



## ACTIONS

### N.C. WILDLIFE RESOURCES COMMISSION

February 11, 2016 at 9:00 am

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, 5<sup>th</sup> floor. He announced that the meeting was being recorded as a public record, with live audio streaming at [www.ncwildlife.org](http://www.ncwildlife.org). He requested that cell phones be turned off. Commissioners Ray Clifton and Mike Johnson were absent.

**Pledge of Allegiance and Invocation** - *Commissioner* Mark Craig led the Pledge of Allegiance. *Commissioner* John Stone gave the invocation.

**Welcome and Mandatory Ethics Inquiry** – Chairman Clark welcomed the Commissioners and guests. He read the ethics inquiry mandated in North Carolina General Statute 138A-15(e). Commissioner John Stone recused himself from discussion and action on Exhibits H-1 through H-6, Exhibits I-1 through I-5, Exhibit K, and Exhibit O.

**Minutes** - the Commission approved the December 10, 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 November 30, 2015 from Lindsey Riddick, *Budget Analyst*, presented in **Exhibit B**. The Operating Fund balance is \$15,853,839.23. The Endowment Fund balance is \$114,073,803.04. Expendable interest is \$21,288,691.09.

**State Ethics Commission Review of 2015 Statement of Economic Interests** – the Commission was read relevant portions of the evaluation by the N.C. Ethics Commission of the 2015 Statement of Economic Interest for Richard Edwards, *District 2 Commissioner* appointed by Governor Pat McCrory for a term ending June 30, 2021. The evaluation in its entirety is incorporated by reference into the minutes of the meeting.

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**Land Use and Access Committee Report** – Tom Berry, *Chair*, reported that the Land Use and Access Committee met on February 10, 2016. The Committee reviewed six Phase I land acquisitions presented by Isaac Harrold, *Lands Program Manager*. The LUAC will recommend approval by the entire Commission for staff to work with State Property and funding partners to develop acquisition plans for:

- Dix Creek Tract – Haywood County
- Long Ridge Tract – Pender County (the Committee recommendation for approval of the Long Ridge Tract to provide public access is dependent upon finding a funding source that does not compete with funding for other game lands)
- Galloway Tract – Rockingham County
- Hill Farm Tract – Stokes County
- Vinson Tract – Bladen County
- Ward (Columbia Depot) Tracts – Tyrrell County

The Committee will recommend final approval by the entire Commission of five Phase II acquisitions:

- Faircloth Tract – Bladen County
- Poplin Tract – Richmond County
- Catherine Gibson Tract – Scotland County
- Stainback Tract – Onslow County
- Morris Tract – Wilkes County

The Committee requested that staff provide an overview of complete stewardship costs of several game lands.

Discussion was held about the status of development of Texas Plantation and assistance by Ducks Unlimited to help with funding.

Erik Christofferson, *Deputy Director of Operations*, announced that the Cleveland County Shooting Range will open in 45 days. The road will be paved as soon as weather permits.

Mark Hamlett, *Engineering Section Chief*, told the Committee that construction will begin soon on the new Rhodes Pond dam.

**Habitat, Nongame and Endangered Species Committee Report** – Mark Craig, *Chair*, reported that the Habitat, Nongame and Endangered Species Committee met on February 10, 2016. Jeff Hall gave a staff summary of an augmentation proposal to improve habitats to benefit gopher frog and ornate chorus frog populations. Staff is working to move egg masses past physical barriers to augment populations at Holly Shelter and Sandhills Game Lands.

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Todd Ewing, *Aquatic Wildlife Diversity Supervisor*, provided a report on the signing of a Candidate Conservation Agreement (CCA) for the sicklefin redhorse, a rare fish found only in western North Carolina and north Georgia. With funding from Duke Energy and TVA and in collaboration with the USFWS, Georgia Department of Natural Resources, and Eastern Band of Cherokee Indians (EBCI), WRC is evaluating the sicklefin redhorse to prioritize and implement habitat conservation which may assist in precluding this species from being federally listed.

Shannon Deaton, *Habitat Conservation Program Manager*, presented information to the Committee about the Wildlife Action Plan revision. USFWS has provided feedback for the 1,000 page document. Review has been favorable. The website for the Wildlife Action Plan will be activated by April.

Deaton stated that the Nongame Wildlife Advisory Committee (NWAC) has provided a Resolution in support of establishing a framework for an elk hunting season. The NWAC has provided a Resolution opposing creation of a hunting season for alligators and requesting further scientific assessment of the alligator populations in North Carolina. The NWAC resolutions will be used to create agency recommendations for consideration by the Commission for elk and alligator, and for the Endangered Species Study, to be discussed at the Committee of the Whole meeting.

**Big Game Committee Report** - Neal Hanks, *Chair*, reported that the Committee received a webinar update on February 3 that introduced discussion about possible Coastal Bear Management Unit Zone delineations.

The Big Game Committee met on February 10, 2016 for more discussion about the Coastal Bear Management Unit (CBMU). David Sawyer reported on the reevaluation of the five bear seasons in the CBMU in 2015. A cluster analysis was conducted to determine similarities and differences based on identified variables. Comparisons differed among the coastal counties and four zones were identified for different seasons. The Committee was presented with tools for managing the bear populations, including allowing the use of unprocessed foods for the entire bear hunting season, providing permit hunts within bear sanctuaries, providing additional tags and increasing bag limits in specific areas. A design framework for a Landowner Black Bear Management Assistance Program was discussed. The LBMAP would provide assistance to landowners and allow flexibility to incorporate harvest of all sizes of bears.

As a result of the CBMU study findings, discussion was held about creating an earlier bear season in Columbus and Brunswick counties. The Big Game Committee will recommend that the Commission proceed with temporary and permanent rulemaking for the two-county season change. The Big Game Committee also will recommend that the Commission publish Notice of Text and a public comment period for the proposal to allow hunting bears over unprocessed food during the entire season.

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**Committee of the Whole Report** – John Litton Clark, *Chairman*, reported that the Committee of the Whole met on February 10, 2016. The Committee approved staff recommendation for the recipient of the 2015 Lawrence Diedrick Small Game Award. The recipients will receive the award at the April 21, 2016 WRC meeting.

Christian Waters, *Inland Fisheries Division Chief*, reviewed the Inland Fisheries public comments and rule proposals for action by the Commission.

Dr. David Cobb, *Wildlife Management Division Chief*, reviewed Wildlife Management comments from state-wide public hearings and rule proposals. He noted the removal of proposal H-8 declaring the eastern cougar extinct, because action by the USFWS has not yet been taken. Gordon Myers, *Executive Director*, reviewed the Resolution to not proceed with establishing an alligator hunting season at this time. An Alligator Task Force will develop a management plan and zoning for take of alligators after more scientific data is collected. The Resolution will be considered for adoption by the entire WRC. Myers read the Resolution supporting establishment of an elk hunting season with the delay of issuance of any permits until the sustainability of the herd is determined. That Resolution will be considered by the entire Commission.

Isaac Harrold, *Game Lands Program Manager*, reviewed public comments and proposed changes to game land regulations for 2016-2017.

Kate Pipkin, *Operations Manager, Wildlife Management*, and Betsy Haywood, *No Wake Zone Coordinator*, reviewed proposed water safety rules for action by the entire Commission.

Cindy Dohner and David Viker of the US Fish and Wildlife Service were welcomed by Director Myers. Myers has met with Dohner and Viker to discuss enhancement of communication to define co-management responsibilities of the Mattamuskeet National Wildlife Refuge, and health of Lake Mattamuskeet and the fish and wildlife populations throughout the refuge. Myers reviewed a draft Memorandum of Understanding (MOU) on the Co-Management of Certain Programs between the NC Wildlife Resources Commission and US Department of the Interior Fish and Wildlife Service on Mattamuskeet National Wildlife Refuge. Labeled Exhibit O, the MOU will be considered by the entire Commission.

**Agency Spotlight – Discover Your Wildlife: SRRI Based Programs** – the Commission received an update by Kris Smith, *Wildlife Education Division Chief*, highlighting Strategic Recruitment and Retention-based programs to create awareness and interest in hunting, fishing, and enjoyment of outdoor wildlife watching and recreation. SRRI based programs educate, mentor, and support people of all ages and abilities, creating awareness and providing access to outdoor places and classes for lifelong learning. Among the projects provided by the WRC are Fish for Fun events, lure and lanyard making, survival skills, turtle tracking, hunter education, youth hunts, Becoming an Outdoors Woman events, track chairs for use by disabled sportsmen, Wounded Warrior projects, shooting ranges, fishing tackle loaner programs, and archery programs for youth and adults. The Outdoor Heritage Council created by the General Assembly will work closely with the WRC to encourage and enhance recruitment and retention of all, and in particular youth, for the enjoyment of our wildlife resources.

**Fisheries, Education and Outreach Update** – the Commission received an update about the activities of the Fisheries Division from Christian Waters, *Inland Fisheries Division Chief*. Waters reported on staff field projects including the Lake Norman hybrid striped bass tagging study and an evaluation of possibly stocking red drum into Hyco Lake. Due to water chemistry and presence of non-native, invasive tilapia, Hyco Lake has the potential to support red drum and provide a unique fishery in inland waters. Red drum could create fishing possibilities and control the tilapia population there. A public input meeting to determine interest and to answer questions will be held on March 12 at 3 pm at Lake Hyco. Results from this meeting will be presented to the Fisheries Committee.

**Adoption of 2016-2017 Fishing Regulation Proposals** – the Commission received in **Exhibit D** a summary of comments concerning the proposed changes to inland fishing regulations received from state-wide public hearings held in January 2016 and from the WRC internet portal and correspondence.

The Commission adopted the following changes in the 2016-2017 fishing regulations pending approval by the Rules Review Commission and codification in the North Carolina Administrative Code, presented in **Exhibit E**:

- F1) Modify the lower boundary of Delayed Harvest Trout Waters on the Ararat River in Surry County, adding approximately 1.2 miles of Public Mountain Trout Waters. The designated reach will be the portion of the Ararat River adjacent to the Ararat River Greenway in Mount Airy.  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F2) Modify the lower boundary of Hatchery Supported Trout Waters on the East Prong Roaring River in Wilkes County, removing approximately 1.3 miles of Public Mountain Trout Waters. The new designated reach will be from the Stone Mountain State Park lower boundary to the S.R. 1002 bridge.  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F3) Clarify that the portion of Three Top Creek located on Three Top Mountain Game Land in Ashe County is classified as Hatchery Supported Trout Waters.  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F4) Clarify the upper boundary of Hatchery Supported Trout Waters on Savannah Creek in Jackson County. The designated reach will be from Shell Branch to Cagle Branch.  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F5) Establish an exception to the general statewide regulation for black bass in Lake Chatuge (Clay County) by increasing the daily creel limit from 5 fish to 10 fish in aggregate, decreasing the minimum size limit for Largemouth Bass from 14 inches except that two fish less than 14 inches can be retained in the daily creel to 12 inches with no exception, and removing the minimum size limit of 14 inches for Smallmouth and Spotted Bass.  
*15A NCAC 10C .0305 Black Bass*

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- F6) Establish an exception to the general statewide regulation for black bass in Lake Hampton (Yadkin County) by allowing no Largemouth Bass between 16 and 20 inches to be possessed. The daily creel limit will remain 5 fish, and the minimum size limit will remain 14 inches except that two fish less than 14 inches can be retained in the daily creel.  
*15A NCAC 10C .0305 Black Bass*
- F7) Modify the exception to the general statewide regulation for black bass in the New River in Alleghany County downstream of Fields Dam (Grayson County, Virginia) by increasing the slot limit of 14 to 20 inches with only one fish greater than 20 inches to a slot limit of 14 to 22 inches with only one fish greater than 22 inches. The daily creel limit will remain 5 fish.  
*15A NCAC 10C .0305 Black Bass*
- F8) Establish an exception to the general statewide regulation for crappie in Lake Chatuge (Clay County) by implementing 30-fish daily creel limit. There is no minimum size limit.  
*15A NCAC 10C .0306 Crappie*
- F9) Establish an exception to the general statewide regulation for crappie in Lake Hampton (Yadkin County) by implementing an 8-inch minimum size limit and a 20-fish daily creel limit.  
*15A NCAC 10C .0306 Crappie*
- F10) Establish an exception to the general statewide regulation for Striped Bass and Bodie Bass in Lake Chatuge (Clay County) by increasing the daily creel limit from four fish to 15 fish in aggregate, removing the minimum size limit of 20 inches, and allowing only two fish greater than 22 inches to be retained.  
*15A NCAC 10C .0314 Striped Bass*
- F11) Prohibit transport, possession or release of live White Perch in waters in and west of Haywood, Buncombe, and Rutherford counties.  
*15A NCAC 10C .0319 White Perch*
- F12) Establish an exception to the general statewide regulation for Blue Catfish in Lake Tillery, Lake Wylie, and Mountain Island Reservoir by allowing only one fish greater than 32 inches to be possessed in the daily creel.  
*15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale*
- F13) Designate Atlantic Sturgeon as State Endangered when found in inland fishing waters and remove Atlantic Sturgeon from the State Special Concern list. The scientific name of Atlantic Sturgeon will be updated to match currently accepted nomenclature.  
*15A NCAC 10I .0103 Endangered Species List  
15A NCAC 10I .0105 Special Concern Species Listed*
- F14) Add dip nets when used in conjunction with a licensed hand-crank electrofisher where authorized by local law to the list of equipment that can be used to take nongame fish for bait or personal consumption in inland fishing waters with an inland fishing license.  
*15A NCAC 10C .0402 Taking Nongame Fishes for Bait or Personal Consumption*

**Wildlife Management Update** – the Commission received an update about the activities of the Division of Wildlife Management from Dr. David Cobb, *Wildlife Management Division Chief*. Dr. Cobb announced that the deer harvest for 2015 increased statewide. Electronic reporting shows that the bear harvest has doubled in the mountains. Harvest is the same at the coast and has increased in the Piedmont. Cobb stated that 2600 bears have been harvested so far. Cobb reported that a research project showing the market and non-market valuation of tundra swan indicated that 5000 permittees provided a \$2.04 million impact to North Carolina. Cobb announced that the Southeastern Deer Study meeting will be held in Concord next week. Director Myers will speak at that meeting. The NCWRC is hosting the 21<sup>st</sup> Eastern Elk Study Workshop in Cherokee April 17-20, 2016.

**Adoption of 2016-2017 Wildlife Management Regulation Proposals** – Dr. Cobb presented **Exhibit F**, a summary of public comments concerning the proposed changes to wildlife management regulations received from state-wide public hearings held in January 2016 and from the WRC internet portal and correspondence.

The Commission adopted changes in wildlife management regulations for 2016-2017 presented in **Exhibit G, (H1 through H3 and H6, H7, H9 and H10)**, subject to approval by the Rules Review Commission and codification in the North Carolina Administrative Code:

- H1) Allow the sale of raw (untanned) deer hides from an animal lawfully taken by hunting, because of depredation, or as road kill. Individuals or deer processors would be allowed to sell raw hides. Current regulations regarding the reporting and identification of harvested deer would apply, but there are no proposed additional tagging requirements for selling hides. Processed hides require a Trophy Sale permit in order to be legally sold.  
*15A NCAC 10B .0118 Sale of Wildlife*
- H2) Change the definition of a bear cub from any bear weighing less than 50 pounds to any bear weighing less than 75 pounds.  
*15A NCAC 10B .0107 Black bear*
- H3) Remove Gum Swamp in Pamlico and Beaufort counties from the bear sanctuary program.  
*15A NCAC 10B .0202 Bear*

- H6) Change a Commission rule that prohibits hunting on Sundays with firearms to conform to state law that regulates hunting on Sundays. State law passed in the 2015 legislative session allows hunting on Sundays with firearms on private lands with the following restrictions:
- Hunting is limited to any landowner or member of the landowner's family, or any person with written permission from the landowner.
  - Hunting on Sunday between 9:30 A.M. and 12:30 P.M. is prohibited, except on controlled hunting preserves.
  - Hunting of migratory birds on Sunday is prohibited.
  - The use of a firearm to take deer that are run or chased by dogs on Sunday is prohibited.
  - Hunting on Sunday within 500 yards of a place of worship or any accessory structure thereof, or within 500 yards of a residence not owned by the landowner, is prohibited.
  - Hunting on Sunday in a county having a population greater than 700,000 people is prohibited (currently Wake and Mecklenburg counties).

The Commission rule will continue to allow hunting on Sundays with archery equipment and falconry on private lands in all counties from one-half hour before sunrise to one-half hour after sunset, except migratory game birds cannot be taken.

*15A NCAC 10B .0201 Prohibited taking and manner of take*

- H7) Designate the Red Knot and the Northern Long-eared Bat as federally-listed threatened species in North Carolina.  
*15A NCAC 10I .0104 Threatened species listed*
- H9) Remove the elk from the state list of special concern species.  
*15A NCAC 10I .0105 Special concern species listed*
- H10) Allow for Wildlife Damage Control Agents (WDCAs) to renew their status every three years by attending the Commission's training course or completing an equivalent in continuing education courses.  
*15A NCAC 10B .0106 Wildlife taken for depredations*

The Commission did **not** approve H4 presented in **Exhibit G**:

H4) Allow hunting of American alligators under the following conditions:

- The season for American alligators is from September 1 to October 1.
- Hunting is by permit only.
- The bag limit is one per permit.
- Manner of take is: catch pole, harpoon, gig, wooden peg, bang stick, archery equipment and artificial lights. Firearms shall only be used to dispatch American alligators that are restrained.

*15A NCAC 10B .0224 American alligator*

The **Resolution Regarding Proposed Establishment of an Alligator Hunting Season in North Carolina** is incorporated into the Actions as Attachment 1.



**Open an Elk Season – Proposal H5 in Exhibit G** – the Commission approved proposal H5 in Exhibit G - but only to establish the framework for a permitted elk hunting season. A Resolution was adopted, delaying issuance of any elk hunting permits until such time as the sustainability and allocation of harvest among state, federal and tribal lands are determined. The Executive Director is directed to collaborate with the EBCI and other stakeholders to determine and recommend clear metrics that can be utilized to determine sustainable harvest goals per year for the population and geo-political harvest allocation. The **Resolution Regarding Proposed Establishment of an Elk Hunting Season in North Carolina** is incorporated into the Actions as Attachment 2.

**Temporary Rulemaking to Modify 15A NCAC 10B .0202 Bear** – the Commission approved taking to public hearings proposed temporary rulemaking for 15A NCAC 10B .0202(a)(2) Bear, to move the bear hunting season for Brunswick and Columbus counties to begin the second Monday in November and end January 1 and to modify 15A NCAC 10B .0202(b)(3) Bear, to state that bears may be taken with the aid of unprocessed food products during the entire open season in all counties with a bear season.

**Phase I Land Acquisitions – With Commissioner John Stone recusing himself from any participation or action on Exhibits H-1 through H-6**, the Commission approved requests for agency staff to begin working with the State Property Office and funding partners to develop acquisition plans for the following properties presented in **Exhibits H-1, H-2, H-3, H-4, H-5, and H-6**:

- Dix Creek Tract – Haywood County (H-1)
- Long Ridge Tract - Pender County (H-2)

The Commission approved the request for staff to develop an acquisition plan for the Long Ridge Tract for purposes of access and as a conservation land, with the understanding that typical funding sources for game lands acquisitions will not be used.

- Galloway Tract – Rockingham County (H-3)
- Hill Farm Tract – Stokes County (H-4)
- Vinson Tract – Bladen County (H-5)
- Ward Columbia Depot Tracts – Tyrrell County (H-6)

**Phase II Acquisitions – With Commissioner John Stone recusing himself from any participation or action on Exhibits I-1 through I-5**, the Commission voted on final approval to proceed with acquisition of the following properties:

- Fairecloth Access Tract – Bladen County (I-1)
- Poplin Tract – Richmond County (I-2)
- Catherine Gibson Tract – Scotland County (I-3)
- Stainback Tract – Onslow County (I-4)
- Morrison Tract – Wilkes County (I-5)

**Summary of Public Comments Pertaining to Proposed Changes in Game Land Regulations-** the Commission received a summary of public comments received from statewide district public hearings held in January 2016 and from the WRC internet and correspondence, pertaining to proposed changes to game land regulations. **(EXHIBIT J)**

**2016-2017 Game Land Regulation Proposals - *With Commissioner John Stone recusing himself from any participation or action on Exhibit K***, the Commission adopted proposed changes in game land management regulations presented in **Exhibit K**. Regulations adopted are subject to approval by the Rules Review Commission and codification in the NC Administrative Code.

- G1) Move the opening date for hunting deer with all lawful weapons on Lake Mattamuskeet and Alligator River National Wildlife Refuges (NWRs) from the Saturday on or nearest October 15 to the Saturday on or nearest September 10.  
*15A NCAC 10B .0203 Deer*
- G2) Prohibit all public use from sunset to sunrise on those portions of game land posted as “Day Use Only Zones”.  
*15A NCAC 10D .0102 General regulations regarding use*
- G3) Modify existing game land rules regarding the possession of firearms on US Army Corps of Engineers (USACE) project lands and waters to comply with current applicable federal regulations contained in the Code of Federal Regulations, Title 36, Chapter III, Part 327.13.  
*15A NCAC 10D .0102 General regulations regarding use*
- G4) Allow youth to hunt in managed waterfowl impoundments from ½ hour before sunrise until sunset on the two youth waterfowl days following the end of the regular waterfowl seasons.  
*15A NCAC 10D .0103 Hunting on game lands*
- G5) Prohibit the use of dogs for pursuing or taking foxes during the period of March 15 through July 15 on Bladen Lakes State Forest Game Land in Bladen County.  
*15A NCAC 10D .0103 Hunting on game lands*
- G6) Expand the opportunity for horseback riding on R. Wayne Bailey-Caswell Game Land by allowing horses on gated roads and trails that are posted for equestrian use.  
*15A NCAC 10D .0103 Hunting on game lands*
- G7) Remove text from the North Carolina Administrative Code which establishes Catawba Game Land in Catawba County.  
*15A NCAC 10D .0103 Hunting on game lands*

- G8) Allow horseback riding on Chowan Swamp Game Land anytime from May 16 through August 31 and on Sundays only from September 1 through May 15 on those roads that are open to vehicular traffic and on those gated roads and trails that are specifically posted for equestrian use.  
*15A NCAC 10D .0103 Hunting on game lands*
- G9) Remove posted Archery Zones from the permit requirement for hunting turkeys on Harris Game Land.  
*15A NCAC 10D .0103 Hunting on game lands*
- G10 Designate Holly Shelter Game Land as a 6 day per week game land and restrict dog hunting for deer and bear to Mondays, Wednesdays, and Saturdays, Thanksgiving, Christmas and New Year's days, except as otherwise authorized by permit on the Bear Garden Tract of Holly Shelter Game Land.  
*15A NCAC 10D .0103 Hunting on game lands*
- G11 Allow geocaching on Holly Shelter and Stones Creek Game Lands during closed seasons and on closed days for taking bear, deer, turkey and waterfowl.  
*15A NCAC 10D .0103 Hunting on game lands*
- G12 Expand opportunity for raccoon and opossum hunting on the J. Robert Gordon Field Trial Area, which is currently limited to open days from the second Monday before Thanksgiving through the Saturday following Thanksgiving, to include all open days from sunrise Monday on or nearest October 15 through the last day of February.  
*15A NCAC 10D .0103 Hunting on game lands*
- G13 Establish Texas Plantation Game Land in Tyrrell County as a Permit Only game land.  
*15A NCAC 10D .0103 Hunting on game lands*

**Adoption of Permanent Rulemaking – No Vessel Entry Swimming Area on Lake Glenville, Jackson County** – the Commission adopted 15A NCAC 10F .0377, a no-vessel entry swimming area at the Pines Recreation Area Swim Beach on Lake Glenville in Jackson County, presented in **Exhibit L**. Upon review by the Rules Revision and codification in the NC Administrative Code, the earliest effective date of the rule would be May 1, 2016.

**Adoption of Permanent Rule Amendment – No Wake Zone in Cedar Point, Carteret County** – the Commission adopted a permanent amendment to 15A NCAC 10F .0330, presented in **Exhibit M**, for a no wake zone at Palmetto Drive Canal, a tributary to the White Oak River in Cedar Point in Carteret County. Upon review by the Rules Review Commission and codification in the NC Administrative Code, the earliest effective date of the rule would be May 1, 2016.

**Approval to Publish Notice of Text for Proposed Extension of No Wake Zone at Lakes End Cove on Nantahala Lake, Macon County** – the Commission approved staff recommendation, presented in **Exhibit N-1**, to publish a Notice of Text in the *NC Register* and hold one public hearing on a request by Macon County Board of Commissioners, for an extension of a no wake zone to encompass the entire Lakes End Cove on Nantahala Lake in Macon County.

**Approval of Fiscal Note Review – Proposed No Wake Zone Rule Amendment to 15A NCAC 10F .0366(a)(1)** – the Commission approved the Fiscal Note Review by the Office of State Budget and Management, presented in **Exhibit N-2**, for a proposed amendment to 15A NCAC 10F .0366(a)(1) –Macon County, to extend an existing no wake zone to encompass the entire area of the Lakes End Cove on Nantahala Lake. If adopted, the WRC will purchase, place and maintain the markers for the signage at a cost of no more than \$2000.00.

**Memorandum of Understanding on the Co-Management of Certain Programs between the North Carolina Wildlife Resources Commission and US Department of the Interior Fish and Wildlife Service on Mattamuskeet National Wildlife Refuge – Exhibit O** – prior to consideration of a draft MOU for co-management of certain programs at Mattamuskeet National Wildlife Refuge between NCWRC and USFWS, *Commissioner John Stone recused himself from participation and action on a draft MOU pertaining to co-management of Mattamuskeet National Wildlife Refuge.*

Chairman John Clark recognized Derb Carter of the Southern Environmental Law Center. Carter voiced concerns about the Wildlife Resources Commission managing fisheries on Lake Mattamuskeet.

Director Gordon Myers stated that the MOU does not turn management of fisheries over to the WRC. Myers referred to a memorandum of December 6, 2014 signed by the WRC and USFWS, affirming a long-time commitment to water quality and vegetation hydrology at the refuge. Chief among shared objectives are the health and well-being of migratory waterfowl and wading birds that depend on the lake in their annual lifecycles. Myers noted that the MOU will add a system of accountability and define structure between the two agencies. All objectives are in complete alignment with the Comprehensive Conservation Plan for Mattamuskeet National Wildlife Refuge.

**Adoption of the MOU** – With Commissioner John Stone recused, the Commission adopted the Memorandum of Understanding between the USFWS and NCWRC. The MOU, signed by Cynthia Dohner, *Regional Director, SE Region, USFWS*, Gordon Myers, *Executive Director, NCWRC*, and John Litton Clark, *Chairman, NCWRC*, is incorporated into the Actions as Attachment 2.

**Comments by the Chairman** – *Chairman* John Litton Clark congratulated Christian Waters on his promotion to Inland Fisheries Division Chief. Clark thanked Cindy Dohner and David Viker for their attendance and collaboration with the WRC on the Memorandum of Understanding.

**Comments by the Executive Director** - *Executive Director* Gordon Myers thanked Cindy Dohner and David Viker for coming to the meetings and for their partnerships with the WRC. He congratulated Christian Waters for his promotion and congratulated Brian McRae for his promotion to Section Chief- Land and Water Access. Myers noted that Representative Jimmy Dixon and Dell Murphy, Chair of the Outdoor Heritage Council, met with WRC representatives last week to adopt a model of the Outdoor Heritage Council. The Session Law passed by the General Assembly last session provides an important role for the Wildlife Resources Commission to implement the Outdoor Heritage Trust Fund. Myers stated that the Executive Committee will meet to discuss implementation.

**Comments by Cynthia Dohner, Regional Director, SE Region, USFWS** – Cynthia Dohner spoke about her high regard for the NCWRC. She noted appreciation for the partnership and leadership shown by Director Gordon Myers in working on many projects with the US Fish and Wildlife Service. At the SEAFWA Directors’ Meeting, the USFWS SE Region presented an award to Gordon Myers, noting his support of landscape scale conservation to address ongoing research needs.

**Adjournment** - the meeting was adjourned at 10:38 a.m.



## **Resolution Regarding Proposed Establishment of an Alligator Hunting Season in North Carolina**

*Whereas*, the American alligator (*Alligator mississippiensis*) occurs along the southeast Coastal Plain, into coastal North Carolina, where it reaches the current northern limit of its geographic range, and

*Whereas*, cooler environmental conditions in North Carolina result in differences in some life history traits from alligators in more southern states, and

*Whereas*, alligators in North Carolina have slower rates of growth and achieve sexual maturity later than alligators in more southern states, and

*Whereas*, these variable life history traits make alligators in North Carolina more vulnerable to over-harvest, and

*Whereas*, alligators have a patchy and variable distribution in coastal North Carolina, and

*Whereas*, there are indications that the distribution and relative abundance of alligators in some locales has increased over the last thirty years, and

*Whereas*, there is public interest in allowing take of alligators through hunting in areas and situations where harvest and the alligator populations are sustainable, and

*Whereas*, sustaining the alligator population in North Carolina requires unique conditions for allowing take through hunting or other means, and

*Whereas*, in response to public interest and some situations of over-abundance, the Commission took a proposal (H4) to public hearings in January 2016 to conditionally establish an alligator hunting season in which take would only be allowed by Commission issued permits, and

*Whereas*, 328 comments were received from these public hearings and through an on-line portal on Proposal H4, 133 (41%) of which were in opposition, and

*Whereas*, eight organizations including the Society for the Study of Amphibians and Reptiles, the North Carolina Partners in Amphibian and Reptile Conservation, the Carteret County Wildlife Club, the Coastal Plain Conservation Group, the North Carolina Wildlife Federation, the North Carolina Chapter of the Nature Conservancy, The Alligator Alliance, and the North Carolina Nongame Wildlife Advisory Committee have all submitted letters or resolutions in opposition to opening an alligator hunting season at this time, and

*Whereas*, Commission staff received 648 standardized emails in opposition to alligator hunting.

*Now, therefore be it resolved*, that while the Commission believes the take of alligators in some situations is reasonable and appropriate, based on public comments and the need to further refine conditions under which alligator hunting should be allowed, the Commission does not approve proposal H4 taken to public hearings in January 2016, and

*Now, therefore be it further resolved* that the Commission directs the Executive Director to:

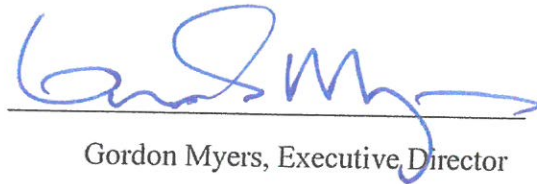
Examine options under existing statutory authorities to utilize the skills and expertise of North Carolina sportsmen and women to provide assistance in removal of alligators under nuisance or depredation circumstances,, and to establish a North Carolina Alligator Task Force to develop a North Carolina Alligator Management Plan that includes:

- Evaluation of all available biological information on alligators in North Carolina,
- Identification of knowledge gaps and additional research needed on alligator population demography, historical changes in alligator habitats, and public attitudes and opinions on alligator conservation,
- Identification of areas where alligators may be over-populated and recommend biological and social strategies to address alligator management issues in these areas,
- Recommendations of geographical management zones,
- Recommendations for metrics to establish the number of permits per year that could be issued for opportunities to harvest alligators by hunting where sustainable and consistent with local alligator population, habitat, and social conditions, and
- Recommendations on a framework for gathering public input on the North Carolina Alligator Management Plan.

Approved this the 11<sup>th</sup> day of February, 2016, in an official meeting by the North Carolina Wildlife Resources Commission.



John Litton Clark, Chairman



Gordon Myers, Executive Director



## **Resolution Regarding Proposed Establishment of an Elk Hunting Season in North Carolina**

*Whereas*, the elk (*Cervus elaphus*) is native to North Carolina but was extirpated in the nineteenth century, and

*Whereas*, elk were re-introduced into North Carolina beginning in 2001 by the National Park Service (NPS) into the Great Smoky Mountains National Park (GSMNP), and

*Whereas*, a reproducing population of elk occurs on the GSMNP which serves as a refuge and source for elk to disperse onto surrounding non-federal lands, and

*Whereas*, elk now occur on public and private lands as well as lands owned by the Eastern Band of Cherokee Indians (EBCI), and

*Whereas*, the North Carolina Wildlife Resources Commission has a stated goal of developing a huntable population of elk in western North Carolina, and

*Whereas*, there is public interest in allowing take of elk through hunting in areas and situations where harvest and the elk population is sustainable, and

*Whereas*, in response to public interest in establishing an elk hunting season, the Commission took a proposal (H5) to public hearings in January 2016 to conditionally establish an elk hunting season in which take would only be allowed by Commission issued permits, and

*Whereas*, 284 comments were received from these public hearings and through an on-line portal on proposal H5, 211 (74%) of which were in support, and

*Whereas*, two organizations including the North Carolina Wildlife Federation and the Rocky Mountain Elk Foundation have submitted letters in support of establishing a framework for an elk hunting season, and

*Whereas*, the current distribution and density of elk off of the GSMNP is patchy and variable, and the population is sensitive to substantial changes in mortality, and

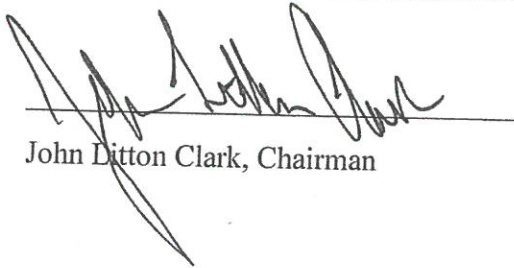
*Whereas*, there has been a significant increase in mortality of elk over the past year.

*Now, therefore be it resolved*, that the Commission approves proposal H5, establishing the framework for a permitted elk hunting season.

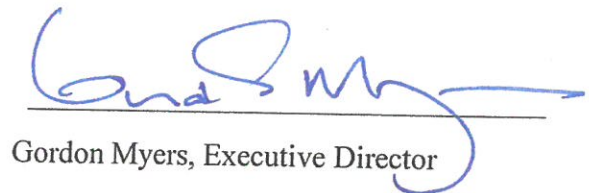


*Now, therefore be it further resolved* that the Commission will delay issuance of any elk hunting permits until such time as the sustainability and allocation of harvest among state, federal, and tribal lands are determined. The Executive Director is directed to collaborate with the EBCI and other stakeholders to determine and recommend clear metrics that can be utilized to determine sustainable harvest goals per year for the population and geo-political harvest allocation.

Approved this the 11<sup>th</sup> day of February, 2016, in an official meeting by the North Carolina Wildlife Resources Commission.



John Ditton Clark, Chairman



Gordon Myers, Executive Director