

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Wednesday, April 20, 2016

2 p.m.

1505 Eastover Drive, Jackson, MS

MINUTES OF THE MEETING

PRESENT: Commission Chairman Charles Rigdon, Commissioners William "Billy" Deviney, Clay Wagner, Bill F. Cossar, and Scott Coopwood.

Among the MDWFP staff attending were: Dr. Sam Polles, Executive Director; Robert Cook, Deputy Executive Director; Michael Bolden, Larry Castle, Jennifer Head, Larry Pugh, Chad Dacus, Colonel Steve Adcock, Jason Thompson, and counsel, Doug Mann, Special Assistant Attorney General.

Chairman Rigdon gaveled the meeting to order and announced that incoming Commissioner, Robert Taylor of Louisville, Mississippi, had been confirmed by the Mississippi Senate today, and welcomed him to the meeting.

OPENING PRAYER

Robert Cook, Deputy Executive Director, opened the meeting with prayer.

MINUTES

ACTION: Upon motion by Commissioner Cossar and seconded by Commissioner Coopwood, the March 16, 2016 Commission meeting minutes were unanimously approved.

AGENDA

Director Sam Polles, Ph.D. announced that Rule 8.4 under the category "Other Business" would need to be removed and addressed at another meeting.

ACTION: Upon motion by Commissioner Wagner and seconded by Commissioner Deviney, the agenda for April 20, 2016 was amended with the removal of Rule 8.4 and unanimously approved by the Commission.

PUBLIC COMMENTS

Two gentlemen came before the Commission with comments.

- Eddie Horner, Colliersville, TN, presented a handout to the Commission concerning the marinas at J.P. Coleman State Park. He asked for Commission consideration in the restructuring of rental fees for those who built their own covers over the boat slips on Dock B.

Jennifer Head, Director of Parks, explained the fee structure and what surrounding areas were charging. The six patrons who built boat dock covers on Dock B did so illegally and they were all built in different shapes and sizes. Four patrons have agreed to the fee increase, one left, and the last one is here today.

Mr. Horner stated that he did not get permission from MDWFP to build the cover but had spoken with someone at J.P. Coleman. He requested someone to call him back and let him know if the Commission would reconsider his fee increase.

- Mr. Kenneth Carr, Monticello, MS, addressed the Commission on a new policy that went into effect July 2015 which prohibits the use of trot lines/jugs/noodles/yo yo's in the Pelahatchie Bay on the Ross Barnett Reservoir. Mr. Carr presented a letter to the Commission explaining his appeal to the Pearl River Valley Water Supply District.

Larry Castle, Director of Technical Programs, stated that the Commission on MDWFP did exactly what they were supposed to do, which is to adopt and enforce the rules and regulations of the Pearl River Valley Water Management District; otherwise, there would be two sets of laws in conflict with each other.

Mr. Carr thanked the Commission for their time.

LICENSE SALES REPORT

Jason Thompson, Director of License/Boat Registration, presented the License Sales Report for the month of March 2016. Total revenues were up for the first time since September by over \$36,000.

Highlights of Thompson's report are listed below:

- Resident License Sales - down 1% (87 less licenses sold)
- Non-resident Licenses
 - Freshwater Fishing Annual licenses - up 3%
 - Three day Freshwater Fishing licenses – up 11%
 - One day Freshwater Fishing licenses – up 8%
 - All Game Hunting licenses - up \$56,000
 - Louisiana Residents buying 13,428 of the 15,998 All Game licenses sold
- Permits – up \$170,000
 - Alligator permits account for 94% of permit sales
 - Lifetime - up over 3%

WILDLIFE**FINAL 40 Miss. Admin. Code Part 2, Chapter 5 – Alligator**

- Rule 5.1 – Alligator General Regulations
- Rule 5.2 – Private Lands Alligator
- Rule 5.3 – Public Waters Alligator

Chad Dacus, Director of Wildlife Bureau, recommended adoption. No changes were made since the last meeting and no comments were received.

ACTION: By motion of Commissioner Cossar and seconded by Commissioner Wagner, Rules 5.1, 5.2, and 5.3 were approved unanimously by the Commission as presented.

PROPOSED 40 Miss. Admin. Code, Part 2, Chapter 1 – WMA Regulations

- Rule 1.1, et. seq. – WMA Regulations

Mr. Dacus reviewed the rule changes made for each WMA as outlined in a handout distributed to the Commission.

ACTION: By motion of Commissioner Wagner and seconded by Commissioner Cossar, the proposed Chapter 1 Rule compilation was approved unanimously by the Commission, as presented.

PROPOSED 40 Miss. Admin. Code, Part 2, Chapter 2 – Deer

- Rule 2.2 – Deer Seasons and Bag Limits

Mr. Dacus reviewed the rule changes made to Rule 2.2 as outlined in a handout distributed to the Commission.

ACTION: By motion of Commissioner Cossar and seconded by Commissioner Coopwood, proposed Rule 2.2 was approved unanimously by the Commission as presented.

- Rule 2.7 – Carcass Importation

Mr. Dacus requested to suspend consideration on Rule 2.7 pending further information.

No action was taken by the Commission at this time but Rule 2.7 will be taken into consideration at a future date.

PROPOSED 40 Miss. Admin. Code, Part 2, Chapter 3 – Wild Turkey

- Rule 3.1 – Wild Turkey Seasons and Bag Limits

Mr. Dacus reviewed the rule changes made to Rule 3.1 as outlined in the handout distributed to the Commission.

ACTION: By motion of Commissioner Deviney and seconded by Commissioner Wagner, proposed Rule 3.1 was approved unanimously by the Commission as presented.

2016 – 2017 WATERFOWL AND DOVE SEASON RECOMMENDATIONS

Chad Dacus, Director of Wildlife Bureau, informed the Commission that the USFWS had changed its method of presenting the Migratory Bird Hunting Season framework(s). Where the frameworks had been presented in separate early and late season formats, the Service was now able to present the frameworks for all migratory birds. This being the case, staff recommendations for Migratory Bird Seasons within the USFWS frameworks are as follows:

Dove Season

- North Zone
 - September 3 – October 9, 2016
 - October 22 – November 6, 2016
 - December 10, 2016 – January 15, 2017*Bag Limit 15; Possession Limit 45*
- South Zone
 - September 3 – 11, 2016
 - October 8 - November 13, 2016
 - December 3, 2016 - January 15, 2017*Bag Limit 15; Possession Limit 45*

Duck Season

- Split Youth Days
 - November 19, 2016 and February 4, 2017
- Regular Season
 - November 25 – 27, 2016
 - December 2 – 4, 2016
 - December 7, 2016 – January 29, 2017

Goose: Canada, Snow, Blue, Ross', White-fronted, and Brant Season

- November 12 – 27, 2016
- December 15, 2016 – January 29, 2017
- February 4 – 15, 2017

ACTION: Upon motion by Commissioner Wagner and seconded by Commissioner Coopwood, the Commission voted unanimously to approve the Dove and Waterfowl Season staff recommendations.

FISHERIES

PROPOSED 40 Miss. Admin. Code Part 3, Chapter 1

- **Rule 1.3 – Regulations regarding Sportfishing**
- **Rule 1.4 – Statewide Creel Limits**

Larry Pugh, Director of Fisheries Bureau, presented rule changes as outlined in a handout to the Commission.

ACTION: By motion of Commissioner Cossar and seconded by Commissioner Deviney, Rules 1.3 and 1.4 were approved unanimously by the Commission as presented.

Fisheries Bureau Awards

Mr. Pugh had the honor of presenting awards to the following employees who made outstanding contributions in their line of work for 2015.

Trevor Knight	Fisheries Biologist of the Year
Stan Sullivan	State Lake Manager of the Year (Prentiss Walker Lake)
Danny Joe Freeny	Support Employee of the Year

A round of applause followed as each recipient accepted their award. Stan Sullivan was unable to attend the Commission Meeting to receive his award due to a previous commitment.

LAW ENFORCEMENT

Citation Report

Colonel Steve Adcock, Chief of Law Enforcement, presented the Law Enforcement Citation Report which highlighted violations, shooting range attendance, and reconstruction plans for the sporting clays trails at Turcotte which were severely damaged during recent flash floods.

MDWFP Fallen Officers' Memorial Service

Col. Adcock invited the Commissioners and public to attend the MDWFP Fallen Officers' Memorial Service to be held on Wednesday, May 18, 2016 at 10 a.m. at 1505 Eastover Drive, Jackson, MS. MDWFP will honor and remember its conservation officers who made the ultimate sacrifice in the line of duty.

License Reinstatement Request

Colonel Adcock asked the violator to come forward and state the circumstances of his arrest before the Commission.

- *Jason Holloway, Batesville, MS*

Mr. Holloway stated that he was convicted in 2007 for headlighting. He stated that he had no excuse and had taken full responsibility for his action. He added that he was a kid then and now he is 28 years old and responsible. He has two children and would like to take them hunting.

ACTION: By motion of Commissioner Wagner and seconded by Commissioner Cossar, Holloway's reinstatement was unanimously approved by the Commission.

OTHER BUSINESS**Executive Orders**

- ***Emergency Closure of Turkey Season on Select Wildlife Management Areas***

Chad Dacus, Director of Wildlife Bureau, presented two Executive Orders for the Commission to confirm. Both Executive Orders shortened turkey hunting season on Lake George, Sunflower, and Twin Oaks Wildlife Management Areas (WMAs) due to extraordinary high water levels and backwater flooding in the Mississippi south Delta. The first order was issued on March 28, 2016 closing turkey season until April 15, 2016 and the second order was issued on April 12, 2016 closing turkey season for the remainder of the season in the designated WMAs.

ACTION: By motion of Commissioner Wagner and seconded by Commissioner Deviney, the Wildlife Executive Orders above were unanimously ratified by the Commission. Copies of both orders have been appended to the minutes.

- ***Warren County No-Wake Zone at Eagle Lake***

Colonel Steve Adcock, Chief of Law Enforcement, presented the following Executive Order for the Commission to confirm. Upon request of the Warren County Board of Supervisors, a temporary No-Wake Zone Executive Order was issued for Eagle Lake on April 20, 2016 due to the water level at Eagle Lake reaching 80.0 feet. This order will stay in effect until such time as the waters shall recede to a level lower than 80 feet.

ACTION: By motion of Commissioner Wagner and seconded by Commissioner Deviney, the Eagle Lake Executive Order was unanimously ratified by the Commission. A copy of this order has been appended to the minutes.

NEXT MEETING DATE

Next Commission meeting date was set for Wednesday, May 18, 2016 at 2 p.m. in the Commission Conference Room located at 1505 Eastover Drive, Jackson, Mississippi 39211.

EXECUTIVE SESSION

The Chairman asked if there was a need for an Executive Session. The Executive Director stated that there was need for Executive Session.

ACTION: Upon motion made by Commissioner Deviney and seconded by Commissioner Cossar, the Commission voted unanimously to close the meeting to determine the need for Executive Session. The Commission determined that Executive Session was needed for discussions regarding budget line items that could affect the continued employment of individuals in specific positions and transactions in real property.

Upon motion made by Commissioner Deviney and seconded by Commissioner Wagner, the Commission voted unanimously to enter into Executive Session.

Dr. Polles updated the Commission on the appropriations bill for the agency. Part of the projected special funds are to come from an increase in hunting and fishing license fees for residents as passed in HB 1151. The bill requires that the Commission raise nonresident license fees as a pre-condition to the increased resident license fee amounts going into effect. Staff had a draft proposal to present at the meeting; however, due to comments received immediately prior to the meeting from the legislature, staff had decided to re-visit the proposed changes and include a couple of fishing privileges.

Discussion followed with the Commission expressing its wishes that any increases keep Mississippi priced competitively with the surrounding states. Staff assured the Commission that it would have a draft for their consideration soon – possibly for a special telephonic meeting before the end of the month, or early May.

No action was required of the Commission at this time.

Dr. Polles and Larry Castle updated the Commission on several potential land purchases. A couple of tracts in Alcorn County have been appraised and identified as ripe for offers.

ACTION: Upon motion made by Commissioner Deviney and seconded by Commissioner Wagner, the Commission voted unanimously to authorize the Executive Director to make offers to purchase two tracts in Alcorn County, within statutory limits.

Larry Castle then presented a list of seven (7) properties that had been identified as being desirable for the agency to purchase for public hunting lands. Staff requested Commission approval to move forward with appraisals on the listed properties.

ACTION: Upon motion made by Commissioner Wagner and seconded by Commissioner Deviney, the Commission voted unanimously to appraise all properties presented for approval as the Executive Director and staff deemed appropriate.

There was no other business for Executive Session.

ACTION: Upon motion made by Commissioner Cossar and seconded by Commissioner Wagner, the Commission voted unanimously to end Executive Session and open the meeting.

The meeting was opened.

ADJOURNMENT

There being no further business before the Commission, Commissioner Wagner made a motion to adjourn. Commissioner Cossar seconded the motion, and the Commission voted unanimously to adjourn.

Chairman Rigdon gavelled the meeting into adjournment.


Charles Rigdon, CHAIRMAN

5/18/16
Date


Clay Wagner, VICE CHAIRMAN

5/18/16
Date

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, & PARKS

EXECUTIVE ORDER:

**EMERGENCY CLOSURE OF TURKEY SEASON
ON SELECT WILDLIFE MANAGEMENT AREAS**

PURSUANT TO the authority set forth in MISS. CODE ANN. §49-1-29(a), the Executive Director, with the approval of the Mississippi Commission on Wildlife, Fisheries, and Parks, hereby finds that the unusually heavy rainfall during the month of March, 2016, has resulted in extraordinarily high water levels and backwater flooding in the Mississippi south delta. Therefore, the Executive Director further finds the following:

- Sunflower Wildlife Management Area Regulations, codified at 40 MISS. ADMIN. CODE, Part 2, Rule 1.23, allows youth turkey hunting from April 2 – 8, and for all hunters, by permit only April 4 – May 1; and
- Twin Oaks Wildlife Management Area Regulations, codified at 40 MISS. ADMIN. CODE, Part 2, Rule 1.24, currently allows youth turkey hunting by permit only April 2 and 3, and for all other hunters, turkey hunting by permit only April 9 – 15, and April 16 – May 1.

The Executive Director further finds that the Lake George Wildlife Management Area Regulations codified at 40 MISS. ADMIN. CODE, Part 2, Rule 1.10, does not set a separate turkey hunting season; therefore, pursuant to 40 MISS. ADMIN. CODE, Part 2, Rule 1.1, the turkey season follows statewide seasons on private lands.

The Executive Director finds that the high water levels present an imminent threat and peril to the public health, safety, and welfare, as well as posing the potential for damage to infrastructure; therefore, turkey hunting opportunities should be set aside and/or closed until April 15, 2016.

IT IS HEREBY ORDERED, that due to high water and backwater flooding in the Mississippi south delta, turkey season, including any youth turkey hunts and permit-only turkey hunts, is hereby closed on Lake George, Sunflower, and Twin Oaks Wildlife Management Areas, until April 15, 2016.

SO ORDERED, this the 28th day of March, 2016.



SAM POLLES, Ph.D.
EXECUTIVE DIRECTOR

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, & PARKS

EXECUTIVE ORDER:

**EMERGENCY CLOSURE OF TURKEY SEASON ON WILDLIFE MANAGEMENT
AREAS**

PURSUANT TO the authority set forth in MISS. CODE ANN. §49-1-29(a), the Executive Director, with the approval of the Mississippi Commission on Wildlife, Fisheries, and Parks, hereby finds that the unusual heavy rainfall during the months of March and April 2016 has resulted in extraordinarily high water levels and backwater flooding in the Mississippi south delta.

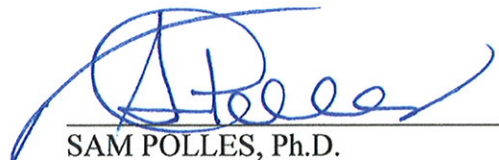
The Executive Director finds that the high water levels present an imminent threat and peril to the public health, safety, welfare, and infrastructure and that the turkey hunting opportunities should be set aside and/or closed until May 1, 2016, in the following areas:

**Sunflower Wildlife Management Area
Twin Oaks Wildlife Management Area
Lake George Wildlife Management Area**

IT IS HEREBY ORDERED, that 40 Miss Admin Code Part 2 Chapter 1 Rules 1.10, 1.23, and 1.24 are hereby amended as follows:

Due to high water and backwater flooding in the Mississippi south delta, turkey season, including any permit-only turkey hunts, are closed on Lake George, Sunflower, and Twin Oaks Wildlife Management Areas.

SO ORDERED, this the 12th day of April, 2016.



SAM POLLES, Ph.D.
EXECUTIVE DIRECTOR

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, & PARKS

EXECUTIVE ORDER:

EMERGENCY NO-WAKE ZONE: EAGLE LAKE

PURSUANT TO the authority set forth in MISS. CODE ANN. §59-21-111(1), *et. seq.*, the Mississippi Commission on Wildlife, Fisheries, and Parks, as successor to the Mississippi Boat and Water Safety Commission, is in receipt of a request from the Warren County Board of Supervisors, requesting the declaration of a temporary No-Wake Zone, at Eagle Lake in Warren County.

The Board has found that due to heavy rains and high volume of runoff waters, the Eagle Lake water level has reached a level of 80.0 feet, and that at this high water level, it becomes hazardous to private landowners and the public who own or utilize pier structures along the lake shores, when boat traffic creates wakes that may damage such property or injure persons on such piers.

The Executive Director finds the request of the Warren County Board of Supervisors to have merit and that it shall be granted as follows:

IT IS HEREBY ORDERED, that pursuant to the authority set forth in MISS. CODE ANN. §59-21-111(1), *et. seq.*, a Temporary No-Wake Zone is declared on the waters of Eagle Lake such that any and all boat traffic shall operate in a manner so as not to create any wake within 100 yards of any pier structure located along and extending from the shores of Eagle Lake. This No-Wake Zone declaration shall continue in full force and effect until such time as the waters shall recede to a level lower than 80 feet.

Further, this Temporary No-Wake Zone shall be enforced by state and local law enforcement officers who police Eagle Lake, including, without limitation, conservation officers of the Mississippi Department of Wildlife, Fisheries, and Parks and the Warren County Sheriff Department.

SO ORDERED, this the 20th day of April, 2016.

A handwritten signature in blue ink, appearing to read 'S. Polles', is written over a horizontal line.

SAM POLLES, Ph.D.
EXECUTIVE DIRECTOR

PUBLIC NOTICE

RESOLUTION AND ORDER
BY THE WARREN COUNTY BOARD OF SUPERVISORS

WHEREAS, due to heavy rains and high volume of runoff waters, the Eagle Lake water level has reached a level of 80.0 feet; and

WHEREAS, during such high water level, it becomes hazardous to private landowners and the public who own or utilize pier structures along the lake shores when boat traffic creates wakes that may damage such property or injure persons on such piers; and

WHEREAS, the Warren County Board of Supervisors desires to establish a temporary "No Wake" zone for the safety and protection of property and persons during such high water period.

NOW, THEREFORE, be it resolved by the Warren County Board of Supervisors that with the Eagle Lake water level at 80.0 feet, the Board finds that, in order to avoid imminent threat to public safety and to prevent property damage, a "No Wake" zone is hereby requested to be temporarily established such that any and all boat traffic shall operate in a manner such as not to create any wake within 100 yards of any pier structure located along and extending from the shores of Eagle Lake.

BE IT FURTHER RESOLVED, that the County shall publish notice in *The Vicksburg Post* of the implementation of this "No Wake" zone, once established by the Mississippi Department of Wildlife, Fisheries, and Parks, which shall be enforced by state and local law enforcement who police Eagle Lake, including, without limitation, the Mississippi State Department of Wildlife, Fisheries and Parks and the Warren County Sheriff Department.

SO RESOLVED AND ORDERED this 4th day of April, 2016.

WARREN COUNTY BOARD OF SUPERVISORS

Richard George

RICHARD GEORGE, President

ATTEST:

by Beverly Johnson, DC

DONNA HARDY, Chancery Clerk

