



ACTIONS

N.C. WILDLIFE RESOURCES COMMISSION

August 28, 2014, 9 a.m.

Wildlife Resources Commission Headquarters
Raleigh, North Carolina

Meeting - *Commission Vice Chairman* John Litton Clark called the N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Room at Wildlife Resources Commission Headquarters, Raleigh, NC. Clark reminded everyone that the meeting is being recorded as a public record and is audio streamed live at www.newildlife.org. He requested that all cell phones and pagers be turned off during the meeting.

Pledge of Allegiance and Invocation – Commissioner Joe Budd led the Pledge of Allegiance. Commissioner Tim Spear gave the invocation.

Welcome – Vice Chairman Clark welcomed Commissioners and guests. Commissioners Michell Hicks and Jim Cogdell were absent.

Mandatory Ethics Inquiry – Vice Chairman Clark read the ethics inquiry mandated in North Carolina General Statute 138A-15(e). Commissioner Neal Hanks stated that he was recusing himself from discussion and action on **Exhibit G6**, investigation of the Hefner Tract in Polk County as a possible land acquisition.

Minutes – the Commission approved the July 10, 2014 Wildlife Resources Commission minutes, presented in **Exhibit A**.

Financial Status Reports – the Commission received a financial status report on the Wildlife Operating Fund and the Wildlife Endowment Fund as of June 30, 2014, from Tommy Clark, *Budget Director*, presented in **Exhibit B**. The Operating Fund balance is \$17,507,785.09. The Endowment Fund balance is \$104,641,121.90.

Clark then presented a financial status report on the annual interest allocation for the Endowment Fund as of June 30, 2014, presented in **Exhibit C**. The Commission approved the allocation of \$4,718,554.87 to the Sportsman Funds. The Commission approved \$184,668.32 to be allocated to the Magazine Fund, which represents 100 percent of the interest derived from sales of lifetime magazine subscriptions.

Presentation of the Thomas L. Quay Wildlife Diversity Award - the Commission presented the 2014 Thomas L. Quay Wildlife Diversity Award to Linda Pearsall. Mrs. Pearsall led the N.C. Natural Heritage Program for 22 years in a distinguished career, fostering partnerships and working diligently for the conservation of nongame species and their habitats. Executive Director Gordon Myers presented Mrs. Pearsall with a Resolution honoring her as the Quay Award recipient, along with a plaque and a framed print.

Special Recognition for Donors of Action Track Chairs – Executive Director Gordon Myers gave a special recognition to individuals and businesses whose donations provided nine action track chairs and trailers for use by disabled hunters and anglers. The track chairs will help remove barriers to enjoyment of the outdoors by disabled men and women. Framed prints will be given to all donors. Hal Atkinson, representing the Camp-Younts Foundation and Wanda Kay, representing the North Carolina Legislative Sportsmen’s Caucus were in attendance. On behalf of the Wildlife Resources Commission Myers thanked them and the remaining donors for their support in providing greater accessibility to outdoor enthusiasts.

Special Recognition for *Wildlife in North Carolina Magazine* as National Award Winner – Executive Director Gordon Myers commended the staff of *Wildlife in North Carolina* magazine for recognition by the Association of Conservation Information as best wildlife magazine in the nation. Myers stated that the magazine is the flagship publication for outreach. He congratulated staff for their efforts in efficiencies and sustainability that have saved the magazine more than \$600,000.00 in production and administration costs per year.

Photo Break – a twenty minute break for photographs was taken.

Land Use and Access Committee Report – Tom Berry, *Chair*, reported that the Land Use and Access Committee met on August 27, 2014. Isaac Harrold, *Lands Program Manager*, reviewed eleven Phase I acquisition plans for consideration by the Commission at today’s meeting. The Committee recommended that **Exhibits G-3**, Godwin Tract in Duplin County and **G-5**, Handy Tract in Alleghany County be considered for a vote as Phase II acquisitions at today’s meeting since they are offered as donations and do not require further study. Harrold reviewed a Phase II acquisition in **Exhibit H**, the White Spring Tract in Brunswick County as an addition to the Green Swamp Game Land. The Committee reviewed three easement requests and will recommend approval at today’s meeting. Harrold presented **Exhibit L**, the 2014-2015 Field Trial Running Schedule for the J. Robert Gordon Sandhills Field Trial Area. Erik Christofferson, *Engineering and Lands Management Division Chief*, provided the Committee with an update about remediation of the dam and spillway at Rhodes Pond. Chairman Berry announced that a contract has been issued to a Florida firm to evaluate Angola Bay Game Land for possible carbon credits. A report of findings will be presented to the LUAC. A ribbon cutting was held at the Caswell County Gun Range. Berry announced that the Wildlife Habitat Foundation wants to build a training center and create an area for youth hunting only near the Linwood Game Land by the Yadkin River in Davidson County. Updates will be given to the LUAC.

Fisheries Committee Report – Wes Seegars, *Chair*, reported that the Fisheries Committee met on August 27, 2014. Bob Curry, *Inland Fisheries Division Chief*, provided the Committee with trout program updates. A protocol has been established for notifying anglers regarding stocking of hatchery supported trout waters. Plans are underway to purchase approximately 34,000 triploid trout for annual stocking of six large lakes and reservoirs. The Committee received an update about renovations to Upper Armstrong Fish Hatchery. Renovations to the lower raceways are underway and the Office of State Budget Management has approved replacement of upper raceways as part of the existing Capital Improvement project. Funding of one million dollars will be obtained from a Sport Fish Restoration grant and from the Endowment Fund.

Christian Waters presented a striped bass stock assessment for the Roanoke River and Albemarle Sound. The number of spawning females has declined close to the threshold level and fishing mortality is above the target. Commission staff will review options with the Division of Marine Fisheries and present recommendations for management of the spring striped bass season on the Roanoke River to the Committee in October. Waters reported that staff met with representatives from Ducks Unlimited on August 8. DU is concerned about active management of water levels on Lake Mattamuskeet and the potential impacts to waterfowl production. The Commission is engaging the US Fish and Wildlife Service for a comprehensive approach to managing the lake's resources. Consideration is being made for a survey to collect bathymetric data in the lake. Director Myers stated that a meeting with USFWS regional management will be held on September 3 and several Commissioners will attend that meeting.

Migratory Birds, Waterfowl Committee Report – John Coley, *Chair*, reported that the Committee met on August 27, 2014. Dr. David Cobb, *Wildlife Management Division Chief*, reviewed the entire **Exhibit E-1, E-2 and E-3** pertaining to the federal frameworks, public comments from the internet, and staff recommendations for 2014-2015 late waterfowl seasons. Cobb reviewed **Exhibit F**, staff recommendations to allow the take of one migrant peregrine falcon from the wild for use in falconry, from September 20 through October 20, 2014. Doug Howell gave a report to the Committee about trends in duck numbers at Lake Mattamuskeet.

Habitat, Nongame and Endangered Species Committee Report – Mark Craig, *Chair*, reported that the Habitat, Nongame and Endangered Species Committee met on August 27, 2014. The Committee received a report from the August 21 Nongame Wildlife Advisory Committee. The HNGES Committee reviewed the draft NWAC resolution and staff summarized the changes. Todd Ewing presented an augmentation project proposal for four nongame species using hatchery produced species. The Committee authorized staff to implement the augmentation plan for the Robust Redhorse, Tar River Spiny mussel, Carolina Heelsplitter, and Appalachian Elktoe. Ewing updated the Committee about the Dan River coal ash spill and a plan for species restoration and augmentation. The Committee authorized staff to allow the Dan River Coal Ash Spill NRDA team to include a listed species augmentation project on the pre-mitigation list. In the interest of time, discussion of next steps in state listings was deferred.

Committee of the Whole Report – *Vice Chairman* John Litton Clark reported that the Committee of the Whole met on August 27. Isaac Harrold reported that the public hearing for a proposed restricted deer hunting zone on Bladen Lakes State Forest Game Land was held on July 8, 2014. The Committee will recommend a proposal for three tracts on Bladen Lakes Game Land for possible action. Dr. David Cobb presented an initial review of 2015-2016 proposed wildlife management rules for consideration by the Commission at a later meeting. Bob Curry presented thirty-four proposals for fisheries to be considered at a later meeting. The Committee discussed recent legislation by the General Assembly pertaining to cervid farming in North Carolina. Temporary rules must be promulgated to comply with the legislation. Two public hearings will be held to hear concerns and discuss objectives. On October 7 a hearing will be held in Statesville and on October 14 a hearing will be held in Raleigh. The Committee discussed depredation permit conditions allowing retention of edible portions of animals other than cervids. Dr. Cobb presented a resolution regarding the use of processed food products. The Commission voted to adopt the resolution and to incorporate the resolution into the minutes of this meeting. The COW moved into closed session to discuss a legal matter.

Agency Spotlight – The North Carolina Birding Trail – the Commission received an update from Scott Anderson, *Wildlife Diversity Program Biologist*, about the North Carolina Birding Trail program. Anderson coordinates partnerships among other agencies to promote more than 300 sites for bird watching across the state. Anderson reported that in 2011 there were more than 2.4 million wildlife watchers in the state. The economic impact of wildlife watching is 930 million dollars per year. Future plans for the Birding Trail program include creating birding itineraries, developing more education programs, and tracking birder patronage. Commissioners were presented with the Coastal, Piedmont, and Mountain Birding Trail Guides.

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 wildlife surveys and monitoring are underway in a project with NC State University, to survey the huntable area of North Carolina and the long term implications for management. In eastern North Carolina the agency is working on placement of GPS collars on coyotes to track their movements.

Temporary Rulemaking for Captivity Licenses and Permits for Captive Cervids – the Commission approved taking to public hearings proposed temporary rulemaking, presented in **Exhibit D**, to allow the Commission to issue new captivity licenses and permits for the purpose of holding cervids in captivity, and to allow certified herd owners to sell or transfer cervids to any licensed facility. The temporary rule changes the age for testing for CWD to twelve months. The temporary rules are necessary to comply with Senate Bill 744 which directs the WRC to change how captive cervids are managed. Public hearings will be held on October 7 in Statesville and on October 14 in Raleigh.

2014 – 2015 Migratory Waterfowl Seasons – Dr. David Cobb presented **Exhibit E-1**, proposed regulation frameworks from the U.S. Fish and Wildlife Service for late hunting seasons for certain waterfowl and migratory game birds.

Exhibit E-2 is a summary of public comments received by internet pertaining to late waterfowl seasons.

The Commission approved the 2014-2015 options for bag limits, shooting hours, and season dates for waterfowl seasons occurring after September 30, presented in **Exhibit E-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: January 31 and February 7, 2015 (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 day.)
Species include ducks, geese, brant, mergansers, coots and tundra swans. The youth must have a valid permit to hunt a Canada goose (NE Hunt Zone only) or a tundra swan.

REGULAR DUCK SEASON (includes coots and mergansers)

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

Season Dates: October 1-4
November 8 – November 29
December 13 – January 24
(Black duck and mottled duck season closed until November 22.)

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 22), 1 canvasback, 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: 106 hunting days

Season Dates: October 1 – January 31

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 1– October 11
November 8 – November 29
December 13 – February 7
Bag Limit: 5 geese per day

SOUTHERN JAMES BAY (SJB) ZONE

Season Length: 70 days
Season Dates: October 1 – October 28
November 8 - December 31
Bag Limit: 5 geese per day

NORTHEAST HUNT ZONE

Season Length: 14 days
Season Dates: January 9 – January 24
Bag Limit: 1 goose per day (with valid permit)
(unlimited permits available – tagging not required)

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

Season Length: 107 Days
Season Dates: October 15 – October 18
November 8 – March 7
Bag Limit: 25 birds daily (no possession limit)
Expanded hunting methods: allow use of electronic calls and unplugged guns from
February 9 – March 7

ATLANTIC BRANT:

Season Length: 30 Days
Season Dates: December 22 – January 24
Bag Limit: 2 birds daily

TUNDRA SWAN:

Season Length: 73 Days
Season Dates: November 8 - January 31
Bag Limit: One per season (with valid permit)

EXTENDED FALCONRY (ducks and coots only):

Season Length: 106 total hawking days (includes 60 days of gun season plus 16 days of special teal season)
Season Dates: October 20 – November 1
January 26 – February 14
Bag Limit: 3 migratory birds daily

EXTENDED FALCONRY (migratory game birds):

DOVE

Season Dates: Oct. 16 - Nov. 1
Daily Bag: 3
Possession: 9

KING, CLAPPER, SORA AND VIRGINIA RAILS

Season Dates: Dec. 6 – Jan. 10
Daily Bag: 3
Possession: 9

GALLINULE AND MOORHENS

Season Dates: Dec. 6 – Jan. 10
Daily Bag: 3
Possession: 9

WOODCOCK

Season Dates: Nov. 8 – Dec. 6 and
Feb. 2 – Feb. 28
Daily Bag: 3
Possession: 9

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

<u>Season Dates:</u>	Oct. 20 – Nov. 1 and Jan. 26 – February 14
<u>Daily Bag:</u>	3
<u>Possession:</u>	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 F** to establish a 2014 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, 2014 through October 20, 2014.
- 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 DWM staff and submit that survey no later than December 15, 2014.

Inland Fisheries Update - the Commission received an update from Bob Curry, *Inland Fisheries Division Chief*, about activities of the Inland Fisheries Division. A BOW (Becoming an Outdoors Woman) shooting sports workshop was hosted by the Wake County Wildlife Club. The Action Track Chairs for use by disabled sportsmen were tried out by disabled veterans at the John E. Pechmann Fishing Education Center recently. The chairs have been displayed at the Department of Transportation Health Fair and other places. District 9 hunts with the chairs are planned. Curry reminded everyone about National Hunting and Fishing Day on September 27. He reminded the group about youth hunts and the Mountain State Fair and N.C. State Fair.

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:

- Canady Landing Tract – Beaufort County (**G-1**)
- Davis Tract – Buncombe County (**G-2**)
- Grooms Tract – Bladen County (**G-4**)
- Little Cove Creek Tract – Polk County (**G-7**)
- Loflin-Cut Laurel Gap Tract – Ashe County (**G-8**)
- Sheepback Mountain Tract – Haywood County (**G-9**)
- Bartlett Boating Access Area (Catawba River) Tract – McDowell County (**G-10**)
- Bolivia Depot Tract – Brunswick County (**G-11**)

Phase I Acquisition Considered Separately – with Commissioner Neal Hanks recusing himself, the Commission approved a separate request presented by Isaac Harrold for agency staff to begin working with the State Property Office and funding partners to develop an acquisition plan for the Hefner Tract in Polk County (**Exhibit G-6**).

Phase II Land Acquisitions – the Commission gave final approval for the acquisition of two Phase II properties as donations:

- Godwin Tract – Duplin County (**Exhibit G-3**)
- Handy Tract – Alleghany County (**Exhibit G-5**)

The Commission gave final approval for the acquisition of the White Spring tract in Brunswick County, presented in **Exhibit H**.

Easement Request, Richmond County – the Commission approved an easement request across a portion of the Hinson Lake Wildlife Conservation Area in Richmond County for the purpose of accessing private property. (**Exhibit I**)

Easement Request, Rowan County – the Commission approved an easement request across a portion of the Second Creek Game Land in Rowan County for the purpose of accessing private property. (**Exhibit J**)

Restricted Deer Hunting Zone Designation, Bladen County – based on public comments at a hearing on July 8, 2014, and a resolution from the Bladen County Board of Education requesting restrictions for public safety near a school, the Commission approved two areas totaling 595 acres on Bladen Lakes Game Land as restricted deer hunting zones. (**Exhibit K**)

Field Trial Schedule - the Commission approved the 2014-2015 North Carolina Field Trial Association Running Schedule for the J. Robert Gordon Field Trial Grounds, presented in **Exhibit L**.

Comments by the Vice Chairman – Vice Chairman John Litton Clark thanked agency staff for their efforts concerning lawsuits involving the Wildlife Resources Commission. He stated that Chairman Cogdell has been missed during meetings this week.

Comments by the Executive Director – Executive Director Gordon Myers announced that a Federal Funds Workshop will be held on October 28, to explain federal funding used by the agency. He encouraged Commissioners to attend. Myers announced the death of former Chairman John Lentz, noting the lasting impact to wildlife resources locally and nationally by Mr. Lentz, a true gentleman and conservationist.

Adjournment- the meeting was adjourned by Vice Chairman Clark at 10:45 am.