NOTICE OF FINAL RULE ADOPTION

STATE OF MISSISSIPPI
DEPARTMENT OF MARINE RESOURCES

FILED
APR 20 2009
MISSISSIPPI
SECRETARY OF STATE

Mississippi Department of Marine Resources
c/o Lt. Richard Cooley
1141 Bayview Avenue, Suite 101
Biloxi, MS 39530

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Specific Legal Authority authorizing the promulgation of Rule: 25-43-3.108 (Emergency Rule)

Reference to Rules repealed, amended or suspended by the Proposed Rule: Supplement to Title 22 Part 16 and in accordance with Title 59 Chapter 21

Explanation of the Purpose of the Final Rule and the reason(s) for the rule: Establishment of Designated Marine Safety Zone – Authorizes the agency to establish a Designated Marine Safety Zone in effect for waters of the Back Bay of Biloxi, within Five Hundred (500) feet of the centerline of the Popps Ferry Bridge due to on-going construction to repair the Popps Ferry Bridge.

This rule is proposed as a Final Rule, and/or a X Temporary Rule (Check one or both boxers as applicable.)

An oral proceeding was held on this rule:

Date:
Time:
Place:

X An oral proceeding was not held on this rule.

The Agency has considered any written comments received and the presentations made in any oral proceeding, and

_ This rule as adopted is without variance from the proposed temporary rule.

__This rule as adopted differs from the proposed temporary rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☐The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matters in the Notice of Proposed Rule Adoption, the logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted in response thereto, and
The Notice of Proposed Rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

N/A Emergency Rule

Economic Impact Statement: Check one box below:

X The agency has determined that an economic impact statement is not required for this rule, or

☐The concise summary of the economic impact statement required is attached.

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

Date Rule Adopted: April 15, 2009

Proposed Effective Date of Rule: April 15, 2009

William W. Walker, Ph.D. Executive Director

Signature and Title of Person Submitting Rule for Filing

SOS FORM APA 001
Effective Date 07/29/2005