



ENHANCE ★ PROTECT ★ CONSERVE

Mississippi Advisory Commission on Marine Resources

December 14, 2021



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Employment, Contracts and Procurement Updates December 14, 2021

Employment Updates

- Brett James – Coastal Resource Management Specialist II – Permitting – CRM Office – 11.01.21
- Leo DeGeorge – Marine Patrol Officer II – Port Security – Marine Patrol – 11.01.21
- Garrett Comstock – Marine Patrol Officer I – Marine Patrol – 11.08.21
- Curtis Norfleet – Marine Patrol Officer I – Marine Patrol – 11.08.21
- Logan Jones – Marine Fisheries Shellfish Tech IV – 11.29.21
- Brian Hurst – Facilities Maintenance Contractor – Lyman – 11.29.21
- Jacob Goff – Promoted to Resource Specialist II – Grand Bay NERR – 11.01.21
- Russell Holliman – Promoted to Marine Patrol Officer II – Marine Patrol – 11.01.21



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Mississippi Advisory Commission on Marine Resources

December 14, 2021



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Actions Update for
November 16, 2021
&
December 14, 2021

Discussed at the October 2021 meeting:

- 1) Motion to recommend to the Executive Director that the Chevron Products Company permit for maintenance dredging in Bayou Casotte in Pascagoula, Jackson County, MS, be extended contingent upon water quality certification from MDEQ, once the previous authorization expires on November 15, 2021.
- 2) Motion to recommend approval of an After-the-Fact general permit and restoration plan to Vernon Ewing in Young Bayou, 115 Poplar Point, Pass Christian, Harrison County, MS:
 - - No fine for the property owner
 - - Approval of the requested piers (20' x 18'; 14' x 4'; and 16' x 3') and 4 pilings
 - - Removal of the unauthorized 16' x 11' portion of the pier;
 - - The wetlands vegetation be given 1 year to recover and if the area does not revegetate, the homeowner will be responsible for replanting using the MDMR's Marsh Restoration Guidelines.
- 3) Motion to recommend 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.

Director approved the motions as recommended.



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Discussed at the Special Called Meeting on November 12, 2021

- 1) Motion to cancel the November 16, 2021 meeting due to the inability of all commissioners to attend on November 16th.
- 2) Motion to move the December 21, 2021 meeting to December 14, 2021 to accommodate the Christmas holiday leave schedules.

Both motions passed unanimously.

Pending Items for Discussion (from Sept 2021 meeting)

- Proposed No Wake Zone at Popps Ferry was 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.



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NO WAKE ZONE PROPOSAL

Popps Ferry causeway and bridge
BILOXI, MS





Affects to boaters

- Vessels traveling from the proposed 200 feet north of the public ramp to the proposed 200 feet south of the public ramp will be at idle speed for 1 minute and 12 seconds.
- Vessels traveling from the proposed 850 feet west of the drawbridge to the proposed 300 feet east of the drawbridge will be at idle speed for 2 minutes and 17 seconds.

Special considerations

- Kayak rental vendor located near the northwestern abutment of the Popp's Ferry bridge.
- Residence of Anatole Bay and their personal property (Moored Vessels) in the area.
- Commercial barge traffic maintaining course and speed.
- Recreational public utilizing the public accesses along the causeway.
- High traffic area for boaters due to a convergence of two channels.



Staff Recommendation

- The Office of Marine Patrol recommends the establishment of a No Wake Zone for the specified location, based upon the proximity of the convergence of two channels in relation to the public access areas in which people fish, boat and socialize.



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Title 22 Part 19

Use of State-owned Coastal Preserve Areas

Coastal Zone Management

James Davis

Notice of Intent

On September 21, 2021, the Commission recommended 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.

Executive Director approved the recommendation and the proposed regulation was filed with the SOS's office on September 24, 2021.

Publication of Proposed Regulation

- Notice of the proposed regulation was published in the Sun Herald on October 6, 2021.
- Notice of the proposed regulation was also posted on the MDMR website on October 5, 2021.

Sun Herald Publication

MDMR Website Notice

McCLATCHY

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36303	147327	Title 22 Part 19		\$1,200.00	6	20.50 in

Attention: TJ MORAN
DEPT OF MARINE RESOURCES
1141 BAYVIEW AVENUE
SUITE 101
BILOXI, MS 39530

STATE OF MISSISSIPPI
COUNTY OF HARRISON

Before me, the undersigned Notary of Dallas County, Texas personally appeared Daniel Jantzen, who, being by me first duly sworn, did depose and say that she is a clerk of The Sun Herald, a daily newspaper published in the city of Gulfport, in Harrison County, Mississippi and the publication of

Mississippi Department of Marine Resources

AGENCY INFO OFFICES OUTREACH PROGRAMS GO FISHING

Mississippi Red Snapper season reopening

READ MORE

RECENT NEWS

NOAA awards funding to study water quality in the Mississippi Sound estuary
Title 22 Part 19 - Proposed Changes

Gulf Federal Red Snapper for hire season reopening Oct. 15 - Nov. 6

PUBLIC NOTICES

PUBLIC NOTICE: Purchase and installation of portable cameras onto two

Mississippi Department of Marine Resources

AGENCY INFO OFFICES OUTREACH PROGRAMS GO FISHING

Title 22 Part 19 - Proposed Changes

Public Notice / October 5, 2021

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

Please see the attached Legal Notice below for a complete description of the proposed changes.

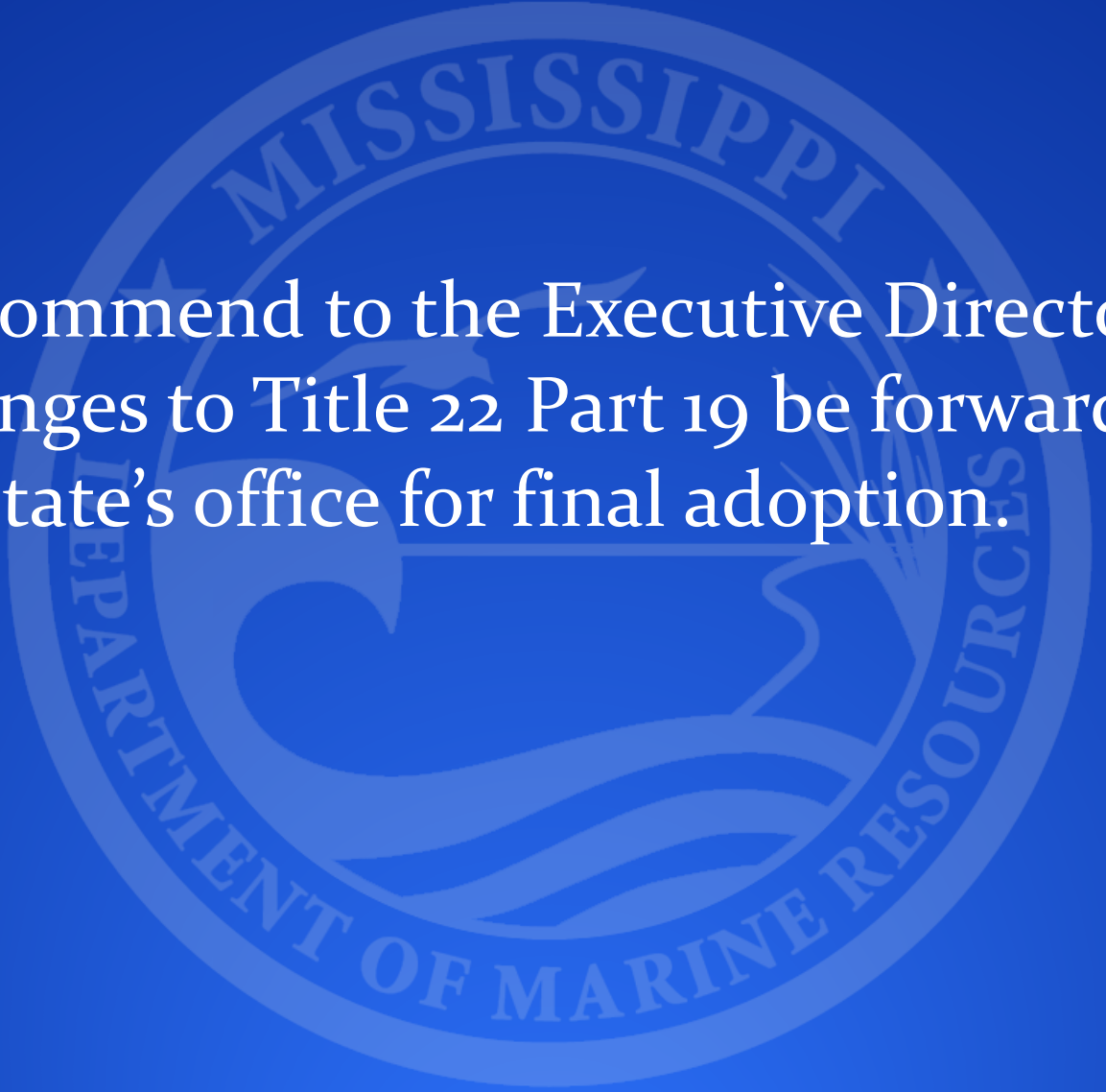
DOWNLOAD PDF

SHARE THIS:

Facebook Twitter

Public Comments

- Public comments were due to the MDMR by 5:00 p.m. on October 29, 2021.
- No public comments were received.

- 
- The seal of the Mississippi Department of Marine Resources is a circular emblem. It features a central illustration of a fish, likely a blue crab, positioned above stylized waves. The text "MISSISSIPPI" is arched across the top, and "DEPARTMENT OF MARINE RESOURCES" is arched across the bottom. Two stars are placed on the left and right sides of the seal.
- Motion to recommend to the Executive Director that the proposed changes to Title 22 Part 19 be forwarded to the Secretary of State's office for final adoption.

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Mississippi Advisory Commission on Marine Resources

December 14, 2021

**Violation/After-the-Fact General Permit:
David Wheeler
DMR21-000609**

- **Location: Tchoutacabouffa, 12010 Carls Cove in Biloxi, Harrison County, MS**
- **Use District: (G) General Use**



40' Bulkhead Repair

Project Description

- **Unauthorized:**
 - Bulkhead Repair, 40'
- **Current Proposal:**
 - Bulkhead Repair to remain, 40'

Project Chronology

- September 14, 2021: Initial Application submitted
- September 21, 2021: Site visit appeared to show damaged section
- October 19, 2021: Emailed SOS Office for review for failed bulkhead replacement in same footprint
- October 20, 2021: Received email from SOS Office that they need more info, and will meet the applicant on site.
- October 22, 2021: Received email from SOS Office. The email from SOS Office stated that David Wheeler told SOS Office that the bulkhead has been reconstructed and that the contractor claimed to Mr. Wheeler that he had already received the permit. He will still meet the applicant on site.

Project Chronology

- **November 3, 2021**: Received email from SOS office that they will be meeting Mr. Wheeler on site that day.
- **November 22, 2021**: Received email from SOS Office that they met with the property owner. Made the following statement:
 - This office is of the opinion there was no encroachment of the mean high water mark landward of the then existing bulkhead footprint; that there was no change, and specifically no avulsive change, in the mean high water mark as the boundary between the public trust tidelands and lands subject to private ownership. Therefore, this office would not have objected (and does not object) to construction of the bulkhead at or landward of the then existing bulkhead footprint. Further, our observation is the bulkhead as constructed does not encroach on the State held Public Trust Tidelands.
- **November 30, 2021**: Conducted site inspection, confirmed the bulkhead reconstruction
- **December 1, 2021**: Phone call to Mr. Wheeler to inform him of the violation and that he would need to submit modified information to continue with an after-the-fact application. Received this information later the same day.



Tchoutacabouffa River

12010

12018

40' BULKHEAD REPAIR
ABUTTING
EXISTING BULKHEAD

Tchoutacabouffa River

12010 Carls Cove

40' Bulkhead Repair



Recommendation

- **The staff of the Department of Marine Resources has conducted an evaluation of the structure.**
- **Staff recommends:**
 - **No fine for the property owner**
 - The property owner submitted an application for the work to be conducted.
 - The structure was in the process of being permitted and would have been permitted as a General Permit.
 - The property owner was under the impression that the permit had been issued.
 - The property owner has been cooperative and responded to the DMR's request immediately.
 - **Approval of the requested bulkhead repair**

Staff requests a motion that the Commission recommend that the Executive Director approve the After-the-fact General Permit.



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Mississippi Advisory Commission on Marine Resources

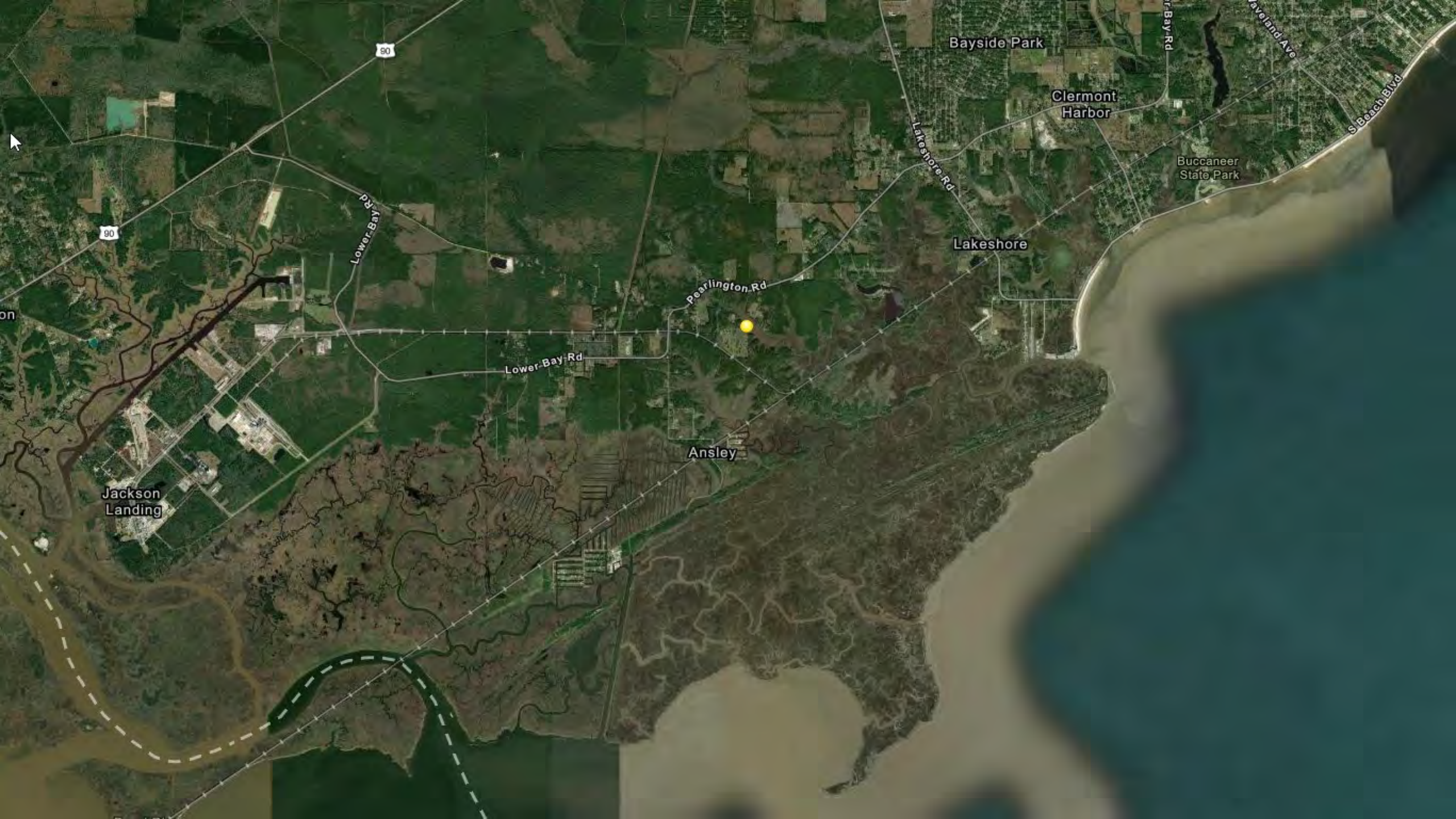
December 14, 2021

Violation/After-the-Fact General Permit:

Marty Sahuque

File: V21-000015; DMR21-000660

- **Location: Bayou Caddy, Hancock County, MS**
- **Use District: (G) General Use**



90

Bayside Park

Clermont Harbor

Buccaneer State Park

Lakeshore

Pearlington Rd

Lower Bay Rd

Anasley

Jackson Landing

Lower Bay Rd

90

St Beach Blvd

Ave/land Ave

Lower Bay Rd

Lakeshore Rd



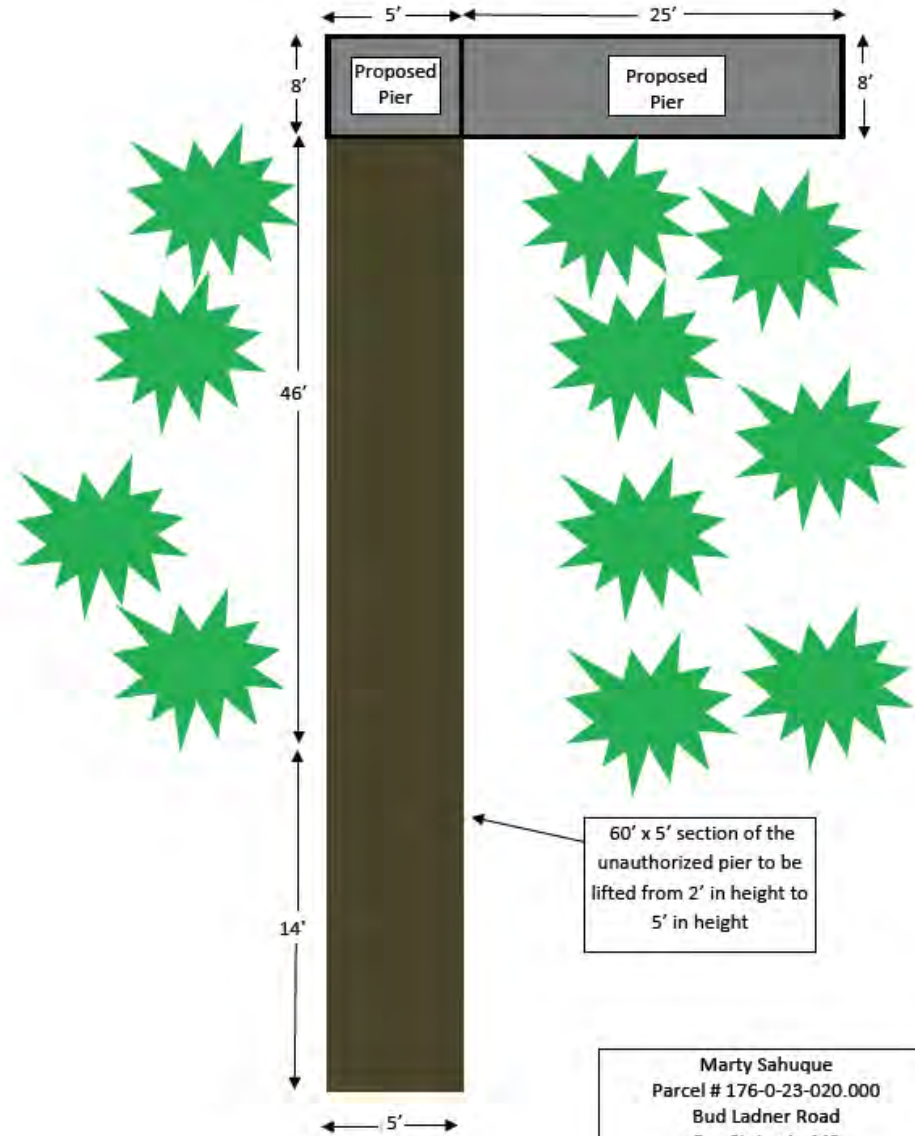
Project Description

- **Unauthorized:**
 - **Pier: 60' x 5'**
 - **46' Over tidal/tidally-influenced marsh**
 - **Too low over vegetation**
 - **Potential damage to Coastal Wetlands vegetation**
- **Proposed Structures:**
 - **Pier: 5' x 8'**
 - **Pier 25' x 8'**
- **Current Proposal:**
 - **Raise unauthorized pier to permittable height**
 - **Allow natural recovery of damaged vegetation**

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WOW = 42'

Bayou Caddy



60' x 5' section of the unauthorized pier to be lifted from 2' in height to 5' in height

Marty Sahuque
Parcel # 176-0-23-020.000
Bud Ladner Road
Bay St. Louis, MS
(Not to Scale)
DMR21-000660





Project Chronology

- October 12, 2021: Potential Violation was called in; Site visit showed unauthorized pier over tidal/tidally-influenced marsh
- October 14, 2021: Received application for ATF authorization
- December 3, 2021: Mailed Notice that Violation would be presented at the December 14, 2021 MACMR meeting

Potential Penalty Range

- **Violation discovered: October 12, 2021**
- **Violation duration: 2 days**
- **Recommended fine: None**
- **Maximum fine for residential: \$1,000 (\$500/per day for residential) will be enforced should the pier modifications not be made within 180 days of the Director's final decision**
- **Decision Factors:**
 - **Property owner has been cooperative;**
 - **Submitted application quickly; and**
 - **Is willing to bring the pier into compliance with GP Guidelines**

Recommendation

- **The staff of the Department of Marine Resources has conducted an evaluation of the structures. Because the property owner has been cooperative and is willing to bring the pier into compliance with the General Permits Guidelines, staff recommends:**
 - **No fine for the property owner if work is completed within 180 days; The fine of \$1,000 will be enforced in the event this deadline is not met and will be due after an additional 30 days**
 - **ATF approval for the pier support pilings**
 - **Requirement that the unauthorized pier be brought into compliance with GP Guidelines**
 - **Approval of the additional proposed piers**
 - **The wetland vegetation be given one year to recover and if the area does not revegetate then the property owner will be responsible for restoration using MDMR's Marsh Restoration Guidelines**
 - **Should the work not be completed by the 180-day deadline, the matter will be forwarded to the Attorney General's Office for further enforcement**
 - **If the fine is enforced and is not paid after the additional 30 days, the matter will be forwarded to the Attorney General's Office for further enforcement**

Staff requests a motion that the Commission recommend that the Executive Director approve the restoration plan and ATF General Permit. In the event the work is not completed, or the fine is not paid the matter will be forwarded to the Attorney General's Office for further enforcement.



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Mississippi Advisory Commission on Marine Resources

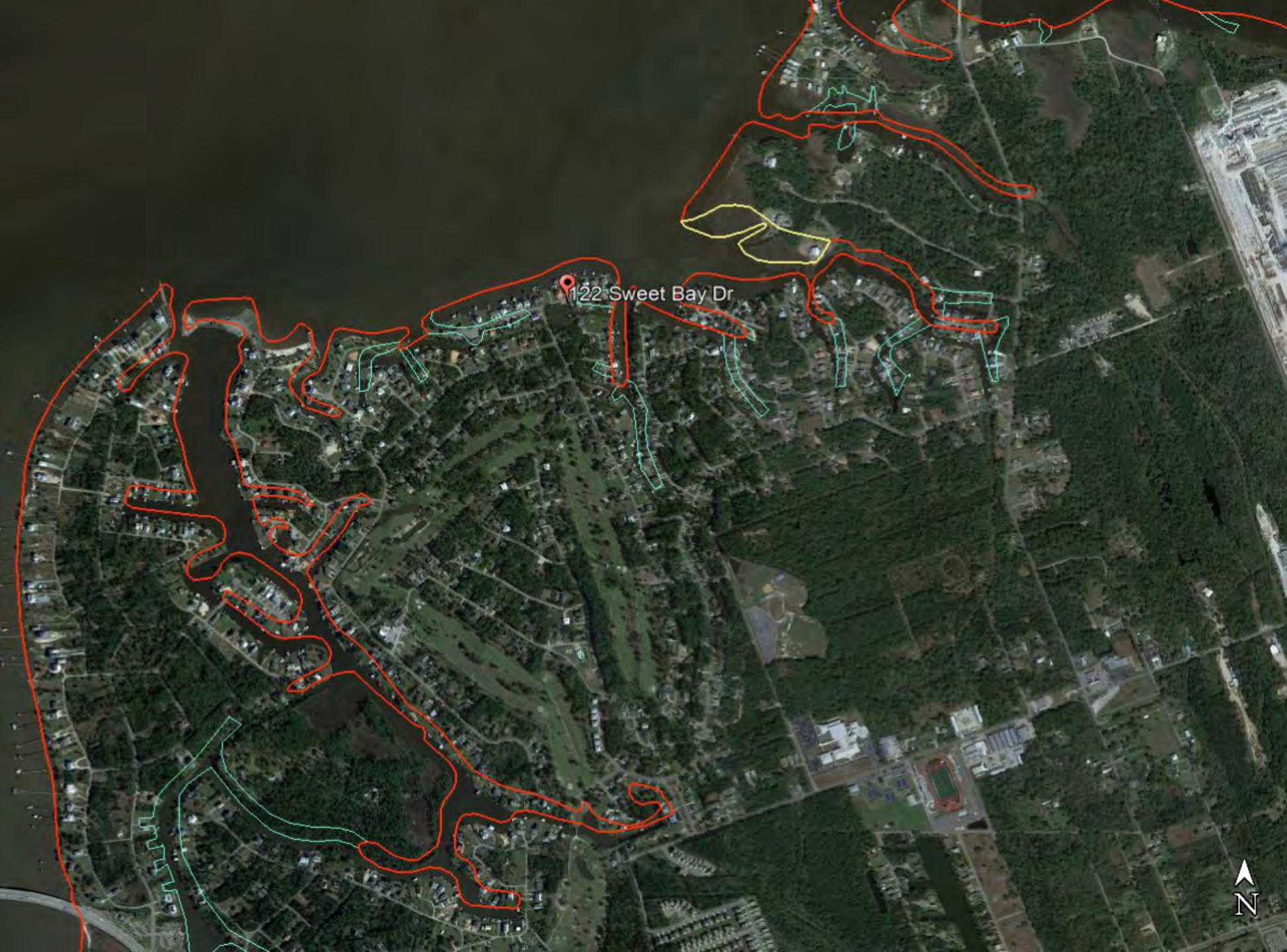
December 14, 2021

**Request for Permit by:
Kevin Courville
Permit # DMR-21-000346**

- **Location: St. Louis Bay at 122 Sweet Bay Drive in Pass Christian, Harrison County, MS.**
- **Use District: (G) General Use District**
- **Agent: Jim Bradley.**

Project Description

- **Boathouse and Piers:**
 - Approximately 1,254 square feet of shading to unvegetated waterbottoms
 - Two (2) Mooring Pilings
 - **Previously Authorized:**
 - Boathouses and piers totaling 2,012 square feet

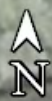


122 Sweet Bay Dr



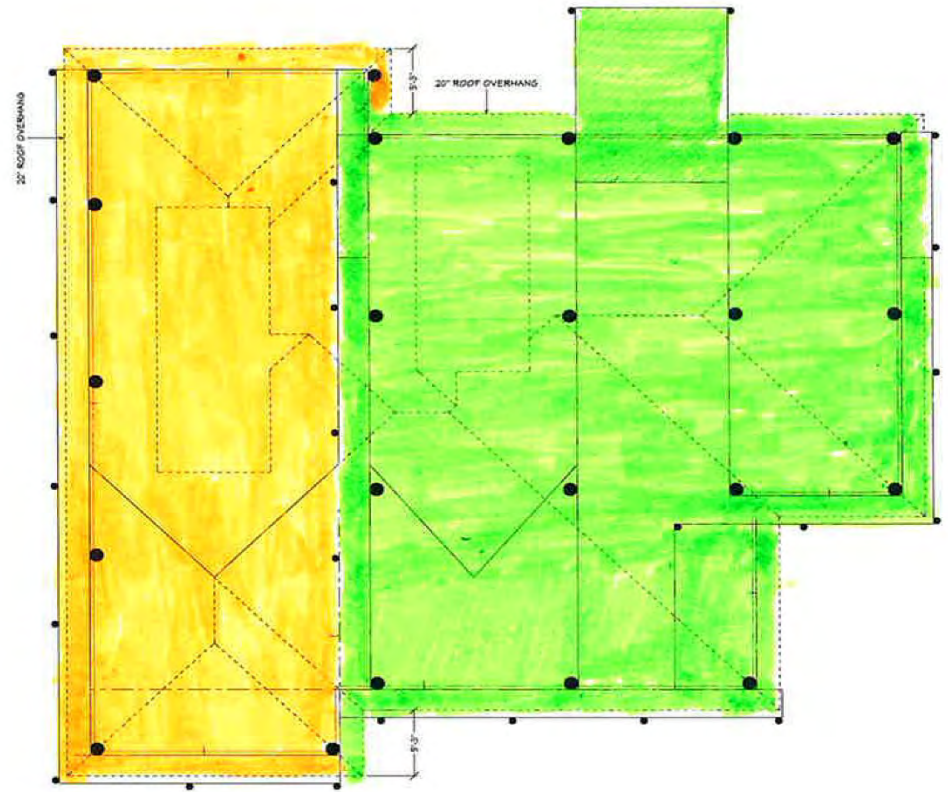


122 Sweet Bay Dr





- Existing (2,012 sf)
 - Proposed (1,254 sf)



ADDED ROOF AND REMODELED ROOF PLANES
 1254 ADDED SQ. FOOTAGE

SHEET NO.
4

SCALE
 1/4" = 1'

DRAWN BY: J.S. WALKER
 225-644-4440

I, the undersigned, hereby certify that I am a duly licensed Professional Engineer in the State of North Carolina, and that I am the author of the design and construction documents herein. I am not providing these documents for any other project, and I am not providing these documents for any other project without the written consent of the client. I am not providing these documents for any other project without the written consent of the client.

Sheet Description
ROOF LINES

PLANS FOR:
**COURVILLE BOAT
 COVER ADDITION**

Builder to comply with all Local
 building codes

AMENDED PLAN # 2

Public and Agency Notification

- Notification of this project appeared in *The Sun Herald* on October 31, November 7 and 14, 2021.
 - No public comments were received
 - An adjacent owner objected and made the following comments:
 - Roofline extends further into bay than existing roofline
 - Purpose for the two mooring pilings/another boat?
 - Are new neighbors aware of proposed additions?
 - Response from applicant
 - New roofline does not extend past commenting neighbor's roofline
 - Tying up newly purchased boat during storm/high water events
 - Verbally informed new neighbors/DMR staff has contacted new neighbors and sent them plans of the addition
 - MDAH: No comments
 - MSOS: No comments

Public and Agency Notification (continued)

- Notification of this project appeared in *The Sun Herald* on October 31, November 7 and 14, 2021.
 - No public comments were received
 - An adjacent owner objected and made the following comments:
 - Roofline extends further into bay than existing roofline
 - Purpose for the two mooring pilings/another boat?
 - Are new neighbors aware of proposed additions?
 - Response from applicant
 - New roofline does not extend past commenting neighbor's roofline
 - Tying up newly purchased boat during storm/high water events
 - Verbally informed new neighbors/DMR staff has contacted new neighbors and sent them plans of the addition

Staff 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 Chapter VIII, Section 2, Part I.E.2. of the Mississippi Coastal Program (MCP). The project would allow the property owner to exercise his riparian rights to construct an additional boathouse and associated piers to berth a newly acquired vessel at his residence. Covered areas have been mostly reduced to direct coverage of the vessel and piers accessing the bow and sides of the vessel. Staff recommends issuance of the permit contingent on 401 Water Quality Certification from DEQ.

Requested Motion

- **Motion to recommend approval of Kevin Courville's request for a Permit to:**
 - **Construct an additional 1,254 square feet of structures and 2 mooring pilings. Total area of all proposed and existing structures would be 3,266 square feet.**



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Mississippi Advisory Commission on Marine Resources

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Mississippi Department of Marine Resources

Agency Financial Results
as of November 30, 2021

Key Metrics:

- State Revenue of \$4.0M
- Agency Revenue of \$16.9M
- State Net Income of \$1.5M
- Agency Net Income of \$7.0M

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Income Statement - Fiscal Year 2022

As of November 30, 2021

	State	Federal : GOMESA PHII: NFWF:	Operating Subtotal	Tidelands	Total DMR
Revenue:					
Transfer in from Other Governments	-	(26,147)	(26,147)	-	(26,147)
Off-road Fuel Tax	3,050,000	-	3,050,000	-	3,050,000
Federal/NonFederal Grants	260,024	1,182,036	1,442,060	-	1,442,060
Sales Revenue	476,076	-	476,076	-	476,076
Indirect Cost Recovery	148,505	-	148,505	-	148,505
Other Revenue	88,506	494,145	582,741	11,279,781	11,862,522
Current Budget Year Revenue:	4,023,200	1,650,035	5,673,235	11,279,781	16,953,016
Expenditures:					
Salaries, Wages, Fringe	2,073,325	1,226,970	3,300,295	348,741	3,649,036
Travel	5,702	15,615	21,317	5,314	26,631
Contractual Services	243,698	373,384	617,082	303,227	920,309
Commodities	142,885	1,056,359	1,199,244	41,999	1,241,243
Equipment	50,541	145,423	195,964	8,902	204,866
Vehicles	(232)	6,732	6,500	-	6,500
Subsidies, Loans, and Grants	1,228	2,379,910	2,381,138	1,431,864	3,813,002
Current Budget Year Expenditures:	2,517,147	5,204,393	7,721,540	2,140,047	9,861,587
Current Budget Year Net Income/(Loss)	\$ 1,506,053	\$ (3,554,358)	\$ (2,048,305)	\$ 9,139,734	\$ 7,091,429

Financial Budget Comparison

- After five months of Fiscal Year 2022:

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
2022 Budget Comparison
As of November 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	\$ 3,300,295	\$ 348,741	\$ 3,649,036	\$ 11,190,236	\$ 1,054,140	\$ 12,244,376	70.5%	66.9%	70.2%
Travel	21,317	5,314	26,631	156,246	25,000	181,246	86.4%	78.7%	85.3%
Contractual Services	617,082	303,227	920,309	7,432,965	1,651,000	9,083,965	91.7%	81.6%	89.9%
Commodities	1,199,244	41,999	1,241,243	3,005,045	360,000	3,365,045	60.1%	88.3%	63.1%
Other than Equipment	-	-	-	8,555	-	8,555	100.0%	-	100.0%
Equipment	195,964	8,902	204,866	456,046	125,000	581,046	57.0%	92.9%	64.7%
Vehicles	6,500	-	6,500	121,500	250,000	371,500	94.7%	0.0%	98.3%
Wireless Devices	-	-	-	6,250	-	6,250	100.0%	0.0%	100.0%
Subsidies, Loans, and Grants	2,381,138	1,431,864	3,813,002	73,655,756	8,761,357	82,417,113	96.8%	83.7%	95.4%
Total Expenditures:	\$ 7,721,540	\$ 2,140,047	\$ 9,861,587	\$ 96,032,599	\$ 12,226,497	\$ 108,259,096	92.0%	82.5%	90.9%

- Operating Funds have 92.0% of Budget remaining
- Tidelands Trust Fund has 82.5% of Budget remaining



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Title 22 Part 6 – Rules and Regulations for Live-Bait Related Activities Final Adoption

Jason Saucier

December 14, 2021

Notice of Intent

On October 12, 2021, the Commission recommended 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.

Executive Director approved the recommendation, and the proposed regulation was filed with the SOS's office on October 14, 2021.

Publication of Proposed Regulation

- Notice of the proposed regulation was published in the Sun Herald on November 5, 2021.
- Notice of the proposed regulation was also posted on the MDMR website on October 14, 2021.

SOS APA Form 001

Mississippi Secretary of State

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources	CONTACT PERSON T.J. Moran	TELEPHONE NUMBER (228) 522-4184
ADDRESS 1141 Bayview Ave.	CITY Biloxi	STATE MS
EMAIL Tj.moran@dmr.ms.gov	SUBMIT DATE 12/24/2021	ZIP 39530
Name or number of rule(s): Title 22 Part 6		

Short explanation of rule/amendment/ repeal and reason(s) for proposing rule/amendment/ repeal: TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 6 RULES AND REGULATIONS FOR LIVE BAIT FISHING IN THE STATE OF MISSISSIPPI, addition of language pertaining to statutory removal, revision of rate and reporting deadline, and reformulating remaining language per S.O.S. guidelines.

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 6 (see above summary sheet for 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 other (IO) 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 he or she represents. 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 checked="" 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 type="checkbox"/> 30 days after filing <input checked="" type="checkbox"/> Other (specify): 8/1/2022	Action taken: <input type="checkbox"/> Adopted with no changes in text <input type="checkbox"/> Adopted with change <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: **Job Spraggins Executive Director**

Signature of person authorized to file rules: *Job Spraggins*

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by		Accepted for filing by

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

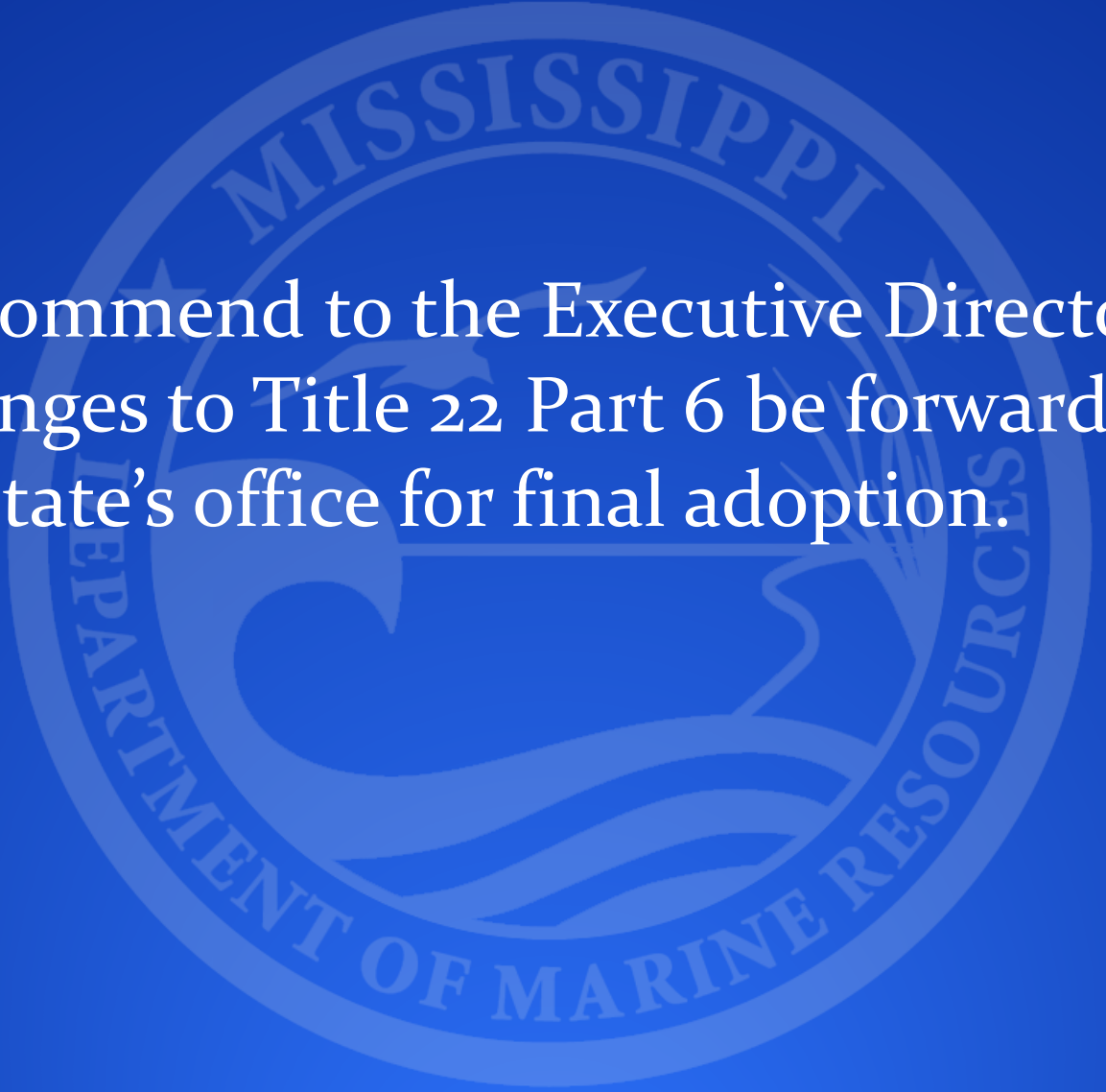
SOS NOI Notice

MDMR Website Notice

Sun Herald Notice

Public Comments

- Public comments were due to the MDMR by November 8, 2021.
- No public comments were received.

- 
- The seal of the Mississippi Department of Marine Resources is a circular emblem. It features a central figure of a pelican feeding its young in a nest. The nest is supported by a branch. Below the nest are stylized waves representing water. The words "MISSISSIPPI" and "DEPARTMENT OF MARINE RESOURCES" are inscribed around the perimeter of the seal. There are also two stars on either side of the top half of the seal.
- Motion to recommend to the Executive Director that the proposed changes to Title 22 Part 6 be forwarded to the Secretary of State's office for final adoption.

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Mississippi Advisory Commission on Marine Resources

December 14, 2021



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Changes to Title 22 Part 2 – Rules and Regulations for Shrimping

Jason Saucier

December 14, 2021

Changes to Title 22 Part 2

- Alphabetized definitions
- 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
- Saltbox definition and prohibition removed from regulation
- Clarified language on trawl area closures

Substantive Changes – Chapter 2

- ~~102 SALTBOX shall mean any container or similar device in which the salinity is greater than one hundred (100) parts per thousand and is used to aid in separating the shrimp from the bycatch.~~

Substantive Changes – Chapter 3 Closure Areas

- Rule 3.2 Commercial and recreational shrimping in Mississippi territorial waters with any type of trawl shall be limited to those areas and seasons defined in Miss. Code Ann. §49-15-64.1.

Substantive Changes – Chapter 4

- Rule 4.4 It shall be unlawful for any person, firm or corporation to use any test or try trawl for the catching or taking of shrimp in the waters under the territorial jurisdiction of the State of Mississippi north of the line described in Rule 4.1 ~~Chapter 5~~ of this Part with a measurement of more than twelve (12) feet along the headrope or more than fifteen (15) feet along the footrope, or used with boards or doors more than thirty (30) inches in length.

Substantive Changes – Chapter 4

- Rule 4.5 It shall be unlawful for any person, firm or corporation to catch or take with a trawl, attempt to catch or take with a trawl, or to possess any shrimp taken with a trawl from the waters under the territorial jurisdiction of the State of Mississippi that are closed to shrimping by order of the ~~MCMR~~ MDMR or by state statute, provided, however, that this chapter shall not apply to shrimp caught legally by ~~properly~~ licensed live bait catcher boats in areas opened to live bait shrimping or any person catching shrimp with a cast or brille net.

Notice of Intent

Recommendation to the Executive Director that the new format and changes to Title 22 Part 2 be sent to the Secretary of State's Office for Notice of Intent.



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Changes to Title 22

Part 9

Statistical reporting and confidentiality of statistical data for Marine Fisheries

Trevor Moncrief - Finfish Bureau

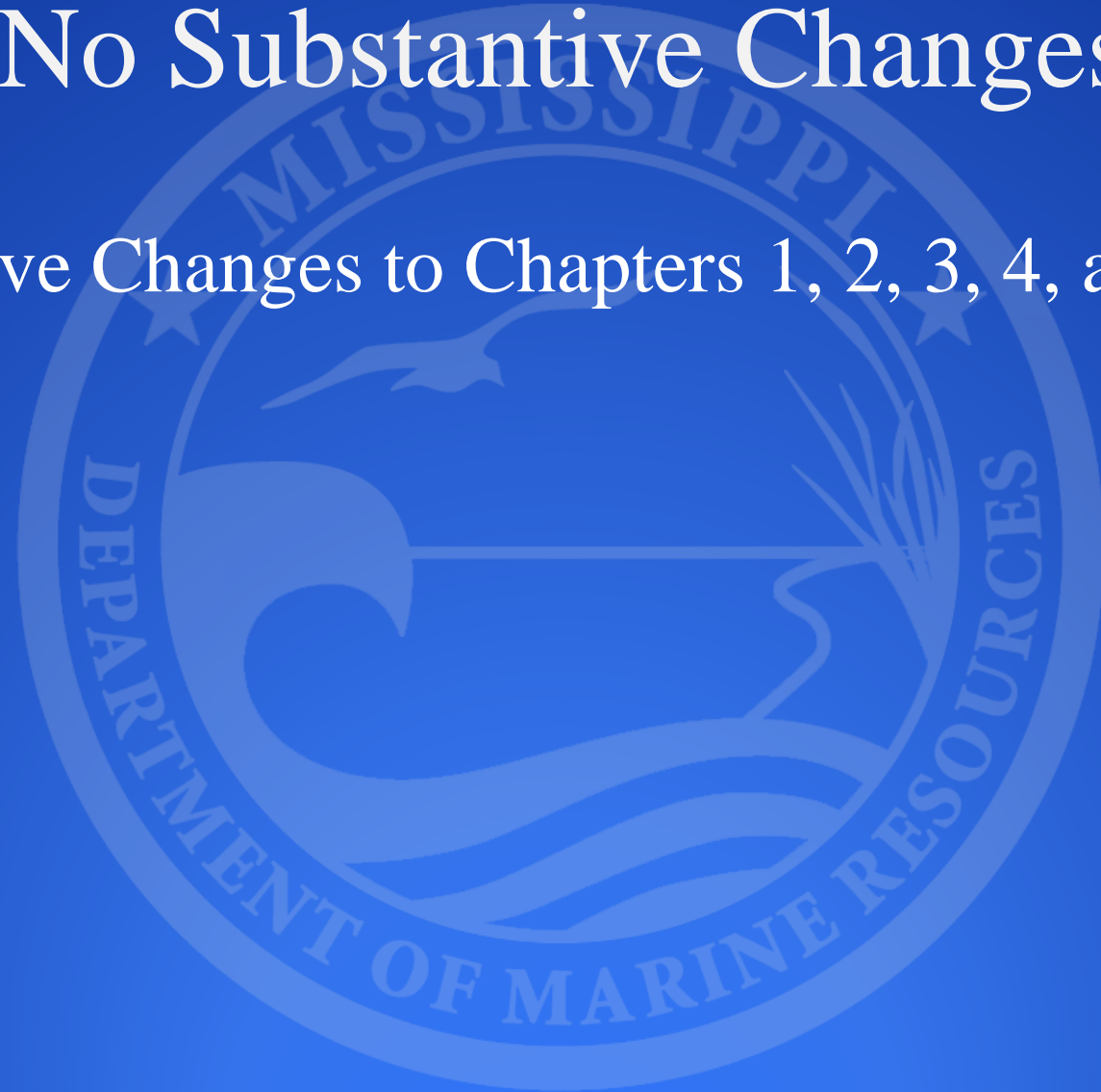
December 14, 2021

Changes to Title 22 Part 9

- 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 States Office
- Added new language
- Updated old language

No Substantive Changes

- No Substantive Changes to Chapters 1, 2, 3, 4, and 5.



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Substantive Changes – Chapters removed

- Removed Chapter 7 – Pet Food Landings Reporting Requirements
- Removed Chapter 8 – Menhaden Landings Reporting Requirements
- Removed Chapter 10 – Oyster Landings Reporting Requirements
- Removed Chapter 15 – Administrative Procedures Act

Substantive Changes – Chapter 6

Rule 6.1 Each seafood dealer/~~or~~ processor is ~~hereby~~ required to accurately complete Mississippi trip tickets using the electronic reporting system provided by the MDMR. Commercial fishermen, who sell their catch to individuals other than a Mississippi dealer/~~or~~ processor or transport their catch out-of-state, are ~~hereby~~ required to accurately complete Mississippi trip tickets provided by the MDMR and be in possession of a fresh product permit.

Rule 6.2 A completed Mississippi trip ticket is only required for the initial point of sale of the seafood product. All completed trip tickets ~~shall~~ must be ~~returned~~ submitted to the MDMR ~~or electronically submitted~~ on or before the tenth (10th) of each month for actual transactions from every commercial fisherman during the preceding month. A trip ticket summary form that states the total trips taken (including zero trips) in a given month ~~shall~~ must be submitted by the 10th of each month by the seafood dealer/~~processor~~ or commercial fisherman. The fisherman is required to provide to the dealer complete and accurate information necessary for the completion of the fisherman portion of the trip ticket.

Rule 6.3 This may include, but is not limited to, ~~commercial fisherman's name, valid license number, date and area of harvest, trip and fishing time, proper vessel identification, gear, quantity, and size of gear used, and applicable mesh size (if any) of gear used, seafood dealer's name, date of purchase, dealer license number, port and county product was landed, species being purchased, weight or any other applicable standard, condition of product, count or market grade of purchased seafood product, and price paid per unit (pound or number) per species.~~ All applicable fields on a trip ticket must be filled out completely. The seafood dealer/~~processor~~ or fisherman is required to verify the accuracy of the tickets before electronic submission or by signing each paper ticket.

Rule 6.4 Menhaden seafood dealers/~~processors~~ ~~shall~~ must provide information on catch in accordance with the requirements of the National Marine Fisheries Service

Substantive Changes – Chapter 9

CHAPTER 07 BAIT OPERATOR LANDINGS REPORTING REQUIREMENTS

100

Rule 7.1 Daily records on catches and sales of live bait shrimp and sales of bait (shrimp, chum, squid, crabs, bull minnows) and other bait products shall must be kept and be readily available at the camp location. - reported on forms furnished by the MDMR, and shall be submitted to the MDMR on a monthly basis. Live Bait Dealer Reports shall be postmarked no later than the fifteenth day of the month following the monthly reporting period.

Rule 7.2 Monthly records on catches of live bait shrimp and sales of bait (shrimp, croakers, chum, squid, crabs, bull minnows) and other bait products must be reported on forms furnished by the MDMR and submitted to the MDMR on a monthly basis.

Rule 7.3 Live Bait Dealer Reports must be postmarked no later than the tenth (10th) day of the month following the monthly reporting period.

Substantive Changes – Chapter 11

CHAPTER 08 RECREATIONAL FISHING LANDINGS REPORTING REQUIREMENTS

100

Rule 8.1 Persons engaged in recreational fishing in waters under the jurisdiction of the MDMR or landing fish in Mississippi shall ~~be~~ are required to furnish information, including a harvest report, pertaining to such fishing upon request from the MDMR. ~~each time a MDMR Confidentiality Officer request such information.~~

Rule 8.2 In addition to the reporting required pursuant to this paragraph, the following reporting is also required.

~~100.04~~ A. Tails n Scales Reporting for Red Snapper Recreational Harvest.

~~One person per vessel recreationally harvesting Red Snapper~~ The Captain of the vessel is responsible for ensuring that someone onboard the vessel has obtained the appropriate trip authorization number from the Tails n' Scales reporting system prior to fishing activity. The person onboard the vessel obtaining the appropriate trip authorization number is hereby required to complete a ~~an accurate~~ vessel harvest report through the Tails n' Scales reporting system within 24 hours of the trip creation. ~~The Captain of the vessel is responsible for ensuring that someone onboard the vessel has obtained the appropriate reporting code from the MDMR.~~

B. Tails n Scales Reporting for Additional Species Recreational Harvest upon

Request. ~~When requested by the MDMR, one person per vessel shall be required to complete a vessel harvest report for any additional species through the Tails n Scales system.~~ the Captain of the vessel is responsible for ensuring that someone onboard the vessel has obtained the appropriate reporting code from the MDMR trip authorization number from the Tails n' Scales reporting system prior to fishing activity for additional species. The person onboard the vessel obtaining the appropriate trip authorization number is required to complete an accurate vessel harvest report for any additional species through the Tails n' Scales system within 24 hours of trip creation.

Substantive Changes – Chapter 11

cont.

Rule 8.3 Charter and Head Boat Reporting. Charter Boat and Head Boat captains operating in Mississippi waters may complete questionnaires furnished by the MDMR. Completed questionnaires ~~shall~~ must be furnished ~~to an information confidentiality officer~~ upon request. In addition to the reporting required pursuant to this paragraph, the following reporting is also required.

~~101.01~~ **A. TailsnScales Reporting for Charter and Head Boat Red Snapper Harvest.** Charter boat and head boat captains operating in waters under the jurisdiction of the MDMR or landing Red Snapper in Mississippi are required to obtain the appropriate trip authorization number from the Tails n’ Scales reporting system prior to fishing activity. Charter boat and head boat captains operating in waters under the jurisdiction of the MDMR or landing Red Snapper in Mississippi ~~shall~~ are be required to complete an accurate a vessel harvest report through the Tails n’ Scales reporting system within 24 hours of trip creation.

~~101.02~~ **B. TailsnScales Reporting for Additional Species Charter and Head Boat Harvest.** When requested by the MDMR, charter boat and head boat captains operating in waters under the jurisdiction of the MDMR or landing Red Snapper in Mississippi are required to obtain the appropriate trip authorization number from the Tails n’ Scales reporting system prior to fishing activity for additional species. Captains ~~shall be~~ are required to complete an accurate vessel harvest report for any additional species through the TailsnScales reporting system within 24 hours of trip creation.

Substantive Changes

- Chapter 12 renamed Chapter 09
- Chapter 13 renamed Chapter 10
- Chapter 14 renamed Chapter 11

Summary of Changes Title 22 Part 9

- No Substantive Changes
 - Chapters 1-5
- Substantive Changes
 - Chapter 6 – Updated language regarding submission of trip tickets
 - Chapter 7 – Removed
 - Chapter 8 – Removed
 - Chapter 9 – Renamed chapter 7, updated bait operator reporting requirements
 - Chapter 10 – Removed
 - Chapter 11 – Renamed Chapter 8, Updated recreational reporting requirements (Tails n' Scales)
 - Chapters 12-14 – Renamed chapters 9-11
 - Chapter 15 – Removed

Notice of Intent

Recommendation to the Executive Director that the new format and changes to Title 22 Part 9 be sent to the Secretary of State's Office for Notice of Intent.



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State Saltwater Finfish Records

Jonathan Barr
December 14, 2021

Saltwater Fishing Record (Youth)

Ladyfish

Elops saurus

Old Record: 2 lbs. 9.60 oz.

New Record: 2 lbs. 11.04 oz.

Angler: Rodie Armes



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Saltwater Fishing Record (Youth)

Scamp

Mycteroperca phenax

New Record: 20 lbs. 12.0 oz.

Angler: Blake Bosarge



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Saltwater Fishing Record (Conventional)

★ Golden Tilefish ★

Lopholatilus chamaeleonticeps

Old Record: 18 lbs. 4.17 oz.

New Record: 20 lbs. 11.68 oz.

Angler: Dustin Conway



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Saltwater Fishing Record (Conventional)

Inshore Lizardfish

Synodus foetens

Old Record: 5.5 oz.

New Record: 9.1 oz.

Angler: Jordan Matthews



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