

**N.C. Division of Marine Fisheries – Habitat and Enhancement
Shellfish Lease and Aquaculture Program – Public Hearing**

April 12, 2023

Present: Owen Mulvey-McFerron – Program Coordinator, Shellfish Lease Program
Teri Dane – Shellfish Lease Biologist
Marla Chuffo – Administrative Specialist I
Greg Allen – Staff (Manteo)
Lee Paramore - Staff
Stephen Johnson – Staff
Dustin Walters - Staff
Anthony Frost - Staff
Scottie Tripp – Staff
George Stilson - Staff
Elizabeth McCormick – Staff
Sgt. Edward Mann – MPO Staff
Chris Lee – MPO Staff

Attendees:

Aaron Hopkins, James Clower, Katherine McGlade, Spurgeon Stowe, Tyler Hofe, Chandler Hofe, Katherine Hopkins, Crew Hayes, Morgan Greenwood, Todd Campbell (via WebEx/phone) Don Britton, Charles Williams, Chris Mriscin, David Wilkie, Jay Crawford

Meeting: 12 April 2023, 6:04-6:40 PM via in Person for Dare County proposed shellfish leases. Location at Dare Government Center, Main Boardroom, 926 Marshall C. Collins Drive, Manteo

Applicant(s): Kinnakeet Oyster Company, LLC, Hans Tyler Hofe, Kinnakeet Oyster Company, LLC, Martin Crew Hayes, Kings Point Oysters, LLC, Katherine McGlade (2), William M. Clower and Aaron W. Hopkins

I. Meeting

At 6:04 pm the public hearing was called to order by Owen Mulvey-McFerron:

“I’d like to call this Shellfish Lease Public Hearing to order. My name is Owen Mulvey-McFerron, and I am the Shellfish Lease and Aquaculture Program Coordinator of the North Carolina Division of Marine Fisheries. I will be serving as the hearing officer for tonight.

The purpose of this public hearing is to receive public comment on proposed shellfish leases in Dare County. Site investigations by Division staff have determined that these proposed shellfish leases generally meet the standards for shellfish leasing under NC General Statutes and NC Marine Fisheries Commission rules. The director of the Division has authorized this hearing to receive public comment.

Tonight's hearing is also being conducted virtually, so we have folks participating by telephone and through the WebEx virtual meeting application. PowerPoint slides presented tonight are also available on the Division's website for those participating by telephone.

This hearing is being recorded and is a public record. All verbal comments, or written communications between members of the public body regarding the transaction of business during this meeting are deemed public record. This hearing is a formalized process where we only take public comment on the proposed shellfish leases that have been noticed in the Coastland Times Newspaper on March 8th, and March 15th, 2023, and on the Division's website. No decisions will be made at tonight's hearing. This hearing is also not a dialogue or forum. Any discussion or discourse should be held until after the hearing concludes. Written comments on these shellfish leases can be submitted to the Division until 5pm tomorrow evening. If you wish to speak tonight and have not already registered on the speakers list, you will get a chance to speak after we have gone through the registered speakers. Now we will do a roll call for folks participating online. Again, everything is being recorded. Teri has been taking attendance as people have signed into the meeting and she will finalize that and let you know how to speak if you want to participate."

Teri Dane: "Thanks Owen. As you have signed on, I've been taking your names, that are for our attendance records and asking if you would like to speak. I do have two people. I need to check with Jay Crawford, I'm going to send you a request, unmute. Do you wish to speak tonight? He is not responding Owen. And then caller three, I'm going to request it to unmute you as well. Do you wish to speak tonight? They are not unmuting, so I say you can move on and if anybody signs in, between now and later, we can catch them."

Post in chat:

If you are attending this meeting online on a regular computer, you raise your hand by clicking on the little hand icon at the bottom of the Participants panel. If the Participants panel is not up on your screen, look for an icon of a person – it may be at the bottom or top of your screen, and click on it. That should bring up the Participants panel.

If you are attending online with a mobile device, such as a smart phone, you'll need to click on the three little dots and then the hand icon.

Either way, once you have finished speaking, you will need to click on the hand icon again to lower your hand.

Owen: "Alright thanks, All right. Sounds good. Thanks Teri. So, first I'm going to go through information on the proposed shellfish leases. Then I'm going to give the applicants an opportunity to speak and then at the end of that, we'll open comment up for anybody from the public who wishes to speak. Um, like I said, we've got everybody registered. So, I'll call people in order and if anybody who didn't register still wants to speak at the end, we'll give them an opportunity. So, with that I'll go through the information on the proposed shellfish leases:

So, first, we have . . .Teri, could we advance the slide please."

Teri: "Sorry Owen"

Owen: “No, you’re good. Let’s go to the next slide, the listing, please. There we go. So first we have a 7.35-acre shellfish bottom and water column lease applied for on July 30th, 2021, by Kinnakeet Oyster Company, LLC, agent Hans Tyler Hoffe, located off Avon Harbor. The management plan indicates the use of floating and suspended gear for the commercial production of oysters. Division staff conducted a site investigation on September 14-15th, 2021, which found zero bushels of shellfish per acre and zero submerged aquatic vegetation, which I will refer to as SAV.

Next, we have a 5.59-acre shellfish bottom and water column lease applied for on July 30th, 2021, by Kinnakeet Oyster Company, LLC, agent Martin Crew Hayes, located off Avon Harbor. The management plan indicates the use of floating and suspended gear for the commercial production of oysters. Division staff conducted a site investigation on September 14th, 2021, which found zero bushels of shellfish per acre and 1% SAV.

Next is a 2.53-acre shellfish bottom and water column lease applied for April 11th, 2022, by King’s Point Oysters, LLC, agent Katherine McGlade, located in Sandy Bay. The management plan indicates the use of floating and suspended gear for the commercial production of oysters. Division staff conducted a site investigation on August 16th, 2022, which found zero bushels of shellfish per acre and 7% SAV.

Next is a 1.33-acre shellfish bottom and water column lease applied for on April 11th, 2022, by King’s Point Oysters, LLC, agent Katherine McGlade, located in Sandy Bay. The management plan indicates the use of floating and suspended gear for the commercial production of oysters. Division staff conducted a site investigation on August 16th, 2022, which found zero bushels of shellfish per acre and 11% SAV.

Last, we have a 0.70-acre shellfish bottom and water column lease applied for July 28th, 2022, by William Clower and Aaron Hopkins, located in Blossie Creek. The management plan indicates the use of bottom and floating gear for the commercial production of oysters. Division staff conducted a site investigation on August 15th, 2022, which found zero bushels of shellfish per acre and 6% SAV.

So now, I will call on the applicants and give them an opportunity if they wish to speak to their proposed lease. This is not a requirement of the applicants. They’ll have three minutes to speak. I will hold up one finger when you have one minute left, and my whole hand when your time is expired. As a reminder for all speakers this evening, please be courteous and respectful. If you are discourteous or disruptive, I will ask you to leave. So when you’re speaking, if you come up to the podium, this is how we’re recording all of the remarks. So just, you know, you can stand there and speak and again, unlike some other public hearings, the purpose of this hearing is to collect comments for the Director. So, as the representative of the Division, you’ll be delivering your comments to me and not for the general audience. So, it’s a little bit of a weird setup, but that’s how we’re going to be running things this evening. So, with that, we’ll call our first lease applicant. First, I’ll call on Hans Tyler Hofe to present on their proposed shellfish lease.”

Hans Tyler Hofe: “Um, so hopefully not being too redundant because it’s all public knowledge. Um, just real quick, to preface, um, we all share the Sound. I have no more right than anybody

else to do what they need to do. Um, but that being said, I'll just paint the picture. Uh, with our lease, um, just proximity, right, we're five miles, point half a mile for many home or business. There's roughly 30 miles of undeveloped shoreline to the North of us. We are a quarter mile away from the first turnout in Avon. Proximity wise, I don't really think you could ask for a better area. Uh, especially with the lack of SAV. Um, that being said, um, let's just say that, uh, user conflict, there was very little found in our water resource reports. But let's say for the sake of argument, maybe an example the kiting community or some rental communities, right? Let's just say that the kiting, right? This is the let's just call it roughly October to March where our busy season is. Um, after that, very little occupancy in the homes, very little kiting going on. Um, somewhat of a seasonal business. Um, extremely mobile in nature, whether it's just the kiting in general or the use of boats, jet skis. Um, multiple sites are advertised throughout their certain businesses on in the houses. Um, where they can go to have the optimal wind. So, a very large playing field. Um, that you know that's just proximity and the way things how that operates in my eyes. From what I see, we've submitted additional documentation in the middle of December, November. Where's everybody at? Not a soul. Fisherman, oyster farmers, that's whose out there. Um, and then kind of just to wrap it up. Um, you know, we're not cowboys out there, we're held to a very high standard. We have certain criteria that we have to meet. Uh, to take care of our leases that if we don't, we are ticketed. We pay yearly dues. We're not operating in the gray area where, certain amount of money is going here, whatever. It doesn't matter. Um to wrap it up, renters are going to be fine. Kitters are going to be fine. The Sound is going to be better. That's just kind of my take on it. Thank you for your time."

Owen: "All right. Thank you very much. So next I'll call on Martin Crew Hayes to present on their proposed shellfish lease."

Martin Crew Hayes: "Uh, yeah, just to kind of, you know, jump on board on one of the things Tyler mentioned, um, you know, the, the SAV, you know, that we deal with. Obviously, if you've been out there in the Sound, you know, that there's plenty of grass and submerged aquatic vegetation. So, you know, for this area that we've found, um to come up with, you know, one percent, you know in my case in zero percent in Tyler's case, you know I think you know some of the others, you know, with good experienced some of this can say like that's, you know, doing a pretty good job, as far as site selection goes. Um, you know obviously it's important of these locations that we've selected. You know it's a great area as far as workability water depth. You know it's we're roughly about half a mile from any house. Um, from the activity that we've seen, it seems like there's not going to be any sort of user conflict with where we've selected, you know, while there is some activity, you know, adjacent to and of course in the area obviously busier in the months now through October. Um, even then at the busiest times of year, you know, you can go out there on most days and there's not a soul in sight, you know. Uh, we've had some obvious pushback from some of the kiting community because, you know, they share the area. Um, and you know, I think that's kind of important is we share it, you know, it's not for just us. It's not for just them. It's not for just boaters, recreational fishermen, you know it's a public trust public resource for everybody to use. Um and you know the opportunity to be able to do an oyster farm is you know something that I find very important and want to continue to do. So, you know, I think that we can all cohabitate, you know, out there on the sound. And um, you know, I think a lot of a lot of the opposition that we found had to do a lot with this lack of education on what we're up against as far as site selection goes. You know, some of the opposition that we had

last year, you know, I'd say 75 percent, you know, three out of the four people who wanted to speak actually came to us afterwards and you know, kind of explained that they were, you know, maybe misinformed or maybe had the wrong idea about what we were up against in order to secure an oyster lease. It's not as easy as just, you know, saying, I want to do it over there and it's been two years almost, you know, since we've submitted our applications and, you know, if you were starting from scratch, you know, waiting around two years to potentially not be able to do something is, you know, it's kind of tough. So, you know, to wrap it up in short, um, there there's plenty of area out there for everyone to enjoy it and, um, I think we've got a great spot here and you know, I'd be disappointed if we didn't get, uh, the opportunity to do it. So um, I appreciate your time, and the Director's time."

Owen: "All right, thank you very much. Next, I'll call on Katherine McGlade, I'll give you six minutes since you've got two leases."

Katherine McGlade: "I'll be less than six minutes, I promise. Um, I think to most people oyster farming looks like it's sort of easy like you just put them out there and they grow and you sell them. But actually, oyster farming's really hard work. And in addition to that, it's hard work on a day-to-day basis. And then, in addition to that, you have everything that mother nature wants to throw at you. You've got storms, you've got disease, you've got fouling, you've got all kinds of issues that that nature puts in front of you. And at the same time, on the other side, you have your customers, who want you to just miraculously deliver oysters every week, no matter what happens. So, expanding the area where you grow helps you be able to do that and helps you to give you more areas where you can grow. Maybe this one doesn't get hit so hard by a storm, maybe this one you know doesn't have as high of a salinity. There's all kinds of reasons why having different farms can really help an oyster farmer to maintain the supply that they need to keep their customers in oysters and to um, keep the oysters as healthy as they can. So, we have been trying for almost three years to expand our business. We got turned down a couple of years ago for two other leases that we had applied for um, because of the presence of submerged aquatic vegetation. It is a very rigorous process for applying for and getting a lease. Um, we applied for these leases and after a fairly lengthy process, we're now here today, hoping very much that we will be able to move forward. Thanks."

Owen: "All right, thank you very much. So last, I'll call on William Clower and Aaron Hopkins to present on their proposed shellfish lease."

William Clower: "Thank you guys for, [gap] plenty more professional tonight. Good evening. We are applying for a 0.7 acre water column in the shoal in the middle of Blossie Creek. Originally, a 1.39 application was submitted but we work with the DMF to get it down to point . acres to avoid some SAV. Chose this site because of the good conditions are great for the oyster and the water flow. When [wind?] production, salinity, oxygen levels. Um, our intentions are to have a small operation with minimal impact on the water trust. We understand that our lease is, must be held to the public interest and best of its capability. Because of this acknowledgement, we plan on having a 15 to 20 foot uh, gap within our water columns in case public feel it necessary to navigate through and fish in and around the lease to meet the State's minimum 20-foot setback for the marsh shoreline, 250 feet from any developed riparian land, clear of unmarked and marked navigational channels. And uh, we have less than 50% of the protected

SAV in the current proposed lease site. As for our location accessibility throughout, on the waterway the tide falls out to expose the shoal in the middle of Blossie Creek. We're adjacent to the west side of the shoal as it exists in that location for at least 25 years according to GIS data. There are three ways to access the creek at low tide from the south. One can use either of the two navigable channels [that] exist on the east and west side of the creek. When you're accessing Blossie Creek from the west or Wanchese, one can run across the second flat to the channel that connects from Off Island to Blossie Creek. Once the tide comes in, most of this body of water opens up and is navigable for shallow draft boat types. You can enjoy fishing around Blossie Creek from the second flat. The lease will help improve the water quality for the [immediate?] fish stock. Even though our footprint is small, at capacity our proposed lease will potentially filter five million 600 thousand gallons of water a day. In addition, leases have been known to enhance and [*inaudible*] due to nursery for juvenile species, even grow upon [*inaudible*]. Yeah, we'd be honored to provide our community a sustainable and restorative resource to feed our friends and families and hopefully, we can coincide. Thanks for your time, thanks for the Director's time."

In chat:

Raising Your Hand

*If you are calling in to the meeting by telephone only you can raise your hand by dialing *3. To lower your hand, you will need to hit *3 again.*

Post in Chat

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Owen: "Alright, thank you very much. So, with that we'll move on to comments from the public. When I call your name, please come to the podium, state your name any organizations you may be representing, where you are from, and specifically which lease or leases you are commenting on, and your comments. As I said before, please direct your comments to me, as the representative of the Division, and make sure that you are standing close enough to the microphone that we're going to be able to record and then accurately transcribe your remarks this evening. If anybody has any questions, or would like to discuss anything, I will be staying after the meeting as long as necessary to get all that taken care of. So, let's limit the remarks to comments on the leases, then anything else we can talk about after the hearing has concluded. Um, if you are online and you have questions, you can place those questions in the chat. You will also have an opportunity at the end to unmute yourself and you can ask those questions as well. Um, and, after I go through the speakers on the list, or the speaker that's on the list, we will go to the folks that have requested to speak online. So, first, I will call on Don Britton to speak."

Don Britton: “Hi, I’m Don Britton. I am representing myself and just part of the kiteboarding community down there. I’ve been a part of the Avon community since the mid 90s and I was even part of the volunteer Fire Department down there and also helped teach kiteboarding for a couple of different groups down there. And the two, the main leases I’m worried about or concerned about are the two that are just north of Avon. Um, while they are half a mile from the nearest house, there are four main turnouts that go up there that are all used by kiteboarders, windsurfers, paddle boarders, kayakers and all that. And from that location, the winds are primarily southwest from there. And so when you’re getting lessons for example, or if you’re kiteboarding, even if you’re really good, if the winds are blowing really harsh [*inaudible*], you get pushed right into that area with those proposed leases are. Um, especially if you’re kiteboarding, you’re kiteboarding, you know, you can get your lines tangled up in there. And when you’re teaching in particular, a lot of those people don’t necessarily know how to control it as well, and so they can end up right in there. Um, the other issue I’ve got with it is the Outer Banks in particular, is known for kiteboarding and windsurfing and learning how to come down here. It’s a big draw for a lot of the tourism that comes in the area for Avon and in particular, the houses, most of those houses that you see, along the sound side, they are primarily rented by wind surfers and kite boarders, and people that want to use the active sports. So, the number of businesses in Avon that actually depend on kite boarding and for tourists that feel safe coming to the area to learn how to do that stuff and or just do it, is a massive part of the economy. Um, even the Outer Bank Visitors Bureau says that it’s the primary source of revenue for the tourism industry in the Outer Banks. And so, I would just want to make sure that we consider that, and when you look at the pictures in particular that were shown in the PowerPoint and or online, they don’t really depict where those are in relation to what would relate to the water sports people. So one of the things, if you look where they are located, this is the two locations themselves. This is 600 yards, this is 480 yards. These four turnouts are where all kite boarders run, which goes right into this area. All of these houses right here, the people that come out here, they all go right into this area. And so, when the winds are blowing this way when you kite board or wind surf, you’re typically going this way and back and forth in order to be able to do the sport. And so, that [*gap*] those areas. So, again, I’m an entrepreneur. So I don’t I’m not looking for [*gap*]. I believe everybody should run their own business. But I don’t want to see it at the expense of a bunch of other businesses that are currently running in Avon. So, and I don’t [*gap*]”

Some discussion ensues among the attendees that can’t be made out on the recording.

Owen: “So, So, I think this is a productive discussion maybe. But I want to, I want to have that after the hearings conclude. Is there anyone else here tonight that hasn’t gotten a chance to speak that would like to speak? Alright, Teri, let’s go to the online folks. If there is anybody that has signed up to speak.”

Teri: “There are three people signed up to speak. I will unmute them one at a time. Charles Williams will be the first one. Charles, I will be sending you a request to unmute. You’re good to go.”

Charles Williams: “Okay, thank you very much. My name’s Charles Williams. I am here to support the Kinnakeet Oyster Company, uh, lease program. I grew up in Avon and of course I’ve been eating wild oysters all my life and of course, and we know what’s what the story on that on

those are now. So, with the Kinnakeet Oyster Company producing those oysters, for people like me oyster lovers, like me, that really, really find a great thing. And I can see the bed from my front porch, and I don't see where there would be a problem at all, for the kite surfers or wind boarders or watermen. Uh, any type of waterman. So, I totally want to support that lease and I think it's a great thing for uh, for the oyster lovers and the economy. Not only in Avon, but up the entire island and I think that and we all know what the oysters do for the water quality. So, I think I think it's a positive thing and I totally support it. And thank you very much.”

Teri: “Thank you. Chris Mricsin, I will send request for you to unmute. You're good.”

Chris Mricsin: “Okay. Um, Thank you for the opportunity to speak. I'm speaking on behalf of the of the four different or the I guess you sent me four different numbers Teri. This has to do with Tyler's oyster beds. So, I'm going to kind of piggyback on what Mr. Don said. A few minutes ago. Um, I've been coming to the Outer Banks, specifically, the Avon area since the 1980s. I started with windsurfing, and I migrated to kite boarding about 20 years ago. I'm also the president of the homeowner's association of Island Creek. So, I'm representing about 16 homeowners, almost all waterfronts, um, houses. So, you know, I'm also a business owner, I'm a general contractor in the state of North Carolina. Um, so I understand, you know this uh you know the kind of this you know, the different positions that's taken as far as development and then also trying to you know, restrict certain things. Um, one of the things that I can kind of that kind of stands out to me is, the wind sport enthusiast, kiteboarding, windsurfing, SUP, which is a standup paddle boarding, kayaking and things like that. You know, we don't have a motor, so we're not always completely in control. And as Don said, you know, this area is used by thousands of people on an annual basis. Um you know, where our houses are, all of the houses that are waterfront that are north of Big Island. Um, you know, people come there, really the months are really from April to November as far as water sports. I mean, we're already having water sports renters at our houses. You know, and again, that's a lot of business for us. It's a lot of business for the community. Um, I know that you know, the guys that train kiteboarding out there and windsurfing, um, they do train north and they train in the in the areas where they're proposing this. A half a mile sounds like a long ways but when you're out on the water it really is not. Um, I know I don't, I don't necessarily object to the oyster farms. I just think it is too close to the proximity of where, again, thousands of people on an annual basis. So, me saying this, you know, the, the wind sport community or the water community, we pose no risk to the oyster bed. Zero. Unfortunately. The oyster beds produce, or they have a huge risk, for both bodily injury and also equipment injury. You know, our equipment is very very expensive and obviously bodies are very difficult to repair. And I know that these oyster beds are extremely sharp and they're extremely dangerous. If you ever got caught into them, people do get blown down wind it's just the nature of the sport. So, um, you know, I again, I strongly object to the location.

Owen: “I'm gonna have to cut it off your uh, three minutes.”

Chris Mricsin: “Um, absolutely.”

Owen: And if you've got additional comments, we're accepting written comments on the Division website until five o'clock tomorrow evening.”

Chris Mricsin: “Thank you.”

Teri: “Thank you, Chris. And then David Wilke. I will send you an unmute request.”

David Wilke: “Hello.”

Teri: “Hi. You’re good to speak”

David Wilke: “Hi. Um, this is David Wilke, thank you for giving me the opportunity to speak. I’ll be brief because I won’t repeat anything that’s already been said. I will say that, I love oysters and I’ve been an investor in an oyster business in Virginia and I know firsthand the hard work, it takes a run an oyster business. And I sort of commend the entrepreneurs here, who are trying to make a go at this and the difficult task of running those businesses. And certainly, a lot of respect to them. Um, the additional just data, I would give you on Chris's comments. I’m one of the homeowners in the association that he represented. I’ve been coming to the Outer Banks for about 15 years. Um, I actually pulled up some data. So I log my kite surfing and wind survey sessions, when I’m there on my Apple watch. And I have as many, in some instances, as 40 or 50 miles of traversing on my kiteboard in a couple hours session. And so I just want to sort of represent what the data a data point that a half mile indeed, is a pretty short distance. So obviously that 50 miles I’m representing is not going out 25 miles and coming back 25 miles. It’s going all around that area. The second data point I would just offer is that one of the reasons this area is so attractive to people who are interested in SUP, kite surfing, and wind surfing is the shallow water. So there’s lots of places in the United States you could go to learn wind sports. There’s very few that offer you the ability to stand in the water waist deep. And we market that to the many people who come and stay at the homes and bring their sort of economic spending power to local businesses [as has] been mentioned. Um, and we basically said, look, you can learn here because you can stand. Um, particularly for beginners that’s super important. And so the idea that there’s sharp objects on the ground, you know, in the water and I’m particularly talking about the proposed locations near Ocean Air Sports just North of Avon, poses, a significant sort of Um, you know uh, counterpoint to that safety of being able to put your feet on the ground. Um, and I also just for these lessers, I worry about the liability to their businesses. Um, I would hate for one of them to invest a lot of capital and get started and find themselves in a lawsuit from someone, from some of those whose where, who’s 13-year-old kid, gets all cut up on their oyster beds and becomes litigious on their business. I would just highly encourage them to reconsider the location. Somewhere, further away from, uh, from these recreational areas. Thank you for everyone’s time. I really appreciate it.”

Teri: “Thank you. And then there’s one person I still have not gotten an answer from. Jay Crawford, would you wish to speak tonight? I’m sending you unmute request. Ah, you’re good to go.”

Jay Crawford: “Yes, thank you for that. I appreciate everybody speaking this evening. Um, we just wanted to state as a business owner, that Outer Banks Kiting, that we support all businesses on the water. Uh, Crew and Tyler are good. (*Having sound quality issues with the caller*)

Owen: “I’m gonna jump in real quick.”

Jay Crawford: “I’m sorry. Can you hear me?”

Owen: *[inaudible]* “Yeah, we. Get closer to your microphone.”

Jay Crawford: “Yeah, I’m having problems with connections. Can you hear me now, Teri?”

Teri: “Yes, I can hear you.”

Teri: “Yes, I can hear you. Can Owen. Can you hear him?”

Owen: *[inaudible]* “got a way to make it *[inaudible]*. It’s just *[inaudible]* make sure that we’re able to *[inaudible]* capture all *[inaudible]* that”

Teri: “Oops, you’re muted. Hang on, one second.”

Owen: “*[inaudible]* Mr. Wilke is *[inaudible]* Um, you start *[inaudible]*”

Jay Crawford: “There we go. Teri? Can you hear me Teri?”

Owen: “*[inaudible]* that would be great.”

Teri: “Owen, can you hear us. Can you hear Jay okay?”

Jay Crawford: “Yes, I can hear you”

Teri: “Owen?”

Jay Crawford: “Yeah. I don’t know why . . .”

Owen: “I’ve got *[inaudible]* WiFi”

Teri: “Yeah, your WiFi’s been spotty all night”

Owen: “Great, well now I can hear you fine. So why don’t we charge ahead and see if we can get through the last little bit of this.”

Teri: “Okay go-ahead Jay, try that again”

Jay Crawford: “Teri, first of all can you hear me?”

Teri: “I can hear you. Can you hear me?”

Jay Crawford: “Thank you. Yes. So anyway, Outer Banks Kiting, to be brief, supports everyone making a living on the water, number one. Uh, number two, we just do not want navigational

hazards in an area that's easily populated for recreational kites and businesses like myself and Ocean Air Sports. We just want everyone to be safe. The first through fourth turnout is a location that we all use and we have used for 20 years. Um, yes, we're mobile and we can move and we do move with the wind directions. Um, that location happens to be sandy bottom, shallow water, and actually really ideal in all wind conditions. So, it's a location that we have been using and we want to continue to use. Um, basically, I just want to reiterate that we do support everyone making a living on the water, we just want safety. Uh, as myself being a boat captain, that has renewed five times. Um, we just want everyone to be safe in the water and have no navigational problems on any watercraft in that area. That's it. Thank you.”

Teri: “Thank you. I believe that is it, caller three is Elizabeth [McCormick].”

Owen: “Alrighty. Um, well, this at this point, um, I’ll give a last chance for anybody who didn't get an opportunity to speak to speak now. Alright, come on up.”

Spurgeon Stowe: “Anyway, I'm an oyster farmer and also a kite boarder. And uh, first, if somebody's going to teach lessons, they don't need to be around an oyster farm, that's stupid. And you got 60 miles sound side, from Oregon Inlet to Hatteras. He's talking. I guess everybody's talking about Tyler's stuff. [*Inaudible*] I mean, it's not like, it's not like we can put an oyster farm, here, here, here. You know, we kinda got to go through an act of congress just to get one, to be able to talk to y'all about it. So, uh, I don't know. Y'all 'er being selfish about the kite boarders and stuff. I mean it's not right. It's . . . Okay. Anyway, I'm done.”

Owen: “All right. Well, that wraps up our public comment. So if there is nobody else who wishes to speak, I will close this public hearing. I'd like to thank everybody for their time participation, and patience with this process. The time of closure is 6:40. So at this point, if anybody has questions, I'm happy to answer them. Teri, is there anybody online that's indicated that they have questions?”

Teri: “No, but who was that last speaker that his name did not come through.”

Owen: “Uh, that was Spurgeon Stowe. I've got. He's signed in on the on the sign-in sheet and I'll have him sign in on the speakers list as well.”

Teri: “Okay. Thank you. Just wanted to make sure. Uh, in the chat I will post uh, how to raise your hand if you wish to speak. Again. Hang on. One second. Let me get that there. Um is there anybody who may wish to have any questions or speak again?”

Owen: “In the meantime, is there anybody here that has any questions? Well, the hearings done, it's closed. So, thank you all for coming this evening. Like I said, I'll be hanging around if anybody wants to talk about anything or has any questions.”

Closure: 6:40 P.M.