



Regular Meeting of the Natural Heritage Advisory Committee

August 27, 2026 10:00 AM

Agenda

Remote participation: Contact natural.heritage@dn-cr.nc.gov for Teams meeting link.

In-person meeting location: Nature Research Center Room 4508 (121 West Jones Street), Raleigh NC

Documents to be discussed during the meeting will be accessible online at:

<https://www.ncnhp.org/events>

NHAC Members: Jeff Marcus (chair), Jay Leutze, Kevin Melvin, Lee Leidy, Kim Brown, Jocelyn Wilson, Brian Byfield, Alan Weakley, Sue Cameron

NHP Staff: Misty Franklin, Scott Pohlman, Melanie Flood

DNCR Staff:

Deputy Secretary Jeff Michael

Division of Land and Water Stewardship Director Will Summer

Assistant General Counsel Zoe Hansen Burnet, Jessica Winebrenner

NC Land and Water Fund Stewardship Manager Justin Mercer

10:00 AM Call to Order and Reading of Ethics Reminder – Jeff Marcus, Chair

In accordance with the State Government Ethics Act, it is the duty of every Natural Heritage Advisory Committee member to avoid both conflicts of interest and appearances of conflict. Does any Natural Heritage Advisory Committee member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Natural Heritage Advisory Committee today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

Land Acknowledgement – Jeff Marcus, Chair

As we gather to discuss wise stewardship of critically important properties in NC, we gratefully acknowledge the Native American peoples who were the original stewards of these lands. We pay our respect to those past, present, and emerging people who have been custodians of these lands and waters.

Welcome, Introductions, and Logistics: NHAC, DNCR, NHP

- Department of Natural and Cultural Resources Updates: Deputy Secretary Jeff Michael
- Division of Land and Water Stewardship Updates: NC Land and Water Fund Executive Director and Division Director Will Summer
- Natural Heritage Program updates, special projects, ongoing priorities: Misty Franklin

01 Review Agenda for Additions and Deletions – All

02 Review Previous Meeting Minutes – All

Dedicated Nature Preserve Overview (Scott)

Plant Conservation Program

03 Eno River Diabase Sill Plant Conservation Preserve (NC Plant Conservation Program)

- NCDOT intersection improvement Snow Hill Rd/Old Oxford Road

04 Transfer of Pretty Pond Dedicated Nature Preserve from Natural Heritage Program to Plant Conservation Program

New Dedications and amendments to add property:

05 Holly Shelter Game Land (revision of proposal presented at May 2026 meeting) (NC Wildlife Resources Commission)

Other Topics

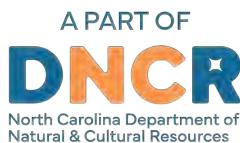
06 Coastal Reserve Program Legislation Update (Session Law 2026-041)

07 New template for Dedication Terms & Conditions – staff update (template not included in meeting materials)

2026 Meeting Dates:

November 20 at 10:00 am at Nature Research Center, 121 West Jones Street, Raleigh, NC Conference, room 4508

Adjourn



Josh Stein
Governor

Pamela B. Cashwell
Secretary, DNCR

Misty Franklin
Director, NC Natural Heritage Program

Regular Meeting of the Natural Heritage Advisory Committee

May 20, 2026 Minutes

In-person meeting location: Wildacres Retreat Center, Little Switzerland NC

Documents discussed during the meeting were accessible online at:

<https://www.ncnhp.org/events>

NHAC Members: Jeff Marcus (chair), Jay Leutze, Kevin Melvin, Lee Leidy, Kim Brown, Jocelyn Wilson, Brian Byfield, Alan Weakley, Sue Cameron

NHP Staff: Misty Franklin, Scott Pohlman, Michael Schafale, Jess Schaner, Solea Lubinski-Shippert

DNCR Staff:

Deputy Secretary Jeff Michael

Deputy Secretary Deans Eatman

Division of Land and Water Stewardship Director Will Summer

DNCR Legal: Zoe Hansen Burnet, Jessica Winebrenner,

9:00 AM Call to Order and Reading of Ethics Reminder – Jeff Marcus, Chair

In accordance with the State Government Ethics Act, it is the duty of every Natural Heritage Advisory Committee member to avoid both conflicts of interest and appearances of conflict. Does any Natural Heritage Advisory Committee member have any known conflict of interest or appearance of conflict with respect to any matters coming before the Natural Heritage Advisory Committee today? If so, please identify the conflict or appearance of conflict and refrain from any undue participation in the particular matter involved.

- o Lee Leidy will recuse from projects with NC Coastal Land Trust involvement: Bertie County Game Land and Gull Rock Game Land.
- o Jeff Marcus will recuse from projects with TNC involvement: Carvers Creek State Park and Holly Shelter Game Land

Land Acknowledgement – Jeff Marcus, Chair

As we gather to discuss wise stewardship of critically important properties in NC, we gratefully acknowledge the Native American peoples who were the original stewards of these lands. We pay our respect to those past, present, and emerging people who have been custodians of these lands and waters.

Welcome, Introductions, and Logistics: NHAC, DNCR, NHP

- Department of Natural and Cultural Resources Updates: NCDNCR Deputy Secretary Jeff Michael and Deans Eatman
 - o Have hired new director of NC Zoo, Dr. Mark Penning. Dr. Penning is the former vice president of Animals, Science and Environment for Disney Experiences.
 - o Fort Fisher Aquarium is closing after Memorial Day weekend to allow for renovation and expansion.
 - o Prairie Ridge broke ground on new indoor education center
 - o Dr. Roland Keys, a mammologist from the NC Museum of Natural Science, is retracing the original route of Lewis and Clark to see how animal populations have shifted over the last 250 years.
 - o All DNCR sites impacted from Hurricane Helene are now open. Some amenities, such as the Profile Trail at Grandfather Mountain remain closed.
 - o The General Assembly is in session and they seem to have identified a path forward to resolve budget impasse. Updated revenue forecast has been released, and more funding than anticipated is forecasted to be available.
 - o It has been proposed that the Conservation Tax Credit be extended for 4 years.
- Division of Land and Water Stewardship Updates: NC Land and Water Fund Executive Director and Division Director Will Summer
 - o 154 grant applications have been submitted for the 2026 LWF cycle. NHP staff are currently reviewing.
 - o Conservation Tax Credit – Certified projects for 2025 total 4,100 acres protected which is valued at over 30 million. Credit is only for 25% of that value. Actual cost to taxpayers is \$5 million, which is the current program cap.
- NHP updates, special projects, ongoing priorities: Misty Franklin
 - o Field biologists are busy visiting NCLWF application sites. This year 8 field biologists are visiting 58 applications.
 - o NCNHP staff Jess Schaner, Katherine Culatta, and Mike Schafale are leading a workshop for the NC Association for Environmental Professionals next week. The focus is training environmental consultants in identification of Threatened and Endangered species as well as natural communities.
 - o New field biologists hired through USFS agreement - 6 new staff have recently started: 3 botanist/ecologists, 1 aquatic macroinvertebrate biologist, 1 terrestrial invertebrate ecologist, and 1 project manager. If you know sites on the Pisgah or Nantahala National Forest that could use NHP survey to aid in USFS planning, please let us know. The goal of the work is documenting impacts from Hurricane Helene and providing information to guide recovery/restoration work.
 - o Surveys of pending DNPs and reviewing proposed management to DNPs is ongoing.

01 Review Agenda for Additions and Deletions – All: No additions or deletions.

- 02 Review Previous Meeting Minutes – All: No edits or changes. Jay moved to approve; Kevin seconded. No discussion. Approved unanimously via roll call vote.

Dedicated Nature Preserve Overview (Scott)

- Similar to conservation easements utilized by land trusts, Dedication is an agreement attached to the land. It is perpetual and cannot be rescinded by the owner.
- Requires approval of landowner, DNCR Secretary, Council of State, and Governor. Includes specific management rules.
- Dedicated Nature Preserves often have zones, including Primary Area, Primary (Restoration) Area, Special Management Area, and Buffer Areas, depending on site-specific conditions.
- State dedications require letter of allocation from State Property Office. For other lands, the dedication is recorded with deed.
- For state lands, standard riparian zones are included in Primary areas: 100 feet along all perennial streams; 300 feet along perennial streams with NHP Aquatic Habitat; 200 feet along perennial streams that are tributaries to NHP Aquatic Habitat with federally listed aquatic species.

New Dedications and amendments to add property (Scott):

03 Gull Rock Game Land (NC Wildlife Resources Commission)

- Hyde County
- Spencer Bay section: NC Land and Water Fund (NCLWF) grant acquisition, addition of 2,736 acres to primary, including 18 acres restoration; 182 acres buffer.
- Element occurrences include Brackish Marsh, Marsh Hammock, Little-spike Spikerush (*Eleocharis parvula*), and Bald Eagle (*Haliaeetus leucocephalus*).
- Impoundment not included in dedication.
- Separate potential amendment to the dedication allowing non-emergency pumping of water onto the Alligator River segment of the preserve. This was tabled from last meeting.
- Initial dedication of the property allowed emergency pumping of water onto the game land, to “be used only in the event of extreme rainfall, such as a named storm.”
- The Burrus Canal project proposes to redirect drainage water from Lake Mattamuskeet onto the DNP.
- Monitoring of the impacts of the pumping will be done by researchers from East Carolina University (ECU)
- New language proposed since February 2026 Advisory Committee meeting--pumping would automatically cease in 5 years unless impacts are negligible and all parties agree to renew. Easements will be subordinate to dedication.
- Jay – Why 5 years -- this seems arbitrary?
- Mike – 5 years is a reasonable amount of time to be able to detect impacts, also considering sea level rise will become a factor in time.
- Jeff Marcus - Have indicators of negative impact been identified? What should ECU be monitoring? What are we monitoring and what is the threshold?
- Mike and Scott – Planning for this has been described in the Exhibit and researchers at ECU has been in conversation with NHP.
- Jeff Marcus – Does ECU have funding for 5 years of monitoring?

- Margaux – Yes, additional funding for monitoring is lined up.
- Jeff Marcus – Would like to add “negative” in front of impacts to revised Dedication language. (“The NC Wildlife Resources Commission shall complete a multi-party agreement requiring that pumping cease five years from date of pumping station installation [or completion of road modifications] unless and until the Hyde Drainage District, Wildlife Resources Commission, and Natural Heritage Program mutually agree that negative impacts to the preserve from pumping are negligible, and pumping can continue.”)
- Jeff Marcus – Why exclude impoundment rather than include as special management area?
- Scott – Artificial management, in past have not sought to dedicate places like this.
- Mike – Heavily altered, and no rare species.
- Jeff Marcus moved to accept revision to dedication language as proposed with addition of “negative” in front of impacts, Jay seconded. No further discussion. Passed unanimously by roll-call vote (Lee recused).

04 Bertie County Game Land (NC Wildlife Resources Commission)

- Adds 173 acres (NCLWF grant 2022-068) - all Primary, including 85 acres Restoration
- Element occurrences include: Catchfly cutgrass (*Leersia lenticularis*) and Tidal Swamp (Cypress—Gum Subtype) – S4/G3
- Sue moved to accept, Brian seconded. No further discussion. Passed unanimously by roll-call vote (Lee recused).

05 Holly Shelter Game Land (NC Wildlife Resources Commission) – Pending WRC review

- Jay chaired this item, as Jeff Marcus recused.
- Amendment to add tract associated with Climate Pollution Reduction Grant which adds 15,800 acres to DNP, all Primary (Restoration).
- Large area of peatland pocosin. Water level dropped due to past ditching and impacted by wildfires. Goal is to re-wet peat soils and reduce risk of catastrophic wildfire.
- Associated MOU for WRC stewardship of hydrologic restoration and maintenance of water control structures.
- Pending WRC approval; agreement will be brought back to committee if there are any significant changes.
- Jay – Any potential downsides of approving now?
- Misty – We don’t see a downside. The Commission will also review at their next meeting and so wanted to get NHAC preliminary thoughts. We may call a special meeting if significant changes are needed
- Jay - Novel to manage large tract of land for climate abatement/carbon storage—but no objections.
- Misty and Scott – Peatland restoration in NC is gaining momentum with TNC and WRC leading; work is already complete at nearby Angola Bay Game Land, and TNC has partnered with USFWS at Pocosin Lakes and Great Dismal Swamp Wildlife Refuges on similar projects to rewet peat soils. At Holly Shelter, WRC has contracted with NCNHP to do restoration monitoring plots to gather baseline information on soil and vegetation before and after treatment.

- Mike – It will be a nature preserve not just a carbon sink. Goal is to manage for natural conditions. Water is deeper near water control structure—some places will be too wet, while others will not be as wet as they were prior to ditching , but overall still a worthwhile improvement.
- Jay – Should we wait to bring to vote?
- Alan – Supports moving forward, to signal a support for DNP and the restoration effort.
- Sue – Asked for more details of restoration.
- Mike – Control structures will go in ditches along roads on eastern and western side. Interior black lines on map are not structures but are inferences of how water levels will be changed. Site is not currently intensively ditched, ditches are only along roads.
- Sue moved to accept contingent on WRC approval, Kevin seconded. No further discussion. Passed unanimously by roll-call vote (Jeff Marcus recused).

06 Historic Bethania (Dept of Natural and Cultural Resources)

- Relatively young, disturbed forest. Only riparian zones are recommended for dedication.
- Adds 3 acres - all Primary - to 77 acre DNP.
- Jay – Who is the owner?
- Scott – State (NCDNCR) is owner, but Town of Bethania is the onside manager and secondary custodian of DNP. Bethania is designated as an Historic District, but is not a state-managed State Historic Site.
- Kim moved to accept, Alan seconded. No further discussion. Passed unanimously by roll-call vote.

07 Pineola State Natural Area (NC Division of Parks and Recreation) – Pending DPR review

- New Dedication. Total DNP 15.5 acres (all Primary). Numerous element occurrences in high-quality mountain bog.
- 2 small properties are being dedicated to fulfill terms of NCLWF grant agreement, plus voluntary acreage (NCNHP asked NCDPR to dedicate more of the natural area).
- NCDPR has noted that a Dept of Transportation (DOT) access easement crosses the proposed DNP area connecting to a private parcel and to the river. NCDPR is requesting that we do not dedicate this portion for now. NHP and DPR may request that DOT extinguish the easement in the future.
- Brian – How should we contact DOT to get more info about the road easement?
- Scott – It may be possible to have a donated mini grant to cover the cost of extinguishing the easement; haven't investigated yet.
- Misty – May be able to use mitigation credits as incentive to extinguish easement.
- Scott – Should we move forward or wait until more information on DOT easement?
- Sue – Why is there a DOT easement down to the river?
- Jeff Marcus- Should we table this until we have a conversation with DOT or move to approve?
- Kevin – Lets keep momentum going.
- Alan – Supports moving forward.

- Alan moved to accept, Lee seconded, contingent on DPR approval. No further discussion. Passed unanimously by roll-call vote.

08 Carvers Creek State Park (NC Division of Parks and Recreation) – Pending DPR review

- Sue chaired this item, as Jeff Marcus recused.
- Cumberland County, close to Ft Bragg.
- Adds 29 acres to DNP, all Primary including one-acre Special Management Area.
- Rare animal breeding habitat along a pipeline right of way.
- Alan – Why no Primary Restoration? Property appears forested on aerals.
- Mike – Lacks wiregrass, not readily restorable.
- Alan - Areas that are not dedicated could become great over time—but understand restrictions.
- Jay – Is this a satellite unit of park or is there growth planned in certain directions?
- Scott – Potential to grow in some directions, but it is limited.
- Jeff Marcus - A lot of development pressure in area.
- Jeff Michael – This is a relatively new state park, still in planning process and trying to balance recreation and natural resources protection.
- Mike – Lafayette tract is being considered for more developed park facilities, such as campgrounds. The property is in worse shape ecologically. Could be restored, but groundcover is degraded, would need to plant wiregrass.
- Jay moved to accept contingent on NCDPR approval, Kevin seconded. No further discussion. Passed unanimously by roll-call vote (Jeff Marcus recused).

09 Occoneechee Mountain State Natural Area (NC Division of Parks and Recreation) – Pending DPR review

- Morton tract being added - Adds 7.5 acres, all Primary.
- Additional adjacent acreage would qualify for dedication, and NHP proposed including steep slopes with rare natural communities and riparian zones along the Eno River. However, DPR declined to dedicate anything more than the NCLWF grant-funded parcel at this time.
- Brian – Any potential conflicts with DOT and future road widening?
- Mike – Road unlikely expand towards the DNP, as its very steep and rocky.
- Jay moved to accept pending approval of NCDPR, Sue seconded. No further discussion. Passed unanimously by roll-call vote.

New Registered Heritage Areas

10 Bluestem Cemetery – Pending landowner review

- Voluntary Registry Agreement of 32 acres.
- Protects known four-toed Salamander (*Hemidactylium scutatum*) habitat, several natural communities, as well as 100-foot riparian zones.
- Expect RHA to move forward without any changes.
- Registry language requiring 100 ft primary area along streams matches Bluestem policy for riparian zones.
- Brian – Is there a change in ownership likely?
- Scott – No, and the property is encumbered by a permanent conservation agreement

- Brian – Will burial happen in RHA?
- Mike – Uphill portions of forest are slated for burials. Burial sites have small footprint and are scattered. Seems like an acceptable level of disturbance. They have a quota for when cemetery is full and then will just be nature preserve. Mown fields are not included in Registry.
- Jeff Marcus - Bringing new, nontraditional entities into conservation is a positive thing—good project.
- Alan moved to accept pending Bluestem approval, Jocelyn seconded. No further discussion. Passed unanimously by roll-call vote.

11 Balsam Mountain Preserve – Pending landowner review

- Voluntary Registry Agreement of 1,068 acres in Jackson County.
- Balsam Mountain Preserve is a housing development with golf course and other amenities. They have an associated non-profit with environmental education staff who reached out to NCNHP asking about Registry.
- The underlying property that contains the housing development and other development is extensive, and also contains three natural areas which support several rare plants and some small patch natural communities.
- Balsam Mountain Preserve is encumbered by a North American Land Trust conservation easement. There have been issues with erosion and sedimentation from development activities there which have impacted rare plant populations, as well as important aquatic systems downstream.
- Jeff Marcus - Lots of potential for issues, do we have staff capacity for this?
- Misty – A Registry can be voided with 30 days notice if impacts occur that cause an area to no longer qualify.
- Jay - In favor of adding another layer of protection—a way of educating people in the community about the natural resource values, but many land trusts would never accept an easement like this (with so many inholdings excluded).
- Mike – Could help with monitoring the NALT easement, while monitoring the Registry.
- Alan – Why aren't other adjacent portions included (that appear undeveloped on aerials)?
- Scott – There are three landowners and only one is open to Registry, so some portions were not considered.
- Will – We are not taking on burden of monitoring from NALT.
- Lee – What about golf course and run-off, seems like many issues.
- Jeff Marcus – Values sufficient to warrant RHA, but could take too many resources of heritage staff? Consider it an FYI and decide later?
- Scott – We are working with employees of Balsam Mountain Preserve—they are talking to owners.
- Jay – By delaying, it shows BMP that it takes some work to approve RHA.
- Jeff Marcus—We could communicate concerns to BMP
- Alan – Withdraw the proposal now, rather than waste staff time?
- Jay – RHA doesn't require strong enforcement —supportive of it.
- Jeff Marcus - Does any committee member disapprove?
- Jay – 200 ft riparian buffers are pretty significant and would be good protection

- Scott – To clarify, BMP reached out to NHP to register NHNAs, and NHP staff proposed also including riparian zones to protect Tuckasegee Aquatic Habitat downstream.
- Sue – Worth giving it a try, stakes are low and can cancel if need be.

The decision was made to return the agreement to staff for further review and the Committee may consider the proposal at a future meeting.

Other Topics

Meeting Dates:

August 27 10 am

- Virtual meeting with optional in-person at Nature Research Center Room 4508 (121 West Jones Street), Raleigh NC.

November 12th [subsequently changed to November 20, 2026]

Adjourn Kevin Melvin moved to adjourn, Jay Leutze seconded. Passed unanimously by roll-call vote.

Eno River Diabase Sill Plant Conservation Preserve
Dedicated Nature Preserve
STIP No. HE-0007D

Add a left turn lane and signals to Snow Hill and Old Oxford Roads intersection,
Durham County

In 2010, qualifying portions of the Harrelson property at Eno River Diabase Sill Plant Conservation Preserve were dedicated under the Nature Preserves Act. The acquisition of the Harrelson property was partially funded by the Natural Heritage Trust Fund (Grant #200409402). The NC Land and Water Fund has since assumed responsibility for former Natural Heritage Trust Fund grants.

Project No. HE-0007D prepares Snow Hill Road and Old Oxford Road for increased traffic from development in the area by adding an exclusive left turn lane on Snow Hill Road and signaling the intersection. The Improvements were determined to be needed by the Merck Pharmaceuticals Traffic Impact Assessment (TIA).

The preliminary engineering design for intersection improvement would directly impact the Eno River Diabase Sill Plant Conservation Preserve Dedicated Nature Preserve. The amendment request includes acquisition of permanent right-of-way, permanent utility easement, and permanent drainage and utility easement, as well as temporary construction easement for construction and erosion control, (see table 2 below, and figures 3, 4, 5). These rights-of-way and easement areas overlap the Primary (Restoration) Area of the dedication, and directly impact populations of rare plant species, including prairie blue wild indigo, Earle's blazing-star, and glade wild quinine. Information for these species is listed in table 1 below. Additional rare species in the immediate area include smooth coneflower (*Echinacea laevigata*), hoary puccoon (*Lithospermum canescens*), and prairie dock (*Silphium terebinthinaceum*).

Scientific Name	Common Name	Rank	NC Status	US Status
<i>Baptisia aberrans</i>	Prairie Blue Wild Indigo	S2G2	Endangered	
<i>Liatris squarrulosa</i>	Earle's Blazing-star	S2G4	Significantly Rare	
<i>Parthenium auriculatum</i>	Glade Wild Quinine	S3G3	Significantly Rare	

Table 1 Natural Heritage Element Occurrences within proposed project area and directly impacted, Eno River Diabase Sill Preserve NP

Katherine Culatta and Scott Pohlman participated in a 9 January 2026 state stakeholder meeting for the proposed project, which also included staff from Plant Conservation Program and NC Land and Water Fund. NCDOT communicated that the project has been narrowed to the extent possible (i.e. avoiding and minimizing impacts) but indicated that some portion of the dedicated area will be impacted, and understood that the dedication would likely have to be amended. NCDOT came to the meeting understanding the NCLWF compensation policy to make the public whole, including 3:1 ratio. NHP and NCLWF staff indicated that their respective boards have communicated preference for land exchange with like habitat. The process for amendment, and associated timeline, was also discussed. In addition to public hearing and public notice, review is needed by DNCR Secretary before the amendment can go to Council of State. NC Land and Water Fund Board and Plant Conservation Program Board will also review the proposal.

NCDOT requested amendment to the Articles of Dedication 5 August 2026, to provide easements for right-of-way, drainage and utilities, and temporary construction. Based on the public interest served by improvements to the intersection to safely handle increased traffic, and that the new use of the acres for permanent right-of-way, drainage and utility easements would not be consistent with public purposes served by the dedication, amendment would be required to remove a portion of the dedication. NHP staff determined that the impact would not fall within the authority of staff to approve without Natural Heritage Advisory Committee review, due to the significance of associated element occurrences.

Estimated area	Proposed Use
0.142 acre	Permanent right-of-way
0.117 acre	Permanent utility easement
0.032 acre	Drainage and utility easement
0.176 acre	Temporary construction easement
0.467 acre	Total

Table 2 Proposed impacts to the dedicated nature preserve

The NCDOT amendment request notes that the project is nearing 75% design, and the environmental document is in process. Right of Way and easement acquisition for the project is anticipated to start in fall 2026. The project construction schedule is

uncertain. The amendment request also states that complete avoidance of impacts to the preserve is not possible, but efforts to minimize impacts were made through design, including reduced lane widths (from 12 to 11 feet), reduced shoulder widths (from 8 to 3 feet), elimination of erosion control sediment basin (which would have resulted in greater temporary disturbance), and reconfiguration of erosion control clean water diversion from 30 feet to 15 foot nominal to reduce disturbance to the preserve. Proposed compensation is 1:1 financial mitigation fees for impacts to the preserve from requested easements. NCDOT will implement applicable standard BMPs during construction.

At the February 2026 Natural Heritage Advisory Committee meeting, the Committee recommended potential mitigation measures to achieve net overall conservation benefit, which could include:

- *Temporary relocation of plants, to be held by a qualified organization such as NC Botanical Garden off-site and replanted after the project (would require funding to NCBG, translocation during dormant seasons).*
- *3:1 land exchange for nearby parcel with similar habitat along the Eno River (several parcels nearby are currently for sale along Old Oxford Road with river frontage and similar natural communities).*
- *Remediation of ground to natural conditions, including:*
 - *natural topography*
 - *removal of invasive species*
 - *revegetation with native plants*
 - *replacement of native soil where possible (if soil needs to be temporarily moved for drainage, hold it on-site in "Buffer" area and then replace where possible / no replacement soil from off-site to fill holes and ditches).*
- *Understanding that PCP will continue to manage the nature preserve with prescribed fire in the future (after project completion).*

The 5 August 2026 NCDOT request for amendment does not account for impacts to rare plant populations, so no measures to reduce impacts to rare species are included for review. The proposed 1:1 financial compensation falls short of 3:1 land exchange with similar habitat.

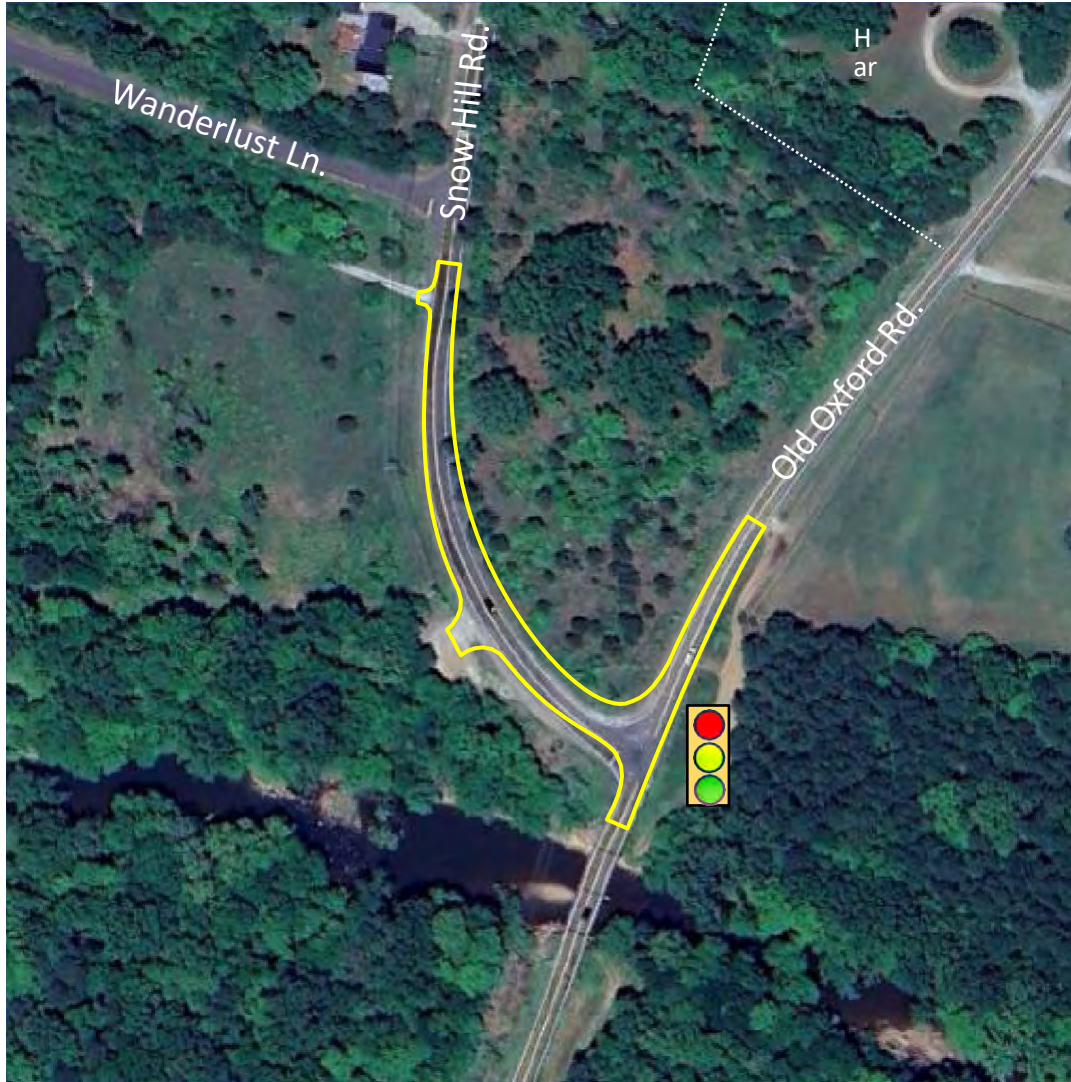


Figure 1 Project location, occurring at Pennys Bend entrance to intersection of Snow Hill Road and Old Oxford Road



Figure 2 Ownership of properties adjacent to proposed project

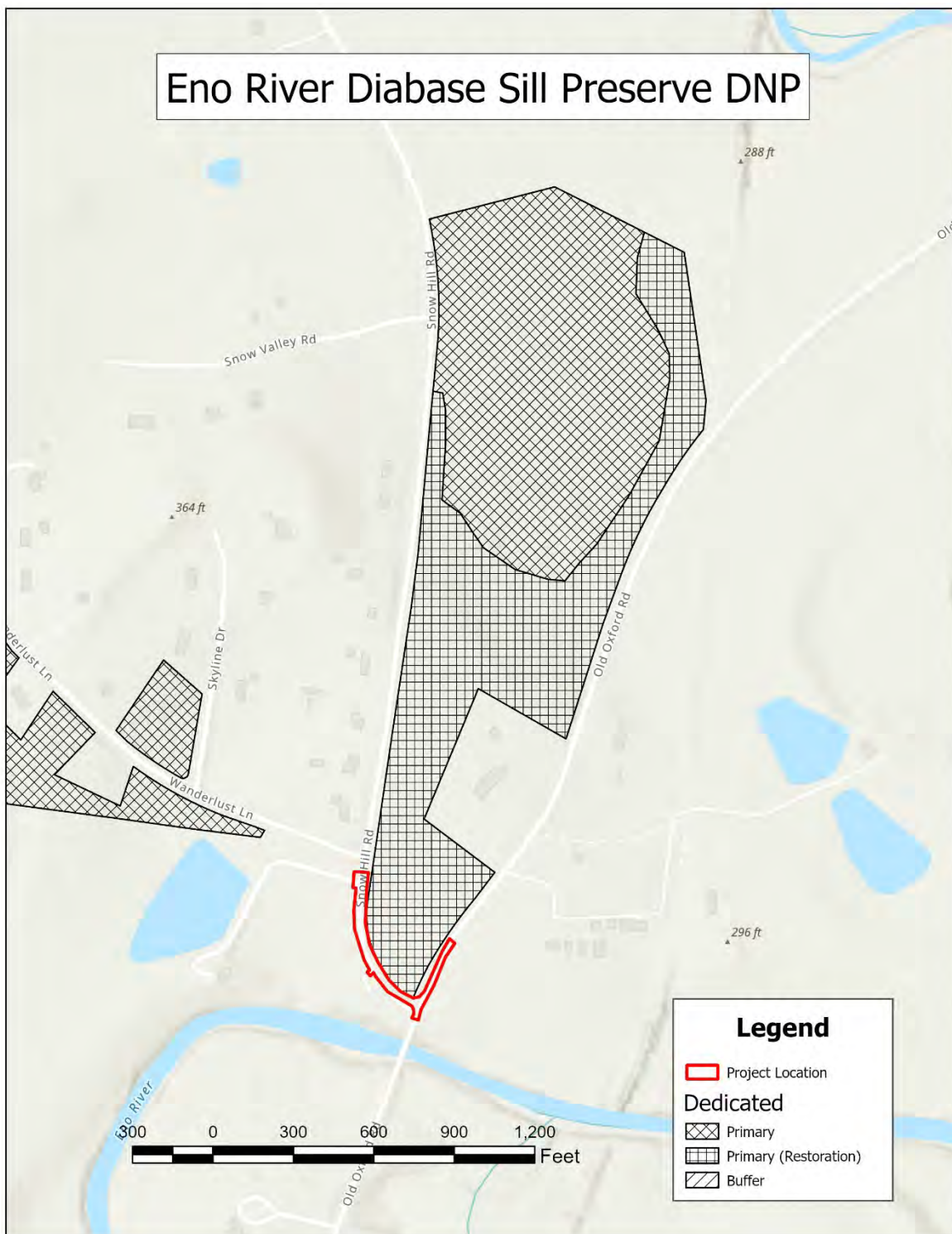


Figure 3 Project location and Eno River Diabase Sill Plant Conservation Preserve dedication zones

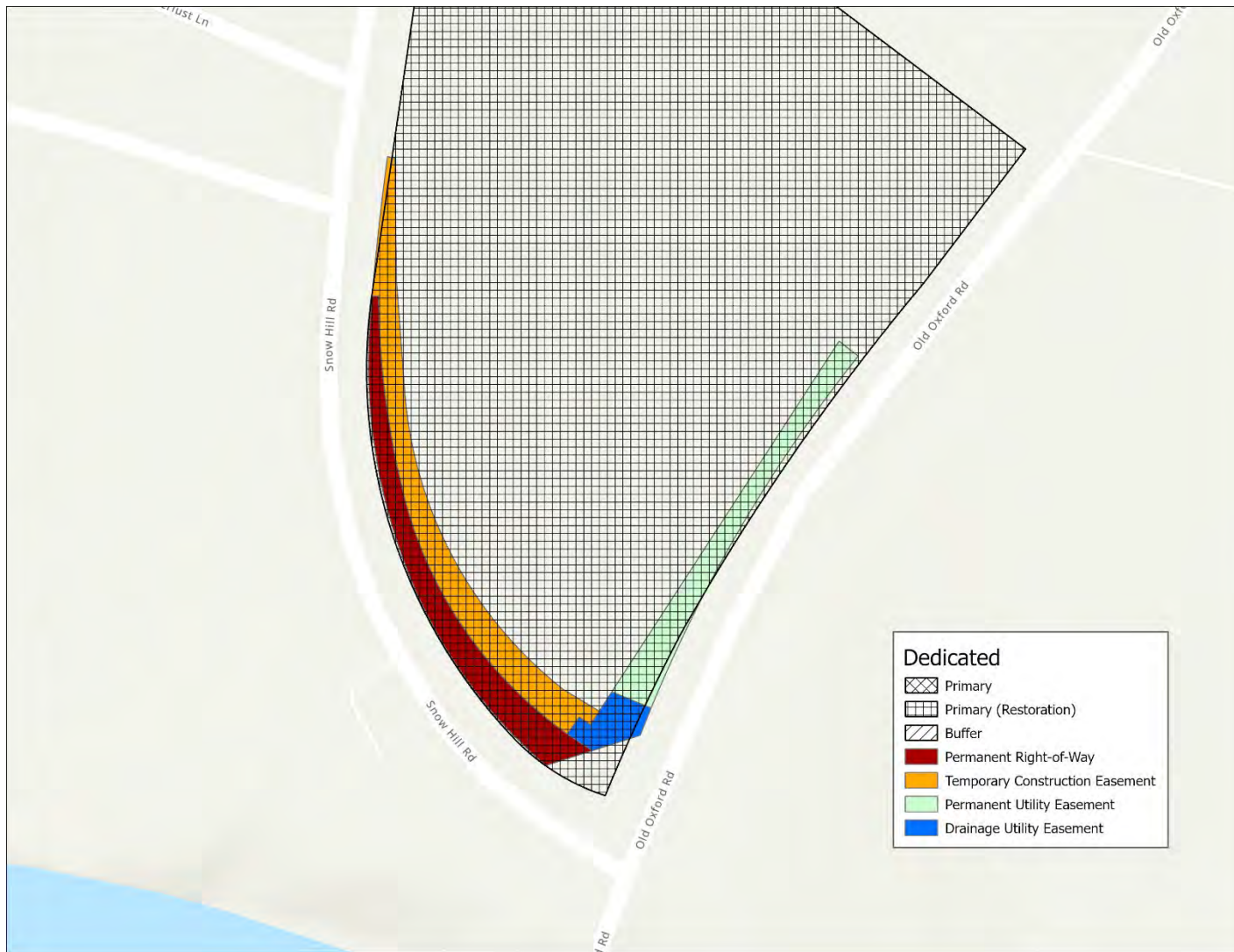


Figure 4 NCDOT Easement Request at Eno River Diabase Sill Preserve



Figure 5 NCDOT Easement Request at Eno River Diabase Sill Preserve

Pretty Pond Limesink Complex Preserve
 Dedicated Nature Preserve
 Transfer of preserve parcels from NC Department of Natural and Cultural
 Resources, Natural Heritage Program to NC Department of Agriculture, Plant
 Conservation Program
 Brunswick County

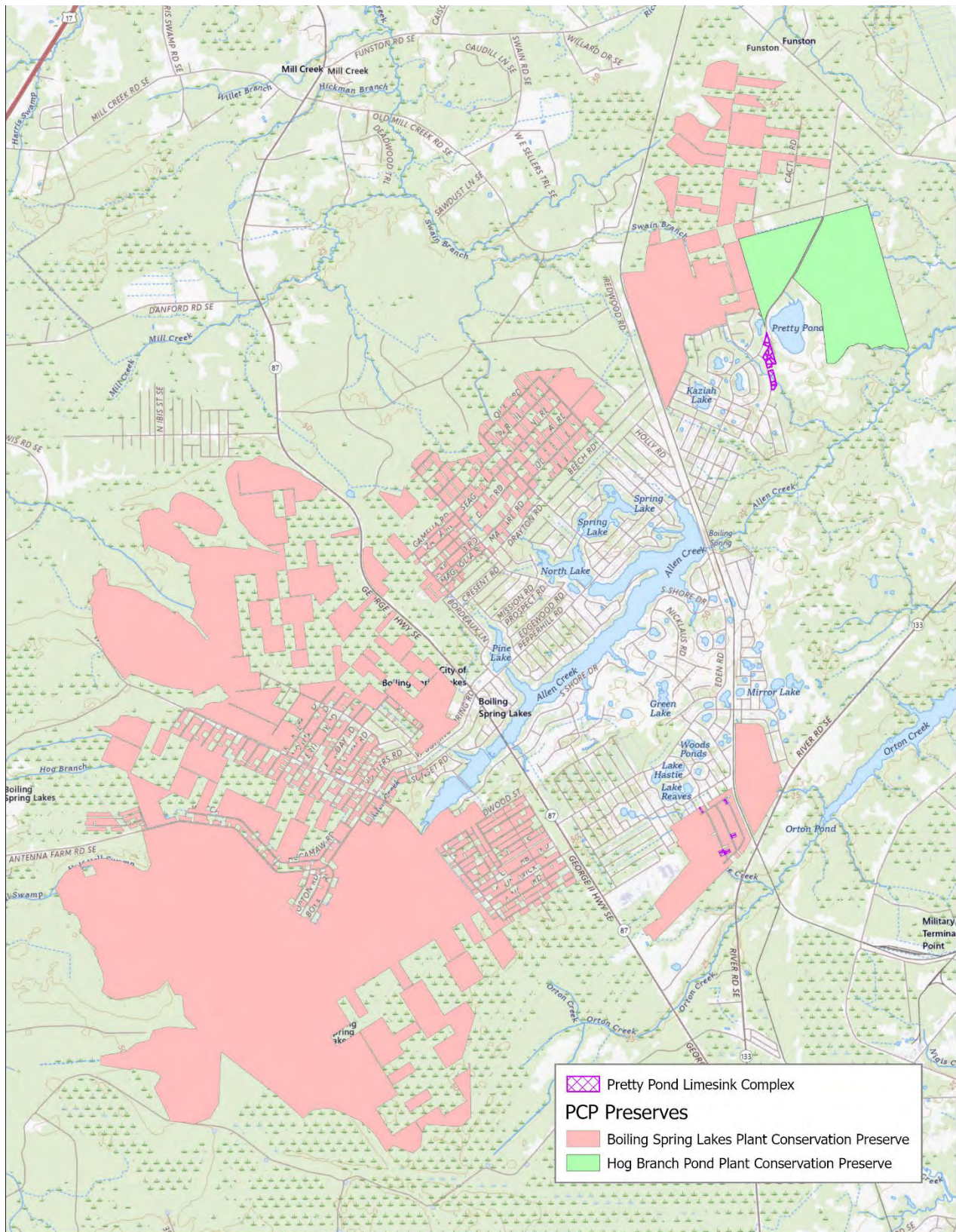
In 2012, qualifying portions of DNCR properties at the Pretty Pond Limesink Complex Preserve were dedicated under the Nature Preserves Act. The acquisition of the DNCR property (total of 10 acres) was partially funded by the Natural Heritage Trust Fund (Grant #200804804 and Grant #200810808). The NC Land and Water Fund has since assumed responsibility for former Natural Heritage Trust Fund grants. Three acres were added to the dedicated nature preserve through amendment in 2018. The properties are currently managed for the Natural Heritage Program by The Nature Conservancy through an agreement that is set to expire in 2030.

The NC Natural Heritage Program would like to transfer 13 acres (20 parcels) to the NC Department of Agriculture's Plant Conservation Program to be included as part of the Boiling Spring Lakes and Hog Branch Plant Conservation Preserves (see map 1). This transfer would consolidate boundaries and place ownership and management under one agency. The properties would remain dedicated under the Nature Preserves Act

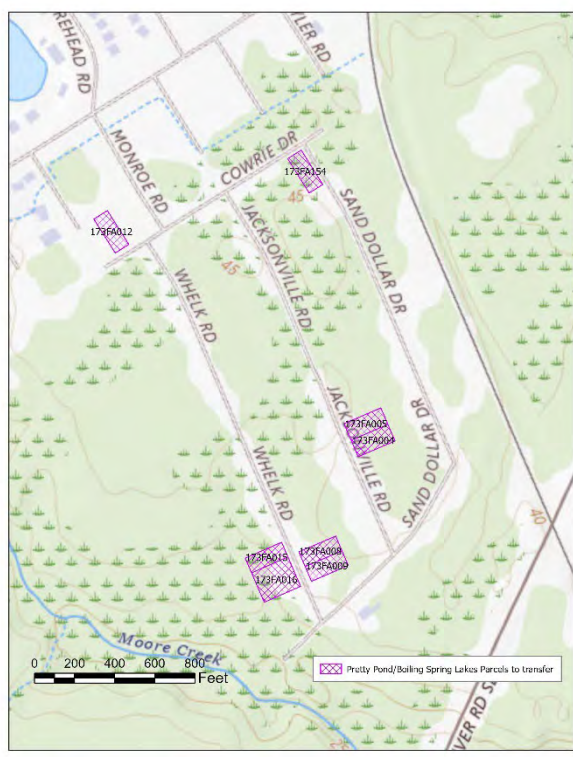
NC State Property Office will handle reallocation from one agency to another. The summary of the item will be submitted to the Joint Legislative Commission on Governmental Operations (GovOps), and does not require review by the Council of State.

Scientific Name	Common Name	Rank	NC Status	US Status
<i>Pond Pine Woodland</i> (Typic Subtype)	Pond Pine Woodland (Typic Subtype)	S3G3		
<i>Leuconotopicus borealis</i>	Red-cockaded Woodpecker	S2G3	Endangered	Threatened
<i>Wet Pine Flatwoods</i> (Typic Subtype)	Wet Pine Flatwoods (Typic Subtype)	S3G3		
<i>Xeric Sandhill Scrub</i> (Typic Subtype)	Xeric Sandhill Scrub (Typic Subtype)	S3G3		

Table 1 Natural Heritage Element Occurrences within proposed project area, Pretty Pond Limesink Complex Preserve NP



Map 1 Proposed transfer of Pretty Pond Limesink Complex Preserve



3



STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION

ROY COOPER
GOVERNOR

MACHELLE SANDERS
SECRETARY

August 16, 2018

Secretary Susi H. Hamilton
Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-4601

Re: Dedication of the **Pretty Pond Limesink Complex Preserve**, Brunswick County

Dear Secretary Hamilton:

Pursuant to Part 42 of Article 2 of Chapter 143B of the North Carolina General Statutes, this letter of allocation is executed for the purpose of dedicating the State-owned lands hereinafter described as a North Carolina Nature Preserve. These articles of dedication replace the articles of dedication dated November 7, 2012. The articles were amended to include additions of property and reflect ownership boundary corrections.

This real property is currently administered by the Natural Heritage Program, N.C. Department of Environment and Natural Resources, and consists of approximately 13 acres located in Brunswick County which are specifically described in Exhibits A and B, attached hereto and by reference made a part hereof. The dedicated lands shall be known collectively as the **Pretty Pond Limesink Complex Nature Preserve**.

Dedication of the qualified portions of the tracts fulfill the terms of any prior grant agreements, including those of the Natural Heritage Trust Fund.

Mailing Address:
NC DEPARTMENT OF ADMINISTRATION
1301 MAIL SERVICE CENTER
RALEIGH, NC 27699-1301

Telephone: (919) 807-2425
Fax: (919) 733-9571
COURIER #51-01-00
Email: machelle.sanders@doa.nc.gov
Website: www.ncadmin.nc.gov

Location:
116 WEST JONES STREET
RALEIGH, NORTH CAROLINA

The Governor and Council of State have approved the dedication of the State-owned lands hereinabove described as the Pretty Pond Limesink Complex Nature Preserve to be held in trust by the Custodian for the uses and purposes expressed in the Nature Preserves Act at a meeting held in the City of Raleigh, North Carolina, on the 3rd of March, 2018.

Sincerely,

A handwritten signature in cursive script, appearing to read "Machele Sanders".

Machele Sanders

MS

CONSENTED AND AGREED TO:

A handwritten signature in cursive script, appearing to read "Susi H. Hamilton".

Secretary Susi H. Hamilton

Department of Natural and Cultural Resources

THIS DEDICATION OF THE PRETTY POND LIMESINK COMPLEX PRESERVE IS MADE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. **Definitions:** As used in this Letter, the terms "natural area" and "nature preserve" have the same meaning as contained in North Carolina General Statutes 143B-135.254.
2. **Dedication:** Pursuant to North Carolina General Statutes 143B-135.264, all State-owned lands lying within the above designated area are hereby dedicated as a nature preserve to be known collectively as the Pretty Pond Limesink Complex Nature Preserve (hereinafter "preserve") for the purposes provided in the North Carolina Nature Preserves Act, as amended, and other applicable law, and said State-owned land, shall be held, maintained, and used exclusively for said purposes.
3. **Primary Custodian:** The primary custodian of the Nature Preserve will be the **North Carolina Natural Heritage Program, Department of Natural and Cultural Resources**, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H.0300 and .0400. At present, The Nature Conservancy is managing the preserve under a twenty-year management agreement, signed in December of 2010. For purposes of this document, The Nature Conservancy will be considered a "custodian" of the preserve.
4. **Primary Classification:** The primary classification and purpose of the preserve will be natural area and rare plant conservation. Other compatible uses of the preserve will be authorized by the Primary Custodian, and may include scientific research, nature education, and low-impact passive recreation. The ecological significance of the preserve is described in Exhibits A and B.
5. **Management Areas:** For the purposes of management, the preserve shall be considered to consist of a Primary Area (approximately 12.3 acres), as more particularly described in Exhibits A and B, attached thereto and by this reference made a part hereof. The Primary Area consists essentially of the natural area that includes several nesting trees for the Federally Endangered red-cockaded woodpecker (*Picoides borealis*) within a mosaic of Xeric Sandhill Scrub, Wet Pine Flatwoods, Pond Pine Woodland, and Cypress-Gum Swamp natural communities.

The Primary Area--composed of the natural area as described above--is deemed by the Secretary of the North Carolina Department of Natural and Cultural Resources to qualify as an outstanding natural area under statutory criteria for nature preserve dedication (G.S. 143B-135.260) and further serves all of the public purposes for a dedicated preserve as stated in G.S. 143B-135.252.

The Buffer Area, which contributes to the management and protection of the Primary Area, consists of less mature, lower quality natural communities and other areas that connect and adjoin the Primary Area.

6. **Rules for Management of the Primary and Special Management Areas:**

- a. **Character of Visitor Activity:** The principal visitor activities in the preserve may include nature observation, education, scientific research, and passive recreation. These activities shall be regulated by the Custodian to prevent significant disturbance of the preserve and to protect and conserve the natural values of the preserve.

Activities and uses unrelated to those listed above are prohibited except as otherwise provided in these Articles or unless necessary to carry out the purposes of the preserve. Prohibited activities include, but are not limited to: construction; commercial activities and development; commercial silviculture; agriculture and grazing; gathering of native species

of plants or plant products; the removal, disturbance, molestation, or defacement of minerals, archaeological and natural resources, except for purposes of ecological restoration or research as approved by the Custodian; and those activities specifically restricted in these Articles.

There shall be no fires, except as necessary for ecological management of the preserve or in conjunction with supervised educational activities of the Custodian, or further excepted as herein provided or otherwise expressly permitted.

- b. Orientation and Guidance of Visitors: The Custodian reserves the right to orient and guide visitors for educational programs, scientific research, and for preserve management. Exhibits, programs, and printed materials may be provided by the Custodian in service areas. The Custodian may restrict access to visitors in those instances or in such areas that restrictions may be determined necessary to safe-guard sensitive environmental resources in the preserve.
- c. Disturbance of Natural Resources: The cutting or removal of trees, dead or alive, or the disturbance of other natural resources is prohibited except as necessary for removal of hazards to visitors, control of disease that would damage or reduce the significance of the preserve, restoration after severe storm damage, trail clearance and maintenance, or for purposes of maintenance or restoration of natural communities or rare species populations as stipulated in the preserve management plan and that which is consistent with the purposes of these Articles.

The following language is being included in this letter of allocation because the dedicated preserve contains habitat types which may be managed for maintenance or recruitment of colonies of the Federally Endangered red-cockaded woodpecker (*Picoides borealis*). In the Recovery Plan for the Red-Cockaded Woodpecker (*Picoides borealis*) (US Fish and Wildlife Service: Southeast Region, Atlanta, GA), a range of management actions is prescribed for this purpose. While these objectives take precedence in the preserve because of the rarity of the species involved, primary areas should be managed to promote the full range of natural characteristics. Management should focus on prescribed burning. If canopy thinning is needed to meet guidelines, it should be done to the minimum degree necessary, unless it is agreed that other treatment would better promote the natural multi-aged, patchy character of longleaf pine communities. Canopy and midstory treatments should be done in ways that minimize disturbance to the ground cover vegetation and the soil.)

- d. Wildfire Control: Wildfires may mimic natural processes historically occurring in an ecosystem on a landscape level. When the extent of a wild fire does not threaten human life or structures, it may be allowed to burn with minimal control. If wildfire control is necessary, firebreaks may need to be established. When possible, existing roads and firebreaks will be utilized for wildfire control. When new firebreaks need to be established, environmentally sensitive areas will be avoided when possible. Old firebreaks which affect the natural hydrology of wetlands will be filled and allowed to revegetate. Planning of firebreak restoration should occur in consultation with the North Carolina Natural Heritage Program.
- e. Water Level Control: The purpose of water level control shall be to maintain the preserve's natural water regime. Water levels that have been altered by man may be changed if necessary to restore the preserve to its natural condition.

- f. Pollution and Dumping: There will be no storage or dumping of ashes, trash, garbage, hazardous substances, toxic waste, other unsightly or offensive material, or fill material, including dredge spoil in, on, or under the preserve. No underground storage tanks may be placed within the preserve. No surface or ground waters of the preserve may have pollutants added within the preserve.
- g. Control of Vegetational Succession: Control of vegetational succession may be undertaken if necessary to maintain or restore a particular natural ecosystem type or to preserve endangered, threatened, rare, or other unusual species. Controls will be done in the manner that best imitates the natural forces believed responsible for maintaining the natural ecosystem type, or that minimizes unnatural effects on non-target portions of the ecosystem. Prescribed burning is essential to some ecosystems and may be used where natural wildfire historically kept understories open and promoted herbaceous diversity.
- h. Control of Populations: Any control of animal or plant populations on the preserve shall be for the purpose of correcting those situations where those populations are significantly affecting natural conditions on the preserve. The Custodian may, in consultation with the North Carolina Natural Heritage Program, apply biological controls, herbicides and pesticides, and other means deemed necessary or appropriate to control or eradicate exotic or native species of plant or animal that are degrading the natural character of the preserve. Because of potential impacts on native species, no exotic flora or fauna shall be introduced into the preserve.
- i. Research and Collecting Permits: Any person wishing to engage in scientific research requiring collecting or otherwise affecting anything within the preserve shall first secure written permission from the Custodian.
- j. Roads and Trails: Construction and maintenance of roads, trails, and other access structures within the preserve will be limited to the level necessary to appropriately manage the preserve. New roads shall not be constructed in the Primary Area. When necessary, the Custodian may construct and maintain access limited to staff use for management purposes, such as service paths (single lane vegetated paths) for patrol, right-of-way maintenance, and other management activities, within the Primary Area. Number and width of new paths will be minimized, and sensitive areas avoided when possible. Existing roads that occur within or form a boundary of the Primary Area may be maintained by grading of the roadbed, replacing culverts, or adding stone as needed in order to maintain the integrity of the road for vehicular use. Access management and construction will be part of the overall management planning process and will include consultation with the North Carolina Natural Heritage Program.
- k. Other Structures and Improvements: Structures or facilities shall not be erected by the Custodian within a preserve, except as may be consistent with the purposes of the preserve as stated in this dedication. Site selection shall be consistent with this dedication.
- l. Management Plan: The **Department of Natural and Cultural Resources, Natural Heritage Program**, as Primary Custodian of the preserve, shall develop a management plan for the broader managed area, including the preserve. This management plan should be subject to all the provisions of this dedication and with the management principles set forth in the North Carolina Administrative Code 07 NCAC 13H.0300 and .0400. In any

case where contradictions may arise between this instrument of dedication and other management regulations, the terms of this dedication shall take precedence.

7. **Rules for Management of the Buffer Area(s):** Primary area rules also apply except that additional forestry and wildlife management activities may be planned and carried out as needed. Construction and maintenance of roads, trails, and other access structures within buffer area(s) of the preserve will be limited to the level necessary to appropriately manage the preserve. These activities will be conducted in accordance with policy of the Natural Heritage Program, in addition to providing for the buffer functions in relation to the primary area(s).

Buffer functions within the dedicated area may include protecting the primary area(s) from indirect detrimental ecological effects, providing additional area for species and ecological processes that require larger areas, and providing important successional stages and disturbance regimes and other habitat diversity for wildlife. Based on these general objectives, the following buffer functions will be addressed in the management plan.

- 1) Managing landscape level function of community type and structure. (Buffer area management may involve timber harvest and other forms of stand manipulation, but will not involve forest canopy type conversion over more than limited areas, other than to restore stands to types suited for the site. Introduction of exotic species known to be invasive in natural communities will be avoided.)
- 2) Maintaining habitat connectivity and continuity among primary areas.
- 3) Providing for habitat diversity.
- 4) Managing the needs of rare animal and plant species populations occurring within the Buffer area; and
- 5) Protecting soil and hydrologic resources and processes within the Primary Area and extending into the Buffer Area. (Naturally vegetated riparian zones will be retained along streams, and watersheds of Primary Areas will be protected from hydrologic alteration.)

8. **Amendment and Modification:** The terms and conditions of this dedication may be amended or modified upon agreement of the Natural Heritage Program and the Secretary of the Department of Natural and Cultural Resources, and approved by the Council of State. Any portion of the tract dedicated pursuant to this instrument may be removed from dedication in accordance with the provisions of North Carolina General Statutes 143B-135.264.

EXHIBIT A
PRETTY POND LIMESINK COMPLEX
DEDICATED NATURE PRESERVE
Northern Section

DESCRIPTION

COUNTY: Brunswick County TOPO QUAD: Funston 7.5' quad

SIZE OF AREA: ca. 10 acres total (all primary)

OWNER/ADMINISTRATOR: State of NC, Department of Nature and Cultural Resources,
Natural Heritage Program

LOCATION: The northern section of the preserve is located on the northeastern side of the town of Boiling Spring Lakes, on the south side of East Boiling Spring Road, adjacent to the Pretty Pond Girl Scout Camp. See attached map.

DESCRIPTION: The land in this area is an irregular, rolling area of stabilized sand dunes. The area has a mosaic of vegetation, ranging from Xeric Sandhill Scrub to Wet Pine Flatwoods to Pond Pine Woodland and a small band of Cypress—Gum Swamp a poorly developed drainage. The Xeric Sandhill Scrub, on the highest sandhills, is dominated by longleaf pine (*Pinus palustris*), with a midstory largely of turkey oak (*Quercus laevis*). The ground cover is dominated by wiregrass (*Aristida stricta*) in patches, by low shrubs elsewhere. The Wet Pine Flatwoods is also dominated by longleaf pine, with little midstory. The ground cover is dominated by wiregrass in places, with bracken fern (*Pteridium aquilinum*) or low shrubs elsewhere. The swales contain Pond Pine Woodland, with an open canopy of pond pine (*Pinus serotina*) and a tall, dense shrub layer. The condition of the communities ranges widely among the different patches, with canopy pines ranging from 16 inches in diameter down to 10 inches, and the density of wiregrass varying. All of the area has been altered by long fire suppression, but most parts remain capable of recovering if burning is restored. Several cavity trees created by red-cockaded woodpeckers (*Picoides borealis*) are present in the area.

BOUNDARY JUSTIFICATION: The dedicated primary area consists of all the Natural Heritage Program holdings in the area. Although the condition of the land varies, natural communities in good condition are dispersed throughout the area.

MANAGEMENT AND USE: Prescribed fire is needed to restore the natural communities. Additional restoration treatments may be warranted in small portions of the area, including cutting of midstory oaks, thinning of dense longleaf pine patches, and mowing of dense shrub areas in longleaf pine communities.

EXHIBIT B
PRETTY POND LIMESINK COMPLEX
DEDICATED NATURE PRESERVE
Southern Section

DESCRIPTION

COUNTY: Brunswick County TOPO QUAD: Funston 7.5' quad

SIZE OF AREA: ca. 3 acres total (2.3 acres primary; 0.7 acres buffer)

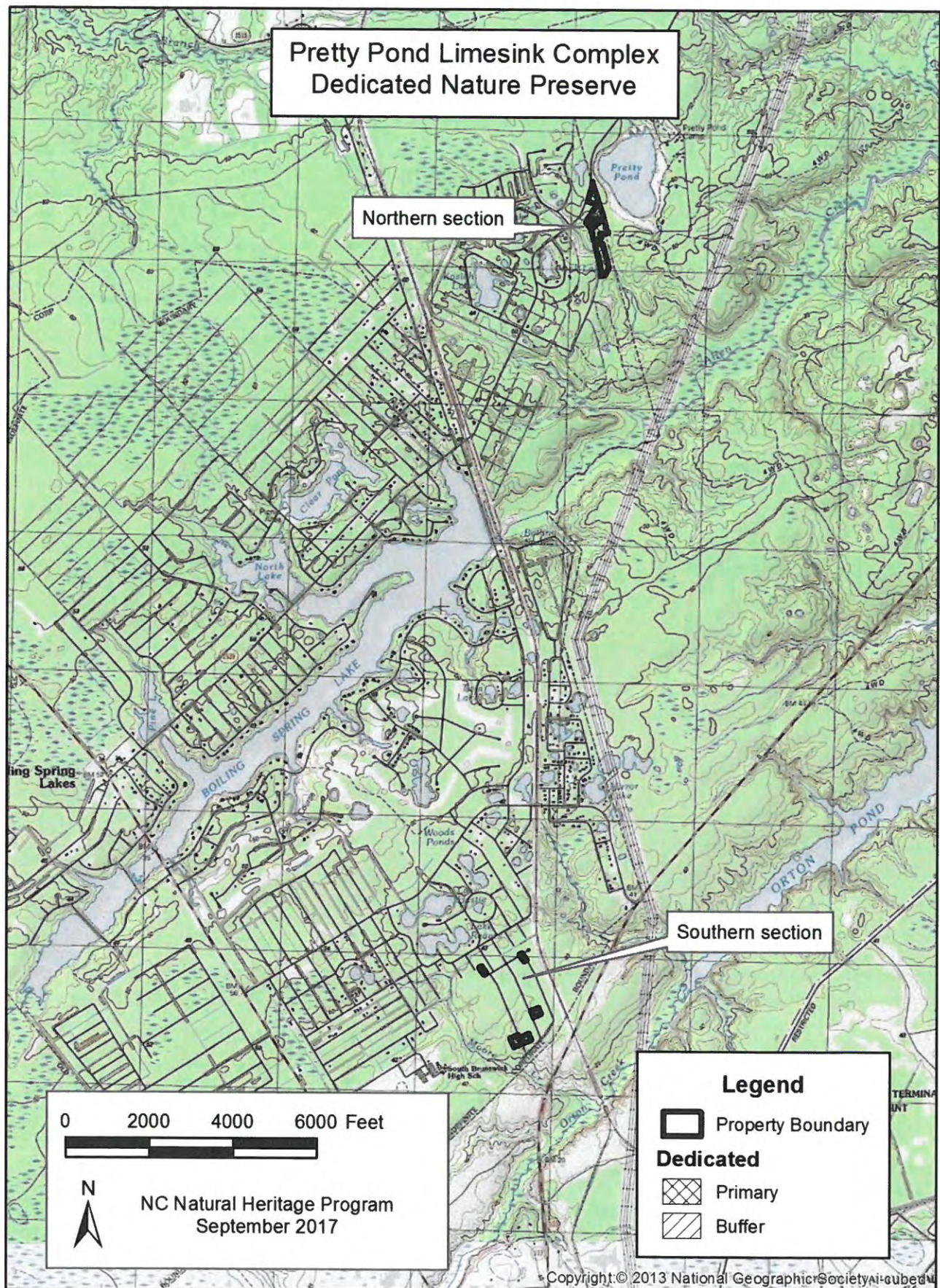
OWNER/ADMINISTRATOR: State of NC, Department of Natural and Cultural Resources,
Natural Heritage Program

LOCATION: The southern section of the preserve is located on the southeastern side of the town of Boiling Spring Lakes, to the east of South Brunswick High School, and north of NC Highway 133.

DESCRIPTION: The southern section of the preserve is comprised of five separate lots, or parcels, surrounded by North Carolina Department of Agriculture, Plant Conservation Preserve properties. The area has a mosaic of vegetation, primarily Pine/Scrub Oak Sandhill (Coastal Fringe Subtype), Wet Pine Flatwoods (Sand Myrtle Subtype), and Pond Pine Woodland (Typic Subtype) natural communities. The ground cover is dominated by wiregrass (*Aristida stricta*) in patches, by low shrubs elsewhere. The condition of the natural communities ranges among the different parcels, and the density of wiregrass varies as well. All of the area has been altered by long fire suppression, but most parts remain capable of recovering if burning is restored. Two clusters of Federally- and State-Endangered red-cockaded woodpeckers (*Picoides borealis*) were observed in the area in 2007, and are thought to be extant. Populations of Venus Flytrap (*Dionaea muscipula*) have been observed in close proximity to the parcels.

BOUNDARY JUSTIFICATION: The dedicated primary area consists of all the Natural Heritage Program holdings in the area. Although the condition of the land varies, natural communities in good condition are dispersed throughout the area.

MANAGEMENT AND USE: Prescribed fire is needed to restore the natural communities. Additional restoration treatments may be warranted in small portions of the area, including cutting of midstory oaks, thinning of dense longleaf pine patches, and mowing of dense shrub areas in longleaf pine communities. Partnership with the Plant Conservation Program, NC Forest Service, and The Nature Conservancy in management of the larger Boiling Spring Lakes complex, including these tracts, should be encouraged.



Pretty Pond Limesink Complex
Dedicated Nature Preserve
Northern section



Legend

Dedicated

 **Primary**

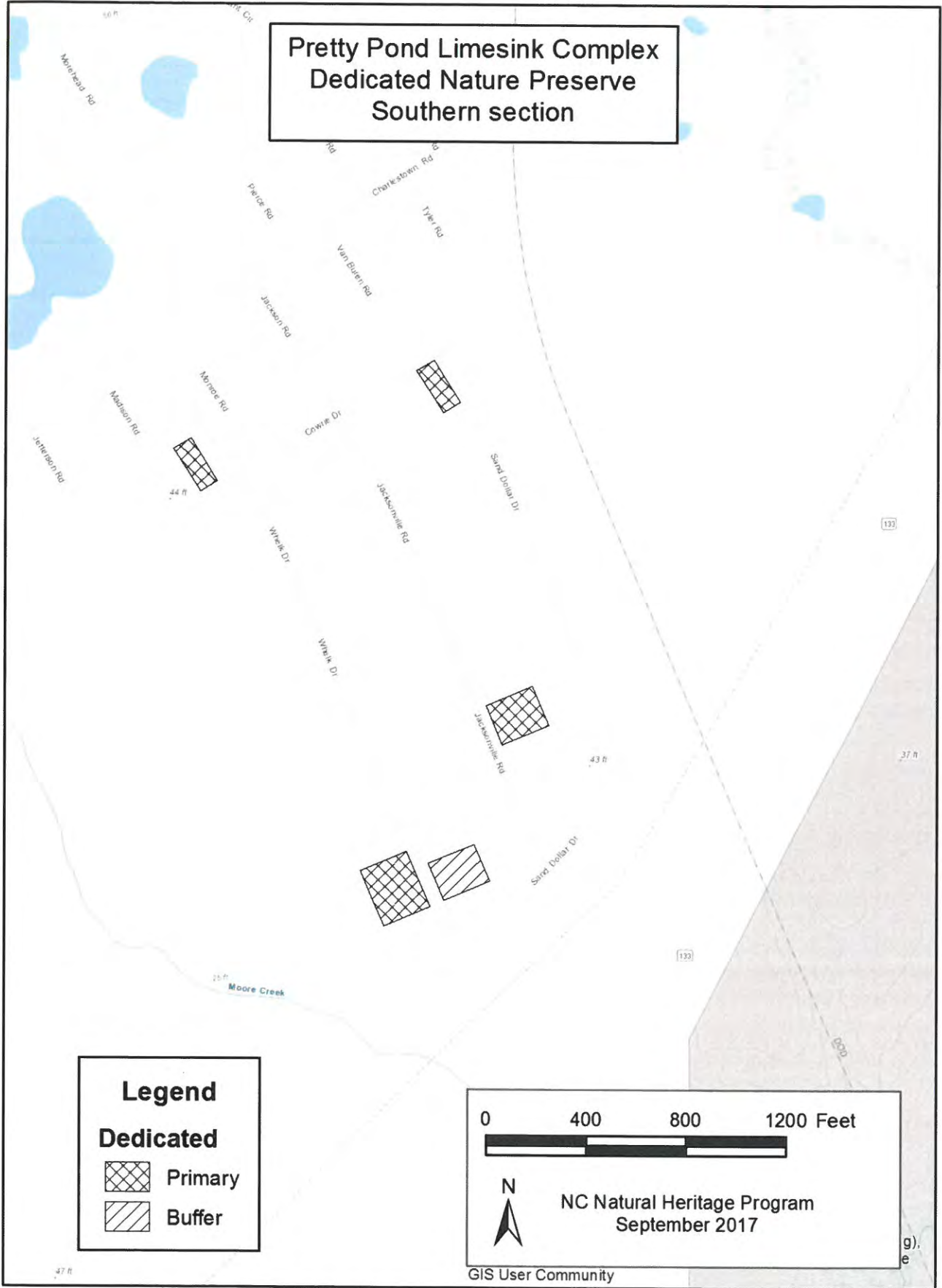
0 400 800 1200 Feet



N

NC Natural Heritage Program
September 2017

Pretty Pond Limesink Complex Dedicated Nature Preserve Southern section



Legend

Dedicated

-  Primary
-  Buffer

0 400 800 1200 Feet



N

NC Natural Heritage Program
September 2017

MANAGEMENT AGREEMENT

between

**THE NORTH CAROLINA DEPARTMENT OF ENVIRONMENT
AND NATURAL RESOURCES,
DIVISION OF NATURAL RESOURCES PLANNING AND CONSERVATION**

and the

THE NATURE CONSERVANCY

I. General Purpose and Objectives

The North Carolina Department of Environment and Natural Resources, Division of Natural Resources Planning and Conservation, hereinafter referred to as the "*Department*", and The Nature Conservancy, hereinafter referred to as the "*Conservancy*", have been interested in conservation of the Boiling Spring Lakes Wetland Complex for many years. This mutual interest was formalized in 2007 when the Department and Conservancy agreed to work in partnership to protect approximately 6.83 acres known as Section 14. Such conservation efforts are best served when both partners jointly identify priorities and share expertise and resources to most efficiently and effectively achieve mutual goals. The purpose of this Agreement is to facilitate the cooperation of both parties in the conservation of high quality natural communities and rare plant and animal species. This Agreement will allow funds, personnel, expertise, and equipment, as available, to be shared by the two parties to accomplish actions mutually judged to be high priority. Such actions include, but are not limited to:

- Land protection actions (conservation easements, purchases, or agreements)
- Survey and census of natural ecosystem components
- Habitat manipulation or creation
- Research, life history studies, propagation, and reintroduction
- Public information and education

As part of this cooperative effort, the Department is requesting the Conservancy to manage, pursuant to the terms set forth below in this Management Agreement, the property within the Boiling Spring Lakes Wetlands Complex, known as Section 14 and Section 5/25 ("High School Unit"). This Management Agreement applies to all existing and future acreage protected by the Department in the Boiling Spring Lakes (BSL) Wetlands Complex. As outlined by the Department, the goal of the Conservancy shall be to conserve the natural communities ecosystem functions and rare and threatened plant and animal species located on the property.

II. Property Significance

The Boiling Spring Lakes Wetlands Complex is a 15,000-acre natural area in southeast Brunswick County and is contiguous with several other important natural areas. Despite being located within an area of changing land uses and rapid development, this area is a large, relatively intact, virtual wilderness. It is ranked as nationally significant for multiple natural heritage values:

1. The BSL Wetlands Complex contains an outstanding assemblage of natural community types, including Pine Savanna Wet Spodosol Variant, Wet Pine Flatwoods Wet Spodosol Variant, Coastal Fringe Sandhill, and Xeric Sandhill Scrub Coastal Fringe Variant. The combination of all of these community types in fair to excellent condition over a large, contiguous area is remarkable, and not repeated elsewhere at this scale.

2. The site supports the Federally and State Endangered red-cockaded woodpecker (*Picoides borealis*).
3. Six federally designated rare plant species occur within this site. These include one Federally and State Endangered species – rough-leaf loosestrife (*Lysimachia asperulifolia*) – and four Federal C2 Candidate species: savanna indigo-bush (*Amorpha georgiana* var. *confusa*), Venus flytrap (*Dionaea muscipula*), pondspice (*Litsea aestivalis*), and Carolina goldenrod (*Solidago pulchra*). Among these, Carolina goldenrod is State Endangered, savanna indigo-bush is State Threatened, Venus flytrap is State Candidate-Special Concern, and pondspice is State Candidate.
4. The site provides habitat for nine plant species designated as rare by the NC Natural Heritage Program (NHP). These include five State Candidates species: scale-leaf gerardia (*Agalinis aphylla*), savanna milkweed (*Asclepias pedicellata*), Hooker's milkwort (*Polygala hookeri*), shortbristled beaksedge (*Rhynchospora breviseta*), and savanna yellow-eyed-grass (*Xyris flabelliformis*). Also present are four significantly rare plant species: warty sedge (*Carex verrucosa*), spoonflower (*Peltandra sagittifolia*), Fitzgerald's peatmoss (*Sphagnum fitzgeraldii*), and shortleaf yellow-eyed-grass (*Xyris brevifolia*).
5. The site contains many Carolina bays and relict dune ridges. These two geomorphic features co-occur in a large area south of the town of Boiling Spring Lakes, with the younger Carolina bays superimposed on the older relict dune ridges and intervening swales. This geomorphic co-occurrence is known from only five global sites, and the Boiling Spring Lakes Wetland Complex area of co-occurrence appears to be the largest.
6. Eighteen plant species on the watch list maintained by the NHP occur at the site.
7. The general plant diversity is high with over 400 species of vascular plants present in the natural area.

III. General Management Terms

Projects to be carried out under this Agreement will be jointly selected by the Conservancy and the Department.

- A. The Department will provide:
 - Expertise on species status, location, and protection needs.
 - Personnel to carry out certain activities in the field and for contract administration or other activities.
- B. The Conservancy will provide:
 - Advice on state and national priorities and data resulting from research being carried out by Conservancy personnel or through Conservancy contracts.
 - Personnel and equipment, as they become available.
 - Coordination with other agencies whose actions influence the recovery and conservation of threatened or endangered species.
 - Funding, as it becomes available. There is no guarantee of funding through this Agreement.
- C. The Conservancy will implement such management actions as needed to restore, enhance, and maintain habitat for rare and threatened plants, animals, and natural communities. All natural communities will be managed to support their persistence and integrity. Disturbed portions of the property may be restored to natural communities and habitats through management procedures jointly approved by the Conservancy and the Department. These activities include, but are not limited to, prescribed fire and mechanical thinning of small pines and hardwoods around red-cockaded woodpecker cavity trees. The Department and the Conservancy will meet annually prior to the burn season to discuss management goals and objectives.
- D. The Conservancy or other jointly approved organizations may conduct monitoring and research on the property to support the restoration, enhancement, and management of habitat for rare and threatened plants and natural communities.
- E. The Conservancy will post the property with signs approved by the Department identifying the Conservancy as the managing agency. The property will be open to the

public subject to restrictions for the public safety and the protection of rare and threatened plants, animals and natural communities. The Conservancy shall notify the Department project officer identified in this agreement of any trespassing, arson, plant poaching, dumping, or other destructive uses it discovers on the property. The Conservancy, within its limitations, will cooperate with the Department in addressing such activities.

IV. Effective Date of Agreement

This Management Agreement will continue in effect for twenty years in order to effectuate the purposes and intent of the Agreement. Either party may terminate this Agreement upon 60 days written notice to the other party.

V. Legal Responsibility

The Department shall not be liable to the Conservancy or its agents or employees for any loss or damage occurring on the property.

VI. Financial Administration

Initiation of this management agreement creates no obligation on the part of the Department to provide funds to the Conservancy or for the Conservancy to spend any particular amount of funds at the BSL Wetlands Complex. Any transfer of funds shall be addressed by a separate written agreement between the Department and the Conservancy.

VII. Annual Report

Project officers (or designees) for this management agreement shall meet annually to discuss the management activities conducted by The Conservancy at this site. The Conservancy will provide to the Department's Project Officer an annual written summary report of management activities conducted at the BSL Wetlands Complex by December 31 of each year.

VIII. Project Officers

Project officers established for the purpose of administering this management agreement are:

For the Department: Linda Pearsall
Director, Office of Conservation, Planning and Community Affairs
NC Department of Environment and Natural Resources
1601 Mail Service Center
Raleigh, NC 27699-1601
Phone: (919) 715-4195
Fax: (919) 715-3060
Email: linda.pearsall@ncdenr.gov

For the Conservancy: Dan Ryan
Southeast Coastal Plain Project Director
The Nature Conservancy
131 Racine Drive, Suite 101
Wilmington, NC 28403
Phone: (910) 395-5000 ext. 102
Fax: (910) 395-2400
Email: dryan@tnc.org

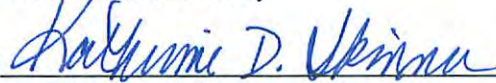
The parties have executed this Management Agreement on the dates indicated below:

North Carolina Department of Environment and Natural Resources, Office of
Conservation, Planning, and Community Affairs

By: 
Director

Date: 12-20-10

The Nature Conservancy

By: 
Vice-President

Date: 12-23-10

Holly Shelter Game Land Dedicated Nature Preserve Amendment – revised articles of dedication will be distributed prior to August 27 (pending review)

Exhibit B Overview Map
Holly Shelter Game Land
Dedicated Nature Preserve

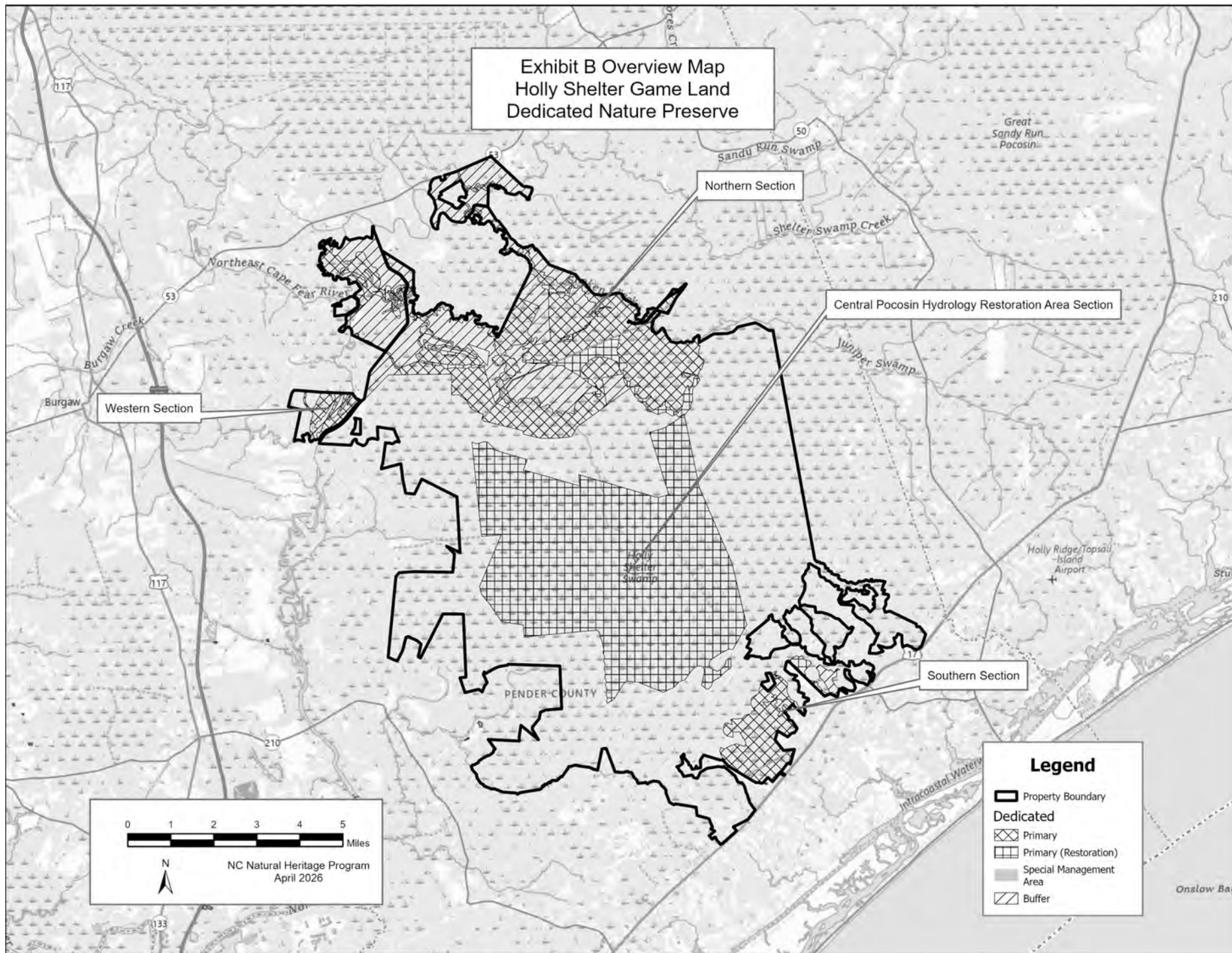
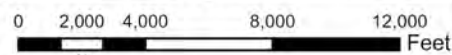


Exhibit B Map
Holly Shelter Game Land
Dedicated Nature Preserve
(Northern Section)



NC Natural Heritage Program
April 2026

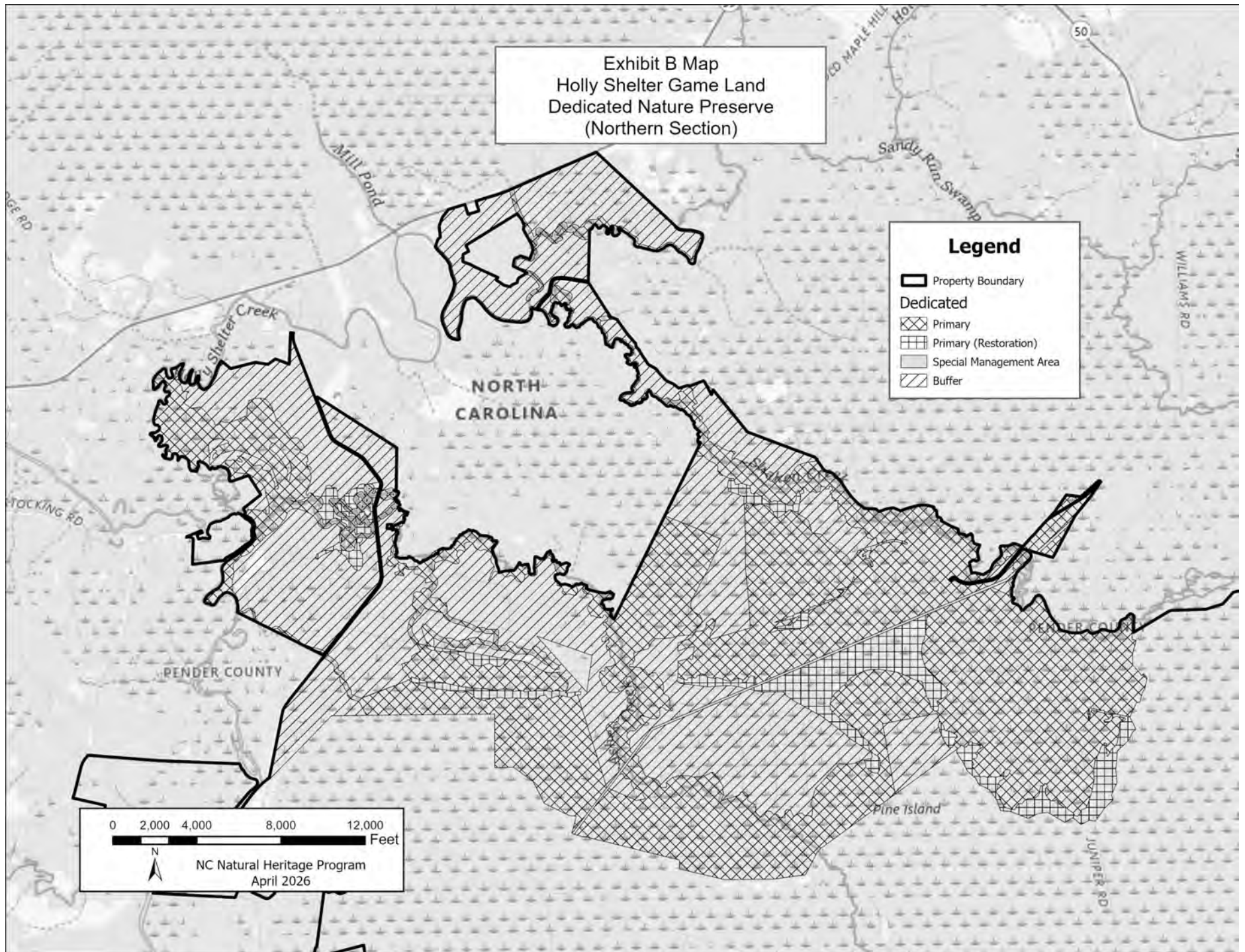
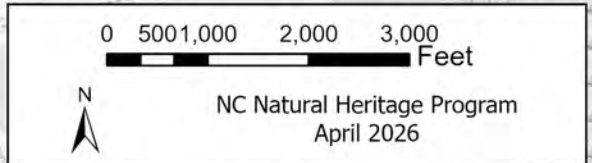


Exhibit B Map
Holly Shelter Game Land
Dedicated Nature Preserve
(Western Section)



Legend

- Property Boundary
- Dedicated
 - Primary
 - Primary (Restoration)
 - Special Management Area
 - Buffer

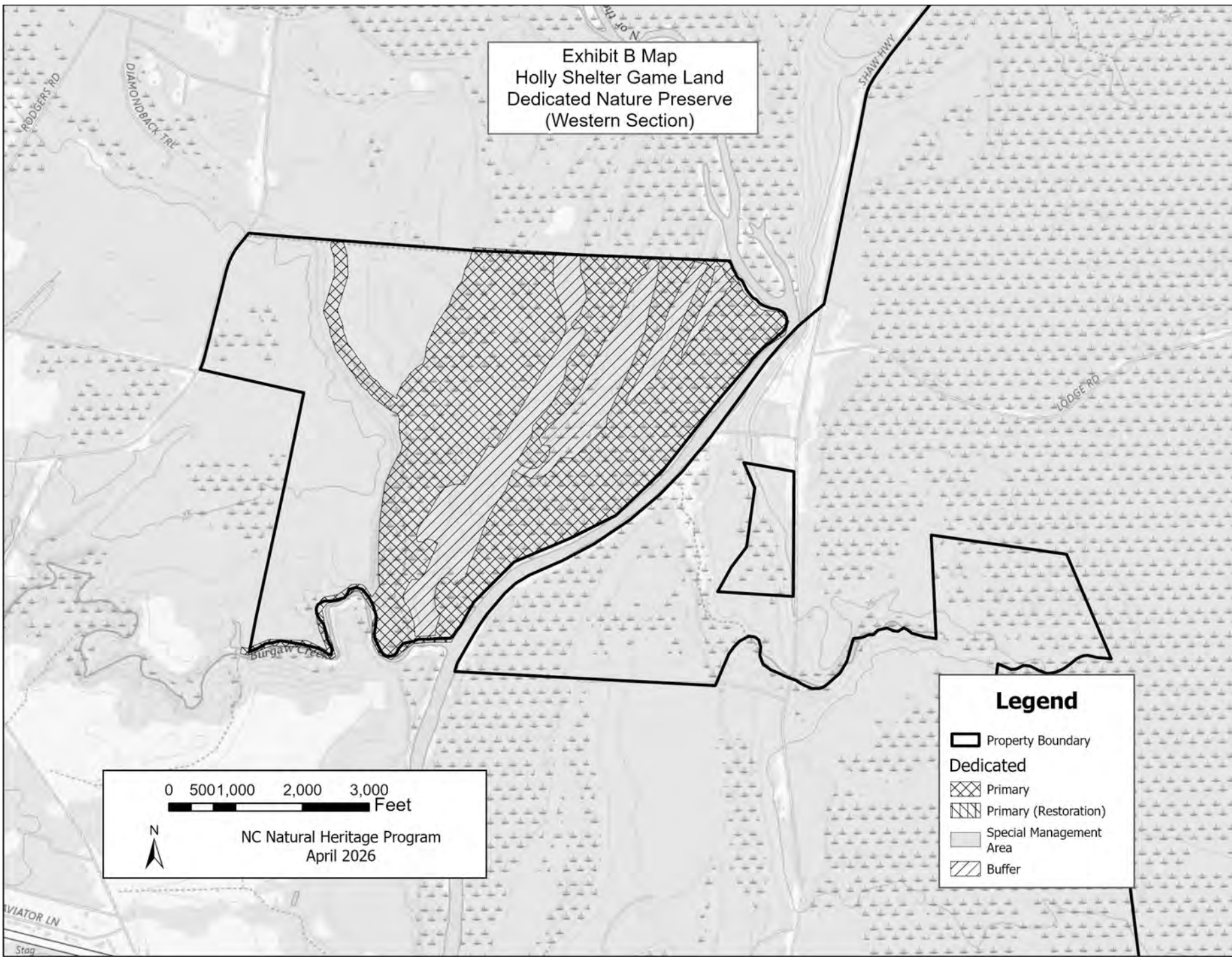
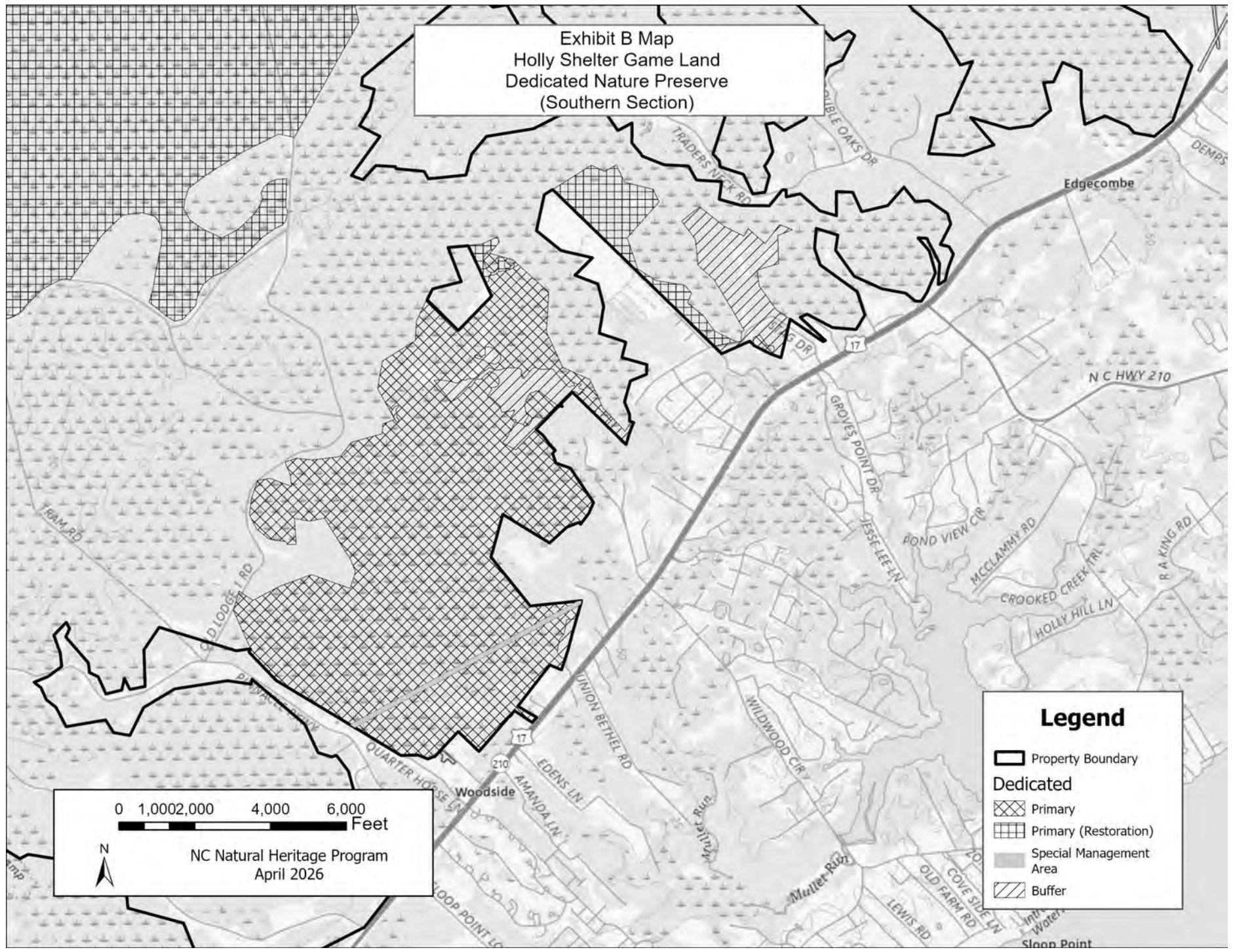


Exhibit B Map
Holly Shelter Game Land
Dedicated Nature Preserve
(Southern Section)



Legend

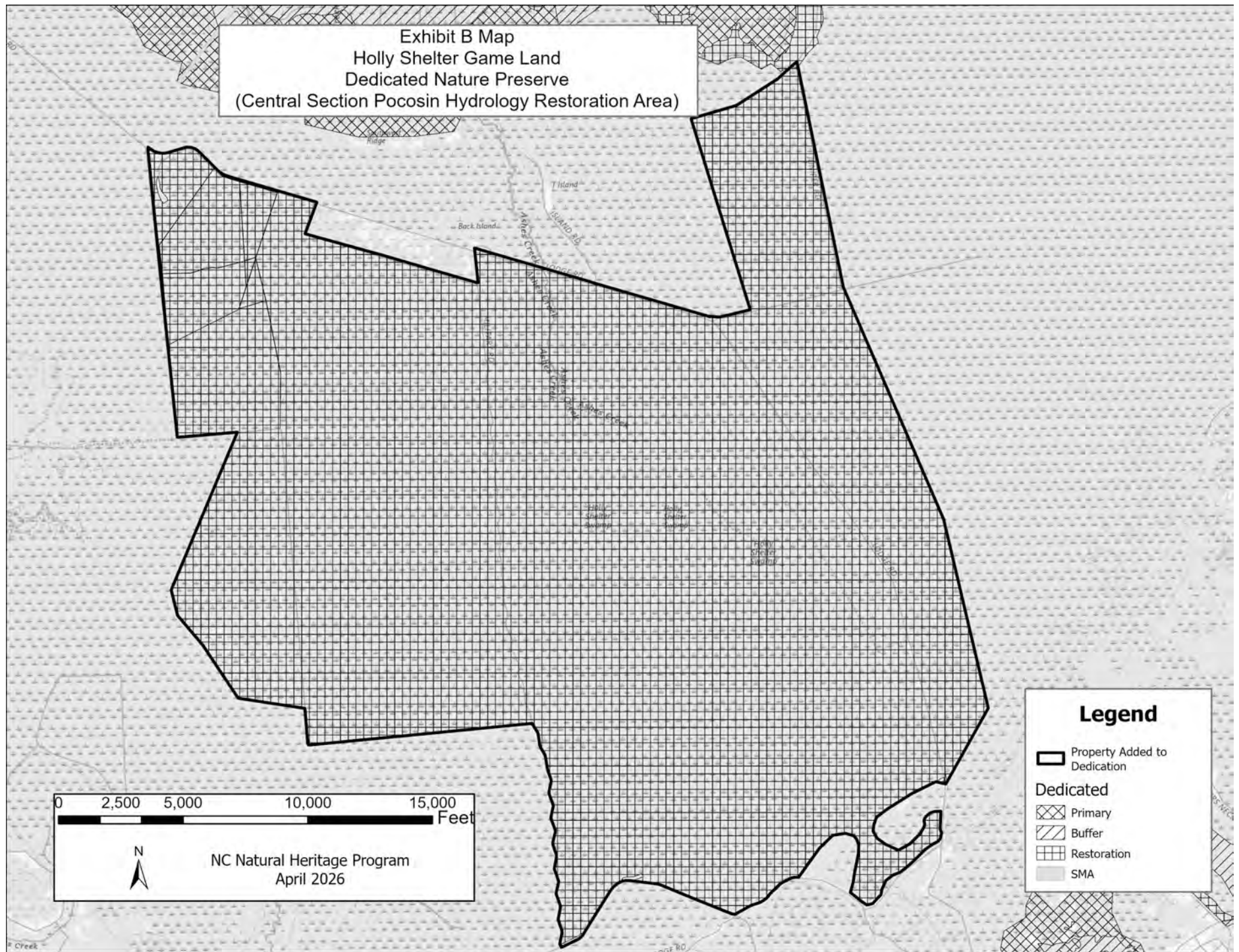
- Property Boundary
- Dedicated
 - Primary
 - Primary (Restoration)
 - Special Management Area
 - Buffer

0 1,000 2,000 4,000 6,000 Feet



NC Natural Heritage Program
April 2026

Exhibit B Map
Holly Shelter Game Land
Dedicated Nature Preserve
(Central Section Pocosin Hydrology Restoration Area)



Legend

Property Added to Dedication

Dedicated

Primary

Buffer

Restoration

SMA

0 2,500 5,000 10,000 15,000 Feet



NC Natural Heritage Program
April 2026

Exhibit C Map
Property Added to Articles of Dedication
Southern Section
Holly Shelter Game Land Dedicated Nature Preserve

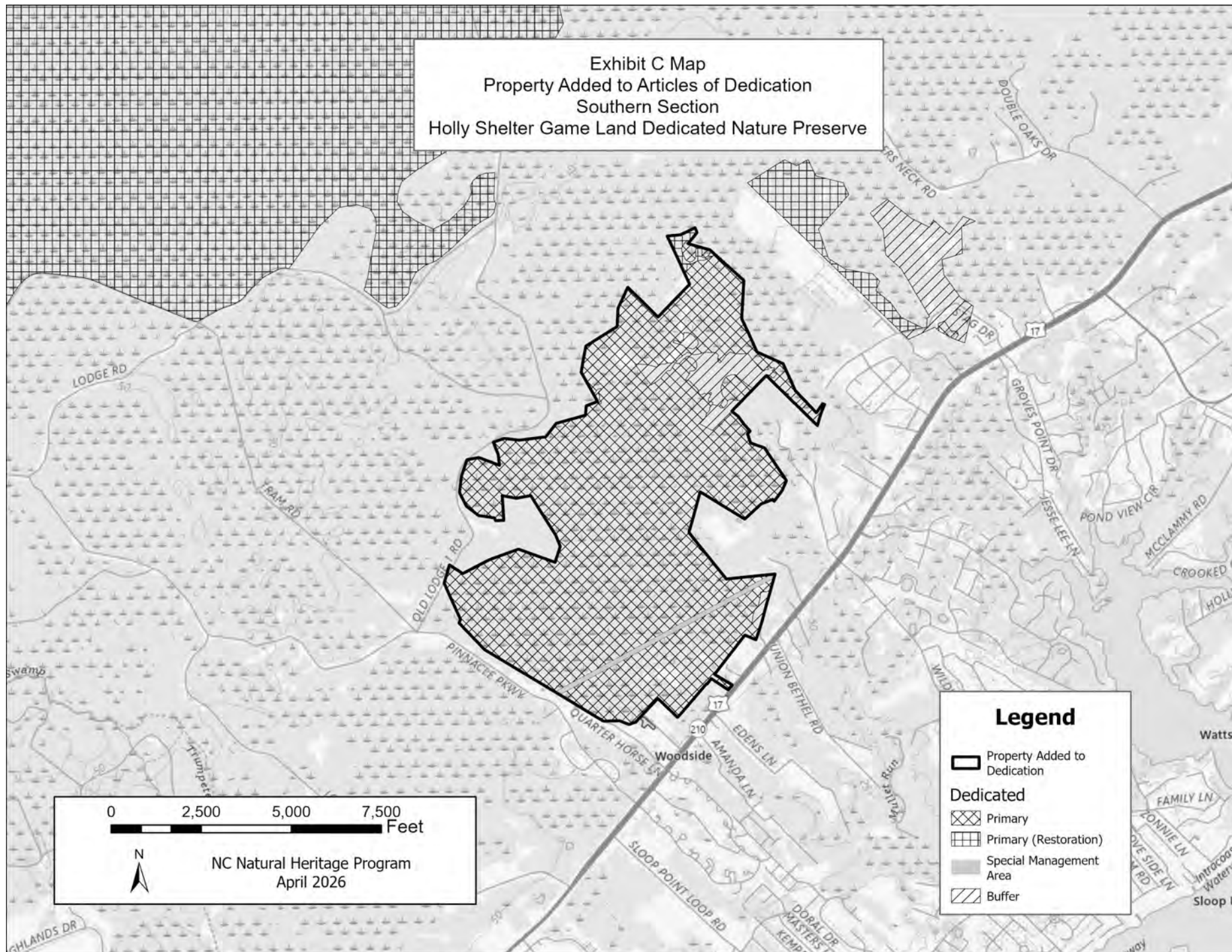
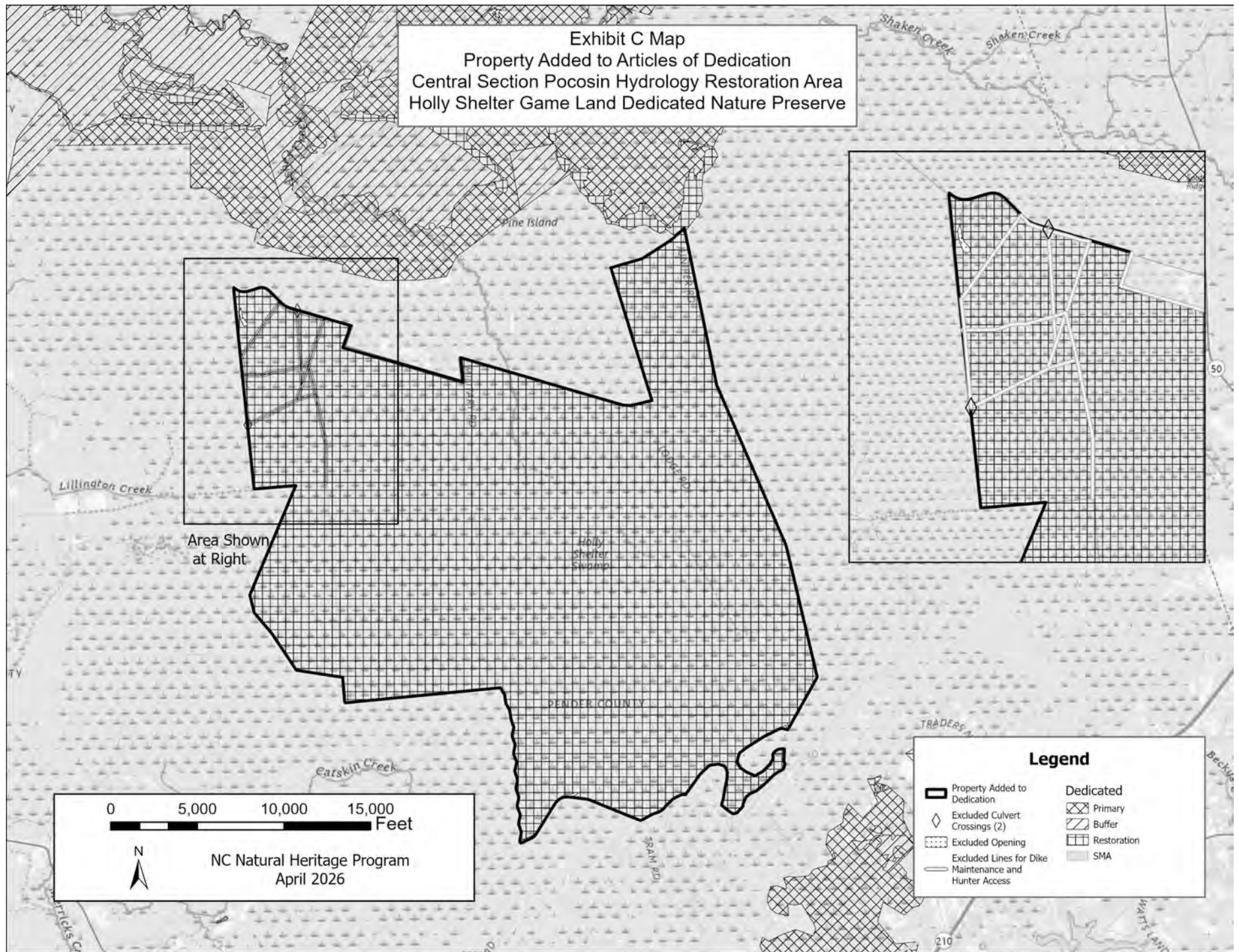


Exhibit C Map
 Property Added to Articles of Dedication
 Central Section Pocosin Hydrology Restoration Area
 Holly Shelter Game Land Dedicated Nature Preserve



Area Shown
 at Right

Legend

- | | |
|--------------------------------|-------------------|
| Property Added to Dedication | Dedicated Primary |
| Excluded Culvert Crossings (2) | Buffer |
| Excluded Opening | Restoration |
| Excluded Lines for Dike | SMA |
| Maintenance and Hunter Access | |

0 5,000 10,000 15,000 Feet



NC Natural Heritage Program
 April 2026

Coastal Reserve Program Legislation Update

SESSION LAW 2026-41 SENATE BILL 257

Coastal Reserve Agency Authority SECTION 12.21. G.S. 113A-129.2 reads as rewritten:

"§ 113A-129.2. Coastal Reserve Program.

(a) There is hereby created a North Carolina Coastal Reserve System for the purpose of acquiring, improving, and maintaining undeveloped coastal land and water areas in a natural state.

(b) This system shall be established and administered by the Department of Environmental Quality. ~~In so doing the Department shall consult with and seek the ongoing advice of Quality, subject to: (i) use standards adopted for the system by the Coastal Resources Commission and (ii) permits and orders issued by the Coastal Resources Commission. Commission concerning activities allowed in the system.~~ The Department may by rule define the areas to be included in this system and set standards for its use.

(c) This system shall be established within the coastal area as defined by G.S. 113A-103(2).

(d) All acquisitions or dispositions of property for lands within this system shall be in accordance with the provisions of Chapter 146 of the General Statutes.

(e) All lands and waters within the system shall be used primarily for research and education. Other public uses, such as hunting, fishing, navigation, and recreation, shall be allowed to the extent consistent with these primary uses. Improvements and alterations to the lands shall be limited to those consistent with these uses.

(f) With respect to any component of the system that is also a dedicated nature preserve pursuant to Part 42 of Article 2 of Chapter 143B of the General Statutes, the Department and the Commission, in accordance with the authority granted to each pursuant to subsection (b) of this section, shall act as primary custodian to manage such components, in accordance with the articles of dedication. The Secretary of Natural and Cultural Resources shall monitor these preserves, and shall retain authority to report alleged violations of the approved management plan or the articles of dedication for such preserves, in which case the Secretary shall request the Department of Administration to coordinate mediation with the primary custodian. If mediation is unsuccessful in resolving the issue, the Department of Natural and Cultural Resources shall have standing and a right of action in the Superior Court of Wake County, or the county in which the component is located, to enforce the terms of any articles of dedication applicable to such components.

Natural Heritage Advisory Committee

North Carolina Natural Heritage Program

August 27, 2026



North Carolina Natural Heritage Program

Recommendations for Dedication and Registry

Submitted to the Natural Heritage Advisory Committee

August 27, 2026

Dedicated Nature Preserve

Agreement is attached to the land

Agreement cannot be rescinded by the owner

Requires approval of Council of State and Governor

Specific management rules

Dedication zones

Primary Area: contains rare species populations, rare communities, and/or high-quality examples of common communities.

Primary (Restoration) Area: contains elements as above, but requires some form of active management to restore. If timber management is allowed, it is with a specific time-limited objective (e.g., removal of off-site canopy species). Part of the Primary Area.

Special Management Area: retains some natural features (e.g., rare species populations), but is maintained for other purposes (e.g., utility right-of-way).

Buffer Area: contributes to the ecological function of the Primary Area, but does not qualify as Primary.

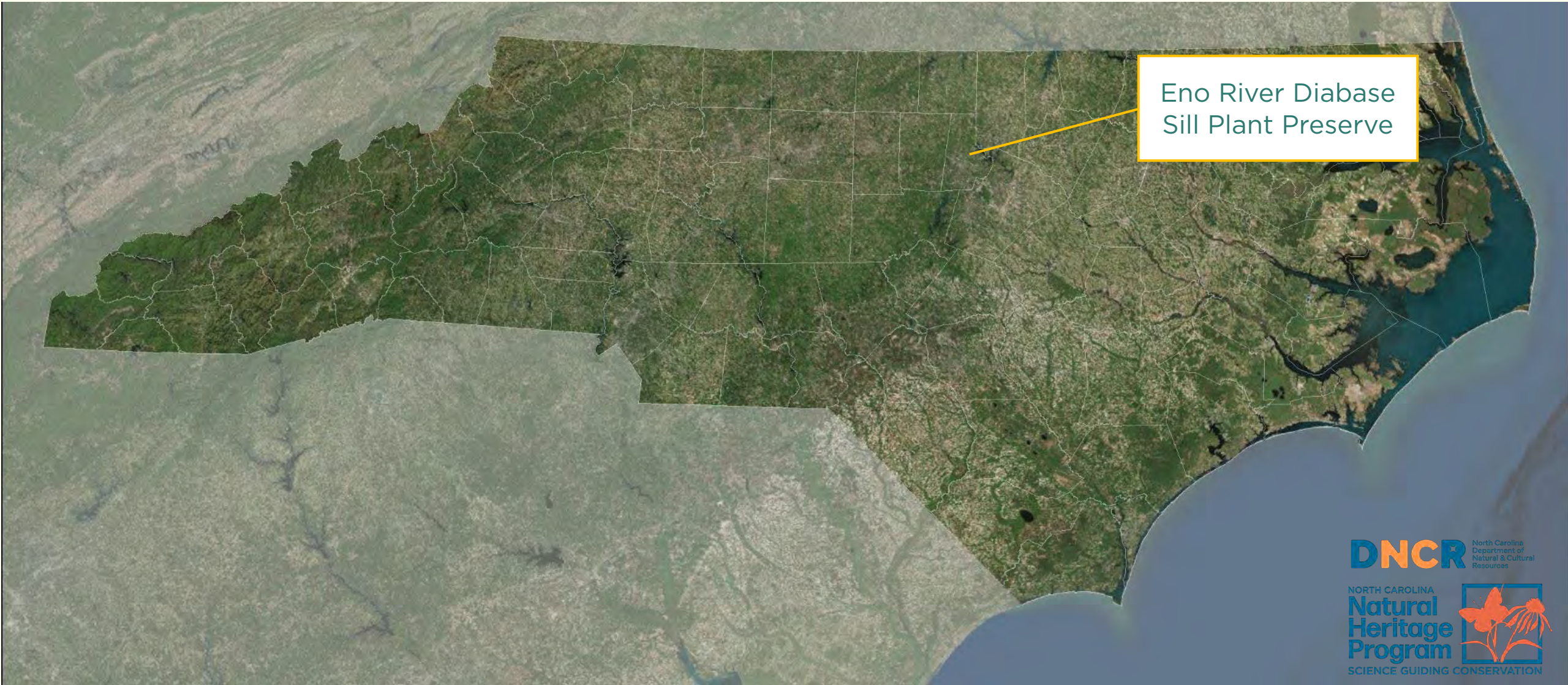
State Land Dedicated Nature Preserve

- Dedication of qualifying portions is required when lands are acquired with NC Land and Water Fund grants.
 - Preserve design is scaled to parcel level.
- Dedication is done by Letter of Allocation

Aquatic Standards for State Land Dedication

- 100 ft riparian zone on all perennial streams
 - Minimum standard
- 300 ft riparian zones along perennial streams with NHP Aquatic Habitat
 - If Aquatic Habitat has federally listed species, add 200 ft riparian zone on all perennial tributary streams to the Aquatic Habitat
 - If Aquatic Habitat does not have federally listed species, add 100 ft riparian zones on all perennial tributary streams
- NHP maintains a dataset with these parameters
 - Updated annually
 - Based on National Hydrography Dataset (NHD) maintained by USGS and NC Stream Mapping Project

Eno River Diabase Sill Plant Preserve DNP



Eno River Diabase
Sill Plant Preserve

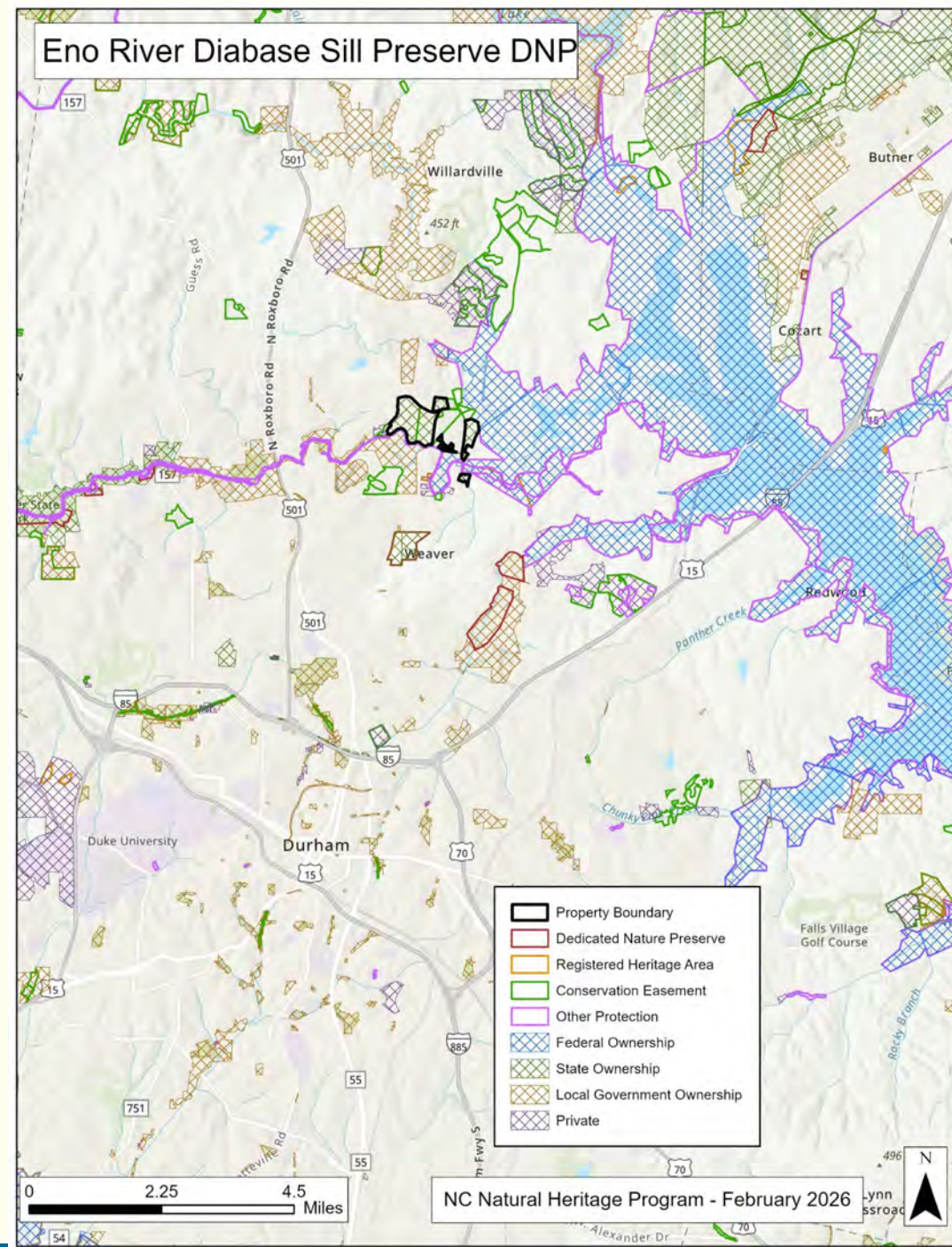
Eno River Diabase Sill Plant Conservation Preserve Dedicated Nature Preserve

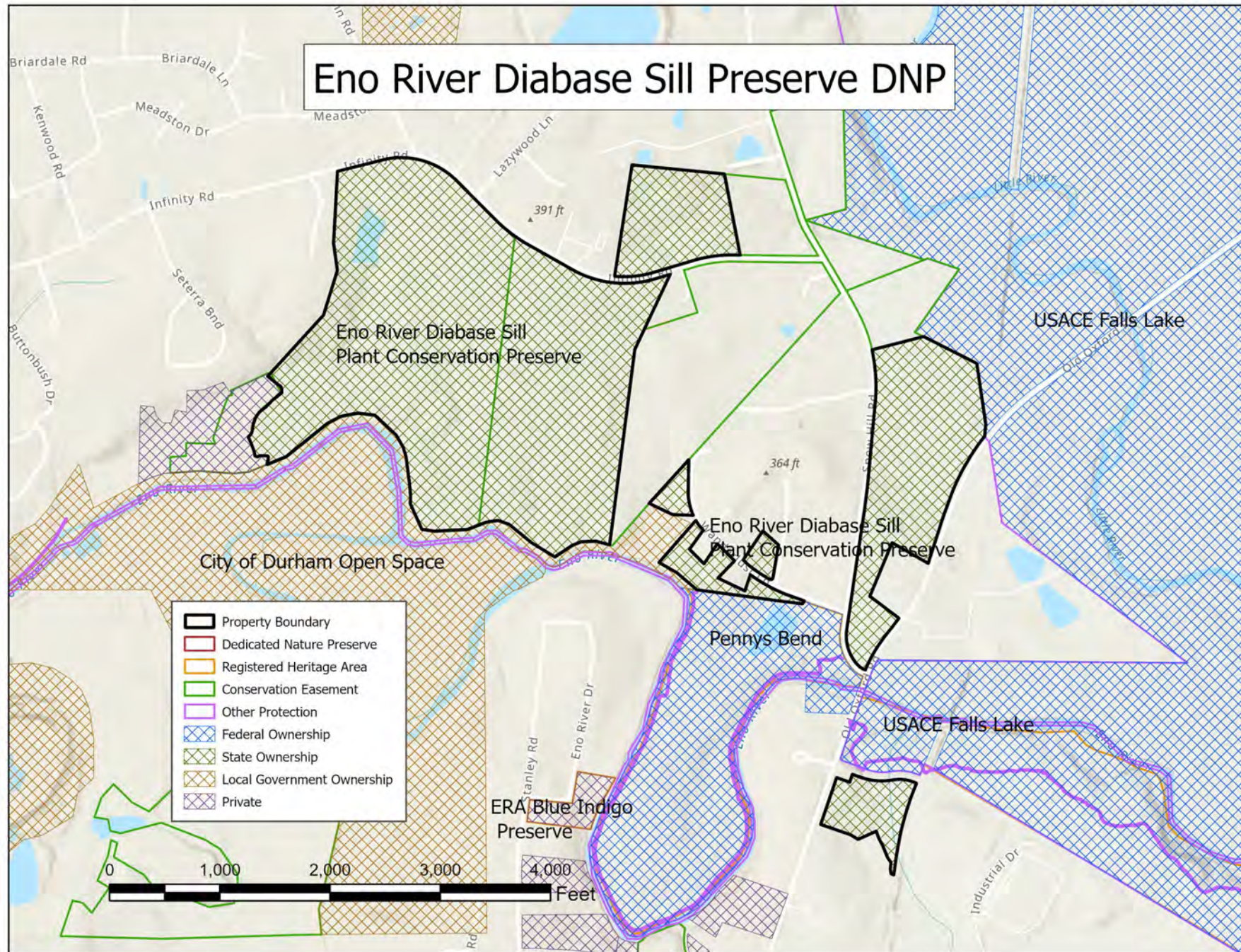
STIP No. HE -0007D

- Request to amend the dedication for right of way and construction easements
- Add a left turn lane and signals to Snow Hill and Old Oxford Roads intersection, Durham County

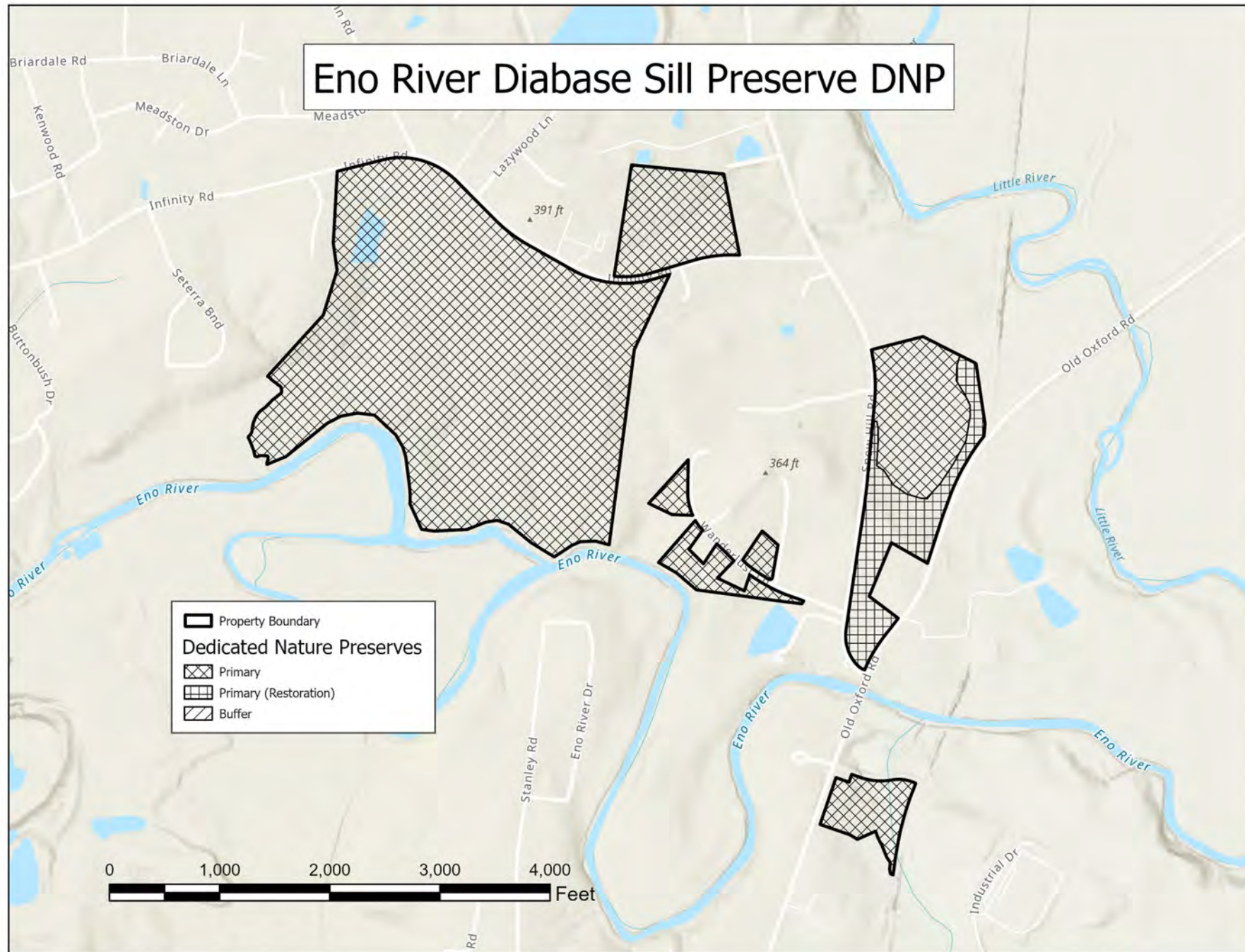


Eno River Diabase Sill Preserve DNP

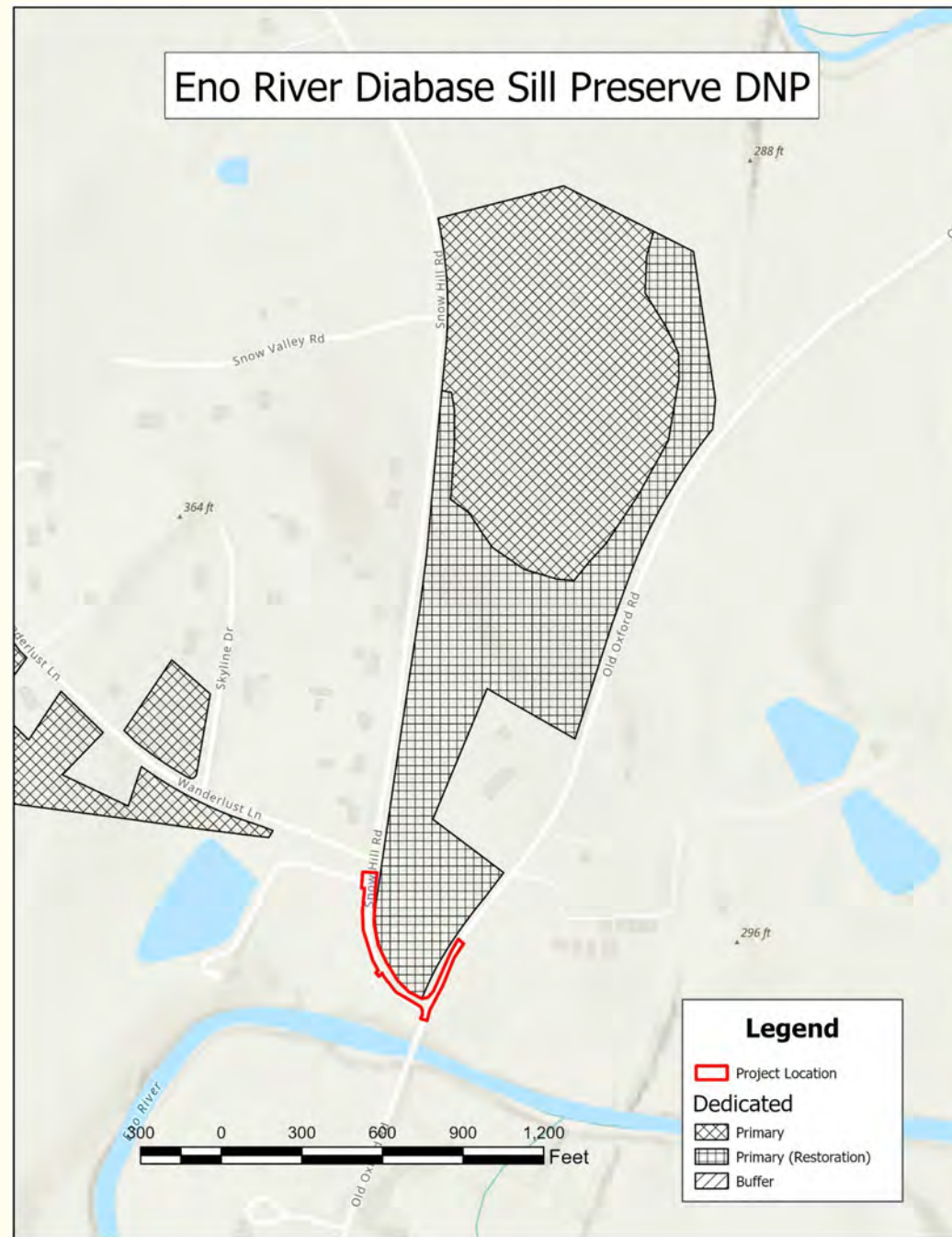




Eno River Diabase Sill Preserve DNP



Eno River Diabase Sill Preserve DNP



Eno River Diabase Sill Plant Conservation Preserve

Dedicated Nature Preserve

- Acquisition of nature preserve was funded by NC Land and Water Fund Grant (NHTF #200409402 Harrelson)
 - Dedication of qualifying portions was a grant condition
- Natural Heritage Advisory Committee reviewed preliminary information about proposed project at February 2026 meeting
 - Followed 9 January 2026 meeting with NCDOT, NCNHP, NCPCP, and NCLWF to discuss the project, which had been narrowed to the extent possible
 - Understanding is that some impact to dedicated area is unavoidable

Natural Heritage resources intersecting with HE-0007D

Eno River Diabase Sill Preserve DNP

Scientific Name	Common Name	Rank	NC Status	US Status
<i>Baptisia aberrans</i>	Prairie Blue Wild Indigo	S2G2	Endangered	
<i>Liatris squarrulosa</i>	Earle's Blazing-star	S2G4	Significantly Rare	
<i>Parthenium auriculatum</i>	Glade Wild Quinine	S3G3	Significantly Rare	

Additional rare species in the immediate area include:

- Smooth Coneflower (*Echinacea laevigata*), Federally and State Threatened
- Hoary Puccoon (*Lithospermum canescens*), State Threatened
- Prairie Dock (*Silphium terebinthinaceum*), Significantly Rare



- 0.142 acre permanent right of way
- 0.117 acre permanent utility easement
- 0.032 acre drainage and utility easement
- 0.176 acre temporary construction easement



Eno River Diabase Sill Plant Preserve Easement Request

- 0.142 acre permanent right of way (ROW)
 - 0.117 acre permanent utility easement (PUE)
 - 0.032 acre drainage and utility easement (DUE)
 - 0.176 acre temporary construction easement (TCE)
-
- 0.467 total easement request
 - 0.291 acres permanent total area removed

Discussion at February 2026 Natural Heritage Advisory Committee

Potential mitigation measures recommended to achieve net overall conservation benefit may include:

- temporary relocation of plants, to be held by NCBG off-site and replanted after the project (would require funding to NCBG, translocation during dormant seasons)
- 3:1 land exchange for nearby parcel with similar habitat along the Eno River (several parcels nearby are currently for sale along Old Oxford Road with river frontage)
- remediation of ground to natural conditions, including:
 - o natural topography
 - o removal of invasive species
 - o revegetation with native plants
 - o replacement of native soil where possible (if soil needs to be temporarily moved for drainage, hold it on-site in “buffer” area and then replace where possible / no replacement soil from off-site to fill holes and ditches)
 - o understanding that PCP will continue to manage the nature preserve with prescribed fire in the future (after project completion)

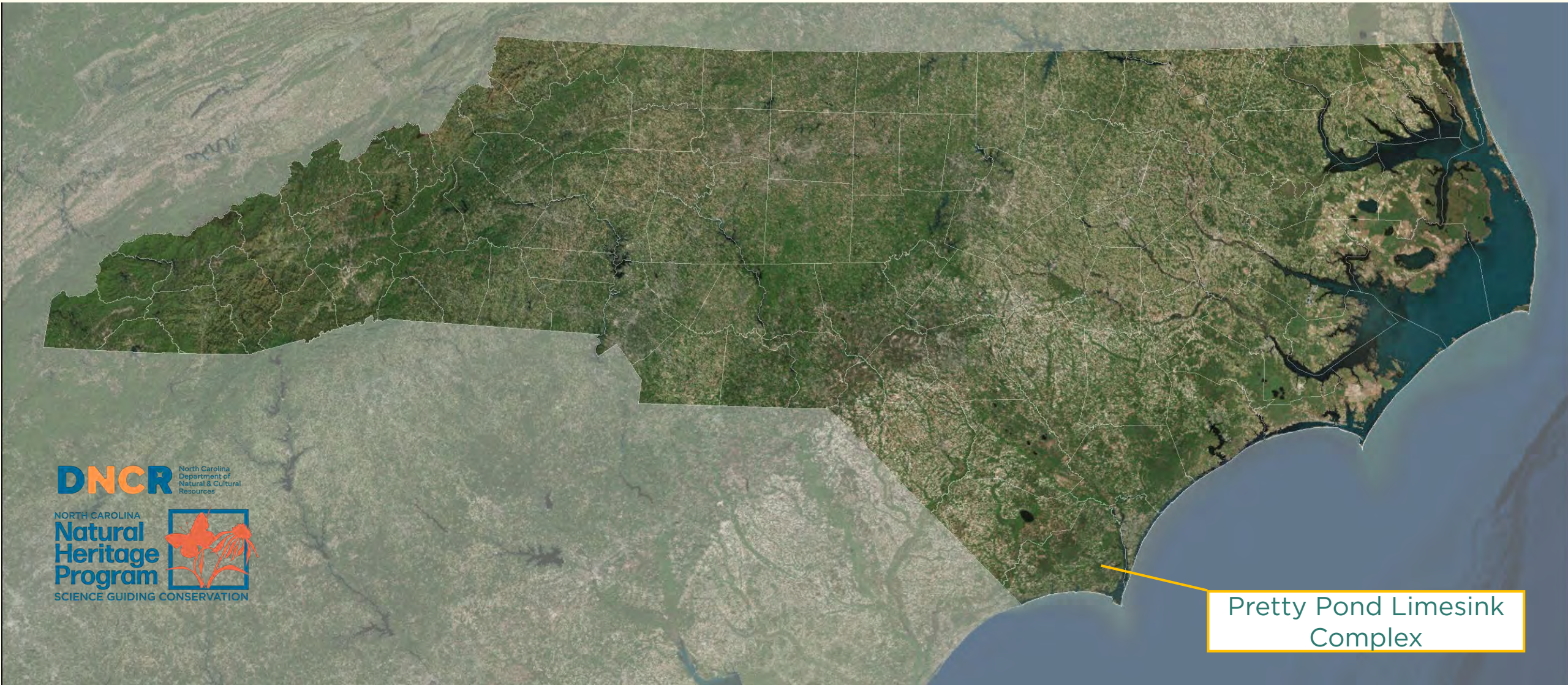
- NCDOT requested amendment to Articles of Dedication on 5 August 2026.
 - Right of Way and easement acquisition anticipated to start fall 2026
 - Project construction timeline is uncertain
 - Proposed financial compensation at 1:1
 - NCDOT will implement applicable standard BMPs during construction
 - No mention of rare plant populations in amendment request
- Based on the public interest served by improvements to the intersection to safely handle increased traffic, and that the new use of the acres for permanent right-of-way, drainage and utility easements would not be consistent with public purposes served by the dedication, amendment would be required to remove a portion of the dedication.

Impacts – avoidance and minimization

- Proposed financial compensation at 1:1
- NCDOT will implement applicable standard BMPs during construction
- Reduced lane widths (from 12 to 11 feet)
- Reduced shoulder widths (from 8 to 3 feet)
- Elimination of erosion control sediment basin (which would have resulted in greater temporary disturbance)
- Reconfiguration of erosion control clean water diversion from 30 feet to 15 foot nominal
- No mention of rare plant populations in amendment request

Based on the public interest served by improvements to the intersection to safely handle increased traffic, and that the new use of the acres for permanent right-of-way, drainage and utility easements would not be consistent with public purposes served by the dedication, amendment would be required to remove a portion of the nature preserve.

Pretty Pond Limesink Complex Dedicated Nature Preserve

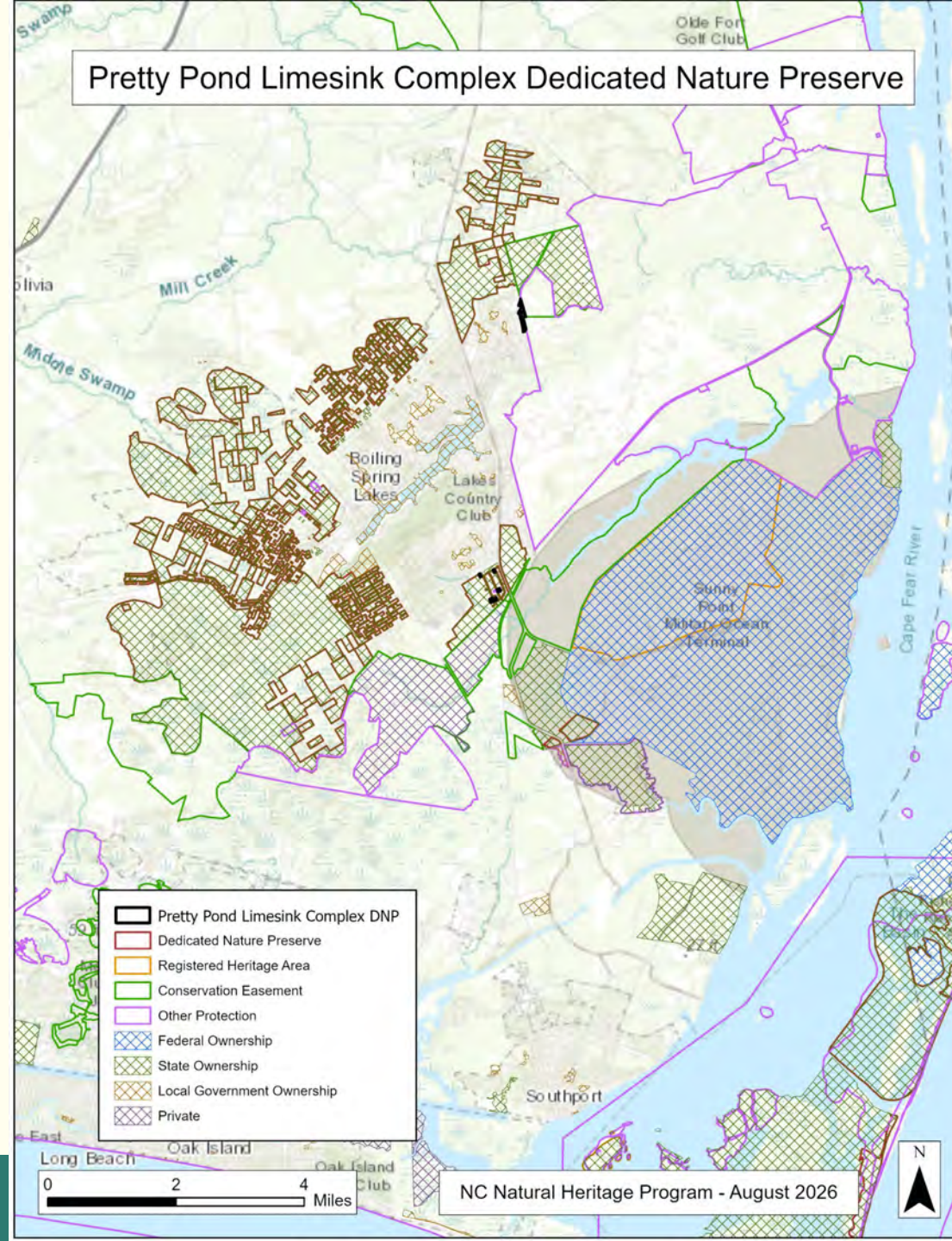


Pretty Pond Limesink
Complex

Brunswick County

Lumbee, Manu (Catawba), Cape Fear

Pretty Pond Limesink Complex Dedicated Nature Preserve

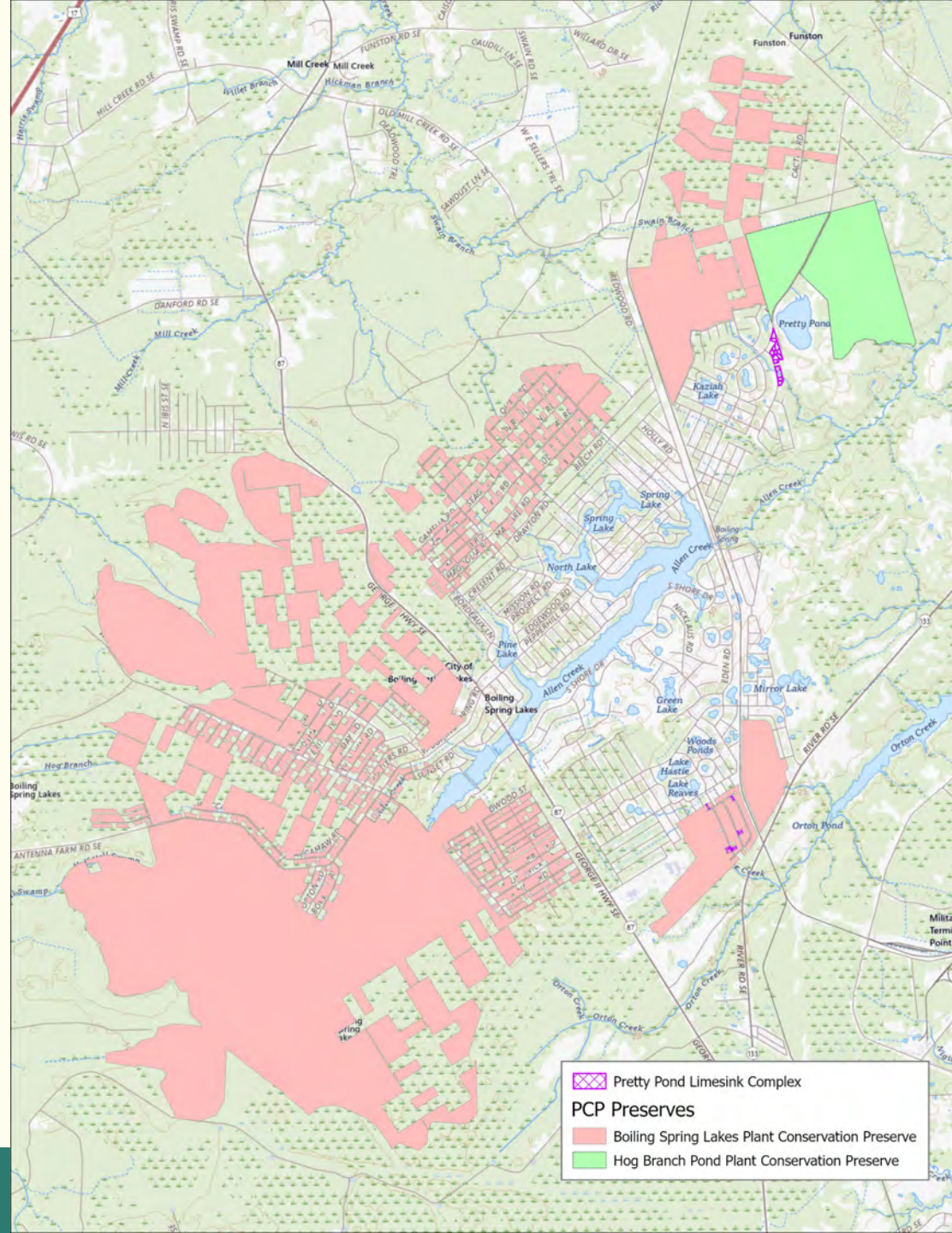


NC Natural Heritage Program - August 2026

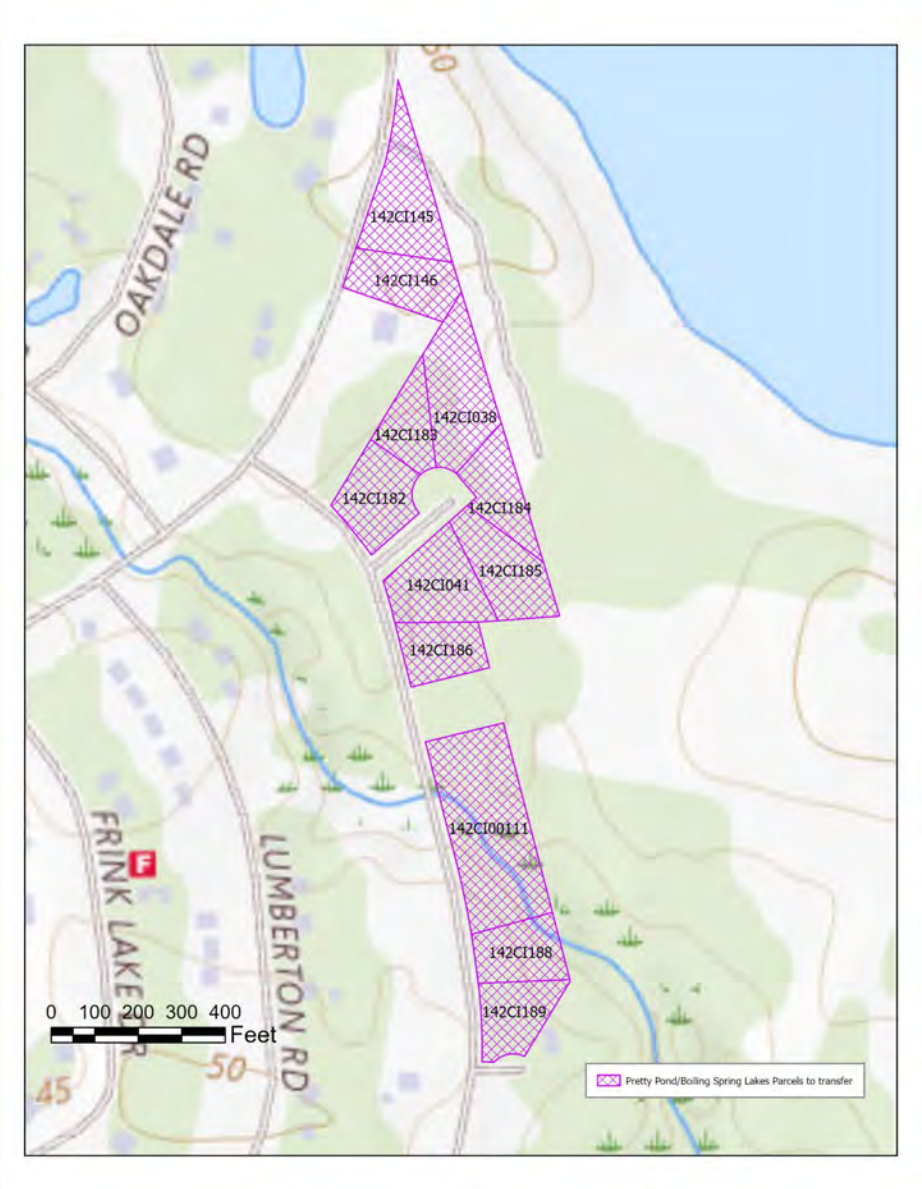
Pretty Pond Limesink Complex Dedicated Nature Preserve

Proposed transfer of preserve parcels from NC Department of Natural and Cultural Resources, Natural Heritage Program to NC Department of Agriculture, Plant Conservation Program

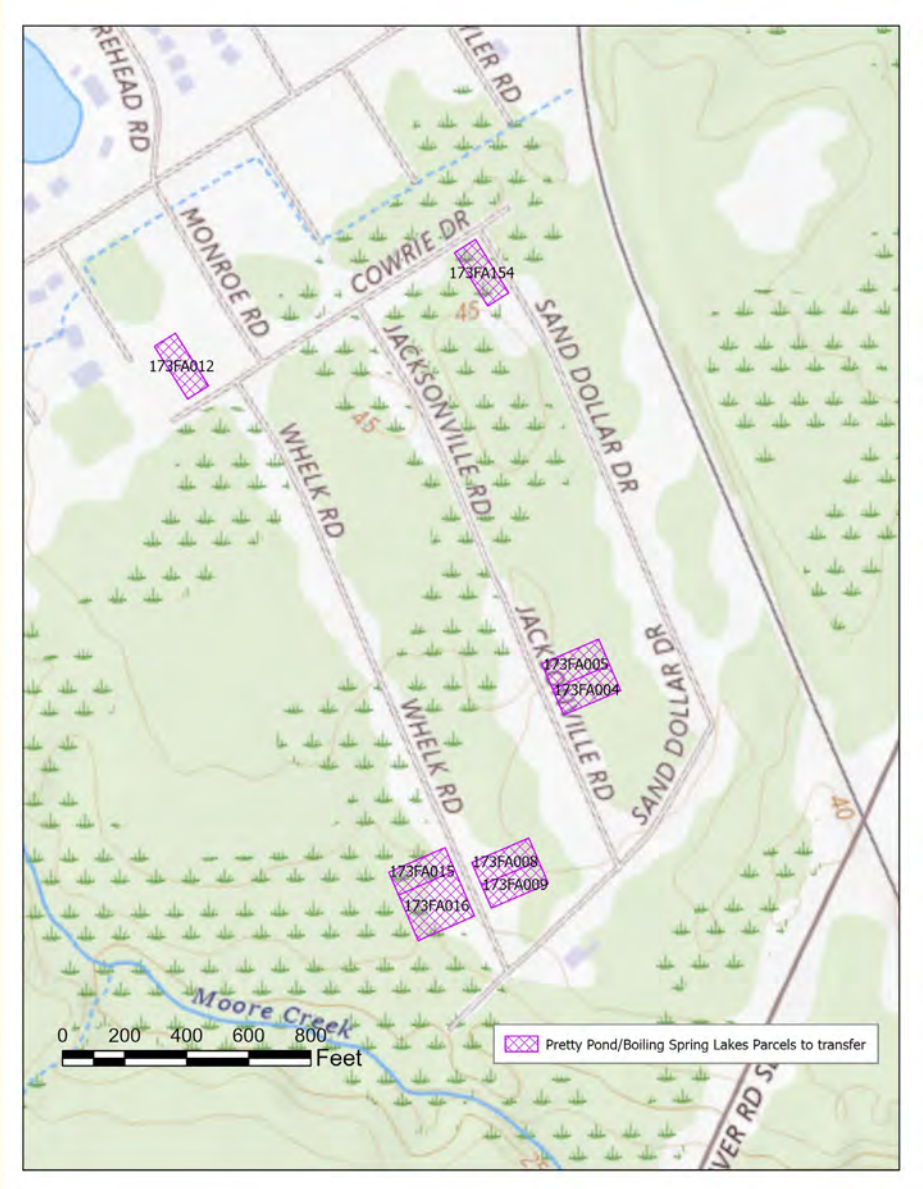
- The NC Natural Heritage Program proposes to transfer 13 acres (20 parcels) to the NC Department of Agriculture's Plant Conservation Program to be included as part of the Boiling Spring Lakes and Hog Branch Plant Conservation Preserves
- This transfer would consolidate boundaries and place ownership and management under one agency. The properties would remain dedicated under the Nature Preserves Act
- The properties are currently managed for the Natural Heritage Program by The Nature Conservancy through an agreement that is set to expire in 2030.



Northern Parcels



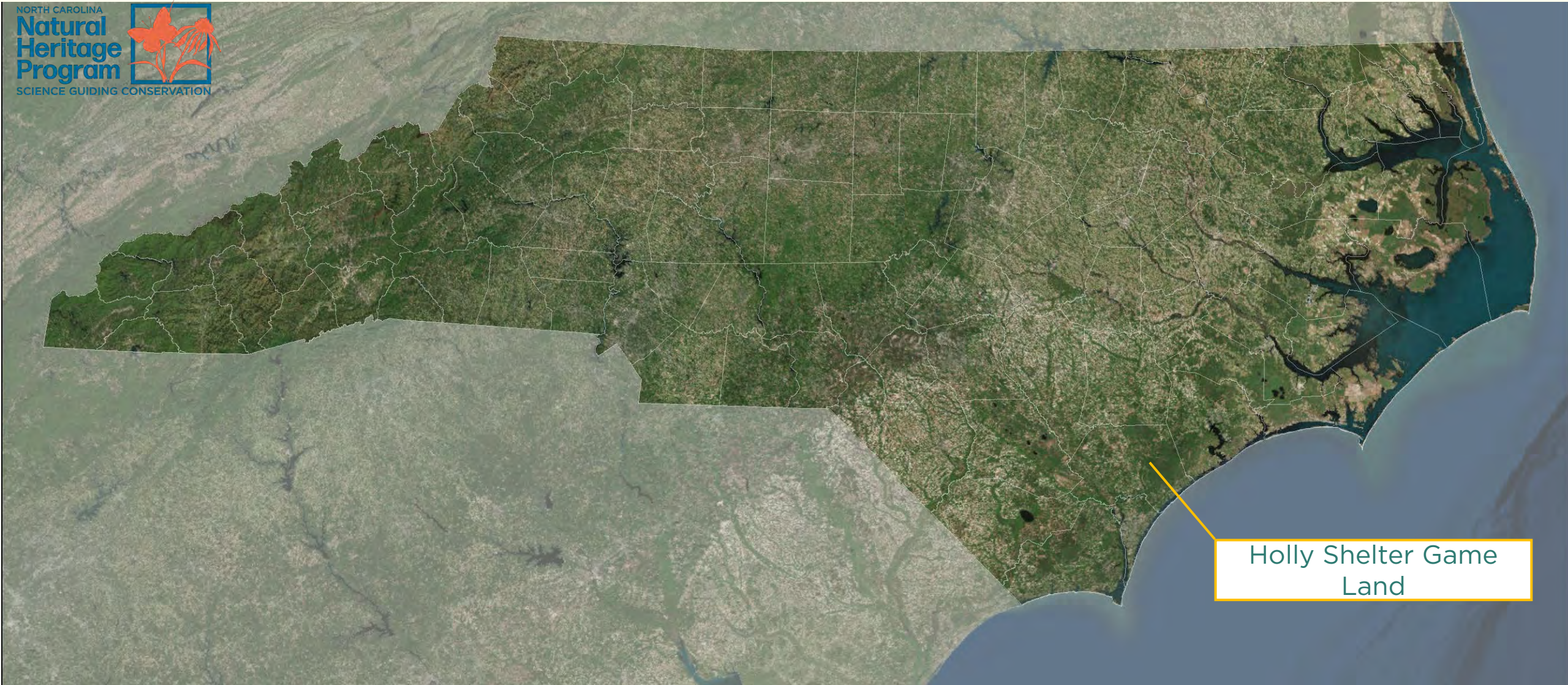
Southern Parcels



Update to Holly Shelter Game Land Dedication Amendment Recommended by NHAC at May meeting



Holly Shelter Game Land Dedicated Nature Preserve

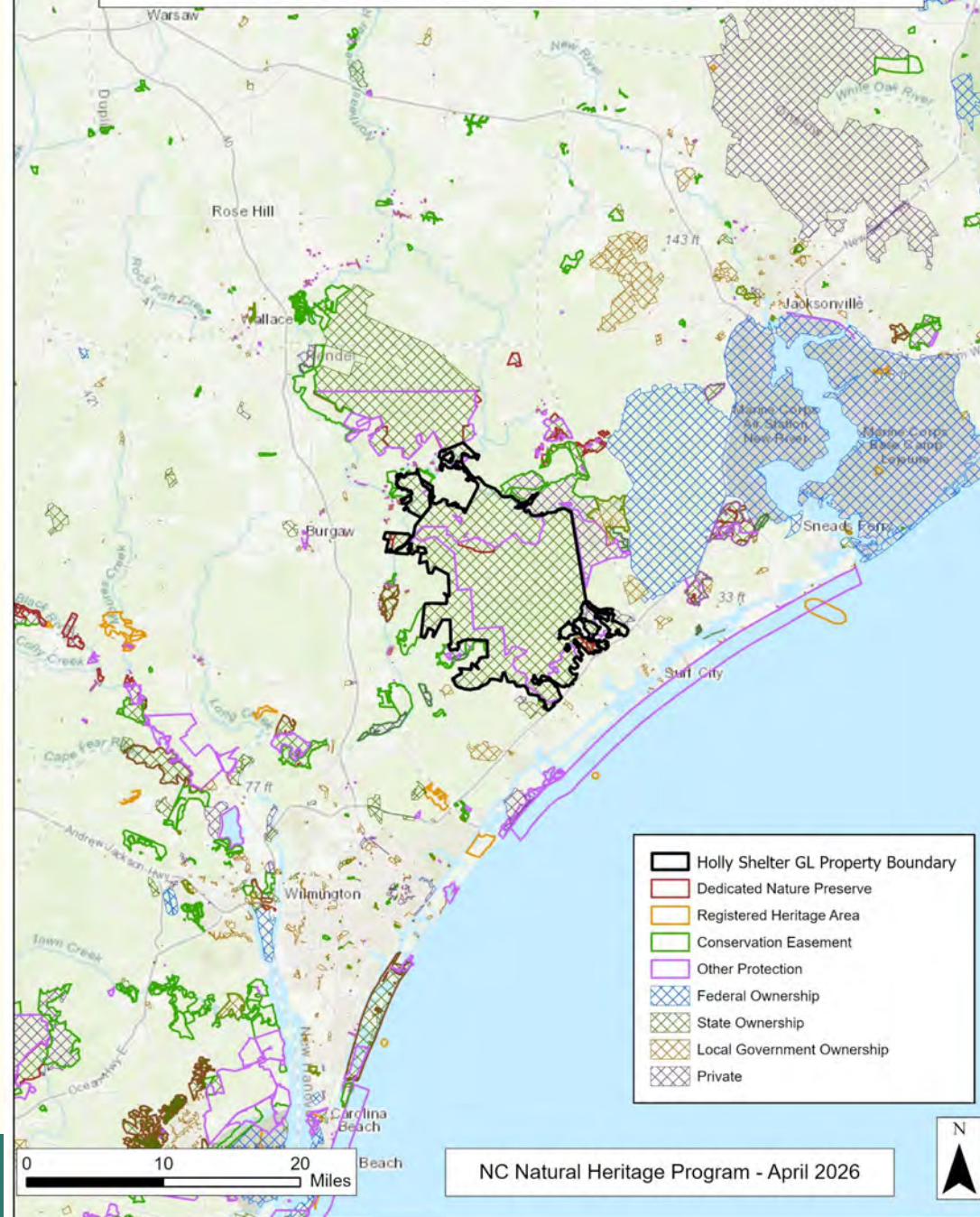


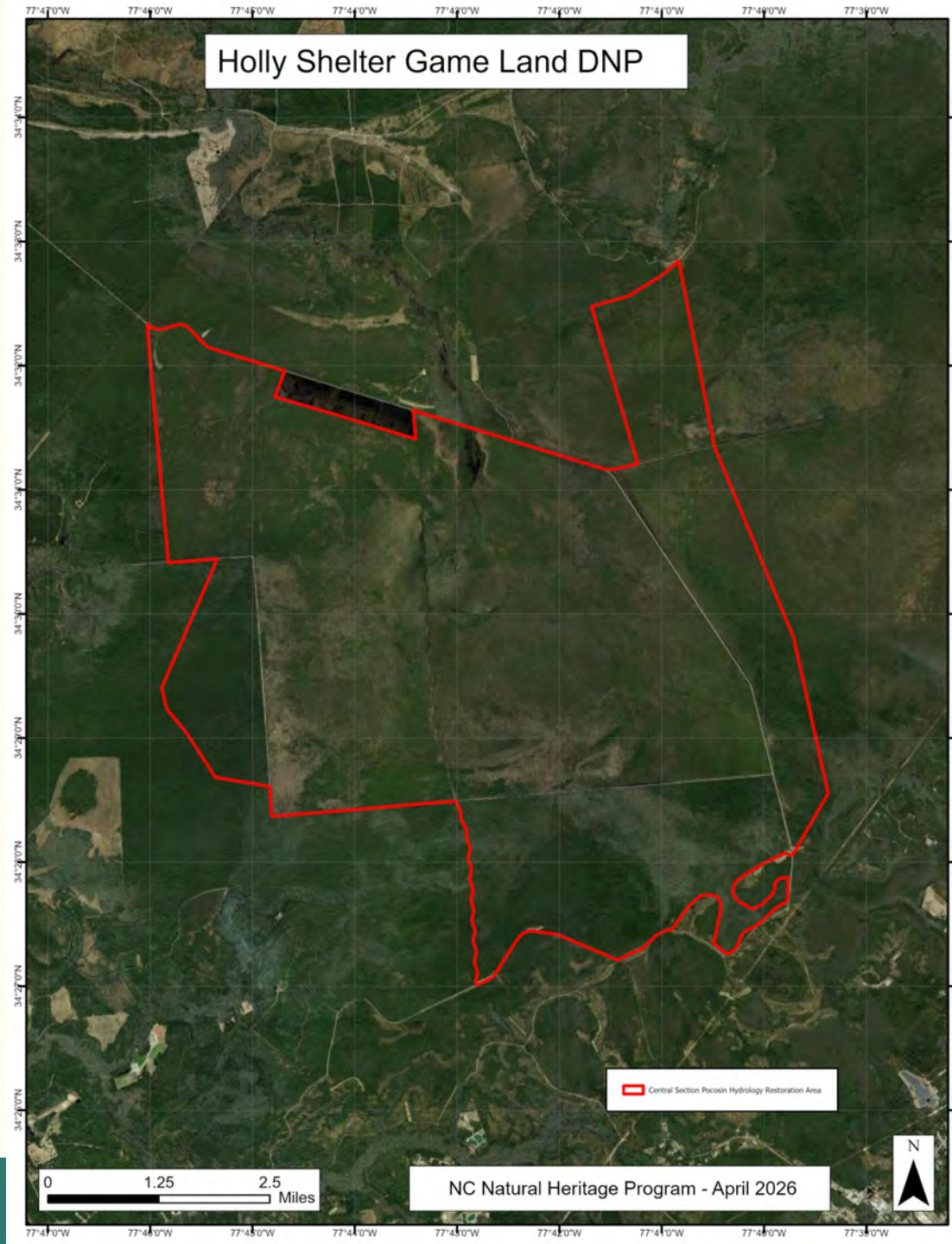
Holly Shelter Game
Land

Pender County

Lumbee, Manu (Catawba), Waccamaw, Coree

Holly Shelter Game Land Dedicated Nature Preserve





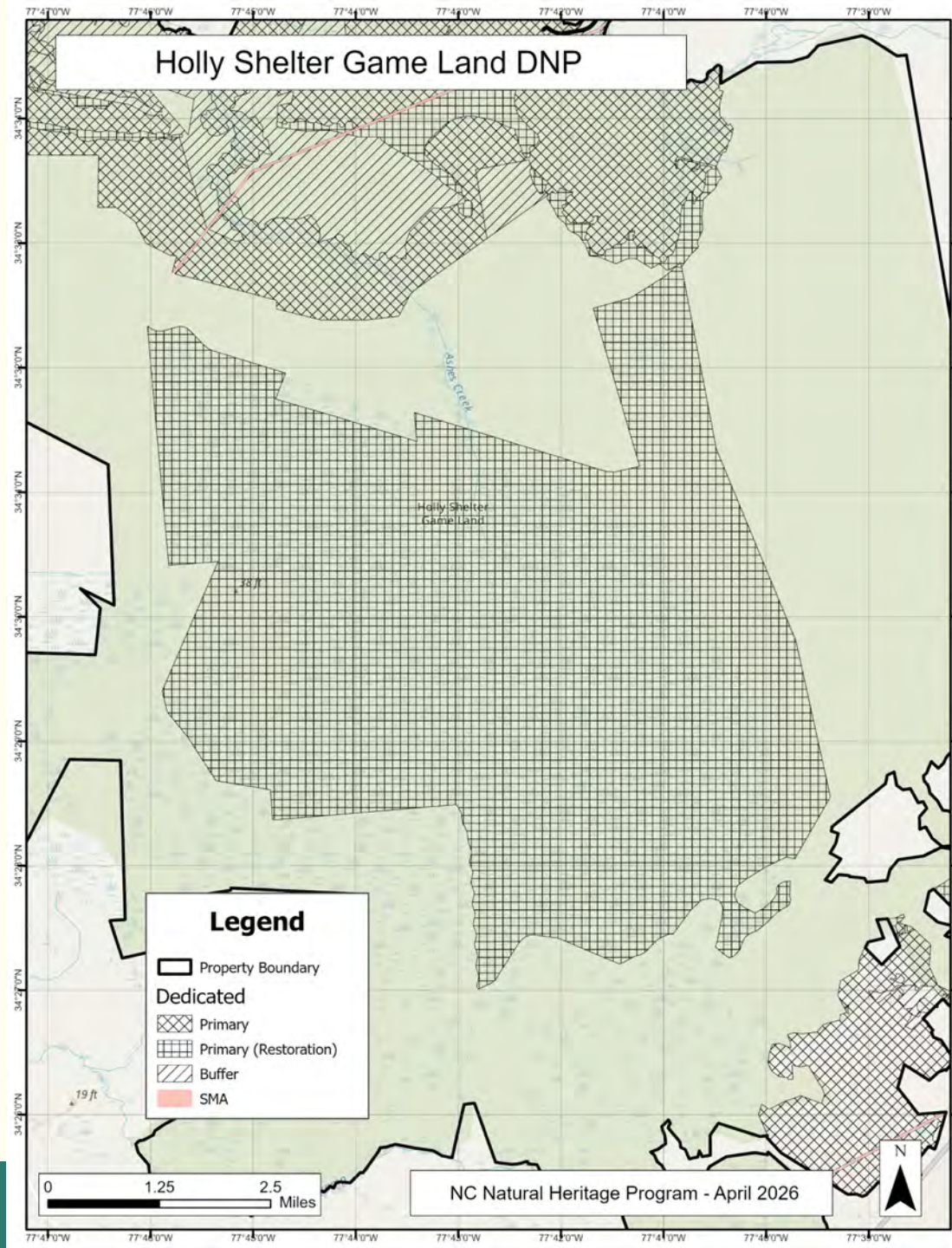
Holly Shelter Game Land DNP

Central Section Pocosin Hydrology Restoration Area

0 1.25 2.5 Miles

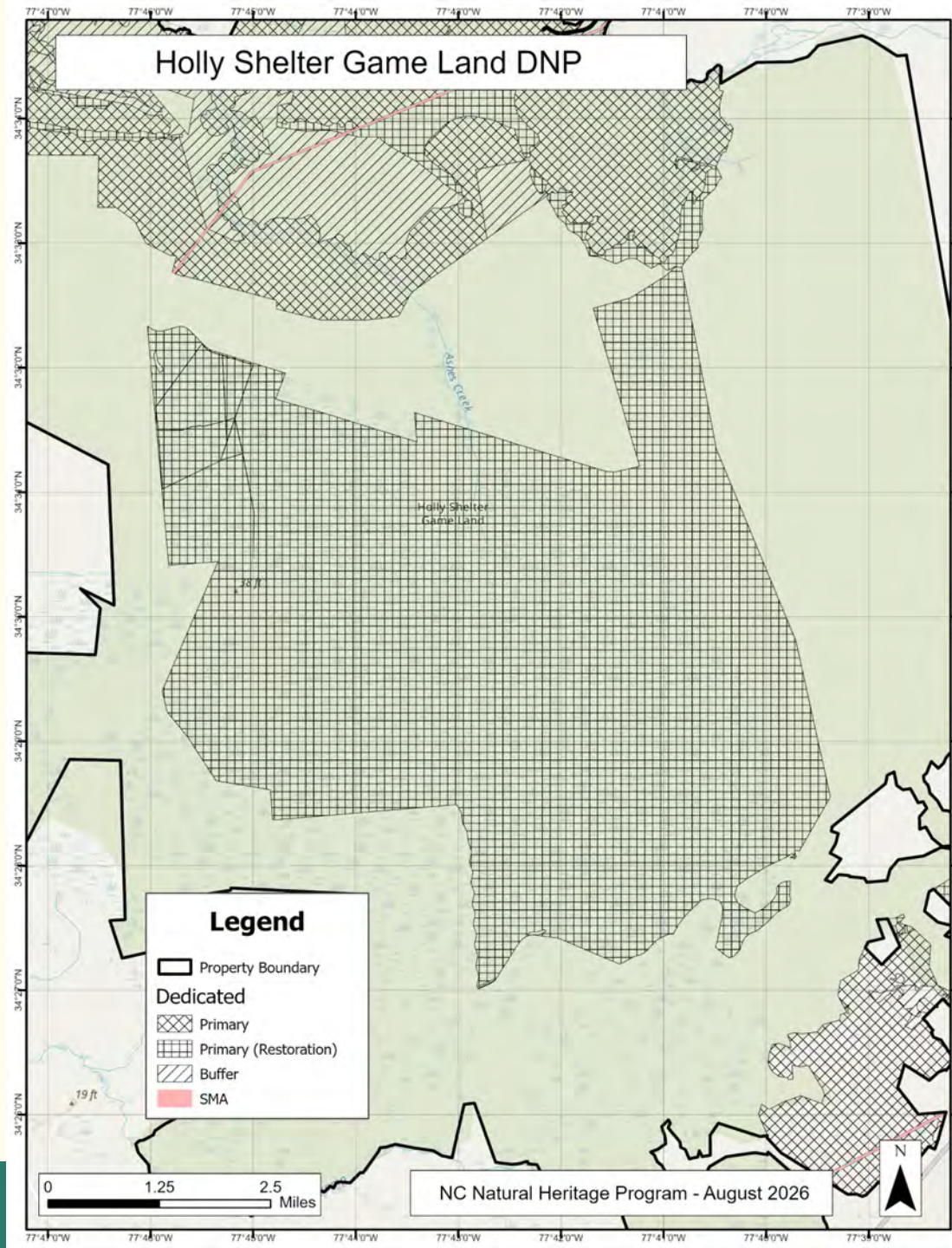
NC Natural Heritage Program - April 2026

Map
reviewed at
May 2026
Meeting



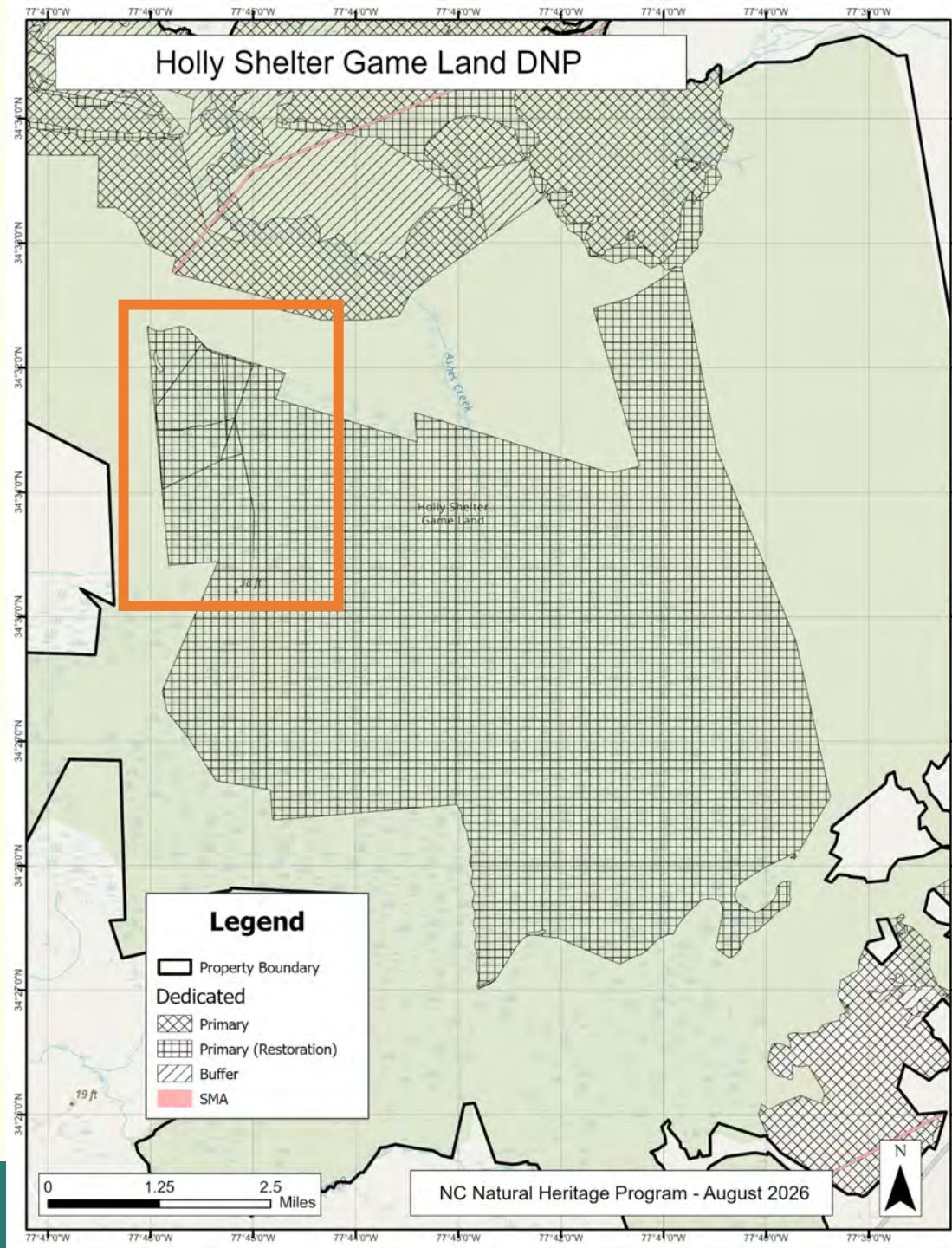
Updated Map

- 20 acres excluded



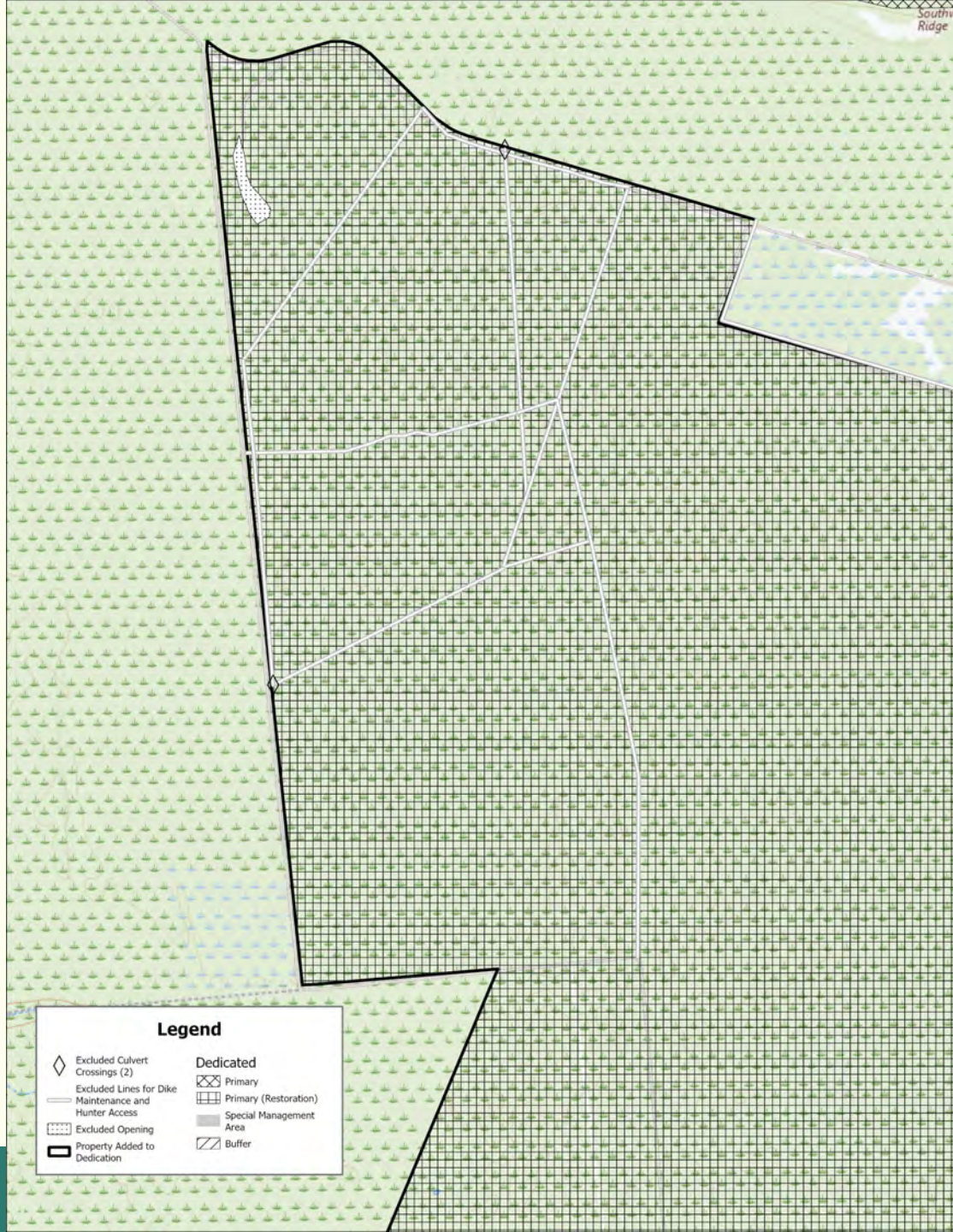
Updated Map

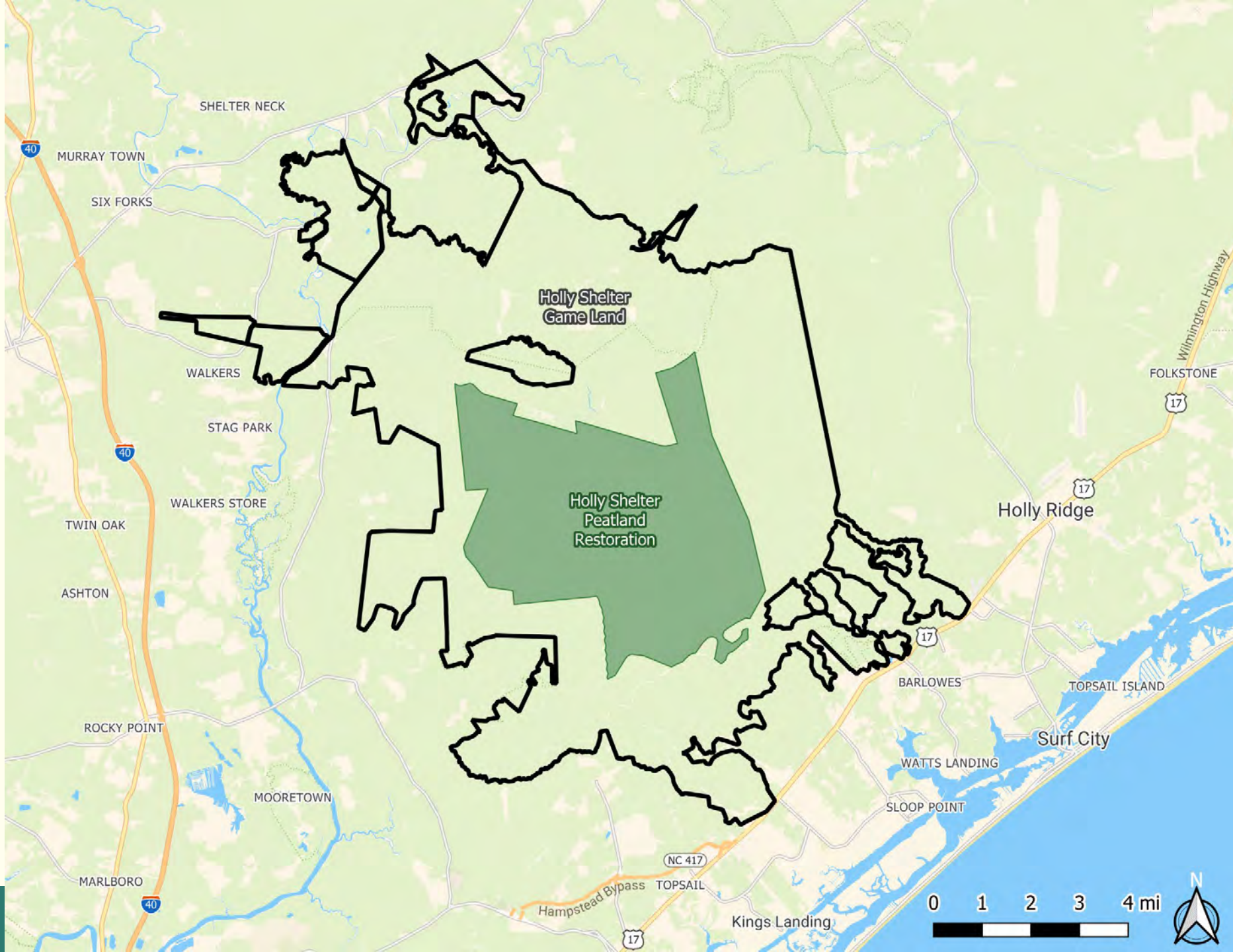
- 20 acres excluded



Detail of Excluded Areas

- 11-acre opening
- Roller-chopped lines for fire suppression and hunter access
 - ~30,000 linear feet

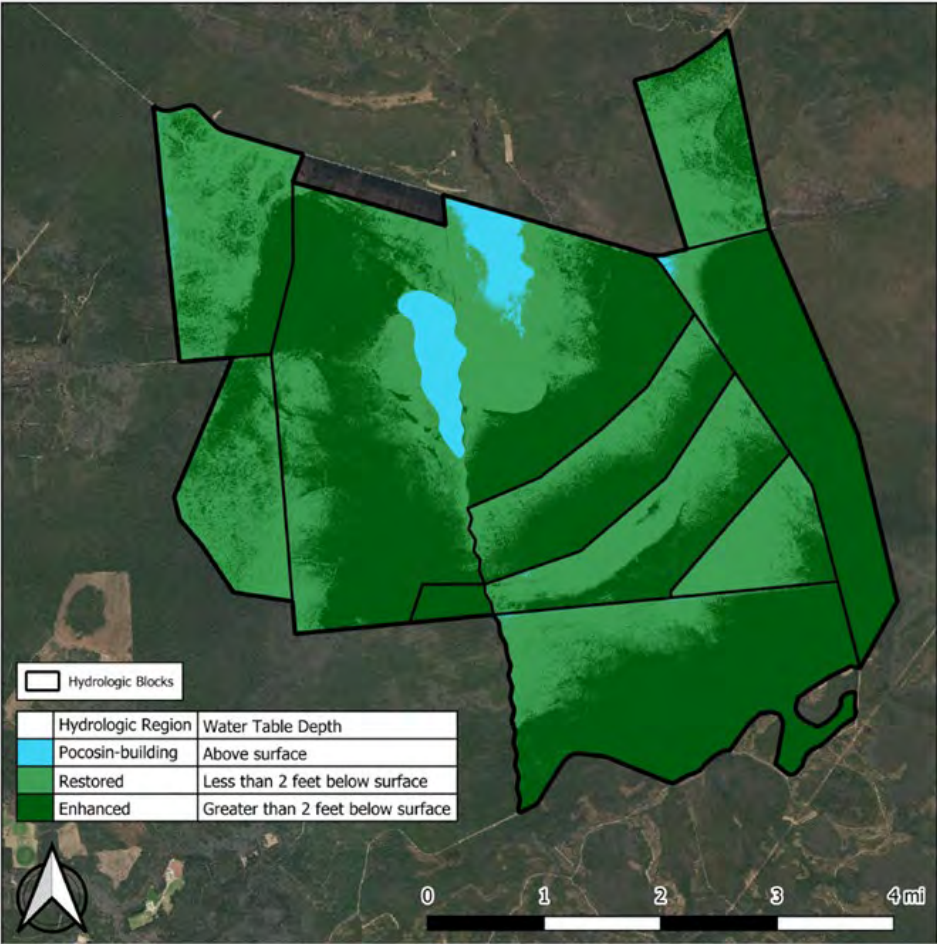




Holly Shelter Game Land Dedicated Nature Preserve

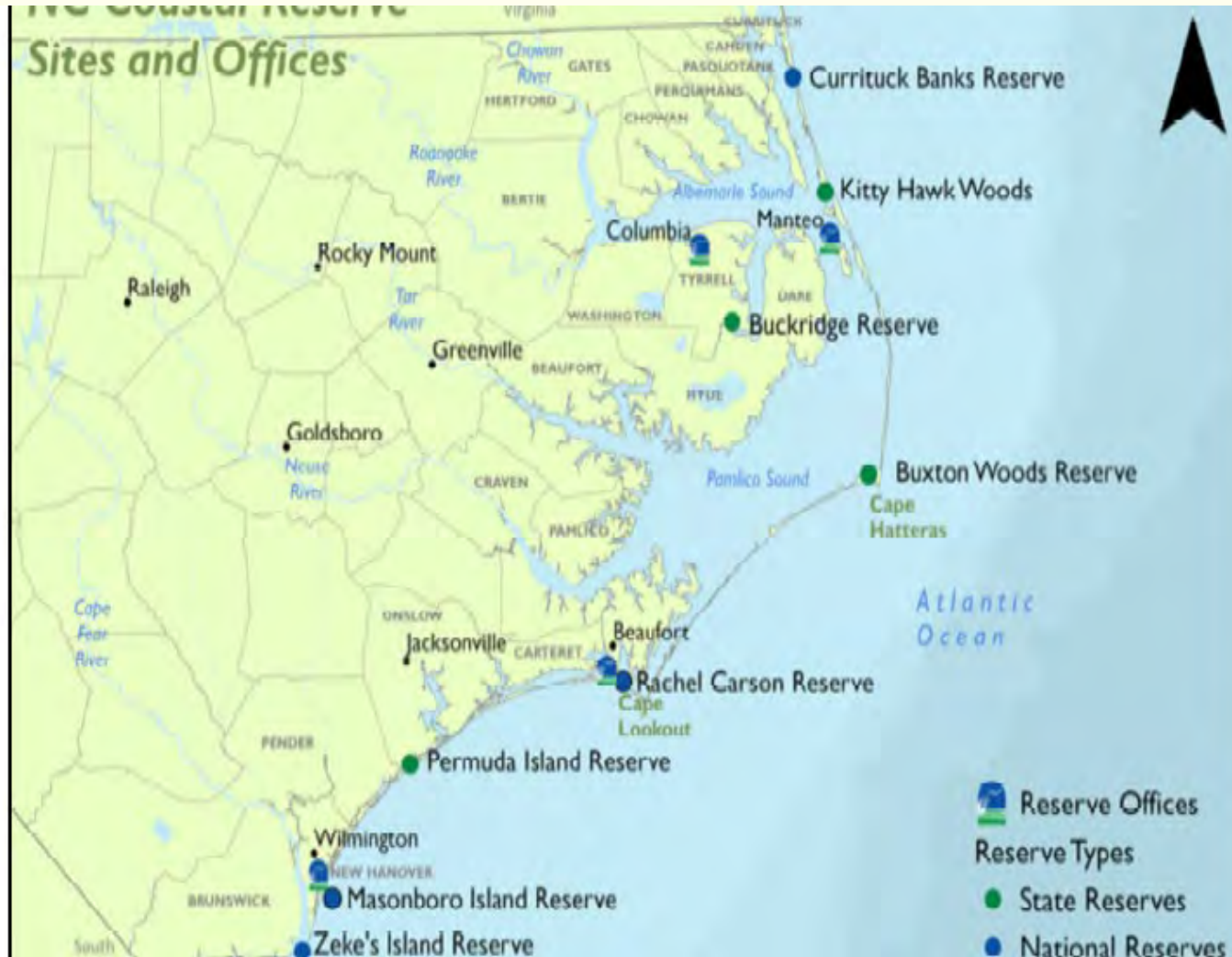
Amendment to add tract associated with Climate Pollution Reduction Grant

- Adds 15,780 ~~15,800~~ acres to DNP, all Primary (Restoration)
- Total DNP 32,741 ~~32,761~~ acres:
 - Primary Area 26,351 ~~26,371~~ acres
 - Including 16,775 ~~16,795~~ acres Primary (Restoration)
 - Buffer Area 6,390 acres
- These acre figures are updated since May 2026 NHAC review
- Revised Articles of Dedication clarifying management plan expectations
- Amendment associated with funding for Holly Shelter Peatland Restoration Project
 - 25-year Memorandum of Understanding for following the Hydrologic Restoration Plan
- Portions of Holly Shelter Game Land and Vicinity natural area – R1/C1



Coastal Reserve Program Legislation Update

In 1989, the Coastal Reserve Program was established through Coastal Area Management Act amendment.



Five Coastal Reserves +
Four National Estuarine Research
Reserves
are Dedicated Nature Preserves
approx. 44,000 acres

Coastal Reserve Program Legislation Update

Section § 113A-129.2(b)

This system shall be established and administered by the Department of Environmental Quality. ~~In so doing the Department shall consult with and seek the ongoing advice of Quality,~~ subject to: (i) use standards adopted for the system by the Coastal Resources Commission and (ii) permits and orders issued by the Coastal Resources Commission. Commission concerning activities allowed in the system. The Department may by rule define the areas to be included in this system and set standards for its use.

Coastal Reserve Program Legislation Update, cont.

Section § 113A-129.2(f)

With respect to any component of the system that is also a dedicated nature preserve pursuant to Part 42 of Article 2 of Chapter 143B of the General Statutes, the Department and the Commission, in accordance with the authority granted to each pursuant to subsection (b) of this section, shall act as primary custodian to manage such components, in accordance with the articles of dedication. The Secretary of Natural and Cultural Resources shall monitor these preserves, and shall retain authority to report alleged violations of the approved management plan or the articles of dedication for such preserves, in which case the Secretary shall request the Department of Administration to coordinate mediation with the primary custodian. If mediation is unsuccessful in resolving the issue, the Department of Natural and Cultural Resources shall have standing and a right of action in the Superior Court of Wake County, or the county in which the component is located, to enforce the terms of any articles of dedication applicable to such components."