



STATE OF MISSISSIPPI

Tate Reeves
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Joe Spraggins, Executive Director

MDMR Scientific Research Permit

Permit # SRP-011-23

Issued to: Emily McCay, MS-AL Sea Grant & Alabama Cooperative Extension System

Address: 50 Midtown Park West, Mobile, AL 36606 **Phone:** (251) 471-2124

Issuance Date: January 1, 2023

Expiration Date: December 31, 2023

Authorized Personnel: Emily McCay, Phillip Waters, and members and volunteers of the MS Oyster Gardening Program.

Description: The permittee will coordinate a program in which volunteers will grow oysters from their piers suspended in small baskets. Oysters will be provided as spat-set shell from Thad Cochran Marine Aquaculture Center and will be collected at the end of the season for planting on sites determined by MDMR.

Permit Conditions:

- **Prior to sampling activity MDMR Marine Patrol Office shall be contacted daily at (228) 523-4134.**
- Oyster garden sites are limited to MDMR approved locations in the marine waters under the territorial jurisdiction of the State of Mississippi.
- To conduct activities within the one-mile boundary of the Gulf Islands National Seashore (MS barrier islands) permission must first be obtained from the National Park Service at **(228) 875-9057**.
- Sampling gear shall be limited to oyster baskets suspended from MDMR approved structures.
- Oyster gardens shall be permanently labeled "**MS-AL Sea Grant**" easily visible at all times while deployed.
- The authorized vessel(s) are Auburn University research vessels.
- The authorized vessel(s) shall display "**Auburn University**" signage easily visible to Marine Patrol officers.
- All oysters shall be relinquished to MDMR at the end of the grow-out period unless prior approval is given by the MDMR Shellfish Bureau.
- All authorized personnel shall possess identifying information at all times.
- All samples not retained for laboratory analysis shall be returned to the water immediately following data collection.
- Sampling shall be limited to the hours beginning thirty (30) minutes before legal sunrise and ending thirty (30) minutes after legal sunset unless prior authorization has been given by the MDMR.
- None of the oysters involved in the project under this permit shall be sold, bartered, traded or consumed.
- No threatened or endangered species shall be retained under the provisions of this permit.
- All authorized personnel shall strictly follow all standard procedures described in the signed Memorandum of Understanding (MOU) and any deviation from these standard procedures shall be communicated to MDMR immediately.
- This permit does not release the applicant from other legal requirements including but not limited to other applicable federal, state or local laws, ordinances, or regulations.
- **A complete written report summarizing collection activity shall be submitted to the MDMR Office of Marine Fisheries within 30 days of this permit's expiration. A copy of the standard report form can be accessed at: dmr.ms.gov/special-permits**
- **SEE LIMITATION OF LIABILITY AND INDEMNIFICATION PROVISION ON THE BACK OF THIS FORM**

This permit may be cancelled at any time by the Executive Director of the MDMR if in his judgment the permit is being utilized for purposes other than the intended use. Authorized personnel shall possess a copy of this permit at all times when taking or possessing organisms under the conditions of the permit.

Approved by:

Richard Burris, Chief Scientific Officer, MDMR

CC: MDMR Office of Marine Patrol

LIMITATION OF LIABILITY AND INDEMNIFICATION

MDMR specifically denies any liability for any claim arising out of any act or omission by the Permittee or any person, agency or entity, their employees, agents or assigns, by virtue of participation in any activity whether services are compensated or voluntary upon which this MDMR Scientific Research Permit has been issued. MDMR specifically does not waive any immunity from liability provided to them by federal, state, or local law.

No Permittee, person, firm, corporation or other entity performing activities under the MDMR Scientific Research Permit shall be considered an agent or employee of the State of Mississippi, or the MDMR. The State of Mississippi or MDMR and their agents and employees, assume no liability to any Permittee, person, entity, agency or any third party for any damages to property, either real or personal, tangible or intangible, or for personal injuries, including death, arising out of or in any way connected with the acts or omissions of any Permittee, person, firm, corporation or other entity performing any acts associated by the MDMR Scientific Research Permit, regardless of whether said acts are within the scope of the activities upon which this permit is issued.

The Permittee hereby agrees to indemnify, defend, and save and hold harmless MDMR from and against all claims, demands, liabilities, suits, damages and costs of every kind and nature whatsoever, including court costs and attorney fees, arising out of or caused by the Permittee and/or its partners, principals, agents, employees, volunteers, contractors, or subcontractors in the performance of the activities described in the MDMR Scientific Research Permit.