



ACTIONS

N.C. WILDLIFE RESOURCES COMMISSION

May 17, 2013, 2013 at 9:01 a.m.

Hampton Inn and Suites
Pine Knoll Shores, NC

Call to Order – *Commission Chairman* David Hoyle, Jr. called the N.C. Wildlife Resources Commission meeting to order at 9:01 a.m. in the meeting room of the Hampton Inn and Suites in Pine Knoll Shores. Nat Harris, Dell Murphy, and John Coley were absent.

Pledge of Allegiance and Invocation – *Commissioner* Tom Berry led the Pledge of Allegiance. *Commissioner* Mitch St. Clair gave the invocation.

Welcome - Chairman Hoyle welcomed Commissioners and guests.

Mandatory Ethics Inquiry - Chairman Hoyle read the ethics inquiry mandated in North Carolina General Statute 138A-15(e).

Minutes - the Commission approved the March 14, 2013 Wildlife Resources Commission minutes as presented in **Exhibit A**.

Correction to January 17, 2013 Minutes – the Commission received into the January 17, 2013 minutes the addition of Nat Harris' name to the Commissioner attendance list as presented in **Exhibit B**.

Financial Status Report - the Commission received a financial status report on the Wildlife Operating Fund and the Wildlife Endowment Fund as of April 30, 2013, from Tommy Clark, *Budget Officer*, presented in **Exhibit C**. The Operating Fund balance was \$22,168,120.52. The Endowment Fund balance was \$97,018,536.40.

Habitat, Nongame and Endangered Species Committee Meeting Report – Durwood Laughinghouse, *Chair*, reported that the HNGES Committee met on Thursday, May 16, 2013 at Soundside Hall at the North Carolina Aquarium at Pine Knoll Shores. The HNGES Committee brought forth the nomination by the Nongame Wildlife Advisory Committee of Eddie Bridges to receive the 2013 Thomas L. Quay Wildlife Diversity Award. The Commission unanimously approved the nomination. Mr. Bridges will be presented the award at the July meeting of the WRC.

Fisheries Committee Report – Wes Seegars, *Chair*, reported on the May 16 meeting of the Fisheries Committee at the NC Aquarium. Seegars noted appreciation for the outstanding updates by staff about coastal, piedmont, and mountain fisheries programs and challenges. Seegars stated particular concerns about the striped bass assessment that showed very low harvests in the Roanoke River and Albemarle Sound, and concerns about the spread of hydrilla, an invasive aquatic weed, in some of the piedmont waterways. Seegars stated that the committee received a progress report on the revision of the Trout Management Plan that was adopted in 1989.

Joint Marine Resources/CRFL Committee Report – Ray White, *Chair*, reported that he, Joe Barker and Mitch St. Clair, members of the Coastal Recreational Fishing License (CRFL) Committee; their counterparts on the committee from the Division of Marine Fisheries, along with Gordon Myers, Bob Curry, and staff, met by teleconference on May 8, 2013. Among the projects are funding for one fourth-year grant, one three-year grant, nine second-year grants, and a 2013 proposal for the Town of Vandemere to put in a boat ramp. The NCWRC will work with the Town on clear covenants and report back to the joint CRFL Committee by June 30. The joint committee also approved minor changes to the CRFL Strategic Plan.

Boating Safety Committee Report – Joe Barker, *Chair*, announced that the Boating Safety Committee met at the NC Aquarium on May 16, 2013. Barker said that the committee received an overview from Colonel Dale Caveny, *Enforcement Division Chief*, about **Exhibits F-1 and F-2** pertaining to rulemaking to amend 15A NCAC 10F .0201 (safety equipment) to increase clarity and provide for additional exceptions pertaining to personal flotation devices. Barker stated that Colonel Caveny stated that the Enforcement Division is working with IT to establish a database where boating warning tickets will be entered to be pulled up by officers patrolling the waters.

Land Use and Access Committee Report – Jim Cogdell, *Chair*, reported that the Land Use and Access Committee met on May 16, 2013 at the NC Aquarium. Isaac Harrold, *Public Lands Section Manager*, reviewed six Phase I proposed land acquisition plans for consideration by the entire WRC. Harrold reviewed a proposed reallocation of property by donation in Brunswick County adjacent to the Sunset Beach Fishing and Boating Access Area; an easement and right of way request in Wilkes County; archery-only zone request on a portion of Sutton Lake Game Land in New Hanover County; and consideration of agreements with the US Department of Agriculture Forest Service to fund and/or manage shooting range facilities on the Nantahala and Uwharrie National Forests and game lands. The committee will recommend that the Commission adopt **Exhibits I – M** as presented in the committee meeting.

Small Game Committee Report – Mitch St. Clair, *Chair*, reported that the Small Game Committee met on May 16, 2013 at the NC Aquarium. The committee selected recipients of the 2013 Lawrence G. Diedrick Small Game Award in the individual and organization categories. The Diedrick Awards will be presented at the June meeting of the Wildlife Resources Commission.

Migratory Birds, Waterfowl Committee Report – Berkley Skinner, *Chair*, reported that the Migratory Birds, Waterfowl Committee met at the NC Aquarium on May 16, 2013. Joe Fuller, *Migratory Game Bird Coordinator*, gave a presentation to the committee about a management plan for the resident goose population. The Resident Goose Management Plan will be considered by the entire Commission at a later meeting. Skinner reported that a flexible framework for establishing goose seasons is under consideration in the Northeast, where surveys have indicated that about forty percent of the Canada geese in the Northeast Hunt Unit are migratory birds. Also presented at the committee meeting was establishment of a preference point system for unsuccessful tundra swan permit applicants. Skinner stated that the tundra swan permit point system will be considered by the Commission at the June meeting.

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*. Cobb announced that each Commissioner has a copy of the Upland Gazette. CDs provided to each Commissioner contain documents and newsletters of interest including the final deer harvest for 2012 – 2013; 2012 bear harvest; and a document about the eastern hellbender (salamander). Cobb stated that the Chronic Wasting Disease (CWD) Herd Certification Program has been approved by the USDA. Revisions to the Wildlife Action Plan are ongoing. Cobb announced that the first swallowtail kite nest has been found in North Carolina. The harvest of 18,406 turkeys this year is a 28 percent increase over last year. Twelve percent of the turkeys were harvested during Youth Week. Cobb reported that environmental DNA is being used to survey for hellbenders and mudpuppies in likely habitats. Dr. Cobb was asked to provide a spotlight about e DNA at a future Commission meeting.

2013 Safe Boating Week Proclamation – the Commission received into the minutes **Exhibit D**, the Proclamation by Governor Pat McCrory designating the week of May 18 – 24, 2013 as “Safe Boating Week” in North Carolina.

Proclamation – Summer of 2013 in North Carolina – “**On the Road, On the Water, Don’t Drink and Drive**” - the Commission received into the minutes **Exhibit E**, the Proclamation by Governor Pat McCrory for summer of 2013, reminding everyone in North Carolina “On the Road, On the Water, Don’t Drink and Drive.”

Agency Spotlight – Wildlife Enforcement Officers and Conflict Resolution – *Master Officers* Brent Ward and Kim Knight of the Enforcement Division presented a spotlight about issues requiring conflict resolution with varied groups of constituents. They mentioned some customer service issues that have arisen at Boating Access Areas because of the number of users at the access areas. Officer Ward discussed the improvements that have been made to the boating access areas by Engineering Services. New construction and renovations provide more user parking and boat slips, and create opportunities for persons with disabilities to be able to enjoy the water. Enforcement officers encourage boaters to prepare for launching while still on shore, allowing for less backup at the access areas. Courtesy boat checks educate boaters and gain compliance with safety regulations. Homeowner and hunter conflicts are expedited through the knowledge and responsiveness of telecom specialists, who handle many calls 24 hours a day. Their customer service to callers and information provided to Enforcement is helpful to the officers before they respond to the calls. Other conflicts handled by the Enforcement Division include homeowner and wildlife conflicts that have increased as the landscape becomes more populated by humans and wildlife habitats disappear. Educating the public about removing wildlife attractants and working with damage control agents are important tools for handling these conflicts. Officers receive complaints about conflicts between landowners and dog hunters. Increased patrols and education of hunters and property owners about the Landowner Protection Act, the use of purple paint on trees to mark private property, and educating about the requirement for written permission to be carried for hunting on private property are helpful tools. Officers Ward and Knight stated that everyone in the Enforcement Division takes ownership of conflict resolution.

Rulemaking to Amend 15A NCAC 10F .0201 (Safety Equipment) – the Commission adopted the staff recommendation presented in **Exhibit F-1** to amend 15A NCAC 10F .0201 to increase its clarity pertaining to boating safety equipment and to provide for additional exceptions pertaining to required use of personal flotation devices.

Approval of Fiscal Note – Safety Equipment Rule – the Commission approved the associated fiscal note required for rulemaking to amend 15A NCAC 10F .0201, presented in **Exhibit F-2** by Colonel Dale Caveny.

Inland Fisheries Update – the Commission received an update on the activities of the Inland Fisheries Division from Bob Curry, *Inland Fisheries Division Chief*. Curry announced that National Fishing and Boating Week is June 1-9. A variety of activities are planned state-wide. Neuse Sport Shop and North Carolina Trout Unlimited are again sponsoring drawings for hunting and fishing licenses to be awarded to participants at the youth events. Curry thanked fisheries staff members for their work on the Fisheries Committee meeting.

Striped Bass Fishery Management Plan – the Commission approved Amendment 1 to the NC Estuarine Striped Bass Management Plan, presented by Bob Curry in **Exhibit G** that was adopted by the NC Marine Fisheries Commission at their February 28, 2013 meeting.

Rulemaking – Administrative Changes for Open Seasons, Creel and Size Limits – the Commission approved the staff recommendation presented by Bob Curry in **Exhibit H-1** to notice for public comment proposed administrative changes to 15A NCAC 10C .0305 to apply only to black bass, and to adopt 15 new rules (10C .0306 through 15A NCAC 10C .0320); one rule for each game fish species.

Fiscal Note – Open Seasons, Creel and Size Limits Rule – the Commission approved the associated fiscal note required for proposed rulemaking pertaining to open seasons: creel and size limits.

Property Matters

Adoption of Phase I Land Acquisitions – the Commission voted to authorize staff to work with the State Property Office and funding partners to develop acquisition plans for six Phase I projects presented by Isaac Harrold, *Public Lands Section Manager*, in **Exhibits I-1, I-2, I-3, I-4, I-5, and I-6**:

- Birkhead Tract-Randolph County
- Humpback Mountain Tract-Avery/McDowell counties
- James Sisters Tracts-Richmond County
- Nealey Fishing Creek Tract-Nash County
- North Toe River Tract-Yancey County
- Turnagain Bay Wooten Tract-Carteret County

Reallocation – Brunswick County – the Commission approved a transfer of property by donation from the NC Department of Transportation, adjacent to the Sunset Beach Fishing and Boating Access Area in Brunswick County, to develop additional parking at the access area.

Right of Way and Easement Request – Wilkes County – the Commission approved a request by the NC Department of Transportation, presented in **Exhibit K**, for a right of way and easement across a portion of Mulberry Mill Bog Wildlife Conservation Area.

Archery Only Zone Designation – New Hanover County – the Commission approved a request presented in **Exhibit L** to pursue an archery-only designation for a portion of Sutton Lake Game Land in New Hanover County to mitigate safety hazards near the Sutton Steam Plant caused by hunting with large caliber firearms.

Shooting Range Agreements, National Forests – the Commission voted to authorize staff to enter into agreements with the US Department of Agriculture Forest Service to manage and/or fund improvements to shooting range facilities on the Nantahala and Uwharrie National Forests, presented by Isaac Harrold in **Exhibit M**.

Vote to Add June Wildlife Resources Commission Meeting – the Commission voted to add a meeting of the Wildlife Resources Commission in Raleigh on June 20, 2013, with committee meetings to be held on June 19, 2013.

Comments by the Chairman – Chairman David Hoyle, Jr. thanked the Enforcement Division for the agency spotlight. He thanked Commissioner Wes Seegars and his wife Jacque for hosting the group at a gathering in Morehead City.

Legislative Update – Gordon Myers, *Executive Director*, updated the Commission about wildlife-related bills under consideration at the General Assembly. Myers stated that Senate Bill 689 (trapping) is in the House. Enclosures would be required for some traps. Statewide trapping of coyotes year round will require agency rulemaking. Under the bill the coyote must be killed in the trap. Any incidental fox sale would result in a fine. Myers said that Senate Bill 58 (dredging bill) has been amended. A boat registration fee of \$25.00 would be required for a vessel less than 26 feet long. A vessel more than 26 feet long would carry a \$50.00 registration fee. The increase in titling fees will go to the dredging fund. The amendment removes the exemption for federal or commercial vessels. One-sixth of one percent of the gasoline fund will be allocated to the dredging fund. The Hunter Apprentice bill passed. The Wildlife Penalties bill decriminalizes some offenses and makes them infractions; however, fines will increase for poaching. The unlawful take of elk will result in a \$2500.00 fine. Myers said that the budget will come out soon with little time to make changes. Chairman Hoyle stated that it may be necessary for some Commissioners to come to Raleigh to meet with legislators about some of the wildlife-related bills.

Adjournment – The meeting was adjourned at 10:16 a.m.