



AGENDA

N.C. WILDLIFE RESOURCES COMMISSION WEBINAR MEETING August 26, 2021 9:00 am

CALL TO ORDER - *Chairman Monty Crump*

This electronic meeting is being streamed live and recorded as a public record. The recording of the meeting will be available at www.ncwildlife.org.

ROLL CALL OF COMMISSIONERS PRESENT – *Margo Minkler, Commission Liaison*

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

APPROVAL OF JULY 29, 2021 MEETING MINUTES – Take action on the July 29, 2021 Wildlife Resources Commission meeting minutes as written in the exhibit **(EXHIBIT A)**

FINANCIAL STATUS REPORT – Receive Financial Status Report on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund– *Dr. DP Singla, Chief Financial Officer (EXHIBIT B)*

COMMITTEE MEETING REPORTS

Habitat, Nongame, Endangered Species Committee Report –August 25, 2021– *Mark Craig, Chair*
Finance, Audit and Compliance Committee Report – August 25, 2021 – *Landon Zimmer, Chair*
Land Acquisitions and Property Committee Report – August 25, 2021 – *Tom Berry, Chair*
Rules Committee Report – August 25, 2021 – *Wes Seegars, Chair*
Committee of the Whole Report – August 25, 2021 – *Monty Crump., Chair*
Executive Committee Report – August 25, 2021 – *Monty Crump, Chair*

AGENCY SPOTLIGHT – Law Enforcement Division Basic School – *Lieutenant Mark Dutton, Training Director*

LAND AND WATER ACCESS DIVISION

Land Acquisition and Property Matters

Phase II Land Acquisition - Consider final approval to proceed with acquisition of the following property – *Brian McRae, Land and Water Access Division Chief (Exhibit C)*

- Cox Property at Summit Boating Access Area – Halifax County **(Exhibit C)**

Other Property Matters – Consider staff recommendation for other property matters – *Brian McRae (EXHIBITS D-1, D-2, D-3)*

- Sandhills Game Land Easement Request – Consider request from Verizon Wireless to purchase two Utility Easements across game land roads to install a cell tower on adjacent property **(D-1)**.
- Clark Easement Request – Consider conveyance of an easement at Pond Mountain Game Land to a private property owner **(D-2)**.
- Perrigo Easement Request – Consider conveyance of an easement at Needmore Game Land to a private property owner **(D-3)**.

RULEMAKING

Temporary Rulemaking Notice of Text – 15A NCAC 10C .0314 – Striped Bass – Consider request to publish Notice of Text with an open comment period and virtual public hearing for proposed temporary changes to the Striped Bass Rule – *Christian Waters, Inland Fisheries Division Chief (EXHIBIT E)*

Permanent Rulemaking Notice of Text – 15A NCAC 10H .1601 – Controlled Rabbit Hunting Preserves – Consider request to publish Notice of Text with an open comment period and virtual public hearing for proposed rules for Controlled Rabbit Hunting Preserves. Review and consider approval of the fiscal note for proposed rule changes – *Brad Howard, Wildlife Management Division Chief (EXHIBITS F-1, F-2)*

CONSIDERATION OF NONGAME WILDLIFE ADVISORY COMMITTEE

APPOINTMENTS – Pursuant to North Carolina General Statute §113-335, consider appointment of members to the Nongame Wildlife Advisory Committee – *Cameron Ingram, Executive Director (EXHIBIT G)*

COMMENTS BY THE CHAIRMAN – *Chairman Crump*

COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram*

ADJOURN

EXHIBIT A

August 26, 2021



MINUTES

July 29, 2021

N.C. Wildlife Resources Commission Meeting Raleigh, North Carolina

Chairman David Hoyle called the July 29, 2021 N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Hoyle reminded everyone that the meeting is being audio streamed live and will be available at www.ncwildlife.org. He requested that everyone silence cell phones. Commissioners Nat Harris, Jim Cogdell, and Wes Seegars were absent.

Commissioner Jim Ruffin led the Pledge of Allegiance.

Commissioner Steve Windham gave the invocation.

MANDATORY ETHICS INQUIRY

Chairman Hoyle advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15.

COMMISSIONER ATTENDANCE

David Hoyle, Jr.
Mike Johnson
Monty Crump
Brad Stanback
Tom Berry
Richard Edwards
Mark Craig
Steve Windham

Kelly Davis
John Coley
John Stone
Tommy Fonville
Jim Ruffin
Ray Clifton
Hayden Rogers
Landon Zimmer

VISITORS

Spenser Hodges – Neuse Sport Shop	Richard Cadwallader
Bobby Cox – Neuseway Nature Center	Kinsley Cadwallader
Ned Jones – NC Trout Unlimited	Skyler Cadwallader
Stacy Sereno – NC Farm Bureau	Giana Cadwallader

MINUTES OF JUNE 9, 2021 MEETING

On a motion by John Coley and second by Tom Berry, the Minutes of the June 9, 2021 meeting were approved as presented in **Exhibit A**.

Exhibit A is incorporated into the official record of this meeting.

RECOGNITION OF 2021 NATIONAL FISHING AND BOATING WEEK LICENSE WINNERS

Ms. Skyler Cadwallader, of Jacksonville, was presented with a Lifetime Freshwater Fishing License donated by the NC Council of Trout Unlimited, represented by Mr. Ned Jones. The Commission also announced that Ms. Natalie Moon, of Goldsboro, had won a Lifetime Sportsman License donated by Russell Rhodes of Neuse Sport Shop in Kinston and represented by Mr. Spenser Hodges. Both winners were drawn from youth participants at fishing events held during the 2021 National Fishing and Boating Week.

A short break was taken for photographs.

ADMINISTRATION

Dr. DP Singla, *Chief Financial Officer*, presented a status report in **Exhibit B** on the Wildlife Operating Fund and Capital Improvement Fund.

Exhibit B is incorporated into the official record of this meeting.

COMMITTEE MEETING REPORTS

Fisheries Committee Report – July 28, 2021 – Tommy Fonville, *Chair*, reported the Fisheries Committee met on July 28, 2021. Inland Fisheries Division Chief Christian Waters provided a summary of proposed fishing rule changes for the 2022-2023 annual rule-making cycle. There are five proposals addressing Public Mountain Trout Waters classifications and boundaries and one regarding the Hybrid Striped Bass size limit at Lake Norman. Christian shared an update on the ongoing design and permitting efforts for the Setzer State Fish Hatchery renovation project. Staff continue to work effectively with U.S. Forest Service on the required environmental review and special use permitting. The project timeline based on State Construction Office guidance has project construction occurring in 2023 and 2024. Christian reported on the 2021 harvest of Striped Bass in the Roanoke River which was followed by an

informative discussion. In the Roanoke River Management Area, an estimated 7,794 fish were harvested totaling 27,546 pounds which exceeded the allocated quota of 12,804 pounds. Staff are developing and will share at the next Fisheries Committee meeting options, including reducing the daily creel limit and the length of the season, to ensure harvest in 2022 is more aligned with the allocated quota.

Elk and Alligator Committee Report – July 28, 2021– Steve Windham, *Chair*, reported the Elk and Alligator Committee met on July 28, 2021. Staff met to discuss the fiscal analysis of estimated cost for the pilot Alligator Management Assistance Program idea. Staff estimated a five-year cost of \$149,540 per property enrolled and after much discussion the Committee decided not to move forward with the Alligator Management Assistance Program concept at this time.

Small Game and Wild Turkey Committee Meeting Report – July 28, 2021 – John Stone, *Chair*, reported the Small Game and Wild Turkey Committee met on July 28, 2021. The Committee met to discuss and review a few topics. First topic being the opportunity to provide for a spring grey squirrel season. The season is biologically appropriate in May and would provide an excellent opportunity to provide more access to this largely untapped abundant resource. The Committee voted to endorse this idea and instructed staff to move forward with the season in this year’s rules package. Next, a rule proposal regarding raccoons and one regarding tagging of furbearers was unanimous consent to move forward in the process. The benefits and drawbacks of establishing a small game focused game land within the state were also explored. The committee endorsed the idea of having small game focused areas on the game lands or perhaps an entire game land that was focused specifically on early successional habitat management with small game hunting opportunities prioritized. Staff will return in several months with ideas of current game lands on potential new game lands. Lastly, staff provided a brief update on the Rabbit Hemorrhagic Disease, now detected in a domestic rabbit population in Georgia. This disease is moving east and has now been found in a neighboring state. NCDA has adopted a temporary rule to prohibit importation of domestic rabbits from RHDV-2 infected states. More information is available on this topic in the Wildlife Division Update.

Land Acquisitions and Property Committee Report – July 28, 2021 – Tom Berry, *Chair*, reported the Land Acquisitions and Property Committee met on July 28, 2021. The Committee received a presentation from Will Casola from North Carolina State University describing the results from a research project titled Determining Use, Economic Impacts, and Value of Game Lands in North Carolina. The Committee also reviewed and endorsed five Phase I and three Phase II land acquisitions. The Committee also heard five Other Property Matters and endorsed three of them. Recommendations were made from the Committee for the remaining two items, Perrigo Easement Request and Sandy Mush Game Land Renaming Request. Perrigo Easement Request, the Committee recommends a “before and after” appraisal be contracted by the State Property Office, be paid for by the landowner, and that the value be returned to the Committee for further discussion. Sandy Mush Game Land Renaming Request, the Committee recommended that the name remain Sandy Mush Game Land but that the significant contributions of Mr. Forrest Jarrett and Mr. Gene Hartman to establish the Sandy Mush Game Land be acknowledged by placing an informational kiosk located on the game land as well as in a story in Wildlife in North Carolina magazine. Lastly, the Committee reviewed and discussed potential changes to the game land management, boating access area, and public fishing area rules to be considered for presentation at the statewide public hearings in January.

Big Game Committee Report– July 28, 2021 – John Coley, *Chair*, reported the Big Game Committee met on July 28, 2021. The Big Game Committee received information regarding one deer proposal related to the western muzzle loading season either sex days and a black bear proposal related to the establishment on permit only bear hunts on 3 bear sanctuaries in the Mountain Bear Management Unit. Brad Howard presented several deer proposals brought forward by staff but are not currently planning to move forward. One of the proposals is intended to address the deer population issues in the northeastern part of the state where population trends continue to decline. The other proposals addressed western deer seasons and the potential to open opportunity in that region due to the continued increasing trends for deer on private lands. Staff recommend significant discussion and potential public interaction on these ideas throughout the next year. Lastly, Dr. Jon Shaw gave a review of the upcoming deer study that will begin in August. The project under contract with North Carolina State and graduate students have been hired and will be next month. Deer trapping is scheduled to start after the upcoming deer season.

Committee of the Whole Report – July 28, 2021– David Hoyle, Jr., *Chair*, reported the Committee met on July 28, 2021. The committee reviewed potential rule proposals for the 2022-2023 season, Notice of Text for technical changes to Hunting and Trapping and Inland Fishing Regulations, and public comments of proposed rules for Endangered and Threatened Species, Inland Fishing Regulations, and no wake zones on High Rock Lake and Badin Lake. The Committee received an update on the Recovering America’s Wildlife Act (RAWA) from Habitat Conservation Division Chief Shannon Deaton. Shannon reported that S. 2372, the Senate’s version of RAWA was introduced last week joining HR. 2773, the House version of RAWA which was introduced April 22nd. Director Ingram suggested the Commission update their 2019 resolution of support. The Committee agreed and asked Director Ingram to prepare a draft resolution for consideration.

Motion from Committee of the Whole - Director Ingram presented the updated RAWA resolution, and on a motion by Steve Windham and a second by John Coley, the commission approved the RAWA resolution.

AGENCY SPOTLIGHT – Engaging North Carolina’s Trout Anglers and Other Stakeholders to Help Conserve Eastern Hellbenders

Lori Williams, Wildlife Biologist in the Wildlife Management Division, presented a spotlight on the NCWRC’s engagement of citizen scientists, particularly trout anglers, in Eastern Hellbender outreach efforts for over a decade. These efforts include in-person interaction with the public and conservation messaging through a variety of print and digital media. Goals are to increase public awareness about hellbenders, to dispel common misconceptions about the species, and to ask anglers, recreationists, and landowners to report their hellbender observations and encounters. Through 2017, staff received over 200 verified hellbender reports representing 56 individual streams (including seven that were previously unknown for hellbenders), greatly contributing to our knowledge of species distribution in western NC. The resource overlap of trout and hellbenders, both with the same habitat requirements of clean, cool, well-oxygenated mountain streams with abundant rock cover, provides a great opportunity to utilize trout anglers to provide critical information on hellbender distribution and can serve as an example of opportunities to engage hunters and anglers in citizen science efforts.

LAND AND WATER ACCESS DIVISION

Land Acquisitions and Property Matters

Phase II Land Acquisitions – On a motion by Tom Berry and second by Mike Johnson, the Commission adopted the staff recommendations presented by Brian McRae, *Land and Water Access Division Chief*, in **Exhibits D-1, D-2, and D-3**.

- Hawkins Tract – Caldwell County (D-1)
- Handy Tract – Alleghany County (D-2)
- Three Top Tract – Ashe County (D-3)

Other Property Matters – on a motion by Tom Berry and second by Tommy Fonville, the Commission approved staff recommendations for other property matters – *Brian McRae (Exhibits E-1 and E-2)*:

- Texas Plantation House and Lot – Consider donating the house and 1.28-acre lot a Texas Plantation Game Land to Tyrrell County to refurbish, repurpose and maintain the house and property (E-1).
- Lake Rim Easement Request – Consider conveyance of a Temporary Construction Easement and Permanent Utility Easement to Fayetteville Public Works Commission near Lake Rim in Cumberland County (E-2).

On a motion by Tom Berry and second by Mike Johnson, the Commission tabled a permanent right-of-way easement request at Needmore Game Land to a private property owner until a before and after appraisal is performed and the potential easement value is brought back to the Land Acquisition and Property Committee for further discussion, presented by *Brian McRae*, in **(Exhibit E-3)**:

- Perrigo Easement Request – Consider conveyance of a permanent right-of-way easement at Needmore Game Land to a private property owner (E-3).

On a motion by Brad Stanback and second by Hayden Rogers, the Commission voted in favor of placing an informational kiosk located on the Sandy Mush Game Land as well as a story in Wildlife in North Carolina magazine detailing significant contributions of Mr. Forrest Jarrett and Mr. Gene Hartman in lieu of renaming the Sandy Mush Game Lands after them, presented by *Brian McRae*, in **(Exhibit E-4)**:

- Renaming of Sandy Mush Game Land – Consider a request by Representative Tim Moffitt to rename Sandy Mush Game Land to the Jarrett-Hartman Game Land (E-4).

Exhibits D-1, D-2, D-3, E-1, E-2, E-3, and E-4 are incorporated into the official record of this meeting.

RULEMAKING

Rulemaking Notice of Text – 15A NCAC 10B – Hunting and Trapping– On a motion by Monty Crump and second by John Coley the Commission approved publishing Notice of Text in the *NC Register* with a public hearing and open comment period, for proposed technical changes and readoption of rules presented by *Brad Howard, Wildlife Management Division Chief (Exhibit F)*

Exhibit F is incorporated into the official record of this meeting.

Rulemaking Notice of Text – 15A NCAC 10C – Inland Fishing Regulations – On a motion by Tommy Fonville and second by Monty Crump, the Commission approved publishing Notice of Text in the *NC Register* with a public hearing and open comment period, for proposed technical changes and readoption of rules presented by *Christian Waters, Inland Fisheries Division Chief* – **(Exhibit G)**

Exhibit G is incorporated into the official record of this meeting.

Adoption – 15A NCAC 10I – Endangered and Threatened Species –The Commission reviewed public comments (**EXHIBIT H-1**) and, on a motion by Hayden Rogers and second by Landon Zimmer, adopted amendments to 15A NCAC (**EXHIBIT H-2**) presented by *Todd Ewing, Aquatic Wildlife Diversity Program Manager*

Exhibits H-1 and H-2 are incorporated into the official record of this meeting.

Adoption – 15A NCAC 10C – Inland Fishing Regulations – The Commission reviewed public comments (**EXHIBIT H-1**) and, on a motion by Mike Johnson and second by Kelly Davis, adopted rules for Game Fish, Primary Nursery Areas, and Anadromous Fish Spawning Area (**EXHIBIT I-2**) presented by *Christian Waters*

Exhibits I-1 and I-2 are incorporated into the official record of this meeting.

WATER SAFETY RULEMAKING

The Commission reviewed public comments (**EXHIBITS J-1, K-1, and L-1**) and, on a motion by Ray Clifton and second by Mike Johnson, voted on final adoption of **EXHIBITS J-2, K-2, and L-2** presented by *Carrie Ruhlman, Rulemaking Coordinator*:

Adoption – 15A NCAC 10F .0329 – Rowan County –the Commission adopted an extension of the no-wake zone at Tamarac Shores Marina on High Rock Lake (**EXHIBIT J-2**)

Adoption – 15A NCAC 10F .0317 – Stanly County – the Commission adopted an extension of the no-wake zone within 50 yards of the railroad trestle on Badin Lake (**EXHIBIT K-2**)

Adoption – 15A NCAC 10F .0327 – Montgomery County – the Commission adopted an extension of the no-wake zone within 50 yards of the Old North State Marina fuel dock (**EXHIBIT L-2**)

EXHIBITS J-1, J-2, K-1, K-2, L-1, and L-2 are incorporated into the official record of this meeting.

ELECTION OF OFFICERS

Vote for Vice Chairman

On a motion by John Coley and a second by Steve Windham, the Commission elected Commissioner Tommy Fonville as Vice Chairman for a term of two years or until successor is elected and qualified pursuant to NCGS §143-243.

Vote for Chairman

On a motion by Steve Windham and a second by Kelly Davis, the Commission elected Commissioner Monty Crump as Chairman for a term of two years or until successor is elected and qualified pursuant to NCGS §143-243.

COMMENTS FROM THE CHAIRMAN

Chairman Hoyle presented Mike Johnson and Richard Edwards a plaque honoring their years of dedication to and protection of the public trust resource as a commissioner. He congratulated newly elected Chairman Crump and Vice Chairman Fonville. Lastly, Hoyle expressed his appreciation to his family, the board, and staff for their support the last two years as he served as Chairman.

COMMENTS FROM THE EXECUTIVE DIRECTOR

Executive Director Ingram thanked Mike Johnson and Richard Edwards for their service and explained they will both be missed on the board. With Covid-19 restrictions lifted, he expressed how important it was to be able to open the meetings back up for public attendance and shared his appreciation for their involvement. He thanked staff and commissioners for their work on the committee meetings and presentations. Lastly, he congratulated newly elected Chairman Crump and Vice Chairman Fonville and stated he is looking forward to working with them both.

ADJOURNMENT

There being no further business, the WRC meeting was adjourned at 10:33 a.m.
All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

David Hoyle, Jr., Chairman

Date

**NCWRC Meeting
July 29, 2021
Minutes**

Cameron Ingram, Executive Director

Date

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
CAFR 52G - STATEMENT OF REVENUES, EXPENDITURES and CHANGES in FUND BALANCES

GOVERNMENTAL FUNDS
AS OF JUNE 29, 2021

	FY 2021 General Fund	FY 2021 Capital Improvement Fund
REVENUES		
Federal funds	\$ 30,219,038.54	\$ 1,841,304.00
Local funds	\$ 3,166.49	\$ -
Investment earnings	\$ 72,749.01	\$ -
Sales and services	\$ 10,630,402.57	\$ -
Rental and lease of property	\$ 63,694.45	\$ -
Fees, licenses and fines	\$ 39,513,650.56	\$ -
Contributions, gifts and grants	\$ 2,918,707.77	\$ 868,973.89
Miscellaneous	\$ 118,327.70	\$ -
Unclassified/invalid accounts	\$ -	\$ 1,161.85
Other Financing Sources - Sale of capital assets	\$ 385,277.38	\$ -
Other Financing Sources - Insurance recoveries	\$ 38,038.99	\$ -
Other Financing Sources - Transfers in	\$ 9,612,759.82	\$ 1,280,719.26
Other Financing Sources - Appropriations	\$ 9,598,687.91	\$ -
TOTAL REVENUES	\$ 103,174,501.19	\$ 3,992,159.00
EXPENDITURES		
Personal services	\$ 36,010,338.01	\$ -
Employee benefits	\$ 16,296,169.90	\$ -
Contracted personal services	\$ 10,018,481.18	\$ 293,639.53
Supplies and materials	\$ 7,811,665.62	\$ 14,186.52
Travel	\$ 221,043.02	\$ -
Communication	\$ 786,297.45	\$ -
Utilities	\$ 652,961.47	\$ -
Data processing services	\$ 981,500.70	\$ -
Other services	\$ 4,192,800.91	\$ 12,103.06
Claims and benefits	\$ 1,478,510.37	\$ -
Other fixed charges	\$ 309,495.09	\$ 10.00
Capital outlay	\$ 5,012,858.74	\$ 3,921,680.33
Grants, state aid and subsidies	\$ 5,271,937.71	\$ -
Insurance and bonding	\$ 262,012.96	\$ -
Other expenditures	\$ 1,786,220.84	\$ -
Reimbursements	\$ (827,113.27)	\$ -
Unclassified/invalid accounts	\$ -	\$ -
Other Financing (Uses) - Transfers out	\$ 7,424,610.98	\$ 397,628.28
TOTAL EXPENDITURES	\$ 97,689,791.68	\$ 4,639,247.72
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	\$ 5,484,709.51	\$ (647,088.72)
FUND BALANCE - JULY 1, 2020	\$ 16,444,043.23	\$ 3,315,170.42
FUND BALANCE - JUNE 29, 2021	\$ 21,928,752.74	\$ 2,668,081.70

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ENDOWMENT PORTFOLIO

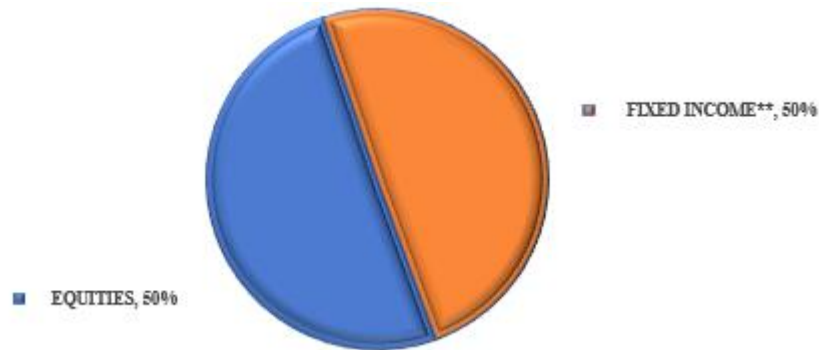
Fund Balance*: June 2021 \$167,031,605.23

* Based On Financial Institutions' Data And Does Not Include Time-Lag Entries.

§ 143-250.1. Wildlife Endowment Fund

- (d) (3). No expenditure or disbursement shall be made from the principal of the Wildlife Endowment Fund except as otherwise provided by law.
- (d) (4). The income received and accruing from the investments of the Wildlife Endowment Fund must be spent only in furthering the conservation of wildlife resources and the efficient operation of the North Carolina Wildlife Resources Commission in accomplishing the purposes of the agency as set forth in G.S. 143-239.
- (g) The Wildlife Endowment Fund and the investment income therefrom shall not take the place of State appropriations or Agency receipts placed in the Wildlife Resources Fund, or any part thereof, but any portion of the income of the Wildlife Endowment Fund available for the purpose set out in subdivision (4) of subsection (d) shall be used to supplement other income of and appropriations to the Wildlife Resources Commission to the end that the Commission may improve and increase its services and become more useful to a greater number of people.

ASSET ALLOCATION



** Fixed Income Includes Short-Term And Long-Term Fixed Income Instruments

Funds	Principal	Non-Expendable	Expendable	Total***
Adult	\$ 66,019,667.40		\$ 61,986,388.35	\$ 128,006,055.75
Magazine	\$ 1,573,477.50		\$ 1,593,434.77	\$ 3,166,912.27
Contributions	\$ 676,082.82		\$ 2,542,935.72	\$ 3,219,018.54
Diversity	\$ 35,638.29		\$ 11,490.16	\$ 47,128.45
Infant	\$ 18,897,230.50	\$ 10,504,396.94		\$ 29,401,627.44
Youth	\$ 2,475,640.00	\$ 815,604.28		\$ 3,291,244.28
Total	\$ 89,677,736.51	\$ 11,320,001.22	\$ 66,134,249.00	\$ 167,131,986.73

*** Include Deposit/s In Transit

Exhibit C

August 26, 2021

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
Phase II: FINAL ACQUISITION DETAILS

Tract Name: Summit BAA-Roberts Tract, Halifax Co

WRC Action/Approval to Pursue (Date): 8/25/2021

Acquisition Plan (specify total project costs AND sources of funding):

Acquisition of this tract will provide expansion at Summit BAA and will resolve easement conflict. Funding will come from vessel registration and fishing license receipts.

WRC Vessel Funds \$175,000
TOTAL COST \$175,000

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table: Acquisition cost based on current appraisal, old appraisal, and the sellers price to buyout the other landowner.

Requested By	Appraiser	Effective Date	Appraised Value (after access)	Appraised Value (before access)
State Property Office	Coastal Carolina Group, Inc	June 24, 2021	\$115,000	\$85,000
State Property Office	Shaw Associates, Ltd	August 23, 2007	\$308,000	\$91,200

Appraisal Handled by State Property Office? Yes No N/A

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

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$ 92,250.00
Total Projected Revenue	\$ 0

Exhibit C

August 26, 2021

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

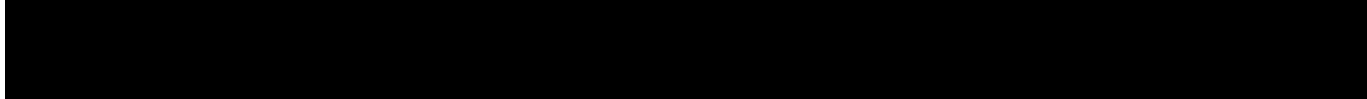
Estimated Five-Year Stewardship Costs and Revenue Projections: Summit BAA-Roberts Tract, Halifax Co

Estimated Stewardship Costs				
Activity	Quantity	Expense type	Unit Cost	Total Cost
BAA Maintenance	1	Annual	\$1,000.00	\$5,000.00
BAA Expansion	1	One-time	\$87,250.00	\$87,250.00
TOTAL				\$ 92,250.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$0.00

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

WRC Staff Contact:	Gary Gardner
Date First Presented to Commission:	08/25/21
Tract Name:	Summit BAA - Roberts Tract
County:	Halifax
Acreage:	.65 acres
Tax Value:	\$22,700
Property Owner/Representative:	Brian Roberts



Primary Purpose:

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

Program Potential:

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

Type of Acquisition:

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

Type of Parcel:

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

Grant Potential:

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

Owner Interest:

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

Tax Value:

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

Stewardship Considerations:

<input checked="" type="checkbox"/>	75%	Source: Federal Aid Grant
<input checked="" type="checkbox"/>	25%	Match: WRC Agency Funds

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

Additional Comments:

This parcel has been involved in a decade's long negotiation based on a request to grant an easement. The owners have claimed there was an existing easement, but the State Property Office has been consistent in communicating that they would have to pay for one. Recently, one of the owners passed away leaving his ownership to several children. One of them obtained a buyout option from his father's partner as well as his siblings and approached staff to sell the parcel to the state as a way of resolving this matter.

Additionally, this acquisition and BAA expansion project is supported by local users as well as Representative Michael Wray (please see attached).

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

Tract Name:	Summit BAA - Roberts Tract
County:	Halifax

Resources Assessment and Biological Benefits (brief):

Acquisition of this tract is needed to expand capacity at the Summit BAA (see attached concept drawing). This parcel is very important to the boating and fishing programs for several reasons.

- 1-It will allow us to expand 2 launch lanes to 4 launch lanes. The site currently has 75 parking spaces and on Holidays it is often beyond capacity. The ability to double the launch lanes will ease congestion and get boaters on and off the water in a timelier manner.
- 2-It will allow us to move single vehicle parking to a designated area thereby increasing capacity for trailered vehicles.
- 3-It will allow us to expand recreational opportunity to fish and paddle.
- 4-It will allow for handicap accessible single vehicle parking.
- 5-There is limited expansion opportunity elsewhere on Lake Gaston

Tract Name	Summit BAA - Roberts Tract
Date	August 28, 2021
Staff Completing Form	Gary Gardner/Chris Dawes

Species	0.000
	Terrestrial
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Wetland
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	0
SGCN Species	0
Game Species	0

Comments
This is strictly an access project. Due to the small size, no direct benefit to species conservation is anticipated.

Habitat	0.056
Size	0
Quality	0
Diversity	0
Rare/Important	0
Connectivity	1
Buffer	0

Comments
This is strictly an access project. Due to the small size of the tract, minimal benefit to habitat is anticipated.

Public Access	1.000
Hunting/Viewing	3
Fishing	3
Boating	3

Comments
Public fishing and boating access to the Gaston Lake will be improved through this project. Improvements to the existing landing will make accessing lake much easier.

Wildlife Uses	0.933
Hunting	3
Viewing	3
Fishing	3
Boating	3
Education	2

Comments
While no public hunting will be allowed on the BAA, increased lake access will benefit waterfowl hunters that hunt the upper end of the lake, fishing and boating opportunities will improve with this new addition to an existing public access point.

Other Values	0.667
Timber Harvest	0
Local Economy	3
Quality of Life	3

Comments
Improving boating access can benefit local businesses from gas and convenience stores to boating suppliers.

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

Comments
The property adjoins an existing BAA and has potential for additional single car parking, addition of a PFA, and potential for a kayak launch.

Restoration/Mitigation Potential	0.250
Species Restoration	0
Habitat Restoration	0
Access Improvement	3
Threat Mitigation	0

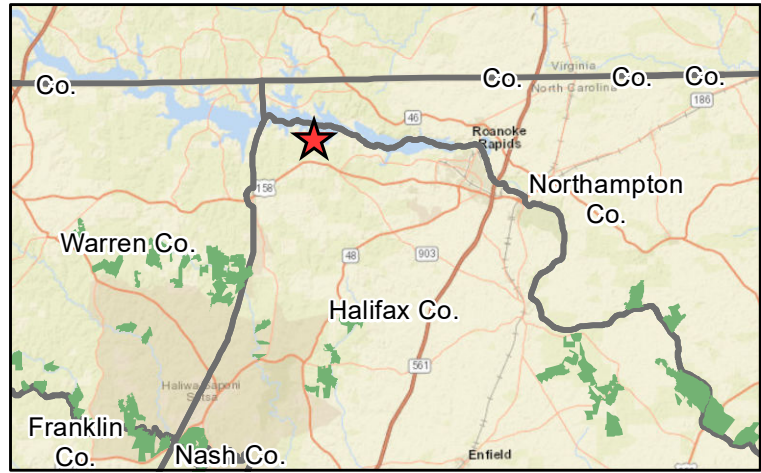
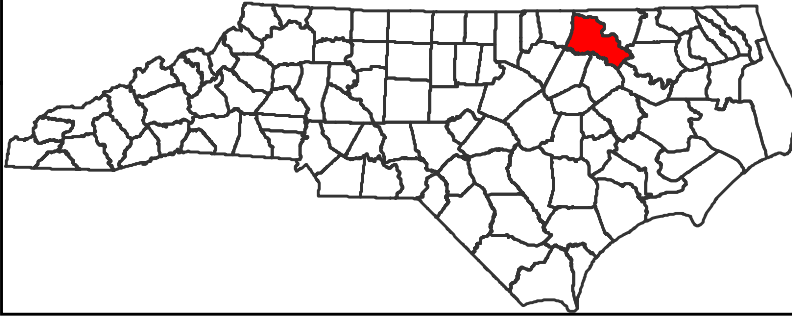
Comments
This is strictly an access project. No direct benefit to species restoration is anticipated.

Threats	0.000
Number	0
Severity	0
Imminence	0
Manageability	0
Management Cost	0

Comments
No threats have been identified that this project addresses.

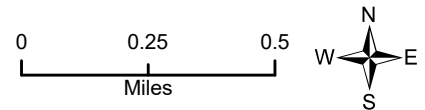
Overall Score	3.572
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Charles Cox Tract Halifax County .72 Acres

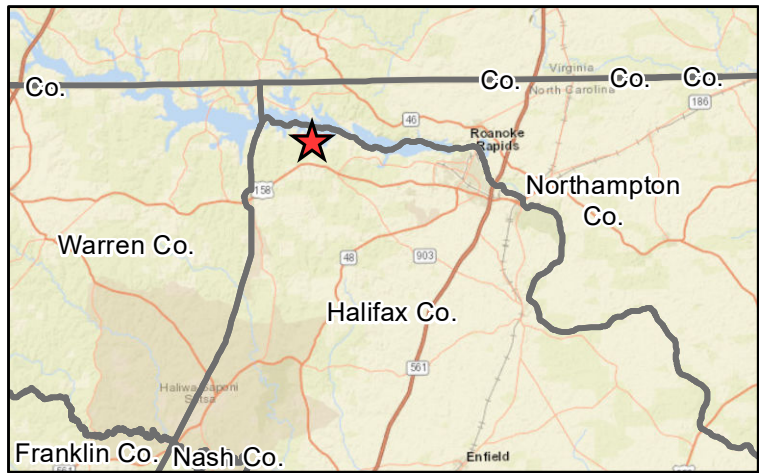
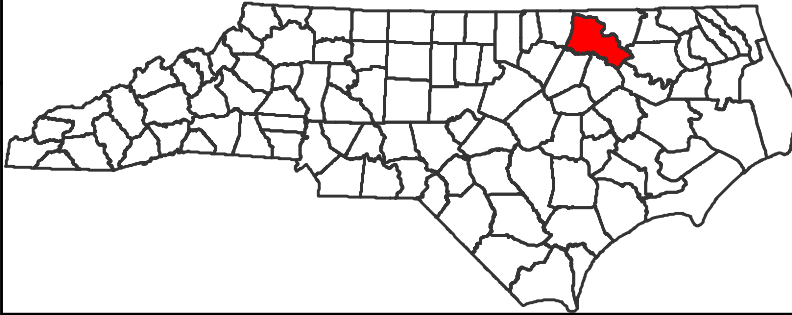


July 27, 2021

-  Charles Cox Tract -- .72 Acres
-  WRC-Owned Land

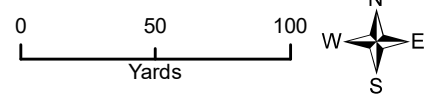


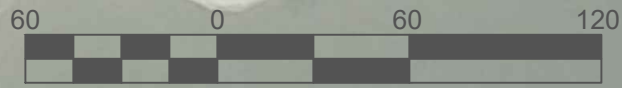
**Charles Cox Tract
Halifax County
.72 Acres**



July 27, 2021

-  Charles Cox Tract -- .72 Acres
-  WRC-Owned Land





Scale 1" = 60'



NEW SINGLE CAR PARKING AREA
Max. low density built upon area
is approximately 7500 sq ft

NEW FLOATING FISHING PIER

EXPANSION
Double-lane ramp and floating docks
For a total of 4 launch lanes

Property Boundary

30' Vegetative Offset
(Low Density Development)

100' Vegetative Buffer (High Density)
High Density Development Not
Feasible On Expansion Parcel

EXISTING
Double-lane ramp and floating docks

NCWRC Summit Boating Access Area
432 Bluebird Rd
Littleton, NC
Existing Parcel Density = 49%
Maximum Allowable High Density for WS-IV
Waters is 50%



NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
DIVISION OF ENGINEERING & LANDS MANAGEMENT
1720 MAIL SERVICE CENTER
RALEIGH, NORTH CAROLINA 27699
Phone: 919.707.0150
Fax: 919.707.0162
www.ncwildlife.org

Summit BAA Expansion Conceptual Plan

DRAFT Conceptual Plan

DRAFT
NOT FOR CONSTRUCTION

Date:	8/9/2021
File Name:	Summit-EXP.dwg
Surveyed:	
Designed:	SJS
Drawn:	SJS
Approved:	SJS
Sheet No.	2.0



North Carolina General Assembly
House Of Representatives

REPRESENTATIVE MICHAEL H. WRAY
27TH DISTRICT

OFFICE: 2123 LEGISLATIVE BUILDING
16 W. JONES STREET
RALEIGH, NC 27601-1096

PHONE: (919) 733-5662

FAX: (919) 754-3155

EMAIL: michael.wray@ncleg.net

DISTRICT: PO BOX 904
GASTON, NC 27512

CELL: (252) 536-8013

COMMITTEES:

AGRICULTURE - VICE-CHAIRMAN

ENERGY AND PUBLIC UTILITIES

ETHICS - CHAIRMAN

FINANCE

HEALTH

HOUSE SELECT COMMITTEE ON COVID-19 - CHAIRMAN

HOUSE SELECT COMMITTEE ON SCHOOL SAFETY

INSURANCE

RULES, CALENDAR, AND OPERATIONS OF THE HOUSE

August 20, 2021

Mr. Monty Crump, Chairman
North Carolina Wildlife Resources Commission
1720 Mail Service Center
Raleigh, North Carolina 27699-1720

Dear Chairman Crump:

I would like to submit to you my support for the acquisition and expansion project of the Summit Boating Access Area. I understand this item is coming before the North Carolina Wildlife Resources Commission for consideration. The purchase of the additional parcel will allow for a much-needed expansion of the boating access area. My constituents have for quite some time requested and expressed a need for increased launching capacity, docking and additional parking at this site. It is my understanding the project will also create a public fishing opportunity as well. With limited opportunity to expand elsewhere on Lake Gaston, I applaud you for considering the project and serving the sportsmen and women of my delegation.

I hope this is helpful, and please don't hesitate to contact me if I can be of further assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael H. Wray".

Representative Michael H. Wray
27th House District

Cc: Cameron Ingram, Executive Director
NC Wildlife Resources Commission

EXHIBIT D-1

August 26, 2021



☒ NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ☒

Cameron Ingram, Executive Director

July 29, 2021

MEMORANDUM

TO: Brian McRae, Division Chief
Land and Water Access

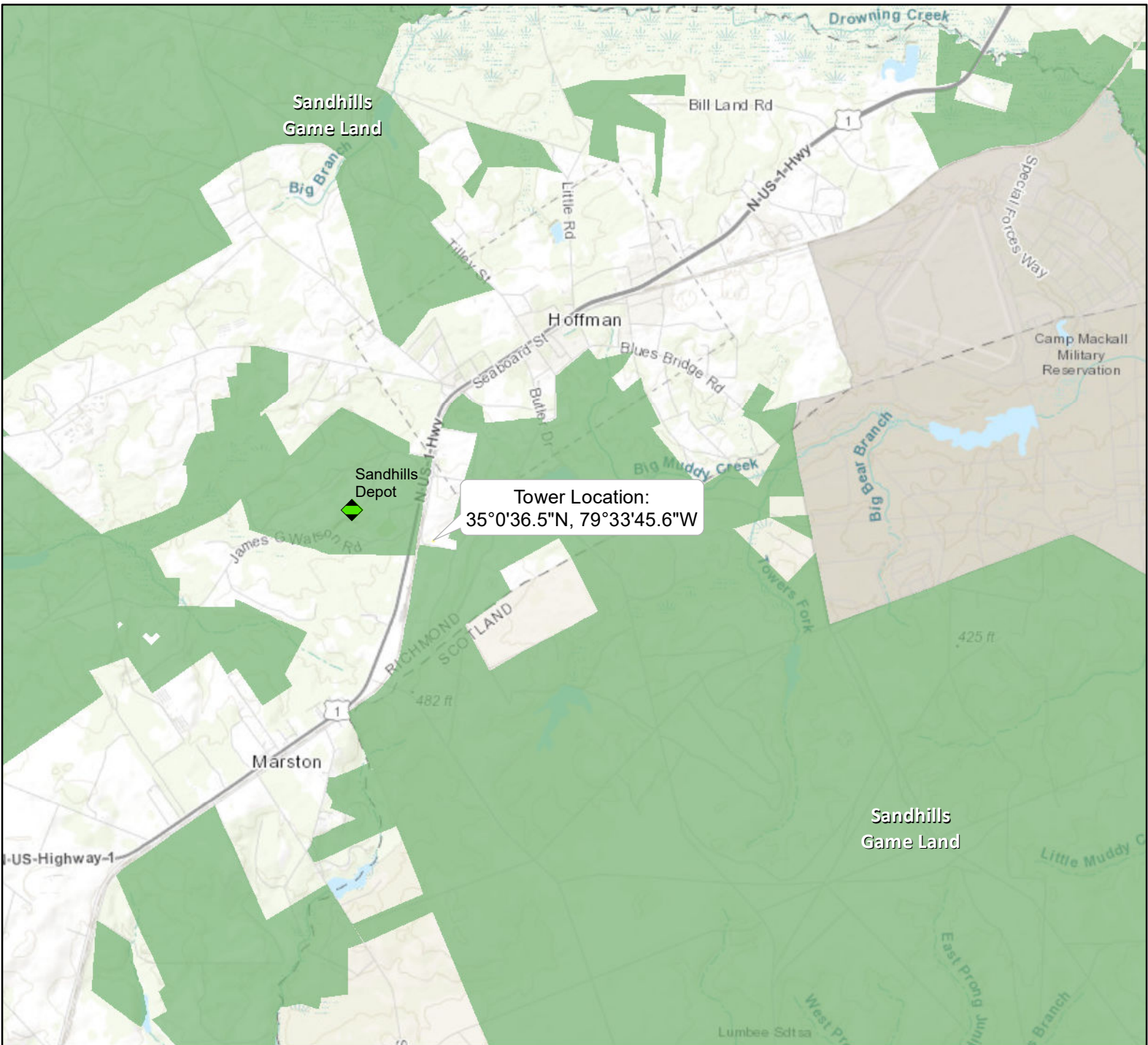
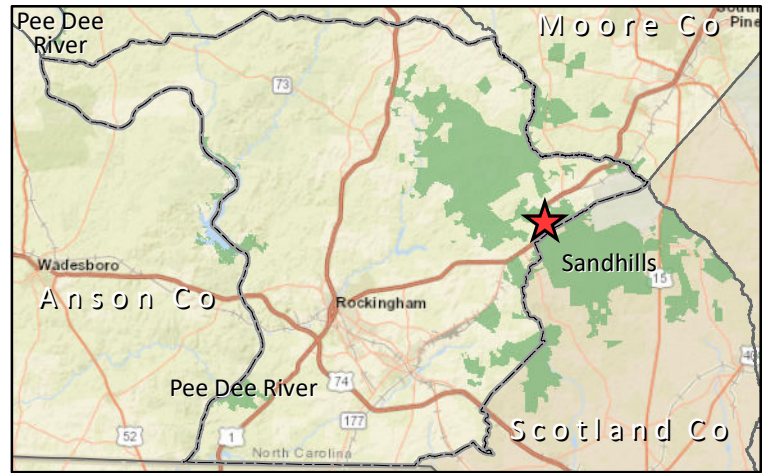
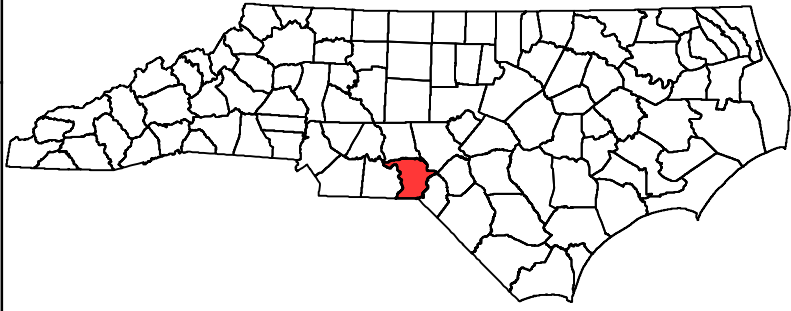
FROM: Melissa Kennedy, Land and Water Access Specialist
Land and Water Access

SUBJECT: Verizon Wireless Access and Utility Easement Request at Sandhills Game Land

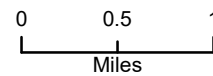
Verizon Wireless seeks to purchase two Access and Utility Easements across game lands roads that total 0.29 acres. These easements will be to install a cell tower on a property neighboring the Sandhills Game Land. Easements will be across Will Yates Road and a game land access road. The project will have no negative impact on the game land or users.

Staff recommends seeking Commission approval to grant the easements to Verizon with compensation to be fair market value of \$200 as determined by the NC State Property Office.

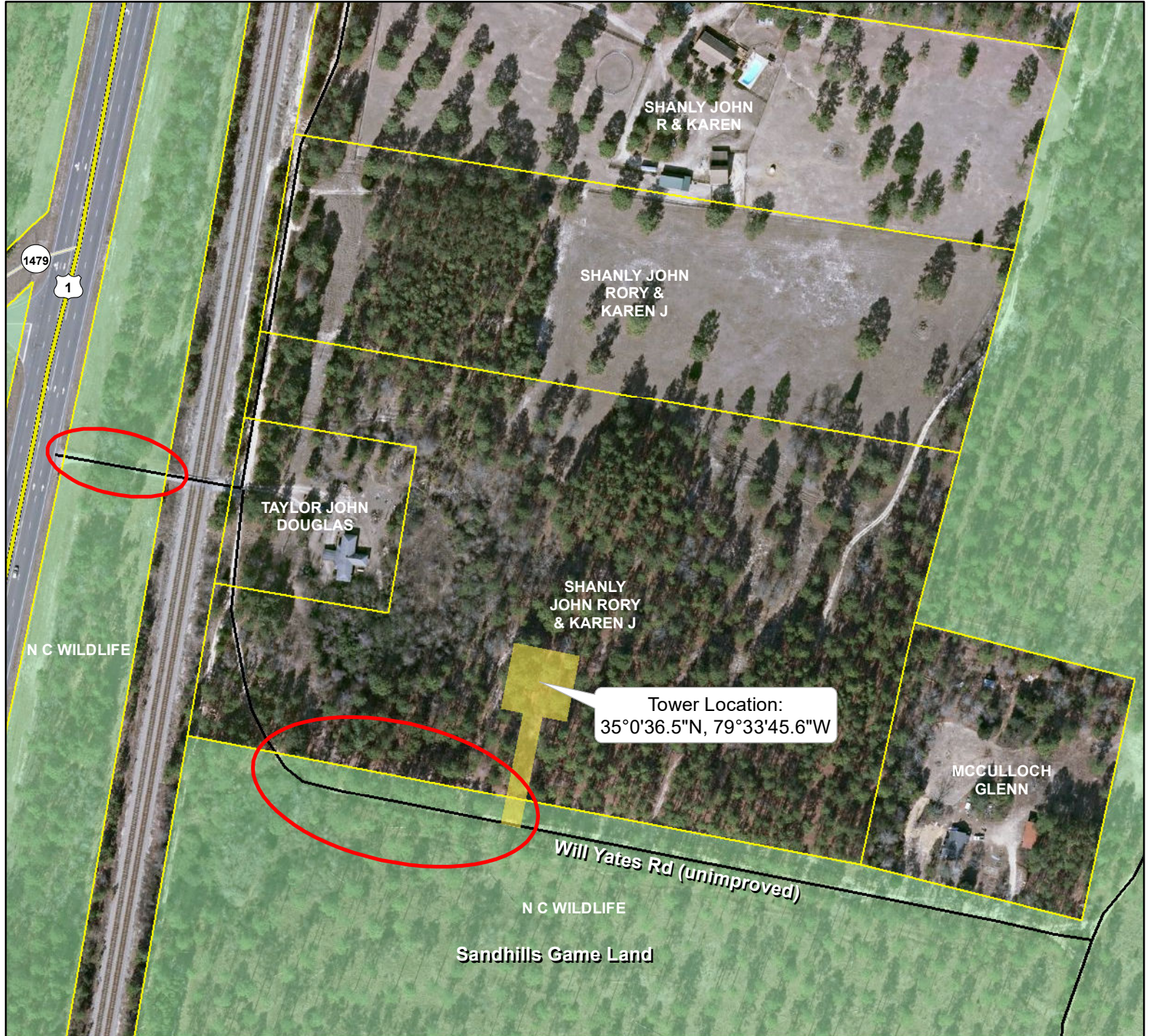
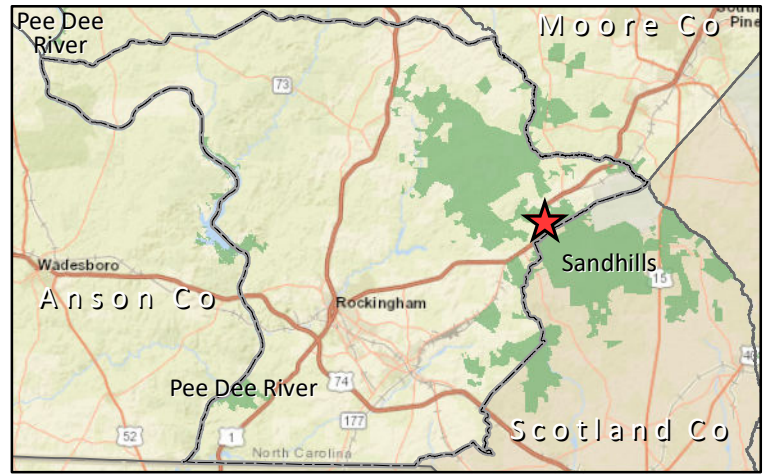
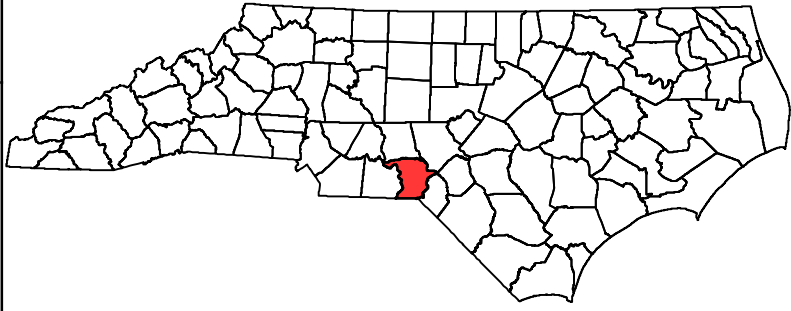
Ingress, Egress, and Utilities Request Sandhills Game Land Richmond County





July 29, 2021



Ingress, Egress, and Utilities Request Sandhills Game Land Richmond County



July 29, 2021

-  Requested Access Road Segments
-  Proposed Tower Land and Access Road

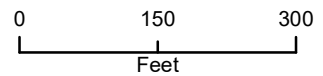


EXHIBIT D-2

August 26, 2021



☒ NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ☒

Cameron Ingram, Executive Director

MEMORANDUM

TO: Brian McRae, Division Chief
Land and Water Access

FROM: Melissa Kennedy, Land and Water Access Specialist
Land and Water Access Division

SUBJECT: Easement Request – Pond Mountain Game Land, Ashe Co

On March 4, 2021, the NC Wildlife Resources Commission received a request from Hunter Clark for a Right of Way easement at Pond Mountain Game Land for legal access to a piece of land Mr. Clark owns.

Mr. Clark's property is an approximately 7.5-acre parcel which borders Pond Mountain Game Land on the south end. He is requesting an easement across the game land on an access road coming off Cut Laurel Gap Rd, which is the only reasonable access to his property (see attached). Mr. Clark has done research and found historical deeds for his property which name this access road as a public road.

The NCWRC deed for this property has language referencing the "rights of others" to use roads, roadbeds, and rights of ways throughout the property as identified in the registered survey. The registered survey is a boundary survey and shows the beginning of the access road that Mr. Clark has referenced going into the game land tract and shows the end of the access road exiting the game land tract onto Mr. Clark's property. However, this survey does not show the interior roads and therefore does not describe the entire length of the road in question. However, this road does exist, it is just not shown in the boundary survey associated with the NCWRC deed (see attached).

Therefore, the State Property Office and NCWRC staff recommend granting Mr. Clark an express easement at no cost. This non-possessory easement would acknowledge and further define the existing right-of-way referenced in the deed. The easement would not negatively impact the game land or game land users. Language would be included in the easement indicating that Mr. Clark is responsible for any and all improvements and maintenance associated with this road.

Mailing Address: N.C. Wildlife Resources [Commission](#) • 1720 Mail Service [Center](#) • Raleigh, North Carolina 27699-1701

Telephone: 919-707-[0150](#) • ncwildlife.org

Pond Mtn GL, Hunter Clark ROW Request, Ashe Co.

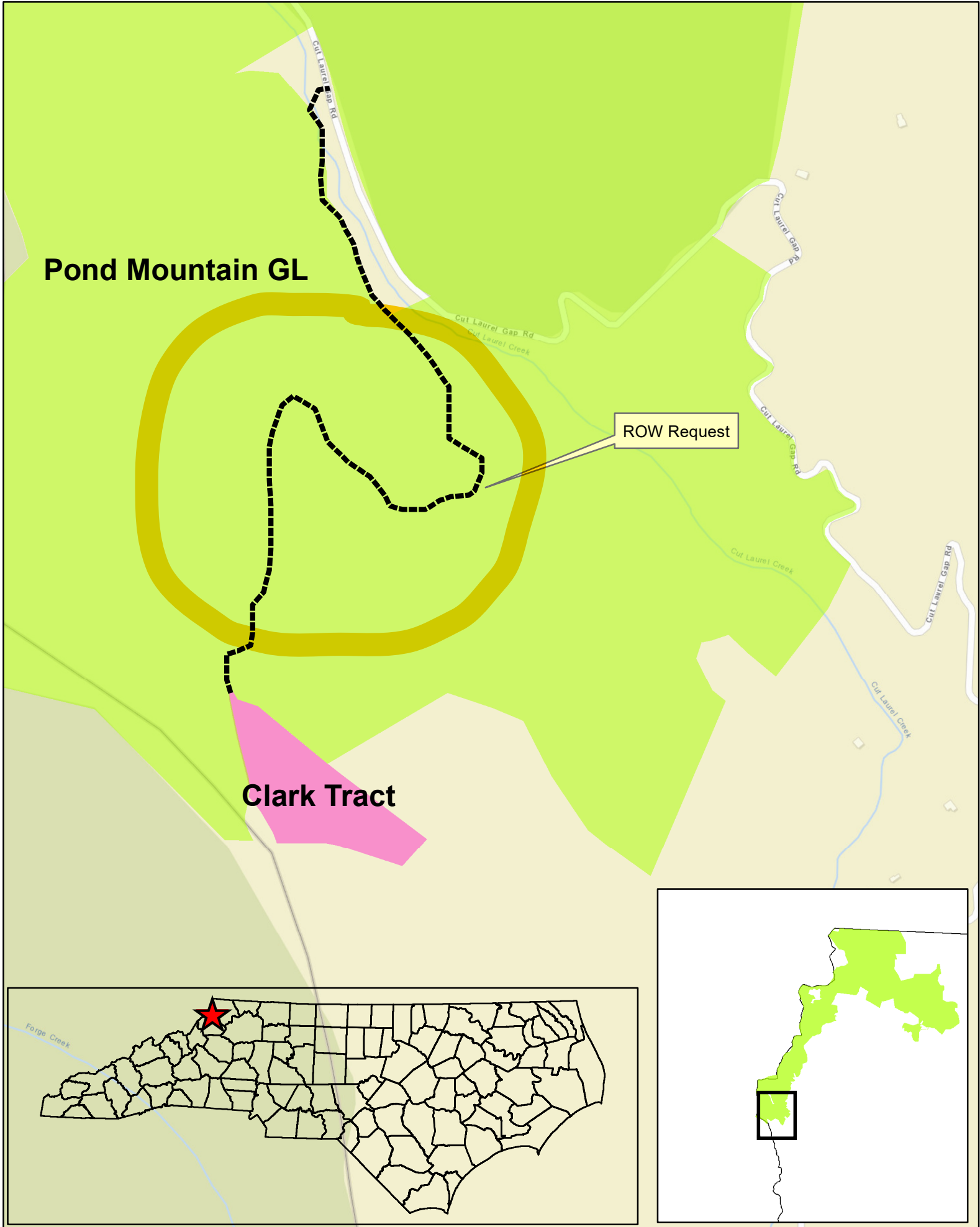


EXHIBIT D-3

August 26, 2021



⊠ North Carolina Wildlife Resources Commission ⊠

August 18, 2021

MEMORANDUM

TO: Brian McRae, Division Chief
Land and Water Access

FROM: Nick Shaver, Mountain Region Supervisor
Land and Water Access Division

SUBJECT: Right of Way Easement Request – Needmore Game Land, Swain and Macon Co.

On June 15, 2021, the NC Wildlife Resources Commission received a request from Megan Cookston with Yellow Rose Realty in Bryson City NC, on behalf of Sandra Perrigo for a Right of Way easement at Needmore Game Land for legal access to a piece of land Mrs. Perrigo owns. The Perrigo property is an approximately 45-acre inholding which is surrounded by Needmore and Nantahala game lands. Mrs. Perrigo currently uses an existing game land road (Loudermilk Creek Road) to access her property across Needmore game land which is the sole access to the Perrigo property. Loudermilk Creek Road was in place prior to State ownership of this portion of Needmore game land. The requested easement is approximately 2,200' in length.

This request was presented to the Land Acquisition and Property Committee on July 28, 2021, and to the Commission on July 29. The Committee recommended and the Commission approved that a “before and after” appraisal for the requested easement be contracted by the State Property Office, be paid for by the landowner, and that the value of the easement be returned to the Committee for further discussion.

Upon discussion between the State Property Office and Mrs. Perrigo, it was determined that she and her husband have used and maintained Loudermilk Creek Road to access their property for the past 46 years (signed affidavit attached).

Land and Water Access

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

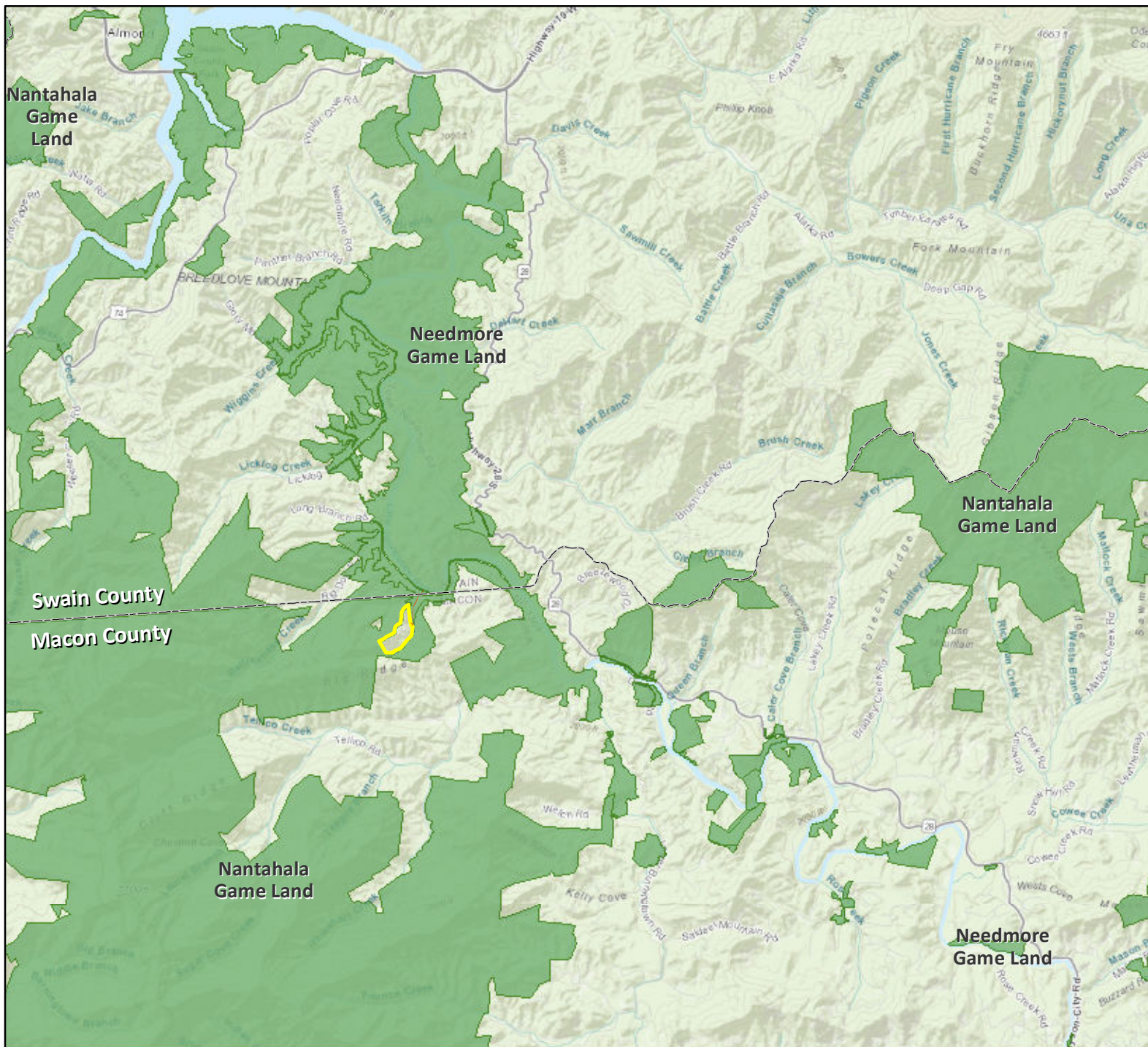
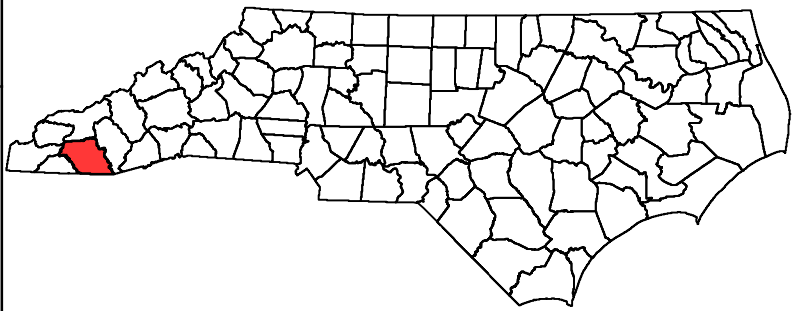
Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606

Phone: 919-707-0150

Fax: 919-707-0162

Therefore, the State Property Office and NCWRC staff recommend granting Mrs. Perrigo an easement at no cost. The easement would serve to memorialize the existing right of way that has been in use for the past 46 years since Mrs. Perrigo has owned the property, and before then with the previous landowners. The easement would not negatively impact the game land or game land users.

**Perrigo Tract
Macon County
+/- 45 Acres**

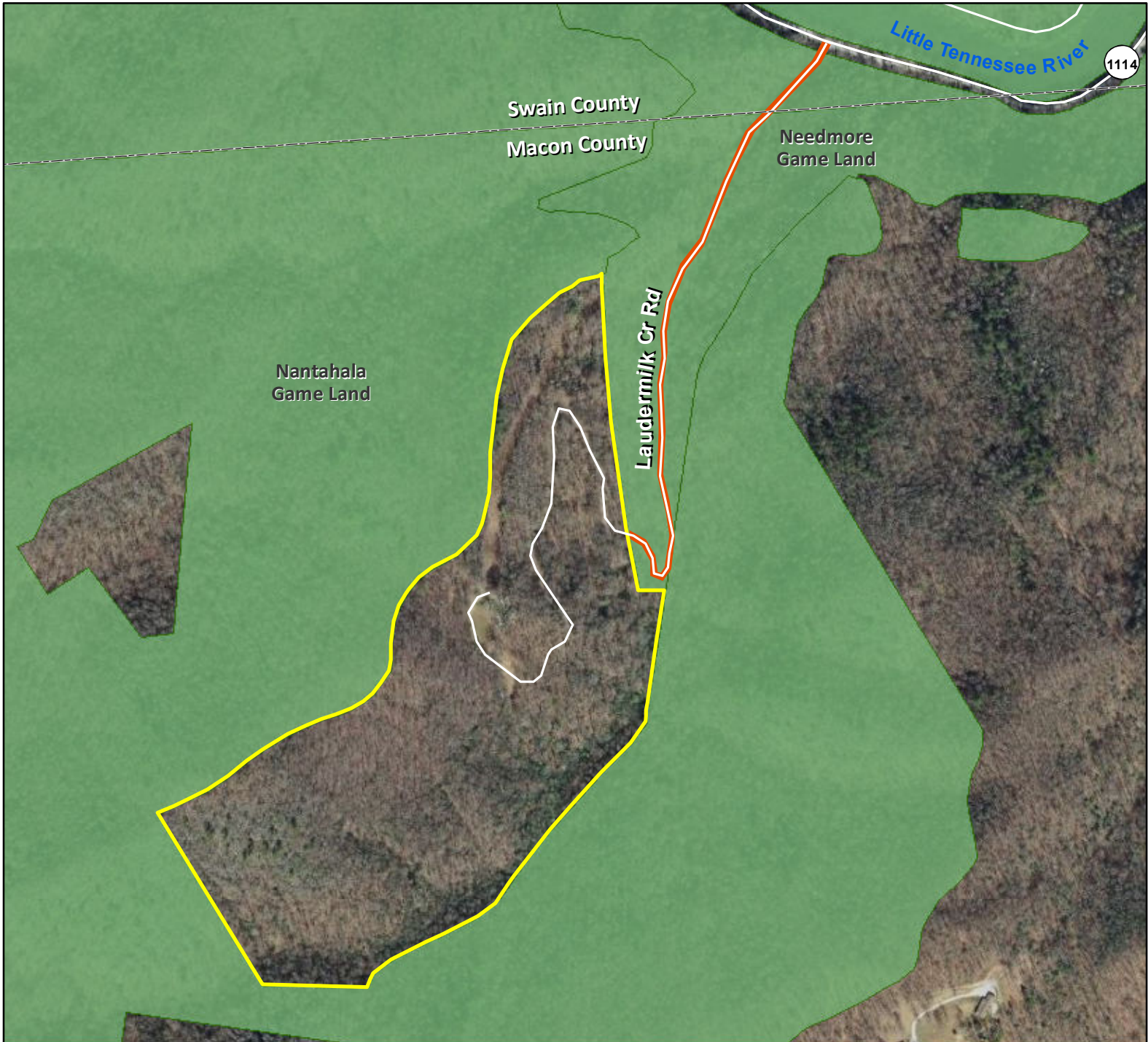
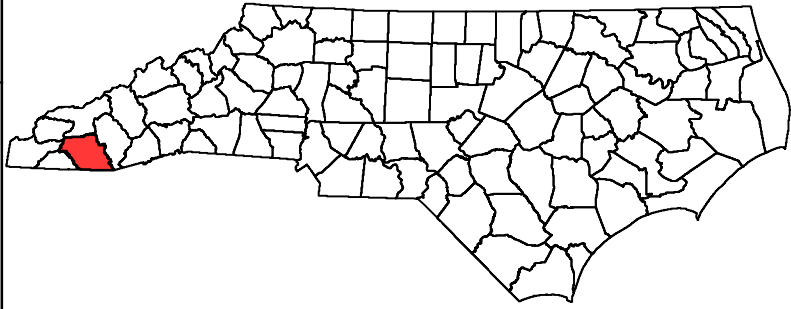


July 29, 2021




- Perrigo Tract
- Game Land
- ROW

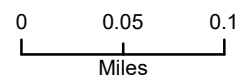


Perrigo Tract
Macon County
+/- 45 Acres



July 29, 2021

-  Perrigo Tract
-  Game Land
-  ROW



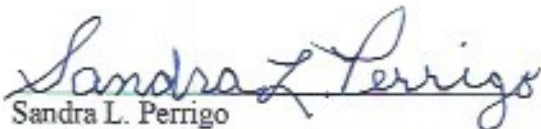
**NORTH CAROLINA
MACON COUNTY**

AFFIDAVIT

Sandra L. Perrigo, being first duly sworn, deposes and says:

1. That I am the owner of the residence and 45 acres of land located at 6414 Needmore Road, Franklin, North Carolina (The Subject Property).
2. I inherited The Subject Property from my husband, James Hines Perrigo.
3. My husband, James Hines Perrigo purchased The Subject Property from Bill & Lillian Cable on March 11, 1975 as reflected by the attached deed.
4. My husband and I built the residence on The Subject Property in 1978.
5. My husband and I have used the existing access road crossing property owned by the State of North Carolina in a northerly direction to its point of intersection with North Carolina State Road 1364, Needmore Road openly, continuously and notoriously since acquiring The Subject Property 46 years ago.
6. My husband and I never sought permission of anyone to use the access road to get to and from The Subject Property.
7. My understanding is that Bill & Lillian Cable used the same road to access The Subject Property until they sold it to us on March 11, 1975.
8. My husband and I have maintained the access road for 46 years.
9. My husband and I always used the access road under the belief that we had the legal right to use the road.

This the 16 day of August, 2021.


Sandra L. Perrigo

STATE OF NORTH CAROLINA, COUNTY OF SWAIN

I, Haley M Aldridge, a Notary Public of the aforesaid County and State, hereby certify that Sandra L. Perrigo, personally appeared before me this day, and acknowledged the due execution of the foregoing instrument. WITNESS, my hand and Notarial Seal, or stamp, this August 16, 2021.

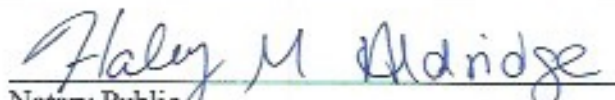

Notary Public
My Commission Expires: 7-06-2026



EXHIBIT E

August 26, 2021



Proposed Temporary Amendment to 15A NCAC 10C .0314 Striped Bass Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

A temporary rule is needed to reduce the daily creel for Striped Bass from two fish to one fish in the Roanoke River Management Area for the upcoming spring season. The minimum size limit remains 18 inches, and no fish between 22 and 27 inches in length shall be possessed in the daily creel limit.

The estimated pounds of Striped Bass harvested in the Roanoke River Management Area in 2021 exceeded the Roanoke River Total Allowable Landings (TAL), despite an 80% reduction in the harvest season length. Reducing the daily creel limit in combination with a shortened harvest season will decrease the likelihood of exceeding the TAL in 2022.

15A NCAC 10C .0314 Striped Bass (page 2)

15A NCAC 10C .0314 STRIPED BASS

- (a) The daily creel limit for Striped Bass and its hybrids is four fish in the aggregate, except in waters identified in Paragraphs (b), (e), (f), (g), (h), (i), and (j) of this Rule. The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule. There is no closed season, except for waters identified in Paragraphs (g), (h), (i), (j), and (k) of this Rule.
- (b) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA and in John H. Kerr Reservoir, the daily creel limit on Striped Bass and its hybrids is two in the aggregate and the minimum size limit is 20 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on Striped Bass and its hybrids is four in the aggregate with no minimum size limit.
- (c) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for Striped Bass and its hybrids is 20 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.
- (d) In Lake Norman, Hyco Lake, Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for Striped Bass and its hybrids is 16 inches.
- (e) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit, but only two may be greater than 22 inches.
- (f) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to the South Carolina state line, the daily creel limit for Striped Bass and its hybrids is three fish in the aggregate, and the minimum size limit is 18 inches.
- (g) In the inland fishing waters of Neuse, Pungo, and Tar Pamlico rivers and their tributaries extending upstream to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of Interstate 95 not specified in Paragraphs (f), (h), (i), and (j) of this Rule, the daily creel limit for Striped Bass and its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and possessing Striped Bass is closed from May 1 through September 30.
- (h) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam and in the ponds associated with Martin Marietta Park in Craven County, the season for taking and possessing Striped Bass is closed year-round.
- (i) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in 15A NCAC 03R .0201 and identified in 15A NCAC 10C .0110, which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the open season for taking and possessing Striped Bass and its hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season, the daily creel limit for Striped Bass and its hybrids is ~~two~~ one fish in the aggregate, and the minimum size limit is 18 inches. No fish between 22 inches and 27 inches in length shall be possessed in the daily creel limit. ~~Only one fish larger than 27 inches may be possessed in the daily creel limit.~~
- (j) In designated inland fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and Cashie River and their tributaries), the Striped Bass fishing season, size limits, and creel limits are the same as those established by rules or proclamations of the Marine Fisheries Commission in adjacent joint or coastal fishing waters.
- (k) In accordance with G.S. 113-292, the Executive Director may, by proclamation, suspend, or extend the hook-and-line season for Striped Bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;
Eff. November 1, 2013;
Amended Eff. June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;
Readopted Eff. August 1, 2019;
Amended Eff. August 1, 2021; August 1, 2020.
Temporary Amendment Eff. January 1, 2022.

EXHIBIT F-1

August 26, 2021



Proposed Rule 15A NCAC 10H .1601 Controlled Rabbit Hunting Preserves Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

G.S. 113-273(g) Controlled Hunting Preserve Operator License allows for the hunting of rabbits with dogs in enclosed areas. The proposed rule sets standards for the licensing and operation of controlled rabbit hunting preserves.

This rule establishes definitions, details controlled hunting preserve operator licenses applicant requirements, license requirements, and reporting, and record-keeping requirements.

10H .1601 Controlled Rabbit Hunting Preserves (pg. 2-3)

15A NCAC 10H .1601 CONTROLLED RABBIT HUNTING PRESERVES

(a) For the purposes of this Rule, the following terms shall mean:

- (1) “controlled rabbit hunting preserve” or “preserve” is an area of any size that is completely and permanently enclosed with a fence designed to prevent the escape or entry of wild rabbits at any time, where wild rabbits are pursued with dogs.
- (2) “wild rabbits” are eastern cottontail (*Sylvilagus floridanus*), Appalachian cottontail (*Sylvilagus obscurus*), marsh rabbits (*Sylvilagus palustris*), and species indistinguishable from these species.

(b) The following conditions shall apply to the take of wild rabbits on controlled rabbit hunting preserves:

- (1) take of wild rabbits shall be authorized year-round;
- (2) dogs shall be the only authorized manner of take;
- (3) unless exempt from license requirements, every person participating in the pursuit of rabbits on a controlled rabbit hunting preserve shall have a valid resident or nonresident hunting license or a controlled hunting preserve hunting license in his or her possession, in accordance with 15A NCAC 10B .0114.

(c) Any individual wanting to operate a controlled rabbit hunting preserve shall first obtain a controlled rabbit hunting preserve operator license from the Commission.

(d) One controlled hunting preserve operator license is required for each enclosure, except that one license shall be permitted for the same operator on properties not greater than 100 acres of contiguous acres of land regardless of the number of enclosures.

(f) Application for a controlled rabbit hunting preserve operator license shall be made online at www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576. Information required from the applicant shall include:

- (1) the applicant's name, address, telephone number, date of birth;
- (2) the preserve name, address, county, acreage, and number of enclosures; and
- (3) proof of ownership or lease of the land contained in the proposed controlled rabbit hunting preserve.

(g) License holders shall keep an accurate record of all rabbits released into or removed from the preserve on a form provided by the Commission online at www.ncwildlife.org. Records shall contain the following information:

- (1) the number of rabbits released into the preserve;
- (2) the county of origin; and
- (3) name, address, and applicable hunting license number of the individual that provided the rabbits to the preserve.

(h) Records required in Paragraph (g) of this Rule shall be:

- (1) available for inspection by representatives of the Commission upon request; and
- (2) submitted to and received by the Commission annually by May 1 either online at www.ncwildlife.org or by mail to Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576.

(i) In accordance with season and bag limits in Rule 10B .0207, rabbits may be box trapped inside an enclosure and moved between enclosures with a valid controlled rabbit hunting preserve operator license or valid hunting license.

(j) Controlled hunting preserve operator licenses shall not be transferable, either by transferring the license to another individual or by relocating the site of the preserve.

(k) Upon receipt of an application accompanied by the license fee, the Commission shall issue a controlled rabbit hunting preserve operator license, provided this Rule regarding establishment of such areas have been complied with.

(l) Representatives of the Commission shall be permitted to enter the premises of any licensed controlled rabbit hunting preserve upon request or during the preserve's operating hours for inspection, enforcement, or scientific purposes.

History Note: Authority G.S. 113-134; 113-273(g); 113-276(k);

Eff. February 1, 2022.

Exhibit F-2

August 26, 2021



Fiscal Note for Proposed Controlled Rabbit Hunting Preserve Rule

Rule Adoption: 15A NCAC 10H .1601 Controlled Rabbit Hunting Preserves

Agency Contact: Ashley Pekrul
Regulatory Analyst
NC Wildlife Resources Commission
1751 Varsity Drive, Raleigh, NC
(919) 707-0014
Ashley.pekrul@ncwildlife.org

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

Authority: G.S. 113-131, 113-134, 113-273(g), 113-276(k)

Background

The wildlife resources of the State belong to the people of the State, including the enjoyment of these resources (G.S. 113-131(a)). The Wildlife Resources Commission (hereinafter WRC or Commission) is tasked with the conservation of wildlife resources of the State (G.S. 143-239). This responsibility includes managing, as equitably as possible, the various competing interests regarding these resources, including the use and take of such resources (G.S. 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134).

Controlled rabbit hunting preserves are authorized by G.S. 113-273(g) and the Commission is authorized by rule, to set standards for and to license the operation of these preserves by private persons.

I. Introduction and Purpose of Rule

Due to the authorization of regulating enclosed areas on which rabbits may be hunted with dogs, a rule was needed to put standards for these preserves in place. This activity was already occurring on the landscape and establishing a minimum standard of operation would ensure that the public trust resource's health is taken into consideration and allow the Commission to

enforce them if there was ever an issue in the future. The rule also provides legal protections to operators and potentially avoids the cost of lawsuits by issuing licenses for this activity.

Lastly, regulating this activity mitigates and reduces the risk of disease spread by being able to track where the infected rabbits came from. This is known by the records required to be kept and submitted by the operators.

Agency staff have worked with rabbit preserve owners/operators to propose this rule. The proposed rule can be found in Appendix A.

II. Quantifiable Impacts - Costs

State Impact

The proposed rabbit preserve rule is anticipated to have minimal economic impacts to the state.

License holders will be required to keep records of all rabbits released into and removed from their preserve on a form provided by the Commission. This information will allow the Commission to track the number rabbits removed from the wild and placed in rabbit enclosures and aid in understanding the impacts that this activity has (or not) on wild populations. It will also provide information on the movement of rabbits between preserves to improve understanding of the demand for these animals and any disease transmission in preserves. The records will need to be submitted to the Commission prior to the reissuance of a rabbit preserve operator license.

The forms do not currently exist and will need to be developed by agency staff prior to implementation. It is estimated that the agency will incur a one-time cost of approximately \$363 for form development ($\$45.33^1/\text{hr} \times 8 \text{ hrs} = \363). Additionally, the agency estimates an annual recurring cost of approximately \$1,813 per year related to review of records and reissuance of licenses associated with approximately 56 licensed rabbit preserves ($\$45.33/\text{hr} \times 40 \text{ hrs/yr} = \$1,813/\text{yr}$).

Local Impact

The proposed rule is anticipated to have no local government economic impacts.

Private Impact

License

The proposed rule requires that the operator obtain a controlled rabbit hunting preserve license for a fee of \$100.

Fencing²

¹ Estimated hourly rate obtained from GN11 midpoint.

² Estimated material costs obtained from tractorsupply.com and Toolboxsupply.com.

The proposed controlled rabbit hunting preserve rule requires that the preserve be permanently enclosed with a fence designed to prevent the escape or entry of wild rabbits at any time, where wild rabbits are pursued with dogs. While there are no specific fencing requirements, there is a cost associated with building an enclosure.

The agency is unaware of any preserves with fences that are less than four feet high with a one foot turn at the bottom, known as an apron fence.

Currently, the Commission is aware of preserves that range in size from one acre to approximately 122 acres. The actual amount of fencing required to enclose a preserve depends on the layout and topography of the property. However, assuming a flat, square, one-acre preserve needing to be completely fenced or re-fenced, a minimum of approximately 832 feet of fencing would be required. A 122-acre preserve would require approximately 9,220 feet of fencing to encompass a flat, square boundary. Assuming the operator used 17-gauge wire with a 5-foot apron (60" x 150') around the entire perimeter of the preserve, fencing alone could cost anywhere from \$1,500 (6 rolls x \$250/150ft roll = \$1,500) to approximately \$15,500 (62 rolls x \$250/150ft roll = \$15,500).

Fence posts (5-foot studded T-posts at approximately \$4.27 each placed every 10 feet around the perimeter of the enclosure) could add approximately \$358.68 to the expense on a one acre property (832 feet/10 feet/post = 84 posts x \$4.27/post = \$358.68) and approximately \$3,945.48 to the cost of fencing a 122 acre property (9,220 feet/10 ft/post = 924 posts x \$4.27/post = \$3,945.48).

The total estimated cost for fencing a one-acre rabbit preserve to comply with industry standard fencing requirements is approximately \$1,858.68 ($\$1,500 + \$358.8 = \$1,858.68$). The total estimated cost for fencing a 122-acre preserve is approximately \$19,445.48 ($\$15,500 + \$3,945.48 = \$19,445.48$).

III. Quantifiable Impacts - Benefits

State Impact

To receive a controlled hunting rabbit preserve license, applicants must pay a fee of \$100. Based on the number of known rabbit preserves currently in the State, it is estimated that the State may incur a minimum cost benefit of \$5,600 (56 known preserves x \$100 fee = \$5,600) if all known preserves apply for a license.

Local Impact

The proposed changes are expected to have no quantifiable local benefits.

Private Impact

The proposed changes are expected to have no quantifiable private benefits.

IV. Unquantifiable Impacts – Costs

Private Impact

Quarantine

The proposed controlled rabbit hunting preserve rule allows representatives of the Commission to enter the premises for scientific purposes. This provision may be used in instances when a disease is reported or suspected. It is likely that if quarantine is necessary, it would last for a minimum of 30 days. However, because the quarantine could be a result of anything from a rabies, RHDV2, and tularemia outbreak to a parasite or other disease that persists in the environment, and depopulation of the preserve or contract tracing may be required, it is not feasible to speculate the upper time limit of a potential quarantine.

While specific costs cannot be attributed or estimated for potential requirements of quarantine, the affected rabbit preserve would be prohibited from removing or introducing rabbits, may be required to clean or disinfect parts of the facility and may be prohibited from normal operation by way of temporary license suspension. In addition to the unquantifiable monetary cost of quarantine, a preserve would also lose the opportunity to operate and potentially generate revenue due to being shut down for a period of time.

Record Keeping

The proposed rule requires operators to keep records of all rabbits released into or removed from the controlled rabbit hunting preserves on a form provided by the Commission. These records must be submitted annually prior to reissuance of their operator license. While these record-keeping requirements will not be a cost to the operators, they will require minimal additional time and effort.

V. Unquantifiable Impacts – Benefits

State Impact

The proposed changes are expected to benefit the state by improving regulatory oversight on rabbit preserves and their operation. Specifically, the proposed rule will provide information to help the Commission regulate the transfer of rabbits to and between preserves and make informed decisions on rabbit preserves and trapping in the future. Specifically, this will help the Commission track a disease outbreak if one were to occur and take necessary precautions to mitigate further spread.

Private Impact

The proposed changes are expected to have a few quantifiable private benefits to individuals, by providing licensed operators with clearer, better defined standards and requirements for operation. Regulating controlled rabbit hunting preserves will legally protect the operators and allow them to continue their activity so long that the minimum standards of operation are followed.

Rabbits are a public trust resource and by requiring record of where the rabbits come in an out of allows us to ensure that they are not removed from the landscape at a rate in which cannot be replenished. In addition, if a disease outbreak occurs, the data collected by operators will allow the Commission to track where the infected rabbits came from, and quarantine effected preserves if necessary.

Providing minimum standards for operation reduces the risk for any unethical treatment of the animals and allows the Commission to come in and conduct an investigation of the operation if standards appear to be broken.

VI. Economic Impact Summary

Quantifiable Benefits

State

- \$5,600 minimum in licensing fees per year

Quantifiable Costs

In estimating the potential economic impact of the proposed rule for the controlled rabbit hunting preserve rule few costs identified were quantifiable. These include the following:

State

- Form development, annual review, and license administration: Year 1 = \$363
- Recurring = \$1,813

Private

- Fencing:
 - one-acre rabbit preserve = \$1,858.68
 - 122-acre rabbit preserve = \$19,445.48
- Licensing:
 - One license per year = \$100

Potential quantifiable private costs range from an estimated one-time cost of \$1,858.68 to \$19,445.48 and an additional \$100 each year thereafter.

Unquantifiable Costs

In estimating the potential economic impact of the proposed rule for controlled rabbit hunting preserves, several costs and benefits identified were unquantifiable. These include the following:

Private

- Stocking
- Quarantine requirements
- Value of operator's time for record-keeping

Unquantifiable Benefits

In estimating the potential economic impact of the proposed rule for controlled rabbit hunting preserves, several unquantifiable benefits were identified. These include the following:

State

- Improved regulatory oversight.
 - Information to help the Commission regulate transfer of rabbits to and between preserves.
 - Information to make decisions on rabbit pens in the future.

Private

- Clear, unambiguous requirements for license holders.

Although parts of the rule are accompanied by anticipated fiscal impacts and/or may limit opportunities, the agency does not anticipate significant impact to operators to license their preserves. The anticipated benefits of the proposed rule changes are expected to outweigh the estimated costs.

CONTROLLED RABBIT HUNTING PRESERVES

15A NCAC 10H .1601 CONTROLLED RABBIT HUNTING PRESERVES

(a) For the purposes of this Rule, the following terms shall mean:

- (1) "controlled rabbit hunting preserve", or "preserve", is an area of any size that is completely and permanently enclosed with a fence designed to prevent the escape or entry of wild rabbits at any time, where wild rabbits are pursued with dogs.
- (2) "wild rabbits" are eastern cottontail (*Sylvilagus floridanus*), Appalachian cottontail (*Sylvilagus obscurus*), marsh rabbits (*Sylvilagus palustris*), and species indistinguishable from these species.

(b) The following conditions shall apply to the take of wild rabbits on controlled rabbit hunting preserves:

- (1) take of wild rabbits shall be authorized year-round;
- (2) dogs shall be the only authorized manner of take;

- (3) unless exempt from license requirements, every person participating in the pursuit of rabbits on a controlled rabbit hunting preserve shall have a valid resident or nonresident hunting license or a controlled hunting preserve hunting license in his or her possession, in accordance with 15A NCAC 10B .0114.

(c) Any individual wanting to operate a controlled rabbit hunting preserve shall first obtain a controlled rabbit hunting preserve operator license from the Commission.

(d) One controlled hunting preserve operator license is required for each enclosure, except that one license shall be permitted for the same operator on properties not greater than 100 acres of contiguous acres of land regardless of the number of enclosures.

(f) Application for a controlled rabbit hunting preserve operator license shall be made online at www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576. Information required from the applicant shall include:

- (1) the applicant's name, address, telephone number, date of birth;
- (2) the preserve name, address, county, acreage, and number of enclosures; and
- (3) proof of ownership or lease of the land contained in the proposed controlled rabbit hunting preserve.

(g) License holders shall keep an accurate record of all rabbits released into or removed from the preserve on a form provided by the Commission online at www.ncwildlife.org. Records shall contain the following information:

- (1) the number of rabbits released into the preserve;
- (2) the county of origin; and
- (3) name, address, and applicable hunting license number of the individual that provided the rabbits to the preserve.

(h) Records required in Paragraph (g) of this Rule shall be:

- (1) available for inspection by representatives of the Commission upon request; and
- (2) submitted to and received by the Commission annually by May 1 either online at www.ncwildlife.org or by mail to Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576.

(i) In accordance with season and bag limits in Rule 10B .0207, rabbits may be box trapped inside an enclosure and moved between enclosures with a valid controlled rabbit hunting preserve operator license or valid hunting license.

(j) Controlled hunting preserve operator licenses shall not be transferable, either by transferring the license to another individual or by relocating the site of the preserve.

(k) Upon receipt of an application accompanied by the license fee, the Commission shall issue a controlled rabbit hunting preserve operator license, provided this Rule regarding establishment of such areas have been complied with.

(l) Representatives of the Commission shall be permitted to enter the premises of any licensed controlled rabbit hunting preserve upon request or during the preserve's operating hours for inspection, enforcement, or scientific purposes.

History Note: Authority G.S. 113-134; 113-273(g); 113-276(k);

Eff. February 1, 2022.

EXHIBIT G

August 26, 2021



NONGAME WILDLIFE ADVISORY COMMITTEE APPOINTMENTS FOR 2021

No Affiliated Seat Specified in Nomination (May qualify for Expert or At-large affiliate)

1. Donald L. Fuller, DVM, Caswell Veterinary Service

Nominee

Current Position: Self-Employed/Entrepreneur

Expertise: Zoonotic Researcher, preventive health care for pets and people, member of Buck Hunting Club, Ducks Unlimited, Pheasant Forever, North Carolina Veterinary Medical Association, American Veterinary Medical Association

Governmental Affiliate

1. Jared Gray, North Carolina Department of Transportation (*Recommended for Re-appointment*)

Length of NWAC membership: since 2016

Current Position: Environmental Program Supervisor

Expertise: experience conducting threatened and endangered species plant studies, natural resource inventories, wetland delineation, and the required mapping of each, mussel surveys, fish surveys

Expert Affiliate

1. Jesse Edward (Ed) Corey III, NC Division of Parks and Recreation (*Recommended for Re-appointment*)

Length of NWAC membership: Since 2015

Current Position: Inventory Biologist, NC Division of Parks and Recreation and Senior Scientist, Calyx Engineers

Expertise: Zoology, botany, wildlife sciences, active member of the NC Herpetological Society, NC Partners in Amphibian and Reptile Conservation, Wake Audubon Society, NC Rare Plant Conservation Alliance, and NC Partners in Flight.

2. John B. Sealy, Consultant

Nominee

Current Position: Consultant, Timber Rattlesnake conservation management

Expertise: one of the country's leading experts on the timber rattlesnake, providing training for federal and state agencies in developing conservation management practices where their employees must interact with timber rattlesnakes, long-time member of the North Carolina Herpetological Society (NCHS) and

is active in North Carolina Partners in Amphibian and Reptile Conservation (NCPARC) and Southeast Partners in Amphibian and Reptile Conservation (SEPARC)

At-large Affiliate

1. Jeff Marcus, The Nature Conservancy, Southern Pines, NC

Nominee

Current Position: NC Longleaf Applied Scientist

Expertise: land protection, working with private landowners, pursuing and managing grants, contributing to the bird and herp taxa ratings and the writing of several habitat chapters in the Wildlife Action Plan in 2005, telemetry studies of Carolina gopher frog and ephemeral wetland restoration on Sandhills Game Land, experience assisting with bog turtle, northern flying squirrel, mussel, quail, shorebird and waterbird surveys and management.

2. Scott McNeely, McNeely Pest Control

Nominee

Current Position: President and CEO

Expertise: provided presentations for numerous regional and national pest management seminars and regularly contributes articles for publication, over thirty-five years of experience in the structural pest control industry, on the board of directors of the NC Trappers Association, is an active member of the National Trappers Association.

3. Christopher Moore, East Carolina University

Nominee

Current Position: Ph.D. Candidate, Marine Ecology

Expertise: natural resource management, dissertation research on parasite diversity, is interested in conservation issues and wildlife diversity, an enthusiastic supporter of public lands, natural areas

4. Lane Sauls, Jr., Ecological Engineering, LLP (*Recommended for Re-appointment*)

Length of NWAC membership: Since 2015

Current Position: Principal/ Natural Resources Manager

Expertise: environmental mitigation projects, including stream, wetland, and riparian buffer restoration, enhancement, and preservation. He has extensive training in the science of Natural Channel Design and has completed specialized coursework in both stream and wetland delineation, storm water management, and the collection of benthic macroinvertebrates.

5. Dustin Smith, North Carolina Zoo (*Recommended for Appointment*)

Nominee

Current Position: Curator of Reptiles, Amphibians, and Invertebrates

Expertise: reptiles, amphibians, fish, and invertebrates, gopher frogs and ornate chorus frogs, hellbender salamanders, pine barrens tree frogs (population surveys in the Sandhills Game Land); propagation techniques

6. Bruce M. White, GFR Forestry Consultants, PLLC (*Recommended for Re-appointment*)

Length of NWAC membership: Since 2018

Current Position: Staff Consulting Forester

Expertise: Provide consulting services to private landowners. Front line resource manager having landscape-scale effects on wildlife and incorporates wildlife diversity and conservation considerations. Committed to sustainable and diverse management practices. Member of timberland investment management organizations, forest industry, and conservation groups.