STATE OF MISSISSIPPI
Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
Joe Spraggins, Executive Director

ORDER BY THE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
REOPENING THE 2024 MISSISSIPPI OYSTER SEASON FOR THE HARVEST OF OYSTERS IN CERTAIN WATERS CLASSIFIED AS APPROVED AND CONDITIONALLY APPROVED, AND PLACING CERTAIN RESTRICTIONS ON OYSTER HARVESTING AND HANDLING ACTIVITIES

In accordance with Mississippi Administrative Code Title 22, Part 1, the Executive Director of the Mississippi Department of Marine Resources (MDMR) hereby orders that:

The 2024 Mississippi Oyster Season shall open for the harvest of oysters, beginning at legal sunrise, the 9th day of December 2024, in Area I "B," Area II "A,", Area II "B," Area II "E," Area II "F," and Area II "G," Conditionally Approved Waters and Area II "H" and Area II "I" Approved Waters located in the Western Mississippi Sound. These areas will open to harvest provided they meet all criteria for opening as specified in Title 22 - Mississippi Department of Marine Resources - Part 1 Rules and Regulations for Molluscan Shellfish Related Activities, and under the oyster season requirements set forth in this order.

The 2024 December Oyster Season in the above waters shall not exceed 11 days of harvest.

The commercial oyster tonging vessel daily limit is ten (10) sacks, and the commercial oyster dredging vessel daily limit is twenty (20) sacks.

All Mississippi waters and public or private reef areas therein shall remain closed on Sundays and the following days: Christmas Eve Day, Christmas Day, and New Year's Day.

All other Mississippi waters and reef areas will remain closed due to action of the Executive Director or low numbers of legal size oysters or in accordance with their management plan in Title 22, Part I or its successor; or do not meet the National Shellfish Sanitation Program's Model Ordinance standards for conditionally approved waters; however, area waters with private lease reefs may be opened and closed by the MDMR, Executive Director, or Chief Scientific Officer. Said openings and closures of these areas will be in accordance with Title 22, Part 1, or its successor. In addition to all provisions of Title 22, Part 1, or its successors, the following regulations, restrictions, or procedures shall be in effect for the 2024 Mississippi Oyster Season.

1.

a. All fishermen must check in prior to harvest at a designated check station or drop box. All fishermen must check-out at the same designated check station where they checked- in. Fishermen checking-in at a drop box must check-out at the designated check station for said drop box.

b. Certified shellfish dealers, processors and shippers are required to have in place and follow HACCP procedures and records documenting the time/temperature requirements.

c. The Executive Director of the MDMR is authorized by Title 22, Part 1, to change the time/temperature requirements as necessary, as well as establishing check-out times as may be required or necessary, but not later than 4:00 P.M.

d. In accordance with §49-15-46 of the Mississippi Code of 1972, all harvesters (commercial and recreational) are required to pay on the day of harvest, a shell retention fee of fifteen cents ($0.15) per sack harvested. No tags will be issued to harvesters at the designated check station until the required shell retention fee is paid. The harvester shall be responsible for providing correct change for all shell retention fees due.

e. In accordance with §49-15-46 of the Mississippi Code of 1972, the initial dealer, processor or factory first purchasing Mississippi oysters are required to pay a shell retention fee of fifteen cents ($0.15) per sack to the MDMR, on forms submitted by the MDMR no later than the 10th day of the month following the purchase.

f. All commercial harvesters selling their oysters through interstate commerce are required to pay on the day of harvest, a shell retention fee of fifty cents ($0.50) per sack harvested. No tags will be issued to harvesters at the designated check station until the required shell retention fee is paid. The harvester shall be responsible for providing correct change for all shell retention fees due.

g. All fishermen checking-in at a drop box or check station must accurately and legibly print the following information on a MDMR trip notification ticket (available at the check station): date, check-in time, license number, harvester's name, captain's name, name of boat, boat registration or documentation number and where it is documented, intended harvest area, license type (commercial or recreational), gear type (tong or dredge), and number of individuals on board the boat.

h. All fishermen shall retain the harvester's copy of the trip ticket in their possession while transporting their catch and said ticket shall be present and available for inspection upon request by any official of the Department of Marine Resources.

i. All commercial oysters shall be placed under mechanical refrigeration as prescribed by the ISSC/NSSP Model Ordinance and cooled to a temperature of 55° F or below

as prescribed by the ISSC/NSSP Model Ordinance. Certified shellfish dealers, processors and shippers are also required to have in place and follow HACCP procedures and records documenting these time/temperature requirements.

2. The following location designated for tonging only is defined by the coordinates below: Beginning at 30.305286, -89.252012; thence running south to 30.285535, -89.252264; thence running easterly to 30.285583, -89.238978; thence running north to 30.309192, -89.238540, thence west to the starting point of 30.305286, -89.252012. The comer markers will be marked for reference, as well as a map provided with this public notice. Pursuant to Title 22, Part 1 Section 4.2, it is unlawful for any harvester engaged in harvesting molluscan shellfish on a tonging reef to have an oyster dredge on board the boat or vessel.

3. All fishermen must observe all instructions given at a check station, or by a Marine Patrol Officer, or any other official of the Department of Marine Resources or posted at a drop box. This shall include the authority to close or delay opening any reef area if the criteria for closing or delaying opening said area exists as specified in Title 22, Part 1 or its successor; or, if, in the opinion of the official of the MDMR, actual or pending weather conditions threaten or jeopardize the safe, orderly harvest of oysters.

4. The designated check stations and drop boxes are currently the Department of Marine Resources check stations located at 104 South Market Street in the Pass Christian Harbor and the MDMR Check Station at 5200 Shipyard Road in Bayou Caddy, which will be open provided that areas are open to harvest.

5. Harvesters launching their vessel at a launch site remote from a designated oyster check station, may, upon returning from harvesting, and prior to unloading any oysters, trailer their vessel on land, and along the most direct route, to their designated oyster check station for check-out. Once the vessel has been checked out and the sacks of oysters are properly tagged, the sacks of oysters may then be unloaded from the vessel.

6. Information with respect to open and closed areas may be obtained by calling the 24-hour Oyster Information Hotline at 1-228-374-5167 or 1-800-385-5902. Alternatively, the MDMR website will feature an interactive map providing real-time location services for harvesters, along with color-coded indicators (red or green) to show the current open or closed status of specific growing areas. https://dmr.ms.gov/shellfish/2024-public-oyster-season/

7. All shellstock oysters landed in Mississippi must be landed and tagged on the date of harvest. All containers of shellstock oysters must be tagged. Fishermen shall be responsible for ensuring that the following information appears accurately and legibly on all shellstock oyster tags and that the tag is securely affixed to the container of shellstock oysters: date of harvest, harvester's name, harvester's address, license number, harvest location, and state of origin.

8. All land transport vehicles used by licensed oyster harvesters to transport harvested oysters shall have shading over the oysters to protect the oysters from direct exposure to

the sun, thus reducing the potential for an increase in the temperature of the oysters while held on a land transport vehicle.

9. Oysters of less than three (3) inches measured from hinge to bill shall not be taken from the reefs of Mississippi.

10. On Mississippi public reefs the following sack limits shall be in effect:

    a. RECREATIONAL: All recreational harvest is limited to three (3) sacks per recreationally licensed resident individual per seven (7) day period. All Mississippi recreationally licensed harvesters must obtain a recreational harvest tally card at the check-in/out stations prior to their initial harvest trip.

    b. COMMERCIAL: The MDMR has established the commercial oyster tonging vessel daily limit often (10) sacks and a commercial oyster dredging vessel daily limit of twenty (20) sacks. Individual(s) must also harvest oysters from said licensed vessel. No commercial vessel shall possess over the daily catch limit by any manner or exceed any experimental limit as may be established.

    c. COMMERCIAL PERSONAL USE: All commercially licensed Mississippi resident individuals and/or vessels are allocated for up to three (3) sacks for personal use per seven (7) day period, these sacks of oysters shall be counted towards the daily commercial sack limit for that boat or vessel. Said sacks shall be tagged with tags identifying them as "Personal Use" and may not be sold. "Personal Use" is hereby defined for purposes herein as "any use other than for sale or intent to sell".

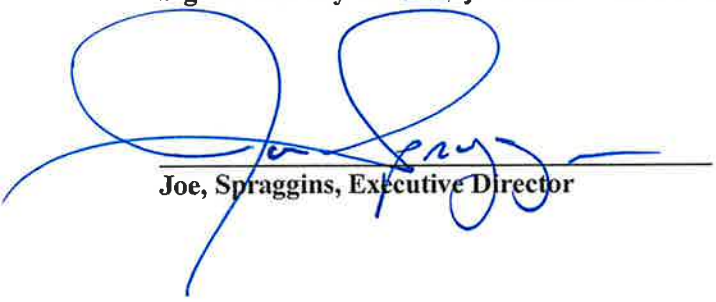
11. All private lease owners must have prior written approval from the MDMR to conduct lease activities including harvest. All fishermen harvesting oysters on privately owned leases must have prior written approval from said lease owner in their possession and available for inspection upon request by an official of the Department of Marine Resources prior to harvesting.

12. The standard measure for said sack in accordance with Title 22, Part 8 shall consist of a tub or other round vessel of the following dimensions:
    It shall measure 18 inches in diameter inside at the top, and 14 inches in diameter inside at the bottom, and 17 inches from bottom to top, the unit of such tub or sack measure to be in the shape of a frustum of a cone.
    One (1) of these measures filled level to the top shall make one (1) sack.

All requirements set forth in orders, regulations or state laws will be in full force and effect and it shall be unlawful to violate said provisions of said orders, regulations or laws. Violations of said regulations or laws shall be punishable in accordance with the provisions of §49-15-63 of the Mississippi Code of 1972, Annotated and/or the provision(s) of any other specific section(s) of said order, regulation or law applying to the violation. Copies of Title 22, Part 1 or its successor

and this Opening Order will be available at the Department of Marine Resources, 1141 Bayview Avenue, Biloxi, Mississippi 39530, Monday through Friday, 8:00 A.M. to 5:00 P.M. and at the designated check stations, as well as on the Department of Marine Resources website - http://dmr.ms.gov/ and https://dmr.ms.gov/category/public-notices/.

Signed this day the 5th day of December 2024



Joe, Spraggins, Executive Director