



ACTIONS
N.C. WILDLIFE RESOURCES COMMISSION

July 16, 2015 at 9:00 a.m.
NC Wildlife Resources Commission Headquarters
1751 Varsity Drive
Raleigh, North Carolina

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

Pledge of Allegiance – *Commissioner* Ray Clifton led the Pledge of Allegiance.

Invocation - *Commissioner* Joe Budd gave the invocation.

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

Welcome – Vice Chairman Clark welcomed Commissioners and guests, including award winners and their guests who were present at the meeting.

Approval of Minutes - the Commission approved the May 21, 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 May 31, 2015 from Cecilia Edgar, *Deputy Director of Finance*, presented in **Exhibit B**. The Operating Fund balance was \$14,687,005.52. The Endowment Fund balance was \$112,270,020.03. Expendable interest was \$19,567,736.53.

Special Presentation - National Fishing and Boating Week Lifetime License Winners – Bob Curry, *Fisheries Division Chief*, and Vice Chairman Clark presented a lifetime sportsman license, donated by Neuse Sport Shop, to Hannah Ball from Deep Run. A lifetime fishing license donated by the N.C. Council of Trout Unlimited was presented to Faith Duncan from Madison. The girls won the licenses from drawings held at state-wide Fish for Fun events during National Fishing and Boating Week. Vice Chairman Clark thanked Russell Rhodes of Neuse Sport Shop and Ned Jones of N.C. Trout Unlimited for their ongoing support of youth and wildlife related recreation.

2015 Thomas L. Quay Wildlife Diversity Award Presentation - *Executive Director* Gordon Myers introduced the winner of the 2015 Thomas L. Quay Wildlife Diversity Award. The award, established in 2006 by the WRC with the Nongame Wildlife Diversity Committee (NWAC) in honor of Dr. Thomas L. Quay, is awarded each year to someone who has made long-lasting contributions to wildlife diversity. Myers read a Resolution, introduced by Vice Chairman John Litton Clark and adopted by acclamation, naming Jeff Beane as the 2015 recipient. Beane is a distinguished herpetologist whose dedication has provided a better understanding of taxonomy, distribution, ecology and status of reptiles and amphibians and their conservation. Beane was presented with a plaque and framed picture of his recent magazine article about wildlife diversity.

Special Presentation from Duke Energy – On behalf of the WRC, Executive Director and Vice Chairman John Litton Clark received two checks from Duke Energy. Steve Jester, *Duke Energy Vice President, Water Strategy, Hydro Licensing and Lake Services*, presented a check for \$240,000 to be used by the WRC for the operation of Public Access Areas on Lake Tillery and Blewett Falls. Another check for \$25,000 will be used for construction of an ADA-accessible fishing pier and trail at Stony Mountain Recreation Area on Lake Tillery. The monies are awarded as part of the 40-year Federal Energy Regulatory Commission (FERC) licensing agreement that was received on April 1, 2015 for the Yadkin-Pee Dee hydropower project.

Photo Break – Vice Chairman Clark announced a short break for photographs to be taken. The meeting reconvened at 9:35 a.m.

Fisheries Committee Meeting Summary – Wes Seegars, *Chairman*, reported that the Fisheries Committee met on July 15. The committee received an update on the Mountain Heritage Trout Waters Program. The committee approved the proposed process for considering new requests for participation in the Mountain Heritage Trout Waters program and recommended approval by the full Commission at the meeting on July 16.

The Fisheries Committee recommended that the Commission designate the Town of Bryson City as a Mountain Heritage Trout City and recognize the Delayed Harvest Trout Waters section of Tuckasegee River as Mountain Heritage Trout Waters. The request will be presented for consideration by the full Commission.

Bob Curry provided a trout production update. Staff has worked to recover from the loss of fish at the Armstrong Fish Hatchery. There are enough trout to meet all stocking requests for the 2015 season (through August). Delayed harvest stockings starting in October will not be impacted but there is no reserve.

Committee of the Whole Meeting Summary – Vice Chairman Clark reported that the Committee of the Whole met on July 15. Cindy Carr, *Wildlife Action Plan Coordinator*, provided the Commissioners with an overview of draft revisions that are being made to the Wildlife Action Plan prior to approval by the Commission in August. Carr noted that species of greatest need for conservation have been reduced by five percent since 2005 with the assistance of the State Wildlife Grants (SWG) program.

Chris Goudreau, *Fisheries Biologist*, provided an overview of the Duke Progress Yadkin-Pee Dee FERC Relicense Agreement. The 50-year license was issued this year with Lake Tillery and Blewett Falls as the focus of management and mitigation processes. Some recreation upgrades such as a new boating access area and fishing area on Lake Tillery have been completed. There is a new access area at Blewett Falls. Land conveyances include two donations and three restrictive easements.

Kate Pipkin, *Rules Biologist*, reviewed a permanent rule to replace a temporary rule for no wake zones at Sadler Island on Lake Wylie. The full Commission will consider the permanent rule later in this meeting.

The committee received a recap of nine state-wide deer management forums from David Sawyer, Brad Howard, Jonathan Shaw, and Chris Serenari. They shared biological data from a three-year analysis and discussed concerns about deer harvest with hunters. The consensus was that deer seasons across the state may not be the best fit for the health of the populations, since peak breeding times vary widely in the state. One biological objective is to ensure that does are bred at the biologically correct time.

Nick Gould, *N.C. State University*, provided an update of the Urban Bear Study in Asheville, which is in its second year. Objectives include determining causes of mortality, travel corridors, movement and activity and reproduction parameters. Gould discussed the GPS collars that provide data every 15 minutes while the bears are inside Asheville. Twenty dens have been found with 40 percent inside the city limits. Seventeen females reproduced 45 cubs. Of the GPS collared bears there have been eight mortalities.

Terry Morris, *Eastern Carolina Houndsmen Alliance*, provided an update about the Alliance, which was formed to address deer dog problems. Morris stated that the Alliance is working with Weyerhaeuser on a 26,000-acre tract for deer dog hunting with hope that Weyerhaeuser will continue to allow the use of their property for the sport.

Gordon Myers gave a brief overview of the six open seats on the NWAC Committee including an unexpired term. He has made his recommendations. The entire Commission will vote on the appointments at the July 16, 2015 meeting.

Myers passed out a draft public hearing schedule for January state-wide public hearings. The Commission will vote on the schedule at the August meeting.

Migratory Birds/Waterfowl Committee Meeting Summary – John Coley, *Chairman*, reported that the Migratory Birds/Waterfowl Committee met on July 15. Dr. David Cobb, *Wildlife Management Division Chief*, reviewed the exhibits for selection of 2015-2016 seasons and bag limits for webless migratory game birds, resident Canada geese and falconry. Cobb noted that expanded hunting methods are allowed only west of U.S. Highway 17. Cobb noted that at the request of hunters, teal season will open September 12, a different day than opening of dove season. Cobb also reviewed the exhibit for extended falconry seasons for webless migratory birds. The Commission will discuss adoption of the seasons later in this meeting.

Land Use and Access Committee Meeting Summary – Tom Berry, *Chairman*, reported that the Land Use and Access Committee met on July 15. Isaac Harrold, *Lands Program Manager*, reviewed seven Phase I land acquisitions for consideration by the Commission at the meeting on July 16. The committee endorsed approval of three Phase II acquisitions.

Harrold presented several easement requests. The committee agreed to endorse an easement request by a landowner to provide access to private property across a portion of Johns River Game Land in Burke County, with stipulations that will be presented to the entire Commission for consideration.

The committee recommended that the Commission take no action on a request by private property owner Norwood Blanchard to memorialize an easement to his landlocked property adjacent to Angola Bay Game Land in Pender County. The committee directed staff to explore the possibility of acquiring Mr. Blanchard's tract in fee simple, or otherwise evaluate the potential to trade the subject property for state property of like value elsewhere.

The committee recommended that the Commission approve an easement request from Carolina Investment Group across a portion of Pond Mountain Game Land in Ashe County for the purpose of accessing private property. The committee recommended approval with conditions for consideration by the entire Commission.

The committee recommended that the Commission approve a request from N.C. Department of Transportation for easements across a portion of Brinkleyville Game Land in Halifax County to facilitate a bridge improvement project.

The committee recommended approval of an easement request from Duke Energy across a portion of R. Wayne Bailey-Caswell Game Land in Caswell County for the purpose of relocating an existing power transmission line. A condition of the recommendation is to include the value of merchantable timber as part of the approval.

The committee recommended approval of an easement to Duke Energy across a portion of Sandhills Game Land in Richmond County to facilitate provision of underground electrical service to a new WRC building.

The proposal to create an archery-only zone near school property adjacent to the Butner-Falls of Neuse Game Land was reviewed by agency staff with a recommendation for no action. Further evaluation will be conducted before the recommendation will be explored by the Commission at a later meeting.

Chairman Tom Berry announced that improvements to roads and parking lots and development of impoundments are being undertaken at Texas Plantation.

Agency Spotlight – Overview of Green River Game Land Management Plan – Erik Christofferson, *Deputy Director of Operations*, introduced Biologists Kip Hollifield and Gordon Warburton. Warburton updated the Commission on the new planning process to enhance game lands. He provided an overview of efforts to modernize the 14,000-acre Green River Game Land that was purchased in the 1950s. Guided by the Wildlife Action Plan, Strategic Plan, best science and unique game land attributes, staff has sought public involvement to gather input in a regional context about needs for infrastructure, forest management, important habitats and species, and alternative game land uses. Discussion of Game Land user fees was discussed. A commercial use policy is needed. Camping is new to the Green River Game Land. Warburton stated that the Green River Game Land costs approximately \$40,000 to operate. Warburton told the Commission that a Plan Development team will prepare guidelines for all programs on the Game Land.

Inland Fisheries Update – the Commission received an update on the activities of the Inland Fisheries Division from Bob Curry, *Inland Fisheries Division Chief*. Curry thanked the sponsors of the Fish for Fun activities that reached 3900 youth at forty events state-wide. Curry noted that staff will be sampling catfish populations in District 4.

Bryson City Mountain Heritage Trout City Request – the Commission approved a request from the Town of Bryson City, presented in **Exhibit C**, to be added to the Mountain Heritage Trout City Program. The Delayed Harvest Trout Waters section of Tuckasegee River will be recognized as Mountain Heritage Trout Waters.

Wildlife Management Update – the Commission received an update about the activities of the Wildlife Management Division from Dr. David Cobb, *Wildlife Management Division Chief*. Cobb stated that the three-year cooperative project with Morrow Mountain State Park for sustainability of the deer herd continued. On August 4 a herd health check will be conducted. Cobb announced that the Upland Gazette will be inserted into the fall and spring Guides, thereby reaching a larger audience. Cobb stated that the WRC and USFWS have conducted research about market and non-market value of tundra swans in a five-county area of eastern North Carolina. Tourists in the winter generate \$1.63 million in revenue. Swan hunters alone add \$1.03 million to the local economy. Cobb mentioned the E-mammal project with the N.C. Museum of Natural Science, with cameras being used by citizen scientists to monitor animals.

Proposed 2015-2016 Early Hunting Season Frameworks for Certain Migratory Game Birds – the Commission received frameworks, presented by Dr. Cobb in **Exhibit D-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, 2015 and March 10, 2016.

Public Comments Regarding 2015-2016 Recommendations for Early Season Frameworks - the Commission received a summary from Dr. Cobb in **Exhibit D-2** of public comments regarding the proposed Early Migratory Game Bird Season Frameworks.

Adoption of 2015-2016 Early Season Migratory Game Bird Season Frameworks – the Commission adopted 2015-2016 early seasons, bag limits, and shooting hours for webless migratory game birds and waterfowl seasons beginning prior to October 1, in **Exhibit D-3**. Dove season will open on September 5, the Saturday before Labor Day. The Commission voted to open teal season east of U.S. Highway 17 on September 12, so as not to interfere with the opening of dove season.

[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. Possession is three times the daily bag for all species]

- Mourning Dove and White-winged Dove - Sept. 5 – Oct. 10 and Nov. 23 - Jan. 15; daily bag 15
- King and Clapper Rails - Sept. 1 – Oct. 10, Oct. 23 – Nov. 28; daily bag 15
- Sora and Virginia Rails - Sept. 1 – Oct. 3, Oct. 23 - Nov. 28; daily bag 25
- Gallinule and Moorhens - Sept. 1 – Oct. 3, Oct. 23 - Nov. 28; daily bag 15
- Woodcock- Dec. 17 – Jan. 30; daily bag 3
- Common Snipe - Nov. 13 - Feb. 27; daily bag 8
- Canada Goose - Sept. 1 – 30 statewide; 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. 12 – 30 (East of U.S. 17 Only); daily bag 6

2015-2016 Extended Falconry Seasons for Webless Migratory Game Bird Species - the Commission adopted the following options for 2015-2016 Extended Falconry Seasons for webless species, presented in **Exhibit D-4**:

- Mourning Doves/White-winged dove: Oct. 15 – Oct. 31
- Rails, Gallinule, and Moorhens: Dec. 5 – Jan. 9:
- Woodcock: Nov. 7 – Dec. 5 and Feb. 1 – Feb. 27

The falconry daily bag limit is three permitted migratory game birds, singly or in 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:

- Coppedge Hwy 58 Tract – Warren County (**E-1**)
- Eure/Horton Tracts – Gates County (**E-2**)
- Faircloth Access Tract – Bladen County (**E-3**)
- NC 41 Big Swamp Access Tract – Robeson County (**E-4**)
- Sylvia Green Tract – Richmond County (**E-5**)
- Weyerhaeuser Shooting Range Tract – Craven County (**E-6**)
- Womble Tract – Scotland County (**E-7**)

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

- Billups Tract – Bladen County (**F-1**)
- Landfall-Mayfaire Tracts – Pender County (**F-2**)
- Max Lake Tract – Richmond County (**F-3**)

Easement Request, Burke County – the Commission approved an easement request from Marshall Duckworth, presented in **Exhibit G**, across a portion of Johns River Game Land in Burke County for the purpose of accessing private property with conditions:

- WRC bear no associated expense
- The easement serve no commercial purpose
- The easement become null and void if the subject property is ever subdivided
- The easement include a damage liability clause and restrictions as necessary to prevent interference with operation, maintenance and/or public use of the game land.

Easement Request, Pender County – the Commission withdrew consideration of an easement request by Norwood Blanchard, in **Exhibit H**, across a portion of Angola Bay Game Land in Pender County for the purpose of accessing private property. The committee directed staff to explore the possibility of acquiring Mr. Blanchard's tract in fee simple, or otherwise evaluate the potential to trade the subject property for state property of like value elsewhere.

Easement Request, Ashe County – The Commission approved an easement request by Carolina Investment Group in **Exhibit I**, across a portion of Pond Mountain Game Land in Ashe County for the purpose of accessing private property with the following conditions:

- WRC bear no associated expense
- The easement serve no commercial purpose
- The easement become null and void if the subject property is ever subdivided
- The easement include a liability clause and restrictions as necessary to prevent interference with operation, maintenance and/or public use of the game land
- The WRC have first right of refusal if the property is to be sold

Easement Request, Halifax County – the Commission approved a request presented in **Exhibit J**, from N.C. Department of Transportation for easements across a portion of Brinkleyville Game Land in Halifax County to facilitate a bridge improvement project.

Easement Request, Caswell County – the Commission approved a right-of-way easement request from Duke Energy in **Exhibit K** across a portion of R. Wayne Bailey-Caswell Game Land in Caswell County for the purpose of relocating an existing power transmission line. The value of merchantable timber within the right of way will be compensated.

Easement Request, Richmond County – the Commission approved granting an easement to Duke Energy across a portion of Sandhills Game Land in Richmond County to facilitate provision of underground electrical service to a new WRC building, presented in **Exhibit L**.

Archery Zone Designation, Durham County – the proposal presented in **Exhibit M**, to create an archery-only zone near school property adjacent to the Butner-Falls of Neuse Game Land, was reviewed by agency staff and recommended for no action. The Commission instructed staff to conduct further evaluation before the recommendation will be explored by the Commission at a later meeting.

Summary of Public Comments for Permanent Rulemaking on Lake Wylie – the Commission received in **Exhibit N-1** a summary of public comments concerning adoption of permanent amendments to 15A NCAC 10F .0333 for no wake zones on Lake Wylie.

Permanent Rule Adoption for Two No-wake Zones on Lake Wylie - Gaston and Mecklenburg Counties – the Commission voted to adopt proposed permanent amendments for 15A NCAC 10F .0333, presented in **Exhibit N-2**. The amendments will create two no-wake zones on Lake Wylie at Sadler Island east and Sadler Island west.

Nongame Wildlife Advisory Committee Appointments – the Commission approved the recommendation of the Executive Director for six appointments to the Nongame Wildlife Advisory Committee, presented in **Exhibit O**:

1. Judith A. Ratcliffe – to fill an unexpired term ending June 30, 2017
2. Kenneth Neil Medlin – for term ending June 30, 2018
3. Jesse Edward Corey III – for term ending June 30, 2018
4. Elizabeth L. Kalies – for term ending June 30, 2018
5. G. Lane Sauls, Jr. – for term ending June 30, 2018
6. James Robert Pendergrass – for term ending June 30, 2018

Election of Officers – Pursuant to NCGS 143-243, at the first scheduled meeting of the Commission after July 1 of each odd-numbered year the Wildlife Resources Commission shall select from among its membership a chairman and a vice chairman, who shall serve for terms of two years or until their successors are elected and qualified. The Commission unanimously elected John Litton Clark as Chairman. The Commission unanimously elected John Coley as Vice Chairman.

Comments by the Chairman – *Chairman* John Litton Clark thanked former Chairmen under whom he had served – Wes Seegars, Steve Windham, David Hoyle, Jr. and Jim Cogdell – for their guidance. Clark promised to do his best as Chairman.

Comments by the Executive Director – *Executive Director* Gordon Myers congratulated John Litton Clark on his election. He thanked Clark for his tireless assistance with legislative issues this session.

Myers commended agency staff for their work with constituents at the deer forums and for their ongoing analysis of issues pertaining to deer seasons and desires of hunters.

Myers stated that budget negotiations at the General Assembly are ongoing. While the agency is on the path to self-sufficiency, there is a concern that the Legislature is proceeding too quickly adding recurring cuts to the agency budget before there are adequate revenues to meet budget requirements.

Myers stated that the Outdoor Heritage Act is an historic change for North Carolina. He noted that the new Outdoor Heritage Council will be established and it is critical that this agency provide them with administrative support.

Myers closed by stating his gratitude for the recent meeting with the Governor, Commissioners, and some senior staff members and looks forward to more interagency collaboration in wildlife-related issues.

Comment by Vice Chairman – John Coley thanked the Commission for electing him as Vice Chairman.

Adjournment - the meeting was adjourned by Chairman Clark at 10:45 a.m.