



AGENDA

N.C. WILDLIFE RESOURCES COMMISSION

July 18, 2019, 9:00 a.m.

1751 Varsity Drive

NCWRC Conference Room, 5th Floor

Raleigh, North Carolina

CALL TO ORDER - *Chairman John Coley*

This meeting is being recorded as a public record and is audio streaming live at www.ncwildlife.org. As a courtesy to others please turn off all cell phones during the meeting.

PLEDGE OF ALLEGIANCE – *Commissioner Nat Harris*

INVOCATION - *Commissioner Wes Seegars*

RECOGNITION OF VISITORS

MANDATORY ETHICS INQUIRY - North Carolina General Statute §163A-159(e) mandates that the Commission Chair shall remind all Commissioners of their duty to avoid conflicts of interest and appearances of conflict under this Chapter, and that the chair also inquires as to whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the Commission at this time. It is the duty of each Commissioner who is aware of such personal conflict of interest or of an appearance of a conflict, to notify the Chair of the same. *Chairman John Coley*

NOTICES OF COMMISSION APPOINTMENTS – Receive Notices of Appointment by Governor Roy Cooper of *Kelly N. Davis, District 1; and Stephen L. Windham, District 4* for terms ending June 30, 2025; **(EXHIBITS A-1, A-2)**; Appointments by Senate President Pro Tempore Phil Berger of *Thomas Berry, Mark Craig, James Cogdell, and Landon Zimmer* for terms ending June 30, 2021 **(EXHIBITS A-3, A-4, A-5, A-6 Appointments Bill)**; and Appointments by House Speaker Tim Moore of *John T. Coley IV, Vernon Ray Clifton, Jr., Tommy Fonville, and John A. Stone* for terms ending June 30, 2021 **(EXHIBITS A-7, A-8, A-9, A10)**

RECEIVE STATE ETHICS COMMISSION REVIEWS OF 2019 STATEMENTS OF ECONOMIC INTEREST FOR PROSPECTIVE COMMISSIONERS KELLY N. DAVIS, STEPHEN L. WINDHAM, AND JAMES T. COGDELL - *Pursuant to NCGS §138A-15(c), any actual or potential conflict of interest by a public servant sitting on a board and cited by the Ethics Commission under NCGS 138A-24(e) is required to be read into the minutes of the applicable board.* Read into the Minutes relevant portions of the evaluations by the N.C. Ethics Commission of the 2019 Statements of Economic Interest for Kelly N. Davis and Stephen L. Windham, Governor Appointees; and James T. Cogdell, President Pro Tempore Appointee – *Betsy Haywood, Ethics Liaison*

ADMINISTER OATH OF OFFICE TO NEW COMMISSIONER – Administer the Oath of Office to Governor appointee Kelly N. Davis – *The Honorable Rueben Young, Judge, North Carolina Court of Appeals*

Break for Photographs

APPROVAL OF MINUTES – Take action on the April 25, 2019 Wildlife Resources Commission meeting minutes as written in the exhibit and distributed to members **(EXHIBIT B)**

ADMINISTRATION

Financial Status Report - Receive a financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund – *Melissa Earp, Finance Office Chief (EXHIBIT C)*

SPECIAL PRESENTATIONS

PRESENTATION OF ART GIFT – Receive gift of wildlife painting of Peregrine Falcon by artist Clayton Pennell, given by Commissioner Nat Harris – *Executive Director Gordon Myers*

RECOGNITION OF 2019 NATIONAL FISHING AND BOATING WEEK LICENSE WINNERS - Present Lifetime Unified Sportsman License donated by Russell Rhodes of Neuse Sport Shop in Kinston to prize winner and Lifetime Freshwater Fishing License donated by the Triangle Fly Fishers to prize winner from fishing events held during the 2019 National Fishing and Boating Week – *Kris Smith, Wildlife Education Division Chief, and Chairman John Coley*

2019 THOMAS L. QUAY WILDLIFE DIVERSITY AWARD PRESENTATION – Present the 2019 Thomas L. Quay Wildlife Diversity Award to Ann Berry Somers – *Gordon Myers, Executive Director*

Break for Photographs

CONSIDERATION OF NONGAME WILDLIFE ADVISORY COMMITTEE APPOINTMENTS – Pursuant to North Carolina General Statute §113-335, consider appointment of members to the Nongame Wildlife Advisory Committee – *Gordon Myers, Executive Director (EXHIBIT D)*

COMMITTEE REPORTS

Boating Safety Committee – *Ray Clifton, Vice Chair*

Habitat, Nongame and Endangered Species Committee – *Mark Craig, Chair*

Land Use and Access/Small Game and Wild Turkey Committees – *Tom Berry, LUAC Chair and John Stone, Small Game and Wild Turkey Committee Vice Chair*

Finance Committee – *Landon Zimmer, Chair*

Fisheries Committee – *Tommy Fonville, Chair*

Big Game Committee – *Wes Seegars, Vice Chair*

Committee of the Whole - *John Coley, Chair*

AGENCY SPOTLIGHT – WALLEYE MANAGEMENT IN WESTERN NORTH CAROLINA - *Doug Besler, Mountain Region Fishery Supervisor*

INLAND FISHERIES DIVISION

Fisheries Division Update - Receive a staff update on activities of the Inland Fisheries Division – *Christian Waters, Inland Fisheries Division Chief*

Catfish Management Plan – Consider staff recommendation to adopt the *North Carolina Wildlife Resources Catfish Management Plan* – *Christian Waters (EXHIBIT E)*

WILDLIFE MANAGEMENT DIVISION

Wildlife Management Division Update – Receive an update on the activities of the Wildlife Management Division – *Brad Howard, Wildlife Management Division Chief*

LAND AND WATER ACCESS SECTION

Land Acquisitions and Property Matters

Phase II Land Acquisition – Consider final approval to proceed with acquisition of the Three Top East tract in Ashe County – *Jessie Birckhead, Land Acquisition and Grants Manager* (EXHIBIT F)

RULES

Notice of Text – 15A NCAC 10H .0100 – Controlled Hunting Preserves for Domestically Raised Game Birds – Consider request to approve publishing Notice of Text in the *NC Register* and open the public comment period for proposed amendments to the 10H .0100 Rules – *Carrie Ruhlman, Rulemaking Coordinator* (EXHIBIT G)

Final Adoption – 15A NCAC 10H .1400 – Wildlife Captivity and Rehabilitation – Review public comments and consider adoption of 15A NCAC 10H .1401 – 10H .1406 – *Carrie Ruhlman* (EXHIBITS H-1, H-2)

Final Adoption – 15A NCAC 10B .0106 – Wildlife Taken for Depredations – Review public comments and consider adoption of amendments to 10B .0106 – *Carrie Ruhlman* (EXHIBITS I-1, I-2)

WATER SAFETY RULEMAKING

Final Adoption, Safety Zone – City of Rocky Mount – Consider final adoption of an amendment to 15A NCAC 10F .0370 – City of Rocky Mount, for a safety zone in the waters of the Tar River near the Rocky Mount Millpond Dam – *Betsy Haywood, No Wake Zone Coordinator* (EXHIBIT J)

Final Adoption, No-Wake Zone - Lake James, McDowell County – Consider final adoption of an amendment to 15A NCAC 10F .0339 – McDowell County, for a no-wake zone in the waters of Lake James within 50 yards of the shoreline of the peninsula at Old Wildlife Club Subdivision – *Betsy Haywood* (EXHIBIT K)

Final Adoption, No-Wake Zone - Intracoastal Waterway, Onslow County – Consider final adoption of an amendment to 15A NCAC 10F .0320 – Onslow County, for a no-wake zone in a portion of the Intracoastal Waterway at Hammocks Beach State Park in Swansboro – *Betsy Haywood* (EXHIBIT L)

Final Adoption, No-Wake Zone Technical Correction – Lake Norman, Iredell County – Consider final adoption of a technical correction to correctly identify coordinates that mark a no-wake zone on Lake Norman in a small cove north of the entrance to Hager Creek – *Betsy Haywood* (EXHIBIT M)

Approval of Fiscal Note and Request to Publish Notice of Text – 15A NCAC 10F .0336 Lake Gaston, Northampton County – Consider approval of the Fiscal Note and consider an application by Northampton County for approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0336, for a no-wake zone within a portion of Jimmies Creek on Lake Gaston - *Betsy Haywood* (EXHIBITS N-1, N-2)

TEMPORARY AND EMERGENCY WATER SAFETY RULEMAKING

Temporary Rulemaking Request – 15A NCAC 10F .0317 Lake Tillery, Stanly County – Consider action to propose text for a temporary rule for a no-wake zone within 50 yards of the fuel docks at the Boathouse and Marina at 712 Berry Hill Drive in Norwood - *Betsy Haywood* (EXHIBIT O)

Emergency Rulemaking Requests – 15A NCAC 10F .0317 Stanly County, Lake Tillery and 15A NCAC 10F .0327 Montgomery County, Lake Tillery - Consider action to propose text for emergency rulemaking for no-wake zones in the waters of Lake Tillery in Stanly and Montgomery counties, 85 yards north and 85 yards south of the NC Hwy 24/27/23 bridge eastbound and westbound spans, otherwise known as the James B. Garrison Bridge, to mitigate water safety hazards during an NC DOT bridge construction project (EXHIBIT P-1)

Temporary Rulemaking Requests – 15A NCAC 10F .0317 Lake Tillery, Stanly County and 10F .0327 Lake Tillery, Montgomery County – Consider action to propose text for temporary rulemaking for no-wake zones in the waters of Lake Tillery, in Stanly County and Montgomery County, 85 yards north and 85 yards south of the NC Hwy 24/27/73 bridge eastbound and westbound spans, otherwise known as the James B. Garrison Bridge, to mitigate water safety hazards during an NC DOT bridge construction project. Simultaneous commencement of temporary rulemaking is required when an agency adopts an emergency rule(s) (*See G.S. 150B-21.1A*). – *Betsy Haywood* (EXHIBIT P-2)

LICENSE FEE RULE

Final Adoption – 15A NCAC 10A .1601 – License Fee Rule – Review public comments and consider adoption of 10A .1601 to establish license fees in rule and adjust those fees by the Consumer Price Index for all Urban Consumers (CPI-U) – *Carrie Ruhlman, Rulemaking Coordinator* (EXHIBITS Q-1, Q-2)

ELECTION OF OFFICERS - Pursuant to North Carolina General Statute § 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.

Vote for Vice Chairman

Vote for Chairman

COMMENTS BY CHAIRMAN

COMMENTS BY EXECUTIVE DIRECTOR – *Gordon Myers*

ADJOURN