



## ACTIONS

### N.C. WILDLIFE RESOURCES COMMISSION

November 8, 2012 at 9:00 a.m.

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

**Call to Order** –*Commission Chairman* David Hoyle, Jr. 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. He announced that the meeting was being recorded as a public record, with live audio streaming at [www.ncwildlife.org](http://www.ncwildlife.org). He requested that cell phones be turned off. Commissioners Mark Craig, Hayden Rogers, and Dalton Ruffin were absent.

**Pledge of Allegiance and Invocation** - *Commissioner* Ray White led the Pledge of Allegiance. *Commissioner* Berkley Skinner gave the invocation.

**Welcome and Mandatory Ethics Inquiry** – Chairman Hoyle welcomed the guests present. He read the ethics inquiry mandated in North Carolina General Statute 138A-15(e).

**Minutes** - the Commission approved the August 30, 2012 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 September 30, 2012, from Tommy Clark, *Budget Officer*, presented in **Exhibit B**. The Operating Fund balance is \$26,377,949.22. The Endowment Fund balance is \$93,020,005.03.

**Presentation of the 2012 Southeastern Association of Fish and Wildlife Agencies' Fisheries Biologist of the Year Award** – Bob Curry, *Inland Fisheries Division Chief* and Gordon Myers, *Executive Director*, presented the 2012 Southeastern Association of Fish and Wildlife Agencies' Fisheries Biologist of the Year Award to Bennett Wynne, *Fisheries Biologist*. Wynne was not present to receive the award when it was announced on October 9, 2012 in Hot Springs, Arkansas.

The meeting was recessed so that photographs could be taken. Chairman Hoyle called the meeting back to order at 9:15 am.

**Land Use and Access Committee Report** – Jim Cogdell, *Chairman* reported that the Land Use and Access Committee met on November 7, 2012. Isaac Harrold, *Public Lands Section Manager*, gave presentations about the exhibits pertaining to property issues and acquisitions that will be considered at the November 8, 2012 WRC meeting.

**Big Game Committee Report** – John Litton Clark, *Chairman*, reported that the Big Game Committee met on November 7, 2012. Rule proposals H1, H3, and H4 were discussed, and an implementation date for H4 was recommended in 2013, should it be adopted. Elk management issues were discussed, including problems with elk coming out of the Great Smoky Mountains National Park and destroying property. Bear management issues were discussed, including the legal use of raw peanut products for supplemental feeding of bears. Staff will have a bear management meeting on December 6, 2012 and report back to the Committee. Discussion of cervid rules and chronic wasting disease was deferred until the meeting of the Committee of the Whole.

**Committee of the Whole Report** – David Hoyle, Jr., *Chairman*, reported that the Committee of the Whole met to review public comments and proposed regulation changes that will be considered at the WRC meeting on November 8, 2012. The Committee received a report from Executive Director Myers about the detection of chronic wasting disease in a three and one-half year old deer born in a certified captive cervid facility in Pennsylvania. As a result, 28 facilities in Pennsylvania are quarantined. Certified captive cervid facilities in Pennsylvania have operational standards very similar to those in North Carolina, and until detection of CWD in the deer born in captivity it would have been lawful to transfer captive cervids from that facility to North Carolina. A recommendation from the Committee of the Whole will be brought before the entire Commission to table consideration of the rule proposals for captive cervids and to establish a Chronic Wasting Disease Task Force to examine safeguards designed to reduce the risk of introduction of cervid diseases into North Carolina. Hoyle reported that the Committee of the Whole moved into closed session to discuss litigation pertaining to temporary rules for hunting coyotes at night with the aid of artificial light. As an action item out of that closed session, the Commission approved the recommendation of the Committee to authorize the Executive Director to act along with Agency Legal Counsel, on behalf of the Commission in carrying out actions associated with this case.

**Agency Spotlight** – the Commission received an update by District 7 *Wildlife Enforcement Officers* Jeremy Harrell and Ron Robertson, about multifaceted boating law enforcement efforts that provide safe opportunities for boating. Their territory includes the waters of Lake Norman, which has more than 520 miles of shoreline with just five officers. Through proactive law enforcement and ongoing education, with boating safety courses, pre-launch boat safety checks, and involvement with the media and with boating-related businesses, Enforcement is obtaining compliance with laws and seeing a reduction in number of accidents and incidences of boaters operating vessels while intoxicated.

**Inland Fisheries and Outreach Update** – the Commission received an update on the inland fisheries and outreach activities from Bob Curry, *Inland Fisheries Division Chief*. Curry announced that National Hunting and Fishing Day activities drew over 2000 people across the state. He thanked the Wake County Wildlife Club and the NC Wildlife Federation for their donations of hunting and fishing licenses at the events. Curry said that attendance at the WRC exhibits at the Mountain State Fair was 8500. Almost 46,000 visited the Wildlife Resources Commission exhibit at the North Carolina State Fair. The Pisgah Center for Wildlife Education was named the 2012 Exceptional Wildlife Education Program by the Environmental Educators of North Carolina. Curry announced that the Joint Coastal Recreational Fishing License committee will meet on December 4, 2012 in Washington, NC to consider projects and programs to be awarded funds from the sales of coastal recreational fishing licenses.

**Adoption of 2013-2014 Fishing Regulation Proposals** – the Commission received in **Exhibit C** a summary of public comments on proposed changes to fishing regulations. The Commission adopted staff recommendations for 2013-2014 fishing rule proposals, presented by Bob Curry in **Exhibit D**. The complete text of the rules is incorporated by reference into the Minutes of this meeting.

- F1) South Fork New River (Ashe County) – Designate approximately 1.0 mile of the South Fork New River in Ashe County as Public Mountain Trout Waters and classify as Delayed Harvest Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F2) Big Elkin Creek (Surry County) – Designate approximately 0.4 mile of Big Elkin Creek in Surry County as Public Mountain Trout Waters and classify as Hatchery Supported Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F3) South Fork New River (Watauga County) – Designate 1.0 mile of the South Fork New River in Watauga County as Public Mountain Trout Waters and classify as Hatchery Supported Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F4) Fires Creek (Clay County) – Reclassify 2.2 miles of Fires Creek in Clay County from Wild Trout Waters to Delayed Harvest Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*

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- F5) Big Snowbird Creek (Graham County) – Reclassify 2.8 miles of Big Snowbird Creek in Graham County from Hatchery Supported Trout Waters to Delayed Harvest Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F6) Reclassify the tributaries of 19 Hatchery Supported Trout Waters on Commission game lands from Hatchery Supported Trout Waters to Wild Trout Waters unless otherwise classified. The Hatchery Supported Waters are: Elk River in Avery County; Corner Rock Creek and Bent Creek in Buncombe County; Carroll Creek and Linville River in Burke County; Hyatt Creek and Junaluska Creek in Cherokee County; Santeetlah Creek, (Big) Snowbird Creek, and Panther Creek in Graham County; Cold Springs Creek in Haywood County; Burningtown Creek and Cullasaja River in Macon County; Shut-in Creek, Roaring Fork, and Spillcorn Creek in Madison County; Little Buck Creek in McDowell County; Connelly Creek in Swain County; and West Fork French Broad River in Transylvania County.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F7) North Fork New River (Watauga County) – Reclassify 1.5 miles of North Fork New River in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F8) Maine Branch (Watauga County) – Reclassify 1.0 mile of Maine Branch in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F9) Howard Creek (Watauga County) – Reclassify 6.0 miles of Howard Creek in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*

**The Commission did not adopt changes presented in F10:**

- F10) ~~Nantahala River (Macon County) – Reclassify the portion of the upper Nantahala River and its tributaries on Commission game lands from Wild Trout Waters to Wild Trout/Natural Bait Waters.~~  
~~*Adopt amendments to the following rule:*~~  
~~*15A NCAC 10C .0205 Public Mountain Trout Waters*~~
- F11) Richland Creek (Haywood County) – Modify the lower boundary of Hatchery Supported Trout Waters on Richland Creek in Haywood County, adding 0.3 mile to Public Mountain Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*

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- F12) Cane Creek (Henderson County) – Modify the upper boundary of Hatchery Supported Trout Waters on Cane Creek in Henderson County, adding 0.3 mile to Public Mountain Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F13) Brush Creek (Alleghany County) – Modify the upper boundary of Hatchery Supported Trout Waters on Brush Creek, Alleghany County, removing approximately 2.0 miles of Public Mountain Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F14) Buffalo Creek (Ashe County) – Modify the upper boundary of Hatchery Supported Trout Waters on Buffalo Creek, Ashe County, removing approximately 2.0 miles of Public Mountain Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F15) Clear Creek (Henderson County) – Modify the upper boundary of Hatchery Supported Trout Waters on Clear Creek in Henderson County, removing 0.3 miles from Public Mountain Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F16) South Fork Reddies River (Wilkes County) – Modify the upper boundary of Hatchery Supported Trout Waters on South Fork Reddies River in Wilkes County, removing 3.0 miles from Public Mountain Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F17) South Prong Lewis Fork (Wilkes County) – Modify the upper boundary of Hatchery Supported Trout Waters on South Prong Lewis Fork in Wilkes County, removing 2.0 miles from Public Mountain Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F18) Fall Creek (Wilkes County) – Modify the upper boundary of Hatchery Supported Trout Waters on Fall Creek in Wilkes County, removing 4.0 miles from Public Mountain Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F19) Green River (Henderson County) – Modify the Hatchery Supported Trout Waters section of the Green River in Henderson County by removing 2.1 miles from Public Mountain Trout Waters, allowing 2.4 miles on Commission game lands to default to Wild Trout Waters, and maintaining a popular 0.3-mile section below Lake Summit as Hatchery Supported Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*

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- F20) Watauga River (Watauga County) – Modify the lower boundary of Wild Trout Waters on Watauga River in Watauga County, removing approximately 0.3 miles from Public Mountain Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

- F21) Pine Swamp Creek (Ashe County) – Remove 4.0 miles of Pine Swamp Creek in Ashe County from Public Mountain Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

- F22) Mill Creek (Ashe County) – Remove 3.0 miles of Mill Creek in Ashe County from Public Mountain Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

**The Commission adopted changes to F23 as underlined:**

- F23) Yellow Creek (Graham County) – Remove 5.0 miles of Yellow Creek in Graham County on private lands from Public Mountain Trout Waters. The upper 0.8 miles on Commission game lands will default to Wild Trout Waters, and the lower 1.8 miles on private land will remain Hatchery Supported Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

- F24) Mountain Creek (Graham County) – Remove 5.2 miles of Mountain Creek in Graham County on private lands from Public Mountain Trout Waters. The remaining 0.4 mile on Commission game lands will default to Wild Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

- F25) Shoal Creek (Jackson County) – Remove approximately 0.1 mile of Shoal Creek in Jackson County from Public Mountain Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

- F26) West Fork Tuckasegee River (Jackson County) – Remove 3.3 miles of the West Fork Tuckasegee River in Jackson County from Public Mountain Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

- F27) East Prong Roaring River (Alleghany County) – Clarify that East Prong Roaring River in Alleghany County should not be listed as Public Mountain Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

- F28) Little Buffalo Creek (Graham County) – Clarify that Little Buffalo Creek in Graham County should not be listed as Hatchery Supported Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters*

- F29) East Prong Roaring River (Wilkes County) – Clarify the boundaries for Hatchery Supported Trout Waters and Delayed Harvest Trout Waters on East Prong Roaring River in Wilkes County.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F30) Clarify the general statewide limits for black bass in the NCAC by incorporating the statewide exception listed in 15A NCAC 10C .0305(b)(7) which allows the possession of two fish smaller than the minimum size limit into the general size and creel limits listed in 15A NCAC 10C .0305(a).  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*
- F31) Santeetlah Reservoir – Establish an exception to the general statewide limits for black bass in Santeetlah Reservoir by removing the daily creel limit for black bass less than 14 inches minimum size limit. The creel limit for black bass greater than 14 inches will remain five fish in combination.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*
- F32) Establish the general statewide limits for black bass (a five-fish daily creel limit with a minimum size limit of 14 inches allowing two fish to be retained in the daily creel limit that are less than 14 inches) in these waters: Lake Luke Marion in Moore County; Reedy Creek Park lakes in Mecklenburg County; Lake Rim in Cumberland County; Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, and all their tributaries; South Yadkin River downstream of Cooleemee Dam; and the Yadkin-Pee Dee River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery and Blewett Falls Lake.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*
- F33) Clarify the general statewide limits for striped bass and hybrid striped bass in the NCAC by incorporating the statewide exception listed in 15A NCAC 10C .0305(b)(10) which allows the possession of two fish smaller than the minimum size limit into the general size and creel limits listed in 15A NCAC 10C .0305(a).  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*

- F34) John H. Kerr Reservoir and Dan River – Modify an exception to the general statewide limits for striped bass and hybrid striped bass by decreasing the minimum size limit for striped bass from 26 to 24 inches in John H. Kerr Reservoir and in the Dan River upstream from the Bannister River to the Brantly Steam Station from October 1 through May 31. The creel limit will remain two striped bass or hybrid striped bass in combination from October 1 through May 31. From June 1 through September 30 the daily creel limit of four striped bass or hybrid striped bass in combination and no minimum size limit will not change. The upstream boundary for this regulation on the Dan River will be redefined from the Brantly Steam Plant Dam to the dam at Union Street in Danville, VA.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*

- F35) John H. Kerr Reservoir, Lake Gaston, and Roanoke Rapids Lake – Establish an exception to the general statewide limits for walleye by establishing an 18-inch minimum size limit for walleye in John H. Kerr Reservoir, Lake Gaston, and Roanoke Rapids Lake and decreasing the daily creel limit from eight to five fish.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*

- F36) Cape Fear River – Establish an exception to the general statewide daily creel limit for American shad and hickory shad by reducing the possession limit of American shad in the inland fishing waters of the Cape Fear River and its tributaries to five fish per day within the 10-fish daily creel for American shad and hickory shad in combination.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*

- F37) Lake Mattamuskeet – Remove from the NCAC the exception to the general statewide limits for crappie and sunfish that stipulates federal regulations apply on Lake Mattamuskeet.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*

- F38) Add bighead and silver carp to the list of species which are unlawful to transport, purchase, possess, sell or stock into public or private waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0211 Possession of Certain Fishes*

- F39) Clarify that river herring (alewife or blueback herring) greater than six inches may not be possessed while boating on or fishing in inland fishing waters of coastal rivers and their tributaries including Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill dam, Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek, and in all other inland fishing waters east of I-95.

*Adopt amendments to the following rules:*

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale*

*15A NCAC 10C .0402 Taking Nongame Fishes for Bait or Personal Consumption*



- F40) Remove the prohibition of possession of live river herring on Lake Rhodhiss and Lake James.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0402 Taking Nongame Fishes for Bait or Personal Consumption*

- F41) Allow the use of set hooks in impounded waters of power reservoirs and municipally-owned water supply reservoirs which are designated as Public Mountain Trout Waters.

*Adopt amendments to the following rule:*

*15A NCAC 10C .0206 Troelines and Set-Hooks*

**Wildlife Management Update** – the Commission received an update about the activities of the Division of Wildlife Management from Dr. David Cobb, *Wildlife Management Division Chief*. Dr. Cobb directed Commissioners to two CDs. One of the CDs contains the complete rules files that were discussed at the Committee of the Whole meeting on November 7. Included in the Update CD is information about work on red spruce forests for high priority species, 2011 information about wildlife recreation, a birding trail newsletter, a document about peanut products, and a recent article about the role of crows in the dispersal of prion diseases. Dr. Cobb announced that the agency is advertising for a wildlife Veterinarian. He recognized employees Deet James, Jenny Harris, and Travis Casper and Commissioners Dell Murphy and Nat Harris, thanking them for their efforts in making the Strategic Recruitment and Retention Initiative a successful event.

**Adoption of 2013-2014 Hunting and Trapping Regulation Proposals** – Dr. Cobb presented **Exhibit E**, a summary of public comments concerning the proposed changes to wildlife management regulations. As a result of discussion held during the Committee of the Whole meeting on November 7, the Commission adopted proposed changes presented in a revision of **Exhibit F**. Revisions are underlined or struck through:

- H1) Move the portions of Avery and Yancey counties that are currently in the Introductory Either-Sex deer season (one day) into the Conservative Either-Sex deer season (six days) for all private lands. Keep game land either-sex season as Introductory (one day).

*Adopt amendments to the following rule:*

*15A NCAC 10B .0203 Deer (White-tailed)*

- H2) Remove restrictions on carrying firearms during the deer bow-and-arrow season and pistols during the muzzleloader season in accordance with state law. Allow hunting with muzzleloading pistols.

*Adopt amendments to the following rule:*

*15A NCAC 10B .0203 Deer (White-tailed)*

- H3) Allow an adult to accompany more than one youth during the one-day Spring Youth Only Wild Turkey Season.

*Adopt amendments to the following rule:*

*15A NCAC 10B .0209 Wild Turkey*

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- H4) Beginning in 2013, create a one week Spring Youth Only Wild Turkey Season from the first Saturday in April through the following Friday. The bag limit for this entire week will be one bird.  
*Adopt amendments to the following rule:*  
*15A NCAC 10B .0209 Wild Turkey*
- H5) Open four additional counties to fox squirrel hunting: Stokes, Surry, Watauga, and Wilkes.  
*Adopt amendments to the following rule:*  
*15A NCAC 10B .0206 Squirrels*
- H6) Remove rule-based barriers for the take of the American alligator.  
*Adopt amendments to the following rules:*  
*15A NCAC 10B .0119 Wildlife Collectors*  
*15A NCAC 10I .0102 Protection of Endangered/Threatened/Special Concern species*
- H7) Allow hunters to carry firearms while dog training.  
*Adopt amendments to the following rule:*  
*15A NCAC 10B .0114 Dog Training and Field Trials*
- H8) Increase user fees for the use of the field trial facilities located on the Sandhills Game Lands from the current \$25.00 to \$75.00 for use of the club house only and \$100 to \$200 for the use of the club house and field trial grounds.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0102 General Regulations Regarding Use*
- H9) Allow open carry of firearms anytime on state-owned game lands and conservation areas.  
*Adopt amendments to the following rules:*  
*15A NCAC 10D .0102 General Regulations Regarding Use*  
*15A NCAC 10D .0103 Hunting on Game Lands*  
*15A NCAC 10J .0102 General Regulation Regarding Use of Conservation Areas*
- H10) Allow hunting by special permit on game lands when the seasons for game animals (bear, fox, rabbit, squirrel, deer, bobcat, opossum and raccoon) and game birds (all migratory game birds and upland game birds) are closed.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H11) Limit hunting on game lands with weapons legal for open game animal or game bird seasons.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H12) Allow trapping on Sherwood and Harmon Den Bear Sanctuaries.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0102 General Regulations Regarding Use*
- H13) Allow waterfowl hunting to take place the Monday after Christmas and the Monday after New Year's Day when these two holidays fall on a Sunday.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*

- H14) Allow a youth/adult dove hunt on opening day of dove season on Needmore Game Lands. This hunt would be on posted dove fields by permit only.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H15) Prohibit equestrian use November 1 through January 1 on Perkins Game Land in Davie County. [This change is at the landowner's request]  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H16) Clarify existing regulations that allow muzzleloader and archery deer hunting on the J. Robert Gordon Field Trial Grounds.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H17) Allow waterfowl hunting on the J. Robert Gordon Field Trial Grounds during all open days of the waterfowl season.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H18) Open spring camping season on the game lands on March 31.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H19) Reduce requirements for obtaining a permit in cases of depredation and allow for better use of wildlife taken under depredation permits by making the following changes:
- remove the requirement that an animal cause at least \$50.00 in damage before the property owner can receive a depredation permit and allow a permit to be written for any amount of damage;
  - remove the requirement that municipalities attempt using the Urban Archery season for deer overabundance before receiving a depredation permit;
  - allow the take of alligators with depredation permits, subject to Executive Director approval;
  - allow the take of feral swine with depredation permits; and
  - allow any animal taken under a depredation permit to be retained for consumption if so written on the permit.
- Adopt amendments to the following rule:*  
*15A NCAC 10B .0106 Wildlife Taken for Depredation*

- H20) Reduce restrictions for taking wildlife in the act of depredation without a permit and allow for better use of animals taken while causing damage by making the following changes:
- remove the limit on the number of deer taken without a permit that can be retained for consumption. Deer may only be taken without a permit while in the act of damaging property;
  - allow feral swine taken without a permit to be retained for consumption;
  - ~~allow the use of artificial lights in taking wildlife in the act of depredation without a permit;~~ and
  - reduce the number of species of wildlife taken without a permit that require reporting to the Commission to two: bears and alligators.
- Adopt amendments to the following rule:  
15A NCAC 10B .0106 Wildlife Taken for Depredation*

- H21) Reduce restrictions on keeping wildlife killed accidentally or found dead by making the following changes:
- allow a person to request authorization to keep a deer or turkey found dead of natural causes or due to a vehicle collision;
  - allow a person to keep dead raptors and nongame migratory birds if the person holds a federal permit; and
  - allow possession of any other species of wildlife found dead without Commission authorization, except bears and protected species which may not be possessed at all.
- Adopt amendments to the following rule:  
15A NCAC 10B .0106 Wildlife Taken for Depredation  
Adopt the following rule:  
15A NCAC 10B .0127 Possession of Wildlife Killed Accidentally or Found Dead*

**Proposals H22 – H27** are rules proposals that were taken to public hearings pertaining to regulation of captive cervids in North Carolina. The report of chronic wasting disease found in a certified captive cervid facility in Pennsylvania with similar standards to those in North Carolina resulted in the Commission voting to table rule proposals H22 – H27. The Commission voted to establish a Cervid Disease Task Force to examine all of North Carolina's safeguards designed to reduce the risk of introduction of cervid diseases. The Commission authorized the Executive Director to appoint task force members that at a minimum include representation from the following groups:

- Cervid farming industry
- Hunting organizations such as Quality Deer Management Association (QDMA)
- NC Department of Agriculture and Consumer Services (including the State Veterinarian)
- NC taxidermists
- Public Health
- WRC Staff

The Cervid Disease Task Force will report back to the Wildlife Resources Commission with any recommendations for further action at the May 9, 2013 meeting.

The **tabled** rule proposals for regulation of captive cervids, **H22 – H27** are:

H22) For regulatory purposes, divide captive cervids into two categories:

- a Category 1 cervid — any white-tailed deer, white-tailed deer hybrid, Sika deer, red deer, elk, elk hybrid, moose or any other species of cervid in which the scientific community has documented Chronic Wasting Disease (CWD) and
- a Category 2 cervid — any species of cervid in which the scientific community has not documented CWD.

Prohibit importation from any U.S. or Mexican state or territory, Canadian province or other country of origin which has documented CWD in a wild or captive cervid herd.

Establish these importation criteria for Category 1 cervids: the individual U.S. or Mexican state or territory, Canadian province or other country of origin for a captive cervid coming into North Carolina must require facility owners to:

- report all cervid deaths within the facility and submit all animals over the age of 12 months for CWD testing;
- place at least two tags on each animal in the facility; and
- record all acquisitions and dispositions to the herd.

*Adopt amendments to the following rules:*

*15A NCAC 10B .0101 Importation of Wild Animals and Birds*

*15A NCAC 10H .0304 Captive Cervid Herd Certification Program*

H23) Allow new captive cervid licenses. Require these new facilities to have two fences: an eight-foot high fence and an electric fence, placed either internally or externally, two feet away from the eight-foot fence with strand placements at: 12, 20, 28, 36 and 48 inches above the ground. The strands at 20 and 36 inches would be non-electrified grounding strands. Prohibit any person with a captivity license from requesting an additional license or obtaining a new license if one was revoked in the previous two years.

*Adopt amendments to the following rules:*

*15A NCAC 10H .0301 General Requirements*

*15A NCAC 10H .0302 Minimum Standards*

H24) Increase the age for the requirement for CWD testing of deceased captive cervids from six months to 12 months.

*Adopt amendments to the following rule:*

*15A NCAC 10H .0301 General Requirements*

H25) Reduce the species of captive cervids that must be tested for CWD upon death from all captive cervids to only Category 1 cervids.

*Adopt amendments to the following rule:*

*15A NCAC 10H .0301 General Requirements*

H26) Allow for pen expansion for all captive cervid licensees if the entire expanded pen has two fences: an eight-foot high fence and an electric fence, placed either internally or externally, two feet away from the eight-foot high fence with strand placements at: 12, 20, 28, 36 and 48 inches above ground. The strands at 20 and 36 inches would be non-electrified grounding strands.

*Adopt amendments to the following rules:*

*15A NCAC 10H .0301 General Requirements*

*15A NCAC 10H .0302 Minimum Standards*

*15A NCAC 10H .0304 Captive Cervid Herd Certification Program*

H27) Allow transportation of captive cervids from any N.C. Certified herd to any other captive cervid herd up to the licensed pen capacity for the receiving herd.

*Adopt amendments to the following rule:*

*15A NCAC 10H .0301 General Requirements*

**Easement Request, Bladen County** – the Commission adopted a request by the Department of Transportation, presented in **Exhibit G**, for an easement at the Tar Heel Boating Access Area in Bladen County for the purpose of relocating power transmission lines.

**Land Acquisitions** – the Commission approved requests for agency staff to begin working with the State Property Office and funding partners to develop acquisition plans for the following properties:

- Summit Boating Access Area, Lake Gaston- Halifax County (**Exhibit H-1**)
- Watauga River, Blowing Rock – Watauga County (**Exhibit H-2**)
- Pinch Gut Phase IV Tract – Brunswick County (**Exhibit H-3**)
- Capel Tract – Montgomery County (**Exhibit H-4**)
- Brown's Island Tract 2 – Carteret County (**Exhibit H-5**)

**Braun Tract Donation, Ashe County** – the Commission voted to accept the donation by the Blue Ridge Conservancy of the 281-acre Braun Tract, part of the Pond Mountain State Natural Heritage Area in Ashe County. (**Exhibit I**)

**Adoption of the 2013 Wildlife Resources Commission Meeting Schedule** – the Commission adopted the 2013 schedule of Wildlife Resources Commission meetings:

- Thursday, January 17, 2013
- Thursday, March 14, 2013
- Thursday, May 9, 2013
- Thursday, July 11, 2013
- Thursday, August 29, 2013
- Thursday, November 7, 2013

**Comments by the Chairman** – Chairman Hoyle thanked staff for the agency spotlight and for the Big Game Committee presentation about issues with feeding wildlife with peanut products. He also thanked bear hunters for traveling to Raleigh for the Big Game Committee discussion.

**Comments by the Executive Director** - Executive Director Gordon Myers announced that the Strategic Recruitment and Retention Initiative October 24-25 was outstanding, educational, and thought-provoking. He thanked Commissioner Dell Murphy and his family for their hospitality in hosting the entire event in Wallace. Myers also thanked staff members Jenny Harris, Deet James, and Travis Casper for arranging for the facilitator, speakers, and agenda topics for the initiative. Myers met with staff to begin work on a summary of the event and action plan for strategic recruitment and retention. Deet James is the team leader. A two-day meeting will be held with agency staff who did not attend the Initiative in Wallace about the action plan. Myers reported that the election resulted in a change in the General Assembly, with 58 percent of the members serving their first or second term. He encouraged Commissioners to make contact with their representatives to educate them about the responsibilities of the NCWRC. Possible legislative items are consideration of a Hunter Heritage or apprentice license, change in motorboat fines and penalties for wildlife violations, service agent transaction fees, and black bear baiting. Myers announced that the list of recipients of Wildlife e-mail news updates has grown to 175,000.

**Adjournment** - the meeting was adjourned at 10:45 a.m.