



## ACTIONS

### **N.C. WILDLIFE RESOURCES COMMISSION**

May 12, 2011 at 9:00 a.m.

NC Wildlife Resources Commission Headquarters  
1751 Varsity Drive  
Raleigh, North Carolina

**Call to Order** - *Commission Chairman* Steve Windham called the N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Conference Room, 5<sup>th</sup> floor.

**Pledge of Allegiance and Invocation** - *Commissioner* David Hoyle, Jr. led the Pledge of Allegiance. *Commissioner* Ray White gave the invocation.

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

**Welcome** - Chairman Windham welcomed Commissioners and guests. Windham announced that Executive Director Gordon Myers was absent because he was testifying before a Congressional Committee in Washington regarding the transfer of McKinney Lake Fish Hatchery to the State of North Carolina.

**Minutes** - the Commission approved the March 10, 2011 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 March 31, 2011 from Tommy Clark, *Budget Officer*, presented in **Exhibit B**. The Operating Fund balance was \$21,441,152.56. The Endowment Fund balance was \$81,163,006.44.

**Presentation of the 2010 Lawrence G. Diedrick Small Game Award** – Dr. David Cobb, *Wildlife Management Division Chief*, and Commissioner Bobby Purcell, *Chairman of the Small Game Committee*, presented the 2010 Lawrence G. Diedrick Small Game Award to recipients in the organization and individual categories. The organizational award was presented to Dennis Adams of the Southeast North Carolina Chapter of Quail Forever. Dr. Cobb thanked Adams for Quail Forever’s efforts in funding fire lines, conducting surveys, and assisting with longleaf pine restoration. Adams was presented with a plaque, a book and a drip torch. The individual award was presented to Ernie Koury of Alamance County. Koury oversees thousands of acres of private land. For 22 years he has worked to produce healthy quail populations and has developed over 60 miles of fire lines. Koury was presented with a plaque, a book and a drip torch.

**Enforcement Update** – the Commission received a report from Col. Dale Caveny, *Enforcement Division Chief*, about the summer 2011 joint law enforcement campaign to prevent operation of motor vehicles and boats while under the influence of intoxicants. Caveny stated that the NCWRC Enforcement Division has been nationally recognized as one of the top two law enforcement agencies in the U.S. in making OWI (Operating While Impaired) arrests. Caveny recognized Geoff Cantrell, *Public Information Officer*, and Carla Osborne, *Graphic Designer*, for their assistance in developing materials for the “Operation On the Road, On the Water, Don’t Drink and Drive” campaign and in helping with a public service announcement that highlights the joint law enforcement operation to prevent driving while impaired on the roads and waterways. Caveny showed the short PSA, which will be delivered to television stations across the state.

**Division of Wildlife Management Spotlight – “Controlling Problem Wildlife Situations”** – Chris Turner, *District One Biologist*, presented a Division of Wildlife Management Spotlight about nuisance wildlife issues. Turner said that the state’s ballooning population starting in the 1990s has resulted in changes in the land, with far fewer rural areas, and in attitudes about coexisting with wildlife. Turner mentioned problems with non-native species such as coyotes, feral swine and nutria, agricultural losses, and property damage as issues of concern to the WRC and to constituents. From 2004-2010 the WRC has doubled the amount of time and money spent working on nuisance wildlife issues. Turner stated that the agency message is to co-exist with wildlife and to work toward management versus control of the resource.

**Wildlife Management Update** – the Commission received an update about the activities of the Division of Wildlife Management from Dr. David Cobb. Cobb referred Commissioners to CDs that contain reports on tundra swan, the NE Canada Goose hunt zone, 2010 bear harvest report, and other articles and reports.

## Property Related Issues

- **Right of Way Request, Rowan County** - the Commission approved the request by Transco Pipeline, presented in **Exhibit C** by Dr. Cobb, for a permanent right of way across Second Creek Game Land in Rowan County to accommodate expansion of an existing natural gas pipeline system. The Commission approved stipulations listed in the exhibit that will mitigate potential impacts with one addition:
  1. Any painted boundary tree damaged or removed by Transco will be replaced by a carsonite post supplied by the NCWRC. *The Commission voted to require Transco to pay for the carsonite posts.*
- **Property Disposal Request, Hyde County** – the Commission approved the staff recommendation, presented by Dr. Cobb in **Exhibit D**, for the disposal of a very narrow 21-acre strip of property adjoining the Carter Tract of Gull Rock Game Land in Hyde County. The narrow strip is of no value to the Wildlife Resources Commission.

**Commissioner Wes Seegars recused himself from discussion and vote on Exhibit D, stating that he is an adjacent landowner.**

**Land Acquisition Update** - the Commission received a regular update on the status of land acquisitions from Dr. Cobb in **Exhibit E**.

**Inland Fisheries Update** – the Commission received an update on the activities of the Inland Fisheries Division from Bob Curry, *Inland Fisheries Division Chief*. Curry said that the Education Centers conducted over four hundred hours of educational programs and distance learning in April. National Boating and Fishing Week is in June, with more than 43 events planned state-wide. Curry announced that a big head carp, an invasive fish, has been found in a pound net in North Carolina.

**Property Lease Agreement, Ashe County** – the Commission approved staff recommendation presented by Bob Curry in **Exhibit F**, to expand the Memorandum of Understanding between the Wildlife Resources Commission and the Ashe County Wildlife Club to pursue a no-cost lease of Trout Lake located east of Jefferson, to be managed with Delayed Harvest trout regulations.

**Rule Proposal – Establish Size and Creel Limits by Reference to Marine Fisheries Commission Regulations for Saltwater Fishes Caught in Inland Waters –**

- The Commission received from Bob Curry in **Exhibit G-1** a summary of public comments on the rule change proposals under 15A NCAC 10C .0305 and 10C .0401 obtained at local public hearings held in March, and from the WRC internet portal and written correspondence. Included in the summary of comments was a letter of support from Louis B. Daniel III, Director of the NC Division of Marine Fisheries.
- The Commission adopted **Exhibit G-2**, the proposed rule changes to inland fishing regulations that establish size and creel limits for saltwater species (sea trout, flounder, red drum, and gray trout) caught in inland fishing waters by reference to Marine Fisheries Commission regulations.

**House Bill 353 (Designation of Coastal Game Fish)** – Commissioner Eugene Price made a motion that the Wildlife Resources Commission endorse House Bill 353, to designate certain coastal fishes as game fish. That motion died for lack of a second.

**Engineering Services Activity Update** – the Commission received an update from Erik Christofferson, *Engineering Services Division Chief*, about the boating access areas and fishing access areas that recently have been constructed and renovated by Engineering Services.

**Boating Access Area Renovation Request, Henderson County** – the Commission approved a staff recommendation, presented by Erik Christofferson in **Exhibit H**, to partner with Henderson County to renovate a boating access area on the French Broad River at Westfeldt Park.

**Boating Access Area Construction Request, Greene County** – the Commission approved a staff recommendation, presented in **Exhibit I** by Erik Christofferson, to partner with the Town of Hookerton to build a boating access area on Contentnea Creek in Greene County.

**Property Acquisition Request, Brunswick County** – the Commission approved a staff recommendation, presented by Erik Christofferson in **Exhibit J**, to work with the State Property Office to purchase 1.38 acres on the Intracoastal Waterway at Brick Landing Road in Brunswick County. The property will be used to develop a boating access area.

**Property Acquisition Request, Currituck County** – the Commission approved a staff recommendation, presented in **Exhibit K** by Erik Christofferson, to work with the State Property Office to purchase .12 acres on Currituck Sounds adjacent to the WRC Poplar Branch Access Area in Currituck County. The property will be used in the redesign of the ramp and parking area.

**No Wake Zone Request – Town of Emerald Isle, Carteret County** – the Commission approved adoption of a request by the Town of Emerald Isle, presented by Erik Christofferson in **Exhibit L**, for an amendment to 15A NCAC 10F .0376 to establish a no wake zone in the waters of Bogue Sound adjacent to Archer Point.

**Small Game Committee Meeting Report** – Committee Chairman Bobby Purcell reported that the Small Game Committee met on May 11, 2011. Discussions included issues with decreasing quail populations. A Coopers Hawk survey is being conducted. Depending upon the findings the Small Game Committee will decide whether to conduct other surveys. Information is being shared with other states about the quail populations.

**Migratory Birds and Waterfowl Committee Meeting Report** – Committee Chairman Maughan Hull reported that the committee met on May 11, 2011. David Gossett of the East Carolina Wildfowl Guild presented an overview of the ECWG's annual Waterfowl Conservation Stamp Competition and asked the WRC for its continued support of the competition. The Commission adopted a motion from the Migratory Birds and Waterfowl Committee to continue the support for three more years at the current level. Hull reported that the committee discussed the WRC's support of Ducks Unlimited's conservation efforts toward migratory bird breeding habitats in the Maritime Provinces of Canada. The Commission adopted a motion from the Migratory Birds and Waterfowl Committee to continue support at the same level as last year (\$50000.00), provided that the state budget will allow for that level. If the budget is not adequate, the WRC will continue to support the DU program at the statutory level of approximately fifteen thousand dollars. The committee discussed lengthening the tundra swan season but found that lengthening the season could impact the timely distribution of swan permits. The committee approved issuing twenty tundra swan permits for the combination youth/adult hunt.

**Joint Coastal Recreational Fishing License Committee Report** – Ray White reported that he, Maughan Hull and Joe Barker, members of the agency CRFL Committee, met with their Division of Marine Fisheries counterparts on April 14, 2011. The joint committee approved fifth, third, and second year funding of projects. Requests for Proposal will be advertised in June. White reported that the CRFL funding depends upon the agents who sell the CRFL licenses. The agents get reimbursed thirty cents per sale, a very small amount. White asked that consideration by the Commission be given to increasing agent compensation for selling CRFL licenses.

**Committee of the Whole Meeting Report** – Chairman Steve Windham reported that the Committee of the Whole met on May 11, 2011. Division Chiefs Bob Curry and David Cobb reviewed the rule change proposals to take to public hearings depending upon the vote of the Commission at the July meeting. Windham encouraged Commissioners to contact Curry and Cobb with their questions or suggestions about the rule proposals. The C.O.W. discussed the schedule for the 2011 public hearings with consideration of changing the format and number of hearings to cut costs. The Commission voted to adopt the 2011 public hearing schedule as presented in the following attachment, and asked staff to look at alternative presentation formats and less staff travel to future hearings.

**ADOPTED SCHEDULE FOR THE SEPTEMBER 2011  
HUNTING, TRAPPING AND FISHING PUBLIC HEARINGS  
HEARING TIME: 7:00 p.m.**

<b>DATE</b>	<b>DISTRICT</b>	<b>CITY</b>	<b>LOCATION</b>
September 6, 2011 (Tuesday)	4	Dublin	Bladen Community College
September 7, 2011 (Wednesday)	5	Graham	Courthouse
September 8, 2011 (Thursday)	6	Norwood	South Stanly High School
September 13, 2011 (Tuesday)	8	Morganton	Municipal Auditorium
September 14, 2011 (Wednesday)	9	Clyde	Haywood Community College
September 15, 2011 (Thursday)	7	Wilkesboro	The Walker Center, Wilkes Community College
September 20, 2011 (Tuesday)	1	Edenton	Swain Auditorium
September 21, 2011 (Wednesday)	2	New Bern	Courthouse
September 22, 2011 (Thursday)	3	Rocky Mount	Nash Community College
September 28, 2011 (Wednesday)	Statewide	Raleigh	Centennial Campus Auditorium
Public Hearing to present proposed changes to Falconry Permitting Rules			

**Comments by the Chairman** – Chairman Windham expressed condolences to Commissioner John Litton Clark and his family. Clark is attending the funeral of his cousin who was killed in an automobile accident. He asked that all keep Commissioner Maughan Hull and his wife Kay in prayers while Kay Hull undergoes cancer treatment. Windham announced that the chairman and vice chairman of the Commission will be elected for two-year terms at the July meeting. Because there are three Governor appointee terms ending and eight House and Senate appointee terms ending before the July meeting, nominations and consideration of officers must be deferred until that time.

**Comments by the Chief Deputy Director** – Chief Deputy Director Mallory Martin announced the recent decision by Caldwell County to rescind the MOU and lease agreement regarding day uses at the Lutz Tract, due to their inability under the current budgetary constraints to get matching funds. Martin gave a brief update on the consideration of the PCS Phosphate conservation easement. A meeting was held on April 6 with the U.S. Army Corps of Engineers and PCS Phosphate about the 8000 acres at Aurora. A final draft of the conservation easement will be ready by December 31, 2011. He mentioned the Governor’s proclamation of May 21-27 as Safe Boating Week in North Carolina, which complements our Enforcement Division’s “On the Road On the Water” campaign. Martin announced that Officer Gary Caulk Jr. was recently recognized by Safari International as Officer of the Year. Martin thanked staff members for their work on the successful Southeast Regional Federal Assistance Coordinators Workshop in Wilmington that was attended by 85 people. Martin presented Betsy Foard, *Executive Officer*, with a certificate in recognition of five years with the Wildlife Resources Commission.

**Final Comment** – David Hoyle, Jr., *Big Game Committee Chairman* reminded the assembly that the July meeting of the Big Game Committee will be at 10 am on Wednesday, July 6. The bear hunters have been invited to talk about issues concerning bear hunting.

**Adjournment** – Chairman Windham adjourned the meeting at 10:50 a.m.