



## Regular Meeting of the Natural Heritage Advisory Committee

### May 14, 2025 Agenda

**Remote participation:** Contact [natural.heritage@dncr.nc.gov](mailto:natural.heritage@dncr.nc.gov) for Teams meeting link.

**In-person meeting location:** Trinity Center, 618 Salter Path Road, Pine Knoll Shores, NC

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

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

**NHAC Members:** Jeff Marcus (chair), Alan Weakley, Jay Leutze, Kim Brown, Brian Byfield, Kevin Melvin.

Joining remotely (via Teams): Jocelyn Wilson, Lee Leidy, Susan Cameron

Absent:

**NHP Staff:** Misty Franklin, Scott Pohlman, Michael Schafale, Katherine Culatta

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

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

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

#### **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)**

**Management proposals or potential amendments to remove property**

03 New River State Park bridge replacement (Elk Shoals – HB-0054) update (informational only)

04 Chimney Rock State Park Amendment proposal (informational only)

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

06 Eno River Diabase Sill (NCPCH) and Penny's Bend Registered Heritage Area (USACE) - Snow Hill Road expansion proposal (NCDOT) (informational only)

**New Dedications and amendments to add property:**

07 Rattlesnake Creek Forests (NC Department of Adult Correction)

08 Holly Shelter Game Land (NC Wildlife Resources Commission)

09 Yadkin River Game Land (NC Wildlife Resources Commission)

10 Three Top Mountain Game Land (NC Wildlife Resources Commission)

**New Registries**

11 Horseshoe Lake (Suggs Mill Pond) and Marshy Bay (Private landowner)

12 Camp Merrie Woode (Private landowner) – update

**Other Topics**

13 Proposed inclusion of language for dedication templates that terms of dedication apply to successors after transfer of fee simple property

**Next Meeting Date:** August 21 (virtual) 10:00 – 12:00

**2:00 Adjourn**



## **February 6, 2025 Natural Heritage Advisory Committee Meeting Minutes**

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

Documents discussed during the meeting were accessible online at:

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

### **NHAC Members:**

**Online:** Jeff Marcus (chair), Alan Weakley, Sue Cameron, Jocelyn Wilson, Jay Leutze, Brian Byfield, Kim Brown, Kevin Melvin.

**Absent:** Lee Leidy.

### **NHP Staff:**

**In-person:** Misty Franklin, Scott Pohlman, Michael Schafale, Laurie Hamon (recording minutes).

### **DNCR Staff:**

**In-person:** Division of Land and Water Stewardship Director Will Summer

**Online:** Deputy Secretary Jeff Michael, General Counsel Zoe Hansen Burnet, Stewardship Program Manager Justin Mercer, Environmental Policy Fellow Anne-Elisabeth Baker.

**GUESTS:** Insider Reporter Matthew Sasser.

### **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 will recuse himself from discussion of Eastwood Preserve designation. Jay Leutze will serve as acting chair for discussion of this property. No additional discussion.

### **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

- NC Land and Water Fund Executive Director and Division Director Will Summer – Program updates.
  - Jeff Michael and Maggie Thompson will join towards the end of the meeting.
  - Since last meeting, NC has a new governor and a new secretary of the Division. Pamela Cashwell is the new Secretary. Jeff Michael continues to be the Deputy Secretary for the Natural Resource divisions.
  - Regarding federal funding - most everyone in Natural Heritage Program (NHP) is state-appropriated but the program does have a few projects on federal grants that we are tracking. For NC Land and Water Fund (NCLWF), there could be some projects that are affected by federal funding pauses or changes. Remains unclear to what degree NCLWF projects will be affected by future Executive Orders regarding federal funding, but Will remains optimistic that work will continue.
  - NCLWF grant cycle ends March 1<sup>st</sup>. Approximately \$34 million funding is anticipated.
  - Next meeting (May) is planned to be in-person. NCLWF Board and Natural Heritage Advisory Committee (NHAC) will meet May 12 and 14, respectively at Salter Path, with a joint field trip on May 13.
  - Will reiterates thanks to the committee and their dedication to conservation.
- NHP updates (Misty) – Special projects, ongoing priorities
  - Thanks to committee members for being present and dedicating their time, as well as to NHP staff for their work on proposals.
  - A Biennial report on NHP will be released in 2025, covering activities in CY 2023 and 2024. Some summary items from this report:
    - 13 NHP Biologists surveyed natural areas in 64 counties.
    - Added 7,000+ acres of registered and 18,000+ acres of dedicated nature preserves, bringing total to 564 agreements and over 1.2 million acres total.
    - 8,205 projects submitted to Natural Heritage Data Explorer. 77% of requests were consultants and 12% were from state agencies. NHP also provides GIS files to those that want to analyze that info themselves.
    - 34% of projects submitted were for development, 19% for transportation, 11% for conservation/restoration, and 9% for energy. Other reasons include waste, communications, recreation, disaster recovery, etc.
    - Fees are collected to support the website that hosts the data and support staff. Each year 2023 and 2024, collected approx. \$40,000 from annual descriptions. Biggest difference between the two years was fees collected for field surveys, with approx. \$19,000 in 2023 and over 3 that amount in 2024.
    - Demand for field surveys and GIS files has steadily increased over time.
    - Budget = ~\$1.1 million in appropriated budget, \$445,000 contracts, and \$183,000 in fees. Regarding federal contracts, NHP has 3 federal projects underway – one with US Forest Service ending in 2025, a survey of peatlands that currently supports two staff (Environmental Protection Agency (EPA) funded), and a working land coordinator supported by EPA.
    - 75% of budget goes to permanent staff salaries and benefits.
    - Major activities planned in 2025 include Natural Area Inventories of Natre Preserve Proposals, NCLWF Grant applications, Chatham County, Peatlands,



Green Swamp, and Hurricane Impacts. Continued maintenance of database of rare species, natural areas, and conservation areas. Responded to call for proposals from USFS to survey for impacts post-Hurricane Helene. Will continue to respond to information requests. Pollinator Biologist will assess imperilment of pollinators – bees and butterflies.

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

**02 Review Previous Meeting Minutes:** No edits or changes.

Regarding the approval of the agenda and the previous minutes - Alan Weakley moved to approve; Kim Brown seconded. No discussion. Approved unanimously via roll call vote, with Kevin Melvin and Lee Leidy absent for this vote.

### ***Dedicated Nature Preserves***

- Refresher (Mike Schafale): Dedication is an agreement attached to the land. It cannot be rescinded by the owner. Requires approval of Council of State and Governor. Articles of Dedication include specific management rules.
- Dedicated Nature Preserves have dedication zones, including Primary Area, Primary (Restoration) Area, Special Management Area, and Buffer Areas.
- State Dedicated Nature Preserves require letter of allocation from State Property Office. For other lands, the dedication is recorded with deed.

### **New Dedicated Nature Preserves and amendments to add property:**

#### **03 Reedy Creek Nature Preserve (Mecklenburg County) - Mike Schafale**

- Eastern edge of Mecklenburg County, east side of Charlotte.
- Fairly typical Piedmont terrain. Surrounded by suburban area.
- Younger forests on flatter lands away from stream largely designated as buffer. Special Management Area in southeast corner is on a telephone line and has a population of Georgia Aster.
- Voluntary dedication.
- Good mix of acidic and basic piedmont communities due to prevalence of mafic rock in the area, as well as acidic rock.
- Area in the northwest corner excluded from the dedication, and set aside for nature center. Trail system throughout.
- Element occurrences include Georgia Holly (*Ilex longipes*) and Dry-Mesic Basic Oak-Hickory Forest (7<sup>th</sup> best example in the state)
- Regarding the dedication of this property: Alan Weakley moved to recommend approval. Jay Leutze seconded. Jeff Marcus comments on how nice it is to see these voluntary dedications – no further discussion. Passed unanimously by roll call vote with Kevin Melvin and Lee Leidy absent for the vote.

#### **04 Eastwood Preserve (NCDA Plant Conservation Program) - Scott Pohlman**

- Jeff Marcus recused as chair for this discussion, Jay Leutze acted as chair.
- Property located in Moore County, northwest of Fort Liberty. This is an amendment to an existing DNP. Total DNP is 441 acres.
- Contains Streamhead Pocosin and fair quality longleaf pine forest.
- Drains designated as primary, as well as the intact longleaf pine forest. Remaining outlined as restoration. All (99 acres) is primary, including 38 acres of restoration.
- Element occurrences include Streamhead Pocosin and Xeric Sandhill Scrub (Typic Subtype). Additional areas of 100-foot riparian zones.
- Management may include careful removal of red maple and sweetgum in drains (Primary Area) to allow fire to penetrate and restore conditions for Sandhills lily, Pine Barrens treefrog.
- Regarding addition of this amendment; Sue Cameron moved to recommend approval, Alan Weakley seconded. No further discussion. Passed unanimously by roll call vote with Kevin Melvin and Lee Leidy absent for the vote.

#### 05 NC Zoo (Ridges Mountain) – Mike Schafale

- Jeff Marcus returned as chair for remaining discussion. Remaining properties will be approved as a batch by committee members pending any additional notes.
- Property is west of Asheboro. This is an amendment to existing Dedication to add newly acquired property that expands the Ridges Mountain segment of the NC Zoo dedication. Tract purchased with NCLWF funds. Fairly typical piedmont terrain, with pine in lower flatter lands, and mature hardwood forests on slopes. The mature hardwood forests designated as primary, with other areas as restoration.
- Also making change from existing dedication – adding as Buffer Area a previously excluded area. The area was previously excluded because the Zoo might want to conduct timber harvest of pine stand. Buffer Area designation would still allow for removal of pines and restoration to hardwood forest.
- Adds 170 acres to DNP.
- The newly added tract is a popular site for a boulder climbing group, which is an interesting management challenge – allowing access while protecting elements.
- Element occurrences include Crested Coralroot (*Hexalectris spicata*) and Dry Basic Oak-Hickory Forest.
- Jocelyn - Why wouldn't the access road be part of dedication? Mike – access usually is embedded or grandfathered into the dedication. This access tract is very narrow does not qualify based on natural community quality. The Zoo owns the land, but it will not be included in the Dedicated Nature Preserve.
- Kim Brown moved to recommend approval, Jay Leutze seconded. No further discussion. Passed unanimously by roll call vote with Kevin Melvin and Lee Leidy absent for the vote.

#### ***Management proposals***

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

- Kevin Melvin joined the meeting at this presentation and remained present through the end.
- Proposal to replace a bridge damaged by Hurricane Helene. This portion of the road is DOT-maintained and is paved.
- This would establish a modified permanent right of way, as well as temporary construction easement.
- Potentially affected resources in this area include aquatic elements such as Eastern Hellbender, Appalachia Darter, Kanawha Minnow, Spike.
- The replacement includes temporary impacts from both demolition and construction, but this is confined as much as possible to a short distance of the riverbank and instream habitat.
- NHP staff concur that the removal is necessary for public safety, and the design of the replacement bridge is ecologically an improvement over previous design.
- Design of new bridge designed to minimize impacts to the aquatic resources and nature preserve.
- Some elements of design (pier length) are for FEMA compliance. Pier number will decrease from 4 to 2.
- Plan to coordinate bridge demolition timing to have minimal impacts on aquatic animals in terms of life history phenology.
- Jay - Will original right-of-way be abandoned? Is there a way to design this bridge crossing in a way that will benefit bats?
- Scott – regarding Jay’s first question, unclear.
- Jeff to Jay – is this something that we should present as conditional?
- Jay – No, frame as suggestion. Ask also to consider that all crossings and infrastructure repairs in nature preserves be as wildlife friendly as possible.
- Jeff – they have met minimum criteria.
- Kim – what does bat habitat on bridge entail/look like?
- Sue – bats sometimes use bridges for roosting, given decline in habitat across the landscape.
- Alan – suggests that new higher bridge may be better bat habitat than the old lower, bridge. Why is new bridge considered by NHP staff to have less impact?
- Scott – reduction in number of piers, since piers have significant impact on aquatic habitat. No in-stream supports is ideal for aquatic resources, but two (in proposed bridge) is better than four (in old bridge).
- Will – if anyone wants to see this in person, there’s boat access upriver on US 163.
- Kim – Would love for DOT divisions to build their crossings that are as friendly to wildlife as possible.

- Jeff Marcus – proposal to de-dedicate the new area needed for permanent right-of-way and drainage easement and allow temporary construction easements and encourage but not require ceding the old bridge right of way to DPR, and encourage improving the bridge design for wildlife crossing and bat habitat.
- Jay Leutze moved to recommend approval with recommendations as proposed by Jeff, Alan seconded. No further discussion. Passed unanimously by roll call vote including Kevin Melvin. Lee Leidy was absent for the vote.

#### 08 City of Salisbury water dispensation Yadkin River Game Land – Scott Pohlman

- Jeff Marcus welcomed Jeff Michael who joined.
- Scott presented the project as an informational item only, as it is not fully approved by the managing agency or ready for a vote.
- Site of interest is in parcel of Yadkin River Game Land, west side of Yadkin River near the confluence with South Yadkin.
- Part of large set of properties related to Alcoa. Acquired in part with NCLWF grants. NHP proposal for DNP in Jan 2024, but unfortunately the full extent of the WRC land holdings was not known during inventory, so it was not considered as part of proposal at the time.
- There's an existing intake structure dating from 1917 that has flooded for 5 days at a time, and is further subject to flooding. Proposal includes new water intake structure down river (south) of the former structure, including a construction access road. City of Salisbury is requesting 10 acres.
- Alan - seems counterintuitive to have the construction access planned going through current location (a floodplain). Also is it necessary to have the temporary access road in addition to the likely permanent access point? This would double the impact
- Mike - to be clear - impact in both instances – construction road and permanent road - will not be temporary. Ecological recovery from a temporary construction road will take many decades.
- Will - Purpose of discussion is to hear concerns from the NHAC.
- Scott - this proposal is still being developed, so the discussion is to hear the Committee concerns and allow staff time to research the issues. NHP Field Biologist Nathan Shephard did a biological survey of this property. This area does have good quality natural habitat on it, including Piedmont Levee Forest and Floodplain Pool habitats extensive enough for element occurrences. Mesic Mixed Hardwood did not meet the minimum size threshold for mappable EO, but still good quality.
- Potential land exchange with City of Salisbury, with Wildlife Resources Commission staff working with the City. WRC staff supportive, but exchange not confirmed.
- Alan - how extensive is the floodplain pool?
- Scott - Nathan did not map this habitat, but was excited about the possibility of mole salamander at this site. However, there were fish in the pool during the second survey.

- Jeff – given the property is not dedicated at this time, do we (the present parties) have a legal hook here, or leverage in this discussion?
- Will – because the NCLWF has funds in this and there’s the involvement of WRC, we are proceeding with normal process as though it were dedicated.
- Zoe – we are still in the process of dedication at this site, and part of the process for the discussions in this instance.
- Jeff – It is reasonable for us to consider accommodation, considering use of water by city. However, looks like there are substantial impacts. Looks like impacts go right through floodplain, for example. Are there alternatives that would minimize impacts? If it was dedicated, is there a net benefit for conservation from this project, assuming exchange?
- Justin Mercer – WRC is not interested in carving off 10 acres and holding on to 5 acres of disjunct land. WRC did identify approx. 19 acres land owned by the city across from this property. Justin’s understanding is that they’re currently negotiating this as part of a potential swap. Potentially similar values on this land. Sounds promising so far.
- Sue – more information for the May meeting on this before vote.
- No action items at this point. Will - access to drinking water part of the mission of the Division, and he believes a reasonable solution can be found.

### ***New Registries***

#### **09 Stony Creek Mountain RHA – Scott Pohlman**

- Identified as part of mafic inventory in the 1990s. Located in northern Alamance county. Generally not much conservation land in this part of the world.
- Hardwood, oak-hickory forest. Part of the forest in southern area is younger. Proposing registry agreement for the upslope, most mature Dry Basic Oak-Hickory Forest. Part of Stony Creek Mountain natural area (R4C5).

#### **10 Moores Creek North Property RHA - Mike Schafale**

- Owned by private individual in Pender County. Good “neighborhood” conservation-wise, includes lands along the Black River.
- A somewhat complicated agreement – there are five different legal entities that own this land (albeit working with one managing member), so it’s being conducted as five different agreements.
  - 1. Brown-North Partnership. 216 acres.
  - 2. Curriewoods – Moore Creek. 147 acres. Primary includes stream swamp along the creek.
  - 3. Debern timer Clinton North III and Amy Brown North Moores Creek RHA. Includes some dense loblolly areas (buffer) with primary areas in the swamps.
    - Jeff- is there a reason why there’s not a buffer on the creek running through the property?

- Mike – it's possible we didn't know at the time, we could possibly go back and add.
  - 4. Debernina Clinton North III Property Moores Creek – includes old millpond where dam was breached and beaver activity reflooded it. Includes upland hardwoods.
  - 5. Wolfe Timber property – almost entirely restoration, though Venus flytrap present.
- Thinking about these sites as a package because dealing with one individual who is the managing member for the partnerships on all tracts. 1,988 acres, including 1,634 acres primary (1,391 restoration) and 354 acres buffer. Element occurrences include Coastal Plain Semipermanent Impoundment, Venus flytrap.
- Alan – these registries are a great way to encourage landowners to engage in restoration of their land. Given the size and breadth of these parcels, what is the expectation of the owner in terms of the amount of consultation and support they might receive from NHP?
- Mike – There's a good chance this will move on to a more permanent conservation status, with the registration as a possible gateway. As far as whether there might be too much demand, that doesn't seem to be the case yet.

#### 11 Camp Merrie Woode RHA – Scott Pohlman

- NCNHP learned about this opportunity from meeting with a land trust. Possible end goal is conservation easement, but not ready for that yet. While the owner is interested in registry, they have not officially approved the proposal yet. NHP has reason to believe it's going in that direction.
- Fairly close to US Forest Service Land. All of it would be primary, excluding developed portions in adjacent area. 286 acres, includes some rare natural communities (High Elevation Granitic Dome) and rare species such as Granite Dome Goldenrod (*Solidago simulans*) and Biltmore Sedge (*Carex biltmoreana*) with possibly more upon further survey.
- Jeff – given the pending confirmation, is this something the NHAC can vote on now?
- Scott – requests they vote on it as is, and if the landowner requests changes, the revised proposal will be brought to the Committee for consideration at a future meeting. They're keen to minimize impacts from campers and seem like a great partner.
- Jeff – For Stony Creek and Moores Creek, motion to accept registry agreements as proposed. Jocelyn seconded. No further discussion. Passed unanimously by roll call vote, with only Lee Leidy absent.
- Jeff – for Merrie Woode, motion to accept registry agreement as presented, pending any substantial changes that would prompt sending this back to the committee for reconsideration. Jay seconded. No further discussion. Passed unanimously by roll call vote.

#### **Other Topics**

### **Rules Review** Public Comment Period Jan 13 – March 14

- Misty – NHP is in a public comment period presently for rule review. All state agencies are required to review administrative rules every 10 years to determine if they're still necessary. NHP has determined that all its rules are still necessary.
- Alan – is there any perception that there's any controversy or concern here?
- Misty – NHP doesn't have any reason to believe that any of its rules will be determined unnecessary. If they are, it will trigger another rule review and public comment period. There may be a suggestion for wording, which will require another phase of public review.

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

- Misty – reservations have been made, and field trip planning still underway.

### **Jeff Michael updates**

- Transition underway, with former Secretary Reid Wilson moving on to DEQ and Pamela Cashwell stepping into role.
- New Chief Deputy Secretary, Maggie Thompson. Experience working with National Park Service and US Fish and Wildlife Service.
- Hurricane Helene recovery – all State Parks have reopened except for three, which are facing challenges with access and damage to trails/bridges.
- Expresses appreciation for NHP/NCLWF for Hurricane Helene response.

### **Adjournment**

Sue Cameron moved to adjourn, Alan Weakley seconded. Passed unanimously by Committee vote.

**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 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.*

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.

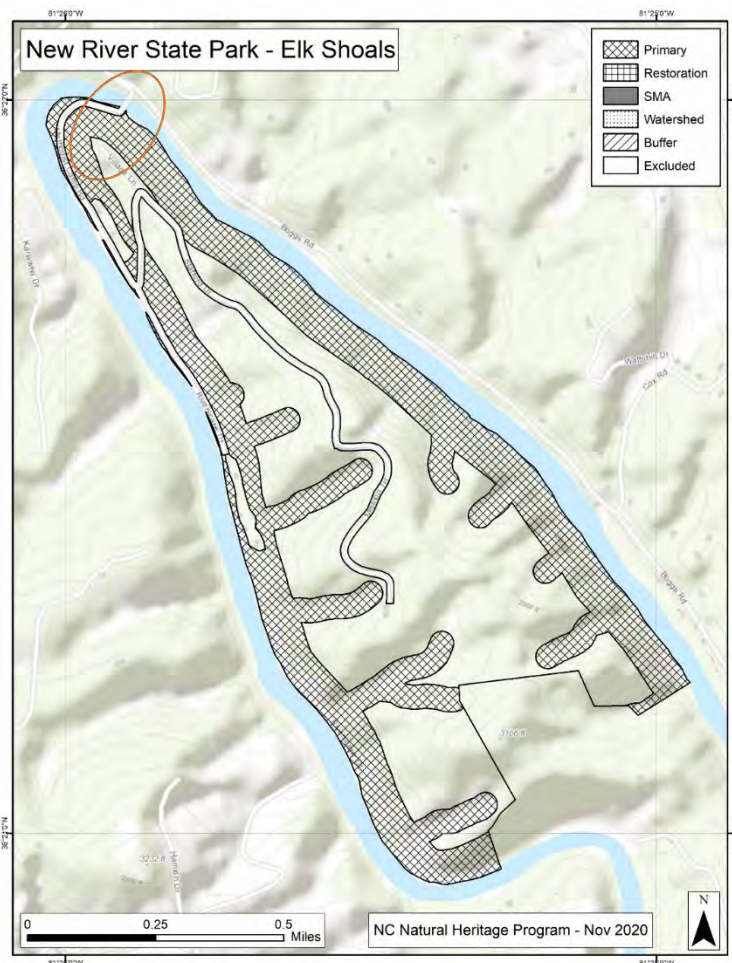
After review, NHP staff recommend amending the DNP to accommodate this action, based on the public interest served by replacing the failed bridge, and that the new use of the acres for permanent right-of-way and permanent drainage easement would not be consistent with public purposes served by the dedication. 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.

Impacts to the dedicated nature preserve:

- 0.043 acre permanent right of way
- 0.010 acre permanent drainage easement
- 0.060 acre of temporary construction easement

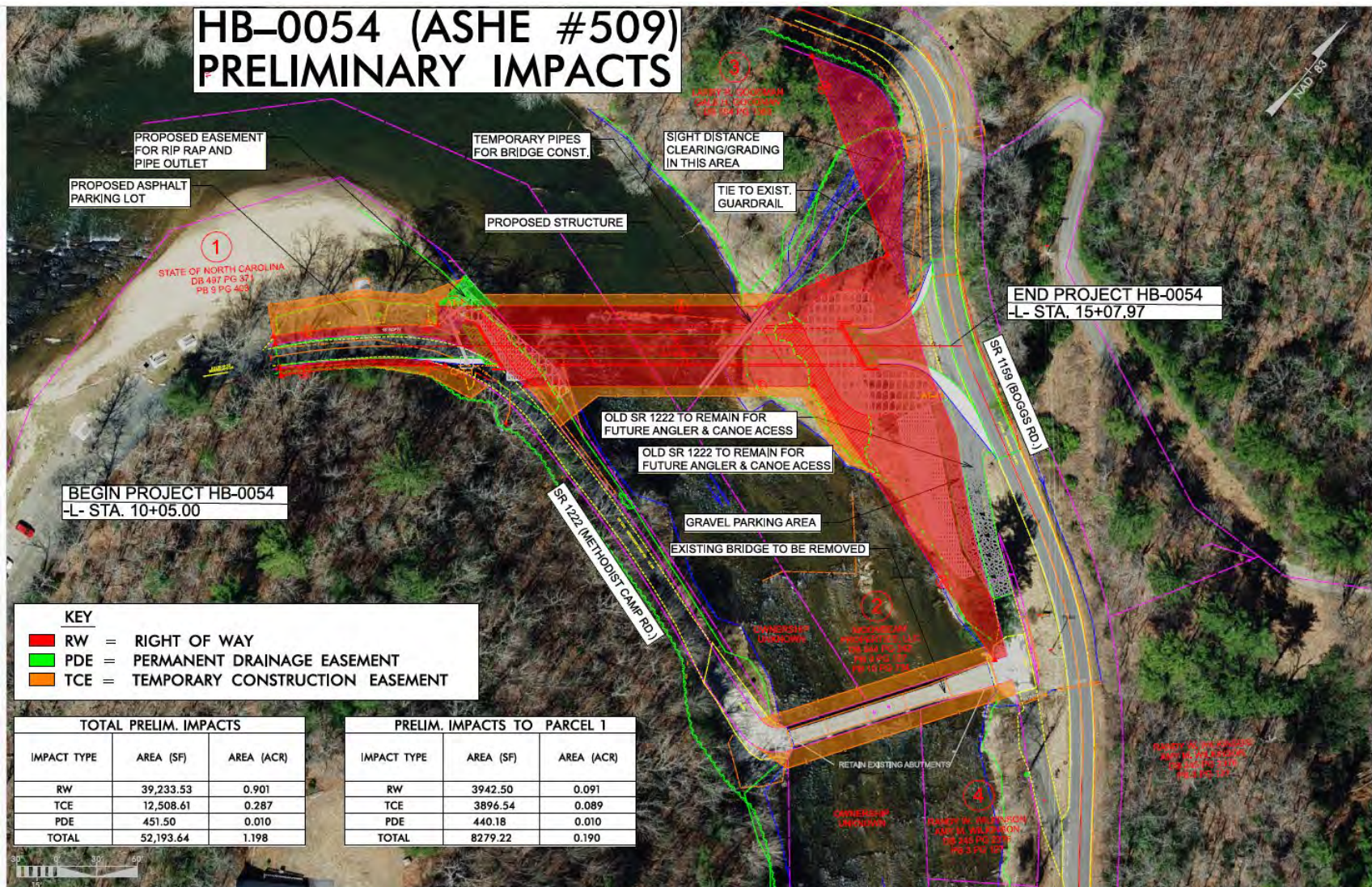
Only 0.053 acres permanent total area will be removed from the dedication. As noted at February meeting, in the (very few) previous dedication amendments for bridge replacements, the temporary construction easement areas have remained in the dedicated area post-amendment, with contour/topography and natural vegetation restored to the extent practicable. The recommendation from our Natural Heritage Advisory Committee was also that the DOT transfer the right-of-way area associated with the old bridge that will be abandoned to the NC Division of Parks and Recreation for management as part of the New River State Park, to the extent possible, and bat-friendly bridge design.

In addition to public hearing (scheduled for May 8) and public notice, review is still needed DNCR Secretary before the amendment can go to Council of State. NC Land and Water Fund staff will also review the proposal.









**Chimney Rock State Park Dedicated Nature Preserve  
AT&T Proposed Easement at World's Edge  
Rutherford, Henderson, and Polk Counties**

In 2012, qualifying portions of the World's Edge/Hickorynut Gorge property at New River State Park were dedicated under the Nature Preserves Act. The acquisition of the property was partially funded by the Natural Heritage Trust Fund (Grant # 200509503), and NC Land and Water Fund (NCLWF #2005B-005, 2006A-002). 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.

AT&T is requesting a permanent easement to install a redundant route for interoffice fiber between their Lake Lure Central Office and Edneyville Central Office. The proposed route runs through a portion of Chimney Rock State Park along Worlds Edge Road. DPR responded to the initial request that the proposal would be inconsistent with the intent of the dedicated nature preserve, as well as restrictions placed on the land based on acquisition funding sources: The proposed AT&T route crosses approximately 6,100 feet (approximately 2.8 acres) of National Park Service (NPS) Land and Water Conservation Fund (LWCF) boundary, and 2,200 feet (approximately 1.0 acres) of land acquired with funding from the NC Land and Water Fund, and thus would require approval of the funding sources, as well as amendment to the dedicated nature preserve. DPR has been asked to provide information to ATT about how the alignment could be made, given the level of protection on the property, including through a potential land exchange.

The proposed route is through a portion of the exceptionally significant Worlds Edge/Sugarloaf Mountain natural area (R1/C1). Elements known from the area of the proposed fiber alignment include:

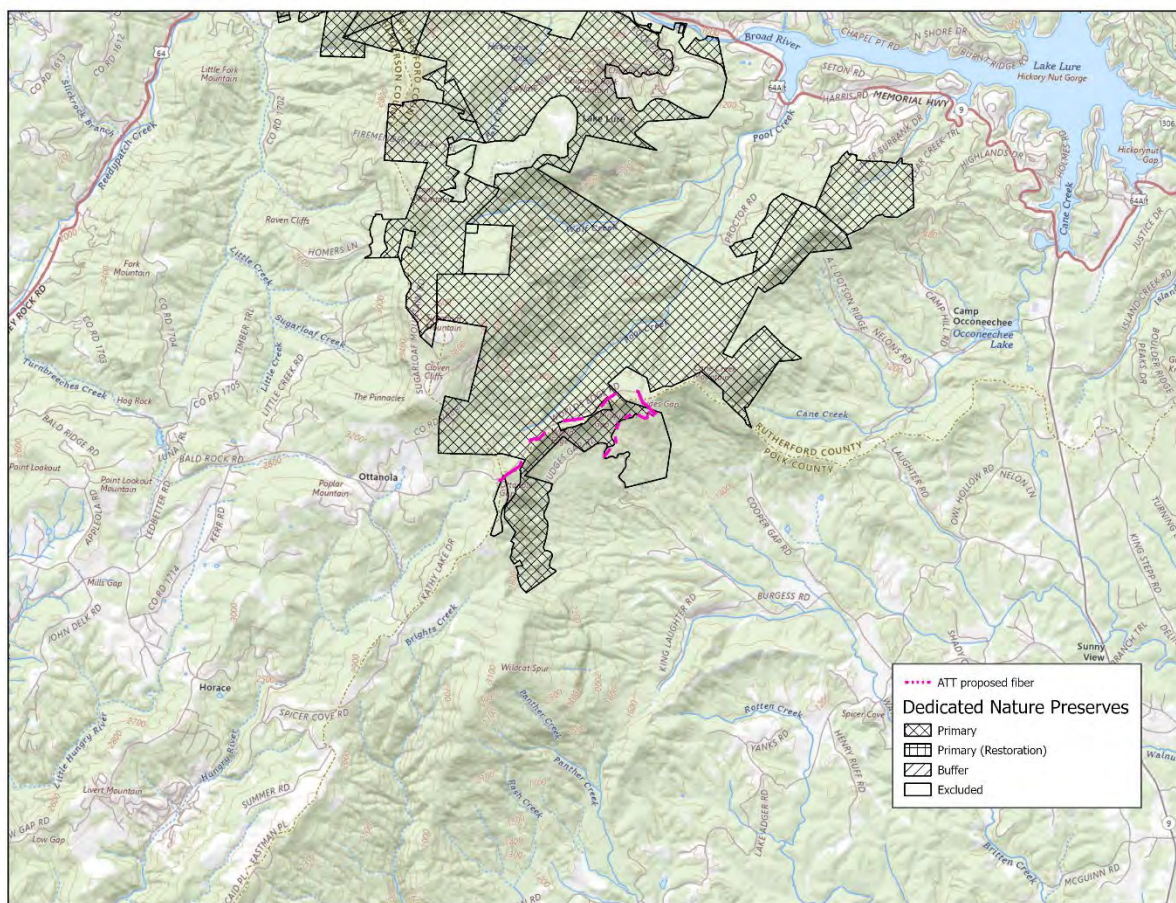
Scientific Name	Common Name	Rank	NC Status	US Status
Acidic Cove Forest (Typic Subtype)		S4G5		
Carolina Hemlock Forest (Pine Subtype)		S1G2		
Low Elevation Rocky Summit (Acidic Subtype)		S2G3		
Montane Oak--Hickory Forest (Acidic Subtype)		S4G4		
Pine--Oak/Heath (Typic Subtype)		S3G3		
<i>Monotropsis odorata</i>	Sweet Pinesap	S3G3	Significantly Rare	

**Table 1 Natural Heritage Element Occurrences within area of proposed project, ATT easement, pre-survey**



NHP biologist Jess Schaner will visit the area during the growing season to confirm information to be provided by AT&T's consultants and help document specific element occurrences within the alignment. This should help inform conservation benefit analysis of a potential exchange.

Initial thought from NCLWF is that because of the likely impacts to conservation values, this would be a Major Amendment request and will require NCLWF Board approval. One of the questions needs to be address is that the proposed route does not seem to minimize impacts to protected lands as it appears that there could be alternate routes to Judes Gap Rd. that would not require bisecting the Worlds Edge II - McCraw tract.



**Map 1 Proposed AT&T fiber easement at Chimney Rock State Park Dedicated Nature Preserve**

**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. 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.

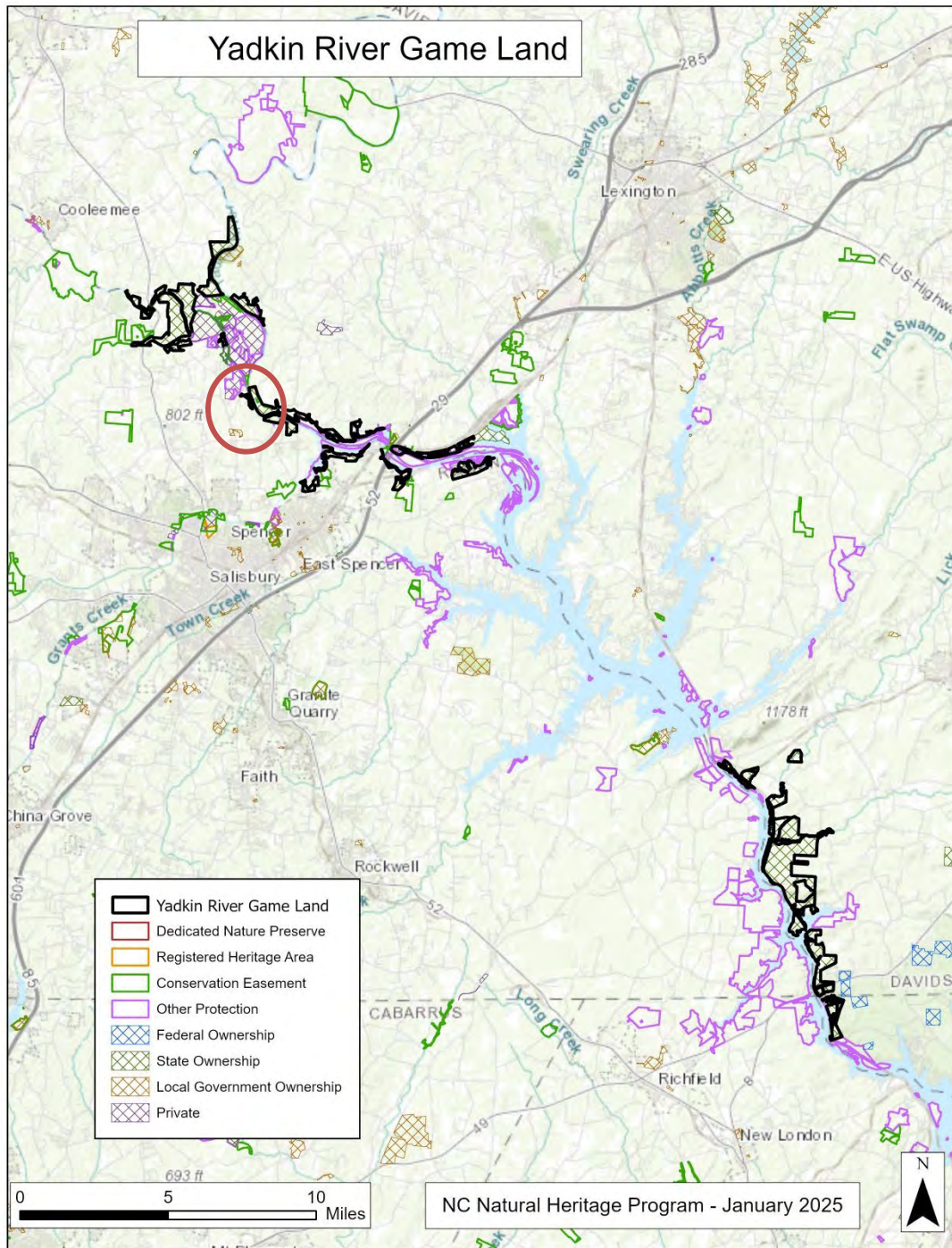
Nathan Shepard visited the 16-acre property 8 January 2025 to document the natural communities and assess the likelihood of rare plant and animal populations, to inform NC Land and Water Fund how NHP would recommend protection of the resource values associated with the property, in accordance with typical 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 size threshold for an element occurrence. Other than the existing rights-of-way for utilities, the entire property would qualify for dedication as a primary area.

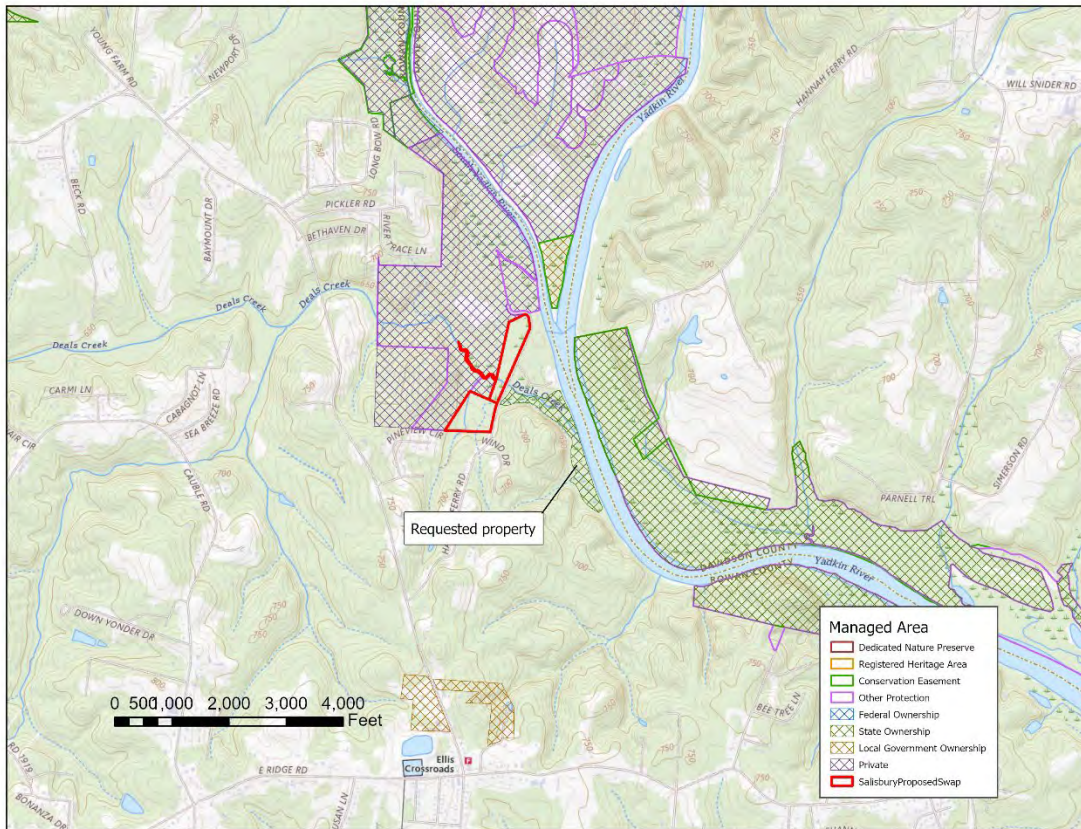
The NC Land and Water Fund is applying their amendment process to this request, even though a protection instrument (dedication or recorded conservation agreement), had not yet been put in place. The City of Salisbury wants to acquire a portion of the parcel to relocate and construct the Yadkin River 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 qualify for dedication as primary area, due to presence of good-quality natural forest communities.

The City of Salisbury approached the WRC with a proposal for land exchange. Nathan Shepard visited the proposed exchange property with NCLWF staff to document habitat in consideration of exchange. Good habitat is present on almost the entire 19-acre property, and it would qualify for dedication, almost the entirety as Primary. WRC confirmed support for the exchange, as it is embedded in conservation lands, as opposed to the disjunct nature of the current property, as well as the quality of the habitat. NCLWF



Board will review at the 12 May meeting. The NCLWF scoring for both parcels under riparian consideration is equivalent, and NCLWF Staff recommend approving the request to authorize the exchange of parcels. NHP recommends that the entire exchange parcel is dedicated once transfer to state is completed.









**Eno River Diabase Sill Dedicated Nature Preserve  
NCDOT STIP Project HE-0007D, Durham County**

In 2010, qualifying portions of the Eno River Diabase Sill Plant Conservation Preserve were dedicated under the Nature Preserves Act as a condition of multiple grants, including Natural Heritage Trust Fund (now NC Land and Water Fund or NCLWF) grants #200409402, #200309406, and #200603405.

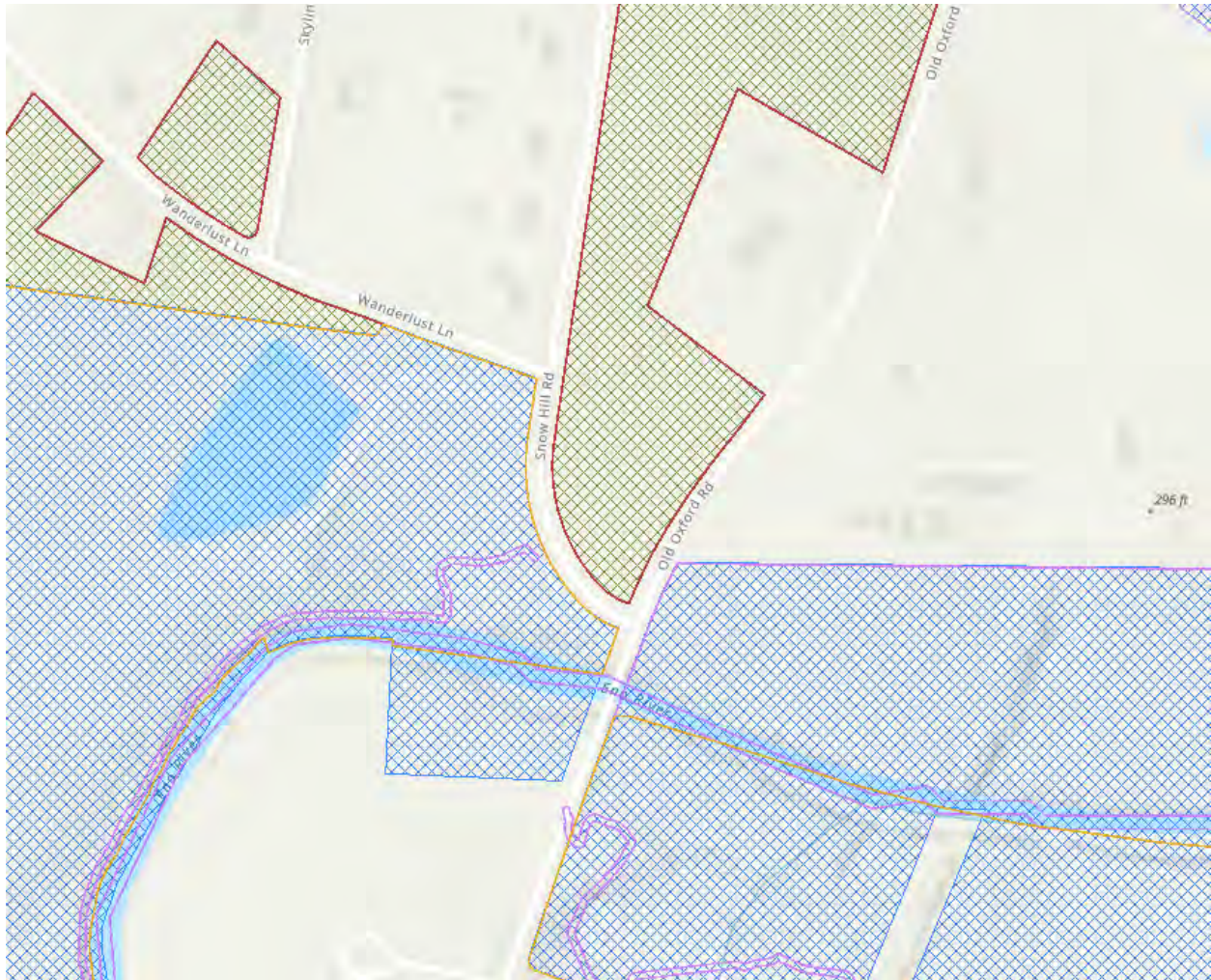


Figure 1: US Army Corps of Engineers land shown in blue hatching, Eno River Diabase Dedicated Nature Preserve shown in Red Outline with Green hatching

NCDOT has sent a Start of Study letter as part of a plan to add a left turn lane from Snow Hill Road onto northbound Old Oxford Road, and associated signal. Scheduled for right of way in fiscal year 2026, and construction is scheduled for FY 2027.





Figure 2: Map provided by NCDOT

NCNHP responded with information about associated dedicated nature preserves and registered heritage areas. Rare species known from within the study area are listed below. Species with check-mark are confirmed at roadside within proposed project as of 2024; other species listed have been reported in the past and may still be present:

Roadside:

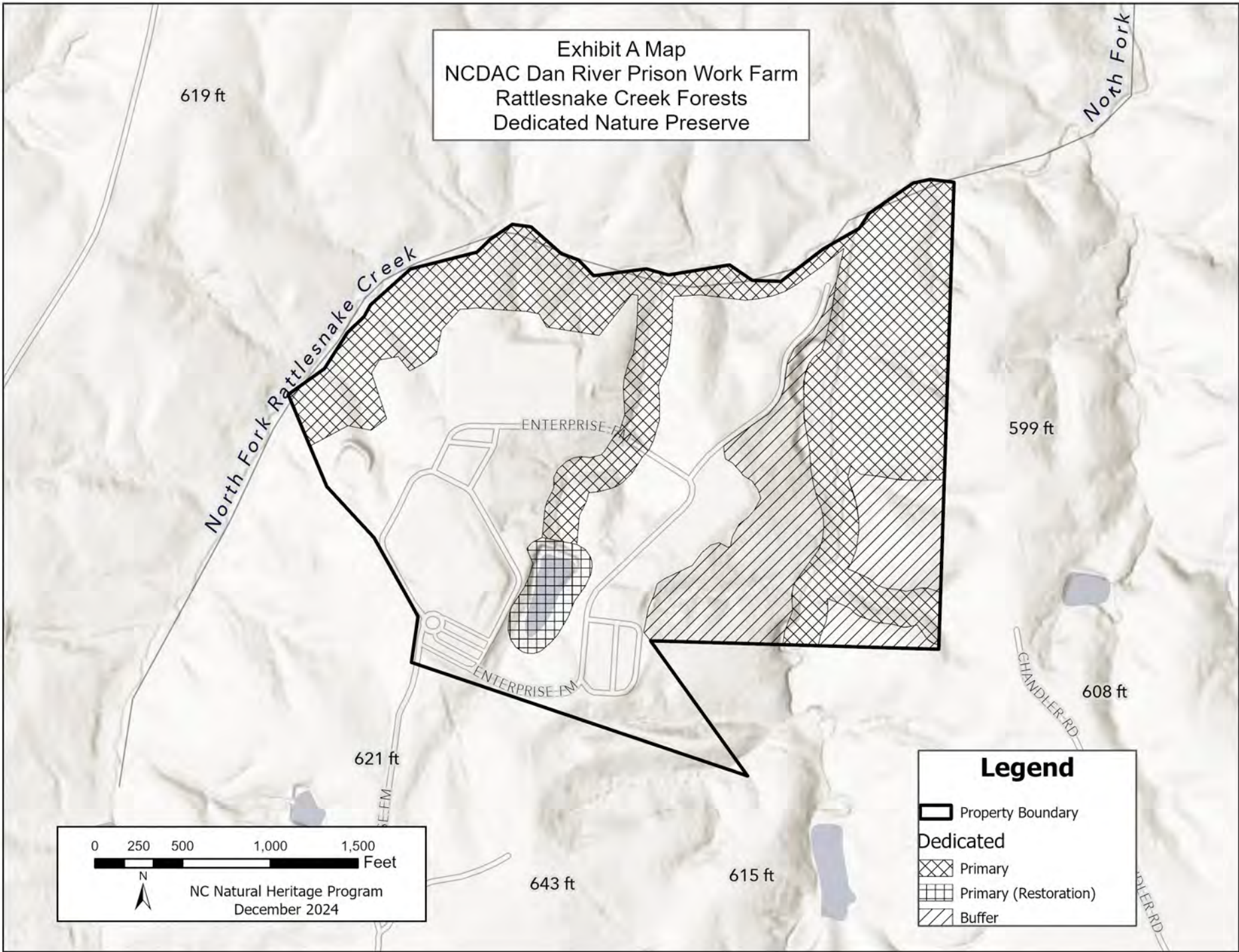
- American Barberry (*Berberis canadensis*) SC-V G3G4 S2
- Earle's Blazing Star (*Liatris squarrulosa*) SR-P G4G5 S2
- ✓ Glade Wild Quinine (*Parthenium auriculatum*) SR-T G3G4 S3
- Low Wild Petunia (*Ruellia humilis*) NC Threatened G5 S1
- ✓ Prairie Blue Wild Indigo (*Baptisia aberrans*) NC Endangered G2 S2
- ✓ Prairie Dock (*Silphium terebinthinaceum*) SR-P G4G5 S2
- ✓ Ringed Witch Grass (*Dichanthelium annulum*) NC Endangered G4 S1
- Smooth Coneflower (*Echinacea laevigata*) US, NC Threatened G2G3 S1S2
- Xeric Hardpan Forest (Northern Prairie Barren Subtype) G1 S1

Aquatic (Eno River):

- Neuse River Waterdog (*Necturus lewisii*) US, NC Threatened

There is no action item for Natural Heritage Advisory Committee at this time. This item is for awareness and to gather questions and concerns to share with NCDOT. A more detailed proposal will be brought back to the committee for consideration after more is known about the proposed impacts and potential mitigation needed.

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

Secretary Leslie Cooley Dismukes  
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 Cooley Dismukes

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 DEPARTMENT OF ADULT CORRECTION  
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 Department of Adult Correction 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,

Gabriel J. Esparza

CONSENTED AND AGREED TO:

---

Secretary Pamela B. Cashwell  
Department of Natural and Cultural Resources

---

Secretary Leslie Cooley Dismukes  
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 (69 acres Primary Area, including 5 acres Restoration;  
28 acres Buffer Area)

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 natural communities in fair to good condition; 100-foot riparian zones along each side of mapped stream channels are also dedicated as Primary Areas to protect water quality and instream habitat conditions. The artificial impoundment and 100-foot area surrounding it is designated as Primary (Restoration). The Buffer Area consists of lower quality, less mature forests and wooded slopes beyond riparian Primary Areas. 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 are included in the riparian Primary Area. 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 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  
Holly Shelter Game Land  
Dedicated Nature Preserve  
(Northern Section)

**Legend**

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

0 2,000 4,000 8,000 12,000 Feet



NC Natural Heritage Program  
December 2024

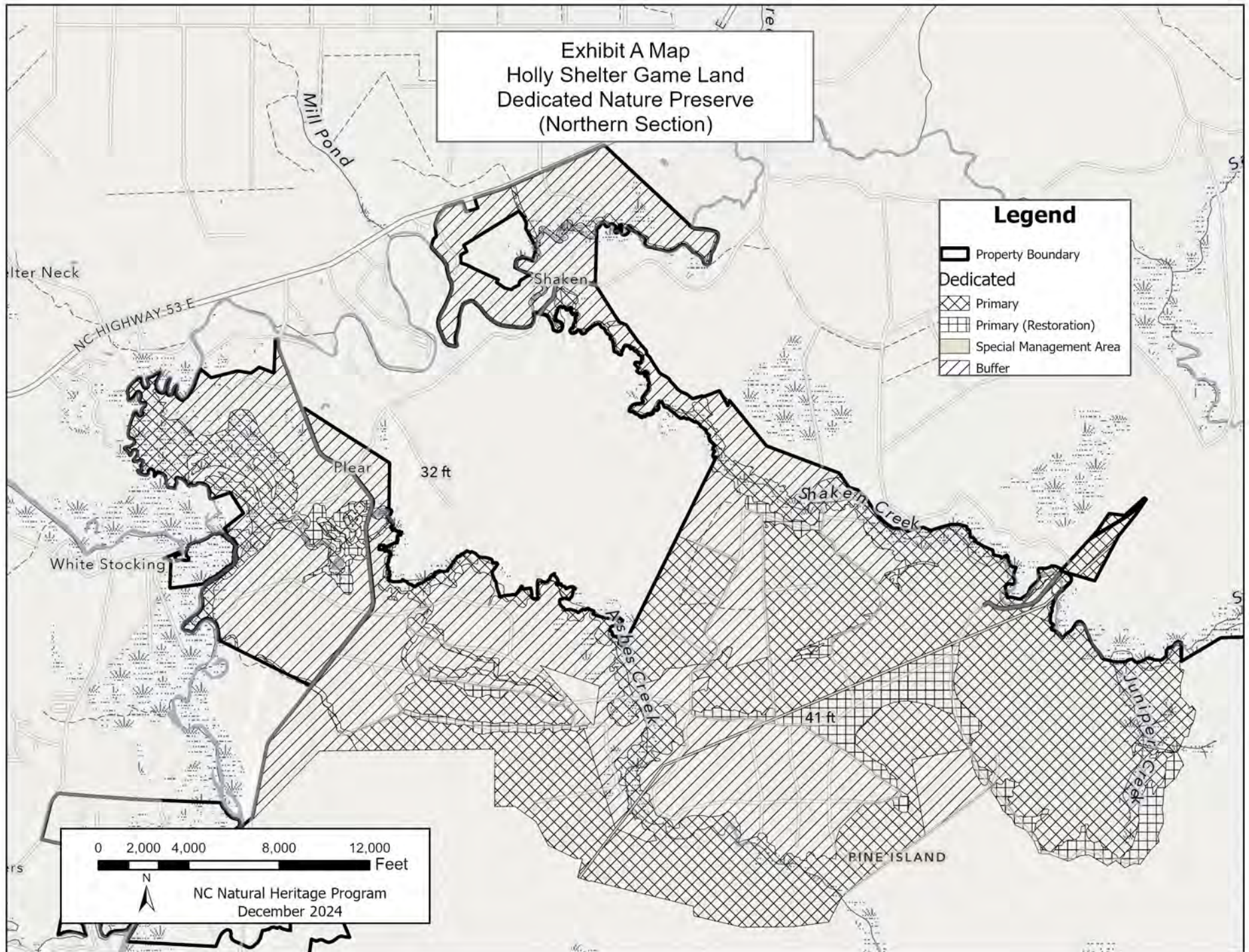




Exhibit A Map  
Holly Shelter Game Land  
Dedicated Nature Preserve  
(Southern Section)

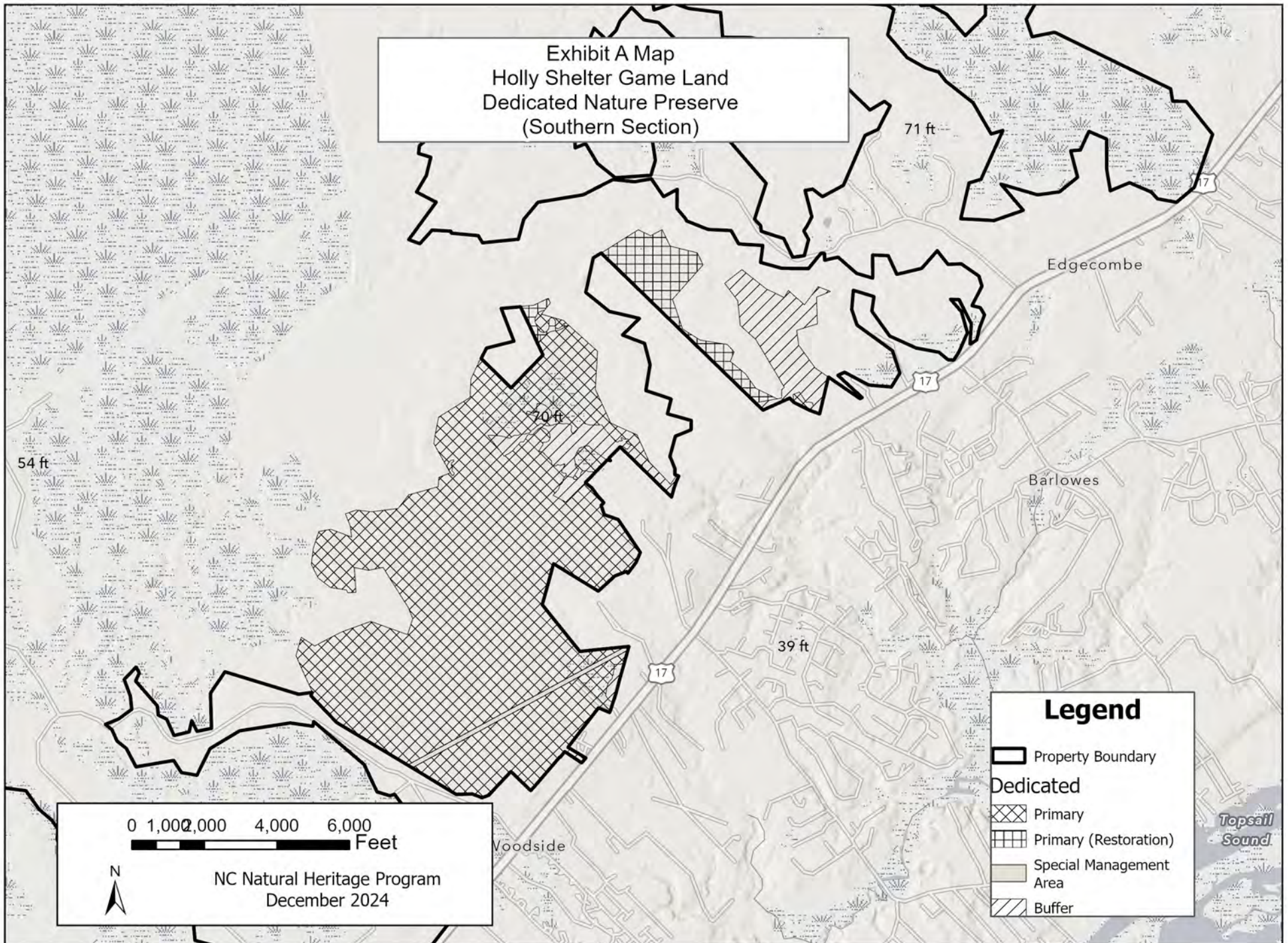




Exhibit A Map  
Holly Shelter Game Land  
Dedicated Nature Preserve  
(Western Section)

**Legend**

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

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

N

NC Natural Heritage Program  
December 2024

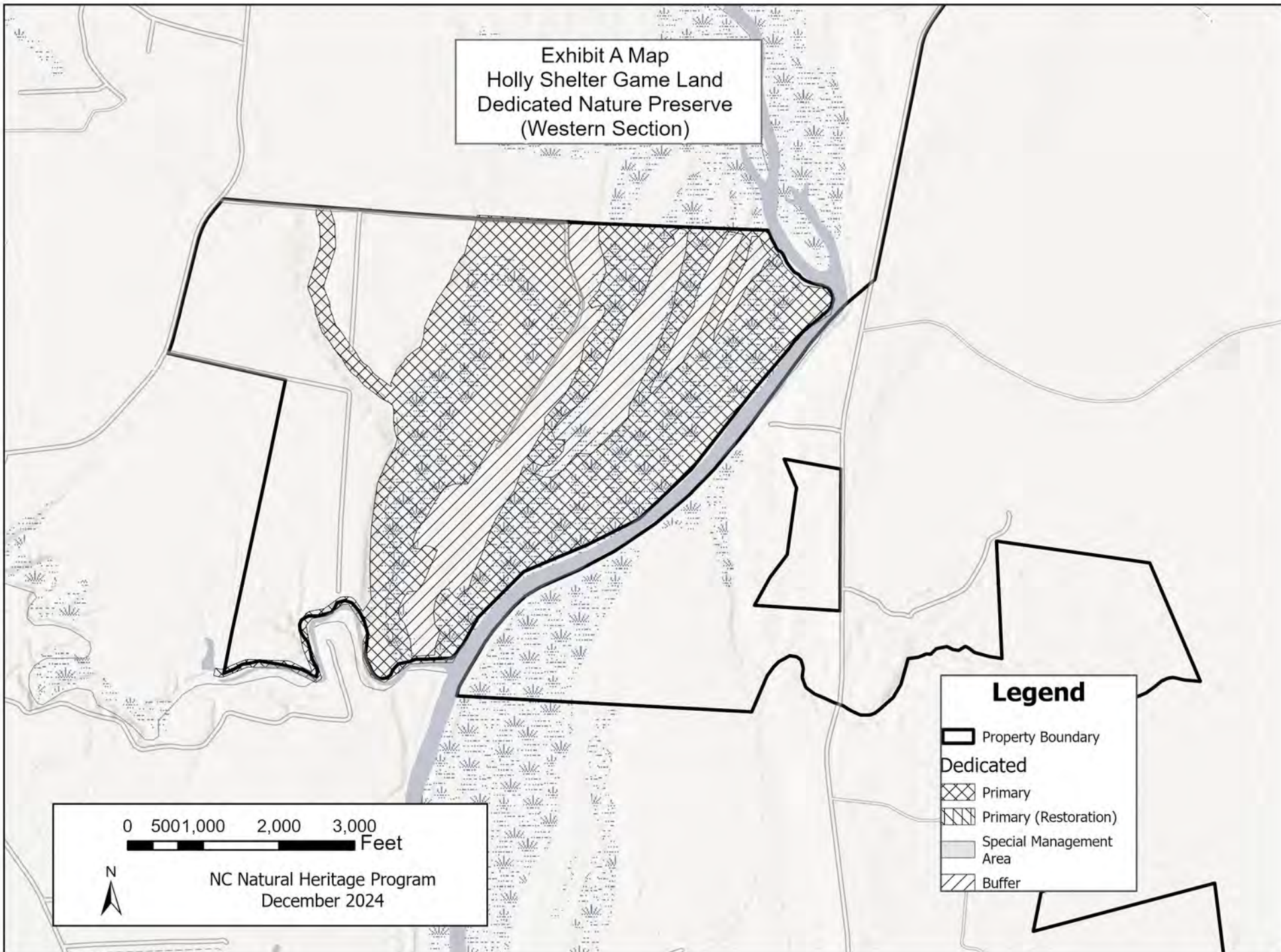
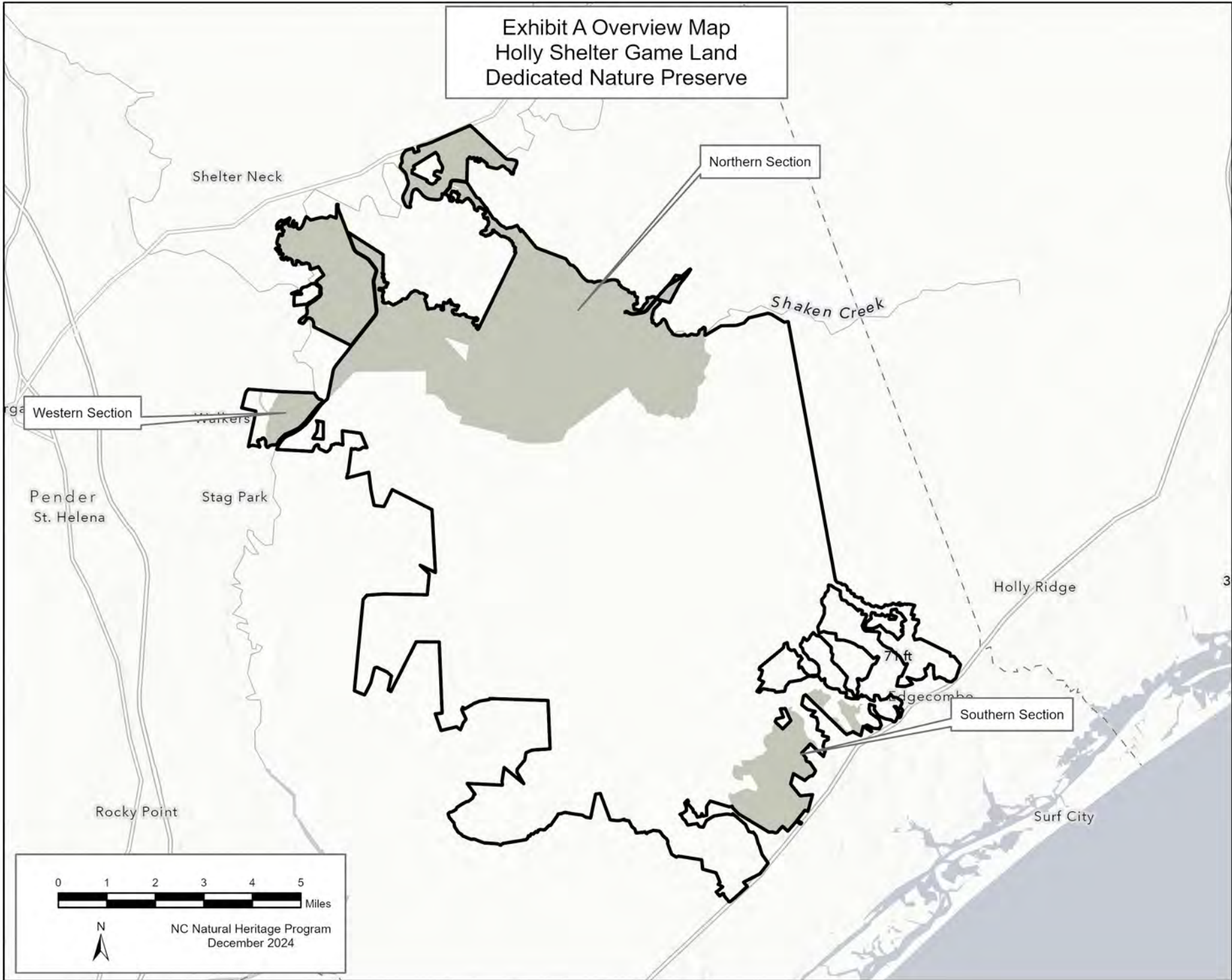


Exhibit A Overview Map  
Holly Shelter Game Land  
Dedicated Nature Preserve



(DATE)

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

Mr. Michael Kyle Briggs, Executive Director  
N.C. Wildlife Resources Commission  
Mail Service Center 1701  
Raleigh, North Carolina 27699-1701

Subject: Dedication of Portions of the **Holly Shelter Game Land**, Pender County

Dear Secretary Cashwell and Mr. Briggs:

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 August 31, 2007. The articles were amended to reflect boundary corrections and additions of property to the preserve.

This real property is currently administered by the North Carolina Wildlife Resources Commission as a portion of the **Holly Shelter Game Land** and consists of approximately 16,962 acres located in Pender County and composed of:

- |    |  |              |
|----|--|--------------|
| 1. | Holly Shelter Game Land (Primary Area) | 10,572 acres |
| 2. | Holly Shelter Game Land (Buffer Area)  | 6,390 acres  |

all of 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 **Holly Shelter Game Land Dedicated Nature Preserve**.

Dedication of the qualified portions of the tract fulfills the terms of prior grant agreements, including those of the NC Land and Water Fund, Natural Heritage Trust Fund, and Clean Water Management Trust Fund.



THIS DEDICATION OF THE **HOLLY SHELTER GAME LAND 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 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 **Holly Shelter Game Land Nature Preserve** (hereinafter "preserve") for the purposes provided in the North Carolina 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 Wildlife Resources Commission, 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 classifications and purposes of the preserve will be conservation, nature education, wildlife management, hunting, fishing, trapping, and other recreational uses authorized by the Primary Custodian. 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 10,572 acres, including Restoration area of 995 acres and special management area of 88 acres) and a Buffer Area (approximately 6,390 acres), as more particularly described in Exhibit A, attached thereto and by this reference made a part hereof. The Primary Area consists essentially of the significant natural communities and rare species, as described more fully in exhibit A.

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

The Buffer Area, which contributes to the management and protection of the Primary Area, consists of less mature, lower quality forests and plantations.

6. **Rules for Management of the Primary Area(s):**
  - A. **Character of Visitor Activity:** The principal visitor activities in the preserve shall be hunting, fishing, trapping, walking, research, and observation. 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 or in conjunction with supervised educational activities of the Custodian, or further excepted as herein provided or otherwise expressly permitted.

- B. Consumptive Wildlife Uses: Hunting, fishing, and trapping shall be permitted on the preserve subject to regulations and management by the North Carolina Wildlife Resources Commission.
- C. Orientation and Guidance of Visitors: The Custodian reserves the right to orient and guide visitors for educational programs, hunting and fishing uses, scientific research, and for preserve management. Exhibits, programs, and printed materials may be provided by the Custodian in service areas. The Custodian may create and maintain signage or kiosks, overlooks, fences, barriers, guardrails, steps and boardwalks (hereinafter referred to as "Trail Accessories") associated with trails to be constructed within the preserve. The location of any Trail Accessories shall be decided in consultation with the North Carolina Natural Heritage Program and shall be for the purpose of ensuring the safe, permitted use of the preserve while protecting the preserve from unwanted or excessive visitor traffic. The Custodian may restrict the access of visitors in those instances or in such areas that restrictions may be determined necessary to safeguard sensitive environmental resources in the preserve.
- D. Roads and Trails: Construction and maintenance of roads within Primary and Buffer Areas 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 use by staff 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. The Custodian may locate, build and maintain trails within the boundary of the preserve in a manner consistent with this dedication and in consultation with the North Carolina Natural Heritage Program. The North

Carolina Natural Heritage Program may require that the Custodian reroute, restrict or limit access to specific areas of the preserve or the Mountains-to-Sea Trail if it is determined by the North Carolina Natural Heritage Program that such reroute, restriction or limitation is necessary to safeguard sensitive environmental resources in the preserve.

Existing roads that occur within or which 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: S.R. 1520.

- E. 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.
- F. 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.
- G. 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 material 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.



- H. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, artifact removal, or other material, nor any change in topography or surface hydrology of the preserve. Exceptions may be made for permitted archeological 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. Water Level Control: The purpose of water level control shall be to maintain the Preserves' natural water regime. Water levels that have been altered by human activities may be changed, if necessary, to restore the preserve to its natural condition. In a preserve with a long history of managed hydrology, water levels may be managed to perpetuate the ecosystems that have evolved around the hydrology. This decision should be made in consultation with the Natural Heritage Program. Millponds are an example of situations in which water levels have been historically managed.
- J. Bringing in Flora and Fauna: No exotic flora and no animals except leashed dogs and cats, hunting dogs as permitted in game lands, 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.
- K. 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.
- L. Disturbance of Natural Features: 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 or insect infestation 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. Specifically, a component of the management plan, the longleaf restoration plan, will address restoration of areas (identified as Primary (Restoration) Areas in the Exhibit A map for the Northern Section) which have been planted in dense longleaf, in species other than longleaf, or clearcut within the Primary Area. Longleaf restoration will minimally focus on removal of unnatural canopy components and

thinning of dense longleaf to enhance the condition of the ground layer. Planting of longleaf seedlings in clearcut areas is also possible. The longleaf restoration plan will be submitted to the Natural Heritage Program for review and approval. Subsequent modification of the longleaf restoration plan may occur through mutual consent of Wildlife Resources Commission and Natural Heritage Program staff, as additional areas in need of restoration or new methods of restoration are determined. 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.

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

- M. Control of Populations (natural and exotic): 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 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. Because of potential impacts on native species, no exotic flora or fauna shall be introduced into the preserve.
- N. 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 transmission line right-of-way containing the same or similar special elements of natural diversity representative of the preserve generally is present in portions of the Holly Shelter Game Land. The Department of Natural and Cultural Resources and NC Wildlife Resources Commission, by and through the Natural Heritage Program and NC Wildlife Resources Commission, 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 preserve.

- O. Management Plan: The Wildlife Resources Commission, 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. The management plan will be part of the larger management plan developed for the game lands. 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. 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 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 N.C. Wildlife Resources Commission and general management philosophy as outlined in Commission planning documents, in addition to providing for the buffer functions in relation to the Primary Area(s). WRC rules and guidelines require the protection and enhancement of wildlife populations and habitat so that hunting, fishing, trapping and other wildlife recreational opportunities are available to citizens of this State. Forest management is primarily conducted to enhance wildlife habitat.

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 Wildlife Resources Commission 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 **Holly Shelter Game Land 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).

Sincerely,

Pamela B. Cashwell

CONSENTED AND AGREED TO:

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Secretary Pamela B. Cashwell  
Department of Natural and Cultural Resources

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Michael Kyle Briggs, Executive Director  
Wildlife Resources Commission

## EXHIBIT A

### HOLLY SHELTER GAME LAND DEDICATED NATURE PRESERVE (NORTHERN SECTION)

COUNTY: Pender

PHYSIOGRAPHIC PROVINCE: Coastal Plain

TOPOGRAPHIC MAPS: Maple Hill SW, Stag Park

SIZE OF AREA: ca. 14,603 acres (primary 8,524 acres, including a restoration area of 880 acres and a special management area of 68 acres; buffer 6,079 acres)

OWNER/ADMINISTRATION: State of North Carolina  
Wildlife Resources Commission

DESCRIPTION: The northern section is centered on a large complex known as Bear Garden. Though over half of the tract has been converted to loblolly or slash pine plantations and recent clearcutting of longleaf pine stands has occurred, considerable natural vegetation remains. The eastern half contains natural pocosin vegetation, much of it lying within a very large Carolina bay. Loblolly-bay (*Gordonia lasianthus*) is very common amid the dominant pond pines (*Pinus serotina*) in these pocosins. Some swamp forest exists along Shaken and Ashes creeks in the northern and central portions of this tract. The western portion of the tract borders the Northeast Cape Fear River. Mature Cypress-Gum Swamp vegetation prevails in the floodplain of the river.

The most significant area of the tract for rare plants is the wide powerline clearing that bisects the tract in a NE-SW direction. Numerous populations of “savanna” plants occur in the clearing, which provides suitable habitat owing to regular mowing of the clearing. Among these plants are the Federal and State Endangered golden sedge (*Carex lutea*) and rough-leaf loosestrife, and State Threatened Venus flytrap. Another Watch List plant, twig-rush (*Cladium mariscoides*), grows in a borrow pond adjacent to the powerline clearing.

Many areas within the tract have had the natural canopy altered but still retain natural ground cover and shrub layers, even where the soil has been bedded. These areas, now in slash pine plantations or recently timbered longleaf pine stands, typically contain dense stands of wiregrass (*Aristida stricta*) or creeping blueberry (*Vaccinium crassifolium*). A wide array of composites and other forbs occur here, and the sub-shrub pyxie-moss (*Pyxidanthra barbulata*) is locally common.

The large extent of the tract allows for a wide array of animal species. The black bear (*Ursus americanus*) is widespread, and the uncommon Swainson’s warbler (*Limnothlypis swainsonii*) occurs in the nesting season.

BOUNDARY JUSTIFICATIONS: The Primary Area boundaries include the portions in natural vegetation that have generally not been altered by recent timber harvest. Thus, most of the pocosins and the river and creek floodplains are included. A small apparently natural pool/pond just west of

Shaw Road is also included in the Primary Area. Areas included in the Primary (Restoration) Area are those that contain a healthy ground and/or shrub layer but with altered canopy – either planted in slash pines or recently cut former longleaf pine stands. The entire powerline clearing is included in a Primary (Special Management) Area. Regular mowing or bush-hogging by the utility company has kept the area in a savanna-like condition.

Much of the site is designated as Buffer Area. These areas are mainly loblolly pine plantations, both young and somewhat mature. Though such stands can be harvested and converted to longleaf pine stands, the ground layer beneath loblolly pine stands has typically been so heavily shaded by the dense growth of the young trees that most herbaceous species, such as wiregrass, are eliminated.

**MANAGEMENT AND USE:** Holly Shelter Game Land will be used primarily for public hunting and other forms of low-intensity recreational use. The Wildlife Resources Commission plans to replant longleaf pine to portions of the tract, restoring Pine Savanna, Wet Pine Flatwoods, and other natural communities. Though there is not a system of trails, the many miles of dirt roads provide opportunities for bird-watching, other nature study, and photography. Because of the presence of Venus flytraps and several species of pitcher-plants on the tract, mainly in the powerline clearing, Commission staff should be alert to potential poaching of these species, particularly if gates are to be left open during the spring turkey-hunting season.

MAP: attached

(January 2006, NC NHP, with minor editorial revisions December 2024)

## EXHIBIT A

### HOLLY SHELTER GAME LAND DEDICATED NATURE PRESERVE (WESTERN SECTION)

COUNTY: Pender

PHYSIOGRAPHIC PROVINCE: Coastal Plain

TOPOGRAPHIC MAP: Stag Park

SIZE OF AREA: ca. 512 acres total (391 primary; 121 buffer)

OWNER/ADMINISTRATION: State of North Carolina  
Wildlife Resources Commission

DESCRIPTION: The western section consists of areas along the Northeast Cape Fear River. It includes the floodplain of the river, and a poorly drained wetland where water flows southward into Burgaw Creek, which forms the southern boundary of the tract. Between these two wetlands are several north-south ridges that have been converted to loblolly pine plantations. An additional area of pine plantations on the west side of this tract is excluded from the dedication. A series of logging roads traverse the tract, and one reaches Burgaw Creek, but there is no direct access to the Northeast Cape Fear River on the tract. A dedicated area that is part of the Cape Fear River Wetlands Game Land lies two miles downstream on the river.

This portion of the Northeast Cape Fear River floodplain is a fairly mature Cypress-Gum Swamp, Blackwater subtype natural community. Laurel oak (*Quercus laurifolia*) is probably the most numerous canopy tree, but red maple (*Acer rubrum*), tupelo (*Nyssa* sp.), bald-cypress (*Taxodium distichum*), and sweetgum (*Liquidambar styraciflua*) are also common. Understory trees include American hornbeam (*Carpinus caroliniana*) and willow (*Salix* sp.). Cane (*Arundinaria gigantea*) is very common locally, as is highbush blueberry (*Vaccinium corymbosum*). Of interest in one section of the swamp on the tract is a dominance in the shrub layer of the relatively uncommon dwarf palmetto (*Sabal minor*). A portion of the floodplain closest to the upland ridge, in the northeastern part of the tract, was cut-over a few decades ago and now has reached a canopy height of roughly 60-65 feet.

The poorly drained wetland to the west was also mostly cut-over or clearcut a few decades ago, and its average canopy height is now averaging 40-50 feet. The northern portion near a logging road consists mainly of willows. Farther south, bald-cypress is scattered among various hardwoods and some loblolly pines (*Pinus taeda*). One eastern margin of this wetland contains loblolly-bay (*Gordonia lasianthus*) and various pocosin shrubs. At the southern end of this drainage is a mature deciduous forest featuring large cypress trees, a few over 2 feet in trunk diameter.

The higher ridges between the floodplain wetlands are occupied by loblolly pine plantations. These dense stands of pines average 40-50 feet in height, and very little herbaceous vegetation is present

beneath the pines. A larger expanse of pine plantation on the west side of the tract is excluded from the dedication.

**BOUNDARY JUSTIFICATIONS:** The Primary Area consists of the reasonably mature swamp forest east of all of the upland ridges, the degraded swamp forest to the west of the upland ridges, and riparian areas. The Buffer Areas include four sections of managed pine forest on ridges located in the interior of the preserve and therefore important for their connective function. Areas that currently exist in extensive loblolly pine plantations are excluded from the dedication.

**MANAGEMENT AND USE:** The Primary Area should be left in its natural state, and no management is necessary, including in the areas where some pine is present. The Wildlife Resources Commission plans to restore the upland portions of the tract that are currently in plantations to natural communities. It is hoped that these pine stands can be harvested and planted in longleaf pine seedlings, and then burned on a several-year rotation to return the land to its original condition, which was probably a mix of Wet Pine Flatwoods and other communities dominated by longleaf pine.

Holly Shelter Game Land will be used primarily for public hunting and other forms of low-intensity recreational use.

MAP: attached

(April 2005, NC NHP)



## EXHIBIT A

### HOLLY SHELTER GAME LAND DEDICATED NATURE PRESERVE (SOUTHERN SECTION)

COUNTY: Pender

PHYSIOGRAPHIC PROVINCE: Coastal Plain

TOPOGRAPHIC MAPS: Topsail, Holly Ridge

SIZE OF AREA: ca. 1,847 acres (1,657 primary, including a restoration area of 115 acres, and special management area of 19 acres; 190 acres buffer)

OWNER/ADMINISTRATION: State of North Carolina  
Wildlife Resources Commission

DESCRIPTION: The southern section consists of several tracts on the sandy relict beach ridge system that forms the southeastern boundary of the Holly Shelter peatland. This area is a complex of low sand ridges interspersed with organic-filled swales and small Carolina bays.

The large Sleepy Creek Farms tract has a majority of its cover as Pond Pine Woodland communities, dominated by pond pine (*Pinus serotina*), sometimes with abundant loblolly bay (*Gordonia lasianthus*), and with characteristically dense shrub layers. Large areas have mature canopy, while other areas have young canopy that appears to have resulted from an intense wildfire. While a minority of the tract acreage, there are extensive patches of longleaf pine communities of a variety of natural community types. Substantial areas appear to be Wet Sandy Pine Savanna (Typic Subtype), supporting herbs of wetter sites along with wiregrass (*Aristida stricta*). The canopy may be mature or young longleaf pine or pond pine in different places. Much area mapped as soil suitable for savanna is overgrown with shrubs at the time of dedication, making it difficult to tell how much savanna is present. A small area in several patches represents the extremely rare Wet Sandy Pine Savanna (Rush Featherling Subtype), occurring on slightly lower areas. It is similar to the Typic Subtype in many ways but with an herb layer dominated by rush featherling (*Pleea tenuifolia*). Both savanna communities support multiple patches of Venus flytrap (*Dionaea muscipula*), a State Threatened species.

Slightly higher areas on the low ridges support Wet Pine Flatwoods communities, dominated by longleaf pine and wiregrass but without the herbs of the wettest savannas. They are more likely to have longleaf pine canopies and to have larger trees. Higher ridges support several sandhill communities, all with open longleaf pine canopies, abundant turkey oak (*Quercus laevis*) and other small hardwoods, and herb layers dominated by wiregrass. Pine/Scrub Oak Sandhill (Coastal Fringe Subtype) occurs on lower ridges, and is marked by sand live oak (*Quercus geminata*) in the mid-story or as shrub-size sprouts. Higher ridges support the drier Xeric Sandhill Scrub community. They include some areas of the Coastal Fringe Subtype, which also have sand live oak and the herbs characteristic of the coastal fringe zone. Other high ridges lack these indicator species and are

classified as the Typic Subtype. A small population of the rare savanna milkweed (*Asclepias pedicellata*) is present in a sandhill area.

In the southern part of the tract are two small limesink ponds, which support Small Depression Pond (Typic Marsh) communities dominated by maidencane (*Hymenachne hemitoma*). The shrubby margin of one contains the NC Special Concern pondspice (*Litsea aestivalis*).

The middle tract is also biologically rich, though more altered. Nearly all of it had been bedded, but the pines that were planted and harvested on parts of the tract were replanted. The ground cover consists almost wholly of low shrubs and saplings not reaching more than 3-4 feet tall at the time it was dedicated. Most of these species are broadleaf evergreens typical of pocosins and flatwoods, such as shining gallberry (*Lyonia lucida*), inkberry (*Ilex glabra*), and redbay (*Persea palustris*). The tract harbors perhaps the state's largest population of coastal witch-alder (*Fothergilla gardenii*), a deciduous shrub. Of most importance is the diverse array of herbaceous species, growing mainly in wet spots in the furrows or in old logging tracks. Venus flytrap (*Dionaea muscipula*) is fairly common in this area. In addition, at least eight other carnivorous plants are present: three pitcher-plants, three sundews, a butterwort, and a bladderwort. The wet areas contain an abundance of the locally scarce rush-featherling (*Pleea tenuifolia*), and considerable diversity of sedges (*Carex*, *Rhynchospora*, etc.) is also present. The Watch List Carolina goldenrod (*Solidago pulchra*) was previously reported from the tract and likely is still present.

Portions of the southern end of this tract contain sandy uplands that were clearcut and are now regenerating in saplings. Scattered young longleaf pines (*Pinus palustris*) and turkey oaks (*Quercus laevis*) are common. The presence of live oak (*Q. virginiana*), sand live oak (*Q. geminata*), wild olive (*Osmanthus americana*), and yaupon holly (*Ilex vomitoria*) indicates a Coastal Fringe Sandhill natural community. Embedded between the sandy areas are one or two small Carolina bays with pocosin vegetation, either High Pocosin or Pond Pine Woodland natural community. Loblolly-bay (*Gordonia lasianthus*) is common in these bays, as is honey-cups (*Zenobia pulverulenta*).

The eastern tract consists of a loblolly pine (*Pinus taeda*) plantation on bedded terrain, with the trees averaging roughly 25 feet tall and only 5-6 inches in trunk diameter at the time of dedication. Beneath the pines grow dense carpets of creeping blueberry (*Vaccinium crassifolium*), many stands of pyxie-moss (*Pyxidanthra barbulata*), and considerable abundance of chalky bluestem (*Andropogon glaucopsis*). However, wiregrass (*Aristida stricta*) and most other herbaceous plants typical of savannas and flatwoods are in poor condition or absent, due to shading by pines or lack of fire.

The most significant portion of the eastern tract is a natural limesink pond, surrounded by dense pocosin vegetation, that lies along the southern tract boundary. Such ponds are rather rare in the state, and few lie in conservation ownership.

**BOUNDARY JUSTIFICATIONS:** Most of the southern, Sleepy Creek Farms, tract is dedicated as Primary Area. A couple areas are dedicated as Primary (Restoration) Area, one at the north end where a savanna patch has a dense canopy that could benefit from thinning, one where a flatwoods patch has a loblolly pine canopy with reasonably intact ground cover. A large powerline corridor

is included as a Special Management Area. Though not well explored, it is a type of habitat that is likely to harbor rare species. Several patches of bedded pine plantation are included as Buffer.

The middle tract, north of the dirt road, is included within a Primary (Restoration) Area designation, as the only management needed is prescribed burning on a several-year cycle. Though longleaf pine seedlings could be planted on the ridges, this is probably not essential. The portion of this tract lying south of the east-west dirt road is included in a Buffer Area. This is a sandy-soil section (of loblolly pine plantation) that has potential for restoration to a Coastal Fringe Sandhill or a Xeric Sandhill Scrub community.

Most of the eastern tract is treated as Buffer. The bedded pine plantation there would be very difficult to restore to a high-quality natural community. A small portion of the eastern tract, near its southern boundary, contains a natural limesink pond, a somewhat rare community type, and is therefore included in the Primary Area.

**MANAGEMENT AND USE:** The most important management need in this section is prescribed burning, at frequent intervals, in all of the longleaf pine communities. The natural communities and rare plant populations have deteriorated in the years without fire, but are expected to recover to high quality if the fire regime is restored. Inclusion of the Pond Pine Woodland communities in burn units is encouraged whenever it can be done safely. Firebreaks should use existing roads and trails as much as possible. However, some existing roads and trails through the savannas harbor the densest, sometimes the only, remnants of rare plant populations. In these cases, new firebreaks may have less impact. Construction of firebreaks through Pond Pine Woodland rather than through savannas with intact ground cover is encouraged.

No problems with invasive exotic species have been identified, but the area should be monitored for the appearance of new invasive species, and new infestations should be treated promptly. Of particular concern is cogon grass (*Imperata cylindrica*), which is a threat to intact longleaf pine communities farther south.

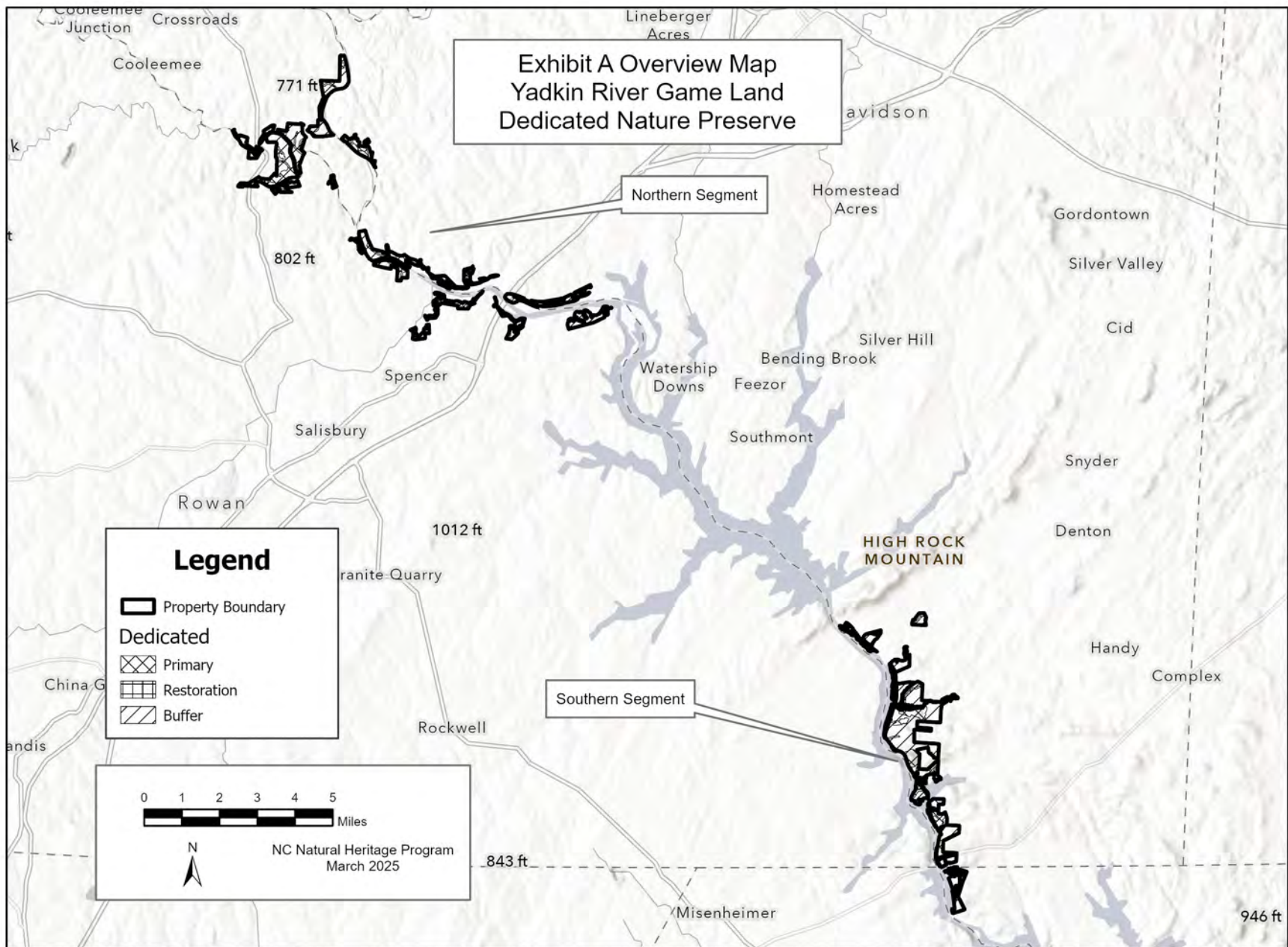
Holly Shelter Game Land will be used primarily for public hunting and other forms of low-intensity recreational use. A new route for the Mountains to Sea Trail is being constructed on the Sleepy Creek Farms tract. The route largely follows existing forest roads, and the siting will be planned in cooperation with the Natural Heritage Program to minimize impact. The trail and surrounding area should be monitored to ensure that significant impact due to heavy traffic is not occurring. If unacceptable impacts are found, trail use should be managed or the trail rerouted. Poaching of Venus flytraps is a particular concern.

The Wildlife Resources Commission has indicated plans to restore longleaf pine and re-establish wiregrass, in the middle and eastern tracts. Similar treatment is encouraged in the Primary (Restoration) Areas in the Sleepy Creek Farms tract. One of these areas may benefit from thinning of the dense canopy.

The Special Management Area in the powerline corridor should, if possible, be maintained by burning or, if necessary, mowing. Herbicide use should be avoided. Mowing should be done when the ground is dry, to minimize future rutting.

MAP: attached

(May 2005 & December 2024 NC NHP)





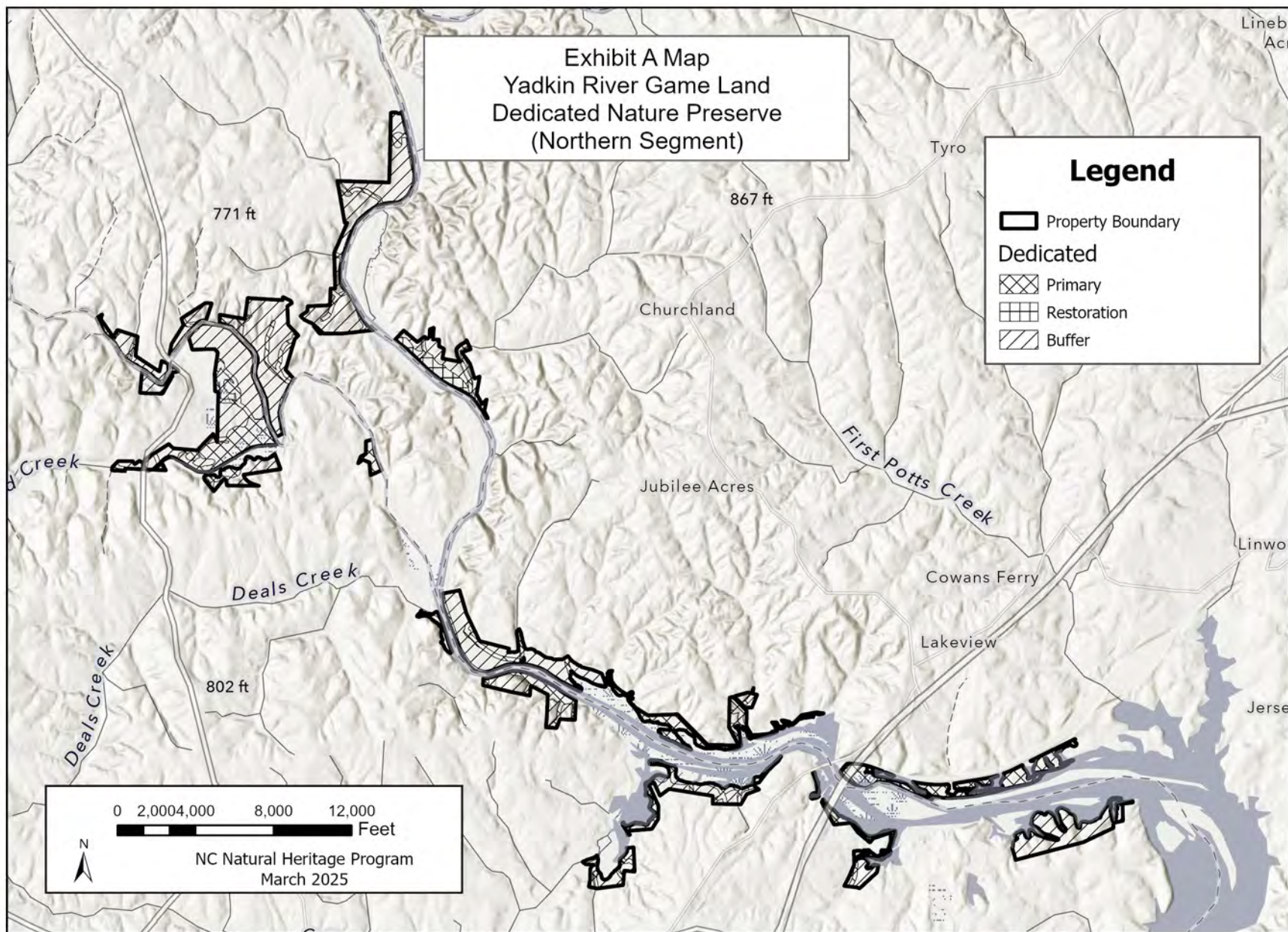




Exhibit A Map  
Yadkin River Game Land  
Dedicated Nature Preserve  
(Southern Segment)

**Legend**

Property Boundary

Dedicated

Primary

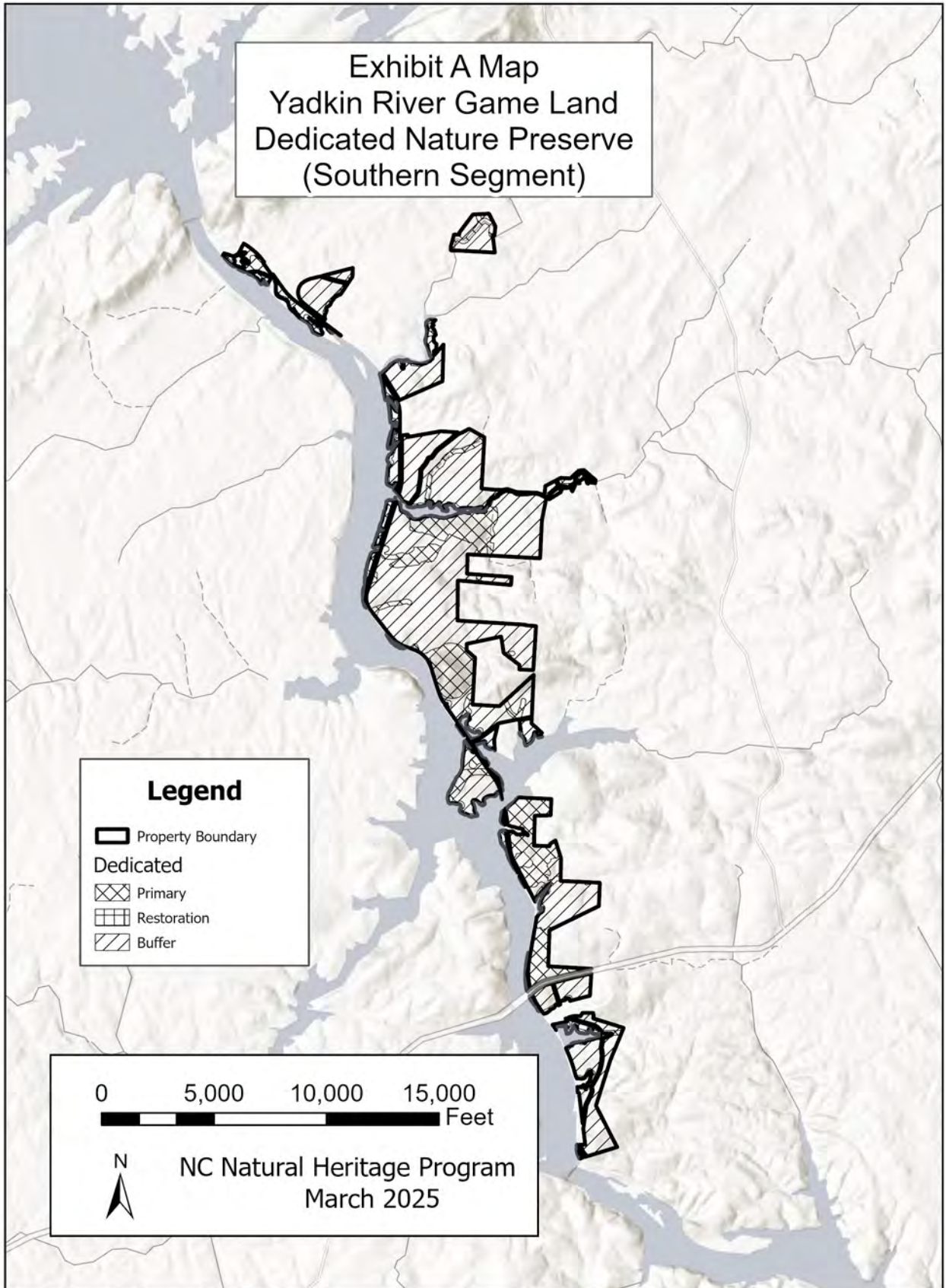
Restoration

Buffer

0 5,000 10,000 15,000 Feet



NC Natural Heritage Program  
March 2025



(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

Mr. Kyle Briggs, Executive Director  
N.C. Wildlife Resources Commission  
Mail Service Center 1701  
Raleigh, North Carolina 27699-1701

Subject: Dedication of Portions of the **Yadkin River Game Land**, Davie, Davidson, Rowan, Montgomery Counties

Dear Secretary Cashwell and Mr. Briggs:

Pursuant to Part 42 or 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 North Carolina Wildlife Resources Commission as a portion of the **Yadkin River Game Land** and consists of approximately 4,787 acres located in Davie, Davidson, Rowan, and Montgomery Counties, composed of:

- |   |             |
|---|-------------|
| 1. Yadkin River Game Land Nature Preserve (Primary Areas) | 1,730 acres |
| 2. Yadkin River Game Land Nature Preserve (Buffer Areas)  | 3,057 acres |

which are specifically described in Exhibit A, attached hereto and by reference made a part hereof. The dedicated land shall be known collectively as the **Yadkin River Game Land Nature Preserve**.

Dedication of the qualified portions of the tract fulfills the terms of NC Land and Water Fund grant agreements, including #2017-033, #2017-068, #2020-047.

THIS DEDICATION OF THE YADKIN RIVER GAME LAND 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(s) are hereby dedicated as a nature preserve to be known collectively as the **Yadkin River Game Land 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 Wildlife Resources Commission, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H.300 and .0400.
4. **Primary Classification:** The primary classifications and purposes of the preserve will be conservation, nature education, wildlife management, hunting, fishing, trapping, and other recreational uses authorized by the Primary Custodian. 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 1,730 acres, including a restoration area of 45 acres) and a Buffer Area (approximately 3,057 acres), as more particularly described in Exhibit A, attached thereto and by this reference made a part hereof.

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 one or more 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 primarily of less mature or planted pine stands not included in the Primary Area.

6. **Rules for Management of the Primary Area(s):**
  - A. **Character of Visitor Activity:** The principal visitor activities in the preserve shall be hunting, fishing, trapping, walking, research, and observation. These activities shall be regulated by the Custodian to protect and preserve 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 or in conjunction with supervised educational activities of the Custodian, or further excepted as herein provided or otherwise expressly permitted.

- B. Consumptive Wildlife Uses: Hunting, fishing, and trapping shall be permitted on the preserve subject to regulations and management by the North Carolina Wildlife Resources Commission.
- C. Orientation and Guidance of Visitors: The Custodian reserves the right to orient and guide visitors for educational programs, hunting and fishing uses, 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.
- D. Roads and Trails: Construction and maintenance of roads, trails, and other access structures within Primary and Buffer Areas 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. 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: I-85, NC Hwy 8, S.R. 1164, S.R. 1139, S.R. 1140, S.R. 2501, S.R. 2536, S.R. 2538, S.R. 2543, and S.R. 2558.

- E. Other Structures and Improvements: Structures or facilities shall not be erected 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. 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.
- G. 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. Pollutants may not be added to surface or ground waters within the preserve.
- H. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, artifact removal, or other material, nor any change in topography or surface hydrology of the preserve. 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. Water Level Control: The purpose of water level control shall be to maintain the preserve's natural water regime. Water levels that have been altered by human activities may be changed, if necessary, to restore the preserve to its natural condition. In a preserve with a long history of managed hydrology, water levels may be managed to perpetuate the ecosystems that have evolved around the hydrology. This decision should be made in consultation with the Natural Heritage Program. Millponds are an example of situations in which water levels have been historically managed.

- J. Bringing in Flora and Fauna: No exotic flora and no animals except leashed dogs and cats, hunting dogs as permitted on game lands, 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.
- K. 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.
- L. Disturbance of Natural Features: 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. Specifically, a component of management planning will address restoration of areas (identified as Primary (Restoration) Areas in the Exhibit A map). Restoration of native floodplain and riparian zone forest will minimally involve allowing natural succession to occur, but may involve active removal of the pine canopy and planting of site-appropriate native woody species. Consideration will be given to encouraging regeneration of site-appropriate canopy species and minimizing weedy invasion. Site-specific modifications of restoration plans will be addressed through consultation between Wildlife Resources Commission and Natural Heritage Program staff.
- 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.
- M. Control of Populations (natural and exotic): 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 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. Because of potential impacts on native species, no exotic flora or fauna shall be introduced into the preserve.

- N. 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, several utility rights-of-way are located within a portion of the dedicated area. The Department of Natural and Cultural Resources, by and through the Natural Heritage Program, and the Wildlife Resources Commission 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 of the preserve, and will be beneficial to the purposes of the dedicated area.

- O. Management Plan: The Wildlife Resources Commission, 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. The management plan will be part of the larger management plan developed for the Game Lands. 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. 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. These activities will be conducted in accordance with policy of the N.C. Wildlife Resources Commission and general management philosophy as outlined in Commission planning documents, in addition to providing for the buffer functions in relation to the Primary Area(s). WRC rules and guidelines require the protection and enhancement of wildlife populations and habitat so that hunting, fishing, trapping and other wildlife recreational opportunities are available to citizens of this State. Forest management is primarily conducted to enhance wildlife habitat.

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, Modification, and Termination:** Any changes to this Dedication must be made in accordance with the provisions of North Carolina General Statutes 143B-135.264, which require the approval of the Governor and the Council of State.

The Governor and Council of State have approved the dedication of the State-owned lands hereinabove described as the **Yadkin River Game Land 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,

Gabriel J. Esparza

CONSENTED AND AGREED TO:

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Secretary Pamela B. Cashwell  
Department of Natural and Cultural Resources

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Kyle Briggs, Executive Director  
Wildlife Resources Commission

## **EXHIBIT A**

### **YADKIN RIVER GAME LAND DEDICATED NATURE PRESERVE (NORTHERN SEGMENT)**

COUNTY: Davie, Davidson and Rowan

PHYSIOGRAPHIC PROVINCE: Piedmont

TOPOGRAPHIC QUADS: Southmont, Salisbury, Cooleemee, Churchland

SIZE OF AREA: ca 2,478 acres (1,010 acres Primary, including 45 acres restoration; 1,468 acres Buffer)

OWNER/ADMINISTRATOR: State of North Carolina, Wildlife Resources Commission

DESCRIPTION: The northern segment of the Yadkin River Game Land Dedicated Nature Preserve lies north and northeast of the town of Salisbury, along the Yadkin River and its tributaries, including the South Yadkin River. It borders stretches of free-flowing river and the still water at the upstream end of High Rock Reservoir. The Yadkin River Game Land here shows extensive impacts of heavy past land use. Most of the game land is successional forest and young forest after recent timber harvest, pine planting, and past agriculture. Several small to medium size remnants with more natural vegetation or other ecologically significant features are present, and these, along with riparian zones, make up the Primary Area of dedication. The intervening areas, dedicated as Buffer Areas, connect and buffer the primary areas and provide wildlife habitat. Several large utility rights-of-way cross this area and these, along with a network of forest roads, constitute pre-existing disturbed areas that may be maintained within their existing footprint.

The Second Creek Wetlands area is in the floodplain of a large tributary creek at its mouth at the South Yadkin River. It supports exemplary floodplain natural communities, including Piedmont Alluvial Forest and Floodplain Pool along Second Creek and Piedmont Levee Forest (Typic Subtype) along the South Yadkin River. A series of beaver ponds have been built in recent years, supporting Piedmont/Mountain Semipermanent Impoundment (Open Water and Piedmont Marsh Subtype) communities.

The Yadkin River—Grants Creek natural area contains both floodplain and bluffs and ravines that support rich upland hardwood forests. A ravine on the north side has a particularly mature Basic Mesic Forest (Piedmont Subtype). Slopes elsewhere have Dry-Mesic Basic Oak—Hickory Forest (Piedmont Subtype). The river valley contains areas of mature floodplain forest, primarily Piedmont Levee Forest (Typic Subtype). A series of beaver ponds supports Piedmont/Mountain Semipermanent Impoundment communities that at present include the Open Water Subtype and

Shrub Subtype. The center of the valley and its more extensive beaver ponds and floodplain forests are leased as game land but are not owned by the Wildlife Resources Commission.

The High Rock Reservoir Wetlands area consists of Yadkin River floodplain areas strongly affected by the impounded water at the upper end of High Rock Reservoir. The river channel and lower parts of the floodplain are open water, while low floodplain ridges are increased in wetness but remain forested. This complex supports a very large wading bird nesting colony with breeding great blue herons and great egrets. The flooded forests and ponded sloughs offer foraging opportunities for the birds as well as providing important habitat for fish.

**BOUNDARY JUSTIFICATION:** Most of the Primary Areas are drawn to include the most intact natural communities or to protect the more altered, but significant, parts of High Rock Reservoir Wetlands. Riparian zones extending 100 feet from the water are also dedicated as Primary Areas to protect water quality in the Yadkin River. One additional area of mature upland hardwood forest, though too small to be named as a natural area, is also treated as a Primary Area. All other parts of the game land are dedicated as Buffer Areas.

**MANAGEMENT AND USE:** The area is used for public hunting and wildlife management. Most of the dedicated area needs no special management beyond allowing the forests of at least the Primary Areas to mature to old-growth condition and remain unaltered. Most of the forests are floodplains or mesic uplands that likely do not have a significant need for fire. Wading bird colonies are sensitive to public intrusion. Protection of the colony from close public access is recommended.

The Restoration Area is a portion of the Yadkin River floodplain with successional forests, including young pine forests on higher areas and hardwoods in wetter sloughs. This is in the limited portion of the game land where the river is not impounded. Restoration could consist of simply allowing natural succession to take its course. However, harvest of the pines and undesired hardwoods and planting of trees characteristic of the natural communities would be appropriate. The natural state for this area should be examined in detail before taking action, and likely consists of a mosaic of Piedmont Levee Forest, Piedmont Bottomland Forest, and Piedmont Swamp Forest.

Control of invasive non-native plants is encouraged where they occur, especially in the Primary Areas and Restoration Area. Targeted control methods that will not harm the associated native vegetation should be used.

Beavers should generally be allowed to continue their natural behavior unhindered. If beavers appear to be threatening significant resources, decisions about controlling them should be made in consultation with the Natural Heritage Program.

**YADKIN RIVER GAME LAND  
DEDICATED NATURE PRESERVE  
(SOUTHERN SEGMENT)**

COUNTY: Davidson, Montgomery                      PHYSIOGRAPHIC PROVINCE: Piedmont

TOPOGRAPHIC QUADS: High Rock and New London

SIZE OF AREA: ca 2,309 acres (721 acres Primary; 1,588 acres Buffer)

OWNER/ADMINISTRATOR: State of North Carolina, Wildlife Resources Commission

DESCRIPTION: The southern segment of the Yadkin River Game Land Dedicated Nature Preserve lies along the impounded waters of Tuckertown Reservoir. This part of the Yadkin River runs through a gorge-like valley surrounded by the hills of the Uwharrie region, and most of the game land is on steep slopes. Despite the rugged topography, land use has been extensive here. Most of the forest is young or has altered tree composition after timber harvest in recent decades. Several small remnant natural areas have less altered vegetation, rare natural communities, and rare species, and these make up the Primary Area of the dedication. The intervening lands, dedicated as Buffer Area, connect and buffer the Primary Areas and provide additional wildlife habitat. Several large utility rights-of-way cross this area and these, along with a network of forest roads, constitute pre-existing disturbed areas that may be maintained within their existing footprint.

South Lick Creek Bluffs contains a steep cliff above a tributary creek. It supports a Piedmont Cliff (Acidic Subtype) community on the outcropping rock.

Cabin Creek Hardwood Slopes is a north-facing bluff above the tributary creek. It supports mature Mesic Mixed Hardwood Forest. A small wetland at the foot of the bluff is a Low Elevation Seep (Floodplain Subtype) community.

Hidden Cove Hardwood Forest is a ravine and north-facing slope among the hills. It contains a Basic Mesic Forest (Piedmont Subtype) community with large trees.

Bald Mountain/Tuckertown Reservoir natural area lies at a narrow part of the gorge. Bald Mountain is a prominent knob that supports high quality upland forest communities, including Dry-Mesic Oak—Hickory Forest (Piedmont Subtype) and smaller amounts of Dry Oak—Hickory Forest (Piedmont Subtype) and the less common Piedmont Monadnock Forest (Typic Subtype).

Newsom Bluffs and Slopes occurs a short distance downstream, on the flanks of a knob at the junction of the Ellis Creek arm of the reservoir. An open community with rocky ground and an open canopy of large-diameter but short trees occur on the dry west-facing slope. Its classification



has been uncertain but it is presently treated as a Piedmont Basic Glade (Typic Subtype). It supports a population of the NC Threatened Indian physic (*Gillenia stipulata*).

Ellis Creek—Stokes Ferry Hardwood Forest is the largest natural area in the game land. It contains sizeable patches of mature upland hardwood forests associated with a variety of geology. Dry-Mesic Oak—Hickory Forest (Piedmont Subtype), Piedmont Monadnock Forest, Dry Oak—Hickory Forest (Piedmont Subtype), Dry-Mesic Basic Oak—Hickory Forest (Piedmont Subtype), and Dry Basic Oak—Hickory Forest communities all occur here. NC Special Concern Timber rattlesnakes (*Crotalus horridus*), found in adjacent parts of the natural area, likely range within the game land portion as well.

NC Threatened Bald eagles (*Haliaeetus leucocephalus*) are known to nest in the Buffer Area. Nest locations may change over time, but this rare species is a significant feature of the Nature Preserve.

**BOUNDARY JUSTIFICATION:** The Primary Areas are drawn to include the most intact natural communities and primary portions of recognized natural areas. A Primary Area south of Bringle Ferry Road Boat Access contains extensive floodplain wetland and is adjacent to a heronry. Riparian zones extending 100 feet from the water are also dedicated as Primary Areas to protect water quality in the Yadkin River. All other parts of the game land are dedicated as Buffer Areas.

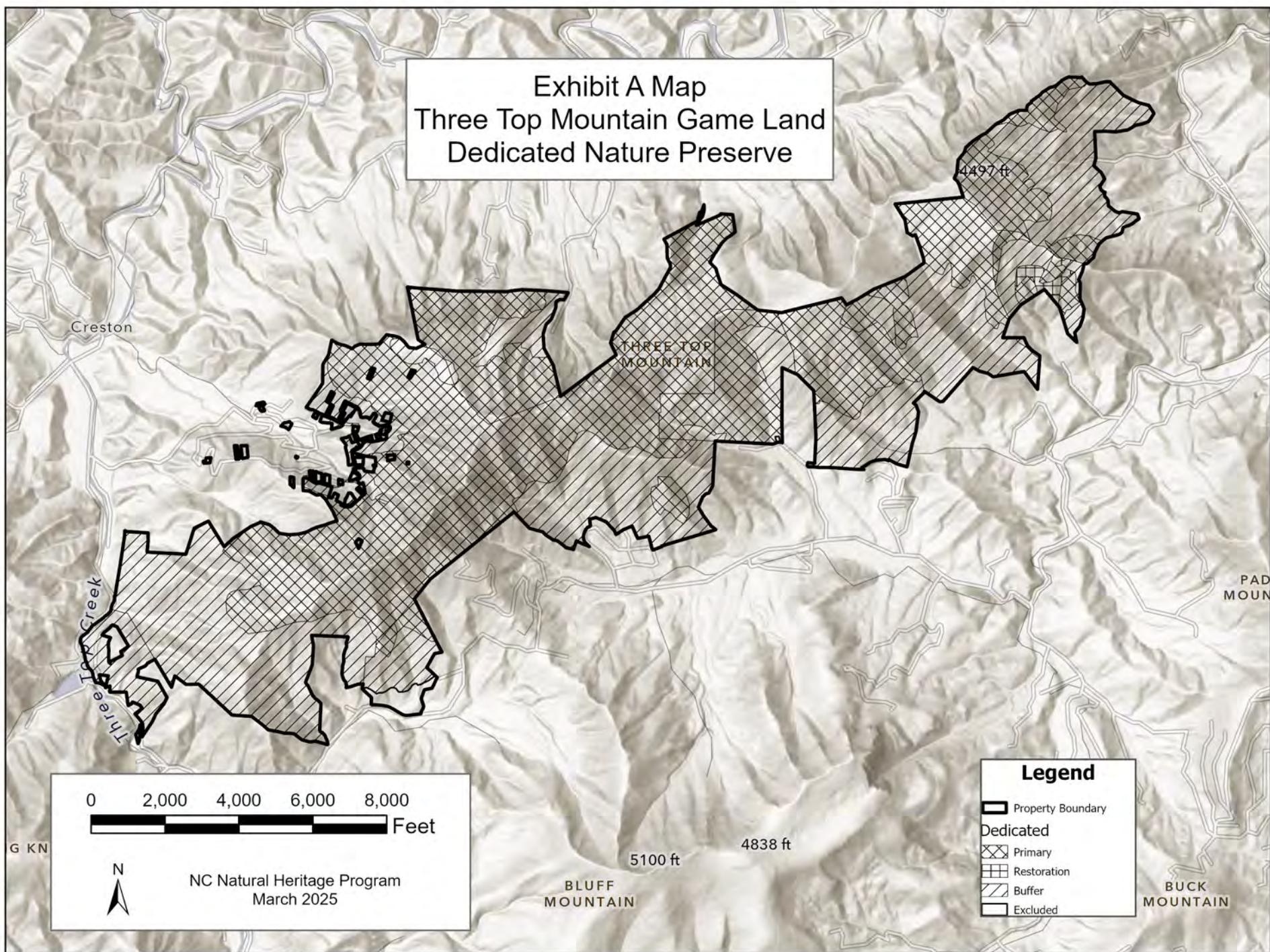
**MANAGEMENT AND USE:** The area is used for public hunting and wildlife management. Most of the dedicated area needs no special management beyond allowing the forests of at least the Primary Areas to mature to old-growth condition and remain unaltered. Most of the significant natural communities in this segment are dry uplands. They would benefit from prescribed burning at low to moderate intensity.

Control of invasive non-native plants is encouraged where they occur, especially in the Primary Areas. Targeted control methods that will not harm the associated native vegetation should be used.

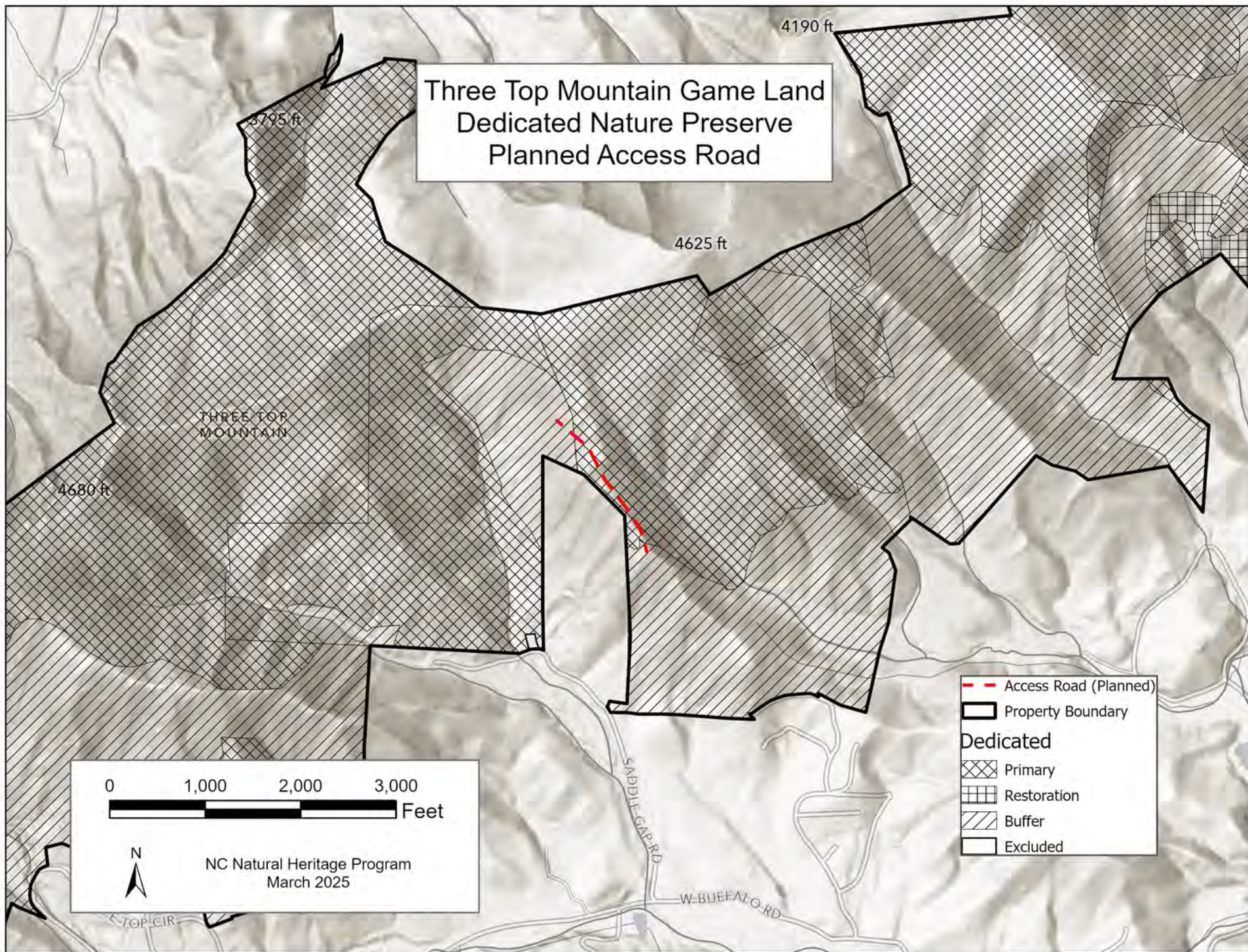
Buffer Areas should be managed to protect the buffering functions for the Primary Areas. Allowing these areas to mature and, where needed, undertaking restoration activities to promote more natural conditions, is encouraged. The bald eagle nest site in the Buffer Area, and any future bald eagle nests, should be protected from disturbance and from public intrusion.

A railroad right-of-way runs through the game land parallel to the river in the southern segment. Though not owned by the Wildlife Resources Commission and thus not subject to this dedication, the custodian is encouraged to seek cooperative management of this corridor and to seek to acquire the land if the railroad is ever abandoned.

Exhibit A Map  
Three Top Mountain Game Land  
Dedicated Nature Preserve









(DATE)

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

Mr. Kyle Briggs, Executive Director  
N.C. Wildlife Resources Commission  
Mail Service Center 1701  
Raleigh, North Carolina 27699-1701

Subject: Dedication of Portions of the **Three Top Mountain Game Land**, Ashe County

Dear Secretary Cashwell and Mr. Briggs:

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 August 8, 2023. The articles were amended to reflect additions of property to the preserve and provide more accurate boundaries.

This real property is currently administered by the North Carolina Wildlife Resources Commission as a portion of the **Three Top Mountain Game Land** and consists of approximately 3,532 acres located in Ashe County and composed of:

- |    |   |             |
|----|---|-------------|
| 1. | Three Top Mountain tract (Primary Area) | 1,988 acres |
| 2. | Three Top Mountain tract (Buffer Area)  | 1,544 acres |

all of 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 **Three Top Mountain Game Land Dedicated Nature Preserve**.

Dedication of the qualified portions of the tract fulfills the terms of grant agreements with the NC Land and Water Fund (former Natural Heritage Trust Fund or Clean Water Management Trust Fund).

THIS DEDICATION OF THE **THREE TOP MOUNTAIN GAME LAND 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 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 **Three Top Mountain Game Land Nature Preserve** (hereinafter "preserve") for the purposes provided in the North Carolina 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 Wildlife Resources Commission, 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 classifications and purposes of the preserve will be conservation, nature education, wildlife management, hunting, fishing, trapping, and other recreational uses authorized by the Primary Custodian. 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 1,988 acres, including a restoration area of 15 acres) and a Buffer Area (approximately 1,544 acres), as more particularly described in Exhibit A, attached thereto and by this reference made a part hereof. The Primary Area consists essentially of the core natural area encompassing High Elevation Rocky Summit, Montane Cliff, Northern Hardwood Forest, High Elevation Red Oak Forest, Rich Cove Forest, and associated natural communities, along with their known rare species occurrences.

The Primary Area--composed of the core 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 lower elevation and predominantly younger rich cove and other hardwood forests which tend to be more altered in species composition than forests in the Primary Area.

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

- A. **Character of Visitor Activity:** The principal visitor activities in the preserve shall be hunting, fishing, trapping, walking, research, and observation. 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 or in conjunction with supervised educational activities of the Custodian, or further excepted as herein provided or otherwise expressly permitted.

- B. Consumptive Wildlife Uses: Hunting, fishing, and trapping shall be permitted on the preserve subject to regulations and management by the North Carolina Wildlife Resources Commission.
- C. Orientation and Guidance of Visitors: The Custodian reserves the right to orient and guide visitors for educational programs, hunting and fishing uses, scientific research, and for preserve management. Exhibits, programs, and printed materials may be provided by the Custodian in service areas. The Custodian may create and maintain signage or kiosks, overlooks, fences, barriers, guardrails, steps and boardwalks (hereinafter referred to as "Trail Accessories") associated with trails to be constructed within the preserve. The location of any Trail Accessories shall be decided in consultation with the North Carolina Natural Heritage Program and shall be for the purpose of ensuring the safe, permitted use of the preserve while protecting the preserve from unwanted or excessive visitor traffic. The Custodian may restrict the access of visitors in those instances or in such areas that restrictions may be determined necessary to safeguard sensitive environmental resources in the preserve.
- D. Roads and Trails: Construction and maintenance of roads within Primary and Buffer Areas 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 use by staff 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. The Custodian may locate, build and maintain trails within the boundary of the preserve in a manner consistent with this dedication and in consultation with the North Carolina Natural Heritage Program. The North Carolina Natural Heritage Program may require that the Custodian reroute, restrict or limit access to specific areas of the preserve or the Northern Peaks State Trail if it is determined by the North Carolina Natural Heritage Program that such reroute, restriction or limitation is necessary to safeguard sensitive environmental resources in the preserve.

Existing roads that occur within or which 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.

Portions of existing roads and trails located on the former Hoo and Copley tracts (see Exhibit A of the original dedication, dated October 26, 1999) may be managed as linear wildlife openings. This may include management of native early successional vegetation or the seeding of grasses or legumes which may be deemed appropriate by Wildlife Resources Commission staff biologists as important for providing food and/or cover for native wildlife species occurring on the property. The width of any seeded areas may not exceed twenty feet. Maintenance may include fertilizing and/or mowing, but shall be limited to once annually.

On the former Hoo tract, the vegetation is patchy in terms of quality, with some accessible roadside stands being composed of young saplings. The Wildlife Resources Commission has expressed an interest in maintaining these small patches of younger vegetation as early successional shrub-scrub habitat, both for grouse and for other bird species which might benefit. Opportunities for such management within the larger preserve are limited by accessibility, topography, and habitat quality. Management of linear openings on this portion of the preserve may include reduction of shade by removal of woody vegetation for a distance of up to forty feet from the center line of the existing road, if the stand meets the following criteria. The stand should be defined based on the diameter of the trees within the stand, with a maximum diameter of 8 inches DBH. and an average diameter 6 inches DBH. The maximum size of any stand selected for harvest is 2 acres, with no more than 10 such openings being created and subsequently managed within the former Hoo tract.

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: S.R. 1194.

- E. 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.
- F. 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.
- G. 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 material 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.

- H. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, artifact removal, or other material, nor any change in topography or surface hydrology of the preserve. Exceptions may be made for permitted archeological 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. Water Level Control: The purpose of water level control shall be to maintain the Preserves' natural water regime. Water levels that have been altered by human activities may be changed, if necessary, to restore the preserve to its natural condition. In a preserve with a long history of managed hydrology, water levels may be managed to perpetuate the ecosystems that have evolved around the hydrology. This decision should be made in consultation with the Natural Heritage Program. Millponds are an example of situations in which water levels have been historically managed.
- J. Bringing in Flora and Fauna: No exotic flora and no animals except leashed dogs and cats, hunting dogs as permitted in game lands, 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.
- K. 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.
- L. Disturbance of Natural Features: 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 or insect infestation 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 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.
- M. Control of Populations (natural and exotic): 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 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. Because of potential impacts on native species, no exotic flora or fauna shall be introduced into the preserve.

- N. 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.

Within the former Hoo tract (see Exhibit A of the original dedication, dated October 26, 1999), any areas which may be determined, through examination of aerial photographs or topographic maps dated 1966 or later, to have been maintained in the past as crop land or pasture land, may be reclaimed and managed as grass/legume openings or other early successional habitat for the benefit of wildlife. These areas should be identified in the management plan and management should be coordinated with the Natural Heritage Program.

- O. Management Plan: The Wildlife Resources Commission, 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. The management plan will be part of the larger management plan developed for the game lands. 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. 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 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 N.C. Wildlife Resources Commission and general management philosophy as outlined in Commission planning documents, in addition to providing for the buffer functions in relation to the Primary Area(s). WRC rules and guidelines require the protection and enhancement of wildlife populations and habitat so that hunting, fishing, trapping and other wildlife recreational opportunities are available to citizens of this State. Forest management is primarily conducted to enhance wildlife habitat.

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 Wildlife Resources Commission 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 **Three Top Mountain Game Land 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).

Sincerely,

Gabriel J. Esparza

CONSENTED AND AGREED TO:

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Secretary Pamela B. Cashwell  
Department of Natural and Cultural Resources

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Kyle Briggs, Executive Director  
Wildlife Resources Commission



**EXHIBIT A**  
**THREE TOP MOUNTAIN**  
**DEDICATED NATURE PRESERVE**

COUNTY: Ashe

PHYSIOGRAPHIC PROVINCE: Blue Ridge

TOPOGRAPHIC QUAD: Warrensville

SIZE OF AREA: ca. 3,532 acres (1,988 acres Primary Area, including a Restoration Area of 15 acres; 1,544 acres Buffer Area)

OWNER/ADMINISTRATOR: State of North Carolina, North Carolina Wildlife Resources Commission

LOCATION: Clifton, Creston, and West Jefferson Townships; all or portions of Ashe County parcels 03114002, 03114018001- 03114018020, 03114018022- 03114018028, 03114018043, 03114018045- 03114018049, 03114018030, 03114018031, 03114018034- 03114018037, 03114018040, 03114018041, 03114011, 03114010, 03084116900, 03114012, 02114002, 19151134, 19151133, 19147001, 02147002, 19186010, 19186357, 19151026, 19186036, 19182001, 19182254, 19151061, and 02182013.

DESCRIPTION: Three Top Mountain is one of a cluster of mountains in the northwest corner of North Carolina composed primarily of amphibolite or hornblende gneiss. Rising from 3,000 feet to about 4,900 feet, its topography is characterized by steep slopes, narrow to moderately broad ridges, narrow coves, rugged ridge top crags, and small sheltered cliffs and outcrops. The distinctive rock chemistry, which produces higher pH soils than is typical for the Blue Ridge, combines with the topography and other factors to support distinctive communities and a large number of rare species. The site is rated as Outstanding by the Natural Heritage Program, for its remarkable collection of rare species and natural communities.

The most significant single feature on the site is the set of High Elevation Rocky Summit communities, most extensive and diverse at the south end but scattered along the entire ridge crest. These communities are in excellent condition and represent two rare subtypes of this community type. The largest number of rare species occurs on these rock outcrops. They support some of the largest populations of three rare plant species: the Federally and State Endangered mountain bluet (*Houstonia montana*) and spreading avens (*Geum radiatum*), and Federally and State Threatened Heller's blazing-star (*Liatris helleri*). Other rare plant species present include the NC Endangered bluebells (*Campanula rotundifolia*), NC Threatened Carolina highland rush (*Oreojuncus trifidus*), the NC Special Concern lichen *Cetraria arenaria*, and NC Rare golden tundra-moss (*Rhytidium rugosum*), Carolina saxifrage (*Micranthes caroliniana*), and deerhair bul-rush (*Trichophorum cespitosum*), many of them in multiple places on the mountain. Also reported to be present is a nesting site for ravens (*Corvus corax*) and high potential for nesting by peregrine falcons (*Falco peregrinus*).

In more sheltered areas on both flanks of the mountain are a couple of occurrences of Montane Cliff (Mafic Subtype), another rare community in very good condition. Some of these cliffs support additional populations of Carolina saxifrage, as well as uncommon plants such as walking fern (*Asplenium rhizophyllum*).

The forest communities that cover most of the primary part of the preserve are mature and in good to excellent condition, ranging from mature to near old-growth. Most represent unusual subtypes developed in response to the amphibolite substrate and the northerly location within the state. They include Northern

Hardwood Forest (Rich Subtype), High Elevation Red Oak Forest (Rich Subtype), Montane Oak—Hickory Forest (Basic Subtype), and both the Montane Rich and Montane Intermediate subtypes of Rich Cove Forest.

Northern Hardwood Forest (Rich Subtype) is the most abundant community type in the dedicated area. The canopy is well-developed in most places but is wind-battered along the ridge crest. It generally is dominated by combinations of sugar maple (*Acer saccharum*), buckeye (*Aesculus flava*), white ash (*Fraxinus americana*), and beech (*Fagus grandifolia*), with some shagbark hickory (*Carya ovata*), red oak *Quercus rubra*, and other species. The herb layer is fairly dense and contains species associated with rich soils as well as more typical species of high elevations. The understory and shrub layers are similarly mixed they include unusual amounts of hop hornbeam (*Ostrya virginiana*) as well as species shared with spruce-fir forests, such as American rowan (*Sorbus americana*) and red elderberry (*Sambucus pubens*). The rare Roan sedge (*Carex roanensis*) occurs in this and other forest communities.

On the warmer slopes is High Elevation Red Oak Forest (Rich Subtype) A portion of the area occupied by this community is somewhat fragmented by roads built before purchase by the Wildlife Resources Commission. However, this portion is the most mature and is consequently highly significant. Lower elevation south-facing slopes in a few areas support Montane Oak—Hickory Forest (Basic Subtype) communities, dominated by a mixture of white oak (*Quercus alba*) and other species. One area of mature forest on the south side has nesting cerulean warblers (*Dendroica cerulea*), one of the few locations for this species known in this part of the state. Chestnut Oak Forest (Dry Heath Subtype) occurs on southern facing rocky slopes, dominated by chestnut oak (*Quercus montana*) and other oak species, mountain laurel (*Kalmia latifolia*) is the dominant shrub species. Though more widespread throughout the mountains, this community only occurs on a small acreage on the mountain.

Rich Cove Forests are widespread on the lower parts of the mountain, but more limited areas are in good condition. They include all of the trees of the Northern Hardwood Forest, with the addition of tulip polar (*Liriodendron tulipifera*), cucumber magnolia (*Magnolia acuminata*), and black walnut (*Juglans nigra*). Much is the Montane Rich Subtype, again related to the amphibolite and containing added set of species of rich soils. A smaller area is the more common Montane Intermediate Subtype. Embedded in the Rich Cove Forest are small areas of Rich Montane Seep communities, with a similar canopy but with a distinctive herb layer tolerant of saturated soil conditions. Populations of rare plant species, trailing wolfsbane (*Aconitum reclinatum*) and meehania (*Meehania cordata*), are present in some of the coves.

Carolina Hemlock Forest (Typic Subtype) occurs at a few locations on exposed narrow rocky ridges on the north and southern sides of the mountain. This small patch community is dominated by Carolina hemlock (*Tsuga caroliniana*) with the addition of chestnut oak (*Quercus montana*), northern red oak (*Quercus rubra*), and black gum (*Nyssa sylvatica*). The shrub layer is moderate with Catawba rhododendron (*Rhododendron catawbiense*) and mountain laurel (*Kalmia latifolia*). The herb layer is sparse often containing Galax (*Galax urceolata*).

Large salamander populations are present on the mountain, including the rare northern pygmy salamander (*Desmognathus organi*) and Weller's salamander (*Plethodon welleri*). Lepidoptera studies in the site have also identified a large number of rare moths and butterflies, including the golden borer moth (*Papaipema cerina*), orange-barred carpet moth (*Dysstroma hersiliata*), and at least five others. Wildlife populations include deer, wild turkey, squirrel, raccoon, black bear, and ruffed grouse. This portion of Ashe County supports a small black bear population which may use the site. The forests provide breeding habitat for many species of songbirds, including forest interior neotropical migrant species which will benefit from the unfragmented core portions of the site.

The preserve also plays a particularly significant role in the larger landscape. Three Top Mountain is connected by buffer lands to the protected core natural area on Bluff Mountain and to Elk Knob State Park and the core area at Long Hope Valley. These connections increase the viability of wildlife populations on all three sites. The preserve also protects lands in the upper watershed of the North Fork New River, a significant aquatic site, including the riparian zones of several headwater streams, though frontage of larger streams is limited.

The preserve contains existing disturbed areas in the form of forest roads and a few small clearings, which may be retained under the dedication agreement. Roads are sparse in most parts of the primary area but are fairly dense in one area.

**BOUNDARY JUSTIFICATION:** The largest portion of the Primary Area boundary encompasses the rare species populations, the rare community occurrences, and the mature portions of the more widespread forest communities. It includes the central core area of the large landscape area centered on the mountain ridge. The smaller Primary Area on the south side encompasses a patch of mature forest which contains the cerulean warbler. Riparian zones are dedicated as Primary Area, consistent with standards for lands acquired with NC Land and Water Fund grants, including 100-foot riparian zones on the Rash tract. Primary (Restoration) Areas are delineated in an area that experienced recent timber harvest, but is located with the 100-foot riparian zone, or contains habitat for rare species. The Buffer Area includes areas of younger forest and old pasture, generally downslope from the Primary Area, which will function to reduce intrusion of edge effects into the Primary Area, contribute to connection with nearby natural areas, and provide additional habitat for wider ranging animal species. Several privately owned inholdings remain within the Primary and Buffer Areas. These would qualify for dedication as Primary or Buffer area if they are acquired.

**MANAGEMENT AND USE:** The dedicated nature preserve will be managed as the Three Top Mountain Game Land, for protection of wildlife habitat and for public hunting. Special care is needed in siting any trails. Placement of new trails should be planned in consultation with the Natural Heritage Program. Public trails should avoid crossing High Elevation Rocky Summits and places where High Elevation Rocky Summits and sensitive rock outcrops are visible from the trail because rock outcrops invite widespread wandering by visitors. Visitors may be drawn to these natural features because of their scenic qualities; however, these communities and the rare plant species they contain are extremely sensitive to trampling. Improvement of game habitat will occur in the Buffer Areas and along existing roads in the Primary Area.

While many of the preserve's forests are naturally mesophytic and are not believed to need fire, the oak forests which are extensive on the drier slopes would benefit from prescribed burning at low intensity and moderate frequency. Fire may be crucial for the long-term ecological integrity of these communities.

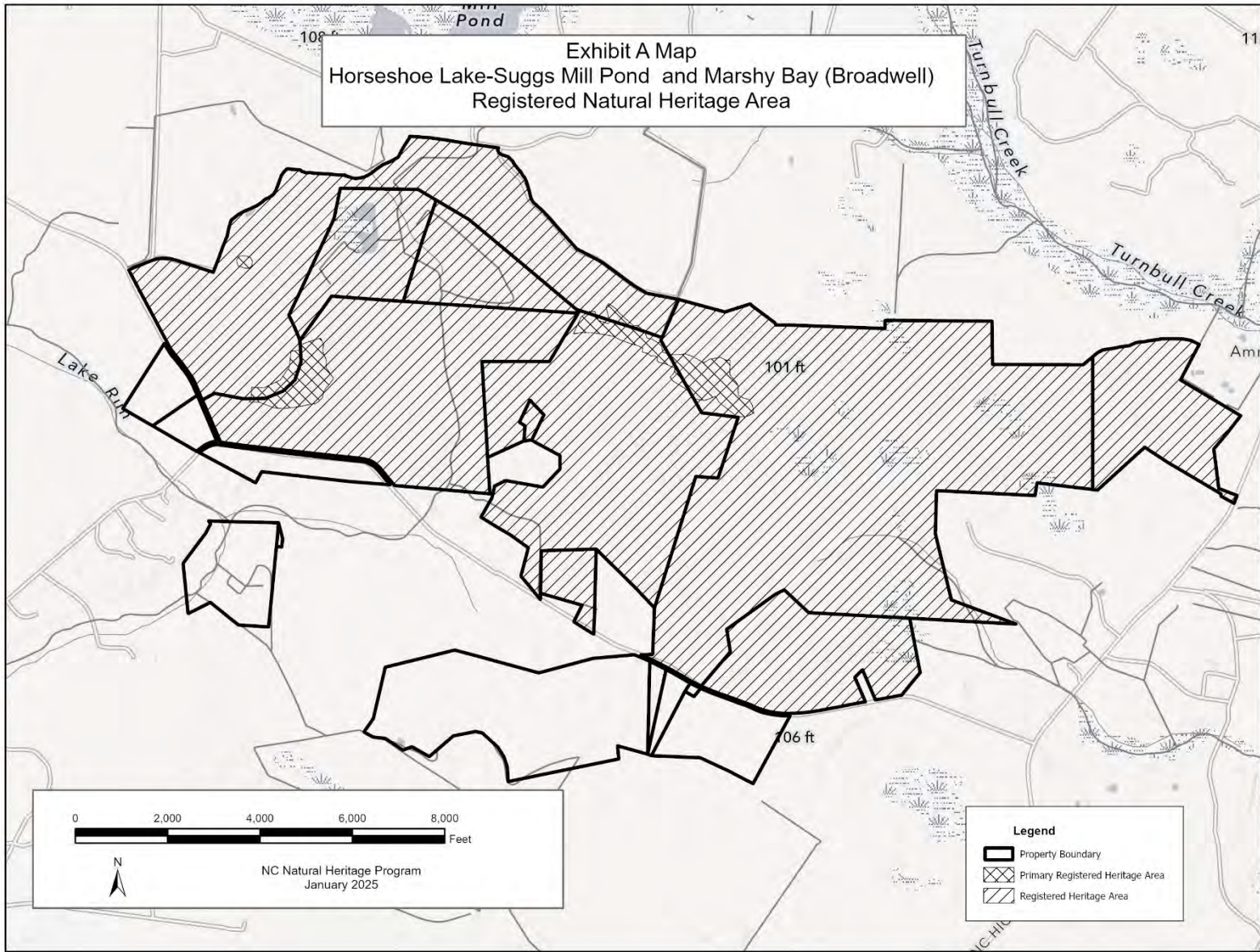
Passive restoration or natural regeneration is an appropriate management strategy for the Primary (Restoration) Area, to encourage a contiguous block of natural forest habitat for the cluster of rare species and streams in that area.

Invasive non-native plants are present in only limited portions of the Primary Areas but are more widespread in the Buffer Areas. These include multiflora rose (*Rosa multiflora*), Japanese stilt grass (*Microstegium vimineum*), and Japanese barberry (*Berberis thunbergii*). Control of these species is encouraged, as their presence even in the Buffer Area represents a threat of further spread into the Primary Area.

An access road is planned that would potentially go through a portion of the Primary Area to reach the Buffer Area of the Sherrill Tract. (See Attached Map). Alignment, design, and construction of the access

road will minimize impacts to the Primary Area, including from fragmentation. The Natural Heritage Program may be consulted as planning for the road begins.

Exhibit A Map  
Horseshoe Lake-Suggs Mill Pond and Marshy Bay (Broadwell)  
Registered Natural 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 Horseshoe Lake (Suggs Mill Pond) and Marshy Bay, consisting of approximately 3,089 acres (including 84 acres of primary area) is owned by Broadwell Brothers, 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 Broadwell Brothers, LLC property lies in the Bladen Lakes region of the Cape Fear valley, where a relict dune field contains numerous peat-filled Carolina bays amid low sand ridges and swales. A sand ridge on the east side of Bushy Bay and another on the north side of Thick Branch Bay support good quality longleaf pine communities, including Xeric Sandhill Scrub, Wet Pine Flatwoods, and an unusual example of Pine/Scrub Oak Sandhill (Mixed Oak Subtype) that contains abundant southern red oak (*Quercus falcata*). Elsewhere within the tract are additional occurrences of these communities, along with Wet Pine Flatwoods and small areas of Pine/Scrub Oak/Sandhill (Coastal Plain Mesic Transition Subtype) and Mesic Pine Savanna (Coastal Plain Subtype), which are more altered by past cutting and lack of fire, but which are being managed for restoration of more natural conditions by burning and planting longleaf pine. A small basin supports an example of the rare Coastal Plain Depression Swamp community. The better examples of these habitats are mapped as Primary in Exhibit A.

The remainder of the registered area includes the contiguous portion of the property with large peat-filled Carolina bays more altered by past timber harvest, ditching, and planting of Atlantic white cedar, as well as some upland ridges in pine plantations, and swales that contain altered hardwoods or pocosin-like vegetation. These areas are not exemplary as natural communities, and they vary in their potential for successful restoration to more natural conditions, but they contribute to the ecological function of the large undeveloped landscape that is shared with Suggs Mill Pond Game Land, Bushy Lake State Natural Area, and other natural lands.

### AGREEMENT

The Registry Agreement is a mutual understanding between Broadwell Brothers, 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 registered area is a mosaic of areas in relatively natural condition, restoration areas, and more altered areas. While general management recommendations are offered, ongoing conversation with the Natural Heritage Program on detailed plans and effects of management is encouraged.

For all of the areas with longleaf pine communities, particularly those with relatively intact herbaceous ground cover, the most important management needed is burning. Burning at least every three years is recommended in the long run, and more frequent fire is recommended for some years until the effects of past fire exclusion are reversed. Burning in the growing season is generally more ecologically beneficial than burning in the winter, but any burning is beneficial.

It is recommended that longleaf pine generally not be cut, especially in the more intact natural community occurrences. Some areas of planted longleaf pine are dense enough that thinning may be beneficial. Planted loblolly pine might be harvested when stands reach economic maturity, but replanting with longleaf pine after that is encouraged. Where these areas lack grassy ground cover, conversion to longleaf pine may be better served by thinning the loblolly pine but retaining some in the overstory for a period of time to provide litter to fuel fires.

No special management is needed in the Coastal Plain Depression Swamp, but burning would likely be beneficial to it if conditions become dry enough to allow fire to spread.

Restoration is likely to be more difficult in the peatlands. Filling or control of flow in ditches to provide more natural hydrology is encouraged where ditches are present. Atlantic white cedar plantations might be harvested where they represent an off-site species. Fire might facilitate recovery to more natural pocosins and regeneration of pond pine. At a minimum, it is recommended that these areas be managed to provide wildlife habitat and buffer functions to the more intact natural communities.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of Horseshoe Lake (Suggs Mill Pond) and Marshy Bay owned by Broadwell Brothers, LLC 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 Broadwell Brothers, 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.

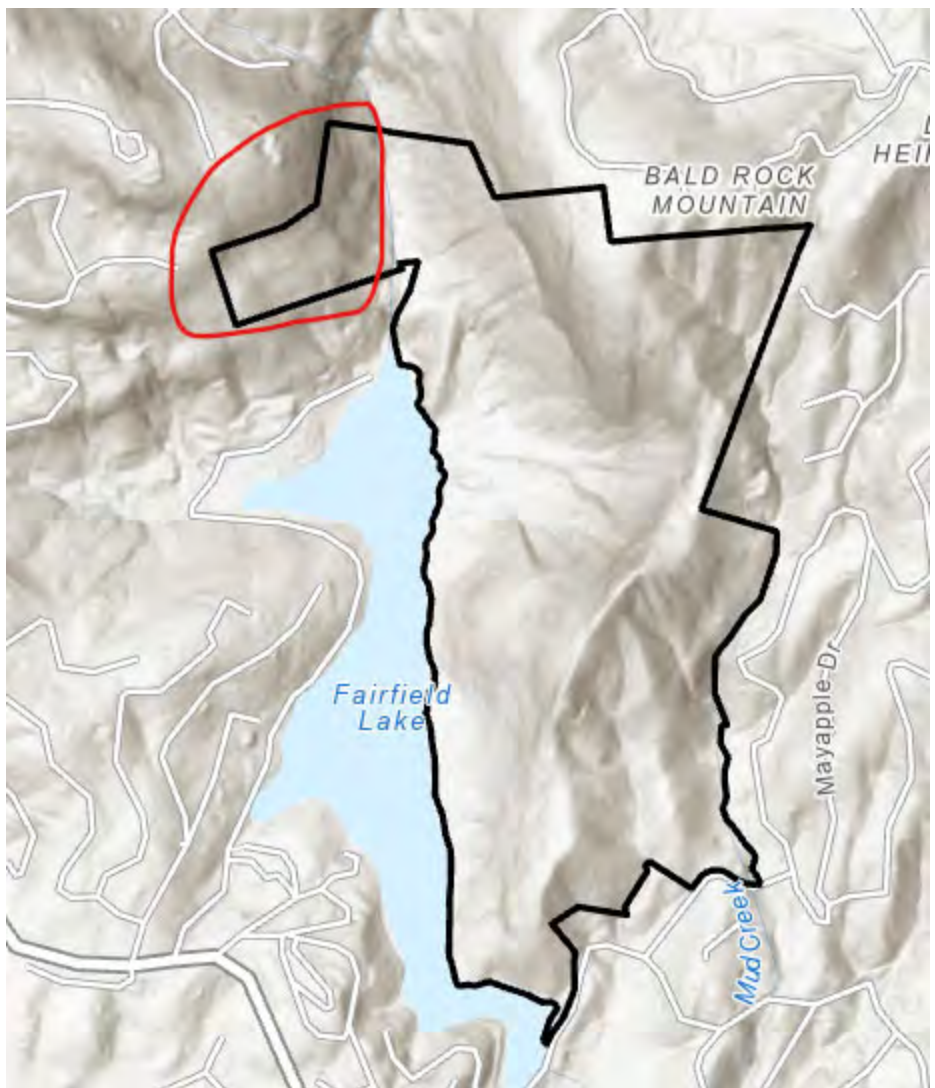
These areas are hereby registered for an indefinite period until terminated in writing by either party to the other upon thirty (30) days' notice.

By \_\_\_\_\_  
Dohn Broadwell, Managing Member  
Broadwell Brothers, LLC  
PO BOX 53587  
Fayetteville, NC 28305

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

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 264 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 Wooly 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: \_\_\_\_\_

# Natural Heritage Advisory Committee

North Carolina Natural Heritage Program

May 14, 2025



NC DEPARTMENT OF  
NATURAL AND CULTURAL RESOURCES

# North Carolina Natural Heritage Program

## Recommendations for Dedication and Registry

Submitted to the Natural Heritage Advisory Committee

May 14, 2025



NC DEPARTMENT OF  
NATURAL AND CULTURAL RESOURCES

Celebrating the 40<sup>th</sup>  
anniversary of the  
Nature Preserves Act  
  
Signed into Law  
May 22, 2025



# Dedicated Nature Preserve

- Agreement is attached to the land
- Agreement cannot be rescinded by the owner
- Requires approval of Council of State and Governor
- Specific management rules



# Dedication zones

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

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

Special Management Area: a zone which retains some natural features (e.g., rare species population(s)), but is maintained for other purposes (e.g., transmission line right-of-way).

Buffer Area: areas within a tract which contribute to the ecological function of the Primary Area, but which do not qualify as Primary.





# Municipal and Private land dedications

- State versus non-state dedications: Non-state dedications more closely resemble conservation easements – recorded with deed
- Work with State Property Office. Property interest is transferred to the state.
- Require legal description – metes and bounds
- The Nature Conservancy's Nags Head Woods was the first dedicated nature preserve in North Carolina (July 1986)

# State land dedications

- Dedication of qualifying portions required when lands were acquired with NC Land and Water Fund grants.
- Dedication is done by Letter of Allocation



# Aquatic Standards for State Land Dedication

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

# NHP Project Review Policy

Amendments to boundary – Changes to the spatial boundary of an agreement.

1. Amendments to accommodate public works projects (i.e. roads, bridges, sewer and water lines or associated infrastructure) may be approved at staff level without review by the Natural Heritage Advisory Committee if the following conditions are met:

a. The amendment would affect less than 1 acre or 5% of the Preserve, whichever is smaller.

AND

b. The project would not impact a natural heritage element occurrence.

# New River State Park Dedicated Nature Preserve



New River State Park, Elk Shoals area



# New River State Park DNP

New River  
State Park



Ashe, Alleghany Counties

Cherokee, Tutelo, Yuchi, Cheraw, Moneton



# New River State Park Dedicated Nature Preserve Bridge Replacement HB-0054, South Fork New River

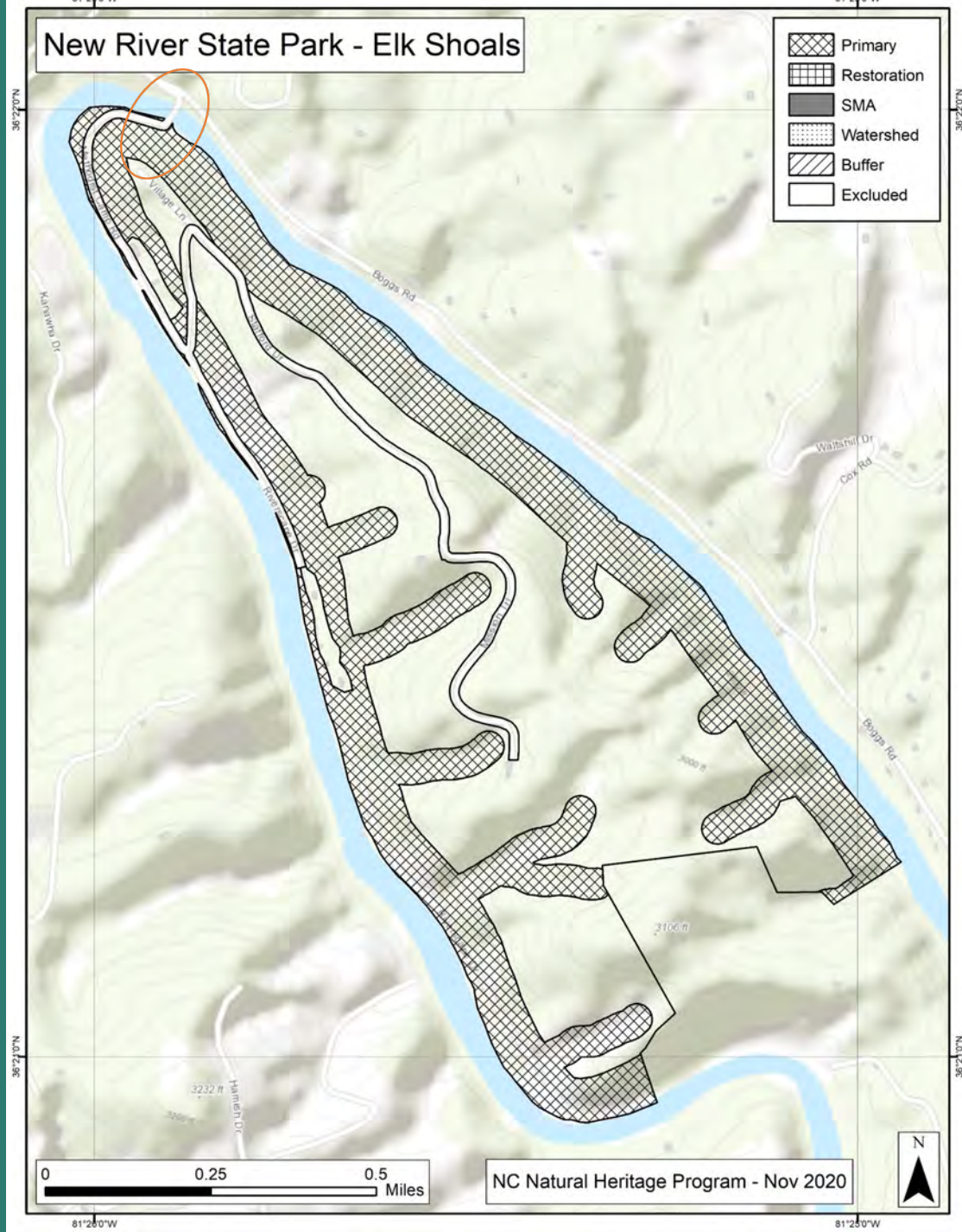
- Replace a bridge damaged by Hurricane Helene in September 2024



Photo from  
[highcountrync.com](https://highcountrync.com)

# New River State Park - Elk Shoals

- Primary
- Restoration
- SMA
- Watershed
- Buffer
- Excluded



0 0.25 0.5 Miles

NC Natural Heritage Program - Nov 2020







# New River State Park Dedicated Nature Preserve

- Acquisition of subject property funded by NC Land and Water Fund Grant (NCLWF #2016-055 Elk Shoals)
  - Dedication of qualifying portions was a grant condition







# New River State Park

## Potential dedicated area impacted

- 0.043 acre permanent right of way
  - 0.010 acre permanent drainage easement
  - 0.060 acre of temporary construction easement
- 
- 0.053 acres permanent total area removed

# Natural Heritage resources intersecting with HB-0054, New River State Park DNP

Scientific Name	Common Name	Rank	NC Status	US Status
<i>Cryptobranchus alleganiensis alleganiensis</i>	Eastern Hellbender	S3 G2T2	Species of Concern	Proposed Endangered
<i>Percina gymnocephala</i>	Appalachia Darter	S2 G4	Significantly Rare	
<i>Phenacobius teretulus</i>	Kanawha Minnow	S3 G3	Species of Concern	
<i>Elliptio dilatata</i>	Spike	S2 G5	Species of Concern	
<i>Leptoxis dilatata</i>	Seep Mudalia	S3 G3	Species of Concern	
<i>Etheostoma kanawhae</i>	Kanawha Darter	S3 G4	Significantly Rare	

# Bridge Replacement HB-0054

## NHP project review

- Temporary impacts from both demolition and construction, are confined to a short distance of the riverbank and instream habitat.
- Primary Custodian (DPR) has indicated support.
- NHP staff concur that bridge removal is necessary, and the design of the replacement bridge is a substantial improvement over the former bridge.
- Natural Heritage Advisory Committee approved amendment Feb 6, 2025.
- Public hearing scheduled May 8.
- Review by Land and Water Fund Staff and DNCR Secretary

# NCDOT Avoidance and Minimization Measures

- Designed to confine impacts to existing DOT right-of-way to the extent possible.
- Number of piers in water were reduced from four to two.
  - Span lengths increased as much as practical to achieve FEMA compliance.
- Removal of the impervious area along existing SR 1222 (Methodist Camp Road) from the new bridge to the existing will allow more of the natural bank area to be restored.
- NCDOT will coordinate the bridge demolition timeframe with NC Wildlife Resources Commission.

# Temporary Construction Easement

- Temporary construction easements to tie in fill slopes, provide a temporary work pad for construction, and to properly tie-in the parking lot.
- In previous amendments to dedications, Temporary Construction Easement areas have remained in dedicated area (with amendment).



# Amendment to New River State Park DNP

## Committee Conclusions from 6 February 2025 meeting

- The new bridge would serve the public interest by replacing the damaged bridge; however, the new use of the 0.53 acres would not be consistent with public purposes served by the dedication
- Recommended accommodating the proposed bridge replacement through amendment
  - Amendment recommendation to DNCR Secretary
  - Additional recommendation that DOT transfer the right-of-way area associated with the old bridge that will be abandoned to the NC Division of Parks and Recreation for management as part of the New River State Park, to the extent possible.
  - Recommend bat-friendly design for replacement bridge.

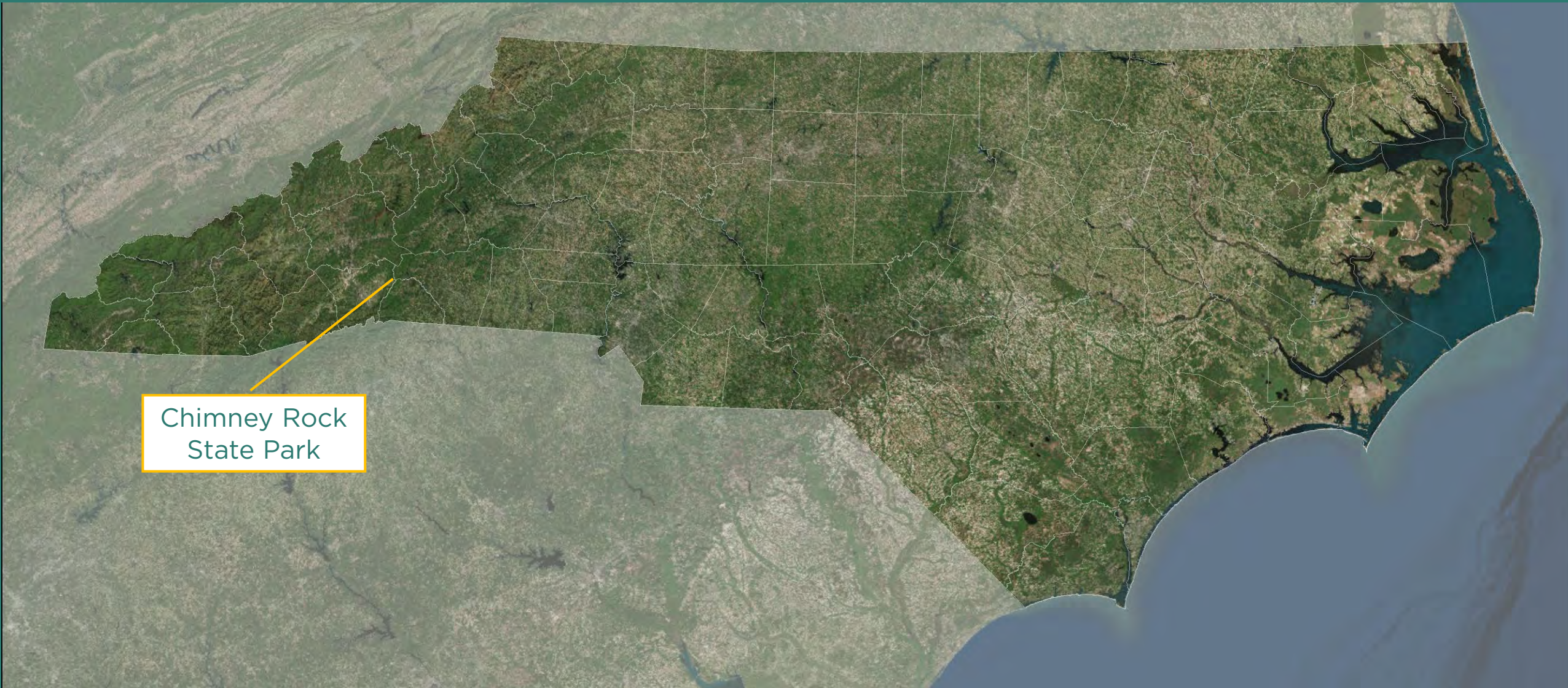
# Department of Natural and Cultural Resources

## Amendment process status

- Natural Heritage Advisory Committee reviewed 02/06/2025
  - Approved amending dedication
- Public Hearing 05/08/2025
- NC Land and Water Fund Board does not need to review (staff-level decision)
- DNCR Secretary review
- DNCR request for Council of State review
- After the public hearing and finding by the Governor and Council of State, the State shall publish a statement of findings



# Chimney Rock State Park DNP



Chimney Rock  
State Park

Henderson, Rutherford, Polk Counties

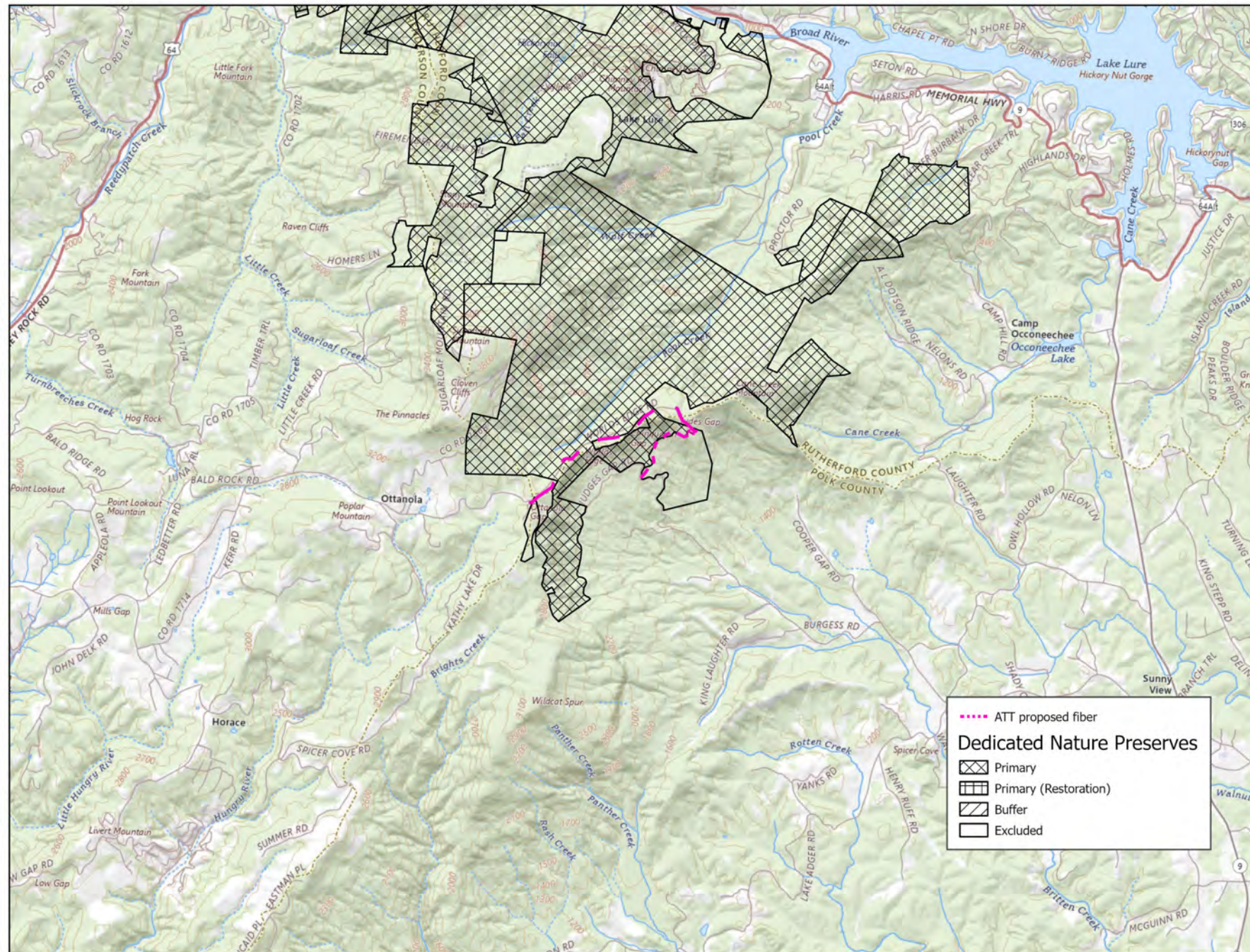
Cherokee, Yuchi, Catawba, Miccosukee



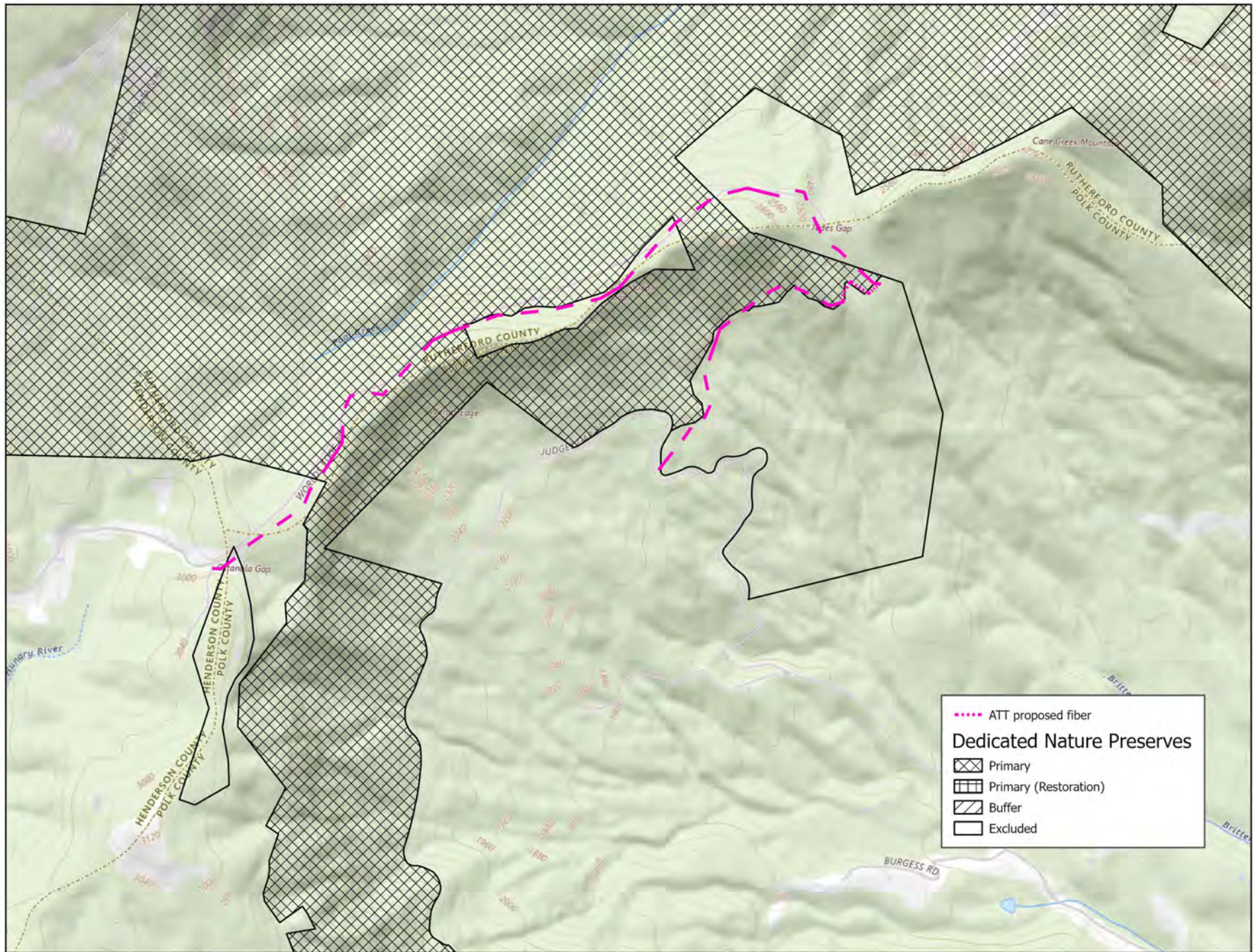
# Chimney Rock State Park

- Acquired in part with NCLWF grants
  - Natural Heritage Trust Fund (Grant # 200509503), and NC Clean Water Management Trust Fund (#2005B-005, 2006A-002).
  - Qualifying portions dedicated under Nature Preserves Act
- AT&T requests permanent easement to install redundant fiber
  - Helene disrupted service substantially
- Proposed route through Chimney Rock State Park along Worlds Edge Road
  - Impacts dedicated area as well as property funded by Land and Water Conservation Fund (NPS)
- DPR has been instructed to provide information to AT&T about how the alignment could be possible, including through a potential land exchange

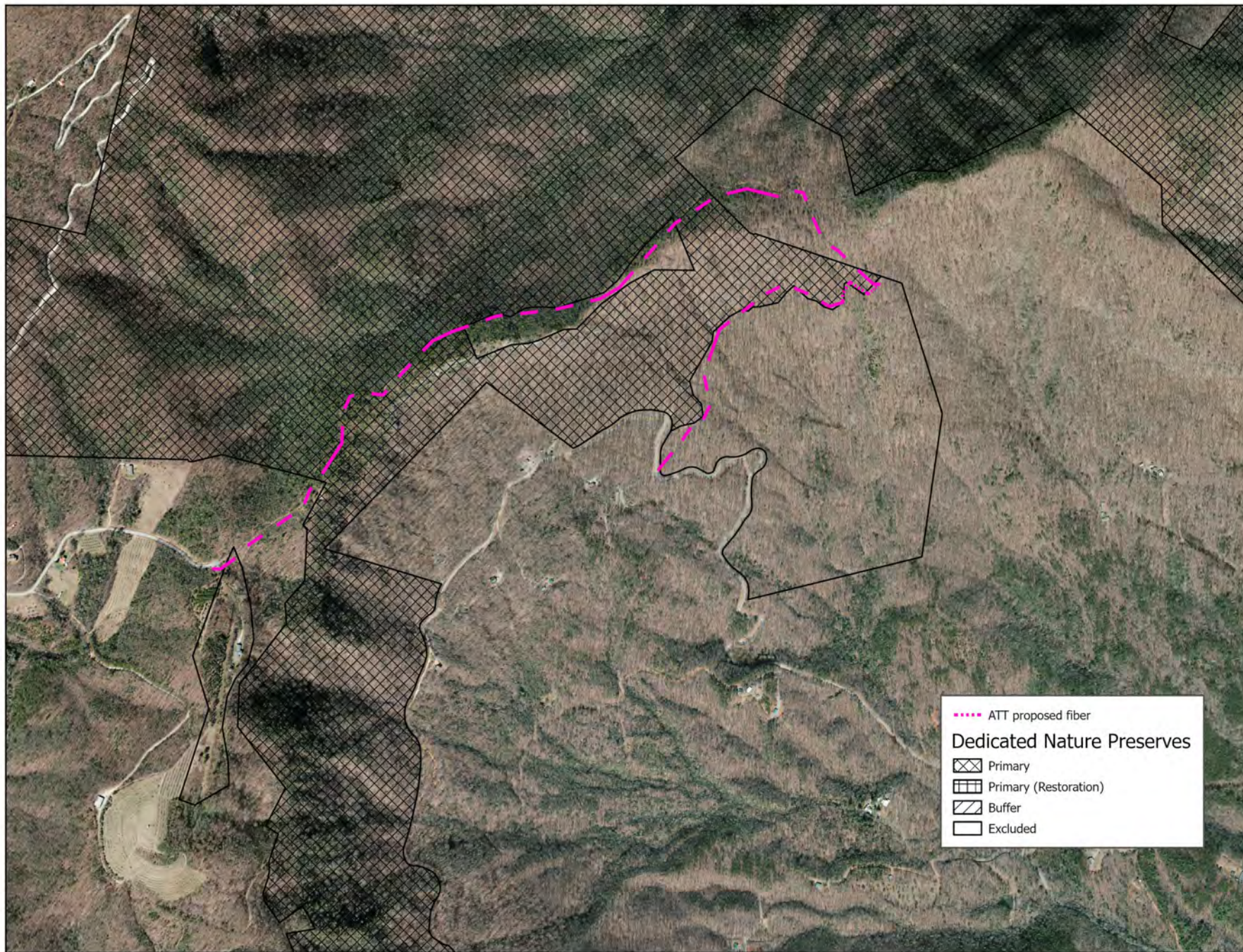














Proposed route is through a portion of the Exceptional Worlds Edge/Sugarloaf Mountain natural area (R1/C1).

Elements from the area include:

Scientific Name	Rank
Acidic Cove Forest (Typic Subtype)	S4 G5
Carolina Hemlock Forest (Pine Subtype)	S1 G2
Low Elevation Rocky Summit (Acidic Subtype)	S2 G3
Montane Oak—Hickory Forest (Acidic Subtype)	S4 G4
Pine--Oak/Heath (Typic Subtype)	S3 G3
Sweet Pinesap ( <i>Monotropsis odorata</i> ) – NC Significantly Rare	S3 G3

## Next Steps:

- Jess Schaner (NHP) will visit the proposed alignment during the growing season
- Initial thought from NCLWF is that because of the likely impacts to conservation values, this would be a Major Amendment request, and will require NCLWF board approval



White Irisette by Misty Franklin



NC DEPARTMENT OF  
NATURAL AND CULTURAL RESOURCES



# Yadkin River Game Land



Piedmont Levee Forest and Floodplain Pool photos courtesy of Nathan Shepard



# Yadkin River Game Land DNP

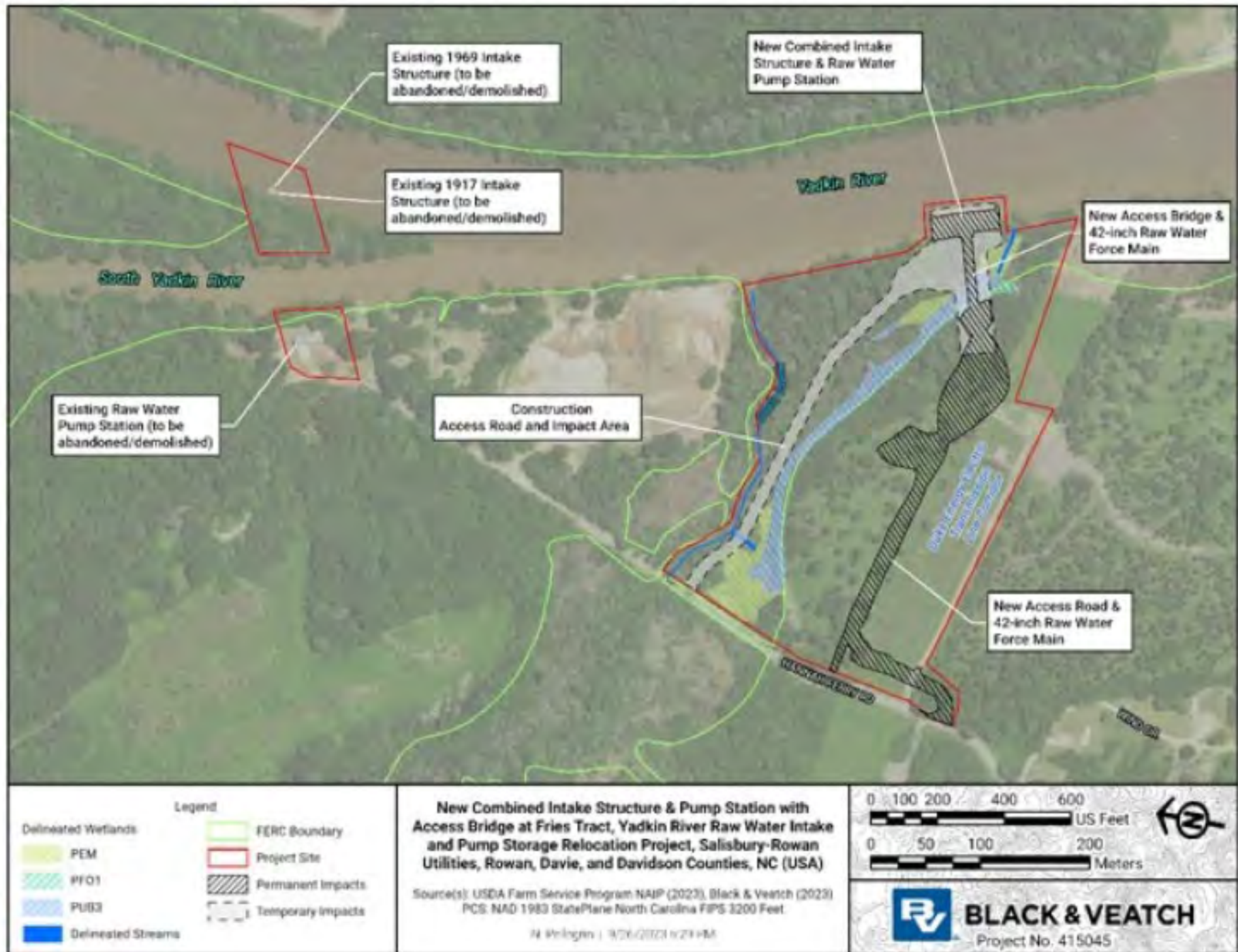


Davidson, Davie, Montgomery, Rowan Counties    Catawba, Cheraw, Keyauwee, Occaneechi

# Yadkin River Game Land

- Acquired in part with NCLWF grants #2017-033, #2017-068, 2020-047
  - Qualifying portions to be dedicated under Nature Preserves Act
  - NHP proposal for DNP Jan 2024
    - Full extent of property not known during inventory, including 15-acre tract
- City of Salisbury May 2024 request for 10 acres for water intake facility to draw water from Yadkin River
  - Existing infrastructure dates to 1917, with modification in 1968, and subject to flooding









### Legend

 Yadkin River Game Land





Figure 2-2 Aerial View Showing Project Site Elevation Differences and Simulated Project Infrastructure

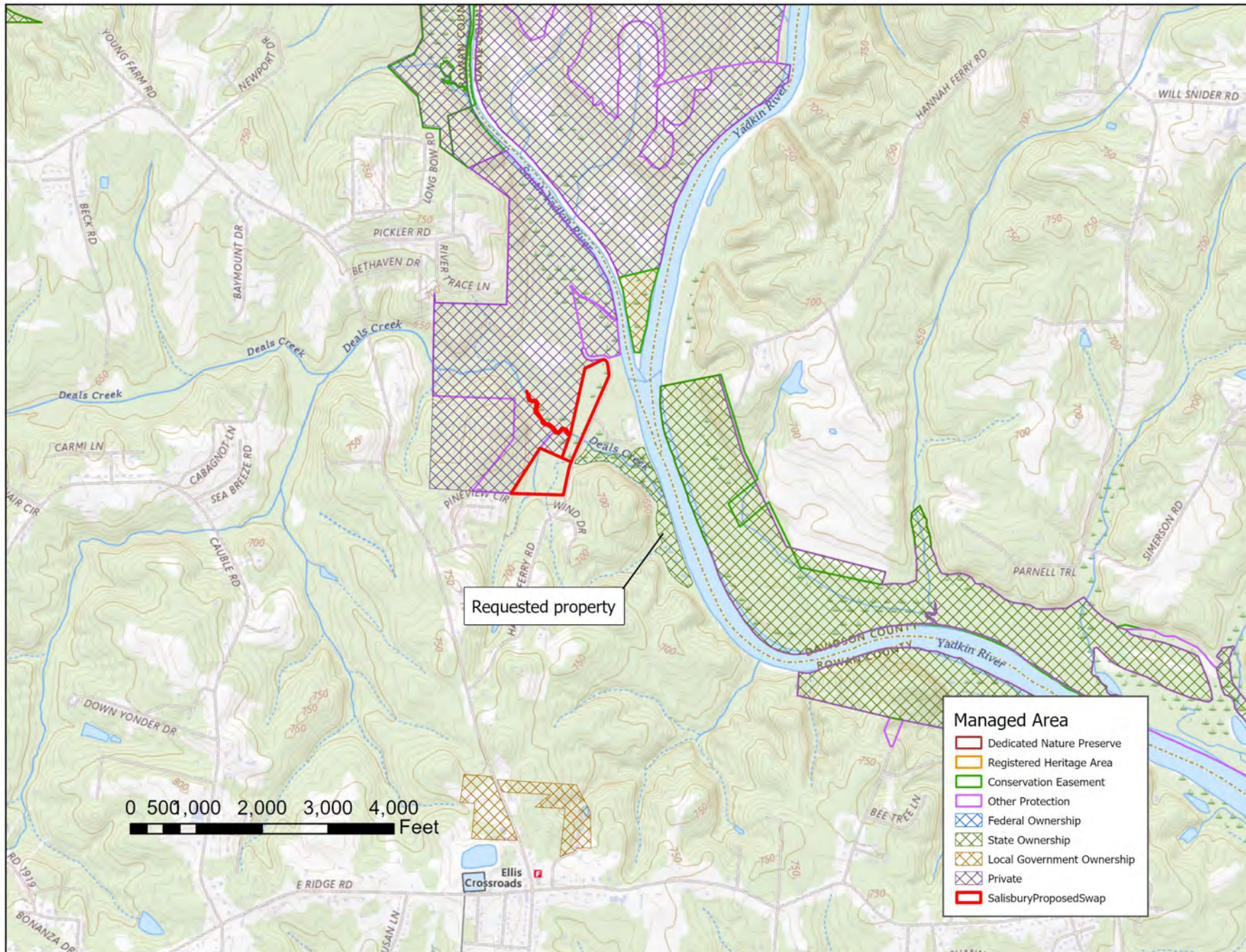
# Yadkin River Game Land

- Excluding the utility right-of-way, parcel would qualify for dedication as primary, but it is not dedicated
  - Piedmont Levee Forest and Floodplain Pool habitats extensive enough for element occurrences
  - Mesic Mixed Hardwood Forest did not meet minimum size threshold, but good quality
  - No rare aquatic species in this reach of the Yadkin River
- Potential land exchange with City of Salisbury

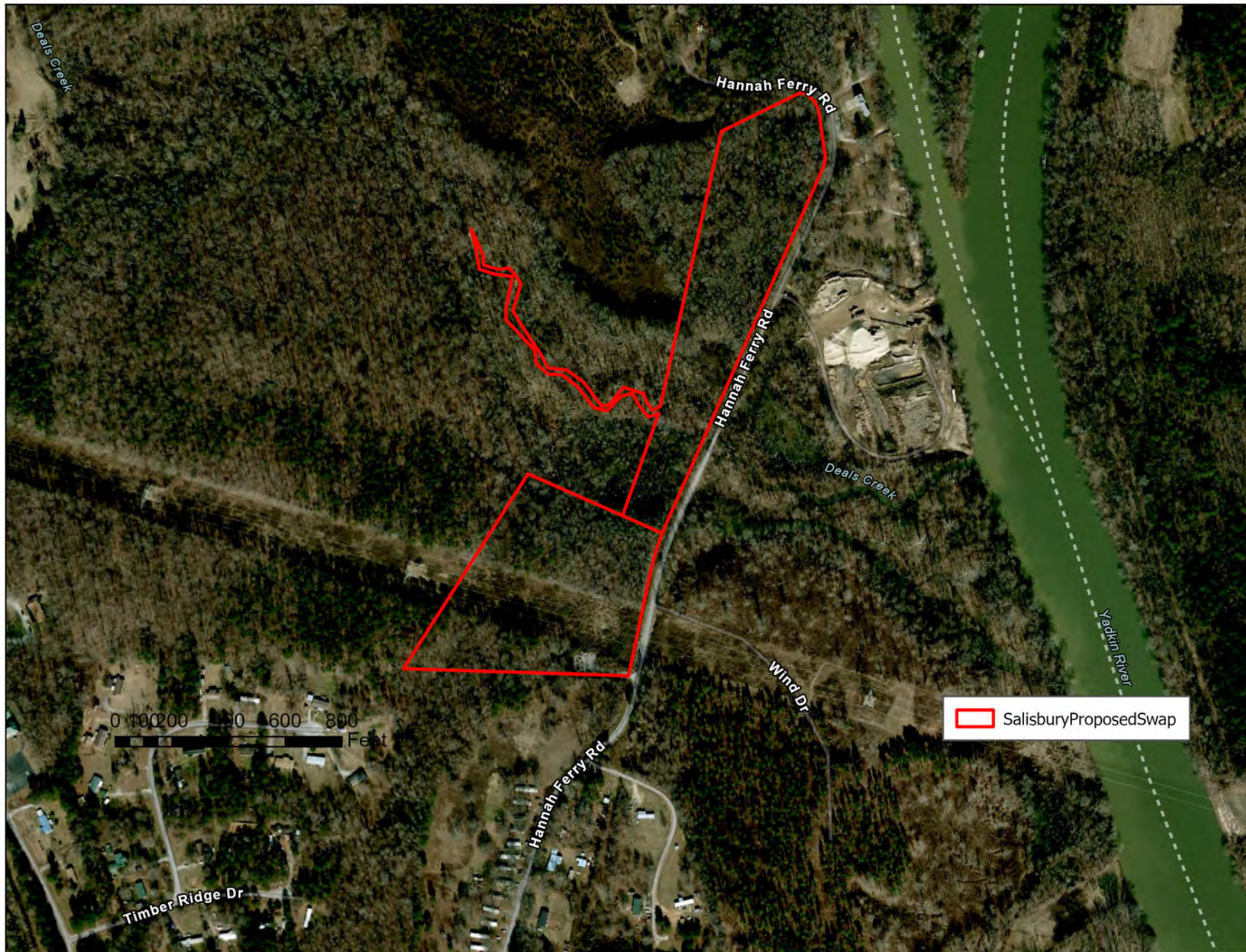
# Yadkin River Game Land Update

- February 2025 Natural Heritage Advisory Committee meeting
  - Purpose of discussion was to hear concerns from NHAC as project was being developed
    - No action taken
  - NCLWF proceeding with normal “amendment” process for NCLWF, despite dedication not complete
  - NHAC asked NCLWF to examine alternatives for construction in floodplain/wetlands and to otherwise minimize impacts
  - NHP surveyed proposed exchange parcel (19 acres)









# Yadkin River Game Land

## Update (continued)

- NHP surveyed proposed exchange parcel (19 acres)
  - Good quality habitat
    - Over 90% qualifies as Primary Area
- NCWRC supports exchange
  - Improved access
  - Comparable habitat
- NCLWF scoring for both parcels is equal, based on riparian considerations
- NCLWF staff recommend approving request to authorize exchange
  - NCLWF Board review at May 12, 2025 meeting
- NHP and NCLWF staff recommend dedication of exchange parcel once transfer is complete





Smooth Coneflower at Eno River Diabase Sill by Misty Franklin



# Eno River Diabase Sill Preserve DNP

Eno River Diabase Sill  
Plant Conservation  
Preserve

Durham County

Shakori, Lumbee, Catawba, Occaneechi, Cheraw



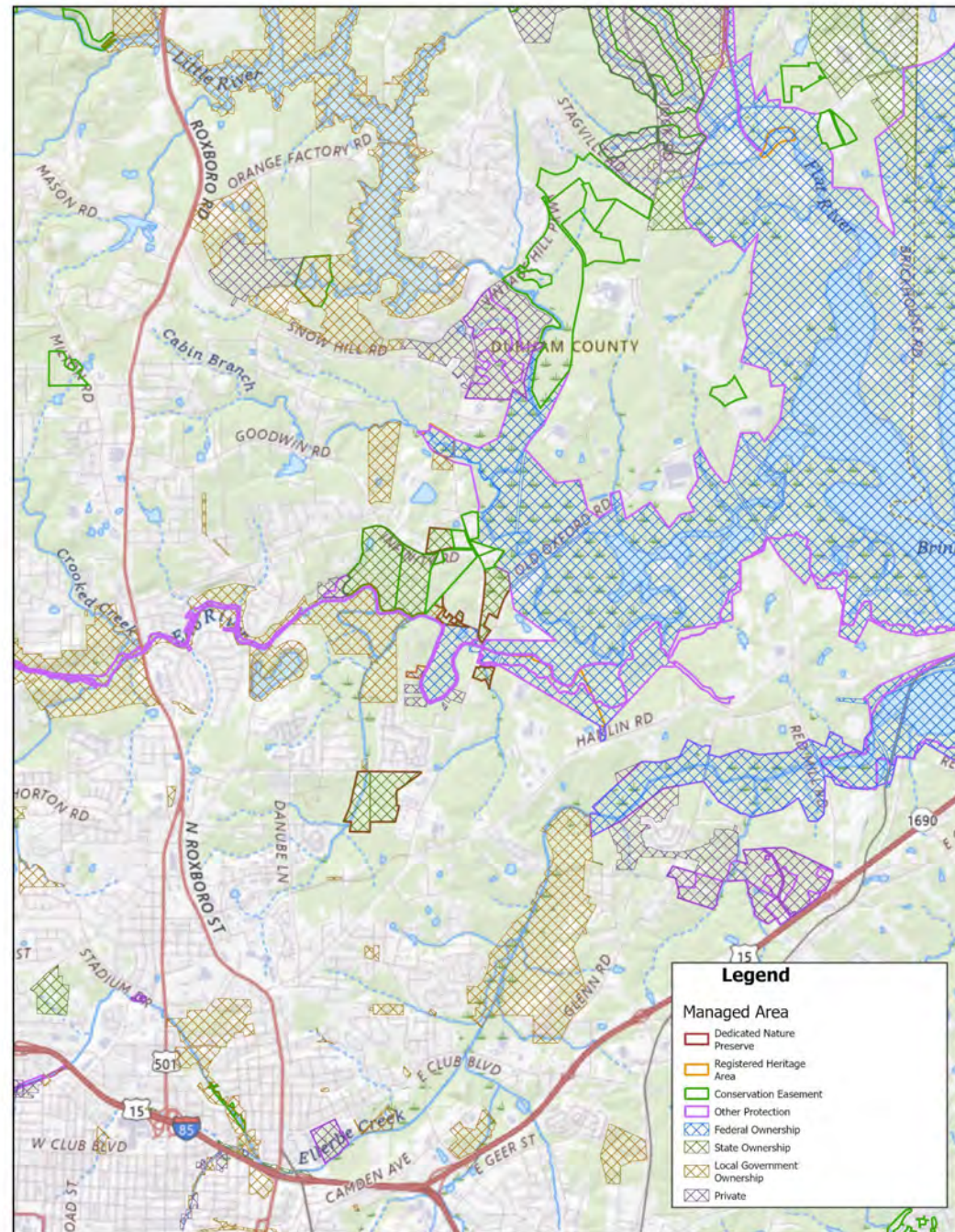
# Eno River Diabase Sill Dedicated Nature Preserve

## NCDOT STIP Project HE-0007D, Durham County

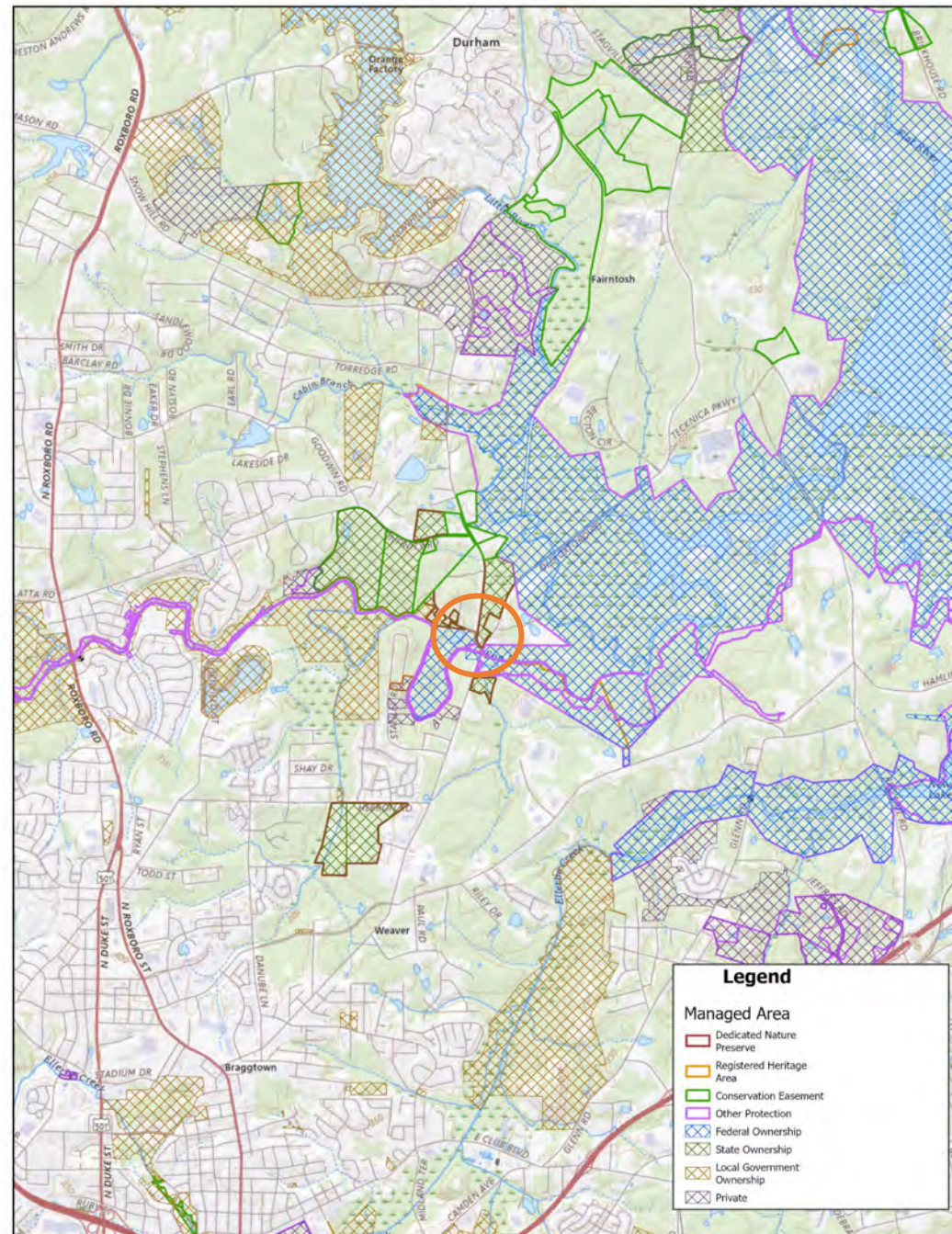
- NCDOT Start of Study to add a left turn lane from Snow Hill Road onto northbound Old Oxford Road to address safety issues
  - Associated signal



Map courtesy NCDOT













# Potential impacts

- Eno River Diabase Sill Plant Conservation Preserve
  - Dedicated Nature Preserve managed by NCDA Plant Conservation Program
    - Funded by Natural Heritage Trust Fund grant # 200309406, 200409402, and 200603405.
- Penny's Bend Nature Preserve
  - US Army Corps of Engineers land
  - Registered Heritage Area
    - Leased to the State of North Carolina
    - Managed by NC Botanical Garden
- Populations of federally and state listed species.



## Potential impacts, cont.

✓ Confirmed at Roadside

### Roadside:

- American Barberry (*Berberis canadensis*) SC-V G3G4 S2
- Earle's Blazing Star (*Liatris squarrulosa*) SR-P G4G5 S2
- ✓ Glade Wild Quinine (*Parthenium auriculatum*) SR-T G3G4 S3
- Low Wild Petunia (*Ruellia humilis*) NC Threatened G5 S1
- ✓ Prairie Blue Wild Indigo (*Baptisia aberrans*) NC Endangered G2 S2
- ✓ Prairie Dock (*Silphium terebinthinaceum*) SR-P G4G5 S2
- ✓ Ringed Witch Grass (*Dichanthelium annulum*) NC Endangered G4 S1
- Smooth Coneflower (*Echinacea laevigata*) US, NC Threatened G2G3 S1S2
- Xeric Hardpan Forest (Northern Prairie Barren Subtype) G1 S1

### Aquatic (Eno River):

- Neuse River Waterdog (*Necturus lewisii*) US, NC Threatened



## Rare species records in the project area



Prairie Blue Wild Indigo by Misty Franklin

NC Botanical Garden is also concerned about impacts to the parking area. Improving parking could be a request from NCBG.





# North Carolina Department of Adult Corrections Rattlesnake Creek Forests Dedicated Nature Preserve



Streamside forest at Dan River Prison Work Farm  
Photo courtesy of Katherine Culatta



# NCDAC Rattlesnake Creek Forests DNP

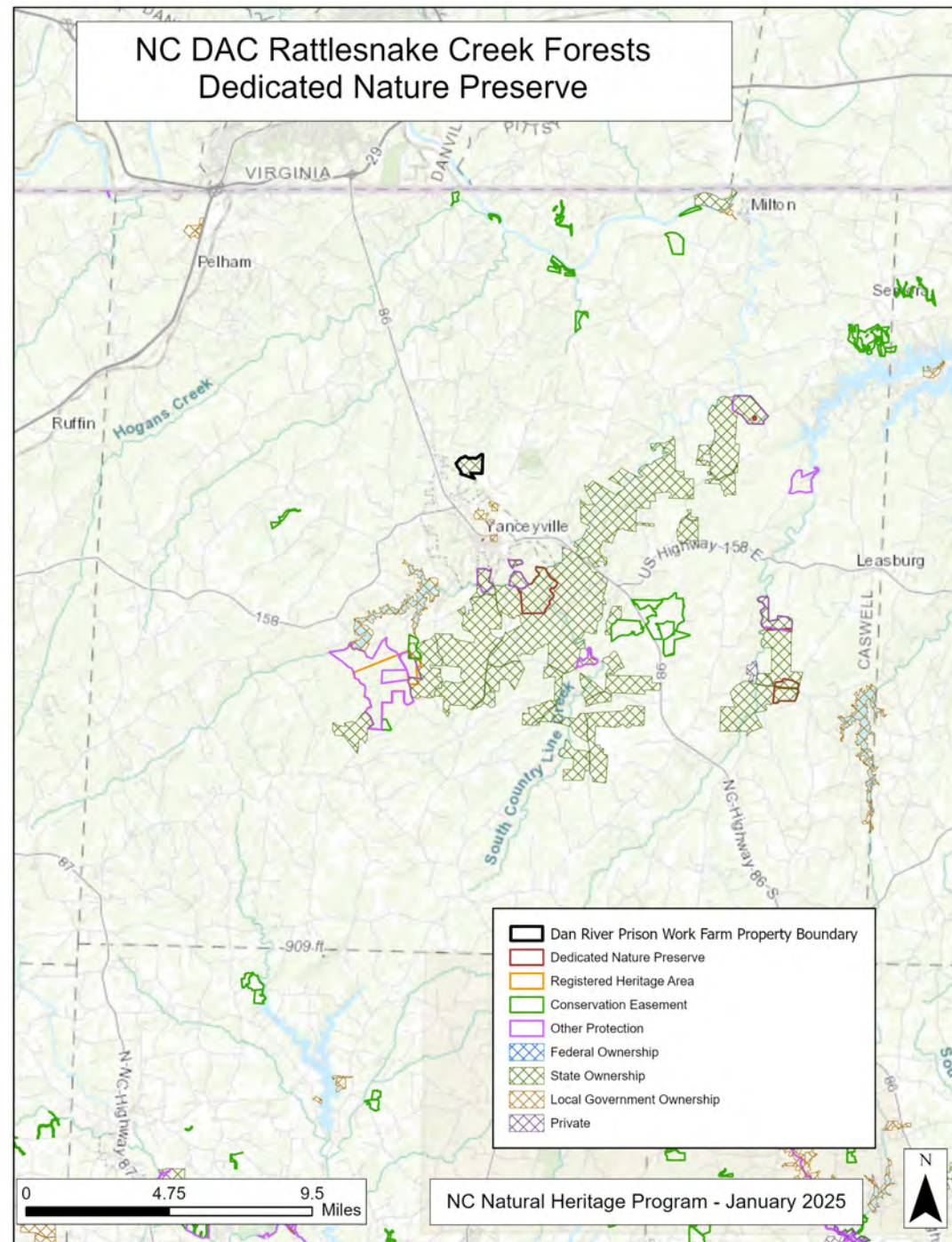


Caswell County

Catawba, Occaneechi, Saponi, Cheraw



# NC DAC Rattlesnake Creek Forests Dedicated Nature Preserve

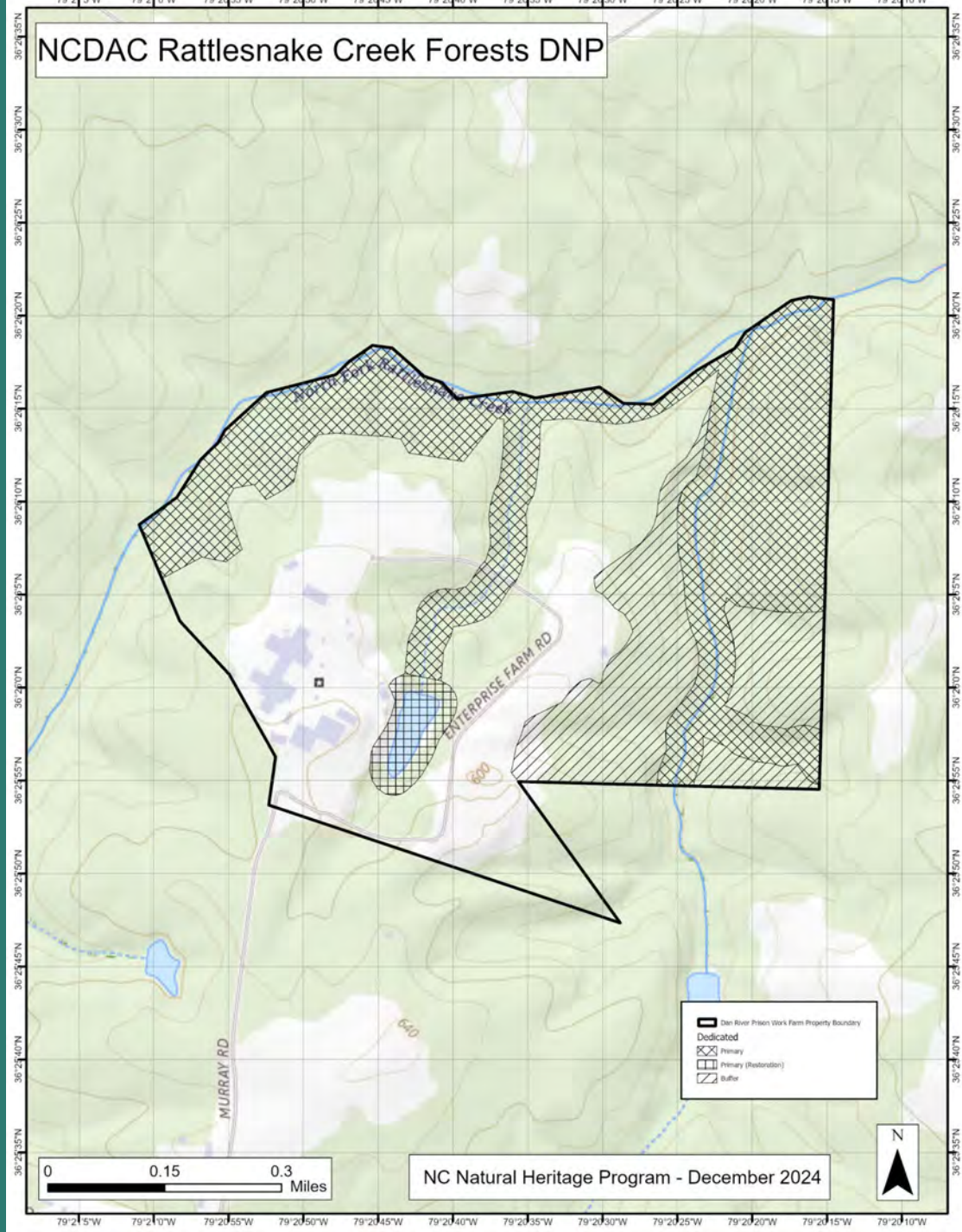


# NC DAC Rattlesnake Creek Forests DNP



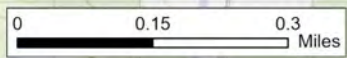


# NCDAC Rattlesnake Creek Forests DNP



Legend:

- Dan River Prison Work Farm Property Boundary
- Dedicated
  - Primary
  - Primary (Restoration)
  - Buffer



NC Natural Heritage Program - December 2024



# NCDAC Rattlesnake Creek Forests

## Dedicated Nature Preserve

- New Voluntary Dedication
- 97 acres
  - 69 acres Primary, including restoration area of 5 acres
  - 28 acres Buffer
- Element Occurrences include:
  - Mesic Mixed Hardwood Forest (Piedmont Subtype) S4G3
- 100-foot riparian zones on North Fork Rattlesnake Creek
  - Tributary to the Dan River



# Holly Shelter Game Land Dedicated Nature Preserve



Photo Courtesy of NCLWF staff presentation to Board, Sep 2022



# Holly Shelter Game Land DNP



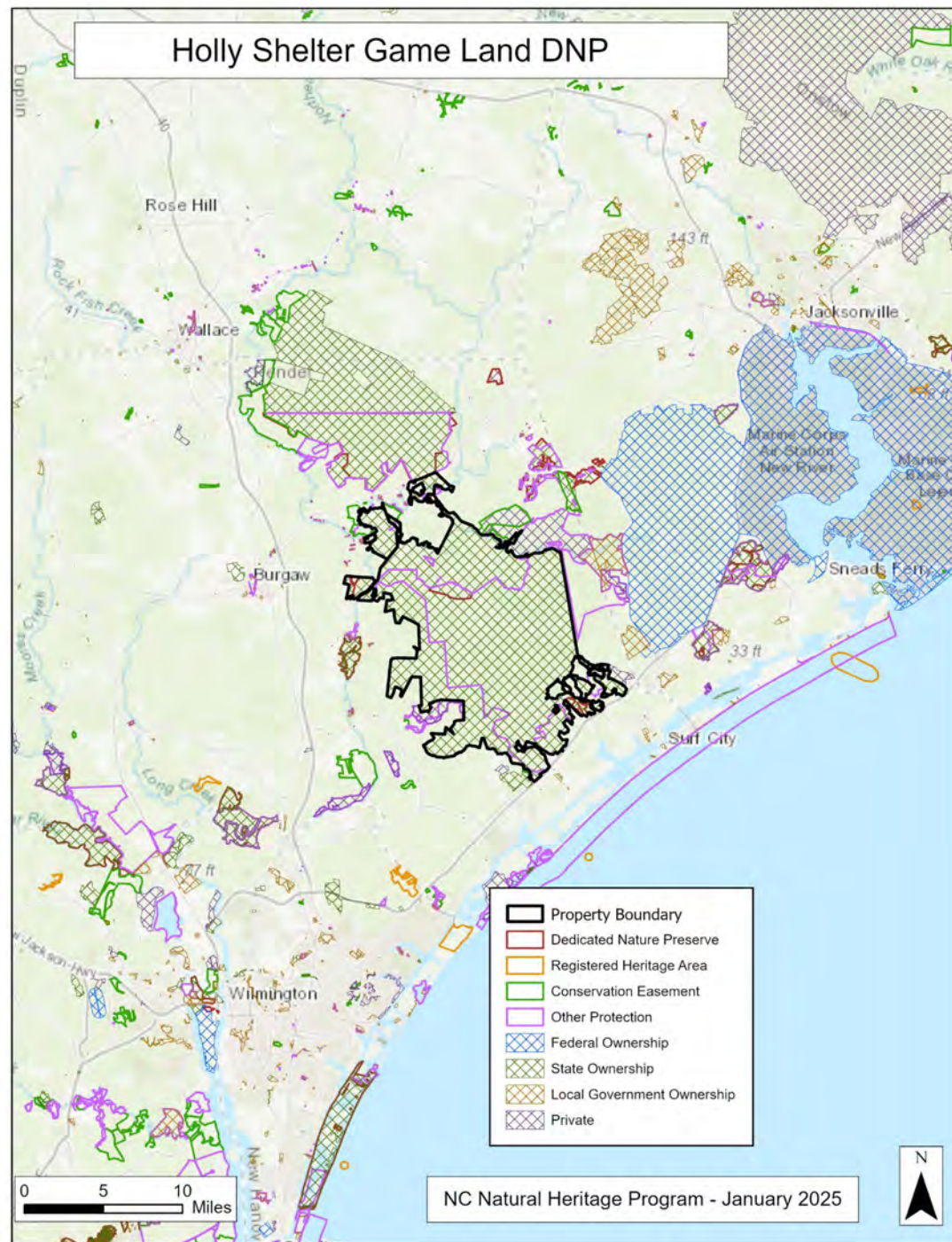
Holly Shelter  
Game Land

Pender County

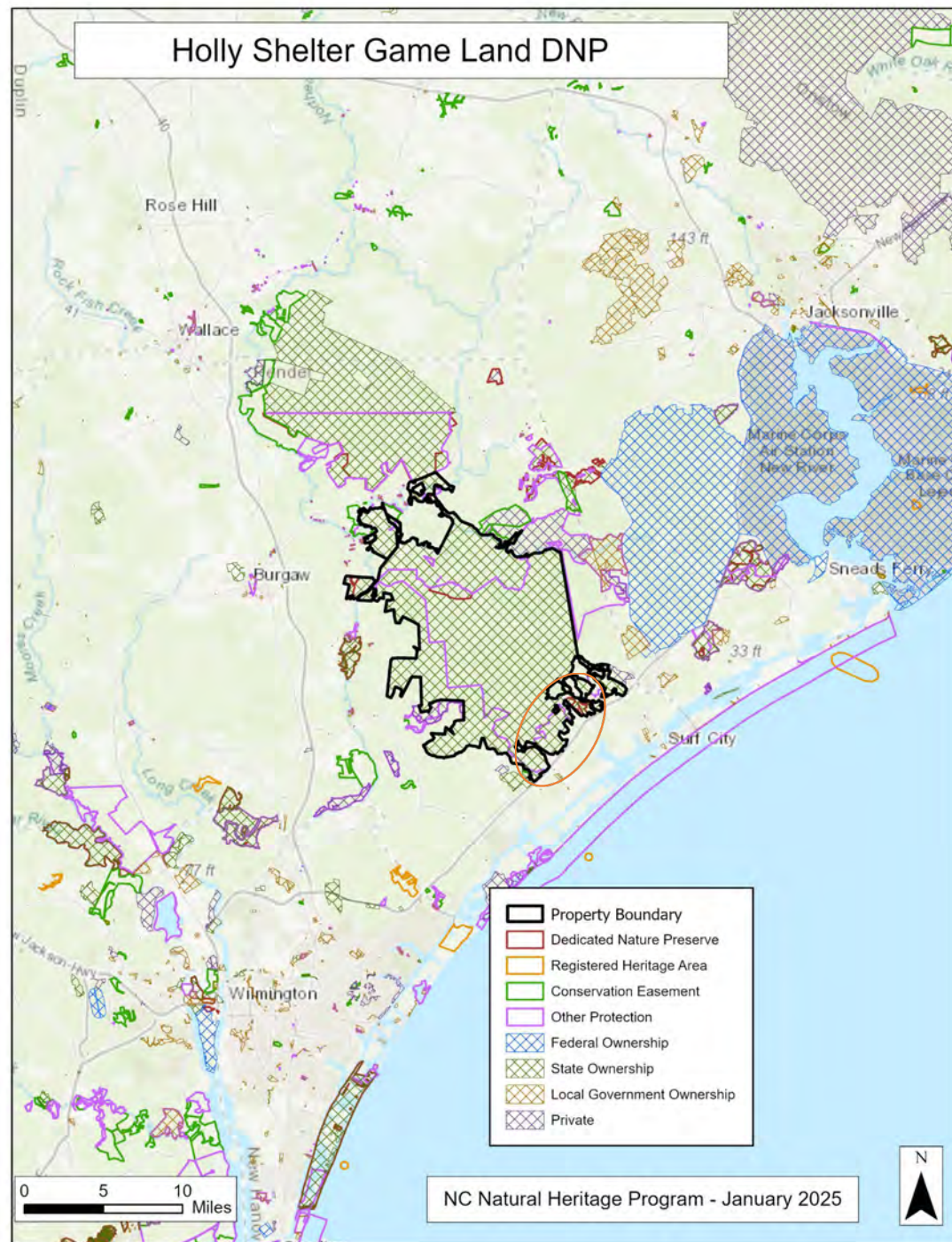
Lumbee, Catawba, Waccamaw, Coree



## Holly Shelter Game Land DNP

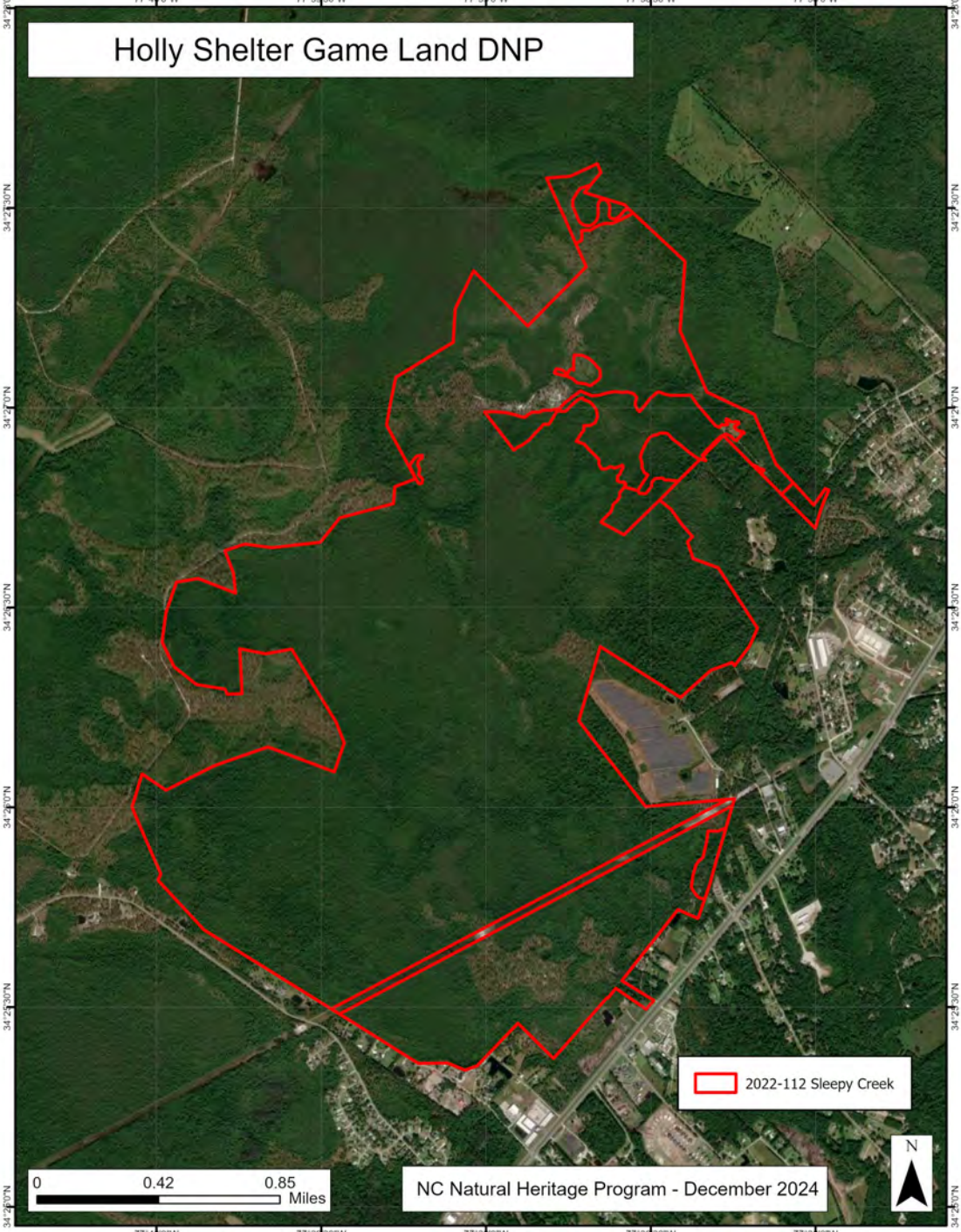


## Holly Shelter Game Land DNP





Holly Shelter Game Land DNP



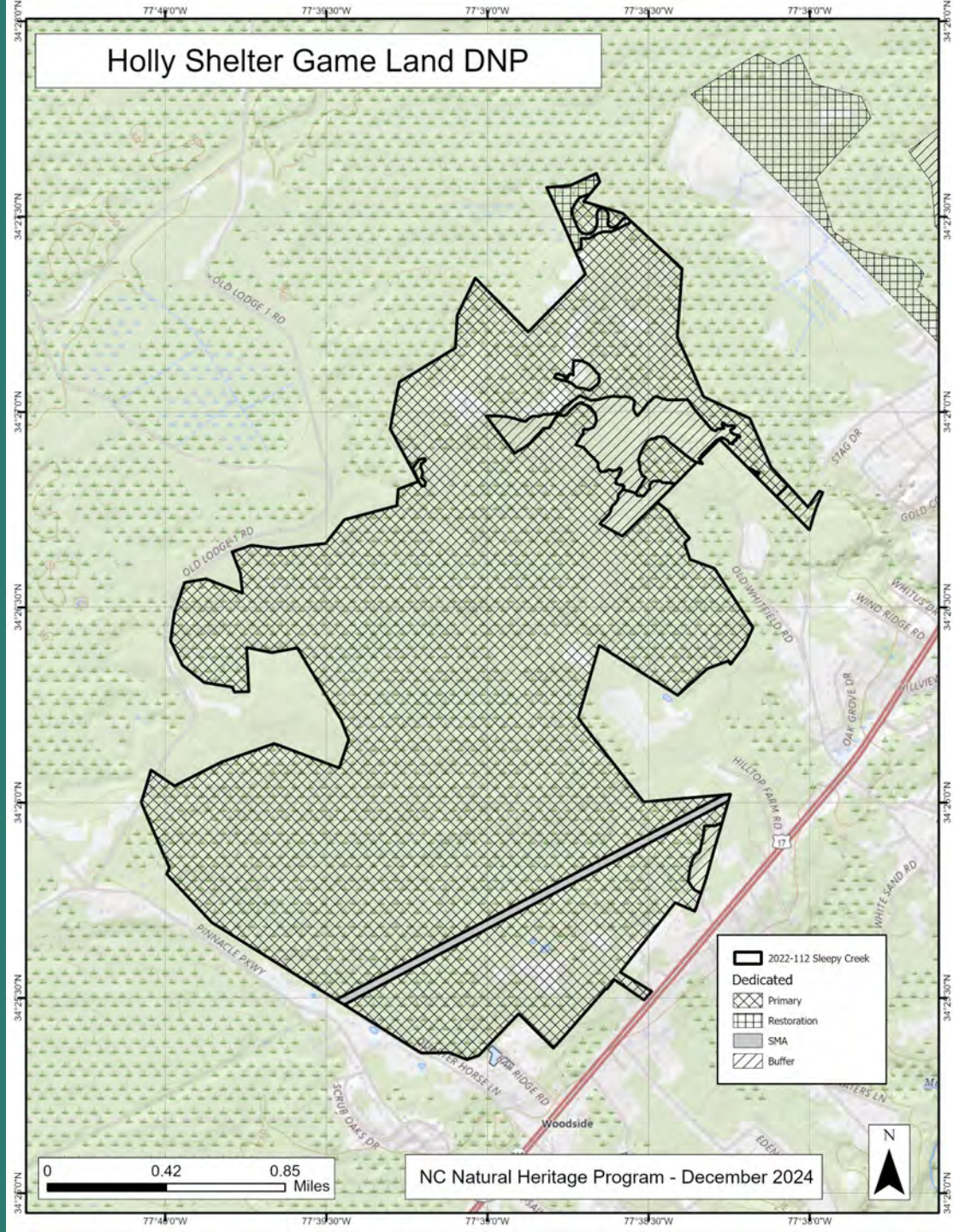
2022-112 Sleepy Creek

0 0.42 0.85 Miles

NC Natural Heritage Program - December 2024









# Holly Shelter Game Land Dedicated Nature Preserve

- Amendment to add tract (NCLWF #2022-112 Sleepy Creek)
- Adds 1,627 acres to DNP
  - 1,577 primary, including 6 acres restoration, and 20 acres special management
  - 50 acres buffer
- Total DNP 16,692 acres:
  - 10,572 acres primary
  - 6,390 acres buffer
- Element Occurrences include:
  - Pine/Scrub Oak Sandhill (Coastal Fringe Subtype) S2G2
  - Pond Pine Woodland (Typic Subtype) S3G3
  - Pondspice (*Litsea aestivalis*) S2G3
  - Savanna Milkweed (*Asclepias pedicellata*) S3G4
  - Small Depression Pond (Typic Marsh Subtype) S3G3
  - Venus Flytrap (*Dionaea muscipula*) S3G2
  - Wet Pine Flatwoods (Typic Subtype) S3G3
  - Wet Sandy Pine Savanna (Rush Featherling Subtype) SG1
  - Wet Sandy Pine Savanna (Typic Subtype) S1G3
  - Xeric Sandhill Scrub (Coastal Fringe Subtype) S2G2
  - Xeric Sandhill Scrub (Typic Subtype) S3G3
- Part of Holly Shelter Game Land and Vicinity natural area – R1C1





# Yadkin River Game Land Dedicated Nature Preserve





# Yadkin River Game Land DNP



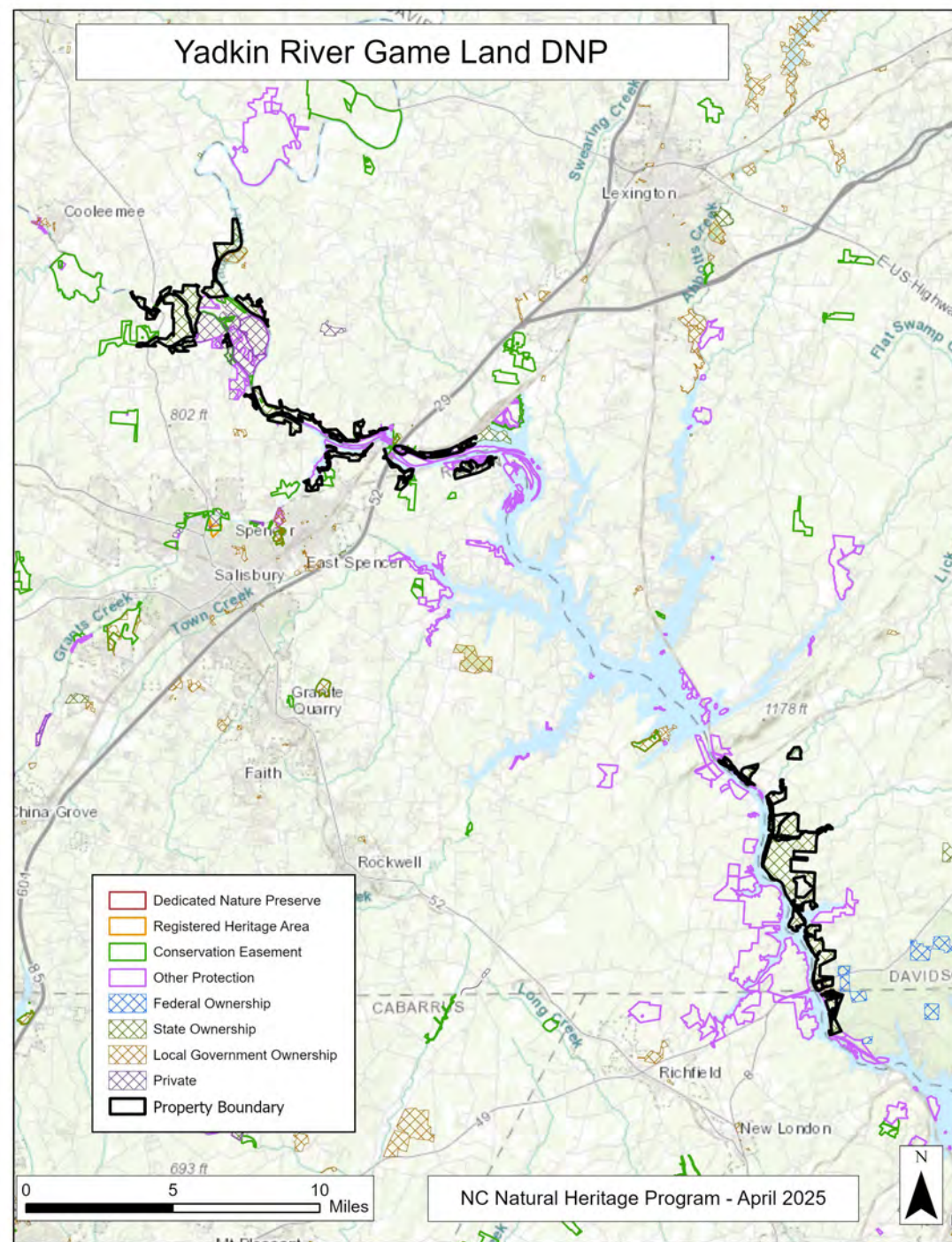
Yadkin River  
Game Land

David, Davidson, Montgomery,  
Rowan Counties

Catawba, Keyauwee, Cheraw, Occaneechi



# Yadkin River Game Land DNP





# Yadkin River Game Land DNP

Northern Segment

Southern Segment

- Dedicated Nature Preserve
- Registered Heritage Area
- Conservation Easement
- Other Protection
- Federal Ownership
- State Ownership
- Local Government Ownership
- Private
- Property Boundary

0 5 10 Miles

NC Natural Heritage Program - April 2025



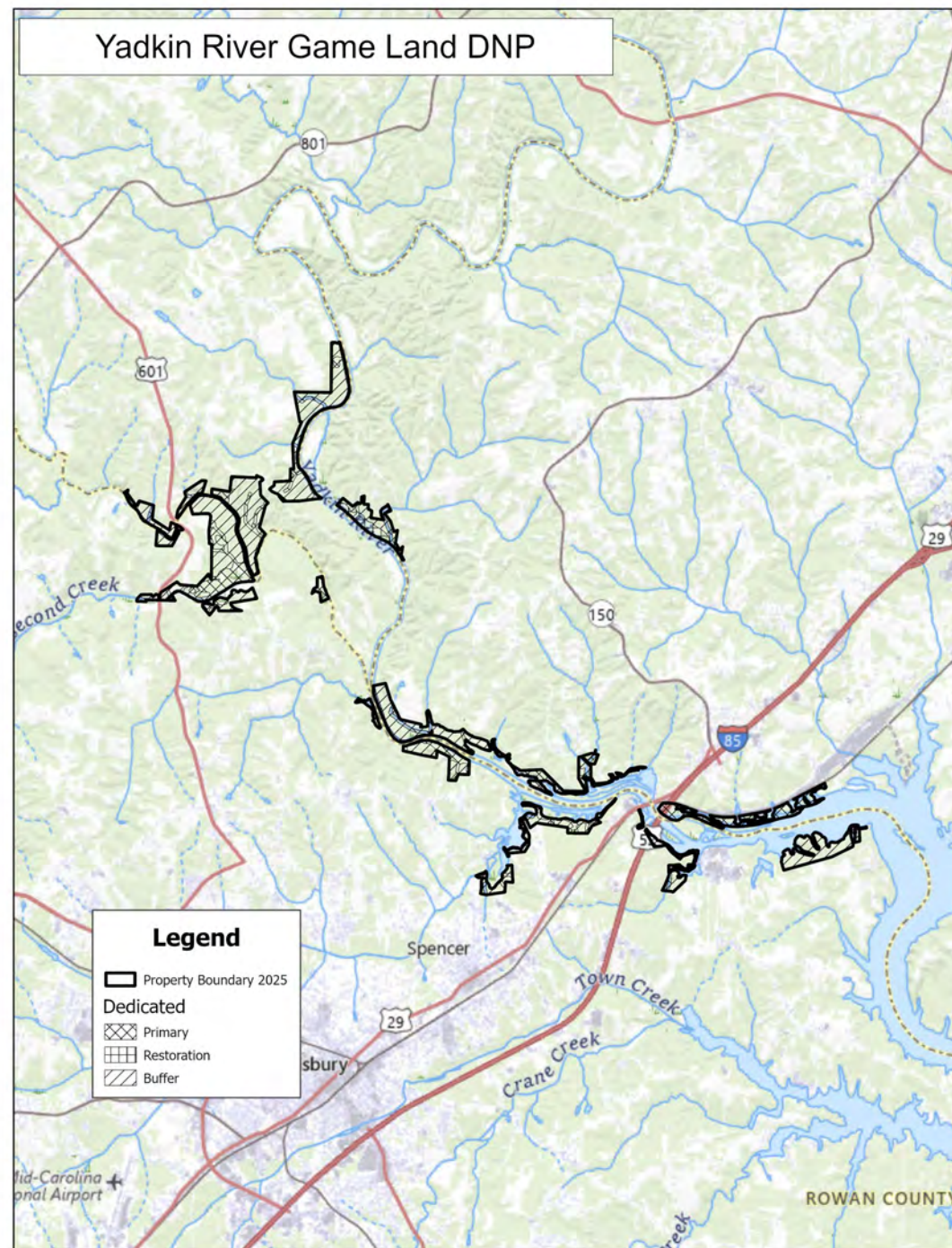


Yadkin River Game Land DNP Northern Segment



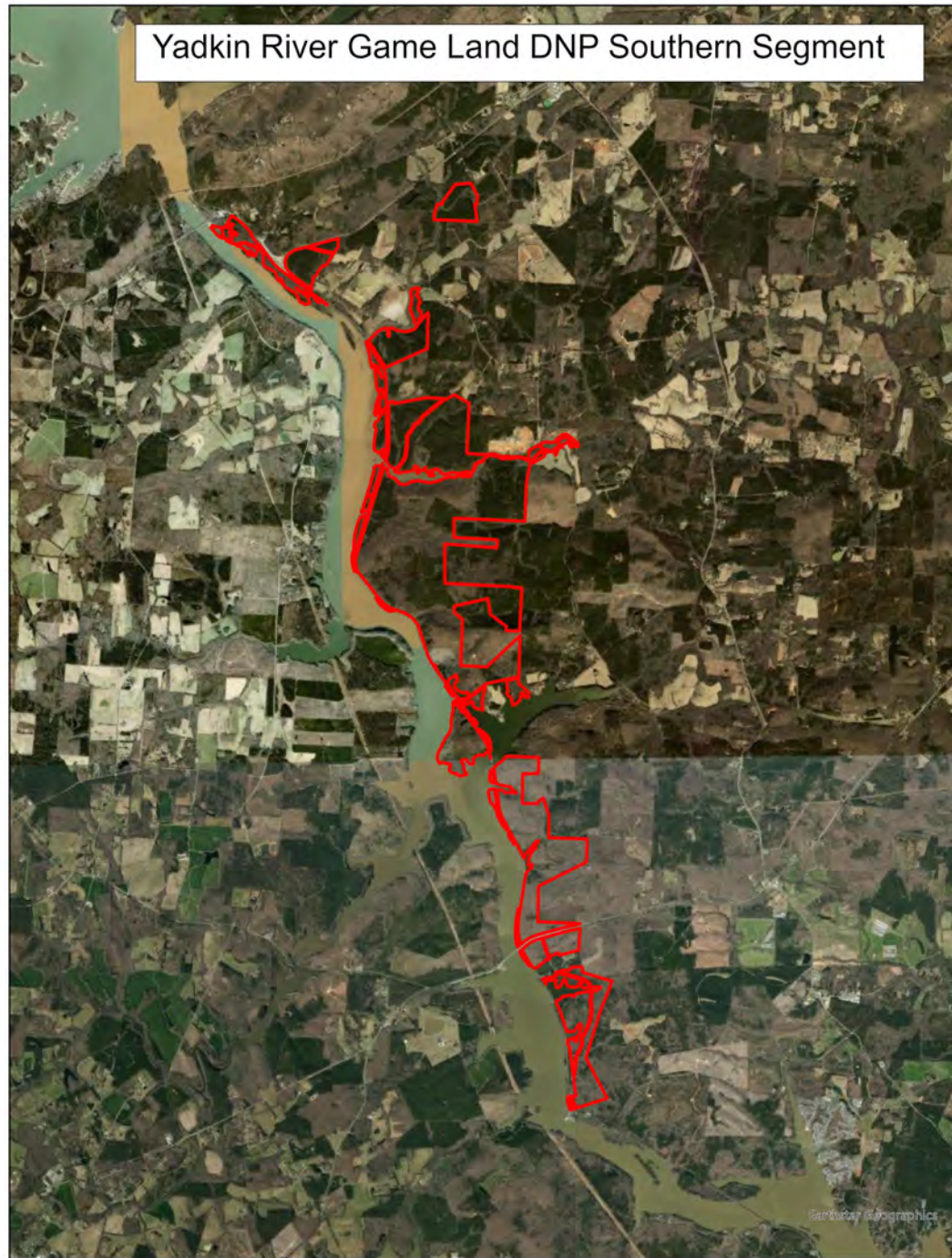


# Yadkin River Game Land DNP



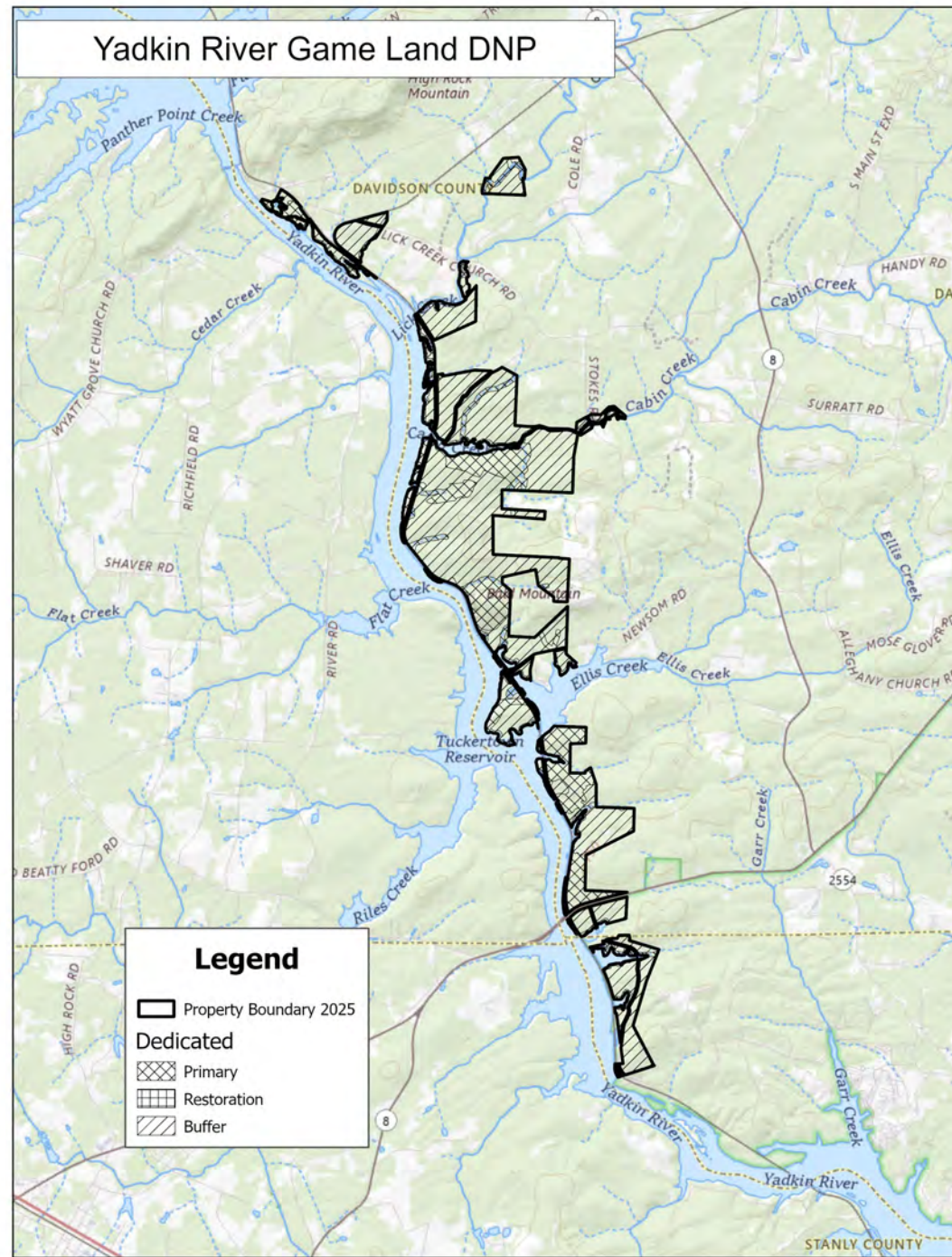


Yadkin River Game Land DNP Southern Segment





# Yadkin River Game Land DNP



# Yadkin River Game Land Dedicated Nature Preserve

Initial Dedication (NCLWF #2017-033, #2017-068, #2020-047)

- 4,787 acres
  - 1,730 acres Primary, including restoration area of 45 acres
  - 3,057 acres Buffer
- Element Occurrences include:
  - Basic Mesic Forest (Piedmont Subtype) S3G3
  - Dry Oak—Hickory Forest (Piedmont Subtype) S4G4
  - Dry-Mesic Basic Oak—Hickory Forest (Piedmont Subtype) S3G3
  - Dry-Mesic Oak—Hickory Forest (Piedmont Subtype) S4G4
  - Floodplain Pool S2G3
  - Low Elevation Seep (Floodplain Subtype) S2G4
  - Piedmont Alluvial Forest S4G4
  - Piedmont Basic Glade (Typic Subtype) S2G2
  - Piedmont Cliff (Acidic Subtype) S2G2
  - Piedmont Levee Forest (Typic Subtype) S3G3
  - Piedmont Monadnock Forest (Typic Subtype) S3G3
  - Piedmont/Mountain Semipermanent Impoundment
    - Open Water (S4G4) and Shrub (S4G4) Subtypes
  - Timber Rattlesnake (*Crotalus horridus*) S3G4
  - Waterbird Colony S3GNR



# Yadkin River Game Land

## Dedicated Nature Preserve

Initial Dedication (NCLWF #2017-033, #2017-068, #2020-047)

- 4,787 acres
  - 1,730 acres Primary, including restoration area of 45 acres
  - 3,057 acres Buffer
- Natural Areas include:
  - Bald Mountain/Tuckertown Reservoir R5C5
  - Cabin Creek Hardwood Slopes R5C5
  - Ellis Creek– Stokes Ferry Hardwood Forest R5C4
  - Hick Reservoir Wetlands R5C5
  - Hidden Cove Hardwood Forest R5C5
  - Newsom Bluffs and Slopes R3C4
  - Point Road Forest R5C5
  - Second Creek Wetlands R2C4
  - Yadkin River/Grants Creek Forests R4C4



# Three Top Mountain Game Land Dedicated Nature Preserve



Chestnut Oak Forest, Three Top Mountain Game Land – Rash Tract, Photo Courtesy David Siripoonsup



# Three Top Mountain Game Land DNP

Three Top Mountain  
Game Land

A satellite map of North Carolina showing county boundaries. A yellow callout box in the upper left corner points to a specific area in the western part of the state, which is the Three Top Mountain Game Land. The map shows the state's coastline on the right and its borders with Virginia and South Carolina.

Ashe County

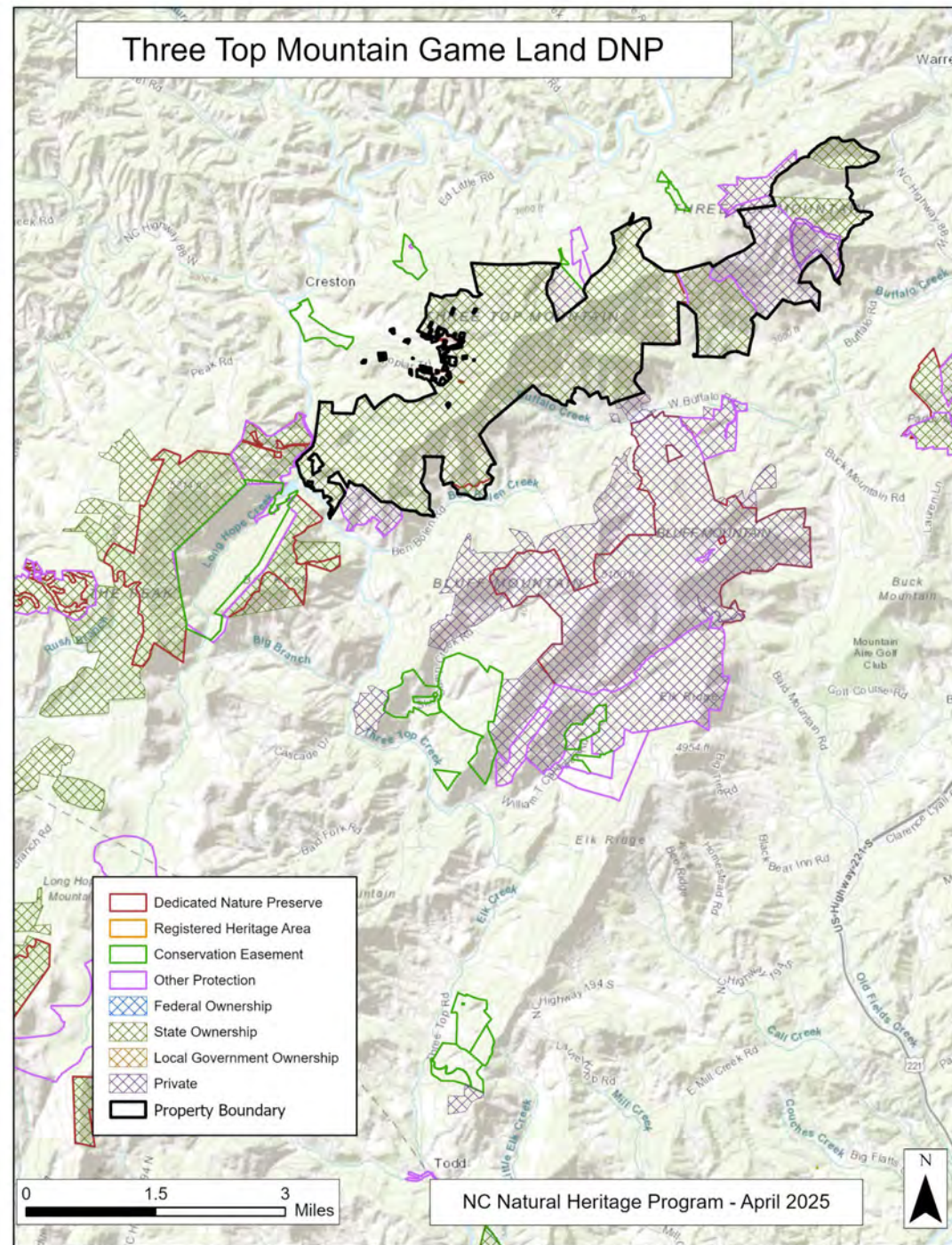
Moneton, S'atsoyaha, Tsalaguwetiyl



NC DEPARTMENT OF  
NATURAL AND CULTURAL RESOURCES



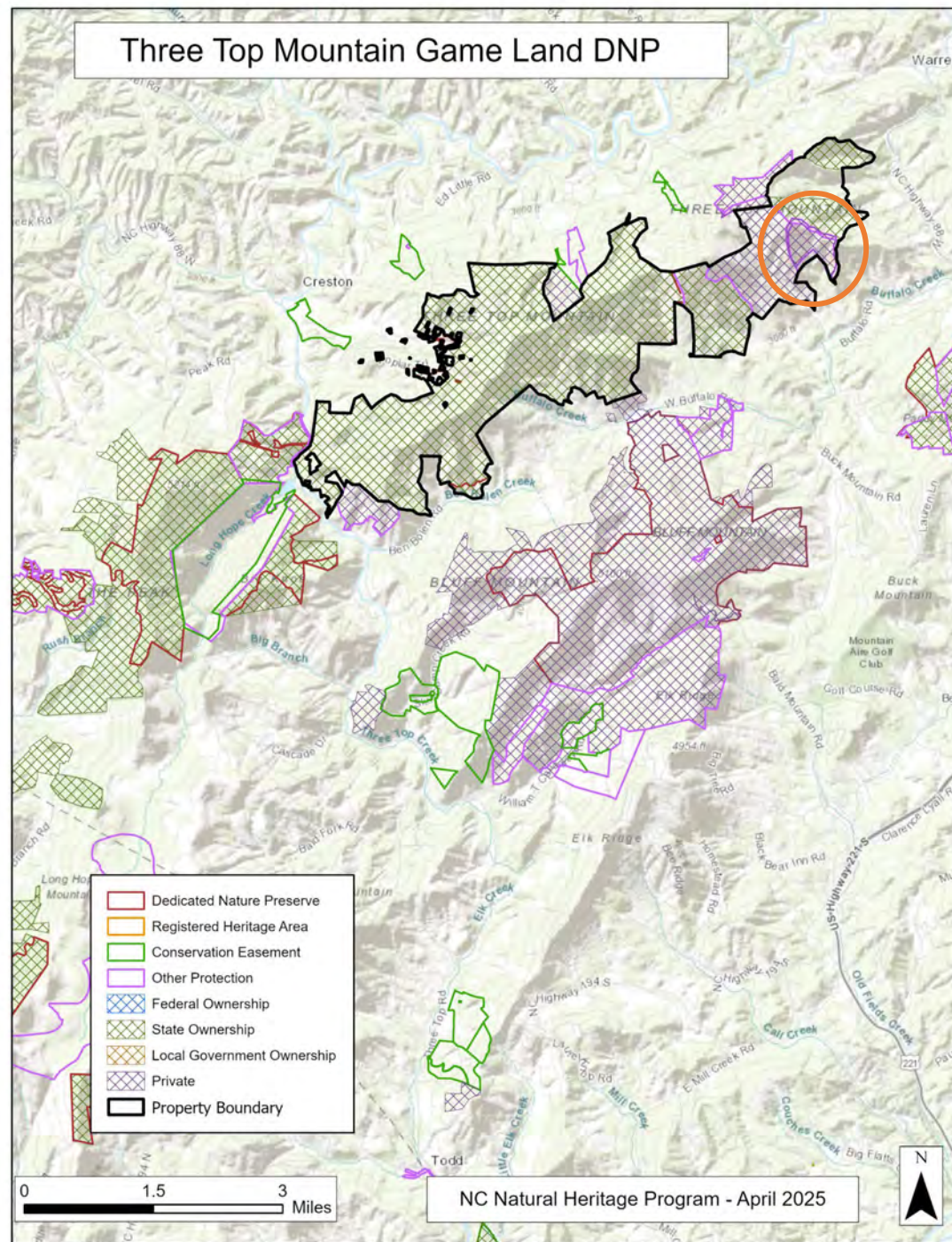
# Three Top Mountain Game Land DNP



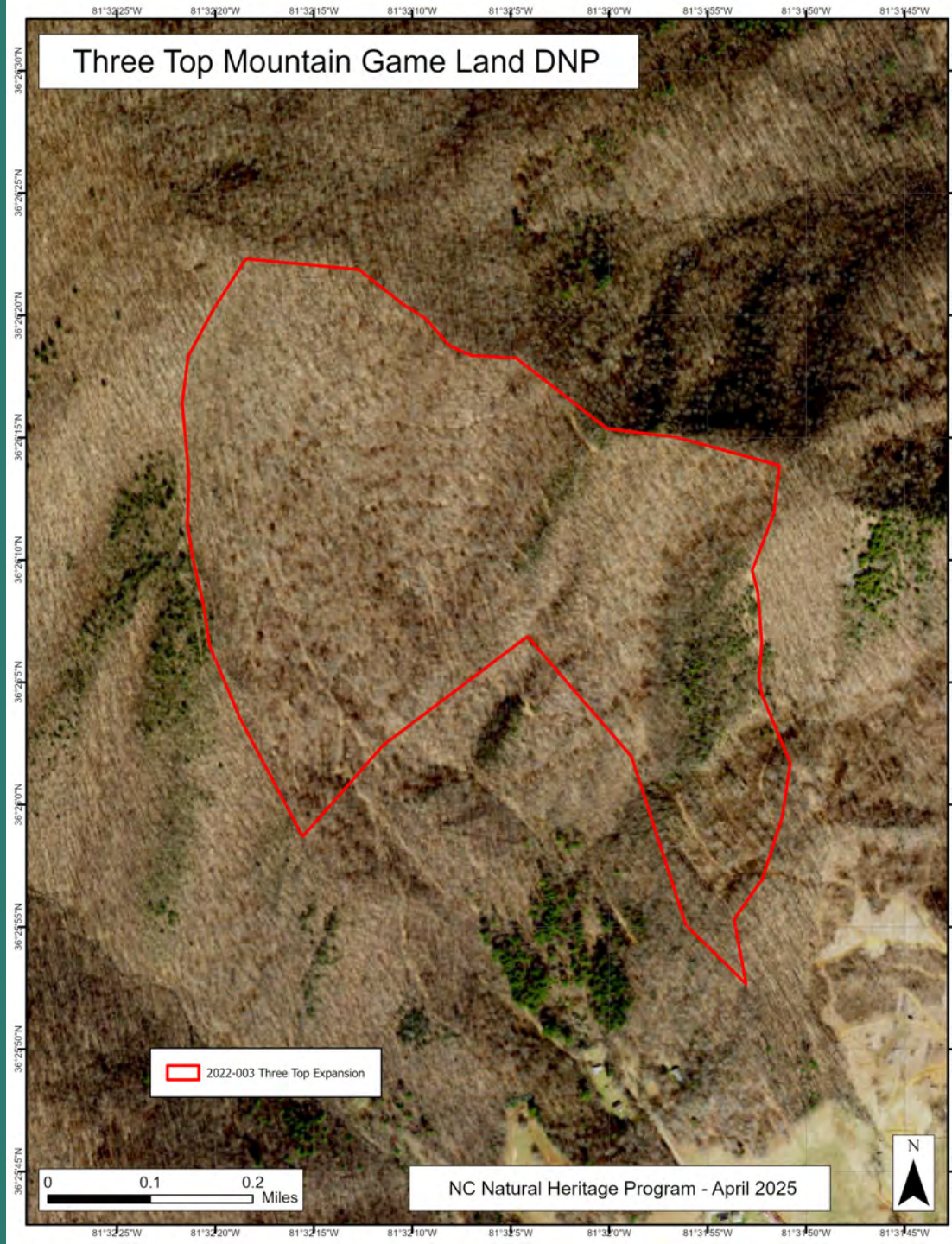
NC Natural Heritage Program - April 2025



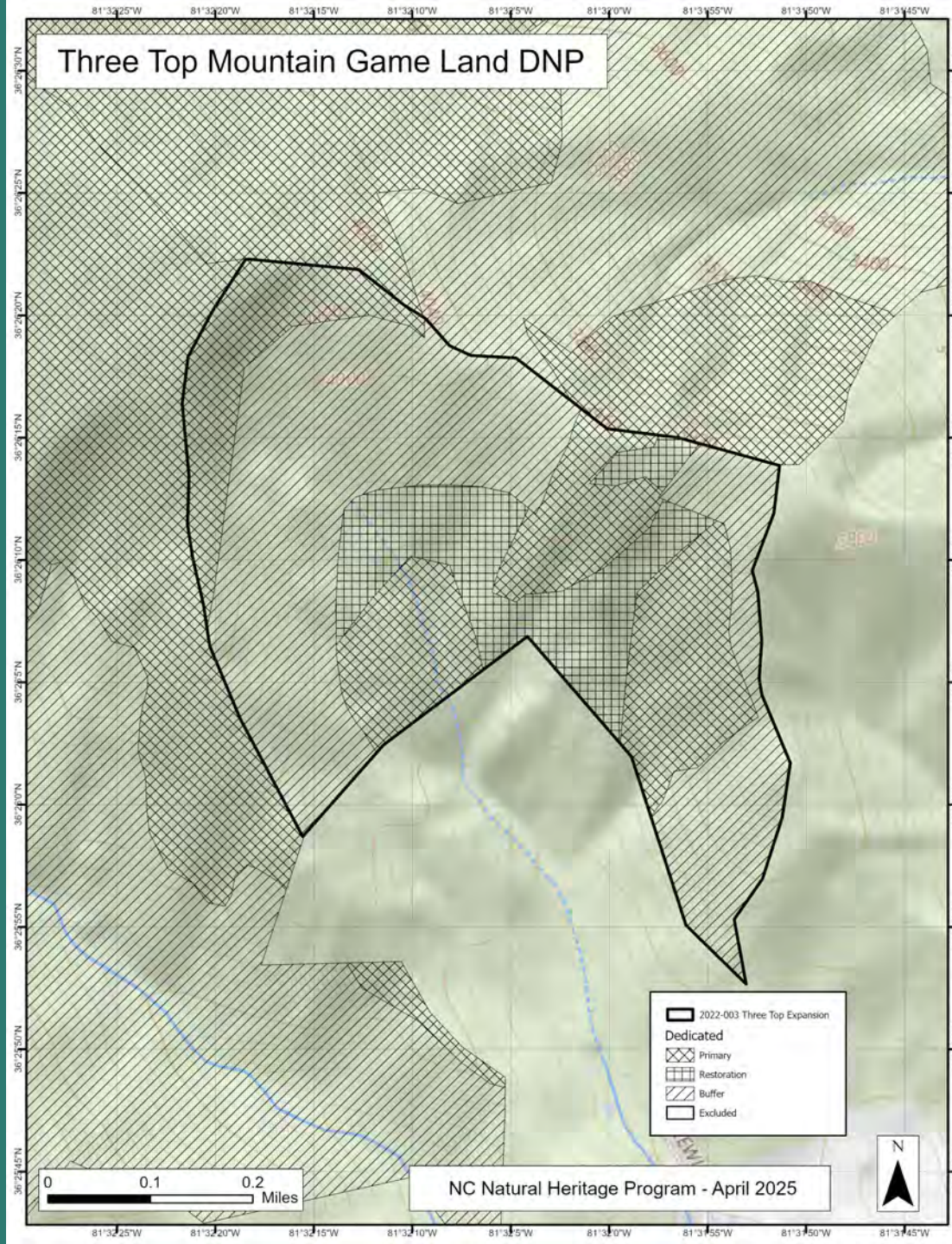
# Three Top Mountain Game Land DNP











# Three Top Mountain Game Land DNP

- Amendment to add tract (NCLWF #2022-003 Three Top Expansion/Rash Tract)
- Adds 92 acres to DNP
  - 47 acres primary, including 15 acres restoration
  - 45 acres buffer
- Total DNP 3,532 acres:
  - 1,988 acres primary
  - 1,544 acres buffer
- Element Occurrences include:
  - Carolina Hemlock (*Tsuga caroliniana*) S2G2
  - Chestnut Oak Forest (Dry Heath Subtype) S5G5
  - Ginseng (*Panax quinquefolius*) S3G4
  - High Elevation Red Oak Forest (Typic Herb Subtype) S3G4
  - Northern Hardwood Forest (Rich Subtype) S3G3
  - Roan Sedge (*Carex roanensis*) S2G3
- Part of Three Top Mountain Natural Area – R1C1

# Registry

- Recognizes a natural area for its natural heritage resource values
- Voluntary agreement to protect and manage the natural area
- Agreement between Secretary and landowner
  - Can be rescinded by either party
- Management recommendations provided by NHP





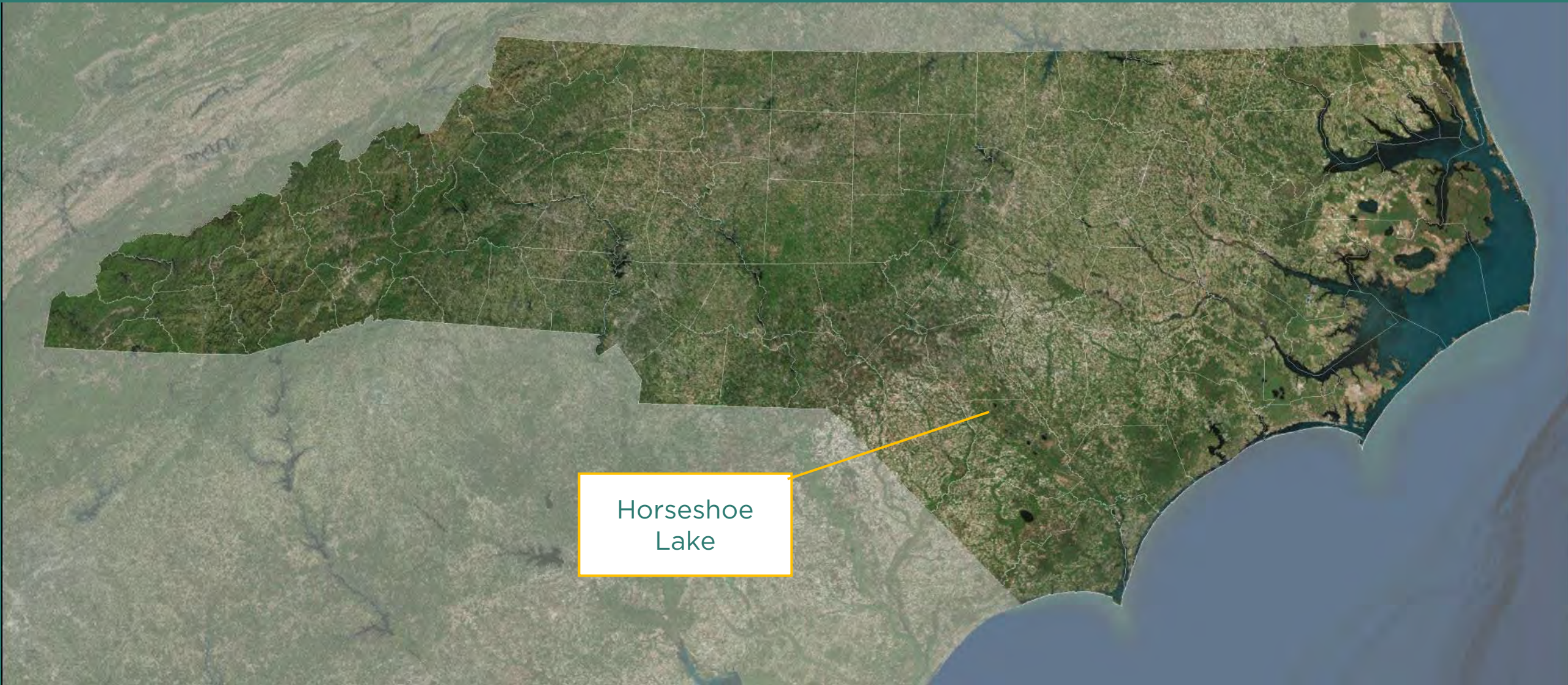
# Horseshoe Lake (Suggs Mill Pond) and Marshy Bay Registered Heritage Area



Photo courtesy of Richard Broadwell



# Horseshoe Lake (Suggs Mill Pond) and Marshy Bay RHA

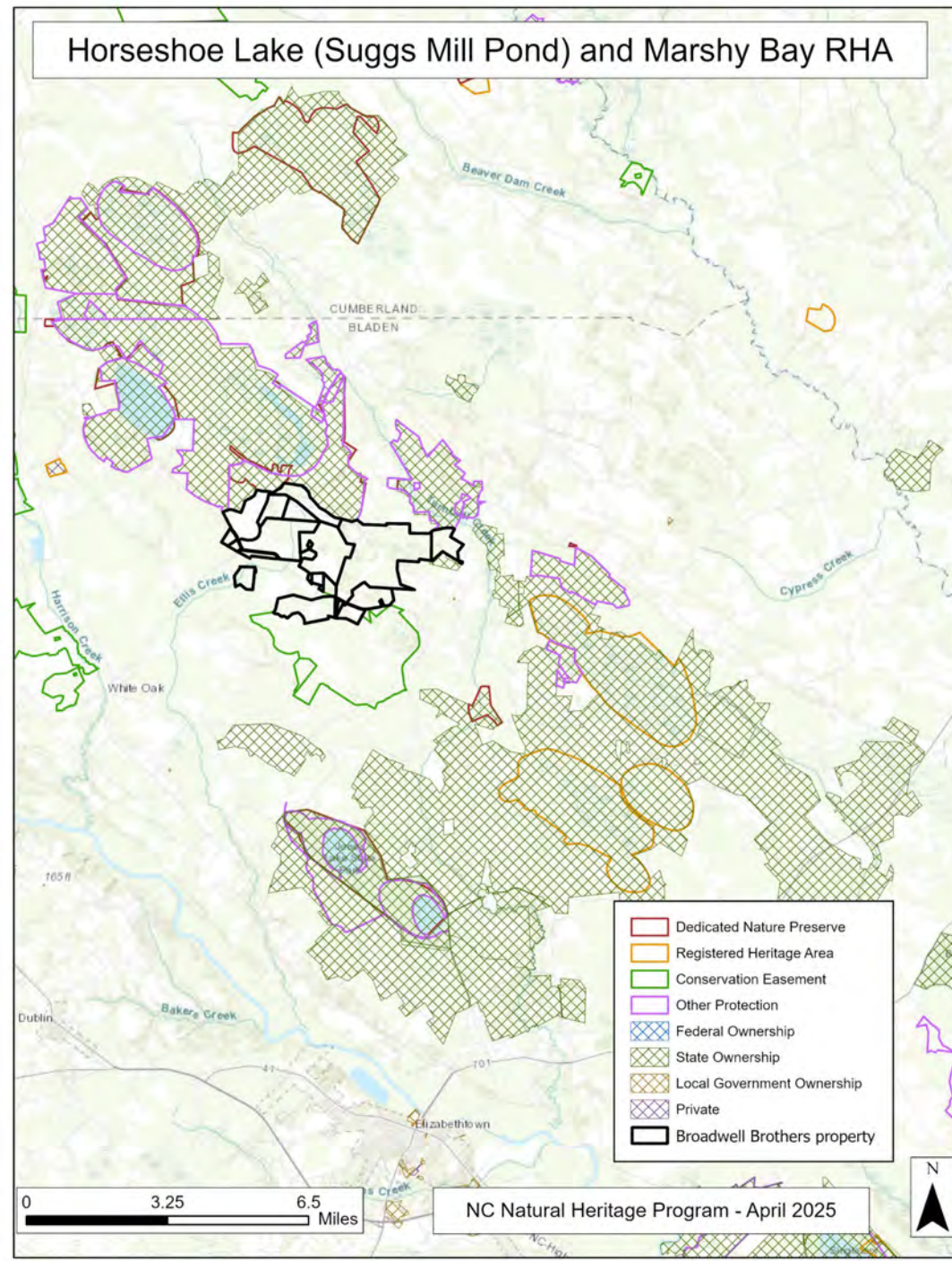


Bladen County

Catawba, Lumbee, Waccamaw, Tuscarora

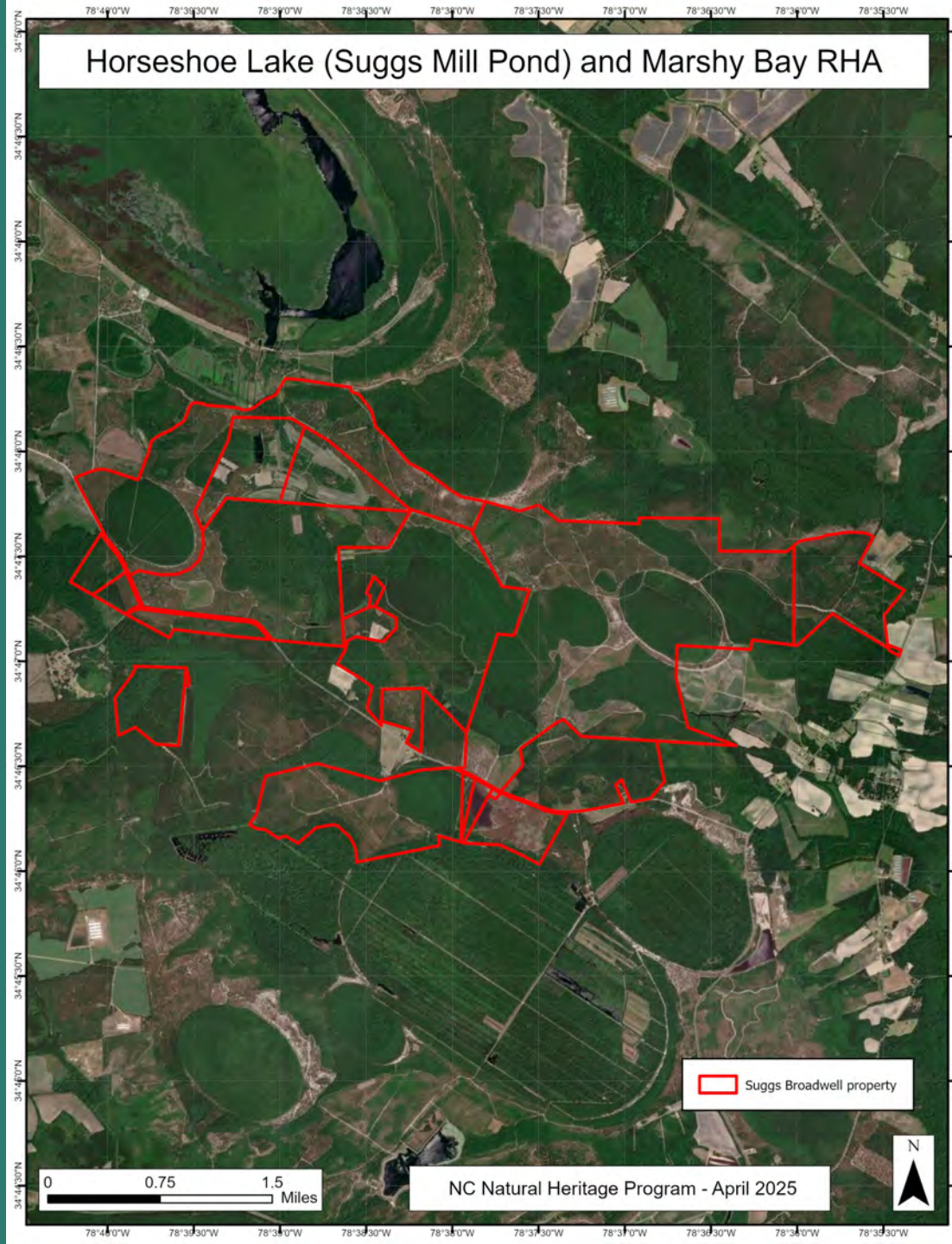


# Horseshoe Lake (Suggs Mill Pond) and Marshy Bay RHA



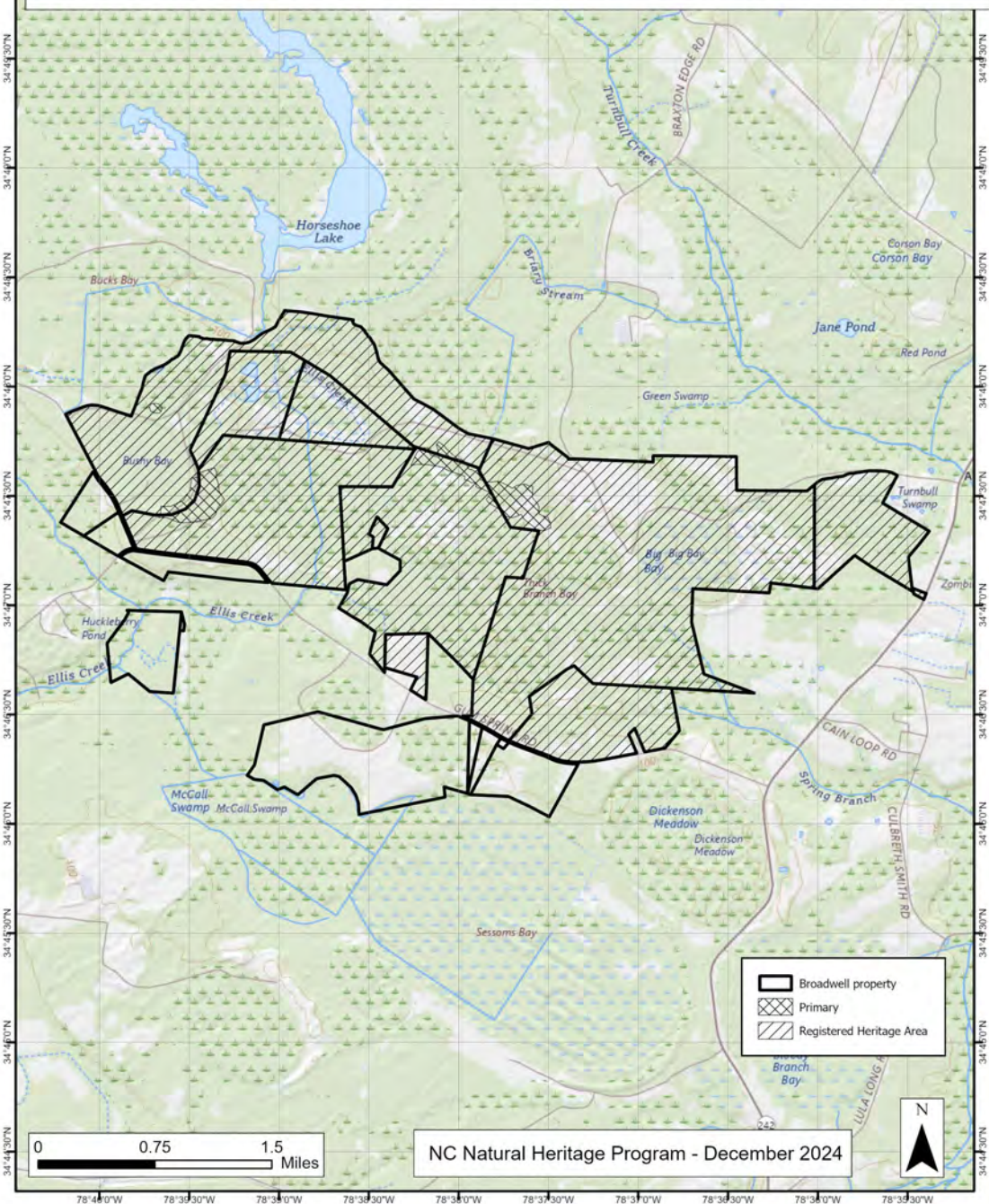


# Horseshoe Lake (Suggs Mill Pond) and Marshy Bay RHA





# Horseshoe Lake (Suggs Mill Pond) and Marshy Bay RHA





# Horseshoe Lake (Suggs Mill Pond) and Marshy Bay Registered Heritage Area

- 3,089 acres
  - 84 acres Primary
- Element Occurrences include:
  - Coastal Plain Depression Swamp
  - Pine/Scrub Oak Sandhill (Mixed Oak Subtype) S3G3
  - Wet Pine Flatwoods (Typic Subtype) S3G3
  - Xeric Sandhill Scrub (Typic Subtype) S3G3
- Part of Horseshoe Lake (Suggs Mill Pond) and Marshy Bay natural area – R1C1
  - Restoration of habitats, including Pine/Scrub Oak/Sandhill (Coastal Plain Mesic Transition Subtype) and Mesic Pine Savanna (Coastal Plain Subtype)



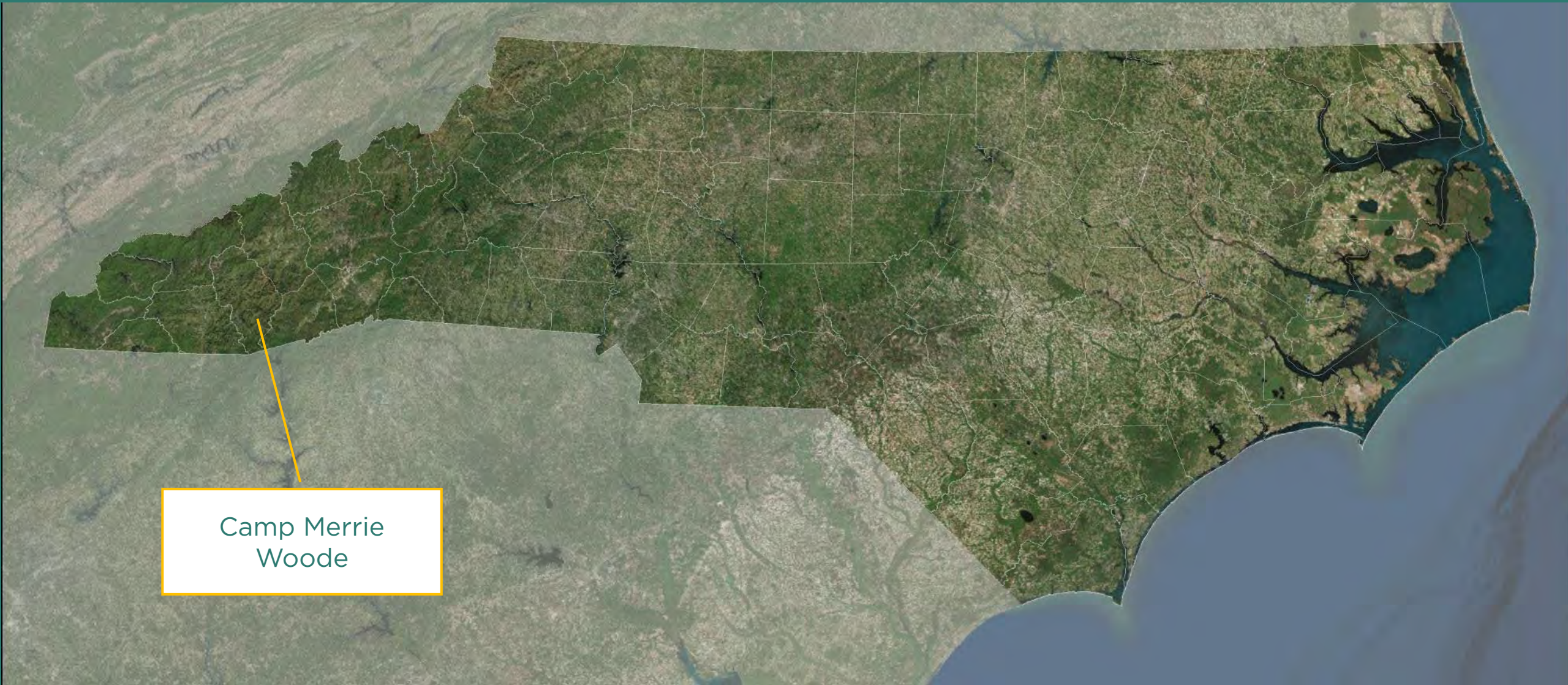


# Camp Merrie Woode Registered Heritage Area - update





# Camp Merrie Woode RHA



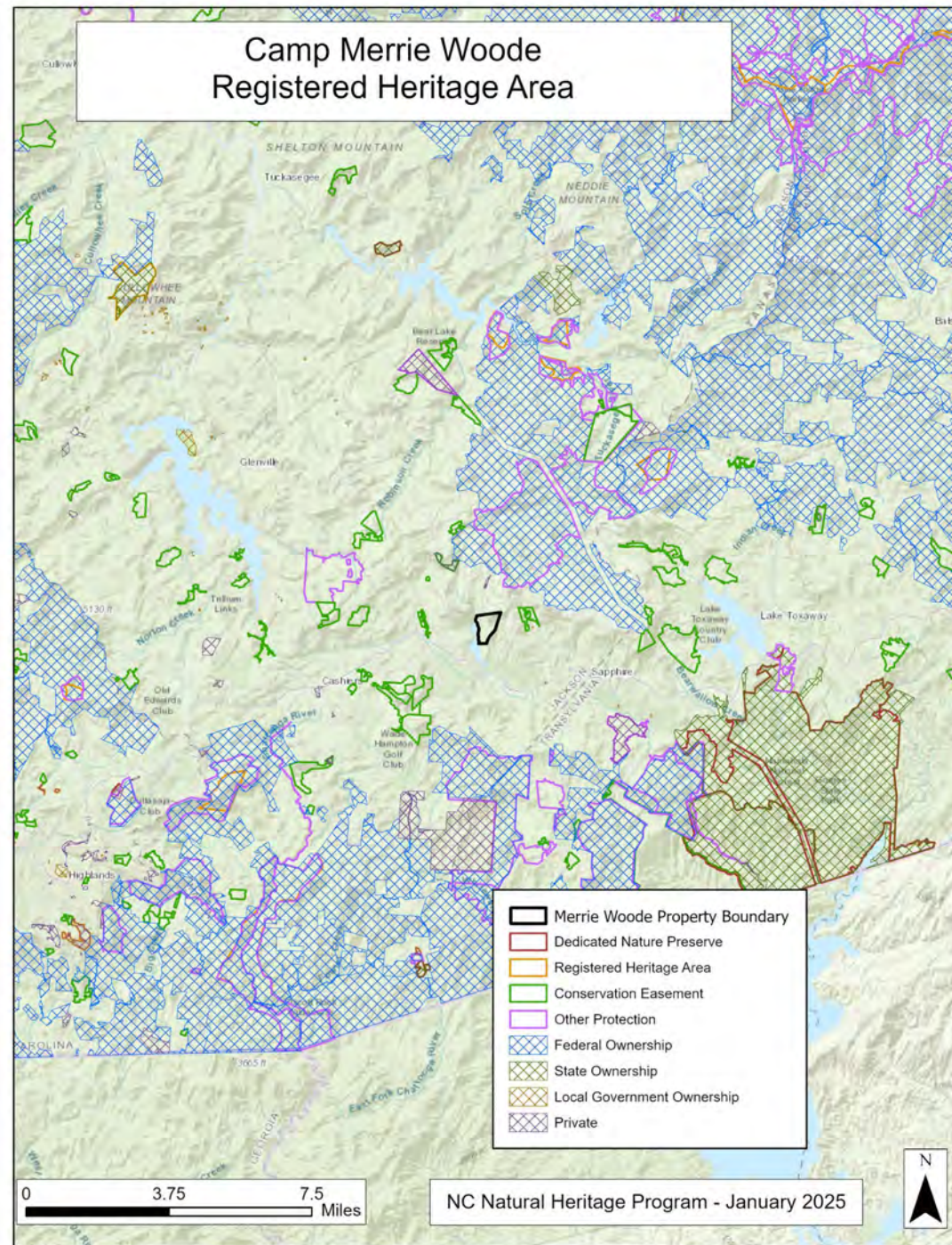
Camp Merrie  
Woode

Jackson County

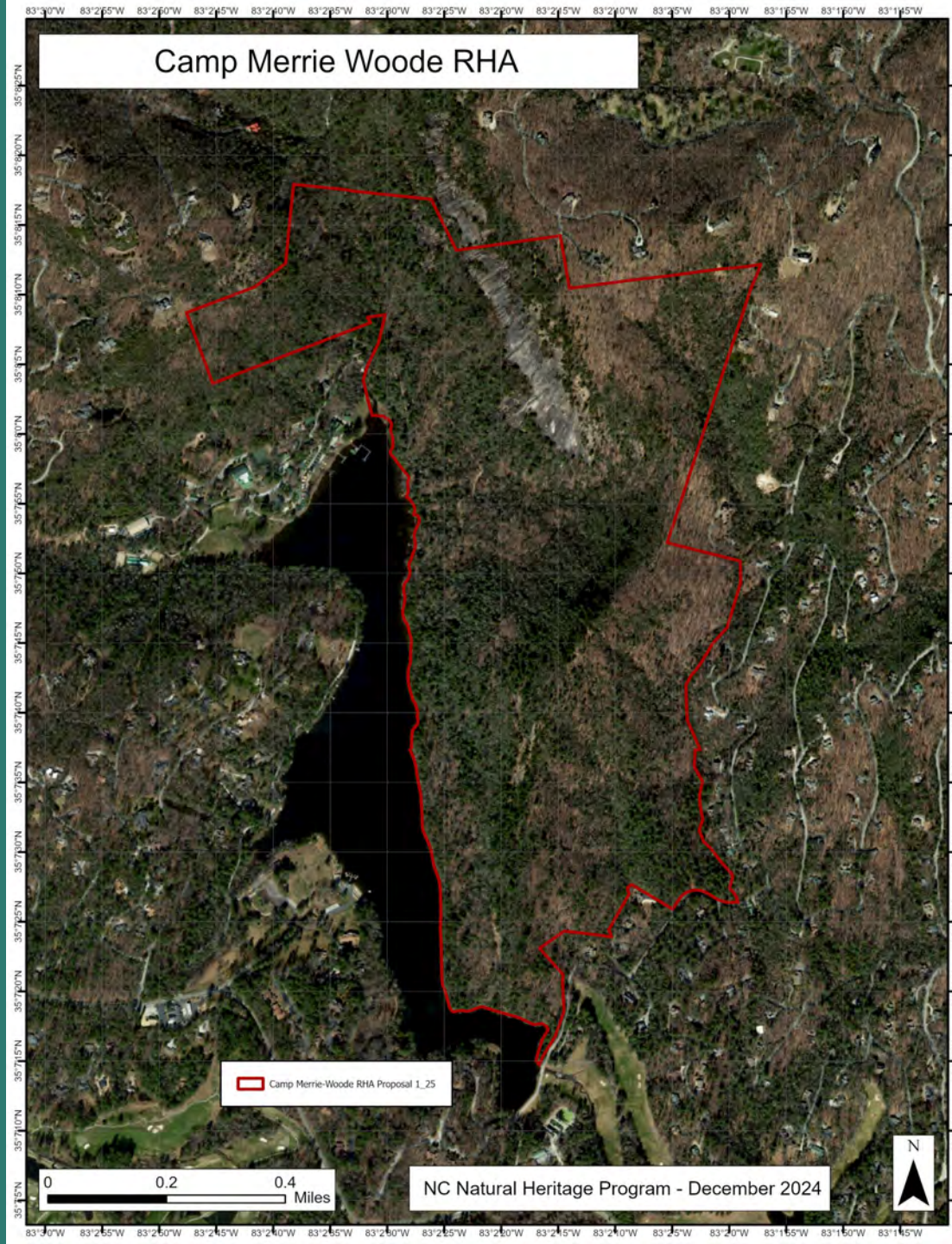
Cherokee, Yuchi, Miccosukee



## Camp Merrie Woode Registered Heritage Area

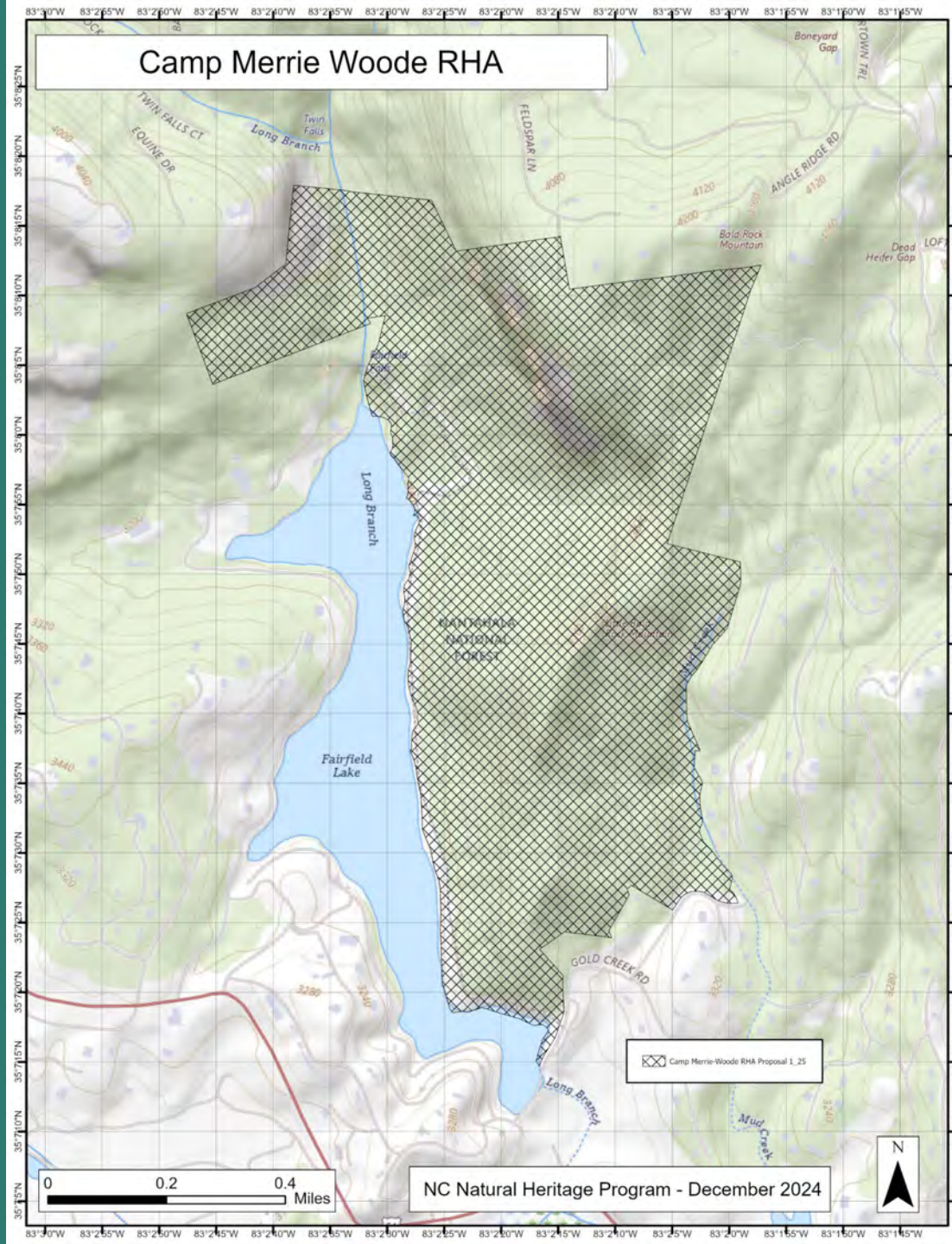






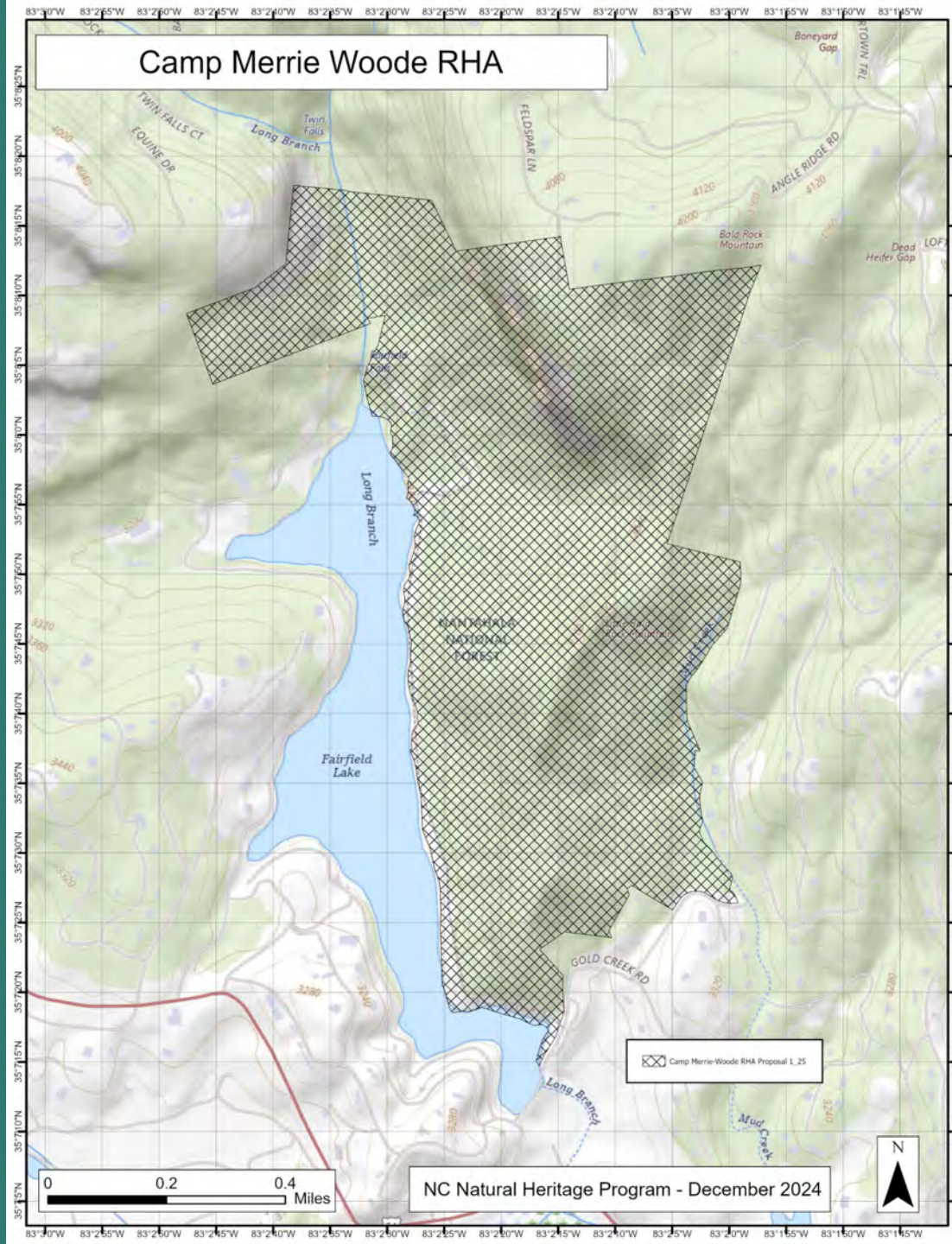
View from the summit of Bald Rock Mountain  
Photo courtesy of Jess Schaner





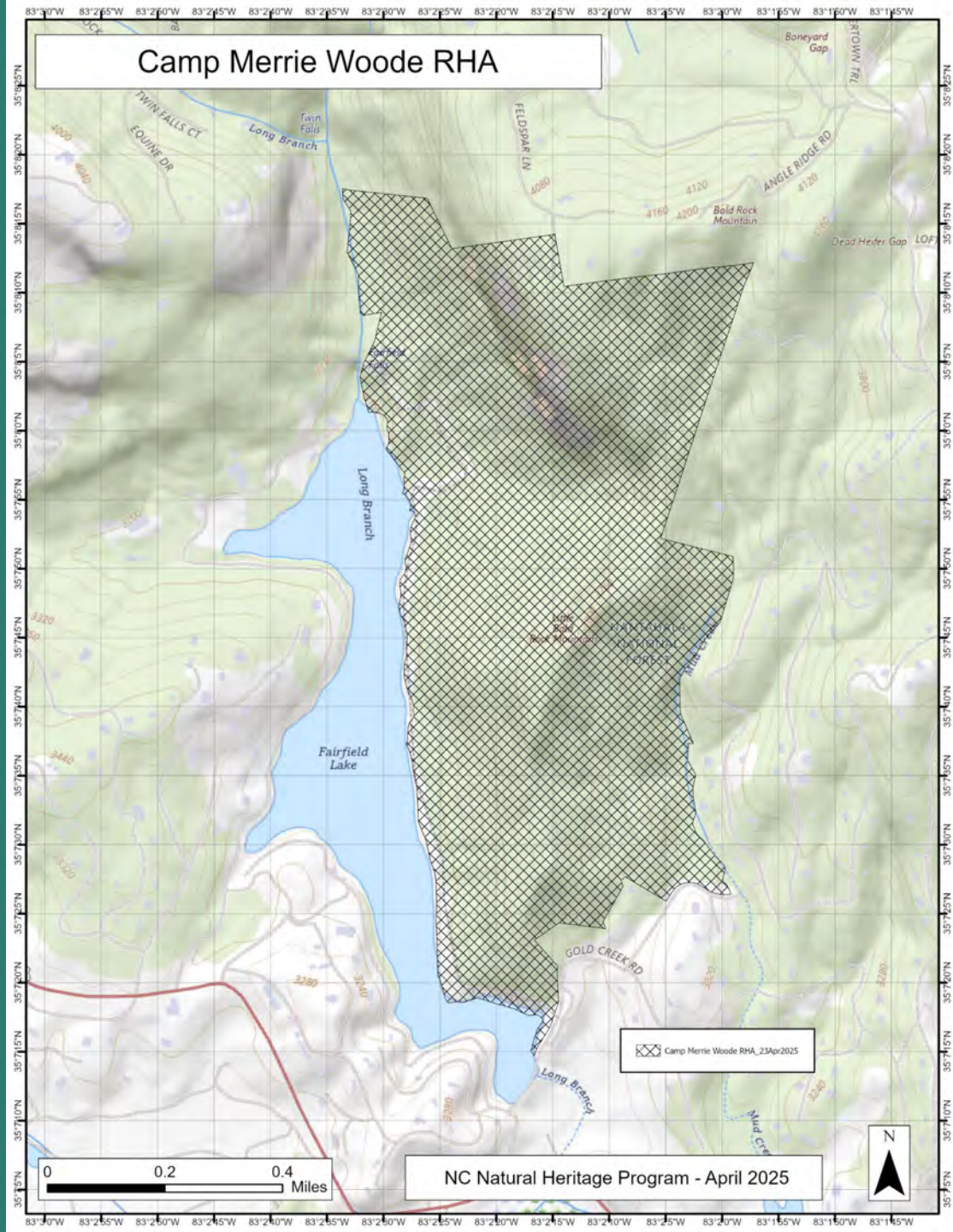


Reviewed by  
NHAC Feb 2025





Registered area reduced,  
requested by Camp  
Merrie Woode



# Camp Merrie Woode

## Registered Heritage Area

- New voluntary registry
  - 286 264 acres, all Primary
- Element occurrences include:
  - Biltmore Sedge (*Carex biltmoreana*) S3G3
  - Granite Dome Goldenrod (*Solidago simulans*) S2G2
  - High Elevation Granitic Dome S3G2
  - Montane Oak-Hickory Forest (Acidic Subtype)
- Part of Bald Rock Mountain/Little Bald Rock Mountain natural area (R1C4)
- The developed camp with cabins is a separate, adjacent area
- None of the rare plants or natural communities are located in the area that Camp Merrie Woode asked to exclude from registry approved by NHAC in February



Solidago simulans on the High Elevation  
Granitic Dome of Bald Rock Mountain  
Photo courtesy of Jess Schaner

# Potential new language for dedication agreements

## NC Land and Water Fund template:

*“This agreement shall be perpetual. It is an easement in gross, runs with the land, and is enforceable by Grantee, its successors and assigns, against Grantor, its representatives, successors, assigns, lessees, agents, and licensees.”*



## Questions:

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