CHAPTER 03 GENERAL

~~100~~ Rule 3.1 These regulations are effective within and on all state-owned Coastal Preserve Areas CPAs under the jurisdiction of the ~~Mississippi Department of~~ ~~Marine Resources~~ (MDMR).~~-~~

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq.

~~101~~ Rule 3.2 Users shall be responsible for any loss or damage caused to CPA facilities and natural resources within CPA boundaries. The MDMR reserves the right to pursue any legal means, whether civil and/or criminal, to recover its losses or damages ~~in accordance with Miss. Code Ann §97-17-1 through 97-17-103.~~

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq

~~102~~ Rule 3.3 CPAs are open to the public from 1 (one) hour before sunrise to 1 (one) hour after sunset with the exception of the state-owned portions of Deer Island and the state-owned portions of Cat Island, which are open twenty-four (24) hours.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq

~~103~~ Any CPA or parts thereof, including Deer Island and Cat Island, may be closed at any time for the protection and safety of the public or for the protection and management of the natural resources. Signs will be posted indicating the site is closed to the public and the public will be notified on the MDMR website and social media outlets.

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq

~~104~~ The MDMR is not responsible for any accidents or injuries to any persons~~, except as provided for in Miss. Code Ann §11-46-1 through 11-46-23.~~

MISS. CODE ANN. §§11-46-1 et seq. and 97-17-1 et seq

~~105~~ The MDMR shall not be responsible for any property or article lost, stolen, or damaged on or in any CPA.

MISS. CODE ANN. §§11-46-1 et seq and 97-17-1 et seq.

~~Chapter 04 Camping~~ CHAPTER 04 CAMPING

~~100~~ Rule 4.1 Recreational camping is only allowed on the state-owned sand beach areas of the Deer Island CPA and the Cat Island CPA. Camping may be considered on other CPAs on a case by case basis. If approved, a Letter of Permission will be granted from the MDMR

Coastal Preserves Program.

MISS. CODE ANN. §49-27-3 et seq.

~~101~~ Rule 4.2 Recreational camping is limited to no more than seven (7) consecutive days without prior written approval, in the form of a Letter of Permission, from the MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-3 et seq.

~~102~~ Rule 4.3 Camping within three hundred (300) feet of any beach nesting shore bird colonies, bald eagle nests or osprey nests shall be considered harassment of wildlife.

MISS. CODE ANN. §49-27-3 et seq.

~~103~~ Rule 4.4 Campfires are permitted on bare sandy areas of the Cat Island and Deer Island CPAs near the water. Fire must be completely extinguished before leaving the area. In seasons of unusual dryness or excessive fire danger, fires may be prohibited on all CPAs. Burn bans will be enforced.

MISS. CODE ANN. §49-27-3 et seq.

~~104~~ Rule 4.5 Carving, chopping, or cutting down any live or dead standing vegetation for firewood or other use is prohibited. No wood containing nails, staples or metal of any kind may be used as firewood. Only loose, woody material on the ground may be collected for burning.

MISS. CODE ANN. §49-27-3 et seq.

~~Chapter 05 Boating~~ CHAPTER 05 BOATING

100 Boaters must abide by the Mississippi Boating Law of 1960 as provided in ~~Miss. Code Ann §59-21-1 through 59-21-163 (including all revisions since its adoption)~~ and the Alcohol Boating Safety Act of 1995 ~~as provided in Miss Code Ann § 59-23-1 through 59-23-7~~.

MISS. CODE ANN. §§59-21-1 et seq. and 59-23-1 et seq.

101 Liveaboards and houseboats are not allowed to be secured or otherwise attached to any lands or structures within CPAs for more than seven (7) consecutive days without prior written approval, in the form of a Letter of Permission, from the MDMR Coastal Preserves Program.

MISS. CODE ANN. §§59-21-1 et seq. and 59-23-1 et seq.

~~Chapter 06 Hunting, Trapping, Fishing and Wildlife~~ CHAPTER 06 HUNTING, TRAPPING, FISHING AND WILDLIFE

~~100~~ Rule 6.1 All persons must abide by all local, state and federal laws, and regulations governing hunting, trapping and fishing promulgated by the Mississippi Commission on Marine Resources and the Mississippi Commission on Wildlife, Fisheries and Parks.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~101~~ Rule 6.2 Any CPA property lying within city limits is closed to hunting.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~102~~ Rule 6.3 Construction of, or hunting from, any permanent stands or blinds is prohibited. Destroying, defacing, cutting, driving nails or spikes into, or otherwise damaging any standing live tree, natural feature, or plant is prohibited. Portable stands (including tripods and ground blinds) must be removed from the CPA daily. Stands not in compliance with these regulations will be confiscated and disposed of by the MDMR.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~103~~ Rule 6.4 For safety purposes, no hunting is permitted within six hundred (600) feet of nature trails, roadways, parking lots, residences or other permanent structures, with the exception of archery hunting, with a safety zone of three hundred (300) feet. Discharge of a firearm or bow must be conducted in a manner not reasonably expected to cause the projectile to cross the boundary of the state-owned CPA, parking lot, road, or trail or to impact near any persons or manmade structures.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~104~~ Rule 6.5 Feeders shall not be erected on any CPA. Any feeders found will be confiscated and disposed of by the MDMR.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~105~~ Rule 6.6 Trapping of any kind is not allowed on CPAs unless a Letter of Permission is granted by the MDMR Coastal Preserve Program. A Letter Permission will generally be considered only for invasive species control. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~106~~ Rule 6.7 Releasing into the wild any live animal or plant of any kind is prohibited without prior written approval in the form of a Letter of Permission from MDMR Coastal Preserves Program and a permit from the Mississippi Department of Wildlife, Fisheries and Parks in accordance with Miss. Code Ann.§49-7-80.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~107~~ Rule 6.8 Any person engaging in fishing activities must have a valid Mississippi Fishing License in accordance with Miss Code Ann. § 49-7-3, § 49-7-8 and/or § 49-15-69. Any person engaging in hunting actives must have a valid Mississippi Hunting License in accordance with Miss Code Ann. § 49-7-3 and/or § 49-7-8. Only species that can be lawfully taken with these licenses may be removed from state-owned CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~108~~ Rule 6.9 Nuisance animals as defined in Miss Code Ann. § 49-7-1, may be hunted in accordance with Title 40, Part 2, Chapter 7 Nuisance Animals.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~109~~ Rule 6.10 Harassment of wildlife, including spotlighting, is prohibited in accordance with MS Code Ann. § 49-7-95.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~110~~ Rule 6.11 All birds of prey (eagles, hawks, osprey, owls, kites and vultures) and other nongame birds and animals are protected and shall not be captured, hunted, molested, removed, bought or sold. A Letter of Permission for interaction with these species may be granted, if the applicant has been issued the necessary permits from the appropriate state and federal regulatory agencies. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §§49-7-1, 49-7-3, 49-7-8, 49-15-69, 49-7-80, and 49-7-95.

~~Chapter 07 Coastal Preserves Property~~ CHAPTER 07 COASTAL PRESERVES PROPERTY~~-~~

~~100~~ Rule 7.1 No person shall destroy, cut, break, remove, mutilate, injure, take, or gather in any manner any tree, shrub, plant, rock, or mineral unless authorized by the MDMR. No person shall cut or saw any live or dead trees or their parts, with any type of equipment, power or otherwise, or remove any live or dead trees. Permission to collect plant material will be considered only for research purposes or invasive species control. A Special Permit as defined in Title 22, Part 18, is required for research on all CPAs.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~101~~ Rule 7.2 No person shall throw, dump, or leave trash of any kind anywhere in the waters, along the roads, on camping sites, beaches, or any other lands or water of a CPA. No person shall throw, cast, lay or discard into or leave any substance, matter or thing, liquid or solid, in the lakes, streams, and water which would pollute such waters in accordance with Title 22, Part 10.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~102~~ Rule 7.3 No person shall dump any dead wildlife, wildlife parts or waste in an CPA pursuant to Miss. Code Ann.§97-15-32.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~103~~ Rule 7.4 No person shall in any manner injure, deface, disturb, destroy, disfigure, or remove any part of a building, sign, wall, fence, bench, or other object or structure within the CPA property.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~104~~ Rule 7.5 Homesteading or otherwise using CPAs for a sole place of residence is prohibited. The act of Homesteading includes but is not limited to: erecting permanent or semi-permanent structures. No person shall construct or erect any building or structure on CPA land or water.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~105~~ Rule 7.6 Dogs are welcome on all CPAs but shall be on a leash at all times and owners shall properly dispose of their animal's waste.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~106~~ Rule 7.7 Possession of metal detectors is prohibited on all CPA. ~~(See, Miss Code Ann. §39-7-1 through 39-7-41)~~

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~107~~ Rule 7.8 No person shall attach or post notices, signs, or any other objects or structures. The use of paint, blazes, tacks, or other types of markers is prohibited.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~108~~ Rule 7.9 No person shall distribute any handbills, circulate, post, place, or erect any bills, notices, papers, advertising devices, signs, or printed matter of any kind.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~109~~ Rule 7.10 No person shall remove or plant, seeds or vegetation of any kind on CPA except as otherwise provided in this part.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~110~~ Rule 7.11 Native American sites, old home sites, and other structures, along with objects and artifacts associated with them, are state historical and archaeological resources. No person shall excavate, damage, or remove historical artifacts from state property without a permit from the Mississippi Department of Archives and History, and a Letter of Permission from the MDMR.

MISS. CODE ANN. §§39-7-1 et seq., 49-27-3, 97-15-30, and 97-15-32.

~~Chapter 08 Vehicle Use~~ CHAPTER 08 VEHICLE USE

~~100~~ Rule 8.1 All motorized vehicles, ATVs (all-terrain vehicles), ORVs (off-road vehicles), motorcycles, personal water craft, airboats, hovercrafts, vessels and aircraft or aquaplanes are prohibited in the emergent vegetation and surrounding land areas of the CPAs, except those vehicles and vessels operated by the MDMR or as otherwise permitted pursuant to Title 22, Part 19. Operating any vehicle in disregard of the rights and safety of others is prohibited

MISS. CODE ANN. §49-27-1 et seq.

~~101~~ Rule 8.2 Both the owner and the operator of any motorized vehicles, ATVs (all-terrain vehicles), ORVs (off-road vehicles), motorcycles, personal water craft, airboats, hovercrafts, vessels and aircraft or aquaplanes shall be held liable for the injury and/or damages resulting from any motorized vehicles accident and/or misuse of motorized vehicles resulting in damages to others, state property or the wildlife thereof.

MISS. CODE ANN. §49-27-1 et seq.

~~102~~ Rule 8.3 Any operator of any vehicle motorized or otherwise must comply with all applicable Mississippi laws.

MISS. CODE ANN. §49-27-1 et seq.

~~103~~ Rule 8.4 No owner or driver shall cause or permit a vehicle to stand anywhere outside of designated parking areas, except to receive and discharge passengers.

MISS. CODE ANN. §49-27-1 et seq.

~~104~~ Rule 8.5 Blocking any gate, road, trail, or right-of-way is prohibited and vehicle will be towed at the owner's expense.

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~~105~~ Rule 8.6 Bicycles are permitted only on designated trails.

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~~106~~ Rule 8.7 Electronic Personal Mobility Devices (EPAMDs) shall not be operated at a speed greater than five (5) mph on any path, or trail. Only persons with disabilities shall operate EPAMDs and wheelchairs.

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~~107~~ Rule 8.8 Golf carts and Limited Speed Motor Vehicles (LSMVs) shall be used on the Heritage Trail Possum Walk only and operated only by NASA Infinity staff or volunteers. (LSMV is a four-wheeled vehicle whose top speed is twenty (20) mph).

MISS. CODE ANN. §49-27-1 et seq.

~~108~~ Rule 8.9 The provisions of this chapter shall not apply in the case of an emergency or to any employee conducting the official business of a municipal, county, state, or federal agency, or persons conducting activities pursuant to a contract or sub-grant with a state or federal agency. Exceptions to the provisions in this chapter may be given, in the form of a Letter of Permission from the MDMR Coastal Preserves Program, on a case by case basis for vehicle use directly related to scientific research or other specific uses.

MISS. CODE ANN. §49-27-1 et seq.

~~Chapter 9 Firearms, Fireworks and Explosives~~ CHAPTER 09 FIREARMS, FIREWORKS AND EXPLOSIVES

~~100~~ Rule 9.1 Pursuant to the terms of Miss Code Ann. § 45-9-101, as amended, any person possessing a valid permit to carry a concealed handgun, as issued by the Mississippi Department of Public Safety - or any state which Mississippi recognizes as having reciprocal requirements for issuing such licenses - may carry a handgun concealed upon his or her person while in or on any CPA.

MISS. CODE ANN. §§45-9-101 and 49-27-1.

~~101~~ Rule 9.2 Firearm use is restricted to hunting. No target shooting, practice, or random shooting of any kind are allowed on CPAs. No person shall shoot paintballs, clay pigeons, or any other shooting competitions on CPAs.

MISS. CODE ANN. §§45-9-101 and 49-27-1.

~~102~~ Rule 9.3 The possession of any explosive substance, such as dynamite, tannerite, fireworks, or rockets in any CPA is prohibited. Pursuant to Title 22, Part 16, any Marine Event within the riparian zone of any CPA, permitted through the Office of Marine Patrol is exempt from this regulation.

MISS. CODE ANN. §§45-9-101 and 49-27-1.

~~Chapter 10 Letters of Permission~~ CHAPTER 10 LETTERS OF PERMISSION

~~100~~ Rule 10.1 All activities other than hiking, hunting, fishing, wildlife watching, or exempt camping on Deer Island CPA and Cat Island CPA, require a Letter of Permission issued by MDMR Coastal Preserves Program.

MISS. CODE ANN. §49-27-1 et seq.

~~101~~ Rule 10.2 Activities requiring a Letter of Permission include, but are not limited to, archaeological research, invasive species control, trapping, extended camping, special events, and establishing a geocache. Approval is dependent on an assessment by CPA staff that the activity will have only minimal, temporary, impacts to public safety and the natural resources. A Special Permit, as defined in Title 22, Part 18, is required for research and collecting biological specimens on all CPAs.

MISS. CODE ANN. §49-27-1 et seq.

~~102~~ Rule 10.3 Education, outreach, and special events including but not limited to competitive races, receptions, lectures, benefits, etc. may be authorized, by a Letter of Permission, if impacts are deemed negligible by CPA staff, purpose serves a higher public interest, and all other limitations set forth by this document are addressed and met.

MISS. CODE ANN. §49-27-1 et seq.

~~103~~ Rule 10.4 MDMR retains the authority to revoke a Letter of Permission authorization at any time.

MISS. CODE ANN. §49-27-1 et seq.

~~104~~ Rule 10.5 Letters of Permission shall be issued for a specific activity or group of activities on a specific day or group of days. If an event needs to be rescheduled, a modification to the Letter of Permission will be required.

MISS. CODE ANN. §49-27-1 et seq.

~~Chapter 11 Penalties~~ CHAPTER 11 PENALTIES

~~100~~ Rule 11.1 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 and upon conviction. ~~, said person shall be punished in accordance with Miss. Code Ann. § 49-15-63, as amended, unless a penalty is specifically provided elsewhere in the Mississippi Code Ann. of 1972, as amended.~~

MISS. CODE ANN. §§49-15-63 and 49-27-1 et seq.

~~Chapter 12 Chapters and Subchapters Declared Separable~~ CHAPTER 12 CHAPTERS AND SUBCHAPTERS DECLARED SEPARABLE

~~100~~ Rule 12.1 Each chapter and subchapter of Title 22, Part 19 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 19 shall remain in full force and effect.

MISS. CODE ANN. §49-15-301.

~~101~~ Rule 12.2 Violations of more than one chapter or subchapter of this Part or part thereof shall be considered separate offenses and punished as such.

MISS. CODE ANN. §49-15-301.

~~Chapter 13 Administrative Procedures Act~~ ~~CHAPTER 13 ADMINISTRATIVE PROCEDURES~~

~~100 Rule 13.1 Pursuant to the amendments to the Administrative Procedures Act, § 25-43-1.101, *et seq*., of the Mississippi Code Ann. of 1972, as amended, and the rules and regulations promulgated pursuant thereto by the Secretary of State; the former Ordinance 19.000 has been modified and the MCMR and MDMR have adopted the terminology and numbering system developed by the Secretary of State. Therefore, references to "ordinance" or to "Part" appearing in these regulations or the underlying statutes are used interchangeably and refer to the same instrument.~~

~~**Title 22 MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, Part 19 REGULATIONS FOR THE PUBLIC USE OF STATE-OWNED COASTAL PRESERVE AREAS, shall be in effect and be in force from and after the 19th of September.**~~

~~**Adopted this the 20th day of August.**~~

~~**MISSISSIPPI COMMISSION ON MARINE RESOURCES**~~

~~**By:** /s/ Mark Havard~~
~~Mark Havard, Chairman~~

~~**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**~~

~~**By:** /s/ Joe Spraggins~~
~~Joe Spraggins, Executive Director~~

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