



*Committee of the Whole Meeting Summary
August 28, 2013 at 3:30 pm
NCWRC, 5th Floor Commission Room*

MEETING ATTENDEES

Commissioners

Jim Cogdell, Chair
Garry Spence
Richard Edwards
Durwood Laughinghouse
Joe Barker
Dell Murphy
Wes Seegars

Mark Craig
Tom Berry
Tommy Fonville, Commissioner-Elect
Ray Clifton
John Litton Clark
John Coley

Agency Staff

Gordon Myers
Mallory Martin
Erica Garner
Chris Dillon
Bob Curry

Betsy Haywood
David Cobb
Cecilia Edgar
Dale Caveny

Visitors

Lars Nance, NC Attorney General Office
Faison Hicks, NC Attorney General Office
Anne Marie Tosco, NC Attorney General Office

OPEN SESSION

NCWRC Chairman Jim Cogdell called the meeting of the Committee of the Whole to order at 3:30 pm on Wednesday, August 28, 2013.

Motion to go into closed session: A motion was made and seconded to enter into closed session pursuant to North Carolina General Statute §143-318.11(a)(3), for the purpose of receiving legal advice from agency and assigned Counsel for the following claims and lawsuits:

- (1) North Carolina Wildlife Resources Commission **vs.** People for the Ethical Treatment of Animals, Inc.
- (2) The State of North Carolina **vs.** Alcoa Power Generating Inc.
- (3) Southern Environmental Law Center, on behalf of the Red Wolf Coalition, Defenders of Wildlife, and Animal Welfare Institute **vs.** the North Carolina Wildlife Resources Commission

Chairman Cogdell called a brief recess and the room was cleared. The Committee of the Whole reconvened at 3:35 in closed session.

CLOSED SESSION

The Committee received information and advice from Lars Nance, Special Deputy Attorney General, about the \$75,000 in legal fees that was awarded to PETA subsequent to the NCWRC dropping its appeal of the Court's finding in favor of PETA.

The Committee received information and advice from Faison Hicks, Special Deputy Attorney General, regarding a lawsuit between the State of North Carolina and Alcoa Power Generating Inc. The NC Wildlife Resources Commission is a signatory on a 2007 FERC Relicensing Settlement Agreement with Alcoa on the Yadkin River.

The Committee was advised that the agency has received a 60-Day Notice from the Southern Environmental Law Center and others of their intention to sue the NCWRC about coyote hunting in areas where the red wolf has been reintroduced.

RETURN TO OPEN SESSION

Motion to Return to Open Session: At 4:55 pm a motion was made and seconded to return to Open Session.

Motion: A motion was passed to be considered at the meeting of the WRC on Thursday, August 29, 2013, for the Wildlife Resources Commission to authorize its Executive Director to send a rescission letter to Alcoa Power Generating, Inc. concerning the February 2007 FERC Relicensing Settlement Agreement.

Adjournment: Chairman Jim Cogdell adjourned the meeting of the Committee of the Whole at 5:02 pm.