



## **AGENDA**

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

**April 26, 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 Monty Crump***

**INVOCATION - *Commissioner Tommy Fonville***

### **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 February 28, 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**)

**2018-2019 Endowment Fund Annual Interest Allocation Report**- Receive a financial status report and vote on the allocation of interest from the Endowment Fund for 2018-2019 *Melissa Earp* (**EXHIBIT C**)

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

**RECOGNITION OF JOHNS RIVER LAND ACQUISITION** – Receive comments on the acquisition of Johns River land from Duke Energy, as part of Johns River Game Land – *Gordon Myers, Executive Director* and *Steve Jester, Duke Energy*

**CHECK PRESENTATION FROM NC WILDLIFE FEDERATION AND NATIONAL WILD TURKEY FEDERATION** - Receive a check from the NC Wildlife Federation and National Wild Turkey Federation to purchase 40 cameras for the Law Enforcement Division – *Tim Gestwicki, NC Wildlife Federation* and *Robert Smith, President- NC National Wild Turkey Federation*

**Break for Photographs**

## **COMMITTEE REPORTS**

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

**Migratory Birds and Waterfowl Committee Report** – *Richard Edwards, Chair*

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

**Finance Committee Report** – *Landon Zimmer, Chair*

**Boating Safety Committee Report** – *Mark Craig*

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

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

**AGENCY SPOTLIGHT – FISH NC – WRC EFFORTS TO RECRUIT, RETAIN, AND REACTIVATE ANGLERS** – *Kevin Hining, Northern Mountain Regional Education Specialist*

## **INLAND FISHERIES DIVISION**

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



## **WILDLIFE MANAGEMENT DIVISION**

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

**2018-2019 Webless Migratory Birds, Resident Canada Geese, Falconry and Waterfowl Seasons** – Review U.S. Fish and Wildlife Service frameworks, receive public comments and select the 2018 – 2019 season dates and bag limits for webless migratory birds, resident Canada geese, falconry, and waterfowl - *David Cobb (EXHIBITS D-1, D-2, D-3, D-4)*

**Season for Take of Migrant Peregrine Falcon for Use in Falconry** – Consider staff recommendation to establish a season for taking up to 5 migrant peregrine falcons for use in falconry – *David Cobb (EXHIBIT E)*

## **LAND AND WATER ACCESS SECTION**

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

**Phase I Land Acquisitions** - Consider approval for staff to work with State Property Office and funding partners to develop acquisition plans for the following properties – *Brian McRae, Land and Water Access Section Chief* and *Gary Gardner, Engineering Section Chief (EXHIBITS F-1, F-2, F-3, F-4, F-5)*

- Church Tract – Haywood County (F-1)
- Parker Tract – Haywood County (F-2)
- Winslow Tract – Perquimans County (F-3)
- Duck Creek Tract – Craven County (F-4)
- McKnitt Tract – Granville County (F-5)

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

- Warren Neck Tract – Martin County (G-1)
- Waccamaw Campbell Tract – Columbus County (G-2)
- NFWF Tracts – McDowell, Rutherford, and Burke counties (G-3)

**Easement Request** – Consider a request from NCDOT for an easement across Sandhills Game Land – *Brian McRae (EXHIBIT H)*

**Easement Request** – Consider a request from NCDOT for an easement across Hunting Creek Swamp – *Brian McRae (EXHIBIT I)*

## **WATER SAFETY RULEMAKING**

**Final Adoption – 15A NCAC 10F .0300 – Local Water Safety Rules** – Consider final adoption of amendments to 48 water safety rules and final readoption of two water safety rules as part of the 2016 Periodic Review of Rules - *Betsy Haywood, No-Wake Zone Coordinator (EXHIBIT J)*

**Final Adoption, No-Wake Zone - Lake Hickory in City of Hickory, Caldwell County** – Consider final adoption of an amendment to 15A NCAC 10F .0338 – Caldwell County, for a no-wake zone at Lake Hickory Marina on Lake Hickory – *Betsy Haywood (EXHIBIT K)*

**Final Adoption, No-Wake Zone – Sunset Beach ICW, Brunswick County** – Review comments from public hearing and consider final adoption of an amendment to 15A NCAC 10F .0305 – Brunswick County, for a no-wake zone on the Intracoastal Waterway near the Sunset Beach Boating Access Area and bridge – *Betsy Haywood (EXHIBITS L-1, L-2)*

**Final Adoption, No-Wake Zone Extension – Falls Lake, Durham and Wake Counties** – Consider final adoption of an amendment to 15A NCAC 10F .0350 – Durham and Wake counties, to extend the no-wake zone at Holly Point Boating Access Area on Falls Lake – *Betsy Haywood (EXHIBIT M)*

**Rulemaking Application and Fiscal Note – 15A NCAC 10F .0377, Lake Glenville, Jackson County** – Receive public comments and consider application and Fiscal Note for a no-wake zone at the northern end of Lake Glenville between the west shore of a portion of the lake and two islands east of the west shore - *Betsy Haywood (EXHIBITS N-1, N-2, N-3)*

**Notice of Text – 15A NCAC 10F .0325, Pembroke Creek, Chowan County** – Consider approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0325, to extend the no-wake zone on Pembroke Creek, shore to shore from the W. Queen Street bridge in Edenton to a line 200 yards southeast – *Betsy Haywood (EXHIBIT O)*

## **PERIODIC REVIEW OF RULES RULEMAKING**

**2016 Periodic Review – Water Safety Rules Notice of Text – 15A NCAC 10F .0100 Motorboat Registration, and 10F .0200 Safety Equipment and Accident Reports** – Consider approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for amendments to 15A NCAC 10F .0100 Motorboat Registration, and 10F .0200 Safety Equipment and Accident Reports – *Carrie Ruhlman, Rulemaking Coordinator (EXHIBIT P)*

**2016 Periodic Review – Water Safety Rules Notice of Text – 15A NCAC 10F .0301 - General Provisions** – Consider approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for readoption of 15A NCAC 10F .0301 General Provisions – *Carrie Ruhlman (EXHIBIT Q)*

**2016 Periodic Review – 15A NCAC 10H .0300 – Holding Wildlife in Captivity** – Consider adoption of delayed repeal – *Carrie Ruhlman (EXHIBIT R)*

**2017 Periodic Review of Rules Readoption Schedule** – Consider adoption of the 2017 Periodic Review of Rules Readoption Schedule for 15A NCAC 10B - Hunting and Trapping; 15A NCAC 10C - Inland Fishing; and 15A NCAC 03Q .0100 - Marine Fisheries – Classification of Joint Waters – *Carrie Ruhlman (EXHIBITS S-1, S-2)*

**2018 Periodic Review of Rules Initial Determinations** – Consider approval of the initial classification reports for 15A NCAC 10A – Wildlife Resources Commission; 15A NCAC 10D – Game Lands Regulations; 15A NCAC 10E – Fishing and Boating Access Areas; 15A NCAC 10G – Distribution and Sale of Hunting: Fishing: and Trapping License; 15A NCAC 10I – Endangered and Threatened Species; 15A NCAC 10J – Wildlife Conservation Area Regulations; and 15A NCAC 10K – Hunter Education Course rules pursuant to G.S. 150B-21.3A – *Carrie Ruhlman (EXHIBIT T)*

#### **TECHNICAL CHANGE RULEMAKING**

**Adoption of Technical Amendment to 15A NCAC 10A .0401** – Consider adoption of technical amendment to 15A NCAC 10A .0401 to update the Commission’s physical address, pursuant to G.S. 150B-21.5 – *Carrie Ruhlman (EXHIBIT U)*

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

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

**ADJOURN**

# EXHIBIT A

April 26, 2018



## MINUTES

February 28, 2018

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

The February 28, 2018 N. C. Wildlife Resources Commission meeting was called to order by *Commission Chairman* John Coley at 9:00 a.m. in the Commission Room at Wildlife Resources Commission Headquarters in Raleigh. Coley reminded everyone that the meeting audio is being streamed live and will be available on the Wildlife Resources Commission website. He requested that everyone silence electronic devices.

Commissioner Tommy Fonville led the Pledge of Allegiance.

Commissioner Wes Seegars gave the invocation.

### WELCOME AND MANDATORY ETHICS INQUIRY

Chairman Coley welcomed the Commissioners and guests, including Diedrick Award winners Terry Sharpe and members of the North Carolina Chapter of the National Wild Turkey Federation. Chairman 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 **Exhibits G** – Permanent Right of Way Easements on Sandhills Game Land and **Exhibit J** – McDowell County Shooting Range.

### COMMISSIONER ATTENDANCE

John Litton Clark  
Richard Edwards  
Nat Harris  
Monty Crump  
John Coley  
Landon Zimmer  
Tommy Fonville  
John Stone  
Ray Clifton  
Hayden Rogers

Brian White  
Wes Seegars  
Garry Spence  
Mike Johnson  
Tom Berry  
Mark Craig  
David Hoyle, Jr.  
Joe Budd  
Brad Stanback

## VISITORS

Bryan Perry – National Wild Turkey Federation  
Howard Rumfeld – NWTF  
Fred Harris – NC Wildlife Federation  
Robert Smith – NWTF  
Heather Clarkson – Defenders of Wildlife  
Audrie Inscoe – Eastern Carolina Houndsmen Alliance  
Allen Basak – Western Carolina University Cullowhee

Bill Collart – NWTF  
Henry Smith – NWTF  
Terry Sharpe – Diedrick Award Winner  
Roger Raynes – NC NWTF  
Joe McClees – McClees Consulting

## MINUTES

On a motion by Garry Spence and second by John Litton Clark, the Commission approved the December 7, 2017 minutes in **Exhibit A**. **Exhibit A** is incorporated into the official record of this meeting.

## ADMINISTRATION

**Financial Status Report** – Gordon Myers, *Executive Director*, presented in **Exhibit B** a financial status report on the Wildlife Endowment Fund and Wildlife Operating Fund as of December 31, 2017. The Endowment Fund balance was \$124,619,889.50. Of that balance, the Bond Index Fund balance was \$121,394,344.30 and the Short-Term Interest Fund balance was \$3,225,545.20. The cash balance was \$14,341,971.26. Last year's December cash balance was \$8,816,837.26. Myers stated that of the cash balance, approximately \$10,000,000.00 has constraints, or restrictions, on its use. **Exhibit B** is incorporated into the official record of this meeting.

## PRESENTATION OF THE 2017 LAWRENCE G. DIEDRICK SMALL GAME AWARDS

The Commission awarded the 2017 Lawrence G. Diedrick Small Game Award to Terry Sharpe, Wildlife Biologist and Registered Forester, in the Individual category, and to the North Carolina Chapter of the National Wild Turkey Federation in the Organization category.

**Break for Photographs** – After a short recess so that photographs could be taken, the Commission meeting reconvened at 9:20 am.

## COMMITTEE REPORTS

**Finance Committee Meeting – February 7, 2018** - Landon Zimmer, *Chair*, reported that the Finance Committee met on February 7, 2018. The Committee discussed a report from the State Treasurer's Office about an opportunity to move Endowment Fund monies from the Bond Index Fund into the Equity Index Fund. The Finance Committee endorsed transferring Endowment Fund monies into the Equity Index Fund. Based on the favorable review by the Committee, staff are examining the requirements necessary to move forward and will report back to the Committee.

**Land Use and Access Committee Meeting** – Tom Berry, *Chair*, reported that the Land Use and Access Committee met on February 27, 2018. The committee reviewed three Phase I land acquisitions and endorsed two for consideration by the full Commission. The committee reviewed a request from NCDOT for an easement across Sandhills Game Land for a bridge replacement project and an easement request along an existing road on the Wood Tract of Nantahala Game Land in Jackson County. The committee endorsed offering the private property owner who requested the easement a license instead. The committee discussed a request from a non-profit organization to exchange four acres at Roanoke Island Marshes Game Land for 12 acres of land in Currituck County. The committee reviewed a proposed partnership with McDowell County to design and build a shooting range that the county will operate.

**Habitat, Nongame and Endangered Species Committee Meeting** – Mark Craig, *Chair*, reported that the HNGES Committee met on February 27, 2018. The committee heard a presentation about the Coyote Management Plan. The committee members submitted votes from nominees to choose a recipient of the Thomas L. Quay Wildlife Diversity Award. Commission staff are in the process of finalizing the first group of Conservation Plans for state-listed species. This is a multi-year effort, and each group will be presented to the HNGES Committee for approval. The committee heard a presentation about the results of the Alligator Survey that was conducted in several counties.

**Boating Safety Committee Report** – Mike Johnson, *Chair*, reported that the Boating Safety Committee met on February 27, 2018. The Notice of Text and Fiscal Note were reviewed for seven water safety rules for amendments and readoptions as part of the 2016 Periodic Review of Rules. The committee reviewed a Fiscal Note and request to publish Notice of Text for water safety rulemaking by Onslow County on Queens Creek in Hubert.

**Migratory Birds, Waterfowl Committee Report January 24, 2018**– Richard Edwards, *Chair*, reported that the Migratory Birds, Waterfowl Committee met on January 24, 2018 in New Bern. The committee discussed lifting the prohibition on Sunday waterfowl hunting with a request that a Resolution be prepared for consideration at the February meeting.

**Migratory Birds, Waterfowl Committee Report** – Richard Edwards, *Chair*, reported that the Migratory Birds, Waterfowl Committee met on February 27, 2018. The committee received a report from Mark Duda of Responsive Management about a statewide survey of social and economic impacts of Sunday hunting for migratory birds. The report will be provided to the General Assembly and will be available online. *Executive Director* Gordon Myers read a Resolution Regarding the Hunting of Migratory Game Birds on Sunday for consideration by the entire Commission. Upon a motion by David Hoyle, Jr. and second by Tom Berry the Resolution was adopted. **The Resolution Regarding the Hunting of Migratory Game Birds on Sunday** is incorporated by reference into the minutes of this meeting.

**Committee of the Whole Report** – *Chairman* John Coley reported that the Committee of the Whole met on February 27, 2018. Staff reviewed for consideration by the entire Commission public comments received about 2018-2019 rule proposals for Inland Fisheries, Wildlife Management, and Lands Management. The Committee discussed additional buck tags that are allowable through the Deer Management Assistance Program.

## **AGENCY SPOTLIGHT – HUMAN/WILDLIFE INTERACTIONS HOTLINE**

Daron Barnes, *Customer Service Section Manager*, presented a spotlight about the progress of the new NC Wildlife Helpline during its first year. Since April 2017, three trained biologists have responded to 15,500 calls and 1,100 emails from citizens who made observations and asked questions about the health of wildlife and damage caused by wildlife. The objective of the human/wildlife interactions hotline is to educate the public about wild animals, their biology and behavior, and to reduce the burden on field staff when questions can be handled by the helpline team instead. Because of questions and complaints being resolved by the new helpline team only nine percent of calls and emails have been referred to field staff. Barnes stated that most reports and inquiries concern deer, followed by foxes. Most of the calls have come from urban areas in Mecklenburg, Forsyth, Wake, and Buncombe counties.

## **WILDLIFE EDUCATION UPDATE**

Kris Smith, *Wildlife Education Division Chief*, gave an update about the activities of the Wildlife Education Division. Smith reported that *Wildlife in North Carolina* magazine is digital now with 231 subscribers. The Outer Banks Center for Wildlife Education is staffed with two full time employees and additional temporary employees. The Center has conducted Citizen Science projects, with 1,200 participants. “Deet” James, *Hunting Heritage Coordinator*, has started the “Getting Started Outdoors Program” which assists new hunters who have no social support from family or friends. The National Archery in the Schools (NASP) program is currently underway. The first NASP in-person tournament was held and ten schools participated. NASP activities will be incorporated into the agency e-blast to constituents. Eighty schools now participate in NASP. The State Hunter Education Skills Tournament will be held on April 28, 2018. Smith discussed the use of Custom Communications Plans, developed with division staff, to guide communication activities. Smith reminded everyone that the Dixie Deer Classic will be held in Raleigh the first weekend in March.

## **INLAND FISHERIES**

### **Inland Fisheries Update**

Christian Waters, *Inland Fisheries Division Chief*, gave an update about the activities of the Inland Fisheries Division. Waters reported about recent sampling for anadromous fish. Sampling has revealed few river herring except in Vaughan’s Creek in Northampton County, where the population seems to be coming back based on our first samples. Waters announced that mountain trout waters will close until opening day, April 6, 2018, to allow our hatcheries to stock all of the hatchery supported waters. The Table Rock hatchery is producing walleye for stocking. The hatchery will be spawning muskellunge soon.

## **ADOPTION OF 2018-2019 INLAND FISHING RULE PROPOSALS**

Christian Waters presented in **Exhibit C-1** a summary of comments concerning the proposed changes to ten inland fishing rules, received from statewide public hearings held in January 2018 and from the WRC internet portal and correspondence. Most comments were supportive of the proposed changes.

On a motion by Ray Clifton and second by David Hoyle, Jr., the Commission adopted the following changes presented in **Exhibit C-2** for 2018-2019 fishing rules, pending approval by the Rules Review Commission and codification in the North Carolina Administrative Code.

- F1)** Designate all waters on Headwaters Game Land in Transylvania County, William H. Silvers Game Land in Haywood County, and Pisgah Game Land in Watauga County as Public Mountain Trout Waters and classify as Wild Trout Waters adding approximately 65 miles to Public Mountain Trout Waters. In addition, this proposal would reformat the NC Administrative Code by alphabetizing the list of game lands and would correct the spelling of DuPont State Forest Game Land.  
*15A NCAC 10D .0104 Fishing on Game Lands*
- F2)** Modify the lower boundary of Hatchery Supported Trout Waters on Beaver Creek in Ashe County removing approximately 0.4 miles from Public Mountain Trout Waters. The designated reach will be from N.C. 221 to the confluence of Beaver Creek and South Beaver Creek.  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F3)** Modify the upper boundary of Delayed Harvest Trout Waters on East Fork French Broad River in Transylvania County removing 1.0 miles of Public Mountain Trout Waters. The designated reach will be from East Fork Baptist Church to the French Broad River.  
*15A NCAC 10C .0205 Public Mountain Trout Waters*
- F4)** Modify the size and creel limits on the Special Regulation Trout Waters reach of the Catawba River in Burke County by establishing a 14-inch minimum size limit, removing the restriction of only one may be greater than 14 inches, and reducing the daily creel limit from seven to two fish.  
*15A NCAC 10C .0316 Trout*
- F5)** Correct the NC Administrative Code to remove the prohibition on night fishing in Public Mountain Trout Waters on game lands.  
*15A NCAC 10D .0104 Fishing on Game Lands*
- F6)** Modify the exception to the general statewide regulation for black bass by prohibiting possession of black bass in Jean Guite Creek and associated canals within the boundaries of the Town of Southern Shores in Dare County.  
*15A NCAC 10C .0305 Black Bass*



- F7)** Establish an exception to the general statewide regulation for Blue Catfish in the North Carolina portion of John H. Kerr Reservoir, Lake Gaston, and Roanoke Rapids Reservoir by allowing only one fish greater than 32 inches to be possessed in the daily creel.  
*15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale*
- F8)** Require that the appearance of nongame fishes subject to a length and/or creel limit not be altered such that the fish cannot be identified, measured, or counted.  
*15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale*  
*15A NCAC 10C .0402 Taking Nongame Fishes for Bait or Personal Consumption*
- F9)** Remove the requirement that minnow traps must be under the immediate control and attendance of the individual operating them when used to take nongame fish for bait or personal consumption. Under this provision, the use of minnow traps only requires a license that authorizes basic fishing privileges, and any nongame fish collected may not be sold. Minnow traps must be checked daily to remove all fish. Each minnow trap must be labeled with either the user's Commission customer number or name and address.  
*15A NCAC 10C .0402 Taking Nongame Fishes for Bait or Personal Consumption*
- F10)** Allow the harvest of nongame fishes for bait with equipment specified for the taking of nongame fishes for bait or personal consumption from impounded waters of power supply reservoirs and municipally-owned water supply reservoirs that are designated as Public Mountain Trout Waters. The exception would only apply to the following reservoirs: Bear Creek Lake, Buckeye Creek Reservoir, Calderwood Reservoir, Cedar Cliff Lake, Cheoah Reservoir, Cliffside Lake, Tanassee Creek Lake, Queens Creek Lake, and Wolf Lake.  
*15A NCAC 10C .0402 Taking Nongame Fishes for Bait or Personal Consumption*

**Exhibits C-1 and C-2, Fishing Rules Adoption**, are incorporated into the official record of this meeting.

## **WILDLIFE MANAGEMENT**

### **Wildlife Management Update**

Dr. David Cobb, *Wildlife Management Division Chief*, gave an update about the activities of the Wildlife Management Division. Cobb stated that field work and work with private land owners is ongoing. He announced that the Wildlife Resources Commission will present a large exhibit at the Dixie Deer Classic. Cobb thanked staff for their work on the annual regulatory process.

## **ADOPTION OF 2018-2019 WILDLIFE MANAGEMENT RULE PROPOSALS**

Dr. Cobb presented **Exhibit D-1**, a summary of public comments concerning proposed changes to wildlife management regulations received from state-wide public hearings held in January 2018 and from the WRC internet portal and correspondence.

Based upon comments received and discussions by Commissioners, the following proposals, presented in **Exhibit D-2-B**, were adopted as presented adopted with modifications, and one was not adopted.

On a motion by Wes Seegars and second by Nat Harris, three rules were adopted as modified:

### **Deer**

- 1) ~~Change statewide deer hunting seasons to establish five deer season zones. Separate the current Eastern Zone into two zones, Northeastern and Southeastern; m Move Polk, and Rutherford, and Cleveland counties to the Western Zone; and move Cleveland County to the Northwest Zone.  
*15A NCAC 10B .0203 DEER (WHITE-TAILED)*~~
- 2) ~~Implement a balanced option for deer hunting seasons that is based on biological data and hunter feedback for each of the five season zones. These options include changes in season length and time frames, and antlered and antlerless bag limits. There would be no changes in the season opening dates for archery, but where other seasons would begin later, archery seasons would be longer than currently established seasons. Change the deer bag limits to 4 antlerless deer and 2 antlered deer statewide. Eliminate the use of Bonus Antlerless Deer Harvest Report Cards except in the Urban Archery Season.  
*15A NCAC 10B .0203 DEER (WHITE-TAILED)*~~

### **Bear**

- 3) Change bear hunting seasons in the Coastal Bear Management Unit to align hunting seasons with five bear hunting zones established based upon biological data and bear hunter feedback; move Pamlico County to Zone 5.  
*15A NCAC 10B .0202 BEAR*

Upon a motion by Brian White and second by Nat Harris, five rules were adopted as presented:

### **Deer**

- 1) Shift either-sex days to the front of Introductory, Conservative, and Moderate antlerless deer seasons.  
*15A NCAC 10B .0203 DEER (WHITE-TAILED)*

### **Alligators**

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

Under this proposal:

1. The season for taking American alligators would be September 1 to October 1.
2. Limited take would be by permit only issued by the Wildlife Resources Commission.
3. The bag limit would be one per permit, with a season limit of one alligator per permittee.
4. Alligators could only be taken using hand-held ropes or catch poles; hand-held or rod/reel snatch hooks; harpoons or gigs with attached restraining lines; baited, wooden pegs less than 2-inches in length attached to hand-held restraining lines; archery equipment with arrow-attached restraining lines.

5. Alligators taken by any lawful method described above would have to be dispatched immediately upon capture.
6. Alligators could be taken day or night and with the use of artificial lights.
7. Baited hooks would be prohibited.
8. Permittees would be required to complete a harvest survey provided by the Wildlife Resources Commission and to allow staff to collect biological data from harvested alligators.

*15A NCAC 10B .0224 AMERICAN ALLIGATOR*

### **Possession of Non-native Species**

- 3) Amend the rule regulating possession of non-native species in the North Carolina Administrative Code to include brown anoles, red-eared sliders, Cuban treefrogs, and all Asian newt species in the genera *Cynops*, *Pachytriton*, *Paramesotriton*, *Laotriton*, and *Tylototriton*.  
*15A NCAC 10B .0123 POSSESSION OF CERTAIN SPECIES OF WILDLIFE RESOURCES*

### **Clarify Definition of Black Powder Firearm**

- 4) Clarify the definition of a black powder firearm to mean “any firearm, including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured in or before 1898, that cannot use fixed ammunition; any replica of this type of firearm if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that is designed to use black powder, black powder substitute, or any other propellant loaded through the muzzle or cylinder and that cannot use fixed ammunition.”  
*15A NCAC 10B .0203 DEER (WHITE-TAILED)*

### **Technical Correction**

- 5) Clarify that the hunting seasons for pheasant, fox (by archery), and rabbits open on the Saturday before Thanksgiving.  
*15A NCAC 10B .0207 RABBITS*  
*15A NCAC 10B .0211 PHEASANT (NONNATIVE VARIETIES)*  
*15A NCAC 10B .0212 FOXES (GRAY AND RED)*

Upon a motion by David Hoyle, Jr. and second by Brian White, the Commission disapproved the following rule proposal for bear hunting season in the Mountain Bear Management Unit:

- ~~1) Change bear hunting season in the Mountain Bear Management Unit to add two weeks to the beginning of the current season.~~  
*15A NCAC 10B .0202 BEAR*

**Exhibits D-1 and D-2-B** are incorporated into the official record of this meeting.

**COYOTE MANAGEMENT PLAN ADOPTION** – Upon a motion by John Litton Clark and second by Mark Craig, the Commission adopted the Coyote Management Plan, presented in **Exhibit E**. **Exhibit E** is incorporated into the official record of this meeting.

## **PROPERTY MATTERS**

### **Phase I Land Acquisitions**

Brian McRae, *Land and Water Access Section Chief* and Kris Smith, *Wildlife Education Division Chief*, presented in **Exhibits F-1, F-2, and F-3** requests for agency staff to begin working with the State Property Office and funding partners to develop acquisition plans for three tracts:

- Corpening Tract – Burke County (Exhibit F-1)
- Aydlette Tract – Camden County (Exhibit F-2)
- Camp McCall – Rutherford County (Exhibit F-3)

Upon a motion by Monty Crump and second by Brad Stanback, the Commission approved proceeding with developing acquisition plans for the Corpening Tract in Burke County (**Exhibit F-1**) and Camp McCall in Rutherford County, including an operational plan/model (**Exhibit F-3**).

Upon a motion by Tom Berry and second by Tommy Fonville, the Commission voted to not move forward with consideration of **Exhibit F-2**, the Aydlette Tract in Camden County.

**Exhibits F-1, F-2, and F-3** are incorporated into the official record of this meeting.

**NCDOT Easement Request** – With Commissioner Landon Zimmer recused, and upon a motion by Tom Berry and second by Richard Edwards, the Commission approved a request from NCDOT in **Exhibit G**, for a permanent right of way easement as part of the Millstone Road bridge replacement project on Sandhills Game Land in Richmond County. **Exhibit G** is incorporated into the official record of this meeting.

**Easements Request** – Mrs. Wanda Nicholson, a private property owner, requested in **Exhibit H** reciprocal access and utility easements with NCWRC for her property adjacent to the Nantahala Game Land in Jackson County. Upon a motion by Tom Berry and second by Tommy Fonville, the Commission voted to offer Mrs. Nicholson a license rather than an easement. **Exhibit H** is incorporated into the official record of this meeting.

**Property Exchange – Dare and Currituck Counties** – Upon a motion by Tom Berry and second by Tommy Fonville, the Commission voted to give four acres of Roanoke Island Marshes Game Land in Dare County to the Outer Banks Dare Challenge Project, a non-profit that assists people with life controlling problems, in exchange for the donation of 12 acres of wetlands at Albemarle Sound in Currituck County, with provisions that appraisals are obtained prior to an exchange and at no loss to the State. The Outer Banks Dare Challenge Project, **Exhibit I**, is incorporated into the official record of this meeting.

**McDowell County Shooting Range** – Gary Gardner, *Engineering Section Chief*, presented **Exhibit J**, a proposed partnership with McDowell County to build a shooting range that the County will then operate. The range will include a minimum of a 100-yard rifle range, a 25-yard pistol range and a 3-D archery course. Staff will provide updates, including an outline of steps and costs throughout the project. With Commissioner Landon Zimmer recused, a motion to approve the shooting range was made by Tom Berry and seconded by Tommy Fonville. The motion passed. The Commission will proceed with the McDowell County Shooting Range under an executed Memorandum of Agreement. **Exhibit J** is incorporated into the record of this meeting.

## **ADOPTION OF GAME LAND MANAGEMENT RULES FOR 2018-2019**

### **Summary of Public Comments Pertaining to Proposed Changes in Game Land Regulations-**

Brian McRae presented a summary of public comments received from statewide district public hearings held in January 2018 and from the WRC internet and correspondence, pertaining to proposed changes to game land regulations. **(Exhibit K-1)**

**2018-2019 Game Land Management Rules** – Based upon comments received and discussion by the Commission and Staff, the following changes in Game Land Rules for 2018-2019, presented in **Exhibit K-2b**, were adopted without modification, adopted with modifications, and not adopted.

Upon a motion by David Hoyle, Jr. and second by John Litton Clark, proposals G1 through G11 were adopted without modification:

- G1) Create a Designated Camping Area on the Shocco Creek Game Land to allow hunter camping during open hunting seasons.  
*15A NCAC 10D .0103 Hunting on game lands*
- G2) Prohibit target shooting on the Sand Banks tract of Chowan Swamp Game Land.  
*15A NCAC 10D .0103 Hunting on game lands*
- G3) Allow for the take of feral swine on game lands during the open season for any game bird using any legal manner of take allowed during those open game seasons.  
*15A NCAC 10D .0103 Hunting on game lands*
- G4) Remove the rule that prohibits the hunting of quail and woodcock, and the training of dogs on birds on the CURE portion of the Sandhills Game Land.  
*15A NCAC 10D .0103 Hunting on game lands*
- G5) Remove the restriction on grouse hunting, quail hunting, woodcock hunting, and all bird dog training on the CURE portion of South Mountains Game Land (SMGL) in Cleveland, McDowell, and Rutherford counties.  
*15A NCAC 10D .0103 Hunting on game lands*
- G6) Prohibit the pursuing or chasing of deer or bear with dogs for the purposes of training or hunting on the Little Macedonia Tract of Green Swamp Game Land.  
*15A NCAC 10D .0103 Hunting on game lands*
- G7) Designate the Little Macedonia Tract of Green Swamp Game Land as a permit-only area for bear, deer, and turkey.  
*15A NCAC 10D .0103 Hunting on game lands*
- G8) Establish the Headwaters State Forest Game Land in Transylvania County as a six-day-per-week area with an introductory either-sex deer season.  
*15A NCAC 10D .0103 Hunting on game lands*

G9) Establish the Dan River Game Land in Rockingham County as a permit only area and prohibit target shooting. Further, prohibit horseback riding except on those areas posted for equestrian use. People age 16 or older horseback riding on this game land must possess a Game Land license.

*15A NCAC 10D .0103 Hunting on game lands*

G10) Shift the 12 open days of the Moderate Gun Either-Sex Season for the game lands listed below to the beginning of the applicable Gun Seasons:

Alcoa Game Land in Montgomery County; Brinkleyville Game Land in Halifax County; Butner-Falls of Neuse Game Land in Durham, Granville, and Wake counties; Carteret County Game Land in Carteret County; Chatham Game Land in Chatham County; Embro Game Land in Halifax and Warren counties; Harris Game Land in Chatham, Harnett, and Wake counties; Hyco Game Land in Person County; Lee Game Land in Lee County; Lower Fishing Creek Game Land in Edgecombe and Halifax counties; Mayo Game Land in Person County; Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties; Sandy Creek Game Land in Nash and Franklin counties; Shocco Creek Game Land in Franklin, Halifax, Nash, and Warren counties; Thurmond Chatham Game Land in Alleghany and Wilkes counties; Tillery Game Land in Halifax County; Uwharrie Game Land in Davidson, Montgomery, and Randolph counties.

*15A NCAC 10D .0103 Hunting on game lands*

G11) Shift the 6 open days of the Conservative Gun Either-Sex Season for the game lands listed below to the beginning of the applicable Gun Seasons:

R. Wayne Bailey-Caswell Game Land in Caswell County; Dare Game Land in Dare County; Elk Knob Game Land in Watauga County; Mitchell River Game Land in Alleghany and Surry counties; Pond Mountain Game Land in Ashe County; Rendezvous Mountain State Forest Game Land in Wilkes County; Sutton Lake Game Land in New Hanover and Brunswick counties; Three Top Mountain Game Land in Ashe County

*15A NCAC 10D .0103 Hunting on game lands*

Upon a motion by David Hoyle, Jr. and second by Nat Harris, proposals G12, G14, and G15 were approved with modifications:

G12) Shift the open day of the Introductory Gun Either-Sex Season for the game lands listed below to the beginning of the applicable Gun Seasons:

Buffalo Cove Game Land in Caldwell and Wilkes counties; Cold Mountain Game Land in Haywood County; Green River Game Land in Henderson and Polk counties; Nantahala Game Land in Transylvania County; Perkins Game Land in Davie County; Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties; Sandy Mush Game Land in Buncombe and Madison counties; South Mountains Game Land in Burke, Cleveland, McDowell, and Rutherford counties; Toxaway Game Land in Transylvania County; William H. Silver Game Land in Haywood County.

*15A NCAC 10D .0103 Hunting on game lands*

G14) ~~Change the opening date and duration of the blackpowder season and~~ shift the open day of the Introductory Gun Either-Sex Season to the beginning of the applicable Gun Seasons at Nicholson Creek Game Land and Rockfish Creek Game Land in Hoke County.

*15A NCAC 10D .0103 Hunting on game lands*

G15) ~~Change the opening date and duration of the blackpowder season and align the opening date of the Gun Season to the rest of the Game Land for the Sandhills Game Land, J. Robert Gordon Field Trial Grounds in Richmond County.~~  
*15A NCAC 10D .0103 Hunting on game lands*

Upon a motion by John Litton Clark and second by Garry Spence, the Commission did not adopt G13 and G16:

G13) ~~Change the gun, archery, and blackpowder seasons at South Mountains and Buffalo Cove game lands to match the proposed Western Deer Season Zone.~~  
*15A NCAC 10D .0103 Hunting on game lands*

G16) ~~Change the opening date and duration of the blackpowder season and change the closing date of the “second” archery and blackpowder seasons from January 1 to the first Saturday in January for Sandhills Game Land in Hoke, Moore, Richmond, and Scotland counties, excluding the J. Robert Gordon Field Trial Grounds.~~  
*15A NCAC 10D .0103 Hunting on game lands*

**Exhibits K-1 and K-2b** are incorporated into the official record of this meeting.

## **WATER SAFETY RULEMAKING**

**Notice of Text – 15A NCAC 10F .0300 – Local Water Safety Regulations, and Review of Fiscal Note** – Upon a motion by Ray Clifton and second by Joe Budd, the Commission approved publishing Notice of Text in the *NC Register* and holding one public hearing and open comment period for amendments to five water safety rules and readoption of two water safety rules, presented in **Exhibit L-1** by Betsy Haywood, *No Wake Zone Coordinator*, and under the same motion approved the Fiscal Note in **Exhibit L-2**.

### **15A NCAC 10F .0307 CATAWBA, IREDELL, LINCOLN, AND MECKLENBURG COUNTIES**

Update language for consistency, correct names and add coordinates, add authority of Lake Norman Marine Commission, cite Session Law 1969-1089 that created the Lake Norman Marine Commission.

### **15A NCAC 10F 0342 CATAWBA COUNTY**

Remove 15A NCAC 10F .0342 (a)(1) and (a)(2) because there no longer are water safety hazards in those locations. Clarify descriptions and add coordinates, remove maintenance, remove federal authority of United States Coast Guard and add federal authority of U.S. Army Corps of Engineers.

### **15A NCAC 10F .0353 MOUNTAIN ISLAND LAKE – MECKLENBURG, GASTON AND LINCOLN COUNTIES (for readoption – substantive public interest)**

Revise language for consistency, correct descriptions and add coordinates, remove “motorboat”, remove maintenance.

### **15A NCAC 10F .0360 GRAHAM COUNTY**

Correct location names, add coordinates, remove maintenance, add authority of TVA and U.S. Army Corps of Engineers.

### **15A NCAC 10F .0366 MACON COUNTY (readoption – substantive public interest)**

Describe location of no-wake zone, add coordinates.

**15A NCAC 10F .0373 TRANSYLVANIA COUNTY**

Revise language for consistency, add coordinates, remove federal authority of U. S. Army Corps of Engineers.

**15A NCAC 10F .0375 DUKE ENERGY CORPORATION HYDROELECTRIC STATION SAFETY ZONES**

Revise language for consistency.

**Exhibits L-1 and L-2, Local Water Safety Regulations and Fiscal Note**, are incorporated into the official record of this meeting.

**Rulemaking Notice of Text and Fiscal Note – 15A NCAC 10F .0320 Onslow County – Queens Creek** – Upon a motion by John Litton Clark and second by David Hoyle, Jr. the Commission approved the request by Onslow County, presented in **Exhibit M-1** by Betsy Haywood, for the submission of Notice of Text in the *NC Register* with one public hearing and open comment period to establish a no-wake zone in the waters of Queens Creek in Hubert, near the Boating Access Area. Under the same motion the Commission approved the Fiscal Note Review in **Exhibit M-2**. **Exhibits M-1 and M-2** are incorporated into the official record of this meeting.

**COMMENTS BY THE CHAIRMAN**

*Chairman* John Coley thanked staff for their efforts in planning the committee and Commission meetings. He recognized the efforts of staff to reschedule several public hearings that had to be postponed because of the snows.

**COMMENTS BY THE EXECUTIVE DIRECTOR**

*Executive Director* Gordon Myers thanked the agency staff for the work on the rules package. He thanked Commissioners and constituents for their heartfelt and passionate input about proposals and stated that he appreciates the opinions being given about important rulemaking.

**ADJOURNMENT**

There being no further business, the meeting was adjourned by Chairman John Coley at 11:00 am.



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

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John Coley, Chairman

Date

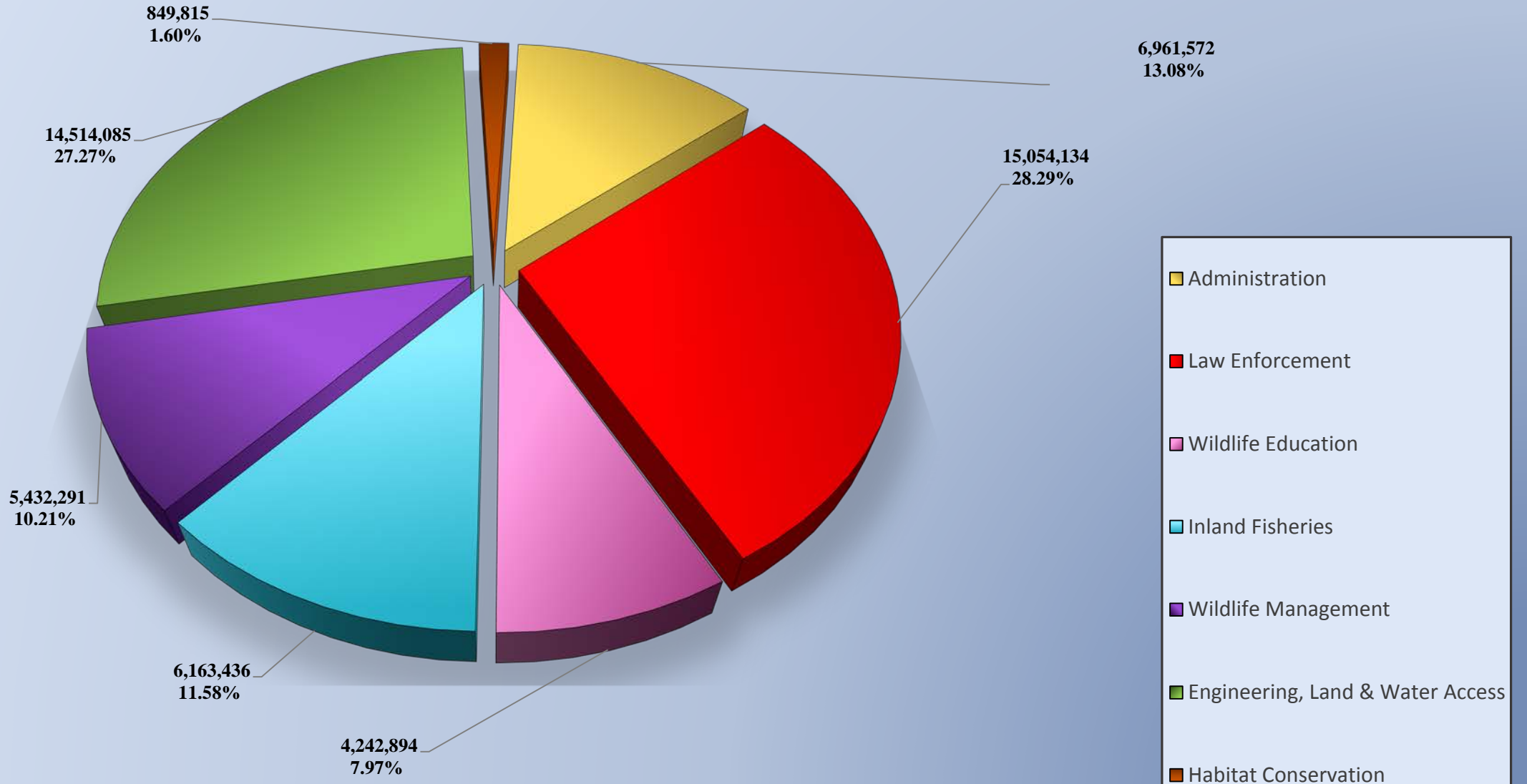
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Gordon Myers, Executive Director

Date

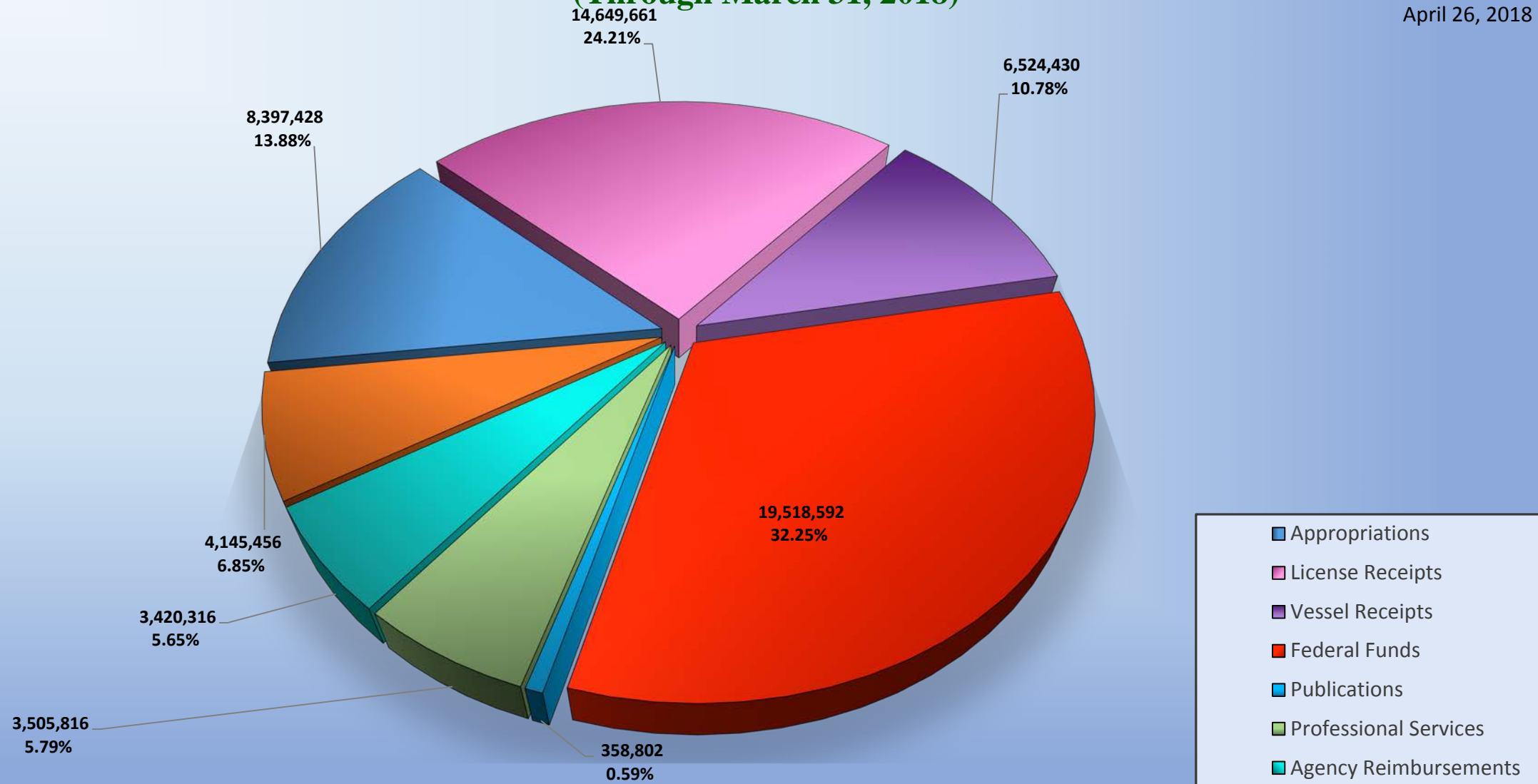
# Year to Date FY 2018 Expenditures - \$53,226,441 (Through March 31, 2018)

Exhibit B  
April 26, 2018



# Year to Date FY 2018 Receipts - \$60,520,500 (Through March 31, 2018)

Exhibit B  
April 26, 2018

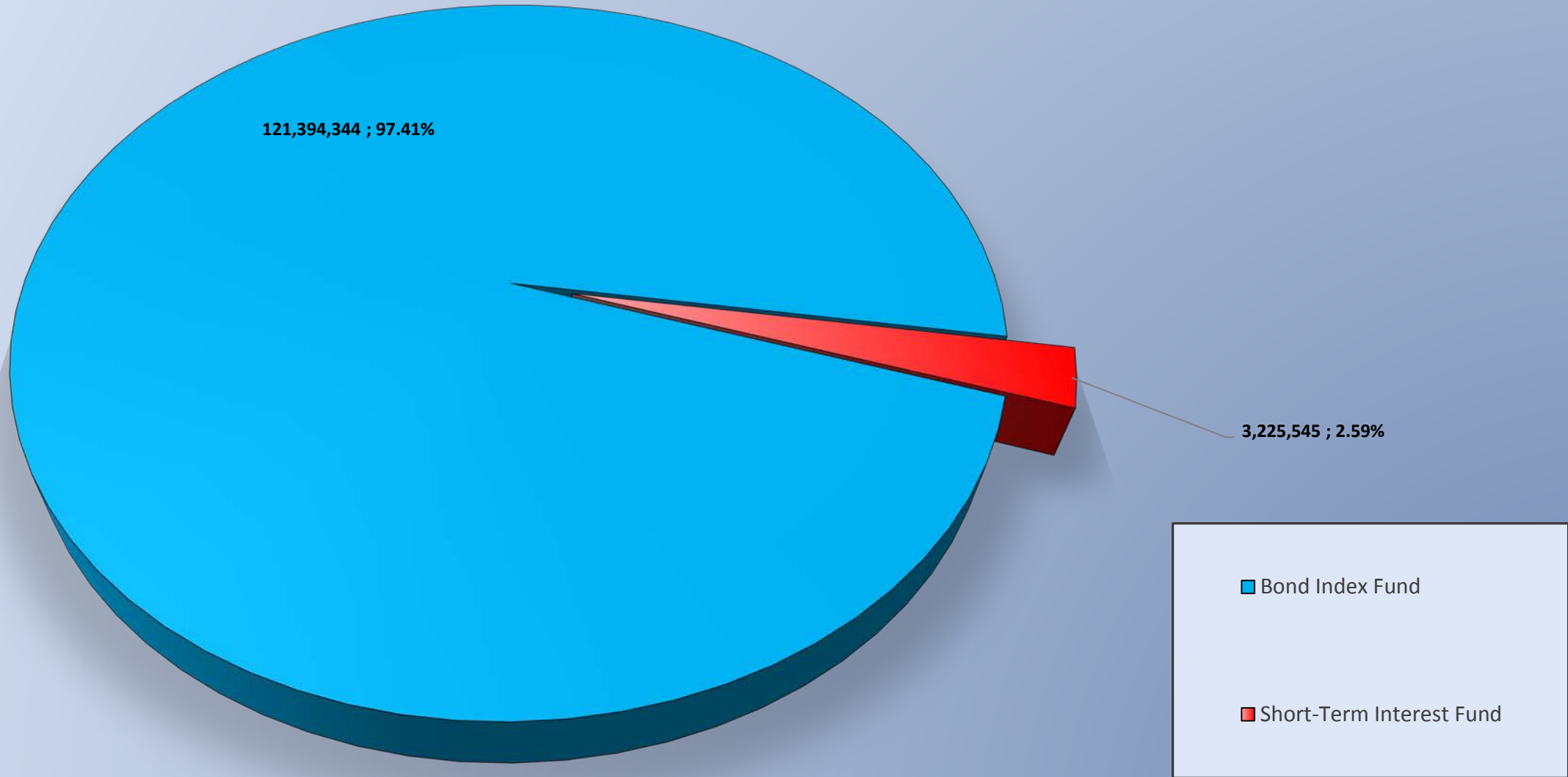


- Appropriations
- License Receipts
- Vessel Receipts
- Federal Funds
- Publications
- Professional Services
- Agency Reimbursements
- Other Receipts

**Agency Reimbursements** includes: DOT Reimbursement, Gas Tax, Rebates, and Sale of Surplus  
**Other Receipts** includes: Sale of Timber, Fines, Rental of Property, Sales of Goods

# Endowment Value (Market) (as of December 31, 2017)

Exhibit B  
April 26, 2018



# EXHIBIT C

April 26, 2018



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## ☒ North Carolina Wildlife Resources Commission ☒

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Gordon Myers, Executive Director

### 2018-2019 Allocation of Endowment Fund Investment Returns

	Amount of Expendable Interest Earned July 1, 2017 to December 31, 2017
Adult Licenses	\$1,202,899.98
Magazine Subscriptions	\$53,904.86
Contributions - General	\$222.33
Contributions - Diversity	\$31,917.63
Total	<hr/> \$1,288,944.80

The formula for determining the amount of interest available to support *Wildlife in North Carolina* magazine was passed in a motion by the Commission on May 18, 2007. The motion allocated 100 percent of the interest earned from magazine lifetime subscriptions to the magazine budget.

2018-2019 Allocation - **\$53,904.86**

# EXHIBIT D-1

April 26, 2018



## Final Regulations Frameworks for 2018–19 Hunting Seasons on Certain Migratory Game Birds

### *Special September Teal Season*

*Outside Dates:* Between September 1 and September 30, an open season on all species of teal may be selected by the following States in areas delineated by State regulations:

*Atlantic Flyway:* Delaware, Florida, Georgia, Maryland, North Carolina, South Carolina, and Virginia.

*Hunting Seasons and Daily Bag Limits:* Not to exceed 16 consecutive hunting days in the Atlantic, Mississippi, and Central Flyways. The daily bag limit is 6 teal.

### *Waterfowl*

Atlantic Flyway

Ducks, Mergansers, and Coots

*Outside Dates:* Between the Saturday nearest September 24 (September 22) and the last Sunday in January (January 27).

*Hunting Seasons and Duck Limits:* 60 days. The daily bag limit is 6 ducks, including no more than 4 mallards (no more than 2 of which can be females), 2 black ducks, 2 pintails, 1 mottled duck, 1 fulvous whistling duck, 3 wood ducks, 2 redheads, 2 scaup, 2 canvasbacks, 4 scoters, 4 eiders, and 4 long-tailed ducks.

*Closures:* The season on harlequin ducks is closed.

*Merganser Limits:* The daily bag limit of mergansers is 5, only 2 of which may be hooded mergansers. In States that include mergansers in the duck bag limit, the daily limit is the same as the duck bag limit, only 2 of which may be hooded mergansers.

*Coot Limits:* The daily bag limit is 15 coots.

*Zoning and Split Seasons:* Delaware, Florida, Georgia, Maryland, North Carolina, Rhode Island, South Carolina, Virginia, and West Virginia may split their seasons into three segments; Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, and Vermont may select hunting seasons by zones and may split their seasons into two segments in each zone.

Scoters, Eiders, and Long-tailed Ducks

Special Sea Duck Seasons:

Connecticut, Delaware, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, South Carolina, and Virginia may select a Special Sea Duck Season in designated Special Sea Duck Areas. If a Special Sea Duck Season is selected, scoters, eiders, and long-tailed ducks may be taken in the designated Special Sea Duck Area(s) only during the Special Sea Duck Season dates; scoters, eiders, and long-tailed ducks may be taken outside of Special Sea Duck Area(s) during the regular duck season, in accordance with the frameworks for ducks, mergansers, and coots specified above.

*Outside Dates:* Between September 15 and January 31.

*Special Sea Duck Seasons and Daily Bag Limits:* 60 consecutive hunting days, or 60 days that are concurrent with the regular duck season, with a daily bag limit of 5, of the listed sea duck species, including no more than 4 scoters, 4 eiders, and 4 long-tailed ducks. Within the special sea duck areas, during the regular duck season in the Atlantic Flyway, States may choose to allow the above sea duck limits in addition to the limits applying to other ducks during the regular season. In all other areas, sea ducks may be taken only during the regular open season for ducks and are part of the regular duck season daily bag (not to exceed 4 scoters, 4 eiders, and 4 long-tailed ducks) and possession limits.

*Special Sea Duck Areas:* In all coastal waters and all waters of rivers and streams seaward from the first upstream bridge in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York; in New Jersey, all coastal waters seaward from the International Regulations for Preventing Collisions at Sea (COLREGS) Demarcation Lines shown on National Oceanic and Atmospheric Administration (NOAA) Nautical Charts and further described in 33

CFR 80.165, 80.501, 80.502, and 80.503; in any waters of the Atlantic Ocean and in any tidal waters of any bay that are separated by at least 1 mile of open water from any shore, island, and emergent vegetation in South Carolina and Georgia; and in any waters of the Atlantic Ocean and in any tidal waters of any bay that are separated by at least 800 yards of open water from any shore, island, and emergent vegetation in Delaware, Maryland, North Carolina, and Virginia; and provided that any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States.

## Canada Geese

### Special Early Canada Goose Seasons:

A Canada goose season of up to 15 days during September 1–15 may be selected for the Eastern Unit of Maryland. Seasons not to exceed 30 days during September 1–30 may be selected for Connecticut, Florida, Georgia, New Jersey, New York (Long Island Zone only), North Carolina, Rhode Island, and South Carolina. Seasons may not exceed 25 days during September 1–25 in the remainder of the Flyway. Areas open to the hunting of Canada geese must be described, delineated, and designated as such in each State's hunting regulations.

*Daily Bag Limits:* Not to exceed 15 Canada geese.

*Shooting Hours:* One-half hour before sunrise to sunset, except that during any special early Canada goose season, shooting hours may extend to one-half hour after sunset if all other waterfowl seasons are closed in the specific applicable area.

### Regular Canada Goose Seasons

*Season Lengths, Outside Dates, and Limits:* Specific regulations for Canada geese are shown below by State. These seasons may also include white-fronted geese in an aggregate daily bag limit. Unless specified otherwise, seasons may be split into two segments.

## North Carolina

*RP Zone:* An 80-day season may be held between October 1 and March 10, with a 5-bird daily bag limit. The season may be split into 3 segments.

*Northeast Hunt Unit:* A 14-day season may be held between the Saturday prior to



December 25 (December 22) and January 31, with a 1-bird daily bag limit.

#### Light Geese

*Season Lengths, Outside Dates, and Limits:* States may select a 107-day season between October 1 and March 10, with a 25-bird daily bag limit and no possession limit. States may split their seasons into three segments.

#### Brant

*Season Lengths, Outside Dates, and Limits:* States may select a 60-day season between the Saturday nearest September 24 (September 22) and January 31, with a 2-bird daily bag limit. States may split their seasons into two segments.

#### ***Tundra Swans***

In portions of the Atlantic Flyway (North Carolina and Virginia) and the Central Flyway (North Dakota, South Dakota [east of the Missouri River], and that portion of Montana in the Central Flyway), an open season for taking a limited number of tundra swans may be selected. Permits will be issued by the States that authorize the take of no more than 1 tundra swan per permit. A second permit may be issued to hunters from unused permits remaining after the first drawing. The States must obtain harvest and hunter participation data. These seasons are also subject to the following conditions:

#### In the Atlantic Flyway

- The season may be 90 days, between October 1 and January 31.
- In North Carolina, no more than 6,250 permits may be issued.
- In Virginia, no more than 750 permits may be issued.

#### ***Common Moorhens and Purple Gallinules***

*Outside Dates:* Between September 1 and the last Sunday in January (January 27) in the Atlantic, Mississippi, and Central Flyways. States in the Pacific Flyway have been allowed to select their hunting seasons between the outside dates for the season on ducks, mergansers, and

coots; therefore, frameworks for common moorhens and purple gallinules are included with the duck, merganser, and coot frameworks.

*Hunting Seasons and Daily Bag Limits:* Seasons may not exceed 70 days in the Atlantic, Mississippi, and Central Flyways. Seasons may be split into 2 segments. The daily bag limit is 15 common moorhens and purple gallinules, singly or in the aggregate of the two species.

*Zoning:* Seasons may be selected by zones established for duck hunting.

### ***Rails***

*Outside Dates:* States included herein may select seasons between September 1 and the last Sunday in January (January 27) on clapper, king, sora, and Virginia rails.

*Hunting Seasons:* Seasons may not exceed 70 days, and may be split into 2 segments.

#### **Daily Bag Limits**

*Clapper and King Rails:* In Connecticut, Delaware, Maryland, New Jersey, and Rhode Island, 10, singly or in the aggregate of the two species. In Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia, 15, singly or in the aggregate of the two species.

*Sora and Virginia Rails:* In the Atlantic, Mississippi, and Central Flyways and the Pacific Flyway portions of Colorado, Montana, New Mexico, and Wyoming, 25 rails, singly or in the aggregate of the two species. The season is closed in the remainder of the Pacific Flyway.

### ***Snipe***

*Outside Dates:* Between September 1 and February 28, except in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, and Virginia, where the season must end no later than January 31.

*Hunting Seasons and Daily Bag Limits:* Seasons may not exceed 107 days and may be split into two segments. The daily bag limit is 8 snipe.

*Zoning:* Seasons may be selected by zones established for duck hunting.

### ***American Woodcock***

*Outside Dates:* States in the Eastern Management Region may select hunting seasons

between October 1 and January 31. States in the Central Management Region may select hunting seasons between the Saturday nearest September 22 (September 22) and January 31.

*Hunting Seasons and Daily Bag Limits:* Seasons may not exceed 45 days in the Eastern and Central Regions. The daily bag limit is 3. Seasons may be split into two segments.

*Zoning:* New Jersey may select seasons in each of two zones. The season in each zone may not exceed 36 days.

### ***Doves***

*Outside Dates:* Between September 1 and January 31 in the Eastern Management Unit, and between September 1 and January 15 in the Central and Western Management Units, except as otherwise provided, States may select hunting seasons and daily bag limits as follows:

#### Eastern Management Unit

*Hunting Seasons and Daily Bag Limits:* Not more than 90 days, with a daily bag limit of 15 mourning and white-winged doves in the aggregate.

*Zoning and Split Seasons:* States may select hunting seasons in each of two zones. The season within each zone may be split into not more than three periods. Regulations for bag and possession limits, season length, and shooting hours must be uniform within specific hunting zones.

### ***Special Falconry Regulations***

In accordance with 50 CFR 21.29, falconry is a permitted means of taking migratory game birds in any State except for Hawaii. States may select an extended season for taking migratory game birds in accordance with the following:

*Extended Seasons:* For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area. Each extended season may be divided into a maximum of 3 segments.

*Framework Dates:* Seasons must fall between September 1 and March 10.

*Daily Bag Limits:* Falconry daily bag limits for all permitted migratory game birds must

not exceed 3 birds, singly or in the aggregate, during extended falconry seasons, any special or experimental seasons, and regular hunting seasons in all States, including those that do not select an extended falconry season.

*Regular Seasons:* General hunting regulations, including seasons and hunting hours, apply to falconry. Regular season bag limits do not apply to falconry. The falconry bag limit is not in addition to gun limits.

# EXHIBIT D-2

April 26, 2018



## 2018-19 Migratory Game Bird Season Options Response to internet question

GB1. Dove Gun Season Dates (includes mourning dove and white-winged dove)

Frameworks: 90 days, no more than 3 season segments

Earliest opening date: September 1<sup>st</sup>

Latest closing date: January 31<sup>st</sup>

The proposed 2018-19 season dates for doves are: **September 1<sup>st</sup> – October 6<sup>th</sup>,  
November 17<sup>th</sup> – December 1<sup>st</sup>, December 10<sup>th</sup> – January 31<sup>st</sup>.**

Do you agree with the proposed dates listed above?

- Yes (19 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

GB2. Woodcock Gun Season Dates

Frameworks: 45 days, no more than 2 season segments

Earliest opening date: October 1<sup>st</sup>

Latest closing date: January 31<sup>st</sup>

The proposed 2018-19 season dates for woodcock are: **December 8<sup>th</sup> – January 29<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (6 responses)
- No (1 responses)

Additional Comments (optional). Comments are limited to 250 characters.

GB3. Snipe Gun Season Dates

Frameworks: 107 days, no more than 2 season segments

Earliest opening date: September 1<sup>st</sup>

Latest closing date: February 28<sup>th</sup>

The proposed 2018-19 season dates for snipe are: **October 27<sup>th</sup> – February 28<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (5 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

GB4. Rail, Gallinule and Moorhen Gun Season Dates

Frameworks: 70 days, no more than 2 season segments

Earliest opening date: September 1<sup>st</sup>

Latest closing date: Last Sunday in January (January 27<sup>th</sup>)

The proposed 2018-19 season dates for rails, gallinules and moorhens are: **September 1<sup>st</sup> – November 21<sup>st</sup>.**

Do you agree with the proposed dates listed above?

- Yes (2 responses)
- No (1 responses)

Additional Comments (optional). Comments are limited to 250 characters.

GB5. September Teal Gun Season Dates

Frameworks: 16 consecutive days

Earliest opening date: September 1<sup>st</sup>

Latest closing date: September 30<sup>th</sup>

The proposed 2018-19 season dates for September teal are: **September 12<sup>th</sup> – September 29<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (12 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

GB6. Extended falconry season dates for doves

Guidelines for extended falconry seasons include:

1. The season must fall between September 1 and March 10.
2. Total available falconry days (including gun season) must not exceed 107 days

The proposed 2018-19 extended falconry season dates for doves are: **October 13<sup>th</sup> – October 27<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (3 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

GB7. Extended falconry season dates for rails, gallinules and moorhens

Guidelines for extended falconry seasons include:

1. The season must fall between September 1 and March 10.
2. Total available falconry days (including gun season) must not exceed 107 days

The proposed 2018-19 extended falconry season dates for rails, gallinules and moorhens are: **November 24<sup>th</sup> – December 29<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (3 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

GB8. Extended falconry season dates for woodcock

Guidelines for extended falconry seasons include:

1. The season must fall between September 1 and March 10.
2. Total available falconry days (including gun season) must not exceed 107 days.

The proposed 2018-19 extended falconry season dates for woodcock are: **November 3<sup>rd</sup> – December 1<sup>st</sup> and February 1<sup>st</sup> – February 28<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (3 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.



### **GB9. General Duck Season Dates**

Frameworks: 60 days, no more than 3 splits  
Earliest opening date: September 22<sup>nd</sup>  
Latest Closing date: January 27<sup>th</sup>

The 2018-19 season dates for the general duck season are proposed for: **October 3<sup>rd</sup> – October 6<sup>th</sup>, November 10<sup>th</sup> – December 1<sup>st</sup>, December 15<sup>th</sup> – January 26<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (24 responses)
- No (8 responses)

Additional Comments (optional). Comments are limited to 250 characters.

### **GB10. Special Sea Duck Season Dates (In special sea duck areas only)**

Frameworks: 60 consecutive days or must be set concurrently with the general duck season

Earliest opening date: September 15<sup>th</sup>  
Latest Closing date: January 31<sup>st</sup>

The 2018-19 season dates for the Special Sea Duck season (in special sea duck areas only) are proposed for: **November 19<sup>th</sup> – January 26<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (8 responses)
- No (1 responses)

Additional Comments (optional). Comments are limited to 250 characters.

**GB11. Resident Population (RP) Zone Goose Season Dates**

Frameworks: 80 days, no more than 3 splits  
Earliest opening date: October 1<sup>st</sup>  
Closing date: March 10<sup>th</sup>

The 2018-19 season dates for Canada geese in the Resident Population (RP) Zone are proposed for: **October 3<sup>rd</sup> – October 13<sup>th</sup>, November 10<sup>th</sup> – December 1<sup>st</sup>, December 15<sup>th</sup> – February 9<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (13 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

**GB12. Northeast Hunt Zone Canada Goose Season Dates**

Frameworks: 14 hunting days, no more than 2 splits  
Earliest opening date: December 22<sup>nd</sup>  
Closing date: January 31<sup>st</sup>

The 2018-19 season dates for Canada geese in the Northeast Hunt Zone are proposed for: **January 11<sup>th</sup> – January 26<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (7 responses)
- No (3 responses)

Additional Comments (optional). Comments are limited to 250 characters.

**GB13. Light goose regular season dates**  
**(includes snow geese, blue geese, and Ross' geese)**

Frameworks: 107 days, no more than 3 splits  
Earliest opening date: October 1<sup>st</sup>  
Closing date: March 10<sup>th</sup>

The 2018-19 season dates for the regular light goose season are proposed for:  
**October 9<sup>th</sup> – February 9<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (7 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

**GB14. Light goose Conservation Order season dates**  
**(includes snow geese, blue geese, and Ross' geese)**

Frameworks: Must occur when no other waterfowl seasons are open.

The 2018-19 season dates for the Light Goose Conservation Order season are proposed for: **February 11<sup>th</sup> – March 30<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (8 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

### **GB15. Brant Season Dates**

Frameworks: 60 days, no more than 2 splits  
Earliest opening date: September 22<sup>nd</sup>  
Closing date: January 31<sup>st</sup>

The 2018-19 season dates for brant are proposed for: **December 15<sup>th</sup> – January 26<sup>th</sup>.**

\*Note that due to low populations of brant in NC the proposed season dates are more restrictive than federal frameworks allow.

Do you agree with the proposed dates listed above?

- Yes (7 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

### **GB16. Tundra Swan Season Dates**

Frameworks: 90 days, no season splits allowed, permit only (6,250 permits)  
Earliest opening date: October 1<sup>st</sup>  
Closing date: January 31<sup>st</sup>

The 2018-19 season dates for tundra swan are proposed for: **November 10<sup>th</sup> – January 31<sup>st</sup>.**

Do you agree with the proposed dates listed above?

- Yes (8 responses)
- No (1 responses)

Additional Comments (optional). Comments are limited to 250 characters.

### **GB17. Youth Waterfowl Day(s)**

Two youth waterfowl hunting days are allowed. Guidelines for selecting youth days include:

1. The day(s) can occur up to 14 days before or after any regular duck season or in the closed portion between season segments.
2. The day must occur on any non-school day. In North Carolina, this includes Saturdays and any statewide holidays.

The 2018-19 youth waterfowl days are proposed for: **February 2<sup>nd</sup> and February 9<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (8 responses)
- No (4 responses)

Additional Comments (optional)? Comments are limited to 250 characters.

### **GB18. Extended Falconry Season Dates for Ducks**

Guidelines for extended falconry seasons include:

1. The season must fall between September 1 and March 10.
2. Days allocated to the gun season + extended falconry days may not exceed 107 days

The 2018-19 extended falconry season dates for ducks are proposed for: **October 23<sup>rd</sup> – November 3<sup>rd</sup>, January 28<sup>th</sup> – February 16<sup>th</sup>.**

Do you agree with the proposed dates listed above?

- Yes (3 responses)
- No (0 responses)

Additional Comments (optional). Comments are limited to 250 characters.

### **GB19. Additional comment(s)**

Use this space to provide any additional comment(s) regarding hunting seasons or issues relating to migratory game bird species.

- (12 responses)

**Migratory Game Bird Comments Report For 2018**  
**Report Date: 04/09/2018**

Reg	District	Position	Comment	County	Name
GB1	District 8	Option 1		McDowell	JACOBS, RYAN J
GB1	District 3	Option 1		Wake	HERRING, ROBERT W
GB1		Option 1	Only opportunity or me is Suggs Mill. Last year I drew the 2nd day. There were no doves. I suggest closing the hunt at noon and out by 1, It was obvious the first day was a "shot" out. The time limits work great in your duck impoundments; let's do dove next.		ALLEN, ROBERT S
GB1	District 2	Option 1		Onslow	iadonisi, Kip
GB1	District 8	Option 1	Sunday hunting would provide me with more opportunities to hunt.	Lincoln	LIPE, JASON H
GB1	District 6	Option 1		Cabarrus	BELK, ANDREW C
GB1	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB1	District 3	Option 1	I prefer no Sunday hunting for migratory birds and view the compensatory days as a good alternative to Sunday hunting	Wake	JERNIGAN, DOUGLAS R
GB1	District 2	Option 1	Dates look good to me.	New Hanover	GIBSON JR, JAMES F
GB1	District 2	Option 1	I like the November split, should allow hunters access to more migratory doves. Also like the compensatory days.	New Hanover	BRAME, RICHEN M
GB1	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB1	District 9	Option 1		Buncombe	MALLICOAT, ROBERT D
GB1	District 3	Option 1		Wake	SALTIS, ANTHONY G
GB1	District 6	Option 1	I don't see a big problem with the proposed dates. Would be nice to see some of the comp. days used to extend the first season another week ( and thus shorten last season by a week). It would also be great to limit morning hunting during early parts of first season - it is really spooking the birds.	Rowan	SHAVER, JOSEPH S
GB1	District 5	Option 1		Rockingham	GWALTNEY, GREYSON W
GB1	District 6	Option 1		Davidson	COPE, TIMOTHY L
GB1	District 6	Option 1		Mecklenburg	HAMPTON, HUNTER L
GB1	District 3	Option 1	I like the 3 splits and the later closing date.	Wake	CURRIN, BENJAMIN M
GB1	District 1	Option 1		Dare	PARKER JR, JAMIE S
GB2	District 3	Option 1		Wake	SALTIS, ANTHONY G
GB2	District 9	Option 1	Split the season east/west of I77. Early season mountain grouse hunters often encounter woodcock. By the time opening date arrives most have departed due to cold weather.	Buncombe	MALLICOAT, ROBERT D
GB2	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB2	District 2	Option 1		New Hanover	BRAME, RICHEN M
GB2	District 6	Option 2	Woodcock migration is seen to be more during earlier in the season Mid November to Late December. Last year I noticed more woodcock between this time but due to seasons couldn't harvest them. By the time the January season came around was not seeing them anymore along the Lumber River basin.	Cabarrus	ALT, DEVAN W

GB2	District 2	Option 1		Onslow	iadonisi, Kip
GB2		Option 1			STANLEY, STEVE S
GB3	District 2	Option 1		Onslow	iadonisi, Kip
GB3	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB3	District 6	Option 1		Cabarrus	BELK, ANDREW C
GB3	District 2	Option 1		New Hanover	BRAME, RICHEN M
GB3	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB4	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB4	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB4	District 2	Option 2		Onslow	iadonisi, Kip
GB5	District 2	Option 1		Onslow	iadonisi, Kip
GB5	District 3	Option 1	Those dates are great	Wake	ROSE, ANDREW K
GB5	District 8	Option 1		McDowell	JACOBS, RYAN J
GB5	District 6	Option 1	Could start earlier seemed last year the biggest groups arrived during mid August and were heading south during mid September.	Cabarrus	ALT, DEVAN W
GB5	District 3	Option 1		Johnston	JOHNSON, JONAH C
GB5	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB5	District 2	Option 1		New Hanover	BRAME, RICHEN M
GB5	District 2	Option 1		New Hanover	GIBSON JR, JAMES F
GB5	District 6	Option 1		Cabarrus	BELK, ANDREW C
GB5	District 3	Option 1		Wake	SALTIS, ANTHONY G
GB5	District 5	Option 1		Rockingham	GWALTNEY, GREYSON W
GB5	District 6	Option 1	Dates seem good so it gives the Teal time to migrate this far down south to NC.	Mecklenburg	HAMPTON, HUNTER L
GB6	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB6	District 3	Option 1		Wake	HERRING, ROBERT W
GB6	District 2	Option 1		Onslow	iadonisi, Kip
GB7	District 2	Option 1		Onslow	iadonisi, Kip
GB7	District 3	Option 1		Wake	HERRING, ROBERT W
GB7	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB8	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB8	District 3	Option 1		Wake	HERRING, ROBERT W
GB8	District 2	Option 1		Onslow	iadonisi, Kip
GB9	District 2	Option 1		Onslow	iadonisi, Kip
GB9	District 6	Option 2	I only agree with the above dates if they allow for Sunday duck hunting for North Carolina residents only (possibly on a limited basis). Possibly only allowing hunting every other Sunday. This would allow tax paying NC residents to take more advantage of weekend hunting trips.	Mecklenburg	MILNER, CLIFFORD G

GB9	District 3	Option 2	I believe the season should be a week later, for the November start date and start a week later and end a week later for the second split. I believe local birds get too much pressure and more migratory birds move in late with cold	Wake	ROSE, ANDREW K
GB9	District 8	Option 1		McDowell	JACOBS, RYAN J
GB9		Option 1	Looks to be a reasonable way to set up the season.		STANLEY, STEVE S
GB9	District 5	Option 1	Please KEEP the October season. Love to go to Currituck in October. Thanks	Chatham	WILLIAMS, JOHN R
GB9	District 6	Option 1	There has been much discussion about Sunday hunting for waterfowl, especially for the eastern counties. I oppose Sunday hunting if duck hunting is allowed 7 days per week. I understand the argument about the working man only can hunt on Saturday, while the fisherman enjoys Sunday fishing. Close Fridays and Mondays, if you want Sunday hunting. I'm not making the argument that the birds need rest but rather the entire resource needs rest. There are already more birds shot and shot at, on Fridays and Saturdays than during the rest of the week, opening Sunday hunting would triple that amount.	Cabarrus	LEFLER III, WILLIAM E
GB9	District 3	Option 1		Johnston	JOHNSON, JONAH C
GB9	District 8	Option 1	I was on board with Sunday hunting until the model came out about having to stop hunting between 9-12. That is taking away hunting hours. If you take 3 hours away a sunday, multiply that by 10 days that is 30 hours. If we have an average of 6 hrs per hunt we will loose a total of 5 days of hunting time. This is not right. we are given 60 days to hunt waterfowl and that time frame should not be changed in anyway, UNLESS, warranted by a loss of our waterfowl. Thank you for your time.	Gaston	BROME, PHILLIP M
GB9	District 3	Option 1	I do not believe that the NC WRC should allow Sunday hunting for webbed migratory birds( waterfowl). Doing so would drastically decrease the days available for hunting in NC.	Franklin	MORGAN, HUNTER G
GB9	District 6	Option 1	please, please do NOT implement Sunday hunting for migratory birds. The added pressure will be detrimental to the population in many ways. Also, Sunday hunting would be terrible for the guides and outfitters who are overworkworked running 6 days a week on the water especially in late season. Thank you.	Moore	TRAWICK, RONALD C
GB9	District 3	Option 1	Please consider returning the evening shooting hours to 1/2 hour after sunset like it used to be. That would give people that work during the week a second opportunity to hunt on the weekends without having to consider hunting on Sunday. As it is now, it is impossible to legally hunt inland ducks in the afternoon.	Johnston	TAYLOR, RODNEY S
GB9	District 4	Option 2	I would like to see season dates pushed back a couple of weeks, as it usually is too warm during the first part of the season (November) to have any hunting. On average we end up with better weather just after the season, in the beginning of February, and I think the seasons should change to reflect that.	Cumberland	WHITLEY, GREGORY T
GB9	District 6	Option 1	I don't agree with the Sunday hunting. My main concern was that the end of season would have been shortened. I still feel that waterfowl needs a day of rest but this at least does not take away days from the best part of the season at end of January in my opinion.	Cabarrus	BELK, ANDREW C
GB9	District 3	Option 1	Not interested in the Oct 3-6 season. Would like to see it be added to the end Of the season or utilized in some way for late season waterfowl hunting	Johnston	THOMPSON, ALLISON O
GB9	District 1	Option 1	As hunter and outdoorsman i support having Sunday hunting. My job doesnt not allow me to hunt waterfowl during the week. Waterfowl hunting is my passion and consist of 75% of my hunting done in NC. Sunday hunting would allow me to do more of what i love. -Noah A. Roberson	Martin	ROBERSON, NOAH A



GB9	District 2	Option 2	The problem with the duck season dates as they stand now and even with this proposed frame work is that a majority of the ducks don't show up in Eastern North Carolina until after the season closes. Hunting on most of the states waterfowl impoundments during the 2017-2018 season was extremely slow at best. I personally have seen more ducks during February and March 2018 than I saw during during the duck hunting season. By not adjusting the dates to coincide with the arrival of the ducks forces many duck hunters to go to other states to duck hunt. It also causes less tourists to come to North Carolina to hunt ducks. It would be nice to see the season dates be adjusted to more in line with when the ducks actualy are here.	Onslow	KAISER, JEREMY D
GB9	District 5	Option 2	Suggest to remove 1st segment Oct 3rd-Oct 6 and move it to a third segment of those 5 days in February. More ducks come in during January and February due to colder temps.	Alamance	BAILEY, BRAD I
GB9	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB9	District 3	Option 1	I prefer no Sunday hunting for migratory birds and view the compensatory days as a good alternative to Sunday hunting	Wake	JERNIGAN, DOUGLAS R
GB9	District 3	Option 1	Don't mess up duck hunting like you have deer hunting. You over-regulate everything, too. Even fishing, no barbed hooks above the Hwy 258 bridge on the Roanoke River, but allowed below it. A hunter and fisher must be a lawyer to understand your complicated rules. You're going to drive away folks from hunting and fishing. Keep it simple. It's not the hook and line folks who deplete fish; but rather, it's the commercial operations.	Wake	GREEN JR, JOHN R
GB9	District 2	Option 2	Do away with or reduce Oct. split to Fri. and Sat. since vast majority of ducks killed are woodies. Add those Oct. days to the beginning of the proposed Nov. split. Those Oct. woodies will be around for an early Nov. opener anyway. There also will be a lot more "other" birds in our state during that time. Highest historic NC migration numbers always occur in November, best hunting then! Been doing/seeing this for 51 seasons ...	New Hanover	GIBSON JR, JAMES F
GB9	District 2	Option 2	Why did you fight so hard to stop us from duck hunting on Sundays? I don't care what sort of bogus feedback you got from non hunters and non waterfowl hunters. The real truth is you are preventing the average working man from getting to hunt as much. There are a lot of people who work every day except Sunday. Once again, the selfishness of a few wins out over what is best for everybody. Allowing Sunday hunting for some game animals and not for others makes no sense. About what I have come to expect here in our State.	Onslow	BRANNEN III, MICHAEL J
GB9	District 2	Option 1		New Hanover	BRAME, RICHEN M
GB9	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB9	District 6	Option 1	Proposed general season dates look good. Glad there isn't Sunday hunting.	Mecklenburg	HAMPTON, HUNTER L
GB9	District 6	Option 1		Davidson	COPE, TIMOTHY L
GB9	District 1	Option 1	Please take a look at moving the Oct days back a week or two. Our wood ducks are not leaving until Nov. and I'm as far north as you can get in NC. Our weather has changed (whatever the reasons) to the point where the first week of October is often approaching 90 degrees. I would like to see the second split begin early enough to provide at least 21 days in Nov. with the third split beginning a week later. This would still provide the traditional Thanksgiving and Christmas thru New Years weeks. Thanks, William Cannon	Camden	CANNON, WILLIAM B
GB9	District 5	Option 1	I vote to not allow Sunday hunting this year. This is due to the additional strain on an already limited resource. The shortened available hunting hours on Sunday is also a concern. Thanks.	Rockingham	GWALTNEY, GREYSON W

			WE have no ducks in early November. Bring the season in on November 17th thru December 1st and December 8th thru Jan 26th. We do not need two weeks between splits. Why do we have to have three splits? Why not have two splits? Bring the season in November 24th and run it thru January 26th! Seasons and temperatures have changes over the years.		
GB9	District 5	Option 2		Guilford	DECKER III, HENRY J
GB9	District 1	Option 1		Dare	PARKER JR, JAMIE S
GB9	District 3	Option 1	Why not leave well enough alone. We don't need to hunt on Sunday. In a lot of places now we don't see enough ducks to to bother hunting. Sometimes it's more trouble than it's worth.	Nash	EVANS, JAMES E
GB10	District 6	Option 2	I'd propose the change to make the season go from November 23rd - January 31st.	Mecklenburg	HAMPTON, HUNTER L
GB10	District 1	Option 1		Dare	PARKER JR, JAMIE S
GB10	District 5	Option 1		Rockingham	GWALTNEY, GREYSON W
GB10	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB10	District 2	Option 1		New Hanover	BRAME, RICHEN M
GB10	District 2	Option 1	I agree with date because it allows them to be hunted when our regular duck season is closed in December.	New Hanover	GIBSON JR, JAMES F
GB10	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB10	District 3	Option 1		Johnston	JOHNSON, JONAH C
GB10	District 2	Option 1		Onslow	iadonisi, Kip
GB11	District 2	Option 1		Onslow	iadonisi, Kip
GB11		Option 1			STANLEY, STEVE S
GB11	District 8	Option 1		McDowell	JACOBS, RYAN J
GB11	District 3	Option 1		Wake	HERRING, ROBERT W
GB11	District 3	Option 1		Johnston	JOHNSON, JONAH C
GB11	District 6	Option 1		Cabarrus	BELK, ANDREW C
GB11	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB11	District 3	Option 1	Geese are so abundant that you should explore urban hunting opportunities. I see them all over Cary. Two were feeding in the field of my children's school. We have a pair on top of our church. They are everywhere in town.	Wake	GREEN JR, JOHN R
GB11	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB11	District 5	Option 1		Rockingham	GWALTNEY, GREYSON W
GB11	District 6	Option 1	Glad the days go past regular duck season dates which gives us some extra days to chase geese after duck season is out. I Like that it goes into middle of Feb, but not later since I believe that could mess up the nesting habits of the birds and hurt the population.	Mecklenburg	HAMPTON, HUNTER L
GB11	District 9	Option 1	Glad you are eliminating the Hudson Bay Colony exclusion zone for Canada geese. Thanks!	Buncombe	MALLICOAT, ROBERT D
GB11	District 3	Option 1	The geese have become a nuisance.	Nash	EVANS, JAMES E
GB12	District 1	Option 1		Dare	PARKER JR, JAMIE S
GB12	District 1	Option 2	Eastern NC has plenty , too many residential geese. Migratory geese pull the residential out of public community . So why limit to 1 goose for 2 weeks for 5 bucks?! Dumb. At least do one a day after September season jeez. Money money money! And I will say it every year	Pasquotank	ARMSTRONG, MITCHELL D

GB12	District 3	Option 1		Wake	SALTIS, ANTHONY G
GB12	District 6	Option 1		Mecklenburg	HAMPTON, HUNTER L
GB12	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB12	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB12	District 4	Option 2	Saw more geese this past season in Northeast than I have in years, I think the season can be expanded.	Cumberland	WHITLEY, GREGORY T
GB12	District 1	Option 2	It has been proving that the geese coming here are being shot up north .So why can,t we have a longer season.From Dec. 22 to Jan.31.there probadly are not 200 geese killed the whole season.So if it is important to try to save our 200 geese I would say the seasons or limits up north should be dealt with.If the season would be longer farmers would leave corn in the field and it would bring in more money.I believe that if the season was from Dec.22 to Jan.31 there wouldn't be 250 killed.Thanks	Hyde	SMITH, DARYL G
GB12	District 6	Option 1		Cabarrus	BELK, ANDREW C
GB12	District 2	Option 1		Onslow	iadonisi, Kip
GB13	District 2	Option 1		Onslow	iadonisi, Kip
GB13		Option 1			STANLEY, STEVE S
GB13	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB13	District 6	Option 1		Cabarrus	BELK, ANDREW C
GB13	District 3	Option 1	You need game land fields in the NE portion of NC where these birds stay during the winter. Those fields could double as dove fields. Currently, a hunter must generally use an outfitter. I've tried to rent farmland to hunt and got chewed out by an outfitter. It cannot be all pay to hunt snow geese. Game land fields, with sections to them for different hunters, and perhaps permit hunt opportunities would allow hunters places to hunt around the Albemarle Sound. Look at your current game lands there. Most are swamps and wooded. You need fields there!	Wake	GREEN JR, JOHN R
GB13	District 6	Option 1		Mecklenburg	HAMPTON, HUNTER L
GB13	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB14	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB14	District 3	Option 1		Wake	SALTIS, ANTHONY G
GB14	District 6	Option 1		Mecklenburg	HAMPTON, HUNTER L
GB14	District 3	Option 1	You need game land fields in the NE portion of NC where these birds stay during the winter. Those fields could double as dove fields. Currently, a hunter must generally use an outfitter. I've tried to rent farmland to hunt and got chewed out by an outfitter. It cannot be all pay to hunt snow geese. Game land fields, with sections to them for different hunters, and perhaps permit hunt opportunities would allow hunters places to hunt around the Albemarle Sound. Look at your current game lands there. Most are swamps and wooded. You need fields there!	Wake	GREEN JR, JOHN R
GB14	District 2	Option 1		New Hanover	BRAME, RICHEN M
GB14	District 6	Option 1		Cabarrus	BELK, ANDREW C
GB14	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB14	District 2	Option 1		Onslow	iadonisi, Kip
GB15	District 2	Option 1		Onslow	iadonisi, Kip

GB15		Option 1			STANLEY, STEVE S
GB15	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB15	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB15	District 6	Option 1		Mecklenburg	HAMPTON, HUNTER L
GB15	District 5	Option 1		Rockingham	GWALTNEY, GREYSON W
GB15	District 1	Option 1		Dare	PARKER JR, JAMIE S
GB16	District 3	Option 2	Why not allow the season to go into February. It's hard to find a place to hunt swans. I use to be able to swan hunt our lease in Halifax co. The birds have changed since the DU impoundment was built at Caledonia prison and a big beaver swamp has sprung up south of Hwy 258. Now I see many less birds cross our lease than before.	Nash	EVANS, JAMES E
GB16	District 6	Option 1		Mecklenburg	HAMPTON, HUNTER L
GB16	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB16	District 3	Option 1	The birds do not arrive in numbers until later than 11/10, but I realize the feds constrain you to close the season by the end of January. It would be better to begin around Thanksgiving and go in mid-February, but these dates are fine.	Wake	GREEN JR, JOHN R
GB16	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB16	District 3	Option 1		Johnston	JOHNSON, JONAH C
GB16	District 6	Option 1		Cabarrus	BELK, ANDREW C
GB16		Option 1			STANLEY, STEVE S
GB16	District 2	Option 1		Onslow	iadonisi, Kip
GB17	District 2	Option 1		Onslow	iadonisi, Kip
GB17		Option 1			STANLEY, STEVE S
GB17	District 6	Option 2	only one youth day should be allowed the first week following end of normal season	Cabarrus	BELK, ANDREW C
GB17	District 3	Option 1		Johnston	THOMPSON, ALLISON O
GB17	District 3	Option 1		Johnston	JOHNSON, JONAH C
GB17	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB17	District 2	Option 1		New Hanover	GIBSON JR, JAMES F
GB17	District 3	Option 1		Wake	PERRY SR, JONATHAN C
GB17	District 5	Option 2	There should only be one youth hunt day in February. Two days is two many! If you need to give them 2 days, give them one in November!	Guilford	DECKER III, HENRY J
GB17	District 6	Option 2	I'd propose the change to November 3rd and February 9th. That gives youth hunters in my opinion a better chance to be successful and harvest birds, due to waterfowl not being as educated on Nov 3rd with only a 4 day season of pressure in Oct, as well as a month break between the Oct/Nov splits and possibly not as cold of weather in Nov as it is in Feb. Feb 9th is a good day as stated above, it will give the birds a 2 week break and I feel that the youth hunters would be more successful. Thank You	Mecklenburg	HAMPTON, HUNTER L
GB17	District 3	Option 2	60 day season is long enough as it is. Birds have been hunted for almost 5 months somewhere. No reason to extend season 2 weeks into Feb. There are 5 Saturdays in Oct. NOV. and Dec to choose from for the youth hunt without extending it into Feb.	Wake	WAGONER, GERALD R

GB17	District 1	Option 1		Dare	PARKER JR, JAMIE S
GB18	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB18	District 3	Option 1	I would actually like to try this.	Wake	HERRING, ROBERT W
GB18	District 2	Option 1		Onslow	iadonisi, Kip
GB19	District 2	Option 1		Onslow	iadonisi, Kip
GB19	District 1	Option 1	I have read the articles of the consideration of Sunday hunting of migratory game birds. I am totally against it for a couple of reasons. First I would like to say that it is really going to hurt some of the hunting areas and drive the birds away. When I say that I am really talking about Lake Mattamuskeet and on the coast. I go hunting every year in both of those places and right now the hunting down there is really good. If you add Sunday hunting then it will affect not just the hunting but the outfitters down there too. Right now Sunday acts as a day that the birds get to rest and are free of heavy hunting pressure that they face in those area. If you do add Sunday as a hunting day then you need to take away another day like maybe Monday or Tuesday. I wouldn't even be against you taking two days if you add Sunday. All i'm saying is that the birds have to have time to rest and feed in order for them to want to stay around for people to hunt. Thanks	Hertford	MARSH, LAWSON Y
GB19	District 6	Option 1		Cabarrus	ALT, DEVAN W
GB19	District 1	Option 1	The duck blinds being built and placed in the currituck sound are too numerous and result in dangerous conditions especially ones that are slightly underwater. Please consider changing the rules to require the blinds are removed completely at the end of duck season and or some requirement to have the hazards marked. It's really dangerous boating out there from duck blind obstructions. Thanks	Currituck	Sears JR, Robert T
GB19	District 3	Option 1	I do think we should do what they have done in New Zealand - have open season on Canada geese year round. It would keep them in check better than they are being today. They are destructive and physically dangerous to humans and there is certainly no shortage of them. Only humans eat them so they are taking us over!	Warren	CROWDER, MARGARET R
GB19	Out of State	Option 1	I do not see where any of this is being recommended by the wildlife biologists as what is needed to best serve the wildlife in question. What I see is another push by individuals who want to make the wildlife regulations fit their own lifestyles or agendas. I see all this as driven by those who were adamant about Sunday hunting. Those who have the best interests of wildlife at heart understand the need for protected time which should overshadow our individual wants for our own desires. We, as sportsmen and women, set our own priorities. It seems that now social engagements have overshadowed the needs of wildlife and unless steps are taken, we will continue to see a decline in certain areas of wildlife. As I see it, there is nothing wrong with the seasons the way they are now and changing just to accommodate a few people who want to hunt on Sunday because they will not give up time doing other things on Saturday is no justification.	Out of State	BRANTLEY, KENNETH L
GB19	District 3	Option 1	none	Wake	SALTIS, ANTHONY G

GB19	District 2	Option 1	October 2017 North Carolina Wildlife magazine had an article about Rail hunting. It says "Hunters can use lead shot in salt marshes unless they are hunting on public wildlife management areas where non-toxic shot is required." But when I called the WRC office in Raleigh, I was told no lead shot for Rail hunting. Where can I find the correct answer? What is a "public wildlife management area"? If you are talking about Gamelands why not say so? The WRC might not actually print the Wildlife in NC magazine, but I know you are affiliated with it. How can your game wardens answer a simple question one way, but yet publish a magazine with a different answer? If anyone actually reads this comment, I'd love to get an answer to my question.	Onslow	BRANNEN III, MICHAEL J
GB19	District 2	Option 1	As a participant in the recent waterfowl focus study groups, I urge you NOT to allow Sunday hunting. The coastal area birds simply can not take back to back high pressure days that hunters from all over would exert. The last 3 years have been awful with the exception of opening day. The birds then become very educated and either leave or take up sanctuary in area refuges or places where they are not hunted. It's a zoo of hunters here every Saturday and the pressure to "kill a duck" is like I've never seen in 51 years of waterfowling. I think pressure from hunters is THE very most important factor affecting any game animal and should be the first consideration when making game management decisions. Thank you. James G.	New Hanover	GIBSON JR, JAMES F
GB19	District 3	Option 1	You need game land fields in the NE portion of NC where snow geese and swans stay during the winter. Those fields could double as dove fields. Game land fields, with sections to them for different hunters, and perhaps permit hunt opportunities would allow hunters places to hunt around the Albemarle Sound. Look at your current game lands there. Most are swamps and wooded. You need fields there!	Wake	GREEN JR, JOHN R
GB19	District 1	Option 1	We can kill 2 brant a day but only one goose in last 2 weeks. I have never seen a brant to shoot at! This makes a lot of sense ... make goose all season. There are plenty ! Too many	Pasquotank	ARMSTRONG, MITCHELL D
GB19	District 6	Option 1	Strongly against Sunday hunting for NC. Birds need a day to rest after being pressured all week from hunters. I don't see much economical impact change expect for guides who are getting paid to take out hunters but not sure if it would be much different than people out of state booking guided hunts in NC when their state that allows hunting on Sunday, season is not in at the time they booked a hunt. I think its important to give the birds a rest once a week, especially in the parts throughout the state that don't get a large amount of migratory birds. In my opinion that's the only way to be fair to the entire state and not just certain regions of NC. If the state was broken up into certain sections or zones and Sunday hunting was allowed in the zone that encompassed the NC coast, then I believe that could be a possible solution for the entire Sunday hunting, but it would also mean different season dates for different areas on NC and I'm not sure if that would cause confusion?	Mecklenburg	HAMPTON, HUNTER L

# EXHIBIT D-3

April 26, 2018



## 2018-19 Migratory Game Bird Gun Season Frameworks and WMD Staff Recommendations

Species	Frameworks	Staff Recommendations	
		Staff Recommended Season	Daily Bag
Mourning Dove & White-winged dove	Outside Dates: September 1 – January 31, 90 days with 3 splits daily bag of 15 singly or in the aggregate	September 1 – October 6, November 17 – December 1 December 10 - January 31	15
King & Clapper Rails	Outside Dates: September 1 – last Sunday in January (January 27) 70 days with 2 splits daily bag of 15 singly or in the aggregate	September 1 – October 13 October 22 – November 28	15
Sora & Virginia Rails	Outside Dates: September 1 – last Sunday in January (January 27) 70 days with 2 splits daily bag of 25 singly or in the aggregate	September 1 – October 13 October 22 – November 28	25
Gallinule & Moorhens	Outside Dates: September 1 – last Sunday in January (January 27) 70 days with 2 splits daily bag of 15 singly or in the aggregate	September 1 – October 13 October 22 – November 28	15
Woodcock	Outside Dates: October 1 – January 31 45 days with 2 splits, daily bag of 3	December 8 – January 29	3
Common Snipe	Outside Dates: September 1 – February 28 107 days with 2 splits daily bag of 8	October 27 – February 28	8

Species	Frameworks	Staff Recommendations	
		Staff Recommended Season	Daily Bag
Canada Goose (September season)	<p>Outside Dates: September 1 – 30 (statewide), 30 days daily bag of 15</p> <p>Special methods: During the September Canada goose season only, the following expanded hunting methods area allowed:</p> <ol style="list-style-type: none"> <li>1. Extended shooting hours to ½ hour after sunset.</li> <li>2. unplugged guns</li> <li>3. electronic calls</li> </ol> <p>Note: The special methods cannot occur during any other open waterfowl season, e.g., teal season.</p>	<p>September 1 – 29 (statewide)</p> <ol style="list-style-type: none"> <li>1. extend shooting hours to ½ hour after sunset</li> <li>2. allow use of unplugged guns</li> <li>3. allow use of electronic calls</li> </ol> <p>These expanded methods are <u>only</u> to be allowed west of U.S. 17.</p>	15
September Teal	<p>Outside Dates: September 1 – 30, 16 consecutive days, daily bag of 6, east of U.S. 17 only</p>	<p>September 12 – September 29 (East of U.S. 17 only)</p>	6
General Duck Season	<p>Outside Dates: Saturday nearest September 24 (September 22) – last Sunday in January (January 27), 60 days with 3 splits, daily bag of 6</p> <p>Includes a total of 6 ducks with no more than 4 scoters, 4 eiders, 4 long-tailed ducks, 4 mallards with no more than 2 hen mallards, 3 wood ducks, 2 scaup, 2 redheads, 2 canvasbacks, 2 black ducks, 2 pintails, 1 mottled duck, and 1 fulvous whistling duck. The season on harlequin ducks is closed.</p>	<p>October 3 – October 6, November 10 – December 1, December 15 – January 26</p>	<p>Includes a total of 6 ducks with no more than 4 scoters, 4 eiders, 4 long-tailed ducks, 4 mallards with no more than 2 hen mallards, 3 wood ducks, 2 scaup, 2 redheads, 2 canvasbacks, 2 black ducks, 2 pintails, 1 mottled duck and 1 fulvous whistling duck. The season on harlequin ducks is closed. The season on black ducks and mottled ducks is closed until November 17.</p>



Species	Frameworks	Staff Recommendations	
		Staff Recommended Season	Daily Bag
Mergansers	Dates: same as general duck season, daily bag of 5 mergansers with no more than 2 hooded mergansers	Same as general duck season	5 mergansers with no more than 2 hooded mergansers
Coots	Dates: same as general duck season, daily bag of 15 coots	Same as general duck season	15 coots
Special Sea Duck Season (in the special sea duck area)	Outside Dates: September 15 – January 31 60 consecutive days or season must coincide with the general duck season. daily bag of 5 sea ducks with no more than 4 scoters, 4 eiders and 4 long-tailed ducks	November 19 – January 26	5 sea ducks with no more than 4 scoters, 4 eiders and 4 long-tailed ducks
Canada Geese (Resident Population Zone) – includes Canada Geese and White-fronted geese	Outside Dates: October 1 – March 10 80 days with 3 splits, daily bag of 5 Canada geese or White-fronted geese singly or in the aggregate	October 3 – October 13, November 10 – December 1, December 15 – February 9	5
Canada Geese (Northeast Zone) – includes Canada Geese and White-fronted geese	Outside Dates: Saturday prior to December 25 (December 22) – January 31 14 days with 2 splits, daily bag of 1 Canada goose or White-fronted goose	January 11 – January 26	1 with a valid permit (unlimited point of sale permits available)

Species	Frameworks	Staff Recommendations	
		Staff Recommended Season	Daily Bag
Brant	Outside Dates: Saturday nearest September 24 (September 22) – January 31 60 days with a daily bag of 2; 2 splits allowed	December 15 – January 26 ( <u>37 days total</u> )	1
Light Geese (includes snow, blue and Ross' geese) – regular season	Outside Dates: October 1 – March 10 107 days with 3 splits, daily bag of 25 (no possession limit)	October 9 – February 9	25 (no possession limit)
Light Geese (includes snow, blue and Ross' geese) – Conservation Order season	Outside Dates: Must occur when no other waterfowl season is open, no daily bag, no possession limit <ul style="list-style-type: none"> <li>• electronic calls allowed</li> <li>• unplugged guns allowed</li> <li>• extended shooting hours to ½ hour past sunset allowed</li> </ul>	February 11 – March 30	<ul style="list-style-type: none"> <li>• no daily bag limit</li> <li>• no possession limit</li> <li>• electronic calls allowed</li> <li>• unplugged guns allowed</li> <li>• allow shooting to extend to ½ hour past sunset</li> </ul>
Tundra Swan	Outside Dates: October 1 – January 31 90 days, no splits allowed, 1 per season with valid permit (6,250 permits available)	November 10 – January 31	1 per season with valid permit

Species	Frameworks	Staff Recommendations	
		Staff Recommended Season	Daily Bag
Youth Waterfowl Day(s)	<ul style="list-style-type: none"> <li>• 2 youth days allowed</li> <li>• The day(s) can occur up to 14 days before or after any regular duck season or in the closed portion between season segments.</li> <li>• The day must occur on any non-school day. In North Carolina, this includes Saturdays and any statewide holidays.</li> <li>• States may use their established definition of age for youth hunters. However, youth hunters may not be over the age of 17.</li> </ul>	February 2 & February 9	Includes ducks, geese, brant, mergansers, coots and tundra swans. Youth must have a valid permit if hunting tundra swans and dark geese (Northeast Hunt Zone)

- Federal guidelines allow for shooting hours for all migratory game birds to be from ½ hour before sunrise to sunset.
- Possession limit is three times the daily bag for all species.

# EXHIBIT D-4

April 26, 2018



## Extended Falconry Season Highlights & WMD Staff Recommendations for 2018-19 Extended Falconry Seasons for Migratory Game Bird Species

### General Restrictions/Guidelines

- Seasons must fall between September 1 and March 10
- Total days available for falconry cannot exceed 107 (for each species) and includes regular, i.e., gun seasons, experimental seasons and extended falconry seasons
- The falconry daily bag limit is 3 permitted migratory game birds, singly or in the aggregate. The regular, i.e., gun season bag limits for individual species do not apply.
- Each extended season may be divided into a maximum of 3 segments
- The falconry bag limit is not in addition to the gun bag limit

### WMD Staff Recommendations

If the Commission chooses staff recommended “gun” seasons as presented, we recommend the following extended falconry seasons.

Mourning dove/White-winged dove	<b>October 13 – October 27</b>
Rails, Gallinule and Moorhens	<b>December 1 – January 5</b>
Woodcock	<b>November 3 – December 1 and February 1 – February 28</b>
Ducks, mergansers and coots	<b>October 23 – November 3 and January 28 – February 16</b>

# EXHIBIT E

April 26, 2018



## **Staff Recommendations to Allow Take of Migrant Peregrine Falcons From the Wild for Use in Falconry- 2018**

The Atlantic, Mississippi, and Central Flyway Councils recently approved an increase from 36 to 144 in the allowable take of Peregrine Falcons by falconers. The increased allowable take is supported by published research increasing substantially the estimate of the Peregrine Falcon population east of 100 degrees W longitude. Based upon this allocation, the FWS is allowing the take of up to 48 fall migrants in 2018 east of 100 degrees W longitude to Atlantic Flyway states. North Carolina is allocated up to 5 birds.

Based on this allocation of up to 5 birds for take from within North Carolina, WMD staff recommends that the WRC accept the FWS allocation framework and establish a season in 2018 with the following stipulations.

- Total allowable take is up to 5 birds during the period from September 20, 2018 through October 20, 2018.
- Any bird taken must be a juvenile.
- Take would be allowed only by permit from the WRC and only east of US Highway 17.
- No banded birds could be taken. Any banded birds captured must be immediately released at the site of capture.
- Permits will be issued through our special hunts permitting system (random).
- An individual issued a permit must have the proper state and federal falconry licenses/permits.
- Each person receiving a permit must complete a post-season survey provided by WMD staff and submit that survey no later than December 15, 2018.

**EXHIBIT F-1**  
**April 26, 2018**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<b>WRC Staff Contact:</b>	David Stewart
<b>Date First Presented to Commission:</b>	
<b>Tract Name:</b>	Church Tract Number Two - Cold Mountain Game Land
<b>County:</b>	Haywood
<b>Acreage:</b>	20
<b>Tax Value:</b>	TBD Asking Price \$200,000 (Negotiable)
<b>Property Owner/Representative:</b>	Billy Case
<b>Phone:</b>	828-508-4527
<b>Email Address:</b>	BILLYCASE@BEVERLY-HANKS.COM
<b>Address:</b>	Beverly-Hanks Realtors Waynesville NC

**Primary Purpose:**

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

**Program Potential:**

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

**Type of Acquisition:**

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

**Type of Parcel:**

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

**Grant Potential:**

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

**Owner Interest:**

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

**Tax Value:**

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

**Stewardship Considerations:**

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

**Funding Considerations:**

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

**Recommendation:**

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

**Additional Comments:**

The Southern Appalachian Highlands Conservancy has given a verbal commitment to provide the 25% matching funds in order for NCWRC to use PR money.

**EXHIBIT F-1**  
**April 26, 2018**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

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**County:**

Church Tract Number Two, Cold Mountain Game Land
Haywood County

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

The Episcopal Church Tract (Number Two) contains approximately 20 acres and is located directly adjacent to the Cold Mountain Game Land. The tract is owned by the Episcopal Church, who's property totals about 280 acres. They are looking to sell several tracts, the West Fork Tract being one (Phase I approval on Dec. 7, 2017), and this tract, the Second Church Tract. The church property, as well as Cold Mountain Game Land, was originally owned by Champion International Paper Company. Forest types on the tract are a mixture of Appalachian Oak Forest-Xeric, Appalachian Montane Oak Forest, and Appalachian Oak Forest. Currently, about 14 of the 20 acres are part of a Cold Mountain Game Land prescribed burn unit. To help simplify the logistics of the burn, the Church Diocese allows NCWRC to use their roads for fire breaks and include this section of their land in the burn. Acquiring this tract will insure that NCWRC can continue to manage this burn unit, (an important unit for burn research), and will reduce the risk of smoke management issues with neighboring homes. Acquisition of this property is significant as part of the total management project being carried out in the mountain Eco region. NCWRC ownership of the Second Church Tract will increase conservation ownership of properties in the immediate area such as Cold Mountain Game Land, Pisgah National Forest, Southern Appalachian Highlands Conservancy Lands, Camp Daniel Boone, and various private holdings that are in conservation ownership or have conservation easements that are located in the vicinity. In a broader sense, NCWRC ownership of the tract will help ensure ecosystem integrity at the landscape level by increasing connectivity of lands in conservation ownership. Management objectives will focus on expanding current management being implemented on Cold Mountain Game Land. NCWRC ownership would ensure that critical habitat is conserved. Public recreational opportunities may include hunting, fishing, hiking, bird watching, photography, and general nature study. Educational opportunities may exist as priority wildlife habitats are managed for or maintained. Common wildlife species found on the tract include wild turkey, white-tailed deer, and various songbirds, salamanders, and other small mammals.

Tract Name	Church Tract - Cold Mountain Game Land
Date	March 19, 2018
Staff Completing Form	David Stewart

<b>Species</b>	<b>0.296</b>
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	1
SGCN Species	1
Game Species	0
	Aquatic
Overall Biodiversity	0
SGCN Species	0
Game Species	0

<b>Comments</b>
Overall Biodiversity is good. WAP species that are likely to be found on this tract are: Rafinesque's Big-eared Bat, Southern Rock Vole, Little Brown Bat, and Tri-Colored Bat. Natural Heritage Element Occurrence listed plant is the Lanceleaf Scurfpea.

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

<b>Comments</b>
The quality of the habitat on the tract is good. The property provides good connectivity and buffer to Cold Mountain GL. Habitat conditions will continue to improve if NWCRC continues to burn in the area and on the tract.

<b>Public Access</b>	<b>0.222</b>
Hunting/Viewing	2
Fishing	0
Boating	0

<b>Comments</b>

<b>Wildlife Uses</b>	<b>0.400</b>
Hunting	3
Viewing	2
Fishing	0
Boating	0
Education	1

<b>Comments</b>
The property offers opportunity for hunting and wildlife viewing. Educational opportunities will be moderate.

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

<b>Comments</b>
There is opportunity for timber harvest. There is also stand data available from a current forest management plan that the Church Diocese had written for the property. Timber harvest activities would help the local economy.

<b>Feasibility &amp; Logistics</b>	<b>1.000</b>
Existing Infrastructure	3
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	3
Inholding/Corridor	3
Proximity to Users	3

<b>Comments</b>
Infrastructure good. Existing roads are used for Cold Mt burn unit fire breaks.

<b>Restoration/Mitigation Potential</b>	<b>0.917</b>
Species Restoration	3
Habitat Restoration	3
Access Improvement	2
Threat Mitigation	3

<b>Comments</b>
Restoration potential good. If prescribed fire continues, habitat conditions will continue to improve.

<b>Threats</b>	<b>0.733</b>
Number	2
Severity	3
Imminence	3
Manageability	3
Management Cost	0

<b>Comments</b>
The biggest threat for this tract is loss of habitat due to residential development. NCWRC ownership of the tract would stop the threat of development.

<b>Overall Score</b>	<b>3.491</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

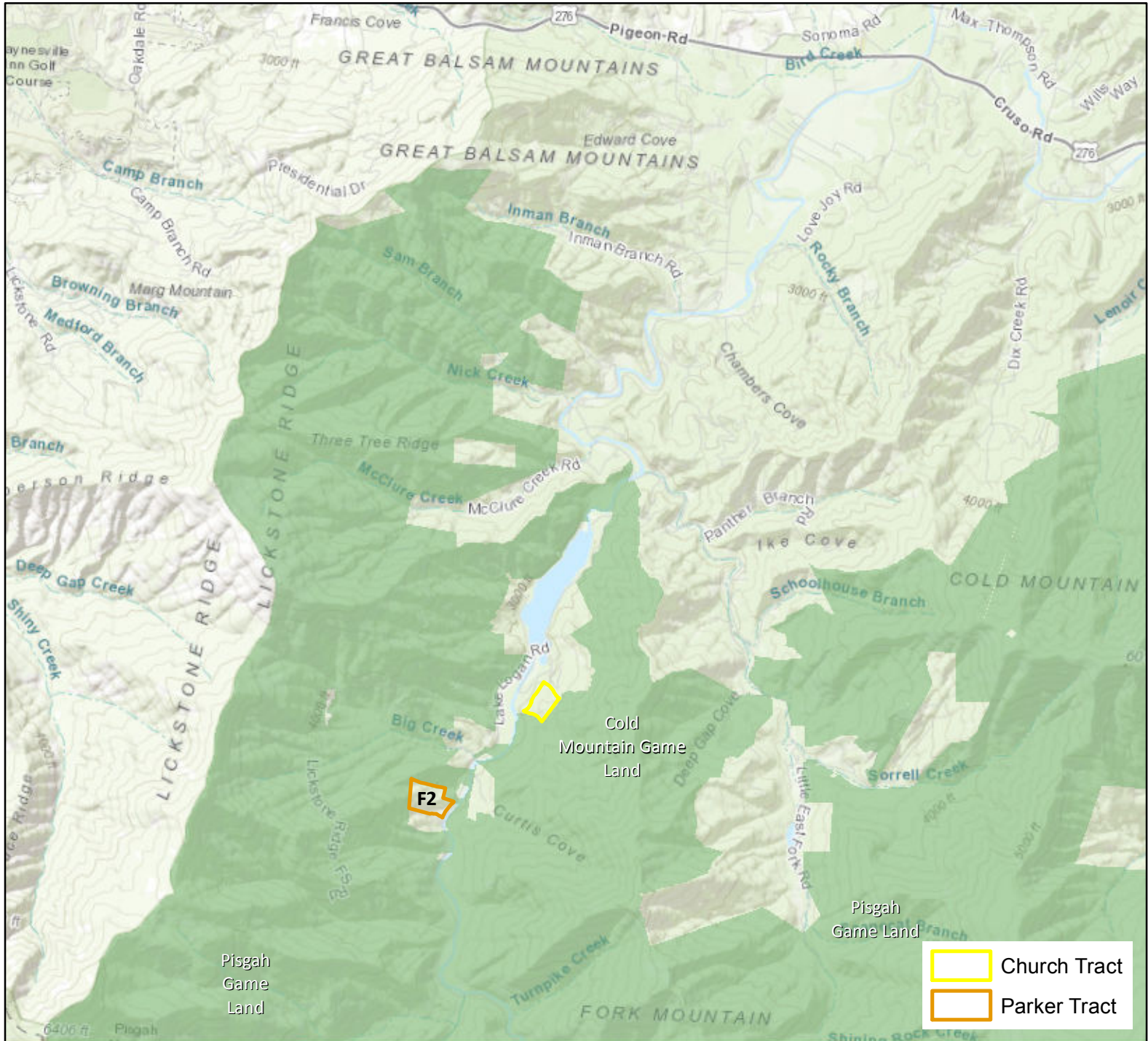
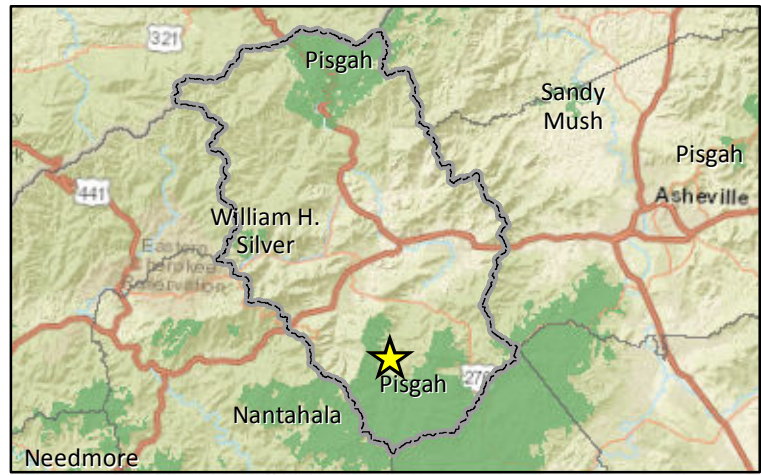
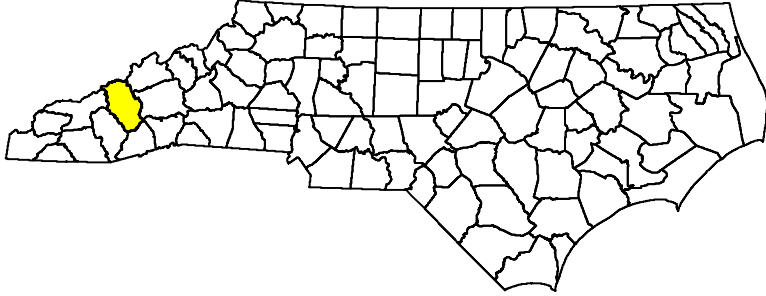
### Threats



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).

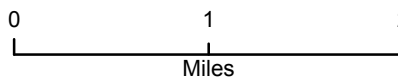
# Church Tract Haywood County 20 Acres



 Church Tract  
 Parker Tract

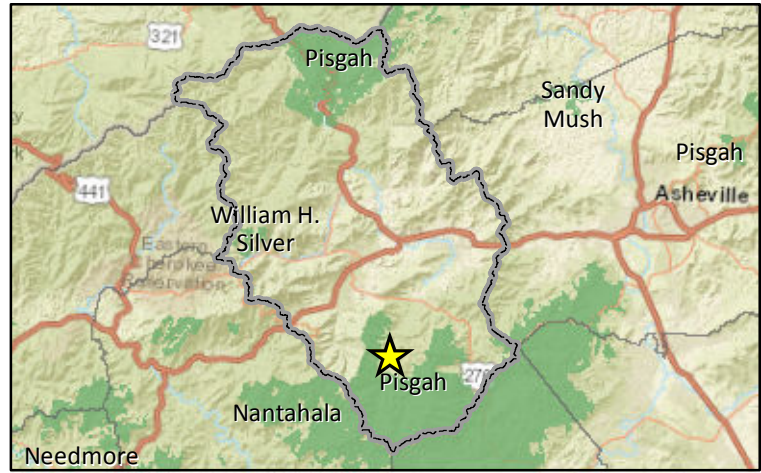
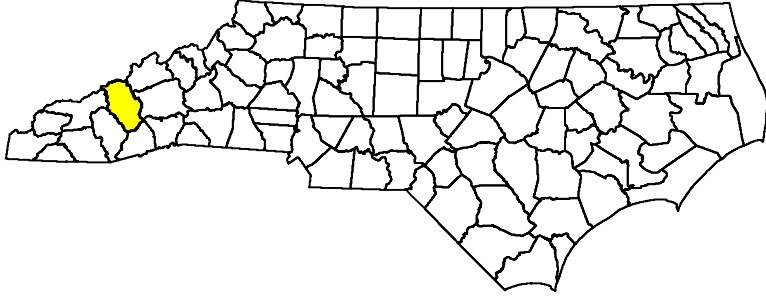


April 20, 2018

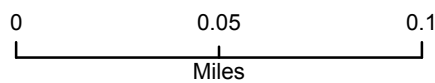




**Church Tract  
Haywood County  
20 Acres**



**April 16, 2018**



**EXHIBIT F-2**  
**April 26, 2018**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<b>WRC Staff Contact:</b>	David Stewart
<b>Date First Presented to Commission:</b>	
<b>Tract Name:</b>	Parker Tract - Cold Mountain Game Land
<b>County:</b>	Haywood
<b>Acreage:</b>	36
<b>Tax Value:</b>	Asking Price \$295,000 (Negotiable)
<b>Property Owner/Representative:</b>	Bruce MCGovern
<b>Phone:</b>	828-452-1519 828-283-2112 cell
<b>Email Address:</b>	mCGovernpropertymgmt@gmail.com
<b>Address:</b>	284 N Haywood St Waynesville NC 28786

**Primary Purpose:**

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

**Program Potential:**

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

**Type of Acquisition:**

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

**Type of Parcel:**

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

**Grant Potential:**

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

**Owner Interest:**

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

**Tax Value:**

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

**Stewardship Considerations:**

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

**Funding Considerations:**

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

**Recommendation:**

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

**Additional Comments:**

The Southern Appalachian Highlands Conservancy has given a verbal commitment to provide the 25% matching funds in order for NCWRC to use PR money. The National Wild Turkey Federation also has an interest in providing funds to assist with the purchase. NWTF and SAHC would like to partner in providing a match to use PR funds.



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**County:**

Parker Tract, Cold Mountain Game Land
Haywood County

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

The Parker Tract contains approximately 36 acres. The tract is bordered on two side by Cold Mountain Game Land, and is bordered on one side by Pisgah National Forest. The less disturbed habitats on the tract contain mostly Southern Appalachian Oak forest, with some Southern Appalachian Oak Forest-Xeric, and some Southern Appalachian Montane Oak Forest. In the areas that were historically disturbed (open pasture land), Yellow Poplar makes up the dominate timber type. These are areas where timber harvest could be implemented and habitat restoration projects could occur. There are some small rock outcrops on the property and creek riparian habitats along a small creek at the border of the property and Cold Mountain Game Land. There is a one acre opening on the South side of the property where early successional habitat could be improved for small mammals, songbirds, and pollinators. There is also a one acre open area on the East side of the property where parking could be established, off Highway 215. This opening also is where an historic cabin sits. The cabin has been on Haywood County Tax records since 1821, making it the oldest cabin in Haywood County. The Bethel Historical Society has an interest in maintaining the cabin and possibly continuing tours of the cabin. There is also an improved gravel road on the property that could be used for sub-dividing lots. The road has two splits that leads to separate parts of the property. One split leads to the Cold Mountain Game Land boundary, and one leads to with-in 100 yards from USFS boundary. The roads provide excellent game land user access and provide good opportunities for youth or disabled sportsmen. The tract also has approximately 900 feet of riverfront on the West Fork Pigeon River. Cold Mountain Game Land is directly across the river from the Parker Tract and NCWRC acquisition would solidify ownership and access to this section of river. Acquisition of this property is significant as part of the total management project being carried out in the mountain Eco region. NCWRC ownership of the Parker Tract will increase conservation ownership of properties in the immediate area such as Cold Mountain Game Land, Pisgah National Forest, Southern Appalachian Highlands Conservancy Lands, Camp Daniel Boone, and various private holdings that are in conservation ownership or have conservation easements that are located in the vicinity. In a broader sense, NCWRC ownership of the tract will help ensure ecosystem integrity at the landscape level by increasing connectivity of lands in conservation ownership. Management objectives will focus on expanding on the management that is currently being implemented on Cold Mountain Game Land. NCWRC ownership would ensure that critical habitat is conserved. Public recreational opportunities may include hunting, fishing, hiking, bird watching, photography, and general nature study. Educational opportunities may exist as priority wildlife habitats are managed for or maintained. Educational opportunities may also exist if the local historical society continues tours at the historic cabin. Common wildlife species found on the tract include wild turkey, white-tailed deer, black bear, and various songbirds, salamanders, and other small mammals.

Tract Name	<b>Parker Tract - Cold Mountain Game Land</b>
Date	
Staff Completing Form	<b>David Stewart</b>

<b>Species</b>	<b>0.556</b>
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	2
SGCN Species	1
Game Species	0
	Aquatic
Overall Biodiversity	2
SGCN Species	2
Game Species	2

<b>Comments</b>
Overall Biodiversity good. WAP species that is likely to be found on the tract are: Imitator Salamander, Northern Pigmy Salamander, Southern Appalachian Salamander, Little Brown Myotis, and Tri-Colored Bat.

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

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

<b>Public Access</b>	<b>0.667</b>
Hunting/Viewing	3
Fishing	3
Boating	0

<b>Comments</b>
The property provide excellent legal access to Cold Mountain Game Land and USFS Game Land, from Highway 215. Also provides access to the West Fork Pigeon River.

<b>Wildlife Uses</b>	<b>0.733</b>
Hunting	3
Viewing	3
Fishing	3
Boating	0
Education	2

<b>Comments</b>
The property offers some opportunity for wildlife viewing. Educational opportunities do exist. West Fork Pigeon River is a very popular river for fishing. Popular area for hunting.

<b>Other Values</b>	<b>1.000</b>
Timber Harvest	3
Local Economy	3
Quality of Life	3

<b>Comments</b>
This tract will provide benefit to the local economy. This area is very popular with the fishing community and hunters. The tract will provide quality of life benefits to local residents by eliminating the treat of development for the local community. There is opportunity for

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

<b>Comments</b>
The existing roads would make excellent to the existing Cold Mountain Game Land and USFS Game Land. Good access for disabled sportsman. Conflicts among game land users and adjoiners should be minimal. The tract is in good proximity to GL users.

<b>Restoration/Mitigation Potential</b>	<b>1.000</b>
Species Restoration	3
Habitat Restoration	3
Access Improvement	3
Threat Mitigation	3

<b>Comments</b>
Restoration and habitat management potential on the tract is good. The tract will greatly enhance hunting and fishing access. Acquisition of the tract would eliminate the threat of development and the threat of the river front section from becoming off limits to the public.

<b>Threats</b>	<b>0.733</b>
Number	3
Severity	3
Imminence	2
Manageability	3
Management Cost	0

<b>Comments</b>
The biggest threat for this tract is loss of habitat due to residential development and impacts to water and aquatic habitat and aquatic species in the West Fork. Acquisition of the property would stop these threats on this tract.

<b>Overall Score</b>	<b>4.667</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/repared, 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

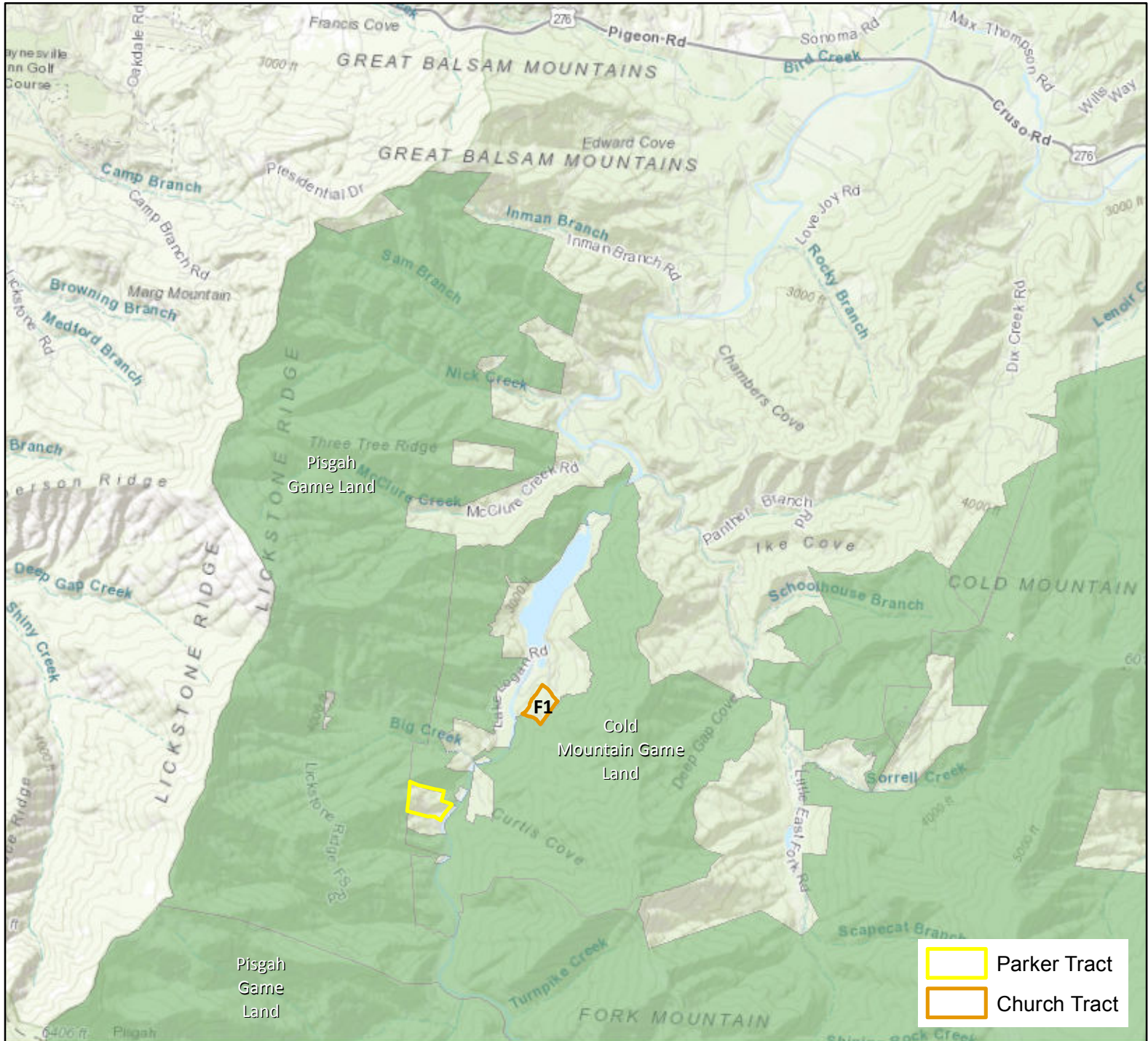
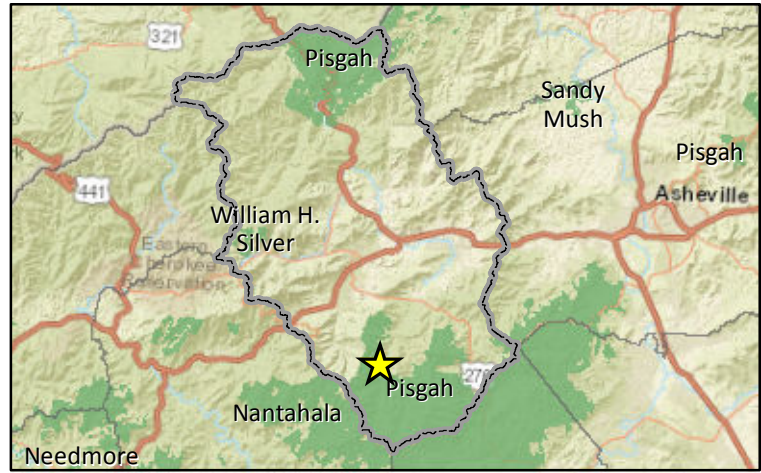
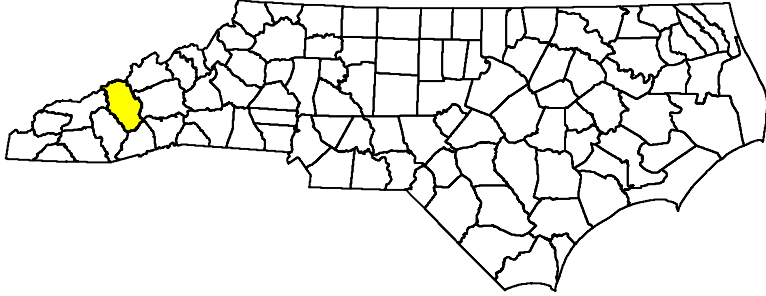
### Threats

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

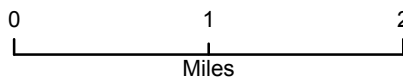
### Scoring

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).

**Parker Tract  
Haywood County  
36 Acres**

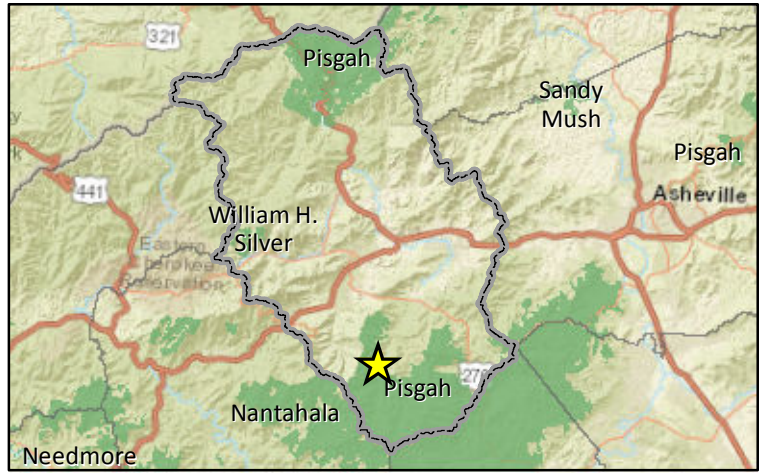
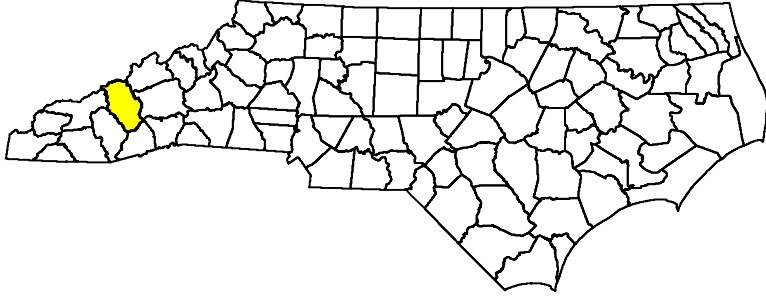


**April 20, 2018**





**Parker Tract  
Haywood County  
36 Acres**



**April 16, 2018**

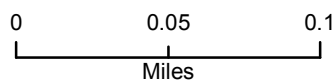


EXHIBIT F-3

April 26, 2018

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>	4/26/2018
<b>Tract Name:</b>	Winslow
<b>County:</b>	Perquimans
<b>Acreage:</b>	2
<b>Tax Value:</b>	\$70,000 asking price, lot not subdivided for tax value determination
<b>Property Owner/Representative:</b>	Matt Winslow
<b>Phone:</b>	252-331-9666
<b>Email Address:</b>	ddwinslo@ncsu.edu
<b>Address:</b>	161 Old Neck Road, Hertford, NC 27944

**Primary Purpose:**

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

**Program Potential:**

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

**Type of Acquisition:**

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

**Type of Parcel:**

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

**Grant Potential:**

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

**Owner Interest:**

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

**Tax Value:**

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

**Stewardship Considerations:**

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

**Funding Considerations:**

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

**Recommendation:**

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

Additional Comments:

**EXHIBIT F-3**  
**April 26, 2018**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

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<b>Tract Name:</b>	Winslow
<b>County:</b>	Perquimans

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

Tract offers expansion potential for the Hertford Depot facility. The acquisition will allow for on-site equipment storage to aid in the planned consolidation of Hertford and Edenton technician crews. The current ownership does not have sufficient space for office space expansion and accomodation of all equipment and supplies used by the Hertford and Edenton crews as well as additional space needed for regular maintenance and repair activities. The potential acquisition already has a perimeter chain-link security fence, a gated access with culvert crossing connecting to the state road and a gravel base on the lot suitable for immediate use without site upgrades. It is an upland site located outside of the 100-year floodplain of the Perquimans River. Being immediately adjacent, the tract provides the best opportunity to incorporate into the existing ownership. There are currently no development zoning restrictions in that portion of the county that would limit WRC use on the tract. The current landowner reported that he has recently received another offer on the tract for alternative development, so is poised to divest the property.



Tract Name **Winslow**  
 Date **April 9, 2018**  
 Staff Completing Form **Brent Wilson**

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
Species: N/A

Habitat	0.000
Size	0
Quality	0
Diversity	0
Rare/Important	0
Connectivity	0
Buffer	0

Habitat: N/A
--------------

Public Access	0.000
Hunting/Viewing	0
Fishing	0
Boating	0

Public Access: N/A
--------------------

Wildlife Uses	0.000
Hunting	0
Viewing	0
Fishing	0
Boating	0
Education	0

Wildlife Uses: N/A
--------------------

Other Values	0.000
Timber Harvest	0
Local Economy	0
Quality of Life	0

Other Values: N/A
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Feasibility & Logistics	0.400
Existing Infrastructure	3
Compatibility of Multiple Uses on Tract	0
Compatibility with Adjoining Land	3
Inholding/Corridor	0
Proximity to Users	0

<b>Feasibility and Logistics:</b> The tract has a perimeter chain-link security fence, a gated access with culvert crossing connecting to the state road and a gravel base on the lot suitable for immediate use without site upgrades, and is adjacent to current Hertford Depot site.
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Restoration/Mitigation Potential	0.000
Species Restoration	0
Habitat Restoration	0
Access Improvement	0
Threat Mitigation	0

Restoration/Mitigation Potential: N/A
---------------------------------------

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

Threats: N/A
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<b>Overall Score</b>	<b>0.400</b>
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## Instructions for filling out Phase I Worksheet

### General

This form is for assessing opportunistic land acquisitions. Responses should reflect current conditions.

The worksheet is protected so that you can only edit certain cells. These are shaded gray.

The gray cells will change color after you have entered text or a numeric value.

Ratings for each metric must be an integer from 0 to 3. If you enter anything else, you will get a warning.

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).

**Fill out all gray scoring cells (columns B, C, D).**

### Species

If necessary, get assistance from staff in other Divisions/Programs or other sources (GIS, NHP, LCC models, etc.).

The scores are meant to be based on best professional judgment, not an exact count of species.

3 = High species count; 2 = Moderate species count; 1 = Low species count; 0 = Very low species count.

Overall biodiversity means all species of each group.

SCGN species are those listed in the 2015 NC Wildlife Action Plan.

Game species are those managed for sport or take. For game species, also consider population size.

### Habitat

Quality refers to habitat condition. Diversity refers to the variety of habitat types.

Rare/Important refers to critical habitat for listed or SCGN species. Consider quantity and quality.

Connectivity means the parcel provides a corridor to other conservation lands or connectivity in river systems.

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.

For all metrics except Size: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Size: 3 = >3,000 acres; 2 = 1,000 - 3,000 acres; 1 = 100 - 1,000 acres; 0 = <100 acres

### Public Access

3 = Excellent existing access or provides critical access; 2 = Average; 1 = Poor; 0 = None

### Wildlife Uses

3 = High; 2 = Moderate; 1 = Low; 0 = None

### Other Values

3 = High; 2 = Moderate; 1 = Low; 0 = None

### Feasibility & Logistics

3 = High; 2 = Moderate; 1 = Low; 0 = None

### Restoration/Mitigation Potential

Restoration Potential is the ability to improve species, habitat or access through natural processes or management actions.

3 = High; 2 = Moderate; 1 = Low; 0 = None

Threat Mitigation is the degree to which the threat can be avoided, minimized or delayed by acquiring the parcel.

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

### Threats

Threats reduce the value of a parcel, so the overall Threat score will be subtracted from the total score of the other metrics.

Number: 3 = Many; 2 = Some; 1 = Few; 0 = None

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

Imminence (time or distance): 3 = Extant; 2 = Very Near; 1 = Moderately Near; 0 = Distant

Manageability: 3 = Unmanageable; 2 = Low; 1 = Moderate; 0 = High

Management Cost: 3 = High; 2 = Moderate; 1 = Low; 0 = Minimal

### Scoring

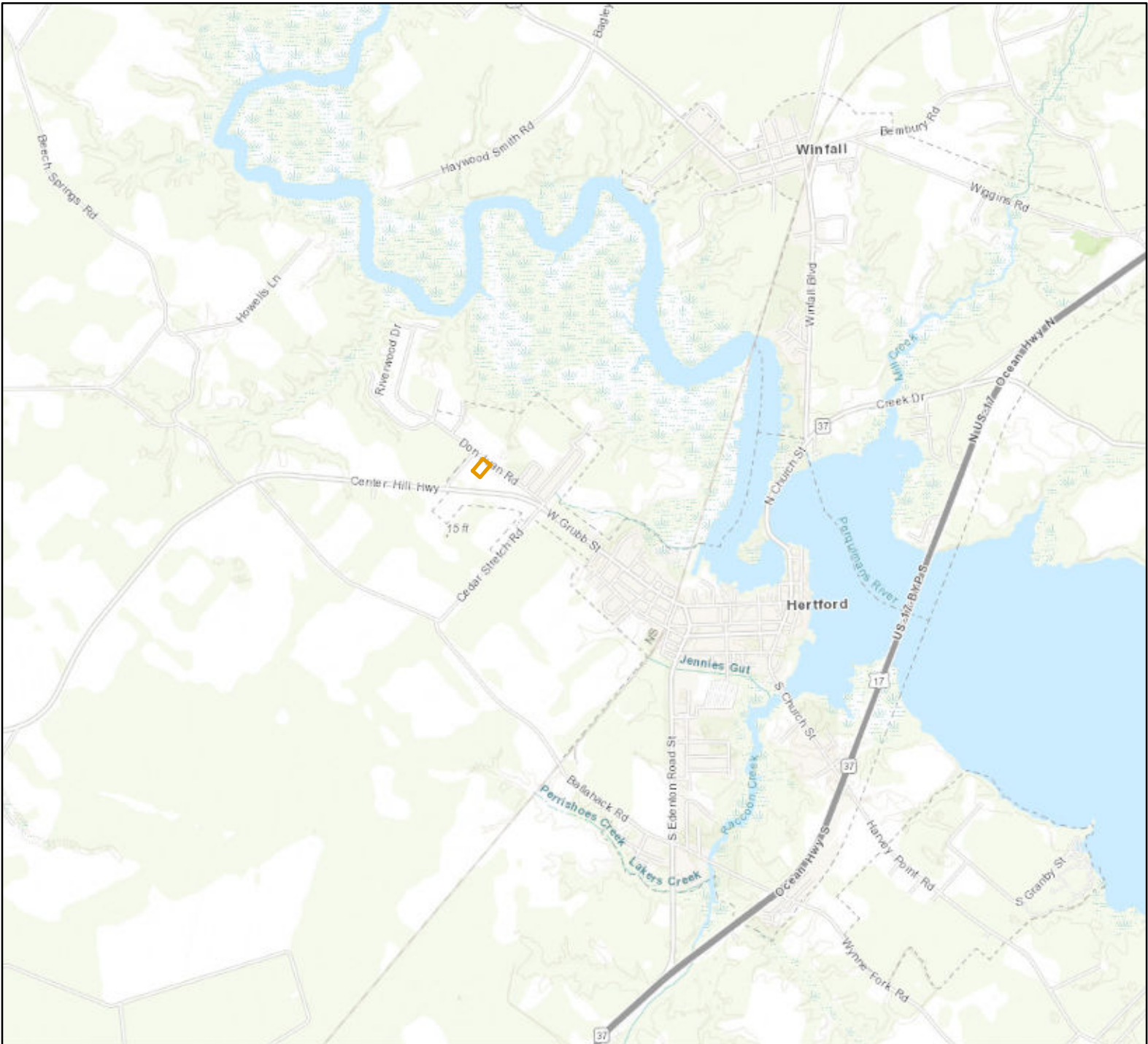
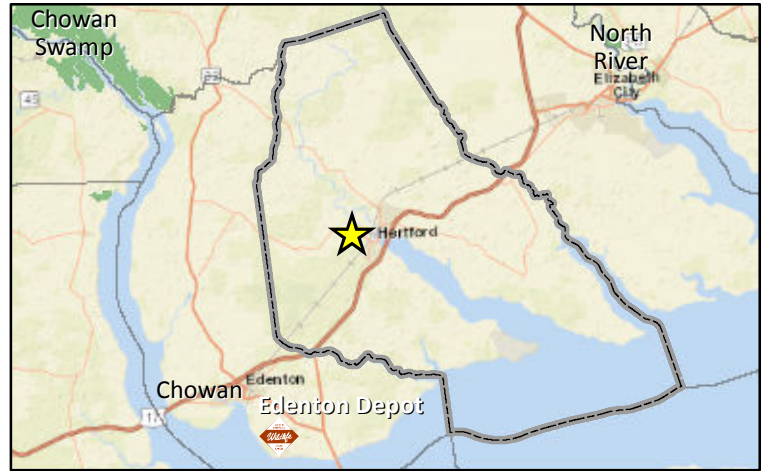
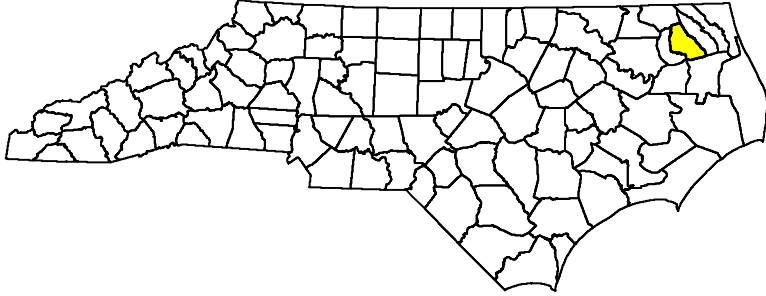
Scoring for each section is normalized (range 0 - 1).

The overall score is the sum of the individual section scores, minus the Threat score.

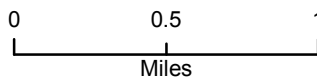
The overall score will not calculate unless there is at least one ranking filled in for each section, even if a zero.

The overall score ranges from 7 (all values high and no threats) to -1 (all values zero and high threats).

**Winslow Tract  
Perquimans County  
2 Acres**

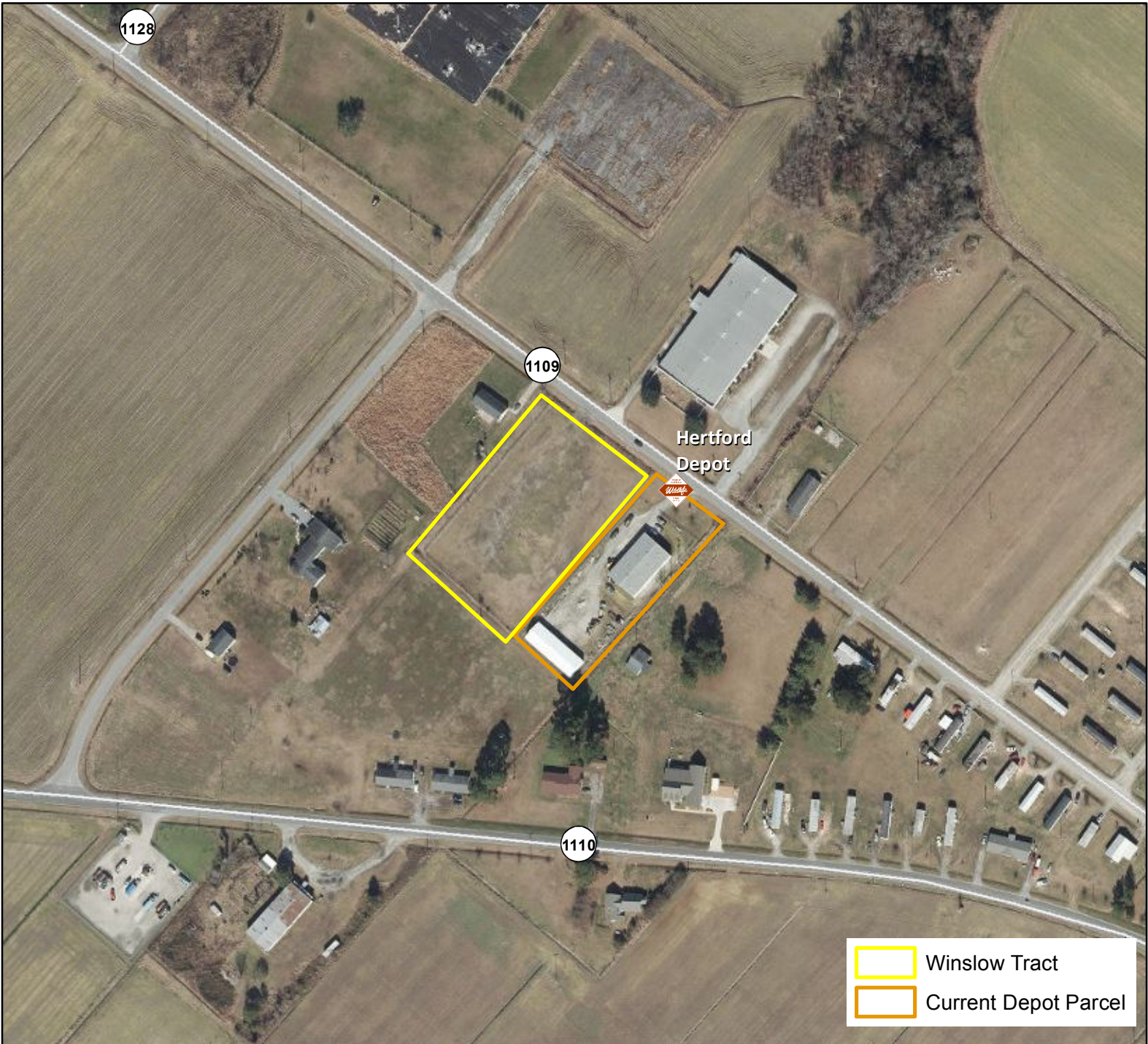
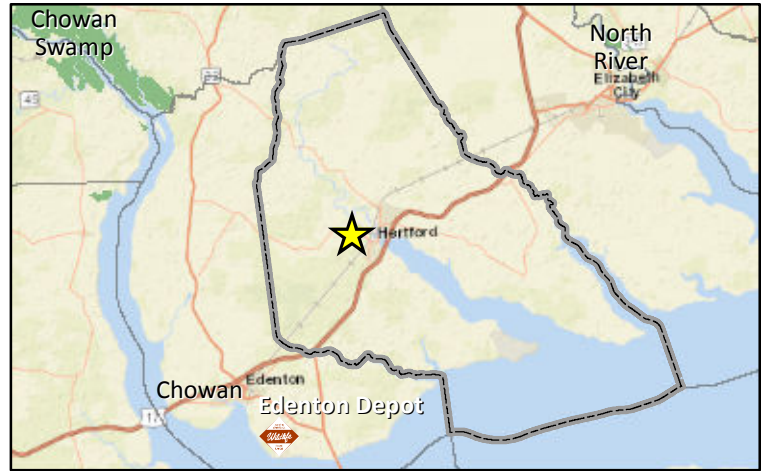
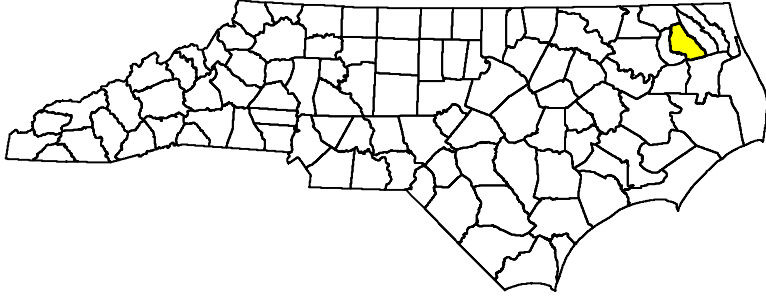




**April 17, 2018**





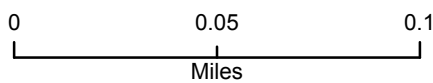
**Winslow Tract  
Perquimans County  
2 Acres**



-  Winslow Tract
-  Current Depot Parcel



**April 23, 2018**



**EXHIBIT F-4**  
**April 26, 2018**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<b>WRC Staff Contact:</b>	Richard Clark/Brent Wilson
<b>Date First Presented to Commission:</b>	2/8/2018
<b>Tract Name:</b>	Duck Creek Wetlands
<b>County:</b>	Craven
<b>Acreage:</b>	715
<b>Tax Value:</b>	\$450,740
<b>Property Owner/Representative:</b>	Contact Janice Allan C/O NCCLT
<b>Phone:</b>	252-634-1927
<b>Email Address:</b>	janice@coastallandtrust.org
<b>Address:</b>	3301 Trent Road, Suite G New Bern, NC 28562

**Primary Purpose:**

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

**Program Potential:**

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

**Type of Acquisition:**

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

**Type of Parcel:**

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

**Grant Potential:**

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

**Owner Interest:**

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

**Tax Value:**

2017	Year Assessed
<input type="checkbox"/>	PUV?

**Stewardship Considerations:**

PR	Source:
75/25	Match:

**Funding Considerations:**

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

**Recommendation:**

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

**Additional Comments:**



**EXHIBIT F-4**  
**April 26, 2018**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

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<b>Tract Name:</b>	Duck Creek Wetlands
<b>County:</b>	Craven

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

Duck Creek Wetlands tract lies between the Neuse River to the south and the Duck Creek tract of Neuse River GL to the north. Tract contains several habitat types including, LL pine ridge, high pocosin/pond pine forest, freshwater marsh, and estuarine fringe loblolly pine forest. This tract is part of the Duck Creek/Upper Broad Creek Natural Area, and is listed as a highly significant natural area. Game animals including white-tailed deer, black bear, wild turkey, bob-white quail, use this area. Non-game animals include neo-tropical migrants, amphibians and reptiles, including American alligator, and raptors, including bald eagle. A Biodiversity/Wildlife Habitat Index evaluation of this tract, provided a score of 8 out of 10 (1 -low and 10-high value). This index prioritizes aquatic and terrestrial habitat, lanscape function, and connectivity. Tract will be acquired by NCCLT who would ask WRC for \$100,000.00 at closing.

Tract Name	Duck Creek Wetlands
Date	February 8, 2018
Staff Completing Form	Richard Clark

<b>Species</b>	<b>0.741</b>
	Terrestrial
Overall Biodiversity	3
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	3
SGCN Species	2
Game Species	3
	Aquatic
Overall Biodiversity	2
SGCN Species	1
Game Species	2

<b>Comments</b>
This tract scores 8 of 10 using Wildlife/Biodiversity Habitat Assessment. Will provide hunting opportunities for deer, turkey, quail, small game and waterfowl. Acquisition would protect water quality and provide a favorable environment for numerous species.

<b>Habitat</b>	<b>0.889</b>
Size	2
Quality	2
Diversity	3
Rare/Important	3
Connectivity	3
Buffer	3

<b>Comments</b>
Habitats are severely fire suppressed. Burn units could easily be added to existing ones on Neusr River GL

<b>Public Access</b>	<b>0.556</b>
Hunting/Viewing	3
Fishing	1
Boating	1

<b>Comments</b>
Tract is directly adjacent to existing Neuse River GL.

<b>Wildlife Uses</b>	<b>0.733</b>
Hunting	3
Viewing	3
Fishing	1
Boating	1
Education	3

<b>Comments</b>
Tract will allow for additional hunting, trapping, and wildlife viewing for local citizens. Furthermore, this tract provides educational opportunities for students in the area.

<b>Other Values</b>	<b>0.667</b>
Timber Harvest	2
Local Economy	2
Quality of Life	2

<b>Comments</b>
Currently limited opportunity exists for timber harvest.

<b>Feasibility &amp; Logistics</b>	<b>0.733</b>
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	3
Inholding/Corridor	1
Proximity to Users	3

<b>Comments</b>
Existing roads are dirt-packed leading to a 480 acre outparcel.

<b>Restoration/Mitigation Potential</b>	<b>0.917</b>
Species Restoration	3
Habitat Restoration	3
Access Improvement	2
Threat Mitigation	3

<b>Comments</b>
Would provide opportunity for upland habitat improvement as well as protection of pond pine pocosins and Neuse River shoreline from development.

<b>Threats</b>	<b>0.733</b>
Number	2
Severity	2
Imminence	1
Manageability	3
Management Cost	3

<b>Comments</b>
Largest threats include loss to development, wildfire, and sea-level rise. The implementation of prescribed fire operations, will reduce loss risk from wildfire.

<b>Overall Score</b>	<b>4.502</b>
----------------------	--------------

## Instructions for filling out Phase I Worksheet

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1. Fill in the gray cells in Cover Sheet and Page 2. The rest of these instructions pertain to the Worksheet.
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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/repared, 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

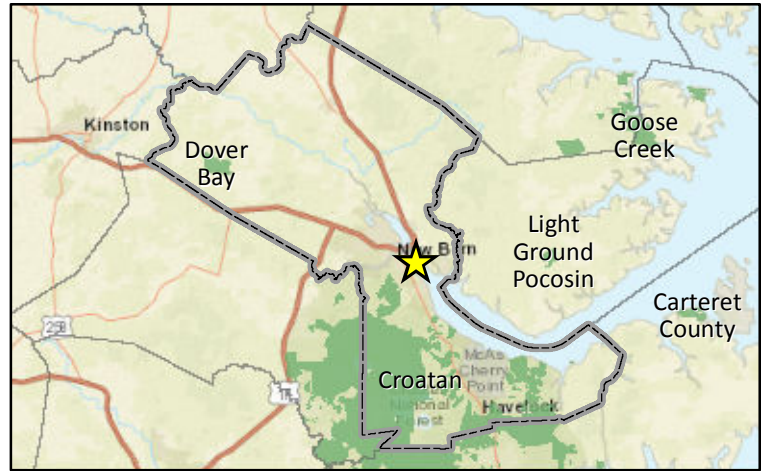
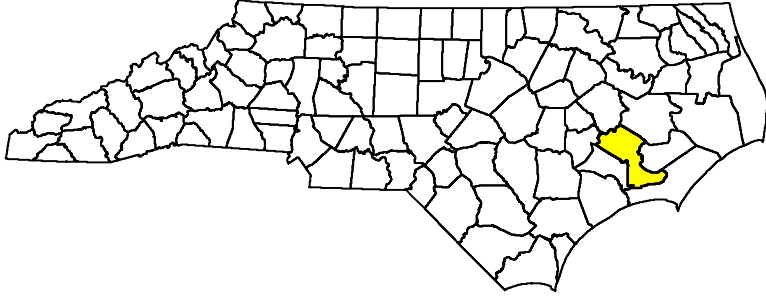
### Threats

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

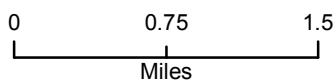
### Scoring

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).

**Duck Creek Tract  
Craven County  
715 Acres**

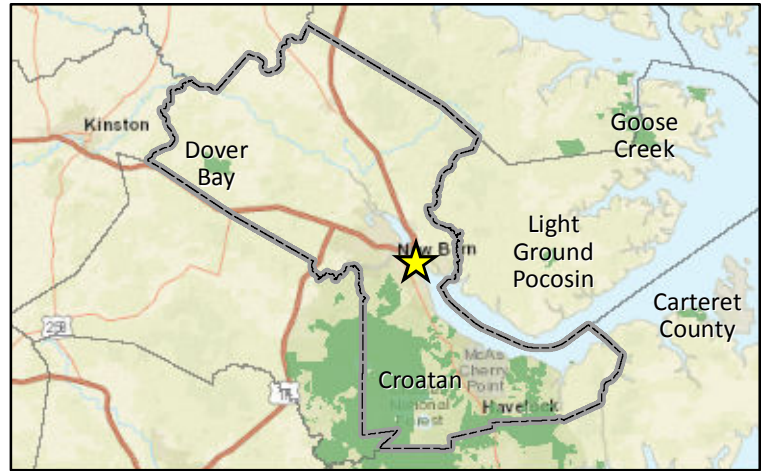
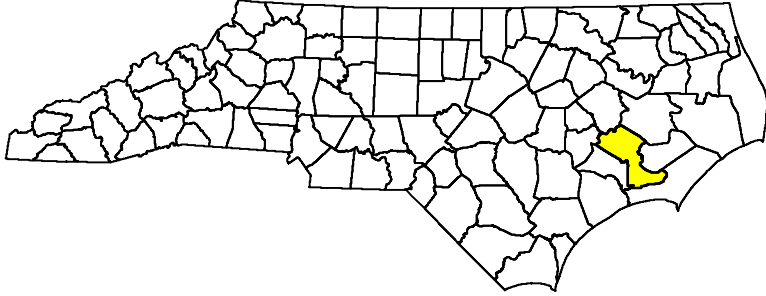


**April 16, 2018**





**Duck Creek Tract  
Craven County  
715 Acres**



**April 16, 2018**

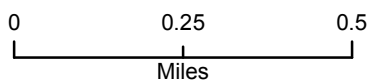


EXHIBIT F-5

April 26, 2018

North Carolina Wildlife Resources Commission

Land Acquisition Investigation Form

- PHASE I: INITIAL INVESTIGATION -

<b>WRC Staff Contact:</b>	Gabriela Garrison
<b>Date First Presented to Commission:</b>	Apr-18
<b>Tract Name:</b>	McKnitt
<b>County:</b>	Granville
<b>Acreage:</b>	328
<b>Tax Value:</b>	\$674,528
<b>Property Owner/Representative:</b>	McKnitt Properties LLC
<b>Phone:</b>	
<b>Email Address:</b>	
<b>Address:</b>	1526 South Blount Street, Raleigh 27603

**Primary Purpose:**

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

**Owner Interest:**

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

**Tax Value:**

<input type="checkbox"/>	2009?	Year Assessed
<input type="checkbox"/>		PUV?

**Stewardship Considerations:**

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

**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:**

The owner of this tract approached NCWRC with the potential sale of this property. From a conservation standpoint, this property does not appear to have rare or sensitive resources nor is it in close proximity to any WRC-owned lands. It may have more value as a public access area and has been suggested for use as a shooting range. If that becomes a reality, it has been suggested that the County will manage the site.

**EXHIBIT F-5**  
**April 28, 2018**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

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<b>Tract Name:</b>	McKnitt
<b>County:</b>	Granville

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

The McKnitt Tract is a 328-acre property that is currently being used as a private hunting and recreational area. There is approximately 5,319 linear feet of stream along the western boundary; this stream, Gibbs Creek, is a tributary to the Tar River. There are several large, grassy fields in the central and eastern portion of the site. The majority of the property is dense, pine/hardwood forest. There are no Natural Heritage records onsite or within one mile of the project site. There are records for several rare, aquatic species, roughly 1.9 miles downstream in the Tar River. A Natural Heritage Inventory of Granville County was last conducted in 1999.

This site has excellent potential for a large, public shooting range complex in very close proximity to the Raleigh metro area. There are over 2.2 million people living within a 50-mile radius of this site and this site has the space for not only rifle and pistol ranges, but shotgun facilities as well. A formal sound study has been completed with favorable results. Granville county is also very interested in the range potential and have expressed interest in partnering to operate a range facility if built. Appraisals are needed to determine the feasibility of purchasing the property.

Tract Name	McKnitt
Date	April 16, 2018
Staff Completing Form	Gabriela Garrison

<b>Species</b>	<b>0.444</b>
	Terrestrial
Overall Biodiversity	1
SGCN Species	1
Game Species	2
	Wetland
Overall Biodiversity	1
SGCN Species	1
Game Species	2
	Aquatic
Overall Biodiversity	1
SGCN Species	1
Game Species	2

<b>Comments</b>
There is a perennial stream along the western property boundary that drains into the Tar River; there is evidence of scour and bank instability in some areas. There are small ephemeral streams/wetland systems onsite. They were dry at the time of this assessment. There are no Natural Heritage Records that indicate rare, terrestrial or aquatic species onsite.

<b>Habitat</b>	<b>0.333</b>
Size	1
Quality	1
Diversity	1
Rare/Important	1
Connectivity	1
Buffer	1

<b>Comments</b>
The parcel is approximately 328 acres. A portion of it has been burned within the last 2-3 years. Although the Biodiversity Wildlife Habitat Assessment ranks the perennial and intermittent stream sections as 7 and 8 (out of a possible 10), it is not in close proximity to other WRC-owned lands. The stream drains into a section of the Tar River where there are multiple rare, aquatic species. However, this portion of the stream does not create a connection between the Tar and other critical aquatic areas.

<b>Public Access</b>	<b>0.333</b>
Hunting/Viewing	2
Fishing	1
Boating	0

<b>Comments</b>
There is a DOT-maintained dirt road (Burwells Mill Road) that allows access from paved, State Road 1103 (Fairport Road). There is a small pond onsite that is suitable for fishing but would not allow for boat access at this time.

<b>Wildlife Uses</b>	<b>0.333</b>
Hunting	2
Viewing	1
Fishing	1
Boating	0
Education	1

<b>Comments</b>
This property has been used as a site for deer hunting; there are likely turkey (and other game species) in the area as well. As mentioned, there is a small pond onsite, though it is unknown if it contains fish or if it has been stocked in the past. There are several trails that could be used for hiking, hunting and other recreational opportunities.

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

<b>Comments</b>
The site is a tree farm. Because of its location (between Oxford, Creedmoor, Henderson and Franklinton), it is likely to attract public use.

<b>Feasibility &amp; Logistics</b>	<b>0.400</b>
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	1
Inholding/Corridor	1
Proximity to Users	1

<b>Comments</b>
There are two small structures onsite; one is not structurally stable. The second has potential for renovation. The site has been discussed for use as both a shooting range and location for special opportunity hunts.

<b>Restoration/Mitigation Potential</b>	<b>0.333</b>
Species Restoration	1
Habitat Restoration	1
Access Improvement	1
Threat Mitigation	1

<b>Comments</b>
Acquiring this tract would not improve access as there are no other WRC-owned properties in the vicinity. This is a relatively rural area, and development pressure is likely low.

<b>Threats</b>	<b>0.133</b>
Number	1
Severity	0
Imminence	0
Manageability	1
Management Cost	0

<b>Comments</b>
If this tract were developed, it could possibly impair aquatic species downstream of the site in the Tar River. However, there are no direct threats onsite.

<b>Overall Score</b>	<b>2.822</b>
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### 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.
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### Habitat

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### Wildlife Uses

1. Recreational or educational use of resources.
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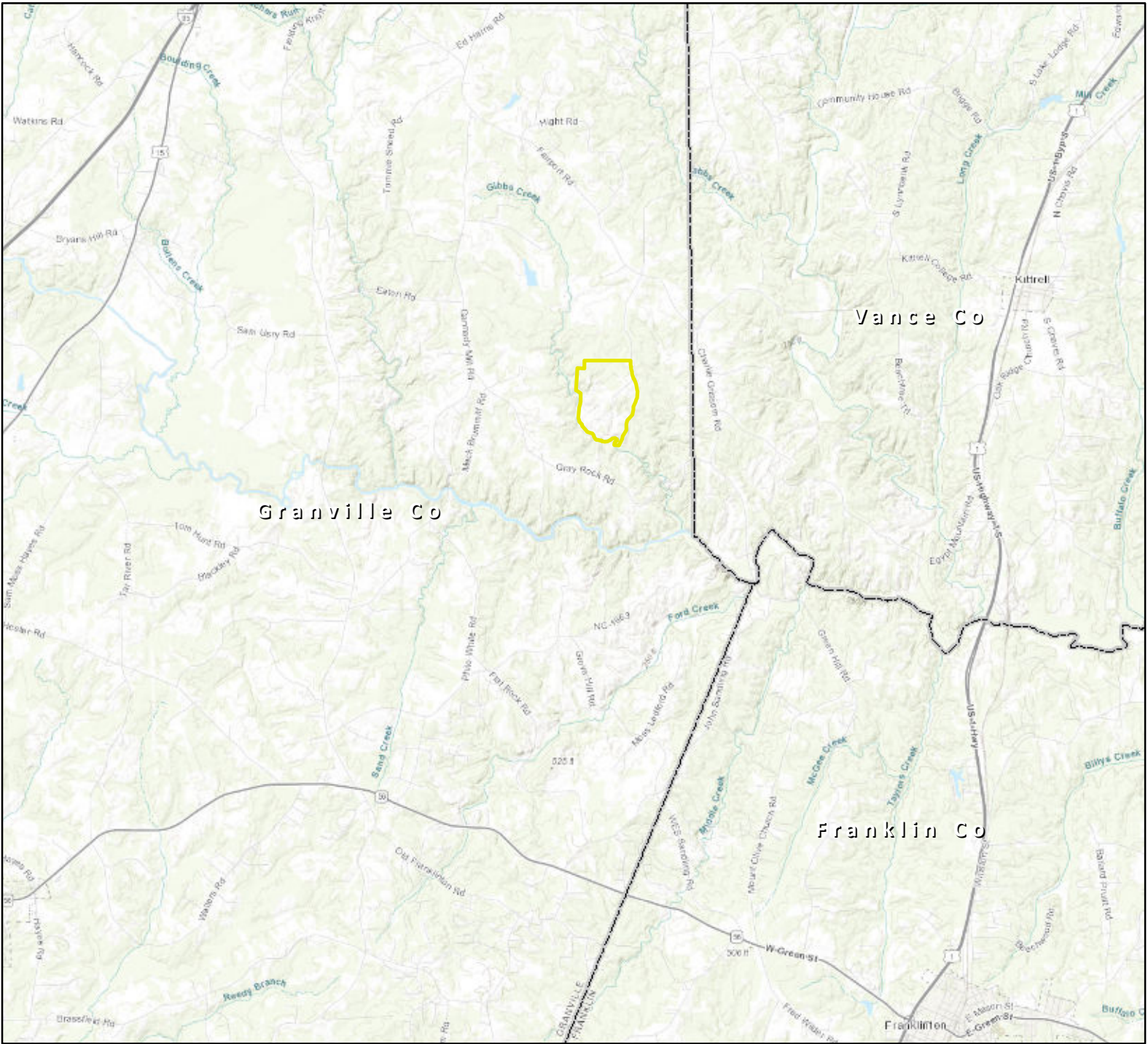
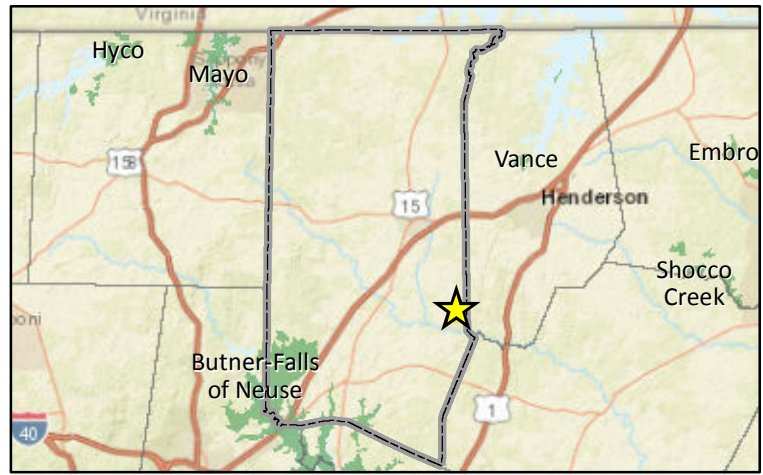
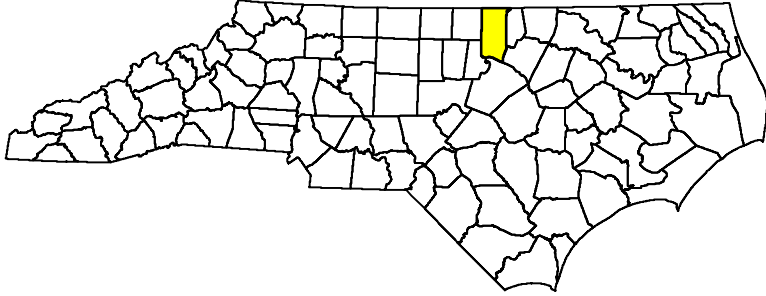
### Threats

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5. Manageability of Threats: 3 = Unmanageable; 2 = Low; 1 = Moderate; 0 = High
6. Management Cost to Control Threats: 3 = High; 2 = Moderate; 1 = Low; 0 = Minimal

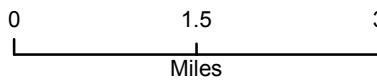
### Scoring

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2. The overall score is calculated by adding individual section scores and subtracting the Threat score.
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4. The overall score ranges from 7 (all values high and no threats) to -1 (all values zero and high threats).

**McKnight Tract  
Granville County  
329 Acres**

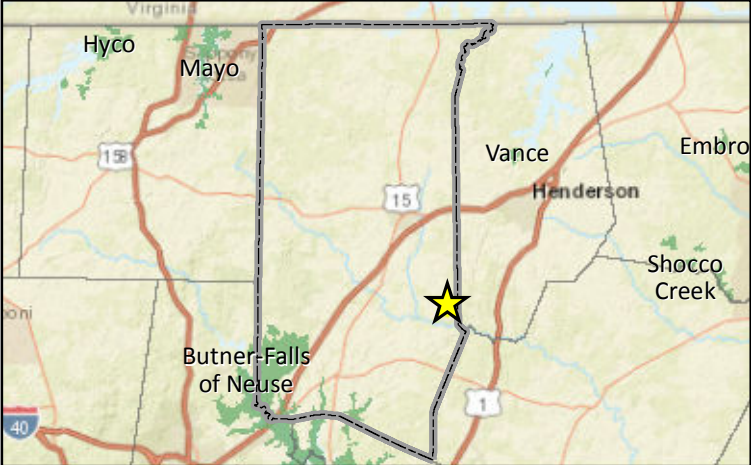
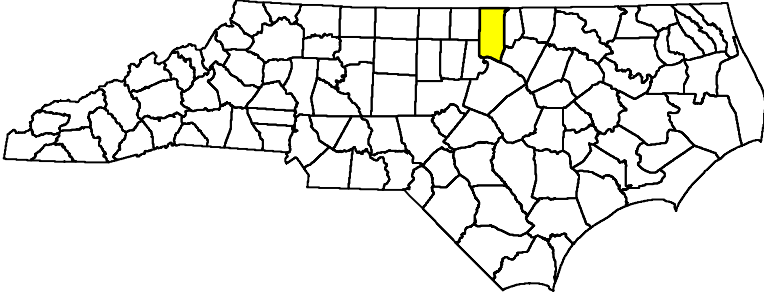


April 16, 2018

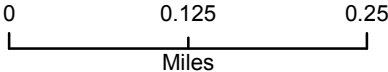




**McKnitt Tract  
Granville County  
329 Acres**



**April 16, 2018**



# EXHIBIT G-1

April 26, 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):** N/A

**Tract:** Warren Neck Tract, Martin County, 876 Acres

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

Domtar donation to meet NRDAR mitigation requirement.

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:**

\$46,903

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

\$0



## WORKSHEET

### Five Year Stewardship Costs and Revenue Projections

#### (Five Years Post Acquisition)

STEWARDSHIP					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
Warren Neck	Boundary Establishment (WRC staff post water boundary)	5.38	Mi.	\$150	\$807
	Boundary Establishment (Contract survey, post, and paint)	30,080	Ft.	\$1.25	\$37,600
	Construct Parking Area	1	Ea.	\$5,000	\$5,000
	Boundary Maintenance- (Year 4)	11.08	Mi..	\$135	\$1,496
	Maintain Parking Area (Years 2-5)	1	Ea.	\$500	\$2,000
	<b>Total</b>				
<i>Insert additional rows in table as needed</i>					

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

EXHIBIT G-1

April 26, 2018

North Carolina Wildlife Resources Commission

Land Acquisition Investigation Form

- PHASE I: INITIAL INVESTIGATION -

<b>WRC Staff Contact:</b>	David Turner (Land and Water Section Chief Brian McRae)
<b>Date First Presented to Commission:</b>	
<b>Tract Name:</b>	Warren Neck
<b>County:</b>	Martin
<b>Acreage:</b>	876
<b>Tax Value:</b>	\$615,310
<b>Property Owner/Representative:</b>	Domtar
<b>Phone:</b>	
<b>Email Address:</b>	
<b>Address:</b>	PO Box 747, Plymouth, NC 27962

**Primary Purpose:**

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

**Program Potential:**

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

**Type of Acquisition:**

<input 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"/>	Enviva Forest Conservation Fund
<input type="checkbox"/>	NAWCA
<input type="checkbox"/>	National Coastal Wetlands Conservation Grant
<input type="checkbox"/>	Environmental Enhancement Grant Program

**Owner Interest:**

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

**Tax Value:**

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

**Stewardship Considerations:**

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

**Funding Considerations:**

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

**Recommendation:**

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

**Additional Comments:**

As a part of Natural Resource Damage Assessment and Restoration agreement, Domtar Corporation has offered the Warren Neck Tract to help meet its mitigation requirements. The tract is located in the far eastern portion of Martin County bordered on the north by Warren Neck Creek and the south by Domtar's Plymouth pulp mill. The property is being proposed as a transfer to the State. The 1,942 acre parcel between the proposed offering and the Roanoke River was once a part of Bachelor's Bay Game Land. Domtar requested its removal from the game lands program in 2014.

**EXHIBIT G-1**  
**April 26, 2018**  
**North Carolina Wildlife Resources Commission**  
**Land Acquisition Investigation Form**  
**– PHASE I: INITIAL INVESTIGATION –**

<b>Tract Name:</b>	Warren Neck
<b>County:</b>	Martin

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

The Warren Neck Tract is the smaller tract of two large landholdings owned by Domtar north of its mill site. The tracts northern border is the middle prong of the 3-pronged Warren Neck Creek. A site visit habitat assessment along the creek yielded a habitat of cypress and gum forest with a Tidal Swamp Forest as a dominate feature. These findings are consistent with the North Carolina Natural Heritage Programs assessment for the Jamesville Island/Warren Neck Natural Heritage Area, which is the majority of the acreage in this site. The published January 2016 Natural Area Report states that the Warren Neck "site is a large expanse of Cypress--Gum Swamp on the lower Roanoke River. A substantial area near the middle of the site contains old forests rich in cypress. Trees in these areas average 14-16 inches in diameter. A substantial part of the swamp was helicopter logged in the 1990s, leaving undisturbed lower strata but a broken canopy depleted in cypress. The area of old forest is among the highest quality remaining anywhere, and combined with the large expanse of still good quality swamp, is highly significant."

The National Audubon Society recognizes the Roanoke River Bottomlands, of which the tract is a part of, as a Global Important Bird Area. The Tidal Swamp and Cypress-Gum Floodplain Forests are important habitat types for breeding wood ducks and neotropical migrant songbirds. The tract offers important black bear habitat. White-tailed deer are not thought to be numerous on the property.

The North Carolina Division of Marine Fisheries identifies Warren Neck Creek as a portion of the Chowan and Roanoke River and western Albemarle Sound Strategic Habitat Area and as an Anadromous Fish Spawning Area. Striped bass, blueback herring, and white perch are important anadromous species that benefit from Warren Neck Creek.

Based upon data found in the NC Conservation Planning Tool, the property has an average Biodiversity Relative Conservation Value of 9.2 (0- low-10 high values). The Biodiversity/Wildlife Habitat Index prioritizes aquatic and terrestrial habitat, landscape function and connectivity.

Tract Name	Warren Neck
Date	February 7, 2018
Staff Completing Form	David Turner

<b>Species</b>	<b>0.556</b>
	Terrestrial
Overall Biodiversity	2
SGCN Species	1
Game Species	1
	Wetland
Overall Biodiversity	2
SGCN Species	3
Game Species	1
	Aquatic
Overall Biodiversity	2
SGCN Species	2
Game Species	1

**Comments**  
**Species:** The tract has 34 SGCN that possibly occur in the habitats identified on the tract according to the Conservation Opportunity Area and Threat Assessment tool (COA tool). Game species include black bear, waterfowl, and grey squirrel. Species of Greatest Conservation Need identified by the COA tool include American Black Duck, Black-throated Green Warbler, and Prothonotary Warbler.

<b>Habitat</b>	<b>0.889</b>
Size	3
Quality	3
Diversity	2
Rare/Important	2
Connectivity	3
Buffer	3

**Habitat:** Habitats on Warren Neck include Tidal Swamp Forests and Cypress-Gum Floodplain Forests.

<b>Public Access</b>	<b>0.444</b>
Hunting/Viewing	2
Fishing	1
Boating	1

**Public Access:** Access will generally be by boat with the closet NCWRC BAA located 2.3 miles downstream on Plymouth's waterfront. Possible access to the southern portion will need further investigation. If granted by Domtar, it is recommended that a gravel parking lot be constructed to allow foot access only to the southern end. The access score was affected since waterfowl hunting, fishing, and boating can take place on public waters without state ownership of the tract.

<b>Wildlife Uses</b>	<b>0.533</b>
Hunting	3
Viewing	2
Fishing	1
Boating	1
Education	1

**Wildlife Uses:** Bear hunting and waterfowl hunting will likely be majority uses of the property. Some squirrel hunters may "float" the creek. Fishing, boating, and wildlife viewing can take place on public waters. A few deer hunters may use the southern section if a parking area is constructed.

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

**Other Values:** The NCWRC does not typically harvest timber in the stated habitat types.

<b>Feasibility &amp; Logistics</b>	<b>0.533</b>
Existing Infrastructure	0
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	3
Inholding/Corridor	2
Proximity to Users	1

**Feasibility and Logistics:** The category score was impacted negatively primarily because of no existing infrastructure and most access will be by boat. The tract does not offer much as a terrestrial wildlife corridor since it is bordered by the mill. Neo-tropical migrant songbirds and waterfowl will benefit from its habitat protection.

<b>Restoration/Mitigation Potential</b>	<b>0.167</b>
Species Restoration	1
Habitat Restoration	1
Access Improvement	0
Threat Mitigation	0

**Restoration/Mitigation Potential:** None

<b>Threats</b>	<b>0.400</b>
Number	1
Severity	1
Imminence	1
Manageability	3
Management Cost	0

**Threats:** Sea-level rise will have an impact on this site as it is extremely wet. As the tract is being offered as mitigation, there is no threat from timber harvest.

<b>Overall Score</b>	<b>3.056</b>
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## Instructions for filling out Phase I Worksheet

### General

This form is for assessing opportunistic land acquisitions. Responses should reflect current conditions.

The worksheet is protected so that you can only edit certain cells. These are shaded gray.

The gray cells will change color after you have entered text or a numeric value.

Ratings for each metric must be an integer from 0 to 3. If you enter anything else, you will get a warning.

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).

**Fill out all gray scoring cells (columns B, C, D).**

### Species

If necessary, get assistance from staff in other Divisions/Programs or other sources (GIS, NHP, LCC models, etc.).

The scores are meant to be based on best professional judgment, not an exact count of species.

3 = High species count; 2 = Moderate species count; 1 = Low species count; 0 = Very low species count.

Overall biodiversity means all species of each group.

SCGN species are those listed in the 2015 NC Wildlife Action Plan.

Game species are those managed for sport or take. For game species, also consider population size.

### Habitat

Quality refers to habitat condition. Diversity refers to the variety of habitat types.

Rare/Important refers to critical habitat for listed or SCGN species. Consider quantity and quality.

Connectivity means the parcel provides a corridor to other conservation lands or connectivity in river systems.

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.

For all metrics except Size: 3 = High; 2 = Moderate; 1 = Low; 0 = None

Size: 3 = >3,000 acres; 2 = 1,000 - 3,000 acres; 1 = 100 - 1,000 acres; 0 = <100 acres

### Public Access

3 = Excellent existing access or provides critical access; 2 = Average; 1 = Poor; 0 = None

### Wildlife Uses

3 = High; 2 = Moderate; 1 = Low; 0 = None

### Other Values

3 = High; 2 = Moderate; 1 = Low; 0 = None

### Feasibility & Logistics

3 = High; 2 = Moderate; 1 = Low; 0 = None

### Restoration/Mitigation Potential

Restoration Potential is the ability to improve species, habitat or access through natural processes or management actions.

3 = High; 2 = Moderate; 1 = Low; 0 = None

Threat Mitigation is the degree to which the threat can be avoided, minimized or delayed by acquiring the parcel.

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

### Threats

Threats reduce the value of a parcel, so the overall Threat score will be subtracted from the total score of the other metrics.

Number: 3 = Many; 2 = Some; 1 = Few; 0 = None

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

Imminence (time or distance): 3 = Extant; 2 = Very Near; 1 = Moderately Near; 0 = Distant

Manageability: 3 = Unmanageable; 2 = Low; 1 = Moderate; 0 = High

Management Cost: 3 = High; 2 = Moderate; 1 = Low; 0 = Minimal

### Scoring

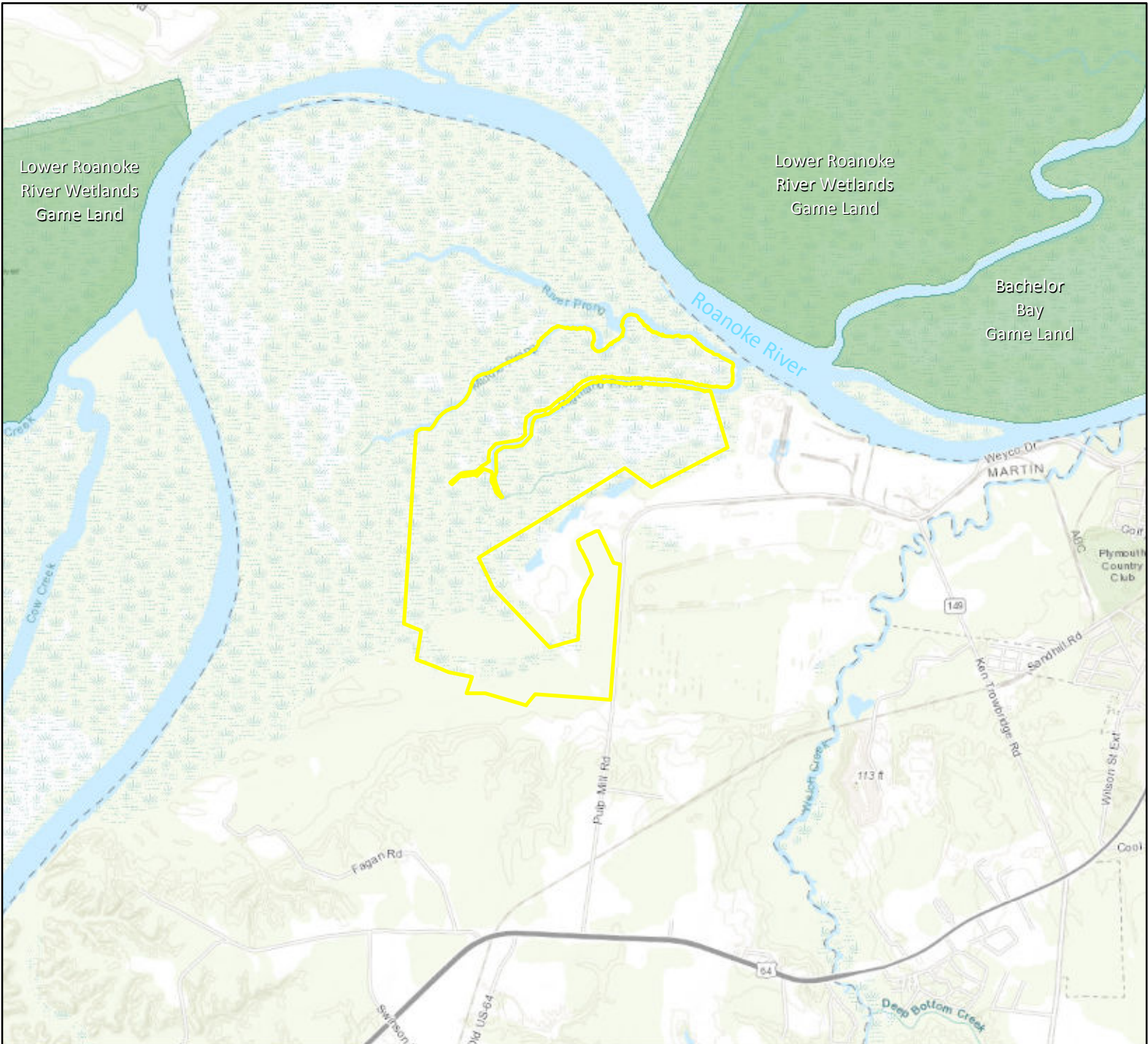
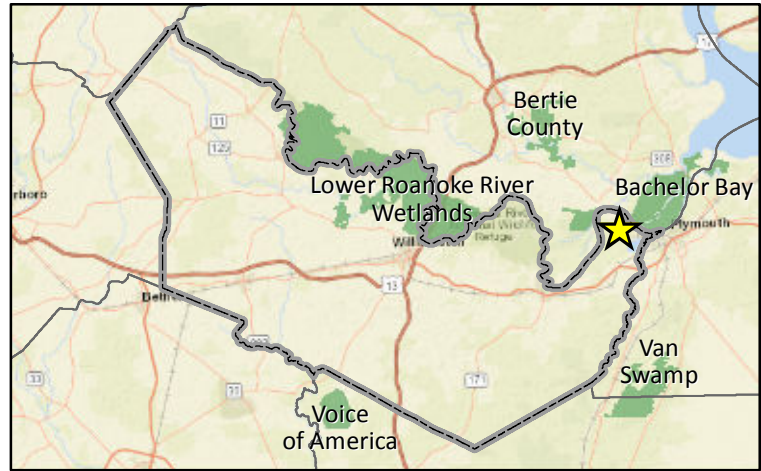
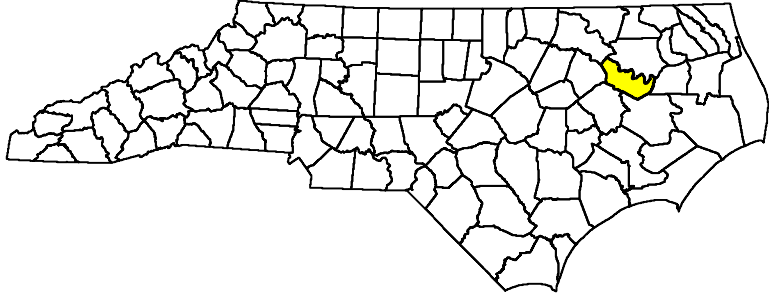
Scoring for each section is normalized (range 0 - 1).

The overall score is the sum of the individual section scores, minus the Threat score.

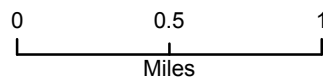
The overall score will not calculate unless there is at least one ranking filled in for each section, even if a zero.

The overall score ranges from 7 (all values high and no threats) to -1 (all values zero and high threats).

**Warren Neck Tract  
Martin County  
866 Acres**

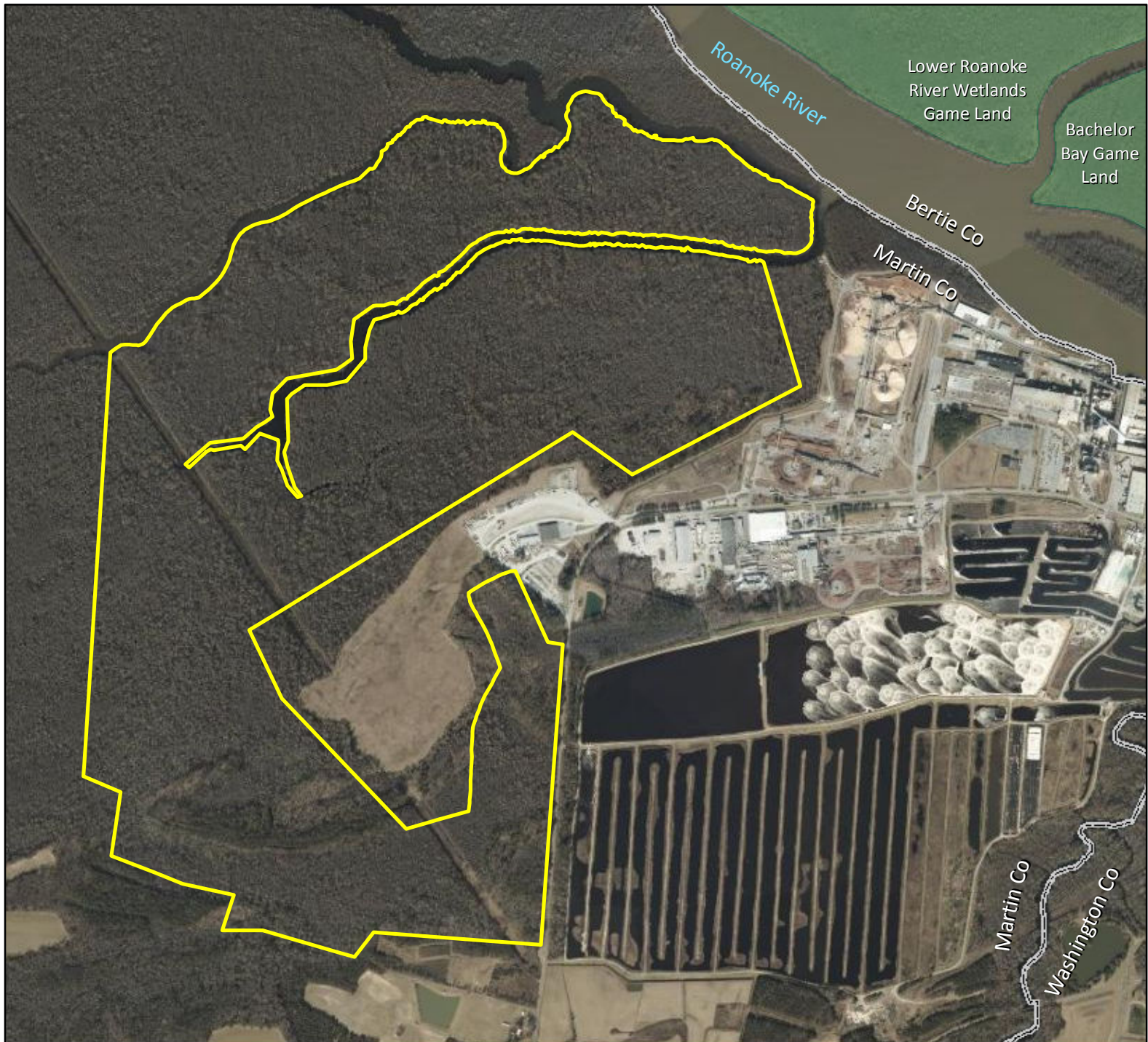
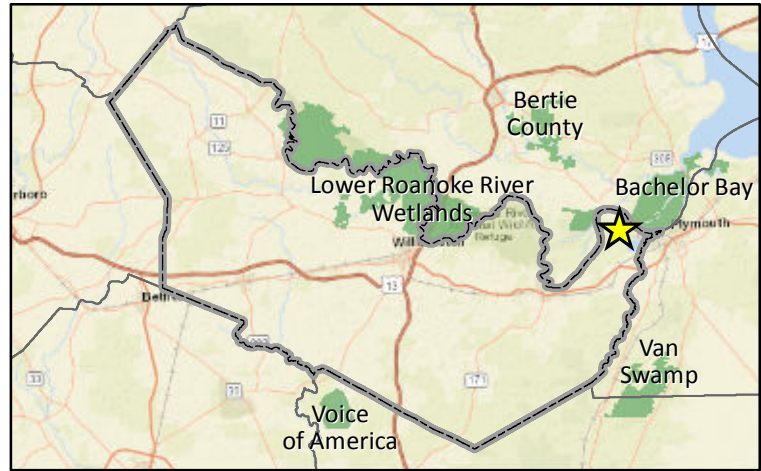
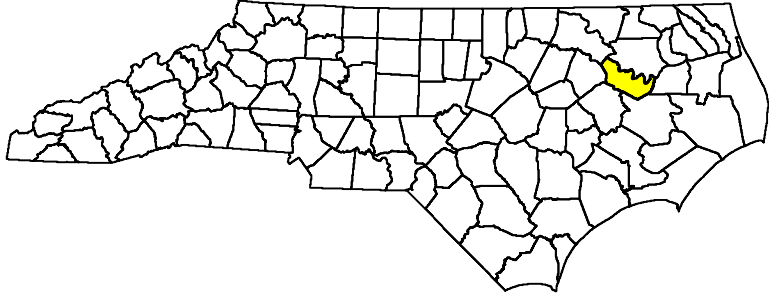


**April 16, 2018**

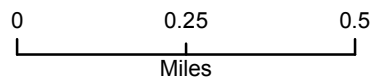




**Warren Neck Tract  
Martin County  
866 Acres**



**April 16, 2018**



# EXHIBIT G-2

April 26, 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):** December 8, 2016

**Tract:** Waccamaw Campbell Global IV, Columbus County, 1,009.49 acres acquired by WRC as part of a combined 2,995.52 acre conservation acquisition.

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

NC Clean Water Management Trust Fund	\$ 1,170,000
National Coastal Wetlands Conservation Grant	\$ 1,000,000
North American Wetlands Conservation Act	\$ 1,335,000
NC Environmental Enhancement Grant	\$ 425,000
Private contributions	<u>\$ 2,470,000</u>
Total Cost:	\$ 6,400,000

**Based on Appraisal:**  Yes  No  NA

**If Yes, Name of Appraiser:**

Requested by:	Appraiser	Effective Date	Appraised Value
NCCLT	Chuck Moody	5-11-2017	\$ 6,400,000

**Date of Appraisal:** See above.

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

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

**If Yes, Explain Details:**

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

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

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

**Five Year Estimate of Total Stewardship Expenditures:**

\$146,600

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

\$40,000

## Waccamaw Campbell Global IV Tract

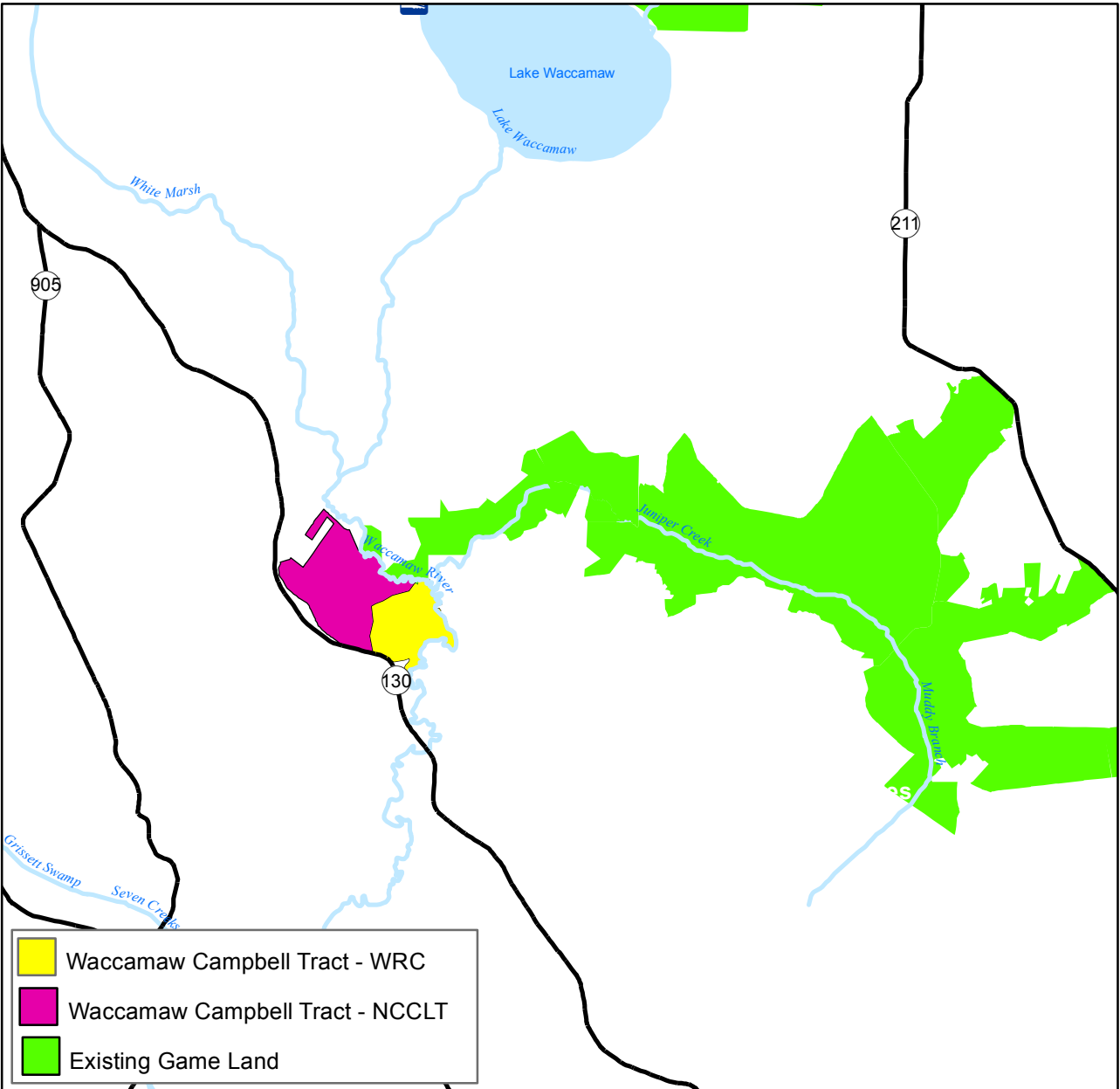
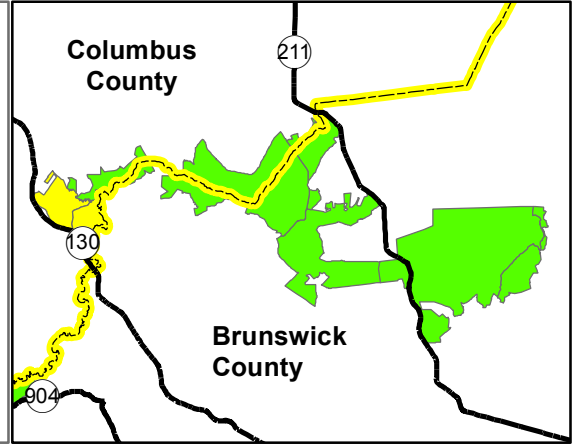
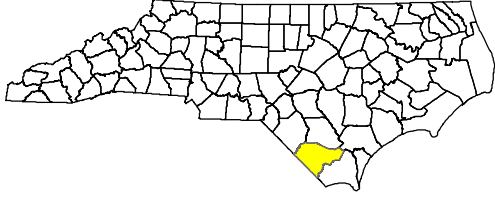
### 5 – Year Estimated Stewardship Costs




<b>Description</b>	<b>Quantity</b>	<b>Unit</b>	<b>Unit Cost</b>	<b>Total (5yrs)</b>
Upgrade road system yr. 1-5	1	mi.	\$100,000	\$100,000
Maintain road system yr. 1-5	4	mi.	\$2,500	\$10,000
Replace culverts yr. 1-5	2	ea.	\$10,000	\$20,000
Maintain gates yr. 2-5	3	ea.	\$200	\$600
Boundary establishment yr. 1	8	mi.	\$1,500	\$12,200
Boundary maintenance yr. 4	8	mi.	\$500	\$4,000
			<b>Total</b>	<b>\$146,600</b>

### 5 – Year Anticipated Revenue

<b>Description</b>	<b>Quantity</b>	<b>Unit.</b>	<b>Value</b>	<b>Total</b>
Timber sales	100	ac.	\$400	\$40,000
			<b>Total</b>	<b>\$40,000</b>

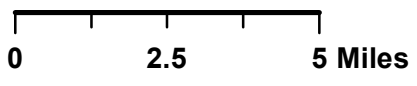
**Waccamaw Campbell IV Tract  
Columbus County GL  
Columbus County  
1,009.49 Acres**



-  Waccamaw Campbell Tract - WRC
-  Waccamaw Campbell Tract - NCCLT
-  Existing Game Land

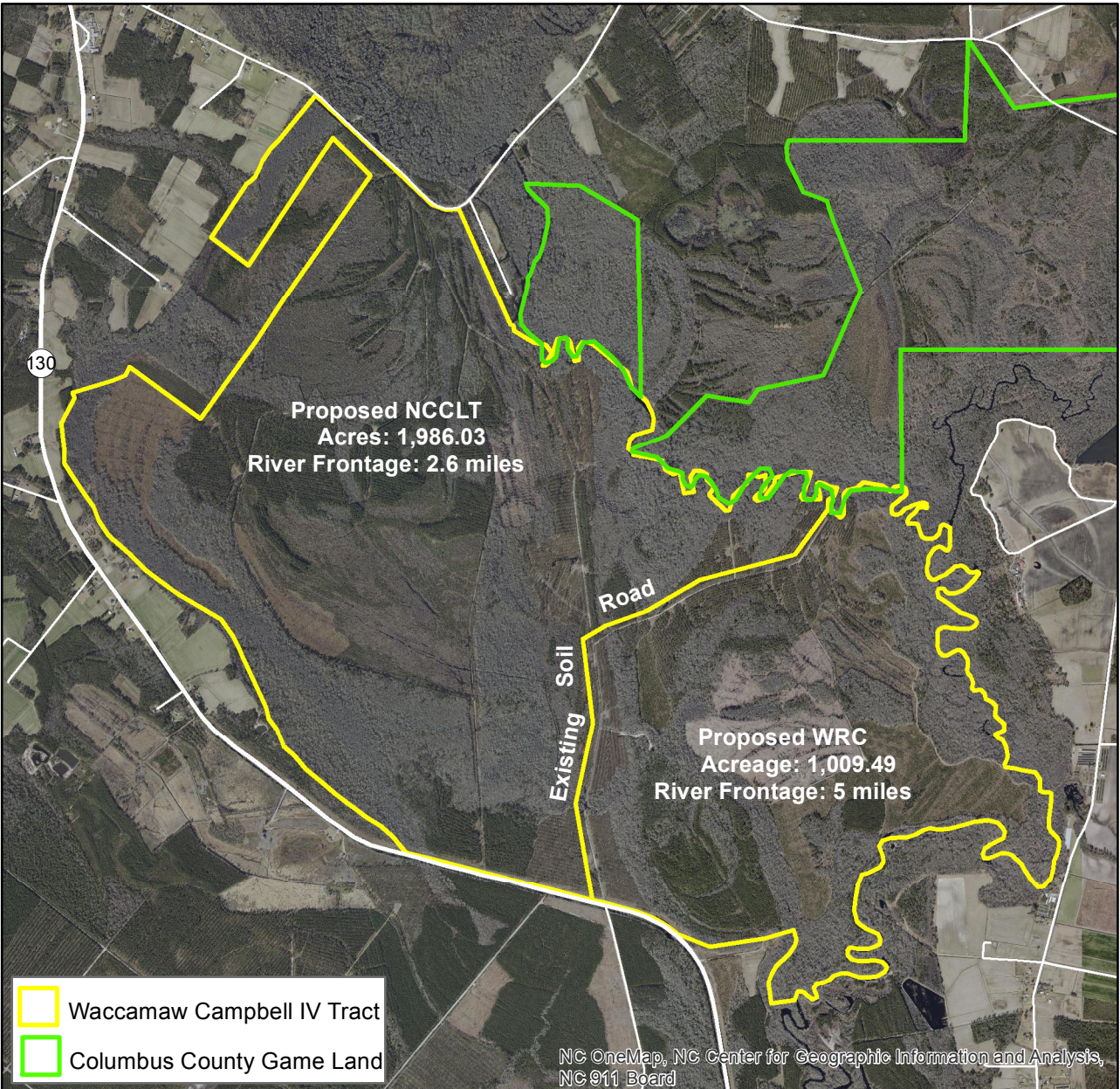
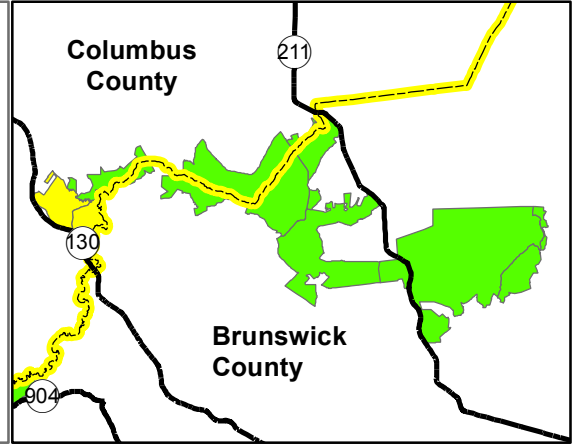
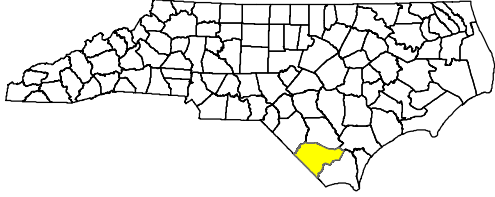


November 20, 2016





**Waccamaw Campbell IV Tract  
Columbus County GL  
Columbus County  
1,009.49 Acres**

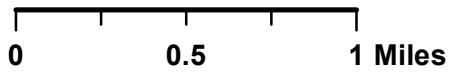


- Waccamaw Campbell IV Tract
- Columbus County Game Land

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



November 20, 2016





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

**-PHASE I: INITIAL INVESTIGATION- (REVISED)**

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

**Date First Presented to WRC:** Original 3,000-acre project presented August 27, 2015.  
Revised acreage presented December 8, 2016.

**Tract Name:** Waccamaw Campbell Global Phase IV (Revised)

**Acreage:** 1,014

**County:** Columbus

**Parcel ID Number:** 1124.00-81-6862.000

**Estimated Value:** \$850,000

NC Coastal Land Trust (NCCLT) will acquire 2,966 acres for \$6.2 mil and will ultimately transfer 1,014 acres to WRC. WRC proposes to contribute \$850,000 to the project. NCCLT has funds in-hand and pending grants to cover the remaining required funds.

**Property Owner or Representative:** The Campbell Group, c/o Matt Thuman

**Phone:** 910-520-7338 (C)

**Address:** 1200 N 23<sup>rd</sup> Street, Suite 201  
Wilmington, NC 28412

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

**Grant Potential:**  CWMTF

OTHER (explain): Coastal Wetlands Grant, Sect. 6 Endangered Species Grant.

**Resources Assessment and Biological Benefits (brief):** This Waccamaw River tract is approximately 3000 ac. of hardwood and cypress sloughs, mixed between middle-aged loblolly pine stands. Much of the sloughs are already registered as Natural Areas with the Natural Heritage Program (236-acres Waccamaw River Cross Swamp Bottomlands). A nice scattering of Atlantic white cedar is also present, and this habitat has good restoration potential. A good system of interior roads is already present, although these roads will need repair or upgrading for game land users. The tract is directly across the Waccamaw River from the Columbus County Game Land.

The NC Coastal Land Trust has already purchased one tract from the Campbell Group closer to Lake Waccamaw, (and is in the process of developing a Purchase and Sales Agreement for another contiguous tract), next to Waccamaw State Park, making a significant corridor of conservation lands in this area.

The tract supports NCWRC Wildlife Action Plan Priority habitats and species and will provide valuable habitat for reptiles, amphibians, birds and mammals. Examples of species that this property will be especially beneficial for are black bear, white-tailed deer, wild turkey, Swainson's warbler, Prothonotary warbler, wood stork, swallow-tailed kite, Rafinesque's big-eared bat, Eastern spadefoot and Eastern mudsnake.

Based upon data found in the NC Conservation Planning Tool, the Waccamaw Campbell Global Phase IV Tract's Biodiversity index score is 6 out of 10 (1- low-10 high values). The Biodiversity/Wildlife Habitat Index prioritizes aquatic and terrestrial habitat, landscape function, and connectivity.

**Program Potential:**  Game Land (Columbus County)  Wildlife Conservation Area  
 Fishing Access Area  None

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

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

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

**Map Attached:**  Yes  No

**WORKSHEET**  
**Relative Priority Evaluation for Conservation Lands**

Tract Name (Columbus County GL) Waccamaw Campbell IV Tract (Columbus Co.)

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

# EXHIBIT G-3

April 26, 2018



## North Carolina Wildlife Resources Commission

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April 26, 2018

### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

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

SUBJECT: Proposed Deed Restriction on Land Donation

Staff recommends seeking Commission approval of requested proposed deed restriction language applying to the gift of 690.74 acres of additions to the South Mountains Game Land in Burke, McDowell & Rutherford Counties. The proposed language would state:

“No timber shall be commercially harvested on the Property. Any wood that is cut or felled for any purpose shall remain on the property and neither be removed nor sold commercially. All forest management shall be done in accordance with a Forest Stewardship Plan, prepared by the North Carolina Forest Service, a registered forester or qualified biologist. Forest management shall be designed to protect the conservation values of the Property and be consistent with the terms of this deed restriction. No plants shall be commercially collected on the property. No plant listed by the State of North Carolina or by the United States of America as Threatened, Endangered, or Special Concern species shall be collected except for research in accordance with North Carolina Wildlife Resource Commission rules.”

The previously approved Phase I and Phase II materials for the five tracts comprising this donation are attached for reference (Burkemont, Carswell, NFWF Tracts).

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 Wildlife Resources Commission  
Land Acquisition Investigation Form**

**-PHASE II: FINAL ACQUISITION DETAILS-**

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**WRC Action/Approval to Pursue (Date):** August 25, 2016

**Tract:** Burkemont Mountain Tract; Burke County, 69.63 Acres

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

Accept donation of the property from the Foothills Conservancy of NC.

**Based on Appraisal:**  Yes  No  NA

**If Yes, Name of Appraiser:**

**Date of Appraisal:** NA

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

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

**If Yes, Explain Details:**

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

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

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

**Five Year Estimate of Total Stewardship Expenditures:** \$: 

20,969
--------

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

0
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**Additional Comments:** NA

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

<b>STEWARDSHIP</b>						
<b>Estimated Stewardship Expenditures</b>						
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost	
<b>Burkemont Mountain</b>	Boundary Establishment (Contract Survey)	8,775	Ft.	\$1.25	\$10,969	
	Construct small parking area for GL users	1	ea.	\$10,000	\$10,000	
<b>Total</b>					<b>\$20,969.00</b>	
<i>Insert additional rows in table as needed</i>						

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

+

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

-PHASE I: INITIAL INVESTIGATION-

---

**WRC Staff Contact:** Gordon Warburton/David Stewart

**Date First Presented to WRC:** August 25, 2016

**Tract Name:** Burkemont Mountain Tract (PIN 2700152768)

**Acreage:** 69.63

**County:** Burke

**Estimated Cost:** Donation (Tax Value = \$128,200)

**Property Owner or Representative:**

**Owner:** 130 of Chatham, LLC  
3409 Birk Bluff Court  
Cary, NC 27518

**Representative:** Andrew Kota, Foothills Conservancy of N.C.  
P.O. Box 3023, Morganton, NC 28680  
828-437-9930 (office) 828-403-7121 (mobile)  
[akota@foothillsconservancy.org](mailto:akota@foothillsconservancy.org)

Foothills Conservancy is working to acquire the tract from 130 of Chatham LLC and desires to donate the property to WRC as an addition to South Mountains Game Land.

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

**Grant Potential:**  CWMTF

OTHER (explain): Donation

**Resources Assessment and Biological Benefits (brief):** Acquisition of the Burkemont Mountain Tract will solidify WRC ownership in that portion of the game land just south of Morganton. Access to the tract is provided from Burkemont Road (S.R. 1957). The tract is adjacent the Black Fox Tract of South Mountains Game Land and acquisition of the Burkemont Mountain Tract will allow WRC to establish a new public access location to the Black Fox Tract where one does not exist currently. The only other public access to the Black Fox Tract is provided via an approximately 0.8 mile ROW easement across several properties.



The tract contains the uppermost headwaters of Hunting Creek and Henry Fork and is predominately composed of Appalachian Oak Forest and Appalachian Cove Forest. Management objectives will include restoring or maintaining the oak and cove forest priority wildlife habitats that are located on the tract. Common wildlife species found on the tract include wild turkey, white-tailed deer, raccoon, and gray squirrel. Priority species likely found on the tract as either permanent residents or transients include: Prairie Warbler (*Dendroica discolor*), Whip-poor-will (*Caprimulgus vociferous*), Eastern box turtle (*Terapene carolina*), northern long-eared bat (*Myotis septentrionalis*), wood thrush (*Hylocichla mustelina*), Eastern wood-peewee (*Contopus virens*), and hooded warbler (*Setophaga citrina*).

Public recreational opportunities will include hunting, hiking, bird watching, photography, and general nature study.

**Additional Comments:** Acquisition of the tract will create an approximately 3-acre private inholding in the Black Fox Tract. A road crossing an adjacent property would provide the most convenient access to the tract, but no recorded easement exists for this road. WRC can establish public access directly from S.R. 1957 across an existing road that has been used for timber harvest.

**Program Potential:**  Game Land (South Mountain)     Wildlife Conservation Area  
 Fishing Access Area     None

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

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

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

**Map Attached:**  Yes     No

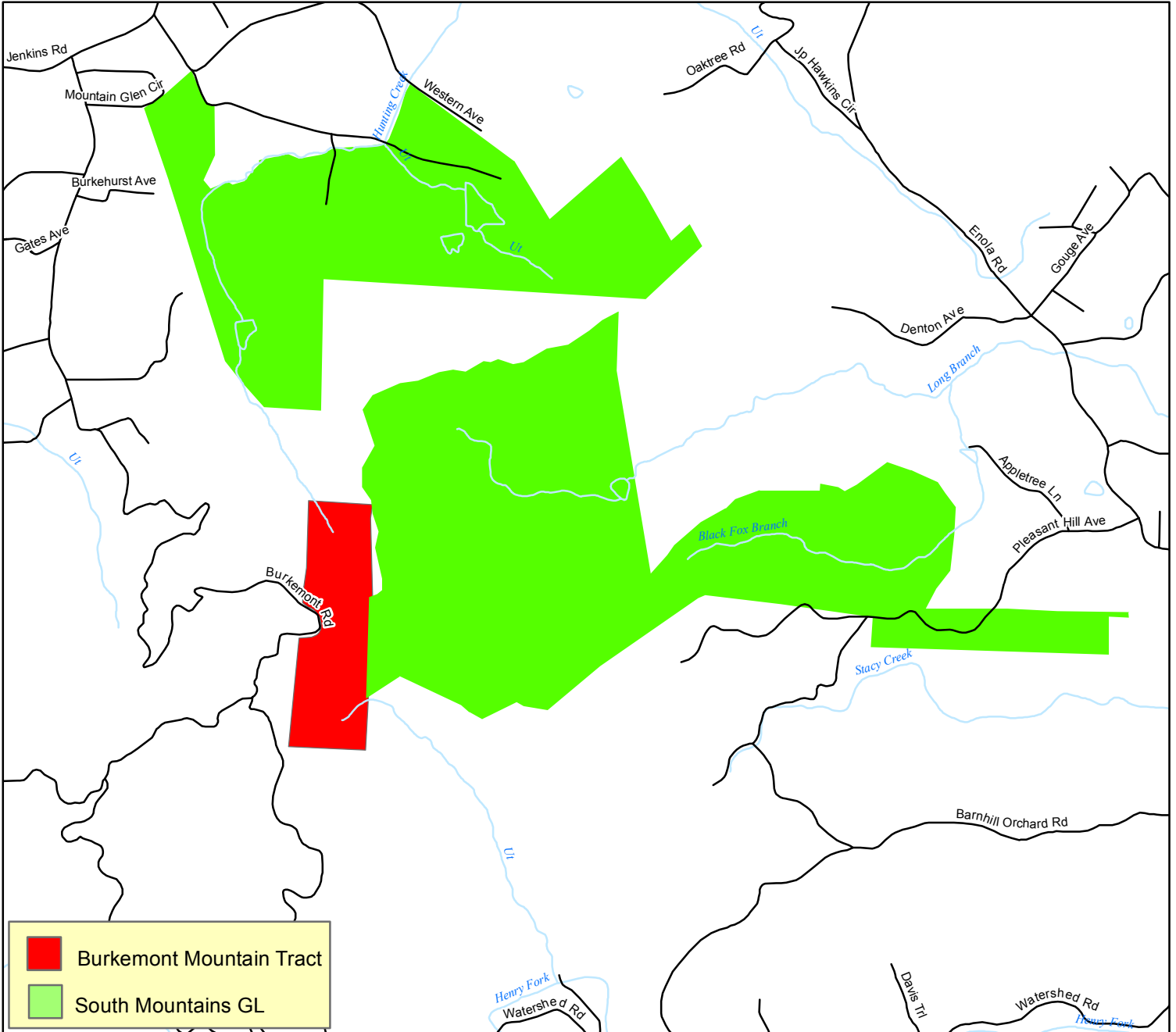
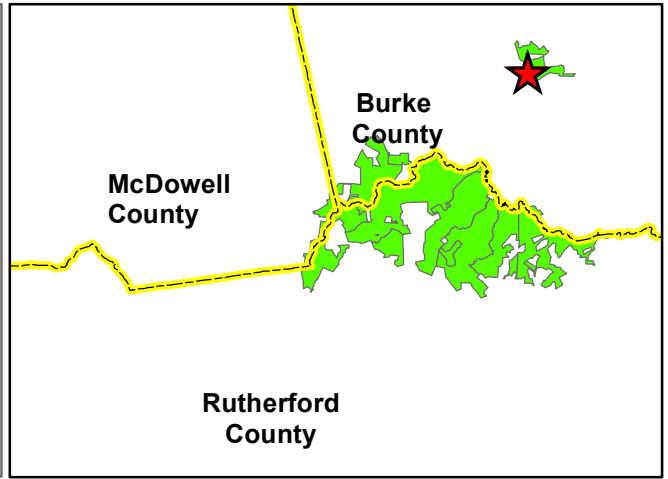
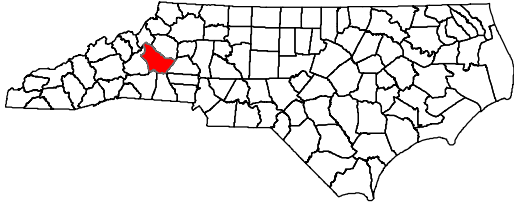
## WORKSHEET

### Relative Priority Evaluation for Conservation Lands

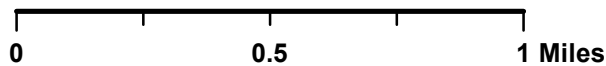
Tract Name (South Mountains GL) Burkemont Mountain Tract (Burke County)

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

# Burkemont Mountain Tract South Mountains GL Burke County 69.63 Acres

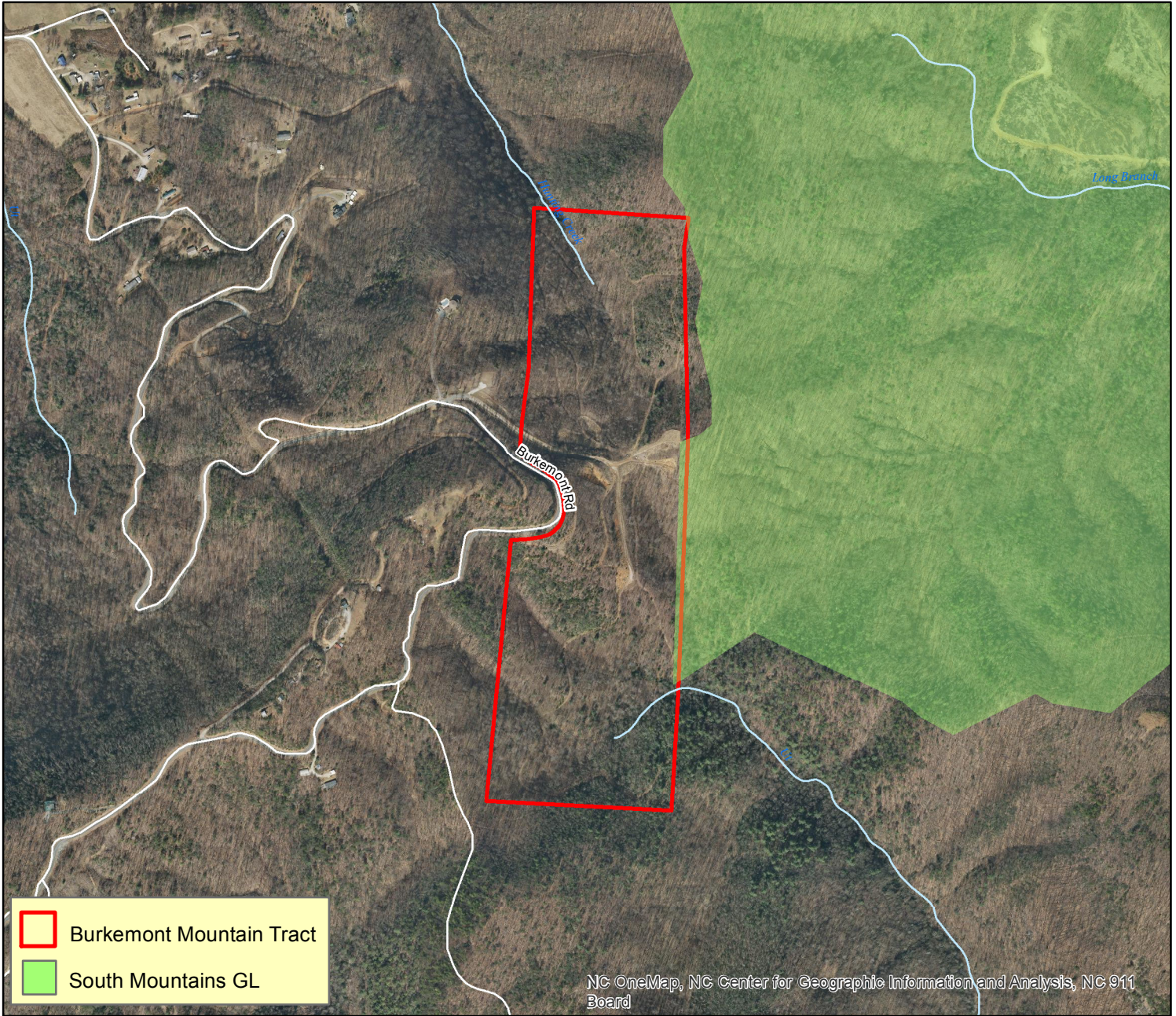
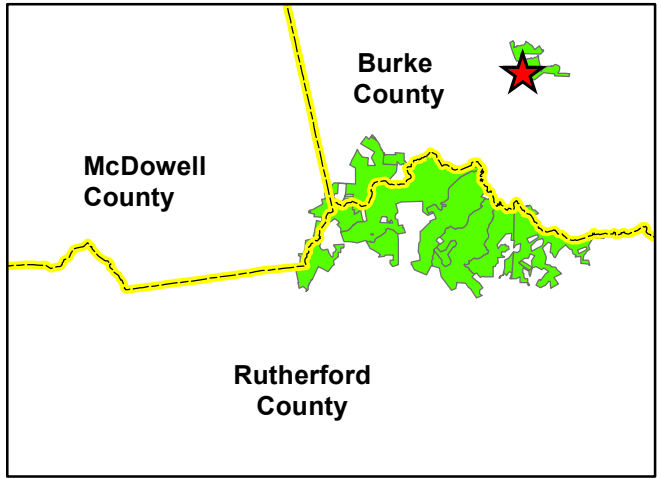
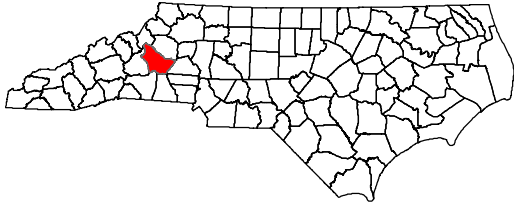




August 6, 2016





**Burkemon Mountain Tract  
South Mountains GL  
Burke County  
69.63 Acres**

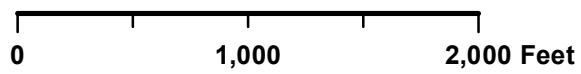


 Burkemon Mountain Tract  
 South Mountains GL

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



August 6, 2016



**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, 2017

**Tract:** Carswell tract, Burke County 210 Acres

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

Donation from The Conservation Fund

**Based on Appraisal:** Yes     No     NA

**If Yes, Name of Appraiser:**


**Date of Appraisal:** .

**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 75/25

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

**Five Year Estimate of Total Stewardship Expenditures:**

\$23,887

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

\$0

## WORKSHEET

### Five Year Stewardship Costs and Revenue Projections

#### (Five Years Post Acquisition)

STEWARDSHIP					
Estimated Stewardship Expenditures					
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
<b>Carswell Tract (NFWF Amendment) – South Mountains GL</b>	Boundary Establishment (Contract Survey)	15,425	Ft.	\$1.50	\$23,137
	Install gates to control vehicular access	1	ea.	\$750	\$750
	<b>Total</b>				
<i>Insert additional rows in table as needed</i>					

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



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

<b>WRC Staff Contact:</b>	Kip Hollifield/Paul Thompson
<b>Date First Presented to Commission:</b>	
<b>Tract Name:</b>	Carswell Tract, NFWF Amendment - South Mtns. Game Land
<b>PIN:</b>	2700248038
<b>County:</b>	Burke
<b>Acreage:</b>	210 acres
<b>Tax Value:</b>	\$292,563
<b>Property Owner/Representative:</b>	Owner: 130 of Chatham, LLC. / Representative: The Conservation Fund
<b>Phone:</b>	919-951-0119
<b>Email Address:</b>	bholman@conservationfund.org
<b>Address:</b>	P.O. Box 271, Chapel Hill, NC 27514

**Primary Purpose:**

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

**Program Potential:**

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

**Type of Acquisition:**

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

**Type of Parcel:**

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

**Grant Potential:**

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

**Owner Interest:**

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

**Tax Value:**

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

**Stewardship Considerations:**

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

**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

**Additional Comments:**

The Conservation Fund (TCF) has requested an amendment to a National Fish and Wildlife Foundation (NFWF) grant to purchase the Carswell Tract. TCF has budgeted to cover acquisition and transaction costs so the property can be conveyed to WRC as a donation.



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

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<b>Tract Name:</b>	Carswell Tract, NFWF Amendment, South Mountains GL
<b>County:</b>	Burke

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

The 210 acre Carswell Tract can be accessed through current WRC holdings as well as the Burkemont Mountain Tract (future donation from Foothills Conservancy of N.C.). The tract is forested and contains mostly mature timber. Appalachian oak and oak-pine forest are predominant on the tract (88%). Appalachian cove forest is also found on the tract, comprising approximately 10%. Management objectives will include restoring or maintaining the oak and cove forest priority wildlife habitats that are located on the tract. Common wildlife species found on the tract include wild turkey, white-tailed deer, raccoon, and gray squirrel. Species of greatest conservation need (SGCN) likely found on the tract as either permanent residents or transients include: Sharp-shinned Hawk (*Accipiter striatus*), Yellow-billed Cuckoo (*Coccyzus americanus*), Eastern Wood-Pewee (*Contopus virens*), Wood Thrush (*Hylocichla mustelina*), Eastern Mole (*Scalopus aquaticus*), and Eastern Hognose Snake (*Heterodon platirhinos*).

Tract Name  
Date  
Staff Completing Form

Carswell Tract, NFWF Ammendment, South Mountains GL  
July 28, 2017  
Hollifield/Thompson

Species	0.259
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	1
SGCN Species	0
Game Species	0

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

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

Comments
The quality of the habitat on the tract is good, as is diversity. The property provides good connectivity and buffer to the Black Fox Tract of South Mountains GL.

Public Access	0.222
Hunting/Viewing	2
Fishing	0
Boating	0

Comments
The property provides additional access for hunting/wildlife viewing on South Mountains GL. No waters of sufficient size are located on the properties, so there is no fishing/boating opportunity.

Wildlife Uses	0.333
Hunting	3
Viewing	2
Fishing	0
Boating	0
Education	0

Comments
The property offers good hunting opportunity as well as some opportunity for wildlife viewing. Educational opportunities are minimal. No significant water is located on the tract, so there is no fishing/boating opportunity.

Other Values	0.667
Timber Harvest	3
Local Economy	2
Quality of Life	1

Comments
The tract can produce good timber and will offer additional access to the game land. This will provide some benefit to the local economy and provide some quality of life benefits to local residents.

Feasibility & Logistics	0.600
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	2
Proximity to Users	2

Comments
The tract does not have a road system that have been maintained in the recent past. Conflicts among game land users and adjoining should be minimal. The tract is proximal to GL users, including the Unifour and Charlotte areas.

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

Comments
Restoration and habitat management potential on the tract is good, thus the rank is moderate. The property will provide additional access to South Mountains GL. There are few threats to the properties.

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

Comments
The tract is owned by 130 of Chatham, so threats are minimal.

Overall Score	3.293
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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

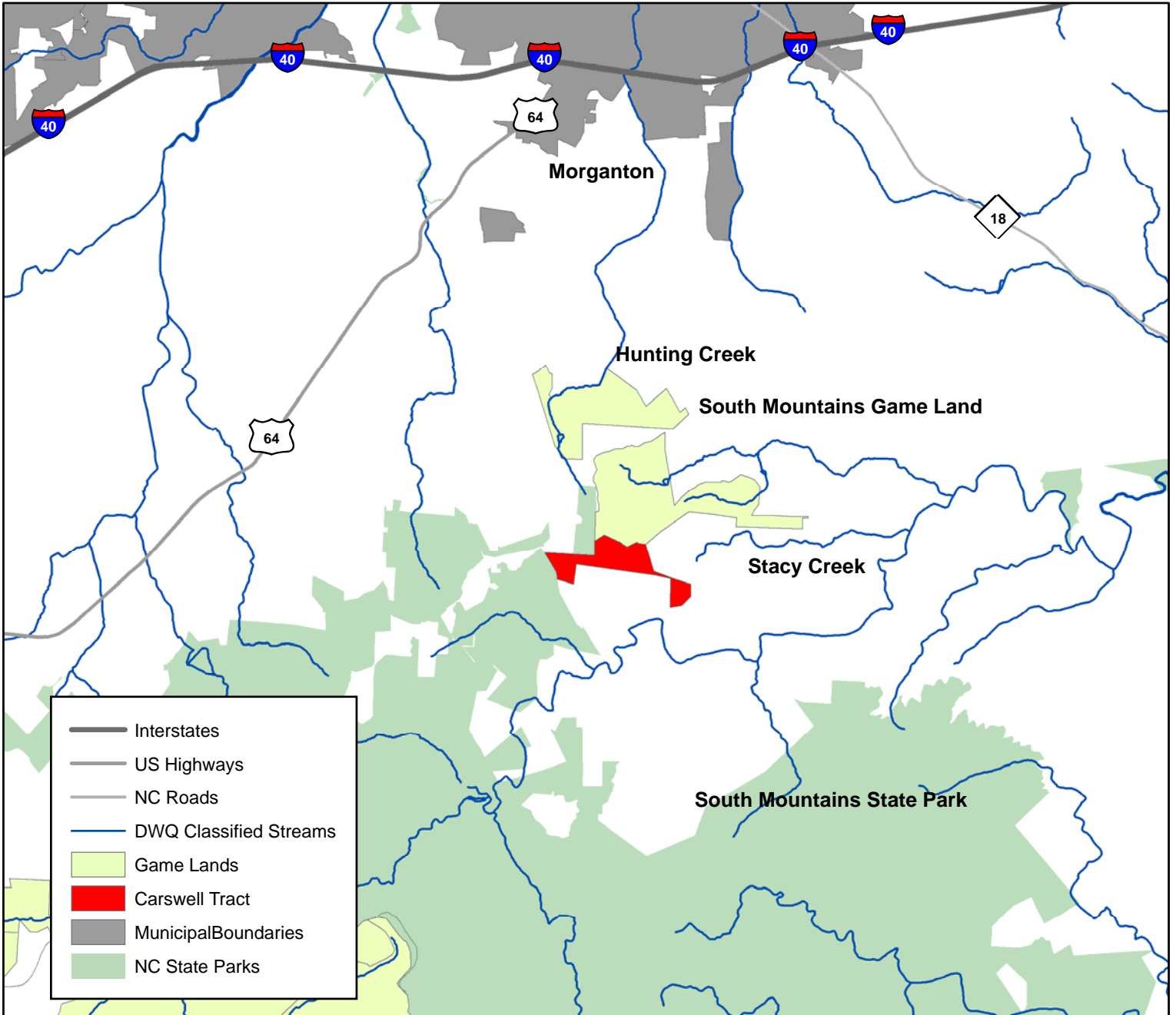
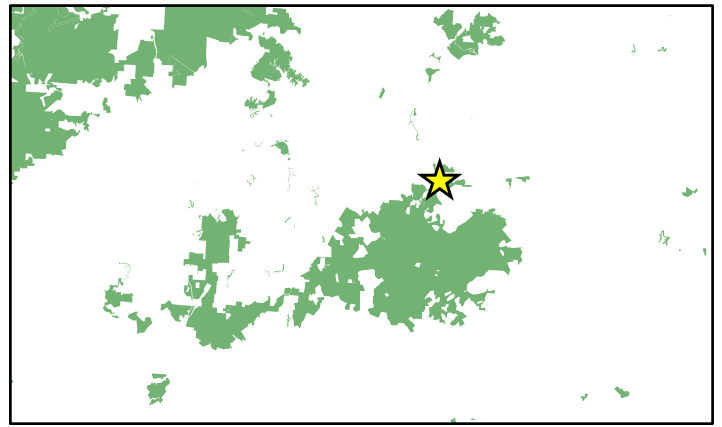
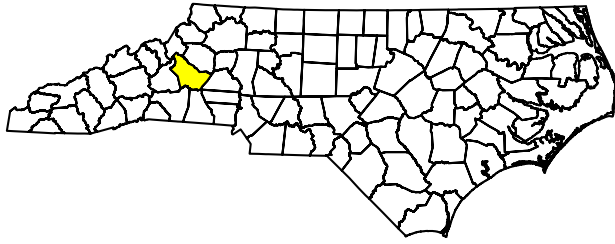
### Threats

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

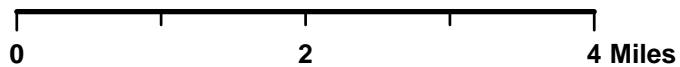
### Scoring

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).

**Carswell Tract  
South Mountains Game Land  
Burke County  
210 Acres**

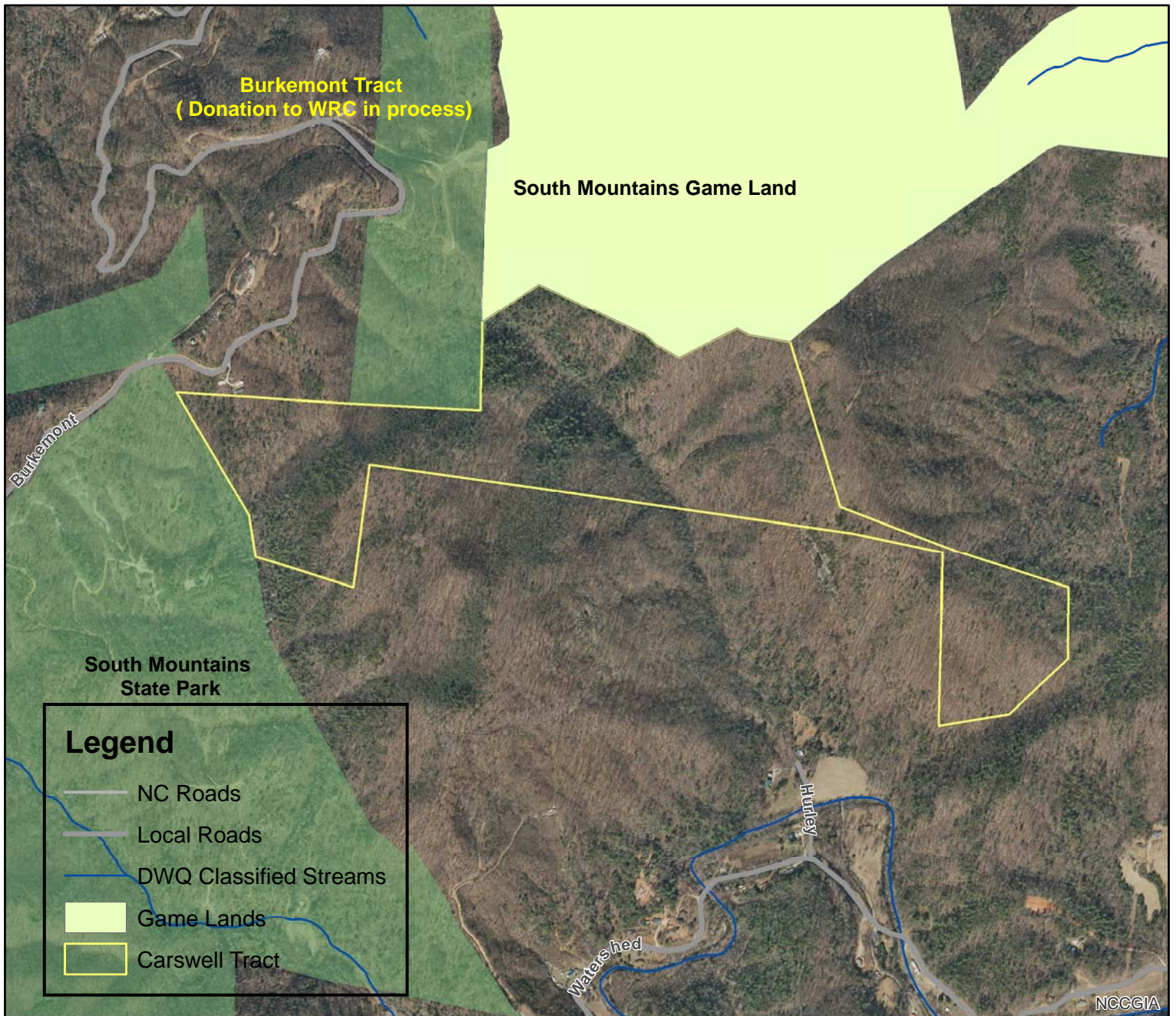
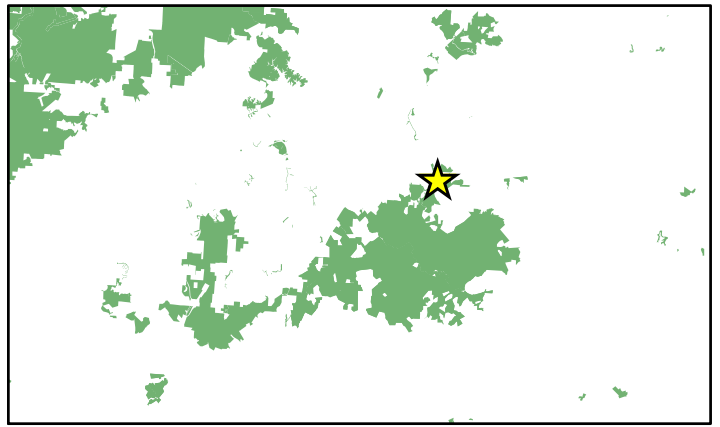
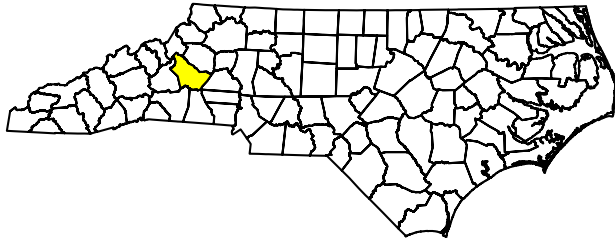


August 23, 2017

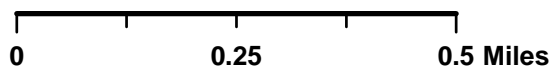




**Carswell Tract  
South Mountains Game Land  
Burke County  
210 Acres**



August 23, 2017



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

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**-PHASE II: FINAL ACQUISITION DETAILS-**

**WRC Action/Approval to Pursue (Date):** July 27, 2017

**Tract:** NFWF tracts, McDowell and Rutherford counties, 486 Acres

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

Donation from Conservation Fund, Total Cost: \$0

**Based on Appraisal:**  Yes       No       N/A

**If Yes, Name of Appraiser:**

Requested by:	Appraiser	Effective Date	Appraised Value
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**Date of Appraisal:** See above.

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

**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:**

\$51,213

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

\$0

## WORKSHEET

### Five Year Stewardship Costs and Revenue Projections

(Five Years Post Acquisition)

STEWARDSHIP					
	Estimated Stewardship Expenditures				
Tract Name	Activity	Quantity	Unit	Unit Cost	Total Cost
<b>NFWF Tracts – South Mountains GL</b>	Boundary Establishment (Contract Survey)	18,642	Ft.	\$1.50	\$27,963
	Gates to control vehicular access	3	ea.	\$750	\$2,250
	Develop parking areas	3	Ea.	\$7,000	\$21,000
	<b>Total</b>				<b>\$51,213.00</b>
<i>Insert additional rows in table as needed</i>					

REVENUE					
	Estimated Revenue Projections				
Tract Name	Source	Quantity	Unit	Unit Revenue	Total Revenue
NFWF tracts					\$ - 0
<b>Total</b>				<b>\$ - 0</b>	



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

<b>WRC Staff Contact:</b>	Kip Hollifield
<b>Date First Presented to Commission:</b>	
<b>Tract Name:</b>	NFWF Tracts - South Mtns. Game Land
<b>County:</b>	McDowell and Rutherford
<b>Acreage:</b>	4 Tracts: (231.83 ac), (166.34 ac), (27.8 ac), (60.0 ac) = 485.97 total
<b>Tax Value:</b>	(\$302,900), (\$49,900), (\$8,340), (\$107,940) = \$469,080 total
<b>Property Owner/Representative:</b>	Owner: 130 of Chatham, LLC. / Representative: The Conservation Fund
<b>Phone:</b>	919-951-0119
<b>Email Address:</b>	bholman@conservationfund.org
<b>Address:</b>	P.O. Box 271, Chapel Hill, NC 27514

**Primary Purpose:**

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

**Program Potential:**

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

**Type of Acquisition:**

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

**Type of Parcel:**

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

**Grant Potential:**

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

**Owner Interest:**

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

**Tax Value:**

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

**Stewardship Considerations:**

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

**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

**Additional Comments:**

The Conservation Fund (TCF) has the 4 subject properties under contract and has received a grant from the National Fish and Wildlife Foundation (NFWF) to purchase them. TCF has budgeted to cover acquisition and transaction costs so the properties can be conveyed to WRC at little to no cost. TCF would like to simultaneously close these properties with WRC with NFWF funds so they don't have to pre-acquire them and incur additional transaction and interest carrying costs. 130 of Chatham would like to sell them by the end of the summer 2017. Approximately 20 acres will be carved out of the 166.34 acre tract before closing with WRC. The majority of the carve out is pasture and will be later conveyed to the U.S. Fish and Wildlife Service as part of the Mountain Bog National Wildlife Refuge.

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

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<b>Tract Name:</b>	NFWF Tracts - South Mountains GL
<b>County:</b>	McDowell and Rutherford

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

The subject properties have direct access to DOT maintained roads and will provide the opportunity to develop two and possibly three (depending on the location on the +/- 20 acre carve out on the 166.34 acre tract) access points to South Mountains Game Land along the McDowell/Rutherford county line where access is currently minimal. The 166.34 acre tract contains a small failing dam (see map and picture) that was/is used to divert water into 2 ponds. This system was constructed by a former landowner for recreational purposes and to provide water to cattle. It is recommended the dam as well as the 2 ponds be included in the portion of the tract that goes to the USFWS. The USFWS portion of the property will require a good bit of restoration to develop a bog. Repair/removal of the dam as well as modifications to the ponds will likely be needed for the bog restoration, thus these should be part of the USFWS portion. Direct access to U.S. Hwy 64 should be retained at the NW portion of the tract if possible. The 231.83 and 60 acre tract were both logged approximately 10 years ago. The portion of the 166.34 acre tract to be conveyed to WRC along with the 27.8 acre tract are currently forested with 60-80 year old timber. Appalachian oak and Appalachian cove forests are the predominant forest cover types on all 4 tracts. Management objectives will include restoring or maintaining the early successional habitat and/or the oak and cove forest priority wildlife habitats that are located on the tracts. Common wildlife species found on the tracts include wild turkey, white-tailed deer, raccoon, and gray squirrel. Priority species likely found on the tracts as either permanent residents or transients include: South Mountain gray-cheeked salamander (*Plethodon meridianus*), timber rattlesnake (*Crotalus horridus*), Eastern box turtle (*Terapene carolina*), northern long-eared bat (*Myotis septentrionalis*), prairie warbler (*Setophaga discolor*), and Acadian flycatcher (*Empidonax virescens*)

Tract Name  
Date  
Staff Completing Form

<b>NFWF Tracts - South Mountains GL</b>
<b>April 19, 2017</b>
<b>Hollifield/Weeks/Russ</b>

<b>Species</b>	<b>0.296</b>
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	1
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	1
SGCN Species	0
Game Species	0

<b>Comments</b>
Moderate biodiversity is based on a diversity of forest cover types and age classes, the number of blue line streams located on the tracts, and the diversity of wildlife found on the properties.

<b>Habitat</b>	<b>0.556</b>
Size	1
Quality	2
Diversity	2
Rare/Important	1
Connectivity	2
Buffer	2

<b>Comments</b>
The quality of the habitat on the tract is good, as is diversity. The properties provide good connectivity and buffer to South Mountains GL.

<b>Public Access</b>	<b>0.333</b>
Hunting/Viewing	3
Fishing	0
Boating	0

<b>Comments</b>
The properties provide excellent legal access to South Mountains GL. No waters of sufficient size are located on the properties, so there is no fishing/boating opportunity.

<b>Wildlife Uses</b>	<b>0.400</b>
Hunting	3
Viewing	2
Fishing	0
Boating	0
Education	1

<b>Comments</b>
The properties offer excellent hunting opportunity as well as some opportunity for wildlife viewing. Educational opportunities will be low. No significant water is located on the tract, so there is no fishing/boating opportunity.

<b>Other Values</b>	<b>0.667</b>
Timber Harvest	3
Local Economy	2
Quality of Life	1

<b>Comments</b>
The tracts can produce good timber and will offer additional access to the game land. This will provide some benefit to the local economy and provide some quality of life benefits to local residents.

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

<b>Comments</b>
The tracts that have been logged have existing roads that may be improved for access and/or wildlife habitat. Conflicts among game land users and adjoining should be minimal. The tracts bring current State ownership to DOT maintained roads and will provide needed public access. The tract is proximal to GL users, including the Unifour and Charlotte areas.

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

<b>Comments</b>
Restoration and habitat management potential on the tract is good, thus the rank is moderate. 3 new public accesses can be developed on the tracts, thus the rank is high. 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 tracts are under contract to The Conservation Fund, thus threats are minimal.

<b>Overall Score</b>	<b>3.619</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

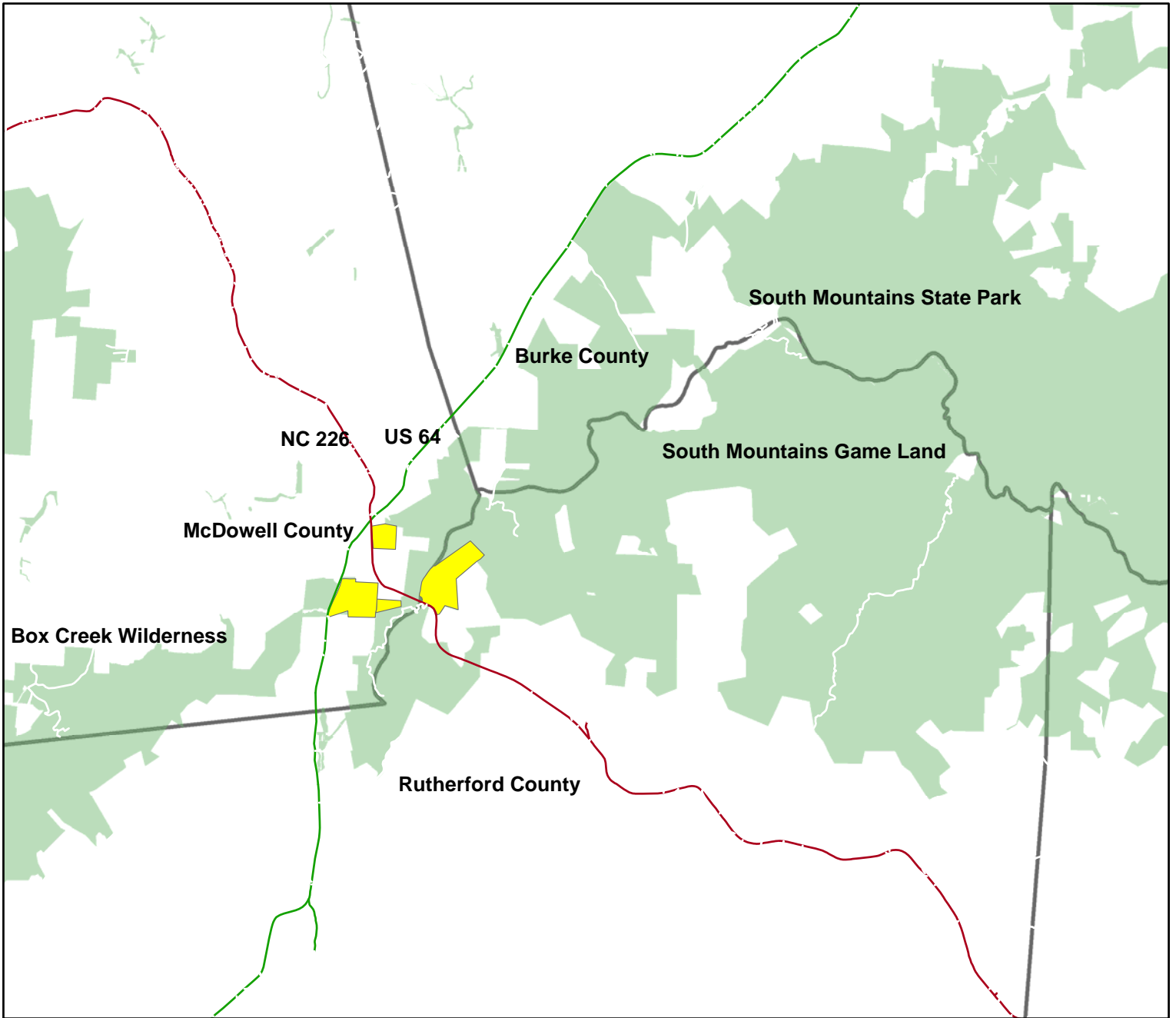
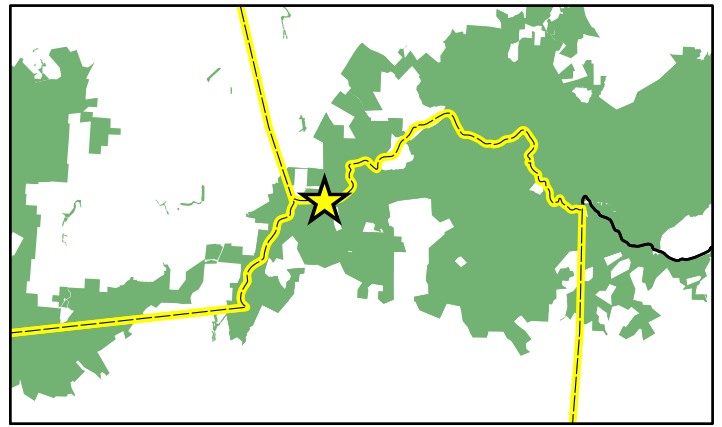
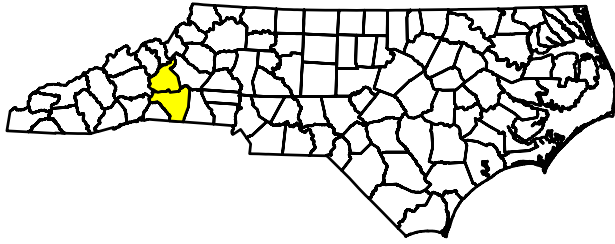
### Threats

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

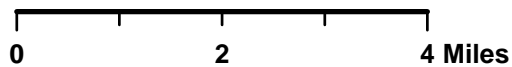
### Scoring

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).

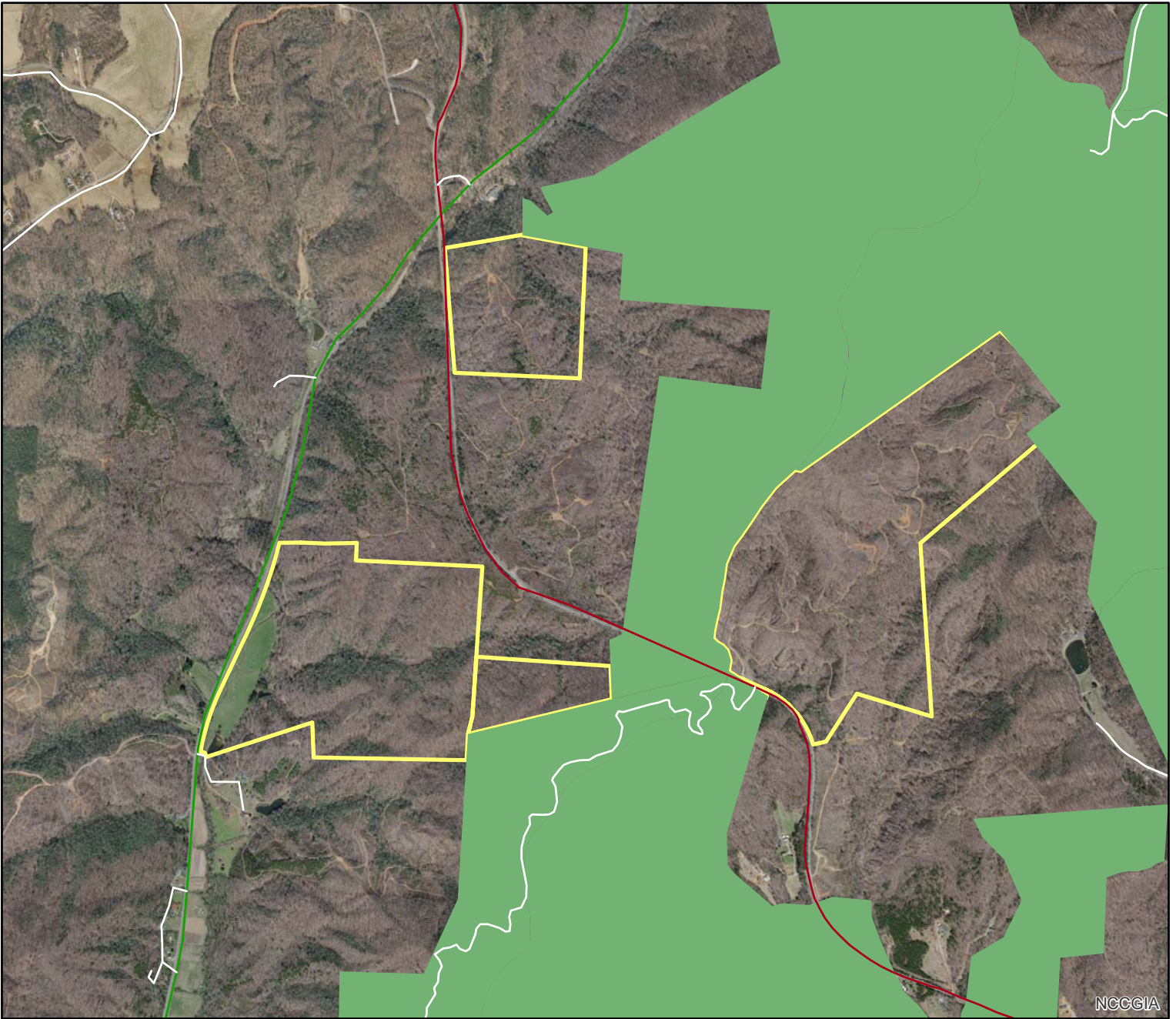
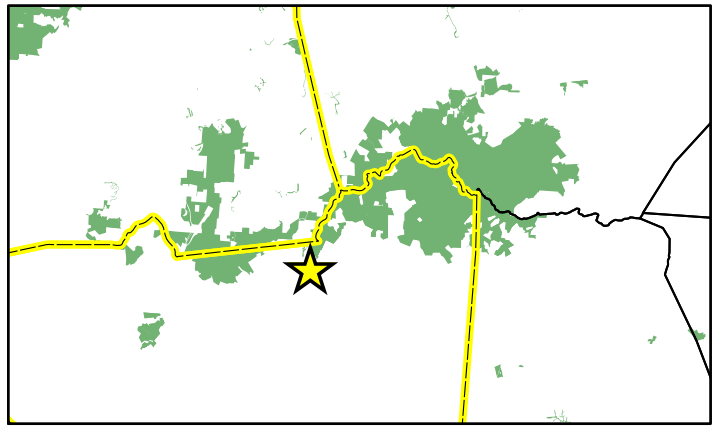
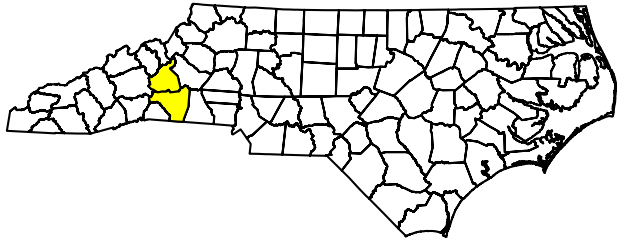
**NFWF Tracts**  
**South Mountain Game Land**  
**McDowell and Rutherford counties**  
**486 acres**



July 23, 2017



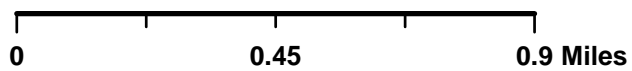
**NFWF tracts  
South Mountain Game Land  
McDowell and Rutherford counties  
486 acres**



NCCGIA



July 23, 2017





# EXHIBIT H

April 26, 2018



## North Carolina Wildlife Resources Commission

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April 26, 2018

### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

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

SUBJECT: Permanent Right of Way Easement at Sandhills Game Land

NCDOT seeks to purchase a permanent Right-of-Way easement for Bridge No. 760077 over Rocky Ford Branch on SR 1424 (Gibson Mill Road) in Richmond County. NCDOT has determined that 0.043 acre of permanent Right-of-Way will be needed for this project along with 0.029 acre of Temporary Construction Easement.

Staff recommends seeking Commission approval to grant the easements to NCDOT with compensation to be fair market value as determined by the NC State Property Office.

Land and Water Access

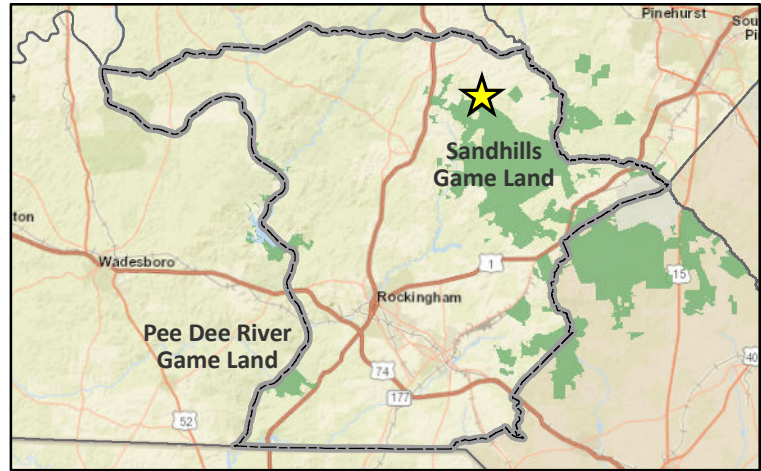
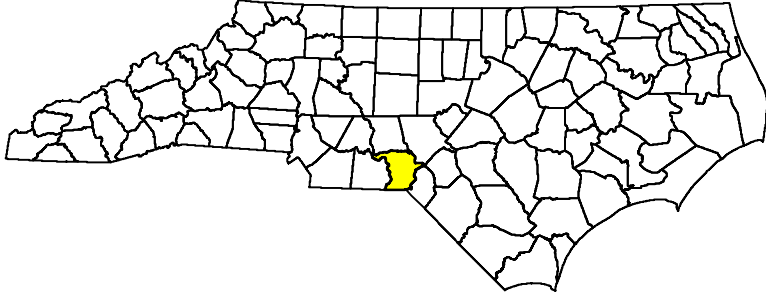
Mailing Address: 1720 Mail Service Center, Raleigh, N.C. 27699-1720

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

Phone: 919-707-0150

Fax: 919-707-0162

**Right of Way - DOT Request  
Richmond County  
0.043 Acres**

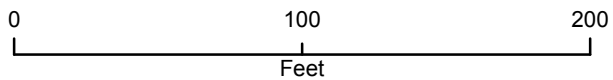


Right of Way, 0.043 ac.

Temp Construction Easement, 0.029 ac.



April 13, 2018



# EXHIBIT I

April 26, 2018



## North Carolina Wildlife Resources Commission

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April 26, 2018

### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

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

SUBJECT: Permanent Right of Way Easement at Hunting Creek Swamp

NCDOT seeks to purchase a permanent Right-of-Way easement for Bridge No. 290078 over Hunting Creek on ST 1338 (County Line Road) in Davie County. NCDOT has determined that 0.286 acre of permanent Right-of-Way will be needed for this project.

Staff recommends seeking Commission approval to grant the easement to NCDOT with compensation to be fair market value as determined by the NC State Property Office.

Land and Water Access

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

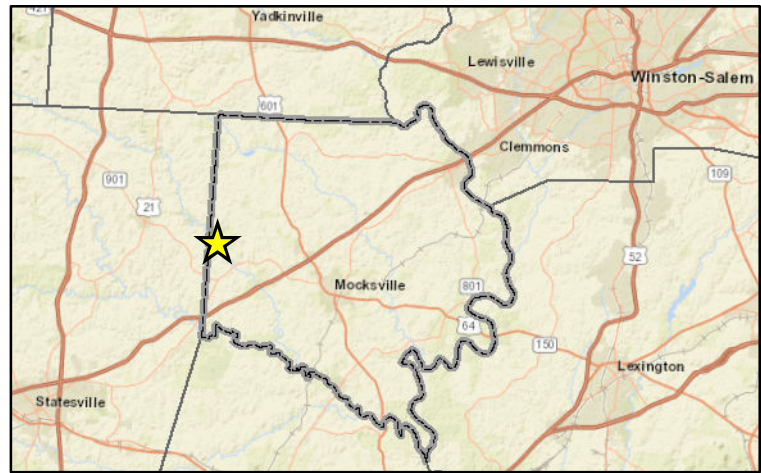
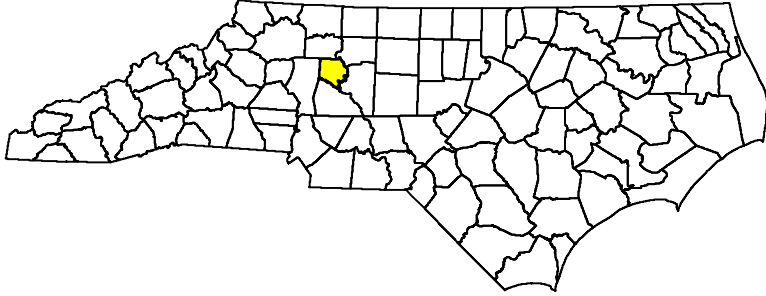
Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606



Phone: 919-707-0150

Fax: 919-707-0162



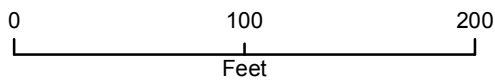
**Right of Way - DOT Request  
Davie County  
0.286 Acres**



-  Requested Right of Way, 0.286 ac.
-  WRC Hunting Creek Swamp Waterfowl Refuge



**April 13, 2018**





# EXHIBIT J

April 26, 2018



## Final Adoption of Rules for Amendment and Readoption Under 15A NCAC 10F .0300 - Local Water Safety Regulations

As part of the 2016 Periodic Review process, 48 water safety rule amendments and two water safety rule readoptions are proposed for final adoption by the Commission, for an effective date of October 1, 2018. These proposed rules and Fiscal Notes were approved by the Commission in August and October 2017 for Notice of Text that was published in the *NC Register*. During the open comment periods public hearings were held, and no comments were received. Proposed amendments contain revisions to incorporate the following changes:

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

Two water safety rules, 15A NCAC 10F .0330 and .0333, were determined to be necessary with substantive public interest and are being readopted.

Following is a summary of Rule amendments with changes. The complete text of each Rule is attached to this exhibit.

### SUMMARY OF RULE CHANGES

#### **15A NCAC 10F .0303 BEAUFORT COUNTY**

Update language for consistency, remove maintenance of markers, and remove the word "motorboat" from the rule.

*15A NCAC 10F .0303 Beaufort County (page 1)*

#### **15A NCAC 10F .0304 BLADEN COUNTY**

Update language, renumber the Rule.

*15A NCAC 10F .0304 Bladen County (page 2)*

### **15A NCAC 10F .0306 CAROLINA BEACH**

Clarify boundaries and add coordinates, remove “motorboat” and maintenance.  
*15A NCAC 10F .0306 (page 3)*

### **15A NCAC 10F .0309 COLUMBUS COUNTY**

Clarify description of restricted areas.  
*15A NCAC 10F .0309 Columbus County (page 4)*

### **15A NCAC 10F .0310 DARE COUNTY**

Add coordinates, correct names, renumber Rule, remove “motorboat” and maintenance, add federal approval.  
*15A NCAC 10F .0310 Dare County (pages 5-7)*

### **15A NCAC 10F .0311 GRANVILLE, VANCE AND WARREN COUNTIES**

Update language for consistency, include coordinates, remove maintenance of markers.  
*15A NCAC 10F .0311 Granville, Vance and Warren Counties (page 8)*

### **15A NCAC 10F .0313 HYDE COUNTY**

Technical changes to add coordinates, correct names, remove “motorboat” and maintenance.  
*15A NCAC 10F .0313 (page 9)*

### **15A NCAC 10F .0314 NEW HANOVER COUNTY**

Technical changes to update language for consistency, correct coordinates.  
*15A NCAC 10F .0314 (page 10)*

### **15A NCAC 10F .0316 ~~FORSYTH-~~ FORSYTH, ROCKINGHAM AND STOKES COUNTIES**

Clarify language.  
*15A NCAC 10F .0316 Forsyth, Rockingham and Stokes Counties (page 11)*

### **15A NCAC 10F .0317 STANLY COUNTY**

Remove Mountain Creek Cove as a no-wake zone and reletter Rule, remove maintenance.  
*15A NCAC 10F .0317 Stanly County (page 12)*

### **15A NCAC 10F .0318 WARREN COUNTY**

Correct name and coordinates, remove maintenance.  
*15A NCAC 10F .0318 (page 13)*



### **15A NCAC 10F .0319 WASHINGTON COUNTY**

Update language, add coordinates, remove “motorboat” and maintenance.  
*15A NCAC 10F .0319 (page 14)*

### **15A NCAC 10F .0322 UNION COUNTY**

Clarify language for consistency, correct names, remove maintenance.  
*15A NCAC 10F .0322 Union County (page 15)*

### **15A NCAC 10F .0324 DAVIDSON COUNTY**

Clarify language, add coordinates, add no-wake zone on Badin Lake at Lakeshore Drive Cove to the Davidson County Rule and remove it from the Montgomery County Rule, renumber Rule, remove maintenance.

*15A NCAC 10F .0324 Davidson County (page 16)*

### **15A NCAC 10F .0326 PAMLICO COUNTY**

Technical changes to add coordinates, correct name and update language for consistency, remove “motorboat” and maintenance.

*15A NCAC 10F .0326 (page 17)*

### **15A NCAC 10F .0327 MONTGOMERY COUNTY**

Remove no-wake zone on Badin Lake at Lakeshore Drive Cove and add it to the Davidson County Rule, add coordinates, clarify descriptions.

*15A NCAC 10F .0327 Montgomery County (pages 18-19)*

### **15A NCAC 10F .0328 MARTIN COUNTY**

Remove “motorboat” and maintenance.

*15A NCAC 10F .0328 (page 20)*

### **15A NCAC 10F .0329 ROWAN COUNTY**

Clarify descriptions, add coordinates, remove maintenance, remove federal approval.

*15A NCAC 10F .0329 Rowan County (pages 21-22)*

### **15A NCAC 10F .0331 WAKE COUNTY**

Remove “motorboat” and maintenance.

*15A NCAC 10F .0331 (page 25)*

### **15A NCAC 10F .0332 ALEXANDER COUNTY**

Clarify language, add coordinates, correct names, remove “motorboat,” remove maintenance, remove federal approval.

*15A NCAC 10F .0332 Alexander County (page 26)*

### **15A NCAC 10F .0334 GUILFORD COUNTY**

Correct text, remove maintenance.

*15A NCAC 10F .0334 (page 29)*

### **15A NCAC 10F .0336 NORTHAMPTON AND WARREN COUNTIES**

Clarify locations and add coordinates, remove maintenance.

*15A NCAC 10F .0336 Northampton and Warren Counties (page 30)*

### **15A NCAC 10F .0337 FRANKLIN COUNTY**

Lake Royale is a private, limited access lake; therefore, maintenance remains responsibility of Franklin County. As a private lake, it is not subject to the approval of the USACE and USCG; therefore, that language is stricken.

*15A NCAC 10F .0337 (page 31)*

### **15A NCAC 10F .0341 TOWN OF LAKE LURE**

Remove “motorboat,” clarify language.

*15A NCAC 10F .0341 Town of Lake Lure (page 32)*

### **15A NCAC 10F .0343 CHATHAM COUNTY**

Remove repetitive definitions, remove maintenance.

*15A NCAC 10F .0343 Chatham County (page 33)*

### **15A NCAC 10F .0344 TOWN OF RIVER BEND**

Clarify descriptions and add coordinates, remove “motorboat,” remove maintenance.

*15A NCAC 10F .0344 Town of River Bend (page 34)*

### **15A NCAC 10F .0345 CHATHAM AND WAKE COUNTIES**

Clarify descriptions, add coordinates, remove maintenance.

*15A NCAC 10F .0345 Chatham and Wake Counties (page 35)*

### **15A NCAC 10F .0346 ARROWHEAD BEACH SUBDIVISION**

Clarify descriptions, add coordinates, remove maintenance.

*15A NCAC 10F .0346 Arrowhead Beach Subdivision (page 36)*

### **15A NCAC 10F .0347 CRAVEN COUNTY**

Clarify descriptions and add coordinates, remove maintenance.  
*15A NCAC 10F .0347 Craven County (pages 37-38)*

### **15A NCAC 10F .0348 PERSON COUNTY**

Update language, correct coordinates, remove maintenance.  
*15A NCAC 10F .0348 (page 39)*

### **15A NCAC 10F .0351 NEW BERN**

Correct name of road, remove maintenance.  
*15A NCAC 10F .0351 (page 40)*

### **15A NCAC 10F .0352 CAMDEN COUNTY**

Technical corrections to update language and correct coordinates, remove maintenance.  
*15A NCAC 10F .0352 (page 41)*

### **15A NCAC 10F .0354 PITT COUNTY**

Update language, specify location with description and coordinates, remove “motorboat” and maintenance.  
*15A NCAC 10F .0354 (page 42)*

### **15A NCAC 10F .0355 PERQUIMANS COUNTY**

Describe locations with details and coordinates, correct coordinates, remove maintenance, and move the swimming area from (a)(2)(G) to Paragraph (b). A swimming area is a no-entry zone rather than a no-wake zone and requires a separate Paragraph from other no-wake zones.  
*15A NCAC 10F .0355 (pages 43-44)*

### **15A NCAC 10F .0356 PASQUOTANK COUNTY**

Remove maintenance. Add purview of USACE and the USCG in a coastal county.  
*15A NCAC 10F .0356 (page 45)*

### **15A NCAC 10F .0357 NASH COUNTY**

Clarify language pertaining to regulated area, add coordinates, remove “motorboat,” remove maintenance.  
*15A NCAC 10F .0357 Nash County (page 46)*

### **15A NCAC 10F .0358 JONES COUNTY**

Clarify descriptions and add coordinates, remove “motorboat,” remove maintenance.  
*15A NCAC 10F .0358 Jones County (page 47)*

### **15A NCAC 10F .0361 WILKES COUNTY**

Remove “motorboat” and maintenance.  
*15A NCAC 10F .0361 (page 48)*

### **15A NCAC 10F .0362 HARNETT COUNTY**

Clarify descriptions, add coordinates.  
*15A NCAC 10F .0362 Harnett County (page 49)*

### **15A NCAC 10F .0363 CASWELL AND PERSON COUNTIES**

Update and clarify language. Remove maintenance.  
*15A NCAC 10F .0363 (page 50)*

### **15A NCAC 10F .0364 GREENSBORO**

Add official name of Lake Townsend. Remove maintenance.  
*15A NCAC 10F .0364 (page 51)*

### **15A NCAC 10F .0365 TYRRELL COUNTY**

Clarify descriptions and remove maintenance. Add the purview of USACE and USCG in a coastal county.  
*15A NCAC 10F .0365 (page 52)*

### **15A NCAC 10F .0368 TOWN OF NAGS HEAD**

Add descriptions and coordinates to clarify boundaries. Remove maintenance. Add the purview of USACE and USCG in a coastal county.  
*15A NCAC 10F .0368 (page 53)*

### **15A NCAC 10F .0369 TOWN OF SWANSBORO**

Clarify boundaries of no-wake zone to meet the setback requirements of the United States Army Corps of Engineers, add coordinates, remove “motorboat,” remove maintenance, add federal approval.  
*15A NCAC 10F .0369 Town of Swansboro (page 54)*

### **15A NCAC 10F .0370 CITY OF ROCKY MOUNT**

Clarify description, correct spelling, and remove maintenance.  
*15A NCAC 10F .0370 (page 55)*

### **15A NCAC 10F .0371 BELEWS LAKE IN STOKES COUNTY**

Clarify language.

*15A NCAC 10F .0371 Belews Lake in Stokes County (page 56)*

### **15A NCAC 10F .0374 ALCOA POWER GENERATING, INC. SAFETY ZONES**

Change facility name to Cube Yadkin Generation in the Rule title and in body of the Rule. Reorganize text to fall under Paragraph (a), numbers (1) and (2). Add minor technical changes for spelling and punctuation corrections.

*15A NCAC 10F .0374 (page 57)*

### **15A NCAC 10F .0376 TOWN OF EMERALD ISLE**

Clarify descriptions and add coordinates, remove “motorboat,” remove maintenance, add federal approval.

*15A NCAC 10F .0376 Town of Emerald Isle (page 58)*

Two water safety Rules are being readopted with substantive public interest. Complete text of these Rules is attached.

### **15A NCAC 10F .0330 CARTERET COUNTY**

Correct names and update language, correct coordinates, remove “motorboat.”

*15A NCAC 10F .0330 Carteret County (pages 23-24)*

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

Clarify language and locations, add coordinates.

*15A NCAC 10F .0333 Mecklenburg and Gaston Counties (pages 27-28)*

## ATTACHMENT

### 15A NCAC 10F .0303 BEAUFORT COUNTY

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

- (1) ~~that~~ the portion of Broad Creek south of a line from a point on the east shore at 35.49472 N, 76.95693 W to a point on the west shore at 35.49476 N, 76.96028 W and north of a line from a point on the east shore at 35.48485 N, 76.95178 W to a point on the west shore at 35.48495 N, 76.95619 W;
- (2) ~~that~~ the portion of Blounts Creek south of a line 100 yards north of the Blounts Creek Boating Access Area, from a point on the east shore at 35.40846 N, 76.96091 W to a point on the west shore at 35.40834 N, 76.96355 W, and north of a line 100 yards south of Cotton Patch Landing, from a point on the east shore at 35.40211 N, 76.96573 W to a point on the west shore at 35.40231 N, 76.96702 W;
- (3) the waters of Battalina Creek, within the territorial limits of the Town of Belhaven;
- (4) the navigable portion of Nevil Creek extending upstream from its mouth at the Pamlico River;
- (5) ~~that~~ the portion of Blounts Creek north of a line 35 yards south-southeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43333 N, 76.96985 W to a point on the west shore at 35.43267 N, 76.97196 W and south of a line 350 yards north-northeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43553 N, 76.96962 W to a point on the west shore at ~~35.43645 N, 76.96998 W~~ 35.43679 N, 76.97011 W; and
- (6) ~~that~~ the portion of Tranters Creek east of a line from a point on the north shore at 35.56961 N, 77.09159 W to a point on the south shore at 35.56888 N, 77.09118 W and north of a line from a point on the east shore at 35.56714 N, 77.08941 W to a point on the west shore at 35.56689 N, 77.09029 W.
- (7) the waters of Little Creek beginning at a line near its mouth from a point on the east shore at 35.41917 N, 76.97102 W to a point on the west shore at 35.41900 N, 76.96940 W.

(b) Speed Limit. ~~It is unlawful to operate a vessel at greater than no-wake speed in the regulated areas described in Paragraph (a) of this Rule. No person shall operate any vessel at greater than no-wake speed within any of the regulated areas identified in Paragraph (a) of this Rule.~~

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

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



15A NCAC 10F .0304 BLADEN COUNTY

(a) Regulated Area. This Rule applies to the waters of White Lake in Bladen County.

(b) Restricted Area. ~~The portion waters of White Lake between the shoreline and the offshore marker poles which were installed in the lake by the State Parks Division of the Department of Environment, Health, and Natural Resources is designated as the restricted area.~~ is designated as the restricted area.

~~(b)~~(c) Swimming. Swimming, except skin diving, shall not be permitted outside of the restricted area.

~~(e)~~(d) Skiing. No skiing is permitted in the restricted area, except to leave from within or return into that area. All vessels pulling skiers shall leave from within the restricted area on a course perpendicular to the nearest shoreline. Upon returning, all vessels pulling skiers shall reduce to no-wake speed when the skiers have entered the restricted area.

~~(d)~~(e) Speed Limit. Within the restricted area all vessels, except those engaged in skiing as regulated by Paragraph ~~(e)~~(d) of this Rule, shall be operated at a no-wake speed. Operation of any vessel on a course parallel to the shoreline is prohibited in the restricted area.

~~(e)~~(f) Placement and Maintenance of Markers. The Board of Commissioners of Bladen County, the Town of White Lake, and the State Parks Division are the designated ~~as suitable~~ agencies for placement and maintenance of ~~adequate marking to implement the regulations listed above.~~ the markers implementing this Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0306 CAROLINA BEACH**

(a) Regulated Area. This Rule applies to ~~those the~~ waters known as of the Carolina Beach Yacht Basin ~~bounded on the north by a line perpendicular to Florida Avenue and intersecting marker number "2" in the channel of the yacht basin, and on the south by the terminus of the yacht basin at the Carolina Beach Municipal Marina.~~ beginning at a line from a point on the east shore at 34.05720 N, 77.88896 W to a point on the west shore at 34.05984 N, 77.89163 W, south to its end at the Carolina Beach Municipal Marina.

(b) Speed Limit. It is unlawful to operate any ~~motorboat or~~ vessel at a speed greater than no-wake speed in the regulated area described in Paragraph (a) of this Rule.

(c) Placement ~~and Maintenance~~ of Markers. The Carolina Beach Town Council 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.

15A NCAC 10F .0309 COLUMBUS COUNTY

(a) Regulated Areas ~~Area~~. This Rule applies to the waters of Lake Waccamaw.

~~(b)(1)~~ Restricted Area. ~~The portion waters of Lake Waccamaw between the shoreline and the offshore marker poles which were installed in the lake by the State Parks Division of the Department of Environment, Health, and Natural Resources is~~ are designated as ~~a~~the restricted area.

(2) ~~Swimming Areas~~. ~~Areas at public beaches on Lake Waccamaw in which swimming is the principal use of the water, and which are so marked in accordance with the Uniform Waterway Marking System, are designated as public swimming areas.~~

(c) Swimming. Swimming shall not be allowed outside any marked public swimming areas.

~~(d) Boating Prohibited~~. ~~No person shall operate any vessel within a marked public swimming area.~~

~~(b) Skiing~~. ~~Except to leave or return to the shore, or a dock or pier, no skiing is permitted within the restricted area. In leaving or returning to the shore, or a dock or pier, all vessels pulling skiers must be operated on a course perpendicular to the shoreline. Upon dropping skiers, boat speed shall be reduced to a no-wake speed.~~

(e) Skiing. No skiing is permitted in the restricted area except to leave from within or return into that area. All vessels pulling skiers shall leave from within the restricted area on a course perpendicular to the nearest shoreline. Upon returning, all vessels pulling skiers shall reduce to no-wake speed when the skiers have entered the restricted area.

~~(f)(e)~~ Speed Limit. ~~Within the restricted area all vessels, except those engaged in skiing as regulated by Paragraph (b)(e) of this Rule, shall be operated at a no-wake speed. Operation of any vessel on a course parallel to the shoreline is prohibited in the restricted area.~~

~~(g)(e)~~ Placement and Maintenance of Markers. ~~The Board of Commissioners of Columbus County, the Town of Lake Waccamaw, and state parks division~~ State Parks Division are the designated as ~~suitable~~ agencies for placement and maintenance of adequate marking to implement the regulations listed above. of markers implementing this Rule.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0310 DARE COUNTY

(a) Regulated Areas. This Rule applies to the following waters and portions of ~~waters~~: waters in Dare County:

- (1) Manteo. Doughs Creek ~~adjacent to~~ off of Shallowbag Bay, Bay and all canals ~~situated within the territorial limits of the Town of Manteo.~~ off of Shallowbag Bay.
- (2) Hatteras.
  - (A) ~~The~~ the waters of Pamlico Sound otherwise known as Hatteras Harbor and Muddy Creek bounded on the north and south by the high-water mark, on the west by a straight line between channel markers number 20 and 17 at the entrance to Hatteras Harbor, and on the east by the mouth of Muddy Creek at Sandy ~~Bay.~~ Bay at a point at 35.22801 N, 75.68050 W; and
  - (B) ~~The waters of Hatteras Inlet North Dock ferry Ferry Terminal and United States Coast Guard basin basins and the Hatteras Landing channel, including the vicinity of~~ ending at Coast Guard Beacon Number One in the approach channel as delineated by appropriate markers. Hatteras Channel.
- (3) Mann's Harbor. ~~The waters of Old Ferry Dock Road Canal.~~ Canal, beginning at a point at 35.90654 N, 75.76916 W.
- (4) Nags Head: Head.
  - (A) ~~Those waters contained within~~ the canals of Old Nags Head Cove ~~Development;~~ where the canal entrance meets Roanoke Sound beginning at a point at 35.94192 N, 75.62571 W;
  - (B) ~~The~~ the Roanoke Sound inlets at Pond Island on either side of W. Marina Drive extending north from US U.S. Highway 64-264.
- (5) ~~Wanchese:~~ Wanchese.
  - (A) ~~The waters of Wanchese Harbor;~~ Harbor otherwise known as Mill Landing Creek, beginning at its entrance from Roanoke Sound at a point at 35.84006 N, 75.61726 W; and
  - (B) ~~The Canal~~ the canal from its beginning where it connects with ~~the~~ Roanoke Sound south of the dead-end road SR 1141 otherwise known as Thicket Lump Drive, extending northwest roughly parallel to SR 1141 SR 1141, and SR 1142, SR 1142 otherwise known as The Lane, and SR 1143 otherwise known as Tink Tillet Road, then westward roughly parallel to NC 345, N.C. Highway 345, and finally curving to the southwest roughly parallel to the SR 1289 C.B. Daniels Road otherwise known as C B Daniels SR Road to its end.
- (6) ~~Stumpy Point Canal. That portion of Stumpy Point Canal shore to shore, beginning at 50 yards west of the Wildlife Resources Commission boating access area and extending inland for a distance of 3,600 feet.~~ area.
- (7) ~~Stumpy Point Basin. That portion of the Stumpy~~ Stumpy Point Basin, at the head of the Basin off of Stumpy Point Bay, which is next to east of Highway 264 in the dock area and designated by the appropriate markers. U.S. Highway 264 where it intersects Stumpy Point Bay at a point at 35.69591 N, 75.77264 W.

- (8) ~~Town of Southern Shores. The waters contained in the canals and lagoons within the territorial limits of the Town of Southern Shores. Shores north of U.S. Highway 158.~~
- (9) ~~Colington Harbour. The waters contained in the canals of Colington Harbour. Harbour Subdivision on Albemarle Sound.~~
- (10) ~~Kitty Hawk. These the waters contained in the canals of Kitty Hawk Landing Subdivision. Subdivision.~~
- (11) ~~Washington Baum Bridge. These waters of the Roanoke Sound from marker 24B north of the bridge to marker 24A south of the bridge, and 50 yards east of the navigation span west to the shore as designated by the appropriate markers.~~
- (12) ~~Colington Island. The waters contained in an area beginning at the bath house and recreation center on the western shore of Colington Island, running 600 feet in a northerly direction and extending 300 feet into Albemarle Sound as marked.~~
- (13)(12) ~~Kill Devil Hills. The waters of Baum Bay Harbor. Harbor, beginning at a point at 36.00572 N, 75.68105 W.~~
- (14) ~~The waters of High Bridge Creek.~~
- (15)(13) ~~Mill Creek Avon. The waters of Pamlico Sound at Mill Creek near Avon beginning at its entrance at Pamlico Sound at a point at 35.36434 N, 75.50603 W. as delineated by appropriate markers.~~
- (16)(14) ~~Ginguite Jean Guite Creek Creek. The waters of Ginguite Jean Guite Creek from Highway 158 north to where it meets Kitty Hawk Bay at 36.04887 N, 75.72754 W, north to Lot 15 in Martins Point Subdivision. a line from a point on the east shore in Southern Shores at 36.10460 N, 75.74192 W to a point on the west shore in Martin's Point Subdivision at 36.10452 N, 75.73948 W.~~
- (17)(15) ~~Marina Canal B Frisco. The waters of Marina the marina Canal canal and boat basin at Palmetto Shores Subdivision, shore to shore beginning at the canal's entrance starting at the mouth of the canal from the at Pamlico Sound at a point at 35.25427 N, 75.60301 W. to the boat basin adjoining Palmetto Shores Subdivision.~~

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

(c) Restricted Swimming Area. No person operating or responsible for the operation of any vessel, surfboard, water skis, or jet skis shall permit ~~the same~~ it to enter ~~any the~~ marked swimming area ~~described in Subparagraph (12) of Paragraph (a) of this Rule. at Colington Island on the west shore, from a point where the canal enters the harbor at 36.01797 N, 75.72681 W, north 600 feet to a point at 36.01964 N, 75.72683 W and extending 300 feet west into Albemarle Sound.~~

(d) Placement and Maintenance of Markers. ~~Subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers, the~~ The following agencies are the designated suitable agencies for placement and maintenance of markers implementing this Rule as ~~to the regulated areas listed in the several Subparagraphs of Paragraph (a) of this Rule: Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:~~

- (1) the Board of Commissioners of the Town of Manteo ~~as to~~ for the areas indicated in Subparagraph ~~(1); (1) of Paragraph (a);~~ Subparagraph (a)(1);
- (2) the Board of Commissioners of Dare County ~~as to~~ for the areas indicated in Subparagraphs (a)(2) through (7), (9), (11), (13), (15), (16) and (17); and (a)(11) through (15) of Paragraph (a); (15);
- (3) the Board of Commissioners of the Town of Southern Shores ~~as to~~ for the areas indicated in Subparagraph ~~(8); (8) of Paragraph (a);~~ (a)(8); and
- (4) the Board of Commissioners of the Town of Kitty Hawk ~~as to~~ for the ~~areas~~ area indicated in Subparagraph (a)(10) and (14); of Paragraph (a);

*Authority G.S. 75A-3; 75A-15.*



**15A NCAC 10F .0311 GRANVILLE, VANCE AND WARREN COUNTIES**

(a) Regulated Areas. This Rule applies to the following waters of John H. Kerr Reservoir in Granville, Vance and Warren Counties:

- (1) Kimball Point, Warren County - Within 50 yards of the shoreline in the northernmost cove of the Kimball Point Recreation Area located at the western end of ~~SR 1204~~. SR 1204, from the northern end of the cove at 36.54362 N, 78.31753 W, to the southern end of the cove at 36.53984 N, 78.31371 W;
- (2) Camp Kerr Lake, Vance County - Within the waters of the cove where the Camp Kerr Lake boat ramp is ~~located~~. located, shore to shore beginning at a line from a point on the eastern shore at the mouth of the cove at 36.440345 N, 78.34970 W to a point on the northwest shore of the cove at 36.44167 N, 78.35129 N;
- (3) ~~Lower Mill Creek, Vance County - Beginning at a point on the eastern side~~ The waters of Lower Mill Creek shore to shore from its headwaters to where it intersects the North Carolina - Virginia state line boundary at a line from a point on the east side of the creek at 36.54311 N, 78.39514 W; to a point on the west side of the creek at 36.54309 N, 78.39626 W; running across the creek with said state line and then running in a southerly direction on both the east and west sides of the creek to the head waters headwaters, and including all waters of the creek south of the state line.
- (4) Flat Creek at ~~NC N.C.~~ Highway 39 Bridge bridge, Vance County - Within 50 yards ~~on either side east and west of the NC N.C. Highway 39 Bridge bridge; and~~
- (5) Satterwhite Point State Recreation Area, Vance ~~County~~. County, including the waters in the vicinity of Satterwhite Point Marina docks at the end Satterwhite Point Marina Road, and the waters of the marked swimming area in the cove west of the end of SR 1319 otherwise known as Satterwhite Point Road, beginning at a line at the mouth of the cove from a point on the north shore at 36.44572 N, 78.37356 W, to a point on the south shore at 36.44442 N, 78.37359 W.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any concrete boat launching ramp located on the reservoir.

(c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a designated mooring area established by or with the approval of the US Army Corps of Engineers on the waters of the reservoir.

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

(e) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter a designated swimming area established by or with the approval of the US Army Corps of Engineers on the waters of the reservoir.

(f) Placement ~~and Maintenance~~ of Markers. Each of the Boards of Commissioners of the above-named counties is the designated a suitable agency for placement ~~and maintenance~~ of markers implementing this Rule for regulated areas within their territorial ~~jurisdiction in accordance with the Uniform System, jurisdiction~~, subject to the approval of the US Army Corps of Engineers.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0313 HYDE COUNTY**

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

- (1) Swan Quarter Canal near the Town of Swan Quarter beginning at its entrance at point at 35.40215 N, 76.34033 W in Swanquarter Bay and extending the entire length of the canal;
- (2) Carawan Canal near the Town of Swan Quarter beginning at its entrance at a point at 35.39758 N, 76.33312 W in Swanquarter Bay and extending the entire length of the canal;
- (3) The waters within 50 yards of all public boat launching areas providing access to Pamlico Sound;
- (4) ~~That~~ The portion of Far Creek in the Town of Engelhard shore to shore, beginning at a point at ~~35.51061 N, 75.98699 W~~ 35.51051 N, 75.98693 W and ending at the Roper Lane bridge at 35.50869 N, 76.00229 W;
- (5) Fodrey Canal. ~~That~~ The portion of Fodrey Canal shore to shore, beginning in Swanquarter Bay at a point at 35.40345 N, 76.34175 W and extending inland 300 yards ending at a point at 35.40469 N, 76.33944 W;
- (6) Silver Lake in Ocracoke, harbor-wide;
- (7) The entire waters of the Hydeland Canal beginning at the Hydeland Canal Access Area (~~35.42131 N, 76.20915 W~~) at 35.42131 N, 76.20915 W and ending at the end of SR 1122 (~~35.40873 N, 76.21185 W~~); at 35.40873 N, 76.21185 W;
- (8) The waters of Gray Ditch beginning ~~near~~ north of the SR 1110 bridge at the intersection of Great Ditch Road and Nebraska Road, at 35.45926 N, 76.07527 W and ending at 35.45027 N, 76.06862 W; and
- (9) ~~A~~ The portion of ~~Main Canal~~ Main Canal Outfall Canal, otherwise known as Main Canal off of Mattamuskeet Lake in the vicinity of Mattamuskeet Lodge, beginning in East Main Canal at 35.45226 N, 76.17359 W, and extending to a point in West Main Canal at 35.45174 N, 76.18132 W, and that portion of Central Canal beginning at its intersection with ~~Main~~ Main Outfall Canal and extending northward to 35.45687 N, 76.1751 W.

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

(c) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Hyde 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.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0314 NEW HANOVER COUNTY**

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

- (1) ~~that~~ The area bounded on the north by the US 74-76 Bridge crossing the Intracoastal Waterway, on the south by a line shore to shore intersecting Intracoastal Waterway marker number 127, on the west by the shore of Wrightsville Sound, and on the east by a line perpendicular to US Highway 74-76 and intersecting marker number 25 in Motts Channel;
- (2) ~~that~~ The area of Motts Channel between marker number 25 at the Intracoastal Waterway on the west and marker number 16 at the entrance from Banks Channel on the east;
- (3) ~~that~~ The area bounded on the west by the US 76 Bridge crossing Bradley Creek, on the north and south by the banks of Bradley Creek, on the east by a line from a point on the southwest shore at ~~34.21293 N, 77.83171 W~~ 34.21298 N, 77.83173 W, to a point on the northeast shore at ~~34.21437 N, 77.83061 W~~ 34.21446 N, 77.83063 W;
- (4) Lee's Cut from its western intersection with the Intracoastal Waterway at 34.21979 N, 77.80965 W, to its eastern intersection with Banks Channel at 34.21906 N, 77.79645 W;
- (5) ~~the~~ The unnamed channel lying between the shore west of Bahama Drive in the Town of Wrightsville Beach and an unnamed island located approximately 500 feet northeast of the US 74 bridge over Banks Channel; and
- (6) ~~those~~ The waters of the Northeast Cape Fear River between the US Hwy. 117 bridge and the railroad trestle 60 yards east of the Castle Hayne Boating Access Area.

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

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

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0316 FORSYTH, ROCKINGHAM AND STOKES COUNTIES**

(a) Regulated Area. This Rule applies to Belews Lake in Forsyth, Rockingham and Stokes Counties.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat launching ramp on the waters of Belews Lake in any of the counties listed in (a) of this Rule, or within 50 yards of any bridge crossing any portion of Belews Lake in Forsyth County, ~~when such area has been marked as provided in (c) of this Rule.~~ County.

(c) Placement and Maintenance of Markers. ~~With regard to marking the restricted zones described in this Rule, markers may be placed and maintained by the~~ The Boards of Commissioners of Forsyth County, Rockingham County and Stokes County, or their ~~designees, within their respective counties, in accordance with the uniform system~~ designees are the designated agencies for placement and maintenance of markers implementing this Rule. and the following additional requirements. All markers warning of a no-wake speed zone 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.~~ signs.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0317 STANLY COUNTY**

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

- (1) Narrows ~~Reservoir (Badin Lake);~~ Reservoir, otherwise known as Badin Lake; and
- (2) Lake ~~Tillery;~~ Tillery:
  - (A) ~~Turner Beach Cove as delineated by appropriate markers;~~ shore to shore, south of a point at 35.22529 N, 80.09318 W.
  - (B) ~~Mountain Creek Cove as delineated by appropriate markers~~

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

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

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

(e) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Stanly County is ~~hereby the~~ designated ~~a suitable~~ agency for placement ~~and maintenance~~ of the markers implementing this ~~Rule in accordance with the Uniform System.~~ Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0318 WARREN COUNTY**

- (a) Regulated Area. This Rule applies only to that portion of Lake Gaston which lies within the boundaries of Warren County.
- (b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat launching ramp while on the waters of ~~Gaston Lake~~ Lake Gaston in Warren County.
- (c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a ~~lawfully~~ lawfully marked mooring area on the waters of ~~Gaston Lake~~ Lake Gaston in Warren County.
- (d) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any ~~lawfully~~ lawfully marked public swimming area on the waters of ~~Gaston Lake~~ Lake Gaston in Warren County.
- (e) No person shall operate a vessel at greater than no-wake speed:
- (1) within those waters of the Camp Willow Run Canoe/Sail Cove, beginning at a point shore to shore from a point on the southwest shore at 36.49355 N, 77.91795 W, to a point on the north shore at 36.49530 N 36.49534 N, 77.91552 W 77.91508 W.
  - (2) within the waters of the cove on Hubquarter Creek, shore to shore beginning at a line from a point on the northeast shore at 36.50030 N, 78.004744 W 78.00474 W to a point on the southwest shore at 36.49951 N 36.49947 N, 78.00549 W, 78.00553 W.
- (f) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Warren 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 Gaston Lake, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.~~

*Authority G.S. 75A-3; 75A-15.*



**15A NCAC 10F .0319 WASHINGTON COUNTY**

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

- (1) ~~that the~~ portion of Mackey's ~~Creek~~ Creek, otherwise known as Kendrick Creek, ~~which lies shore to shore, between from~~ a point at 35.93253 N, 76.60875 W ~~150 yards upstream from the center of SR 1321, where said road dead ends on the eastern shore of the creek, to a point at~~ 35.93401 N, 76.60637 W; and ~~150 yards downstream from the center of SR 1321.~~
- (2) ~~that the~~ portion of Conaby Creek ~~beginning at~~ shore to shore, from a point east of the N.C. 45 Bridge at 35.89613 N, 76.70603 W, and continuing eastward 1000 feet. ~~east northeast to a point at 35.89757 N, 76.70413 W.~~

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

(c) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Washington County is the ~~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.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0322 UNION COUNTY

(a) Regulated Area. This Rule applies to Cane Creek Lake ~~which lies within the territorial limits of~~ in Union County.

(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 or within 50 yards of the boat ramp at the ~~Family Camping Area located on the regulated area described in Paragraph (a) of this Rule.~~ Cane Creek Campground, at a point at 34.83485 N, 80.68605 W.

(c) Speed Limit in Congested Area. No person shall operate a vessel at greater than no-wake speed within 75 yards of the ~~narrow neck waters that connects the upper and lower portions of Cane Creek Lake.~~ separate Cane Creek Park from Cane Creek Campground, shore to shore from at a point at 34.83838 N, 80.68174 W, northwest to a point at 34.83875 N, 80.68233 W.

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

(e) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Union County is the designated ~~a suitable~~ agency for placement ~~and maintenance~~ of the markers implementing this Rule. ~~With regard to marking Cane Creek Lake, supplementary standards as set forth in Rule .0301(g)(1) to (8) of this Section shall apply.~~

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0324 DAVIDSON COUNTY

(a) Regulated Areas. This Rule applies only to those portions of High Rock Lake, Tuckertown Lake, and Badin Lake which lie within the boundaries of Davidson County.

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

- (1) within 50 yards of any marked public boat launching ramp, bridge, dock, marina, boat storage structure, boat service area or pier while on the waters of High Rock Lake, Tuckertown Lake, and Badin Lake in Davidson ~~County~~; County;
- (2) ~~within 50 yards on either side of the buoy located between lots 19 and 39 Silver Hill Township in the middle of Hi Roc Shores Cove on High Rock Lake.~~ High Rock Shores Drive Cove on High Rock Lake in Hi-Roc Shores Subdivision in Silver Hill Township, shore to shore northeast of a line from a point on the east shore at 35.67720 N, 80.24526 W to a point on the west shore at 35.67663 N, 80.24437 W;
- (3) ~~within the waters of Flat Swamp Creek on High Rock Lake shore to shore, beginning from a point 50 yards north of the docks at Camp Walter Johnson at 35.67130 N, 80.16592 W and extending to a point 100 yards south of the docks as delineated by appropriate markers. at 35.66993 N, 80.16582 W;~~
- (4) the cove in Oakwood Acres on Abbotts Creek Cove on High Rock Lake shore to shore, west of a line from a point on the south shore at 35.64704 N, 80.24787 W to a point on the north shore at 35.64809 N, 80.24870 W; and
- (5) Beaverdam Creek Cove on Badin Lake, shore to shore north of a line from a point on the east shore at 35.50714 N, 80.09994 W to a point on the west shore at 35.50715 N, 80.10086 W.

(c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area ~~established with the approval of the Executive Director, or his representative,~~ on the waters of High Rock Lake, Tuckertown Lake, and Badin Lake in Davidson County.

~~(d) Speed Limit at Mouth of Cove. No person shall operate a vessel at greater than no-wake speed while within 50 yards on either side of the mouth of Beaver Dam Creek Cove located on Badin Lake or in Abbotts Creek Cove of High Rock Lake as delineated by appropriate markers.~~

~~(e)~~(d) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area on the waters of High Rock Lake, Tuckertown Lake, and Badin Lake in Davidson County.

~~(f)~~(e) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Davidson 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, if applicable. ~~With regard to marking the regulated areas described in Paragraph (a) of this Rule, all of the supplementary standards listed in Rule .0301(g) of this Section apply.~~ Rule.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0326 PAMLICO COUNTY

(a) Regulated Areas. This Rule applies to the following waters or portions of waters in Pamlico County:

- (1) ~~Silverthorn Bay~~ Silverthorn Bay off of Burton Creek: the waters of Silverthorn Bay, a tributary of Bay-Burton Creek known as Silverthorn Bay, Lower Broad Creek; north of a line at a point on the east shore at 35.09531 N, 76.60791 W to a point on the west shore at 35.09572 N, 76.60883 W.
- (2) Minnesott Beach: the Minnesott Beach Yacht Basin and its access channel ~~inland from the shoreline to~~ extending 30 yards beyond the outermost ~~points of the~~ rock jetties in Neuse River.

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

(c) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Pamlico 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.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0327 MONTGOMERY COUNTY

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

- (1) ~~Badin Lake:~~ Lake.
  - (A) ~~Lakeshore Drive Cove as delineated by appropriate markers;~~ the cove west of Lakeshore Drive and east of Strand Drive, southeast of a line at the mouth of the cove from a point on the east shore at 35.49242 N, 80.09241 W to a point on the west shore at 35.49242 N, 80.09241 W;
  - (B) ~~Lake Forest Drive Cove shore to shore, west of a point 50 yards east of the fueling site at the marina at 35.48739 N, 80.10918 W; Entrance to fueling site and marina west of the main channel of Lake Forest Drive Cove;~~
  - (C) ~~Gar Creek; and Garr Creek shore to shore, north of a line beginning at a point on the east shore at 35.47952 N, 80.13633 W to a point on the west shore at 35.47946 N, 80.13932 W; and~~
  - (D) ~~the channel between Beyer's Island waterfront channel facing and the mainland.~~ mainland, shore to shore beginning at a line from a point on Beyer's Island at 35.49102 N, 80.10221 W to a point on the mainland at 35.49230 N, 80.10241 W, ending at a line westward, from a point on Beyer's Island at 35.48988 N, 80.10573 W to a point on the mainland at 35.49077 N, 80.10702 W.
- (2) ~~Lake Tillery:~~ Tillery.
  - (A) ~~Woodrun Cove as delineated by appropriate markers;~~ the waters within 50 yards of the boat ramp in the south end of Woodrun Cove at 35.33113 N, 80.06277 W;
  - (B) ~~Carolina Forest Cove shore to shore and the waters within 50 yards of the boat ramps and boat slips at the end of Arroyo Drive in Carolina Forest Community, from a point on the south shore at 35.36276 N, 80.05386 W, northeast to a point on the north shore at 35.36405 N, 80.05304 W; and as delineated by appropriate markers; and~~
  - (C) ~~the waters in the vicinity of the Lilly's Bridge Boating Access Area shore to shore, from line 25 feet north of the Route SR 1110 bridge otherwise known as Lillys Bridge Road at a point on the eastern east shore at 35.23223 N, 80.06166 W, to a point on the western west shore at 35.23289 N, 80.06318 W, to a line 200 feet southwest of the Lilly's Bridge Boating Access Area, from a point on the eastern east shore at 35.23067 N; 80.06262 W, to a point on the western west shore at 35.23156 N; 80.06437 W.~~
- (3) Tuckertown Reservoir.

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

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

(d) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area ~~established with the approval of the Wildlife Resources Commission~~ on the waters of the regulated areas described in Paragraph (a) of this Rule.

(e) Placement of Markers. The Board of Commissioners of Montgomery County is the designated ~~a suitable~~ agency for placement of the markers implementing Parts (a)(1)(A), (B), (C), ~~(D)~~, (2)(A) and (B), and Subparagraph (a)(3) of this Rule in accordance with the Uniform System. The North Carolina Wildlife Resources Commission is the designated ~~a suitable~~ agency for placement and maintenance of the markers implementing Part (a)(2)(C) of this Rule.

*Authority G.S. 75A-3; 75A-15.*



**15A NCAC 10F .0328 MARTIN COUNTY**

- (a) Regulated Area. This Rule applies to those waters of Gardner's Creek located in Martin County.
- (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within 50 yards of any public boat launching ramp while on the waters of the regulated area designated in Paragraph (a) of this Rule.
- (c) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Martin 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.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0329 ROWAN COUNTY

(a) Regulated Areas. This Rule applies only to ~~those~~ the portions of High Rock Lake and Tuckertown Lake ~~which lie within the boundaries of in~~ Rowan County.

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

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

(d) Speed Limit in Specific Zones. No person shall operate a vessel at greater than no-wake speed ~~within 50 yards of~~ in the following locations on the regulated areas described in Paragraph (a) of this Rule:

- (1) within 50 yards of the Tamarac Marina on Dutch Second Creek; Creek on High Rock Lake, located at 35.61012 N, W 80.30795 W;
- (2) The Cove the cove on the west north side of Dutch Second Creek south of Tamarac Marina off east of SR 2138 otherwise known as Poole Road; Road on High Rock Lake, shore to shore, north of a line from a point on the east shore at 35.60800 N, 80.31985 W to a point on the west shore at 35.60741 N, 80.32106 W;
- (3) the waters within 50 yards southeast and 50 yards northwest of the I-85 bridge at Yadkin River; over High Rock Lake, from a point southeast of the bridge at 35.71930 N, 80.38873 W, to a point northwest of the bridge at 35.72012 N, 80.39903 W;
- (4) the waters within 50 yards southeast and 50 yards northwest of the SR 2168 bridge otherwise known as the Goodman Lake Road Bridge bridge at Crane Creek; Creek on High Rock Lake, from a point southeast of the bridge at 35.55354 N, 80.35344 W, to a point northwest of the bridge at 35.66406 N, 80.35435 W;
- (5) the waters within 50 yards northeast and 50 yards southwest of the SR 1002 bridge otherwise known as the Bringle Ferry Road Bridge bridge at Dutch Second Creek; Creek on High Rock Lake, from a point northeast of the bridge at 35.60916 N, 80.30626 W, to a point southwest of the bridge at 35.60840 N, 80.30693 W;
- (6) the waters within 50 yards north and 50 yards south of SR 1004 bridge otherwise known as the Stokes Ferry Road Bridge bridge at Riles Creek; Creek on Tuckertown Lake, from a point north of the bridge at 35.50535 N, 80.21680 W, to a point south of the bridge at 35.50452 N, 80.21720 W;
- (7) the waters within 50 yards northwest and 50 yards southeast of the N.C. Highway 49 8-49 bridge at Tuckertown Lake; Lake from a point northwest of the bridge at 35.50642 N, 80.18430 W, to a point southeast of the bridge at 35.50538 N, 80.18372 W; and
- (8) The the waters within 50 yards of the Rowan Shrine Club dock, dock located at 35.66776 N, 80.31425 W on High Rock Lake.

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

(f) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Rowan 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, if applicable. With regard to marking the regulated areas described in Paragraph (a) of this Rule, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.~~ Rule.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0330 CARTERET COUNTY

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

- (1) the waters of Money Island Slough, beginning at the east end of Money Island near the Anchorage Marina Basin at a point at 34.70187 N, 76.72938 W and ending at the west end of Money Island where Brooks Avenue dead ends ~~at the slough~~; at a point at 34.70235 N, 76.73271 W;
- (2) the waters of ~~Taylor's~~ Taylor Creek in Beaufort, shore to shore from ~~where Taylor's Creek meets the~~ its intersection with the Newport River at the western end, to a line at the eastern end between a point on the north shore at 34.70762 N, 76.61784 W, south-southwest to the eastern tip of Carrot Island;
- (3) the waters of ~~Pelletier~~ Peletier Creek, beginning at the entrance to ~~Pelletier~~ Peletier Creek at the Intracoastal Waterway at a point at 34.72543 N, 76.78044 W and ending at U.S. Highway 70;
- (4) the waters of Bogue Sound Harbor Channel in Morehead City, between ~~Sugar Loaf~~ Sugarloaf Island and the seawall on the south side of Evans, Shepard, and Shackelford Streets, ~~and bounded on from the east by at the State Ports Authority, and on the Authority,~~ west ~~by the eastern right-of-way margin of South 13th Street extended~~; to a point at 34.71829 N 34.71848 N, 76.72015 W at the southern end of South 13<sup>th</sup> Street;
- (5) the waters of ~~Gallant's~~ Gallants Channel, from the ~~US 70 crossing over the U.S. 70 Grayden Paul bridge~~ Bridge at a point at 34.72248 N, 76.66936 W, south to Taylor's Taylor Creek; Creek at a point at 34.71775 N, 76.66950 W;
- (6) the waters of Cedar Island Bay and ~~Harbor~~, Harbor in the Town of Cedar Island, from N.C. Highway 12 to Cedar Island Bay Channel Light 8;
- (7) the waters of the small cove on the west side of Radio Island south of Old Causeway Road;
- (8) the waters of the Newport River, ~~beginning at the north side of the Beaufort Drawbridge and ending from~~ a point north of the US 70 Grayden Paul Bridge at 34.72265 N, 76.66930 W, north northwest to ~~at~~ marker #6;
- (9) the waters of ~~Spooners~~ Spooner Creek ~~within the territorial limits of the Town of in Morehead City as delineated by appropriate markers~~; City, north of a point where it enters the Intracoastal Waterway at 34.72570 N, 76.80294 W;
- (10) the waters of the Newport River at Bogue Sound, including all waters surrounding the Port of Morehead City to ~~Brandt~~ Goat Island as delineated by appropriate markers;
- (11) the waters of Newport River, known as ~~Morgans~~ Morgan Creek, ~~as delineated by appropriate markers~~; west northwest of a point at the mouth at 34.71611 N, 76.67814 W;
- (12) the waters of Cannonsgate Marina and the Cannonsgate Marina Channel, beginning at its intersection with Bogue Sound at 34.70163 N, 76.98157 W, as delineated by appropriate markers;

- (13) the waters of the Newport River within 200 yards of the Newport River Beach Access Boat Ramp, beginning at the shore north of the U.S. 70 ~~Newport River bridge~~ Bridge at a point at 34.72141 N, 76.68707 W, west to a point at 34.72128 N, 76.68893 W, north to a point at 34.72376 N, 76.68911 N, then east to the shore at 34.72371 N, 76.68631 W;
- (14) the waters of Palmetto Drive canal, a tributary to the White Oak River, beginning at a point on the western shore at 34.67903 N, 77.10142 W to a point on the eastern shore at 34.67899 N, 77.10098 W and extending the entire length of the canal; and
- (15) ~~that the~~ portion of the canal at Dolphin Bay Estates, a tributary to the White Oak River, beginning 30 yards inside the entrance to the canal and extending the entire length of the canal.

(b) Speed Limit. It is unlawful to operate a ~~motorboat or~~ vessel at a speed greater than no-wake speed while on the waters of the regulated areas designated in Paragraph (a) of this Rule.

(c) Placement of Markers. The following agencies ~~shall be designated as~~ are the suitable designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

- (1) the Board of Commissioners of Carteret County, ~~with respect to~~ for the regulated areas designated in Subparagraphs ~~(a)(1),~~ (1), (3), (5), (6), (7), (8), (11), and (12) of Paragraph (a) of this Rule;
- (2) the Board of Commissioners of the Town of Beaufort, ~~with respect to~~ for the regulated area designated in Subparagraph ~~(a)(2)~~ (2) of Paragraph (a) of this Rule;
- (3) the Board of Commissioners of Morehead City, ~~with respect to~~ for Subparagraph Subparagraphs ~~(a)(4),~~ (4), (9), and (13) of Paragraph (a) of this Rule;
- (4) the North Carolina State Ports Authority, ~~with respect to~~ for the regulated area designated in Subparagraph ~~(a)(10)~~ (10) of Paragraph (a) of this Rule; and
- (5) the Board of Commissioners of the Town of Cedar Point ~~with respect to~~ for the regulated areas designated in Subparagraphs ~~(a)(14)~~ (14) and (15) of Paragraph (a) of this Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0331 WAKE COUNTY**

- (a) Regulated Area. This Rule applies to the waters of Lake Wheeler located in Wake County.
- (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within 50 yards of any public boat launching ramp while on the waters of the regulated area designated in Paragraph (a) of this Rule.
- (c) Placement ~~and Maintenance~~ of Markers. The Raleigh City Council is the designated ~~a suitable~~ agency for placement ~~and maintenance~~ of the markers implementing this Rule.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0332 ALEXANDER COUNTY

(a) Regulated Area. This Rule applies to ~~those~~ the waters of Lake Hickory ~~set out in this Rule which are located in Alexander County.~~ County:

- (1) ~~the waters beginning 50 yards from the southeast end of the Rink Dam Marina and ending at Rink Dam;~~ shore to shore at a line 150 yards southeast of SR 1137 bridge otherwise known as the Rink Dam Road bridge in Taylorsville, from a point on the south shore at 35.82843 N, 81.26389 W to a point on the north shore at 35.82919 N, 81.26272 W, northwest to a point at the Rink Dam at 35.83035 N, 81.26669 W;
- (2) ~~the waters within 50 yards of the Taylorsville Beach Marina;~~ Marina and docks, located at 420 Taylorsville Beach Court in Taylorsville;
- (3) ~~the waters within 50 yards of the R&N Marina; and~~ Rivers Edge Marina and docks, located at 5803 Icard Ridge Road in Hickory; and
- (4) ~~the waters within 50 yards of the Lakeside Marina.~~ Marina and docks, located at 81 Marina Drive in Hickory.

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

(c) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Alexander 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, if applicable.~~ Rule.

*Authority G.S. 75A-3; 75A-15.*



15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES

(a) Regulated Areas. This Rule applies 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 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 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.~~

(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.

~~(e)~~ ~~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.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0334 GUILFORD COUNTY**

(a) Regulated Area. This Rule applies to the waters of Oak Hollow ~~Lake (High Point Reservoir)~~ Lake, also known as High Point Reservoir, in Guilford County.

(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.

(c) Speed Limit Near Piers. No person shall operate a vessel at greater than no-wake speed within 50 yards of any pier operated by the City of High Point for public use.

(d) Placement ~~and Maintenance~~ of Markers. The City Council of High Point is the designated as a ~~suitable~~ agency for placement ~~and maintenance~~ of markers implementing this Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0336 NORTHAMPTON AND WARREN COUNTIES**

- (a) Regulated Area. This Rule applies ~~only to that portion~~ the waters of Lake Gaston ~~which lies within the boundaries of in~~ Northampton and Warren ~~Counties.~~ counties.
- (b) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area ~~established with the approval of the Executive Director, or his representative,~~ on the waters of ~~Gaston Lake~~ Lake Gaston in Northampton and Warren ~~Counties.~~ counties.
- (c) Speed Limit Near Shore Facilities. No person shall operate a vessel at greater than no-wake speed within 50 yards of any marked boat launching area, dock, pier, bridge, marina, boat storage structure, or boat service area on the waters of the regulated areas described in Paragraph (a) of this Rule.
- (d) Speed Limit in specific waters. No person shall operate a vessel at greater than no-wake speed within the following bodies of ~~water.~~ water:
- (1) ~~Northampton County, the waters of the cove on the north shore of Lake Gaston in~~ Northampton County east of SR 1252 otherwise known as Vincent Drive Lane, shore to shore from a point on the north shore at 36.51652 N 36.51660 N, 77.82232 N 77.82226 W to a point on the south shore at 36.51580 N 36.51578 N, 77.82273 W 77.82269 W;
  - (2) ~~Warren County, the waters of Big Stonehouse~~ Stone House Creek in Warren County within 50 yards of the culvert under N.C. Highway 903 Highway 903; at 36.48789 N, 77.95009 W;
  - (3) ~~Warren County, the waters of Songbird Creek in Warren County~~ within 50 yards of the culvert under N.C. Highway 903 Highway 903; at 36.53260 N, 77.97330 W;
  - (4) ~~Warren County, the waters of Six Pound~~ Sixpound Creek in Warren County within 50 yards of the culvert under State Road 1707 SR 1701 otherwise known as Nocarva Road at 36.52950 N, 78.07283 W; and
  - (5) ~~Warren County, the waters of Lizard Creek in Warren County~~ within 50 yards of the culvert under Highway 903 SR 1362 otherwise known as Lizard Creek Road at 36.52501 N, 77.91187 W.
- (e) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area on the waters of ~~Gaston Lake~~ Lake Gaston in Northampton and Warren ~~Counties.~~ counties.
- (f) Placement ~~and Maintenance~~ of Markers. The ~~Board~~ Boards of Commissioners of Northampton County and Warren County are the designated as suitable agencies for placement ~~and maintenance~~ of the markers implementing this Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers. ~~With regard to marking Gaston Lake, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.~~

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0337 FRANKLIN COUNTY**

- (a) Regulated Area. This Rule applies only to Lake Royale in Franklin County.
- (b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat launching ramp while on the waters of Lake Royale in Franklin County.
- (c) Speed Limit in Mooring Areas. No person shall operate a vessel at greater than no-wake speed while within a marked mooring area established with the approval of the Executive Director, or his representative, on the waters of Lake Royale in Franklin County.
- (d) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked public swimming area established with the approval of the Executive Director, or his representative, on the waters of Lake Royale in Franklin County.
- (e) Placement and Maintenance of Markers. The Board of Commissioners of Franklin 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 Lake Royale, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.~~ Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0341 TOWN OF LAKE LURE**

- (a) Regulated Area. This Rule applies ~~only~~ to the waters of Lake Lure in the Town of Lake Lure, in Rutherford County.
- (b) Speed Limit. No person shall operate a ~~motorboat or~~ vessel at greater than no-wake speed within 50 yards of any boat launching area, dock, pier, marina, boat storage structure, boat service area, swimming area, cove or dam in the regulated area described in Paragraph (a) of this ~~Rule~~ which has been properly marked and approved by the Executive Director or his representative.  
Rule.
- (c) Restricted Swimming Areas. No person operating or responsible for the operation of a vessel shall permit it to enter any marked swimming area in the regulated area described by Paragraph (a) of this Rule.
- (d) ~~Waterskiers.~~ Water skiers. On the regulated area described by Paragraph (a) of this Rule:
- (1) No more than two skiers may be towed at once by any boat;
  - (2) Each skier is required to wear a ski belt or a personal flotation ~~device;~~ device; and
  - (3) The Board of Commissioners of the Town of Lake Lure may issue special permission for towing more than two skiers, with or without flotation devices, to persons or groups practicing for or participating in skiing exhibitions or shows.
- (e) Placement and Maintenance of Markers. The Board of Commissioners of the Town of Lake Lure is the designated ~~a suitable~~ agency for placement and maintenance of markers implementing this Rule. ~~With regard to marking the regulated area described in Paragraph (a) of this Rule, all of the supplementary standards listed in Rule .0301(g) of this Section shall apply.~~

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0343 CHATHAM COUNTY

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

- ~~(1) Corps—Corps of engineers, United States Army;~~
- ~~(2) Regulated Area—That portion of the B. Everette Jordan Reservoir located within the boundaries of Chatham County.~~

(a) Regulated Area. This Rule applies to the portion of the B. Everette Jordan Reservoir otherwise known as Jordan Lake in Chatham County.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed on the regulated area as follows:

- (1) within 50 yards of any public boat launching ramp;
- (2) within 100 yards of the piers and boat slips adjacent to the Crosswinds Marina Boating Center located north of US 64 and west of SR 1008 as indicated by markers; at 565 Farrington Road in Apex;
- (3) within 100 feet of all bridges;
- ~~(4) the restricted zone at the Ebenezer Church Road access point.~~

(c) Restricted Swimming Areas. No person operating or responsible for the operation of any vessel, surfboard or water skis shall permit ~~the same~~ it to enter any marked swimming area located on the regulated area.

(d) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Chatham County is the designated a suitable agency for placement and maintenance of the markers implementing this Rule, subject to the approval of the ~~corps~~. ~~With regard to marking the regulated area 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.~~ United States Army Corps of Engineers.

*Authority G.S. 75A-3; 75A-15.*



**15A NCAC 10F .0344 TOWN OF RIVER BEND**

(a) Regulated Areas. This Rule applies to the following waters located in the Town of River Bend in Craven County:

- (1) the waters of Plantation Canal shore to shore, beginning at its entrance from the Trent River at a line from a point on the northeast shore at 35.07226 N, 77.13303 W, to a point on the south shore at 35.07187 N, 77.13335 W, and including the waters of the River Bend Yacht Club Marina Basin; Basin; and
- (2) the waters of Island Lake shore to shore, and its access waters extending inland from the Trent River; off of the Trent River beginning at points at 35.06508 N, 77.13600 W and at 35.06653 N, 77.13716 W.
- (3) ~~Plantation Canal from its entrance at Trent River to the River Bend Yacht Club Marina Basin.~~

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

(c) Placement ~~and Maintenance~~ of Markers. The Town Council of the Town of River Bend 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.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0345 CHATHAM AND WAKE COUNTIES

(a) Regulated Areas. This Rule applies to the following waters of the Shearon Harris Nuclear Power Plant Reservoir, otherwise known as Harris Reservoir, ~~which is located in the counties of Chatham and Wake;~~ in Chatham and Wake counties:

- (1) ~~All~~ all waters within 50 yards of any marked boat launching ramp, pier, dock, mooring area, boat storage structure, bridge, or service ~~area.~~ area:
- (2) ~~In~~ in Chatham County, a portion of the waters of the cove at the Cross Point Landing Boating Access Area on SR 1914 otherwise known as Cross Point Road, shore to ~~shore,~~ shore beginning ~~at~~ at a line west of a point on the north shore at 35.57351 N, 78.97411 W to a point on the south shore at 35.57187 N, 78.97384 W; and 35.57270 N, 78.97398 ~~as delineated by appropriate markers placed and maintained by the Wildlife Resources Commission.~~
- (3) ~~In~~ in Wake County, the waters within 150 yards of the ~~Holleman~~ Holleman's Boating Access Area located at 4420 Bartley Holleman Road in Holly Springs at 35.60861 N, 78.93899 W. ~~as indicated by appropriate markers placed and maintained by the Wildlife Resources Commission.~~

(b) ~~Restricted~~ Exclusionary Zones. Except for authorized personnel of the power company, no person shall operate a ~~motorboat or~~ vessel in any restricted exclusionary zone which is marked to prevent entry by boats.

(c) Mast Height. No person shall place or operate on the regulated area described in Paragraph (a) of this Rule any sailboat or other vessel having a mast or any superstructure extending vertically above water level a distance of 35 feet or more.

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

(e) Swimming Areas. No person shall operate any vessel or water skis within a marked public swimming area.

(f) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Chatham County and the Board of Commissioners of Wake County are the designated ~~suitable~~ suitable agencies for placement ~~and maintenance~~ of markers implementing this Rule within their respective counties. ~~Provided the said boards exercise their supervisory responsibilities, they may delegate the actual placement and maintenance to some other responsible agency, corporation, group or individual. With regard to marking the regulated areas described in Paragraph (a) of this Rule, the supplementary standards set forth in Rule .0301(g) of this Section shall apply.~~

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0346 ARROWHEAD BEACH SUBDIVISION**

(a) Regulated Areas. This Rule applies to the following waters or portions of waters in Chowan County:

- (1) ~~Chowan River: that portion adjoining the shoreline of the Arrowhead Beach Subdivision Park and having dimensions of approximately 350 by 600 feet, containing a marked swimming area and the area within 200 feet of the pier;~~ River. the waters within 350 feet of the shoreline of the Arrowhead Beach Subdivision Park pier and swim area, from a point in the water southwest of the pier at 36.22691 N, 76.70711 W, to a point in the water northeast at 36.22838 N, 76.70637 W;
- (2) ~~Indian Creek: that~~ Creek. the portion adjoining the Arrowhead Beach Subdivision shore to shore from a point at 36.23615 N, 76.69494 W to a point at 36.23084 N, 76.69231 W; and
- (3) ~~Chowan River;~~ River. the waters of an unnamed canal in Arrowhead Beach Subdivision, shore to shore at its intersection with the Chowan River at 36.22508 N, 76.70787 W.

(b) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the swimming area described in Subparagraph (a)(1) of this Rule.

(c) Obstruction of Swimmers or Boats. No person shall place or maintain within the recreational area described in Subparagraph (a)(1) of this Rule any poles, cables, lines, nets, trotlines, fish traps or other obstructions or hazards to swimmers or boats, excepting those necessary to mark the area pursuant to this Rule.

(d) Speed Limit. No person shall operate a vessel at greater than no-wake speed in the area described in Subparagraphs (a)(2) and ~~(3)~~(a)(3) of this Rule.

(e) ~~Placement and Maintenance~~ of Markers. The board of Commissioners of Chowan County is the designated ~~a suitable~~ agency for the 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. ~~On condition that the said board of commissioners exercise its supervisory responsibility, it may delegate the actual placement and maintenance of markers to some responsible person or organization.~~

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

15A NCAC 10F .0347 CRAVEN COUNTY

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

- (1) ~~that the portion of Northwest Creek between from~~ the entrance buoys at ~~Fairfield Harbour~~ Northwest Creek Marina north of a line from a point on the east shore at 35.06357 N, 76.96934 W to a point on the west shore at 35.06343 N, 76.97106 W, to south of a line from a point on the east shore of Northwest Creek at 35.06903 N, 76.97030 W to a point on the west shore at 35.06779 N, 76.97225 W, northeast to include all waters, shore to shore, of the bulkheaded area of Fairfield Harbour otherwise known as Spring Creek; and the mouth of Spring Creek, and to all of Spring Creek, including the bulkheaded area of Fairfield Harbour, in Craven County;
- (2) ~~that area of water between the entrance buoys of the Olde Towne Lake, shore to shore from its intersection with the Trent River west of a point at 35.08098 N, 77.05833 W; and including all of Olde Towne Lake and the bulkhead area of Olde Towne Harbour itself;~~
- (3) ~~Matthews Point Marina. That the~~ triangular area in the waters at the end of the Matthews Point Marina main pier located at the confluence of Clubfoot and Mitchell Creeks off of the Neuse River, between a point 300 feet east of the pier at 34.90619 N, 76.76490 W, and a point 300 feet west of the pier at 34.90610 N, 76.76262 W, and a point 150 feet south of the pier at 34.90571 N, 76.76377 W; W, which is located at the confluence of Clubfoot and Mitchell Creeks off of the Neuse River;
- (4) ~~that area of water~~ the waters within 50 yards of the fuel dock at Eastern Carolina Yacht Club; Club on the Trent River in Trent Woods; and
- (5) ~~that the~~ portion of Southwest Prong Slocum Creek in the City of Havelock, shore to shore east of a line from a point on the ~~northern~~ north shore at 34.89122 N, 76.92302 W to a point on the ~~southern~~ south shore at 34.89102 N, 76.92304 W and extending northeast, shore to shore to a line from a point on the ~~northern~~ north shore at ~~34.8937 N, 34.89370 N,~~ 34.89370 N, 76.92109 W to a point on the southeast shore at 34.89358 N, 76.92089 W.

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

~~(c) Green Springs Boys Club Swimming Area—No person shall operate a vessel within the Green Springs Boys Club Swimming Area along the Neuse River as designated by marker buoys and float lines. Swimming Areas. No person operating or responsible for the operation of any vessel shall permit it to enter any swimming area described in Paragraph (a) of this Rule.~~

~~(d) Placement and Maintenance of Markers. The Board of Commissioners of Craven County is hereby designated a suitable agency for placement and maintenance of the markers implementing Subparagraphs (a)(1), (2), (3), and (4) of this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.~~

~~(e) The City of Havelock is hereby designated a suitable agency for placement and maintenance of the markers implementing Subparagraph (a)(5) of this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.~~

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

- (1) The Board of Commissioners of Craven County for areas indicated in Subparagraphs (a)(1), (2), (3), and (4) of this Rule; and
- (2) The City of Havelock for the area indicated in Subparagraph (a)(5) of this Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0348 PERSON COUNTY**

- (a) Regulated Area. This Rule applies to the Mayo Electric Generating Plant Reservoir, otherwise known as Mayo Reservoir, ~~which is located~~ in Person County.
- (b) Restricted Zones. Except for authorized personnel of the power company, no person shall operate a ~~motorboat or~~ vessel in any restricted zone which is marked to prevent entry by boats.
- (c) Mast Height. No person shall place or operate on the regulated area described in Paragraph (a) of this Rule any sailboat or other vessel having a mast or any superstructure extending vertically above water level a distance of 35 feet or more.
- (d) Speed Limit. Except as provided in Paragraph (e) of this Rule, no person shall operate a vessel at greater than no-wake speed within 50 yards of any marked bridge, boat launching ramp, pier, boat storage structure, or boat service area on the regulated area described in Paragraph (a) of this Rule.
- (e) Skiing. Except to leave or return to the shore or a boat launching ramp, no skiing is permitted within any speed zone described in Paragraph (d) of this Rule. In leaving or returning to the shore or boat ramp, all vessels pulling skiers shall be operated on a course perpendicular to the shore line. ~~Upon dropping skiers within any such speed zone, the boat speed shall be reduced to no-wake speed.~~ Upon returning, all vessels pulling skiers shall reduce to no-wake speed when the skiers have entered the restricted area.
- (f) Swimming Areas. No person shall operate any vessel or water skis within a marked public swimming area.
- (g) Boating Access. No vessel shall be placed on the regulated area described in Paragraph (a) of this Rule from any point other than the ~~boat launching ramp~~ Triple Springs Boating Access Area provided on SR 1515.
- (h) No Wake Zone. No person shall operate a vessel at greater than no wake speed within the waters of the channel on Mayo Reservoir beginning north of the Triple Springs Boating Access Area, shore to shore from ~~36.48051 N 36.48054 N, 78.87763 W 78.87754 W~~ to ~~36.47994 N 36.47992 N, 78.87963 W 78.87972 W~~, southward ending at an area below the Mayo Park ADA Fishing Pier shore to shore from ~~36.47753 N 36.48054 N, 78.87681 W 78.87754 W~~ to ~~36.4772 N 36.47718 N, 78.87828 W 78.87836 W~~.
- (i) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Person County is the designated ~~a suitable~~ agency for placement ~~and maintenance~~ of markers implementing this Rule. ~~Provided the said board exercises its supervisory responsibility, it may delegate the actual placement and maintenance to some other responsible agency, corporation, group or individual. With regard to marking the regulated area described in Paragraph (a) of this Rule, the supplementary standards set forth in Rule .0301(g) of this Section shall apply.~~

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0351 NEW BERN**

- (a) Regulated Area. This Rule applies to that part of the Trent River that is located within the city limits of New Bern in Craven County.
- (b) Speed Limit. No person shall operate any vessel at greater than no-wake speed on the Trent River between the Trent River Railroad Bridge and the ~~Alfred A. Cunningham Highway (old US 70) Bridge~~ Trent River Bridge on East Front Street, ~~in the City of New Bern.~~
- (c) Placement ~~and Maintenance~~ of Markers. The Board of Alderman of the City of New Bern 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.

*Authority G.S. 75A-3; 75A-15.*



15A NCAC 10F .0352 CAMDEN COUNTY

(a) Regulated Areas. This Rule applies to the waters described below:

- (1) The waters of Edgewater Canal Canal, beginning at a point at 36.17539 N, 75.97945 W, running parallel with and along the south shore of Camden Point in Camden County and the connecting channels to Albemarle Sound; Sound in Camden County;
- (2) That the portion of Turner's Turners Cut (South Mills Shore Canal) Cut, otherwise known as South Mills Shore Canal, for a distance of approximately 1000 feet, south of a line from a point on the east shore at 36.41129 N, 76.30598 W to a point on the west shore at 36.41096 N, 76.30654 W and north of a line from a point on the east shore at 36.40912 N, 76.30402 W to a point on the west shore at 36.40880 N, 76.30462 W;
- (3) ~~The~~ the canals of Whitehall Shores subdivision on the Pasquotank River; and
- (4) ~~The~~ the cove south of Sawyers Creek on the east side of the Pasquotank River in the town of Camden, east of a line from a point on the north shore at ~~36.32383 N~~ 36.32353 N, 76.18087 W 76.18054 W to a point on the south shore at 36.32254 N, 76.18017 W.

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

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

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0354 PITT COUNTY**

(a) Regulated Areas. This Rule applies to the waters described in this Paragraph:

- (1) ~~The entire inlet~~ The waters of Tar River, known as Hardee Creek, shore to shore, west of a line at its intersection-confluence with the main course of Tar River from a point on the north shore at 35.59878 N, 77.31168 W to a point on the south shore at 35.59813 N, 77.31157 W; from the Tar River in Pitt County; and
- (2) ~~that~~ the portion of Tranters Creek east of a line from a point on the north shore at 35.56961 N, 77.09159 W to a point on the south shore at 35.56888 N, 77.09118 W and north of a line from a point on the east shore at 35.56714 N, 77.08941 W to a point on the west shore at 35.56689 N, 77.09029 W.

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

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

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0355 PERQUIMANS COUNTY

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

- (1) Perquimans River:
  - (A) The canals of Holiday Island ~~subdivision~~; subdivision at Albemarle Sound; and
  - (B) Town of Hertford: ~~that~~ the part of the Perquimans River beginning 75 yards northeast of the Perquimans River Bridge (Hertford S-shaped Bridge) parallel to the bridge, shore to shore, and ending approximately 550 yards southwest, at a line from a point on the north shore ~~36.19300 N 36.19305 N, 76.46962 W 76.46957 W~~ to a point on the south shore 36.19150 N, 76.47099 W.
- (2) Yeopim River:
  - (A) The canal ~~entrance~~ between Navaho Trail and Cherokee Trail beginning at a point at 36.07893 N, 76.42278 W;
  - (B) ~~The the~~ canal ~~entrance~~ between Cherokee Trail and Ashe Street beginning at a point at 36.07865 N, 76.42603 W;
  - (C) ~~The~~ within 50 yards of the boat ramp at Ashe and Pine Street;
  - (D) ~~The the~~ canal ~~entrance~~ between Pine Street and Linden Street beginning at a point at 36.07951 N, 76.43402 W;
  - (E) ~~The the~~ canal ~~entrance and boat ramp~~ between Willow Street and Evergreen Drive beginning at a point at 36.08005 N, 76.43735 W;
  - (F) ~~The the~~ canal ~~entrance~~ between Sago Street and Alder Street beginning at a point at 36.07986 N, 76.44063 W; and
  - ~~(G)~~ The swimming area at the Snug Harbor Park and Beach; and
  - ~~(H)~~(G) Bethel Creek north of a line from a point on the west shore at ~~36.09552 N 36.09566 N, 76.47958 W 76.47928 W~~ to a point on the east shore at ~~36.095517 N 36.09534 N, 76.47735 W 76.47738 W~~ to a line from a point on the west shore at 36.10532 N, 76.48080 W to a point on the east shore at 36.10516 N, 76.48047 W.
- (3) Yeopim Creek:
  - (A) The canal ~~entrance~~ between Mohave Trail and Iowa ~~Trail~~; Trail beginning at a point at 36.08521 N, 76.41802 W;
  - (B) ~~The the~~ canal ~~entrance~~ between Iowa Trail and Shawnee ~~Trail~~; Trail beginning at a point at 36.08511 N, 76.41763 W;
  - (C) ~~The the~~ area within 75 yards of the Albemarle Plantation Marina Piers;
  - (D) ~~The the~~ area of the cove known as Beaver Cove, as delineated by appropriate markers; shore to shore beginning at a point at 36.08767 N, 76.42151 W; and
  - (E) ~~The the~~ waters of Yeopim Creek adjacent to Heritage Shores North, shore to shore, east of a line from a point on the north shore at 36.11356 N, 76.43138 W to a point on the south shore at 36.11288 N, 76.43173 W, to a line northwest from a point on the east shore at 36.11219 N, 76.42445 W to a point on the west shore at 36.11178 N, 76.42596 W.

- (4) Little River: The entrance to the cove known as "~~Muddy Gut Canal,~~ Muddy Gut Canal which extends from the waters known as "~~Deep Creek.~~" Deep Creek, shore to shore beginning at a line from a point on the east shore at 36.17729 N, 76.28011 W to a point on the west shore at 36.17667 N, 76.28331 W.
- (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within the regulated area described in Paragraph (a) of this Rule.
- (c) Swimming Area. No person operating or responsible for the operation of any vessel shall permit it to enter the swimming area at the Snug Harbor Park and Beach on the Yeopim River.
- ~~(e)~~(d) Placement of Markers. The Board of Commissioners of Perquimans County is the designated ~~a suitable agency~~ for placement of markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0356 PASQUOTANK COUNTY**

- (a) Regulated Area. This area applies to the canals of the Glen Cove Subdivision in Pasquotank County.
- (b) Speed Limit. No person shall operate a vessel at greater than no-wake speed while on the waters of the regulated area designated in Paragraph (a) of this Rule.
- (c) Placement ~~and Maintenance~~ of Markers. The Board of County Commissioners of Pasquotank County is the designated ~~a suitable~~ agency for placement ~~and maintenance~~ of the markers implementing this ~~Rule. Rule~~, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0357 NASH COUNTY

(a) Regulated Area. This Rule applies to the following waters of the Tar River Reservoir near the City of Rocky Mount in Nash County: That area of the Tar River Reservoir at the boat launching ramp and bridge located on State Road 1745 (bend of the River Road) and both bridges and ramps on State Road 1603, near the city of Rocky Mount in Nash County.

- (1) beginning 50 yards northwest of the bridge located on SR 1745, otherwise known as Bend of the River Road, from a line northwest of the bridge at a point on the south shore at 35.88347 N, 77.89666 W, northeast to a point in the water at 35.88395 N, 77.89576 W, and ending southeast of the bridge at a point within 50 yards of the Bend of the River boat ramp located at 35.88224 N, 77.89605 W.
- (2) beginning 185 yards northwest of the Sapony Creek bridge and boat ramp located on SR 1603, otherwise known as S. Old Carriage Road at 35.88545 N, 77.91154 W, shore to shore at a line from a point on the south shore at 35.88540 N, 77.91365 W to a point on the north shore at 35.88643 N, 77.91309 W, and ending at a line east of the bridge from a point on the south shore at 35.88479 N, 77.91148 W to a point on the northeast shore at 35.88565 N, 77.91085 W; and
- (3) the waters 50 yards southwest of the Low Bridge on SR 1603 otherwise known as S. Old Carriage Road from a point in the water at 35.85446 N, 77.90760 W to a line northeast of the bridge shore to shore, from a point on the southeast shore at 35.85590 N, 77.90545 W to a point on the northwest shore at 35.85718 N, 77.90757 W.

(b) Speed Limit. It is unlawful to operate any ~~motorboat or~~ vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Placement ~~and Maintenance~~ of Markers. The City of Rocky Mount is the designated a suitable agency for the placement ~~and maintenance~~ of markers implementing this Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0358 JONES COUNTY**

(a) Regulated Area. This Rule applies to ~~these~~ the waters of the Trent River ~~shore to shore in Pollocksville, from a point line 25 yards west of the US Hwy U.S. Highway 17 bridge from a point on the north shore at 35.01023 N, 77.21938 W to a point on the south shore at 35.00979 N, 77.21942 W, downstream eastward to a point 50 line 100 yards east of the Seaboard Coastline Railroad bridge at Pollocksville, NC.~~ Pollocksville Public Fishing and Boating Access Area, from a point on the north shore at 35.00967 N, 77.21696 W to a point on the south shore at 35.00931 N, 77.21718 W.

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

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

*Authority G.S. 75A-3; 75A-15.*



**15A NCAC 10F .0361 WILKES COUNTY**

- (a) Regulated Area. This Rule applies to those waters within 50 yards of any marked boat launching area, bridge, dock, pier, marina, boat storage structure, or boat service area located on W. Kerr Scott Reservoir ~~located~~ in Wilkes County.
- (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within any of the regulated area described in Paragraph (a) of this Rule.
- (c) Placement ~~and Maintenance~~ of Markers. The Wilkes County Board of Commissioners is the designated ~~a suitable~~ agency for placement ~~and maintenance~~ of the markers implementing this Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0362 HARNETT COUNTY**

(a) Regulated Area. This Rule applies to the following ~~public~~ waters ~~of in~~ Harnett County:

- (1) ~~All the waters of the Carolina Lakes~~ Lake Carolina within 50 yards of any marked boat launching ramp, boat service area, boat pier, boat dock, boat mooring area, boat storage structure, or ~~bridge~~; bridge; and
- (2) ~~The marked the canal joining between Lake Carolina and Ski Lake from its west end at Lake Carolina at a point at 35.28164 N, 79.03218 W to its east end where it enters to Ski Lake.~~ Lake at a point at 35.28038 N, 79.02662 W.

(b) Restricted Zones. Except for authorized personnel of State, County, and Municipal governments and emergency response personnel, no person shall operate a vessel in any restricted zone marked to prevent entry by boats, including designated swimming areas and danger zones near dams and spillways.

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

(d) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Harnett County is ~~the~~ designated as the ~~suitable~~ agency for placement and maintenance of markers implementing this Rule. ~~Provided the Board exercises its supervision responsibility, they may delegate the actual placement and maintenance to some other responsible agency, corporation, group, or individual. With regard to marking the regulated areas and restricted zones described in Paragraphs (a) and (b) of this Rule, the supplementary standards set forth in Rule .0301(g) of this Section shall apply.~~

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0363 CASWELL AND PERSON COUNTIES**

(a) Regulated Areas. This Rule applies ~~only on that portion of~~ to the waters of Hyco Lake ~~which lies within the boundaries of in Caswell and Person Counties counties. and to the restricted zones indicated by Paragraphs (b) and (c) of this Rule on such waters.~~

(b) Speed Limit Near Bridges. No person shall operate a vessel at greater than no-wake speed ~~limit~~ within 50 yards of any ~~bridges crossing over~~ bridge that crosses the waters of Hyco Lake.

(c) Speed Limit in Canals. No person shall operate a vessel at greater than no-wake speed ~~limit~~ within any canals ~~connected to~~ on Hyco Lake.

(d) Placement ~~and Maintenance~~ of Markers. The Board of Commissioners of Caswell and Person Counties are the hereby designated ~~as suitable~~ agencies for placement ~~and maintenance~~ of the markers implementing this Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0364 GREENSBORO**

(a) Regulated Area. This Rule applies to the waters of Lake Brandt, Lake Higgins, ~~Lake Townsend and Lake Townsend~~, otherwise known as Greensboro Municipal Reservoirs, (~~Greensboro Municipal Reservoirs~~) within the city limits of Greensboro in Guilford County.

(b) Speed Limit. No person shall operate a vessel at greater than no wake speed within 50 yards of any marked public boat launching ramp, bridge, dock, marina, boat storage structure, boat service area or pier operated by the City of Greensboro for public use.

(c) Restricted Zones. No person operating or responsible for the operation of any vessel shall permit ~~the same~~ it to enter any restricted zone marked to prevent entry by vessels.

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

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0365 TYRRELL COUNTY**

(a) Regulated Area. This Rule applies to the following waters in Tyrrell County:

- (1) ~~That the~~ portion of the Scuppernong River from 300 yards ~~west~~ north-northwest of the ~~Highway 64 U.S. Highway 64~~ bridge to 100 yards ~~east~~ south-southwest of the ~~Highway 64 bridge as designated by the appropriate markers.~~ U.S. Highway 64 bridge.
- (2) ~~That the~~ portion of the Scuppernong River from ~~the point where the canal to the Columbia Boat Ramp~~ Boating Access Areas intersects the river, and extending 200 feet into the river as designated by the appropriate markers. ~~river.~~
- (3) ~~The entire~~ the waters of the canal that leads to the marina at Taylor's Beach on Albemarle Sound in Columbia, beginning at a point at 35.95559 N, 76.30219 W.

(b) Speed Limit. It is unlawful to operate a vessel at greater than no-wake speed in the regulated areas described in Paragraph (a) of this Rule.

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

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0368 TOWN OF NAGS HEAD**

- (a) Regulated Area. This Rule applies to the waters of the Roanoke Sound extending 600 feet from the shoreline; ~~adjacent to and~~ from the northern boundary of the Old Nags Head Cove Subdivision at a point at 35.95136 N, 75.63233 W to the southern boundary of the Old Nags Head Cove Subdivision at a point at 35.93676 N, 75.62223 W. ~~and marked by buoys.~~
- (b) Speed Limit. No person shall operate any ~~motorboat or~~ vessel at greater than no-wake speed within any of the regulated area described in Paragraph (a) of this Rule.
- (c) Placement ~~and Maintenance~~ of Markers. The Town of Nags Head is the designated a suitable agency for placement ~~and maintenance~~ of the markers implementing this ~~Rule.~~ Rule, subject to the approval of the United States Coast Guard and United States Army of Corps of Engineers.

*Authority G.S. 71A-15; 72A-3.*

**15A NCAC 10F .0369 TOWN OF SWANSBORO**

(a) Regulated Area. This Rule applies to the waters of the White Oak River within approximately 50 yards of the shoreline of the Swansboro Town Limits in Onslow County and outside the United States Army Corps of Engineers Swansboro Channel setback, as marked by no-wake buoys, from beginning at the Highway 24 N.C. Highway 24 bridge southward toward Casper's Marina, approximately 50 yards from the east shoreline of the Swansboro Town limits and marked by buoys, and ending at a point 50 yards southwest of the Casper's Marina pier at 34.68495 N, 77.12195 W.

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

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

*Authority G.S. 71A-15; 72A-3.*



**15A NCAC 10F .0370 CITY OF ROCKY MOUNT**

(a) Regulated Areas. This Rule applies to the waters of the Tar River shore to shore, beginning 100 yards upstream from at the North Carolina SR 43 N.C. Highway Bridge, also known as the Bridge on Peachtree Street Bridge, Street, eastward 100 yards and ending at to the edge of the Rocky Mount Mill Dam. on the Tar River.

(b) Swimming or boating. No swimming or other entry of a person in or upon a boat, raft or other floating object shall be permitted within the ~~exclusion~~ exclusionary zone established in Paragraph (a) of this Rule.

(c) Paragraph (b) of this Rule shall not apply to persons who, with consent of the City of Rocky Mount, require access for ~~the purpose of~~ maintaining or repairing facilities associated with the Rocky Mount Mill Dam or the Rocky Mount Mill.

(d) Placement ~~and Maintenance~~ of Markers. The City of Rocky Mount is designated as the a suitable entity for placement ~~and maintenance~~ of buoys and other signs indicating the areas in which boating and swimming are prohibited by this Rule.

*Authority G.S. 75A-3; 75A-15.*

**15A NCAC 10F .0371 BELEWS LAKE IN STOKES COUNTY**

- (a) Regulated Area. This Rule applies ~~only~~ to the areas described in Paragraphs (b) and (c) in Belews Lake in Stokes County.
- (b) No swimming or boating in exclusionary zone. No swimming or other entry of a person in or upon a boat, raft or other floating object shall be permitted in the exclusionary zone in the cove containing the power station's plant intake on the western side of Belews ~~Lake Lake~~, approximately 1,000 feet northeast of Belews Creek Steam Station, as marked by warning buoys and signs.
- (c) No swimming or boating in evacuation area in event of alarm. In the event of a siren or audible alarm generated by the Belews Creek Steam Station, all persons swimming, boating or occupying a raft or other floating object on the lake shall evacuate the area on the western side of Belews Lake approximately 4,000 feet northeast of Belews Creek Station as marked by warning buoys and signs.
- (d) Paragraphs (b) and (c) of this Rule shall not apply to persons who, with consent of Duke Energy Corporation, access the area for the purpose of responding to emergency or maintaining or repairing facilities of Duke Energy Corporation.
- (e) Placement and Maintenance of Markers. The Duke Energy Corporation is the designated as a ~~suitable~~ entity for placement and maintenance of buoys, barriers and other signs ~~indicating the areas in which boating or swimming are prohibited by~~ implementing this Rule.

*Authority G.S. 75A-3; 75A-15.*

15A NCAC 10F .0374 CUBE YADKIN GENERATION SAFETY ZONES

(a) Regulated Area. This Rule applies to the area one hundred feet upstream or downstream from the stations and ~~dams (and dams,~~ associated structures, abutments and equipment ~~of these at the following stations and dams) listed in Paragraph (f) of this Rule.~~ stations:

- (1) Narrows Hydroelectric Station on the Yadkin River in Stanly and Montgomery Counties;
- (2) High Rock Hydroelectric Station on the Yadkin River in Rowan and Davidson Counties.

(b) Fishing. Except as otherwise provided in this Paragraph or in Paragraph (c) of this Rule, no person may enter the waters within the regulated areas described in Paragraph (a) of this ~~Rule.~~ Persons Rule, except persons engaged in fishing within the regulated areas described in Paragraph (a) of this Rule may enter these waters in connection with such fishing activities provided that they shall wear at all times a U.S. Coast Guard approved personal ~~floatation~~ flotation device in serviceable condition and of appropriate size for the wearer.

(c) Boating. Any person in or upon a boat, raft or other floating object that enters into the regulated areas described in Paragraph (a) of this Rule shall wear at all times a U.S. Coast Guard approved personal ~~floatation~~ flotation device in serviceable condition and of appropriate size for the wearer.

(d) No vessel may tie off to any part of the hydroelectric station structure or the accessory portions thereof within regulated areas described in Paragraph (a) of this Rule, or ~~to~~ anchor or otherwise secure a vessel in these areas.

~~(d)~~ Paragraph ~~(e)~~(d) of this Rule does not apply to persons who enter with consent of ~~Alecoa Power Generating, Inc. Cube Yadkin Generation~~ for the purpose of maintaining, repairing or evaluating facilities of ~~Alecoa Power Generating, Inc.;~~ Cube Yadkin Generation; law enforcement or emergency personnel; or ~~NC N.C.~~ state employees acting in an official capacity.

~~(e)~~ Placement and Maintenance of Markers. ~~Alecoa Power Generating, Inc. Cube Yadkin Generation~~ is the designated as a ~~suitable~~ entity for placement and maintenance of buoys and other signs implementing this Rule.

~~(f)~~ ~~Alecoa Power Generating Inc., hydroelectric stations affected by this Rule:~~

- ~~(1) Narrows Hydroelectric Station in Yadkin River in Stanly and Montgomery Counties;~~
- ~~(2) High Rock Hydroelectric Station in Yadkin River in Rowan and Davidson Counties.~~

15A NCAC 10F .0376 TOWN OF EMERALD ISLE

(a) Regulated Area. This Rule applies to the following waters within the territorial jurisdiction of located in the Town of Emerald Isle, as described in Paragraph (c) of this Rule. Isle in Carteret County:

- (1) the entire length of the Bogue Sound Drive Channel, which is .6 miles in length, Channel shore to shore, located adjacent and roughly parallel to the shoreline in the vicinity of Kelly Lane and Bogue Sound Drive; Drive, from a point where the channel meets Bogue Sound in the west at 34.67471 N, 76.98684 W to a point where it meets Bogue Sound in the east at 34.67588 N, 76.97760 W;
- (2) the waters of the Coast Guard Channel shore to shore from at a point extending from the north entrance of the channel where it intersects Bogue Sound behind near 419 Channel Drive Drive, south from a point in the water at 34.65348 N, 77.09560 W, to the west entrance end of the channel where it intersects Bogue Sound, near 116 Bogue Court; Court, east-northeast from a point in the water at 34.64820 N, 77.09731 W; and
- (3) the waters within approximately 100 yards of the shoreline of Bogue Sound adjacent to Archer Point Point, south of and including that a portion of the Emerald Isle channel, bounded on the west side by a line running north from 34.67569 N 34.67553 N, 77.01537 W 77.01535 W to the far northern side of the channel, and on the east side by a line running northeast from 34.67519 N, 77.01279 W to the far northern side of the channel.

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

~~(c) Affected Areas are:~~

~~(d)~~(c) Placement and Maintenance of Markers. The Town of Emerald Isle is the designated a suitable agency for placement and maintenance of the markers or signs implementing this Rule. Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

*Authority G.S. 75A-3; 75A-15.*

# EXHIBIT K

April 26, 2018



## FINAL ADOPTION – 15A NCAC 10F .0338 – CITY OF HICKORY CALDWELL COUNTY

The City of Hickory's request for permanent rulemaking, for an amendment to 15A NCAC 10F.0338 to establish a no wake zone in the waters of Lake Hickory at the Lake Hickory Marina, was published in the *North Carolina Register* on January 16, 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 February 6, 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 will be codified in the North Carolina Administrative Code on July 1, 2018.

### 15A NCAC 10F .0338 CALDWELL COUNTY

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

- (1) Catawba ~~River,~~ River;
- (2) Lake ~~Rhodhiss~~ Rhodhiss;
- (3) Little Gunpowder ~~Lake.~~ Lake; and
- (4) Lake Hickory in the City of Hickory.

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

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

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

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

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

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

# EXHIBIT L-1

April 26, 2018



## FINAL ADOPTION – 15A NCAC 10F .0305 BRUNSWICK COUNTY

Notice of Text for an amendment to 15A NCAC 10F. 0305, to establish a no wake zone in the Intracoastal Waterway in the Town of Sunset Beach near the Sunset Boulevard South bridge and Sunset Beach Boating Access Area, was published in the *North Carolina Register* on January 16, 2018 with an open comment period, per the requirements of the Administrative Procedure Act.

One public hearing was held at the Sunset Beach Town Hall on February 5, 2018. **Exhibit L-2** contains comments from the public hearing and from correspondence received during the open comment period.

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 will be codified in the North Carolina Administrative Code on July 1, 2018.

### 15A NCAC 10F .0305 BRUNSWICK COUNTY

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

- (1) ~~Lockwoods Folly River. An area on that portion of the Lockwood-~~ Lockwoods Folly River in the Town of Varnamtown, beginning 1500 feet from a point at 33.94966 N, 78.22587 W 500 yards north northwest of the boat ramp located at the end of State Road 1123- SR 1123 otherwise known as Fisherman Road, and extending downstream to a point 800 feet at 33.94498 N, 78.22206 W, 180 yards southeast south of said the boat ramp- ramp, and including the portion of the river otherwise known as Mill Creek where it meets Lockwoods Folly River directly across from the boat ramp, to a point 100 feet northeast at 33.94687 N, 78.22235 W; beginning at its intersection with the Lockwood Folly River and extending upstream for 100 feet.
- (2) ~~Calabash River. An area located on the Calabash River beginning 100 feet west of the Billy Cox Landing and extending 100 feet east of Captain Harry's Landing, in the Town of Calabash, from a point in the water at the end of Marina Drive at 33.88638 N, 78.56254 W to a point 650 yards southwest at the southern end of the deep-sea fishing docks at 33.88344 N, 78.56751 W;~~
- (3) ~~State Port Authority Small Boat Harbor. Beginning at the Intracoastal Waterway on the easterly side of the North Carolina State Port Authority Small Boat Harbor; thence runs along and with the easterly boundary of the said boat harbor basin and along the northerly boundary and westerly boundary thereof to a point at the intersection of the westerly boundary of said boat harbor with the highwater mark of the Intracoastal Waterway; runs thence in an easterly direction with the highwater mark of the Intracoastal Waterway to the place and point of beginning, and being the entire small boat harbor in Southport. The Small Boat Harbor, shore to shore beginning at its intersection with the Intracoastal Waterway at a point at 33.91685 N, 78.02865 W;~~
- (4) ~~Shalotte River. The portion of the Shalotte River east of SR 1233, otherwise known as Village Point Road SW south of the Town of Shalotte, shore to shore from beginning at its intersection with the Intracoastal Waterway at a point at 33.91477 N, 78.37103 W and extending from the northern boundary of the Intracoastal Waterway for a distance of 500 feet to the north, to be marked by appropriate markers. to point 500 feet north at 33.91613 N, 78.37126 W;~~

- (5) ~~Big Davis Creek. That part of Montgomery Slough otherwise known as Big Davis Creek Creek, within 100 yards of Sportsman Inn at Blue Water Point Marina near Long Beach, the hotel and marina at the northern end of 57<sup>th</sup> Place West in the Town of Oak Island;~~
- (6) ~~Town of Ocean Isle Beach. Those The waters in the natural and concrete canals, both natural and concrete, which are canals located on the south side of the Intracoastal Waterway Waterway, east of N.C. Highway 904 in the Town of Ocean Isle Beach. Beach;~~
- (7) ~~Town Creek. The 200 yard portion of Town Creek lying in Town Creek Colony as delineated by no wake zone markers, east of SR 1609, otherwise known as Clearview Lane in Town Creek Township, shore to shore from a point at 34.16788 N, 78.07139 W, north and east around a bend in the creek to a point at 34.16910 N, 78.07030 W;~~
- (8) ~~Town of Oak Island. That part of Montgomery Slough, otherwise known as Big Davis Canal within the Town of Oak Island Creek, shore to shore from its starting with the entrance from at the Intracoastal Waterway at the end west of SW Yacht Drive SW at a point at 33.92145 N, 78.19408 W, to the canal end at NE 40<sup>th</sup> Street in the Town of Oak Island; and upstream to the canal end at 40<sup>th</sup> Street, NE.~~
- (9) Intracoastal Waterway in the Town of Sunset Beach, shore to shore from a point 150 yards east of the Sunset Boulevard South bridge at 33.88173 N, 78.50995 W, to a point 50 yards west of the bridge at 33.88111 N, 78.51194 W.

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

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

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

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

# EXHIBIT L-2

April 26, 2018



## PROPOSED RULEMAKING FOR 15A NCAC 10F .0305 BRUNSWICK COUNTY COMMENTS RECEIVED FROM PUBLIC HEARING ON FEBRUARY 5, 2018 AND FROM CORRESPONDENCE RECEIVED DURING THE OPEN COMMENT PERIOD

### Comments received at Public Hearing February 5, 2018 at 5:00 pm – Sunset Beach Town Hall, Sunset Beach, NC

#### NAME

#### COMMENTS

Danny Sparrow	The area is a narrow channel near the ramp. Big boats create dangerous wakes. There currently is no warning at the BAA and the buoy is ineffective.
Robert S. Boyd	Please post a no wake zone at the boat launch.
Rich Cerrato	In favor.
Anthony Dompkowski	This is needed to protect other boaters and kayakers along with people on the boat dock ramp and floating dock. This needs to be patrolled and enforced.
John F. Corbett, Jr.	The NWZ is overdue. Highly congested area and safety is a major concern. It also will protect the shoreline. How will it be enforced?

### Correspondence received during the open comment period

1. January 26, 2018

Dear Ms. Haywood,

I am in favor of establishing or increasing a No Wake Zone at the Sunset Beach Wildlife Boat Ramp and bridge area. As an lifelong boater, I think at issue is a lack of signage in advance of the boat ramp to allow ample time to reduce speed. The current single buoy located immediately at the ramp is inadequate and provides no advance notice to boaters.

On a related subject, I would like to see NC Wildlife expand the facility by adding an additional ramp as well as expand trailer parking by utilizing the unused right-of-way under the bridge.

Thank you for your consideration.

Eddie Walters



2. January 31, 2018

We agree 100 percent that this should be enforced.  
Thank you for your time and consideration.  
Debra Cornwell

3. January 31, 2018

We need to keep that there! We need a slow launch area. Thanks, Carrie Wiles Casey

4. January 31, 2018

I strongly support the proposed no wake zone by the Sunset Beach boat ramp. In fact, I thought it already was a no wake zone and was under the impression that all public access points were no wake zones to enable safe launching and retrieval of boats. As a boater in the area, I have often seen less courteous boaters create real hazards for folks using the ramps and dealing with the wake. I believe there is a sign currently, but perhaps this proposal will allow greater visibility of the zone and potential enforcement.

Thank you,  
Brad Moock

5. February 2, 2018

Betsy

I am curious to learn what is the proposed justification for a 'No Wake Zone' at this location. Wanted to advise you that NC Building Code requires that waterfront structures must be designed to accommodate passing vessel waves as noted below

**3604.8.5 Forces due to Passing Vessels.** All *piers* and floating *docks* shall be designed for water loading generated by wind and passing vessels. Adjacent to federal designated channels, water loading shall be based on commercial and recreational vessels with minimum passing speeds of 10 and 20 knots, respectively.

Thus, a entity concerned with passing vessel waves should bring their structures up to code if not constructed to satisfy code. Since floating docks in this vicinity would be classified as 'public' docks per code, there are other requirements as well. Passing vessel waves have shorter wave lengths which renders them easier to accommodate.

The reason for input of the above requirement into the code was the recognition that federal waterways were established to provide 'safe' passage of waterway vessels. Thus if commercial watercraft need to maintain a speed to maintain course in adverse current and wind conditions, this needs to be protected.

I hope the Division of Wildlife considers impact on ability of commercial barge tow to navigate any segment in establishing whether a no wake zone is appropriate. As noted above, the code requires the facilities to accommodate the passing vessel in lieu of requiring the passing vessel to accommodate inadequate marine structures.

Gary K Greene PE, D. PE  
Gary Greene Engineers

6. February 8, 2018

Dear Ms. Haywood: For many years, I've sat at the Sunset Beach Park and observed boats creating a large wake in the intercoastal. I agree that a No Wake Zone should be in place, but it would be very difficult to police. There were signs to indicate a No Wake Zone before the new bridge was built and buoys in the waterway indicating same. By posting signs boaters most likely will slow down. Just like road signs for speed limits, many people will obey and some won't. Let's try posting first as a way to slow down those speeders.

Charlie Kszywanos

# EXHIBIT M

April 26, 2018



## FINAL ADOPTION – 15A NCAC 10F .0350 – FALLS LAKE DURHAM AND WAKE COUNTIES

North Carolina State Parks' request for permanent rulemaking for an amendment to 15A NCAC 10F. 0350, to extend the no wake zone in the waters of Falls Lake at the Holly Point Recreation Swim and Boat Launch, was published in the *North Carolina Register* on January 16, 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 February 6, 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 July 1, 2018.

### 15A NCAC 10F .0350 DURHAM AND WAKE COUNTIES

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

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

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

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

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

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

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

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

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

# EXHIBIT N-1

April 26, 2018



## PROPOSED RULEMAKING AMENDMENT TO 15A NCAC 10F .0377 JACKSON COUNTY

In October 2017, Jackson County requested an investigation by the Enforcement Division to consider hazards to boater and water recreation safety on Lake Glenville, that might warrant rulemaking for a no-wake zone in a narrow area between small islands at the northern end of the lake and the west shoreline of Lake Glenville.

Agency Enforcement investigated the area and submitted a Matrix on October 19, 2017 (attached). In Section 6 of the Matrix, Enforcement's assessment of safety conditions in this part of the lake did not note sufficient hazards to warrant a no-wake zone. Staff also made an inquiry to the Duke Energy Safety and Recreation Division to determine whether Duke Energy wished to be involved in water safety rulemaking decisions on Lake Glenville and received a response on December 8, 2017, "I've spoken with the folks in our Safety and Recreation department and they said that Duke doesn't advocate for or against the establishment of no wake zones on any of our lakes. We are fine with any decision about these that the NCWRC makes. Duke does not want the NCWRC to defer to us on the establishment of this or any no wake zones."

Because of local public interest in the conditions at that part of Lake Glenville during the boating season, the Jackson County Board of Commissioners held a public hearing on January 29, 2018 and submitted a Resolution asking the Wildlife Resources Commission to consider their application for rulemaking in the area shown on the attached map.

Since submission of the application, WRC has received comments from the public, which are found in **Exhibit N-2**. The Boating Safety Committee received additional input from citizens at the April 25, 2018 committee meeting.

Jackson County has agreed to incur the cost of purchase and placement of markers to mark the no-wake zone if approved. If the Commission approves proceeding with rulemaking on Lake Glenville, the Fiscal Note found in **Exhibit N-3** must be approved prior to publishing Notice of Text in the *NC Register* with a public hearing and open comment period.

15A NCAC 10F .0377 JACKSON COUNTY

(a) Regulated Area. It is unlawful to operate a vessel at greater than no-wake speed in the waters of Lake Glenville southeast of a line at a point on the west shore of the lake at 35.19425 N, 83.16058 W to a point on the west shore of the northern island at 35.19496 N, 83.15935 W; and northwest of a line from a point on the west shore of the lake at 35.19306 N, 83.15945 W to a point on the south shore of the southern island at 35.19381 N, 83.15819 W.

~~This Rule applies to the public swimming area known as the Pines Recreation Swim Area on Lake Glenville. The public swimming area shall be marked with four no-boats buoys set at the following locations: 35.19789 N, 83.16094 W; 35.19758 N, 83.16064 W; 35.19742 N, 83.16031 W; and 35.19742 N, 83.15983 W.~~

(b) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the marked public swimming area described in Paragraph (a) of this Rule. at the Pines Recreation Swim Area on Lake Glenville. The public swimming area shall be marked with four no-boats buoys set at the following locations: 35.19789 N, 83.16094 W; 35.19758 N, 83.16064 W; 35.19742 N, 83.16031 W; and 35.19742 N, 83.15983 W.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Jackson County or Duke Energy Carolinas, LLC shall be are the designated as suitable entities for placement and maintenance of the markers implementing Paragraph (a) of this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers. Rule. The Board of Commissioners of Jackson County is the designated agency for placement of the markers implementing Paragraph (b) of this Rule, subject to the authority of the United States Army Corps of Engineers.

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



## NO-WAKE ZONING MATRIX

### SECTION 1:

Name of organization/entity:  Jackson County

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Primary contact information:  Jan Fitzgerald, Asst. to County Mgr. Don Adams

828-631-2295 [jcfitzgerald@jacksonme.org](mailto:jcfitzgerald@jacksonme.org)

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Exact location of requested no-wake zone:

Body of water:  Glenville Lake

Location:  northern end of lake near Cullowhee

Popular name of area, if any:

Width of No-Wake Zone:  Narrowest Point: 220' at Low Water Widest Point: 400' at Low Water

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc)  Glenville Lake near where the Pine Creek Boating Access Area makes sharp turn south into the main body of the lake. There are two islands and the congested area with swimmers, kayakers and other motorless vessels is west of the islands, shore to shore.

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**Attach map of designated no-wake zone – map is attached along with photos showing safety hazards**

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

**Attach detailed reason given from point of contact for the request**

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

YES

NO

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

**SECTION 2:**

**PUBLIC SAFETY HAZARD**

What public safety hazard exists? Potential safety concerns during high traffic volume times only due to motor and manual powered vessels as well as swimmers accessing two private islands owned by Duke Energy.

Is this a public swimming or recreational area?

NO

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

**SECTION 3:**

**NAVIGATIONAL HAZARDS**

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

OBSTRUCTIONS  (Identify) \_\_\_\_\_

NARROW CHANNEL  (give approximate width) Approximately 220' at low water line.

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

OBSTRUCTED VISION  (for approximately how great a distance) \_\_\_\_\_

**STRUCTURES (Check all applicable)**

DAM

LOCK

SPILLWAY

JETTY



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

OTHER (list and describe) There are two private docks located within the proposed area. One is located at the narrowest portion of the area.

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**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 Approximately .15 of a mile

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

**SECTION 5:**

List any other known incidents, safety concerns or problems that have occurred? As of the creation of this report, no incidents, safety concerns or problems have been observed or brought to the attention of Wildlife Officers in reference to the proposed area.

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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? Yes, otherwise there is minimal traffic

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

NO

---

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

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

#### SECTION 6:

#### OFFICER RECOMENDATION

YES:

NO:

Reason for decision: It is my recommendation to deny the request for a no wake zone in the purposed area. At the current low water mark and very light traffic there is no safety concern. I have observed the general area with more congestion at peak traffic density during weekends and holidays. However, with the proposed area being larger than similar areas on the lake with relatively the same traffic, I do not feel it is necessary to limit motorboat operations to no wake speed. Manual powered vessels and swimmers should proceed in this area with due regard to safety of themselves and others just as a motorvessel should during peak traffic times. While this area is popular for swimming along the shoreline of the islands from beached vessels, it would never be recommended to swim the open water between the islands and the main shoreline. I feel that adding a no wake zone would only encourage this activity with a perception of safety that would not necessarily exist. It is also my understanding that the islands are owned by Duke Energy. The creation of a no wake zone may also create more traffic for this area and a perception that the beaches on the islands area public areas.

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Officer: Chris Wilkins Badge# 963

I, Angela M. Winchester, Clerk to Board, do hereby certify that this document is a true and certified copy.

*Angela M. Winchester*  
Angela M. Winchester, Clerk



STATE OF NORTH CAROLINA  
COUNTY OF JACKSON

R18-01



### RESOLUTION

#### Requesting that the N.C. Wildlife Resources Commission take action on a Proposed No Wake Zone on Glenville Lake

**WHEREAS**, under authority of North Carolina General Statutes Section 75A-15(a) any subdivision of the State of North Carolina may at any time, after public notice, make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits; and

**WHEREAS**, Glenville Lake is in and around Hamburg Township, which is located in Jackson County; and

**WHEREAS**, the safety in the area has come into question by property owners adjacent to the proposed area concerned with wakes created by the increase in traffic from boats and personal watercraft in recent years; and

**WHEREAS**, the Board of Commissioners of Jackson County received a signed petition by the residents along the proposed area requesting a No Wake Zone; and

**WHEREAS**, the Board of Commissioners of Jackson County desire to establish the No Wake Zone for an area that consists of a narrow passage between the mainland and two islands at the north end of the lake and as further described on the attached map; and

**WHEREAS**, Jackson County has given public notice in the January 18<sup>th</sup> and January 25<sup>th</sup> editions of the Sylva Herald of its intention to hold a public hearing regarding a No Wake Zone; and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Jackson County, that in accordance with G.S. 75A-15, the Board requests the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of Glenville Lake, located in Jackson County, the pertinent substance of which proposed regulations are as follows: a No Wake Zone for an area that consists of a narrow passage between the mainland and two islands at the north end of the lake and as further described on the attached map.

**BE IT FURTHER RESOLVED** by the Board of Commissioners of Jackson County that

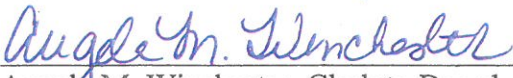
1. Authority is granted to the County Manager and Staff to submit the required Form D-1 Application; and
2. Authority is granted to the County Manager to expend up to \$1,500 toward the purchase of buoys.

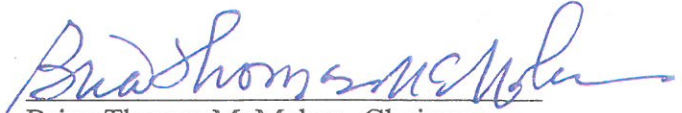
ADOPTED the 29<sup>th</sup> day of January, 2018.

Attest:

Jackson County Board of Commissioners

Approved:

  
Angela M. Winchester, Clerk to Board

  
Brian Thomas McMahan, Chairman







 Proposed No Wake Zone

0 75 150 300 Yards



# Glenville no wake zone request will go to Raleigh

BY HOLLY KAYS  
 STAFF WRITER

**A**n effort to get a no wake zone instituted on Lake Glenville will move forward following a split vote of the Jackson County Commissioners Jan. 29.

After a 20-minute public hearing that drew seven speakers — some in favor of the no wake zone, and some opposed — Republican commissioners Charles Elders, Mickey Luker and Ron Mau provided the majority vote to petition the N.C. Wildlife Resources Commission to approve the designation. Democratic commissioners Brian McMahan and Boyce Deitz voted against it.

Commissioners have been discussing the issue since August 2017, when a group of Glenville residents approached them about a possible safety hazard stemming from increased recreation on the north end of the lake. That part of the lake includes two small islands, owned by Duke Energy but open for public use, that people enjoy swimming and paddling to. The group of residents told commissioners they were concerned by the speed at which boats often traveled through the passageway between the islands and the shore — they felt that it was only a matter of time before an accident happened and proposed that a no wake zone be established to avoid that eventuality.

A no wake designation would require boats to travel at a slow enough speed to create no appreciable wake when progressing through the area.

Commissioners agreed it was worth looking into and asked that the Wildlife Commission evaluate the request. However, a report completed by a local Wildlife Commission officer yielded a recommendation that the Wildlife Commissioners deny the request — Officer Chris Wilkins said the boat traffic was “very light” and currently posed no safety concern.

Asking the Wildlife Commission to overrule that recommendation required Jackson County to hold a public hearing on the issue and its commissioners to pass a resolution asking for the no wake zone.

Joyce Waterbury, lead organizer of the no wake zone effort, told commissioners during

the public hearing that traveling the passageway at no wake speed would take only 22 seconds more than traveling above it.

“This risky situation is relatively new. It is arising in the last three or four years as a direct result to the improvements to the boat ramps at the north end of the lake and the creation of the Pines Recreation Area,” she said. “History in this case is not a predictor of future events. The neighborhood collectively is supportive of the improved access to the lake. We’re trying to ensure it’s safe access.”

“We just want to prevent the chance of a terrible accident or possible death,” agreed Ray Ferri, who has lived on the lake for 25 years.

“I want everybody to enjoy the lake, but safety is my biggest concern,” concurred resident Margaret McRae.

However, not everybody was supportive of the no wake zone.

“You can look forward to more requests for no wake zones if this gets approved,” said Tom Drake. “At some point people just have to be responsible for how they operate their boats.”

There isn’t much relationship between speed and wake, he added, with large boats creating substantial wakes even at low speed and many of the fastest boats — which are smaller — able to zip along with little to no wake.

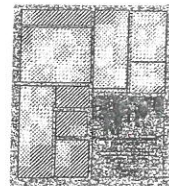
“We don’t need more rules,” added David Allen, owner of A-1 Marine in Glenville. “We just need people to abide by the rules.”

Resident Ray Jimison agreed with that assessment, saying that he lives within view of the launch ramp at Pine Creek, which already has no wake buoys on it.

“Ten times a day people speed past the buoys, actually ski around the buoys at 25, 30 miles per hour, totally ignoring it,” he said.

Without enforcement, instituting a new no wake zone won’t make much difference, he said.

“I’ve been there 12 years, and I can tell you that the traffic on the lake has more than doubled. It might have even tripled in the past 10 years. The enforcement has been halved,” he said.



Discussing the resolution, McMahan and Deitz both said they'd do better to trust the judgment of the officer's recommendation than to attempt to override it, with McMahan questioning the efficacy of a no wake zone.

"I think at the end of the day, some of the comments made by the general public said it's almost a non-enforceable issue, and it creates a bigger issue than what exists now," McMahan said. "We did our best to look at it and I'm not in favor of moving forward for that reason."

In a follow-up interview, Luker said that he'd been invited out several times during peak season to see the issue firsthand, and it's definitely a safety hazard. The Wildlife Commission report, meanwhile, was completed during the fall — not during peak season.

"It may be that eight months out of the year it's not an issue, but the other four months it is," Luker said. "In my opinion you have to look at the worst-case scenario, and that is peak tourist season when I was

there and got to observe it."

The resolution ultimately passed, meaning that its next stop will be before the N.C. Wildlife Resources Commission during its Feb. 28 meeting in Raleigh. If the Wildlife Commission approves the request, Jackson County will be required to fund the buoys. The buoys will cost an estimated \$3,000, with Jackson County paying \$1,500 and Glensville residents in favor of the no wake zone offering to pay the remaining \$1,500.

Contact information for wildlife commissioners is online at [www.ncwildlife.org/About/Commissioners](http://www.ncwildlife.org/About/Commissioners).

The north end of the lake includes two small islands, owned by Duke Energy but open for public use, that people enjoy swimming and paddling to.



David Allen, owner of At Marine in Glensville, tells commissioners why he believes the no wake zone issue should be dropped. *Wally Kays photo*





# Commissioners to ask Wildlife to review no-wake area move

By Quintin Ellison

The Jackson County Board of Commissioners will ask N.C. Wildlife Resources Commission board members to reconsider an agency finding against turning a .15 mile portion of Lake Glenville into a no-wake zone.

The designation would require boaters remain at no-wake, or minimum, speed for about 3 minutes.

First, however, commissioners must hold a public hearing and approve a supporting resolution and application. Meeting Monday, commissioners scheduled their hearing for 5:55 p.m. Monday, Jan. 29, in the Justice Center boardroom.

"No incidents, safety concerns or problems have been observed or brought to the attention of wildlife officers in reference to the proposed area," Wildlife Officer Chris Wilkins noted in his recommendation to not limit motor boats to no-wake speeds.

At residents' request, commissioners had asked the state agency to investigate safety concerns along a narrow passage between the mainland and two islands on the north end of the lake. This is near where the Pine Creek Boating Access Area makes a sharp turn south into the main body of the lake.

In July, residents told commissioners this area has seen a significant spike in boat traffic, putting swimmers and others in possible danger.

"There's no doubt it's a hazard,"

Commissioner Mickey Luker, who represents that portion of Jackson County, told fellow board members during a Dec. 14 work session.

In a followup letter to Officer Wilkins' report, two of the concerned residents, Margaret McRae and Joyce Waterbury, countered the officer's findings this way:

- He said there are smaller, similar areas on the lake with relatively the same amount of traffic. They said, "The petitioners are unaware of any such unmarked areas ... even if there are similar spans that are unmarked, that would not be a valid reason to avoid improving the safety of this zone."

- He said swimmers and manual-powered vessels should proceed with due regard for safety, as should motorboat drivers. They said motorboat drivers' disregard of safety is driving their petition for changes.

- He indicated a zone would encourage swimming in the area, because there would be an assumption of safety that would not necessarily exist. They said, "It is not logical to contend that the county or state should not make an area safer because then people might believe it to be so."

- He said a no-wake zone would create more traffic, giving the perception that the beaches are public areas. They said the areas are already open to the public and are frequently used.

The Wildlife Commission board meets Jan. 29 in Raleigh.





## Plans for no-wake zone draw criticism

Dan Brown  
*The Crossroads Chronicle*

A Lake Glenville business owner is taking extreme exception to the Jackson County Board of Commissioners consideration of a no-wake zone on the lake.

David Alan, owner of A-1 Marina, said trying to push through the no-wake zone legislation during a time of year where residents potentially impacted aren't even here is wrong on several levels.

"We're being legislated here by people who don't own boats and have never boated on this lake," Alan said of the Jackson County Board of Commissioners, who will convene a public hearing on the proposed Lake Glenville no-wake zone prior to its Jan. 29 meeting.

The public hearing is set for 5:55 p.m. Monday, Jan. 29 in the Justice Center boardroom, located at 401 Grindstaff Cove Road in Sylva.

If approved, the designation would require boaters to remain at no-wake, or minimum, speed for about three minutes on the 0.15-mile segment between the mainland and two islands on the north end of the lake.

Alan said the board of commissioners have missed the boat.

"This is about education, not legislation," he said. "A no-wake zone isn't necessary, but what is necessary is teaching boaters on Lake Glenville the proper safety procedures, respect of boating rules and

proper boating etiquette when on the lake."

The board of commissioners will ask North Carolina Wildlife Resources Commission board members to reconsider an agency finding against turning Lake Glenville into a no-wake zone during a meeting slated for February in Raleigh. But first, commissioners must convene the public hearing and approve a supporting resolution and application.

"Wakes have nothing to do with boat speed, but everything to do with the boater," Alan said. "Out of all these years we've never had a complaint from anybody on the lake regarding wake speeds. We never had an issue out on the lake, and we don't need a no-wake sign posted there because we'll ignore it."

The no-wake zone ordinance reportedly came as a result of a pair of Lake Glenville residents voicing their concern about the significant spike in boat traffic on Lake Glenville.

Alan said different types of boats create different types of wakes, but it has very little to do with actual boat speed.

"I am the fastest guy on the lake, but I don't generate any wake," he said. "I may make a lot of noise, but there's no wake."

Wake size is more dependent on the boat type, Alan said. "Pontoon boats, bass boats, ski boats and 'scurf' boats all generate different wakes."

Alan said the majority of wake issues are generated by

scurf boats that purposely generate wakes to give more entertaining rides to people being pulled by wake and boogie boards, and other inflatable craft.

"In earlier years, you didn't see many of these scurf boats on the lake," Alan said. "But this past summer, they were everywhere as the lake's popularity has soared."

Wildlife Resources Commission Officer Chris Wilkins also disagreed with the no-wake zone ordinance, saying in his recommendation that, "No incidents, safety concerns or problems have been observed or brought to the attention of wildlife officers in reference to the proposed area."

Still, commissioners asked the state agency to investigate safety concerns along a narrow passage between the mainland and two islands on the north end of the lake.

"There's no doubt it's a hazard," commissioner Mickey Luker, who represents that portion of Jackson County, told fellow board members during a Dec. 14 work session.

In a follow-up letter to Officer Wilkins' report, two of the concerned residents, Margaret McRae and Joyce Waterbury, disputed the officer's findings.

"If I thought a no-wake zone was the answer, I'd support this, but it's not," Alan said. "There isn't a problem on Lake Glenville that a no-wake zone would solve."

The N.C. Wildlife Commission board meets on Thursday, Feb. 22 in Raleigh.



# EXHIBIT N-2

April 26, 2018

## Comments Received on Application by Jackson County for No-Wake Zone at Northern End of Lake Glenville

NAME	COMMENT TYPE	IN FAVOR	OPPOSED
Dawn Wantuch	Email		X
Sheila Wilcox	Email		X
Sharon Rinehart	Email		X
Jackie Medford	Email		X
Scott Norton	Email		X
Robby Ammons	Email		X
Lee Kalch	Email	X	
Tom Drake	Phone, local hearing, email		X
Phillip Fowler	Phone and letter		X
Joyce Waterbury	Local hearing, letter	X	
Ray Ferri	Local hearing, email	X	
David Allen	Local hearing		X
Ray Jimison	Local hearing		X
Diana Hofer	Local hearing, letter	X	
Margaret McRae	Local hearing, letter	X	
Henry Hoche	Letter		X
Joy Hooper	Letter		X
Doug Odell	Letter		X
Carol Adams	Letter		X
Carolyn Franz	Letter		X
David Leach	Letter		X
Jean Waterbury	Letter	X	
Gail Ferri	Letter	X	
Ed Hofer	Letter	X	
Will McRae	Letter	X	
George Gruber	Letter	X	
Kathy Gruber	Letter	X	
Donnie Hicks	Letter	X	
Patti Hicks	Letter	X	
Jan Steiner	Letter	X	
Doug Jennings	Letter	X	
Viveka Jennings	Letter	X	
Helen Cook	Letter	X	
Roy Eustace	Letter	X	
Lynda Leslie Trader	Letter	X	
		19	16



**Comments Received by Email, Phone Calls, Letter, and Public Hearing Minutes Regarding  
Application for No-Wake Zone on Lake Glenville, Jackson County**

2/3/2018

Dear Betsy,

I'm a property owner on Lake Glenville. Our family has been on the lake for 53 years and absolutely love our Lake Glenville!!

With that being said, I don't think a no wake zone should even be considered. As lake front property owners, we know erosion is always a concern. As Residents on Lake Glenville are responsible for maintaining their Lake frontage. If one person complains about erosion then they need to take on that burden themselves. It's the good & bad of being a lake frontage property owner. Changing the way the Lake can be utilized is unfair to residents and visitors. It is also unfair that these meetings are being held in the middle of winter! Most residents are not even in town at this time of year. It is in poor taste to not have these meetings when most residents are unable to come to meetings and have their voices heard!

Please reconsider and have this "No Wake Zone " issue addressed during a time when more residents and property owners can have some input. Granting a no wake zone for a particular land owner is opening Pandora's box!!! No changes should be made to the way Lake Glenville can be utilized.

Thank you,

Dawn Wantuch

Lake Glenville water front property owner Sent from my iPhone

2/3/2018

Dear Ms. Haywood,

I am concerned about the special request to impose a no wake requirement for portions of Lake Glenville.

My family has had property on the lake since 1953 and we have seen many changes through those years. We believe in maintaining or improving the quality of the lake for the current and future use of everyone. However, the current proposal to create a No Wake Zone(s) does not appear to be in the interest of all property owners or visitors to the lake. As a "recreational lake", Lake Glenville is open to all boating activities which include fishing, leisurely boat rides, water skiing and tubing. Many of these activities include running boats at a higher rate of speed. To begin to restrict these activities for the benefit of a few property owners, over the majority of the people using the lake and living on the lake, is creating special treatment for the few. While I understand the erosion problem that we ALL have, caving to special requests once opens up a Pandora's box for a myriad of future "special requests". It especially reeks of special treatment in light of the fact that this is being proposed during the winter when it is known that almost everyone living on the lake is gone with no ability to attend hearings or make their feelings heard on this issue.

I definitely oppose even the consideration of this No Wake Zone as special treatment.

If you have any questions, please let me know.

Thank you,

Sheila D. Wilcox

(Property owner at southern end of Lake Glenville)

2/3/2018  
February 3, 2018  
Dear Ms. Haywood,

I understand there was a group of individuals who asked for a special meeting to propose changes to Lake Glenville usage rules. I am surprised and dismayed that this meeting was granted and actually occurred during the time many property owners are out of town. This appears to show partiality to special interest groups!

My family has owned property on the lake since the early 1950's. We enjoy fishing, swimming, skiing, paddle boarding, etc. Since the lake level was raised a few years ago, we HAVE encountered erosion issues. I admit there are times I get frustrated with the wakes (mostly the "wake boats") but discrimination is not appropriate. Homeowners have invested significantly in docks and boats to enjoy lake activities and have followed known rules. If we start selecting sections of the lake to prohibit recreational activities, as currently defined, there is nothing to keep such a change from expanding with little control.

I don't believe this change should be considered at all. At a minimum, this issue should be shelved until the summer so all home owners can be advised of the proposed changes and have time to respond!

Thank you.  
Sincerely,

Sharon D Rinehart      I can also be reached at:  
8860 SW 190th Circle  
Dunnellon, FL 34432  
PH: Same as above

116 Drake Drive  
Glenville, NC 28736  
561-222-9233

2/9/2018  
Hello

My name is Jackie Medford. I am a full time firefighter for Cashiers- Glenville Vol. Fire Department and an avid outdoorsman. I also reside with my wife in Glenville and live only 1.5 miles from the lake, therefore, we drive by it on a daily basis. From the late 70's till the present I have enjoyed fishing, picnicking and camping all over this beautiful body of water.

During my early fishing career I participated in bass tournaments all across the southeast. Virginia, Florida, Alabama, Tennessee, Georgia and the Carolinas. If it's happened on the water then I've probably seen it.

Concerning Lake Glenville, I believe the NC Wildlife has provided adequate and properly marked no wake zones where they are needed. I am very familiar with the area in question and feel that marking this area as a no wake zone would only be as a courtesy to a few dock/home owners for their pleasure. Since my 40+ years of fishing this lake I have seen no evidence or heard no safety concerns for the needed implementation of a no wake zone in this area. Please believe me when I say that there are a number of boaters such as myself who also feel this way and fully support the Wildlife's position on this matter.

I would also like to thank the NC Wildlife for all the improvements that have been made in the ramps, parking lots and park areas.

Thank you for listening to my concerns.

Sincerely  
Jackie Medford  
Sent from my iPhone



2/14/2018

This is Scott Norton a local fisherman and a writer from the magazine The Angler. It has come to my attention that a proposal has went to the next step for imposing a no wake zone at the Pine Creek waterway. I have spoken to a lot people in the area about what they thought about this proposal and most had no idea it was in the works. All were 100% against it because that is the safest area to boat through around those islands. If people were more aware of the meeting held the votes against the wake zone would have been greater in numbers. The local businesses depend on these lakes to bring in boaters in the warm months which us good for the local economy. Please if you can keep me informed on the progress of this situation if you can.

Sent from Yahoo Mail on Android

2/23/2018

As a business owner and tournament fisherman in WNC particularly Lake Glenville, I strongly oppose any move or change to current and existing measures to impose wake limits on the lake. Current homeowners on the lake knew before they purchase their properties that there were no wake limits on Lake Glenville And also unregulated boat traffic on the lake.

As a veteran Fisherman and respectful/responsible mariner I understand that those individuals who are attempting to change the current wake regulations are doing so while most homeowners of lake Glenville are NOT present and therefore have no voice, which violates their due process. This motion to change or push the wake agenda needs to be delayed until all lake homeowners/residents can express their concerns.

Respectfully  
Robby Ammons

2/28/2018

Ms. Haywood,

This note is in regards to the controversy surrounding the no wake zone on Lake Glenville.

As a boater myself, I realize that no wake can be interpreted many ways. I can be going very slow but the bow is up and stern down creating a large wake or I can be going very fast and barely make a ripple on the water.

I believe the issue is safety of swimmers going back and forth to land. Has a Idle speed only zone been proposed?

This slows all boats down and wake is at a minimum since there is only one way to interpret "idle only". Idle only is used extensively in Florida waterways where Manatees are know to be.

The swimmers and boaters alike will have ample time to see one another to insure the safety of each.

Thank You,

Lee Kalch

Phone calls in opposition to the rulemaking proposal on Lake Glenville were received by:

Tom Drake [drake2sail@aol.com](mailto:drake2sail@aol.com) 704-562-3423

Phillip Fowler - phone number 770-330-5022. I am a 6<sup>th</sup> generation resident of Lake Glenville and the largest landowner on Lake Glenville with 62 acres. I started the Friends of Lake Glenville. I am opposed to the proposal. It is wrong to apply for this in the winter when people are not there. A boat can only get through between the island and the shore until July, when the lake is drawn down.

**MINUTES OF A PUBLIC HEARING  
OF THE JACKSON COUNTY  
BOARD OF COMMISSIONERS  
HELD ON  
JANUARY 29, 2018**

The Jackson County Board of Commissioners held a Public Hearing on January 29, 2018, at 5:55 p.m., Justice & Administration Building, Room A201, 401 Grindstaff Cove Road, Sylva, North Carolina.

Present: Brian McMahan, Chairman  
Charles Elders, Vice Chair  
Boyce Deitz, Commissioner  
Mickey Luker, Commissioner  
Ron Mau, Commissioner

Heather C. Baker, County Attorney  
Angela M. Winchester, Clerk to Board

Absent: Don Adams, County Manager

Chairman McMahan called the public hearing to order and stated the purpose was to receive public input concerning a "No Wake Zone" on Glenville Lake for an area that consists of a narrow passage between the mainland and two islands at the north end of the lake.

**PUBLIC COMMENTS:**

(a) Joyce Waterbury of Cullowhee, stated that she was pleased to have brought this issue to the Commissioners last summer. A number of homeowners on Glenville Lake had a concern about safety hazards that had developed at one passage of the lake. A preliminary consideration of the area by a wildlife officer did not agree with the homeowners' assessment. They submitted their disagreement of the officer's findings to the Board of Commissioners. In the officer's report, he indicated that as of the creation of the report, no incidents, safety concerns or problems had been observed or brought to the attention of the wildlife officers. This should be taken as what it was, a non-judgmental response to a standardized form. It should not be misconstrued because an accident had not yet happened that the safety hazard in the proposed area did not exist. In fact, the neighbors that brought the proposal to the Commissioners were explicitly trying to improve the safety of the area before an accident occurred.

The risky behavior was fairly new over the last three to four years as a direct result from the improvements made to the two boat ramps and the creation of the Pine Creek Recreation Area. The neighbors were collectively supportive of the improved access to the lake, they were trying to ensure it was safe access. They were proposing an easy, inexpensive remedy to the problem with a "no wake zone".

(b) Ray Ferri stated he was a resident and a neighbor on that portion of the lake. The request of the "no wake zone" had always been for safety. The island area was perceived as public land, but was owned by Duke Energy. Because of its proximity, people go back and forth to the island by swimming and boating across the channel. They just wanted to prevent the chance of an accident or possible death.

(c) Tom Drake of Huntersville, stated that boat operators were already legally responsible for safe operations of their boats. There were a lot of places that boats went within 100 yards of the shore all over the lake. He thought it was a slippery slope to start picking out a particular area for safety concerns when the same concerns could exist in areas all over the lake. Also, there was little relationship between speed and wake. Enforcement would be a tremendous issue for wildlife officers.



(d) David Allen stated he was the owner of A-1 Marina. He was very disturbed that the only information that he had gotten was from the newspaper. He did not think there was enough notice to be fair. No one would be coming into town until June so how were they being represented properly. What they needed was education and courtesy on the lake. The swimming areas and boat ramps were marked and designated. He was not against changes, but he thought there would be a snowball effect with a "no wake zone".

(e) Ray Jimison stated he was a homeowner on Lake Glenville. At the launch ramp, there was a "no wake zone" buoy and probably ten times a day people would speed past the buoy. Putting a buoy in place and a "no wake zone" would not change people's behaviors. Enforcement was really important as traffic on the lake had doubled or tripled and enforcement was probably half what it was. He thought it was an enforcement and boating awareness issue. It was a difficult issue to deal with.

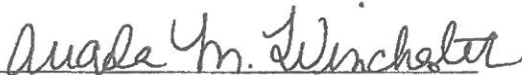
(f) Diana Hofer stated she was a full-time resident and owned a home for 23 years. She lived around the cove from the area they were speaking about. The boat traffic had increased and safety had gotten much worse. She wanted to make sure everyone understood that the part of the lake they were speaking of was very narrow not a wide gap.

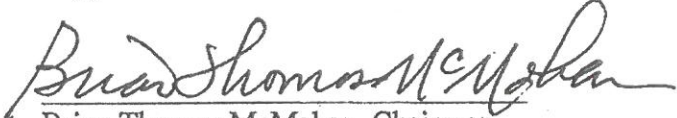
(g) Margaret McRae stated that in 1994 they bought their home on Lake Glenville. On the weekends there was a lot of activity on the two islands. They wanted everyone to enjoy the lake, but safety was their biggest concern.

There being no further public comments, Commissioner Luker moved that the public hearing be adjourned. Commissioner Mau seconded the Motion. Motion carried.

Attest:

Approved:

  
Angela M. Winchester, Clerk

  
Brian Thomas McMahan, Chairman





## Haywood, Betsy

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**From:** drake2sail@aol.com  
**Sent:** Tuesday, April 10, 2018 9:22 PM  
**To:** Haywood, Betsy  
**Subject:** [External] Lake Glenville no wake zone hearing

**CAUTION:** External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to [redacted]

Betsy:

I still intend to be at the hearing on the 25th but in case something unforeseen occurs the following written comments are submitted for the Boating Safety Committee.

As a resident in the Charlotte area and a former boater on Lake Norman I know that boating safety can be an important issue. I no longer boat on Lake Norman because of crowding and **real** boating safety issues. I emphasize real because the requested no wake zone is **not** a safety issue.

The issue on Lake Glenville is shore erosion as the result of a combination of boat wakes and high lake levels maintained in the summer for aesthetic purposes. It is my understanding that the latter is part of Duke/Nantahala's FERC operating permit so we can't impact that. Consequently, it appears that a group is trying to eliminate the wakes in front of their properties to address the erosion.

The problem here is the "slippery slope" if this no-wake zone is approved. It could become a precedent for additional requests. Lake Glenville is a mountain lake consisting of drowned mountain creeks that are inherently narrow. You can see on a map how additional requests could easily be generated.

Overshadowing all of this is the effectiveness of no-wake zones. During weekend boating there are constantly people in the water from falling off towables (the kids don't have a good time if they're not screaming for their lives crossing wakes in tight turns!) or landing on their faces trying to flip a wakeboard crossing a wake. Do other boats within 300 feet slow to a no-wake speed when passing these vulnerable "swimmers"?? You know the answer. Ultimately, we rely on boat operators to be responsible for boating safety - not "no-wake" buoys.

And let's be real; wakes don't dissipate over a short distance. Your floating dock or boat can be rocked plenty when a "surfing" boat comes by 11 away from shore.

In conclusion, please don't approve this no-wake zone request. It is intended to address an erosion problem, not a safety problem. Approval will just provide ammunition to the "government over-regulates everything" crowd.

April 5, 2018

To: NC Wildlife Commission  
From: Lake Glenville Leaders

Dear Sirs:

This letter supports NC Wildlife's wake zone study on Lake Glenville and your subsequent non- approval regarding a proposed "no wake zone" on Lake Glenville.

We, former Friends of Lake Glenville (FLG) presidents- Phil Fowler, Henry Hoche, Joy Hooper, Doug Odell, Carol Adams, Carolyn Franz, David Leach, current president and the current FLG Board of Directors, oppose "no wake zones" and ask the NC Wildlife Commission to deny the Jackson County Commissioners request for a "no wake zone" in Lake Glenville.

This does not mean that we don't recognize that our neighbors have legitimate concerns. However, in acquiescing to their concerns much larger problems are created. A "no wake zone" cannot be enforced. There are several locations on the lake that might be considered identical to their complaint. If you should grant this request, you would have at least four more requests immediately. Based on our long standing observations on Lake Glenville, you could be creating a continuous chain of "no wake zones" on Lake Glenville. The general public would be outraged.

We propose that the solution to the perceived wake problem is a concentrated and rigorous boating safety and courtesy campaign to be conducted by leading Lake Glenville organizations and businesses. This will include Friends of Lake Glenville, Glenville Community Club, all neighborhood /property owner organizations, marinas and service businesses throughout the community. The goal is to have this information reach all levels of boaters and watercrafters from renters to day users and property owners.

Please note that we, the signers of this letter, represent many years of ownership, residency and leadership on Lake Glenville and in the community at large. Phil Fowler who is 5th generation native of Glenville, actually lived on the shores of Lake Glenville for nearly 60 years, owns 62 acres on the Lake and was one of the original 1979 organizers and first president of the Friends of Lake Glenville in 1979. Henry Hoche, Joy Hooper and Doug Odell served many terms as FLG president in the early years and all are long time property owners and residents at Lake Glenville. Presidents Carol Adams and Carolyn Franz served multiple years in recent years. David Leach is currently the FLG president after serving many years on the FLG Board.

Friends of Lake Glenville was formed to give property owners a voice on lake issues with Nantahala Power (now Duke Energy), NC Wildlife, and other governmental agencies. During the last FERC re-licensing of the Glenville Dam request by Duke Energy, former FLG presidents Carol Adams, Doug Odell, and Phil Fowler served on the FERC Stakeholder's Task Force with about 40+ other organizations including NC Wildlife. These delegates represented Lake Glenville property owners and citizens of the entire Glenville community as well as Friends of Lake Glenville and the Glenville Community Club.

We praise the NC Wildlife Commission on their original wise decision to deny a no wake zone on Lake Glenville. In our opinions, it is a decision that must be upheld.

With regards,

Phil Fowler                      Henry Hoche                      Joy Hooper                      Doug Odell  
fowlerpe@aol.com    InnisfreeInn@gmail    abigailone@aol.com    dougodell4@gmail.com

Carol Adams                      Carolyn Franz                      David Leach  
casolveit@yahoo.com    carolynfranz@msn.com    dleachga@gmail.com



1946 Woods Mountain Trail  
Cullowhee, North Carolina 28723  
February 16, 2018

Boating Safety Committee  
North Carolina Wildlife Resources Commission  
1701 Mail Service Center  
Raleigh, North Carolina 27699-1701

Dear Boating Safety Committee Members:

We are owners of a home directly bordering the area of Glenville Lake for which the Jackson County Board of Commissioners has applied for a No Wake Zone (NWZ). We have owned our home for twenty-six years. In the past three years, we have witnessed a significant increase in boat and personal watercraft traffic at the north end of the lake because of improvements made to two public boating access areas by the North Carolina Wildlife Resources Commission in 2014, and the creation of the Pines Recreation Area by Duke Energy in 2015. There are also two islands owned by Duke Energy in the same location which create a narrow passage between them and the shoreline. Duke Energy “welcomes and encourages” public use of these islands.<sup>1</sup> Unsurprisingly, the recreational use of the islands has also increased with the enhanced public access.

Our shoreline faces the two islands and would be included in the NWZ. We regularly see motor boats and personal watercraft speeding dangerously close to swimmers using the area. Often, these boats are pulling water-skiers or tubers and the drivers are looking behind at those people, even as they round sharp turns in the area. We frequently must wave our arms and yell warnings to them about swimmers. We also have had high-speed boats come within ten feet of our family and friends while swimming off our dock and shoreline. As a result, we no longer swim without colorful floatation devices—no matter how close to shore we are—for fear of not being seen.

This combination of high speed traffic in a narrow passage that is also heavily used by swimmers and non-power boats does not exist anywhere else on the lake. And, *no* other islands on the lake are open to the public. This is therefore, a unique high-risk area that is an unanticipated result of the improved public access to the lake. We are very supportive of the increased public access. Because of that, we are also strong proponents of the requested NWZ to ensure that access is safe.

We appreciate your consideration of this important matter. Please feel free to contact Joyce Waterbury (919-616-2979, [waterburync@gmail.com](mailto:waterburync@gmail.com)) if we may provide any further information.

Sincerely,

*Joyce Waterbury*  
Joyce Waterbury

*Jean Waterbury*  
Jean Waterbury

*Ray Ferri*  
Ray Ferri

*Gail Ferri*  
Gail Ferri

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<sup>1</sup> See “Island Use Guidelines” available at: <https://www.duke-energy.com/community/lakes/recreation-information/island-use-guidelines>

April 11, 2018

Boating Safety Committee  
North Carolina Wildlife Resources Commission  
1701 Mail Service Center  
Raleigh, North Carolina 27699-1701

Dear Boating Safety Committee Members:

We are homeowners on Glenville Lake in Jackson County who petitioned the Jackson County Board of Commissioners to apply to the North Carolina Wildlife Resources Commission for the establishment of a No Wake Zone (NWZ) on a discrete area of Glenville Lake. The safety of this area has been negatively impacted by the significant increase in boat traffic in the past three years. Because of the increased traffic, both boaters and swimmers are endangered. The safety concerns we presented to the Jackson County Commissioners are attached to the application.

It is our understanding that you will consider all information which is provided to you in reaching your recommendation concerning that application. We have a long, consistent and continuous connection with the proposed NWZ. Collectively, we have owned property near the proposed NWZ for over 175 years. Our homes oversee the approach to the proposed NWZ from both directions and two of our properties face the narrow passage and will be in the NWZ. Attached you will find letters outlining safety risks we have personally witnessed.

We are strong advocates for the proposed NWZ because of our concern for public safety in this unique, small, but heavily used passageway. It is our goal that boaters and swimmers can continue to use that area without unusual risk. Boaters that prefer not to slow down may simply proceed on the far side of the islands where there is a much wider waterway. A No Wake Zone offers the opportunity of a simple, inexpensive and efficient way to greatly increase public safety.

Thank you for your consideration of this critical issue.

*Joyce Waterbury*

Joyce Waterbury

With approval by and on behalf of:

Ed and Diana Hofer 1840 Woods Mountain Tr. Cullowhee, NC 28723	Margaret and Will McRae 1857 Woods Mountain Tr. Cullowhee, NC 28723	George and Kathy Gruber 1899 Woods Mountain Tr. Cullowhee, NC 28723
Donnie and Patti Hicks 1932 Woods Mountain Tr. Cullowhee, NC 28723	Helen Cook, Roy Eustace 1936 Woods Mountain Tr. Cullowhee, NC 28723	Doug and Viveka Jennings 1954 Woods Mountain Tr. Cullowhee, NC 28723
Jan Steiner 1964 Woods Mountain Tr. Cullowhee, NC 28723	Joyce and Jean Waterbury Raymond and Gail Ferri 1946 Woods Mountain Tr. Cullowhee, NC 28723	

c: Betsy Haywood, [betsy.haywood@ncwildlife.org](mailto:betsy.haywood@ncwildlife.org)

Enclosures

Ed & Diana Hofer  
1840 Woods Mountain Trail  
Cullowhee, NC 28723

February 16, 2018

Boating Safety Committee  
North Carolina Wildlife Resources Committee  
1701 Mail Service Center  
Raleigh, NC 27699-1701

RE: Application for a "No-Wake Zone" (NWZ) on Lake Glenville

Dear Boating Safety Committee Members:

I attended the public hearing at the Jackson County Commissioners meeting on January 29, 2018 regarding the above-referenced matter. Although I am not a public speaker, and have never attended these types of meetings, I did speak at this meeting. As nervous as I was, it was very important to me to let the commissioners, and now your committee, know how concerned we are about the safety of that narrow section of the lake being evaluated for the NWZ.

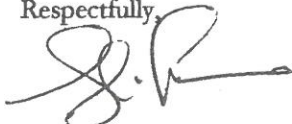
We have owned our home, which is in the cove right outside the smaller island, since 1997 and have been full-time residents since 2006. As I mentioned in the public hearing, my husband and I are probably one of the biggest boaters living on the lake; boating every month, including the winter (weather permitting). Since improving the Powerhouse and Pine Creek Boating accesses and adding the Pines Recreation Area, there has been a significant increase in lake activity (i.e. boaters, jet skis, kayakers, sail boaters, standup paddle boarders and swimmers), at our end of the lake.

Because of these improved boat ramps and new beach area at this end of the lake, we respectfully disagree with Officer Wilkins' opinion that there are smaller, similar areas of the lake with relatively the same traffic. This narrow channel of lake is being heavily used by boaters going too fast, when they very easily can keep their speed and boat on the other side of the islands, where the body of water is wider, and ultimately safer to the residents living in this area and the people enjoying the two islands. We personally boat through this channel to get home, going at a slower speed, and have had faster boats go between us and the shoreline AND between us and the island at the same time.

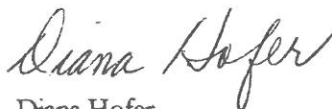
We ask that you reconsider this section as the high-risk, unique section of the lake that we residents have witnessed and are concerned about. We appreciate your time and ask for your consideration for this important matter.

If you have any questions, please feel free to contact us at 828.743.6252 or email ([d3hofer@hughes.net](mailto:d3hofer@hughes.net)).

Respectfully,



Ed Hofer



Diana Hofer



1857 Woods Mountain Trail  
Cullowhee, North Carolina 28723  
February 16, 2018

Boating Safety Committee  
North Carolina Wildlife Resources Commission  
1701 Mail Service Center  
Raleigh, North Carolina 27699-1701

Dear Boating Safety Committee Members:

We are owners of a home with a view of the area of Glenville Lake for which the Jackson County Board of Commissioners has applied for a No Wake Zone ("NWZ"). We strongly support that application.

We have owned our home for twenty-four years and have lived here fulltime since 2002. In the past three years, we have witnessed a significant increase in boat and personal watercraft traffic because of improvements made to two public boating access areas by the North Carolina Wildlife Resources Commission in 2014, and the creation of the Pines Recreation Area by Duke Energy in 2015. These three public access areas are near two islands owned by Duke Energy, which also abut a narrow passage between them and the shoreline. With Duke Energy welcoming use of this lake, the recreational use of the islands has also increased with the enhanced public access points. This simultaneous increase in high-speed traffic and public recreation has caused a significant risk to safety in the proposed NWZ area. And, that safety risk is extremely high on summer weekends and holidays.

From our deck, as well as our dock, we see motor boats and personal watercraft speeding dangerously close to swimmers using the area. Often, these boats are pulling water-skiers or tubers and the drivers are looking behind at those people, even as they round sharp turns in the area. If the boaters would go an additional twenty-three seconds past the narrow channel, they would have a much larger, safer area in which to turn and proceed down the lake.

This combination of (1) high speed traffic (2) in a narrow passage that (3) is also heavily used by swimmers and non-power boats does not exist anywhere else on the lake and no other islands on the lake are open to the public. Therefore, this is a unique high-risk area that is an unanticipated result of the improved public access to the lake. We are very supportive of the increased public access. Because of that, we are also proponents of the requested NWZ to ensure that access is safe.

We appreciate your consideration of this important matter. Please feel free to contact Will and Margaret McRae (828-743-3539, [mmcrae46@gmail.com](mailto:mmcrae46@gmail.com)) if we may provide any further information.

Sincerely,

Margaret McRae

Dear Boating Safety Committee Members:

We are owners of a home bordering the area of Glenville Lake for which the Jackson County Board of Commissioners has applied for a No Wake Zone ("NWZ"). We strongly support that application. We reside at 1899 Woods Mountain Trail, Cullowhee.

We have owned our home for three years in this neighborhood. In the last two years we have seen a tremendous increase in the amount of high speed boat traffic, as a result of the improvements made to the two boaters' lake accesses on the north end of the lake. As we have lived in another area on the lake for 10 years we know of no other areas that have this amount of high speed boat traffic competing with other water sports.

The approximation of two islands off our subdivision point makes this boat traffic even more dangerous to kayakers, swimmers, paddle boarders, water tubers and skiers. These islands are used extensively by the public seeing many swimmers and kayakers throughout the season.

There are also rowers that come out early in the morning to catch the calm waters and this is typically the time of day when the high-speed boats are entering the lake for the day.

Because the high-speed boaters, ski boats and personal watercraft careen right through the narrow channel between our point and the island with very little visibility to what is coming around the point toward them, I fear it is a matter of time before there will be a tragic accident resulting in injuries or death. To quantify the term "high speed boaters" I would estimate these boaters and personal watercraft at an excess of 50 mph.

We love all activity on the lake be it fishing, tubing, skiing, swimming, boating, but we desire for safe passage through this busy channel by way of a No Wake Zone.

We appreciate your consideration and your understanding in this important human safety matter.

Sincerely,  
George and Kathy Gruber



Boating Safety Committee Members  
NC Wildlife Resources Commission  
1701 Mail Service Center.  
Raleigh, NC 27699-1701

Dear Committee Members:

My husband and I have been homeowners on Lake Glenville since 1990. As you may imagine, the increase of additional homes has significantly gone up in this area over the past 26 years. With that increase, the number of boaters has also risen. Most boaters are considerate, but over the years we have noticed numerous boaters ignoring proper boating etiquette i.e. coming too close to our dock or our moored boat beside our dock. These folks seem to be unaware of the "100 Foot buffer zone" of watercraft coming too close to lake structures--docks, boats, piers, etc. This 100 Foot distance is stated in the North Carolina Vessel Operator's Guide and many people are visitors to this area and are not aware of this ruling.

Our home is just around the cove from the two Islands in question regarding the No Wake Zone. We feel that it is important to institute the NWZ between the two islands because it would be a very sad turn of events if someone were to be seriously injured in the future and all we could do was to say, "Too bad we didn't do something to prevent this accident from happening."

Thank you for your attention to this matter.

Sincerely,  
Patricia & Donnie Hicks

1936 Woods Mountain Trail  
Cullowhee, North Carolina 28723  
February 16, 2018

Boating Safety Committee  
North Carolina Wildlife Resources Commission  
1701 Mail Service Center  
Raleigh, North Carolina 27699-1701

Dear Boating Safety Committee Members:

We are owners of a home adjacent to the area of Glenville Lake for which the Jackson County Board of Commissioners has applied for a No Wake Zone ("NWZ"). We strongly support that application.

We have owned our home for 13 years. In the past three years, there has been a significant increase in boat and personal watercraft traffic because of improvements made to two public boating access areas by the North Carolina Wildlife Resources Commission in 2014, and the creation of the Pines Recreation Area by Duke Energy in 2015. In parallel with that there has been a significant increase in the size of engine that boats are using, necessary if you want to enjoy water skiing, wake boarding and tubing. These three public access areas closely triangulate two islands owned by Duke Energy, which also abut a narrow passage between them and the shoreline. Duke Energy "welcomes and encourages" public use of these islands.<sup>1</sup> Not surprisingly, the recreational use of the islands has also increased with the enhanced public access points. This simultaneous increase in high-speed traffic and public recreation has caused a significant risk to safety in the proposed NWZ area. That safety risk is extremely high during the summertime.

As anecdotal but real evidence of these changes Bryson's recently replaced the anchoring of our dock to the retention wall with a universal mechanism better able to sustain the heavier wakes now coming from the side and reinforced the retaining wall.

This combination of (1) high speed traffic (2) in a narrow passage that (3) is also heavily used by swimmers and kayaks does not exist anywhere else on the lake and no other islands on the lake are open to the public. Therefore, this is a unique high-risk area that is an unanticipated result of the improved public access to the lake. We are very supportive of the increased public access. Because of that, we are also proponents of the requested NWZ to ensure that access is safe.

We appreciate your consideration of this matter and urge your support in order to preempt the inevitability of a serious accident.

Sincerely,

Helen and Roy Eustace

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<sup>1</sup> See "Island Use Guidelines" available at: <https://www.duke-energy.com/community/lakes/recreation-information/island-use-guidelines>

To: NC Wildlife Resources Boating Safety Committee  
From: Douglas and Viveka Jennings

RE: No-wake zone on Lake Glenville

We have a residence on the north end of Lake Glenville, directly across from the large island that is used extensively for day-camping and swimming. The island is approximately one hundred yards from our property, this creating a narrow channel for boat and ski-do traffic.

In the thirty years that we have lived on the lake we have seen numerous close calls as boats travel at high speed, endangering not only other boats and people using the island, but also members of our family and guest who are swimming from our dock.

We urge the committee to create a no-wake zone in this narrow channel. Slower traffic would make the area much safer. Faster traffic could simply avoid this "short cut" and go around the north side of the island. This would be no hardship for fishermen or recreational boaters and riders.

Thank you for your serious consideration of this request. You will be protecting the citizens who enjoy this beautiful natural resource.

A handwritten signature in cursive script, reading "Douglas Jennings". The signature is written in black ink and is positioned at the bottom left of the page.

1964 Woods Mountain Trail  
Cullowhee NC 28732  
February 17, 2018

Boating Safety Committee  
NC Wildlife Resources Commission  
1701 Mail Service Center  
Raleigh, NC 27699-1701

Dear Committee Members,

My home is adjacent to the proposed No Wake Zone on Lake Grenville. Naturally, we would like ourselves and our neighbors to be able to swim and boat as safely as possible.

Furthermore, my three disabled adult children would like to have safe access to the water, both to board a boat and to swim. They need a lot of able-bodied persons to assist them in and out of the water. They are in danger when the water is turbulent due to unduly fast boats.

The American with Disabilities Act has helped them by providing for safety and access to many facilities, including many recreational areas. I am fairly certain that the proposed NWZ is not addressed by that bill, but I am asking for your compassion.

Sincerely,

Janet Steiner, DVM



## Haywood, Betsy

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**From:** Ray Ferri <rferri@nc.rr.com>  
**Sent:** Tuesday, April 17, 2018 12:41 PM  
**To:** Haywood, Betsy  
**Subject:** [External] Boating Safety Committee Meeting April 25,2018

**CAUTION:** External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#).

Dear Ms. Haywood,

I would like my following comment to be added to the Boating Safety Committee meeting agenda scheduled April 25, 2018 regarding the request to establish a No Wake Zone at the northern end of Lake Glenville.

To the members of the committee:

I have lived on one of the properties adjacent to the proposed NWZ area on Lake Glenville for 26 years. I along with all of my neighbors have witnessed a marked increase over the years in the amount of public use of this area of the lake including swimming (including pets), tubing, kayaking, canoeing, motor boating, etc. This is all well documented in the files and letters you have already received. My support of the proposed No Wake Zone is based on the desire to see increased safety and reduced incidence of potentially dangerous accidents for the public using this area of the lake. I agree with the evidence that shows this is a unique area of the lake geographically and that it has a higher reported use by the public. A picture paints a thousand words so I hope you took the time to study the pictures presented that show some of the activity that goes on during the day. These pictures are only a sampling as there are days that exhibit less activity and days that exhibit much more activity such as on holidays and during the peak of the summer season. If you could only add sound to those pictures and imagine the noise level from boat engines, ski-dos, screaming tubers and ers, loud music from boat speakers and realize this only adds to the distraction of the people in this area you would understand how an accident is bound to happen to someone sometime soon. A NWZ would encourage those boaters who want to speed down the lake for one reason or another to use the outer path around the islands lessening the chances of something terrible happening to someone in the water. I hope you take the time to look over all the supporting documentation presented to the committee and do the right thing which would be to approve the proposed No Wake Zone.

Thank you for your time and consideration,  
Raymond Ferri

April 15, 2018

Boating Safety Committee  
North Carolina Wildlife Resources Commission  
1701 Mail Service Center  
Raleigh, North Carolina 27699-1701

Dear Boating Safety Committee Members:

The Jackson County Board of Commissioners has applied to the North Carolina Wildlife Resources Commission to establish a No Wake Zone (NWZ) for a short narrow waterway on Glenville Lake. On behalf of the neighbors (the Neighbors) that petitioned the Jackson County Commissioners to address this safety concern, I am enclosing the following information for your consideration of this application:

- Attachment 1: A statement of safety concerns by the Neighbors, including:
  - Two maps of the concerned area; and
  - Pictures of typical summer traffic.
- Attachment 2: A response by the Neighbors to the NC Wildlife Resource Enforcement agent's preliminary findings, including:
  - A map of all public areas on Glenville Lake.
- Attachment 3: Duke Energy Carolinas, LLC's Recreation Usage Report for 2014.
- Attachment 4: Duke Energy Carolinas LLC's March 24, 2015 request for a No Boat Zone for an area approximately 400 yards away from the applied for NWZ, which is impacted by the same traffic.
- Attachment 5: North Carolina Wildlife Resources Commission's January 1, 2016 letter in support of Duke Energy Carolinas LLC's request for a No Boat Zone, including:
  - North Carolina Wildlife Resources Commission agent's safety risk assessment;
  - North Carolina Wildlife Resources Commission's October 22, 2015 staff recommendation; and
  - North Carolina Wildlife Resources Commission's October 22, fiscal note review.

The Neighbors that brought this safety concern to the attention of the Jackson County Board of Commissioners are the entire constituency of the abutting neighborhood. Collectively, the Neighbors have lived on Glenville Lake for over 175 years. All the Neighbors voiced their concern over the present safety risks because of their long-standing commitment to the vibrant life of the entire Glenville Lake community.

We appreciate your consideration of this important matter. Please feel free to contact me (919-616-2979, [waterburync@gmail.com](mailto:waterburync@gmail.com)) if I may provide any further information.

Sincerely,

*Joyce Waterbury*



With approval by and on behalf of:

Lynda Leslie Trader  
1807 Woods Mountain Tr.  
Cullowhee, NC 28723

Ed and Diana Hofer  
1840 Woods Mountain Tr.  
Cullowhee, NC 28723

Margaret and Will McRae  
1857 Woods Mountain Tr.  
Cullowhee, NC 28723

George and Kathy Gruber  
1899 Woods Mountain Tr.  
Cullowhee, NC 28723

Donnie and Patti Hicks  
1932 Woods Mountain Tr.  
Cullowhee, NC 28723

Helen Cook, Roy Eustace  
1936 Woods Mountain Tr.  
Cullowhee, NC 28723

Joyce Waterbury  
Jean Waterbury  
Ray and Gail Ferri  
1946 Woods Mountain Tr.  
Cullowhee, NC 28723

Doug and Viveka Jennings  
1954 Woods Mountain Tr.  
Cullowhee, NC 28723

Jan Steiner  
1964 Woods Mountain Tr.  
Cullowhee, NC 28723

cc: Betsy Haywood, [betsy.haywood@ncwildlife.org](mailto:betsy.haywood@ncwildlife.org)

Enclosures

## Attachment 1

### Glenville Lake No Wake Zone Proposal Summary of Public Safety Concerns Prompting Request

In 2014, the North Carolina Wildlife Resources Commission opened two new public boating access areas at the north end of Glenville Lake. One year later, Duke Energy officially opened the nearby Pines Recreation Area. All three access areas are shown on the attached map ("*Exhibit A*"). While these three projects have succeeded in increasing public access to Glenville Lake, an unintended outcome of their success has been the creation of a safety hazard in a nearby narrow area of the lake for which a No Wake Zone is proposed ("*Exhibit B*"). The details of the safety concern follow.

- 1) There are two small islands at the north end of the lake (*see Exhibits A and B*). The islands are approximately 250 feet from mainland. They are located where the arm of the lake housing the Pine Creek Boating Access Area makes a sharp turn south to enter the main body of the lake. Boaters and jet skiers make this abrupt turn onto the main body of the lake either already at a high rate of speed or quickly picking up speed as they see the open waterway. But the two islands create a narrow passageway with the western shoreline of the lake. As a result, there is high speed boat traffic in the narrow passage. It is common to have numerous boats going through at once, including jet skis jumping waves and circling the islands, and boats towing skiers or tubers. Summer weekend traffic is extremely dangerous. This high-speed boat congestion creates an excessive risk of a boat accident and neighbors have witnessed several near-misses.
- 2) These are the only two islands at the north end of the lake. Boaters, jet skiers, kayakers, and paddleboarders land there. Also, people swim to the islands from various places on the mainland. They all use the island shorelines for swimming, floating in tubes, takeoff spots for skiers and tubers, and swim areas for dogs (*see the pictures attached as "Exhibit C"*). Simultaneously, there are swimmers and recreationists off the docks extending out from the mainland. All these swimmers are extremely hard for boaters to see. If a boat is traveling at a high speed, coming around the curve, or looking behind at a skier, a swimmer is not easily spotted. This puts everyone in the water at extreme risk.
- 3) Moreover, frequent kayakers, canoers, and other operators of boats without motors prefer to use the narrow passage between the two islands and the western shoreline due to the desire to be shielded from faster boat traffic on the main body of the lake and the desire to operate near the shoreline. Operators of these small, slower boats cannot quickly maneuver to avoid high speed traffic.
- 4) The danger increases as the summer progresses due to the lowering of the lake level. The shorelines on all sides extend farther out, narrowing the channel even more (*see the pictures showing wider shorelines attached as "Exhibit D"*). At the same time, this creates an even more alluring beach on the islands for swimmers and picnickers. So, in late summer the risk for boaters and swimmers is even greater just when recreationists are most drawn to the islands.
- 5) Unfortunately, boating after sundown and consumption of alcohol while boating also take place. Again, the two islands provide a landing place where this type of activity occurs. When combined with excessive speed in a narrow location, this greatly increases safety risks.

Even with the proposed No Wake Zone, it should be noted that boaters who choose to maintain a high speed would still be able to drive on the far side of the islands where there is a much wider body of water and therefore, a reduced risk of accidents. Over the last three years there has been a significant increase in high-speed boat traffic at the north end of Glenville Lake. In the narrow passageway for which a No Wake Zone is proposed, this has created an elevated level of boat and personal safety risk. Simply reducing the speed with which boats and personal watercraft traverse the passage can mitigate much of the risk.



## EXHIBIT A

Upper Glenville Lake in Jackson County and study area (yellow rectangle)

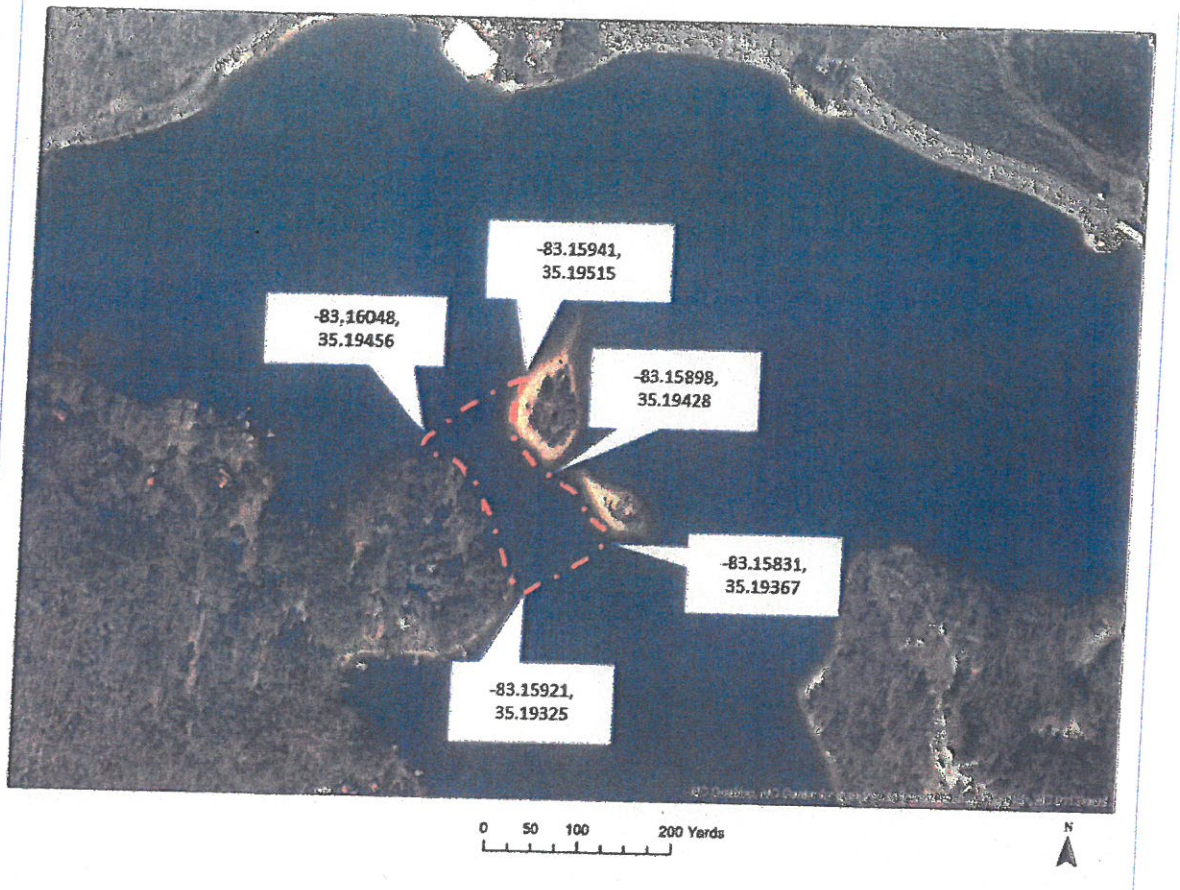
Source: NC OneMap Orthoimagery 2015.



## EXHIBIT B

Proposed NWZ  
(red dashed line)  
and coordinates  
for selected  
locations in  
decimal degrees,  
based on visual  
reference in a  
geographic  
information  
system.

Source: NC  
Ordnance  
Map  
Orthoimagery  
2015.



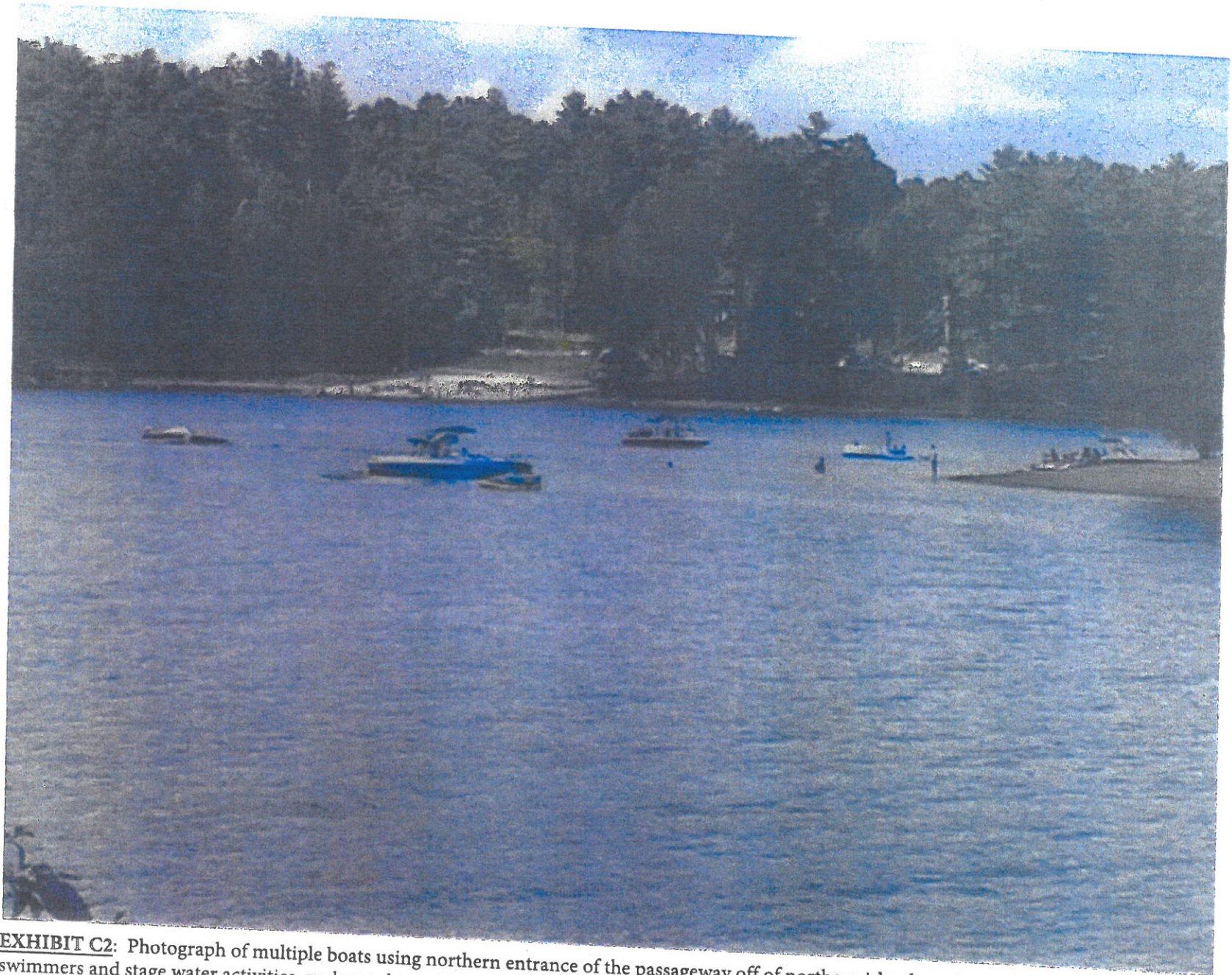


9



**EXHIBIT C1:** Photograph of swimmers in close proximity to high-speed traffic on north-western shoreline of northern island. Taken facing north towards recreational users at Pines Recreation Area.





**EXHIBIT C2:** Photograph of multiple boats using northern entrance of the passageway off of northern island as a location to load and unload swimmers and stage water activities, such as tubing. Taken facing north towards recreational users at Pines Recreation Area.





**EXHIBIT C3:** Photograph of heavy, multi-purpose traffic in passageway off of western shore of northern island. Taken facing north towards recreational users at Pines Recreation Area.





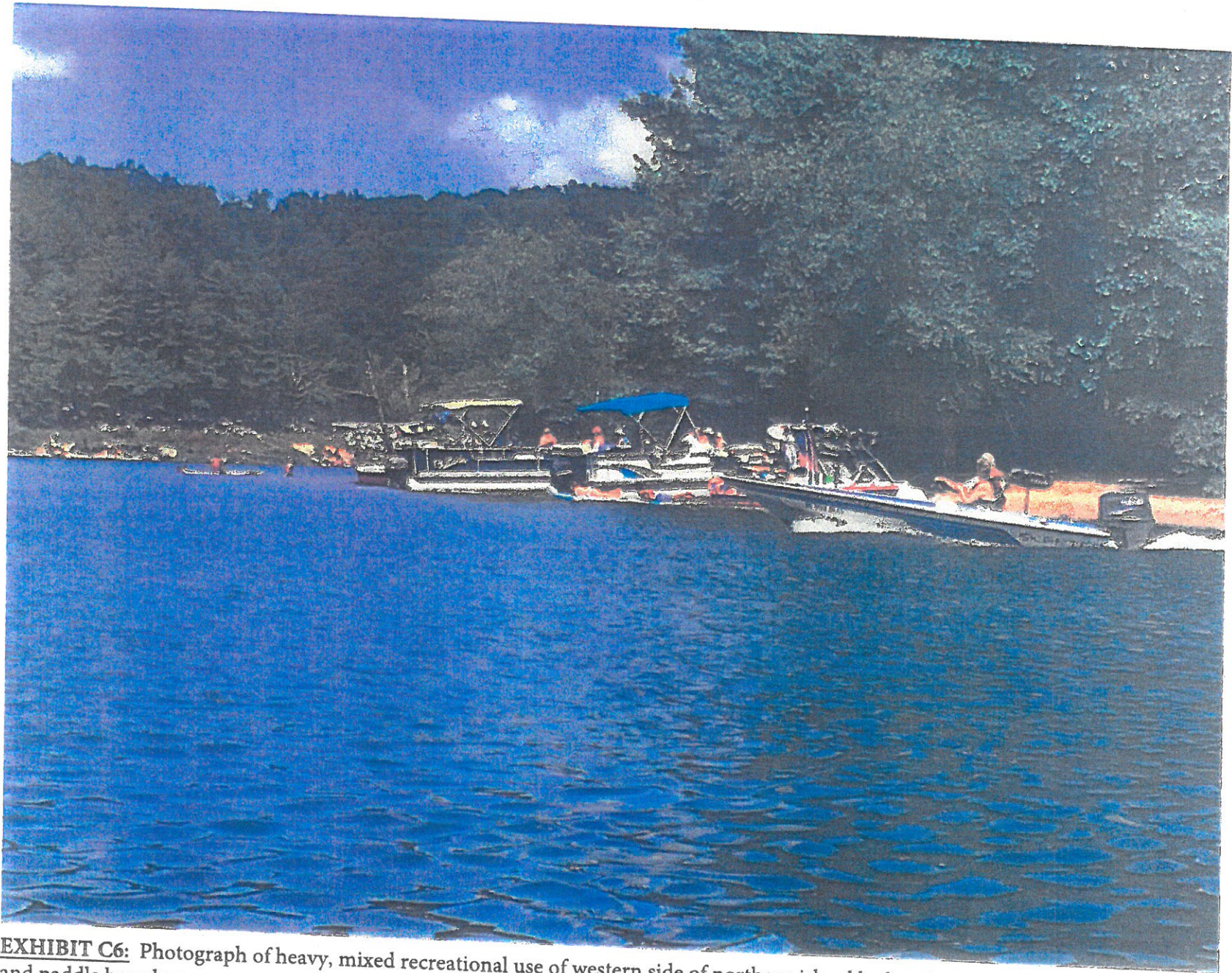
EXHIBIT C4: Photograph of high-speed traffic between dock off of western shore and kayakers on southern island.





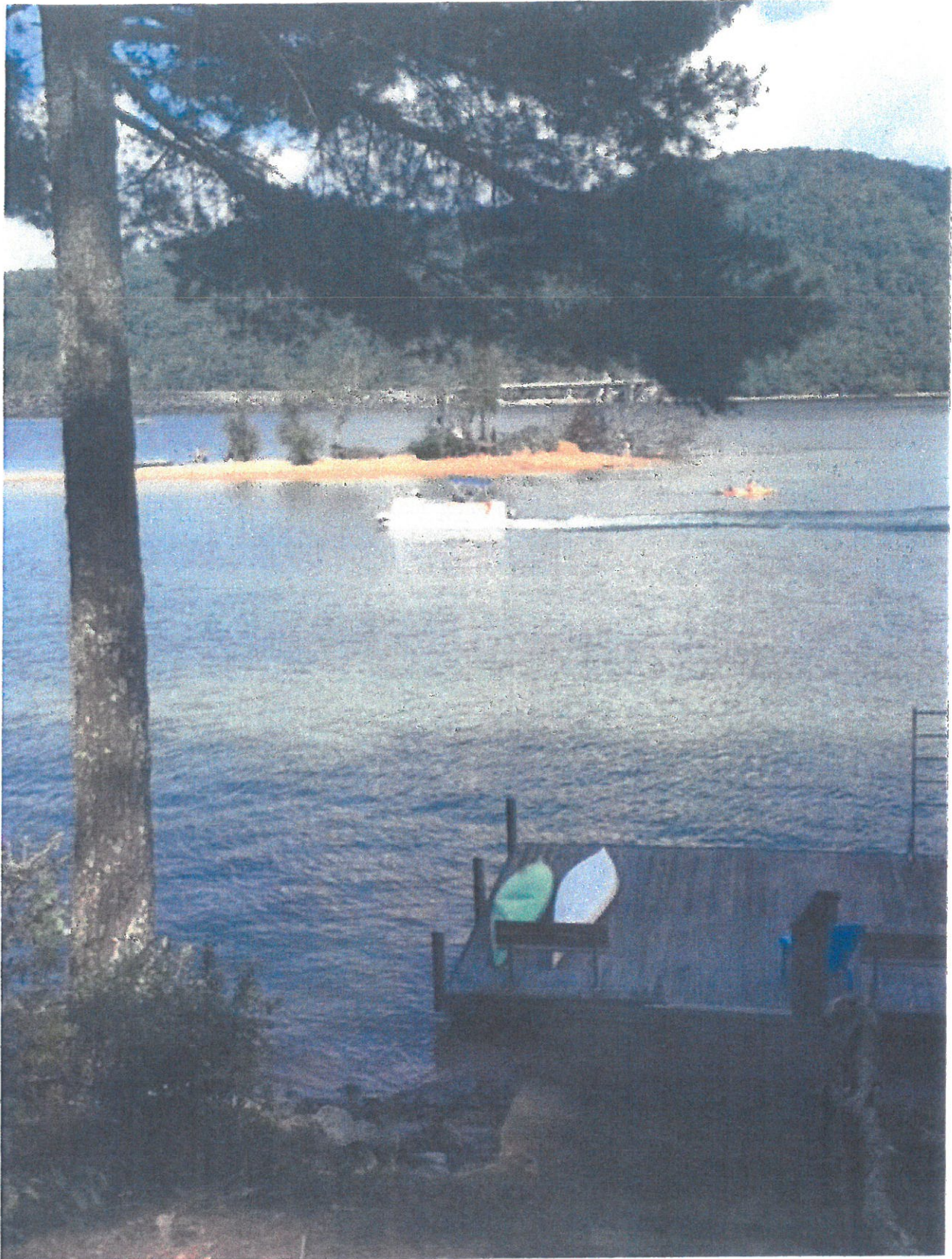
**EXHIBIT C5:** Photograph of high-speed traffic between western shoreline and recreational users on western side of northern island. Taken from western shoreline looking north-east.





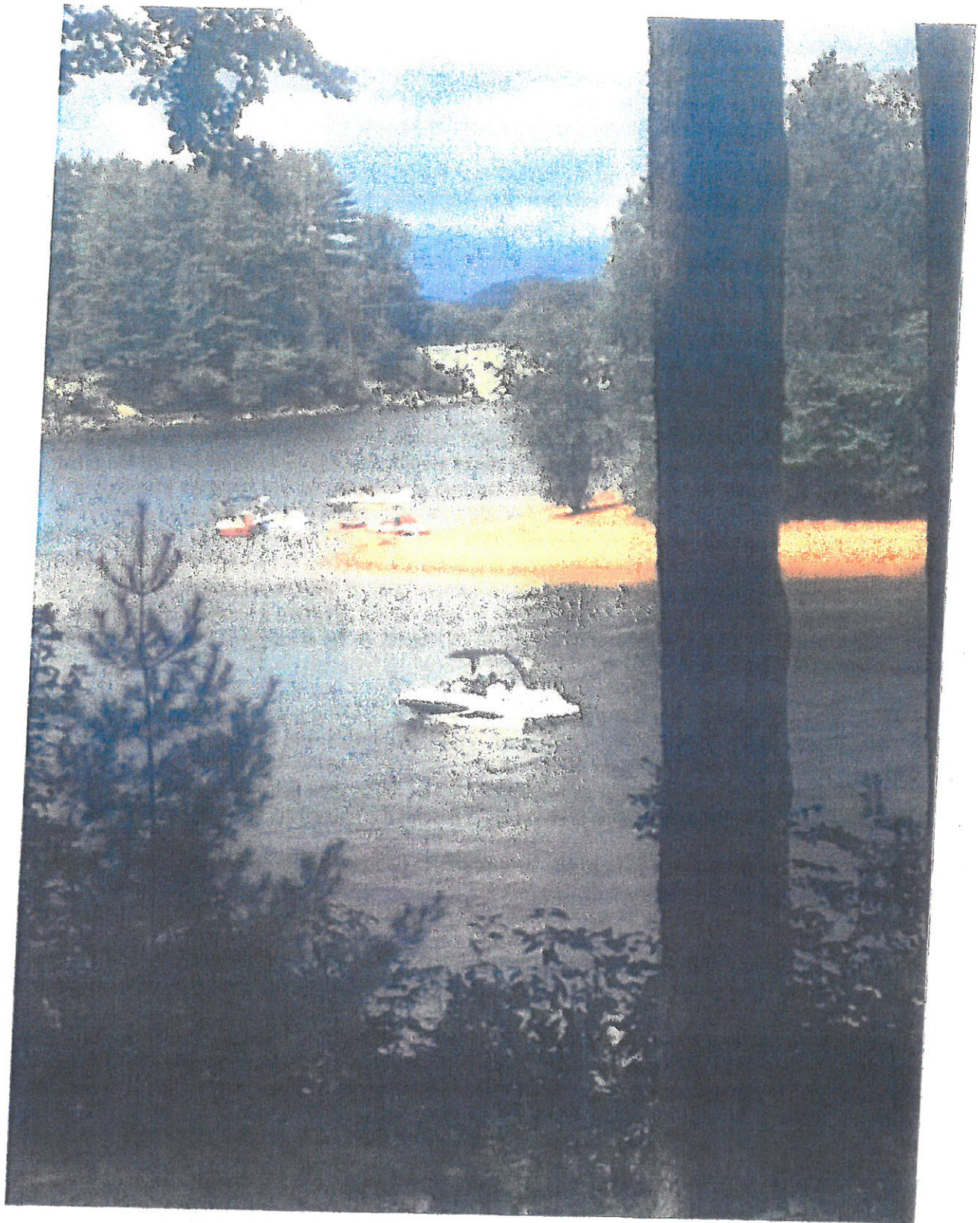
**EXHIBIT C6:** Photograph of heavy, mixed recreational use of western side of northern island by kayakers, power boaters, swimmers, and paddle boarders.





**EXHIBIT D1:** Photograph of increased shoreline on southern island during period of lower water levels. Taken from western shoreline facing east.





**EXHIBIT D2:** Photograph of increased shoreline on northern island during period of low water levels. Taken from western shoreline facing east.



## Attachment 2

### Glenville Lake No Wake Zone Application Response to Preliminary Findings

In 2014, the North Carolina Wildlife Resources Commission opened two new public boating access areas at the north end of Glenville Lake. In 2015, Duke Energy opened the nearby Pines Recreation Area. While these three projects have succeeded in increasing public access to Glenville Lake, an unintended outcome of their success has been the creation of a safety hazard in a nearby narrow area of the lake for which a No Wake Zone is proposed.

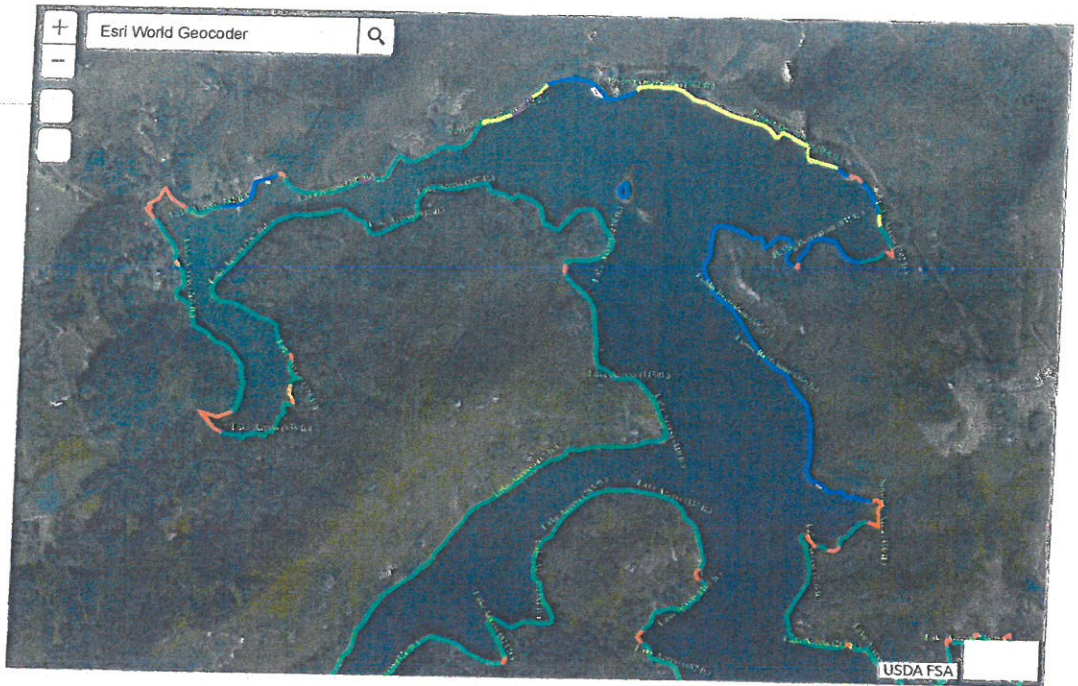
A preliminary recommendation by a NC Wildlife Enforcement Agent has been made to not establish a No Wake Zone. The agent makes four points in his conclusion. The petitioners disagree with each point as follows:

- 1) The officer indicates that in his opinion, there are smaller similar areas on the lake with relatively the same traffic. The officer does not provide specifics to support this. However, the petitioners have lived on the lake for over 175 years and are unaware of any such unmarked areas. Nor are there any other islands on the lake that are for public access and swimming. (See attached lake map with public recreation areas marked in blue.) Moreover, even if there are similar spans that are unmarked, that would not be a valid reason to avoid improving the safety of this zone which has been identified as hazardous.
- 2) The officer suggests that swimmers and manual powered vessels are sufficiently safe by proceeding with normal due regard for personal safety, based on his stated assumption that motorboats will do the same. Ideally, this would be true. However, it is precisely *because* motorboats are **not** currently proceeding “with due regard to safety for themselves and others” that this petition is being made. It has been continually observed that swimmers/manual boaters are at risk from motorized boat traffic, whether it is because they are farther out from shore than desirable, or because motor boats are too close in the narrow passage. Many boats do not slow down because they are unaware of the swimmers/manual boaters and cannot see them when coming around the curve at a fast speed. The county or state would not deem a roadway speed-limit unnecessary (especially around curves or on narrow roads) based on the assumption that drivers would simply drive a reasonable speed.
- 3) The officer feels that adding a No Wake Zone would encourage swimming between the islands and mainland with a perception of safety that would not necessarily exist. (No reason was cited for this belief.) It is not sound to contend that the county or state should not make an area safer because then people might believe it to be so. We disagree with the idea that an area should not be made safer because it might not be 100% safe. Concern about swimmers’ safety against boat traffic, is a point *for* rather than against safety measures.
- 4) The officer feels that establishing a No Wake Zone might create more traffic by the perception that the island beaches are public areas. This ignores the fact that these islands are open to and used by the public, and that the shores of the island are already frequently full. Although the islands are private property, Duke Energy makes them open during the day to the public. On the company’s “Island Use Guidelines” website, they state “Duke Energy welcomes and encourages the public to use the lakes for recreational purposes.”<sup>1</sup> For practical purposes, these are public islands. Attached is a Federal Energy Regulatory Commission map supporting this.

In summary, this area has been identified by neighbors who observe the traffic, as a high-risk area during summer weekends and holidays. It is understood that a No Wake Zone will not provide 100% safety. Nonetheless, this minor change can easily mitigate much of the risk to which swimmers and manual boaters are currently subject. The cost of the No Wake Zone is insignificant considering the safety it would provide. The inconvenience to boaters is minimal as they can either slow down or simply boat on the far side of the islands, where there is a much wider passageway.

---

<sup>1</sup> (<https://www.duke-energy.com/community/lakes/recreation-information/island-use-guidelines>, accessed December 2, 2017)



Federal Energy Regulatory Commission  
 Duke Energy Shoreline Management Plan  
[https://www.theoremgeo.com/smp/Nantahala\\_Region\\_FERC\\_SMP/](https://www.theoremgeo.com/smp/Nantahala_Region_FERC_SMP/)  
 accessed March 12, 2018

0.2mi



ATTACHMENT 3

Federal Energy Regulatory  
Commission (FERC)  
FERC Form 80

**Licensed Hydropower Development  
Recreation Report**

Form Approved  
OMB No 1902-0106  
Expires 09/30/2016  
Burden 3 0 hours

**General Information:**

This form collects data on recreation amenities at projects licensed by FERC under the Federal Power Act (16 USC 791a-825r). This form must be submitted by licensees of all projects except those specifically exempted under 16 CFR 8.11(c). For regular, periodic filings, submit this form on or before April 1, 2015. Submit subsequent filings of this form on or before April 1, every 6th year thereafter (for example, 2021, 2027, etc.). For initial Form No. 80 filings (16CFR 8.11(b)), each licensee of an unconstructed project shall file an Initial Form No. 80 after such project has been in operation for a full calendar year prior to the filing deadline. Each licensee of an existing (constructed) project shall file an Initial Form No. 80 after such project has been licensed for a full calendar year prior to the filing deadline. Filing electronically is preferred (See <http://www.ferc.gov> for more information.) If you cannot file electronically, submit an original and two copies of the form to the Federal Energy Regulatory Commission, Office of the Secretary, 886 First St., NE, Washington, DC 20426.

The public burden estimated for this form is three hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the collection of information. Send comments regarding the burden estimate or any aspect of this collection of information, including suggestions for reducing burden, to: FERC via e-mail [DataClearance@ferc.gov](mailto:DataClearance@ferc.gov), or mail to 886 First Street NE, Washington, DC 20426 (Attention: Information Clearance Officer) and Office of Management and Budget (OMB), via e-mail to [pma\\_submission@omb.eop.gov](mailto:pma_submission@omb.eop.gov), or mail to OMB, Office of Information and Regulatory Affairs, Attention: Desk Officer for FERC, Washington, DC 20503. Include OMB Control Number 1902-0106 as a point of reference. No person shall be subject to any penalty for failing to comply with a collection of information if the collection of information does not display a valid control number (44 U.S.C. § 3512 (a)).

**Instructions:**

- a. All data reported on this form must represent publicly available recreation amenities and services located within the project boundary.
- b. To ensure a common understanding of terms, please refer to the Glossary on page 3.
- c. Report actual data for each item. If actual data are unavailable, then please estimate.
- d. Submit a completed form for each development at your project.

**Schedule 1. General Data**

1. Licensee Name: <u>DUKE ENERGY CAROLINAS, LLC.</u>		Complete the following for each development if more than one.	
2. Project Name: <u>WEST FORK</u>		8. Reservoir Surface Area at Normal Pool (acres): <u>1,424.00</u>	
3. Project Number: <u>2686</u>		9. Shoreline Miles at Normal Pool: <u>27.76</u>	
4. Development Name: <u>GLENVILLE (Thorpe)</u>		10. Percent of Shoreline Available for Public Use: <u>5.00</u>	
States Development/Project Traverses (List state with largest area within the development/project boundary first).		11. Data Collection Methods (enter percent for each method used, total must equal 100%):	
5. State #1: <u>NC</u>		<u>30.00</u> traffic count/trail count	
6. State #2: _____		_____ attendance records	
7. Type of Project License (check one) Major <input checked="" type="checkbox"/> Minor _____		_____ staff observation	
		<u>30.00</u> visitor counts or surveys	
		<u>40.00</u> estimate (explain)	
For 2014, enter only the licensee's annual recreational construction, operation, and maintenance costs for the development (project). Also, enter the annual recreational revenues for that year.			
Licensee's Annual Recreation Costs and Revenues (In Whole Dollars)			
Item	Construction, Operation and Maintenance Costs		Recreation Revenues for Calendar Year
12. Dollar Values	<u>\$481,422.00</u>		<u>\$0.00</u>
13. Length of Recreation Season: Summer: From (MM/DD) <u>4/1</u> To <u>9/30</u> Winter: From (MM/DD) <u>10/1</u> To <u>3/31</u>			
Number of visits to all recreational areas at development/project (in Recreation Days)			
Period	Annual Total		Peak Weekend Average (see Glossary)
14. Daytime	<u>62,620</u> (2)		<u>1,880</u> (1)
15. Nighttime	<u>3,745</u>		<u>130</u>

Respondent Certification: The undersigned certifies that he/she examined this report and to the best of his/her knowledge, all data provided herein are true, complete and accurate.

Christyl Churchill, RLA LEED GA  
Legal Name  
*Christyl Churchill*  
Signature

Project Manager  
Title  
3-27-15  
Date Signed

(980) 373-4183  
Area Code/Phone No  
2014  
Reporting Year Ending

Title 18 U.S.C. 1001 makes it a crime for any person knowingly and willingly to make to any Agency or department of the United States any false, fictitious or fraudulent statement or misrepresentation as to any matter within its jurisdiction.

(1) 627/day  
(2) 329/day (based on 4/1-9/30 and weekday usage is same as weekend usage)  
or  
502/day (based on 5/15-9/15 and weekday usage is same as weekend usage)

} added by SW 4/15/18



**Schedule 2. Inventory of Publicly Available Recreation Amenities Within the Project Boundary**

16. Enter data for each Recreation Amenity Type (a). For User Free (b) and User Fee (c) enter the number of publicly available recreation amenities, located within the project boundary, regardless of provider. For FERC Approved (d) enter the number of amenities identified under User Free (b) and User Fee (c) for which the licensee has an ongoing responsibility for funding or maintenance (see Glossary for further detail). For Capacity Utilization (f), of the total publicly available amenities (b) + (c), compare the average non-peak weekend use (see Glossary) for each recreation amenity type (during the recreation season, with the highest use, reported on Schedule 1, Item 13) with the total combined capacity of each amenity type and enter a percentage that indicates their overall level of use. For example, if all public boat launches are used to half capacity during the non-peak weekend days, enter 50% (should use exceed capacity for an amenity type, enter the appropriate percentage above 100).

Recreation Amenity Type (a)	Number of Recreation Amenities			Total Units (e)	Capacity Utilization (%) (f)
	User Free (b)	User Fee (c)	FERC Approved (d)		
Boat Launch Areas. Improved areas having one or more boat launch lanes (enter number in column e) and are usually marked with signs, have hardened surfaces, and typically have adjacent parking.	3	1	3	5 Lanes	35
Marinas. Facilities with more than 10 slips on project waters, which include one or more of the following: docking, fueling, repair and storage of boats; boat/equipment rental; or sell bait/food (see Glossary FERC approved).		1		N/A	50
White-water Boating. Put-ins/Take-outs specifically designated for white-water access.	1		1	N/A	15
Portages. Sites designed for launching and taking out canoes/kayaks and the improved, designated, and maintained trails connecting such sites (enter length of trail in column e).				Feet	
Tailwater Fishing. Platforms, walkways, or similar structures to facilitate below dam fishing.				N/A	
Reservoir Fishing. Platforms, walkways, or similar structures to facilitate fishing in the reservoir pool or feeder streams.	1		1	N/A	31
Swim Areas. Sites providing swimming facilities (bath houses, designated swim areas, parking and sanitation facilities).				Acres	
Trails. Narrow tracks used for non-automobile recreation travel which are mapped and designated for specific use(s) such as hiking, biking, horseback riding, snowmobiling, or XC skiing (excludes portages, paths or accessible routes; See Glossary).	1		1	1 Miles	15
Active Recreation Areas. Playground equipment, game courts/fields, golf/disc golf courses, jogging tracks, etc.				Acres	
Picnic Areas. Locations containing one or more picnic sites (each of which may include tables, grills, trash cans, and parking).	1	1	1	12 Sites	41
Overlooks/Wistas. Sites established to view scenery, wildlife, cultural resources, project features, or landscapes.	1		1	Acres	31
Visitor Centers. Buildings where the public can gather information about the development/project, its operation, nearby historic, natural, cultural, recreational resources, and other items of interest.					
Interpretive Displays. Signage/Kiosks/Billboards which provide information about the development/project, its operation, nearby historic, natural, cultural, recreational resources, and other items of interest.	4		4		
Hunting Areas. Lands open to the general public for hunting.				Acres	
Winter Areas. Locations providing opportunities for skiing, sledding, curling, ice skating, or other winter activities.				Acres	
Campgrounds. Hardened areas developed to cluster campers (may include sites for tents, trailers, recreational vehicles [RV], yurts, cabins, or a combination, but excludes group camps).		1		Acres	N/A
Campsites. Sites for tents, trailers, recreational vehicles [RV], yurts, cabins, or a combination of temporary uses.		32		N/A	50
Cottage Sites. Permanent, all-weather, buildings rented for short-term use, by the public, for recreational purposes.				N/A	
Group Camps. Areas equipped to accommodate large groups of campers that are open to the general public (may be operated by public, private, or non-profit organizations).				Sites	
Dispersed Camping Areas. Places visitors are allowed to camp outside of a developed campground (enter number of sites in column e).				Sites	
Informal Use Areas. Well used locations which typically do not include amenities, but require operation and maintenance and/or public safety responsibilities.					
Access Points. Well-used sites (not accounted for elsewhere on this form) for visitors entering project lands or waters, without trespassing, for recreational purposes (may have limited development such as parking, restrooms, signage).				N/A	
Other. Amenities that do not fit in the categories identified above. Please specify (if more than one, separate by commas).					

## Glossary of FERC Form 80 Terms

**Data Collection Methods.** (Schedule 1, Item 11) – If a percentage is entered for the estimate alternative, please provide an explanation of the methods used (if submitted on a separate piece of paper, please include licensee name, project number, and development name)

**Development.** The portion of a project which includes:

- (a) a reservoir; or
- (b) a generating station and its specifically-related waterways.

**Exemption from Filing.** Exemption from the filing of this form granted upon Commission approval of an application by a licensee pursuant to the provisions of 18 CFR 8.11(c).

**General Public.** Those persons who do not have special privileges to use the shoreline for recreational purposes, such as waterfront property ownership, water-privileged community rights, or renters with such privileges.

**Licensee.** Any person, state, or municipality licensed under the provisions of Section 4 of the Federal Power Act, and any assignee or successor in interest. For the purposes of this form, the terms licensee, owner, and respondent are interchangeable *except where*:

- (a) the owner or licensee is a subsidiary of a parent company which has been or is required to file this form; or
- (b) there is more than one owner or licensee, of whom only one is responsible for filing this form. Enter the name of the entity that is responsible for filing this report in Schedule 1, Item 2.1.

**Major License.** A license for a project of more than 1,500 kilowatts installed capacity.

**Minor License.** A license for a project of 1,500 kilowatts or less installed capacity.

**Non-Peak Weekend.** Any weekend that is not a holiday and thus reflects more typical use during the recreation season.

**Number of Recreation Amenities.** Quantifies the availability of natural or man-made property or facilities for a given recreation amenity type. This includes all recreation resources available to the public within the development/project boundary. The resources are broken into the following categories:

**User Free** (Schedule 2, column b) - Those amenities within the development/project that are free to the public;

**User Fee** (Schedule 2, column c) - Those amenities within the development/project where the licensee/facility operator charges a fee;

**FERC Approved** (Schedule 2, column d) – Those amenities within the development/project required by the Commission in a license or license amendment document, including an approved recreation plan or report. Recreation amenities that are within the project boundary, but were approved by the licensee through the standard land use article or by the Commission through an application for non-project use of project lands and waters, are typically not counted as FERC approved, unless they are available to the public, but may be counted as either user free or user fee resources. The total FERC approved amenities column does not necessarily have to equal the sum of user free and user fee amenities.

**Peak Use Weekend.** Weekends when recreational use is at its peak for the season (typically Memorial Day, July 4<sup>th</sup> & Labor Day). On these weekends, recreational use may exceed the capacity of the area to handle such use. Include use for all three days in the holiday weekends when calculating Peak Weekend Average for items 14 & 15 on Schedule 1.

**Recreation Day.** Each visit by a person to a development (as defined above) for recreational purposes during any portion of a 24-hour period.

**Revenues.** Income generated from recreation amenities at a given project/development during the previous calendar year. Includes fees for access or use of area.

**Total Units** (Schedule 2, column e) – Provide the total length, or area, or number that is appropriate for each amenity type using the metric provided.

**Trails.** Narrow tracks used for non-automobile recreation travel which are mapped and designated for specific use(s) such as hiking, biking, horseback riding, snowmobiling, or XC skiing. Trails are recreation amenities which provide the opportunity to engage in recreational pursuits, unlike paths (means of egress whose primary purpose is linking recreation amenities at a facility) or accessible routes (means of egress which meets the needs of persons with disability and links accessible recreation amenities and infrastructure at a facility).





WATER STRATEGY, HYDRO  
LICENSING AND LAKE SERVICES

Duke Energy Corporation  
526 South Church Street  
Charlotte, NC 28202

Mailing Address:  
EC17Y / PO Box 1006

March 24, 2015

*Via Electronic Submittal*

Ms. Kathryn Pipkin, No Wake Zone Coordinator  
N.C. Wildlife Resources Commission  
1722 Mail Service Center  
Raleigh, NC 27699-1701

Subject Duke Energy Carolinas, LLC  
West Fork Hydroelectric Project No. 2686  
Swim Area / No Boat Buoys – Pines Recreation Area Swim Beach  
Lake Glenville, Jackson County, NC

Dear Ms. Pipkin:

Duke Energy Carolinas, LLC. (Duke Energy) is requesting the N. C. Wildlife Resources Commission establish a water safety rule<sup>1</sup> in the interest of mitigating water safety hazards at the Pines Recreation Area Swim Beach.

The intent is to provide a safe swimming area by prohibiting entry of personal watercraft or any manually operated propelled vessel into an area 100ft to 300ft offshore from the designated swimming beach (Enclosure 1). The No Boats / Swim Area buoys used will be per the Aids to Navigation (AtoNs) standards.

Please contact Brian Couture (704-382-9257, [brian.couture@duke-energy.com](mailto:brian.couture@duke-energy.com)) if you have questions or require additional details.

Sincerely,

Travis Sinclair  
Project Manager II  
Public Safety and Recreation Strategy Planning Services  
Duke Energy Carolinas, LLC

<sup>1</sup>North Carolina General Statute §75A-15b1

ATTACHMENT 5



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## North Carolina Wildlife Resources Commission

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Gordon Myers, Executive Director

January 1, 2016

Travis Sinclair, Project Manager  
526 South Church Street  
Charlotte, N.C. 28202

Mr. Sinclair,

The Wildlife Resources Commission supports Duke Energy's request sent on March 24, 2015 for a no-vessel entry swimming area at the Pines Recreation Swim Beach on Lake Glenville. The Commission initiated rule-making at its October 22, 2015 meeting. Please see enclosed exhibit. The public comment period for this rule-making action is open until January 25, 2016. The Commission has scheduled one public hearing as follows:

January 12  
7 p.m.  
Haywood Community College  
185 Freedlander Drive  
Clyde, N.C. 28721

The Commission will review comments received and consider adoption of the Pines Recreation Swim Beach no-vessel entry swimming area at their February 11, 2016 meeting. If adopted by the Commission, the amended rule will become effective on May 1, 2016.

More information about rule-making for this no-wake zone can be found at:  
<http://www.ncwildlife.org/ProposedRegulations.aspx>

Please let me know if you have any questions

Regards,

Kate Pipkin  
N.C. Wildlife Resources Commission  
No-wake Zone Coordinator  
(919) 707-0065; [kathryn.pipkin@ncwildlife.org](mailto:kathryn.pipkin@ncwildlife.org)

Cc: Erica Garner, General Counsel



Public Hearing  
January 12, 2016  
Clyde, N.C.

*applies to...*

Permanent Adoption of 15A NCAC 10F .0377 Establishing a No-vessel Entry Swimming Area at the Pines Recreation Area Swim Beach on Lake Glenville, Jackson County

Description of proposed no-vessel entry swimming area

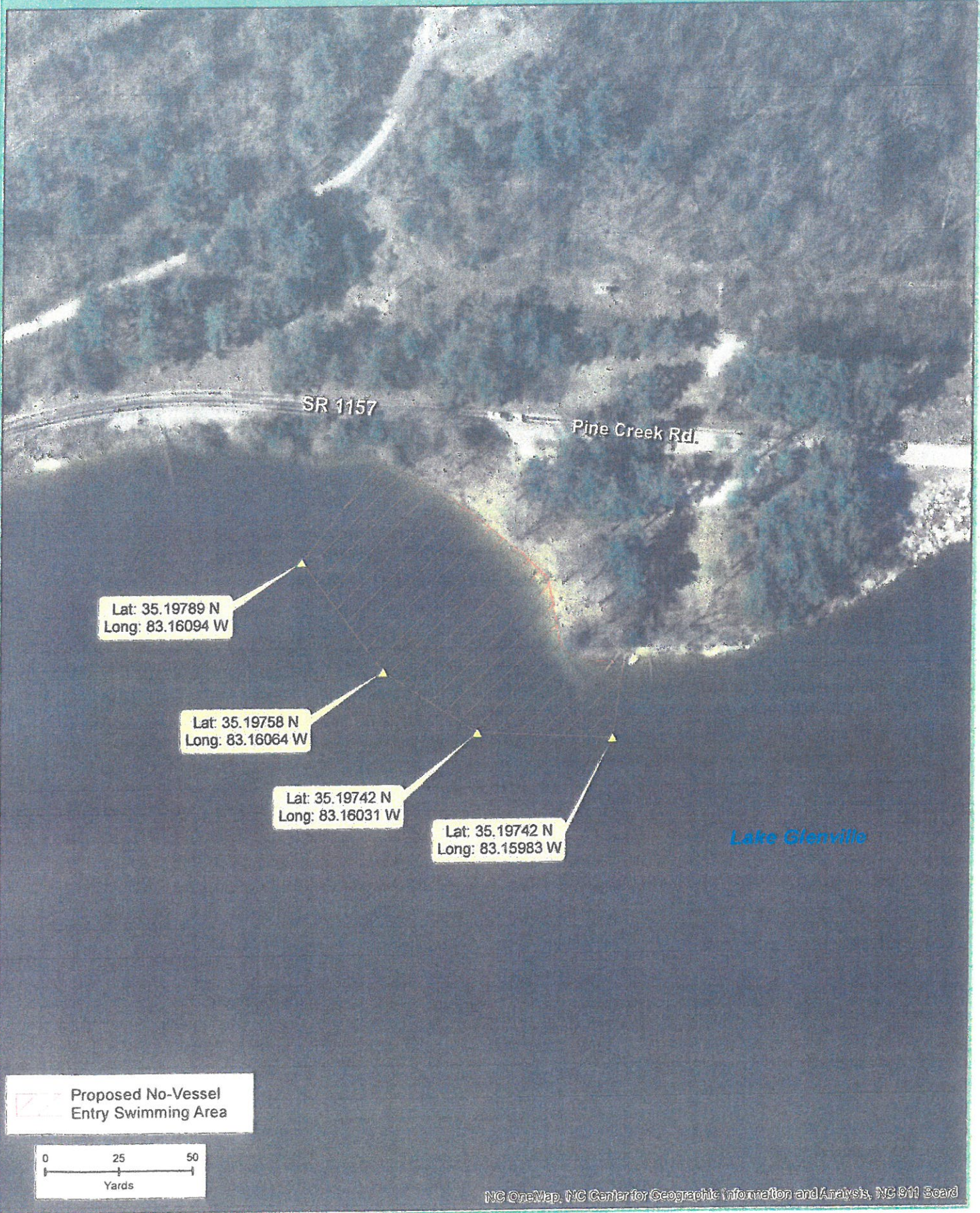
Pines Recreation Swim Area on Lake Glenville. The regulated area shall be defined by four no-boats buoys set at the following locations: 35.197889N, 83.160944W; 35.197583N, 83.160639W; 35.197417N, 83.160306W; and 35.197417N, 83.159833W.

Law Enforcement Safety Assessment

The swim area is located off the lake's main channel. There is a heavy amount of boat traffic that passes through this area. Pine Creek and Powerhouse Access Areas are located between the swim area, which brings more traffic past the area. A fishing pier is also located to the right hand side overlooking the swim area. There has been an assessment by Law Enforcement that it is in the best interest of boater, angler and swimmer safety to approve the no-vessel entry swimming area request and proceed with rule-making.



15A NCAC 10F .0337 (a) No-Vessel Entry Swimming Area - Proposed  
Pines Recreation Swim Area, Lake Glenville, Jackson County



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

Created by NC WRC, Lands & Water Section: October, 2015



# EXHIBIT K-1

October 22, 2015



## Permanent rule-making for a No-vessel Entry Swimming Area on Lake Glenville, Jackson County

Duke Energy Carolinas, LLC made a formal request to the Wildlife Resources Commission to establish a no-vessel entry swimming area at the Pines Recreation Area Swim Beach on Lake Glenville, Jackson County.

The swim area is located off the lake's main channel. There is a heavy amount of boat traffic that passes through this area. Pine Creek and Powerhouse Access Areas are located between the swim area, which brings more traffic past the area. A fishing pier is also located to the right hand side overlooking the swim area. There has been an assessment by Law Enforcement that it is in the best interest of boater, angler and swimmer safety to approve the no-vessel entry swimming area request and proceed with rule-making.

Staff recommends the Commission notice the following permanent adoption of 15A NCAC 10F .0377 in the *North Carolina Register* with one local public hearing and open comment period of at least 60 days per the Administrative Procedure Act:

### 15A NCAC 10F .0377 JACKSON COUNTY

(a) This Rule applies to the public swimming area known as the Pines Recreation Swim Area on Lake Glenville. The public swimming area shall be marked with four no-boats buoys set at the following locations: 35.197889N, 83.160944W; 35.197583N, 83.160639W; 35.197417N, 83.160306W; and 35.197417N, 83.159833W.

(b) No person operating or responsible for the operation of a vessel shall permit it to enter the marked public swimming area described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Jackson County or Duke Energy Carolinas, LLC are designated as suitable entities for placement and maintenance of the markers implementing this Rule.

History Note: Authority G.S. 75A-3; 75A-15;  
Eff. May 1, 2016





Duke Energy Corporation  
526 South Church Street  
Charlotte, NC 28202

Mailing Address:  
EC12Y / PO Box 1006

March 24, 2015

***Via Electronic Submittal***

Ms. Kathryn Pipkin, No Wake Zone Coordinator  
N.C. Wildlife Resources Commission  
1722 Mail Service Center  
Raleigh, NC 27699-1701

Subject: Duke Energy Carolinas, LLC  
West Fork Hydroelectric Project No. 2686  
Swim Area / No Boat Buoys – Pines Recreation Area Swim Beach  
Lake Glenville, Jackson County, NC

Dear Ms. Pipkin:

Duke Energy Carolinas, LLC (Duke Energy) is requesting the N. C. Wildlife Resources Commission establish a water safety rule<sup>1</sup> in the interest of mitigating water safety hazards at the Pines Recreation Area Swim Beach.

The intent is to provide a safe swimming area by prohibiting entry of personal watercraft or any manually operated propelled vessel into an area 100ft to 300ft offshore from the designated swimming beach (Enclosure 1). The No Boats / Swim Area buoys used will be per the Aids to Navigation (AtoNs) standards.

Please contact Brian Couture (704-382-9257, [brian.couture@duke-energy.com](mailto:brian.couture@duke-energy.com)) if you have questions or require additional details

Sincerely,

Travis Sinclair  
Project Manager II  
Public Safety and Recreation Strategy Planning Services  
Duke Energy Carolinas, LLC

---

<sup>1</sup>North Carolina General Statute §75A-15b1

Enclosure

c: - Sgt. Tim Lominac, Wildlife Resources Commission Division of Law Enforcement  
John Crutchfield, Duke Energy Carolinas, LLC.  
Scott Jolley, Duke Energy Carolinas, LLC.  
Brian Couture, Duke Energy Carolinas, LLC.

# EXHIBIT K-2

October 22, 2015



## Fiscal Note Review of Proposed Wildlife Resources Commission No-vessel Entry Swimming Area Rule 15A NCAC 10F .0377

Contact: Erica Garner, Agency Legal Counsel and Rule-making Coordinator  
1701 Mail Service Center  
Raleigh, N.C 27699-1701  
(919) 707-0014  
erica.garner@ncwildlife.org

Impact: State Government: No  
Local Government: No  
Substantial Impact: No

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

The proposed permanent amendment to 15A NCAC 10F .0377 (APPENDIX 1) establish a no-vessel entry swimming area at the Pines Recreation Area Swim Beach on Lake Glenville, Jackson County.

Duke Energy Carolinas LLC, the owner of the Swim Beach, made formal application to the Wildlife Resources Commission requesting a no-vessel entry swimming area at the Pines Recreation Area Swim Beach on Lake Glenville, Jackson County.

The swim area is located off the lake's main channel. There is a heavy amount of boat traffic that passes through this area. Pine Creek and Powerhouse Access Areas are located between the swim area, which brings more traffic past the area. A fishing pier is also located to the right hand side overlooking the swim area. There has been an assessment by Law Enforcement that it is in the best interest of boater, angler and swimmer safety to approve the no-vessel entry swimming area request and proceed with rule-making.

Duke Energy Carolinas LLC will mark the no-vessel entry swimming area at a cost of no more than \$2,000.

State Impact Analysis: None.

**Local Impact Analysis:** None

**Substantial Economic Impact:** There will be no substantial economic impact to the public. Duke Energy Carolinas LLC will mark the no-vessel entry swimming area at a cost of no more than \$2,000.

## APPENDIX 1

### 15A NCAC 10F .0377 JACKSON COUNTY

(a) This Rule applies to the public swimming area known as the Pines Recreation Swim Area on Lake Glenville. The public swimming area shall be marked with four no-boats buoys set at the following locations: 35.197889N, 83.160944W; 35.197583N, 83.160639W; 35.197417N, 83.160306W; and 35.197417N, 83.159833W.

(b) No person operating or responsible for the operation of a vessel shall permit it to enter the marked public swimming area described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Jackson County or Duke Energy Carolinas, LLC are designated as suitable entities for placement and maintenance of the markers implementing this Rule.

*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. May 1, 2016*



# EXHIBIT N-3

April 26, 2018



## Fiscal Note Review of Proposed Wildlife Resources Commission No-Wake Zone Rule 15A NCAC 10F .0377 – Jackson County

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

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

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

The proposed permanent amendment to 15A NCAC 10F .0377 – Jackson County (APPENDIX 1) will create a no-wake zone on the waters of Lake Glenville from the west shore of the lake to the west shore of two small islands approximately 250 feet east of the mainland.

The Jackson County Board of Commissioners submitted an application for the no-wake zone, stating that the narrow passage west of the islands is congested during the summer with skiers, tubers, and non-motorized vessels.

Jackson County will mark the no-wake zone at an estimated cost of no more than \$1,300.00. Jackson County will purchase four no-wake buoys and anchors at a cost of \$1200.00 (\$300.00 per buoy). Two technicians will spend two hours each placing buoys and marking the no-wake zone (4 hours x \$25.00/hr \* = \$100.00).

**State Impact Analysis:** None.

**Local Impact Analysis:** Jackson County will incur an expense of no more than \$1300.00 for purchase and placement of markers between the shoreline and small islands on Lake Glenville.

**Private Impact:** The rule has minimal private fiscal impact. The regulated community will not incur any direct financial cost as a result of this rule change, but their behavior will be restricted in the waters between the mainland and islands.

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

\*total compensation

## APPENDIX 1

### 15A NCAC 10F .0377 JACKSON COUNTY

(a) Regulated Area. It is unlawful to operate a vessel at greater than no-wake speed in the waters of Lake Glenville southeast of a line at a point on the west shore of the lake at 35.19425 N, 83.16058 W to a point on the west shore of the northern island at 35.19496 N, 83.15935 W; and northwest of a line from a point on the west shore of the lake at 35.19306 N, 83.15945 W to a point on the south shore of the southern island at 35.19381 N, 83.15819 W.

~~This Rule applies to the public swimming area known as the Pines Recreation Swim Area on Lake Glenville. The public swimming area shall be marked with four no-boats buoys set at the following locations: 35.19789 N, 83.16094 W; 35.19758 N, 83.16064 W; 35.19742 N, 83.16031 W; and 35.19742 N, 83.15983 W.~~

(b) Restricted Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the marked public swimming area described in Paragraph (a) of this Rule at the Pines Recreation Swim Area on Lake Glenville. The public swimming area shall be marked with four no-boats buoys set at the following locations: 35.19789 N, 83.16094 W; 35.19758 N, 83.16064 W; 35.19742 N, 83.16031 W; and 35.19742 N, 83.15983 W.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Jackson County or Duke Energy Carolinas, LLC shall be are the designated as suitable entities for placement and maintenance of the markers implementing Paragraph (a) of this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers. Rule. The Board of Commissioners of Jackson County is the designated agency for placement of the markers implementing Paragraph (b) of this Rule, subject to the authority of the United States Army Corps of Engineers.

*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. May 1, 2016.*

# EXHIBIT O

April 26, 2018



## PROPOSED PERMANENT RULEMAKING AMENDMENT TO 15A NCAC 10F .0325 – CHOWAN COUNTY

The Wildlife Resources Commission received a formal application from the Chowan County Board of Commissioners requesting extension of a no-wake zone in the waters of Pembroke Creek, shore to shore southeast of the W. Queen Street Bridge in Edenton. The Chowan County Board of Commissioners held a public hearing on February 5, 2018 and submitted a Resolution (attached) requesting that the WRC undertake rulemaking to extend the no-wake zone from 50 yards to two hundred yards southeast of the bridge. The existing buoy will be moved at no expense to county or state government. No fiscal note is required.

Agency Enforcement has investigated the area and recommends extension of the no-wake zone to mitigate hazards to boater safety. This portion of Pembroke Creek has become quite busy with boaters entering and existing the marina at unregulated speed, which endangers other boaters and people on the marina piers. Newer piers on the both sides of Pembroke Creek closer to the bridge are outside the existing no-wake zone, with limited visibility coming from north of the bridge. They are not protected from vessels travelling at high speeds.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0325(a)(2) with an open comment period of at least 60 days and one local public hearing per the Administrative Procedure Act. Upon the close of the open comment period, the WRC will then consider adoption of the extension of the no wake zone.

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

(a) Regulated Areas. This Rule applies 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 E; 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;*



North Carolina  
County of Chowan

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHOWAN COUNTY**

**WHEREAS**, under the authority of North Carolina General Statutes Section 75A-15(a) any subdivision of the State of North Carolina may at any time, after public notice, make formal application to the North Carolina Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within its territorial limits; and

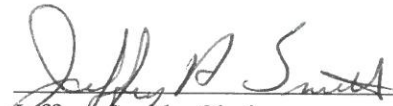
**WHEREAS**, Chowan County has given public notice of its intentions to make formal application to the North Carolina Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels within its territorial limits of Chowan County and for the implementation of the Uniform Waterway Marker System in all the waters of the county; and

**BE IT RESOLVED**, that in accordance with N.C.G.S. 75A-15(a), the Board of Commissioners of Chowan County requests the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of Pembroke Creek located in said county, the pertinent substance of which proposed rules is as follows:

- Extension of a current 50 yard no wake zone, south of the West Queen Street Bridge to extend to 200 yards south of the bridge

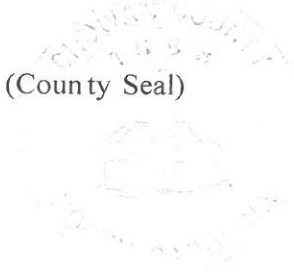
**BE IT FURTHER RESOLVED**, the said Board of Commissioners requests the said Commission promulgate regulations fully implementing the Uniform Waterway Marker System in all of the waters of the said county.

**ADOPTED THIS THE 5<sup>th</sup> DAY OF February, 2018**


  
 \_\_\_\_\_  
 Jeffery Smith, Chairman  
 Chowan County Board of Commissioners

**CERTIFICATION**

This is to certify the above is a true and exact copy of the resolution adopted by the Chowan County Board of Commissioners at the regular meeting held in the Commissioner's Meeting Room located at 305 West Freeman St. Edenton, NC on Monday, February 5, 2018.



ATTEST:

  
 \_\_\_\_\_  
 Susanne Stallings, Clerk to the Board



15A NCAC 10F .0325 (a) (2) - No Wake Zone - Proposed Extension  
Pembroke Creek, Town of Edenton, Chowan County





## NO-WAKE ZONING MATRIX

### SECTION 1:

Name of organization/entity: Chowan County

Primary contact information: Planning and Inspections Office 252-485-5618

Exact location of requested no-wake zone:

Body of water: Pembroke Creek

Location: Shore to shore 200 yards southeast of West Queen Street  
Bridge

Popular name of area, if any:

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

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) increased traffic in the vicinity of the Marina and docks, additional docks have been built jutting into Pembroke Creek, and condos on the west side of Pembroke Creek.

### 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

Please investigate an extension of the existing no wake zone that currently extends 50 yards south of the W. Queen Street Bridge. The no-wake area is not big enough to protect marina piers, newer docks on the west side of the creek, and the entrance to the marina which sees boaters exiting at great speeds that endanger other boaters and people on the piers. Suggested extension is to 200 yards south of the bridge.

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

YES

NO

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

**SECTION 2:**

PUBLIC SAFETY HAZARD

What public safety hazard exists? Chance of vessel collisions with traffic exiting the marina

Is this a public swimming or recreational area?

NO

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

**SECTION 3:**

NAVIGATIONAL HAZARDS

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

OBSTRUCTIONS  (Identify) One navigational marker in the middle of the channel

NARROW CHANNEL  (give approximate width) \_\_\_\_\_

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

OBSTRUCTED VISION  (for approximately how great a distance) Vessels exiting the marina have their vision obscured by docked vessels on north side of creek

STRUCTURES (Check all applicable)

DAM

LOCK

SPILLWAY

JETTY

FLOOD CONTROL STRUCTURE

SUBMERGED STRUCTURE

TRESTLE

SANDBAR

- |  |   |
|--|---|
| <input type="checkbox"/> POWER LINE              | <input type="checkbox"/> SHOAL                    |
| <input type="checkbox"/> FUELING DOCK            | <input checked="" type="checkbox"/> PRIVATE DOCKS |
| <input type="checkbox"/> RESTURANT DOCKS         | <input type="checkbox"/> BRIDGE                   |
| <input type="checkbox"/> ACCESS AREA/BOAT LAUNCH | <input type="checkbox"/> PIER                     |

OTHER (list and describe) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SECTION 4:**

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

NO

YES  (if yes, identify on map)

What is the total distance boaters will travel at a no-wake speed 225 Yards

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

**SECTION 5:**

List any other known incidents, safety concerns or problems that have occurred? Increased boating traffic in areas that are being developed on the water.

\_\_\_\_\_  
 \_\_\_\_\_

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

Is traffic density specific to weekend/and or holidays? Fishing tournaments on the weekends and summer 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**

6

**SECTION 6:**

OFFICER RECOMENDATION

YES:

NO:

Reason for decision: -

This area of Pembroke Creek has increased activity during the spring and summer months due to fishing and recreational boating. Boats are docked on the eastern side of the creek making it difficult to see to the north and new docks have been built on the west side of the creek for the people residing in the condos.

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Officer: BT. WOOD

B. T. Wood #982



# EXHIBIT P

## April 26, 2018



### **Proposed Changes to 10F .0100 and .0200. Motorboat Registration and Safety Equipment and Accident Reports Rules Recommended by Agency Staff for Public Notice, Hearing and Comment**

#### **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 .0103-110 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 .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 (pages 3-7)*

#### 10F .0103

Incorporated technical language changes to text and made clarifying changes.

*15A NCAC 10F .0103 Transfer of Ownership (pages 8-11)*

#### 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 (pages 12-14)*

#### 10F .0105

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

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

#### 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 16)*

10F .0107

Incorporated technical language changes to text and made clarifying changes.  
*15A NCAC 10F .0107 Validation Decal (page 17)*

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 (pages 18 and 19)*

10F .0110

Incorporated technical language changes to text, made clarifying changes, and deleted duplicative language.  
*15A NCAC 10F .0110 Abandoned Vessels (page 20)*

**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 21- 24)*

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 Repots (page 25)*

1 **15A NCAC 10F .0102 APPLICATION FOR CERTIFICATE OF VESSEL NUMBER**

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

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

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

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

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

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

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

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

15 (4) “Government Agency Vessel” means a vessel owned and operated by the United States or a federal  
16 agency, a state, or a subdivision of a state.

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

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

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

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

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

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

1 ~~by the Wildlife Resources available on the Commission website at [www.ncwildlife.org](http://www.ncwildlife.org). The application shall contain~~  
2 ~~the following information:~~ The application shall include the 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;~~

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

23 ~~(b) (c)~~ Application for certificate of number and certificate of title. The ~~owner(s)~~ owners shall complete and submit  
24 an application for a certificate of number, ~~along with the proof of ownership document and proof of ownership~~  
25 ~~document(s), and~~ applicable fees to the ~~Wildlife Resources~~ Commission or one of its ~~authorized~~ vessel agents for  
26 processing within 15 days of the date of sale. A new certificate of number shall be issued for new or ~~never before~~  
27 ~~never before~~ registered vessels. For a period of 60 days following the date of sale, the new ~~owner~~ owners may use a  
28 copy of the proof of ownership ~~document, provided it contains the date of sale, document~~ as a temporary certificate  
29 of number pending receipt of the original ~~certificate, certificate, provided it contains the date of sale.~~ If the vessel is  
30 14 feet or longer or is a personal watercraft, then a Certificate of Title for Vessel shall be issued, including recordation  
31 of any liens listed on the application. If required, a certificate of title shall be issued and all reported liens shall be  
32 recorded.

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



1 ~~(d)~~ (e) Dealers and Manufacturers of Vessels. A "manufacturer" as the term is used in this Rule is defined as a person,  
2 firm, or corporation engaged in the business of manufacturing vessels either upon prior commission or for the purpose  
3 of selling them after manufacture. A "dealer" as the term is used in this Rule is defined as a person, firm, or corporation  
4 engaged in the business of offering vessels for sale at retail or wholesale from an established location(s). The  
5 certificate of numbering requirements of G.S. 75A-4 and 75A-7 apply to vessels belonging to dealers and  
6 manufacturers. Upon receipt of a completed application and fee, the Wildlife Resources Commission shall issue to  
7 the applicant a certificate of number that may be used in connection with the operation of any vessel in the possession  
8 of the dealer or manufacturer when the vessel is being demonstrated. Dealer and manufacturer certificate of numbers  
9 certificates of number shall not be transferred. A new certificate of number shall be issued upon sale or transfer.  
10 Demonstration vessels shall not be titled so long as the vessel is owned by the dealer or manufacturer. Vessels owned  
11 or possessed by dealers or manufacturers for personal use or for any use other than for demonstration and testing  
12 purposes shall be individually registered in the name of the dealer or manufacturer in accordance with ~~Paragraph (a)~~  
13 the certificate of number requirements of Paragraph (b) of this Rule. Additional dealer's dealer or manufacturer's  
14 manufacturer certificates of number may be obtained by making application in the same manner as prescribed for the  
15 initial certificate with payment of ~~an additional~~ a fee for each additional certificate. Dealers and manufacturers may  
16 register individual vessels in accordance with Rule .0104(a) of this Section.

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

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

31 ~~(g)~~ (h) Commercial Passenger Vessel. ~~The certificate of numbering requirements of G.S. 75A-4, 75A-7, 75A-34, and~~  
32 ~~75A-35 apply to commercial passenger vessels.~~ Upon receipt of a completed application, proof of ownership  
33 document, and fee, the Wildlife Resources Commission shall issue to the applicant a certificate of number and, if  
34 applicable according to the standards in Paragraph (b) of this Rule, and, if applicable, a certificate of title.

36 *History Note:* Authority G.S. 75A-3; 75A-5; 75A-7; 75A-19; 75A-34; 75A-35; 33 C.F.R. 174.17;  
37 *Eff. February 1, 1976;*

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*Amended Eff. August 31, 1980;*  
*Legislative Objection Lodged Eff. December 16, 1980;*  
*Amended Eff. July 1, 1988 at ARRC request to cure referenced Legislative Objection;*  
*Amended Eff. August 1, 2014; May 1, 2007; July 1, 1998; April 1, 1997; November 1, 1993; August*  
*1, 1988; July 1, 1988.*  
*Readopted Eff. October 1, 2018.*

1 **15A NCAC 10F .0103 TRANSFER OF OWNERSHIP**

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

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

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

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

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

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

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

35 (B) When the vessel is subsequently sold, the dealer shall, on the day of the sale, provide the  
36 new ~~owner(s)~~ owners the original ~~Certificate of Title~~ certificate of title completed by the  
37 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

1 applicable fees, to the ~~Wildlife Resources~~ Commission or one of its authorized vessel  
2 agents for processing within 15 days of the date of sale or gift. If applicable, a new  
3 ~~Certificate of Title for Vessel~~ certificate of title shall be issued, including recordation of  
4 ~~any new liens listed on the application.~~ be issued and all reported liens shall be recorded.  
5 The original certificate of number shall be retained when a vessel previously registered in  
6 North Carolina is transferred to a new owner. A new certificate of number shall be issued  
7 to vessels previously registered in another State or ~~to vessels~~ never before registered.

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

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

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

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

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



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

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

8  
9 *History Note: Authority G.S. 75A-3; 75A-5; 75A-19; 75A-37; 33 C.F.R. 174.21;*  
10 *Eff. February 1, 1976;*  
11 *Amended Eff. August 1, 2014; May 1, 2007; July 1, 1998; April 1, 1997; February 1, 1995;*  
12 *November 1, 1993; July 1, 1988; April 19, 1981;*  
13 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
14 *6, 2016.*  
15 *Amended Eff. October 1, 2018.*

1 **15A NCAC 10F .0104 CERTIFICATE OF NUMBER**

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

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

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

1 ~~(e) Commercial Fishing. The certificate of number awarded to a commercial fishing vessel shall be marked~~  
2 ~~"commercial fishing" and shall include the same information in Paragraph (a) of this Rule.~~

3 ~~(f) Commercial Passenger. The certificate of number awarded to a commercial passenger vessel shall be marked~~  
4 ~~"commercial passenger" and shall include the same information in Paragraph (a) of this Rule.~~

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

13  
14 *History Note: Legislative Objection Lodged Eff. December 16, 1980;*  
15 *Authority G.S. 75A-3; 75A-5; 75A-5.2; 75A-7; 75A-19; 33 C.F.R. 174.19;*  
16 *Eff. February 1, 1976;*  
17 *Amended Eff. October 1, 2018; May 1, 2007; July 1, 1998; April 1, 1997; July 1, 1988; August 31,*  
18 *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.*

1 **15A NCAC 10F .0105 NUMBERING PATTERN**

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

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

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

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

13  
14 *History Note: Authority G.S. 75A-3; 75A-5; 75A-7; 75A-19; 33 C.F.R. 174.23;*  
15 *Eff. February 1, 1976;*  
16 *Amended Eff. May 1, 2007; July 1, 1998; April 1, 1997; September 1, 1996; August 31, 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.*



1 **15A NCAC 10F .0106 DISPLAY OF VESSEL NUMBERS**

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

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

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

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

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

21  
22 *History Note: Authority G.S. 75A-3; 75A-5; 75A-19;*  
23 *Eff. February 1, 1976;*  
24 *Amended Eff. August 1, 2014; May 1, 2007; April 1, 1997;*  
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.*

1 **15A NCAC 10F .0107 VALIDATION DECAL**

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

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

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

13  
14 *History Note: Authority G.S. 75A-3; 75A-5; 75A-7; 33 C.F.R. 174.15;*

15 *Eff. February 1, 1976;*

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

1 **15A NCAC 10F .0109 TEMPORARY CERTIFICATE OF NUMBER**

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

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

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

21  
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.*

1 **15A NCAC 10F .0110 ABANDONED VESSELS**

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

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

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

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

17 (3) ~~The Finder~~ shall complete and submit to the Commission an application for a certificate of number  
18 and certificate of ~~title;~~ title and shall submit:

- 19 (A) ~~along with~~ a notarized statement summarizing when and where the vessel was ~~found;~~ found;  
20 (B) ~~the evidenced~~ documentation of all attempts to locate the ~~owner(s);~~ owners;  
21 (C) ~~any~~ all available evidence that the vessel is ~~abandoned;~~ abandoned;  
22 (D) statements from any other persons knowledgeable about the history of the ~~vessel~~ vessel; and  
23 (E) all applicable fees to the Wildlife Resources Commission; ~~fees.~~

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

27  
28 *History Note: Authority G.S. 113-134; 75A-5(i2);*

29 *Eff. May 1, 2007;*

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

32 *Amended Eff. October 1, 2018.*  
33



1 **15A NCAC 10F .0201 SAFETY EQUIPMENT**

2 (a) ~~Federal Regulations Adopted. As its regulations governing required equipment of vessels as defined in G.S. 75A-~~  
3 ~~2(5), pursuant to G.S. 75A-6, the Wildlife Resources Commission incorporates by reference, including subsequent~~  
4 ~~amendments and editions, the following federal regulations, to be applicable to vessels operated on all waters of this~~  
5 ~~state as defined by G.S. 75A-2(6): Code of Federal Regulations, Title 46, Part 25, and Title 33, Part 175, as~~  
6 ~~supplemented by the Federal Register. All vessels subject to the Rules of this Section shall meet the vessel equipment~~  
7 ~~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~~  
8 ~~by reference, including subsequent amendments and editions, and can be found free of charge online at www.ecfr.gov.~~  
9 Notwithstanding the federal regulations incorporated above, Paragraphs (b) through (g) apply to vessels operating in  
10 State waters. To the extent that the these vessel equipment requirements of G.S. 75A-6 conflict with these the  
11 incorporated federal regulations, federal regulations shall supersede any and all State laws or regulations. they are  
12 hereby modified to conform to the federal regulations as authorized by G.S. 75A-6(m) and 113-307. Without limitation  
13 to the adoption of the Federal regulations named herein, Paragraphs (b) through (g) apply to vessels operating in State  
14 waters.

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

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

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

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

1 (D) legibly marked with its approval number, as specified in ~~CFR Title 46 Part 25 and CFR~~  
2 ~~Title 33 Part 175-46 CFR 25 Uninspected Vessels, Requirements and 33 CFR 175 Personal~~  
3 ~~Flotation Devices.~~

4 (6) ~~Exemptions:~~ Exemptions shall apply as follows:

5 (A) Canoes and kayaks 16 feet in length and over ~~are~~ shall be exempted from the requirements  
6 for carriage of the additional Type IV PFD as specified in Subparagraph (b)(2) of this Rule.

7 (B) Sailboards, surfboards, tubes, swimming rafts, inflatable ~~toys-toys,~~ and similar devices  
8 routinely used as water toys or swimming aids ~~are~~ shall be exempted from the requirements  
9 for carriage of any ~~type~~ PFD required under this Paragraph.

10 (C) Manually propelled vessels such as racing shells, rowing sculls, racing ~~canoes-canoes,~~ and  
11 racing kayaks that are recognized by national and international racing associations for use  
12 in competitive racing, that are not designed to carry any equipment not solely for  
13 competitive racing, and in which all occupants with the with exception of a coxswain, if  
14 one is ~~provided,~~ present, row, scull, or paddle, ~~are~~ shall be exempted from the requirements  
15 for carriage of any type PFD required under this Paragraph.

16 (c) Fire Extinguishers are required as follows:

17 (1) All motorboats shall carry at least the minimum number of ~~USCG-approved~~ USCG-approved hand  
18 portable fire extinguishers specified in this Rule if the motorboat has any of the following: ~~if any~~  
19 ~~one of the following conditions exist:~~

20 (A) closed compartments under thwarts and seats wherein portable fuel tanks may be stored;

21 (B) double bottoms not sealed to the hull or which are not completely filled with flotation  
22 material;

23 (C) closed living spaces;

24 (D) closed stowage compartments in which combustible or flammable materials are stowed;

25 (E) permanently installed fuel tanks; or

26 (F) motorboats of Class 2 or longer.

27 (2) ~~Motorboats of Class A and 1 (less than 26 feet):~~ Class A and Class 1 Motorboats less than 26 feet  
28 in length shall carry ~~One~~ one Type B-I extinguisher.

29 (3) ~~Motorboats of Class 2~~ Class 2 Motorboats shall carry ~~Two~~ two Type B-I extinguishers. ~~extinguishers.~~

30 (4) ~~Motorboats of Class 3~~ Class 3 Motorboats shall carry ~~Three~~ three Type B-I extinguishers  
31 extinguishers.

32 (5) One Type B-II hand held fire extinguisher may be substituted for two B-I hand portable fire  
33 extinguishers. A fixed fire extinguishing system installed in the engine compartment is shall be  
34 deemed equal to one Type B-I hand portable fire extinguisher.

35 ~~Exemption to fire extinguisher requirements:~~ Open Vessels. Vessels less than 26 feet in length, propelled by outboard  
36 motors and not carrying passengers for hire, ~~need not~~ shall not be required to carry such portable fire extinguishers if

1 the construction of ~~such motorboats~~ the vessels will not permit the entrapment of explosive or flammable gases or  
2 vapors.

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

6 (e) Every vessel, except ~~those open vessels~~ vessels, defined in Paragraph (c) of this Rule, using ~~as fuel~~ liquid of a  
7 volatile nature as fuel, shall ~~be provided with such means of properly and efficiently ventilating the bilges of the~~  
8 engine and fuel tank compartments so as to be equipped with proper and efficient ventilation, as required by 46 CFR  
9 25.40-1, to remove any explosive or flammable gases. ~~gases from the bilges of the engine and fuel tank compartments~~  
10 that Proper and efficient ventilation meets the requirements of CFR Title 46 Part 25 and CFR Title 33 Part 175. 46  
11 CFR 25 and 33 CFR 175.

12 (f) Sound Devices

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

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

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

23 (1) Vessels equal to or greater than ~~12 meters (39.4 feet)~~ 12 meters or 39.4 feet but less than ~~20 meters~~  
24 (65.6 feet) 20 meters or 65.6 feet in length shall exhibit:

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

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

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

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

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

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

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

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

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

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

- 1 (5) A sailing vessel of less than ~~seven meters (23 feet)~~ seven meters or 23 feet in length shall, if  
2 practicable, exhibit the lights prescribed in Subparagraph (3) or (4) of this Paragraph; if not  
3 practicable the vessel shall have ready at hand an electric torch or lighted lantern showing a white  
4 light ~~which that~~ shall be exhibited in sufficient time to prevent a ~~collision;~~ collision.
- 5 (6) A vessel under oars ~~may~~ shall ~~either~~ either:  
6 (A) exhibit the lights prescribed above in this Rule for sailing vessels; ~~but if not, it or~~  
7 (B) shall have ready at hand an electric torch or lighted lantern showing a white light ~~which that~~  
8 shall be exhibited in sufficient time to prevent a ~~collision;~~ collision.
- 9 (7) ~~Vessels of 10 Horsepower or Less.~~ On public waters of this State not subject to the jurisdiction of  
10 the United States, vessels propelled by machinery of 10 horsepower or less, *in lieu* of the foregoing  
11 requirements, may carry from one-half hour after sunset to one-half hour before sunrise a white light  
12 in the stern or have on board a hand flashlight in good working condition which shall be ready at  
13 hand and shall be temporarily displayed in sufficient time to prevent collision. ~~On waters of this~~  
14 ~~State that are subject to the jurisdiction of the United States, this exception, though permissible~~  
15 ~~under state law, is not sanctioned by any federal law or regulation. The Subparagraph shall not apply~~  
16 to vessels in waters of this State that are subject to the jurisdiction of the United States.

17  
18 *History Note:* Authority G.S. 75A-3; 75A-6; 113-307;  
19 Eff. February 1, 1976;  
20 Amended Eff. November 1, 2013; April 1, 2009; March 1, 2008; April 1, 1999; August 1, 1988; May  
21 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

1 **15A NCAC 10F .0202 ACCIDENT REPORTS**

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

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

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

16  
17 *History Note: Authority G.S. 75A-3; 75A-11; 113-307; 33 C.F.R. 174.101 et seq.;*  
18 *Eff. February 1, 1976;*  
19 *Amended Eff. November 1, 1999; August 1, 1988; May 1, 1976;*  
20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
21 *6, 2016.*  
22 *Amended Eff. October 1, 2018.*



# EXHIBIT Q

April 26, 2018



## **Proposed Amendment of 10F .0301. General Provisions Recommended by Agency Staff for Public Notice, Hearing and Comment**

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

These rules are part of the 2016 periodic review. Subsection .0301 is required to be readopted (determined to be “necessary with substantive public interest”) by December 2018.

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 GENERAL PROVISIONS**

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

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

- 7 (1) ~~Commission.~~ “Commission” means the North Carolina Wildlife Resources Commission;
- 8 (2) ~~Executive Director. Executive Director of the Commission;~~ “Executive Director” means Executive  
9 Director of the Commission;
- 10 (3) ~~No Wake Speed. Idle speed or a slow speed creating no appreciable wake;~~ “No wake speed” means  
11 idle speed or slow speed creating no appreciable wake;
- 12 (4) ~~Uniform System. Uniform Waterway Marking the supplementary standards for such system~~  
13 ~~promulgated by the Commission.~~ “USATONS” means the U. S. Aids to Navigation System, which  
14 prescribes regulatory markers and aids to navigation that mark navigable waters of the United States,  
15 and is hereby incorporated by reference including all subsequent amendments and editions;
- 16 (5) “Designated agency” means a subdivision of the State that the Commission designates for placement  
17 of markers that conform to USATONS standards;
- 18 (6) “Regulatory Marker” and “Information Marker” means a marker with an orange geometric shape  
19 against a white background, used to alert a mariner to warnings or regulatory matters, as defined in  
20 33 CFR 62.33;
- 21 (7) “Swimming area” means an enclosed area on the water for swimming, that is marked against entry  
22 by vessels;
- 23 (8) “Mooring area” means an area on the water delineated by speed zone markers, where vessels may  
24 be tied to fixed objects anchored on the seabed;
- 25 (9) “Restricted area” means an area on the water that is marked to limit recreational activity and vessel  
26 speed; and
- 27 (10) “Safety Zone” means a water area or shore area where, for safety or environmental purposes, access  
28 is limited to authorized persons and vessels, as defined in 33 CFR 165.20.

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

36 ~~(b) Formal application for water safety rulemaking. Any subdivision of the State may, after public notice, apply to~~  
37 ~~the Commission for rules on waters within the subdivision’s territorial limits on an application provided by the~~

1 Commission at [www.ncwildlife.org](http://www.ncwildlife.org). The completed application and supporting documents shall be mailed to the No  
2 Wake Zone Coordinator at North Carolina Wildlife Resources Commission, 1701 Mail Service Center, Raleigh, North  
3 Carolina 27699-1701, or submitted via email to [nowakezonecoordinator@ncwildlife.org](mailto:nowakezonecoordinator@ncwildlife.org). The application shall  
4 contain the following information:

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

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

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

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

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

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

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

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

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

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

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

30 ~~(h) Enforcement. Enforcement of the restrictions set forth in Rule .0302 et seq. of this Section is dependent upon~~  
31 ~~marking of the regulated areas in accordance with the requirements of this Rule. When an agent of the Commission~~  
32 ~~discovers markers and navigational aids that do not conform to USATONS standards, that are placed without lawful~~  
33 ~~authority or permission, or that fail to mark the defined regulated area, written notice shall be served upon the~~  
34 ~~individual(s) responsible for improper placement of markers. Failure to take action to correct the deficiency within 10~~  
35 ~~days, in accordance with the written notice shall be a violation of this Rule.~~

36 (i) Miscellaneous Restrictions. Except for mooring buoys or markers as to which it is that are specifically permitted  
37 by State or federal law, it is shall be unlawful to tie a vessel to any waterway ~~marker.~~ marker, as specified in 33 CFR

1 70.05. It shall be unlawful for any unauthorized person to move, remove, damage, ~~obstruct, block,~~ paint over, or in  
2 any way tamper with any marker lawfully placed in the waters of North Carolina in conformity with these ~~regulations~~  
3 ~~rules or the uniform system generally,~~ and USATONS standards.

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

- 6 (1) ~~— The perimeter of swimming areas in the water must be marked with float lines which, in conjunction~~  
7 ~~with the shoreline, form a completely enclosed area. The total enclosed area may not exceed 5,000~~  
8 ~~square feet. Such area may not extend out into the water sufficiently as to restrict travel unduly on~~  
9 ~~any regular navigational channel or otherwise to obstruct passage of vessels in reasonably using the~~  
10 ~~waters.~~
- 11 (2) ~~— Float lines must have attached floats along their length at intervals of not less than one every 10~~  
12 ~~feet.~~
- 13 (3) ~~— Floats must be buoyant enough to float at the surface of the water while attached to the float line,~~  
14 ~~but no float may exceed a size of 18 inches as measured across its largest dimension.~~
- 15 (4) ~~— Floats may be solid or hollow and preferably should be of plastic or other light and resilient material~~  
16 ~~not likely to cause injury should one strike a swimmer in the water.~~
- 17 (5) ~~— Floats must be either solid white or solid international orange in color. Float lines may consist of~~  
18 ~~all white floats or of alternating white and orange floats.~~
- 19 (6) ~~— Buoys or floating signs indicating the "boats keep out" symbol of the uniform system and in~~  
20 ~~conformity with its standards must be attached to the float lines at such points as necessary to give~~  
21 ~~warning to the vessels approaching the swimming area from various directions.~~
- 22 (7) ~~— Float lines and warning markers must be anchored securely to prevent them from shifting position~~  
23 ~~to any appreciable extent under normal conditions.~~
- 24 (8) ~~— All markers warning of a no wake speed zone around certain facilities must be buoys or floating~~  
25 ~~signs placed in the water at a distance of not greater than 50 yards from the protected facility. The~~  
26 ~~markers must be sufficient in number and size as to give adequate warning of the restriction to the~~  
27 ~~vessels approaching from various directions.~~
- 28 (9) ~~— The boundaries of mooring areas may be defined by the placement of the speed zone warning~~  
29 ~~markers themselves or by such warning markers plus additional boundary floats or markers that may~~  
30 ~~be approved by the Executive Director or his representative.~~

31  
32 *History Note:* Authority G.S. 75A-3; 75A-15;  
33 *Eff. February 1, 1976;*  
34 *Amended Eff. November 1, 1993; March 25, 1978;*  
35 *Temporary Amendment Eff. July 1, 1998;*  
36 *Amended Eff. April 1, 1999;*  
37 *Readopted October 1, 2018.*



# EXHIBIT R

April 26, 2018



## **Proposed Repeal of 10H .0301 - .0304 Holding Wildlife in Captivity Rule Text for Commission Action**

### **Title 15A NCAC 10H .0300. Holding Wildlife in Captivity**

These rules are part of the 2016 periodic review. Subsections 10H .0301 - .0304 are required to be readopted (determined to be “necessary with substantive public interest”) by July 2018. Because these subsections were revised and reorganized into a new section of subchapter 10H (15A NCAC 10H .1400 – Wildlife Captivity and Rehabilitation), these rules will no longer be needed once the new Rules become effective.

It is necessary for the agency to take action by repealing these rules through readoption, to keep them in the Code until the 10H .1400 Rules become effective.

10H .0301. General Requirements

10H .0302. Minimum Standards

10H .0303 Forfeiture

10H .0304. Captive Cervid Herd Certification Program

*15A NCAC 10H .0301-.0304 (page 2)*

1 15A NCAC 10H .0301 - .0304 are repealed through readoption as published in 32:14 NCR 1393 as follows:

2

3

**SECTION .0300 - HOLDING WILDLIFE IN CAPTIVITY**

4

5 **15A NCAC 10H .0301 GENERAL REQUIREMENTS**

6 **15A NCAC 10H .0302 MINIMUM STANDARDS**

7 **15A NCAC 10H .0303 FORFEITURE**

8 **15A NCAC 10H .0304 CAPTIVE CERVID HERD CERTIFICATION PROGRAM**

9

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

**April 26, 2018**



**STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS**

Mailing address:  
6714 Mail Service Center  
Raleigh, NC 27699-6714

Street address:  
1711 New Hope Church Rd  
Raleigh, NC 27609-6285

May 17, 2018

Carrie Ruhlman, Rulemaking Coordinator  
Wildlife Resources Commission  
1701 Mail Service Center  
Raleigh, NC 27699-1701

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **15A NCAC 10B, 10C**

Dear Mrs. Ruhlman:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the May 17, 2018 Rules Review Commission meeting regarding scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 30, 2022.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Amber May  
Commission Counsel

Administration  
919/431-3000  
fax: 919/431-3100

Rules Division  
919/431-3000  
fax: 919/431-3104

Judges and  
Assistants  
919/431-3000  
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Clerk's Office  
919/431-3000  
fax: 919/431-3100

Rules Review  
Commission  
919/431-3000  
fax: 919/431-3104

Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
December 14, 2017  
APO Review: January 09, 2018  
Wildlife Resources Commission  
Total: 101**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<a href="#">15A NCAC 10B .0101</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0102</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0105</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0106</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0107</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0109</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0110</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0111</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0113</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0114</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0115</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0116</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0117</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0118</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0119</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0120</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0121</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0122</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0123</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0124</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0125</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0126</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0127</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0201</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0202</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0203</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0205</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0206</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0207</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0208</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0209</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0210</a>	Necessary with substantive public interest
<a href="#">15A NCAC 10B .0211</a>	Necessary with substantive public interest





[15A NCAC 10C .0309](#) Necessary with substantive public interest  
[15A NCAC 10C .0310](#) Necessary with substantive public interest  
[15A NCAC 10C .0311](#) Necessary with substantive public interest  
[15A NCAC 10C .0312](#) Necessary with substantive public interest  
[15A NCAC 10C .0313](#) Necessary with substantive public interest  
[15A NCAC 10C .0314](#) Necessary with substantive public interest  
[15A NCAC 10C .0315](#) Necessary with substantive public interest  
[15A NCAC 10C .0316](#) Necessary with substantive public interest  
[15A NCAC 10C .0317](#) Necessary with substantive public interest  
[15A NCAC 10C .0318](#) Necessary with substantive public interest  
[15A NCAC 10C .0319](#) Necessary with substantive public interest  
[15A NCAC 10C .0320](#) Necessary with substantive public interest  
[15A NCAC 10C .0401](#) Necessary with substantive public interest  
[15A NCAC 10C .0402](#) Necessary with substantive public interest  
[15A NCAC 10C .0404](#) Necessary with substantive public interest  
[15A NCAC 10C .0405](#) Necessary with substantive public interest  
[15A NCAC 10C .0406](#) Necessary with substantive public interest  
[15A NCAC 10C .0407](#) Necessary with substantive public interest  
[15A NCAC 10C .0501](#) Necessary with substantive public interest  
[15A NCAC 10C .0502](#) Necessary with substantive public interest  
[15A NCAC 10C .0503](#) Necessary with substantive public interest  
[15A NCAC 10C .0601](#) Necessary with substantive public interest  
[15A NCAC 10C .0602](#) Necessary with substantive public interest  
[15A NCAC 10C .0603](#) Necessary with substantive public interest

**April 26, 2018**



**STATE OF NORTH CAROLINA  
OFFICE OF ADMINISTRATIVE HEARINGS**

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May 17, 2018

Carrie Ruhlman, Rulemaking Coordinator  
Wildlife Resources Commission  
1701 Mail Service Center  
Raleigh, NC 27699-1701

Jennifer Everett, Rulemaking Coordinator  
Marine Fisheries Commission  
1601 Mail Service Center  
Raleigh, North Carolina 27699-1601

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **15A NCAC 03Q, Section .0100 and 15A NCAC 10C, Section .0100**

Dear Mrs. Ruhlman and Ms. Everett:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the May 17, 2018 Rules Review Commission meeting regarding scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than June 30, 2022.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Amber May  
Commission Counsel

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Civil Rights  
Division  
919/431-3036  
fax: 919/431-3103

**RRC DETERMINATION  
PERIODIC RULE REVIEW  
December 14, 2017  
APO Review: January 09, 2018**

**Marine Fisheries Commission/Wildlife Resources Commission  
Total: 20**

**RRC Determination: Necessary with substantive public interest**

<b>Rule</b>	<b>Determination</b>
<a href="#"><u>15A NCAC 03Q .0101</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 03Q .0102</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 03Q .0103</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 03Q .0104</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 03Q .0105</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 03Q .0106</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 03Q .0107</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 03Q .0108</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 03Q .0109</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0101</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0102</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0103</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0104</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0105</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0106</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0107</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0108</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0109</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0110</u></a>	Necessary with substantive public interest
<a href="#"><u>15A NCAC 10C .0111</u></a>	Necessary with substantive public interest

# EXHIBIT T

April 26, 2018

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)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	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		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10A .0402	ACTION ON PETITION	Amended Eff. July 1, 1993	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
	SECTION .0500 - DECLARATORY RULINGS	15A NCAC 10A .0501	WHEN ISSUED	Eff. February 1, 1976	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10A .0502	WHEN NOT ISSUED	Eff. February 1, 1976	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10A .0503	PROCEDURE	Amended Eff. April 15, 1979	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
	SECTION .1000 - WARNING TICKETS	15A NCAC 10A .1001	PARTICULAR OFFENSES	Amended Eff. May 1, 2007	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
	SECTION .1100 - WAIVER	15A NCAC 10A .1101	WAIVER	Amended Eff. August 1, 2006	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
	SECTION .1200 - EMERGENCY POWERS	15A NCAC 10A .1201	EMERGENCY POWERS	Eff. March 1, 2011	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
	SECTION .1300 - WILDLIFE POACHER REWARD FUND	15A NCAC 10A .1301	FUNDING SOURCES	Eff. May 1, 2014	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10A .1302	OFFENSES AND REWARD AMOUNTS	Eff. May 1, 2014	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10A .1303	ELIGIBILITY	Eff. May 1, 2014	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One

G.S. 150B-21.3A Report for 15A NCAC 10D, GAME LANDS 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)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One

**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)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One

**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)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	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		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10G .0402	APPOINTMENT OF WILDLIFE SERVICE AGENTS	Amended Eff. September 1, 2011	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10G .0403	WILDLIFE SERVICE AGENT AGREEMENT	Amended Eff. September 1, 2011	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
		15A NCAC 10G .0405	WILDLIFE SERVICE AGENT TERMS AND CONDITIONS	Amended Eff. September 1, 2011	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One
	SECTION .0500 - LICENSEE REQUIREMENTS	15A NCAC 10G .0501	LICENSEE REQUIREMENTS	Eff. April 1, 1997	Necessary with substantive public interest	No		Select One	Select One	Select One	Select One	Select One

**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)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	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)	Select One	Select One	Select One	Select One	Select One
		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)	Select One	Select One	Select One	Select One	Select One
		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)	Select One	Select One	Select One	Select One	Select One
		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)	Select One	Select One	Select One	Select One	Select One



**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)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One

**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)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One
		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	Select One	Select One	Select One	Select One	Select One

# EXHIBIT U

April 26, 2018



## **Proposed Changes to 10A .0401. Form and Contents of a Petition And Rule Text for Commission Action**

### **Title 15A NCAC 10A .0401. Form and Contents of a Petition**

This rule contains an outdated address for the WRC headquarters office. Updating the address in this rule is considered a technical amendment that does not require notice or a rule-making hearing per 150B-21.5(a)(4), as this information is readily available to the public.

### 10A .0401

Incorporated the current WRC headquarters address.

*15A NCAC 10A .0401 Form and Contents of a Petition (page 2)*

1 15A NCAC 10A .0401 is amended without notice pursuant to G.S. 150B-21.5 as follows:

2

3 **15A NCAC 10A .0401 FORM AND CONTENTS OF PETITION**

4 (a) A petition for rule must be a written petition requesting rulemaking, addressed to the Executive Director, Wildlife  
5 Resources Commission, ~~Archdale Building, 512 North Salisbury Street, Raleigh, North Carolina 27604-1188, at 1700~~  
6 Mail Service Center, Raleigh, NC 27699-1700 for U.S. Postal Service delivery, or 1751 Varsity Drive, Raleigh, NC  
7 27606-2576 for other delivery services or in person, and must contain:

- 8 (1) name and address of the petitioner;
- 9 (2) name and address of the person, group or organization, if any, on behalf of which the petition is  
10 made, together with the representative capacity of the petitioner;
- 11 (3) identification of the rule sought to be adopted, amended or repealed;
- 12 (4) suggested language for any rule sought to be adopted or amended and a statement of its desired  
13 effect; and
- 14 (5) signature of the petitioner.

15 (b) In addition to the foregoing, the petition may contain expression of any reasons in support or arguments in favor  
16 of the regulatory action proposed. Any tables, charts, maps, publications, photographs or other supporting materials  
17 which the petitioner deems pertinent to the proposal may be included by way of exhibits or attachments.

18

19 *History Note: Authority G.S. 150B-20;*  
20 *Eff. February 1, 1976;*  
21 *Amended Eff. July 1, 2018; July 1, 1993; April 15, 1979.*