CALL TO ORDER - Chairman John Coley

This meeting is being recorded as a public record and is audio streaming live at www.ncwildlife.org. As a courtesy to others please turn off all cell phones during the meeting.

PLEDGE OF ALLEGIANCE – Commissioner David Hoyle

INVOCATION - Commissioner John Litton Clark

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 inquires 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 John Coley
APPROVAL OF MINUTES – Take action on the October 5, 2017 Wildlife Resources Commission meeting minutes as written in the exhibit and distributed to members (EXHIBIT A)

ADMINISTRATION


RECOGNITION – EMPLOYEE SERVICE AWARDS – Recognize and present service awards to Wildlife Resources Commission Employees - Executive Director Gordon Myers

COMMITTEE REPORTS

Finance Committee Report – Landon Zimmer, Chair
Fisheries Committee Report – Tommy Fonville, Chair
Land Use and Access Committee Report – Tom Berry, Chair
Small Game and Wild Turkey Committee - Garry Spence, Chair
Committee of the Whole – Chairman John Coley

AGENCY SPOTLIGHT – Big Game Harvest Reporting – Overview of new Live Harvest Reports and enhanced Mobile Features for 2017-2018 – CarolAnne Feehan, IT

SPECIAL PRESENTATION - Receive a presentation from the North Carolina Chapter of the National Wild Turkey Federation

UPDATE TO THE WILDLIFE RESOURCES COMMISSION – Receive an update on the methodology for examining the social and economic aspects of hunting migratory birds on Sunday – Mark Duda, Responsive Management Executive Director

INLAND FISHERIES DIVISION

Fisheries Division Update - Receive a staff update on activities of the Inland Fisheries Division – Christian Waters, Inland Fisheries Division Chief

WILDLIFE MANAGEMENT DIVISION

Wildlife Management Division Update – Receive an update on the activities of the Wildlife Management Division – Dr. David Cobb, Wildlife Management Division Chief
LAND AND WATER ACCESS SECTION

Land Acquisitions and 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 – *Brian McRae, Land and Water Access Section Chief* (EXHIBITS C-1, C-2, C-3, C-4)

- West Fork Tract – Haywood County (C-1)
- Johnson Tract – Haywood County (C-2)
- Sipe Tract – Wilkes County (C-3)
- McKeithan Tract – Pender County (C-4)

**Phase II Land Acquisitions** – Consider final approval to proceed with acquisition of the following properties – *Brian McRae* (EXHIBITS D-1, D-2, D-3, D-4, D-5, D-6)

- Foster’s Creek Preserve Tract – Polk County (D-1)
- Maggot Springs Gap Tract – Haywood County (D-2)
- Usher Tract – Scotland County (D-3)
- Godwin II Tract – Scotland County (D-4)
- Womble Tract – Scotland County (D-5)
- Waccamaw River Sportsman’s Retreat – Columbus County (D-6)

**Easement Request** – Consider a request for an easement across the Wood Tract of Nantahala Game Land in Jackson County – *Brian McRae* (EXHIBIT E)

**Property Allocation** – Consider a request to allocate Shelly Island in Dare County from the NC Department of Administration to the NC Wildlife Resources Commission – *Brian McRae* (EXHIBIT F)

WATER SAFETY RULEMAKING

**Notice of Text – 15A NCAC 10F .0300 – Local Water Safety Regulations** – Consider request to approve publishing Notice of Text in the *NC Register* for proposed amendments to 12 water safety regulations, hold one public hearing, and open the public comment period. Approve Fiscal Note – *Betsy Haywood, No-Wake Zone Coordinator* (EXHIBITS G-1, G-2)

**Rulemaking Application – 15A NCAC 10F .0317 Palmerville Lake, Stanly County** – Consider an application by Stanly County for consideration of rulemaking at a canal on Palmerville Lake, a landlocked section of Badin Lake – *Betsy Haywood* (EXHIBIT H)

**Notice of Text – 15A NCAC 10F .0338 Caldwell County** – Consider request by the City of Hickory to approve publishing Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0338, to establish a no-wake zone at Lake Hickory Marina on Lake Hickory – *Betsy Haywood* (EXHIBIT I)
Notice of Text – 15A NCAC 10F .0305 Brunswick County – Consider approval to publish Notice of Text in the NC Register, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0305, to establish a no-wake zone on the Intracoastal Waterway in the vicinity of the Sunset Beach Boating Access Area and bridge. Approve Fiscal Note – Betsy Haywood (EXHIBITS J-1, J-2)

Notice of Text – 15A NCAC 10F .0350 Durham and Wake counties – Consider request by NC State Parks to publish Notice of Text in the NC Register, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0350 for an extension of the no-wake zone at Holly Point Boating Access Area on Falls Lake. Approve Fiscal Note – Betsy Haywood (EXHIBIT K-1, K-2)

RULEMAKING

Final Adoption – 15A NCAC 10B .0209 Wild Turkey – Consider final adoption of proposed amendments to 15A NCAC 10B .0209 – Wild Turkey – Carrie Ruhlman, Rulemaking Coordinator (EXHIBIT L)

Final Adoption – 15A NCAC 10H .0800 Falconry – Consider final adoption of 15A NCAC 10H. 0800 – Falconry – Carrie Ruhlman (EXHIBIT M)

Final Adoption – 15A NCAC 10H .1000 Taxidermy – Review comments and consider final adoption of proposed amendments to 15A NCAC 10H .1000 – Taxidermy – Carrie Ruhlman (EXHIBITS N-1, N-2)

Review Public Comments - 15A NCAC 10H .1400 - Wildlife Captivity and Rehabilitation – Review comments from public hearings regarding captivity and rehabilitation Rules – Carrie Ruhlman (EXHIBIT O)

Notice of Text – 15A NCAC 10H .0300 – Holding Wildlife in Captivity - Consider request to approve publishing Notice of Text in the NC Register and open the public comment period for proposed delayed repeal of current Rules regarding holding wildlife in captivity – Carrie Ruhlman (EXHIBIT P)

COMMENTS BY CHAIRMAN – Chairman John Coley

COMMENTS BY EXECUTIVE DIRECTOR – Gordon Myers

ADJOURN
Chairman John Coley called the October 5, 2017 N. C. Wildlife Resources Commission meeting to order at 9:05 a.m. in the Commission Room at Wildlife Resources Commission Headquarters in Raleigh. Coley reminded everyone that the meeting audio is being streamed live and will be available on the Wildlife Resources Commission website. He asked everyone to silence cell phones. Commissioner Tom Berry was absent.

Commissioner Mike Johnson led the Pledge of Allegiance.

Commissioner Hayden Rogers gave the invocation.

**COMMISSIONER ATTENDANCE**

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<td>John Coley</td>
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<td>David Hoyle, Jr.</td>
<td>Tommy Fonville</td>
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**VISITORS**

Fred Harris – NC Wildlife Federation  
Megan Ault – Duke Law School  
Liz Rutledge – NC Wildlife Federation  
Anna Davis – AG Office
WELCOME AND MANDATORY ETHICS INQUIRY

Chairman John Coley welcomed guests present. Chairman Coley advised the Commission of the mandatory ethics inquiry as presented in the agenda. Commissioner Landon Zimmer recused himself from discussion and action on Exhibits H-3 (Drowning Creek – Scotland County) and H-4 (Palmetto Peartree Tract – Tyrrell County.)

MINUTES

On a motion by David Hoyle and second by John Litton Clark, the Commission approved the August 23, 2017 Wildlife Resources Commission minutes, presented in Exhibit A. Exhibit A, The Minutes, are incorporated into the official record of this meeting.

ADMINISTRATION

Financial Status Report – Gordon Myers, Executive Director, presented in Exhibit B a financial status report on the Wildlife Operating Fund and the Wildlife Endowment Fund as of August 31, 2017. Year to date receipts were $14,702,702. Year to date expenditures were $11,789,861. The Endowment Fund balance was $119,536,361.16. Exhibit B is incorporated into the official record of this meeting.

2017-2018 Allocation of Endowment Fund Investment Returns – The Commission reviewed Exhibit C, the FY 2017-2018 Allocation of Endowment Fund Investment Returns. On a motion by Richard Edwards and second by Nat Harris, the Commission approved the allocation of $2,869,412.84 of interest from the Wildlife Endowment Fund. In addition, $125,883.58 was allocated to the Wildlife in North Carolina magazine budget, which is 100 percent of the interest earned from magazine lifetime subscriptions. Exhibit C is incorporated into the official record of this meeting.

EMPLOYEE SERVICE AWARDS RECOGNITION – Executive Director Gordon Myers presented service awards to WRC employees Walter “Deet” James – Wildlife Education, 10 years; Brandon Bridges – Land and Water Access, 10 years; Kenneth Ashe – Enforcement, 20 years; Andrew Helton – Enforcement, 20 years; and Lisa Hocutt – Customer Support, 30 years.

COMMITTEE REPORTS

Habitat, Nongame and Endangered Species Committee Report – Mark Craig, Chair, reported that the HNGES Committee met on October 4, 2017. Allen Boynton reviewed the draft Alligator Management Plan. The Committee recommends addition of Hyde County to Alligator Management Unit 1 and adoption of the Alligator Management Plan. Boynton updated the committee on the progress of the 2017 alligator survey in Columbus and Brunswick counties. Todd Ewing gave an update of the development of Species Conservation plans for state listed species, and he provided information on joint WRC-USFWS efforts to develop Safe Harbor agreements for listed aquatic species which would allow stocking without incurring additional regulatory burden on landowners.
Land Use and Access Committee Report, September 25, 2017 – Tommy Fonville, Vice Chair, reported that the Land Use and Access Committee held a special meeting on September 25, 2017. The committee discussed the prioritization of land acquisitions by the Wildlife Resources Commission. It was suggested to be proactive in the acquisition process and develop a list of services by private brokers, to search for desirable properties across the state.

Land Use and Access Committee Report, October 4, 2017 – Tommy Fonville reported that the LUAC committee met on October 4, 2017. The committee held a brief discussion of a map showing the ratio of people to land in the 100 counties, and the percentage of WRC-owned land in each county. The committee reviewed four Phase I projects and five Phase II projects. The committee also reviewed a two-part easement - from the Raynor family to provide permanent administrative access to the Sandbanks Tract of Chowan Swamp Game Land and to the Nature Conservancy for the purpose of providing access to an adjacent land in Virginia were reviewed. The committee recommended tabling discussion of the disposition of a house on Texas Plantation Game Land.

Education Committee Report – Joe Budd, Chair, reported that the Education Committee met on October 4, 2017. Dr. Michael Yoder gave an update about a 4-H partnership program called Partnering for Positive Youth Development. Agency staff will investigate working with three 4-H camps in North Carolina to introduce the Hunter Education program. Kris Smith updated the committee about National Hunting and Fishing Day on September 23, 2017. He reported that Mecklenburg County now has the National Archery in the Schools (NASP) program in some of their public schools.

Committee of the Whole Report – Chairman John Coley reported that the Committee of the Whole met on October 4, 2017. The committee reviewed proposed Rules for Inland Fisheries, Wildlife Management, and Lands Management to take to January 2018 public hearings. The committee discussed the proposed 2018 Commission meeting schedule. The committee discussed the role of enforcement agencies in enforcing ginseng poaching. A meeting with the Department of Agriculture will be arranged for further discussion.

AGENCY SPOTLIGHT – HUMAN/WILDLIFE INTERACTIONS HELPLINE

Director Gordon Myers introduced biologists Jessie Birckhead and Daron Barnes to discuss the NC Wildlife Helpline. The Wildlife Helpline was established to provide better customer service using a database that captures types of human-wildlife interaction questions. Many contacts are made to the Wildlife Resources Commission by constituents who have questions or complaints about human/wildlife interactions, damage caused by wildlife, wildlife health and identifications. Perceptions of wildlife often drive the contacts made, giving staff an opportunity to educate and provide timely technical guidance. The Helpline is staffed by trained biologists from all divisions. North Carolina is one of the first states with an in-house program for providing timely customer service in response to questions about human-wildlife interactions.
INLAND FISHERIES

Fisheries Update - Christian Waters, Inland Fisheries Division Chief, reported on hatcheries work including delayed harvest trout stocking, upcoming muskellunge stocking, stocking lake sturgeon in the French Broad River, and stocking striped bass in the Tar, Neuse, and Cape Fear Rivers. He reported that data is being collected about the brook floater, an endemic mussel, to inform USFWS’ status assessment. The species is doing fairly well in North Carolina but is in decline farther north.

Proposed Changes in 2018-2019 Fishing Rules for Presentation at Statewide Public Hearings – On a motion by Tommy Fonville and second by Wes Seegars, the Commission approved staff recommendations for proposed changes in 2018-2019 fishing Rules to be presented at statewide public hearings in January 2018. Exhibit D-1 is incorporated into the official record of this meeting:

Trout

1) Designate all waters on Headwaters Game Land in Transylvania County, William H. Silvers Game Land in Haywood County, and Pisgah Game Land in Watauga County as Public Mountain Trout Waters and classify as Wild Trout Waters. In addition, this proposal would reformat the NC Administrative Code by alphabetizing the list of game lands and would correct the spelling of DuPont State Forest Game Land.
   15A NCAC 10D .0104 Fishing on Game Lands

2) Modify the lower boundary of Hatchery Supported Trout Waters on Beaver Creek in Ashe County removing approximately 0.4 miles from Public Mountain Trout Waters. The designated reach will be from N.C. 221 to the confluence of Beaver Creek and South Beaver Creek.
   15A NCAC 10C .0205 Public Mountain Trout Waters

3) Modify the upper boundary of Delayed Harvest Trout Waters on East Fork French Broad River in Transylvania County removing 1.0 miles of Public Mountain Trout Waters. The designated reach will be from East Fork Baptist Church to the French Broad River.
   15A NCAC 10C .0205 Public Mountain Trout Waters

4) Modify the size and creel limits on the Special Regulation Trout Waters reach of the Catawba River in Burke County by establishing a 14-inch minimum size limit, removing the restriction of only one may be greater than 14 inches, and reducing the daily creel limit from seven to two fish.
   15A NCAC 10C .0316

5) Correct the NC Administrative Code to remove the prohibition on night fishing in Public Mountain Trout Waters on game lands.
   15A NCAC 10D .0104 Fishing on Game Lands

Black Bass

1) Modify the exception to the general statewide regulation for black bass by prohibiting possession of black bass in Jean Guite Creek and associated canals within the boundaries of the Town of Southern Shores in Dare County.
   15A NCAC 10C .0305 Black Bass
Blue Catfish

1) Establish an exception to the general statewide regulation for Blue Catfish in the North Carolina portion of John H. Kerr Reservoir, Lake Gaston, and Roanoke Rapids Reservoir by allowing only one fish greater than 32 inches to be possessed in the daily creel.

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

Nongame Fishes

1) Require that the appearance of nongame fishes subject to a length and/or creel limit not be altered such that the fish cannot be identified, measured, or counted.

15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale
15A NCAC 10C .0402 Taking Nongame Fishes for Bait or Personal Consumption

Equipment

1) Remove the requirement that minnow traps must be under the immediate control and attendance of the individual operating them when used to take nongame fish for bait or personal consumption. Under this provision, the use of minnow traps only requires a license that authorizes basic fishing privileges, and any nongame fish collected may not be sold. Minnow traps must be checked daily to remove all fish. Each minnow trap must be labeled with either the user’s Commission customer number or name and address.

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

2) Allow the harvest of nongame fishes for bait with equipment specified for the taking of nongame fishes for bait or personal consumption from impounded waters of power supply reservoirs and municipally-owned water supply reservoirs that are designated as Public Mountain Trout Waters. The exception would only apply to the following reservoirs: Bear Creek Lake, Buckeye Creek Reservoir, Calderwood Reservoir, Cedar Cliff Lake, Cheoah Reservoir, Cliffside Lake, Tanassee Creek Lake, Queens Creek Lake, and Wolf Lake.

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

Fiscal Note for Proposed 2019-2019 Fisheries Rule Amendments – On a motion by Tommy Fonville and second by Wes Seegars, the Commission approved the Fiscal Note review of proposed amendments to the 2018-2019 Fisheries Rules, presented in Exhibit D-2. Exhibit D-2 is incorporated into the official record of this meeting.

WILDLIFE MANAGEMENT

Wildlife Management Update – Dr. David Cobb, Wildlife Management Division Chief, presented an update about the activities of the Wildlife Management Division. Cobb announced a meeting of the Tree Farm Association on October 14, 2017. Elk population estimation studies are ongoing in collaboration with other agencies. Cobb announced that the Division is working on a draft Coyote Management Plan to present at the December 2017 meeting.

Proposed Changes in 2018-2019 Wildlife Management Rules for Presentation at Statewide Public Hearings – Upon a motion by Nat Harris and second by Mike Johnson, the Commission approved Exhibit E-1, staff recommendation for proposed changes in 2018-2019 hunting and trapping Rules to be presented at statewide public hearings in January 2018. Exhibit E-1 is hereby incorporated into the official record of this meeting:
Deer

1) Change statewide deer hunting seasons to establish five deer season zones. Separate the current Eastern Zone into two zones, Northeastern and Southeastern; move Polk and Rutherford counties to the Western Zone; and move Cleveland County to the Northwest Zone.

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

2) Implement a balanced option for deer hunting seasons that is based on biological data and hunter feedback for each of the five season zones. These options include changes in season length and time frames, and antlered and antlerless bag limits. There would be no changes in the season opening dates for archery, but where other seasons would begin later, archery seasons would be longer than currently established seasons.

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

3) Shift either-sex days to the front of Introductory, Conservative, and Moderate antlerless deer seasons.

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

Bear

1) Change bear hunting seasons in the Coastal Bear Management Unit to align hunting seasons with five bear hunting zones established based upon biological data and bear hunter feedback.

   15A NCAC 10B .0202 Bear

2) Change bear hunting season in the Mountain Bear Management Unit to add two weeks to the beginning of the current season.

   15A NCAC 10B .0202 Bear

Alligators

1) Allow limited take of American alligators as prescribed by the North Carolina Alligator Management Plan.

   Under this proposal:

   1. The season for taking American alligators would be September 1 to October 1.
   2. Limited take would be by permit only issued by the Wildlife Resources Commission.
   3. The bag limit would be one per permit, with a season limit of one alligator per permittee.
   4. Alligators could only be taken using hand-held ropes or catch poles; hand-held or rod/reel snatch hooks; harpoons or gigs with attached restraining lines; baited, wooden pegs less than 2-inches in length attached to hand-held restraining lines; archery equipment with arrow-attached restraining lines.
   5. Alligators taken by any lawful method described above would have to be dispatched immediately upon capture.
   6. Alligators could be taken day or night and with the use of artificial lights.
   7. Baited hooks would be prohibited.
   8. Permittees would be required to complete a harvest survey provided by the Wildlife Resources Commission and to allow staff to collect biological data from harvested alligators.

   15A NCAC 10B .0224 American Alligator

Possession of Non-native Species

1) Amend the rule regulating possession of non-native species in the North Carolina Administrative Code to include brown anoles, red-eared sliders, Cuban treefrogs, and all Asian newt species in the genera *Cynops*, *Pachytriton*, *Paramesotriton*, *Laotriton*, and *Tylototriton*.

   15A NCAC 10B .0123 Possession of Certain Species of Wildlife Resources
Clarify Definition of Blackpowder Firearm

1) Clarify the definition of a blackpowder firearm to mean “any firearm, including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898, that cannot use fixed ammunition; any replica of this type of firearm if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that is designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the muzzle or cylinder and that cannot use fixed ammunition.”

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

Technical Correction

1) Clarify that the hunting seasons for pheasant, fox (by archery), and rabbits open on the Saturday before Thanksgiving.

15A NCAC 10B .0207 Rabbits
15A NCAC 10B .0211 Pheasant (Non-Native Varieties)
15A NCAC 10B .0212 Foxes (Gray and Red)

Fiscal Note Reviews for Proposed 2018-2019 Wildlife Management Rule Amendments – On a motion by Nat Harris and second by Mike Johnson, the Commission approved the Fiscal Note review of proposed amendments to the 2018-2019 deer and bear hunting Rules, presented in Exhibit E-2-1, and approved Fiscal Note review of the proposed alligator Rule and Rules for possession of certain species, presented in Exhibit E-2-2. Exhibits E-2-1 and E-2-2 are incorporated into the official record of this meeting.

Adoption of the North Carolina Alligator Management Plan - On a motion by Wes Seegars and second by Garry Spence, the Commission added Hyde County to Alligator Management Unit 1 and adopted the North Carolina Alligator Management Plan, presented in Exhibit F. The amended N.C. Alligator Management Plan is incorporated into the official record of this meeting.

LAND AND WATER ACCESS SECTION

Land and Water Access Update – Brian McRae, Land and Water Access Section Chief, reported that the North Carolina Tree Farm Program can help certify state-owned forests and trees. Certification can result in a higher value for sale of timber from certified forests.

PROPERTY MATTERS

Phase I Land Acquisitions – Upon a motion by Tommy Fonville and second by Brian White, the Commission approved staff working to develop plans for acquisition of four properties, presented by Brian McRae in Exhibits G-1, G-2, G-3, and G-4. Exhibits G-1 through G-4 are incorporated into the official record of this meeting.

- Salter’s Creek Tract – Carteret County
- Fosters Creek Preserve Tract – Polk County
- Rocky Swamp Tract – Halifax County
- Maggot Springs Gap Tract – Haywood County
Adoptions of Phase II Acquisitions – Upon a motion by David Hoyle, Jr. and second by Tommy Fonville, the Commission gave final approval to proceed with the acquisition of the Godwin Tract – Pender County; Long Ridge Tract – Onslow County; and Johns River Tract – Burke and Caldwell Counties, presented in Exhibits H-1, H-2, and H-5.

With Landon Zimmer recused from consideration and vote, and upon a motion by Tommy Fonville and second by Mike Johnson, the Commission gave final approval to proceed with the donations by NC Department of Transportation of the Drowning Creek Tract – Scotland County and Palmetto Peartree Preserve Tract – Tyrrell County, presented in Exhibits H-3 and H-4.

Exhibits H-1 through H-5 are incorporated into the official record of this meeting.

Easement Requests – Sandbanks Tract of Chowan Swamp Game Land – On a motion by Ray Clifton and second by Nat Harris, the Commission approved the acquisition of an easement from the Raynor family to provide permanent administrative access to the Sandbanks Tract of Chowan Swamp Game Land and approved conveying an easement to the Nature Conservancy to provide administrative access from the Sandbanks Tract of Chowan Swamp Game Land to an adjacent parcel in Virginia presented in Exhibit I. Exhibit I is incorporated into the official record of this meeting.

Disposal of Surplus Property Tabled – the Commission tabled Exhibit J, consideration of Commission approval to dispose of house and lot on Texas Plantation Game Land.

Rulemaking for Proposed 2018-2019 Game Land Rule Proposals – On a motion by Tommy Fonville and second by Brian White, the Commission approved proposed changes to 2018-2019 Game Land rules to be presented at statewide public hearings in January 2018 presented in Exhibit K-1. Exhibit K-1 is incorporated into the official record of this meeting.

Applying to Game Lands Generally

1) Allow for the take of feral swine on game lands during the open season for any game bird using any legal manner of take allowed during those open game seasons.

   15A NCAC 10D .0103 Hunting on game lands

Applying to Specific Game Lands

1) Prohibit target shooting on the Sand Banks tract of Chowan Swamp Game Land.

   15A NCAC 10D .0103 Hunting on game lands

2) Establish the Dan River Game Land in Rockingham County as a permit only area and prohibit target shooting. Further, prohibit horseback riding except on those areas posted for equestrian use. People age 16 or older horseback riding on this game land must possess a Game Land license.

   15A NCAC 10D .0103 Hunting on game lands

3) Designate the Little Macedonia Tract of Green Swamp Game Land as a permit-only area for bear, deer, and turkey.

   15A NCAC 10D .0103 Hunting on game lands

4) Prohibit the pursuing or chasing of deer or bear with dogs for the purposes of training or hunting on the Little Macedonia Tract of Green Swamp Game Land.

   15A NCAC 10D .0103 Hunting on game lands
5) Establish the Headwaters State Forest Game Land in Transylvania County as a six-day per-week area with an introductory either-sex deer season.  
15A NCAC 10D .0103 Hunting on game lands

6) Remove the rule that prohibits the hunting of quail and woodcock, and the training of dogs on birds on the CURE portion of the Sandhills Game Land.  
15A NCAC 10D .0103 Hunting on game lands

7) Create a Designated Camping Area on the Shocco Creek Game Land to allow hunter camping during open hunting seasons.  
15A NCAC 10D .0103 Hunting on game lands

8) Remove the restriction on grouse hunting, quail hunting, woodcock hunting, and all bird dog training on the CURE portion of South Mountains Game Land (SMGL) in Cleveland, McDowell, and Rutherford counties.  
15A NCAC 10D .0103 Hunting on game lands

9) Implement game land regulation changes to provide regulatory alignment with the proposed deer season regulations that apply to private lands proposed by the Wildlife Management Division. These proposals include changes in season length and dates. There would be no changes in the season opening dates for archery, but where other seasons would begin later, archery seasons would be longer than currently established seasons. These proposals also shift either-sex days to the front of Introductory, Conservative, and Moderate antlerless deer seasons.  
15A NCAC 10D .0103 Hunting on game lands

**Fiscal Note Review for Proposed 2018-2019 Game Land Management Rule Amendments** – On a motion by Tommy Fonville J and second by Brian White, the Commission approved the Fiscal Note review of proposed amendments to the 2018-2019 game land management rules, presented in Exhibit K-2. Exhibit K-2 is incorporated into the official record of this meeting.

**WATER SAFETY RULEMAKING**

**Fiscal Note and Notice of Text – 15A NCAC 10F .0300 – Local Water Safety Regulations** – Upon a motion by Garry Spence and second by Wes Seegars, the Commission approved the Fiscal Note review for 25 water safety Rules proposed for revision and readoption under the 2016 Periodic Review of Rules, presented in Exhibit L-1 by Betsy Haywood, No-Wake Zone Coordinator.

The Rules proposed for amendment and readoption as part of the 2016 Periodic Review of Rules, presented in Exhibit L-2, will be revised to

- Clarify no-wake zone boundaries by including coordinates;
- Correct names of locations or Rule title;
- Remove applicant’s responsibility for maintenance of markers;
- Remove the word “motorboat”, as the statutory definition of “vessel” includes motorboats;
- Include appropriate federal approval for placement of markers.

Upon the motion by Garry Spence and second by Wes Seegars, the Commission approved publishing Notice of Text in the NC Register for the following water safety regulations presented in Exhibit L-2, holding one public hearing, and opening the public comment period. Exhibit L-2 is incorporated into the official record of this meeting.
15A NCAC 10F .0311 GRANVILLE, VANCE AND WARREN COUNTIES
Update language for consistency, include coordinates, remove maintenance of markers.
15A NCAC 10F .0311 Granville, Vance and Warren Counties

15A NCAC 10F .0305 BRUNSWICK COUNTY
Update language, add coordinates, remove “motorboat,” remove maintenance, include federal approval.
15A NCAC 10F .0305 Brunswick County

15A NCAC 10F .0309 COLUMBUS COUNTY
Clarify description of restricted areas.
15A NCAC 10F .0309 Columbus County

15A NCAC 10F .0310 DARE COUNTY
Add coordinates, correct names, renumber Rule, remove “motorboat” and maintenance, add federal approval.
15A NCAC 10F .0310 Dare County

15A NCAC 10F .0316 FORSYTH, FORSYTH, ROCKINGHAM AND STOKES COUNTIES
Clarify language.
15A NCAC 10F .0316 Forsyth, Rockingham and Stokes Counties

15A NCAC 10F .0317 STANLY COUNTY
Remove Mountain Creek Cove as a no-wake zone and reletter Rule, remove maintenance.
15A NCAC 10F .0317 Stanly County

15A NCAC 10F .0322 UNION COUNTY
Clarify language for consistency, correct names, remove maintenance.
15A NCAC 10F .0322 Union County

15A NCAC 10F .0324 DAVIDSON COUNTY
Clarify language, add coordinates, add no-wake zone on Badin Lake at Lakeshore Drive Cove to the Davidson County Rule and remove it from the Montgomery County Rule, renumber Rule, remove maintenance.
15A NCAC 10F .0324 Davidson County

15A NCAC 10F .0327 MONTGOMERY COUNTY
Remove no-wake zone on Badin Lake at Lakeshore Drive Cove and add it to the Davidson County Rule, add coordinates, clarify descriptions.
15A NCAC 10F .0327 Montgomery County

15A NCAC 10F .0329 ROWAN COUNTY
Clarify descriptions, add coordinates, remove maintenance, remove federal approval.
15A NCAC 10F .0329 Rowan County

15A NCAC 10F .0332 ALEXANDER COUNTY
Clarify language, add coordinates, correct names, remove “motorboat,” remove maintenance, remove federal approval.
15A NCAC 10F .0332 Alexander County

15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES
Clarify language and locations, add coordinates.
15A NCAC 10F .0333 Mecklenburg and Gaston Counties

15A NCAC 10F .0336 NORTHAMPTON AND WARREN COUNTIES
Clarify locations and add coordinates, remove maintenance.
15A NCAC 10F .0336 Northampton and Warren Counties
15A NCAC 10F .0341  TOWN OF LAKE LURE
Remove “motorboat,” clarify language.
15A NCAC 10F .0341 Town of Lake Lure

15A NCAC 10F .0343  CHATHAM COUNTY
Remove repetitive definitions, remove maintenance.
15A NCAC 10F .0343 Chatham County

15A NCAC 10F .0344  TOWN OF RIVER BEND
Clarify descriptions and add coordinates, remove “motorboat,” remove maintenance.
15A NCAC 10F .0344 Town of River Bend

15A NCAC 10F .0345  CHATHAM AND WAKE COUNTIES
Clarify descriptions, add coordinates, remove maintenance.
15A NCAC 10F .0345 Chatham and Wake Counties

15A NCAC 10F .0346  ARROWHEAD BEACH SUBDIVISION
Clarify descriptions, add coordinates, remove maintenance.
15A NCAC 10F .0346 Arrowhead Beach Subdivision

15A NCAC 10F .0347  CRAVEN COUNTY
Clarify descriptions and add coordinates, remove maintenance.
15A NCAC 10F .0347 Craven County

15A NCAC 10F .0357  NASH COUNTY
Clarify language pertaining to regulated area, add coordinates, remove “motorboat,” remove maintenance.
15A NCAC 10F .0357 Nash County

15A NCAC 10F .0358  JONES COUNTY
Clarify descriptions and add coordinates, remove “motorboat,” remove maintenance.
15A NCAC 10F .0358 Jones County

15A NCAC 10F .0362  HARNETT COUNTY
Clarify descriptions, add coordinates.
15A NCAC 10F .0362 Harnett County

15A NCAC 10F .0369  TOWN OF SWANSBORO
Clarify boundaries of no-wake zone to meet the setback requirements of the United States Army Corps of Engineers, add coordinates, remove “motorboat,” remove maintenance, add federal approval.
15A NCAC 10F .0369 Town of Swansboro

15A NCAC 10F .0371  BELEWS LAKE IN STOKES COUNTY
Clarify language.
15A NCAC 10F .0371 Belews Lake in Stokes County

15A NCAC 10F .0376  TOWN OF EMERALD ISLE
Clarify descriptions and add coordinates, remove “motorboat,” remove maintenance, add federal approval.
15A NCAC 10F .0376 Town of Emerald Isle
ADOPTION OF THE 2018 WILDLIFE RESOURCES COMMISSION MEETING SCHEDULE

On a motion by John Litton Clark and second by Richard Edwards the Commission added August 23, 2018 and adopted the 2018 schedule of NC Wildlife Resources Commission meetings presented in Exhibit M. The amended schedule is incorporated into the official record of this meeting and is:

THURSDAY, FEBRUARY 22, 2018
THURSDAY, APRIL 26, 2018
THURSDAY, JULY 12, 2018
THURSDAY, AUGUST 23, 2018
THURSDAY, OCTOBER 4, 2018
THURSDAY, DECEMBER 6, 2018

COMMENTS BY THE CHAIRMAN

Chairman John Coley thanked agency staff for their preparations for the meetings. Coley announced that he will establish a Finance Committee and will hold a meeting with that committee before the December meeting.

COMMENTS BY THE EXECUTIVE DIRECTOR

Executive Director Gordon Myers read a Resolution of appreciation for John Litton Clark’s leadership on various committees of the Commission and as recent Chairman of the Wildlife Resources Commission. The Resolution as adopted by acclamation. Myers also remembered former District 4 Commissioner Doug Parsons, who recently died.

ADJOURNMENT

The meeting was adjourned by Chairman Coley at 11:10 a.m.

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

_________________________________________  __________________________
John Coley, Chairman                                                  Date

_________________________________________  __________________________
Gordon Myers, Executive Director                                          Date
## NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

### Endowment Fund Year-to-Date

#### September, 2016

<table>
<thead>
<tr>
<th>Balance July 1</th>
<th>$119,880,155.24</th>
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</thead>
<tbody>
<tr>
<td>Plus: Revenues from Sales</td>
<td>$861,995.00</td>
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<tr>
<td>Return on Investment</td>
<td>$1,197,237.46</td>
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<tr>
<td>Less: Transfers Out</td>
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<tr>
<td><strong>Balance September 30</strong></td>
<td><strong>$121,939,387.70</strong></td>
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#### September, 2017

<table>
<thead>
<tr>
<th>Balance July 1</th>
<th>$122,838,718.30</th>
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<tr>
<td>Plus: Revenues from Sales</td>
<td>$991,465.00</td>
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<tr>
<td>Return on Investment</td>
<td>$737,724.69</td>
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<td>Less: Transfers Out</td>
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<td><strong>Balance September 30</strong></td>
<td><strong>$124,567,907.99</strong></td>
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#### Market Value

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<tr>
<th>September, 2016</th>
<th>$119,386,722.13</th>
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<tr>
<td>September, 2017</td>
<td>$121,544,771.69</td>
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### Endowment Fund Interest

<table>
<thead>
<tr>
<th>Sources of Interest Available</th>
<th>Expendable</th>
<th>Non Expendable</th>
<th>Transferred to Operations</th>
<th>Transferred to Capital Projects</th>
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</thead>
<tbody>
<tr>
<td>ADULT Licenses</td>
<td>$25,251,745.88</td>
<td>$ -</td>
<td>$ -</td>
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<tr>
<td>INFANT Licenses</td>
<td>-</td>
<td>$11,802,223.64</td>
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<tr>
<td>YOUTH Licenses</td>
<td>-</td>
<td>$1,026,358.35</td>
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<td>Magazine Subscriptions</td>
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<tr>
<td>Contributions - General</td>
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<td>Contributions - Diversity</td>
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<td><strong>TOTAL</strong></td>
<td>$28,394,107.64</td>
<td>$12,828,581.99</td>
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### 2017-18 Budgeted Obligated

| Allocation of Endowment Interest - Operating | - | To Operating | - |
| Allocation of Endowment Interest - Capital Projects | - | To Capital Projects | - |
| **TOTAL** | $ - | - | $ - | - |
## Summary and Analysis of Agency Operating Cash Balance

**Budget Code 14350, 24350, 24351 and 24352**

<table>
<thead>
<tr>
<th></th>
<th>September, 2016</th>
<th>September, 2017</th>
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<td><strong>Cash Balance July 1</strong></td>
<td>$11,106,479.31</td>
<td>$12,047,722.61</td>
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<td><strong>Appropriations</strong></td>
<td><strong>Actual</strong></td>
<td><strong>Actual</strong></td>
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<tr>
<td>Appropriations</td>
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<td>$2,766,747.00</td>
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<td>$3,064,062.60</td>
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<td><strong>Receipts</strong></td>
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<td>Inland Fisheries</td>
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<td>1,570,812.51</td>
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<td>Wildlife Management</td>
<td>2,839,944.84</td>
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<td>5,401,295.86</td>
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<td>Habitat Conservation</td>
<td>380,386.80</td>
<td>155,945.00</td>
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<td>W/Life Fund Receipts</td>
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<td>Outdoor Heritage</td>
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<td>28,962.47</td>
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<tr>
<td><strong>Total</strong></td>
<td>$23,921,467.53</td>
<td>$22,056,761.07</td>
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<td><strong>Expenditures</strong></td>
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<td>1,330,117.92</td>
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<td>Engineering Services</td>
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<td>Habitat Conservation</td>
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<td>292,305.60</td>
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<td>W/Life Fund Receipts</td>
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<td>Outdoor Heritage</td>
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<td>Property, Plant &amp; Equipment</td>
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<td>Other Expenses &amp; Adjustments</td>
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<td>4.54</td>
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<td><strong>Total Controller's Office</strong></td>
<td><strong>249,348.50</strong></td>
<td><strong>249,348.50</strong></td>
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<td>Personnel</td>
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<td>256,702.07</td>
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<td>Purchased Services</td>
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<td>331,233.75</td>
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<td>Supplies</td>
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<td>9,834.43</td>
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<tr>
<td>Property, Plant &amp; Equipment</td>
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<tr>
<td>Other Expenses &amp; Adjustments</td>
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<td>4.54</td>
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<tr>
<td><strong>Total Customer Support</strong></td>
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<td><strong>668,500.19</strong></td>
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<td>Personnel</td>
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<td>447,730.24</td>
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<td>283,355.92</td>
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<tr>
<td>Supplies</td>
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<td>957.27</td>
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<tr>
<td>Other Expenses &amp; Adjustments</td>
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<td>18,848.01</td>
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<td><strong>Total Information Systems</strong></td>
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<td><strong>754,631.57</strong></td>
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<td>202,980.31</td>
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<td>Purchased Services</td>
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<td>151,592.38</td>
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<tr>
<td>Supplies</td>
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<td>Other Expenses &amp; Adjustments</td>
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<td>21,418.16</td>
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<tr>
<td><strong>Total Watercraft Titling &amp; Registration</strong></td>
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<td><strong>376,286.95</strong></td>
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<tr>
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<td>112,666.12</td>
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<td>Supplies</td>
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<td>Other Expenses &amp; Adjustments</td>
<td>248.18</td>
<td>248.18</td>
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<tr>
<td><strong>Total Purchasing</strong></td>
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<td><strong>119,540.96</strong></td>
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<td>Personnel</td>
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<td>268.76</td>
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<tr>
<td>Other Expenses &amp; Adjustments</td>
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<td>3,821.16</td>
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<td><strong>Total Personnel</strong></td>
<td><strong>143,072.07</strong></td>
<td><strong>143,072.07</strong></td>
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<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>2,585,053.43</strong></td>
<td><strong>2,585,053.43</strong></td>
</tr>
</tbody>
</table>

<p>| Other Sales of Goods | 2,034.00 |
| Non-Capital Gifts   | 27.00    |
| <strong>Total Administrative Services</strong> | <strong>2,061.00</strong> |
| <strong>Total Controller's Office</strong> | <strong>0.00</strong> |
| Federal Grants      | 22,558.00 |
| Sale of Federal Stamps | 187,726.00 |
| Registration Fees   | 5,425.00 |
| Miscellaneous Revenue | 37,639.83 |
| Short Term Interest Income | 21.64 |
| Other Sales &amp; Services | 4,185.00 |
| Other Sales of Goods | 5.00 |
| <strong>Total Customer Support</strong> | <strong>257,560.47</strong> |
| <strong>Total Information Systems</strong> | <strong>2,034.00</strong> |
| <strong>Total Watercraft Titling &amp; Registration</strong> | <strong>0.00</strong> |
| <strong>Total Purchasing</strong> | <strong>0.00</strong> |
| <strong>Total Personnel</strong> | <strong>0.00</strong> |
| <strong>Total Revenues</strong> | <strong>261,655.47</strong> |</p>
<table>
<thead>
<tr>
<th>Item</th>
<th>FY17/18 1st QTR</th>
<th>FY17/18 YTD</th>
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</thead>
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<tr>
<td>Personnel</td>
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<td>4,057,775.10</td>
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<td>Purchased Services</td>
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<td>Supplies</td>
<td>209,578.39</td>
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<td>Property, Plant &amp; Equipment</td>
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<tr>
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<td>Surplus-Vehicles</td>
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<tr>
<td>Surplus-Equipment</td>
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<tr>
<td>Fines, Penalties &amp; Assessments</td>
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<td>1,750.00</td>
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<tr>
<td>Prior Year Refund</td>
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<tr>
<td>Short Term Interest Income</td>
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<td>2,282.58</td>
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<tr>
<td>Boating Safety Grant</td>
<td>1,061,982.00</td>
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<td>Gas Tax Transfer-Dept. of Revenue</td>
<td>590,605.00</td>
<td>590,605.00</td>
</tr>
<tr>
<td><strong>Enforcement</strong></td>
<td><strong>2,176,434.46</strong></td>
<td><strong>2,176,434.46</strong></td>
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<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>2,176,434.46</strong></td>
<td><strong>2,176,434.46</strong></td>
</tr>
</tbody>
</table>
## Expenditures and Receipts by Functional Area

### FY17/18 1st QTR

<table>
<thead>
<tr>
<th>Category</th>
<th>FY17/18 1st QTR</th>
<th>FY17/18 YTD</th>
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</thead>
<tbody>
<tr>
<td>Personnel</td>
<td>646,788.65</td>
<td>646,788.65</td>
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<tr>
<td>Purchased Services</td>
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<td>270,147.59</td>
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<td>Supplies</td>
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<td>50,870.44</td>
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<td>Other Expenses &amp; Adjustments</td>
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<td><strong>1,000,523.88</strong></td>
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<td>Supplies</td>
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<td><strong>Magazine</strong></td>
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<td><strong>1,330,117.92</strong></td>
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### FY17/18 YTD

<table>
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<th>FY17/18 YTD</th>
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<tbody>
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<td>Food &amp; Vending Service</td>
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<td>Surplus-Equipment</td>
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<td>Non-Capital Gifts</td>
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<td>Miscellaneous Revenue</td>
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## Inland Fisheries

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## Wildlife Management

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## Expenditures and Receipts by Functional Area

### FY17/18  1st QTR

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<th>Other Expenses &amp; Adjustments</th>
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<td><strong>Supplies</strong></td>
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</tr>
<tr>
<td><strong>Property, Plant &amp; Equipment</strong></td>
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<tr>
<td><strong>Other Expenses &amp; Adjustments</strong></td>
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### FY17/18  YTD

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<tr>
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<td><strong>Supplies</strong></td>
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<tr>
<td><strong>Property, Plant &amp; Equipment</strong></td>
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<td><strong>Other Expenses &amp; Adjustments</strong></td>
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### Engineering Water Access

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### Engineering & Facility Management

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### Engineering-WISE

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### Falls/Jordan Lake

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### Gameland O&M

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### Total Expenditures

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### Surplus-Vehicles

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### Miscellaneous Revenue

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### Prior Year Refund

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### Engineering Water Access

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### Engineering & Facility Management

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### Engineering-WISE

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### Falls/Jordan Lake

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### Gameland O&M

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### Sale of Surplus Equipment

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### Prior Year Refund

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### Sale of Surplus Equipment

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### Gameland O&M

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### Special Report Appendix A

Expenditures and Receipts by Functional Area
### Wildlife Receipts Fund

<table>
<thead>
<tr>
<th></th>
<th>FY17/18 1st QTR</th>
<th>FY17/18 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchased Services</td>
<td>515,154.14</td>
<td>515,154.14</td>
</tr>
<tr>
<td>Other Expenses &amp; Adjustments</td>
<td>294.55</td>
<td>294.55</td>
</tr>
<tr>
<td><strong>Wildlife Receipts</strong></td>
<td><strong>515,448.69</strong></td>
<td><strong>515,448.69</strong></td>
</tr>
<tr>
<td>Purchased Services</td>
<td>144,841.00</td>
<td>144,841.00</td>
</tr>
<tr>
<td>Transfer to DEQ - Dredging</td>
<td>2,530,160.00</td>
<td>2,530,160.00</td>
</tr>
<tr>
<td><strong>Watercraft Registration/Titling</strong></td>
<td><strong>2,675,001.00</strong></td>
<td><strong>2,675,001.00</strong></td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>3,190,449.69</strong></td>
<td><strong>3,190,449.69</strong></td>
</tr>
<tr>
<td>Short Term Interest Income</td>
<td>3,526.09</td>
<td>3,526.09</td>
</tr>
<tr>
<td>Professional Services-Admin &amp; Transaction</td>
<td>991,340.72</td>
<td>991,340.72</td>
</tr>
<tr>
<td>Other Sales of Goods</td>
<td>302.00</td>
<td>302.00</td>
</tr>
<tr>
<td>Sportsman’s Lic-Adult</td>
<td>1,696,075.00</td>
<td>1,696,075.00</td>
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<tr>
<td>Sale of Hunting License</td>
<td>507,156.00</td>
<td>507,156.00</td>
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<tr>
<td>Sale of Permits</td>
<td>142,570.00</td>
<td>142,570.00</td>
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<tr>
<td>Sale of Special Licenses</td>
<td>396,134.00</td>
<td>396,134.00</td>
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<tr>
<td>Sale of Fur Tags</td>
<td>320.00</td>
<td>320.00</td>
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<tr>
<td>Sale of Hook &amp; Line Fishing</td>
<td>2,159,461.00</td>
<td>2,159,461.00</td>
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<tr>
<td>Sale of Special Device Fish</td>
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<td>3,900.00</td>
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<td>Sale of Hook &amp; Line Fishing/Unified</td>
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<tr>
<td>Sale of Sportsman Adult Unified</td>
<td>858,650.00</td>
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<td>Examination Fees</td>
<td>10.00</td>
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<tr>
<td>Other License, Fees &amp; Permits</td>
<td>47,421.00</td>
<td>47,421.00</td>
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<tr>
<td>Non-Capital Gifts</td>
<td>5.00</td>
<td>5.00</td>
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<tr>
<td>Miscellaneous Revenue</td>
<td>-11,794.13</td>
<td>-11,794.13</td>
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<tr>
<td><strong>Wildlife Receipts</strong></td>
<td><strong>7,084,451.68</strong></td>
<td><strong>7,084,451.68</strong></td>
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<tr>
<td>Short Term Interest Income</td>
<td>15,041.01</td>
<td>15,041.01</td>
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<tr>
<td>Professional Services-Transaction Proceeds</td>
<td>250,238.00</td>
<td>250,238.00</td>
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<tr>
<td>Motorboat Registration - 1 Yr.</td>
<td>791,280.00</td>
<td>791,280.00</td>
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<tr>
<td>Motorboat Registration - 3 Yr.</td>
<td>1,977,925.00</td>
<td>1,977,925.00</td>
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<tr>
<td>Motorboat Registration Dup./Tsfr.</td>
<td>7,110.00</td>
<td>7,110.00</td>
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<tr>
<td>Watercraft Titling Fee</td>
<td>195,070.00</td>
<td>195,070.00</td>
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<tr>
<td>Watercraft Titling Duplicate/Transfer</td>
<td>239,740.00</td>
<td>239,740.00</td>
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<tr>
<td><strong>Watercraft Registration/Titling</strong></td>
<td><strong>3,476,404.01</strong></td>
<td><strong>3,476,404.01</strong></td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>10,560,855.69</strong></td>
<td><strong>10,560,855.69</strong></td>
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</table>
## Habitat Conservation

<table>
<thead>
<tr>
<th></th>
<th>FY17/18 1st QTR</th>
<th>FY17/18 YTD</th>
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</thead>
<tbody>
<tr>
<td><strong>Personnel</strong></td>
<td>248,460.07</td>
<td>248,460.07</td>
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<tr>
<td></td>
<td>27,991.38</td>
<td>27,991.38</td>
</tr>
<tr>
<td><strong>Supplies</strong></td>
<td>908.00</td>
<td>908.00</td>
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<tr>
<td><strong>Property, Plant &amp; Equipment</strong></td>
<td>14,617.54</td>
<td>14,617.54</td>
</tr>
<tr>
<td><strong>Other Expenses &amp; Adjustments</strong></td>
<td>328.61</td>
<td>328.61</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
<td>292,305.60</td>
<td>292,305.60</td>
</tr>
<tr>
<td><strong>Federal Grants</strong></td>
<td>155,945.00</td>
<td>155,945.00</td>
</tr>
<tr>
<td><strong>Total Revenues</strong></td>
<td>155,945.00</td>
<td>155,945.00</td>
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</tbody>
</table>
Outdoor Heritage Fund

<table>
<thead>
<tr>
<th></th>
<th>FY17/18 1st QTR</th>
<th>FY17/18 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchased Services</td>
<td>7,555.14</td>
<td>7,555.14</td>
</tr>
<tr>
<td>Other Expenses &amp; Adjustments</td>
<td>104.97</td>
<td>104.97</td>
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<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>7,660.11</strong></td>
<td><strong>7,660.11</strong></td>
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<tr>
<td>Short Term Interest Income</td>
<td>376.37</td>
<td>376.37</td>
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<tr>
<td>Non-Capital Gifts</td>
<td>28,586.10</td>
<td>28,586.10</td>
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<tr>
<td><strong>Total Revenues</strong></td>
<td><strong>28,962.47</strong></td>
<td><strong>28,962.47</strong></td>
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### EXHIBIT C-1

#### December 7, 2017

**North Carolina Wildlife Resources Commission**

**Land Acquisition Investigation Form**

– PHASE I: INITIAL INVESTIGATION –

<table>
<thead>
<tr>
<th>WRC Staff Contact:</th>
<th>David Stewart</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date First Presented to Commission:</td>
<td></td>
</tr>
<tr>
<td>Tract Name:</td>
<td>West Fork Tract - Cold Mountain Game Land</td>
</tr>
<tr>
<td>County:</td>
<td>Haywood</td>
</tr>
<tr>
<td>Acreage:</td>
<td>20</td>
</tr>
<tr>
<td>Tax Value:</td>
<td>TBD Asking Price $139,000 (Negotiable)</td>
</tr>
<tr>
<td>Property Owner/Representative:</td>
<td>Billy Case</td>
</tr>
<tr>
<td>Phone:</td>
<td>828-508-4527</td>
</tr>
<tr>
<td>Email Address:</td>
<td></td>
</tr>
<tr>
<td>Address:</td>
<td>Beverly-Hanks Realtors Waynesville NC</td>
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</table>

<table>
<thead>
<tr>
<th>Primary Purpose:</th>
<th>Resource Protection x</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Resource Management x</td>
</tr>
<tr>
<td></td>
<td>User Access x</td>
</tr>
<tr>
<td></td>
<td>WRC Facility</td>
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</table>

<table>
<thead>
<tr>
<th>Program Potential:</th>
<th>Game Land x</th>
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<tbody>
<tr>
<td></td>
<td>Wildlife Conservation Area</td>
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<tr>
<td></td>
<td>Access Area x</td>
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<tr>
<td></td>
<td>None</td>
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<table>
<thead>
<tr>
<th>Type of Acquisition:</th>
<th>Purchase x</th>
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<tbody>
<tr>
<td></td>
<td>Lease</td>
</tr>
<tr>
<td></td>
<td>Easement</td>
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</table>

<table>
<thead>
<tr>
<th>Type of Parcel:</th>
<th>Tract x</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Riparian Corridor</td>
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</table>

<table>
<thead>
<tr>
<th>Grant Potential:</th>
<th>CWMTF</th>
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<tbody>
<tr>
<td></td>
<td>Federal Aid (PR, WB, etc.) x</td>
</tr>
<tr>
<td></td>
<td>Endowment</td>
</tr>
<tr>
<td></td>
<td>Donation</td>
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</table>

<table>
<thead>
<tr>
<th>Owner Interest:</th>
<th>High x</th>
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<tr>
<td></td>
<td>Moderate</td>
</tr>
<tr>
<td></td>
<td>Low</td>
</tr>
<tr>
<td></td>
<td>No</td>
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<table>
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<tr>
<th>Tax Value:</th>
<th>Year Assessed</th>
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<tr>
<td></td>
<td>PUV?</td>
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</table>

<table>
<thead>
<tr>
<th>Stewardship Considerations:</th>
<th>Source:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PR</td>
</tr>
<tr>
<td></td>
<td>SAHC Match:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Funding Considerations:</th>
<th>Donation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bargain Sale</td>
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<tr>
<td></td>
<td>25% Partner Contribution</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Recommendation:</th>
<th>x Pursue</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Do Not Pursue</td>
</tr>
<tr>
<td></td>
<td>Defer</td>
</tr>
</tbody>
</table>

**Additional Comments:**

The Southern Appalachian Highlands Conservancy has given a verbal commitment to provide the 25% matching funds in order for NCWRC to use PR money.
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<table>
<thead>
<tr>
<th>County:</th>
<th>Haywood County</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Fork Tract Cold Mountain Game Land</td>
<td></td>
</tr>
</tbody>
</table>

**Resources Assessment and Biological Benefits (brief):**
The West Fork tract contains approximately 20 acres that runs along the West Fork of the Pigeon River. The property is owned by the Episcopal Church. The church property totals approximately 280 acres and they are looking to sell several tracts, the West Fork Tract being one of them. The church property, as well as Cold Mountain Game Land, was originally owned by Champion International Paper Company. The West Fork Tract was used by the paper company as an air strip, to fly company executives to Lake Logan. The tract contains approximately 10 acres of open area that was part of the air strip. The tract also has approximately 1800 feet of riverfront and is directly adjacent to a public fishing access area on Cold Mountain Game Land. The tract has an 10 acres wooded river buffer that ranges from 300 feet to 380 feet until the river curves in towards the north end of the property. The Episcopal Church currently allows the public to fish down stream from the PFA, through the West Fork Tract. NCWRC ownership would ensure that the public will continue to have access to this section of river. NCWRC also owns the other side of the river. Acquisition of this property is significant as part of the total management project being carried out in the mountain Eco region. NCWRC ownership of the West Fork Tract will increase conservation ownership of properties in the immediate area such as the Cold Mountain Game Land, Pisgah National Forest, Southern Appalachian Highlands Conservancy Lands, Camp Daniel Boone, and various private holdings that are in conservation ownership or have conservation easements that are located in the vicinity. In a broader sense, NCWRC ownership of the tract will help ensure ecosystem integrity at the landscape level by increasing connectivity of lands in conservation ownership. Management objectives will focus on expanding on the management that is currently being implemented on Cold Mountain Game Land. The open, air strip area of the tract, is an excellent area for early successional habitat management. Wildlife Diversity Staff indicate that the air strip area could also be an excellent area to conduct vernal pool restoration and Management. Past drift fence surveys identified several salamander species in the area. Conserving the West Fork Tract will be very beneficial for several management and knowledge gap priorities, including things like spotted salamanders, S. red-backed salamanders, red salamanders, and newts. Vernal pool creation and restoration is a recurring goal in the WAP, this acquisition will assist NCWRC in managing that habitat management priority. A nice complex of floodplain pools could also enhance populations for other taxa (birds, bats, reptiles) and add to wildlife viewing opportunities. NCWRC ownership would ensure that critical habitat are conserved. Public recreational opportunities may include fishing, hiking, bird watching, photography, and general nature study. Educational opportunities may exist as priority wildlife habitats are managed for or maintained. Common wildlife species found on the tract include wild turkey, white-tailed deer, and various songbirds, salamanders, and other small mammals.
### Tract Name
West Fork Tract - Cold Mountain Game Land

### Date
October 12, 2017

### Staff Completing Form
David Stewart

---

#### Species

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall Biodiversity</td>
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</tr>
<tr>
<td>Terrestrial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SGCN Species</td>
<td>2</td>
<td></td>
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<tr>
<td>Game Species</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Wetland</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Aquatic</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

#### Overall Biodiversity
2

#### Comments
Overall Biodiversity moderate due to the open area that was cleared and used as an air strip. This area can be improved to benefit early successional wildlife species.

---

#### Habitat

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
<th>Comments</th>
</tr>
</thead>
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</tr>
<tr>
<td>Quality</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Diversity</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Rare/Important</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Connectivity</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Buffer</td>
<td>2</td>
<td></td>
</tr>
</tbody>
</table>

#### Overall Biodiversity
1

#### Comments
The quality of the habitat on the tract is good. The property provides good connectivity and buffer to Cold Mountain GL. Provides good buffer to that section of the West Fork of the Pigeon River.

---

#### Public Access

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hunting/Viewing</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Fishing</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Boating</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

#### Overall Score
0.556

#### Comments
The property provide excellent legal access to Cold Mountain GL. The property is directly adjacent to a public fishing access area and the current landowner allows the public to use the property for fishing access.

---

#### Wildlife Uses

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
<th>Comments</th>
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<td>Hunting</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Viewing</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Fishing</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Boating</td>
<td>0</td>
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<tr>
<td>Education</td>
<td>1</td>
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</table>

#### Overall Score
0.400

#### Comments
The property offers some opportunity for wildlife viewing. Educational opportunities will be low. Very good fishing access.

---

#### Other Values

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<tr>
<th>Category</th>
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<th>Comments</th>
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<tr>
<td>Timber Harvest</td>
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<tr>
<td>Local Economy</td>
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<tr>
<td>Quality of Life</td>
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</table>

#### Overall Score
0.556

#### Comments
This tract will provide benefit to the local economy. This area is very popular with the fishing community. The tract will provide quality of life benefits to local residents.

---

#### Feasibility & Logistics

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Infrastructure</td>
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</tr>
<tr>
<td>Compatibility of Multiple Uses on Tract</td>
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<td></td>
</tr>
<tr>
<td>Compatibility with Adjoining Land</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Inholding/Corridor</td>
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<tr>
<td>Proximity to Users</td>
<td>3</td>
<td></td>
</tr>
</tbody>
</table>

#### Overall Score
0.667

#### Comments
Conflicts among game land users and adjoiners should be minimal. The tract is in good proximity to GL users.

---

#### Restoration/Mitigation Potential

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>Species Restoration</td>
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</tr>
<tr>
<td>Habitat Restoration</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Access Improvement</td>
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<td></td>
</tr>
<tr>
<td>Threat Mitigation</td>
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</table>

#### Overall Score
0.833

#### Comments
Restoration and habitat management potential on the tract is good, thus the rank is moderate. The tract will greatly enhance fishing access from the FAA on Cold Mountain GL.

---

#### Threats

<table>
<thead>
<tr>
<th>Category</th>
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</tr>
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<tr>
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<tr>
<td>Imminence</td>
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<td></td>
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<tr>
<td>Manageability</td>
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<td></td>
</tr>
<tr>
<td>Management Cost</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

#### Overall Score
0.667

#### Comments
The biggest threat for this tract is loss of habitat due to residential development and impacts to water and aquatic habitat and aquatic species in the West Fork. Acquity of the property would stop that threat on this tract.

---

#### Overall Score
3.437
Instructions for filling out Phase I Worksheet

General
1. Fill in the gray cells in Cover Sheet and Page 2. The rest of these instructions pertain to the Worksheet.
2. The worksheet is for assessing opportunistic land acquisitions. Responses should reflect current conditions.
3. The worksheet is protected so that you can only edit certain cells. These are shaded gray.
4. The gray cells in the worksheet will change color after you have entered text or a numeric value.
5. Ratings for each metric must be an integer from 0 to 3. If you enter anything else, you will get a warning.
6. Except for the Threats category, 0 represents an undesirable condition (i.e., tract is not suitable for acquisition) and 3 represents a preferred condition (i.e., the tract is valuable and worth pursuing). For subjective metrics, start with a mindset that the parcel provides average/moderate conditions (i.e., rating of 2). Don't automatically give a rating of 3 without justification.

Species
1. If necessary, get assistance from staff in other Divisions/Programs or other sources (GIS, NHP, LCC models, etc.).
2. The scores are meant to be based on best professional judgment, not an exact count of species.
3. Rating: 3 = High species count; 2 = Moderate species count; 1 = Low species count; 0 = Very low species count.
4. Overall biodiversity means all species of each group.
5. SGCN species are those listed in the 2015 NC Wildlife Action Plan.
6. Game species are those managed for sport or take. For game species, also consider population size.

Habitat
1. Quality refers to habitat condition. Diversity refers to the variety of habitat types.
2. Rare/Important refers to critical habitat for listed or SGCN species. Consider quantity and quality.
3. Connectivity means the parcel provides a corridor to other conservation lands or connectivity in river systems.
4. Buffer means the parcel provides additional conservation land around a critical habitat type or allows managers to appropriately use tools such as prescribed fire without impacting adjoining land.
5. For all metrics except Size: 3 = High; 2 = Moderate; 1 = Low; 0 = None
6. Size: 3 = >3,000 acres; 2 = 1,000 - 3,000 acres; 1 = 100 - 1,000 acres; 0 = <100 acres

Public Access
1. The parcel provides public access to fish/wildlife resources on that parcel or to adjoining land or water.
2. Rating: 3 = Excellent existing access or provides critical access; 2 = Average; 1 = Poor; 0 = None

Wildlife Uses
1. Recreational or educational use of resources.
2. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Other Values
1. Timber Harvest is not the value of timber, but the potential to produce, manage and harvest timber.
2. Local Economy is the ability of the parcel to act as an economic driver by attracting substantial public use (e.g., unique wildlife viewing, hunting, etc.).
3. Quality of Life is the indirect/secondary benefit to the local community by providing green space or walking/hiking opportunities.
4. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Feasibility & Logistics
1. Existing Infrastructure includes road system, buildings, etc. Consider quantity and quality. If a liability and has to be removed/repaired, score 0 or 1.
2. Compatibility of Multiple Uses is the ability of the parcel to provide hunting, viewing, fishing, etc. at the same time.
3. Compatibility with Adjoining Land should consider things like public safety, noise, prescribed burns, etc. Consider both the impact of wildlife users and management on adjoining land and adjoining landowners on the parcel.
4. Inholding/Corridor - Does the parcel fill in a hole in existing WRC ownership or does it provide a wildlife corridor?
5. Proximity to Users refers to location of parcel to targeted user groups (e.g., new game land near population center).
6. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Restoration/Mitigation Potential
1. Restoration Potential is the ability to improve species, habitat or access through natural processes or management actions.
2. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None
3. Threat Mitigation is the degree to which the threat can be avoided, minimized or delayed by acquiring the parcel.
4. Mitigation: 3 = Avoids Threats; 2 = Minimizes Threats; 1 = Delays Threats; 0 = None

Threats
1. Threats reduce the value of a parcel, so the overall Threat score will be subtracted from the total score of the other metrics.
2. Number of Threats: 3 = Many; 2 = Some; 1 = Few; 0 = None
3. Severity of Threats: 3 = Critical; 2 = High; 1 = Moderate; 0 = Low
4. Imminence (time or distance) of Threats: 3 = Extant; 2 = Very Near; 1 = Moderately Near; 0 = Distant
5. Manageability of Threats: 3 = Unmanageable; 2 = Low; 1 = Moderate; 0 = High
6. Management Cost to Control Threats: 3 = High; 2 = Moderate; 1 = Low; 0 = Minimal

Scoring
1. Scoring for each section is normalized (range 0 - 1).
2. The overall score is calculated by adding individual section scores and subtracting the Threat score.
3. The overall score will not calculate unless there is at least one ranking filled in for each section, even if a zero.
4. The overall score ranges from 7 (all values high and no threats) to -1 (all values zero and high threats).
West Fork Tract
Haywood County
18 Acres

November 21, 2017
West Fork Tract
Haywood County
18 Acres

November 21, 2017
WRC Staff Contact: David Stewart  
Date First Presented to Commission: Apr-17  
Tract Name: Johnson Tract - Cold Mountain Game Land  
County: Haywood  
Acreage: 166  
Tax Value: 512100 PIN: 8643-53-2983 and 8643-44-3172  
Property Owner/Representative: Linda Johnson  
Phone: 828-246-2791  
Address: 2046 Dix Creek Road Canton NC 28716

<table>
<thead>
<tr>
<th>Primary Purpose:</th>
<th>Program Potential:</th>
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<tr>
<td>Resource Protection</td>
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<tr>
<td>Resource Management</td>
<td>Wildlife Conservation Area</td>
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<tr>
<td>User Access</td>
<td>Access Area</td>
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<td>WRC Facility</td>
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<th>Grant Potential:</th>
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<tr>
<td>CWMTF</td>
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<td>Federal Aid (PR, WB, etc.)</td>
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<td>Endowment</td>
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<td>Donation</td>
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<th>Recommendation:</th>
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<tr>
<td>Do Not Pursue</td>
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<tr>
<td>Defer</td>
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Additional Comments:
The Southern Appalachian Highlands Conservancy has given a verbal commitment to provide the 25% matching funds in order for NCWRC to use PR money. SAHC also mentioned the possibility of them buying the tract and then subsequently transferring it to NCWRC. SAHC did say that providing the 25% match is the better scenario due to the undertaking of purchasing the property being much more significant for them.
EXHIBIT C-2

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

<table>
<thead>
<tr>
<th>County:</th>
<th>Haywood County</th>
</tr>
</thead>
</table>

Resources Assessment and Biological Benefits (brief):
The Johnson tract contains approximately 166 acres in two separate tracts. The property lies in the Dix Creek drainage which is a tributary of the East Fork of the Pigeon River. The tract will provide good access to the existing Cold Mountain Game Land. The property is accessed from Dix Creek Road (SR 1106). Approximately 1 tenths of a mile of the property borders state paved road at the lower end of the property. This part of the property has suitable areas to establish public parking. The tract consists of wooded and open land. The wooded land is made up mostly of Southern Appalachian Oak Forest and Southern Appalachian Cove Forest. The open land is approximately 25 acres of pasture land that has had some recent grazing. The topography ranges from 10% - 30% in the lower portions of the property to over 60% on the upper portions of the property. Elevations range from 3360 feet to 4680 feet and the aspect is mainly north to northeasterly. Recent logging has created some good early successional habitats. These areas along with the open pasture land will provide good areas to enhance and expand early successional habitats. There are several logging and skidder trails throughout the property as a result of the logging. These trails will provide good access for management activities and access for game land users. These trails can also be converted into linear wildlife openings. Acquisition of this property is significant as part of the total management project being carried out in the mountain Eco region. WRC ownership of the Johnson Tract will increase conservation ownership of properties in the immediate area such as the Cold Mountain Game Land, Pisgah National Forest, Southern Appalachian Highlands Conservancy Lands, and various private holdings that are in conservation ownership or have conservation easements that are located in the vicinity. In a broader sense, WRC ownership of the tract will help ensure ecosystem integrity at the landscape level by increasing connectivity of lands in conservation ownership. Management objectives will focus on expanding on the management that is currently being implemented on Cold Mountain Game Land. WRC ownership would ensure that critical habitat are conserved. Public recreational opportunities may include hunting, hiking, bird watching, photography, and general nature study. Educational opportunities may exist as priority wildlife habitats are managed for or maintained. 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 Johnson Tract will make a great addition to Cold Mountain Game Land. The Dix Creek Tract was a great addition to help improve access to that side of the game land, and the Johnson Tract will improve access even further by extending public land all the way to good, state road access.
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<td>Moderate biodiversity is based on a diversity of forest cover types and age classes, and the diversity of wildlife found on the property.</td>
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<tr>
<td>SGCN Species</td>
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<tr>
<td>Game Species</td>
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<tr>
<td>Overall Biodiversity</td>
<td>1</td>
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<tr>
<td>SGCN Species</td>
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<tr>
<td>Game Species</td>
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<td></td>
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<tr>
<td>Overall Biodiversity</td>
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<td>SGCN Species</td>
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<td>Game Species</td>
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<td>The quality of the habitat on the tract is good, as is diversity. The properties provide good connectivity and buffer to Cold Mountain GL.</td>
</tr>
<tr>
<td>Quality</td>
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<tr>
<td>Diversity</td>
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<tr>
<td>Rare/Important</td>
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<td></td>
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<tr>
<td>Connectivity</td>
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<tr>
<td>Hunting/Viewing</td>
<td>3</td>
<td>The property provide excellent legal access to Cold Mountain GL. No waters of sufficient size are located on the properties, so there is no fishing/boating opportunity.</td>
</tr>
<tr>
<td>Fishing</td>
<td>0</td>
<td></td>
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<tr>
<td>Boating</td>
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<tr>
<td>Hunting</td>
<td>3</td>
<td>The property offer excellent hunting opportunity as well as some opportunity for wildlife viewing. Educational opportunities will be low. No significant water is located on the tract, so there is no fishing/boating opportunity.</td>
</tr>
<tr>
<td>Viewing</td>
<td>2</td>
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<tr>
<td>Fishing</td>
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<tr>
<td>Timber Harvest</td>
<td>3</td>
<td>The tract can produce good timber and will offer additional access to the game land. This will provide some benefit to the local economy and provide some quality of life benefits to local residents.</td>
</tr>
<tr>
<td>Local Economy</td>
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<tr>
<td>Quality of Life</td>
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<tr>
<td>Existing Infrastructure</td>
<td>2</td>
<td>The tract has been logged and has existing roads that may be improved for access and/or wildlife habitat. Conflicts among game land users and adjoiners should be minimal. The tract brings current State ownership to DOT maintained roads and will provide needed public access. The tract is in good proximity to GL users.</td>
</tr>
<tr>
<td>Compatibility of Multiple Uses on Tract</td>
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<tr>
<td>Compatibility with Adjoining Land</td>
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<tr>
<td>Inholding/Corridor</td>
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</tr>
<tr>
<td>Proximity to Users</td>
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<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Species Restoration</td>
<td>2</td>
<td>Restoration and habitat management potential on the tract is good, thus the rank is moderate. A new public access can be developed on the tract, thus the rank is high. There are few threats to the properties.</td>
</tr>
<tr>
<td>Habitat Restoration</td>
<td>2</td>
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</tr>
<tr>
<td>Access Improvement</td>
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<tr>
<td>Threat Mitigation</td>
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<tbody>
<tr>
<td>Number</td>
<td>1</td>
<td>The biggest threat in this area is loss of habitat due to residential development. Acquisition of the property would stop that threat on this tract.</td>
</tr>
<tr>
<td>Severity</td>
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<td>Imminence</td>
<td>2</td>
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<tr>
<td>Manageability</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Management Cost</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

| Overall Score                  | 3.585 |                                                                          |
**Instructions for filling out Phase I Worksheet**

**General**
1. Fill in the gray cells in Cover Sheet and Page 2. The rest of these instructions pertain to the Worksheet.
2. The worksheet is for assessing opportunistic land acquisitions. Responses should reflect current conditions.
3. The worksheet is protected so that you can only edit certain cells. These are shaded gray.
4. The gray cells in the worksheet will change color after you have entered text or a numeric value.
5. Ratings for each metric must be an integer from 0 to 3. If you enter anything else, you will get a warning.
6. Except for the Threats category, 0 represents an undesirable condition (i.e., tract is not suitable for acquisition) and 3 represents a preferred condition (i.e., the tract is valuable and worth pursuing). For subjective metrics, start with a mindset that the parcel provides average/moderate conditions (i.e., rating of 2). Don't automatically give a rating of 3 without justification.

**Species**
1. If necessary, get assistance from staff in other Divisions/Programs or other sources (GIS, NHP, LCC models, etc.).
2. The scores are meant to be based on best professional judgment, not an exact count of species.
3. Rating: 3 = High species count; 2 = Moderate species count; 1 = Low species count; 0 = Very low species count.
4. Overall biodiversity means all species of each group.
5. SGCN species are those listed in the 2015 NC Wildlife Action Plan.
6. Game species are those managed for sport or take. For game species, also consider population size.

**Habitat**
1. Quality refers to habitat condition. Diversity refers to the variety of habitat types.
2. Rare/Important refers to critical habitat for listed or SGCN species. Consider quantity and quality.
3. Connectivity means the parcel provides a corridor to other conservation lands or connectivity in river systems.
4. Buffer means the parcel provides additional conservation land around a critical habitat type or allows managers to appropriately use tools such as prescribed fire without impacting adjoining land.
5. For all metrics except Size: 3 = High; 2 = Moderate; 1 = Low; 0 = None
6. Size: 3 = >3,000 acres; 2 = 1,000 - 3,000 acres; 1 = 100 - 1,000 acres; 0 = <100 acres

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1. The parcel provides public access to fish/wildlife resources on that parcel or to adjoining land or water.
2. Rating: 3 = Excellent existing access or provides critical access; 2 = Average; 1 = Poor; 0 = None

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1. Recreational or educational use of resources.
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3. Quality of Life is the indirect/secondary benefit to the local community by providing green space or walking/hiking opportunities.
4. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

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1. Existing Infrastructure includes road system, buildings, etc. Consider quantity and quality. If a liability and has to be removed/repaired, score 0 or 1.
2. Compatibility of Multiple Uses is the ability of the parcel to provide hunting, viewing, fishing, etc. at the same time.
3. Compatibility with Adjoining Land should consider things like public safety, noise, prescribed burns, etc. Consider both the impact of wildlife users and management on adjoining land and adjoining landowners on the parcel.
4. Inholding/Corridor - Does the parcel fill in a hole in existing WRC ownership or does it provide a wildlife corridor?
5. Proximity to Users refers to location of parcel to targeted user groups (e.g., new game land near population center).
6. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

**Restoration/Mitigation Potential**
1. Restoration Potential is the ability to improve species, habitat or access through natural processes or management actions.
2. Threat Mitigation is the degree to which the threat can be avoided, minimized or delayed by acquiring the parcel.
3. Potential: 3 = High; 2 = Moderate; 1 = Low; 0 = None
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1. Threats reduce the value of a parcel, so the overall Threat score will be subtracted from the total score of the other metrics.
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6. Management Cost to Control Threats: 3 = High; 2 = Moderate; 1 = Low; 0 = Minimal

**Scoring**
1. Scoring for each section is normalized (range 0 – 1).
2. The overall score is calculated by adding individual section scores and subtracting the Threat score.
3. The overall score will not calculate unless there is at least one ranking filled in for each section, even if a zero.
4. The overall score ranges from 7 (all values high and no threats) to -1 (all values zero and high threats).
EXHIBIT C-3
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

<table>
<thead>
<tr>
<th>WRC Staff Contact:</th>
<th>Kip Hollifield/Paul Thompson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date First Presented to Commission:</td>
<td>Sipe</td>
</tr>
<tr>
<td>Tract Name:</td>
<td>Wilkes (Thurmond Chatham GL)</td>
</tr>
<tr>
<td>County:</td>
<td>Wilkes</td>
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<tr>
<td>Acreage:</td>
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<td>Tax Value:</td>
<td>$38,927 (pro rated for 8.7 acres)</td>
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<tr>
<td>Property Owner/Representative:</td>
<td>Neill Sipe</td>
</tr>
<tr>
<td>Phone:</td>
<td>828-312-0704</td>
</tr>
<tr>
<td>Email Address:</td>
<td><a href="mailto:neillsipe@gmail.com">neillsipe@gmail.com</a></td>
</tr>
<tr>
<td>Address:</td>
<td>6117 Estate Road, Claremont, NC 28610</td>
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<tr>
<th>Primary Purpose:</th>
<th>Program Potential:</th>
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<tr>
<td>Resource Protection</td>
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<td>Wildlife Conservation Area</td>
</tr>
<tr>
<td>x User Access</td>
<td>Access Area</td>
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<tr>
<td>WRC Facility</td>
<td>None</td>
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<thead>
<tr>
<th>Type of Acquisition:</th>
<th>Type of Parcel:</th>
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<tbody>
<tr>
<td>x Purchase</td>
<td>Tract</td>
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<tr>
<td>Lease</td>
<td>Riparian Corridor</td>
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<td>Easement</td>
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<tr>
<th>Grant Potential:</th>
<th>Owner Interest:</th>
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<tr>
<td>CWMTF</td>
<td>x High</td>
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<tr>
<td>x Federal Aid (PR, WB, etc.)</td>
<td>Moderate</td>
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<tr>
<td>x Endowment</td>
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<td>Partner Contribution</td>
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Additional Comments:
The subject property is a portion of a 45 acre tract owned by the Sipe family that lies east and south of the subject property. The 8.7 acre subject property contains one of the major public access roads at Thurmond Chatham Game Land. A legal ROW easement does not exist for this access road, however the Sipe family has always graciously allowed public vehicular access across their property. Mr. Sipe indicated they plan to place the property in their children's names soon and wouldn't be able to guarantee continued public access once this is done. They are offering the subject property to WRC so continued public access can be guaranteed at the Pike Creek entrance of Thurmond Chatham GL. Purchase of the Sipe Tract would provide direct access to S.R. 1728 (Longbottom Road).
### North Carolina Wildlife Resources Commission
#### Land Acquisition Investigation Form

**– PHASE I: INITIAL INVESTIGATION –**

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</table>

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

The subject property lies immediately adjacent Thurmond Chatham GL (TCGL) and connects the game land to Longbottom Road (S.R. 1728). Pike Creek Road, which is one of the main public entrances to the game land crosses the subject property. Acquisition is significant as part of the total management project being carried out at Thurmond Chatham Game Land. The tract is mostly forested with Appalachian oak predominant. SGCN have not been documented on the tract. Those SGCN likely found on the tract as transients include box turtle, timber rattlesnake, wood thrush, and worm-eating warbler. Common game species found on the tract include white-tailed deer, wild turkey, and gray squirrel. Management objectives will include protecting water quality, maintaining/restoring priority wildlife habitats, and continuing to provide public access and increased opportunity for hunting and other outdoor recreational activities.
<table>
<thead>
<tr>
<th>Species</th>
<th>0.111</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall Biodiversity</td>
<td>1</td>
<td>Low biodiversity is based on relatively small size of the subject property and it's being almost entirely closed canopy Appalachian oak forest. No rare habitats or species are likely present on the tract. Wetland and aquatic habitat is not located on the property.</td>
</tr>
<tr>
<td>SGCN Species</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Game Species</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Overall Biodiversity</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>SGCN Species</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Game Species</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Overall Biodiversity</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>SGCN Species</td>
<td>0</td>
<td></td>
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<tr>
<td>Game Species</td>
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<tbody>
<tr>
<td>Size</td>
<td>0</td>
<td>The quality of the habitat on the tract is good, but it's mostly closed canopy Appalachian oak forest with little diversity. The property is not considered critical habitat for rare species. The property does provide good connectivity to and buffer for Thurmond Chatham GL.</td>
</tr>
<tr>
<td>Quality</td>
<td>2</td>
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<tr>
<td>Diversity</td>
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<td></td>
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<tr>
<td>Rare/Important</td>
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<tr>
<td>Connectivity</td>
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<tr>
<td>Buffer</td>
<td>2</td>
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<th>0.333</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>Hunting/Viewing</td>
<td>3</td>
<td>The property provides excellent legal access to Thurmond Chatham GL. No significant water is located on the tract, so there is no fishing/boating opportunity.</td>
</tr>
<tr>
<td>Fishing</td>
<td>0</td>
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</tr>
<tr>
<td>Boating</td>
<td>0</td>
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<table>
<thead>
<tr>
<th>Wildlife Uses</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Hunting</td>
<td>2</td>
<td>The property offers some hunting and wildlife viewing opportunity, but this is only moderate due to the small size of the tract. Educational opportunities will be low. No significant water is located on the tract, so there is no fishing/boating opportunity.</td>
</tr>
<tr>
<td>Viewing</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Fishing</td>
<td>0</td>
<td></td>
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<tr>
<td>Boating</td>
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<tr>
<td>Education</td>
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<table>
<thead>
<tr>
<th>Other Values</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Timber Harvest</td>
<td>2</td>
<td>The tract can produce good timber, but the value can only be considered moderate due to the small size of the tract. The tract will ensure continued public access at Pike Creek, Thurmond Chatham GL.</td>
</tr>
<tr>
<td>Local Economy</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Quality of Life</td>
<td>2</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Feasibility &amp; Logistics</th>
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<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>Existing Infrastructure</td>
<td>3</td>
<td>The tract contains a major public access road to Thurmond Chatham GL. The existence of multiple uses on the tract and the compatibility with adjoining land shouldn't create any issues. The tract fills a hole in GL ownership by bringing State ownership out to a DOT maintained road. The tract is proximal to GL users, but does not add significantly to this metric.</td>
</tr>
<tr>
<td>Compatibility of Multiple Uses on Tract</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Compatibility with Adjoining Land</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Inholding/Corridor</td>
<td>3</td>
<td></td>
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<tr>
<td>Proximity to Users</td>
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<table>
<thead>
<tr>
<th>Restoration/Mitigation Potential</th>
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<th>Comments</th>
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<tbody>
<tr>
<td>Species Restoration</td>
<td>2</td>
<td>Restoration and maintenance of the habitats/species on the tract is good, thus the rank is moderate. Purchase will ensure continued public access across the tract, thus the rank is high.</td>
</tr>
<tr>
<td>Habitat Restoration</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Access Improvement</td>
<td>3</td>
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</tr>
<tr>
<td>Threat Mitigation</td>
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<table>
<thead>
<tr>
<th>Threats</th>
<th>0.267</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Number</td>
<td>1</td>
<td>If WRC does not purchase the property, continued public access cannot be guaranteed since no ROW easement exists.</td>
</tr>
<tr>
<td>Severity</td>
<td>2</td>
<td></td>
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<tr>
<td>Imminence</td>
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<tr>
<td>Manageability</td>
<td>0</td>
<td></td>
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<tr>
<td>Management Cost</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

| Overall Score                   | 3.256 |                                                                                                   |
Instructions for filling out Phase I Worksheet

General
1. Fill in the gray cells in Cover Sheet and Page 2. The rest of these instructions pertain to the Worksheet.
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3. The worksheet is protected so that you can only edit certain cells. These are shaded gray.
4. The gray cells in the worksheet will change color after you have entered text or a numeric value.
5. Ratings for each metric must be an integer from 0 to 3. If you enter anything else, you will get a warning.
6. Except for the Threats category, 0 represents an undesirable condition (i.e., tract is not suitable for acquisition) and 3 represents a preferred condition (i.e., the tract is valuable and worth pursuing). For subjective metrics, start with a mindset that the parcel provides average/moderate conditions (i.e., rating of 2). Don’t automatically give a rating of 3 without justification.

Species
1. If necessary, get assistance from staff in other Divisions/Programs or other sources (GIS, NHP, LCC models, etc.).
2. The scores are meant to be based on best professional judgment, not an exact count of species.
3. Rating: 3 = High species count; 2 = Moderate species count; 1 = Low species count; 0 = Very low species count.
4. Overall biodiversity means all species of each group.
5. SGCN species are those listed in the 2015 NC Wildlife Action Plan.
6. Game species are those managed for sport or take. For game species, also consider population size.

Habitat
1. Quality refers to habitat condition. Diversity refers to the variety of habitat types.
2. Rare/Important refers to critical habitat for listed or SGCN species. Consider quantity and quality.
3. Connectivity means the parcel provides a corridor to other conservation lands or connectivity in river systems.
4. Buffer means the parcel provides additional conservation land around a critical habitat type or allows managers to appropriately use tools such as prescribed fire without impacting adjoining land.
5. For all metrics except Size: 3 = High; 2 = Moderate; 1 = Low; 0 = None
6. Size: 3 = >3,000 acres; 2 = 1,000 - 3,000 acres; 1 = 100 -1,000 acres; 0 = <100 acres

Public Access
1. The parcel provides public access to fish/wildlife resources on that parcel or to adjoining land or water.
2. Rating: 3 = Excellent existing access or provides critical access; 2 = Average; 1 = Poor; 0 = None

Wildlife Uses
1. Recreational or educational use of resources.
2. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Other Values
1. Timber Harvest is not the value of timber, but the potential to produce, manage and harvest timber.
2. Local Economy is the ability of the parcel to act as an economic driver by attracting substantial public use (e.g., unique wildlife viewing, hunting, etc.).
3. Quality of Life is the indirect/secondary benefit to the local community by providing green space or walking/hiking opportunities.
4. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Feasibility & Logistics
1. Existing Infrastructure includes road system, buildings, etc. Consider quantity and quality. If a liability and has to be removed/repaired, score 0 or 1.
2. Compatibility of Multiple Uses is the ability of the parcel to provide hunting, viewing, fishing, etc. at the same time.
3. Compatibility with Adjoining Land should consider things like public safety, noise, prescribed burns, etc. Consider both the impact of wildlife users and management on adjoining land and adjoining landowners on the parcel.
4. Inholding/Corridor - Does the parcel fill in a hole in existing WRC ownership or does it provide a wildlife corridor?
5. Proximity to Users refers to location of parcel to targeted user groups (e.g., new game land near population center).
6. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Restoration/Mitigation Potential
1. Restoration Potential is the ability to improve species, habitat or access through natural processes or management actions.
2. Threat Mitigation is the degree to which the threat can be avoided, minimized or delayed by acquiring the parcel.
3. Rating: 3 = Avoes Threats; 2 = Minimizes Threats; 1 = Delays Threats; 0 = None

Threats
1. Threats reduce the value of a parcel, so the overall Threat score will be subtracted from the total score of the other metrics.
2. Number of Threats: 3 = Many; 2 = Some; 1 = Few; 0 = None
3. Severity of Threats: 3 = Critical; 2 = High; 1 = Moderate; 0 = Low
4. Imminence (time or distance) of Threats: 3 = Extant; 2 = Very Near; 1 = Moderately Near; 0 = Distant
5. Manageability of Threats: 3 = Unmanageable; 2 = Low; 1 = Moderate; 0 = High
6. Management Cost to Control Threats: 3 = High; 2 = Moderate; 1 = Low; 0 = Minimal

Scoring
1. Scoring for each section is normalized (range 0 – 1).
2. The overall score is calculated by adding individual section scores and subtracting the Threat score.
3. The overall score will not calculate unless there is at least one ranking filled in for each section, even if a zero.
4. The overall score ranges from 7 (all values high and no threats) to -1 (all values zero and high threats).
Sipe Tract
Wilkes County
8.7 Acres

November 21, 2017
<table>
<thead>
<tr>
<th><strong>WRC Staff Contact:</strong></th>
<th>Casey Phillips</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Date First Presented to Commission:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tract Name:</strong></td>
<td>McKeithan Tract - Angola Bay</td>
</tr>
<tr>
<td><strong>County:</strong></td>
<td>Pender</td>
</tr>
<tr>
<td><strong>Acreage:</strong></td>
<td>880</td>
</tr>
<tr>
<td><strong>Tax Value:</strong></td>
<td>$640,949</td>
</tr>
<tr>
<td><strong>Property Owner/Representative:</strong></td>
<td>River Oaks Plantation of Pender Co, LLC / Bud Cook, Mossy Oak Realty</td>
</tr>
<tr>
<td><strong>Phone:</strong></td>
<td>910-640-8784</td>
</tr>
<tr>
<td><strong>Email Address:</strong></td>
<td><a href="mailto:budcook@mossyoakproperties.com">budcook@mossyoakproperties.com</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Primary Purpose:</strong></th>
<th><strong>Program Potential:</strong></th>
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</thead>
<tbody>
<tr>
<td>X Resource Protection</td>
<td>X Game Land</td>
</tr>
<tr>
<td>X Resource Management</td>
<td>Wildlife Conservation Area</td>
</tr>
<tr>
<td>X User Access</td>
<td>X Access Area</td>
</tr>
<tr>
<td>X WRC Facility</td>
<td>None</td>
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</table>

<table>
<thead>
<tr>
<th><strong>Type of Acquisition:</strong></th>
<th><strong>Type of Parcel:</strong></th>
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</thead>
<tbody>
<tr>
<td>X Purchase</td>
<td>X Tract</td>
</tr>
<tr>
<td>Lease</td>
<td>Riparian Corridor</td>
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<tr>
<td>Easement</td>
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<table>
<thead>
<tr>
<th><strong>Grant Potential:</strong></th>
<th><strong>Owner Interest:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>□ CWMTF</td>
<td>□ High</td>
</tr>
<tr>
<td>X Federal Aid (PR, WB, etc.)</td>
<td>X Moderate</td>
</tr>
<tr>
<td>□ NAWCA</td>
<td>□ Low</td>
</tr>
<tr>
<td>□ Other (overwrite this cell)</td>
<td>□ No</td>
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<table>
<thead>
<tr>
<th><strong>Tax Value:</strong></th>
<th><strong>Stewardship Considerations:</strong></th>
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<tr>
<td>2015 Year Assessed</td>
<td>PR Source:</td>
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<tr>
<td>2,086 / PUV?</td>
<td>75%. Match:</td>
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<table>
<thead>
<tr>
<th><strong>Funding Considerations:</strong></th>
<th><strong>Recommendation:</strong></th>
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<tbody>
<tr>
<td>□ Donation</td>
<td>□ Pursue</td>
</tr>
<tr>
<td>□ Bargain Sale</td>
<td>□ Do Not Pursue</td>
</tr>
<tr>
<td>X Partner Contribution</td>
<td>□ Defer</td>
</tr>
</tbody>
</table>

**Additional Comments:**
The ability to provide a boating access area has not been specifically investigated. There is a clean water easement on the river frontage.
### Resources Assessment and Biological Benefits (brief):

The McKeithan Tract in Pender County consists of 880 acres of diverse cover types. It shares 1.05 miles of boundary with Angola Bay Game Land and would connect this game land to the Northeast Cape Fear River with over 2 miles of frontage. The entrance to the property is on Croomsbridge Road near Shelter Neck, and with over 10 miles of roads trails currently on the property, there is excellent access.

There are over 500 acres of upland on the tract, much of which is in loblolly pine of various ages and levels of management. Understory composition and soil types indicate much of the upland has potential for longleaf pine restoration, which could begin immediately. Additionally, there are 50 acres of managed fields on the property, including one 40-acre opening that would make an excellent dove field. Finally, there are approximately 250 acres in bottomland hardwood, of which 102 acres is already under a clean water easement.

Based on the Biodiversity/Wildlife Habitat Assessment tool, the tract has a biodiversity relative conservation value of 6.2 out of 10, with the bottomlands scoring primarily 7 and the uplands scoring 6.

Acquisition of this property offers potential for a large dove complex in close proximity to Burgaw and Wallace, access to the Northeast Cape Fear River, and 500 acres of longleaf pine restoration.
<table>
<thead>
<tr>
<th>Species</th>
<th>0.667</th>
<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>Overall Biodiversity</td>
<td>2</td>
<td>Because the tract contains aquatic, wetland, floodplain, and upland habitats, the diversity of the potential for presence of SGNC should be considered high for Blackwater Floodplains, Hardwood/Pine - Managed timberland, and possibly even Dry Longleaf Pine Forests. Game species occurring on the tract should include black bear, wild turkey, mourning dove, bobwhite quail, white-tailed deer, waterfowl, and various small game. The small game management potential of this tract is very high.</td>
</tr>
<tr>
<td>SGCN Species</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Game Species</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Overall Biodiversity</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>SGCN Species</td>
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<tr>
<td>Game Species</td>
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<table>
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<th>Habitats</th>
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<tbody>
<tr>
<td>Size</td>
<td>1</td>
<td>The condition of specific habitats on the property varies from marginal to good. Much of the bottomland hardwood is in older age classes. Much of the upland pine has had a prescribed burn in the last 5 years, and the entire property has firebreaks already installed. Some of the highest ground is in scrubby loblolly pine that needs to be converted to longleaf.</td>
</tr>
<tr>
<td>Quality</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Diversity</td>
<td>3</td>
<td></td>
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<tr>
<td>Rare/Important</td>
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<td></td>
</tr>
<tr>
<td>Connectivity</td>
<td>3</td>
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<tr>
<td>Buffer</td>
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<tr>
<th>Public Access</th>
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<th>Comments</th>
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<tr>
<td>Hunting/Viewing</td>
<td>3</td>
<td>This property already has a large network of roads and trails. It has trails along most of its 2+ miles of frontage on the Northeast Cape Fear as well as a 40-acre Dove Field. There is potential for a boating access, depending on the easements.</td>
</tr>
<tr>
<td>Fishing</td>
<td>3</td>
<td></td>
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<tr>
<td>Boating</td>
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<tbody>
<tr>
<td>Hunting</td>
<td>3</td>
<td>This tract is highly conducive to all of these uses. There are trails, fields, river accesses all across the property.</td>
</tr>
<tr>
<td>Viewing</td>
<td>3</td>
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<td>Fishing</td>
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<td>Boating</td>
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<td>Education</td>
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<tr>
<th>Other Values</th>
<th>0.778</th>
<th>Comments</th>
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<tbody>
<tr>
<td>Timber Harvest</td>
<td>3</td>
<td>There are approximately 500 acres of timber on the property. The realtor/forester estimated conservatively</td>
</tr>
<tr>
<td>Local Economy</td>
<td>1</td>
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<tr>
<td>Quality of Life</td>
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<th>Feasibility &amp; Logistics</th>
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<tbody>
<tr>
<td>Existing Infrastructure</td>
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<td></td>
</tr>
<tr>
<td>Compatibility of Multiple Uses on Tract</td>
<td>3</td>
<td>A well maintained road and trail system is already in place, which would facilitate access for hunting, fishing, wildlife viewing and other uses. It would tie Angola Bay to the Northeast Cape Fear River and allow another access to Croomsbridge Road.</td>
</tr>
<tr>
<td>Compatibility with Adjoining Land</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Inholding/Corridor</td>
<td>3</td>
<td></td>
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<tr>
<td>Proximity to Users</td>
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<thead>
<tr>
<th>Restoration/Mitigation Potential</th>
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<th>Comments</th>
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</thead>
<tbody>
<tr>
<td>Species Restoration</td>
<td>1</td>
<td>There are several hundred acres with excellent potential for longleaf pine resoration on the tract. It would also provide several miles of access to the Northeast Cape Fear.</td>
</tr>
<tr>
<td>Habitat Restoration</td>
<td>2</td>
<td></td>
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<tr>
<td>Access Improvement</td>
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<td>Threat Mitigation</td>
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<table>
<thead>
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<th>Threats</th>
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<tbody>
<tr>
<td>Number</td>
<td>1</td>
<td>There are several easements currently protecting this property from conversion.</td>
</tr>
<tr>
<td>Severity</td>
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</tr>
<tr>
<td>Imminence</td>
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<td>Manageability</td>
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<td>Management Cost</td>
<td>1</td>
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</tbody>
</table>

| Overall Score                   | 5.178 |                                                                                                                                                                                                       |
Instructions for filling out Phase I Worksheet

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6. Except for the Threats category, 0 represents an undesirable condition (i.e., tract is not suitable for acquisition) and 3 represents a preferred condition (i.e., the tract is valuable and worth pursuing). For subjective metrics, start with a mindset that the parcel provides average/moderate conditions (i.e., rating of 2). Don't automatically give a rating of 3 without justification.

Species
1. If necessary, get assistance from staff in other Divisions/Programs or other sources (GIS, NHP, LCC models, etc.).
2. The scores are meant to be based on best professional judgment, not an exact count of species.
3. Rating: 3 = High species count; 2 = Moderate species count; 1 = Low species count; 0 = Very low species count.
4. Overall biodiversity means all species of each group.
5. SGCN species are those listed in the 2015 NC Wildlife Action Plan.
6. Game species are those managed for sport or take. For game species, also consider population size.

Habitat
1. Quality refers to habitat condition. Diversity refers to the variety of habitat types.
2. Rare/Important refers to critical habitat for listed or SGCN species. Consider quantity and quality.
3. Connectivity means the parcel provides a corridor to other conservation lands or connectivity in river systems.
4. Buffer means the parcel provides additional conservation land around a critical habitat type or allows managers to appropriately use tools such as prescribed fire without impacting adjoining land.
5. For all metrics except Size: 3 = High; 2 = Moderate; 1 = Low; 0 = None
6. Size: 3 = >3,000 acres; 2 = 1,000 - 3,000 acres; 1 = 100 - 1,000 acres; 0 = <100 acres

Public Access
1. The parcel provides public access to fish/wildlife resources on that parcel or to adjoining land or water.
2. Rating: 3 = Excellent existing access or provides critical access; 2 = Average; 1 = Poor; 0 = None

Wildlife Uses
1. Recreational or educational use of resources.
2. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Other Values
1. Timber Harvest is not the value of timber, but the potential to produce, manage and harvest timber.
2. Local Economy is the ability of the parcel to act as an economic driver by attracting substantial public use (e.g., unique wildlife viewing, hunting, etc.).
3. Quality of Life is the indirect/secondary benefit to the local community by providing green space or walking/hiking opportunities.
4. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

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1. Existing Infrastructure includes road system, buildings, etc. Consider quantity and quality. If a liability and has to be removed/repaired, score 0 or 1.
2. Compatibility of Multiple Uses is the ability of the parcel to provide hunting, viewing, fishing, etc. at the same time.
3. Compatibility with Adjoining Land should consider things like public safety, noise, prescribed burns, etc. Consider both the impact of wildlife users and management on adjoining land and adjoining landowners on the parcel.
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1. Restoration Potential is the ability to improve species, habitat or access through natural processes or management actions.
2. Threat Mitigation is the degree to which the threat can be avoided, minimized or delayed by acquiring the parcel.
Mitigation: 3 = Avoids Threats; 2 = Minimizes Threats; 1 = Delays Threats; 0 = None

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1. Threats reduce the value of a parcel, so the overall Threat score will be subtracted from the total score of the other metrics.
2. Number of Threats: 3 = Many; 2 = Some; 1 = Few; 0 = None
3. Severity of Threats: 3 = Critical; 2 = High; 1 = Moderate; 0 = Low
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6. Management Cost to Control Threats: 3 = High; 2 = Moderate; 1 = Low; 0 = Minimal

Scoring
1. Scoring for each section is normalized (range 0 - 1).
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4. The overall score ranges from 7 (all values high and no threats) to -1 (all values zero and high threats).
EXHIBIT D-1
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE II: FINAL ACQUISITION DETAILS-

WRC Action/Approval to Pursue (Date): 10/5/2017

Tract: Foster Creek Preserve Tract, Green River Game Land, Polk County, 600 acres

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

<table>
<thead>
<tr>
<th>Funding Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>CWMTF</td>
<td>$958,200</td>
</tr>
<tr>
<td>WRC (Pittman Roberston)</td>
<td>$600,000</td>
</tr>
<tr>
<td>Donation</td>
<td>$1,030,000</td>
</tr>
<tr>
<td>Parks &amp; Rec. Trust Fund</td>
<td>$350,000</td>
</tr>
<tr>
<td>Open Space Institute</td>
<td>$400,000</td>
</tr>
<tr>
<td></td>
<td>$3,338,200*</td>
</tr>
</tbody>
</table>

*The subject property is 1,086.08 acres total, with 600 acres going to WRC. Approximately 300 acres of the property will become a county park. Conserving Carolina will retain the balance, which will be used for residential development (residential portion adjoins county park and not game land portion). The total cost above represents the cost for the 900 acres of public land.

Based on Appraisal: ☒ Yes    ☐ No    ☐ NA

If Yes, Name of Appraiser:

<table>
<thead>
<tr>
<th>Requested by:</th>
<th>Appraiser</th>
<th>Effective</th>
<th>Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conserving Carolina</td>
<td>Michael Moore</td>
<td>12/15/20</td>
<td>$5,234,000</td>
</tr>
</tbody>
</table>

Date of Appraisal: 12/15/2016

Appraisal Handled by State Property Office: ☐ Yes    ☒ No    ☐ NA

Acquisition Plan Includes Bargain Sale:   ☒ Yes     ☐ No    ☐ NA

If Yes, Explain Details: Conserving Carolina purchased property for less than appraised value.

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)

Five Year Estimate of Total Stewardship Expenditures: $30,384.00

Five Year Estimate of Total Projected Revenue: $0
## WORKSHEET

### Five Year Stewardship Costs and Revenue Projections

#### STEWARDSHIP

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Activity</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foster Creek Preserve</td>
<td>Boundary Establishment</td>
<td>22,384</td>
<td>Ft.</td>
<td>$1.00</td>
<td>$22,384</td>
</tr>
<tr>
<td>Green River GL</td>
<td>(Contract Survey)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gate</td>
<td></td>
<td>1</td>
<td>ea.</td>
<td>$500</td>
<td>$500</td>
</tr>
<tr>
<td>Access road</td>
<td></td>
<td>.25 mile</td>
<td>Miles</td>
<td>$20,000</td>
<td>$5,000</td>
</tr>
<tr>
<td>Develop parking area</td>
<td></td>
<td>1</td>
<td>ea.</td>
<td>$2,500</td>
<td>$2,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$30,384.00</strong></td>
</tr>
</tbody>
</table>

*Insert additional rows in table as needed*

#### REVENUE

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Source</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Revenue</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$ -</td>
</tr>
</tbody>
</table>

*Insert additional rows in table as needed*
### North Carolina Wildlife Resources Commission
#### Land Acquisition Investigation Form

---

**WRC Staff Contact:** Paul Thompson/Kip Hollifield

**Date First Presented to Commission:**

**Tract Name:** Foster Creek Preserve - Addition to Green River Game Land

**PIN:** GNISID: 1008579, Parcel No. PS8-23

**County:** Polk

**Acreage:** Approx 600 acres to WRC (Tract Total = 900 acres, with approx. 300 going to Polk Co. Parks)

**Tax Value:** $5,440,725, WRC Portion ($3,645,286)

**Property Owner/Representative:** Conserving Carolina (Formerly Carolina Mountain Land Conservancy)

**Phone:** 828-697-5777

**Email Address:** kieran@carolinamountain.org

**Address:** 847 Case St, Hendersonville NC 28792

---

<table>
<thead>
<tr>
<th>Primary Purpose</th>
<th>Program Potential</th>
</tr>
</thead>
<tbody>
<tr>
<td>x Resource Protection</td>
<td>x Game Land</td>
</tr>
<tr>
<td>x Resource Management</td>
<td></td>
</tr>
<tr>
<td>x User Access</td>
<td>x Wildlife Conservation Area</td>
</tr>
<tr>
<td></td>
<td>Access Area</td>
</tr>
<tr>
<td></td>
<td>None</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of Acquisition:</th>
<th>Type of Parcel:</th>
</tr>
</thead>
<tbody>
<tr>
<td>x Purchase</td>
<td>x Riparian Corridor</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Lease</td>
<td></td>
</tr>
<tr>
<td>Easement</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Grant Potential:</th>
<th>Owner Interest:</th>
</tr>
</thead>
<tbody>
<tr>
<td>x CWMTF</td>
<td>x High</td>
</tr>
<tr>
<td>x Federal Aid (PR, WB, etc.)</td>
<td>Moderate</td>
</tr>
<tr>
<td>Endowment</td>
<td>Low</td>
</tr>
<tr>
<td>Donation</td>
<td>No</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Tax Value:</th>
<th>Stewardship Considerations:</th>
</tr>
</thead>
<tbody>
<tr>
<td>? Year Assessed</td>
<td>PR Source:</td>
</tr>
<tr>
<td>? PUV?</td>
<td>State Match:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Funding Considerations:</th>
<th>Recommendation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>x Donation</td>
<td>x Pursue</td>
</tr>
<tr>
<td>Bargain Sale</td>
<td>Do Not Pursue</td>
</tr>
<tr>
<td>x Partner Contribution</td>
<td>Defer</td>
</tr>
</tbody>
</table>

### Additional Comments:

Conserving Carolina (Carolina MTN Land Conservancy) has purchased approximately 900 acres known as Foster Creek Preserve in Polk County near the town of Columbus. Approximately 300 acres of the tract which adjoins the current Polk County Recreation Complex will be carved out and conveyed to Polk County and will become an addition to the county park. Approximately 600 acres will be carved out and conveyed to WRC. The WRC portion will adjoin Green River GL to the north and adjoin the Polk County tract to the east. The WRC portion contains direct access from S.R. 1137 (Houston Rd.). Polk County will have direct access to their portion from current Polk County holdings. Conserving Carolina owns an additional adjoining 167 acres that will remain for residential use and adjoins the Polk County tract. The WRC tract will not be adjoined by any of these tracts retained for residential use. Conserving Carolina has applied for a grant from the CWMTF for the purchase of Foster Creek Preserve. CWMTF currently has the Foster Creek Preserve scored 2nd of all CWMTF acquisition project for 2017, making funding very likely. Resulting match funds will derive from Open Space Institute, Parks and Recreation Trust Fund, WRC, and donated land value. Conserving Carolinas has budgeted to cover acquisition and transaction costs. Project partners and itemized budget for tract acquisition is below.
Tract Name: Foster Creek Preserve - Green River GL
County: Polk

Resources Assessment and Biological Benefits (brief):
The subject property has direct access from DOT maintained SR 1137 and will provide opportunity to develop a new public access to Green River Game Land. This access point will serve well due to the close proximity to the Columbus, Tryon, and Mill Spring area. Numerous creeks are found on this property, thus the interest of CWMTF for funding. Portions of the 600 tract have been previously logged with steeper areas not logged. Appalachian oak forest is the predominant forest cover type (55%), with a small component of Appalachian cove forest (10%). The remainder forest types consist mostly of shrub/scrub and dry oak-pine. Low elevation rocky summit community types are also present. The management objectives on this tract will include restoring or maintaining the oak and cove forest, and rocky summit priority habitats. Common wildlife species found on the tract include wild turkey, white-tailed deer, raccoon, and gray squirrel. Species of greatest conservation need (SGCN) likely found on the tract as either permanent residents or transients include: Cooper's Hawk (Accipiter cooperii), timber rattlesnake (Crotalus horridus), Wood Thrush (Hylocichla mustelina), Eastern Mole (Scalopus aquaticus), and Eastern Hognose Snake (Heterodon platirhinos). White Irisette (Sisyrinchium dichotomum), a federally endangered species, is found on the tract.
<table>
<thead>
<tr>
<th>Species</th>
<th>0.296</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overall Biodiversity</td>
<td>2</td>
<td>Moderate terrestrial biodiversity is based on a diversity of forest cover types and age classes.</td>
</tr>
<tr>
<td>SGCN Species</td>
<td>2</td>
<td>Moderate aquatic diversity based on numerous streams on the property.</td>
</tr>
<tr>
<td>Game Species</td>
<td>2</td>
<td>Wetland habitat is not found on the property.</td>
</tr>
<tr>
<td>Overall Biodiversity</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>SGCN Species</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Game Species</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Overall Biodiversity</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>SGCN Species</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Game Species</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Habitat</td>
<td>0.611</td>
<td>Comments</td>
</tr>
<tr>
<td>Size</td>
<td>1</td>
<td>The quality of the habitat on the tract is good, as is diversity. The property provides good access from SR 1137 and provides connectivity to existing gameland.</td>
</tr>
<tr>
<td>Quality</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Diversity</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Rare/Important</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Connectivity</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Buffer</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Public Access</td>
<td>0.333</td>
<td>Comments</td>
</tr>
<tr>
<td>Hunting/Viewing</td>
<td>3</td>
<td>The property provides excellent access for hunting/wildlife viewing on Green River GL. No waters of sufficient size are located on the properties, so there is no fishing/boating opportunity.</td>
</tr>
<tr>
<td>Fishing</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Boating</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Wildlife Uses</td>
<td>0.400</td>
<td>Comments</td>
</tr>
<tr>
<td>Hunting</td>
<td>3</td>
<td>The property offers good hunting opportunity as well as some opportunity for wildlife viewing. Educational opportunities are minimal. Although there are numerous streams on the property, they lack sufficient size for fishing/boating opportunities.</td>
</tr>
<tr>
<td>Viewing</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Fishing</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Boating</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>Other Values</td>
<td>0.778</td>
<td>Comments</td>
</tr>
<tr>
<td>Timber Harvest</td>
<td>3</td>
<td>The tract can produce good timber and will offer additional access to the game land. This will provide some benefit to the local economy and provide quality of life benefits to local residents.</td>
</tr>
<tr>
<td>Local Economy</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Quality of Life</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Feasibility &amp; Logistics</td>
<td>0.733</td>
<td>Comments</td>
</tr>
<tr>
<td>Existing Infrastructure</td>
<td>2</td>
<td>The tract currently has a system of logging roads from recent timber harvest. Conflicts among game land users and adjoiners should be minimal. The tract is very close in proximity to GL users in the Columbus/Tryon/Mill Spring area.</td>
</tr>
<tr>
<td>Compatibility of Multiple Uses on Tract</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Compatibility with Adjoining Land</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Inholding/Corridor</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Proximity to Users</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Restoration/Mitigation Potential</td>
<td>0.667</td>
<td>Comments</td>
</tr>
<tr>
<td>Species Restoration</td>
<td>2</td>
<td>Restoration and habitat management potential on the tract is good, thus the rank is moderate. The property will provide additional access to Green River GL. There are few threats to the properties.</td>
</tr>
<tr>
<td>Habitat Restoration</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Access Improvement</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Threat Mitigation</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Threats</td>
<td>0.067</td>
<td>Comments</td>
</tr>
<tr>
<td>Number</td>
<td>1</td>
<td>The tract is owned by Conserving Carolina, so threats are minimal.</td>
</tr>
<tr>
<td>Severity</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Imminence</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Manageability</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Management Cost</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Overall Score</td>
<td>3.752</td>
<td></td>
</tr>
</tbody>
</table>
Instructions for filling out Phase I Worksheet

**General**
1. Fill in the gray cells in Cover Sheet and Page 2. The rest of these instructions pertain to the Worksheet.
2. The worksheet is for assessing opportunistic land acquisitions. Responses should reflect current conditions.
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EXHIBIT D-2
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE II: FINAL ACQUISITION DETAILS-

WRC Action/Approval to Pursue (Date): October 5, 2017

Tract: Maggot Spring Gap Tract, Haywood County, 115 Acres

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

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>WRC Pitman-Robertson Funds</td>
<td>$100,000</td>
</tr>
<tr>
<td>CWMTF Funds</td>
<td>$285,000</td>
</tr>
<tr>
<td>(TCF was applicant)</td>
<td></td>
</tr>
<tr>
<td>Private Funds and Bargain Sale</td>
<td>$343,000</td>
</tr>
</tbody>
</table>

Total Cost: $727,000

Based on Appraisal: ☒ Yes    ☐ No    ☐ NA
If Yes, Name of Appraiser:

<table>
<thead>
<tr>
<th>Requested by</th>
<th>Appraiser</th>
<th>Effective Date</th>
<th>Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>TCF</td>
<td>Kevin Rimbault</td>
<td>Sept. 28, 2016</td>
<td>$583,000 (81% of property)</td>
</tr>
<tr>
<td>TCF</td>
<td>Michael Moore</td>
<td>Sept. 1, 2016</td>
<td>$145,000 (19% of property)</td>
</tr>
</tbody>
</table>

$728,000 TOTAL

Date of Appraisal: See above.

Appraisal Handled by State Property Office: Yes    X No    ☐ NA

Acquisition Plan Includes Bargain Sale: ☒ Yes    ☐ No
If Yes, Explain Details: Using a combination of CWMTF funds, private funds, and bargain sales from private landowners, TCF reduced the total cost to WRC by $628,000.

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)

| Five Year Estimate of Total Stewardship Expenditures: | $6500.00 |
| Five Year Estimate of Total Projected Revenue:        | $0       |
**WORKSHEET**

**Five Year Stewardship Costs and Revenue Projections**

### STEWARDSHIP

**Estimated Stewardship Expenditures**

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Activity</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maggot</td>
<td>Boundary Establishment</td>
<td>2</td>
<td>Miles</td>
<td>$400.00</td>
<td>$4000.00</td>
</tr>
<tr>
<td>Spring Gap Tract –</td>
<td>Annual Road Maintenance</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>William H Silver</td>
<td>Sheepback Development HOA</td>
<td></td>
<td></td>
<td>$500.00</td>
<td>$2500.00</td>
</tr>
</tbody>
</table>

**Total** $6500.00

*Insert additional rows in table as needed*

### REVENUE

**Estimated Revenue Projections**

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Source</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Revenue</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wood Tract</td>
<td>$</td>
<td></td>
<td></td>
<td>- 0</td>
<td>- 0</td>
</tr>
</tbody>
</table>

**Total** $ - 0

*Insert additional rows in table as needed*
### Land Acquisition Investigation Form

**North Carolina Wildlife Resources Commission**

**– PHASE I: INITIAL INVESTIGATION –**

<table>
<thead>
<tr>
<th>WRC Staff Contact:</th>
<th>David Stewart</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date First Presented to Commission:</td>
<td></td>
</tr>
<tr>
<td>Tract Name:</td>
<td>Maggot Springs Gap, William H Silver Game Land</td>
</tr>
<tr>
<td>County:</td>
<td>Haywood</td>
</tr>
<tr>
<td>Acreage:</td>
<td>115</td>
</tr>
<tr>
<td>Tax Value:</td>
<td>Total Tax Value of 15 parcels = $1,137,700</td>
</tr>
<tr>
<td>Property Owner/Representative:</td>
<td>The Conservation Fund</td>
</tr>
<tr>
<td>Phone:</td>
<td>919-951-0119</td>
</tr>
<tr>
<td>Email Address:</td>
<td><a href="mailto:bholman@conservationfund.org">bholman@conservationfund.org</a></td>
</tr>
<tr>
<td>Address:</td>
<td>P.O. Box 271, Chapel Hill, NC 27514</td>
</tr>
</tbody>
</table>

**Primary Purpose:**
- [x] Resource Protection
- [x] Resource Management
- [x] User Access
- [ ] WRC Facility

**Program Potential:**
- [ ] Game Land
- [ ] Wildlife Conservation Area
- [ ] Access Area
- [ ] None

**Type of Acquisition:**
- [x] Purchase
- [ ] Lease
- [ ] Easement

**Type of Parcel:**
- [x] Tract
- [ ] Riparian Corridor

**Grant Potential:**
- [ ] CWMTF
- [ ] Federal Aid (PR, WB, etc.)
- [ ] Endowment
- [x] Donation

**Owner Interest:**
- [x] High
- [ ] Moderate
- [ ] Low
- [ ] No

**Year Assessed:**
- 2016

**PUV?**
- ?

**Stewardship Considerations:**
- **Source:** PR, State

**Funding Considerations:**
- [ ] Donation
- [x] Bargain Sale
- [x] Partner Contribution

**Recommendation:**
- [x] Pursue
- [ ] Do Not Pursue
- [ ] Defer

**Additional Comments:**

The Conservation Fund (TCF) has the subject properties under contract and anticipates receiving partial funding through a CWMTF grant, etc. TCF is requesting a WRC contribution of approximately $200,000 (PR), with total project cost of the entire assemblage expected to be $700,000. TCF has budgeted to cover acquisition and transaction costs.
Tract Name: Maggot Springs Gap Tract  William H Silver Game Land  
County: Haywood

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

The Maggot Spring Gap Tracts are located near Maggie Valley NC. They are located 4 miles NW of Maggie Valley, and west of the Sheepback Mountain tract, and east of the Williams/Indian Creek tract of the William H Silver Game Land. The northern parcel borders Great Smoky Mountains National Park. The Maggot Spring Gap tracts will connect the Sheepback tract and the Williams/Indian Creek tracts. The property is easily accessed by Sheepback Mountain road and Pless Underwood Road. The Maggot Spring Gap tracts are almost entirely forested with mature timber. The property is split into 15 parcels. The parcels range is size from 5 acres to 25 acres. These parcels rise in elevation from around 4400 ft. at the southern parcel, to 5400 ft. where the northern parcel joins the national park boundary. Two high quality natural community types have been observed on the tracts. These are Rich Montane Seeps and Northern Hardwood Forest. Additional high quality communities may be present. The vegetation of the seeps has an assortment of varied flora spilling in from the adjacent rich forests on areas of slightly higher and drier areas within the seeps. The Northern Hardwood Forest surrounding the Rich Montane Seeps is diverse with a well developed canopy. The diversity is very high in the herb layer as well. High Elevation Red Oak is also present on the tracts. Acquisition of this property is significant as part of the total management project being carried out in the Mountain Eco Region. NCWRC ownership of the tract will increase conservation ownership of properties in the immediate area such as the Great Smoky Mountains National Park, Cherokee Indian Reservation, Blue Ridge Parkway, Maggie Valley Sanitary District, William H Silver Game Land, and properties owned by Southern Appalachian Highlands Conservancy (SAHC). In a broader sense, NCWRC ownership of the tract will help ensure ecosystem integrity at the landscape level by increasing connectivity of lands in conservation ownership such as Pisgah and Nantahala National Forest, Great Smoky Mountains National Park, Cherokee Indian Reservation, Silver and Cold Mountain game lands (NCWRC holdings), Conservation Fund Properties, Blue Ridge Parkway, The Nature Conservancy (TNC), and SAHC lands and various private holdings that are in conservation ownership or have conservation easements that are located in the vicinity. NCWRC ownership will help reduce land fragmentation as well.
<table>
<thead>
<tr>
<th>Species</th>
<th>Overall Biodiversity</th>
<th>SGCN Species</th>
<th>Game Species</th>
</tr>
</thead>
<tbody>
<tr>
<td>Terrestrial</td>
<td>0.407</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Wetland</td>
<td>2</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Aquatic</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Comments</td>
<td>Moderate biodiversity is based on a diversity of forest cover types and age classes, the number of blue line streams located on the tracts, and the diversity of wildlife found on the properties.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Habitat</td>
<td>0.611</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Size</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quality</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Diversity</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rare/Important</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Connectivity</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buffer</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td>The quality of the habitat on the tract is good, as is diversity. The properties provide good connectivity and buffer to William H Silver GL.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Access</td>
<td>0.222</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hunting/Viewing</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fishing</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boating</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td>The properties provide connectivity and access to existing portions of William H Silver GL. No waters of sufficient size are located on the properties, so there is no fishing/boating opportunity.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wildlife Uses</td>
<td>0.333</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hunting</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Viewing</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fishing</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boating</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Education</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td>The properties offer hunting opportunity as well as some opportunity for wildlife viewing. Educational opportunities will be low. No significant water is located on the tract, so there is no fishing/boating opportunity.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Values</td>
<td>0.778</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Timber Harvest</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Local Economy</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quality of Life</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td>The tracts can produce some good timber and will offer additional access to the game land. This will provide some benefit to the local economy. Wildlife viewing, specifically elk viewing, may provide additional local economic benefits. The tract will provide some quality of life</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Feasibility &amp; Logistics</td>
<td>0.733</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Existing Infrastructure</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compatibility of Multiple Uses on Tract</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Compatibility with Adjoining Land</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Inholding/Corridor</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proximity to Users</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td>The tracts were originally sub-divided to be part of a residential housing development and have good access roads. Conflicts among game land users and adjoiners should be minimal.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restoration/Mitigation Potential</td>
<td>0.750</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Species Restoration</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Habitat Restoration</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Access Improvement</td>
<td>2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Threat Mitigation</td>
<td>3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td>Restoration and habitat management potential on the tract is good. Spruce restoration is potential on the tract. Threat of residential development is the biggest threat to the tract.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Threats</td>
<td>0.200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Severity</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Imminence</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manageability</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Management Cost</td>
<td>0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comments</td>
<td>The tracts are under contract to The Conservation Fund, thus threats are minimal.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Overall Score</td>
<td>3.635</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Instructions for filling out Phase I Worksheet

General
1. Fill in the gray cells in Cover Sheet and Page 2. The rest of these instructions pertain to the Worksheet.
2. The worksheet is for assessing opportunistic land acquisitions. Responses should reflect current conditions.
3. The worksheet is protected so that you can only edit certain cells. These are shaded gray.
4. The gray cells in the worksheet will change color after you have entered text or a numeric value.
5. Ratings for each metric must be an integer from 0 to 3. If you enter anything else, you will get a warning.
6. Except for the Threats category, 0 represents an undesirable condition (i.e., tract is not suitable for acquisition) and 3 represents a preferred condition (i.e., the tract is valuable and worth pursuing). For subjective metrics, start with a mindset that the parcel provides average/moderate conditions (i.e., rating of 2). Don't automatically give a rating of 3 without justification.

Species
1. If necessary, get assistance from staff in other Divisions/Programs or other sources (GIS, NHP, LCC models, etc.).
2. The scores are meant to be based on best professional judgment, not an exact count of species.
3. Rating: 3 = High species count; 2 = Moderate species count; 1 = Low species count; 0 = Very low species count.
4. Overall biodiversity means all species of each group.
5. SGCN species are those listed in the 2015 NC Wildlife Action Plan.
6. Game species are those managed for sport or take. For game species, also consider population size.

Habitat
1. Quality refers to habitat condition. Diversity refers to the variety of habitat types.
2. Rare/Important refers to critical habitat for listed or SGCN species. Consider quantity and quality.
3. Connectivity means the parcel provides a corridor to other conservation lands or connectivity in river systems.
4. Buffer means the parcel provides additional conservation land around a critical habitat type or allows managers to appropriately use tools such as prescribed fire without impacting adjoining land.
5. For all metrics except Size: 3 = High; 2 = Moderate; 1 = Low; 0 = None
6. Size: 3 = >3,000 acres; 2 = 1,000 - 3,000 acres; 1 = 100 - 1,000 acres; 0 = <100 acres

Public Access
1. The parcel provides public access to fish/wildlife resources on that parcel or to adjoining land or water.
2. Rating: 3 = Excellent existing access or provides critical access; 2 = Average; 1 = Poor; 0 = None

Wildlife Uses
1. Recreational or educational use of resources.
2. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Other Values
1. Timber Harvest is not the value of timber, but the potential to produce, manage and harvest timber.
2. Local Economy is the ability of the parcel to act as an economic driver by attracting substantial public use (e.g., unique wildlife viewing, hunting, etc.).
3. Quality of Life is the indirect/secondary benefit to the local community by providing green space or walking/hiking opportunities.
4. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Feasibility & Logistics
1. Existing Infrastructure includes road system, buildings, etc. Consider quantity and quality. If a liability and has to be removed/repaired, score 0 or 1.
2. Compatibility of Multiple Uses is the ability of the parcel to provide hunting, viewing, fishing, etc. at the same time.
3. Compatibility with Adjoining Land should consider things like public safety, noise, prescribed burns, etc. Consider both the impact of wildlife users and management on adjoining land and adjoining landowners on the parcel.
4. Inholding/Corridor - Does the parcel fill in a hole in existing WRC ownership or does it provide a wildlife corridor?
5. Proximity to Users refers to location of parcel to targeted user groups (e.g., new game land near population center).
6. Rating: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Restoration/Mitigation Potential
1. Restoration Potential is the ability to improve species, habitat or access through natural processes or management actions.
2. Threat Mitigation is the degree to which the threat can be avoided, minimized or delayed by acquiring the parcel.
3. Potential: 3 = High; 2 = Moderate; 1 = Low; 0 = None
4. Mitigation: 3 = Avoids Threats; 2 = Minimizes Threats; 1 = Delays Threats; 0 = None

Threats
1. Threats reduce the value of a parcel, so the overall Threat score will be subtracted from the total score of the other metrics.
2. Number of Threats: 3 = Many; 2 = Some; 1 = Few; 0 = None
3. Severity of Threats: 3 = Critical; 2 = High; 1 = Moderate; 0 = Low
4. Imminence (time or distance) of Threats: 3 = Extant; 2 = Very Near; 1 = Moderately Near; 0 = Distant
5. Manageability of Threats: 3 = Unmanageable; 2 = Low; 1 = Moderate; 0 = High
6. Management Cost to Control Threats: 3 = High; 2 = Moderate; 1 = Low; 0 = Minimal

Scoring
1. Scoring for each section is normalized (range 0 - 1).
2. The overall score is calculated by adding individual section scores and subtracting the Threat score.
3. The overall score will not calculate unless there is at least one ranking filled in for each section, even if a zero.
4. The overall score ranges from 7 (all values high and no threats) to -1 (all values zero and high threats).
Great Smokey Mountains National Park

Maggot Springs Tract
Silvers Game Land
Haywood County
115 Acres

Legend
- Streams
- US Highways
- Conservation Land
- Municipal Boundaries

October 5, 2017
EXHIBIT D-3
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE II: FINAL ACQUISITION DETAILS-

WRC Action/Approval to Pursue (Date): 12/8/16

Tract: Usher Tract

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

Clean Water Management Trust Fund (Approved) $181,000
Army REPI Funds/TNC $54,367
Total Cost: $235,367

Based on Appraisal: ☒ Yes ☐ No ☐ NA
If Yes, Name of Appraiser: NCSPO Franklin Dean
Effective Date Appraised Value:

<table>
<thead>
<tr>
<th>Requested by</th>
<th>Appraiser</th>
<th>Effective Date</th>
<th>Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>NCSPO</td>
<td>Franklin Dean</td>
<td>2/9/17</td>
<td>$224,000</td>
</tr>
</tbody>
</table>

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)

Five Year Estimate of Total Stewardship Expenditures: $2600
Five Year Estimate of Total Projected Revenue: $0
# Five Year Stewardship Costs and Revenue Projections

(Five Years Post Acquisition)

## STEWARDSHIP

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Activity</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Usher Tract–Sandhills GL</td>
<td>Boundary Establishment WRC crew</td>
<td>3</td>
<td>Miles</td>
<td>$200</td>
<td>$600</td>
</tr>
<tr>
<td></td>
<td>Install Gate</td>
<td>2</td>
<td>Ea.</td>
<td>$1000</td>
<td>$2000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td><strong>$2600</strong></td>
</tr>
</tbody>
</table>

*Insert additional rows in table as needed*

## REVENUE

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Source</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Revenue</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Usher Tract</td>
<td>$</td>
<td></td>
<td></td>
<td>- 0</td>
<td>- 0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$</td>
<td></td>
<td></td>
<td></td>
<td>- 0</td>
</tr>
</tbody>
</table>

*Insert additional rows in table as needed*
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE I: INITIAL INVESTIGATION-

WRC Staff Contact: Brady Beck, Brooke Massa

Date First Presented to WRC: December 8, 2016

Game Land: Sandhills Game Land

Tract Name: Usher

Parcel ID: 030430 01001 and 030430 01002

Acreage: 124.8

County: Scotland

Estimated Value: $225,160 (tax value)
Note: The Nature Conservancy (TNC) acquired the tract in April 2016 at a cost of $217,353, plus additional expenses of $17,702 for survey, appraisal and closing. TNC is offering the tract to WRC at $163,015, which represents a discount of 25%.

Property Owner or Representative: The Nature Conservancy c/o Jeff Marcus
Address: PO Box 206, Southern Pines, NC 28388
Phone: (C) 910-246-0300
Email: jmarcus@tnc.org

Status: ☒ High Interest  ☐ Moderate Interest  ☐ Low Interest  ☐ No Interest

Grant Potential: ☒ CWMTF
☒ OTHER (explain): Pittman Robertson Land Acquisition Grant

Resources Assessment and Biological Benefits (brief): The Usher Tract is bisected by US Hwy 15-501 and is comprised of two different aged longleaf pine stands. On the east, the pines are approximately 10 years old. On the west, the longleaf are 30-40 years old. Both stands contain intact wiregrass understory, and both are in need of fire. A small portion of the eastern stand burned in a wildfire in 2015 and shows a dramatic positive understory species and vigor response. The combined tracts complete a habitat corridor connecting the Aberdeen Road Sandhills Natural Area to the Watery Branch Sandhills Natural area. Conservation of the Usher tract will provide habitat for a number of WAP species including Bachman’s Sparrow, Brown Headed Nuthatch, and Red-cockaded Woodpecker. The tract on the east surrounds the NC Forest Service’s Scotland County office, as well as a separate privately-owned cellular tower.
**Additional Comments:** Access to the tract is provided via 1,800 feet of common boundary with adjoining Sandhills Game Land and from US Hwy 15-501.

Preliminary estimates of five-year stewardship expenditures are limited to marking and maintaining approximately 3 miles of property boundary @ $135/mile ($405).

No short-term revenue is projected from the tract.

**Program Potential:**  ☒ Game Land (Sandhills)  ☐ Wildlife Conservation Area  
☐ Fishing Access Area  ☐ Boating Access Area

**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):** 30 of 30

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

**Map Attached:**  ☒ Yes  ☐ No
Usher Tract
Sandhills Game Land
Scotland County
124.8 Acres
EXHIBIT D-4
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE II: FINAL ACQUISITION DETAILS-

WRC Action/Approval to Pursue (Date): 12/8/16

Tract: Godwin II Tract

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

- Clean Water Management Trust Fund (Approved) $62,629
- Army REPI Funds/TNC $18,386

Total Cost: $81,016

Based on Appraisal: ☒ Yes  ☐ No  ☐ NA

If Yes, Name of Appraiser:

<table>
<thead>
<tr>
<th>Requested by</th>
<th>Appraiser</th>
<th>Effective Date</th>
<th>Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>NCSPO</td>
<td>Franklin Dean</td>
<td>2/9/17</td>
<td>$71,000</td>
</tr>
</tbody>
</table>

Date of Appraisal: See above.

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)

<table>
<thead>
<tr>
<th>Five Year Estimate of Total Stewardship Expenditures:</th>
<th>$220</th>
</tr>
</thead>
<tbody>
<tr>
<td>Five Year Estimate of Total Projected Revenue:</td>
<td>$0</td>
</tr>
</tbody>
</table>
## WORKSHEET

**Five Year Stewardship Costs and Revenue Projections**

(Five Years Post Acquisition)

### STEWARDSHIP

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Activity</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Godwin II</td>
<td>Tract–Sandhills GL</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Boundary Establishment WRC</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>crew</td>
<td>1.1</td>
<td>Miles</td>
<td>$200</td>
<td>$220</td>
</tr>
</tbody>
</table>

Total $220

*Insert additional rows in table as needed*

### REVENUE

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Source</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Revenue</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Godwin II</td>
<td>Tract</td>
<td>$</td>
<td></td>
<td>- 0</td>
<td>- 0</td>
</tr>
</tbody>
</table>

Total $ - 0

*Insert additional rows in table as needed*
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE I: INITIAL INVESTIGATION-

WRC Staff Contact: Brady Beck, Brooke Massa

Date First Presented to WRC: December 8, 2016

Game Land: Sandhills Game Land

Tract Name: Godwin II

Parcel ID: 020324 01001

Acreage: 44.3 acres

County: Scotland

Estimated Value: $34,062 (tax value)
Note: The Nature Conservancy (TNC) acquired the tract in February 2016 at a cost of $83,505, plus additional expenses of $10,140 for survey, appraisal and closing. TNC is offering the tract to WRC at $62,629, which represents a discount of 25%.

Property Owner or Representative: The Nature Conservancy c/o Jeff Marcus
Address: PO Box 206, Southern Pines, NC 28388
Phone: (C) 910-246-0300
Email: jmarcus@tnc.org

Status: ☒ High Interest ☐ Moderate Interest ☐ Low Interest ☐ No Interest

Grant Potential: ☒ CWMTF
☒ OTHER (explain): Pittman Robertson Land Acquisition Grant

Resources Assessment and Biological Benefits (brief): The Godwin II tract is a 44-acre property partially composed of the Jordan Creek Floodplain Natural Heritage Natural Area (value ‘High’) where there is a Streamhead Atlantic White Cedar Forest, which is a rare natural community tracked by the NC Natural Heritage Program. This rare community is dominated (50-65%) by Atlantic white cedar (*Chamaecyparis thyoides*). Other canopy trees noted are pond pine (*Pinus serotina*) and some loblolly pine (*P. taeda*). Atlantic white cedar is used by many species of greatest conservation need, including: green herons, northern bobwhite, hairy
woodpecker, etc. The property borders approximately 2,500 feet of Jordan Creek. The non-floodplain portion of the tract has intact wiregrass and approximately 10-year longleaf pines (*P. palustris*), as well as some mixed oak and is in need of prescribed fire. The tract shares approximately 2,000 feet of common boundary with Block B of Sandhills Game Land, via the recently acquired Gibson tract, and helps build landscape connectivity that will enhance wildlife corridors, public access, and facilitate prescribed burning.

**Additional Comments:** Access to the tract is provided via adjoining Sandhills Game Land and a two-track sand road along the western edge of the tract.

Preliminary estimates of five-year stewardship expenditures are limited to marking and maintaining approximately 1 mile of property boundary @ $135/mile.

No short-term revenue is projected from the tract.

**Program Potential:** ☒ Game Land (Sandhills) ☐ Wildlife Conservation Area
☐ Fishing Access Area ☐ Boating Access Area

**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):** 30 of 30

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

**Map Attached:** ☒ Yes ☐ No
Godwin II Tract
Sandhills Game Land
Scotland County
44.3 Acres

November 19, 2016

Scotland County
Godwin II Tract
Sandhills Game Land
Scotland County
44.3 Acres

November 19, 2016

Scotland County

Godwin II Tract
Sandhills Game Land
EXHIBIT D-5
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE II: FINAL ACQUISITION DETAILS-

WRC Action/Approval to Pursue (Date): 7/16/2015

Tract: Womble Tract

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

Clean Water Management Trust Fund (Approved) $112,500
Army Purpose Funds/TNC $45,317

Total Cost: $157,817

Based on Appraisal: ☒ Yes ☐ No ☐ NA

If Yes, Name of Appraiser:

<table>
<thead>
<tr>
<th>Requested by</th>
<th>Appraiser</th>
<th>Effective Date</th>
<th>Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>NCSPO</td>
<td>Keith McDonald</td>
<td>6/13/17</td>
<td>$150,000</td>
</tr>
</tbody>
</table>

Date of Appraisal: See above.

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)

Five Year Estimate of Total Stewardship Expenditures: $1330

Five Year Estimate of Total Projected Revenue: $0
## WORKSHEET
### Five Year Stewardship Costs and Revenue Projections

#### STEWARDSHIP

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Activity</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Womble Tract–Sandhills GL</td>
<td>Boundary Establishment WRC crew</td>
<td>1.65</td>
<td>Miles</td>
<td>$200</td>
<td>$330</td>
</tr>
<tr>
<td></td>
<td>Install Gate</td>
<td>1</td>
<td>Ea.</td>
<td>$1000</td>
<td>$1000</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$1330</strong></td>
</tr>
</tbody>
</table>

*Insert additional rows in table as needed*

#### REVENUE

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Source</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Revenue</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Womble Tract</td>
<td>$</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

*Total $ - 0*

*Insert additional rows in table as needed*
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE I: INITIAL INVESTIGATION-

WRC Staff Contact: Kacey Cook, Brooke Massa, Chris Jordan

Date First Presented to WRC: March 5, 2015

Tract Name: Womble Tract
(PIN 020319 01065; 020318 01001)

Acreage: 135 acres

County: Scotland

Estimated Value: $160,000 (staff estimate).

Property Owner or Representative: Patricia Womble (owner)
Address: PO Box 1190
Laurinburg, NC 28352

Owner’s Agent: American Forest Management
c/o Kirk Richardson

Phone: (910) 426-2734 Office
(910) 309-6790 Mobile

Status: ☒ High Interest  □ Moderate Interest  □ Low Interest  □ No Interest

Grant Potential: ☒ CWMTF
☒ OTHER (explain): Pittman Robertson Land Acquisition Grant, The Nature Conservancy, WRC funds

Resources Assessment and Biological Benefits (brief): The Marston Road/Womble property is comprised of planted longleaf pine and naturally regenerated longleaf pine and turkey oak. The property contains a small drain, a portion of Gum Swamp Creek, and a small wetland. The property shares 5,258 feet of common boundary with Block C of Sandhills Game Land, which is a Natural Heritage Program Natural Area (NHPNA) of ‘very high’ value. This NHPNA has multiple rare species, including red cockaded woodpeckers, Bachman’s sparrows, southern hognose snakes, pygmy rattlesnakes, and numerous rare plants. Acquiring this property will provide additional habitat for these and other priority species. There is an active red-cockaded woodpecker cluster on adjacent game land and the foraging habitat of this cluster includes the Womble tract.
Acquisition will also enhance ability of staff to continue managing with prescribed fire by providing additional buffer to existing ownership. With appropriate management, the Womble tract can be restored to an open canopy longleaf pine forest that is suitable for priority longleaf pine associated species. Priority species likely to occur on the tract are identified in the attached table.

Additional Comments:

Tract has good public access via Marston Road (state-maintained).

Preliminary estimates of five-year stewardship expenditures are limited to initial marking and maintaining approximately 2 miles of property boundary @ $135/mile and prescribed burning 100 acres @ $10/acre. Total estimate of five-year expenditures is $1,270.

No short-term revenue is projected from the tract.

Program Potential: ☒ Game Land (Sandhills GL) ☐ 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): 30 of 30

Recommendation: ☒ Pursue Acquisition ☐ Defer ☐ Do not Pursue Acquisition

Map Attached: ☒ Yes ☐ No
Womble Tract
Sandhills Game Land
Scotland County
135 Acres

February 8, 2015
Womble Tract
Sandhills Game Land
Scotland County
135 Acres

February 8, 2015
EXHIBIT D-6
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

-PHASE II: FINAL ACQUISITION DETAILS-

WRC Action/Approval to Pursue (Date):

Tract: Willis Tract, Columbus County, 337 Acres

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

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>WRC Pitman-Robertson Funds</td>
<td>$325,000</td>
</tr>
<tr>
<td>Clean Water Management Trust Fund</td>
<td>$200,000</td>
</tr>
</tbody>
</table>

Total Cost: $525,000

Based on Appraisal: ☑x Yes ☐ No ☐ NA

If Yes, Name of Appraiser:

<table>
<thead>
<tr>
<th>Requested by</th>
<th>Appraiser</th>
<th>Effective Date</th>
<th>Appraised Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>NCSPO</td>
<td>Keith McDonald</td>
<td>9/23/2016</td>
<td>$525,000</td>
</tr>
</tbody>
</table>

Date of Appraisal: See above.

Appraisal Handled by State Property Office: ☑x Yes ☐ No ☐ NA

Acquisition Plan Includes Bargain Sale: Yes ☑x No ☐

If Yes, Explain Details:

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

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

| Five Year Estimate of Total Stewardship Expenditures: | $45,528 |
| Five Year Estimate of Total Projected Revenue:       | $0      |
## Five Year Stewardship Costs and Revenue Projections
(Five Years Post Acquisition)

### STEWARDSHIP

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Activity</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Cost</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willis Tract</td>
<td>Boundary Establishment (contract survey)</td>
<td>3.9</td>
<td>Mi.</td>
<td>$1,090</td>
<td>$4,251</td>
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<tr>
<td></td>
<td>Boundary maintenance – yr. 4</td>
<td>3.9</td>
<td>Mi.</td>
<td>$135</td>
<td>$527</td>
</tr>
<tr>
<td></td>
<td>Maintain Roads/Trail – yrs. 1-5</td>
<td>2.8</td>
<td>Mi.</td>
<td>$2,500</td>
<td>$35,000</td>
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<tr>
<td></td>
<td>Install Gate</td>
<td>5</td>
<td>Ea.</td>
<td>$750</td>
<td>$3,750</td>
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<tr>
<td></td>
<td>Maintain Gate – yrs. 2-5</td>
<td>5</td>
<td>Ea.</td>
<td>$100</td>
<td>$2,000</td>
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<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>$45,528</strong></td>
</tr>
</tbody>
</table>

*Insert additional rows in table as needed*

### REVENUE

<table>
<thead>
<tr>
<th>Tract Name</th>
<th>Source</th>
<th>Quantity</th>
<th>Unit</th>
<th>Unit Revenue</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Willis Tract</td>
<td></td>
<td></td>
<td></td>
<td>$</td>
<td>- 0</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td>$</td>
<td>- 0</td>
</tr>
</tbody>
</table>

*Insert additional rows in table as needed*
North Carolina Wildlife Resources Commission  
Land Acquisition Investigation Form  

-PHASE I: INITIAL INVESTIGATION-

WRC Staff Contact: Tommy Hughes

Date First Presented to WRC: August 25, 2016

Tract Name: Waccamaw River Sportsman’s Retreat (Property ID 12758)

Acreage: 337.27 +/-

County: Columbus

Estimated Value: $ 525,000 Advertised Asking Price

Property Owner or Representative: Bud Cook – Mossy Oak Properties
Address: 604 Myrtle Drive, Lake Waccamaw, NC 28450
Phone: (C) 910-640-8784

Status: ☒ High Interest      □ Moderate Interest      □ Low Interest      □ No Interest

Grant Potential: ☒ CWMTF

☒ OTHER (explain): Pittman Robertson Land Acquisition Grant and WRC

Resources Assessment and Biological Benefits (brief): The Waccamaw River Sportsman’s Retreat borders the Waccamaw River near Nakina in the southern portion of Columbus County. With more than 8,000 feet of river frontage, it lies at the upper end of a complex of significant natural aquatic and wetland habitats along the Waccamaw River. Nearly half of the property lies directly within the Waccamaw River Reeves and Gore Lake Bottomlands state natural area and borders the Waccamaw River Aquatic Habitat natural area. The southwestern portion lies directly across the river from approximately 100 acres owned and protected by The Nature Conservancy.

This tract will protect and provide aquatic habitat for three rare fish; the state threatened Carolina pygmy sunfish (Elassoma boehlkei), blackbanded sunfish (Enneacanthus chaetodon) and banded sunfish (Enneacanthus obesus). The Carolina pygmy sunfish is indigenous to the Waccamaw and Santee River drainages and has a long-documented affinity with roadside ditches, swamps, and blackwater streams with slow-moving or pooled water and beds of emergent vegetation. All of these site characteristics are prominent on this property. This species, along with the banded
sunfish are undergoing status review by the NCWRC across their ranges on the Coastal Plain of NC.

During the course of a three-year rare fishes survey of the southeastern Coastal Plain of North Carolina by NCWRC staff, the banded sunfish was largely not found until the 2014 surveys in Juniper Creek. This suggests a dramatic decline in its range. All of these fishes, along with other species unique to the Coastal Plain’s stream-swamp aquatic communities, are threatened by degradation of water quality which provides another vital incentive for the protection of this aquatic habitat.

Extensive effort and focus has already been highly prioritized to protect land and water along the Waccamaw River and Juniper Creek floodplains. Recent acquisitions to protect these critical habitats include three tracts of Columbus County Game Land totaling 8,408 acres in 1996 and 2003, 18,506 acres of Juniper Creek Game Land in 2007, and 1,337 acres that make up the Pioneer Tract of Juniper Creek Game Land in 2015. Acquisition of this property will play a critical role in the conservation of these watersheds. Furthermore, acquisition of this property will provide excellent hunting, trapping, fishing, and other resource-based recreational opportunities. The main road on the property provides access directly to the Waccamaw River with the option to fish and launch small watercraft.

Based upon data found in the NC Conservation Planning Tool, the Waccamaw River Sportsman’s Retreat’s Biodiversity index has an estimated relative conservation value of 8 (1-low-10 high values). Approximately half of the property lies within a region that has the highest relative conservation value of 9-10. The other half of the property lies within a region that had relative equal areas with values of 6 and 7. The Biodiversity/Wildlife Habitat Index prioritizes aquatic and terrestrial habitat, landscape function and connectivity. Areas that support this level of species richness should be targeted for protection.


Program Potential: ☒ Game Land (Columbus County) ☐ 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): [29 of 30]

Recommendation: ☒ Pursue Acquisition ☐ Defer ☐ Do not Pursue Acquisition

Map Attached: ☒ Yes ☐ No
WORKSHEET
Relative Priority Evaluation for Conservation Lands

Tract Name  Waccamaw River Sportsman’s Retreat (Waccamaw River – Columbus Co.)

<table>
<thead>
<tr>
<th>Criterion</th>
<th>Score (1-5)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.</td>
<td>4</td>
</tr>
<tr>
<td>2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.</td>
<td>5</td>
</tr>
<tr>
<td>3. No conflicting surrounding land uses.</td>
<td>5</td>
</tr>
<tr>
<td>4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.</td>
<td>5</td>
</tr>
<tr>
<td>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.</td>
<td>5</td>
</tr>
<tr>
<td>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.</td>
<td>5</td>
</tr>
<tr>
<td>7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?</td>
<td>No</td>
</tr>
<tr>
<td>8. Is it large enough to be a new game land, and if not, are there possibilities for expansion (goal 3,000-5,000 acre minimum)?</td>
<td>No</td>
</tr>
<tr>
<td>9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?</td>
<td>No</td>
</tr>
</tbody>
</table>

TOTAL SCORE  29
Waccamaw River Sportsman's Retreat Tract
Columbus County  337 Acres

August 7, 2016
Waccamaw River Sportsman's Retreat Tract
Columbus County  337 Acres

Brunswick County
Columbus County

Waccamaw River
Sportsman's Retreat Tract
Columbus County  337 Acres

August 7, 2016
November 6, 2017

MEMORANDUM

TO: Brian McRae
    Land and Water Access

FROM: David Stewart
    Land and Water Access

SUBJECT: Nicholson-NCWRC Reciprocal Easements
    NCWRC Wood Tract, Nantahala Game Land. Jackson County

Mrs. Wanda Nicholson of 800 Grays Ridge Road, Tuckasegee NC 28783, has recently requested an easement, across NCWRC land, to her 10.89-acre tract of land in Jackson County (PIN 8506-14-8147). The property has been in her family for several generations but due to the wishes of her grandfather, a legal easement was not pursued. A hand-shake agreement was made between Mrs. Nicholson’s grandfather and Mr. Wood, owner of the Wood Tract at that time. In the eyes of the grandfather, that was binding enough. Now that the grandfather has passed away and Mrs. Nicholson owns the property, she would like to memorialize an access and utility easement between herself and NCWRC along an existing access road that runs between Highway 281 and the Nicholson property, for approximately one half mile across the game land.

Mrs. Nicholson’s easement will provide access to her property and will facilitate plans to build one home on the property. Mrs. Nicholson also requests an easement to run underground utilities across this same access road to her property. The easement is important to Mrs. Nicholson since this route is the only direct and reasonable access to her property and will
facilitate plans to build a home on her property. The access road will most likely be maintained as an open road to the public for game land access. NCWRC can also use the road for management projects such as timber harvest and prescribed fire/fire control.

Mr. Nicholson did not request an exact width for the easement. Her request is that the easement be wide enough for routine daily travel and wide enough that large trucks taking supplies for home construction and fire trucks. Staff recommends granting an easement that is approximately 0.5 miles long and 20 feet wide and include the provision for underground utilities provided that:

- WRC bear no associated expense,
- the easement serve no commercial purpose,
- the easement includes a damage liability clause and restrictions as necessary to prevent interference with the operation and maintenance game land
- The easement is for one home only, no sub-divided lots
North Carolina Wildlife Resources Commission

November 20, 2017

MEMORANDUM

TO: Brian McRae, Chief
    Land and Water Access Section

FROM: Chris Jordan, Game Lands and Forest Resources Manager
    Land and Water Access Section

SUBJECT: Shelly Island Allocation

Shelly Island began forming in April 2017 off Cape Point in Buxton, North Carolina. General Statute 146-6(d) states that title to an island formed in any navigable water shall vest in the State and the island shall become a part of the vacant and unappropriated lands of the State. Therefore, we request that Shelly Island be allocated from the North Carolina Department of Administration to the North Carolina Wildlife Resources Commission and that the Commission be responsible for all management of the island.

The boundary and form of Shelly Island fluctuates due to waves, tides, and other natural process. As a result, there will be times when Shelly Island connects to the mainland of Cape Point, ceases to be an island, and is an extension of Cape Hatteras National Seashore. Therefore, an agreement that addresses the transient nature of Shelly Island will be signed between the US National Park Service and the Commission and will that detail management and public access to this parcel of land.
Shelly Island
Dare County
+/- 62 Acres*

* as of the 10/16/2017 field survey
Proposed Rules for Amendment Under
15A NCAC 10F .0300 – Local Water Safety Regulations

Title 15A NCAC 10F .0300 – Local Water Safety Regulations

As part of the 2016 Periodic Review process all Water Safety Rules – 15A NCAC 10F .0300 have been reviewed. Of these twelve water safety Rules presented for amendment, two are required to be readopted because they were classified as being necessary with substantive public interest – 15A NCAC 10F .0321 Pender County and 15A NCAC 10F .0302 Atlantic Beach. All 12 Rules are proposed for amendments to incorporate the following changes into the North Carolina Administrative Code:

- Revise language and terms for consistency
- Clarify no-wake zone boundaries by including coordinates
- Correct names of locations
- Remove applicant’s responsibility for maintenance of markers
- Remove the word “motorboat” as the statutory definition of “vessel” includes motorboats
- Include appropriate federal approval for placement of markers

Staff recommends approval to proceed with publishing Notice of Text in the NC Register, to hold one public hearing, and to open the comment period for the following Rules. The complete Rule text can be found in Appendix A of Exhibit G-2, the fiscal note review.

15A NCAC 10F .0302 ATLANTIC BEACH (for readoption – substantive public interest)
Update language for consistency, correct locations and add coordinates, remove maintenance of markers, remove “motorboat.” This Rule has not been amended since 1998.

15A NCAC 10F 0355 SWAIN COUNTY
Clarify descriptions, remove maintenance, add federal authority of Tennessee Valley Authority.

15A NCAC 10F .0338 CALDWELL COUNTY
Revise language for consistency, remove maintenance, remove US Coast Guard authority.

15A NCAC 10F .0359 CHEROKEE COUNTY
Correct location names, add coordinates, remove maintenance, add authority of TVA and US Army Corps of Engineers.
15A NCAC 10F .0367 HOKE COUNTY
Describe location of no-wake zone, add coordinates, remove motorboat.

15A NCAC 10F .0308 CLAY COUNTY
Revise language for consistency, remove motorboat.

15A NCAC 10F .0315 POLK COUNTY
Clarify location of no-wake zone, add coordinates, remove maintenance, remove motorboat.

15A NCAC 10F .0321 PENDER COUNTY (for readoption – substantive public interest)
Add location for clarity, revise language for consistency. Prior to a recent amendment for Town of Surf City this Rule had not been touched since 2000.

15A NCAC 10F .0342 CATAWBA COUNTY
Remove amendment for no-wake zone at the old Wildlife Club (15A NCAC 10F .0342(a)(1)) because it cannot be located, clarify no-wake zone boundaries by adding coordinates, revise language for consistency, remove maintenance.

15A NCAC 10F .0349 JOHN H. MOSS LAKE
Revise language for consistency, remove maintenance.

15A NCAC 10F. 0372 HERTFORD COUNTY
Confirmed need for no-wake zone with Hertford County, clarify and simplify description of no-wake zone and add coordinates, remove motorboat, remove maintenance, add federal authority of US Coast Guard and US Army Corps of Engineers.

15A NCAC 10F .0340 CURRITUCK COUNTY
Revise language for consistency, add location names for clarity, remove motorboat, remove maintenance.
Fiscal Note Review of
Proposed Wildlife Resources Commission No-Wake Zone Rules

Rule Amendments:

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Contact: Carrie Ruhlman, Policy Analyst  
1701 Mail Service Center  
Raleigh, N.C 27699-1701  
(919) 707-0011  
carrie.ruhlman@ncwildlife.org

Impact:

- State Government: Yes  
- Local Government: Yes  
- Private: No  
- Substantial Impact: No

Authority: G.S. 75A-3: 75A-15

All 10F Rules were reviewed as part of the 2016 Periodic Review process. Ten of the rules proposed for amendment at this time are not required to be readopted. Rule 15A NCAC 10F .0302 ATLANTIC BEACH and 15A NCAC 10F .0321 PENDER COUNTY are required to be readopted, as they were determined to be “necessary with substantive interest.” All rules are being updated to incorporate the following changes:

- updating language and terms for consistency;  
- clarifying no-wake zone boundaries;  
- correcting the county location of the no-wake zone;  
- removing the maintenance of markers; and  
- including appropriate federal approval for placement of markers.
Proposed rules can be found in the Appendix.

**State Impact Analysis:** Overall, the proposed amendments to these rules are anticipated to have a minimal economic impact on the state.

Only proposed amendments to the following 10 Rules will have a fiscal impact: 15A NCAC 10F .0302, .0308, .0315, .0335, .0338, .0340, .0342, .0349, .0359, and .0372.

These proposed amendments shift marker maintenance responsibility to the agency. In general, maintenance is only required when a marker is missing or has been damaged, typically these markers last 5 – 10 years. Additionally, these proposed rule amendments only account for a portion of the estimated statewide impact of annual marker maintenance. The agency is unable to determine the costs and benefits attributable to individual counties. However, a statewide estimate for marker maintenance based on approximate costs for materials and labor provides that the agency could incur an annual cost of approximately $5,900 to replace missing or damaged markers (($150/marker + $150 materials/marker) x 10 markers/year) = $3,000/year + (($29/hr x 2 techs = $58/hr) x (5 hrs/marker x 10 markers/year = 50 hrs/yr) = $2,900/year) = $5,900/year).

**Local Impact Analysis:** The proposed amendments to these rules will not impose any costs on local governments. Due to the Commission assuming responsibility for marker maintenance, local governments may incur benefits of approximately $590 annually (($150/marker + $150 materials/marker) + ($58/hr x 5 hours) = $590) in materials savings and staff time not spent on the replacement of individual markers.2

**Private Impact:** The proposed amendments to these rules have no anticipated private impact. However, a potential benefit of clarifying no-wake zone boundaries is increased boater safety.

**Substantial Economic Impact**
There will be no substantial economic impact.

---

1 Hourly rates for agency staff reflect total compensation for boating technician II.
2 Estimates based on Commission staff and materials costs.
Appendix A

15A NCAC 10F .0302 is proposed for readoption with substantive changes as follows:

15A NCAC 10F .0302  ATLANTIC BEACH

(a) Regulated Areas. This Rule applies to the following waters in Atlantic Beach in Carteret County:

(1) the canals within the subdivisions of Atlantic Beach Isles and Sound View Isles within the town limits of Atlantic Beach, east of the Atlantic Beach Bridge in Sound View Isles subdivision, including the waters of Money Island Slough from its east entrance at 34.70187 N, 76.72941 W to its west entrance at 34.70237 N, 76.73271 W; and all canals west of the bridge including the canal west of North Shore 1 Drive;

(2) the waters of Bogue Sound from the east side of Channel Bay Mobile Home Park running westerly to the west side of North Shore Mobile Home Park extending 55 yards from the shore; within 55 yards of the north shore of Channel Bay Mobile Home Park and North Shore Mobile Home Park;

(3) the waters of Bogue Sound extending 50 yards on each side of the entrance to Hoop Pole Creek Bay and 50 yards on each side of the four boat ramps in Hoop Pole Creek Bay; from a point approximately 50 yards north of the entrance to Hoop Pole Creek Bay at 34.70319 N, 76.76904 W, to a line approximately 150 yards south of the entrance to Hoop Pole Creek Bay, shore to shore from a point on the east shore at 34.70178 N, 76.76757 W, to a point on the west shore at 34.70167 N, 76.76973 W, and within 50 yards of all boat ramps in Hoop Pole Creek Bay; and

(4) the waters of Bogue Sound beginning at day markers #3PA (green) and #4PA (red) at green day marker 3 and red day marker 4 near the entrance to of the 8 ½ Marina Channel running to day markers #7PA (green) and #8PA (red) extending the length of the canal to and 50 yards on each side of the boat ramp at 8 ½ Marina Village, and extending within the channel to a point 50 yards west of the boat ramp at 8 ½ Marina Village.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas identified in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Town of Atlantic Beach is the designated as a suitable agency for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

History Note:  Authority G.S. 75A-3; 75A-15;

Eff. February 1, 1976;

15A NCAC 10F .0308 is proposed for amendment as follows:

15A NCAC 10F .0308  CLAY COUNTY

(a) Regulated Areas. It is unlawful to operate any motorboat or vessel at greater than no-wake speed in the following areas on Chatuge Lake:

(1) within 50 yards of the boat ramp at Ho Hum Campground;
(2) the waters of Shooting Creek, from a line shore to shore 50 yards west of the High Bridge on NC Highway 175, to a line at the southeast end of Shooting Creek shore to shore, from a point at 35.01960 N, 83.72752 W; to a point at 35.01979 N, 83.72638 W;
(3) within 50 yards of the Gibson Cove access area;
(4) within 50 yards of the Chatuge Cove Marina;
(5) that portion of the cove shore to shore, west of Cottage Court off of NC Highway 175, northeast of a line from a point on the east shore at 35.02576 N, 83.73784 W; to a point on the northwest shore at 35.02609 N, 83.73945 W;
(6) within 50 yards of the Chatuge Dam Spillway access area; and
(7) the waters of McCracken Cove.

(b) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area established with the approval of the Executive Director, or his representative, on the regulated area.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Clay County is the designated agency for placement of the markers implementing this Rule, subject to the approval of the Tennessee Valley Authority and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. February 1, 1976;
Amended Eff. June 1, 2005; July 1, 1998; February 1, 1990; July 1, 1986; March 25, 1978;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Amended Eff. June 1, 2017
15A NCAC 10F .0315 is proposed for amendment as follows:

15A NCAC 10F .0315    POLK COUNTY

(a) Regulated Area. The inlet of Lake Adger lying north of a line running from the end of the point on which Red Barn Landing is located South 69 degrees West (true) approximately 1,800 feet to the beach on the north side of said lake is designated as a "slow-no-wake" area. The waters of Lake Adger in the cove south of the Lake Adger Boating Access Area, west of a line from a point on the north shore at 35.33578 N, 82.22780 W to a point on the south shore at 35.33422 N, 82.22774 W.

(b) Speed Limit. No person shall operate a motorboat vessel at greater than no-wake speed within the "slow-no-wake" area described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Polk County is the designated agency for placement and maintenance of markers implementing this Rule.

History Note:  Authority G.S. 75A-3; 75A-15;
Eff. February 1, 1976;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
15A NCAC 10F .0321 is proposed for readoption with substantive changes as follows:

15A NCAC 10F .0321 PENDER COUNTY

(a) Regulated Areas. This Rule applies to the following waters in Pender County:

(1) the canal adjoining Old Olde Point Development in Hampstead;

(2) the First Finger Canal northeast of Godwin Drive in New Topsail Beach;

(3) in the Town of Topsail Beach, those the waters on the eastern side of Banks Channel within 100 yards of the shoreline beginning 155 yards west of Bush's Marina, and extending northeast ending 75 yards from the shoreline perpendicular to Haywood Avenue;

(4) those the waters of the Northeast Cape Fear River between the U.S. Highway 117 bridge and the railroad trestle 60 yards east of the Castle Hayne Boating Access Area; and

(5) in the Town of Surf City, the waters of the channel in Topsail Sound known as Deep Creek, from its mouth at a point at 34.43199 N, 77.54795 W to its end west of Goldsboro Avenue.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within the regulated areas described in Paragraph (a) of this Rule.

(c) Placement of Markers. The Board of Commissioners of Pender County with respect to the regulated areas designated in Subparagraphs (1), (2) and (4) of Paragraph (a) of this Rule, the Board of Commissioners of the Town of Topsail Beach, with respect to Beach for the regulated area designated in Subparagraph (3) of Paragraph (a) of this Rule, and the Board of Commissioners of the Town of Surf City, with respect to City for the regulated area designated in Subparagraph (5) of Paragraph (a) of this Rule are the designated as suitable agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. May 1, 1976;
Amended Eff. July 1, 1993; December 1, 1991; May 1, 1989; October 1, 1985;
Temporary Amendment Eff. April 1, 1999;
15A NCAC 10F .0335 is proposed for amendment as follows:

15A NCAC 10F .0335 SWAIN COUNTY

(a) Regulated Area. This Rule applies only to that portion of Fontana Lake which is located in Swain County, to the waters of Fontana Lake within 50 yards of Almond Boat and RV Park at 1165 Almond Boat Park Road in Bryson City.

(b) Speed Limit Near Boat Dock. No person shall operate a vessel at greater than no-wake speed within 50 yards of Almond Boat Dock. Limit. No person shall operate a vessel at greater than no-wake speed within the area described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Swain County is the designated suitable agency for placement and maintenance of markers implementing this Rule, subject to the approval of the United States Coast Guard, Tennessee Valley Authority and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. August 31, 1980;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
15A NCAC 10F .0338 is proposed for amendment as follows:

15A NCAC 10F .0338   CALDWELL COUNTY

(a) Regulated Areas. This Rule applies only to the following waters which lie within the boundaries of in Caldwell County:

   (1) Catawba River, River;
   (2) Lake Rhodhiss, Rhodhiss; and
   (3) Little Gunpowder Lake.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat launching ramp while on the regulated areas described in Paragraph (a) of this Rule.

(c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area established with the approval of the Executive Director, or his representative, on the regulated areas described in Paragraph (a) of this Rule.

(d) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area established with the approval of the Executive Director, or his representative, on the regulated areas described in Paragraph (a) of this Rule.

(e) Placement and Maintenance of Markers. The Board of Commissioners of Caldwell County is the designated a suitable agency for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers. With regard to marking regulated areas described in Paragraph (a) of this Rule, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. August 23, 1981;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
15A NCAC 10F.0340 is proposed for amendment as follows:

**15A NCAC 10F.0340 CURRITUCK COUNTY**

(a) Regulated Areas. This Rule applies to the waters and portion of waters described as follows:

1. Bell's Island. The waters contained in all the canals on Bell's Island.

2. Walnut Island Subdivision. The waters in all the canals in the Walnut Island subdivision in the Village of Grandy.

3. Waterview Shores Subdivision. The waters in all the canals in the Waterview Shores subdivision, off of Woodhouse Drive in the Village of Grandy. The regulated area begins at the entrances to the subdivision from Dowdy Bay (Poplar Branch Bay) at 36.25148N, 75.87061W; 36.24981N, 75.87042W; and 36.24872N, 75.87055W.

4. Neal's Creek Landing. The waters of Currituck Sound within 50 yards of Neal's Creek Landing as delineated by appropriate markers at the end of Neal's Creek Road.

5. Tull's Bay. (A) Those The waters of Tull's Creek within the canal off of Tull Bay leading to Tull's Bay Marina, beginning 50 yards upstream northeast and 50 yards downstream southwest of and within the mouth of the canal leading to Tull's Bay Marina as delineated by appropriate markers.

   (B) Those The waters which constitute the canals of the Tull's Bay Colony subdivision in Moyock and including the waters 50 yards north along the Mississippi Canal from its intersection with Elizabeth Canal.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Currituck County is the designated a suitable agency for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

**History Note:** Authority G.S. 75A-3; 75A-15;

Eff. May 1, 1982;

15A NCAC 10F .0342 is proposed for amendment as follows:

15A NCAC 10F .0342    Catawba County

(a) Regulated Areas. This Rule applies to the following waters of Lake Hickory:

   (1) the public fishing pier located at the old Wildlife Club off 12th Street Drive, NW, City of Hickory;
   (2) the shores of the Dixie Boat Club, Inc.; the waters within 50 yards of the shoreline of the Dixie Boat
        Club, Inc. at 4069 54th Avenue NE in the City of Hickory, from a point on the west shore at 35.81009 N, 81.23829 W to a point on the east shore at 35.81005 N, 81.23613 W;
   (3) the area within 50 yards of the Moore's Ferry Boat Marina and Boathouse on 44th Avenue, Circle NW; 44th Avenue Circle NW in the City of Hickory; and
   (4) the cove entering the Lake Hickory RV Resort Marina as delineated by appropriate markers.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed in the waters of the regulated areas specified in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The governing board of the City of Hickory and the Catawba County Board of Commissioners are the designated suitable agencies for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. September 1, 1982;
Amended Eff. March 1, 1992; May 1, 1989;
Temporary Amendment Eff. February 1, 1999;
Amended Eff. July 1, 2000;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
15A NCAC 10F 0349 is proposed for amendment as follows:

**15A NCAC 10F 0349  JOHN H. MOSS LAKE**

(a) Regulated Area. This Rule applies to the Kings Mountain water supply reservoir known as the John H. Moss Lake located in Cleveland County.

(b) Speed Limit Near Boat Facilities. No person shall operate a vessel at greater than no-wake speed within 50 yards of any boat launching area, dock, pier, marina, boat storage structure or boat service area located on the regulated area described in Paragraph (a) of this Rule.

(c) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked swimming area established with the approval of the Executive Director, or his representative, on the regulated area described in Paragraph (a) of this Rule.

(d) Placement and Maintenance of Markers. The Board of Commissioners of the City of Kings Mountain is the designated suitable agency for placement and maintenance of markers implementing this Rule. Provided the said board exercises its supervisory responsibility, it may delegate the actual placement and maintenance of markers to some other responsible agency. With regard to marking the regulated area described in Paragraph (a) of this Rule, the supplementary standards set forth in Rule 0301(g) of this Section shall apply.

History Note: Authority G.S. 75A-3; 75A-15;

Eff. August 1, 1984;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
15A NCAC 10F .0359 is proposed for amendment as follows:

15A NCAC 10F .0359   CHEROKEE COUNTY

(a) Regulated Areas. This Rule applies to the following sections of waters of Hiawassee-Hiwassee Lake:

(1) the waters within 50 yards of Hiawassee Hideaway Marina, of the Duke’s Hideaway Marina cove shore to shore, east of a line from a point on the north shore at 35.11989 N, 84.10420 W to a point on the south shore at 35.11902 N, 84.10386 W;

(2) the waters within 50 yards of Shook’s Boat Dock, of the Shooks Marina cove shore to shore, south of a line from a point on the northwest shore at 35.15458 N, 84.14425 W to a point on the southeast shore at 35.15457 N, 84.14296 W;

(3) the waters within 50 yards of Bear Paw Marina, of the Mountain View Marina cove, shore to shore, west of a line from a point on the north shore at 35.15264 N to a point on the south shore at 35.15120 N, 84.16313 W;

(4) the waters within 50 yards of TVA Boat Ramp at Micken’s Branch, and the Tennessee Valley Authority boating access area at Micken Branch at 35.11890 N, 84.16806 W;

(5) the waters within 50 yards of Harbor Cove Marina, of the Harbor Cove Marina cove, shore to shore, west of a line from a point on the north shore at 35.13899 N, 84.17592 W to a point on the south shore at 35.13771 N, 84.17593 W;

(b) Speed Limit. No person shall operate any vessel at greater than no-wake speed on the waters of the regulated areas as described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Cherokee County Board of Commissioners is the designated suitable agency for the placement and maintenance of markers implementing this Rule, subject to the authority of the Tennessee Valley Authority and the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. May 1, 1989;
Amended Eff. November 1, 2007; May 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
15A NCAC 10F .0367 is proposed for amendment as follows:

15A NCAC 10F .0367   HOKE COUNTY

(a) Regulated Area. This Rule applies to the waters of Rockfish Creek at Camp Rockfish upstream from the Hoke-Cumberland county line within the territorial limits of Hoke County as delineated by appropriate markers. shore to shore, from a line at a point on the north shore at 34.95415 N, 79.03833 W to a point on the south shore at 34.95372 N, 79.03865 W, eastward to a line from a point on the north shore at 34.95439 N, 79.03660 W to a point on the south shore at 34.95351 N, 79.03773 W.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated area described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Hoke County Board of Commissioners is the designated a suitable agency for placement and maintenance of the markers implementing this Rule.

History Note: Authority G.S. 75A-3; 75A-15; Temporary Adoption Eff. April 1, 1999; Eff. July 1, 2000; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
15A NCAC 10F .0372 is proposed for amendment as follows:

15A NCAC 10F .0372  HERTFORD COUNTY

(a) Regulated Areas. Area. This Rule applies to the Chowan River within the territorial jurisdiction of Hertford County, in the area along the southern shoreline of the Chowan River, extending up to 600 feet in an easterly direction, and up to 1000 feet in a westerly direction, from the shore line terminus of State Road 1401 (Tuscarora Beach Road) at the site of the property commonly known as Tuscarora Beach, extending 200 feet toward the center of the Chowan River, as indicated by buoys, portion of the Chowan River at Tuscarora Beach within 65 yards of the shoreline, from a point on the southwest shore at 36.39028 N, 76.91214 W to a point on the southeast shore at 36.38825 N, 76.90723 W.

(b) Speed Limit. No person shall operate any motorboat or a vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The County of Hertford is the designated a suitable agency for placement and maintenance of the markers implementing this Rule.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. May 1, 2006;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
RULEMAKING REQUEST - 15A NCAC 10F .0317 STANLY COUNTY

Stanly County advertised and held a local public hearing and submitted an application pursuant to the requirements of the Administrative Procedure Act, requesting rulemaking for a no-wake zone in a narrow canal on Palmerville Lake. Palmerville Lake is separated from Badin Lake by railroad tracks and is mainly used by local residents who have access to the lake.

After an investigation and submission of the completed matrix describing conditions that might warrant rulemaking, Enforcement noted very little congestion on the lake, no history of accidents, and no substantial safety hazards that might be mitigated by establishing a no-wake zone the length of the canal. Enforcement did note a large submerged boulder approximately 50 yards from the end of the canal. Enforcement rated the likelihood of an incident occurring in the canal as very unlikely.

Staff received one comment from Harold Cagle, who is opposed to Stanly County’s request for a no-wake zone on Palmerville Lake. Mr. Cagle was unable to attend the local public hearing to comment. He stated that he has lived on the lake for 12 years with no safety incidents.

If the Rule is adopted a private citizen will be responsible for purchase and placement of buoys to mark the zone at no expense to local or state government. A fiscal note will not be required.

Staff recommends disapproval of the Stanly County application.

15A NCAC 10F .0317  STANLY COUNTY

(a) Regulated Areas. This Rule applies to the following waters and portions of waters described as follows:

(1) **Narrows Reservoir (Badin Lake)**, Badin Lake. The waters of the canal on Palmerville Lake, a portion of Badin Lake, beginning at the canal mouth at 35.43848 N, 80.11600 W;

(2) Lake Tillery;

(A) Turner Beach Cove as delineated by appropriate markers.

(B) Mountain Creek Cove as delineated by appropriate markers

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat launching ramp while on the waters of a regulated area described in Paragraph (a) of this Rule.
(c) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area established with the approval of the Executive Director, or his representative, on the waters of a regulated area described in Paragraph (a) of this Rule.

(d) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any of the regulated area areas described in Paragraph (a) of this Rule:

(e) Placement and Maintenance of Markers. The Board of Commissioners of Stanly County is the hereby designated a suitable agency for placement and maintenance of the markers implementing this Rule in accordance with the Uniform System. Rule, subject to the authority of the United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. February 1, 1976;
Amended Eff. July 1, 1995; March 25, 1978; November 1, 1977;
Temporary Amendment Eff. June 1, 1998;
Amended Eff. July 1, 2000; April 1, 1999; July 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
NO-WAKE ZONING MATRIX

SECTION 1:
Name of organization/entity: Stanly County
Primary contact information: Andy Lucas, County Manager 704-986-3600
Exact location of requested no-wake zone:

Body of water: Palmerville Lake, part of Badin Lake separated by railroad tracks.
Location: Canal beginning at mouth of canal, adjacent to Palmerville Rd. and Beach Rd.

Popular name of area, if any: "Palmerville"

Width of No-Wake Zone: Narrowest Point: 35 yards Widest Point: 86 yards
Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc)

Small lake that does not have access to Badin Lake. This area is populated with homes / summer homes that are located off Palmerville Rd. There are no obstacles seen or unseen until approximately 50 yards from the narrow end of the canal. There is a large submerged bolder just below the surface.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact

Attach detailed reason given from point of contact for the request

Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corp of Engineers or the Division of Coastal Management (CAMA) i.e.; Intracoastal Waterway?

YES ☐
NO X

(When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.)
SECTION 2:
PUBLIC SAFETY HAZARD

What public safety hazard exists? Unseen submerged bolder approximately 50 yards from the narrow end of the canal.

Is this a public swimming or recreational area?

NO  X

YES □ would the establishment of a swimming area or placement of regulatory buoys be more appropriate? YES □ NO □

SECTION 3:
NAVIGATIONAL HAZARDS

Identify any and all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS X (Identify)

Submerged bolder approximately 50 yards from the end of canal.

NARROW CHANNEL X (give approximate width)

Widest 86 yards. Narrow end 33 yards. I do not consider this to be a narrow channel.

SHALLOW WATER X (give average depth)

25 feet at the mouth of the canal. Approximately 2 feet at the end of the canal.

OBSTRUCTED VISION X (for approximately how great a distance)

No obstruction of vision.

STRUCTURES (Check all applicable)

□ DAM                           □ LOCK
□ SPILLWAY                      □ JETTY
□ FLOOD CONTROL STRUCTURE       □ SUBMERGED STRUCTURE
□ TRESTLE                       □ SANDBAR
□ POWER LINE                    □ SHOAL
SECTION 4:
If approved, will the no-wake zone extend into a designated channel?

[ ] NO  [X] YES  (if yes, identify on map)

What is the total distance boaters will travel at a no-wake speed

650 yards.

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed.  
Approximately 8 minutes.

SECTION 5:
List any other known incidents, safety concerns or problems that have occurred?

None.
Rate traffic density in this area from light to heavy

HEAVY

Is traffic density specific to weekend/and or holidays?

Weekends and holidays.

Does traffic density or ability to maneuver a vessel due to traffic cause safety issues? YES ☐ NO ☒

Rate the likelihood of an incident occurring in this area compared to other similar areas on this same body of water

VERY UNLIKELY 1 2 3 4 5 6 7 8 9 10 MORE LIKELY

SECTION 6:

OFFICER RECOMENDATION

YES: ☐

NO: ☒

Reason for decision: I have encountered no incidents in this canal. This lake is open to the public, but is rarely used by anyone other than the local residents. Upon my investigation of the area and knowledge from working this area, I do not see any factors that warrant making this a no wake zone.

Officer: [Signature]
The City of Hickory advertised and held a public hearing and submitted an application pursuant to the requirements of the NC Administrative Procedure Act, for a no-wake zone within 30 yards of the boat docks at the Lake Hickory Marina and Boat Rentals on Limbaugh Lane at Lake Hickory. Enforcement recommends a no-wake zone within 30 yards of the docks at Lake Hickory Marina to mitigate hazards to boater safety. Among the hazards are gasoline spillage into the lake from fuel pumps, limited vision around docked vessels for approximately 100 yards, and danger to people walking on the docks and launching and loading boats in this area of heavy boat traffic.

Private individuals have agreed to purchase and place four buoys within 30 yards of the marina docks, at no expense to state or local government. A fiscal note is not required.

Staff recommends approval to submit a Notice of Text in the NC Register with one public hearing and an open comment period. After the comment period closes the Commission will consider adoption of the Rule.
15A NCAC 10F .0338 C ANDL E WO N T Y CO U NTY

(a) Regulated Areas. This Rule applies only to the following waters which lie within the boundaries of Caldwell County:

(1) Catawba River; 
(2) Rhodhiss Lake; and 
(3) Little Gunpowder Lake.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat launching ramp while on the regulated areas described in Paragraph (a) of this Rule.

(c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area established with the approval of the Executive Director, or his representative, on the regulated areas described in Paragraph (a) of this Rule.

(d) Specific Speed Zones. Lake Hickory within the boundaries of the City of Hickory. No one shall operate a vessel at greater than no-wake speed within 30 yards of the docks at the Lake Hickory Marina and Boat Rentals on Limbaugh Lane.

(e) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area established with the approval of the Executive Director, or his representative, on the regulated areas described in Paragraph (a) of this Rule.

(f) Placement and Maintenance of Markers. The Board of Commissioners of Caldwell County is designated a suitable agency, and the City of Hickory are the designated agencies for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers. With regard to marking regulated areas described in Paragraph (a) of this Rule, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.

History Note: Authority G.S. 75A-3; 75A-15;

Eff. August 23, 1981;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
NO-WAKE ZONING MATRIX

SECTION 1:

Name of organization/entity: ___City of Hickory

Primary contact information: ___Brian Frazier – Planning Director bfrrazier@hickorync.gov
828-323-7422

Exact location of requested no-wake zone:

Body of water: ___Lake Hickory________________________

Location: ___Limbaugh Lane north of Hickory Blvd.

Popular name of area, if any: ___Lake Hickory Marina and Boat Rental____________________

Width of No-Wake Zone: Narrowest Point: ___ Widest Point: ___

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) ___busy marina near the bridge, with five docks with boat slips

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact

Attach detailed reason given from point of contact for the request

Marina owner and city representative state that the marina is busy with multiple docks and boat slips.

Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corp of Engineers or the Division of Coastal Management (CAMA) i.e.; Intracoastal Waterway?

YES □

NO X

(When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.)
SECTION 2:
PUBLIC SAFETY HAZARD

What public safety hazard exists? Public walking on the floating docks, Gasoline being spilled into lake from pumps, launching and loading boats and limited vision around docked vessels.

Is this a public swimming or recreational area?

NO  X

YES □ would the establishment of a swimming area or placement of regulatory buoys be more appropriate? YES □ NO □

SECTION 3:
NAVIGATIONAL HAZARDS

Identify any and all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS □  (Identify) ________________________________

NARROW CHANNEL □  (give approximate width) __________________

SHALLOW WATER □  (give average depth) _________________________

OBSERVED VISION X  (for approximately how great a distance) 100 yards (due to docked vessels)

STRUCTURES (Check all applicable)

□ DAM
□ SPILLWAY
□ FLOOD CONTROL STRUCTURE
□ TRESTLE
□ POWER LINE
□ FUELING DOCK
□ LOCK
□ JETTY
□ SUBMERGED STRUCTURE
□ SANDBAR
□ SHOAL
□ PRIVATE DOCKS
☐ RESTURANT DOCKS  ☐ BRIDGE
X ACCESS AREA/BOAT LAUNCH  X PIER

OTHER (list and describe) ____________________________________________


SECTION 4:
If approved, will the no-wake zone extend into a designated channel?

   NO  X

   YES ☐ (if yes, identify on map)

What is the total distance boaters will travel at a no-wake speed ____________________________

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed _____

SECTION 5:
List any other known incidents, safety concerns or problems that have occurred?

   None ____________________________


Rate traffic density in this area from light to heavy  LIGHT 1 2 3 4 5 6 7 8 9 10 HEAVY

Is traffic density specific to weekend/and or holidays?  Weekends
Does traffic density or ability to maneuver a vessel due to traffic cause safety issues? YES X
NO □

Rate the likelihood of an incident occurring in this area compared to other similar areas on this
same body of water

VERY UNLIKELY 1 2 3 5 4 5 6 7 8 9 10 MORE LIKELY

SECTION 6:
OFFICER RECOMENDATION

YES: X
NO: □

Reason for decision: I recommend this no wake zone area due to the public operating boats into
and out of area to purchase and pump fuel. The area in question has over 70 boats docked and
several long floating docks. The boats and docks are in close proximity of the main channel and
heavy boat traffic. It is my recommendation to place four no wake buoys along the front of the
floating docks. The four buoys should not to extend farther than 30 yards from front and sides of
docks.

Officer: Master Officer Clint Bell #072
REQUEST FOR RULEMAKING – 15A NCAC 10F .0305 BRUNSWICK COUNTY

Agency staff proposes an amendment to 15A NCAC 10F .0305 Brunswick County, for a no-wake zone in the waters of the Intracoastal Waterway (ICW) shore to shore, from a point 150 yards east of the Sunset Boulevard bridge to a point 50 yards west of the bridge in the Town of Sunset Beach. Multiple hazards to boater safety exist in this narrow and shallow area of the ICW. The WRC Boating Access Area just east of the bridge is busy with diminished sightlines traveling east under the bridge. There have been boating incidents at the BAA as the result of vessels traveling at excessive speeds.

The WRC has received concurrence from the Wilmington District of the US Army Corps of Engineers to promulgate a Rule in this part of the ICW.

The WRC will be responsible for purchase, placement and maintenance of two pilings and four signs to mark the beginning and end of the NWZ. The agency will obtain a Coastal Area Management Act (CAMA) permit that is required before placing any structures within coastal waters. A fiscal note has been submitted and reviewed by the Office of State Budget and Management. (EXHIBIT J-2)

Staff recommends approval to submit a Notice of Text in the NC Register for at least 60 days and hold one public hearing with an open comment period. After the public comment closes staff will submit the Rule for consideration of final adoption by the WRC.

15A NCAC 10F .0305 BRUNSWICK COUNTY

(a) Regulated Areas. This Rule applies to the waters and portions of waters described as follows:

   (1) Lockwoods Folly River. An area on that portion of the Lockwood Folly River in the Town of Varnamtown, beginning 1500 feet from a point at 33.94966 N, 78.22587 W 500 yards north northwest of the boat ramp located at the end of State Road 1123 SR 1123 otherwise known as Fisherman Road, and extending downstream to a point 800 feet at 33.94498 N, 78.22206 W, 180 yards southeast south of said the boat ramp ramp, and including the portion of the river otherwise known as Mill Creek where it meets Lockwoods Folly River directly across from the boat ramp, to a point 100 feet northeast at 33.94687 N, 78.22235 W; beginning at its intersection with the Lockwood Folly River and extending upstream for 100 feet.
(2) **Calabash River.** An area located on the Calabash River beginning 100 feet west of the Billy Cox Landing and extending 100 feet east of Captain Harry's Landing, in the Town of Calabash, from a point in the water at the end of Marina Drive at 33.88638 N, 78.56254 W to a point 650 yards southwest at the southern end of the deep-sea fishing docks at 33.88344 N, 78.56751 W.

(3) **State Port Authority Small Boat Harbor.** Beginning at the Intracoastal Waterway on the easterly side of the North Carolina State Port Authority Small Boat Harbor, thence runs along and with the easterly boundary of the said boat harbor basin and along the northerly boundary and westerly boundary thereof to a point at the intersection of the westerly boundary of said boat harbor with the highwater mark of the Intracoastal Waterway; runs thence in an easterly direction with the highwater mark of the Intracoastal Waterway to the place and point of beginning, and being the entire small boat harbor in Southport. The Small Boat Harbor, shore to shore beginning at its intersection with the Intracoastal Waterway at a point at 33.91685 N, 78.02865 W;

(4) **Shallotte River.** The portion of the Shallotte River east of SR 1233, otherwise known as Village Point Road SW south of the Town of Shallotte, shore to shore from beginning at its intersection with the Intracoastal Waterway at a point at 33.91477 N, 78.37103 W and extending from the northern boundary of the Intracoastal Waterway for a distance of 500 feet to the north, to be marked by appropriate markers, to point 500 feet north at 33.91613 N, 78.37126 W;

(5) **Big Davis Creek.** That part of Montgomery Slough otherwise known as Big Davis Creek Creek, within 100 yards of Sportsman Inn at Blue Water Point Marina near Long Beach, the hotel and marina at the northern end of 57th Place West in the Town of Oak Island;

(6) **Town of Ocean Isle Beach.** Those The waters in the natural and concrete canals, both natural and concrete, which are canals located on the south side of the Intracoastal Waterway Waterway, east of N.C. Highway 904 in the Town of Ocean Isle Beach.

(7) **Town Creek.** The 200 yard portion of Town Creek lying in Town Creek Colony as delineated by no wake zone markers, east of SR 1609, otherwise known as Clearview Lane in Town Creek Township, shore to shore from a point at 34.16788 N, 78.07139 W, north and east around a bend in the creek to a point at 34.16910 N, 78.07030 W;

(8) **Town of Oak Island.** That part of Montgomery Slough, otherwise known as Big Davis Canal within the Town of Oak Island - Creek, shore to shore from its starting with the entrance from at the Intracoastal Waterway at the end west of SW Yacht Drive SW at a point at 33.92145 N, 78.19408 W, to the canal end at NE 40th Street in the Town of Oak Island; and upstream to the canal end at 40th Street, NE.

(9) **Intracoastal Waterway in the Town of Sunset Beach.** Shore to shore from a point 150 yards east of the Sunset Boulevard South bridge at 33.88173 N, 78.50995 W, to a point 50 yards west of the bridge at 33.88111 N, 78.51194 W.

(b) **Speed Limit.** No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.
(c) Placement and Maintenance of Markers. Subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers, the following agencies are designated suitable agencies for the placement and maintenance of markers implementing this Rule: Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

1. The Board of Aldermen of Varnamtown as to areas indicated in Subparagraph (a)(1) of this Rule; Rule;
2. The Board of Commissioners of Brunswick County as to areas indicated in Subparagraph (a)(2) - (8) of this Rule; and
3. The North Carolina Wildlife Resources Commission for the area indicated in Subparagraph (a)(9) of this Rule.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. February 1, 1976;
Amended Eff. April 1, 1997; July 1, 1994; July 1, 1993; January 1, 1989; January 1, 1987;
Temporary Amendment Eff. March 1, 1998;
Amended Eff. April 1, 2009; April 1, 1999;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
NO-WAKE ZONING MATRIX

SECTION 1:

Name of organization/entity: Brunswick County

Primary contact information: recommendation to Betsy Haywood 919-707-0013; Todd Horton at USACE 910-251-4067 for safety concerns and allowable distance from bridge concerns

Exact location of requested no-wake zone:

Body of water: Intracoastal Waterway

Location: Sunset Beach Bridge, Sunset Beach NC

Popular name of area, if any:

Width of No-Wake Zone: Narrowest Point: ___    Widest Point: ___

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) investigate area on the ICW within 200 yards on either side of the Sunset Beach bridge, and particularly in the area of the BAA and fishing docks east of the bridge. Callers reported fatalities of father and son last year, also several broken bones in other incidents.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact

Attach detailed reason given from point of contact for the request

Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corp of Engineers or the Division of Coastal Management (CAMA) i.e.; Intracoastal Waterway?

YES ☒ USACE and CAMA area

NO ☐

(When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.)
SECTION 2:
PUBLIC SAFETY HAZARD
What public safety hazard exists? **wake from passing vessels**
Is this a public swimming or recreational area?  

No ☒

Yes ☐ would the establishment of a swimming area or placement of regulatory buoys be more appropriate? Yes ☐ No ☐

SECTION 3:
NAVIGATIONAL HAZARDS
Identify any and all potential hazards associated with the proposed no-wake zone (check all that apply)

Obstructions ☐ (Identify) ____________________________________________

Narrow Channel ☐ (give approximate width) __________________________

Shallow Water ☒ (give average depth) **10-12" at low tide at dock**

Obstructed Vision ☐ (for approximately how great a distance) __________

Structures (Check all applicable)

☐ Dam
☐ Spillway
☐ Flood Control Structure
☐ Trestle
☐ Power Line
☐ Fueling Dock
☐ Restaurant Docks
☒ Access Area/Boat Launch
☐ Lock
☐ Jetty
☐ Submerged Structure
☐ Sandbar
☐ Shoal
☐ Private Docks
☐ Bridge
☒ Pier
SECTION 4:
If approved, will the no-wake zone extend into a designated channel?

NO      
YES ☑ (if yes, identify on map)

What is the total distance boaters will travel at a no-wake speed 400 yards

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed 3-4 min

SECTION 5:
List any other known incidents, safety concerns or problems that have occurred? None

that have been reported

Rate traffic density in this area from light to heavy LIGHT 1 2 3 4 5 6 7 8 9 10 HEAVY

Is traffic density specific to weekend/and or holidays? More or weekends & holidays

Does traffic density or ability to maneuver a vessel due to traffic cause safety issues? YES ☐

NO ☑

Rate the likelihood of an incident occurring in this area compared to other similar areas on this same body of water VERY UNLIKELY 1 2 3 4 5 6 7 8 9 10 MORE LIKELY
SECTION 6:
OFFICER RECOMMENDATION

YES: ☑
NO: ☐

Reason for decision:
little to no protection from vessel wake while launching & recovering vessels at WIC access
I would recommend the zone only be 100 yards from the Sunset Beach bridge east.

Officer: ML Christie 191
Fiscal Note Review of
Proposed Wildlife Resources Commission No-Wake Zone Rule
15A NCAC 10F .0305 – Brunswick County

Contact: Betsy Haywood, No Wake Zone Coordinator
1701 Mail Service Center
Raleigh, N.C 27699-1701
(919) 707-0013
betsy.haywood@ncwildlife.org

Impact: State Government: Yes
Local Government: No
Private Impact: Minimal
Substantial Impact: No

Authority: G.S. 75A-3: 75A-15

The proposed permanent amendment to 15A NCAC 10F .0305 - Brunswick County (APPENDIX 1) will add a no-wake zone in the waters of the Intracoastal Waterway (ICW), shore to shore from a point 150 yards east of the Sunset Boulevard bridge to a point 50 yards west of the bridge in the Town of Sunset Beach.

The Wildlife Resources Commission (WRC) initiated the request for rulemaking to mitigate hazards to boater safety. This area of the ICW is narrow and shallow. The WRC Boating Access Area (BAA) just east of the bridge is busy, with diminished sight lines coming east under the bridge. There have been boating incidents near the BAA as the result of vessels traveling at excessive speeds.

The WRC will mark the no-wake zone at an estimated cost of $1,560.00. Of that cost, the agency will spend $400.00 for the Coastal Area Management Act (CAMA) permit required under § 113A-118 before placing structures in waters in coastal counties. Two pilings will be placed by a contractor at a cost of $500.00 for each piling. The $1000.00 cost includes pilings and contractor labor to install the pilings. The WRC has purchased four no-wake signs, two signs on each piling, at a cost of $40.00 each ($40.00 x 4=$160.00.) No additional cost for agency hours worked will be incurred, as placement of markers is the responsibility of the contractor.

State Impact Analysis: The WRC is responsible for purchase, placement, and maintenance of the markers for the Sunset Beach no-wake zone. It is anticipated that the total annual cost to maintain the markers will be no more than $200.00 and only if a marker is destroyed and must be replaced.

Local Impact Analysis: None.

Private Impact: The rule has minimal private fiscal impact. The regulated community will not incur any direct financial cost as a result of this rule change, but their behavior will be restricted in the waters of the ICW in the vicinity of the bridge and the BAA. However, the benefit of that restriction is increased boater safety.

Substantial Economic Impact: There will be no substantial economic impact to the public.
15A NCAC 10F .0305 BRUNSWICK COUNTY

(a) Regulated Areas. This Rule applies to the waters and portions of waters described as follows:

1. Lockwoods Folly River. An area on that portion of the Lockwood-Folly River in the Town of Varnamtown, beginning 1500 feet from a point at 33.9466 N, 78.2258 W, 500 yards north-northwest of the boat ramp located at the end of State Road 1123-SR 1123 otherwise known as Fisherman Road, and extending downstream to a point 800 feet at 33.9449 N, 78.2220 W, 180 yards southeast of said boat ramp, and including the portion of the river otherwise known as Mill Creek where it meets Lockwoods Folly River directly across from the boat ramp, to a point 100 feet northeast at 33.9467 N, 78.2235 W, beginning at its intersection with the Lockwoods Folly River and extending upstream for 100 feet.

2. Calabash River. An area located on the Calabash River beginning 100 feet west of the Billy Cox Landing and extending 100 feet east of Captain Harry's Landing in the Town of Calabash, from a point in the water at the end of Marina Drive at 33.8863 N, 78.5625 W, to a point 650 yards southwest at the southern end of the deep-sea fishing docks at 33.8834 N, 78.5675 W.

3. State Port Authority Small Boat Harbor. Beginning at the Intracoastal Waterway on the easterly side of the North Carolina State Port Authority Small Boat Harbor; thence runs along and with the easterly boundary of the said boat harbor basin and along the northerly boundary and westerly boundary thereof to a point at the intersection of the westerly boundary of said boat harbor with the highwater mark of the Intracoastal Waterway; runs thence in an easterly direction with the highwater mark of the Intracoastal Waterway to the place and point of beginning, and being the entire small boat harbor in Southport, the Small Boat Harbor, shore to shore beginning at its intersection with the Intracoastal Waterway at a point at 33.9168 N, 78.0286 W.

4. Shallotte River. The portion of the Shallotte River east of SR 1233, otherwise known as Village Point Road SW south of the Town of Shallotte, shore to shore from beginning at its intersection with the Intracoastal Waterway at a point at 33.9147 N, 78.3713 W, and extending from the northern boundary of the Intracoastal Waterway for a distance of 500 feet to the north, to be marked by appropriate markers, to point 500 feet north at 33.9163 N, 78.3712 W.

5. Big Davis Creek. That part of Montgomery Slough otherwise known as Big Davis Creek Creek, within 100 yards of Sportsman Inn at Blue Water Point Marina near Long Beach, the hotel and marina at the northern end of 57th Place West in the Town of Oak Island.

6. Town of Ocean Isle Beach. Those the waters in the natural and concrete canals, both natural and concrete, which are canals located on the south side of the Intracoastal Waterway, Waterway, east of N.C. Highway 904 in the Town of Ocean Isle Beach.

7. Town Creek. The 200 yard portion of Town Creek lying in Town Creek Colony as delineated by no wake zone markers, east of SR 1609, otherwise known as Clearview Lane in Town Creek Township, shore to shore from a point at 34.1678 N, 78.0713 W, north and east around a bend in the creek to a point at 34.1691 N, 78.071 W.

8. Town of Oak Island. That part of Montgomery Slough, otherwise known as Big Davis Canal within the Town of Oak Island, Creek, shore to shore from its starting with the entrance from at the Intracoastal Waterway at the end west of SW Yacht Drive SW at a point at 33.9214 S, 78.194 W, to the canal end at NE 40th Street in the Town of Oak Island; and, upstream to the canal end at 40th Street, NE.

9. Intracoastal Waterway in the Town of Sunset Beach, shore to shore from a point 150 yards east of the Sunset Boulevard bridge at 33.8817 N, 78.5099 W, to a point 50 yards west of the bridge at 33.8811 N, 78.5119 W.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. Subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers, the following agencies are the designated suitable agencies for the placement and maintenance of markers implementing this Rule:

1. The Board of Aldermen of Varnamtown as to the areas indicated in Paragraph (a), Subparagraph (1) of this Rule.

2. The Board of Commissioners of Brunswick County as to the areas indicated in Paragraph (a), Subparagraphs (2) - (8) of this Rule.

3. The North Carolina Wildlife Resources Commission for the area indicated in Paragraph (a), Subparagraph (9) of this Rule.
History Note: Authority G.S. 75A-3; 75A-15;
Eff. February 1, 1976;
Amended Eff. April 1, 1997; July 1, 1994; July 1, 1993; January 1, 1989; January 1, 1987;
Temporary Amendment Eff. March 1, 1998;
Amended Eff. April 1, 2009; April 1, 1999;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
REQUEST FOR RULEMAKING FOR 15A NCAC 10F .0350
DURHAM AND WAKE COUNTIES

North Carolina State Parks has advertised and held a public hearing and applied for an extension of the no-wake zone currently within 50 yards of the Holly Point Boating Access Area on Falls Lake in Wake County.

Multiple complaints have been received by NC State Parks concerning hazards to people launching and retrieving their boats caused by vessels outside the 50 yard no-wake zone traveling at unregulated speeds with excessive wakes. Additionally, boats traveling fast and on plane are coming too close to the swimming area in this narrow and shallow area of the lake.

State Parks requests that the current no-wake zone at the Holly Point Recreation Swim and Boat Launch be extended shore to shore within that area. NC State Parks has agreed to purchase and place additional buoys to mark the extended zone. A Fiscal Note was submitted to OSBM and approved. (Exhibit K-2)

Staff recommends approval to submit a Notice of Text in the *NC Register* for an open comment period of at least 60 days, with one public hearing. After the public comment period closes the Rule will be brought to the WRC for final adoption.

15A NCAC 10F .0350 DURHAM AND WAKE COUNTIES

(a) Definitions. In addition to the definitions set forth in Paragraph (b) of Rule .0301 of this Section, the following definitions apply for the purposes of this Rule:

1. Corps – Corps of Engineers, United States Army;
2. State Parks – Division of Parks and Recreation, N. C. Department of Environment, Health, and Natural Resources;
3. Regulated Area – Those portions of Falls Lake located within the boundaries of Durham and Wake Counties.
(a) Regulated Areas. This Rule applies to the waters of Falls Lake in Durham and Wake counties.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed:

1. while within a designated mooring area established on the regulated area by or with the approval of the Corps and State Parks;
2. within 50 yards of any public boat launching ramp or boat service facility, including docks used for fueling or boat repair, located on the regulated area;
3. within 50 yards of any state road bridge crossing over the portion of Falls Lake located within the boundaries of Wake County;
4. within 50 yards of the area marked as the waters of the Holly Point Recreation Swim and boat launch area shore to shore, from a line at a point on the southwest shore at 35.99751 N, 78.66075 W to a point on the north shore at 36.00030 N, 78.65963 W, east to a line from a point on the southeast shore at 35.99941 N, 78.65520 W to a point on the northwest shore at 36.00087 N, 78.65731 W; and the New Light Road Bridge.
5. within 50 yards east and 50 yards west of the New Light Road bridge.

(c) Restricted Zones. No person operating or responsible for the operation of any vessel, surfboard or water skis shall permit the same to enter:

1. any marked swimming area located on the regulated area;
2. any areas near the dam structures located on the regulated area that shall be marked against entry by vessels by or with the approval of the Corps—United States Army Corps of Engineers.

(d) Placement and Maintenance of Markers. The Board of Commissioners of Durham County and the Board of Commissioners of Wake County are the designated suitable agencies for placement and maintenance of markers implementing this Rule within their respective counties, subject to the approval of the Corps—United States Army Corps of Engineers. If these boards exercise their supervisory responsibilities, they may delegate the actual placement and maintenance of markers to some other responsible agency. With regard to marking of the regulated area described in Paragraph (a) of this Rule, all of the Supplementary standards listed in Paragraph (g) of Rule .0301 of this Section shall apply.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. December 1, 1984;
Amended Eff. May 1, 2007; August 1, 1990; April 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
NO-WAKE ZONING MATRIX

SECTION 1:

Name of organization/entity: _NC State Parks_____

Primary contact information: _Scott M Kershner, Park Superintendent for Superintendent Mumford Falls Lake State Recreation Area
13304 Creedmoor Road
Wake Forest, NC 27587
(919)676-1027
www.ncparks.gov

Exact location of requested no-wake zone:

Body of water: _Falls Lake________________________
Location: ____Holly Point__________________________
Popular name of area, if any: _Holly Point Recreation Swim and Boat Launch_
Width of No-Wake Zone: Narrowest Point: ~207 yards__ Widest Point: ~240 yards_
Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) _Enforcement please contact State Parks for their suggestion about extending the no-wake zone at Holly Point at Falls Lake in Wake County. ___
__The no-wake zone currently is within 50 yards of the boat launch facility there.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact

Attach detailed reason given from point of contact for the request

Will State Parks be the applicant for this extension? Yes

Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corp of Engineers or the Division of Coastal Management (CAMA) i.e.; Intracoastal Waterway?

YES ☑
NO ☐
(When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.)

SECTION 2:
PUBLIC SAFETY HAZARD

What public safety hazard exists? __This is a narrow section of the lake in which a public swimming area and a boat ramp exist. With the 50 yard no-wake zone it still allows boats to be on plane in this narrow section that is funneling the created wake directly into the swimming area and against the boat ramp dock. This has presented a public safety hazard to the people in the swimming area and folks on the docks trying to launch/retrieve their boats.

Is this a public swimming or recreational area?

NO □

YES ☑ would the establishment of a swimming area or placement of regulatory buoys be more appropriate? YES □ NO ☑ (buoys already exist)

SECTION 3:
NAVIGATIONAL HAZARDS

Identify any and all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS □ (Identify) ________________________________

NARROW CHANNEL ☑ (give approximate width) __~282 YARDS/~844 FEET/~.16 MILES ON EAST ENTRANCE OF THE CHANNEL AND ~218 YARDS/~652 FEET/~.12 MILES ON THE WEST ENTRANCE OF THE CHANNEL___

SHALLOW WATER □ (give average depth) ________________________________

OBSTRUCTED VISION □ (for approximately how great a distance) ________________

STRUCTURES (Check all applicable)
☐ DAM  ☐ LOCK
☐ SPILLWAY  ☐ JETTY
☐ FLOOD CONTROL STRUCTURE  ☐ SUBMERGED STRUCTURE
☐ TRESTLE  ☐ SANDBAR
☐ POWER LINE  ☐ SHOAL
☐ FUELING DOCK  ☐ PRIVATE DOCKS
☐ RESTAURANT DOCKS  ☐ BRIDGE
☒ ACCESS AREA/BOAT LAUNCH  ☐ PIER

OTHER (list and describe) ______________________________________________________
____________________________________________________________________________
____________________________________________________________________________

SECTION 4:
If approved, will the no-wake zone extend into a designated channel?

NO  ☒

YES ☐ (if yes, identify on map)

What is the total distance boaters will travel at a no-wake speed _~327 YARDS/~980 FEET/~.19 MILES________________________

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed __APPROXIMATELY TWO MINUTES AND TWENTY SECONDS___

SECTION 5:
List any other known incidents, safety concerns or problems that have occurred? _____________

___There have been complaints filed to NC State Parks from the public concerning the safety of launching and retrieving their boats with the wakes as well as complaints about the speed and distance of boats on plane coming too close to the swimming area._____________
Rate traffic density in this area from light to heavy  **LIGHT 1 2 3 4 5 6 7 8 9 10 HEAVY**  

Is traffic density specific to weekend/and or holidays?  ____heavier on weekends and holidays____  

Does traffic density or ability to maneuver a vessel due to traffic cause safety issues?  **YES ☒ NO □**

Rate the likelihood of an incident occurring in this area compared to other similar areas on this same body of water  **VERY UNLIKELY 1 2 3 4 5 6 7 8 9 10 MORE LIKELY**

---

**SECTION 6:**  
**OFFICER RECOMMENDATION**

**YES: ☒**

**NO: □**

Reason for decision:  _I would recommend implementing the expanded no-wake zone due to safety reasons for both the swimming area and boat ramp located in this area. This area has had the expanded no-wake zone for several years and seemed to not cause problems being an expanded zone. I also recommend flashing lights on top of the no-wake zone buoys or another form of public awareness to help advise boaters of the no-wake zone._

---

 Officer: _H.S. Shively__________
15A NCAC 10F .0350 (b) (4) - Proposed Amendment of No Wake Zone
Holly Point Recreation Swim and Boat Launch Areas, Falls Lake State Recreational Area, Wake County

Created by WRC: December, 2017
Fiscal Note Review of
Proposed Wildlife Resources Commission No-Wake Zone Rule
15A NCAC 10F .0350 – Durham and Wake Counties

Contact: Betsy Haywood, No Wake Zone Coordinator
1701 Mail Service Center
Raleigh, N.C 27699-1701
(919) 707-0013
betsy.haywood@ncwildlife.org

Impact: State Government: Yes
Local Government: No
Private Impact: Minimal
Substantial Impact: No

Authority: G.S. 75A-3: 75A-15

The proposed permanent amendment to 15A NCAC 10F .0350 – Durham and Wake Counties (APPENDIX 1) will extend an existing no-wake zone in the waters of Falls Lake at the Holly Point Boating Access Area (BAA), shore to shore, from its current location within 50 yards of the BAA.

North Carolina State Parks initiated the request for rulemaking to mitigate hazards to boater safety. This area of the lake is narrow and shallow. The BAA has an adjacent swimming area. The current no-wake zone that is 50 yards wide allows boats to pass the BAA and swim area on plane, creating public safety hazards to swimmers and to people on the docks who are launching and retrieving their boats.

NC State Parks will mark the no-wake zone at an estimated cost of $1,650.00. State Parks will purchase five no-wake buoys and anchors at a cost of $1500 ($300.00 per buoy). Two technicians will spend three hours each (6 hours x $25.00/hr * = $150.00).

State Impact Analysis: NC State Parks is responsible for the purchase and placement of the markers for the Holly Point BAA no-wake zone.

Local Impact Analysis: None.

Private Impact: The rule has minimal private fiscal impact. The regulated community will not incur any direct financial cost as a result of this rule change, but their behavior will be restricted in the waters at the BAA and swim area. However, the benefit of that restriction is increased boater safety.

Substantial Economic Impact: There will be no substantial economic impact to the public.

*total compensation
APPENDIX 1

15A NCAC 10F .0350   DURHAM AND WAKE COUNTIES

(a) Definitions. In addition to the definitions set forth in Paragraph (b) of Rule .0301 of this Section, the following definitions apply for the purposes of this Rule:

(1) Corps - Corps of Engineers, United States Army;
(2) State Parks - Division of Parks and Recreation, N. C. Department of Environment, Health, and Natural Resources;
(3) Regulated Area - Those portions of Falls Lake located within the boundaries of Durham and Wake Counties.

(b) Regulated Areas. This Rule applies to the waters of Falls Lake in Durham and Wake counties.

(c) Speed Limit. No person shall operate a vessel at greater than no-wake speed:

(1) while within a designated mooring area established on the regulated area by or with the approval of the Corps and State Parks;
(2) within 50 yards of any public boat launching ramp or boat service facility, including docks used for fueling or boat repair, located on the regulated area;
(3) within 50 yards of any state road bridge crossing over the portion of Falls Lake located within the boundaries of Wake County;
(4) within 50 yards of the area marked on the waters of the Holly Point Recreation Swim and boat launch area shore to shore, from a line at a point on the southwest shore at 35.99751 N, 78.66075 W to a point on the north shore at 36.00030 N, 78.65963 W, east to a line from a point on the southeast shore at 35.99941 N, 78.65520 W to a point on the northwest shore at 36.00087 N, 78.65731 W; and the New Light Road Bridge.
(5) within 50 yards east and 50 yards west of the New Light Road bridge.

(c) Restricted Zones. No person operating or responsible for the operation of any vessel, surfboard or water skis shall permit the same shall be permitted to enter:

(1) any marked swimming area located on the regulated area;
(2) any areas near the dam structures located on the regulated area that shall be marked against entry by vessels by or with the approval of the Corps United States Army Corps of Engineers.

(d) Placement and Maintenance of Markers. The Board of Commissioners of Durham County and the Board of Commissioners of Wake County are the designated suitable agencies for placement and maintenance of markers implementing this Rule within in their respective counties, subject to the approval of the Corps United States Army Corps of Engineers. If these boards exercise their supervisory responsibilities, they may delegate the actual placement and maintenance of markers to some other responsible agency. With regard to marking of the regulated area described in Paragraph (a) of this Rule, all of the Supplementary standards listed in Paragraph (g) of Rule .0301 of this Section shall apply.

History Note: Authority G.S. 75A-3; 75A-15;
Eff. December 1, 1984;
Amended Eff. May 1, 2007; August 1, 1990; April 1, 1990;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
<table>
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<th>Proposed Text</th>
<th>Position</th>
<th>Comment Type</th>
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<td>10B.0209</td>
<td>Technical changes to remove the requirement that the licensed adult accompanying youth during Spring Youth Only Wild Turkey Season, be at least 21 years of age.</td>
<td>1: Agree</td>
<td>1: Comment Card</td>
</tr>
</tbody>
</table>
Proposed Amendments to 10B .0209. Wild Turkey
And Rule Text for Commission Action

Title 15A NCAC 10B .0209. Wild Turkey
Proposed amendments to this rule include technical changes to remove the requirement that the licensed adult accompanying youth during Spring Youth Only Wild Turkey Season, be at least 21 years of age. The current rule text conflicts with G.S. 113-274(c)(3c) which requires the adult companion be at least 18 years old. Amending this rule will make all accompanying adult regulations consistent.
15A NCAC 10B .0209  WILD TURKEY

(a) Open Seasons:

(1) Spring Wild Turkey Season is from the second Saturday in April through the Saturday of the fourth week thereafter on only bearded or male turkeys only in all counties statewide.

(2) Spring Youth Only Wild Turkey Season is from the first Saturday in April until the Friday thereafter on only bearded or male wild turkeys only. The bag limit during the Spring Youth Only Wild Turkey season is one bird. For purposes of this Subparagraph, a youth hunter is younger than 18 years of age. Each youth hunting during this season shall be accompanied by a licensed adult at least 21 years of age. The adult shall remain in close enough proximity to monitor the activities of, and communicate with, the youth at all times.

(b) Bag Limits. The daily bag limit is one bird and the annual bag limit shall be two birds. Possession limit is two birds.

(c) Dogs. The use of dogs for hunting wild turkeys is prohibited.

(d) Kill Reports. The kill shall be validated at the site of kill and the kill reported as provided by 15A NCAC 10B .0113.

History Note:  Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.2; 113-291.5;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;
July 1, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2001;
Temporary Amendment Eff. July 1, 2002;
Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. February 1, 2018; August 1, 2017; January 1, 2013; May 1, 2009; May 1, 2007;
November 1, 2005.
Proposed Changes to 10H .0800. Falconry Rules
And Rule Text for Commission Action

Title 15A NCAC 10H .0800. Falconry
These rules were part of the 2016 periodic review. All subsections of 10H .0800 were determined to be “necessary without substantive public interest”, and therefore are not required to be readopted. However, these rules are proposed for amendment to make minor updates to language and references.

10H .0801
Incorporated 50 CFR 21.29 and subsequent amendments by reference, thus eliminating the need to repeat incorporation in each rule, and made technical changes to text.
15A NCAC 10H .0801 Definitions (page 3)

10H .0802
Added interstate transportation requirements for license holders from 10H .0812 and incorporated technical changes to text.
15A NCAC 10H .0802 Permit and License Requirements (page 4)

10H .0803
Incorporated technical changes to text, updated references to 50 CFR 21.29, clarified examination requirements, and removed repetitive language.
15A NCAC 10H .0803 Application for License (page 5)

10H .0804
Incorporated technical changes to text and clarified exam requirements.
15A NCAC 10H .0804 Examination (page 6)

10H .0805
Incorporated technical changes to text.
15A NCAC 10H .0805 Duration of License (page 7)
10H .0806
Updated references to 50 CFR 21.29, removed repetitive language, incorporated technical corrections to text, and clarified requirements for sale, transfer, purchase, or barter of raptors.
15A NCAC 10H .0806 Acquisition, Sale and Status Change (page 8)

10H .0807
Updated references to 50 CFR 21.29, removed repetitive language, and incorporated technical changes to text.
15A NCAC 10H .0807 Levels of Licenses (page 9 - 10)

10H .0808
Incorporated technical changes to text, updated references to 50 CFR 21.29, removed repetitive language, and clarified that requirements apply to all mews regardless of property ownership.
15A NCAC 10H .0808 Facilities and Equipment (page 11 - 12)

10H .0809
Incorporated technical changes to text and removed repetitive language.
15A NCAC 10H .0809 (page 13)

10H .0810
Added “license” to requirements, updated references to 50 CFR 21.29, and incorporated technical changes to text.
15A NCAC 10H .0810 Taking Raptors (page 14 - 15)

10H .0811
Incorporated technical changes to text and removed repetitive language.
15A NCAC 10H .0811 Other Restrictions and Conditions (page 16)

10H .0812
Repealed. All necessary content moved to 10H .0802.
15A NCAC 10H .0812 (page 17)

10H .0814
Clarified requirements for release of native and captive-bred birds, included “license” to requirements throughout, incorporated technical changes to text, and removed repetitive language.
15A NCAC 10H .0814 Release of Raptors and Moving Raptors to Another License or Permit (page 18)

10H .0815
Removed repetitive language.
15A NCAC 10H .0815 (Other Uses and Allowed Activities (page 19)
(a) In addition to the definitions contained in G.S. 113-130, and unless the context requires otherwise, as used in 15A NCAC 10B .0216 and in this Section, the following definitions apply:

(1) "Falconry permit" or "permit" means a falconry permit or license issued by another state, tribe, or territory that which has been certified approved by the U.S. Fish and Wildlife Service, as meeting the federal falconry standards in 50 CFR 21.29.

(2) "Falconry license" means the annual special purpose falconry license which is required by G.S. 113-270.3(b)(4) and referenced in the rules of this Section.

(3) "State" means the State of North Carolina, except when the context indicates reference to another state of the United States.

(4) "Commission" means the North Carolina Wildlife Resources Commission.

(5) "Executive director" means the Executive Director of the North Carolina Wildlife Resources Commission. When action is required by the commission by any provision of this Section, such action may be performed by the executive director on behalf of the commission.

(6) "Bred in captivity" or "captive-bred" refers to raptors hatched in captivity from parents that mated or otherwise transferred gametes in captivity.

(7) "Raptor" means a live migratory bird of the Order Accipitriformes, Order Falconiformes, or the Order Strigiformes, other than a bald eagle (Haliaeetus leucocephalus).

(8) "Wild-caught" and "wild" raptors means any free-ranging wild raptor held in captivity regardless of its length of captivity or ownership changes according to 50 CFR 21.29(f)(1), which is hereby incorporated by reference, including subsequent amendments and editions.

(b) For this Section, 50 CFR 21.29 is hereby incorporated by reference, including all subsequent amendments and editions. 50 CFR 21.29 may be found free of charge at: www.ecfr.gov.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29.
Eff. September 1, 1979;
Amended Eff. January 1, 2012; May 1, 2007; May 1, 1995; August 1, 1988; February 1, 1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018.
15A NCAC 10H .0802 PERMIT AND LICENSE REQUIREMENTS

(a) No non-resident Non-residents of this state shall not take, possess, transport, or import a raptor for falconry purposes or practice falconry in this state without having first obtaining the following: obtained and having in possession:

(1) a falconry license or permit from a state, tribe, or territory which has been certified approved by the U.S. Fish and Wildlife Service as meeting federal falconry standards; and

(2) a North Carolina falconry license as required by G.S. 113-270.3(b)(4), unless traveling through North Carolina with no intention of practicing falconry while in North Carolina.

(b) No resident Residents of this state shall not take, possess, transport, or import a raptor for falconry purposes or practice falconry in this state without having first obtained and having in possession a North Carolina falconry license.

(c) A North Carolina resident who holds a falconry license issued by the Commission may transport his or her raptors into or through other states, tribal lands, and territories for use in falconry, and shall observe all laws and regulations of such states governing the possession and transportation of raptors and the practice of falconry.

(e)(d) In addition to criminal penalties for violation provided by federal law and state statute, licenses are shall be subject to suspension or revocation in accordance with applicable law.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29.

Eff. September 1, 1979;
Amended Eff. January 1, 2012; July 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018;
15A NCAC 10H .0803 APPLICATION FOR LICENSE

(a) Any individual who wishes to take raptors in this state or to practice falconry in this state shall must submit an application for a falconry license on a form supplied by the commission Commission, and Applicants shall either prove of a have successful passed the examination as described in Rule .0804 of this Section, or Section. Non-residents may substitute provide proof of a valid falconry permit or license from their another state, state in lieu of the proof of a successful examination and a letter, if required as described in Rule .0807 of this Section, provided that the state which issued the falconry permit or license has been certified approved by the U.S. Fish and Wildlife Service Service as meeting federal falconry standards.

(b) Individuals who have relocated to North Carolina have 60 days from the date of relocation to apply for a North Carolina falconry license. Until his or her license is granted, issued by the Commission, the individual may keep any lawfully obtained raptors in facilities described in Rule .0808 of this Section, and may practice falconry provided he or she has a permit or license from a state, tribe tribe, or territory that has been certified approved by the U.S. Fish and Wildlife Service.

(c) Apprentice license applications must shall include a letter from a sponsor as described in 50 CFR 21.29(c)(3)(i) 50 CFR 21.29(c)(2)(i)(C), which is hereby incorporated by reference, including subsequent amendments and editions.

(d) General license applications must shall include a letter from a General or Master falconer as described in 50 CFR 21.29(c)(3)(ii) 50 CFR 21.29(c)(2)(ii)(C), which is hereby incorporated by reference, including subsequent amendments and editions.

(e) Any application submitted by an individual less than 18 years of age must shall be co-signed by that individual's parent or legal guardian. The parent or legal guardian is legally responsible for the underage falconer's activities.

(f) A falconer with an expired license less than five years old may apply for a new license at his or her previous level, level, on a form supplied by the Commission, provided the license has not been expired for more than five years, and the falconer can show proof he or she has previously met the requirements for the level of license sought. A falconer whose license has been expired for more than five years but has had an active license within the past five years may apply for a new license license on a form supplied by the Commission, but he or she must shall pass the examination described in Rule .0804 of this Section and pass facilities a facility inspection described in Rule .0808 of this Section, in order to be reinstated at his or her previous level. He or she must shall provide records showing prove he has previously met the requirements for the level of license sought, sought have been previously met.

(g) Applications shall be accompanied by a fee in the amount of ten dollars ($10.00).

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29.
Eff. September 1, 1979;
Amended Eff. January 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018.
15A NCAC 10H .0804  EXAMINATION

(a) Prior to applying for a falconry license, an applicant shall successfully pass, with a score of at least 80 percent, a falconry examination administered by the Commission, as detailed in 50 CFR 21.29(f), answer correctly at least 80 percent of the questions on a supervised examination administered by the Commission relating to basic biology, care, and handling of raptors, literature, laws, and regulations before the Commission grants a falconry license.

(b) The examination is not required of any applicant who holds a currently valid permit from another state, tribe, or territory meeting the federal standards and which has been certified by the U.S. Fish and Wildlife Service.

(c) The examination shall not be required for license renewal, provided the license has not been expired for more than five years.

(d) The cost for taking the examination is ten dollars ($10.00).

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.

Eff. September 1, 1979;
Amended Eff. January 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018;
A falconry license or the renewal of such a license shall be valid when issued by the state upon issuance and expires on June 30 of each year.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28.

Eff. September 1, 1979;

Amended Eff. January 1, 2012;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.

Amended Eff. February 1, 2018;
15A NCAC 10H .0806  ACQUISITION, SALE AND STATUS CHANGE

(a) Sale, transfer, purchase and barter. A licensee may transfer a wild-caught raptor to another licensee if no money or other consideration is involved. A licensee may purchase, trade, sell, or barter any lawfully possessed raptor that is bred in captivity under a federal raptor propagation permit and banded with a numbered seamless marker provided by the issuing office, provided that the parties involved in the transaction are authorized to possess the raptor under this Section, 50 CFR 21, or the foreign country of his or her residence or domicile, in accordance with 50 CFR 21.29(f)(15).

(1) the person receiving the raptor is authorized to possess it under this Section, or 50 CFR 21, or the foreign country of his residence or domicile in accordance with 50 CFR 21.29(f)(15); and

(2) the licensee transferring such raptor has acquired it from a person authorized to possess it as provided by 15A NCAC 10H .0807.

(b) Acquisition from a rehabilitator. A licensee may acquire a raptor from a permitted rehabilitator subject to the restrictions and conditions set forth in 50 CFR 21.29(e)(7)(i) -(ii), which is hereby incorporated by reference, including subsequent amendments and editions.

(c) A licensee may not take, possess, or transport a raptor in violation of the restrictions, conditions, and requirements of the CFR 21.28 – 21.29, G.S. 113-270.3, and this Section, federal and state falconry regulations.

(d) Death. If a licensee dies his or her lawfully held raptors may shall be transferred in accordance with 50 CFR 21.29(f)(21), which is hereby incorporated by reference, including subsequent amendments and editions, for up to 90 days. After 90 days the Commission shall take possession of the birds.

(e) Status change. Any status change of a raptor, including death of the raptor or the licensee, loss due to theft, acquisition, sale, transfer, intentional release, and rebanding must shall be reported to the U.S. Fish and Wildlife Service, as set forth in 50 CFR 21.29(e)(6)(i) -(iii), which is hereby incorporated by reference, including subsequent amendments and editions.

(f) Disposition of dead birds. Dead birds must shall be disposed of in a manner described in 50 CFR 21.29(f)(13)(i) -(v), which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29.
Eff. September 1, 1979;
Amended Eff. January 1, 2012; February 1, 1994; April 1, 1991; February 1, 1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018;
15A NCAC 10H .0807  LEVELS OF LICENSES

(a) Falconry licenses. Falconry licenses shall be issued at three levels based upon the age and experience of the falconer.

(b) Apprentice level falconry licenses shall be subject to the conditions, requirements, and limitations set forth in 50 CFR 21.29(c)(3)(i) 50 CFR 21.29(c)(2)(i), which is hereby incorporated by reference, including subsequent amendments and editions. The following restrictions in addition to 50 CFR 21.29(c)(2)(i), the following conditions apply: in addition to those set forth in federal code: The apprentice's sponsor must live within 200 miles of the apprentice. A sponsor may not have more than three apprentices at any one time. A sponsor must provide written notification to the Commission when he decides to stop sponsoring an apprentice. The Commission shall notify the apprentice who must obtain another sponsor and so advise the Commission within 90 days. The apprentice's raptors shall be seized by the Commission and the permit revoked if after the 90-day period the apprentice fails to obtain another sponsor and to notify the Commission of the new sponsor. If after 180 days, the apprentice fails to obtain another sponsor and to notify the Commission of the same, he shall reapply and be reexamined prior to the reissuance of his license.

(1) the apprentice's sponsor shall live within 200 miles of the apprentice;

(2) a sponsor shall not have more than three apprentices at any one time; and

(3) a sponsor shall provide written notification to the Commission when he or she decides to stop sponsoring an apprentice. The Commission shall notify the apprentice, who must obtain another sponsor and notify the Commission within 90 days.

(A) If after the 90-day period, the apprentice fails to obtain another sponsor, the disposition of the raptor(s) shall be determined on a case-by-case basis by the Commission and may include release or transfer to another licensed falconer, and the apprentice’s license shall be suspended.

(B) If after 180 days, the apprentice fails to obtain another sponsor, the Commission shall revoke their license and he or she shall be required to reapply for an apprentice license.

(c) General level falconry licenses shall be subject to the conditions, requirements, and limitations set forth in 50 CFR 21.29(c)(3)(ii) 50 CFR 21.29(c)(2)(ii), which is hereby incorporated by reference, including subsequent amendments and editions.

(d) Master level falconry licenses shall be subject to the following conditions, requirements, and limitations set forth in 50 CFR 21.29(c)(3)(iii) 50 CFR 21.29(c)(2)(iii), which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.

Eff. September 1, 1979;
Amended Eff. January 1, 2012; May 1, 1995; May 1, 1991; February 1, 1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018;
15A NCAC 10H .0808  FACILITIES AND EQUIPMENT:

(a) Inspection and Certification. Prior to initial issuance of a North Carolina falconry license to a resident of North Carolina, the applicant's raptor housing facilities and falconry equipment shall be certified inspected and approved by a representative of the Commission as meeting the standards set forth in this Rule. Applicants must shall have indoor facilities or outdoor facilities as described in Paragraph (b) of the Rule. Applicants may have both types of facilities.

(b) Housing Facilities. The primary consideration of raptor housing, whether indoors (mews) or outdoors (weathering area), being protection of the raptor from the environment, predators, and domestic animals, the The applicant shall have holding facilities meeting the following standards, regardless of whether the facilities are located on property owned by the licensee or owned by another:

(1) All facilities. All facilities must shall conform to the standards in 50 CFR 21.29(d)(1)(ii)(A) which is hereby incorporated by reference, including subsequent amendments and editions.

(2) Indoor Facilities (Mews). Indoor facilities must shall conform to the standards in 50 CFR 21.29(d)(1)(ii)(B) which is hereby incorporated by reference, including subsequent amendments and editions. In addition to the federal standards, incorporated CFR, the mews mew must shall have a door that allows easy access and for maintenance, and that shall close automatically or be is securable inside and outside. outside and closes automatically. Mews shall be located away from disturbance and shade shall be provided. The floor of the mews mew shall permit allow easy for cleaning and shall be well drained. drainage. The interior of the mews mew shall be free of splinters, protruding nails and other obstructions that could be injurious to the raptor. Any lighting fixtures shall be shielded or otherwise protected.

(3) Outdoor Facilities (Weathering Areas). Outdoor facilities must shall conform to the standards in 50 CFR 21.29(d)(1)(ii)(D) which is hereby incorporated by reference, including subsequent amendments and editions. In addition to the federal standards, incorporated CFR, covers or roofs shall not be less than seven feet. feet high. The enclosed area shall be large enough to insure the raptor cannot strike the fence, sides, cover cover, or roof of the enclosure when flying from the perch. The floor of the weathering area shall allow for drainage to prevent standing water. Protection from sun, wind, and inclement weather shall be provided for the raptor. At least two perches shall be provided for the raptor.

(4) Human facilities. Raptors may be brought inside a human dwelling as needed to address health, training training, and safety issues. Human facilities The residence must shall conform to the standards in 50 CFR 21.29(d)(1)(ii)(C) which is hereby incorporated by reference, including subsequent amendments and editions.

(5) A licensee may have his or her raptors outside in the open temporarily under the conditions set forth in 21.29(d)(1)(iii) which is hereby incorporated by reference, including subsequent amendments and editions.

(c) Equipment. Licensees must shall possess the equipment listed in 50 CFR 21.29(d)(3) which is hereby incorporated by reference, including subsequent amendments and editions.
(d) **Maintenance.** All facilities and equipment shall be kept maintained at or above the standards contained in Paragraphs (b) and (c) of this Rule at all times, regardless whether the facilities are located on property owned by the licensee or owned by another.

(e) **Transportation and Temporary Holding.** A raptor may be transported or held in temporary facilities as described in 50 CFR 21.29(d)(4)(5), which is hereby incorporated by reference, including subsequent amendments and editions.

(f) **Care by others.** A licensee may leave his or her raptors in the care of another person subject to the restrictions in 50 CFR 21.29(d)(6)(7), which is hereby incorporated by reference, including subsequent amendments and editions.

(g) **Change of location.** A licensee must inform the Commission within five business days if he or she moves his or her facilities.

**History Note:** Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.

* Eff. September 1, 1979;  
* Amended Eff. January 1, 2012; May 1, 1995; April 1, 1991;  
* Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest *Eff. December 6, 2016.*  
* Amended Eff. February 1, 2018;*
15A NCAC 10H .0809  BANDING AND MARKING

(a) All peregrine falcons (Falco peregrinus), gyrfalcons (Falco rusticolus), Harris's hawks (Parabuteo unicinctus), and goshawks removed from the wild or acquired from a falconer or rehabilitator for falconry purposes must be banded as set forth in 50 CFR 21.29(c)(7)(i), which is hereby incorporated by reference, including subsequent amendments and editions.

(b) Raptors bred in captivity must be banded as set forth in 50 CFR 21.29(c)(7)(ii), which is hereby incorporated by reference, including subsequent amendments and editions.

(c) Loss or removal of any band must be reported to the issuing office within five days of the loss and must be replaced as described in 50 CFR 21.29(c)(7)(iii), which is hereby incorporated by reference, including subsequent amendments and editions.

(d) No person shall counterfeit, alter, or deface any band marker required by this Rule, except that licensees may remove the rear tabs on band markers and may smooth any surface imperfections, provided the integrity of the band markers and numbering are not affected.

(e) No raptor removed from the wild may be marked with a seamless numbered band.

(f) A falconer may request and receive a band exemption from the issuing office for a raptor with documented health problems or injuries caused by a band, but must adhere to the restrictions set forth in 50 CFR 21.29(c)(7)(v), which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.

Eff. September 1, 1979;

Amended Eff. January 1, 2012; April 1, 1991; July 1, 1988;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.

Amended Eff. February 1, 2018;
15A NCAC 10H .0810  TAKING RAPTORS

(a) No raptor shall be taken from the wild in this state except by an individual holding a current falconry license as defined in Rule .0801 of this Section, or a falconry permit from the individual's state of residence if the individual is a non-resident of North Carolina. Falconers may only take species of raptors from the wild that are authorized under their level of permit or license. If a falconer captures an unauthorized species of raptor or other bird, he or she must release that bird immediately upon capture.

(b) All levels of licensees may take up to two raptors from the wild annually, subject to the conditions and restrictions set forth in 50 CFR 21.29(e)(2)(i)(viii), which is hereby incorporated by reference, including subsequent amendments and editions. Apprentices may keep only one bird at a time.

(c) Apprentices may take any species of raptor from the wild except for those species specified in 50 CFR 21.29(c)(3)(i), which is hereby incorporated by reference, including subsequent amendments and editions.

(d) Any raptor native to this state may be taken from the wild subject to the restrictions on species and license level as follows:

(1) Nestlings. Only persons holding general or master level falconry licenses may take nestlings. Nestlings may only be taken from May 1 through June 30. No more than two nestlings may be taken by the same licensee. At least one nestling must be left in the nest or aerie.

(2) Young birds. First year (passage) birds may be taken only during the period August 1 through the last day of February, except that marked raptors may be retrapped at any time.

(3) Only American kestrels (Falco sparverius) and great horned owls (Bubo Virginianus) may only be taken when over one year old. Only General and Master falconers may take this age class in accordance with 50 CFR 21.29(e)(3)(i), which is hereby incorporated by reference, including subsequent amendments and editions. The time period for taking is August 1 through the last day of February.

(4) Federally Listed Species. Only General and Master falconers may take a federally threatened species and the falconer must follow the restrictions in 50 CFR 21.29(e)(3)(ix), which is hereby incorporated by reference, including subsequent amendments and editions.

(5) State listed species. A falconer must obtain a North Carolina endangered species permit before taking any raptors listed in 15A NCAC 10I .0103, 15A NCAC 10I .0104, 15A NCAC 10I .0104, or 15A NCAC 10I .0105. Furthermore, a falconer must possess a special hunt permit to take a passage peregrine falcon (Falco peregrinus tundrius).

(e) Traps must be designed to prevent injury to the raptor. All traps except box-type traps must be attended and visible to the trapper at all times when in use. Box-type traps must be checked every 24 hours. Traps must be of one of the following types:

(1) Leg noose snare traps. Nooses on these traps must be tied in such a manner as to prevent the noose from locking when under pressure. The trapper must use a drag weight based on the species being trapped.

(2) Nets that collapse on and enclose around the raptor.

(3) Box-type traps with automatic closing entry doors or funnels.
(f) Licensees may recapture their own birds or any birds wearing falconry equipment at any time. Disposition of 
banded birds, captive-bred birds, and birds wearing falconry equipment is as allowed in accordance with 50 CFR 
21.29(e)(3)(iv)-(v) which is hereby incorporated by reference, including subsequent amendments and editions.

(g) Licensees shall keep their license on their person when trapping raptors.

(h) Raptors injured due to falconry trapping efforts shall be treated humanely and in accordance with 50 CFR 
21.29(e)(5) which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.

Eff. September 1, 1979;
Amended Eff. January 1, 2012; July 1, 1998;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018;
15A NCAC 10H .0811 OTHER RESTRICTIONS AND CONDITIONS

(a) Every falconer must carry his or her license on his or her person when conducting any falconry activities away from approved facilities as described in Rule .0808 of this Section.

(b) Visitors to the United States may practice falconry under the conditions set forth in 50 CFR 21.29(f)(14), which is hereby incorporated by reference, including subsequent amendments and editions.

(c) A licensee may take his or her raptors to another country to practice falconry under the conditions set forth in 50 CFR 21.29(f)(15), which is hereby incorporated by reference, including subsequent amendments and editions.

(d) A licensee who practices falconry in the vicinity of a federally listed species must avoid take of the listed species as described in 50 CFR 21.29(f)(17), which is hereby incorporated by reference, including subsequent amendments and editions.

(e) If a licensee's raptor unintentionally takes a non-target species, the licensee may allow his or her bird to feed on the prey, but shall not take the non-target species into his or her possession.

(f) Feathers that are molted may be retained and exchanged by falconry licensees only for imping purposes or otherwise disposed of as set forth in 50 CFR 21.29(f)(12)(i)-(v), which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.

Eff. September 1, 1979;
Amended Eff. January 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018;
15A NCAC 10H .0812 INTERSTATE TRANSPORTATION

(a) A nonresident of this state who holds a currently valid falconry permit from another state, tribe or territory which has been certified by the U.S. Fish and Wildlife Service may transport his raptors into or through this state for use in the practice of falconry, provided all laws and regulations governing the practice of falconry in this state are observed.

(b) A North Carolina resident who holds a falconry license issued by the commission may transport his raptors into or through other states, tribal lands and territories for use in falconry, provided all laws and regulations of such states governing the possession and transportation of raptors and the practice of falconry are observed.

History Note:       Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.
                     Eff. September 1, 1979;
                     Amended Eff. January 1, 2012;
                     Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
                     Repealed Eff. February 1, 2018.
15A NCAC 10H .0814  RELEASE OF RAPTORS AND MOVING RAPTORS TO ANOTHER LICENSE OR PERMIT

(a) No raptor which is not Non-native to the state of North Carolina and no hybrid raptors of any kind may shall not be released to into the wild. Native, captive-bred birds may only be released upon written request and approval with written permission from the Commission and under the conditions set forth in 50 CFR 21.29(e)(9)(ii) 50 CFR 21.29(e)(9)(ii), which is hereby incorporated by reference, including subsequent amendments and editions.

(b) Native, Native wild birds may be released to into the wild under the conditions set forth in 50 CFR 21.29(e)(9)(iii) 50 CFR 21.29(e)(9)(iii), which is hereby incorporated by reference, including subsequent amendments and editions.

(c) Wild-caught birds may be transferred to another type of license or permit under the conditions set forth in 50 CFR 21.29(f)(5)(i)-(ii) 50 CFR 21.29(f)(5), which is hereby incorporated by reference, including subsequent amendments and editions.

(d) Captive-bred birds may be transferred to another type of license or permit under the conditions set forth in 50 CFR 21.29(f)(6) 50 CFR 21.29(f)(6), which is hereby incorporated by reference, including subsequent amendments and editions.

(e) Hacking and other training and conditioning techniques are allowed under conditions set for in 50 CFR 21.29(f)(2)(3) 50 CFR 21.29(f)(2) and (3), which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.

Eff. January 1, 2012;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018;
15A NCAC 10H .0815 OTHER USES AND ALLOWED ACTIVITIES

(a) Raptors may be used in captive propagation as allowed under the conditions set forth in 50 CFR 21.29(f)(7), which is hereby incorporated by reference, including subsequent amendments and editions.

(b) General and master falconers may use raptors in conservation education programs as set forth in 50 CFR 21.29(f)(8)(i)-(vi), which is hereby incorporated by reference, including subsequent amendments and editions. Other educational uses of raptors are restricted to those allowed in 50 CFR 21.29(f)(9)(i)-(ii), which is hereby incorporated by reference, including subsequent amendments and editions.

(c) General and master falconers may use raptors in abatement activities under the conditions set forth in 50 CFR 21.29(f)(11)(i)-(ii), which is hereby incorporated by reference, including subsequent amendments and editions.

(d) General and master falconers may assist in raptor rehabilitation under the conditions set forth in 50 CFR 21.29(f)(10)(i)-(v), which is hereby incorporated by reference, including subsequent amendments and editions.

(e) Licensees may take bird species for which there is a federal depredation order by means of falconry in accordance with 50 CFR 21.29(f)(20) which is hereby incorporated by reference, including subsequent amendments and editions.

History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.


Amended Eff. February 1, 2018;
Summary of Public Comments of Proposed Changes to Taxidermy Rules

<table>
<thead>
<tr>
<th>Proposal</th>
<th>Proposed Text</th>
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<tbody>
<tr>
<td>10H.1002</td>
<td>Allow taxidermists to accept wildlife killed accidentally or found dead in accordance with 10B.0127 (effective 1/1/2013). Incorporated technical changes to text.</td>
<td>2: Agree</td>
<td>2: Comment Card</td>
</tr>
<tr>
<td>10H.1003</td>
<td>Updated language to incorporate subsequent amendments to 50 CFR 21.24, reporting of the big game harvest authorization number if applicable, and necessary technical changes to text.</td>
<td>2: Agree</td>
<td>2: Comment Card</td>
</tr>
<tr>
<td>10H.1004</td>
<td>Incorporated statute for fur-dealer license and necessary technical changes to text.</td>
<td>2: Agree</td>
<td>2: Comment Card</td>
</tr>
<tr>
<td>10H.1005</td>
<td>Clarified use of off-site preservation facilities and responsibilities of licensed taxidermist for such facilities. Incorporated technical changes to text.</td>
<td>2: Agree</td>
<td>2: Comment Card</td>
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<th>Comment Type</th>
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<tbody>
<tr>
<td>Comment Card</td>
<td>Allow taxidermist to take in deer from out of state.</td>
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</table>
Proposed Changes to 10H .1000. Taxidermy Rules 
And Rule Text for Commission Action

Title 15A NCAC 10H .1000. Taxidermy
These rules are part of the 2016 periodic review. Though only subsection 10H .1004 is required to be readopted (determined to be “necessary with substantive public interest after receiving two public comments with merit), changes are proposed for all subsections, as these rules have not been amended since the 1980s. Additionally, it was necessary to update portions of this rule to match regulatory changes made in 10B .0127.

10H .1002
Allow taxidermists to accept wildlife killed accidentally or found dead in accordance with 10B .0127 (effective 1/1/2013). Incorporated technical changes to text.
15A NCAC 10H .1002 Duty of a Taxidermist (page 2)

10H .1003
Updated language to incorporate subsequent amendments to 50 CFR 21.24, reporting of the big game harvest authorization number if applicable, and necessary technical changes to text.
15A NCAC 10H .1003 Records (page 3)

10H .1004
Incorporated statute for fur-dealer license and necessary technical changes to text.
15A NCAC 10H .1004 Purchase and Sale of Wildlife (page 4 - 5)

10H .1005
Clarified use of off-site preservation facilities and responsibilities of licensed taxidermist for such facilities. Incorporated technical changes to text.
15A NCAC 10H .1004 Taxidermy Preservation Facility (page 6)
15A NCAC 10H .1002 DUTY OF A TAXIDERMIST

(a) Before a taxidermist accepts delivery of any wildlife which may be lawfully taken in North Carolina or in any other state during a prescribed open season, he or she must make a reasonable effort to determine, satisfactory to himself, that the wildlife was lawfully taken. To aid in making this determination, the taxidermist may rely upon the statement of the person delivering the wildlife or upon any applicable license or permit that may provide verification of entitlement to take or possess the wildlife in question. It is unlawful for a taxidermist to accept delivery of any wildlife the acquisition of which he knows or through the exercise of reasonable effort as described herein should know to be illegal.

(b) No taxidermist shall accept delivery of any wildlife on which there is no open season from any person other than a representative of a museum or other institution who has a permit to possess such wildlife for scientific or educational purposes. A taxidermist may accept delivery of wildlife resources killed accidentally or found dead of natural causes as specified by 15A NCAC 10B .0127 for taxidermy purposes.

Authority G.S. 113-134; 113-273.

History Note: Authority G.S. 113-134; 113-273;
Eff. March 1, 1981;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018.
15A NCAC 10H .1003 RECORDS

(a) Every licensed taxidermist Licensed taxidermists shall keep an accurate record records of each wildlife specimen delivered and contained within his or her place of business. Such record Records shall include: the species and sex of the specimen, the date of delivery, the name and address of the person delivering the specimen, the name and address of the person killing the specimen if different from those of the person delivering the same, the date when and the location where the specimen was killed, and the date and disposition of the mounted specimen.

   (1) the species and sex of the specimen;
   (2) the date the specimens were delivered;
   (3) the name and address of the person delivering the specimen;
   (4) the name and address of the person responsible for take of the specimen if different;
   (5) the date and location of the take;
   (6) the big game harvest authorization number if applicable; and
   (7) the date and disposition of the mounted specimen.

Such records Records shall be maintained chronologically by the date the specimen was delivered of delivery of specimens to the taxidermist during the taxidermy license year. Records shall be retained by the taxidermist for at least one year after the termination following expiration of the applicable taxidermy license license year, and shall be made available for inspection, upon request by any agent of the Wildlife Resources Commission.

(b) The records required by the United States Fish and Wildlife Service under its taxidermy permit regulations for migratory game birds (50 C.F.R. 21.24) as set forth in 50 CFR 21.24, which is hereby incorporated by reference including subsequent amendments and editions, are sufficient to shall satisfy requirements under this Rule.

History Note: Authority G.S. 113-134; 113-273.

Eff. March 1, 1981;
Amended Eff. September 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.
Amended Eff. February 1, 2018.
15A NCAC 10H .1004 PURCHASE AND SALE OF WILDLIFE

(a) Except as provided in Paragraphs (b), (c), (d), (e), and (f) of this Rule, it is unlawful for any taxidermist to purchase or sell any wildlife.

(b) Any species of nongame wildlife that has been lawfully killed and that may be lawfully bought, sold, and possessed may be purchased and sold by a taxidermist without any restriction other than the records required by Rule .1003 of this Section.

(c) Lawfully acquired specimens of fur-bearing animals, including bobcats, opossum, and raccoon taken by hunting, may be purchased only for taxidermy purposes and may be sold only as mounted specimens. A Fur-Dealer License, as specified in G.S. 113-273, shall be required to purchase furs for resale.

(d) No game or inland game fish that has been mounted, other than bobcats, opossum and raccoon taken by hunting, may be purchased or sold, except that a mounted specimen of a game animal, game bird or inland game fish, in which a taxidermist has acquired a possessory lien by reason of labor or materials furnished in the mounting thereof, may be sold in satisfaction of said lien as provided by Article 1 of 44A of the General Statutes of North Carolina. The taxidermy license shall authorize such sale. Upon the sale of a mounted specimen in satisfaction of a lien as authorized by this Paragraph, the taxidermist shall prepare a receipt showing the name and address of the purchaser and the amount of the sale. The receipt shall be provided to the purchaser as evidence of the transaction and right to possess the specimen, and keep a copy shall be retained by the taxidermist for of such receipt as part of his or her records in accordance with Rule .1003 of this Section. He shall provide the purchaser with the receipt as evidence of his right to possess the specimen. A condition for renewal of the taxidermy license annually shall be a report submitted with the application for renewal that accurately describes the mounted specimens of game that have been sold by the taxidermist during the previous license year and to whom they were sold.

(e) Nothing in this Section shall prevent a taxidermist from obtaining parts of lawfully acquired game by gift, trade, or purchase from any other taxidermist or person, provided that a record is maintained of all such exchanges that identifies the article and includes the name and address of the taxidermist or person from whom the article was obtained. No part of any black bear, fox, or wild turkey may be bought or sold under this provision. Paragraph. Parts of game acquired under provisions of this Paragraph may only be used for taxidermy purposes and may not be resold.

(f) The mounted specimens of commercially-raised inland game fish or pen-raised game birds, except wild turkey and grouse, may be sold under authority of the taxidermy license provided that records are maintained by the taxidermist accurately showing the source of all commercially-raised inland game fish or pen-raised game birds that are to be mounted, including the name, address, and propagation license number of the supplier. Upon sale of a mounted specimen of a commercially-raised inland game fish or pen-raised game bird under provision of this Paragraph, the taxidermist shall prepare a receipt for showing the name and address of the purchaser, and give it to the purchaser to show evidence of the transaction and of his right to possess the specimen. A copy of the receipt shall be maintained as a part of the taxidermist's records.

History Note: Authority G.S. 113-134; 113-273; 113-291.3(b)(4); 113-292.

Eff. March 1, 1981;
Amended Eff. December 1, 1983.
15A NCAC 10H .1005 TAXIDERMY PRESERVATION FACILITY

(a) A taxidermist may utilize an off-site preservation facility to provide storage for wildlife specimens accepted for taxidermy purposes.

(b) Every individual operating a preservation facility for a licensed taxidermist shall be listed on the sponsoring taxidermist's annual license application and on the license itself. The taxidermist shall provide the operator of each listed sponsored preservation facility with a copy of the annual taxidermy license to which shall serve as a permit authorizing the facility to possess wildlife owned by another. The purpose of this possession shall be to provide temporary storage for wildlife specimens accepted for taxidermy purposes. Preservation facility operators are not authorized to process, skin, or conduct any regulated taxidermy activities.

(c) Preservation facility operators shall not be authorized to process, skin, or conduct any taxidermy activities.

(d) Before a taxidermist delivers and stores wildlife in an individual operating a preservation facility accepts delivery of any wildlife he or she shall must ascertain that the wildlife was lawfully taken in accordance with Rule .1002 of this Section and shall keep written records as specified in Rule .1003 of this Subchapter.

(e) The preservation facility and its records shall be accessible for inspection upon request by any agent of the Wildlife Resources Commission.

(f) It shall be the responsibility of the sponsoring taxidermist to ensure that each preservation facility listed on his or her license is operated in compliance with this Section, all rules governing this activity.

History Note: Authority G.S. 113-134; 113-273.


Amended Eff. February 1, 2018.
## Summary of Public Comments of Proposed Changes to Wildlife Captivity and Rehabilitation Regulations

<table>
<thead>
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<th>Proposal</th>
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| **10H .1401** | Establishes definitions used throughout 10H .1400. Details standard conditions of captivity licenses, including applicant requirements, duration of license, transportation, and reportable disease requirements. Changes from 10H .0300 Rules include:  
- Specific definitions for terms used throughout the captivity and rehabilitation rules;  
- Named rabies species (raccoon, skunk, fox, bat, bobcat, coyote, groundhog, and beaver);  
- Disclosure requirements for reportable diseases; and  
- License eligibility requirements including 18 years of age and no convictions of animal cruelty. | 13: No Position  
10: Agree  
243: Disagree | 22: Online  
26: Comment Card  
208: Letter/Email |
| **10H .1402** | Details and separates the required minimum care and caging standards for wildlife held for rehabilitation and long term holding. Changes from 10H .0300 Rules include:  
- Life-stage specific rehabilitation standards based on the “Minimum Standards for Wildlife Rehabilitation” from the National Wildlife Rehabilitations Association;  
- Long-term captivity standard separated by species and based on Zoological Association of America standards; and  
- Removed arbitrary language. | 12: No Position  
12: Agree  
233: Disagree | 15: Online  
16: Comment Card  
208: Letter/Email |
| **10H .1403** | Details the conditions and requirements for rehabilitating wildlife. Lists species that cannot be rehabilitated. Specifies reasons why a captivity license for rehabilitation can be denied. Details conditions under which an animal held for rehabilitation can be transferred or released. Changes from 10H .0300 Rules include the following:  
- All rehabilitators will be required to pass a general rehabilitation exam, and provide proof of successful completion once every five years;  
- White-tailed deer fawn and elk calf rehabilitators will be required to pass a species-specific examination;  
- All white-tailed deer fawn and elk calves must be permanently tagged within 24 hours of intake;  
- White-tailed deer fawn and elk calves being rehabilitated shall be kept at least 30-feet away from any farmed or non-farmed cervids and separate equipment shall be used;  
- License holders shall adhere to withdrawal times for drugs, as recommended by the prescribing NC licensed veterinarian;  
- Wildlife may only remain in rehabilitation for 180 days unless approved by the Commission;  
- Details for disposition of non-releasable wildlife;  
- Pre-license facility inspections are not required for rehabilitators, except for facilities for white-tailed deer fawn and elk calves, and black bear cubs;  
- Rehabilitation of wild turkey and black bear cubs is permitted; and  
- Rehabilitation facilities for black bear cubs shall be approved on an as-needed basis by the Commission. | 2: No Position  
9: Agree  
298: Disagree | 17: Online  
23: Comment Card  
251: Letter/Email |
<table>
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<tr>
<td>10H .1404</td>
<td>Details the conditions and requirements for long term holding of wildlife for scientific, education, or exhibition purposes. Specifies reasons why a captivity license for holding can be denied. Changes from 10H .0300 Rules include the following: • Animals may be held for exhibition purposes; • Ability to require tagging of all species held in long-term captivity; • Restrictions on comingling of wildlife with domestic, livestock, or other captive species; • Restricts reproduction of all wildlife in captivity unless part of a breeding program; • Details rules specific to holding cervids of wild origin at facilities licensed prior to September 30, 2015; • Requires rehabilitated wildlife deemed non-releasable be transferred to a different license holder for long-term holding; • Allows the long-term holding of black bears and wild turkeys; and • Makes requirements for black bears and cougars consistent with the statutes.</td>
<td>13: No Position 6: Agree 229: Disagree</td>
<td>12: Online 32: Comment Card 204: Letter/Email</td>
</tr>
<tr>
<td>10H .1405</td>
<td>Establishes when the Commission can inspect captivity license holders and the criteria under which the Commission may issue warnings or revoke licenses. Provides a list of potential activities or actions that would be deemed violations of the captivity licenses and presents options for disposition of seized wildlife.</td>
<td>15: No Position 19: Agree 210: Disagree</td>
<td>6: Online 33: Comment Card 205: Letter/Email</td>
</tr>
<tr>
<td>10H .1406</td>
<td>Details the required information an applicant must provide the Commission to obtain a Captivity License for Holding, Captivity License for Rehabilitation and transportation permit for non-farmed cervids.</td>
<td>13: No Position 23: Agree 207: Disagree</td>
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Proposed Repeal of 10H .0300. Holding Wildlife in Captivity
Recommended by Agency Staff for Public Notice, Hearing and Comment

Title 15A NCAC 10H .0300. Holding Wildlife in Captivity
These rules are part of the 2016 periodic review. Subsections 10H .0301 - .0304 are required to be readopted (determined to be “necessary with substantive public interest) by July 2018. Because these subsections were revised and reorganized into a new section of subchapter 10H (15A NCAC 10H .1400 – Wildlife Captivity and Rehabilitation), these rules will no longer be needed once the new Rules become effective.

It is necessary for the agency to take action to keep these rules in the Code until the 10H .1400 Rules become effective.
15A NCAC 10H.0301  GENERAL REQUIREMENTS

(a) Captivity Permit or License Required

(1) Requirement. The possession of any species of wild animal that is or once was native to this State or any species of wild bird, native or migratory, that naturally occurs or historically occurred in this State or any member of the family Cervidae is unlawful unless the institution or individual in possession obtains from the North Carolina Wildlife Resources Commission (Commission) a captivity permit or a captivity license as provided by this Rule.

(2) Injured, Crippled or Orphaned Wildlife. When an individual has taken possession of an injured, crippled or orphaned wild animal or wild bird, that individual shall contact the Commission within 24 hours of taking possession in order to apply for a captivity permit, provided, however, that under no circumstances shall an individual take possession of an injured, crippled or orphaned wild turkey, black bear, deer, elk or any other member of the family Cervidae except as described in Subparagraph (a)(3) of this Paragraph.

(3) Rehabilitation of white-tailed deer fawns. An individual may apply to the Commission to become a permitted white-tailed deer fawn rehabilitator for the State of North Carolina. Individuals deemed to be qualified according to this Section to rehabilitate injured or orphaned fawns may receive a captivity permit to possess fawns only for such a period of time as may be required for the rehabilitation and release of the fawns to the wild. These captivity permits apply only to wild white-tailed deer fawns and are available only to individuals recognized by the Commission as white-tailed deer fawn rehabilitators.

(b) Captivity Permit. A captivity permit shall be requested by mail, phone, facsimile or electronic transmission or in person. A captivity permit authorizes possession of the animal or bird only for such period of time as may be required for the rehabilitation and release of the animal or bird to the wild; or to obtain a captivity license as provided by Paragraph (c) of this Rule, if such a license is authorized; or to make a proper disposition of the animal or bird if the application for such license is denied, or when an existing captivity license is not renewed or is terminated. Captivity permits shall not be issued for wild turkey, black bear, deer, elk or any other member of the family Cervidae except as described in Subparagraph (a)(3) of this Rule.

(c) Captivity License.

(1) The purpose of captivity license is to provide humane treatment for wild animals or wild birds that are unfit for release. For purposes of this Rule, wild animals are considered "unfit" if they are incapacitated by injury or otherwise; if they are a non-native species that poses a risk to the habitat or to other species in that habitat; or if they have been rendered tame by proximity to humans to the extent that they cannot feed or care for themselves without human assistance. Persons interested in obtaining a captivity license shall contact the Commission for an application.
(2) Denial of captivity license. Circumstances or purposes for which a captivity license shall not be issued include the following:

(A) For the purpose of holding a wild animal or wild bird that was acquired unlawfully.

(B) For the purpose of holding the wild animal or wild bird as a pet. For purposes of this Rule, the term "pet" means an animal kept for amusement or companionship. The term shall not be construed to include cervids held in captivity for breeding for sale to another licensed operator.

(C) For the purpose of holding wild animals or wild birds for hunting in North Carolina.

(D) For the purpose of holding wild turkey or black bear.

(E) For the purpose of holding deer, elk or any other member of the family Cervidae, except current licenses which may be renewed as specified in Subparagraph (6) of this Paragraph.

(3) Required Facilities. No captivity license shall be issued until the applicant has constructed or acquired a facility for keeping the animal or bird in captivity that complies with the standards set forth in Rule .0302 of this Section and the adequacy of such facility has been verified on inspection by a representative of the Commission.

(4) Term of License

(A) Dependent Wildlife. If the wild animal or wild bird has been permanently rendered incapable of subsisting in the wild, the license authorizing its retention in captivity shall be an annual license terminating on December 31 of the year for which issued.

(B) Rehabilitable Wildlife. When the wild animal or wild bird is temporarily incapacitated, and may be rehabilitated for release to the wild, any captivity license that is issued shall be for a period less than one year as rehabilitation may require.

(C) Concurrent Federal Permit. No State captivity license for an endangered or threatened species or a migratory bird, regardless of the term specified, shall operate to authorize retention thereof for a longer period than is allowed by any concurrent federal permit that may be required for retention of the bird or animal.

(5) Holders of Captivity License for cervids.

(A) Inspection of records. The licensee shall make all records pertaining to tags, licenses or permits issued by the Commission available for inspection by the Commission at any time during normal business hours, or at any time an outbreak of Chronic Wasting Disease (CWD) is suspected or confirmed within five miles of the facility or within the facility itself.

(B) Inspection. The licensee shall make all enclosures at each licensed facility and the record-book(s) documenting required monitoring of the outer fence(s) of the enclosure(s) available for inspection by the Commission at any time during normal business hours, or at any time an outbreak of CWD is suspected or confirmed within five miles of the facility or within the facility itself.
(C) Fence Monitoring Requirement. The fence surrounding the enclosure shall be inspected by the licensee or licensee's agent once a week during normal weather conditions to verify its stability and to detect the existence of any conditions or activities that threaten its stability. In the event of severe weather or any other condition that presents potential for damage to the fence, inspection shall occur every three hours until cessation of the threatening condition, except that no inspection is required under circumstances that threaten the safety of the person conducting the inspection.

(D) A record-book shall be maintained to record the time and date of the inspection, the name of the person who performed the inspection, and the condition of the fence at time of inspection. The person who performs the inspection shall enter the date and time of detection and the location of any damage threatening the stability of the fence. If damage has caused the fence to be breachable, the licensee shall enter a description of measures taken to prevent ingress or egress by cervids. Each record-book entry shall bear the signature or initials of the licensee attesting to the veracity of the entry. The record-book shall be made available to inspection by a representative of the Commission upon request during normal business operating hours.

(E) Maintenance. Any opening or passage through the enclosure fence that results from damage shall, within one hour of detection, be sealed or otherwise secured to prevent a cervid from escape. Any damage to the enclosure fence that threatens its stability shall be repaired within one week of detection.

(F) Escape. When a licensee discovers the escape of any cervid from the facility, the licensee or designee shall report within 24 hours the escape to the Commission. If possible, the escaped cervid shall be recaptured alive. If live recapture is not possible, the licensee shall request a wildlife take permit and take the escaped cervid pursuant to the terms of the permit. A recaptured live cervid shall be submitted to the Commission for CWD testing using a test recognized by the Southeastern Cooperative Wildlife Disease Study unless the executive director determines that the risk of CWD transmission as a result of this escape is negligible based upon:

(i) amount of time the escaped cervid remained out of the facility;
(ii) proximity of the escaped cervid to wild populations;
(iii) known susceptibility of the escaped cervid species to CWD;
(iv) nature of the terrain into which the cervid escaped.

(G) Chronic Wasting Disease (CWD)

(i) Detection. Each licensee shall notify the Commission within 24 hours if any cervid within the facility exhibits clinical symptoms of CWD or if a quarantine is placed on the facility by the State Veterinarian. All captive cervids that exhibit symptoms of CWD shall be tested for CWD.
(ii) Cervid death. The carcass of any captive cervid that was six months or older at
time of death shall be transported and submitted by the licensee or his designee to
a North Carolina Department of Agriculture diagnostic lab for CWD evaluation
within 48 hours of the cervid's death, or by the end of the next business day,
whichever is later. Ear tags distributed by the Commission and subsequently
affixed to the cervids as required by this Rule, may not be removed from the
cervid's head prior to submitting the head for CWD evaluation.

(iii) The Commission shall require testing or forfeiture of cervids from a facility
holding cervids in this state should the following circumstances or conditions
occur:
(I) The facility has transferred a cervid that is received by a facility in which
CWD is confirmed within five years of the cervid's transport date and
that transferred cervid has tested positive for CWD or the test for CWD
was inconclusive or the transferred cervid was no longer available for
testing.
(II) The facility has received a cervid that originated from a facility in which
CWD has been confirmed within five years of the cervid's transport date
and that received cervid has tested positive for CWD or the test for CWD
was inconclusive or the received cervid was no longer available for
testing.

(H) Tagging Required. Effective upon receipt of tags from the Commission, each licensee shall
implement the tagging requirement using only the tags provided by the Commission as
follows:
(i) All cervids born within a facility shall be tagged by March 1 following the birthing
season each year.
(ii) All cervids transferred to a facility shall be tagged within five days of the cervid's
arrival at the licensee's facility. However, no cervids shall be transported from
one facility to another unless both sending and receiving herds are certified
according to 15A NCAC 10H .0304.

(I) Application for Tags.
(i) Application for tags for calves and fawns. Application for tags for cervids born
within a facility shall be made by the licensee by December 1 following the
birthing season of each year. The licensee shall provide the following
information, along with a statement and licensee's signature verifying that the
information is accurate:
(I) Applicant name, mailing address, and telephone number;
(II) Facility name and site address;
(III) Captivity license number;
(IV) Species of each cervid; and
(V) Birth year of each cervid.

(ii) Application for tags for cervids that were not born at the facility site shall be made
by written request for the appropriate number of tags along with the licensee's
application for transportation of the cervid, along with a statement and licensee's
signature verifying that the information is accurate. These tag applications shall
not be processed unless accompanied by a completed application for
transportation. However, no transportation permits shall be issued nor shall
cervids be transported from one facility to another unless both sending and
receiving herds are certified according to 15A NCAC 10H .0304.

(J) Placement of Tags.

(i) A single button ear tag provided by the Commission shall be permanently affixed
by the licensee onto either the right or left ear of each cervid, provided that the ear
chosen to bear the button tag shall not also bear a bangle tag, so that each ear of
the cervid bears only one tag.

(ii) A single bangle ear tag provided by the Commission shall be permanently affixed
by the licensee onto the right or left ear of each cervid except Muntjac deer,
provided that the ear bearing the bangle tag does not also bear the button tag, so
that each ear of the cervid bears only one tag. Muntjac deer are not required to be
tagged with the bangle tag.

(iii) Once a tag is affixed in the manner required by this Rule, it shall not be removed.

(K) Reporting Tags Requirement. For all cervids, except calves and fawns, the licensee shall
submit a Cervidae Tagging Report within 30 days of receipt of the tags. Cervidae Tagging
Reports for calves and fawns shall be submitted by March 1 following the birthing season
each year. A Cervidae Tagging Report shall provide the following information and be
accompanied by a statement and licensee's signature verifying that the information is
accurate:

(i) Licensee name, mailing address, and telephone number;
(ii) Facility name and site address, including the County in which the site is located;
(iii) Captivity license number;
(iv) Species and sex of each cervid;
(v) Tag number(s) for each cervid; and
(vi) Birth year of each cervid.

(L) Replacement of Tags. The Commission shall replace tags that are lost or unusable and
shall extend the time within which a licensee shall tag cervids consistent with time required
to issue a replacement.
(i) Lost Tags. The loss of a tag shall be reported to the Commission by the licensee and application shall be made for a replacement upon discovery of the loss. Application for a replacement shall include the information required by Part (e)(5)(I) of this Rule along with a statement and applicant's signature verifying that the information is accurate. Lost tags shall be replaced on the animal by the licensee within 30 days of receipt of the replacement tag.

(ii) Unusable Tags. Tags that cannot be properly affixed to the ear of a cervid or that cannot be read because of malformation or damage to the tags or obscurement of the tag numbers shall be returned to the Commission along with an application for a replacement tag with a statement and applicant's signature verifying that the information in the application is accurate.

(6) Renewal of captivity license for cervids. Existing captivity licenses for the possession of cervids at existing facilities shall be renewed as long as the applicant for renewal has live cervids and continues to meet the requirements of this Section for the license. Only licensees with Certified Herds, as defined in 15A NCAC 10H .0304, may request in their renewal applications to expand pen size or the number of pens on the licensed facility to increase the holding capacity of that facility. No renewals shall be issued for a license that has been allowed to lapse due to the negligence of the former licensee.

(7) Provision for licensing the possession of cervids in an existing facility. A captivity license shall only be issued to an individual who is 18 years of age or older. If the licensee of an existing facility voluntarily surrenders his or her captivity license, becomes incapacitated or mentally incompetent, or dies, a person who has obtained lawful possession of the facility from the previous licensee or that licensee's estate, may request that the existing captivity license be transferred to him or her to operate the existing facility. Any license transferred under this provision shall be subject to the same terms and conditions imposed on the original licensee at the time of his or her surrender or death and shall be valid only for the purpose of holding the cervids of the existing facility within that existing facility. In addition, any actions pending from complaint, investigation or other cause shall be continued notwithstanding the termination of the original license.

(d) Nontransferable. No license or permit or tag issued pursuant to this Rule is transferable, either as to the holder or the site of a holding facility, except as provided in Subparagraph (c)(7) of this Rule.

(e) Sale, Transfer or Release of Captive Wildlife.

(1) It is unlawful for any person to transfer or receive any wild animal or wild bird that is being held under a captivity permit issued under Paragraph (b) of this Rule, except that any such animal or bird may be surrendered to an agent of the Commission.

(2) It is unlawful for any person holding a captivity license issued under Paragraph (c) of this Rule to sell or transfer the animal or bird held under such license, except that such animal or bird may be surrendered to an agent of the Commission, and any such licensee may sell or transfer the animal or
bird (except members of the family Cervidae) to another person who has obtained a license to hold
it in captivity. For animals in the family Cervidae, sale or transfer of animals is allowed only
between Certified Herds, as defined in 15A NCAC 10H .0304. Upon such a sale or transfer, the
seller or transferor shall obtain a receipt for the animal or bird showing the name, address, and
license number of the buyer or transferee, a copy of which shall be provided to the Commission.

(3) It is unlawful for any person to release into the wild for any purpose or allow to range free:
(A) any species of deer, elk or other members of the family Cervidae, or
(B) any wolf, coyote, or other non-indigenous member of the family Canidae, or
(C) any member of the family Suidae.

(f) Transportation Permit.

(1) Except as otherwise provided herein, no transportation permit is required to move any lawfully held
wild animal or wild bird within the State.

(2) No person shall transport black bear or Cervidae for any purpose without first obtaining a
transportation permit from the Commission.

(3) Except as provided in Subparagraph (f)(4) of this Rule, no transportation permits shall be issued for
deer, elk, or other species in the family Cervidae except into and between Certified Herds as defined
in 15A NCAC 10H .0304.

(4) Cervid Transportation. A permit to transport deer, elk, or other species in the family Cervidae may
be issued by the Commission to an applicant for the purpose of transporting the animal or animals
for export out of state, to a slaughterhouse for slaughter, from a Certified Herd to another Certified
Herd as defined in 15A NCAC 10H .0304, or to a veterinary medical facility for treatment provided
that the animal for which the permit is issued does not exhibit clinical symptoms of Chronic Wasting
Disease. No person shall transport a cervid to slaughter or export out of state without bearing a copy
of the transportation permit issued by the Commission authorizing that transportation. No person
shall transport a cervid for veterinary treatment without having obtained approval from the
Commission as provided by Part (f)(4)(D) of this Rule. Any person transporting a cervid shall
present the transportation permit to any law enforcement officer or any representative of the
Commission upon request, except that a person transporting a cervid by verbal authorization for
veterinary treatment shall provide the name of the person who issued the approval to any law
enforcement officer or any representative of the Commission upon request.

(A) Slaughter. Application for a transportation permit for purpose of slaughter shall be
submitted in writing to the Commission and shall include the following information along
with a statement and applicant's signature verifying that the information is accurate:
(i) Applicant name, mailing address, and telephone number;
(ii) Facility site address;
(iii) Captivity license number;
(iv) Name, address, county and phone number of the slaughter house to which the cervid will be transported;
(v) Vehicle or trailer licence plate number and state of issuance of the vehicle or trailer used to transport the cervid;
(vi) Name and location of the North Carolina Department of Agriculture Diagnostic lab where the head of the cervid is to be submitted for CWD testing;
(vii) Date of transportation;
(viii) Species and sex of each cervid; and
(ix) Tag number(s) for each cervid.

(B) Exportation. Nothing in this rule shall be construed to prohibit the lawful exportation of a member of the family Cervidae for sale out of state. Application for a transportation permit for purpose of exportation out of state shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:
(i) Applicant's name, mailing address and telephone number;
(ii) Facility site address;
(iii) Captivity license number;
(iv) Vehicle or trailer licence plate number and state of issuance of the vehicle or trailer used to transport the cervid;
(v) Name, site address, county, state and phone number of the destination facility to which the cervid is exported;
(vi) A copy of the importation permit from the state of the destination facility that names the destination facility to which the animal is to be exported;
(vii) Date of departure;
(viii) Species and sex of each cervid; and
(ix) Tag number(s) for each cervid.

(C) Between herds. Application for a transportation permit for purpose of moving a cervid from one Certified Herd to another Certified Herd, as defined in 15A NCAC 10H .0304, shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:
(i) Applicant's name, mailing address and telephone number;
(ii) Facility site address;
(iii) Captivity license number;
(iv) Vehicle or trailer licence plate number and state of issuance of the vehicle or trailer used to transport the cervid;
(v) Name, site address, county, and phone number of the destination facility to which the cervid is moved;
(vi) Date of departure;
(vii) Species and sex of each cervid; and
(viii) Tag number(s) for each cervid.

(D) Veterinary treatment. No approval shall be issued for transportation of a cervid to a veterinary clinic out of the state of North Carolina, or for transportation from a facility out of the state of North Carolina to a veterinary clinic in North Carolina. An applicant from a North Carolina facility seeking to transport a cervid for veterinary treatment to a facility within North Carolina shall contact the Wildlife Telecommunications Center or the Wildlife Management Division of the Commission to obtain verbal authorization to transport the cervid to a specified veterinary clinic and to return the cervid to the facility. Verbal approval to transport a cervid to a veterinary clinic shall authorize transport only to the specified veterinary clinic and directly back to the facility, and shall not be construed to permit intervening destinations. To obtain verbal authorization to transport, the applicant shall provide staff of the Commission the applicant's name and phone number, applicant's facility name, site address and phone number, the cervid species, sex and tag numbers, and the name, address and phone number of the veterinary facility to which the cervid shall be transported. Within five days of transporting the cervid to the veterinary facility for treatment, the licensee shall provide the following information in writing to the Commission, along with a statement and applicant's signature verifying that the information is correct:
(i) Applicant's name, mailing address and telephone number;
(ii) Facility name and site address;
(iii) Captivity license number;
(iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
(v) Date of transportation;
(vi) Species and sex of each cervid;
(vii) Tag number(s) for each cervid;
(viii) Name, address and phone number of the veterinarian and clinic that treated the cervid;
(ix) Symptoms for which cervid received treatment; and
(x) Diagnosis of veterinarian who treated the cervid.

(g) Slaughter at cervid facility. Application for a permit for purpose of slaughter at the cervid facility shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:
(1) Applicant name, mailing address, and telephone number;
(2) Facility site address;
(3) Captivity license number;
(4) Name and location of the North Carolina Department of Agriculture Diagnostic lab where the head
of the cervid is to be submitted for CWD testing;
(5) Date of slaughter;
(6) Species and sex of each cervid; and
(7) Tag number(s) for each cervid.

Permits or authorization may not be sold or traded by the licensee to any individual for the hunting or collection of
captive cervids. Only the licensee may kill a cervid within the cervid enclosure.

History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274;
Eff. February 1, 1976;
Amended Eff. April 1, 1991; September 1, 1990; June 1, 1990; July 1, 1988;
Temporary Amendment Eff. October 8, 2002; May 17, 2002(this temporary rule replaced the
permanent rule approved by RRC on June 21, 2001 to become effective in July 2002); July 1, 2001;
Amended Eff. May 1, 2010; May 1, 2008; December 1, 2005; August 1, 2004;
Temporary Amendment Eff. December 2, 2014;
Temporary Amendment Expired September 11, 2015;
Temporary Amendment Eff. February 27, 2015;
Temporary Amendment Expired December 11, 2015.
Repealed Eff. January 1, 2020
(a) Exemptions. Publicly-financed zoos, scientific and biological research facilities, and institutions of higher education that were granted an exemption by the Commission from the standards of this Rule prior to December 1, 2005 are exempt from the standards set forth in this Rule for all birds and animals except the black bear so long as the captivity license in effect on that date has not expired or been revoked.

(b) With the exception of those entities named in Paragraph (a) of this Rule who have received exemption from the Commission, all holders of captivity licenses shall comply with the following requirements:

(1) Deer, Elk and other species of the family Cervidae

(A) Enclosure. The enclosure shall be on a well-drained site containing natural or manmade shelter for shade. The minimum size of the enclosure for all cervids except Muntjac deer shall be less than one-half acre for the first three animals and an additional one-fourth acre for each additional animal held provided that no more than 25 percent shall be covered with water. At no time shall the number of cervids in the enclosure exceed the number allowed by the captivity license, except that fawns and calves shall not count towards the total number of cervids in a facility from the time they are born until March 1 of the following year. The enclosure shall be surrounded by a fence of sufficient strength and design to contain the animal under any circumstances, at least eight feet high, and dog-proof to a height of at least six feet. For enclosures exclusively holding Muntjac deer, the minimum pen size shall be 800 square feet for the first three animals and 200 square feet for each additional animal. No exposed barbed wire, nails, or other protrusions that may cause injury to the animal shall be permitted within the enclosure. Captive cervids shall not be contained within or allowed to enter a place of residence.

(B) Sanitation and Care. Licensees shall provide an ample supply of clear water and salt at all times. Food shall be placed in the enclosure as needed, but not less than three times weekly. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained. The animal(s) shall be protected against fright or harm from other animals.

(2) Wild Boars

(A) Enclosure. The enclosure shall be on a site containing trees or brush for shade. The minimum size of the enclosure shall be not less than one-half acre for the first three animals and an additional one-fourth acre for each additional animal held. The enclosure shall be surrounded by a fence at least five feet high and of sufficient strength to contain the animals. No exposed barbed wire or protruding nails shall be permitted within the enclosure. A roofed building large enough to provide shelter in both a standing or a lying position for each boar must be provided. This building shall be closed on three sides. A pool of water for wallowing or a sprinkler system shall be provided on days when heat could cause stress to the animal(s).
(B) Sanitation and Care. Licensees shall provide an ample supply of clear water at all times. Food shall be placed in the enclosure as needed, but in any case, not less than three times weekly. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained.

(3) Wild Birds

(A) Enclosure. The enclosure shall be large enough for the bird or birds to assume all natural postures. The enclosure shall be designed in such a way that the birds cannot injure themselves and are able to maintain a natural plumage. Protection from sun, weather, and predators shall also be provided.

(B) Sanitation and Care. The cage shall be kept clean, dry, and free from molded or damp feed. Ample food and clean water shall be available at all times.

(4) Alligators

(A) Enclosure. The enclosure shall be surrounded by a fence of sufficient strength to contain the animals and that shall prevent contact between the observer and alligator. The enclosure shall contain a pool of water large enough for the animal to completely submerge itself. If more than one animal is kept, the pool must be large enough for all animals to be able to submerge themselves at the same time. A land area with both horizontal dimensions at least as long as the animal shall also be provided. In case of more than one animal, the land area shall have both horizontal dimensions at least as long as the longest animals to occupy the land area at the same time without overlap.

(B) Sanitation and Care. The water area shall be kept clean and food adequate to maintain good health provided. Protection shall be provided at all times from extremes in temperature that could cause stress to the animal.

(5) Black Bear

(A) Educational Institutions and Zoos Operated or Established by Governmental Agencies

(i) Enclosure. A permanent, stationary metal cage, at least eight feet wide by 12 feet long by six feet high and located in the shade or where shaded during the afternoon hours of summer, is required. The cage shall have a concrete floor in which a drainable pool one and one-half feet deep and not less than four by five feet has been constructed. The bars of the cage shall be of iron or steel at least one-fourth inch in diameter, or heavy-gauge steel chain link fencing may be used. The gate shall be equipped with a lock or safety catch, and guard rails shall be placed outside the cage so as to prevent contact between the observer and the caged animal. The cage must contain a den at least five feet long by five feet wide by four feet high and so constructed as to be easily cleaned. A "scratch log" shall be placed inside the cage. The cage shall be equipped with a removable food trough. Running water shall be provided for flushing the floor and changing the pool.
(ii) Sanitation and Care. Food adequate to maintain good health shall be provided daily, and clean, clear drinking water shall be available at all times. The floor of the cage and the food trough shall be flushed with water and the water in the pool changed daily. The den shall be flushed and cleaned at least once each week in hot weather. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained. Brush, canvas, or other material shall be placed over the cage to provide additional shade when necessary for the health of the animal. The use of collars, tethers or stakes to restrain the bear is prohibited, except as a temporary safety device.

(B) Conditions Simulating Natural Habitat. Black bears held in captivity by other than educational institutions or governmental zoos shall be held without caging under conditions simulating a natural habitat. All of the following conditions must exist to simulate a natural habitat in a holding facility:

(i) The method of confinement is by chain link fence, wall, moat, or a combination of such, without the use of chains or tethers.

(ii) The area of confinement is at least one acre in extent for one or two bears and an additional one-eighth acre for each additional bear.

(iii) Bears are free, under normal conditions, to move throughout such area.

(iv) At least one-half of the area of confinement is wooded with living trees, shrubs and other perennial vegetation capable of providing shelter from sun and wind.

(v) The area of confinement contains a pool not less than one and one-half feet deep and not less than four by five feet in size.

(vi) Provision is made for a den for each bear to which the bear may retire for rest, shelter from the elements, or respite from public observation.

(vii) The area of confinement presents an overall appearance of a natural habitat and affords the bears protection from harassment or annoyance.

(viii) Provisions are made for food and water that are adequate to maintain good health and for maintenance of sanitation.

(ix) The applicant shall document that the applicant owns or has a lease of the real property upon which the holding facility is located, provided that if the applicant is a lessee, the lease is for a duration of at least five years from the point of stocking the facility.

(6) Cougar

(A) Educational or scientific research institutions and zoos supported by public funds.

(i) Enclosure. A permanent, stationary metal cage, at least nine feet wide by 18 feet long by nine feet high and located in the shade or where shaded during the afternoon hours of summer, is required. The cage shall have a concrete floor. The
The bars of the cage shall be of iron or steel at least one-fourth inch in diameter, or heavy-gauge steel chain-link fencing may be used. The gate shall be equipped with a lock or safety catch, and guard rails shall be placed outside the cage so as to prevent contact between the observer and the caged animal. The cage shall contain a den at least five feet long by five feet wide by four feet high and so constructed as to be easily cleaned. A "scratch log" shall be placed inside the cage. The cage shall be equipped with a removable food trough. Running water shall be provided for flushing the floor and changing the pool.

(ii) Sanitation and Care. Food adequate to maintain good health shall be provided daily, and clean, clear drinking water shall be available at all times. The floor of the cage and the food trough shall be flushed with water and the water in the pool changed as necessary to maintain good health of the animal. The den shall be flushed and cleaned at least once each week. An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained. Brush, canvas, or other material shall be readily available to be placed over the cage to provide additional shade when necessary. The use of collars, tethers or stakes to restrain the cougar is prohibited, except as a temporary safety device.

(B) Cougars held in captivity by other than educational or scientific institutions or publicly supported zoos shall be held without caging under conditions simulating a natural habitat. Applicants for a captivity license to hold cougar shall apply to the Commission on forms provided by the Commission, and shall provide plans that describe how the applicant's facility will comply with the requirement to simulate a natural habitat. All of the following conditions must exist to simulate a natural habitat in a holding facility.

(i) The method of confinement is by chain-link fence, without the use of chains or tethers, provided that:

(I) Nine gauge chain-link fencing shall be at least 12 feet in height with a four foot fence overhang at a 45-degree angle on the inside of the pen to prevent escape from climbing and jumping.

(II) Fence posts and at least six inches of the fence skirt shall be imbedded in a six inch wide by one foot deep concrete footer to prevent escape by digging.

(ii) The area of confinement shall be at least one acre for two cougars with an additional one-eighth acre for each additional cougar. If, following a site evaluation, the Commission determines that terrain and topographical features offer sufficient escape, cover and refuge, and meet all other specifications, and that the safety and health of the animal(s) will not compromised, smaller areas shall be permitted.
(iii) Cougars shall be free under normal conditions to move throughout the area of confinement.

(iv) At least one-half of the area of confinement shall be wooded with living trees, shrubs and other perennial vegetation capable of providing shelter from sun and wind; and a 20 foot wide strip along the inside of the fence shall be maintained free of trees, shrubs and any other obstructions which could provide a base from which escape through leaping could occur.

(v) The area of confinement shall contain a pool not less than one and one-half feet deep and not less than four by five feet in size.

(vi) Each cougar shall be provided a den to which the cougar may retire for rest, shelter from the elements, or respite from public observation. Each den shall be four feet wide by four feet high by four feet deep. Each den shall be enclosed entirely within at least an eight feet wide by ten feet deep by 12 feet high security cage. The security cage shall be completely within the confines of the facility, cement-floored, shall have nine gauge fencing on all sides and the top, and shall have a four foot, 45 degree fence overhang around the outside top edge to prevent cougar access to the top of the security cage.

(vii) The area of confinement shall protect the cougar from harassment or annoyance.

(C) Provisions shall be made for maintenance of sanitation and for food and water adequate to maintain good health of the animal(s).

(D) The applicant shall document that the applicant owns or has a lease of the real property upon which the holding facility is located, provided that if the applicant is a lessee, the lease is for a duration of at least five years from the point of stocking the facility.

(7) Other Wild Animal Enclosures.

(A) General Enclosure Requirements.

(i) The enclosure shall provide protection from free ranging animals and from sun or weather that could cause stress to the animals.

(ii) A den area in which the animal can escape from view and large enough for the animal to turn around and lie down shall be provided for each animal within the enclosure.

(iii) No tethers or chains shall be used to restrain the animal.

(iv) Either a tree limb, exercise device, or shelf large enough to accommodate the animal shall be provided to allow for exercise and climbing.

(v) Sanitation and Care. Fresh food shall be provided daily, and clean water shall be available at all times.

(vi) An effective program for the control of insects, ectoparasites, disease, and odor shall be established and maintained.
(B) Single Animal Enclosures for certain animals. The single-animal enclosure for the animals listed in this Subparagraph shall be a cage with the following minimum dimensions and horizontal areas:

<table>
<thead>
<tr>
<th>Animal</th>
<th>Length</th>
<th>Width</th>
<th>Height</th>
<th>Per Animal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bobcat, Otter</td>
<td>10</td>
<td>5</td>
<td>5</td>
<td>50</td>
</tr>
<tr>
<td>Raccoon, Fox, Woodchuck</td>
<td>8</td>
<td>4</td>
<td>4</td>
<td>32</td>
</tr>
<tr>
<td>Opossum, Skunk, Rabbit</td>
<td>6</td>
<td>3</td>
<td>3</td>
<td>18</td>
</tr>
<tr>
<td>Squirrel</td>
<td>4</td>
<td>2</td>
<td>2</td>
<td>8</td>
</tr>
</tbody>
</table>

(C) Single Enclosure Requirements for animals not mentioned elsewhere in this Rule. For animals not listed above or mentioned elsewhere in this Rule, single animal enclosures shall be a cage with one horizontal dimension being at least four times the nose-rump length of the animal and the other horizontal dimension being at least twice the nose-rump length of the animal. The vertical dimensions shall be at least twice the nose-rump length of the animal. Under no circumstances shall a cage be less than four feet by two feet by two feet.

(D) Multiple Animal Enclosures. The minimum area of horizontal space shall be determined by multiplying the required square footage for a single animal by a factor of 1.5 for one additional animal and the result by the same factor, successively, for each additional animal. The vertical dimension for multiple animal enclosures shall remain the same as for single animal enclosures.

(E) Young Animals. The young of any animal may be kept with the parent in a single-animal enclosure only until weaning. After weaning, if the animals are kept together, the requirements for multiple-animal enclosures apply.

History Note: Authority G.S. 19A-11; 106-549.97(b); 113-134; 113-272.5, 113-272.6; Eff. February 1, 1976;
Amended Eff. December 1, 1990; June 1, 1990; July 1, 1988; November 9, 1980;
Temporary Amendment Eff. October 8, 2002;
Amended Eff. May 1, 2010; December 1, 2005; August 1, 2004;
Temporary Amendment Eff. February 27, 2015;
Temporary Amendment Expired December 11, 2015.
15A NCAC 10H .0303 FORFEITURE

(a) The Executive Director of the Wildlife Resources Commission may issue a warning or revoke the holder's permit or license and a holder of a permit or license to keep wildlife in captivity may forfeit the right to keep that wildlife, lose custody of that wildlife, and be required to turn that wildlife over to a representative of the Wildlife Resources Commission upon request of the Commission as authorized by G.S. 150B-3 and G.S. 113-276.2. The determination whether to issue a warning or revoke a license or permit and require forfeiture shall be based upon the seriousness of the violation. Violations include but are not limited to the following circumstances or conditions:

(1) The licensee or permittee fails to maintain the captive animal or bird in good health or to treat conditions that warrant medical attention. Chronic or acute instances of the following that are untreated may be considered evidence that the licensee is failing to keep the animal or bird in good health:
   (A) weakness or instability in balance;
   (B) bare spots in fur or feather covering that do not result from that animal's behavior;
   (C) diarrhea;
   (D) abnormally low weight;
   (E) unusual nasal discharges;
   (F) sores or open wounds; or
   (G) injury to muscles or bones.

(2) The permittee or licensee fails to provide accurate information on records or permit or license applications submitted to the Wildlife Resources Commission.

(3) The licensee of a facility holding captive cervid(s) fails to comply with tagging requirements for cervids as provided by rules in this Section.

(4) The licensee of a facility holding captive cervid(s) fails to comply with requirements for maintaining the enclosure fence as provided by rules in this Section.

(5) The licensee fails to comply with monitoring or record-keeping requirements as provided by rules in this Section.

(6) The permittee or licensee fails to keep in captivity the wildlife for which the facility is licensed.

(7) The licensee of a facility holding captive cervid(s) fails to permit the Wildlife Resources Commission to inspect the licensed facility or records as provided by rules in this Section.

(b) The Executive Director of the Wildlife Resources Commission shall revoke the holder's permit or license and a holder of a permit or license to keep wildlife in captivity shall forfeit the right to keep that wildlife, lose custody of that wildlife and be required to turn that wildlife over to a representative of the Wildlife Resources Commission upon request of the Commission under any of the following circumstances or conditions:

(1) The licensee of a facility holding captive cervid(s) fails to report symptoms of chronic wasting disease in a cervid to the Wildlife Resources Commission as provided by rule(s) in this Section;

(2) The licensee of a facility holding captive cervid(s) fails to transport and submit a cervid carcass to a North Carolina Department of Agriculture diagnostic lab for CWD evaluation within 48 hours of
that cervid’s death or close of the next business day, whichever is later, as provided by rule(s) in this
Section;

(3) A cervid in possession of the licensee has been transported without a permit; or

(4) Chronic Wasting Disease has been confirmed in a cervid at that facility.

History Note: G.S. 106-549.97(b); 113-131; 113-134; 113-272.5; 113-276.2; 113-292; 150B-3;
Eff. February 1, 1976;
Amended Eff. February 7, 1979;
Temporary Amendment Eff. October 8, 2002;
(a) The Wildlife Resources Commission has established this Captive Cervid Herd Certification Program in order to prevent the introduction of Chronic Wasting Disease (CWD) into North Carolina and reduce the potential for spread of CWD while allowing transportation of cervids from herds in which CWD has not been detected for at least five years, in accordance with the requirements in this Section. Only licensees with Certified Herds as defined in Paragraph (e) of this Rule may request to expand their pen size to accommodate additional cervids and transport cervids within North Carolina for purposes other than those specified in 15A NCAC 10H.0301(f)(4). Licensees with Certified Herds may also import cervids from a herd in which CWD has not been detected for at least five years and has been managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H.0301 and 15A NCAC 10H.0302. The individual U.S. or Mexican state or territory, Canadian province or other country of origin must have CWD monitoring requirements that are at least as stringent as those described in this Section. The originating individual U.S. or Mexican state's or territory's, Canadian province's or other country's CWD monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel before approval of any importation of cervids into North Carolina. There shall be no importation from individual U.S. or Mexican states or territories, Canadian provinces or other countries in which CWD has been detected, either in a wild or captive herd.

(b) Enrollment qualifications. Only captive cervid herds held under a valid captivity license are eligible for enrollment in the Captive Cervid Herd Certification Program. Licensees shall comply with all captivity license requirements outlined in this Section and the rules and laws regulating possession, transportation and importation of cervids in order to remain in the Captive Cervid Herd Certification Program.

(c) Enrollment application. Each individual holding a current and valid Captivity License for cervids may apply to be enrolled in the Captive Cervid Herd Certification Program. All applications shall be in writing on a form supplied by the Commission. The Commission shall deny an application if:

(1) the licensee has not complied with all the requirements under the captivity license statutes and all rules pertaining to the holding of cervids in captivity and the transportation or importation of cervids resulting in a failed inspection report for the licensee's most recent inspection; or a pending citation;

(2) the licensee has provided false information; or

(3) CWD has been confirmed in a cervid at the licensee's facility.

(d) Enrollment dates. The enrollment date is:

(1) the first date upon official inspection, documented by Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel, on which the licensee has complied with all captivity rules and statutes that pertain to cervids, including tagging, provided that the licensee has continued to comply with these regulations; or

(2) the date on which a waiver was issued by the Wildlife Resources Commission Executive Director under the conditions set forth in 15A NCAC 10A.1101(a) that brought the licensee into compliance assuming that there were no other compliance actions pending, provided that the licensee has continued to comply with the captive cervid regulations.
This date may be retroactive but may extend back no earlier than the date Wildlife Resources Commission and Department of Agriculture and Consumer Services personnel documented that the licensee came into compliance with all captivity rules and statutes related to holding cervids in captivity, including tagging of all cervids.

(e) Certified herd. When a herd is enrolled in the Captive Cervid Herd Certification Program, it shall be placed in First Year status. If the herd continues to meet the requirements of the Captive Cervid Herd Certification Program, each year on the anniversary of the enrollment date the herd status shall be upgraded by one year. One year from the date a herd is placed in Fifth Year status, the herd status shall be changed to Certified, and the herd shall remain in Certified status as long as it is enrolled in the Captive Cervid Herd Certification Program, provided its status is not lost or suspended without reinstatement as described in Paragraph (f).

(f) Herd status

(1) A Certified Herd or any herd enrolled in the program shall have its status suspended or reduced if:
   (A) the licensee fails to comply with any of the ongoing requirements for captive cervid licenses as identified in 15A NCAC 10H .0301;
   (B) the licensee violates any other North Carolina law or rule related to captive cervids;
   (C) an animal in the herd exhibits clinical signs of CWD;
   (D) an animal in the herd can be traced back to a herd with an animal exhibiting clinical signs of CWD; or
   (E) the herd is quarantined by the State Veterinarian.

(2) A Certified Herd or any herd enrolled in the program shall lose its status if:
   (A) an animal in the herd can be traced back to a herd in which CWD has been detected;
   (B) CWD is detected in an animal in the herd; or
   (C) the licensee loses his or her license.

The Wildlife Resources Commission shall review cases of suspended status upon request. A Certified Herd with suspended status may regain its status if the licensee corrects within 30 days the deficiency under which the status was suspended or, in the case of suspected CWD, the disease was not detected in the suspect animal.

(g) Inspection. If an inspection of the captive cervids is needed as a part of certification, including reinstating a suspended status, the licensee is responsible for assembling, handling and restraining the captive cervids and all costs incurred to present the animals for inspection.

History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274; 113-292;
Eff. May 1, 2010;
Temporary Amendment Eff. February 27, 2015;
Temporary Amendment Expired December 11, 2015.