

MS COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Monday, January 23, 2012 @ 12:30 p.m.

Greenwood Chamber of Commerce Building, Greenwood, Mississippi

PRESENT: Commissioners Deviney; Jones; Rigdon; Munro; and Stanley. Among the staff attending were Dr. Sam Polles; Michael Bolden; Larry Castle; Chad Dacus; Ramie Ford; and Doug Mann, Special Assistant Attorney General.

WELCOME

Chairman Deviney welcomed everyone to the meeting and Larry Castle opened with a prayer.

MINUTES

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Rigdon, the Minutes from the December 15, 2011 Commission meeting were unanimously approved as presented.

TODAY'S AGENDA

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Jones, the January 23, 2012 Agenda was approved as presented.

PUBLIC COMMENTS

Mr. Jerry Greg Hopper: Mr. Hopper stated he is a dog hunter and a still hunter. He is speaking today to bring attention to the time given for still hunting and the unethical behavior of some hunters that is taking place in the area where he hunts. While hunting on the National Forest Land located between Enid and Grenada Lakes just East of I-55 on a small section of land, the following observations have been made regarding hunters with dogs:

- While in his deer stand, hunters will walk by him in the direction from which he is hunting with no regard.
- Deer react to the human scent and the disruptions caused by the running of dogs, people yelling for their dogs is frustrating.
- There is a total disregard for other hunters by the dog hunters.
- There seems to be a shortage of conservation officers in this area.
- Two officers were seen riding together trying to cover three counties.
- Releasing dogs across private land is a problem.
- Youth season is being abused because adult hunters are taking youth along so the adults can kill deer. It has been observed seeing youth get out of a truck, head to the woods without guns yet numbers of caucuses have been seen on the sides of the roads. Mr. Hooper provided pictures showing just a few feet from the road where four (4) deer caucuses were left. This is happening a lot.
- Litter in the area is a problem. Empty beer cans, trash, etc.
- Roads are being blocked once we come out of the woods.

- Excessive speeding on the narrow, gravel roads.
- Lost dogs left behind showing up at the deer camp, emancipated, etc. When the owner is called (name retrieved from the dog tag), they say they will come get the dog but they never do. The dogs are left to die.
- Riding of four-wheelers is occurring on this National Forest Land.
- The amount of time given to hunters with guns/no dogs is limited to only eight (8) days and one (1) weekend. The bow hunters have 49 days, 7 weekends in which to hunt and primitive weapon has 27 days with 4 weekends to hunt; gun with dogs has 39 days, 6 weekends, all the holidays – Thanksgiving, Christmas, New Years and MLK.

Additionally, Mr. Hopper said we have read about the Hommochitto National Forest implementing a permit system. The state of Georgia did the same thing but went a step further by requiring one thousand continuous acres. After their implementation, they had 219 complaints out of 358 clubs; 89 citations; and 2 permit violations during the first year. The 2nd year those complaints dropped to 28 citations and the number of violations to zero. Obviously there is merit to a permit system being implemented; especially with the use of CB radios and cell phones, the conservation officers are at a distinct disadvantage when it comes to hunters warning other hunters, etc.

Dr. Polles asked for Mr. Hopper to give his name, address and other contact information to Noel Hughes.

Greg Hopper: Regarding the 1-800 BE SMART NUMBER, while hunting I observed deer coming by me and then heard several shots fired. I made a call to the 1-800 number to get a Warden. I was told I would have to call Tupelo they couldn't help me. I felt like it should have been their responsibility to contact Tupelo and not mine. I did call Tupelo and they were nice and willing to help. After talking with Tupelo, I learned the Warden in my area is stretched too thin. The problem is the violators know they can get away with breaking the law. They have lost sight of what the game laws are for in this area.

LICENSE SALES REPORT

Mr. Michael Bolden presented the License Sales Report. He stated that compared to last month's report under resident license sales, Sportsman License sales are up but some of the Small Game License sales are not. After researching, it was discovered that those who are traditionally buying the All Game License upsized to the Sportsman License, which is good. One area that is noteworthy to mention, is that non hunting groups are purchasing license/permits for WMA usage. This category has increased. The report reflects that although the apprentice small license may go up we see the same thing happening with relation to those annual licenses. Overall, resident license sales are up by 1%, which represents \$64,776 in license sales. We still don't know what the issue is with the nonresident sales. The state of Louisiana remains down in sales. Specifically, we have set up some opportunity to send renewal notices to license holders in Louisiana. Because we have increased the number of e-mail addresses, it is cost effective to notify license holders via e-mail that it is time to renew.

Alligator license sales continue to go up and remain the most popular. Overall with MDWFP sales, we caught up and surpassed last month by \$35,000. With DMR, the salt water annual license has gone down some but the nonresident salt water license sales have increased.

FISHERIES – Ron Garavelli

Ron Garavelli presented the following two (2) public notices for final approval:

- (1) Public Notice (Final) F11 3428 (Sport Fishing)
- (2) Public Notice (Final) F17 3424 (Creel Size/Limits/Lake Closures/Openings)

He stated that no negative comments have been received during the intent period on either public notice. Staff is asking for final adoption approval.

ACTION: Upon motion made by Commissioner Stanley and seconded by Commissioner Munro, Public Notice F11 3428 and Public Notice F17 3424 were unanimously approved as presented.

LAW ENFORCEMENT

Chief Adcock gave the Citation Report for the month of November. There were 252 citations written in the North Region; 224 in the Central Region; and 318 in the South Region for a total of 794 citations. The majority were issued for having no hunting license in both resident and nonresident categories. Seventy-nine (79) were issued for having no hunter orange; forty-five (45) written for water related citations; 52 were WMA citations; 25 for head lighting; and 172 citations for hunting from a public road. He stated that staff continues to work the details in these areas where road hunting is taking place.

Dr. Polles asked if details are run in the Holly Springs area. Clark McMinn advised yes.

Chief Adcock presented Public Notice of Intent LE4-3779. He advised that a lot of people caught head lighting are saying they are hog hunting to avoid a citation. We know that is not the case. A chart was handed out representing the last four (4) years of head lighting. You will notice that head lighting has decreased the past two (2) years because everyone says when caught they are "hog hunting." Unless the officer actually sees them kill a deer, we can't do much. About three weeks ago, there was a case here in the Delta where an officer stopped some people head lighting and they told the officer they were hunting coyotes. They had high powered rifles, etc. which is not allowed. By the time they got to court, their defense was that they were hunting hogs. This intent notice changes the current nuisance animal regulation to put the burden on the person going hog hunting to contact us and let us know they are hunting hogs. They must be hunting on their land or on land they have written permission to kill hogs.

Dr. Polles asked if the only two changes from the original notice are: (1) requirement to get a permit or to call the MDWFP Law Enforcement regional office for night hunting with a high powered rifle on land other than their own; and (2) making it illegal to turn a hog loose unless you turn it loose in a 500 square foot holding pen for slaughter.

Dr. Polles asked if there is a distinction between an employee and a guest in this public notice. The answer was "yes, they would be treated the same."

Commissioner Jones stated that he doesn't want anything to stop legitimate hog hunting for control purposes. Chief Adcock said he agrees but he thinks those who are head lighting deer on private land are hurting the land owners just as much as the wild hog population.

Chief Adcock wished to make mention that the Wildlife Bureau worked hard with Law Enforcement to perfect this revision in Public Notice 3779.

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Rigdon, Public Notice LE4- 3779 (Nuisance Animals) was unanimously approved as presented.

WILDLIFE

Chad Dacus presented three (3) public notices for final approval:

- (1) Public Notice (Final) W 3812(a) (WMAs)
- (1) Public Notice (Final) W16 3454(a) (Mahannah WMA)
- (2) Public Notice (Final) W16 3465(a) (Shipland WMA)

He stated that no negative comments have been received during the intent period.

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Stanley, all three (3) of the Wildlife abovementioned public notices were unanimously approved as presented.

OTHER BUSINESS

Tommy Snell – Enclosure Regulations

Mr. Snell passed out a draft of a Bill he would like the Commission to review and offer input. Mr. Snell is the president of the Mississippi Deer Farmer's Association representing about 100 members. He offered the following information:

In Mississippi they have about 130-140 high fence enclosures. The Association is coming before the Commission today with some legislation to change our regulations to allow the deer farmer's a source of supply for white tail deer for our enclosures. The draft copy of the bill handed out does a couple of things: (1) allows us to import deer from areas that are represented by the industry standard restrictions; (2) allows us to establish free standing breeding facilities on smaller acreage rather than the current 300 required now. Mr. Bill Holeman who is president of White Tail breeders in Louisiana will answer questions concerning what they are doing with their importation laws and restrictions and certifications. Shawn Schaeffer, president of the National Deer Farmer's Association is here.

He is an expert on disease issues and other items that come as objections to what we are trying to do. We want to give the Commission the opportunity to offer input, review it for questions/objections. We believe we fostered a good relationship with Dr. Polles and the Commission over the past 6-8 months. This legislation is similar to what we presented a year ago. A year ago one of the main contentions we had was we were trying to place regulation of the deer enclosures under the Department of Agriculture. Since then, we have relinquished that request and by doing so it simplified the Bill we are presenting today. Basically, we will be leaving regulation of the hunting enclosures and the breeding facilities under MDWFP and the Commission. By doing so, it leads into effect the regulations and restrictions you already have in place under 3780.

This draft bill will allow importation of White Tail Deer from areas that are free from chronic wasting disease. It will be required to submit a permit and request to import those deer. The farm would be reviewed and approved before importing. The deer would be imported into existing enclosures and breeding facilities already permitted under MDWFP. It will allow enclosures to be a minimum of 5 acres. There are some concerns with this 5 acre number such as there will be a lot of breeding facilities to pop up – back yard breeders, inexperienced handlers, etc. However, five (5) acres is a pretty substantial investment and would cut out the inexperienced who can't handle the enclosure. We ask for your support of this Bill.

Commissioner Jones asked for an explanation of the language in the draft bill, line 59, that states: "The following wild animals are game: bear, white tail deer, rabbits, squirrels." Attorney Doug Mann stated that this is the current language and they are excluding farm raised white tailed deer in breeding facilities, from game deer subject to hunting laws and regulations.

Mr. Snell stated that this draft bill will have an economic impact in that it will allow an opportunity for the smaller land owners/farmers who can't make a living on 20-50 acres to go into deer breeding to create some income. Commissioner Stanley asked how is income created. By selling the deer? Mr. Snell answered that the breeder makes money by providing stocker animals for the hunting preserves in Mississippi and out-of-state as well. We believe there will be an increase in non resident license sales as a result of having these hunting enclosures. When we have deer of this caliber, those deer are in huge demand for enclosure deer. A lot of Mississippi hunters are traveling to Louisiana, Missouri, Illinois and Kansas to hunt which is not beneficial for Mississippi.

Commissioner Jones asked about how much money is received for one deer. The answer was anywhere from \$25,000 to \$30,000. Commissioner Stanley asked how many deer can be raised in a five acre pen in a year. Mr. Holeman answered it varies from place to place due to insects, vegetation, etc. On his farm he has about 45 acres in his total breeding facility. He can run about 300-350 animals on that total acreage. On just five acres, maybe 10-15 deer after two years of breeding. As far as the value of a deer, it depends on the neck size. The higher scored deer will bring more money. It can be anywhere from \$1500 to \$55,000.

Commissioner Deviney asked if any small breeders have ever gone out of business. Mr. Holeman answered "yes" and the way we deal with it is our breeder pens and our hunting reserves are regulated by the Department of Agriculture. To go out of business you have to notify the Department of Agriculture of your intentions and we also have our white tail association in Louisiana. We go and absorb those animals or else they are taken to slaughter.

Commissioner Deviney asked Mr. Schaffer to talk about Chronic Wasting Disease (CWD). Mr. Schaffer stated he has about 14 years experience in monitoring CWD. The majority of the industry is pushing 10 years of disease-free status. If you are going to move an animal it has to be in a monitoring program. Thirteen (13) states have CWD reported. The disease has been around since about 1967, that we know of. It has not really spread across the country. Places who found the most trouble are from the taxidermy trade and the movement of carcasses of the wild animals. EHD disease (Blue Tongue) is a more devastating disease to the deer herd. This disease (blue tongue) has spread all across the US. Safeguards are in place to prevent CWD. There have been close to 100 cases of CWD within the farm herds reported.

Dr. Polles asked regarding importation of deer to Louisiana, if a zone has CWD do you prevent that importation? Yes said Mr. Schaeffer. Dr. Polles said, for example in a certain area of Missouri, would you ever allow importation from that area into Louisiana? Mr. Schaeffer said not in the case of being 25 miles of the point of origin. It has to be more than 25 miles from the point of origin – regardless of the state.

Dr. Polles asked if there is a restriction on CWD as far as cattle. Mr. Schaeffer said there is no connection between CWD and cattle.

Commissioner Deviney asked Mr. Schaeffer, if deer in enclosures that have been given medication, shots, etc., are suitable for consumption. Mr. Schaeffer answered, before consumption; they are monitored for 30 days once medicated.

Dr. Polles inquired about some drugs that possibly affect the organs of the animal. Mr. Schaeffer said those type medication are never suppose to be used in a food producing animal. Every drug we use must come through a veterinarian. There is a government organization that has specific guidelines as to the withdraw period of every drug.

There was discussion that followed regarding the number of staff needed to monitor these regulations. It is not known how many staff would be needed.

NEXT MEETING

February 22-23, 2012 (tentative). Location Charles Ray Nix WMA.

EXECUTIVE SESSION:

ACTION: Upon motion made by Commissioner Munro and seconded by Commissioner Jones, the Commission voted unanimously to close the meeting to determine the need for an Executive Session. It was determined that discussions were needed regarding

transactions in land, job performance of specific individuals in specific positions, and the transfer or establishment of a business or industry. Upon motion made by Commissioner Stanley and seconded by Commissioner Munro, the Commission voted unanimously to enter Executive Session.

Discussion followed regarding the establishment of deer breeding operations. The Commission directed staff to continue to research the matter and keep them apprised of further developments.

Dr. Polles advised the Commission of a tract of land in South Mississippi which might be available for purchase. The Commission directed Dr. Polles to pursue the purchase of that tract.

There being no further business for executive session, upon motion made by Commissioner Munro and seconded by Commissioner Stanley, the Commission voted unanimously to end Executive Session, and re-open the meeting.

ADJOURNMENT

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



William "Billy" Deviney, CHAIRMAN

2-20-12

Date



Jerry Munro, VICE-CHAIRMAN

2-24-12

Date