



ACTIONS

N.C. WILDLIFE RESOURCES COMMISSION

October 13, 2011 at 9:00 a.m.

Wildlife Resources Commission Headquarters
Raleigh, North Carolina

Meeting – *Commission Chairman* David W. Hoyle, Jr. 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.

Acceptance of Petition – Chairman Hoyle recognized *Executive Director* Gordon Myers to speak about a matter not on the agenda. Myers announced that a petition will be delivered during the meeting, and is associated with a pending criminal case. Myers stated that it is inappropriate for the agency and Commissioners to discuss the pending case or to accept questions or comments at this meeting. He stated that the WRC uses the committee structure for discussion of wildlife issues, and comments are accepted at committee meetings. Mallory Martin, *Chief Deputy Director*, received a copy of the petition.

Mandatory Ethics Inquiry – Chairman Hoyle read the ethics inquiry, mandated in North Carolina General Statute 138A-15(e), which requires Commissioners to avoid conflicts of interest or appearances of conflict in matters coming before the Commission.

Administer Oath of Office to Commissioner at Large Doc J. Thurston III - The Honorable Elaine F. Marshall, *North Carolina Secretary of State*, administered the Oath of Office to new *Commissioner at Large* Doc J. Thurston III, appointed by *President Pro Tempore* Phil Berger for a two year term.

Chairman Hoyle called for a short recess at 9:05 so that photographs could be taken. The meeting reconvened at 9:10.

Minutes - the Commission approved the August 25, 2011 Wildlife Resources Commission minutes as presented in **Exhibit A**.

Financial Status Report - the Commission received a financial status report as of August 31, 2011 on the Wildlife Operating Fund, which has a balance of \$22,963,910.89, and the Wildlife Endowment Fund, which has a balance of \$84,313,692.70, from Tommy Clark, *Budget Officer*, in **Exhibit B**.

Enforcement Spotlight – Lt. Todd Radabaugh, *Division of Enforcement*, presented a spotlight about the “On the Road On the Water Don’t Drink and Drive” campaign this past summer, which was a collaborative effort among law enforcement agencies to educate the public about operating vehicles on land and on water while under the influence of impairing substances. News releases about the campaign were distributed state-wide with positive response from boaters. Radabaugh stated that the NCWRC offered the first training sessions on conducting a battery of seated sobriety tests for use on the water and for vehicle operators with mobility issues that make standing sobriety tests difficult. More than 71,000 vessels were inspected state-wide during the summer campaign, with 3187 boating safety violation citations and 7467 warnings issued as part of the education process. 309 citations for operating while impaired were issued.

Inland Fisheries and Education Outreach Update - the Commission received an update on recent activities of the Inland Fisheries Division from Christian Waters, *Fisheries Program Manager*. Waters mentioned some of the state-wide activities associated with National Hunting and Fishing Day on September 24, 2011. Lifetime licenses were donated at the Pechmann Center by the Pechmann family and by Trout Unlimited. At the Centennial Campus Center for Wildlife Education event the Wake County Wildlife Club donated two lifetime licenses. Waters announced that more than 27,000 visitors attended the wildlife exhibit at the Mountain State Fair held September 9-18. The North Carolina State Fair will be held in Raleigh October 13-23. The WRC theme is “Wildlife Science for a Better Future.” Under fisheries management Waters mentioned the tagging of Atlantic sturgeon on the Roanoke River, and noted collaborative tracking efforts that have identified tagged sturgeon in Delaware Bay and off Cape Hatteras. Hurricane Irene resulted in fish kills that lasted more than two weeks, similar to those that occurred after Hurricane Isabel. Fish production recently has included stocking of 4533 muskellunge and 70,000 black crappie.

2012 – 2013 Proposals, Summary of Public Comments – the Commission received in **Exhibit C** a summary of the public comments regarding proposed changes to twenty-six inland fishing regulations, received at statewide District public hearings held in September, and from correspondence and the internet portal. Christian Waters reported that 141 comments were received at public hearings and 178 on line. CDs containing comments in their entirety were distributed to the Commissioners.

Wildlife Management Update – the Commission received an update about the activities of the Division of Wildlife Management from Isaac Harrold, *Section Manager*. Each Commissioner received a CD containing updates and documents pertaining to wildlife management, including the 2011 Mourning Dove Banding Report and a publication “Amphibians and Reptiles in Your Back Yard.”

Property Acquisition, Brunswick County – the Commission adopted the staff request, presented by Isaac Harrold in **Exhibit D**, to work with the State Property Office to pursue funding opportunities for the acquisition of the Herbert Swain tract in Brunswick County for inclusion into the Game Land Program. When funding is identified, staff will seek final WRC approval to proceed with the acquisition.

Access Easement Request - Sandhills Game Land, Richmond County – the Commission adopted a request from Mike Myers, presented by Isaac Harrold in **Exhibit E**, for an 825 foot easement for access to his property adjacent to the Sandhills Game Land in Richmond County.

2012 – 2013 Proposals, Summary of Public Comments – the Commission received in **Exhibit F** a summary of public comments on proposed changes to hunting and trapping regulations, received from statewide District public hearings held in September and from the WRC internet portal and correspondence. CDs containing the comments in their entirety were distributed to each Commissioner.

Temporary Rulemaking to Allow Trapping of Feral Swine - the Commission approved the staff recommendation in **Exhibit G** to undertake temporary rulemaking to allow trapping of feral swine with no closed season and no bag limit with the following restrictions:

- Swine trappers must have a Commission-issued permit in addition to a hunting or trapping license
- Feral swine may be live-trapped using only corral or box traps
- Corral and box traps must be constructed in a manner such that a non-target animal can be easily released or can escape without harm
- Permit numbers must be placed on all traps
- Feral swine must be euthanized while in the trap and may not be removed alive from any trap.

No Wake Zone Request – Hyde County – the Commission adopted a request by Hyde County, presented in **Exhibit H** by Erik Christofferson, *Engineering Services Division Chief*, for an amendment to 15A NCAC 10F .0313 to establish a no wake zone within the waters of a portion of Lake Landing Canal in the vicinity of the Last Chance community.

No Wake Zone Request – Hyde County – the Commission adopted a request by Hyde County on behalf of the U.S. Fish and Wildlife Service, presented by Erik Christofferson in **Exhibit I**, for an amendment to 15A NCAC 10F .0313 to establish no wake zones within portions of the Central Canal, East Main Canal, and West Main Canal immediately adjacent to the Mattamuskeet Lodge on Mattamuskeet Lake.

No Wake Zone Request – Carteret County – the Commission voted to table a request by the North Carolina Division of Parks and Recreation on behalf of the United States Coast Guard Sector North Carolina, presented in **Exhibit J** by Erik Christofferson, to establish a no wake zone within the waters of Fishing Creek, a shallow and narrow tidal creek that runs through Fort Macon State Park. Further consideration of the need for a no wake zone in these waters will be discussed by the Boating Safety Committee on November 9, 2011 prior to consideration by the entire Commission on November 10. The Boating Safety Committee will extend an invitation to representatives from the interested parties (U.S. Coast Guard and the State Park) to attend the committee discussions.

No Wake Zone Request – Davidson County – the Commission adopted a request by Davidson County, presented by Erik Christofferson in **Exhibit K**, for an amendment to 15A NCAC 10F .0324 for the creation of a no wake zone at Camp Walter Johnson Salvation Army Camp in Flat Swamp Creek on High Rock Lake.

Committee of the Whole Meeting Report – Chairman David Hoyle Jr. reported that the Committee of the Whole met on October 12 to discuss temporary rulemaking for trapping feral swine and comments received from the state-wide public hearings. The Commission will vote on the proposals at the November 10 meeting.

Comments by the Chairman – Chairman Hoyle asked the gubernatorial, Speaker, and President Pro Tempore appointees to stay after the meeting to choose two members from each group to serve on the Executive Committee. The Executive Committee will include the Chairman, Vice Chairman and immediate past Chairman, along with the six committee members elected today.

Comments by the Executive Director – Gordon Myers announced that Bob Curry and Dale Caveny are attending the National Conservation Leadership Institute in Shepherdstown, WVA. Myers reported that more than 500 employees recently attended town hall meetings that were held in conjunction with some of the public hearings across the state. Myers again stated that the petition that was presented at the beginning of today's meeting is associated with a pending criminal case. It is therefore inappropriate for Commissioners or staff to discuss details of the petition. He said that the petition is being referred to the Executive Committee and reminded the assembly that the WRC uses the committee structure and public hearings to receive concerns and comments from constituents.

Adjournment - the meeting was adjourned by Chairman David Hoyle, Jr. at 10:10 am.