

# MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

## SPECIAL TELECONFERENCE MEETING

Monday, July 11, 2016

10 a.m.

**PRESENT:** Dr. Sam Polles, Executive Director; Robert Cook, Deputy Executive Director; Larry Castle, Director of Technical Programs; Chad Dacus, Director of Wildlife Bureau; Randy Taylor, Governmental Affairs; Drew Malone and Doug Mann, Special Assistant Attorneys General; and members of the U.S. Forest Service, Greta Boley, Forest Supervisor - Southern Region; Vaughan D. Marable, Rick Dulhand, Shawn Williamson, Stephanie Allison, and Kara Davis.

**VIA TELEPHONE:** Commission Chairman William “Billy” Deviney, Commissioners Clay Wagner, Bill Cossar, Scott Coopwood, and Robert Taylor; and Senators Philip Moran and Mike Seymour.

**Noted for the Record:** Attached to these minutes is a copy of the Notice posted on the doorways of the MDWFP office building at 1505 Eastover Drive, Jackson, MS 39211, and on the Commission Conference Room door, approximately two (2) hours prior to the meeting, as per the provisions of the Mississippi Open Meetings Act.

Counsel noted for the record that a quorum was present. Chairman William Deviney gaveled the Special Meeting of the Commission of Wildlife, Fisheries, and Parks to order at 10:01 a.m.

### **PROPOSED 40 Miss. Administrative Code, Part 2, Rule 7.1 – Rules for the Taking of Nuisance Animals**

The Chairman announced that he had called for this Special Meeting for the sole purpose of reconsidering Proposed Rule 7.1 – Rules for the Taking of Nuisance Animals, due to the vast number of comments received since the June meeting concerning how this rule would be applied on the National Forests.

Chairman Deviney noted that representatives from the U.S. Forest Service were present and asked Mississippi Forest Supervisor, Ms. Greta Boley, to come forward to clarify the U.S. Forest Service position on this matter. Ms. Boley began by reviewing the history. She stated on June 22, 2016 the Commission on Wildlife, Fisheries, and Parks adopted revised nuisance animal regulations that did not directly affect nuisance wildlife regulations on all federal land including the National Forests in Mississippi which are not within an MDWFP WMA. So after receiving advice from attorneys representing both the U.S. Forest Service and MDWFP that clarified the scope and intent of the regulations, it was further stated and decided that the Forest Service preferred different treatment of “open” U.S. Forest Service Lands under this rule. U.S. Forest Service was invited to present an official request either prior to the presentation of the proposed rule or during the comment period before final adoption. Ms. Boley hoped to clarify their point, their position, and the importance of the recommendation that was being made.

"The purpose," she stated, "is fairly simple, in my opinion, and that is to align the current nuisance animal regulations on National Forest Lands not on MDWFP WMAs with the existing nuisance animal regulations on MDWFP lands, as well as WMAs, of which we have 14 WMAs on the National Forests. Since the new regulation there has been an uncertainty as to which nuisance animal regulations were applied to National Forest Lands. So the proposed change in regulation would reduce some of that confusion to the public and for law enforcement, establishing consistent regulations across National Forest Lands in Mississippi on nuisance animals."

The Chairman opened the floor for any questions for Ms. Boley or comments from the Commission.

Commissioner Wagner inquired if there were activities currently being pursued on the U.S. Forest Service Lands that by changing these regulations would be taken away from the public. Ms. Boley responded that at present there are very few restrictions on Open Forest Service Lands (those not within a Wildlife Management Area). Activities currently allowed on National Forest Lands include:

- baiting year round,
- nuisance animal hunting allowed year round, day or night, with no weapon or ammunition restriction,
- unrestrictive trapping, including snaring of hogs, year round,
- nuisance animal hunting with dogs year round except during turkey season.

These activities are unprecedented on other publicly managed lands nationwide and here in Mississippi the WMAs are more restrictive, as well as the USFWS Refuges and the Corps of Engineers' lands. These lands have established nuisance wildlife regulations that are either consistent with, or even more restrictive than the proposed regulations as written.

Discussion followed, noting that the proposed rule had created confusion among the public and needed to be revisited before going any further.

**ACTION: Upon motion made by Commissioner Wagner and seconded by Commissioner Cossar, Proposed Rule 7.1 was withdrawn by unanimous consent of the Commission. Chairman Deviney added that the staff will continue to work with the U. S. Forest Service to collect more information for review at a future date.**

#### ADJOURNMENT

There being no further business to discuss, Chairman Deviney gavelled the special meeting into adjournment.

  
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William Deviney, CHAIRMAN

  
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Date

  
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Clay Wagner, VICE-CHAIRMAN

  
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Date

# PUBLIC NOTICE

## Special Meeting of the MS Commission on Wildlife, Fisheries, and Parks

PURSUANT TO Mississippi Code Annotated '25-41-5 and '25-41-13, the Mississippi Commission on Wildlife, Fisheries and Parks hereby issues this notice to the public of a special meeting to be held on **Monday, July 11, 2016**, in Jackson, Mississippi, no earlier than 10:00 A.M. At this special meeting, the only topic the Commission will address will be the reconsideration of 40 MISS. ADMIN. CODE, Part 2, Rule 7.1 PROPOSED – Rules for the Taking of Nuisance Animals. The Commission will discuss comments received regarding the proposed rule, and will consider any new comments as well as any new recommendations of staff regarding this rule. No other items will be discussed.

The meeting will be held in the Commission Meeting Room of the Department's offices at 1505 Eastover Drive, Jackson, MS 39211. The meeting is open to the public and the Commissioners will be attending electronically from remote locations.

This the **8th** day of **July, 2016**.



Sam Polles, Executive Director  
Mississippi Department of Wildlife,  
Fisheries and Parks