



## **AGENDA**

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

**August 29, 2019, 9:00 a.m.**

**1751 Varsity Drive**

**NCWRC Conference Room, 5<sup>th</sup> Floor**

**Raleigh, North Carolina**

**CALL TO ORDER** - *Chairman David Hoyle, Jr.*

**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 Ray Clifton*

**INVOCATION** - *Commissioner Hayden Rogers*

**RECOGNITION OF VISITORS** – *Chairman David Hoyle*

**MANDATORY ETHICS INQUIRY** - North Carolina General Statute §163A-159(e) mandates that the Commission Chair shall remind all Commissioners of their duty to avoid conflicts of interest and appearances of conflict under this Chapter, and that the chair also inquires as to whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the Commission at this time. It is the duty of each Commissioner who is aware of such personal conflict of interest or of an appearance of a conflict, to notify the Chair of the same. *Chairman David Hoyle*

**APPROVAL OF July 18, 2019 MINUTES** – Take action on the July 18, 2019 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)*

## **COMMITTEE REPORTS**

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

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

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

**Land Acquisitions and Property Report** – *Tom Berry, Chair*

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

**Big Game Committee Report** – *John Coley, Chair*

**Committee of the Whole Report** – *Chairman David Hoyle*

**AGENCY SPOTLIGHT – Back to the Woods, Back to the Water – NCWRC’s R3 Program** (Recruitment, Retention, and Reactivation) – *Chet Clark, R3 manager, Wildlife Education Division*

**WILDLIFE EDUCATION DIVISION UPDATE** – Receive an update on the activities of the Wildlife Education Division – *Kris Smith, Wildlife Education Division Chief*

## **LAND AND WATER ACCESS SECTION**

**Land and Water Access Section Update** – Receive an update on the activities of the Land and Water Access Section – *Brian McRae, Land and Water Access Section Chief*

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

**Field Trial Schedule** – Consider approval of the 2019-2020 Running Schedule for the J. Robert Gordon Sandhills Field Trial Area – *Chris Jordan, Game Land and Forest Resource Manager (EXHIBIT C)*

**Bladen Lakes State Forest Game Land** – Review and consider approval of the proposed Archery Zone at Bladen Lakes State Forest Game Land – *Brian McRae (EXHIBIT D)*

## **INLAND FISHERIES DIVISION**

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

**Draft Inland and Coastal Waters Delineation Map** – Consider approval of proposed boundary line changes between Inland and Coastal fishing waters based on salinity zones modeled using a salinity threshold of 2.6 ppt and initiating a thorough review and assessment of the potential impacts of these changes. – *Christian Waters (EXHIBIT E)*

**WILDLIFE MANAGEMENT DIVISION UPDATE** - Receive an update on the activities of the Wildlife Management Division – *Brad Howard, Wildlife Management Division Chief*

## **RULEMAKING**

**Temporary Rulemaking Request 15A NCAC 10L .0101 Wildlife Reserve** – Consider request to approve publishing Notice of Text for a temporary Rule addressing the activities required for land to qualify for present-use value taxation as wildlife conservation land that creates and is actively and regularly used as a reserve for hunting, fishing, shooting, wildlife observation or wildlife activities – *Brad Howard, Wildlife Management Division Chief (EXHIBIT F)*

**Final Adoption - Game Bird Propagators – 15A NCAC 10H .0900** – Consider readoption of 15A NCAC 10H .0901,.0903, and .0904 and adoption of amendments to .0905 - .0907 – *Michael Smallwood, JD, Policy Analyst for Rules (EXHIBIT G)*

**Final Adoption - Furbearer Propagation – 15A NCAC 10H .1100** – Consider readoption of 15A NCAC 10H .1106 and adoption of amendments to .1101, .1104, .1107 and repeal of 10H .1102, .1103, .1105, and .1108 – *Michael Smallwood (EXHIBIT H)*

**Final Adoption - Reptiles & Amphibians – 15A NCAC 10H .1300** – Consider adoption of amendments to 15A NCAC 10H .1301 and .1302 - *Michael Smallwood (EXHIBIT I)*

## **WATER SAFETY RULEMAKING**

**Approval of Fiscal Note and Request to Publish Notice of Text – 15A NCAC 10F .0340 Carova Beach, Currituck County** – Consider approval of the Fiscal Note and consider an application by Currituck County for approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0340, for a no-wake zone within the canals at Wild Horse Estates Subdivision at Carova Beach - *Betsy Haywood (EXHIBITS J-1, J-2)*

**Approval of Fiscal Note and Request to Publish Notice of Text – 15A NCAC 10F .0306 Carolina Beach** – Consider approval of the Fiscal Note and consider an application by the Town of Carolina Beach for approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0306, for a no-wake zone within a portion of the Intracoastal Waterway in the vicinity of Oceana Marina and Carolina Beach Yacht Club and Marina - *Betsy Haywood, No-Wake Zone Coordinator* (**EXHIBITS K-1, K-2**)

**Request to Publish Notice of Text – 15A NCAC 10F .0327 Montgomery County Designated Swim Area** – 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 .0327, for a restricted swimming area where no vessel entry is permitted at Pinehaven Village on Badin Lake in New London- *Betsy Haywood* (**EXHIBIT L**)

## **PUBLIC HEARING SCHEDULE**

**2020 Statewide Public Hearing Schedule** – Consider approval of the January 2020 public hearing schedule for the 2020-2021 Annual Rule Cycle – *Gordon Myers, Executive Director* (**EXHIBIT M**)

**OCTOBER 2019 WILDLIFE RESOURCES COMMISSION MEETING DATES AND LOCATION CHANGE** – Consider a change of meeting date and location for the October 2019 WRC meetings, from Wednesday and Thursday, October 9 and 10, 2019 in Raleigh to Wednesday and Thursday, October 23 and 24, 2019 in Wilmington – *Gordon Myers*

**COMMENTS BY CHAIRMAN** – *Chairman David Hoyle*

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

**ADJOURN**





**MINUTES**  
**July 18, 2019**  
**N.C. Wildlife Resources Commission Meeting**  
**Raleigh, North Carolina**

Chairman John Coley called the July 18, 2019 N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Coley reminded everyone that the meeting is being audio streamed live and will be available at [www.ncwildlife.org](http://www.ncwildlife.org). He requested that everyone silence cell phones. Commissioners Mike Johnson, Hayden Rogers, and Jim Cogdell were absent.

Commissioner Nat Harris led the Pledge of Allegiance.

Commissioner Wes Seegars gave the invocation.

**COMMISSIONER ATTENDANCE**

John Coley  
Wes Seegars  
David Hoyle, Jr.  
Monty Crump  
Brad Stanback  
Ray Clifton  
John Stone  
Mark Craig

Richard Edwards  
Kelly Davis  
Nat Harris  
Joe Budd  
Tommy Fonville  
Landon Zimmer  
Tom Berry  
Steve Windham by telephone

**VISITORS**

Hal Atkinson – Boone and Crockett Club  
Hampton Billips – Kilpatrick Townsend  
Judge Reuben Young – NC Court of Appeals  
Sarah LaDu  
Judith Ratcliffe – NC Natural Heritage Program  
Mindy Pearson  
Brad Pearson  
Caroline Pearson  
LeAnna Goins  
John Crutchfield – Duke Energy  
Julie Lupella  
Anne Berry Somers  
Noah Somers  
K.W. Berry  
Terry Hackett – Triangle Fly Fishers

Clayton Pennell – artist  
Katie Hendrickson – Governor's Office  
Milo Lewis – NC Farm Bureau  
Heather Clarkson – Defenders of Wildlife  
Tim Gestwicki – NC Wildlife Federation  
Malachi Pearson  
Brent Pearson  
Anna Overly  
Richard Gardner  
Dick Hamilton – NC Wildlife Federation  
Rob Lupella  
Ann Somers  
Alvin Braswell  
Russell Rhodes – Neuse Sport Shop

**WELCOME AND MANDATORY ETHICS INQUIRY**

Chairman Coley welcomed guests, including the Honorable Reuben Young, N.C. Court of Appeals; Katie Hendrickson, Deputy Director of Boards and Commissions at Governor Roy Cooper's office; winners of the prizes from the National Boating and Fishing Week drawings; District 1 Commissioner-elect Kelly Davis; Thomas L. Quay Award winner Anne Berry Somers; artist Clayton Pennell, Russell Rhodes of Neuse Sport Shop and Terry Hackett, Triangle Fly Fishers.

Coley advised the Commission of the mandatory ethics inquiry as mandated in N.C. General Statute 163A-159(e). Commissioner Landon Zimmer recused himself from discussion and action on **Exhibits P-1 and P-2**, emergency and temporary rulemaking requests on Lake Tillery in Stanly and Montgomery counties, during bridge construction by NC Department of Transportation.

Commissioners Jim Cogdell, Mike Johnson, and Hayden Rogers were absent.

**NOTICES OF COMMISSION APPOINTMENTS**

The Commission received into the minutes the Notices of Appointment by *Governor Roy Cooper* of Kelly N. Davis, District 1; and Stephen L. Windham, District 4 for terms ending June 30, 2025; (**EXHIBITS A-1, A-2**); Appointments by *Senate President Pro Tempore Phil Berger* of Thomas Berry, Mark Craig, James W. Cogdell, and Landon Zimmer for terms ending June 30, 2021 (**EXHIBITS A-3, A-4, A-5, A-6 Appointments Bill**); and Appointments by *House Speaker Tim Moore* of John T. Coley IV, Vernon Ray Clifton, Jr., Tommy Fonville, and John A. Stone for terms ending June 30, 2021. (**EXHIBITS A-7, A-8, A-9, A-10**)

**STATE ETHICS COMMISSION REVIEWS OF 2019 STATEMENTS OF ECONOMIC INTEREST FOR PROSPECTIVE COMMISSIONERS KELLY N. DAVIS, STEPHEN L. WINDHAM, AND JAMES W. COGDELL**

Pursuant to NCGS §138A-15(c), Betsy Haywood, Ethics Liaison, read into the Minutes relevant portions of the evaluations by the N.C. Ethics Commission of the 2019 Statements of Economic Interest for Kelly N. Davis and Stephen L. Windham, Governor Appointees; and James W. Cogdell, President Pro Tempore Appointee.

**OATH OF OFFICE**

The Honorable Reuben Young, Judge, N.C. Court of Appeals, administered the Oath of Office to District 1 Commissioner Kelly N. Davis.

**MINUTES OF APRIL 25, 2019 MEETING**

On a motion by David Hoyle, Jr. and second by Wes Seegars, the Commission approved the April 25, 2019 Wildlife Resources Commission (WRC) minutes as presented in **Exhibit B**. The Minutes are incorporated into the official record of this meeting.

### **ADMINISTRATION**

**Financial Status Report** - Melissa Earp, Finance Office Chief, presented a status report in **Exhibit C** on the Wildlife Operating Fund and the Wildlife Endowment Fund. As of June 30, 2019, which is not certified, the Wildlife Operating Fund year-to-date revenues were \$70,221,856.43 and expenditures were \$80,600,971.70. The Fund Balance as of June 30, 2019 is \$12,124,734.91. The Endowment Fund balance as of May 31, 2019 was \$129,185,668.48. The Short-term Investment Fund balance was \$233,337.36. The Bond Index Fund was \$104,384,175.29 and the Equity Index Fund was \$24,568,155.83. As of May 31, 2019, the expendable fund interest was \$31,231,766.34 and the non-expendable interest was \$13,813,630.47. Expendable interest transferred to operations year-to-date is \$2,757,746.76. **Exhibit C** is incorporated into the official record of this meeting.

### **PRESENTATION OF ART GIFT**

The gift of a Peregrine Falcon wildlife painting by artist Clayton Pennell, given by Commissioner Nat Harris, was presented to the Wildlife Resources Commission.

### **RECOGNITION OF 2019 NATIONAL FISHING AND BOATING WEEK LICENSE WINNERS**

A Lifetime Unified Sportsman License donated by Russell Rhodes of Neuse Sport Shop in Kinston was presented to Anna Overly from Gibsonville. A Lifetime Freshwater Fishing License donated by the Triangle Fly Fishers was presented to Malachi Pearson of Valdese. Chairman John Coley thanked Russell Rhodes of Neuse Sport Shop and Terry Hackett from Triangle Fly Fishers for the licenses. License winners were drawn from fishing events held during 2019 National Fishing and Boating Week.

A short break was taken for photographs.

### **2019 THOMAS L. QUAY WILDLIFE DIVERSITY AWARD PRESENTATION**

Executive Director Gordon Myers presented the 2019 Thomas L. Quay Wildlife Diversity Award to Ann Berry Somers of Greensboro, recognizing her 40-plus years of service and experience in the field of herpetology conservation. Somers is a faculty member at the University of North Carolina at Greensboro, an officer on the N.C. Wildlife Federation Board, and is well known for her work with the conservation and management of the eastern Box Turtle.

Director Myers read a Resolution, unanimously adopted by the Commission, in honor of Ann Berry Somers and presented her with a framed print.

A short break was taken for photographs.

## **APPOINTMENTS TO NONGAME WILDLIFE ADVISORY COMMITTEE**

On a motion by Mark Craig and second by Monty Crump, the Commission appointed Jeff Beane, N.C. State Museum of Natural Sciences; Dr. Karen Beck, N.C. Department of Agriculture and Consumer Services; Michael Abney, Duke Energy; Dr. Joe Poston, Catawba College; and Elaine Jordan, The Coastal Companies to the Nongame Wildlife Advisory Committee **Exhibit D, Nongame Wildlife Advisory Committee Appointments for 2019**, is incorporated into the official record of this meeting.

## **COMMITTEE REPORTS**

**Boating Safety Committee Report** – Committee Vice Chair Ray Clifton reported that the Boating Safety Committee met on July 17, 2019 and discussed four final adoptions of water safety rules, one fiscal note and request to publish Notice of Text to begin the rulemaking process, three temporary rulemaking requests and emergency rulemaking request for two counties, to establish a no-wake zone in Lake Tillery during a NCDOT bridge repair project. The Committee recommends approval of the presented items in the meeting today.

**Habitat, Nongame and Endangered Species Committee Report** – Committee Chair Mark Craig reported that the HNGES Committee met on July 17, 2019. Todd Ewing presented a species augmentation project for stocking the Sicklefin Redhorse in five watersheds. Ewing presented an update about Recovering America's Wildlife Act introduced in the U.S. House of Representatives, which would be the most significant wildlife conservation bill in more than eight years. Nongame Wildlife Advisory Committee nominations were presented by Sara Schweitzer. Brad Howard proposed two rule modifications related to the take of bullfrogs and alligators. Sara Schweitzer and Alicia Davis gave an update about the Alligator Project and radiotagging alligators.

**Land Use and Access (LUAC) Committee Report** – Committee Chair Tom Berry reported that the LUAC met on July 17, 2019. The Committee received a review of land project status. One Phase I acquisition was discussed. The Committee considered one Phase II proposal, final approval of the acquisition of the Three Top East tract in Ashe County and will recommend adoption at the meeting today. The Committee received an update about the *ad hoc* committee study of Sunday hunting on game lands and bid solicitations for a third party to conduct surveys. The Committee received an update of staff recommendations for proposed changes in the 2020-2021 Game Land Management rules to be presented at statewide public hearings.

**Small Game and Wild Turkey Committee Report** – Vice Chair John Stone reported that the Small Game and Wild Turkey Committee met jointly with the LUAC on July 17, 2019. Brad Howard reviewed a proposed rule that was not recommended for advancement in the 2020-2021 Wildlife Management Division rules. Chris Kreh provided an update and discussion on a potential quail management program for private lands. Staff will continue to develop the concept for further discussion. Kreh and Chris Jordan presented an initial discussion about a dedicated NCWRC game land for quail management. Objectives for quail numbers were discussed. Costs and equipment needed were discussed. Staff will evaluate potential locations and return to the Committees for more discussion.

**Finance Committee Report** – Finance Committee Chair Landon Zimmer reported that the Finance Committee met on July 17, 2019. Melissa Earp reviewed the Financial Status Report with Finance Committee members and explained increases to revenues and expenditures over fiscal year 2018. Ms. Earp discussed the return on investment for the Bond Index Fund and the Equity Index Fund investments of the Wildlife Endowment Fund over the period of June 2018 to May 31, 2019. She reported a cumulative return on investment of 6.26% in bonds and -2.51% in equities for this period. An update was provided on the procurement process for the actuarial study the committee approved for completion in the April 2019 meeting. The RFQ has been submitted to the vendor and the deadline for the return submission is July 31, 2019. Earp provided an update on the Auto-Renewal Pilot Program that the committee approved to move forward on in April 2019. Earp indicated that moving forward on the pilot is not possible until the license fee bill is enacted or until the CPIU increases are adopted. The customer base needs to have a stable license amount before allowing this option. Staff believes that the programming work can begin in early 2020 and the pilot may potentially be implemented by May of 2020. Ms. Earp provided the link to the Department of Information Technology’s website which includes information about the State’s Security Manual. This information was to be reviewed by committee members at their request to understand what measures the agency has in place if a cyber security breach were to occur.

Director Myers provided an update on the *ad hoc* Committee that has been created to explore Sunday Hunting on Game Lands, engage stakeholders and assist in larger management decisions about non-traditional use licenses for various types of game land uses which include a conservation access pass, commercial use, event usage and non-motorized vessels. The committee has met and will continue to discuss these matters moving forward until rule proposals are provided to the Board.

The committee moved to go into a brief closed session and immediately adjourned after the closed session.

**Fisheries Committee Report** – Committee Chair Tommy Fonville reported that the Fisheries Committee met on July 17, 2019. Christian Waters presented 23 rule proposals for consideration by the Commission. Commissioner Stone requested establishing a catch and release trophy trout program. Chairman Fonville reported that Commissioner John Stone recently caught seven species of bass in one day.

Director Gordon Myers and Commissioner John Stone gave an update about the delineation of fishing waters discussion. Myers stated that a science-based approach is being used to determine suggested delineations of inland waters based on salinity.

**Motion from Fisheries Committee:** John Stone made a motion that the Commission adopt the use of less than 2.6 PPT during low salinity periods and greater than 2.6 PPT during high salinity periods to delineate the locations for the dividing lines between inland and coastal fishing waters, and for staff to come back with specific lines using that criteria. The motion was seconded by Monty Crump and carried. Tamara Zmuda, Agency Counsel, will follow up with staff and Commissioners Crump and Stone on changes and how they will affect agency rules. Commissioner Hoyle recommended that Wes Seegars and Mark Craig assist in the effort.

**Big Game Committee Report** – Chairman Wes Seegars reported that the Big Game Committee met on July 17, 2019. Brad Howard reviewed two proposed rule modifications for the 2020-2021 rule cycle. Joe Fuller gave a report about tagging and registration of harvested deer. It is believed that reporting is far more accurate now due to ease of the reporting process. He showed a video about the tagging process. Discussion was held regarding Chronic Wasting Disease (CWD) and education of processors and taxidermists. Posters were suggested as an educational tool. Discussion was held about requiring processors to acknowledge that the proper process was used to register all animals being processed.

**Committee of the Whole (COW) Report** – Chairman John Coley reported that the COW met on July 17, 2019. He thanked Commissioner Landon Zimmer for providing lunch for the meeting. Carrie Ruhlman reviewed Notice of Text for amendments to rules for controlled hunting preserves for domestically raised game birds. Ruhlman reviewed for final adoption amendments to rules for wildlife captivity and rehabilitation, wildlife taken for depredations, and a license fee rule. Temporary rulemaking for license fees will be done because of the uncertain status of House Bill 597. Brad Howard and Michael Smallwood reviewed current rule proposals for wildlife management. Christian Waters reviewed the draft Catfish Management Plan. Director Gordon Myers provided an update about the proposed use of the Sandhills Game Land by the military for training. He provided a copy of his letter to the military, as they have been unable to reach an agreement on the game land's use for training.

### **AGENCY SPOTLIGHT – WALLEYE MANAGEMENT IN WESTERN NORTH CAROLINA**

Doug Besler, Mountain Region Fishery Supervisor, gave a spotlight about Walleye management in western North Carolina. Walleye is a popular sport fishery that originated with Commission stockings in the early 1950s. Today, there are nine reservoirs managed intensively in western North Carolina for Walleye. In recent decades, Walleye populations have been negatively impacted by introduced populations by Blueback Herring and Alewife. The exact mechanisms for the impacts are not fully understood; however, Walleye consume Blueback Herring and Alewife which can cause a thiamine deficiency and inadequate reproduction in Walleye. Predation on Walleye eggs and fry is also a potential mechanism. Staff reached out to anglers by holding public information meetings in Districts 7, 8, and 9 and spoke about the importance of not moving invasive species as well as agency efforts to monitor Walleye populations. Using Lake James, Burke and McDowell counties, as a case study, Besler indicated that Blueback Herring were documented by 2010 and Walleye reproduction has since dramatically declined. To evaluate agency Walleye stockings in Lake James after the reproductive failure, Walleye were marked with oxytetracycline (OTC), and stocked annually in Lake James. During subsequent sampling, the otoliths, which are marked with the OTC, were removed and read in the lab. Staff was able to determine that Lake James now is supported 100 percent by stocking and there is currently no natural reproduction. The WRC is challenged to stock more Walleye in six other systems than are experiencing Walleye reproductive impacts similar to Lake James. In 2019, agency hatcheries produced and stocked 383,000 Walleye fingerlings, which represented a significant increase from normal agency Walleye production efforts (average 180,000 fingerlings). This increase in production resulted from increased tank culture at Table Rock State Fish Hatchery and new production at the Watha State Fish Hatchery. In the future, additional management options may have to be considered in order to maintain adequate stockings of Walleye in the six reservoirs.

## **INLAND FISHERIES DIVISION**

**Division Update** - Christian Waters, Inland Fisheries Division Chief, gave an update on the activities of the Inland Fisheries Division. He stated that a recent 300-page report on Inland Recreational Sport Fishing in North Carolina reveals that for 2016-2017, direct expenditures alone from inland recreational sport fishing was just over three billion dollars.

### **Adoption of Catfish Management Plan**

On a motion by Tommy Fonville and second by Brad Stanback, the Commission adopted the Catfish Management Plan presented in **Exhibit E. The Catfish Management Plan** is incorporated into the official record of this meeting.

## **WILDLIFE MANAGEMENT**

**Division Update** – Wildlife Management Division Chief Brad Howard announced a new initiative called the “Forest Her Program.” He stated that women are becoming more involved in operations that include forestry management decision making. Historically women have been less like to attend forestry workshops, so to foster a sense of community and provide technical guidance in forestry, the Division will hold three workshops in August in several locations. Howard mentioned a collaborative project tracking the migration patterns of leatherback sea turtles. Thirteen tagged turtles have been collected – one had a Grenada tag and one had a Trinidad tag. The Division is working on a native warm grasses program in the Piedmont. Sixteen landowners have established 160 acres in native warm season grasses. The workshop in Catawba County had 90 attendees.

## **LAND AND WATER ACCESS**

### **Property Matters**

#### **Phase II Land Acquisition**

On a motion by Tom Berry and second by Tommy Fonville, the Commission approved proceeding with acquisition of the Three Top East tract in Ashe County, presented in **Exhibit F** by Jessie Birkhead, Land Acquisition and Grants Manager. **Exhibit F** is incorporated into the official record of this meeting.

## **RULEMAKING**

### **Rulemaking Notice of Text – 15A NCAC 10H .0100 – Controlled Hunting Preserves for Domestically Raised Game Birds**

On a motion by David Hoyle, Jr. and second by Nat Harris, the Commission approved publishing Notice of Text in the *NC Register* for proposed amendments to 10H .0100 Rules and opening the public comment period as part of the 2016 Periodic Review of Rules, presented Carrie Ruhlman, Rulemaking Coordinator, in **Exhibit G. Exhibit G** is incorporated into the official record of this meeting.

**Final Adoption – Wildlife Captivity and Rehabilitation 15A NCAC 10H .1401 – 10H .1406**

The Commission reviewed public comments and on a motion by Mark Harris and second by Nat Harris, adopted 10H .1400 Rules for Wildlife Captivity and Rehabilitation, presented by Carrie Ruhlman in **Exhibits H-1 and H-2**. **Exhibits H-1 and H-2** are incorporated into the official record of this meeting.

**Final Adoption – Wildlife Taken for Depredations 15A NCAC 10B .0106**

The Commission reviewed public comments and on a motion by Wes Seegars and second by Nat Harris, adopted amendments to 15A NCAC 10B .0106 for Wildlife Taken for Depredations, presented in **Exhibits I-2 and I-2**. **Exhibits I-1 and I-2** are incorporated into the official record of this meeting.

**WATER SAFETY RULEMAKING**

**Final Adoption – Safety Zone, City of Rocky Mount 15A NCAC 10F .0370**

On a motion by Mark Craig and second by Joe Budd, the Commission adopted **Exhibit J**, presented by Betsy Haywood, No-Wake Zone Coordinator, for a technical change to 15A NCAC 10F .0370 City of Rocky Mount, to define a safety zone in the waters of the Tar River near the Rocky Mount Millpond Dam. **Exhibit J** is incorporated into the official record of this meeting.

**Final Adoption – No Wake Zone, McDowell County – Lake James 15A NCAC 10F .0339**

On a motion by Nat Harris and second by Ray Clifton, the Commission adopted **Exhibit K**, an amendment to 15A NCAC 10F .0339 for a no-wake zone in the waters of Lake James within 50 yards of the shoreline of the peninsula at Old Wildlife Club Subdivision in McDowell County. **Exhibit K** is incorporated into the official record of this meeting.

**Final Adoption – No Wake Zone, Onslow County – Intracoastal Waterway at Hammocks Beach State Park 15A NCAC 10F .0320**

On a motion by Ray Clifton and second by Mark Craig the Commission adopted an amendment to 15A NCAC 10F .0320, for a no-wake zone in a portion of the Intracoastal Waterway at Hammocks Beach State Park in Swansboro in Onslow County, presented in **Exhibit L**. **Exhibit L** is incorporated into the official record of this meeting.

**Final Adoption – No Wake Zone Technical Correction – Lake Norman, Iredell County 15A NCAC 10F .0307**

On a motion by David Hoyle, Jr. and second by Ray Clifton, the Commission adopted a technical correction, presented in **Exhibit M**, to correctly identify coordinates that mark a no-wake zone on Lake Norman in a small cove north of the entrance to Hager Creek in Iredell County. **Exhibit M** is incorporated into the official record of this meeting.



**Approval of Fiscal Note and Notice of Text – No Wake Zone, Lake Gaston 15A NCAC 10F .0336**

On a motion by David Hoyle, Jr. and second by Ray Clifton, the Commission approved the Fiscal Note review presented in **Exhibit N-1**, and approved publishing Notice of Text in the *NC Register* with an open comment period and one public hearing for a proposed amendment to 15A NCAC 10F .0336, for a no-wake zone within a portion of Jimmies Creek on Lake Gaston in Northampton County, presented in **Exhibit N-2**. **Exhibits N-1 and N-2** are incorporated into the official record of this meeting.

**Temporary Rulemaking – No Wake Zone, Lake Tillery 15A NCAC 10F .0317**

On a motion by Mark Craig and second by Tom Berry, the Commission approved publishing Notice of Text in the *NC Register* and holding one public hearing for a temporary rule for a no-wake zone within 50 yards of the fuel docks at the Boathouse and Marina at 712 Berry Hill Drive on Lake Tillery in Norwood, in Stanly County, presented in **Exhibit O**. **Exhibit O** is incorporated into the official record of this meeting.

**Emergency Rulemaking Requests – No Wake Zone, Lake Tillery in Stanly County 15A NCAC 10F .0317 and Montgomery County 15A NCAC 10F .0327**

With Commissioner Landon Zimmer recused, on a motion by Ray Clifton and second by John Stone, the Commission approved **Exhibit P-1** to propose text for emergency rulemaking for a no-wake zone in the waters of Lake Tillery in Stanly and Montgomery counties, 85 yards north and 85 yards south of the NC Hwy 24/27/73 bridge eastbound and westbound spans, otherwise known as the James B. Garrison Bridge, to mitigate water safety hazards during an NCDOT bridge construction project. **Exhibit P-1** is incorporated into the official record of this meeting.

**Temporary Rulemaking Requests - No Wake Zone, Lake Tillery in Stanly County 15A NCAC 10F .0317 and Montgomery County 15A NCAC 10F .0327**

With Commissioner Landon Zimmer recused, on a motion by Ray Clifton and second by Mark Craig, the commission approved **Exhibit P-2** to publish Notice of Text in the *NC Register* with an open comment period and one public hearing, for temporary rulemaking for a no-wake zone in the waters of Lake Tillery in Stanly and Montgomery counties 85 yards north and 85 yards south of the NC Hwy 24/27/73 bridge eastbound and westbound spans, otherwise known as the James B. Garrison Bridge, to mitigate water safety hazards during an NCDOT bridge construction project. **Exhibit P-2** is incorporated into the official record of this meeting.

**LICENSE FEE RULE**

**Final Adoption – 15A NCAC 10A .1601 – License Fee Rule**

The Commission reviewed public comments in **Exhibit Q-1**, and on a motion by David Hoyle, Jr. and second by Nat Harris, adopted 15A NCAC 10A .1601, presented in **Exhibit Q-2**, to establish license fees in rule and adjust those fees by the Consumer Price Index for all Urban Consumers (CPI-U). **Exhibits Q-1 and Q-2** are incorporated into the official record of this meeting.

**Temporary Rulemaking Request – License Fees 15A NCAC 10A .1601**

On a motion by David Hoyle, Jr. and second by Nat Harris, the Commission adopted **Exhibit R**, to publish Notice of Text for temporary rulemaking because the status of House Bill 597 is uncertain. In accordance with changes in House Bill 597, 15A NCAC 10A .1601 moves all licenses, permits, stamps, and certifications issued and administered by the Commission (except for the Recreational Commercial Gear License) and associated fees from statute to rule and adjust existing fees by the CPI-U. **Exhibit R** is incorporated into the official record of this meeting.

**ELECTION OF OFFICERS**

The Wildlife Resources Commission elected Commissioner David Hoyle, Jr. as Chairman and Commissioner Monty Crump as Vice Chairman for a term of two years or until their successors are elected and qualified, pursuant to NCGS §143-243.

**COMMENTS BY FORMER CHAIR JOHN COLEY**

Former Chairman John Coley thanked Commissioners and Staff for their efforts during his chairmanship and stated it was a privilege working with everyone.

**COMMENTS BY THE EXECUTIVE DIRECTOR**

Executive Director Gordon Myers thanked John Coley for his guidance, especially with the challenges of pay equity for law enforcement and other employees in the agenda.

**ADJOURNMENT**

The meeting was adjourned by Chairman David Hoyle, Jr. at 11:01 a.m.

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

---

**John Coley, Chairman**

**Date**

---

**Gordon Myers, Executive Director**

**Date**

NC Wildlife Resources Commission  
 CAFR 52G (Statement of Revenues, Expenditures and Changes in Fund Balances)  
 Governmental Funds  
 As of June 30, 2019

EXHIBIT B

	2018-19 YTD	2018-19 YTD	2018-19 YTD
	General	Capital Improvement	Endowment/ Permanent
<b>REVENUES</b>			
Federal funds	29,093,661.03	1,992,561.32	-
Local funds	4,071.48	-	-
Investment earnings	146,803.49	-	9,441,406.56
Sales and services	9,746,883.79	-	-
Rental and lease of property	68,943.96	-	-
Fees, licenses and fines	32,880,728.48	-	3,804,955.00
Contributions, gifts and grants	1,105,642.10	458,229.82	50,080.84
Miscellaneous	547,907.45	-	-
<b>TOTAL REVENUES</b>	<b>73,594,641.78</b>	<b>2,450,791.14</b>	<b>13,296,442.40</b>
<b>EXPENDITURES</b>			
Personal services	34,280,248.85	-	-
Employee benefits	14,397,110.72	-	-
Contracted personal services	9,030,569.39	275,050.67	-
Supplies and materials	8,784,233.38	311,070.77	-
Travel	551,957.91	-	-
Communication	802,180.83	33,470.26	-
Utilities	646,710.68	-	-
Data processing services	1,045,923.63	-	-
Other services	3,961,938.28	3,747.16	-
Claims and benefits	1,367,946.92	-	-
Other fixed charges	82,338,552.33	3,493,416.84	-
Capital outlay	399,453.14	1,190.00	-
Grants, state aid and subsidies	4,635,149.44	2,851,922.98	-
Insurance and bonding	1,713,443.11	-	-
Other expenditures	296,220.53	-	-
Reimbursements	1,254,554.36	16,965.00	-
<b>TOTAL EXPENDITURES</b>	<b>82,338,552.33</b>	<b>3,493,416.84</b>	<b>-</b>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>(8,743,910.55)</b>	<b>(1,042,625.70)</b>	<b>13,296,442.40</b>
<b>OTHER FINANCING SOURCES (USES)</b>			
Sale of capital assets	240,144.89	-	-
Insurance recoveries	60,000.00	-	-
Transfers in	4,187,159.97	1,039,400.00	-
Transfers out	(6,897,747.53)	-	(3,053,465.90)
Appropriations	10,625,979.26	-	-
<b>TOTAL OTHER FINANCING SOURCES (USES)</b>	<b>8,215,536.59</b>	<b>1,039,400.00</b>	<b>(3,053,465.90)</b>
<b>EXCESS OF REVENUES AND OTHER SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES</b>	<b>(528,373.96)</b>	<b>(3,225.70)</b>	<b>10,242,976.50</b>
<b>FUND BALANCE - JULY 1, As previously stated</b>	<b>14,838,043.55</b>	<b>3,986,758.85</b>	<b>123,569,426.52</b>
<b>FUND BALANCE - JUNE 30</b>	<b>14,309,669.59</b>	<b>3,983,533.15</b>	<b>133,812,403.02</b>

**NORTH CAROLINA WILDLIFE RESOURCES COMMISSION  
WILDLIFE ENDOWMENT FUND  
FUND BALANCES AS OF June 30, 2019**

BOND INDEX FUND (BIF)	\$104,422,052.47
EQUITY INDEX FUND (EIF)	29,181,320.13
SHORT TERM INVESTMENT FUND (STIF)	209,030.42
<b>TOTAL WILDLIFE ENDOWMENT FUND BALANCE AS OF 6/30/19</b>	<b><u><u>\$ 133,812,403.02</u></u></b>

INTEREST INCOME WITHIN FUNDS	EXPENDABLE	NON-EXPENDABLE
ADULT LICENSE SALES	\$28,078,897.66	
INFANT LICENSE SALES		\$12,725,200.61
YOUTH LICENSE SALES		1,154,319.17
CONTRIBUTIONS	1,894,773.70	
WILDLIFE DIVERSITY	927.58	
MAGAZINE SALES	1,477,155.22	
	<b><u><u>\$ 31,451,754.16</u></u></b>	<b><u><u>\$ 13,879,519.78</u></u></b>

EXPENDABLE INTEREST TRANSFERRED TO OPERATIONS FISCAL YTD
\$2,757,746.76
<b><u><u>\$ 2,757,746.76</u></u></b>

# EXHIBIT C

August 29, 2019



## ◊ North Carolina Wildlife Resources Commission ◊

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August 19, 2019

### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

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

SUBJECT: North Carolina Field Trial Association 2019-20 Running Schedule  
J. Robert Gordon Field Trial Grounds

The 2019-20 running schedule submitted by the NC Field Trial Association for use of the J. Robert Gordon Field Trial Area is consistent with NCAC rules governing this use and staff recommends approval.

Land and Water Access

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

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

Phone: 919-707-0150

Fax: 919-707-0162

**NORTH CAROLINA FIELD TRIAL ASSOCIATION  
RUNNING SCHEDULE  
2019-2020**

<u>Date</u>	<u>Club</u>	<u>Location</u>
October 4-6	Duplin County Field Club	Warsaw
October 12-13	Decoy Lake	Linden
October 17-20	Tar Heel Championship	Hoffman
October 21-23	Central Carolina – Open	Hoffman
October 25-27	Carolina Amateur	Hoffman
Oct 31-Nov 3	Richmond County	Hoffman
Nov 7-10	German Shorthaired	Hoffman
<b>DEER SEASON Nov 16 - Nov 30</b>		
December 6-8	Hoffman FTC	Hoffman
December 12-15	REGION 3	Hoffman
December 16-19	NC Shooting Dog Championship	Hoffman
Dec 28 Jan 2	Swamp Fox	Hoffman
January 3-5	Pinehurst	Hoffman
January 11-13	Tarheel Brittany	Hoffman
January 16-19	Southeastern Brittany	Hoffman
January 20-23	Atlantic Coast Championship	Hoffman
January 27-31	US Quail Futurity	Hoffman
February 1-3	North - South	Hoffman
February 7-9	NC Amateur All Age	Hoffman
February 14-16	Central Carolina Amateur	Hoffman
Feb 18-21	SE US Complete Shoot. Dog Nat. Chmp	Hoffman
March 1-3	To be scheduled	Hoffman
March 6-8	Southern Pines Celebration	Hoffman
March 14-17	NC Open All Age	Hoffman
March 18-20	NC Open Quail Chmp.	Hoffman
March 21-22	To be scheduled	Hoffman

# EXHIBIT D

August 29, 2019



## ◊ North Carolina Wildlife Resources Commission ◊

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### MEMORANDUM

TO: Brian McRae, Section Chief  
Land and Water Access

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

SUBJECT: Bladen Lakes State Forest Game Land, Proposed Archery Zone

DATE: August 23, 2019

Due to an incident during the 2018-19 Deer Season, in which the Sweet Home Church was damaged by gunfire; the creation of an Archery Zone across the street and north of the church has been proposed and public comment has been solicited. The game land across the street and to the north of the church is currently designated as a Restricted Firearms Zone, where the use of centerfire rifles is prohibited. The game land to the south of the church is currently designated as a Safety Zone, where all hunting is prohibited. This proposal calls for changing the designation of approximately 72 acres of the Restricted Firearms Zone that is across the street from the church to an Archery Zone (see attached map).

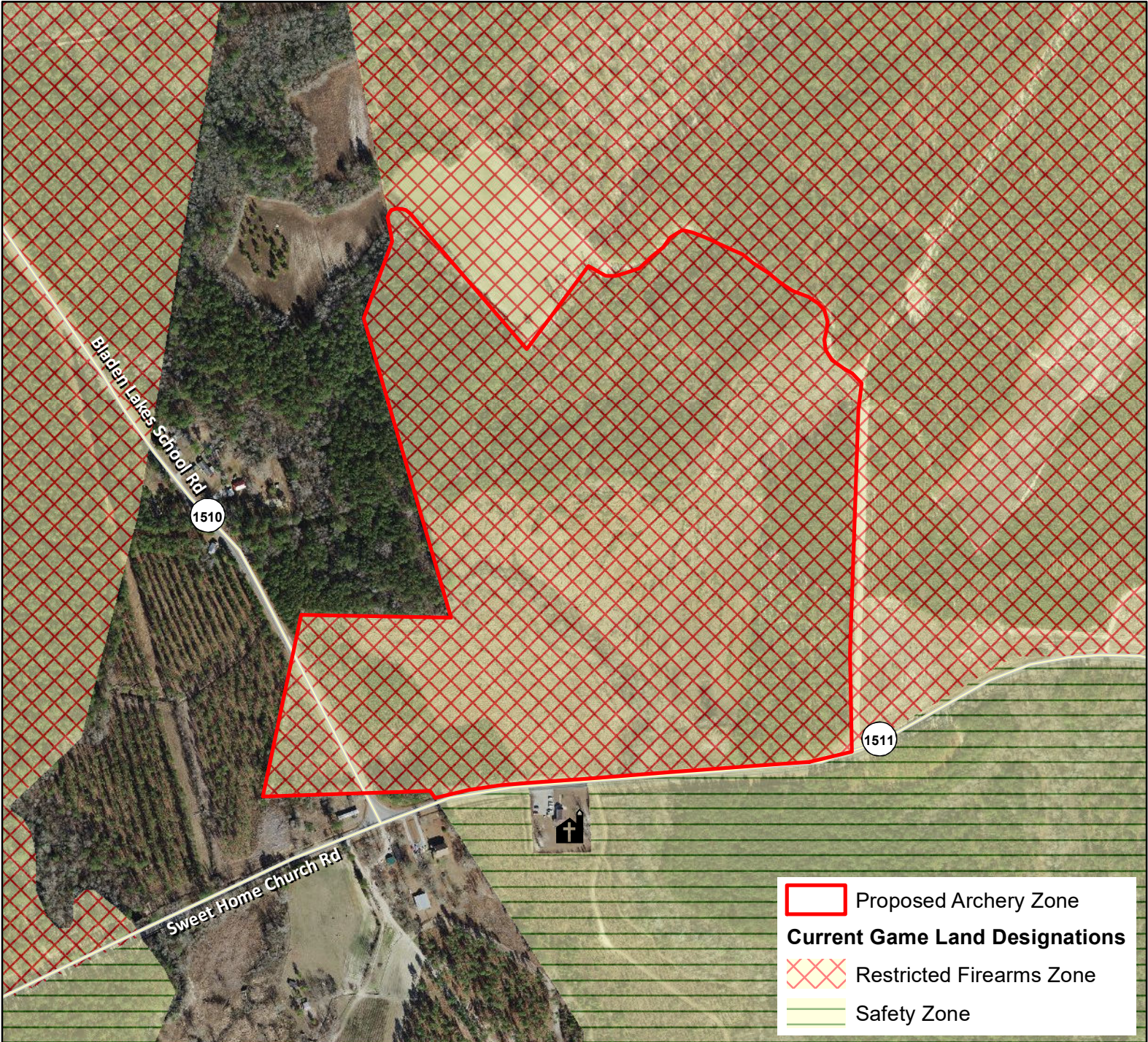
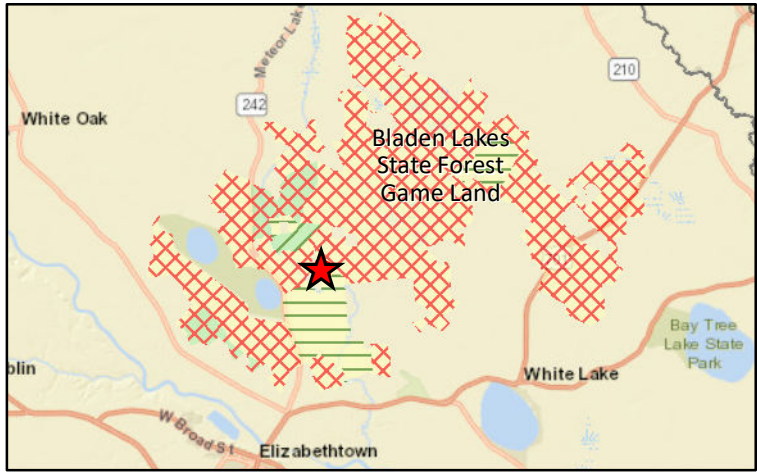
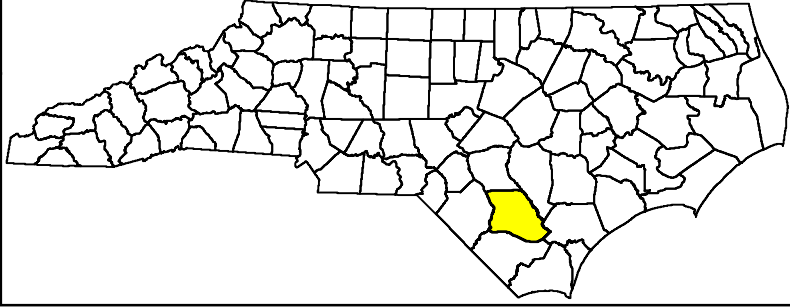
A public meeting was held on August 22<sup>nd</sup>, 2019 at Jones Lake State Park. There were eight members from the public in attendance; all attendees were in favor of the proposed Archery Only Zone.

With Commission approval, we would like to post this boundary change before the beginning of Deer Archery Season on September 7<sup>th</sup>, 2019.

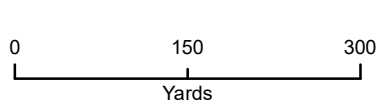
Land and Water Access Section  
Mailing Address: 1720 Mail Service Center, Raleigh, N.C. 27699-1720  
Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606  
Phone: 919-707-0150 Fax: 919-707-0162



**Bladen Lakes State Forest Game Land  
Bladen County  
Proposed Archery Zone, 72 Acres**



Proposed Archery Zone  
**Current Game Land Designations**  
 Restricted Firearms Zone  
 Safety Zone



N  
**August 23, 2019**



# EXHIBIT E

August 29, 2019

Inland Waters  
west and south of lines

Inland Waters  
north of lines

Coastal  
to Inland

Inland Waters  
south of lines

**Albemarle Region**

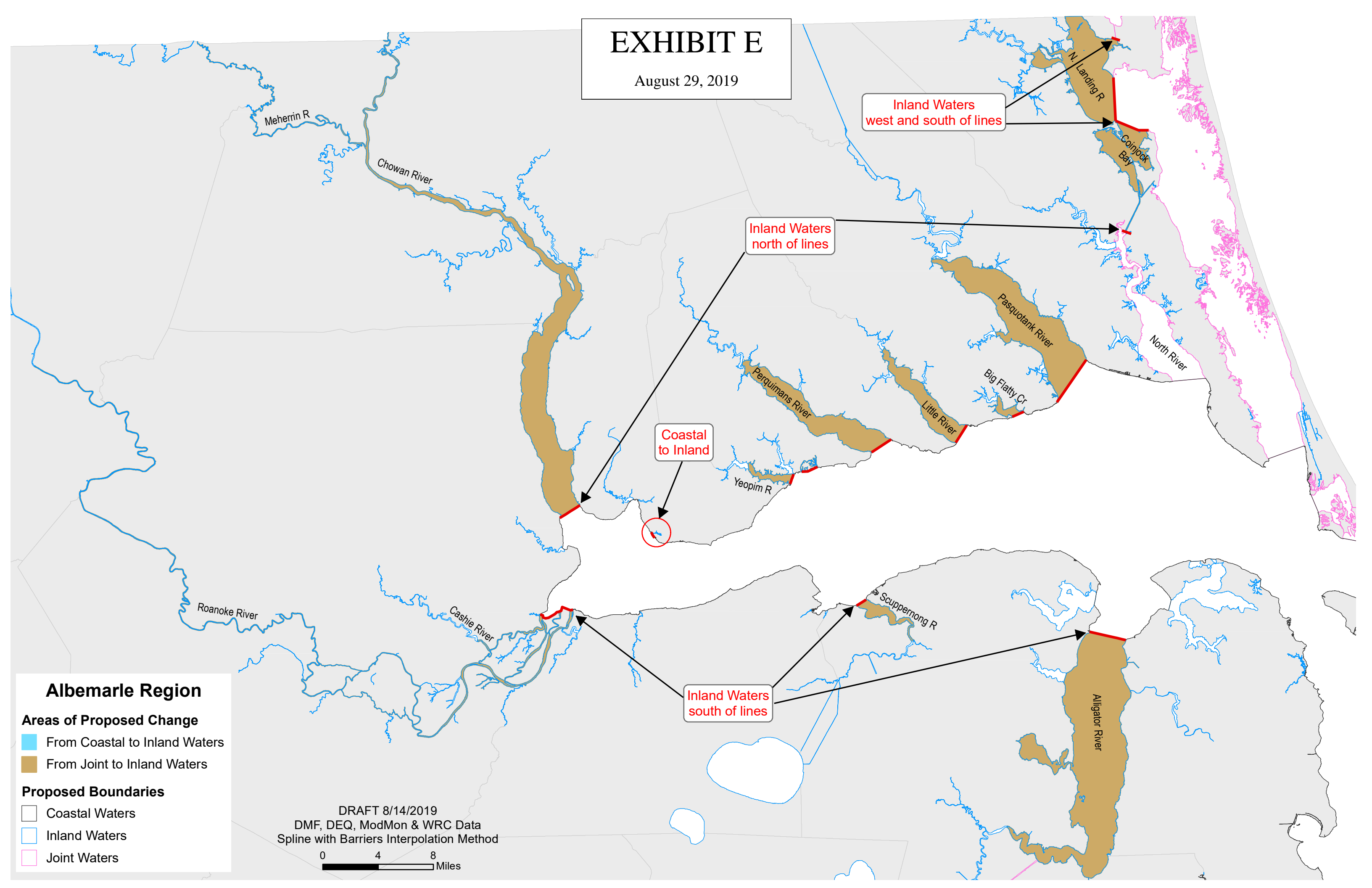
**Areas of Proposed Change**

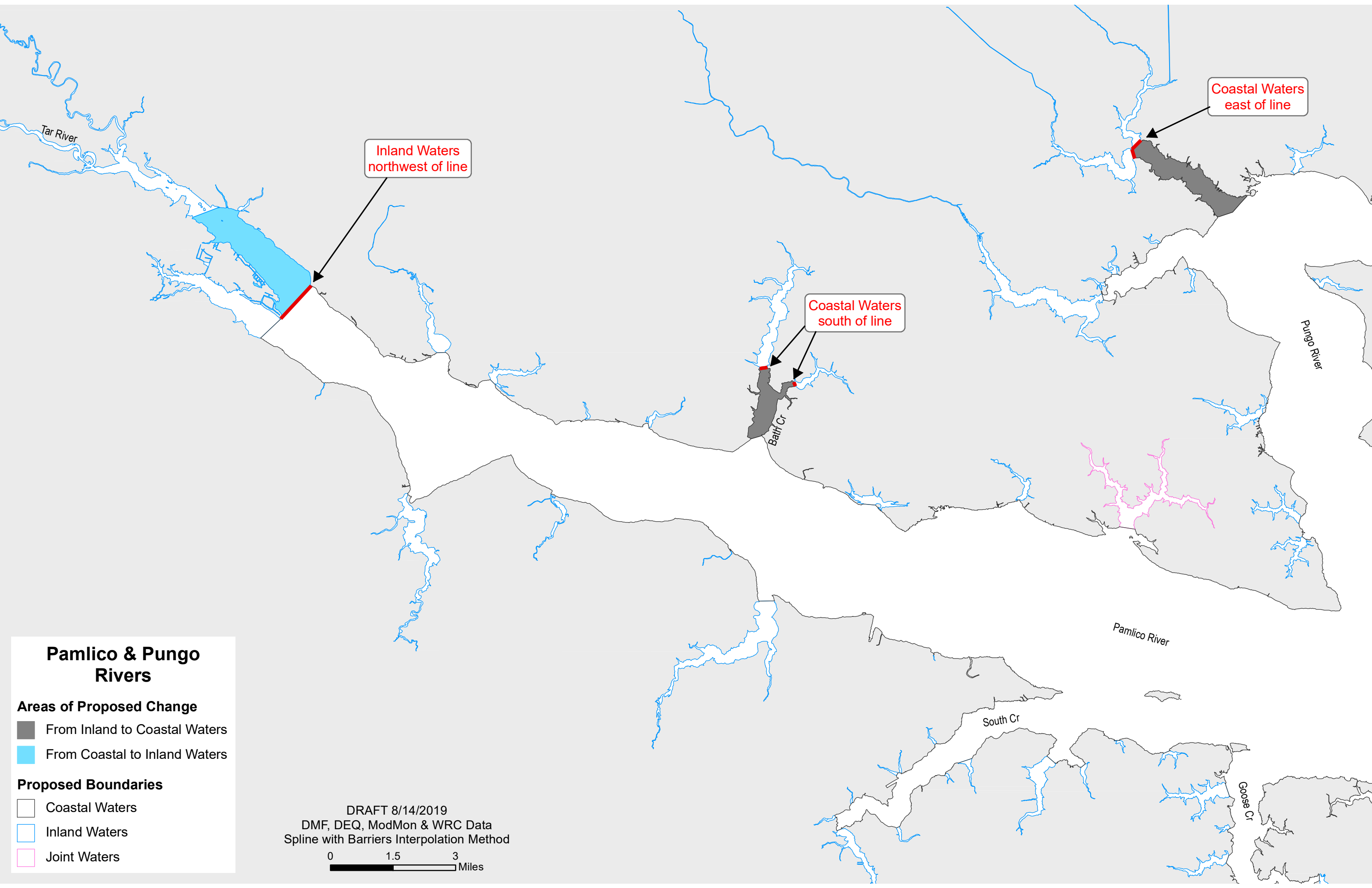
- From Coastal to Inland Waters
- From Joint to Inland Waters

**Proposed Boundaries**

- Coastal Waters
- Inland Waters
- Joint Waters

DRAFT 8/14/2019  
DMF, DEQ, ModMon & WRC Data  
Spline with Barriers Interpolation Method





### Pamlico & Pungo Rivers

#### Areas of Proposed Change

- From Inland to Coastal Waters
- From Coastal to Inland Waters

#### Proposed Boundaries

- Coastal Waters
- Inland Waters
- Joint Waters

DRAFT 8/14/2019  
 DMF, DEQ, ModMon & WRC Data  
 Spline with Barriers Interpolation Method

0 1.5 3 Miles

# Neuse & Trent Rivers

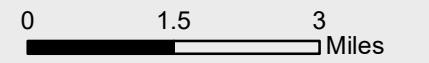
## Areas of Proposed Change

- From Coastal to Inland Waters
- From Joint to Inland Waters

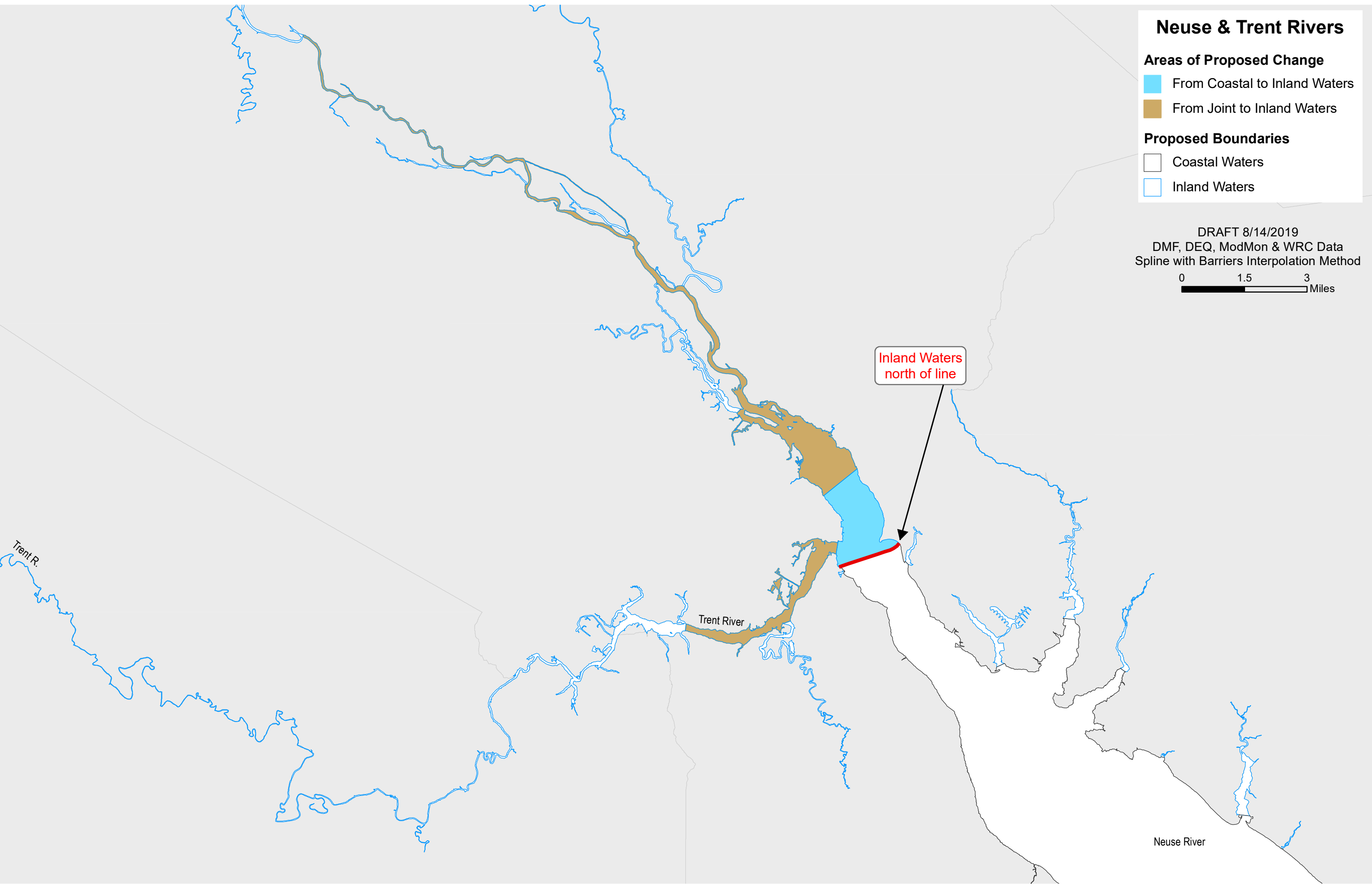
## Proposed Boundaries

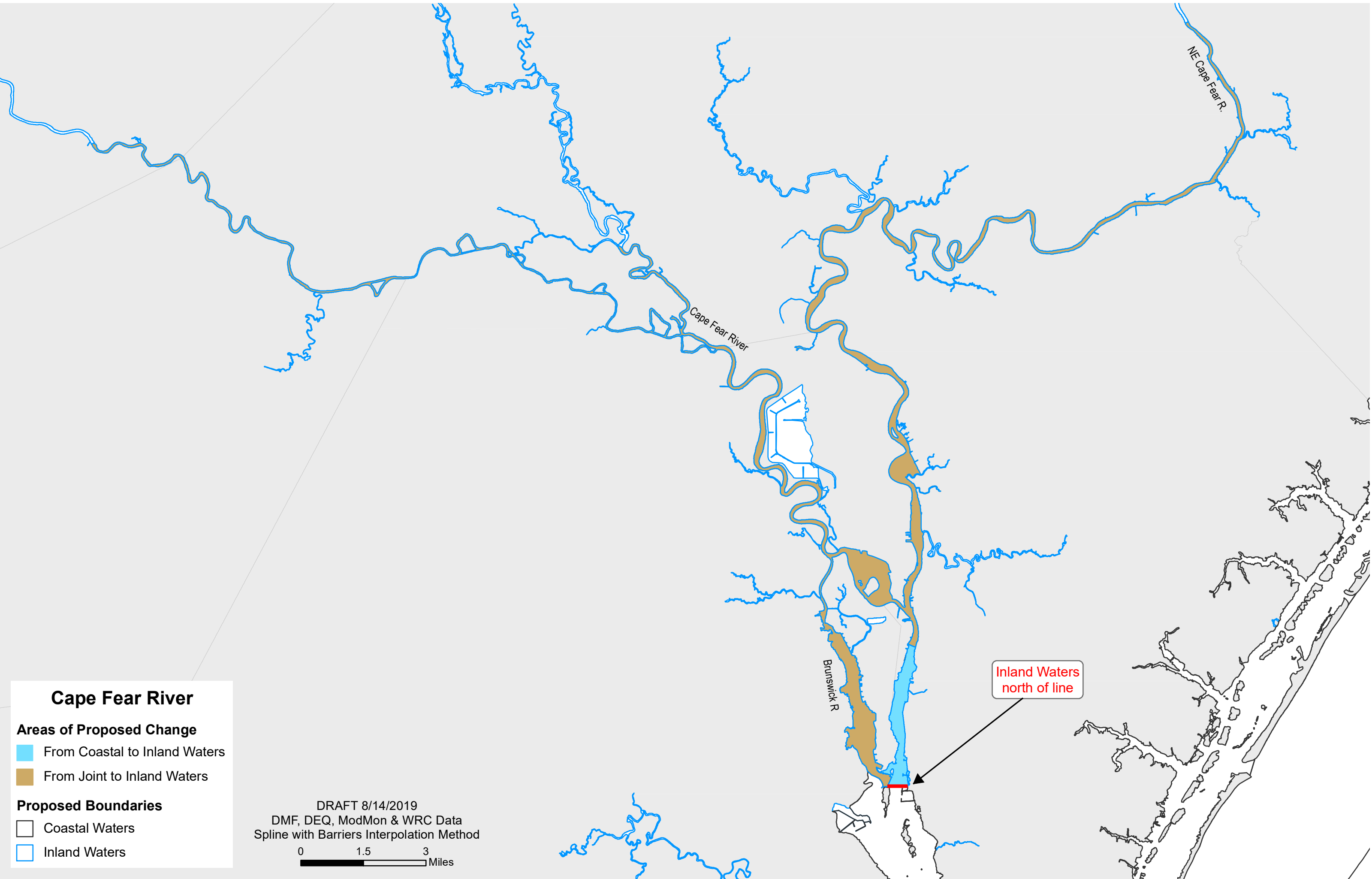
- Coastal Waters
- Inland Waters

DRAFT 8/14/2019  
DMF, DEQ, ModMon & WRC Data  
Spline with Barriers Interpolation Method



Inland Waters  
north of line





### Cape Fear River

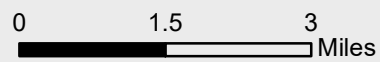
#### Areas of Proposed Change

- From Coastal to Inland Waters
- From Joint to Inland Waters

#### Proposed Boundaries

- Coastal Waters
- Inland Waters

DRAFT 8/14/2019  
 DMF, DEQ, ModMon & WRC Data  
 Spline with Barriers Interpolation Method



Inland Waters  
north of line

# **EXHIBIT F**

**August 29, 2019**



## **Temporary Rulemaking Request to Propose Text 10L .0101 Wildlife Reserve**

### **Title 15A NCAC 10L .0100 Wildlife Conservation Land Program**

Session Law 2018-95 extended the present-use value classification and treatment to land that is actively and regularly used as a reserve for hunting, fishing, shooting, wildlife observation, or wildlife activities. This change is effective for taxes imposed for taxable years beginning on or after July 1, 2019. A temporary rule is necessary to provide guidance to landowners seeking to classify land under the new qualifying land uses. Subchapter 10L is being created to house all rules pertaining to the Wildlife Conservation Land Program.

### **10L .0101 Wildlife Reserve**

This rule lists qualifying habitat types and defines qualifying activities for land created and maintained to propagate a sustaining breeding, migrating, or wintering population of indigenous wild animals for human use, including food, medicine, or recreation.

*15A NCAC 10L .0101 (pages 2-3)*

1 Note: The Wildlife Resources Commission requests adding a new Subchapter to Chapter 10 of Title 15A of the  
2 Administrative Code and that it be titled as follows: Subchapter 10L Wildlife Conservation Land Program.

3  
4 15A NCAC 10L .0101 is proposed for adoption under temporary procedures as follows:  
5

6 **15A NCAC 10L .0101 WILDLIFE RESERVE.**

7 (a) A wildlife reserve is a type of wildlife conservation land that meets the size and ownership requirements in GS  
8 105-277.15 and where the conditions in Paragraphs (b) and (c) of this Rule are met and maintained by the owner under  
9 a written Wildlife Habitat Conservation Agreement with the NC Wildlife Resources Commission that is submitted by  
10 the landowner to the county where an application for reduced property tax assessment is requested.

11 (b) Qualifying habitat shall be planned for or exist as, and be maintained as one or more of the following natural  
12 community types:

13 (1) aquatic and wetland communities

14 (A) coldwater systems less than 20°C;

15 (B) coolwater systems greater than 20°C, less than 25°C;

16 (C) warmwater systems greater than 25°C;

17 (D) headwaters and small creek communities less than 40 square mile drainage area;

18 (E) large creeks and small river communities 40 to 200 square mile drainage area;

19 (F) medium river communities 200 to 3,800 square mile drainage area;

20 (G) large river communities greater than 3,800 square mile drainage area;

21 (H) stream swamp systems;

22 (I) natural lakes;

23 (J) reservoirs and impoundments;

24 (K) groundwater, springs, and subterranean water;

25 (L) estuarine aquatic communities;

26 (M) bogs and fens;

27 (N) estuarine wetland communities;

28 (O) floodplains - blackwater, brownwater, or inland systems;

29 (P) freshwater tidal wetlands;

30 (Q) nonalluvial mineral wetlands;

31 (R) pocosins;

32 (S) upland pools and depressions;

33 (T) upland seepages and spray cliffs; or

34 (U) wet pine savannas.

35 (2) upland communities

36 (A) caves and mines;

37 (B) cove forests;

- 1           (C) dry coniferous woodlands including loblolly and slash pine timberlands;
- 2           (D) dry longleaf pine communities;
- 3           (E) grass and heath balds;
- 4           (F) high-elevation cliffs and rock outcrops;
- 5           (G) low elevation flatrocks, cliffs, and rock outcrops;
- 6           (H) mafic glades and barrens;
- 7           (I) maritime forests;
- 8           (J) maritime grasslands;
- 9           (K) mesic forests;
- 10          (L) oak and mixed hardwood and pine forests;
- 11          (M) montane oak forests;
- 12          (N) northern hardwood forests;
- 13          (O) sand, shell, and wrack shorelines;
- 14          (P) spruce - fir forests; or
- 15          (Q) herbaceous, shrub, and woody successional communities.

16 (c) At least three of the following activities shall be maintained on the land as agreed upon in the written Wildlife  
17 Habitat Conservation Agreement:

- 18          (1) “supplemental food” is annual or perennial noninvasive plantings that provide a direct or indirect  
19             source of food or nutrition for wildlife resources.
- 20          (2) “supplemental water” includes natural and artificial water features or sources that are created or  
21             installed for the benefit of wildlife resources.
- 22          (3) “supplemental shelter” is natural or artificial structures that are created or installed to provide shelter  
23             from the weather, nesting sites, or escape cover from predators. Supplemental shelter may include  
24             the addition of natural or artificial structures into aquatic habitats.
- 25          (4) “habitat control” is managing upland, wetland, riparian, or aquatic vegetation or physical aquatic  
26             habitat using practices to establish, restore, enhance, or maintain the natural community type(s)  
27             listed in Paragraph (b) of this Rule.
- 28          (5) “erosion control” is the implementation of practices to prevent, reduce, or minimize soil erosion.  
29             Practices may include streambank and in-stream channel stabilization. Practices established for  
30             erosion control shall not be known to harm wildlife or include invasive plant species.
- 31          (6) “predator control” is a practice implemented to reduce the abundance of a species or suite of species  
32             that preys on any life stage of wildlife species for which the land is managed. Predator control  
33             includes removal of invasive animal species to manage or protect wildlife or wildlife habitats.
- 34          (7) “census of animal population on the land” is conducting or participating in periodic surveys and  
35             inventories to determine the presence, number, composition, biological condition, or human use of  
36             wildlife.

# EXHIBIT G

August 29, 2019



## Proposed changes to 10H .0900 Game Bird Propagators Recommended by Agency Staff for Final Adoption.

### **Title 15A NCAC 10H .0900 Game Bird Propagators**

These rules are part of the 2016 periodic review. Rules 10H .0901, .0903, and .0904 were determined to be “necessary with substantive public interest” and need to be readopted. The remaining Rules, 10H .0905 through .0907 were determined to be “necessary without substantive public interest” and therefore are not required to be readopted but are proposed for amendment to make minor updates to language and references.

#### **10H .0901**

Updated to clarify rule language, remove repetitive language, incorporate required application information and incorporate technical changes.

*15A NCAC 10H .0901 Game Bird Propagation License (page 2)*

#### **10H .0903**

Updated to clarify rule language, remove repetitive language, and incorporate technical changes. Title updated to include the term “game birds” for consistency.

*15A NCAC 10H .0903 Acquisition of Birds or Eggs (page 3)*

#### **10H .0904**

Updated to clarify rule language, remove repetitive language and incorporate technical changes. Title updated to include the term “game birds” for consistency.

*15A NCAC 10H .0904 Disposition of Birds or Eggs (page 4-5)*

#### **10H .0905**

Updated to clarify rule language, remove repetitive language and incorporate technical changes.

*15A NCAC 10H .0905 Transportation (page 6)*

#### **10H .0906**

Updated to clarify rule language, remove repetitive language and incorporate technical changes.

*15A NCAC 10H .0906 Records (page 7)*

#### **10H .0907**

Updated to clarify rule language, remove repetitive language and incorporate technical changes.

*15A NCAC 10H .0907 Quail Call-Pen Traps (page 8)*



1 **15A NCAC 10H .0901 GAME BIRD PROPAGATION LICENSE**

2 (a) The game bird propagation license ~~authorizes~~ shall authorize the purchase, possession, propagation, sale,  
3 ~~transportation~~ transportation, transfer, and release of propagated upland game birds, except wild turkey, and migratory  
4 game birds and their eggs, subject to the following limitations and conditions:

- 5 (1) The sale of dead pen-raised quail for food is governed by the regulations of the North Carolina  
6 Department of Agriculture; and  
7 (2) The purchase, possession, sale, transportation, and transfer of migratory game birds and their eggs  
8 is subject to additional requirements ~~contained~~ in Title 50 of the Code of Federal Regulations.  
9 (3) ~~No propagation license shall be issued for wild turkeys.~~

10 (b) Application for a game bird propagation license shall be made on a form available from the Commission at  
11 www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576.

12 Information required from the applicant shall include:

- 13 (1) The applicant's name, mailing address, residence address, telephone number, and date of birth;  
14 (2) The facility site address;  
15 (3) Any organizational affiliation, if applicable; and  
16 (3) The species of animal to be propagated.

17 (c) The game bird propagation license shall be conspicuously posted and displayed at the propagation facility at all  
18 times.

19  
20 *History Note: Authority G.S. 106-549.94; 113-134; 113-273; 50 C.F.R., Part 21;*  
21 *Eff. January 1, 1981;*  
22 *Amended Eff. July 1, 1988; July 1, 1987;*  
23 *Temporary Amendment Eff. July 1, 2001;*  
24 *Amended Eff. June 1, 2005; July 18, ~~2002~~, 2002;*  
25 *Readopted Eff. November 1, 2019.*  
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1 **15A NCAC 10H .0903 ACQUISITION OF GAME BIRDS OR GAME BIRD EGGS**

2 ~~(a) A game bird propagator license under this Section~~ propagation license holder shall not take ~~no~~ game birds or game  
3 bird eggs from the wild for the purpose of propagation or ~~sale,~~ sale. ~~but~~

4 ~~(b) License holders~~ may purchase or acquire live game birds, or the eggs thereof, birds or game bird eggs from ~~any~~  
5 other licensed game bird ~~propagator.~~ propagators. ~~Upon such acquisition, he~~

6 ~~(c)The license holder~~ shall obtain ~~a copy~~ of a receipt or other written evidence of the transaction showing the date, ~~the~~  
7 ~~names~~ names, and license numbers of both ~~parties, and parties as well as~~ the species and quantity of the game birds,  
8 ~~or eggs, so~~ birds or game bird eggs acquired. This receipt shall be retained by the licensee as ~~part of his records~~ license  
9 holder as provided by Rule .0906 of this Section.

10  
11 *History Note: Authority G.S. 113-134; 113-273;*  
12 *Eff. January 1, ~~1981-1981~~;*  
13 *Readopted Eff. November 1, 2019.*  
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1 **15A NCAC 10H .0904 DISPOSITION OF GAME BIRDS OR GAME BIRD EGGS**

2 (a) ~~Diseased Birds. No game bird propagator licensed under this Section shall~~ It shall be unlawful for a game bird  
3 propagation license holder to knowingly sell or otherwise transfer possession of any live game bird that shows  
4 evidence of any a communicable disease, except that such transfer may be made for transfers to a veterinarian or  
5 pathologist for examination and ~~diagnosis.~~ diagnostic purposes. Disposition of any game bird ~~having with~~ a  
6 communicable disease in a manner not likely to infect wild game bird populations is ~~shall be~~ the responsibility of the  
7 licensee. ~~license holder.~~

8 (b) Sale of Live Birds or Eggs. Subject to the limitations set forth in Rule .0901 of this Section, any ~~healthy~~ game  
9 birds ~~which that~~ are authorized to be propagated under this Section, or the eggs thereof, may be sold or transferred  
10 alive by any a licensed game bird propagator to any other another licensed game bird propagator. propagator or  
11 ~~Licensed game bird propagators may also sell or transfer healthy live game birds to~~ licensed controlled shooting  
12 preserve operators operator or to any person ~~who that~~ holds a valid state license or permit to possess the same. that  
13 authorizes possession.

14 (c) Receipt Required. Upon ~~any such~~ sale or transfer, a written receipt or other written evidence of the transaction  
15 shall be prepared in duplicate showing the date, the names and license or permit numbers of both parties, and the  
16 species and quantity of the game birds or game bird eggs transferred. A copy of ~~such the~~ receipt ~~or writing~~ shall be  
17 retained by each of the parties ~~as a part of his records~~ as provided by Rule .0906 of this Section.

18 (d) Bird Marking. Any live migratory waterfowl sold or transferred to any person for use in training retrievers or  
19 conducting retriever trials ~~must~~ shall be marked by one of the methods provided by ~~50 C.F.R. 21.13.~~ 50 CFR 21.13.  
20 ~~Each pheasant~~ All other domestically raised game birds sold or transferred for such the same purposes shall be banded  
21 prior to the transfer with a metal leg band which is shall be individually marked on one leg with a band imprinted with  
22 the number of the propagator's license. ~~license number.~~

23 (e) (e) Sale of Dead Game Birds as Food. Subject to ~~the limitations and conditions indicated in~~ Rule .0901 of this  
24 Section and to any applicable laws and regulations relating to pure foods, public ~~health~~ health, and advertising,  
25 game birds produced by licensed game bird propagators ~~licensed under this Section~~ may be killed at any time in any  
26 manner, except by shooting during the closed ~~season on the species concerned, and~~ season. Dead game birds, except  
27 for dead pen-raised quail, and game bird eggs may be sold for food purposes as provided by the following  
28 Subparagraphs: ~~as follows:~~

29 (1) Sale Direct to Consumer. Unprocessed dead game birds may be sold directly to a consumer when  
30 accompanied by a receipt showing the name of the consumer, the name and license number of the  
31 propagator, and the quantity and species of the game birds sold. A copy of ~~such the~~ receipt shall be  
32 retained by the ~~propagator as part of his records.~~ propagator for at least one year after the transaction.  
33 No such bird shall be resold by any such consumer. It shall be unlawful for the consumer to resell  
34 unprocessed dead game birds.

35 (2) Sale to or Through a Processor.  
36 (A) Unprocessed dead Game game birds may be sold to any a commercial food processor ~~who~~  
37 that holds a permit to possess them or delivered transferred to such a commercial food  
38 processor for processing and packaging prior to sale. In either case, the transfer Sale or

1 transfer shall be evidenced by a duplicate receipt- written receipt retained by each party for  
2 a year after the sale or transfer, that includes the following information:

3 (i) identifying the processor by- the processor's name and permit number and  
4 number;

5 (ii) the propagator by- propagator's name and license number, number; and

6 (iii) indicating the number and species of game birds transferred- sold or transferred.

7 A copy of such receipt shall be retained by each of the parties as part of his records.

8 (B) The processed carcasses of the birds Game bird carcasses processed by a commercial food  
9 processor for wholesale or retail sale shall be enclosed in a wrapper or container marked  
10 with the following:

11 (i) the number and species of game birds contained;

12 (ii) the license number of the propagator; and

13 (iii) the words "domestically raised".

14 on the outside of which is indicated the number and species of birds contained, the license number  
15 of the propagator, and the fact that such birds were domestically raised. When so packaged, such  
16 processed game birds may be sold at wholesale or at retail through ordinary channels of commerce.  
17 This Paragraph does not apply to dead quail marketed for food purposes under the regulations of the  
18 North Carolina Department of Agriculture.

19 (3) The eggs of propagated game birds may Propagated game bird eggs shall not be sold for food or  
20 food purposes.

21  
22 *History Note: Authority G.S. 113-134; 113-273; 50 C.F.R., Part 21.13;*  
23 *Eff. January 1, 1981;*  
24 *Amended Eff. August 1, 2010; May 1, 2008; June 1, 2005-2005;*  
25 *Readopted Eff. November 1, 2019.*  
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1 **15A NCAC 10H .0905 TRANSPORTATION**

2 (a) Live Game Birds or Game Bird Eggs

3 (1) Private Carriers. Live propagated game birds or ~~the eggs thereof~~ game bird eggs may be transported  
4 by private carrier when accompanied by a copy of ~~the receipt required by~~ specified in Rule Rules  
5 .0903 or Rule .0904(b) or (c)(2) .0904 of this Section.

6 (2) Common Carriers. When live propagated game birds or ~~the eggs thereof~~ game bird eggs are  
7 transported by common carrier, each separate container shall be tagged or labeled ~~to show with~~  
8 the name, ~~address~~ address, and license number of the shipping ~~propagator,~~ propagator; the name,  
9 ~~address~~ address, and license or permit number of the ~~consignee,~~ consignee; and the number and  
10 species of game birds or game bird eggs contained therein.

11 (b) Dead Game Birds

12 (1) Private Consumers. Unprocessed dead game birds may be transported by consumers or hunters  
13 when accompanied by a ~~copy of the~~ receipt from a licensed game bird propagator required by Rule  
14 ~~.0904(e)(1) .904(e)(1)~~ of this Section or by a copy of the receipt from a controlled shooting preserve  
15 operator ~~as~~ required by 15A NCAC 10H .0105.

16 (2) Processed Game Birds. The carcasses of processed propagated game birds other than quail may be  
17 transported in any manner when packaged in a wrapper or container marked as required by Rule  
18 ~~.0904(e)(2) .0904(e)(2)~~ of this Section.

19 *History Note:* Authority G.S. 113-134; 113-273;  
20 Eff. January 1, 1981;  
21 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December  
22 6, ~~2016-2016~~;  
23 Amended Eff. November 1, 2019.

1 **15A NCAC 10H .0906 RECORDS**

2 ~~Each licensed~~ (a) Licensed game bird propagator propagators shall maintain a ~~chronological~~ file of receipts by  
3 ~~calendar-year or copies thereof showing~~ with the following information:

- 4 (1) ~~The~~ dates and sources of acquisition of game birds and ~~their eggs and~~ game bird eggs;
- 5 (2) ~~the~~ The species and quantities ~~thereof of the game birds and game bird eggs~~, as required by Rule  
6 .0903 of this ~~Section, Section; and~~
- 7 (3) ~~a chronological file of copies of receipts~~ Receipts showing all transfers of propagated game birds,  
8 except dead quail sold for food purposes, and ~~their game bird~~ eggs as required by Rule .0904 of this  
9 Section.

10 ~~Such records shall be segregated as to each license year,~~

11 (b) ~~Records shall be made available for inspection by any authorized agent at the request of the Wildlife Resources~~  
12 ~~Commission, and Commission.~~

13 (c) ~~Records shall be retained for at least one year following the close of the~~ license year to which they pertain.

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

15 *Eff. January 1, 1981;*

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

18 *Amended Eff. November 1, 2019.*

1 **15A NCAC 10H .0907 QUAIL CALL-PEN TRAPS**

2 Any licensed game bird propagator who raises quail and who wishes to release live pen raised quail on his premises  
3 for dog training purposes may use quail call pen traps for the purpose of recovering such quail subject to the following  
4 ~~restrictions:~~ Licensed game bird propagators that raise and release pen-raised quail on his or her property for dog  
5 training shall be authorized to use quail call-pen traps to recover released quail, subject to the following requirements:

- 6 (1) All traps shall have a weather-resistant permanent tag attached with the propagator's name and  
7 address written ~~legibly on it;~~ legibly;
- 8 (2) No ~~such~~ trap shall be located ~~with~~ within 100 yards of any ~~outside~~ boundary of the ~~premises;~~  
9 property; and
- 10 ~~(3) All quail released for dog training shall be banded; and~~
- 11 ~~(4)(3)~~ (3) No trapped, unbanded quail ~~caught in any such trap~~ shall be retained.

12  
13 *History Note: Authority G.S. 113-134; 113-273; 113-291.1;*

14 *Eff. January 1, 1981;*

15 *Amended Eff. May 1, 2009; July 1, 1987;*

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

18 *Amended Eff. November 1, 2019.*

# EXHIBIT H

August 29, 2019



## Proposed changes to 10H .1100 Furbearer Propagation Recommended by Agency Staff for Final Adoption.

### **Title 15A NCAC 10H .1000 Furbearer Propagation**

These rules are part of the 2016 periodic review. Rule 10H .1106 was determined to be “necessary with substantive public interest” and needs to be readopted. Rules 10H .1101, .1104, and .1107 are proposed for amendment to make technical and terminology changes. Rules .1102, .1103, .1105, and .1108 are proposed for repeal; substantive provisions of these Rules have been incorporated into the remaining furbearer propagation rules.

### **10H .1101**

Updated to clarify rule language, remove repetitive language, incorporate requirements from 10H .1102 and .1103, and incorporate technical changes to text. Title updated to clarify that this rule is specific to furbearer propagation licenses.

*15A NCAC 10H .1101 Application for License (page 3)*

### **10H .1102**

Proposing repeal of rule as requirements pertaining to authorized activities have been incorporated into 10H .1101.

*15A NCAC 10H .1102 License Authorization (page 4)*

### **10H .1103**

Proposing repeal of rule as requirements pertaining to display of the license have been incorporated into 10H .1101.

*15A NCAC 10H .1103 Posting and Display of License (page 5)*

### **10H .1104**

Updated to clarify rule language, remove repetitive language, incorporate rule language from 10H .1105, provide more specific detail to caging and care requirements and incorporate technical changes to text. Title updated to include minimum standards and care.

*15A NCAC 10H .1104 Cages (page 6-7)*

### **10H .1105**

Proposing repeal of rule as information pertaining to animal care has been incorporated into 10H .1104. *15A NCAC 10H .1105 Sanitation and Care (page 8)*



**10H .1106**

Updated to clarify rule language, remove repetitive language and incorporate technical changes.  
*15A NCAC 10H .1106 Humane Treatment (page 9)*

**10H .1107**

Updated to clarify rule language, incorporate rule language from 10H .1108, and incorporate technical changes. Title updated to include Inspections.  
*15A NCAC 10H .1107 Records (page 10)*

**10H .1108**

Proposing repeal of rule as information pertaining to inspection of facilities has been incorporated into 10H .1107.  
*15A NCAC 10H .1108 Inspections (page 11)*

1 **15A NCAC 10H .1101 APPLICATION FOR LICENSE ~~FURBEARER PROPAGATION LICENSE~~**

2 Application for a license to propagate any species of furbearing animal or red foxes (*Vulpes vulpes*, including all color  
3 phases) for use as fur shall be made to the Wildlife Resources Commission on a form which is available from the  
4 Commission upon request. All pertinent information required on the application form shall be filled in to include the  
5 nature and name of the applying entity, mailing address, telephone number, species of animal to be propagated, and  
6 physical location of the propagation facility. The application must be accompanied by the annual license fee in the  
7 amount of twenty five dollars (\$25.00) and mailed or otherwise delivered to the Wildlife Resources Commission, 512  
8 N. Salisbury Street, Raleigh, North Carolina 27611.

9 (a) The furbearer propagation license shall authorize the propagation of furbearing animals and red foxes, including  
10 all color phases, for use as fur. Furbearer propagation license holders shall be authorized to do the following:

- 11 (1) Breed the species of animal designated on the license;
- 12 (2) Acquire live specimens authorized on the license from permitted ranch-raised breeding stock;
- 13 (3) Raise live specimens for the production of marketable fur;
- 14 (4) Sell domestically produced fur to a licensed fur dealer; and
- 15 (5) Buy and sell live specimens from or to a furbearer propagation license holder, a captivity license  
16 holder, or a licensed non-resident producer of ranch-raised breeding stock.

17 (b) Application for a furbearer propagation license shall be made on a form available from the Commission at  
18 www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576.

19 Information required from the applicant shall include:

- 20 (1) The applicant's name;
- 21 (2) The applicant's residence or mailing address;
- 22 (3) The physical address of the propagation facility;
- 23 (4) The applicant's telephone number; and
- 24 (5) The species of animal to be propagated.

25 (c) The furbearer propagation license shall be conspicuously posted at the propagation facility at all times.

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

27 *Eff. April 1, 1986;*

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

30 *Amended Eff. November 1, 2019.*

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**~~15A NCAC 10H .1102~~ — LICENSE AUTHORIZATION**

~~The furbearer propagation license authorizes the breeding of the species designated thereon, the acquisition of live specimens obtained from lawful sources, the raising of same to maturity for the production of marketable fur, and the selling of domestically produced furs to licensed fur dealers. The furbearer propagation license authorizes the buying and selling of live specimens of the animals from or to a holder of either a furbearer propagation license or a captivity license.~~

*History Note: Authority G.S. 113-134; 113-273;  
Eff. April 1, 1986;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, ~~2016-2016~~;  
Repealed Eff. November 1, 2019.*

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**~~15A NCAC 10H .1103~~ POSTING AND DISPLAY OF LICENSE**

~~The furbearer propagation license shall be conspicuously posted and displayed at the propagation facility at all times during which the facility is in use for the propagation of furbearers.~~

*History Note: Authority G.S. 113-134; 113-273;  
Eff. April 1, 1986;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, ~~2016-2016~~;  
Repealed Eff. November 1, 2019.*

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3 **15A NCAC 10H .1104 CAGES MINIMUM STANDARDS FOR CAGING AND CARE**

4 ~~(a) Types of Cages. Cages for holding the animals being propagated shall be of two types:~~

5 ~~(1)(a)~~ Breeder cages shall be used to hold a pair of animals for breeding and to hold the female and her  
6 litter from the time the litter is born until weaning;

7 ~~(2)(b)~~ Pelter cages shall only be used ~~only~~ to hold single animals.

8 ~~(b) Sizes of Cages. (c)~~ The minimum dimensions of cages in depth (d), width ~~(w)~~ (w), and height (h) measured in  
9 feet shall be as follows depending on the species of animals being held:

10 SPECIES	11 BREEDER CAGE	12 PELTER CAGE
	13 (d x w x h)	(d x w x h)
14 Beaver	3 x 6 x 2.5	3 x 4 x 2.5
15 Bobcat	3 x 6 x 2.5	3 x 4 x 2.5
16 Fox	<del>3 x 6 x 2.5</del> 5.0 x 3.0 x 3.0	<del>2.5 x 4 x 2.5</del> 2.5 x 3.0 x 3.0
17 Mink	<del>2 x 3 x 1.5</del> 2.0 x 0.8 x 1.0	<del>2 x 2 x 1.5</del> 2.0 x 0.5 x 1.0
18 Nutria	3 x 3 x 2.0	3 x 2 x 2.0
19 Opossum	3 x 3 x 2.0	3 x 2 x 2.0
20 Otter	3 x 5 x 1.5	3 x 3 x 1.5
21 Raccoon	3 x 4 x 2.0	3 x 2 x 2.0
22 Skunk	3 x 3 x 1.5	3 x 2 x 1.5
23 Weasel	2 x 2 x 1.5	1 x 2 x 1.5

24  
25 ~~(c) Cage Construction. The cages must be sturdily constructed of appropriate materials sufficient to retain the animals~~  
26 ~~without tethers or chains, which may be used to restrain the animals only during the transfer of the animals from one~~  
27 ~~cage to another. Cages must be provided with den areas in which the animals can retire from view and which are large~~  
28 ~~enough to permit the animals to turn around and lie down.~~

29 ~~(d) Cage Arrangement. All cages must be maintained within a larger escape proof enclosure that must also be~~  
30 ~~designed to prevent access by domestic dogs and cats. The cages must provide protection of the animals from excess~~  
31 ~~exposure to the sun and inclement weather. The cages must be solidly based at least two feet above ground or floor~~  
32 ~~level to facilitate cleaning.~~

33 (d) Each license holder shall comply with the following general cage requirements:

34 (1) cages shall be constructed of non-toxic, corrosion-resistant materials sufficient to retain animals  
35 without tethers or chains;

36 (2) cages shall have a den area large enough for all the animals in that cage to turn around and lie down;

37 (3) cages shall be housed in an area that provides protection from direct sunlight, precipitation, wind,  
38 and other weather conditions;

39 (4) cages shall be designed to minimize extreme heat build-up and provide sufficient light to maintain  
40 the animal's circadian rhythms;

41 (5) caging shall be ventilated;

42 (6) cages shall be solidly based at least two feet above ground or floor level to facilitate cleaning;

1           (7) cages shall be arranged in rows to allow visual and physical inspection of all areas and all species  
2           and to allow space for operations and cleaning; and

3           (8) a perimeter fence shall be maintained around the housing area and shall include a dig barrier  
4           designed to prevent escape and access by domestic and wild animals.

5 (e) Each license holder shall comply with the following general care requirements:

6           (1) water: clean drinking water shall be provided. All pools, tanks, water areas, and water containers  
7           provided for swimming, wading, or drinking shall be clean. Enclosures shall provide drainage for  
8           surface water and runoff;

9           (2) sanitation: water disposal and waste disposal shall be in accordance with all applicable local, State,  
10           and federal laws.

11           (3) food: food shall be of a type and quantity that is appropriate for the particular species and shall be  
12           provided in an unspoiled and uncontaminated condition; and

13           (4) waste: fecal and food waste shall be removed from inside, under, and around enclosures and  
14           disposed of in a manner that prevents noxious odors or pests

15           (5) ectoparasites: a program for the control of ectoparasites and vermin shall be established and  
16           maintained. Methods to control insects shall be employed and only EPA approved insecticides shall  
17           be used. Biological pest control methods may be used where appropriate.

18  
19 *History Note: Authority G.S. 113-134; 113-273;*  
20 *Eff. April 1, 1986;*  
21 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*  
22 *6, 2016-2016;*  
23 *Amended Eff. November 1, 2019.*

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~~15A NCAC 10H .1105 — SANITATION AND CARE~~

~~Clean water must be made available to the animals at all times. Fresh food shall be provided daily. An effective program for control of insects, ectoparasites, and odor shall be established and maintained.~~

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

*Eff. April 1, 1986;*

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

*Repealed Eff. November 1, 2019.*

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**15A NCAC 10H .1106 HUMANE TREATMENT**

~~No act or omission shall be allowed to occur nor any circumstance to continue which shall result in the infliction of unnecessary harassment or physical discomfort on any furbearing animals or fox. Animals shall be observed daily for signs of poor health or injury. Animals that are visibly sick, injured, in pain or suffering shall be provided prompt medical care or euthanized as soon as possible. The killing euthanization of the animal in preparation for marketing the fur shall be by a method which is quick and effective to the end that the animal is not subjected to prolonged harassment or physical abuse. designed to cause minimal distress and pain as well as rapid, irreversible loss of consciousness and cardiac arrest. The license holder shall confirm death by ensuring respiration has ceased.~~

*History Note: Authority G.S. 113-134; 113-273;  
Eff. April 1, 1986-1986;  
Readopted Eff. November 1, 2019.*



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**15A NCAC 10H .1107 RECORDS AND INSPECTIONS**

(a) The licensee Furbearer propagation license holders shall maintain accurate records reflecting records containing the following information:

- (1) the numbers and species of furbearing animals or foxes ~~acquired,~~ acquired;
- (2) the dates and sources of ~~acquisition,~~ acquisition;
- (3) the numbers of animals produced by breeding and the numbers successfully raised for ~~market,~~ market; and
- (4) the numbers of animals or pelts sold or otherwise disposed ~~of of, together with~~ the dates of ~~disposition~~ disposition, and the identities of the ~~recipients~~ recipients, if sold alive.

~~Such records shall be maintained on a calendar year basis concurrent with the license year and shall be retained on the licensed premises for at least one year following the year to which they pertain.~~

(b) The records required by this Rule shall be maintained by calendar-year and shall be retained for at least one year following the end of the calendar year to which they pertain. The records required pursuant to this rule shall be available for inspection at the request of the Commission.

(c) Representatives of the Commission shall be permitted to enter the premises of a license holder's furbearer propagation facility upon request or during business hours for inspection, enforcement, or scientific purposes.

*History Note: Authority G.S. 113-134; 113-273;  
Eff. April 1, 1986;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, ~~2016-2016~~;  
Amended Eff. November 1, 2019.*

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**~~15A NCAC 10H .1108~~ — INSPECTIONS**

The records required by Rule .1107 of this Section and the physical facilities of the licensee shall be made available for inspection by authorized agents of the Wildlife Resources Commission at any time during business hours.

*History Note: Authority G.S. 113-134; 113-273;  
Eff. April 1, 1986;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, ~~2016-2016~~;  
Repealed Eff. November 1, 2019.*

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# EXHIBIT I

August 29, 2019



## **Proposed changes to 10H .1300 Reptiles & Amphibians Recommended by Agency Staff for Final Adoption.**

### **Title 15A NCAC 10H .1300 Reptiles and Amphibians**

Technical and clarifying changes are proposed for both subsections. These rules have not been amended since 2009.

#### **10H .1301**

Updated to clarify restrictions and allowances for commercial take of certain turtles. Removed the word terrapins from title and rule text to accurately reflect native turtles. Clarify that native turtles cannot be bought or sold except snapping turtles with a curved carapace length of 11 inches or greater. Incorporated technical changes to text.

*15A NCAC 10H .1301 Commercial Take of Certain Turtles Prohibited (page 2)*

#### **10H .1302**

Updated to clarify rule language, remove repetitive language and incorporate technical changes. Removed the word terrapins from rule text to accurately reflect native turtles.

*15A NCAC 10H .1302 Possession of Reptiles and Amphibians (page 3-4)*

1 **15A NCAC 10H .1301 COMMERCIAL TAKE OF CERTAIN TURTLES AND TERRAPINS**  
2 **PROHIBITED**

3 (a) For the purposes of this Rule, "commercial taking" means the taking, possession, collection, transportation,  
4 purchase or sale of five or more individual turtles or any turtle part, per person in a calendar year. It is unlawful to  
5 engage in the commercial taking of any native turtle or terrapin species in the families Emydidae or Trionychidae,  
6 except the public may obtain possession permits from the Wildlife Resources Commission for possession,  
7 transportation, purchase or sale of these turtles and terrapins as described pursuant to Rule .1302 of this Section.

8 (b) For purposes of this Rule, "commercial taking" is defined as the taking, possession, collection, transportation,  
9 purchase or sale of five or more individual turtles or terrapins, or any part thereof, per person in any given year. It  
10 shall be unlawful to engage in the commercial taking of any native turtle species in the families Emydidae or  
11 Trionychidae.

12 (c) The prohibition on collection in this Rule shall not apply to the following:

- 13 (1) A licensed veterinarian when holding for purposes of medical treatment;
- 14 (2) A holder of a valid ~~rehabilitation~~ captivity permit for the purposes of rehabilitation;
- 15 (3) A publicly-financed zoo, scientific research facility or institution of higher education, or any state  
16 or federal agency;
- 17 (4) Any person who accidentally collects five or more turtles ~~or terrapins~~ incidental to any lawful  
18 activity, and who immediately returns them to the wild; or
- 19 (5) Property owners who legally apply for and receive depredation permits from the Wildlife Resources  
20 Commission, or one of its Wildlife Damage Control Agents.

21 ~~(d) Any person who was in lawful possession of five or more native turtles or terrapins in aggregate at the time of the~~  
22 ~~effective date of this Rule shall apply for a possession permit to retain them. The permit to retain these animals shall~~  
23 ~~be applied for before January 1, 2008. No native turtles or terrapins turtle shall be purchased or sold without a permit.~~  
24 ~~Permittees are subject to all requirements and conditions described in Rule .1302 of this Section. sold, except snapping~~  
25 ~~turtles (Chelydra serpentina) with a curved carapace length of 11 inches or greater.~~

26 (e) Violators are subject to a replacement cost per individual turtle that shall equal the replacement cost for "species  
27 with no open season" as set forth in 15A NCAC 10B.0117(c) until such time as replacement costs for each genus of  
28 turtle in these families is established by the Wildlife Resources Commission.

29  
30 *History Note: Authority G.S. 113-333(a)(6);*

31 *Eff. May 1, 2007;*

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

34 *Amended Eff. November 1, 2019.*

1 **15A NCAC 10H .1302 POSSESSION OF REPTILES AND AMPHIBIANS**

2 (a) ~~Permits required.~~ Possession permits are required for the possession, importation, transportation, purchase, and  
3 sale of:

- 4 (1) 25 or more individuals of any combination of native amphibian species; or
- 5 (2) five or more individuals of native reptile species.

6 (b) ~~Permits not required.~~ Possession permits ~~are not~~ shall not be required for the possession, importation,  
7 transportation, purchase, and sale of:

- 8 (1) 24 or fewer individuals of any combination of native amphibian species; or
- 9 (2) four or fewer individuals of native reptile species, ~~except snapping turtles (Chelydra serpentina) less~~  
10 ~~than 11 inches (curved carapace length) shall not be possessed. Individuals in possession of snapping~~  
11 ~~turtles (Chelydra serpentina) less than 11 inches (curved carapace length) prior to May 1, 2017 are~~  
12 ~~exempt from this restriction. species.~~

13 (c) ~~Unauthorized activities.~~ Nothing in this Rule shall be construed to authorize the collection of any wildlife resources  
14 from the wild or the taking, possession, transportation, sale, purchase, or release to the wild of any wildlife resources  
15 or their parts in violation of State or federal laws or regulations.

16 (d) At no time shall permitted animals be released to the wild, except under situations of research or rehabilitation  
17 with written permission from the Wildlife Resources Commission.

18 (e) The sale of native turtles shall be unlawful, except for snapping turtles (Chelydra serpentina) with a curved carapace  
19 length of 11 inches or greater.

20 (d) ~~Denial of possession permits. Circumstances for which, and persons to whom a~~ (f) A possession permit shall not  
21 be issued ~~include: for:~~

- 22 (1) ~~for the purpose of~~ holding reptiles and amphibians that were acquired unlawfully;
- 23 (2) ~~for the purpose of~~ holding reptiles and amphibians for unlawful sale or trade;
- 24 (3) ~~for the purpose of possessing or selling~~ snapping turtles (Chelydra serpentina) less than 11 inches  
25 (curved carapace length) length, ~~however, individuals in possession of snapping turtles (Chelydra~~  
26 ~~serpentina) less than 11 inches (curved carapace length) prior to May 1, 2017 are exempt from this~~  
27 ~~restriction;~~
- 28 (4) ~~to persons who collect~~ collecting five or more individual native turtles ~~or terrapins~~ from the families  
29 Emydidae or Trionychidae from the wild in a given year, except those entities exempted from  
30 collection in Paragraph (c) of Rule .1301 of this Section;
- 31 (5) ~~to persons who collect~~ collecting five or more individuals in aggregate from other native reptile  
32 families or 25 or more individual amphibians from the wild in a given year without first having  
33 secured a valid Collection License;
- 34 (6) ~~to persons~~ individuals found to be in violation of Collection License, Endangered Species Permit,  
35 or Possession Permit requirements as provided in 15A NCAC 10B .0119, 10I .0100, and 10H .1300.
- 36 (7) ~~to persons~~ individuals who do not first obtain possession permits prior to acquiring the following  
37 wildlife resources ~~unless the acquisition of these animals was made prior to May 1, 2007 and a~~  
38 ~~permit was acquired within 12 months of that date:~~ resources:

- 39 (A) 25 or more individuals of any combination of native amphibian species; or

1 (B) five or more individuals of native reptile species.

2 ~~(e) Term of Permit.~~ (g) The permit shall be valid from January 1 through December 31 of the applicable year.

3 ~~(f) Reports on Permitted Animals. Each individual~~ (h) Individuals permitted under this Rule shall submit a report to  
4 the Wildlife Resources Commission within 15 days following the date of ~~expiration of the permit.~~ permit expiration.

5 The report shall ~~show~~ contain the numbers of each species held under the permit and the use or disposition thereof.

6 ~~The Executive Director may require additional information for statistical purposes such as the source and date of~~  
7 ~~acquisition of additional animals and the sex, size, weight, condition, reproductive success and approximate age of~~  
8 ~~each animal in possession.~~

9 ~~(g) Other Requirements and Restrictions. The Executive Director may, pursuant to G.S. 113-274(e), impose such~~  
10 ~~other requirements and restrictions on persons permitted under this Rule as he may deem to be necessary to the~~  
11 ~~efficient administration of the wildlife conservation statutes and rules.~~

12  
13 *History Note: Authority G.S. 113-274(c)(1c);*

14 *Eff. May 1, 2007;*

15 *Amended Eff. August 1, 2017; May 1, ~~2009~~, 2009;*

16 *Amended Eff. November 1, 2019.*

17  
18  
19  
20

**EXHIBIT J-1**  
**August 29, 2019**



**Fiscal Note Review of**  
**Proposed Wildlife Resources Commission No-Wake Zone Rule**  
**15A NCAC 10F .0340 – Currituck County**

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

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

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

The proposed permanent amendment to 15A NCAC 10F .0340 – Currituck County (APPENDIX 1) will add a no-wake zone in the canals at the Wild Horse Estates Subdivision at Carova Beach, east of the entrance to the canals at Knotts Island Bay.

Currituck County applied for rulemaking to mitigate hazards to boater safety. The multiple canals within Wild Horse Estates Subdivision are very narrow and shallow with many blind turns. The canals become quite congested, especially in the summer when there is increased kayak activity. There are two entrances into the canals from the entrance off Knotts Island Bay at Plover Court.

Currituck County will mark the no-wake zone at an estimated cost of \$3400.00. Currituck County will spend no more than \$400.00 for the Coastal Area Management Act (CAMA) permit that is required under **G.S. § 113A-118** before placing structures in waters in coastal counties. Six 14-inch buoys and anchors and blocks will be purchased at a cost of \$450.00 each, for a total cost of \$2700.00. Two technicians will spend six hours each installing the buoys (12 hours x \$25.00/hr \* = \$300.00).

**State Impact Analysis:** The WRC is responsible for the maintenance of the buoys for the Currituck County no-wake zone at Wild Horse Estates. It is anticipated that the total annual cost to maintain the markers will be no more than \$450.00.

**Local Impact Analysis:** Currituck County will incur the expense of no more than \$3400.00 for the CAMA permit and purchase and placement of the markers for the no-wake zone at the entrance and within the canals at Wild Horse Estates.



**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 in the canals. However, increased boater safety and safety for the recreationists using non-motorized vessels in the canals along with motorized vessels help mitigate any impact on the regulated community.

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

# APPENDIX 1

## 15A NCAC 10F .0340 CURRITUCK COUNTY

- (a) Regulated Areas. This Rule shall apply to the waters described as follows:
- (1) Bell Island. All canals on Bell Island.
  - (2) Walnut Island. All canals in the Walnut Island subdivision in the Village of Grandy.
  - (3) Waterview Shores subdivision. All canals in the Waterview Shores subdivision in the Village of Grandy.
  - (4) Neal's Creek Landing. The waters of Neal's Creek within 50 yards of Neal's Creek Landing at the end of SR 1133, otherwise known as Neals Creek Road.
  - (5) Tull Bay.
    - (A) The waters of the canal off of Tull Bay from its mouth to its end at Tulls Bay Marina, downstream and within the canal leading to Tull's Bay Marina.
    - (B) The canals of the Tulls Bay Colony subdivision in Moyock including the waters 50 yards north along the Mississippi Canal from its intersection with Elizabeth Canal.
  - (6) Wild Horse Estates Subdivision. All canals at Wild Horse Estates Subdivision in Carova, east of the entrance to the canals beginning at a line in Knotts Island Bay from a point on the north shore at 36.51429 N, 75.87646 W to a point on the south shore at 36.51238 N, 75.87761 W.
- (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 Currituck County shall be the designated 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.

*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. May 1, 1982;  
Amended Eff. May 1, 2015; July 1, 1993; January 1, 1991; December 1, 1990; January 1, 1989;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;  
Amended Eff. October 1, 2018.*

# EXHIBIT J-2

August 29, 2019



## APPLICATION FOR RULEMAKING AMENDMENT TO 15A NCAC 10F .0340 – CURRITUCK COUNTY

The Wildlife Resources Commission received a formal application and Resolution from the Currituck County Board of Commissioners on August 6, 2019, requesting consideration of rulemaking for a no-wake zone within the canals at Wild Horse Estates Subdivision at Carova Beach.

Currituck County agreed to purchase and place six no-wake buoys necessary to mark the no-wake zone and to purchase a CAMA permit required in coastal counties. A Fiscal Note (**Exhibit J-1**) detailing the expected expense incurred by a subdivision of the State (Currituck County) as the result of rulemaking was submitted to the Office of State Budget and Management.

Agency Enforcement has investigated the area and returned the Assessment Matrix (Attachment A). Hazards to boater safety were found including shallow water in narrow canals with 90-degree blind turns and diminished sight lines, and heavy recreational activity involving non-motorized vessels, especially during the summer months.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0340, 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 no wake zone.

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

(a) Regulated Areas. This Rule shall apply to the waters described as follows:

- (1) Bell Island. All canals on Bell Island.
- (2) Walnut Island. All canals in the Walnut Island subdivision in the Village of Grandy.
- (3) Waterview Shores subdivision. All canals in the Waterview Shores subdivision in the Village of Grandy.
- (4) Neal's Creek Landing. The waters of Neal's Creek within 50 yards of Neal's Creek Landing at the end of SR 1133, otherwise known as Neals Creek Road.
- (5) Tull Bay.
  - (A) The waters of the canal off of Tull Bay from its mouth to its end at Tulls Bay Marina, downstream and within the canal leading to Tull's Bay Marina.
  - (B) The canals of the Tulls Bay Colony subdivision in Moyock including the waters 50 yards north along the Mississippi Canal from its intersection with Elizabeth Canal.
- (6) Carova Beach. All canals at Wild Horse Estates Subdivision at Carova Beach, east of the entrance to the canals beginning at a line in Knotts Island Bay from a point on the north shore at 36.51431 N, 75.87652 W to a point on the south shore at 36.51238 N, 75.87761 W.

(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 Currituck County shall be the designated 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.

*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. May 1, 1982;  
Amended Eff. May 1, 2015; July 1, 1993; January 1, 1991; December 1, 1990; January 1, 1989;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;  
Amended Eff. October 1, 2018.*

**ATTACHMENT A**



**NO-WAKE ZONE WATER SAFETY HAZARDS MATRIX**

**SECTION 1:**

Name of organization/entity: Currituck County Board of Commissioners

Primary contact information: Leeann Walton, Clerk to the Board 252-232-2075 Ext. 4002

[Leeann.Walton@currituckcountync.gov](mailto:Leeann.Walton@currituckcountync.gov)

Exact location of requested no-wake zone:

Body of water and County: canals off of Knotts Island Bay, Currituck County

Location: Carova Beach, Wild Horse Estates

Popular name of area, if any: Carova Beach Canals

Width of No-Wake Zone: Narrowest Point: 36 ft Widest Point: 670 ft

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) multiple canals within the Wild Horse Estates subdivision at the Carova Beach off-road area. Canals are shallow with many blind turns. There are two entrances into the canals from their beginning, at Plover Court.

---

**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**

Boat traffic enters from Knotts Island Bay at high speeds. Travelling at unregulated speeds through the narrow twisting canals is dangerous. Other canal communities in Currituck County are no-wake zones.

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

YES

NO

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

**SECTION 2:  
PUBLIC SAFETY HAZARD**

What public safety hazard exists? This is a high activity area especially in the summer months, within the proposed no-wake zone there are multiple 90 degree turns as well as narrow channels.

Is this a public swimming or recreational area?

NO

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

NO-WAKE BUOYS

**SECTION 3:  
NAVIGATIONAL HAZARDS**

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

OBSTRUCTIONS  (Identify) \_\_\_\_\_

NARROW CHANNEL  (give approximate width) 73 ft

SHALLOW WATER  (give average depth) Depths vary with some areas as shallow as a foot of water with thick mud.

OBSTRUCTED VISION  (for approximately how great a distance) 10 plus 90 degree turns covering an area approximately 200 ft.

STRUCTURES (Check all applicable)

DAM

SPILLWAY

FLOOD CONTROL STRUCTURE

TRESTLE

POWER LINE

FUELING DOCK

RESTAURANT DOCKS

ACCESS AREA/BOAT LAUNCH

LOCK

JETTY

SUBMERGED STRUCTURE

SANDBAR

SHOAL

PRIVATE DOCKS

BRIDGE

PIER

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 1.5 miles

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed 20 minutes.

**SECTION 5:**

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

=====  
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, during the summer months the traffic level is high.

Does traffic density or ability to maneuver a vessel due to traffic cause safety issues? YES   
NO  Due to the narrowness of the canal it becomes very congested and the 90-degree blind turns cause a hazard.

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

**SECTION 6:**

**OFFICER ASSESSMENT OF WATER SAFETY HAZARDS**

YES:

NO:

Reasons:

Due to the narrowness of the canals within the proposed zone and the number of 90-degree blind curves is a safety concern especially in the high traffic times during the summer months. Within the proposed zone there is also an increase in kayak activity during the summer months with companies running tours.

Officer: Jarrett Culbreth #193

Date:05/09/2019





Proposed Carova Canals  
"No Wake" Zone

 Carova Canals No Wake Zone Area





## COUNTY OF CURRITUCK

### **RESOLUTION SUPPORTING THE ESTABLISHMENT OF A "NO WAKE" ZONE" FOR THE CAROVA BEACH CANAL SYSTEM**

*Whereas*, under authority of Section 15A NCAC 10-F.0340 of the North Carolina Administrative Code, a County may, after public notice, make formal application to the NC Wildlife Resources Commission for special rules and regulation with reference to the safe and reasonable operation of vessels of any water within its territorial limits; and

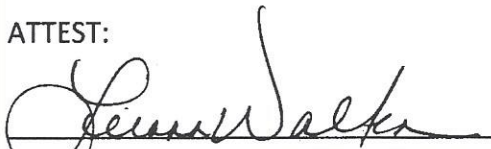
*Whereas*, Currituck County has given public notice of its intention to make a formal application to the Wildlife Resources Commission for special rules and regulation with reference to the safe and reasonable operation of vessels within the Carova Beach Canal System located in Currituck County, North Carolina, the pertinent substance of which proposed regulations is as follows:

To designate a "No Wake" Zone for the following:

The multiple canals that make up the Carova Canal System located within the Carova Beach off-road area and accessible from Knotts Island Bay at Plover Court. The entire canal system will be designated "No Wake" as shown in Exhibit A, attached to this resolution and incorporated by reference.

**Adopted**, this the 5<sup>th</sup> day of August, 2019.

ATTEST:

  
Leeann Walton, Clerk to the Board

  
Bob White, Chairman



# EXHIBIT K-1

August 29, 2019



## Fiscal Note Review of Proposed Wildlife Resources Commission No-Wake Zone Rule 15A NCAC 10F .0306 – Carolina Beach

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

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

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

The proposed permanent amendment to 15A NCAC 10F .0306 – Town of Carolina Beach (APPENDIX 1) will add a no-wake zone along a portion of the Intracoastal Waterway in Myrtle Grove Sound, within approximately 50 yards of the fueling docks at the Oceana Marina, the Carolina Beach Yacht Club and Marina, and the community docks and pier. The U.S. Army Corps of Engineers Wilmington District will concur with placement of a no-wake zone in this portion of the Intracoastal Waterway if it does not extend into the federal channel, approximately 50 yards from the docks and shoreline.

The Town of Carolina Beach applied for rulemaking to mitigate hazards to boater safety. This congested portion of the ICW includes fueling docks at two marinas, a busy community pier, and an area just south of the marinas, across from the Snows Cut Boating Access Area. The channel is narrow; there are diminished sight lines for vessels travelling north and south in the ICW as well as in and out of the Carolina Beach Yacht Basin.

The Town of Carolina Beach will mark the no-wake zone and incur an estimated cost of \$4100.00. The Town will spend no more than \$400.00 for the Coastal Area Management Act (CAMA) permit that is required under **G.S. § 113A-118** before placing structures in waters in coastal counties. Two pilings will be placed for a total cost of \$1200.00, which includes \$600.00 for each piling and labor to install it. Four 19-inch no-wake buoys as well as anchors and blocks will be purchased at a cost of \$550.00 each, for a total cost of \$2200.00. Two technicians will spend six hours each installing the buoys (12 hours x \$25.00/hr \* = \$300.00).

**State Impact Analysis:** The WRC is responsible for the maintenance of the buoys for the Town of Carolina Beach no-wake zone within 50 yards of the marinas on the ICW. It is anticipated that the total annual cost to maintain the buoys will be no more than \$550.00.

**Local Impact Analysis:** The Town of Carolina Beach will incur the expense of no more than \$4100.00 for the CAMA permit and purchase and placement of the markers for the no-wake zone in the vicinity of the Oceana Marina and Carolina Beach Yacht Club and Marina.

**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 on the east side of the Intracoastal Waterway near the marinas. The restricted behavior is offset by the mitigation of hazards to boater safety caused by the presence of fuel docks, congested areas with limited sight lines, and proximity to a boating access area with busy vessel traffic.

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

## APPENDIX 1

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

(a) Regulated Area. This Rule applies to ~~those waters known as 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.~~ the following waters in the Town of Carolina Beach:

(1) Carolina Beach Yacht Basin shore to shore, south of a line from a point on the east shore at 34.05723 N, 77.88894 W to a point on the west shore at 34.05700 N, 77.89089 W; and

(2) a portion of the Intracoastal Waterway in Myrtle Grove Sound within approximately 50 yards of the community pier and docks surrounding marinas at the Oceana Marina and Carolina Beach Yacht Club and extending south of the marinas within approximately 50 yards of the shoreline to the intersection with the no-wake zone at the Carolina Beach Yacht Basin.

(b) Speed Limit. It is unlawful to operate any ~~motorboat or~~ vessel at a ~~speed~~ greater than no-wake speed in the regulated ~~area areas~~ described in Paragraph (a) of this Rule.

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

*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. February 1, 1976;  
Amended Eff. March 1, 1983;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016.*

# EXHIBIT K-2

August 29, 2019



## APPLICATION FOR RULEMAKING AMENDMENT TO 15A NCAC 10F .0306 – CAROLINA BEACH

The Wildlife Resources Commission received a formal application and Resolution from the Town of Carolina Beach on June 11, 2019, requesting consideration of rulemaking for a no-wake zone in an eastern portion of Myrtle Grove Sound in the vicinity of Oceana Marina and Carolina Beach Yacht Club and Marina, extending southward to the intersection of the no-wake zone at the Carolina Beach Yacht Basin.

The Town of Carolina Beach agreed to purchase and place two markers and four buoys necessary to mark the no-wake zone and to purchase a CAMA permit required in coastal counties. A Fiscal Note (**Exhibit K-1**) detailing the expected expense incurred by a subdivision of the State (Town of Carolina Beach) as the result of rulemaking was submitted to the Office of State Budget and Management.

Agency Enforcement has investigated the area and returned the Assessment Matrix (Attachment A). Hazards to boater safety were found including a congested portion of the Intracoastal Waterway (ICW) with fueling docks at two marinas, a busy community pier, and an area just south of the marinas directly across the channel from the Snows Cut Boating Access Area. The channel is narrow and there are diminished sight lines for vessels traveling north and south in the ICW and traveling into and out of the Carolina Beach Yacht Basin.

The U.S. Army Corps of Engineers Wilmington District was consulted and concurs with placement of markers in this portion of the ICW if the no-wake zone does not extend into the federal channel, approximately 50 yards from the docks and eastern shoreline.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0306, 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 no wake zone.

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

(a) Regulated Area. This Rule applies to ~~those waters known as 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.~~ the following waters in the Town of Carolina Beach:

(1) Carolina Beach Yacht Basin shore to shore, south of a line from a point on the east shore at 34.05723 N, 77.88894 W to a point on the west shore at 34.05700 N, 77.89089 W; and

(2) a portion of the Intracoastal Waterway in Myrtle Grove Sound within approximately 50 yards of the community pier and docks surrounding marinas at the Oceana Marina and Carolina Beach Yacht Club and extending south of the marinas within approximately 50 yards of the shoreline to the intersection with the no-wake zone at the Carolina Beach Yacht Basin.

(b) Speed Limit. It is unlawful to operate any ~~motorboat or~~ vessel at a ~~speed~~ greater than no-wake speed in the regulated ~~area~~ areas described in Paragraph (a) of this Rule.

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

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

*Eff. February 1, 1976;*

*Amended Eff. March 1, 1983;*

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

## NO-WAKE ZONING MATRIX

### SECTION 1:

Name of organization/entity: *\_Carolina Beach 15A NCAC 10F .0306*

Primary contact information: *\_Ed Parvin – Asst. Carolina Beach Town Mgr.*

[Ed.Parvin@carolinabeach.org](mailto:Ed.Parvin@carolinabeach.org) office (910) 458-2526 cell (910) 465-2766

Exact location of requested no-wake zone:

Body of water and County: *\_\_ICW (Snows Cut) New Hanover County*

Location: *\_Snows Cut, a portion of the ICW, at Carolina Beach Yacht Club formerly Joyner's Marina\_\_\_\_\_*

Popular name of area, if any: *\_Currently called Joyner's Marina as of 6-12-2018. Name change due July 1, 2018.*

Width of No-Wake Zone: Narrowest Point:\_\_\_\_\_ Widest Point:\_\_\_\_\_

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) *waters within approximately 50 yards of the fuel docks and docks surrounding the marina at the Carolina Beach Yacht Club. USACE will concur with placement of a no-wake zone around the marina docks as long as it does not extend into the setback channel approximately 50 yards from the docks. \_\_\_\_\_*

### **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**

*J.W. Thomas, Dockmaster, reports that large wakes create constant danger at the fuel docks at the marina. Wakes also create hazards for vessels entering and exiting the marina slips.*

[jwdockmaster@gmail.com](mailto:jwdockmaster@gmail.com) . Phone 910-458-5053

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

YES  CAMA and ICW. Have received concurrence from Wilmington District USACE

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? Fueling dock is in appx 30 yards from ICW channel, boats produce wakes near or at the fueling dock.

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) NO

NARROW CHANNEL  (give approximate width) NO

SHALLOW WATER  (give average depth) 15 Feet

OBSTRUCTED VISION  (for approximately how great a distance) NO

STRUCTURES (Check all applicable)

- |   |  |
|---|--|
| <input type="checkbox"/> DAM                        | <input type="checkbox"/> LOCK                |
| <input type="checkbox"/> SPILLWAY                   | <input type="checkbox"/> JETTY               |
| <input type="checkbox"/> FLOOD CONTROL STRUCTURE    | <input type="checkbox"/> SUBMERGED STRUCTURE |
| <input type="checkbox"/> TRESTLE                    | <input type="checkbox"/> SANDBAR             |
| <input type="checkbox"/> POWER LINE                 | <input type="checkbox"/> SHOAL               |
| <input checked="" type="checkbox"/> FUELING DOCK    | <input type="checkbox"/> PRIVATE DOCKS       |
| <input checked="" 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 600  
Feet \_\_\_\_\_

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed 3-5  
Minutes \_\_\_\_\_



**SECTION 5:**

List any other known incidents, safety concerns or problems that have occurred? There have not been many boating accidents in this specific area near Joyner Marina.

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

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

**SECTION 6:**

**OFFICER ASSESSMENT OF WATER SAFETY HAZARDS**

YES:   
NO:

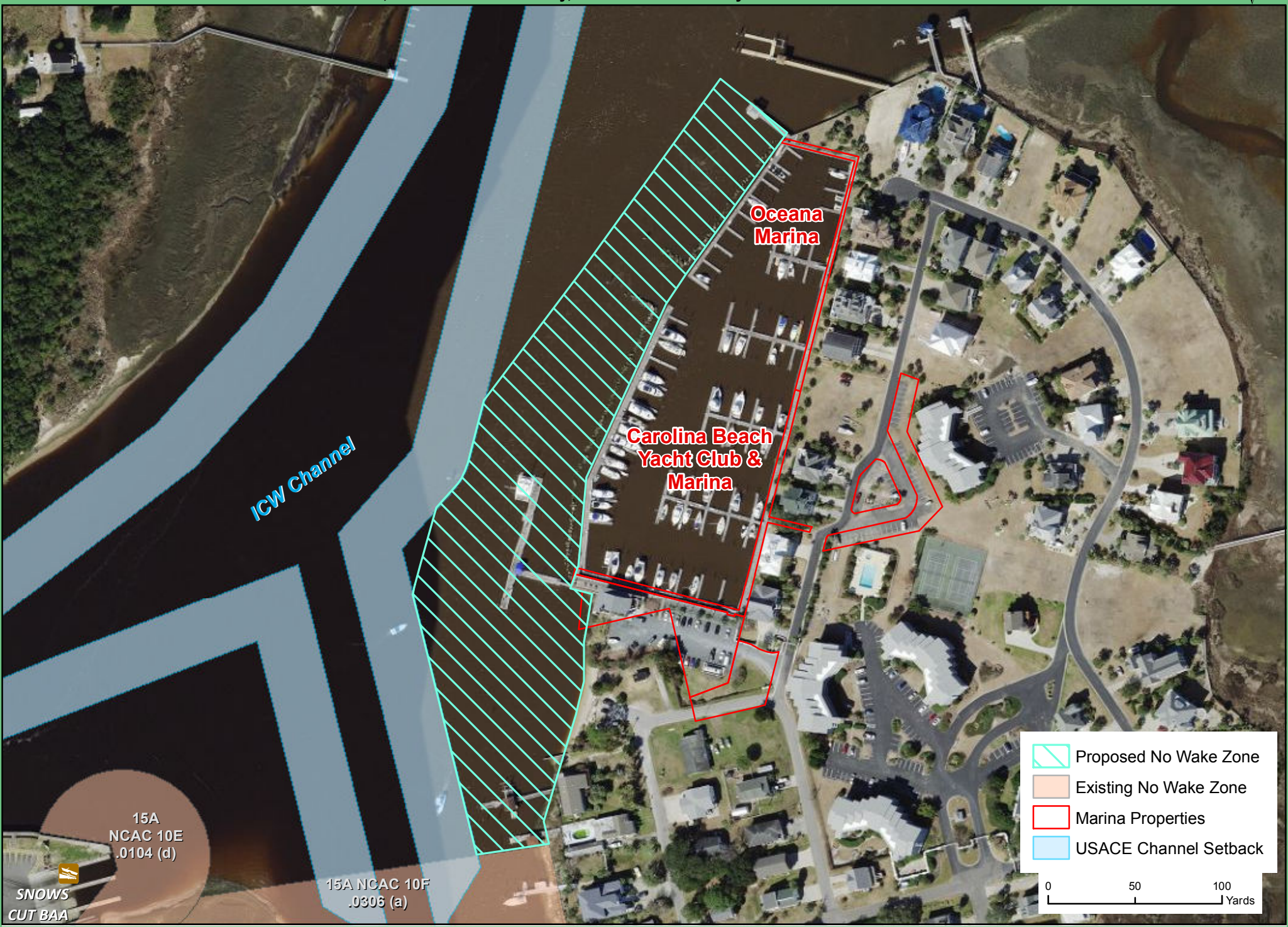
Reasons: On weekends and holidays when traffic is busy, there would be an increased possibility of a boating related accident. The main safety concern is boats passing closely by the dock producing a large wake to the adjacent fuel dock, causing people to possibly fall and get hurt or produce vessel damage.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Officer: Clayton Ludwick

Date: 6-21-2018

15A NCAC 10F .0306 - No Wake Zone - Proposed  
Carolina Beach Yacht Club & Oceana Marina, Intracoastal Waterway, New Hanover County

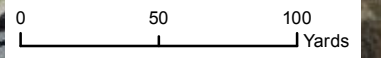


15A  
NCAC 10E  
.0104 (d)

15A NCAC 10F  
.0306 (a)

SNOWS  
CUT BAA

- Proposed No Wake Zone
- Existing No Wake Zone
- Marina Properties
- USACE Channel Setback





# Resolution



Town of Carolina Beach  
Town Council

**RESOLUTION NO. 19-2205**

**RESOLUTION REQUESTING RULEMAKING FOR A NO WAKE ZONE LOCATED IN  
THE TOWN OF CAROLINA BEACH ADJACENT TO SNOW'S CUT AND THE  
NORTHEASTERN PART OF MYRTLE GROVE SOUND**

**WHEREAS**, the wake from vessels in this area continue to have a negative impact on commercial and residential piers and vessels in this area; and

**WHEREAS**, high speeds and the wake from vessels in this area have created a safety hazard for users of Myrtle Grove Sound; and

**WHEREAS**, North Carolina Wildlife has done an assessment of this area and made a recommendation for expanding the Town's current no wake zone; and

**WHEREAS**, North Carolina Wildlife will enforce the no wake zone once installed

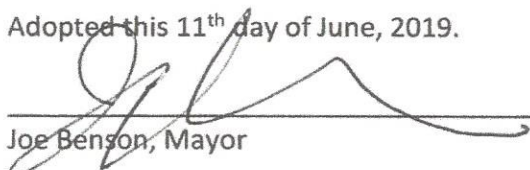
**WHEREAS**, The Town of Carolina Beach maintains concurrent jurisdiction to regulate and enforce laws in the harbor and shoreline area; and

**WHEREAS**, the Harbor Commission unanimously recommended approval of the no wake zone with 4 buoys and two piles; and

**WHEREAS**, the Town of Carolina Beach has given public notice of intention to apply for rulemaking on waters within the Town's territorial jurisdiction

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Carolina Beach, North Carolina adopts the following resolution for the state to consider expanding the Town's no wake zone area in accordance with the attached map.

Adopted this 11<sup>th</sup> day of June, 2019.

  
\_\_\_\_\_  
Joe Benson, Mayor

  
\_\_\_\_\_  
Attest: Kimberlee Ward, Town Clerk



# EXHIBIT L

August 29, 2019



## APPLICATION FOR RULEMAKING FOR MARKED SWIMMING AREA 15A NCAC 10F .0327 – MONTGOMERY COUNTY, BADIN LAKE

The Wildlife Resources Commission received a formal application and Resolution from the Montgomery County Board of Commissioners on June 17, 2019, requesting consideration of rulemaking for a marked swimming area, where vessel entry is prohibited, on Badin Lake at Pinehaven Village public beach and swim area in New London.

Agency Enforcement has investigated the area and returned the Assessment Matrix (Attachment A). Hazards to recreational swimming were noted, including vessels that operate along the shore and moor at or near the shore while the area is occupied by swimmers. The proposed marked swimming area will prohibit vessel entry within the marked area. It will extend no further into the lake than 50 feet so that it does not extend beyond private boat houses on each side of the property.

Montgomery County will not incur the expense of purchasing the ropes and buoys to mark the designated swimming area. No fiscal note is required.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0327 for a marked swimming area, 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 marked swimming area.

**15A NCAC 10F .0327 MONTGOMERY COUNTY**

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

(1) Badin Lake.

- (A) 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;
- (C) 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 and the 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.

- (A) 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
- (C) Lilly's Bridge Boating Access Area shore to shore, from line 25 feet north of the SR 1110 bridge otherwise known as Lillys Bridge Road at a point on the east shore at 35.23223 N, 80.06166 W, to a point on the 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 east shore at 35.23067 N; 80.06262 W, to a point on the 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) ~~Swimming Areas. Badin Lake Swimming Area.~~ 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 the regulated areas described in Paragraph (a) of this Rule.~~ the marked swimming area on Badin Lake at the Pinehaven Village beach area at 370 Pinehaven Drive in New London, within 50 feet of the shoreline between points at 35.49927 N, 80.11428 W; and 35.49934 N, 80.11437 W.

(e) Placement of Markers. The Board of Commissioners of Montgomery County shall be the designated agency for placement of the markers implementing Parts (a)(1)(A), (B), (C), (2)(A) and (B), and Subparagraph (a)(3) of this Rule. The North Carolina Wildlife Resources Commission is the designated agency for placement and maintenance of the markers implementing Part (a)(2)(C) of this Rule. The Board of Commissioners of Montgomery County shall be the designated agency for placement and maintenance of the ropes and markers implementing Subparagraph (d) of this Rule.

(f) Notwithstanding Paragraphs (a) through (e) of this Rule, no person shall operate a vessel at greater than no-wake speed in the waters of Lake Tillery shore to shore, within 85 yards north and 85 yards south of the NC Hwy 24/27/73 bridge eastbound and westbound spans, otherwise known as the James B. Garrison Bridge. The North Carolina Wildlife Resources Commission shall be the designated agency for placement and maintenance of markers for this regulated area.

*History Note: Authority G.S. 75A-3; 75A-15;  
Eff. November 1, 1977;  
Amended Eff. December 1, 1990; May 1, 1989; March 25, 1978;  
Temporary Amendment Eff. June 1, 1998;  
Amended Eff. April 1, 1999; July 1, 1998;  
Temporary Amendment Eff. July 1, 2002;  
Amended Eff. August 1, 2006; June 1, 2005; April 1, 2003;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;  
Amended Eff. October 1, 2018; April 1, 2017;  
Emergency Amendment Eff. July 30, 2019.*

ATTACHMENT A



MARKED SWIM ZONE WATER SAFETY HAZARDS MATRIX

SECTION 1:

Name of organization/entity: Montgomery County

Primary contact information: Chris Hildreth, Director of Development and Infrastructure

Exact location of requested MARKED SWIM zone:

Body of water and County: Badin Lake, Montgomery County

Location: Pinehaven Village beach area at 370 Pinehaven Drive, New London NC

Popular name of area, if any: public beach and swim area

Width of Marked Swim Zone: Narrowest Point: 33 Feet Widest Point: 47 feet

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal

Waterway; etc) Property owned by Pinehaven Village Homeowners Association requests marked swim zone at their property extending approximately 50 feet into the lake from each side of the property line, located at 370 Pinehaven Drive.

**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**

The designated beach and swim area for Pinehaven Village is not respected by boats and jet skis, which park on the beach and endanger children swimming there. A roped swim area, where vessel entry is prohibited, will protect people enjoying the water and public beach area. It would be designed to extend no further into the lake than 50 feet so that it does not extend beyond the private boat houses on each side of the property.

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

YES

NO

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

**SECTION 2:**

**PUBLIC SAFETY HAZARD**

What public safety hazard exists? People being hit by Personal Watercraft and/or boats that pull into the swimming area to beach their vessels.

Is this a public swimming or recreational area?

NO

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

**NO-WAKE BUOYS**

**SECTION 3:**

**NAVIGATIONAL HAZARDS**

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

OBSTRUCTIONS  (Identify) None

NARROW CHANNEL  (give approximate width) None

SHALLOW WATER  (give average depth) None

OBSTRUCTED VISION  (for approximately how great a distance) None

STRUCTURES (Check all applicable)

DAM

SPILLWAY

FLOOD CONTROL STRUCTURE

TRESTLE

POWER LINE

FUELING DOCK

RESTAURANT DOCKS

ACCESS AREA/BOAT LAUNCH

LOCK

JETTY

SUBMERGED STRUCTURE

SANDBAR

SHOAL

PRIVATE DOCKS

BRIDGE

PIER

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 N/A

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed N/A

**SECTION 5:**

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

Vessels entering area designated for swimming by Pinehaven Village.

=====



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

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

**SECTION 6:**  
**OFFICER ASSESSMENT OF WATER SAFETY HAZARDS**

YES:   
 NO:

Reasons: Swimming area designated for the residents of Pinehaven Village is located in the cove between Pinehaven Drive and Lake Forest Drive on Badin Lake. At times complaints of vessels operating through and mooring to the shore while the area is being occupied by swimmers. After reviewing the swimming area matrix, I approve the request. The GPS Coordinates for Exclusion Area Buoy #1 (35.4992730,-80.1142674) and Buoy #2 (35.4993418,-80.1143445). Buoys can be placed approximately 50 feet from shore. Please see the attached Google Map.



Officer: G.A.Gooch 337

Date: 06-25-2019

15ANCA 00F.0327-Proposed Swimming Area  
Pinehaven Village, New London, Montgomery County







# Exhibit M

August 29, 2019



## SCHEDULE FOR THE JANUARY 2020 PUBLIC HEARINGS FOR PROPOSED CHANGES IN WILDLIFE, FISHERIES, AND GAME LAND RULES

**HEARING TIME: 7:00 p.m.**

<b>DATE</b>	<b>DISTRICT</b>	<b>CITY</b>	<b>LOCATION</b>
January 7, 2020 (Tuesday)	4	Dublin	<i>Bladen Community College (Auditorium)</i> 7418 NC HWY 41W Dublin, NC 28332
January 8, 2020 (Wednesday)	5	Graham	<i>Old Alamance County CTHS</i> 1 SE Court Square Graham, NC 27253
January 9, 2020 (Thursday)	6	Albemarle	<i>Stanly County Agri-Civic Center</i> 26032 Newt Rd Albemarle, NC 28001
January 14, 2020 (Tuesday)	9	Sylva	<i>Southwestern Community College</i> Myers Auditorium 447 College Drive Sylva, NC 28779
January 15, 2020 (Wednesday)	8	Morganton	<i>Western Piedmont CC</i> Moore Hall Leviton Auditorium 101 Burkemont Avenue Morganton, NC 28655
January 16, 2020 (Thursday)	7	Elkin	<i>Elkin High School</i> 334 Elk Spur Street Elkin, NC 28621
January 21, 2020 (Tuesday)	1	Edenton	<i>John A. Holmes High School</i> 600 Woodard Street Edenton, NC 27932
January 22, 2020 (Wednesday)	2	Kenansville	<i>Duplin County Ag. Center</i> 165 Agriculture Drive Kenansville, NC 28349
January 23, 2020 (Thursday)	3	Rocky Mount	<i>Nash Community College</i> 522 N Old Carriage Road Rocky Mount, NC 27804