

# MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Wednesday, September 17, 2014

2:30 p.m.

1505 Eastover Drive, Jackson, MS



## MINUTES OF THE MEETING

**PRESENT:** Chairman Bryan Jones, Commissioners William "Billy" Deviney, Clay Wagner, and Bill F. Cossar

**ABSENT:** Commissioner Charles Rigdon

Among the MDWFP staff attending were: Dr. Sam Polles, Executive Director; Robert Cook, Deputy Executive Director; Larry Castle, Michael Bolden, Libby Hartfield, Larry Pugh, Chad Dacus, Lt. Col. Sammy Fisher, Jason Thompson, Jim Walker, and Doug Mann, Special Assistant Attorney General.

Chairman Jones gavelled the meeting to order and welcomed all guests. The Chairman noted that there were no legislators or other public officials in attendance.

The Chairman then asked if it would be permissible to enter Executive Session at the beginning of the meeting rather than wait until the end. Counsel advised that as long as proper procedures were followed, the Commission could enter Executive Session at any time during a meeting.

**ACTION:** Upon motion by Commissioner Cossar and seconded by Commissioner Wagner, 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 transactions in land. Upon motion by Commissioner Deviney and seconded by Commissioner Wagner, the Commission voted unanimously to enter into Executive Session.

## EXECUTIVE SESSION

The Commission excused itself and select staff rather than clear the meeting room. Dr. Polles then advised the Commission that discussions had been had with the owners of a tract of land adjacent to the Clark Creek Natural Area. The owners had expressed a desire that the appraisal process be completed as soon as possible and staff had begun to move forward to accommodate this request. No action was required of the Commission.

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

## OPENING PRAYER

Mr. Robert Cook, Deputy Executive Director, opened the regular session with a prayer.

## MINUTES

**ACTION:** Upon motion made by Commissioner Cossar and seconded by Commissioner Deviney, the minutes of August 20, 2014 were unanimously approved as presented.

## TODAY'S AGENDA

Dr. Sam Polles, Executive Director, requested permission to add a Special Youth Hunt request to the WILDLIFE section of the agenda.

**ACTION:** Upon motion by Commissioner Deviney and seconded by Commissioner Cossar, today's agenda was unanimously approved as amended.

## LICENSE SALES REPORT

### License Sales Report

Mr. Jason Thompson, License/Boat Registration Division Director, presented the License Sales Report for the month of August, 2014. He informed the Commission that total license sales were down four percent from last year. The first two weeks of August looked promising but sales did not hold.

His report included the following cumulative sales (comparing August, 2014 to August, 2013):

- Resident category was down 2% - while annual range permits up 69%
- Non-resident category was down; one highlight, 37 more User Permits sold
- Other Licenses – sales were up 13% with 278 more alligator licenses sold
- Lifetime category – up over 1%

## PUBLIC COMMENTS

- **Mr. Kim Campbell, K & L Caviar, Carrollton, MS**

Mr. Campbell brought before the Commission several comments concerning the FINAL paddlefish rules. Chairman Jones suggested that Mr. Campbell and Mr. Larry Pugh, Fisheries Bureau Director, discuss these comments further with recommendations to be brought before the Commission later in the meeting.

- **Mr. Eddie Endom, Ellisville, MS**

Mr. Endom stated that the change this year for Opening Dove Season in South Mississippi from Labor Day weekend to September 13 proved uneventful. The doves were gone a few days after Labor Day. Mr. Endom was informed that the dates were changed this year because other hunters from South Mississippi had come forward and requested more hunting days at the end of the season. He also expressed concern with Duck Season opening on Thanksgiving Day, which conflicts with family time.

The Commission thanked Mr. Endom and suggested that he review the hunting season dates in July or August when they are released for public comment. His comments would be most useful if presented next year before they are finalized.

Mr. Endom also inquired about Lifetime Licenses for children. Years ago MDWFP offered Lifetime Licenses for \$350 for ages 0-3. Dr. Polles, Executive Director, explained that the age limit and license charges are statutory and any changes would need to go through the Legislative process.

The Commission thanked Mr. Endom and welcomed him to come back next year with any comments.

## WILDLIFE

- **Revised PROPOSED Rule 40 Miss. Admin. Code Part 2**  
**Rule 7.1 - General Regulation for the Taking of Nuisance Animals**

Larry Castle, Director of Technical Programs, presented the following changes to Rule 7.1. Language **added** to Rule 7.1 below is underlined in italics and language **deleted** has ~~strike through line~~ in italics.

1. **Section B.5. (moved from Section H.5)**

*Any part of any nuisance animal that has been lawfully taken, may be sold year-round, with the exception of wild hog meat, as set forth elsewhere in this rule. The only nuisance animals that may be sold alive are coyotes and fox per 40 Miss. Admin. Code Pt. 2, Rule 8.1 (General Rules for Fox, Coyote and Rabbit Pens).*

2. **Section C.**

On public lands, the governmental entity charged with the management of said lands may *or may not* allow the taking of nuisance animals subject to applicable laws, rules, or regulations. *It is the hunter's responsibility to check with the entity managing the property before hunting nuisance animals on those lands.*

3. **Section G.1.e.**

A Live Wild Hog Transportation permit shall be valid for twenty-four (24) hours from the time it is issued.

4. **Section G.2. (The language deleted in this section was not approved by the Commission. No deletions were made to this Section. See ACTION)**

Wild hogs may not be transported within the State of Mississippi ~~“between the hours of sunset and sunrise”~~ and may not be released or removed alive from any mobile device or vehicle, except that wild hogs may be released alive for the purpose of slaughter into an enclosure no larger than 500 square feet in size and constructed in a manner that prevents the escape of any wild hog, or to a facility where the hog may be immediately prepared for slaughter.

5. **Section G.8.**

No meat or other part of a wild hog may be sold without having first been inspected and approved by the US Department of Agriculture and/or the Mississippi Department of Agriculture and Commerce pursuant to the laws, rules, and regulations of those entities.

6. **Section H.5.**

~~The holder of a Lifetime, All Game, Sportsman or Trapping License may sell any part of any nuisance animal year round. The only nuisance animals that may be sold alive are coyotes and fox per 40 Miss. Admin. Code Pt. 2, Rule 8.1 (General Rules for Fox, Coyote and Rabbit Pens).~~

**ACTION:** Commissioner Deviney made a motion to adopt Proposed Rule 7.1 as presented with the exception to not remove “between the hours of sunset and sunrise” in Section G.2. The original language for Section G.2 remained. Commissioner Cossar seconded the motion and the motion carried.

- **Wheelin’ Sportsmen Disability Hunt – Friday, Nov. 7, and Saturday, Nov. 8, 2014**

Lisa Thornton, Cliff White Chapter, National Wild Turkey Federation, requested exemption for disabled youth 17 years of age and younger during a Special Hunt on November 7 & 8, 2014 in Laurel. This is the only disability hunt in Mississippi, Louisiana, and Alabama.

Mr. Larry Castle informed the Commission that November 8, 2014, is the annual Youth Hunt weekend for white-tailed deer in Mississippi. This special hunt is set by the Commission under its authority contained in Miss. Code Ann. 49-7-39(4). The Commission also has the authority to permit special hunts for youths 17 years of age, with life-threatening illnesses, under Miss. Code Ann. 49-7-38.1.

The Commission was advised that 40 Miss. Admin. Code Part 2, Rule 2.5 allows MDWFP, in a partnership with any conservation organization or non-profit organization, to hold an annual deer hunt for disabled youths, ages 17 years and younger, outside the open season on deer.

Anyone not fitting these criteria must hunt with the equipment appropriate for the open season, i.e., bow and arrow and crossbows.

**ACTION:** Upon motion by Commissioner Wagner and seconded by Commissioner Cossar, the exemption for a special hunt for youths 17 years of age and younger with disabilities was unanimously approved as presented.

## **LAW ENFORCEMENT**

### **PROPOSED Rule 40 Miss. Admin. Code Part 4, Chapter 1 - General Regulations on Hunting**

Listed below are the two major changes outlined by Mr. Larry Castle. The rest of the changes to Chapter 1 were housekeeping/language changes.

- **Rule 1.2 - Lawful Weapons After Hours**

Legal weapons for hunting between one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise are restricted to handguns or rifles using NO larger than .22 long rifle rimfire bullet or shot cartridges (.22 magnums are excluded), and shotguns with shot NO larger than No. 6.

- **Rule 1.4 - Hunting from a Motorized Vehicle**

C. - It is unlawful to discharge any firearm, other than .22 long rifle (rimfire) caliber rifles or pistols, using "rat" or "snake shot" ammunition, from a boat or other watercraft operating on the public waters of this state during night time hours from 30 minutes after sunset until 30 minutes before sunrise; except the Commission may set special seasons and regulations for the taking of alligators at night during dates and times set by them.

**ACTION:** Upon motion by Commissioner Wagner and seconded by Commissioner Deviney, Proposed Rule 40 Miss. Admin. Code Part 4, Chapter 1 was unanimously approved as presented.

### **Citation Report**

Lt. Col. Sammy Fisher, Assistant Chief of Law Enforcement, briefed the Commission on 324 citations issued statewide between August 15 and September 11. Law Enforcement duties also included hunter education classes and wood duck banding. The new McHenry Shooting Range received 499 customers this past month with archery numbers going up; while the Turcotte Range saw 1,285 which included two tournaments.

### **Reinstatement Request**

Lt. Col. Fisher brought before the Commission five requests for reinstatement. Chairman Jones asked each person to come forward and state why their license had been revoked.



- Landon Sandifer, Vicksburg, MS

Mr. Sandifer was trespassing and shot two deer at night. He was fined \$2,100.

**ACTION:** Upon motion made by Commissioner Cossar and seconded by Commissioner Wagner, the Commission voted unanimously to reinstate Mr. Sandifer's license.

- Dalton McMellon, Greenwood Springs

Mr. McMellon shot a deer at night. He threw the deer out of the truck when he saw Law Enforcement. He was fined \$2,500.

**ACTION:** Upon motion made by Commissioner Deviney and seconded by Commissioner Wagner, the Commission voted unanimously to reinstate Mr. McMellon's license.

- James Estes, Philadelphia

Mr. Estes was riding at night and shot a deer. He went to jail and paid fines just under \$4,000.

**ACTION:** Upon motion made by Commissioner Deviney and seconded by Commissioner Cossar, the Commission voted unanimously to reinstate Mr. Estes' license.

- Chad Russell, Union Church, MS

Mr. Russell shot a buck at night, spent the night in jail, and was fined \$2,500.

**ACTION:** Upon motion made by Commissioner Wagner and seconded by Commissioner Cossar, the Commission voted unanimously to reinstate Mr. Russell's license.

- Kyle Bratton, Loranger, LA

Mr. Bratton shot a deer and spent the night in jail at Port Gibson. He paid over \$2,000 in fines plus his gun was taken. .

**ACTION:** Upon motion made by Commissioner Cossar and seconded by Commissioner Wagner, the Commission voted unanimously to reinstate Mr. Bratton's license.

## FISHERIES

### PowerPoint Presentation

As requested by the Commission at the last meeting, Mr. Larry Pugh, Fisheries Bureau Director, shared a PowerPoint presentation highlighting the entire caviar process for Paddlefish. Question and answer time followed.

**FINAL RULE 40 Miss. Admin. Code, Part 3, Chapter 1**

- **Rule 3.2 – Regulations Regarding the Commercial Harvest of Paddlefish and Paddlefish Eggs**
- **Rule 3.4 – Regulations regarding Paddlefish Management Zones and the Periods Open to the Commercial Harvest of Paddlefish**
- **Rule 3.5 – Procedures for Obtaining Paddlefish Permits for the Commercial Harvest of Paddlefish and Paddlefish Eggs and Reporting Requirements for Paddlefish Harvest**

Mr. Kim Campbell, K & L Caviar, left the Commission Conference Room with Mr. Larry Pugh earlier in the meeting following his Public Comment. Mr. Pugh and Mr. Campbell came back in the room and Mr. Pugh listed Mr. Campbell's concerns, followed by MDWFP's recommendations.

*Mr. Campbell requested:*

- Higher catches of Asian Carp in 5-inch mesh nets versus our requirement of 6-inch mesh
- 5-inch mono nets on the Mississippi River
- Paddlefish processors to be MS residents only
- Does not see the need for a Paddlefish quota
- Opening additional waters in 2014-15 for Paddlefish harvest

*MDWFP recommended:*

- 6-inch multifilament nets, which MDWFP recommended last year as verified by the October 2013 Commission meeting minutes.
- Mr. Campbell can fish 5-inch mono on the MS River as long as he is fishing the Arkansas side (based on the reciprocal agreement).
- Processors will be both resident and non-resident, as was the case the previous four years of the fishery.
- The quota was established based on a Commission recommendation from 2013.
- Opening of additional water at Minter City Cutoff with special regulations for 2014-15 Paddlefish harvest.

**ACTION: Upon motion made by Commissioner Wagner and seconded by Commissioner Deviney, the Commission voted unanimously to approve FINAL Rules 3.2, 3.4, and 3.5 as presented with the additional water opening at Minter City Cutoff.**

**Lure U to the Lake**

Mr. Pugh presented a request for fee exemption at Tippah County Lake on October 11, 2014, for a special fall event.

**ACTION: Upon motion made by Commissioner Wagner and seconded by Commissioner Cossar, the Commission voted unanimously to approve this exemption.**

**OTHER BUSINESS**

No other business was presented.

**NEXT MEETING DATES**

Wednesday, October 15, 2014 @ 2:30 p.m., 1505 Eastover Drive, Jackson

Wednesday, November 19, 2014 @ Time TBA, Holmes County State Park, Durant

**ADJOURNMENT**

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

  
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Bryan Jones, CHAIRMAN

  
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Date

  
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Charles Rigdon, VICE CHAIRMAN

  
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Date