



ENHANCE ★ PROTECT ★ CONSERVE

Commission on Marine Resources September Meeting

September 18, 2018

**DEPARTMENT OF MARINE RESOURCES MARINE PATROL REPORT
TO THE COMMISSION ON MARINE RESOURCES
SEPTEMBER 18, 2018**

OYSTER VIOLATION CITATIONS

Total- 0
FY 19 YTD: 0
FY 18 YTD: 2
Courtesy Citations-0
Verbal Warnings-0

SHRIMP VIOLATION CITATIONS

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

CRAB VIOLATION CITATIONS

No Recreational Crab License- 2
Untagged Crab Pots- 2
Unmarked Floats- 3
Larceny of Crabs- 1
Commercial Crabbing North of the CSX- 3
Crabbing at Night- 1
Total- 12
FY 19 YTD: 13
FY 18 YTD: 12
Courtesy Citations-0
Verbal Warnings-0

LIVE BAIT VIOLATION CITATIONS

Total-0
FY 19 YTD: 0
FY 18 YTD: 0
Courtesy Citations-0
Verbal Warnings-0

NET FISHING VIOLATION CITATIONS

Total-0
FY 19 YTD: 0
FY 18 YTD: 0
Courtesy Citations-0
Verbal Warnings-0

MISCELLANEOUS COMMERCIAL SEAFOOD VIOLATION CITATIONS

No Commercial Seafood Dealer's License- 2
No Non-Residential Seafood Dealer's License- 2
No Commercial Seafood Dealer's Truck License- 1
Failure to Maintain Proper Records- 1

Total- 6

FY 19 YTD: 28

FY 18 YTD: 12

Courtesy Citations- 1

Verbal Warnings-0

FISHING VIOLATION CITATIONS

No Saltwater Fishing License- 13
No Non-Resident Saltwater Fishing License- 3
Possession of Undersized Gray Trigger Fish- 1
Possession of Undersized Red Drum- 2
Possession of Undersized Cobia- 1
Possession of Undersized Mangrove Snapper- 1
Possession of Gray Trigger Fish during closed Season- 2
Possession Over the Limit Red Drum- 1
Possession Over the Limit Red Snapper- 1
Possession of Red Snapper without a Landing Permit- 2

Total- 27

FY 19 YTD: 71

FY 18 YTD: 137

Courtesy Citations- 3

Verbal Warnings-0

BOAT AND WATER SAFETY VIOLATION CITATIONS

Insufficient PFD's- 2
Child Under 12 Without PFD- 2
No Boater Safety Card- 1
No Navigation Lights- 4
Skiing without an Observer- 1
Wake Zone Violation- 2
Negligent Operation- 3
Negligent Operation Involving Alcohol- 3

BUI- 1

Total- 19

FY 19 YTD: 55

FY 18 YTD: 83

Courtesy Citations- 3

Verbal Warnings- 0

MARINE LITTER VIOLATION CITATIONS

No Trash Container- 1

Total-1

FY 19 YTD: 1

FY 18 YTD: 1

Courtesy Citations-0

Verbal Warnings-0

WETLANDS VIOLATION CITATIONS

Total- 0

FY 19 YTD: 2

FY 18 YTD: 0

Courtesy Citations-0

Verbal Warnings-0

MISCELLANEOUS VIOLATION CITATIONS

Minor in Possession of Alcohol- 6

Total- 6

FY 19 YTD: 10

FY 18 YTD: 7

Courtesy Citations-1

Verbal Warnings-0

TOTAL VIOLATIONS CITED: 70

FY 19 YTD: 179

FY 18 YTD: 256

TOTAL COURTESY CITATIONS:

Fishing- 3

Boat and Water Safety- 3

Misc.- 2

Total- 8

TOTAL VERBAL WARNINGS:

Littering- 1

Misc. -1

Total- 2

TOTAL COURTESY CITATIONS/VERBAL WARNINGS:

(2 verbal/ 8 courtesy citations)

Total- 10

FY 19 YTD: 39

FY 18 YTD: 88

TOTAL STOPS: 2430

FY 19 YTD: 5629

FY 18 YTD: 7807

INCIDENT REPORTS FOR AUGUST 2018:

BOATING ACCIDENTS WITHOUT INJURIES: 1

There was one accident that involved a vessel colliding with another at the Pass Christian Harbor during the month of August. There were no injuries involved in this accident.

BOATING ACCIDENTS WITH INJURIES: 1

There was one accident with minor injuries during the month of August when a shrimp boat sank in the East Biloxi Ship Channel. One of the individuals received a laceration to his toe during this accident.

Total Accidents- 2

FY 19 YTD: 10

FY 18 YTD: 11

TOTAL WATER INCIDENTS: 0

FY 19 YTD: 0

FY 18 YTD: 1

TOTAL FATALITIES (Boating and Non-Boating): 0

FY 19 YTD: 0

FY 18 YTD: 2

DIVE ACTIVITY: There was Dive Activity for the month of August.

ASSISTS WITH PUBLIC SAFETY CONCERNS:

Assists to Another Agency- **16**
Traffic accident without Injury- **2**
Assist to Kayakers- **2**
Overturned Vessel- **2**
Assist to Swimmers- **1**
Assist to Boaters in Distress/Tow-Ins- **8**
Overdue Boater- **1**
Vessel Fire- **1**
Hazard to Navigation- **1**
Sunken Vessel - **1**
Illegal Sewage Dumping- **2**
Dead Dolphin- **5**
Reckless Jet Ski- **3**
Medical Emergency- **2**
Vessel Afloat- **2**
Total- 49
FY 19 YTD: 117
FY 18 YTD: 116

MISCELLANEOUS COMPLAINTS/REPORTS:

Assist to Motorist- **2**
Theft of Crab Traps- **1**
Theft of Crabs- **5**
Island Fire- **1**
Injured Bird- **4**
Illegal crabbing- **1**
Fishermen threatening Others- **1**
Manatee Sighting- **1**
Debris in the Water- **4**
Boaters Playing Loud Music- **2**
Derelict Vessel- **4**
Suspicious Boaters- **1**
Littering- **2**
Illegal Fishing Activity- **7**
Suspicious Net Boaters- **2**
Wetlands Violation- **3**
Total- 42
FY 19 YTD: 73
FY 18 YTD: 83



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G-1a

Title 22 Part 23

RULES AND REGULATIONS FOR THE COASTAL WETLANDS PROTECTION LAW AND THE MISSISSIPPI COASTAL PROGRAM

Final Adoption

Willa Brantley

September 18, 2018



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CMR Passed Notice of Intent on July 17, 2018

Notice of Intent Filed with the SOS on July 19, 2018

SOS-ARA Form 001

Mississippi Secretary of State
125 South Congress St., P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME: Department of Marine Resources		CONTACT PERSON: (With brackets)		TITLE/PHONE NUMBER: 228-513-4136	
ADDRESS: 2147 Highway 49		CITY: Biloxi		STATE: MS	ZIP: 39530
EMAIL: WMLaBrailley@dms.ms.gov	SUBMIT DATE: 07/19/2018	Name of rule(s) or title(s): Title 25, Part 27 - Rules and Regulations for the Coastal Wetlands Protection Law and the Biological Control Program			

Short description of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: To provide for the regulation of certain activities within the Coastal Zone and associated coastal watersheds for the conservation and protection of the biological integrity of the Coastal Wetlands, and to reserve suitable sites for water-dependent industries for the use of those industries to the maximum extent practicable. This will bring existing regulations into Title 25 and make them consistent with the current format for ADMR regulations.

Specific legal authority authorizing the promulgation of rule: § 57-15 (1) and § 49-27-59

List of rules repealed, amended, or suspended by the proposed rule: N/A

ORAL PROCEEDING:

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

Presently, an oral proceeding is not scheduled for this rule.

If an oral proceeding is not scheduled, an oral proceeding may be held if a written request for an oral proceeding is submitted by a qualified individual, an agency or firm (17) or more persons. The written request should be submitted to the agency contact person to 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 possible, an agency attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the previous (20) day public comment period, written submissions (including arguments, data, and studies on the proposed rule/amendment/repeal) may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

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

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original Filing <input type="checkbox"/> Renewal of effectiveness To be effective in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input checked="" type="checkbox"/> New rule(s) <input type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adopted by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: _____ Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal/Amended as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and title of person authorized to file rules: Joe Spraggins, Director, Department of Marine Resources

Signature of person authorized to file rules:

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	Accepted for filing by <u>#23529</u>	Accepted for filing by

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



Notice on DMR Website

July 20, 2018

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The screenshot shows the DMR website homepage with a blue header and a navigation menu. The main content area is divided into several sections:

- Safe Boating 2018**: A large banner with a boat and the text "SAFE BOATING ON OUR COASTAL WATERS WEAR IT!". A sidebar menu on the right lists items 01 through 04, with 03 highlighted.
- Event Requests**: A list of links including "RESTORE projects", "Commission Meetings", "MDMR Ethics Hotline", "2016-2017 Annual Report", and "Transparency Mississippi".
- News & Updates**: A list of recent news items, including "MDMR to hold public hearing on proposed fish net ban around Cat Island" and "Gulf Coast Heritage Area to hold business workshop Sept. 6".
- Public Notices**: A list of notices, with "Title 22 Part 23 - Rules and Regulations for the Coastal Wetland Protection Act and the Mississippi Coastal Program - Proposed Adoption" circled in red.
- Quick Links**: A section with links to "SPECKLED TROUT INFORMATION", "RED SNAPPER 2018", "BIDS, PROPOSALS & QUALIFICATIONS", and "JOBS - JOIN OUR TEAM!".
- Oyster Farming Fundamentals**: A section with a video player and the text "Training for Commercial Off-Bottom Oyster Farming".
- Stay Connected**: A section with social media icons for Facebook, Twitter, Google+, YouTube, Instagram, Pinterest, and LinkedIn.



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Legal Notice Appeared in the Sun Herald on July 29, August 5, and August 12, 2018

SunHerald

Order Confirmation

Customer DEPARTMENT OF MARINE RESOURCES		Payor Customer DEPARTMENT OF MARINE RESOURCES			
Customer Account 681482		Payor Account 681482			
Customer Address 1141 BAYVIEW AVENUE BILOXI MS 39530 USA		Payor Address 1141 BAYVIEW AVENUE BILOXI MS 39530 USA			
Customer Phone 228-523-4108		Payor Phone 228-523-4108			
Customer Fax		Customer EMail			
Sales Rep rtaylor@sunherald.com		Order Taker rtaylor@sunherald.com			
PO Number	Payment Method Credit Card	Blind Box	Tear Sheets 0	Proofs 0	Affidavits 0
Net Amount \$71.36	Tax Amount \$0.00	Total Amount \$71.36	Payment Amount \$0.00	Amount Due \$71.36	
Ad Order Number 0003780615	Order Source	Ordered By	Special Pricing		
Invoice Text			Promo Type		
Package Buy			Materials		

Title 22 Part 23 – Rules and Regulations for the Coastal Wetland Protection Act and the Mississippi Coastal Program The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on June 19, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Notice of Intent to adopt Title 22 Part 23. Said Notice of Intent was filed with the Mississippi Secretary of State's office on July 19, 2018. A complete copy of Title 22 Part 23 is available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through August 20, 2018. All comments should be mailed to the MDMR, Attn: Willa Brantley, 1141 Bayview Avenue, Biloxi, MS 39530, faxed to 228-374-5008, or emailed to: willa.brantley@dmr.ms.gov and delivered by 5:00 PM on August 20, 2018. Title 22 Part 23, if adopted, will bring regulations that currently exist as the Mississippi Coastal Program (authorized by MS Code § 57-15-6(1) and § 49-27-59) into Title 22 and make them consistent with the current format for MDMR regulations. These regulations have been revised to update agency names and responsibilities, reflect legislative changes, and make the document as a whole more streamlined and accessible. This is not a substantive change to the Program. PLEASE PUBLISH: July 29, 2018 August 5, 2018 August 12, 2018 0003780615



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Public Comments

- Notice of Intent Published on July 19, 2018
- Public Comment period July 19th through August 20th, 2018 (32 days)
- MS SOS submitted comments with 8 requested changes



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Public Comments

cont.

- Include SOS as a Coastal Program Agency
- Require that an application include proof that a Tidelands lease has been applied for or is not required to be complete
- Add that Coastal Preserve System designations will be coordinated between MDMR and SOS
- Remove reference to DEQ as a leasing agency in the Coastal Wetlands Use Plan chapter
- Remove Tidelands leases from the list of State Agency Actions Subject to Review
- Add definitions of 4 terms



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Public Comments

cont.

- Current text Chapter 08, 103.01:
 - For erosion control, nonstructural methods must be used in preference to structural methods. Vegetation as a nonstructural method is preferred to structural methods of sloping (3:1) rip-rap, and rip-rap is preferred to vertical seawalls. Vertical face bulkheads may be used only in low energy areas such as canals, bayous, tidal rivers, protected ports and harbors.



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Public Comments

cont.

- Proposed change:
 - For erosion control, nonstructural methods must be used in preference to structural methods. Vegetation as a nonstructural method is preferred to structural methods of sloping (3:1) rip-rap, and rip-rap is preferred to vertical seawalls. Use and failure of nonstructural or sloping rip-rap for 3 years must be demonstrated prior to request and approval of vertical face bulkhead or other erosion control method. Vertical face bulkheads may be used only in low energy areas such as canals, bayous, tidal rivers, protected ports and harbors.



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Public Comments

cont.

- These would all be considered a Substantive Change by NOAA. At this time, we are only proposing a Routine Programmatic Change.
- This programmatic change is required by NOAA and was included as an Action Item on our last program review.
- These SOS changes will be considered at a later date when we are ready to propose a Substantive Change to the program.



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Public Comments

cont.

- Add a statement that the Coastal Wetlands Use Plan map is available online
 - Map is not currently available online



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Required:

A motion for final adoption of
Title 22 Part 23



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Mississippi

Department of Marine Resources

Agency Financial Results

as of August 31, 2018

Commission on Marine Resources
September 18, 2018

Key Metrics:

- State Revenue of \$3.2M
- Agency Revenue of \$3.3M
- State Net Income of \$2.4M
- Agency Net Income of \$1.5M

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Income Statement - Fiscal Year 2019

As of August 31, 2018

	<u>State</u>	<u>Federal : NFWF:</u>	<u>Operating Subtotal</u>	<u>Tidelands</u>	<u>Total DMR</u>
Revenue:					
Transfer in from Other Governments	-	-	-	-	-
Off-road Fuel Tax	3,050,000	-	3,050,000	-	3,050,000
Federal Grants	-	71,863	71,863	-	71,863
Sales Revenue	143,839	-	143,839	125	143,964
Indirect Cost Recovery	66,783	-	66,783	-	66,783
Other Revenue	13,591	-	13,591	46,320	59,910
Current Budget Year Revenue:	3,274,213	71,863	3,346,076	46,445	3,392,521
Expenditures:					
Salaries, Wages, Fringe	743,810	306,405	1,050,215	148,885	1,199,100
Travel	5,047	9,358	14,406	4,874	19,279
Contractual Services	67,998	158,025	226,023	80,570	306,593
Commodities	41,120	15,708	56,828	9,773	66,601
Other than Equipment	-	-	-	-	-
Equipment	-	13,162	13,162	2,254	15,416
Vehicles	-	4,049	4,049	-	4,049
Wireless Devices	-	-	-	-	-
Subsidies, Loans, and Grants	9,164	57,620	66,783	152,741	219,525
Current Budget Year Expenditures:	867,140	564,327	1,431,467	399,096	1,830,563
Current Budget Year Net Income/(Loss):	\$ 2,407,073	\$ (492,464)	\$ 1,914,609	\$ (352,651)	\$ 1,561,958

Financial Budget Comparison

- After two months of Fiscal Year 2019:

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
2019 Budget Comparison
As of August 31, 2018

	<i>Actual Year to Date Expenditures</i>			<i>Budget Year Totals</i>			<i>Percent Remaining</i>		
	Operating	Tidelands	Total	Operating	Tidelands	Total	Operating	Tidelands	Total
Expenditures:									
Salaries, Wages, Fringe	\$ 1,050,215	\$ 148,885	\$ 1,199,100	\$ 8,644,260	\$ 1,012,526	\$ 9,656,786	87.9%	85.3%	87.6%
Travel	14,406	4,874	19,279	269,837	20,000	289,837	94.7%	75.6%	93.3%
Contractual Services	226,023	80,570	306,593	5,424,274	1,627,590	7,051,864	95.8%	95.0%	95.7%
Commodities	56,828	9,773	66,601	1,980,361	450,000	2,430,361	97.1%	97.8%	97.3%
Equipment	13,162	2,254	15,416	504,629	225,000	729,629	97.4%	99.0%	97.9%
Vehicles	4,049	-	4,049	70,000	-	70,000	94.2%	0.0%	0.0%
Wireless Devices	-	-	-	6,250	-	6,250	100.0%	0.0%	100.0%
Subsidies, Loans, and Grants	66,783	152,741	219,525	12,268,612	6,664,884	18,933,496	99.5%	97.7%	98.8%
Total Expenditures:	\$ 1,431,467	\$ 399,096	\$ 1,830,563	\$ 29,168,222	\$ 10,000,000	\$ 39,168,222	95.1%	96.0%	95.3%

- Operating Funds have 95.1% of Budget remaining
- Tidelands Trust Fund has 96.0% of Budget remaining



Public Affairs – September 2018

The MS Department of Marine Resources was mentioned 19 times in local, state and national media since the August CMR meeting. Popular news items included the reopening of Snapper season and National Heritage Area's work with eco-tourism projects.

Marine Patrol taught one boat-and-water safety class and certified five students. So far in FY19, officers have taught six classes and certified 106 students.

Marine Patrol also participated in Education Day at the Biloxi Shuckers baseball game, the Harrison County Youth Fishing Rodeo and Biloxi's annual Fight against Crime event.

Our agency also participated in various events in the community. Jason Rider gave a presentation on off-bottom aquaculture at Moss Point High School and Jessica Rankin in the Office of Marine Fisheries demonstrated an oyster dissection to a zoology class at Harrison Central High School.

Marine Patrol, along with Public Affairs and volunteers from throughout the agency, took part in the Biloxi Seafood Festival September 8 and 9. In addition to having a Marine Patrol Boat on display, we handed out our rules and regulations publication, fish ruler stickers, fish posters, items from the National Heritage Area and other informational pieces to the public.

Since the last CMR meeting, the agency's Wellness Committee hosted a Health and Wellness Fair where our agency, along with the others in this building, were invited to attend the day long event. Marine Fisheries and Human Resources set up the Cookies for a Cure Bake Sale where proceeds would be donated to the American Cancer Society. This year, \$125 was donated to the organization adding to a total of \$1,712 that has been donated from MDMR to the American Cancer Society since 2013.



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Oyster Depuration Overview

Ruth Posadas
September 18, 2018

K.1.

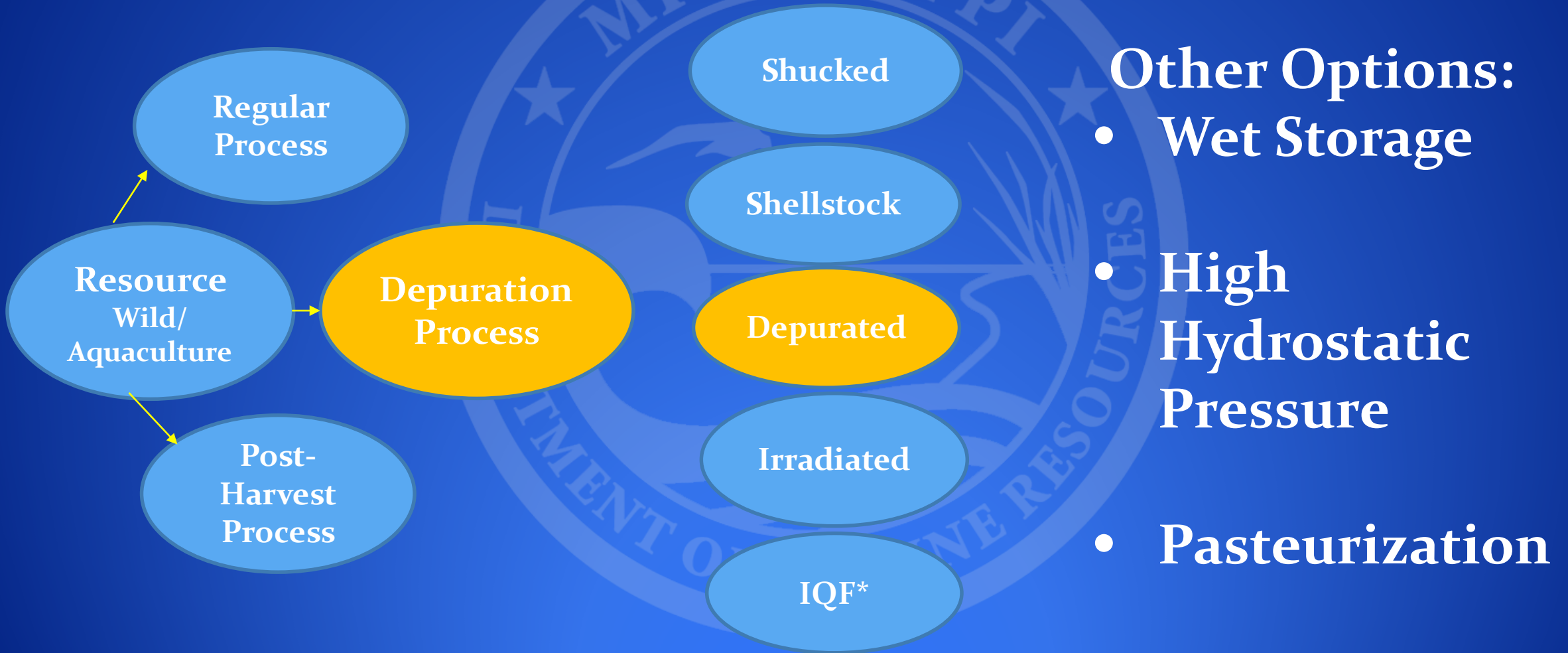
Background

CMR Motion (May 15): For DMR to comeback with recommendations to develop a program for a depuration facility and to develop a feasibility study, a cost analysis and a funding source.

Needed Actions

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

Oyster Processing Options and Products



* Individually Quick Frozen

Available Options

Proposed Option

Oyster Depuration Program Needs

- Guidelines to Build a Program – (Rules and Regulations)
- Site Selection – (Technology, Water and Resource)
- Facility – (Plant Design, Construction, Equipment and Operating System)
- Labor – (Expertise for Management and Trained Manpower)
- Utilities – (Power and Potable Water)
- Laboratory – (In-house/Independent FDA Certified Lab)
- Regulatory Concerns – (Inspector, Permits, Licenses and Certifications)
- Feasibility Study – (Cost Benefits and Returns)

Site Selection

- **JACKSON COUNTY - Commission Recommendation**
 - Available Water (Source/Effluence outlet)
 - Available Technology
 - Limited Expertise
 - Private/State Laboratory
 - Limited Manpower
 - Limited Resource
- * Legal size Oysters

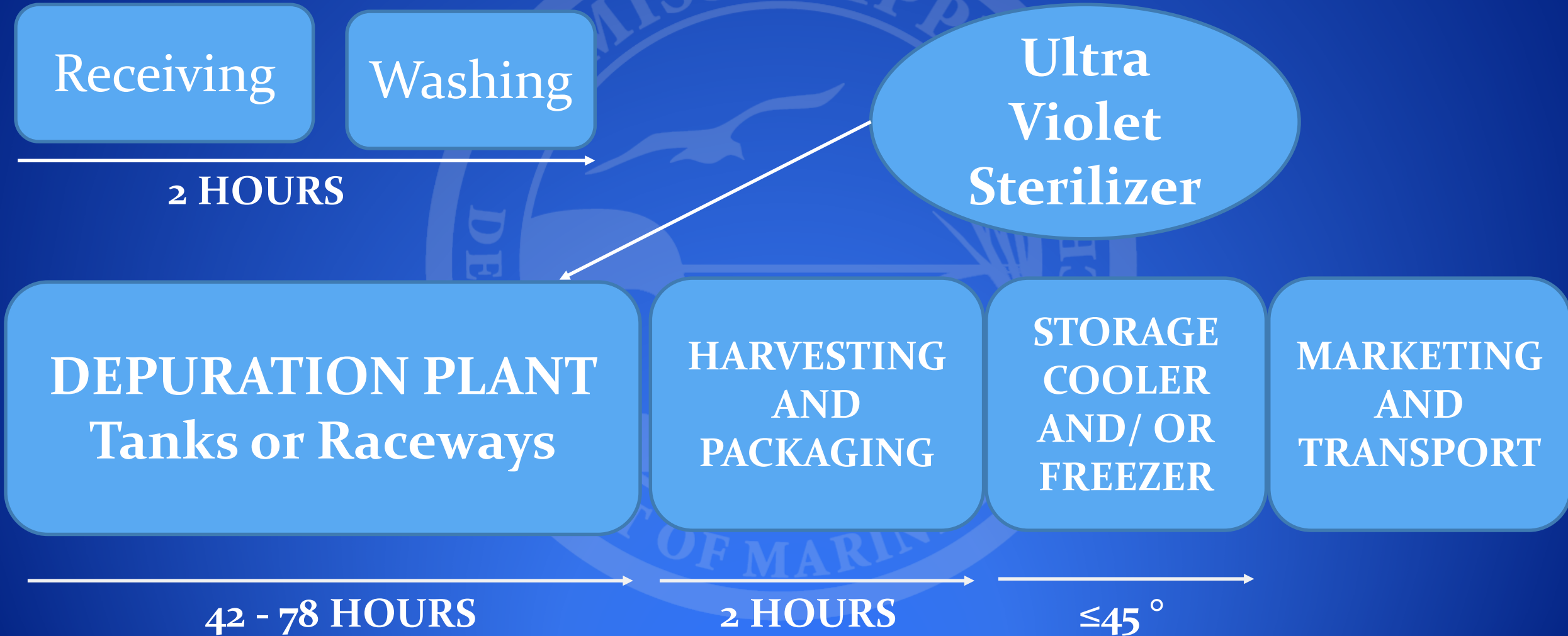
**Estimated
Oysters in
Jackson County:**

37,588 sacks *

Area 6

2017

Facility Operation



Standards for Depuration

Flow Rate:

1 gal/ minute/bushel
(0.626 sack)

Volume of water:

59.84 gallons/bushel

Salinity:

10 ppt to 30 ppt

Turbidity:

0-20 units

pH: 7.0 – 8.4

Temperature:

$\leq 60.7^{\circ}\text{F} / 77^{\circ}\text{F}$

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

Dissolved Oxygen:

5.0 mg/L to saturation

Bacteriological:

(Total Coliform/100 ml):
0 to < 1

Minimum Depuration

Time:

≥ 44 hours

Regulatory Requirements

MUST HAVE:

- License: MS Seafood Dealer's License (MDMR)
- Permit: MS Aquaculture Permit (MDAC)
- Certification: MS –001– DP (MDMR)
- Depuration Plant Operations Manual (Company)
- Memorandum of Agreement (MS and another state)
 - The company plans to do business with a dealer from a different state as source or a receiver of depurated oysters
- Laboratory to analyze bacteriological contents of water and end product testing

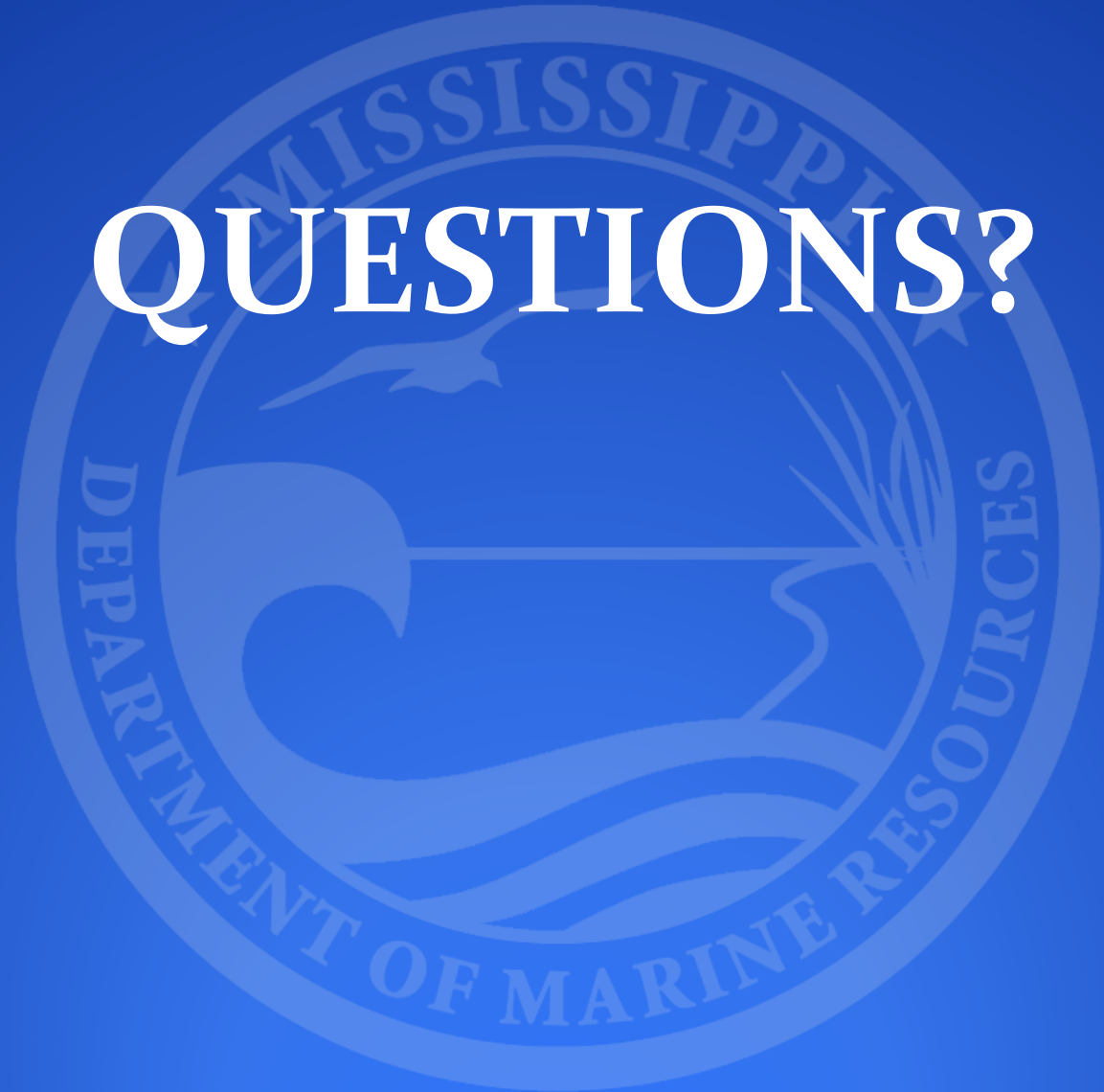
A FEASIBILITY STUDY

A feasibility study will be contracted to conduct an economic feasibility of a depuration plant in Jackson County with cost analysis on the specific requirements of a depuration plant.

POTENTIAL FUNDING SOURCES

- Feasibility Study – Tideland’s Funds/BP Restore Funds
- Partner with Colleges or Universities to get federal funding from the Department of Labor and Department of Education under the Mandated Workforce Innovation and Opportunity Act (July 22, 2014)
- Depuration Plant – Collaboration with Local Government and Private Sector
- Saltonstall-Kennedy Grant (NOAA) – Address the Needs of Fishing Communities

QUESTIONS?



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Motion: Pursue funding alternatives for oyster depuration including onshore and offshore



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Title 22 Part 7 Chapter 9

Spotted Seatrout Endorsement

Matt Hill
September 18, 2018

K.2.

Background

August 21st the CMR passed a motion to withdraw the original NOI.

Additionally, at the August meeting, the CMR made a motion for staff to prepare language addressing charter for-hire industry Spotted Seatrout endorsement qualifications.

Withdrawn NOI Language for Title 22 Part 7 Chapter 09 Commercial Size, Possession and Catch Limits Section 110

Beginning January 1, 2019 individuals commercially harvesting Spotted Seatrout (*Cynoscion nebulosus*) must possess a Spotted Seatrout endorsement (\$10.00) in addition to a current applicable harvester's license. To qualify for this endorsement an application must be completed. For the 2019 fishing season the fisher must present documentation that a minimum of twenty (20) percent of their taxable income came from commercial fishing activities in a previous tax year between 2013-2018. Documentation shall be a copy of the appropriate filed IRS tax form showing the applicant's taxable income for one of those years. A Marine Fisheries Trip Ticket officer will then run a sales summary for the year chosen using trip tickets to determine if the eligibility requirement has been met. This endorsement will be valid for a one-year period at which time a new application with qualifying documents for the previous tax year shall be submitted for a new endorsement. The endorsement will be valid from January 1st – December 31st each year. In the event of a hardship approved by the Commission, the department may consider qualifying documents for the two years prior to the onset of the hardship.

Charter For-Hire Income Consideration

Charter for-hire owners/operators shall be allowed to use income from charter for-hire activities to qualify for the Spotted Seatrout endorsement. For the 2019 fishing season the fisher must present documentation that a minimum of twenty (20) percent of their taxable income came from charter for-hire and/or commercial fishing activities in a previous tax year between 2013-2018. Documentation shall be a copy of the appropriate filed IRS tax form showing the applicant's taxable income for one of those years. A Marine Fisheries Trip Ticket officer will determine the income derived from charter for-hire activities then run a commercial sales summary for the year chosen using trip tickets to determine if the eligibility requirement has been met. This endorsement will be valid for a one-year period at which time a new application with qualifying documents for the previous tax year shall be submitted for a new endorsement. The endorsement will be valid from January 1st – December 31st each year. In the event of a hardship approved by the Commission, the department may consider qualifying documents for the two years prior to the onset of the hardship.

Current Endorsements

Upon approval of the proposed regulation change to Title 22 Part 7 Section 110 all Spotted Seatrout Endorsements shall expire November 16, 2018.

Required:

A motion for Notice of Intent of regulatory changes to Title 22 Part 7 Chapter 9 Section 110 modifying the requirements for the Spotted Seatrout Endorsement

Modified: A motion to send the language that was withdrawn last month out for Notice of Intent for regulatory changes to Title 22 Part 7 Chapter 9 Section 110 modifying the requirements for the Spotted Seatrout Endorsement



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Title 22 Part 5 Chapter 4

One-Mile Commercial Net Exclusion Zone Around Cat Island Final Adoption

Joe Jewell

September 18, 2018

K.3.

CMR Passed Notice of Intent on July 17, 2018

Notice of Intent filed with the
SOS Office on July 18, 2018

SOS APA Form 001

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources	CONTACT PERSON Joe Spriggs	TELEPHONE NUMBER (601) 383-0772
ADDRESS 1241 Bayview Ave.	CITY Biloxi	STATE MS
EMAIL joespriggs@dmr.ms.gov	SUBMIT DATE 7/18/18	Name or number of rule(s): Title 22, Part 5

Short explanation of rule amendment/ repeal and reason(s) for proposing rule amendment/ repeal: TITLE 22 - MARINE RESOURCES PART 5 REGULATIONS GOVERNING THE USE OF NETS, FISH TRAPS AND POTS WITHIN THE TERRITORIAL WATERS OF THE STATE OF MISSISSIPPI AND ESTABLISHING CERTAIN CATCH LIMITATIONS AND QUOTAS Chapter 07 Commercial Net Classes Areas and Gear Size Restrictions To create a one-mile commercial net exclusion zone around Galveston and Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-49-1.001 et seq.

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 5: [\(see above\) Summary, resolution, complete description attached.](#)

ORAL PROCEEDING:

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

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

If an oral proceeding is not scheduled, an oral proceeding may be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or an individual 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) meeting the request; and, if you are an applicant or attorney, the name, address, email address, and telephone number of the party or parties you represent. Any state within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

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

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: _____ <input type="checkbox"/> Immediately upon filing Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing Other (specify): _____	Date Proposed Rule Filed: Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal accepted as proposed Effective date: <input type="checkbox"/> 30 days after filing Other (specify): _____

Printed name and Title of person authorized to file rules: Joe Spriggs Executive Director
Signature of person authorized to file rules: *Joe Spriggs*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
	FILED JUL 18 2018 MISSISSIPPI SECRETARY OF STATE	
Accepted for filing by	Accepted for filing by <i>JWS</i>	Accepted for filing by

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

MDMR Web Page Public Notice Published on July 19, 2018

The screenshot displays the MDMR website interface. At the top, there are navigation tabs for Recreational Fishing, Commercial Fishing, Environment, Wildlife, and Education. Below these are sections for News & Updates, Quick Links, and Public Notices. The Public Notices section is circled in green and contains the following items:

- Title 22 Part 01 - Hand Dredge Specifications - Proposed Changes
- Title 22 Part 05 - Cat Island Net Exclusion - Proposed Changes
- Title 22 Part 07 - Spotted Seatrout Endorsement - Proposed Changes
- PUBLIC NOTICE OF APPLICATION FOR COASTAL WETLANDS PERMIT AND WATER QUALITY CERTIFICATION
- Title 22 Part 01 - Area 6 Reclassification - Proposed Changes
- Title 22 Part 07 - Finfish Size and Bag Limits - Proposed Changes
- Title 22 Part 07 - Finfish Size and Bag Limits - Proposed Changes

The main content area on the right shows the details of the public notice:

Public Notices

Title 22 Part 05 - Cat Island Net Exclusion - Proposed Changes

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on July 17, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Notice of Intent to update, modify and change below listed sections of Title 22 Part 5. Said Notice of Intent was filed with the Mississippi Secretary of State's office on July 18, 2018. A complete copy of Title 22 Part 5 and the proposed changes are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through August 20, 2018. All comments should be mailed to the MDMR, Attn: Joe Jewell, 1141 Bayview Avenue, Biloxi, MS 38530 or emailed to: JoeJewell@dmr.ms.gov and delivered by 5:00 PM on August 20, 2018.

Complete description of proposed changes:

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 5 Rules and Regulations that Establish Restrictions Governing the Use of Nets, Fish Traps and Pots Within the Territorial Waters of the State of Mississippi and Establishing Certain Catch Limitations and Quotas

Chapter 04 Commercial Net Closure Areas and Gear Size Restrictions Section 101

101.04 Within an area formed by a line running one (1) mile from the shoreline of Cat Ship, Horn, Peat Bolt, and Round Island, or from the shoals of Telegraph Keys and Telegraph Reef (Merrill Coaulle), during the period from May 15 to September 15 of each year:

101.05 Within an area formed by a line running one (1) mile from the shoreline of Cat Island

101.06 101.06 Within twelve hundred (1,200) feet of any private piers which extend a distance of seventy-five (75) feet or more from the shoreline, except when mullet fishing.

101.07 101.07 Within three-hundred (300) feet of any private piers which extend a distance of seventy-five (75) feet or more from the shoreline when mullet fishing.

101.08 101.08 All of the aforementioned piers must be in usable condition with boards spaced in such a way that persons can walk the entire distance of the pier.

101.09 101.09 It shall be unlawful for any person, firm, or corporation to use at any time trammel nets, gill nets, seines, or any other like contrivances in excess of twelve-hundred (1200) feet in length. Except when fishing gill and trammel nets between October 15 through December 15 of each year, nets must be of a mesh size of one and one-half (1-1/2) inch square, three (3) inch stretch or larger, and it shall be unlawful for any boat to use more than one (1) such net. Between October 15 through December 15 of each year, gill and trammel nets must be of a mesh size of one and three-fourths (1 3/4) inch square, three and one-half (3 1/2) inch stretch or larger, and it shall be unlawful for any boat to use more than one (1) such net.

101.10 101.10 It shall be unlawful for any person, firm, or corporation other than licensed menhaden vessels engaged in menhaden fishing, to use or have in possession purse seine(s) in excess of fifteen hundred (1500) feet in length. Said nets must be of a mesh size of one-half (1/2) inch square, one (1) inch stretch or larger.

101.11 101.11 It shall be unlawful for any person, firm, or corporation to leave a gill net, trammel net, purse seine, seine or any other net like contrivance governed by the restrictions set forth in this Part unattended in the waters of this state, and at least one person shall be required to stand by, within one boat length of the boat using said net, at all times the net is in the water. It shall further be unlawful for any person, firm, or corporation to use or have in their possession a gill net, trammel net, seine or like contrivance on the waters of this state without a visible buoy attached every one hundred (100) feet clearly marked with the license number or owner's full name thereon.

[Download PDF]

Legal Notice Appeared in the Sun Herald on July 29, 2018



Order Confirmation

Customer DEPT OF MARINE RESOURCES		Payor Customer DEPT OF MARINE RESOURCES	
Customer Account 662389		Payor Account 662389	
Customer Address 1141 BAYVIEW AVENUE BILOXI MS 39530 USA		Payor Address 1141 BAYVIEW AVENUE BILOXI MS 39530 USA	
Customer Phone 228-374-5000		Payor Phone 228-374-5000	
Customer Fax		Customer EMail Greg.Christodoulou@dmr.ms.gov	
Sales Rep Lgum@sunherald.com		Order Taker Lgum@sunherald.com	

PQ Number	Payment Method	Blind Box	Tear Sheets	Proofs	Amisavia
	Invoice		0	0	1

Net Amount	Tax Amount	Total Amount	Payment Amount	Amount Due
\$81.84	\$0.00	\$81.84	\$0.00	\$81.84

Ad Order Number	Order Source	Ordered By	Special Pricing
0003779545			

Invoice Text	Promo Type

Package Rev	Materials

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on July 17, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Notice of Intent to update, modify and change below listed sections of Title 22 Part 5. Said Notice of Intent was filed with the Mississippi Secretary of State's office on July 18, 2018. A complete copy of Title 22 Part 5 and the proposed changes are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through August 20, 2018. All comments should be mailed to the MDMR, Attn: Joe Jewell, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to Joe Jewell at joe.jewell@dmr.ms.gov and delivered by 5:00 PM on August 20, 2018. Complete description of proposed changes: TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 5 Rules and Regulations that Establish Restrictions Governing the Use of Nets, Fish Traps and Pots Within the Territorial Waters of the State of Mississippi and Establishing Certain Catch Limitations and Quotas Chapter 04 Commercial Net Closure Areas and Gear Size Restrictions Section 101.04 Within an area formed by a line running one (1) mile from the shoreline of Cat, Ship, Horn, Petit Bois, and Round Islands, or from the shoals of Telegraph Keys and Telegraph Reef (Merrill Coquills), during the period from May 15 to September 15 of each year, 101.05 Within an area formed by a line running one (1) mile from the shoreline of Cat Island 101.06 Within twelve hundred (1,200) feet of any private piers which extend a distance of seventy-five (75) feet or more from the shoreline, except when mullet fishing, 101.07 Within five-hundred (500) feet of any private piers which extend a distance of seventy-five (75) feet or more from the shoreline when mullet fishing, 101.08 All of the aforementioned piers must be in usable condition with boards spaced in such a way that persons can walk the entire distance of the pier, 101.09 It shall be unlawful for any person, firm, or corporation to use at any time trammel nets, gill nets, seines, or any other like contrivances in excess of twelve-hundred (1200) feet in length. Except when fishing gill and trammel nets between October 15 through December 15 of each year, gill and trammel nets must be of a mesh size of one and one-half (1-1/2) inch square, three (3) inch stretch or larger, and it shall be unlawful for any boat to use more than one (1) such net. Between October 15 through December 15 of each year, gill and trammel nets must be of a mesh size of one and three-fourths (1-3/4) inch square, three and one-half (3 1/2) inch stretch or larger, and it shall be unlawful for any boat to use more than one (1) such net. 101.10 It shall be unlawful for any person, firm, or corporation other than licensed menhaden vessels engaged in menhaden fishing, to use or have in possession purse seine(s) in excess of fifteen hundred (1500) feet in length. Said nets must be of a mesh size of one-half (1/2) inch square, one (1) inch stretch or larger. 101.11 It shall be unlawful for any person, firm, or corporation to leave a gill net, trammel net, purse seine, seine or any other net like contrivance governed by the restrictions set forth in this Part unattended in the waters of this state, and at least one person shall be required to stand by, within one boat length of the boat using said net, at all times the net is in the water. It shall further be unlawful for any person, firm, or corporation to use or have in their possession a gill net, trammel net, seine or

like contrivance on the waters of this state without a visible buoy attached every one hundred (100) feet clearly marked with the license number or owner's full name thereon. 0003779545

1. Public Hearing Sept. 11, 2018

- Public attendance: 102
- Number of commenters: 25
 - Support the proposed changes – 17
 - Oppose the proposed changes - 8
- Public Officials:
 - Commissioners – Bosarge, Gollott, Havard and Daniels
 - Representatives Greg Haney and Stacy Wilkes
 - MDMR Employees: 17
 - Marine Patrol: 7
- TOTAL in Attendance: 132
- Written Comments/Petitions: 5
 - MS Commercial Fisheries United 2 board letters opposing proposed changes and one petition with 303 commenters opposing proposed changes
 - Mr. JL McNew 1 petition with 1,040 commenters supporting proposed changes
 - Mr. Talmitch Delany 1 petition with 30,487 commenters opposing proposed changes.

1. Summary of Public Hearing Comments

Petitions/Written Comments

4. Mr. JL McNew Submitted a petition with 1,040 commenters supporting the proposed regulatory changes to Title 22 Part 5.

5. Mr. Talmitch Delany submitted a petition with 30,487 commenters opposing the regulatory changes to Title 22 Part 5

(An update of the petition submitted on August 21, 2018 with then 19,446 commenters.)

care2

Demand an End to the Purse Seine/Gill Nets in Mississippi

<https://www.thepetitionsite.com/327213196/demand-an-end-to-the-purse-seine-gill-nets-in-mississippi/>

Author: JL McNew
Recipient: Phil Bryant, Governor, Commission on Marine Resources, Steve Bosarge, Chair, Department of Marine Resources, Joe Spraggins

Petition:

Mississippi currently allows Purse Seine/Gill nets in a commercial fishery that indiscriminately kills all marine life. They claim this is sustainable fishery but it has been proven over the last 25 years that it isn't. The fishery is destroying the spotted sea trout population as well as habitat and forage fish that supports the ecological structure of Mississippi coastal waters. The boats also are avoiding trip limits by selling out of state.

The state has provided them with a monopoly with no checks and balances on a fishery that is considered overfished already. Why are there numerous restrictions on recreational fishery while the state blatantly allows the harvest and destruction of these trout in prime spawning grounds and season by the nets?? We have no issue with the hook and line commercial fishery but an issue with the nets killing everything within their grasp.

care2

Demand Stronger Protections for Seagrass on Cat Island, MS!

<https://www.thepetitionsite.com/442457613/demand-stronger-protections-for-seagrass-on-cat-island-ms/>

Author: Johnny N.
Recipient: Mississippi Commission on Marine Resources

Petition:

The Mississippi Commission on Marine Resources is currently considering management measures that would place restrictions on a certain type of fishing around Cat Island in an effort to promote the conservation of submerged aquatic vegetation or "seagrass beds".

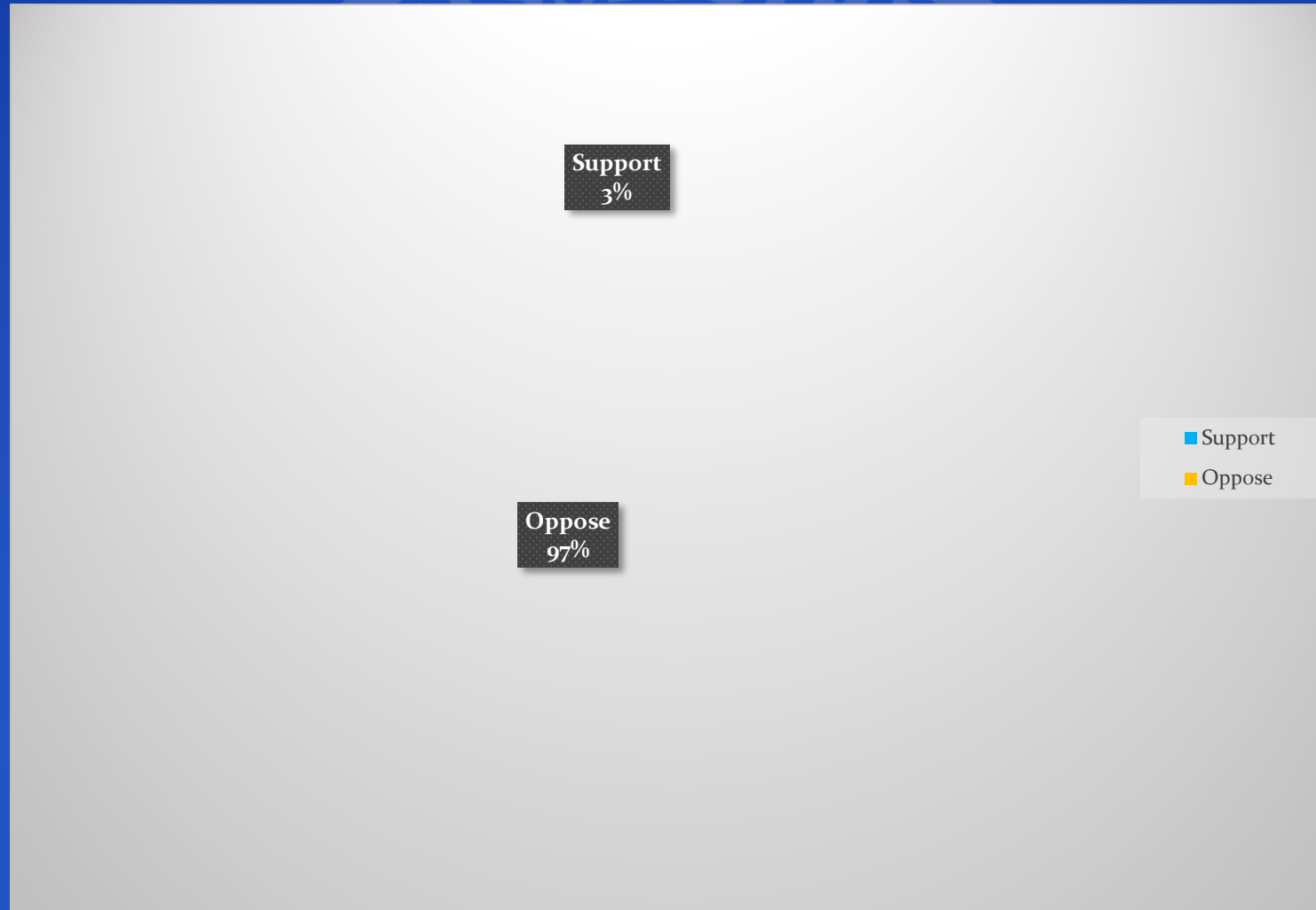
Seagrass beds serve an important primary ecological function by providing habitat for a tremendous number of species that live in or depend on seagrass habitats. Additionally, seagrasses are at the center of vast web of carbon and nutrient exchange spanning from the land all the way to coral reefs and into deep ocean trenches.

Extremely productive environments, seagrasses serve many environmental benefits. They also produce seeds that float and can drift all the way down into the deep ocean where they become an important source of food for other organisms. Fish also move seagrass nutrients around. Juvenile fish in mangrove forests or salt marshes often feed in seagrass, and large reef fish juveniles live in the seagrass before moving to the reef as adults. Other fish move from seagrass to offshore environments, forming a connection all the way from land to mangroves/salt marsh to seagrass to reef and beyond into the vast pelagic realm. Unfortunately, seagrass is often buried by sediment or nutrient runoff, ripped up to make navigation channels or docks, or drowned by climate change. **Additionally, studies have indicated that the primary cause of shallow-water seagrass damage is from fishing vessels propellers and anchors.**

Tell the Mississippi Commission on Marine Resources that their Notice of Intent to modify, change, and amend Title 22, Part 05, Chapter 04 to create an exclusion zone around Cat Island **does nothing to protect sensitive seagrass beds on the island** and that you oppose this regulatory change and it should be rejected.

Activities such as motoring through seagrass, anchoring, wading, using trolling motors, power poles and push poles in sensitive seagrass areas around Cat Island should be protected by the Mississippi Commission on Marine Resources around Cat Island, MS.

Cat Island Public Hearing Comments



2. Summary of All Public Comments

A total of 1,022 public comments have been received concerning the proposed commercial net ban within one-mile of Cat Island.

Care2 petition with 19,446 (30,487) comments opposing all activities that harm seagrass beds on Cat Island.

1. 681 comments support the commercial net ban around Cat Island.
2. 340 comments oppose the commercial net ban around Cat Island.
3. 19,446 oppose all activities, including both commercial and recreational, that damage the seagrass beds on Cat Island.
4. 2 groups support the ban: HOSSFLY and the Sierra Club.
5. 2 groups opposes the ban: Mississippi Commercial Fisheries United and Gulf Restoration Network.

2. A. Summary of Public Comments Supporting the Commercial Net Ban Around Cat Island

681 comments in support of the commercial net ban around Cat Island.

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

2. B. Summary of Public Comments Opposing the Commercial Net Ban around Cat Island – MCFU Petition

1. On August 6th Ryan Bradley submitted 17 comments on a form letter
2. August 10th MCFU Board Statement
3. On August 13th submitted the form letter with 38 comments. Summary of the comments on the form letter:
4. On August 20th Ryan Bradley submitted 14 comments on a form letter for a total of: 69
5. On August 21st Ryan Bradley submitted 8 comments on a form letter for a total of: 78

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

Example of form letter

Mississippi Department of Marine Resources
ATTN: Joe Jewell
1141 Bayview Avenue
Biloxi, MS 39530

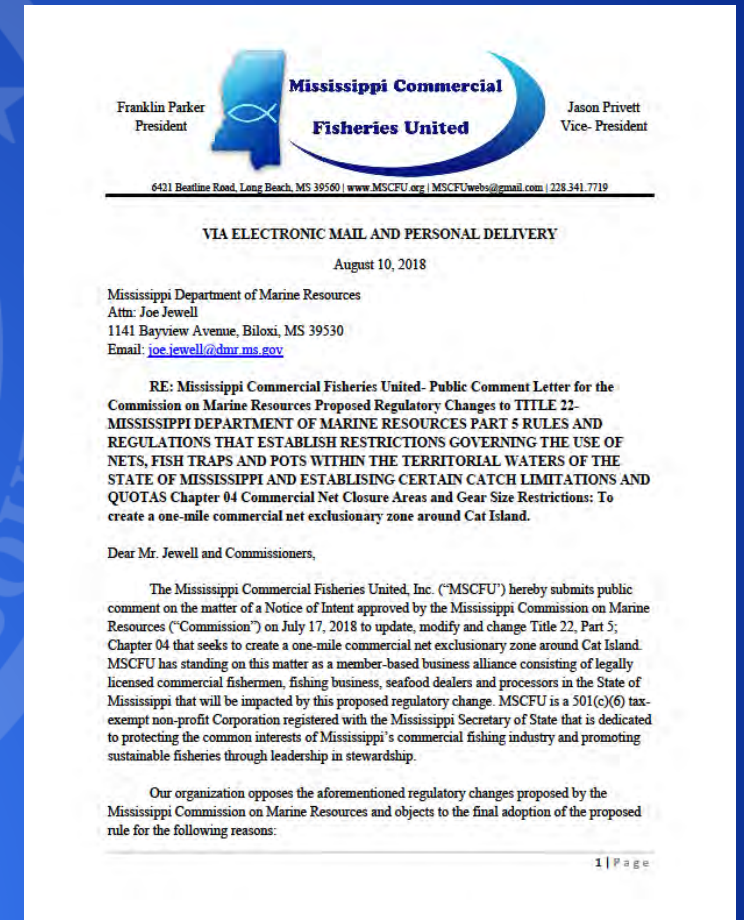
I oppose regulatory changes being proposed by the Mississippi Commission on Marine Resources to Title 22 Part 5, Chapter 4 that would make it unlawful for any person, firm, or corporation to catch take or carry away any saltwater fish by or with any gill nets, trammel nets, purse seines, seines, fish traps, or any other like contrivances within an area formed by a line running one (1) mile from the shoreline of Cat Island. This proposed regulation will have a severe adverse impact on my commercial fishing business and affect my ability to make a living commercial fishing. I request that an oral proceeding be held before final adoption of this proposed regulation is voted upon. Due to the fact that this regulation is likely to have an adverse economic impact to the commercial fishing industry in excess of \$100,000.00 in total I request that an economic impact statement be conducted. I also request that the need for this proposed regulation be clearly conveyed and that the best available science supporting the proposed regulation be presented before this proposed rule is considered for final adoption.

Name: *Eddie Rhoads*
Address: *6632 Columbus Circle*
Email Address:
Phone number: *228-209-6803*
Signature: *Edward Rhoads*

(Pages:
17+38+14+8+1=78)

2. B. Summary of Public Comments Opposing the Commercial Net Ban around Cat Island – MCFU Organization Statement

1. Proposed changes are not consistent with standards for fishery conservation and management as required by MCA §49-15-2.
2. No valid reason for the proposed regulation was stated publicly.
3. The Notice of Intent for the proposed regulation was not properly authorized by the Commission on Marine Resources.
4. The approval of the Notice of Intent for the proposed regulation is arbitrary and capricious.
5. The proposed regulation has a disparate impact against a certain class of commercial fishermen in violation of the Fourteenth Amendment to the United States Constitution.



2. B. Summary of Comments from Online Care2 Petition as submitted by Ryan Bradley

A total of 251 signatures submitted on August 20, 2018 by Ryan Bradley

1. Where's all the data for closing these waters - my guess there is no data.
2. Because I'm a fisherman in Mississippi I support my family with my boats and this would put a burden on my income.
3. We need commercial fishing to stay here in the USA and provide America our fish. Keep the nets.
4. CCA is the enemy of hard working commercial fishermen. They won't be happy until all seafood is imported.



2. B. Summary of Comments (19,446) from Online Care2 Petition as submitted by Johnny Neetbaum

Tell the Mississippi Commission on Marine Resources that their NOI to modify, change, and amend Title 22, Part 5, Chapter 4 to create an exclusive zone around Cat Island does not do enough to protect sensitive seagrass beds on the island and that this regulatory change should be rejected to include broader protections for these important habitats.

Activities such as motoring through seagrass, anchoring, wading, using trolling motors, power poles and push polls in sensitive seagrass areas around Cat Island should also be included in the Mississippi Commission on Marine Resources protections for seagrass around Cat Island, MS



Demand Stronger Protections for Seagrass on Cat Island, MS!

<https://www.thepetitionsite.com/442/457/613/demand-stronger-protections-for-seagrass-on-cat-island-ms/>

Author: Johnny N.
Recipient: Mississippi Commission on Marine Resources

Petition:

The Mississippi Commission on Marine Resources is currently considering management measures that would place restrictions on a certain type of fishing around Cat Island in an effort to promote the conservation of submerged aquatic vegetation or "seagrass beds".

Seagrass beds serve an important primary ecological function by providing habitat for a tremendous number of species that live in or depend on seagrass habitats. Additionally, seagrasses are at the center of vast web of carbon and nutrient exchange spanning from the land all the way to coral reefs and into deep ocean trenches.

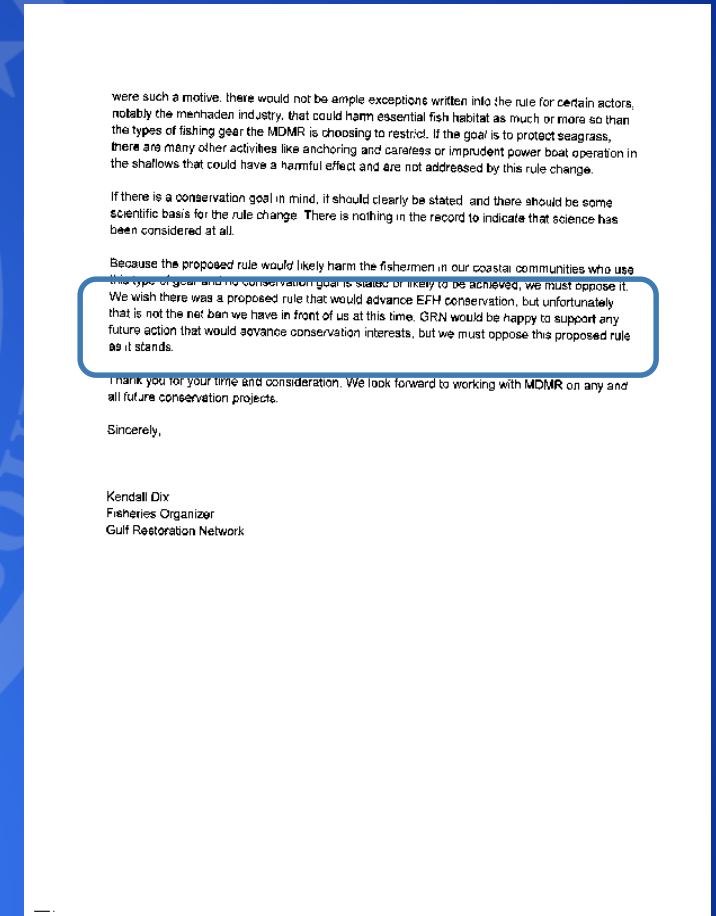
Extremely productive environments, seagrasses serve many environmental benefits. They also produce seeds that float and can drift all the way down into the deep ocean where they become an important source of food for other organisms. Fish also move seagrass nutrients around. Juvenile fish in mangrove forests or salt marshes often feed in seagrass, and large reef fish juveniles live in the seagrass before moving to the reef as adults. Other fish move from seagrass to offshore environments, forming a connection all the way from land to mangrove/salt marsh to seagrass to reef and beyond into the vast pelagic realm. Unfortunately, seagrass is often buried by sediment or nutrient runoff, ripped up to make navigation channels or docks, or drowned by climate change. **Additionally, studies have indicated that the primary cause of shallow-water seagrass damage is from fishing vessels propellers and anchors.**

Tell the Mississippi Commission on Marine Resources that their Notice of Intent to modify, change, and amend Title 22, Part 05, Chapter 04 to create an exclusion zone around Cat Island **does not do enough to protect sensitive seagrass beds on the island** and that this regulatory change should be rejected to include broader protections for these important habitats.

Activities such as motoring through seagrass, anchoring, wading, using trolling motors, power poles and push poles in sensitive seagrass areas around Cat Island should also be included in the Mississippi Commission on Marine Resources protections for seagrass around Cat Island, MS.

2. B. Summary of Comments by Gulf Restoration Network as submitted by Kendall Dix Submitted on August 20, 2018

1. GRN opposes proposed rule as written because they are not supported by scientific evidence and do not address other activities...
2. GRN would support any action by the MDMR that would protect seagrass or other EFH
3. Notes that nothing in proposed rule documents or public notices has a conservation motive by banning haul seines.

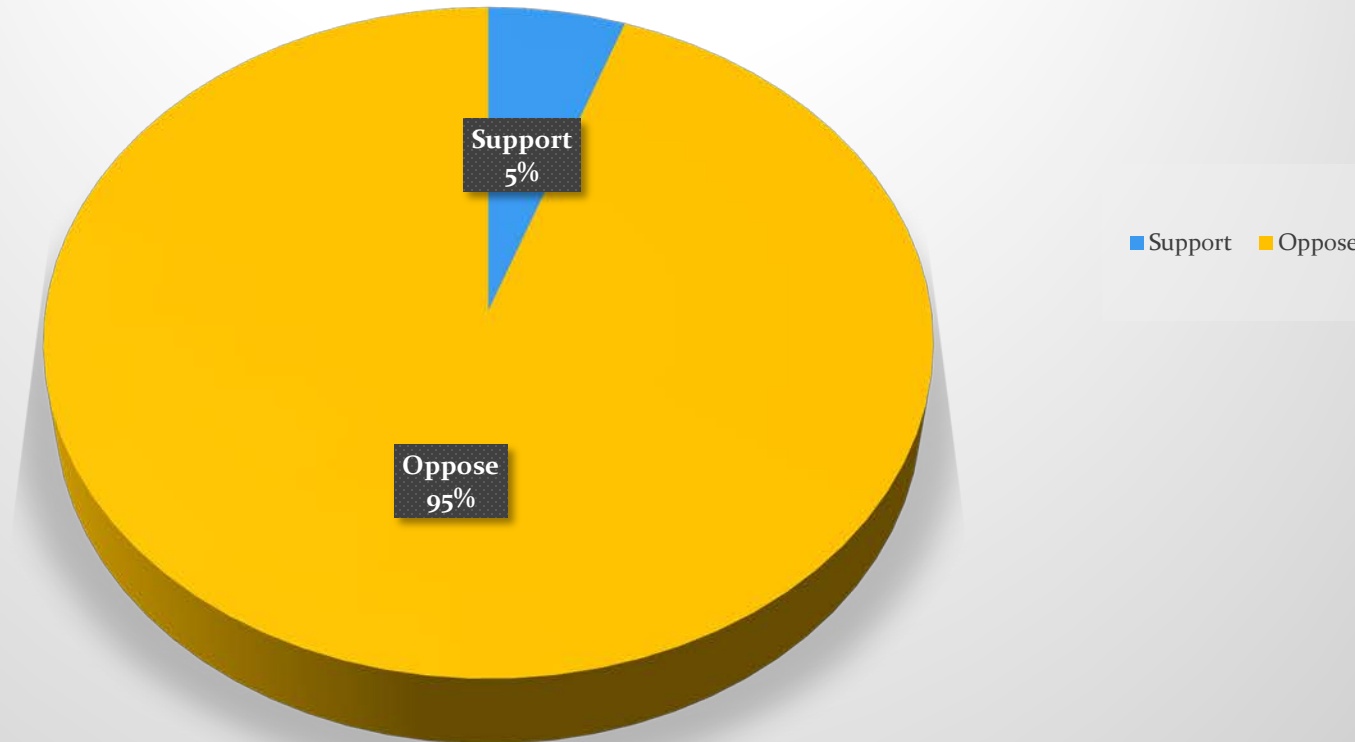


2. B. Summary of Public Comments Opposing the Commercial Net Ban around Cat Island

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

Summary of All comments

Chart Title



Title 22 Part 5

Chapter 04 Commercial Net Closure Areas and Gear Size Restrictions

Section 101

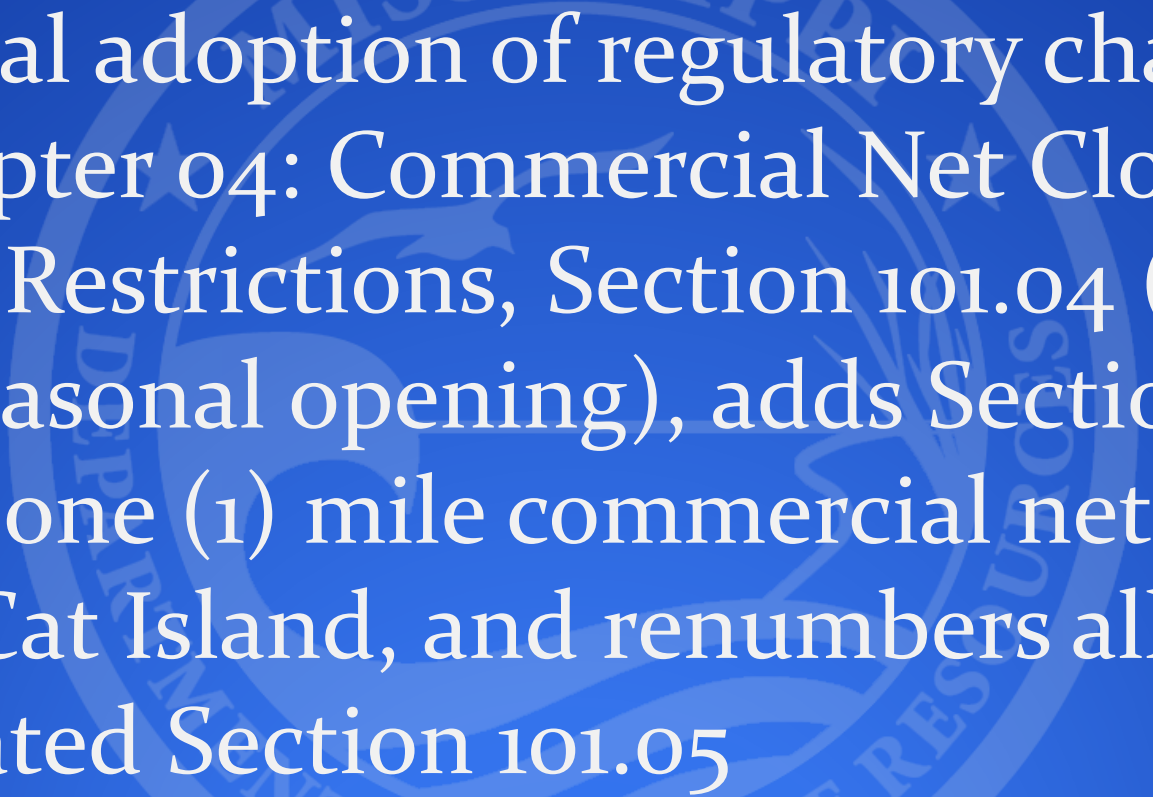
- 101.04 Within an area formed by a line running one (1) mile from the shoreline of Cat, Ship, Horn, Petit Bois, and Round Island, or from the shoals of Telegraph Keys and Telegraph Reef (Merrill Coquille), during the period from May 15 to September 15 of each year.
- 101.05 Within an area formed by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

Title 22 Part 5

Chapter 04 Commercial Net Closure Areas and Gear Size Restrictions

Section 101

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

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

Motion for final adoption of regulatory changes to Title 22 Part 5, Chapter 04: Commercial Net Closure Areas and Gear Size Restrictions, Section 101.04 (removes Cat Island from seasonal opening), adds Section 101.05 establishing a one (1) mile commercial net restriction zone around Cat Island, and renumbers all section after the newly created Section 101.05



ENHANCE ★ PROTECT ★ CONSERVE

Mississippi Oyster Task Force

Kristina Broussard

September 2018

K.4.

CMR Authority

§ 49-15-25. Advisory council may be appointed by commission

The commission may appoint an advisory council of persons who may fairly be regarded as representative of all the various segments of the industry. This council shall aid the commission in formulating policies and discussing problems related to the administration of this chapter and the advancement and protection of the industry.

Purpose and Goals

The purpose of the Mississippi Oyster Task Force is to:

1. Optimize Mississippi's oyster fishery through increased communication within the fishery
2. Make recommendations to the MDMR and CMR

Goals of the Mississippi Oyster Task Force are to:

1. Identify problems within the oyster fishery and possible solutions
2. Encourage conservation of the resource and its habitat
3. Improve the overall value of the oyster fishery

Objectives

- Identify and prioritize challenges within the oyster fishery/industry
- Make recommendations to the CMR pertaining to the oyster fishery that are based upon sound biological and economic principles
- Take appropriate steps, such as preparation of proposed legislation, to resolve problems and issues

Membership

- Seven (7) Voting members:
 - Two (2) Dealers/Processors
 - Two (2) Tongers
 - Two (2) Dredgers
 - One (1) Aquaculture Representative
- Seven (7) Non-Voting Members:
 - One (1) CMR Commissioner Representative
 - One (1) MDMR Marine Patrol Officer
 - One (1) MDMR Marine Fisheries Scientist
 - One (1) MDMR Oyster Aquaculture Scientist
 - One (1) GCRL Representative
 - One (1) Elected Official
 - One (1) MDMR Chief Science Officer

Required:

Motion: To Proceed With The Establishment Of The Mississippi Oyster Task Force

Motion: To Proceed With The Establishment Of The Mississippi Oyster Task Force upon commission approval of the representatives. The task force shall include a recreational representative and shall be established for a period of one year.

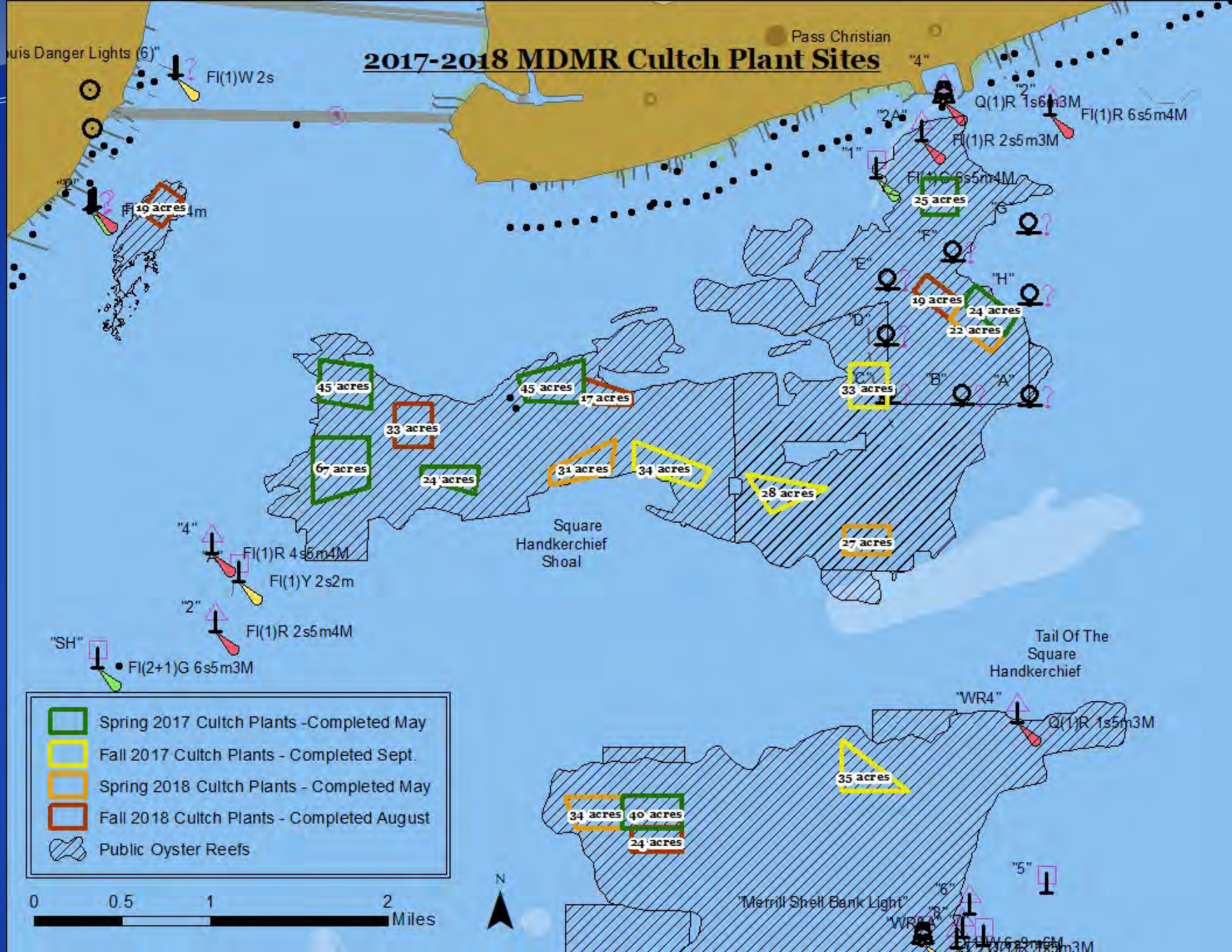


ENHANCE ★ PROTECT ★ CONSERVE

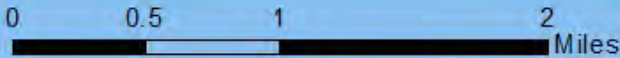
2018 Oyster Season Update

Erik Broussard
September 18, 2018

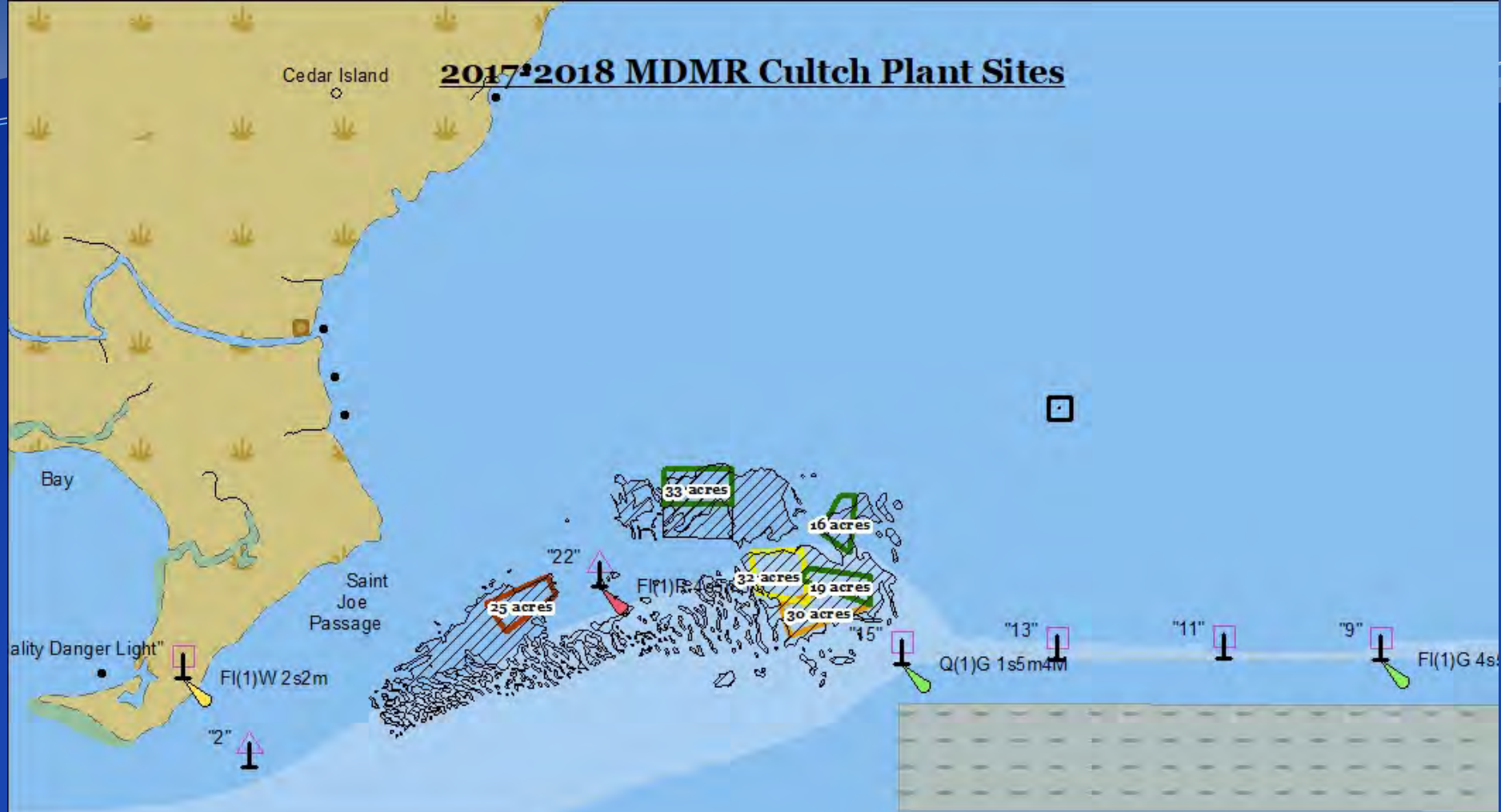
2017-2018 MDMR Cultch Plant Sites



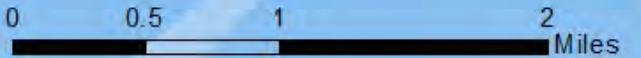
- Spring 2017 Cultch Plants - Completed May
- Fall 2017 Cultch Plants - Completed Sept.
- Spring 2018 Cultch Plants - Completed May
- Fall 2018 Cultch Plants - Completed August
- Public Oyster Reefs



2017-2018 MDMR Cultch Plant Sites



- Spring 2017 Cultch Plants - Completed May
- Fall 2017 Cultch Plants - Completed Sept.
- Spring 2018 Cultch Plants - Completed May
- Fall 2018 Cultch Plants - Completed August
- Public Oyster Reefs

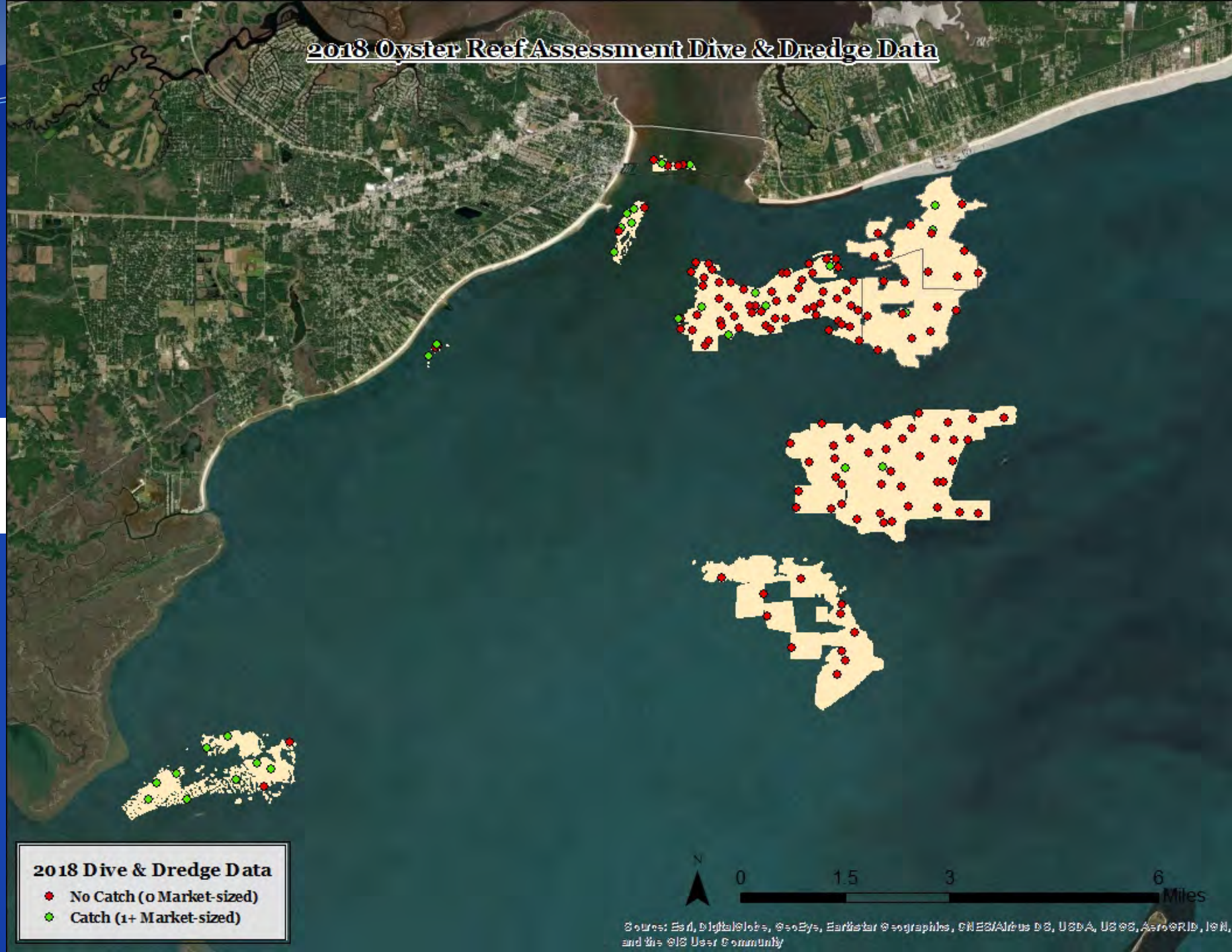


One Minute Dredge Tows & Square Meter Dive Sampling

- Physical parameters – salinity, oxygen, air/water temperature, secchi depth, wind speed/direction, depth, tidal stage, seas, bottom type.
- Size frequency of live oysters, mortality, cluster data.
- Predators/competitors (oyster drills, hooked mussels, stone crabs, etc.)

2018 Oyster Reef Assessment Dive & Dredge Data

64 Dredge Tows
464 m² Dives
232 Station Locations
528 Total Samples

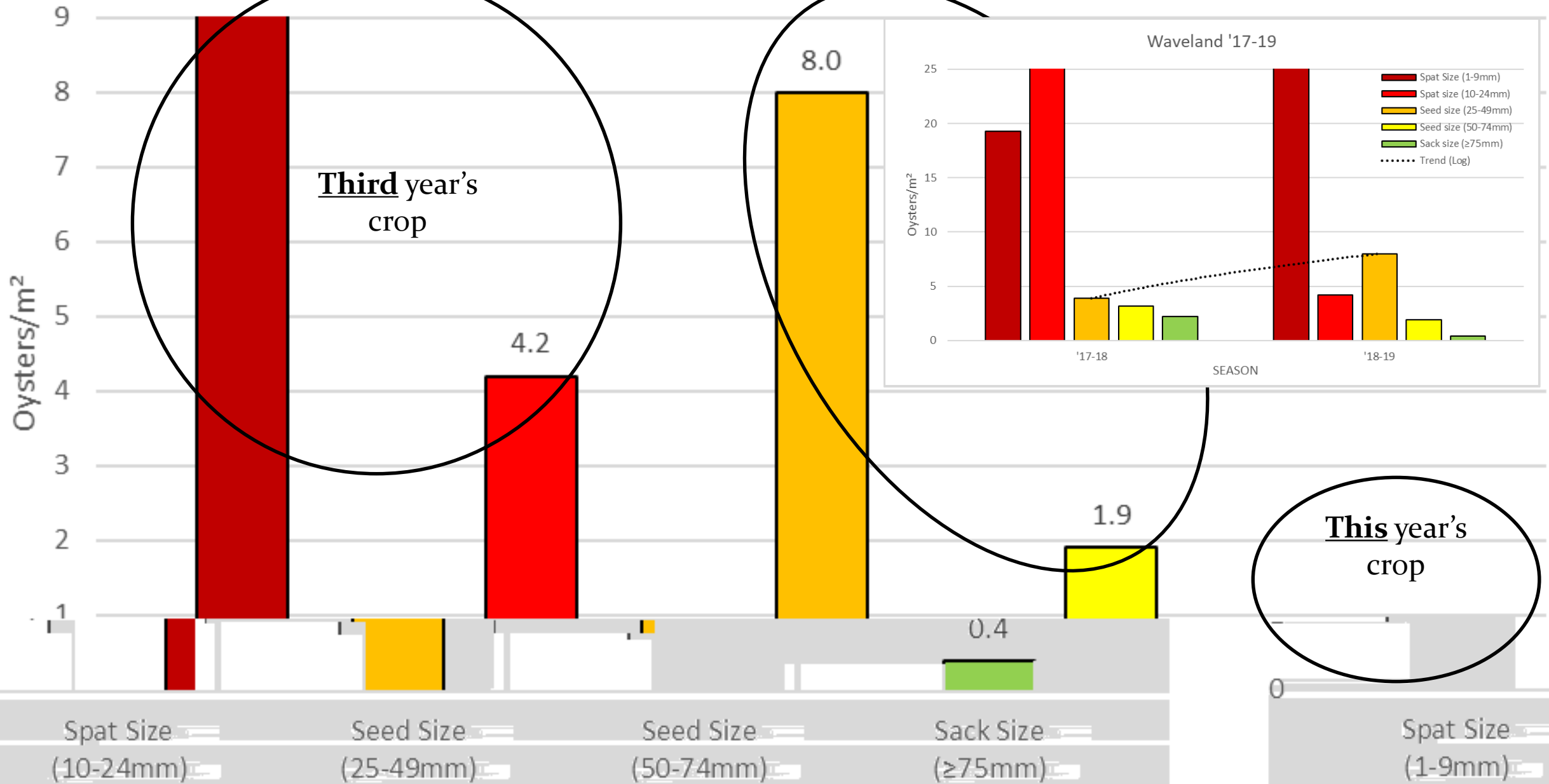


2018 Dive & Dredge Data

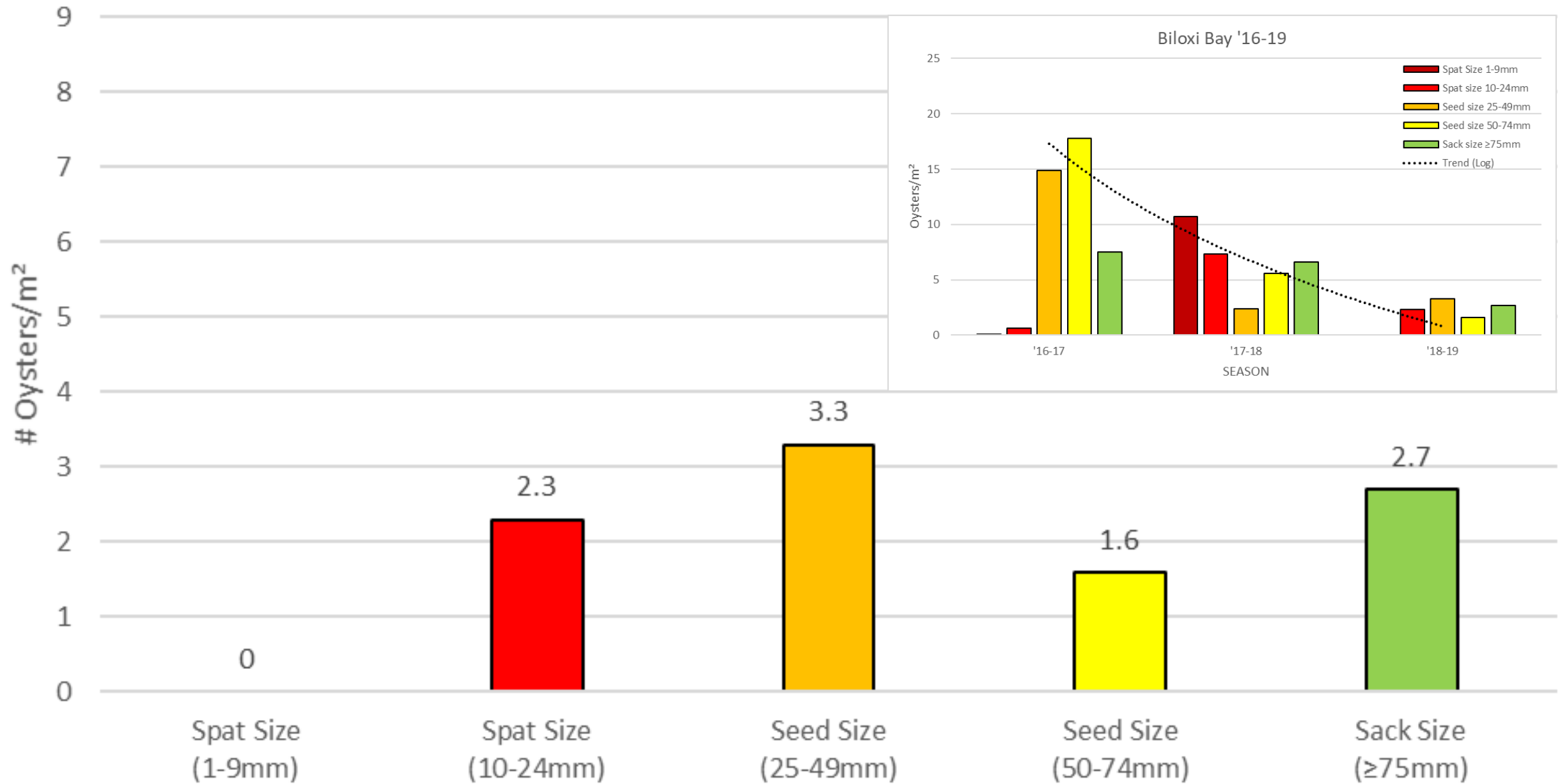
- No Catch (0 Market-sized)
- Catch (1+ Market-sized)

Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

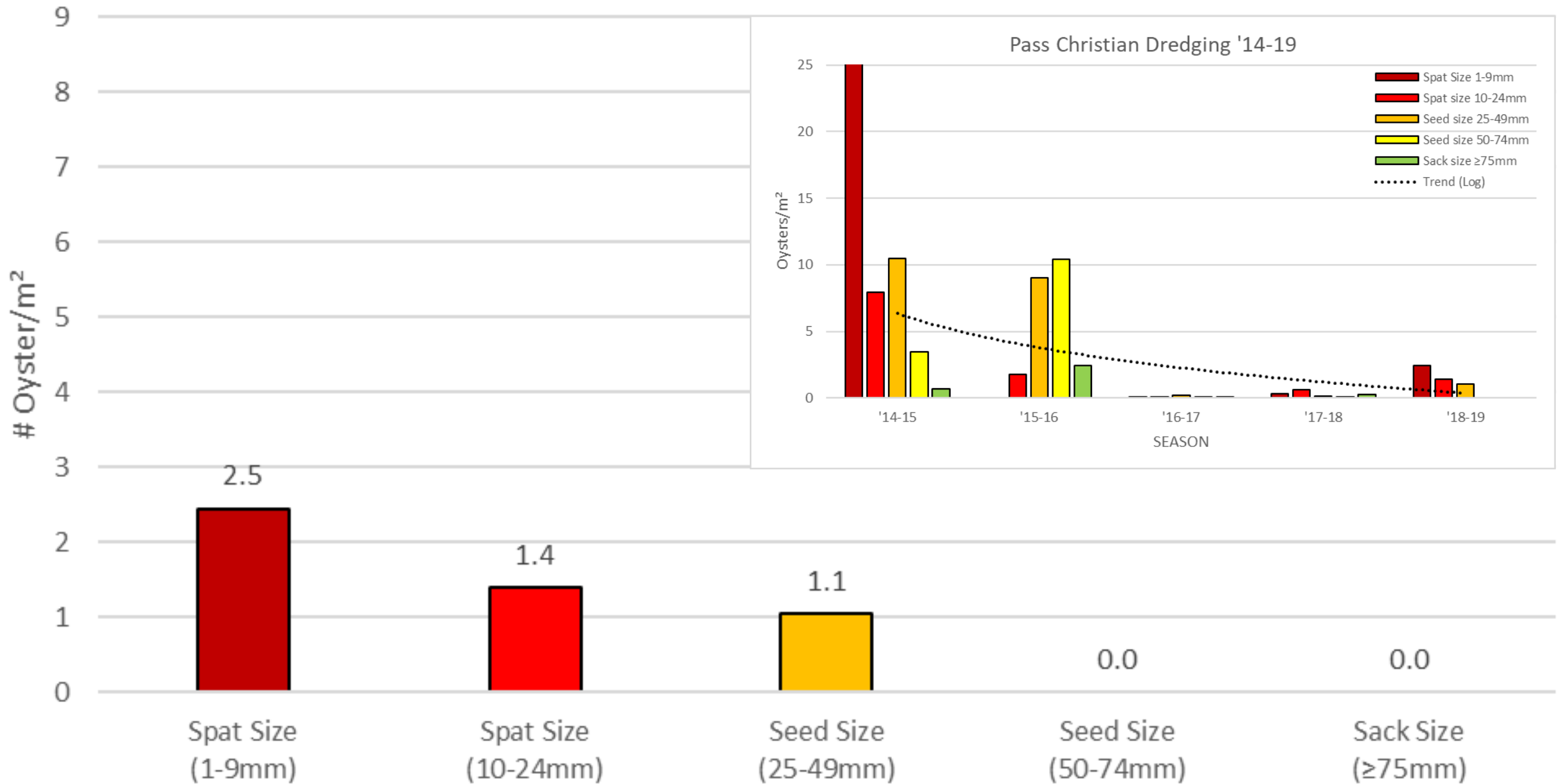
2018 Waveland - m² dives (5 acres)



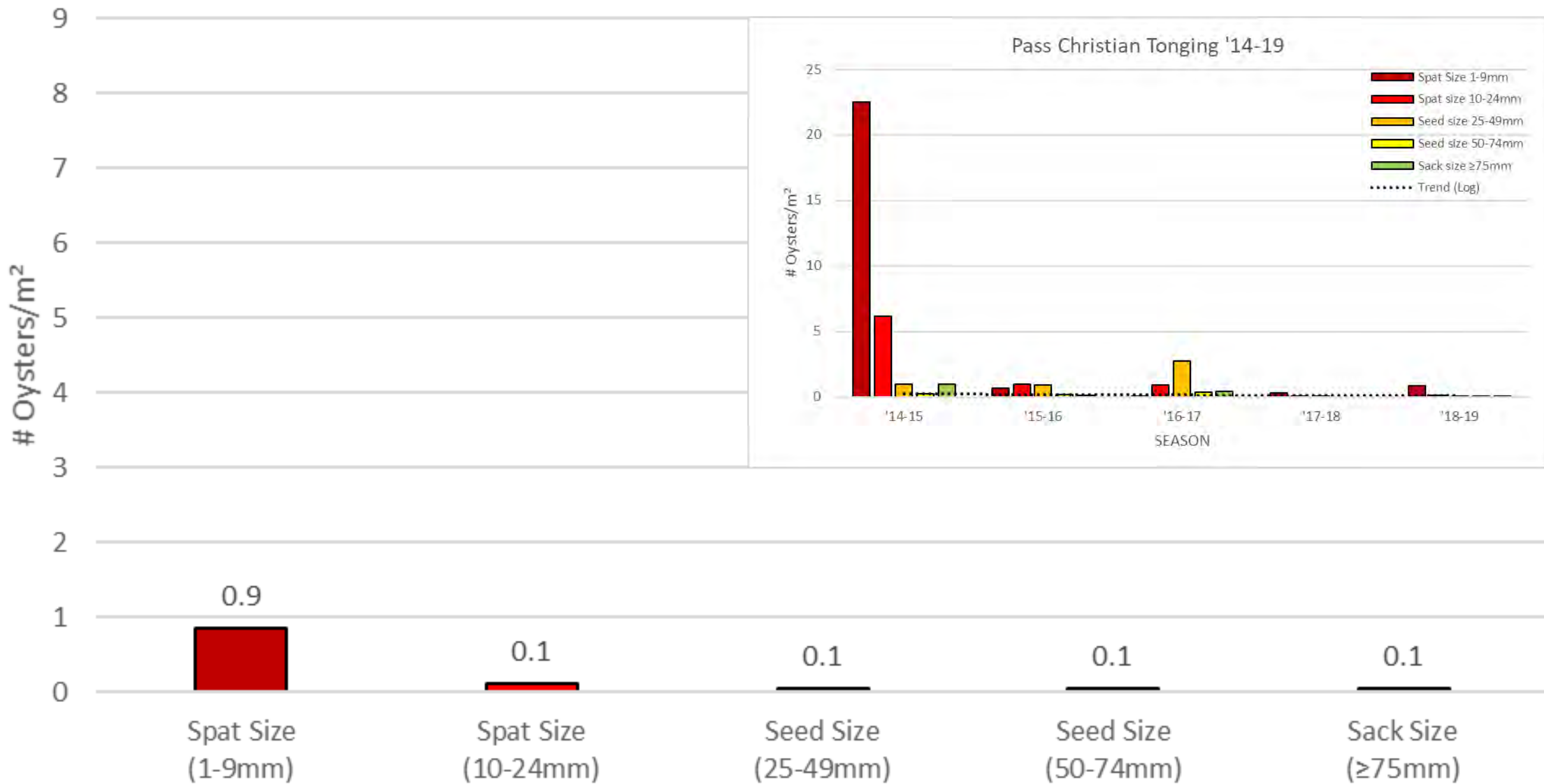
2018 Biloxi Bay Cultch -m² dives (17 acres)



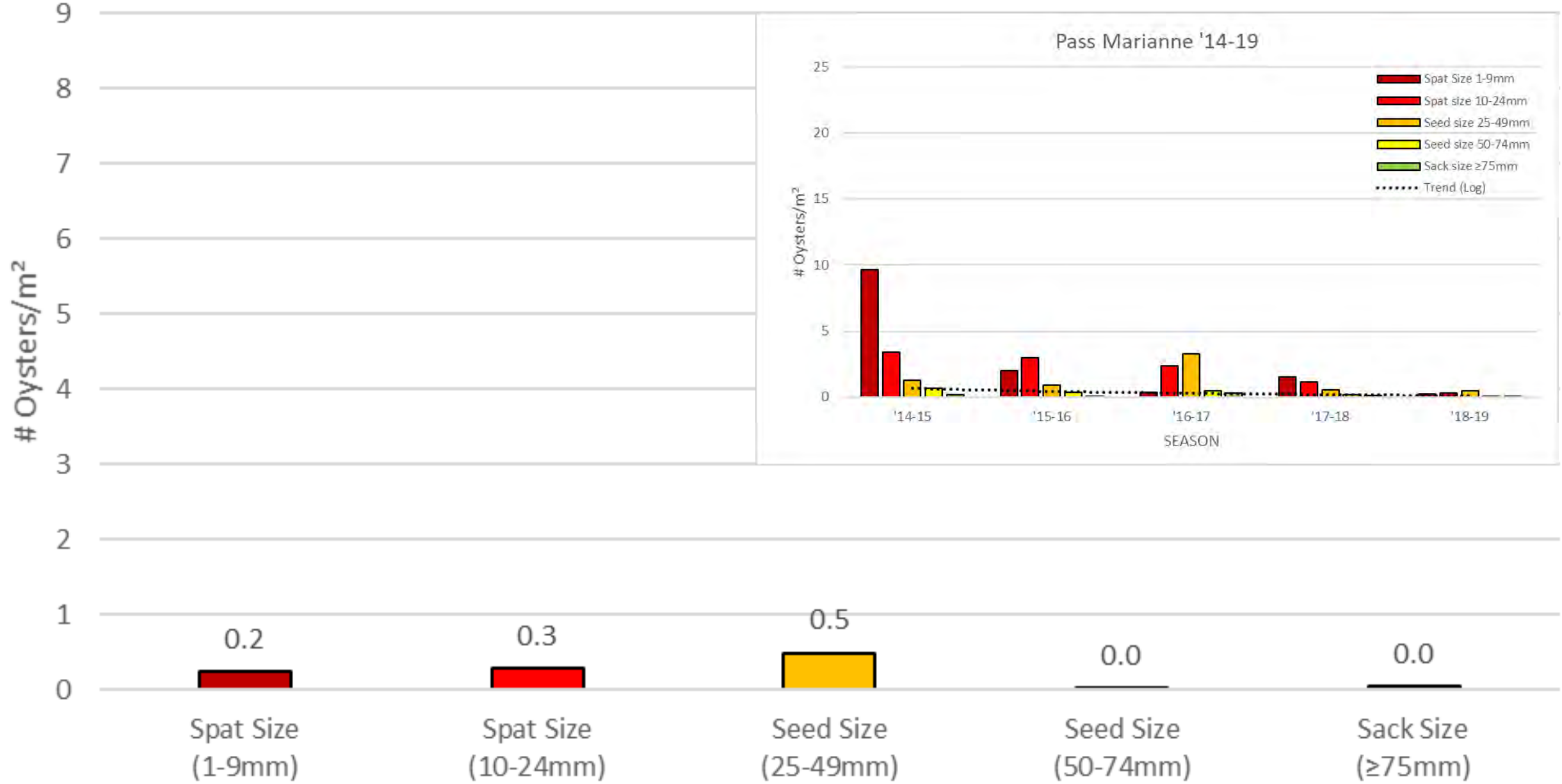
2018 Pass Christian Dredging -m² dives (933 acres)



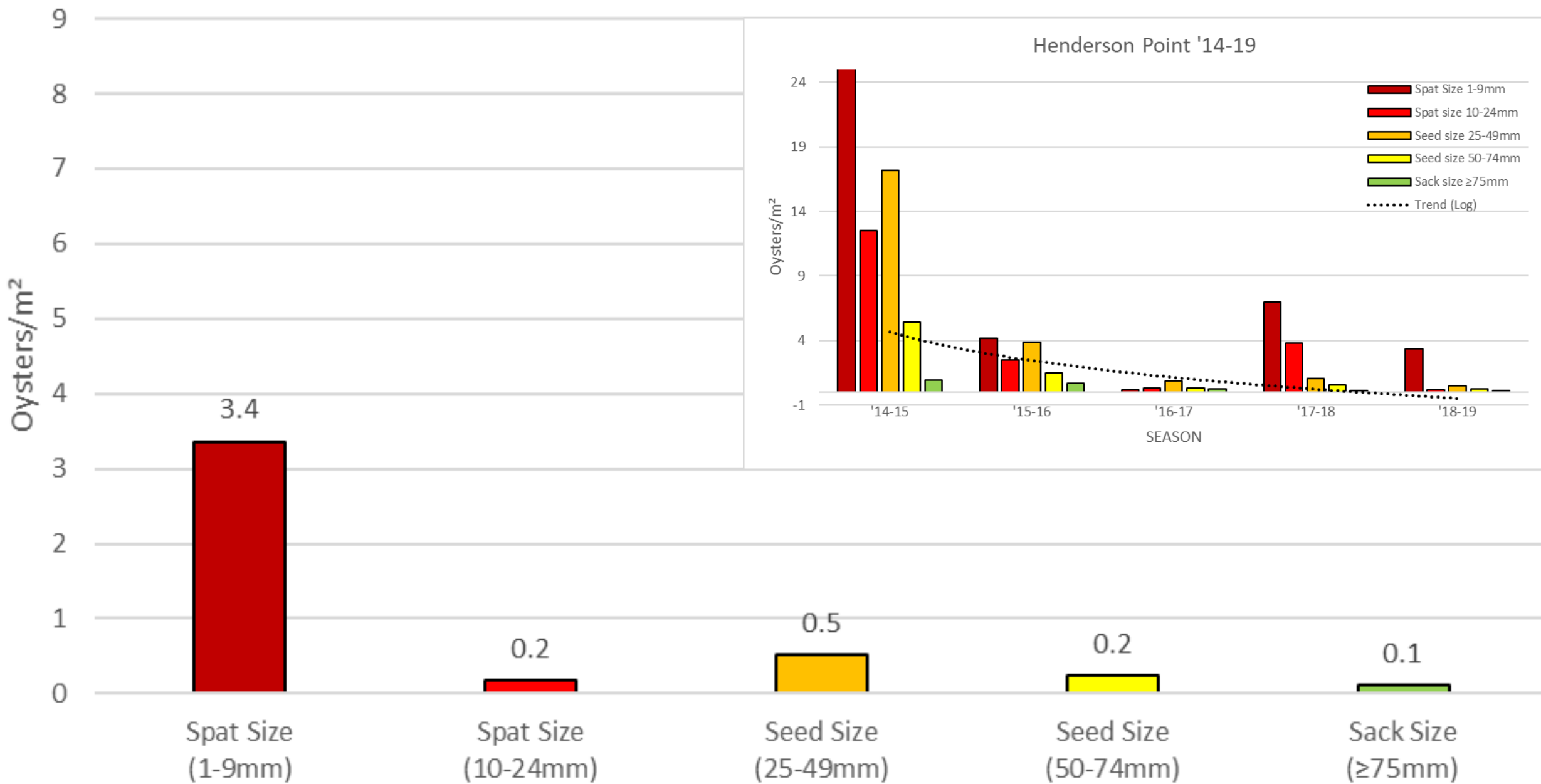
2018 Pass Christian Tonging - m² dives (886 acres)



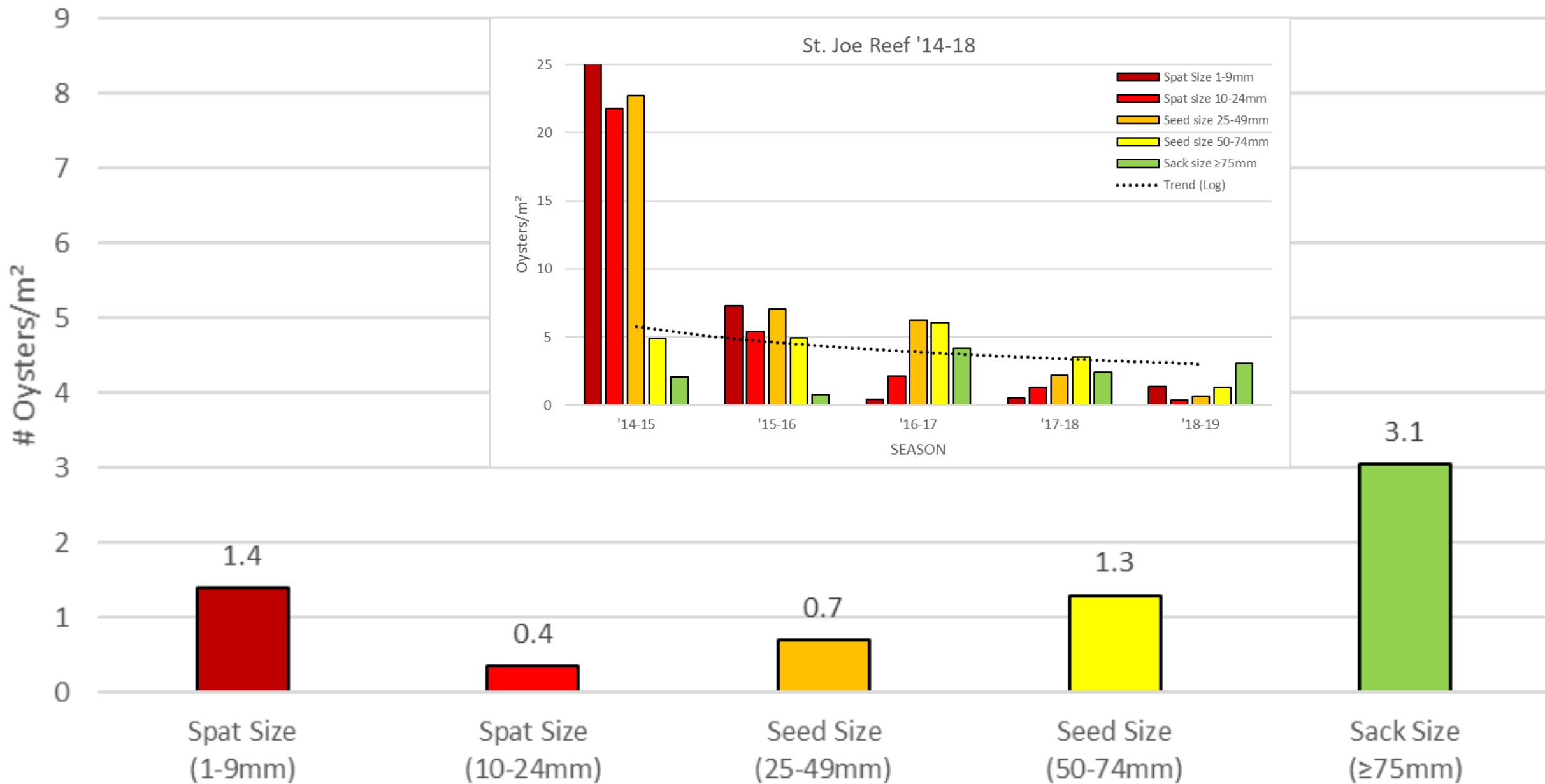
2018 Pass Marianne - m² dives (2,372 acres)



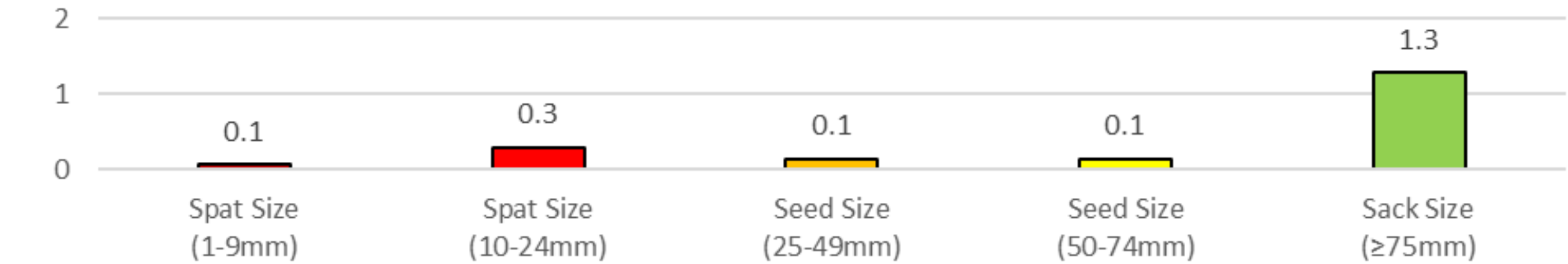
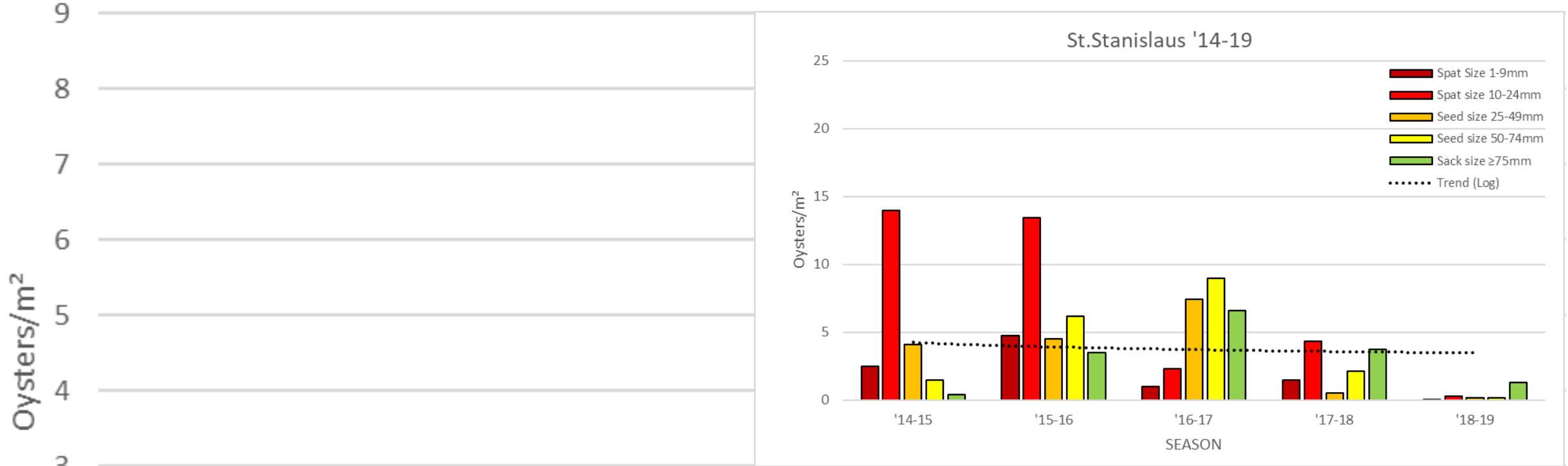
2018 Henderson Point - m² dives (1,295 acres)



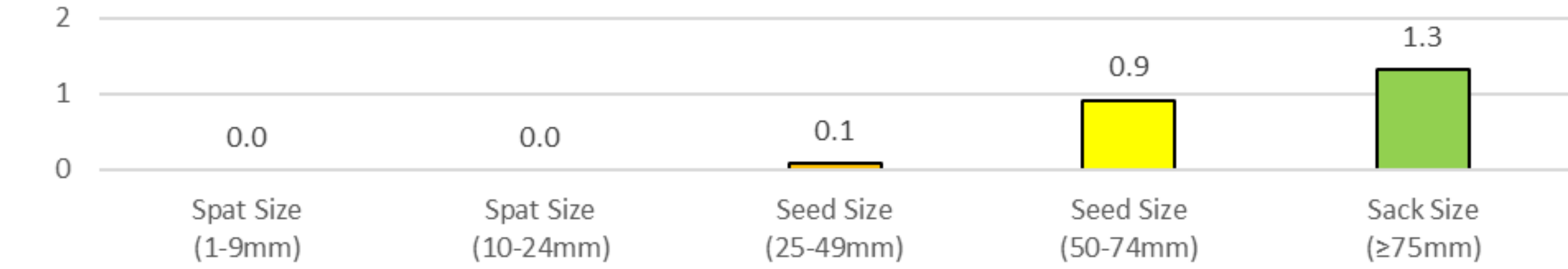
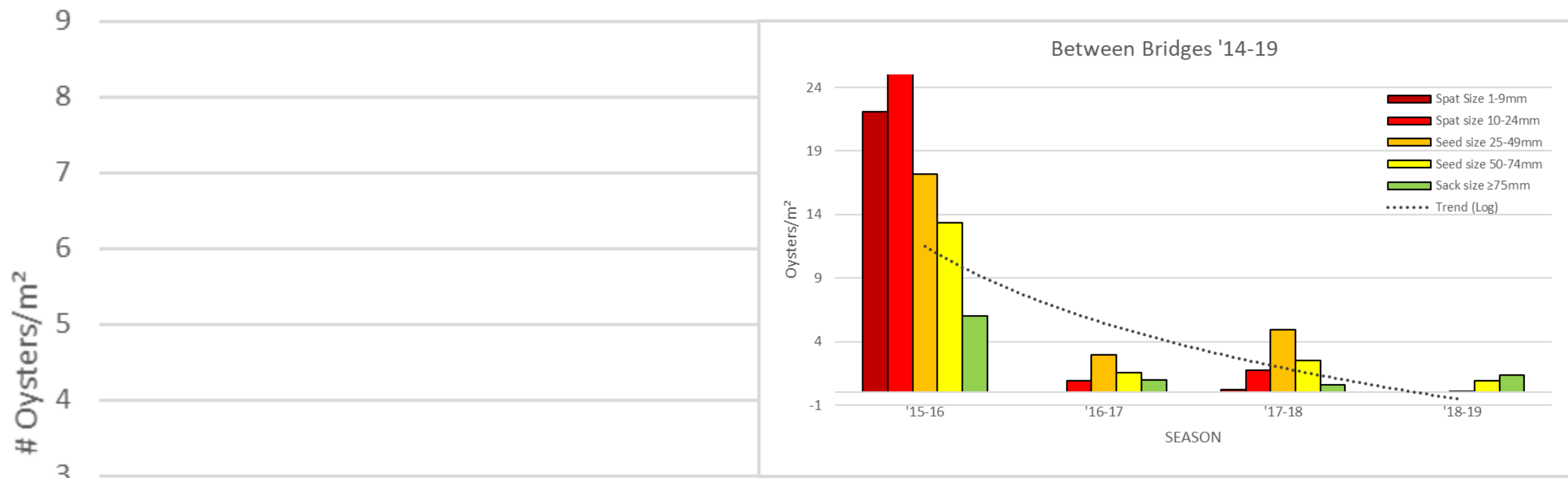
2018 St. Joe - m² dives (473 acres)



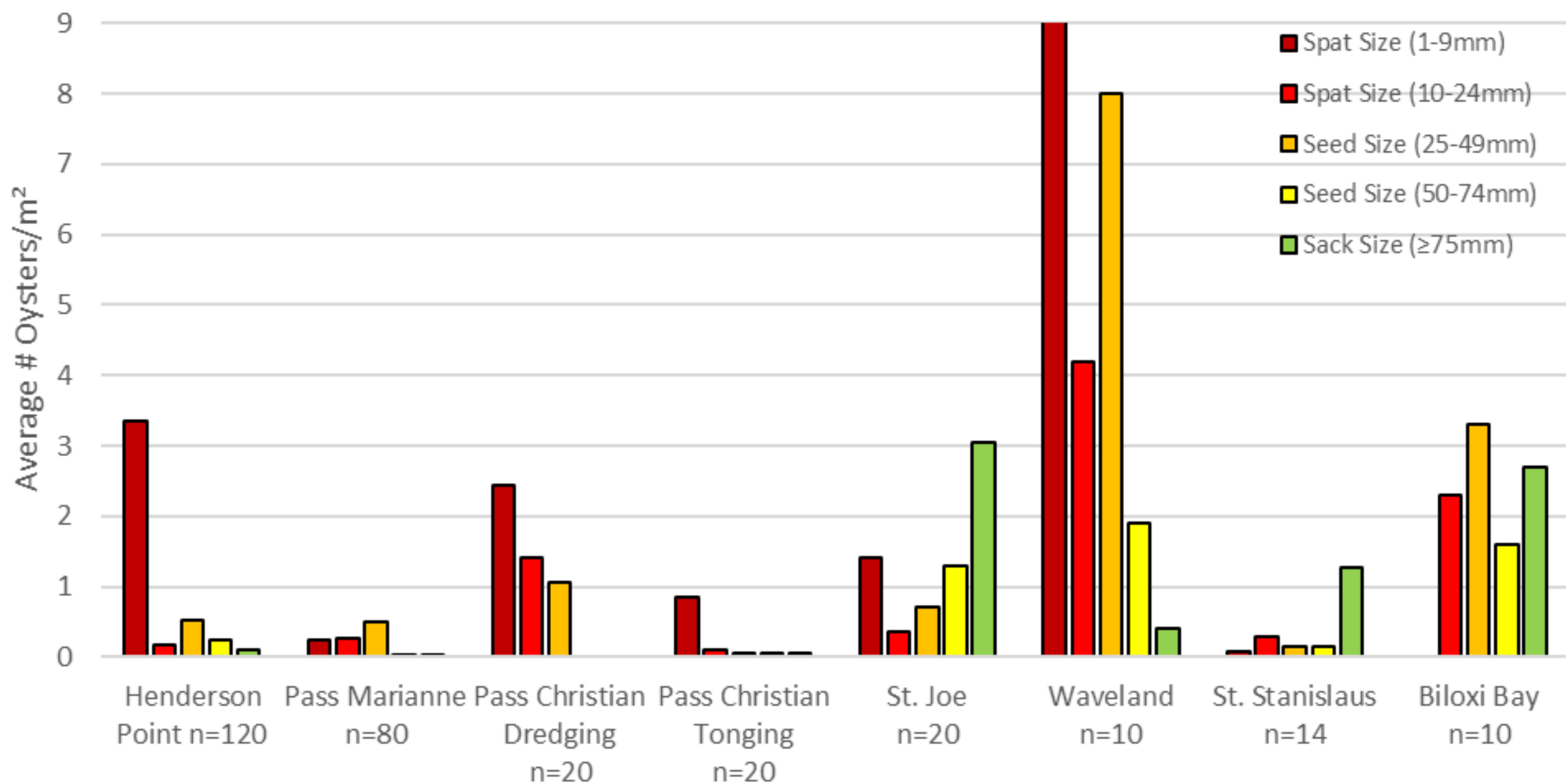
2018 St. Stanislaus - m² dives (75 acres)



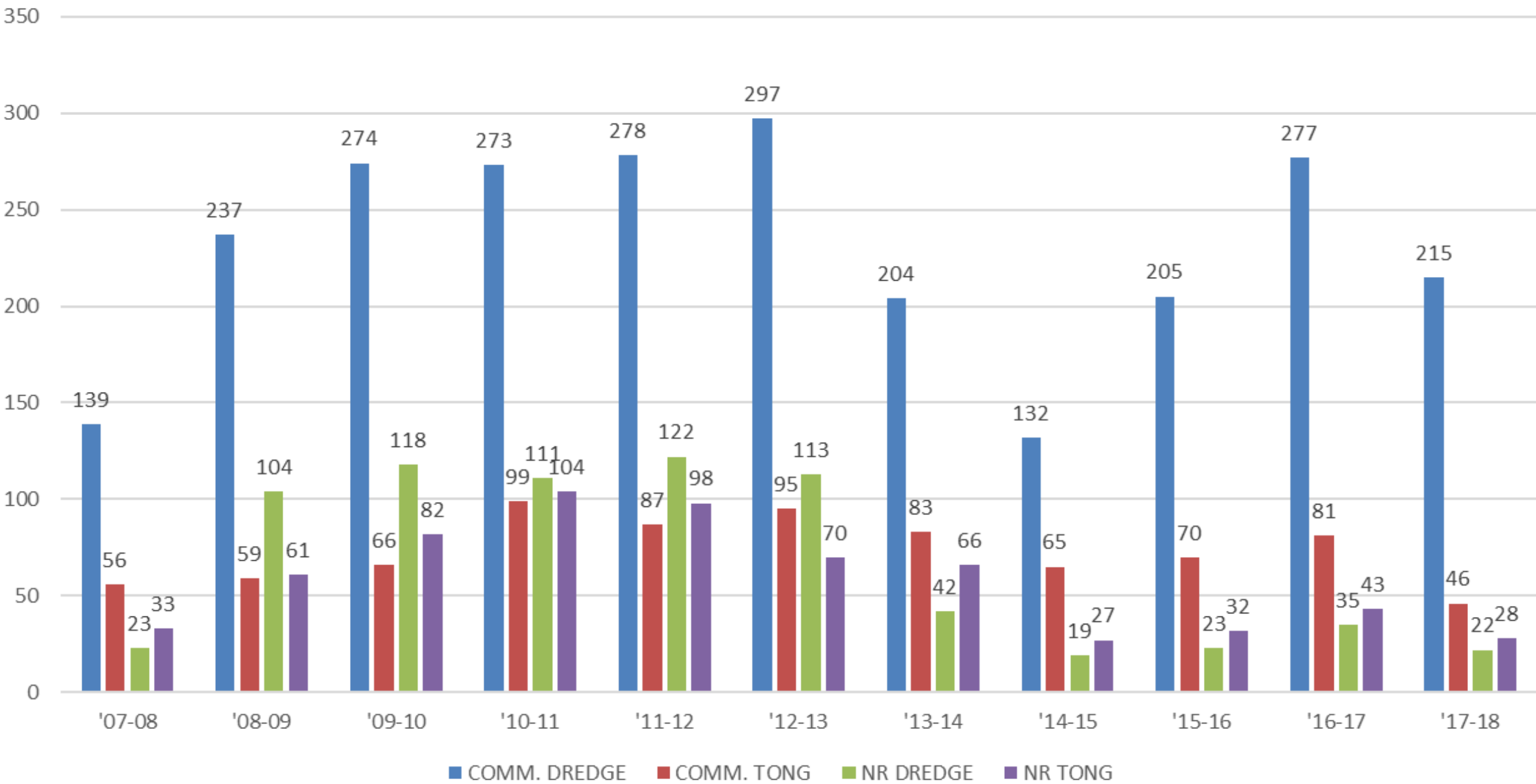
2018 Between Bridges -m² dives (28 acres)



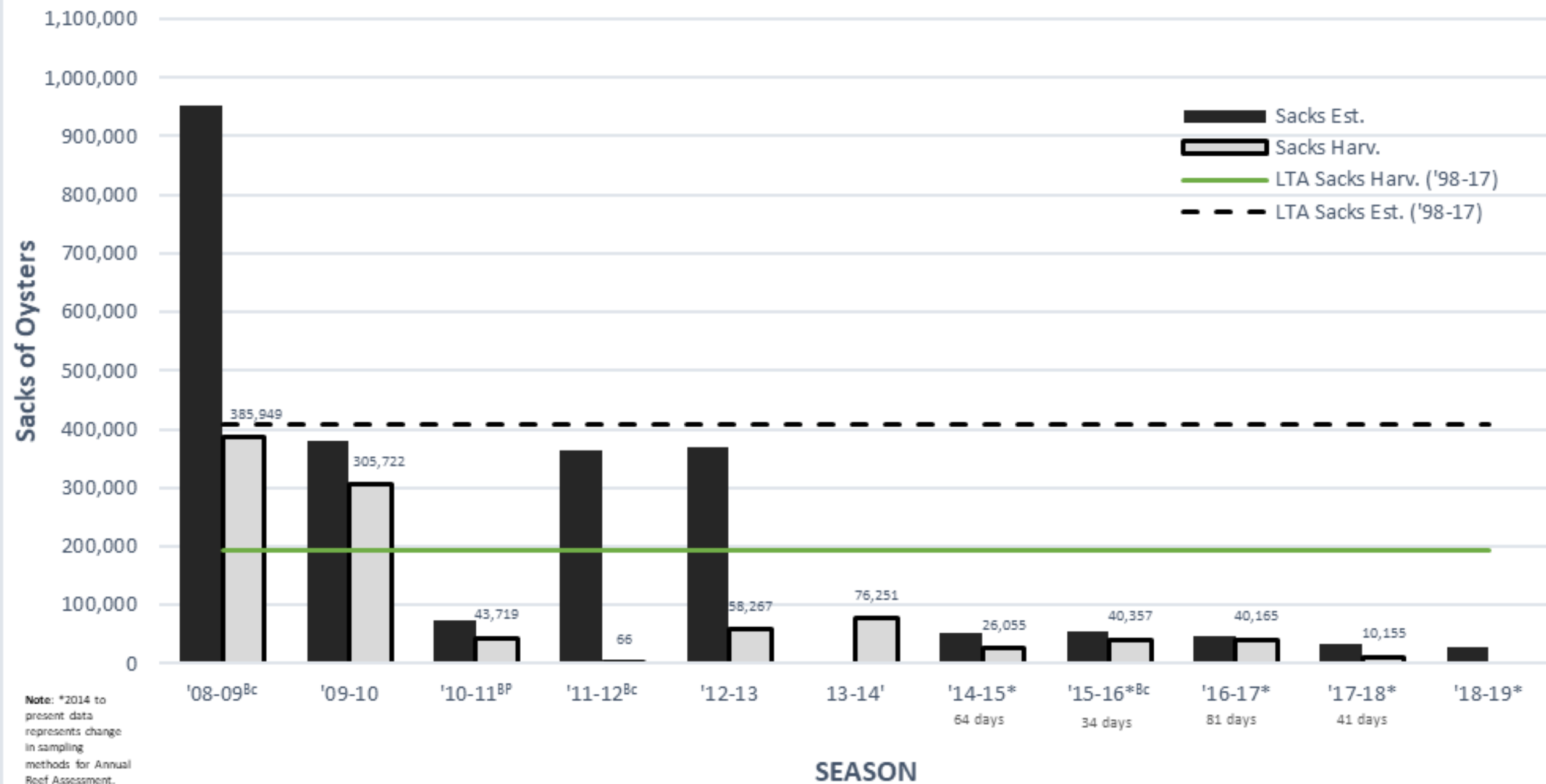
2018 Square Meter Oyster Size Distribution by Reef



Mississippi Oyster License Sales



2008-2018 Sacks Estimated vs. Harvested



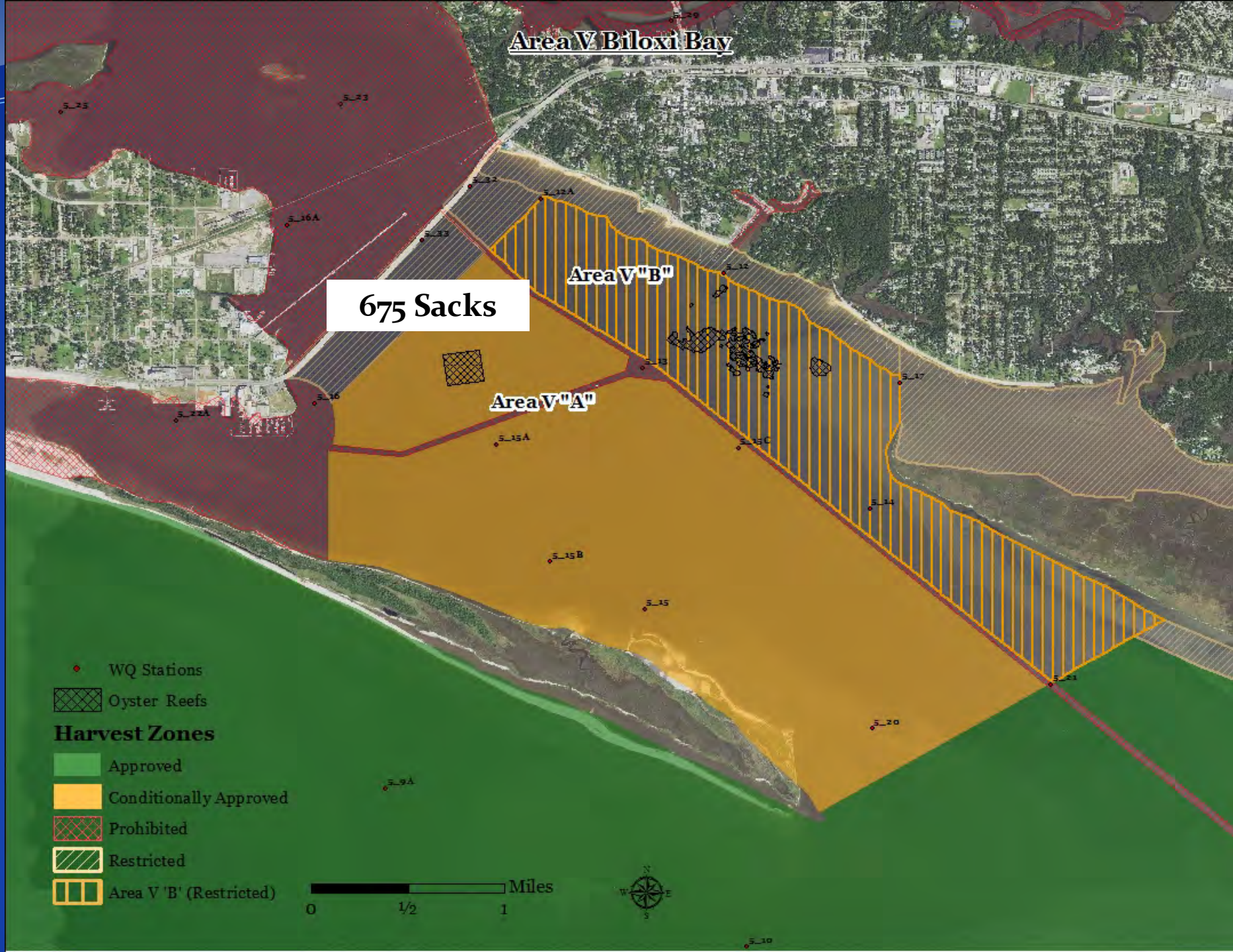
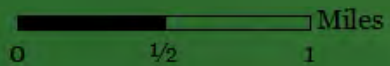
Area V Biloxi Bay

675 Sacks

Area V "B"

Area V "A"

- ♦ WQ Stations
- ▣ Oyster Reefs
- Harvest Zones**
- Approved
- Conditionally Approved
- ▣ Prohibited
- ▨ Restricted
- ▨ Area V 'B' (Restricted)



2018 Mississippi Oyster Stock Assessment

Reef	2018 Est. Sack Total	Sacks @30% Harvest	Status
Pass Tonging	652	196	Near depletion
Pass Dredging	0	0	Near depletion
Henderson Point	2,064	619	Near depletion
Pass Marianne	1,309	393	Near depletion
Telegraph	0	0	No resource
St. Joe	21,230	6,369	Fished heavily
St. Stanislaus	1,427	428	Fished heavily
Waveland	29	9	Recovering (limited resource)
Between the Bridges	550	165	Resource recovering
Western Reefs	27,261	8,178	
Biloxi Bay Cultch Plant	675	203	
TOTALS	27,936	8,381	

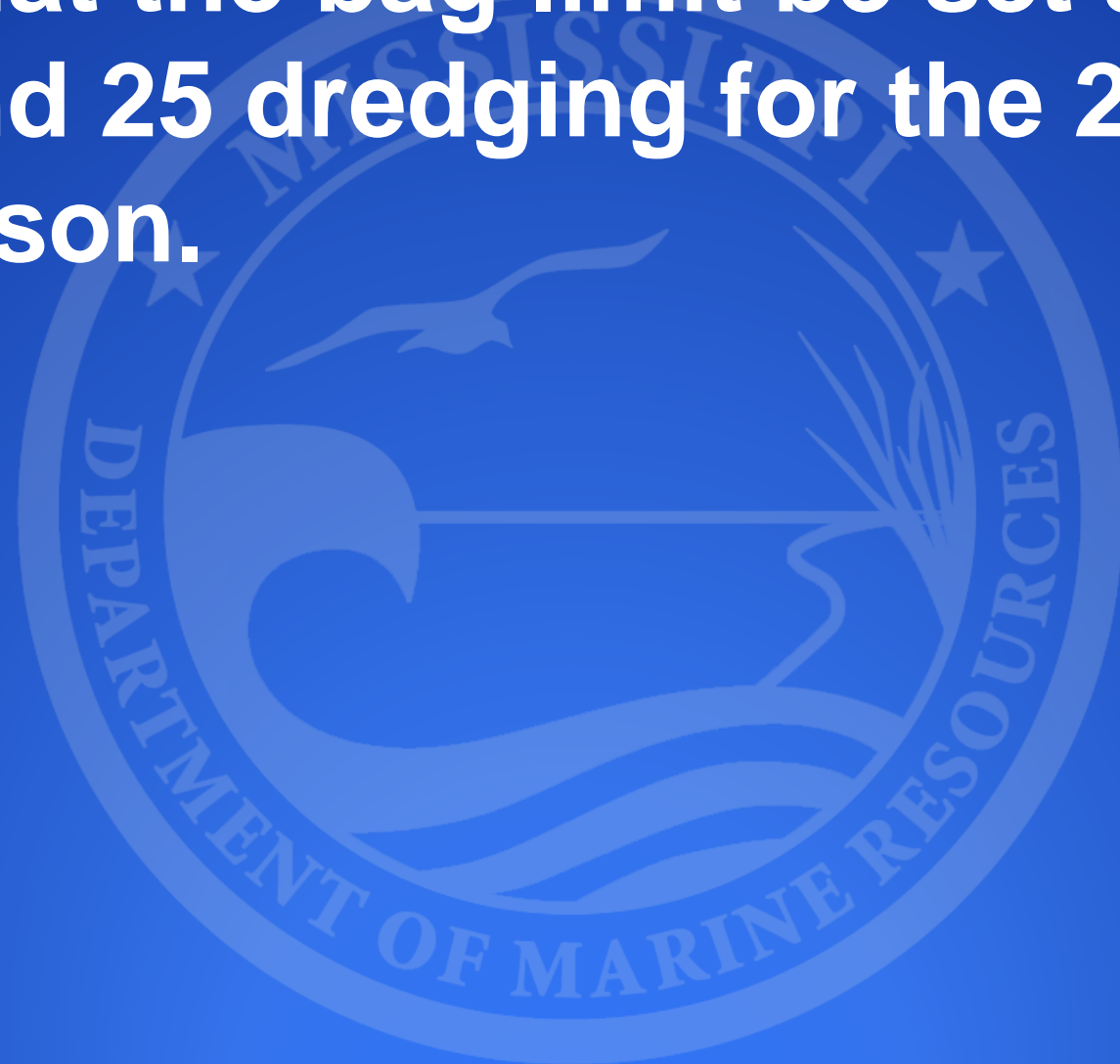
Options for a motion on the 2018-19 Oyster Season.

1. No harvest for the 2018-19 oyster season
2. 30% quota by area for the 2018-19 oyster season
3. Limited 2018-19 Season: 1 week before Thanksgiving and 1 week before Christmas

- Motion: Adopt option three for the Western Sound with a 30% quota by area starting November 10 for a maximum of seven days and again on December 10 for a maximum of seven days with staff having management flexibility to assign bad weather days.

- Motion: Adopt option three for the Western Sound with a 30% quota by area starting November 10 for a maximum of seven days with staff having management flexibility to assign bad weather days.

Motion: That the bag limit be set at 15 tonging and 25 dredging for the 2018-19 oyster season.



ENHANCE ★ PROTECT ★ CONSERVE



ENHANCE ★ PROTECT ★ CONSERVE

Title 22 Part 7 Chapter 9

Commercial Size Limit Change for Gag
Final Adoption

Carly Somerset
August 21, 2018

K.6.

CMR Passed Notice of Intent on August 21, 2018

Notice of Intent Filed with the SOS on August 22, 2018

SOS APA Form 001

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources		CONTACT PERSON Joe Jewell	TELEPHONE NUMBER (228) 523-4072	
ADDRESS 1141 Bayview Ave.		CITY Ridgely	STATE MS	ZIP 39530
EMAIL Joe.Jewell@dmr.ms.gov	SUBMIT DATE 8/22/18	Name or number of rule(s): Title 22 Part 7		

Short explanation of rule/amendment/ repeal and reason(s) for proposing rule/amendment/ repeal: TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 7 REGULATIONS TO PROVIDE SIZE LIMITS AND BAG LIMITS ON CERTAIN FISH SPECIES AND TO PREVENT SALE OF SEAFOOD BY RECREATIONAL FISHERMEN Chapter 9 Commercial Size, Possession and Catch Limits Section 100 Subsection 100.18 Modifying the established size limit for Goo Grouper from twenty-two (22) to twenty-four (24) inches (total length)

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-62-1.101 et seq

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 7 (see above summary description; complete description attached)

ORAL PROCEEDING:

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

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

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a 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	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rule: Joe Spraggins Executive Director
 Signature of person authorized to file rule: *Joe Spraggins* 8/22/18

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	Accepted for filing by <i>7123605</i>	Accepted for filing by

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

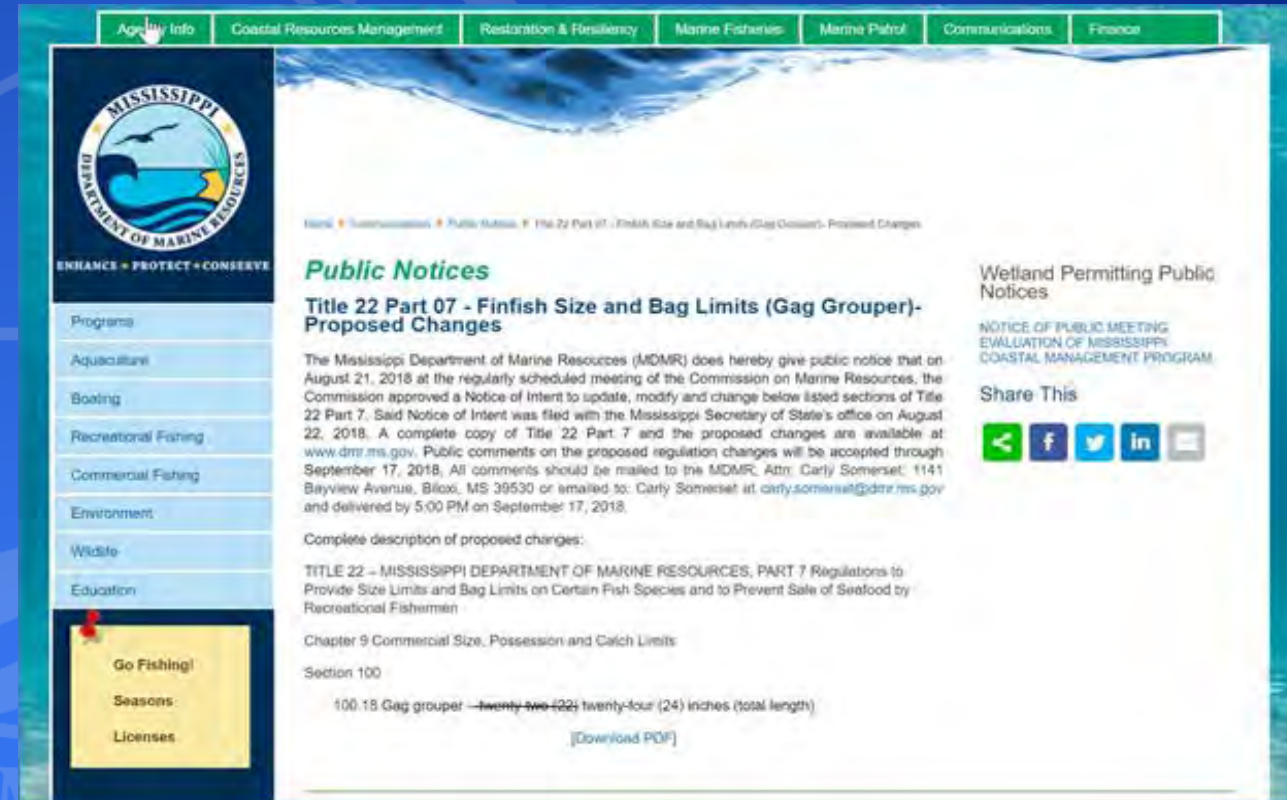
MDMR Web Page Notice



The screenshot shows the MDMR website homepage. At the top, there is a navigation bar with links for Programs, Aquaculture, Boating, Recreational Fishing, Commercial Fishing, Environment, Wildlife, and Education. Below this is a banner for the Gulf Coast National Heritage Area. A sidebar on the right contains links for Commission Meetings, MDMR Ethics Hotline, 2016-2017 Annual Report, and Transparency Mississippi. The main content area features a 'News & Updates' section with several articles, including 'Commercial Red Drum season to open September 1', 'Red Snapper season to reopen September 1 and 2', and 'CMR certifies three state fishing records'. A 'Public Notices' section is highlighted with a red circle, containing the following items:

- Title 22 Part 07 - Finfish Size and Bag Limits (Mutton Snapper) - Proposed Changes
- Title 22 Part 07 - Finfish Size and Bag Limits (Gag Grouper)- Proposed Changes
- NOTICE OF PUBLIC MEETING EVALUATION OF MISSISSIPPI COASTAL MANAGEMENT PROGRAM
- Title 22 Part 01 - Fishery Management Specifications - Proposed Changes
- Title 22 Part 05 - Cat Island Net Exclusion - Proposed Changes
- Title 22 Part 07 - Spotted Seatout Endorsement- Proposed Changes
- Title 22 Part 01 - Area 9 Requalification - Proposed Changes

Other sections on the page include 'Quick Links' with links for 'SPECKLED TROUT INFORMATION', 'RED SNAPPER 2018', 'BIDS, PROPOSALS & QUALIFICATIONS', 'JOBS - JOIN OUR TEAM!', and 'PURCHASE A RECREATIONAL FISHING LICENSE'. There is also a 'Workshops and Training' section and a 'Stay Connected' section with social media icons.



The screenshot shows the MDMR website public notices page. The top navigation bar includes links for Agency Info, Coastal Resources Management, Restoration & Resiliency, Marine Fisheries, Marine Patrol, Communications, and Finance. The main content area features a 'Public Notices' section with the following title: 'Title 22 Part 07 - Finfish Size and Bag Limits (Gag Grouper)- Proposed Changes'. The notice text states: 'The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on August 21, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Notice of Intent to update, modify and change below listed sections of Title 22 Part 7. Said Notice of Intent was filed with the Mississippi Secretary of State's office on August 22, 2018. A complete copy of Title 22 Part 7 and the proposed changes are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through September 17, 2018. All comments should be mailed to the MDMR, Attn: Carly Somerset, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: Carly.Somerset@dmr.ms.gov and delivered by 5:00 PM on September 17, 2018.' Below the notice text, there is a 'Complete description of proposed changes:' section, which includes 'TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 7 Regulations to Provide Size Limits and Bag Limits on Certain Fish Species and to Prevent Sale of Seafood by Recreational Fishermen' and 'Chapter 9 Commercial Size, Possession and Catch Limits'. The specific change listed is 'Section 100 100.18 Gag grouper - ~~twenty-two (22)~~ twenty-four (24) inches (total length)'. A '[Download PDF]' link is provided below the change. The page also features a 'Wetland Permitting Public Notices' section and a 'Share This' section with social media icons.

Legal Notice appeared in
the Sun Herald on Sept.
6, 2018

Run Dates

09/06/2018

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on August 21, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Notice of Intent to update, modify and change below listed sections of Title 22 Part 7. Said Notice of Intent was filed with the Mississippi Secretary of State's office on August 22, 2018. A complete copy of Title 22 Part 7 and the proposed changes are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through September 17, 2018. All comments should be mailed to the MDMR, Attn: Carly Somerset, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: Carly Somerset at carly.somerset@dmr.ms.gov and delivered by 5:00 PM on September 17, 2018.

Complete description of proposed changes:

TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 7 Regulations to Provide Size Limits and Bag Limits on Certain Fish Species and to Prevent Sale of Seafood by Recreational Fishermen

Chapter 9 Commercial Size, Possession and Catch Limits

Section 100

100.18 Gag grouper - twenty-two (22) twenty-four (24) inches (total length)

Publish 9/6/18-3835806

Public Comments

- Notice of Intent Published on August 22, 2018
- Public Comment period August 22, 2018 through September 17, 2018 (27 days)
- To date, 0 public comments have been received

Title 22 Part 7 Chapter 9

Commercial Size, Possession and Catch Limits

Section 100

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

Required:

A Motion for Final Adoption to Amend Title 22 Part 7 Chapter 9 Section 100 Subsection 100.18 commercial size limit for Gag.



ENHANCE ★ PROTECT ★ CONSERVE

Title 22 Part 7

Chapters 8 and 9

Commercial and Recreational Bag and Size Limit
Changes for Mutton Snapper
Final Adoption

Brittany Chudzik
September 18, 2018

K.7.

CMR Passed Notice of Intent on August 21, 2018

Notice of Intent Filed with the SOS on August 22, 2018

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources		CONTACT PERSON Joe Jewell	TELEPHONE NUMBER (228) 523-1072	
ADDRESS 1141 Bayview Ave.		CITY Biloxi	STATE MS	ZIP 39530
EMAIL joe.jewell@dmr.ms.gov	SUBMIT DATE 8/22/18	Name or number of rule(s): Title 22 Part 7		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 7 REGULATIONS TO PROVIDE SIZE LIMITS AND BAG LIMITS ON CERTAIN FISH SPECIES AND TO PREVENT SALE OF SEAFOOD BY RECREATIONAL FISHERMEN Chapter 8 Recreational Bag, Possession and Size Limits Section 100 Subsection 100.12.C2 may possess five (5) within the ten (10) fish aggregate. Section 102 Subsection 102.06 increasing recreational size limit for Mutton Snapper to 18 inches. Section 100 Subsection 100.11 increases commercial size limit to 18 inches

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-1.101 et seq.

List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 7 (see above summary description; complete description attached).

ORAL PROCEEDING:

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

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


If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a 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	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
<input type="checkbox"/> Original filing <input type="checkbox"/> Renewal of effectiveness To be in effect in _____ days Effective date: <input type="checkbox"/> Immediately upon filing <input type="checkbox"/> Other (specify): _____	Action proposed: <input type="checkbox"/> New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) <input type="checkbox"/> Repeal of existing rule(s) <input type="checkbox"/> Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____	Date Proposed Rule Filed: Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with changes <input type="checkbox"/> Adopted by reference <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed Effective date: <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Joe Spraggins Executive Director
 Signature of person authorized to file rules: *Joe Spraggins* 8.22.18

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	 Accepted for filing by <i>JW</i> 8/22/18	Accepted for filing by

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

MDMR Web Page Notice

The screenshot displays the MDMR website interface. At the top, there is a navigation bar with links for Programs, Aquaculture, Boating, Recreational Fishing, Commercial Fishing, Environment, Wildlife, and Education. A sidebar on the left contains 'Quick Links' for Speckled Trout Information, Red Snapper 2018, Bids, Proposals & Qualifications, Jobs - Join Our Team!, and Purchase a Recreational Fishing License. The main content area features a 'Public Notices' section with a red circle highlighting the notice for Title 22 Part 07 - Finfish Size and Bag Limits (Mutton Snapper) - Proposed Changes. The notice text is as follows:

Public Notices
Title 22 Part 07 - Finfish Size and Bag Limits (Mutton Snapper) - Proposed Changes
Title 22 Part 07 - Finfish Size and Bag Limits (Gag, Grouper) - Proposed Changes
NOTICE OF PUBLIC MEETING EVALUATION OF MISSISSIPPI COASTAL MANAGEMENT PROGRAM
Title 22 Part 01 - Harbor Bridge Specifications - Proposed Changes
Title 22 Part 05 - Cat Island Net Exclusion - Proposed Changes
Title 22 Part 07 - Spotted Seatrout Endorsement - Proposed Changes
Title 22 Part 01 - Area 6 Reclamation - Proposed Changes

Public Notices
Title 22 Part 07 - Finfish Size and Bag Limits (Mutton Snapper) - Proposed Changes

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on August 21, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Notice of Intent to update, modify and change below listed sections of Title 22 Part 7. Said Notice of Intent was filed with the Mississippi Secretary of State's office on August 22, 2018. A complete copy of Title 22 Part 7 and the proposed changes are available at www.dmr.ms.gov. Public comments on the proposed regulation changes will be accepted through September 17, 2018. All comments should be mailed to the MDMR, Attn: Brittany Chudzik, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: Brittany.chudzik@dmr.ms.gov and delivered by 5:00 PM on September 17, 2018.

Complete description of proposed changes:

TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 7 Regulations to Provide Size Limits and Bag Limits on Certain Fish Species and to Prevent Sale of Seafood by Recreational Fishermen

Chapter 8 - Recreational Bag, Possession and Size Limits

Section 100

100.12.02 Mutton Snapper (*Lutjanus analis*) - may possess five (5) within the ten (10) fish aggregate

Section 102

102.05 Red and Mutton Snapper - sixteen (16) inches (total length)

102.06 Mutton Snapper - eighteen (18) inches (total length)

102.06 102.07 Vermillion Snapper - ten (10) inches (total length).

102.07 102.08 Lane Snapper - eight (8) inches (total length).

102.08 102.09 Gray, Schoolmaster, Cubera, Dog, Mahogany, and Yellowtail Snapper - twelve (12) inches (total length).

102.09 102.10 Red and Yellowfin Grouper - twenty (20) inches (total length).

102.10 102.11 Gag and Black Grouper - twenty-four (24) inches (total length).

Legal Notice appeared in the Sun Herald on Sept. 6, 2018

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on August 7, 2018 at the regularly scheduled meeting of the Commission on Marine Resources, the Commission approved a Motion of Intent to update, modify and change the size limits set forth in Title 22 Part 7, Sub-Part A of what was filed with the Mississippi Secretary of State office on August 22, 2018. A complete copy of Title 22 Part 7 and the proposed changes are available at www.dmr.ms.gov. Public comments on the proposed regulatory changes will be accepted through September 17, 2018. All comments should be mailed to the MDMR Attn: Gregory Chubb, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: gchubb@dmr.ms.gov or by using comments on ms.gov and received by 5:00 PM on September 17, 2018.

Change description of proposed changes:

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 7 Regulations to Provide Size Limits and Bag Limits on Certain Fish Species and to Prevent Sale of Restricted Recreational Fishery
Chapter 5 – Recreational Bag, Possession and Size Limits
Section 100

100.12 02 Mutton Snapper (*Lutjanus fulvus*) – may possess five (5) fish; the fork of the tail aggregate
Section 101

102.20 Red and Yellow Snapper – sixteen (16) inches (total length)
102.25 Yellow Snapper – eighteen (18) inches (total length)

102.26 Yellow Snapper – eighteen (18) inches (total length)
102.27 102.02 Lane Snapper – eight (8) inches (total length)

102.03 102.03 Gray, Semipalmate, Dusky, Mahogany, and Yellowtail Snapper
twelve (12) inches (total length)

103.03 102.10 Red and Yellowtail Grouper – twenty (20) inches (total length)

102.10 102.11 Sea and Black Grouper – twenty-four (24) inches (total length)
102.11 102.12 Scamp – sixteen (16) inches (total length)

102.12 102.13 Gray Triggerfish – fourteen (14) inches (fork length)
102.13 102.14 King Mackerel – twenty-four (24) inches (fork length)

102.14 102.15 Rounders (Paralichthys) – twelve (12) inches (total length)
102.15 102.16 small coastal sharks – twenty (20) inches (total length)

102.16 102.17 large coastal sharks – thirty-seven (37) inches (total length)
102.17 102.18 Lesser Sandpick and Sandpiper (total length) – may possess fish, however, fourteen (14) inches (fork length) to thirteen (13) inches (total length)

102.18 102.19 Bigeye Tuna (*Thunnus albacares*) – twelve (12) inches (total length) measured from the tip of the upper jaw to the fork of the tail along the contour of the midline of the body (total length)

102.19 102.20 Yellowfin Tuna (*Thunnus albacares*) – twelve (12) inches (total length) measured from the tip of the upper jaw to the fork of the tail along the contour of the midline of the body (total length)

102.20 102.21 Blue Marlin (*Makaira nudo*) – thirty (30) inches (total length) measured from the tip of the lower jaw to the fork of the tail (lower jaw length)

102.21 102.22 White Marlin (*Makaira nudo*) – thirty (30) inches (total length) measured from the tip of the lower jaw to the fork of the tail (lower jaw length)

102.22 102.23 Gulf Stream Striped Bass (*Morone chrysops*) – thirty-three (33) inches (total length) measured from the tip of the lower jaw to the fork of the tail (lower jaw length)

102.23 102.24 Hogfish – twelve (12) inches (total length) measured from the tip of the lower jaw to the fork of the tail (lower jaw length)

102.24 102.25 Tripletail (*Lobotes surinamensis*) – eighteen (18) inches (total length)
102.25 102.26 Sheepshead (*Ariopsis probatocephalus*) – fourteen (14) inches (total length)
Chapter 9 – Commercial Size, Possession and Catch Limits
Section 100
100.11 Mutton Snapper – sixteen (16) inches (16) inches (total length)

measured from the tip of the lower jaw to the fork of the tail (lower jaw length)
102.23 102.24 Hogfish – twelve (12) inches (total length)
102.24 102.25 Tripletail (*Lobotes surinamensis*) – eighteen (18) inches (total length)
102.25 102.26 Sheepshead (*Ariopsis probatocephalus*) – fourteen (14) inches (total length)
Chapter 9 – Commercial Size, Possession and Catch Limits
Section 100
100.11 Mutton Snapper – sixteen (16) inches (16) inches (total length)

Run Dates

09/08/2018, 09/13/2018, 09/20/2018

Public Comments

- Notice of Intent Published on August 22, 2018.
- Public Comment period August 22, 2018 through September 17, 2018 (27 days).
- To date, 0 public comments have been received.

Title 22 Part 7 Chapter 8

Recreational Bag, Possession and Size Limits

Section 100

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

Section 102

102.06 Mutton Snapper – eighteen (18) inches (total length)

Chapter 8 Section 102

Recreational Bag, Possession and Size Limits

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

Title 22 Part 7 Chapter 9

Commercial Size, Possession and Catch Limits

Section 100

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

ENHANCE ★ PROTECT ★ CONSERVE

Required:

A Motion for a Final Adoption of Regulatory Changes to Title 22 Part 7 Chapter 8 and Chapter 9, Section 100 Bag and Size Limit for Mutton Snapper.



ENHANCE ★ PROTECT ★ CONSERVE

State Saltwater Finfish Records

Brittany Chudzik
September 18, 2018

K.8.

The seal of the Mississippi Department of Marine Resources is a circular emblem. It features a central illustration of a pelican feeding its young in a nest, with waves below. The words "MISSISSIPPI" and "DEPARTMENT OF MARINE RESOURCES" are inscribed around the perimeter, separated by two stars.

Conventional Tackle

ENHANCE ★ PROTECT ★ CONSERVE

State Saltwater Fishing Record

Inshore Lizardfish *Synodus foetens*

Old Record: 4.42 oz.

New Record: 5.50

Angler: C. Brennan Sanders



ENHANCE ★ PROTECT ★ CONSERVE



ENHANCE ★ PROTECT ★ CONSERVE

New Youth State Saltwater Fishing Record

Gulf Kingfish

Menticirrhus littoralis

New Record: 1 lbs. 8.72 oz.

Angler: Reagan McGarvey

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ENHANCE ★ PROTECT ★ CONSERVE

Required:

Motion to Adopt New State Records.



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