

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Thursday, March 22, 2018

1505 Eastover Drive, Jackson, MS 39211

1:30 p.m. Educational Session / 2:30 p.m. Business Session

MINUTES OF EDUCATIONAL SESSION – 1:30 PM

PRESENT: Commission Chairman Clay Wagner, Commissioners Bill F. Cossar, Robert Taylor, and Billy Mounger.

ABSENT: Commissioner Scott Coopwood

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

Educational Sessions are for informational purposes only. Commission action on any topic may only be taken during a regular Business Session.

FISHERIES

Larry Pugh, Fisheries Bureau Director, gave a PowerPoint presentation on Statewide Fisheries Management and Hatchery Operations.

- **Statewide Fisheries Management**

There are six management regions with three biologists per region. These biologists cover 119 lakes and 123,757 miles of streams. A Fisheries Management Plan is used which covers the goals, measurable objectives, actions, expected results, and evaluation. Other areas highlighted were fall electrofishing, spring creel surveys, habitat enhancement, invasive species, multistate cooperation, partnering with cities to promote fishing, and university research.

- **Hatchery Operations**

There are two hatcheries in the state: North Mississippi Fish Hatchery (NMFH) and Turcotte Fish Hatchery. Each specializes in certain fish to provide specie introduction, restoration, and population augmentation in public waters. Future plans and challenges were also presented including repair of 12 year-old pond liners and complete pond construction at NMFH and construction of a Florida Bass building at Turcotte.

PARKS**Update on Golf**

Jennifer Head, Director of Parks, informed the Commission of a meeting with Scenic Rivers Development Alliance concerning the possible management of Percy Quin Golf Course. This is a regional alliance to promote events and outdoor activities in Amite, Franklin, Pike, Walthall and the City of McComb. Discussion followed.

The question was presented if Scenic Rivers would be a profitable venture for us. Head replied that this would be profitable pending an acceptable proposal from Scenic Rivers. Discussion followed.

For now, Parks Division will continue to manage the property during the 2018 spring and summer months to recover some revenue.

With no other items to be presented, the Educational Session was adjourned. The Commission will reconvene at 2:30 p.m. for the Business Session.

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Thursday, March 22, 2018
1505 Eastover Drive, Jackson, MS 39211

MINUTES OF THE BUSINESS SESSION – 2:30 PM

PRESENT: Commission Chairman Clay Wagner, Commissioners Bill F. Cossar, Robert Taylor, and Billy Mounger. Commissioner Scott Coopwood was present via telephone.

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

Chairman Wagner, having noted for the minutes that a quorum was present, gaveled the meeting to order at 2:30 p.m. Chairman Wagner welcomed Representative Scott Bounds, Chairman of the Wildlife, Fisheries, and Parks Committee of the Mississippi House of Representatives; Senator Philip Moran, Chairman of the Wildlife, Fisheries, and Parks Committee of the Mississippi Senate; and Senator Mike Seymour.

OPENING PRAYER

Larry Castle, Director of Technical Programs, opened the meeting with prayer.

MINUTES

ACTION: Upon motion by Commissioner Cossar and seconded by Commissioner Mounger, the minutes of the February 19, 2018 Commission meeting were unanimously approved.

AGENDA

Chairman Wagner asked if the agenda was in need of any changes. Jennifer Head, Director of Parks, stated that the following addition was needed:

- Under OTHER BUSINESS:
 1. Financial Report

ACTION: Commissioner Taylor moved to approve the agenda for March 22, 2018, as amended. Commissioner Mounger seconded the motion and the motion carried.

PUBLIC COMMENTS

There were no members of the general public who wished to address the Commission.

LICENSE SALES REPORT

Jason Thompson, Director of License/Boat Registration, presented the License Sales Report for the month of February 2018. The total revenue for the end of February is down 2%.

Highlights of Thompson's report are listed below:

- Resident License Sales – down 4%
- Youth Exempt Licenses – up 25% (2,500 licenses purchased by the Foundation since July)
- Resident Waterfowl stamps – up by 469
- Non-resident licenses – up \$36,000
- NR Small Game Hunting – up 2%
- NR 7 Day Small Game – up 4%
- NR All Game – up \$60,000
- WMA Permits – up
- Permit category – over \$40,000
- Lifetime Licenses – up 7%

WILDLIFE

Chronic Wasting Disease (CWD) Update

Russ Walsh, Wildlife Executive Staff Officer, presented a handout to each Commissioner with information on the current CWD Response Operation. A total of 183 samples were taken in the hot zone and currently test results reveal 158 “not detected” and 25 “pending”. Test results are not labeled as “negative” since the deer could be in the early stages and undetectable.

Next step is more sampling. A portion of the ten-mile hot zone is flooded right now and has delayed sampling in that area. Road kill is also sampled across the state.

A public meeting on CWD was held in Vicksburg on Monday, March 19, 2018. There were over 300 attendees and over 10,000 views of the meeting on-line. Two experts in CWD were brought in for the meeting--Dr. Margaret Wild, National Park Service Chief Veterinarian in Colorado and leading expert in CWD, and Cory Gray, Chief Research Coordinator with Arkansas Game and Fish Commission. They explained what is being done in their states and the latest science. Arkansas spent over a million dollars the first year and two million the next two years on CWD testing. They have collected over 23,000 samples.

Discussion followed on how to stop CWD. The experts at the Vicksburg meeting stated that reducing density of populations is the number one priority.

PROPOSED Rule - 40 Miss. Admin. Code Part 2, Chapter 5 – Alligators

Ricky Flynt, Wildlife Alligator/Furbearer Coordinator, presented the following proposed alligator rule changes for the 2018 Alligator Hunting Season on public waters and private lands in Mississippi. A press release will be issued with the proposed changes and the public will have a 30-day comment period.

Before getting to the changes Flynt announced that the electronic selection process used last year will be used again this year. A random drawing of applicants will be conducted by an outside third party with only the customer ID numbers revealed (no names listed). Public response last year was overwhelmingly positive with this method.

Specific language changes to the rules are detailed below:

• **Rule 5.2 – Private Lands Alligator Season**

1. Season opens 12 noon August 31 and ends 6 a.m. September 24, 2018
2. The Alligator Harvest Report must be submitted to the Department no later than 48 hours after the season closes.
3. Capture and Dispatch Methods
 - a. During daylight hours: No shotgun ammunition other than slugs, #6, #7, #7.5, #8, and #9 size shot or smaller may be in possession of the hunting party.
 - b. During nighttime hours: Firearms used for dispatching an alligator during nighttime hours are restricted to long-barreled, shoulder-fired shotguns with only shot size #6, #7, #7.5, #8, or #9 ammunition and bangsticks chambered in .38 caliber or larger. All shotguns must be cased and unloaded at all times until a restraining line has been attached to the alligator. No rifles or pistols are allowed.

• **Rule 5.3 – Public Waters Alligator Season**

1. Season opens 12 noon August 31 and ends 12 noon September 10, 2018
2. Tuchla Lake (Holmes County) in the West Central Zone was added this year.
3. Firearms used for dispatching an alligator are restricted to long-barreled, shoulder-fired shotguns with only shot size #6, #7, #7.5, #8, or #9 ammunition and bangsticks chambered in .38 caliber or larger. No pistols or rifles allowed.

ACTION: By motion of Commissioner Taylor and seconded by Commissioner Mounger, the Commission unanimously approved PROPOSED Alligator Rules 5.2, and 5.3.

Wildlife Bureau Awards

Russ Walsh presented the following Wildlife awards to personnel who had exhibited outstanding performance and work ethic over the past year. Each awardee was presented a plaque and gift certificate in recognition of their efforts. Commission recognition and applause followed each presentation.

- 2017 Wildlife Biologist of the Year - Robert Tankesly
- 2017 WMA Manager of the Year - Jerry Woods

FISHERIES

Larry Pugh, Director of Fisheries Bureau, presented four proposed rule changes. Listed below is a summary of the changes.

A press release will be issued with the proposed changes and the public will have a 30-day comment period.

PROPOSED Rule- 40 Miss. Admin. Code Part 3, Chapter 1 – General Fisheries

- **Rule 1.3 – Regulations regarding Sport Fishing**
 1. Clarified that all game fish caught in dip or landing nets, cast nets, boat mounted scoops, wire baskets, minnow seines and minnow traps must be released alive immediately upon capture.
 2. Legalized the use of bow and arrow, cross bow, spear and gig to harvest non-native species.
 3. Stated the sale of fish captured in minnow seines and minnow traps requires a commercial fishing license.
 4. Prohibited the taking of fish from non-biodegradable structures during hand grabbling season.
 5. Removed “full name” for license holders from the tagging requirement for crawfish traps and freshwater shrimp traps; just MDWFP number.
 6. Required that to run another person’s gear, you must have written consent to do so on your person and the written consent must include the full name, phone number, and MDWFP number of the person who owns the gear.
- **Rule 1.4 – Statewide Creel Limits**
 1. Removed the provision that allows the harvest of five (5) crappie under the 11-inch minimum length limit at Lake Washington and the 10-inch minimum at Moon Lake.
 2. Reduced creel limit for largemouth bass from 30/day to 10/day at Tippah County Lake, Tombigbee State Park Lake, and Lake Lowndes State Park Lake (statewide bag limit).
 3. Changed largemouth bass slot limit from 16-22 inches to 18-24 inches at Lake Lamar Bruce.
 4. Changed largemouth bass slot limit from 14-22 inches to 16-24 inches at Lake Monroe.

5. Removed the provision that allows the harvest of two (2) bass under the 15-inch minimum length limit at Lake Washington.

PROPOSED Rule- 40 Miss. Admin. Code Part 3, Chapter 2 – State Fishing Lakes and Community Fishing Assistance Program Lakes

- **Rule 2.1 – Regulations regarding State Fishing Lakes**
 1. Increased camping fees and language, including voucher issuance, to mirror State Park Rule.
 2. Added language limiting shower usage to those who possess a valid permit.
 3. Clarified that hunting/trapping is not allowed at state lakes, except waterfowl hunting at Neshoba County Lake and Lake Bogue Homa (already legal).
 4. Added language closing Lake Mary Crawford.
 5. Added language concerning tree removal on state property (same as Parks).
- **Rule 2.2 – Regulations regarding Community Fishing Assistance Program Lakes**
 1. White's Creek Lake (Eupora) –reduced daily bag limits for bass, bream, and crappie; changed length limit on bass to 15-in MLL (increased fishing effort and harvest are extremely high; few harvestable size bream and bass)
 2. Bear Pen Park Lake (Cleveland) – reopen lake on July 15, 2018, with reduce creel limits.

ACTION: By motion of Commissioner Cossar and seconded by Commissioner Mounger, the Commission unanimously approved proposed changes to Fisheries' Rules 1.3, 1.4, 2.1, and 2.2 as presented.

LAW ENFORCEMENT

Law Enforcement Update

Col. Steve Adcock, Chief of Law Enforcement, presented a handout which highlighted citations, shooting range attendance, flooding at Moon Lake, Sunflower WMA, and Mahannah WMA Headquarters, and McIvor Phase II Shooting Range construction update. In the past few weeks officers have been collecting samples for CWD testing. Officer Tom Bowman attended the National Wildlife Turkey Federation (NWTf) Banquet and was presented the 2017 Officer of the Year Award.

License Reinstatement Requests

Colonel Adcock presented the following two license reinstatement requests. Both violators had taken their Hunter Education classes and paid their fines. Adcock asked that each come forward and state the circumstances of their arrest before the Commission. Following each statement a motion was made by the Commission.

- *Andrew Bird, Saucier, MS*

Bird stated that he made a mistake in January 2016 and was embarrassed to come before the Commission. He had been squirrel hunting with a friend and they were on their way home when a deer was spotted around dusk. He knew better but pulled out his .22 caliber gun. He positioned his gun by leaning over his friend to the opposite window of the truck cab and shot the deer from his seat. He knew what he was doing was wrong. He had always been an avid hunter and obeyed the laws, until now. The deer was loaded into the truck and taken home. An officer appeared at his house and he truthfully responded to his questions. He was arrested, spent five days in jail, his gun confiscated, paid \$3,500 in fines, and worked 60 hours of community service at the wildlife shooting range. This arrest also hurt his baseball scholarship. Because his little brother looks up to him, he wanted to demonstrate that he could do the right thing. Bird stated that this incident had definitely changed him and if the Commission would grant him this opportunity to hunt again, he would not take advantage of it.

Col. Adcock recommended the Commission restore his license at this time with the understanding that if he receives another violation, his license will be rescinded for the entire three years.

MOTION: Upon motion of Chairman Wagner and seconded by Commissioner Taylor, Bird's license was reinstated by unanimous consent with the stipulation that he will serve the entire three years for a second citation.

The Chairman acknowledged that Bird gave the most honest and sincere statement that he had heard in the past five years. The rest of the Commission agreed.

Dr. Polles questioned Bird on his gun and discovered that it had not been returned. Counsel agreed to check into his paperwork and see that Bird's gun is returned.

- *William Haygood, Liberty, MS*

Haygood was arrested in December 2016 for spotlighting. He held the light while a friend shot the deer. He and his friend lied to the authorities when questioned the first time. He was originally fined \$8,000; however, two fines were reduced, and he ended up paying \$5,000. His friend was fined \$20,000 and his fines were reduced to \$13,000.

Col. Adcock made the same recommendation, which is to restore his license with the understanding that if he receives another violation, his license will be revoked for the entire three years.

MOTION: Upon motion of Commissioner Mounger and seconded by Commissioner Cossar, the Commission unanimously voted to approve reinstatement of Haygood's license with the stipulation that he will serve the entire three years for a second citation.

OTHER BUSINESS

Financial Report

Jennifer Head, Director of Parks, handed out two reports to the Commission--the February Profit and Loss Report for FY17 & FY 18. The reports revealed consistent revenue, more grant funds, less expenses in FY18 than FY17. The Commission will receive this report on a quarterly basis.

No questions or comments were received by the Commission.

Executive Orders

Counsel advised the Commission that two Emergency Flood Plans were implemented by Executive Order on February 23, 2018 and February 28, 2018. In order to clarify that the Executive Director was acting on behalf of the Commission, a vote ratifying the following Executive Orders would be required to be spread upon the minutes for posterity.

- Emergency No-Wake Zone: Moon Lake, Coahoma County, Mississippi
- Temporary Suspension of all Recreational Boating Activity: Lakes along the Mississippi River

ACTION: By motion of Commissioner Taylor and seconded by Commissioner Cossar, the Commission unanimously ratified all actions to date on the Emergency Flood Response Plans. Signed copies of the two Executive Orders which were ratified have been appended to the minutes.

Exemption Request on Chronic Waste Disease Response (CWD) Plan

Senator Philip Moran, Chairman of the Senate Wildlife, Fisheries, and Parks Committee, requested clarity on an exemption request made by a deer enclosure which would complete a two-year contract that was approved by the Commission last year to transfer deer from one enclosure to another.

The Director informed the Commission that the CWD Response Plan, adopted by the Commission in September 2017, calls for the closure of deer movement in the state based on finding CWD. This request for exemption was received and denied based on the rules of the CWD Response Plan.

Discussion followed and questions were asked by the Commission on whether to allow an exemption. It was noted that this facility has complied with MDWFP requests for testing; however, this alone does not mean that this facility is safe. A MDWFP biologist stated that the federal government USDA program developed testing protocol to determine if such facilities could be labeled as a CWD-free facility. However, six states acquired CWD from USDA branded CWD-free enclosures. There is no CWD program that can guarantee a facility is safe.

Motion: Commissioner Cossar made a motion to lay this request on the table, subject to call, until the Commission received additional information, at which time, a Special Commission Meeting

would be called to render a decision whether to make this one exception. Commission Taylor seconded the motion and the motion unanimously carried.

NEXT MEETING DATE

Next Commission meeting date was set for Wednesday, April 18, 2018 at North Mississippi Fish Hatchery & Visitor Center in Enid, MS. The Educational Session will begin at 9:00 a.m. and the Business Session at 10:00 a.m.

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 to discuss transactions in real property.

ACTION: Commissioner Cossar made a motion to close the meeting to determine the need for Executive Session to discuss transactions in land. Commissioner Mounger seconded the motion and the Commission voted unanimously to close the meeting.

Counsel announced to those present that the meeting was now closed to determine the need for Executive Session to discuss transactions in real property.

ACTION: Commissioner Taylor made a motion to enter Executive Session to discuss transactions in real property. Commissioner Cossar seconded the motion and the Commission voted unanimously to enter Executive Session.

Counsel announced to those present outside the meeting room that the Commission had entered Executive Session to discuss transactions in land.

Dr. Polles updated the Commission on several pending land purchases.

There were no more land matters to discuss.

There being no further items for discussion in Executive Session, Commissioner Taylor made a motion to open the meeting. Commissioner Cossar seconded the motion and the Commission voted unanimously to open the meeting.

Counsel announced to any members of the public outside the meeting that the Commission had exited Executive Session and opened the meeting. Counsel also announced that no official actions or votes had been taken on the items discussed.

ADJOURNMENT

There being no further business before the Commission, Chairman Wagner gaveled the meeting into adjournment.



Clay Wagner, CHAIRMAN

4/18/18

Date



Bill F. Cossar, VICE CHAIRMAN

4/18/18

Date

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, & PARKS

In Re: Emergency No-Wake Zone: Moon Lake, Coahoma County, Mississippi

EXECUTIVE ORDER

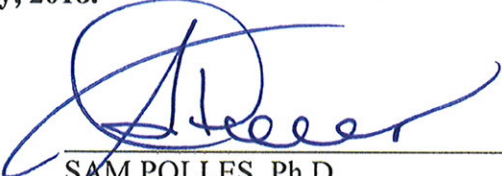
PURSUANT TO the authority set forth in MISS. CODE ANN. §59-21-111(1), *et. seq.*, the Mississippi Commission on Wildlife, Fisheries, and Parks, as successor to the Mississippi Boat and Water Safety Commission, is declaring a temporary No-Wake Zone, on Moon Lake in Coahoma County.

Due to heavy rains and high volume of runoff waters, the Moon Lake water level has reached a high water level that is hazardous to private landowners and the public who own or utilize pier structures along the lake shores, where boat traffic creates wakes that may damage such property or injure persons on such piers.

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 Moon Lake, Coahoma County, Mississippi, such that any and all boat traffic shall operate in a “dead slow – leave no wake” manner so as not to create any wake on Moon Lake. This No-Wake Zone declaration shall continue in full force and effect until such time as the waters shall recede to a level where normal wakes no longer threaten the properties and piers along the shores.

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

SO ORDERED, this the 23rd day of February, 2018.

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

SAM POLLES, Ph.D.
EXECUTIVE DIRECTOR

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, & PARKS

***In Re:* Temporary Suspension of all Recreational Boating Activity; lakes along the Mississippi River**

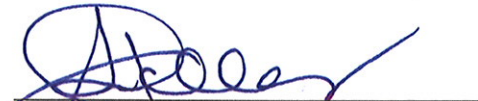
EXECUTIVE ORDER

PURSUANT to the authority set forth in MISSISSIPPI CODE ANNOTATED §59-21-111 *et. seq.*, the Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, with the approval of the Commission, hereby orders the suspension of all recreational boating activity on the lake or lakes listed below, due to the emergency flooding situation that currently exists along the Mississippi River. The Corps of Engineers has determined that an exigent condition of high water exists, and that it may need to manipulate certain water control structures along the Mississippi River, in order to manage these water levels. This suspension of privileges applies **ONLY** to recreational boating and not to any boating activity that must be employed for the safe transportation of persons to and from a home or dwelling or other legitimate purpose. Any boating activity during the suspension period shall be conducted in a reasonable manner, minimizing any wake created (also known as “dead slow”), or otherwise conducted to minimize any negative effects on surrounding property. The lake or lakes set forth below shall remain closed to recreational boating only, until further notice:

LAKE: Moon Lake, Coahoma County, Mississippi

IT IS FURTHER ORDERED, That this order shall extend to boating activities for all tributaries and related bodies of water along the Mississippi River, currently experiencing rising backwaters, as a result of the rising Mississippi River. In order to protect and ensure the health, safety and welfare of the general public, and protection of private property, any boating shall be conducted according to a “Dead Slow; Leave No Wake,” standard, until further notice. Failure to comply with this order may subject an individual to criminal liability.

SO ORDERED, this the 27th day of February, 2018.



Sam Polles, Ph.D.
Executive Director