

# EXHIBIT A

April 22, 2021



## MINUTES

February 25, 2021

### N.C. Wildlife Resources Commission Webinar Meeting Raleigh, North Carolina

Pursuant to North Carolina General Statute (NCGS) §166A-19.20 (Public Bodies/Remote Meetings During Declared Emergencies), the February 25, 2021 N.C. Wildlife Resources Commission (NCWRC) webinar meeting was called to order by Commission Chairman David Hoyle, Jr. at 9:00 a.m.

Chairman Hoyle announced that the webinar meeting audio is being streamed live and will be available on the NCWRC's website. He reminded Commissioners to speak their names before making motions or comments and to mute their devices when not speaking. Hoyle announced that by the statutory requirement, the roll will be called for attendance and for each vote.

Commissioner Kelly Davis gave the invocation.

#### **MANDATORY ETHICS INQUIRY**

Chairman Hoyle advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15.

#### **ROLL CALL**

Margo Minkler, *Commission Liaison*, called the roll. Ray Clifton and John Stone were absent.

#### **COMMISSIONER ATTENDANCE**

David Hoyle, Jr.  
Mike Johnson  
Monty Crump  
Brad Stanback  
Tom Berry  
Landon Zimmer  
Hayden Rogers

Kelly Davis  
John Coley  
Steve Windham  
Nat Harris  
Tommy Fonville  
Jim Ruffin  
Mark Craig

Jim Cogdell  
Wes Seegars  
Richard Edwards

## MINUTES OF DECEMBER 10, MEETING

By acclamation, the Minutes of the December 10, 2020 meeting were approved as presented in **Exhibit A**. **Exhibit A** is incorporated into the official record of this meeting.

### ADMINISTRATION

Dr. DP Singla, *Chief Financial Officer*, presented a status report in **Exhibit B** on the Wildlife Operating Fund and Capital Improvement Fund.

**Wildlife Operating and Capital Improvement Funds** - As of December 31, 2020, the revenues in the General Fund were \$54,370,232.66, with Capital Improvement (CI) revenues \$2,650,424.12. Expenditures in the General Fund were \$ 49,301,946.93. Expenditures in the CI Fund were \$3,401,994.81. The excess of revenues and other sources over expenditures and other uses in the General Fund was \$ 5,068,285.73, with -\$751,570.69 in CI. The General Fund Balance as of December 31, 2020 was \$21,512,328.96. The CI Fund balance as of December 31, 2020 was \$2,563,599.73.

**Exhibit B** is incorporated into the official record of this meeting.

### COMMITTEE MEETING REPORTS

**Big Game Committee Report – February 10, 2021** – John Coley, *Chair*, reported that The Big Game Committee met virtually on February 10, 2021. The meeting focused on deer management and research in the state. Dr. Jon Shaw, *State Deer Biologist* presented the data and metrics used to monitor and manage the deer herds. The presentation was very informative and is available on the Agency's YouTube channel. Following Shaw's presentation David Sawyer presented the results of a study conducted by NC State and the WRC to develop a model that will predict the probability of a land parcel being huntable. The results will benefit the Commission in understanding what is happening on the landscape that will affect future deer hunting. This project and the presentation were followed by Dr. Shaw discussing a proposed research project. The huntable land model demonstrated that hunting of deer is occurring along the urban/rural interface. However, it is not known how much deer hunting is occurring in these areas and how our regulations are impacting the deer populations there. There are significant deer management questions that could be answered by a study such as this. The Committee encouraged staff to continue development and coordination with appropriate researchers to move the study forward.

**Elk and Alligator Committee Report – February 17, 2021** – Steve Windham, *Chair*, reported the Elk and Alligator Committee met virtually on February 17, 2021. The meeting continued to explore alligator management in the state. Staff presented to the committee a draft Alligator Management Assistance Program for discussion and consideration by the committee. The document laid out an ambitious conceptual idea that would merge data collection efforts on alligators with some opportunity to manage alligators on certain private lands. While there remain considerable questions, the concept was generally well received. Staff was directed to do a cost analysis to determine what a program like this might require as a cost to the Agency and to private landowners who might enroll; to develop and articulate a

3-year timeline for implementation; and to show (through maps) potential sanctuary areas relative to potential private lands that could be in the Alligator Management Assistance Program.

**Land Acquisition and Property (LAP) Committee Meeting Report – February 23, 2021** - Tom Berry, *Chair*, reported that the Committee met virtually on February 23, 2021. The committee reviewed the status of current land acquisition projects. The Committee reviewed and approved one Phase I acquisition and reviewed and endorsed five Phase II acquisitions including Tuckertown. As part of the review of the Tuckertown project Commissioner Cogdell committed \$10,000 towards transactional and closing costs for the project. Chairman Berry thanked the many partners involved with Tuckertown including Bill Holman and Mike Leonard with the Conservation Fund, the Three Rivers Land Trust, and Ducks Unlimited among others. Staff will continue to provide detailed updates on Tuckertown in the coming months ahead of a projected August closing. Chairman Berry and Vice-Chairman Fonville informed the Committee that the *ad hoc* Land Acquisition Strategy Committee has been formed and will be chaired by Commissioner Fonville. The *ad hoc* Committee will begin meeting soon and will work to define priorities for the agency's land acquisition work to feed into the development of a long-term land acquisition strategy. The *ad hoc* Committee will work closely with staff and regular updates will be provided to the Land Acquisition and Property Committee. Lastly, Chairman Berry shared that the Wildlife Habitat Foundation is seeking a project to collaborate on with the agency, and staff will be providing suggestions.

**Migratory Birds/Waterfowl Committee Report – February 24, 2021** – Richard Edwards, *Chair*, reported that the Migratory Birds/Waterfowl Committee met virtually on February 24, 2021. Kerrick Robinson, *Social Scientist*, provided an overview of the results from the *Duck Hunter Perspectives Survey*. Kerrick explained the survey was designed to understand duck hunter preferences for season dates and the number of season segments within the newly established Coastal and Inland duck hunting zones. Staff identified 40,413 potential hunters using Harvest Information Program screening questions. An online survey was open from September 21, 2020 to October 31, 2020. Duck hunters were recruited to participate with two email reminders and one postcard reminder. Staff received 6,432 valid responses for analysis for a response rate of 17%. Responses from both Inland and Coastal duck hunters show they are in favor of having later season dates and more Saturdays. Doug Howell, *Migratory Game Bird Program Coordinator*, presented options for *2021/22 Waterfowl Season Dates*. The Committee approved staff recommendations for season dates for migratory game birds to be open for public comment using the NCWRC online comment portal.

**Finance Committee Report – February 24, 2021** – Landon Zimmer, *Chair*, reported that the Finance Committee met virtually on February 24, 2021. Steve Chase, *Internal Auditor*, discussed his transition from process improvements to risk assessment strategy, to align more closely with the roles of internal auditor as recommended by the Office of State Budget and Management, Office of Internal Auditor. He discussed the importance of the required independent five-year quality assessment review to ensure compliance with regulating authorities. He then reviewed the new audit charter pointing out his duty to report to the Commission and the Executive Director. Chief Financial Officer, Dr. D.P. Singla, presented a comparison of the current and previous fiscal years for periods ending December 31, showcasing revenues and expenditures for the general fund and capital improvement funds. Explanations were provided for any variances in excess of one million dollars. An overview of the WRC Endowment fund was presented, with an explanation of the various investment accounts and cash (STIF) accounts that

make up the endowment fund, and examples of the types of transactions that occur within and between the accounts, and at what frequencies. Janice Underwood, *Agency CIO*, presented a detailed analysis of the current lifetime license model and all revenues derived from these licenses utilizing the assumptions made by Southwick Associates in their report from December 2019. She also explained the certification of license holders process and the historical revenues that the agency has received, based on that certification of hunters and anglers. To further support the benefit of a possible discounted license, she presented license sales trends data for both annual and lifetime license purchasers in the 50-65 age categories.

**Motion from Finance Committee** - On a motion by Commissioner Zimmer and a second by Commissioner Coley, the Committee tasked Executive Director Ingram to work with the legislature to establish half price lifetime licenses for hunters and anglers age 50 and over.

**Committee of the Whole Report – February 24, 2021**– David Hoyle, Jr., *Chair*, reported that the Committee met virtually on February 24, 2021. The Committee of the Whole began by reviewing public comments and proposed rules for Inland Fisheries, Wildlife Management, and Game Lands for 2021/2022. The committee endorsed all the proposed rules with the following changes: removing F5 and F6 from the Inland Fish rule proposals, revising H3 in the proposed changes to the Wildlife Management rule proposals, and modifying G10 from the Game Land rule proposals. The Committee then reviewed public comments and proposed rulemaking for a No Wake Zone amendment for Brunswick County by Betsy Haywood, Wildlife and Alligator Control Agents, and Wildlife Take for Depredations by Daron Barnes. Todd Ewing presented the Committee’s first look at changes to the protected animal list which will be voted on at the April Commission Meeting. Joe Fuller then gave the Committee information and did a presentation on rabbit hemorrhagic disease which is highly contagious and could be spread to North Carolina. Staff are working to develop specific field investigation protocols, collaborating with USDA and NCDA, and sending out information to avid rabbit hunters, rehabilitators, and rabbit pen operators. Lastly, Shannon Deaton provided the Committee with an update on the Recovering America’s Wildlife Act.

### **AGENCY SPOTLIGHT – Digging for the Root of the Problem**

Andrew Helton, *Wildlife Law Enforcement Captain*, explained for many decades, North Carolina Wildlife Law Enforcement Officers have been challenged with combating plant poaching on both public and privately owned lands. In his presentation, he shared enforcement efforts and challenges, anti-poaching methods, and ginseng case totals for 2020. Ginseng brings an average of \$800.00 to \$1000.00 per dried pound. Every year, Wildlife Law Enforcement officers receive hundreds of reports on plant poaching. In the past, Law Enforcement Officers only had jurisdiction to enforce plant laws on public lands. However, when it came to private lands, our authority became complicated. In January of 2020, the North Carolina Wildlife Resources Commission teamed up with the North Carolina Department of Agriculture by signing a MOU allowing the NCWRC to investigate and enforce state laws protecting those plants found on the plant protection list on both public and private lands.

## **ADOPTION OF 2021-2022 INLAND FISHERIES RULES**

Christian Waters, *Inland Fisheries Division Chief*, presented in **Exhibit C-1** a summary of comments concerning the proposed changes to fifteen Inland Fisheries rules received from the virtual public hearing held in January 2021 and from the NCWRC internet portal and correspondence.

On a motion by Mike Johnson and second by Tom Berry, the Commission adopted fifteen changes to Inland Fisheries rules for 2021-2022 presented in **Exhibit C-2**:

F1) Combine the two-existing Public Mountain Trout Waters (PMTW) catch-and-release classifications (Catch and Release/Artificial Flies Only Trout Waters and Catch and Release/Artificial Lures Only Trout Waters) into a single classification (Catch and Release/Artificial Flies and Lures Only Trout Waters).

***15A NCAC 10C .0205***

***15A NCAC 10C .0316***

F2) Remove Franks Creek in Graham County from Wild Trout Natural Bait Waters. This proposal will remove 4.1 miles from Public Mountain Trout Waters and 0.4 miles of Franks Creek on game lands will be reclassified to Wild Trout Waters.

***15A NCAC 10C .0205***

F3) Remove Hemphill Creek in Haywood County from Wild Trout Natural Bait Waters. This proposal will remove 3.7 miles of Public Mountain Trout Waters.

***15A NCAC 10C .0205***

F4) Remove Buff Creek in Jackson County from Wild Trout Natural Bait Waters. This proposal will remove 2.8 miles of Public Mountain Trout Waters and 1.0 mile of Buff Creek on game lands will be reclassified to Wild Trout Waters.

***15A NCAC 10C .0205***

F7) Remove Mill Creek in McDowell County from Hatchery Supported Trout Waters. This proposal will remove 6.0 miles of Public Mountain Trout Waters.

***15A NCAC 10C .0205***

F8) Clarify that there is no closed season for harvest in undesignated trout waters.

***15A NCAC 10C .0205***

F9) Clarify the boundaries for the Delayed Harvest Trout Waters reaches of the Watauga River in Watauga County. The designated reaches are S.R. 1114 bridge to Valle Crucis Community Park lower boundary (upper reach) and S.R. 1103 bridge to confluence with Laurel Creek (lower reach). This proposal will not add or remove any Public Mountain Trout Waters.

***15A NCAC 10C .0205***

F10) Clarify that Boundary Line Pond in Wilkes County is designated as Public Mountain Trout Waters and further classified as Hatchery Supported Trout Waters.

***15A NCAC 10C .0205***

F11) Clarify that the lower Hatchery Supported Trout Waters boundary on the Middle Prong Roaring River in Wilkes County is the second bridge on S.R. 1736.

*15A NCAC 10C .0205*

F12) Clarify that the daily creel limit for Largemouth Bass, Smallmouth Bass, and Spotted Bass in the Alleghany County portion of the New River downstream of Fields Dam (Grayson County, Virginia) is five fish in combination.

*15A NCAC 10C .0305*

*15A NCAC 10C .0321*

*15A NCAC 10C .0322*

F13) Prohibit harvest of Largemouth Bass from three ponds associated with Martin-Marietta Park, City of New Bern, Craven County.

*15A NCAC 10C .0305*

F14) Prohibit harvest of Striped Bass from three ponds associated with Martin-Marietta Park, City of New Bern, Craven County.

*15A NCAC 10C .0314*

F15) Establish an exception to the general statewide regulation for Blue Catfish in the North Carolina portion of the Dan River (Caswell Co.), downstream of Danville, Va. by allowing only one fish greater than 32 inches to be possessed in the daily creel.

*15A NCAC 10C .0401*

F16) Allow American Eel greater than the 9-inch minimum length limit to be used for cut bait provided the body depth of the eel is at least ½ inch.

*15A NCAC 10C .0401*

*15A NCAC 10C .0402*

F17) Add the African Longfin Eel, Creole Painted Crayfish, Bigclaw Crayfish, Marbled Crayfish or Marmorokrebs, Applesnail, Olive Mysterysnail, European Eel, Oriental Weatherfish, Brown Hoplo, Yellow Bass, Shortfin Eel, Crucian Carp, Prussian Carp, European Perch, European Minnow, and Amur Sleeper to the list of species for which it is unlawful to transport, purchase, possess, sell or stock in the public or private waters of North Carolina. The proposed change also includes taxonomic clarifications and corrections.

*15A NCAC 10C .0211*

**Exhibit C-2** is incorporated into the official record of this meeting.

#### **ADOPTION OF 2021-2022 WILDLIFE MANAGEMENT RULES**

Brad Howard, *Wildlife Management Division Chief*, presented **Exhibit D-1**, a summary of public comments concerning proposed changes to wildlife management rules received from the virtual public hearing held in January 2021 and from NCWRC internet portal and correspondence.

On a motion by Wes Seegars and second by Mike Johnson, the Commission adopted five changes to Wildlife Management rules for 2021-2022 presented in **Exhibit D-2**:

H1) This proposal modifies the definition of a muzzleloading firearm to allow for the use of pre-loaded powder capsules in muzzleloaders during blackpowder season.

**15A NCAC 10B .0203**

H2) This proposal modifies the permitted archery equipment to allow for the use of sling bow for taking white-tailed deer.

**15A NCAC 10B .0116**

H3) This proposal will create a NCWRC private land program called “Wild Quail Management Areas” and will allow dedicated property managers enrolled in the Program to implement specific additional management actions.

**15A NCAC 10B .0227**

H4) This proposed rule amendment will allow the use of remote trap checking systems in lieu of a physical trap check under specified conditions.

**15A NCAC 10B .0110**

H5) This proposed rule amendment corrects the open season for the take of bear in Camden, Chowan, and Pasquotank counties.

**15A NCAC 10B .0202**

**Exhibit D-2** is incorporated into the official record of this meeting.

## **LAND AND WATER ACCESS DIVISION**

### **ADOPTION OF GAME LAND MANAGEMENT RULES FOR 2021-2022**

Brian McRae, *Land and Water Access Division Chief*, presented in **Exhibit E-1** a summary of public comments received from the virtual public hearing held in January 2021 and from the NCWRC internet and correspondence, pertaining to proposed changes to game land rules.

On a motion by Mike Johnson and second by Tom Berry, the Commission adopted twenty 2021-2022 Game Land Rules as presented in **Exhibit E-2**:

G1) Codify the Commission’s authority to manage public access and use of Commission property and/or waive any non-statutorily required rules in Chapter 10 to protect public health, public safety, wildlife resources, and Commission property.

**15A NCAC 10A .1102**

G2) This proposal will redefine the description of a Temporary Restricted Zone.

**15A NCAC 10D .0102**

G3) Remove the Laurinburg Fox Trial facility from the NCAC.

**15A NCAC 10D .0102**

G4) Clarify that coyotes, armadillos, and groundhogs are authorized to be taken on game lands by trapping during the regulated trapping season (November 1 through end of February). This rule also

clarifies that foxes can be trapped on game lands during the regulated trapping season in counties with a session law that authorizes fox trapping in that county. This proposal also establishes a closed trapping season on game lands from April 1 through October 31.

***15A NCAC 10D .0102***

G5) Clarify that licensed trappers can use bait on game lands while trapping.

***15A NCAC 10D .0102***

G6) Clarify NCAC rule text that identifies where game lands designated in the disabled access program are listed.

***15A NCAC 10D .0102***

G7) Amend NCAC rule text by removing Brunswick County Game Land.

***15A NCAC 10D .0103***

G8) Clarify NCAC rule text that establishes the December segment of the bear season for Alligator River, Buckridge, Chowan Swamp, Gull Rock, and Van Swamp game lands.

***15A NCAC 10D .0103***

G9) Clarify that horseback riding is allowed seven days per week from May 16 – August 31, and on Sundays only September 1 – May 15 on R. Wayne Bailey-Caswell, Chatham, Jordan, and Pee Dee River game lands. This proposal will also allow equestrian riding on gated roads and trails posted for equestrian use at Pee Dee River Game Land. This proposal will also clarify that a Game Land License is not needed to ride horses on the American Tobacco Trail at Jordan Game Land.

***15A NCAC 10D .0103***

G10) Prohibit the pursuing or chasing of deer and bear with dogs for the purposes of training or hunting on the Beaufort County portion of Goose Creek Game Land north of NC 33 except for that portion east of Smith Creek and south of Campbell Creek.

***15A NCAC 10D .0103***

G11) Implement permanent rule text to replace a temporary rule that corrected a clerical error in the NCAC regarding the primitive weapons seasons for deer on Nicholson Creek Game Land.

***15A NCAC 10D .0103***

G12) Change Perkins Game Land from an Introductory Either-Sex Gun Season to a Conservative Either-Sex Gun Season.

***15A NCAC 10D .0103***

G13) Clarify the times and places where horseback riding will be permitted and not allowed on the Sandhills Game Land.

***15A NCAC 10D .0103***

G14) Amend NCAC rule text to remove references to impoundments on Stones Creek Game Land.

***15A NCAC 10D .0103***



G15) Prohibit horseback riding at William H. Silver Game Land.  
*15A NCAC 10D .0103*

G16) Clarify NCAC rule text regarding restrictions on Wildlife Conservation Areas.  
*15A NCAC 10J .0103*

G17) Add the definition of a “Seven Days per Week Game Land” and indicate that hunting is allowed Monday through Sunday during open seasons. Also add the definition for a “Four Days per Week Game Land” and indicate that hunting is allowed Tuesday, Thursday, Saturday, and Sunday. Further, as per G.S. 103-2, this rule will indicate that on Sundays, hunting with a firearm between 9:30 AM and 12:30 PM is prohibited, the use of a firearm to take deer that are run or chased by dogs is prohibited, and hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, is prohibited.  
*15A NCAC 10D .0103*

G18) Change the following six game lands to “Four Days per Week Game Lands”: Bullard and Branch Hunting Preserve, Columbus County, Mitchell River, Perkins, Robeson, Sampson  
*15A NCAC 10D .0103*

G19) Change the following 45 game lands to “Seven Days per Week Game Lands”: Alcoa, Alligator River, Angola Bay, Bachelor Bay, Brinkleyville, Buffalo Cove, Cape Fear River Wetlands, Carteret County, Chatham, Chowan, Cold Mountain, Croatan, Currituck Banks, Dare, Elk Knob, Embro Goose Creek, Gull Rock, Harris, Hyco, Juniper Creek, Lee, Light Ground Pocosin, Linwood, Lower Fishing Creek, Mayo, Nantahala, Needmore, New Lake, North River, Northwest River Marsh, Pee Dee River, Pisgah, Pond Mountain, Sandy Creek, Shocco Creek, South Mountains, Sutton Lake, Three Top Mountain, Thurmond Chatham, Tillery, Toxaway, Uwharrie, Van Swamp, William H. Silver  
*15A NCAC 10D .0103*

G20) Prohibit the harvest of bear on Sunday on the following game lands in the Coastal Bear Management Unit: Alligator River, Angola Bay, Bullard and Branch Hunting Preserve, Cape Fear River Wetlands, Carteret County, Chowan, Croatan, Currituck Banks, Goose Creek, Gull Rock, Juniper Creek Light Ground Pocosin, New Lake, North River, Northwest River Marsh, Robeson, Sampson, Sutton Lake, Van Swamp  
*15A NCAC 10D .0103*

**Exhibit E-2** is incorporated into the official record of this meeting:

### **Land Acquisitions and Property Matters**

**Phase II Land Acquisitions** – on a motion by Mike Johnson and second by Tom Berry, the Commission approved the acquisition of four properties, presented by Jessie Birkhead, *Land Acquisition and Grants Manager*, in (**EXHIBITS F-1, F-2, F-3, F-4**)

- **Jewel Davenport Tracts – Camden County (F-1)**
- **Pasquotank River Tract – Camden County (F-2)**
- **Myrtle Head Simmons Tract – Brunswick County (F-3)**
- **Old Dock Simmons Tract – Columbus County (F-4)**

With Commissioner Monty Crump recused, and on a motion by Tom Berry and second by Steve Windham, the Commission approved the acquisition of the property, presented by Jessie Birckhead, *Land Acquisition and Grants Manager*, in **(EXHIBIT F-5)**:

• **Tuckertown Tracts – Davidson, Montgomery Counties (F-5)**

**Exhibits F-1, F-2, F-3, F-4, and F-5** are incorporated into the official record of this meeting.

**WATER SAFETY RULEMAKING**

Jim Cogdell made a motion, seconded by Mike Johnson, and voted to adopt the amendment presented in **Exhibit G-2**. Water safety rules proposals were presented by Betsy Haywood, *No-Wake Zone Coordinator*:

**Exhibit G-2** are incorporated into the official record of this meeting.

**OTHER RULEMAKING**

On a motion by Mike Johnson and second by Mark Craig, the Commission reviewed public comments and adopted **Exhibits H-2 and I-2**, presented by Daron Barnes, *Program Manager, Office of Wildlife Interaction, Regulated Activities & Permits*:

Wildlife and Alligator Control Agents – 15A NCAC 10H .1500  
Wildlife Take for Depredations – 15A NCAC 10B .0106

**Exhibits H-2 and I-2** are incorporated into the official record of this meeting.

**COMMENTS FROM THE CHAIRMAN**

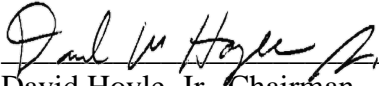
Chairman Hoyle thanked Commissioners and Staff for their attendance and planning for committee meetings. Based on the Governor's Covid Update yesterday and most recent Executive Order, he hopes the April Commission Meeting will allow for the Commissioners to attend in person. He reminded Commissioners to direct any questions regarding the current legislative session to him or the Vice Chairman.

**COMMENTS FROM THE EXECUTIVE DIRECTOR**


Executive Director Ingram expressed the importance of our partnerships on land acquisitions with a special mention of the Tuckertown project partners. He thanked Ashton Godwin for his diligence at the general assembly and providing updates to the Commissioners. Ingram recognized the more than 600 employees who work for the Wildlife Resources Commission and thanked everyone who worked on committee meetings and presentations.

**ADJOURNMENT**

There being no further business, the WRC webinar meeting was adjourned at 10:30 a.m.  
All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

  
\_\_\_\_\_  
David Hoyle, Jr., Chairman

April 22, 2021  
\_\_\_\_\_  
Date

  
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Cameron Ingram, Executive Director

April 22, 2021  
\_\_\_\_\_  
Date