



MINUTES
August 26, 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 August 26, 2021 N.C. Wildlife Resources Commission (NCWRC) webinar meeting was called to order by Commission Chairman Monty Crump at 9:00 a.m.

Chairman Crump 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. Crump announced that by the statutory requirement, the roll will be called for attendance and for each vote.

MANDATORY ETHICS INQUIRY

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

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. David Hoyle was absent.

COMMISSIONER ATTENDANCE

Monty Crump	Thomas Fonville	Wes Seegars
Ray Clifton	John Coley	Hayden Rogers
Brad Stanback	Steve Windham	Mark Craig
John Stone	Kelly Davis	Jim Ruffin
Tom Berry	Landon Zimmer	

MINUTES OF JULY 29, 2021 MEETING

On a motion by Steve Windham and a second by John Coley, the Minutes of the July 29, 2021 meeting were approved with one amendment to who gave the invocation and pledge of allegiance 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.

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

COMMITTEE MEETING REPORTS

Habitat, Nongame, Endangered Species (HNGES) – August 25, 2021 – Mark Craig, *Chair*, reported the HNGES Committee met on August 25th, 2021. Dr. Sara Schweitzer presented the nomination packet for the expiring terms of Nongame Wildlife Advisory Committee (NWAC) membership. Shannon Deaton provided the committee with background information on the Thomas L. Quay Wildlife Diversity Award. Nominations were received from December 18, 2020, through January 31, 2021, and twelve nominations were received for consideration. NWAC members reviewed the nominations and recommended three candidates for consideration by the HNGES Committee. Staff requested that HNGES Committee members vote on their top selection by the end of the meeting. Todd Ewing presented information on a revision to the 1977 Section 6 Cooperative Agreement between NCWRC and U.S. Fish and Wildlife Service (USFWS). The Agreement allows NCWRC to work with Federally listed species without a permit and to receive Section 6 funds from the USFWS for work on Federally listed species. Revisions to the Agreement will allow NCWRC to use Section 6 funds for At-Risk species projects, it incorporates a data-sharing agreement, and it clarifies permitting requirements for USFWS biologists. The revised Agreement is in review by the USFWS Regional Office. Next, Todd provided an update on the Safe Harbor/CCAA program which is in the final internal review stage. This program provides solutions to landowners' concerns about re-introducing Federally listed aquatic species to suitable habitat. This Safe Harbor program would provide a zero baseline, and therefore, landowners would not be subject risk of regulation from the ESA. Under this program, landowners would provide access to their property for re-introduction activities in sub-watersheds, and adjacent landowners would be covered by the program as well. The final document will be shared with the HNGES Committee for review soon. Last, Scott Anderson provided a short presentation and update on the NC Bird Atlas (NCBA) project that began in early spring 2021. Bird Atlas staff recruited 616 Atlasers who spent almost 13,000 hours collecting data on nesting birds in priority blocks across North Carolina. Their donated volunteer time equaled more than \$129,000. Atlasers documented 181 species of breeding birds and collected additional data on breeding behavior and habitat selection. The Bird Atlas staff are entering all these data into a large database and preparing for winter bird

surveys. Volunteer Atlasers are provided stickers with the NCBA logo as well as other swag and recognition.

Finance, Audit and Compliance – August 25, 2021 – Landon Zimmer, *Chair*, reported the Finance, Audit, and Compliance Committee met on August 25th, 2021. Auditor Steve Chase presented the Risk Assessment Process and Quality Assurance Review of Audit and Compliance. Chief Financial Officer (CFO) Dr. DP Singla presented a comparison of the current and previous fiscal years for periods ending as of June 29, 2021, showcasing both revenues and expenditures for the general fund and capital improvement funds. Explanations were provided for any variances more than one million dollars. The Committee reviewed the Approved FY22 projects that will be funded by Endowment Expendable Income earned in Calendar Year 2020. Finally, the Committee reviewed the Endowment Fund balances, Asset Allocation of funds between Bond Index Fund (BIF) and Equity Index Fund (EIF), rate of return, Modeling, and the total contribution in EIF since its inception. The Committee agreed to continue to assess the BIF and EIF allocation percentages and decide what may be the right fit for the agency.

Land Acquisition and Property (LAP) Committee Meeting Report – August 25, 2021 – Tom Berry, *Chair*, reported the Land Acquisition and Property (LAP) Committee met on August 25th, 2021. The Committee reviewed and endorsed a Phase I and a Phase II land acquisition. Additionally, the Committee recommended to deny two easement requests. Lastly, the Committee would like to further discuss a third easement request and would like to table this discussion until the October meeting. Chairman Berry also announced the support from the Wildlife Habitat Foundation for two Commission lead projects. The Wildlife Habitat Foundation will contribute \$15,000 towards a riparian habitat development project along the Little Tennessee River and contribute \$15,000 towards an ADA kayak launch at Sutton Lake. Pending approval from Bass Pro Shops, the Wildlife Habitat Foundation supports contributing \$500,000 towards a floodplain connectivity project at the Roanoke River Wetlands Game Land to significantly increase diadromous fish habitat, reduce flooding, and improve water quality. Chairman Berry also requested that at the October Committee meeting staff present the results from the parcel analysis that evaluated the potential for a game land in underserved areas.

Rules Committee Report – August 25, 2021 – Wes Seegars, *Chair*, reported the Rules Committee met on August 25th, 2021. He opened the meeting by stating the Committee purpose and charge. Carrie Ruhlman, Rulemaking Coordinator, gave a presentation on rulemaking to help Committee members understand the process and requirements. The 2022-2023 annual cycle rule proposals for inland fisheries, wildlife management, land and water access, and regulated activities were presented to the Committee. The final proposals will be brought to the Committee of the Whole at the next meeting for review before they are taken to the Commission for a vote to notice text and open the public comment period.

Committee of the Whole Report – August 25, 2021– Monty Crump, *Chair*, reported the Committee of the Whole met on August 25th, 2021. The Committee of the Whole met and reviewed proposed rules for striped bass and controlled rabbit hunting preserves that will be voted on later in the meeting. The Committee received an update on potential impacts to waterfowl seasons due to the extreme drought in the prairie pothole regions. However, the Atlantic Flyway does not base its regulatory decisions based on the status of ducks from that region, and there is no indication that we would move away from the

existing liberal season for 2022-2023. The Committee received updates on the impacts of Tropical Storm Fred and the Setzer hatchery and Pisgah education center took a tremendous amount of damage, including the loss of hundreds of thousands of trout, but fisheries, education and land and water staff have done an amazing job, working long hours to get us back on the road to recovery. In addition to the infrastructure, Law Enforcement Division staff have been working with emergency operations staff in Haywood County locating and rescuing people and delivering food and water. All staff involved in dealing with the impacts of this storm should be commended for their dedication and hard work! Executive Director Ingram gave a brief update on the status of delineation of waters. Staff will be meeting next week with DMF to discuss joint rules. Finally, the new Commissioner Orientation Package was presented, which was approved by acclamation. Hard copies will be distributed to commissioners and an electronic version will be placed online soon.

Executive Committee Report – August 25, 2021 – Monty Crump, *Chair*, reported the Executive Committee met on August 25th, 2021. The Executive Committee met and adjourned into a closed session after opening the meeting to review Executive Director’s 2020/2021 performance evaluation under NCGS 143-318.11(a)(6). After returning to open session, the meeting was adjourned.

AGENCY SPOTLIGHT – Law Enforcement Division Basic School – *Lieutenant Mark Dutton, Training Director*

Lt. Mark Dutton, Training Director for the Law Enforcement Division, conducted a brief presentation on the Law Enforcement Basic School selection process and training. The presentation covered the selection process timeline, the Basic Law Enforcement Training topics and requirements, the specialized training topics, and the future of the Basic Training Program. The Basic Training School is a 30-week program consisting of 17 weeks for NC Basic Law Enforcement Certification training and 13 weeks of specialized wildlife specific topics. The Basic School was conducted at the NCDPS Samarcand Training Academy in Jackson Springs, NC.

LAND AND WATER ACCESS DIVISION

Land Acquisitions and Property Matters

Phase II Land Acquisitions – On a motion by Tom Berry and second by Brad Stanback, the Commission approved the acquisition of the following property – *Brian McRae, Land and Water Access Division Chief (Exhibit C)*:

- Cox Property at Summit Boating Access Area – Halifax County (**Exhibit C**)

Other Property Matters – On a motion by Tom Berry and second by Steve Windham, the Commission voted not to approve staff recommendations for other property matters – *Brian McRae (EXHIBITS D-1 & D-2)*:

- Sandhills Game Land Easement Request – Consider request from Verizon Wireless to purchase two Utility Easements across game land roads to install a cell tower on adjacent property **(D-1)**.
- Clark Easement Request – Consider conveyance of an easement at Pond Mountain Game Land to a private property owner **(D-2)**.

On a motion by Steve Windham and second by Tom Berry, the Commission tabled the Perrigo Easement Request at Needmore Game Land to a private property owner until October's Commission Meeting, presented by Brian McRae, in (Exhibit D-3):

- Perrigo Easement Request – Consider conveyance of an easement at Needmore Game Land to a private property owner **(D-3)**.

Exhibits C, D-1, D-2, and D-3 are incorporated into the official record of this meeting.

RULEMAKING

Temporary Rulemaking Notice of Text – 15A NCAC 10C .0314 – Striped Bass – On a motion by Wes Seegars and second by Brad Stanback, the Commission approved publishing Notice of Text with an open comment period and virtual public hearing for proposed temporary changes to the Striped Bass. Rule presented by Christian Waters, *Inland Fisheries Division Chief* **(EXHIBIT E)**

Exhibit E is incorporated into the official record of this meeting.

Permanent Rulemaking Notice of Text – 15A NCAC 10H .1601 – Controlled Rabbit Hunting Preserves – On a motion by Steve Windham and second by Kelly Davis, the Commission approved publishing Notice of Text with an open comment period and virtual public hearing for proposed rules for Controlled Rabbit Hunting Preserves Rules presented by Brad Howard, *Wildlife Management Division Chief* **(EXHIBITS F-1, F-2)**

Exhibits F-1 and F-2 are incorporated into the official record of this meeting.

CONSIDERATION OF NONGAME WILDLIFE ADVISORY COMMITTEE APPOINTMENTS – On a motion by Mark Craig and a second by Steve Windham, the Commission appointed Jared Gray, NC Department of Transportation; J. Edward Corey III, NC State Parks; Lane Sauls, Jr., Ecological Engineering LLP; Bruce White, GFR Forestry Consultants, PLLC; and Dustin Smith, NC Zoo, to the Nongame Wildlife Advisory Committee presented by Cameron Ingram, *Executive Director* **(EXHIBIT G)**

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

COMMENTS FROM THE CHAIRMAN


Chairman Crump thanked the board for their attendance yesterday at the Committee Meetings and noted the introduction of the Commissioners Orientation Package that included a Code of Conduct with an acknowledgement form each Commissioner has been asked to sign. He explained he was shocked at the devastation by the floods cause by Tropical Storm Fred, but he was impressed by the teamwork of staff and thankful no staff were harmed during the storm events. Lastly, He thanked all the staff who ensured the virtual meetings were successful.

COMMENTS FROM THE EXECUTIVE DIRECTOR

Executive Director Ingram thanked Chairman Crump, Vice Chairman Fonville, and other attending board members for their dedication and patience as staff navigates the virtual challenges of the pandemic. He also stated how fortunate the NCWRC was to not have any loss of life or injury due to the devastation of Tropical Storm Fred. He explained that the staff has endured multiple challenges due to the flooding and are diligently working to repair the infrastructure. Executive Director Ingram emphasized the long uphill battle and thanked the team of NCWRC employees for coming together to assist each other during these challenging times.

ADJOURNMENT


There being no further business, the WRC webinar meeting was adjourned at 10:02 a.m. All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.



Monty Crump, Chairman

October 28, 2021

Date



Cameron Ingram, Executive Director

October 28, 2021

Date