

A G E N D A
Perquimans County Board of Commissioners
REGULAR WORK SESSION
Commissioners' Room - Courthouse Annex
January 16, 2018
7:00 p.m.

- I. **Call to Order**
- II. **Prayer & Pledge**
- III. **Work Session**
 - A. Dr. Eddie West, The Masonboro Group
 - B. Regulation of Animals
 - C. Coastal Resources Advisory Council
 - D. Sunday Waterfowl Hunting
 - E.
 - F.
- IV. **Adjournment**

**PLEASE NOTE THAT THE MEETING
WILL BE ON TUESDAY DUE TO
MARTIN LUTHER KING'S
BIRTHDAY HOLIDAY**

COUNTY MANAGER NOTES
Perquimans County Board of Commissioners
REGULAR WORK SESSION
Commissioners' Room - Courthouse Annex
January 16, 2018
7:00 p.m.

- III.A. Mr. West, Board of Education's consultant, will discuss potential funding formula scenarios for the school system.
- III.B. **Enclosures.** County Manager Heath has received Sheriff Shelby White's recommendations on the regulations for animals in Perquimans County. The Board will need to discuss this information and decide on whether or not to change our current Animal Control Ordinance to include what Mary Vidaurri has requested.
- III.C. **Enclosures.** The Coastal Resources Advisory Council (CRAC) has forwarded a request to Angela Willis, Asst. to the Director, NC Division of Coastal Management, to fill four vacancies with local government representatives, or individuals recommended by local governments. The Board will need to discuss who they would like to nominate and who would be willing to serve on this Council. The nominations are needed to be in by January 31, 2018.
- III.D. **Enclosures.** The Board will need to review these Resolutions and determine if they wish to take any action on Sunday Waterfowl Hunting.

III. B.

Mary Hunnicutt

From: Mary K Vidaurri <marykv3@gmail.com>
Sent: Friday, October 27, 2017 8:04 AM
To: Mary Hunnicutt
Subject: Materials for Nov 6 Commissioners meeting
Attachments: Chaining_QA.pdf; draft Section Two of PQ animal ordinance.docx

Attached are two documents: a fact sheet about chained dogs and a proposed amendment to the current Perquimans County animal ordinance.

I, along with other Perquimans County residents, am concerned about the abuse of dogs that are tethered and the public safety issues associated with this terrible practice. The ordinance amendment is a new Section Two which provides for the humane treatment of animals, outlines owner responsibilities, addresses nuisance situations, and prohibits tethering. The current ordinance is Section One which addresses only dangerous dogs.

I appreciate the opportunity to bring this matter before the County Commissioners and am hopeful that action will be taken, as the Town of Hertford has done, for animal welfare.

Mary K Vidaurri

Questions and Answers about Chained Dogs III. B

1. What is meant by dog chaining or dog tethering?

Chaining or tethering refers to the practice of keeping a dog continually tied to a stationary object.

2. What problems are associated with dog tethering?

Chaining is inhumane and unsafe for dogs.

Dogs are, by nature, social beings who thrive on interaction with people and other animals. A dog kept chained in one spot for months or years suffers immense psychological damage. A continuously chained dog usually becomes neurotic, anxious, and aggressive.

In many cases, the necks of chained dogs become raw and infected from too-tight collars. Dog tethers can easily become entangled with other objects, choking or strangling the dogs. Chained dogs cannot escape threats such as floods, storms, or attacking animals.

Chaining is a safety hazard for people.

Dogs naturally feel protective of their territory. When confronted with a perceived threat, they respond according to their *fight-or-flight* instinct. A chained dog, unable to take flight, often feels forced to fight. A study by the Centers for Disease Control found that chained dogs are 2.8 times more likely to bite. The dogs most likely to bite are male, unneutered and chained. Tragically, the victims of chained dog attacks are usually children.

Dogs shouldn't be allowed to run loose either. Dogs should be socialized and kept inside the home or in fenced yards.

3. Are tethered dogs otherwise treated well?

Unfortunately, tethered dogs rarely receive sufficient care. They suffer from sporadic feedings, overturned water bowls, inadequate veterinary care, lack of exercise, and extreme temperatures. They must eat, sleep, urinate, and defecate in a single confined area. Grass is usually beaten into hard-packed dirt by the dog's continual pacing. Chained dogs are rarely given minimal affection and are easily ignored by their owners.

4. Should chaining ever be allowed?

To become well-adjusted companion animals, dogs should interact with people daily and receive regular exercise. Placing an animal on a restraint for short periods for exercise or fresh air is acceptable. Animals kept temporarily tethered should be safely secured so the tether can't become entangled with other objects. Collars should be properly fitted.

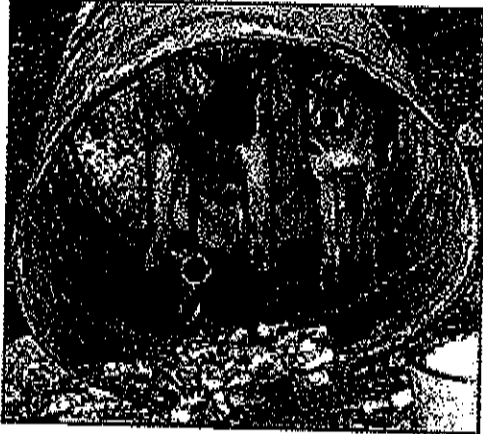
Using a pulley or trolley run is preferable to fixed-point chaining. However, dogs still get choked and tangled on trolleys. The best way to confine dogs is to bring them inside or provide them with a fenced area.

5. Who says chaining is inhumane?

The United States Department of Agriculture has stated, "Our experience in enforcing the Animal Welfare Act has led us to conclude that continuous confinement of dogs by a tether is inhumane. A tether significantly restricts a dog's movement. A tether can also become tangled around or hooked on the dog's shelter structure or other objects, further restricting the dog's movement and potentially causing injury."



In 1997, the USDA ruled that people and organizations regulated by the Animal Welfare Act cannot keep dogs continuously chained.



The American Veterinary Medical Association (AVMA) has also come out publicly against dog tethering. In a press release for Dog Bite Prevention Week, the AVMA stated, "Never tether or chain your dog because this can contribute to aggressive behavior."

6. Don't chained dogs make good guard dogs?

No, the opposite is true. Chained dogs are unable to stop intruders. All they can do is bark. Since most chained dogs are unsocialized, they are unable to distinguish a real threat from a family friend or neighborhood child.

The best guard dogs are those who live inside the home and are treated as part of the family, which is how K9 police dogs are raised.

7. Why should we pass a law to ban the continuous chaining of dogs?

Local animal control advocates receive hundreds calls every year from citizens concerned about chained and neglected animals. Because chaining is legal, there is little officers can do to help the dog. By the time it becomes a clear-cut case of animal cruelty under current legal standards, it is often too late to save the dog.

Prohibiting chaining makes a community safer by reducing the number of dog attacks and dog bites. Also, a chaining law gives officers a tool to crack down on illegal dog fighting, since most fighting dogs are kept chained.

8. Are there laws regulating dog chaining in other states or communities?

Yes, 19 states and over 140 U.S. cities and counties have laws banning or carefully regulating chaining. Visit unchainyourdog.org/laws to read more.

9. Would passage of a chaining law cost lots of money?

No. Animal control officers are already spending time and resources responding to reports of chained, neglected, and abused dogs. A ban would allow animal control officers to fine individuals who are constantly tethering their dogs. This would be a source of additional revenue.

10. Who would be impacted by a law to ban dog tethering?

This bill would not apply to situations where a dog is temporarily tied on public property, such as outside a store or restaurant. It would also not apply to situations where dogs are temporarily tethered per government regulation, such as at state parks or camping areas. People who keep their dogs continually chained would be affected by this law.

11. What about people who can't afford a fence?

You don't have to have a fence to have a dog! Apartment-dwellers don't have private yards; their dogs can be perfectly happy living inside the home with the family and going on regular walks. There are many resources available to help people train their dogs to be well-behaved members of the family.

12. Where can I learn more?

Visit unchainyourdog.org or dogsdesevebetter.org for articles, statistics, photos, ordinance language, and other information about chaining.



SECTION TWO

HUMANE TREATMENT and REGULATION OF ANIMALS

III. A.

2.01 Definitions

For the purposes of this section, the words and phrases below shall have the following meanings:

Animal: Includes dogs and cats and other domesticated animals.

Outside Enclosure: A structure, built of chain link or comparable material with a solid roof, used to house the animal and protect it from the weather. The structure must be large enough that the shelter provided within does not take up more than ¼ of the floor space.

Tethering: The act of tying, chaining or restraining a dog to a fixed object with a rope, chain or other device in order to keep the dog confined. This term does not include restraining a dog on an attended leash.

2.02 Responsibility of Owners

- A. Owners of dogs kept outside shall provide an outside enclosure that ensures humane and sanitary shelter from heat, cold, rain, wind and snow and shall provide food and water adequate to keep the animals in good health and comfort.
- B. All dogs shall be given opportunity for vigorous daily exercise.
- C. Animals shall be provided by their owners with appropriate veterinary care.
- D. Animals shall not be kept on any lot unless the owner or keeper of the animal occupies the property.
- E. No person shall abandon or cause to be abandoned any animal.

2.03 Cruelty to Animals

No person shall molest, torture, torment, cruelly beat, kill, wound, injure, poison, or abandon any animal, or aid and abet in such action. No person shall deprive any animal of necessary sustenance and shelter or needed veterinary care, or subject an animal to conditions detrimental to its health or general welfare. The words "torture" and "torment" shall be held to include every act, omission or neglect whereby unjustifiable physical pain, suffering or death is caused or permitted.

2.04 Tethering

Tethering is prohibited. No dog shall be tied, chained, fastened or otherwise tethered to any stationary objects as a means of confinement to property.

2.05 Nuisance

It shall be unlawful for any person to own, keep, possess or maintain an animal in such manner as to constitute a public nuisance or a nuisance to neighbors. Examples of such nuisance, not all inclusive, include the following acts or actions of an owner or possessor of an animal:

- A. Having an animal that disturbs the rights of, threatens the safety of or damages a member of the general public, or interferes with the ordinary use and enjoyment of his property.
- B. Allowing or permitting an animal to damage the property of anyone other than its owner, including, but not limited to, turning over garbage containers or damaging gardens, flowers or vegetables, or defecating upon the property of another (unless the animal's owner removes such defecation).

- C. Maintaining animals in an environment of unsanitary conditions or lack of cleanliness which results in offensive odor or is dangerous to the public's health, welfare or safety.
- D. Maintaining an animal that is diseased and dangerous to the public health.
- E. Allowing an animal to create a danger to the public by running at large. This does not restrict the lawful use of dogs engaged in hunting activities or the use of specially trained dogs, such as search and rescue dogs, in public safety programs.

2.06 Violations

Any violation of the provisions of Section Two shall be considered a Class III Violation as outlined in Section One and civil penalties shall be levied accordingly. Violations shall subject the violator to other remedies allowed by law.

Draft – October 10, 2017

III. B.

From: Shelby White <swhite@perquimanscountync.gov>
To: Frank Heath <frankheath@perquimanscountync.gov>
Sent: 12/19/2017 11:34 AM
Subject: Regulation of animals

Good morning,

I had Stephen come in this morning and we discussed the proposed regulations. There are a few concerns which is right on track with what was highlighted and is listed below. I feel overall enforcement would be difficult due to lack of man power with Animal Control and Sheriff's Office. The community as a whole would be against the Sheriff's Office for enforcing it and look bad on us in general. In the same way these people are concerned about the welfare of an animal the owner is also very protective over someone messing with their animal.

2.02

A. Stephen said he is already seeing problems in Hertford with dogs climbing out of the pens they are being put in. Mainly seeing it with Pit Bulls but some Shepherds as well. Then you have the issue of these dogs running lose at large which could pose a danger to the public. Another issue would be affordability for an owner that this would affect.

B. No way to regulate daily exercise

D. Hunting dogs are kept on lots not being occupied away from homes in many areas of the county for purposes of barking.

2.04

*Dogs could be more restricted in pens instead of tethered depending on the length compared to the size of pen.

*If tethered to stationary object it could be changed to having to use a harness. Then it wouldn't cause the pulling or choking on the neck which I feel is the main concern.

*Some people could have dogs tethered by the entrance of the home for security purposes.

2.05

A. Take out "disturbs the rights of" and "interferes with the ordinary use and enjoyment of his property". This can be construed in many ways. There is already ordinances covering some of those issues.

If you have any questions please contact me

Thank you
Shelby

Mary Hunnicutt

From: Kathy Suntato <kathysuntato@gmail.com>
Sent: Wednesday, January 10, 2018 2:18 PM
To: mhunnicut@perquimanscountync.gov
Subject: Perquimans County, NC: Animal Ordinance

III, B.

This is an enquiry e-mail via <http://www.co.perquimans.nc.us/> from:
Kathy Suntato <kathysuntato@gmail.com>

It is time to update our local ordinances to provide for humane treatment of animals. This includes making it illegal to tether an animal outside. In addition to animal welfare concerns tethering is a high risk factor in serious dog bites and attacks. Dogs tied outside leads to excessive barking and easily developing aggressive behaviors and or vicious temperament.

There are alternatives to tethering that should be employed including a dog house, fencing and doggy daycare.

It is time Perquimans joined other North Carolina communities that prohibit tethering. Including Cary, Chapel Hill, Clayton, Cumberland County, Davidson, Enfield, Forsyth County, Guilford County, New Hanover, Roanoke Rapids, Weldon and Woodland.

chain or confined within a motor vehicle owned or being operated by the owner or a member of his immediate family.

Dog - Both male and female dogs

Owner - Any person owning, keeping or harboring a dog. The head of the household shall be deemed to be the owner in respect to any dog or dogs owned, kept or harbored by any person residing in such household and kept on such premises.

Pound - The place provided for the restraint, care and disposition of animals, at the time of the Ordinance, the Tri-County Animal Shelter.

Section 8-36 Vaccination.

It shall be unlawful for the owner of any dog to keep or maintain it unless it shall have been vaccinated by a licensed veterinary surgeon with anti-rabies vaccine as required by Section 106-385 of the General Statutes of North Carolina. Proof of such inoculation shall be attached to such dog.

Section 8-37 Responsibility of Owners.

Owners are responsible for the acts of their dogs. The owner of any dog who commits a nuisance upon the property of another person or who damages another person's property or person shall be fully responsible and accountable for those acts. The owners of dogs shall provide humane and sanitary shelter from heat, cold, rain, wind and snow and shall provide food and water adequate to keep the animals in good health and comfort. Any dog kept outdoors shall be confined within an enclosed secure area and shall not be allowed out of the enclosed secure area unless securely leashed. All dogs shall be given opportunity for vigorous daily exercises and shall be provided by their owners with veterinary care when needed to prevent suffering. No person shall permit any dog to be kept on a chain, rope, or other type of leash outside of the enclosed secure area unless the person is in direct control of the leash. No dogs shall be permanently leashed to any inanimate object. No person shall poison or maim a dog nor may a dog be abandoned.

It shall be unlawful for any animals to be kept on any lot unless the owner or keeper of the animals occupies the property.

Unwanted animals may be given to the dog warden to be sold by the Town or destroyed in a humane manner.

Section 8-38 Dog Wardens.

The Town Manager is hereby authorized to appoint, in his discretion, one or more town dog wardens.

From: Kyle Jones [mailto:tkylejones@gmail.com]
Sent: Tuesday, January 02, 2018 12:14 PM
To: Mary Hunnicutt
Subject: Re: Coastal Resources Advisory Council - Request for Nominations

III. B.C

I'll do it if no one else is.

Kyle

Sent from my iPhone

On Dec 28, 2017, at 4:57 PM, Mary Hunnicutt <mhunnicutt@perquimanscountync.gov> wrote:

If you are interesting in serving on this Council, please let us know by the January work session, January 16th.

Thanks
Mary

From: Willis, Angela [mailto:angela.willis@ncdenr.gov]
Sent: Wednesday, December 20, 2017 9:48 AM
To: Howard, Kevin B; 'Bryant, Elizabeth A'; Smith, Jeffrey A.; Greg Bonner; Ellis Lawrence; John Mitchener; Kersey, Patti; Faircloth, Don; Cummings, Ron; Knighton, Anne-Marie; BARROW, SAM; Scott Sauer; Traci White; Bertie County Commissioners; Robert Outten;
Subject: Coastal Resources Advisory Council - Request for Nominations

Good morning,
Please find attached a request from the Chair of the Coastal Resources Advisory Council (CRAC) for nominations to fill the four vacancies currently on the CRAC. Nominations are due by January 31, 2018. The Advisory Council will review these nominations at their next scheduled meeting February 13.

Have a safe and wonderful holiday season,
Angela

Angela Willis, Asst. to the Director
NC Division of Coastal Management
NC Department of Environmental Quality
400 Commerce Avenue
Morehead City, NC 28557
(252) 808-2808 ext. 201

Email Correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties.

<CRAC Nomination Request 2017.doc>

North Carolina
Coastal Resources Advisory Council

III c .



December 18, 2017

GREG "RUDI" RUDOLPH
CHAIRMAN

SPENCER ROGERS
CO- VICE CHAIR

ROBERT OUTTEN
CO-VICE CHAIR

CANDY BOHMERT

JOHN BRODMAN

JETT FEREBEE

DAVID KELLAM

SETH M. LAUGHLIN

JOHNNY MARTIN

J. MICHAEL MOORE

DAVID MOYE

Kris Noble

KATHLEEN RIELY

TODD ROESSLER

DEBBIE SMITH

DAVE WEAVER

Dear Coastal Local Government,

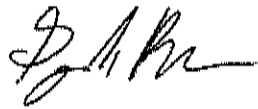
The Coastal Resources Advisory Council (CRAC) works with the Governor and General Assembly appointed Coastal Resources Commission (CRC) to balance and foster the protection and wise development of the State's coastal resources through both planning and regulation. Recent changes to the NC Coastal Area Management Act (CAMA), modified our membership requirements from a total of 45 with specific geography and expertise requirements, to 20 members that are now essentially "at-large". The CAMA also provides more of a "blank canvas" with respect to our role serving the CRC and the Department of Environmental Quality, and how we can aid in in terms of policy development and rule-making.

Presently, there are 16 CRAC members, leaving us with *four vacancies*. CAMA itself per §113A-101 is a Cooperative State-local program – *"This Article establishes a cooperative program of coastal area management between local and State governments. Local government shall have the initiative for planning. State government shall establish areas of environmental concern. With regard to planning, State government shall act primarily in a supportive standard-setting and review capacity, except where local governments do not elect to exercise their initiative."* To this effect and because local governments are tasked with implementing and enforcing CRC/DCM policies; we are generally looking to fill the four vacancies with local government representatives, or individuals recommended by local governments. Moreover, for the past few years the CRC has been focused on rules and polices that are more oceanfront related and the CRAC membership has followed this trend as well. To provide more of a balance on the CRAC, we are looking for more inner banks/coastal plain representatives, but again this is not a requisite. With this background in mind, we encourage your political body to provide a nomination for the CRAC for consideration by the CRC.

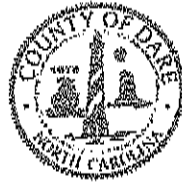
III. C

Please send your nominations for CRAC membership (including resume or supporting documentation) by email to Angela.Willis@ncdenr.gov, or by mail to NC Division of Coastal Management, 400 Commerce Ave., Morehead City, NC 28557 by January 31, 2018. If you have any questions or require additional information, please do not hesitate to contact Mike Lopazanski, Acting Assistant Director for DCM at 252-808-2808 (ext. 223); mike.lopezanski@ncdenr.gov, or myself directly below. If you have submitted a nomination previously this year, then we will consider this as an active nomination and there is no need to re-submit any of the requisite documentation. Thank you for your consideration of this correspondence and we look forward to any response you may provide.

Respectfully,



Greg "rudi" Rudolph, CRAC Chair
Carteret County Shore Protection Office
www.protectthebeach.com
grudolph@carteretcountync.gov
P.O. Box 4297
Emerald Isle, N.C. 28594
252 222-5835
252 241-3264 (cell)



III. D.

**RESOLUTION
OPPOSING SUNDAY HUNTING OF WATERFOWL**

WHEREAS, the coastal areas of northeastern North Carolina are desirable for hunting of migratory waterfowl; and

WHEREAS, waterfowl hunting is a vital part of the life, heritage, and culture of the region and contributes to the State's economy, promotes tourism, and provides recreational opportunities; and

WHEREAS, House Bill 559 and Senate Bill 624 introduced in the North Carolina Legislature would empower the North Carolina Wildlife Resources Commission to adopt permanent rules regarding Sunday hunting of migratory birds; and

WHEREAS, the proposed legislation to allow Sunday waterfowl hunting would have serious adverse consequences on the coastal areas of northeastern North Carolina by significantly reducing the total number of hunting weeks and severely impacting North Carolina's waterfowl resource; and

WHEREAS, Sunday hunting for waterfowl is not comparable to Sunday hunting for other game species due to their migratory nature; and

WHEREAS, States that do not allow Sunday hunting receive Compensatory Days from the U.S. Fish and Wildlife Service to bring the State up to the same number of allowed hunting days; and

WHEREAS, if Sunday hunting were permitted, North Carolina would lose these important Compensatory Days thereby significantly reducing the total number of waterfowl hunting weeks and decreasing the time-frame of its waterfowl season; and

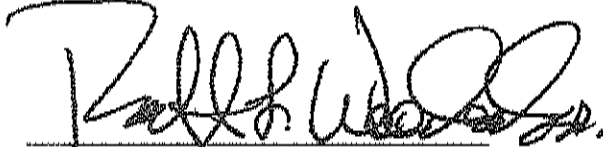
WHEREAS, Sunday hunting will intensify hunting impact in a reduced timeframe causing serious consequences on the resource by taking away a rest period that is vital to the migratory waterfowl that frequent North Carolina's coastal areas; and

WHEREAS, allowing Sunday hunting will severely reduce access to our waterfowl resource, cause economic harm to coastal counties, and jeopardize the future of waterfowl hunting in North Carolina.

NOW THEREFORE BE IT RESOLVED that the Dare County Board of Commissioners opposes any legislation that would allow Sunday hunting of migratory waterfowl in North Carolina.

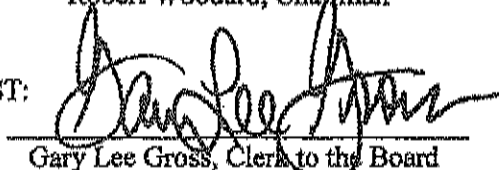
Adopted this the 24th day of April, 2017.





Robert Woodard, Chairman

ATTEST:



Gary Lee Gross, Clerk to the Board

11. P.

COUNTY OF HYDE

Board of Commissioners

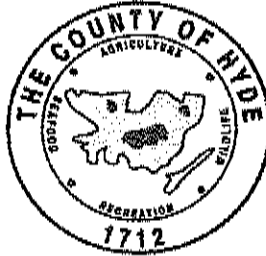
Berry Swindell, Chair
Earl Pugh, Jr., Vice-chair
Ben Simmons
John Fletcher
Dick Tunnell

30 Oyster Creek Road
PO Box 188
SWAN QUARTER, NORTH CAROLINA 27885
252-926-4400
252-926-3701 Fax

Bill Rich
County Manager

Fred Holscher
County Attorney

Lois Stotsberry, CMC, NCCCC
Clerk to the Board



Resolution in Opposition of Sunday Hunting

WHEREAS, Sunday is a day of rest and a religious "holy" day, or day set apart, for many of our residents; and,

WHEREAS, Sunday is a family day for many of our resident families; and,

WHEREAS, our local culture has a history of honoring and valuing The Ten Commandments and the specific commandment to remember the Sabbath and keep it holy, or set apart; and,

WHEREAS, we have many outdoor enthusiasts who compete with hunters for time in the woods and outdoor areas, including, but not limited to, hikers, campers, runners, cyclists, equestrians, bird watchers, and photographers; and,

WHEREAS, Sunday is the one day of the week during hunting season when non-hunters can safely enjoy the woods and outdoor areas used by hunters on the other six days of the week; and,

WHEREAS, with loss of farms and open spaces, outdoor areas are increasing valuable and sought after by all our citizens, and it is reasonable to balance access to the woods and outdoor areas.

THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners opposes hunting on Sunday and the legalization of any gun hunting activities on Sunday, and urges the NC General Assembly to defeat any bills proposing gun hunting on Sunday.

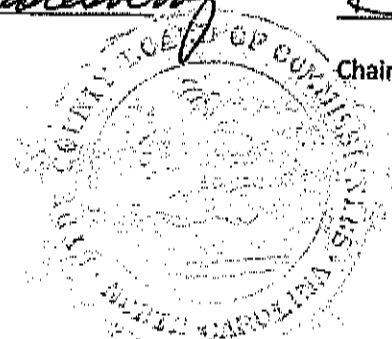
ADOPTED, this the 6th day of April, 2015, in Hyde County, North Carolina.

ATTEST: Lois Stotsberry

Clerk to the Board

Berry Swindell

Chairman of County Commissioners



**THE CRIPPLING AFFECT OF SUNDAY WATERFOWL HUNTING
ON IMPOUNDMENT MANAGERS AND ALL WETLAND
WILDLIFE SPECIES**

The attached chart, promulgated by the North Carolina Wildlife Resources Commission shows the potential season lengths for waterfowl in North Carolina if Sunday Waterfowl Hunting is approved. Please take the time to study this chart.

As to Waterfowl Impoundment Managers, there are many glaring problems:

- 1) The October season, taking four days off the regular season is a non-starter since it is very expensive to flood impoundments for a four-day hunt and then have to drain the area.
- 2) With Sunday Waterfowl Hunting, an impoundment manager faces an extremely difficult situation. In some years, large numbers of ducks can "eat out" any given impoundment in the current two-week split. Under the proposed Sunday Hunting Season, this two-week closed season morphs into a three-week closed season that would necessitate total drainage and re-flooding.
- 3) This essentially leaves impoundment managers with only five-weeks of hunting unless they are very well to do and do not care about costs. It also has the potential to eliminate the habitat resource for fewer weeks – this habitat resource provides tens of thousands of waterfowl and wetland species use days and will degrade available habitat to many species including marsh-birds, shorebirds, and many other wildlife species.
- 4) The "non-management" of waterfowl, as illustrated by the collapse of Mattamuskeet NWR by the US Fish & Wildlife Service, underlines the immense importance of the private sector input. Many thousands of acres of wetland habitat could easily be subtracted from all that makes North Carolina the center for wintering migratory ducks and hundreds of other wetland wildlife species in the Atlantic Flyway.

5) Proponents of Sunday Waterfowl Hunting must expect a very strong reaction. For example, I will expect Hyde County and probably other coastal Counties to follow the lead of Dare and Currituck in establishing "permit blind site" only hunting on public waters controlled by these Counties. This would result in a massive loss of waterfowl hunting opportunity.

Conclusion: Sunday Waterfowl Hunting in North Carolina will turn tens of thousands of acres back to farmland and destroy the private sectors massive dollar input into wintering wetland habitat for hundreds of wildlife species. Whether individuals be hunters, bird enthusiasts or environmentalists, this poorly thought out proposal is ill-advised for all wetland wildlife species. Finally, the loss of this wetland habitat will be quickened since property taxes in Hyde County, for example, of "impounded areas" is substantially higher than farmland taxes. Rather than discouraging investment in wetland habitat, those who promote Sunday Waterfowl Hunting should take a close look at what they are wrongly supporting and the long-term loss to the environment and to the financial support of many North Carolina Counties.

Robert W. (Bob) Hester

III.D.

Comparison of 2017-18 General Duck Seasons with and without Sundays as authorized days to hunt

Table 1: General Duck Season with no Sundays authorized (60 hunting days and three season segments)
 Green shading represents hunting days and red shading represents Sundays that do not count as splits

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday		No. Days to hunt	No. Sat	No. Sun	Total Weekend Days
1	2	3					First Segment:	4	1	0	1
8	9	10	11	12	13	14	October				
15	16	17	18	19	20	21					
22	23	24	25	26	27	28					
29	30	31	1	2	3	4	November	19	4	0	4
5	6	7	8	9	10						
17	18	19	20	21	22	23	December	37	7	0	7
24	25	26	27	28	29	30	January				
31							Season Totals:	60	12	0	12

Table 2: General Duck Season with Sundays authorized (60 hunting days and three season segments)
 Green shading represents hunting days and yellow shading represents days "exchanged" for Sundays

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday		No. Days to hunt	No. Sat	No. Sun	Total Weekend Days
1	2	3					First Segment:	4	1	0	1
8	9	10	11	12	13	14	October				
15	16	17	18	19	20	21					
22	23	24	25	26	27	28					
29	30	31	1	2	3	4	November	19	3	3	6
5	6	7	8	9	10						
17	18	19	20	21	22	23	December	37	6	6	12
24	25	26	27	28	29	30	January				
31							Season Totals:	60	10	9	19

THE UGLY TRUTH ABOUT SUNDAY WATERFOWL HUNTING

FACTS:

- **The General Assembly has ordered that the North Carolina Wildlife Resources Commission (WRC) conduct a study to be completed prior to March 1, 2018 that focuses on the Impact to the Waterfowl Resource, Impact on the Economy, and Social Impacts of Sunday Waterfowl Hunting, determine whether to allow Sunday Waterfowl Hunting or not.**
- **Hunting on Sunday with a firearm between the hours of 9:30am – 12:30pm is prohibited on public and private land, with the exception of Controlled Shooting Preserves. It is illegal to hunt wild waterfowl on Controlled Shooting Preserves. This State Law is in place and will stay in place regardless of the WRC's decision. Therefore, if Sunday hunting is allowed, wild waterfowl cannot be hunted during these hours.**
- **A county may adopt an ordinance to prohibit hunting with firearms on Sunday; however, the county must conduct a county-wide referendum in which the majority of voters will give Sunday hunting an up or down vote. This referendum is required to be held at the same time as any other State or county general election, which will likely not be until November 2018. Any "opt-out" ordinance adopted by a county must apply to the entire county. However, due to rules promulgated by the US Fish & Wildlife Service, if a county opts out of Sunday Hunting, that county will receive no compensatory days and realize a net loss of nine days to legally hunt waterfowl.**
- **Compensatory days are granted to states that do not have Sunday Waterfowl Hunting so that these states are allowed the same number of hunting days as states that do hunt on Sunday. North Carolina would lose Compensatory days, therefore have a season in a lessened time-frame of one week and two days. This includes the *loss of one actual hunting day, two Saturdays and potentially several holidays.* (see proposed chart attached). The framework for this tightened time**

frame must be in a block and not broken up into several different splits.

- Allowing Sunday Waterfowl Hunting *does not* add more hunting days due to the automatic loss of Compensatory days and the loss of one actual day. The actual hunting days are in a shortened time frame.

- Please study the attached charts! The chart (top chart with Sundays in red; bottom chart, days taken out of the season in yellow) shows what this season (2017/18) could look like. (the WRC cannot cause a Sunday Hunting Waterfowl season until after March 1, 2018, so these charts would be slightly altered for the 2018/19 season.) *Please note on the right hand of the chart the three-segment designation!* The WRC cannot under Federal guidelines institute a fourth segment, thus the block would have to be eliminated at the beginning or end of the second segment or the beginning or end of the third segment. (See attached charts)

OBSERVATIONS:

- 1) In order to gain nine Sundays *when hunting is illegal between 9:30 am until 12:30 pm*, waterfowl hunters would lose seven weekdays and two Saturdays of all day hunting. A net loss of one hunting day, and, depending on what the final time-frame results are, there is the potential for holiday losses as well. Be careful what you wish for! How is it possible to help young hunters when holiday hunting days are cut out?

- 2) Reducing the time frame options leaves waterfowl hunters with less choice. There are individuals who reserve Sunday for religious services and time with the family. There are those that don't. It is reasonable to assume that the overall effect of Sunday hunting will be great for some and eliminate others. Whether a waterfowl hunter participates in a club or with a guide or on his/her own, the shortened time frame can do nothing but decrease hunter success rates as all hunters, pressed into a shortened time-frame, will disperse and drive away available waterfowl.

- 3) The choice for counties to "opt out" of Sunday hunting as it pertains to waterfowl is ludicrous. Counties that "opt out" would be severely punished simply because only the State is recognized for Compensatory days, not any county.

- 3) The assumption that the waterfowl resource would be the same under an intense period of pressure with no rest days is without merit. As Hyde

County found out in the 1960's and 1970's, and Maryland found out in the late 1980's and 1990's Canada Geese have wings and when pressured too much can say goodbye. Ducks can and will do the same. Whether it be on public waters or private impoundments, increased disturbance and pressure drive the birds off. Were this not true, why is it that the NCWRC on their impoundments only hunt limited days? And, while there are a few impounded areas or privately held swamps that have no hunting neighbors, a large percentage of waterfowl use areas do have hunting neighbors. If you elect not to hunt on Sunday your neighbor might --- the disturbance is the same. The resource should be seriously considered. North Carolina, one of the signal waterfowl states on the Atlantic Flyway has a lot to lose.

4) Compacting the waterfowl season from roughly nine weeks to somewhat more than seven weeks is a negative as to the economy, particularly as it applies to the coastal counties, where the majority of migratory ducks winter and where the majority of duck hunting occurs.

5) By shortening the time frame of the duck season, duck hunters participation will decline. Today, families are under intense pressure to fulfill all of their family, work and societal obligations. A shortened time-frame makes it increasingly difficult to find time to hunt.

6) Months ago, I asked for the "parameters" of this "study". I received no information. The questions asked or not asked and the personal bias of the respondents has an immense impact. If a waterfowl biologist is asked if Sunday hunting, mandating a shorter time frame and increasing pressure, lessens waterfowl populations in a given state, he/she may answer no. However, if this same biologist is asked if hunter success rates and participation will be negatively impacted the likely answer would be yes. If the answer to this second question is no, (see #3 above) why is it that the NCWRC on their own waterfowl impoundments allow hunting on only limited and selected days? Full information at this time is only partially available -- but -- there are strong indications that hunter participation and hunter success was down last year in the State of Virginia's first Sunday waterfowl hunting season.

7) The impact on coastal economies will be devastating. Most coastal economies that flourish during the warmer seasons depend on duck hunting dollar input to make it through the winter months. By shortening the time-frame, millions of dollars will be lost and will go to other states primarily Maryland. The Eastern Shore of Maryland is likely to experience a 12m dollar unexpected input. Maryland does not allow Sunday Hunting for Waterfowl. Maryland cherishes their Compensatory days. Do the math. Take 4,000 waterfowl hunters displaced from North Carolina (NC hunters have been and are the majority input of Maryland Waterfowl hunting) for

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ten (10) days hunting two days each. Estimate the cash input to the Eastern Shore of Maryland. As a Maryland licensed Outfitter, I can tell you the Eastern Shore is salivating about the mouth for North Carolina to send waterfowl hunting dollars to them. They cannot believe NC would be so very foolish. Imagine the Big Rock or Hatteras Fishing Tournaments being regulated to delete 17-20% of their activity period, while Ocean City, Maryland expands theirs! The loss of this time-frame would cause significant economic loss to the economic interests that include motels, restaurants, service stations, guide interests and on and on.

8) Entrapment and Taking. Shine your headlights across an agricultural field and have, even a cased firearm in your vehicle. You are potentially guilty of "attempting to take" deer. Since NC Statutes prohibits any type of hunting from 9:30am - 12:30pm that, of course, includes waterfowl. If an individual is sitting in a blind with decoys out and has a firearm, encased or not, this individual is subject to be charged with "attempting to take". Most Enforcement Officers will, in my opinion, not make an arrest until and unless a shot is fired between 9:30am - 12:30pm. However, it only takes several high-profile cases and a change in the make-up of the WRC Staff or Commission to change this at the drop of a hat. Therefore, duck hunters in NC, in the future, could be entrapped and charged with attempting to take with various political currents that always come about. Further, expect in the future to have non-hunters and anti-hunters being a part of the WRC; "clamping down" on the hunting public will be seen in our future.

CONCLUSION:

Recently, a member of the WRC staff classified my inputs as "very subjective" and followed with worn out phraseology that he should be embarrassed by. I've been at this game for nearly fifty years, seeing every sunrise during duck season, studied ducks and duck hunters and on and on. I apologize for saying all of this - this is not about me. This is about the birds. There are many thousands of individuals who have been or are guides, managers, consistent waterfowl hunters and so on. Take the time to ask their thoughts.

Dare, Pamlico and Hyde Counties have taken the lead by passing resolutions opposing Sunday Hunting for Waterfowl, clearly seeing it for what it is. Join all of us in protecting the resource and the waterfowl hunting tradition in North Carolina by encouraging your County to do the same.

Finally, what class of waterfowl hunters would be most seriously impacted? To answer this question, we need only look at who can control their duck

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hunting environment and who cannot. The answer is: privately owned properties with no bordering hunting areas, the NCWRC impoundments, and the USFWS owned areas that allow hunting only on selected dates. Those thousands of waterfowlers who hunt sounds, lakes, rivers and so on will be most severely impacted.

This Sunday Waterfowl Hunting proposal caters to the moneyed elite who, along with Delta Waterfowl and their hired lobbyists, seek to serve their personal interests and wreck the vibrant waterfowl resource in North Carolina, the waterfowl hunting public and substantially disrupt the economic interests of coastal North Carolina.

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