



## **AGENDA**

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

**August 23, 2018, 9:00 a.m.**

**1751 Varsity Drive**

**NCWRC Conference Room, 5<sup>th</sup> 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](http://www.ncwildlife.org). As a courtesy to others please turn off all cell phones during the meeting.**

**PLEDGE OF ALLEGIANCE** – *Commissioner Brad Stanback*

**INVOCATION** - *Commissioner John Stone*

### **RECOGNITION OF VISITORS**

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

**APPROVAL OF MINUTES** – Take action on the July 12, 2018 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, Finance Office Chief* (**EXHIBIT B**)

**2018 THOMAS L. QUAY WILDLIFE DIVERSITY AWARD PRESENTATION** – Present the 2018 Thomas L. Quay Wildlife Diversity Award to Nelson MacRae – *Gordon Myers, Executive Director*

**Break for Photographs**

## **COMMITTEE REPORTS**

**Small Game and Wild Turkey Committee Report** – *John Stone, Vice Chair*

**Fisheries Committee Report** - *Tommy Fonville, Chair*

**Finance Committee Report** – *Brad Stanback, Vice Chair*

**Boating Safety Committee Report** – *Mike Johnson Chair*

**Land Use and Access Committee Report** – *Tom Berry, Chair*

**Committee of the Whole** – *Chairman John Coley*

**AGENCY SPOTLIGHT – OVERVIEW OF WILDLIFE RESOURCES COMMISSION TROUT MANAGEMENT EFFORTS** – *Jake Rash, Coldwater Fisheries Research Coordinator*

## **INLAND FISHERIES DIVISION**

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

## **WILDLIFE EDUCATION DIVISION**

**Wildlife Education Update** – Receive an update on the activities of the Wildlife Education Division – *Kris Smith, Wildlife Education 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*

**Special Presentation** – *Dr. David Cobb*

## **LAND AND WATER ACCESS SECTION**

### **Land Acquisitions and Property Matters**

**Phase I Land Acquisition** – Consider approval for staff to work with State Property Office and funding partners to develop an acquisition plan for the following properties – *Jessie Birckhead, Land Acquisition and Grants Manager (EXHIBITS C-1, C-2)*

- High Rock Tract - Davidson, Davie, and Rowan counties (C-1)
- Hauser Tract – Polk County (C-2)

**Phase II Land Acquisition** – Consider final approval to proceed with acquisition of the following properties – *Jessie Birckhead (EXHIBITS D-1, D-2, D-3)*

- Riegel Ridge Tract – Columbus County (D-1)
- Murphy Tract – Pender County (D-2)
- Warren Tract – Pamlico County (D-3)

**Field Trial Schedule** – Consider approval of the 2018-2019 Running Schedule for the J. Robert Gordon Sandhills Field Trial Area – *Jessie Birckhead (EXHIBIT E)*

## **WATER SAFETY RULEMAKING**

**Final Adoption, No-Wake Zone Extension – 15A NCAC 10F .0325 Pembroke Creek in Edenton, Chowan County** - Consider final adoption of an amendment to 15A NCAC 10F .0325 Chowan County, to extend the no-wake zone in Pembroke Creek in Edenton, shore to shore from the W. Queen Street bridge to a line 200 yards southeast – *Betsy Haywood (EXHIBIT F)*

**Notice of Text – 15A NCAC 10F .0333 – Mecklenburg and Gaston Counties** – Consider application from the Lake Wylie Marine Commission for 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 .0333, for a no-wake zone in the vicinity of the Yachtsman Community piers, Terry’s Marina, and beach in Mecklenburg County – *Betsy Haywood (EXHIBIT G)*

## **PERIODIC REVIEW OF RULES RULEMAKING**

**Final Adoption – 15A NCAC 10F .0100 – Motorboat Registration** – Consider adoption of amendments to 15A NCAC 10F .0103 - .0107, .0109, and .0110; and readoption of 10F .0102 as part of the 2016 Periodic Review Rules – *Carrie Ruhlman, Rulemaking Coordinator (EXHIBIT H)*

**Final Adoption – 15A NCAC 10F .0200 – Safety Equipment and Accident Reports** – Consider final adoption of amendments to 15A NCAC 10F .0201 and .0202 as part of the 2016 Periodic Review of Rules – *Carrie Ruhlman (EXHIBIT I)*

**Final Adoption – 15A NCAC 10F .0301 – General Provisions** – Consider readoption of 10F .0301 as part of the 2016 Periodic Review of Rules – *Carrie Ruhlman (EXHIBIT J)*

**2018 Periodic Review of Rules** – Approve final determinations for 15A NCAC 10A, 10D, 10E, 10G, 10I, 10J, and 10K Rules as part of the 2018 Periodic Review process – *Carrie Ruhlman (EXHIBIT K)*

## **PUBLIC HEARING SCHEDULE**

**2019 Statewide Public Hearing Schedule** – Consider approval of the January 2019 public hearing schedule for the 2019-2020 Annual Rule Cycle – *Gordon Myers, Executive Director (EXHIBIT L)*

**COMMENTS BY CHAIRMAN** – *Chairman John Coley*

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

**ADJOURN**

**EXHIBIT A**  
**August 23, 2018**



**MINUTES**  
**July 12, 2018**  
**N. C. Wildlife Resources Commission Meeting**  
**Raleigh, North Carolina**

The July 12, 2018 N.C. Wildlife Resources Commission meeting was called to order by Chairman John Coley at 9:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Coley reminded everyone that the meeting audio is being streamed live and will be available on the Commission's website. He requested that everyone silence electronic devices. Commissioners Nat Harris, Hayden Rogers, and Tom Berry were absent.

Commissioner David Hoyle, Jr. led the Pledge of Allegiance.

Commissioner Richard Edwards gave the invocation.

**WELCOME AND MANDATORY ETHICS INQUIRY**

Chairman Coley welcomed the Commissioners and guests. Coley advised the Commission of the mandatory ethics inquiry as mandated in North Carolina General Statute 138A-15(e). Commissioner Landon Zimmer recused himself from discussion and action on a NCDOT Right of Way Easement in **Exhibit F**, and consideration of Nongame Wildlife Advisory Committee appointments in **Exhibit L**.

**COMMISSIONER ATTENDANCE**

John T. Coley IV  
Wes Seegars  
Garry Spence  
David W. Hoyle, Jr.  
Tommy Fonville  
Landon Zimmer  
John Litton Clark  
Joe Budd

Brian White  
John A. Stone  
Richard Edwards  
Brad Stanback  
Monty Crump  
Mark Craig  
Mike Johnson  
Ray Clifton

## **VISITORS**

Fred Harris – N.C. Wildlife Federation  
Mike Sprayberry – N.C. Emergency Management  
Heather Clarkson – Defenders of Wildlife  
Liz Rutledge – NCWF  
Angie Nottonson – Neuse Sport Shop  
Teresa Lambert  
Addy Lael  
Joe McClees – McClees Consulting

Hal Atkinson – Wake County Wildlife Club  
Charles Laird – NCEM  
Ned Jones – N.C. Trout Unlimited  
Justin Boner – The Conservation Fund  
Shane Lambert  
Brayden Porter  
Ed Mays – N.C. Handicapped Sportsmen  
Pete Benjamin – U.S. Fish and Wildlife Service

## **APRIL 26, 2018 MEETING MINUTES**

On a motion by David Hoyle and second by John Litton Clark, the Commission approved the April 26, 2018 Wildlife Resources Commission minutes as presented in **Exhibit A**. **Exhibit A** is incorporated into the official record of this meeting.

## **MAY 15, 2018 TELEPHONIC MEETING MINUTES**

On a motion by David Hoyle and second by Joe Budd the Commission approved the May 15, 2018 telephonic meeting minutes as presented in **Exhibit A-1**. **Exhibit A-1** is incorporated into the official record of this meeting.

## **ADMINISTRATION**

Melissa Earp, *Finance Office Chief*, presented a status report in **Exhibit B** on the Wildlife Operating Fund and the Wildlife Endowment Fund. As of June 29, 2018, the expenditures from the Wildlife Operating Fund are \$72,897,605, and the receipts are \$79,809,263. The market value of the Endowment Fund as of March 31, 2018 is \$119,585,019. **Exhibit B** is incorporated into the official record of this meeting.

## **2018 NATIONAL FISHING AND BOATING WEEK LICENSE WINNERS**

A Lifetime Freshwater Fishing License donated by N.C. Council of Trout Unlimited was presented to Brayden Porter from Lenoir. Chairman Coley thanked Ned Jones of N.C. Trout Unlimited for the donation. Wyatt Tyson from Plymouth, who was not able to attend, was awarded a Lifetime Unified Sportsman License donated by Russell Rhodes of Neuse Sport Shop in Kinston. Angie Nottonson of Neuse Sport Shop was recognized and thanked for the donation. License winners were drawn from fishing events held during 2018 National Fishing and Boating Week.

## **SPECIAL PRESENTATION – HIGGINS & LANGLEY MEMORIAL AWARD**

Colonel Jon Evans accepted the Higgins and Langley Memorial Award on behalf of NCWRC, from Michael Sprayberry of North Carolina Emergency Management. This award is acknowledged internationally as the premier recognition for swift water and flood rescues. The award was given for swift water rescues that were conducted by agency staff during Hurricane Matthew in 2017.

**Break for Photographs** – Chairman Coley announced a short recess so that photographs of award winners could be taken. The meeting reconvened at 9:17 a.m.

## **COMMITTEE REPORTS**

**Small Game Committee Report** – Garry Spence, *Committee Chair*, reported that the Small Game Committee met on July 11, 2018. The Committee reviewed small game rule proposals, including expanding the fox squirrel hunting seasons in all 100 counties, extending trapping season, and rabbit season. Joe Fuller discussed the West Nile virus in ruffed grouse, a species of greatest conservation need as the harvest continues to decline. The Commission will collect samples of hunter-harvested grouse in 2018 for testing for West Nile virus. Dr. David Cobb, *Wildlife Management Division Chief*, gave an update on wild turkey reproductive ecology research and an update on the 2020 National Wild Turkey Symposium.

**Fisheries Committee Report** – Tommy Fonville, *Committee Chair*, reported that the Fisheries Committee met on July 11, 2018. Todd Ewing, *Aquatic Wildlife Diversity Supervisor*, reviewed 2019-2020 fisheries rule proposals. In addition to 17 proposed rules, Ewing discussed five rules proposals not recommended for consideration. Gordon Myers, *Executive Director*, announced a Fisheries Subcommittee Task Force will meet in Washington on July 25, 2018 with a committee from Division of Marine Fisheries, to discuss criteria for boundaries between inland, joint, and coastal waters.

**Big Game Committee Report** – John Litton Clark, *Committee Chair*, reported that the Big Game Committee met on July 11, 2018. The Committee reviewed big game rules proposals, including changes to cervid carcass and carcass parts importation rules relative to the risk of Chronic Wasting Disease (CWD) from areas outside of North Carolina. David Sawyer, *Surveys and Research Program Coordinator*, provided updates on the Urban Bear Study and western bear genetics studies that are being conducted by several states.

**Habitat, Nongame and Endangered Species (HNGES) Committee Report** – Mark Craig, *Committee Chair*, reported that the HNGES Committee met on June 20, 2018. Allen Boynton, *Wildlife Diversity Coordinator*, reported on a request from Hyde County to consider allowing an unincorporated population area to hold an alligator hunt for purposes of reducing a nuisance population. The Committee requested an official letter from Hyde County detailing the request, for a possible amendment to the Alligator Management Plan to allow requests from unincorporated population areas. Todd Ewing presented three species augmentation plans for review by the HNGES Committee. The Committee reviewed five conservation plans for aquatic species and amphibians. Shannon Deaton, *Habitat Conservation Division Chief*, provided the committee with updates on the Nongame Wildlife Advisory Committee membership and the nominations for the Thomas L. Quay Award.

**Habitat, Nongame, and Endangered Species (HNGES) Committee Report** – Mark Craig, *Committee Chair*, reported that the HNGES Committee met on July 11, 2018. Allen Boynton presented a proposed addendum to expand management options in the Alligator Management Plan (AMP) on a case by case basis, prior to consideration of the addendum by the entire Commission. Shannon Deaton gave an update about nominees for the Nongame Wildlife Advisory Committee prior to consideration by the entire Commission. Discussion was held about staff costs to move 44 alligators from populated areas.

**Land Use and Access Committee (LUAC) Report** – Tommy Fonville, *Committee Vice Chair*, reported that the LUAC met on July 11, 2018. Brian McRae, *Land and Water Access Section Chief*, reviewed one Phase II project at Knox Landing in Caldwell County as an acquisition for a boat launching area. The Committee reviewed an easement request from NCDOT across Shocco Creek Game Land for bridge construction. The Committee reviewed the updated final plan for a property exchange to give land for the Outer Banks Dare Challenge project (OBDC) in exchange for 12 acres in Currituck County to be transferred to the NCWRC. Brian McRae gave an update of proposed changes in the 2019-2020 game land management rules. A special LUAC meeting will be held on August 1, 2018 in Raleigh.

**Committee of the Whole (COW) Report** – Chairman John Coley reported that the COW met on July 11, 2018. The Committee reviewed public comments and proposed temporary rulemaking to prohibit importation of cervid carcasses and carcass parts from any locations outside of North Carolina except as specified; public comments and proposed temporary rulemaking to clarify that there is no open season for bear in any area of the Green Swamp Bear Sanctuary; and public comments and proposed temporary rulemaking to extend the archery season at South Mountain and Buffalo Cove game lands and to clarify that deer of either sex may be taken on the first Saturday of the Deer with Visible Antlers Season on Cold Mountain Game Land. The Committee reviewed for final adoption 13 amendments and four readoptions of 10F .0300 water safety rules. The Committee reviewed for final adoption a no-wake zone near a boating access area on Queens Creek in Hubert in Onslow County. The Committee reviewed two law enforcement rule proposals. Executive Director Gordon Myers gave an update about the U.S. Fish and Wildlife Service (USFWS) proposed replacement of regulations for the non-essential population of red wolves in northeastern North Carolina.

**Finance Committee Report** – Landon Zimmer, *Committee Chair*, reported that the Finance Committee met on July 11, 2018. Melissa Earp, *Finance Office Chief*, presented agency revenue and expense sheets and will continue to define all revenue sources. The Finance Committee agreed to meet before every Commission meeting and to examine portfolios at every other Finance Committee meeting.

**Motion from the Finance Committee:** On a motion by Landon Zimmer and second by Monty Crump, the Commission approved moving \$1.5 million each month for the next 24 months from the Bond Index Fund into the Equity Index Fund of the Wildlife Endowment Fund.

## **AGENCY SPOTLIGHT – CANID RESEARCH ON THE ALBEMARLE PENINSULA**

Andrea Shipley, *Mammalogist*, gave an agency spotlight about recent canid research that began in 2013 with a Memorandum of Understanding between the USFWS and the NCWRC. In 2018 the pilot project research began. Funding and logistical research have been provided to monitor canid movements in a study area that includes Dare, Hyde, and Tyrrell counties. Trapping on private lands around Lake Mattamuskeet in Hyde County has been conducted. Seven canids were captured. Six were fitted with GPS collars. Hair samples were collected. Genetic studies were conducted from hair samples. Data analysis of DNA shows a portion of the captured canids are greater than 70 percent coyote. Of the 7 captured canids, DNA confirmed three were coyotes, two were hybrids, and two were backcrosses. The USFWS defines a red wolf as having 87.5 percent red wolf ancestry. Future plans are to expand research relationships and land access as well as to deploy 10 new GPS collars with proximity sensors for an additional study year focused on how canids interact with each other.

## **WILDLIFE EDUCATION**

### **Wildlife Education Update**

Kris Smith, *Wildlife Education Division Chief*, presented a Division update. Day camps for fly fishing and river snorkeling were held at the Pisgah Center for Wildlife Education. The hunting heritage biologist is using the R3 Toolkit (Recruitment, Retention, and Reactivation) with college students and plans to send them on hunting trips. In April, 60 teams of 575 youth participated in the YHEST (Youth Hunter Education Skills Tournament). A school in District 6 took first place. In District 1 a junior team took first place. New archery instructors are being trained for NASP (National Archery in the Schools Program).

## **INLAND FISHERIES**

### **Inland Fisheries Update**

Todd Ewing, *Aquatic Wildlife Diversity Supervisor*, presented a Division update. Ewing reported that staff are working with Auburn University on a three-year study of whirling disease. A study is being conducted with UNC-Wilmington on the economic benefits of Crappie, catfish, and Smallmouth Bass fisheries. Staff has completed monitoring studies with the USFWS on the Tar River spiny mussel. Seven hundred fifty specimens have been relocated. All are growing and are gravid.

## **WILDLIFE MANAGEMENT**

### **Wildlife Management Update**

Dr. David Cobb, *Wildlife Management Division Chief*, presented a Division update. He recognized Fallon Owens as the new Extension Biologist. He recognized Kelly Douglas for the 2018 Forest Stewardship Partner Program and her forestry work with private land owners. Cobb reported that the Youth turkey harvest was 1293, an increase of 9.3 percent. Regular turkey harvest was 16,116, a decrease of 9.1 percent. Overall the harvest is down 8 percent from 2017, at 17,409. In 2016 there was poor reproduction statewide, which explains the harvest decline.

**Temporary Rulemaking – 15A NCAC 10B .0214 – Importation of Animal Parts**

On a motion by John Litton Clark and second by David Hoyle, the Commission adopted temporary rulemaking to be followed by permanent rulemaking, presented in **Exhibit C** by Dr. David Cobb, for the limited importation of cervid carcasses and carcass parts. **Exhibit C** is incorporated into the official record of this meeting.

**Alligator Management Plan Addendum**

On a motion by Mark Craig and second by Wes Seegars, the Commission adopted an addendum to the Alligator Management Plan, presented by Allen Boynton, *Wildlife Diversity Coordinator*, in **Exhibit D**, to allow unincorporated populated areas to be considered on a case-by-case basis to reduce nuisance alligator populations and promote public safety through limited hunting. **Exhibit D** is incorporated into the official record of this meeting.

**LAND AND WATER ACCESS SECTION**

**Phase II Land Acquisition**

Upon a motion by Tommy Fonville and second by Mike Johnson the Commission gave final approval to proceed with the acquisition of Knox Landing in Caldwell County for a boating and fishing access area, presented in **Exhibit E** by Brian McRae. **Exhibit E** is incorporated into the official record of this meeting.

**NCDOT Right of Way Easement – Shocco Creek Game Land**

With Landon Zimmer recused, a motion was made by Tommy Fonville and seconded by Ray Clifton to approve a permanent right of way easement request by NCDOT, presented in **Exhibit F**, for a bridge replacement at Shocco Creek Game Land in Warren and Franklin counties. The motion carried. **Exhibit F** is incorporated into the official record of this meeting.

**Property Exchange Final Plan – Dare and Currituck Counties**

On a motion by Tommy Fonville and second by Ray Clifton, the Commission approved **Exhibit G**, a property exchange to transfer three acres and add a deed restriction for 15 years, for the Outer Banks Dare Challenge (OBDC) project to expand its facility on a portion of the Roanoke Island Marshes Game Land in Dare County to be de-dedicated and transferred to OBDC, in exchange for 12 acres of property in Currituck County that is transferred to the Commission. **Exhibit G** is incorporated into the official record of this meeting.

**Adoption of Temporary Rulemaking – 15A NCAC 10B .0202 – Bear**

On a motion by Tommy Fonville and second by Mike Johnson, the Commission adopted temporary rulemaking to be followed by permanent rulemaking, presented in **Exhibit H**, to clarify that there is no open season for bear hunting in the Green Swamp Bear Sanctuary. **Exhibit H** is incorporated into the official record of this meeting.

**Adoption of Temporary Rulemaking – 15A NCAC 10D .0103 – Hunting on Game Lands**

On a motion by Tommy Fonville and second by Mike Johnson, the Commission adopted temporary rulemaking to be followed by permanent rulemaking, presented in **Exhibit I**, for an extended archery season at South Mountain and Buffalo Game Lands and introductory gun either-sex season at Cold Mountain Game Land. **Exhibit I** is incorporated into the official record of this meeting.

**WATER SAFETY RULEMAKING**

**2016 Periodic Review - Final Adoption of Water Safety Rules**

On a motion by Wes Seegars and second by John Litton Clark, the Commission adopted **Exhibit J** presented by Betsy Haywood, *No-Wake Zone Coordinator*, for amendments to 13 water safety rules - 15A NCAC 10F .0307 CATAWBA, IREDELL, LINCOLN, AND MECKLENBURG COUNTIES; 15A NCAC 10F .0308 CLAY COUNTY; 15A NCAC 10F .0315 POLK COUNTY; 15A NCAC 10F .0335 SWAIN 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 .0360 GRAHAM COUNTY; 15A NCAC 10F .0367 HOKE COUNTY; 15A NCAC 10F .0372 HERTFORD COUNTY; 15A NCAC 10F .0373 TRANSYLVANIA COUNTY; 15A NCAC 10F .0375 DUKE ENERGY CORPORATION HYDROELECTRIC STATION SAFETY ZONES; and readoption of four water safety rules - 15A NCAC 10F .0302 ATLANTIC BEACH, 15A NCAC 10F .0321 PENDER COUNTY, 15A NCAC 10F .0353 MOUNTAIN ISLAND LAKE - MECKLENBURG, GASTON, AND LINCOLN COUNTIES, and 15A NCAC 10F .0366 MACON COUNTY, with an effective date of October 1, 2018, as part of the 2016 Periodic Review of Rules. **Exhibit J** is incorporated into the official record of this meeting.

**Final Adoption – 15A NCAC 10F .0320 – No Wake Zone, Queens Creek, Onslow County**

On a motion by Monty Crump and second by Mike Johnson, the Commission adopted an amendment for a no-wake zone at a boating access area on Queens Creek in Hubert in Onslow County, presented in **Exhibit K**. **Exhibit K** is incorporated into the official record of this meeting.

**NONGAME WILDLIFE ADVISORY COMMITTEE (NWAC) APPOINTMENTS**

With Landon Zimmer recused, on a motion by Mike Johnson and second by Brad Stanback the Commission approved the reappointments and appointments, recommended by agency staff, and presented in **Exhibit L**, of Jared Gray, Ed Corey, Marquette Crockett, Liz Kalies, Lane Sauls, Jr., and Bruce White as members of the NWAC. **Exhibit L** is incorporated into the official record of this meeting.

**COMMENTS BY THE CHAIRMAN**

Chairman Coley thanked staff and Commissioners for a successful meeting. Coley noted that he likes the new iPads that are being used by Commissioners for the meetings.

**COMMENTS BY THE EXECUTIVE DIRECTOR**

Executive Director Gordon Myers announced that the next Commission meeting will be on August 23, 2018. Staff will work on adding committee materials to the iPads in addition to the meeting agenda packages. Myers noted that there are fewer than six months until the long session of the General Assembly, with three Commission meetings during that time. An important goal is to broaden the agency's base for financial support and to work with the General Assembly for their assistance and support.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman Coley at 10:25 a.m.

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

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John T. Coley IV, Chairman

Date

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Gordon Myers, Executive Director

Date

# EXHIBIT B

August 23, 2018

## NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

ENDOWMENT FUND FISCAL QUARTER ENDING JUNE 30, 2018

	<u>June, 2018</u>	<u>June, 2017</u>
<b>Balance April 1</b>	\$127,047,330.72	\$123,432,762.72
Plus: Revenues from Sales	842,845.00	828,588.00
Return on Investment	429,595.89	700,037.48
	128,319,771.61	124,961,388.20
Less: Transfers Out	(125,883.58)	(3,000,000.00)
<b>Balance June 30</b>	<b>\$128,193,888.03</b>	<b>\$121,961,388.20</b>
<b>Market Value</b>	<b>\$119,163,396.40</b>	<b>\$119,940,473.60</b>

Endowment Fund Interest from Inception of Fund			Expendable Interest Transfers Fiscal YTD	
Sources of Interest Available	Expendable	Non Expendable	Transferred to Operations	Transferred to Capital Projects
ADULT Licenses	\$26,231,266.13		\$521,577.58	\$360,000.00
INFANT Licenses		12,197,155.55		
YOUTH Licenses		1,075,249.04		
Magazine Subscriptions	1,397,548.43		125,883.58	
Contributions - General	552.95			
Contributions - Diversity	1,840,436.78			
<b>TOTAL</b>	<b>\$29,469,804.29</b>	<b>\$13,272,404.59</b>	<b>\$647,461.16</b>	<b>\$360,000.00</b>

### FISCAL YEAR TO DATE (JUNE 30, 2018)

<u>2017-18 Budgeted/Obligated</u>		<u>2017-18 Transferred To Date</u>	
Allocation of Interest - Operating	783,706.00	To Division Operations - Non-Recurring	521,577.58
Allocation of Interest - Wildlife in NC Magazine Fund	125,883.58	To Magazine Fund	125,883.58
Allocation of Interest - Capital Projects	360,000.00	To Capital Projects	360,000.00
	<b>\$1,269,589.58</b>		<b>\$1,007,461.16</b>

## NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

## Summary and Analysis of Agency Operating Balances - Code 14350, 24350, 24351 and 24352

	July, 2017	July, 2018
<b>Appropriations</b>	<b>Actual</b>	<b>Actual</b>
Appropriations	\$ 1,652,855.23	\$ 2,779,986.13
<b>Total</b>	<b>\$ 1,652,855.23</b>	<b>\$ 2,779,986.13</b>
<b>Receipts</b>		
License Receipts	\$ 1,295,075.00	\$ 1,351,019.00
Vessel Receipts	1,337,805.00	1,481,387.00
Federal Funds	1,354,546.00	1,805,347.00
Publications	32,098.20	55,850.20
Professional Services	909,464.32	606,130.28
Agency Reimbursements	131,711.37	268,656.15
Other Receipts	182,874.17	72,913.49
<b>Total</b>	<b>\$ 5,243,574.06</b>	<b>\$ 5,641,303.12</b>
<b>Expenditures</b>		
Administration	\$ 737,853.60	\$ 853,908.06
Law Enforcement	1,536,172.95	\$ 2,146,113.93
Education	334,758.34	\$ 495,672.55
Inland Fisheries	429,781.42	\$ 389,394.27
Wildlife Management	436,465.60	\$ 583,854.67
Land&Water Access/Engineering Svcs.	800,007.31	\$ 1,719,330.12
Habitat Conservation	89,437.66	\$ 105,413.24
<b>Total</b>	<b>\$ 4,364,476.88</b>	<b>\$ 6,293,686.84</b>

**EXHIBIT C-1**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<b>WRC Staff Contact:</b>	Chris Dawes, Piedmont EcoRegion Supervisor
<b>Date First Presented to Commission:</b>	23-Aug-18
<b>Tract Name:</b>	High Rock
<b>County:</b>	Davie, Davidson, and Rowan
<b>Acreage:</b>	2,580
<b>Tax Value:</b>	
<b>Property Owner/Representative:</b>	formerly ALCOA, now Cube Energy/LandTrust for Central NC
<b>Phone:</b>	704-647-0302 (office), 704-439-6129 (mobile)
<b>Email Address:</b>	<a href="mailto:travis@landtrustcnc.org">travis@landtrustcnc.org</a>
<b>Address:</b>	204 East Innes Street, Suite 280, Salisbury, NC 28144

<b>Primary Purpose:</b> <input checked="" type="checkbox"/> Resource Protection <input checked="" type="checkbox"/> Resource Management <input checked="" type="checkbox"/> User Access <input type="checkbox"/> WRC Facility	<b>Program Potential:</b> <input checked="" type="checkbox"/> Game Land <input type="checkbox"/> Wildlife Conservation Area <input checked="" type="checkbox"/> Access Area <input type="checkbox"/> None
<b>Type of Acquisition:</b> <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Lease <input type="checkbox"/> Easement	<b>Type of Parcel:</b> <input checked="" type="checkbox"/> Tract <input checked="" type="checkbox"/> Riparian Corridor
<b>Grant Potential:</b> <input checked="" type="checkbox"/> CWMTF <input checked="" type="checkbox"/> Federal Aid (PR, WB, etc.) <input checked="" type="checkbox"/> Other (Private Donor Funds) <input checked="" type="checkbox"/> Other (NFWF Grant)	<b>Owner Interest:</b> <input checked="" type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low <input type="checkbox"/> No
<b>Tax Value:</b> <input type="checkbox"/> Year Assessed <input type="checkbox"/> PUV?	<b>Stewardship Considerations:</b> <input type="checkbox"/> PR Source: <input checked="" type="checkbox"/> 75/25 Match:
<b>Funding Considerations:</b> <input type="checkbox"/> Donation <input type="checkbox"/> Bargain Sale <input checked="" type="checkbox"/> Partner Contribution	<b>Reviewed Appraisal &amp; Purchase Requirements?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Recommendation:</b> <input checked="" type="checkbox"/> Pursue <input type="checkbox"/> Do Not Pursue <input type="checkbox"/> Defer	

**Additional Comments:**

Most of this land is currently enrolled in the Game Lands Program through a lease agreement with ALCOA. These parcels are currently being offered to the WRC as FERC Relicensing Settlement Agreement (RSA) lands. There is adequate public access by state-maintained roads providing foot access to many of the larger acreage tracts and there is excellent boating access to those that are not. Public boating access is dispersed at ideal locations in the vicinity of these parcels, including: York Hill, the Pump Station, Hwy. 601, and the Concord Church boat ramps. Hunting potential is very high on most tracts for forest game species, though moderate to low on others because of size or location. Waterfowl hunting opportunity is exceptional in many locations. Fishing (bank and boat) is extremely important in the upper end of High Rock Lake and in both the Yadkin and South Yadkin Rivers. The permanent conservation of these lands is critical to maintaining landscape connectivity and ecosystem integrity in light of certain future surrounding developmental pressures and further habitat fragmentation.

## EXHIBIT C-1

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

Tract Name:	High Rock
County:	Davie, Davidson, and Rowan

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

These 23 tracts lie scattered on both the South Yadkin River and the Yadkin River to their confluence, and downstream to the upper end of High Rock Lake proper at the “Mud Flats” (just east of Interstate 85 and East Spencer), a geographic distance of about ten and a half miles. Elevations across the project area range from 624 feet at the lake up to 790 feet (on “The Point” in Davie County). Some parcels are predominately uplands, but much of the acreage of these properties is bottomland/floodplain and alluvial forest with significant wetlands. Several Natural Heritage Areas are described along this section of the Yadkin River corridor, though some have been logged and heavily degraded/destroyed very recently. Wetland assemblages at the mouth of two Rowan County tributaries, Second Creek and Grant’s Creek (Sower’s Ferry), are likely the largest and most important wetland and waterfowl habitats in the region, along with the High Rock Reservoir Wetlands (the “Mud Flats”) just downstream. Second Creek Wetlands and Grant’s Creek/Yadkin River Wetlands Complex are still mostly intact, and are considered regionally significant with very good integrity, and were initially described as slightly threatened. In places, the palustrine/alluvial forest communities appear undisturbed and well-developed, with sizeable trees, particularly certain specimens of Eastern Cottonwood, various “wetland” oaks (Pin Oak [regionally rare], Swamp Chestnut, Shumard, Overcup, and Willow Oaks), Silver Maple, and other floodplain (levee/terrace) bottomland forest species. Open water features include a mosaic of natural potholes (some sizeable), backwater sloughs, and channels, interspersed with minor levees, depressions, hummocks, and islands. As a human-altered riverine system, these wetlands and associated fluvial landforms were created by sediment aggradation after the construction of the High Rock Dam in 1928. They were not developed here a half century ago, and they will continue to mature into high-quality Natural Areas, if preserved. Most of the recent clearcutting has occurred in the uplands, though some bottomlands have also been cut. Past forest management has resulted in the conversion of substantial acreage of various age classes of loblolly pine on the parcels upriver to the Northwest in Davie and Rowan Cos. Some of this pine is not commercial yet, though much is in need of a first thinning. In the future, there will be timber management potential in these pine stands (portions of two stands, ~300 acres), but the remaining hardwood stands (bottomland and upland) should remain uncut. Prescribed fire should be introduced on these larger acreage pine uplands. On most parcels, common invasives were noted; on some they were quite prolific. Severe feral hog damage was observed, mostly upstream of the confluence the Yadkin and South Yadkin Rivers, especially in the bottomlands around Second Creek, on “The Point”, and along the edges of the riverbanks.

Tract Name	High Rock
Date	August 23, 2018
Staff Completing Form	C. Dawes, C. Baranski, D.Cox

<b>Species</b>	<b>0.630</b>
	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	1
Game Species	2

<b>Comments</b>
Moderate species counts in the terrestrial and wetland habitats for both SGCN and Game species. Assumed to be low species counts for SGCN in the Aquatic habitat due to most of the waters being impounded and the presence of introduced non-native fish species.

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

<b>Comments</b>
Habitat size is good due to the large amount of acres. Quality and diversity are moderate even though some tracts have been recently timbered. Connectivity of habitats and buffers are high. Rare/Important habitats are considered to be low across most of the tracts.

<b>Public Access</b>	<b>1.000</b>
Hunting/Viewing	3
Fishing	3
Boating	3

<b>Comments</b>
Public access is excellent for fishing, boating, and hunting.

<b>Wildlife Uses</b>	<b>0.933</b>
Hunting	3
Viewing	3
Fishing	3
Boating	3
Education	2

<b>Comments</b>
Wildlife uses are high for everything except for Education, which is rated at moderate due to lack of good facilities at the present time.

<b>Other Values</b>	<b>0.778</b>
Timber Harvest	2
Local Economy	2
Quality of Life	3

<b>Comments</b>
Timber harvest potential in the future is moderate on a few select uplands. Users of the land help support the local economy and these tracts provide for high quality of life for outdoor enthusiasts.

<b>Feasibility &amp; Logistics</b>	<b>0.867</b>
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	3
Inholding/Corridor	3
Proximity to Users	3

<b>Comments</b>
Existing infrastructure is currently low, but other feasibility and logistics categories are high.

<b>Restoration/Mitigation Potential</b>	<b>0.583</b>
Species Restoration	1
Habitat Restoration	2
Access Improvement	2
Threat Mitigation	2

<b>Comments</b>
Species restoration is low, while habitat restoration and access improvement potential is moderate.

<b>Threats</b>	<b>0.333</b>
Number	2
Severity	1
Imminence	1
Manageability	1
Management Cost	0

<b>Comments</b>
Some threats exist, with most of them being moderate in severity and imminence being moderately near. Acquiring the land minimizes threats.

<b>Overall Score</b>	<b>5.235</b>
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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

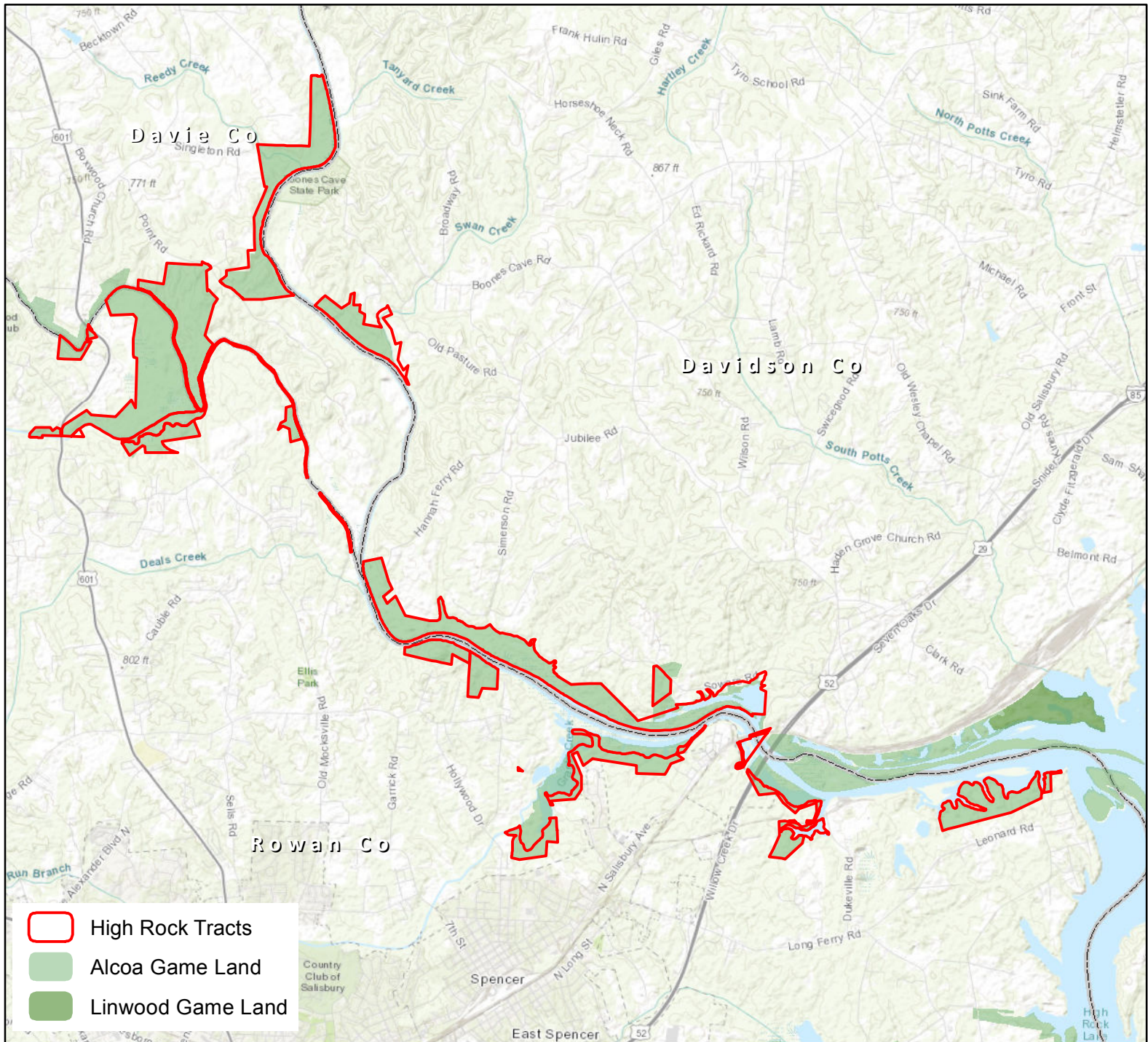
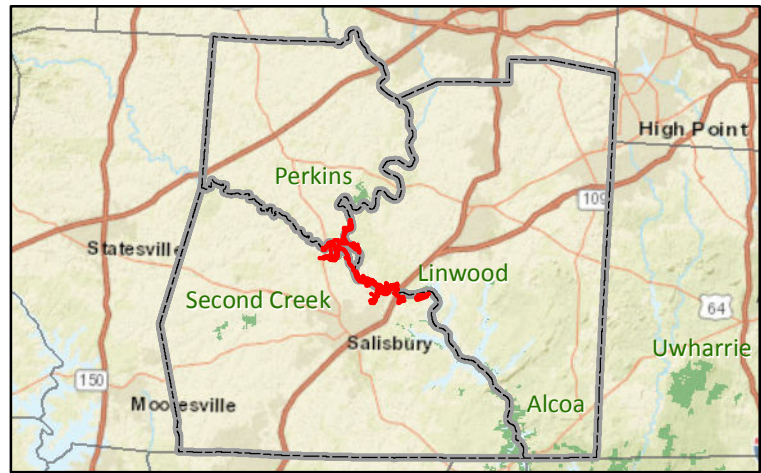
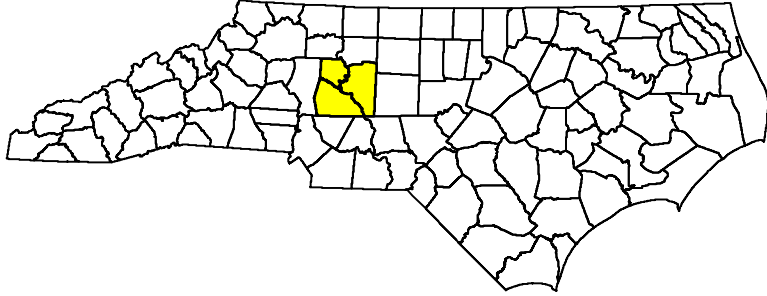
### Threats

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

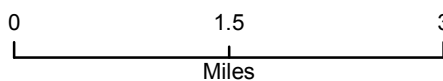
### Scoring

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).

# High Rock Tracts Davie, Davidson and Rowan Counties 2,580 Acres



June 5, 2018



**EXHIBIT C-2**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<b>WRC Staff Contact:</b>	Paul Thompson
<b>Date First Presented to Commission:</b>	23-Aug-18
<b>Tract Name:</b>	Hauser Tract, Green River Game Land
<b>County:</b>	Polk
<b>Acreage:</b>	(+/-) 3 acres
<b>Tax Value:</b>	\$19,317
<b>Property Owner/Representative:</b>	Dane Hauser
<b>Phone:</b>	727-755-4359
<b>Email Address:</b>	<a href="mailto:Danehauser1@yahoo.com">Danehauser1@yahoo.com</a>
<b>Address:</b>	

**Primary Purpose:**

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

**Type of Acquisition:**

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

**Grant Potential:**

<input type="checkbox"/>	CWMTF
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	Other (Private Donor Funds)
<input type="checkbox"/>	Other (NFWF Grant)

**Tax Value:**

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

**Funding Considerations:**

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

**Recommendation:**

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

**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 Parcel:**

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

**Owner Interest:**

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

**Stewardship Considerations:**

<input type="checkbox"/>	PR	Source:
<input type="checkbox"/>	75/25	Match:

**Reviewed Appraisal & Purchase Requirements?**

<input checked="" type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input type="checkbox"/>	N/A

**Additional Comments:**

Dane Hauser has recently acquired 20.51 acres adjoining Green River game land (GRGL) along Green River Cove Rd (SR 1151). Only a portion of this tract (+/- 3 acres) is critical for WRC ownership for the reasons described in the following. GRGL has an extensive trail network that is well known and highly utilized among many different user groups. There are 10 named trails located in the Big Hungry and Green River gorge section of the game land. These trails create a 13.5 mile long network allowing users several options for starting and terminating their trek. There are several options for public access to this trail system along Big Hungry Rd, but due to topography there is only one access to this trail system from Green River Cove Rd via Green River Cove trail, which originates on the Hauser tract. It must also be stated that due to topography, this is in fact the only possible access to Green River Cove trail. The Green River Cove trail is the longest (3.12 mi) and it serves either as the start or terminus for those wishing to hike through. Historically, a portion of the Green River Cove trail (Approx. 255 ft) has always passed through private property (currently Hauser tract) before it crosses into GRGL. The history and any prior agreements among landowners has always been unknown. In addition to the Green River Cove trail, approximately 330 ft of the Bluff trail crosses into the current Hauser tract and back into GRGL. Currently, there is a small parking area located on private property directly across from the Green River Cove trailhead and has historically served as parking for those using the trail and game land. This property has also been acquired by Mr. Hauser and his plans for this area would eliminate this access. Originally 11 acres was presented to the WRC, but a majority of that property would fall within the "no weapons discharge within 150 yards of house" rule. The acquisition of +/- 3 acres will be enough to secure public access to these trails and this section of game land. Mr. Hauser is aware of our plans to provide a parking area should WRC take ownership and is agreeable to carving out the appropriate acreage. Mr. Hauser is anxious to sell this acreage and has mentioned selling lots. Securing the only access from Green River Cove Rd to this section of GRGL should be a high priority.

EXHIBIT C-2

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

Tract Name:	Hauser
County:	Polk

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

Southern Central Appalachian oak forest is the predominant forest cover type on the Hauser Tract. Management objectives will include managing the wildlife and restoring or maintaining the oak forest priority wildlife habitat that is located on the tract. A parking area will be constructed to provide public access. Common wildlife species found on the tract include wild turkey, white-tailed deer, black bear, raccoon, and gray squirrel. Species of Greatest Conservation Need likely found on the tracts as either permanent residents or transients include: Yellow-billed Cuckoo (*Coccyzus americanus*), Timber rattlesnake (*Crotalus horridus*), Eastern mole (*Scalopus aquaticus*), and eastern box turtle (*terrapene carolina*).

Tract Name	Hauser Tract
Date	August 23, 2018
Staff Completing Form	P. Thompson

<b>Species</b>	<b>0.222</b>
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	0
SGCN Species	0
Game Species	0

<b>Comments</b>
Moderate biodiversity is based on the oak forest habitat and the diversity of wildlife found in the Green River area. Aquatic/wetland habitat is not present in significant quantity on the tract.

<b>Habitat</b>	<b>0.444</b>
Size	0
Quality	2
Diversity	1
Rare/Important	1
Connectivity	3
Buffer	1

<b>Comments</b>
The quality of the habitat on the tract is good. The diversity of habitats is low, but oak forest is a priority habitat. The property provides good connectivity to Green River GL.

<b>Public Access</b>	<b>1.000</b>
Hunting/Viewing	3
Fishing	3
Boating	3

<b>Comments</b>
There is currently good access to this tract. The tract is adjacent to Green River which provides great fishing and boating opportunities.

<b>Wildlife Uses</b>	<b>0.667</b>
Hunting	2
Viewing	2
Fishing	2
Boating	2
Education	2

<b>Comments</b>
The property offers good hunting and wildlife viewing opportunity. Educational opportunities will be moderate given the location and access. Although there is no water on this tract, it is immediately adjacent to the Green River and will provide access to this resource.

<b>Other Values</b>	<b>0.333</b>
Timber Harvest	1
Local Economy	1
Quality of Life	1

<b>Comments</b>
This tract is not well suited for timber production/harvest. This will provide some benefit to the local economy and provide some quality of life benefits to local residents.

<b>Feasibility &amp; Logistics</b>	<b>0.867</b>
Existing Infrastructure	2
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	2
Inholding/Corridor	3
Proximity to Users	3

<b>Comments</b>
The tract has a well used trail system. Conflicts among game land users and adjoiners should be minimal. The tract secures public access to existing trails and a large section of game land. Green River GL is located within close proximity to several large cities.

<b>Restoration/Mitigation Potential</b>	<b>0.667</b>
Species Restoration	1
Habitat Restoration	1
Access Improvement	3
Threat Mitigation	3

<b>Comments</b>
Restoration potential for habitat and species is minimal on this tract. The tract will create and secure public access. There are few threats to the properties.

<b>Threats</b>	<b>0.200</b>
Number	1
Severity	1
Imminence	1
Manageability	0
Management Cost	0

<b>Comments</b>
The only threat to the tract is sale to another buyer who might attempt to develop the tract.

<b>Overall Score</b>	<b>4.000</b>
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1. Recreational or educational use of resources.
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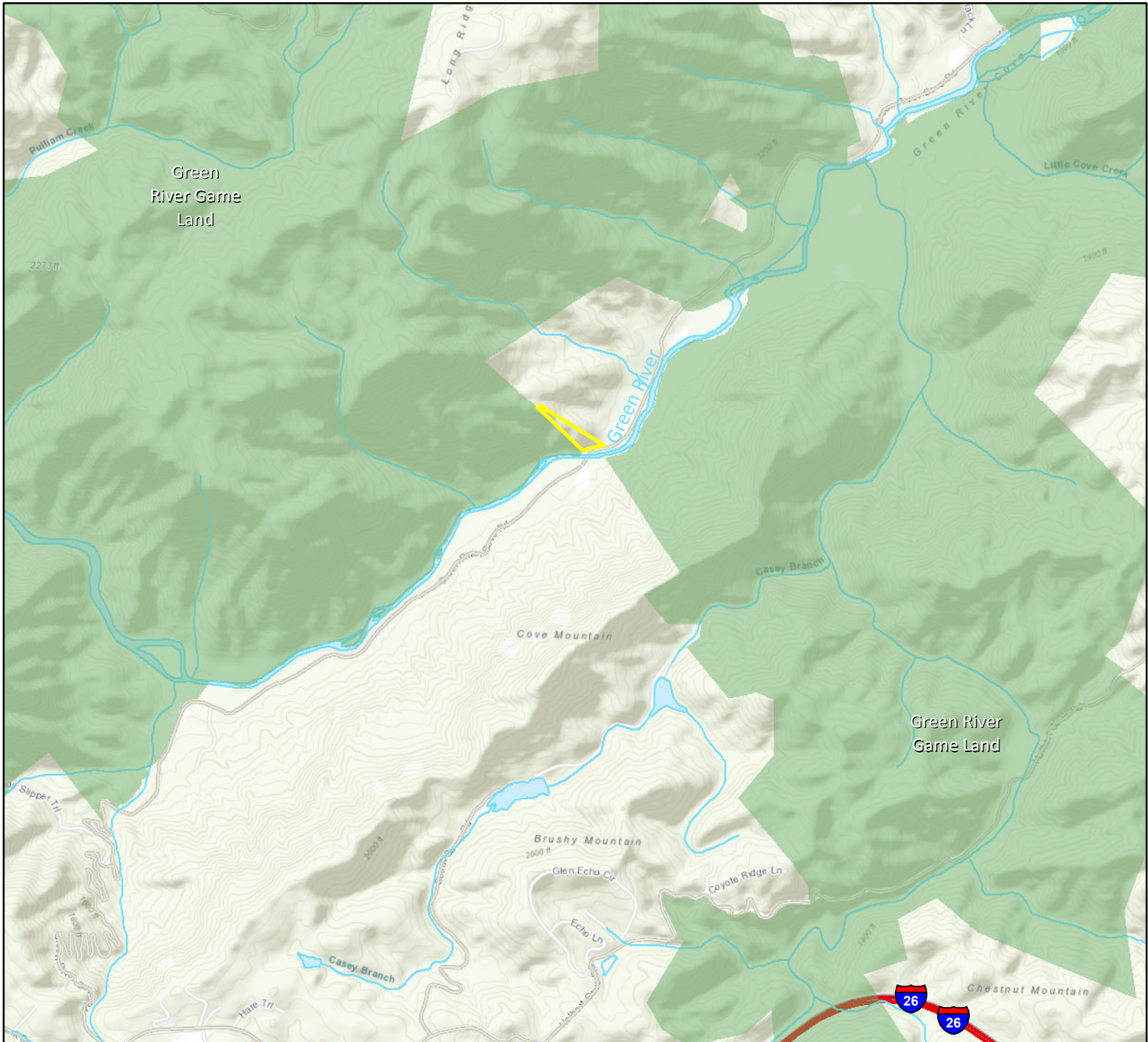
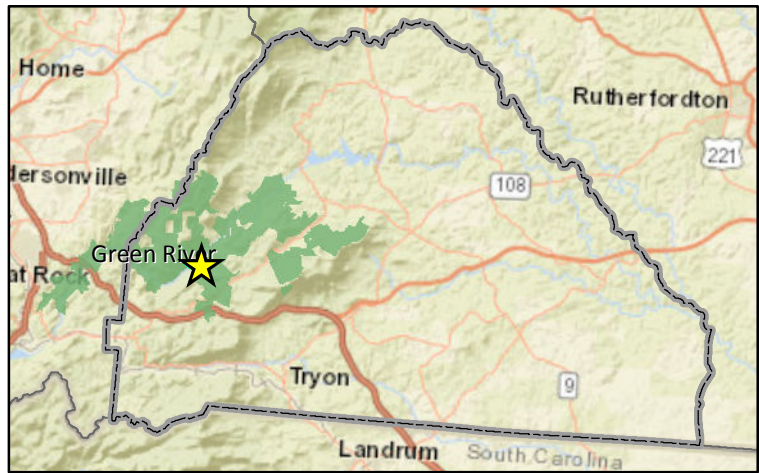
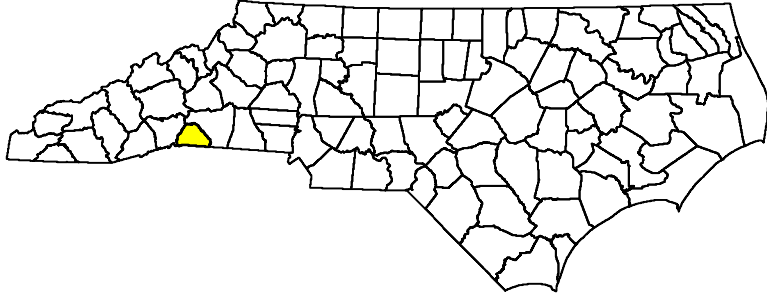
### Threats

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3. Severity of Threats: 3 = Critical; 2 = High; 1 = Moderate; 0 = Low
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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

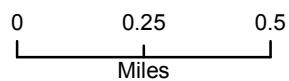
### Scoring

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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.
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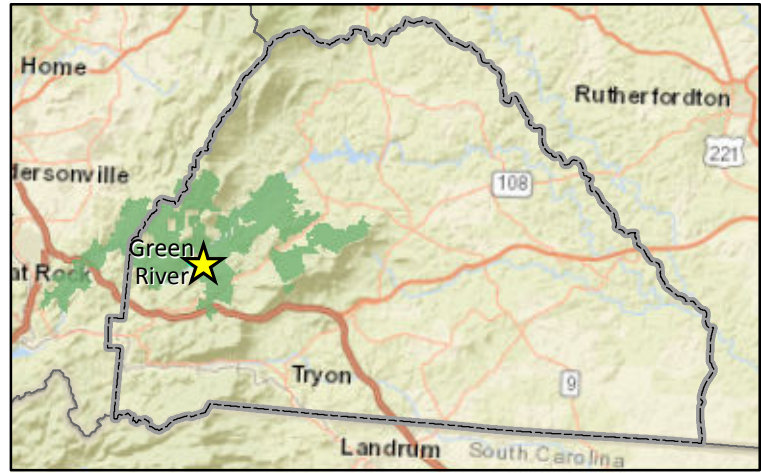
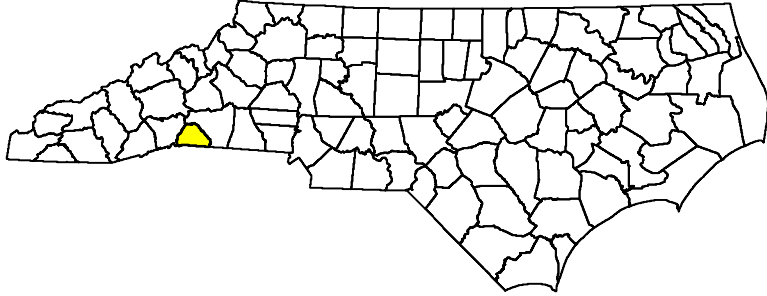
**Hauser Tract  
Polk County  
+/- 3 Acres**



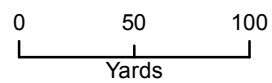
**August 14, 2018**



**Hauser Tract  
Polk County  
+/- 3 Acres**



**August 14, 2018**



# EXHIBIT D-1

August 23, 2018

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

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### -PHASE II: FINAL ACQUISITION DETAILS-

**WRC Action/Approval to Pursue (Date):** Cwi wu'45.'423:

**Tract:** Riegel Ridge, Columbus County, 683 Acres

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

WRC Pitman-Robertson Funds \$ 575,000

Clean Water Management Trust Fund \$ 300,000  
\$

Total Cost: \$ 875,000

**Based on Appraisal:** ☐ Yes ☐ No ☐ NA

**If Yes, Name of Appraiser:**

Requested by:	Appraiser	Effective Date	Appraised Value
David Keeley	Bob Mashburn	3-7-2017	\$ 875,000

**Date of Appraisal:** See above.

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

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

**If Yes, Explain Details:**

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

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:**

\$48,080

**Five Year Estimate of Total Projected Revenue:**

\$25,300

## Riegel Ridge Tract – Columbus County

### 5- Year Estimated Stewardship Costs

Description	Quantity	Unit	Unit/Cost	Total	
Boundary Establishment – yr 1	4.29	Mile	\$ 1,056.00	\$ 4,530.24	
Boundary Removal – yr 1	2.68	Mile	\$ 1,056.00	\$ 2,830.08	
Boundary Maintenance – yr 4	4.29	Mile	\$ 500.00	\$ 2,145.00	
Maintain Roads/Trail – yrs 1-5	2.85	Mile	\$ 2,500.00	\$ 35,625.00	
Establish Gate – yr 1	3	Each	\$ 750.00	\$ 2,250.00	
Maintain Gate – yr 1**	2**	Each	\$ 100.00	\$ 200.00	
Maintain Gate – yr 2-5	5	Each	\$ 100.00	\$ 500.00	
			<b>Total</b>	<b>\$ 48,080.32</b>	
<b>5-Year Anticipated Revenue</b>					
Timber Harvests	46	Acre	\$ 550.00	\$ 25,300.00	
			<b>Total</b>	<b>\$ 25,300.00</b>	
<b>**Two exterior gates are currently in place. New locks &amp; paint are only required.</b>					

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

**-PHASE I: INITIAL INVESTIGATION-**

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**WRC Staff Contact:** Tommy Hughes

**Date First Presented to WRC:** October 6, 2016

**Tract Name:** Riegel Ridge (Property ID: 087523)

**Acreage:** 682.69 +/-

**County:** Columbus

**Estimated Value:** \$ 942,015 (tax value)

**Property Owner or Representative:** Riegel Ridge, LLC

c/o Hervey McIver with TNC

**Address:** 334 Blackwell Street, Suite 300, Durham, NC 27701

**Phone:** (C) 919-794-4396

**Email:** [hmciver@tnc.org](mailto:hmciver@tnc.org)

**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 Riegel Ridge tract borders Juniper Creek Game Land on the most northern portion next to NC Highway 211 in Columbus County. With 2.68 miles of common boundary with Juniper Creek Game Land, acquisition of this property would expand a much larger regional land conservation effort in this part of North Carolina. These 683 acres would complement more than 39,000 acres conservation lands in the Juniper Creek/Driving Creek watershed that are already owned by WRC and The Nature Conservancy. These lands include the 1,778 acre Pireway Tract of Columbus County Game Land; 19,518 acres of Juniper Creek Game Land; and 17,415 acres of Green Swamp Game Land. Although sparsely located across this tract at the present time, mesic longleaf pine savannas once covered about half of the area on its more elevated sites. According to pre-settlement vegetation data, this property supported a mosaic of seven different vegetation types indicating a high level of biodiversity on a relatively small area. Only a few hundred feet to the north of this tract lies the Hoy Savanna Remnant Natural Heritage Area. The Juniper Creek Floodplain Natural Heritage Area borders the property to the south and east.

Soils data shows that approximately 95% of this property contains sandy loam soils, further indicating that this site once supported the fire driven longleaf pine/wiregrass ecosystem. Natural Heritage element occurrences data indicates twenty-two rare plants, animals, natural communities, and/or animal assemblages in the immediate vicinity.

With approximately 2.85 miles of interior roads and just less than four miles of roads along the boundary, this property will provide great access for game land users and land managers. Most of the interior roads are in good shape and could currently withstand seasonal vehicular traffic.

Based upon data found in the NC Conservation Planning Tool, the Riegel Ridge Tract's Biodiversity index has an estimated relative conservation value of 6 (1- low-10 high values). The vast majority of this property had a score of 2-4 or 6, proportionally. Three of the hardwood drainages had scores of 7 and the eastern portion that lies within the Juniper Creek Floodplain had the highest score of 10. 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:** Five-year estimate of stewardship expenditures totals approximately \$52,000 to establish/maintain property boundaries, access roads, and gates. Forty-six acres of managed pine are in need of thinning and is anticipated to generate short-term revenues of approximately \$25,000 over the first five years of state ownership. See attached tabular summary for five-year stewardship and revenue estimates.

**Program Potential:** ☒ Game Land (Juniper Creek 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

# WORKSHEET

## Relative Priority Evaluation for Conservation Lands

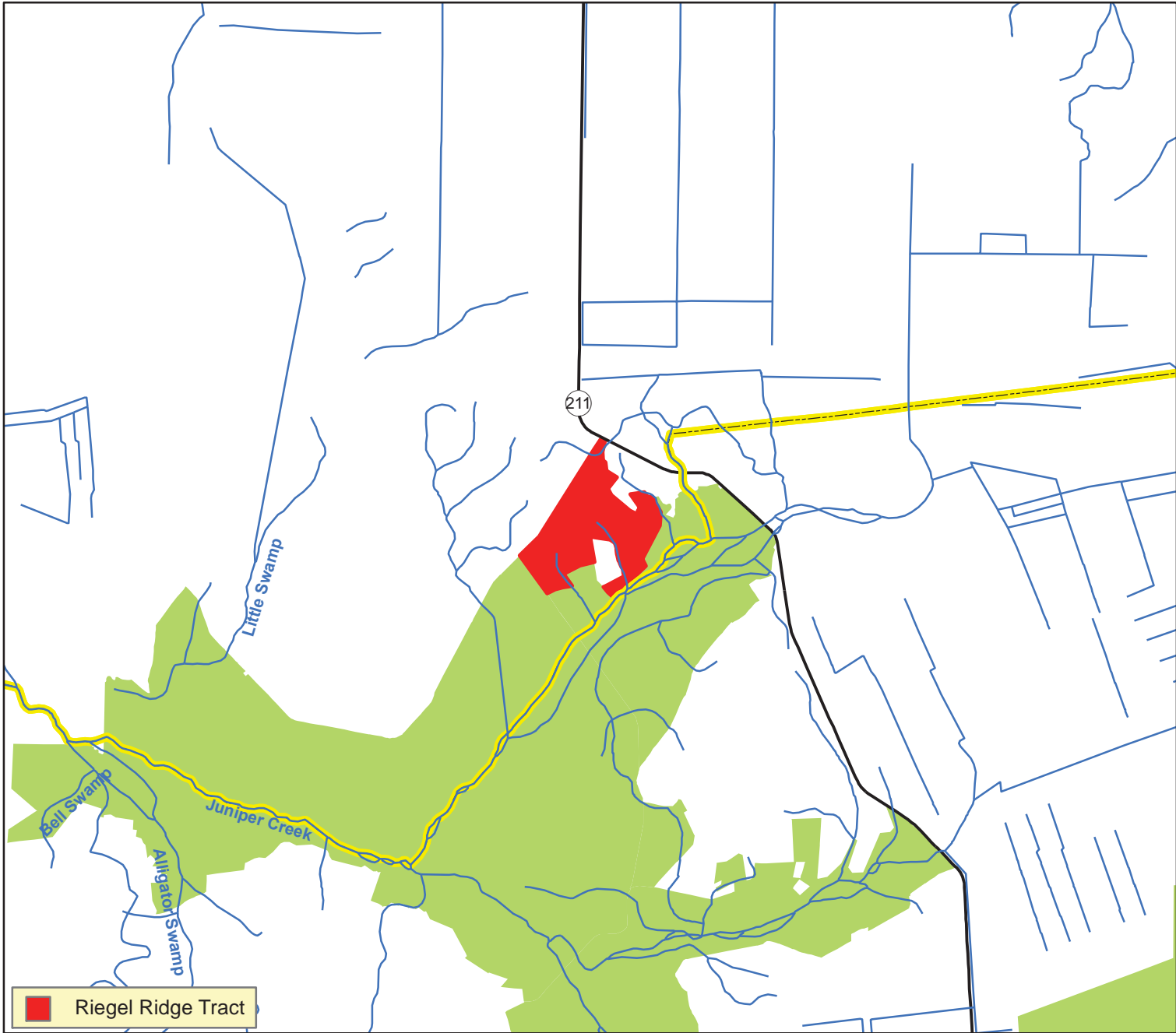
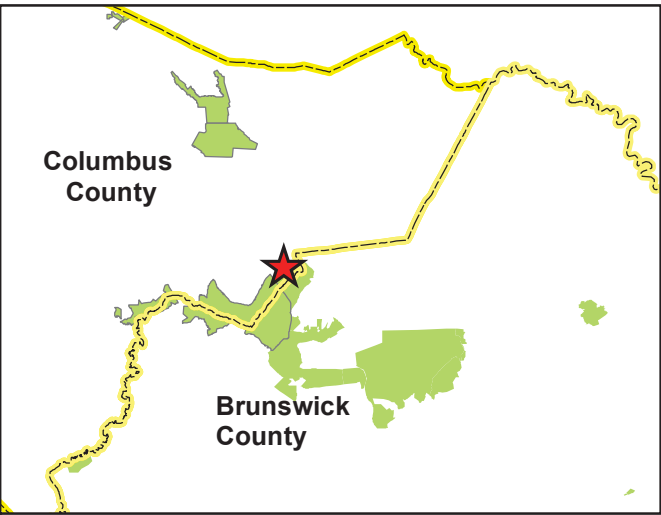
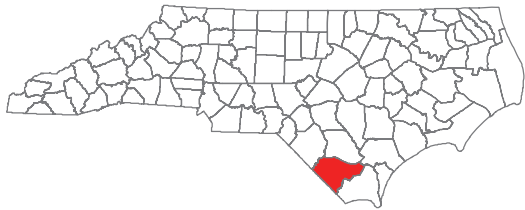
Tract Name (Juniper Creek GL) Riegel Ridge Tract (Columbus County)

Criterion Score (1-5)  
5=Excellent 1=Poor

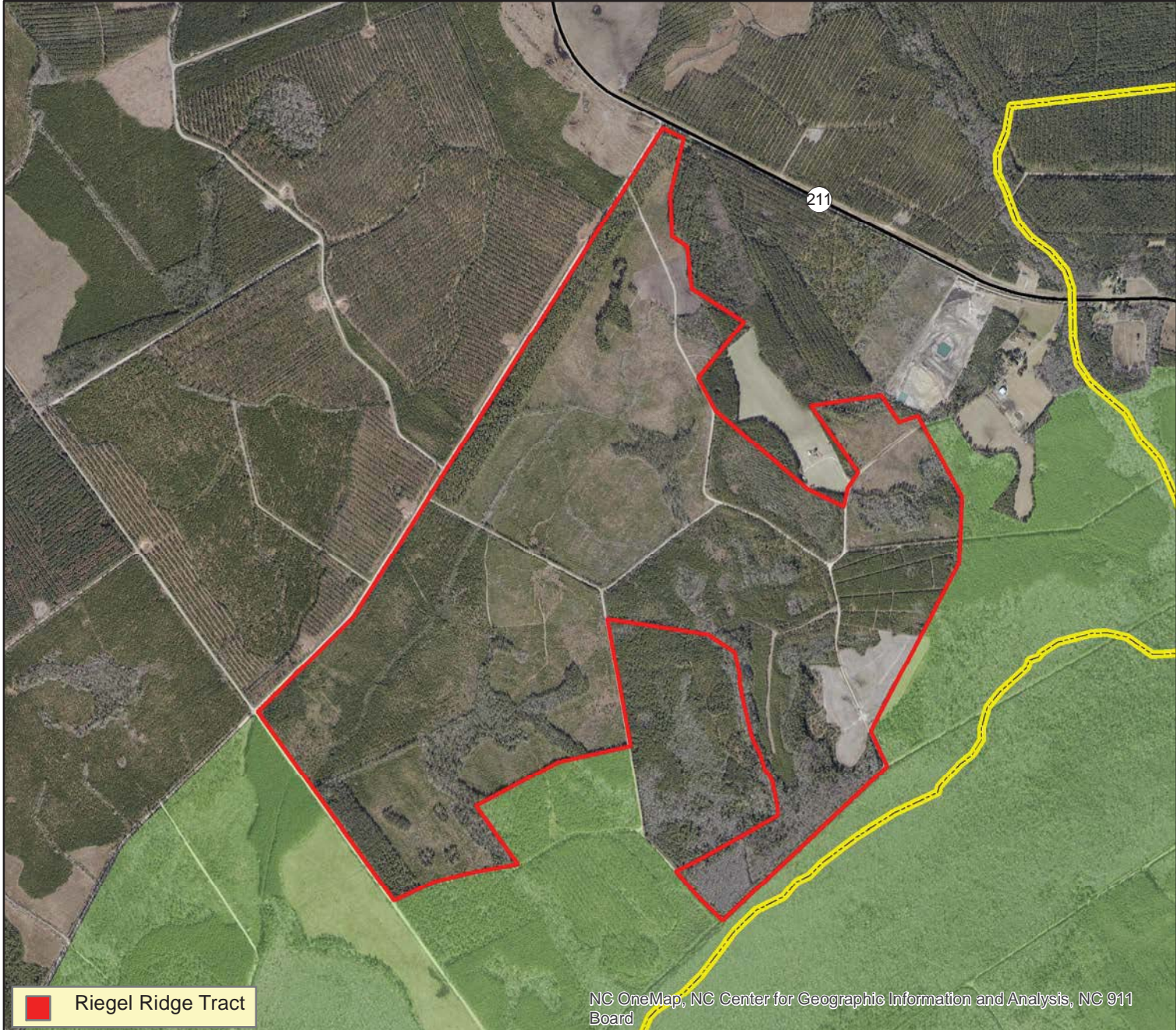
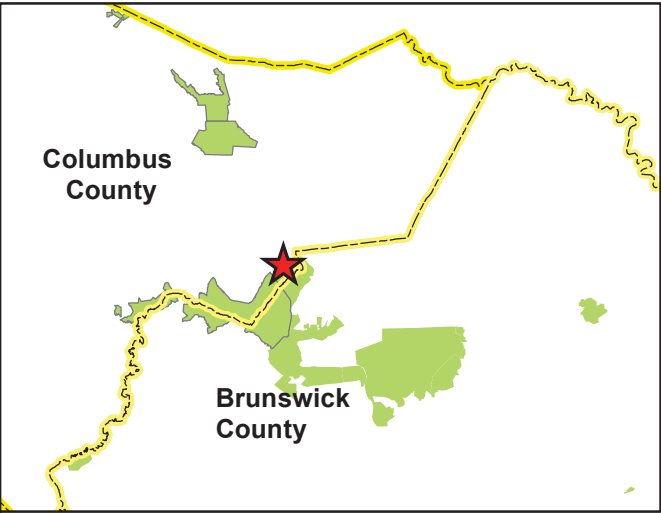
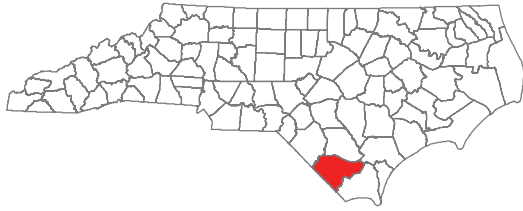
- |                                                                                                                                                                                                       |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 1. Augments existing protected lands by addressing an inholding or adjacent tract, provides key access, buffers or connects existing WRC-managed lands.                                               | 5  |
| 2. Represents good hunting, fishing, wildlife viewing, and other resource-based recreational opportunities.                                                                                           | 5  |
| 3. No conflicting surrounding land uses.                                                                                                                                                              | 5  |
| 4. Serves as a wildlife corridor between areas already protected for conservation purposes and provides connectivity to priority Wildlife Action Plan habitats.                                       | 5  |
| 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. | 5  |
| 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.                           | 5  |
| 7. Is this an area in which we would like to establish a new game land, wildlife conservation area, or fishing access?                                                                                | NA |
| 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)?                                                                       | NA |
| 9. Is area adequate for fishing access development with suitable parking, and if not, are there possibilities for expansion?                                                                          | No |


**TOTAL SCORE** 30

**Riegel Ridge Tract  
Juniper Creek GL  
Columbus County  
683 Acres**



**Riegel Ridge Tract  
Juniper Creek GL  
Columbus County  
683 Acres**



 Riegel Ridge Tract

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



0 1,250 2,500 5,000 Feet



# NORTH CAROLINA FIELD TRIAL ASSOCIATION

## RUNNING SCHEDULE

### 2018 – 2019

<b>Date</b>	<b>Club</b>	<b>Location</b>
October 5 - 7	Duplin County Field Club	Warsaw
October 13 - 14	Decoy Lake	Linden
October 19 - 21	Tar Heel Championship	Hoffman
October 22 - 24	Central Carolina – Open	Hoffman
October 26 - 28	Carolina Amateur	Hoffman
November 1 - 4	Richmond County	Hoffman
Nov 29 - Dec 2	German Shorthaired	Hoffman
December 7 - 9	Hoffman FTC	Hoffman
December 13 - 16	REGION 3	Hoffman
December 17 - 20	NC Shooting Dog Championship	Hoffman
Dec 28 - Jan 2	Swamp Fox	Hoffman
January 4 - 6	Pinehurst	Hoffman
January 12 - 14	Tarheel Brittany	Hoffman
January 17 - 20	Southeastern Brittany	Hoffman
January 21 - 24	Atlantic Coast Championship	Hoffman
Jan 28 - Feb 1	US Quail Futurity	Hoffman
February 2 - 4	Yankee Field Trial	Hoffman
February 8 - 10	NC Ama All Age	Hoffman
February 15 - 17	Region 3 Ama Shooting Dog Chmp.	Hoffman
February 21 - 23	SE US Complete Shooting Dog Assoc.	Hoffman
March 1 - 3	Catawba Classic	Hoffman
March 8 - 10	Southern Pines Celebration	Hoffman
March 15 - 18	NC Open All Age	Hoffman
March 19 - 21	NC Open Quail Chmp.	Hoffman
March 22 - 25	NC Pointing Dog Assoc.	Hoffman

# EXHIBIT D-2

August 23, 2018

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

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### -PHASE II: FINAL ACQUISITION DETAILS-

**WRC Action/Approval to Pursue (Date):** August 23, 2018

**Tract:** Murphy Tract, Pender County, 0.6 Acres

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

Private landowner donation

**Total Cost:** \$ 0

**Based on Appraisal:** ☐ Yes ☐ No ☒ NA

**If Yes, Name of Appraiser:**

Requested by:	Appraiser	Effective Date	Appraised Value
			\$

**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:**

\$54

**Five Year Estimate of Total Projected Revenue:**

\$0

## WORKSHEET

### Five Year Stewardship Costs and Revenue Projections

(Five Years Post Acquisition)

STEWARDSHIP					
Tract Name	Estimated Stewardship Expenditures				
	Activity	Quantity	Unit	Unit Cost	Total Cost
Murphy Tract	Boundary Establishment	0.1	Mi.	\$500	\$50
	Boundary maintenance – yr.4	0.1	Mi.	\$135	\$14
	Total				\$54

REVENUE					
Tract Name	Estimated Revenue Projections				
	Source	Quantity	Unit	Unit Revenue	Total Revenue
Murphy Tract					\$ - 0
	Total				\$ - 0

**EXHIBIT D-2**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<b>WRC Staff Contact:</b>	Brent Wilson
<b>Date First Presented to Commission:</b>	23-Aug-18
<b>Tract Name:</b>	Murphy Tract
<b>County:</b>	Pender
<b>Acreage:</b>	0.60
<b>Tax Value:</b>	\$49,000
<b>Property Owner/Representative:</b>	William Murphy
<b>Phone:</b>	910-259-2686 / 910-602-0625
<b>Email Address:</b>	
<b>Address:</b>	PO Box 445, Burgaw, NC 28425

<b>Primary Purpose:</b> <input checked="" type="checkbox"/> Resource Protection <input type="checkbox"/> Resource Management <input checked="" type="checkbox"/> User Access <input type="checkbox"/> WRC Facility	<b>Program Potential:</b> <input checked="" type="checkbox"/> Game Land <input type="checkbox"/> Wildlife Conservation Area <input type="checkbox"/> Access Area <input type="checkbox"/> None
<b>Type of Acquisition:</b> <input checked="" type="checkbox"/> Purchase <input type="checkbox"/> Lease <input type="checkbox"/> Easement	<b>Type of Parcel:</b> <input checked="" type="checkbox"/> Tract <input type="checkbox"/> Riparian Corridor
<b>Grant Potential:</b> <input type="checkbox"/> CWMTF <input type="checkbox"/> Federal Aid (PR, WB, etc.) <input type="checkbox"/> Other <input type="checkbox"/> Other	<b>Owner Interest:</b> <input checked="" type="checkbox"/> High <input type="checkbox"/> Moderate <input type="checkbox"/> Low <input type="checkbox"/> No
<b>Tax Value:</b> <input type="text" value="2010"/> Year Assessed <input type="text" value="No"/> PUV?	<b>Stewardship Considerations:</b> <input type="text" value="PR"/> Source: <input type="text" value="75/25"/> Match:
<b>Funding Considerations:</b> <input checked="" type="checkbox"/> Donation <input type="checkbox"/> Bargain Sale <input type="checkbox"/> Partner Contribution	<b>Reviewed Appraisal &amp; Purchase Requirements?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
<b>Recommendation:</b> <input checked="" type="checkbox"/> Pursue <input type="checkbox"/> Do Not Pursue <input type="checkbox"/> Defer	

**Additional Comments:**

The Murphy tract is very small, landlocked by other ownerships and has no road access. However, it is directly adjacent to the game land ownership and may eventually provide a connection between the Wells Tract of Holly Shelter Game Land and Sawpit Landing Boating Access Area, which would facilitate boat ramp parking expansion. The ownership includes 100 feet of frontage on the Northeast Cape Fear River, so is accessible by boat or foot travel from the game lands tract.

EXHIBIT D-2

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

Tract Name:	Murphy
County:	Pender

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

The stand-alone resource potential of the tract is limited due to acreage, therefore scores low from a biodiversity and use standpoint. The tract is under consideration because it is offered as a donation. In addition to developing a potential corridor between the game land and BAA, the tract does buffer the Northeast Cape Fear River from development influences. As a bottomland hardwood forest type, the tract contributes to the Northeast Cape Fear River bottomland, which is a natural area of National significance. The tract has a swale that serves as a vegetated buffer directing overland water flow toward the river from surrounding uplands.

Tract Name	Murphy Tract
Date	August 23, 2018
Staff Completing Form	B.Wilson

<b>Species</b>	<b>0.333</b>
	Terrestrial
Overall Biodiversity	1
SGCN Species	1
Game Species	1
	Wetland
Overall Biodiversity	1
SGCN Species	1
Game Species	1
	Aquatic
Overall Biodiversity	1
SGCN Species	1
Game Species	1

<b>Comments</b>
The Conservation Opportunity Area and Threat Assessment tool lists potentially 24 SGCN species present within the blackwater floodplain system that potentially could occur on the tract. Game species likely utilize the tract on a regular basis are white-tailed deer and gray squirrel.

<b>Habitat</b>	<b>0.278</b>
Size	0
Quality	1
Diversity	1
Rare/Important	0
Connectivity	1
Buffer	2

<b>Comments</b>
Essentially all bottomland forest with gradients from the river mean high water mark to 5 feet above the water.

<b>Public Access</b>	<b>0.222</b>
Hunting/Viewing	1
Fishing	1
Boating	0

<b>Comments</b>
Access will be by boat or on foot from the adjacent existing game land. The tract is separated from the Sawpit Landing BAA property by a single 100' foot wide lot.

<b>Wildlife Uses</b>	<b>0.200</b>
Hunting	0
Viewing	1
Fishing	1
Boating	0
Education	1

<b>Comments</b>
Due to its proximity to roads and the BAA, disturbance will likely deter hunting activities. Wildlife observation or access for bank fishing would be the most likely uses.

<b>Other Values</b>	<b>0.111</b>
Timber Harvest	0
Local Economy	0
Quality of Life	1

<b>Comments</b>
Site conditions are not conducive to commercial timber operations. As noted the site has more value as a forested stream buffer than could be generated in revenue or alterations toward habitat improvement.

<b>Feasibility &amp; Logistics</b>	<b>0.200</b>
Existing Infrastructure	0
Compatibility of Multiple Uses on Tract	0
Compatibility with Adjoining Land	1
Inholding/Corridor	1
Proximity to Users	1

<b>Comments</b>
No infrastructure is in place and small size limits potential.

<b>Restoration/Mitigation Potential</b>	<b>0.083</b>
Species Restoration	0
Habitat Restoration	0
Access Improvement	1
Threat Mitigation	0

<b>Comments</b>
Potential for future boat ramp expansion and game land buffer are the only influencing factors.

<b>Threats</b>	<b>0.200</b>
Number	1
Severity	0
Imminence	0
Manageability	2
Management Cost	0

<b>Comments</b>
The only threat would be development with its corresponding potential negative impact to the game land and potentially river water quality from the removal of the river buffer tree canopy.

<b>Overall Score</b>	<b>1.228</b>
----------------------	--------------

## 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

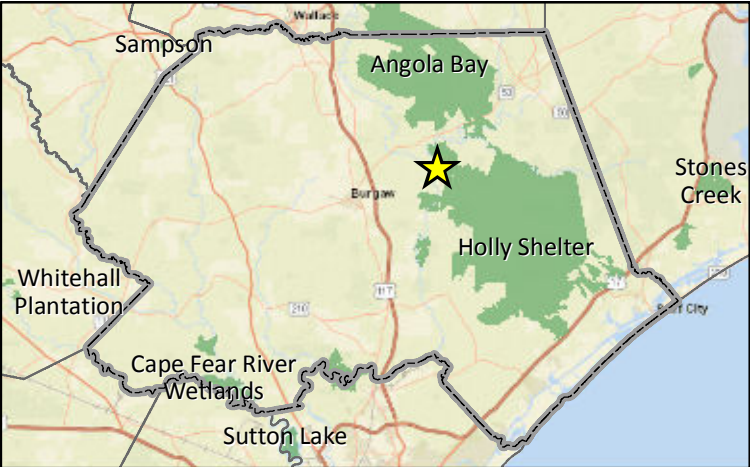
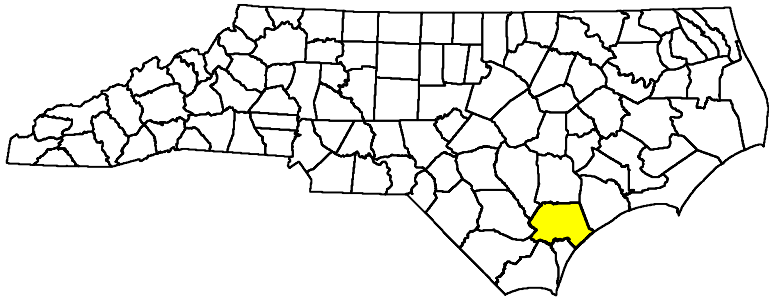
### Threats

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

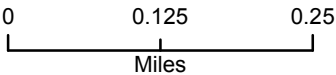
### Scoring

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).

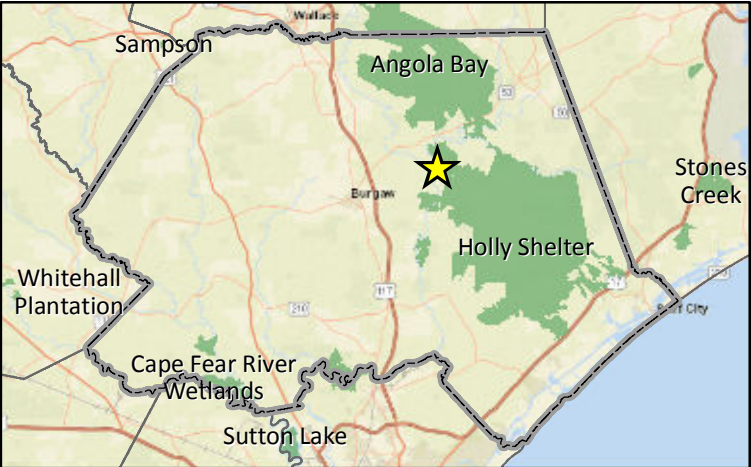
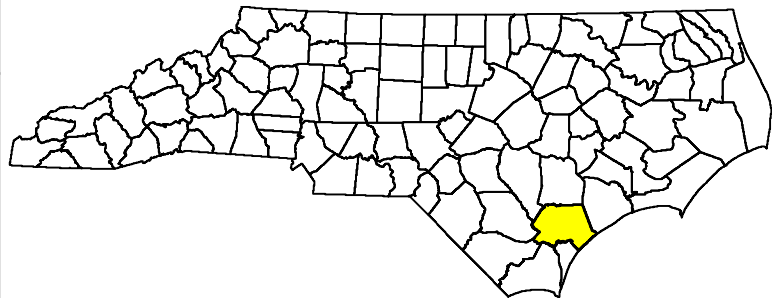
**Murphy Tract  
Pender County  
0.6 Acres**



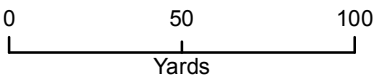
**August 14, 2018**



**Murphy Tract  
Pender County  
0.6 Acres**



**August 14, 2018**



# EXHIBIT D-3

August 23, 2018

## North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

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### -PHASE II: FINAL ACQUISITION DETAILS-

**WRC Action/Approval to Pursue (Date):** August 23, 2018

**Tract:** Warren Tract, Pamlico County, 16.5 Acres

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

Private landowner donation

**Total Cost:** \$ 0

**Based on Appraisal:** ☐ Yes ☐ No ☒ NA

**If Yes, Name of Appraiser:**

Requested by:	Appraiser	Effective Date	Appraised Value
			\$

**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:**

\$531

**Five Year Estimate of Total Projected Revenue:**

\$0

## WORKSHEET

### Five Year Stewardship Costs and Revenue Projections

(Five Years Post Acquisition)

STEWARDSHIP					
Tract Name	Estimated Stewardship Expenditures				
	Activity	Quantity	Unit	Unit Cost	Total Cost
Warren Tract	Boundary Establishment	0.9	Mi.	\$500	\$450
	Boundary maintenance – yr.4	0.6	Mi.	\$135	\$81
	Total				\$531

REVENUE					
Tract Name	Estimated Revenue Projections				
	Source	Quantity	Unit	Unit Revenue	Total Revenue
Warren Tract					\$ - 0
	Total				\$ - 0

**EXHIBIT D-3**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<b>WRC Staff Contact:</b>	Brent Wilson
<b>Date First Presented to Commission:</b>	23-Aug-18
<b>Tract Name:</b>	Warren
<b>County:</b>	Pamlico
<b>Acreage:</b>	16.50
<b>Tax Value:</b>	\$5,554
<b>Property Owner/Representative:</b>	Ralph Warren
<b>Phone:</b>	910-450-5541 / 919-967-3915
<b>Email Address:</b>	<a href="mailto:ralphwarren@bellsouth.net">ralphwarren@bellsouth.net</a>
<b>Address:</b>	3425 Labrador Lane, Chapel Hill, NC 27516

**Primary Purpose:**

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

**Type of Acquisition:**

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

**Grant Potential:**

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

**Tax Value:**

2011	Year Assessed
No	PUV?

**Funding Considerations:**

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

**Recommendation:**

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

**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 Parcel:**

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

**Owner Interest:**

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

**Stewardship Considerations:**

PR	Source:
75/25	Match:

**Reviewed Appraisal & Purchase Requirements?**

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	N/A

**Additional Comments:**

The Warren tract is is an out parcel to Goose Creek Game Land, surrounded by game land on three sides, with DOT road rights-of-ways on the remainder. The tract is 90 percent brackish marsh and 10 percent pine or shrub wetland. It is located on the west side of the Intracoastal Waterway at the head of Jones Bay. Although geographically closer to the Pamlico River, it is within the Neuse River basin.

EXHIBIT D-3

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

Tract Name:	Warren
County:	Pamlico

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

The tract has limited vegetative diversity, however is an important coastal habitat. The marsh is not unique to the area, but serves as a vegetated buffer between uplands and open waters. Waters directly adjacent to the tract are designated as Primary Nursery Area by the Division of Coastal Management. The tract is under consideration because it is offered as a donation. Tract acquisition would consolidate ownership and eliminate interior boundary, bringing the ownership boundary to the edge of the NCDOT highway rights-of-way. The acquisition would further buffer Hobucken Impoundment from external hunting pressure.

Tract Name	Warren Tract
Date	August 23, 2018
Staff Completing Form	B.Wilson

<b>Species</b>	<b>0.333</b>
	Terrestrial
Overall Biodiversity	1
SGCN Species	1
Game Species	1
	Wetland
Overall Biodiversity	1
SGCN Species	1
Game Species	1
	Aquatic
Overall Biodiversity	1
SGCN Species	1
Game Species	1

<b>Comments</b>
Classified as estuarine wetland, it is the coastal plant community with the greatest number of SGCN species. The Conservation Opportunity Area and Threat Assessment tool lists potentially 62 SGCN species present within this type. Waterfowl would be the most likely game species species to regularly utilize this tract. squirrel.

<b>Habitat</b>	<b>0.389</b>
Size	1
Quality	1
Diversity	1
Rare/Important	1
Connectivity	1
Buffer	2

<b>Comments</b>
Predominately brackish marsh and related wetland habitats. There are three ditches present on the tract that were part of pre-Clean Water Act activities in an effort to drain sheet water off of the marsh for mosquito control.

<b>Public Access</b>	<b>0.222</b>
Hunting/Viewing	1
Fishing	1
Boating	0

<b>Comments</b>
Although able to be accessed by foot from the NC 304 right-of-way or by boat from the creek, the wet nature of the site and vegetation type are not ammenable to foot travel, so limited public use is anticipated.

<b>Wildlife Uses</b>	<b>0.133</b>
Hunting	1
Viewing	1
Fishing	0
Boating	0
Education	0

<b>Comments</b>
Could offer waterfowl hunting opportunity. Difficulty in traversing on foot would limit use. The tract would provide wildlife viewing opportunity from the state road.

<b>Other Values</b>	<b>0.111</b>
Timber Harvest	0
Local Economy	0
Quality of Life	1

<b>Comments</b>
The tract does not have harvestable timber or have other monetary benefits to the WRC.

<b>Feasibility &amp; Logistics</b>	<b>0.067</b>
Existing Infrastructure	0
Compatibility of Multiple Uses on Tract	0
Compatibility with Adjoining Land	1
Inholding/Corridor	0
Proximity to Users	0

<b>Comments</b>
No infrastructure is in place and small size limits potential.

<b>Restoration/Mitigation Potential</b>	<b>0.000</b>
Species Restoration	0
Habitat Restoration	0
Access Improvement	0
Threat Mitigation	0

<b>Comments</b>
Site conditions limit opportunity for active management. Tract is best suited for preservation of existing resources.

<b>Threats</b>	<b>0.200</b>
Number	1
Severity	0
Imminence	0
Manageability	2
Management Cost	0

<b>Comments</b>
The primary threat is sea level rise. The area with tree coverage is progressively less over time with natural conversion to marsh as the site becomes innundated.

<b>Overall Score</b>	<b>1.056</b>
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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

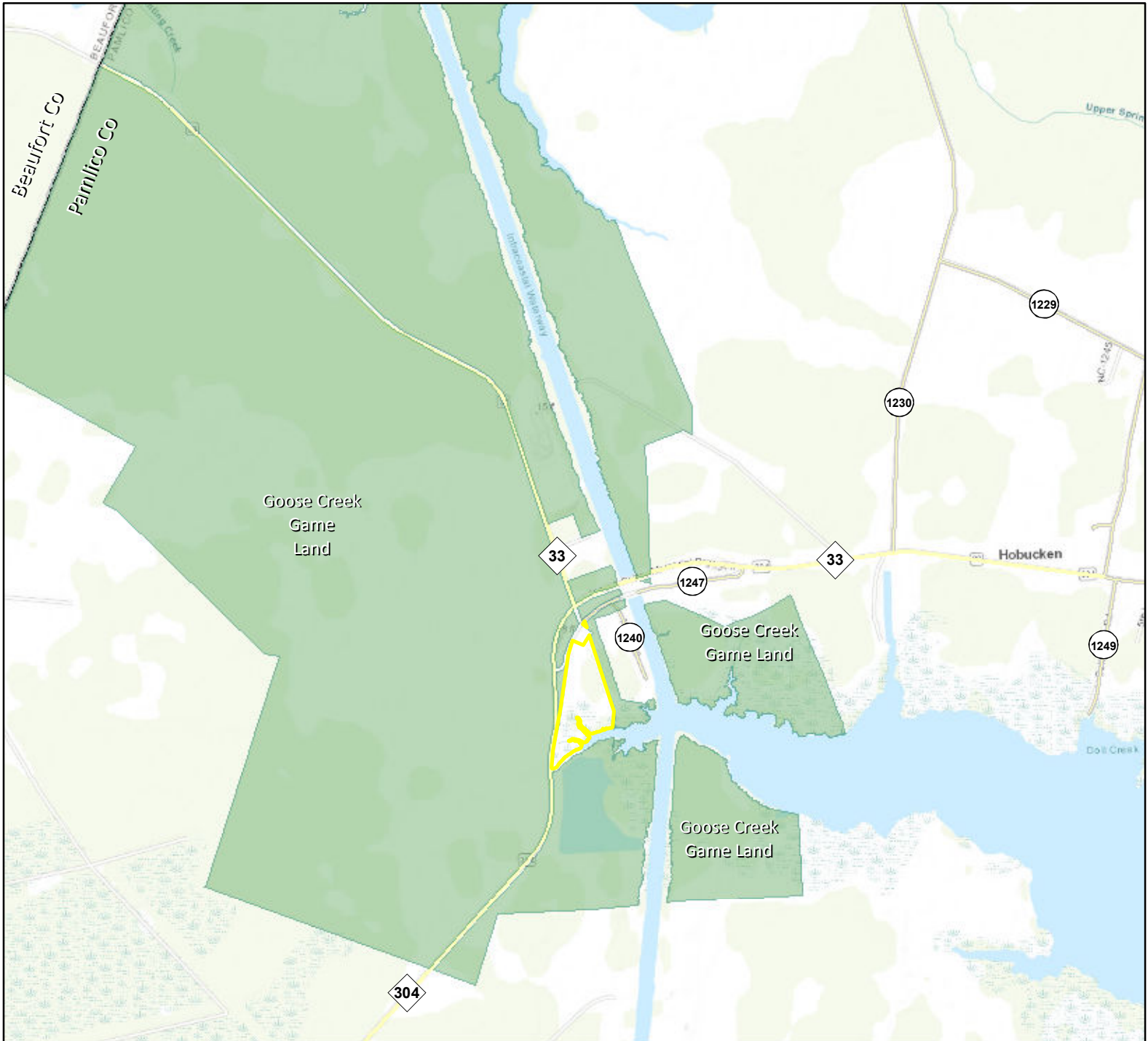
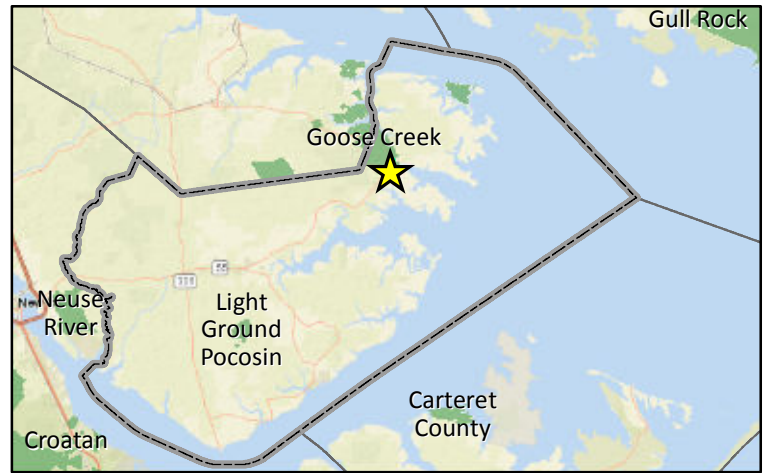
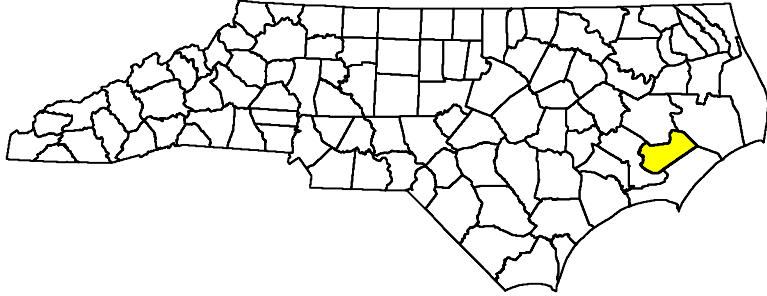
### Threats

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

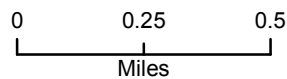
### Scoring

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).

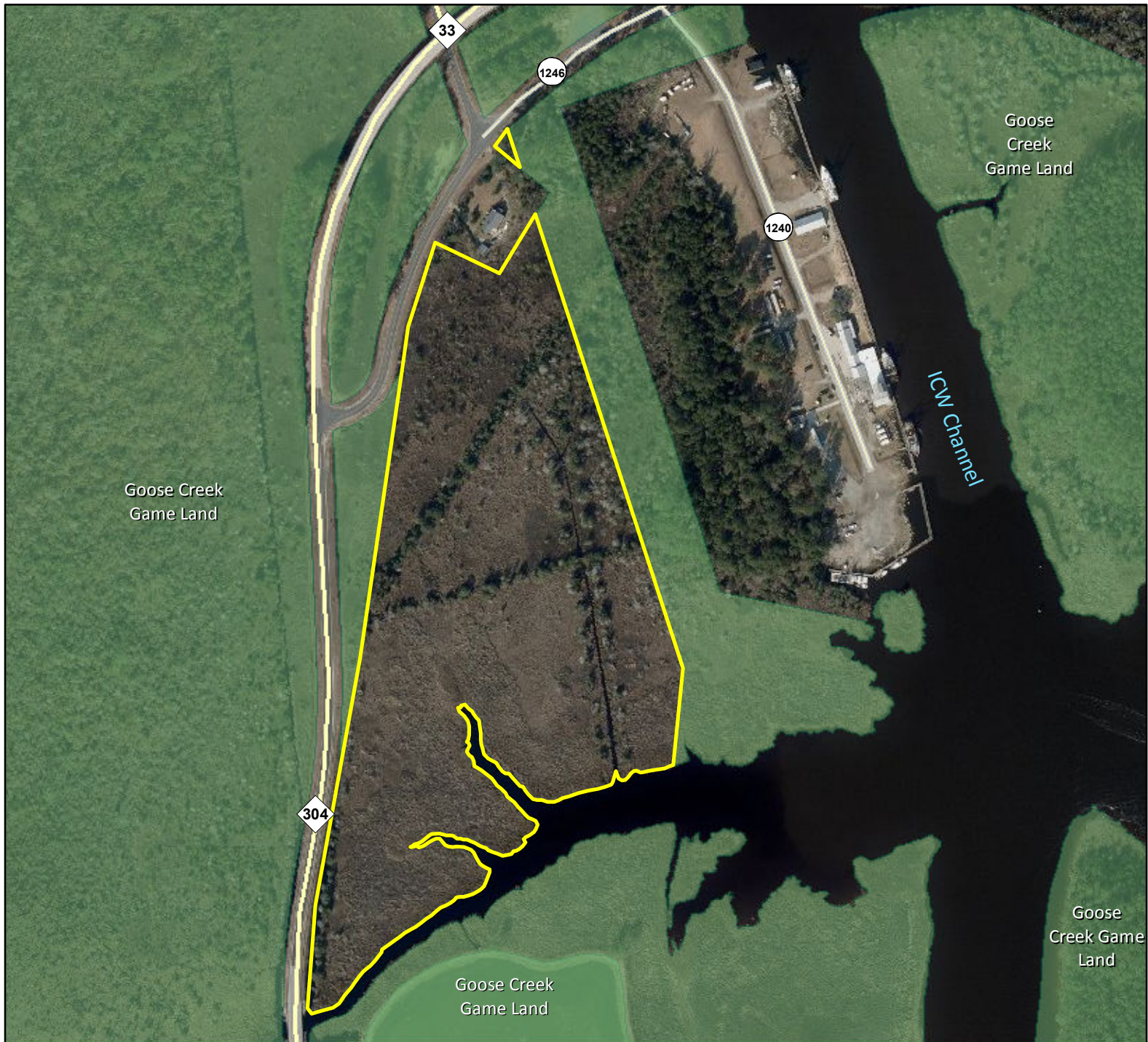
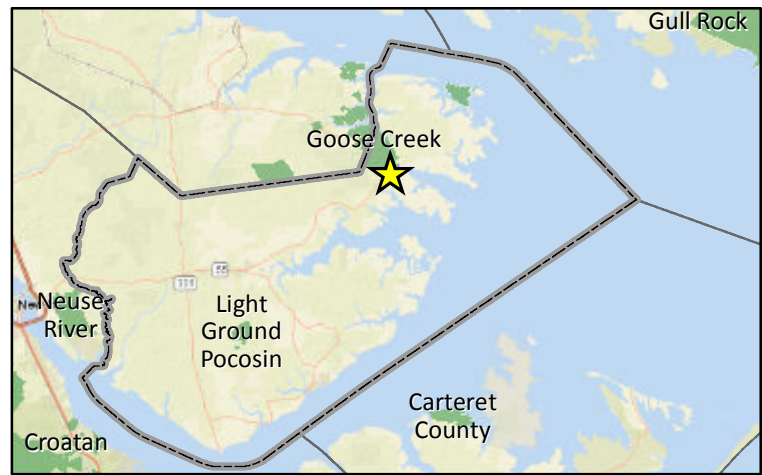
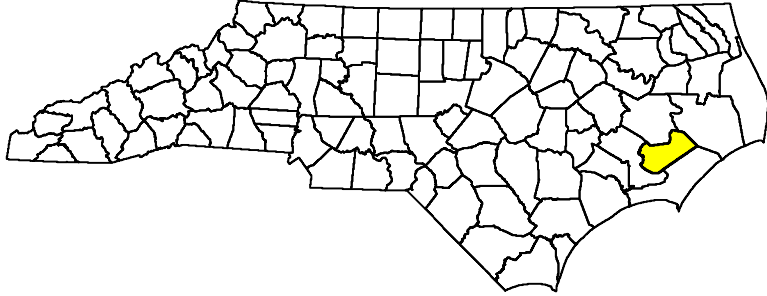
**Warren Tract  
Pamlico County  
20.8 Acres**



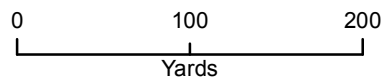
**August 14, 2018**



**Warren Tract  
Pamlico County  
20.8 Acres**



**August 14, 2018**



# EXHIBIT E

August 23, 2018



## North Carolina Wildlife Resources Commission

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August 23, 2018

### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

FROM: Jessie Birckhead, Land Acquisition and Grants Manager  
Land and Water Access

SUBJECT: North Carolina Field Trial Association 2018-2019 Running Schedule  
J. Robert Gordon Field Trial Grounds

The 2018-2019 running schedule submitted by the NC Field Trial Association for use of the J. Robert Gordon Field Trial Area is consistent with NCAC rules governing this use. Staff recommend Commission approval.

Land and Water Access

Mailing Address: 1720 Mail Service Center, Raleigh, N.C. 27699-1720

Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606

Phone: 919-707-0150

Fax: 919-707-0162

# NORTH CAROLINA FIELD TRIAL ASSOCIATION

## RUNNING SCHEDULE

### 2018 – 2019

<b>Date</b>	<b>Club</b>	<b>Location</b>
October 5 - 7	Duplin County Field Club	Warsaw
October 13 - 14	Decoy Lake	Linden
October 19 - 21	Tar Heel Championship	Hoffman
October 22 - 24	Central Carolina – Open	Hoffman
October 26 - 28	Carolina Amateur	Hoffman
November 1 - 4	Richmond County	Hoffman
Nov 29 - Dec 2	German Shorthaired	Hoffman
December 7 - 9	Hoffman FTC	Hoffman
December 13 - 16	REGION 3	Hoffman
December 17 - 20	NC Shooting Dog Championship	Hoffman
Dec 28 - Jan 2	Swamp Fox	Hoffman
January 4 - 6	Pinehurst	Hoffman
January 12 - 14	Tarheel Brittany	Hoffman
January 17 - 20	Southeastern Brittany	Hoffman
January 21 - 24	Atlantic Coast Championship	Hoffman
Jan 28 - Feb 1	US Quail Futurity	Hoffman
February 2 - 4	Yankee Field Trial	Hoffman
February 8 - 10	NC Ama All Age	Hoffman
February 15 - 17	Region 3 Ama Shooting Dog Chmp.	Hoffman
February 21 - 23	SE US Complete Shooting Dog Assoc.	Hoffman
March 1 - 3	Catawba Classic	Hoffman
March 8 - 10	Southern Pines Celebration	Hoffman
March 15 - 18	NC Open All Age	Hoffman
March 19 - 21	NC Open Quail Chmp.	Hoffman
March 22 - 25	NC Pointing Dog Assoc.	Hoffman

# EXHIBIT F

August 23, 2018



## FINAL ADOPTION – 15A NCAC 10F .0325 CHOWAN COUNTY

The application by Chowan County for an extension of the no-wake zone in Pembroke Creek in Edenton was published in the *North Carolina Register* on June 1, 2018 with an open comment period, per the requirements of the Administrative Procedure Act.

One public hearing was held during the open comment period on June 20, 2018, and no comments were received.

Staff recommends final adoption of the amendment by the Commission. Upon adoption, the rule will be presented for final review by the Rules Review Commission. If RRC approves, the Rule amendment will be codified in the North Carolina Administrative Code on November 1, 2018.

### 15A NCAC 10F .0325 CHOWAN COUNTY

(a) Regulated Areas. This Rule ~~applies~~ shall apply to the following waters in Chowan County:

- (1) the waters contained within the entrance canals and docking areas of Edenton Marina and Pembroke Marina;
- (2) ~~the waters [of] Pembroke Creek in Edenton, within from a line 50 yards north of the W. Queen Street bridge on SR 1204 shore to shore, from a point on the east shore at 36.05861 N, 76.62584 W, to a point on the west shore at 36.051813 N, 76.62735 W, to a line 200 yards southeast of the bridge, shore to shore from a point on the east shore at 36.05739 N, 76.62382 W to a point on the west shore at 36.05626 N, 76.62569 W; crossing Pembroke Creek in Edenton;~~
- (3) the boat basin and all canals located within Cape Colony Subdivision in Edenton; and
- (4) the swimming area ~~located~~ in Albemarle Sound adjacent to the Cape Colony Subdivision Recreation Area.

(b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within the regulated areas described in Subparagraphs ~~(1), (2) and (3) of Paragraph (a)~~ (a)(1), (2), and (3) of this Rule.

(c) Swimming Area. No person operating or responsible for the operation of any vessel, surfboard or water skis shall permit ~~the same~~ it to enter the swimming area described in Subparagraph ~~(4) of Paragraph (a)~~ (a)(4) of this Rule.

(d) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Chowan County is the designated ~~a~~ suitable agency for placement ~~and maintenance~~ of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers. ~~With regard to marking the regulated areas described in Paragraph (a) of this Rule, the supplementary standards listed in Subparagraphs (1) through (8) of Rule .0301 (g) of this Section shall apply.~~

*History Note:* Authority G.S. 75A-3; 75A-15;  
Eff. May 1, 1977;

*Amended Eff. May 1, 2013; June 1, 1983;*

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

*Amended Eff. November 1, 2018.*

# EXHIBIT G

August 23, 2018



## PROPOSED PERMANENT RULEMAKING AMENDMENT TO 15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES LAKE WYLIE – MECKLENBURG COUNTY

The Lake Wylie Marine Commission met on April 23, 2018 and received public comment about a proposed no-wake zone at the Yachtsman on Lake Wylie Community in Mecklenburg County. On July 31, 2018 the LWMC submitted a formal application to the WRC, requesting an amendment to 15A NCAC 10F .0333 for a no-wake zone within 50 yards of the community piers, a marina, and beach area, and northward to include the waters east of an island west of the shoreline.

Agency Enforcement has investigated the area and submitted an assessment Matrix (Attachment A) that notes obstruction of vision coming out of small narrow coves north of the community into the main channel, as well as vessels in the narrow channel east of the island that travel at high speeds too close to the community piers.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0333(a)(10) with an open comment period of at least 60 days and one local public hearing. Upon the close of the open comment period, the WRC will consider final adoption of the no-wake zone. A Fiscal Note is not required.

### 15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES

(a) Regulated Areas. This Rule ~~applies~~ shall apply to the following waters of Lake Wylie in Mecklenburg and Gaston Counties:

- (1) ~~McDowell Park—Park.~~ The waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County, ~~including the entrances to the coves on either side of Copperhead Island;~~ County shore to shore, east of the mouth of the cove at a line from a point on the south shore at 35.10272 N, 81.03026 W to a point on the north shore at 35.10556 N, 80.02964 W;
- (2) ~~Gaston County Wildlife Club Cove—Cove.~~ The waters of the cove ~~at west of~~ the Gaston County Wildlife Club on ~~South Point Peninsula~~ South Point Road in Gaston County Belmont, north of a

line at the mouth of the cove from a point on the east shore at 35.15628 N, 81.01427 W to a point on the west shore at 35.15628 N, 81.01615 W;

- (3) Buster Boyd Bridge— Bridge. The areas waters from point 250 feet to the north-east of the Buster Boyd Bridge on N.C. Highway 49 in Mecklenburg County at 35.10293 N, 81.03932 W, and to a point 150 feet to the south-west of the Buster Boyd Bridge; Bridge at 35.10242 N, 81.04089 W;
- (4) N.C. Highway 27 Bridge— bridge. The area waters shore to shore, beginning from a point 50 yards north of the NC N.C. Highway 27 Bridge bridge in Mecklenburg and Gaston counties at 35.29849 N, 81.00346 W and extending 50 yards south of the southernmost of two railroad trestles immediately downstream from to a point 190 yards south of the NC N.C. Highway 27 Bridge; Bridge bridge at 35.29635 N, 81.00424 W;
- (5) Brown's Cove—Cove. The area beginning at the most narrow-point-of-the-entrance-to mouth of Brown's Cove in Mecklenburg County shore to shore, at a point at 35.16453 N, 81.00474 W, west to a point at 35.16480 N, 81.00309 W; and extending 250 feet in both directions;
- (6) Paradise Point Cove— Cove. The waters of the Paradise Point Cove in Gaston County between Paradise Circle and Lakeshore Lake Front Drive as delineated by appropriate markers; Drive, west of a line from a point on the south shore at 35.18853 N, 81.04036 W to a point on the north shore at 35.18991 N, 81.04136 W;
- (7) Withers Cove—The area 50 feet on either side of Withers Bridge; Cove. The waters from a point 50 feet southeast of the Withers Bridge on SR 1116, otherwise known as Shopton Road W. in Mecklenburg County at 35.14576 N, 81.00187 W, to a point 50 feet northwest of the bridge at 35.14599 N, 81.00222 W;
- (8) Sadler Island west— Island. The waters shore to shore beginning at a line formed from a point on the western west shore of Lake Wylie in Gaston County at 35.27481 N, 81.0138 W east to a point on the eastern-shore the east shore of the Lake in Mecklenburg County at 35.27423 N, 81.01111W - 81.01111 W, extending south on the Lake west of Sadler Island to a line formed from a point on the western shore of Lake Wylie at 35.2708N, 81.01525W on the west shore of the Lake shore in Gaston County at 35.27079 N, 81.01525 W, east to a point on the west side of Sadler Island in Mecklenburg County at 35.27051 N, 81.01396 W, to a point on the western side of Sadler Island at 35.27056N, 81.01393W; and the waters shore to shore east of Sadler Island in Mecklenburg County from a point at 35.27441 N, 81.01185 W, south-southwest to a line from a point on the south shore of Sadler Island at 35.26635 N, 81.01432 W, south to a point on the Lake shore at 35.26494 N, 81.01368 W; and
- (9) Sadler Island east— beginning at a line formed from a point on the western shore of Lake Wylie at 35.27481N, 81.0138W to a point on the eastern shore at 35.27423N, 81.01111W extending south on the Lake to a line formed from a point on the eastern side of Sadler Island at 35.2663N, 81.0143W to a point on the eastern shore of Lake Wylie at 35.26501N, 81.01374W; and

~~(10) (9) other Other bridges—bridges, the The areas that are~~ within 50 feet of any bridge in North Carolina that crosses the waters of Lake Wylie that is not otherwise specifically mentioned in this Paragraph. Paragraph; and

(10) Yachtsman on Lake Wylie Community. The waters within 50 yards of the community piers near the terminus of Waterside Drive in Mecklenburg County, and northward to include the waters east of the island west of Point Lookout Road, ending at a line from a point on the northern end of the island at 35.12226 N, 81.03306 W, east to a point on the shore at 35.12253 N, 81.03190 W.

(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, dock, pier, marina, boat storage structure, or boat service area.

~~(c) Speed Limit Near All Other Bridges. No person shall operate a vessel at greater than no-wake speed within 50 feet of any bridge in North Carolina that crosses the waters of Lake Wylie that is not otherwise specifically mentioned in Paragraph (a) of this Rule.~~

~~(d) (c) Speed Limit in Marked Swimming or Mooring Areas. No person shall operate a vessel at greater than no-wake speed within 50 yards of any marked mooring area or marked swimming area.~~

~~(e) (d) Placement and Maintenance of Markers. The Lake Wylie Marine Commission is the designated a suitable agency for placement and maintenance of markers implementing this Rule.~~

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



## NO-WAKE ZONE WATER SAFETY HAZARDS MATRIX

### SECTION 1:

Name of organization/entity: \_\_Lake Wylie Marine Commission\_\_

Primary contact information: \_\_Neil Brennan, Chairman LWMC [nmbnavy66@gmail.com](mailto:nmbnavy66@gmail.com);

Emily Parker, Senior Planner 704-688-6507;

Jim Trautwein – Yachtsman on Lake Wylie 704 315-5211 [jtrautwein@aol.com](mailto:jtrautwein@aol.com)

Exact location of requested no-wake zone:

Body of water and County: \_\_Lake Wylie, Mecklenburg County\_\_

Location: The Yachtsman on Lake Wylie community one mile north of Buster Boyd Bridge, in vicinity of the terminus of Point Lookout Road and area of community docks near Queens harbor Road.

Popular name of area, if any: N/A

Width of No-Wake Zone: Narrowest Point: 225' Widest Point 800'

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) *The area between the shore where the Yachtsman on Lake Wylie Community, Terry's Marina, community docks, and a beach where kayaks and paddle boats launch are located, from the end of Point Lookout Road to the north end of the island, and south of the island from the shore to points 50 yards from the ends of the community piers.*

### 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

*Vessels travel from two smaller coves to main part of lake at high speeds, using that narrow channel between the community docks and the island and traveling too close to the three long marina piers. The Yachtsman on Lake Wylie Community piers, marina, and beach remain busy and vision is obstructed by docks and lifts and vessels including kayakers getting underway from*

*community piers and the beach. The Lake Wylie Marine Commission has met and concurs with a no-wake zone from the north end of the island, southward within 50 yards of the community piers as shown on the attached map. LWMC would be responsible for purchase, placement and maintenance of markers.*

Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps 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? **Obstruction of vision to the main channel**

Is this a public swimming or recreational area?

NO ☒

YES ☐ would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate? ROPED SWIM AREA ☐

NO-WAKE BUOYS ☒

## **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) **200'**

SHALLOW WATER ☐ (give average depth) \_\_\_\_\_

OBSTRUCTED VISION ☒ (for approximately how great a distance) The docks at the Yachtsman club obstruct the view of oncoming boats traveling the main channel.

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 checked="" type="checkbox"/> SANDBAR       |
| <input type="checkbox"/> POWER LINE              | <input type="checkbox"/> SHOAL                    |
| <input checked="" type="checkbox"/> FUELING DOCK | <input checked="" type="checkbox"/> PRIVATE DOCKS |
| <input type="checkbox"/> RESTAURANT DOCKS        | <input type="checkbox"/> BRIDGE                   |
| <input type="checkbox"/> ACCESS AREA/BOAT LAUNCH | <input checked="" 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 **Maximum 1000'**

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed **2-3 minutes**

**SECTION 5:**

List any other known incidents, safety concerns or problems that have occurred. **N/A**

=====

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? **Traffic does increase in this location 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 ASSESSMENT OF WATER SAFETY HAZARDS**

YES: ☒

NO: ☐

Reasons: There are two small narrow coves on either side of the yachtsman club. As you are leaving either one of the coves, the boat docks obstruct your vision when entering the main channel. If a vessel traveling the main channel is too close to the docks, the likelihood of a collision would go up.

Officer: S.R.Parker Jr. #683

Date: 08/12/2018

15A NCAC 10F .0333 (a) (10) - No Wake Zone - Proposed  
Yachtsman on Lake Wylie Community, Lake Wylie - Mecklenburg County



# EXHIBIT H

August 23, 2018



## **Proposed changes to 10F .0100 Motorboat Registration Recommended by Agency Staff for Final Adoption.**

### **Title 15A NCAC 10F .0100 Motorboat Registration**

These rules are part of the 2016 periodic review. Rule 10F .0102 was determined to be “necessary with substantive public interest”, and therefore needs to be readopted. The remaining subsections 10F .0103-.0107, .0109, and .0110 were determined to be “necessary without substantive public interest”, and therefore are not required to be readopted but are proposed for amendment to make minor updates to language and references.

#### **10F .0102**

Made organizational changes and added a definitions section. Reorganized application and form requirements into list form from paragraph form. Made clarifying language changes, technical changes, and removed repetitive language.

*15A NCAC 10F .0102 Application for Certificate of Vessel Number (page 3)*

#### **10F .0103**

Incorporated technical language changes to text and made clarifying changes.

*15A NCAC 10F .0103 Transfer of Ownership (page 7)*

#### **10F .0104**

Incorporated statutory references where needed. Reorganized application and form requirements into list form from paragraph form and removed repetitive language.

*15A NCAC 10F .0104 Certificate of Number (page 11)*

#### **10F .0105**

Incorporated technical changes to text and made various clarifications to language.

*15A NCAC 10F .0105 Numbering Pattern (page 14)*

#### **10F .0106**

Incorporated technical changes to text, made various clarifying changes, and included rule cross-references where needed.

*15A NCAC 10F .0106 Display of Vessel Numbers (page 15)*

**10F .0107**

Incorporated technical language changes to text and made clarifying changes.

*15A NCAC 10F .0107 Validation Decal (page 16)*

**10F .0109**

Incorporated technical language changes to text, made clarifications to language, and reorganized the application and form requirements into list form from paragraph form.

*15A NCAC 10F .0109 Temporary Certificate of Number (page 17)*

**10F .0110**

Incorporated technical language changes to text, made clarifying changes, and deleted duplicative language.

*15A NCAC 10F .0110 Abandoned Vessels (page 19)*

1 15A NCAC 10F .0102 is proposed for readoption as follows:

2  
3 **15A NCAC 10F .0102 APPLICATION FOR CERTIFICATE OF VESSEL NUMBER**

4 (a) Definitions. The definitions in G.S. 75A-2 shall apply throughout this Subchapter and to all forms prescribed  
5 pursuant to this Subchapter. As used in this Subchapter, the following definitions shall also apply:

6 (1) “Boating Accident” means a collision, accident, casualty, or occurrence involving a vessel or its  
7 equipment and resulting in:

8 (A) damage by or to the vessel, its equipment, or other property;

9 (B) injury or loss of life to any person; or

10 (C) the disappearance of any person from a vessel under circumstances that indicate the possibility  
11 of death or injury.

12 A “boating accident” includes, but is not limited to, capsizing, collision, foundering, flooding, fire,  
13 explosion, and the disappearance of a vessel other than by theft.

14 (2) “Certificate of Title” means a document that serves as evidence of ownership of a vessel.

15 (3) “Dealer” means a person, firm, or corporation engaged in the business of offering vessels for sale at  
16 retail or wholesale from an established location.

17 (4) “Government Agency” means the United States or a federal agency, a state, or a subdivision of a state.

18 (5) “Livery Vessel” means a vessel that is rented or leased by the owners to an individual for a defined  
19 period of time.

20 (6) “Manufacturer” means a person, firm, or corporation engaged in the business of manufacturing vessels  
21 either upon prior commission or for the purpose of sale after manufacture.

22 (7) “Nonprofit Rescue Squad Vessel” means a vessel owned and operated by a nonprofit rescue squad  
23 exclusively for rescue purposes, including rescue training.

24 (8) “Proof of Ownership Document” means a document that provides evidence of ownership and shall  
25 include a Certificate of Number or a Certificate of Title issued by the Commission or any similar  
26 document issued by another state or country, an affidavit, a bill of sale, a manufacturer’s statement of  
27 origin, or any other document that establishes ownership.

28 (9) “Vessel Agent” means an individual or business authorized by the Commission to conduct vessel  
29 transactions.

30 ~~(a)~~ (b) General. The certificate of numbering and certificate of titling requirements of G.S. 75A-4, 75A-7, 75A-34,  
31 and 75A-35 shall apply to livery vessels, commercial fishing vessels, and commercial passenger vessels. Vessels  
32 operated pursuant to a dealer’s or manufacturer’s certificate of number for demonstration or testing purposes, vessels  
33 owned by a government agency, and non-profit rescue squad vessels shall not be subject to the titling requirements of  
34 G.S. 75A-34 and G.S. 75A-35 but shall remain subject to the certificate of numbering requirements of G.S. 75A-4 and  
35 G.S. 75A-7. Every owner applying for a certificate of number ~~or~~ and certificate of title of a vessel, if applicable,  
36 required to be numbered ~~, pursuant to G.S. 75A-4 and 75A-7 or required to be titled pursuant to G.S. 75A-34 and~~  
37 ~~75A-35 shall apply to the North Carolina Wildlife Resources Commission or to one of its Wildlife Service Agents-~~  
38 vessel agents using an application provided by the Wildlife Resources available on the Commission website at

1 www.ncwildlife.org. ~~The application shall contain the following information:~~ The application shall include the  
2 following information:

- 3 (1) the name of ~~owner(s); the owners;~~
- 4 (2) the address, telephone number, date of birth, and North Carolina driver license number of  
5 ~~owner(s); owners;~~
- 6 (3) ~~present~~ the current or previous certificate of ~~number~~ number, if applicable; ~~(if any);~~
- 7 (4) ~~desired~~ the desired period of certificate of ~~number (one or three years);~~ number, either one or three  
8 years;
- 9 (5) ~~primary~~ the primary use of vessel ~~(pleasure, livery, demonstration, commercial passenger,~~  
10 ~~commercial fishing, other commercial, other);~~ vessel:
  - 11 (A) pleasure;
  - 12 (B) livery;
  - 13 (C) demonstration;
  - 14 (D) commercial fishing;
  - 15 (E) commercial passenger;
  - 16 (F) other commercial; or
  - 17 (G) other;
- 18 (6) ~~model of vessel (if known);~~ the model of the vessel, if known;
- 19 (7) ~~manufacturer (if known);~~ the manufacturer, if known;
- 20 (8) the year of manufacture or model ~~year (if known);~~ year, if known;
- 21 (9) the manufacturer's hull identification ~~number (if any);~~ number, if any;
- 22 (10) ~~overall~~ the length of the vessel in feet and inches;
- 23 (11) the type of vessel ~~(open, cabin, houseboat, personal watercraft, pontoon, other);~~ vessel:
  - 24 (A) open;
  - 25 (B) cabin;
  - 26 (C) houseboat;
  - 27 (D) personal watercraft;
  - 28 (E) pontoon; or
  - 29 (F) other;
- 30 (12) ~~hull material (wood, metal, fiberglass, inflatable, plastic, other);~~ the hull material:
  - 31 (A) wood;
  - 32 (B) metal;
  - 33 (C) fiberglass;
  - 34 (D) plastic;
  - 35 (E) inflatable; or
  - 36 (F) other;
- 37 (13) ~~type of propulsion (inboard; outboard; inboard outdrive; jet drive; sail; auxiliary sail/inboard;~~  
38 ~~auxiliary sail/outboard, other);~~ the type of propulsion:
  - 39 (A) inboard;

- (B) outboard;  
(C) inboard outdrive;  
(D) sail;  
(E) auxiliary sail/inboard;  
(F) auxiliary sail/outboard; or  
(G) jet Drive;  
(14) type of fuel (gasoline, diesel, electric, other); the type of fuel:  
(A) gasoline;  
(B) diesel;  
(C) electric; or  
(D) other;  
(15) a proof of ownership document;  
(16) the signature of the owner(s); owners;  
(17) the make of motor (if if over 25 horsepower), horsepower, including serial number, number and purchase price of motor;  
(18) the lien holder name, address, and telephone number;  
(19) the effective lien date;  
(20) the county where vessel is taxed; and  
(21) status proof of United States Coast Guard documentation, documentation, if applicable.

~~(b)~~ (c) Application for certificate of number and certificate of title. The ~~owner(s)~~ owners shall complete and submit an application for a certificate of number, ~~along with the proof of ownership document and proof of ownership document(s), and applicable fees to the Wildlife Resources Commission or one of its authorized vessel agents for processing within 15 days of the date of sale. A new certificate of number shall be issued for new or never before~~ never before registered vessels. For a period of 60 days following the date of sale, the new ~~owner~~ owners may use a copy of the proof of ownership document, ~~provided it contains the date of sale, document~~ as a temporary certificate of number pending receipt of the original ~~certificate, certificate, provided it contains the date of sale. If the vessel is 14 feet or longer or is a personal watercraft, then a Certificate of Title for Vessel shall be issued, including recordation of any liens listed on the application. If required, a certificate of title shall be issued and all reported liens shall be recorded.~~

~~(e)~~ (d) Livery Vessel Owners. A "livery vessel" is ~~one that is rented or leased to an individual for a specific time period by the owners(s). The certificate of numbering and certificate of titling requirements of G.S. 75A-4, 75A-7, 75A-34, and 75A-35 apply to livery vessels. Upon receipt of a completed application, application and a copy of the lease or rental agreement form and fee, the Wildlife Resources Commission shall issue to the applicant a certificate of number and, if applicable according to the standards in Paragraph (b) of this Rule, applicable, a certificate of title.~~

~~(d)~~ (e) Dealers and Manufacturers of Vessels. A "manufacturer" as the term is used in this Rule is defined as a person, firm, or corporation engaged in the business of manufacturing vessels either upon prior commission or for the purpose of selling them after manufacture. A "dealer" as the term is used in this Rule is defined as a person, firm, or corporation engaged in the business of offering vessels for sale at retail or wholesale from an established location(s). The

1 ~~certificate of numbering requirements of G.S. 75A-4 and 75A-7 apply to vessels belonging to dealers and~~  
2 ~~manufacturers.~~ Upon receipt of a completed application and fee, the ~~Wildlife Resources~~ Commission shall issue to  
3 the applicant a certificate of number that may be used in connection with the operation of any vessel in the possession  
4 of the dealer or manufacturer when the vessel is being demonstrated. Dealer and manufacturer ~~certificate of numbers~~  
5 certificates of number shall not be transferred. A new certificate of number shall be issued upon sale or transfer.  
6 Demonstration vessels shall not be titled so long as the vessel is owned by the dealer or manufacturer. Vessels owned  
7 or possessed by dealers or manufacturers for personal use or for any use other than for demonstration and testing  
8 purposes shall be individually registered in the name of the dealer or manufacturer in accordance with ~~Paragraph (a)~~  
9 the certificate of number requirements of Paragraph (b) of this Rule. Additional ~~dealer's dealer or manufacturer's~~  
10 manufacturer certificates of number may be obtained by making application in the same manner as prescribed for the  
11 initial certificate with payment of ~~an additional~~ a fee for each additional certificate. Dealers and manufacturers may  
12 register individual vessels in accordance with Rule .0104(a) of this Section.

13 ~~(e) (f) Government Agency and Non-Profit Rescue Squad Vessels. The certificate of numbering requirements of G.S.~~  
14 ~~75A-4 and 75A-7 apply to vessels belonging to state or local government agencies.~~ Upon receipt of a completed  
15 application and proof of ownership documents from a ~~state or local government agency,~~ government agency or non-  
16 profit rescue squad, the ~~Wildlife Resources~~ Commission shall issue to the applicant a permanent certificate of number.  
17 There ~~is shall be~~ no fee for a permanent state or local government agency or non-profit rescue squad certificate of  
18 number and the certificate is valid until the vessel is transferred to another government agency, an individual, a  
19 business, or a dealer. Government agency registered vessels shall not be titled.

20 ~~(f) (g) Commercial Fishing Vessel. The certificate of numbering and certificate of titling requirements of G.S. 75A-~~  
21 ~~4, 75A-7, 75A-34, and 75A-35 apply to commercial fishing vessels.~~ The standard application for a certificate of  
22 number shall be used for commercial fishing vessels with the term "commercial fishing" marked in the section  
23 designated for ~~"primary use."~~ "primary use". Upon receipt of a completed application, proof of ownership document,  
24 and fee, ~~as provided for in G.S. 75A-3 and 75A-5,~~ the ~~Wildlife Resources~~ Commission shall issue to the applicant a  
25 certificate of number ~~and, if applicable according to the standards in Paragraph (b) of this Rule, and if applicable,~~ and, if applicable, a  
26 certificate of title.

27 ~~(g) (h) Commercial Passenger Vessel. The certificate of numbering requirements of G.S. 75A-4, 75A-7, 75A-34, and~~  
28 ~~75A-35 apply to commercial passenger vessels.~~ Upon receipt of a completed application, proof of ownership  
29 document, and fee, the ~~Wildlife Resources~~ Commission shall issue to the applicant a certificate of number ~~and, if~~  
30 ~~applicable according to the standards in Paragraph (b) of this Rule, and, if applicable,~~ and, if applicable, a certificate of title.

31  
32 *History Note: Authority G.S. 75A-3; 75A-5; 75A-7; 75A-19; 75A-34; 75A-35; 33 C.F.R. 174.17;*

33 *Eff. February 1, 1976;*

34 *Amended Eff. August 31, 1980;*

35 *Legislative Objection Lodged Eff. December 16, 1980;*

36 *Amended Eff. July 1, 1988 at ARRC request to cure referenced Legislative Objection;*

37 *Amended Eff. August 1, 2014; May 1, 2007; July 1, 1998; April 1, 1997; November 1, 1993; August*  
38 *1, 1988; July 1, 1988.*

39 *Readopted Eff. October 1, 2018.*

1 15A NCAC 10F .0103 is proposed for amendment as follows:

2  
3 **15A NCAC 10F .0103 TRANSFER OF OWNERSHIP**

4 (a) Transfer of previously registered and titled vessels.

5 (1) Transfer of previously registered and titled vessels from one individual ~~owner(s)~~ owners to another.

6 (A) When the ownership of a titled vessel is transferred, the ~~owner(s)~~ owners listed on the face  
7 of the ~~Certificate of Title for Vessel~~ certificate of title shall complete the Assignment of  
8 Title section on the reverse side of the ~~Certificate of Title~~ certificate of title and surrender  
9 the title to the new ~~owner(s)~~ owners. All outstanding liens shall be satisfied before the  
10 ~~Certificate of Title~~ title is ~~surrendered to the new owners(s)~~ surrendered. If the ownership  
11 of a titled vessel is transferred by court order, will, settlement agreement, separation  
12 agreement, ~~judgment or judgment~~ or other document and the original title is not available,  
13 the previous ~~owner(s)~~ owners or estate representative shall provide the new ~~owner(s)~~  
14 owners with documents establishing ownership.

15 (B) The new ~~owner(s)~~ owners shall submit an application for a certificate of number and  
16 certificate of title, along with the properly assigned ~~Certificate of Title~~ certificate of title  
17 and applicable fees to the ~~Wildlife Resources~~ Commission or one of its ~~authorized vessel~~  
18 agents for processing within 15 days of the date of sale. The new ~~owner(s)~~ owners shall  
19 indicate on the application whether or not any liens exist on the vessel. If applicable, a  
20 new ~~Certificate of Title for Vessel~~ certificate of title shall be ~~issued, including recordation~~  
21 ~~of any new liens listed on the application, issued and all reported liens shall be recorded.~~  
22 The original certificate of number shall be retained when a ~~vessel, vessel that was~~  
23 previously registered in North ~~Carolina,~~ Carolina is transferred to a new owner. A new  
24 certificate of number shall be issued to ~~vessels previously registered in another state or to~~  
25 ~~vessels never before registered, a vessel that was previously registered in another state or~~  
26 never before registered.

27 (C) For 60 days following the transfer of ownership of a previously titled vessel, the new owner  
28 may use a copy of the properly assigned ~~Certificate of Title~~ certificate of title as a  
29 temporary certificate of number pending receipt of his or her own certificate provided the  
30 certificate is validated in accordance with Part (b)(1)(A) of this Rule.

31 (2) Transfer of previously registered and titled vessels through a dealer.

32 (A) When the ownership of a titled vessel is transferred to a dealer, the ~~owner(s)~~ owners listed  
33 on the face of the ~~Certificate of Title for Vessel~~ certificate of title shall complete the  
34 Assignment of Title section on the reverse side of the ~~Certificate of Title~~ certificate of title  
35 and surrender the title to the dealer. All outstanding liens shall be satisfied before the  
36 certificate of title is surrendered to the dealer.

37 (B) When the vessel is subsequently sold, the dealer shall, on the day of the sale, provide the  
38 new ~~owner(s)~~ owners the original ~~Certificate of Title~~ certificate of title completed by the  
39 previous ~~owner(s)~~ owners and a ~~Dealer~~ dealer Bill of sale. The ~~Dealer's Bill of Sale~~ shall

1 include the dealer's name, the name of the new owner(s), the date of sale, certificate of  
2 number, manufacturer's hull identification number, model, year, and length of the vessel.  
3 dealer bill of sale shall include the dealer's name; the name of the new owners; the date of  
4 sale; the certificate of number; the manufacturer's hull identification number; and the  
5 model, year, and length of the vessel. The Dealer's Bill of Sale dealer bill of sale shall be  
6 signed by both the dealer and the new owner(s) owners.

7 (C) The new owner(s) owners shall complete and submit the standard application for a  
8 certificate of number and Certificate of Title, certificate of title, along with the properly  
9 assigned certificate of title, Dealer Bill of Sale, and applicable fees to the Wildlife  
10 Resources Commission or one of its authorized vessel agents for processing within 15 days  
11 of the date of sale. If applicable, a new Certificate of Title for Vessel certificate of title  
12 shall be issued, including recordation of any new liens listed on the application. issued and  
13 all reported liens shall be recorded. The original certificate of number shall be retained  
14 when a vessel, vessel that was previously registered in North Carolina, Carolina is  
15 transferred to a new owner(s) owners. A new certificate of number shall be issued to  
16 vessels previously registered in another state or vessels never before registered. a vessel  
17 that was previously registered in another state or never before registered.

18 (D) For a period of 60 days following the transfer of ownership of a previously registered  
19 vessel, the new owner may use a copy of the Dealer's Bill of Sale dealer bill of sale as a  
20 temporary certificate of number pending receipt of his or her own certificate provided the  
21 certificate is validated in accordance with Part (b)(1)(A) of this Rule.

22 (b) Transfer of previously registered, non-titled vessels.

23 (1) Transfer of a previously registered, non-titled vessel from one individual owner to another.

24 (A) If the ownership of a previously registered vessel is transferred, transferred by sale or gift,  
25 the previous owner(s) owners shall complete a notarized bill of sale. The bill of sale shall  
26 be given to the new owner owners and shall include the previous owner's name, the new  
27 owner's name, the date of sale or gift, certificate of number, manufacturer's hull  
28 identification number, model, year, and length of the vessel, the previous owners' names;  
29 the new owners' names; the date of sale or gift; the certificate of number; the  
30 manufacturer's hull identification number; and the model, year, and length of the vessel.  
31 The previous owner's signature shall be notarized. If the ownership of a previously  
32 registered vessel is transferred by a court order, will, settlement agreement, separation  
33 agreement, judgment or other document, the previous owner(s) owners or representative  
34 of the estate shall provide the new owner(s) owners with documents establishing  
35 ownership.

36 (B) The new owner shall complete and submit an application for a certificate of number and  
37 Certificate of Title, certificate of title, along with the proof of ownership document and  
38 applicable fees, to the Wildlife Resources Commission or one of its authorized vessel  
39 agents for processing within 15 days of the date of sale or gift. If applicable, a new

~~Certificate of Title for Vessel~~ certificate of title shall be issued, including recordation of any new liens listed on the application. ~~be issued and all reported liens shall be recorded.~~  
The original certificate of number shall be retained when a vessel previously registered in North Carolina is transferred to a new owner. A new certificate of number shall be issued to vessels previously registered in another State or ~~to vessels~~ never before registered.

(C) For 60 days following the transfer of ownership of a previously registered vessel, the new owner may use a copy of the proof of ownership ~~document, provided it contains the date of sale, document~~ as a temporary certificate of number pending receipt of his or her own certificate provided the certificate is validated in accordance with Part (b)(1)(A) of this Rule.

(2) Transfer of a previously registered, non-titled vessel through a dealer.

(A) The ~~owner(s)~~ owners selling or transferring a previously registered vessel to a dealer shall complete a notarized bill of sale naming the dealer as the new owner. The bill of sale shall be given to the dealer and shall include the previous ~~owner's name, date of sale, certificate of number, manufacturer's hull identification number, model, year, and length of the vessel.~~ owners' names; the dealers name; the date of sale; the certificate of number; the manufacturer's hull identification number; and the model, year, and length of the vessel. The signature of the previous ~~owner(s)~~ owners shall be notarized.

(B) When the vessel is ~~subsequently sold, the dealer shall, on the day of the sale, provide the new owner(s) a dealer bill of sale.~~ sold, the dealer shall provide the new owners a dealer bill of sale on the day of the sale. The ~~dealer's~~ dealer bill of sale shall include the dealer's ~~name, the new owner(s) name, the date of sale, certificate of number, manufacturer's hull identification number, model year, and length of the vessel~~ name; the new owners' names; the date of sale; the certificate of number; the manufacturer's hull identification number; and the model, year, and length of the vessel. The ~~dealer's~~ dealer bill of sale shall be signed by both the dealer and the new ~~owner(s)~~ owners.

(C) The new ~~owner(s)~~ owners shall complete and submit the ~~standard~~ application for a certificate of number and Certificate of Title, along with the proof of ownership document and applicable fees to the Wildlife Resources Commission or one of its ~~authorized vessel~~ agents for processing within 15 days of the date of sale. If applicable, a new ~~Certificate of Title for Vessel~~ certificate of title shall be issued, including recordation of any new liens listed on the application. ~~issued and all reported liens shall be recorded.~~ The original certificate of number shall be retained when a vessel, previously registered in North Carolina, is transferred to a new ~~owner(s)~~ owners. A new certificate of number shall be issued to vessels previously registered in another state or vessels never before registered.

(D) For a period of 60 days following the transfer of ownership of a previously registered vessel, the new owner may use a copy of the ~~dealer's~~ dealer bill of sale as a temporary certificate of number pending receipt of his or her own certificate provided the certificate is validated in accordance with Part (b)(1)(A) of this Rule.

- 1           (3)     Transfer of a vessel individually-registered to a dealer or manufacturer. Vessels that have been  
2                   individually numbered by dealers or manufacturers shall upon transfer of ownership be governed  
3                   by the provisions of Subparagraph (b)(1) of this Rule.  
4

5     *History Note:*     *Authority G.S. 75A-3; 75A-5; 75A-19; 75A-37; 33 C.F.R. 174.21;*  
6                   *Eff. February 1, 1976;*  
7                   *Amended Eff. August 1, 2014; May 1, 2007; July 1, 1998; April 1, 1997; February 1, 1995;*  
8                   *November 1, 1993; July 1, 1988; April 19, 1981;*  
9                   *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
10                   *6, 2016.*  
11                   *Amended Eff. October 1, 2018.*  
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1 15A NCAC 10F .0104 is proposed for amendment as follows:

3 **15A NCAC 10F .0104 CERTIFICATE OF NUMBER**

4 (a) General. Upon receipt of a completed application, a proof of ownership document, and ~~applicable fee(s), the~~  
5 ~~applicable fees as provided in G.S. 75A-5(a1) and G.S. 75A-5.2(c), the Wildlife Resources~~ Commission shall issue to  
6 the applicant a certificate of number ~~which shall authorize~~ authorizing the operation of the vessel. The certificate of  
7 number shall be carried while operating the vessel and shall be presented for inspection to any law enforcement officer  
8 upon request. The certificate of number shall include the following information:

- 9 (1) the name of the ~~owner(s), owners, dealer dealer,~~ or manufacturer;
- 10 (2) ~~address, the address~~ including zip code, of the primary ~~owner(s), owners,~~ dealer or manufacturers;
- 11 (3) the title indicator;
- 12 (4) the certificate of number awarded to vessel;
- 13 (5) the expiration date of the certificate of number;
- 14 (6) ~~use of vessel (pleasure, livery, demonstration, commercial passenger, commercial fishing, other~~  
15 ~~commercial; other);~~ vessel use type:
- 16 (A) pleasure;
- 17 (B) livery;
- 18 (C) demonstration;
- 19 (D) commercial fishing;
- 20 (E) commercial passenger;
- 21 (F) other commercial; or
- 22 (G) other;
- 23 (7) ~~the model of vessel (if known);~~ vessel, if known;
- 24 (8) ~~manufacturer (if known);~~ the manufacturer, if known;
- 25 (9) ~~the year of manufacture or model year (if known);~~ year, if known;
- 26 (10) ~~the manufacturer's hull identification number (if any);~~ number, if any;
- 27 (11) the overall length of vessel;
- 28 (12) ~~the type of vessel (open, cabin, houseboat, personal watercraft, pontoon, other);~~ vessel:
- 29 (A) open;
- 30 (B) cabin;
- 31 (C) houseboat;
- 32 (D) personal watercraft;
- 33 (E) pontoon; or
- 34 (F) other;
- 35 (13) ~~hull material (wood, metal, fiberglass, plastic, inflatable, other);~~ the hull material:
- 36 (A) wood;
- 37 (B) metal;
- 38 (C) fiberglass;
- 39 (D) plastic;

- (E) inflatable; or
- (F) other;
- (14) ~~type of propulsion (inboard, outboard, inboard outdrive, sail, auxiliary sail/inboard, auxiliary sail/outboard, jet drive);~~ the type of Propulsion:
- (A) inboard;
- (B) outboard;
- (C) inboard outdrive;
- (D) sail;
- (E) auxiliary sail/inboard;
- (F) auxiliary sail/outboard;
- (G) jet drive;
- (15) ~~type of fuel (gasoline, diesel, electric, other);~~ the type of fuel:
- (A) gasoline;
- (B) diesel;
- (C) electric;
- (D) other;
- (16) a notice to owner that he shall report within 30 days changes of address or ownership, and destruction or abandonment of vessel;
- (17) the signature of the owner; owners; and
- (18) a notice to the owner that the operator shall:
- (A) always carry this certificate on vessel when in use;
- (B) report any accident involving injury or death to persons, persons or property damage more than in excess of two thousand dollars (\$2,000.00); and
- (C) stop and render assistance if involved in boating accident.
- ~~(b) Livery Vessel Owners. The certificate of number awarded to a livery vessel shall be marked "livery vessel" and shall include the same information in Paragraph (a) of this Rule.~~
- ~~(c) Dealers and Manufacturers. The certificate of number awarded to dealers and manufacturers shall be marked "dealer" or "manufacturer" in lieu of the description of the vessel, motor and type of fuel. Any dealer or manufacturer demonstrating or testing a vessel may utilize use a set of dealer's dealer numbers and the corresponding dealer's dealer certificate of number to operate any vessel held for sale, but only for demonstration or testing purposes. Vessels owned or possessed by dealers or manufacturers for personal use or for any use whatsoever other than for demonstration and testing purposes must shall be individually registered in the name of the dealer in accordance with Paragraph (a) of this Rule.~~
- ~~(d) Government agency. The certificate of number awarded to State or local government agencies shall be marked "permanent" and shall include the same information in Paragraph (a) of this Rule; however, there will There shall be no title indicator or expiration date listed for permanent certificate of numbers.~~
- ~~(e) Commercial Fishing. The certificate of number awarded to a commercial fishing vessel shall be marked "commercial fishing" and shall include the same information in Paragraph (a) of this Rule.~~

1 ~~(f) Commercial Passenger. The certificate of number awarded to a commercial passenger vessel shall be marked~~  
2 ~~"commercial passenger" and shall include the same information in Paragraph (a) of this Rule.~~  
3 ~~(g) (d) Vessel Registration Agents. In order to make certificates of number readily available throughout the State,~~  
4 ~~vessel dealers, manufacturers, and other related Vessel dealers, manufacturers, and other businesses which that~~ operate  
5 from locations within North Carolina may be appointed as ~~wildlife service vessel~~ agents of the ~~Wildlife Resources~~  
6 Commission and ~~be~~ authorized to issue temporary certificates of number for new registrations, transfers of ownership,  
7 ~~renewal renewals,~~ and duplicate transactions. All official certificates of ~~numbers-number~~ shall be processed and  
8 mailed from the ~~Wildlife Resources~~ Commission headquarters. Rules governing the appointment and operations of  
9 ~~wildlife service-vessel~~ agents are contained in 15A NCAC 10G .0400 ~~Wildlife Service Agents.~~ WILDLIFE SERVICE  
10 AGENTS.  
11

12 *History Note: Legislative Objection Lodged Eff. December 16, 1980;*  
13 *Authority G.S. 75A-3; 75A-5; 75A-5.2; 75A-7; 75A-19; 33 C.F.R. 174.19;*  
14 *Eff. February 1, 1976;*  
15 *Amended Eff. May 1, 2007; July 1, 1998; April 1, 1997; July 1, 1988; August 31, 1980; January 1,*  
16 *1980;*  
17 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
18 *6, 2016.*  
19 *Amended Eff. October 1, 2018.*  
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1 15A NCAC 10F .0105 is proposed for amendment as follows:

3 **15A NCAC 10F .0105 NUMBERING PATTERN**

4 (a) General. The certificate of number ~~assigned~~ shall consist of the ~~symbol~~ abbreviation "NC" identifying the state,  
5 followed by not more than four Arabic numerals and two capital letters, in sequence, separated by a hyphen or  
6 equivalent space, in accordance with the serials, numerically and alphabetically. ~~As examples: NC 1 A or~~  
7 ~~NC 1234 AA.~~

8 (b) ~~Individual. Prohibited Letters. Since the letters "I," "O," and "Q" may be mistaken for Arabic numerals, they shall~~  
9 ~~not be used in the letter sequences. The Letters "I", "O", and "Q" shall not be used in any certificate of number letter~~  
10 ~~sequence. Letters, Letters or letters and numbers forming words or combinations shall not be used.~~

11 (c) Government Agency. The single letter "P" shall be ~~reserved for use~~ used following the numerals of vessels  
12 ~~numbered-owned~~ by governmental entities.

13 (d) ~~Dealer/Manufacturer. Dealers and Manufacturers.~~ The single letter "X" shall be ~~reserved for use~~ used following  
14 the numerals of vessels numbered for demonstration purposes by dealers and manufacturers.

16 *History Note: Authority G.S. 75A-3; 75A-5; 75A-7; 75A-19; 33 C.F.R. 174.23;*

17 *Eff. February 1, 1976;*

18 *Amended Eff. May 1, 2007; July 1, 1998; April 1, 1997; September 1, 1996; August 31, 1980;*

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

21 *Amended Eff. October 1, 2018.*

1 15A NCAC 10F .0106 is proposed for amendment as follows:

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3 **15A NCAC 10F .0106 DISPLAY OF VESSEL NUMBERS**

4 (a) The vessel numbers shall be painted on or attached to each side of the forward half of the vessel for which the  
5 number was issued in a position that is visible and legible for identification. The numbers shall read from left to right  
6 and shall be in block characters not less than three inches in height. The numbers shall be of a solid color that contrasts  
7 with the color of the background and maintained to be visible and ~~legible; i.e., dark numbers on a light background,~~  
8 ~~or light numbers on a dark background, legible.~~

9 (b) No other number, except the year date of the validation decal described in Rule .0107 of this Section, shall be  
10 carried on the bow of ~~such a~~ a numbered vessel.

11 (c) Manufacturers or dealers may have the vessel number ~~awarded to them~~ printed upon or attached to a removable  
12 sign or signs to be temporarily ~~but firmly mounted upon or~~ attached to ~~the~~ a vessel being demonstrated, so long as the  
13 display meets the requirements ~~of Paragraph (a) of the Rules in this Section. this Rule.~~ Where a currently or previously-  
14 numbered vessel is being demonstrated with ~~a set of dealer's~~ dealer numbers, ~~the~~ all permanent numbers painted on  
15 or attached to the bow shall be covered.

16 (d) A vessel registered to a governmental entity and bearing the letter "P" shall continue to display the assigned  
17 numbers for so long as the vessel belongs to a governmental entity. Upon transfer of ownership of a vessel registered  
18 to a government entity to a private ~~individual(s)~~ individual or business, the new owner shall apply to the ~~Wildlife~~  
19 ~~Resources~~ Commission for a new certificate of number ~~and shall be assigned a new certificate of number.~~ as provided  
20 in 15A NCAC 10F .0104.

21 (e) In accordance with federal law, a ~~A~~ United States Coast Guard documented vessel registered in North Carolina  
22 shall not display the state vessel numbers.

23  
24 *History Note: Authority G.S. 75A-3; 75A-5; 75A-19;*

25 *Eff. February 1, 1976;*

26 *Amended Eff. August 1, 2014; May 1, 2007; April 1, 1997;*

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

29 *Amended Eff. October 1, 2018.*  
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1 15A NCAC 10F .0107 is proposed for amendment as follows:

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3 **15A NCAC 10F .0107 VALIDATION DECAL**

4 (a) In addition to the certificate of number, the ~~Wildlife Resources~~ Commission shall supply to the owner of ~~each~~  
5 ~~vessel that is numbered, a numbered vessel~~ two validation decals indicating the certificate's year of expiration. The  
6 owner shall affix one validation decal in a position that is visible and legible on ~~the starboard~~ each side of the bow and  
7 ~~one validation decal on the port side bow of the vessel~~ following and within six inches of the vessel number. ~~The~~  
8 ~~owner of a~~

9 (b) A United States Coast Guard documented vessel shall affix one validation decal in a position that is visible and  
10 legible on the forward half of the starboard bow and one validation decal on the forward half of the port side bow.

11 (c) ~~Any~~ A validation ~~decals~~ decal issued for a numbered vessel ~~numbered on application~~ owned by a governmental  
12 entity shall contain no expiration date, ~~but~~ shall bear the letter "P" "P", and shall not be subject to renewal so long as  
13 the vessel remains the property of a governmental entity. When ~~any such a~~ vessel is transferred to private ownership,  
14 the decals shall be removed or ~~obliterated~~ destroyed by the transferring agency.

15  
16 *History Note: Authority G.S. 75A-3; 75A-5; 75A-7; 33 C.F.R. 174.15;*

17 *Eff. February 1, 1976;*

18 *Amended Eff. January 1, 2015; May 1, 2007; April 1, 1997; August 31, 1980; January 1, 1980;*

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

21 *Amended Eff. October 1, 2018.*  
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1 15A NCAC 10F .0109 is proposed for amendment as follows:

3 **15A NCAC 10F .0109 TEMPORARY CERTIFICATE OF NUMBER**

4 (a) ~~Whenever~~ When a ~~wildlife service~~ vessel agent processes the final transaction to issue, renew, or transfer a  
5 certificate of number or to issue a duplicate certificate of ~~number-number~~, the new owner shall be issued a temporary  
6 certificate of number. For a period not exceeding 60 days following the date of the transaction, the vessel may be  
7 operated ~~on~~ with the temporary certificate of ~~number pending receipt of the regular certificate, number.~~

8 (b) ~~In order to be valid, the~~ The temporary certificate of number shall contain the following:

- 9 (1) the name of issuing wildlife service agent;
- 10 (2) the name and address of ~~owner(s), owners,~~ dealer or manufacturer;
- 11 (3) the title indicator;
- 12 (4) the certificate of number;
- 13 (5) ~~use of vessel (pleasure, livery, demonstration, commercial passenger, commercial fishing, other~~  
14 ~~commercial, other; vessel;~~ the vessel use type:
- 15 (A) pleasure;
- 16 (B) livery;
- 17 (C) dealer or manufacturer;
- 18 (D) permanent;
- 19 (E) commercial fishing;
- 20 (F) commercial passenger;
- 21 (G) other commercial; or
- 22 (F) other;
- 23 (6) the model of vessel;
- 24 (7) the manufacturer;
- 25 (8) the year of manufacture or model year;
- 26 (9) the manufacturer's hull identification number;
- 27 (10) the length of vessel;
- 28 (11) ~~the type of vessel (open, cabin, houseboat, personal watercraft, pontoon, other); vessel:~~
- 29 (A) open;
- 30 (B) cabin;
- 31 (C) houseboat;
- 32 (D) personal watercraft;
- 33 (E) pontoon; or
- 34 (F) other;
- 35 (12) ~~the hull material (wood, metal, fiberglass, plastic, inflatable, other); material:~~
- 36 (A) wood;
- 37 (B) metal;
- 38 (C) fiberglass;
- 39 (D) plastic;

- 1                    (E)        inflatable; or  
2                    (F)        other;  
3        (13)   the type of propulsion; (inboard, outboard, inboard outdrive; sail, auxiliary sail/inboard, auxiliary  
4                    sail/outboard, jet drive); propulsion:  
5                    (A)        inboard;  
6                    (B)        outboard;  
7                    (C)        inboard Outdrive;  
8                    (D)        sail;  
9                    (E)        auxiliary sail/inboard;  
10                   (F)        auxiliary sail/outboard; or  
11                   (G)        jet drive;  
12        (14)   the type of fuel (gasoline, diesel, electric, other); fuel:  
13                   (A)        gasoline;  
14                   (B)        diesel;  
15                   (C)        electric; or  
16                   (D)        other;  
17        (15)   the date the temporary certificate of number is issued;  
18        (16)   the date the temporary certificate of number expires;  
19        (17)   the transaction status; and  
20        (18)   the signature of owner(s); the owners.

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22        *History Note:    Authority G.S. 75A-3; 75A-5; 33 C.F.R. 174.21;*  
23                        *Eff. April 1, 1997;*  
24                        *Amended Eff. May 1, 2007; July 1, 1998;*  
25                        *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
26                        *6, 2016.*  
27                        *Amended Eff. October 1, 2018.*  
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1 15A NCAC 10F .0110 is proposed for amendment as follows:

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3 **15A NCAC 10F .0110 ABANDONED VESSELS**

4 ~~.(a) General. An abandoned vessel is defined as a vessel that has been relinquished, left or given up by the lawful~~  
5 ~~owner(s) without the intention to later resume any right or interest in such vessel. It does not include any vessel left~~  
6 ~~by an owner(s) or agent of the owner(s) with any person or business for the purpose of storage, maintenance or repair~~  
7 ~~which is not subsequently claimed.~~

8 (b) ~~Abandonment: (a) Any person finding an abandoned vessel can~~ may apply to the Commission to become the  
9 registered and titled owner of an abandoned vessel, the vessel, provided the previous owner(s) cannot be located and  
10 that the vessel missing or stolen. ~~The applicant shall: shall comply with the following procedures to seek ownership~~  
11 ~~of such vessel:~~

12 (1) ~~The Finder shall send a Certified Letter, certified letter with return receipt requested, requested to~~  
13 ~~the last registered owner(s). owners. The Finder-applicant shall demonstrate provide proof to the~~  
14 ~~Wildlife Resources Commission that this letter was not deliverable or that the last registered~~  
15 ~~owner(s) owners failed to acknowledge or respond-respond;~~

16 (2) ~~The Finder shall provide to the Wildlife Resources Commission a written police report to the~~  
17 ~~Commission stating that the abandoned vessel has not been reported missing or stolen in the area~~  
18 ~~where it is listed as being moored-moored; and~~

19 (3) ~~The Finder shall complete and submit to the Commission an application for a certificate of number~~  
20 ~~and certificate of title, title and shall submit:~~

21 ~~(A) along with a notarized statement summarizing when and where the vessel was found, found;~~

22 ~~(B) the evidenced documentation of all attempts to locate the owner(s), owners;~~

23 ~~(C) any all available evidence that the vessel is abandoned, abandoned;~~

24 ~~(D) statements from any other persons knowledgeable about the history of the vessel vessel; and~~

25 ~~(E) all applicable fees to the Wildlife Resources Commission-fees.~~

26 ~~(e) (b) The Wildlife Resources Commission shall consider the evidence and documentation presented-presented when~~  
27 ~~determining if a vessel has been abandoned. If Wildlife Resources the Commission determines that the vessel has~~  
28 ~~been abandoned, it the Commission shall issue a certificate of number and certificate of title to the applicant.~~

29  
30 *History Note: Authority G.S. ~~113-134~~; 75A-5(i2);*

31 *Eff. May 1, 2007;*

32 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
33 *6, 2016.*

34 *Amended Eff. October 1, 2018.*  
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# EXHIBIT I

August 23, 2018



## **Proposed changes to 10F .0200 Safety Equipment and Accident Reports Rules Recommended by Agency Staff for Final Adoption.**

### **Title 15A NCAC 10F .0200 Safety Equipment and Accident Reports**

These rules are part of the 2016 periodic review. All subsections of 10F .0200 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.

#### **10F .0201**

Incorporated technical language changes to text. Included references to the CFR, corrected language for the incorporation of the CFR boating safety equipment regulations, and made clarifying changes.

*15A NCAC 10F .0201 Safety Equipment (page 2)*

#### **10F .0202**

Incorporated technical language changes to text. Made clarifying changes, deleted duplicative language, incorporated the CFR boating accident reporting regulations, made clarifying changes, and added statutory reference for clarification.

*15A NCAC 10F .0202 Accident Reports (page 6)*

A NCAC 10F .0201 is proposed for amendment as follows:

### **15A NCAC 10F .0201 SAFETY EQUIPMENT**

(a) ~~Federal Regulations Adopted. As its regulations governing required equipment of vessels as defined in G.S. 75A-2(5), pursuant to G.S. 75A-6, the Wildlife Resources Commission incorporates by reference, including subsequent amendments and editions, the following federal regulations, to be applicable to vessels operated on all waters of this state as defined by G.S. 75A-2(6): Code of Federal Regulations, Title 46, Part 25, and Title 33, Part 175, as supplemented by the Federal Register. All vessels subject to the Rules of this Section shall meet the vessel equipment requirements set forth in G.S. 75A-6(n), 46 CFR 25, and 33 CFR 175. 46 CFR 25 and 33 CFR 175 are incorporated by reference, including subsequent amendments and editions, and can be found free of charge online at [www.ecfr.gov](http://www.ecfr.gov). Notwithstanding the federal regulations incorporated above, Paragraphs (b) through (g) apply to vessels operating in State waters.~~ To the extent ~~that the~~ these vessel equipment requirements ~~of G.S. 75A-6~~ conflict with ~~these the~~ incorporated federal regulations, federal regulations shall supersede any and all State laws or regulations. they are hereby modified to conform to the federal regulations as authorized by G.S. 75A-6(m) and 113-307. Without limitation to the adoption of the Federal regulations named herein, Paragraphs (b) through (g) apply to vessels operating in State waters.

(b) ~~Personal flotation devices (hereinafter referred to as PFDs) devices (PFDs) are shall be required as follows except as provided in Subparagraph (6) of this Paragraph: follows:~~

- (1) No person may operate a vessel unless at least one Type I, ~~H~~ II, or III PFD is on board and readily accessible for each person.
- (2) No person shall operate a vessel 16 feet or more in length unless one type IV PFD is on board and immediately available for use, in addition to the total number of PFDs required in Subparagraph (1) of this Paragraph.
- (3) No person shall operate a vessel while ~~such the~~ the vessel is underway with any child under 13 years old aboard unless each ~~such~~ child is:
  - (A) wearing an appropriate PFD approved by the Coast Guard; ~~or~~
  - (B) below decks; or
  - (C) in an enclosed cabin.

This Subparagraph ~~does~~ shall not apply to a vessel that is registered as a commercial vessel.

- (4) A Type V PFD may be carried *in lieu* of any PFD required under Subparagraph (1) of this Paragraph provided:
  - (A) the approval label for the Type V PFD indicates that the device is approved for the activity for which the vessel is ~~used; being used;~~ or
  - (B) the Type V PFD is used in accordance with the requirements on the approval label and with the requirements in its owner's manual.
- (5) No person shall operate a vessel unless each required PFD is:
  - (A) in serviceable condition;
  - (B) of appropriate size and fit for the intended wearer;
  - (C) ~~USCG-United States Coast Guard~~ USCG-United States Coast Guard approved; and

- (D) legibly marked with its approval number, as specified in ~~CFR Title 46 Part 25 and CFR Title 33 Part 175~~ 46 CFR 25 Uninspected Vessels, Requirements and 33 CFR 175 Personal Flotation Devices.
- (6) ~~Exemptions:~~ Exemptions shall apply as follows:
- (A) Canoes and kayaks 16 feet in length and over ~~are shall be~~ exempted from the requirements for carriage of the additional Type IV PFD as specified in Subparagraph (b)(2) of this Rule.
- (B) Sailboards, surfboards, tubes, swimming rafts, inflatable ~~toys-toys,~~ and similar devices routinely used as water toys or swimming aids ~~are shall be~~ exempted from the requirements for carriage of any ~~type~~ PFD required under this Paragraph.
- (C) Manually propelled vessels such as racing shells, rowing sculls, racing ~~canoes-canoes,~~ and racing kayaks that are recognized by national and international racing associations for use in competitive racing, that are not designed to carry any equipment not solely for competitive racing, and in which all occupants with the with exception of a coxswain, if one is ~~provided, present,~~ row, scull, or paddle, ~~are shall be~~ exempted from the requirements for carriage of any type PFD required under this Paragraph.
- (c) Fire Extinguishers are required as follows:
- (1) All motorboats shall carry at least the minimum number of ~~USCG-approved~~ USCG-approved hand portable fire extinguishers specified in this Rule if the motorboat has any of the following: if any one of the following conditions exist:
- (A) closed compartments under thwarts and seats wherein portable fuel tanks may be stored;
- (B) double bottoms not sealed to the hull or which are not completely filled with flotation material;
- (C) closed living spaces;
- (D) closed stowage compartments in which combustible or flammable materials are stowed;
- (E) permanently installed fuel tanks; or
- (F) motorboats of Class 2 or longer.
- (2) ~~Motorboats of Class A and 1 (less than 26 feet):~~ Class A and Class 1 Motorboats less than 26 feet in length shall carry One one Type B-I extinguisher.
- (3) ~~Motorboats of Class 2~~ Class 2 Motorboats shall carry Two two Type B-I extinguishers- extinguishers.
- (4) ~~Motorboats of Class 3~~ Class 3 Motorboats shall carry Three three Type B-I extinguishers extinguishers.
- (5) One Type B-II hand held fire extinguisher may be substituted for two B-I hand portable fire extinguishers. A fixed fire extinguishing system installed in the engine compartment ~~is~~ shall be deemed equal to one Type B-I hand portable fire extinguisher.
- ~~Exemption to fire extinguisher requirements:~~ Open Vessels. Vessels less than 26 feet in length, propelled by outboard motors and not carrying passengers for hire, need not shall not be required to carry such portable fire extinguishers if the construction of such motorboats-the vessels will not permit the entrapment of explosive or flammable gases or vapors.

(d) Every engine, except outboard motors, using gasoline as fuel and installed in a vessel ~~must~~ shall be equipped with an acceptable means of ~~backfire flame control. An acceptable means of backfire flame control must meet that~~ meets the requirements of ~~CFR Title 46 Part 25 and CFR Title 33 Part 175. 46 CFR 25 and 33 CFR 175.~~

(e) Every vessel, except ~~those open vessels~~ vessels, defined in Paragraph (c) of this Rule, using ~~as fuel~~ liquid of a volatile nature ~~as fuel~~, shall ~~be provided with such means of properly and efficiently ventilating the bilges of the engine and fuel tank compartments so as~~ be equipped with proper and efficient ventilation, as required by 46 CFR 25.40-1, to remove any explosive or flammable ~~gases. gases from the bilges of the engine and fuel tank compartments~~ that Proper and efficient ventilation meets the requirements of CFR Title 46 Part 25 and CFR Title 33 Part 175. 46 CFR 25 and 33 CFR 175.

(f) Sound Devices

(1) Vessels ~~of less than 12 meters (39.4 feet)~~ less than 12 meters or 39.4 feet in length shall be equipped with some means of making an efficient sound signal; and

(2) Vessels equal to or greater than ~~12 meters (39.4 feet)~~ 12 meters or 39.4 feet in length shall be ~~provided~~ equipped with a whistle and a bell ~~which that~~ complies comply with 33 USC § 2033.

(g) Lights. The lights prescribed by this Paragraph shall be exhibited from sunset to sunrise and in fog, mist, falling snow, heavy rainstorms, sandstorms, or any other similar circumstances of restricted visibility. ~~They may be exhibited in all other circumstances when deemed necessary.~~ During such times no other lights shall be exhibited, except ~~such lights as those that~~ cannot be mistaken for the lights specified in these ~~Rules or Rules~~, do not impair their visibility or distinctive character, or do not interfere with keeping a proper lookout. ~~They may be exhibited in all other circumstances when deemed necessary.~~ Vessels shall exhibit lights as prescribed below:

(1) Vessels equal to or greater than ~~12 meters (39.4 feet)~~ 12 meters or 39.4 feet but less than ~~20 meters (65.6 feet)~~ 20 meters or 65.6 feet in length shall exhibit:

(A) A masthead light forward visible for three miles;

(B) Sidelights, green to starboard and red to ~~port port~~, visible for two miles; and

(C) A stern light visible for two ~~miles;miles.~~

(2) Vessels less than ~~12 meters (39.4 feet)~~ 12 meters or 39.4 feet in length shall exhibit:

(A) An all-round white light visible for two miles; and

(B) Sidelights, green to starboard and red to ~~port port~~, visible for 1 ~~mile;mile.~~

(3) Sailing vessels underway that are ~~seven meters (23 feet)~~ seven meters or 23 feet in length or greater shall exhibit:

(A) A stern light visible for two miles; and

(B) Sidelights, green to starboard and red to ~~port port~~, visible for two ~~miles;miles.~~

(4) In a sailing vessel less than ~~20 meters~~ 20 meters or 65.6 feet in ~~length. length,~~ the lights prescribed in Subparagraph (3) of this Paragraph may be combined in one lantern carried at or near the top of the mast where it can be best ~~seen; seen.~~

(5) A sailing vessel of less than ~~seven meters (23 feet)~~ seven meters or 23 feet in length shall, if practicable, exhibit the lights prescribed in Subparagraph (3) or (4) of this Paragraph; if not practicable the vessel shall have ready at hand an electric torch or lighted lantern showing a white light ~~which that~~ shall be exhibited in sufficient time to prevent a ~~collision; collision.~~

- 1 (6) A vessel under oars ~~may~~ shall ~~either~~ either:
- 2 (A) exhibit the lights prescribed above in this Rule for sailing vessels; ~~but if not, it or~~
- 3 (B) shall have ready at hand an electric torch or lighted lantern showing a white light ~~which that~~
- 4 shall be exhibited in sufficient time to prevent a ~~collision; collision.~~
- 5 (7) ~~Vessels of 10 Horsepower or Less. On public waters of this State not subject to the jurisdiction of~~
- 6 ~~the United States, vessels propelled by machinery of 10 horsepower or less, in lieu of the foregoing~~
- 7 ~~requirements, may carry from one-half hour after sunset to one-half hour before sunrise a white light~~
- 8 ~~in the stern or have on board a hand flashlight in good working condition which shall be ready at~~
- 9 ~~hand and shall be temporarily displayed in sufficient time to prevent collision. On waters of this~~
- 10 ~~State that are subject to the jurisdiction of the United States, this exception, though permissible~~
- 11 ~~under state law, is not sanctioned by any federal law or regulation. The Subparagraph shall not apply~~
- 12 ~~to vessels in waters of this State that are subject to the jurisdiction of the United States.~~

13

14 *History Note: Authority G.S. 75A-3; 75A-6; 113-307;*

15 *Eff. February 1, 1976;*

16 *Amended Eff. November 1, 2013; April 1, 2009; March 1, 2008; April 1, 1999; August 1, 1988; May*

17 *1, 1976;*

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

19 *6, 2016.*

20 *Amended Eff. October 1, 2018.*

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1 15A NCAC 10F .0202 is proposed for amendment as follows:

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3 **15A NCAC 10F .0202 ACCIDENT REPORTS**

4 ~~.(a) "Boating Accident" Defined. For the purpose of this Regulation a "boating accident" means a collision, accident,~~  
5 ~~casualty or occurrence involving a vessel or its equipment and resulting in damage by or to the vessel, its equipment,~~  
6 ~~or other property; in injury or loss of life to any person; or in the disappearance of any person from a vessel under~~  
7 ~~circumstances which indicate the possibility of death or injury. A "boating accident" includes, but is not limited to,~~  
8 ~~capsizing, collision, foundering, flooding, fire, explosion and the disappearance of a vessel other than by theft.~~

9 ~~(b)(a) Federal Regulations Adopted. As its regulations governing the reporting of Reporting boating accidents and~~  
10 ~~notification of death or disappearance of persons from vessels operating on the waters of this State, the Wildlife~~  
11 ~~Resources Commission incorporates by reference Subpart C of Part 173 of Title 33 of the Code of Federal Regulations,~~  
12 ~~and includes subsequent amendments which will be published in the Federal Register. State shall be governed by~~  
13 33 CFR 173 Subpart C, which is incorporated by reference including subsequent amendments and editions. These  
14 federal regulations can be found free of charge online at [www.ecfr.gov](http://www.ecfr.gov).

15 ~~(e)(b)~~ Use of Report. The accident reports required under Paragraph ~~(b)~~ (a) of this Rule shall be used in developing  
16 statistical data as to the causes and frequency of boating ~~accidents~~, accidents and in transmittal of information as  
17 required by G.S. 75A-12. Pursuant to G.S. 75A-11, No no such report shall be admissible as evidence.

18  
19 *History Note: Authority G.S. 75A-3; 75A-11; 113-307; 33 C.F.R. 174.101 et seq.;*

20 *Eff. February 1, 1976;*

21 *Amended Eff. November 1, 1999; August 1, 1988; May 1, 1976;*

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

24 *Amended Eff. October 1, 2018.*  
25

# **EXHIBIT J**

**August 23, 2018**



## **Proposed Changes to 10F .0301. General Provisions. Recommended by Agency Staff for re-adoption with updates.**

### **15A NCAC 10F .0301. General Provisions**

This rule is part of the 2016 periodic review. Subsection .0301 was determined to be “necessary with substantive public interest”, and therefore is required to be readopted.

Revisions to this rule include the following:

- Added definitions used throughout the Subchapter
- Revised language and terms for consistency
- Added the formal application requirements and process
- Reorganized requirements
- Updated names and incorporated federal code

1 15A NCAC 10F .0301 is proposed for readoption with substantive changes as follows:

2  
3 **15A NCAC 10F .0301 GENERAL PROVISIONS**

4 ~~(a) Applicability. Except as limited by the subject matter, all of the provisions of this Rule apply to all public waters~~  
5 ~~located within the territorial limits of the counties and municipalities in which special regulations are set forth for~~  
6 ~~specific waters or regulated areas by the succeeding rules.~~

7 ~~(b) (a) Definitions. Unless the context requires otherwise, the~~ The definitions used in G.S.75A shall apply within  
8 ~~these regulations. in this Subchapter.~~ In addition, the following definitions shall apply in these regulations: apply:

9 (1) ~~Commission.~~ “Commission” means the North Carolina Wildlife Resources Commission;

10 (2) ~~Executive Director. Executive Director of the Commission;~~ “Executive Director” means Executive  
11 Director of the Commission;

12 (3) ~~No Wake Speed. Idle speed or a slow speed creating no appreciable wake;~~ “No wake speed” means  
13 idle speed or slow speed creating no appreciable wake;

14 (4) ~~Uniform System. Uniform Waterway Marking the supplementary standards for such system~~  
15 ~~promulgated by the Commission.~~ “USATONS” means the U. S. Aids to Navigation System, which  
16 prescribes regulatory markers and aids to navigation that mark navigable waters of the United States,  
17 and is hereby incorporated by reference including all subsequent amendments and editions;

18 (5) “Designated agency” means a subdivision of the State that the Commission designates for placement  
19 of markers that conform to USATONS standards;

20 (6) “Regulatory Marker” and “Information Marker” means a marker with an orange geometric shape  
21 against a white background, used to alert a mariner to warnings or regulatory matters, as defined in  
22 33 CFR 62.33;

23 (7) “Swimming area” means an enclosed area on the water for swimming, that is marked against entry  
24 by vessels;

25 (8) “Mooring area” means an area on the water delineated by speed zone markers, where vessels may  
26 be tied to fixed objects anchored on the seabed;

27 (9) “Restricted area” means an area on the water that is marked to limit recreational activity and vessel  
28 speed; and

29 (10) “Safety Zone” means a water area or shore area where, for safety or environmental purposes, access  
30 is limited to authorized persons and vessels, as defined in 33 CFR 165.20.

31 ~~(c) Marking of Regulated Areas. The Executive Director may designate agencies for placement and maintenance of~~  
32 ~~markers for regulated areas established by rules promulgated pursuant to this Section. The agency designated by the~~  
33 ~~Executive Director may delegate the actual placement and maintenance of such markers to some other agency,~~  
34 ~~corporation, group or individual, so long as the designating agency exercises supervisory authority over such agency,~~  
35 ~~corporation, group or individual. Prior to marking a restricted zone established pursuant to G.S. 75A-15, the~~  
36 ~~designated agency for placement and maintenance of the markers must obtain written approval from the Executive~~  
37 ~~Director by making a written request for permission to mark the area specifically described therein.~~

1 (b) Formal application for water safety rulemaking. Any subdivision of the State may, after public notice, apply to  
2 the Commission for rules on waters within the subdivision's territorial limits on an application provided by the  
3 Commission at [www.ncwildlife.org](http://www.ncwildlife.org). The completed application and supporting documents shall be mailed to the No  
4 Wake Zone Coordinator at North Carolina Wildlife Resources Commission, 1701 Mail Service Center, Raleigh, North  
5 Carolina 27699-1701, or submitted via email to [nowakezonecoordinator@ncwildlife.org](mailto:nowakezonecoordinator@ncwildlife.org). The application shall  
6 contain the following information:

- 7 (1) the name of the subdivision of the State applying for water safety rulemaking;
- 8 (2) the date of the application;
- 9 (3) contact person's name, telephone number, and mailing address;
- 10 (4) descriptive information for the body of water;
- 11 (5) location of the proposed no wake zone, marked swimming area, or other regulated area;
- 12 (6) a statement that the subdivision of the State has given public notice of its intention to apply for  
13 rulemaking on waters within its territorial limits;
- 14 (7) a resolution from the subdivision of the State requesting water safety rulemaking; and
- 15 (8) an affirmation that the subdivision of the State or its designee will bear the cost for purchase and  
16 placement of markers that conform to USATONS standards.

17 (c) Marking Regulated Areas. The Commission may designate agencies for the placement of markers in areas  
18 established by rules in this Section. The designated agency, or its designee, shall be responsible for the purchase and  
19 placement of markers conforming to USATONS required to implement a water safety rule.

20 (d) Placement of Markers. Except where done by supervening federal authority, it shall be unlawful for anyone to  
21 place or maintain regulatory markers or navigational aids without authorization from the Commission; or to place  
22 information markers without permission from the Executive Director or his or her designee.

23 (e) Mooring Areas. The boundaries of mooring areas shall be defined by the placement of speed zone markers. Upon  
24 the approval of the Executive Director or his designee, additional boundary floats or informational markers may be  
25 placed.

26 (f) Swimming Areas. No vessel entry is permitted in the waters of marked swimming areas. Marked swimming areas  
27 shall meet the following requirements:

- 28 (1) the perimeter of the enclosed swimming area in the water shall not exceed 5,000 square feet;
- 29 (2) the enclosed area shall be marked with float lines which, in conjunction with the shoreline, form an  
30 enclosed area;
- 31 (3) the swimming area shall not extend into a navigational channel or interfere with navigation of  
32 vessels;
- 33 (2) float lines shall have white, international orange, or alternating white and international orange floats  
34 along their length at intervals of not less than one every 10 feet;
- 35 (3) floats shall be buoyant enough to float at the surface of the water while attached to the float line,  
36 and no float shall exceed a size of 18 inches in length or diameter;

1       (4)       buoys or floating signs bearing the USATONS “boat exclusion area” symbol shall be attached to  
2       float lines at points to give warning to vessels approaching the swimming area from all directions;  
3       and

4       (5)       float lines and warning markers shall be anchored to prevent them from shifting position.

5       (g) Safety Zones. Markers prohibiting entry or use by vessels and swimmers in waters surrounding impoundment  
6       structures and powerhouses associated with hydroelectric generating facilities shall be buoys or floating signs placed  
7       in the water no greater than 50 yards from the protected facility. Markers shall be sufficient in number and size to give  
8       warning of the restriction to vessels approaching from all directions.

9       ~~Enforcement of the restrictions set forth in Rule .0302 et seq. of this Section is dependent upon placement and~~  
10       ~~maintenance of adequate marking of the regulated areas by suitable agencies, as designated in those rules, in~~  
11       ~~accordance with the requirements of the Uniform Waterway Marking System, which are hereby incorporated by~~  
12       ~~reference, and automatically include any later amendments of the incorporated matter as authorized by G.S. 150B-21.6~~  
13       ~~and the supplementary standards for such system promulgated by the Commission in Paragraph (g) of this Rule.~~  
14       ~~Unless a specific variance is granted, placement and maintenance of the markers must be and remain in accordance~~  
15       ~~with the uniform system. The Executive Director or his representative is instructed to supervise and approve~~  
16       ~~placement and maintenance of individual markers to insure full implementation of the objectives of the uniform~~  
17       ~~system.~~

18       (d) ~~Implementation of Uniform Waterway Marking System. Except where done by virtue of the supervening federal~~  
19       ~~authority, it is unlawful for anyone to place, maintain, or to allow to remain in place, any regulatory markers or~~  
20       ~~navigational aids of the sort included in the uniform system in any waters without authorization of the Commission.~~  
21       ~~The Executive Director is authorized to approve placement of the navigational aids, informational markers, and~~  
22       ~~regulatory markers warning of dangers and not requiring enforcement sanctions, in accordance with both public~~  
23       ~~interest in recreational use and water safety and in accordance with the policies embodied in the uniform system.~~

24       (e) ~~Removal of Unauthorized Markers. Markers or navigational aids which do not conform to the specifications of~~  
25       ~~the uniform system or which are placed without lawful authority or permission where the person responsible for the~~  
26       ~~actual placement cannot be feasibly determined, may be removed. Nonconforming markers as to which the person~~  
27       ~~responsible for placement and maintenance is known, may nevertheless be removed by agents of the Commission if~~  
28       ~~such markers are likely to mislead the public or cause a dangerous situation. Where agents of the Commission discover~~  
29       ~~authorized markers which have been improperly placed or are defective through lack of maintenance, such agents may~~  
30       ~~serve written notice upon the person responsible for such improper placement or for the maintenance of the marker~~  
31       ~~concerned. If, within 10 days no action has been taken in accordance with the notice given, such default constitutes a~~  
32       ~~violation of these regulations.~~

33       (h) Enforcement. When an agent of the Commission discovers markers and navigational aids that do not conform to  
34       USATONS standards, that are placed without lawful authority or permission, or that fail to mark the defined regulated  
35       area, written notice shall be served upon the individual(s) responsible for improper placement of markers. Failure to  
36       take action to correct the deficiency within 10 days, in accordance with the written notice shall be a violation of this  
37       Rule.

(i) Miscellaneous Restrictions. Except for mooring buoys or markers ~~as to which it is that are~~ specifically permitted by State or federal law, ~~it is shall be~~ unlawful to tie a vessel to any waterway ~~marker-~~ marker, as specified in 33 CFR 70.05. It is ~~shall be~~ unlawful for any unauthorized person to move, remove, damage, ~~obstruct, block,~~ paint over, or in any way tamper with any marker lawfully placed in the waters of North Carolina in conformity with these ~~regulations~~ rules ~~or the uniform system generally,~~ and USATONS standards.

~~(g) Supplementary Standards. The standards listed in this Paragraph are supplementary to the Uniform Waterway Marking System and shall be applicable in the succeeding rules of this Section to the areas of water thereby regulated:~~

~~(1) — The perimeter of swimming areas in the water must be marked with float lines which, in conjunction with the shoreline, form a completely enclosed area. The total enclosed area may not exceed 5,000 square feet. Such area may not extend out into the water sufficiently as to restrict travel unduly on any regular navigational channel or otherwise to obstruct passage of vessels in reasonably using the waters.~~

~~(2) — Float lines must have attached floats along their length at intervals of not less than one every 10 feet.~~

~~(3) — Floats must be buoyant enough to float at the surface of the water while attached to the float line, but no float may exceed a size of 18 inches as measured across its largest dimension.~~

~~(4) — Floats may be solid or hollow and preferably should be of plastic or other light and resilient material not likely to cause injury should one strike a swimmer in the water.~~

~~(5) — Floats must be either solid white or solid international orange in color. Float lines may consist of all white floats or of alternating white and orange floats.~~

~~(6) — Buoys or floating signs indicating the "boats keep out" symbol of the uniform system and in conformity with its standards must be attached to the float lines at such points as necessary to give warning to the vessels approaching the swimming area from various directions.~~

~~(7) — Float lines and warning markers must be anchored securely to prevent them from shifting position to any appreciable extent under normal conditions.~~

~~(8) — All markers warning of a no wake speed zone around certain facilities must be buoys or floating signs placed in the water at a distance of not greater than 50 yards from the protected facility. The markers must be sufficient in number and size as to give adequate warning of the restriction to the vessels approaching from various directions.~~

~~(9) — The boundaries of mooring areas may be defined by the placement of the speed zone warning markers themselves or by such warning markers plus additional boundary floats or markers that may be approved by the Executive Director or his representative.~~

*History Note: Authority G.S. 75A-3; 75A-15;*  
*Eff. February 1, 1976;*  
*Amended Eff. November 1, 1993; March 25, 1978;*  
*Temporary Amendment Eff. July 1, 1998;*

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*Amended Eff. April 1, 1999;*  
*Readopted October 1, 2018.*

# Exhibit K

August 23, 2018

## 15A NCAC 10A – Wildlife Resources Commission

### G.S. 150B-21.3A Report for 15A NCAC 10A, WILDLIFE RESOURCES COMMISSION

Agency - Wildlife Resources Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	SECTION .0400 - PETITIONS FOR RULE	15A NCAC 10A .0401	FORM AND CONTENTS OF PETITION	Amended Eff. July 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 10A .0402	ACTION ON PETITION	Amended Eff. July 1, 1993	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0500 - DECLARATORY RULINGS	15A NCAC 10A .0501	WHEN ISSUED	Eff. February 1, 1976	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 10A .0502	WHEN NOT ISSUED	Eff. February 1, 1976	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 10A .0503	PROCEDURE	Amended Eff. April 15, 1979	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .1000 - WARNING TICKETS	15A NCAC 10A .1001	PARTICULAR OFFENSES	Amended Eff. May 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .1100 - WAIVER	15A NCAC 10A .1101	WAIVER	Amended Eff. August 1, 2006	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .1200 - EMERGENCY POWERS	15A NCAC 10A .1201	EMERGENCY POWERS	Eff. March 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .1300 – WILDLIFE POACHER REWARD FUND	15A NCAC 10A .1301	FUNDING SOURCES	Eff. May 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 10A .1302	OFFENSES AND REWARD AMOUNTS	Eff. May 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 10A .1303	ELIGIBILITY	Eff. May 1, 2014	Necessary with substantive public interest	No		No	Necessary with substantive public interest

## 15A NCAC 10D – Game Lands Regulations

Date Submitted to APO - Filled in by RRC staff									
Agency - Wildlife Resources Commission									
Comment Period - Filled in by Agency									
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	SECTION .0100 - GAME LANDS REGULATIONS	15A NCAC 10D .0102	GENERAL REGULATIONS REGARDING USE	Amended Eff. August 1, 2017	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10D .0103	HUNTING ON GAME LANDS	Amended Eff. August 1, 2017	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10D .0104	FISHING ON GAME LANDS	Amended Eff. August 1, 2017	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10D .0105	POSSESSION AND REMOVAL OF ANIMALS, PLANTS AND MATERIALS	Eff. August 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 17	No	Necessary with substantive public interest

## 15A NCAC 10E – Fishing and Boating Access Areas

G.S. 150B-21.3A Report for 15A NCAC 10E, FISHING AND BOATING ACCESS AREAS									
Agency - Wildlife Resources Commission									
Comment Period - Filled in by Agency									
Date Submitted to APO - Filled in by RRC staff									
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		15A NCAC 10E .0101	DEFINITION	Amended Eff. August 1, 2010	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10E .0102	REGULATIONS POSTED	Amended Eff. August 1, 2010	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10E .0103	SIGNS AND MARKERS	Eff. February 1, 1976	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10E .0104	USE OF AREAS REGULATED	Amended Eff. August 1, 2012	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest

## 15A NCAC 10G – Distribution and Sale of Hunting: Fishing: and Trapping License

### G.S. 150B-21.3A Report for 15A NCAC 10G, DISTRIBUTION AND SALE OF HUNTING: FISHING: AND TRAPPING LICENSE

Agency - Wildlife Resources Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	SECTION .0400 - WILDLIFE SERVICE AGENTS	15A NCAC 10G .0401	PURPOSE OF WILDLIFE SERVICE AGENTS	Amended Eff. May 1, 2007	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 10G .0402	APPOINTMENT OF WILDLIFE SERVICE AGENTS	Amended Eff. September 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 10G .0403	WILDLIFE SERVICE AGENT AGREEMENT	Amended Eff. September 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
		15A NCAC 10G .0405	WILDLIFE SERVICE AGENT TERMS AND CONDITIONS	Amended Eff. September 1, 2011	Necessary with substantive public interest	No		No	Necessary with substantive public interest
	SECTION .0500 - LICENSEE REQUIREMENTS	15A NCAC 10G .0501	LICENSEE REQUIREMENTS	Eff. April 1, 1997	Necessary with substantive public interest	No		No	Necessary with substantive public interest

## 15A NCAC 10I – Endangered and Threatened Species

### G.S. 150B-21.3A Report for 15A NCAC 10I, ENDANGERED AND THREATENED SPECIES

Agency - Wildlife Resources Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
	SECTION .0100 - ENDANGERED AND THREATENED SPECIES	15A NCAC 10I .0102	PROTECTION OF ENDANGERED/THREATENED/SPECIAL CONCERN	Amended Eff. July 1, 2016	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Endangered Species Act of 1973 Section 4 (8) (c) (2) (b)	No	Necessary with substantive public interest
		15A NCAC 10I .0103	ENDANGERED SPECIES LISTED	Amended Eff. October 1, 2017	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Endangered Species Act of 1973 Section 4 (8) (c) (2) (b)	No	Necessary with substantive public interest
		15A NCAC 10I .0104	THREATENED SPECIES LISTED	Amended Eff. October 1, 2017	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Endangered Species Act of 1973 Section 4 (8) (c) (2) (b)	No	Necessary with substantive public interest
		15A NCAC 10I .0105	SPECIAL CONCERN SPECIES LISTED	Amended Eff. October 1, 2017	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	Endangered Species Act of 1973 Section 4 (8) (c) (2) (b)	No	Necessary with substantive public interest

## 15A NCAC 10J – Wildlife Conservation Area Regulations

### G.S. 150B-21.3A Report for 15A NCAC 10J, WILDLIFE CONSERVATION AREA REGULATIONS

Agency - Wildlife Resources Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		15A NCAC 10J .0101	DESIGNATION OF WILDLIFE CONSERVATION AREAS	Eff. February 1, 1990	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10J .0102	GENERAL REGULATIONS REGARDING USE OF CONSERVATION AREAS	Amended Eff. January 1, 2013	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10J .0103	HUNTING ON WILDLIFE CONSERVATION AREAS	Amended Eff. October 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest
		15A NCAC 10J .0104	FISHING ON WILDLIFE CONSERVATION AREAS	Amended Eff. October 1, 1994	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80	No	Necessary with substantive public interest

## 15A NCAC 10K – Hunter Education Course

### G.S. 150B-21.3A Report for 15A NCAC 10K, HUNTER EDUCATION COURSE

Agency - Wildlife Resources Commission

Comment Period - Filled in by Agency

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Implements or Conforms to Federal Regulation [150B-21.3A(e)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]
		15A NCAC 10K .0101	COURSE REQUIREMENTS	Amended Eff. June 1, 2014	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80.50	No	Necessary with substantive public interest
		15A NCAC 10K .0102	ISSUANCE OF CERTIFICATE OF COMPETENCY	Amended Eff. April 1, 2003	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80.50	No	Necessary with substantive public interest
		15A NCAC 10K .0103	INSTRUCTOR CERTIFICATION	Amended Eff. April 1, 2003	Necessary with substantive public interest	Yes If yes, include the citation to the federal law	50 CFR 80.50	No	Necessary with substantive public interest

# Exhibit L



## SCHEDULE FOR THE JANUARY 2019 PUBLIC HEARINGS FOR PROPOSED CHANGES IN WILDLIFE, FISHERIES, AND GAME LAND MANAGEMENT RULES

HEARING TIME: 7:00 p.m.

DATE	DISTRICT	CITY	LOCATION
January 8, 2019 (Tuesday)	4	Dublin	<i>Bladen Community College</i>
January 9, 2019 (Wednesday)	5	Graham	<i>Old Alamance County CTHS</i>
January 10, 2019 (Thursday)	6	Albemarle	<i>Stanly Co Agri-Civic Center</i>
January 15, 2019 (Tuesday)	9	Clyde	<i>Haywood CC</i>
January 16, 2019 (Wednesday)	8	Morganton	<i>Western Piedmont CC</i>
January 17, 2019 (Thursday)	7	Elkin	<i>Elkin HS</i>
January 22, 2019 (Tuesday)	1	Edenton	<i>Chowan Co. Public Safety Ctr</i>
January 23, 2019 (Wednesday)	2	New Bern	<i>Craven Community College</i>
January 24, 2019 (Thursday)	3	Rocky Mount	<i>Nash Community College</i>