

EXHIBIT B



MINUTES December 7, 2023 N.C. Wildlife Resources Commission Meeting Raleigh, North Carolina

Chairman Monty Crump called the December 7, 2023 N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Crump reminded everyone that the meeting is being audio streamed live and will be available at www.ncwildlife.org.

Commissioner Ray Clifton led the Pledge of Allegiance.

Commissioner John Alexander gave the invocation.

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. John Coley, Wes Seegars, Tommy Fonville, and Hayden Rogers were absent.

COMMISSIONER ATTENDANCE

Monty Crump	Brad Stanback	Steve Windham	Tom Haislip
Mark Craig	Jim Ruffin	Landon Zimmer	Mike Alford
David Hoyle	Ray Clifton	John Stone	JC Cole
Tom Berry	Kelly Davis	John Alexander	

VISITORS

Shawn Horsley, NC Handicapped Sportsmen

Richard Broadwell

Dr. Theron Terhun, Orton Plantation

MANDATORY ETHICS INQUIRY

Chairman Crump advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15. Chairman Crump recused himself from discussion and action on **EXHIBIT D-1**.

MINUTES

On a motion by Landon Zimmer and second by David Hoyle, the Commission approved the Minutes of the following meetings:

OCTOBER 26, 2023 MEETING – The Wildlife Resources Commission Minutes of the October 26, 2023 meeting were approved as presented in **EXHIBIT A**.

NOVEMBER 16, 2023 MEETING – The Wildlife Resources Commission Minutes of the November 16, 2023 meeting were approved as presented in **EXHIBIT B**.

EXHIBIT A & B are incorporated into the official record of this meeting.

ADMINISTRATION

Jason Cottle, *Chief Financial Officer*, presented a status report in **EXHIBIT C** on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund.

EXHIBIT C is incorporated into the official record of this meeting.

LAWRENCE G. DIEDRICK SMALL GAME AWARD - Brad Howard, *Wildlife Management Division Chief*, presented the 2023 Lawrence G. Diedrick Small Game Awards to Louis Bacon, Dillon Epp and Theron Terhune, Orton Plantation, and Richard Broadwell and Family

COMMITTEE MEETING REPORTS

Land Acquisition & Property Committee Report – December 6, 2023 – *Tom Berry, Chair*, reported the Land Acquisition and Property Committee met on December 6, 2023. The Committee reviewed 17 total proposals which included 7 Phase I land acquisition proposals, 5 Phase II land acquisition proposals, and 5 other property matters. In total, the Committee reviewed just over 10,000 acres of land projects ranging from game land additions, establishment of a new boating access area in Pamlico County, as well as a potential boating access area lease in Carteret County. Notably, the Committee opted not to endorse the Falling Waters Phase I proposal. However, they recommended that staff engage in continued discussions with conservation partners, with plans to revisit the Falling Waters Phase I proposal later when more comprehensive information is available. Additionally, the LAP Committee did not endorse the King/Parton Easement request.

Boating Safety Committee Report – December 6, 2023 – *J.C. Cole, Chair*, reported the Boating Safety Committee met on December 6, 2023. *Betsy Haywood, No Wake Zone Coordinator*, reviewed five water safety rulemaking exhibits. She reviewed public comments and requests for final adoptions of four Rules. The Committee endorses final adoption of rule amendments for

Brunswick County with changes, Rockingham County with changes, Caldwell County, and Town of Rhodhiss. She also reviewed one request for Notice of Text to be submitted to the Office of Administrative Hearings to begin rulemaking for Bladen County. The Committee endorses approval to submit Notice of Text for Bladen County.

Habitat, Nongame, Endangered Species Committee Report – December 6, 2023 – *Kelly Davis, Chair*, reported the Habitat, Nongame, Endangered Species Committee met on December 6, 2023. *Katherine Etchison, Wildlife Diversity biologist*, presented an informative presentation on the Virginia Big-eared Bat. Katherine highlighted the monitoring and research she and others are performing to increase our understanding of the species' distribution, abundance, and habitat selection during winter and the summer breeding season. A video on conservation efforts can be found at vimeo.com – Saving the Virginia Big Eared Bats. *Dr. Sara Schweitzer, Wildlife Management Division Assistant Chief*, followed Katherine's presentation with summary of the Virginia Big-eared Bat Conservation Plan and requested approval to post the plan on WRC's website for a 30-day public review period. The Committee approved this request. *Rachael Hoch, Inland Fisheries Division Assistant Chief*, presented a proposed amendment to the Reintroduction Proposal for the Spotfin Chub that would include the Snowbird Creek watershed for the reintroduction of the species under our Programmatic Safe Harbor Agreement. The Committee members approved the amendment. Rachael then provided an update on Zebra Mussels and Giant Applesnails, both recently detected in NC waters for the first time. She also provided information on the new WRC Aquatic Nuisance Species Reporting Tool, which was launched in October of 2023 and allows the public and partners to report sightings of possible ANS species and increase WRC's early detection and rapid response capabilities. Next, Rachael provided an update on the reintroduction efforts for the Magnificent Ramshorn and Roanoke Logperch. In October, 94 Roanoke Logperch were stocked into the Mayo River, and 2,800 Magnificent Ramshorn snails have been stocked into WRC owned property in Brunswick County. Monitoring of the snails post stocking, has already revealed successful establishment and egg-laying. This reintroduction highlights the culmination of years of effort and is the first stocking of a federally listed aquatic species under a Programmatic Safe Harbor Agreement. Last, Dr. Schweitzer presented the nomination packet for the expiring terms of Nongame Wildlife Advisory Committee membership, which will be presented for a vote today.

Finance, Audit & Compliance Committee Report – December 6, 2023 – *Landon Zimmer, Chair*, reported Finance, Audit & Compliance Committee met on December 6, 2023. *Jason Cottle, CFO*, presented an overview of year-to-date revenues and expenditure by category in both the general and capital improvement funds. An update of the agency's endowment fund was presented, including fund balance and current asset allocation, as well as quarterly rates of return for each of the 3 investment vehicles within the fund. The Finance Committee was in agreement to move the remaining Bond Index Fund balance to the Short Term Investment Fund. *Steve Chase, Auditor*, presented a summary of the proposed Go Outdoors NC reporting audit effort, this work will assess the Go Outdoors report reliability. A Go Outdoors NC survey is proposed for later this fiscal year to assess the level of satisfaction with the Go Outdoors NC platform. Auditor Chase also provided a briefing on the Purchasing Card Compliance Review program, and a follow up on the WRC internal audit staffing level and the addition of a resource to the WRC Internal Audit Office.

Motion from the Finance, Audit & Compliance Committee – On a motion by Landon Zimmer and a second by Brad Stanback, the Commission approved a motion to transfer the remaining

funds from the Bond Index Fund to the Short Term Investment Fund (unless the Bond Index Fund loses more than 5% before the transfer is initiated), maintain at least 5% of the total Endowment Fund Portfolio in the Short Term Investment Fund, and that this action overrides all previous actions related to the Endowment Fund Portfolio.

Rules Committee Report – December 6, 2023 – *David Hoyle, Vice Chair*, reported the Rules Committee met on December 6, 2023. The Committee first reviewed proposed amendments to the endangered, threatened, and special concern species rule. This rule is required to be readopted as part of the periodic review and the proposed amendments clarify requirements for ES permits and take of species without a permit. Next, proposed changes to the annual rules cycle were presented to help mitigate potential issues created by changes made to the APA in the 2023 legislative session. The option of moving the annual cycle from a 2-year process to a calendar year was presented to better align with the legislative calendar so if any rules receive 10 letters of objection, they will go to the next legislative session. This will move our rules through the process more quickly. Changing the annual cycle will be an adjustment for staff, Commissioners and the public but will allow the Commission to implement changes in a more timely manner than is currently possible. The Rules Committee is supportive of this change.

Ad hoc Agency Supplemental Funding Model Committee – October 26, 2023 – *David Hoyle, Chair*, reported the Ad Hoc Committee to Assess the Agency Supplemental Funding Model met on October 26, 2023. The Committee reviewed its charge, which is to assess options for generating supplemental revenue from multiple uses of Commission property and develop evidence-based strategies to build support for the Commission’s conservation mission among non-licensed users. The Committee discussed priority supplemental revenue options for upcoming assessment. Staff presented a list of potential supplemental revenue options for the Committee’s consideration, along with assessment criteria to be used to evaluate each potential revenue stream. The Committee asked staff to proceed with evaluating the feasibility, potential benefits, and potential fees associated with the options presented. Staff will update the Committee on the assessment progress at regular intervals.

Ad hoc Agency Supplemental Funding Model Committee – December 6, 2023 – *David Hoyle, Chair*, reported the Ad Hoc Committee met on December 6, 2023 to review a list of options for further assessment recommended by WRC staff. The options include changes to vessel registration and permitting, changes to selected licenses, partnership opportunities, and discussing an access pass for unlicensed individuals using WRC properties. The Committee asked staff to proceed with the assessment of options, which will be presented to the Ad Hoc Committee in 2024 for consideration and recommendation to the Committee of the Whole.

Committee of the Whole Report – December 6, 2023 – *Monty Crump, Chair*, reported the Committee of the Whole met yesterday afternoon. *Melva Bonner, Regulatory Analyst* began the meeting with proposed changes to Hunter Education Course rules and a petition for rulemaking for a no-wake zone on Bradley Creek in New Hanover County. Next, *Executive Director Ingram* recognized Senior Officer William Boone and Master Officer Richard Becker as recipients of the 2023 Governor’s Awards for Excellence for Safety and Heroism, and Gary Gardner recognized staff for receiving the 2023 States Organization for Boating Access’ 2023 Outstanding Project Award for work at the Wrightsville Beach Boating Access Area. Gary went on to inform the Committee that we will be hosting the 2024 meeting next August in Wilmington. Then, *Brad Howard, Wildlife Management Division Chief*, provided an update on CWD testing for this season.

Hunters have submitted over 19,000 tests so far this year which is over 2,000 samples more than the entirety of last year. *Christian Waters, Inland Fisheries Division Chief*, provided an update on striped bass in the Albemarle-Roanoke. The Division of Marine Fisheries has announced that they do not plan to open a season in the Albemarle Sound next year, and, based on our sampling on the spawning grounds, staff recommend not opening a season in the Roanoke as well. Christian then updated the committee on recent actions taken by the Marine Fisheries Commission, including rule changes they are proposing for joint rules. We will prepare and submit comments when the public comment period is open. Lastly, I informed the committee of the status of the changes to the Commission by the legislature, including the addition of two new commissioners. There being no further business, the committee adjourned.

AGENCY SPOTLIGHT – The Status of North Carolina’s Crayfish – *Michael Perkins, Aquatic Wildlife Diversity Biologist*, gave a presentation highlighting recent research in collaboration with Dr. Bronwyn Williams of the NC Museum of Natural History on the biodiversity, conservation, and threats of the State’s crayfish fauna. Highlights included the discovery of several native crayfish species new to science and a discussion of invasive crayfish species, particularly the Red Swamp crayfish.

LAND ACQUISITION AND PROPERTY MATTERS

Phase II Land Acquisition – With Chairman Crump recused, on a motion by Tom Berry and second by Mike Alford, the Commission approved the land acquisition of the Jordan Timber – Scotland County presented in **(EXHIBIT D-1)** by *Ben Solomon, Assistant Chief and Land Acquisition Manager*

On a motion by Tom Berry and second by Kelly Davis, the Commission approved the acquisition of the following properties presented in **(EXHIBITS D-2, D-3, D-4, D-5)** by *Ben Solomon*:

- Upper Reedy Creek Tract – Warren County **(EXHIBIT D-2)**
- Lee Tract – Bladen County **(EXHIBIT D-3)**
- TAGM Three Top Addition – Ashe County **(EXHIBIT D-4)**
- Lowland Marina – Pamlico County **(EXHIBIT D-5)**

EXHIBITS D-1, D-2, D-3, D-4, D-5 are incorporated into the official record of this meeting.

OTHER PROPERTY MATTERS - On a motion by Tom Berry and second by Brad Stanback, the Commission approved the following other property matters presented in **(EXHIBITS E-1, E-2, E-3, E-4)** by *Ben Solomon*:

- Burningtown Easement Request – Right-of-way request from Duke Energy at Needmore Game Land **(EXHIBIT E-1)**
- Roanoke Marsh Easement Request – Right-of-way request at Roanoke Island Marshes Game Land **(EXHIBIT E-2)**
- Dominion Easement Request – Right-of-way request from Dominion Energy at Lantern Acres Game Land **(EXHIBIT E-3)**
- Star TMC Easement Request **(EXHIBIT E-4)** Right-of-way request from Star TMC at Suggs Mill Pond Game Land

On a motion by Steve Windham and second by Jim Ruffin, the Commission denied the King-Parton Easement Request presented in **(EXHIBIT E-5)** by *Ben Solomon*

- King-Parton Easement Request – Right-of-way request from at Needmore Game Land **(EXHIBIT E-5)**

EXHIBITS E-1, E-2, E-3, E-4, E-5 are incorporated into the official record of this meeting.

RULEMAKING

Permanent Rulemaking Adoption – 10K Hunter Education Course Rules – On a motion by Jim Ruffin and a second by Landon Zimmer, the Commission reviewed public comments presented in **(EXHIBIT F-1)** and readopted proposed changes to readopt 10K .0101 through .0103 Hunter Education Course rules as part of the periodic review presented in **(EXHIBIT F-2)** by *Melva Bonner, Regulatory Analyst*

EXHIBITS F-1, F-2 are incorporated into the official record of this meeting.

Permanent Rulemaking – 10F .0314 New Hanover County – On a motion by Landon Zimmer and a second by David Hoyle, the Commission approved publishing Notice of Text in the *NC Register* with an open comment period and public hearing for the petition received October 5, 2023 requesting rulemaking to extend the no-wake zone on Bradley Creek presented in **(EXHIBIT G)** by *Melva Bonner*

EXHIBIT G is incorporated into the official record of this meeting.

WATER SAFETY RULEMAKING

On a motion by Landon Zimmer and second by Tom Berry, the Commission approved the following water safety rules presented in **EXHIBITS H-2, I-2, J-2 & K-2** by *Betsy Haywood, Water Safety Rules Coordinator*

Permanent Rulemaking Adoption – 15A NCAC 10F .0305 Brunswick County – The Commission reviewed public comments presented in **(EXHIBIT H-1)** and approved final adoption with changes since published in the *NC Register*, of amendments to establish a No-wake Zone on Lockwood Folly River around a portion of Rourk’s Landing Subdivision; a technical correction to correct the name of the Morningstar Marinas in Southport adjacent to the ICW; technical correction to define the location of the Sunset Beach Bridge and Boating Access Area on the ICW and location of the Ocean Isle Beach Odell Williamson Bridge and Boating Access Area on the ICW; and codify the no-wake zone within 250 feet west and 100 feet east of the Holden Beach Bridge and Boating Access Area on the ICW, within 50 yards of the Oak Island Boating Access Area in Southport adjacent to the ICW, within 50 yards of the Sunset Harbor Boating Access Area adjacent to the ICW in Bolivia, within 20 yards of the shoreline and 50 yards east and 50 yards west of the Brick Landing Boating Access Area in Shallotte on the ICW; and within 50 yards of Rices Creek Boating Access Area in Winnabow, and within 50 yards of the Pireway Boating Access Area on Waccamaw River in Ash, and within 50 yards of the Dutchman Creek Boat Ramp in Southport presented in **(EXHIBIT H-2)**

Permanent Rulemaking Adoption – 15A NCAC 10F .0316 Forsyth, Rockingham, and Stokes Counties – The Commission reviewed public comments presented in **(EXHIBIT I-1)** and approved final adoption of an amendment to establish a No Wake Zone on Belews Lake at Carolina Marina in Rockingham County within 50 yards of the fuel dock, north and east to the cove north of the Marina where the boat ramp, Dry Stacks, and outdoor boat storage facilities are located presented in **(EXHIBIT I-2)**

Permanent Rulemaking Adoption – 15A NCAC 10F .0338 Caldwell County – The Commission reviewed public comments presented in **(EXHIBIT J-1)** and approved final adoption of an amendment to establish a No Wake Zone on Lake Rhodhiss within 50 yards of the marina facilities at Castle Bridge Marina, and within 50 yards of the Castle Bridge Boating Access Area and Conley Creek Boating Access Area; and on Lake Hickory within 30 yards of the docks at the Lake Hickory Marina and Boat Rentals in Hickory, within 50 yards of the Gunpowder Boating Access Area in Granite Falls, and within 50 yards of the Lovelady Boating Access Area in Granite Falls presented in **(EXHIBIT J-2)**

Permanent Rulemaking Adoption – 15A NCAC 10F .0380 Town of Rhodhiss – The Commission reviewed public comments presented in **(EXHIBIT K-1)** and approved final adoption of an amendment to establish a no-wake zone shore to shore on Lake Hickory in the Town of Rhodhiss in Burke and Caldwell counties, beginning west of a line 165 yards east of the S.R. 1611 Bridge, westward to the Rhodhiss Dam presented in **(EXHIBIT K-2)**

EXHIBITS H-1, H-2, I-1, I-2, J-1, J-2, K-1, K-2 are incorporated into the official record of this meeting.

Notice of Text – 15A NCAC 10F .0304 Bladen County – On a motion by Steve Windham and a second by Kelly Davis, the Commission approved publishing Notice of Text in the *NC Register* with an open comment period and a public hearing for the proposed rule revisions to define the restricted area and allowed boating and water recreation activities at White Lake; and to establish a no-wake zone shore to shore 4 on the Cape Fear River in Council to mitigate boater safety hazards within 100 yards east and 100 yards west of the Elwell Ferry and Elwells Ferry Boating Access Area, and codify the waters within 50 yards of the Tar Heel Boating Access Area in Tar Heel and waters within 50 yards of the Tory Hole Boating Access Area in Elizabethtown; and codify the waters within 50 yards of the Hunts Bluff Boating Access Area on the Black River, in Kelly presented in **(EXHIBIT L)** by *Betsy Haywood*

EXHIBIT L is incorporated into the official record of this meeting.

2024 WILDLIFE RESOURCES COMMISSION MEETING SCHEDULE – On a motion by David Hoyle and a second by Steve Windham, the Commission approved the revised 2024 Wildlife Resources Commission meeting schedule presented in **(EXHIBIT M)** by *Cameron Ingram, Executive Director*

EXHIBIT M is incorporated into the official record of this meeting.

NONGAME WILDLIFE ADVISORY COMMITTEE APPOINTMENTS – On a motion by Kelly Davis and a second by Steve Windham, the Commission appointed David G. Cooper, VHB Engineering, Inc.; Todd Ewing, Southeast Aquatic Resources Partnership; and reappointed Sarah McRae, U.S. Fish and Wildlife Service; Judith Ratcliffe, NC Natural Heritage Program; Dr. Liz Rutledge, North Carolina Wildlife Federation, to the Nongame Wildlife Advisory Committee presented in **(EXHIBIT N)** by *Cameron Ingram*


EXHIBIT N is incorporated into the official record of this meeting.

COMMENTS BY THE CHAIRMAN – *Chairman Crump* opened his comments with a reflection on the past year and expressed gratitude for the collaborative effort and dedication demonstrated by everyone throughout the year. In closing, he wished all a restful holiday season and is looking forward to another year of shared successes.


COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram* opened his comments by highlighting the collaborative effort that played a pivotal role in the agency's success over the past twelve months. He underscored that the achievements wouldn't have been possible without the hard work and dedication exhibited by staff at all levels. Throughout the year, marked by resilience and dedication, there has been a shared commitment to the agency's mission. Despite uncertainties and obstacles, collective efforts have propelled the agency forward, resulting in the attainment of significant milestones and contributing to overall success. Director Ingram extended his sincere gratitude to each board member for their unwavering support, valuable insights, and unwavering dedication to the agency's goals. In conclusion, he expressed warm wishes for a joyful holiday season and a prosperous New Year to all attendees.

ADJOURNMENT

There being no further business, the WRC meeting was adjourned at 10:19 a.m.
All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.



Monty Crump, Chairman 02/22/2024
Date



Cameron Ingram, Executive Director 02/22/2024
Date