



## **AGENDA**

### **N.C. WILDLIFE RESOURCES COMMISSION**

**January 17, 2013, 9:00 a.m.**

**1751 Varsity Drive**

**NCWRC Conference Room, 5<sup>th</sup> Floor**

**Raleigh, North Carolina**

**This meeting is being recorded as a public record and is audio streaming live at [www.ncwildlife.org](http://www.ncwildlife.org). As a courtesy to others please turn off all cell phones and pagers during the meeting.**

**CALL TO ORDER - *Chairman David Hoyle, Jr.***

**PLEDGE OF ALLEGIANCE**

**INVOCATION - *Commissioner Ray White***

**RECOGNITION OF VISITORS**

**MANDATORY ETHICS INQUIRY - North Carolina General Statute 138A-15(e) mandates that the Commission Chair shall remind all Commissioners of their duty to avoid conflicts of interest and appearances of conflict under this Chapter, and that the chair also inquire as to whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the Commission at this time. It is the duty of each Commissioner who is aware of such personal conflict of interest or of an appearance of a conflict, to notify the Chair of the same. *Chairman David Hoyle, Jr.***

**NOTICE OF COMMISSIONER APPOINTMENT** – Receive Notice of Appointment by Governor Beverly Perdue of *Richard Edwards, Commissioner At-Large*, for term ending June 30, 2013 **(EXHIBIT A)**

**ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED COMMISSION MEMBER RICHARD EDWARDS** - *The Honorable Bill Rabon, North Carolina Senator*

**Break for Photographs**

**APPROVAL OF MINUTES** - Take action on the November 8, 2012 Wildlife Resources Commission meeting minutes as written in the exhibit and distributed to members **(EXHIBIT B)**

#### **ADMINISTRATION**

**Financial Status Report** - Receive a financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund - *Tommy Clark, Budget Officer (EXHIBIT C)*

#### **COMMITTEE REPORTS**

**Big Game Committee Report** – *John Litton Clark, Chairman*

**Habitat, Nongame and Endangered Species Committee Report** – *Durwood Laughinghouse, Chairman*

**Land Use and Access Committee Report** – *Jim Cogdell, Chairman*

**Joint Coastal Recreational Fishing License Committee Report** – *Ray White, Chairman*

**AGENCY SPOTLIGHT** – Receive a presentation about *Wildlife in North Carolina* magazine - *Jim Wilson, Editor*

#### **INLAND FISHERIES**

**Fisheries, Wildlife Education and Outreach Update** - Receive an update on activities of the Division of Inland Fisheries - *Bob Curry, Inland Fisheries Division Chief*

## **DIVISION OF WILDLIFE MANAGEMENT**

**Wildlife Management Update** – Receive an update on the activities of the Division of Wildlife Management – *Dr. David Cobb, Wildlife Management Division Chief*

**CURE Program and Wildlife Conservation Lands Program Updates** – Receive 2011-2012 annual report on the Cooperative upland Habitat Restoration and Enhancement Program (CURE), including the Wildlife Conservation Lands Program (WCLP) – *Dr. David Cobb (EXHIBIT D)*

## **PROPERTY MATTERS**

**Phase I Land Acquisitions** - Consider approval for staff to work with State Property Office and funding partners to develop acquisition plans for the following properties: *Isaac Harrold, Public Lands Section Manager (EXHIBITS E-1, E-2, E-3, E-4, E-5)*

- Duvall Tract, Little Tennessee River – Macon County
- Lewiston Boating and Fishing Access Area, Roanoke River – Bertie County
- Deviney Tract – Rutherford County
- Truth Temple Tract – Ashe County
- Holt Tract – Warren County

**Phase II Land Acquisitions** - Consider final approval to proceed with acquisitions of the following properties: *Isaac Harrold (EXHIBITS F-1, F-2, F-3)*

- Trout Lake (Lease) – Ashe County
- Browns Island Tract 2 – Carteret County
- Pinch Gut Phase IV Tract – Brunswick County

**Easement Request, Henderson County** - Consider a request from Duke Energy to expand an existing power transmission line easement on a portion of Green River Game Land in Henderson County for the purpose of adding additional guy wires – *Isaac Harrold (EXHIBIT G)*

**Conveyance – McKinney Lake National Fish Hatchery** – Consider the conveyance of the McKinney Lake National Fish Hatchery to the State of North Carolina – *Gordon Myers, Executive Director (EXHIBIT H)*

**COMMENTS BY CHAIRMAN** – *David W. Hoyle, Jr.*

**COMMENTS BY EXECUTIVE DIRECTOR** – *Gordon Myers*

**ADJOURN**

NOTICE OF APPOINTMENT

*Pursuant to G.S. 143-47.7*

**EXHIBIT A**

**January 17, 2013**

Notice is given that **Mr. Richard Edwards**

is hereby appointed to the following public office:

**North Carolina Wildlife Resources Commission**

Citation to Law or Other Authority Authorizing the Appointment:

**General Statute §143-241**

Specific Statutory Qualification for the Public Office (if applicable):

**At-large**

Address of Appointee:

**1701 Country Club Road, Wilmington, NC 28403**

County of Residence of the Appointee: **New Hanover**

Date Term of Appointment Began: **12/17/2012**

Date Term of Appointment Ends: **6/30/2013**

Name of Person the Appointee replaces, if applicable:

**Mr. Steve Windham**

Date of Appointment: **12/17/2012**

Signature:

**s/ Bev Perdue**

Office of Appointing Authority:

**Office of the Governor, Boards and Commissions**

Distribution:

**Governor**

**Secretary of State**

**Senate President Pro Tempore**

**Speaker of the House**

**Department of Cultural Resources**

**Ethics Commission**

**Board Contact**



**MINUTES**  
**November 8, 2012**  
**N. C. Wildlife Resources Commission Meeting**  
**Raleigh, North Carolina**

The November 8, 2012 meeting of the North Carolina Wildlife Resources Commission was called to order by *Commission Chairman* David W. Hoyle, Jr. at 9:00 a.m. in the Commission Room at Wildlife Resources Commission headquarters in Raleigh. Hoyle announced that the meeting was being recorded as a public record, with live audio streaming at [www.ncwildlife.org](http://www.ncwildlife.org). He requested that cell phones be turned off. Commissioners Hayden Rogers, Mark Craig, and Dalton Ruffin were absent.

Commissioner Ray White led the Pledge of Allegiance. Commissioner Berkley Skinner gave the invocation.

**MANDATORY ETHICS INQUIRY AND WELCOME**

Chairman Hoyle advised the Commission of the mandatory ethics inquiry as presented in the agenda. Chairman Hoyle then welcomed the Commissioners and visitors present.

**COMMISSIONER ATTENDANCE**

Ray White  
Wes Seegars  
Durwood Laughinghouse  
David Hoyle, Jr.  
Joe Barker  
Berkley Skinner

Tom Berry  
Nat Harris  
Jim Cogdell  
John Coley  
Dell Murphy

Steve Windham  
Mitch St. Clair  
Garry Spence  
Ray Clifton  
John Litton Clark

## VISITORS

Hal Atkinson – Camp-Younts Foundation  
John Barbour – State Property Office  
Ann Somers – NWAC  
William Newton – NC Bowhunters Assoc.  
Diane Newton – NCBA  
J.R. Stone – NCBA  
Ned Jones – NC Trout Unlimited

Tom Kwak - NCSU  
Karen Beck – NCDA and CS  
Tom Ray – NCDA and CS  
Henri McClees – NC Sporting Dog Assoc.  
Joe McClees – NC Sporting Dog Assoc.  
Greg Culpepper  
Ken Bridle - NWAC

## MINUTES

Commissioner Berkley Skinner made a motion to approve the August 30, 2012 Wildlife Resources Commission Meeting minutes. The motion was seconded by Commissioner Wes Seegars and carried. **The Minutes**, titled Exhibit A, are hereby incorporated into the official record of this meeting.

## ADMINISTRATION

Tommy Clark, *Budget Officer*, gave the financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund as of September 30, 2012. The Operating Fund balance is \$26,377,949.22. The Endowment Fund balance is \$93,020,005.03. **The Financial Status Report**, titled Exhibit B, is hereby incorporated into the official record of this meeting.

## PRESENTATION OF THE 2012 SOUTHEASTERN ASSOCIATION OF FISH AND WILDLIFE AGENCIES' FISHERIES BIOLOGIST OF THE YEAR AWARD

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

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

## COMMITTEE MEETING REPORTS

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

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

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

## AGENCY SPOTLIGHT

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

## INLAND FISHERIES

### Inland Fisheries and Outreach Update

Bob Curry, *Inland Fisheries Division Chief*, provided an update about the programs and activities of the Inland Fisheries Division. Curry announced that National Hunting and Fishing Day activities drew over 2,000 people across the state. He thanked the Wake County Wildlife Club and the NC Wildlife Federation for their donations of hunting and fishing licenses at the events. Curry said attendance at the WRC exhibits at the Mountain State Fair was 8,500. Almost 46,000 visited the Wildlife Resources Commission exhibit at the North Carolina State Fair. The Pisgah Center for Wildlife Education was named the 2012 Exceptional Wildlife Education Program by the Environmental Educators of North Carolina. Curry announced that the Joint Coastal Recreational Fishing License committee will meet on December 4, 2012 in Washington, NC to consider projects and programs to be awarded funds from the sales of coastal recreational fishing licenses.

### Adoption of 2013-2014 Fishing Regulation Proposals

The Commission received in **Exhibit C** a summary of public comments on proposed changes to fishing regulations. On a motion by Berkley Skinner and second by Nat Harris, the Commission adopted staff recommendations for 2013-2014 fishing rule proposals, presented by Bob Curry in **Exhibit D**. The complete text of the rules is incorporated by reference into the Minutes of this meeting.

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

- F5) Big Snowbird Creek (Graham County) – Reclassify 2.8 miles of Big Snowbird Creek in Graham County from Hatchery Supported Trout Waters to Delayed Harvest Trout Waters.

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

- F6) Reclassify the tributaries of 19 Hatchery Supported Trout Waters on Commission game lands from Hatchery Supported Trout Waters to Wild Trout Waters unless otherwise classified. The Hatchery Supported Waters are: Elk River in Avery County; Corner Rock Creek and Bent Creek in Buncombe County; Carroll Creek and Linville River in Burke County; Hyatt Creek and Junaluska Creek in Cherokee County; Santeetlah Creek, (Big) Snowbird Creek, and Panther Creek in Graham County; Cold Springs Creek in Haywood County; Burningtown Creek and Cullasaja River in Macon County; Shut-in Creek, Roaring Fork, and Spillcorn Creek in Madison County; Little Buck Creek in McDowell County; Connelly Creek in Swain County; and West Fork French Broad River in Transylvania County.

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

- F7) North Fork New River (Watauga County) – Reclassify 1.5 miles of North Fork New River in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

- F8) Maine Branch (Watauga County) – Reclassify 1.0 mile of Maine Branch in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

- F9) Howard Creek (Watauga County) – Reclassify 6.0 miles of Howard Creek in Watauga County from Hatchery Supported Trout Waters to Wild Trout Waters.

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

- F10) ~~Nantahala River (Macon County) – Reclassify the portion of the upper Nantahala River and its tributaries on Commission game lands from Wild Trout Waters to Wild Trout/Natural Bait Waters.~~

~~*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*~~

- F11) Richland Creek (Haywood County) – Modify the lower boundary of Hatchery Supported Trout Waters on Richland Creek in Haywood County, adding 0.3 mile to Public Mountain Trout Waters.

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

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

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

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

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

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

*Adopt amendments to the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters*

- F28) Little Buffalo Creek (Graham County) – Clarify that Little Buffalo Creek in Graham County should not be listed as Hatchery Supported Trout Waters.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F29) East Prong Roaring River (Wilkes County) – Clarify the boundaries for Hatchery Supported Trout Waters and Delayed Harvest Trout Waters on East Prong Roaring River in Wilkes County.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F30) Clarify the general statewide limits for black bass in the NCAC by incorporating the statewide exception listed in 15A NCAC 10C .0305(b)(7) which allows the possession of two fish smaller than the minimum size limit into the general size and creel limits listed in 15A NCAC 10C .0305(a).  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*
- F31) Santeetlah Reservoir – Establish an exception to the general statewide limits for black bass in Santeetlah Reservoir by removing the daily creel limit for black bass less than 14 inches minimum size limit. The creel limit for black bass greater than 14 inches will remain five fish in combination.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*
- F32) Establish the general statewide limits for black bass (a five-fish daily creel limit with a minimum size limit of 14 inches allowing two fish to be retained in the daily creel limit that are less than 14 inches) in these waters: Lake Luke Marion in Moore County; Reedy Creek Park lakes in Mecklenburg County; Lake Rim in Cumberland County; Tar River downstream of Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, and all their tributaries; South Yadkin River downstream of Cooleemee Dam; and the Yadkin-Pee Dee River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery and Blewett Falls Lake.  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*
- F33) Clarify the general statewide limits for striped bass and hybrid striped bass in the NCAC by incorporating the statewide exception listed in 15A NCAC 10C .0305(b)(10) which allows the possession of two fish smaller than the minimum size limit into the general size and creel limits listed in 15A NCAC 10C .0305(a).  
*Adopt amendments to the following rule:*  
*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits*

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

*Adopt amendments to the following rule:*

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

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

*Adopt amendments to the following rule:*

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

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

*Adopt amendments to the following rule:*

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

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

*Adopt amendments to the following rule:*

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

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

*Adopt amendments to the following rule:*

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

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

*Adopt amendments to the following rules:*

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

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

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

*Adopt amendments to the following rule:*

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

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

*Adopt amendments to the following rule:*

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

## **WILDLIFE MANAGEMENT**

### **Wildlife Management Update**

Chairman Hoyle called upon Dr. David Cobb, *Wildlife Management Division Chief*. Dr. Cobb directed Commissioners to two CDs. One of the CDs contains the complete rules files that were discussed at the Committee of the Whole meeting on November 7, 2012. Included in the Update CD is information about work on red spruce forests for high priority species, 2011 information about wildlife recreation, a birding trail newsletter, a document about peanut products, and a recent article about the role of crows in the dispersal of prion diseases. Dr. Cobb announced that the agency is advertising for a wildlife Veterinarian. He recognized employees Deet James, Jenny Harris, and Travis Casper and Commissioners Dell Murphy and Nat Harris, thanking them for their efforts in making the Strategic Recruitment and Retention Initiative a successful event.

### **Adoption of 2013-2014 Hunting and Trapping Regulation Proposals**

Dr. Cobb presented **Exhibit E**, a summary of public comments concerning the proposed changes to wildlife management regulations. As a result of discussion held during the Committee of the Whole meeting on November 7, the Commission adopted proposed changes in **H1 - H21** as presented in a revision of **Exhibit F**. The motion to adopt was made by Wes Seegars and seconded by Nat Harris. Revisions are underlined or struck through. The complete text of the rules is incorporated by reference into the Minutes of this meeting.

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

*Adopt amendments to the following rule:*

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

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

*Adopt amendments to the following rule:*

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

- H3) Allow an adult to accompany more than one youth during the one-day Spring Youth Only Wild Turkey Season.  
*Adopt amendments to the following rule:*  
*15A NCAC 10B .0209 Wild Turkey*
- H4) Beginning in 2013, create a one week Spring Youth Only Wild Turkey Season from the first Saturday in April through the following Friday. The bag limit for this entire week will be one bird.  
*Adopt amendments to the following rule:*  
*15A NCAC 10B .0209 Wild Turkey*
- H5) Open four additional counties to fox squirrel hunting: Stokes, Surry, Watauga, and Wilkes.  
*Adopt amendments to the following rule:*  
*15A NCAC 10B .0206 Squirrels*
- H6) Remove rule-based barriers for the take of the American alligator.  
*Adopt amendments to the following rules:*  
*15A NCAC 10B .0119 Wildlife Collectors*  
*15A NCAC 10I .0102 Protection of Endangered/Threatened/Special Concern species*
- H7) Allow hunters to carry firearms while dog training.  
*Adopt amendments to the following rule:*  
*15A NCAC 10B .0114 Dog Training and Field Trials*
- H8) Increase user fees for the use of the field trial facilities located on the Sandhills Game Lands from the current \$25.00 to \$75.00 for use of the club house only and \$100 to \$200 for the use of the club house and field trial grounds.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0102 General Regulations Regarding Use*
- H9) Allow open carry of firearms anytime on state-owned game lands and conservation areas.  
*Adopt amendments to the following rules:*  
*15A NCAC 10D .0102 General Regulations Regarding Use*  
*15A NCAC 10D .0103 Hunting on Game Lands*  
*15A NCAC 10J .0102 General Regulation Regarding Use of Conservation Areas*
- H10) Allow hunting by special permit on game lands when the seasons for game animals (bear, fox, rabbit, squirrel, deer, bobcat, opossum and raccoon) and game birds (all migratory game birds and upland game birds) are closed.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H11) Limit hunting on game lands with weapons legal for open game animal or game bird seasons.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*

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NC Wildlife Resources Commission Meeting  
November 8, 2012

- H12) Allow trapping on Sherwood and Harmon Den Bear Sanctuaries.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0102 General Regulations Regarding Use*
- H13) Allow waterfowl hunting to take place the Monday after Christmas and the Monday after New Year's Day when these two holidays fall on a Sunday.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H14) Allow a youth/adult dove hunt on opening day of dove season on Needmore Game Lands. This hunt would be on posted dove fields by permit only.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H15) Prohibit equestrian use November 1 through January 1 on Perkins Game Land in Davie County. [This change is at the landowner's request]  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H16) Clarify existing regulations that allow muzzleloader and archery deer hunting on the J. Robert Gordon Field Trial Grounds.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H17) Allow waterfowl hunting on the J. Robert Gordon Field Trial Grounds during all open days of the waterfowl season.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H18) Open spring camping season on the game lands on March 31.  
*Adopt amendments to the following rule:*  
*15A NCAC 10D .0103 Hunting on Game Lands*
- H19) Reduce requirements for obtaining a permit in cases of depredation and allow for better use of wildlife taken under depredation permits by making the following changes:
- remove the requirement that an animal cause at least \$50.00 in damage before the property owner can receive a depredation permit and allow a permit to be written for any amount of damage;
  - remove the requirement that municipalities attempt using the Urban Archery season for deer overabundance before receiving a depredation permit;
  - allow the take of alligators with depredation permits, subject to Executive Director approval;
  - allow the take of feral swine with depredation permits; and
  - allow any animal taken under a depredation permit to be retained for consumption if so written on the permit.
- Adopt amendments to the following rule:*  
*15A NCAC 10B .0106 Wildlife Taken for Depredation*

H20) Reduce restrictions for taking wildlife in the act of depredation without a permit and allow for better use of animals taken while causing damage by making the following changes:

- remove the limit on the number of deer taken without a permit that can be retained for consumption. Deer may only be taken without a permit while in the act of damaging property;
- allow feral swine taken without a permit to be retained for consumption;
- ~~allow the use of artificial lights in taking wildlife in the act of depredation without a permit;~~ and
- reduce the number of species of wildlife taken without a permit that require reporting to the Commission to two: bears and alligators.

*Adopt amendments to the following rule:*

*15A NCAC 10B .0106 Wildlife Taken for Depredation*

H21) Reduce restrictions on keeping wildlife killed accidentally or found dead by making the following changes:

- allow a person to request authorization to keep a deer or turkey found dead of natural causes or due to a vehicle collision;
- allow a person to keep dead raptors and nongame migratory birds if the person holds a federal permit; and
- allow possession of any other species of wildlife found dead without Commission authorization, except bears and protected species which may not be possessed at all.

*Adopt amendments to the following rule:*

*15A NCAC 10B .0106 Wildlife Taken for Depredation*

*Adopt the following rule:*

*15A NCAC 10B .0127 Possession of Wildlife Killed Accidentally or Found Dead*

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

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

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

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

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

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

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

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

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

*Adopt amendments to the following rules:*

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

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

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

*Adopt amendments to the following rules:*

*15A NCAC 10H .0301 General Requirements*

*15A NCAC 10H .0302 Minimum Standards*

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

*Adopt amendments to the following rule:*

*15A NCAC 10H .0301 General Requirements*

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

*Adopt amendments to the following rule:*

*15A NCAC 10H .0301 General Requirements*

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

*Adopt amendments to the following rules:*

*15A NCAC 10H .0301 General Requirements*

*15A NCAC 10H .0302 Minimum Standards*

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

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

*Adopt amendments to the following rule:*

*15A NCAC 10H .0301 General Requirements*

## **PROPERTY MATTERS**

### **Easement Request, Bladen County**

Isaac Harrold, *Public Lands Section Manager*, presented **Exhibit G**, a request by the Department of Transportation for an easement at the Tar Heel Boating Access Area in Bladen County for the purpose of relocating power transmission lines. Nat Harris made a motion to adopt the request for an easement. The motion was seconded by Joe Barker and carried. **Exhibit G** is hereby incorporated into the official record of this meeting.

### **Land Acquisitions**

Isaac Harrold presented in **Exhibits H-1, H-2, H-3, H-4, and H-5** requests for agency staff to begin working with the State Property Office and funding partners to develop acquisition plans for the following properties:

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

On a motion by Joe Barker and second by Nat Harris the Commission approved **Exhibits H-1 through H-5**, which are incorporated into the official record of this meeting.

### **Braun Tract Donation, Ashe County**

Upon a motion by Jim Cogdell and second by Steve Windham, the Commission voted to accept the donation by the Blue Ridge Conservancy of the 281-acre Braun Tract, part of the Pond Mountain State Natural Heritage Area in Ashe County, presented in **Exhibit I**. **Exhibit I** is hereby incorporated into the official record of this meeting.

### **ADOPTION OF 2013 WRC MEETING SCHEDULE**

On a motion by Tom Berry and second by Nat Harris, the Commission adopted the 2013 schedule of Wildlife Resources Commission meetings:

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

Chairman Hoyle asked staff to consider holding one meeting in the eastern part of the state and one in the west. **Exhibit J** is hereby incorporated into the official record of this meeting.

### **COMMENTS BY THE CHAIRMAN**

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

### **COMMENTS BY THE EXECUTIVE DIRECTOR**

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

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Hoyle at 10:45 a.m.

All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

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David W. Hoyle, Jr., Chairman

Date

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Gordon Myers, Executive Director

Date

**NORTH CAROLINA WILDLIFE RESOURCES COMMISSION**

YEAR-TO-DATE REVENUES AND EXPENSES

	<u>November 2011</u>	<u>November 2012</u>
<b>Balance July 1</b>	\$ 20,845,004.99	\$ 22,177,706.67
Plus: Receipts to Date	<u>28,684,968.93</u>	<u>33,786,488.68</u>
Balance and Receipts to Date	49,529,973.92	55,964,195.35
Less: Disbursements To Date	<u>27,883,993.14</u>	<u>32,690,833.46</u>
<b>Balance November 30</b>	<b><u>\$ 21,645,980.78</u></b>	<b><u>\$ 23,273,361.89</u></b>

**EXHIBIT C**  
January 17, 2013

**Summary and Analysis of Expenditure By Purpose - Code 14350, 24350, 24351 and 24352**

	November 2011			November 2012		
	Authorized Budget 2011-12	Expenditures	% of Budget Expended	Authorized Budget 2012-13	Expenditures	% of Budget Expended
2100 Administration	\$ 8,356,234.00	\$ 3,356,408.75	40.17%	\$ 8,624,935.00	\$ 3,625,563.06	42.04%
2120 Enforcement	21,435,364.00	9,160,312.69	42.73%	20,453,719.00	8,665,521.26	42.37%
2130 Education	4,438,939.00	1,543,434.79	34.77%	3,961,666.00	1,346,228.12	33.98%
2140 Inland Fisheries	8,816,282.00	4,119,860.21	46.73%	11,727,004.00	5,727,844.03	48.84%
2150 Management	14,851,919.00	5,444,689.92	36.66%	10,846,085.00	6,717,235.43	61.93%
2160 Engineering Services	7,455,768.00	3,770,760.97	50.58%	12,320,845.00	3,056,093.36	24.80%
2170 W/Life Fund Receipts	2,329,918.00	488,525.81	20.97%	3,998,906.00	3,552,348.20	88.83%
<b>TOTAL</b>	<b>\$ 67,684,424.00</b>	<b>\$ 27,883,993.14</b>	<b>41.20%</b>	<b>\$ 71,933,160.00</b>	<b>\$ 32,690,833.46</b>	<b>45.45%</b>

**NORTH CAROLINA WILDLIFE RESOURCES COMMISSION**

ENDOWMENT FUND YEAR-TO-DATE

	<u>Nov-11</u>	<u>Nov-12</u>
<b>Balance November 1</b>	\$ 86,088,812.60	\$ 93,742,817.39
Plus: Revenues from Sales	253,265.70	293,864.50
Return on Investment	420,039.24	402,734.13
	<hr/>	<hr/>
Less: Transfers Out	86,762,117.54	94,439,416.02
	<hr/>	<hr/>
<b>Balance November 30</b>	<b>\$ 86,762,117.54</b>	<b>\$ 94,439,416.02</b>
	<hr/>	<hr/>
<b>Market Value</b>	<b>\$ 94,071,321.24</b>	<b>\$ 105,371,990.36</b>

**Endowment Fund Interest**

<u>Sources of Interest Available</u>	<u>Expendable</u>	<u>Non Expendable</u>	<u>Transferred to Operations</u>	<u>Transferred to Capital Projects</u>
<b>ADULT Licenses</b>	\$ 12,113,739.26	\$ -	\$ -	\$ -
<b>INFANT Licenses</b>	-	9,849,461.42		
<b>YOUTH Licenses</b>	-	840,448.26		
<b>Magazine Subscriptions</b>	389,201.95	-		
<b>Contributions - General</b>	496,562.33	-		
<b>Contributions - Diversity</b>	62.96			
<b>TOTAL</b>	<b>\$ 12,999,566.50</b>	<b>\$ 10,689,909.68</b>	<b>\$ -</b>	<b>\$ -</b>

**2012-13 Budgeted Obligated**

Allocation of Endowment Interest - Sportsman Fund	3,972,912.00
Allocation of Endowment Interest - Magazine Fund	258,514.00
	<hr/>
	<b>\$ 4,231,426.00</b>

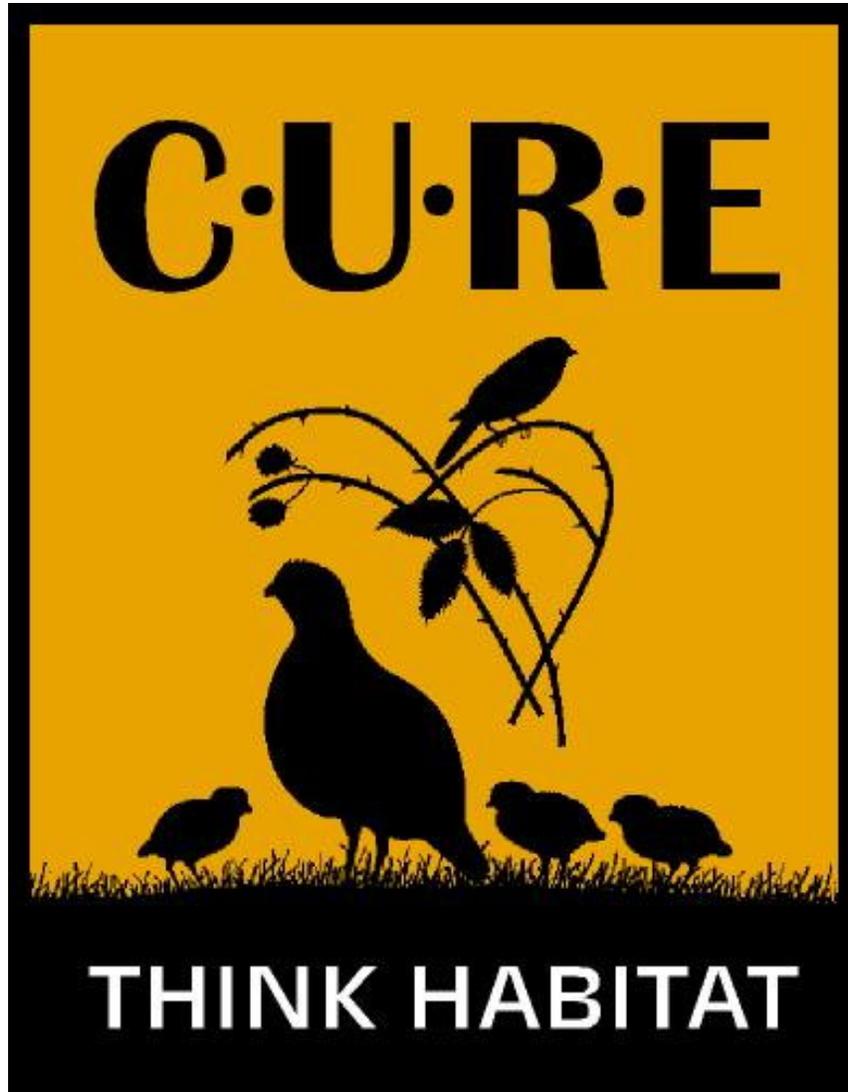
**2012-13 Transferred To Date**

To Sportsman Fund	-
To Magazine Fund	-
To Capital Projects	-
	<hr/>
	<b>\$ -</b>

# EXHIBIT D

January 17, 2013

Cooperative Upland habitat Restoration and Enhancement (CURE) Program



2011-2012 Progress Report

DIVISION OF WILDLIFE MANAGEMENT

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## EXECUTIVE SUMMARY – HABITAT INITIATIVES

The CURE Program was established as a result of Commission approval and funding in 2000 and originally scheduled to run through 2006. Three focal areas, one in the Piedmont and two in the Coastal Plain, were selected based on criteria that provided the greatest potential for impact on bobwhites and other early-successional species through habitat improvements. Within these focal areas, three pilot Cooperatives, or groups of private landowners, were selected to enroll in the CURE program. Forty-two landowners with 16,801 acres of land participated in the program. Habitat improvements for quail/songbirds consisted primarily of volunteer native vegetation field borders, stream borders, native grasses, and prescribed burning of fields and woodlands. Some permit quail hunts occurred on the Rowland CURE area during the early phase of CURE.

Timber harvest and prescribed burning were focuses for habitat enhancement on the four Game Land CURE areas. Special regulations have been enacted to restrict quail and woodcock harvest and dog training on these areas though plans are in the works for future quail hunting opportunity when appropriate biological criteria are met. Suggs Mill Pond Game Land will be the first CURE Game Land to have a permit quail hunt in 2012-2013.

A staff proposal to carry the private lands CURE program through 2009 was developed and approved by the Commission and funded at \$750,000 per year. Actual expenditures never approached this level. The goal of this phase was to strengthen habitat management impacts on a landscape scale in the three focal areas. The expanded program was available to landowners currently enrolled in CURE or to those adjacent to the Private Cooperatives, the four Game Land CURE Cooperatives, and our Corporate CURE Cooperative. Six habitat improvement practices were funded with emphasis on early succession vegetation in field borders and open forested stands in Coastal areas. The program funded and facilitated the establishment of native warm season grass (NWSG) stands greater than 5 acres in size in the Western Piedmont focal area.

CURE was designed to answer questions related to early-successional wildlife populations and habitat and to make direct and measurable changes in species populations and habitat. While habitat development within the three focal areas and on the four Game Lands remains an objective of CURE, the program has expanded and provided additional, far-reaching, and unexpected benefits to natural resources (soil, water, wildlife, etc.) across the North Carolina landscape.

In 2005, the Commission initiated a cooperative effort with the U.S. Department of Agriculture's Natural Resource Conservation Service (NRCS) to create three new Technical Assistance Biologist (TABs) positions, one in each geographical region of the state, to work directly with the NRCS staff. These positions have had significant influence on the implementation of Farm Bill programs throughout the state and have

affected wildlife habitat management in all 100 counties. The NRCS TABs are Commission employees and provide guidance through site visits, plan development, and training of NRCS personnel. The NRCS TABs have developed Farm Bill contracts, assisted in actual on-site installation of habitat, and met with and provided guidance to numerous new landowners across the state. The TABs have motivated landowners to address habitat concerns and utilized available federal dollars to improve habitat. The NRCS TABs (only 2 of 3 positions were filled) provided direct technical guidance to landowners managing 3,457 acres in fiscal year 2011-2012.

The CURE program, and its associated cooperation with federal agencies, has helped shape how Farm Bill funds are designed and allocated in North Carolina. Federal cost-share programs are generally assigned to the States with a prescribed amount of money to spend or a maximum number of acres to enroll. Due to our relationship with NRCS, the implementation of the Wildlife Habitat Incentive Program (WHIP) in North Carolina was heavily influenced by our agency. Multiple programs have been instituted since the inception of CURE, and many have found roots in and around CURE. North Carolina's version of the Conservation Reserve Program's State Acres for Wildlife Enhancement Program (SAFE, CP-38) was designed to fit the CURE program. Provisions for forest management under the Environmental Quality Incentives Program (EQIP) have been directly impacted by our staff in terms of designing ranking criteria and directing funds. Farm Bill programs such as WHIP and EQIP have also been utilized more effectively to create habitat due in large part to the existence of the CURE program and wildlife biologists in positions to influence the application of these programs. NCWRC has been engaged with Farm Bill issues from County to National levels and affected improvement to programs that impact North Carolina and adjacent states.

NCWRC established a position to work with the U.S. Fish and Wildlife Service's Landowner Incentive Program (LIP) and manage longleaf pine habitats to mimic natural fire-maintained ecosystems in 4 southeastern counties (Bladen, Cumberland, Duplin, and Sampson). LIP expired on June 30, 2010. At that time, 15 landowners owning approximately 24,000 acres were managing 3,162 acres under the LIP program. Our biologists continue to work with these landowners as part of our newly established Southeastern Focal Area (SEFA) in Bladen, Cumberland, Duplin, and Sampson counties and provide technical advice and guidance to these landowners.

Under Corporate CURE, NCWRC has obtained 2 grants from the North Carolina Department of Justice to address water quality issues and implement early succession habitat improvements on corporate farms operated by Murphy-Brown, LLC and other private agricultural operations on 15,666 acres in Bladen County and adjacent counties. Our current grant allows us to continue habitat enhancements on these farms through December 31, 2012, and we are currently in the process of applying for another 3 year grant to run through 2015. Permit quail and rabbit hunts have been implemented on Corporate CURE lands through NCWRC's Permit Hunting Opportunities Program, and these are a rare opportunity for a high quality small game hunt on intensively managed areas.

Work under Corporate CURE has been combined with work done with former LIP landowners as part of the SEFA focal area. Two biologists (one vacant) are assigned to the SEFA focal area and also work to integrate Farm Bill activities into operations when necessary. The ultimately goal in the SEFA is to put early successional habitat on the ground using whatever funding source is most appropriate (Corporate CURE, USDA Farm Bill, etc.). The National Bobwhite Conservation Initiative (NBCI) has recognized the quail management and population responses on these areas as a national success story for bobwhite restoration (Appendix A).

The successful expansion of wildlife habitat is not solely dependent on dollars from Federal Programs or State Grants. Current habitat establishment accomplishments in the western piedmont focal area are a direct result of Commission funding. Staff have worked to convert fescue to native grasses which are proven to provide significantly better wildlife habitat than fescue while also diversifying cattle operations in an economically smart way by providing drought-proof forages. Establishing and promoting these grasses has allowed the NCWRC to become more effective in influencing the agriculture landscape of pasturelands in the Piedmont. We have received invitations to participate in NCSU Extension workshops concerning native “summer” grasses. The availability of a knowledgeable CURE Technical Assistance Biologist has had a very positive effect on the acceptance and interest in these grasses. Continued effort and focus at making farmers aware of these alternatives to fescue may benefit early-successional wildlife for many years into the future.

Technical guidance for wildlife habitat management has been a primary goal of the Division of Wildlife Management for many years. The creation of the CURE program in 2000 increased the significance of early-succession species of wildlife and plants in the agency’s priorities. Utilizing these practices on CURE cooperatives and other cooperating lands throughout all regions of the state has increased awareness among private landowners.

The Wildlife Conservation Land Program (WCLP) became active for the 2010 tax year and involved significant staff interaction with landowners, county tax offices, and the NC Department of Revenue. Twenty eight agreements were signed in 16 different counties certifying 124 acres of early successional habitat during the 2011 tax year.

The CURE program has been and continues to be fundamental to the Commission’s efforts to establish early-successional habitat practices across the state. Habitat placed on the ground is the ultimate objective and will be the key to a successful program. However, the interaction between Commission staff and landowners remains a vital component of the CURE program.

From the original NCWRC-funded focal areas, CURE has evolved into wider-reaching initiatives including the SEFA and Farm Bill work using USDA Farm Bill funds. Game Lands work on nearly 6,000 acres continues to be funded by the Commission. CURE is a far-reaching program having wide and unexpected benefits throughout North Carolina.

## **PRIVATE LANDS CURE MANAGEMENT**

### **NC Department of Justice Environmental Enhancement Grant and Southeastern Focal Landscape**

We continue to improve wildlife habitat and increase water quality using the North Carolina Department of Justice's (NCDOJ) Environmental Enhancement Grant. Grant funds are now being used to serve as the foundation of what is known as the Southeastern Focal Area (SEFA). SEFA covers Bladen, Duplin, Sampson and part of Cumberland Counties. In SEFA, grant funds are and will be used to support the operations of Corporate CURE while Farm Bill Conservation Practices and Technical Guidance will be used to assist other landowners. Our staff in SEFA promotes early successional habitats, water quality improvements, and timber stand improvements through any means available.

Under Corporate CURE, the grant supports wildlife and water quality improvements on 15,666 acres of commercial farmland in Bladen, Sampson, and Duplin Counties spread across 22 different farms. There are 264 acres of field borders, 190 acres of habitat areas, and 92 acres of native grasses under CURE management on these farms. Three farms had 170 acres of longleaf planted in 2010. Prescribed burns have taken place on 250 acres of woodlands and 24 acres of grasslands the past year. Table 1 provides a summary of habitat practices for each farm.

Education and outreach continue to be priorities for this project. The 7<sup>th</sup> Wildlife and Water Quality Workshop was held September 20, 2011 with 16 attendees. Future workshops will be moved around the area due to reduced participation in the Ammon vicinity. Assistance was provided to help set up a habitat workshop in February 2012 for 58 people in Duplin County. This workshop was done in conjunction with University of Wisconsin researchers who had been researching songbird nest success at Ammon. Other large outreach events performed annually include the Murphy-Brown Vendor Expo and the Dixie Deer Classic. Presentations have also been provided to the local Tree Farm Program and to the National Wild Turkey Federation's Longleaf Pine Workshop held at Kenansville. Tours of the Ammon Complex were given to Frank Barick, former Chief of Wildlife Management and to Don McKenzie, current Director of the National Bobwhite Conservation Initiative.

As part of the Commission's efforts to increase hunter opportunity and provide a high quality small game hunt, quail and rabbit hunts have been implemented on Corporate CURE lands through NCWRC's Permit Hunting Opportunities Program. In the 2010-2011 season there were 40 applicants, and in 2011-2012 that increased to 71 applicants. Four quail hunt parties were selected to hunt and reported high satisfaction with the opportunity. Table 2 shows almost one covey per hour of hunting has been recorded for farm employee hunts and special permitted hunt winners since 2006. The one rabbit draw winner did not show up for their hunt. We have four quail hunts and two rabbit hunts slated for the 2012-2013 season.

Table 1. Corporate CURE Management 2011-2012

<u>Farm Name</u>	<u>County</u>	<u>Farm Acres</u>	<u>Field Borders</u>	<u>Habitat Areas</u>	<u>NWSG</u>
Ammon/MB	Bladen	4011	136	46	44.5
Cypress Creek	Bladen	59			10
Turnbull Creek	Bladen	795	18	8	9
P12/19	Sampson	1591	18	21	7
Owens Branch	Sampson	220	5		5
Maquire/McDaniel	Sampson	180	3	3	1
Peter's Creek Sow	Bladen/S	437	2	33	
Stafford	Sampson	371	2	7	
Southern Pines	Sampson	619	9	9	3
Simmons	Sampson	228	3	9	
3514	Sampson	246	3	1	
3501 3102	Duplin	420	7		
3713	Sampson	84	5		
Merrit	Sampson	159	1	1	
Waycross	Sampson	88	1.5	2	
Kilpatrick	Sampson	115		1	8
Rivenbark/Waters	Duplin	355	5	5	
Beroth	Duplin	126	7	7.5	
Peg Leg	Sampson	139	2		
2104 2106	Sampson	394	7		
DM	Sam/Dup	4900	26	33	4
Century Farms	Sampson	129	3.1	3.4	
<b>TOTALS</b>	<b>22</b>	<b>15666</b>	<b>263.6</b>	<b>189.9</b>	<b>91.5</b>

Table 2. Hunt Results

HOURS HUNTED	COVEYS FLUSHED	QUAIL HARVESTED	RABBITS SEEN	RABBITS HARVESTED
121	99	149	53	2

Information on Farm Bill and general technical guidance has been provided to landowners in Bladen, Duplin, and Sampson Counties through 107 site visits and 947.5 hours of verbal and written guidance. Farm Bill plans have been written for eight tracts totaling 783.9 acres. Many of these plans are written with the objective of restoring longleaf pine and improving woodland groundcover with prescribed fire.

This project continues to showcase the benefits of a cooperative effort. As this project moves forward, we are looking to work with as many landowners as possible to create

much needed early successional habitat. The focus will be on filling in the gaps between Suggs Mill Pond Game Land (a CURE Game Land) and the larger farm tracts. However, land management assistance will be provided to those who ask for it anywhere in the focal area.

## **USDA Farm Bill Technical Assistance**

### Technical Assistance Biologists (TABs) in NRCS Area Offices

#### *Coast*

The Coastal TAB position has been vacant since May 2010. Other Private Lands biologists continue to provide advice to NRCS when opportunities arise. This is the region of North Carolina with the highest amount of agricultural lands and most opportunity for improved wildlife habitat through enhanced delivery of Farm Bill programs. Filling this position should be an agency priority.

#### *Piedmont*

The Piedmont TAB has provided both general technical assistance and specific guidance for NRCS programs for thousands of acres of habitat during fiscal year 2011-2012. A total of 20 habitat management plans were developed for NRCS projects totaling 2,707 acres (Table 3). The Piedmont TAB assisted landowners with planning, site preparation, and planting of 125 acres of NWSG and forb mixtures.

The Piedmont TAB was involved with strategic planning activities to shape conservation in the Piedmont involving both NRCS and non-NRCS programs. In 2011-2012, he served as the co-chair of the Land Trust for Central North Carolina Stewardship Committee which makes recommendations for almost 4,000 acres owned by the Land Trust. The TAB has continued to be active in the Greater Uwharrie Conservation Partnership (GUCP) focusing most of his time on the GUCP Stewardship Committee. The Piedmont TAB was involved in shaping Farm Bill program implementation across the state by fostering relationships with landowners, NRCS staff, and partnering professionals. He is heavily involved in developing the practices and implementation procedures for the "EQIP forestry" program and NRCS's "Longleaf Initiative". The TAB is very active in the Wildlife and Forestry subcommittee of the NRCS State Technical Committee and serves as the chair of the NRCS Area 2 Forestry Taskforce. This Taskforce contains representatives from 5 partnering agencies and identifies forest management concerns and develops the local EQIP ranking question to address these concerns within the 32 counties making up NRCS Area 2. The TAB attended local working group meetings for 6 counties and coordinated other NCWRC staff to have as much NCWRC presence as possible at local working group meetings in the Piedmont.

The Piedmont TAB assisted with several outreach events. He and other GUCP partners provided a workshop on the establishment and management of longleaf pine to 70 landowners at Montgomery Community College. The TAB also coordinated an early succession habitat field tour attended by a total of 15 people including landowners, NC Wildlife Federation, and NC Wildlife Habitat Foundation members. Additional special field tours were developed with participants including: National NRCS Biologist, NRCS Eastern Biologist, NRCS Eastern Forester, NRCS Eastern Pollinator Specialist, and NRCS North Carolina State Conservationist. The TAB also assisted state NRCS and Longleaf Alliance staff with planning and presentation of a Longleaf Pine “Short Course” for 28 NRCS, Soil and Water District, and NCWRC staff people.



Private Landowners and members from the North Carolina Wildlife Federation and the North Carolina Wildlife Habitat Foundation review Farm Bill-funded early-successional habitat in Anson County.

Table 3. Summary of NRCS Technical Assistance Biologists' Activities  
July 2011 - June 2012.

REGION	Habitat Plans Written (number)	Habitat Planned (acres)	Site Visits	Program Development Meetings (number)	Presentation at Outreach or Tech. Training Event (number)
Coast*	N/A	N/A	N/A	N/A	N/A
Piedmont	20	2,707	155	42	13
Mountain	32	750	120	39	16
Total	52	3,457	275	81	29

### *Mountains*

The Mountain Technical Assistance Biologist (TAB) provided habitat management assistance to develop 750 acres of habitat through NRCS programs during fiscal year 2011-2012. A total of 32 habitat management plans were developed for NRCS, Soil and Water Conservation District (SWCD), and Wildlife Conservation Land Agreement (WCLA) projects. The Mountain TAB assisted landowners with technical guidance, planting, and site preparation for 14 acres of native warm season grasses and forb mixes or pollinator mixes to improve habitat for early successional wildlife and habitat for native bees.

The Mountain TAB was involved with planning activities to improve conservation in Area 1 for all NRCS programs. He worked with NRCS District Conservationists, North Carolina State Extension, and North Carolina State Forest Service personnel in developing four special "Habitat Project Priority Areas" (HPAP) for WHIP in Madison, Haywood, Lincoln, Catawba, Rutherford, Polk, McDowell, Cleveland, and Macon Counties. Furthermore, he has met with the Land Trust of the Little Tennessee River in Macon County and the Foothills Conservancy in McDowell and Rutherford County and assisted NRCS personnel and other landowners in submitting individual projects and developing conservation plans.

The Mountain TAB participated in numerous outreach events involving the Soil and Water Conservation District's Area Envirothon, the Dixie Deer Classic in Raleigh, the North Carolina Cattlemen's Convention, Cleveland County Sportsmen Club, Woodland Series Workshop, and Mountain State Fair. Furthermore, he also assisted the Soil and Water Conservation District covering wildlife and habitat needs on field days for fourth and fifth graders in Macon and Madison Counties.

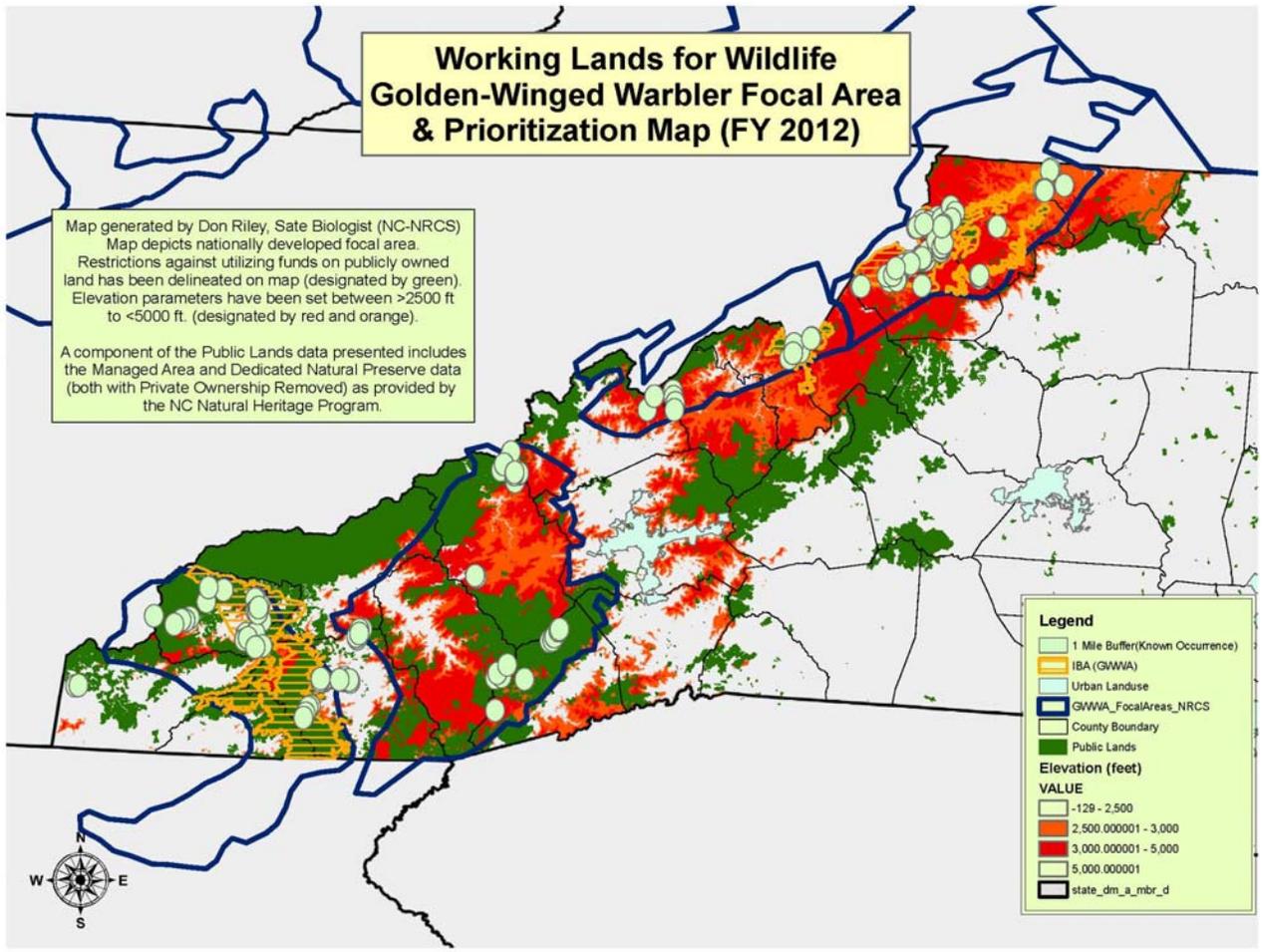
The U.S. Department of Agriculture announced a new initiative in April 2012 called Working Lands for Wildlife (WLFW) that is an effort between the Natural Resources Conservation Service and the U.S. Fish and Wildlife Service (USFWS) targeting selected at-risk species whose decline may be reversed given sufficient resources and landowner participation on private and Tribal lands. The target species in North Carolina for this initiative is the golden-winged warbler (see map and picture below). The NRCS received a total of sixteen applications for the program on Tribal and private lands that were ranked High, Medium, and Low based on the elevation and proximity of local bird populations. All North Carolina funds for the WLFW program were allocated with some applications remaining for the future.



## Working Lands for Wildlife Golden-Winged Warbler Focal Area & Prioritization Map (FY 2012)

Map generated by Don Riley, State Biologist (NC-NRCS)  
 Map depicts nationally developed focal area.  
 Restrictions against utilizing funds on publicly owned land has been delineated on map (designated by green).  
 Elevation parameters have been set between >2500 ft to <5000 ft. (designated by red and orange).

A component of the Public Lands data presented includes the Managed Area and Dedicated Natural Preserve data (both with Private Ownership Removed) as provided by the NC Natural Heritage Program.



**Legend**

- 1 Mile Buffer(Known Occurrence)
- IBA (GWWA)
- Urban Landuse
- GWWA\_FocalAreas\_NRCS
- County Boundary
- Public Lands

**Elevation (feet)**

**VALUE**

- 129 - 2,500
- 2,500.000001 - 3,000
- 3,000.000001 - 5,000
- 5,000.000001
- state\_dm\_a\_mbr\_d

## **Wildlife Conservation Land Program**

The Wildlife Conservation Land Program continues to generate interest from a diverse group of private landowners. Staff with the Private Lands Program and the Wildlife Diversity Program developed Wildlife Habitat Conservation Agreements with 28 landowners in 16 different counties during the 2011 tax year. Twenty five additional inquiries and site visits occurred throughout the year on other properties, but for various reasons those properties did not qualify for the program. For some properties, we determined that other programs were more suited for their particular land management objectives. The most frequent reason for not qualifying for the program was the requirement of having 20 contiguous acres of qualifying habitat. This is most common in the piedmont region where property ownership is smaller and connecting 20 acres of qualifying habitat is more difficult.

Rock Outcrop conservation led the enrolled habitat category in 2011 with nearly 534 acres enrolled in this category. Stream and Riparian Zone habitat encompassed 352 acres, and protection of timber rattlesnakes followed a close third with 320.43 acres. The timber rattlesnake protection was qualified on 4 properties (1 in Madison County, 1 in Rutherford, and 2 in Randolph Counties). There were 124 acres of early successional habitat enrolled along with 20 acres of small wetland communities and 29 acres of Golden Winged warbler habitat.

Multiple qualifying habitats occurred on the qualifying acres within 10 agreements. For example, many rock outcrops and their associated buffers also overlapped with qualifying stream and riparian zone habitat, small wetland habitat, and early successional habitat. Therefore, the actual amounts of qualifying habitats conserved are greater than the numbers presented if individual habitat types are considered.

In the fall of 2011, WRC instituted a more detailed tracking mechanism that will enable more specific accounting of costs for WCLP implementation. Over 1,442 staff hours were recorded to this activity in 2011 at a cost of \$41,088. Of that dollar amount, \$34,613 were spent on activities associated with the landowner contacts, plan reviews, reporting, and other activities that must be paid with state funds. With the implementation of the detailed tracking mechanism, annual expenditures for the technical guidance portion of the program will be more complete in 2012.

The program continues to be well received by private landowners, and the opportunity to conserve priority habitats remains high. The long-term effects of

allowing landowners to retain their property, manage for priority habitats, and ultimately work with WRC staff to improve habitat over time are substantial. Administrative and legal questions continue to present themselves as new counties, landowners, and other entities become involved in the program. The WRC has continued to work with County Tax Assessors, the NC Department of Revenue, and private landowners to ensure the program is administered and applied within the context of the law as written and with the obvious intent of protecting/conserving priority wildlife species and habitats.

A more detailed report outlining agreements signed for the 2011 tax year by county, qualification type, total acres, and additional information is available from the Private Land Coordinator.

### **Western Piedmont CURE Focal Area**

The CURE program continues to adapt, and interest in native warm season grass (NWSG) remains strong. While direct benefits to wildlife may be marginal, we feel “production” NWSG is superior to fescue and remains the best large-scale hope for many early successional species in the western Piedmont.

During the past 6 years, we have been providing technical assistance to landowners willing to plant NWSG such as switchgrass, big bluestem, and eastern gamagrass for livestock forage and wildlife habitat enhancement. During the first 3 years of the program, we converted 35 fields totaling 316 acres on 19 farms. These farms were enrolled in the CURE program, and cost share money was made available at \$180/acre.

#### The Good News:

During the past 3 years, 10 new landowners and 4 repeat landowners asked for assistance with planting 207 additional acres of NWSG, and these landowners paid for the conversions themselves. The reasons for the continued interest in NWSG are many, but the most important factor has been the sharp decline in seed and herbicide prices. Conversion costs have been reduced by as much as 45% depending upon seed variety, and this, coupled with increased exposure to NWSG, has caused their popularity to continue to rise.

While reduced cost has been the most important factor in the continued interest, we also believe that interest is up because NWSG is gaining in popularity among the farming community. One of the goals of CURE was to popularize the use of NWSG as forage for livestock, and by planting a few fields in key locations the interest for these previously unknown grasses has grown. The public has had a

chance to watch these fields grow for six years, from the initial conversion, all the way to harvest. Many are excited by what they see and therefore better able to understand how these forages could have a positive impact for their farm. Most landowners are willing to plant native grasses simply because they produce such excellent forage and are more drought-tolerant compared to traditional grasses such as fescue.

#### Some Challenges to Overcome:

Wildlife habitat has been impacted positively due to conversions from traditional fescue to NWSG. Staff and landowner observations as well as formal surveys have shown some positive trends for wildlife. Year-to-year fluctuations in how the landowner chooses to utilize their production hayfields dictates the quality of habitat that is provided for wildlife during the spring and summer. In some cases, this has been to the detriment of wildlife while at other times it has been to the benefit of wildlife. The primary reason for this has been the timing of haymaking. Often, for a variety of reasons, the fields have been mowed much later than traditional forages while at other times it has been at the same early date that traditional forages have been cut. There seems to be no way of telling on a given year which will happen, but at least in some years, the cover is retained well into the nesting season.

Other factors such as forage type, seeding rate, juxtaposition to other suitable habitats, field age, field size, and the amount of winter cover retained have all affected the overall impacts these conversions have had for wildlife.

Unfortunately, not all of the landowners have been willing to utilize these grasses in ways that would be most beneficial for wildlife. For example, most fields are being used for hay production when grazing would be our preferred method for harvest. In some cases, winter cover has not been retained at suitable heights because of concerns for the quality of the next year's harvest due to unwanted thatch. Heavy amounts of winter cover also impact landowner willingness to burn in the early spring due to concerns over the size of the fire and the potential negative impacts of large fires. Many are very frightened of fire, and wildlife species are not getting the benefits that additional winter cover could provide. Education will need to continue to be a large part of the solution to the problem of merging the needs of the landowner and wildlife.

#### One specific example:

We are very excited about the publicity that one of our newest fields is getting in Iredell County. This field is 25 acres of big bluestem and is located along one of the busiest roads in the northern portion of the county. The field was used for

hay production this summer, and the landowner hopes to use the field for pasture in the long-term. Also, Bamert Seed Company paid the landowner to erect one of their ad signs along with literature about big bluestem along the highway. This field is off to an excellent start and should be a beautiful showpiece for the future while encouraging other landowners to try NWSG.

### The Big Picture:

We feel that production NWSG may be the key to having a positive impact on early successional habitat in the western piedmont. There are few landowners willing to convert large fields to function solely as wildlife habitat without cost-share programs. Landowners need to be able to make money from each acre of their open land. Therefore, in order to convert enough acres to suitable habitat, it must be done through production-oriented fields. Many farms have a few small patches that provide suitable early successional habitat. However, to make a difference on a landscape scale, we must continue to find suitable production-oriented options that satisfy the needs of the farmer and wildlife. Hopefully, NWSG conversion costs will remain cost-competitive with other forage types so landowners will continue to use NWSG as a viable option for the benefit of their farms and wildlife.

### **Benthall Plantation CURE Cooperative**

CURE Phase II was designed to work concurrently with the Conservation Reserve Program (CRP, practice CP-33) and the Conservation Security Program (CSP). Therefore, the U.S. Department of Agriculture paid part of the costs of the program for field borders and habitat areas. On May 1, 2008, the CP-38e (State Acres for Wildlife Enhancement - SAFE) program began in the Northern Coastal Plain. The program allows landowners to remove whole fields from production and establish early-successional habitat. Because CURE Phase II worked concurrently with these federal programs, contract obligations still exist with the landowners. Some acreage was destroyed and reverted back to agricultural production. However, some acreage was required to remain intact due to the federal contracts. Therefore, due to the contract requirements, rental payments (\$25/acre) will continue until as late as August 30, 2016 in CURE Phase III (Table 4). We will continue to provide technical guidance as needed.

Table 4. Summary of Benthall Area CURE Landowner Payments  
July 2011 - June 2012.

Landowner(s)	Total Acreage	Acres Managed Under CURE	Acres Rented Beginning of Phase II	Acres Currently Rented	Expiration of Contract
Bennett Brothers	1062	84.6	64.45	13.14	09/30/14
Dr. Charles Cooke	346	89.8	20.45	20.45	09/30/16
Charles Grantham	909	52.5	52.49	10.79	09/30/14
Holly Oak Swamp	275	37.6	38.76	31.80	09/30/15
Florence Powell	317	23.3	16.43	16.43	09/30/16
Elizabeth Shoulars	575	12.4	12.46	8.51	04/01/16
Vincent Wyche	1390	72.0	73.80	9.61	09/30/14

Various management practices have been employed to increase and improve early-successional habitats, but the primary practice has been the establishment of field borders on crop fields. Approximately one-half of field border and habitat area acreage was disked each spring. Tree seedling encroachment in the field borders and habitat areas was a problem throughout CURE Phase I because of the 3-year disking rotation. CURE II specified a 2-year rotation which reduced the seedling competition. The timing of disking also was altered to allow habitat to be useable throughout the winter. Disking regimes shifted from a fall disking to disking in March. Planting of field borders with wheat was discontinued during CURE II. Other practices included prescribed burning of timber stands and controlling hardwoods in field borders through selective herbicide application.

Approximately 75% of the habitat remains intact on Benthall. The landowners' strong land ethic and commitment to the program post-completion and contracted CRP acreages should ensure the habitat will remain for the foreseeable future. Observations from landowners still continue to indicate that the quail population on the Benthall CURE area is increasing as a result of our management. Landowners continue to burn and rotationally disk remaining habitat areas. No new projects were undertaken during 2011-2012.

## Rowland CURE Cooperative

During the 2011-2012 period, the District Biologist maintained contact with several of the landowners enrolled in the Cooperative. At the conclusion of the formal CURE program, 6 of the original 11 landowners enrolled their field borders into the CRP CP-33 initiative and receive an additional \$25.00 annual incentive payment from the NCWRC. The contracts with the FSA and the NCWRC are scheduled to expire in fiscal year 2017. Periodic spot checks were conducted by the District Biologist and FSA to ensure compliance. Rowland CURE incentive payments for the July 2011-June 2012 fiscal period totaled \$2,470.50.

The landowners continue to manage for early successional habitat, and during the early spring of 2012, two landowners conducted intensive prescribed burning of their timber holdings within the original cooperative area. Presently, they are burning on a biannual basis. At the outset of the Rowland Cooperative, the NCWRC recommended an annual burning regime to reduce significant fuel loads and reduce the risk of wildfire. With the removal of this fuel, burning was reduced to a 2-year fire frequency.

Presently, the field borders are being maintained and are in good to excellent condition. The prescription is to disk 50% of all borders on an annual late spring rotational schedule.

Overall, the Rowland CURE Cooperative, although reduced by nearly half of the former cooperators, continues to maintain an interest in managing wildlife habitat. One landowner planted sorghum to provide additional habitat for birds. One landowner is hunting Bobwhite Quail on the area and has had good success. Some of the landowners, on their own initiative, are continuing and even supplementing the original CURE program to enhance wildlife habitat on their lands without the benefit of cost-share programs.

## **GAME LAND CURE MANAGEMENT**

### **R. Wayne Bailey-Caswell Game Land**

The past year saw an increase of 379 acres of “treated” CURE acres over the previous year. This can be attributed to the increase in prescribed burn acreage. During the past burn season, 691 acres were burned as compared to only 354 last year. The early successional habitat and groundcover created and maintained by repeated prescribed fires continues to remain dominated by an impressive diversity of beneficial legumes, grasses, shrubs, and forbs. The CURE Area is now entirely in the maintenance phase with fireline construction, herbicide applications, and prescribed burning as the primary objectives.

Aerial application with Arsenal herbicide was performed on 247 acres of CURE VI and VIII last October. With the exception of some overgrown pine thinnings and a few small older loblolly pine regeneration areas, this herbicide application was focused on releasing the loblolly pines planted in 2009 in the CURE VI and CURE VIII clearcuts. Excellent results were apparent at the onset of the growing season this past spring with virtually all of the competing hardwood sprouts appearing severely damaged or dead. The herbaceous groundcover has responded nicely with increased diversity since the removal of the undesirable woody competition. In the fall of 2012, we plan to release spray approximately 205 acres of CURE VII with most of this acreage being clearcuts that were reforested in 2010.

This past winter, the initial CURE I clearcuts (2003) were incorporated into a 287 acre CURE I Burn Block and were prescribed burned for the first time. Results were excellent, and although a few trees were lost in “hot spots”, the herbaceous response this spring was dramatic. Also, we completed the establishment of firelines around the CURE II timber sale. In 2004, approximately 134 acres were clearcut along with 47 acres of thinnings. These clearcuts were re-planted in 2005 and are now nearing eight years old when these pines will be ready for their first burn. They will be incorporated, along with existing burn blocks and thinnings, into a much larger burn unit. This new CURE II Burn Block will be approximately 358 acres. A dormant season burn is prescribed for this area early in late winter 2013.

Successional disking and fallow field management remain preferred for some permanent opening acreage due to the ease of maintenance, lower cost, promotion of vegetation diversity, and the overall wildlife benefits compared to traditional plantings. Alternating thirds of designated fields are disked on a three year rotation to maintain these areas in a state of old-field succession with varying degrees of species composition and habitat structure. The seed bank is surprisingly diverse with both seed-producing and cover-providing species growing between disking cycles. We feel that higher quality small game and wildlife habitat is created and maintained by disking compared to annual plantings. Mechanical removal or spot treatment with herbicides on invading woody vegetation is utilized on portions of these areas that are out of the current year’s disking rotation.

The feral hog problem that has plagued many sections of the CURE Area in recent years seems to still be expanding to areas surrounding the Game Land and private lands outside the CURE boundaries. Within the CURE Area, it seems to also be expanding again with reproduction clearly higher than in the last few years. Trapping effort has increased in intensity, and techniques have improved. The diligent use of trail cameras and mobile trap set-ups has greatly facilitated success. From a total of 193 hogs in 2007, 30 in 2008, zero in 2009, 10 in 2010, and 7 in 2011; there have been 68 hogs removed from the CURE Area so far in 2012. Hog activity appears to be much less concentrated but more widespread than in the past making detection and patterning more difficult.

Most of the catch this year has been composed of groups of sows with their litters of juveniles and piglets. The solitary hogs that remain are more scattered across the Game Land and have become extremely trap shy and almost impossible to catch. These individuals, thought to be mostly large boars, continue to evade trapping efforts. It is thought, by those involved with these trapping efforts, that the local population has now successfully colonized the majority of the R. Wayne Bailey-Caswell Game Land.

There still seems to be a fairly constant or only gradually increasing number of bobwhite quail in and around the CURE Area. Although fall covey and summer call counts have not indicated significant increases in the number of quail, they are continually being seen and heard in places where they were not found prior to CURE management. This year's fall survey of 14 points over two consecutive mornings by seven personnel recorded six coveys, up only one from last year. With the dramatic landscape and habitat alterations resulting from the acreage being converted to early successional habitat, there is now considerably more habitat for quail than there was just a few years ago. Since last year's Habitat Suitability Survey, the amount of habitat for quail that is useable for at least part of the year has increased by an additional 183 acres (+3.2%) though some acreage was lost by loblolly pine plantations which have aged out (>15yrs.). There is now 39.1% of the R. Wayne Bailey- Caswell CURE Area that can be considered useable habitat. The habitat suitability data indicated only 19.4% useable habitat in the CURE Area in 2005 when this survey began. This trend will continue in the upcoming years as more acreage from recent clearcuts ages into suitable habitat. In response, an increase is also expected in the populations of quail, small game, songbirds, and other early succession-dependent species.

### **Sandhills Game Land**

This past year, prescribed burns totaled 1,996 acres on the CURE Area. Approximately 610 acres were burned during the dormant season beginning in January through mid-March, and 1,386 acres were burned in the growing season during the last half of March, April, and May. These burns comprised 17 burn blocks. Burns were successful in stimulating the development and flowering of grasses on upland sites, controlling hardwoods and unwanted pine regeneration in riparian areas and uplands, and reducing fuel loads.

All burned areas show an increase in the amount of grasses and forbs with areas that have been burned in the growing season at least twice undergoing the most dramatic increase.

Flushes of birds seemed more prevalent during our daily activities this burn season. These trends should only continue due to our effort of burning more of the CURE Management Area and subsequently conducting more burns in the growing season. Surveys were conducted on the Sandhills CURE area including Habitat suitability, fall quail covey, and summer quail call counts. Survey data will be made available by the Wildlife Diversity report.

Approximately 20 acres of small grains were planted on the CURE area. This included millet, peas, and corn. About 3.5 acres of chufa were also planted.

### **South Mountains Game Land**

The South Mountains Game Land CURE Area includes 7,883 acres of the 21,647 acre game land. Some type of management was conducted on 1,635 acres in 2011-2012. The management highlight on the CURE Area for the past fiscal year was the completion of prescribed burning on four burn units totaling approximately 1,571 acres. Research monitoring plots were installed and photo points and data were collected pre-burn and post burn to evaluate fire effects on prescribed burned areas on one of the burn units. Timber harvest was completed on 17 acres. Songbird point counts and the useable habitat survey were conducted.

### **Suggs Mill Pond Game Land**

Suggs Mill Pond currently contains a total of 10,838 acres of uplands and wetlands. Under CURE, we have identified, monitored, surveyed, and intensively managed 2,800 acres. Timber management is a valuable tool that is used to promote lush ground cover and improve habitat. Prescribed burns were conducted on 721 acres to further enhance understory, promote early succession vegetation, and reduce fuel loads. This management required the maintenance of 14.25 miles of firebreaks. Plantings and maintenance of various food and cover crops occurred on 125 acres of openings on the Suggs CURE area and 25 acres of openings on additional Suggs Mill Pond property. Two miles of boundary maintenance occurred. Seven miles of roads and 20 miles of trails were maintained as necessary. Twenty-two acres were roller chopped for site preparation. One hundred sixty eight acres were treated for hardwood mid-story control, and 177 acres were salvage cut following the previous year's wildfire. Personnel also completed the following surveys: habitat suitability (winter and summer), vegetation (winter and summer), fall quail covey counts, summer quail call counts, winter bird surveys, and spring songbird counts.

Table 5. Summary of acres of habitat management on Game Land CURE areas, July 2011 – June 2012

Game Land CURE Area	CURE Area (Total Acres)	Total Acres Treated
R. Wayne Bailey-Caswell*	6,574	1,006.5
Sandhills	5,489	2016
South Mountains	7,883	1,635
Suggs Mill Pond	2,800	1,213.0

\*The total acreage for the R. Wayne Bailey-Caswell CURE Area includes CURE VIII.

Table 6. Summary of acres of forest management habitat activities on Game Land CURE areas, July 2011 – June 2012

Game Land CURE Area	CURE Area (Total Forest Acres)	Timber Sales Sold (acres)	Timber Sales (acres)	Firebreaks Built (miles)	Prescribed Burns (acres)	Herbicide Treated (acres)	Tree Planting-Site prep (acres)	Total Acres Treated
R. Wayne Bailey-Caswell	6,177	0	0	Maintained 9.6 New 2.0	691	247	0	938
Sandhills	5,236	0	0	Maintained 36.2	1,996	0	0	1,996
South Mountains	7,883	0	17	3.4	1,571	0	9	1,580
Suggs Mill Pond	2,570	177	177	14.25	721	168	22	1088

Table 7. Summary of acres of habitat management activities in permanent openings on Game Land early succession areas, July 2011 – June 2012

Game Land CURE Area	CURE Area (Total Acres of Permanent Openings)	Openings Developed (acres)	Openings Reclaimed (acres)	Plantings (acres)	Treated with Herbicides (acres)	Maintained –mowing, disking, burning (acres)	Total Acres Treated (Do not double count acres treated more than once)
R. Wayne Bailey-Caswell	283.0	0	2	35	0	31.5	68.5
Sandhills	253	0	0	20	0	0	20
South Mts.	59.4	0	0	15	25	15	55
Suggs Mill Pond	229.6	0	0	125	0	0	125

Table 8. Boundary marking for Game Land CURE areas, July 2011- June 2012

Game Land CURE Area	Miles CURE Boundary Posted
R. Wayne Bailey-Caswell	0
Sandhills	0
South Mountains	0
Suggs Mill Pond	2

Table 9. Expenditures on Game Land CURE areas, July 2011- June 2012

Game Land CURE Area	Equipment	Contracts	Ag Supplies	Other	Total
R. Wayne Bailey-Caswell		\$13,461.50	\$1,225.00		\$14,686.50
Sandhills	0	0	\$700		\$700
South Mountains	0	\$1,008*	\$3,500	0	\$4,508
Suggs Mill Pond	\$0	\$0	\$10,360	\$0	\$10,360
Total					

\* Tree Planting

These expenditures were utilized in part on CURE Game Land areas but were not funded from the Cure budget. (R. Wayne Bailey-Caswell agricultural supplies values calculated by estimating \$35/ac for planted acreage.)

Summary of any outreach efforts (media days, tours, articles etc.):

Three tours on R. Wayne Bailey-Caswell - Field Trip for NCSU Wildlife Summer Camp, Field Trip for Catawba College, Wildlife Ecology and Management Class and Field Tour for the Annual Meeting of the NC Chapter of the Wildlife Society.

Tour on Suggs Mill Pond for the National Bobwhite Conservation Initiative (NBCI) Coordinator

R. Wayne Bailey-Caswell - Permit deer hunts for disabled and youth in five Handicapped Accessible Blinds on the "Restrictive Zone."

Suggs Mill Pond- Conducted normal permit hunts on game land that includes disabled deer, waterfowl, small game, except bobwhite quail and woodcock, dove, deer, wild turkey and trapping for furbearers. Developed small game hunt opportunity for bobwhite quail for 2012-2013 season.

## BIOLOGICAL MONITORING

The focus of CURE biological monitoring efforts in the past year was on sharing results and re-evaluating information needs as we go forward. This report will not discuss those results (which were largely summarized in the 2010-2011 CURE report) but will review activity from the previous year and discuss program needs going forward.

In the past 1.5 years, biological monitoring results have been presented to WRC staff and other stakeholders at Suggs Mill Pond, Sandhills, R. Wayne Bailey-Caswell, and South Mountains Game Lands, Murphy Brown cooperative, NC State and NCWRC Raleigh office staff, SE Partners In Flight regional meeting, and NC Partners In Flight. These presentations had a total of 199 people in the audience (though with some individuals attending more than one presentation).

Management recommendations were presented to land managers at each of the CURE areas based on the monitoring results. These land managers were asked what information they want or need to evaluate results and make future decisions. All expressed a desire to continue spring quail surveys and annual useable habitat evaluations. The foresters will take the lead on continuing useable habitat evaluations while there remains a need to identify a lead for some areas for the quail surveys. There were mixed opinions expressed on continuing fall quail covey surveys with the main concern being the limited information gained in areas with low quail density compared to the high manpower investment. Call playback surveys may help to overcome the problems with surveying low quail densities. There is also an interest in continuing songbird point count surveys on R. Wayne Bailey-Caswell and Sandhills and Bachman's sparrow surveys on Sandhills Game Land. Wildlife Diversity staff will take the lead on continuation of songbird and Bachman's sparrow surveys. Other CURE-related surveys on Game Lands (including vegetation surveys, winter bird surveys, nest searching, and spot mapping) have been completed or discontinued. All long term monitoring surveys are being continued on the corporate CURE area.

Future Game Land management activities and biological surveys related to CURE should be addressed in the Game Land Management Plans. These plans should spell out the information needs and identify who will be responsible for coordinating surveys, collecting data, entering and summarizing data, and presenting results. A similar plan should be developed for addressing information needs in the Southeastern Focal Area.

The CURE Surveys Biologist position was lost in late 2009. From 2009-2011, the Piedmont Wildlife Diversity Supervisor has attempted to maintain coordination of long-term surveys and summarize results. The Piedmont Wildlife Diversity Supervisor is not able to continue to maintain CURE survey coordination on top of other job responsibilities. There are also limits on the capacity of other staff (i.e., Surveys and Research Biologist, Supervising Wildlife Biologist for the Wildlife Habitat Group, Technical Assistance Biologists, and land managers) to take over this role. This situation leaves us with a vacuum in leadership, coordination, implementation, analysis, and reporting for CURE surveys going forward.

## **RECOMMENDATIONS FOR MOVING FORWARD WITH CURE ACTIVITIES**

- **Maintain the Southeastern Focal Area (SEFA) as the NCWRC's premier private lands focal area for quail and early successional wildlife species**
- **Maintain an involvement with County, State, and National Farm Bill issues to improve delivery within North Carolina**
- **Explore opportunities to expand CURE on Game Lands where existing work is already compatible with CURE objectives or where opportunities exist that are not being utilized**
- **Develop a comprehensive monitoring plan for both private and public lands to determine species response to CURE activities**
- **Work within National Bobwhite Conservation Initiative (NBCI) guidelines to develop at least one focal area on private lands and one focal area on public lands within North Carolina.**

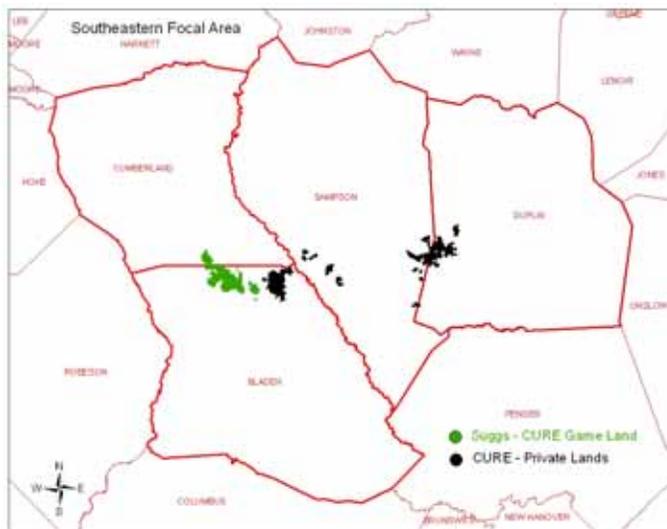
*A North Carolina Success Story*

*Hogs and Logs and Blueberries*  
*... and QUAIL!*

More than 200

years ago, turpentine manufacturing, along with lumber and agriculture, were the primary industries in North Carolina's Cape Fear River region. In fact, some claim the region's early history of monstrous rafts of tar, pitch and turpentine barrels lashed together and floated down river to the coastal port just a few miles away eventually gave rise to the state's moniker, the Tar Heel State.

Today, this agricultural region is still known for "hogs and logs," and now a thriving commercial blueberry industry. But four of this region's counties --Bladen, Cumberland, Duplin and Sampson -- are becoming known for yet another natural resource – bobwhite quail. In fact, the area boasts some of the highest quail populations in the state ... and with no predator removal or supplemental feeding on properties being managed by the North Carolina Wildlife Resources Commission's (NCWRC).



*This North Carolina Wildlife Resources Commission project boasts some of the highest quail numbers in the state.*

*All Photos:  
Benjy Strope*



The NCWRC approach is a prime example of the national strategy to restore wild quail embraced by the 25 state wildlife agencies that comprise the National Bobwhite Conservation Initiative (NBCI). Rather than trying to create and manage habitat on small, scattered plots of land as they have done for decades, states like North Carolina are now eyeing larger parcels for greater, landscape-scale impact on quail populations. They may, for instance, identify a wildlife management area or other suitable large property as the core and then “stitch together” neighboring private or public lands to magnify the impact of available resources and quail response to them.

To the northwest, for example, Kentucky is building one effort around a 3,000-acre tourism attraction, Shaker Village. North Carolina is doing it based on the opportunity to work with the world’s largest hog producer, Murphy-Brown, LLC and other privately-owned agricultural operations. Work here is centered in Bladen County on 4,000 acres of swine, cattle and row crop operations that are adjacent to the Suggs Mill Pond Game Lands, which is a part of the NCWRC’s CURE (Cooperative Upland habitat Restoration and Enhancement) program.

In 2005, Murphy-Brown became the state’s first Corporate CURE partner. Corporate CURE utilizes funds from the North Carolina Department of Justice’s (NCDOJ) Environmental Enhancement Grants (EEG) designed to improve water quality while providing wildlife benefit. Initial habitat work included development of field borders (mostly 10 to 60-foot-wide linear strips of natural vegetation such as marehail, dog fennel, broomstraw, blackberry, sumac, smartweed and pokeberry), habitat areas (blocks of the same natural vegetation or planted in a mix of native warm season grasses and forbs), and areas of native warm season grasses. The grasses included switchgrass, little and big bluestem and indiagrass. The forbs we used included purple cone flower, partridge pea, black-eyed susan, lance-leaved coreopsis, and Maximilian sunflower.



Biologists monitor quail numbers on the original project area by summer whistle counts and fall covey counts. Average summer whistle counts on 22 points have always been above three birds/ point since 2003. The past two years averaged over four birds/point. Biologists conduct fall covey counts in mid-October on 12 points, and the adjusted covey call average in 2003 was 3.12. In 2009 and 2010 the covey calls had an adjusted average of 4.8/point, while in 2011 they averaged 5.5 coveys/point.

Since the initial efforts, the quail focal area expanded—accompanied by similar habitat management efforts -- into Cumberland, Duplin and Sampson counties with additional commercial farms (DM Farms, Nash Johnson and Prestage Farms) all partnering with the state CURE program. And the number of enrolled properties continues to increase. This Southeastern Focal Area now includes improved wildlife habitat and water quality on 15,666 acres of commercial farmland, with 263 acres of field borders, 190 acres of wildlife habitat areas, 91 acres of native grasses. In addition, 170 acres of longleaf pine have been replanted in upland clear cuts, while 23 acres of bottomland were replanted in oaks and cypress.

“As the project moves forward we hope to engage as many landowners as possible to create much needed early successional habitat that benefits bobwhite quail and other declining species of songbirds,” said Mark Jones, with the North Carolina Wildlife Resources Commission’s Private Lands Program. “We’re focusing on filling in the gaps between Suggs Mill Pond Game Lands (where 2,800 acres are managed for early-successional habitats and represent one of four Game Land CURE areas in the state), and the larger privately-owned farm tracts. We hope to cross property lines and unite the farming community on a common goal of more environmentally and economically sound farming practices along with better wildlife habitat”. “Education and outreach has always been a priority with this project,” said Benjy Strobe who works on the Corporate CURE areas daily as a Technical Assistance Biologist with the Commission. “We work with the North Carolina Cooperative Extension Service, North Carolina State University and other agencies to provide free wildlife and water quality workshops each year. Interested landowners, farmers or natural resource personnel, 255 so far, attend these sessions to learn about a variety of subjects ranging from field borders, forest management, and water quality to quail ecology, Farm Bill programs, native grasses and beneficial insects.”



Technical and financial assistance has been, and continues to be, an important tool for habitat management for private landowners within the focal area. Work on Corporate areas can be covered with funds from the EEG. On other private lands from 2005-2010, assistance was furnished by the federal Landowner Incentive Program (LIP) in the same four counties as the current focal area. LIP had 3,162 acres enrolled with a focus to restore longleaf pine. Last year, LIP was essentially replaced

by USDA Farm Bill habitat programs that provide cost-share. Wildlife Resources Commission biologists provide management plans and implementation guidance for all cooperators. “This project represents a glimmer of hope for early-successional habitat management and bobwhite management in an otherwise bleak world for these habitats and birds.



“There is also no doubt that many of these early-successional practices benefit reptiles, amphibians, fish, and other aquatic resources through improved water quality in keeping with the original intentions of the NCDOJ's EEG. We hope we can continue to grow this effort,” Jones said.

And the Wildlife Resources Commission will provide free land management advice to any landowner in the focal area who asks, according to Jones.



# EXHIBIT E-1

January 17, 2013

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

### -PHASE I: INITIAL INVESTIGATION-

---

**WRC Staff Contact:** Todd Ewing

**Date First Presented to WRC:** January 17, 2013

**Tract Name:** Duvall Tract (Little Tennessee River)

**Acreage:** 39.12

**County:** Macon

**Estimated Value:** \$280,000 (includes price landowner is willing to accept)

**Property Owner or Representative:** Sharon Taylor, Land Trust for the Little Tennessee

**Phone:** 828-524-2711 x 202

**Address:** PO Box 1148, Franklin, NC 28744

**Status:**  High Interest       Moderate Interest       Low Interest       No Interest

**Grant Potential:**  NHTF       CWMTF (Land Trust for the Little Tennessee has been awarded \$147,500 as of December 2012)

OTHER (explain): Section 6 or State Wildlife Grant

#### **Resources Assessment and Biological Benefits (brief):**

This tract is adjacent to the Needmore Game Lands and is comprised of two parcels. It has approximately 2600 feet of frontage on the Little Tennessee River. Acquisition of this tract will help protect three federally-listed species; the Appalachian elktoe, the littlewing pearl mussel, and the spotfin chub and multiple other Wildlife Action Plan species. This tract will also offer angler access to the Little Tennessee River which contains a popular smallmouth bass fishery.

#### **Additional Comments:**

**Program Potential:**  Game Land       Wildlife Conservation Area       Fishing Access Area  
 None

#### **Potential Source(s) of Stewardship Funds (indicate federal:state match rates):**

Sportfish Restoration funds / F-108 - (75% Federal: 25% State) , State Wildlife Grants (65% Federal: 35% State)

**Relative Priority Evaluation Score (attach worksheet):**

28

**Recommendation:**  Pursue Acquisition       Defer       Do not Pursue Acquisition

**Map Attached:**  Yes       No

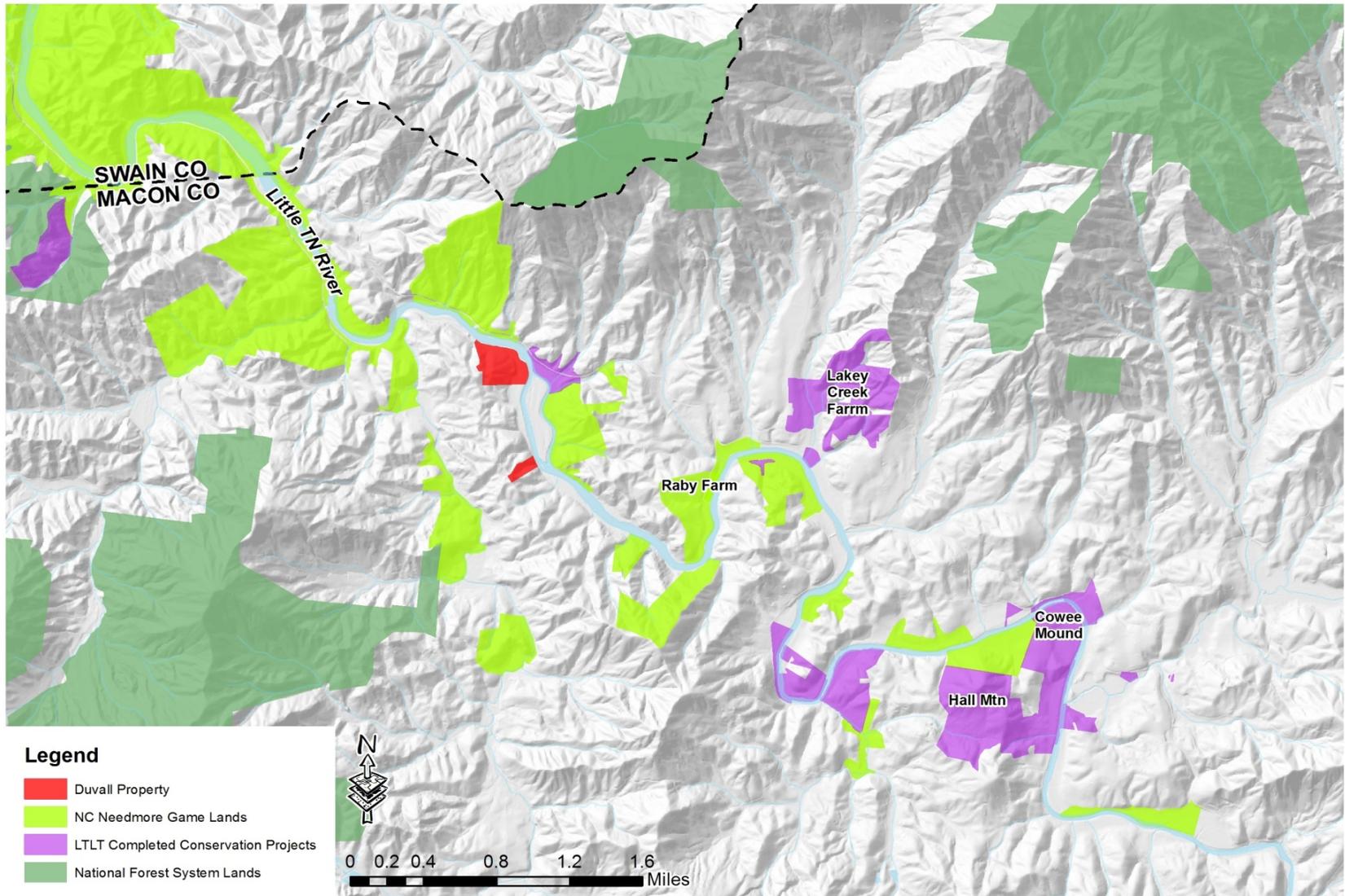
# WORKSHEET

## Relative Priority Evaluation for Conservation Lands

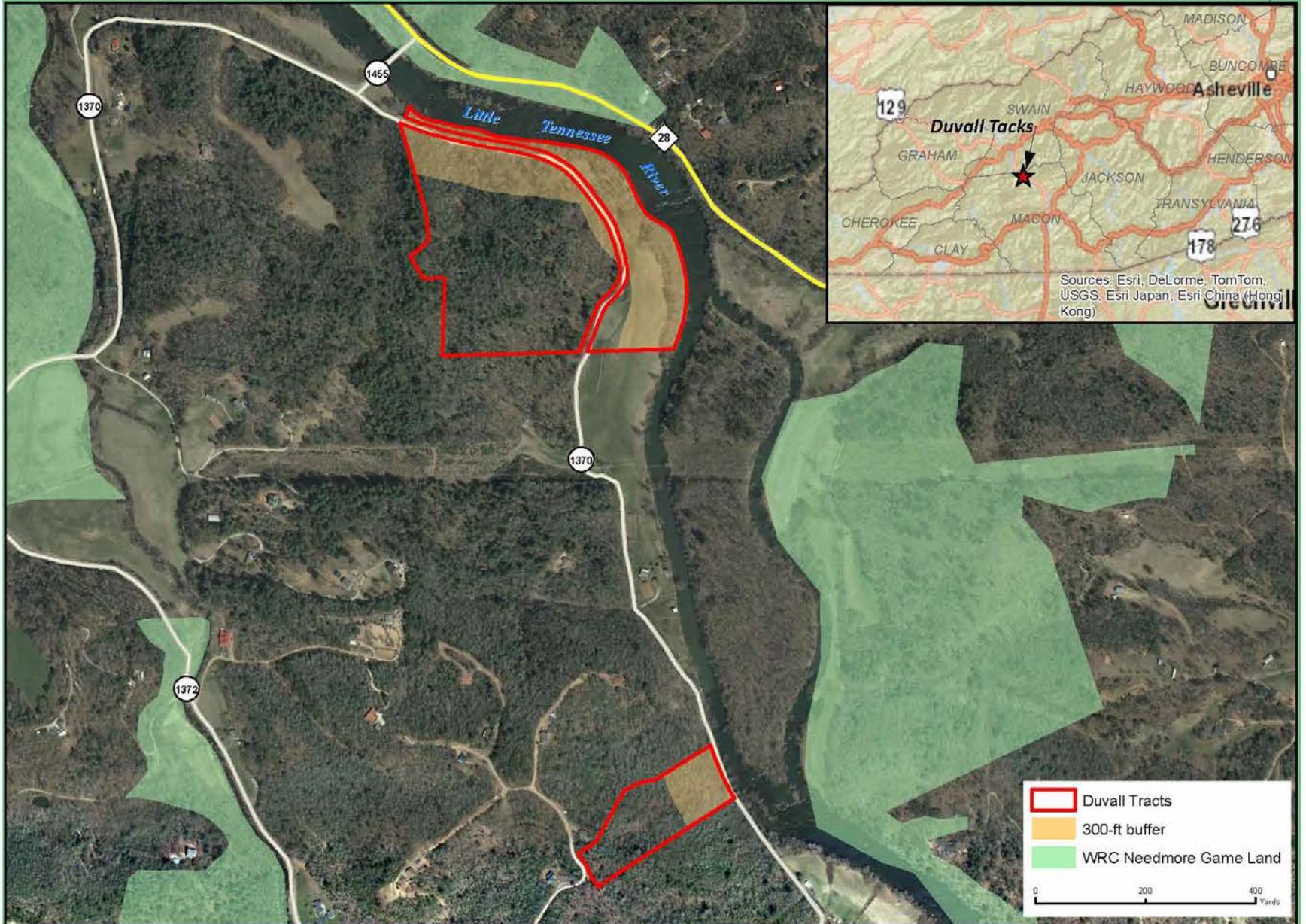
Tract Name (Focal Area) Duvall Tract (Little Tennessee River)

Criterion	Score (1-5) 5=Excellent 1=Poor
1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.	<u>5</u>
2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.	<u>4</u>
3. No conflicting surrounding land uses.	<u>4</u>
4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.	<u>5</u>
5. Augments land conservation efforts on a landscape scale by providing nuclei (“anchors”) for regional conservation efforts, corridors, key linkages between conservation areas, or keystone tracts.	<u>5</u>
6. Fills a need identified by the Wildlife Action Plan, such as critical, rare or unique habitats; natural heritage elements; or significant aquatic/terrestrial resources.	<u>5</u>
7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?	<u>No</u>
8. Is it large enough to be a new game land, and if not, are there possibilities for expansion (goal 3,000-5,000 minimum)?	<u>Yes</u>
9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?	<u>Yes</u>
<b>TOTAL SCORE</b>	<u><u>28</u></u>

# Needmore Game Lands Expansion Opportunity LTLT - October 2012



**NC WRC Land Acquisition - Phase I**  
**Duvall Tracts: 39.12 acres, Macon County**



# EXHIBIT E-2

January 17, 2013

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

### -PHASE I: INITIAL INVESTIGATION-

---

**WRC Staff Contact:** Christian Waters

**Date First Presented to WRC:** January 17, 2013

**Tract Name:** Lewiston (Red Hill) Boating and Fishing Access Area

**Acreage:** +/- 3.5 Acre

**County:** Bertie

**Estimated Value:** \$75,000

**Property Owner or Representative:** E. Warren Matthews

**Phone:** 434-447-9135 (cell); 434-636-6363 (office)

**Address:** P.O. Box 369  
Bracy, VA 23919

**Status:**  High Interest       Moderate Interest       Low Interest       No Interest

**Grant Potential:**  NHTF       CWMTF       OTHER (explain): Federal Aid in Sport Fish Restoration

**Resources Assessment and Biological Benefits (brief):** Approximately 3.5 acres available for development of a boating access area and fishing pier on the Roanoke River in Bertie County near Lewiston. This location would provide much needed bank fishing access in Bertie County at the request of local anglers, Bertie County commissioners, and other elected officials. The area would also provide boating access to the Roanoke River in a strategic location between existing access areas located near Hamilton and Scotland Neck (Edwards Ferry). The Commission would construct dual concrete ramps with a floating dock, a parking lot for 25 trailers, a fixed fishing pier, and an area for single vehicle parking. The Commission's Upper Roanoke River Wetlands Game Land (Urquhart Tract) is located directly across from project site.

**Additional Comments:** Direct access to property from Weeping Mary Road, SR1128.

**Program Potential:**  Game Land       Wildlife Conservation Area       Fishing Access Area  
 None

**Potential Source(s) of Stewardship Funds (indicate federal:state match rates):** Federal Aid in Sport Fish Restoration (75% federal:25% state)

**Recommendation:**  Pursue Acquisition       Defer       Do not Pursue Acquisition

**Map Attached:**  Yes       No

# Potential Water Access Site Assessment Report

Documenters: **Mark Hamlett** Date: **September 18, 2012**

Others present/Affiliation & Contact Info: **Chad Thomas (Inland Fisheries), Tim Wadsworth (Enforcement), Pat Warmack (owner's representative)**

## SITE LOCATION

Access Area Name: **Lewiston-Woodville** County: **Bertie** **CAMA County**   
 Nearest city: **Lewiston-Woodville** State Plane coordinates: **N36° 5' 50.9" W77° 15' 0.7"**  
 Directions: **Beginning in Lewiston-Woodville, travel south on NC-42 for approximately 1.8 miles. Turn right onto Weeping Mary Road, and travel approximately 4.0 miles. There is an existing dirt road, which travels north, towards the river. The site is located just off of this dirt road.**

## CHARACTERISTICS OF WATER BODY

Body of water: **Roanoke River** River Basin: **Roanoke**  
 Average water depth from shore: **0-10 ft:** **5'** **10-25 ft:** **>5'** **25-50 ft:** **>5'**  
 Possible dredging: Yes  No  Dredge length in feet: **n/a**  
 Established channel at MLW: Yes  No  Average Depth: **>5'** Est. water fluctuation at MLW: **n/a**  
 Navigability from site (types of obstructions/hazards): **Clear**  
 Average width of water body: **200'** WQ Water Classification (h2o.ehnr.state.nc.us): **C**  
 Agency Demarcation: Coastal Waters  Joint waters  Inland Waters   
 Submerged Aquatic Vegetation: Dominant  Moderate  Insignificant  Unknown

## CHARACTERISTICS OF LAND

Wetlands area of coverage in %: **<1%** Average elevation: **20'**  
 Tract size in acres: **3 acres** Est. distance from water to state road: **1300'**  
 Current land use (agricultural, commercial, industrial, etc.): **vacant**  
 Adjacent land use (scenic, recreational): **mine**  
 Archeological/Historical value of site: **none**  
 Site Features (current use description, existing utilities, etc.):

Existing site is wooded and has no development. There is a fence along the eastern property line, and also an underground PVC waterline to serve the mine. This waterline could easily be removed and/or relocated.

### Environmental Concerns (existing wetlands, submerged vegetation, endangered species, anadromous fish):

There do not appear to be any substantial 404 wetlands located on site.

### Socioeconomic Impacts (public resources, community lifestyle, recreational resource, local handling capacity, etc.):

Site could provide needed access to public waters, increased recreation and tourism to community.

### Other Impacts or Concerns (design, construction, etc.):

The state road to the site (Weeping Mary Road) is gravel. This road is currently being used by dump trucks going to and from the mine. This project could significantly increase the traffic and maintenance requirements on this road. See comments below for additional road comments.

### Next closest BAA, Parks & Recreation, Marine or WRC Fisheries, etc. by water and land:

**WRC Hamilton BAA - 17 miles by land, 21 miles by water**

Potential Types of Access: BAA  PFA  Commercial Fishing  Canoe/Kayak   
 Park  Pedestrian  Transient Facility  Harbor of Refuge   
 Ownership Type: Federal  State  Local Gov.  Private   
 Estimated Site Value: **unknown** Asking price: **unknown**

## SITE RECOMMENDATION

Highly Recommended  Recommended  Not Recommended

### Explanation:

This site is highly recommended to be developed as a boating access area and public fishing pier. The site is on high ground, with little or no wetlands present. Permitting for this project should be relatively simple. The main concern is the development of the road to the site. Approximately 1,300' of existing dirt road would need to be improved to access the site. I would recommend that this road remain on the current owner's property, and we obtain an easement.

Urquhart Tract – Commission Game Lands

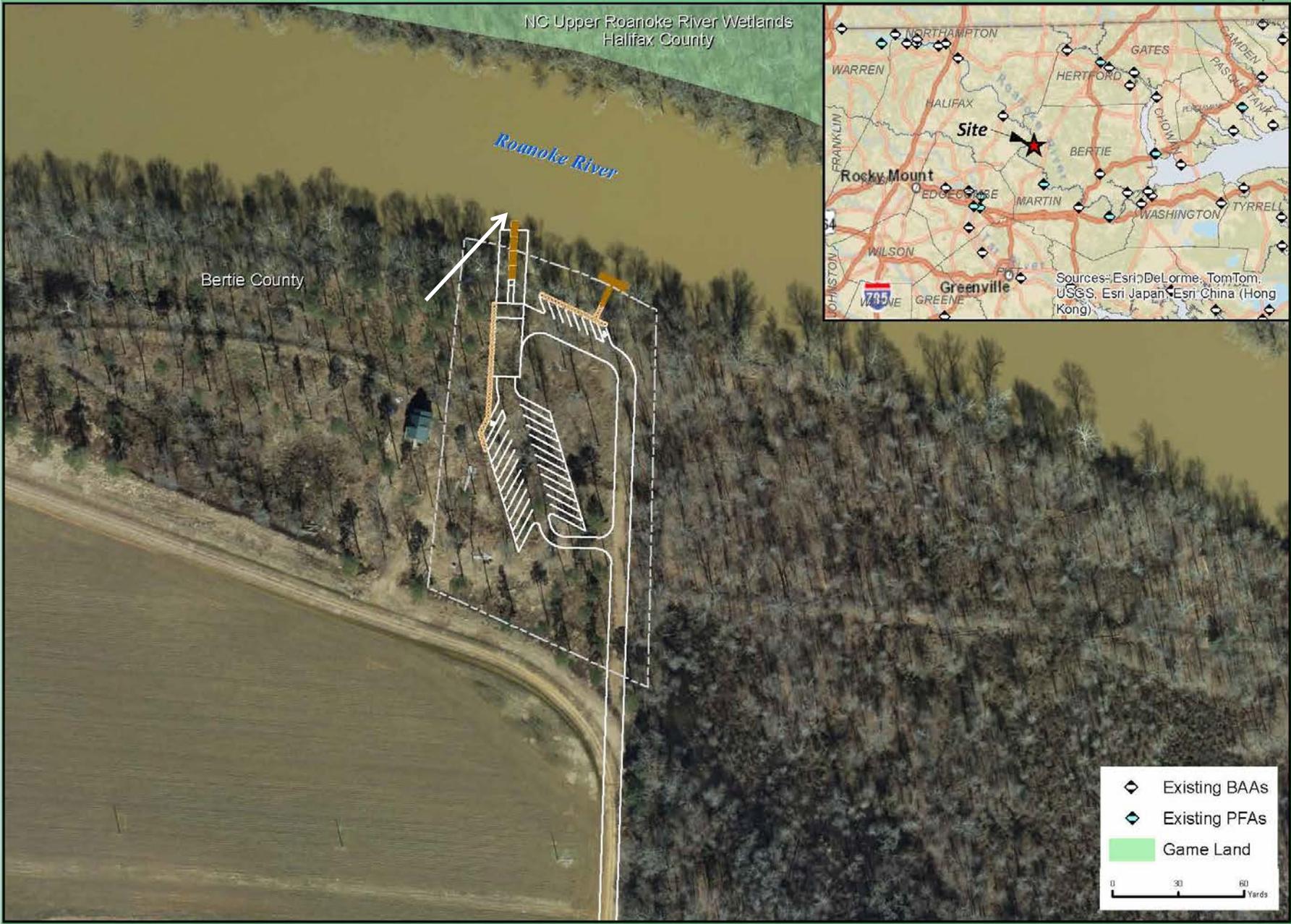
Proposed Site  
Approximately  
3.5 acres

Active upland  
gravel mine

Proposed easement  
Approximately  
1200 feet

Weeping-Mary-Rd

**NC WRC Land Acquisition - Phase I**  
**Lewiston (Red Hill) Boating and Fishing Access Area: 3.5 acres, Bertie County**



# EXHIBIT E-3

January 17, 2013

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

### -PHASE I: INITIAL INVESTIGATION-

---

**WRC Staff Contact:** Gordon Warburton//Kip Hollifield

**Date First Presented to WRC:** January 17, 2013 (previously approved 10/5/01).

**Tract Name:** Deviney Tract

**Acreage:** 232 acres

**County:** Rutherford

**Estimated Value:** \$300,000 (approximately \$1,300/acre)

**Property Owner or Representative:** Jim Deviney

**Phone:** (704) 538-9071

**Address:** PO Box 35, Fallston, NC 28042

**Status:**  High Interest       Moderate Interest       Low Interest       No Interest

**Grant Potential:**  NHTF       CWMTF

OTHER (explain): WRC Funds

**Resources Assessment and Biological Benefits (brief):** Acquisition of the Deviney tract is significant as part of the total management project being carried out in the South Mountains area. Acquisition will increase connectivity to lands already in conservation ownership, and is particularly significant since it would provide much improved public and administrative access to a relatively inaccessible portion of South Mountains Game Land. WRC ownership of the tract will help ensure ecosystem integrity of the area, reduce fragmentation, increase public access, and allow for more efficient management of South Mountains Game Land. Management objectives will include restoring or maintaining the oak forest (include mixed oak/pine) and the early successional priority wildlife habitats. Public recreational opportunities that acquisition would enhance include hunting, hiking, bird watching, photography, and general nature study. The entire tract is forested with timber in a variety of age classes. The forest on the tract leans toward piedmont dry-mesic oak (including oak/pine) as well as dry-mesic pine. Common wildlife species found on the tract include wild turkey, white-tailed deer, gray squirrel as well as various songbirds, salamanders, and small mammals. The tract lies immediately adjacent to the nationally significant Rollins/South Mountains State Natural Heritage Area.

**Additional Comments:** Acquisition would greatly improve public and administrative access to adjacent portions of South Mountains Game Land.

**Program Potential:**  Game Land       Wildlife Conservation Area       Fishing Access Area  
 None

**Potential Source(s) of Stewardship Funds (indicate federal:state match rates):**

Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

**Relative Priority Evaluation Score (attach worksheet):**

28

**Recommendation:**  Pursue Acquisition       Defer       Do not Pursue Acquisition

**Map Attached:**  Yes       No

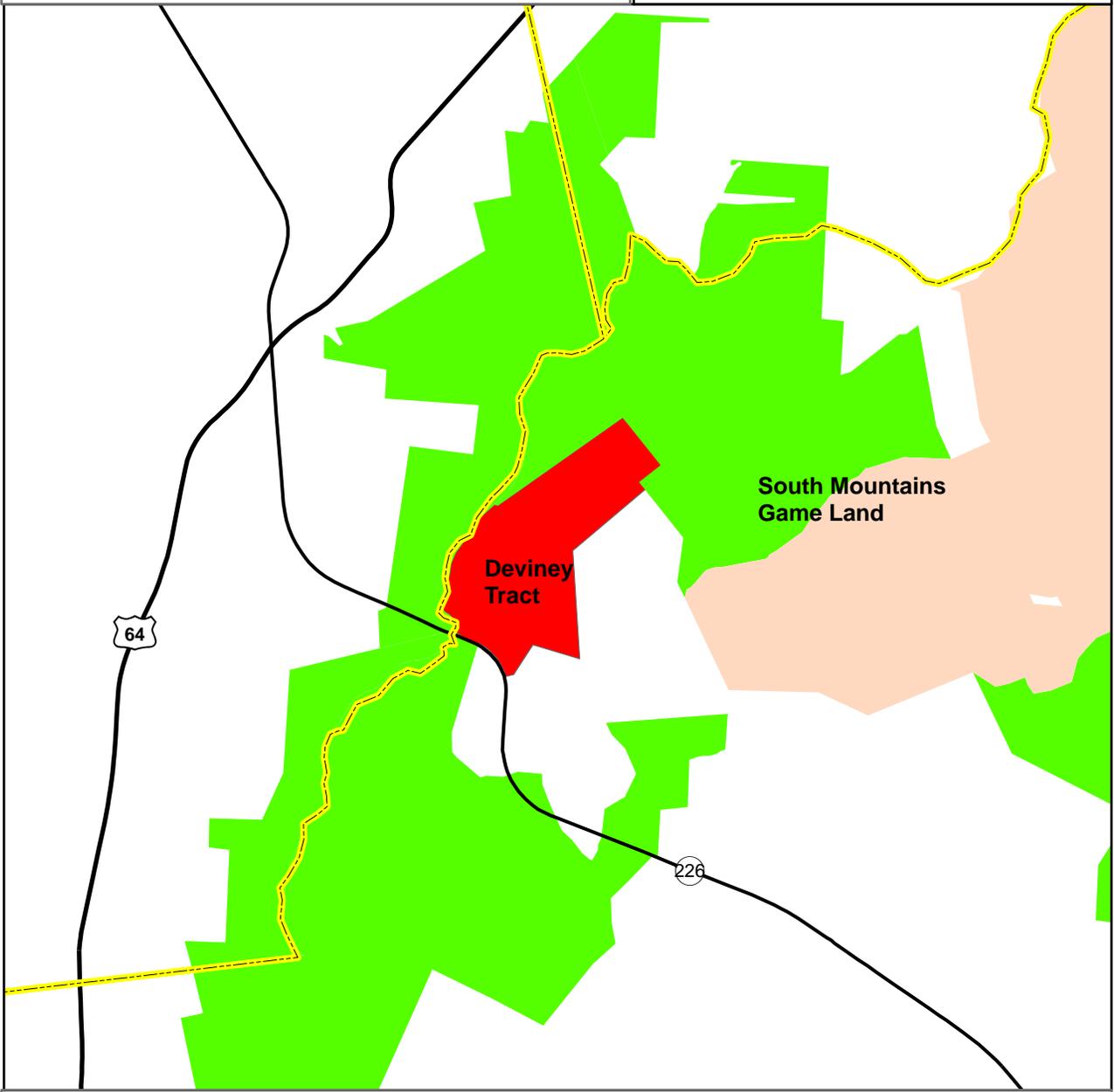
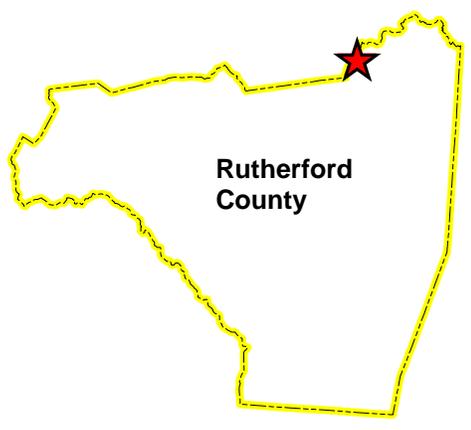
## WORKSHEET

### Relative Priority Evaluation for Conservation Lands

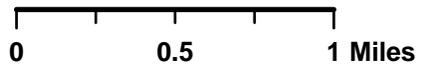
Tract Name (Focal Area) Deviney Tract

Criterion	Score (1-5) 5=Excellent 1=Poor
1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.	<u>5</u>
2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.	<u>5</u>
3. No conflicting surrounding land uses.	<u>5</u>
4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.	<u>5</u>
5. Augments land conservation efforts on a landscape scale by providing nuclei (“anchors”) for regional conservation efforts, corridors, key linkages between conservation areas, or keystone tracts.	<u>5</u>
6. Fills a need identified by the Wildlife Action Plan, such as critical, rare or unique habitats; natural heritage elements; or significant aquatic/terrestrial resources.	<u>3</u>
7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?	<u>NA</u>
8. Is it large enough to be a new game land, and if not, are there possibilities for expansion (goal 3,000-5,000 minimum)?	<u>NA</u>
9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?	<u>NA</u>
<b>TOTAL SCORE</b>	<b><u>28</u></b>

**Deviney Tract  
Rutherford County  
232 Acres**



December 27, 2012



# EXHIBIT E-4

January 17, 2013

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

**-PHASE I: INITIAL INVESTIGATION-**

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**WRC Staff Contact:** Gordon Warburton/Kip Hollifield

**Date First Presented to WRC:** January 17, 2013

**Tract Name:** Truth Temple Tract

**Acreage:** 128 acres

**County:** Ashe

**Estimated Value:** NA – offered as a donation by Blue Ridge Conservancy

**Property Owner or Representative:** Blue Ridge Conservancy (Eric Hiegl)

**Phone:** (828) 264-2511

**Address:** P.O. Box 568, Boone, NC 28607

**Status:**  High Interest       Moderate Interest       Low Interest       No Interest

**Grant Potential:**  NHTF       CWMTF

OTHER (explain): NA – donation from Blue Ridge Conservancy

### **Resources Assessment and Biological Benefits (brief):**

Acquisition of this property is significant as part of the total management project being carried out in the Pond Mountain area. WRC ownership of the tract will help ensure ecosystem integrity of the area by increasing connectivity of lands in conservation. WRC ownership will reduce land fragmentation as well. Acquisition of the Truth Temple tract is also advantageous since it would provide an additional public access point to Pond Mountain Game Land. This access point will provide public access not only to the Truth Temple tract, but also to the Braun tract. Management objectives will include restoring or maintaining the oak forest and cove forest priority wildlife habitats that are located on the tract. WRC ownership may provide opportunities to create some early successional habitat and northern hardwood forest as well, which are also priority wildlife habitats. Public recreational opportunities will include hunting, hiking, bird watching, photography, and general nature study. The entire tract is forested with Appalachian oak and Appalachian cove forests predominant on the tract. Common wildlife species found on the tract include wild turkey, black bear, white-tailed deer, gray squirrel, ruffed grouse as well as various songbirds, salamanders, and small mammals. The tract is part of the state significant Pond Mountain Natural Heritage Area.

**Additional Comments:** There is an inholding of approximately 10 acre located in the Truth Temple tract that contains a lodge, cabin, and outbuilding. WRC would hold an unencumbered access easement through the inholding, however significant public travel through the inholding would be problematic.

The physical characteristics of the tract will allow WRC to funnel the public around the inholding via an existing logging road.

**Program Potential:**  Game Land     Wildlife Conservation Area     Fishing Access Area  
 None

**Potential Source(s) of Stewardship Funds (indicate federal:state match rates):**

Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

**Relative Priority Evaluation Score (attach worksheet):**

**Recommendation:**  Pursue Acquisition     Defer     Do not Pursue Acquisition

**Map Attached:**  Yes     No

## WORKSHEET

### Relative Priority Evaluation for Conservation Lands

Tract Name (Focal Area) Truth Temple Tract

Criterion	Score (1-5) 5=Excellent 1=Poor
1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.	<u>5</u>
2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.	<u>4</u>
3. No conflicting surrounding land uses.	<u>4</u>
4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.	<u>5</u>
5. Augments land conservation efforts on a landscape scale by providing nuclei (“anchors”) for regional conservation efforts, corridors, key linkages between conservation areas, or keystone tracts.	<u>5</u>
6. Fills a need identified by the Wildlife Action Plan, such as critical, rare or unique habitats; natural heritage elements; or significant aquatic/terrestrial resources.	<u>4</u>
7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?	<u>NA</u>
8. Is it large enough to be a new game land, and if not, are there possibilities for expansion (goal 3,000-5,000 minimum)?	<u>NA</u>
9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?	<u>NA</u>
<b>TOTAL SCORE</b>	<b><u>27</u></b>

# Truth Temple Tract Ashe County 128 Acres



-  Truth Temple Tract
-  Braun Tract - In Progress
-  Existing Game Lands

December 27, 2012

0 0.5 1 Miles



# EXHIBIT E-5

January 17, 2013

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

### -PHASE I: INITIAL INVESTIGATION-

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**WRC Staff Contact:** Isaac Harrold

**Date First Presented to WRC:** January 17, 2013

**Tract Name:** Holt (Warren County PIN 2965336608)

**Acreage:** 3

**County:** Warren

**Estimated Value:** NA – offered as a donation by Tar River Land Conservancy

**Property Owner or Representative:** Tar River Land Conservancy c/o Derek Halberg

**Phone:** (919) 496-5902 Office; (919) 357-7346 Mobile

**Address:** 123 North Main Street, P.O. Box 1161, Louisburg, NC 27549

**Status:**  High Interest       Moderate Interest       Low Interest       No Interest

**Grant Potential:**  NHTF       CWMTF

OTHER (explain): NA – donation from Tar River Land Conservancy

**Resources Assessment and Biological Benefits (brief):** Tar River Land Conservancy is working with a Warren County landowner to place a working forest easement on a property at the corner of NC-58 and County Home Road. Most of the property is located on the west side of NC-58; however, a 3-acre sliver is located on the east side of NC-58 and adjoins WRC's Embro Game Land. The Tar River Land Conservancy proposes to acquire the 3 acre parcel and make it available to WRC as a donation.

The tract is forested in loblolly pine, which was planted in the late 1980's and now averages 11-13 inches in diameter.

**Additional Comments:** Acquisition will increase road frontage of WRC ownership by approx. 800 feet. Extending WRC's ownership out to the adjacent road will increase visibility of existing WRC game lands, enhance boundary maintenance, and aid in the future application of prescribed fire.

**Program Potential:**  Game Land       Wildlife Conservation Area       Fishing Access Area  
 None

**Potential Source(s) of Stewardship Funds (indicate federal:state match rates):**

Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

**Relative Priority Evaluation Score (attach worksheet):**

16

**Recommendation:**  Pursue Acquisition       Defer       Do not Pursue Acquisition

**Map Attached:**  Yes       No

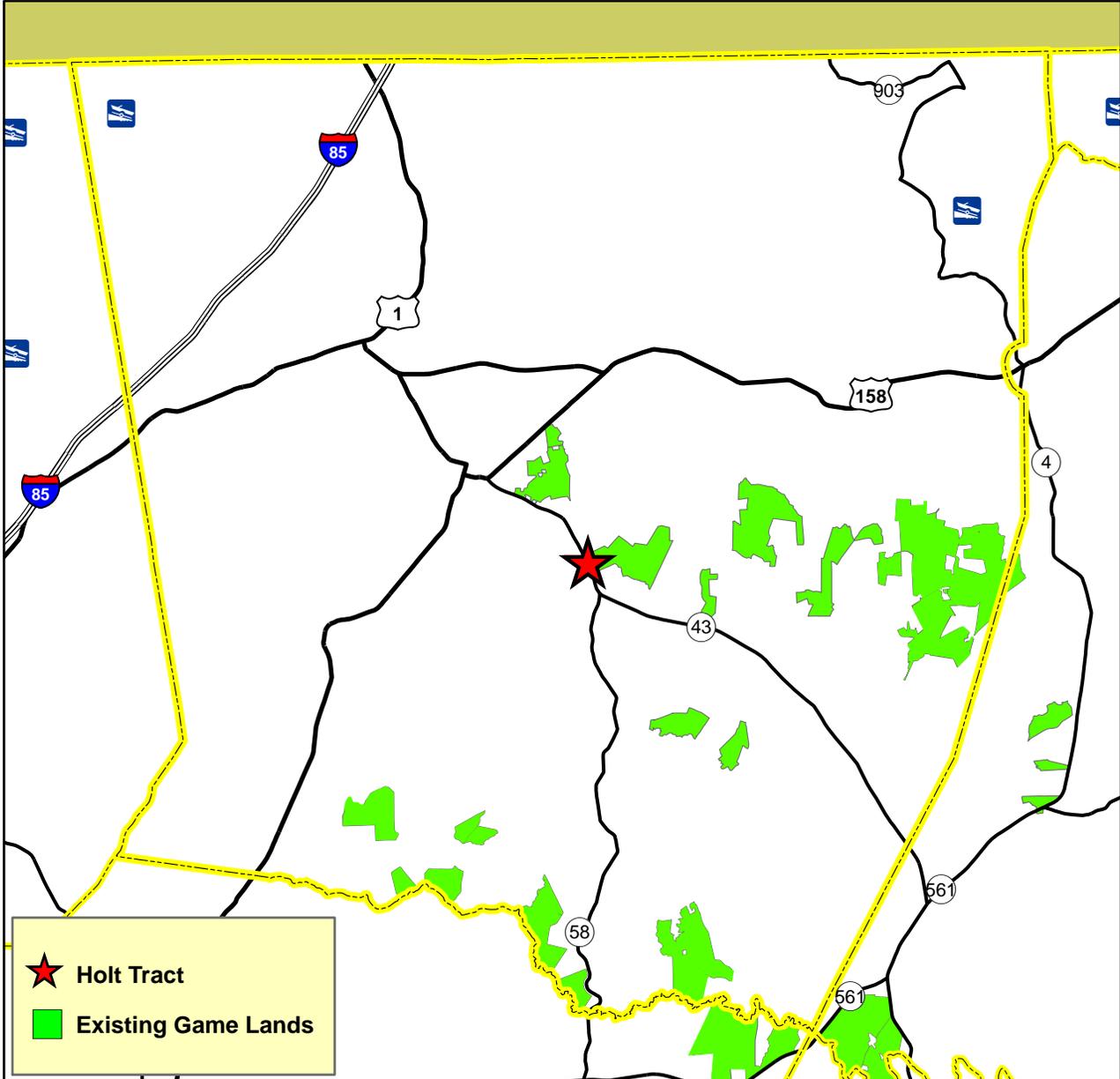
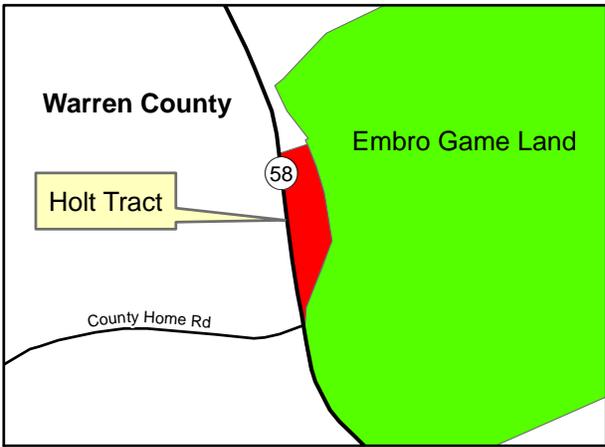
# WORKSHEET

## Relative Priority Evaluation for Conservation Lands

Tract Name (Focal Area) Holt Tract – Warren County

Criterion	Score (1-5) 5=Excellent 1=Poor
1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.	<u>5</u>
2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.	<u>2</u>
3. No conflicting surrounding land uses.	<u>5</u>
4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.	<u>2</u>
5. Augments land conservation efforts on a landscape scale by providing nuclei (“anchors”) for regional conservation efforts, corridors, key linkages between conservation areas, or keystone tracts.	<u>1</u>
6. Fills a need identified by the Wildlife Action Plan, such as critical, rare or unique habitats; natural heritage elements; or significant aquatic/terrestrial resources.	<u>1</u>
7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?	<u>NA</u>
8. Is it large enough to be a new game land, and if not, are there possibilities for expansion (goal 3,000-5,000 minimum)?	<u>NA</u>
9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?	<u>NA</u>
<b>TOTAL SCORE</b>	<b><u>16</u></b>

# Holt Tract Embro Game Land Warren County +/- 3 Acres



- Holt Tract
- Existing Game Lands

August 10, 2012



# EXHIBIT F-1

January 17, 2013

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

### -PHASE II: FINAL ACQUISITION DETAILS (LEASE)-

---

**Site:** Trout Lake, Ashe County

**WRC Action/Approval to Pursue (Date):** January 17, 2013

**Acquisition Plan (specify total project cost, each source, and amount of OBLIGATED funds):**

Enter lease agreement at a cost of \$1.00 for a term of 40 years.

**Based on Appraisal:**  Yes  No Appraisal not needed

**If Yes, Name of Appraiser:**

**Date of Appraisal:**

**Appraisal Handled by State Property Office:**  Yes  No N/A

**Acquisition Plan Includes Bargain Sale:**  Yes  No N/A (leased property)

**If Yes, Explain Details:**

**Source(s) of Stewardship Funds (indicate federal:state match rates):**

License receipts and federal Sport Fish Restoration grants (75:25), as appropriate.

**Five Year Stewardship Costs & Revenue Projection Evaluation (attach worksheet)**

<b>Five Year Estimate of Total Stewardship Expenditures:</b>	\$:	10,000
<b>Five Year Estimate of Total Projected Revenue:</b>	\$:	0

**Additional Comments:**

Costs listed are for operation of a boating and fishing access area (repair of retention pond, grounds care, and other site amenities) only.

**WORKSHEET**  
**Five Year Stewardship Costs and Revenue Projections**  
**(Five Years Post Acquisition)**

STEWARDSHIP						
Estimated Stewardship Expenditures						
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost	
Trout Lake	Operational Expenses	Total	1	1	\$	10,000
					<b>Total</b>	<b>\$ 10,000</b>
<i>Insert additional rows in table as needed</i>						

REVENUE						
Estimated Revenue Projections						
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue	
Trout Lake	N/A	N/A	N/A	N/A	\$	0
					<b>Total</b>	<b>\$ 0</b>
<i>Insert additional rows in table as needed</i>						



## Ashe County Wildlife Club

**3260 Big Peak Creek Rd    Laurel Springs, NC 28644**

Mail To: PO Box 428, Jefferson, NC 28640

Kin Hodges  
179 Stone Bridge Road  
Mount Airy NC 27030

Kin,

For many years the Ashe County Wildlife Club and the NC Wildlife Resources Commission have served the public at Chinquapin Lake, aka. Trout Lake, in Laurel Springs. An ever increasing number of fishermen, including the handicapped, have enjoyed trout fishing at the first delayed harvest lake in NC. Recently, when the lake was drained to repair the dam, both of us came to realize the value of Trout Lake. We were made aware of the cost to keep the lake repaired and you received the largest volume of public comment, via telephone calls, ever received (over 400 calls reported). It was thru our mutual efforts that we kept the lake open and it is our desire to insure public access continues. To that end, we want to enter into a formal agreement, a lease agreement, with you. Doing so would insure continued public use. Please consider a lease so we can keep this valuable resource for generations to come.

Sincerely,

E.T. Weaver  
Treasurer and Board Rep  
Lifetime Sportsman 1981 (first 100)

NC WRC Land Acquisition - 4 acres  
Chinquapin Trout Lake (Trout Lake), Ashe County



STATE OF NORTH CAROLINA

LEASE AGREEMENT

COUNTY OF ASHE

DRAFT – DRAFT – DRAFT

THIS LEASE AGREEMENT, made and entered into this the \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the ASHE COUNTY WILDLIFE CLUB, hereinafter designated as the Lessor, and the STATE OF NORTH CAROLINA, NORTH CAROLINA WILDLIFE RESOURCES COMMISSION, herein after designated the Lessee.

WHEREAS, the execution of this agreement for and on behalf of the State of North Carolina has been duly approved by the Governor and Council of State at a meeting held in the City of Raleigh, North Carolina, on the \_\_ day of \_\_\_\_\_, 2013; and,

WHEREAS, the parties hereto have mutually agreed to the terms of this lease agreement as hereinafter set out,

NOW THEREFORE, in consideration of the premises and covenants contained in the terms and conditions hereinafter set forth, Lessor does hereby rent, lease and demise unto Lessee for and during the period of time and subject to the terms and conditions hereinafter set forth those premises, with all privileges and appurtenances thereunto belonging, lying and being in Ashe County, North Carolina, more particularly described as follows:

SEE EXHIBIT A, attached hereto and incorporated herein by reference.

THE TERMS AND CONDITIONS OF THIS LEASE AGREEMENT ARE AS FOLLOWS:

4. The term of this lease shall be for a period of forty (40) years commencing on the 1<sup>st</sup> day of \_\_\_\_\_, 2013, and terminating on the \_\_\_\_\_ day of \_\_\_\_\_, 2053,
5. Rental on lease tract shall be \$1.00 for the term.
6. Lessee shall use this property during the term of the lease for the purpose of public fishing as administered by the Division of Inland Fisheries.
7. The leased premises will be accessible to the citizens of NC to benefit from the recreational opportunities it will provide 365 days per year unless, if applicable, a temporary closure is needed for site improvement and/or repairs.
8. No hunting shall be permitted on the Leased Premises.

9. Lessor shall have unrestricted access and use of the leased tract and will coordinate with the Lessee so that interference with activities on the leased tract are minimized.
10. Lessee shall maintain grounds and all improvements upon the leased premises.
11. The parties agree to enter into a memorandum of agreement regarding the operations, management and maintenance of the leased premises.
12. Lessee shall provide a preliminary site plan showing all improvements to the Lessor for approval, which approval may be withheld in Lessor's sole discretion.
13. Lessee shall not assign or sublet this lease for the whole or any portion of said premises.
14. Officials of the Lessor shall have the right to enter the property herein described at all reasonable times for the purpose of inspecting said property to determine if Lessee is complying with the conditions of this lease.
15. The State of North Carolina is an immune sovereign and is not ordinarily subject to suit. However the State has enacted the North Carolina Tort Claims Act, pursuant to which the State may be liable for the torts of its officers and employees, within the terms of the act. Accordingly, the State will be primarily liable for any claims by its guests and invitees within the coverage of the Tort Claims Act.
16. In the event of a violation of these conditions, the Lessor, its successors and assigns, shall have the right to cancel this lease or to take such other action as it deems necessary and appropriate to enforce compliance with the conditions contained herein. Written notice of intent will be provided to Lessee with sixty (60) days provided for correction of the violation.
17. All notices herein provided to be given, or which may be given, by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed as follows:

to Lessor:     Ashe County Wildlife Club  
                  Attn: President  
                  Post Office Box \_\_\_\_  
                  \_\_\_\_\_, NC

to Lessee:     North Carolina Wildlife Resources Commission  
                  c/o Division of Inland Fisheries  
                  1721 Mail Service Center  
                  Raleigh, North Carolina 27699-1721

w/copy to:     State Property Office

Attn: Space Planning and Leasing Manager  
1321 Mail Service Center  
Raleigh, North Carolina 27699-1321

Nothing herein contained shall preclude the giving of such notice by personal service. The address to which notices shall be mailed as aforesaid to either party may be changed by written notice.

18. Any holding over after the expiration of the Term, shall be construed to be a tenancy from month to month, and shall otherwise be on the terms and conditions herein specified, so far as applicable; however, either party shall give not less than sixty (60) days written notice to terminate the tenancy.
19. North Carolina General Statute §133-32 and Executive Order 24, as applicable, prohibit the offer to, or acceptance by, any employee of Lessee of any gift from anyone with a contract with Lessee, or from any person seeking to do business with Lessee. By execution of this Lease, Lessor attests, for its entire organization, including its employees or agents, that it is not aware that any such gift has been offered, accepted, or promised by any employees of its organization.

IN TESTIMONY WHEREOF, this lease has been executed by the parties hereto, in duplicate originals, as of the date first above written.

ASHE COUNTY WILDLIFE CLUB

\_\_\_\_\_

Title: \_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF

I, \_\_\_\_\_, a Notary Public in and for \_\_\_\_\_ County, North Carolina do hereby certify that \_\_\_\_\_, of \_\_\_\_\_ personally came before me this day and acknowledged the execution of the foregoing instrument on the behalf of the \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public  
Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

DRAFT

STATE OF NORTH CAROLINA

By: \_\_\_\_\_  
Governor

ATTEST:

By: \_\_\_\_\_  
Secretary of State

APPROVED AS TO FORM:

ROY COOPER  
Attorney General

By: \_\_\_\_\_  
Assistant Attorney General

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, \_\_\_\_\_, a Notary Public in and for the County of Lee and State aforesaid, do hereby certify that ELAINE F. MARSHALL, Secretary of State of North Carolina, personally came before me this day and acknowledged that she is Secretary of State of North Carolina, and that by authority duly given and as the act of the State, the foregoing instrument was signed in its name by BEVERLY EAVES PERDUE, Governor of the State of North Carolina, sealed with the Great Seal of the State of North Carolina, and attested by herself as Secretary of State of North Carolina.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Notary Public

Print Name:  
\_\_\_\_\_

My Commission Expires: \_\_\_\_\_

# MEMORANDUM OF AGREEMENT

BETWEEN

Ashe County Wildlife Club

AND THE

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

THIS AGREEMENT, made and entered into this day of 1993, by and between Ashe County Wildlife Club hereinafter called the Club, and the North Carolina Wildlife Resources Commission, hereinafter called the Commission;

WITNESSETH:

WHEREAS, the said Commission is authorized to conduct a program of fish management for the benefit of the sportsmen of North Carolina: and

WHEREAS, it is desirable for the Commission to conduct part of its fisheries management on Chinquapin Trout Lake in Ashe County owned and controlled by said Club: and

WHEREAS, it is desirable for the Club to increase the recreational opportunities for area citizens by cooperating with the Commission to improve angler access and to improve the fisheries in Chinquapin Lake:

NOW, THEREFORE, in consideration of the mutual advantages likely to result from this Agreement and the respective obligations assumed herein,

THE COMMISSION AGREES:

1. To operate Chinquapin Trout Lake for public trout fishing and to execute the attached fisheries management plan.
2. To maintain the grounds in a neat and tidy condition and to properly maintain all structures built by the Commission to insure public safety.

THE CLUB AGREES:

1. To permit the Commission to conduct a fisheries management program on Chinquapin Trout Lake and on a 50 foot zone around the lake.

2. To permit ingress, egress and regress to Commission personnel engaged in executing the management plan.
3. To permit fishing by the general public free of charge without discrimination and on a schedule consistent with the Wildlife Resources Commission's regulations, the primary water-use function of the lake and the management plan.

IT IS MUTUALLY AGREED:

1. That this Agreement shall become effective as soon as signed by other parties and the program shall continue in effect until 30 June 2003. Upon reaching the termination date, the agreement will automatically be renewed for an additional 10 years unless cancellation is requested, in writing, by either party.
2. That this Agreement can be terminated by either party by providing a written notice with 180 days grace period for termination.
3. That at termination of this Agreement the Commission has the right to remove any materials or structures placed on Club property by the Commission.
4. That fishing licenses, as required by State law, shall be publicized and enforced.
5. That nothing in this Agreement shall obligate either party to any conditions not specifically stated herein or in the attached management plan.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first written above.

Approved and agreed to:

Ashe County Wildlife Club

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Signature for Ashe County Wildlife Club

---

Date

North Carolina Wildlife Resources Commission

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Executive Director

---

Date

---

# EXHIBIT F

May 12, 2011

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Date: 4-11-2011

Tract Name: Chinquapin Trout Lake (Trout Lake)

Acreage: 4.0 acres (2.0 acres for pond, 2.0 acres for surrounding land)

County: Ashe

Advertised Purchase Amount: N/A

Based on Appraisal:  Yes  No

Contact: John Barbour (State Property Office)

Phone: 919-807-4682

Address: 1321 Mail Service Center  
Raleigh, NC 27699-1321

Status:  High Interest  Moderate Interest  Low Interest  No Interest

Grant Potential:  NHTF  CWMTF  Other

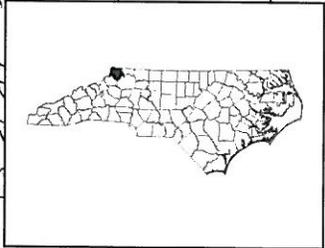
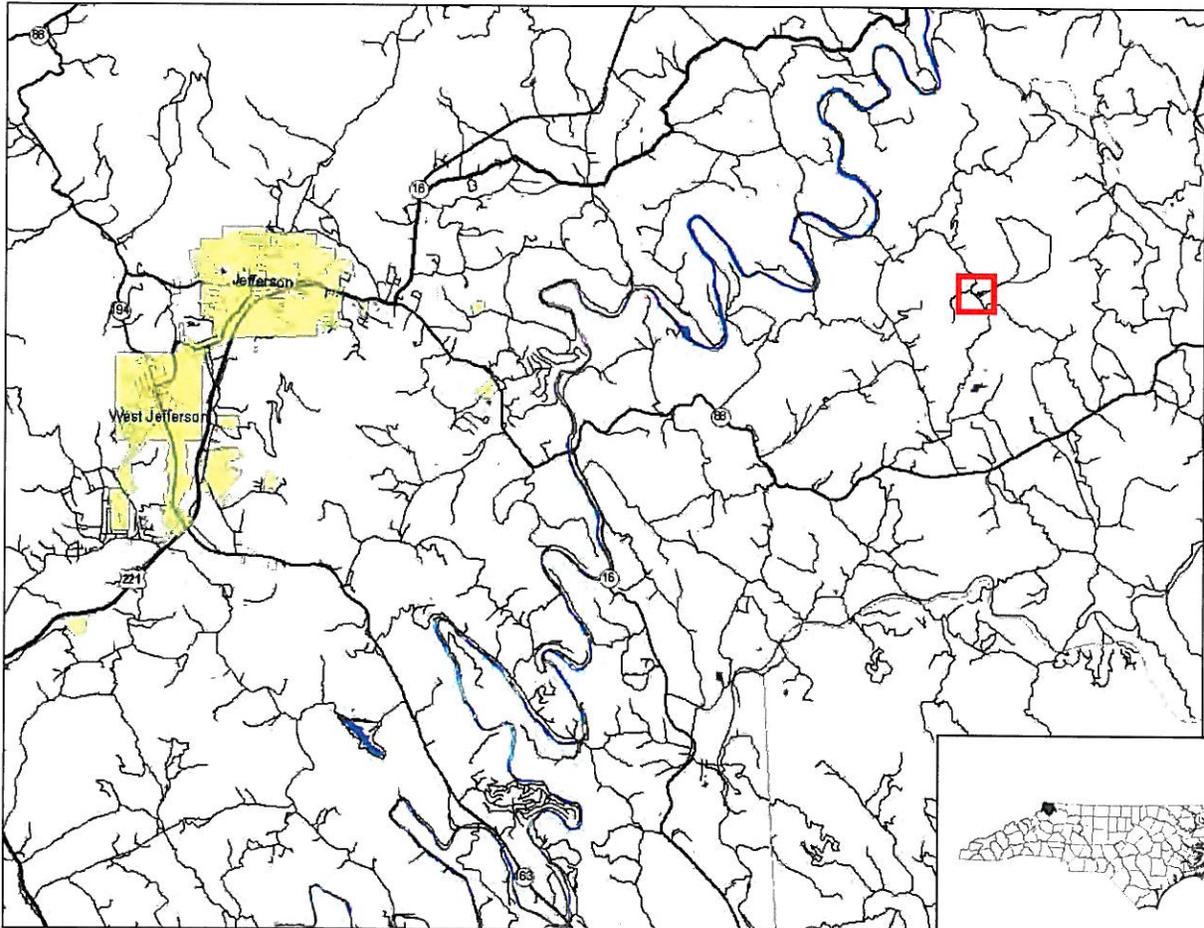
Resource Potential (Brief): Trout Lake is a 2-acre impoundment located approximately 7 miles east of Jefferson in Ashe County, NC. Trout Lake is owned by the Ashe County Wildlife Club and the Commission has managed the lake for public fishing through a Memorandum of Agreement with the club since 1993. Trout Lake is currently the only impoundment in the state managed with Delayed Harvest trout regulations, which in addition to providing fishing opportunities for the general angling public, makes it an ideal fishery for elderly or handicapped anglers. The Commission built a pier and handicapped-accessible parking area for anglers in 1995, and to ensure that the lake remained open to the public, the Commission repaired the dam of Trout Lake in 2010 after a dam safety issue was identified. The Ashe County Wildlife Club is now interested in formalizing our working relationship by entering into a lease agreement with the Commission. The lease would be a no-cost lease or involve a minimal amount of compensation (i.e. \$1/year). Since the Commission has already built angler facilities and repaired the dam, no additional expenditures would be required by the agency to enter into this agreement.

Access Assessment: Direct road access to property at SR1307 bridge

Game Lands Program Potential:  Yes  No

Recommendation:  Pursue Acquisition  Defer  Do Not Pursue Acquisition

Map Attached:  Yes  No



Location of Trout Lake in relation to Jefferson, NC.



Approximate boundaries of land to be included in proposed Trout Lake lease agreement.

# EXHIBIT F-2

January 17, 2013

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

### -PHASE II: FINAL ACQUISITION DETAILS-

---

**WRC Action/Approval to Pursue (Date):** November 8, 2012

**Tract:** Browns Island #2 Tract; 84 acres, Carteret County

**Acquisition Plan (specify total project cost, each source, and amount of OBLIGATED funds):**

Accept donation of the property from the NC Coastal Land Trust.

**Based on Appraisal:**  Yes  No  NA

**If Yes, Name of Appraiser:**

**Date of Appraisal:** NA

**Appraisal Handled by State Property Office:**  Yes  No  NA

**Acquisition Plan Includes Bargain Sale:**  Yes  No

**If Yes, Explain Details:**

**Source(s) of Stewardship Funds (indicate federal:state match rates):**

Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

**Five Year Stewardship Costs & Revenue Projection Evaluation (attach worksheet)**

<b>Five Year Estimate of Total Stewardship Expenditures:</b>	\$:	\$600
<b>Five Year Estimate of Total Projected Revenue:</b>	\$:	\$0

**Additional Comments:** NA

**BROWNS ISLAND TRACT 2 WORKSHEET**  
**Five Year Stewardship Costs and Revenue Projections**  
**(Five Years Post Acquisition)**

STEWARDSHIP					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
Browns Island Tract 2	Boundary establishment and maintenance	1.5	mi.	\$400.00	\$600.00
<b>Total</b>					<b>\$600.00</b>

REVENUE					
Estimated Revenue Projections					
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue
Browns Island Tract 2	NA	NA	NA	NA	\$ -
<b>Total</b>					<b>\$ -</b>

**North Carolina Wildlife Resources Commission  
Land Acquisition Investigation Form**

**-PHASE I: INITIAL INVESTIGATION-**

---

**WRC Staff Contact:** David H. Allen

**Date First Presented to WRC:** November 8, 2012

**Tract Name:** Brown's Island Tract 2

**Acreage:** 84

Note: WRC currently owns Tracts 4, 5, 6 & 7 (see attached map). The NC Coastal Land Trust has received funding to purchase Tract 2 and they are interested in donating this tract to NCWRC.

**County:** Carteret

**Estimated Value:** NA – offered as a donation by NC Coastal Land Trust

**Property Owner or Representative:** NC Coastal Land Trust c/o Janice Allen

**Phone:** (252) 634-1927 Office; (252) 670-0789 Mobile

**Address:** 3301 Trent Rd., Suite E, New Bern, NC 28562

**Status:**  High Interest       Moderate Interest       Low Interest       No Interest

**Grant Potential:**  NHTF       CWMTF       OTHER (explain): USFWS Coastal Wetlands Grant

**Resources Assessment and Biological Benefits (brief):** Brown's Island contains salt marshes, pocosin, maritime live oak and longleaf pine forest that benefit a variety of wildlife. The island hosts one of the relatively few stands of Coastal Fringe Sandhill natural communities left in the state and it occurs in a relatively undisturbed condition. The North Carolina Natural Heritage Program considers the island to be a state significant natural heritage area. It contains potential habitat for colonial nesting waterbirds and shorebirds. It also has good habitat for waterfowl, marsh birds and landbirds. The island also has some feral goats, cows, pigs and possibly horses.

**Additional Comments:** Access is by boat only.

**Program Potential:**  Game Land       Wildlife Conservation Area       Fishing Access Area  
 None

**Potential Source(s) of Stewardship Funds (indicate federal:state match rates):**  
Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

**Relative Priority Evaluation Score (attach worksheet):** 21

**Recommendation:**  Pursue Acquisition       Defer       Do not Pursue Acquisition

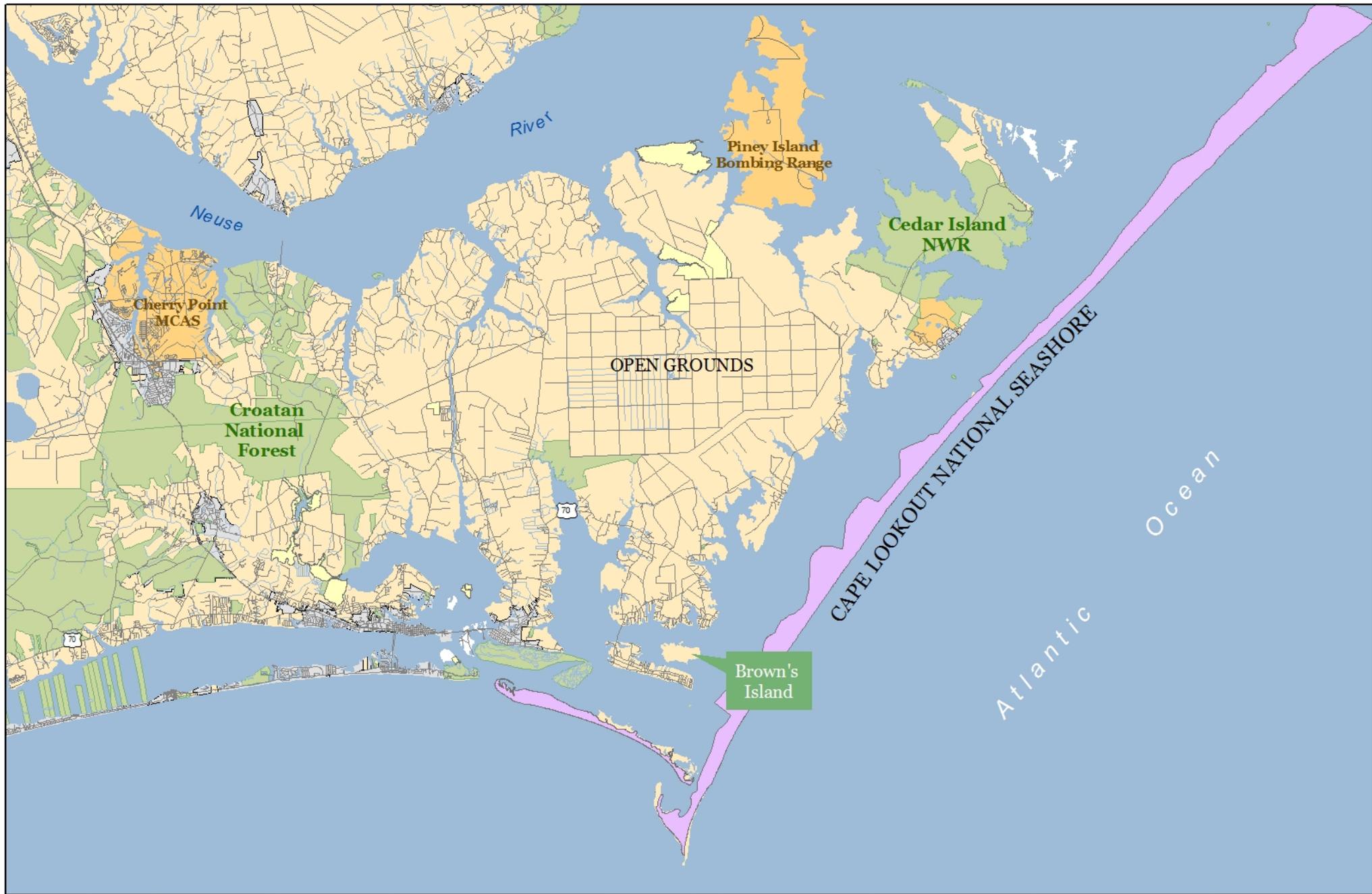
**Map Attached:**  Yes       No

# WORKSHEET

## Relative Priority Evaluation for Conservation Lands

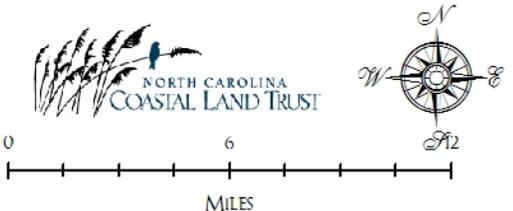
Tract Name (Focal Area) Brown's Island Tract 2 – Carteret County

Criterion	Score (1-5) 5=Excellent 1=Poor
1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.	<u>3</u>
2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.	<u>5</u>
3. No conflicting surrounding land uses.	<u>5</u>
4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.	<u>1</u>
5. Augments land conservation efforts on a landscape scale by providing nuclei (“anchors”) for regional conservation efforts, corridors, key linkages between conservation areas, or keystone tracts.	<u>2</u>
6. Fills a need identified by the Wildlife Action Plan, such as critical, rare or unique habitats; natural heritage elements; or significant aquatic/terrestrial resources.	<u>5</u>
7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?	<u>Yes</u>
8. Is it large enough to be a new game land, and if not, are there possibilities for expansion (goal 3,000-5,000 minimum)?	<u>NA</u>
9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?	<u>NA</u>
<b>TOTAL SCORE</b>	<b><u>21</u></b>



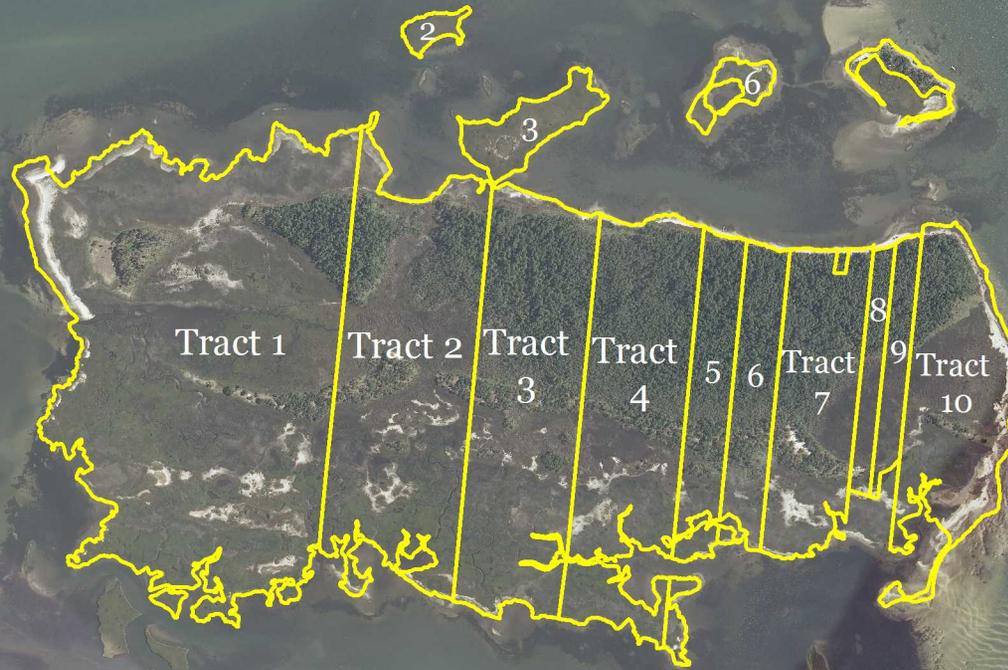
State Plane North Carolina, NAD 1983  
 Map produced: November 2009  
 This map is for informational purposes and was not prepared for, and is not suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

### General Location of Brown's Island Carteret County, NC



# Brown's Island Carteret County

aerial 2010



- Owners by Tract Number**
- #1- Eastern NC Investment LLC
  - #2- Barbara Benson Taylor
  - #3- Julian Brown
  - #4- NC WRC
  - #5- NC WRC
  - #6- NC WRC
  - #7- NC WRC
  - #8- Jonas Kaszas
  - #9- Jo Anne Valentine Brooks
  - #10- Benjamin and Joanne Brooks



0 0.125 0.25 0.5 Miles



# EXHIBIT F-3

January 17, 2013

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

### -PHASE II: FINAL ACQUISITION DETAILS-

---

**WRC Action/Approval to Pursue (Date):** November 8, 2012

**Tract:** Pinch Gut Phase IV (Green Swamp Forests LLC)

**Acquisition Plan (specify total project cost, each source, and amount of OBLIGATED funds):**

Accept donation of the property from The Nature Conservancy

**Based on Appraisal:**  Yes  No  NA

**If Yes, Name of Appraiser:**

**Date of Appraisal:** NA

**Appraisal Handled by State Property Office:**  Yes  No  NA

**Acquisition Plan Includes Bargain Sale:**  Yes  No

**If Yes, Explain Details:**

**Source(s) of Stewardship Funds (indicate federal:state match rates):**

Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

**Five Year Stewardship Costs & Revenue Projection Evaluation (attach worksheet)**

<b>Five Year Estimate of Total Stewardship Expenditures:</b>	\$:	\$12,235
<b>Five Year Estimate of Total Projected Revenue:</b>	\$:	\$0

**Additional Comments:** NA

**PINCH GUT IV TRACT WORKSHEET**  
**Five Year Stewardship Costs and Revenue Projections**  
**(Five Years Post Acquisition)**

STEWARDSHIP					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
<b>Pinch Gut IV Tract</b>	Boundary establishment and maintenance	8.0	mi.	\$135.00	\$1,080.00
	Prescribe burn	151	ac.	\$30	\$4,530.00
	Establish/maintain Firebreaks	5	mi.	\$525	\$2,625.00
	Road maintenance	1.6	mi.	\$2,500	\$4,000.00
<b>Total</b>					<b>\$12,235.00</b>

REVENUE					
Estimated Revenue Projections					
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue
<b>Pinch Gut IV Tract</b>	NA	NA	NA	NA	\$ -
<b>Total</b>					<b>\$ -</b>

# EXHIBIT H-3

November 8, 2012

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

### -PHASE I: INITIAL INVESTIGATION-

---

**WRC Staff Contact:** Tommy Hughes

**Date First Presented to WRC:** November 8, 2012

**Tract Name:** Pinch Gut Phase IV (Green Swamp Forests LLC)

**Acreage:** 454

**County:** Brunswick

**Estimated Value:** NA – offered as a donation by The Nature Conservancy (TNC). TNC is acquiring the tract for \$862,600 (\$1,900/acre) via a North American Wetlands Conservation Act Grant and ultimately desires to transfer the property to WRC.

**Property Owner or Representative:** The Nature Conservancy - Dan Ryan

**Phone:** (W) 910-395-5000 (C) 910-603-6061

**Address:** 2807 Market Street  
Wilmington, NC 28403

**Status:**  High Interest  Moderate Interest  Low Interest  No Interest

**Grant Potential:**  NHTF  CWMTF

OTHER (explain): Donation from The Nature Conservancy

**Resources Assessment and Biological Benefits (brief):** The Green Swamp Forests tract involves a multi-phase acquisition that will utilize multiple grant sources to acquire the property. This North American Wetlands Conservation Act (NAWCA) Phase involves the additional purchase and donation of 454 acres. This acquisition, along with the previous purchases assures protection of a nationally significant site that supports high species richness. Acquisition will enhance a protected corridor that, in combination with WRC's Juniper Creek Game Land and TNC's Green Swamp Preserve, provides approximately 21 linear miles of protection to the estuarine ecosystem and contributes to protection of the Lockwood Folly River headwaters. The property will be incorporated into the WRC Game Lands Program and management by staff professionals. Management of longleaf pine and the application of prescribed fire will play a significant role in the long-term management of this tract.

The tract is included within the boundaries of the Green Swamp Significant Natural Heritage Area. Priority habitats include Wet Pine Savanna and Coastal Plain Pocosin. The NC Wildlife Action Plan identifies 13 listed species of birds, mammals, amphibians, and reptiles associated with these particular

habitat types. Several listed plant species are known to occur on the property, including Savannah Indigo-bush (federal special concern), Pondspice (federal special concern), and Spoonflower (state rare).

Tract is also important for black bear, wild turkey, whitetail deer, waterfowl and furbearers.

**Additional Comments:** There is public access to the tract via a state road.

**Program Potential:**  Game Land     Wildlife Conservation Area     Fishing Access Area  
 None

**Potential Source(s) of Stewardship Funds (indicate federal:state match rates):**

Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

**Relative Priority Evaluation Score (attach worksheet):**

**Recommendation:**  Pursue Acquisition     Defer     Do not Pursue Acquisition

**Map Attached:**  Yes     No

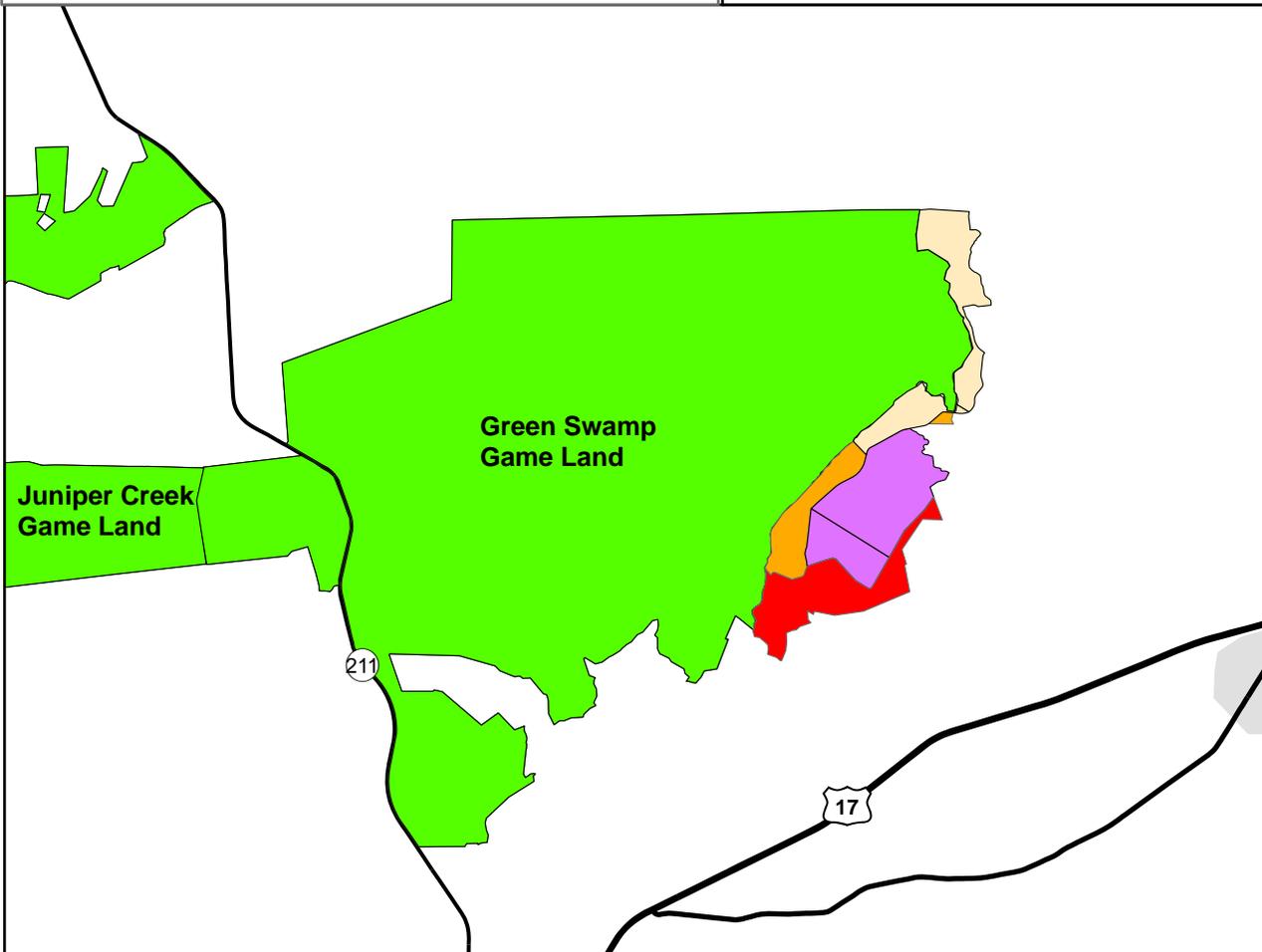
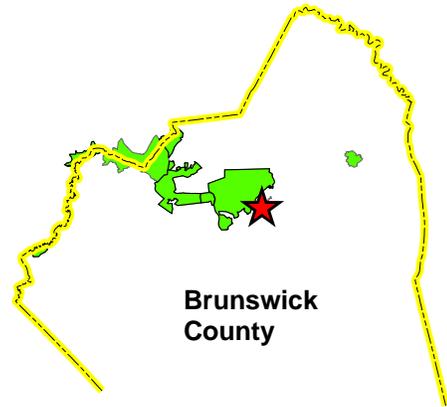
# WORKSHEET

## Relative Priority Evaluation for Conservation Lands

Tract Name (Focal Area) Pinch Gut Phase IV (Green Swamp LLC Tract)

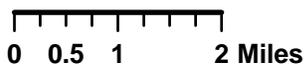
Criterion	Score (1-5) 5=Excellent 1=Poor
1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.	<u>5</u>
2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.	<u>5</u>
3. No conflicting surrounding land uses.	<u>5</u>
4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.	<u>5</u>
5. Augments land conservation efforts on a landscape scale by providing nuclei (“anchors”) for regional conservation efforts, corridors, key linkages between conservation areas, or keystone tracts.	<u>5</u>
6. Fills a need identified by the Wildlife Action Plan, such as critical, rare or unique habitats; natural heritage elements; or significant aquatic/terrestrial resources.	<u>5</u>
7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?	<u>NA</u>
8. Is it large enough to be a new game land, and if not, are there possibilities for expansion (goal 3,000-5,000 minimum)?	<u>Yes</u>
9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?	<u>No</u>
<b>TOTAL SCORE</b>	<b><u>30</u></b>

# Pinch Gut Tract - Phase IV Brunswick County 454 Acres



- Pinch Gut Phase I (316 ac.) Completed
- Pinch Gut Phase II (710 ac) Completed
- Pinch Gut Phase III (460 Acres) In Progress
- Pinch Gut Phase IV (454 ac)

October 28, 2012



# EXHIBIT G

January 17, 2013



## ⊠ North Carolina Wildlife Resources Commission ⊠

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December 27, 2012

### MEMORANDUM

TO: Erik Christofferson, Chief  
Division of Engineering and Lands Management

FROM: Isaac Harrold, Program Manager  
Lands Management Section

SUBJECT: Duke Energy Request for Additional Transmission Line Easement  
Green River Game Land; Henderson County

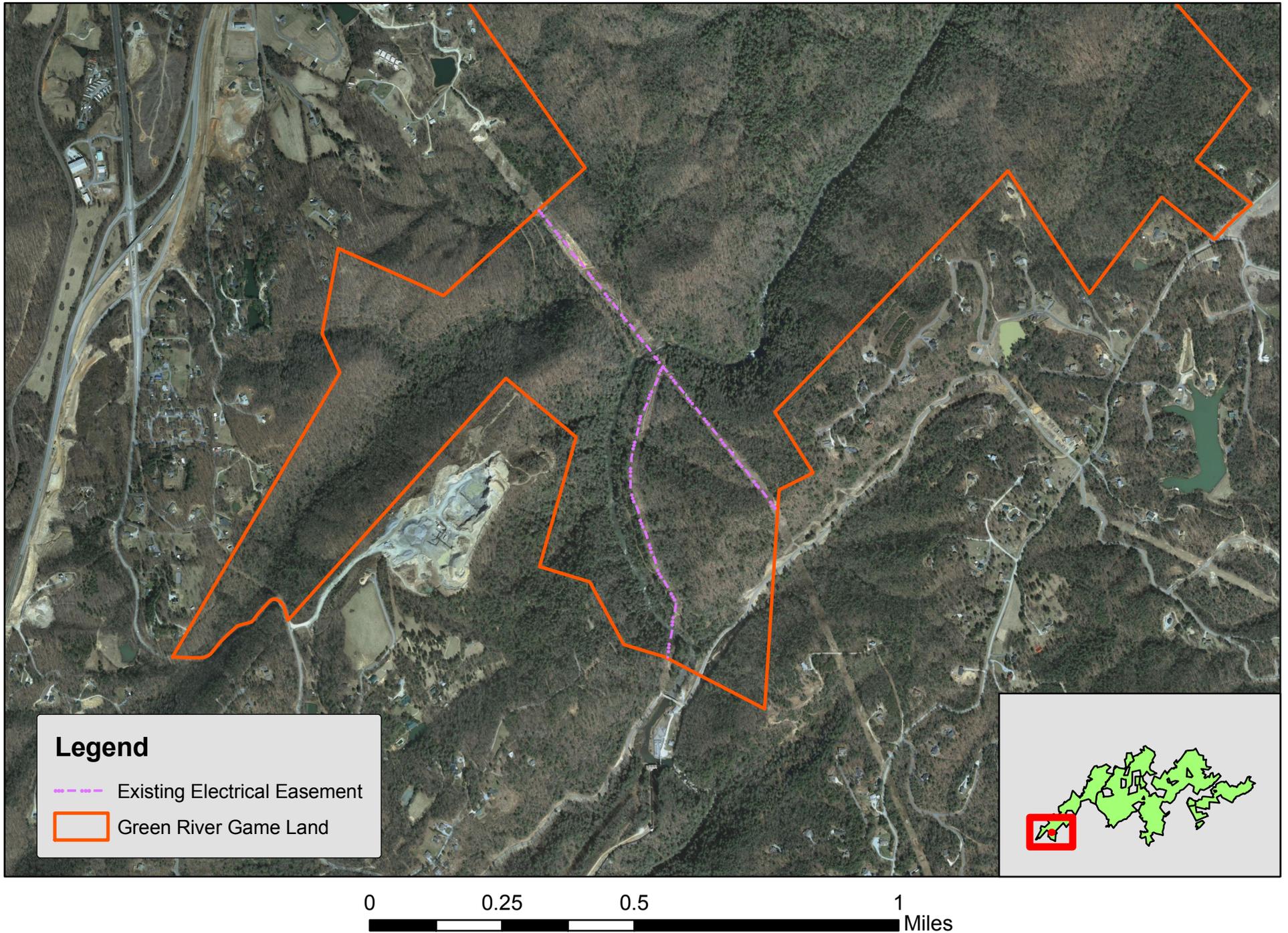
Duke Energy has requested a 0.906 acre addition to an existing power transmission line easement across a portion of Green River Game Land in Henderson County for the purpose of adding additional guy wires in four locations.

A general location map and survey plat is attached.

Staff has identified no significant negative impacts and recommends approval. I concur and recommend that we seek WRC approval to grant the additional easement.

Division of Engineering and Lands Management  
Mailing Address: 1720 Mail Service Center, Raleigh, N.C. 27699-1720  
Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606  
Phone: 919-707-0150 Fax: 919-707-0162

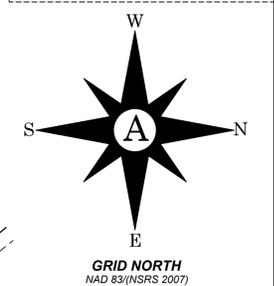
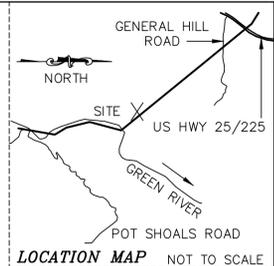
# Existing Electrical Easement, Green River Game Land



- NOTES:
- SURVEYED & MAPPED FOR: DUKE ENERGY CAROLINAS, LLC
  - SUBJECT PROPERTY IS NOT WITHIN 2000 FEET OF A GEODETIC SURVEY MONUMENT.
  - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
  - AREA BY COORDINATE COMPUTATION.
  - PROPERTY SUBJECT TO ANY VALID & ENFORCEABLE EASEMENTS, RESTRICTIONS & RIGHTS OF WAY OF RECORD.
  - SURVEY IS BASED ON PHYSICAL EVIDENCE AND EXISTING MONUMENTATION FOUND DURING THE SURVEY.
  - PROPERTY CORNER PIPE SIZES AS SHOWN ARE NOMINAL INSIDE DIAMETER.
  - FOR THE PURPOSE OF RIGHT OF WAY OR EASEMENT ACQUISITION ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN.

NORTH CAROLINA, HENDERSON COUNTY  
 THE FOREGOING OR ANNEXED CERTIFICATES OF \_\_\_\_\_, PLS  
 OF THE AFORESAID COUNTY AND STATE IS CERTIFIED TO BE CORRECT  
 PRESENTED FOR REGISTRATION AND RECORDED IN THIS OFFICE ON PLAT  
 CARD # \_\_\_\_\_  
 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_  
 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M  
 \_\_\_\_\_  
 HENDERSON COUNTY REGISTER OF DEEDS

STATE PLANE COORDINATES AS SHOWN WERE ESTABLISHED BY  
 (VRS) GPS METHOD, AND WERE BASED ON NCGS MONUMENT (MAYVIN),  
 AND THE DATUM IS NAD 83 (NSRS 2007). THE PROJECT  
 COMBINED FACTOR = 0.99978523. PROJECT COORDINATES ARE LOCALIZED  
 ON CONTROL POINT #1006 HAVE A STATE PLANE VALUE OF  
 N: 568,143.00' E: 986,094.04'. VERTICAL DATUM ON BASED NAVD 88.



STATE OF NORTH CAROLINA  
 COUNTY OF HENDERSON

I, \_\_\_\_\_, REVIEW OFFICER  
 OF HENDERSON COUNTY, CERTIFY THAT THE  
 MAP OR PLAT TO WHICH THIS CERTIFICATION IS  
 AFFIXED MEETS ALL STATUTORY REQUIREMENTS  
 FOR RECORDING.

\_\_\_\_\_  
 REVIEW OFFICER

\_\_\_\_\_  
 DATE

I, JAMES WATKINS, CERTIFY:  
 A. G.S. 47-30 (f) (11) (c) (1). THIS SURVEY IS OF AN EXISTING  
 PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW  
 STREET OR CHANGE AN EXISTING STREET.

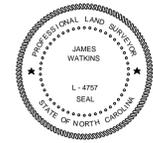
\_\_\_\_\_  
 SIGNATURE

Total Area in Right-of-Way to be  
 Acquired = 0.906 Acres  
 (LU: 1181029).

- LEGEND
- PROPOSED ACQUIRED R/W - - - - -
  - LINE SURVEYED - - - - -
  - LINE NOT SURVEYED - - - - -
  - SURVEY LINE - - - - -
  - TIE LINES - - - - -
  - OVHD DISTRIBUTION LINE (OVERHEAD) - - - - -
  - DEED LINE - - - - -

- ALUMINUM MONUMENT (F)
- CONCRETE MONUMENT (F)
- 1" IRON PIPE (F) Δ #4 REBAR (F)
- (F) FOUND (S) SET C/L = CENTER LINE
- R.O.P. RATIO OF PRECISION
- RETAIL POWER POLE
- TRANSMISSION TOWER
- NTS - NOT TO SCALE
- oPt POINT NOT SET
- CMP CORRUGATED METAL PIPE

I, JAMES WATKINS CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION  
 FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED BOOK 860, PAGE  
 539); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED; THAT THE  
 RATIO OF PRECISION AS CALCULATED IS 1:10,000+; THAT THIS PLAT WAS  
 PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL  
 SIGNATURE, REGISTRATION NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF  
 \_\_\_\_\_ AD



PRELIMINARY  
 NOT FOR RECORDATION,  
 CONVEYANCE, OR SALES

Alliance Land Surveying  
 919 Haywood Rd., Suite 106  
 Sylva, NC 28784  
 Office Phone: (828) 586-5256  
 Corporate # C-3302

JAMES WATKINS  
 L-4757

BV HEDRICK GRAVEL & SAND CO LESSEES  
 DB 819, PG 846  
 PIN# 9586-63-9734

STATE OF NORTH CAROLINA  
 DB 860, PG 539  
 PIN# 9597-53-5450

STATE OF NORTH CAROLINA  
 DB 860, PG 539  
 PIN# 9597-53-5450

STATE OF NORTH CAROLINA  
 DB 860, PG 539  
 PIN# 9597-53-5450

STATE OF NORTH CAROLINA  
 DB 860, PG 539  
 PIN# 9597-53-5450

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 62°23'55" W	35.70'
L2	N 62°23'55" W	35.70'
L3	N 09°49'49" E	500.52'
L4	N 31°02'10" W	368.89'
L5	N 13°28'39" W	683.28'
L6	N 14°51'15" E	853.11'
L7	N 39°03'17" W	2066.96'
L8	N 47°53'38" E	225.32'
L9	N 47°53'38" E	34.05'
L10	S 39°03'17" E	1891.97'
L11	S 14°51'15" W	1135.94'
L12	S 13°28'39" E	878.68'
L13	S 31°02'10" E	433.45'
L14	S 09°49'49" W	487.52'
L15	N 09°49'49" E	543.48'
L16	N 31°02'10" W	505.55'
L17	N 13°28'39" W	892.51'
L18	N 14°51'15" E	1211.38'
L19	N 39°03'17" W	1957.01'
L20	N 62°23'55" W	33.16'
L21	N 73°30'35" W	417.98'
L22	S 62°23'55" E	573.76'
L23	S 47°53'38" W	1123.03'
L24	N 47°53'38" E	524.78'
L25	N 09°49'49" E	723.13'
L26	N 39°03'17" W	1917.85'
L27	N 09°49'49" E	47.04'
L28	N 10°35'42" W	60.85'
L29	N 31°02'10" W	47.06'
L30	N 10°35'42" W	36.34'
L31	N 14°51'15" E	84.14'
L32	N 39°03'17" W	84.14'
L33	S 31°02'10" E	109.86'
L34	S 13°28'39" E	109.86'
L35	S 13°28'39" E	113.20'
L36	S 14°51'15" W	113.20'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	75.00'	235.61'	150.00'	S 12°06'01" E	179°59'36"
C2	75.00'	218.54'	149.03'	S 10°36'11" E	166°57'04"
C3	110.00'	310.15'	217.15'	N 22°15'25" W	161°32'59"
C4	110.00'	330.84'	219.51'	N 00°41'18" E	172°19'22"

SITE: 000352 FOR SOURCE OF TITLE REFER TO DB 860, PG 539

DUKE ENERGY CAROLINAS, LLC  
 TUXEDO-HENDERSONVILLE 44 KV  
 SURVEY OF GUYING RIGHTS TO BE ACQUIRED ON PROPERTY OF  
*State of North Carolina*  
 HENDERSONVILLE TOWNSHIP  
 HENDERSON COUNTY, N.C.

BOOK: \_\_\_\_\_ DATE: 8-20-12 SCALE: 1"=200

CREW: BB,AG,JW DRAWN BY: JW,BB R.O.P.= 10,000'+

LAND UNIT: 1181029 MAP: 000352-388620



400 S. TRYON STREET  
 PO BOX 1007  
 CHARLOTTE N.C. 28201-1007  
 TELEPHONE NO. (704)382-6658

# EXHIBIT H

January 17, 2013

II

112TH CONGRESS  
2D SESSION

## S. 3687

To amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, to designate certain Federal buildings, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 17, 2012

Mrs. BOXER introduced the following bill; which was read twice, considered, read the third time, and passed

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## A BILL

To amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, to designate certain Federal buildings, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. LAKE PONTCHARTRAIN BASIN RESTORATION**  
4 **PROGRAM.**

5 Section 121 of the Federal Water Pollution Control  
6 Act (33 U.S.C. 1273) is amended—

1 (1) in subsection (d), by inserting “to pay not  
2 more than 75 percent of the costs” after “make  
3 grants”; and

4 (2) in subsection (f)(1), in the first sentence, by  
5 striking “2011” and inserting “2012 and the  
6 amount appropriated for fiscal year 2009 for each of  
7 fiscal years 2013 through 2017”.

8 **SEC. 2. ENVIRONMENTAL PROTECTION AGENCY HEAD-**  
9 **QUARTERS.**

10 (a) **REDESIGNATION.**—The Environmental Protec-  
11 tion Agency Headquarters located at 1200 Pennsylvania  
12 Avenue N.W. in Washington, D.C., known as the Ariel  
13 Rios Building, shall be known and redesignated as the  
14 “William Jefferson Clinton Federal Building”.

15 (b) **REFERENCES.**—Any reference in a law, map, reg-  
16 ulation, document, paper, or other record of the United  
17 States to the Environmental Protection Agency Head-  
18 quarters referred to in subsection (a) shall be deemed to  
19 be a reference to the “William Jefferson Clinton Federal  
20 Building”.

21 **SEC. 3. GEORGE H.W. BUSH AND GEORGE W. BUSH UNITED**  
22 **STATES COURTHOUSE AND GEORGE MAHON**  
23 **FEDERAL BUILDING.**

24 (a) **REDESIGNATION.**—The Federal building and  
25 United States Courthouse located at 200 East Wall Street

1 in Midland, Texas, known as the George Mahon Federal  
2 Building, shall be known and redesignated as the “George  
3 H.W. Bush and George W. Bush United States Court-  
4 house and George Mahon Federal Building”.

5 (b) REFERENCES.—Any reference in a law, map, reg-  
6 ulation, document, paper, or other record of the United  
7 States to the Federal building and United States Court-  
8 house referred to in subsection (a) shall be deemed to be  
9 a reference to the “George H.W. Bush and George W.  
10 Bush United States Courthouse and George Mahon Fed-  
11 eral Building”.

12 **SEC. 4. THOMAS P. O’NEILL, JR. FEDERAL BUILDING.**

13 (a) DESIGNATION.—The Federal building currently  
14 known as Federal Office Building 8, located at 200 C  
15 Street Southwest in the District of Columbia, shall be  
16 known and designated as the “Thomas P. O’Neill, Jr.  
17 Federal Building”.

18 (b) REFERENCES.—Any reference in a law, map, reg-  
19 ulation, document, paper, or other record of the United  
20 States to the Federal building referred to in subsection  
21 (a) shall be deemed to be a reference to the “Thomas P.  
22 O’Neill, Jr. Federal Building”.

23 **SEC. 5. COMPLIANCE WITH LACEY ACT.**

24 The Lacey Act Amendments of 1981 (16 U.S.C.  
25 3371 et seq.) and section 42 of title 18, United States

1 Code, shall not apply with respect to any water transfer  
2 by the North Texas Municipal Water District and the  
3 Greater Texoma Utility Authority using only closed con-  
4 veyance systems from the Lake Texoma raw water intake  
5 structure to treatment facilities at which all zebra mussels  
6 are extirpated and removed from the water transferred.

7 **SEC. 6. CONVEYANCE OF MCKINNEY LAKE NATIONAL FISH**  
8 **HATCHERY.**

9 (a) **DEFINITIONS.**—In this section:

10 (1) **SECRETARY.**—The term “Secretary” means  
11 the Secretary of the Interior.

12 (2) **STATE.**—The term “State” means the State  
13 of North Carolina.

14 (b) **CONVEYANCE.**—Not later than 180 days after the  
15 date of enactment of this Act, the Secretary shall convey  
16 to the State, without reimbursement, all right, title, and  
17 interest of the United States in and to the property de-  
18 scribed in subsection (c), for use by the North Carolina  
19 Wildlife Resources Commission as a component of the fish  
20 and wildlife management program of the State.

21 (c) **DESCRIPTION OF PROPERTY.**—The property re-  
22 ferred to in subsection (b) is comprised of the property  
23 known as the “McKinney Lake National Fish Hatchery”,  
24 which—

1 (1) is located at 220 McKinney Lake Road,  
2 Hoffman (between Southern Pines and Rocking-  
3 ham), in Richmond County, North Carolina;

4 (2) is a warmwater facility consisting of ap-  
5 proximately 422 acres; and

6 (3) includes all improvements and related per-  
7 sonal property under the jurisdiction of the Sec-  
8 retary that are located on the property (including  
9 buildings, structures, and equipment).

10 (d) USE BY STATE.—

11 (1) USE.—The property conveyed to the State  
12 under this section shall be used by the State for pur-  
13 poses relating to fishery and wildlife resources man-  
14 agement.

15 (2) REVERSION.—

16 (A) IN GENERAL.—If the property con-  
17 veyed to the State under this section is used for  
18 any purpose other than the purpose described  
19 in paragraph (1), all right, title, and interest in  
20 and to the property shall revert to the United  
21 States.

22 (B) CONDITION OF PROPERTY.—If the  
23 property described in subparagraph (A) reverts  
24 to the United States under this paragraph, the  
25 State shall ensure that the property is in sub-

1           stantially the same or better condition as the  
2           condition of the property as of the date of the  
3           conveyance of the property under this section.

4           (C) EXCEPTION.—This paragraph shall  
5           not apply with respect to use of the property  
6           under subsection (e).

7           (e) USE BY SECRETARY.—The Secretary shall re-  
8           quire, as a condition and term of the conveyance of prop-  
9           erty under this section, that the State shall, upon the re-  
10          quest of the Secretary, allow the United States Fish and  
11          Wildlife Service to use the property in cooperation with  
12          the Commission for propagation of any critically impor-  
13          tant aquatic resources held in public trust to address spe-  
14          cific restoration or recovery needs of such resource.

○



# McKinney Lake Fish Hatchery

*Stocking fish for North Carolina public waters*

**M**ckinney Lake Fish Hatchery is one of six fish hatcheries, operated by the N.C. Wildlife Resources Commission, that raises fish for stocking into public waters across the state. A warmwater hatchery located in Hoffman, just south of Southern Pines, the fish hatchery is the primary source of channel catfish for the Commission's popular Community Fishing Program.



*McKinney Lake Fish Hatchery*

Although the hatchery is owned by the U.S. Fish and Wildlife Service, the Commission has operated the hatchery under a Memorandum of Agreement since 1996 and annually produces approximately 150,000 harvestable size (8-12 inches) channel catfish to provide angling opportunities throughout the state. In addition to rearing channel catfish, McKinney Lake State Fish Hatchery staff conducts an annual children's fishing day, which is free and open to the public.



*Newly constructed harvest kettles make collecting fish quicker and easier.*

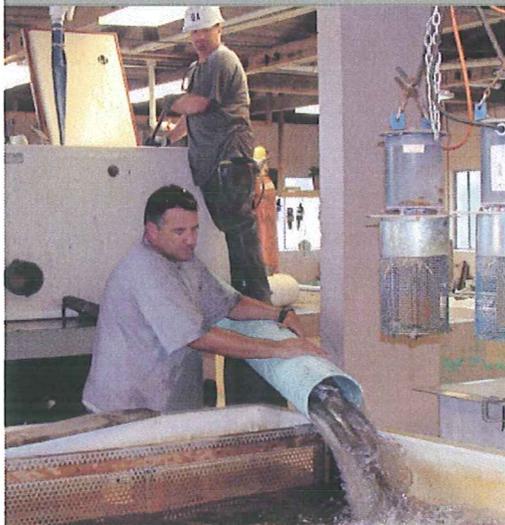
The Commission has made significant investments to improve the hatchery so that it can produce more fish to meet agency goals.

Among these investments were:

- Rebuilding the dam to meet North Carolina dam safety standards
- Replacing four deteriorated kettle boxes in the ponds to help staff harvest fish more quickly and efficiently (\$874,855)
- Renovating the hatchery lodge to provide housing for seasonal staff and meeting facilities for agency staff (\$100,918)

The Commission plans to improve hatchery operations by:

- Replacing the remaining deteriorated harvest kettles and inlet boxes
- Rebuilding the equipment-storage building
- Renovating the hatchery building to enhance operations and add flexibility to fish-culture activities



*Catfish harvested from ponds are brought into the holding house where they are sorted and later stocked at various locations statewide.*



*Chris Darnell holds a channel catfish caught at a McKinney Lake-sponsored kids' fishing event.*

For more information  
[www.ncwildlife.org](http://www.ncwildlife.org) or (919) 707-0220