



ENHANCE ★ PROTECT ★ CONSERVE

Mississippi Advisory Commission on Marine Resources

October 12, 2021



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Employment, Contracts and Procurement Updates October 12, 2021

Employment Updates

- Emmett Carstens – Contractor - GBNERR – 09.21.21
- Neva Hosty – Dispatcher - Marine Patrol – 09.22.21
- Raul Anzola – Marine Fisheries Scientist IV – Shellfish Bureau - Office of Marine Fisheries – 09.27.21
- Chris Diep – Marine Fisheries Scientist III – Lyman Aquaculture – 10.01.21
- Daniel Boyer – Promoted to Marine Patrol Officer III – Sergeant – 10.01.21
- Amy May – Promoted to Marine Patrol Officer II – Corporal – 10.01.21
- Tyler Foster – Promoted to Marine Patrol Officer II – Corporal – 10.01.21

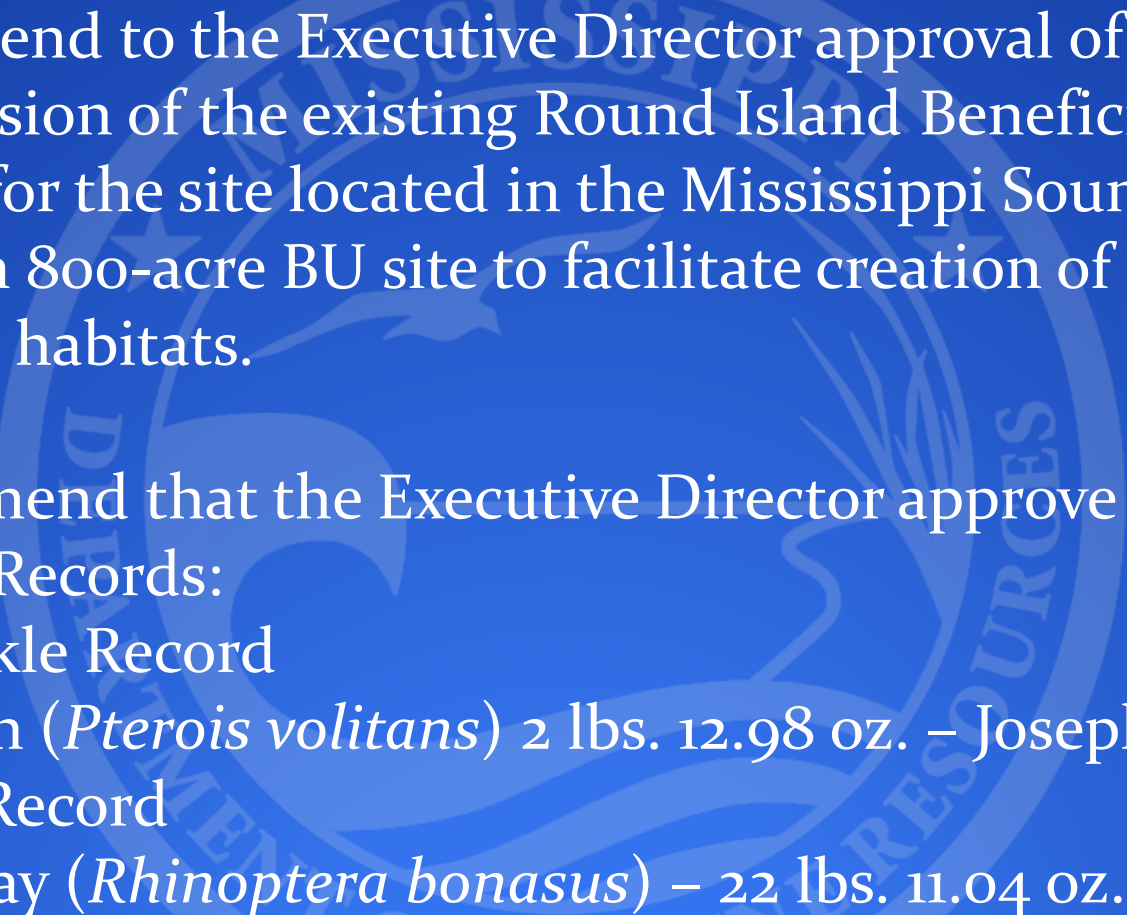


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Actions Update October 12, 2021

Discussed at the September 2021 meeting:

- 1) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 12 be forwarded to the Secretary of State's Office for final adoption.
- 2) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 16 be forwarded to the Secretary of State's Office for final adoption.
- 3) Motion to recommend that the Proposed No Wake Zone at Popps Ferry be tabled until additional information can be obtained from the City of Biloxi and/or Harrison County Board of Supervisors regarding the possibility of extending the requested zone further west to include Antole Bay marina.
- 4) Motion to recommend to the Executive Director that the new format and changes to Title 22, Part 19 be sent to the Secretary of State's Office for Notice of Intent.

- 
- 5) Motion to recommend to the Executive Director approval of MDMR's request for a two (2) year extension of the existing Round Island Beneficial Use of Dredged Materials permit for the site located in the Mississippi Sound, Jackson County, MS to establish an 800-acre BU site to facilitate creation of tidal marsh and associated coastal habitats.
- 6) Motion to recommend that the Executive Director approve the following State Saltwater Finfish Records:
- A. All Tackle Record
 - 1. Red Lionfish (*Pterois volitans*) 2 lbs. 12.98 oz. – Joseph Triplett
 - B. Youth Record
 - 2. Cownose Ray (*Rhinoptera bonasus*) – 22 lbs. 11.04 oz. – Rodie Armes

Director approved the motions as recommended.

**Request for Permit by:
Chevron Products Company
DMR 21-000516**

- **Location: Bayou Casotte in Pascagoula, Jackson County, MS.**
- **Use District: (I) Industrial Development Use District**
- **Project Purpose/Need: To maintain the minimum control depth required for safety, operability, maintainability, and reliability of Chevron's Marine Facilities.**

Project Description

- **Maintenance dredging**
 - 5,380' length and ranging from 35' to 270' in width
 - 45' MLW within tanker berths
 - 20' MLW within barge berths
 - Approximately 120,000 cubic yards of material
- ❖ The applicant is requesting authorization to maintenance dredge as needed
 - DMR shall receive written notification at least 30 days prior to commencing of dredging
- ❖ If BU is not utilized, a dredge fee in the amount of \$0.25 cent per cubic yard of material removed must be submitted for any dredging that occurs within Coastal Wetlands

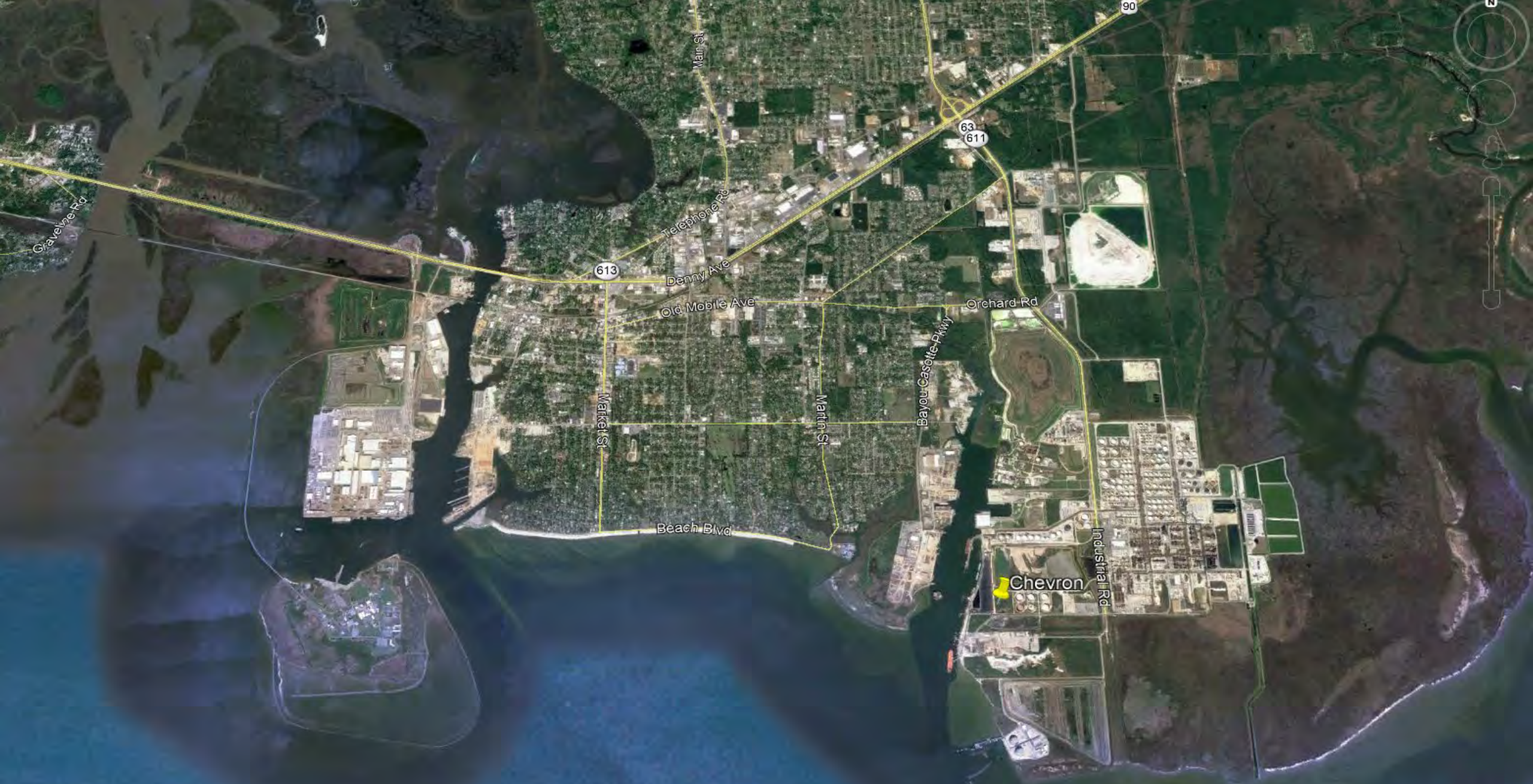


Image © 2021 TerraMetrics
© 2021 Google

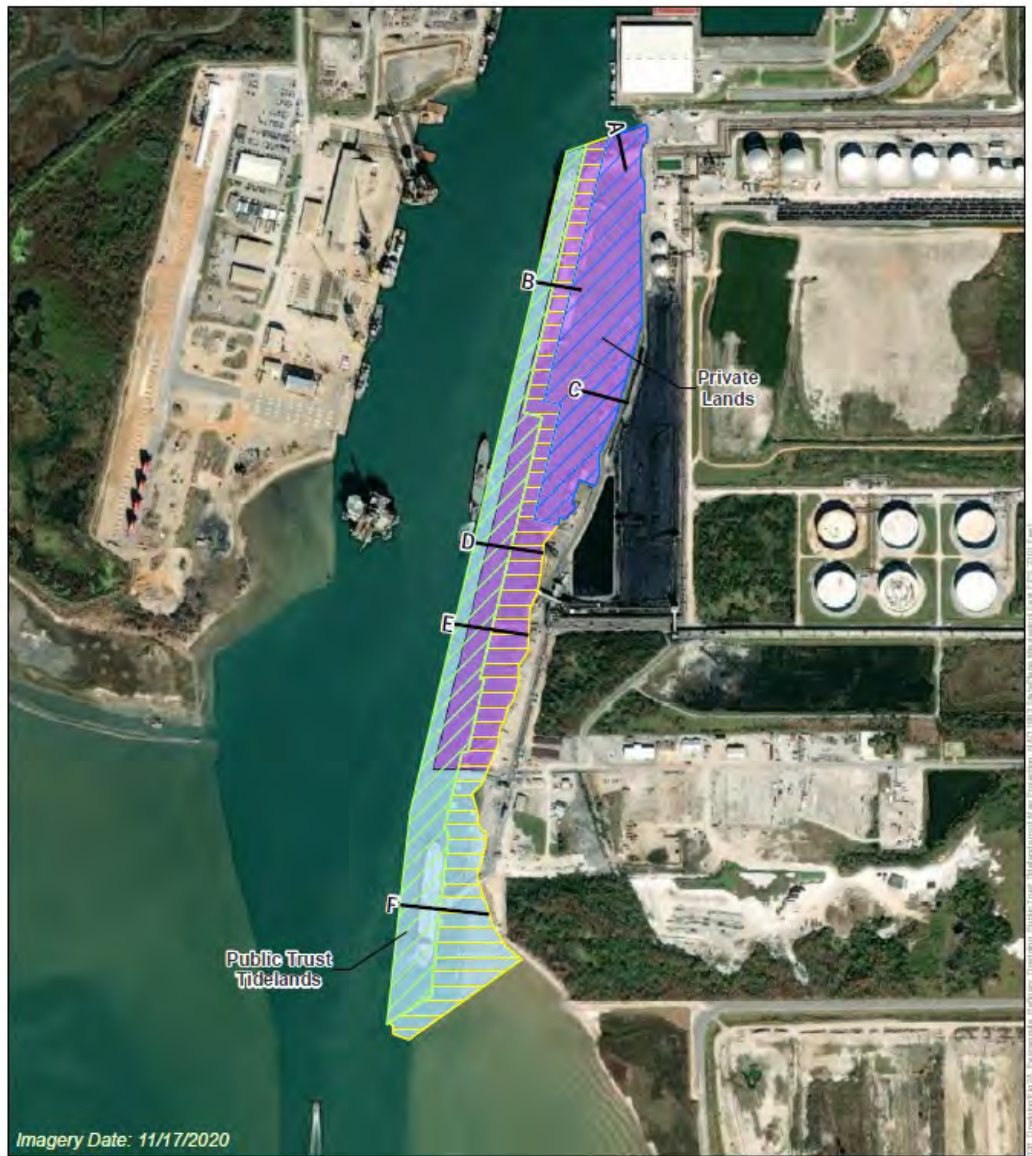
Google Earth



Imagery Date: 11/17/2020



Sources: TRC, Chevron, Tigre, NVI, Basemap; Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

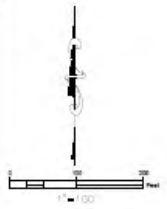


Imagery Date: 11/17/2020

Map Location			<p>4155 Shearwater Road, Suite 225 Nacogdoches, TX 75792</p> <p>Chevron Pascagoula Refinery Public Trust Tidelands/ Private Lands Sep 2021</p>
	<ul style="list-style-type: none"> Cross Section Limits of Dredge Side Slope Limits of Dredge -20 Limits of Dredge -45 Private Lands Public Trust Tidelands 		
		<p>Scale: 1:9,600 (1 inch = 800 ft at 8.5"x11")</p>	

Sources: TRC, Chevron, Tiger, NWI, BaseMap; Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Imagery Date: 11/17/2020
 Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



PROPOSED LEGEND

- PROPOSED MINOR CONTOUR
- PROPOSED MAJOR CONTOUR
- PROPOSED SPOT ELEVATION
- PROPOSED SLUICE DIRECTION

EXISTING LEGEND

- EXISTING MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING SPOT ELEVATION



ISSUED FOR REVIEW

thompson
INCORPORATED
 3813 CRENSHAW STREET
 MOBILE, AL 36688
 TEL: (205) 474-8271
 FAX: (205) 474-8279
 JOB# 21-1108-0193

REFERENCE DRAWINGS	REVISIONS	TECH. APPROVALS	OPER. APPROVALS	CHEVRON	DRAWING INFORMATION
				Chevron Pascagoula Refinery	OWNER: <u>SPILL POINT</u>
					PERMIT: <u>VOLUME CALC SURVEY</u>
					LAYOUT: <u>SHEET</u>
					CHEVRON, PASCAGOULA
					DRAWN BY: <u>JJD</u> DATE: <u>06-06-21</u> SCALE: <u>AS NOTED</u>
					CHECKED BY: <u>JJH</u> APPROVED BY: <u>JJH</u> ENGR: <u>JJH</u>
					SHEET 1 OF 1
					REV: <u>0</u>

Public and Agency Notification

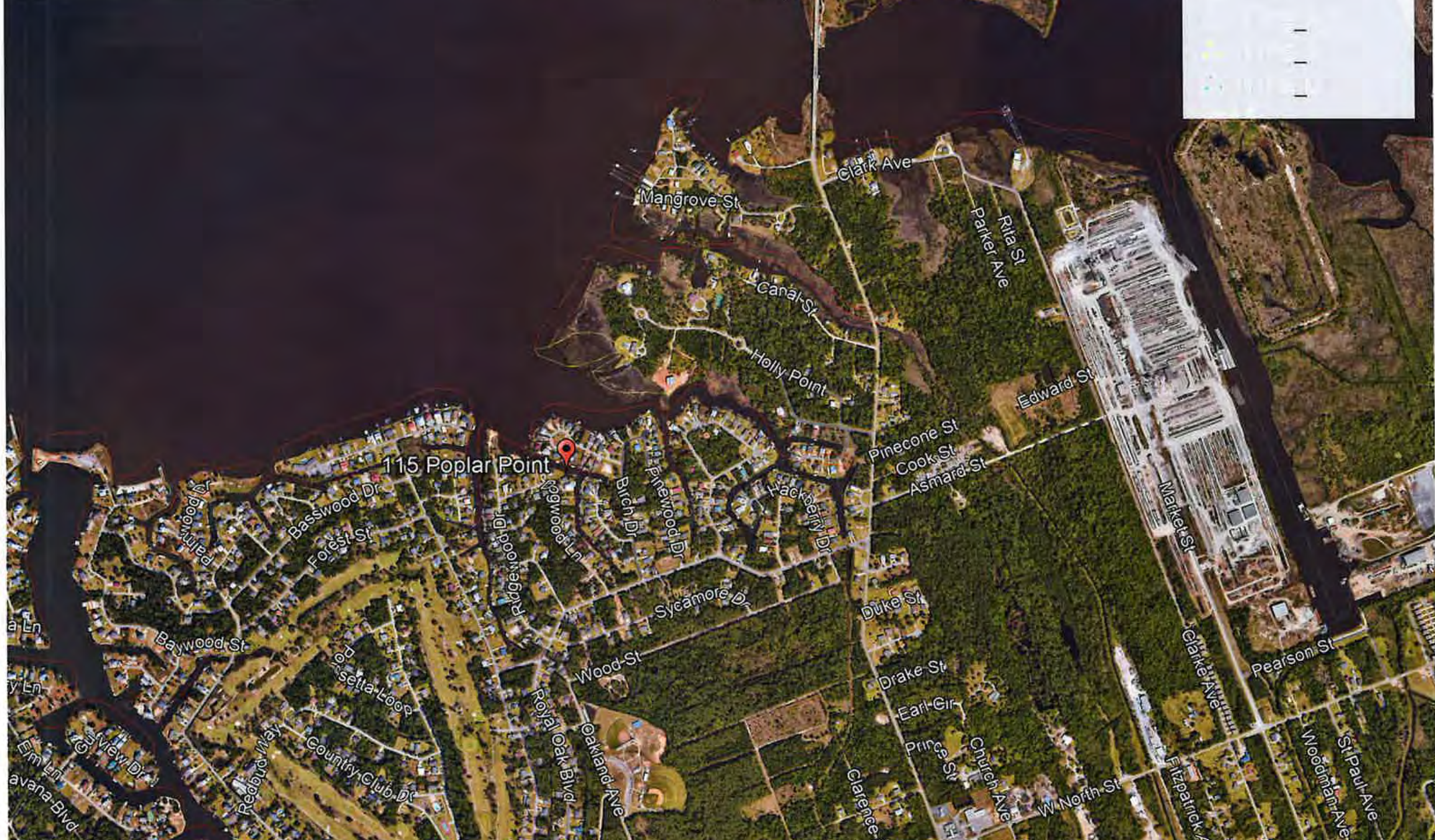
- Notification of this project appeared in *The Sun Herald* and *The Mississippi Press* on September 19, September 26, and October 3, 2021
 - No public comments were received
- MS DEQ: Currently reviewing the project
- MS DAH: No objections
- MS DWFP: No comments
- MS SOS: Has given authorization to dredge tidelands and submerged lands, to the extent that the project area includes them

Recommendation

- The staff of the Department of Marine Resources has conducted a thorough evaluation of the project and has made findings on the decision factors in accordance with the Mississippi Coastal Program (MCP). These findings have been provided to the Commissioners. Based on the results of these findings, it has been determined that the project is consistent with the MCP because it:
 - Provides a public benefit by supporting refinery operations, e.g., local jobs, taxes, expenditures
- Staff requests a motion that the Commission recommend to the Executive Director:
 - Approve the Permit contingent on water quality certification from MDEQ; and issue the Permit once the previous authorization expires on November 15, 2021.

**Violation/After-the-Fact General Permit:
Vernon Ewing
File: V21-000015**

- **Location: Young Bayou, 115 Poplar Point in Pass Christian, Harrison County, MS**
- **Use District: (G) General Use**



115 Poplar Point

Clark Ave

Mangrove St

Parker Ave
Rita St

Canak St

Holly Point

Edward St

Pinecone St
Cook St
Asmar St

Market St

Poplar Point

Birch Dr

Pinewood Dr

Hackberry Dr

Sycamore Dr

Duke St

Drake St

Earl Cir

Prince St

Church Ave

W North St

Wood St

Royal Oak Blvd
Oakland Ave

Pearson St

Clark Ave

Woodman Ave
St Paul Ave

Poplar Point

Country Club Dr

Redbird Way

Baywood St

Basswood Dr
Forest St

Em Ln
Avana Blvd



Project Description

- **Unauthorized:**
 - Pier
 - Four Pilings
 - Damage to Coastal Wetlands vegetation
- **Current Proposal:**
 - Partial Removal of Unauthorized pier
 - Proposed piers to remain: 20' x 18, 14' x 4', 16' x 3'
 - Four Pilings (for uncovered boat lift)
 - Allow natural recovery of damaged vegetation



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Project Chronology

- August 17, 2021: Potential Violation was called in
- August 18, 2021: Site visit revealed unauthorized structures and damage to wetland vegetation
- August 23, 2021: Mailed Notice of Violation
- September 1, 2021: Mr. Ewing responded by email

Project Chronology

- September 2, 2021: Called Mr. Ewing, explained each part of the violation, requested his plan to either restore property or request an ATF authorization
- September 9, 2021: Applicant submitted his plan to restore property by email
- September 27, 2021: Met with legal staff, an ATF authorization will be required
- September 30, 2021: Application for ATF authorization received

Potential Penalty Range

- **Violation discovered: August 18, 2021**
- **Violation duration: 13 days**
- **Maximum potential fine for residential: \$6,500.00 (\$500.00/day)**
- **Recommended Fine:**
 - **\$0.00**
- **Decision Factors:**
 - **Property owner has been very cooperative**
 - **Property owner responded with what he thought was necessary immediately**
 - **Restoration of the property will be costly**

Recommendation

- **The staff of the Department of Marine Resources has conducted an evaluation of the structures. Because the property owner has been cooperative and the structures he is requesting to keep meet the General Permits Guidelines, staff recommends:**
 - **No fine for the property owner**
 - **Approval of the requested piers and pilings**
 - **Removal of the unauthorized 16' x 11' portion of the pier**
 - **The wetland vegetation be given one year to recover and if the area does not revegetate then the homeowner will be responsible for replanting it using MDMR's Marsh Restoration Guidelines**

Staff requests a motion that the Commission recommend to the Executive Director to approve the restoration plan and ATF General Permit.



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Mississippi Department of Marine Resources

Agency Financial Results
as of September 30, 2021

Key Metrics:

- State Revenue of \$3.4M
- Agency Revenue of \$15.3M
- State Net Income of \$2.0M
- Agency Net Income of \$10.4M

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
Income Statement - Fiscal Year 2022
As of September 30, 2021

	Federal :			
	GOMESA PHIL:	Operating		
	NFWF:	Subtotal	Tidelands	Total DMR
	State			
Revenue:				
Transfer in from Other Governments	-	(26,147)	(26,147)	-
Off-road Fuel Tax	3,050,000	-	3,050,000	-
Federal/NonFederal Grants	5,100	614,983	620,083	-
Sales Revenue	299,698	-	299,698	-
Indirect Cost Recovery	62,701	-	62,701	-
Other Revenue	79,326	24,171	103,497	11,258,963
Current Budget Year Revenue:	3,496,825	613,007	4,109,832	11,258,963
Expenditures:				
Salaries, Wages, Fringe	1,176,483	652,959	1,829,442	178,961
Travel	4,453	13,095	17,547	127
Contractual Services	127,329	172,963	300,292	207,373
Commodities	87,062	541,877	628,939	20,926
Equipment	33,203	107,493	140,696	433
Subsidies, Loans, and Grants	405	1,222,382	1,222,787	342,281
Current Budget Year Expenditures:	1,428,702	2,711,000	4,139,702	750,101
Current Budget Year Net Income/(Loss):	\$ 2,068,123	\$ (2,097,993)	\$ (29,870)	\$ 10,508,862
			\$ 11,258,963	\$ 10,478,992

Financial Budget Comparison

- After three months of Fiscal Year 2022:

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
2022 Budget Comparison
As of September 30, 2021

	<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	\$ 1,829,442	\$ 178,961	\$ 2,008,403	\$ 11,190,236	\$ 1,054,140	\$ 12,244,376	83.7%	83.0%	83.6%
Travel	17,547	127	17,674	156,246	25,000	181,246	88.8%	99.5%	90.2%
Contractual Services	300,292	207,373	507,664	7,432,965	1,651,000	9,083,965	96.0%	87.4%	94.4%
Commodities	628,939	20,926	649,865	3,005,045	360,000	3,365,045	79.1%	94.2%	80.7%
Other than Equipment	-	-	-	8,555	-	8,555	100.0%	-	100.0%
Equipment	140,696	433	141,129	431,046	125,000	556,046	67.4%	99.7%	74.6%
Vehicles	-	-	-	70,000	250,000	320,000	100.0%	0.0%	100.0%
Wireless Devices	-	-	-	6,250	-	6,250	100.0%	0.0%	100.0%
Subsidies, Loans, and Grants	1,222,787	342,281	1,565,068	73,466,487	8,761,357	82,227,844	98.3%	96.1%	98.1%
Total Expenditures:	\$ 4,139,702	\$ 750,101	\$ 4,889,804	\$ 95,766,830	\$ 12,226,497	\$ 107,993,327	95.7%	93.9%	95.5%

- Operating Funds have 95.7% of Budget remaining
- Tidelands Trust Fund has 93.9% of Budget remaining



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Changes to Title 22 Part 6

Jason Saucier

October 12, 2021

Changes to Title 22

- Revised title, added definitions and language pertaining to the sale, transport and reporting of saltwater minnows
- Revised reporting deadline for live bait dealers
- Removed wording that was already covered in Mississippi Code. Referenced the applicable statutory or regulatory authorities
- Updated the format to “Rules” and “Sources” to conform with the format prescribed by the Secretary of State’s Office
- Removed reference to mullet commercial size limit

Change to Title

PART 6 RULES AND REGULATIONS FOR LIVE-BAIT
~~SHRIMPING IN THE STATE OF MISSISSIPPI~~ RELATED
ACTIVITIES

Substantive Changes – Chapter 2

Definitions added:

- F. FINAL DESTINATION – A place on the mainland or a barrier island, not including piers or jetties, where the fishermen finally lands his catch and does not further transport the catch by boat.
- O. SALTWATER MINNOW – Any species within the families Cyprinodontidae, Fundulidae, and Poeciliidae.
- P. SALTWATER MINNOW DEALER – “Saltwater minnow fisherman” and any person, firm or corporation who engages in the sale, exchange, barter or dispensing of saltwater minnows, in a live condition, solely as bait only to recreational fishermen, or to licensed live bait dealers as permitted.
- Q. SALTWATER MINNOW TRANSPORT VEHICLE – Any motorized vehicle having suitable equipment to properly transport, in a live condition, saltwater minnows which are intended solely for use as live bait to be sold or dispensed to a recreational fisherman and said vehicle having been duly permitted as a "saltwater minnow transport vehicle" by the MDMR.

Substantive Changes – Chapter 3

- Chapter 3: Closure Areas
- Rule 3.2 – Nothing in this chapter shall be construed to limit the use at any time of cast nets or brille nets not exceeding twelve (12) feet (maximum radius or length) ~~used for catching~~ to catch saltwater shrimp for personal consumption.

Substantive Changes – Chapter 4

- Chapter 4: Gear Regulations
 - ~~Rule 4.1.I. – I. It shall be unlawful for any minnow fisherman or live bait catcher boat to have in possession in excess of five (5) pounds of dead mullet. The commercial minimum length limit for mullet in Title 22 Part 07 Chapter 09 Section 100.05 shall not apply to resident licensed minnow fishermen, licensed live bait catcher boats fishing below the CSX or licensed live bait dealers selling mullet for bait. Minnow fishermen shall only sell mullet to licensed Mississippi live bait dealers or Mississippi recreational fisherman. It shall be unlawful to possess mullet north of the CSX railroad while engaged in minnow fishing.~~

Substantive Changes – Chapter 5

- Chapter 5: License Regulations
 - Rule 5.3 – It shall be unlawful for any live bait dealer to fail to submit their monthly Live Bait Dealer Report to the MDMR, in accordance with Title 22 Part 9 regulations of the MDMR ~~as required by rules and regulations of the MCMR~~. Said reports shall be postmarked no later than the tenth (10th) ~~fifteenth (15th)~~ day of the month following the monthly reporting period. Live bait shrimp caught and sold shall be reported in numbers of shrimp, not in number of pounds.

Substantive Changes – Chapter 5

- Chapter 5: License Regulations
- Rule 5.4 It shall be unlawful for any saltwater minnow dealer to fail to submit their trip tickets and trip ticket summary form to the MDMR, in accordance with Title 22 Part 9 regulations of the MDMR. Said reports shall be postmarked no later than the tenth (10th) day of the month following the monthly reporting period. Saltwater minnows caught and sold shall be reported in numbers of saltwater minnows, not in number of pounds.

Substantive Changes – Chapter 5 (cont.)

- Chapter 5: License Regulations
 - Rule 5.17 – Additionally, if a licensed live bait boat or captain wants to change to a commercial shrimper, the live bait boat license and captain's license must be surrendered to the Executive Director or his designee. Surrendered licenses may not be reacquired during the same license year.

Substantive Changes – Chapter 6

- Chapter 6 – Rule 6.2 – It shall be unlawful for any person, firm or corporation to transport saltwater minnows out of the state without complying with the following:
 - A. Saltwater minnow transport vehicles must be clearly and permanently marked by displaying in an easily visible position, on both left and right sides of said transport vehicle in block letters at least four (4) inches high and at least three-eighths (3/8) inch wide and of a contrasting color to that of the vehicle, the words: "SALTWATER MINNOWS".
 - B. The driver of the saltwater minnow transport vehicle may not transport saltwater minnows by said vehicle without having in their immediate possession a valid "saltwater minnow transport vehicle permit" issued by the Executive Director or his designee.

Substantive Changes – Chapter 7

- Chapter 7: Aquaculture
 - Rule 7.1 – Live bait shrimp may be raised in aquaculture facilities, however only native (*Penaeid*) marine species of shrimp and saltwater minnows may be used as bait. Non-native species of shrimp and saltwater minnows are strictly prohibited from being used as live bait in the marine waters of the State of Mississippi.

Notice of Intent

Recommendation to the Executive Director that the new format and changes to Title 22, Part 6 be sent to the Secretary of State's Office for Notice of Intent.



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MDMR Tagging Program Overview

Trevor Moncrief and Eric Gigli

October 12, 2021

Southern Flounder Acoustic Telemetry

- Monitor movement patterns during winter spawning season including movement into and out of the Mississippi Sound
- Biloxi Bay and Pascagoula River estuary
- Tags externally affixed to mid-dorsal
 - Deployed 35 tags to date
 - 18 in Pascagoula and 17 in Biloxi Bay
- Tags last for approximately 504 days
- Cooperative efforts in St. Louis Bay by USM GCRL

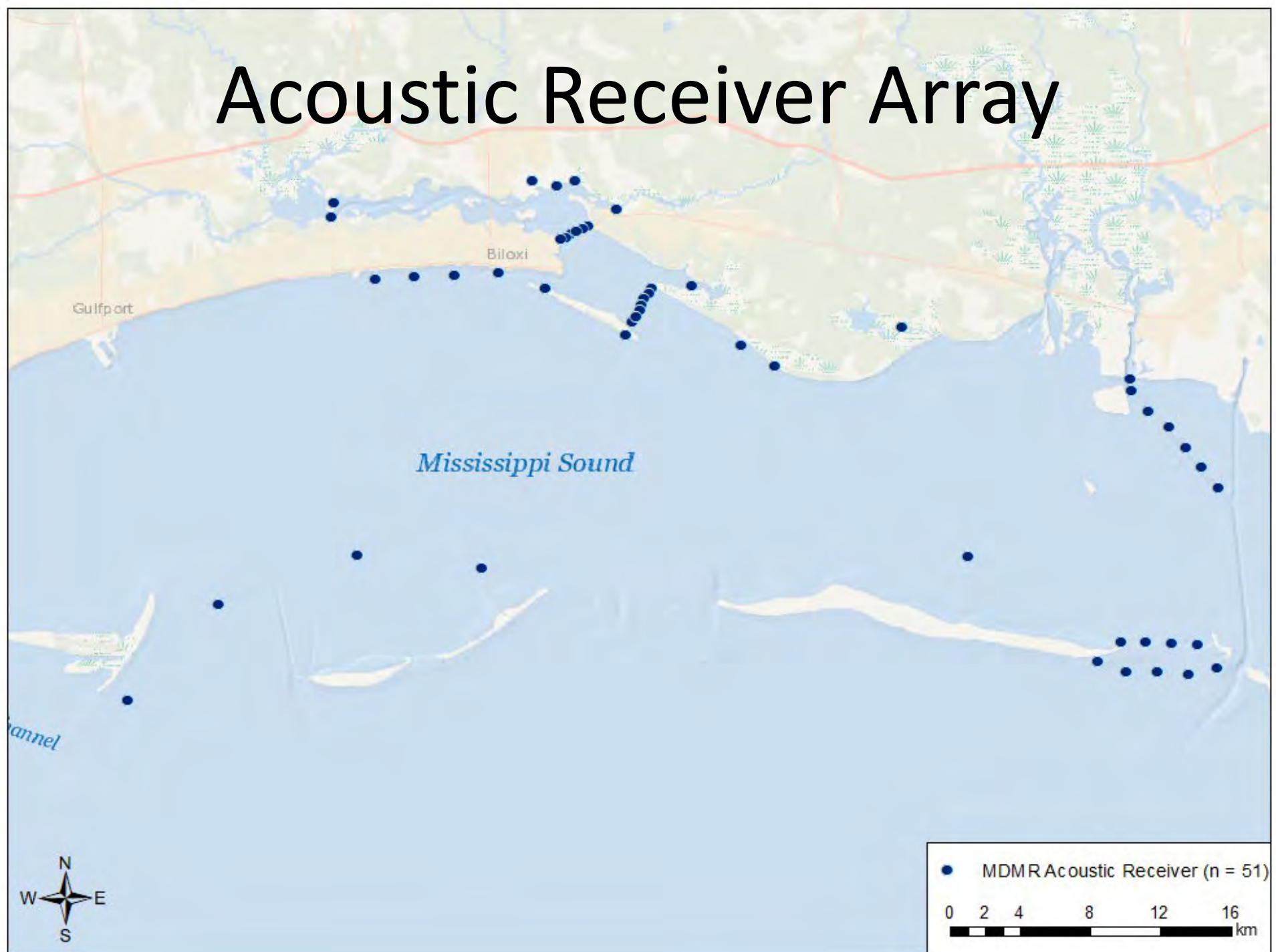


Cobia Acoustic Telemetry

- Target size range 25 to > 36 inches
- Surgically implant tags
 - 6 deployed to date
 - Upcoming tagging in the Fall
- Data will provide insight about spatial and temporal movement patterns



Acoustic Receiver Array



NFWF Ingalls Artificial Reef Monitoring

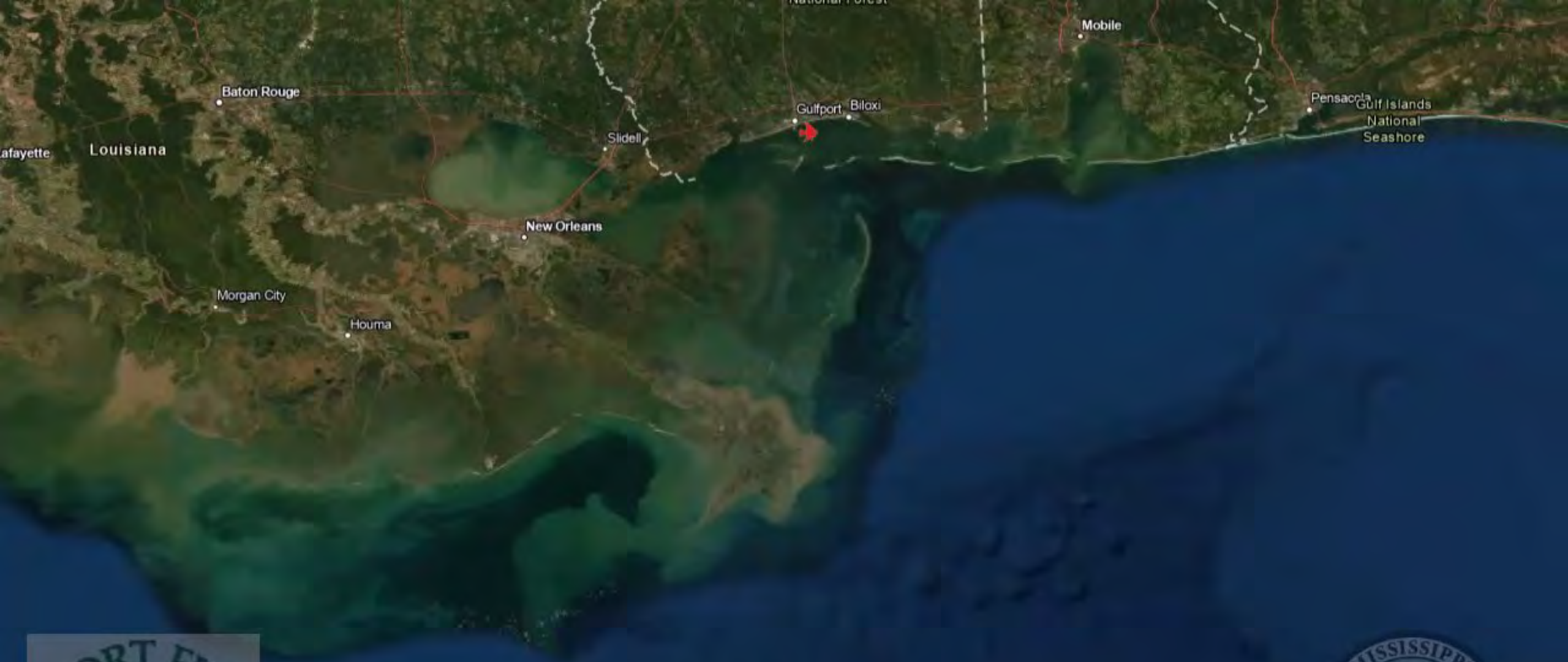
- Recent deployments on FH-13
 - Created 9 new sites with 12 deployments
 - 8,096 tons of material
- Species tagged
 - 136 - Red Snapper
 - 5 - Gray Triggerfish
 - 4 - Tomtate
 - 1 - Atlantic Spadefish



Atlantic Tripletail Satellite Tagging

- Deployed August – October
 - 16 tags deployed since 2019
- First known effort to occur on this species
- Tags record environmental and tracking parameters throughout winter migration
- Tag automatically releases from the fish in March and sends archived data to satellites





First Tagged Tripletail

8/20/2019



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2021 Deployments

- 5 Tripletail tagged to date in 2021
 - Each fish is 24-27 inches TL and 12-18 pounds
- 5 tags remaining for deployment
- Tag #402 preliminary real-time tracking (shown on right)
 - For 2021, locations also determined opportunistically when fish is at surface and a satellite passes overhead

