

# MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Thursday, January 14, 2016

11 a.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; Robert Cook, Deputy Executive Director; Larry Castle, Director of Technical Programs; 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 one day 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.

Having determined that a quorum was present, the Chairman opened the floor to the business on the agenda.

## MISSISSIPPI RIVER FLOODING and HUNTING SEASONS

The Executive Director requested the Special Meeting of the Commission to update them on the high water event along the Mississippi River, to report on the closure of hunting seasons in the affected areas, and to discuss expansion of the closed areas southward below Vicksburg.

The Chairman opened to floor for discussion.

Dr. Polles and Colonel Adcock reported on the flooding and the agency's efforts in the closed areas. The Chief reported several noteworthy cases that had been made against persons who violated the closure order and were hunting animals that had been driven out of the flooded areas.

Both Dr. Polles and Colonel Adcock advised the Commission that flooding was expected to occur further south, below Vicksburg. The administrative rule for high water closings [40 Miss. Admin. Code, Part 4, Rule 1.5] does not provide for closing hunting seasons south of Vicksburg during high water events. Dr. Polles asked the Commission to supplement its December 29, 2015, order authorizing hunting season closures, with a new order authorizing closures outside of the area contemplated in the rule.

**MOTION:** Commissioner Wagner made a motion that the Commission amend its order of December 29, 2015. And further authorize the Executive Director to close hunting seasons in any additional areas affected by Mississippi River flooding, to include areas south of Vicksburg to the state line. Commissioner Deviney seconded the motion, and it was adopted, unanimously.

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 January 14, 2016, at the request of the Executive Director of the Mississippi Department of Wildlife, Fisheries, and Parks (“MDWFP”), and the members of the Commission, to expand the areas where hunting has been or will be suspended and/or closed, in and on 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 rise, and continue to rise, to flood stage and beyond;

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;

WHEREAS, the Mississippi River has continued to rise and inundate the lands beyond its banks, and beyond the scope of the above-referenced rule.

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 any open season for hunting, except for waterfowl, along the Mississippi River, and extending southward to the state line. The areas to be closed shall be at the discretion of the Executive Director and the time for closing any additional areas shall be at the discretion of the Executive Director.

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.

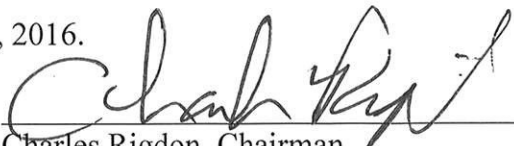
THE EXECUTIVE DIRECTOR is further authorized to move Law Enforcement personnel and assets into the affected area to enforce the season closure and to provide for the health, safety, and welfare of the public.

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.

IT IS THE INTENTION OF THE COMMISSION that this order shall expand upon and be in addition to, the terms and conditions of that certain Order of the Commission, dated December 29, 2015, authorizing closure of hunting seasons. This order is intended as a

supplement thereto, and shall not be construed as superseding or replacing the terms and conditions of the prior order.

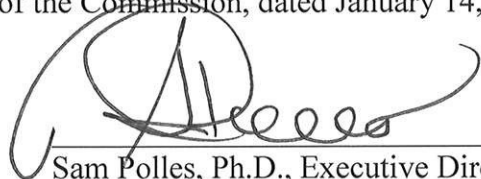
SO ORDERED, this the 14th day of January, 2016.



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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 January 14, 2016.



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

**By previous order of the Commission on Wildlife, Fisheries, and Parks, the following areas along the Mississippi River, have been closed to hunting any wild animals, including wild hogs, but not including waterfowl:**

**Zone 1:** DeSoto, Tunica and Coahoma Counties – lands 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.

**Zone 2:** A. Coahoma, Bolivar and Washington Counties – lands 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.

B. Bolivar County – lands which lie south of Highway 444, west of Snake Creek and Bogue Phalia Creek, and north of Highway 450, when the Mississippi River 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.

**Zone 3:** Washington and Issaquena Counties – lands 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.

**Zone 4:** Issaquena, Sharkey and Warren Counties – lands 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.

In addition, on January 11, 2016, the following areas for closure of hunting season(s) were added:

**Zone 4. B:** Sharkey, Humphreys, Yazoo, Issaquena, Warren counties - lands which lie south of Highway 14, west of Highway 149, south of Highway 16 / 149, west of Highway 3, and east of Highway 61 when the Mississippi River level reaches forty-three (43) feet on the Vicksburg, MS gauge AND the Steel Bayou Landside gauge reaches ninety (90) feet and shall remain so until the Mississippi River level falls to or below forty-one (41) feet on the Vicksburg gauge AND the Steel Bayou Landside gauge falls to or below eighty-eight (88) feet.

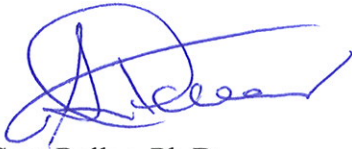
**NOW, PURSUANT to the Order of the Commission, dated January 14, 2016, the following areas are hereby closed to hunting of any wild animals, except waterfowl, and including wild hogs, as follows:**



BEGINNING at the close of legal hunting hours on Sunday, January 17, 2016, from Vicksburg, south to Port Gibson - all lands lying west of Highway 61; from Port Gibson, south to Highway 84 in Natchez - all lands lying west of the Natchez Trace; from Highway 84 in Natchez, south to the state line, all lands lying west of Highway 61.

The open seasons for hunting (including wild hogs), except waterfowl hunting, shall be closed until the water levels fall to a safe level, or until the end of the regularly scheduled hunting season – whichever comes first.

Should water levels exceed predictions, these closures may be adjusted as needed.

A handwritten signature in blue ink, appearing to read 'S. Polles', with a large circular flourish at the beginning and a checkmark-like stroke at the end.

Sam Polles, Ph.D.

Executive Director

Mississippi Department of Wildlife,  
Fisheries, and Parks.

# 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 Thursday, January 14, 2016, in Jackson, Mississippi, at 11 A.M. At this special meeting, the Commission will take up only the anticipated danger to wildlife caused by rising floodwaters of the Mississippi River and possible closure of deer season. 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 13<sup>th</sup> day of **January, 2016.**

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

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





## 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:** Teleconference Meeting of Commission

**Date and Time:** 1/14/2016 11:00:00 AM

**Description:**

The Commissioners will be attending electronically from remote locations to discuss the anticipated danger to wildlife caused by rising floodwaters and the possible closure of deer season.

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### MEETING LOCATION

1505 Eastover Drive  
Jackson MS 39211

[Map this!](#)

### CONTACT INFORMATION

Sharon Polzin  
601.432.2009  
[sharonp@mdwfp.state.ms.us](mailto:sharonp@mdwfp.state.ms.us)

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## MS Wildlife, Fisheries & Parks

### Commission Teleconference Meeting

Thursday January 14, 2016 11 AM

Location: 1505 Eastover Drive Jackson, MS 39047

County: Hinds

For more information please contact Sharon Polzin at 601.432.2009.

[sharonp@mdwfp.state.ms.us](mailto: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 Thursday, January 14, 2016, in Jackson, Mississippi, at 11 A.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.

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