



ACTIONS
N.C. WILDLIFE RESOURCES COMMISSION

August 27, 2015 at 9:00 a.m.
NC Wildlife Resources Commission Headquarters
1751 Varsity Drive
Raleigh, North Carolina

Call to Order – *Commission Chairman* John Litton Clark called the N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Conference Room, 5th floor. Clark reminded everyone that the audio portion of the meeting was streaming live on the WRC website. He requested that everyone silence electronic devices during the meeting.

Pledge of Allegiance – *Commissioner* Nat Harris led the Pledge of Allegiance.

Invocation - *Commissioner* Brian White gave the invocation.

Mandatory Ethics Inquiry – Chairman Clark read the ethics inquiry mandated in North Carolina General Statute 138A-15(e). Commissioner John Coley recused himself from discussion and action related to **Exhibit M, Zone Designations in the Vicinity of Little River School, Butner-Falls of Neuse Game Land in Durham County.**

Welcome – Chairman Clark welcomed Commissioners and guests.

Administer Oath of Office to Commissioner Nat T. Harris – Commissioner Nat T. Harris, reappointed by Governor Pat McCrory, was sworn in by *Notary and Enforcement Division Administrative Secretary* Margo Minkler.

Approval of Minutes - the Commission approved the July 16, 2015 Wildlife Resources Commission minutes as presented in **Exhibit A.**

Financial Status Report - the Commission received a financial status report on the Wildlife Operating Fund and the Wildlife Endowment Fund as of June 30, 2015 from Cecilia Edgar, *Deputy Director of Finance*, presented in **Exhibit B.** The Operating Fund balance was \$11,309,747.79. The Endowment Fund balance was \$112,214,564.78. Expendable interest was \$19,791,996.57.

2015-2016 Endowment Fund Annual Interest Allocation Report – the Commission received a financial status report for the Endowment Fund. The Commission approved the allocation of interest from the Endowment Fund, presented in **Exhibit C**. One hundred percent of the interest earned from magazine lifetime subscriptions, \$271,965.73, was allocated to support *Wildlife in North Carolina* magazine. The total allocation of \$5,095,858.14 was allocated to the Wildlife Resources Fund to support fish and wildlife programs.

Notice of Reappointment – the Commission received into the Minutes **Exhibit D**, the notice of reappointment by Governor McCrory of Nat T. Harris, Jr. Mr. Harris is the District 5 Commissioner. His term expires on June 30, 2021.

Migratory Birds/Waterfowl Committee Report – John Coley, *Chair*, reported that the Committee met on August 26, 2015. Dr. David Cobb reviewed the proposed late seasons for waterfowl and falconry and the 2015 recommendations to allow the take of juvenile migrant peregrine falcons from the wild for use in falconry.

Joe Fuller provided an overview of US Fish and Wildlife Service plans for a new schedule for setting migratory bird seasons beginning in 2016. Beginning in 2016, all decisions by the USFWS will be made once a year. In June final seasons selections will be made. There is very little impact expected on seasons with the exception of brant seasons, which likely will be more conservative. Impacts for the Wildlife Commission are that the WRC will make season selections in late March or early April. The timeline for special hunts may be altered. Hunters will be able to plan much further in advance under the new schedule.

The WRC will choose the 2016 Commission meetings schedule at the October 22, 2015 meeting. Staff will meet to discuss the migratory bird season changes and required meeting date changes.

Habitat, Nongame and Endangered Species Committee Report – Mark Craig, *Chair*, reported that the HNGES Committee met on August 26. Under the WRC Augmentation Policy staff must present any species augmentation project involving listed species to the HNGES committee for their review and approval before animals can be returned to the wild.

Todd Ewing summarized the 2015 augmentation project proposals for four freshwater mussels using hatchery produced animals. The project proposals will enhance existing populations of the Triangle Floater, Atlantic Pigtoe, Carolina Heelsplitter and Tar River Spiny mussel. Staff will release them into the same stream reaches where brood stock was originally collected and the species are still found. The HNGES Committee endorsed implementation of augmentation plans for the Triangle Floater, Atlantic Pigtoe, Carolina Heelsplitter, and Tar River Spiny mussel as presented.

Joint HNGES/Big Game Committees Report – *HNGES Chair* Mark Craig reported that the joint meeting of the HNGES and Big Game Committees met on August 26, 2015. Dr. David Cobb reported on alligator status and management in North Carolina. Agency staff have met with property owners and State Parks to discuss concerns about the large alligator population at Lake Waccamaw. Management of alligators there would involve public Game Lands on one side of the lake, waters owned by NC State Parks, and private property owners around the lake.

There is a potential for regulatory proposals for management of alligators. Statutory changes and rulemaking will be required for manner of take. Consideration must be given to the relationship between alligator size and reproductive maturity, landowner goals and sportsmen goals in determining establishment of a season to take alligators. Staff will conduct more research and suggest specific guidelines before adopting any rules proposals in October for consideration at January public hearings.

The committees received a report from Dr. Cobb about the management of elk in western North Carolina. There are regulatory barriers in place for the lawful take of elk. The elk would have to be delisted as a species of special concern and be designated as a big game species, which would require statutory changes. Public lands will have to be developed for habitat and public hunting opportunities. The majority of huntable elk is on private land and studies have shown that private landowners are not likely to allow the public to hunt on their lands.

The joint committees endorsed proceeding to create pathways for establishing an elk season. Rulemaking and statutory changes will be necessary.

Big Game Committee Report – *Chairman* David Hoyle, Jr. reported that the committee received a staff report on results from the Deer Management Forums held earlier this year. Brad Howard reported that the objective of the forums is to determine management goals for deer, state-wide. Howard stated that the current deer seasons are not correct in some areas of the state. Scientific principles, management of habitat and populations, and the desires of the hunters must be considered in making changes to the deer seasons. Next steps include initiating a state-wide science-based survey of deer hunters, drawing from a subset of 250,000 hunters. Public information forums will be held state-wide. Information from the surveys and meetings will be used to guide the agency in deer management planning and regulatory strategies.

Land Use and Access Committee Report – Tom Berry, *Chair*, reported that the Land Use and Access Committee met on August 26, 2015. Isaac Harrold reviewed five Phase I projects and the committee endorsed approval by the WRC:

- Deviney Brier Creek Tracts – Cleveland and Rutherford counties
- McGee Tract – Caldwell County
- Porter Capital Corp Tract – Polk County
- Sorrells Meadow Tract – Haywood County
- Waccamaw Campbell Group Tract – Columbus County

The committee asked Isaac Harrold to prioritize possible property acquisitions to make best use of available funding.

Harrold reviewed six Phase II proposals. The committee endorsed approval by the WRC:

- Ashley Tract – Bladen County
- Graves Addition Tract – Caswell County
- Pioneer Tract – Brunswick County
- Sheepback Mountain Tract – Haywood County
- Stolting Tract – Richmond County
- Voice of America Tract – Beaufort County

Three easement requests were reviewed and the committee recommended approval by the WRC:

- Polk County – reciprocal access easements across a portion of Green River Game Land and adjacent private property
- Columbus County – request from NCDOT for easements across portion of Columbus County Game Land to facilitate two bridge improvement projects
- Burke County – request to amend an existing utility easement across portion of Johns River Game Land for purpose of correcting alignment issues

With Commissioner John Coley recusing himself from discussion or action on **Exhibit M**, Zone Designations on Butner-Falls of Neuse Game Land in Durham County, the Committee reviewed a staff recommendation to designate Safety and Restricted Firearms Zones on a portion of Butner-Falls of Neuse Game Land in Durham County. The restrictions are necessary to address Federal Law for firearm possession and use near schools.

Director Myers stated that the Voice of America Tract in Beaufort County is very important for the Henslow's sparrow, a species of special concern. The VOA sites are the only locations in the southeastern United States where this species of special concern breeds.

Tommy Hughes reported that improvements to the Texas Plantation site are on schedule. The disposition of the house on the property will be discussed at a September 22 meeting of the Land Use and Access Committee.

Erik Christofferson, *Deputy Director of Operations*, informed the Committee about the local opposition to both sites that were suggested by the WRC for a shooting range in Burke County. Christofferson stated that staff will confer with the US Forest Service about using some of their land for a shooting range site. Christofferson stated that Burke County passed a resolution asking the WRC to develop an indoor shooting range.

Chairman Tom Berry told the Committee that carbon credits were discussed in a meeting with Counsel. Updates to the LUAC will be provided as more information becomes available.

Fisheries Committee Report -Wes Seegars, *Chair*, reported that the Fisheries Committee met on August 26, 2015. Doug Besler, *Mountain Region Fisheries Supervisor*, provided an update on the recent discovery of whirling disease in the Watauga River. This is the first time that whirling disease has been found in the southern states. Besler provided an overview of the pathogen's life cycle. Staff has prepared and implemented a communications plan about the disease. Staff initiated a systematic sampling effort radiating outward from the original location to assess the prevalence of the disease within the Watauga River watershed. Staff immediately suspended trout stocking from our hatcheries until WRC hatchery fish could be tested for the disease. The Committee will receive an update at the October meeting.

Bob Curry, *Inland Fisheries Division Chief*, presented an update on management activities at Lake Mattamuskeet. A handout was provided summarizing the ongoing and future efforts by staff to address the topics identified by the Mattamuskeet Collaboration Team. The committee tasked staff to contact local news media/outlets on a regular basis (quarterly) to keep them informed of ongoing fisheries management activities.

Small Game Committee Report - Garry Spence, *Chair*, reported that the Small Game Committee met on August 26, 2015. The Committee received an update about the recent field trip to Di-Lane Plantation, an 8100-acre plantation in Waynesboro, Georgia, owned by the Georgia Department of Natural Resources. 5400 acres of the plantation have been developed as year-round suitable habitat for quail and other small game. Implications for North Carolina quail management were discussed. There is not a game land designated solely as a quail restoration area. Policy development with input from constituents, dedicated perpetual funding, equipment and staff, and a suitable parcel of land are important for success in North Carolina.

Dr. David Cobb presented a short overview of agency regulatory changes in controlled fox hunting preserves that will be needed to improve facilities, reporting, and condition of animals. The agency is statutorily required to create regulations to minimize the risk and spread of wildlife diseases. A representative from Virginia will be invited to the October committee meeting to discuss that state's program for controlled fox hunting preserves. North Carolina has more than one hundred thirty facilities.

Committee of the Whole Report – *Commission Chair* John Litton Clark reported that the COW met on August 26, 2015. Cindy Carr, *Wildlife Action Plan Coordinator*, provided a final update on the 2015 Wildlife Action Plan Revision prior to consideration of a Resolution by the WRC on August 27, endorsing the revision.

David Cobb, *Wildlife Management Division Chief*, presented Commissioners with a handout of rules proposals for hunting, trapping, Sunday hunting, listed species, Wildlife Damage Control Agents, and consideration of a permit-only alligator season prior to consideration of the rules proposals in October, to take to state-wide public hearings next January.

Bob Curry, *Inland Fisheries Division Chief*, presented a handout of rules proposals for inland fishing seasons for 2016-2017, for consideration by the Commission at the October meeting to take to state-wide public hearings next January.

Isaac Harrold, *Public Lands Manager*, presented a handout concerning rules proposals from the Land and Water Access Section for game lands, impoundments, “Day Use Only Zones” on specific portions of game lands, and horseback riding, hunting, and geocaching on certain game lands. The proposals may be adopted by the Commission at the October meeting to be taken to state-wide public hearings in January 2016.

Jenny Harris, *Marketing Director*, gave a brief overview of the upcoming SEAFWA meeting in Asheville, November 1-4, 2015. North Carolina is the host for fifteen southeastern states, Puerto Rico and the Virgin Islands. The theme is “Conserving Large Landscapes.”

Agency Spotlight – Northern Long-eared Bats: Implications of Federal Listings - the WRC received a presentation by Katherine Caldwell, *Wildlife Diversity Program Biologist*, highlighting the special provisions and implications of federal listing under the Endangered Species Act for the northern long-eared bat. White-nose syndrome has caused a 96 percent mortality rate in northern long-eared bats at 103 sites in twelve states and Canada. The USFWS recommends listing the bats as endangered. In the interim the bats are listed as threatened. Caldwell stated that this listing will allow more flexible and adaptive management. From June 1 – July 31, preventing timbering and adjusting prescribed burns will protect the bats during pup season. Protection of maternity colonies and research on hibernation sites and habitat needs will enhance efforts to attempt to keep the northern long-eared bats off of the Endangered Species list.

Wildlife Action Plan Revision Endorsement – the Commission adopted a Resolution endorsing the 2015 revision of the Wildlife Action Plan. (**Exhibit E**)

Wildlife Management Update – the Commission received an update about the activities of the Wildlife Management Division from Dr. David Cobb, *Wildlife Management Division Chief*. Dr. Cobb recognized the Wildlife Management Division Team of the Year, Brad Howard, David Sawyer, Jon Shaw, Justin McVey, Danny Ray, James Tomberlin, Rupert Medford, Jason Allen, Thomas Padgett, Greg Batts, Chris Turner, and Evin Stanford, who coordinated and contributed to the success of the Deer Management Forums. Cobb recognized Dr. Sara Schweitzer as Biologist of the Year, and Michael Mobley as Employee of the Year.

2015 – 2016 Waterfowl Season Frameworks and Public Comments – Dr. Cobb reviewed the US Fish and Wildlife Service late season frameworks and reviewed public comments regarding certain migratory waterfowl in **Exhibits F-1 and F-2**.

Adoption of 2015-2016 Late Season Migratory Game Bird Season Frameworks – the Commission adopted approved the 2015-2016 options for bag limits, shooting hours, and season dates for waterfowl seasons occurring after September 30, presented in **Exhibit F-3**:

Note: Possession limits are three times the daily bag for all seasons unless otherwise noted.

HOURS: One-half hour before sunrise to sunset.

Youth Waterfowl Days: February 6 and February 13, 2016 (youth must be age 15 or younger and accompanied by a properly licensed adult. The adult cannot duck hunt but may participate in other seasons that are open on the special youth days.) All bag limits for applicable species during the regular season apply. The youth must have a valid permit to hunt a Canada goose (NE Hunt Zone only) or a tundra swan.

Species include ducks, geese, brant, mergansers, coots and tundra swans.

REGULAR DUCK SEASON (includes coots and mergansers)

Season Length: 60 hunting days; plus 2 Youth Waterfowl Hunting Days

Season Dates: October 7-10
November 14 – December 5
December 19 – January 30
(Black duck and mottled duck season closed until November 21.)

Bag Limits:

a) **Conventional bag:** 6 ducks with no more than 4 scoters, 4 mallards with no more than 2 hen mallards, 3 wood ducks, 2 redheads, 2 scaup, 2 pintails, 1 black or mottled duck (season closed until November 21), 2 canvasbacks, and 1 fulvous whistling duck. The season on harlequin ducks is closed.

b) **Coots and mergansers:** 15 coots; 5 mergansers (2 hooded mergansers)

SPECIAL SEA DUCK SEASON (IN SPECIAL SEA DUCK AREAS ONLY)

Season Length: 105 hunting days

Season Dates: October 1 – January 30

Bag Limit: 7 sea ducks (in special sea duck areas only). In other areas, sea ducks are part of the regular duck bag limit. No more than 4 scoters per day may be taken in either season.

GOOSE SEASONS

DARK GEESE (includes Canada geese and white-fronted geese):

RESIDENT (RP) ZONE

Season Length: 78 days

Season Dates: October 7– October 17
November 14 – December 5
December 19 – February 13

Bag Limit: 5 geese per day

SOUTHERN JAMES BAY (SJB) ZONE

Season Length: 70 days

Season Dates: October 7 – November 9
November 14 - December 31

Bag Limit: 5 geese per day

NORTHEAST HUNT ZONE

Season Length: 14 days

Season Dates: January 15 – January 30

Bag Limit: 1 goose per day (with valid permit)
(unlimited permits available – tagging not required)

LIGHT GEESE (includes snow, blue and Ross' geese) – Regular Season:

Season Length: 107 Days

Season Dates: October 13 – February 13

Bag Limit: 25 birds daily (no possession limit)

LIGHT GEESE (includes snow, blue and Ross' geese) – Conservation Season:

<u>Season Dates:</u>	February 15 – March 31
<u>Bag Limit:</u>	no daily bag or possession limit
<u>Expanded hunting methods:</u>	allow the use of electronic calls, unplugged guns and extend shooting hours to ½ hour after sunset

ATLANTIC BRANT:

<u>Season Length:</u>	30 Days
<u>Season Dates:</u>	December 28 – January 30
<u>Bag Limit:</u>	1 bird daily

TUNDRA SWAN:

<u>Season Length:</u>	73 Days
<u>Season Dates:</u>	November 7 - January 30
<u>Bag Limit:</u>	One per season (with valid permit)

EXTENDED FALCONRY (ducks and coots only):

<u>Season Length:</u>	106 total hawking days (includes 60 days of gun season plus 16 days of special teal season)
<u>Season Dates:</u>	October 26 – November 7 February 1 – February 20
<u>Bag Limit:</u>	3 migratory birds daily

EXTENDED FALCONRY (migratory game birds):

DOVE

<u>Season Dates:</u>	Oct. 15 – Oct. 31
<u>Daily Bag:</u>	3
<u>Possession:</u>	9

KING, CLAPPER, SORA AND VIRGINIA RAILS

Season Dates: Dec. 5 – Jan. 9

Daily Bag: 3

Possession: 9

GALLINULE AND MOORHENS

Season Dates: Dec. 5 – Jan. 9

Daily Bag: 3

Possession: 9

WOODCOCK

Season Dates: Nov. 7 – Dec. 5 and
Feb. 1 – Feb. 27

Daily Bag: 3

Possession: 9

DUCKS, MERGANSERS AND COOTS (the take of harlequin ducks is prohibited)

Season Dates: Oct. 26 – Nov. 7 and
Feb. 1 – February 20

Daily Bag: 3

Possession: 9

Falconers may also hunt during the applicable gun seasons. Daily bag and possession limits of 3 and 9, respectively, apply while hunting during the gun season.

Falconry hours for all species are from ½ hour before sunrise until sunset.

Falconry is not allowed on Sunday.

Daily bag and possession limits are for all species singly or in the aggregate. For example, if the applicable season(s) are open, a daily bag may consist of 3 doves or 1 dove, 1 duck and 1 woodcock for a total of 3 migratory game birds.

Adoption of a Season to Allow the Take of Migrant Peregrine Falcon – the Commission adopted the proposal presented in **Exhibit G** to establish a 2015 season for the take of one live migrant juvenile peregrine falcon for use in falconry, with the following stipulations:

- Total allowable take is 1 bird during the period from September 20, 2015 through October 20, 2015.
- Any bird taken must be a juvenile.
- Take would be allowed only by permit from the WRC and only east of US Highway 17.
- No banded birds may be taken. Any banded birds captured must be immediately released at the site of capture.
- Permit will be issued through our special hunts permitting system (random).
- An individual issued a permit must have the proper state and federal falconry licenses/permits.
- The person receiving the permit must complete a post-season survey provided by WMD staff and submit that survey no later than December 15, 2015.

Inland Fisheries Update – the Commission received an update on the activities of the Inland Fisheries Division from Bob Curry, *Inland Fisheries Division Chief*. A survey of angler expenditure data was collected March 1, 2015 to May 19, 2015 during the creel survey. The preliminary estimated total economic contribution to North Carolina's economy is \$1,706,600.00.

Curry reported that there was a significant striped bass kill, along with some large catfish, on Lake Norman. None of the dead fish observed were hybrids. Curry reported that delayed harvest trout waters will open October 1, 2015.

Wildlife Education Division Update – the Commission received an update from Kris Smith, *Wildlife Education Division Chief*. Smith reported that since the new Wildlife Education Division was established two months ago, Eastern and Western Outreach Managers have been hired. The Shooting Sports Coordinator has been hired. Facebook use has increased to 55,000 Facebook users who were educated about whirling disease. Smith announced the retirement at the end of September of *Wildlife in North Carolina* magazine Editor Jim Wilson.

Marketing efforts include the State Fair exhibits and the new logo which will be on the Carolina Outdoor Journal. Staff is working on a year-long educational exhibit that will be displayed at the Raleigh Convention Center. The trout license plate is in production. Purchasers will be notified by Jenny Harris, *Marketing Director*, when the plates are available.

Special Presentation – Gordon Myers read a Resolution honoring past Chairman Jim Cogdell, which was unanimously approved by acclamation. Cogdell was presented with a framed print and a plaque. Cogdell thanked the Commission and stated that he was honored to chair the WRC. He reminded Commissioners of their responsibility to take their role seriously. Cogdell stated the importance of encouraging children to become engaged in wildlife-related sports and recreation. He thanked Law Enforcement for their professional commitment as they stand in harm's way, and he thanked staff for their dedication.

Exhibit H-1 Withdrawn – the Commission withdrew **Exhibit H-1**, Cumberland Farms Tract, from the agenda.

Phase I Land Acquisitions – the Commission approved requests presented by Isaac Harrold, *Lands Program Manager*, for agency staff to begin working with the State Property Office and funding partners to develop acquisition plans for the following properties:

- Deviney Brier Creek Tracts – Rutherford/Cleveland County (**H-2**)
- McGee Tract – Caldwell County (**H-3**)
- Porter Capital Corp. Tract – Polk County (**H-4**)
- Sorrells Meadow – Haywood County (**H-5**)
- Waccamaw Campbell Group Tract – Columbus County (**H-6**)

Phase II Land Acquisitions – the Commission approved proceeding with acquisition of the following properties:

- Ashley Tract (donation) – Bladen County (**I-1**)
- Graves Addition Tract – Caswell County (**I-2**)
- Pioneer Tract (donation) – Brunswick/Columbus County (**I-3**)
- Sheepback Mountain Tract – Haywood County (**I-4**)
- Stolting Tract – Richmond County (**I-5**)
- VOA Tract (donation) – Beaufort County (**I-6**)

Easement Request, Polk County – the Commission approved a reciprocal easement request across a portion of Green River Game Land and adjacent private property in Polk County, presented in **Exhibit J**.

Easement Request, Columbus County – the Commission approved a request by the NC Department of Transportation, presented in **Exhibit K**, for easements across a portion of Columbus County Game Land to facilitate two bridge improvement projects.

Easement Amendment Request, Burke County – the Commission approved a request by Piedmont Natural Gas in **Exhibit L**, amending an existing utility easement across a portion of Johns River Game Land in Burke County for purposes of correcting alignment issues.

Archery Zone Designation, Durham County – with Commissioner John Coley recusing himself from discussion and action on **Exhibit M**, the Commission approved a staff recommendation to designate Safety and Restricted Firearms Zones on a portion of Butner-Falls of Neuse Game Land in the vicinity of Little River School in Durham County.

North Carolina Field Trial Association Running Schedule 2015-2016 – the Commission approved the 2015-2016 running schedule for the J. Robert Gordon Field Trial Area, presented in **Exhibit N**.

January 2016 State-Wide Public Hearings Schedule – the Commission approved the staff recommendation for January 2016 public hearings for rules proposals, presented in **Exhibit O**, with one correction. The District 9 hearing on January 12, 2016 will be held at Haywood Community College in Clyde.

Comments by the Chairman – *Chairman* John Litton Clark thanked the Commission for its confidence in electing him Chairman for the next two years. Clark expressed his appreciation to former Chairmen Jim Cogdell, David Hoyle, Jr. and Wes Seegars for leading the Commission in the right direction and for sharing their knowledge and experience with him.

Comments by the Executive Director – *Executive Director* Gordon Myers gave a brief legislative update. He stated that another continuing resolution was adopted through September 18. The target of \$372 million set by NER is much lower than expected. The agency will have to adjust accordingly.

Myers gave an overview of the Outdoor Heritage Act that was recently adopted by the Legislature. The Act includes an appointed Outdoor Heritage Council. The WRC is responsible for development and implementation of the Youth Outdoor Heritage Program and manages the budget and administrative support. Myers will provide a recommended schedule for implementation at the October WRC meeting. He stated that reports are due to the Legislature next year.

Myers reported that IT has examined license sales and notes positive youth recruitment. The license fee increase has improved revenues.

Adjournment - the meeting was adjourned by Chairman Clark at 10:44 am.