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# Mississippi Advisory Commission on Marine Resources

January 18, 2022



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# Employment, Contracts and Procurement Updates January 18, 2022

# Employment Updates

- Michael Jimerson – Marine Patrol Officer II, - Marine Patrol – 12.13.21
- Julie Kessen – Administrative Assistant – Human Resources – 12.13.21
- Colleen Massengill – Grants Administrator I – Grants Bureau – 01.03.22
- Emmett Carstens – NERR Resource Specialist I – GBNERR – 01.03.22
- Traci Floyd – Promoted to Office Director – Marine Fisheries – 01.01.22

# Spat Tech Timeline

- Original contract, 8200044375, for \$3,000,000.00 executed 4/30/2019.
- Period of Performance 5/1/19 to 4/30/20.
- Amendment One: Amended to allow incremental billing.
- Amendment Two: Amended to extend Period of Performance to 8/30/2020
- Amendment Three: Amended to extend Period of Performance to 11/6/2020
- Amendment Four: Amended to extend of Period of Performance to 6/30/2021
- During this time, \$1,000,000.00 was paid to Spat Tech for the baskets and concrete substrate.
- Second Contract, 8200056899, for remaining \$2,000,000.00. Executed 8/11/2021.
- Period of Performance 6/2/2021 to 6/30/2022.
- No work has been completed on this second contract.





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# Mississippi Advisory Commission on Marine Resources

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# Actions Update for January 18, 2022

# Discussed at the December 2021 meeting:

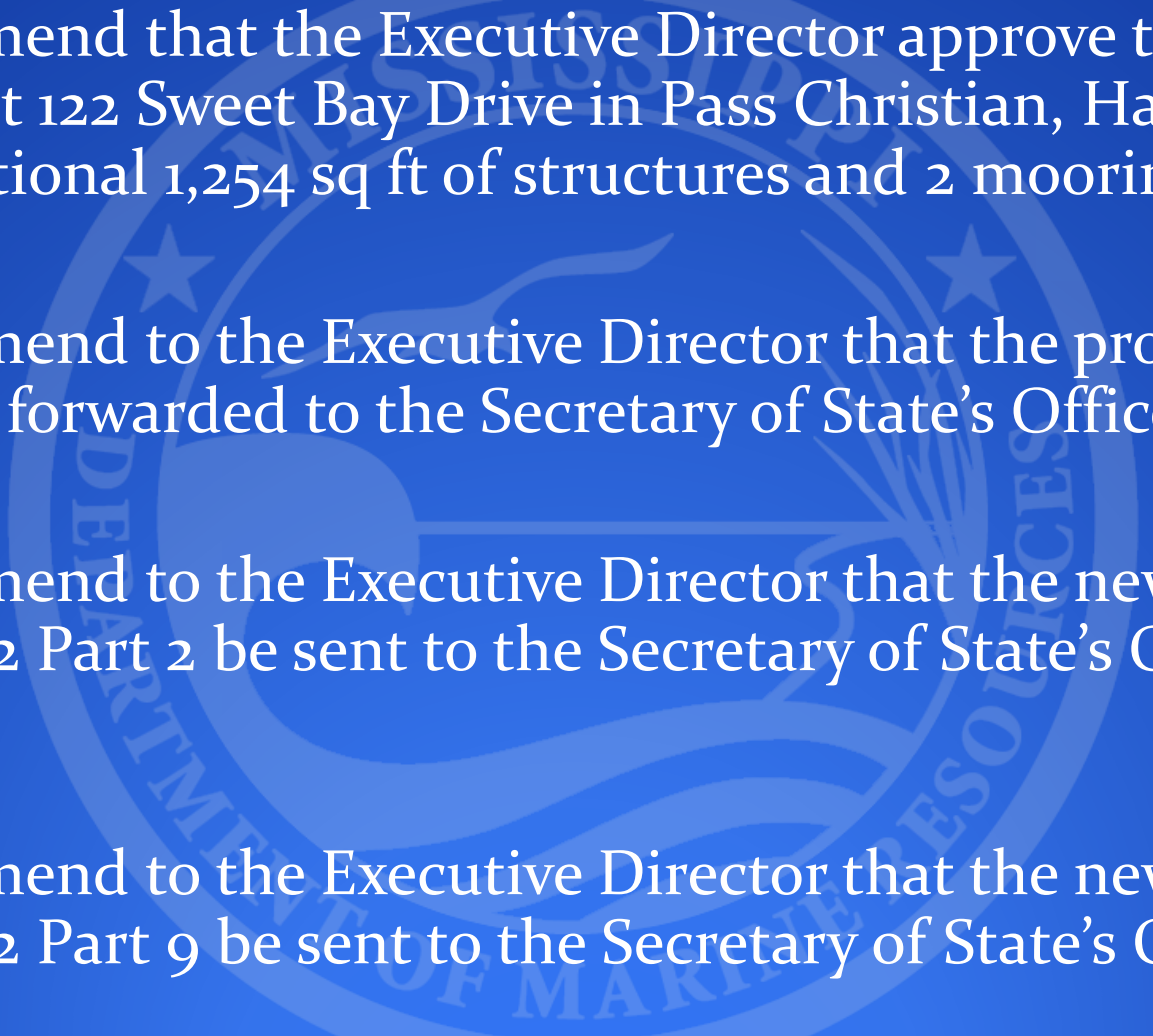
- 1) Motion to recommend to the Executive Director establishment of two No Wake Zones:
  - (i) extending 200 ft north and south of the Popp's Ferry Causeway Park boat launch; and
  - (ii) extending 300 ft east of the Popp's Ferry Bridge and 850 ft west of the bridge (includes marina at Anatole Bay).
- 2) 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.
- 3) Motion to recommend approval of an After-the-Fact General Permit for David Wheeler on the Tchoutacabouffa River, located at 12020 Carls Cove in Biloxi, MS for bulkhead repair:
  - - No fine for the property owner was recommended.
  - - Property Owner was advised that the contractor had the permit.

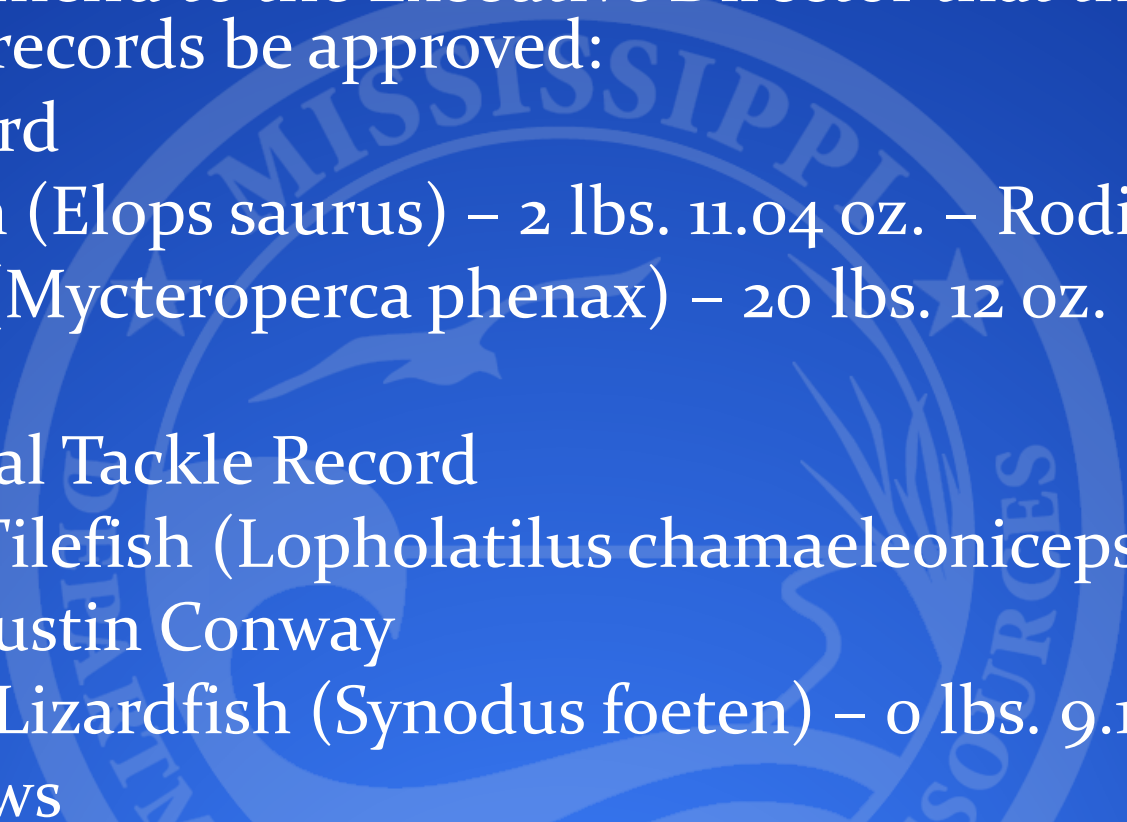


4) Motion to recommend that the Executive Director approve the After-the-Fact General Permit and Restoration Plan for Marty Sahuque located in Bayou Caddy, Bay St. Louis, Hancock County, MS, with the following conditions:

- No fine for the property owner if the work is completed within 180 days. The fine of \$1000 will be enforced in the event this deadline is not met and will be due after an additional 30 days.
- After-the-Fact approval of the pier supported pilings.
- Requirement that the unauthorized pier be brought into compliance with General Permit guidelines.
- Approval of the additional proposed piers.
- The wetland vegetation be given 1 year to recover and if the area does not revegetate 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.

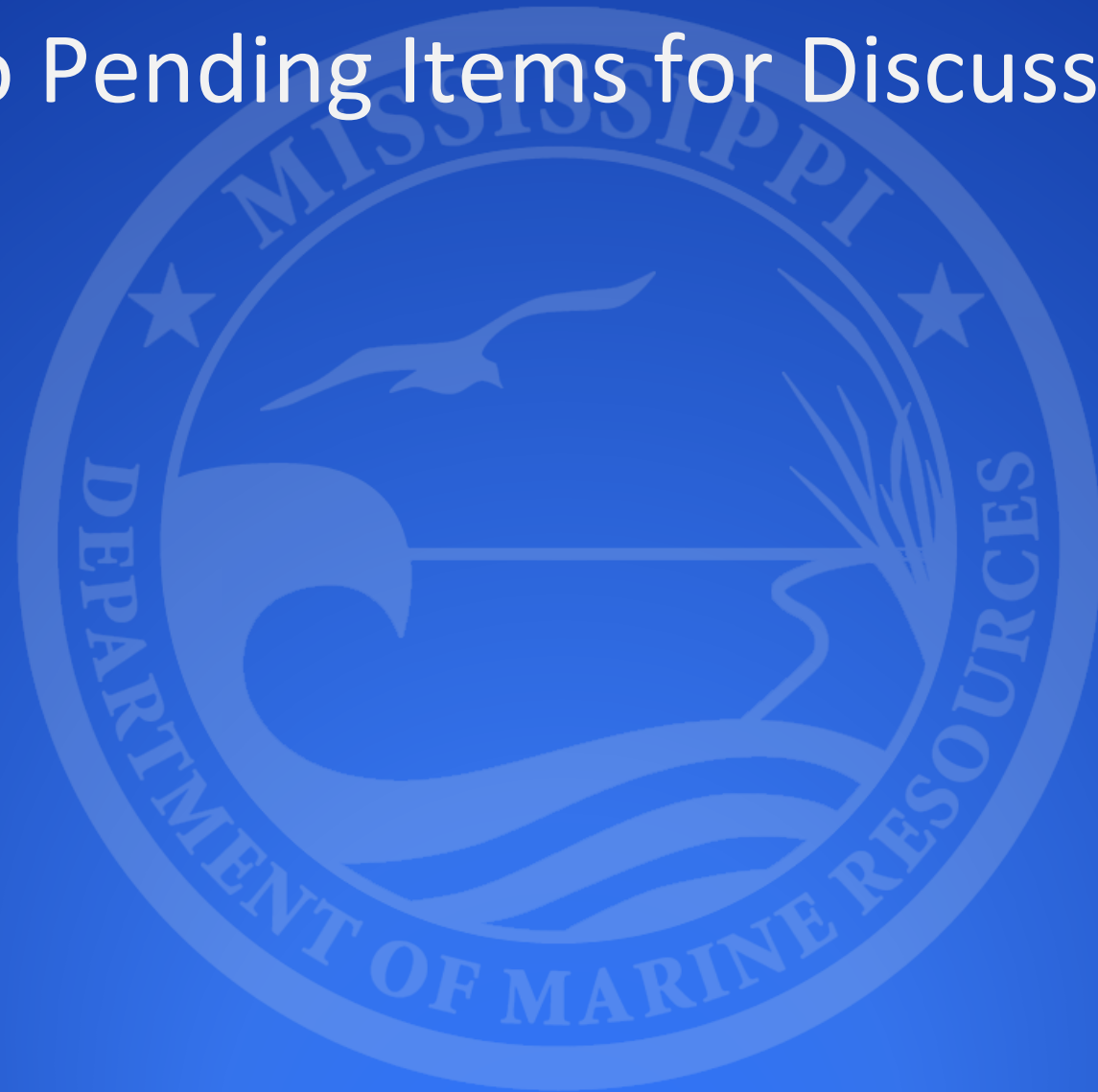


- 
- The seal of the Mississippi Department of Marine Resources is faintly visible in the background. It features a central figure of a fish, likely a blue crab, with the text "MISSISSIPPI DEPARTMENT OF MARINE RESOURCES" around the perimeter and two stars.
- 5) Motion to recommend that the Executive Director approve the Permit for Kevin Courville located at 122 Sweet Bay Drive in Pass Christian, Harrison County, MS to construct an additional 1,254 sq ft of structures and 2 mooring pilings.
  - 6) 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.
  - 7) Motion to recommend 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.
  - 8) Motion to recommend 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.

- 
- The logo of the Mississippi Department of Marine Resources is a circular seal. It features a central figure of a fish, possibly a largemouth bass, with its mouth open. The seal is surrounded by the text "MISSISSIPPI DEPARTMENT OF MARINE RESOURCES" in a circular arrangement. The background of the slide is a dark blue gradient with a faint, larger version of this seal.
- 9) Motion to recommend to the Executive Director that the following state saltwater finfish records be approved:
- a. Youth Record
    - 1. Ladyfish (*Elops saurus*) – 2 lbs. 11.04 oz. – Rodie Armes
    - 2. Scamp (*Mycteroperca phenax*) – 20 lbs. 12 oz. – Blake Bosarge
  - b. Conventional Tackle Record
    - 1. Golden Tilefish (*Lopholatilus chamaeleoniceps*) – 20 lbs. 11.68 oz. – Dustin Conway
    - 2. Inshore Lizardfish (*Synodus foeten*) – 0 lbs. 9.1 oz. – Jordan Matthews

Director approved the motions as recommended.

No Pending Items for Discussion



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# Mississippi Advisory Commission on Marine Resources

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## You are invited to an Alternative Bulkhead Design Workshop

Learn about how environmentally friendly methods for shoreline stabilization can potentially improve your business. We will share what MDMR resources are available to assist you with projects using these methods.

**Mississippi State Extension Center**  
**1815 Popp's Ferry Road, Biloxi**  
**Wednesday, January 26, 2022 | 9 a.m. - Noon**  
**Lunch will be provided. | Space is limited.**

For more information, contact Jenny Stout at 228-523-4106 or [Jennifer.stout@dmr.ms.gov](mailto:Jennifer.stout@dmr.ms.gov).

**Register by January 19 at**  
**[dmr.ms.gov/alternative-bulkhead-design-workshop/](https://dmr.ms.gov/alternative-bulkhead-design-workshop/)**

# Wetland Permitting Actions 2021

<b>Total Actions</b>	<b>836</b>
Regulated Activities/ CZ Consistency Determinations	753
Reviews/ Pre-Application Meetings	64
Violations	19



# Wetland Permitting Actions Comparison

	2019	2020	2nd half 2019	2nd half 2020	2nd half 2021	2021
Total Actions	735	672	345	371	364	836
Regulated Activities/ CZ Consistency Determinations	609	562	285	313	317	753
Reviews/ Pre-Application Meetings	105	96	51	52	34	64
Violations	21	14	9	6	13	19



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# Mississippi Advisory Commission on Marine Resources

January 18, 2022

**Request for Permits by:  
Mississippi Department of Marine Resources  
Permits: DMR21-000642, DMR21-000643**

- **Location: The Pascagoula Bay in Pascagoula and the Mississippi Sound in Pass Christian**
- **Use District: (G) General Use District**
- **Project Purpose/Need:**
  - **Research into efficacy of oyster reef restoration methods**
- **Agent: Anchor QEA**



# Project Descriptions

- **Creation of Artificial Oyster Reefs**
  - **32 Total Reefs**
  - **Each Reef 1 Acre in Size**
    - **Western Zone (Pass Christian):**
      - **Northern Project Area: 8 Oyster Reefs**
      - **Southern Project Area: 8 Oyster Reefs**
    - **Eastern Zone (Pascagoula):**
      - **Western Project Area: 8 Oyster Reefs**
      - **Eastern Project Area: 8 Oyster Reefs**
  - **Total Impacts: 32 Acres of Waterbottoms**

Bay St. Louis

Pass Christian



Waveland



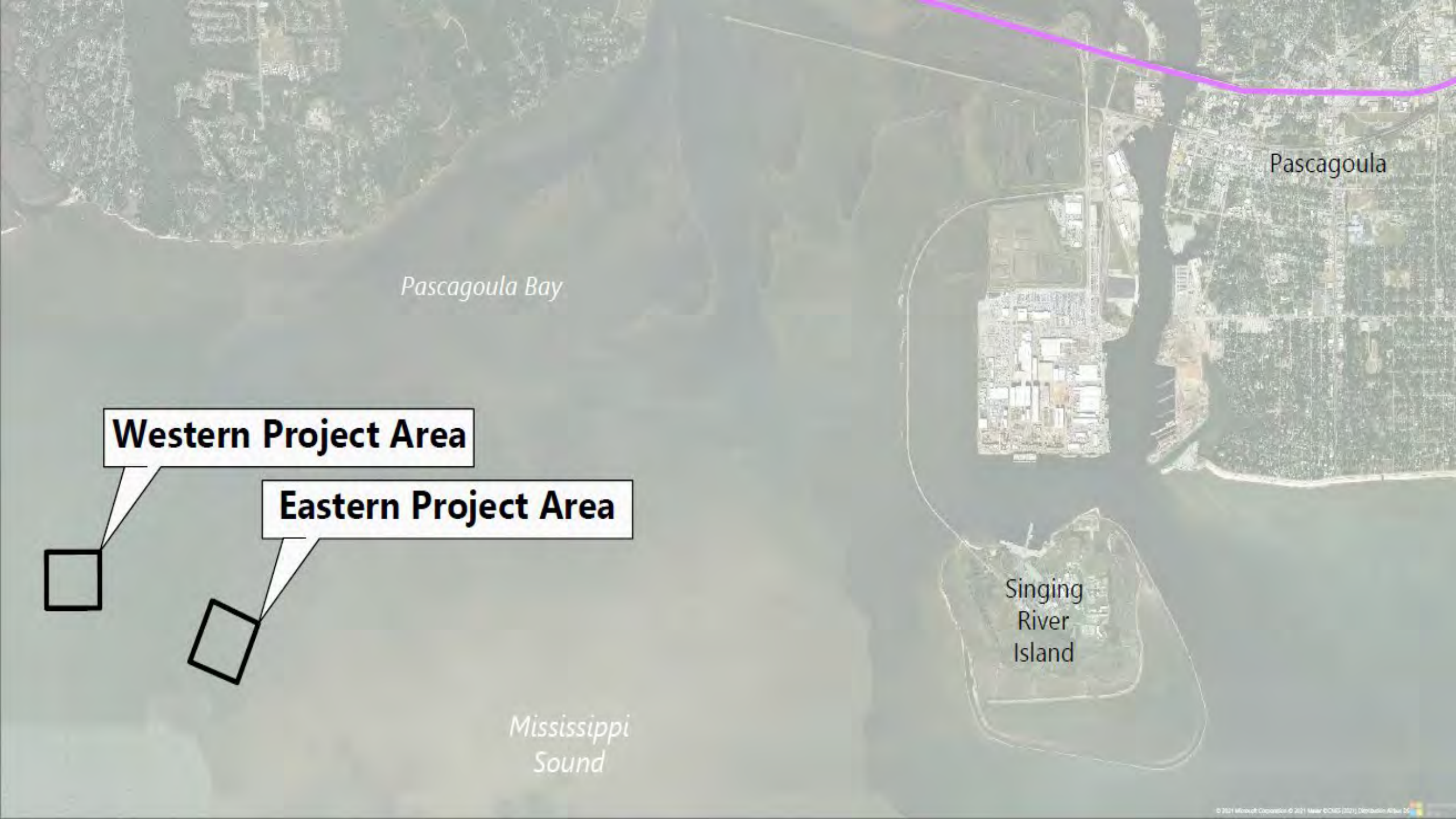
**Northern Project Area**



**Southern Project Area**

Cat Island

*Mississippi  
Sound*



Pascagoula

*Pascagoula Bay*

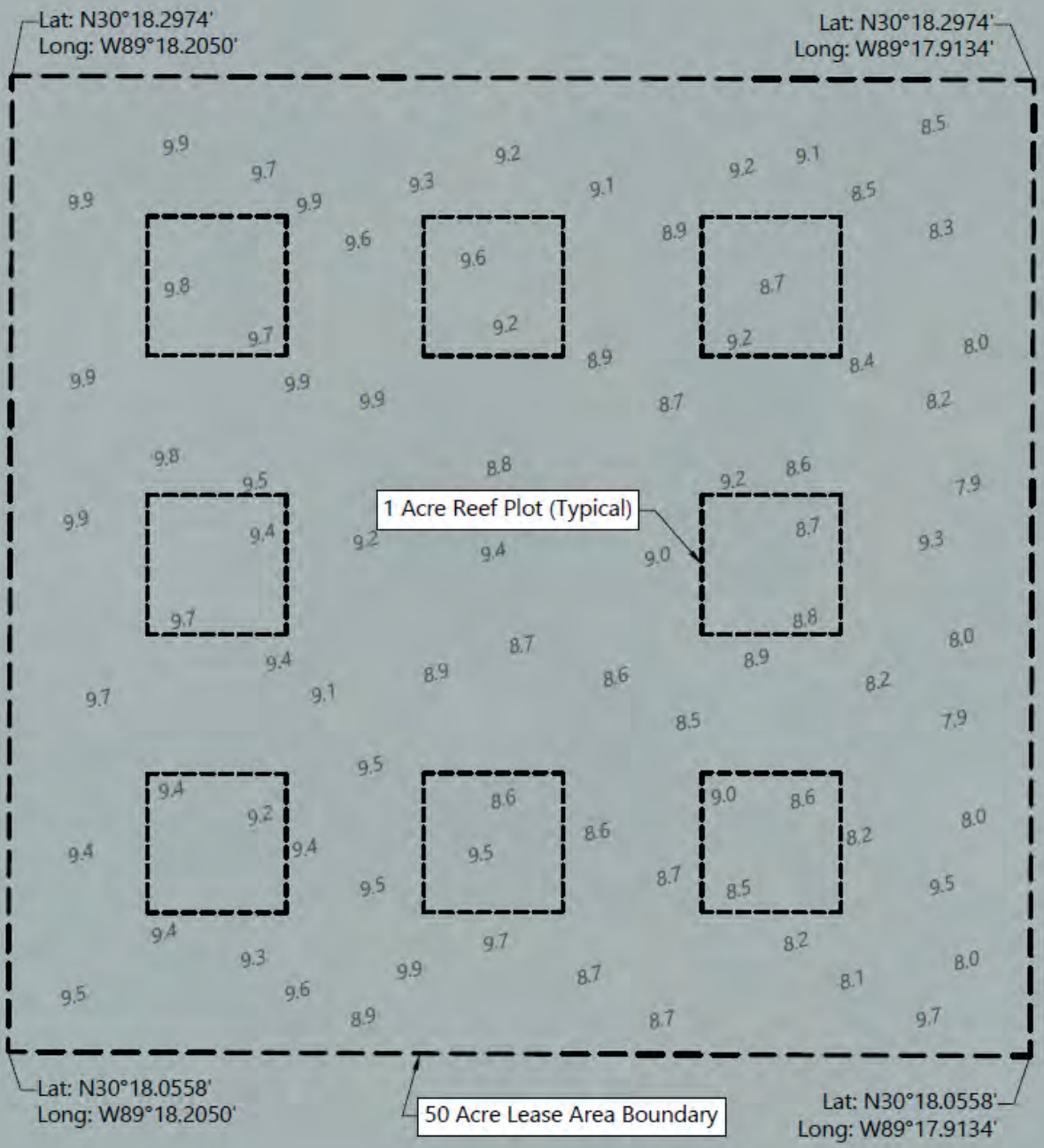
**Western Project Area**

**Eastern Project Area**

Singing  
River  
Island

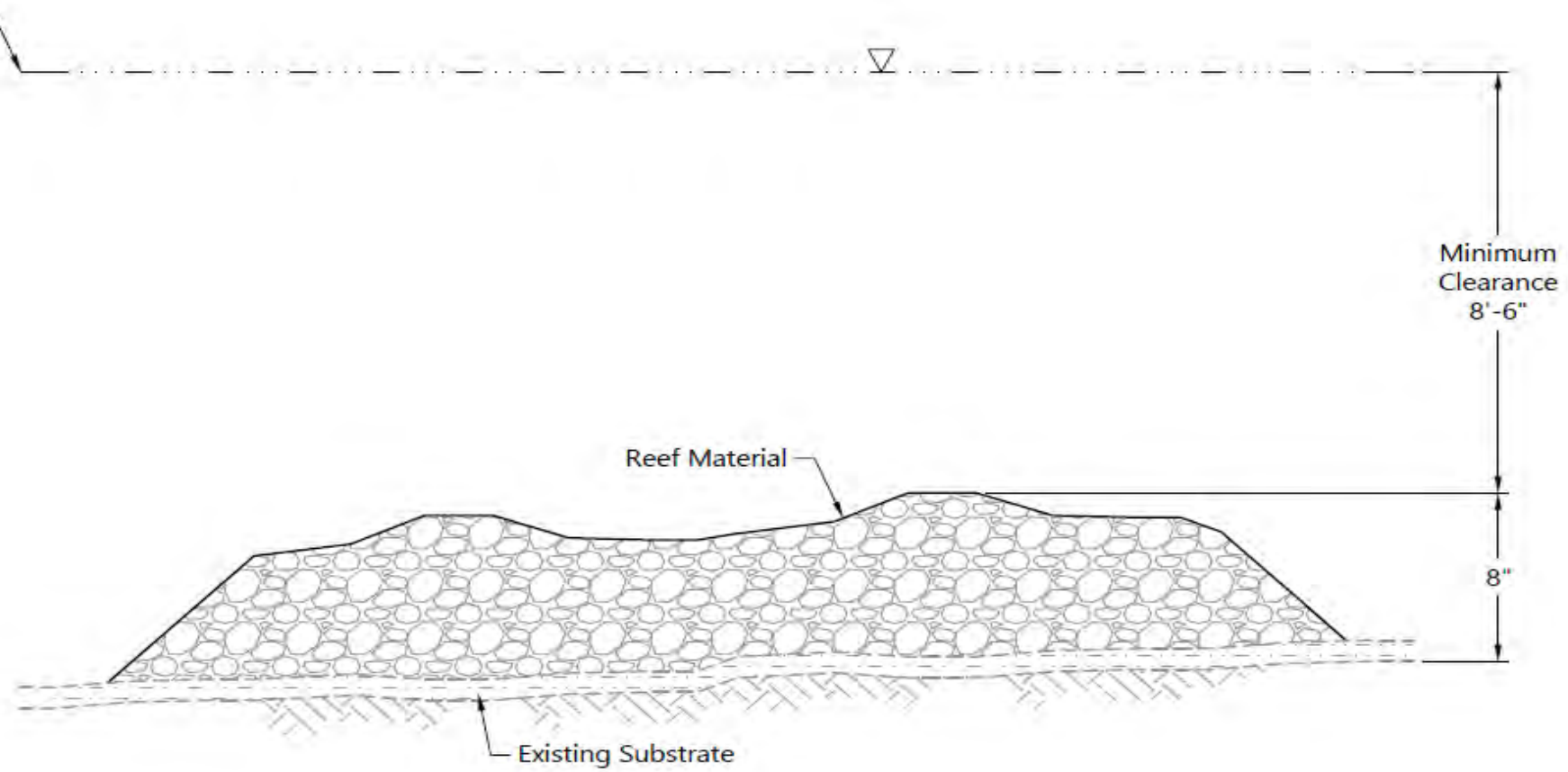
*Mississippi  
Sound*







Mean Lower Low Water  
(0.0' MLLW)



**Typical Reef Detail**  
Not to Scale

# Applicable Decision Factors

- **The applicant has requested a variance:**
  - **Miss. Admin. Code Title 22, Part 23, Chapter 8, Section 114.01**
    - Permanent filling of coastal wetlands below the mean high tide line because of potential adverse and cumulative environmental impacts is not authorized
  - **This variance request was justified under Miss. Admin. Code Title 22, Part 23, Chapter 8, Section 118.01**
    - The impacts to Coastal Wetlands would be no worse than if the requirements were followed.

# Use Plan Change Request

- **The applicant is requesting a change to the Coastal Wetlands Use Plan from a G (General Use) classification to a S-3 (Special Use – Leased wetlands by the State for other purposes)**
  - **Other Purpose – Research Activities**

# Public and Agency Notification

- Notification of these projects appeared in *The Sun Herald* on October 31, November 7, and November 14, 2021, and January 2, January 5, January 9, and January 16, 2022. Notification appeared in *The Mississippi Press* on October 30, November 6, and November 13, 2021, and January 1, January 8, and January 15, 2022.
  - No public comments were received
- MDEQ: No Comments
- MDAH: No Objection
- MS SOS: The proposed projects do not present any Public Trust Tidelands issues
- MS DWFP: No Comments



# Recommendation

- The staff of the Department of Marine Resources has conducted a thorough evaluation of the projects and has made findings on the decision factors in accordance with the Mississippi Coastal Program (MCP). Based on the results of these findings, it has been determined that the projects are consistent with the MCP because the projects serve a higher public purpose.
- Staff requests a motion that the Commission recommend to the Executive Director:
  - Approval of the Requested Variances
  - Approval of the Requested Use Plan Changes
  - Approval of the Requested Permits



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# Mississippi Advisory Commission on Marine Resources

January 18, 2022

**Request for Permit by:  
City of Biloxi  
File: DMR21-000627**

- **Location: Mississippi Sound**
  - **Biloxi Beach Between the Biloxi Small Craft Harbor and Oak Street**
- **Use District: (G) General Use District and (C) Commercial Fishing and Recreational Marinas**
- **Agent: Covington Civil and Environmental, LLC**





S State St

EAST BILOXI

90

Biloxi Beach Blvd

PROJECT BOUNDARY



# Project Description

- **Dimensions of the Fill Area**
  - City of Biloxi advised that these are the historic dimensions of the USACE sand template
  - 4,550 feet in length and 230 feet in width
- **Amount of Fill**
  - 19,800 cy of sand below MHHW
  - 24,700 cy of sand above MHHW
- **Requesting a 10-year permit for beach maintenance**

# Applicable Decision Factors

- **c) Variance to the MS Coastal Program...**
  - **Miss. Admin. Code Title 22, Part 23, Chapter 8, Section 114.01**
    - Permanent filling of coastal wetlands below the mean high tide line because of potential adverse and cumulative environmental impacts is not authorized
  - **This variance request was justified under Miss. Admin. Code Title 22, Part 23, Chapter 8, Section 118.01**
    - The impacts to Coastal Wetlands would be no worse than if the requirements were followed.

# Applicable Decision Factors

continued

- **I) Comments...**
  - **Public Notice**
    - Notification of the project appeared in the *Sun Herald* on November 7, 14, and 21, 2021
      - No public comments were received
  - **MDEQ: No comments**
  - **MDAH: No objections**
  - **MS SOS: Does not present any Public Trust Tidelands Lease issues**
  - **MS DWFP: No comments**

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# 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). Based on the results of these findings, it has been determined that the project is consistent with the MCP because it serves a higher public purpose.
- Staff requests a motion that the Commission recommend to the Executive Director:
  - Approve the Requested Variance
  - Approve the Permit as Requested



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# Mississippi Advisory Commission on Marine Resources

January 18, 2022



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# Mississippi Department of Marine Resources

Agency Financial Results  
as of December 31, 2021



Key Metrics:

- State Revenue of \$4.2M
- Agency Revenue of \$17.7M
- State Net Income of \$1.0M
- Agency Net Income of \$5.9M

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**  
**Income Statement - Fiscal Year 2022**  
**As of December 31, 2021**

	State	Federal : GOMESA PHII: NFWF:	Operating Subtotal	Tidelands	Total DMR
<b>Revenue:</b>					
Transfer in from Other Governments	55,000	(26,147)	28,853	-	28,853
Off-road Fuel Tax	3,050,000	-	3,050,000	-	3,050,000
Federal/NonFederal Grants	260,024	1,471,545	1,731,568	-	1,731,568
Sales Revenue	589,128	-	589,128	-	589,128
Indirect Cost Recovery	205,414	-	205,414	-	205,414
Other Revenue	96,107	744,367	840,474	11,288,654	12,129,128
<b>Current Budget Year Revenue:</b>	<b>4,255,672</b>	<b>2,189,765</b>	<b>6,445,437</b>	<b>11,288,654</b>	<b>17,734,092</b>
<b>Expenditures:</b>					
Salaries, Wages, Fringe	2,564,906	1,493,062	4,057,968	427,435	4,485,403
Travel	5,988	15,615	21,603	5,314	26,917
Contractual Services	433,448	579,359	1,012,807	334,144	1,346,951
Commodities	175,253	1,081,191	1,256,444	55,143	1,311,587
Equipment	57,730	151,833	209,563	17,802	227,365
Vehicles	(232)	6,732	6,500	-	6,500
Subsidies, Loans, and Grants	1,228	2,726,726	2,727,954	1,653,295	4,381,249
<b>Current Budget Year Expenditures:</b>	<b>3,238,321</b>	<b>6,063,072</b>	<b>9,301,393</b>	<b>2,493,134</b>	<b>11,794,527</b>
<b>Current Budget Year Net Income/(Loss):</b>	<b>\$ 1,017,352</b>	<b>\$ (3,873,307)</b>	<b>\$ (2,855,955)</b>	<b>\$ 8,795,520</b>	<b>\$ 5,939,565</b>



# Financial Budget Comparison

- After six months of Fiscal Year 2022:

**MISSISSIPPI DEPARTMENT OF MARINE RESOURCES**  
**2022 Budget Comparison**  
**As of December 31, 2021**

	<i>Actual Year to Date Expenditures</i>			<i>Budget Year Totals</i>			<i>Percent Remaining</i>		
	<b>Operating</b>	<b>Tidelands</b>	<b>Total</b>	<b>Operating</b>	<b>Tidelands</b>	<b>Total</b>	<b>Operating</b>	<b>Tidelands</b>	<b>Total</b>
<b>Expenditures:</b>									
Salaries, Wages, Fringe	\$ 4,057,968	\$ 427,435	\$ 4,485,403	\$ 11,245,236	\$ 1,054,140	\$ 12,299,376	63.9%	59.5%	63.5%
Travel	21,603	5,314	26,917	156,246	25,000	181,246	86.2%	78.7%	85.1%
Contractual Services	1,012,807	334,144	1,346,951	7,432,965	1,651,000	9,083,965	86.4%	79.8%	85.2%
Commodities	1,256,444	55,143	1,311,587	3,005,045	360,000	3,365,045	58.2%	84.7%	61.0%
Other than Equipment	8,555	-	8,555	8,555	-	8,555	0.0%	-	0.0%
Equipment	209,563	17,802	227,365	556,046	125,000	681,046	62.3%	85.8%	66.6%
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	2,727,954	1,653,295	4,381,249	73,555,756	8,761,357	82,317,113	96.3%	81.1%	94.7%
<b>Total Expenditures:</b>	<b>\$ 9,301,393</b>	<b>\$ 2,493,134</b>	<b>\$ 11,794,527</b>	<b>\$ 96,087,599</b>	<b>\$ 12,226,497</b>	<b>\$ 108,314,096</b>	<b>90.3%</b>	<b>79.6%</b>	<b>89.1%</b>

- Operating Funds have 90.3% of Budget remaining
- Tidelands Trust Fund has 79.6% of Budget remaining



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# Mississippi Advisory Commission on Marine Resources

January 18, 2022



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# Mississippi Department of Marine Resources

## FY2023 Tidelands Trust Fund



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# Tidelands FY2024 Schedule

Date	Description
May 31, 2022	Request for Proposals
July 1, 2022	Deadline for Proposals
July - Aug 2022	Compliance Review
September - October 2022	Merit Review
November 2022	Recommendations and CMR Approval of Ranked Proposals
December 2022	Legislative Forum
January 2023	Projects/Report to Legislature
April 2023	FY2024 Appropriations
November 2023	Check from SOS Office
November - December 2023	Projects Awarded



# Tidelands Trust Fund

## FY2023 Proposal Results

**104 APPLICATIONS SUBMITTED**  
**\$43,372,117**

**56 PUBLIC ACCESS**  
**\$33,652,254**

**30 Submitted by Cities**  
**\$20,222,984**

**15 Submitted by Counties**  
**\$8,228,350**

**11 Miscellaneous**  
**\$5,200,920**

**48 TIDELANDS MANAGEMENT**  
**\$9,719,863**

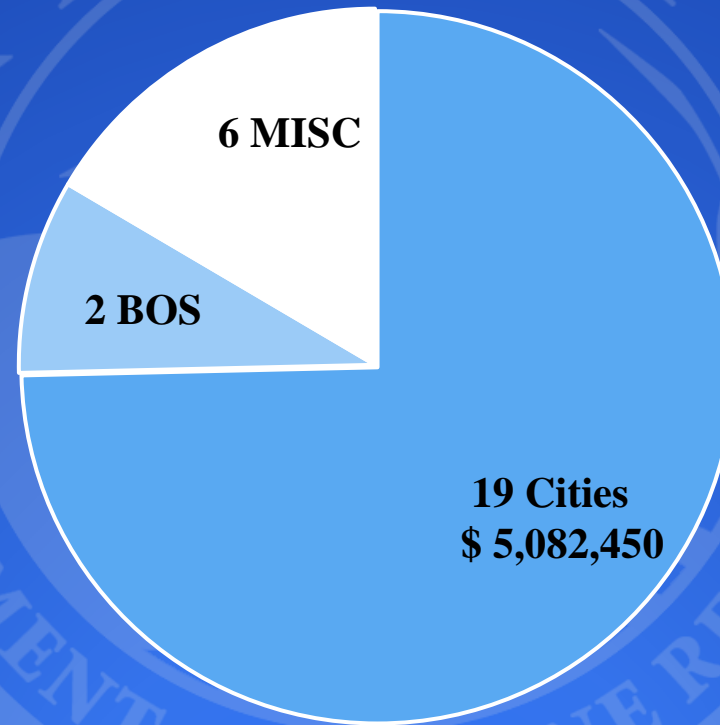
**19 Submitted by MDMR**  
**\$3,139,182**

**23 Submitted by Universities**  
**\$5,785,709**

**6 Miscellaneous**  
**\$794,972**

*Appropriated for FY2022: \$11,226,497*

# Public Access Awards FY2022

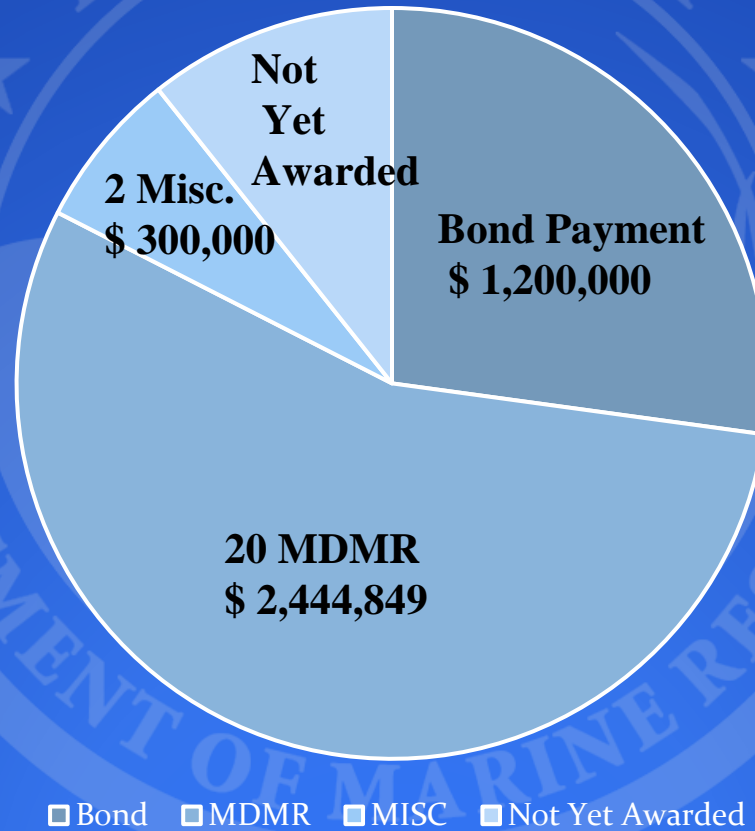


□ Cities   □ Board of Supervisors   ■ Misc

Tidelands FY2022 Public Access Awards Total \$ 6,809,450

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# Managed Projects Awards FY2022



Tidelands FY2022 Managed Projects Allocated \$3,217,047



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# Mississippi Advisory Commission on Marine Resources

January 18, 2022





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# Title 22 Part 2 – Rules and Regulations for Shrimping Final Adoption

Jason Saucier  
January 18, 2022

# Notice of Intent

On December 14, 2021, the Commission recommended 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.

Executive Director approved the recommendation, and the proposed regulation was filed with the SOS's office on December 20, 2021.

# Publication of Proposed Regulation

- Notice of the proposed regulation was published in the Sun Herald on December 23, 2021.
- Notice of the proposed regulation was also posted on the MDMR website on December 22, 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) 523-4184
ADDRESS 1141 Bayview Ave.	CITY Biloxi	STATE MS
EMAIL Tj.moran@dmr.ms.gov	SUBMIT DATE 12/20/2021	ZIP 39530
Name or number of rule(s): Title 22 Part 2		

Short explanation of rule/amendment/repair and reason(s) for proposing rule/amendment/repair: TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 2 RULES AND REGULATIONS FOR SHRIMPING IN THE STATE OF MISSISSIPPI, addition of language pertaining to saltwater minnows, revision of title and reporting deadline, and reformatting 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 2. (see above summary descriptions; 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 (20) 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/repair 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 <input type="checkbox"/> Withdrawn <input type="checkbox"/> Repeal adopted as proposed <input checked="" type="checkbox"/> Other (specify): 5/1/2022	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(s): Joe Sprague, Executive Director

Signature of person authorized to file rules: *[Signature]* 12-20-21

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

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

The screenshot shows the homepage of the Mississippi Department of Marine Resources website. A prominent banner features a large fish being tagged, with the text 'Tripletail Tagging Project' and a 'READ MORE' button. Below the banner, there are sections for 'RECENT NEWS' and 'PUBLIC NOTICES'. The 'PUBLIC NOTICES' section is highlighted with a green box and contains a notice titled 'Title 22 Part 2 - Proposed Changes' with a 'READ MORE' button. Below this, there is a 'LEGAL NOTICE' regarding the revision of the Red Snapper Season. At the bottom of the page, there is a detailed notice titled 'Title 22 Part 2 - Proposed Changes' with a 'DOWNLOAD PDF' button and social media sharing options.

**AFFIDAVIT OF PUBLICATION**

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36303	19236	Print Legal Ad - 1P,0054097		\$30.72	1	47 L

**Attention:** Jennifer Wilder  
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 Kerriann Leenerts, 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 the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1  
Beginning Issue of: 12/23/2021  
Ending Issue of: 12/23/2021

Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

*[Signature]*  
Sworn to and subscribed before me this 11th day of January in the year of 2021

*Stephani Beard*  
Notary Public

\* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-31 and 13-3-32.

STEFANI SCOTT BEARD  
My Notary ID # 13178651  
Expires October 23, 2022

Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!

SOS NOI Notice

MDMR Website Notice

Sun Herald Notice

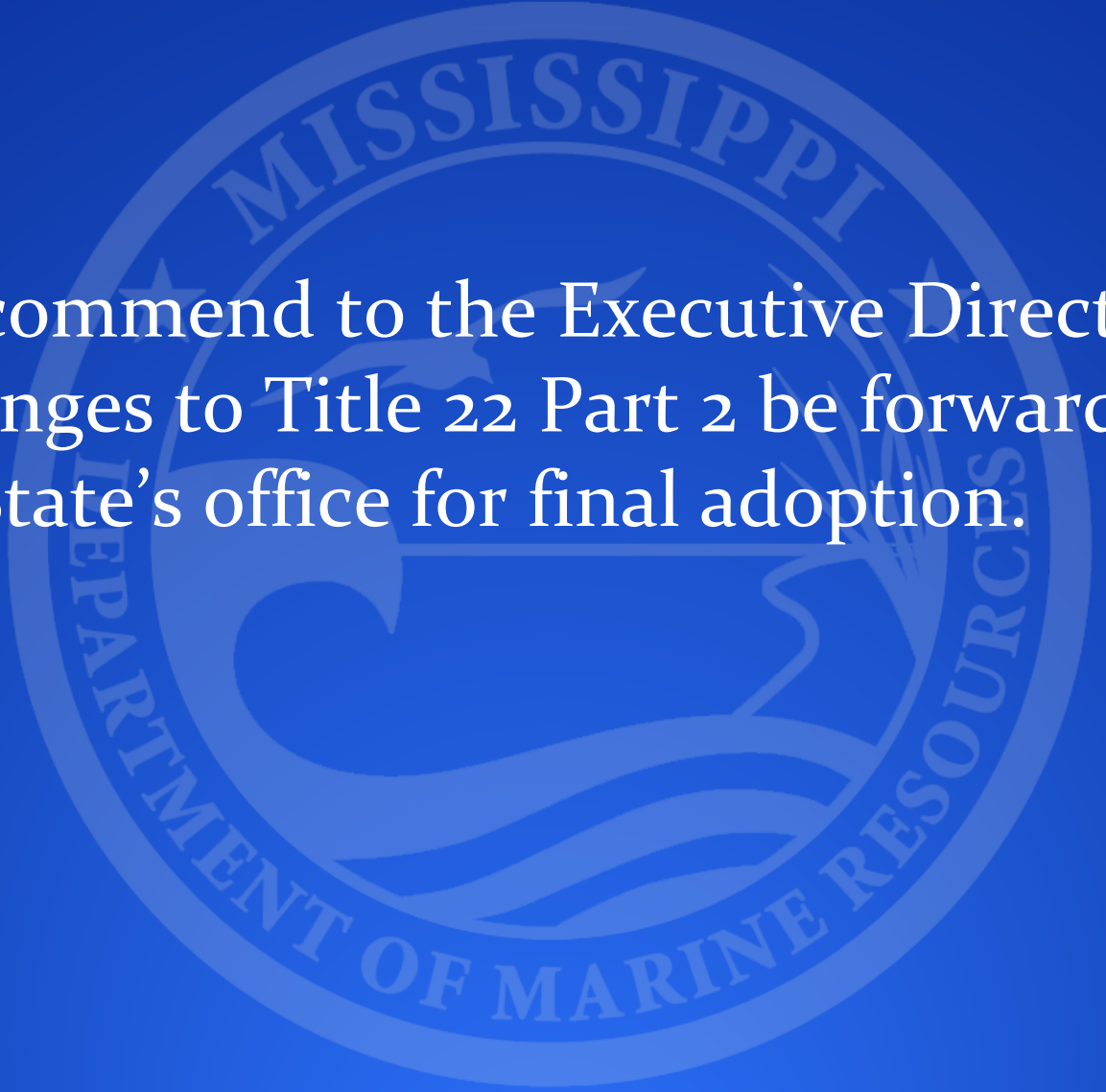


# Public Comments

- No public comments were received.



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- 
- 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" are arched across the top, and "DEPARTMENT OF MARINE RESOURCES" are arched across the bottom. Two stars are positioned on either side of the central image.
- Motion to recommend to the Executive Director that the proposed changes to Title 22 Part 2 be forwarded to the Secretary of State's office for final adoption.

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# Mississippi Advisory Commission on Marine Resources

January 18, 2022



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# Final Adoption - Title 22

## Part 9

### Statistical reporting and confidentiality of statistical data for Marine Fisheries

Trevor Moncrief - Finfish Bureau

January 18, 2022



# Notice of Intent

On December 14, 2021, the Commission recommended 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.

Executive Director approved the recommendation, and the proposed regulation was filed with the SOS's office on December 20, 2021.

# Publication of Proposed Regulation

- Notice of the proposed regulation was published in the Sun Herald on December 23, 2021.
- Notice of the proposed regulation was also posted on the MDMR website on December 22, 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 (208) 923-4144
ADDRESS 1141 Bayview Ave.	CITY Biloxi	STATE ZIP MS 39530
EMAIL tjmoran@dmr.ms.gov	SUBMIT DATE 12/20/2021	Name or number of rule(s) Title 22 Part 9

Short explanation of rule/amendment/ repeal and reason(s) for proposing rule/amendment/ repeal: (TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 9 Confidentiality of Statistical Data, addition of language pertaining to reporting deadlines, requirements and reforming remaining language per S.O.S. guidelines.  
Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-3.101 et seq.  
List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 9: (see below secretary 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 general 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 the 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
Original filing Renewal of effectiveness: To be in effect in _____ days Effective date: Immediately upon filing Other (specify): _____	<b>Action proposed:</b> 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 <input type="checkbox"/> Repeal adopted as proposed <b>Proposed final effective date:</b> <input type="checkbox"/> 30 days after filing <input checked="" type="checkbox"/> Other (specify): 12/20/2021	<b>Date Proposed Rule Filed:</b> <b>Action taken:</b> <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 <b>Effective date:</b> <input type="checkbox"/> 30 days after filing <input type="checkbox"/> Other (specify): _____

Printed name and Title of person authorized to file rules: Joe Spivey, Executive Director  
Signature of person authorized to file rules: *Joe Spivey* 12-20-21

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
Accepted for filing by	<div style="border: 2px solid blue; padding: 5px; text-align: center;"> <p><b>FILED</b></p> <p>DEC 20 2021</p> <p>MISSISSIPPI SECRETARY OF STATE</p> </div>	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

changes-20211221/

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## Title 22 Part 9 - Proposed Changes

Public Notices / December 22, 2021

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on December 14, 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 09 Statistical Reporting and Confidentiality of Statistical Data for Marine Fisheries. Said Notice of Intent was filed with the Mississippi Secretary of State's office on December 20, 2021. A complete copy of Title 22 Part 09 and the proposed changes are available at [www.dmr.ms.gov](http://www.dmr.ms.gov). Public comments on the proposed regulation changes will be accepted through Monday, January 17, 2022. All comments should be mailed to the MDMR, Attn: Trevor Moncrief, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: Trevor Moncrief at [publiccomments@dmr.ms.gov](mailto:publiccomments@dmr.ms.gov) and delivered by 5:00 PM on January 17, 2022.

For a complete description of the proposed changes please see the PDF below.

[DOWNLOAD PDF](#)

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**AFFIDAVIT OF PUBLICATION**

Account #	Order Number	Identification	Order PD	Amount	Cols	Depth
36303	19235	Print Legal Ad - IPL0054094		\$30.12	1	48 L

**Attention: Jennifer Wilder**  
DEPT OF MARINE RESOURCES  
1141 BAYVIEW AVENUE  
SUITE 101  
BILOXI, MS 39530

**PUBLIC NOTICE**

The Mississippi Department of Marine Resources (MDMR) does hereby give public notice that on December 14, 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 09 Statistical Reporting and Confidentiality of Statistical Data for Marine Fisheries. Said Notice of Intent was filed with the Mississippi Secretary of State's office on December 20, 2021. A complete copy of Title 22 Part 09 and the proposed changes are available at [www.dmr.ms.gov](http://www.dmr.ms.gov). Public comments on the proposed regulation changes will be accepted through Monday, January 17, 2022. All comments should be mailed to the MDMR, Attn: Trevor Moncrief, 1141 Bayview Avenue, Biloxi, MS 39530 or emailed to: Trevor Moncrief at [publiccomments@dmr.ms.gov](mailto:publiccomments@dmr.ms.gov) and delivered by 5:00 PM on January 17, 2022. Short explanation of rule/amendment/repeal: TITLE 22 - MISSISSIPPI DEPARTMENT OF MARINE RESOURCES PART 9 CONFIDENTIALITY OF STATISTICAL DATA FOR MARINE FISHERIES, updating reporting requirements, clarification of language regarding reporting requirements, and reforming remaining language per S.O.S. guidelines. Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-3.101 et seq. For a complete description of the proposed changes, please visit [www.dmr.ms.gov](http://www.dmr.ms.gov).  
PL 0054094  
Dec 23 2021

**STATE OF MISSISSIPPI  
COUNTY OF HARRISON**

Before me, the undersigned Notary of Dallas County, Texas personally appeared Kerian Leenerts, 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 the notice, a copy of which is hereto attached, has been made in said paper in the issue (s) of:

No. of Insertions: 1  
Beginning Issue of: 12/23/2021  
Ending Issue of: 12/23/2021

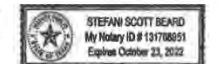
Affidavit further states on oath that said newspaper has been established and published continuously in said county for a period of more than twelve months next prior to the first publication of said notice.

*Stephani Beard*

Sworn to and subscribed before me this 18th day of January in the year of 2022

*Stephani Beard*

Notary Public  
\* The Sun Herald has been deemed eligible for publishing legal notices in Jackson County to meet the requirements of Miss. Code 1972 Section 13-3-1 and 13-3-32.



Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!

Sun Herald Notice



# Public Comments

- No public comments were received.



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# Final Adoption

Motion to recommend to the Executive Director that the proposed changes to Title 22 Part 9 be forwarded to the Secretary of State's office for final adoption.



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# Mississippi Advisory Commission on Marine Resources

January 18, 2022