



AGENDA

N.C. WILDLIFE RESOURCES COMMISSION

December 7, 2017, 9:00 a.m.

1751 Varsity Drive

NCWRC Conference Room, 5th Floor

Raleigh, North Carolina

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

Financial Status Report - Receive a financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund –*Melissa Earp, Chief Financial Officer (EXHIBIT B)*

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

EXHIBIT A
December 7, 2017



MINUTES
October 5, 2017
N. C. Wildlife Resources Commission Meeting
Raleigh, North Carolina

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

John Coley	Richard Edwards
Brian White	Wes Seegars
John Litton Clark	Nat Harris
Monty Crump	Joe Budd
Mike Johnson	Brad Stanback
Ray Clifton	Landon Zimmer
Hayden Rogers	Garry Spence
Mark Craig	John Stone
David Hoyle, Jr.	Tommy Fonville

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 was 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

Exhibit B
December 7, 2017

ENDOWMENT FUND YEAR-TO-DATE

	<u>September, 2016</u>	<u>September, 2017</u>
Balance July 1	\$ 119,880,155.24	\$ 122,838,718.30
Plus: Revenues from Sales	861,995.00	991,465.00
Return on Investment	1,197,237.46	737,724.69
	<u>121,939,387.70</u>	<u>124,567,907.99</u>
Less: Transfers Out	<u>-</u>	<u>-</u>
Balance September 30	<u>\$ 121,939,387.70</u>	<u>\$ 124,567,907.99</u>
Market Value	\$ 119,386,722.13	\$ 121,544,771.69

Endowment Fund Interest

Sources of Interest Available	Expendable	Non Expendable	Transferred to Operations	Transferred to Capital Projects
ADULT Licenses	\$ 25,251,745.88	\$ -	\$ -	\$ -
INFANT Licenses	-	11,802,223.64	-	-
YOUTH Licenses	-	1,026,358.35	-	-
Magazine Subscriptions	1,337,385.42	-	-	-
Contributions - General	204.37	-	-	-
Contributions - Diversity	1,804,771.97	-	-	-
TOTAL	\$ 28,394,107.64	\$ 12,828,581.99	\$ -	\$ -

2017-18 Budgeted Obligated

Allocation of Endowment Interest - Operating	-
Allocation of Endowment Interest - Capital Projects	-
	<u>\$ -</u>

2017-18 Transferred To Date

To Operating	-
To Capital Projects	-
	<u>\$ -</u>

**Summary and Analysis of Agency Operating Cash Balance
Budget Code 14350,24350,24351 and 24352**

	<u>September, 2016</u>	<u>September, 2017</u>
Cash Balance July 1	\$ 11,106,479.31	\$ 12,047,722.61
Appropriations	Actual	Actual
Appropriations	\$ 3,064,062.60	\$ 2,766,747.00
Total	\$ 3,064,062.60	\$ 2,766,747.00
Receipts		
Administration	\$ 7,928,068.14	\$ 261,655.47
Enforcement	3,548,079.00	2,176,434.46
Education	8,117,373.60	582,040.42
Inland Fisheries	455,892.60	1,570,812.51
Wildlife Management	2,839,944.84	1,318,759.19
Engineering Services	651,722.55	5,401,295.86
Habitat Conservation	380,386.80	155,945.00
W/Life Fund Receipts		10,560,855.69
Outdoor Heritage		28,962.47
Total	\$ 23,921,467.53	\$ 22,056,761.07
Expenditures		
Administration	\$ 6,816,257.24	\$ 2,585,053.43
Enforcement	6,743,796.36	5,012,256.16
Education	1,709,596.80	1,330,117.92
Inland Fisheries	2,456,941.46	2,137,937.09
Wildlife Management	2,646,496.94	2,006,788.15
Engineering Services	5,975,567.68	4,931,756.41
Habitat Conservation	332,730.41	292,305.60
W/Life Fund Receipts	1,764,414.90	3,190,449.69
Outdoor Heritage		7,660.11
Total	\$ 28,445,801.80	\$ 21,494,324.56
Cash Balance September 30	\$ 9,646,207.65	\$ 15,376,906.12

Special Report Appendix A
Expenditures and Receipts by Functional Area

Administration

	FY17/18 1st QTR	FY17/18 YTD
Personnel	224,780.96	224,780.96
Purchased Services	42,034.61	42,034.61
Supplies	2,227.55	2,227.55
Property, Plant & Equipment	2,787.67	2,787.67
Other Expenses & Adjustments	1,842.40	1,842.40
Total Administrative Services	273,673.19	273,673.19
Personnel	205,696.42	205,696.42
Purchased Services	22,101.58	22,101.58
Supplies	20,117.96	20,117.96
Property, Plant & Equipment	1,428.00	1,428.00
Other Expenses & Adjustments	4.54	4.54
Total Controller's Office	249,348.50	249,348.50
Personnel	256,702.07	256,702.07
Purchased Services	331,233.75	331,233.75
Supplies	9,834.43	9,834.43
Property, Plant & Equipment	4,769.19	4,769.19
Other Expenses & Adjustments	65,960.75	65,960.75
Total Customer Support	668,500.19	668,500.19
Personnel	447,730.24	447,730.24
Purchased Services	283,355.92	283,355.92
Supplies	957.27	957.27
Property, Plant & Equipment	3,740.13	3,740.13
Other Expenses & Adjustments	18,848.01	18,848.01
Total Information Systems	754,631.57	754,631.57
Personnel	202,980.31	202,980.31
Purchased Services	151,592.38	151,592.38
Supplies	296.10	296.10
Other Expenses & Adjustments	21,418.16	21,418.16
Total Watercraft Titling & Registration	376,286.95	376,286.95
Personnel	112,666.12	112,666.12
Purchased Services	6,323.98	6,323.98
Supplies	302.68	302.68
Other Expenses & Adjustments	248.18	248.18
Total Purchasing	119,540.96	119,540.96
Personnel	64,976.44	64,976.44
Purchased Services	74,005.71	74,005.71
Supplies	268.76	268.76
Other Expenses & Adjustments	3,821.16	3,821.16
Total Personnel	143,072.07	143,072.07
Total Expenditures	2,585,053.43	2,585,053.43
Other Sales of Goods	2,034.00	2,034.00
Non-Capital Gifts	27.00	27.00
Total Administrative Services	2,061.00	2,061.00
Total Controller's Office	0.00	0.00
Federal Grants	22,558.00	22,558.00
Sale of Federal Stamps	187,726.00	187,726.00
Registration Fees	5,425.00	5,425.00
Miscellaneous Revenue	37,639.83	37,639.83
Short Term Interest Income	21.64	21.64
Other Sales & Services	4,185.00	4,185.00
Other Sales of Goods	5.00	5.00
Total Customer Support	257,560.47	257,560.47
Other Sales of and Services	2,034.00	2,034.00
Total Information Systems	2,034.00	2,034.00
Total Watercraft Titling & Registration	0.00	0.00
Total Purchasing	0.00	0.00
Total Personnel	0.00	0.00
Total Revenues	261,655.47	261,655.47

Special Report Appendix A
Expenditures and Receipts by Functional Area

Enforcement

	FY17/18 1st QTR	FY17/18 YTD
Personnel	4,057,775.10	4,057,775.10
Purchased Services	357,131.21	357,131.21
Supplies	209,578.39	209,578.39
Property, Plant & Equipment	83,688.43	83,688.43
Other Expenses & Adjustments	304,083.03	304,083.03
Total Expenditures	5,012,256.16	5,012,256.16
Federal Grants	246,519.00	246,519.00
Surplus-Vehicles	717.60	717.60
Surplus-Equipment	10,068.48	10,068.48
Fines, Penalties & Assessments	1,750.00	1,750.00
Prior Year Refund	262,509.80	262,509.80
Short Term Interest Income	2,282.58	2,282.58
Boating Safety Grant	1,061,982.00	1,061,982.00
Gas Tax Transfer-Dept. of Revenue	590,605.00	590,605.00
Enforcement	2,176,434.46	2,176,434.46
Total Revenues	2,176,434.46	2,176,434.46

Special Report Appendix A
Expenditures and Receipts by Functional Area

Education

	<u>FY17/18 1st QTR</u>	<u>FY17/18 YTD</u>
Personnel	646,788.65	646,788.65
Purchased Services	270,147.59	270,147.59
Supplies	50,870.44	50,870.44
Property, Plant & Equipment	8,858.17	8,858.17
Other Expenses & Adjustments	23,859.03	23,859.03
Conservation Education	1,000,523.88	1,000,523.88
Personnel	140,400.20	140,400.20
Purchased Services	182,576.47	182,576.47
Supplies	2,483.97	2,483.97
Property, Plant & Equipment	340.20	340.20
Other Expenses & Adjustments	3,793.20	3,793.20
Magazine	329,594.04	329,594.04
Total Expenditures	1,330,117.92	1,330,117.92
Federal Grants	415,333.00	415,333.00
Food & Vending Service	450.00	450.00
Surplus-Vehicles	2,553.00	2,553.00
Surplus-Equipment	6,070.16	6,070.16
Other Sales of Goods	2,259.00	2,259.00
Non-Capital Gifts	8,738.29	8,738.29
Miscellaneous Revenue	3,943.64	3,943.64
Prior Year Refund	472.10	472.10
Short Term Interest Income	53.27	53.27
Fines, Penalties & Assessments	12,101.00	12,101.00
Conservation Education	451,973.46	451,973.46
Federal Grants	813.00	813.00
Professional Services	472.10	472.10
Sale of Publications	310.00	310.00
Calendars	45,072.91	45,072.91
One Yr. Subscription	83,398.95	83,398.95
Magazine	130,066.96	130,066.96
Total Revenues	582,040.42	582,040.42

Special Report Appendix A
Expenditures and Receipts by Functional Area

Inland Fisheries

	<u>FY17/18 1st QTR</u>	<u>FY17/18 YTD</u>
Personnel	874,665.19	874,665.19
Purchased Services	375,803.49	375,803.49
Supplies	392,505.71	392,505.71
Property, Plant & Equipment	97,025.01	97,025.01
Other Expenses & Adjustments	6,577.00	6,577.00
Inland Fisheries	1,746,576.40	1,746,576.40
Personnel	156,683.97	156,683.97
Purchased Services	144,383.17	144,383.17
Supplies	12,380.42	12,380.42
Property, Plant & Equipment	16,893.99	16,893.99
Other Expenses & Adjustments	189.14	189.14
Aid & Public Assistance	60,830.00	60,830.00
Aquatic Wildlife Diversity	391,360.69	391,360.69
Total Expenditures	2,137,937.09	2,137,937.09
Federal Grants	1,244,252.00	1,244,252.00
Local Funds/Dominion Agreement	0.00	0.00
Professional Services	6,400.00	6,400.00
Surplus-Vehicles	446.20	446.20
Application Fee	630.00	630.00
Miscellaneous Revenue	25.00	25.00
Prior Year Refund	6,412.78	6,412.78
Short Term Interest Income	35.01	35.01
Inland Fisheries	1,258,200.99	1,258,200.99
Federal Grants	312,222.00	312,222.00
Short Term Interest Income	345.52	345.52
Professional Services	44.00	44.00
Aquatic Wildlife Diversity	312,611.52	312,611.52
Total Revenues	1,570,812.51	1,570,812.51

Special Report Appendix A
Expenditures and Receipts by Functional Area

Wildlife Management

	FY17/18 1st QTR	FY17/18 YTD
Personnel	683,398.80	683,398.80
Purchased Services	561,153.44	561,153.44
Supplies	31,121.69	31,121.69
Property, Plant & Equipment	58,814.33	58,814.33
Other Expenses & Adjustments	1,575.33	1,575.33
Wildlife Management	1,336,063.59	1,336,063.59
Personnel	275,847.19	275,847.19
Purchased Services	300,777.39	300,777.39
Supplies	23,166.48	23,166.48
Property, Plant & Equipment	2,901.89	2,901.89
Other Expenses & Adjustments	2,794.20	2,794.20
Aid & Public Assistance	1,232.19	1,232.19
Wildlife Diversity Program	606,719.34	606,719.34
Personnel	15,290.55	15,290.55
Purchased Services	47,715.09	47,715.09
Supplies	249.58	249.58
Other Expenses & Adjustments	750.00	750.00
Waterfowl Program	64,005.22	64,005.22
Total Expenditures	2,006,788.15	2,006,788.15
Federal Grants	701,801.79	701,801.79
State Grant/Dominion Agreement	36,467.49	36,467.49
Surplus-Vehicles	1,842.76	1,842.76
Surplus-Equipment	18.40	18.40
License Plate Sales-DOT	6,360.00	6,360.00
Wildlife Management	746,490.44	746,490.44
Federal Grants	414,581.00	414,581.00
Short Term Interest Income	3,231.77	3,231.77
Other Sales of Goods	40.00	40.00
Sales-Permit & Special License	180.00	180.00
Non-Game Checkoff from DOR	117,137.07	117,137.07
License Plate Sales-DOT	4,670.00	4,670.00
Wildlife Diversity Program	539,839.84	539,839.84
Short Term Interest Income	1,667.91	1,667.91
Artwork	3,240.00	3,240.00
Collector Stamps	9,009.00	9,009.00
Sales-Permit & Special License	18,512.00	18,512.00
Waterfowl Program	32,428.91	32,428.91
Total Revenues	1,318,759.19	1,318,759.19

Special Report Appendix A
Expenditures and Receipts by Functional Area

Engineering

	FY17/18 1st QTR	FY17/18 YTD
Personnel	845,012.55	845,012.55
Purchased Services	327,903.04	327,903.04
Supplies	202,791.05	202,791.05
Property, Plant & Equipment	491,386.64	491,386.64
Other Expenses & Adjustments	8,468.59	8,468.59
Engineering Water Access	1,875,561.87	1,875,561.87
Personnel	46,540.55	46,540.55
Purchased Services	71,581.68	71,581.68
Supplies	9,429.32	9,429.32
Property, Plant & Equipment	2,892.16	2,892.16
Engineering & Facility Management	130,443.71	130,443.71
Personnel	26,052.57	26,052.57
Purchased Services	13,535.72	13,535.72
Supplies	104,427.07	104,427.07
Property, Plant & Equipment	1,390.00	1,390.00
Other Expenses & Adjustments	156.59	156.59
Engineering-WISE	145,561.95	145,561.95
Purchased Services	22,194.96	22,194.96
Supplies	12,923.61	12,923.61
Property, Plant & Equipment	28,964.16	28,964.16
Other Expenses & Adjustments	5,632.85	5,632.85
Falls/Jordan Lake	69,715.58	69,715.58
Personnel	1,182,877.04	1,182,877.04
Purchased Services	603,591.12	603,591.12
Supplies	336,680.00	336,680.00
Property, Plant & Equipment	497,070.78	497,070.78
Other Expenses & Adjustments	67,129.36	67,129.36
Transfer to State Treasurer	23,125.00	23,125.00
Gameland O&M	2,710,473.30	2,710,473.30
Total Expenditures	4,931,756.41	4,931,756.41
Federal Grants	659,290.00	659,290.00
State Grant/Dominion Agreement	39.26	39.26
Maintenance & Repair Revenue	41,619.00	41,619.00
Professional Services	403,350.52	403,350.52
Surplus Property	0.00	0.00
Surplus-Vehicles	15,760.51	15,760.51
Surplus-Equipment	11,317.38	11,317.38
Miscellaneous Revenue	314.85	314.85
Prior Year Refund	141,840.26	141,840.26
Engineering Water Access	1,273,531.78	1,273,531.78
Surplus-Vehicles	8,347.23	8,347.23
Surplus-Equipment	2,139.00	2,139.00
Engineering & Facility Management	10,486.23	10,486.23
Surplus-Equipment	2,079.35	2,079.35
Wise Reimbursement-Internal	48,671.80	48,671.80
Wise Reimbursement-External	8,074.10	8,074.10
Engineering-WISE	58,825.25	58,825.25
Federal Grants	0.00	0.00
Sale of Timber	197,495.55	197,495.55
Prior Year Refund	3,038.06	3,038.06
Falls/Jordan Lake	200,533.61	200,533.61
Federal Grants	1,787,865.00	1,787,865.00
State Grant/Dominion Agreement	487.38	487.38
Surplus-Equipment	1,301.80	1,301.80
Miscellaneous Revenue	693,415.15	693,415.15
Prior Year Refund	217,673.58	217,673.58
Short Term Interest Income	940.45	940.45
Sale of Timber	1,149,385.63	1,149,385.63
Sale of Pinestraw	6,850.00	6,850.00
Gameland O&M	3,857,918.99	3,857,918.99
Total Revenues	5,401,295.86	5,401,295.86

Special Report Appendix A
Expenditures and Receipts by Functional Area

Wildlife Receipts Fund

	FY17/18 1st QTR	FY17/18 YTD
Purchased Services	515,154.14	515,154.14
Other Expenses & Adjustments	294.55	294.55
Wildlife Receipts	515,448.69	515,448.69
Purchased Services	144,841.00	144,841.00
Transfer to DEQ - Dredging	2,530,160.00	2,530,160.00
Watercraft Registration/Titling	2,675,001.00	2,675,001.00
Total Expenditures	3,190,449.69	3,190,449.69
Short Term Interest Income	3,526.09	3,526.09
Professional Services-Admin & Transaction	991,340.72	991,340.72
Other Sales of Goods	302.00	302.00
Sportsman's Lic-Adult	1,696,075.00	1,696,075.00
Sale of Hunting License	507,156.00	507,156.00
Sale of Permits	142,570.00	142,570.00
Sale of Special Licenses	396,134.00	396,134.00
Sale of Fur Tags	320.00	320.00
Sale of Hook & Line Fishing	2,159,461.00	2,159,461.00
Sale of Special Device Fish	3,900.00	3,900.00
Sale of Hook & Line Fishing/Unified	289,375.00	289,375.00
Sale of Sportsman Adult Unified	858,650.00	858,650.00
Examination Fees	10.00	10.00
Other License, Fees & Permits	47,421.00	47,421.00
Non-Capital Gifts	5.00	5.00
Miscellaneous Revenue	-11,794.13	-11,794.13
Wildlife Receipts	7,084,451.68	7,084,451.68
Short Term Interest Income	15,041.01	15,041.01
Professional Services-Transaction Proceeds	250,238.00	250,238.00
Motorboat Registration - 1 Yr.	791,280.00	791,280.00
Motorboat Registration - 3 Yr.	1,977,925.00	1,977,925.00
Motorboat Registration Dup./Tsfr.	7,110.00	7,110.00
Watercraft Titling Fee	195,070.00	195,070.00
Watercraft Titling Duplicate/Transfer	239,740.00	239,740.00
Watercraft Registration/Titling	3,476,404.01	3,476,404.01
Total Revenues	10,560,855.69	10,560,855.69

Special Report Appendix A
Expenditures and Receipts by Functional Area

Habitat Conservation

	<u>FY17/18 1st QTR</u>	<u>FY17/18 YTD</u>
Personnel	248,460.07	248,460.07
	27,991.38	27,991.38
Supplies	908.00	908.00
Property, Plant & Equipment	14,617.54	14,617.54
Other Expenses & Adjustments	328.61	328.61
Total Expenditures	292,305.60	292,305.60
Federal Grants	155,945.00	155,945.00
Total Revenues	155,945.00	155,945.00

Special Report Appendix A
Expenditures and Receipts by Functional Area

Outdoor Heritage Fund

	<u>FY17/18 1st QTR</u>	<u>FY17/18 YTD</u>
Purchased Services	7,555.14	7,555.14
Other Expenses & Adjustments	104.97	104.97
Total Expenditures	7,660.11	7,660.11
Short Term Interest Income	376.37	376.37
Non-Capital Gifts	28,586.10	28,586.10
Total Revenues	28,962.47	28,962.47

EXHIBIT C-1
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

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

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input checked="" type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input checked="" type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input type="checkbox"/>	Endowment
<input type="checkbox"/>	Donation

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	PR	Source:
<input type="checkbox"/>	SAHC	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input checked="" type="checkbox"/>	25% Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

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.

EXHIBIT C-1

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

County:

West Fork Tract Cold Mountain Game Land
Haywood County

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	0.481
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	1
	Wetland
Overall Biodiversity	1
SGCN Species	1
Game Species	0
	Aquatic
Overall Biodiversity	2
SGCN Species	2
Game Species	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	0.611
Size	1
Quality	2
Diversity	2
Rare/Important	2
Connectivity	2
Buffer	2

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 Pigion River.

Public Access	0.556
Hunting/Viewing	2
Fishing	3
Boating	0

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

Wildlife Uses	0.400
Hunting	0
Viewing	2
Fishing	3
Boating	0
Education	1

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

Other Values	0.556
Timber Harvest	0
Local Economy	3
Quality of Life	2

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	0.667
Existing Infrastructure	0
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	3
Proximity to Users	3

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

Restoration/Mitigation Potential	0.833
Species Restoration	2
Habitat Restoration	2
Access Improvement	3
Threat Mitigation	3

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	0.667
Number	2
Severity	3
Imminence	2
Manageability	3
Management Cost	0

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. Acquitition of the property would stop that threat on this tract.

Overall Score	3.437
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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.
Potential: 3 = High; 2 = Moderate; 1 = Low; 0 = None
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

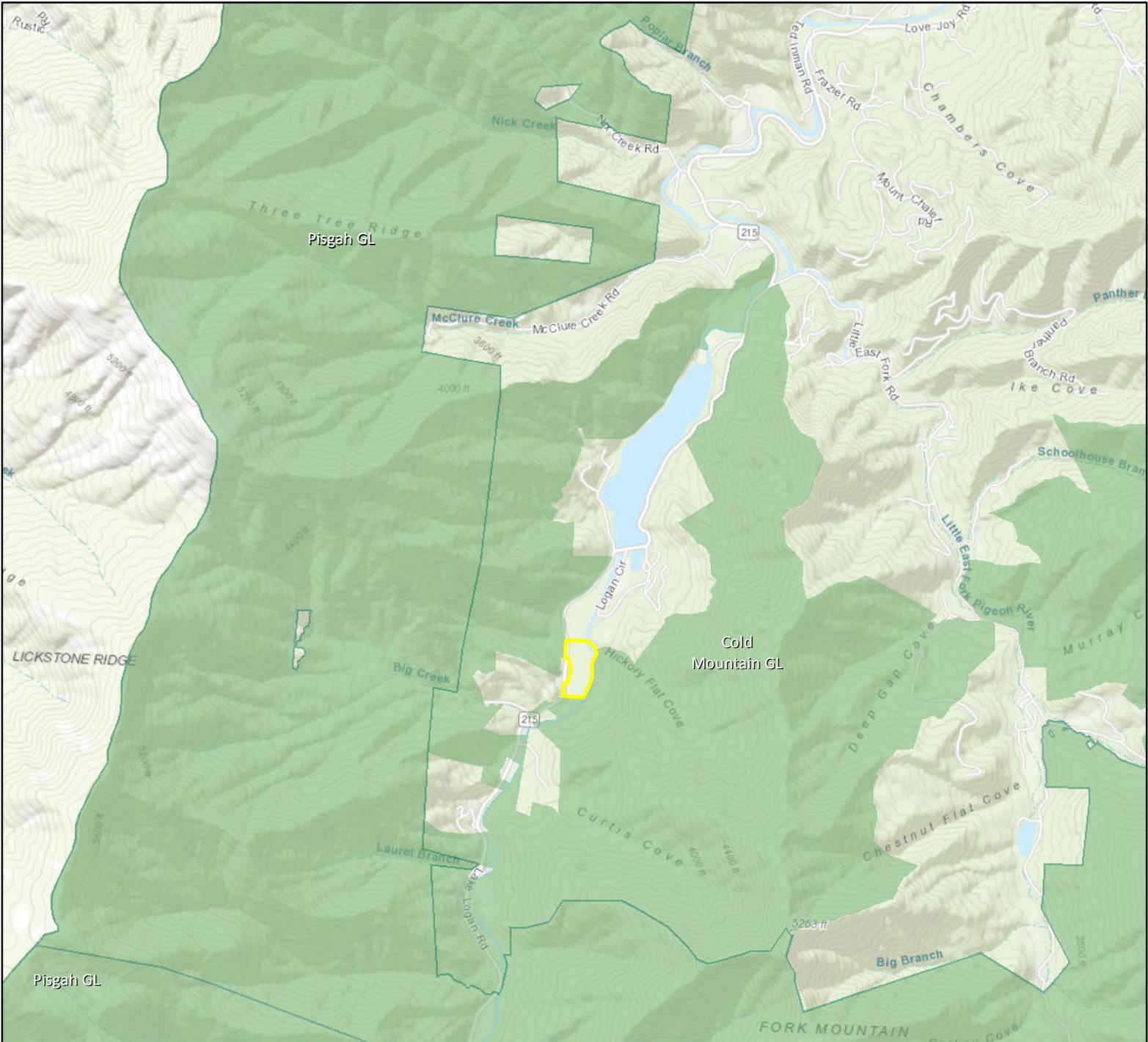
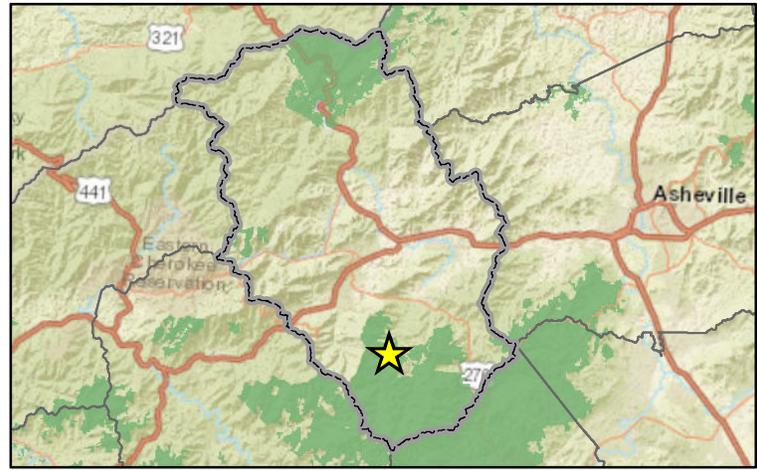
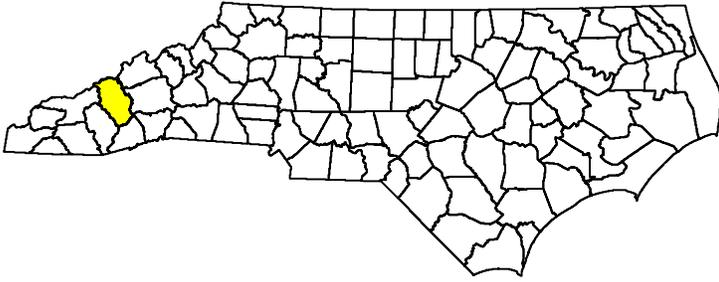
Threats

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

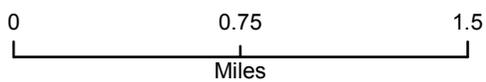
Scoring

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).

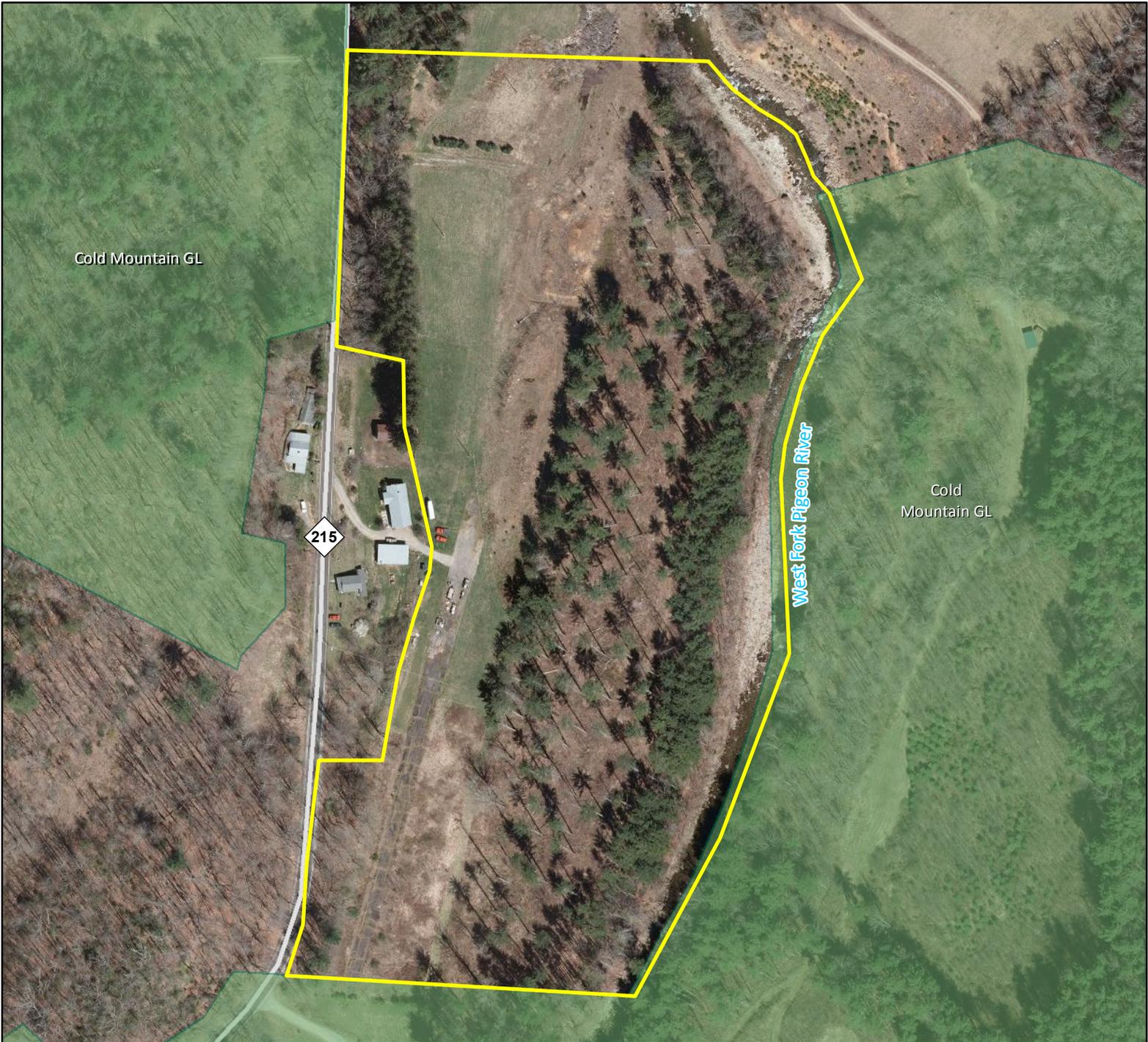
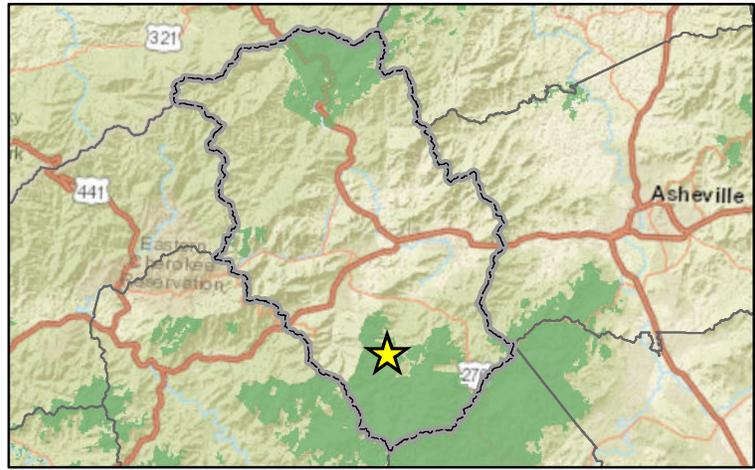
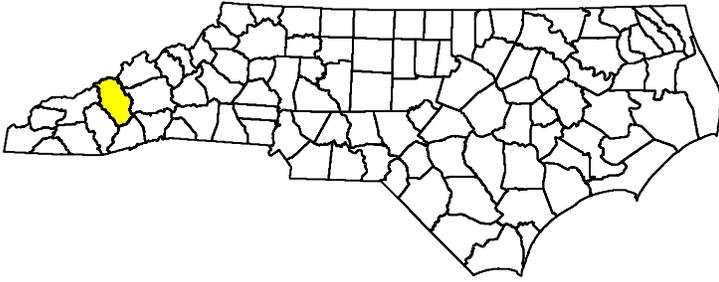
**West Fork Tract
Haywood County
18 Acres**



November 21, 2017



**West Fork Tract
Haywood County
18 Acres**



November 21, 2017

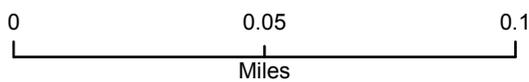


EXHIBIT C-2

December 7, 2017

North Carolina Wildlife Resources Commission

Land Acquisition Investigation Form

- PHASE I: INITIAL INVESTIGATION -

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
Email Address:	
Address:	2046 Dix Creek Road Canton NC 28716

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input type="checkbox"/>	Endowment
<input type="checkbox"/>	Donation

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

2016	Year Assessed
?	PUV?

Stewardship Considerations:

PR	Source:
SAHC	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
25%	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

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 –

County:

Johnson Tract Cold Mountain Game Land
Haywood County

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.

Tract Name	Johnson Tract - Cold Mountain Game Land
Date	September 20, 2017
Staff Completing Form	David Stewart

Species	0.296
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	1
SGCN Species	1
Game Species	0
	Aquatic
Overall Biodiversity	0
SGCN Species	0
Game Species	0

Comments
Moderate biodiversity is based on a diversity of forest cover types and age classes, and the diversity of wildlife found on the property.

Habitat	0.611
Size	1
Quality	2
Diversity	2
Rare/Important	2
Connectivity	2
Buffer	2

Comments
The quality of the habitat on the tract is good, as is diversity. The properties provide good connectivity and buffer to Cold Mountain GL.

Public Access	0.333
Hunting/Viewing	3
Fishing	0
Boating	0

Comments
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.

Wildlife Uses	0.400
Hunting	3
Viewing	2
Fishing	0
Boating	0
Education	1

Comments
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.

Other Values	0.778
Timber Harvest	3
Local Economy	2
Quality of Life	2

Comments
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.

Feasibility & Logistics	0.667
Existing Infrastructure	2
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	2
Proximity to Users	2

Comments
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 adjoining 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.

Restoration/Mitigation Potential	0.833
Species Restoration	2
Habitat Restoration	2
Access Improvement	3
Threat Mitigation	3

Comments
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.

Threats	0.333
Number	1
Severity	2
Imminence	2
Manageability	0
Management Cost	0

Comments
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.

Overall Score	3.585
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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.
Potential: 3 = High; 2 = Moderate; 1 = Low; 0 = None
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

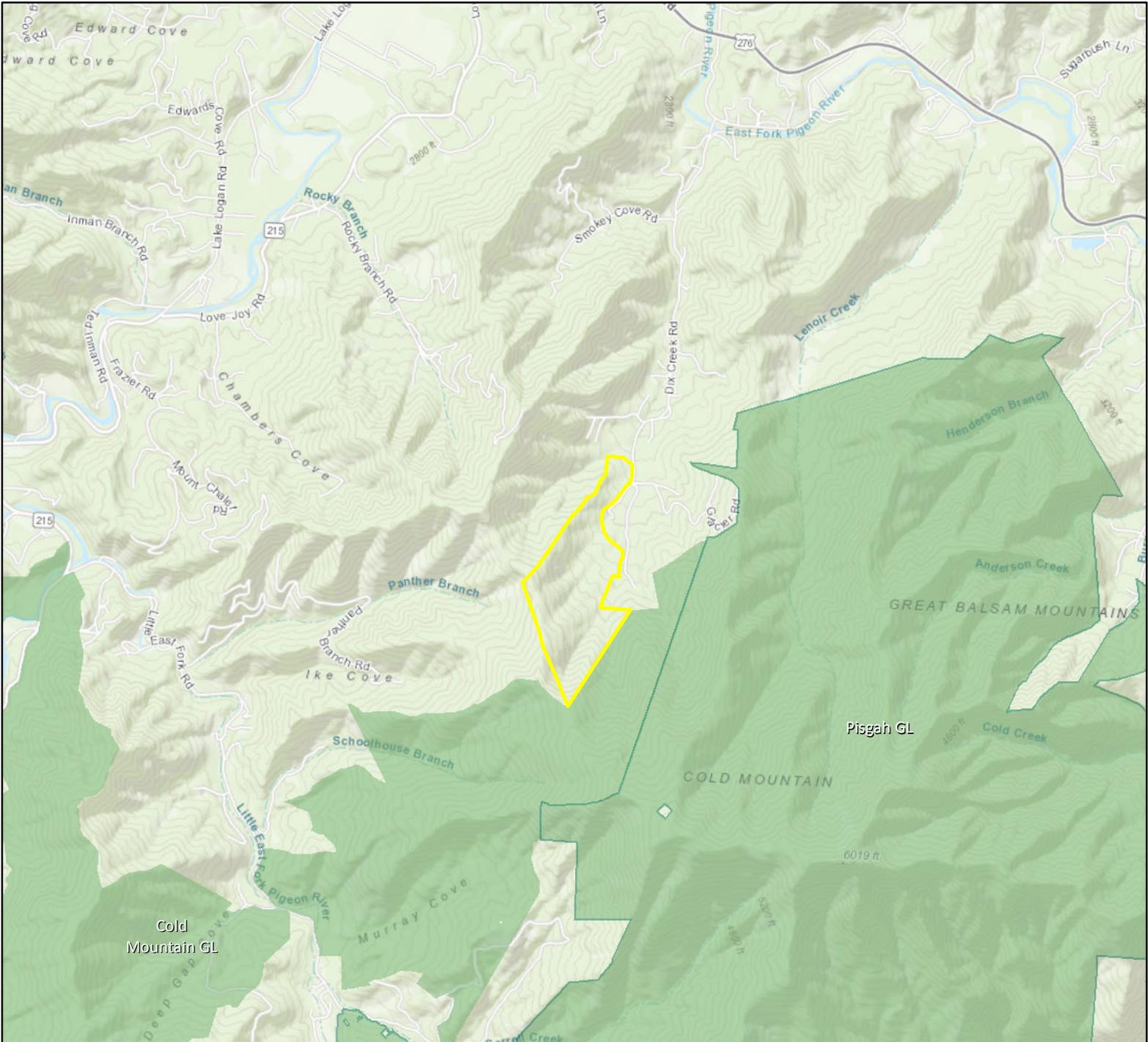
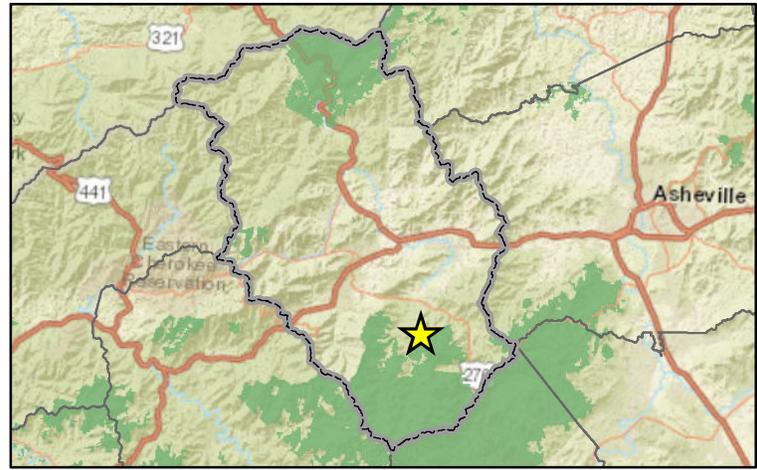
Threats

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

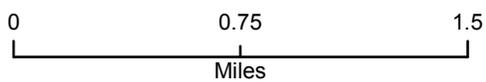
Scoring

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).

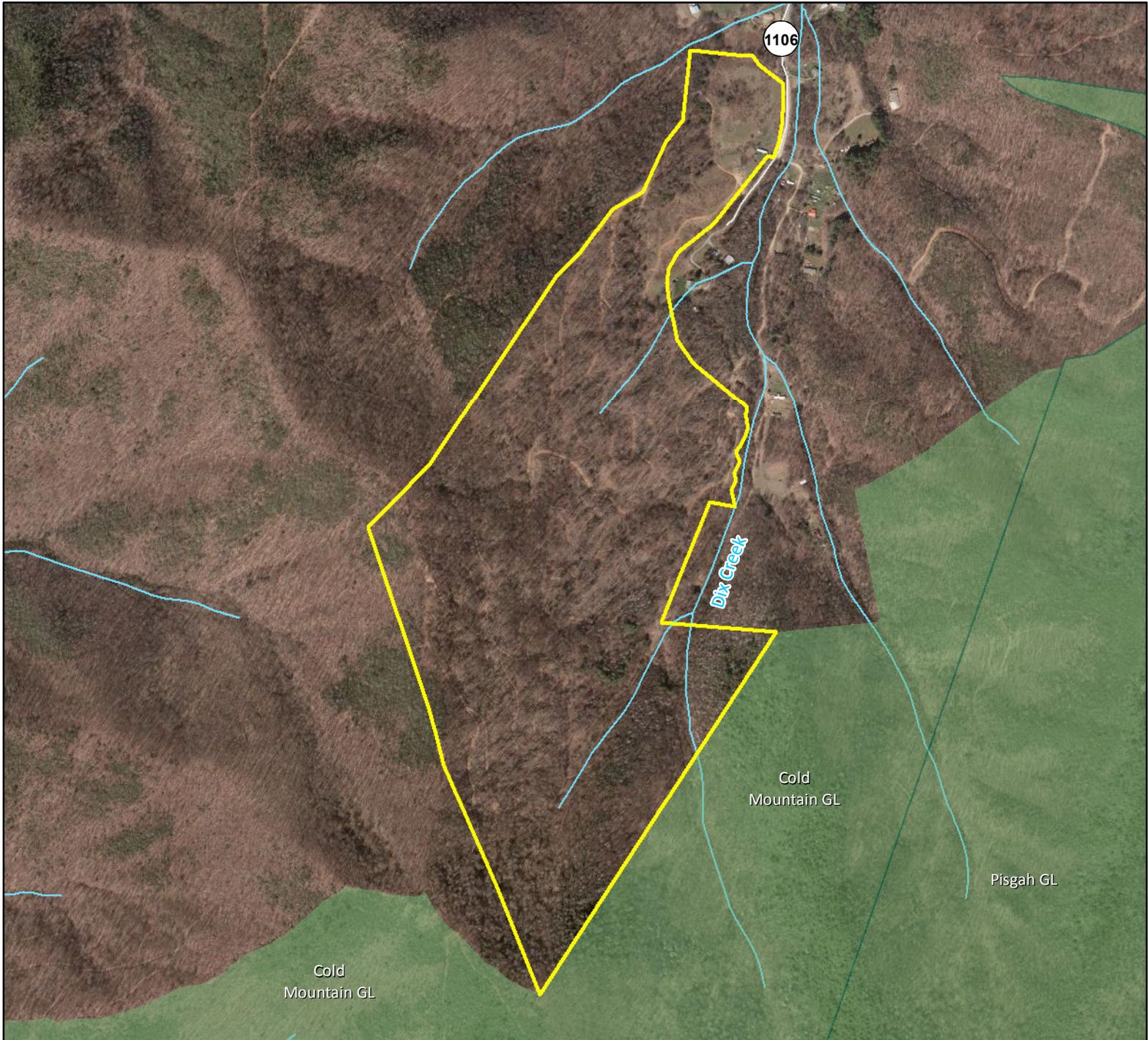
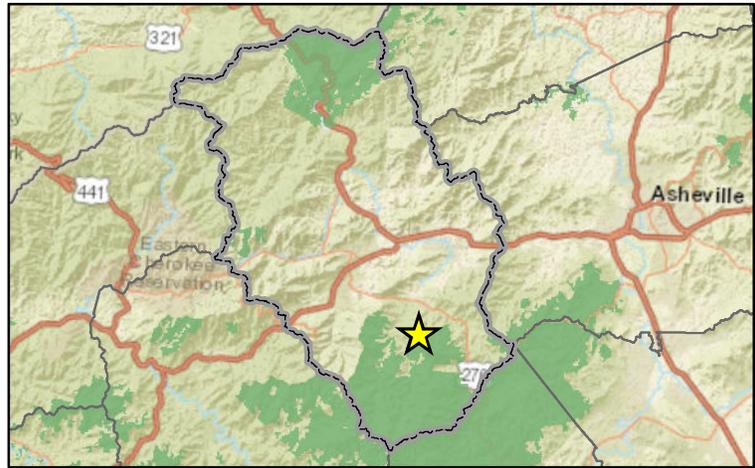
**Johnson Tract
Haywood County
166 Acres**



December 1, 2017



**Johnson Tract
Haywood County
166 Acres**



December 1, 2017

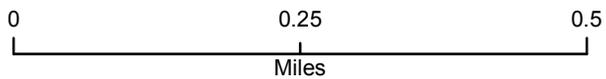


EXHIBIT C-3

December 7, 2017

North Carolina Wildlife Resources Commission

Land Acquisition Investigation Form

- PHASE I: INITIAL INVESTIGATION -

WRC Staff Contact:
Date First Presented to Commission:
Tract Name:
County:
Acreage:
Tax Value:
Property Owner/Representative:
Phone:
Email Address:
Address:

Table with contact information: Kip Hollifield/Paul Thompson, Sipe, Wilkes (Thurmond Chatham GL), 8.7, \$38,927 (pro rated for 8.7 acres), Neill Sipe, 828-312-0704, neillsipe@gmail.com, 6117 Estate Road, Claremont, NC 28610

Primary Purpose:

Table with checkboxes for Primary Purpose: Resource Protection, Resource Management, User Access (checked), WRC Facility

Program Potential:

Table with checkboxes for Program Potential: Game Land (checked), Wildlife Conservation Area, Access Area, None

Type of Acquisition:

Table with checkboxes for Type of Acquisition: Purchase (checked), Lease, Easement

Type of Parcel:

Table with checkboxes for Type of Parcel: Tract (checked), Riparian Corridor

Grant Potential:

Table with checkboxes for Grant Potential: CWMTF, Federal Aid (PR, WB, etc.) (checked), Endowment (checked), Other (overwrite this cell)

Owner Interest:

Table with checkboxes for Owner Interest: High (checked), Moderate, Low, No

Tax Value:

Table with checkboxes for Tax Value: Year Assessed (?), PUV? (?)

Stewardship Considerations:

Table with checkboxes for Stewardship Considerations: Source (PR), Match (State)

Funding Considerations:

Table with checkboxes for Funding Considerations: Donation, Bargain Sale, Partner Contribution

Recommendation:

Table with checkboxes for Recommendation: Pursue (checked), Do Not Pursue, Defer

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).

EXHIBIT C-3

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

Tract Name:	Sipe
County:	Wilkes (Thurmond Chatham GL)

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.

Tract Name
Date
Staff Completing Form

Sipe Tract
November 8, 2017
Hollifield

Species	0.111
	Terrestrial
Overall Biodiversity	1
SGCN Species	1
Game Species	1
	Wetland
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	0
SGCN Species	0
Game Species	0

Comments
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.

Habitat	0.444
Size	0
Quality	2
Diversity	1
Rare/Important	1
Connectivity	2
Buffer	2

Comments
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.

Public Access	0.333
Hunting/Viewing	3
Fishing	0
Boating	0

Comments
The property provides excellent legal access to Thurmond Chatham GL. No significant water is located on the tract, so there no fishing/boating opportunity.

Wildlife Uses	0.333
Hunting	2
Viewing	2
Fishing	0
Boating	0
Education	1

Comments
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.

Other Values	0.667
Timber Harvest	2
Local Economy	2
Quality of Life	2

Comments
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.

Feasibility & Logistics	0.800
Existing Infrastructure	3
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	3
Proximity to Users	2

Comments
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.

Restoration/Mitigation Potential	0.833
Species Restoration	2
Habitat Restoration	2
Access Improvement	3
Threat Mitigation	3

Comments
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.

Threats	0.267
Number	1
Severity	2
Imminence	1
Manageability	0
Management Cost	0

Comments
If WRC does not purchase the property, continued public access cannot be guaranteed since no ROW easement exists.

Overall Score	3.256
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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.
Potential: 3 = High; 2 = Moderate; 1 = Low; 0 = None
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

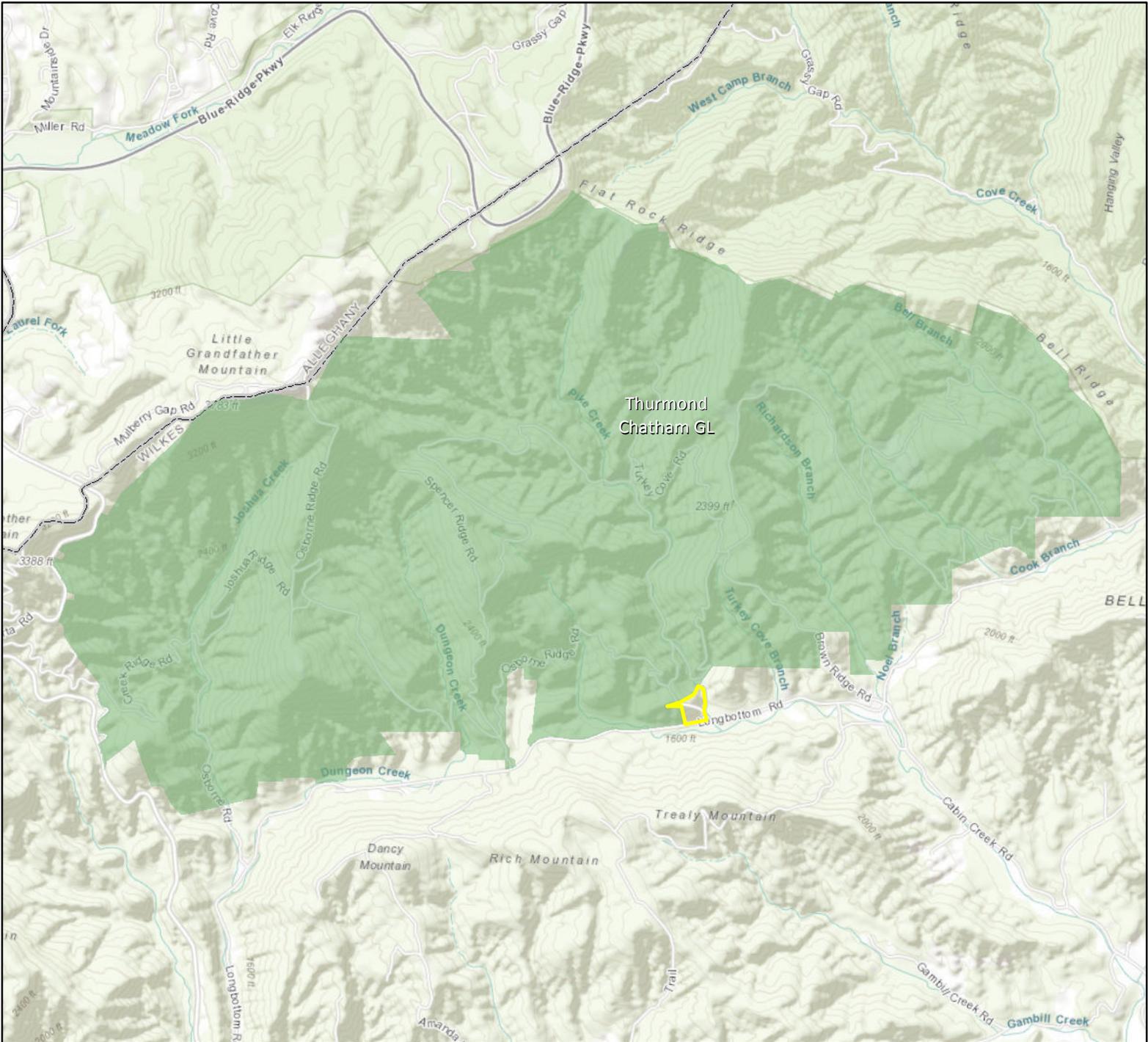
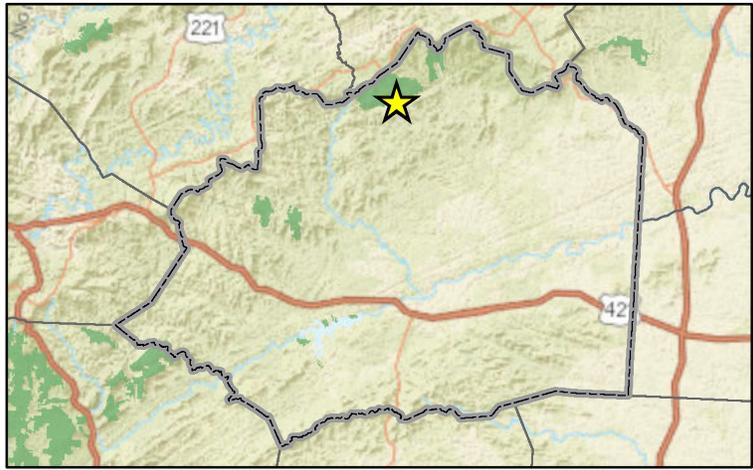
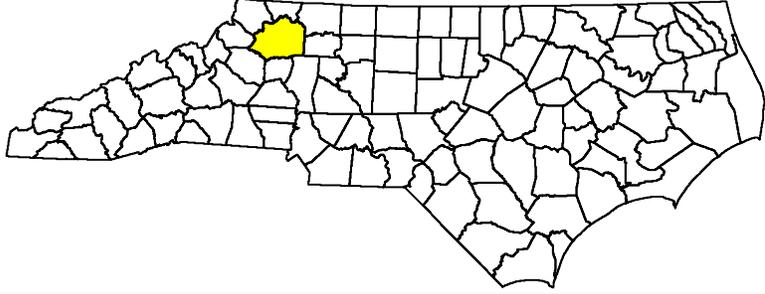
Threats

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).

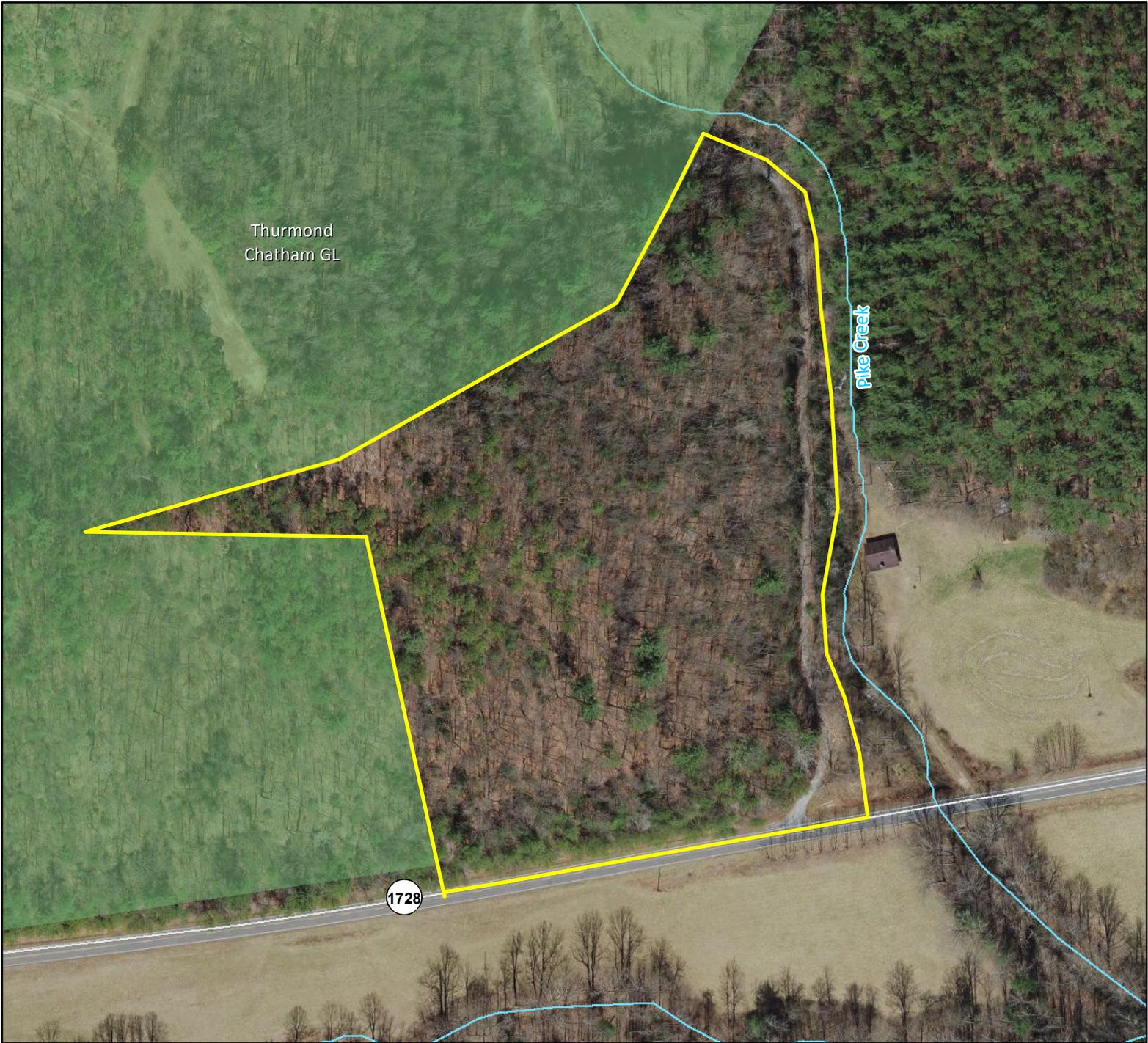
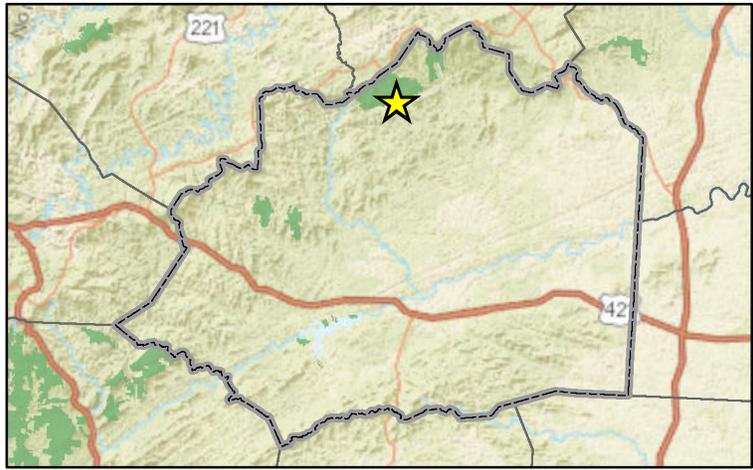
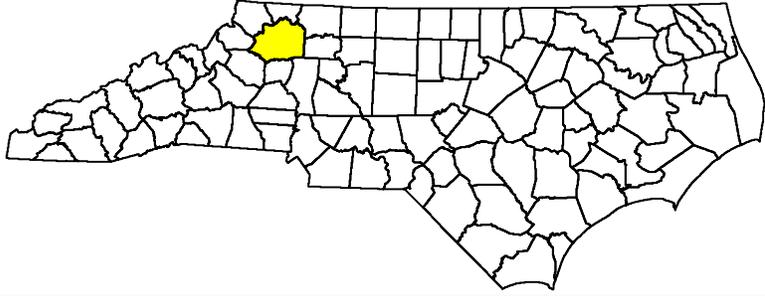
**Sipe Tract
Wilkes County
8.7 Acres**



November 21, 2017



**Sipe Tract
Wilkes County
8.7 Acres**



November 21, 2017

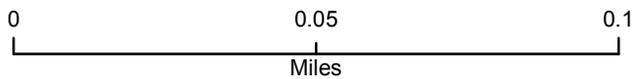


EXHIBIT C-4
December 7, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:
Date First Presented to Commission:
Tract Name:
County:
Acreage:
Tax Value:
Property Owner/Representative:
Phone:
Email Address:
Address:

Casey Phillips
McKeithan Tract - Angola Bay
Pender
880
\$640,949
River Oaks Plantation of Pender Co, LLC / Bud Cook, Mossy Oak Realty
910-640-8784
budcook@mossyoakproperties.com

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input checked="" type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
	Wildlife Conservation Area
<input checked="" type="checkbox"/>	Access Area
	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
	Lease
	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
	Riparian Corridor

Grant Potential:

	CWMTF
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
	NAWCA
	Other (overwrite this cell)

Owner Interest:

	High
<input checked="" type="checkbox"/>	Moderate
	Low
	No

Tax Value:

2015	Year Assessed
2,086 /	PUV?

Stewardship Considerations:

PR	Source:
75%.	Match:

Funding Considerations:

	Donation
	Bargin Sale
<input checked="" type="checkbox"/>	Partner Contribution

Recommendation:

	Pursue
	Do Not Pursue
	Defer

Additional Comments:

The ability to provide a boating access area has not been specifically investigated. There is a clean water easment on the river frontage.

EXHIBIT C-4

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

Tract Name:	McKeithan Tract - Angola Bay
County:	Pender

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.

Tract Name	McKeithan Tract - Angola Bay
Date	September 18, 2017
Staff Completing Form	Casey Phillips

Species	0.667
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Aquatic
Overall Biodiversity	2
SGCN Species	2
Game Species	2

Comments
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.

Habitat	0.778
Size	1
Quality	3
Diversity	3
Rare/Important	2
Connectivity	3
Buffer	2

Comments
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.

Public Access	0.889
Hunting/Viewing	3
Fishing	3
Boating	2

Comments
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.

Wildlife Uses	0.867
Hunting	3
Viewing	3
Fishing	2
Boating	2
Education	3

Comments
This tract is highly conducive to all of these uses. There are trails, fields, river accesses all across the property.

Other Values	0.778
Timber Harvest	3
Local Economy	1
Quality of Life	3

Comments
There are approximately 500 acres of timber on the property. The realtor/forester estimated conservatively.

Feasibility & Logistics	0.933
Existing Infrastructure	3
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	3
Inholding/Corridor	3
Proximity to Users	2

Comments
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.

Restoration/Mitigation Potential	0.667
Species Restoration	1
Habitat Restoration	2
Access Improvement	3
Threat Mitigation	2

Comments
There are several hundred acres with excellent potential for longleaf pine restoration on the tract. It would also provide several miles of access to the Northeast Cape Fear.

Threats	0.400
Number	1
Severity	2
Imminence	1
Manageability	1
Management Cost	1

Comments
There are several easements currently protecting this property from conversion.

Overall Score	5.178
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Instructions for filling out Phase I Worksheet

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Species

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Public Access

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Wildlife Uses

1. Recreational or educational use of resources.
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Feasibility & Logistics

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Mitigation: 3 = Avoids Threats; 2 = Minimizes Threats; 1 = Delays Threats; 0 = None

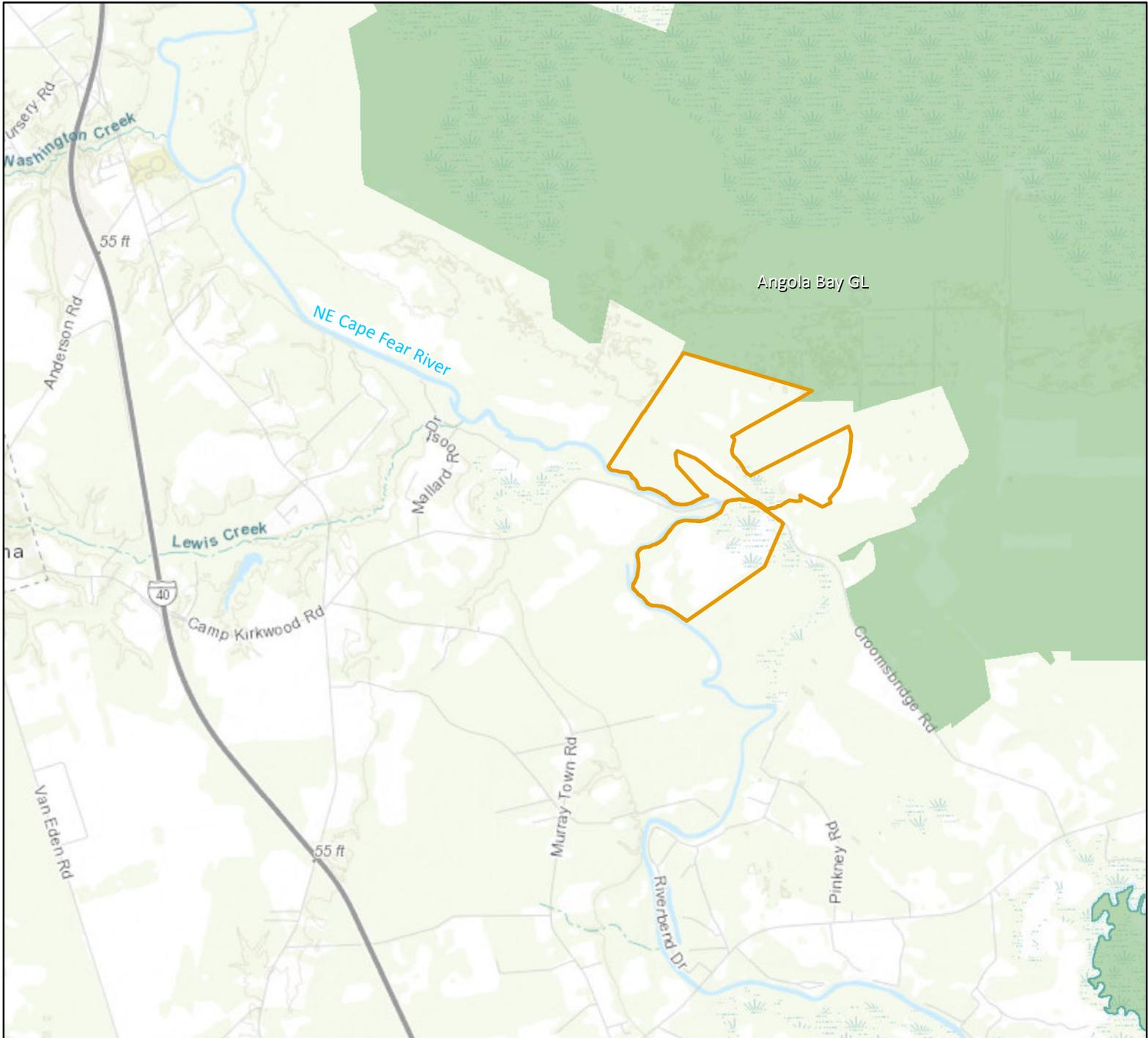
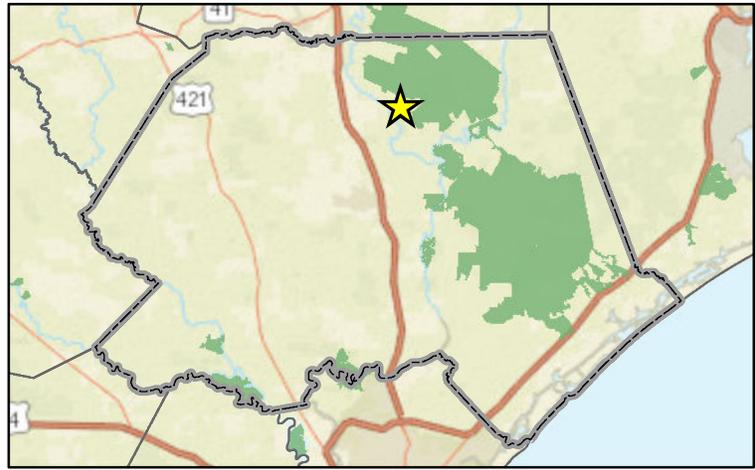
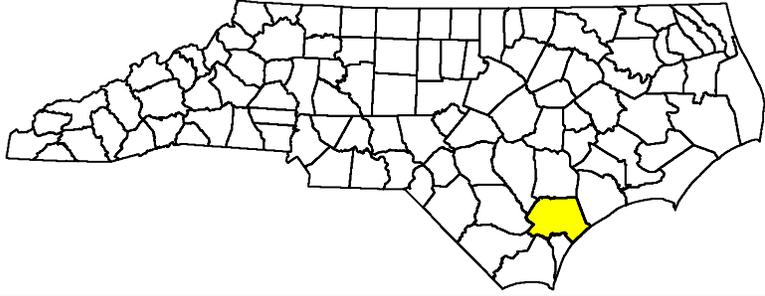
Threats

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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

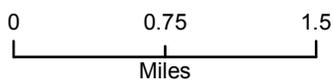
Scoring

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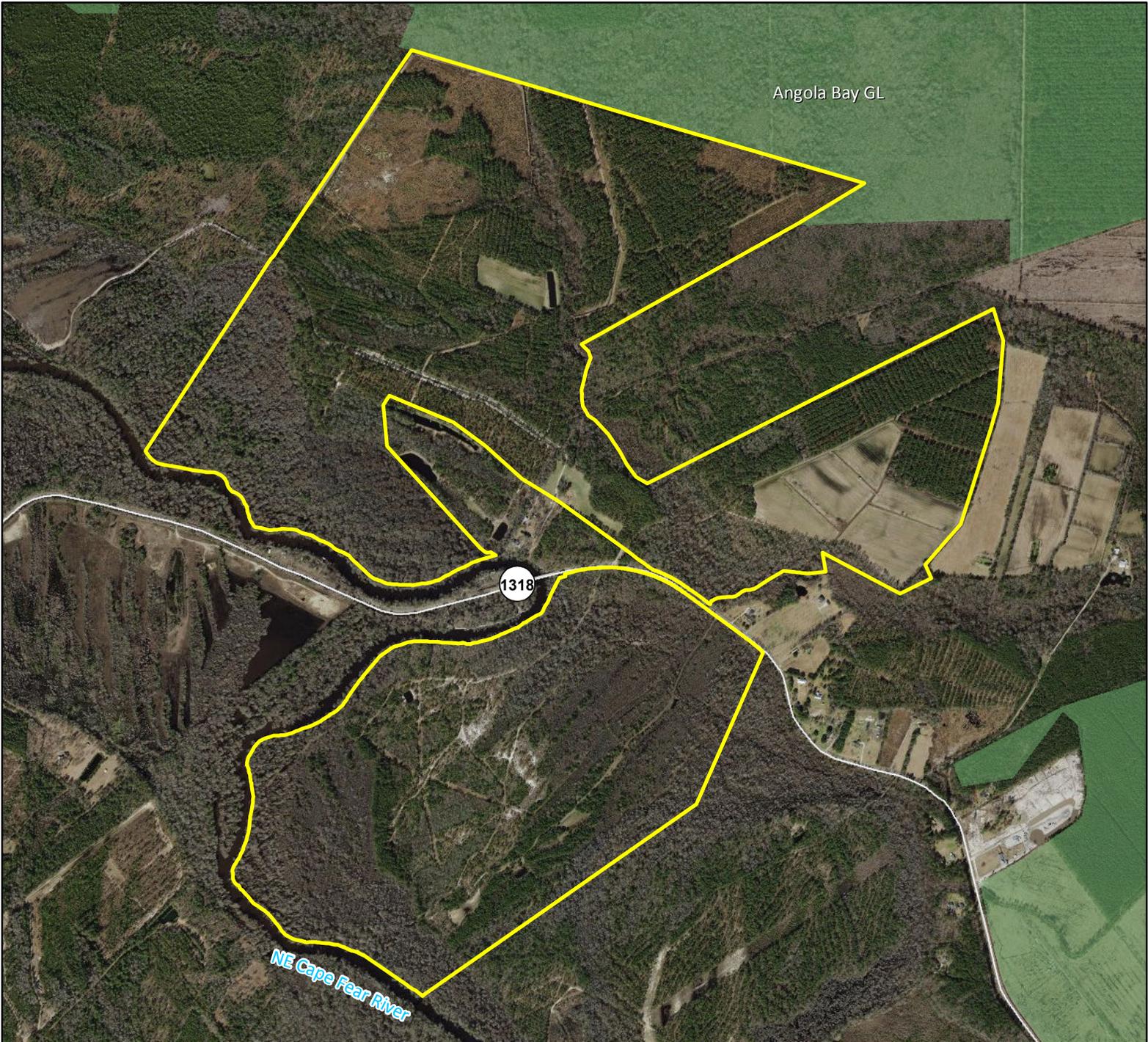
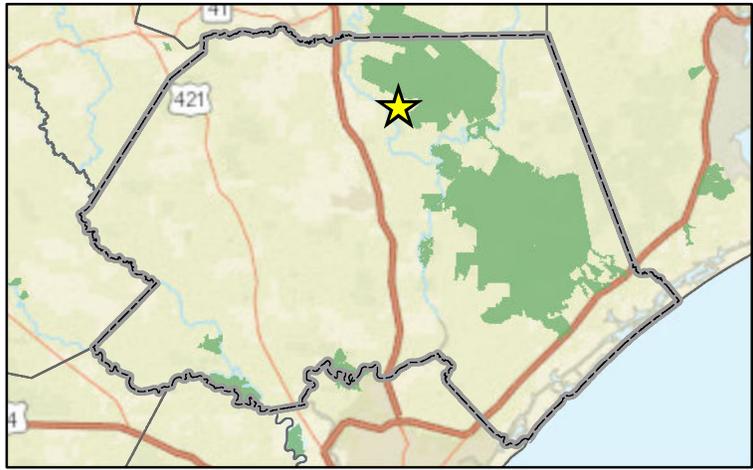
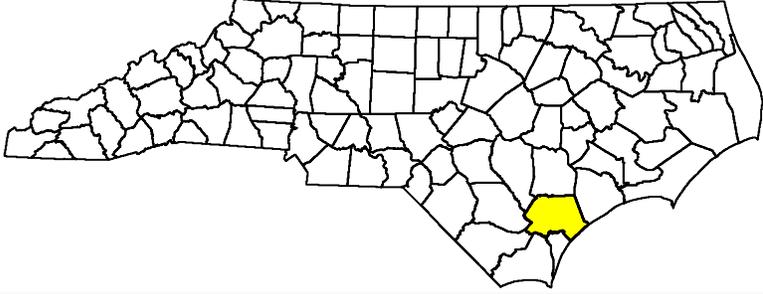
**McKeithan Tract
Pender County
880 Acres**



November 30, 2017



**McKeithan Tract
Pender County
880 Acres**



November 30, 2017

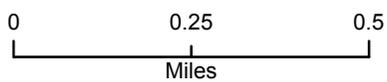


EXHIBIT D-1

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):

Funding Source	Amount
CWMTF	\$ 958,200
WRC (Pittman Roberston)	\$ 600,000
Donation	\$ 1,030,000
Parks & Rec. Trust Fund	\$ 350,000
Open Space Institute	\$ 400,000
	\$ 3,338,200*

*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:

Requested by:	Appraiser	Effective	Appraised Value
Conserving Carolina	Michael Moore	12/15/20	\$ 5,234,000

Date of Appraisal: 12/15/2016

Appraisal Handled by State Property Office: Yes No NA

Acquisition Plan Includes Bargain Sale: Yes No

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					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
Foster Creek Preserve- Green River GL	Boundary Establishment (Contract Survey)	22,384	Ft.	\$1.00	\$22,384
	Gate	1	ea.	\$500	\$500
	Access road	.25 mile	Miles	\$20,000	\$5,000
	Develop parking area	1	ea	\$2,500	\$2,500
	Total				
<i>Insert additional rows in table as needed</i>					

REVENUE						
Estimated Revenue Projections						
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue	
					\$ -	
	Total					\$ -
<i>Insert additional rows in table as needed</i>						

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

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. P58-23
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

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input checked="" type="checkbox"/>	CWMTF
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input type="checkbox"/>	Endowment
<input type="checkbox"/>	Donation

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	PR	Source:
<input type="checkbox"/>	State	Match:

Funding Considerations:

<input checked="" type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input checked="" type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

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.

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

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.

Tract Name	Foster Creek Preserve-Green River Game Land
Date	August 30, 2017
Staff Completing Form	Hollifield/Thompson

Species	0.296
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	2
SGCN Species	0
Game Species	0

Comments
Moderate terrestrial biodiversity is based on a diversity of forest cover types and age classes. Moderate aquatic diversity based on numerous streams on the property. Wetland habitat is not found on the property.

Habitat	0.611
Size	1
Quality	2
Diversity	2
Rare/Important	2
Connectivity	2
Buffer	2

Comments
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.

Public Access	0.333
Hunting/Viewing	3
Fishing	0
Boating	0

Comments
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.

Wildlife Uses	0.400
Hunting	3
Viewing	2
Fishing	0
Boating	0
Education	1

Comments
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.

Other Values	0.778
Timber Harvest	3
Local Economy	2
Quality of Life	2

Comments
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.

Feasibility & Logistics	0.733
Existing Infrastructure	2
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	2
Proximity to Users	3

Comments
The tract currently has a system of logging roads from recent timber harvest. Conflicts among game land users and adjoining should be minimal. The tract is very close in proximity to GL users in the Columbus/Tryon/Mill Spring area.

Restoration/Mitigation Potential	0.667
Species Restoration	2
Habitat Restoration	2
Access Improvement	2
Threat Mitigation	2

Comments
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.

Threats	0.067
Number	1
Severity	0
Imminence	0
Manageability	0
Management Cost	0

Comments
The tract is owned by Conserving Carolina, so threats are minimal.

Overall Score	3.752
----------------------	--------------

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. SCGN 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 SCGN 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.
Potential: 3 = High; 2 = Moderate; 1 = Low; 0 = None
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

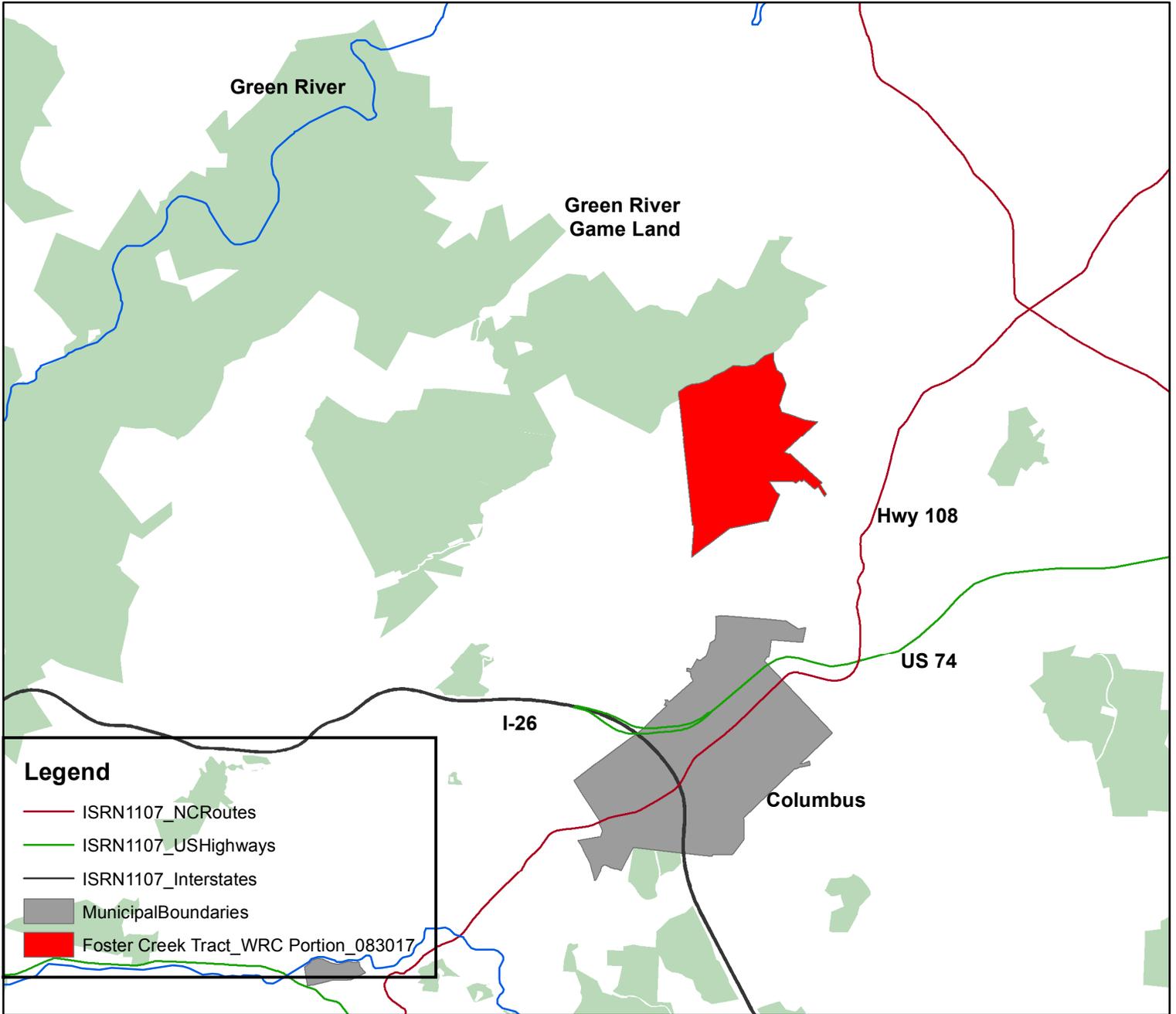
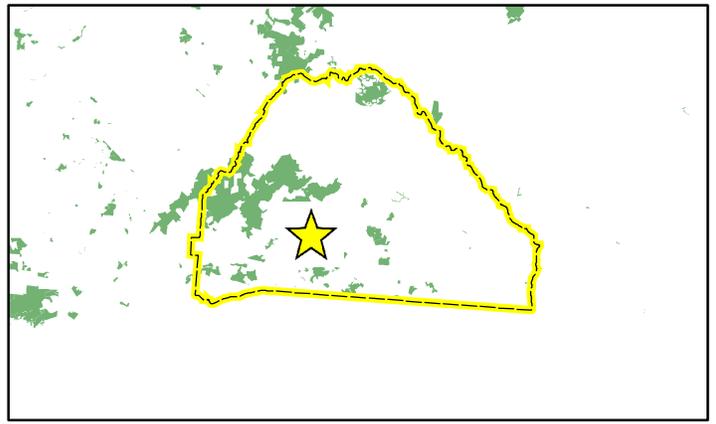
Threats

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).

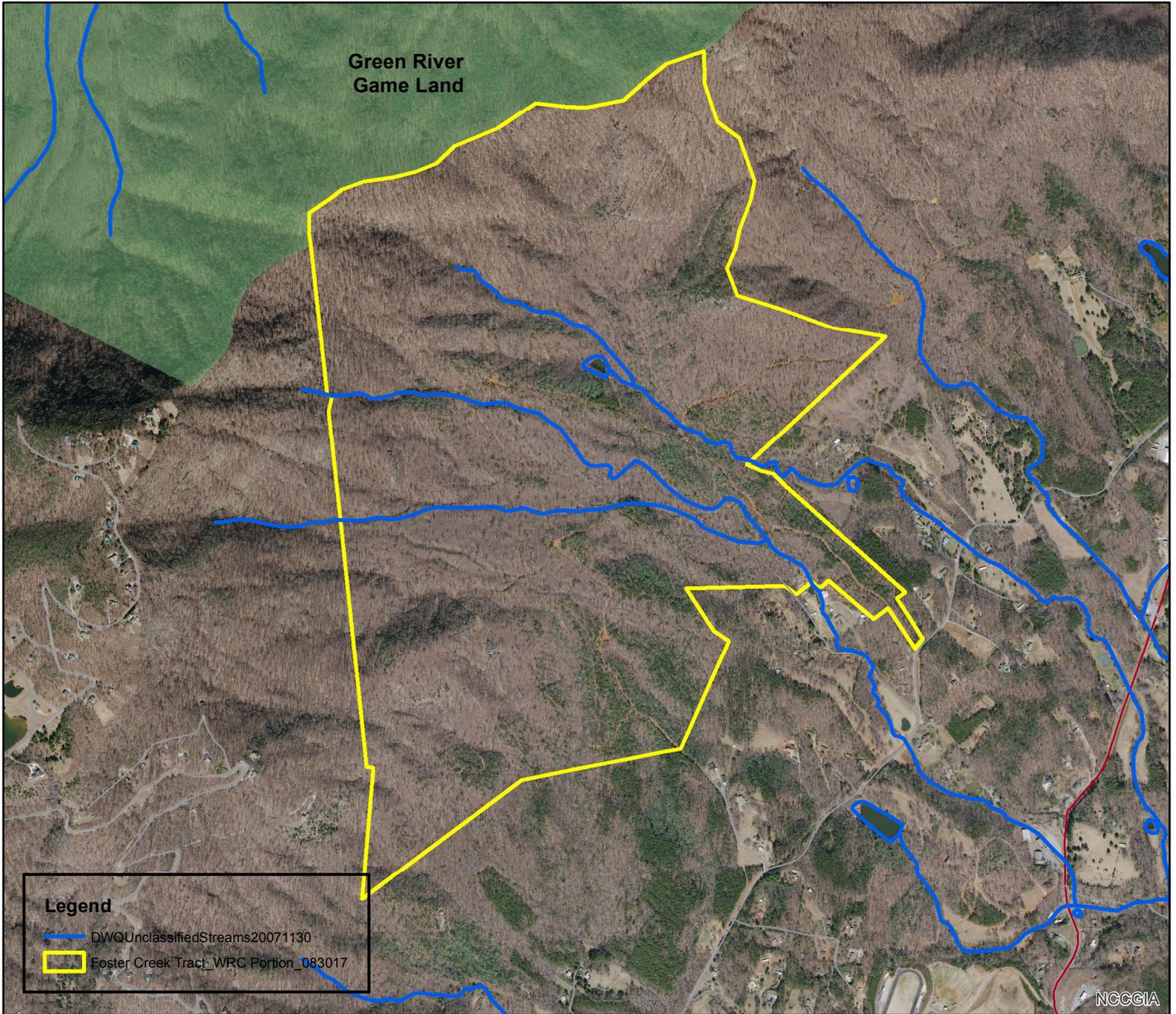
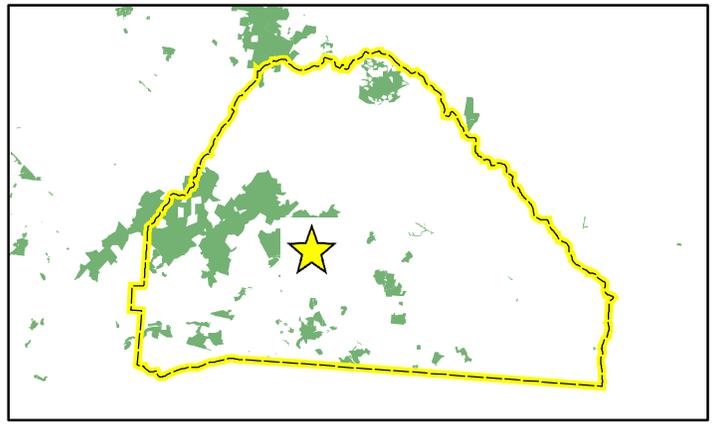
**Foster's Creek Tract
Green River Game Land
Polk County
600 Acres**



October 5, 2017



Foster's Creek Tract
Green River Game Land
Polk County
600 Acres



October 5, 2017



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):

WRC Pitman-Robertson Funds:	\$100,000
CWMTF Funds:	\$285,000 (TCF was applicant)
Private Funds and Bargain Sale:	\$343,000
Total Cost:	<u>\$ 727,000</u>

Based on Appraisal: Yes No NA

If Yes, Name of Appraiser:

Requested by:	Appraiser	Effective Date	Appraised Value
TCF	Kevin Rimbault	Sept.28, 2016	\$583,000 (81% of property)
TCF	Michael Moore	Sept. 1, 2016	\$145,000 (19% of property)
			\$728,000 TOTAL

Date of Appraisal: See above.

Appraisal Handled by State Property Office: Yes X No NA

Acquisition Plan Includes Bargain Sale: X 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					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
Maggot Spring Gap Tract – William H Silver GL	Boundary Establishment	2	Miles	\$400.00	\$4000.00
	Annual Road Maintenance Fees Sheepback Development HOA			\$500.00	\$2500.00
	Total				\$6500.00
<i>Insert additional rows in table as needed</i>					

REVENUE					
Estimated Revenue Projections					
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue
Wood Tract				\$	- 0
Total				\$	- 0
<i>Insert additional rows in table as needed</i>					

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

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

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input type="checkbox"/>	Endowment
<input checked="" type="checkbox"/>	Donation

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

2016	Year Assessed
?	PUV?

Stewardship Considerations:

PR	Source:
State	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input checked="" type="checkbox"/>	Bargin Sale
<input checked="" type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	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.

Exhibit G-4
October 5, 2017
North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

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 in 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.

Tract Name	Maggot Spring Gap Tract William H Silver Game Land
Date	12 Sept, 2017
Staff Completing Form	David Stewart

Species	0.407
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	2
SGCN Species	2
Game Species	1
	Aquatic
Overall Biodiversity	0
SGCN Species	0
Game Species	0

Comments
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.

Habitat	0.611
Size	1
Quality	2
Diversity	2
Rare/Important	1
Connectivity	3
Buffer	2

Comments
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.

Public Access	0.222
Hunting/Viewing	2
Fishing	0
Boating	0

Comments
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.

Wildlife Uses	0.333
Hunting	2
Viewing	2
Fishing	0
Boating	0
Education	1

Comments
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.

Other Values	0.778
Timber Harvest	1
Local Economy	3
Quality of Life	3

Comments
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

Feasibility & Logistics	0.733
Existing Infrastructure	2
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	3
Proximity to Users	2

Comments
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 adjoining should be minimal.

Restoration/Mitigation Potential	0.750
Species Restoration	2
Habitat Restoration	2
Access Improvement	2
Threat Mitigation	3

Comments
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.

Threats	0.200
Number	1
Severity	1
Imminence	1
Manageability	0
Management Cost	0

Comments
The tracts are under contract to The Conservation Fund, thus threats are minimal.

Overall Score	3.635
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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.
Potential: 3 = High; 2 = Moderate; 1 = Low; 0 = None
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

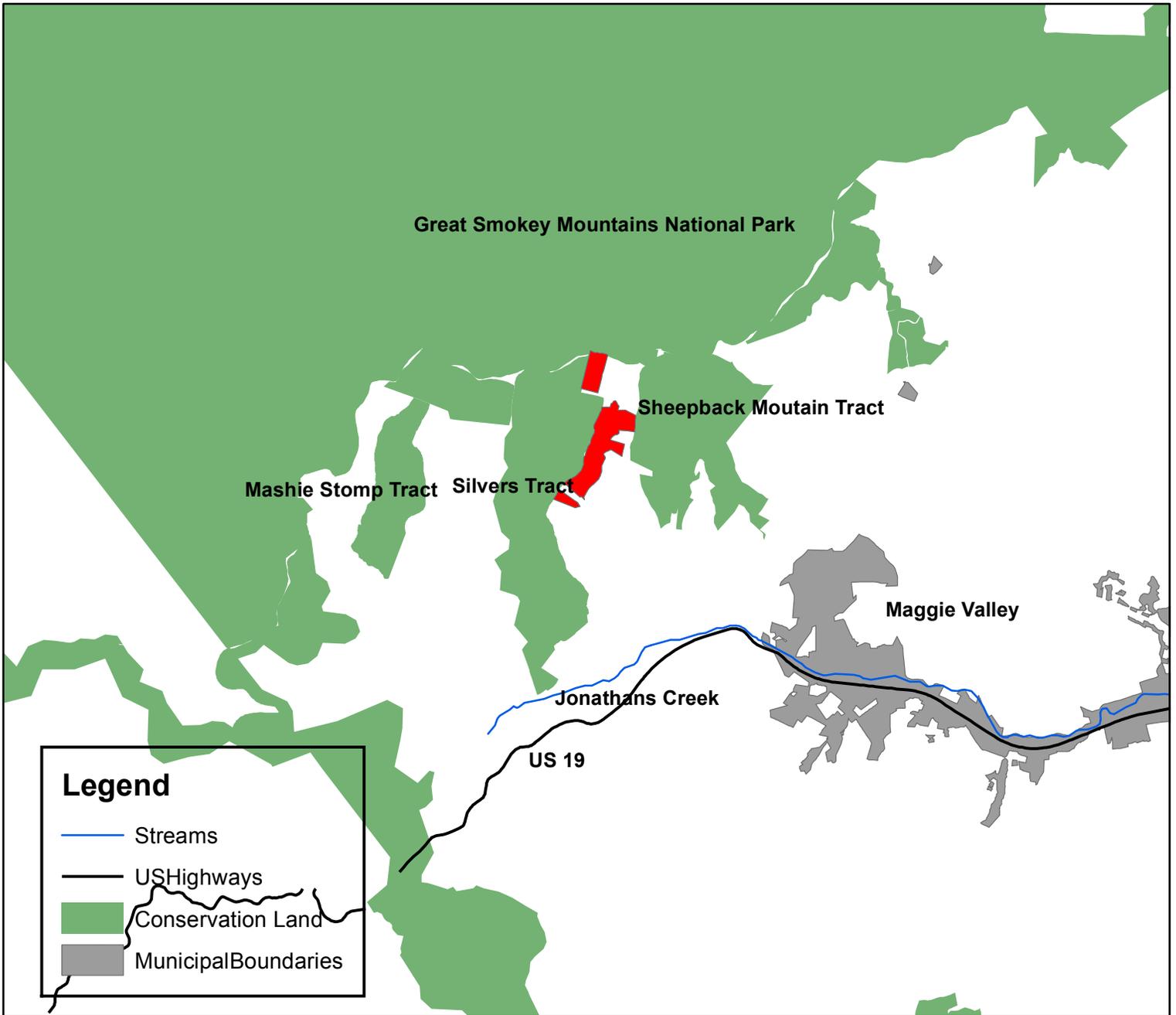
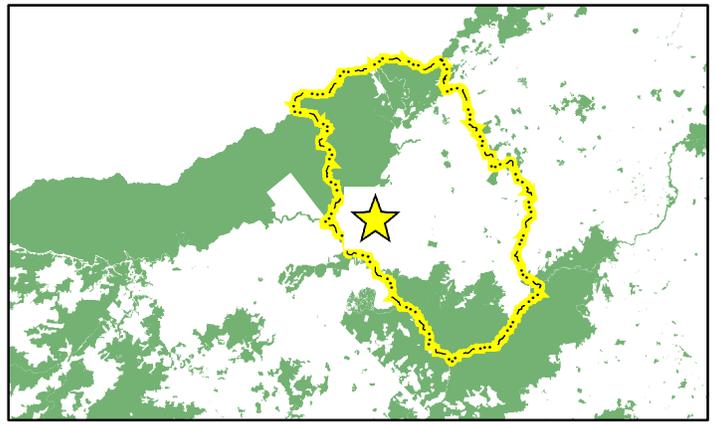
Threats

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).

**Maggot Springs Tract
Sillers Game Land
Haywood County
115 Acres**

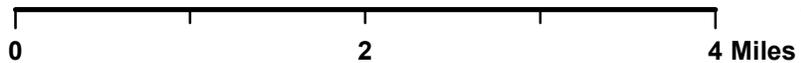


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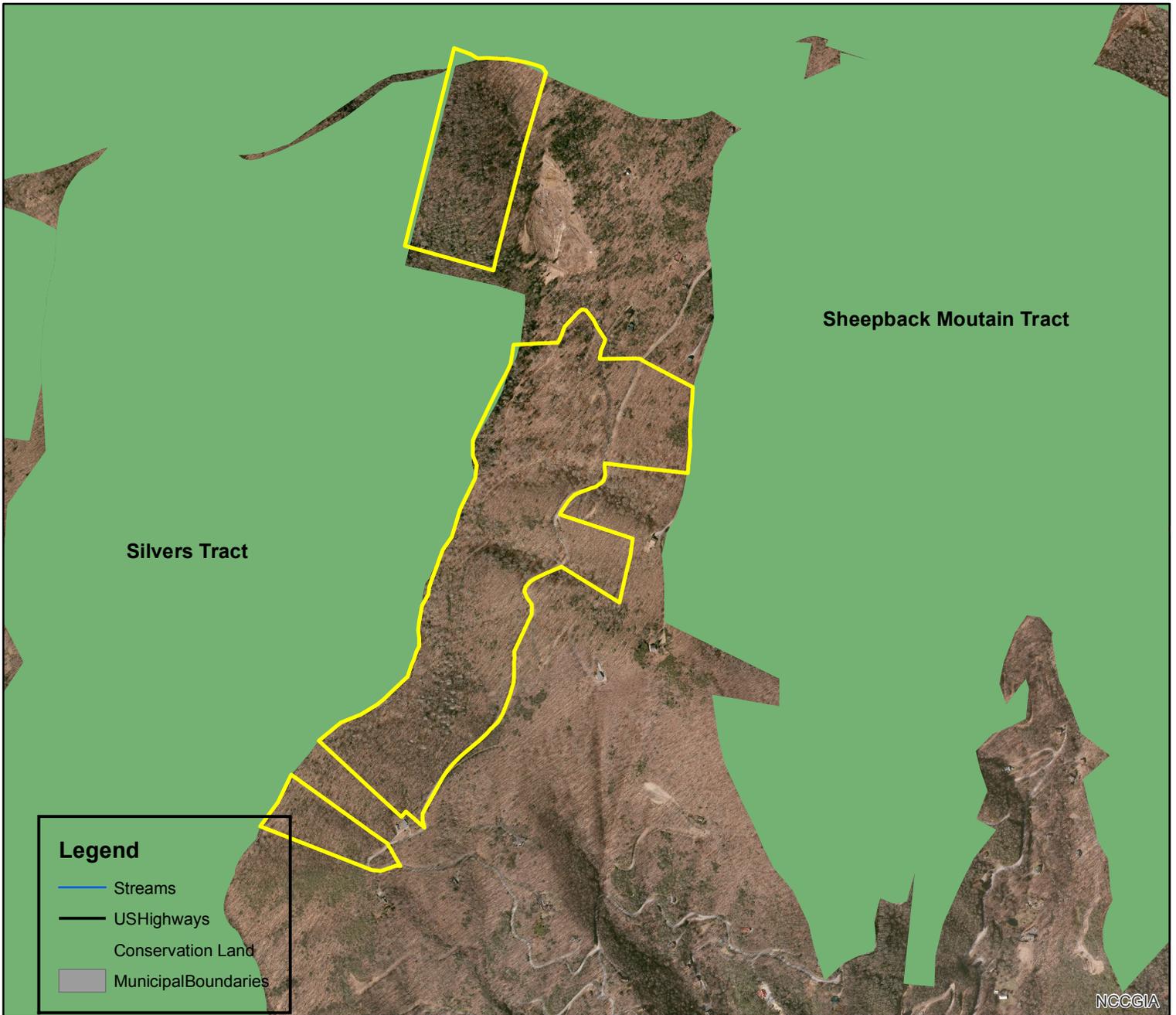
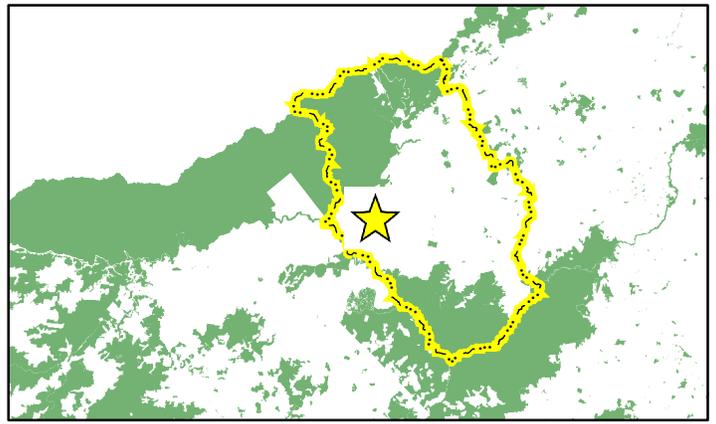
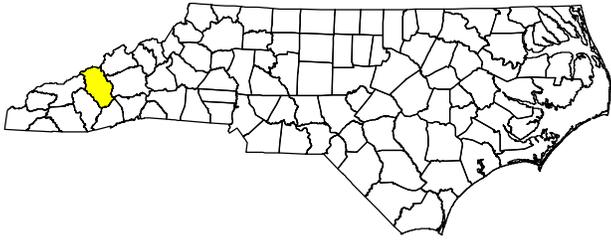
- Streams
- US Highways
- Conservation Land
- Municipal Boundaries



October 5, 2017



**Maggot Springs Tract
Sillers Game Land
Haywood County
115 Acres**



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:	<u>\$ 235,367</u>

Based on Appraisal: Yes No NA

If Yes, Name of Appraiser:

Requested by:	Appraiser	Effective Date	Appraised Value
NC SPO	Franklin Dean	2/9/17	\$ 224,000

Date of Appraisal: See above.

Appraisal Handled by State Property Office: Yes No NA

Acquisition Plan Includes Bargain Sale: X 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

WORKSHEET

Five Year Stewardship Costs and Revenue Projections

(Five Years Post Acquisition)

STEWARDSHIP					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
Usher Tract– Sandhills GL					
	Boundary Establishment WRC crew	3	Miles	\$200	\$600
	Install Gate	2	Ea.	\$1000	\$2000
Total					\$2600
<i>Insert additional rows in table as needed</i>					

REVENUE					
Estimated Revenue Projections					
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue
Usher Tract					
					\$ - 0
Total					\$ - 0
<i>Insert additional rows in table as needed</i>					

**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

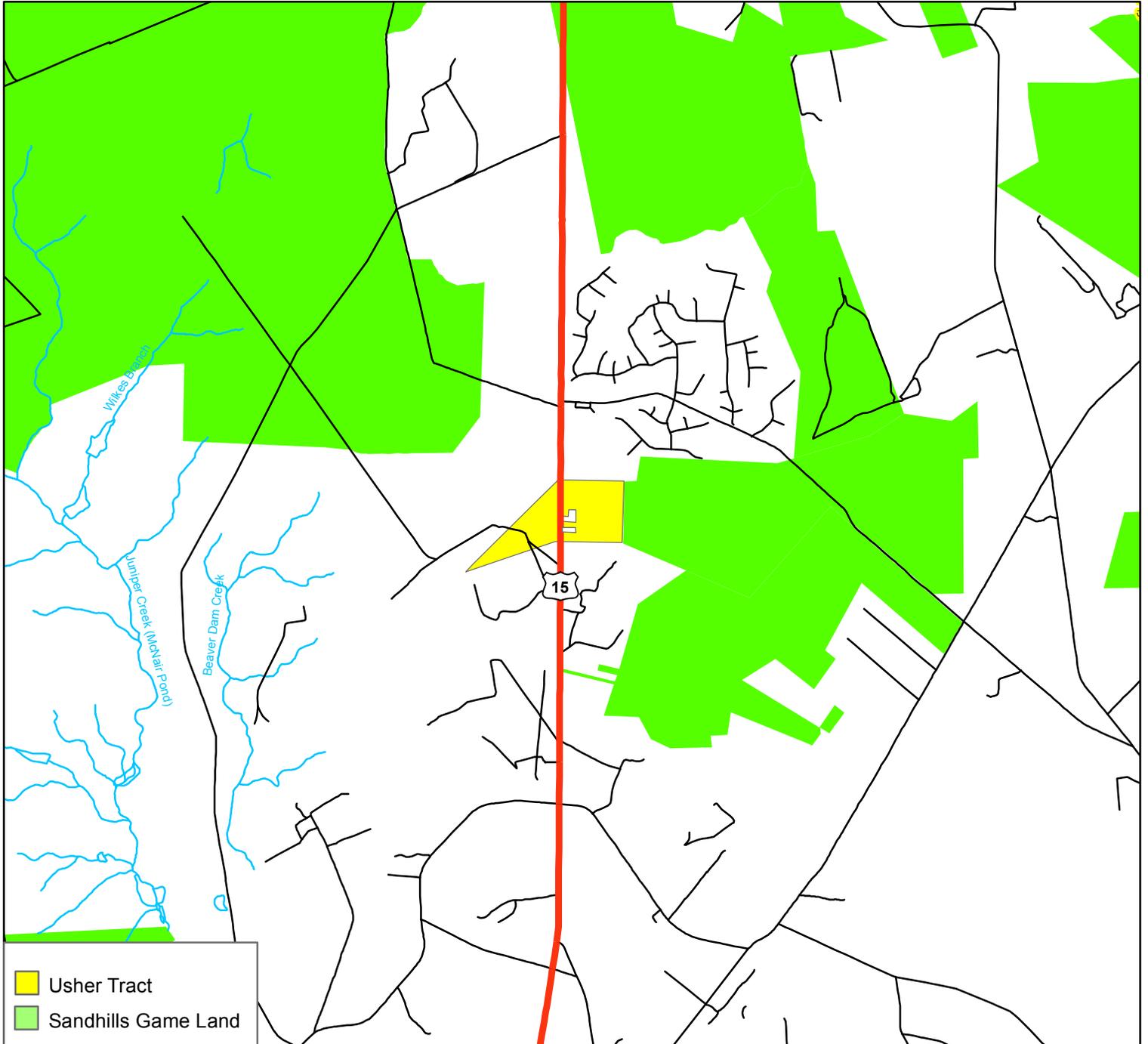
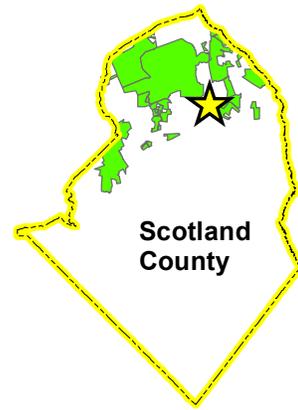
Potential Source(s) of Stewardship Funds (indicate federal:state match rates):
Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

Relative Priority Evaluation Score (attach worksheet):

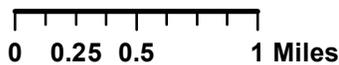
Recommendation: Pursue Acquisition Defer Do not Pursue Acquisition

Map Attached: Yes No

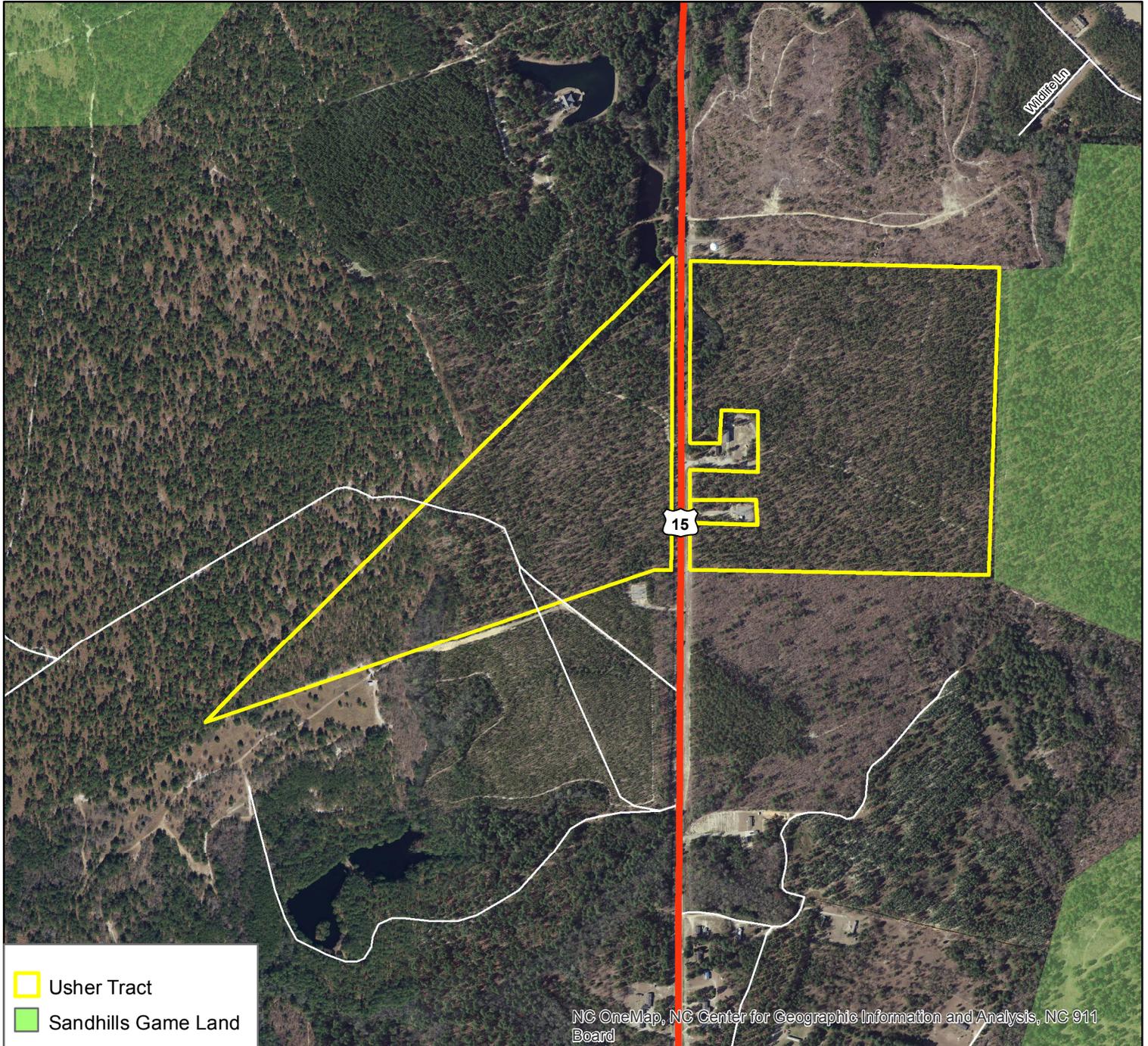
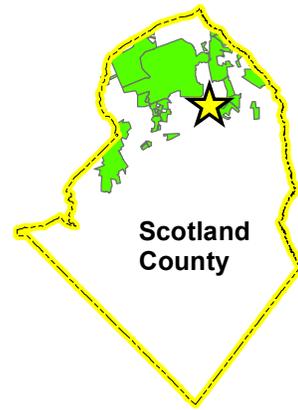
Usher Tract Sandhills Game Land Scotland County 124.8 Acres



November 19, 2016



**Usher Tract
Sandhills Game Land
Scotland County
124.8 Acres**



NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board



November 19, 2016

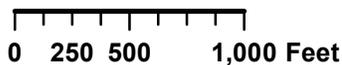


EXHIBIT D-4

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:	<u>\$ 81,016</u>

Based on Appraisal: Yes No NA

If Yes, Name of Appraiser:

Requested by:	Appraiser	Effective Date	Appraised Value
NC SPO	Franklin Dean	2/9/17	\$ 71,000

Date of Appraisal: See above.

Appraisal Handled by State Property Office: Yes No NA

Acquisition Plan Includes Bargain Sale: X 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:

\$220

Five Year Estimate of Total Projected Revenue:

\$0

WORKSHEET

Five Year Stewardship Costs and Revenue Projections

(Five Years Post Acquisition)

STEWARDSHIP					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
Godwin II Tract– Sandhills GL	Boundary Establishment WRC crew	1.1	Miles	\$200	\$220
	Total				\$220
<i>Insert additional rows in table as needed</i>					

REVENUE					
Estimated Revenue Projections					
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue
Godwin II Tract					\$ - 0
Total				\$ - 0	
<i>Insert additional rows in table as needed</i>					

**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

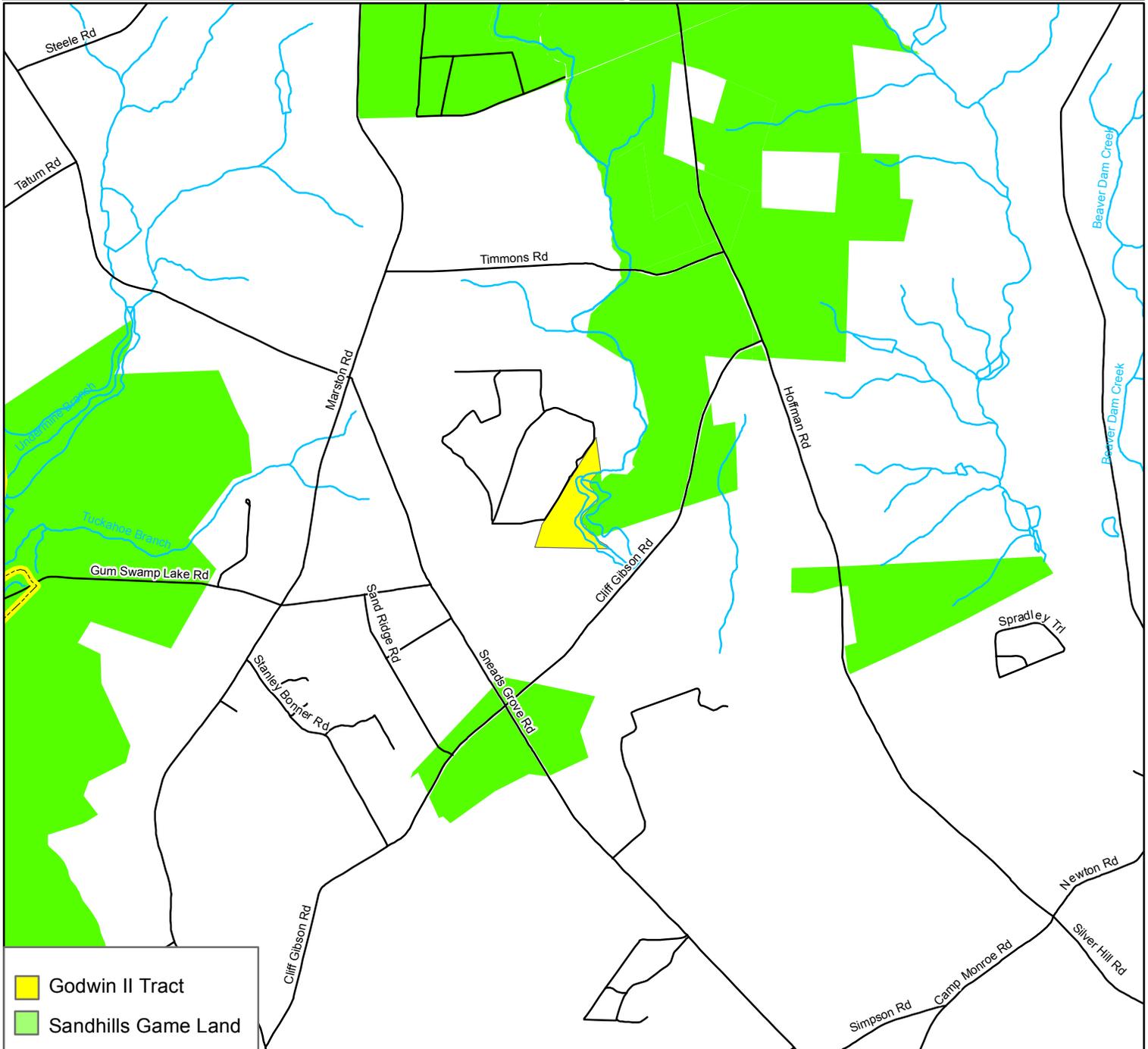
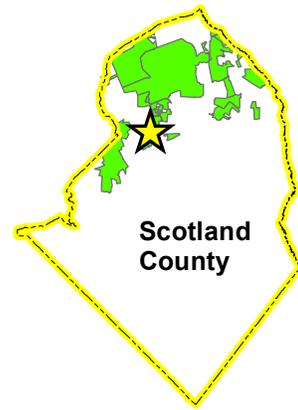
Potential Source(s) of Stewardship Funds (indicate federal:state match rates):
Pittman-Robertson Federal Assistance Grant (75% federal: 25% state)

Relative Priority Evaluation Score (attach worksheet):

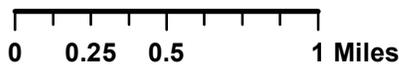
Recommendation: Pursue Acquisition Defer Do not Pursue Acquisition

Map Attached: Yes No

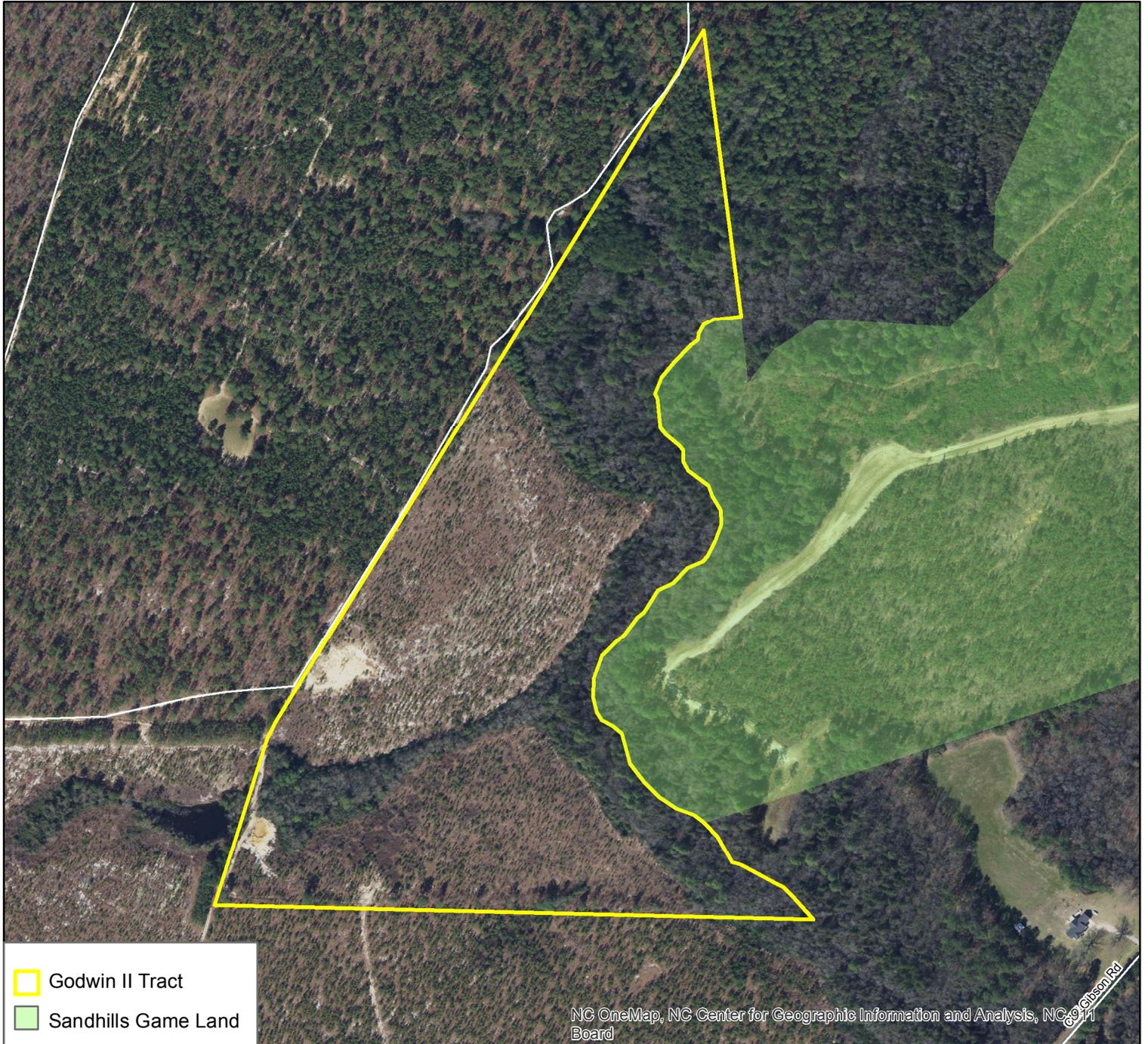
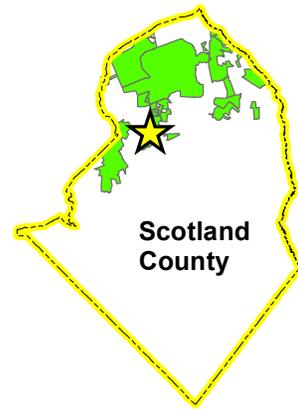
Godwin II Tract Sandhills Game Land Scotland County 44.3 Acres



November 19, 2016



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



-  Godwin II Tract
-  Sandhills Game Land

NC OneMap, NC Center for Geographic Information and Analysis, NC 911 Board



November 19, 2016

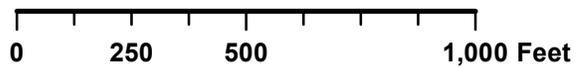


EXHIBIT D-5

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:	<u>\$ 157,817</u>

Based on Appraisal: Yes No NA

If Yes, Name of Appraiser:

Requested by:	Appraiser	Effective Date	Appraised Value
NC SPO	Keith McDonald	6/13/17	\$ 150,000

Date of Appraisal: See above.

Appraisal Handled by State Property Office: Yes No NA

Acquisition Plan Includes Bargain Sale: X 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					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
Womble Tract– Sandhills GL	Boundary Establishment WRC crew	1.65	Miles	\$200	\$330
	Install Gate	1	Ea.	\$1000	\$1000
	Total				\$1330
<i>Insert additional rows in table as needed</i>					

REVENUE					
Estimated Revenue Projections					
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue
Womble Tract					\$ - 0
	Total				\$ - 0
<i>Insert additional rows in table as needed</i>					

**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 hog-nose 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)

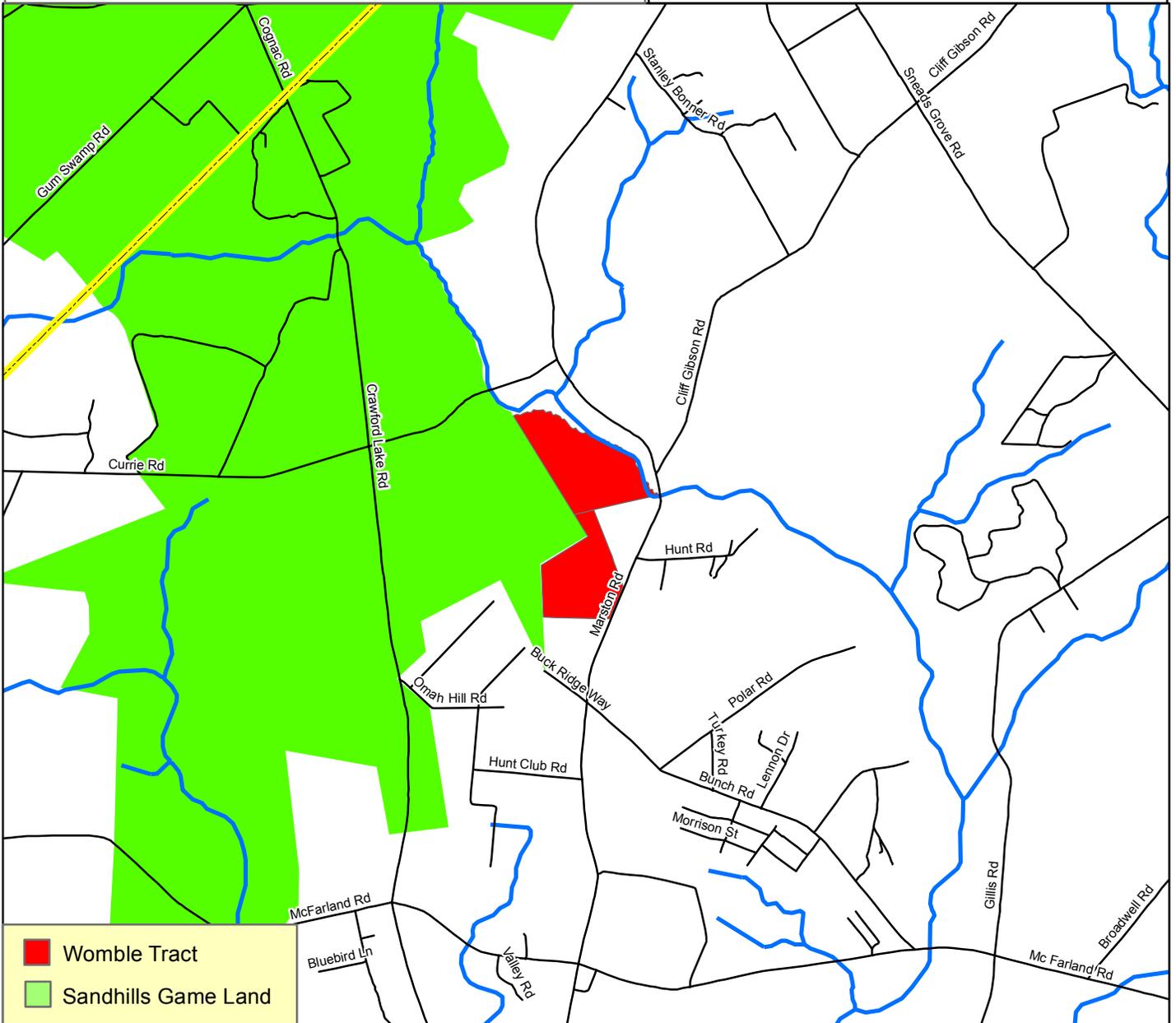
Relative Priority Evaluation Score (attach worksheet):

30 of 30

Recommendation: Pursue Acquisition Defer Do not Pursue Acquisition

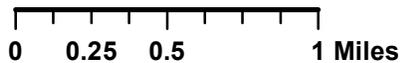
Map Attached: Yes No

Womble Tract Sandhills Game Land Scotland County 135 Acres

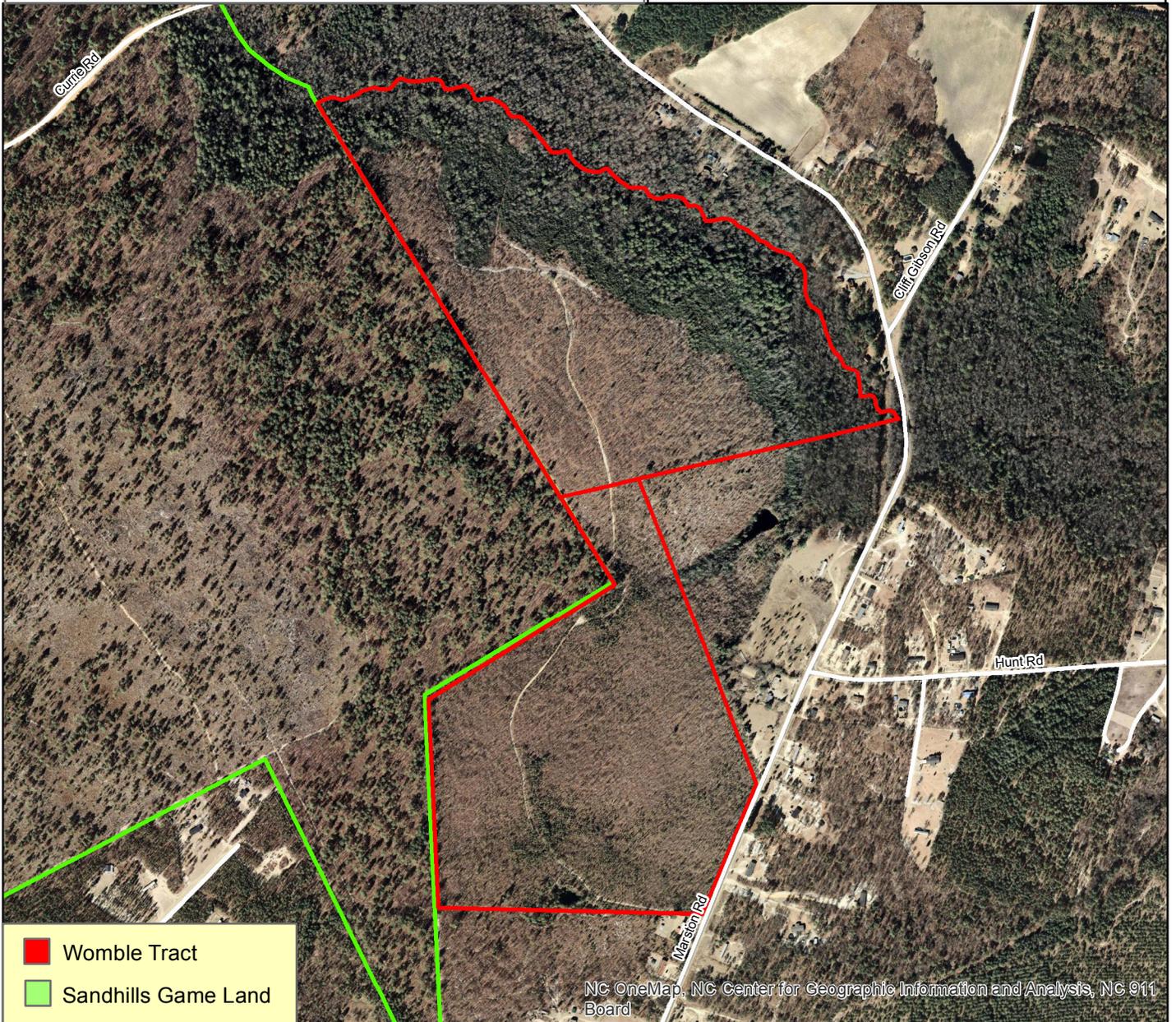


- Womble Tract
- Sandhills Game Land

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):

WRC Pitman-Robertson Funds	\$ 325,000
Clean Water Management Trust Fund \$	\$ 200,000
Total Cost:	<u>\$ 525,000</u>

Based on Appraisal: Yes No NA

If Yes, Name of Appraiser:

Requested by:	Appraiser	Effective Date	Appraised Value
NCSPPO	Keith McDonald	9/23/2016	\$ 525,000

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:

\$45,528

Five Year Estimate of Total Projected Revenue:

\$0

WORKSHEET

Five Year Stewardship Costs and Revenue Projections

(Five Years Post Acquisition)

STEWARDSHIP					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
Willis Tract	Boundary Establishment (contract survey)	3.9	Mi.	\$1,090	\$4,251
	Boundary maintenance – yr.4	3.9	Mi.	\$135	\$527
	Maintain Roads/Trail – yrs. 1-5	2.8	Mi.	\$2,500	\$35,000
	Install Gate	5	Ea.	\$750	\$3,750
	Maintain Gate – yrs. 2-5	5	Ea.	\$100	\$2,000
	Total				
<i>Insert additional rows in table as needed</i>					

REVENUE					
Estimated Revenue Projections					
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue
Willis Tract					\$ - 0
	Total				\$ - 0
<i>Insert additional rows in table as needed</i>					

**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.

Additional Comments: Listing at <http://www.mossoakproperties.com/land/25581>

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

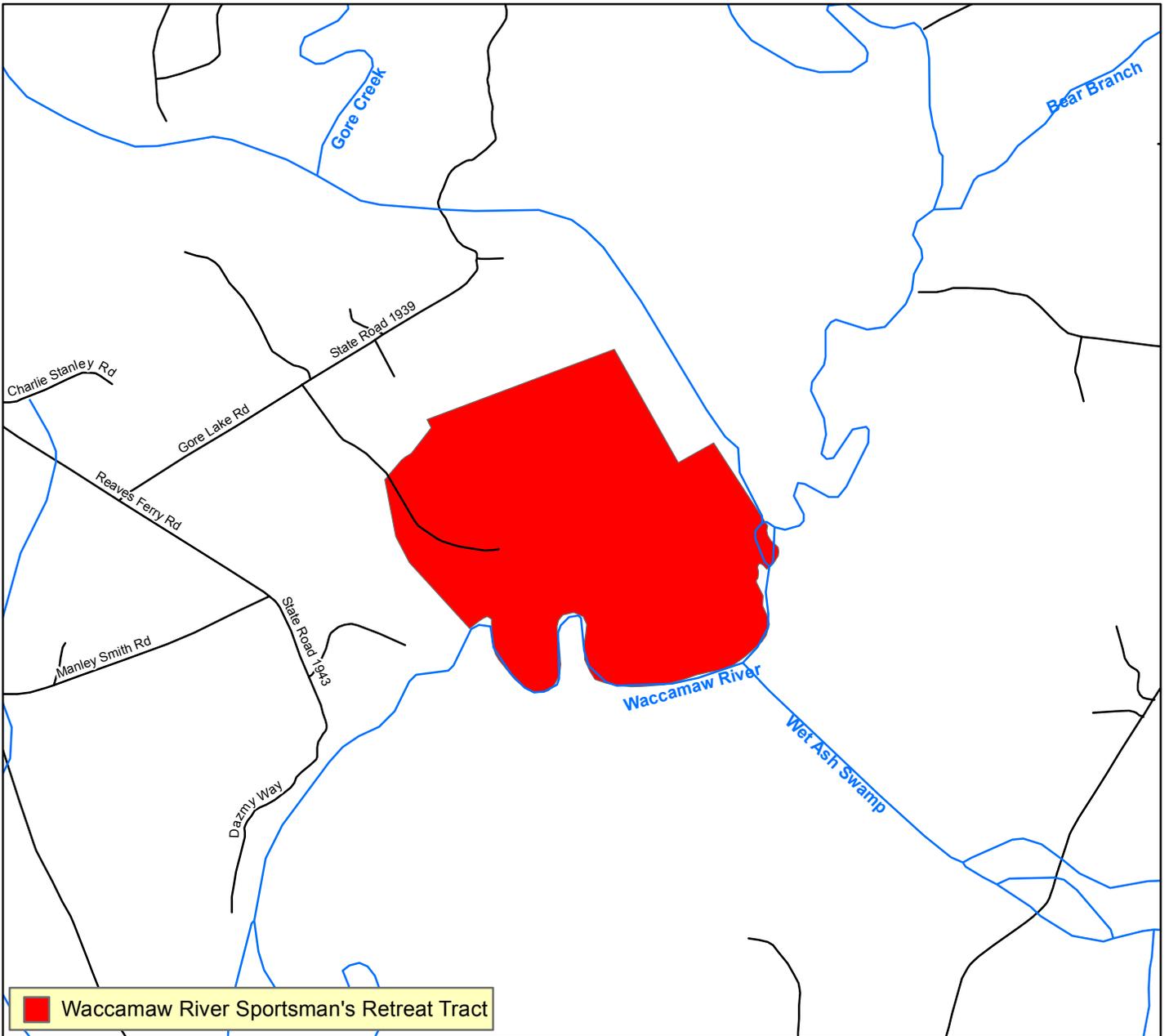
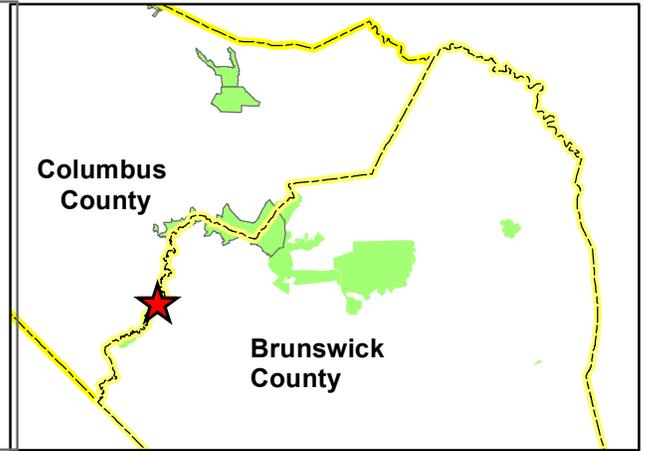
WORKSHEET

Relative Priority Evaluation for Conservation Lands

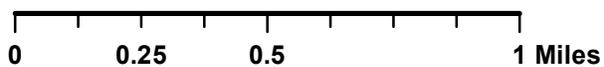
Tract Name Waccamaw River Sportsman's Retreat (Waccamaw River – Columbus Co.)

Criterion	Score (1-5) 5=Excellent 1=Poor
1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.	<u>4</u>
2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.	<u>5</u>
3. No conflicting surrounding land uses.	<u>5</u>
4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.	<u>5</u>
5. Augments land conservation efforts on a landscape scale by providing nuclei ("anchors") for regional conservation efforts, corridors, key linkages between conservation areas, or keystone tracts.	<u>5</u>
6. Fills a need identified by the Wildlife Action Plan, such as critical, rare or unique habitats; natural heritage elements; or significant aquatic/terrestrial resources.	<u>5</u>
7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?	<u>No</u>
8. Is it large enough to be a new game land, and if not, are there possibilities for expansion (goal 3,000-5,000 acre minimum)?	<u>No</u>
9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?	<u>No</u>
TOTAL SCORE	<u><u>29</u></u>

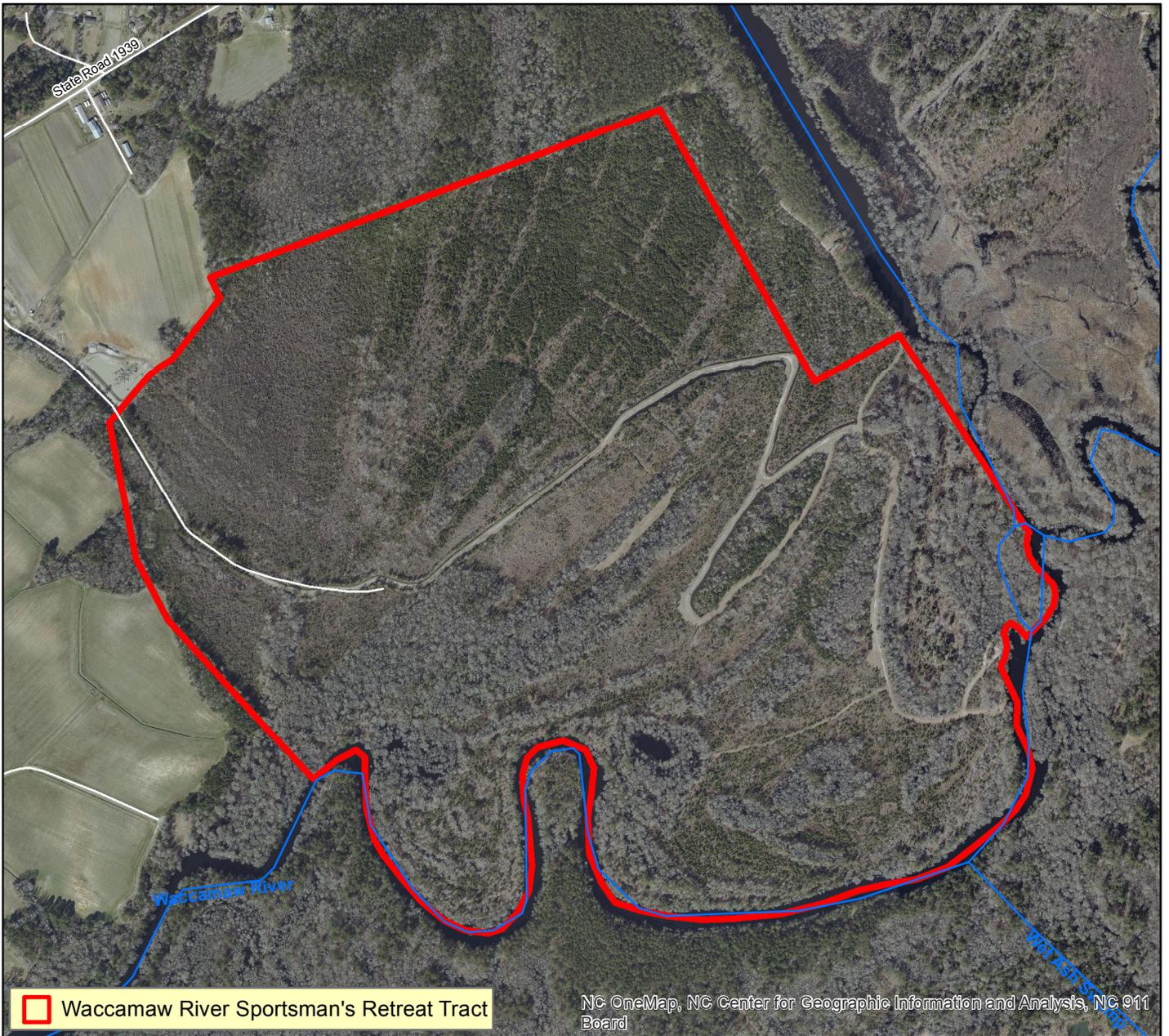
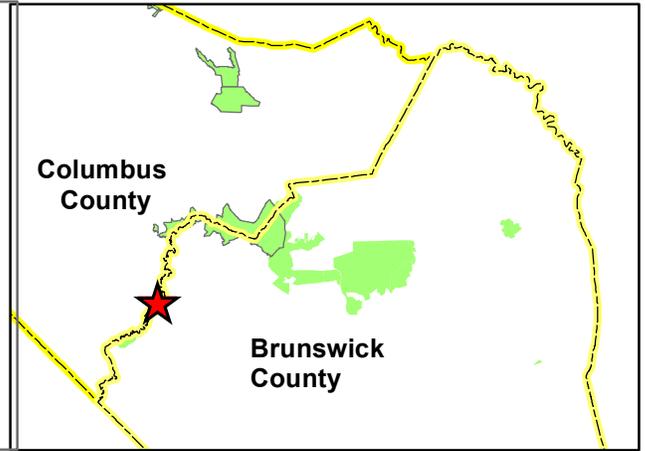
Waccamaw River Sportsman's Retreat Tract Columbus County 337 Acres



August 7, 2016



Waccamaw River Sportsman's Retreat Tract Columbus County 337 Acres



August 7, 2016

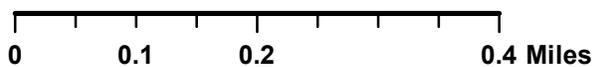


EXHIBIT E

December 7, 2017



◻ North Carolina Wildlife Resources Commission ◻

Gordon Myers, Executive Director

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

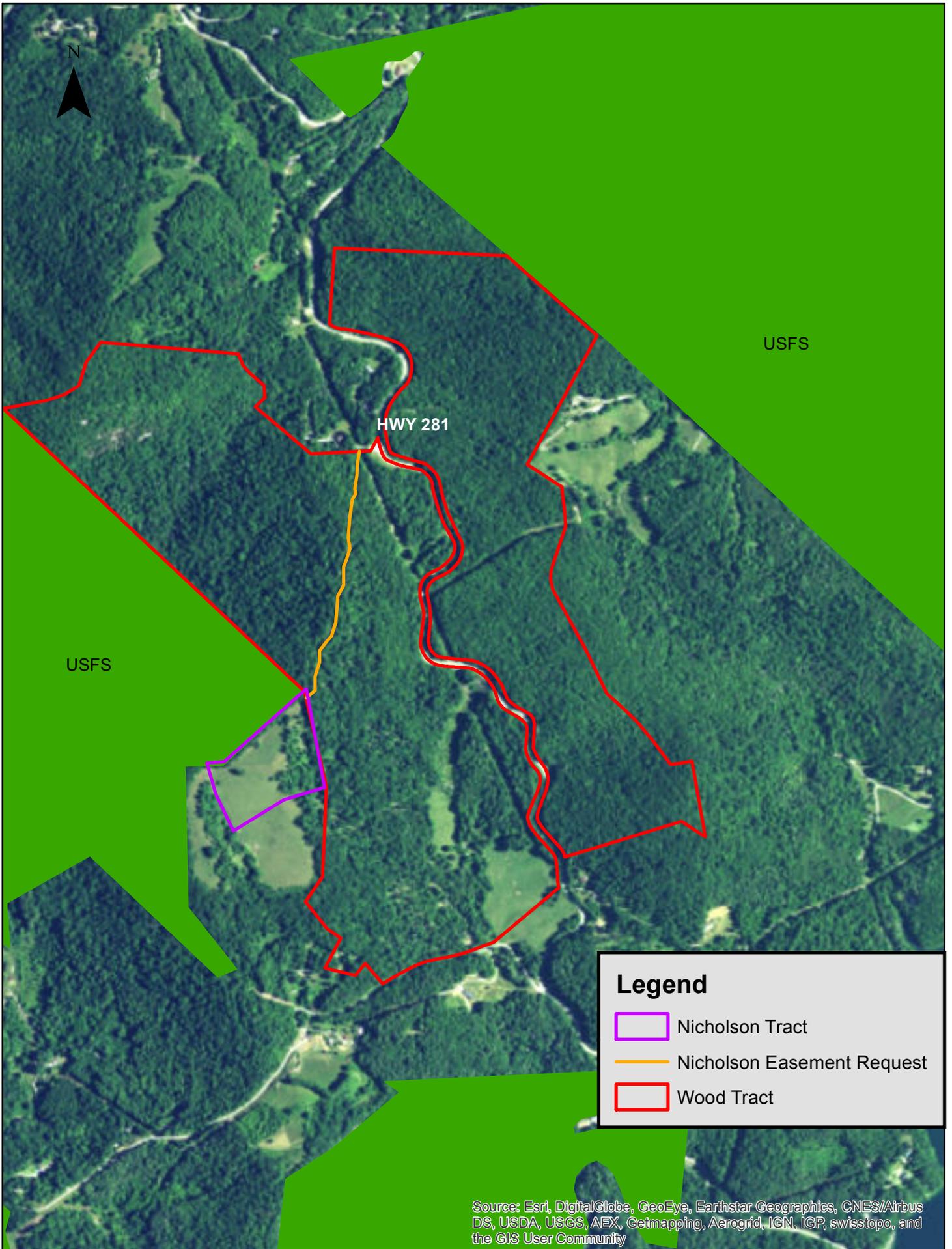
Mrs. Wanda Nicholson of 800 Grays Ridge Road, Tuckasee NC 28783, has recently requested an easement, across NCWRC land, to her 10.89-acre tract of land in Jackson County (PIN 8506-14-8147). The property has been in her family for several generations but due to the wishes of her grandfather, a legal easement 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



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

EXHIBIT F

December 7, 2017



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.

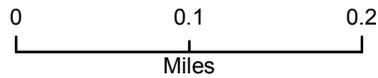
**Shelly Island
Dare County
+/- 62 Acres***



2016 Aerial



*** as of the 10/16/2017 field survey**





Cape Point, Hatteras Island

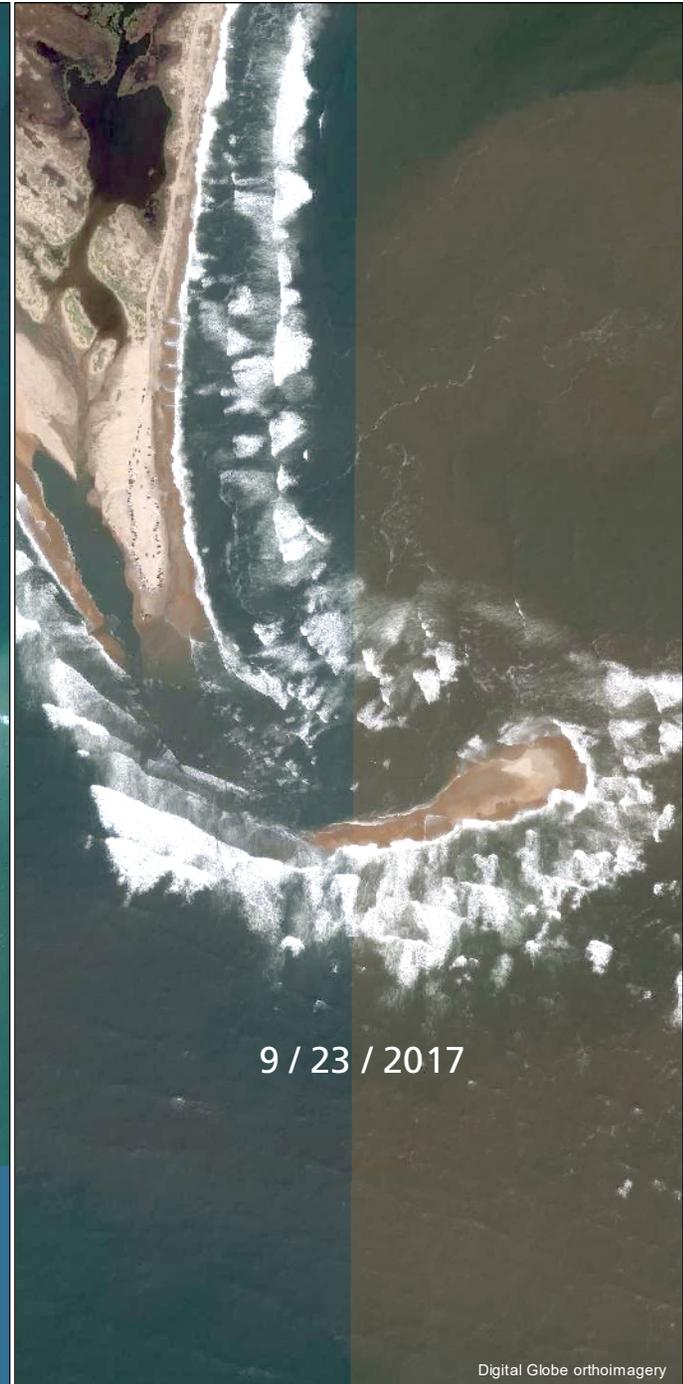
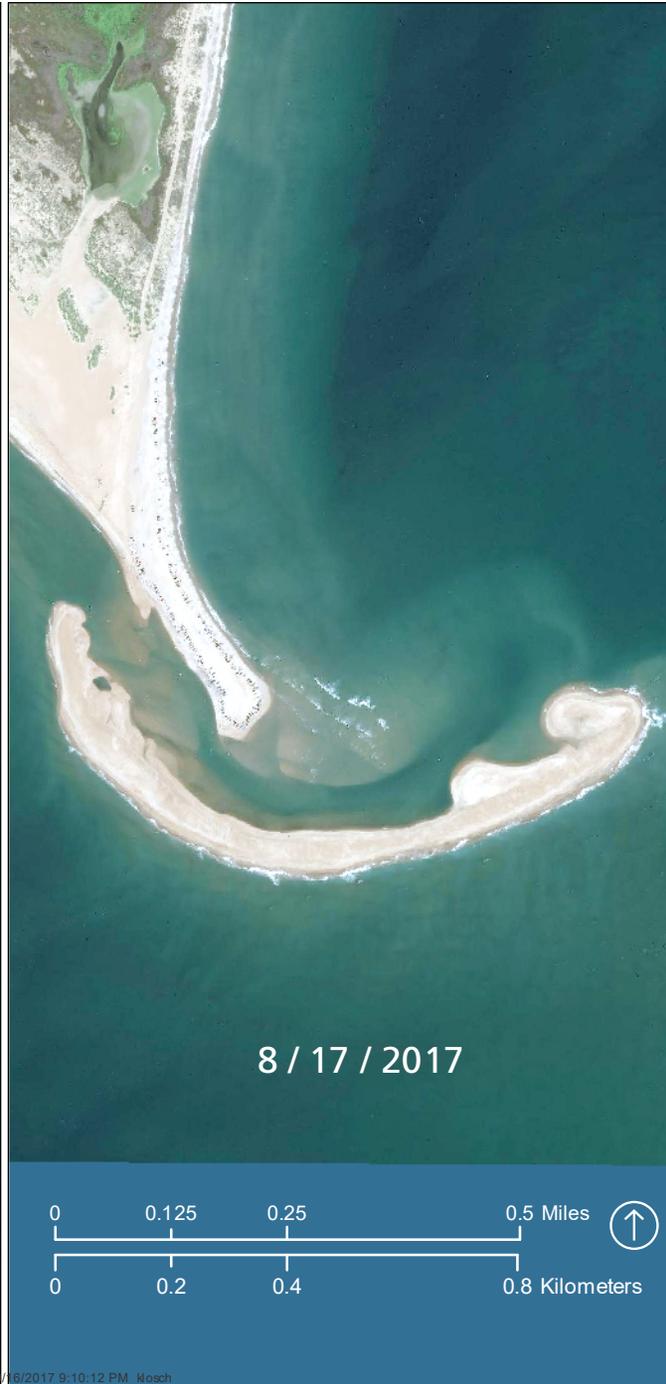


EXHIBIT G-1

December 7, 2017



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 reoption – 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: 15A NCAC 10F .0302 Atlantic Beach
15A NCAC 10F .0308 Clay County
15A NCAC 10F .0315 Polk County
15A NCAC 10F .0321 Pender County
15A NCAC 10F .0335 Swain County
15A NCAC 10F .0338 Caldwell County
15A NCAC 10F .0340 Currituck County
15A NCAC 10F .0342 Catawba County
15A NCAC 10F .0349 John H. Moss Lake
15A NCAC 10F .0359 Cherokee County
15A NCAC 10F .0367 Hoke County
15A NCAC 10F .0372 Hertford County

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 $((\$150/\text{marker} + \$150 \text{ materials}/\text{marker}) \times 10 \text{ markers}/\text{year}) = \$3,000/\text{year} + ((\$29/\text{hr} \times 2 \text{ techs} = \$58/\text{hr}) \times (5 \text{ hrs}/\text{marker} \times 10 \text{ markers}/\text{year} = 50 \text{ hrs}/\text{yr}) = \$2,900/\text{year}) = \$5,900/\text{year}$.¹

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 $((\$150/\text{marker} + \$150 \text{ materials}/\text{marker}) + (\$58/\text{hr} \times 5 \text{ hours}) = \$590)$ 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

1 15A NCAC 10F .0302 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 10F .0302 ATLANTIC BEACH**

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

- 5 (1) the canals ~~within the subdivisions of Atlantic Beach Isles and Sound View Isles within the town~~
6 ~~limits of Atlantic Beach~~; east of the Atlantic Beach Bridge in Sound View Isles subdivision,
7 including the waters of Money Island Slough from its east entrance at 34.70187 N, 76.72941 W to
8 its west entrance at 34.70237 N, 76.73271 W; and all canals west of the bridge including the canal
9 west of North Shore 1 Drive;
- 10 (2) the waters of Bogue Sound ~~from the east side of Channel Bay Mobile Home Park running westerly~~
11 ~~to the west side of North Shore Mobile Home Park extending 55 yards from the shore; within 55~~
12 ~~yards of the north shore of Channel Bay Mobile Home Park and North Shore Mobile Home Park;~~
13 (3) the waters of Bogue Sound ~~extending 50 yards on each side of the entrance to Hoop Pole Creek Bay~~
14 ~~and 50 yards on each side of the four boat ramps in Hoop Pole Creek Bay; from a point~~
15 ~~approximately 50 yards north of the entrance to Hoop Pole Creek Bay at 34.70319 N, 76.76904 W,~~
16 ~~to a line approximately 150 yards south of the entrance to Hoop Pole Creek Bay, shore to shore from~~
17 ~~a point on the east shore at 34.70178 N, 76.76757 W, to a point on the west shore at 34.70167 N,~~
18 ~~76.76973 W, and within 50 yards of all boat ramps in Hoop Pole Creek Bay; and~~
19 (4) the waters of Bogue Sound beginning at ~~day markers #3PA (green) and #4PA (red) at green day~~
20 ~~marker 3 and red day marker 4 near~~ the entrance to ~~of the 8 ½ Marina Channel running to day~~
21 ~~markers #7PA (green) and #8PA (red) extending the length of the canal to and 50 yards on each side~~
22 ~~of the boat ramp at 8 ½ Marina Village; and extending within the channel to a point 50 yards west~~
23 ~~of the boat ramp at 8 ½ Marina Village.~~

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

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

29
30 *History Note: Authority G.S. 75A-3; 75A-15;*
31 *Eff. February 1, 1976;*
32 *Amended Eff. July 1, 1998.*

1 15A NCAC 10F .0308 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0308 CLAY COUNTY**

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

- 6 (1) within 50 yards of the boat ramp at Ho Hum Campground;
- 7 (2) the waters of Shooting Creek, from a line shore to shore 50 yards west of the High Bridge on NC
8 Highway 175, to a line at the southeast end of Shooting Creek shore to shore, from a point at
9 35.01960 N, 83.72752 W; to a point at 35.01979 N, 83.72638 W;
- 10 (3) within 50 yards of the Gibson Cove access area;
- 11 (4) within 50 yards of the Chatuge Cove Marina;
- 12 (5) that portion of the cove shore to shore, west of Cottage Court off of NC Highway 175, northeast of
13 a line from a point on the east shore at 35.02576 N, 83.73784 W; to a point on the northwest shore
14 at 35.02609 N, 83.73945 W;
- 15 (6) within 50 yards of the Chatuge Dam Spillway access area; and
- 16 (7) the waters of McCracken Cove.

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

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

23

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

25 *Eff. February 1, 1976;*

26 *Amended Eff. June 1, 2005; July 1, 1998; February 1, 1990; July 1, 1986; March 25, 1978;*

27 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
28 *6, 2016;*

29 *Amended Eff. June 1, 2017*

1 15A NCAC 10F .0315 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0315 POLK COUNTY**

4 (a) Regulated Area. ~~The inlet of Lake Adger lying north of a line running from the end of the point on which Red~~
5 ~~Barn Landing is located South 69 degrees West (true) approximately 1,800 feet to the beach on the north side of said~~
6 ~~lake is designated as a "slow no wake" area. The waters of Lake Adger in the cove south of the Lake Adger Boating~~
7 ~~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~~
8 ~~at 35.33422 N, 82.22774 W.~~

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

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

13

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

15 *Eff. February 1, 1976;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016.*

1 15A NCAC 10F .0321 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 10F .0321 PENDER COUNTY**

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

5 (1) the canal adjoining ~~Old-Old~~ Point Development; Development in Hampstead;

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

7 (3) in the Town of Topsail Beach, ~~those the~~ waters on the eastern side of Banks Channel within 100
8 yards of the shoreline beginning 155 yards west of Bush's Marina, ~~and~~ extending northeast ending
9 75 yards from the shoreline perpendicular to Haywood Avenue;

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

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

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

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

23

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

25 *Eff. May 1, 1976;*

26 *Amended Eff. July 1, 1993; December 1, 1991; May 1, 1989; October 1, 1985;*

27 *Temporary Amendment Eff. April 1, 1999;*

28 *Amended Eff. June 1, 2017; July 1, 2000.*

1 15A NCAC 10F .0335 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0335 SWAIN COUNTY**

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

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

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

13

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

15 *Eff. August 31, 1980;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016.*

1 15A NCAC 10F .0338 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0338 CALDWELL COUNTY**

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

- 6 (1) Catawba ~~River, River;~~
- 7 (2) Lake ~~Rhodhiss, Rhodhiss; and~~
- 8 (3) Little Gunpowder Lake.

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

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

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

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

22

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

24 *Eff. August 23, 1981;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
26 *6, 2016.*

1 15A NCAC 10F.0340 is proposed for amendment as follows:
2

3 **15A NCAC 10F .0340 CURRITUCK COUNTY**

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

- 5 (1) Bell's Island. ~~The waters contained in all the~~ All canals on Bell's Island.
6 (2) Walnut Island Subdivision. ~~The waters in all the canals~~ All canals in the Walnut Island subdivision
7 in the Village of Grandy.
8 (3) Waterview Shores Subdivision. ~~The waters in all the canals~~ All canals in the Waterview Shores
9 ~~subdivision~~ subdivision, off of Woodhouse Drive in the Village of Grandy. ~~The regulated area~~
10 ~~begins at the entrances to the subdivision from Dowdy Bay (Poplar Branch Bay) at 36.25148N,~~
11 ~~75.87061W; 36.24981N, 75.87042W; and 36.24872N, 75.87055W. —~~
12 (4) Neal's Creek Landing. ~~Those~~ The waters of Currituck Sound within 50 yards of Neal's Creek
13 ~~Landing as delineated by appropriate markers.~~ at the end of Neal's Creek Road.
14 (5) ~~Tull's~~ Tull Bay.
15 (A) ~~Those~~ The waters of ~~Tull's Creek within the canal off of Tull Bay leading to Tull's Bay~~
16 ~~Marina, beginning 50 yards upstream northeast and 50 yards downstream southwest of and~~
17 ~~within the mouth of the canal leading to Tull's Bay Marina as delineated by appropriate~~
18 ~~markers.~~ canal.
19 (B) ~~Those~~ The waters ~~which constitute the canals of the Tull's Bay Colony subdivision in~~
20 ~~Moyock and including the waters~~ 50 yards north along the Mississippi Canal from its
21 intersection with Elizabeth Canal.

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

24 (c) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Currituck County is the designated a
25 ~~suitable~~ agency for placement ~~and maintenance~~ of the markers implementing this Rule, subject to the approval of the
26 United States Coast Guard and the United States Army Corps of Engineers.
27

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

29 *Eff. May 1, 1982;*

30 *Amended Eff. May 1, 2015; July 1, 1993; January 1, 1991; December 1, 1990; January 1, 1989;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
32 *6, 2016.*

1 15A NCAC 10F .0342 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0342 CATAWBA COUNTY**

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

5 ~~(1) the public fishing pier located at the old Wildlife Club off 12th Street Drive, NW, City of Hickory;~~

6 ~~(2)-(1) the shores of the Dixie Boat Club, Inc.; the waters within 50 yards of the shoreline of the Dixie Boat~~
7 ~~Club, Inc. at 4069 54th Avenue NE in the City of Hickory, from a point on the west shore at 35.81009~~
8 ~~N, 81.23829 W to a point on the east shore at 35.81005 N, 81.23613 W;~~

9 ~~(3)-(2) that the area within 50 yards of the Moore's Ferry Boat Marina and Boathouse on 44th Avenue,~~
10 ~~Circle NW; 44th Avenue Circle NW in the City of Hickory; and~~

11 ~~(4)-(3) the cove entering the Lake Hickory RV Resort/Marina as delineated by appropriate markers. Resort~~
12 ~~boating access area, south of a line from a point on the east shore at 35.80767 N, 81.22795 W, to a~~
13 ~~point on the west shore at 35.80818 N, 81.22899 W.~~

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

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

20

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

22 *Eff. September 1, 1982;*

23 *Amended Eff. March 1, 1992; May 1, 1989;*

24 *Temporary Amendment Eff. February 1, 1999;*

25 *Amended Eff. July 1, 2000;*

26 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
27 *6, 2016.*

1 15A NCAC 10F .0349 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0349 JOHN H. MOSS LAKE**

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

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

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

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

17

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

19 *Eff. August 1, 1984;*

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

21 *6, 2016.*

1 15A NCAC 10F .0359 is proposed for amendment as follows:

2
3 **15A NCAC 10F .0359 CHEROKEE COUNTY**

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

- 5 (1) the waters ~~within 50 yards of Hiawassee Hideaway Marina;~~ of the Duke's Hideaway Marina cove
6 shore to shore, east of a line from a point on the north shore at 35.11989 N, 84.10420 W to a point
7 on the south shore at 35.11902 N, 84.10386 W;
- 8 (2) the waters ~~within 50 yards of Shook's Boat Dock;~~ of the Shooks Marina cove shore to shore, south
9 of a line from a point on the northwest shore at 35.15458 N, 84.14425 W to a point on the southeast
10 shore at 35.15457 N, 84.14296 W;
- 11 (3) the waters ~~within 50 yards of Bear Paw Marina;~~ of the Mountain View Marina cove, shore to shore,
12 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
13 N, 84.16313 W;
- 14 (4) the waters within 50 yards of ~~TVA Boat Ramp at Micken's Branch;~~ and the Tennessee Valley
15 Authority boating access area at Micken Branch at 35.11890 N, 84.16806 W;
- 16 (5) the waters ~~within 50 yards of Harbor Cove Marina;~~ of the Harbor Cove Marina cove, shore to shore,
17 west of a line from a point on the north shore at 35.13899 N, 84.17592 W to a point on the south
18 shore at 35.13771 N, 84.17593 W;

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

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

24
25 *History Note: Authority G.S. 75A-3; 75A-15;*

26 *Eff. May 1, 1989;*

27 *Amended Eff. November 1, 2007; May 1, 2006;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
29 *6, 2016.*

1 15A NCAC 10F .0367 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0367 HOKE COUNTY**

4 (a) Regulated Area. This Rule applies to the waters of Rockfish Creek at Camp Rockfish upstream from the Hoke-
5 Cumberland county line within the territorial limits of Hoke County as delineated by appropriate markers. shore to
6 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
7 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
8 shore at 34.95351 N, 79.03773 W.

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

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

13

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

15 *Temporary Adoption Eff. April 1, 1999;*

16 *Eff. July 1, 2000;*

17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
18 *6, 2016.*

1 15A NCAC 10F .0372 is proposed for amendment as follows:

2

3 **15A NCAC 10F .0372 HERTFORD COUNTY**

4 (a) Regulated ~~Areas.~~Area. This Rule applies to the ~~Chowan River within the territorial jurisdiction of Hertford~~
5 ~~County, in the area along the southern shoreline of the Chowan River, extending up to 600 feet in an easterly direction,~~
6 ~~and up to 1000 feet in a westerly direction, from the shore line terminus of State Road 1401 (Tuscarora Beach Road)~~
7 ~~at the site of the property commonly known as Tuscarora Beach, extending 200 feet toward the center of the Chowan~~
8 ~~River, as indicated by buoys.~~portion of the Chowan River at Tuscarora Beach within 65 yards of the shoreline, from
9 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
10 W. -

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

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

15

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

17 *Eff. May 1, 2006;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
19 *6, 2016.*

EXHIBIT H

December 7, 2017



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~~ 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

(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

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)

Submerged bolder approximately 50 yards from the end of canal.

NARROW CHANNEL (give approximate width)

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

SHALLOW WATER (give average depth)

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

OBSTRUCTED VISION (for approximately how great a distance)

No obstruction of vision.

STRUCTURES (Check all applicable)

DAM

SPILLWAY

FLOOD CONTROL STRUCTURE

TRESTLE

POWER LINE

LOCK

JETTY

SUBMERGED STRUCTURE

SANDBAR

SHOAL

FUELING DOCK

PRIVATE DOCKS

RESTURANT DOCKS

BRIDGE

ACCESS AREA/BOAT LAUNCH

PIER

OTHER (list and describe)

N/A

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

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

LIGHT 1 2 3 4 5 6 7 8 9 10

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 **X**.

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: **X**

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.**

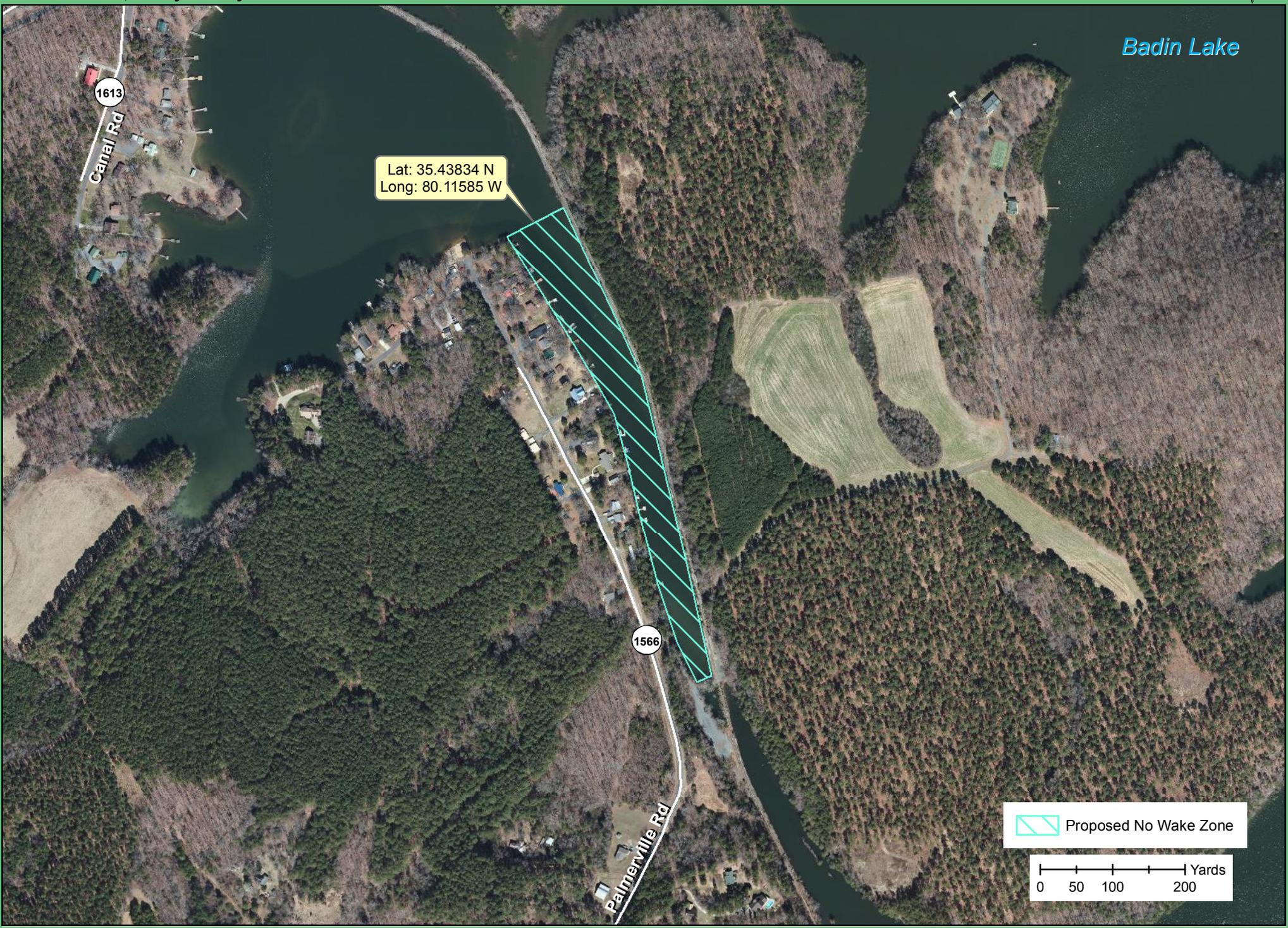
Officer:

David R. H. 747

15A NCAC 10F .0317 - Proposed No Wake Zone
Badin Lake, Stanly County



Badin Lake



Lat: 35.43834 N
Long: 80.11585 W

 Proposed No Wake Zone

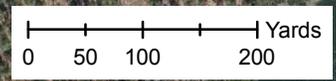


EXHIBIT I

December 7, 2017



REQUEST FOR RULEMAKING 15A NCAC 10F .0338 CITY OF HICKORY, CALDWELL COUNTY

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 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.~~ 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.

~~(d)(e)~~ (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.

~~(e)(f)~~ (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 bfrazier@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

(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

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) _____

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

STRUCTURES (Check all applicable)

DAM

LOCK

SPILLWAY

JETTY

FLOOD CONTROL STRUCTURE

SUBMERGED STRUCTURE

TRESTLE

SANDBAR

POWER LINE

SHOAL

FUELING DOCK

PRIVATE DOCKS

RESTURANT 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 _____

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 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

15A NCAC 10F .0338 - Proposed No Wake Zone
Lake Hickory Marina, Lake Hickory, Caldwell County



EXHIBIT J-1

December 7, 2017



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~~ Lockwoods 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) ~~Shalotte River. The portion of the Shalotte 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~~ The following agencies are ~~the~~ 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~~ for areas indicated in Subparagraph (a)(1) of this ~~Rule.~~ Rule;
- (2) The Board of Commissioners of Brunswick County ~~as to~~ for areas indicated in Subparagraph (a)(2) - (8) of this ~~Rule.~~ 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

RESTURANT DOCKS

ACCESS AREA/BOAT LAUNCH

LOCK

JETTY

SUBMERGED STRUCTURE

SANDBAR

SHOAL

PRIVATE DOCKS

BRIDGE

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 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 on 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 RECOMENDATION

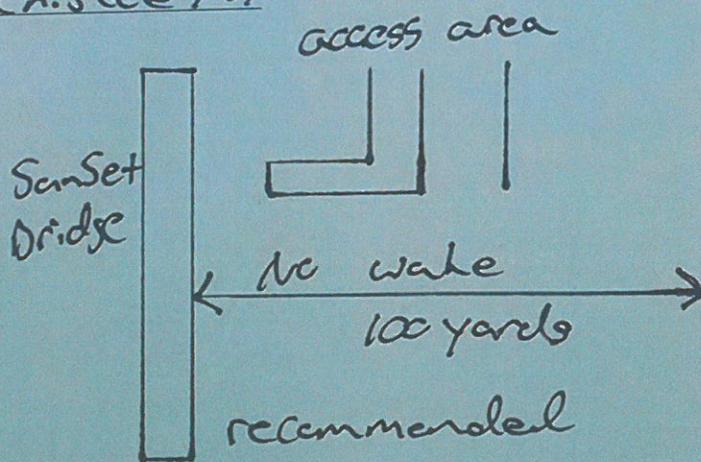
YES:

NO:

Reason for decision: -

little to no protection from vessel wake while launching & recovering vessels at WRC access (would recommend the zone only be 100 yards from the Sunset Beach bridge east.

Officer: ML Crisoe 191



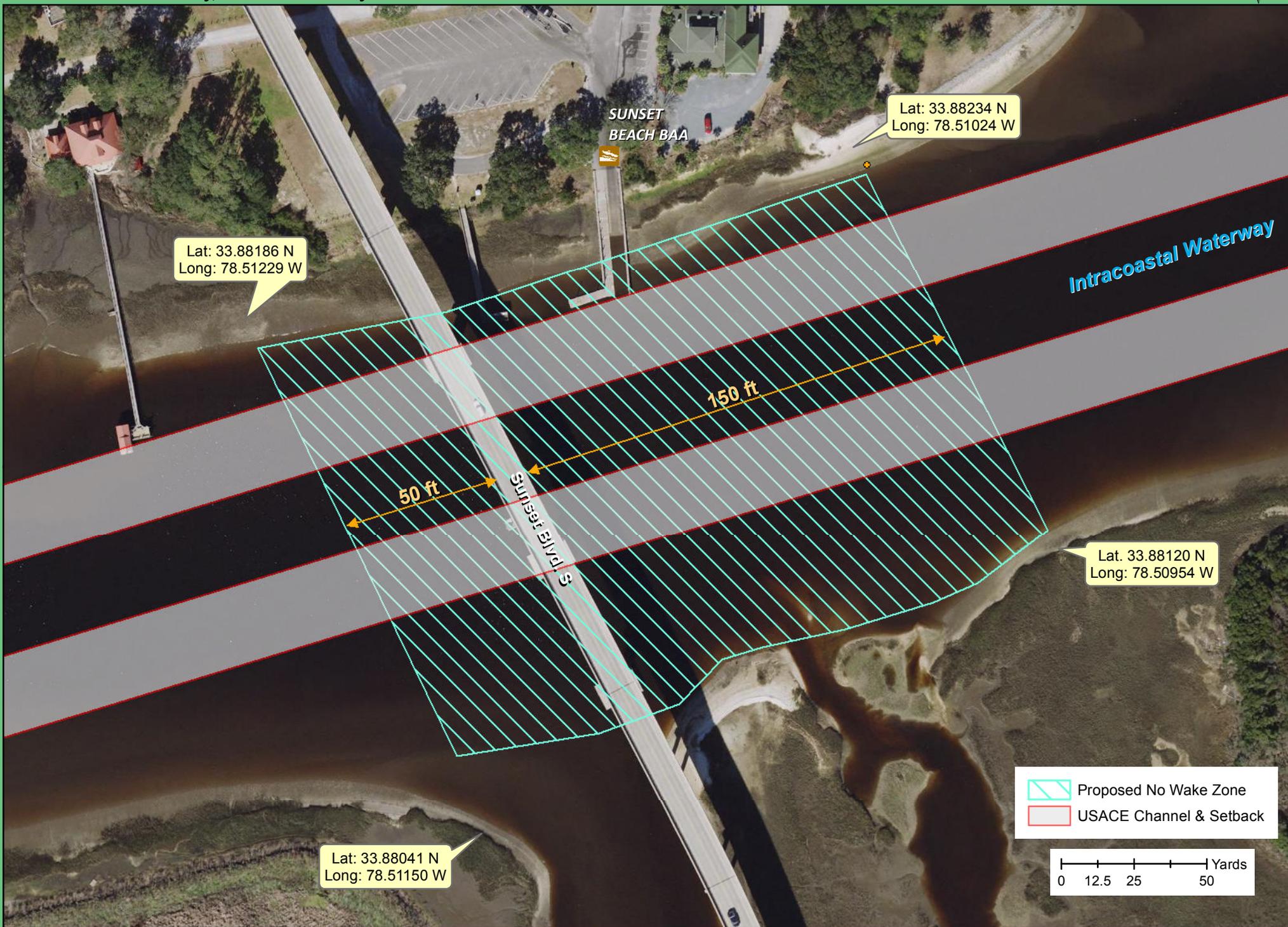


EXHIBIT J-2
December 7, 2017



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.

APPENDIX 1

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~~ Lockwoods 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) ~~Shalotte River. The portion of the Shalotte River east of SR 1233, otherwise known as Village Point Road SW south of the Town of Shalotte, 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 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~~ The following agencies are the 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 for areas indicated in Paragraph (a), Subparagraph (1) of this Rule. ~~Rule;~~
- (2) The Board of Commissioners of Brunswick County as to for areas indicated in Paragraph (a), Subparagraphs (2) - (8) of this Rule. ~~Rule; and~~
- (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.*

EXHIBIT K-1

December 7, 2017



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 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 ~~that~~ 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~~ is 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~~ is marked against entry by vessels by or with the approval of the ~~Corps- United States Army Corps of Engineers.~~ against entry by vessels.

(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~~ 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.~~ 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)

- | | |
|---|--|
| <input type="checkbox"/> DAM | <input type="checkbox"/> LOCK |
| <input type="checkbox"/> SPILLWAY | <input type="checkbox"/> JETTY |
| <input type="checkbox"/> FLOOD CONTROL STRUCTURE | <input type="checkbox"/> SUBMERGED STRUCTURE |
| <input type="checkbox"/> TRESTLE | <input type="checkbox"/> SANDBAR |
| <input type="checkbox"/> POWER LINE | <input type="checkbox"/> SHOAL |
| <input type="checkbox"/> FUELING DOCK | <input type="checkbox"/> PRIVATE DOCKS |
| <input type="checkbox"/> RESTURANT DOCKS | <input type="checkbox"/> BRIDGE |
| <input checked="" type="checkbox"/> ACCESS AREA/BOAT LAUNCH | <input type="checkbox"/> 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 RECOMENDATION

YES:

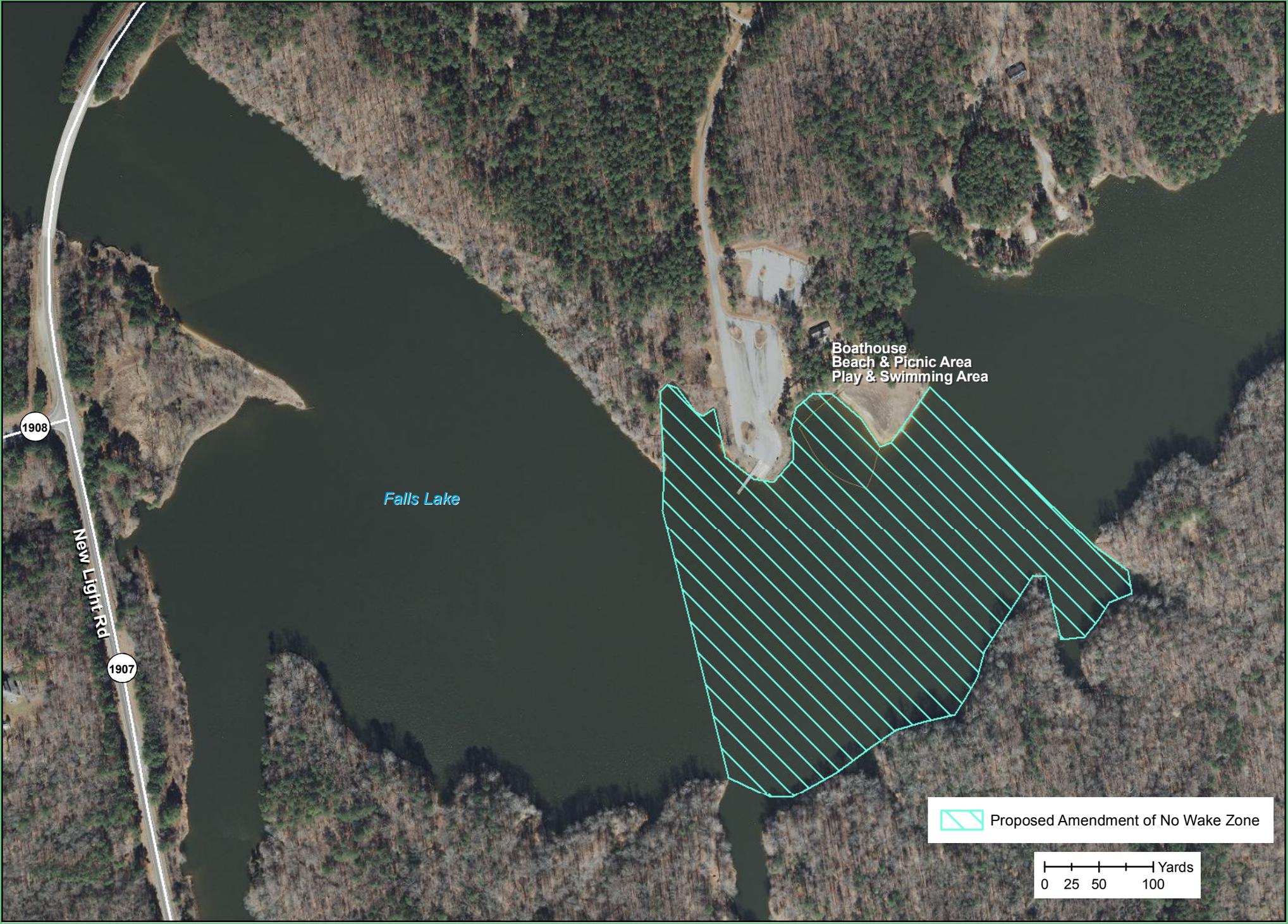
NO:

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



 Proposed Amendment of No Wake Zone

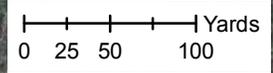


EXHIBIT K-2
December 7, 2017



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.~~

(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 ~~that 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 shall be permitted~~ to enter:

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

(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.*

EXHIBIT L-1

December 7, 2017



Public Comments on Proposed Changes to Wild Turkey Rule

Proposal	Proposed Text	Position	Comment Type
10B .0209	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.	1: Agree	1: Comment Card

EXHIBIT L-2

December 7, 2017



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.

1 **15A NCAC 10B .0209 WILD TURKEY**

2 (a) Open Seasons:

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

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

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

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

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

16
17 *History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.2; 113-291.5;*
18 *Eff. February 1, 1976;*
19 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
20 *July 1, 1992;*
21 *Temporary Amendment Eff. July 1, 1999;*
22 *Amended Eff. July 1, 2000;*
23 *Temporary Amendment Eff. July 1, 2001;*
24 *Temporary Amendment Eff. July 1, 2002;*
25 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
26 *Temporary Amendment Eff. June 1, 2003;*
27 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
28 *2003);*
29 *Amended Eff. February 1, 2018; August 1, 2017; January 1, 2013; May 1, 2009; May 1, 2007;*
30 *November 1, 2005.*

EXHIBIT M

December 7, 2017



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 NCACA 10 H .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)

1 **15A NCAC 10H .0801 DEFINITIONS**

2 (a) In addition to the definitions contained in G.S. 113-130, and unless the context requires otherwise, as used in 15A
3 NCAC 10B .0216 and in this Section-Section, the following definitions apply:

- 4 (1) "Falconry permit" or "permit" means a falconry permit or license issued by another state, ~~tribe, tribe~~
5 or territory ~~that which~~ has been ~~certified~~ approved by the U.S. Fish and Wildlife ~~Service-Service,~~
6 as meeting the federal falconry standards in 50 CFR 21.29.
- 7 (2) "Falconry license" means the annual special purpose falconry license ~~which is~~ required by G.S. 113-
8 270.3(b)(4) and referenced in the rules of this Section.
- 9 (3) "State" means the State of North Carolina, except when the context indicates reference to another
10 state of the United States.
- 11 (4) "Commission" means the North Carolina Wildlife Resources Commission.
- 12 (5) "Executive ~~director-~~ Director" means the Executive Director of the North Carolina Wildlife
13 Resources Commission. When action is required by the ~~commission~~ Commission by any provision
14 of this Section, such action may be performed by the ~~executive director~~ Executive Director on behalf
15 of the ~~commission-~~ Commission.
- 16 (6) "Bred in captivity" or "captive-bred" ~~refers to~~ means raptors hatched in captivity from parents that
17 mated or otherwise transferred gametes in captivity.
- 18 (7) "Raptor" means a live migratory bird of the Order Accipitriformes, Order ~~Falconiformes~~
19 Falconiformes, or the Order Strigiformes, other than a bald eagle (*Haliaeetus leucocephalus*).
- 20 (8) "Wild-caught" and "wild" raptors means any free-ranging wild raptor held in captivity regardless of
21 its length of captivity or ownership changes ~~according to~~ in accordance with 50 CFR 21.29(f)(1).
22 ~~50 CFR 21.29(f)(1) which is hereby incorporated by reference, including subsequent amendments~~
23 ~~and editions.~~

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

26
27 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29.*
28 *Eff. September 1, 1979;*
29 *Amended Eff. January 1, 2012; May 1, 2007; May 1, 1995; August 1, 1988; February 1, 1985;*
30 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
31 *6, 2016.*
32 *Amended Eff. February 1, 2018.*
33

1 **15A NCAC 10H .0802 PERMIT AND LICENSE REQUIREMENTS**

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

- 5 (1) a falconry license or permit from a state, ~~tribe~~ tribe, or territory ~~which that~~ has been ~~certified~~
6 approved by the U.S. Fish and Wildlife Service as meeting federal falconry standards; and
7 (2) a North Carolina falconry license as required by G.S. 113-270.3(b)(4), unless traveling through
8 North Carolina with no intention of practicing falconry while in North Carolina.

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

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

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

17
18 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29.*

19 *Eff. September 1, 1979;*

20 *Amended Eff. January 1, 2012; July 1, 1998;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
22 *6, 2016.*

23 *Amended Eff. February 1, 2018;*

1 **15A NCAC 10H .0803 APPLICATION FOR LICENSE**

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

9 (b) Individuals who have relocated to North Carolina have 60 days from the date of relocation to apply for a North
10 Carolina falconry license. Until his or her license is ~~granted,~~ issued by the Commission, the individual may keep any
11 lawfully obtained raptors in facilities described in Rule .0808 of this Section, and may practice falconry provided he
12 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
13 Wildlife Service.

14 (c) Apprentice license applications ~~must shall~~ include a letter from a sponsor as described in ~~50 CFR 21.29(c)(3)(i)~~
15 50 CFR 21.29(c)(2)(i)(C). ~~which is hereby incorporated by reference, including subsequent amendments and editions.~~

16 (d) General license applications ~~must shall~~ include a letter from a General or Master falconer as described in ~~50 CFR~~
17 21.29(c)(3)(ii) 50 CFR 21.29(c)(2)(ii)(C). ~~which is hereby incorporated by reference, including subsequent~~
18 ~~amendments and editions.~~

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

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

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

30
31 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29.*

32 *Eff. September 1, 1979;*

33 *Amended Eff. January 1, 2012;*

34 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
35 *6, 2016.*

36 *Amended Eff. February 1, 2018.*

37

1 **15A NCAC 10H .0804 EXAMINATION**

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

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

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

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

12

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

14 *Eff. September 1, 1979;*

15 *Amended Eff. January 1, 2012;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016.*

18 *Amended Eff. February 1, 2018;*

19

1 **15A NCAC 10H .0805 DURATION OF LICENSE**

2 A falconry license ~~or the renewal of such a license is~~ shall be valid when issued by the state upon issuance and expires
3 on June ~~30-~~ 30 of each year.

4

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

6 *Eff. September 1, 1979;*

7 *Amended Eff. January 1, 2012;*

8 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
9 *6, 2016.*

10 *Amended Eff. February 1, 2018;*

11

1 **15A NCAC 10H .0806 ACQUISITION, SALE AND STATUS CHANGE**

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

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

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

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

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

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

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

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

27
28 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29.*

29 *Eff. September 1, 1979;*

30 *Amended Eff. January 1, 2012; February 1, 1994; April 1, 1991; February 1, 1985;*

31 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
32 *6, 2016.*

33 *Amended Eff. February 1, 2018;*
34

1 **15A NCAC 10H .0807 LEVELS OF LICENSES**

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

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

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

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

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

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

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

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

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

32
33 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.*

34 *Eff. September 1, 1979;*

35 *Amended Eff. January 1, 2012; May 1, 1995; May 1, 1991; February 1, 1985;*

36 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
37 *6, 2016.*

38 *Amended Eff. February 1, 2018;*

39

1 **15A NCAC 10H .0808 FACILITIES AND EQUIPMENT:**

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

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

10 (1) ~~All facilities.~~ All facilities ~~must~~ shall conform to the standards in ~~50 CFR 21.29(d)(1)(ii)(A)~~ 50 CFR
11 21.29(d)(1)(ii)(A). ~~which is hereby incorporated by reference, including subsequent amendments~~
12 ~~and editions.~~

13 (2) ~~Indoor Facilities (Mews).~~ Indoor facilities ~~must~~ shall conform to the standards in ~~50 CFR~~
14 ~~21.29(d)(1)(ii)(B)~~ 50 CFR 21.29(d)(1)(ii)(B). ~~which is hereby incorporated by reference, including~~
15 ~~subsequent amendments and editions.~~ In addition to the ~~federal standards, incorporated CFR,~~ the
16 ~~mews mew~~ mew ~~must~~ shall have a door that allows easy access ~~and~~ for maintenance, ~~and that shall close~~
17 ~~automatically or be~~ is securable inside and ~~outside.~~ outside and closes automatically. Mews shall be
18 located away from disturbance and shade shall be provided. The floor of the ~~mews mew~~ mew shall ~~permit~~
19 allow easy for cleaning and ~~shall be well drained.~~ drainage. The interior of the ~~mews mew~~ mew shall be
20 free of ~~splinters, protruding nails and other~~ obstructions that could be injurious to the raptor. Any
21 lighting fixtures shall be shielded or otherwise protected.

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

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

34 (5) A licensee may have his or her raptors outside in the open ~~temporarily~~ under the conditions set forth
35 in ~~21.29(d)(1)(iii)~~ 50 CFR 21.29(d)(1)(iii). ~~which is hereby incorporated by reference, including~~
36 ~~subsequent amendments and editions.~~

37 (c) ~~Equipment.~~ Licensees ~~must~~ shall possess the equipment listed in ~~50 CFR 21.29(d)(3)~~ 50 CFR 21.29(d)(3). ~~which~~
38 ~~is hereby incorporated by reference, including subsequent amendments and editions.~~

- 1 (d) ~~Maintenance.~~ All facilities and equipment shall be ~~kept~~ maintained at or above the standards contained in
2 Paragraphs (b) and (c) of this Rule at all ~~times.~~ times, regardless whether the facilities are located on property owned
3 ~~by the licensee or owned by another.~~
- 4 (e) ~~Transportation and Temporary Holding.~~ A raptor may be transported or held in temporary facilities as described
5 in ~~50 CFR 21.29(d)(4)(5)~~ 50 CFR 21.29(d)(4) and (5). ~~which is hereby incorporated by reference, including~~
6 ~~subsequent amendments and editions.~~
- 7 (f) ~~Care by others.~~ A licensee may leave his or her raptors in the care of another person subject to the restrictions in
8 ~~50 CFR 21.29(d)(6)(7)~~ 50 CFR 21.29(d)(6) and (7). ~~which is hereby incorporated by reference, including subsequent~~
9 ~~amendments and editions.~~
- 10 (g) ~~Change of location.~~ A licensee ~~must~~ shall inform the Commission within five business days if he or she moves
11 his or her facilities.
12

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

14 *Eff. September 1, 1979;*

15 *Amended Eff. January 1, 2012; May 1, 1995; April 1, 1991;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016.*

18 *Amended Eff. February 1, 2018;*
19

1 **15A NCAC 10H .0809 BANDING AND MARKING**

2 (a) All peregrine falcons (*Falco peregrinus*), ~~gyrfalcons~~ gyrfalcons (*Falco rusticolus*), Harris's hawks (*Parabuteo*
3 ~~*unicinctus*~~ *unicinctus*), and goshawks removed from the wild or acquired from a falconer or rehabilitator for falconry
4 purposes ~~must~~ shall be banded as set forth in ~~50 CFR 21.29(e)(7)(i)~~ 50 CFR 21.29(c)(6)(i), ~~which is hereby~~
5 ~~incorporated by reference, including subsequent amendments and editions.~~

6 (b) Raptors bred in captivity ~~must~~ shall be banded as set forth in ~~50 CFR 21.29(e)(7)(ii)~~ 50 CFR 21.29(c)(6)(ii), ~~which~~
7 ~~is hereby incorporated by reference, including subsequent amendments and editions.~~

8 (c) Loss or removal of any band ~~must~~ shall be reported to the ~~issuing office~~ Commission within five days of the loss
9 and ~~must~~ shall be replaced as described in ~~50 CFR 21.29(e)(7)(iii)~~ 50 CFR 21.29(c)(6)(iii), ~~which is hereby~~
10 ~~incorporated by reference, including subsequent amendments and editions.~~

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

14 (e) ~~No~~ A raptor removed from the wild ~~may~~ shall not be marked with a seamless numbered band.

15 (f) A falconer may request and receive a band exemption from the ~~issuing office~~ Commission for a raptor with
16 documented health problems or injuries caused by a ~~band~~ band, but ~~must~~ shall adhere to the restrictions set forth in
17 ~~50 CFR 21.29(e)(7)(v)~~ 50 CFR 21.29(c)(6)(v), ~~which is hereby incorporated by reference, including subsequent~~
18 ~~amendments and editions.~~

19
20 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.*

21 *Eff. September 1, 1979;*

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

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
24 *6, 2016.*

25 *Amended Eff. February 1, 2018;*
26

1 **15A NCAC 10H .0810 TAKING RAPTORS**

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

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

10 (c) Apprentices may take any species of raptor from the wild except for those species specified in ~~50 CFR~~
11 ~~21.29(e)(3)(i)~~ 50 CFR 21.29(c)(2)(i)(E), ~~which is hereby incorporated by reference, including subsequent amendments~~
12 ~~and editions~~.

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

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

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

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

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

28 (5) ~~State listed species~~. A falconer ~~must~~ shall obtain a North Carolina endangered species permit before
29 taking any raptors listed in 15A NCAC 10I .0103, ~~15A NCAC 10I .0104~~ 15A NCAC 10I .0104, or
30 15A NCAC 10I .0105. Furthermore, a falconer ~~must~~ shall possess a special hunt permit to take a
31 passage peregrine falcon (*Falco peregrinus tundrius*).

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

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

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

39 (3) Box-type traps with automatic closing entry doors or funnels.

1 (f) Licensees may recapture their own birds or any birds wearing falconry equipment at any time. Disposition of
2 banded birds, captive-bred ~~birds~~ birds, and birds wearing falconry equipment is as allowed in accordance with 50 CFR
3 21.29(e)(3)(iv)-(v) ~~50 CFR 21.29(e)(3)(iv)-(v). which is hereby incorporated by reference, including subsequent~~
4 ~~amendments and editions.~~

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

6 (h) Raptors injured due to falconry trapping efforts ~~must~~ shall be treated humanely and in accordance with ~~50 CFR~~
7 21.29(e)(5) ~~50 CFR 21.29(e)(5). which is hereby incorporated by reference, including subsequent amendments and~~
8 ~~editions.~~

9

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

11 *Eff. September 1, 1979;*

12 *Amended Eff. January 1, 2012; July 1, 1998;*

13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
14 *6, 2016.*

15 *Amended Eff. February 1, 2018;*

16

1 **15A NCAC 10H .0811 OTHER RESTRICTIONS AND CONDITIONS**

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

4 (b) Visitors to the United States may practice falconry under the conditions set forth in ~~50 CFR 21.29(f)(14)~~ 50 CFR
5 21.29(f)(14), ~~which is hereby incorporated by reference, including subsequent amendments and editions.~~

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

9 (d) A licensee who practices falconry in the vicinity of a federally listed species ~~must~~ shall avoid take of the listed
10 species as described in ~~50 CFR 21.29(f)(17)~~ 50 CFR 21.29(f)(17), ~~which is hereby incorporated by reference,~~
11 ~~including subsequent amendments and editions.~~

12 (e) If a licensee's raptor unintentionally takes a ~~non-target~~ species, the licensee may allow his or her bird to feed on
13 the prey, but shall not take the ~~non-target~~ species into his or her possession.

14 (f) Feathers that are molted may be retained and exchanged by falconry licensees only for imping purposes or
15 otherwise disposed of as set forth in ~~50 CFR 21.29(f)(12)(i)-(v)~~ 50 CFR 21.29(f)(12)(i)-(v), ~~which is hereby~~
16 ~~incorporated by reference, including subsequent amendments and editions.~~

17
18 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.*

19 *Eff. September 1, 1979;*

20 *Amended Eff. January 1, 2012;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
22 *6, 2016.*

23 *Amended Eff. February 1, 2018;*

1 **15A NCAC 10H .0812 INTERSTATE TRANSPORTATION**

2 ~~(a) A nonresident of this state who holds a currently valid falconry permit from another state, tribe or territory which~~
3 ~~has been certified by the U.S. Fish and Wildlife Service may transport his raptors into or through this state for use in~~
4 ~~the practice of falconry, provided all laws and regulations governing the practice of falconry in this state are observed.~~

5 ~~(b) A North Carolina resident who holds a falconry license issued by the commission may transport his raptors into~~
6 ~~or through other states, tribal lands and territories for use in falconry, provided all laws and regulations of such states~~
7 ~~governing the possession and transportation of raptors and the practice of falconry are observed.~~

8

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

10 *Eff. September 1, 1979;*

11 *Amended Eff. January 1, 2012;*

12 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
13 *6, 2016.*

14 *Repealed Eff. February 1, 2018.*

15

1 **15A NCAC 10H .0814 RELEASE OF RAPTORS AND MOVING RAPTORS TO ANOTHER LICENSE**
2 **OR PERMIT**

3 (a) ~~No raptor which is not Non-~~ native to the state of North Carolina and ~~no hybrid raptors of any kind may shall not~~
4 be released ~~to~~ into the wild. Native, captive-bred birds may only be released upon written request and approval with
5 ~~written permission~~ from the Commission and under the conditions set forth in ~~50 CFR 21.29(e)(9)(ii)~~ 50 CFR
6 21.29(e)(9)(ii), which is hereby incorporated by reference, including subsequent amendments and editions.

7 (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)~~
8 50 CFR 21.29(e)(9)(iii), which is hereby incorporated by reference, including subsequent amendments and editions.

9 (c) Wild-caught birds may be transferred to another type of license or permit under the conditions set forth in ~~50 CFR~~
10 ~~21.29(f)(5)(i) (ii)~~ 50 CFR 21.29(f)(5), which is hereby incorporated by reference, including subsequent amendments
11 and editions.

12 (d) Captive-bred birds may be transferred to another type of license or permit under the conditions set forth in ~~50~~
13 ~~CFR 21.29(f)(6)~~ 50 CFR 21.29(f)(6), which is hereby incorporated by reference, including subsequent amendments
14 and editions.

15 (e) Hacking and other training and conditioning techniques are allowed under conditions set for in ~~50 CFR~~
16 ~~21.29(f)(2)(3)~~ 50 CFR 21.29(f)(2) and (3), which is hereby incorporated by reference, including subsequent
17 amendments and editions.

18
19 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.*

20 *Eff. January 1, 2012;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
22 *6, 2016.*

23 *Amended Eff. February 1, 2018;*

24

1 **15A NCAC 10H .0815 OTHER USES AND ALLOWED ACTIVITIES**

2 (a) Raptors may be used in captive propagation as allowed under ~~the conditions set forth in 50 CFR 21.29(f)(7) 50~~
3 ~~CFR 21.29(f)(7), which is hereby incorporated by reference, including subsequent amendments and editions.~~

4 (b) General and master falconers may use raptors in conservation education programs as set forth in ~~50 CFR~~
5 ~~21.29(f)(8)(i)-(vi) 50 CFR 21.29(f)(8)(i)-(vi), which is hereby incorporated by reference, including subsequent~~
6 ~~amendments and editions.~~ Other educational uses of raptors are restricted to those allowed in ~~50 CFR 21.29(f)(9)(i)-~~
7 ~~(ii) 50 CFR 21.29(f)(9), which is hereby incorporated by reference, including subsequent amendments and editions.~~

8 (c) General and master falconers may use raptors in abatement activities under the conditions set forth in ~~50 CFR~~
9 ~~21.29(f)(11)(i)-(ii) 50 CFR 21.29(f)(11), which is hereby incorporated by reference, including subsequent~~
10 ~~amendments and editions.~~

11 (d) General and master falconers may assist in raptor rehabilitation under the conditions set forth in ~~50 CFR~~
12 ~~21.29(f)(10)(i)-(v) 50 CFR 21.29(f)(10)(i)-(v), which is hereby incorporated by reference, including subsequent~~
13 ~~amendments and editions.~~

14 (e) Licensees may take bird species for which there is a federal depredation order by means of falconry in accordance
15 with ~~50 CFR 21.29(f)(20) 50 CFR 21.29(f)(20), which is hereby incorporated by reference, including subsequent~~
16 ~~amendments and editions.~~

17
18 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29.*

19 *Eff. January 1, 2012;*

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
21 *6, 2016.*

22 *Amended Eff. February 1, 2018;*
23

EXHIBIT N-1

December 7, 2017



Summary of Public Comments of Proposed Changes to Taxidermy Rules

Proposal	Proposed Text	Position Counts	Comment Types
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.	2: Agree	2: Comment Card
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.	2: Agree	2: Comment Card
10H .1004	Incorporated statute for fur-dealer license and necessary technical changes to text.	2: Agree	2: Comment Card
10H .1005	Clarified use of off-site preservation facilities and responsibilities of licensed taxidermist for such facilities. Incorporated technical changes to text.	2: Agree	2: Comment Card

Comment Type	Comment
Comment Card	Allow taxidermist to take in deer from out of state.

EXHIBIT N-2

December 7, 2017



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)

1 **15A NCAC 10H .1002 DUTY OF A TAXIDERMIST**

2 (a) ~~Before a~~ Prior to a taxidermist ~~accepts~~ accepting delivery of any wildlife ~~which may be~~ that has been lawfully
3 taken in North Carolina or in any other state, ~~state during a prescribed open season~~, he or she shall ~~must~~ make a
4 reasonable effort to determine ~~effort, satisfactory to himself~~, that the wildlife was lawfully taken. ~~To aid in making~~
5 ~~this determination, the~~ The taxidermist may rely upon the statement of the person delivering the wildlife or upon any
6 applicable license or permit that ~~may provide~~ provides verification of entitlement to take or possess the wildlife in
7 question. ~~It is unlawful for a taxidermist to accept delivery of any wildlife the acquisition of which he knows or~~
8 ~~through the exercise of reasonable effort as described herein should know to be illegal.~~

9 (b) ~~No taxidermist shall accept delivery of any wildlife on which there is no open season from any person other than~~
10 ~~a representative of a museum or other institution who has a permit to possess such wildlife for scientific or educational~~
11 ~~purposes.~~ A taxidermist may accept delivery of wildlife resources killed accidentally or found dead of natural causes
12 as specified by 15A NCAC 10B .0127 for taxidermy purposes.

13
14 *Authority G.S. 113-134; 113-273.*

15
16 *History Note: Authority G.S. 113-134; 113-273;*

17 *Eff. March 1, 1981;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
19 *6, 2016.*

20 *Amended Eff. February 1, 2018.*

1 **15A NCAC 10H .1003 RECORDS**

2 (a) ~~Every licensed taxidermist~~ Licensed taxidermists shall keep ~~an accurate record~~ records of each wildlife specimen
3 delivered and contained within his or her place of business. ~~Such record~~ Records shall ~~include~~ include: ~~the species~~
4 ~~and sex of the specimen, the date of delivery, the name and address of the person delivering the specimen, the name~~
5 ~~and address of the person killing the specimen if different from those of the person delivering the same, the date when~~
6 ~~and the location where the specimen was killed, and the date and disposition of the mounted specimen.~~

- 7 (1) the species and sex of the specimen;
8 (2) the date the specimens were delivered;
9 (3) the name and address of the person delivering the specimen;
10 (4) the name and address of the person responsible for take of the specimen if different;
11 (5) the date and location of the take;
12 (6) the big game harvest authorization number if applicable; and
13 (7) the date and disposition of the mounted specimen.

14 ~~Such records~~ Records shall be maintained chronologically by ~~dates~~ the date the specimen was delivered. ~~of delivery~~
15 ~~of specimens to the taxidermist during the taxidermy license year,~~ Records shall be retained by the taxidermist for at
16 ~~least one year after the termination following expiration of the applicable taxidermy license~~ license year, and shall be
17 made available for inspection, ~~upon request by~~ to any agent of the Wildlife Resources Commission.

18 (b) The records required by the United States Fish and Wildlife Service under its taxidermy permit regulations for
19 migratory game birds (~~50 C.F.R. 21.24~~) as set forth in 50 CFR 21.24, which is hereby incorporated by reference
20 including subsequent amendments and editions, ~~are sufficient to~~ shall satisfy ~~requirements under~~ this Rule.

21
22 *History Note: Authority G.S. 113-134; 113-273.*
23 *Eff. March 1, 1981;*
24 *Amended Eff. September 1, 1989;*
25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
26 *6, 2016.*
27 *Amended Eff. February 1, 2018.*
28

1 **15A NCAC 10H .1004 PURCHASE AND SALE OF WILDLIFE**

2 (a) Except as provided in ~~Paragraphs (b), (c), (d), (e), and (f) of~~ this Rule, it is shall be unlawful for any taxidermist
3 to purchase or sell ~~any~~ wildlife.

4 (b) ~~Any species of nongame wildlife~~ Wildlife resources that have ~~which has~~ been lawfully killed and ~~which that~~ may
5 be lawfully bought, ~~sold~~ sold, and possessed may be purchased and sold by a taxidermist without any restriction other
6 than the records required by Rule .1003 of this Section.

7 (c) Lawfully acquired specimens of fur-bearing animals, ~~including~~ bobcats, ~~opossum~~ opossum, and raccoon taken by
8 hunting, may be purchased ~~only~~ for taxidermy purposes and ~~may be sold only~~ as mounted specimens. A ~~fur dealer~~
9 ~~license~~ Fur-Dealer License, as specified in G.S. 113-273, ~~shall be~~ is required to purchase furs for resale.

10 (d) No game or ~~inland~~ game fish that has been mounted, other than bobcats, opossum and raccoon taken by hunting,
11 may be purchased or sold, except that a mounted specimen of a game ~~animal, game bird or inland~~ game fish, ~~in~~ for
12 which a taxidermist has acquired a possessory lien by reason of labor or materials furnished in the mounting thereof,
13 may be sold in satisfaction of ~~said the~~ the lien as provided by Article 1 of 44A of the General Statutes of North Carolina.
14 ~~The taxidermy license shall authorize such sale.~~ Upon the sale of a mounted specimen ~~in satisfaction of a lien as~~
15 authorized by this Paragraph, the taxidermist shall prepare a receipt showing the name and address of the ~~purchaser~~
16 purchaser. The receipt shall be provided to the purchaser as evidence of the transaction and right to possess the
17 specimen, and ~~keep~~ a copy shall be retained by the taxidermist for ~~of such receipt as a part of his or her~~ records in
18 accordance with Rule .1003 of this Section, 10B .1003. ~~He shall provide the purchaser with the receipt as evidence of~~
19 ~~his right to possess the specimen.~~ A condition for renewal of the taxidermy license annually shall be a report submitted
20 ~~with the application for renewal that accurately describes the mounted specimens of game that have been sold by the~~
21 ~~taxidermist during the previous license year and to whom they were sold.~~

22 (e) Nothing in this ~~Section~~ Rule shall prevent a taxidermist from obtaining parts of lawfully acquired game by gift,
23 trade, or purchase from any other taxidermist or ~~person~~ person, provided that a record is maintained of all such
24 exchanges that identifies the article and includes the name and address of the taxidermist or person from whom the
25 article was ~~obtained~~. ~~obtained; except that no~~ No part of any black ~~bear~~ bear, fox, or wild turkey ~~may~~ shall be bought
26 or sold under this ~~provision.~~ Paragraph. Parts of game acquired under ~~provisions of~~ this Paragraph ~~may~~ shall be used
27 only for taxidermy purposes and ~~may~~ shall not be resold.

28 (f) The mounted specimens of commercially-raised ~~inland~~ game fish or pen-raised game ~~birds~~ birds, ~~except wild~~
29 ~~turkey and grouse~~, may be sold under authority of the taxidermy ~~license~~ license, provided that records are maintained
30 by the taxidermist ~~accurately~~ showing the source of all commercially-raised ~~inland~~ game fish or pen-raised game birds
31 that are to be mounted, including the name, address, and propagation license number of the supplier. Upon sale of a
32 mounted specimen of a commercially-raised ~~inland~~ game fish or pen-raised game ~~bird~~, ~~bird under provision of this~~
33 ~~Paragraph~~, the taxidermist shall prepare a receipt ~~for showing the name and address of the purchaser~~ purchaser's
34 records, as and give it to the purchaser to show evidence of the transaction and ~~of his~~ right to possess the specimen. A
35 copy of the receipt shall be maintained as a part of the taxidermist's records.

36
37 *History Note:* Authority G.S. 113-134; 113-273; 113-291.3(b)(4); 113-292.
38 Eff. March 1, 1981;
39 Amended Eff. December 1, 1983.

1
2

Readopted Eff. February 1, 2018.

1 **15A NCAC 10H .1005 TAXIDERMY PRESERVATION FACILITY**

2 (a) A taxidermist may utilize an off-site preservation facility to provide storage for wildlife specimens accepted for
3 taxidermy purposes.

4 ~~(a)(b) Every individual~~ Individuals operating a preservation facility for a licensed taxidermist shall be listed on the
5 ~~sponsoring taxidermist's annual license, license application and on the license itself.~~ The taxidermist shall provide the
6 operator of each listed sponsored preservation facility with a copy of the annual taxidermy license to which shall serve
7 as a permit authorizing the facility to possess wildlife owned by another. ~~The purpose of this possession shall be to~~
8 ~~provide temporary storage for wildlife specimens accepted for taxidermy purposes. Preservation facility operators are~~
9 ~~not authorized to process, skin, or conduct any regulated taxidermy activities.~~

10 (c) Preservation facility operators shall not be authorized to process, skin, or conduct any taxidermy activities.

11 ~~(b)(d) Before a taxidermist delivers and stores wildlife in an individual operating~~ a preservation facility ~~accepts~~
12 ~~delivery of any wildlife he or she shall~~ must ascertain that the wildlife was lawfully ~~taken~~ taken in accordance with
13 Rule .1002 of this Section and shall keep written records as specified in Rule .1003 of this Subchapter.

14 ~~(e)(e)~~ The preservation facility and its records shall be accessible for inspection ~~upon request~~ by any agent of the
15 Wildlife Resources Commission.

16 ~~(d)(f)~~ It shall be the responsibility of the ~~sponsoring~~ taxidermist to ensure that each preservation facility listed on his
17 or her license is operated in compliance with this Section. ~~all rules governing this activity.~~

18
19 *History Note: Authority G.S. 113-134; 113-273.*

20 *Eff. September 1, 1989;*

21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
22 *6, 2016.*

23 *Amended Eff. February 1, 2018.*

EXHIBIT O

December 7, 2017



Summary of Public Comments of Proposed Changes to Wildlife Captivity and Rehabilitation Regulations

Proposal	Proposed Text	Position Counts	Comment Types
10H .1401	<p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>13: No Position 10: Agree 243: Disagree</p>	<p>22: Online 36: Comment Card 208: Letter/Email</p>
10H .1402	<p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>12: No Position 12: Agree 233: Disagree</p>	<p>15: Online 34: Comment Card 208: Letter/Email</p>
10H .1403	<p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>2: No Position 9: Agree 298: Disagree</p>	<p>17: Online 41: Comment Card 251: Letter/Email</p>

Proposal	Proposed Text	Position Counts	Comment Types
10H .1404	<p>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:</p> <ul style="list-style-type: none"> • 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. 	<p>13: No Position 6: Agree 229: Disagree</p>	<p>12: Online 32: Comment Card 204: Letter/Email</p>
10H .1405	<p>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.</p>	<p>15: No Position 19: Agree 210: Disagree</p>	<p>6: Online 33: Comment Card 205: Letter/Email</p>
10H .1406	<p>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.</p>	<p>13: No Position 23: Agree 207: Disagree</p>	<p>8: Online 32: Comment Card 203: Letter/Email</p>

EXHIBIT P

December 7, 2017



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.

- 1 ~~(2) Denial of captivity license. Circumstances or purposes for which a captivity license shall not be~~
2 ~~issued include the following:~~
- 3 ~~(A) For the purpose of holding a wild animal or wild bird that was acquired unlawfully.~~
4 ~~(B) For the purpose of holding the wild animal or wild bird as a pet. For purposes of this Rule,~~
5 ~~the term "pet" means an animal kept for amusement or companionship. The term shall not~~
6 ~~be construed to include cervids held in captivity for breeding for sale to another licensed~~
7 ~~operator.~~
- 8 ~~(C) For the purpose of holding wild animals or wild birds for hunting in North Carolina.~~
9 ~~(D) For the purpose of holding wild turkey or black bear.~~
10 ~~(E) For the purpose of holding deer, elk or any other member of the family Cervidae, except~~
11 ~~current licenses which may be renewed as specified in Subparagraph (6) of this Paragraph.~~
- 12 ~~(3) Required Facilities. No captivity license shall be issued until the applicant has constructed or~~
13 ~~acquired a facility for keeping the animal or bird in captivity that complies with the standards set~~
14 ~~forth in Rule .0302 of this Section and the adequacy of such facility has been verified on inspection~~
15 ~~by a representative of the Commission.~~
- 16 ~~(4) Term of License~~
- 17 ~~(A) Dependent Wildlife. If the wild animal or wild bird has been permanently rendered~~
18 ~~incapable of subsisting in the wild, the license authorizing its retention in captivity shall be~~
19 ~~an annual license terminating on December 31 of the year for which issued.~~
- 20 ~~(B) Rehabilitable Wildlife. When the wild animal or wild bird is temporarily incapacitated,~~
21 ~~and may be rehabilitated for release to the wild, any captivity license that is issued shall be~~
22 ~~for a period less than one year as rehabilitation may require.~~
- 23 ~~(C) Concurrent Federal Permit. No State captivity license for an endangered or threatened~~
24 ~~species or a migratory bird, regardless of the term specified, shall operate to authorize~~
25 ~~retention thereof for a longer period than is allowed by any concurrent federal permit that~~
26 ~~may be required for retention of the bird or animal.~~
- 27 ~~(5) Holders of Captivity License for cervids.~~
- 28 ~~(A) Inspection of records. The licensee shall make all records pertaining to tags, licenses or~~
29 ~~permits issued by the Commission available for inspection by the Commission at any time~~
30 ~~during normal business hours, or at any time an outbreak of Chronic Wasting Disease~~
31 ~~(CWD) is suspected or confirmed within five miles of the facility or within the facility~~
32 ~~itself.~~
- 33 ~~(B) Inspection. The licensee shall make all enclosures at each licensed facility and the record-~~
34 ~~book(s) documenting required monitoring of the outer fence of the enclosure(s) available~~
35 ~~for inspection by the Commission at any time during normal business hours, or at any time~~
36 ~~an outbreak of CWD is suspected or confirmed within five miles of the facility or within~~
37 ~~the facility itself.~~

- 1 ~~(C) — Fence Monitoring Requirement. The fence surrounding the enclosure shall be inspected~~
2 ~~by the licensee or licensee's agent once a week during normal weather conditions to verify~~
3 ~~its stability and to detect the existence of any conditions or activities that threaten its~~
4 ~~stability. In the event of severe weather or any other condition that presents potential for~~
5 ~~damage to the fence, inspection shall occur every three hours until cessation of the~~
6 ~~threatening condition, except that no inspection is required under circumstances that~~
7 ~~threaten the safety of the person conducting the inspection.~~
- 8 ~~(D) — A record book shall be maintained to record the time and date of the inspection, the name~~
9 ~~of the person who performed the inspection, and the condition of the fence at time of~~
10 ~~inspection. The person who performs the inspection shall enter the date and time of~~
11 ~~detection and the location of any damage threatening the stability of the fence. If damage~~
12 ~~has caused the fence to be breachable, the licensee shall enter a description of measures~~
13 ~~taken to prevent ingress or egress by cervids. Each record book entry shall bear the~~
14 ~~signature or initials of the licensee attesting to the veracity of the entry. The record book~~
15 ~~shall be made available to inspection by a representative of the Commission upon request~~
16 ~~during normal business operating hours.~~
- 17 ~~(E) — Maintenance. Any opening or passage through the enclosure fence that results from~~
18 ~~damage shall, within one hour of detection, be sealed or otherwise secured to prevent a~~
19 ~~cervid from escape. Any damage to the enclosure fence that threatens its stability shall be~~
20 ~~repaired within one week of detection.~~
- 21 ~~(F) — Escape. When a licensee discovers the escape of any cervid from the facility, the licensee~~
22 ~~or designee shall report within 24 hours the escape to the Commission. If possible, the~~
23 ~~escaped cervid shall be recaptured alive. If live recapture is not possible, the licensee shall~~
24 ~~request a wildlife take permit and take the escaped cervid pursuant to the terms of the~~
25 ~~permit. A recaptured live cervid shall be submitted to the Commission for CWD testing~~
26 ~~using a test recognized by the Southeastern Cooperative Wildlife Disease Study unless the~~
27 ~~executive director determines that the risk of CWD transmission as a result of this escape~~
28 ~~is negligible based upon:~~
- 29 ~~(i) — amount of time the escaped cervid remained out of the facility;~~
30 ~~(ii) — proximity of the escaped cervid to wild populations;~~
31 ~~(iii) — known susceptibility of the escaped cervid species to CWD;~~
32 ~~(iv) — nature of the terrain in to which the cervid escaped.~~
- 33 ~~(G) — Chronic Wasting Disease (CWD)~~
- 34 ~~(i) — Detection. Each licensee shall notify the Commission within 24 hours if any~~
35 ~~cervid within the facility exhibits clinical symptoms of CWD or if a quarantine is~~
36 ~~placed on the facility by the State Veterinarian. All captive cervids that exhibit~~
37 ~~symptoms of CWD shall be tested for CWD.~~

1 (ii) ~~Cervid death. The carcass of any captive cervid that was six months or older at~~
2 ~~time of death shall be transported and submitted by the licensee or his designee to~~
3 ~~a North Carolina Department of Agriculture diagnostic lab for CWD evaluation~~
4 ~~within 48 hours of the cervid's death, or by the end of the next business day,~~
5 ~~whichever is later. Ear tags distributed by the Commission and subsequently~~
6 ~~affixed to the cervids as required by this Rule, may not be removed from the~~
7 ~~cervid's head prior to submitting the head for CWD evaluation.~~

8 (iii) ~~The Commission shall require testing or forfeiture of cervids from a facility~~
9 ~~holding cervids in this state should the following circumstances or conditions~~
10 ~~occur:~~

11 (I) ~~The facility has transferred a cervid that is received by a facility in which~~
12 ~~CWD is confirmed within five years of the cervid's transport date and~~
13 ~~that transferred cervid has tested positive for CWD or the test for CWD~~
14 ~~was inconclusive or the transferred cervid was no longer available for~~
15 ~~testing.~~

16 (II) ~~The facility has received a cervid that originated from a facility in which~~
17 ~~CWD has been confirmed within five years of the cervid's transport date~~
18 ~~and that received cervid has tested positive for CWD or the test for CWD~~
19 ~~was inconclusive or the received cervid was no longer available for~~
20 ~~testing.~~

21 (H) ~~Tagging Required. Effective upon receipt of tags from the Commission, each licensee shall~~
22 ~~implement the tagging requirement using only the tags provided by the Commission as~~
23 ~~follows:~~

24 (i) ~~All cervids born within a facility shall be tagged by March 1 following the birthing~~
25 ~~season each year.~~

26 (ii) ~~All cervids transferred to a facility shall be tagged within five days of the cervid's~~
27 ~~arrival at the licensee's facility. However, no cervids shall be transported from~~
28 ~~one facility to another unless both sending and receiving herds are certified~~
29 ~~according to 15A NCAC 10H .0304.~~

30 (I) ~~Application for Tags.~~

31 (i) ~~Application for tags for calves and fawns. Application for tags for cervids born~~
32 ~~within a facility shall be made by the licensee by December 1 following the~~
33 ~~birthing season of each year. The licensee shall provide the following~~
34 ~~information, along with a statement and licensee's signature verifying that the~~
35 ~~information is accurate:~~

36 (I) ~~Applicant name, mailing address, and telephone number;~~

37 (II) ~~Facility name and site address;~~

1 (III) — Captivity license number;

2 (IV) — Species of each cervid; and

3 (V) — Birth year of each cervid.

4 (ii) — Application for tags for cervids that were not born at the facility site shall be made
5 by written request for the appropriate number of tags along with the licensee's
6 application for transportation of the cervid, along with a statement and licensee's
7 signature verifying that the information is accurate. These tag applications shall
8 not be processed unless accompanied by a completed application for
9 transportation. However, no transportation permits shall be issued nor shall
10 cervids be transported from one facility to another unless both sending and
11 receiving herds are certified according to 15A NCAC 10H .0304.

12 (J) — Placement of Tags.

13 (i) — A single button ear tag provided by the Commission shall be permanently affixed
14 by the licensee onto either the right or left ear of each cervid, provided that the ear
15 chosen to bear the button tag shall not also bear a bangle tag, so that each ear of
16 the cervid bears only one tag.

17 (ii) — A single bangle ear tag provided by the Commission shall be permanently affixed
18 by the licensee onto the right or left ear of each cervid except Muntjac deer,
19 provided that the ear bearing the bangle tag does not also bear the button tag, so
20 that each ear of the cervid bears only one tag. Muntjac deer are not required to be
21 tagged with the bangle tag.

22 (iii) — Once a tag is affixed in the manner required by this Rule, it shall not be removed.

23 (K) — Reporting Tags Requirement. For all cervids, except calves and fawns, the licensee shall
24 submit a Cervidae Tagging Report within 30 days of receipt of the tags. Cervidae Tagging
25 Reports for calves and fawns shall be submitted by March 1 following the birthing season
26 each year. A Cervidae Tagging Report shall provide the following information and be
27 accompanied by a statement and licensee's signature verifying that the information is
28 accurate:

29 (i) — Licensee name, mailing address, and telephone number;

30 (ii) — Facility name and site address, including the County in which the site is located;

31 (iii) — Captivity license number;

32 (iv) — Species and sex of each cervid;

33 (v) — Tag number(s) for each cervid; and

34 (vi) — Birth year of each cervid.

35 (L) — Replacement of Tags. The Commission shall replace tags that are lost or unusable and
36 shall extend the time within which a licensee shall tag cervids consistent with time required
37 to issue a replacement.

1 (i) ~~Lost Tags. The loss of a tag shall be reported to the Commission by the licensee~~
2 ~~and application shall be made for a replacement upon discovery of the loss.~~
3 ~~Application for a replacement shall include the information required by Part~~
4 ~~(e)(5)(I) of this Rule along with a statement and applicant's signature verifying~~
5 ~~that the information is accurate. Lost tags shall be replaced on the animal by the~~
6 ~~licensee within 30 days of receipt of the replacement tag.~~

7 (ii) ~~Unusable Tags. Tags that cannot be properly affixed to the ear of a cervid or that~~
8 ~~cannot be read because of malformation or damage to the tags or obscurement of~~
9 ~~the tag numbers shall be returned to the Commission along with an application~~
10 ~~for a replacement tag with a statement and applicant's signature verifying that the~~
11 ~~information in the application is accurate.~~

12 ~~(6) Renewal of captivity license for cervids. Existing captivity licenses for the possession of cervids at~~
13 ~~existing facilities shall be renewed as long as the applicant for renewal has live cervids and continues~~
14 ~~to meet the requirements of this Section for the license. Only licensees with Certified Herds, as~~
15 ~~defined in 15A NCAC 10H .0304, may request in their renewal applications to expand pen size or~~
16 ~~the number of pens on the licensed facility to increase the holding capacity of that facility. No~~
17 ~~renewals shall be issued for a license that has been allowed to lapse due to the negligence of the~~
18 ~~former licensee.~~

19 ~~(7) Provision for licensing the possession of cervids in an existing facility. A captivity license shall~~
20 ~~only be issued to an individual who is 18 years of age or older. If the licensee of an existing facility~~
21 ~~voluntarily surrenders his or her captivity license, becomes incapacitated or mentally incompetent,~~
22 ~~or dies, a person who has obtained lawful possession of the facility from the previous licensee or~~
23 ~~that licensee's estate, may request that the existing captivity license be transferred to him or her to~~
24 ~~operate the existing facility. Any license transferred under this provision shall be subject to the~~
25 ~~same terms and conditions imposed on the original licensee at the time of his or her surrender or~~
26 ~~death and shall be valid only for the purpose of holding the cervids of the existing facility within~~
27 ~~that existing facility. In addition, any actions pending from complaint, investigation or other cause~~
28 ~~shall be continued notwithstanding the termination of the original license.~~

29 ~~(d) Nontransferable. No license or permit or tag issued pursuant to this Rule is transferable, either as to the holder or~~
30 ~~the site of a holding facility, except as provided in Subparagraph (c)(7) of this Rule.~~

31 ~~(e) Sale, Transfer or Release of Captive Wildlife.~~

32 ~~(1) It is unlawful for any person to transfer or receive any wild animal or wild bird that is being held~~
33 ~~under a captivity permit issued under Paragraph (b) of this Rule, except that any such animal or bird~~
34 ~~may be surrendered to an agent of the Commission.~~

35 ~~(2) It is unlawful for any person holding a captivity license issued under Paragraph (c) of this Rule to~~
36 ~~sell or transfer the animal or bird held under such license, except that such animal or bird may be~~
37 ~~surrendered to an agent of the Commission, and any such licensee may sell or transfer the animal or~~

1 bird (except members of the family Cervidae) to another person who has obtained a license to hold
2 it in captivity. For animals in the family Cervidae, sale or transfer of animals is allowed only
3 between Certified Herds, as defined in 15A NCAC 10H .0304. Upon such a sale or transfer, the
4 seller or transferor shall obtain a receipt for the animal or bird showing the name, address, and
5 license number of the buyer or transferee, a copy of which shall be provided to the Commission.

6 (3) — It is unlawful for any person to release into the wild for any purpose or allow to range free:

7 (A) — any species of deer, elk or other members of the family Cervidae, or

8 (B) — any wolf, coyote, or other non-indigenous member of the family Canidae, or

9 (C) — any member of the family Suidae.

10 (f) ~~Transportation Permit.~~

11 (1) — Except as otherwise provided herein, no transportation permit is required to move any lawfully held
12 wild animal or wild bird within the State.

13 (2) — No person shall transport black bear or Cervidae for any purpose without first obtaining a
14 transportation permit from the Commission.

15 (3) — Except as provided in Subparagraph (f)(4) of this Rule, no transportation permits shall be issued for
16 deer, elk, or other species in the family Cervidae except into and between Certified Herds as defined
17 in 15A NCAC 10H .0304.

18 (4) — ~~Cervid Transportation.~~ A permit to transport deer, elk, or other species in the family Cervidae may
19 be issued by the Commission to an applicant for the purpose of transporting the animal or animals
20 for export out of state, to a slaughterhouse for slaughter, from a Certified Herd to another Certified
21 Herd as defined in 15A NCAC 10H .0304, or to a veterinary medical facility for treatment provided
22 that the animal for which the permit is issued does not exhibit clinical symptoms of Chronic Wasting
23 Disease. No person shall transport a cervid to slaughter or export out of state without bearing a copy
24 of the transportation permit issued by the Commission authorizing that transportation. No person
25 shall transport a cervid for veterinary treatment without having obtained approval from the
26 Commission as provided by Part (f)(4)(D) of this Rule. Any person transporting a cervid shall
27 present the transportation permit to any law enforcement officer or any representative of the
28 Commission upon request, except that a person transporting a cervid by verbal authorization for
29 veterinary treatment shall provide the name of the person who issued the approval to any law
30 enforcement officer or any representative of the Commission upon request.

31 (A) — ~~Slaughter.~~ Application for a transportation permit for purpose of slaughter shall be
32 submitted in writing to the Commission and shall include the following information along
33 with a statement and applicant's signature verifying that the information is accurate:

34 (i) — Applicant name, mailing address, and telephone number;

35 (ii) — Facility site address;

36 (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 license 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 license 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 license plate number and state of issuance of the vehicle or trailer used to transport the cervid;~~

1 (v) ~~Name, site address, county, and phone number of the destination facility to which~~
2 ~~the cervid is moved;~~

3 (vi) ~~Date of departure;~~

4 (vii) ~~Species and sex of each cervid; and~~

5 (viii) ~~Tag number(s) for each cervid.~~

6 (D) ~~Veterinary treatment. No approval shall be issued for transportation of a cervid to a~~
7 ~~veterinary clinic out of the state of North Carolina, or for transportation from a facility out~~
8 ~~of the state of North Carolina to a veterinary clinic in North Carolina. An applicant from~~
9 ~~a North Carolina facility seeking to transport a cervid for veterinary treatment to a facility~~
10 ~~within North Carolina shall contact the Wildlife Telecommunications Center or the~~
11 ~~Wildlife Management Division of the Commission to obtain verbal authorization to~~
12 ~~transport the cervid to a specified veterinary clinic and to return the cervid to the facility.~~
13 ~~Verbal approval to transport a cervid to a veterinary clinic shall authorize transport only to~~
14 ~~the specified veterinary clinic and directly back to the facility, and shall not be construed~~
15 ~~to permit intervening destinations. To obtain verbal authorization to transport, the~~
16 ~~applicant shall provide staff of the Commission the applicant's name and phone number,~~
17 ~~applicant's facility name, site address and phone number, the cervid species, sex and tag~~
18 ~~numbers, and the name, address and phone number of the veterinary facility to which the~~
19 ~~cervid shall be transported. Within five days of transporting the cervid to the veterinary~~
20 ~~facility for treatment, the licensee shall provide the following information in writing to the~~
21 ~~Commission, along with a statement and applicant's signature verifying that the~~
22 ~~information is correct:~~

23 (i) ~~Applicant's name, mailing address and telephone number;~~

24 (ii) ~~Facility name and site address;~~

25 (iii) ~~Captivity license number;~~

26 (iv) ~~Vehicle or trailer license plate number and state of issuance of the vehicle or trailer~~
27 ~~used to transport the cervid;~~

28 (v) ~~Date of transportation;~~

29 (vi) ~~Species and sex of each cervid;~~

30 (vii) ~~Tag number(s) for each cervid;~~

31 (viii) ~~Name, address and phone number of the veterinarian and clinic that treated the~~
32 ~~cervid;~~

33 (ix) ~~Symptoms for which cervid received treatment; and~~

34 (x) ~~Diagnosis of veterinarian who treated the cervid.~~

35 (g) ~~Slaughter at cervid facility. Application for a permit for purpose of slaughter at the cervid facility shall be~~
36 ~~submitted in writing to the Commission and shall include the following information along with a statement and~~
37 ~~applicant's signature verifying that the information is accurate:~~

- 1 (1) ~~Applicant name, mailing address, and telephone number;~~
- 2 (2) ~~Facility site address;~~
- 3 (3) ~~Captivity license number;~~
- 4 (4) ~~Name and location of the North Carolina Department of Agriculture Diagnostic lab where the head~~
- 5 ~~of the cervid is to be submitted for CWD testing;~~
- 6 (5) ~~Date of slaughter;~~
- 7 (6) ~~Species and sex of each cervid; and~~
- 8 (7) ~~Tag number(s) for each cervid.~~

9 ~~Permits or authorization may not be sold or traded by the licensee to any individual for the hunting or collection of~~
10 ~~captive cervids. Only the licensee may kill a cervid within the cervid enclosure.~~

11
12 *History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274;*
13 *Eff. February 1, 1976;*
14 *Amended Eff. April 1, 1991; September 1, 1990; June 1, 1990; July 1, 1988;*
15 *Temporary Amendment Eff. October 8, 2002; May 17, 2002(this temporary rule replaced the*
16 *permanent rule approved by RRC on June 21, 2001 to become effective in July 2002); July 1, 2001;*
17 *Amended Eff. May 1, 2010; May 1, 2008; December 1, 2005; August 1, 2004;*
18 *Temporary Amendment Eff. December 2, 2014;*
19 *Temporary Amendment Expired September 11, 2015;*
20 *Temporary Amendment Eff. February 27, 2015;*
21 *Temporary Amendment Expired December 11, 2015.*
22 *Repealed Eff. January 1, 2020*
23

1 **15A NCAC 10H .0302 MINIMUM STANDARDS**

2 ~~(a) Exemptions. Publicly financed zoos, scientific and biological research facilities, and institutions of higher~~
3 ~~education that were granted an exemption by the Commission from the standards of this Rule prior to December 1,~~
4 ~~2005 are exempt from the standards set forth in this Rule for all birds and animals except the black bear so long as the~~
5 ~~captivity license in effect on that date has not expired or been revoked.~~

6 ~~(b) With the exception of those entities named in Paragraph (a) of this Rule who have received exemption from the~~
7 ~~Commission, all holders of captivity licenses shall comply with the following requirements:~~

8 ~~(1) Deer, Elk and other species of the family Cervidae~~

9 ~~(A) Enclosure. The enclosure shall be on a well drained site containing natural or manmade~~
10 ~~shelter for shade. The minimum size of the enclosure for all cervids except Muntjac deer~~
11 ~~shall be not less than one half acre for the first three animals and an additional one fourth~~
12 ~~acre for each additional animal held provided that no more than 25 percent shall be covered~~
13 ~~with water. At no time shall the number of cervids in the enclosure exceed the number~~
14 ~~allowed by the captivity license, except that fawns and calves shall not count towards the~~
15 ~~total number of cervids in a facility from the time they are born until March 1 of the~~
16 ~~following year. The enclosure shall be surrounded by a fence of sufficient strength and~~
17 ~~design to contain the animal under any circumstances, at least eight feet high, and dog-~~
18 ~~proof to a height of at least six feet. For enclosures exclusively holding Muntjac deer, the~~
19 ~~minimum pen size shall be 800 square feet for the first three animals and 200 square feet~~
20 ~~for each additional animal. No exposed barbed wire, nails, or other protrusions that may~~
21 ~~cause injury to the animal shall be permitted within the enclosure. Captive cervids shall~~
22 ~~not be contained within or allowed to enter a place of residence.~~

23 ~~(B) Sanitation and Care. Licensees shall provide an ample supply of clear water and salt at all~~
24 ~~times. Food shall be placed in the enclosure as needed, but not less than three times weekly.~~
25 ~~An effective program for the control of insects, ectoparasites, disease, and odor shall be~~
26 ~~established and maintained. The animal(s) shall be protected against fright or harm from~~
27 ~~other animals.~~

28 ~~(2) Wild Boars~~

29 ~~(A) Enclosure. The enclosure shall be on a site containing trees or brush for shade. The~~
30 ~~minimum size of the enclosure shall be not less than one half acre for the first three animals~~
31 ~~and an additional one fourth acre for each additional animal held. The enclosure shall be~~
32 ~~surrounded by a fence at least five feet high and of sufficient strength to contain the~~
33 ~~animals. No exposed barbed wire or protruding nails shall be permitted within the~~
34 ~~enclosure. A roofed building large enough to provide shelter in both a standing or a lying~~
35 ~~position for each boar must be provided. This building shall be closed on three sides. A~~
36 ~~pool of water for wallowing or a sprinkler system shall be provided on days when heat~~
37 ~~could cause stress to the animal(s).~~

1 (B) ~~Sanitation and Care. Licensees shall provide an ample supply of clear water at all times.~~
2 ~~Food shall be placed in the enclosure as needed, but in any case, not less than three times~~
3 ~~weekly. An effective program for the control of insects, ectoparasites, disease, and odor~~
4 ~~shall be established and maintained.~~

5 (3) ~~Wild Birds~~

6 (A) ~~Enclosure. The enclosure shall be large enough for the bird or birds to assume all natural~~
7 ~~postures. The enclosure shall be designed in such a way that the birds cannot injure~~
8 ~~themselves and are able to maintain a natural plumage. Protection from sun, weather, and~~
9 ~~predators shall also be provided.~~

10 (B) ~~Sanitation and Care. The cage shall be kept clean, dry, and free from molded or damp feed.~~
11 ~~Ample food and clean water shall be available at all times.~~

12 (4) ~~Alligators~~

13 (A) ~~Enclosure. The enclosure shall be surrounded by a fence of sufficient strength to contain~~
14 ~~the animals and that shall prevent contact between the observer and alligator. The~~
15 ~~enclosure shall contain a pool of water large enough for the animal to completely submerge~~
16 ~~itself. If more than one animal is kept, the pool must be large enough for all animals to be~~
17 ~~able to submerge themselves at the same time. A land area with both horizontal dimensions~~
18 ~~at least as long as the animal shall also be provided. In case of more than one animal, the~~
19 ~~land area shall have both horizontal dimensions at least as long as the longest animals to~~
20 ~~occupy the land area at the same time without overlap.~~

21 (B) ~~Sanitation and Care. The water area shall be kept clean and food adequate to maintain~~
22 ~~good health provided. Protection shall be provided at all times from extremes in~~
23 ~~temperature that could cause stress to the animal.~~

24 (5) ~~Black Bear~~

25 (A) ~~Educational Institutions and Zoos Operated or Established by Governmental Agencies~~

26 (i) ~~Enclosure. A permanent, stationary metal cage, at least eight feet wide by 12 feet~~
27 ~~long by six feet high and located in the shade or where shaded during the afternoon~~
28 ~~hours of summer, is required. The cage shall have a concrete floor in which a~~
29 ~~drainable pool one and one half feet deep and not less than four by five feet has~~
30 ~~been constructed. The bars of the cage shall be of iron or steel at least one fourth~~
31 ~~inch in diameter, or heavy gauge steel chain link fencing may be used. The gate~~
32 ~~shall be equipped with a lock or safety catch, and guard rails shall be placed~~
33 ~~outside the cage so as to prevent contact between the observer and the caged~~
34 ~~animal. The cage must contain a den at least five feet long by five feet wide by~~
35 ~~four feet high and so constructed as to be easily cleaned. A "scratch log" shall be~~
36 ~~placed inside the cage. The cage shall be equipped with a removable food trough.~~
37 ~~Running water shall be provided for flushing the floor and changing the pool.~~

1 (ii) ~~Sanitation and Care. Food adequate to maintain good health shall be provided~~
2 ~~daily; and clean, clear drinking water shall be available at all times. The floor of~~
3 ~~the cage and the food trough shall be flushed with water and the water in the pool~~
4 ~~changed daily. The den shall be flushed and cleaned at least once each week in~~
5 ~~hot weather. An effective program for the control of insects, ectoparasites,~~
6 ~~disease, and odor shall be established and maintained. Brush, canvas, or other~~
7 ~~material shall be placed over the cage to provide additional shade when necessary~~
8 ~~for the health of the animal. The use of collars, tethers or stakes to restrain the~~
9 ~~bear is prohibited, except as a temporary safety device.~~

10 (B) ~~Conditions Simulating Natural Habitat. Black bears held in captivity by other than~~
11 ~~educational institutions or governmental zoos shall be held without caging under conditions~~
12 ~~simulating a natural habitat. All of the following conditions must exist to simulate a natural~~
13 ~~habitat in a holding facility:~~

14 (i) ~~The method of confinement is by chain link fence, wall, moat, or a combination~~
15 ~~of such, without the use of chains or tethers.~~

16 (ii) ~~The area of confinement is at least one acre in extent for one or two bears and an~~
17 ~~additional one eighth acre for each additional bear.~~

18 (iii) ~~Bears are free, under normal conditions, to move throughout such area.~~

19 (iv) ~~At least one half of the area of confinement is wooded with living trees, shrubs~~
20 ~~and other perennial vegetation capable of providing shelter from sun and wind.~~

21 (v) ~~The area of confinement contains a pool not less than one and one half feet deep~~
22 ~~and not less than four by five feet in size.~~

23 (vi) ~~Provision is made for a den for each bear to which the bear may retire for rest,~~
24 ~~shelter from the elements, or respite from public observation.~~

25 (vii) ~~The area of confinement presents an overall appearance of a natural habitat and~~
26 ~~affords the bears protection from harassment or annoyance.~~

27 (viii) ~~Provisions are made for food and water that are adequate to maintain good health~~
28 ~~and for maintenance of sanitation.~~

29 (ix) ~~The applicant shall document that the applicant owns or has a lease of the real~~
30 ~~property upon which the holding facility is located, provided that if the applicant~~
31 ~~is a lessee, the lease is for a duration of at least five years from the point of~~
32 ~~stocking the facility.~~

33 (6) ~~Cougar~~

34 (A) ~~Educational or scientific research institutions and zoos supported by public funds.~~

35 (i) ~~Enclosure. A permanent, stationary metal cage, at least nine feet wide by 18 feet~~
36 ~~long by nine feet high and located in the shade or where shaded during the~~
37 ~~afternoon hours of summer, is required. The cage shall have a concrete floor. The~~

1 bars of the cage shall be of iron or steel at least one fourth inch in diameter, or
2 heavy gauge steel chain link fencing may be used. The gate shall be equipped
3 with a lock or safety catch, and guard rails shall be placed outside the cage so as
4 to prevent contact between the observer and the caged animal. The cage shall
5 contain a den at least five feet long by five feet wide by four feet high and so
6 constructed as to be easily cleaned. A "scratch log" shall be placed inside the
7 cage. The cage shall be equipped with a removable food trough. Running water
8 shall be provided for flushing the floor and changing the pool.

9 (ii) — Sanitation and Care. Food adequate to maintain good health shall be provided
10 daily; and clean, clear drinking water shall be available at all times. The floor of
11 the cage and the food trough shall be flushed with water and the water in the pool
12 changed as necessary to maintain good health of the animal. The den shall be
13 flushed and cleaned at least once each week. An effective program for the control
14 of insects, ectoparasites, disease, and odor shall be established and maintained.
15 Brush, canvas, or other material shall be readily available to be placed over the
16 cage to provide additional shade when necessary. The use of collars, tethers or
17 stakes to restrain the cougar is prohibited, except as a temporary safety device.

18 (B) — Cougars held in captivity by other than educational or scientific institutions or publicly
19 supported zoos shall be held without caging under conditions simulating a natural habitat.
20 Applicants for a captivity license to hold cougar shall apply to the Commission on forms
21 provided by the Commission, and shall provide plans that describe how the applicant's
22 facility will comply with the requirement to simulate a natural habitat. All of the following
23 conditions must exist to simulate a natural habitat in a holding facility.

24 (i) — The method of confinement is by chain link fence, without the use of chains or
25 tethers, provided that:

26 (I) — Nine gauge chain link fencing shall be at least 12 feet in height with a
27 four foot fence overhang at a 45 degree angle on the inside of the pen to
28 prevent escape from climbing and jumping.

29 (II) — Fence posts and at least six inches of the fence skirt shall be imbedded
30 in a six inch wide by one foot deep concrete footer to prevent escape by
31 digging.

32 (ii) — The area of confinement shall be at least one acre for two cougars with an
33 additional one eighth acre for each additional cougar. If, following a site
34 evaluation, the Commission determines that terrain and topographical features
35 offer sufficient escape, cover and refuge, and meet all other specifications, and
36 that the safety and health of the animal(s) will not be compromised, smaller areas
37 shall be permitted.

- 1 (iii) ~~Cougars shall be free under normal conditions to move throughout the area of~~
2 ~~confinement.~~
- 3 (iv) ~~At least one half of the area of confinement shall be wooded with living trees,~~
4 ~~shrubs and other perennial vegetation capable of providing shelter from sun and~~
5 ~~wind; and a 20 foot wide strip along the inside of the fence shall be maintained~~
6 ~~free of trees, shrubs and any other obstructions which could provide a base from~~
7 ~~which escape through leaping could occur.~~
- 8 (v) ~~The area of confinement shall contain a pool not less than one and one half feet~~
9 ~~deep and not less than four by five feet in size.~~
- 10 (vi) ~~Each cougar shall be provided a den to which the cougar may retire for rest, shelter~~
11 ~~from the elements, or respite from public observation. Each den shall be four feet~~
12 ~~wide by four feet high by four feet deep. Each den shall be enclosed entirely~~
13 ~~within at least an eight feet wide by ten feet deep by 12 feet high security cage.~~
14 ~~The security cage shall be completely within the confines of the facility, cement-~~
15 ~~floored, shall have nine gauge fencing on all sides and the top, and shall have a~~
16 ~~four foot, 45 degree fence overhang around the outside top edge to prevent cougar~~
17 ~~access to the top of the security cage.~~
- 18 (vii) ~~The area of confinement shall protect the cougar from harassment or annoyance.~~
- 19 (C) ~~Provisions shall be made for maintenance of sanitation and for food and water adequate to~~
20 ~~maintain good health of the animal(s).~~
- 21 (D) ~~The applicant shall document that the applicant owns or has a lease of the real property~~
22 ~~upon which the holding facility is located, provided that if the applicant is a lessee, the~~
23 ~~lease is for a duration of at least five years from the point of stocking the facility.~~
- 24 (7) ~~Other Wild Animal Enclosures.~~
- 25 (A) ~~General Enclosure Requirements.~~
- 26 (i) ~~The enclosure shall provide protection from free ranging animals and from sun or~~
27 ~~weather that could cause stress to the animals.~~
- 28 (ii) ~~A den area in which the animal can escape from view and large enough for the~~
29 ~~animal to turn around and lie down shall be provided for each animal within the~~
30 ~~enclosure.~~
- 31 (iii) ~~No tethers or chains shall be used to restrain the animal.~~
- 32 (iv) ~~Either a tree limb, exercise device, or shelf large enough to accommodate the~~
33 ~~animal shall be provided to allow for exercise and climbing.~~
- 34 (v) ~~Sanitation and Care. Fresh food shall be provided daily, and clean water shall be~~
35 ~~available at all times.~~
- 36 (vi) ~~An effective program for the control of insects, ectoparasites, disease, and odor~~
37 ~~shall be established and maintained.~~

1 ~~(B) Single Animal Enclosures for certain animals. The single animal enclosure for the animals~~
2 ~~listed in this Subparagraph shall be a cage with the following minimum dimensions and~~
3 ~~horizontal areas:~~

4

5 _____ Dimensions in Feet

6 Animal	7 Length	8 Width	9 Height	10 Per Animal
11 Bobcat, Otter	12 10	13 5	14 5	15 50
16 Raccoon, Fox, Woodchuck	17 8	18 4	19 4	20 32
21 Opossum, Skunk, Rabbit	22 6	23 3	24 3	25 18
26 Squirrel	27 4	28 2	29 2	30 8

31 ~~(C) Single Enclosure Requirements for animals not mentioned elsewhere in this Rule. For~~
32 ~~animals not listed above or mentioned elsewhere in this Rule, single animal enclosures~~
33 ~~shall be a cage with one horizontal dimension being at least four times the nose rump length~~
34 ~~of the animal and the other horizontal dimension being at least twice the nose rump length~~
35 ~~of the animal. The vertical dimensions shall be at least twice the nose rump length of the~~
36 ~~animal. Under no circumstances shall a cage be less than four feet by two feet by two feet.~~

37 ~~(D) Multiple Animal Enclosures. The minimum area of horizontal space shall be determined~~
38 ~~by multiplying the required square footage for a single animal by a factor of 1.5 for one~~
39 ~~additional animal and the result by the same factor, successively, for each additional~~
40 ~~animal. The vertical dimension for multiple animal enclosures shall remain the same as for~~
41 ~~single animal enclosures.~~

42 ~~(E) Young animals. The young of any animal may be kept with the parent in a single animal~~
43 ~~enclosure only until weaning. After weaning, if the animals are kept together, the~~
44 ~~requirements for multiple animal enclosures apply.~~

45 *History Note: Authority G.S. 19A-11; 106-549.97(b); 113-134; 113-272.5, 113-272.6;*
46 *Eff. February 1, 1976;*
47 *Amended Eff. December 1, 1990; June 1, 1990; July 1, 1988; November 9, 1980;*
48 *Temporary Amendment Eff. October 8, 2002;*
49 *Amended Eff. May 1, 2010; December 1, 2005; August 1, 2004;*
50 *Temporary Amendment Eff. February 27, 2015;*
51 *Temporary Amendment Expired December 11, 2015.*
52 *Repealed Eff. January 1, 2020.*

1 **15A NCAC 10H .0303 FORFEITURE**

2 ~~(a) The Executive Director of the Wildlife Resources Commission may issue a warning or revoke the holder's permit~~
3 ~~or license and a holder of a permit or license to keep wildlife in captivity may forfeit the right to keep that wildlife,~~
4 ~~lose custody of that wildlife, and be required to turn that wildlife over to a representative of the Wildlife Resources~~
5 ~~Commission upon request of the Commission as authorized by G.S. 150B-3 and G.S. 113-276.2. The determination~~
6 ~~whether to issue a warning or revoke a license or permit and require forfeiture shall be based upon the seriousness of~~
7 ~~the violation. Violations include but are not limited to the following circumstances or conditions:~~

8 ~~(1) The licensee or permittee fails to maintain the captive animal or bird in good health or to treat~~
9 ~~conditions that warrant medical attention. Chronic or acute instances of the following that are~~
10 ~~untreated may be considered evidence that the licensee is failing to keep the animal or bird in good~~
11 ~~health:~~

12 ~~(A) weakness or instability in balance;~~

13 ~~(B) bare spots in fur or feather covering that do not result from that animal's behavior;~~

14 ~~(C) diarrhea;~~

15 ~~(D) abnormally low weight;~~

16 ~~(E) unusual nasal discharges;~~

17 ~~(F) sores or open wounds; or~~

18 ~~(G) injury to muscles or bones.~~

19 ~~(2) The permittee or licensee fails to provide accurate information on records or permit or license~~
20 ~~applications submitted to the Wildlife Resources Commission.~~

21 ~~(3) The licensee of a facility holding captive cervid(s) fails to comply with tagging requirements for~~
22 ~~cervids as provided by rules in this Section.~~

23 ~~(4) The licensee of a facility holding captive cervid(s) fails to comply with requirements for maintaining~~
24 ~~the enclosure fence as provided by rules in this Section.~~

25 ~~(5) The licensee fails to comply with monitoring or record keeping requirements as provided by rules~~
26 ~~in this Section.~~

27 ~~(6) The permittee or licensee fails to keep in captivity the wildlife for which the facility is licensed.~~

28 ~~(7) The licensee of a facility holding captive cervid(s) fails to permit the Wildlife Resources~~
29 ~~Commission to inspect the licensed facility or records as provided by rules in this Section.~~

30 ~~(b) The Executive Director of the Wildlife Resources Commission shall revoke the holder's permit or license and a~~
31 ~~holder of a permit or license to keep wildlife in captivity shall forfeit the right to keep that wildlife, lose custody of~~
32 ~~that wildlife and be required to turn that wildlife over to a representative of the Wildlife Resources Commission upon~~
33 ~~request of the Commission under any of the following circumstances or conditions:~~

34 ~~(1) The licensee of a facility holding captive cervid(s) fails to report symptoms of chronic wasting~~
35 ~~disease in a cervid to the Wildlife Resources Commission as provided by rule(s) in this Section;~~

36 ~~(2) The licensee of a facility holding captive cervid(s) fails to transport and submit a cervid carcass to~~
37 ~~a North Carolina Department of Agriculture diagnostic lab for CWD evaluation within 48 hours of~~

1 ~~that cervid's death or close of the next business day, whichever is later, as provided by rule(s) in this~~
2 ~~Section;~~

3 ~~(3) A cervid in possession of the licensee has been transported without a permit; or~~

4 ~~(4) Chronic Wasting Disease has been confirmed in a cervid at that facility.~~

5
6 *History Note:* G.S. 106-549.97(b); 113-131; 113-134; 113-272.5; 113-276.2; 113-292; 150B-3;

7 *Eff. February 1, 1976;*

8 *Amended Eff. February 7, 1979;*

9 *Temporary Amendment Eff. October 8, 2002;*

10 *Amended Eff. August 1, 2004.*

11 *Repealed Eff. January 1, 2020.*

12

1 **15A NCAC 10H .0304 CAPTIVE CERVID HERD CERTIFICATION PROGRAM**

2 ~~(a) The Wildlife Resources Commission has established this Captive Cervid Herd Certification Program in order to~~
3 ~~prevent the introduction of Chronic Wasting Disease (CWD) into North Carolina and reduce the potential for spread~~
4 ~~of CWD while allowing transportation of cervids from herds in which CWD has not been detected for at least five~~
5 ~~years, in accordance with the requirements in this Section. Only licensees with Certified Herds as defined in Paragraph~~
6 ~~(e) of this Rule may request to expand their pen size to accommodate additional cervids and transport cervids within~~
7 ~~North Carolina for purposes other than those specified in 15A NCAC10H .0301(f)(4). Licensees with Certified Herds~~
8 ~~may also import cervids from a herd in which CWD has not been detected for at least five years and has been managed~~
9 ~~using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301 and 15A NCAC~~
10 ~~10H .0302. The individual U.S. or Mexican state or territory, Canadian province or other country of origin must have~~
11 ~~CWD monitoring requirements that are at least as stringent as those described in this Section. The originating~~
12 ~~individual U.S. or Mexican state's or territory's, Canadian province's or other country's CWD monitoring program~~
13 ~~must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture and Consumer Services~~
14 ~~personnel before approval of any importation of cervids into North Carolina. There shall be no importation from~~
15 ~~individual U.S or Mexican states or territories, Canadian provinces or other countries in which CWD has been~~
16 ~~detected, either in a wild or captive herd.~~

17 ~~(b) Enrollment qualifications. Only captive cervid herds held under a valid captivity license are eligible for enrollment~~
18 ~~in the Captive Cervid Herd Certification Program. Licensees shall comply with all captivity license requirements~~
19 ~~outlined in this Section and the rules and laws regulating possession, transportation and importation of cervids in order~~
20 ~~to remain in the Captive Cervid Herd Certification Program.~~

21 ~~(c) Enrollment application. Each individual holding a current and valid Captivity License for cervids may apply to~~
22 ~~be enrolled in the Captive Cervid Herd Certification Program. All applications shall be in writing on a form supplied~~
23 ~~by the Commission. The Commission shall deny an application if:~~

- 24 ~~(1) the licensee has not complied with all the requirements under the captivity license statutes and all~~
25 ~~rules pertaining to the holding of cervids in captivity and the transportation or importation of cervids~~
26 ~~resulting in a failed inspection report for the licensee's most recent inspection; or a pending citation;~~
- 27 ~~(2) the licensee has provided false information; or~~
- 28 ~~(3) CWD has been confirmed in a cervid at the licensee's facility.~~

29 ~~(d) Enrollment dates. The enrollment date is:~~

- 30 ~~(1) the first date upon official inspection, documented by Wildlife Resources Commission and~~
31 ~~Department of Agriculture and Consumer Services personnel, on which the licensee has complied~~
32 ~~with all captivity rules and statutes that pertain to cervids, including tagging, provided that the~~
33 ~~licensee has continued to comply with these regulations; or~~
- 34 ~~(2) the date on which a waiver was issued by the Wildlife Resources Commission Executive Director~~
35 ~~under the conditions set forth in 15A NCAC 10A .1101(a) that brought the licensee into compliance~~
36 ~~assuming that there were no other compliance actions pending, provided that the licensee has~~
37 ~~continued to comply with the captive cervid regulations.~~

1 ~~This date may be retroactive but may extend back no earlier than the date Wildlife Resources Commission and~~
2 ~~Department of Agriculture and Consumer Services personnel documented that the licensee came into compliance with~~
3 ~~all captivity rules and statutes related to holding cervids in captivity, including tagging of all cervids.~~

4 ~~(e) Certified herd. When a herd is enrolled in the Captive Cervid Herd Certification Program, it shall be placed in~~
5 ~~First Year status. If the herd continues to meet the requirements of the Captive Cervid Herd Certification Program,~~
6 ~~each year on the anniversary of the enrollment date the herd status shall be upgraded by one year. One year from the~~
7 ~~date a herd is placed in Fifth Year status, the herd status shall be changed to Certified, and the herd shall remain in~~
8 ~~Certified status as long as it is enrolled in the Captive Cervid Herd Certification Program, provided its status is not~~
9 ~~lost or suspended without reinstatement as described in Paragraph (f).~~

10 ~~(f) Herd status~~

11 ~~(1) A Certified Herd or any herd enrolled in the program shall have its status suspended or reduced if:~~

12 ~~(A) the licensee fails to comply with any of the ongoing requirements for captive cervid~~
13 ~~licenses as identified in 15A NCAC 10H .0301;~~

14 ~~(B) the licensee violates any other North Carolina law or rule related to captive cervids;~~

15 ~~(C) an animal in the herd exhibits clinical signs of CWD;~~

16 ~~(D) an animal in the herd can be traced back to a herd with an animal exhibiting clinical signs~~
17 ~~of CWD; or~~

18 ~~(E) the herd is quarantined by the State Veterinarian.~~

19 ~~(2) A Certified Herd or any herd enrolled in the program shall lose its status if:~~

20 ~~(A) an animal in the herd can be traced back to a herd in which CWD has been detected;~~

21 ~~(B) CWD is detected in an animal in the herd; or~~

22 ~~(C) the licensee loses his or her license.~~

23 ~~The Wildlife Resources Commission shall review cases of suspended status upon request. A Certified Herd with~~
24 ~~suspended status may regain its status if the licensee corrects within 30 days the deficiency under which the status was~~
25 ~~suspended or, in the case of suspected CWD, the disease was not detected in the suspect animal.~~

26 ~~(g) Inspection. If an inspection of the captive cervids is needed as a part of certification, including reinstating a~~
27 ~~suspended status, the licensee is responsible for assembling, handling and restraining the captive cervids and all costs~~
28 ~~incurred to present the animals for inspection.~~

30 *History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274; 113-292;*

31 *Eff. May 1, 2010;*

32 *Temporary Amendment Eff. February 27, 2015;*

33 *Temporary Amendment Expired December 11, 2015.*

34 *Repealed Eff. January 1, 2020.*