



Regular Meeting of the Natural Heritage Advisory Committee

February 6, 2025 Agenda

Remote participation: Contact natural.heritage@dncr.nc.gov for Teams meeting link.

In-person meeting location: 4th floor conference room at 121 West Jones Street, Raleigh, NC 27603

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

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

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

NHP Staff: Misty Franklin, Scott Pohlman, Michael Schafale, Laurie Hamon (recording minutes).

DNCR Staff: Secretary Pamela Cashwell, Deputy Secretary Jeff Michael, Division of Land and Water Stewardship Director Will Summer, General Counsel Zoe Hansen Burnet.

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

- Division of Land and Water Stewardship Updates: NC Land and Water Fund Executive Director and Division Director Will Summer
- NHP 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)

New Dedications and amendments to add property:

03 Reedy Creek Nature Preserve (Mecklenburg County)

04 Eastwood Preserve (NCDA Plant Conservation Program)

05 Ridges Mountain (NC Zoo)

06 Rattlesnake Creek Forests, Dan River Work Farm (NC Department of Adult Corrections) (pending review by NCDAC)

Management Proposals

07 New River State Park bridge replacement (Elk Shoals – HB-0054)

08 Yadkin River Game Land - City of Salisbury water dispensation request

New Registries

09 Stony Creek Mountain RHA

10 Moores Creek North Property RHA

11 Camp Merrie Woode RHA (pending review)

Other Topics

12 Rules Review Public Comment Period Jan 13 – March 14 07 NCAC 1H

<https://www.dncr.nc.gov/about-us/periodic-review-classifications>

Next Meeting Date: May 14 at Salter Path, optional field trip May 13 with NC Land and Water Fund Board

Adjourn



November 7, 2024 Natural Heritage Advisory Committee Meeting Minutes

Meeting held Virtually, via MS Teams. In-person meeting location:
Nature Research Center, 121 West Jones Street, Raleigh, NC

Documents discussed during the meeting were accessible online at:
<https://www.ncnhp.org/events>

NHAC Members:

Online: Jeff Marcus (chair), Brian Byfield, Kim Brown, Sue Cameron, Lee Leidy, Kevin Melvin, Alan Weakley.

Absent: Jocelyn Wilson, Jay Leutze

NHP Staff:

In-person: Misty Franklin, Scott Pohlman, Michael Schafale, Katherine Culatta, Laurie Hamon.

DNCR Staff:

In-person: Secretary Reid Wilson

Online: Deputy Secretary Jeff Michael, Division of Land and Water Stewardship Director Will Summer, General Counsel Zoe Hansen Burnet.

Guests:

Online: Deb Maurer, The Nature Conservancy

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.

Jeff Marcus recused himself from discussion of two Dedications due to professional involvement: The Nature Conservancy Black River Preserve, and NC Wildlife Resources Commission Sandhills Game Land. Alan Weakley served as acting chair for these items.

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

- Introduced new NHP Pollinator Biologist Laurie Hamon
- NCDNCR Updates, Secretary Reid Wilson:
 - Thanked NHAC and NHP staff for work to conserve natural heritage.
 - Hurricane Helene: DNCR sites in Western North Carolina, including several State Parks, Historic Sites, History Museum, and Archives were closed following the storm September 27. All Department employees are safe and accounted for. 150 State Parks Staff have been deployed to help with various efforts. Five State Parks have reopened (some with limited capacity); Chimney Rock State Park and Mount Mitchell State Park were most impacted and will remain closed for the foreseeable future.
 - Governor Cooper proposed an additional \$50 million allocation to the NC Land and Water Fund and additional \$50 million allocation to the Parks and Recreation Trust Fund, focused on restoration and repair following Hurricane Helene. The legislature did not approve this funding when first presented, but plan to revisit the topic when the legislature returns. Anticipate continued support for natural resource conservation from Governor Elect Stein.
- NCDNCR Updates, Deputy Secretary Jeff Michael:
 - NCDNCR was awarded \$421 million grant through the EPA Climate Pollution Reduction Grant program in July. The Assistant Secretary of Government Affairs Deans Eatman will lead this effort. Funding will support Executive Order 305, to:
 - Restore over 30,000 acres of peatland and pocosins on public and private land
 - Reforest 49,000 acres through a high-carbon forestry cost-share program
 - Fund climate smart forestry management and conservation easements for Black and low-income forest landowners in Eastern NC
 - Develop a program to fund the planting of 1,200 urban trees in small municipalities that lack capacity to do so themselves
 - Acquire 3,300 acres of high-carbon and high conversion risk coastal plain and wetlands to add to the State Park System

- NC Land and Water Fund Updates, Executive Director Will Summer:
 - Field staff are surveying previously and recently (2024) funded LWF projects to assess impacts from Hurricane Helene. Some staff are also using specially designated community service leave to help with recovery efforts.
 - The Land and Water Fund Board awarded \$45 million to 64 projects, including 17 restoration projects and 6 innovative stormwater management projects. Funded projects protect 127 types of identified plants, animals, and natural communities of conservation concern, including 26 federally listed species.
 - The Conservation Tax Credit Program has returned: credit will be applicable for donations made beginning in January 2025 and creditable for the next tax year. There is a \$5 million cap, and the program is not limited to military projects.

- NHP updates, Misty Franklin:
 - Following Hurricane Helene, NHP has been coordinating with WRC to review timber salvage operations and coordinating with DEQ to review temporary storm debris staging sites. NHP staff has compiled a list of species most likely to be impacted by the storm for priority monitoring of species.
 - NHP staff are finalizing Rare Plant and Rare Animal lists for release in December. With Pollinator Biologist Laurie Hamon on staff, the next (2026) list will include a more thorough update of rare pollinators on the Rare Animal list.
 - Peatlands inventory project in partnership with the Albemarle Pamlico National Estuary Partnership starts next week.
 - Finishing up special project with US Forest Service for surveys of wildlife openings in Pisgah National Forest and surveys for *Gymnoderma lineare* (Rock Gnome Lichen) on USFS lands.
 - This spring is the final field season for the Chatham County Inventory, and the report will be completed in summer 2025.
 - Applications have been received for Natural and Working Lands Coordinator to work on Executive Order 305.
 - 2025 is the 40th anniversary of the Nature Preserves Act. The Nature Conservancy's Nags Head Woods Preserve became the state's first Dedicated Nature Preserve in 1986.
 - In 2025, NHP is due for rules review and recertification which all programs complete on a ten-year cycle. The committee will be notified of public comment periods.

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

02 Review Previous Meeting Minutes: No corrections or objections. Kim moved to approve; Alan seconded. No discussion. Approved unanimously via roll call vote, with Brian Byfield abstaining due to absence from the previous meeting.

Dedicated Nature Preserve Overview (Mike) – Dedicated Nature Preserve program is authorized by the State Nature Preserves Act. Dedication agreement is attached to the land and persists through changes in ownership, requiring Council of State and Governor agreement to amend or rescind. Non-state dedications are recorded with the deed and closely resemble conservation easements. Dedications on state lands are recorded with the State Property Office.

New Dedications and amendments to add property:

03 The Nature Conservancy Black River Preserve

Preserve History, Deb Maurer: TNC land protection in this area started about 30 years ago and continues to be a priority. Approximately 10,000 acres are conserved along the Black River. Some recent tracts were acquired through the NC Land and Water Fund and have conservation easements based on grant obligations, while older acquisitions were purchased with private funding and are not yet dedicated.

New voluntary dedication of 3,393 acres: 3,393 acres primary including 1,233 acres primary-restoration, and 0.3 acres buffer, located in Bladen, Pender, and Sampson Counties. Dedication is in three segments corresponding to three natural areas, all of which contain mature floodplain communities and upland portions in need of longleaf pine restoration:

- Upper Black River Bottomlands: Best Blackwater Bottomland Floodplain system in the state. This area has smaller, higher floodplain with shorter flood duration than downstream portions.
- Black River Cypress Swamp: Earliest conservation work and most contiguous parcels. Mature forest including 1,500 year-old Bald Cypress trees, the oldest known trees in Eastern North America.
- Lower Black River Swamp: The river is tidally influenced in this segment and extensive tidal swamp occurs in the low wet floodplain. This portion adjoins dedicated lands on the Cape Fear River Wetlands Game Land downstream.

Many element occurrences are known from the preserve, including S1G1 Tidal Freshwater Marsh (Narrowleaf Pondlily Subtype), S2G2 NC and US Endangered Northern Long-eared Bat, S3G3 Riverbank Evening-primrose, and many more, including aquatic species.

Committee discussion: Kevin asked if the Coharie and Waccamaw tribes had been contacted about this project. Deb replied no, but that cultural use by indigenous peoples with approval by TNC and partners has been included in the language outlining acceptable activities [See section “6. Rules for Management of the Primary Area”, specifically 6a, 6c, and 6h]

Scott noted that TNC legal counsel and staff are currently reviewing the materials presented, so there is potential for changes.

Kevin Melvin stepped away and did not participate in this or the remaining Committee motions.

Lee moved to accept the dedication as proposed or with non-substantive changes, contingent on approval by The Nature Conservancy Board. Changes to acreage beyond minor boundary adjustment, or changes to management terms, would constitute substantive changes. Sue seconded. No further discussion. Approved unanimously via roll call vote with Alan Weakley acting as Chair and Jeff Marcus abstaining.

04 Foothills Conservancy Pinnacle Mountains Carmon-Messick

New voluntary dedication with Foothills Conservancy of 221 acres: 184 acres primary and 37 acres buffer. The preserve is located in northern Rutherford county and consists of low mountain terrain. It is part of the Mike Mountain – Pinnacle Mountain Natural Area. A valley with successional forest is classified as buffer, while forested areas are classified as primary. The primary area includes federally listed White Irisette, Montane Oak-Hickory Forest (Acidic and Basic Subtypes), Acidic Cove Forest (Typic Subtype), and Rich Cove Forest (Foothills Intermediate Subtype).

Jeff moved to accept the dedication as proposed; Sue seconded. No further discussion. Approved unanimously via roll call vote.

05 NC Wildlife Resources Commission Sandhills Game Land

Scott reviewed standards for dedication as primary area around aquatic habitat: 100 foot riparian zone on all perennial streams; 300 foot riparian zones along perennial streams designated as NHP Aquatic Habitat; and if the Aquatic Habitat has federally listed species, 200 foot riparian zones on all perennial tributary streams to the aquatic habitat.

Amendment to add tracts acquired with NCLWF funding: adds 281 acres to DNP: 290 acres primary, including 132 acres restoration. Boundary corrections resulted in the overall reduction of 9 acres of buffer from the preserve (in areas outside of the tracts being added). In the central tract and western tracts, the riparian zones are primary and upland areas are primary-restoration in

anticipation of off-site pine removal and reintroduction of fire. The eastern tracts are all primary. Element occurrences include federally listed Red-cockaded Woodpecker, Xeric Sandhills Scrub (Typic Subtype), Streamhead Atlantic White Cedar Forest, Sandhill Streamhead Swamp, and Pinewoods Darter.

Sue moved to accept the dedication as proposed; Kim seconded. No further discussion. Approved unanimously via roll call vote with Alan Weakley acting as Chair and Jeff Marcus abstaining.

Alan Weakley ceded the Committee Chair back to Jeff Marcus.

New Registries

Scott gave an overview of Registries: Voluntary agreements can be rescinded by either party and are removed upon land transfer.

06 Rutherfordton Mountain View Rare Plant Site

This site was identified using a Duke University assessment of census tracts with low access to conservation areas and high vulnerability based on the Center for Disease Control Vulnerability Index. It is part of the Davenport Road / Mountain View natural area, and is owned by the Town of Rutherfordton. 13.7 acres are dedicated, all primary. Federally listed Dwarf-flowered Heartleaf occurs on the site.

Jeff commends staff reaching out to local governments to partner on conservation. Kim asked why there are not more protected lands in these areas. Scott responded that there has historically been little focus on land conservation in the area, and adds the possibility that the dataset of conserved lands could be missing some information. Alan moves to accept the registry as proposed; Brian seconded. No further discussion. Approved unanimously via roll call vote.

07 White Pines (Camp)

The 41.7-acre property in Chatham County near the confluence of the Deep River and Rocky River was formerly registered, and registry lapsed due to property transfer by inheritance. NHP staff contacted the new landowner (son of former landowner) to re-register and made a site visit. The tract includes part of the easternmost population of White Pine in the state. The entire registry is classified as primary area, with areas recovering from timber harvest in the 1980s and 2000s classified as primary-restoration. The tract is part of the White Pines natural area, and includes occurrences of Piedmont/Coastal Plain Heath Bluff, Mixed Mesic Hardwood Forest (Piedmont Subtype), Dry-Mesic Oak-Hickory Forest (Piedmont Subtype), and Large Witch-alder. Adjacent aquatic habitat includes many rare aquatic species.

The landowner has verbally indicated interest in re-registering, but NHP has not received written confirmation. Jeff moves to accept the Registry as proposed or with non-substantive changes. Changes to acreage beyond minor boundary adjustment, or changes to management terms would constitute substantive changes requiring further Committee review. Sue seconded. No further discussion. Approved unanimously via roll call vote.

Other Topics: None presented.

Set Meeting Dates and Locations for 2025:

The Committee proposed 2025 Meeting dates:

- February 6 (Thursday): ~2 hour remote meeting
- May 12-14 (Monday-Wednesday): Joint meeting with Land and Water Fund Board at Trinity Center, Salter Path.
- August 21 (Thursday): ~2 hour remote meeting
- November 13 (Thursday): In person in Raleigh area, TBD

Adjournment

Sue moved to adjourn, Lee seconded. Passed unanimously by voice vote.

ARTICLES OF DEDICATION
REEDY CREEK NATURE PRESERVE

THESE ARTICLES OF DEDICATION (hereinafter sometimes referred to as “Articles”) entered into on the _____ day of _____, 20__, between MECKLENBURG COUNTY, a body politic and corporate organized and existing under the laws of the State of North Carolina with an address of 600 East Fourth Street, Charlotte, North Carolina 28202 (hereinafter “the Grantor”) and the STATE OF NORTH CAROLINA (hereinafter “the State”) whose address is State Property Office, 116 W. Jones Street, Raleigh, North Carolina 27603.

WITNESSETH:

Preamble

WHEREAS, the State is authorized by G.S. 143B-135.250 *et seq.* of the North Carolina General Statutes (hereinafter “**the Nature Preserves Act**”) to establish a system of nature preserves in the State of North Carolina in a variety of ways, including acquisition by purchase or gift of interests in land by accepting Articles of Dedication from owners of natural areas; and

WHEREAS, the Grantor owns, as of the date set forth above, real property consisting of 928 acres more or less (GIS calculated), in Mecklenburg County, North Carolina, as described in **Exhibit A** and warrants that the same is without mortgage, lien, or other encumbrance except easements and restrictions of record; and

WHEREAS, the Grantor desires to convey to the State a conservation easement in and to the Reedy Creek Nature Preserve, said portion containing approximately 924 acres (GIS calculated) with the physical features described on **Exhibit B** attached hereto (referred to herein as the “preserve”), for dedication in perpetuity as a nature preserve pursuant to the Act, and the State recognizes that the Reedy Creek Nature Preserve constitutes a qualified natural area and desires to accept the dedication of the Reedy Creek Nature Preserve as a nature preserve pursuant to the Nature Preserve Act and in accordance with these Articles, and hold the same in trust for the public as a nature preserve; and

WHEREAS, the preserve is deemed by the Secretary of the N.C. Department of Natural and Cultural Resources to qualify as an outstanding natural area under statutory criteria for nature preserve dedication (G.S. 143B-135.250) and further serves the public purposes for a dedicated preserve as stated in G.S. 143B-135.252.

WHEREAS, at a meeting held in the city of _____, North Carolina, on the ____ day of _____, 20__, the Governor and Council of State approved the acceptance of this dedication and conveyance of this conservation easement in trust for the uses and purposes expressed in the Nature Preserves Act.

NOW, THEREFORE, the Grantor hereby gives, grants, and conveys in perpetuity, and the State accepts, a conservation easement in, on, over, under, through, across, and to the lands composing the Reedy Creek Nature Preserve hereafter described in **Exhibit A**. The conveyance is subject to

the following terms, conditions, and restrictions, as agreed to by the Grantor and the State.

THIS DEDICATION IS MADE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. **Definitions:** As used in these Articles, including the foregoing Preamble, the terms “Articles of Dedication,” “natural area,” and “nature preserve” shall have the same meaning as contained in N.C. General Statute 143B-135.254.
2. **Dedication:** The Reedy Creek Nature Preserve as described in Exhibit(s) A and B hereof is hereby dedicated as a nature preserve for the purposes provided in the Nature Preserves Act, as it now exists, or as it may hereafter be amended, and it shall be held, maintained, and used therefore.
3. **Primary Custodian:** The Primary Custodian of the Reedy Creek Nature Preserve will be the Grantor, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H.300 and under periodic review from the State’s representative.
4. **Primary Classification:** The primary classification and purposes of the preserve shall be for natural area conservation, scientific research, nature education, and recreation uses compatible with the purposes of the preserve.
5. **Management Areas:** For the purposes of management, the Preserve shall be considered to consist of a Primary Area (approximately 404 acres), and a Buffer Area (approximately 520 acres, including a special management area of 1 acres), as more particularly described in Exhibit B, attached thereto and by this reference made a part hereof. 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 more altered forest and other areas which connect and adjoin the Primary Area.
6. **Rules for Management of the Primary Area:**
 - a. **Character of Visitor Activity:** The principal visitor activities in the preserve shall be nature observation, teaching, walking, research, boating, hunting, and fishing. These activities shall be regulated to prevent disturbance of the preserve beyond what it can tolerate without significant environmental degradation. Activities and uses which are unrelated to the activities listed above are prohibited except as provided for herein or unless necessary to carry out the purposes of the preserve. Prohibited activities include, but are not limited to, construction of buildings, picnic shelters/picnic decks and parking lots, development of active recreation amenities

(i.e. ballfields, playfields, playgrounds, tennis courts, basketball courts, volleyball courts, mountain bike trails, equestrian trails, etc.), dumping, changes in topography, commercial silviculture, agriculture and grazing, gathering of plants or plant products, the removal, disturbance, molestation, or defacement of minerals, archaeological and natural resources except for educational, research, or ecological restoration purposes, and those activities specifically restricted in these Articles. There shall be no littering permitted. There shall be no open fires, except as necessary for research or ecological management of the preserve or in conjunction with supervised educational activities of the Grantor, or further excepted as herein provided or otherwise expressly permitted by the State or its designated representative.

- b. Consumptive Wildlife Uses: Hunting, fishing, and trapping may be permitted on the preserve subject to regulations and management by the North Carolina Wildlife Resources Commission.
- c. Orientation and Guidance of Visitors: The Grantor reserves the right to orient and guide visitors for educational programs, for scientific research, for hunting and fishing uses, for fund-raising activities, and for preserve management. Exhibits, programs, and printed materials may be provided by the Grantor in service areas. The Grantor may restrict access to visitors in those instances or in such areas that restrictions may be determined necessary to safeguard sensitive environmental resources in the preserve. Labeled nature trails, access areas, boat landings, overlooks, pedestrian bridges, and boardwalks may be provided by the Grantor within the preserve.
- d. Visitor Protection: Signs, fences, steps, guardrails, and bridges may be provided when essential to the safety of reasonably alert and cautious visitors. The Grantor reserves the right to erect such structures as may be necessary to protect the preserve from unwanted or excessive visitor traffic.
- e. Other Structures and Improvements: Structures or facilities shall not be erected by the Grantor within the preserve, except as may be consistent with the purposes of the preserve as stated in these Articles. Site selection shall be consistent with these Articles.
- f. Roads and Trails: New roads shall not be constructed in the Primary Area. When necessary, the Grantor may construct and maintain access limited to staff for management purposes, such as service paths for patrol, fire control, right-of-way maintenance, and other management activities, within the Primary Area. The Grantor may maintain roads presently existing within the preserve. 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. Daylighting of roads within the Primary Area should be

minimized, but may be used if necessary to maintain the condition of the road. Access management and construction will be part of the overall management planning process and will include consultation with the North Carolina Natural Heritage Program.

If an existing North Carolina Department of Transportation (“NCDOT”) road runs within or along a boundary of the Primary Area and NCDOT demonstrates a compelling need to do so, then subject to the written approval of both the Primary Custodian and the Natural Heritage Program, NCDOT may within the Primary Area use a strip of land up to fifty feet (50’) wide outside and adjacent to the road’s existing NCDOT right-of-way for the purpose of improving the NCDOT road. A strip of land approved under this provision shall not be longer than 1,000 feet long. The Primary Custodian and the Natural Heritage Program shall concur only if the proposed improvements and the associated activities will not cause significant impacts to rare species, small-patch natural communities, adjacent streams, or other Natural Heritage resource values. The existing NCDOT roads that run within or along a boundary of the Primary Area at the time of the issuance of this letter of allocation are as follows: SR 2803. The Eastern Circumferential Road shown in Exhibit B Map is under construction.

- g. 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 Grantor.
- h. 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 materials in, on, or under the preserve. No underground storage tanks may be placed within the preserve. Pollutants may not be added to surface or ground waters within the preserve.
- i. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other material, nor any change in topography or surface hydrology of the preserve. Exceptions for permitted archaeological research or for ecological restoration to more natural conditions, consistent with the Management Plan, may be made in consultation with the North Carolina Natural Heritage Program.
- j. Fences: Fences and barriers may be installed as necessary to maintain and protect natural features, control access, deter trespass, and to further the purposes of the preserve.
- k. Water Level Control: The purpose of any water level control shall be to maintain the preserve’s natural water regime. Water levels which previously have been altered may be maintained or may be changed if necessary to restore the preserve to its natural condition, and structures to accomplish this goal may be constructed.

- l. Bringing in Flora and Fauna: No exotic flora and no animals except leashed dogs and cats, horses on trails designated for horseback riding, or animals being reintroduced shall be brought into the preserve. Any reintroduction will be of species native to the natural community and shall be done according to an approved resource management plan.
- m. Wildfire Control/Prescribed Burning: Use of prescribed burning is permitted as necessary for the biological management of the Preserve. Any prescribed burning must be done according to a prescribed fire plan approved by the County Fire Marshal or current permitting authority. Wildfires may mimic natural processes historically occurring in an ecosystem on a landscape level. When the extent of a wildfire does not threaten human life or structures, it may be allowed to burn with minimal control. If firebreaks need to be established for prescribed burning or wildfire control, where possible, existing roads and firebreaks will be utilized. 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.
- n. Disturbance of Natural Features: The cutting or removal of trees, dead or alive, or the disturbance of other natural resources is prohibited except for removal of hazards to visitors, control of disease that would damage or reduce the significance of the preserve, reduction of fire fuel load after severe storm damage, trail clearance or 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 this Dedication. Salvage timber cuts which may be necessary due to natural catastrophe will be allowed in both Primary and Buffer Areas, but in a manner that will contribute to the recovery of the prevailing natural conditions of the forest and in consultation with the North Carolina Natural Heritage Program.
- o. Control of Populations (natural and exotic): Any control of animal or plant populations on the preserve shall be for the purpose of correcting situations where those populations are significantly affecting natural conditions on the preserve, and in accordance with the established N.C. Wildlife Resources Commission regulations for hunting, trapping, or fishing of designated game animals. 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.
- p. 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 particularly essential to ecosystems where natural wildfire historically suppressed woody vegetation and promoted herbaceous diversity.

Additionally, a utility line right-of-way containing the same or similar special elements of natural diversity representative of the preserve generally is designated as a Special Management Area (See Exhibit B map). The Department of Natural and Cultural Resources and Mecklenburg County, by and through the Natural Heritage Program and Mecklenburg County Park and Recreation Department, respectively, may enter into agreement(s) with the party or parties responsible for managing the right-of-way in order to ensure that the management practices of such party or parties are consistent with the conservation values associated with the Special Management Area.

- q. Designation of Representatives: In cases in which these Articles permit action to be taken by a designated representative of the State, the designation of the representative shall be made in writing by the Secretary of the Department of Natural and Cultural Resources, and copies of the designation shall be mailed to the Grantor and shall be maintained in the official files of the Department of Natural and Cultural Resources or the appropriate agency of the State. The Grantor Representative shall be:

Director
Mecklenburg County Park and Recreation Department
5841 Brookshire Blvd.
Charlotte, NC 28216.
 - r. Custodian and Management Responsibility: The Grantor shall retain custody and possession of the preserve upon the execution of these Articles, and the Grantor shall enforce the rules for management in conformity with the purposes of the preserve.
 - s. Management Plan: The Primary Custodian shall be required to prepare and submit for approval to the Secretary of the Department of Natural and Cultural Resources a management plan for the preserve. This plan shall be subject to all the provisions of this Dedication and shall additionally be consistent with the management principles set forth in the North Carolina Administrative Code 07 NCAC 13H.0300 and .0400. The dedicated nature preserve will continue to be subject to other applicable regulations within NCAC Title 07, Chapter 13. 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:** Primary Area rules in general apply to the Buffer Area, with the following exceptions: Buffer areas may allow some more intensive vegetation management, and the noncommercial or commercial cutting of undesired tree

species. 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 Primary Custodian, in addition to providing for the buffer functions in relation to the Primary Area.

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:

- a. 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.);
- b. Maintenance of habitat connectivity and continuity among Primary Areas;
- c. Providing for habitat diversity;
- d. Management needs of rare animal and plant species populations occurring within the Buffer Area; and
- e. Protection of 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 Grantor and the Secretary of the Department of Natural and Cultural Resources, and approved by the Council of State.
9. **Termination:** A 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-135.250, the Nature Preserves Act, as it now exists or as it may hereafter be amended. These Articles may be terminated upon agreement of both parties as set forth in the Nature Preserves Act.
10. **Liability:** The Grantor agrees to indemnify, defend, and hold harmless the State against any claims, damages, obligations, or suits arising out of or connected with the use of the preserve, caused by acts of negligence by Grantor, its assigns, or invitees, servants, employees, or agents, or any of them, except for any claims, damages, obligations, or suits arising out of acts by the State, or its assigns, invitees, servants, employees, or agents, or any of them. In the event any such claim is made or lawsuit initiated, the State shall promptly notify Grantor in writing and the State shall cooperate fully in the defense of such lawsuit and permit the Grantor or its insurance carrier to participate in the defense of such claim or lawsuit. It is further agreed that the right to settle or offer the settlement of any such claim or lawsuit shall reside with the Grantor, subject to the State's approval of any

final settlement, which approval shall not be unreasonably withheld.

11. Transfer of Preserve: Any time the preserve, or any interest therein, is transferred by the Grantor to any third party, the Grantor shall notify the State in writing within thirty (30) days prior to the transfer of the Property, and the document of conveyance shall expressly refer to these Articles. The failure of Grantor to perform any act required by this Paragraph shall not impair the validity of these Articles or of the transfer or limit their enforceability in any way.

12. Parties: Every provision of these Articles that applies to the Grantor shall also apply to Grantor's successors in title as their interest may appear.

TO HAVE AND TO HOLD the conservation easement herein described and conveyed to the State of North Carolina in trust for benefit of the public in accordance with the provisions of 143B-135.250 of the North Carolina General Statute.

These Articles of Dedication shall run with the land and burden the preserve in perpetuity unless terminated as provided herein or extinguished in accordance with the provision of the Nature Preserves Act.

The Governor and Council of State have approved the dedication of the lands hereinabove described as the Reedy Creek Nature Preserve, by acceptance of the conservation easement, to be held in trust by the Grantor and the State for the uses and purposes expressed in the Nature Preserves Act at a meeting held in the City of Raleigh, North Carolina, on the ____ day of _____, 20__.

{ Grantor }

Name-
Title-

Corporate Seal

ATTESTED BY:

Name-
Title-

STATE OF NORTH CAROLINA
COUNTY OF

I _____ a Notary Public duly authorized in the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he/she represents _____ { Grantor } _____, and that by authority duly given and

as the act of the corporation, the foregoing instrument was signed in its name by its _____ and sealed with its corporate seal.

WITNESS my hand and official seal, this the _____ day of _____, 20__.

Notary Public

My Commission Expires:

EXHIBIT A
LEGAL DESCRIPTION
Of the Reedy Creek Nature Preserve

Being all or portions of fourteen (14) parcels in Charlotte and Crab Orchard Townships,
Mecklenburg County, North Carolina:

**Parcel numbers 10507101, 10507104, 10507106, 0507107, 10511101, 10511102, 10511105,
10511106, 10511111, and 10511112**

BEGINNING at an existing nail in the centerline of Grier Road, said point being a common corner with the (now or formerly) Mecklenburg County property as described in Deed Book 9864, Page 954 of the Mecklenburg County Public Registry; thence running with said Mecklenburg County property South 34°11'10" East a distance of 686.58 feet to a calculated point, said point being a common corner with the (now or formerly) Mecklenburg County property as described in Deed Book 9276, Page 437 of said Registry; thence over, upon and through the aforesaid lands of Mecklenburg County the following seventeen (17) courses and distances:

- 1) North 88°59'44" East a distance of 599.97 feet to a calculated point;
- 2) South 01°21'09" West a distance of 400.92 feet to a calculated point;
- 3) South 21°42'54" East a distance of 325.12 feet to a calculated point;
- 4) South 01°30'33" West a distance of 230.03 feet to a calculated point;
- 5) South 32°58'37" West a distance of 103.67 feet to a calculated point;
- 6) South 03°47'49" West a distance of 524.23 feet to a calculated point;
- 7) South 04°49'47" East a distance of 257.17 feet to a calculated point;
- 8) South 20°55'58" West a distance of 408.80 feet to a calculated point;
- 9) South 06°56'10" East a distance of 43.91 feet to a calculated point;
- 10) North 84°36'18" East a distance of 310.32 feet to a calculated point;
- 11) South 18°33'13" East a distance of 235.17 feet to a calculated point;
- 12) South 85°27'04" East a distance of 125.77 feet to a calculated point;
- 13) South 24°06'06" East a distance of 162.65 feet to a calculated point;
- 14) South 58°56'41" East a distance of 148.97 feet to a calculated point;
- 15) South 39°18'50" West a distance of 140.08 feet to a calculated point;
- 16) South 06°53'39" East a distance of 68.39 feet to a calculated point;
- 17) South 88°23'59" East a distance of 325.77 feet to a calculated point;
- 18) North 19°08'22" East a distance of 545.27 feet to a calculated point;
- 19) North 19°58'43" East a distance of 1,996.03 feet to an existing 1-1/2" iron pipe, said point being a common corner with the (now or formerly) Florence S. Hodges property as described in Deed Book 3100, Page 367 of said Registry; thence running with said Florence S. Hodges property and others the following two (2) courses and distances:

- 1) North 63°18'22" East a distance of 197.51 feet to an existing 44" White Oak;
- 2) South 60°12'02" East a distance of 1,576.25 feet to a calculated point (in tree), said point being a common corner with the (now or formerly) James F. Hodges property as described in Deed Book 5931, Page 864 of said Registry; thence running with said James F. Hodges property South 79°52'31" East a distance of 705.97 feet to an existing 3/8" iron rebar, said point being a common corner with the (now or formerly) James F. Hodges & Associates, L.P. property as described in Deed Book 7492, Page 452 of said Registry; thence running with said James F. Hodges & Associates, L.P. property and others South 80°01'40" East a distance of 256.56 feet to an existing 1" iron pipe, said point being a common corner with the (now or formerly)

Joseph W. Grier, Jr. property as described in Deed Book 717, Page 489 of said Registry; thence running with said Joseph W. Grier, Jr. property the following eight (8) courses and distances:

- 1) South 15°20'17" East a distance of 1,532.49 feet to an existing 1" iron pipe;
- 2) South 28°43'08" West a distance of 61.93 feet to a new 1/2" iron rebar;
- 3) South 30°30'35" East a distance of 117.27 feet to an existing 3/8" iron rebar;
- 4) South 11°35'51" East a distance of 275.74 feet to an existing 3/8" iron rebar;
- 5) South 09°40'30" East a distance of 102.72 feet to a calculated point situated on the northwestern margin of the (now or formerly) proposed eastern circumferential alignment;
- 6) South 09°40'30" East a distance of 158.32 feet to a calculated point situated on the southeastern margin of the (now or formerly) proposed eastern circumferential alignment;
- 7) South 09°40'30" East a distance of 130.42 feet to an existing 3/8" iron rebar;
- 8) South 71°44'59" East, passing an existing 3/8" iron rebar at 918.99 feet, a total distance of 921.65 feet to a new 1/2" iron rebar, said point being a common corner of (now or formerly) Lot 8 of Plaza Park as shown in Map Book 8, Page 447 of said Registry; thence running with said Lot 8 of Plaza Park South 38°37'40" West a distance of 91.76 feet to an existing 2-1/2" iron pipe; thence running with Lots 7, 6 and 5 of said Plaza Park South 85°54'49" East a distance of 483.96 feet to an existing 1-1/2" iron pipe, said point being a common corner of the (now or formerly) Kenneth M. Knight, Jr. property as described in Deed Book 9560, Page 237 of said Registry; thence running with said Kenneth M. Knight, Jr. property South 37°13'56" West a distance of 525.47 feet to an existing iron rebar (in concrete), said point being a common corner with the (now or formerly) Thomas E. Teeter property as described in Deed Book 4734, Page 919 of said Registry; thence running with said Thomas E. Teeter property South 37°31'56" West a distance of 171.01 feet to an existing iron rebar (in concrete), said point being a common corner with the (now or formerly) Jacqueline P. Thomasson property as described in Deed Book 3574, Page 574 of said Registry; thence running with said Jacqueline P. Thomasson property South 37°08'07" West a distance of 269.15 feet to an existing 1" iron pipe, said point being a common corner with the (now or formerly) Jackie P. Thomasson property as described in Deed Book 1864, Page 426 of said Registry; thence running with said Jackie P. Thomasson property South 38°10'01" West a distance of 184.94 feet to an existing 3/8" iron rebar, said point being a common corner of the (now or formerly) Sandra H. Allen property as described in Deed Book 1967, Page 226 of said Registry; thence running with said Sandra H. Allen property the following three (3) courses and distances:

- 1) North 42°49'40" West a distance of 415.89 feet to an existing 3/8" iron rebar; thence South 37°10'20" West a distance of 599.50 feet to a calculated point (in branch); thence South 41°45'40" East a distance of 493.80 feet to a new 1/2" iron rebar, said point being situated on the (now or formerly) northern margin of the proposed realignment of plaza road extension; thence running with said proposed realignment of plaza road extension the following five (5) courses and distances:

- 1) South 57°53'20" West a distance of 262.54 feet to a calculated point;
- 2) along the arc of a curve to the right, said curve having an arc length of 822.39 feet, a radius of 3,785.00 feet (chord: South 64°06'49" West 820.77 feet) to a calculated point, said point being a common corner with the (now or formerly) eastern margin of the aforesaid proposed eastern circumferential alignment;
- 3) with a compound curve to the right, said curve having an arc length of 102.07 feet, a radius of 3,785.00 feet (chord: South 71°06'38" West 102.07 feet) to a calculated point, said point being a common corner with the (now or formerly) western margin of the aforesaid proposed eastern circumferential alignment;
- 4) with a compound curve to the right, said curve having an arc length of 1,532.49 feet, a radius of 3,785.00 feet (chord: South 83°28'56" West 1,522.05 feet) to a calculated point;
- 5) North 84°55'07" West a distance of 193.81 feet to a new 1/2" iron rebar, said point being on the (now or formerly) northern margin of the proposed future right-of-way line of Plaza Road Extension; thence South 19°20'07" West a distance of 37.02 feet to a calculated point in the centerline of Plaza Road Extension; thence running with said centerline of Plaza Road Extension the following seven (7) courses and distances:

- 1) North 84°52'08" West a distance of 576.99 feet to a calculated point;
- 2) North 84°53'40" West a distance of 1,341.55 feet to a calculated point;
- 3) North 85°06'03" West a distance of 123.70 feet to a calculated point;

4) North 85°09'27" West a distance of 531.51 feet to a calculated point;
 5) along the arc of a curve to the right, said curve having an arc length of 534.89 feet, a radius of 1,527.89 feet (chord: North 75°07'42" West 532.16 feet) to a calculated point;
 6) North 65°05'57" West a distance of 557.72 feet to a calculated point;
 7) along the arc of a curve to the right, said curve having an arc length of 692.32 feet, a radius of 3,819.72 feet (chord: North 59°54'24" West 691.37 feet) to a calculated point; thence North 19°13'55" West, passing a new 1/2" iron rebar situated on the northern margin of Plaza Road Extension at 49.64 feet, a total distance of 304.74 feet to an existing 1" iron pipe, said point being a common corner of the (nor or formerly) WSOC Television Inc. property as described in Deed Book 5115, Page 963 of said Registry; thence running with said WSOC Television Inc. property the following nine (9) courses and distances:
 1) North 75°00'17" East a distance of 870.99 feet to an existing 1" iron pipe;
 2) North 75°00'54" East a distance of 599.12 feet to an existing stone;
 3) North 50°13'00" East a distance of 782.05 feet to an existing 1" iron pipe;
 4) North 70°01'49" West a distance of 485.83 feet to an existing 1" iron pipe;
 5) South 78°35'58" West a distance of 393.85 feet to an existing 1/2" iron rebar;
 6) South 67°48'01" West a distance of 304.09 feet to an existing 1" iron pipe;
 7) North 20°12'16" West a distance of 508.66 feet to a new 1/2" iron rebar;
 8) South 89°52'32" West a distance of 139.00 feet to an existing 1" iron pipe;
 9) North 13°47'39" West a distance of 1,785.03 feet to an existing concrete monument, said point being a common corner with the (now or formerly) Charlotte-Mecklenburg Board of Education property as described in Deed Book 9876, Page 176 of said Registry; thence running with said Charlotte-Mecklenburg Board of Education property the following two (2) courses and distances:
 1) North 60°44'55" East a distance of 600.00 feet to an existing concrete monument;
 2) North 44°31'13" West a distance of 932.91 feet to a calculated point situated in the centerline of aforesaid Grier Road; thence running with said centerline of Grier Road the following four (4) courses and distances:
 1) North 24°48'15" East a distance of 810.08 feet to a calculated point;
 2) along the arc of a curve to the right, said curve having an arc length of 389.94 feet, a radius of 1,000.00 feet (chord: North 35°58'30" East 387.47 feet) to a calculated point;
 3) North 47°08'45" East a distance of 384.16 feet to a calculated point;
 4) North 44°10'48" East a distance of 228.34 feet to the point and place of BEGINNING; having an area of 31,676,317 square feet or 727.1882 acres of land, more or less, as shown on a survey prepared by R.B.

Pharr & Associates, P.A. dated November 26, 2001. Job No. 53826.

Parcel Number 10506497:

BEING all of that property designated as "Greenway Dedicated to Mecklenburg Co. Parks and Recreation 1.71 acres ±" containing 1.71 acres as shown on map of Buckleigh Subdivision Map 7 recorded in Map Book 44 at Page 53, in the Mecklenburg Public Registry, to which reference is hereby made.

Being a portion of the same property conveyed to Grantor by deed recorded in Deed Book 15800 at Page 539 in said Registry.

Parcel number 10511104:

BEGINNING at an existing nail which marks the intersection of the centerline of Plaza Road Extension and the northeasterly corner of the property conveyed to Reliance Trust Company by deed recorded in Book 14361 at Page 868 in the office of the Register of Deeds for Mecklenburg County, which existing nail is on the pavement above a point in Reedy Creek, and which point is

the westerlymost comer of the property conveyed to Edward Mackey and Miriam Mackey by deed recorded in Book 5674 at Page 802 in said Registry; thence running from the BEGINNING POINT partially with Reedy Creek and partially outside of the top of the bank of the creek the following two (2) courses and distances: (1) with the northeasterly line of the Reliance Trust Company property N. 43-09-44 W. 429.79 feet to an existing iron rod in a comer of the property conveyed to Mecklenburg County by deed recorded in Book 9424 at Page 874 in said Registry; (2) with the Mecklenburg County property N. 43-09-20 W. 494.78 feet to a new iron rod; thence continuing with the Mecklenburg County line and leaving the creek the following two (2) courses and distances: (1) N. 36-25-11 E. 599.50 feet to an existing iron rod; (2) S. 43-34-48 E. 415.90 feet to an existing iron rod in the westerlymost comer of the property conveyed to Hai Thanh Chuong by deed recorded in Book 14889 at Page 749 in said Registry; thence with the Chuong line S. 43-34-48 E. 369.83 feet to an existing iron rod in the westerly right-of-way of Plaza Road Extension, which point is the southerlymost comer of the property conveyed to the aforesaid Hi Thanh Chuong; thence S. 43-34- 48 E. 30.18 feet to a new nail in the centerline of Plaza Road Extension; thence with said centerline the following two (2) courses and distances: (1) with the arc of a circular curve to the left in a southerly direction having a radius of 1156.93 feet and a chord bearing and distance of S. 31-04-05 W. 358.89 feet, an arc length of 360.34 feet to a new nail; (2) S. 21-18-16 W. crossing an existing nail at 260.31 feet, a total distance of 277 .34 feet to the POINT AND PLACE OF BEGINNING; containing 11.5798 acres as shown on a survey by R.B. Pharr & Associates, P.A. dated January 19, 2006, Job No. 66952, revised February 20, 2006, to which reference is hereby made.

Being the same property conveyed to E.T. Haney and Alice M. Haney by deed dated March 11, 1958, recorded in Book 1967 at Page 226 in said Registry. E. T. Haney predeceased Alice M. Haney. Alice M. Haney conveyed the property to Sandra H. Allen and Judith H. Beachley by two deeds recorded in Book 10209 at Pages 525 and 528 in the office of the Register of Deeds for Mecklenburg County.

Parcel Number 10515401:

BEGINNING AT A POINT, said point being an iron found in the intersection of the westerly margin of lands of David J. Craven as same is described by Deed recorded in Book 29428 at Page 789 in Mecklenburg Public Registry and the easterly comer of lands of Mecklenburg County a same is described by Deed recorded in Book 9424 at Page 874 in said registry, said iron having the Grid Coordinates of N 554416.7522 and E 1492631.3401 and lying on a course of S 85-28-51 W 2887.49 feet from NCGS Monument "Austin"; and running thence from said BEGINNING POINT with the northerly margin of said lands of Mecklenburg County the following five (5) courses and distances: 1) N 71-47-02 W 934.01 feet to an iron found; 2) N 06-49-34 W 245.05 feet to a point; 3) N 09-58-36 W 141.57 feet to a point; 4) N 11-35-55 W 275.75 feet to an iron found; and 5) N 30-28-40 W 117.26 feet to an iron found, said iron being in the easterly margin of lands of Mecklenburg County as same is described by Deed recorded in Book 9276 at Page 437 in said registry; running thence with said lands of Mecklenburg County (Book 9276 Page 437) the following two (2) courses and distances: 1) N 28-40-17 E 61.97 feet to an iron found; and 2) N 15-20-12 W 1532.46 feet to an iron found, said iron being in the southerly margin of lands of Hodges

Family Properties, LLC as same is described by Deed recorded in Book 25532 at Page 170 in said registry; running thence with the southerly and easterly margin of said lands of Hodges Family Properties, LLC the following eleven (11) courses and distances: 1) S 80-00-48 E 286.10 feet to an iron found; 2) S 79-50-53 E 235.12 feet to a stone found; 3) S 54-46-04 E 471.90 feet to an iron set; 4) S 54-40-10 E 294.87 feet to an iron set; 5) N 06-04-59 E 613.49 feet to an iron found; 6) running thence with the arc of a circular curve to the left, said arc having a radius of 2643.71 feet, an arc length of 572.30 and a chord bearing and distance of N 00-04-11 W 571.18 feet to an iron found; 7) S 72-04-43 E IO.IO feet to an iron found; 8) N 17-52-29 E 29.□1 feet to an iron found; 9) N 83-14-58 E 28.54 feet to an iron found; 10) N 83-14-30 E 111.43 feet to an iron found; and 11) N 14-41-01 E 357.60 feet to an iron set, said iron being in the southwesterly comer of lands of Rocky River Retail Investors as same is described by Deed recorded in Book 20808 at Page 499 in said registry; running thence with the southerly line of said lands of Rocky River Retail Investors S 82-24-24 E, passing an iron set at 353.75 feet, a total distance of 487.95 feet to an iron set, said iron being in the westerly margin of lands of Cape Reedy Creek Retail Investors, LLC. as same in described by Deed recorded in Book 30126 at Page 910 in said registry; running thence with the said westerly margin of said lands of Cape Reedy Creek Retail Investors, LLC .. S 10-17-17_W 957.77 feet to an iron found, said iron being in the northwesterly comer of lands of Gerald J. Micklow as same is described by Deed recorded in Book 12844 at page 922 in said registry; running thence with the westerly margin of said lands of Micklow S 10-16-25 W 400.16 feet to an iron found, said iron being in the northwesterly comer of lands of Duane D. Kohari as same is described by Deed recorded in Book 5110 at Page 498 in said registry; running thence with the westerly margin of said lands of Kohari S 07-10-14 W 343.77 feet to an iron found, said iron being in the northwesterly comer of lands of Nancy E. Newton as same is described by Deed recorded in Book 12016 at Page 17 in said registry; running thence with the westerly and southwesterly margin of said lands of Newton the following two (2) courses and distances: 1) S 07-13-41 W 174.40 feet to an iron found; and 2)S 53-45-12 E 557.95 feet to an iron found, said iron being in the northwesterly comer of lands of Richard Robertson as same is described by Deed recorded in Book 7883 at Page 333 in said registry; running thence with the Westerly margin of said lands of Robertson the following two (2) courses and distances: 1) S 53-43-32 E 230.83 feet to an iron found; and 2) S 53-41-22 E 119 .19 feet to an iron found, said iron being in the northwesterly comer of lands of Jeffrey A. Shaw as same is described by Deed recorded in Book 4883 at Page 514 in said registry; running thence with the northwesterly margin of said lands of Shaw the following two (2) courses and distances: 1) S 38-51-46 W 43.05 feet to an iron found; and 2) S 38-34-12 W 87.71 feet to an iron found, said iron being in the northernmost comer of lands of Douglas L. Sherrard as same is described by Deed recorded in Book 30330 at Page 14 in said registry; running thence with the northwesterly margin of said lands of Sherrard S 38-41-41 W 193.29 feet to an iron found, said iron being in the northernmost comer of lands of Wynand Dupuy Family Trust as same is described by Deed recorded in Book 1844 7 at Page 154 in said registry; running thence with the northwesterly margin of said lands of Wynand Dupuy Family Trust, the northwesterly terminus of Plaza Park Drive and the northwesterly margin of lands of Michael G. Christenbury as same is described by Deed recorded in Book 28481 at Page 231 S 38-39-29 W 949.60 feet to an iron found, said iron being in the northwesterly comer of said lands of David J. Craven; running thence with the northwesterly margin of said lands of Craven S 38-40-10 W 213.16 feet to an iron found, said iron being the POINT.AND PLACE OF BEGINNING and containing 94.76 Acres as same is shown on a survey by Lawrence Associates dated December

11, 2015 and revised December 16, 2015 and December 21, 2015 to which reference is hereby made and a copy of which is attached hereto as Exhibit B.

Being the property conveyed to Grier Newell Properties LLC by Deeds recorded in Book 27043 Page 509, Book 29133 Page 732 and Book 25224 Page 569 in the Mecklenburg Public Registry.

Parcel number 10509124:

BEING that certain parcel of land lying east of WT Harris Boulevard, south of Grier road, north of plaza road extension and being situate in the city of Charlotte, Mecklenburg county, North Carolina and being more particularly described as follows:

COMMENCING AT A NAIL, having NC state plane NAD83 (2011) coordinates of 553514.05' N and 1484615.62' E, thence S 68 °12'53" 399.31' to a ¾" pipe found being the common corner of Mecklenburg county parcel and Santos Gonzalez (Deed Book 4135, Page 629 and Deed Book 33893, Page 203), and being the point of beginning of the herein described tract; thence, in a clockwise direction, N 13 °53'38" W 197.92' to a ¾" pipe found located on the eastern line of city of Charlotte parcel (Deed Book 3714, Page 207); thence with city of Charlotte line the following four calls: (1) N 13 °50'47" W 823.09' to a 1" pipe found; (2) N 87 °50'47" W 396.53' to a ½" pipe set; (3) S 04 °34'07" W 795.06' to a ½" pipe set; (4) S 04 °34'07" W 40.00' to a point in the cl of plaza road extension r/w; thence, with plaza road extension cl, S 88 °47'56" W 459.69' to a point; thence, leaving the cl of plaza road extension, N 08° 25'16" E 40.00' to a ½" pipe set on the eastern line of Charlotte-Mecklenburg Board of Education parcel (Deed Book 8180, Page 992); thence, with Charlotte-Mecklenburg Board of Education line, N 08 °25' 16" E 1,401.12' to a #5 rebar found on the eastern line of the trustees of Central Piedmont Community College parcel (Deed Book 6476, Page 280); thence, with the trustees of Central Piedmont Community College line, N 08 °25'09" E 1,116.38' to a concrete monument located on the southern line of Charlotte-Mecklenburg Board of Education parcel (Deed Book 9876, Page 126); thence, with Charlotte-Mecklenburg Board of Education line the following two calls: (1) N 82° 15' 19" E 147 .09' to a concrete monument; (2) N 66 °29'17" E 876.87' to a bent 1" pipe found on the western line of Mecklenburg County parcel (Deed Book 4313, Page 924); thence, with Mecklenburg County line the following six calls: (1) S 13 °46'50" E 1,784.83' to a 1" pipe found; (2) N 89 °52'39" E 139.00' to a #4 rebar found; (3) S 20 ° 10'48" E 508.67' to a bent 1" pipe found; (4) N 67°49'22" E 304.1 1' to a #5 rebar found; (5) N 78 °37'26" E 393.84' to a bent ¾" pipe found; (6) S 70 °00'31" E 485.85' to a 1" pipe found; thence S 50 °14'45" W 781.51' to a painted "x" on a stone found on northern line of Mecklenburg County Parcel (Deed Book 4135, Page 629); thence, with Mecklenburg County line the following two calls: (1) S 75 °01 '59" W 599.59' to a ¾" pipe found; (2) S 75 °02'07" W 870.85' to the point of beginning, containing 4,365,538 square feet, 100.219 acres, more or less.

EXHIBIT B

REEDY CREEK NATURE PRESERVE DEDICATED NATURE PRESERVE

DESCRIPTION

COUNTY: Mecklenburg County

PHYSIOGRAPHIC PROVINCE: Piedmont

TOPOGRAPHIC QUAD(S): Harrisburg

SIZE OF AREA: ca. 924 acres total (404 primary area acres; buffer area 520 acres, including special management area of 1 acre).

OWNER/ADMINISTRATOR: Mecklenburg County Park and Recreation Department

LOCATION: The Reedy Creek Nature Preserve is located along Reedy Creek in eastern Mecklenburg County, east of NC Hwy 24, and south of Rocky River Road (S.R. 2828).

DESCRIPTION: Reedy Creek Nature Preserve consists of moderately dissected terrain around the headwater forks of Reedy Creek. The area is underlain by a mix of rock types, including granite and diorite or gabbro. Though much of the preserve is altered by past land use, a sizeable natural area of mature forest communities remains. In the Primary Area, most of the forests are quite mature, with trees 12-14 inches in diameter on average and trees up to 18-24 inches present. A diverse flora and fauna have been documented from the preserve.

The varied topography and geology support a variety of natural community types. Most notable is a Dry-Mesic Basic Oak—Hickory Forest community that appears to be one of the best in the region. This community, on upland slopes, is dominated by white oak (*Quercus alba*) and red oak (*Quercus rubra*), with abundant white ash (*Fraxinus americana*), hickories (*Carya glabra*, *Carya alba*, *Carya carolinae-septentrionalis*), tulip poplar (*Liriodendron tulipifera*), and a few black walnut (*Juglans nigra*). The understory includes a number of species that benefit from these soil conditions, such as basswood (*Tilia americana* var. *caroliniana*) and redbud (*Cercis canadensis*), as well as more common species such as dogwood (*Cornus florida*). On granite substrates, comparable sites support Dry-Mesic Oak—Hickory Forest, also dominated by red and white oaks with some hickories and tulip poplar, but lacking the other species of less acid soils. The understory includes abundant sourwood (*Oxydendrum arboretum*), has little redbud, and lack basswood.

Lower slopes and north-facing slopes support forest communities of moist sites. On the diorite or gabbro substrates is a Basic Mesic Forest community, also one of the best examples in the region. It has a mixed canopy that includes tulip poplar, red oak, white ash, and hickories, along with beech (*Fagus grandifolia*) and some less common species such as black walnut and Shumard oak

(*Quercus shumardii*). The understory is dominated by ironwood (*Carpinus caroliniana*), but has notable amounts of umbrella magnolia (*Magnolia tripetala*), as well as basswood, redbud, and other species. The herb layer includes a wider variety of species than the other upland communities, including a number typical of less acid soils such as black cohosh (*Actaea racemosa*) and northern horsebalm (*Collinsonia canadensis*). Similar sites on granite substrate support Mesic Mixed Hardwood Forests, dominated by tulip poplar, beech, and red oak. The understory includes sourwood, dogwood, umbrella magnolia, and other acid-tolerant species. Herbs vary from scarce to abundant but do not include the less acid-tolerant species.

The floodplains of Reedy Creek and the larger tributaries support Piedmont Alluvial Forest. Reedy Creek itself has a very straight and deep channel that probably is the result of past channelization, but the floodplain forest is mature. Piedmont Alluvial Forests are dominated by tulip poplar and sweetgum (*Liquidambar styraciflua*), and contain characteristic species such as sycamore (*Platanus occidentalis*), black walnut, green ash (*Fraxinus pennsylvanica*), and sugarberry (*Celtis laevigata*). The understory includes ironwood and pawpaw (*Asimina triloba*). The shrub and herb layers are often dense. Non-native plant species have become a major component of the shrub and herb layers in parts, but a good diversity of characteristic native species remains.

A greenway extends through a portion of the Primary Area. A Special Management Area is designated along a telephone line corridor in the east side of the preserve. Though far from being in natural condition, this mowed corridor supports a remnant population of the rare Georgia aster (*Symphyotrichum georgianum*). Other species characteristic of open Piedmont woodlands are present, along with weedy species. The surrounding forest is young and dense, but with appropriate management could be made suitable habitat for this population to expand.

Substantial Buffer Areas are included in the dedicated area. Most of these Buffer Areas are successional pine forests that developed after past cultivation, or young successional hardwood or mixed forests that developed after clearcutting. Several old home sites are also present. Also present in the Buffer Area is a communications tower with guy wires. These areas ameliorate edge effects for the Primary Areas and provide a larger area of habitat for wildlife that do not need mature forests. Limited patches of mature forest, too small or isolated to be included in the Primary Area, are also present.

BOUNDARY JUSTIFICATION: The Primary Areas are drawn to include contiguous expanses of communities that are in good to excellent condition, as well as 100-foot riparian zones. Small areas of successional forest are included in the Primary Area, including the riparian zones associated with parcel 10515401; meanders to the streams were restored to improve water quality, and the contiguous riparian zones are regenerating to more natural forest conditions. Buffer Areas are drawn to include the more extensive successional and young forests which connect and buffer the Primary Areas. The special management area includes the portion of the telephone line corridor where the Georgia aster occurs, and also a minimal area around it where the population might readily expand with appropriate management. Larger developed areas such as the Nature Center are excluded from the dedication at the owner's request, along with small areas around them intended to allow for future expansion or relocation. Smaller existing disturbances, such as a historic home site, management roads, greenway, the telephone line corridor, and the communications tower with its guy lines, are recognized as existing and allowed to be maintained within the Primary and Buffer Areas.

MANAGEMENT AND USE: Reedy Creek Nature Preserve is managed for natural area protection and public recreation. A nature center and parking area are present on areas excluded from the dedication. An extensive trail system runs through much of the dedicated area.

Several invasive exotic plant species are present in the dedicated area. Some are widespread, and they are dense enough to likely be reducing native plant abundance in the Piedmont Alluvial Forest. Control of invasive plants is encouraged, but should be limited to methods that are selective and will not harm associated native species.

Prescribed burning is encouraged in the dedicated area, especially in the oak-hickory forest communities. Fires should be low intensity and designed to minimize canopy mortality, but are expected to produce a more open canopy and understory that is a more natural structure for these communities. Prescribed burning would also be appropriate to create open conditions in and around the Special Management Area.

Exhibit A Map
Reedy Creek Nature Preserve
Dedicated Nature Preserve
Parcel Numbers

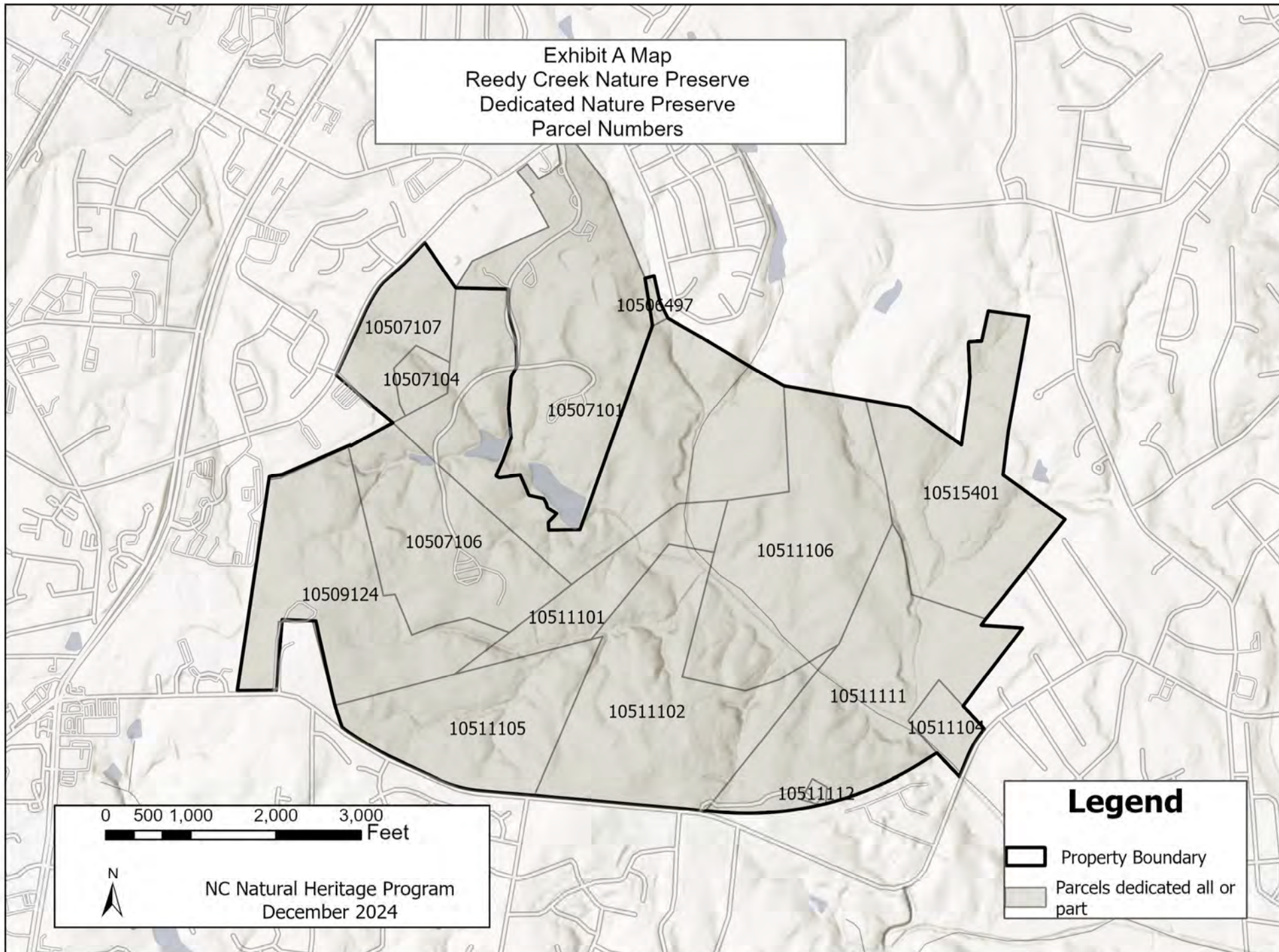
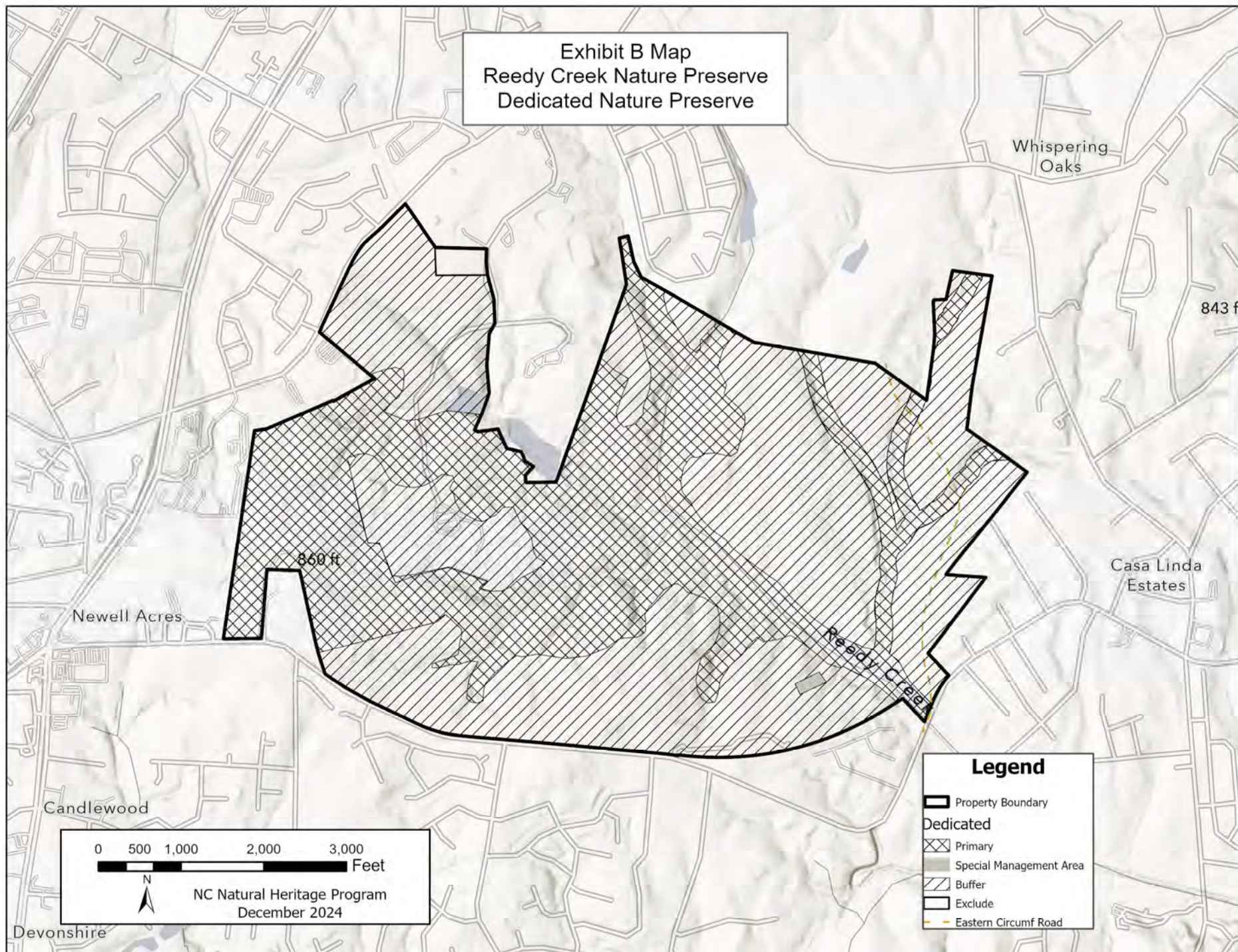


Exhibit B Map
Reedy Creek Nature Preserve
Dedicated Nature Preserve



ON DEPARTMENT OF ADMINISTRATION STATIONERY)

(DATE) (LINE 6) (NOT IN BOLD)

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-4601

Commissioner Steven Troxler
Department of Agriculture and Consumer Services
1001 Mail Service Center
Raleigh, North Carolina 27699-1001

Subject: Dedication of the **Eastwood Plant Conservation Preserve Nature Preserve**, Moore County

Secretary Cashwell and Commissioner Troxler:

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 December 6, 2022. The articles were amended to reflect additions of property to the preserve.

This real property is currently administered by the Plant Industry Division, N.C. Department of Agriculture and Consumer Services, and consists of approximately 441 acres located in Moore County which are specifically described in Exhibit A, attached hereto and by reference made a part hereof. The dedicated lands shall be known collectively as the **Eastwood Plant Conservation Preserve Nature Preserve**.

The terms of the grant agreement between the North Carolina Department of Agriculture and Consumer Services and the North Carolina Land and Water Fund require dedication of the qualified portions of the tract acquired as state lands with grants from the Fund.

THIS DEDICATION OF THE EASTWOOD PLANT CONSERVATION PRESERVE NATURE PRESERVE IS MADE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. **Definitions:** As used in this Letter, the terms "natural area" and "nature preserve" shall have the same meaning as contained in North Carolina General Statutes, section 143B-135.254.
2. **Dedication:** Pursuant to North Carolina General Statute 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 Eastwood Plant Conservation Preserve 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 Eastwood Plant Conservation Preserve Nature Preserve will be the **North Carolina Plant Conservation Program, Department of Agriculture and Consumer Services**, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H.0300 and .0400.
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 may 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 Exhibit A.
5. **Management Areas:** For the purposes of management, the preserve shall be considered to consist of a Primary Area (approximately 386 acres), Primary Restoration area (approximately 62 acres), a Buffer area (55 acres), and a Special Management Area (17 acres) as more particularly described in Exhibit A, attached hereto and by this reference made a part hereof. The Primary Area consists essentially of the natural area encompassing the state Endangered Sandhills lily (*Lilium pyrophilum*), other rare plant populations, and surrounding Xeric Sandhill Scrub, Dry Oak-Hickory Forest, and Streamhead Pocosin natural community types.

The Primary and Special Management Areas--composed of the natural area as described above--are 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 the public purposes for a dedicated preserve as stated in G.S. 143B-135.252.

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 low-impact passive recreation. These activities shall be regulated by the Custodian to prevent significant disturbance of the preserve. These activities may specifically be regulated by the Custodian 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 research purposes 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, for wildfire hazard reduction to the surrounding community, 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 safeguard 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 which is consistent with the purposes of these Articles. Salvage timber cuts which may be necessary due to natural catastrophe will be allowed in both Primary and Buffer Areas, but in a manner that will contribute to the recovery of the prevailing natural conditions of the forest and in consultation with the North Carolina Natural Heritage Program.

Specifically, a component of the management plan will address restoration of the area adjacent to and southeast of the transmission line right-of-way (identified as a Primary (Restoration) Area in the Exhibit A map). The intent of restoration will be to restore natural habitat for the rare plant populations, including the state Endangered Sandhills lily (*Lilium pyrophilum*), in consultation with the Natural Heritage Program. Several other restoration areas within the preserve, including fields and an impoundment, will also be restored as fully as possible. Management strategies may include prescribed burning, thinning, and potentially transplanting from nearby populations.

- D. Wildfire Control: Wildfires may mimic natural processes historically occurring in an ecosystem on a landscape level. When the extent of a wildfire 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 Control: The purpose of water control shall be to maintain the preserve's natural water regime. Hydrology that has been altered by man may be changed if necessary and practicable 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.

Additionally, a transmission line right-of-way containing the same or similar special elements of natural diversity representative of the preserve generally is designated as a Special Management Area (See Exhibit A map). The Department of Natural and Cultural Resources and the Department of Agriculture and Consumer Services, by and through the Natural Heritage Program and Plant Conservation Program, respectively, may enter into agreement(s) with the party or parties responsible for managing the right-of-way in order to ensure that the management practices of such party or parties are consistent with the conservation values associated with the Special Management Area.

- H. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other material, nor any change in topography or surface hydrology of the Preserves. Exceptions may be made for permitted archaeological research or for ecological restoration to more natural conditions, consistent with the Management Plan, and in consultation with the North Carolina Natural Heritage Program
- I. 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.
- J. 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.
- K. Roads and Trails: Construction and maintenance of roads, trails, and other access structures within the Primary Area of 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.

If an existing North Carolina Department of Transportation (“NCDOT”) road runs within or along a boundary of the Primary Area and NCDOT demonstrates a compelling need to do so, then subject to the written approval of both the Primary Custodian and the Natural Heritage Program, NCDOT may within the Primary Area use a strip of land up to fifty feet (50’) wide outside and adjacent to the road’s existing NCDOT right-of-way for the purpose of improving the NCDOT road. A strip of land approved under this provision shall not be longer than 1,000 feet long. The Primary Custodian and the Natural Heritage Program shall concur only if the proposed improvements and the associated activities will not cause significant impacts to rare species, small-patch natural communities, adjacent streams, or other Natural Heritage resource values. The existing NCDOT roads that run within or along a boundary of the Primary Area at the time of the issuance of this letter of allocation are as follows: NC Hwy 73, S.R. 1209, S.R. 1286, and S.R. 1210.

- L. 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.
 - M. Management Plan: The Department of Agriculture and Consumer Services, Plant Industry Division, as Primary Custodian of the preserve, shall be required to prepare and submit for approval to the Secretary of the Department of Natural and Cultural Resources a management plan for the preserve. This plan shall be subject to all the provisions of this dedication and shall additionally be consistent with the management principles set forth in the North Carolina Administrative Code 07 NCAC 13H.0300 and .0400 and such other regulations as may be established from time to time by the Secretary of the Department of Natural and Cultural Resources. 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 Plant Conservation 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) 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) Maintenance of habitat connectivity and continuity among Primary Areas.
 - 3) Providing for habitat diversity.
 - 4) Management needs of rare animal and plant species populations occurring within the Buffer Area; and
 - 5) Protection of 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 Commissioner of the Department of Agriculture and Consumer Services 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 Statute 143B-135.264.

The Governor and Council of State have approved the dedication of the State-owned lands hereinabove described as the **EASTWOOD PLANT CONSERVATION PRESERVE 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 (City Name), North Carolina, on the _____ of _____, (YEAR). (TYPE IN DATE AFTER COUNCIL OF STATE APPROVAL)

Sincerely,

Pamela B. Cashwell

CONSENTED AND AGREED TO:

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources

Commissioner Steven Troxler
Department of Agriculture

EXHIBIT A

EASTWOOD PLANT CONSERVATION PRESERVE DEDICATED NATURE PRESERVE

DESCRIPTION

COUNTY: Moore

PHYSIOGRAPHIC PROVINCE: Sandhills

TOPO QUAD: Carthage, Southern Pines, West End, Zion Grove

SIZE OF AREA: ca. 441 acres total (386 acres of primary area, including several restoration areas totaling 62 acres, a special management area of 17 acres, and a buffer area of 55 acres)

OWNER/ADMINISTRATOR: State of North Carolina
Plant Conservation Program, NC Department of
Agriculture

LOCATION: Eastwood Plant Conservation Preserve is located about 4 air miles east of the town of West End. It lies in two separate sections on the south side of highway NC 73, extending from Beulah Hill Church Road on the west to Murdockville Road on the east. A gravel road running north from Oldham Road accesses the eastern part. Mineral Springs Township, all or portions of Parcels 855400653969, 855400545797, 855400361731, 855400158125, 855400160306, 855403048271, 855400127950, 855400031944, 855400052476, and 855400346356.

DESCRIPTION: The Eastwood Plant Conservation Preserve falls within the Sandhills Ecoregion, a major subdivision of the coastal plain that is noted for its rolling topography and extensive longleaf pine communities. The preserve consists of two sections, one of which flanks a transmission line right-of-way, and the second which is disjunct and to the east. The preserve protects a large portion of the Nicks Creek/Eastwood Sandhills natural heritage area, including one of the best populations of the State Endangered Sandhills Lily (*Lilium pyrophilum*) known in North Carolina.

The uplands on both the western and eastern portions of the preserve support the Xeric Sandhill Scrub (Typic Subtype) natural community, which is composed of longleaf pine (*Pinus palustris*), turkey oak (*Quercus laevis*), and a ground cover dominated by wiregrass (*Aristida stricta*). Also abundant is Pine/Scrub Oak Sandhill (Blackjack Oak Subtype), also dominated by longleaf pine, with a scrub oak layer that includes turkey oak, blackjack oak (*Q. marilandica*), and dwarf post oak (*Q. margaretiae*). It too has ground cover dominated by wiregrass, with a diversity of other herbs and low shrubs. In the Primary Areas, the pines are middle aged, well-spaced, and are experiencing high regeneration rates. Recent prescribed fires have restored more natural

conditions in these communities, and other portions are in restorable condition. The rare butterfly Edwards' Hairstreak (*Satyrrium edwardsii*) has been documented from these uplands.

Other upland communities include Dry Oak-Hickory Forest, present within the easternmost tract on the middle and lower east slopes of the ridge, and also in the western tract southeast of the powerline. Blackjack oak, mockernut hickory (*Carya alba*), sand hickory (*C. pallida*), persimmon (*Diospyros virginiana*), sassafras (*Sassafras albidum*), and dogwood (*Benthamidia florida*) are some of the species present within this community type. Because of the sparse surface and ground fuels, fires do not burn effectively through this community.

The preserve contains numerous streamheads that flow to the southeast towards Nicks Creek, that include places crossing the transmission line right-of-way and in forested areas on the property. In the forested portions, the Streamhead Pocosin natural community supports tulip poplar (*Liriodendron tulipifera*) and pond pine (*Pinus serotina*), loblolly pine (*Pinus taeda*) and red maple (*Acer rubrum*). The understory includes sweetbay magnolia (*Magnolia virginiana*), sweet pepperbush (*Clethra alnifolia*), titi (*Cyrilla racemiflora*), fetterbush (*Lyonia lucida*), bamboo-vine (*Smilax laurifolia*), American holly (*Ilex opaca*), and other wetland shrubs. Controlled burns on the westernmost tract have opened up some of these streamheads, such that switchcane (*Arundinaria tecta*) is now prominent. The herbaceous layer includes cinnamon fern (*Osmunda cinnamomea*), meadow beauties (*Rhexia* spp.), netted chain fern (*Lorinseria areolata*) sedges, grasses, and mosses.

In the portion of Streamhead Pocosin which flows through the transmission line right-of-way, mowing (usually every four years) limits woody growth. As a result, herbaceous plants are abundant in numbers of individuals and highly diverse in species. Included are pitcher-plants, meadow-beauties, orchids, asters, goldenrods, lobelias, and many others. Four state-listed rare plant species and at least ten Watch List species occur here. Most notable is a large population of Sandhills lily (*Lilium pyrophilum*), a species confined to the Sandhills region. Additionally, a strong population of the rare Pine Barren Treefrog (*Hyla andersonii*) occurs along the transmission line right-of-way. Several sites have been documented where males are heard calling along the seep. This seep, which flows down most of the powerline right-of-way, is classified as a Sandhill Seep natural community, with both subtypes present (Typic and Very Wet). Other rare species in this area include Hidden-flowered Witchgrass (*Dichanthelium cryptanthum*).

The streamheads also contain a limited area where Streamhead Pocosin transitions to Sandhill Streamhead Swamp, with swamp black gum (*Nyssa biflora*) dominant in the canopy, and a midstory layer with titi (*Cyrilla racemiflora*) and shining fetterbush (*Lyonia lucida*) becoming more abundant. There is also one impoundment included within the preserve boundaries, surrounded by emergent wetland plants and some trees; the perennially moist soil here supports a few white-fringed orchids (*Platanthera blephariglottis*), a NC Watch List plant.

A former clearing just southeast of the powerline has been allowed to regenerate and now supports abundant young longleaf pines and a diverse array of herbaceous plants.

The Buffer Area includes younger pine forest which is also more altered by past lack of fire. This area provides additional habitat for some of the species of the sandhill and streamhead communities and may return to more natural condition with future management.

BOUNDARY JUSTIFICATION: The Primary Area boundary is drawn to include the upland and wetland natural communities that are in good condition. Several fields, the impoundment, and restorable communities to the southeast of the transmission line right-of-way are included as Primary (Restoration) areas. The transmission line right-of-way is designated as a special management area within the Primary Area, since it supports a number of rare and uncommon plant species. A tract with younger forest on the north side of the eastern unit is designated as Buffer Area. One of the impoundment ponds and a house are excluded; the long-term goal for this area is also restoration, so the dedication may eventually be amended to address that goal.

MANAGEMENT AND USE: Active management is essential for the continued survival of the communities and the rare plants. Prescribed burning has done an excellent job in restoring the upland longleaf pine community; a three to four-year return interval is recommended. Burning into the streamheads will hopefully lead to establishment of rare species there. The transmission line has been cut every four years by Duke Energy Progress, Inc. and this has allowed the continued growth of the rare species there. Fire has also been re-introduced in the transmission line right-of-way, and the initial controlled burns have produced favorable results; fire management should continue to be encouraged, with monitoring to see which strategy – cutting or burning – works best for the streamhead communities. For many years, off-road vehicles created a road of loose sand the length of the powerline, and deep muddy ruts in the creek crossings. Siltation was a problem. Fencing and gates have been erected and the sand road is becoming vegetated. Duke Energy Progress, Inc. posted signs near paved roads, alerting people that this area is ecologically sensitive. Today, trespassing seldom occurs. The preserve is used by groups of naturalists and others who are invited to attend scheduled walks.

MAP: attached

(December 2024, NC NHP)

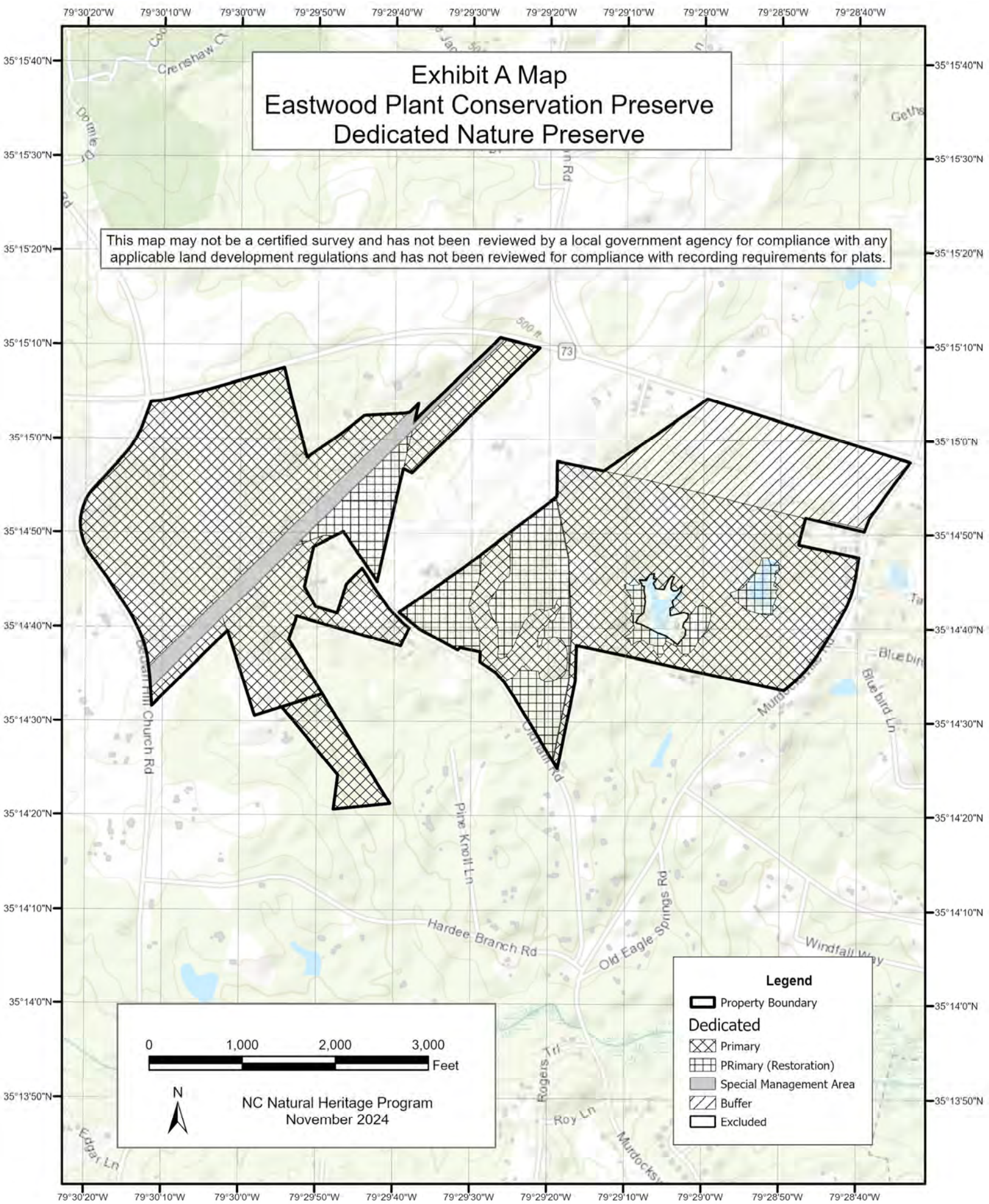


Exhibit A Map
Eastwood Plant Conservation Preserve
Dedicated Nature Preserve

This map may not be a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.

01,0002,0003,000

Feet

N

NC Natural Heritage Program
November 2024

Legend

Property Boundary

Dedicated

Primary

Primary (Restoration)

Special Management Area

Buffer

Excluded

(ON DEPARTMENT OF ADMINISTRATION STATIONERY)

(DATE) (LINE 6) (NOT IN BOLD)

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources
Mail Service Center 1651
Raleigh, North Carolina 27699-1651

Subject: Dedication of Portions of the **North Carolina Zoo**, Randolph County

Dear Secretary Cashwell:

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 of dedication were amended to reflect additions of property and ownership boundary corrections

This real property is currently administered by the North Carolina Zoo as a portion of the North Carolina Zoo and consists of approximately 731 acres located in Randolph County and composed of:

- | | |
|--|-----------|
| 1. Richland Creek Forest tract | 28 acres |
| 2. Ridges Mountain tract | 407 acres |
| 3. Selma Cornelison Ward Nature Preserve tract | 296 acres |

all of which are shown in an overview map in Exhibit A, attached hereto and by reference made a part hereof.

The Richland Creek Forest tract is described in Exhibit B and a detailed map is provided as a part of that exhibit. The description and detailed map for the Ridges Mountain tract is provided in Exhibit C. The description and detailed map for the Selma Cornelison Ward Nature Preserve tract is provided in Exhibit D. The dedicated lands shall be known collectively as the **North Carolina Zoo Nature Preserve** (formerly North Carolina Zoological Park Preserve).

The Ridges Mountain tracts and the Selma Cornelison Ward Nature Preserve tract have been acquired with funding from the NC Land and Water Fund. Dedication of the qualified portions of the tracts fulfills the terms of the grant agreements. The Richland Creek Forest tract, also dedicated, was acquired with private/non-profit funds and donated to the North Carolina Zoological Authority. The North Carolina Zoological Society and the Asheboro/Randolph Chamber of Commerce were the main contributors.

THIS DEDICATION OF THE NORTH CAROLINA ZOO NATURE PRESERVE IS MADE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. **Definitions:** As used in this Letter, the terms "natural area" and "nature preserve" shall have the same meaning as contained in North Carolina General Statutes, section 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 North Carolina Zoo 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 preserve will be the North Carolina Zoo, which will be responsible for managing the preserve in accordance with State Administrative Code 17 NCAC 13H.0300 and .0400.
4. **Primary Classification:** The primary classification and purposes of the Ridges Mountain, Richland Creek Forest, and Selma Cornelison Ward portions of the preserve will be hiking, scouting, environmental education, conservation, and research authorized by the Primary Custodian. The ecological significance of the preserve is described in Exhibit B (Richland Creek Forest tract), Exhibit C (Ridges Mountain tract), and Exhibit D (Selma Cornelison Ward tract).
5. **Management Areas:** For the purposes of management, the preserve shall be considered to consist of approximately 731 acres composed of the following areas:

Site Name	Primary Area Acreage	Buffer Area Acreage
Richland Creek Forest	28 acres	
Ridges Mountain	381 acres, including 97 acres restoration	26 acres
Selma Cornelison Ward	296 acres	

as more particularly described in Exhibits A , B, C, and D attached thereto and by this reference made a part hereof.

The Primary Area within the Ridges Mountain tract consists essentially of high-quality examples of the rare Dry Basic Oak - Hickory Forest, Upland Depression Swamp Forest, and Upland Pool natural community types, as well as the more common Piedmont Monadnock Forest, Mesic Mixed Hardwood Forest, and Piedmont Alluvial Forest communities. Significantly Rare crested coralroot (*Hexalectris spicata*) occurs at this tract. The Richland Creek Forest tract portion of the Primary Area contains high quality examples of the rare Basic Mesic Forest (Piedmont Subtype). The Selma Cornelison Ward tract includes high quality examples of the rare Piedmont Monadnock Forest, as well as the more common Mesic Mixed Hardwood Forest, Dry-Mesic Oak-Hickory Forest, and Dry Oak-Hickory Forest, and smaller inclusions of Piedmont/Coastal Plain Heath Bluff.

The Primary Area 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

6. **Rules for Management of the Primary Area(s):**

A. Character of Visitor Activity: The principal visitor activities in the preserve shall be hiking, biological observation, environmental education, conservation, and research. These activities shall be regulated by the Custodian to prevent significant disturbance of the preserve. These activities may specifically be regulated by the Custodian 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 for both the Ridges Mountain and Richland Creek Forest portions of the preserve 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 research purposes 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. The Custodian may provide exhibits, programs, and printed materials. The Custodian may restrict access to visitors in those instances or in such areas that restrictions may be determined necessary to safeguard 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. Salvage timber cuts which may be necessary due to natural catastrophe will be allowed in the preserve, but in a manner that will contribute to the recovery of the prevailing natural conditions of the forest and in consultation with the North Carolina Natural Heritage Program.

A portion of the Ridges Mountain Tract is designated as a Primary (Restoration) Area. It currently supports young hardwood forests. Management to restore the forests may

include invasive species control, prescribed burning and selective cutting of early successional species to make room for typical oak-hickory forest species.

D. Wildfire Control: Wildfires may mimic natural processes historically occurring in an ecosystem on a landscape level. When the extent of a wildfire 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 Control: The purpose of water 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. Dumping was a problem on the Ward Preserve in the past. Should it recur, the Zoo will attempt to curtail it using monitoring, signage, cables, and Big Sweep activities.

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-targeted portions of the ecosystem. Prescribed burning is particularly essential to ecosystems where natural wild fire historically suppressed woody vegetation and promoted herbaceous diversity.

Additionally, a transmission line right-of-way containing the same or similar special elements of natural diversity representative of the preserve generally lies within a portion of the dedicated area. The Department of Natural and Cultural Resources, by and through the Natural Heritage Program and NC Zoo, may enter into agreement(s) with the party or parties responsible for managing the right-of-way in order to ensure that the management practices of such party or parties are consistent with the conservation values associated with the dedication.

H. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other material, nor any change in topography or surface hydrology of the Preserves. Exceptions may be made for permitted archaeological research or for ecological restoration to more natural conditions, consistent with the Management Plan, and in consultation with the North Carolina Natural Heritage Program

I. 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, and in accordance with the Custodian's established regulations. 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.

J. 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.

K. Roads and Trails: Construction and maintenance of roads, trails, and other access structures within the Primary Area of 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.

If an existing North Carolina Department of Transportation ("NCDOT") road runs within or along a boundary of the Primary Area and NCDOT demonstrates a compelling need to do so, then subject to the written approval of both the Primary Custodian and the Natural Heritage Program, NCDOT may within the Primary Area use a strip of land up to fifty feet (50') wide outside and adjacent to the road's existing NCDOT right-of-way for the purpose of improving the NCDOT road. A strip of land approved under this provision shall not be longer than 1,000 feet long. The Primary Custodian and the Natural Heritage Program shall concur only if the proposed improvements and the associated activities will not cause significant impacts to rare species, small-patch natural communities, adjacent streams, or other Natural Heritage resource values. The existing NCDOT roads that run within or along a boundary of the Primary Area at the time of the issuance of this letter of allocation are as follows: US Hwy 64, S.R. 1372, S.R. 2845, and S.R. 2832.

An existing clearing at the northern end of the powerline right-of-way on the Ridges Mountain tract (see Exhibit C) has been excluded from the primary area as a clearing for parking and public access. A disturbed area with archaeological features is excluded on the Selma Ward Cornelison Nature Preserve tract. Also excluded within this tract are a small parking lot on the west and a peripheral corridor for a potential mountain bike trail (see

Exhibit D).

L. 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.

M. Management Plan: The **North Carolina Zoo**, 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 NC Zoo, 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) 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) Maintenance of habitat connectivity and continuity among Primary Areas.
- 3) Providing for habitat diversity.
- 4) Management needs of rare animal and plant species populations occurring within the Buffer Area; and
- 5) Protection of 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 North Carolina Zoo and 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.

The Governor and Council of State have approved the dedication of the State-owned lands hereinabove described as the **North Carolina Zoo 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 (City Name), North Carolina, on the _____ of _____, (YEAR).
(TYPE IN DATE AFTER COUNCIL OF STATE APPROVAL)

Sincerely,

Pamela B. Cashwell

PC

CONSENTED AND AGREED TO:

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources

EXHIBIT A

**OVERVIEW MAP SHOWING LOCATION OF
RICHLAND CREEK FOREST, RIDGES MOUNTAIN
AND SELMA CORNELISON WARD NATURE PRESERVE**

EXHIBIT B

NORTH CAROLINA ZOO DEDICATED NATURE PRESERVE (RICHLAND CREEK FOREST)

COUNTY: Randolph

TOPOGRAPHIC QUAD: Ramseur

PHYSIOGRAPHIC PROVINCE: Piedmont

SIZE OF AREA: ca. 28 acres (all Primary)

OWNER/ADMINISTRATOR: State of North Carolina
North Carolina Zoo

LOCATION: The North Carolina Zoo is located approximately 6 miles south of Asheboro. It is bordered by Humble Mill Road on the north, Panther Creek Road on the south, and Highway 159/Zoo Parkway and Old Cox Road on the west. The Richland Creek Forest tract is on the northeast corner of the Zoo property south of Richland Creek and east of Fairview Farm Road.

DESCRIPTION: This portion of the primary area supports a high quality example of the Basic Mesic Forest (Piedmont Subtype) natural community type, located on the south side of Richland Creek at the property's northeastern corner. This community is characterized by high species diversity throughout the vegetation layers as well as by the presence of indicator species not normally present on the acidic soils that predominate in the Piedmont. The canopy is dominated by red oak (*Quercus rubra*), white oak (*Q. alba*), tulip poplar (*Liriodendron tulipifera*), and bitternut hickory (*Carya cordiformis*), with shagbark hickory (*C. ovata*) also present. Flowering dogwood (*Cornus florida*), redbud (*Cercis canadensis*), and umbrella magnolia (*Magnolia tripetala*) occur in the understory, with mountain laurel (*Kalmia latifolia*) and spicebush (*Lindera benzoin*) present in the shrub layer. The herb layer includes over eighty species, including many mesophytic species which require rich soil, such as bloodroot (*Sanguinaria canadensis*) and maidenhair fern (*Adiantum pedatum*).

BOUNDARY JUSTIFICATIONS: The primary area boundary for the Richland Creek Forest tract is drawn to include all of the natural community type within Zoo ownership east of Fairview Farm Road and south of Richland Creek.

MANAGEMENT AND USE: The Richland Creek Forest portion of the dedication will be kept in its natural condition so as to protect and enhance its biological assets. The area will be used for hiking, environmental education, preservation, and research.

EXHIBIT C

NORTH CAROLINA ZOO DEDICATED NATURE PRESERVE (RIDGES MOUNTAIN SECTION)

COUNTY: Randolph

TOPOGRAPHIC QUADS: Farmer

PHYSIOGRAPHIC PROVINCE: Piedmont

SIZE OF AREA: ca. 407 acres (381 acres Primary, including 97-acres of Restoration area; 26 acres Buffer)

OWNER/ADMINISTRATOR: State of North Carolina
North Carolina Zoo

LOCATION: Crest and slopes of Ridges Mountain, located about 10 miles west of Asheboro, in western Randolph County.

DESCRIPTION: Ridges Mountain is one of a handful of monadnocks at the northern end of the Uwharrie Mountains. These isolated ridges of resistant rock stand several hundred feet above the surrounding Piedmont landscape. Ridges Mountain is a rather narrow north-south ridge with a summit of 843 feet above sea level and steep slopes on the sides. Rare among monadnocks, the mountain is composed of mafic volcanic rock, lightly metamorphosed basalt. The basalt weathers to circumneutral soils that have a higher pH than most of the surrounding lands. In the southern half of the mountain, the rock has fractured into boulders which range from a few feet across to nearly 50 feet tall.

On the northern part of the mountain are four shallow natural depressions on the ridgetop, which tend to retain a foot or two of water in the winter and spring but are usually dry in summer and fall. Three are considered to be examples of the Upland Depression Swamp Forest natural community type. Willow oak (*Quercus phellos*) rooted in and around the basin forms a canopy in the Upland Depression Swamp Forest, with sedges and rushes growing around the margins and in the deeper portions. One swamp contains the locally uncommon swamp chestnut oak (*Quercus michauxii*) around its margin. The fourth depression, the wettest, has an open canopy and is classified as an Upland Pool community, a much rarer community. It contains buttonbush (*Cephalanthus occidentalis*), a common marsh/pond shrub that generally requires full sunlight.

On the west slope of the mountain, a small area of shallow soil supports a Piedmont Basic Glade community. Its open tree canopy includes post oak (*Quercus stellata*), eastern red cedar (*Juniperus virginiana*), white ash (*Fraxinus americana*), and winged elm (*Ulmus alata*). It has a dense grassy herb layer punctuated by areas of bare rock. A population of state-listed southern anemone (*Anemone berlandieri*) occurs here. A few other very small flat rock outcrops on the western slope, often just 5-10-feet across and wide, support various mosses and the locally scarce hairy lipfern (*Myriopteris lanosa*).

Other than these small openings, the entire mountain is covered in mature hardwood forests. The dominant natural community is Dry Basic Oak-Hickory Forest, covering most of the ridge and extending down the steep slopes. This is one of the best examples of this community in the state. One of the dominant canopy trees is southern shagbark hickory (*Carya carolinae-septentrionalis*), a characteristic tree of upland circumneutral soils. Other common trees are white oak (*Quercus alba*), white ash (*Fraxinus americana*), mockernut hickory (*Carya alba*), winged elm (*Ulmus alata*), and eastern red cedar (*Juniperus virginiana*). Redbud (*Cercis canadensis*) is a common understory tree. Many patches of fragrant sumac (*Rhus aromatica*) are scattered in this community; this shrub is another good indicator of mafic rocks.

Dry-Mesic Basic Oak—Hickory Forest is present on the northwest-facing slope of the mountain. It is dominated by white oak and contains southern shagbark hickory and red oak (*Quercus rubra*). Its understory is similar but also contains abundant southern sugar maple (*Acer floridanum*).

The rocky highest knob on the mountain contains a Piedmont Monadnock Forest community dominated by chestnut oaks (*Quercus montana*). However, this forest differs from nearly all others in the state in that it has a mafic component; nearly all other monadnock forests are very acidic. An orchid which requires circumneutral soils, the rare crested coralroot (*Hexalectris spicata*), has been found in this community.

South of the highest peak, a concentration of huge boulders and segments of bedrock separated by joints is embedded in the Piedmont Monadnock Forest and Dry Basic Oak—Hickory Forest. The area with the largest rocks, with many vertical cliff faces, has long been used for recreational rock climbing. The highest density area is heavily trampled by climbers. A small parking area is present at the southern end of the mountain, and a trail provides access to the climbing area. This density of vertical faces diminishes away from the climbing area, but some are present to the north and west. This area is not heavily trampled. Farther north is an area of more typical boulders that are piled on top of each other, with voids beneath them, reminiscent of relict periglacial boulderfields in the mountains. Though no rare species are known from this area, there is high potential for animal use.

A few gentle ravines and lower slopes on the property contain Mesic Mixed Hardwood Forest, where American beech (*Fagus grandifolia*) and Christmas fern (*Polystichum acrostichoides*) are characteristic species. The flatlands at the southeastern corner of the property contain a loblolly pine plantation that was 26 years old in 2001. The pines are roughly 40 feet tall and there is considerable hardwood sapling regeneration beneath the pines.

A floodplain supports a small Piedmont Alluvial Forest. The canopy supports typical tree species such as sycamore (*Platanus occidentalis*), tulip tree (*Liriodendron tulipifera*), sweet gum (*Liquidambar styraciflua*), red maple (*Acer rubrum*), black walnut (*Juglans nigra*), and beech (*Fagus grandifolia*). The understory and shrub layers are dominated by ironwood (*Carpinus caroliniana*) and painted buckeye (*Aesculus sylvatica*). Exotic Japanese grass (*Microstegium vimineum*) dominates the herb layer. Native floodplain species include jack-in-the-pulpit (*Arisaema triphyllum*), groundnut (*Apios americana*), wingstem (*Verbesina alternifolia*), false

nettle (*Boehmeria cylindrica*), jewel-weed (*Impatiens capensis*), bottlebrush grass (*Elymus hystrix*), and sallow sedge (*Carex lurida*).

The areas designated as Primary (Restoration) Area support younger forests, some with a successional composition dominated by red maple (*Acer rubrum*) and tulip tree (*Liriodendron tulipifera*). A few scattered mature trees such as white oak (*Quercus alba*) were not cut during the last timber harvest. Scattered in the herb layers are small patches of grasses, such as poverty oat grass (*Danthonia spicata*), and sedges, such as few-flowered nutrush (*Scleria oligantha*).

BOUNDARY JUSTIFICATION: The primary area boundary encompasses all of the mature forest and the rare communities and species. It covers all of the mountain and some of the gentle lower slopes. A narrow powerline right-of-way extends along the ridgeline into the northern portion of the property. The climbing area and its parking lot at the south end of the mountain are treated as pre-existing disturbed areas that may be maintained within their current footprints. The primary (restoration) areas encompass the younger and more altered forests. A pine plantation is included as Buffer.

MANAGEMENT AND USE: Given its status as a state significant natural heritage area and its value as a site historically inhabited by Native Americans and early settlers, Ridges Mountain will be kept in its natural state so as to protect and enhance its biological, cultural, historical, and geological assets. It will be used for hiking, scouting, environmental education, corridor connection, conservation, and research.

Rock climbing is expected to continue to be allowed under careful regulation. A crucial aspect of management will be to keep climbing and heavy public use confined to the area already trampled. Expanded use and visitation would be a significant threat to the rare plant populations and the glade community, which are located nearby, as well as being detrimental to all the forests.

Efforts will be made to ensure that any invasive exotic plants within the natural area will be controlled. An extensive area of periwinkle occurs within a portion of the Basic Oak-Hickory Forest between two of the upland pools (see site survey report) and poses a threat to several rare natural communities.

The Buffer Area (former pine plantation) could be restored to natural forest condition, or allowed to transition to hardwood composition. The excluded areas include a small exclusion for a parking lot in a disturbed area on the west side. Archeology studies and assessments on the Ridges Mountain tracts are in progress.

EXHIBIT D

NORTH CAROLINA ZOO DEDICATED NATURE PRESERVE (SELMA CORNELISON WARD NATURE PRESERVE)

COUNTY: Randolph

PHYSIOGRAPHIC PROVINCE: Piedmont –
Southern Slate Belt and Basins

TOPOGRAPHIC QUADS: Seagrove

SIZE OF AREA: ca. 296 acres (all Primary)

OWNER/ADMINISTRATOR: State of North Carolina, North Carolina Zoo

LOCATION: South of the North Carolina Zoo, between SR 2835 (Ross Harris Road) and old NC 13, along Bachelor Creek west of SR 2831 (Fairview Farm Road).

DESCRIPTION: Most of the Selma Cornelison Ward Nature Preserve supports an oak-hickory forest on gentle to moderate slopes. The forest ranges in maturity and grades from Mesic Mixed Hardwood along Bachelor Creek to Dry-Mesic Oak-Hickory Forest going uphill, then Dry Oak-Hickory Forest, and finally Piedmont Monadnock Forest on the highest hilltops. The Piedmont Monadnock Forest is relatively small, but supports the largest trees on the tract – mostly chestnut oaks (*Quercus montana*). Several acres of early successional growth and a young pine stand in the vicinity of an abandoned home site were excluded from the dedicated area at the request of the NC Zoo. Bachelor Creek is a second-order tributary that flows through the center of the property from south to north. A small beaver impoundment (not currently active) is located on Bachelor Creek near the lower northeast corner of the site.

The Mesic Mixed Hardwood Forest occurs in a narrow band along Bachelor Creek. The canopy in this area is dominated by beech (*Fagus grandifolia*), sweetgum (*Liquidambar styraciflua*), and tulip poplar (*Liriodendron tulipifera*). The understory supports young northern red oak (*Quercus rubra*) and red maples (*Acer rubrum*). Shrubs include American holly (*Ilex opaca*), mountain laurel (*Kalmia latifolia*), and ironwood (*Carpinus caroliniana*). Herbs include Christmas fern (*Polystichum acrostichoides*) and yellow root (*Xanthorhiza simplicissima*). Along the creek at some steep rock outcrops, this community gives way to small inclusions of Piedmont/Coastal Plain Heath Bluff. In these areas, mountain laurel (*Kalmia latifolia*) dominates the shrub layer and several very large chestnut oaks (*Quercus montana*) are present in the canopy. In areas where the floodplain widens, small examples of Piedmont Alluvial Forest are present.

A small wetland area along the creek has been impounded by beavers. Herbs include jewel-weed (*Impatiens capensis*), false nettle (*Boehmeria cylindrica*), bugleweed (*Lycopus*), clearweed (*Pilea pumila*), netted chain fern (*Woodwardia areolata*), and white turtlehead (*Chelone glabra*).

The mid to lower slopes support a Dry-Mesic Oak-Hickory Forest. This is the most extensive

natural community on the site. The canopy is dominated by white oak (*Quercus alba*), along with tulip poplar (*Liriodendron tulipifera*), and mockernut hickory (*Carya alba*). The understory includes red maple (*Acer rubrum*), American holly (*Ilex opaca*), and dogwood (*Cornus florida*). The margins of the tract and some areas along the trails have invasive species including Japanese honeysuckle (*Lonicera japonica*), Chinese privet (*Ligustrum sinense*), and Japanese grass (*Microstegium vimineum*).

The mid to upper slopes of the knolls along the western boundary support Dry Oak-Hickory Forest. The canopy is dominated by chestnut oak (*Quercus montana*) and white oak (*Quercus alba*), along with northern red oak (*Quercus rubra*), red maple (*Acer rubrum*), tulip poplar (*Liriodendron tulipifera*), and shortleaf pine (*Pinus echinata*). The understory is dominated by sourwood (*Oxydendrum arboreum*) and American holly (*Ilex opaca*). Shrubs include dangleberry (*Gaylussacia frondosa*) and blueberries (*Vaccinium* spp.). Herbs are sparse and include wild grape (*Vitis rotundifolia*), striped wintergreen (*Chimaphila maculata*), and Christmas fern (*Polystichum acrostichoides*). A few tree stumps reportedly appear to bear the scars of a practice known as "boxing" - a historical method of collecting sap from longleaf pine trees. This suggests the possibility that a Piedmont Longleaf Pine forest may have once occupied part of this site.

An electric utility right-of-way runs in an east-west direction near the northern boundary of the preserve. Although the canopy and shrubs have been cleared in this area, the herb layer is dominated by native species. For this reason, this area is included within the Primary Area boundary.

BOUNDARY JUSTIFICATION: The areas dedicated as Primary are based on the extent of the high quality natural communities. Young, disturbed forests and an abandoned home site were excluded due to the poor quality of the natural communities and to allow the NC Zoo flexibility for archaeological research, restoration, and other educational uses.

MANAGEMENT AND USE: The Dedicated Nature Preserve will be kept in its natural state to protect and enhance its biological, cultural, historical, and geological assets. It will be used for conservation, hiking, scouting, environmental education, research, recreation, and wildlife corridor connection.

Existing forest roads will be maintained for emergency access, management, and passive recreational activities. Trails that cross streams should be monitored for water quality impacts and managed to minimize erosion (possibly including the installation of foot bridges at wetlands and stream crossings).

The Zoo may install culverts at one existing eroded forest road crossing at Bachelor Creek, to protect the stream from further damage. If this option is pursued, up to 100 linear feet on each side of the stream may be cleared for construction access.

The electric utility right-of-way on the northern part of the tract is currently managed by the electric company with herbicides and mowing. The NC Zoo may pursue a management agreement with the electric company to protect the native species in the right of way. Small patches of young red maples in areas near the right of way may be replaced with planted longleaf pines to facilitate

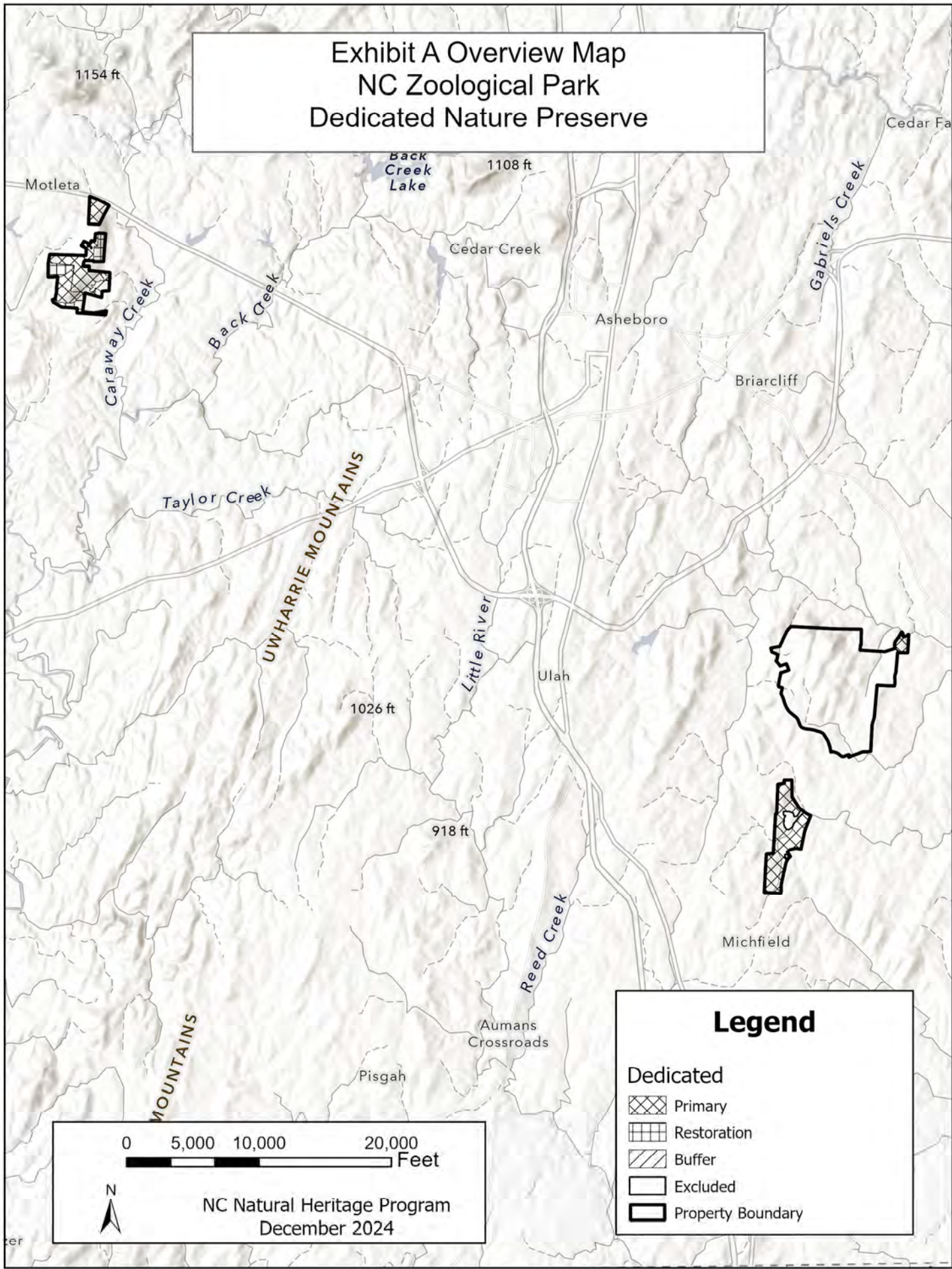
restoration of a possible historical Piedmont Longleaf Pine forest in this area.

A small parking area (up to one acre in size) along Old NC 13 has been excluded from the Dedicated Nature Preserve to allow for maintenance and public access.

Limited ground disturbance will be authorized for the purposes of conducting soil surveys (to determine the soil type and profile) and archaeological assessments as needed throughout the site.

The NC Zoo may use prescribed fire to manage and restore forests as needed.

Exhibit A Overview Map
NC Zoological Park
Dedicated Nature Preserve



Legend

Dedicated






-  Primary
-  Restoration
-  Buffer
-  Excluded
-  Property Boundary

Exhibit B Map
NC Zoological Park Dedicated Nature Preserve
Richland Creek

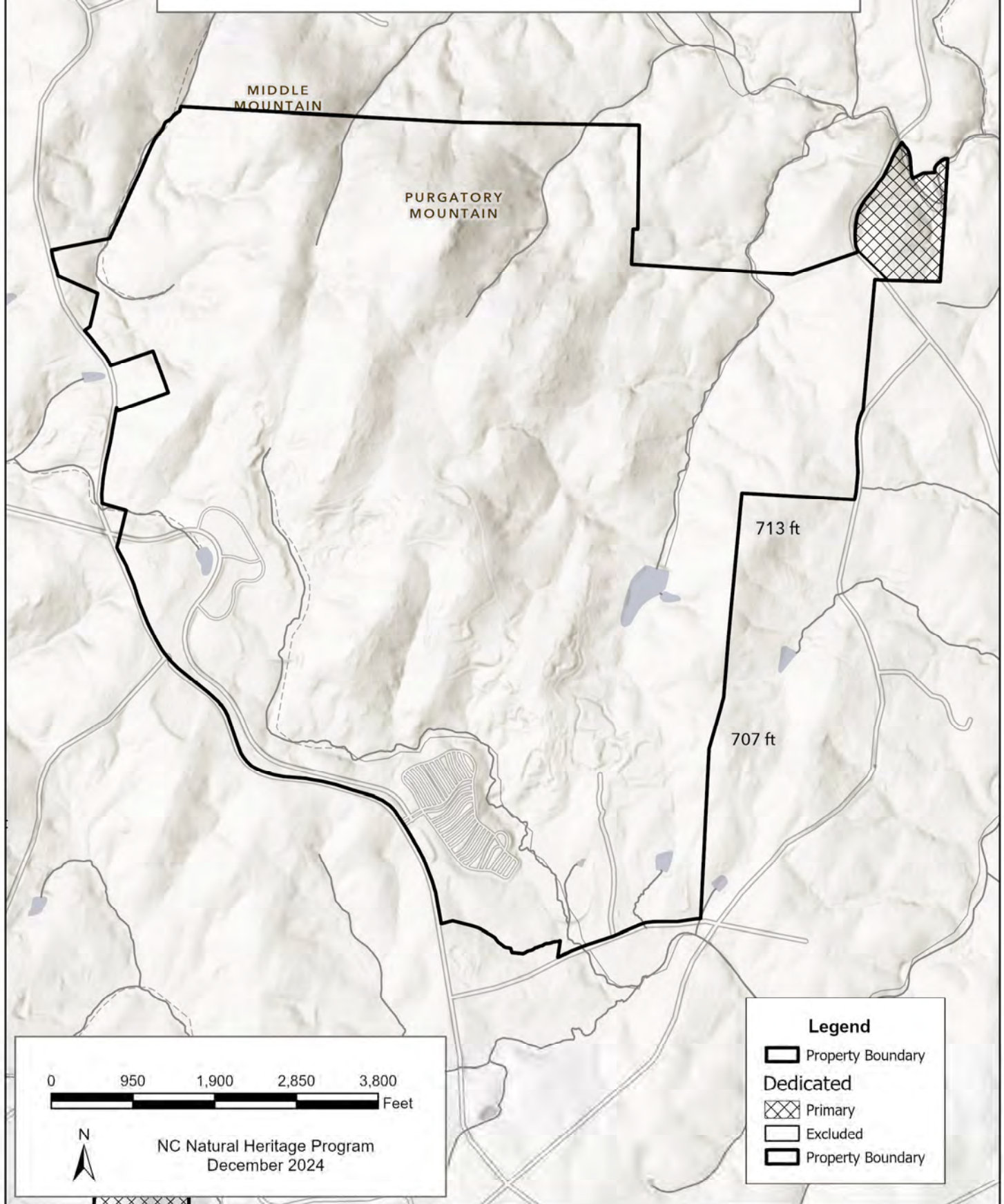


Exhibit C Map
NC Zoological Park Dedicated Nature Preserve
Ridges Mountain Section

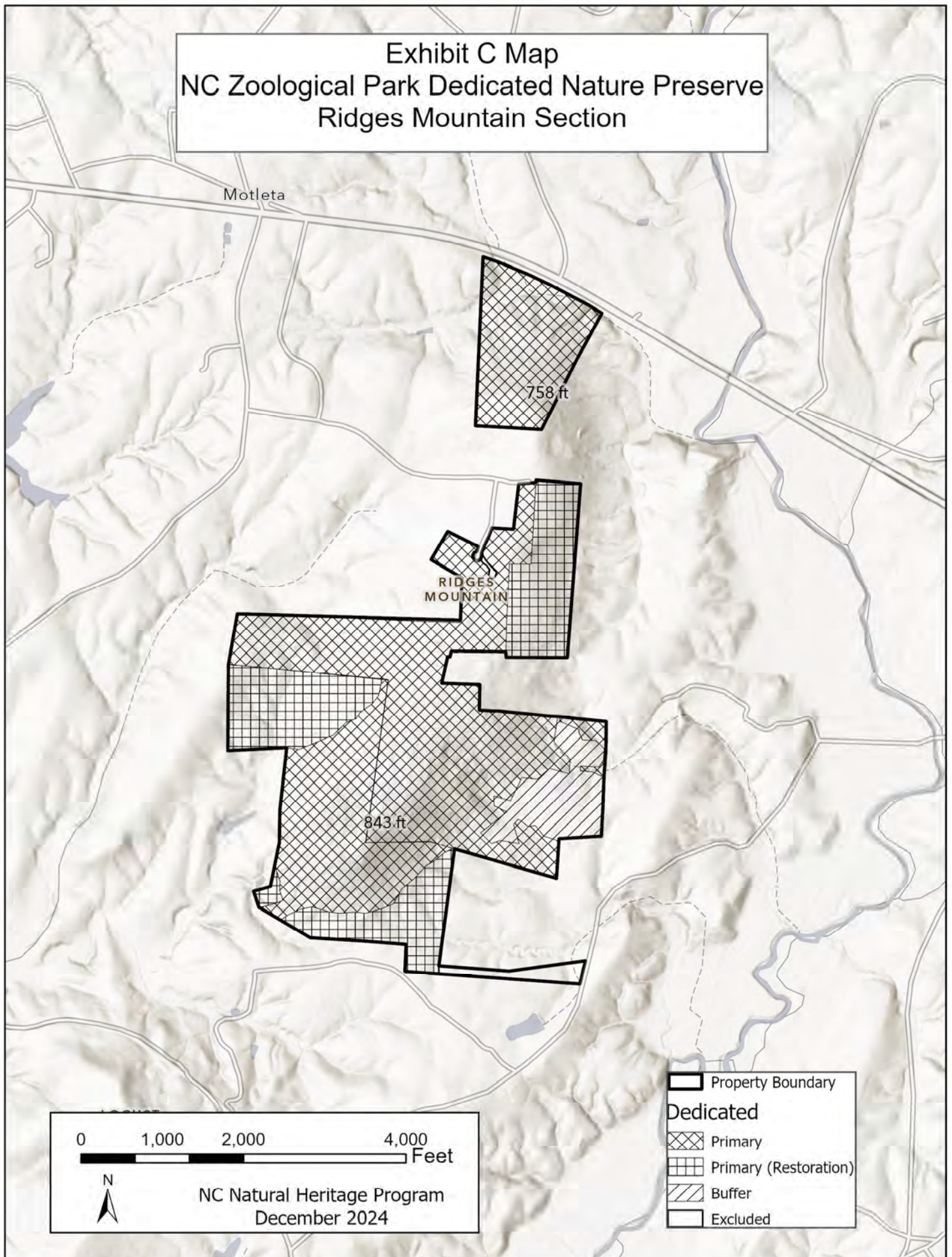
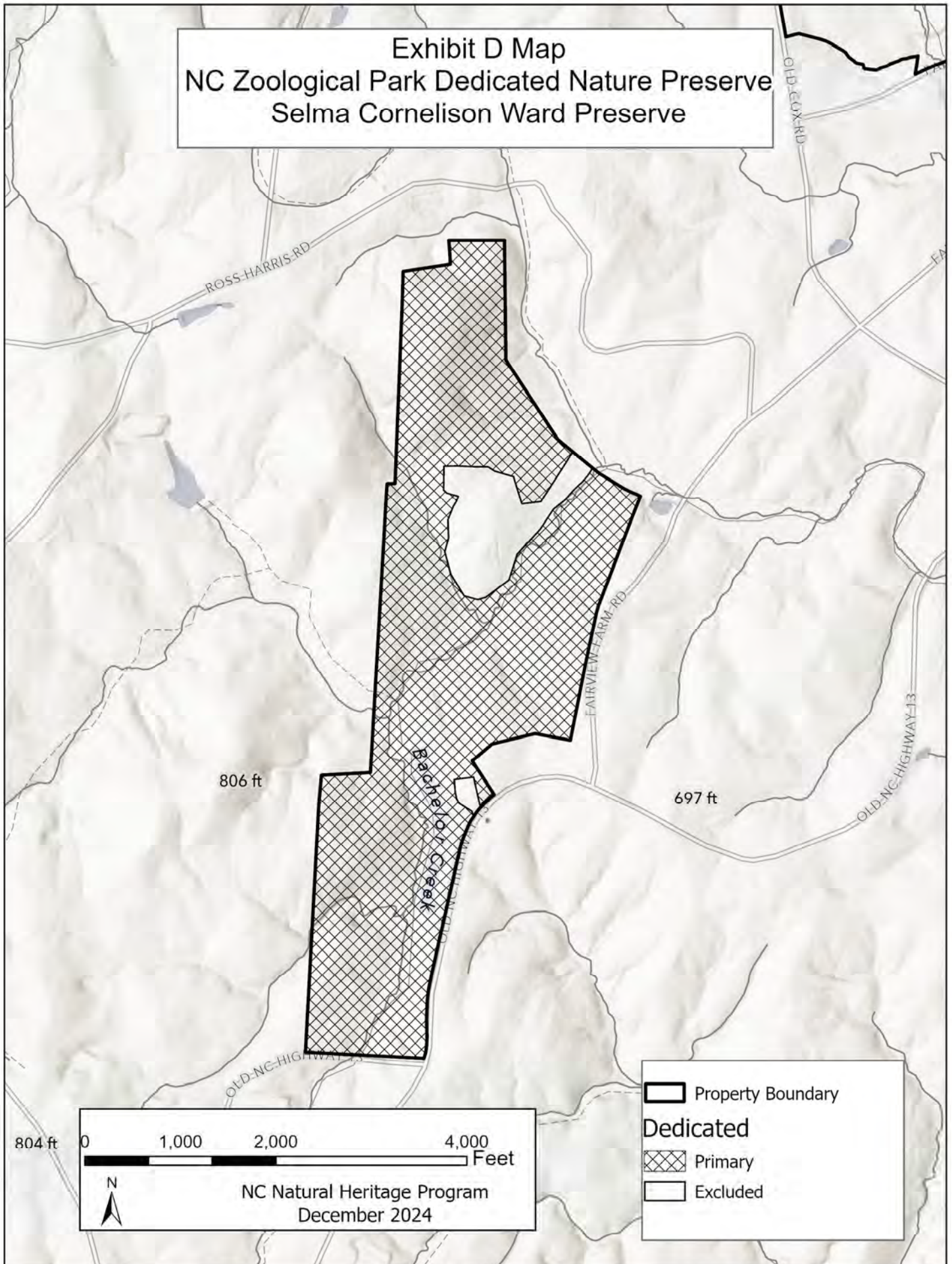


Exhibit D Map
NC Zoological Park Dedicated Nature Preserve
Selma Cornelison Ward Preserve



ON DEPARTMENT OF ADMINISTRATION STATIONERY)

(DATE) (LINE 6) (NOT IN BOLD)

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-4601

Secretary Todd Ishee
Department of Adult Correction
5201 Mail Service Center
Raleigh, North Carolina 27699-5201

Subject: Dedication of the **NC Department of Adult Correction Rattlesnake Creek Forests Dedicated Nature Preserve**, Caswell County

Secretary Cashwell and Secretary Ishee:

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.

This real property is currently administered by the N.C. Department of Adult Correction and consists of approximately 97 acres located in Caswell County which are specifically described in Exhibit A, attached hereto and by reference made a part hereof. The dedicated lands shall be known collectively as the **NC Department of Adult Correction Rattlesnake Creek Forests Dedicated Nature Preserve**.

THIS DEDICATION OF THE NC DAC RATTLESNAKE CREEK FORESTS NATURE PRESERVE IS MADE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

1. **Definitions:** As used in this Letter, the terms "natural area" and "nature preserve" shall have the same meaning as contained in North Carolina General Statutes, section 143B-135.254.
2. **Dedication:** Pursuant to North Carolina General Statute 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 NC DAC Rattlesnake Creek Forests 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 NC DAC Rattlesnake Creek Forests Nature Preserve will be the **Department of Adult Correction**, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H.0300 and .0400.
4. **Primary Classification:** The primary classification and purpose of the preserve will be natural area and natural community conservation. Other compatible uses of the preserve may 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 Exhibit A.
5. **Management Areas:** For the purposes of management, the preserve shall be considered to consist of a Primary Area (approximately 69 acres, including a Restoration area of 5 acres), and a Buffer Area (approximately 28 acres), as more particularly described in Exhibit A, attached hereto and by this reference made a part hereof. The Primary Area consists essentially of the forested riparian zones and slopes along and between the North Fork of Rattlesnake Creek and tributary streams, including areas of good quality Mesic Mixed Hardwood Forest.

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 the public purposes for a dedicated preserve as stated in G.S. 143B-135.252.

6. **Rules for Management of the Primary Area:**

- A. Character of Visitor Activity: The principal visitor activities in the preserve may include nature observation, education, scientific research, and low-impact passive recreation. These activities shall be regulated by the Custodian to prevent significant disturbance of the preserve. These activities may specifically be regulated by the Custodian 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 research purposes 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, for wildfire hazard reduction to the surrounding community, 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 safeguard 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 which is consistent with the purposes of these Articles. Salvage timber cuts which may be necessary due to natural catastrophe will be allowed, but in a manner that will contribute to the recovery of the prevailing natural conditions of the forest and in consultation with the North Carolina Natural Heritage Program.

- D. Wildfire Control: Wildfires may mimic natural processes historically occurring in an ecosystem on a landscape level. When the extent of a wildfire 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 Control: The purpose of water control shall be to maintain the preserve's natural water regime. Hydrology that has been altered by humans may be changed if necessary and practicable 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. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other material, nor any change in topography or surface hydrology of the Preserves. Exceptions may be made for permitted archaeological research or for ecological restoration to more natural conditions, consistent with the Management Plan, may be made in consultation with the North Carolina Natural Heritage Program
- I. 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.

- J. 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.
- K. Roads and Trails: Construction and maintenance of roads, trails, and other access structures within the Primary Area of 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.
- L. 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.
- M. Management Plan: The Department of Adult Correction, as Primary Custodian of the preserve, shall be required to prepare and submit for approval to the Secretary of the Department of Natural and Cultural Resources a management plan for the preserve. This plan shall be subject to all the provisions of this dedication and shall additionally be consistent with the management principles set forth in the North Carolina Administrative Code 07 NCAC 13H.0300 and .0400 and such other regulations as may be established from time to time by the Secretary of the Department of Natural and Cultural Resources. 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 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 Department of Adult Correction, 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) 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) Maintenance of habitat connectivity and continuity among Primary Areas.
- 3) Providing for habitat diversity.
- 4) Management needs of rare animal and plant species populations occurring within the Buffer area; and
- 5) Protection of soil and hydrologic resources and processes within the primary area and extending into the buffer. (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 Secretary of the Department of Adult Correction 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 Statute 143B-135.264.

The Governor and Council of State have approved the dedication of the State-owned lands hereinabove described as the **NC DEPARTMENT OF ADULT CORRECTION RATTLESNAKE CREEK FORESTS DEDICATED 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 (City Name), North Carolina, on the _____ of _____, (YEAR). (TYPE IN DATE AFTER COUNCIL OF STATE APPROVAL)

Sincerely,

Pamela B. Cashwell

PC

CONSENTED AND AGREED TO:

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources

Secretary Todd Ishee
Department of Adult Correction

EXHIBIT A

NCDAC DAN RIVER PRISON WORK FARM RATTLESNAKE CREEK FORESTS DEDICATED NATURE PRESERVE

COUNTY: Caswell TOPO QUAD: Yanceyville

SIZE OF AREA: ca. 97 acres total (Primary Area 69 acres, including 5 acres Restoration;
Buffer Area 28 acres)

OWNER/ADMINISTRATOR: State of North Carolina, Department of Adult Corrections

LOCATION: Central Caswell County, approximately 2 miles north of Yanceyville at 981 Murray Road, Blanch, NC, 27212. All or portions of Caswell County, Yanceyville Township parcel number 0066000001060000.

DESCRIPTION: Dan River Prison Work Farm is located in the northern inner Piedmont. Elevation at the site ranges from 500-600 feet. The center of the tract is occupied by buildings and work space of the Dan River Prison Work Farm, along with old farm fields. The eastern and northwestern portions of the tract are forested. An unnamed tributary to North Fork Rattlesnake Creek runs for about 2,600 feet, from south to north, through the eastern side of the property. North Fork Rattlesnake Creek forms the northern boundary of the tract, running about 4,300 feet west to east. Another small stream is mapped for about 2,000 feet below an artificial impoundment in the center of the tract.

The forested area on the east side of the tract consists of hills, steep in some portions, above the unnamed tributary. The east-facing slope is occupied by pine plantation and successional forest, and the west-facing slope supports Mesic Mixed Hardwood Forest (Piedmont Subtype) natural community, with a canopy of Beech (*Fagus grandifolia*), Red Oak (*Quercus rubra*), White Oak (*Quercus alba*), and Tulip Poplar (*Liriodendron tulipifera*). Along the unnamed tributary to North Fork Rattlesnake Creek, alluvial species including Sycamore (*Platanus occidentalis*), Beech (*Fagus grandifolia*), and Tulip Poplar (*Liriodendron tulipifera*) dominate a small area.

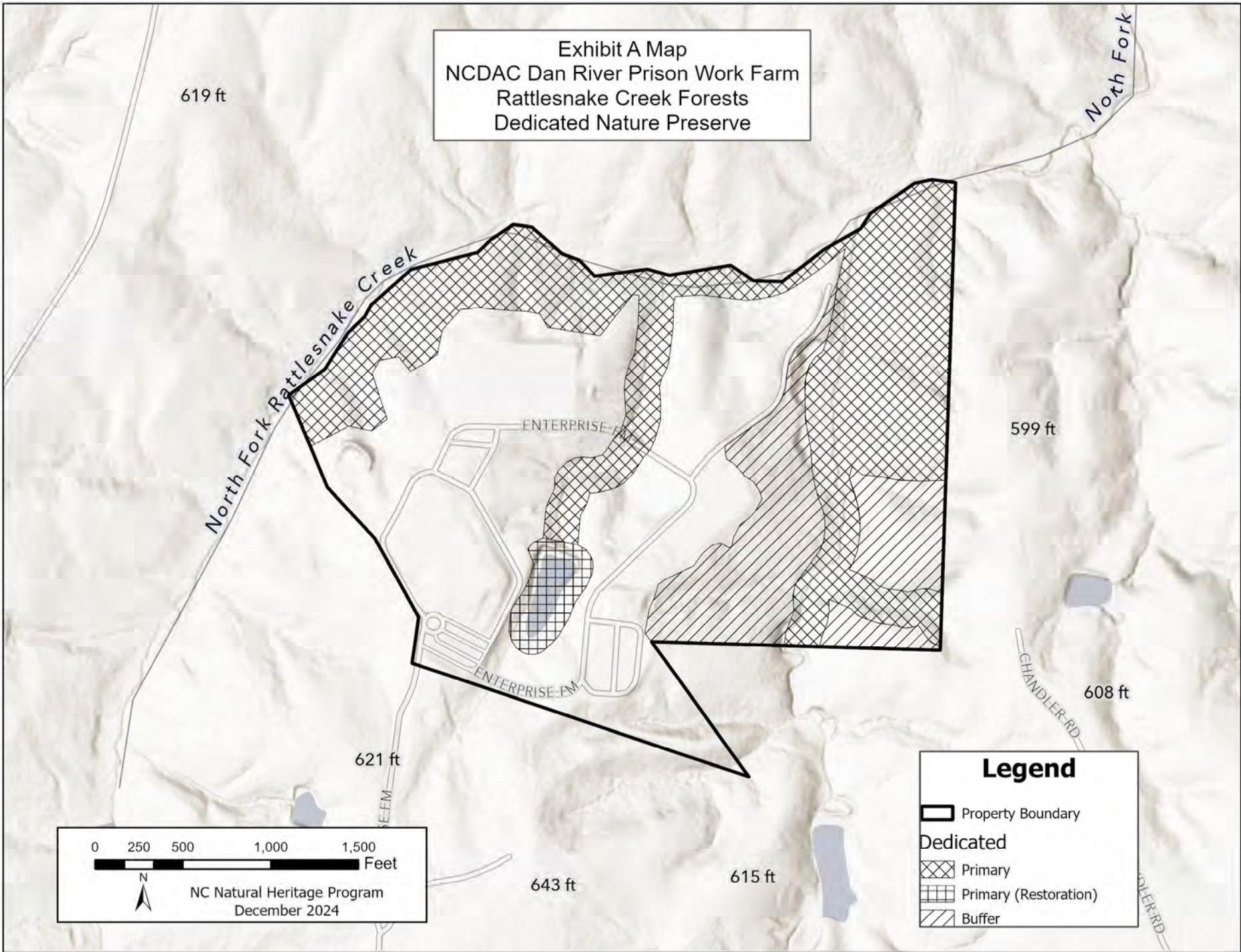
Additional Mesic Mixed Hardwood Forest community occurs on the north and north-west facing forested slopes on the northwestern side of the tract. In addition to Beech, Red Oak, White Oak and Tulip Poplar, some mature Southern Red Oak (*Quercus falcata*), Shagbark Hickory (*Carya tomentosa*) and Pignut Hickory (*Carya glabra*) are present in the canopy on the highest slopes, indicating a gradient towards Dry-Mesic Oak-Hickory Forest.

No rare species have been documented on the tract. Within ten miles of the site, rare aquatic animals have been documented in tributaries to the Dan River similar in size to North Fork Rattlesnake Creek. Surveys for aquatic species have not occurred on the tract.

BOUNDARY JUSTIFICATION: The Primary Area includes areas of natural communities in fair to good condition; 100-foot Primary Areas along each side of identifiable stream channels are also dedicated as Primary Areas to protect water quality in the creeks. The area surrounding the impoundment is designated as Primary (Restoration). The Buffer Area consists of the lower quality, less mature forests and wooded slopes above stream channels, adjoining Primary Areas. Included in the Primary Area within 100 feet of the central unnamed stream are three pre-existing disturbances: a sewer line at the north-central portion of the tract, a gravel road through the center of the tract, and an impoundment at the stream source. Pre-existing buildings and paved roads within 100 feet of the impoundment have been excluded from the Primary Area designation.

MANAGEMENT AND USE: The dedicated nature preserve should be managed to promote its natural condition and to protect adjacent aquatic habitat. The forest should be allowed to mature naturally. Allowing the forested area to remain undisturbed and to continue to mature to old-growth condition will provide benefits for native biodiversity, aquatic systems and water quality, and carbon sequestration and storage. Monitoring for, and control of, exotic invasive species is encouraged. Control measures for non-native invasive species should be limited to those that will not harm water quality or associated native plants. The pond within the Primary (Restoration) Area may be maintained, or the impoundment might be carefully removed to restore more natural stream channel with forested riparian zone. Planning for active management or restoration in the preserve should include consultation with the Natural Heritage Program. The Buffer Area might also be left to recover to more natural conditions through natural succession, or may be more actively restored, through activities such as selective thinning of the pine stand and removal of invasive exotic species

Exhibit A Map
NCDAC Dan River Prison Work Farm
Rattlesnake Creek Forests
Dedicated Nature Preserve



**New River State Park Dedicated Nature Preserve
Bridge Replacement HB-0054
Replace Bridge 509 over South Fork New River, Ashe County**

In 2021, qualifying portions of the Elk Shoals property at New River State Park were dedicated under the Nature Preserves Act. The acquisition of the Elk Shoals property was partially funded by the Natural Heritage Trust Fund (Grant #201104502), and NC Land and Water Fund (NCLWF #2016-055). Dedication was a condition of the grant agreements. The NC Land and Water Fund has since assumed responsibility for former Natural Heritage Trust Fund grants.

Bridge 509 provides public access to the Elk Shoals unit of New River State Park, and discussions had begun to replace the existing bridge. Hurricane Helene damaged the bridge extensively in September 2024, expediting the timetable for replacement. The NC Department of Transportation (DOT) and NC Division of Parks and Recreation (DPR) are working together to replace the bridge with a new alignment. The proposed new alignment would require new permanent right-of-way and permanent drainage easement, as well as a temporary construction easement. The partners have also signaled the intent for a land exchange, but as of 23 January 2025, the details are still being negotiated by DOT and DPR for both the land exchange and the specific new areas for ROW and easements.

Bridge 509 spans the South Fork of the New River, which is significant for supporting numerous rare aquatic species (Table 1). The US Fish and Wildlife Service has proposed listing Eastern Hellbender as endangered throughout its range.

Scientific Name	Common Name	Rank	NC Status	US Status
<i>Cryptobranchus alleganiensis alleganiensis</i>	Eastern Hellbender	S3G2T2	Species of Concern	
<i>Percina gymnocephala</i>	Appalachia Darter	S2G4	Significantly Rare	
<i>Phenacobius teretulus</i>	Kanawha Minnow	S3G3	Species of Concern	
<i>Elliptio dilatata</i>	Spike	S2G5	Species of Concern	
<i>Leptoxis dilatata</i>	Seep Mudalia	S3G3	Species of Concern	
<i>Etheostoma kanawhae</i>	Kanawha Darter	S3G4	Significantly Rare	

Table 1 Natural Heritage Element Occurrences within proposed project area, South Fork New River

Judy Ratcliffe and Scott Pohlman have participated in stakeholder meetings for the proposed project, including 13 January 2025.

Below are details provided by DOT thus far:

- *Two alternatives were considered.*
 - *Alternative A – Replace the bridge approximately 200’ upstream of the existing bridge.*
 - *Alternative B – Replace the bridge directly adjacent upstream from the existing bridge.*
- *Stakeholders request for design and minimization notes.*
 - *Raise grade to achieve sufficient clearance for recreational purposes under the bridge.*
 - *Drop off/Parking Area off existing access road leading to the current bridge crossing.*
 - *Maintain the existing boat access ramp areas.*
 - *Minimizing impacts to stream.*
 - *Number of piers in water were reduced from four existing to only two in the proposed.*
 - *Increased span lengths as much as practical to achieve FEMA compliance and reduce the number of piers.*
 - *Minimize closure time for construction.*
 - *Alternative A will only require a 60-to-90-day closure to construct abutment closest to the parking area and span A. An ICT will be added to the contract. This work can be done outside of peak season of Memorial Day to Labor Day.*
 - *Alternative B would have required a closure for the entire duration of construction due to the proximity to the existing bridge.*
 - *Parking*
 - *While a few spaces are being taken due to the proximity of the abutment, these are being replaced with some additional paving*

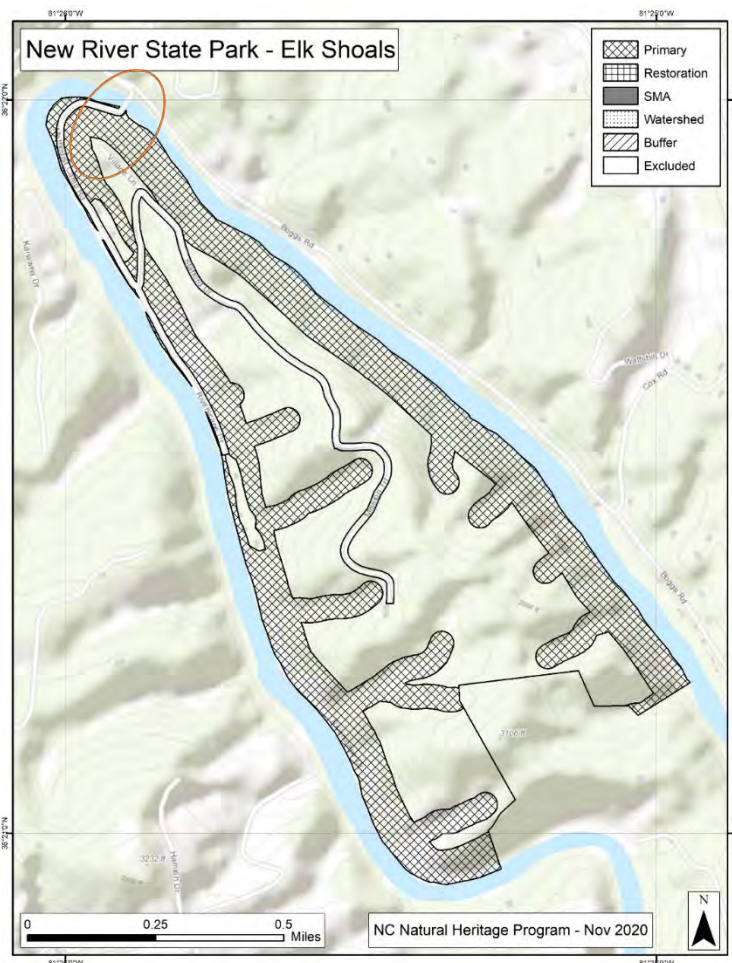
along the existing parking lot which will offset the loss of any parking.

- *Minimize impacts to the DNP.*
 - *As mentioned above, alternative B would have required impacts to the DNP along the south side of SR 1222 (Methodist Camp Road) from the parking lot to the existing bridge. Alternative A minimizes impacts significantly where only a small portion of the DNP is impacted at the tie-in location near the parking lot.*
- *R/W Minimization*
 - *The permanent fee simple right of way is reduced as much as possible on the Park side to still allowing NCDOT adequate area for maintenance of roadway, shoulders, ditches, and bridge.*
 - *A small portion of Permanent Drainage Easement is needed to outlet the drainage from the bridge and place rip rap around the abutment.*
 - *All other impacts are temporary construction easements to tie in fill slopes, provide a temporary work pad for construction, and to properly tie-in the parking lot.*
- *Additional design benefits*
 - *Improved skew of intersection with SR 1159 (Boggs Road). The alignment and sight distance clearing will provide a much safer ingress/egress for the park staff and visitors.*
 - *The 30' wide bridge with two 9' travel lanes will provide the two-way access that is a definite need during peak season as requested by the local park officials.*
 - *The 4'-3" shoulder and the 42" pedestrian rail on the bridge will provide safe pedestrian passage across the river.*
 - *The drop off area along the existing access road will provide a safer location to unload and minimize the risk of vehicles backing up on Boggs Road.*
 - *Removal of the impervious area along existing SR 1222 (Methodist Camp Road) from the new bridge to the existing will more of a natural bank area to be restored.*

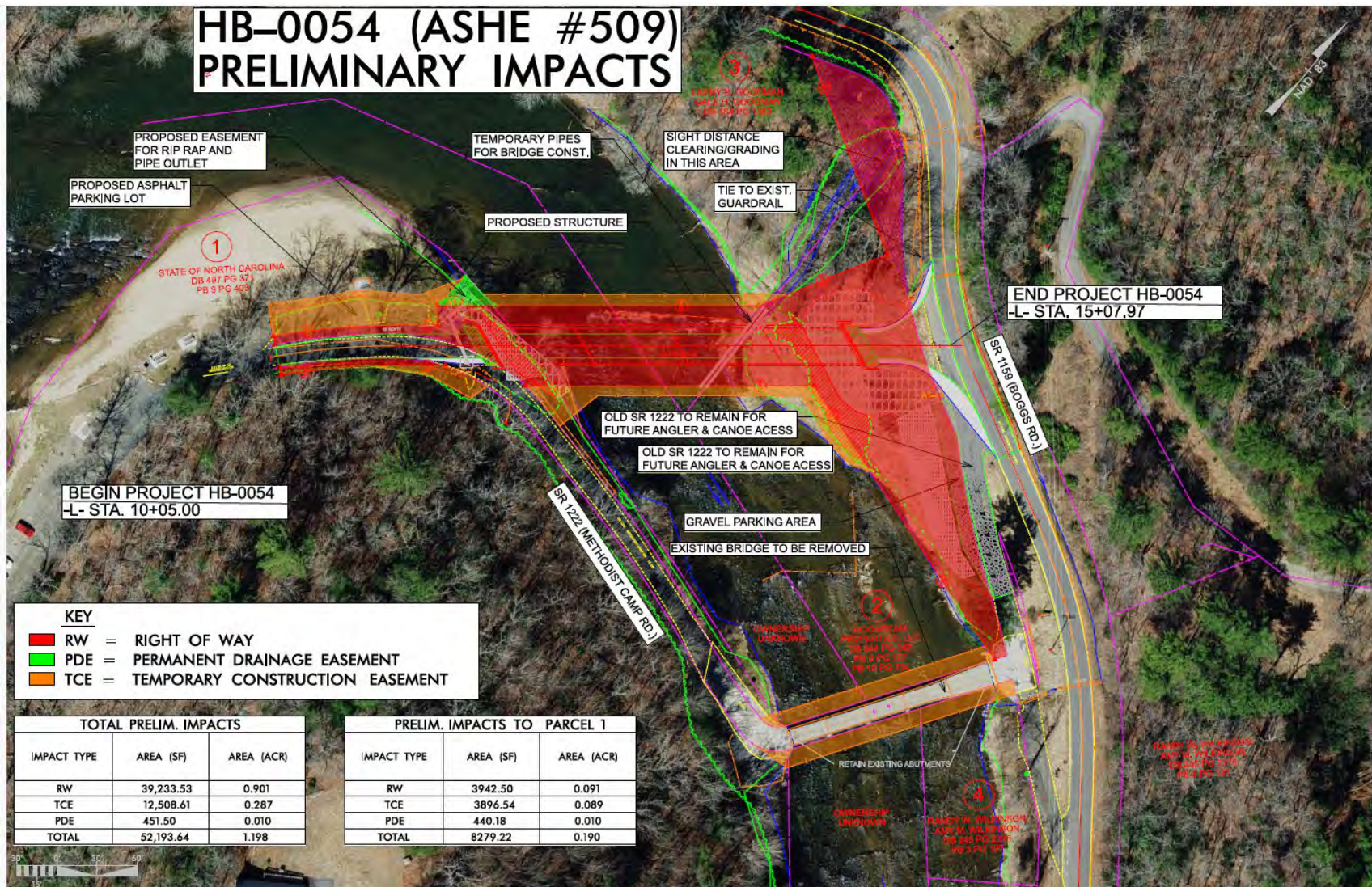
Also worth noting is that DOT has promised to coordinate the bridge demolition timeframe with NC Wildlife Resources Commission and DPR biologists, as this reach of the South Fork New River contains an important Eastern Hellbender population.

After review, NHP staff recommend amending the DNP to accommodate this action, based on the public interest served by replacing the failed bridge, and that the new use of the acres for permanent right-of-way and permanent drainage easement would not be consistent with public purposes served by the dedication. There will be temporary impacts from both demolition and construction but they are confined to a short distance of the river bank and instream habitat. The removal of the bridge damaged in Hurricane Helene is necessary and the design of the replacement bridge is a substantial improvement over the former bridge. Staff determined that the impact does not fall within the authority of staff to approve without Natural Heritage Advisory Committee review, due to the significance of associated element occurrences.

In addition to public hearing and public notice, review is still needed by NC Land and Water Fund and DNCR Secretary before the amendment can go to Council of State.







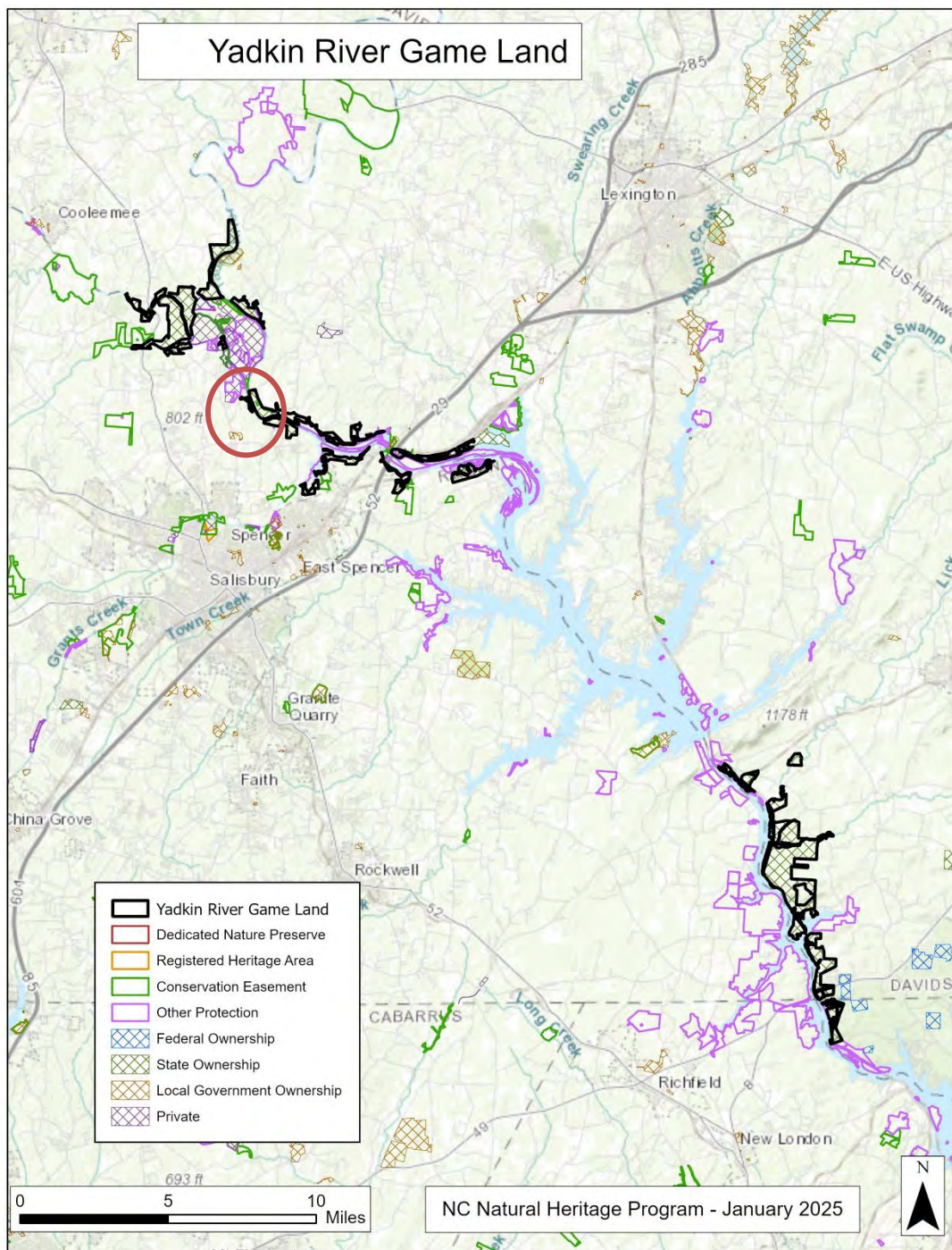
Yadkin River Game Land Salisbury Water Supply Resiliency project

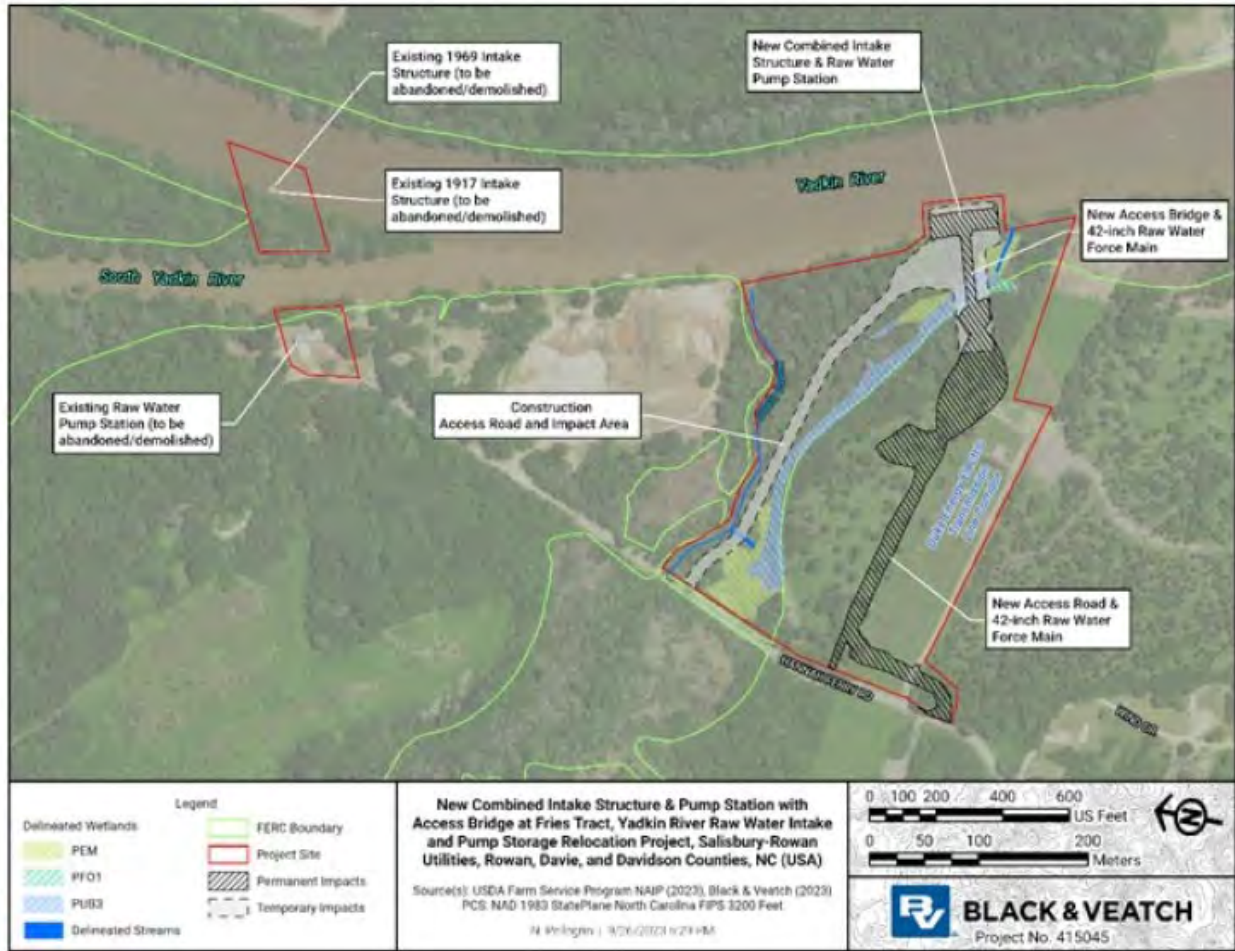
Portions of the Yadkin River Game Land were acquired with NC Land and Water Fund (NCLWF) Grants 2017-033, 2017-068, and 2020-047. In preparation for dedication inventory, NC Wildlife Resources Commission (WRC) staff provided NC Natural Heritage Program (NHP) staff with shapefiles for the Yadkin River Game Land. NHP biologist Mike Schafale prepared draft articles of dedication, which were submitted to WRC for review 25 January 2024. Starting in May 2024, WRC staff, including Ben Solomon, notified NHP staff that the City of Salisbury was requesting a new water intake facility that would cross the Yadkin River Game Land. Details emerged slowly, but eventually NHP came to understand that the parcel in question was not included in the Yadkin River Game Land maps that were provided for NHP Dedication surveys. Crystal Cockman of WRC noted in November of 2024 that “seems this tract was not initially listed as one acquired by WRC through the relicensing acquisition of the High Rock Alcoa tracts,...”. NHP was unaware that it was owned by WRC, and acquired in part with NCLWF funding, so this property was not in the DNP proposal that NHP sent to WRC for review.

Nathan Shepard visited the 19-acre property 8 January 2025 to document the natural communities and assess the likelihood of rare plant and animal populations, to inform NC Land and Water Fund how NHP would have recommended protection of the resource values associated with the property, in accordance with typical NCLWF grant agreements where dedication is a condition of the funding for acquisition. The tract lies largely with the Yadkin River floodplain, and nearly the entire property is in good condition. The natural communities include examples of Piedmont Levee Forest and Floodplain Pool that are extensive enough to map as element occurrences, and an area of Mesic Mixed Hardwood Forest (Piedmont Subtype) that is in good condition, but does not meet the minimum mappable threshold for an element occurrence. Nathan also noted that the Floodplain Pools make ideal habitat for breeding salamanders, and there is potential for listed salamander species, particularly Mole Salamanders (*Ambystoma talpoideum*) and Four-toed Salamanders (*Hemidactylium scutatum*). Other than the existing rights-of-way for utilities, the entire property would have qualified for dedication as a primary area.

The NC Land and Water Fund is applying their amendment process to this request, even though a protection instrument (dedication or recorded conservation agreement), had not yet been put in place. The City of Salisbury would like to acquire a portion of the parcel to relocate and construct the Yadkin River Raw Water Supply Facilities Project to protect the City’s water supply from flooding and to remedy the City’s inability to access the water intake caused by river flooding. The original raw water pump station was constructed at the confluence of Yadkin and South Yadkin in 1917, and modified in 1968. Pump station has had to be shut down during recent floods

(events that lasted 5 days). Proximity to the river and land topography were the main characteristics reviewed to determine potential alternatives for the project location. As noted above, the project area overlaps an area that would have qualified for dedication as primary area, due to presence of good-quality natural forest communities. The City of Salisbury has approached the WRC with a proposal for land exchange. NHP staff plan to visit the proposed exchange property with NCLWF staff, but there are not yet details to share with the Natural Heritage Advisory Committee. WRC staff have been directed to work with the City of Salisbury by the Commission, but WRC has not confirmed support for exchange. Full review will likely take place at the May meeting.





NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, a portion of the natural area known as Stony Creek Mountain Natural Area, consisting of approximately 31 acres, is owned by Mr. Neil Carey [Exhibit A]

WHEREAS, this area possesses the following natural values, justifying its recognition by the State as an outstanding part of the natural heritage of North Carolina:

The Carey portion of the Stony Creek Mountain Natural Area contains a high-quality example of the Dry Basic Oak-Hickory Forest natural community. The closed canopy is dominated by a combination of Chestnut Oak (*Quercus montana*), White Oak (*Quercus alba*), and Pignut Hickory (*Carya glabra*), with Post Oak (*Quercus stellata*), Southern Red Oak (*Quercus falcata*), Virginia Pine (*Pinus virginiana*), Black Gum (*Nyssa sylvatica*) and Southern Sugar Maple (*Acer floridanum*) also abundant. Standing dead White Ash (*Fraxinus americana*) are common, showing signs of mortality due to Emerald Ash Borer a non-native invasive beetle. The average size of canopy trees is 16-20 inches diameter at breast height (dbh), with several larger trees present, including White Oak (30" dbh), Pignut Hickory (29" dbh), Post Oak (23" dbh), and Chestnut Oak (22" dbh). The understory includes abundant Redbud (*Cercis canadensis*) and Dogwood (*Benthamidia florida*), along with Winged Elm (*Ulmus alata*). The shrub layer includes young White Ash, American Holly (*Ilex opaca*), Hackberry (*Celtis pumila*), Rusty Blackhaw (*Viburnum rufidulum*), Winged Sumac (*Rhus copallinum*), and Pawpaw (*Asimina triloba*). The herb layer is typical of Dry Basic Oak-Hickory Forest, with a sparse to moderate layer of herbs and graminoids. Stony Creek Mountain is a Monadnock (isolated mountain), rising to 900 feet above the surrounding landscape of 600-700 feet in elevation. Montane areas of similar elevation are separated from Stony Creek Mountain by about 20 miles to the south (Cane Creek Mountains) and southeast (Oconeechee Mountain), making the site a unique feature in northern Alamance and southern Caswell Counties.

AGREEMENT

The Registry Agreement is a mutual understanding between the landowner and the North Carolina Department of Natural and Cultural Resources to protect outstanding examples of the natural diversity occurring in North Carolina and preserve unique and unusual natural features. In addition to an approach by landowners and managers that follows these principles and strives to maintain natural character and integrity, the North Carolina Natural Heritage Program submits the following site-specific management recommendations:

The Registered Heritage Area should be managed for protection of intact natural communities, wildlife habitat, and natural conditions. The forest community should generally be allowed to mature and become old-growth with uneven-aged structure. Prescribed burning at low intensity and moderate frequency would be beneficial to

the oak forests in this area. Monitoring for, and control of, non-native plant species is recommended; Tree-of-Heaven (*Ailanthus altissima*), Princess-tree (*Paulownia tomentosa*), Japanese Stiltgrass (*Microstegium vimineum*), and Sericea lespedeza (*Lespedeza cuneata*) are presently within or close to the boundary of the registered area.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Stony Creek Mountain natural area owned by Neil Carey be entered on the official North Carolina Registry of Natural Heritage Areas on the ____ day of _____, 2025.

It is understood that this agreement involves no change of title or loss of ownership rights, but simply expresses the sincere intentions of the landowner to refrain from making or permitting changes that alter the natural values for which this area was registered within the boundaries outlined on the attached maps and/or survey descriptions.

It is further understood that neither the Department nor the landowner offers any assurances as to the conditions on the tracts involved or for the safety of persons thereon. Neither party shall incur any liability for any injury to persons or property on the land as a result of this agreement.

These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days notice.

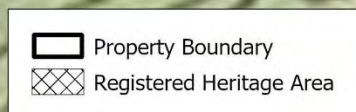
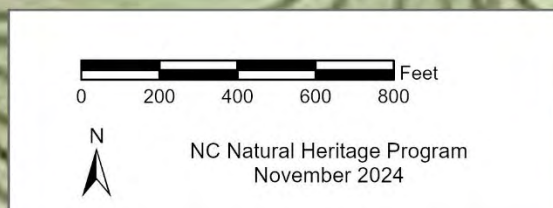
By _____
Neil Carey
6740 Stony Creek Mountain Road
Burlington, NC 27217

By _____
Pamela B. Cashwell, Secretary
NC Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-4601

Date: _____

Date: _____

Exhibit A Map
Stony Creek Mountain (Carey)
Registered Heritage Area



NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, a portion of the natural area known as Moore's Creek-Deer Valley, consisting of approximately 216 acres (58 acres primary, 20 acres restoration area, and 138 acres buffer), is owned by Brown-North Partnership L.P. [Exhibit A]

WHEREAS, this area possesses the following natural values, justifying its recognition by the State as an outstanding part of the natural heritage of North Carolina:

The Primary Area includes the floodplains of Moore's Creek, Deer Valley, and other tributaries, some moderate slopes dissected by ravines, and broad flat to gently sloping upland terraces. Mature forests and relatively unaltered natural communities are present on the floodplains and slopes. They include Cypress—Gum Swamp (Blackwater Subtype) on Moore's Creek and Coastal Plain Small Stream Swamp in Deer Valley.

The upland areas are largely heavily altered former fields and pine plantations, but which once supported longleaf pine communities: Wet Sandy Pine Savanna, Wet Pine Flatwoods, and Xeric Sandhill Scrub. One area, though in poor condition, contains some naturally regenerated longleaf pine (*Pinus palustris*) and some remnants of wiregrass (*Aristida stricta*) and other herbaceous plants typical of these communities. This area is registered as a restoration area. The owner has already begun prescribed burning and removal of loblolly pine -- activities which are beginning to improve the condition.

Additional areas that are more altered are included in the registry as buffer areas, where they help with protection or management of the primary areas, or protect areas near the creek.

This registered area is part of a complex of registered natural areas owned by the North family (see the Overview Map). The overall complex totals 1,482 acres, including 180 acres primary, 1,075 acres of restoration area, and 226 acres buffer.

AGREEMENT

The Registry Agreement is a mutual understanding between Brown-North Partnership L.P. and the North Carolina Department of Natural and Cultural Resources to protect outstanding examples of the natural diversity occurring in North Carolina and preserve unique and unusual natural features. In addition to an approach by landowners and managers that follows these principles and strives to maintain natural character and integrity, the North Carolina Natural Heritage Program submits the following site-specific management recommendations:

The Primary Areas of the Registered Area should be managed for protection of intact natural communities, wildlife habitat, and natural conditions. The intact forest communities should generally be allowed to mature and to remain as old-growth with uneven-aged tree canopies. While fire is not believed to be crucial to most of the swamp communities in the Primary Area, including them in burn units is appropriate.

Restoration areas should continue to be managed to promote the recovery of more natural longleaf pine communities. Prescribed burning is the most important management activity for both restoration and maintenance of longleaf pine communities. In the long run, a fire frequency of 2-3 years is recommended, but more frequent burning may be appropriate during initial restoration work. In addition to burning, control of invading or sprouting hardwoods by cutting and possibly targeted herbicide application will be beneficial in some areas. Where loblolly pine remains in the canopy, harvesting of it may be appropriate. However, removal should be planned in light of the need for pine needles to make burning effective in areas with little grass cover. It may be better to retain an open canopy of loblolly pine until grasses have become abundant. Underplanting of longleaf pine, or planting of it in canopy gaps may be a way to change the canopy without hampering burning.

The Buffer Area should, at a minimum, be managed to cause no impact to the Primary and Restoration Areas and to avoid disturbance within 100 feet of streams. Upland areas are former longleaf pine communities. Restoration activities would be appropriate in them.

It is recommended to monitor the Registered Area for invasive non-native species. Asian dayflower (*Murdannia keisak*) and Chinese tallow tree (*Triadica sebifera*) are present on other North family tracts and both present a risk of spreading more widely into the swamp forests. Longleaf pine communities, even if disturbed, are generally not prone to invasion at present, but this could change if new invasive species arrive in the area.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Moore's Creek-Deer Valley and Moore's Creek National Battlefield natural areas owned by Brown-North Partnership L.P. be entered on the official North Carolina Registry of Natural Heritage Areas on the ____ day of _____.

It is understood that this agreement involves no change of title or loss of ownership rights, but simply expresses the sincere intentions of the landowner to refrain from making or permitting changes that alter the natural values for which this area was registered within the boundaries outlined on the attached maps and/or survey descriptions.

It is further understood that neither the Department nor Brown-North Partnership L.P. offers any assurances as to the conditions on the tracts involved or for the safety of persons thereon. Neither

party shall incur any liability for any injury to persons or property on the land as a result of this agreement.

These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days notice.

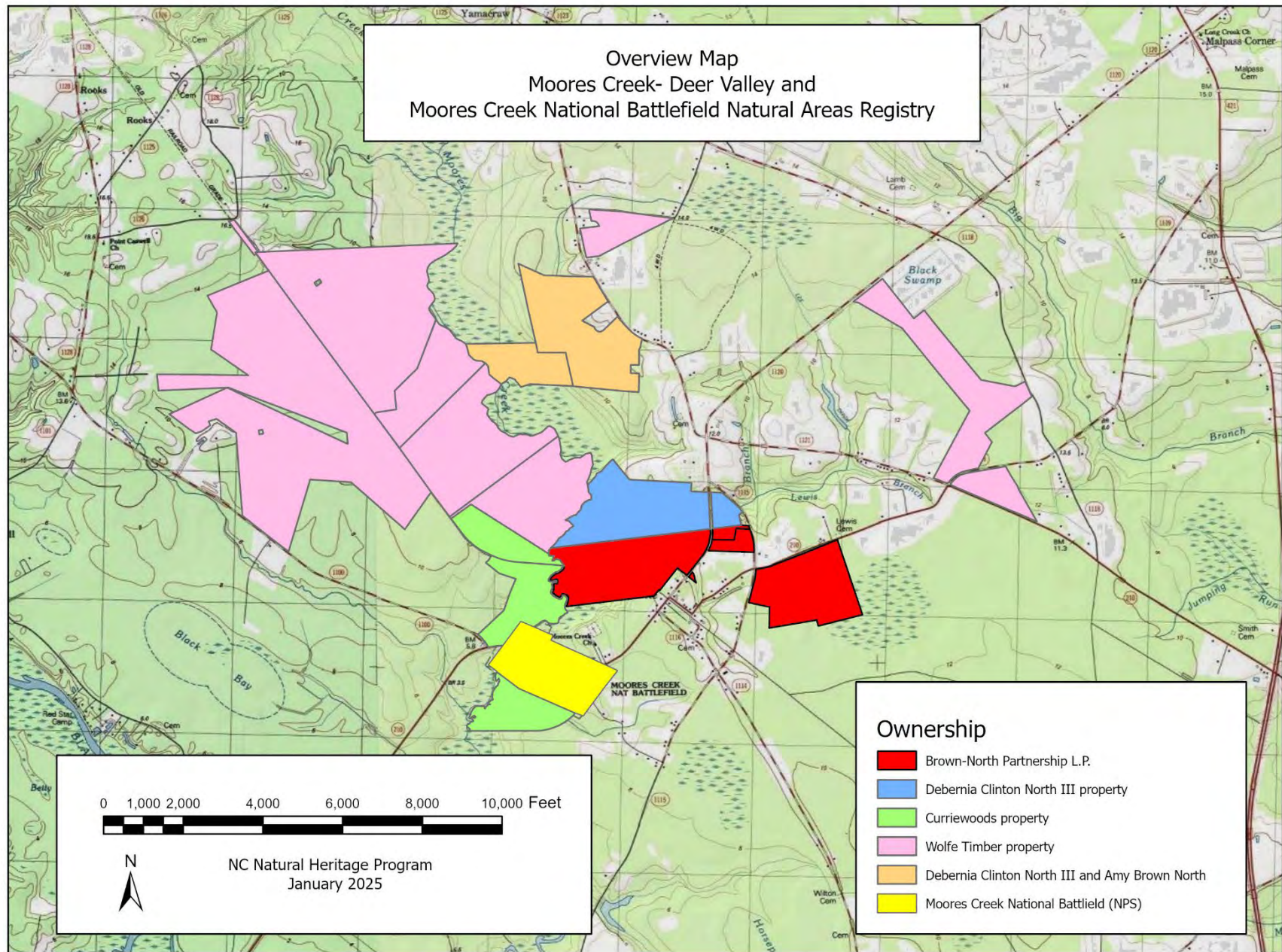
By _____
D Clinton North III,
Managing Member
Brown-North Partnership, L.P.
PO Box 18
27926 Hwy 210
Currie, NC 28435

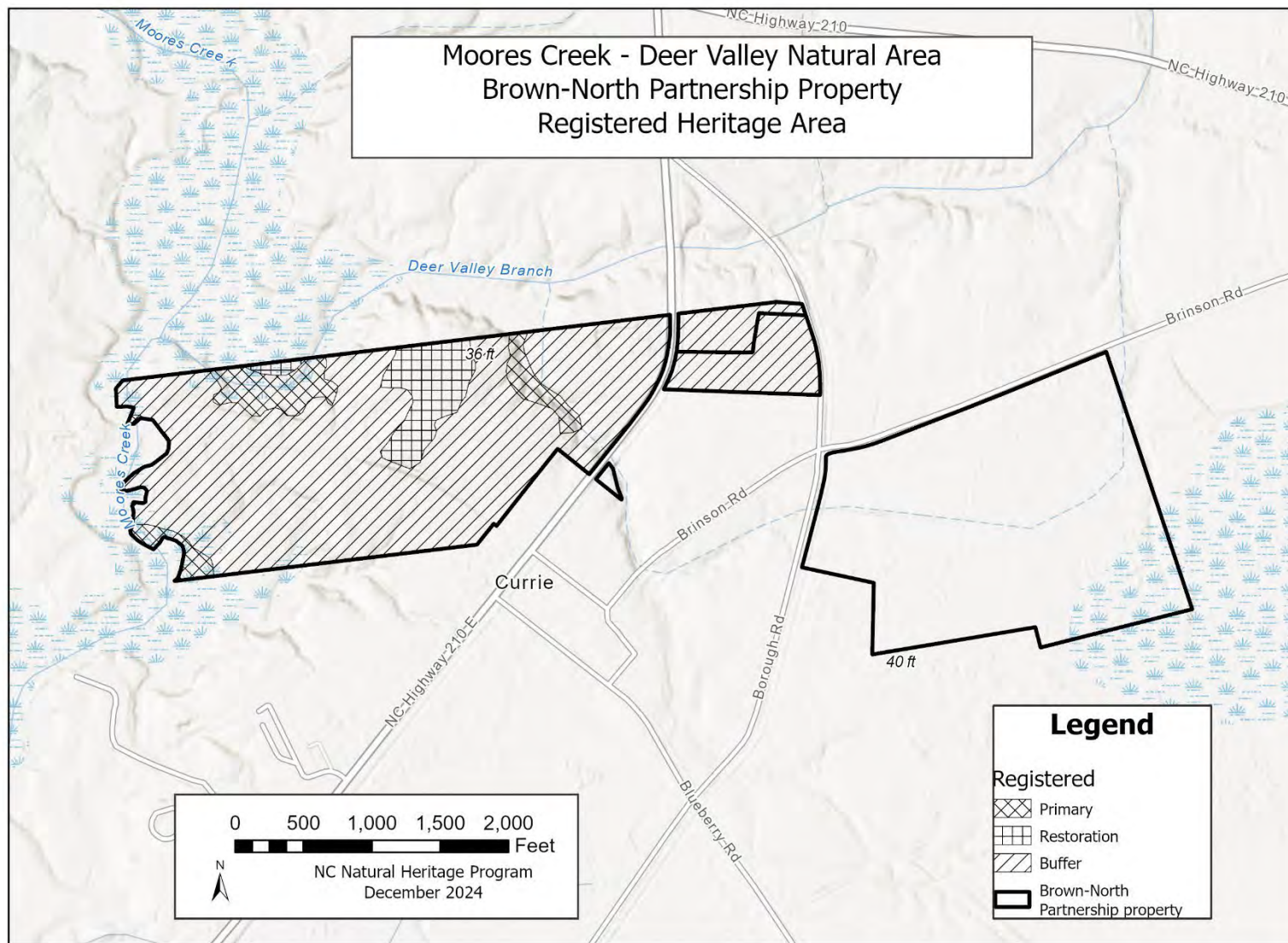
By _____
Pamela B. Cashwell, Secretary
NC Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-1601

Date: _____

Date: _____

Overview Map
Moore's Creek- Deer Valley and
Moore's Creek National Battlefield Natural Areas Registry





NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, a portion of the natural areas known as Moore's Creek-Deer Valley and Moore's Creek National Battlefield, consisting of approximately 147 acres (40 acres primary, 74 acres restoration area, and 33 acres buffer), is owned by Curriewoods LLC. [Exhibit A]

WHEREAS, this area possesses the following natural values, justifying its recognition by the State as an outstanding part of the natural heritage of North Carolina:

The Primary Area includes the floodplain of Moore's Creek and a tributary stream, along with, Deer Valley, and other tributaries, along with gently sloping upland terraces. Mature forests and relatively unaltered natural communities are present on the floodplains, consisting of Cypress—Gum Swamp (Blackwater Subtype) and Coastal Plain Small Stream Swamp.

The upland areas are largely heavily altered former fields and pine plantations which once supported longleaf pine communities: Wet Sandy Pine Savanna, Wet Pine Flatwoods, and Xeric Sandhill Scrub. One area supports a small population of Venus flytrap (*Dionaea muscipula*). Though no intact forest communities remain, some areas are planned for restoration activity. These areas are registered as restoration areas. Some thinning has already occurred in parts of the restoration area.

Additional areas that are more altered are included in the registry as buffer areas, where they help with protection or management of the primary areas, or protect areas near the creek.

This registered area is part of a complex of registered natural areas owned by the North family (see the Overview Map). The overall complex totals 1,482 acres, including 180 acres primary, 1,075 acres of restoration area, and 226 acres buffer.

AGREEMENT

The Registry Agreement is a mutual understanding between Curriewoods LLC and the North Carolina Department of Natural and Cultural Resources to protect outstanding examples of the natural diversity occurring in North Carolina and preserve unique and unusual natural features. In addition to an approach by landowners and managers that follows these principles and strives to maintain natural character and integrity, the North Carolina Natural Heritage Program submits the following site-specific management recommendations:

The Primary Areas of the Registered Area should be managed for protection of intact natural communities, wildlife habitat, and natural conditions. The intact

forest communities should generally be allowed to mature and to remain as old-growth with uneven-aged tree canopies. While fire is not believed to be crucial to most of the floodplain communities in the Primary Area, including them in burn units is appropriate.

Restoration areas should continue to be managed to promote the recovery of more natural longleaf pine or floodplain communities. Prescribed burning is the most important management activity for both restoration and maintenance of longleaf pine communities. In the long run, a fire frequency of 2-3 years is recommended, but more frequent burning may be appropriate during initial restoration work. In addition to burning, control of invading or sprouting hardwoods by cutting and possibly targeted herbicide application will be beneficial in some areas. Where loblolly pine remains in the canopy, harvesting of it may be appropriate. However, removal should be planned in light of the need for pine needles to make burning effective in areas with little grass cover. It may be better to retain an open canopy of loblolly pine until grasses have become abundant. Underplanting of longleaf pine, or planting of it in canopy gaps may be a way to change the canopy without hampering burning.

The Buffer Area should, at a minimum, be managed to cause no impact to the Primary and Restoration Areas and to avoid disturbance within 100 feet of streams. Upland areas are former longleaf pine communities. Restoration activities would be appropriate in them.

It is recommended to monitor the Registered Area for invasive non-native species. Intact swamps and longleaf pine communities, even if disturbed, are generally not prone to invasion at present, but this could change if new invasive species arrive in the area.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Moore's Creek-Deer Valley and Moore's Creek National Battlefield natural areas owned by Curriewoods LLC be entered on the official North Carolina Registry of Natural Heritage Areas on the ____ day of _____.

It is understood that this agreement involves no change of title or loss of ownership rights but simply expresses the sincere intentions of the landowner to refrain from making or permitting changes that alter the natural values for which this area was registered within the boundaries outlined on the attached maps and/or survey descriptions.

It is further understood that neither the Department nor Curriewoods LLC offers any assurances as to the conditions on the tracts involved or for the safety of persons thereon. Neither party shall incur any liability for any injury to persons or property on the land as a result of this agreement.

These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days notice.

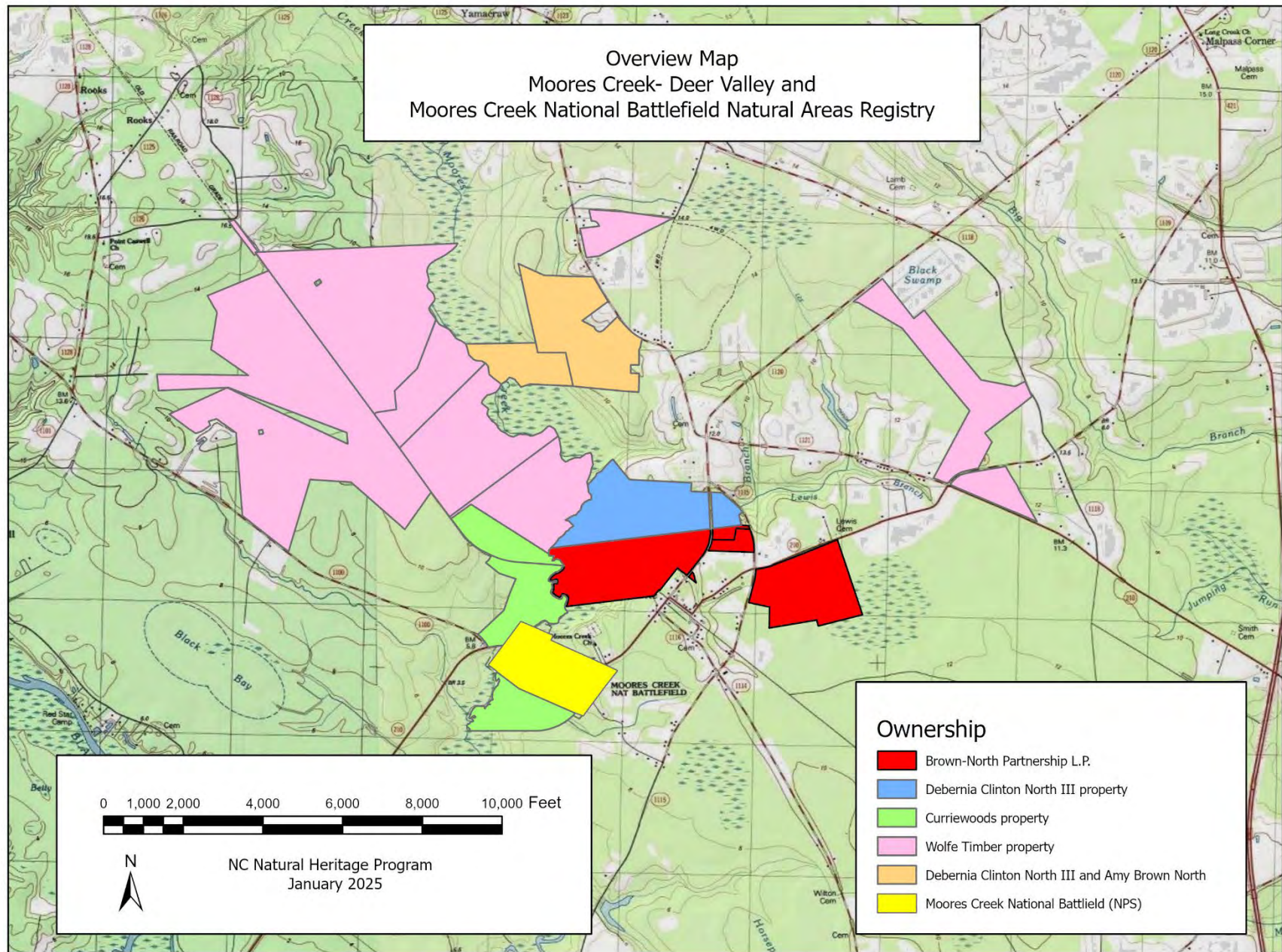
By _____
D. Clinton North III, Managing Member
Curriewoods LLC
PO Box 18
27926 Hwy 210
Currie, NC 28435

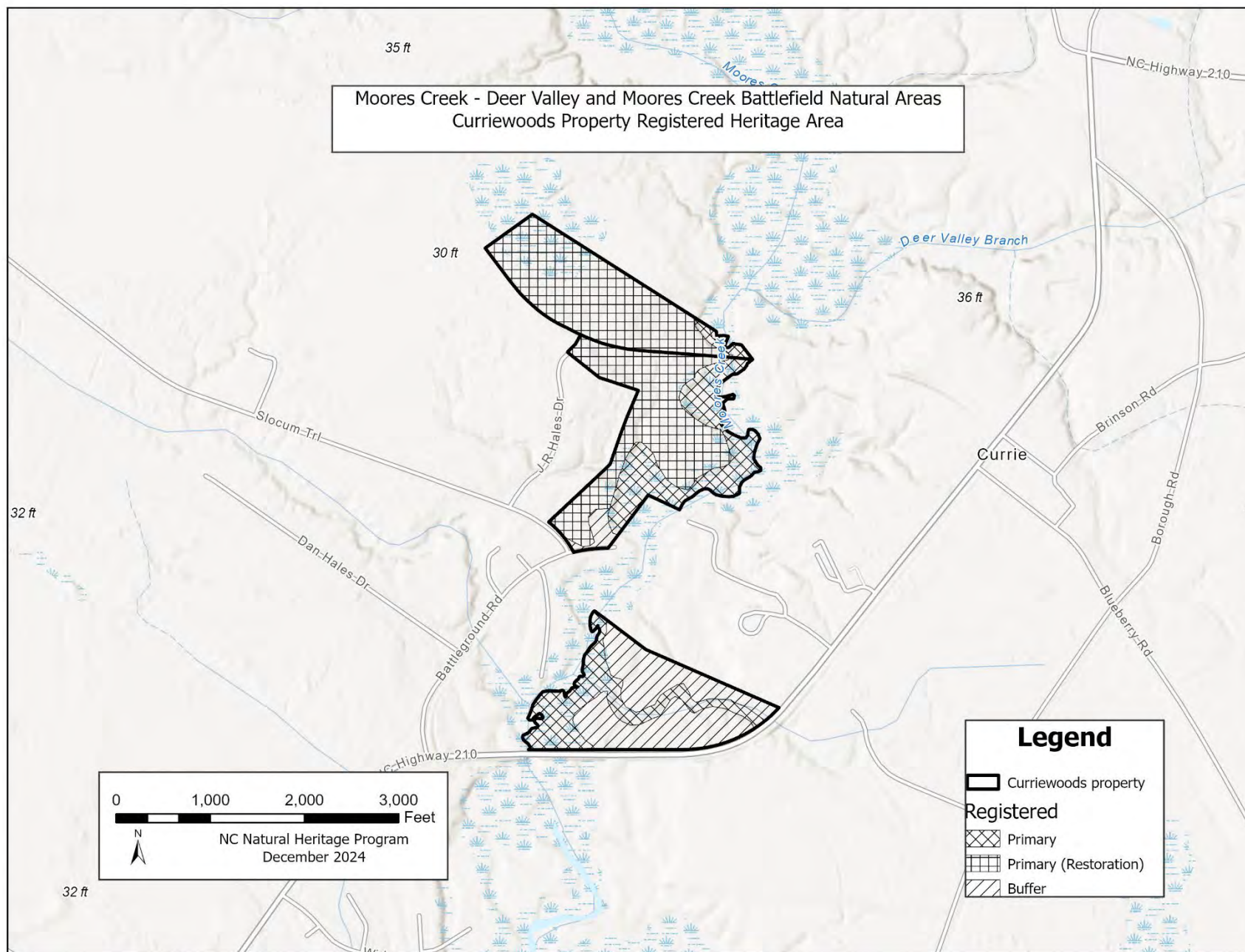
By _____
Pamela B. Cashwell, Secretary
NC Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-1601

Date: _____

Date: _____

Overview Map
Moore's Creek- Deer Valley and
Moore's Creek National Battlefield Natural Areas Registry





NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, a portion of the natural area known as Moore's Creek-Deer Valley, consisting of approximately 47 acres (28 acres primary and 19 acres buffer), is owned by Debernia Clinton North III and Amy Brown North. [Exhibit A]

WHEREAS, this area possesses the following natural values, justifying its recognition by the State as an outstanding part of the natural heritage of North Carolina:

The Primary Area includes the floodplain of Moore's Creek and a tributary creek, along with broad, flat to gently sloping, upland terraces. Mature and relatively unaltered Cypress—Gum Swamp (Blackwater Subtype) is present in the floodplains. Some portions of the swamp appear to be ponded by beavers, forming Coastal Plain Semipermanent Impoundment (Coastal Plain Marsh and Cypress—Gum Subtype) communities. A Coastal Plain Semipermanent Impoundment (Open Water Subtype and Coastal Plain Marsh Subtype) community complex is also present on the tributary creek. It appears to have been an artificial pond that was drained but now has been occupied by beavers and again impounded. These ponded areas increase habitat diversity in the site.

The upland areas are mostly occupied by pine plantations, though they would once have supported longleaf pine communities: Wet Sandy Pine Savanna, Wet Pine Flatwoods, and Xeric Sandhill Scrub. These are registered as buffer areas, as they help with protection of the primary areas, or protect areas near the creek.

This registered area is part of a complex of registered natural areas owned by the North family (see the Overview Map). The overall complex totals 1,482 acres, including 180 acres primary, 1,075 acres of restoration area, and 226 acres buffer.

AGREEMENT

The Registry Agreement is a mutual understanding between Debernia Clinton North III and Amy Brown North and the North Carolina Department of Natural and Cultural Resources to protect outstanding examples of the natural diversity occurring in North Carolina and preserve unique and unusual natural features. In addition to an approach by landowners and managers that follows these principles and strives to maintain natural character and integrity, the North Carolina Natural Heritage Program submits the following site-specific management recommendations:

The Primary Areas of the Registered Area should be managed for protection of intact natural communities, wildlife habitat, and natural conditions. The intact forest communities should generally be allowed to mature and to remain as old-growth with uneven-aged tree canopies.

If possible, the beavers should be allowed to persist without interference. Creation of new ponds and abandonment of existing ponds should be regarded as a natural process. If beaver ponds threaten infrastructure or otherwise create intolerable problems, it is recommended to try pond levelers to limit water level changes, before attempting to remove the beavers.

The Buffer Area should, at a minimum, be managed to cause no impact to the Primary and Restoration Areas and to avoid disturbance within 100 feet of streams. Upland areas are former longleaf pine communities. Restoration activities would be appropriate in them. Buffer Areas in floodplains should, ideally, generally be left undisturbed.

It is recommended to monitor the Registered Area for invasive non-native species. The impounded areas are at particular risk of invasion by Asian dayflower (*Murdannia keisak*) and Chinese tallow tree (*Triadica sebifera*), and this risk will increase if the ponds are abandoned. Invasive species there represent a risk of spreading more widely in that community and into the swamp forests. Control of invasive species should be done in ways that minimize harm to associated native vegetation.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Moore's Creek-Deer Valley natural areas owned by Debernia Clinton North III and Amy Brown North be entered on the official North Carolina Registry of Natural Heritage Areas on the ____ day of _____.

It is understood that this agreement involves no change of title or loss of ownership rights, but simply expresses the sincere intentions of the landowner to refrain from making or permitting changes that alter the natural values for which this area was registered within the boundaries outlined on the attached maps and/or survey descriptions.

It is further understood that neither the Department nor Debernia Clinton North III and Amy Brown North offer any assurances as to the conditions on the tracts involved or for the safety of persons thereon. Neither party shall incur any liability for any injury to persons or property on the land as a result of this agreement.

These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days notice.

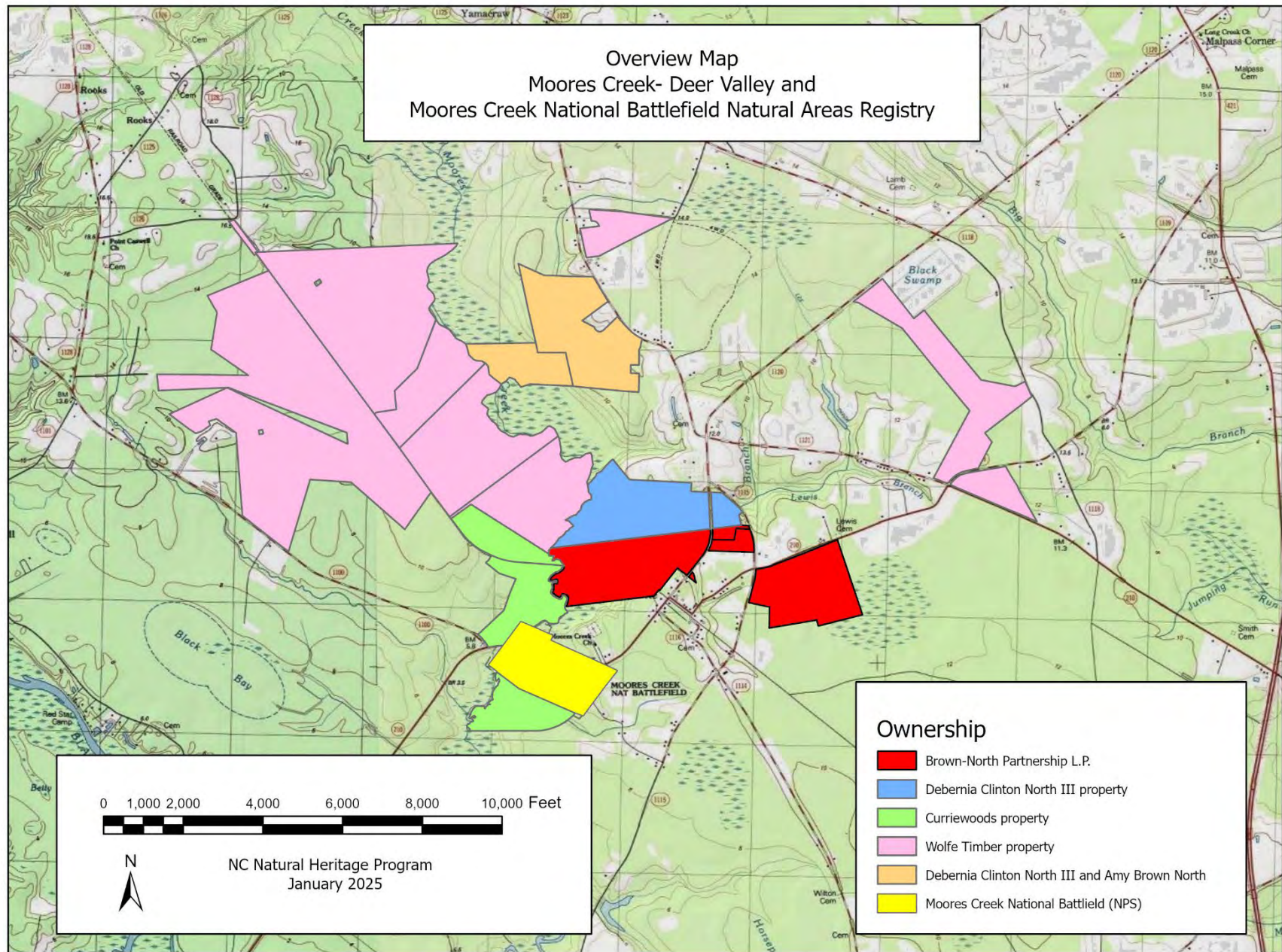
By _____
D. Clinton North III and
Amy Brown North.
P.O. Box 18
27926 Hwy 210
Currie, NC 28435

By _____
Pamela B. Cashwell, Secretary
NC Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-1601

Date: _____

Date: _____

Overview Map
Moore's Creek- Deer Valley and
Moore's Creek National Battlefield Natural Areas Registry



Moores Creek - Deer Valley Natural Area
Debernia Clinton North III and Amy Brown North Property
Registered Heritage Area

35 ft

41 ft

0 500 1,000 2,000 3,000 Feet



NC Natural Heritage Program
December 2024

30 ft

Legend

Registered

- Primary
- (Primary (Restoration))
- Buffer
- Debernia Clinton North
III and Amy Brown
North property

NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, a portion of the natural area known as Moore's Creek-Deer Valley, consisting of approximately 542 acres (61 acres primary, 317 acres restoration area, and 164 acres buffer), is owned by Debernia Clinton North III. [Exhibit A]

WHEREAS, this area possesses the following natural values, justifying its recognition by the State as an outstanding part of the natural heritage of North Carolina:

The Primary Area includes the floodplains of Moore's Creek and Deer Valley, some moderate slopes dissected by ravines, and broad flat to gently sloping upland terraces. Mature forests and relatively unaltered natural communities are present on the floodplains and slopes. They include Cypress—Gum Swamp (Blackwater Subtype) on Moore's Creek and Coastal Plain Small Stream Swamp in Deer Valley. Deer Valley also contains a Coastal Plain Semipermanent Impoundment (Open Water Subtype) community complex that was once a mill pond. The mill dam was breached, but beavers have moved into the pond area and created several new smaller impoundments. The pond adds diversity of natural communities and habitat to the site. Mature Dry-Mesic Oak—Hickory Forest, as well as small areas of Mesic Mixed Hardwood Forest, occurs on the dissected upland slopes.

The extensive upland areas are largely heavily altered former fields and pine plantations, but which once supported longleaf pine communities: Wet Sandy Pine Savanna, Wet Pine Flatwoods, and Xeric Sandhill Scrub. Though no intact natural forest communities remain, some areas still contain wiregrass (*Aristida stricta*) and other herbaceous plants typical of these communities, and some have naturally regenerated longleaf pine (*Pinus palustris*). Additional areas are planned for ecological restoration activities. These areas are registered as restoration areas. The owner has already begun prescribed burning, treatment of invading hardwoods, and removal of loblolly pine -- activities which are beginning to improve the condition of some of these areas.

Additional areas that are more altered are included in the registry as buffer areas, where they help with protection or management of the primary areas, or protect areas near the creek.

This registered area is part of a complex of registered natural areas owned by the North family (see the Overview Map). The overall complex totals 1482 acres, including 180 acres primary, 1075 acres of restoration area, and 226 acres buffer.

AGREEMENT

The Registry Agreement is a mutual understanding between Debernia Clinton North III and the North Carolina Department of Natural and Cultural Resources to protect outstanding examples of the natural diversity occurring in North Carolina and preserve unique and unusual natural features. In addition to an approach by landowners and managers that follows these principles and strives to maintain natural character and integrity, the North Carolina Natural Heritage Program submits the following site-specific management recommendations:

The Primary Areas of the Registered Area should be managed for protection of intact natural communities, wildlife habitat, and natural conditions. The intact forest communities should generally be allowed to mature and to remain as old-growth with uneven-aged tree canopies. While fire is not believed to be crucial to most of the swamp and hardwood communities in the Primary Area, including them in burn units is appropriate.

Restoration areas should continue to be managed to promote the recovery of more natural longleaf pine or floodplain communities. Prescribed burning is the most important management activity for both restoration and maintenance of longleaf pine communities. In the long run, a fire frequency of 2-3 years is recommended, but more frequent burning may be appropriate during initial restoration work. In addition to burning, control of invading or sprouting hardwoods by cutting and possibly targeted herbicide application will be beneficial in some areas. Where loblolly pine remains in the canopy, harvesting of it may be appropriate. However, removal should be planned in light of the need for pine needles to make burning effective in areas with little grass cover. It may be better to retain an open canopy of loblolly pine until grasses have become abundant. Underplanting of longleaf pine, or planting of it in canopy gaps may be a way to change the canopy without hampering burning.

The Buffer Area should, at a minimum, be managed to cause no impact to the Primary and Restoration Areas and to avoid disturbance within 100 feet of streams. Upland areas are former longleaf pine communities. Restoration activities would be appropriate in them. Buffer Areas in floodplains should, ideally, generally be left undisturbed.

If possible, the beavers should be allowed to persist without interference. If beaver ponds threaten infrastructure or otherwise create intolerable problems, it is recommended to try pond levelers to limit water level changes before attempting to remove the beavers.

It is recommended to monitor the Registered Area for invasive non-native species. At present, such species are found in the beaver ponds and drained mill pond. Asian dayflower (*Murdannia keisak*) and Chinese tallow tree (*Triadica sebifera*) are present around the ponds, but both present a risk of spreading more widely in that community and into the swamp forests. Longleaf pine communities, even if

disturbed, are generally not prone to invasion at present, but this could change if new invasive species arrive in the area.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Moore's Creek-Deer Valley and Moore's Creek National Battlefield natural areas owned by D. Clinton North III be entered on the official North Carolina Registry of Natural Heritage Areas on the ____ day of _____.

It is understood that this agreement involves no change of title or loss of ownership rights, but simply expresses the sincere intentions of the landowner to refrain from making or permitting changes that alter the natural values for which this area was registered within the boundaries outlined on the attached maps and/or survey descriptions.

It is further understood that neither the Department nor Debernia Clinton North III offers any assurances as to the conditions on the tracts involved or for the safety of persons thereon. Neither party shall incur any liability for any injury to persons or property on the land as a result of this agreement.

These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days notice.

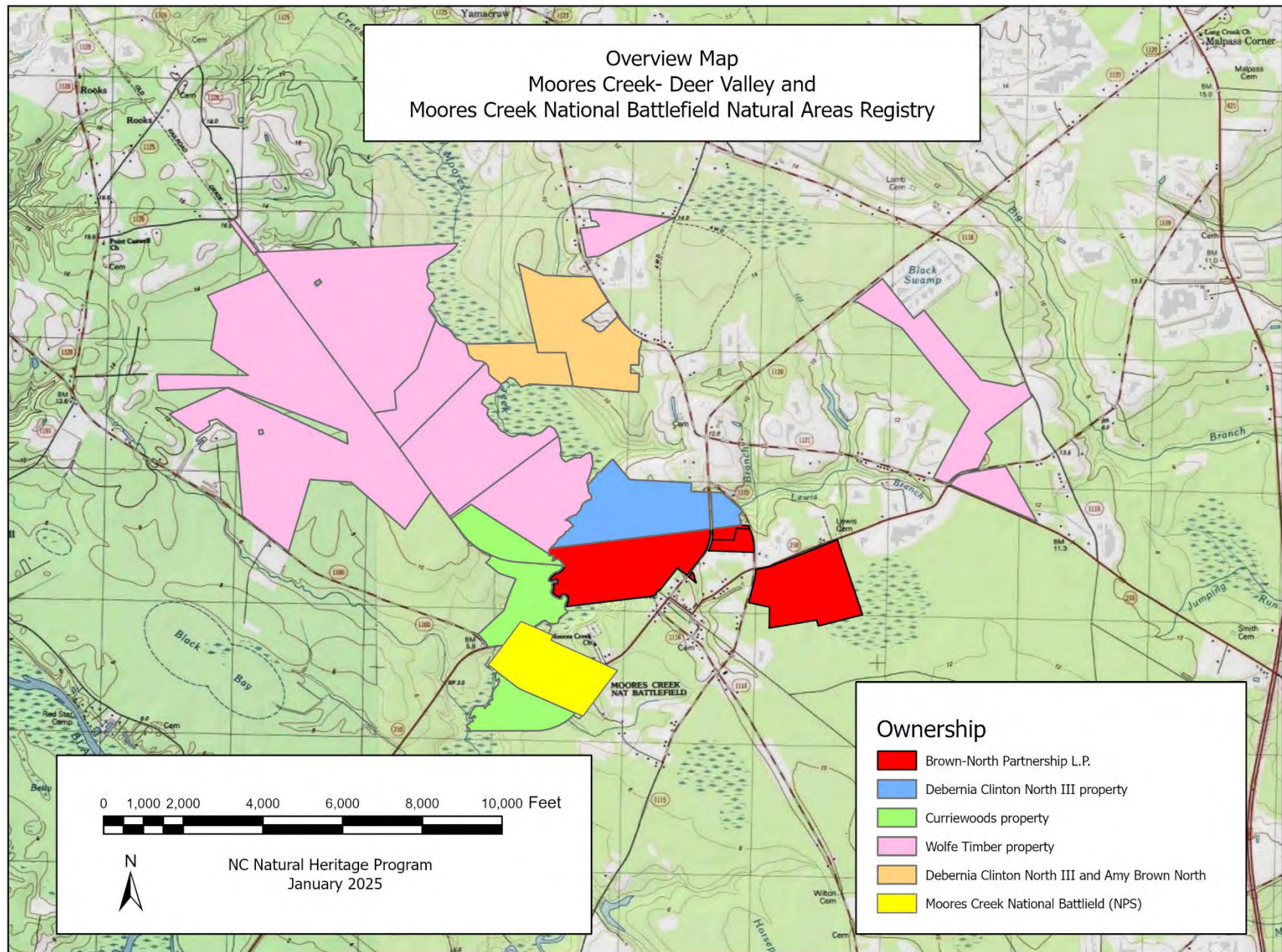
By _____
D. Clinton North III
PO Box 18
27926 Hwy 210
Currie, NC 28435

By _____
Pamela B. Cashwell, Secretary
NC Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-1601

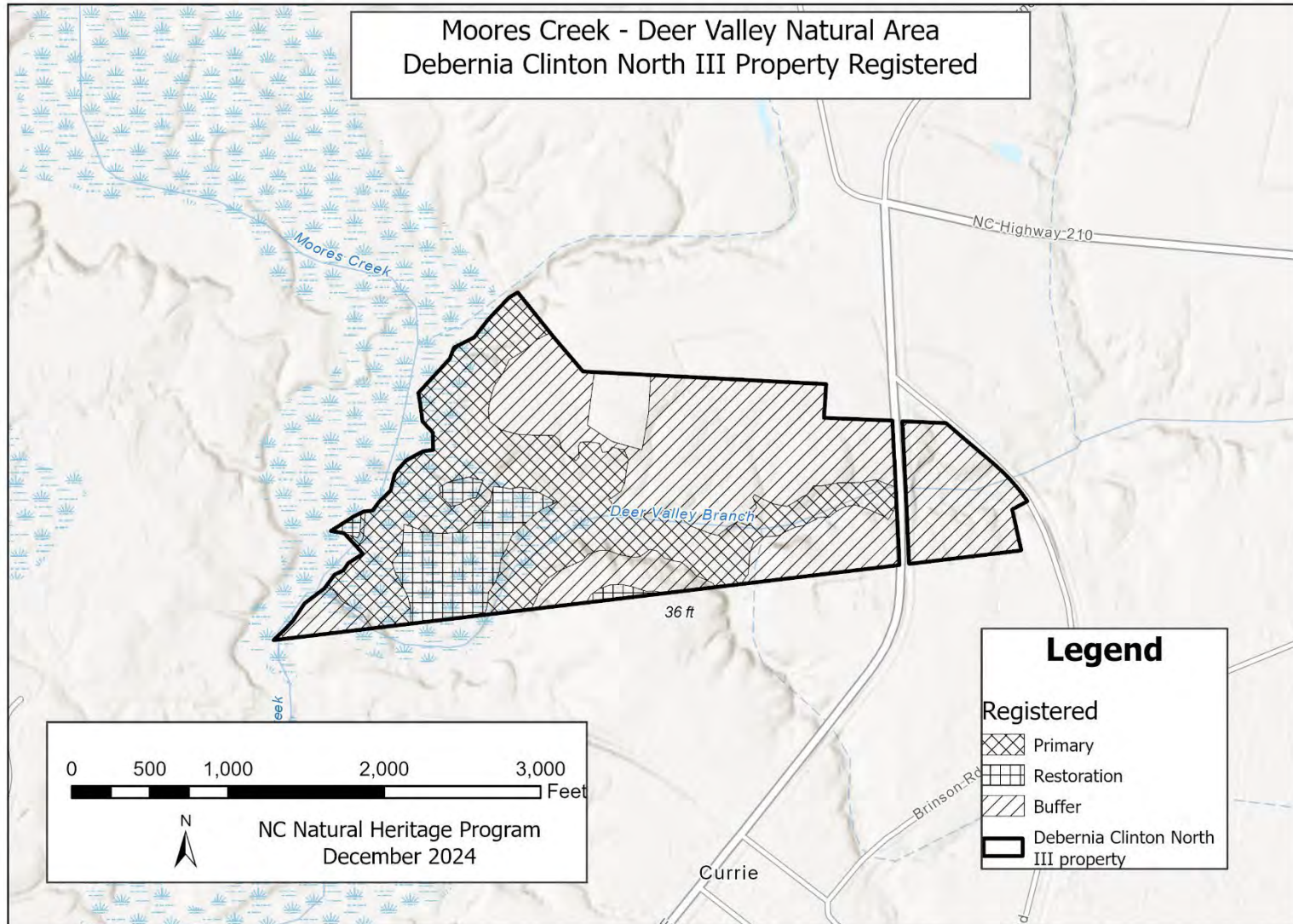
Date: _____

Date: _____

Overview Map
Moore's Creek- Deer Valley and
Moore's Creek National Battlefield Natural Areas Registry



Moores Creek - Deer Valley Natural Area
Debernia Clinton North III Property Registered



NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, a portion of the natural area known as Moore's Creek-Deer Valley, consisting of approximately 1,036 acres (56 acres primary, 980 acres restoration area), is owned by Wolfe Timber LLC. [Exhibit A]

WHEREAS, this area possesses the following natural values, justifying its recognition by the State as an outstanding part of the natural heritage of North Carolina:

The Primary Area includes the floodplain of Moore's Creek and broad flat to gently sloping upland terraces. Mature forests and relatively unaltered natural communities, primarily Cypress—Gum Swamp (Blackwater Subtype) are present on the floodplain.

The extensive upland areas are largely heavily altered former fields and pine plantations, but which once supported longleaf pine communities: Wet Sandy Pine Savanna, Wet Pine Flatwoods, and Xeric Sandhill Scrub. Though no intact natural communities remain, some areas still contain wiregrass (*Aristida stricta*) and other herbaceous plants typical of these communities, and some have naturally regenerated longleaf pine (*Pinus palustris*). Additional large areas have been planted in longleaf pine and are planned for other ecological restoration activities. These areas are registered as restoration areas. The owner has already begun prescribed burning, treatment of invading hardwoods, and removal of loblolly pine -- activities which are beginning to improve the condition of some of these areas. Areas of floodplain that were recently cut are also registered as restoration areas, where active or passive restoration of the forests will benefit the function of the floodplain and help protect Moore's Creek.

This registered area is part of a complex of registered natural areas owned by the North family (see the Overview Map). The overall complex totals 1,482 acres, including 180 acres primary, 1,075 acres of restoration area, and 226 acres buffer.

AGREEMENT

The Registry Agreement is a mutual understanding between Wolfe Timber LLC and the North Carolina Department of Natural and Cultural Resources to protect outstanding examples of the natural diversity occurring in North Carolina and preserve unique and unusual natural features. In addition to an approach by landowners and managers that follows these principles and strives to maintain natural character and integrity, the North Carolina Natural Heritage Program submits the following site-specific management recommendations:

The Primary Areas of the Registered Area should be managed for protection of intact natural communities, wildlife habitat, and natural conditions. The intact

floodplain forest communities should generally be allowed to mature and to remain as old-growth with uneven-aged tree canopies.

Restoration areas should continue to be managed to promote the recovery of more natural longleaf pine or floodplain communities. Prescribed burning is the most important management activity for both restoration and maintenance of longleaf pine communities. In the long run, a fire frequency of 2-3 years is recommended, but more frequent burning may be appropriate during initial restoration work. In addition to burning, control of invading or sprouting hardwoods by cutting and possibly targeted herbicide application will be beneficial in some areas. Where loblolly pine remains in the canopy, harvesting of it may be appropriate. However, removal should be planned in light of the need for pine needles to make burning effective in areas with little grass cover. It may be better to retain an open canopy of loblolly pine until grasses have become abundant. Underplanting of longleaf pine, or planting of it in canopy gaps may be a way to change the canopy without hampering burning.

In the floodplain restoration areas, no action may be needed beyond allowing natural regeneration to occur. However, if trees other than the characteristic swamp black gum or cypress become dominant, selective release of any saplings of the desired tree species may be appropriate. These areas should also be monitored for invasion by non-native plant species, and control of them attempted if necessary.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Moore's Creek-Deer Valley natural area owned by Wolfe Timber LLC be entered on the official North Carolina Registry of Natural Heritage Areas on the ____ day of _____.

It is understood that this agreement involves no change of title or loss of ownership rights, but simply expresses the sincere intentions of the landowner to refrain from making or permitting changes that alter the natural values for which this area was registered within the boundaries outlined on the attached maps and/or survey descriptions.

It is further understood that neither the Department nor Wolfe Timber LLC offers any assurances as to the conditions on the tracts involved or for the safety of persons thereon. Neither party shall incur any liability for any injury to persons or property on the land as a result of this agreement.

These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days notice.

By _____

D. Clinton North III, Managing Member
Wolfe Timber LLC
PO Box 18
27926 Hwy 210
Currie, NC 28435

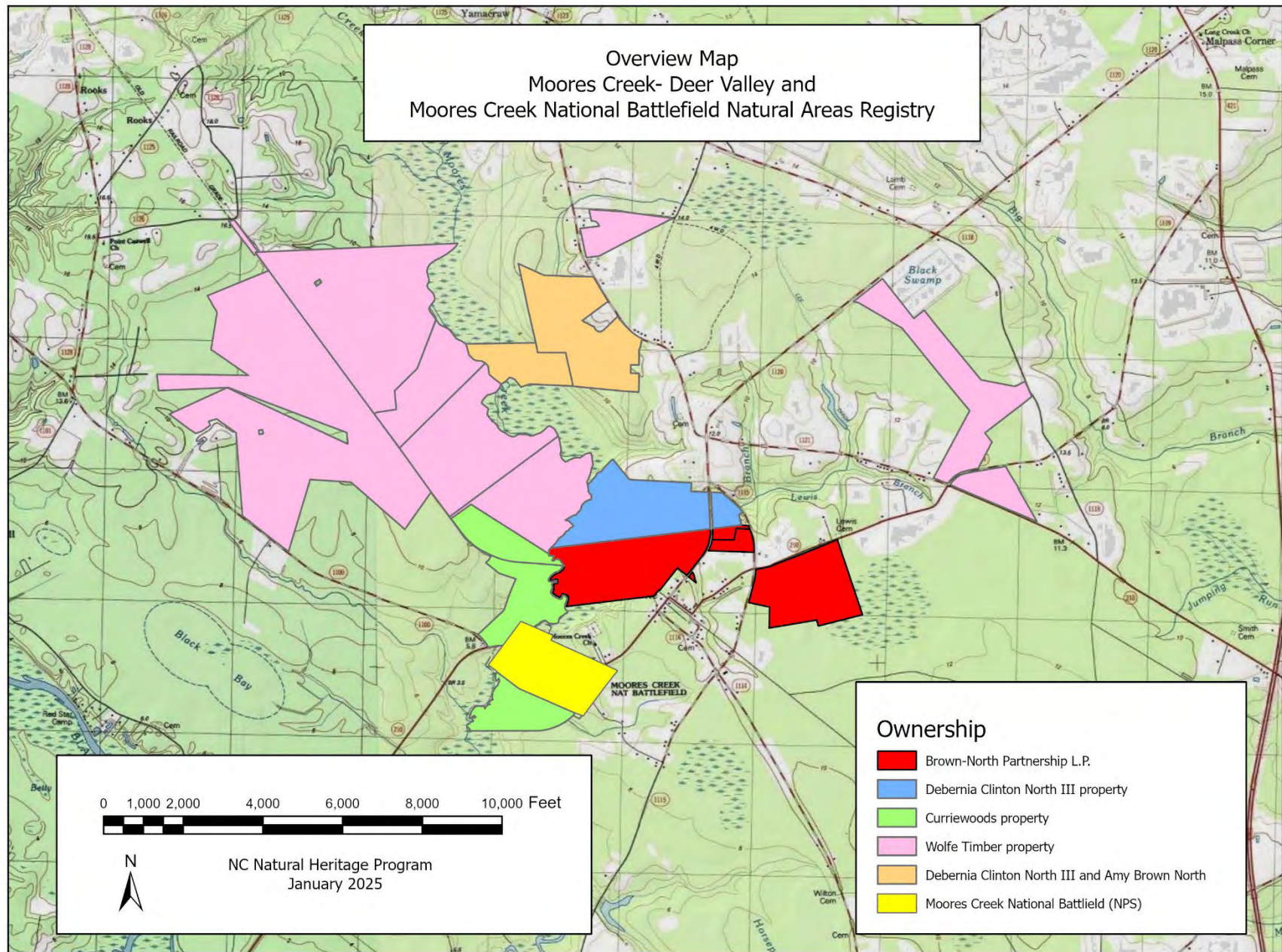
By _____

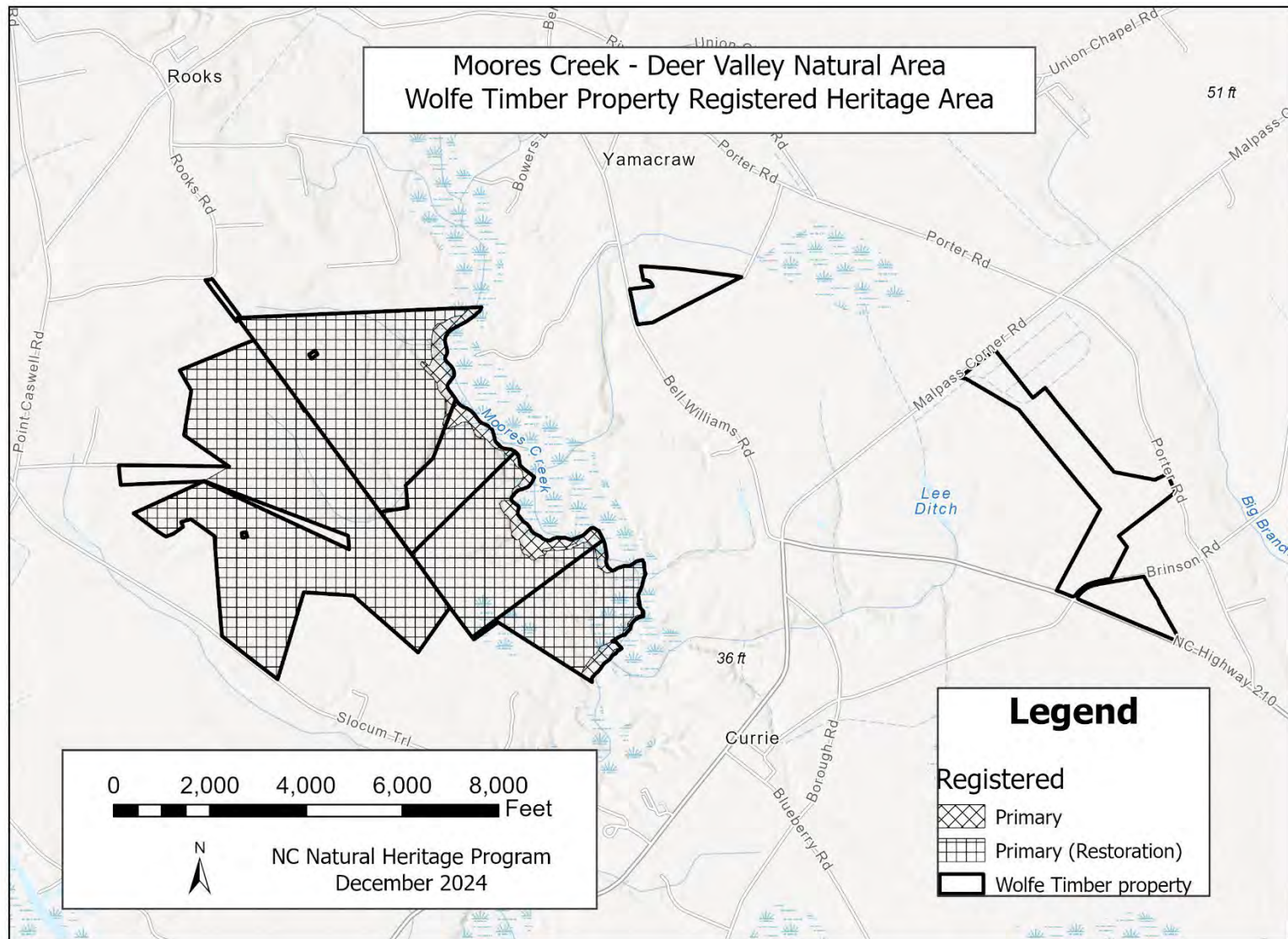
Pamela B. Cashwell, Secretary
NC Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, North Carolina 27699-1601

Date: _____

Date: _____

Overview Map
Moore's Creek- Deer Valley and
Moore's Creek National Battlefield Natural Areas Registry





NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, a portion of the land owned by Camp Merrie-Woode in Jackson County consisting of approximately 286 acres retains its natural character and supports rare plants and high-quality natural communities [Exhibit A]

WHEREAS, this area possesses the following natural values, justifying its recognition by the State as an outstanding part of the natural heritage of North Carolina:

High Elevation Granitic Dome in excellent condition occurs on the west face of Bald Rock and supports a population of the Significantly Rare Granite Dome Goldenrod (*Solidago simulans*). Watch-list Biltmore Sedge (*Carex biltmoreana*) is also known from the Granitic Dome, and it is likely other rare plants will be found there with future surveys. High-quality Montane Oak-Hickory Forest (Acidic Subtype) is present on and around the ridge of Bald Mountain, and younger Chestnut Oak Forest (Dry Heath Subtype) occurs in the vicinity. Additional high-quality natural communities are likely present and may be delineated during future surveys. In a 1992 report, L.L. Gaddy reports Hemlock Forest, Chestnut Oak Forest, Pine-Oak Heath, High Elevation White Oak and Montane Oak-Hickory as occurring on Bald Rock Mountain. Fraser's Loosestrife (*Lysimachia fraseri*) is known from an old roadbed above Fairfield Lake but has not been seen for some time.

AGREEMENT

The Registry Agreement is a mutual understanding between Camp Merrie-Woode and the North Carolina Department of Natural and Cultural Resources to protect outstanding examples of the natural diversity occurring in North Carolina and preserve unique and unusual natural features. In addition to an approach by landowners and managers that follows these principles and strives to maintain natural character and integrity, the North Carolina Natural Heritage Program submits the following site-specific management recommendations:

The implementation of periodic low intensity prescribed fire would be beneficial for the Oak Forest communities present in the Registered area (as well as Pine-Oak Heath, if present). Hiking trails should be carefully placed to avoid impact to rare species and natural communities, especially on the Granitic Dome. Climbing activities should be done in a manner to minimize impact to vegetation on the dome. Care should be taken to protect the quality of the streams and inflow to Fairfield Lake. While no invasive species were detected during the site visit, they should be monitored for and controlled if found. If significant Carolina or Canada Hemlock (*Tsuga canadensis* or *T. carolinana*) communities are present, they may require treatment for Hemlock Woolly Adelgid to persist.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Camp Merrie-Woode be entered on the official North Carolina Registry of Natural Heritage Areas on the ____ day of _____, 2025.

It is understood that this agreement involves no change of title or loss of ownership rights, but simply expresses the sincere intentions of the landowner to refrain from making or permitting changes that alter the natural values for which this area was registered within the boundaries outlined on the attached maps and/or survey descriptions.

It is further understood that neither the Department nor Camp Merrie Woode offers any assurances as to the conditions on the tracts involved or for the safety of persons thereon. Neither party shall incur any liability for any injury to persons or property on the land as a result of this agreement.

These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days notice.

By _____
Signatory
Camp Merrie-Woode
Frost Walker
100 Merrie Wood Rd.
Sapphire, NC 28774

By _____
Pamela B. Cashwell, Secretary
NC Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, NC 27699-4601

Date: _____

Date: _____

NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, a portion of the land owned by Camp Merrie-Woode in Jackson County consisting of approximately 286 acres retains its natural character and supports rare plants and high-quality natural communities [Exhibit A]

WHEREAS, this area possesses the following natural values, justifying its recognition by the State as an outstanding part of the natural heritage of North Carolina:

High Elevation Granitic Dome in excellent condition occurs on the west face of Bald Rock and supports a population of the Significantly Rare Granite Dome Goldenrod (*Solidago simulans*). Watch-list Biltmore Sedge (*Carex biltmoreana*) is also known from the Granitic Dome, and it is likely other rare plants will be found there with future surveys. High-quality Montane Oak-Hickory Forest (Acidic Subtype) is present on and around the ridge of Bald Mountain, and younger Chestnut Oak Forest (Dry Heath Subtype) occurs in the vicinity. Additional high-quality natural communities are likely present and may be delineated during future surveys. In a 1992 report, L.L. Gaddy reports Hemlock Forest, Chestnut Oak Forest, Pine-Oak Heath, High Elevation White Oak and Montane Oak-Hickory as occurring on Bald Rock Mountain. Fraser's Loosestrife (*Lysimachia fraseri*) is known from an old roadbed above Fairfield Lake but has not been seen for some time.

AGREEMENT

The Registry Agreement is a mutual understanding between Camp Merrie-Woode and the North Carolina Department of Natural and Cultural Resources to protect outstanding examples of the natural diversity occurring in North Carolina and preserve unique and unusual natural features. In addition to an approach by landowners and managers that follows these principles and strives to maintain natural character and integrity, the North Carolina Natural Heritage Program submits the following site-specific management recommendations:

The implementation of periodic low intensity prescribed fire would be beneficial for the Oak Forest communities present in the Registered area (as well as Pine-Oak Heath, if present). Hiking trails should be carefully placed to avoid impact to rare species and natural communities, especially on the Granitic Dome. Climbing activities should be done in a manner to minimize impact to vegetation on the dome. Care should be taken to protect the quality of the streams and inflow to Fairfield Lake. While no invasive species were detected during the site visit, they should be monitored for and controlled if found. If significant Carolina or Canada Hemlock (*Tsuga canadensis* or *T. carolinana*) communities are present, they may require treatment for Hemlock Woolly Adelgid to persist.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Camp Merrie-Woode be entered on the official North Carolina Registry of Natural Heritage Areas on the ____ day of _____, 2025.

It is understood that this agreement involves no change of title or loss of ownership rights, but simply expresses the sincere intentions of the landowner to refrain from making or permitting changes that alter the natural values for which this area was registered within the boundaries outlined on the attached maps and/or survey descriptions.

It is further understood that neither the Department nor Camp Merrie Woode offers any assurances as to the conditions on the tracts involved or for the safety of persons thereon. Neither party shall incur any liability for any injury to persons or property on the land as a result of this agreement.

These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days notice.

By _____
Signatory
Camp Merrie-Woode
Frost Walker
100 Merrie Wood Rd.
Sapphire, NC 28774

By _____
Pamela B. Cashwell, Secretary
NC Department of Natural and Cultural Resources
4601 Mail Service Center
Raleigh, NC 27699-4601

Date: _____

Date: _____

12 Periodic Review and Expiration of Existing Rules

In the 2013 legislative session, the General Assembly enacted [Session Law 2013-413](#), establishing G.S. § 150B-21.3A, “Periodic Review and Expiration of Existing Rules.” This statute requires the Rules Review Commission (“Commission”) to establish a process and schedule for covered agencies to review all of their active rules codified in the NC Administrative Code (“the Code”) every 10 years, determining whether each rule is necessary or unnecessary.

Agencies must post a report issued by the Commission on the agency’s website to invite public comments for at least 60 days on the determinations. Natural Heritage Program rule classifications as “necessary” or “unnecessary” are up for public comment January 13 – March 15, 2025. The agency is then required to respond to public comments by addressing the merits of each comment. After the comment period is over and the agency has had an opportunity to make its final determination, the agency sends the Commission a report of the determinations as well as public comments received and the agency’s responses.

Based upon review of public comments, the Commission determines whether it agrees with the agency’s report classifying each rule as necessary or unnecessary. The Commission must also determine if the comment addresses the substance of the rule. If the RRC disagrees with the agency’s determination, the Commission may move the classification of the rule to necessary. The Commission does not have authority to declare that a rule is “unnecessary” if the agency has not classified it as “unnecessary.”

The Commission will then send a report to the Joint Legislative Administrative Procedure Oversight Committee (“APO”) at the General Assembly. The Commission’s determination will become final following consultation with the APO or on the 61st day after the report’s submission. The APO may disagree with the Commission determination and recommend that the agency review the rule the following year.

Classification of the Natural Heritage Program rules and certain other Department of Natural and Cultural Resources rules are available now for public comment. The public may provide comments for the classification of each rule, which will be sent electronically to the administrator responsible for collecting the comments for each subchapter. A public comment is defined as a written comment objecting to the rule or objecting to an agency’s determination of the rule as either necessary or unnecessary.

The public may submit written comments regarding rule classification at: <https://www.dncr.nc.gov/about-us/periodic-review-classifications>. Natural Heritage Program rules are found at: 07 NCAC 13H. A copy of the classifications is attached for reference.

If you have questions regarding the classification process or if you want to be notified of updates regarding changes to the classification of rules, contact Jonathan Avery (DNCR’s Assistant General Counsel and Rulemaking Coordinator) by email at jonathan.avery@dncr.nc.gov or at (919) 814-6771. *Comments are due no later than Friday, March 14, 2025.*

G.S. 150B-21.3A Report for 07 NCAC 13H, PARKS AND RECREATION AREA RULES												
Agency - Department of Natural and Cultural Resources												
Comment Period -												
Date Submitted to APO - Filled in by RRC staff												
Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
SUBCHAPTER 13H - NATURAL HERITAGE PROGRAM	SECTION .0100 - GENERAL PROVISIONS	07 NCAC 13H .0103	DEFINITIONS AS USED IN THIS SUBCHAPTER	Transferred from 15A NCAC 12H .0103 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Select One	Select One
		07 NCAC 13H .0105	NATURAL HERITAGE ADVISORY COMMITTEE	Transferred from 15A NCAC 12H .0105 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0200 – REGISTRY OF NATURAL HERITAGE AREAS	07 NCAC 13H .0202	CRITERIA FOR ELIGIBILITY	Transferred from 15A NCAC 12H .0202 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0203	REGISTRATION PROCESS	Transferred from 15A NCAC 12H .0203 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0205	RESCISSION	Transferred from 15A NCAC 12H .0205 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0206	PUBLIC ACCESS	Transferred from 15A NCAC 12H .0206 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0300 – DEDICATION OF NATURE PRESERVES	07 NCAC 13H .0301	OBJECTIVES OF DEDICATION	Transferred from 15A NCAC 12H .0301 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0302	DEDICATION PROCESS	Transferred from 15A NCAC 12H .0302 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0303	ARTICLES OF DEDICATION	Transferred from 15A NCAC 12H .0303 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0304	BUFFER AREAS	Transferred from 15A NCAC 12H .0304 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0305	PUBLIC TRUST	Transferred from 15A NCAC 12H .0305 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0306	AMENDMENTS	Transferred from 15A NCAC 12H .0306 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0307	EXTINGUISHMENT BY THE STATE	Transferred from 15A NCAC 12H .0307 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0308	MUTUAL TERMINATION	Transferred from 15A NCAC 12H .0308 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
	SECTION .0400 – MANAGEMENT; USE; AND PROTECTION OF DEDICATED NATURE PRESERVES	07 NCAC 13H .0401	MANAGEMENT PLAN	Transferred from 15A NCAC 12H .0401 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0402	MANAGEMENT PRINCIPLES	Transferred from 15A NCAC 12H .0402 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0403	MANAGEMENT RULES FOR PRESERVES	Transferred from 15A NCAC 12H .0403 Eff. April 1, 2017	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One
		07 NCAC 13H .0404	NATURAL HERITAGE PROGRAM FEES; INVENTORY DATA, ENVIRONMENTAL SERVICES, AND DATA	Eff. October 1, 2018	Necessary	No		Select One	Necessary	Select One	Necessary and must be readopted	Select One