

MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES, & PARKS

Thursday, June 22, 2023

9:00 AM Business Session

Clarkco State Park Lodge, County Road 170, Oakland, MS 38948

BUSINESS SESSION MINUTES

PRESENT: Chairman Bill F. Cossar and Commissioners William Mounger II, Leonard Bentz, and Gary Rhoads. Commissioner Scott Coopwood attended by means of telecommunication.

Among the MDWFP staff attending were Executive Director Lynn Posey, Larry Pugh, Curtis Thornhill, Brian Ferguson, Lt. Col. Scottie Jones, Russ Walsh, Amy Blaylock, Jerry Brown, Jason Thompson, Andre´ Hollis, Doug Mann, and Drew Malone, Special Assistant Attorney General. The Chairman welcomed guests watching the live stream video and special guests attending, Mississippi Legislators - Senator Jeff Tate, Representative Troy Smith, and Representative Billy Calvert, and Miss Hospitality of Clark County, Nya Nobles.

OPENING PRAYER

Chairman Cossar requested that Jason Thompson, Director of Administrative Services, open the meeting with prayer.

MINUTES

ACTION: Upon motion by Commissioner Bentz and seconded by Commissioner Rhoads, the Commission meeting minutes of May 18, 2023, were unanimously approved.

AGENDA

Executive Director Lynn Posey requested that the following items be added to the agenda:

- Under "Other Business" add Executive Order: Natchez State Park Lake
- Executive Session will be needed to discuss personnel issues and possible transactions in land purchases.

ACTION: Upon motion by Commissioner Bentz and seconded by Commissioner Mounger, the Commission unanimously approved the meeting agenda of June 22, 2023, as amended.

PUBLIC COMMENTS

Chris Crowe, WFP Heritage 100 member – Mr. Crowe recommended that the Commission use their influence by bringing recommendations before the Legislature at the next session concerning restitution and trespassing rules and regulations. He also wanted to emphasize the important role that the private landowners and lease holders play in game management and enhancement of wildlife habitat.

Eddie Briggs, former Mississippi Lt. Governor, and Senator – Briggs and his wife, Becky Briggs (WFP Foundation Board Member), were both present. Mr. Briggs came forward with his insights and recommendations concerning current hunting laws and changes that need to be addressed. Briggs suggested that the Commission consider adding landowner tags for turkey hunting, which provides incentives for landowners to enhance wildlife habitat. Technology advancements being used for hunting and fishing, like thermal, drones, and live scopes, are areas of concern. The laws on the books do not deter violators from infringing onto the private property owners' land and hunting wildlife that the property owners have nurtured. The culture now is to "poach and pay". Briggs asked the Commission to consider Restitution, like so many other states, which makes trespassing and violating wildlife laws a serious offense.

LICENSE SALES REPORT

Jason Thompson, Director of Administrative Services, presented the License Sales Report for the month of May 2023. The total revenue for the end of May was up 5% (\$969,000) compared to May 2022.

Highlights of his report are listed below:

- Resident license sales – up \$12,000
- RES WMA User Permit – up 3%
- RES Senior Exempt – up 8%
- Non-resident license sales – up 9% (\$973,000)
- NR All Game – up \$66,000
- NR Small Game Hunting Annual – up 7%
- NR 7-day Small Game – up 7%
- NR WMA User – up 6%
- NR Freshwater Fishing – up \$18,000
- Other Licenses – up 5%
- Lifetime License category – down 2%

The sale of license packages are up 3,200 from last year.

PUBLIC COMMENTS (Continued)

Commissioner Bentz requested Public Comment time for Representative Troy Smith and Representative Billy Calvert.

Representative Troy Smith - Predators are a bigger problem than man. Rep. Smith asked how we can provide incentives for bounty hunters to trap again. The attorney advised Rep. Smith that the Commission does not have statutory authority. This would have to come from the Legislature. Rep. Smith is ready to meet with MDWFP and get a legislative bill started.

Representative Billy Calvert – Rep. Calvert brought forward discussion on wild hogs and for the Commission to make recommendations to help with this problem, too.

Discussion followed on getting funding for some of these problems through the Outdoor Stewardship Trust Fund. Representative Calvert was ready to get started on a solution.

Chairman Cossar apologized for not recognizing the "Friends of Clarkco" and thanking them for hosting a breakfast for the Commissioners prior to the meeting. A round of applause followed.

FISHERIES

FINAL – 40 Miss. Admin. Code Part 3, Chapter 4 – Freshwater Fishing Guides and Outfitters

Jerry Brown, Director of Fisheries, passed out a summary of public comments received over the past 30 days in response to the PROPOSED Freshwater Fishing Guides and Outfitters rules.

- **Rule 4.1 – Definitions**

No changes were made to Rule 4.1 and Brown recommended approval.

ACTION: Upon motion made by Commissioner Mounger and seconded by Commissioner Bentz, the Commission approved FINAL passage of Rule 4.1 as presented by staff.

- **Rule 4.2 – Regulations regarding Freshwater Guides & Outfitters**

Brown stated that based on the 22 public comments, he recommended amending Rule 4.2 and changing the Resident Freshwater Guides and Outfitters fee from \$1,000 to \$500 charge. A second change was made in Section B.1. on CPR and First Aid to add the American Heart Association, as well as the American Red Cross, for their certification and training.

ACTION: Upon motion made by Commissioner Bentz and seconded by Commissioner Mounger, the Commission approved FINAL passage of Rule 4.2 as amended by staff.

- **Rule 4.3 – Boat License/Decal**

No changes were made to Rule 4.3 as Proposed at the last meeting and no comments were received. Brown recommended approval.

ACTION: Upon motion made by Commissioner Bentz and seconded by Commissioner Mounger, the Commission approved FINAL passage of Rule 4.3.

WILDLIFE

Chronic Wasting Disease (CWD) Zone Change

Russ Walsh, Chief of Staff for Wildlife, presented a handout, "June 2023 CWD Update" to the Commission. Highlights of his report are reported below:

- 73 positive CWD detections for the current sampling year
- A total of 207 CWD detections statewide since February 2018
- 10 Mississippi counties have reported CWD positive results.
- Taxidermy has been a good program for providing samples.
- Samples in Benton County (1 in 5 bucks tested positive) and Marshall County (1 in 10 bucks tested positive)
- 31 of 50 states have positive CWD detections.
- Research at Mississippi State University (MSU) is promising:
 - Soil sample from scrapes in Benton & Claiborne Counties has found CWD prions.
 - Licking branch sample detected CWD prions.
 - Hopeful that this research will be of value in finding CWD early.
- Research has shown certain deer carry the disease longer with no symptoms, but none are immune to catching CWD and the resulting mortality.
- Maps of CWD in Mississippi and surrounding states were viewed.

The most recent CWD detection was in December 2022 in Tunica County. This was the first detection in Tunica and based on the CWD Management Plan, this would involve banning supplemental feeding in all counties within a ten-mile radius from the site where the infected animal was discovered. The ten-mile radius of this deer would mean three counties, Tunica, Coahoma, and Quitman, would all be banned from supplemental feeding. The Management Plan requires that the ban be imposed on an entire county, even if only a few square miles fall within the ten-mile circle. Discussion followed.

ACTION: Commissioner Rhoads made a motion to revise the CWD Management Plan as follows:

When a CWD infected animal is discovered, this location will remain the reference point and a ten-mile radius, as defined by roads, highway, waterways, etc., will be used for the supplemental feeding ban, instead of including an entire county as previously outlined by the CWD Management Plan.

Commissioner Coopwood seconded the motion and the motion passed with a vote of three, Commissioners Rhoads, Coopwood, and Cossar in favor, Bentz voted no, and Mounger abstained due to a conflict.

MUSEUM

PROPOSED – 40 Miss. Admin. Code part 2, Chapter 8 – Regulations regarding Animals in Captivity and Enclosures

- **Rule 8.3 – Regulations for Animals Inherently Dangerous to Humans**

Charles Knight, Director of the MS Museum of Natural Science, presented the following changes to Rule 8.3, which ensure Mississippi regulations are consistent with federal regulation changes in the 2022 Lacey Act.

A. INTRODUCTION

1. a. It is unlawful for any person to import, export, transport, receive, transfer, sell, purchase, acquire or possess by intrastate, interstate, or foreign commerce, any wild animal classified as inherently dangerous by law or regulation unless that person holds a permit or is exempt from holding a permit.
- b. Effective December 20, 2022, with the enacting of the *Big Cat Public Safety Act*, 16 U.S.C. § *et. seq.*, by the United States Congress, no new permits for the transfer or possession of members of the order *Carnivore*, family *Felidae*, or “big cats,” will be issued. Pursuant to the terms of the Act, all current permittees/owners of big cats must register the animals with the U.S. Fish & Wildlife Service, by or before June 18, 2023. More information regarding registering big cats and/or exceptions to the prohibition contained in the Act, may be found on the U.S. Fish & Wildlife Service’s website at: <https://www.fws.gov/what-you-need-to-know-about-big-cat-public-safety-act>.
- c. All other provisions of this rule regarding *Carnivora Felidae* are and shall remain in full force and effect for current “big cat” permittees.

ACTION: Upon motion made by Commissioner Bentz and seconded by Commissioner Coopwood, the Commission approved FINAL passage of Rule 8.3 as presented by the staff.

Commissioner Mounger had to physically leave the meeting but resumed his participation via telecommunication.

LAW ENFORCEMENT

Law Enforcement Update

Lt. Col. Scottie Jones, Assistant Chief of Law Enforcement, reported that during the month of May there were a total of 870 citations issued with "No License" being number one, "No Boat Registration" was number two, and "No Boat Certification" was a third.

The Memorial Day Weekend report for May was reviewed. MDWFP Law Officers did an outstanding job enforcing the law. Officers interacted with over 2,400 boats during that time. Officers issued 14 BUI citations, 77 license violations, 43 boating certificate violations and 64 non-boating violations during Memorial Day Weekend. Warnings were issued for 64 boating violations.

Shooting range customer counts:

McIvor – 578; Turcotte – 728; and McHenry – 510.

Jones also updated the Commission on the number of sworn officers under the MDWFP umbrella and history of cadets and positions vacated over the past 4 years.

OTHER BUSINESS

Resolution – Authorizing Expenditure of Funds from the Wildlife Heritage Fund for the Purchase of Land in Scott County, MS

A resolution was presented by Doug Mann, Executive Staff Officer, for Commission approval which would authorize the expenditure of funds from the Wildlife Heritage Fund to purchase land in Scott County, Mississippi.

ACTION: By motion of Commissioner Bentz and seconded by Commissioner Coopwood, the Commission unanimously approved the Resolution authorizing the use funds from the Wildlife Heritage Fund for the purchase of land in Scott County, MS. A copy of the Resolution has been appended to the minutes.

Executive Order – Closure of Natchez/Bob Dearing State Park Lake

Mr. Mann advised the Commission that pursuant to the request of the Fisheries Bureau and pursuant to the authority set forth in Miss. Code Ann. §49-1-29(i), Executive Director Lynn Posey ordered the closure of the Natchez/Bob Dearing State Park Lake effective June 22, 2023, to bank and/or pier fishing, as the lake is being drained for repairs and renovation. It was further ordered that the lake would be closed to all fishing and recreational activities effective July 5, 2023, until repairs and renovation are complete, at which time, by subsequent order, the lake will be re-opened.

ACTION: By motion of Commissioner Bentz and seconded by Commissioner Mounger, the Commission unanimously ratified the Executive Order to close the Natchez/Bob Dearing State Park Lake as signed by the Executive Director.

Election of Commission Officers

ACTION: Commissioner Rhoads nominated Commissioner Bill Cossar as the new Commission Chairman beginning July 1, 2023. Commissioner Bentz seconded the nomination. There were no other nominations. The Commission voted unanimously to approve Bill Cossar as Chairman beginning July 1, 2023.

ACTION: Commissioner Rhoads nominated Commissioner Coopwood as the Vice Chairman beginning July 1, 2023. Commissioner Bentz seconded the nomination. There were no other nominations. The Commission voted unanimously to approve Scott Coopwood as Vice Chairman beginning July 1, 2023.

NEXT MEETING DATE

Date: Thursday, July 13, 2023

Time: 10:00 AM

Location: The Grand Hotel (Ballroom), 111 North Broadway St., Natchez 39120

EXECUTIVE SESSION

The Executive Director stated that there was a need to go into Executive Session.

ACTION: Commissioner Coopwood made a motion to close the meeting to determine the need to go into Executive Session. Commissioner Bentz seconded the motion and the Commission voted unanimously to close the meeting.

The attorney announced to those present that the meeting was now closed to determine the need to go into Executive Session.

The meeting was closed. Discussion was held and it was determined that there was a need to enter into Executive Session to discuss personnel matters and possible land purchases.

ACTION: Commissioner Rhoads made a motion to enter into Executive Session to discuss Commissioner Bentz seconded the motion and the Commission voted unanimously to enter Executive Session.

The attorney announced to those present that the Commission had entered into Executive Session to discuss personnel matters and possible land purchases.

Art Kennard, MDWFP Lands Coordinator, updated the Commission on certain tracts of land for sale or which were in the process of making offers to purchase.

Upon motion by Commissioner Mounger and seconded by Commissioner Rhoads the Commission unanimously voted to authorize the Department to pursue and complete the purchase of certain lands adjacent to existing MDWFP property.

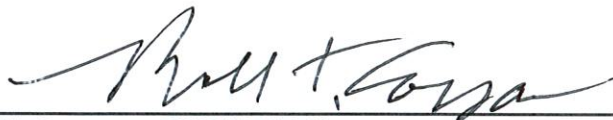
Director Posey also discussed with the Commission the need to raise certain salaries within the agency. Specifically, the Commission sets the salary of the Chief of Law Enforcement. Upon motion by Commissioner Mounger and seconded by Commissioner Rhoads the Commission unanimously voted to authorize the Director to initiate the process necessary to raise the salary of the Chief of Law Enforcement.

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

The attorney announced to the public that the meeting was now open and that during Executive Session the Commission voted to purchase certain tracts of land and pursue other tracts of land for possible purchase and handled a personnel issue.

ADJOURNMENT

There being no further business before the Commission, Commissioner Bentz moved to adjourn, seconded by Commissioner Rhoads, and the motion carried. Chairman Cossar gaveled the meeting into adjournment.



Bill Cossar, CHAIRMAN


Date

Scott Coopwood, VICE CHAIRMAN


Date

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

**In Re: Authorizing expenditure/transfer of funds from the Wildlife Heritage Fund to
 purchase land in Scott County, Mississippi.**

RESOLUTION and ORDER

WHEREAS, Pursuant to the terms of MISS. CODE ANN. §49-5-61, the Commission on Wildlife, Fisheries, and Parks (the “Commission”) as successor to the Wildlife Heritage Committee, and in that capacity, is desirous of expending to purchase certain lands in Scott County, Mississippi;

WHEREAS, at its regular meeting of June 22, 2023, the Commission, voted unanimously to issue a check payable to Wildwood, a Limited Partnership for the purchase of approximately 289 acres in Scott County, Mississippi.

THEREFORE, Pursuant to the authority contained in MISS. CODE ANN. §49-5-83, the Commission has directed the preparation of this resolution, documenting its actions as to this specific transaction, and as a directive and/or “warrant” to make an expenditure from the Wildlife Heritage Fund, as follows:

BE IT RESOLVED: That the Commission on Wildlife, Fisheries, and Parks finds that the proposed expenditure of funds is necessary to purchase the aforementioned 289 acres of land adjacent and/or contiguous to Roosevelt State Park and located in Scott County, Mississippi, to be used as an “urban outdoor recreational area.” This purchase is in the best interest of the State of Mississippi; and that this Resolution shall serve to certify compliance with all applicable statutes pertaining to expenditures from the Wildlife Heritage Fund. Further, this resolution shall serve as a “warrant” as provided in MISS. CODE ANN. §49-5-83, “signed by the chairman of the commission

and countersigned by the executive director of the department,” directing the approved state depository to disburse funds from the Wildlife Heritage Fund, for the purpose set forth above; and

BE IT ORDERED: That, by copy of this Resolution, Trustmark Bank, approved state depository for the Wildlife Heritage Fund, is hereby authorized to make a disbursement, by certified cashier’s check or electronic transfer of funds, in the amount of Five Hundred, Twenty Thousand, Two Hundred Dollars and No Cents (\$520,200.00), payable to Lee & Lee PA, in trust for Wildwood, a Limited Partnership.

IT IS THE INTENT OF THE COMMISSION, that this resolution shall serve to document compliance with the terms and provisions of MISS. CODE ANN. §49-5-83.

SO RESOLVED AND ORDERED, by unanimous vote of the Commission, this the 22nd day of June, 2023.



Bill F. Cossar, Chairman
Mississippi Commission on Wildlife,
Fisheries, and Parks

CERTIFICATION

I, **Lynn Posey**, hereby certify that the Resolution and Order set forth above, is a true and correct Resolution and Order of the Commission on Wildlife, Fisheries and Parks, as authorized by a vote taken and spread upon the minutes of the meeting of the Commission, dated June 22, 2023, as duly noticed and conducted by law.



Lynn Posey, Executive Director
Mississippi Department of Wildlife,
Fisheries, and Parks