

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Tuesday, December 29, 2015

1:30 p.m.

1505 Eastover Drive, Jackson, MS



MINUTES OF SPECIAL TELECONFERENCE MEETING

PRESENT VIA TELEPHONE: 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; Col. Steve Adcock, Chief of Law Enforcement; Doug Mann and Drew Malone, Special Assistant Attorneys General.

Noted for the Record: Attached to these minutes are copies of the Special Teleconference Meeting Notices posted approximately one hour prior to the meeting, on the doors of the MDWFP office building located at 1505 Eastover Drive, Jackson, MS, on the MDWFP website, and the Open Meetings website, as per the provisions of the Mississippi Open Meetings Act.

There being a quorum present, the Chairman opened the floor to the business on the agenda.

MISSISSIPPI RIVER FLOODING and DEER SEASON

A Special Meeting of the Commission was called at the request of the members of the Commission to take up the prospective closure of deer season in areas anticipated to be affected by rising floodwaters of the Mississippi River. A flood map was emailed to the Commissioners for review. A proposed Commission Order was also forwarded to the Commission for their review and consideration.

The Chairman took up the proposed Commission Order that would authorize the Executive Director to:

- close and/or shorten the open season for hunting wild animals as provided in 40 Miss. Admin. Code, Part 4, Rule 1.5, as the Mississippi River reaches the flood stages set forth therein;
- expand the affected areas of closure should conditions indicate that doing so is in the best interest of the health, safety, and welfare of the general public; and
- move Law Enforcement personnel and assets into the affected area to enforce the season closure and to provide for the health, safety, and welfare of the public.

Discussion followed.

MOTION: Commissioner Wagner made a motion that the Commission adopt the proposed Order authorizing the Executive Director to close/shorten hunting seasons along the Mississippi River, due to flooding, as provided in 40 Miss. Admin. Code, Part 4, Rule 1.5. Commissioner Cossar seconded the motion and it was unanimously approved.

A copy of the executed Order has been appended to the minutes.

ADJOURNMENT

There being no further business to discuss, Chairman Rigdon gaveled the meeting into adjournment.



Charles Rigdon, CHAIRMAN

1/20/16

Date



Clay Wagner, VICE CHAIRMAN

1/20/16

Date

**BEFORE THE MISSISSIPPI COMMISSION ON
WILDLIFE, FISHERIES, AND PARKS**

In Re: Closing of Deer Season in Areas Affected by Rising Floodwaters.

ORDER

THIS MATTER, came before the Mississippi Commission on Wildlife, Fisheries, and Parks, at a special meeting called pursuant to the terms of MISS. CODE ANN. §25-41-5(3)(b), on December 29, 2015, at the request of the members of the Commission, to suspend and/or (temporarily) close deer season in and on certain lands affected by rising waters of the Mississippi River.

The Commission finds that the request is well-founded. The Commission further finds as follows:

WHEREAS, MISS. CODE ANN. §49-1-29(a) states that the Executive Director may, “close or shorten the open season...in cases of urgent emergency... .”

WHEREAS, recent heavy rains and severe weather have caused the Mississippi River to begin rising to a point where flood stage is imminent;

WHEREAS, MISS. CODE ANN. §49-7-77 makes it unlawful to hunt or take game animals forced from their natural habitat by rising floodwaters;

WHEREAS, the Mississippi Commission on Wildlife, Fisheries, and Parks has adopted 40 Miss. Admin. Code, Part 4, Rule 1.5, setting the parameters for closing hunting seasons along the Mississippi River in case of rising flood waters;

THEREFORE, pursuant to the authority set forth in MISS. CODE ANN. §§49-1-29, 49-4-4, 49-7-77, and 59-21-111, the Commission hereby orders as follows:

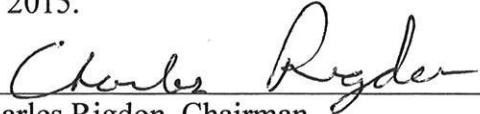
THE EXECUTIVE DIRECTOR is hereby authorized to close and/or shorten the open season for hunting deer as provided in 40 Miss. Admin. Code, Part 4, Rule 1.5, as the Mississippi River reaches the flood stages set forth therein. A copy of those stages and affected areas is attached hereto as Exhibit "A."

THE EXECUTIVE DIRECTOR is further authorized to expand the affected areas of closure should conditions indicate that doing so is in the best interest of the health, safety and welfare of the general public, and any deer or other animals forced from their natural habitat by rising waters.

THE EXECUTIVE DIRECTOR is further authorized to move Law Enforcement personnel and assets into the affected area to enforce the season closure and to provide for the health, safety, and welfare of the public.

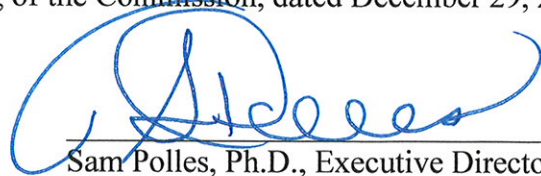
PURSUANT to its authority under MISS. CODE ANN. §59-21-111, the Commission orders that any floodwaters created by the rising of the Mississippi River are temporarily declared a "No Wake Zone." In an effort to protect private property and mitigate damages caused by floodwaters, any boating, whether recreational or otherwise, is discouraged in floodwaters. Persons owning properties affected by the floodwaters may use boats as needed to remove personal property or otherwise assess damage to his or her property; however, creating a wake that could cause damage or exacerbate damage to affected properties could result in liability to the person causing the wake.

SO ORDERED, this the 29th day of December, 2015.



Charles Rigdon, Chairman
Mississippi Commission on Wildlife,
Fisheries, and Parks

I, **Sam Polles, Ph.D.**, hereby certify that the Order attached hereto, is a true and correct Order of the Commission on Wildlife, Fisheries, and Parks, as authorized by a vote taken and spread upon the minutes of that special meeting of the Commission, dated December 29, 2015



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

EXHIBIT "A"

A. Be it ordered that no person shall take, catch or kill, or attempt to take, catch or kill any wild bird or wild animal, except waterfowl, between October 1 and February 1 on lands in DeSoto, Tunica and Coahoma Counties which lie south of the Tennessee State line, west of Highway 61 and north of Highway 49 when the Mississippi River level reaches thirty-four (34) feet on the Memphis, Tennessee gauge and shall remain so until the Mississippi River level falls to or below thirty-two (32) feet on the Memphis gauge.

B. Be it ordered that no person shall take, catch or kill, or attempt to take, catch or kill any wild bird or wild animal, except waterfowl, between October 1 and February 1 on lands in Coahoma, Bolivar and Washington Counties which lie south of Highway 49, west of Highway 61 to the intersection of Highway 61 and Highway 444, west of Highway 1 and north of Highway 82 when the Mississippi River level reaches forty-one (41) feet on the Helena, Arkansas gauge and shall remain so until the Mississippi River falls to or below thirty-nine (39) feet on the Helena gauge.

C. Be it ordered that no person shall take, catch or kill, or attempt to take, catch or kill any wild bird or wild animal, except waterfowl, between October 1 and February 1 on lands in Washington and Issaquena Counties which lie south of Highway 82, west of Highway 1 and North of Highway 14 when the Mississippi River level reaches forty-eight (48) feet on the Greenville, Mississippi gauge and shall remain so until the Mississippi River level falls to or below forty-six (46) feet on the Greenville gauge.

D. Be it ordered that no person shall take, catch or kill, or attempt to take, catch or kill any wild bird or wild animal, except waterfowl, between October 1 and February 1 on lands in Issaquena, Sharkey and Warren Counties which lie south of Highway 14, west of Highway 61 and north of the Big Black River when the Mississippi River level reaches forty-three (43) feet on the Vicksburg, Mississippi gauge and shall remain so until the Mississippi River level falls to or below forty-one (41) feet on the Vicksburg gauge.

PUBLIC NOTICE

Special Meeting of the Mississippi Commission on Wildlife, Fisheries, and Parks

PURSUANT TO Mississippi Code Annotated §25-41-5 and §25-41-13, and as requested by the Mississippi Commission on Wildlife, Fisheries, and Parks, the Mississippi Department of Wildlife, Fisheries, and Parks hereby issues this notice to the public of a special meeting to be held on Tuesday, December 29, 2015, in Jackson, Mississippi, at 1:30 P.M. At this special meeting, the Commission will take up only the prospective closure of deer season in areas anticipated to be affected by rising floodwaters of the Mississippi River. The Commission will only discuss matters related to the proposed closure and will vote upon an order authorizing the Executive Director to effect the closure. 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 29th day of December, 2015.



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

MISSISSIPPI WILDLIFE, FISHERIES, & PARKS

Wildlife & Hunting - Fishing & Boating - License - Law Enforcement - State Parks - Museum

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MS Wildlife, Fisheries & Parks

Special Commission Meeting
Tuesday December 29, 2015 1:30 PM

Location: Commission Meeting Room, 1505 Eastover Drive, Jackson, MS 39211

County: Hinds

For more information please contact Sharon Polzin at 601.432.2009.
sharonp@mdwfp.state.ms.us

Pursuant to Mississippi Code Annotated 25-41-5 and 25-41-13, and as requested by the Mississippi Commission on Wildlife, Fisheries, and Parks, the Mississippi Department of Wildlife, Fisheries, and Parks hereby issues this notice to the public of a special meeting to be held on Tuesday, December 29, 2015, in Jackson, Mississippi, at 1:30 PM. At this special meeting the Commission will take up only the prospective closure of deer season in areas anticipated to be affected by rising floodwaters of the Mississippi River. The Commission will only discuss matters related to the proposed closure and will vote upon an order authorizing the Executive Director to effect the closure. 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.

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Mississippi Public Meeting Notices

NOTICE DETAILS

NOTICE DETAILS

State Agency: Department of Wildlife Fisheries and Parks

Public Body: Department of Wildlife Fisheries and Parks

Title: Commission on Wildlife Fisheries and Parks

Subject: Special Meeting

Date and Time: 12/29/2015 1:30:00 PM

Description:

Special Teleconference Meeting of the Commission to vote on prospective closure of deer season in areas anticipated to be affected by rising floodwaters of the Mississippi River.

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MEETING LOCATION

1505 Eastover Drive
Jackson MS 39211

[Map this!](#)

CONTACT INFORMATION

Sharon Polzin
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sharomp@mdwfp.state.ms.us

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