TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PART 4 RULES AND REGULATIONS FOR THE TAKING OF CRABS IN THE STATE OF MISSISSIPPI

Chapter 01 Introduction

Purpose

100 This Part provides for the regulations of the commercial and recreational taking of crabs.

Chapter 02 Justification and Authority

100 The Mississippi Commission on Marine Resources (MCMR) has determined that there is a continuing need for maintaining a sanctuary for sponge crabs.

101 There exists a need to prohibit the taking of crabs by unlicensed crab vessels.

102 In the case of licensed vessels fishing for crabs by means of crab traps or crab pots, that it is necessary for said traps or pots to be identifiable to enforcement personnel.

103 The MCMR is authorized to enact all regulations necessary for the protection, conservation or propagation of all seafood in the waters under the territorial jurisdiction of the State of Mississippi as provided for in § 49-15-15, of the Mississippi Code Ann. of 1972, as amended.

Chapter 03 Possession Regulations

100 It is unlawful to catch, have or have in possession any female sponge crab or any female crab bearing visible eggs at any time. It is not unlawful to catch those crabs unintentionally, if the crabs are immediately returned to the water.

101 Any person, firm or corporation harvesting or possessing peeler or buster crabs which are under the five (5) inch minimum size requirement, must after removing the crabs from the traps or pots place them into a separate container. Undersize peeler or buster crabs are allowed in a single cull box (not to exceed 32" long by 19" wide by 12" high).

Chapter 04 Area Closures

100 It shall be unlawful for any person, firm, or corporation to commercially take crabs from the marine waters north of the CSX Bridge in the three coastal counties of Mississippi.

Chapter 05 Incidental Catch

100 It shall be unlawful for any person, firm, or corporation in command of or control of any boat with a commercial shrimping license, fish net license or oyster license to fail to immediately return to the water any crabs caught in trawls regardless of the location unless the boat operating the trawl net or dredge shall have a valid commercial crab license as provided in § 49-15-86, of the Mississippi Code Ann. of 1972, as amended.

Chapter 06 Gear Regulations

100 All crab traps placed in or on the marine waters of the State of Mississippi shall utilize the following materials to permanently mark the crab trap for ownership: a corrosion resistant metal or plastic tag must be attached to the trap. The tag used to mark the traps must be legibly and permanently stamped with letters containing the applicable licensed crab fishermen's full name. The minimum height of the letters must be at least 3/16 of an inch. The tags shall be supplied by the crab fisherman.

101 Additionally, all crab traps or pots placed in the marine waters of the state of Mississippi must be marked with a float of at least six (6) inches in height, six (6) inches in length and six (6) inches in width and the float must have a highly visible color.

102 It shall be unlawful for any person, firm or corporation, fishing for crabs by means of crab traps to fail to mark each said trap float with the corresponding commercial or recreational crab license number in such a manner to be clearly visible to an inspecting officer. However, licensed commercial crab fisherman may obtain a registered color code design from the Mississippi Department of Marine Resources (MDMR), Marine Patrol Office. Once obtained, this color code must be placed on each buoy or float and painted or affixed to each side of the vessel used to harvest crabs from said traps or pots.

103 It shall be unlawful for any person fishing for crabs for personal use or consumption by means of crab traps or crab pots to use in excess of six (6) such traps or pots; and each said trap or pot shall be marked with the owner's name in such a manner to be clearly visible to an inspecting officer. In addition all crab traps or pots fished from a boat or vessel must also be marked with that boat or vessel's registration identification.

104 All resident crab fishermen utilizing traps or pots must possess a valid recreational crab trap license for a fee of five dollars ($5.00) as provided for in § 49-15-86 of the Mississippi Code of 1972, as amended. This license requirement shall only apply to individuals between the ages of sixteen (16) and sixty-five (65). Any resident citizen who is blind, paraplegic, or a multiple amputee, or who has been adjudged by the Veterans Administration as having a total service-connected disability, or has been adjudged totally disabled by the Social Security Administration shall not be required to purchase or have in his possession a

recreational crab license while engaged in such activities. Any resident exempt under this chapter shall have on his person while crab trap fishing proof of residency and age or disability.

105 All non-resident recreational crab fishermen utilizing traps or pots must possess a valid recreational crab trap license for a fee of not less than five dollars ($5.00) nor more than the non-resident's state charges Mississippi residents to engage in the same activity, as provided for in § 49-15-30 (3) of the Mississippi Code Ann. of 1972, as amended.

106 This license shall be valid in all Mississippi waters South of Interstate 10.

107 Recreational crabbers may use no more than six (6) crab traps per household. It shall be unlawful to recreationally fish in excess of six (6) crab traps or pots per registered boat or vessel.

108 It shall be unlawful for any person, firm, or corporation to place or cause to be placed any crab traps or pots north of the Interstate 10 (I-10) Highway in the three (3) coastal counties.

109 It shall be unlawful for any person, firm, or corporation to place or cause to be placed any crab trap or pot in any marked channel or fairway.

110 It shall be unlawful for any person, firm, or corporation to attach any buoy or float to any crab trap or pot with materials other than lines of nylon, hemp, cotton or woven synthetic materials which can easily be cut with a standard steel knife.

111 Buoys shall be attached to crab traps by use of a weighted line or non-floating line.

112 It shall further be unlawful for any person, firm or corporation to place or cause to be placed any crab trap or pot in any navigable waterway in such a manner that the trap line or float will interfere with normal boat traffic in said waterway and as such creating a hazard or nuisance to navigation.

113 It shall be unlawful for any person, firm or corporation to remove crabs from crab traps or pots that are not specifically licensed or permitted to said person, firm or corporation.

114 It shall be unlawful for any person, firm, or corporation to remove crab traps from the water or remove crabs from crab traps from thirty (30) minutes after legal sunset until thirty (30) minutes before legal sunrise the following day. It is not unlawful to possess crab traps if the crab traps are captured unintentionally during legal trawling or dredging operations, and if said crab traps are immediately returned to the water.

Chapter 07 Cat Island Sanctuary Closure

100 It shall be unlawful for any person, firm, or corporation to harvest or attempt to harvest or

possess any crabs between January 1 and March 31 of each year within the area bounded by the following line: beginning at a point on the Louisiana-Mississippi border due south of the "Intracoastal Waterway Grand Island Channel light 1", thence running due north to said "Light 1", thence running northeasterly along the "Intracoastal Waterway Marianne Channel" through "Buoy 22", "Light 18", "Buoy 12", to "Light 8", thence running northeasterly along the most direct line to "Lighted Buoy 7", thence running northeasterly along the most direct line to "Lighted Buoy 4", thence running southeasterly along the most direct line to "Cat Island West End Channel Light", thence running southwesterly along the most direct line to "Cat Island Channel Buoy E", thence running due south to a point on the Louisiana-Mississippi border; thence running westerly along the Louisiana-Mississippi border to the point due south of the "Intracoastal Waterway Grand Island Channel Light 1".

Chapter 08 Closed Seasons

100 The MCMR may establish a closed season or seasons for the use of crab traps in the public waters of this state. The MCMR may designate the closed season as not less than ten (10) days nor more than thirty (30) days per year. Any crab trap remaining in the public waters after the expiration to the seventh day of a closed season shall be considered abandoned and can be removed for proper disposal. The first seven days of the closed season shall be a period of time for crab fishermen to remove traps from the water; however, during this time harvest of crabs caught in traps is prohibited. The MCMR shall publish the season closure dates and areas in a closing order to the general public.

Chapter 09 Penalties

100 Any person, firm, or corporation convicted of violating any provisions of this Part shall be guilty of a misdemeanor, and shall be penalized in accordance with § 49-15-63 of the Mississippi Code of 1972, as amended. Violations of more than one chapter or chapters of this Part, or parts thereof shall be considered separate offenses and punished as such.

Chapter 10 Chapters and Subchapters Declared Separable

100 Each chapter and subchapter of this Part is hereby declared separable, and if any chapter or subchapter or part thereof shall be held invalid or unconstitutional, the balance of said Title 22 Part 04 shall remain in full force and effect.

101 Violations of more than one chapter or subchapter of this Part or part thereof shall be considered separate offenses and punished as such.

Chapter 11 Administrative Procedures Act

100 Pursuant to the amendments to the Administrative Procedures Act, § 25-43-1.101, *et seq.*, of the Mississippi Code Ann. of 1972, as amended, and the rules and regulations promulgated pursuant thereto by the Secretary of State; the former Ordinance 4.009 has been modified and the MCMR and MDMR have adopted the terminology and numbering system developed by the Secretary of State. Therefore, references to "ordinance" or to "Part" appearing in these regulations or the underlying statutes are used interchangeably and refer to the same instrument.

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES
PART 4 RULES AND REGULATIONS FOR THE TAKING OF CRABS IN THE STATE OF MISSISSIPPI, shall be in effect and be in force from and after the 1st day of December 2011.

Adopted this the 18th day of October 2011.

MISSISSIPPI COMMISSION ON MARINE RESOURCES

By: _____
Vernon Asper, Ph.D., Chairman

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

By: _____
William W. Walker, Ph.D., Executive Director

Source: Miss. Code Ann § 49-15-15