



ACTIONS
N.C. WILDLIFE RESOURCES COMMISSION

July 10, 2014 at 9:00 a.m.
NC Wildlife Resources Commission Headquarters
1751 Varsity Drive
Raleigh, North Carolina

Call to Order – *Commission Chairman* Jim Cogdell called the N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Conference Room, 5th floor. Commissioners Dell Murphy, Richard Edwards, Brian White, and Michell Hicks were absent.

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

Invocation - *Commissioner* Tommy Fonville gave the invocation.

Welcome - Chairman Cogdell welcomed Commissioners and guests, including award winner Riley Halstead and her family, Ned Jones of N.C. Trout Unlimited and Russell Rhodes of Neuse Sport Shop who donated the Fish for Fun prizes.

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

Approval of Minutes - the Commission approved the May 22, 2014 Wildlife Resources Commission minutes as presented in **Exhibit A**.

State Ethics Commission Review of 2014 Statement of Economic Interest for Commissioner Neal Hanks, District 9 – Pursuant to NCGS 138A-15(c), the Commission received into the minutes a summary of the evaluation by the N.C. Ethics Commission of the 2014 Statement of Economic Interest for District 9 Commissioner Neal Hanks. The evaluation letter in its entirety is incorporated by reference into the minutes.

Financial Status Report - the Commission received a financial status report on the Wildlife Operating Fund and the Wildlife Endowment Fund as of May 31, 2014 from Tommy Clark, *Budget Director*, presented in **Exhibit B**. The Operating Fund cash balance was \$18,739,733. The Endowment Fund balance was \$103,509,689.

Joint Big Game/Habitat, Nongame and Endangered Species Committee Meeting Report – *Habitat, Nongame and Endangered Species Committee Chair* Mark Craig reported that the HNGES Committee met on May 22, 2014 and on July 9, 2014 and discussed topics including the 2014 Thomas L. Quay Wildlife Diversity Award nominations, the Dan River coal ash spill, and creation of a template for considering the listings of 67 species. The Quay Award will be presented at the August Commission meeting. More research has been requested from staff concerning the impacts of the coal ash spill. A draft template for listing of species was given to Commissioners for review and comments. An updated resolution for the focus and membership of the Nongame Wildlife Advisory Committee will be presented at the October WRC meeting.

Big Game Committee Chair David Hoyle, Jr. reported that Kerry Linehan, *Human Dimensions Biologist* gave a report of a survey that was taken to gauge landowners' opinions about elk. In August more data will be presented concerning elk movement. The committee discussed bear baiting issues.

NC State University graduate student Nick Gould gave a presentation about an Urban Bear Study that is being conducted with Asheville as the targeted urban environment. A goal of the study is to place collars on forty bears to track their movements in urban Asheville and surrounding area. Information about the Urban Bear Study is available on Facebook.

Fisheries Committee Meeting Report – Wes Seegars, *Fisheries Committee Chair*, reported that the Fisheries Committee met on July 9, 2014. The committee endorsed a recommendation that the full Commission approve adding the Town of Lansing to the list of Mountain Heritage Trout Waters cities. The predation of trout by herons at the Pisgah Fish Hatchery has been addressed with measures to deter the birds. Trout stocking of 9 – 10 inch fish is not possible until later as the result of the predation. It was reported that the WRC is working with the U.S. Fish and Wildlife Service on issues at Lake Mattamuskeet. The USFWS will not raise the water levels in the lake but will continue to allow passive water level changes there. The WRC will stock largemouth bass in the lake, for research. Staff will look at salt water plumes in Lake Mattamuskeet and report back to the committee.

Land Use and Access Committee Meeting Report – Tom Berry, *LUAC Chair*, reported that the Land Use and Access Committee met on Wednesday, July 9. Isaac Harrold, *Lands Program Manager* reviewed four Phase I projects. The committee endorses them for approval by the entire Commission. The committee endorsed one Phase II project for donation, at Browns Island. Two easement requests were reviewed and are recommended for approval. The committee is studying the appraisal process that is used in determining value of properties under consideration. Berry stated that the Game Lands management plan development process is continuing. Carbon credits are under study too.

Boating Safety Committee Meeting Report – Joe Barker, Boating Safety Committee Chair, reported that the committee met on July 9, 2014. Colonel Jon Evans, *Enforcement Division Chief*, updated the committee about boating safety issues. Daily reports on the activities of Wildlife Enforcement Officers are being completed now and the program has been well received by the officers. Chairman Cogdell welcomed Colonel Evans as the new Enforcement Division Chief.

Committee of the Whole Meeting Report – *Executive Director* Gordon Myers reported that the Committee of the Whole held a long meeting on Wednesday, July 9. John Frampton, CEO of the Council to Advance Hunting and the Shooting Sports spoke to the committee about the efforts of the Council, a non-profit organization, to get every state involved with the organization's efforts to encourage hunter recruitment and retention. Myers updated the committee about several regulatory issues. He mentioned the closure of some of the beach at Cape Hatteras National Seashore for tern nests, which impacts private property owners' access to the beach. He mentioned public comments about the proposed Linville Tract shooting range that have resulted in more sound studies and location alternatives. Myers stated that temporary rules for coyote hunting in the five counties where the Red Wolf recovery program is located were discussed. Myers said that the Committee of the Whole then met in closed session to discuss three legal matters.

Spotlight – South Atlantic Landscape Conservation Cooperative – the Commission received an update from Ken McDermond, *U.S. Fish and Wildlife Service*, about the work of the South Atlantic Landscape Conservation Cooperative. The Cooperative began four years ago, spanning organizational and political boundaries to form partnerships for the conservation of natural and cultural resources. Of the 89 million acres in the footprint of the Cooperative between Virginia and Florida, 92 percent are private lands. McDermond described a project with the United States Marine Corps, which requires darkness for use as a bombing range in a habitat that must be preserved for the endangered red cockaded woodpecker in eastern North Carolina. The Cooperative has worked with local landowners and the Marine Corps to keep the area dark while preserving the wildlife habitat. A blueprint is being developed using practical science-based tools for collective action among the jurisdictions in the South Atlantic Landscape Conservation Cooperative.

Change in Agenda – Chairman Cogdell announced a change in the order of the agenda. He requested that the Fisheries Division present the Special Recognition and fishing license award for a youngster so that her family would not have to sit through the entire meeting.

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 a striped bass stock assessment resulted in a change in the status of the striped bass population in Albemarle Sound from viable to of concern. Curry announced that nine track chairs donated to the WRC were tested by eleven disabled sportsmen at the John E. Pechmann Fishing Education Center in Fayetteville. The sportsmen recommend practicing with the track chairs before using them for hunting and fishing activities on a variety of terrain. Visitation at the Pisgah Education Center is 15,000; at the Outer Banks Center for Wildlife Education visitation is 18,000. Curry announced that there will be a Becoming an Outdoors Woman free shooting and archery event on August 23, sponsored by the Wake Wildlife Club.

Presentation of Fishing License Awards – a lifetime freshwater fishing license, donated by N.C. Trout Unlimited, was presented by Chairman Jim Cogdell to Riley Halstead of Pilot Mountain. Riley won the license in a drawing from state-wide "Fish for Fun" events held in celebration of National Fishing and Boating Week. The unified lifetime sportsman license, donated by Neuse Sport Shop in Kinston, was won by Tyler Bristol. Tyler was unable to attend the meeting. Ned Jones of Trout Unlimited and Russell Rhodes of Neuse Sport Shop were recognized and thanked for their many years of partnership with the WRC and support of National Fishing and Boating Week.

Photo Break - Chairman Cogdell called a ten minute recess so that photographs could be taken. The meeting reconvened at 10:05.

Vote on Thomas L. Quay Award Recipient – Executive Director Gordon Myers stated that a vote is required for the recipient of the 2014 Thomas L. Quay Award. Mark Craig, HNGES Chair, announced the recommendation of Linda Pearsall as the recipient of the 2014 award. The Commission unanimously approved the recommendation. The award will be presented at the August 28, 2014 WRC 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 stated that the Chronic Wasting Disease surveillance was conducted using 3814 samples. CWD was not detected in any of the samples. Cobb announced a project conducted with N.C. State University to collect biological data from resident Canada geese. Data has been collected this summer and more than 2000 leg bands have been placed on molting birds. Cobb announced that Brad Gunn and Todd Kennedy have completed the National Conservation Leadership Institute Program, Cohort #8 and are NCLI Fellows. He said that Dr. Maria Palamar has been accepted for Cohort #9.

Summary of Public Comments on Proposed Temporary Rulemaking – Dr. Cobb reported that a public hearing was held in Columbia to receive public comment about temporary rulemaking to regulate the hunting and taking of coyotes in the five-county area where the Red Wolf Recovery Program is in place. Temporary rulemaking is needed to comply with the federal court order that prohibits the shooting of coyotes in Hyde, Dare, Washington, Tyrrell, and Beaufort counties except in defense of humans, livestock and pets. The manner of take allowed with a depredation permit is limited to trapping. All depredating coyotes killed in these five counties must be reported to the WRC within 24 hours. Cobb reported in **Exhibit C-1** that of the 3177 comments received by letter, email and comment cards, 3,108 agree with the proposed temporary rules limiting the take of coyotes in the five-county area and 69 disagree.

Temporary Rules to Regulate Hunting and Taking of Coyotes in Beaufort, Dare, Tyrrell, Hyde and Washington Counties – the Commission adopted temporary rules for amendments to 15A NCAC 10B .0219 Coyote and 15A NCAC 10B .0106 Wildlife Taken for Depredations, presented in **Exhibit C-2**.

Summary of Public Comments on Proposed Designation of Eastern and Hairy-tailed Moles as Pests – Dr. Cobb reported that a public hearing was held in Raleigh to receive public comments about proposed concurrence with the N.C. Pesticide Board's declaration of eastern moles and hairy-tailed moles as pests and to allow the use of pesticides to control them. Of the 100 comments received by comment card, letter and email, 100 disagreed with the WRC concurring with the declaration by the Pesticide Board. (**Exhibit D-1**)

Resolution Regarding Concurrence with N.C. Pesticide Board in Declaring Eastern and Hairy-tailed Moles as Pests - Executive Director Myers spoke about discussion that was held in the meeting of the Committee of the Whole regarding the designation of Eastern and hairy-tailed moles as pests. Myers stated that the Commission could concur, take no action, not concur with the N.C. Pesticide Board's declaration, or give qualified concurrence. Myers stated that there is pending legislation before the General Assembly to control moles other than the star-nosed mole. He therefore recommended qualified concurrence to reduce the impacts to non-target species. Qualified concurrence also gives the option to rescind concurrence if necessary, an option that legislation would not allow. The Commission adopted a resolution in **Exhibit D-2** that grants qualified concurrence with the designation of eastern and hairy-tailed moles as pests under certain conditions, and directs agency staff to continue researching impacts of pesticides used to control these species of moles and to investigate impacts on subterranean animals and their predators. If it is determined that pesticide used to control moles "presents an imminent hazard to the public, a non-target organism, or a segment of the environment..." the WRC may rescind this concurrence and request the N.C. Pesticide Board to "order summary suspension of the registration" of any such pesticide.

Proposed 2014-2015 Early Hunting Season Frameworks for Certain Migratory Game Birds- the Commission received frameworks, presented by Dr. Cobb in **Exhibit E-1**, outlining Department of the Interior frameworks for season lengths, shooting hours, bag and possession limits, and outside dates within which States may select seasons for hunting waterfowl and coots between the dates of September 1, 2014 and March 10, 2015.

Public Comments Regarding 2014-2015 Recommendations for Early Season Frameworks - the Commission received a summary from Dr. Cobb in **Exhibit E-2** of public comments by internet regarding the proposed Early Migratory Game Bird Season Frameworks.

Adoption of 2014-2015 Early Season Migratory Game Bird Season Frameworks – the Commission adopted 2014-2015 early seasons, bag limits, and shooting hours for webless migratory game birds and waterfowl seasons beginning prior to October 1, in **Exhibit E-3**:

- Mourning Dove and White-winged Dove - Sept. 1 - Oct.11 [**September 1 is on Monday**]; Nov. 27 - Nov. 29; and Dec. 1 - Jan. 15 [**the Commission voted for shooting hours on all migratory birds to be from ½ hour before sunrise until sunset for the entire season, including doves**]; daily bag 15
- King and Clapper Rails - Sept. 8 – Oct. 11, Oct. 27 – Dec. 1; daily bag 15
- Sora and Virginia Rails - Sept. 8 – Oct. 11, Oct. 27 – Dec. 1; daily bag 25
- Gallinule and Moorhens - Sept. 8 – Oct. 11, Oct. 27 – Dec. 1; daily bag 15
- Woodcock- Dec. 18 – Jan. 31; daily bag 3
- Common Snipe - Nov. 14 - Feb. 28; daily bag 8

Actions

July 10, 2014

- Canada Goose - Sept. 1 – 30 statewide [**September 1 is on Monday**]; daily bag 15; **extend shooting hours to ½ hour after sunset; allow use of unplugged guns; allow use of electronic calls- these expanded methods are allowed only west of U.S. 17**
- September Teal Season - Sept. 6 – 24 (East of U.S. 17 Only); daily bag 6

2014-2015 Extended Falconry Seasons for Webless Migratory Game Bird Species - the Commission adopted the following options for 2014-2015 Extended Falconry Seasons for webless species, presented by Dr. Cobb in **Exhibit E-4**:

- Mourning Dove/White-winged Dove: Oct. 16 – Nov. 1
- Rails, Gallinule, and Moorhens: Dec. 6 – Jan. 10
- Woodcock: Nov. 8 – Dec. 6 and Feb. 2– Feb. 28

The falconry daily bag limit is three permitted migratory game birds, singly or in the aggregate.

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:

- Story 2014 Tract – Polk County (**EXHIBIT F-1**)
- Bean Lot 112 Tract – Ashe County (**EXHIBIT F-2**)
- Goodwin Tract – Scotland County (**EXHIBIT F-3**)
- PCS Phosphate Mitigation Tracts – Beaufort, Hyde, Pamlico counties (**EXHIBIT F-4**)

Phase II Land Acquisition – Carteret County – the Commission gave final approval to proceed with the donation of the Browns Island #1 Tract in Carteret County, presented in **Exhibit G**.

Easement Request, Richmond County – the Commission approved an easement request from the N.C. Department of Transportation for easements across a portion of Sandhills Game Land in Richmond County to facilitate a bridge improvement project. (**Exhibit H**)

Easement Request, Pender County – the Commission approved an easement request across a portion of the Angola Bay Game Land in Pender County for the purpose of accessing private property. (**Exhibit I**)

Comments by the Chairman – *Chairman* Cogdell announced that Bob Curry will receive the North Carolina Wildlife Federation Conservationist of the Year Award. He asked Commissioners to talk to legislators about the regulation of deer farming in North Carolina. He added that we must not put the white-tailed deer at risk for the sake of deer farming.

Actions

July 10, 2014

Comments by the Executive Director – *Executive Director* Gordon Myers thanked Commissioners for attending a number of public hearings held lately on a variety of issues and proposed regulations. He thanked the six Commissioners who attended the Columbia public hearing and the four Commissioners who came to the public hearing about hunting on Bladen Lakes Game Land. He noted a timely article in today's *News and Observer* about Chronic Wasting Disease and pending legislation pertaining to deer farming.

Adjournment –The meeting was adjourned at 11:00 a.m.