

Josh Stein
Governor

Pamela B. Cashwell
Secretary, DNCR

Misty Franklin
Director, NC Natural Heritage Program

Regular Meeting of the Natural Heritage Advisory Committee

May 20, 2026 Agenda

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

In-person meeting location: Wildacres Retreat Center

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

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

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

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

DNCR Staff:

Deputy Secretary Jeff Michael,
Division of Land and Water Stewardship Director Will Summer,
Assistant General Counsel Zoe Hansen Burnet, Jessica Winebrenner

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

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

Land Acknowledgement – Jeff Marcus, Chair

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

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

- Department of Natural and Cultural Resources Updates
- Division of Land and Water Stewardship Updates: NC Land and Water Fund Executive Director and Division Director Will Summer

- NHP updates, special projects, ongoing priorities: Misty Franklin

01 Review Agenda for Additions and Deletions – All

02 Review Previous Meeting Minutes – All

Dedicated Nature Preserve Overview (Scott)

New Dedications and amendments to add property:

03 Gull Rock Game Land (NC Wildlife Resources Commission)

04 Bertie County Game Land (NC Wildlife Resources Commission)

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

06 Historic Bethania (Cultural Resources)

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

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

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

New Registries

10 Bluestem Cemetery – Pending review

11 Balsam Mountain Preserve – Pending review

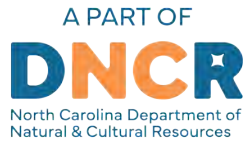
Other Topics

2026 Meeting Dates:

August 27 (If needed) Virtual meeting with optional in-person at Nature Research Center Room 4508 (121 West Jones Street), Raleigh NC

November 19

Adjourn



Josh Stein
Governor

Pamela B. Cashwell
Secretary, DNCR

Misty Franklin
Director, NC Natural Heritage Program

Regular Meeting of the Natural Heritage Advisory Committee

February 5, 2026 Minutes

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

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

NHAC Members: Jeff Marcus (chair), Jay Leutze, Kevin Melvin, Lee Leidy, Kim Brown, Jocelyn Wilson,

Absent: Alan Weakley, Sue Cameron, Brian Byfield

NHP Staff: Misty Franklin, Scott Pohlman, Michael Schafale, Katherine Culatta (recording minutes)

DNCR Staff: Deputy Secretary Jeff Michael; Division of Land and Water Stewardship Director Will Summer; Assistant General Counsel Jessica Winebrenner

Guests: Julian Wilson and Kathryn Loughran, NC Plant Conservation Program; Mark Gallo, Heather Montague and Mitchell Wimberley, NC Dept. of Transportation; Bill Rice, Rice Planning, Design, & Environmental; Crystal Cockman, Wildlife Resources Commission; Bree Charon and Margaux Kerr, NC Coastal Federation; Josefina Pohlhammer Aliaga, NC State University M.S. Student

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

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

- Department of Natural and Cultural Resources Updates: NCDNCR Deputy Secretary Jeff Michael

- DNCR is in the process of bringing budget requests to the Governor's team- no details to share yet but likely updates at next meeting.
- Jessica Winebrenner will be legal representative for this committee while Zoe is out on family leave.
- Many DNCR sites are holding events and activities for United States 250th anniversary year.
- New Asia exhibit at the NC Zoo is expected to open this year.
- Division of Land and Water Stewardship Updates: NC Land and Water Fund Executive Director and Division Director Will Summer
 - Applications are due March 1 for the NC Land and Water Fund 2026 grant cycle.
 - The deadline for the Conservation Tax Credit program for fee simple or easement donations in 2025 has been extended to February 15, 2026 to account for discrepancy between DNCR and DOR deadlines.
- NHP updates, special projects, ongoing priorities: Misty Franklin
 - Wrapping up report on surveys of peatlands on private lands in the Albemarle-Pamlico region.
 - Completed pre-restoration monitoring of vegetation plots at Holly Shelter Game Land designed to monitor effects of wetland restoration.
 - Field staff are preparing for Land and Water Fund and other project surveys.

01 Review Agenda for Additions and Deletions – All: No additions or deletions. Lee Leidy will recuse from projects with NC Coastal Land Trust involvement: Goose Creek Game Land, Chowan Swamp Game Land, Gull Rock Game Land, and Lake Waccamaw State Park.

02 Review Previous Meeting Minutes – All: No edits or changes. Kim moves to approve; Lee seconds. No discussion. Approved unanimously via roll call vote.

Dedicated Nature Preserve Overview (Scott)

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

Management proposals and potential amendments to remove property (Scott):

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

- Durham County
- No written request for DNP amendment as of this meeting; information is presented as an opportunity for committee review.
- NCDOT plans intersection improvement at Snow Hill Road and Old Oxford Road, which will extend the permanent right-of-way (ROW) into the Dedicated Nature Preserve (DNP), directly impacting three species of rare plants. Additional rare species are present in the immediate vicinity. The project will also involve relocation of utilities and a temporary

easement for drainage, resulting in a permanent loss of 0.33 acres and temporary impact to 0.28 acres.

- Potential mitigation measures include temporary relocation of rare plants (requiring funding to a partner such as NC Botanical Garden for rescue/transplant), land donation in exchange for new right-of-way that would be removed from the preserve (nearby parcels are currently on market), no introduction of off-site soil, and remediation measures (restore topography, invasive species removal, revegetation with site-appropriate native species).
- Jeff – Typical mitigation call for 3 acres of land added to conservation: 1 acre lost from DNP. Considering the direct impact to rare plants in the project footprint, this ratio seems short of fully mitigating the effects. Terms of dedication require a net conservation benefit in the public interest, and more than just relocation of rare plants is needed to make whole. The committee understands the need to balance natural resource values for public safety measures.
- Jay – Is moving plants nearby an option? Do populations continue into the DNP or are they isolated in the project footprint?
- Misty – Populations as well as suitable habitat extend into the DNP outside the project footprint.
- Jay – What is the public safety concern motivating this project?
- Mark – The project originates from nearby Merck facility expansion. The state allocated resources to improve surrounding road infrastructure in proportion to high paying jobs brought in by Merck.
- Jeff – With the expansion, have there been a higher rate of accidents, or is the concern primarily traffic volume?
- Mark – Primarily traffic volume.
- Julian – The Plant Conservation Program (land manager) helped develop the list of potential mitigation measures. Avoiding soil movement is a major concern due to concentration of invasive species in the southern tip of project area- prevent spread into parcel. One parcel currently for sale in the vicinity has one of the impacted rare species present.
- Marcus – Is the parcel for sale contiguous with the preserve? Is prescribed burning at this parcel feasible?
- Julian – Not contiguous with the parcel under discussion, but across Old Oxford Road from existing dedicated parcel of the same nature preserve unit, and provides contiguous forested land with similar natural communities between dedicated nature preserve (DNP) and Eno River. Prescribed fire is challenging on the entire DNP due to parcel sizes and population density- the parcel for sale is equally challenging for fire as existing preserve.
- Jeff – The primary concern is getting net conservation benefit. Small parcels and small acreage present management challenges. The most appropriate mitigation to fulfill obligation to conserve resource values on DNP would include additional acreage of rare species habitat. Sustained funding for habitat management could be a consideration.
- Bill – What characteristics would make a good candidate parcel?
- Jeff, Misty – Appropriate habitat and/or existing rare species populations, ability for fire management, contiguous or contributing to connectivity.
- Jeff, Misty, Mark – all express appreciation for early coordination on this project.
- No committee vote at this time.

New Dedications and amendments to add property (Scott):

04 Gull Rock Game Land (NC Wildlife Resources Commission)

- Hyde County
- Spencer Bay section: NC Land and Water Fund (NCLWF) grant acquisition, addition of 2,736 acres to primary, including 18 acres restoration; 182 acres buffer.
- Element occurrences include Brackish Marsh, Marsh Hammock, Little-spike Spikerush (*Eleocharis parvula*), and Bald Eagle (*Haliaeetus leucocephalus*).
- Alligator River section, north of Lake Mattamuskeet: Proposed new easement would add breaches to dike road to allow sheet flow across DNP to reach the intracoastal waterway.
- Dedication already allows for emergency pumping into Burrus Canal and across DNP; new request is for routine or non-emergency pumping to divert water that has been flowing into Lake Mattamuskeet, as part of Mattamuskeet Watershed Restoration Plan.
- Potential benefits to DNP are reduced saltwater intrusion, more natural water regime in northern and western section of DNP, and greater control over existing water movement.
- Potential concerns are concentrated nutrient/pollutant levels in routine pumping vs. diluted contaminants during pumping due to heavy storms, excess water in eastern section of DNP.
- Need to establish “triggers” to indicate if pumping is causing damage to forest in the Primary Area. Such indicators would trigger the suspension of pumping.
- Jeff – Are there concerns from Wildlife Resources Commission in terms of staff demands or land impacts?
- Crystal – The Commission voted to approve the easement at December 2026 meeting, pending NHAC approval. The Coastal Federation will take the lead on construction and monitoring.
- Jeff – What is the level of confidence that this project will not cause damage to the natural resources?
- Mike – Theoretically it should work, but it does need testing and monitoring. One thing to note is that the area in question is likely to transition to marsh with sea level rise. A goal of this project is to mitigate damage in the meantime, and allow for transition.
- Jeff – Some concerns could be too much water, or water diverted to the wrong places. Indicators for stress and mortality need to be clearly defined. Can excessive nutrient levels in drainage from adjacent agricultural use be prevented?
- Kevin – Seconds above concerns.
- Mike – One indication is location of tree mortality. Trees are expected to die nearest to the Intracoastal Waterway with inland marsh migration. Tree mortality south of this zone could indicate excessive water from pumping.
- Jeff – By the time mortality is perceived, is it too late to address? Would tree stress be a better metric? And who specifically is responsible for monitoring?
- Margaux – The Coastal Federation has a contract with East Carolina University for monitoring, via a Memorandum of Understanding with the WRC. Monitoring points will be set up in cooperation with WRC. Funding for monitoring is secured through 2028 and could extend to 2029.
- Jeff – If engineering is completed in 2028, is monitoring through 2029 sufficient?
- Margaux – Current funding is federal and extension can’t be guaranteed. Future funding through other sources could be pursued.
- Jeff – Is WRC able to step into monitoring if funding lapses?

- Crystal – Cannot make commitment on behalf of field staff, but can ask.
- Mike – Monitoring needs to extend well past construction as concerns may take a while to emerge. Is porous material under the road part of the plan?
- Margaux – Both road lowering (<1 inch) and porous sub-surface will be used to allow drainage.
- Mike – Who bears responsibility for monitoring the porous material, assessing clogging and clearing clog as needed?
- Margaux – Would need to discuss with project engineer.
- Scott – Language could be added to specify that pumping will cease at given intervals (e.g. 5 years) unless all parties agree that structures installed to allow more natural water regime are functioning properly.
- Next step: Staff will bring updated language to committee at next meeting
- Amendment to add new property is tabled until committee can review language for non-emergency pumping, which would also require amending the dedication. The addition and easement will be considered at the next meeting, and will likely go to Council of State as one item.

05 Sandy Mush Game Land (NC Wildlife Resources Commission)

- Buncombe and Madison Counties, NCLWF grant funded acquisition
- Add 30 acres Primary, including 16 acres Primary – Restoration
- Element Occurrences include two natural communities and four rare plants.
- Jay moves to accept, Lee seconds. No further discussion. Passed unanimously by roll-call vote.

06 Uwharrie Game Land (NC Wildlife Resources Commission)

- Montgomery County, NCLWF grant funded acquisition
- Add 93 acres to DNP: 26 acres Primary, including 15 acres Primary – Restoration; 67 acres buffer.
- The riparian zones are the primary focus, and protect five rare aquatic species. Primary – Restoration areas are used to allow for loblolly pine removal within riparian buffers.
- Jocelyn moves to accept, Jay seconds. No further discussion. Passed unanimously by roll-call vote.

07 Goose Creek Game Land (NC Wildlife Resources Commission)

- Pamlico County, NCLWF grant funded acquisition
- Add 408 acres: 100 acres Primary and 308 acres buffer.
- Estuarine Beach and Terrell grass (*Elymus halophilus*) Element Occurrences.
- Jeff moves to accept, Kim seconds. No further discussion. Passed unanimously by roll-call vote (Lee abstains).

08 Chowan Swamp Game Land (NC Wildlife Resources Commission)

- Gates and Hertford Counties
- Add 1,210 acres to DNP: all Primary, including 90 acres Primary – Restoration.
- Three natural communities and three rare aquatic species

- Kevin moves to accept, Kim seconds. No further discussion. Passed unanimously by roll-call vote (Lee abstains).

09 Lake Waccamaw State Park (NC Division of Parks and Recreation) – Pending

- Columbus County
- Add 199 acres to DNP, all primary
- 3 natural communities and 5 rare aquatic animals.
- After materials were sent to committee, NCDPR asked for additional language allowing future paddle access: “Additionally, an access for non-motorized boats may be considered along the Waccamaw River at a future date. Planning for this access will involve consultation with the NC Natural Heritage Program.”
- Jeff – add “and approval from” to “consultation with”, follow policies for staff-level vs. NHAC review of future access.
- Committee members agree
- Jeff moves to accept with added language, Jay seconds. No further discussion. Passed unanimously by roll-call vote (Lee abstains).

New Registries

Registered Heritage Area Overview (Scott):

- Registry recognizes an area for its natural heritage resource values.
- Voluntary agreement between landowner and DNCR Secretary to protect and manage the natural area. NHP provides management recommendations.
- Agreement can be rescinded by either party.

10 Pocosin Lakes National Wildlife Refuge (US Fish and Wildlife Service)

- Tyrrell County
- Very large registry in the works for several years with previous Refuge Manager and finished under current interim manager.
- 101,413 acres, including part or all of six natural areas
- Many Element Occurrences including communities, plants and animals.
- Jeff commended Mike Schafale for creating the opportunity for conservation.
- Kim moves to accept, Jocelyn seconds. No further discussion. Passed unanimously by roll-call vote.

Other Topics

2026 Meeting Dates:

May 18-20 Joint meeting with NC Land and Water Fund Board (WildAcres Retreat Center in Little Switzerland, NC)
 August 27
 November 19

Adjourn Jeff Marcus moved to adjourn. Passed unanimously by roll-call vote.

(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: Letter of Allocation and Dedication as a Nature Preserve of Portions of the **Gull Rock Game Land Dedicated Nature Preserve**, Hyde County

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 amending an existing Dedicated Nature Preserve encumbering State-owned lands. These Articles of Dedication replace those certain Articles of Dedication dated September 24, 2019. The purpose of this amendment is to reflect additions of property to the preserve and provide more accurate boundaries.

This real property which is subject to this Dedicated Nature Preserve is currently administered by the North Carolina Wildlife Resources Commission as a portion of the **Gull Rock Game Land** and consists of approximately 10,420 acres located in Hyde County and composed of:

- | | | |
|----|------------------------------------|-------------|
| 1. | Gull Rock Game Land (Primary Area) | 7,308 acres |
| 2. | Gull Rock Game Land (Buffer Area) | 3,112 acres |

all of which are specifically described in Exhibit A and shown on the diagram in Exhibit B both attached hereto and incorporated herein and referred to hereafter as “Property”. That 2,736-acre area depicted on the diagram attached as **Exhibit C**, attached hereto and incorporated herein by reference, is hereby added to the Dedicated Nature Preserve. The dedicated lands shall be known collectively as the **Gull Rock Game Land Dedicated Nature Preserve**.

Dedication of the qualified portions of the tract included herein fulfills the terms of grant agreements with the NC Land and Water Fund (former Natural Heritage Trust Fund or Clean Water Management Trust Fund). Grants include 1996A-006, 1999A-006, and 2022-060.

THIS DEDICATION OF THE **GULL ROCK GAME LAND DEDICATED 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 Statute 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 **Gull Rock Game Land Dedicated Nature Preserve** (hereinafter "preserve") for the purposes provided in the North Carolina Preserves Act, North Carolina General Statute 143B-135.250 *et seq.*, as amended, and other applicable law, and said State-owned land, shall be held, maintained, and used exclusively for said purposes.
3. **Duration:** Subject to the limitations of North Carolina General Statute 143B-135.264, this agreement shall be perpetual, in gross, running with the land.
4. **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 Section .0300 and .0400. The primary custodian may hereinafter be referred to as "Primary Custodian" or "Custodian".
5. **Primary Classification and Purpose:** The primary classifications and purposes of the preserve will be natural area 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**.
6. **Management Areas:** For the purposes of management, the preserve shall be considered to consist of a Primary Area (approximately 7,308 acres) as shown on Exhibit B Map and a Buffer Area (approximately 3,112 acres, as shown on Exhibit B and as defined by 07 NCAC 13H .0304), as more particularly described in **Exhibit A**, attached thereto and by this reference made a part hereof.

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

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

7. **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 and with prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. 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.

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.

- 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, and shall have prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. 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 or the Secretary of the Department of Natural and Cultural Resources or their designee.
- 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.

A location for an emergency pumping station for the Hyde Drainage District, discharging onto the Game Land within the preserve Buffer Area, has been requested. The location has previously had significant hydrological alteration, and is shown in Exhibit B Alligator River Segment map. If constructed, the pumping station will be operated according to a written plan ("Plan"). To the extent practicable, efforts will be made to locate the intake for the pumping station so as to avoid known sources of contamination. The NC Wildlife Resources Commission, or their assigns, shall install and maintain sufficient modifications to the roads to allow water added by pumping a more natural and diffuse flow northward and westward where appropriate. The Wildlife Resources Commission, or their assigns, shall be responsible for drafting the Plan and the Plan shall be subject to final approval of the NC Natural Heritage Program before finalizing or modification. The NC Natural Heritage Program or the NC Wildlife Resources Commission may require that pumping schedules be modified or pumping cease if it is determined by either party that such action is necessary because of undue stress to the preserve or to safeguard environmental resource values in the preserve, or based on other criteria as may be deemed appropriate to the NC Natural Heritage Program and NC Wildlife Resources Commission.

The NC Wildlife Resources Commission shall complete a multi-party agreement requiring that pumping cease five years from date of pumping station installation [or completion of road modifications] unless and until the Hyde Drainage District, Wildlife Resources Commission, and Natural Heritage Program mutually agree that impacts to the preserve from pumping are negligible, and pumping can continue. The agreement will stipulate that pumping cease at subsequent five year intervals, unless and until the above parties mutually agree that impacts are negligible, and pumping may continue. The right to pump water in an emergency situation, such as in the event of extreme rainfall from a named storm, will not be denied without due notice.

- 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.

- 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 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.
 - P. Signs: No signs, billboards, or other advertising of any kind shall be erected, with the exception of informational and directional signs, designed by the Secretary of the Department of Natural and Cultural Resources, Custodian, or State agency, related to the designation of the area as a preserve or for public access to the preserve.
8. **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.)

9. **Amendment, Modification, and Termination:** 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 Statute 143B-135.250-.272 and the North Carolina Administrative Code, Chapter 7, Subchapter 13H.
10. **Nature Preserve Held in Trust:** This Property is held in trust by the State for the benefit of the people of North Carolina for the uses and purposes expressed in the Nature Preserves Act under the terms and authority set forth in North Carolina General Statute 143B-135.262.
11. **Access for Inspection and Right of Entry:** Natural Heritage Program staff, including their successors or assigns, shall have the right, by and through its agents and employees, to enter the Property to inspect the Dedication for compliance with these Articles of Dedication at all reasonable times and with prior notice.

The Governor and Council of State have approved the dedication of the State-owned lands hereinabove described as the **Gull Rock Game Land 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).

Sincerely,

Gabriel J. Esparza

CONSENTED AND AGREED TO:

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources

Kyle Briggs, Executive Director
Wildlife Resources Commission

EXHIBIT A
GULL ROCK GAME LAND
DEDICATED NATURE PRESERVE
(LONG SHOAL RIVER SEGMENT)

COUNTY: Hyde

PHYSIOGRAPHIC PROVINCE: Coastal Plain

TOPOGRAPHIC QUADS: Engelhard East

SIZE OF AREA: ca. 5,739 acres total (3,701 acres Primary Area, 2,038 acres Buffer Area) as shown on Exhibit B.

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

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants or animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. This segment protects part of the Long Shoal River Marshes and Pocosins natural area, on the vast, low-lying flats that border Pamlico Sound. Most of the area is covered by peat, but mineral soils occur in a few areas. The natural area has some 11 miles of shoreline on Pamlico Sound, and is an excellent example of the transition from inland peatland communities to estuarine communities. This area shows examples of natural changes that are occurring in response to rising sea level.

Brackish Marsh, dominated by black needlerush (*Juncus roemerianus*), lines most of the shoreline, forming a broad band especially in the northern part of the site. More inland parts of the marsh are the more salt-tolerant subtypes of Tidal Freshwater Marsh, mostly dominated by sawgrass (*Cladium jamaicense*). There is a broad zone of transitional marsh, where rising sea level is causing the marsh to encroach on the adjacent forest. In places, the transition zone supports scattered pines, especially pond pine (*Pinus serotina*). There is a fairly dense shrub layer of wax-myrtle (*Myrica cerifera*), and a variety of herbs such as royal fern (*Osmunda regalis*).

Further inland are Estuarine Fringe Pine Forest communities, with an open canopy of pond pine and a dense shrub layer of wax-myrtle with varying amounts of pocosin shrubs. Often royal fern, Virginia chain fern (*Woodwardia virginica*), and *Sphagnum* moss are abundant. These communities clearly developed from Pond Pine Woodland communities as water levels became higher.

The most inland parts of the site at the north end are well-developed Pond Pine Woodland communities, dominated by pond pine, with some loblolly bay (*Gordonia lasianthus*). There is a typical dense shrub layer. The Pond Pine Woodland once extended along much of the western side of the site, but has been reduced by historical timber harvest.

About three miles of roads run through the Primary area, with several additional miles in the Buffer area. All of these roads are accompanied by ditches. The combination of ditches connected to the sound and blocking of water flow by road fill have altered natural hydrology in the site, but the

area remains ecologically significant.

BOUNDARY JUSTIFICATION: The Primary area is drawn to include the most intact natural communities. Most of the Primary boundary is based on limits of timber harvest, along with the shoreline and property lines. The Buffer area consists of recently harvested forests that, as they regenerate, will protect the Primary area from edge effects and to some degree contribute to natural sheet flow hydrology. Some areas in the Buffer contain abundant cane and may be readily restorable to canebrake.

MANAGEMENT AND USE: The area is used for public hunting and wildlife management.

Prescribed burning is encouraged for all of the communities on the site. Fire will create a more natural vegetation structure in the marsh and the forest communities, as well as a more natural interaction between them.

Two areas of mineral soil occur within the Buffer, one near the middle and the other at the south end. These areas, along with some adjacent shallow organic soils, currently support a successional forest of red maple (*Acer rubrum*), with or without sweetgum (*Liquidambar styraciflua*). Substantial parts have a dense, tall shrub layer dominated by cane (*Arundinaria tecta*) and fairly few pocosin shrubs. At least some of this area was historically dominated by pond pine.

While these cane-rich areas are too altered to be exemplary, they offer an excellent opportunity to restore canebrake communities. Once common in this region, canebrakes have become extremely rare. Details of needed fire regimes are not well known. A fire return interval of 5 years for marshes and 10 years for the forest and canebrake areas is encouraged as a starting point, with adaptive management principles used to modify this based on results.

Restoration of the altered natural hydrology by placing culverts in roads and blocking ditches is encouraged. In particular, the ditches which tie to Pamlico Sound are beginning to provide access to brackish tidal waters into the interior of the site, and this effect can be expected to increase as sea level rises. Blocking of these ditches, or fitting them with control structures that will prevent the influx of tidal waters, is recommended.

One invasive exotic plant species is of concern in this site. Common reed (*Phragmites australis*) is present in small amounts in the Tidal Freshwater Marsh and on road sides. This species represents a serious threat to the marsh community, and may greatly increase in abundance as marshes migrate in response to rising sea level. Control of this species is recommended.

(2005, NC NHP)

EXHIBIT A
GULL ROCK GAME LAND
DEDICATED NATURE PRESERVE
(ALLIGATOR RIVER SEGMENT)

COUNTY: Hyde

PHYSIOGRAPHIC PROVINCE: Coastal Plain

TOPOGRAPHIC QUADS: Fairfield

SIZE OF AREA: ca. 1,946 acres total (1,053 acres Primary Area; 893 acres Buffer Area) as shown on Exhibit B.

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

DESCRIPTION: The Alligator River segment, the Carter-Hyde tract, is a low-lying flat on the south side of the Atlantic Intracoastal Waterway's Pungo River-Alligator River Canal. The canal roughly follows the course of the Alligator River here, but has cut off several meanders, and is accompanied by large spoil areas. All of the tract is wetland and has peat soils or mineral soils with a muck surface. This portion of the Game Land is part of the Upper Alligator River Marshes and Forests natural area. This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants or animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202.

The northern part of this segment is Tidal Freshwater Marsh, which is subject to wind tides and has low salt content (oligohaline) waters. Several subtypes of the natural community are present, in a complex mosaic of patches that sometimes are distinct and sometimes grade into each other. Three subtypes are dominated by sawgrass (*Cladium jamaicense*), threesquare (*Schoenoplectus pungens*), or cattail (*Typha glauca* or *Typha domingensis*). The Shrub Subtype occurs on the inland edge of the marsh, where snags, fallen logs, and a few live individuals of trees of a former wetland forest are present. Wax-myrtle (*Morella cerifera*) is abundant. Herbs are abundant and dense, and include sawgrass and a number of species shared with the other subtypes. The Estuarine Shoreline Lawn Subtype may also be present, along some of the natural river channel segments. All of the marsh zones are shifting inland in response to rising sea level. They may have been further changed in response to increased levels of salt brought in by the Pungo River-Alligator River Canal. Carolina glasswort (*Lilaeopsis carolinensis*) has been found along the margins of the river.

The inland parts of the preserve are a mosaic of wetland forests and woodlands. Of particular note is a Pond Pine Woodland (Canebrake Subtype). This rare community has an open canopy of pond pine (*Pinus serotina*) and a dense shrub layer dominated by switchcane (*Arundinaria tecta*). The southern edge of the complex is Nonriverine Swamp Forest, dominated by swamp black gum (*Nyssa biflora*) and red maple (*Acer rubrum*). Other parts of the mosaic, not well explored, appear to include Tidal Swamp, dominated by swamp black gum with an abundance of pines. Also present is a small Peatland Atlantic White Cedar Forest community dominated by Atlantic white cedar

(*Chamaecyparis thyoides*). Some areas of Estuarine Fringe Pine Forest and of Pond Pine Woodland (Typic Subtype) are also present. These forests vary in maturity, but those in the Primary area are at least fairly mature over most of their extent. Those in the Buffer are young, and some of the Nonriverine Swamp Forest has been altered by artificially increased wetness.

About 3 miles of roads run through the Buffer area or on the edge of the Primary area. All are accompanied by ditches. The filled road beds and ditches alter natural hydrology, making part of the Buffer area unnaturally wet and causing stress and tree mortality in the swamp forests.

BOUNDARY JUSTIFICATION: The Primary area is drawn to include the most intact natural communities. Most of the Primary boundary, where not determined by property lines, is based on apparent changes in forest maturity visible in aerial photographs, presumed to result from historic timber management in more accessible areas. Small areas are excluded from the dedication where they are affected by adjacent canals and spoil, on the west, north, and east sides.

MANAGEMENT AND USE: The area is used for public hunting and wildlife management.

Prescribed burning is encouraged for the canebrake community, and might also be beneficial to the marsh communities. Most other communities are expected not to be flammable, but fire is unlikely to be harmful to any of them.

Restoration of the altered natural hydrology by placing culverts in roads and blocking ditches may be beneficial. The hydrology in this segment is complex, with influences from adjacent tidewater canals, artificially increased intrusion of salt, impoundment by road beds, and blocking of natural flow from the south by a levee. Any hydrologic restoration will need substantial prior study.

One invasive exotic plant species is of concern in this site. Common reed (*Phragmites australis*) is present in large amounts along the Intracoastal Waterway in the Tidal Freshwater Marsh and on spoil. This species represents a serious threat to the marsh community, and may greatly increase in abundance as marshes migrate in response to rising sea level. Control of this species is recommended.

The effects of discharge from Hyde County emergency pumping should be monitored. If significant negative impacts are observed and/or effects extend into Primary Area or onto neighboring properties, efforts should be made to modify pumping regime. Proposals for managing sheet flow within the dedicated area should involve consultation with the NC Natural Heritage Program.

(August 2016, NC NHP)

EXHIBIT A
GULL ROCK GAME LAND
DEDICATED NATURE PRESERVE
(SPENCER BAY SEGMENT)

COUNTY: Hyde

PHYSIOGRAPHIC PROVINCE: Coastal Plain

TOPOGRAPHIC QUADS: Scranton

SIZE OF AREA: ca. 2,736 acres total (2,554 acres Primary Area, including 18 acres Restoration described below; 182 acres Buffer Area) as shown on Exhibit B

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

DESCRIPTION: The Spencer Bay segment is composed of three tracts bordering Pamlico Sound on either side of Spencer Bay, between Rose Bay and the mouth of the Pungo River. The tracts are part of Swanquarter/Gull Rock Wetlands Natural Area, and eastern tracts are directly across Rose Bay from Swanquarter National Wildlife Refuge. The majority of the tracts are wetlands and include examples of natural changes that are occurring in response to rising sea level.

This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants or animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. The majority of this segment is Brackish Marsh, dominated by black needlerush (*Juncus roemerianus*) with patches of saltmeadow cordgrass (*Spartina patens*). A narrow band of smooth cordgrass (*Spartina alternifolia*) is often present immediately along the shoreline. Marsh zones are shifting inland in response to rising sea level.

Marsh Hammock occurs in patches surrounded by marsh, representing remnants of a former forest community that transitioned to marsh as water levels became higher. Parts of this transitional zone are dominated by invasive common reed (*Phragmites australis*). Marsh Hammock canopy is dominated by loblolly pine (*Pinus taeda*), with live oak (*Quercus virginiana*) water oak (*Quercus nigra*) frequent in the subcanopy. Common waxmyrtle (*Morella cerifera*), southern red cedar (*Juniperus silicicola*), groundsel-tree (*Baccharis halimifolia*), and (*Sabal minor*) dominate the shrub layer. The herb layer is partially shared with the surrounding marsh but also includes upland species.

About two miles of unpaved road runs through the Buffer and Primary area on the western tract, leading to a hunting cabin at the southwest corner of a large impoundment. The impoundment, along with ditches that line the road, have altered the natural hydrology on the western tract. The eastern tracts have no roadways or hydrological alterations.

BOUNDARY JUSTIFICATION: The Primary Area is drawn to include intact natural communities and 100 ft riparian zones. Areas on the eastern peninsulas that are currently transitional from forest to marsh are included in the Primary Area.

A 100-foot riparian zone along the canal paralleling the road to the impoundment is designated as Primary (Restoration). Primary (Restoration) Area includes vegetated streamside zones to benefit aquatic habitat due to its hydrologic connection to the tributary stream, and requires some form of active management to improve or reestablish natural community composition, structure, and function. Restoration refers to interventions that improve habitat quality and ecosystem function of natural and working lands, encouraging natural ecological processes to re-establish and habitats and ecosystems to become self-sustaining in the long-term after a period of short-term active management and stewardship.

Buffer Area on the north side of the western tract includes altered uplands, mostly occupied by pine plantation. This area is likely to become wetter and ultimately transition to marsh communities as sea level rise continues.

The large impoundment and area immediately surrounding the hunting cabin are excluded from the dedication.

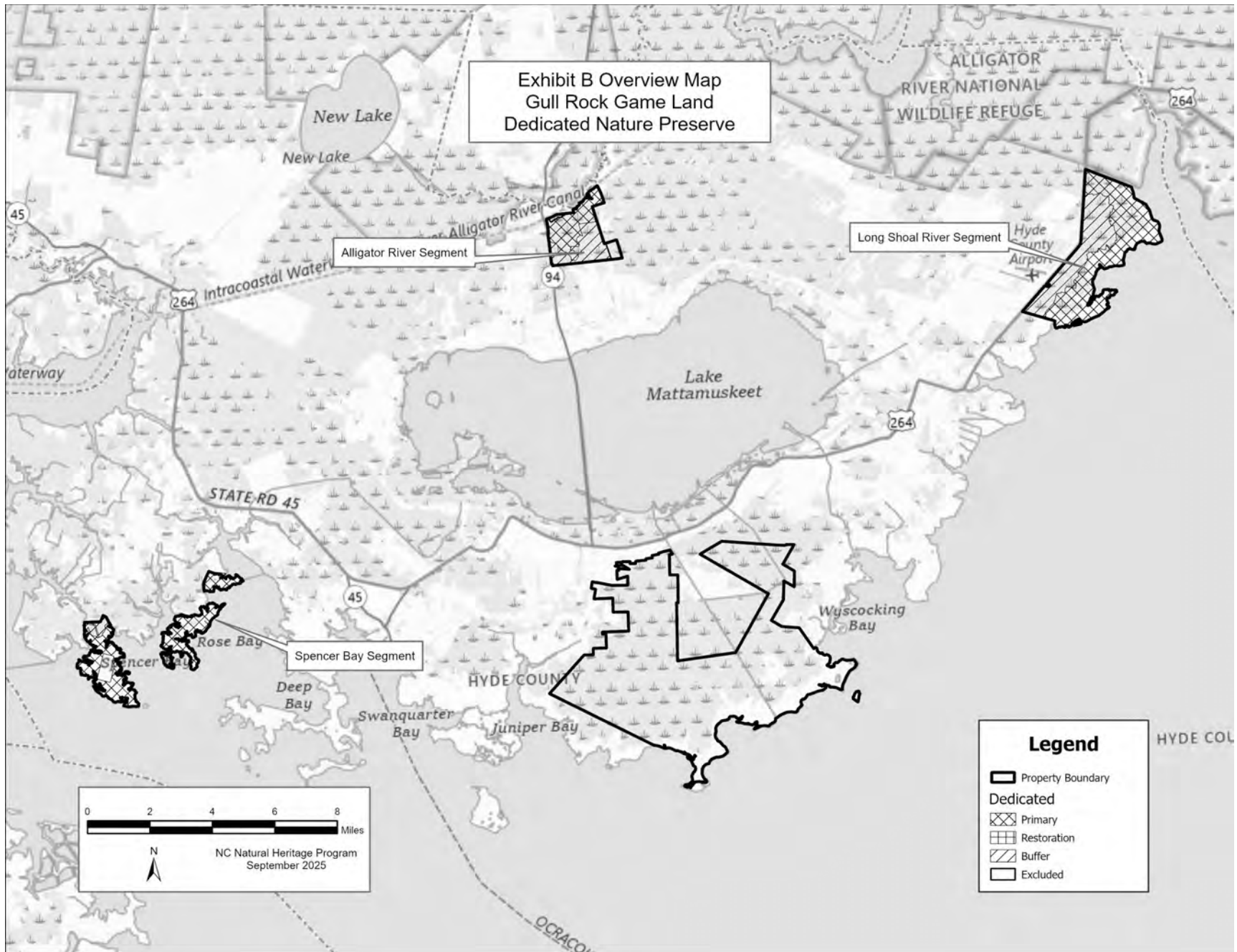
MANAGEMENT AND USE: The area is used for public hunting and wildlife management.

Prescribed burning likely will be beneficial to the marsh communities, which are contiguous to uplands which presumably burned naturally. Fire management in the marsh should take into account the needs of wildlife including black rails. Restoration refers to interventions over a limited term that are planned to return an ecosystem to a more natural species composition, vegetation structure, and ecosystem function, with an expectation that it will then be self-sustaining with appropriate natural area management. The Primary (Restoration) Areas should be managed to restore more natural vegetation while giving priority to protecting water quality in the waterway. Passive restoration is generally appropriate, though silvicultural treatment may be beneficial in some areas where canopy composition is heavily altered. Planted pine stands may be harvested. Additional treatment or planting may be needed to encourage regeneration of site-appropriate trees.

One invasive exotic plant species is of concern in this site. Common reed (*Phragmites australis*) is present at the transitions from upland to marsh and along ditches. This species represents a serious threat to the marsh community, and may greatly increase in abundance as marshes migrate in response to rising sea level. Control of this species is recommended.

(September 2025, NC NHP)

Exhibit B Overview Map
Gull Rock Game Land
Dedicated Nature Preserve



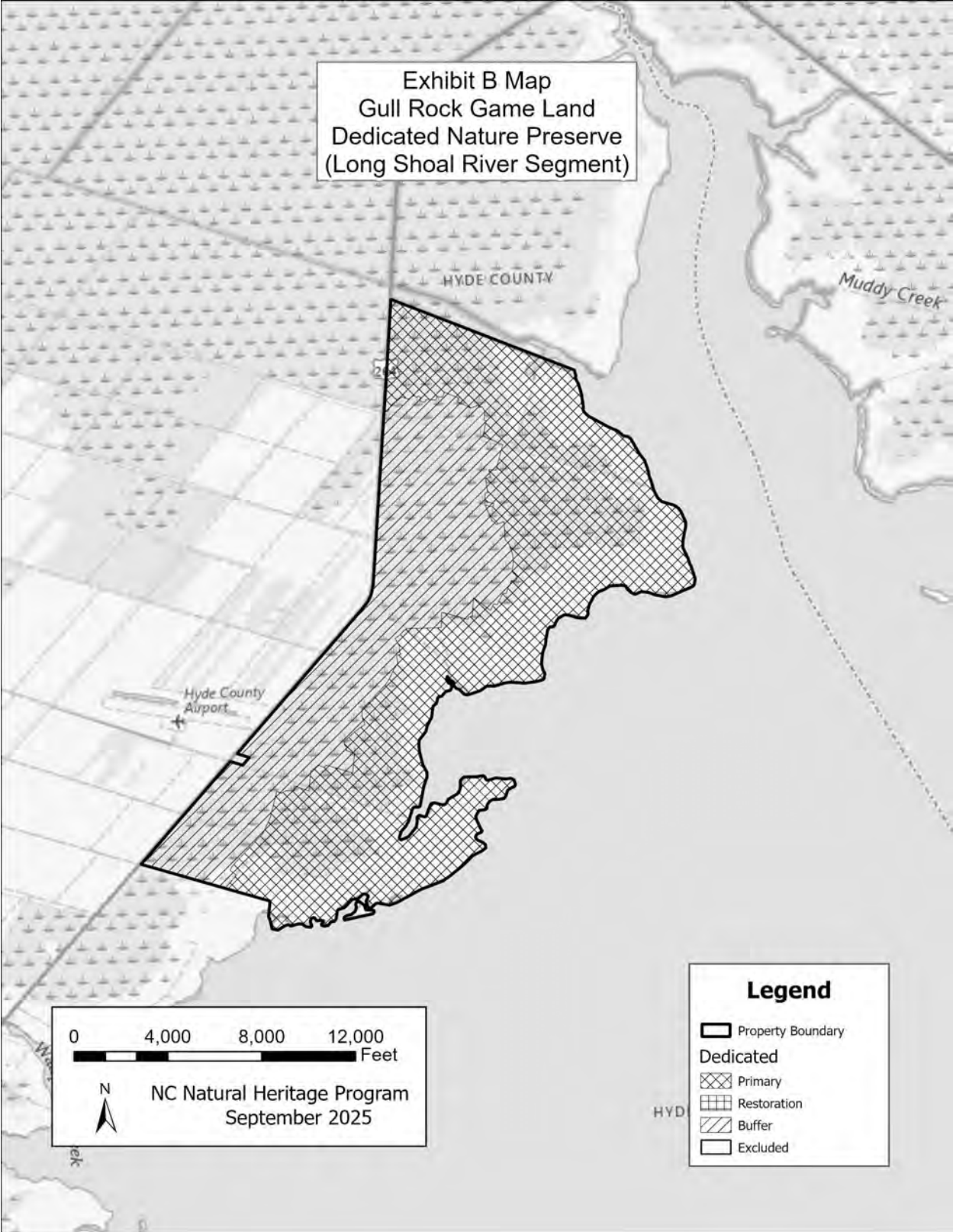
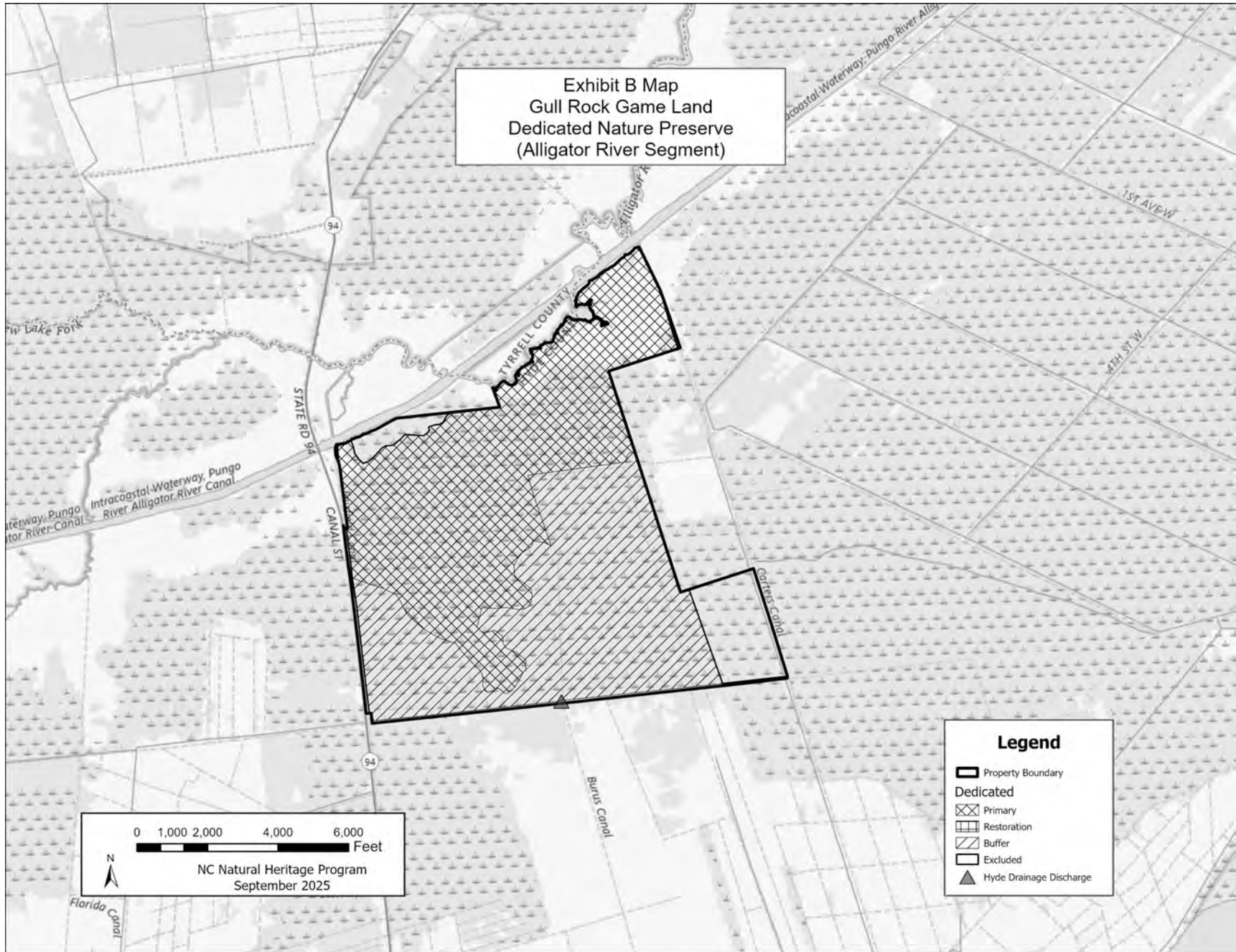


Exhibit B Map
Gull Rock Game Land
Dedicated Nature Preserve
(Alligator River Segment)



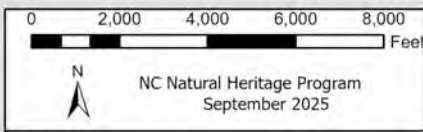
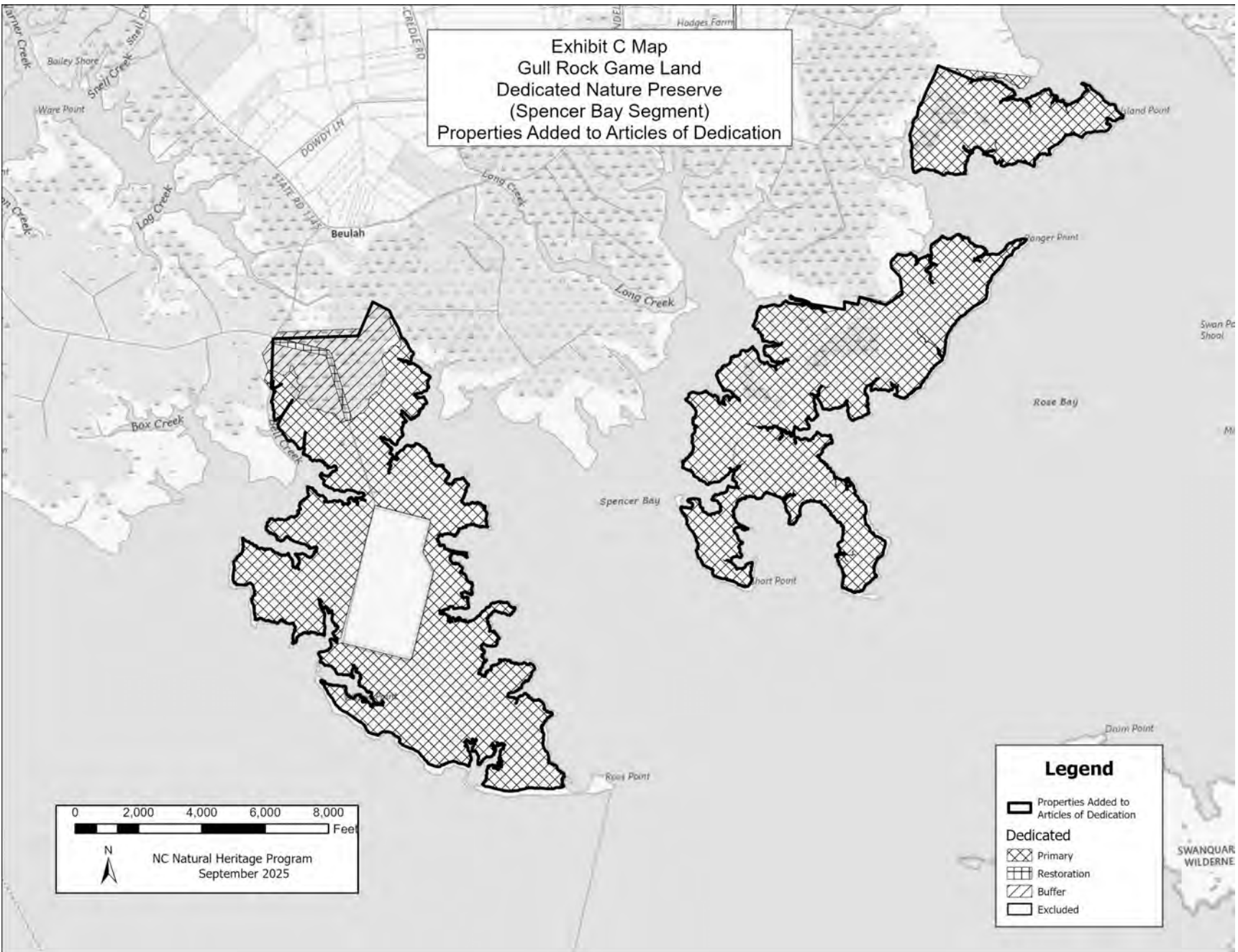
Legend

- Property Boundary
- Dedicated
 - Primary
 - Restoration
- Buffer
- Excluded
- Hyde Drainage Discharge

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

NC Natural Heritage Program
September 2025

Exhibit C Map
 Gull Rock Game Land
 Dedicated Nature Preserve
 (Spencer Bay Segment)
 Properties Added to Articles of Dedication



NC Natural Heritage Program
 September 2025

Legend

- Properties Added to Articles of Dedication
- Dedicated**
- Primary
- Restoration
- Buffer
- Excluded

SWANQUAR WILDERNE

**Gull Rock Game Land
Dedicated Nature Preserve
Request for non-emergency pumping as part of Burrus Canal Restoration**

In 2019, qualifying portions of the Gull Rock Game Land were dedicated under the Nature Preserves Act. The acquisition of the property dedicated (Carter-Hyde) was partially funded by the Clean Water Management Trust Fund (Grant #1996A-006). Initial dedication of the property allowed emergency pumping of water onto the game land, to “be used only in the event of extreme rainfall, such as a named storm.”

Part of the Lake Mattamuskeet Watershed Restoration Plan includes redirecting drainage water from Lake Mattamuskeet. Plan implementation involves moving water northward toward the Intracoastal Waterway. Requests to implement the project include pumping water into Burrus Canal to flow northward, then pumping it over the dike into the portion of Burrus Canal on Gull Rock Game Land Dedicated Nature Preserve. The request also includes non-emergency pumping of water. See figure 1 below

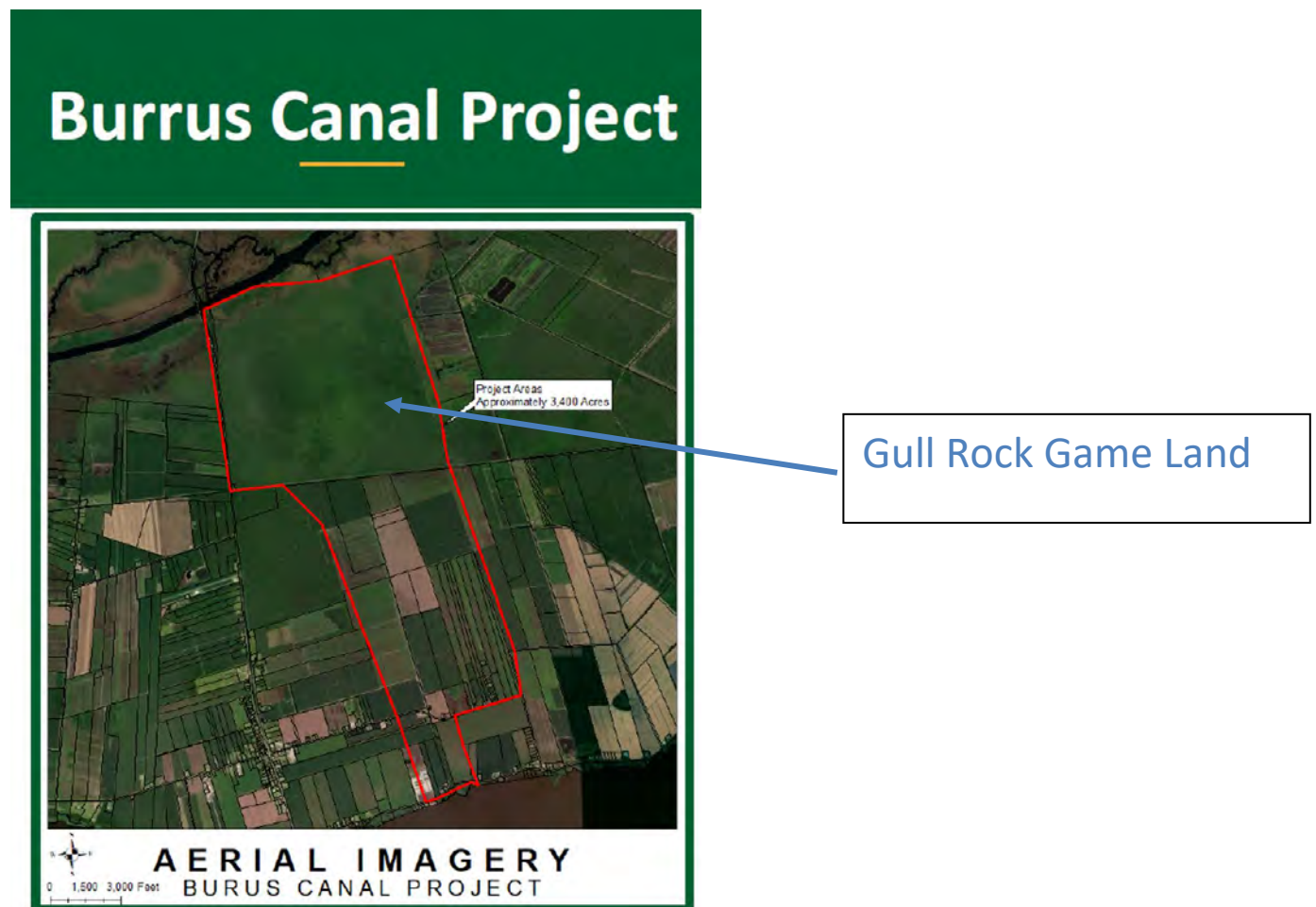


Figure 1

The proposal has been revised with input from NCNHP and NCWRC staff, and the revised proposal would add structures within the northern road to allow more drainage through it northward, while having less water flow westward, returning a more natural hydrological regime. See figure 2 below.



Figure 2 Cross-hatching is Dedicated Primary Area, single hatching is Buffer Area.

NHP agrees that more natural water regime/sheet flow of fresh water northward to the marshes would help mitigate the impact of salt coming in via Intracoastal Waterway canal. However, the pumping of water carries risk of damage by excess water or excess nutrients. Predicated on the maintenance of the structures installed along northern road that make it beneficial and more natural, new language allowing non-emergency pumping would be consistent with dedication, with language that the NC Natural Heritage Program or the NC Wildlife Resources Commission may require that pumping cease if it is determined by either party that such action is necessary to safeguard environmental resource values in the preserve or if pumping additional water becomes inconsistent with the purposes of the dedication. Any additional access, construction, or drainage easements would be subordinate to Articles of Dedication.

The Natural Heritage Advisory Committee reviewed revised dedication language below at February 2026 meeting to allow non-emergency pumping

A location for an emergency pumping station for the Hyde Drainage District, discharging onto the Game Land within the preserve Buffer Area, has been requested. The location has previously had significant hydrological alteration, and is shown in Exhibit B Alligator River Segment map. If constructed, the pumping station will be operated according to a written plan ("Plan") ~~and will be used only in the event of extreme rainfall, such as a named storm.~~ To the extent practicable, efforts will be made to locate the intake for the pumping station so as to avoid known sources of contamination. Wildlife Resources Commission, or their assigns, shall install and maintain sufficient modifications to the roads to allow water added by pumping a more natural and diffuse flow northward and westward where appropriate. The Wildlife Resources Commission, or their assigns, shall be responsible for drafting the Plan and the Plan shall be subject to final approval of the NC Natural Heritage Program before finalizing or modification The NC Natural Heritage Program or the NC Wildlife Resources Commission may require that pumping schedules be modified or pumping cease if it is determined by either party that such action is necessary because of undue stress to the preserve or to safeguard environmental resource values in the preserve, or based on other criteria as may be deemed appropriate to NHP.

The Committee expressed concerns at the February meeting, and had questions about monitoring, and the mechanism for ceasing pumping if negative impacts to the preserve are detected. The Amendment to add new property was tabled until committee could review language for non-emergency pumping that would address concerns. Adding new language will require amending the dedication, but there is an amendment in progress to add new property. NHP staff worked with NC Coastal Federation and NC Wildlife Resources Commission to develop new language for the

dedication. The highlighted text represents what has changed since the February meeting:

A location for an emergency pumping station for the Hyde Drainage District, discharging onto the Game Land within the preserve Buffer Area, has been requested. The location has previously had significant hydrological alteration, and is shown in Exhibit B Alligator River Segment map. If constructed, the pumping station will be operated according to a written plan ("Plan") ~~and will be used only in the event of extreme rainfall, such as a named storm.~~ To the extent practicable, efforts will be made to locate the intake for the pumping station so as to avoid known sources of contamination. The NC Wildlife Resources Commission, or their assigns, shall install and maintain sufficient modifications to the roads to allow water added by pumping a more natural and diffuse flow northward and westward where appropriate. The Wildlife Resources Commission, or their assigns, shall be responsible for drafting the Plan and the Plan shall be subject to final approval of the NC Natural Heritage Program before finalizing or modification. The NC Natural Heritage Program or the NC Wildlife Resources Commission may require that pumping schedules be modified or pumping cease if it is determined by either party that such action is necessary because of undue stress to the preserve or to safeguard environmental resource values in the preserve, or based on other criteria as may be deemed appropriate to the NC Natural Heritage Program and NC Wildlife Resources Commission. The NC Wildlife Resources Commission shall complete a multi-party agreement requiring that pumping cease five years from date of pumping station installation [or completion of road modifications] unless and until the Hyde Drainage District, Wildlife Resources Commission, and Natural Heritage Program mutually agree that impacts to the preserve from pumping are negligible, and pumping can continue. The agreement will stipulate that pumping cease at subsequent five year intervals, unless and until the above parties mutually agree that impacts are negligible, and pumping may continue. The right to pump water in an emergency situation, such as in the event of extreme rainfall from a named storm, will not be denied without due notice.

(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: Letter of Allocation and Dedication as a Nature Preserve of Portions of the **Bertie County Game Land**, Bertie 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 amending an existing Dedicated Nature Preserve encumbering State-owned lands. These Articles of Dedication replace those certain Articles of Dedication dated January 19, 2010. The purpose of this amendment is to reflect additions of property to the preserve and provide more accurate boundaries.

Those real properties which are subject to this Dedicated Nature Preserve are currently administered by the North Carolina Wildlife Resources Commission as a portion of the **Bertie County Game Land** and consist of approximately 2,180 acres located in Bertie County and composed of:

- | | | |
|----|--|-------------|
| 1. | Bertie County Game Land (Primary Area) | 2,083 acres |
| 2. | Bertie County Game Land (Buffer Area) | 97 acres |

all of which are specifically described in **Exhibit A** and shown on the diagram in **Exhibit B**, both attached hereto and incorporated herein and referred to hereafter as “Property”. That 173-acre area depicted on the diagram attached as **Exhibit C**, attached hereto and incorporated herein by reference, is hereby added to the Dedicated Nature Preserve. The dedicated lands shall be known collectively as the **Bertie County Game Land Dedicated Nature Preserve**.

Dedication of the qualified portions of the tract included herein fulfills the terms of grant agreements with the NC Land and Water Fund (former Natural Heritage Trust Fund or Clean Water Management Trust Fund), including grants NCLWF #2004B-042, 200609603, and 2022-068.

THIS DEDICATION OF THE **BERTIE COUNTY GAME LAND DEDICATED 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 **Bertie County Game Land Dedicated Nature Preserve** (hereinafter "preserve") for the purposes provided in the North Carolina Preserves Act, North Carolina General Statute 143B-135.250 *et seq.*, as amended, and other applicable law, and said State-owned land, shall be held, maintained, and used exclusively for said purposes.
3. **Duration:** Subject to the limitations of North Carolina General Statute 143B-135.264, this agreement shall be perpetual, in gross, running with the land.
4. **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 Section .0300 and .0400. The primary custodian may hereinafter be referred to as "Primary Custodian" or "Custodian".
5. **Primary Classification and Purpose:** The primary classifications and purposes of the preserve will be natural area 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.
6. **Management Areas:** For the purposes of management, the preserve shall be considered to consist of a Primary Area (approximately 2,083 acres), as shown on Exhibit B and a Buffer Area (approximately 97 acres, as shown on Exhibit B and as defined by 07 NCAC 13H .0304), as more particularly described in **Exhibit A**, attached thereto and by this reference made a part hereof. The Primary Area consists essentially of the Tidal Cypress-Gum Swamp, Nonriverine Swamp Forest, Coastal Plain Semipermanent Impoundment, and Mesic Mixed Hardwood Forest natural community types. Several rare mussel species are associated with the adjoining Cashie River.

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 North Carolina General Statute 143B-135.260 and further serves all of the public purposes for a dedicated preserve as stated in North Carolina General Statute 143B-135.252.

The Buffer Area, which contributes to the management and protection of the Primary Area, consists of successional forests which tend to be more altered in species composition than forests in the Primary Area.

7. **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 and with prior written approval from the Secretary of the Department of Natural and Cultural Resources or her/his designee. 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.

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.A. 99406, S.R.1516, NC 308.

- 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 and shall have prior written approval from the Secretary of the Department of Natural and Cultural Resources or her/his designee. 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 or the Secretary.
- 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.

The Primary Areas defined along the Cashie River Thunderbolt and Baltimore Tracts (AKA Bertie County Game Land DNP) were protected through fee simple acquisition by the State of North Carolina and deed restrictions were imposed by the Ecosystem Enhancement Program (Division of Mitigation Services). These deed restrictions are recorded in Bertie County, NC, Register of Deeds, August 29, 2005, Deed Book 843, Pages 825 and 832.

- 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.

- 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.
- P. **Signs:** No signs, billboards, or other advertising of any kind shall be erected, with the exception of informational and directional signs, designed by the Secretary of the Department of Natural and Cultural Resources, Custodian, or State agency, related to the designation of the area as a preserve or for public access to the preserve.

- 8. **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.)
- 9. **Amendment, Modification, and Termination:** 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-135.250-.272 and the North Carolina Administrative Code, Chapter 7, Subchapter 13H.

10. **Nature Preserve Held in Trust:** This Property is held in trust by the State for the benefit of the people of North Carolina for the uses and purposes expressed in the Nature Preserves Act under the terms and authority set forth in North Carolina General Statute 143B-135.262.
11. **Access for Inspection and Right of Entry:** Natural Heritage Program staff, including their successors or assigns, shall have the right, by and through its agents and employees, to enter the Property to inspect the Dedication for compliance with these Articles of Dedication at all reasonable times and with prior notice.

The Governor and Council of State have approved the dedication of the State-owned lands hereinabove described as the **Bertie County Game Land 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).

Sincerely,

Gabriel J. Esparza

CONSENTED AND AGREED TO:

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources

Kyle Briggs, Executive Director
Wildlife Resources Commission

EXHIBIT A

BERTIE COUNTY GAME LAND DEDICATED NATURE PRESERVE

DESCRIPTION

COUNTY: Bertie County TOPO QUAD: Windsor, Woodard 7.5 minute quads

SIZE OF AREA: ca. 2,180 acres total 2,083 acres Primary Area, including 85 acres Restoration described below; 97 acres Buffer Area) as shown on Exhibit B

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

LOCATION: Along both sides of the Cashie River, from the southeastern edge of Windsor, downstream roughly 6 air miles. Access is by water from boat ramps at the edge of Windsor and at the end of Johnson's Mill Road. The preserve also includes area on Wading Place Creek, roughly 1.5 air miles upstream from NC 308.

DESCRIPTION: Most of the Bertie County Game Land lies in the wetlands along the lower Cashie River. A band of swamp up to one mile wide lies on the deep organic deposits that have filled the floodplain of the river. The river in this stretch is deep, with black tannin-stained water, no visible current, and is influenced by wind tides. The lower reaches of tributaries also are deep and tidally influenced. A small area is upstream on Wading Place Creek, where it is a flowing blackwater creek.

Most of the area of the swamp is a Tidal Cypress–Gum Swamp community. The canopy is dominated by a mix of water tupelo (*Nyssa aquatica*) and swamp tupelo (*Nyssa biflora*), with a significant minority of bald cypress (*Taxodium distichum*). The understory and shrub layers include species characteristic of Tidal Cypress–Gum Swamps, such as red bay (*Persea palustris*), water ash (*Fraxinus caroliniana*), ironwood (*Carpinus caroliniana*), swamp rose (*Rosa palustris*), alder (*Alnus serrulata*), sweetspire (*Itea virginica*), and highbush blueberries (*Vaccinium fuscatum*, *Vaccinium corymbosum*). The herb layer is patchy, reflecting the pronounced hummock and hollow forms of the ground surface, and includes a population of state rare catchfly cutgrass (*Leersia lenticularis*). The extensive swamp community varies in condition, but most parts are quite mature. Substantial areas have numerous old, gnarled tupelo trees exceeding 16 inches in diameter, and many parts have old cypress trees with them. Some areas were subject to helicopter logging in the 1990s, and have canopy gaps where old cypress were cut. However, even these areas have numerous old tupelo trees.

Some areas within the swamp interior and on its upland edges are slightly higher in elevation and do not appear to be influenced by wind tides. They support a Nonriverine Swamp Forest community. The canopy in these areas consists of swamp tupelo, along with red maple (*Acer rubrum*), loblolly pine (*Pinus taeda*), and in places a little Atlantic white cedar (*Chamaecyparis thyoides*). The understory includes red bay, red maple, and sweet bay (*Magnolia virginiana*). The shrub layer is fairly dense, and includes some species characteristic of pocosins, such as sweet gallberry (*Ilex coriacea*) and bitter gallberry (*Ilex glabra*).

The upstream floodplain area along Wading Place Creek includes both a Cypress–Gum Swamp (Blackwater Subtype) community and a series of beaver ponds that support Coastal Plain Semipermanent Impoundment communities. Swamp tupelo and bald cypress are the characteristic canopy in both. The swamp has little shrub layer, and supports characteristic herbs such as netted chain fern (*Woodwardia areolata*) and false nettle (*Boehmeria cylindrica*).

Most of the upland parts of the site are heavily altered and are not included in the Primary Area. Some areas of fairly steep bluffs are present, and support remnants of Mesic Mixed Hardwood Forest communities.

The Cashie River in this stretch is a significant aquatic site, notable for populations of two rare mussels: the alewife floater (*Anodonta implicata*) and tidewater mucket (*Leptodea ochracea*). The substantial river frontage and buffering wetlands in the preserve help protect the water quality and hydrology of the river.

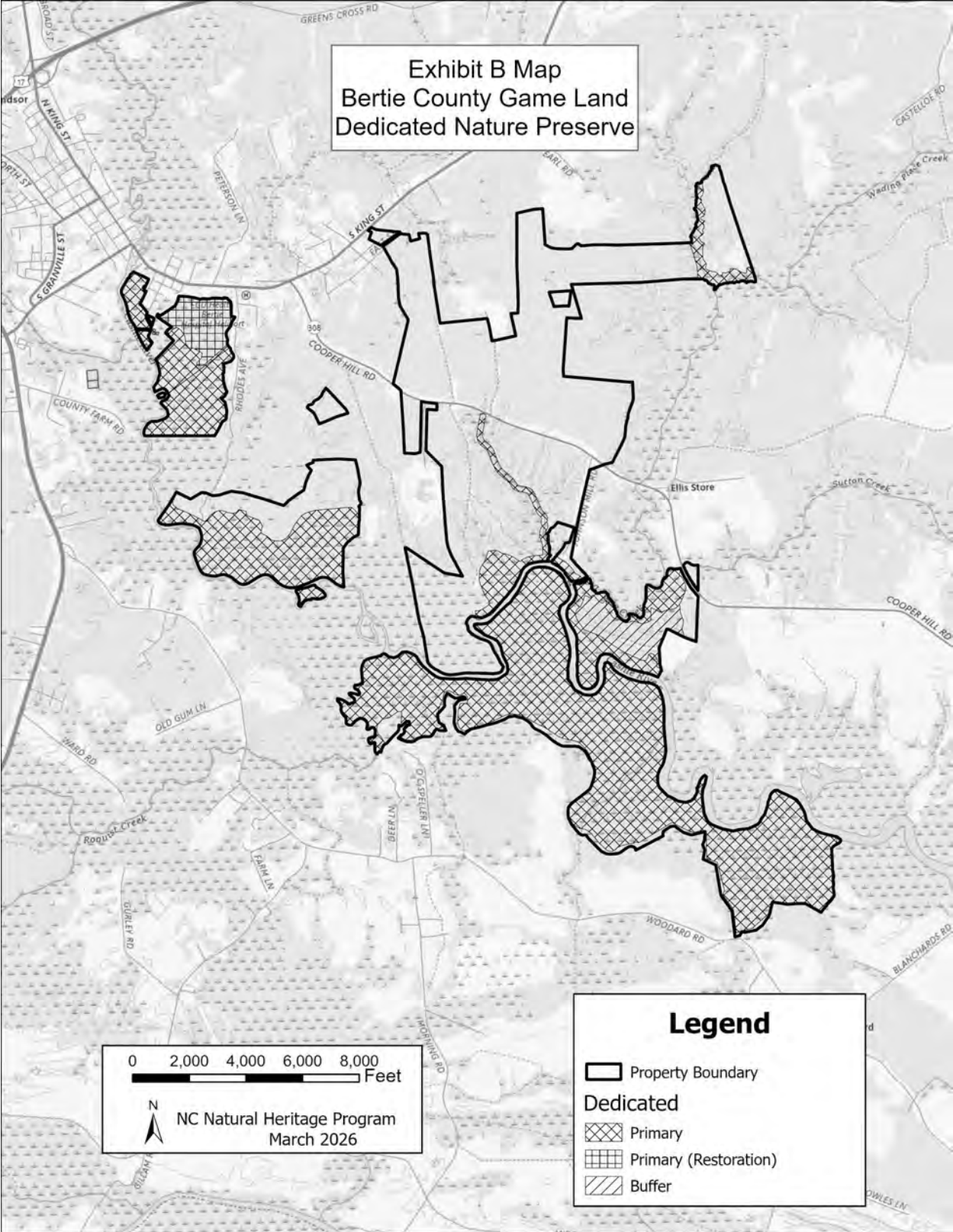
BOUNDARY JUSTIFICATION: The Primary Area boundary is drawn to mostly include the natural communities that remain in good condition. This consists primarily of the swamp communities. A few small areas of upland bluff are included. Additionally, areas of lower quality are included within the Primary Area if they lie within 300-feet of the Cashie River Aquatic Habitat or within 100-feet of perennial tributaries draining into the river, based on funding source mandates for protection of aquatic resources. The linear footage of 300-foot riparian areas specifically satisfies the funding mandate of the Ecosystem Enhancement Program on tracts acquired with their funding.

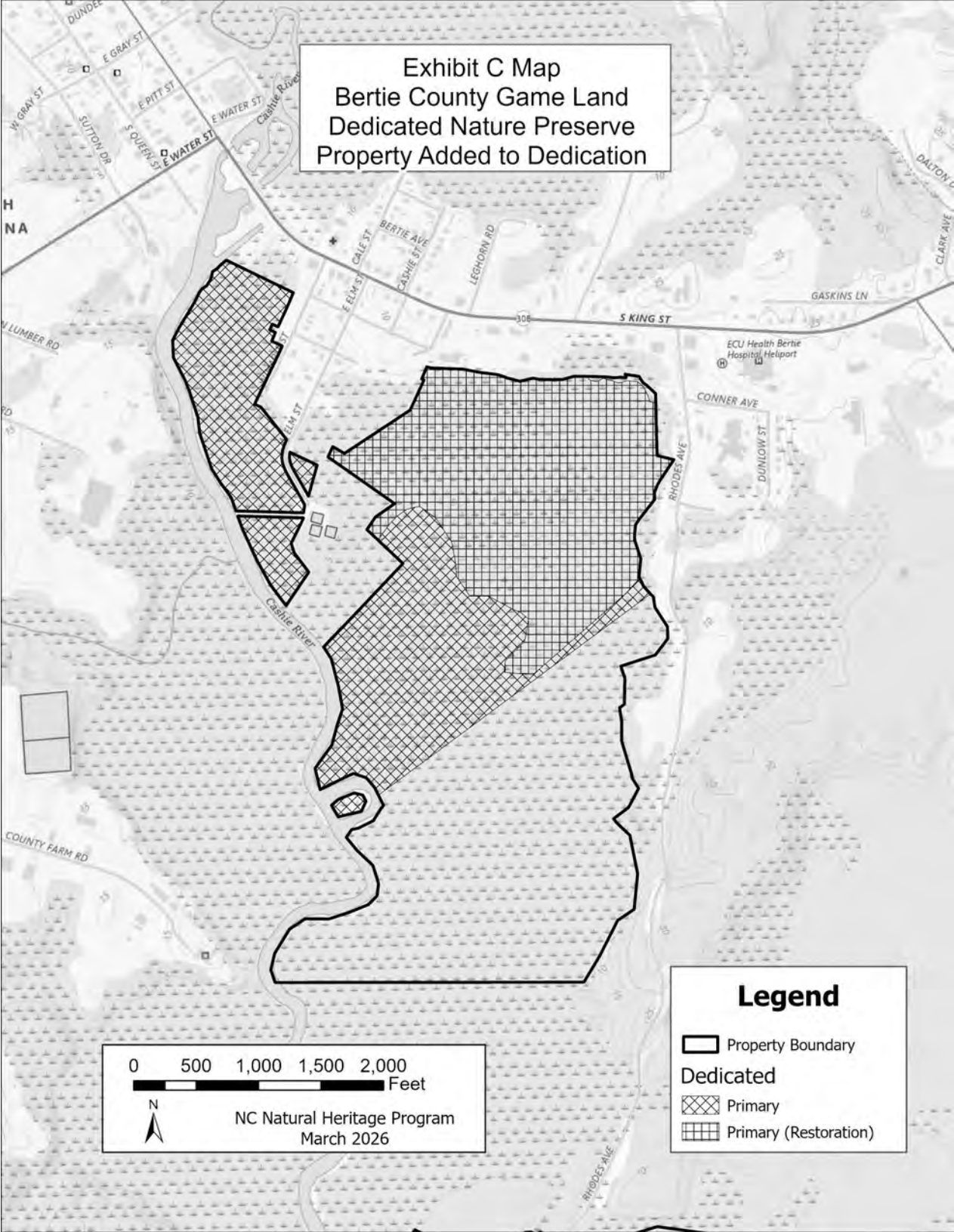
A Primary (Restoration) Area is mapped for young forest in the 10-year floodplain. Restoration refers to interventions over a limited term that are planned to return an ecosystem to a more natural species composition, vegetation structure, and ecosystem function, with an expectation that it will then be self-sustaining with appropriate natural area management.

The Buffer Area includes areas of natural communities in poorer condition, which occur on the bluffs, swamp edges, and small drainages in the uplands. These areas serve to connect and buffer the Primary Areas.

MANAGEMENT AND USE: The dedicated nature preserve is a portion of the Bertie County Game Land owned by the State and used for public hunting. Most of the area has soft muck soils and is not readily visited. No special management needs are identified at present, beyond allowing the forests to continue to mature. Rising sea level is likely to increasingly affect the forests and some parts may ultimately turn into marshes. At present there is little evidence of stress from rising sea level. The forested area identified as Primary (Restoration) is primary saturated ground where timber was harvested. Young cypress is regenerating in this area, with shrub and herb species composition similar to that described above. This Primary (Restoration) Area should be managed to restore more natural vegetation while giving priority to protecting water quality in the river and wetlands. Passive restoration is generally appropriate; additional treatment or planting may be needed to encourage regeneration of site-appropriate trees.

Populations of the invasive *Murdannia keisak* were noted, and may become a significant threat to the herb layer in the Tidal Cypress–Gum Swamp. No stands of common reed (*Phragmites australis*) were seen, but this species is a potential future problem as sea level continues to rise. Chinese wisteria (*Wisteria sinensis*) is dense in uplands along W Elm Street, but does not currently extend into wetland Primary areas.





(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: Letter of Allocation and Dedication as a Nature Preserve 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 amending an existing Dedicated Nature Preserve encumbering State-owned lands. These Articles of Dedication replace those certain Articles of Dedication dated August 31, 2007. The purpose of this amendment is to reflect boundary corrections and additions of property to the preserve.

This real property which is subject to this Dedicated Nature Preserve is allocated to and currently administered by the North Carolina Wildlife Resources Commission as a portion of the **Holly Shelter Game Land** and consists of approximately 32,761 acres located in Pender County and composed of:

- | | | |
|----|--|--------------|
| 1. | Holly Shelter Game Land (Primary Area) | 26,371 acres |
| 2. | Holly Shelter Game Land (Buffer Area) | 6,390 acres |

all of which are specifically described in Exhibit A and shown on the diagrams in Exhibit B, both attached hereto and incorporated herein and referred to hereafter as “Property”. That 1,624 acre area depicted on the diagram attached as Exhibit C (Southern Section), and that 15,800 acre area depicted on the diagram attached as Exhibit C (Central Section Pocosin Hydrology Restoration Area), attached hereto and incorporated herein by reference, are hereby added to the Dedicated Nature Preserve. The dedicated lands shall be known collectively as the **Holly Shelter Game Land Dedicated Nature Preserve**.

Dedication of the qualified portions of certain tracts included herein fulfills the terms of prior grant agreements, including those of the NC Land and Water Fund, (#2001B-107, #200304602, #200304606, #2022-112), and additionally those of the Environmental Protection Agency – Climate Pollution Reduction Grant (the “EPA-CPRG”),

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, North Carolina General Statute 143B-135.250 *et seq.*, as amended, and other applicable law, and said State-owned land, shall be held, maintained, and used exclusively for said purposes.
3. **Duration:** Subject to the limitations of North Carolina General Statute 143B-135.264, this agreement shall be perpetual, in gross, running with the land.
4. **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 13 H Section .0300 and .0400. The Primary Custodian may hereinafter be referred to as "Primary Custodian" or "Custodian".
5. **Primary Classification and Purpose:** The primary classifications and purposes of the preserve will be natural area conservation, including ecological and hydrological restoration, 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.
6. **Management Areas:** For the purposes of management, the preserve shall be considered to consist of a Primary Area (approximately 26,371 acres), as shown on Exhibit B, and a Buffer Area (approximately 6,390 acres, as shown on Exhibit B and as defined by 07 NCAC 13H .0304), 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 populations, 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 provided in North Carolina General Statute 143B-135.260 and further serves all of the public purposes for a dedicated preserve as stated in North Carolina General Statute 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.

7. **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 and with prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. 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 Areas 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, S.R. 1522, NC 53, US 17/NC 210, S.A. 98217, S.A. 98044, S.A. 98227, S.A. 98043, S.A. 98197, S.A. 98237, S.A. 98045, S.A. 98184, S.A. 98192, S.A. 98230.

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, and shall have prior written approval from the Secretary of the Department of Natural and Cultural Resources or her/his designee. Site selection shall be consistent with this dedication.

The 15,800-acre **Central Section Pocosin Hydrology Restoration Area** of the

Preserve, as described in Exhibit A and depicted on the diagrams attached as Exhibits B and C, contains the same or similar special elements of natural diversity representative of the preserve generally present in portions of the Holly Shelter Game Land. In the Central Section Pocosin Hydrology Restoration Area, water control structures, weirs, and any additional infrastructure provided for in the Hydrology Restoration Plan are allowed. Water control structures or weirs may be constructed in existing ditches in other parts of the preserve for the purpose of restoring more natural hydrology, subject to agreement by all parties to this dedication. The Department of Natural and Cultural Resources and NC Wildlife Resources Commission may enter into agreement(s) for managing the Central Section Pocosin Hydrology Restoration Area to coordinate implementation of the Hydrology Restoration Plan and in order to ensure that the management practices are consistent with the conservation values associated with the preserve.

- 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 or the Secretary of the Department of Natural and Cultural Resources or their designee.

- 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. An exception is made for clean fill material that may be used to raise roads in the Central Section Pocosin Hydrology Restoration Area described in Exhibit A and depicted on the diagram attached as Exhibits B and C. 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, except those provided for in the Hydrology Restoration Plan for the Central Section Pocosin Hydrology Restoration Area described in Exhibit A and depicted on the diagrams attached as Exhibits B and C, and subject to terms of associated agreements, or such future hydrology restoration plans. 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 or restore 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. It is recognized that a return to more natural hydrology may be partial. 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.

- 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. Annual non-native plants with a record of not being invasive may be planted for temporary stabilization of excavated areas in the Central Section Pocosin Hydrology Restoration Area described in Exhibit A and depicted on the diagrams attached as Exhibits B and C.
- 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 pine seedlings in clearcut areas is also allowable if needed. The longleaf pine 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, as additional areas in need of restoration or new methods of restoration are determined. Local disturbances necessary for implementation of the Hydrology Restoration Plan are allowable, but shall be kept to a minimum area and kept within the footprint of existing roads and ditches to the extent possible. 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 (*Leuconotopicus 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. The 15,800-acre Central Section Pocosin Hydrology Restoration Area, described in Exhibit A and depicted on the diagrams attached as Exhibits B and C, is additionally subject to the Hydrology Restoration Plan and any corresponding agreements between the Department of Natural and Cultural Resources and the Wildlife Resources Commission for their duration.
 - N. Motorized Vehicles: No motorized vehicles shall be permitted on the dedicated property other than those utilized by the owner or the owner's agents in management and protection of the property in compliance with the management plan.
 - O. Signs: No signs, billboards, or other advertising of any kind shall be erected, with the exception of informational and directional signs, designed by the Secretary of the Department of Natural and Cultural Resources, Custodian, or State agency, related to the designation of the area as a preserve or for public access to the preserve.
8. **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.)

9. **Amendment, Modification, and Termination:** 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. 250-.272 and the North Carolina Administrative Code, Chapter 7, Subchapter 13H.

The Nature Conservancy funded these Articles of Dedication for the 15,800-acre **Central Pocosin Hydrology Restoration Area Section** of the Preserve, as described in Exhibit A and depicted on the diagram attached as Exhibit D, with 100% federal funds under the Climate Pollution Reduction Grant Program from the U.S. Environmental Protection Agency (EPA). The **Central Pocosin Hydrology Restoration Area Section of the Preserve** may only be used consistent with the Articles as a part of the Holly Shelter Restoration Project for Peatland Restoration as described in EPA grant No. XP-03D25824, a copy of which is available at North Carolina Department of Natural and Cultural Resources, 109 E. Jones Street, Raleigh NC, 27601, and in EPA grant sub-agreement Grant Contract N0. 2025-CPRG-001 a copy of which is available at The Nature Conservancy, 320 Blackwell St Suite 200, Durham, NC 27701. The Articles shall run with the land and be binding upon any designees, assigns, heirs, or successors in title to the land, the date of expiration described herein. Custodian shall not assign to another party nor amend or modify the Articles without prior approval from EPA and will ensure that these Articles are explicitly referenced in any future conveyance documents of the Property for a period of twenty-five (25) years from the date of the Articles. In the event Custodian or its successors in title wish to change the terms or purpose of the Articles from the identified grant purpose, Custodian or its successors in title, must contact the EPA, Region 4 Air and Radiation Division, or its assign, and request written instructions for disposition in accordance with 2 CFR 200.311.

10. **Nature Preserve Held in Trust:** This Property is held in trust by the State for the benefit of the people of North Carolina for the uses and purposes expressed in the Nature Preserves Act under the terms and authority set forth in North Carolina General Statute 143B-135.262.
11. **Access for Inspection and Right of Entry:** Natural Heritage Program staff, including their successors or assigns, shall have the right, by and through its agents and employees, to enter the Property to inspect the Dedication for compliance with these Articles of Dedication at all reasonable times and with prior notice.

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,

Gabriel J. Esparza

CONSENTED AND AGREED TO:

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources

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 (8,524 acres Primary Area, including a Restoration area of 880 acres and a special management area of 68 acres, both described below; 6,079 acres Buffer Area) as shown on Exhibit B

OWNER/ADMINISTRATION: State of North Carolina
Wildlife Resources Commission

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants or animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. 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 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 (*Lysimachia asperulifolia*), and State Threatened Venus flytrap (*Dionaea muscipula*). 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 (*Pyxidantha barbulate*) 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 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.

Restoration refers to interventions over a limited term that are planned to return an ecosystem to a more natural species composition, vegetation structure, and ecosystem function, with an expectation that it will then be self-sustaining with appropriate natural area management. For the savanna communities, ongoing periodic prescribed burning that compensates for the missing natural spread of fire will be needed to retain the ecological function of the restored area.

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 hunting season.

MAP: attached

(January 2006, NC NHP, with minor editorial revisions December 2024 and April 2026)

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 acres Primary Area; 121 acres Buffer Area) as shown on Exhibit B

OWNER/ADMINISTRATION: State of North Carolina
Wildlife Resources Commission

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) an area that retains or has reestablished its natural character (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. 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 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 mature swamp forest east of all of the upland ridges, the younger 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, with minor editorial revisions December 2024 and April 2026)

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 acres Primary Area, including a Restoration area of 115 acres, and Special Management Area of 19 acres, both described below; 190 acres Buffer Area) as shown on Exhibit B

OWNER/ADMINISTRATION: State of North Carolina
Wildlife Resources Commission

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants or animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. 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 (*Pilea 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 (*Pyxidantha barbulate*), 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.

Restoration refers to interventions over a limited term that are planned to return an ecosystem to a more natural species composition, vegetation structure, and ecosystem function, with an expectation that it will then be self-sustaining with appropriate natural area management. For the sandhill, flatwoods, and savanna communities, ongoing periodic prescribed burning that compensates for the missing natural spread of fire will be needed to retain the ecological function of the restored area.

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

HOLLY SHELTER GAME LAND DEDICATED NATURE PRESERVE (CENTRAL SECTION POCOSIN HYDROLOGY RESTORATION AREA)

COUNTY: Pender

PHYSIOGRAPHIC PROVINCE: Coastal Plain

TOPOGRAPHIC MAPS: Topsail, Holly Ridge

SIZE OF AREA: ca. 15,800 acres, all Primary (Restoration) Area as shown on Exhibit B

OWNER/ADMINISTRATION: State of North Carolina
Wildlife Resources Commission

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants or animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202.

The Central Section Pocosin Hydrology Restoration Area encompasses the majority of a large peatland, one of the larger peatlands in the state. Though not intensively ditched, deep ditches associated with a low-density network of roads have led to significant drainage of the peatland. The Hydrology Restoration Plan is designed to reduce this alteration. Several large wildfires have burned though the peatland in the last 50 years during drought periods. With the drainage, they have resulted in consumption of upper layers of peat over significant areas, reducing the elevation of the surface in some areas. The restoration of more natural, wetter hydrology is expected to prevent such peat consumption in future fires.

The area has historically represented a mix of Low Pocosin (Titi Subtype) and High Pocosin (Evergreen Subtype) natural communities. The Low Pocosin, when last studied years ago, was a dense thicket of low shrubs, primarily honeycups (*Zenobia pulverulenta*) and titi (*Cyrilla racemiflora*). Substantial areas of Pocosin Opening (Pitcher Plant Subtype) communities also occurred in a mosaic with it. These communities are remote from roads and inaccessible. It is uncertain what the wildfires may have done to them, nor how much drainage affected them, but they are likely to remain in relatively natural condition. The High Pocosin community is dominated by a dense, tall shrub layer consisting mainly of titi, fetterbush (*Lyonia lucida*), and sweet gallberry (*Ilex coriacea*). Varying amounts of pond pine (*Pinus serotina*) and small hardwood trees are present. Portions of the High Pocosin have recovered from the wildfires and are in relatively natural condition. Other parts, where peat burned, have altered vegetation dominated by weedy species such as wax myrtle (*Morella cerifera*), plume grass (*Erianthus* sp.), and wooly bulrush (*Scirpus cyperinus*). The most deeply burned areas have standing water much of the time and support aquatic species such as water lilies (*Nymphaea odorata*). These areas are expected to recover to natural High Pocosin vegetation slowly, but will require much time for the missing peat to again accumulate.

Smaller areas of Pond Pine Woodland occur on the southern and western edges of the restoration area. Some are recovering from the wildfires while others are more altered by the drainage and have uncharacteristic species such as red maple (*Acer rubrum*). They too are expected to recover with time and to benefit from more natural hydrology.

Several rare species have been found in the restoration area. A cavity tree cluster of red-cockaded woodpecker (*Leuconotopicus borealis*) has been inactive in recent years. Pygmy rattlesnake (*Sistrurus miliarius*) have been found on the edges of the pocosin. Northern white beaksedge (*Rhynchospora alba*) was found in the pocosins but the precise location is not known.

BOUNDARY JUSTIFICATIONS: The Central Section Pocosin Hydrology Restoration Area encompasses most of the peatland, including area that is most impacted by ditches and prior fire history and all of the area included in the Hydrology Restoration Plan. The boundary is marked by roads in most places.

Restoration refers to interventions over a limited term that are planned to return an ecosystem to a more natural species composition, vegetation structure, and ecosystem function, with an expectation that it will then be self-sustaining with appropriate natural area management. In the case of the Central Pocosin Hydrological Restoration Area, ongoing maintenance and appropriate management of the water control structures will be needed to retain the more natural hydrology in the presence of the ditch and road infrastructure that is already present on the site.

MANAGEMENT AND USE: The principle management of this section will be the implementation of the Hydrology Restoration Plan, including maintenance and management of the water control structures and monitoring of their effect on water levels and vegetation. Details and obligations for management are indicated in the Hydrology Restoration Plan. Provisions for management, including compliance with the terms of the Hydrologic Restoration Plan are expected to be coordinated through a corresponding Memorandum of Understanding (MOU) or other agreement.

Roads in and along the boundaries of the Central Section Pocosin Hydrology Restoration Area may be raised by adding fill material and maintained as called for in the Hydrology Restoration Plan and MOU.

This section, as the rest of Holly Shelter Game Land, will be used primarily for public hunting and other forms of low-intensity recreational use. A portion of the Mountains to Sea Trail runs along roads through this section. Several paths are mowed annually to provide access to the pocosin for hunters. Additionally, there may be short trails cut into the pocosin to access long term vegetation monitoring plots.

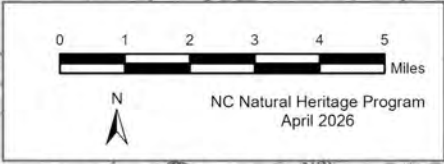
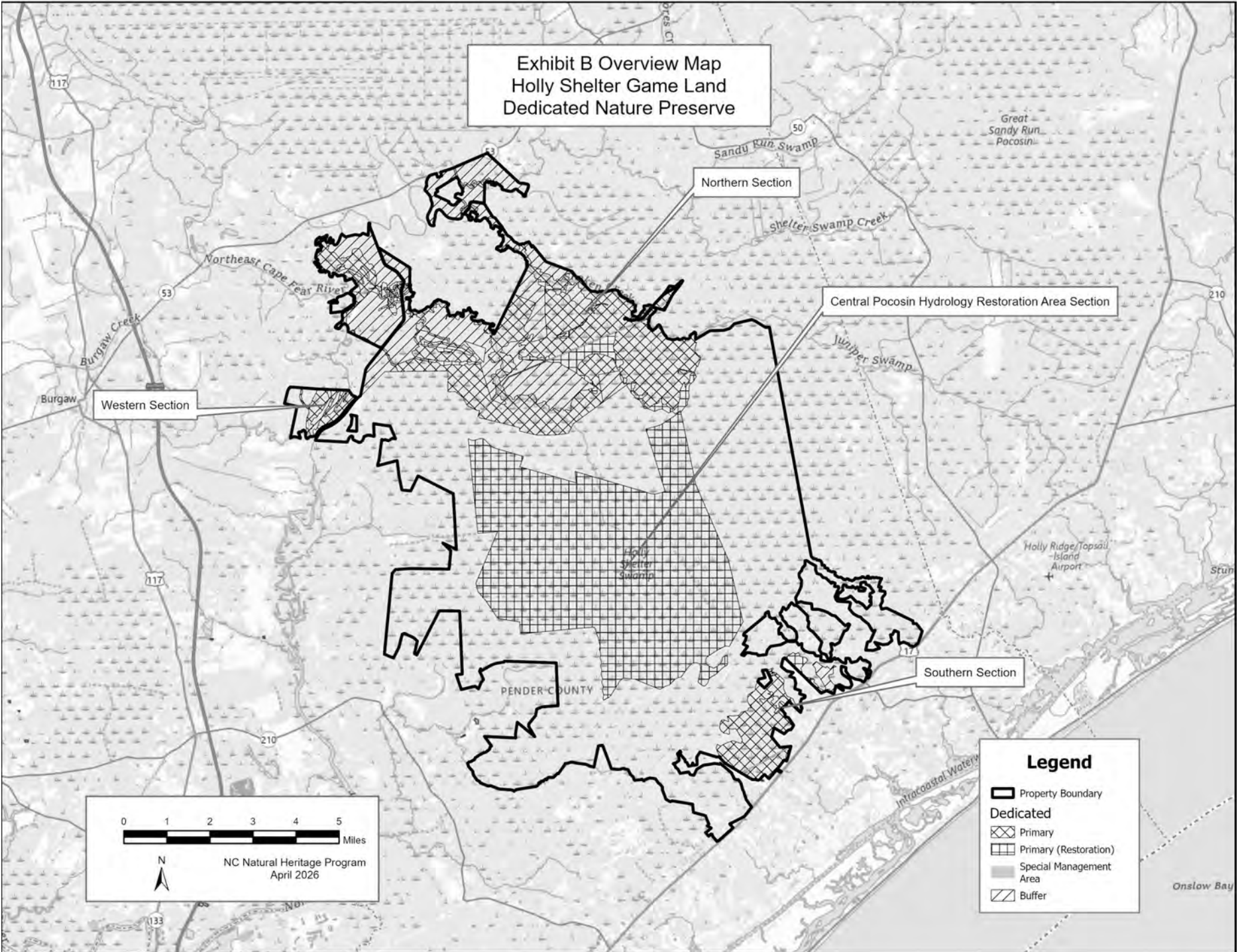
No problems with invasive exotic species have been identified, but the area should be monitored for the appearance of new invasive species, and new infestations should be treated promptly.

The pocosin communities that make up this section are naturally prone to burning under dry conditions. While peat fires are considered detrimental, burning of above-ground vegetation is believed to be beneficial. Prescribed burning is encouraged if means can be developed to do it safely.

MAP: attached

(April 2026 NC NHP)

Exhibit B Overview Map
Holly Shelter Game Land
Dedicated Nature Preserve



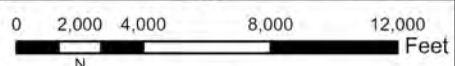
Legend

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

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

Legend

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



NC Natural Heritage Program
April 2026

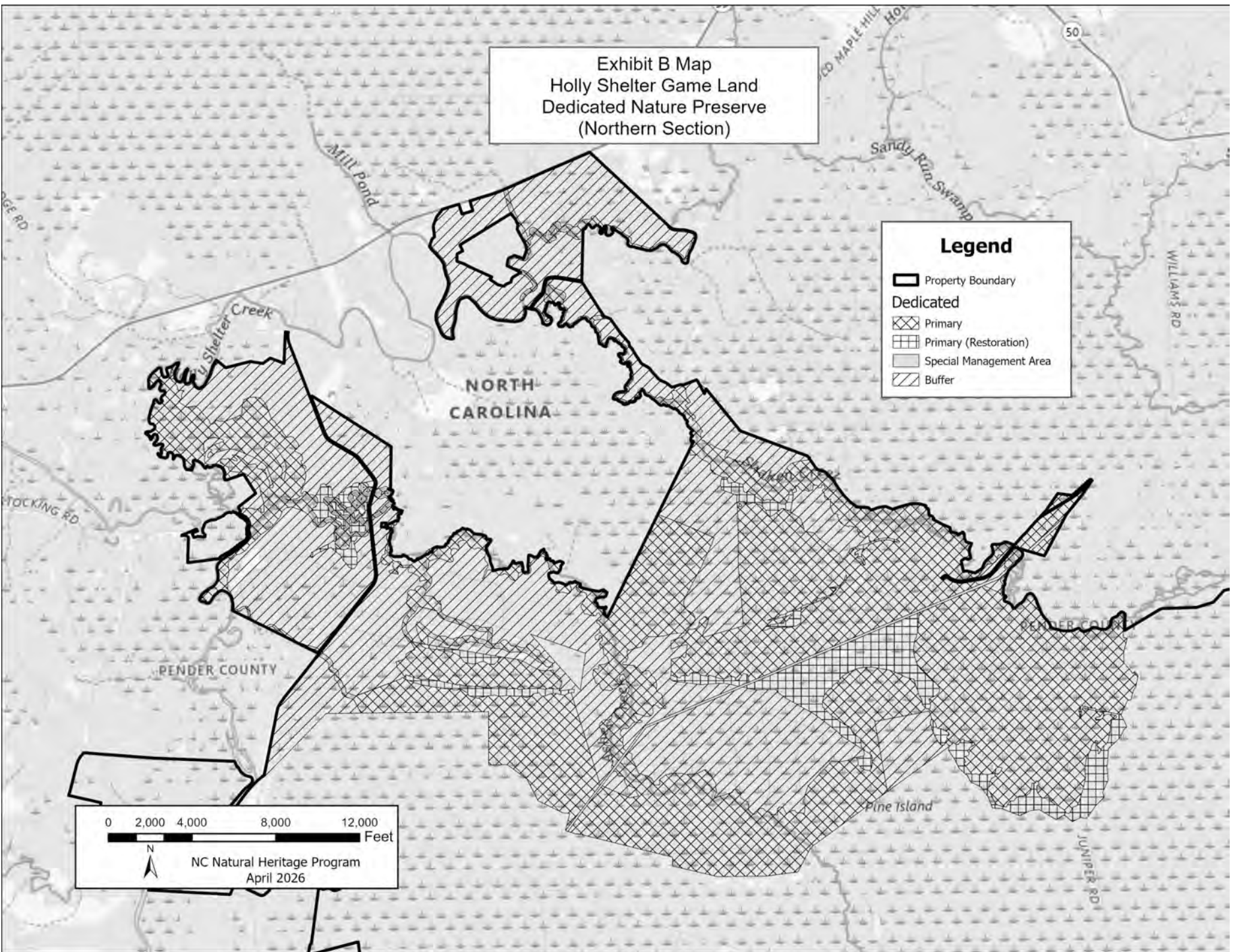


Exhibit B Map
Holly Shelter Game Land
Dedicated Nature Preserve
(Western Section)

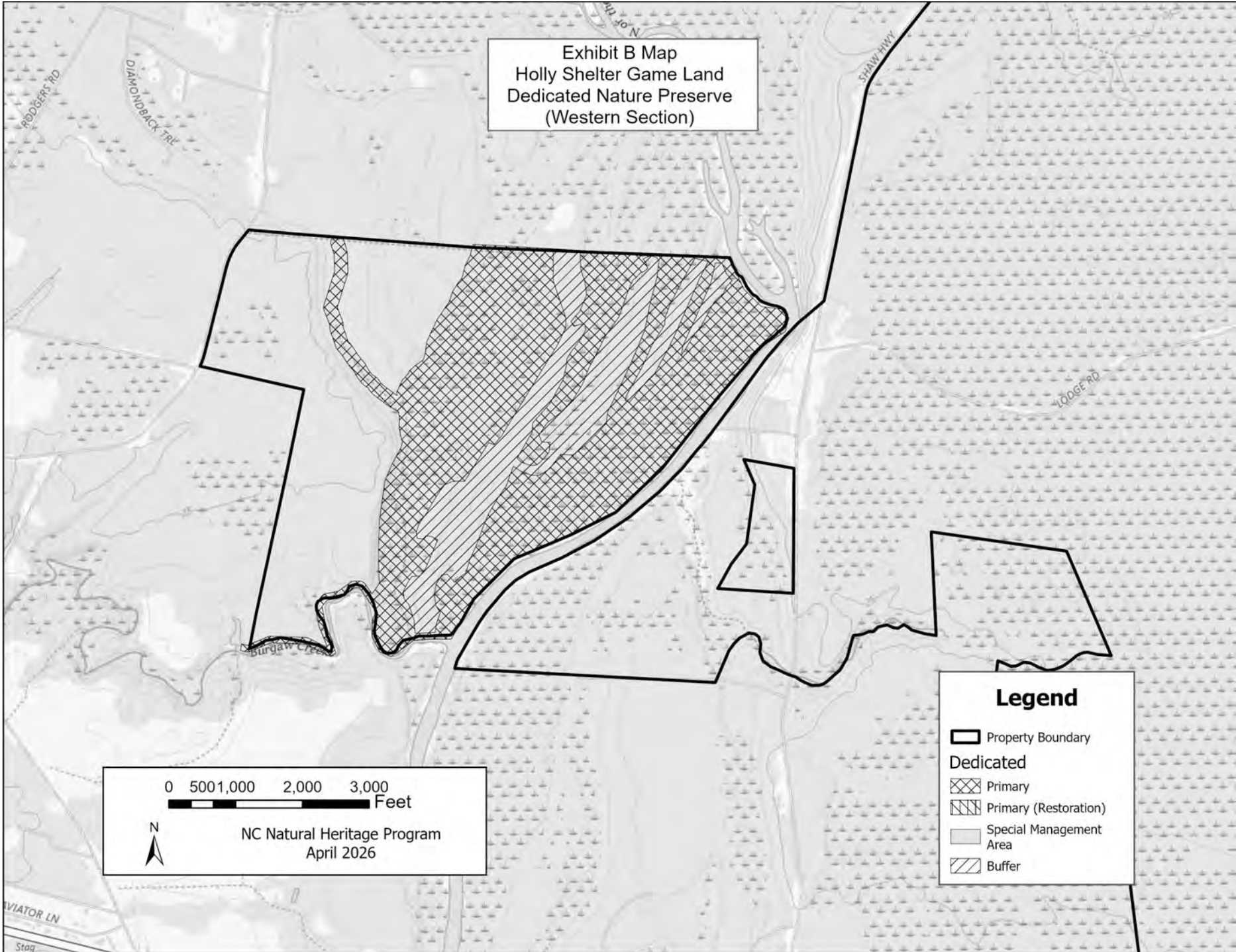
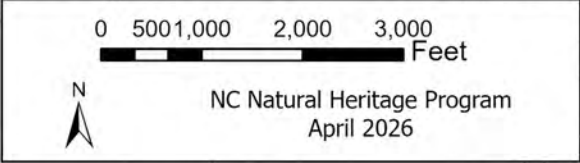
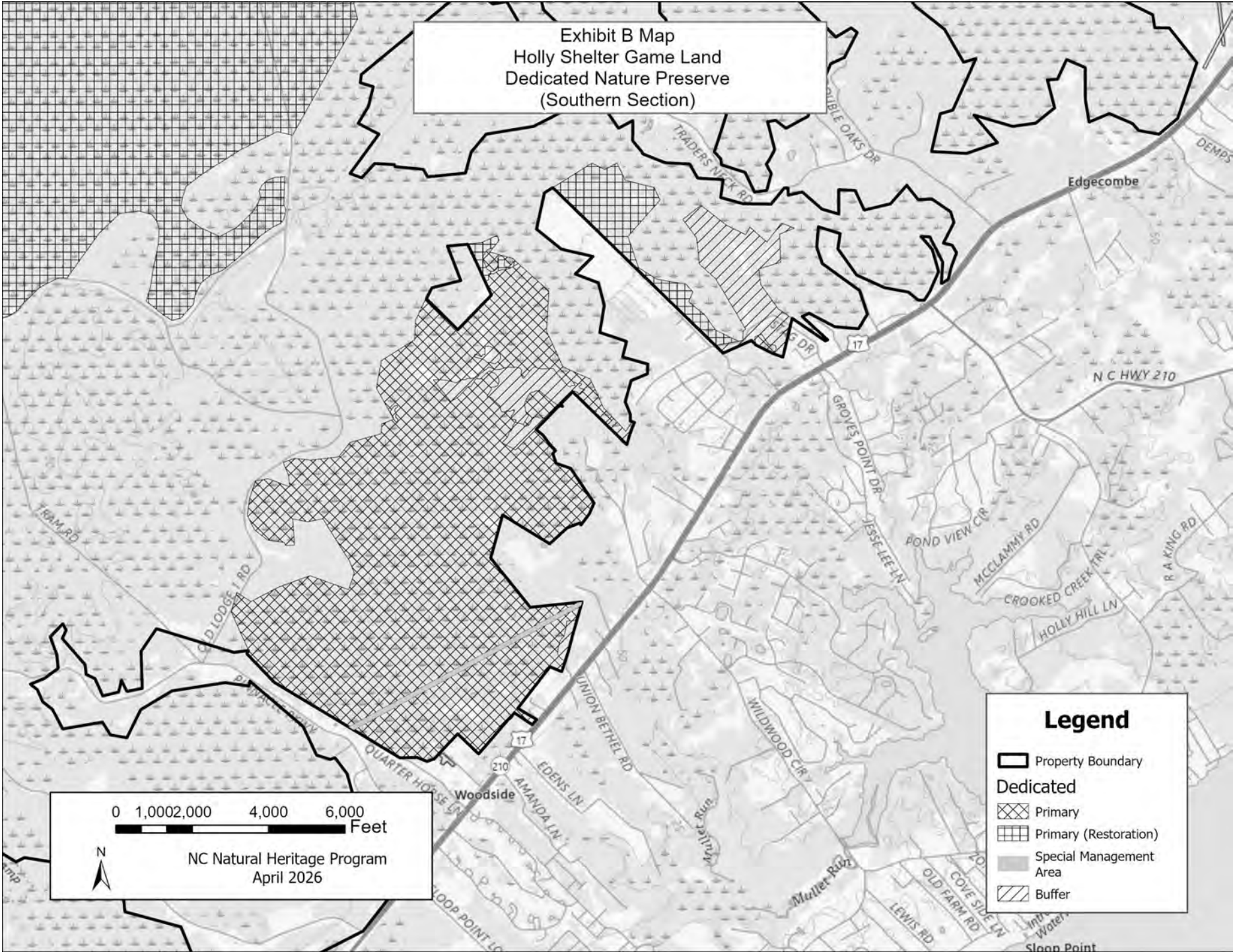


Exhibit B Map
Holly Shelter Game Land
Dedicated Nature Preserve
(Southern Section)



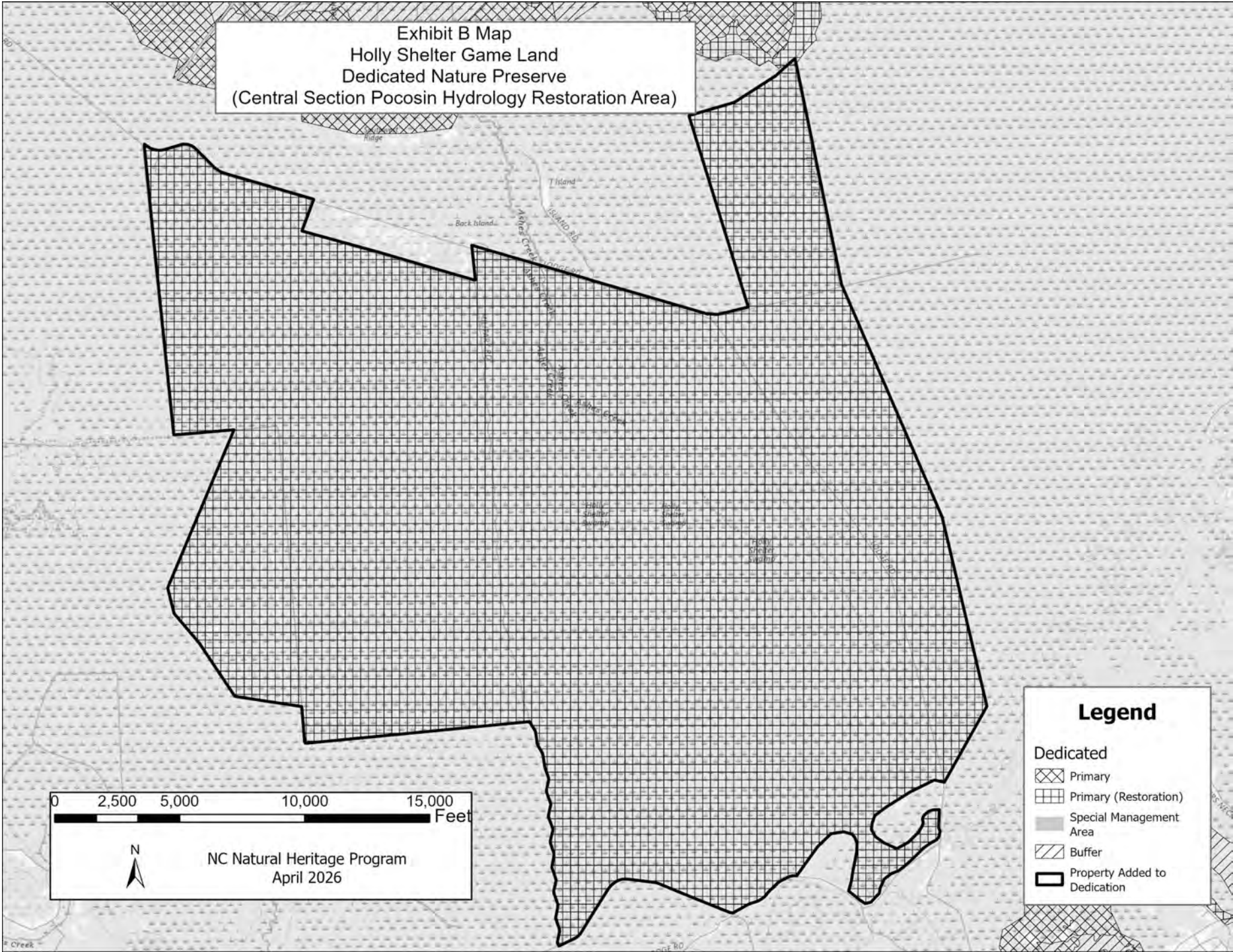
Legend

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

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

NC Natural Heritage Program
April 2026

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



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



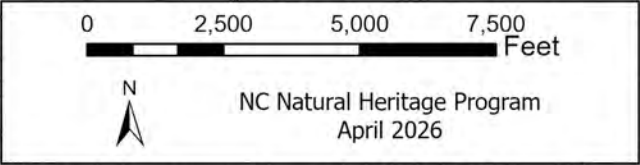
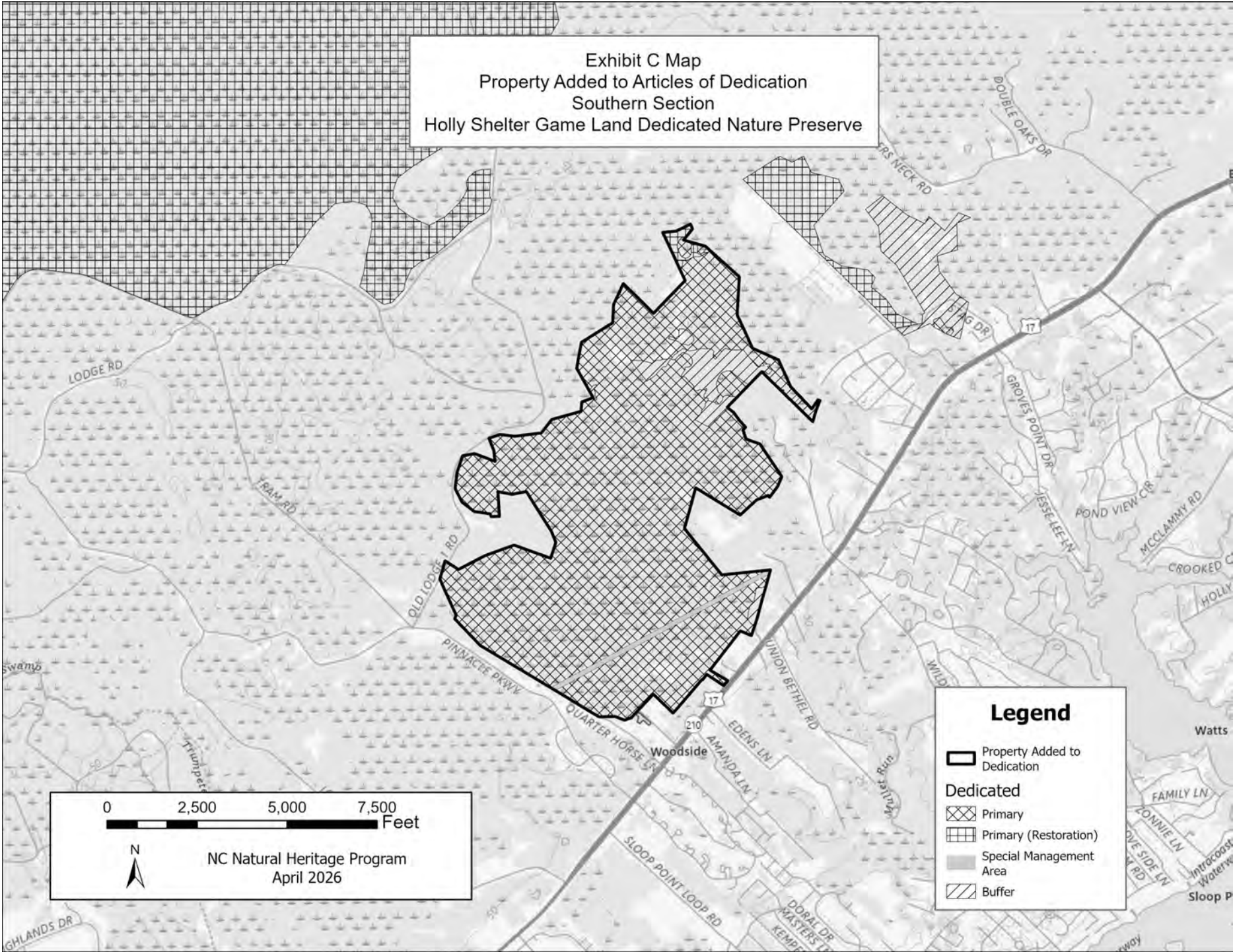
NC Natural Heritage Program
April 2026

Legend

Dedicated

- Primary
- Primary (Restoration)
- Special Management Area
- Buffer
- Property Added to Dedication

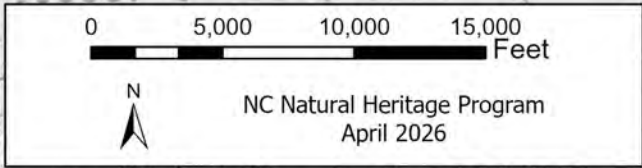
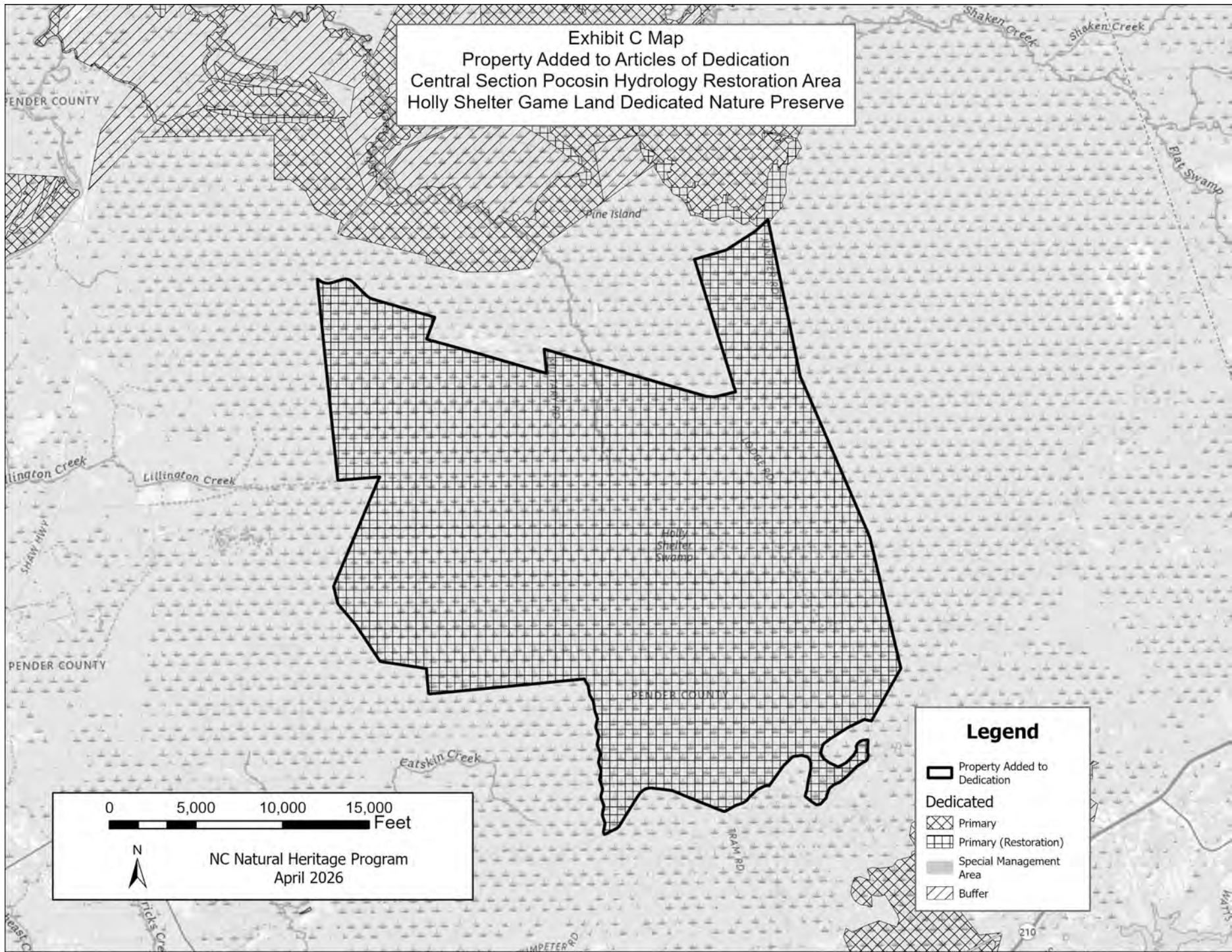
Exhibit C Map
Property Added to Articles of Dedication
Southern Section
Holly Shelter Game Land Dedicated Nature Preserve



Legend

- Property Added to Dedication
- Dedicated
 - Primary
 - Primary (Restoration)
 - Special Management Area
 - Buffer

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



(ON DEPARTMENT OF ADMINISTRATION STATIONARY)

(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

Subject: Dedication of Portions of Historic Bethania Nature Preserve, Forsyth County

Dear Secretary Cashwell:

Pursuant to Part 42 of Article 2 of Chapter 143B of the North Carolina General Statutes, this letter of allocation is executed for the purpose of amending an existing Dedicated Nature Preserve encumbering State-owned lands. These Articles of Dedication replace those certain Articles of Dedication dated September 24, 2019. The purpose of this amendment is to reflect boundary corrections and additions of property to the preserve.

Those real properties which are subject to this Dedicated Nature Preserve are allocated to and currently administered by the **North Carolina Department of Natural and Cultural Resources** and consists of approximately 77 acres located in Forsyth County, all of which are specifically described in **Exhibit A** and shown on the diagrams in **Exhibit B**, both attached hereto and incorporated herein and referred to hereafter as “Property”. That three-acre area depicted on the diagram attached as **Exhibit C**, attached hereto and incorporated herein by reference, is hereby added to the Dedicated Nature Preserve. The dedicated lands shall be known collectively as the **Historic Bethania Dedicated Nature Preserve**.

Dedication of the qualified portions of certain tracts fulfills the terms of prior grant agreements, including those of the NC Land and Water Fund (#199703201, #199803203, #200804201, #2015-066, #2017-073).

THIS DEDICATION OF THE HISTORIC BETHANIA DEDICATED 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” 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 **Historic Bethania Dedicated Nature Preserve** (hereinafter "preserve") for the purposes provided in the North Carolina Preserves Act, North Carolina General Statute 143B-135.250 *et seq.*, as amended, and other applicable law, and said State-owned land, shall be held, maintained, and used exclusively for said purposes.
3. **Duration:** Subject to the limitations of North Carolina General Statute 143B-135.264, this agreement shall be perpetual, in gross, running with the land.
4. **Primary Custodian; Agreements for Secondary Custodians Authorized:** The primary custodian of the preserve will be Department of Natural and Cultural Resources, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H Section .0300 and .0400. The Secretary may enter into written secondary custodian agreements with qualified entities to act as secondary custodians. The Secretary shall determine the terms and conditions of such agreements.
5. **Primary Classification and Purpose:** The primary classification and purpose of the preserve will be natural area conservation, scientific research, passive recreation, and nature education. The ecological significance of the Preserve is described in Exhibit A.
6. **Management Areas:** For the purposes of management, the preserve shall be considered to consist of a Primary Area (77 acres, including a Special Management Area of one acre) as shown on **Exhibit B**, as more particularly described in **Exhibit A**, attached hereto and by this reference made a part hereof.

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

7. **Rules for Management:**
 - a. **Character of Visitor Activity:** The principal activities in the preserve shall be walking, research, and observation in designated areas. These activities may 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 provided in this Dedication or unless necessary to carry out the

purposes of the preserve. Prohibited activities include, but are not limited to, commercial development; commercial silviculture; agriculture and grazing; gathering of plants or plant products for purposes other than approved research; the removal, disturbance, molestation, or defacement of minerals, archaeological and natural resources; and those activities specifically restricted in this Dedication. 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. Consumptive Wildlife Uses: No hunting will be allowed. Fishing may be allowed if regulated by the Custodian to protect and conserve the natural values of the preserve.
- c. Orientation and Guidance of Visitors: The Custodian reserves the right to orient and guide visitors for educational programs, scientific research, and preserve management. Exhibits, programs, and printed materials may be provided by the Custodian. The Custodian may create and maintain nature trails, overlooks, boardwalks, and primitive campsites adequate to promote the permitted use of the preserve. Guardrails, fences, steps, bridges, and boardwalks may be provided when appropriate. The Custodian reserves the right to erect structures necessary to protect the preserve from unwanted or excessive visitor traffic and structures to restrict visitor access to sensitive environmental resources.
- d. Roads and Trails: New roads shall not be constructed in the Primary Area. When necessary, the Custodian may construct and maintain access limited to staff for management purposes, such as service paths for patrol, fire control, right-of-way maintenance, and other management activities. The Custodian may maintain roads presently existing within the preserve and with prior written approval from the Secretary of the Department of Natural and Cultural Resources or her/his designee. Number and width of new paths will be minimized, and sensitive areas avoided when possible. Existing roads that occur within or form a boundary of the Primary Area may be maintained by grading of the roadbed, replacing culverts, or adding stone as needed in order to maintain the integrity of the road for vehicular use. Access management and construction will be part of the overall management planning process and will include consultation with the North Carolina Natural Heritage Program.

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

Natural Heritage resource values. The existing NCDOT roads that run within or along a boundary of the Primary Area at the time of the issuance of this letter of allocation are as follows: S.R. 1688, S.R. 1611, NC 67.

- e. Other Structures and Improvements: Buildings or facilities other than those defined in this document shall not be erected by the Custodian within the preserve, except as may be consistent with the purposes of the preserve as stated herein and shall have prior written approval from the Secretary of the Department of Natural and Cultural Resources or her/his designee. Site selection shall be consistent with this dedication.
- f. Research and Collecting Permits: Any person wishing to engage in scientific re-search requiring collecting or otherwise affecting anything within the preserve shall first secure written permission from the Custodian or the Secretary of the Department of Natural and Cultural Resources or their designee.
- 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, 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, 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 regimes. 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. 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. When new firebreaks need

to be created, environmentally sensitive areas will be avoided when possible. Old firebreaks that 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 for removal of hazards to visitors, control of disease that would damage or reduce the significance of the preserve, reduction of fire fuel load after severe storm damage, trail clearance or maintenance, or for purposes of maintenance or restoration of natural communities or rare species populations as stipulated in the preserve management plan and that which is consistent with the purposes of this Dedication. Salvage timber cuts which may be necessary due to natural catastrophe will be allowed, 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, other than fishing, shall be only to correct situations where populations have been significantly altered from natural conditions. The Custodian may, in accordance with an approved resource management plan and 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.
- 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 essential to some ecosystems and may be used where natural wildfire historically kept understories open and promoted herbaceous diversity.
- o. Management Plan: The Primary Custodian shall be required to prepare and submit for approval to the Secretary of the Department of Natural and Cultural Resources a management plan for the preserve. This plan shall be subject to all the provisions of this Dedication and shall additionally be consistent with the management principles set forth in the North Carolina Administrative Code 07 NCAC 13H.0300 and .0400. The dedicated nature preserve will continue to be subject to other applicable regulations within NCAC Title 07, Chapter 13. Where contradictions may arise between this instrument of Dedication and other management regulations, the terms of this Dedication shall take precedence.
- p. Motorized Vehicles: No motorized vehicles shall be permitted on the dedicated property other than those utilized by the owner or the owner's agents in manage-

ment and protection of the property in compliance with the Management Plan.

- q. Signs: No signs, billboards, or other advertising of any kind shall be erected, with the exception of informational and directional signs, designed by the Secretary of the Department of Natural and Cultural Resources, Custodian, or State agency, related to the designation of the area as a preserve or for public access to the preserve.
8. **Amendment, Modification, and Termination:** The terms and conditions of this dedication may be amended or modified upon approval by 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. 250-.272 and the North Carolina Administrative Code, Chapter 7, Subchapter 13H.
9. **Nature Preserve Held in Trust:** This Property is held in trust by the State for the benefit of the people of North Carolina for the uses and purposes expressed in the Nature Preserves Act under the terms and authority set forth in North Carolina General Statute 143B-135.262.
10. **Access for Inspection and Right of Entry:** Natural Heritage Program staff, including their successors or assigns, shall have the right, by and through its agents and employees, to enter the Property to inspect the Dedication for compliance with these Articles of Dedication at all reasonable times and with prior notice.

The Governor and Council of State have approved the dedication of the State-owned lands hereinabove described as the **HISTORIC BETHANIA 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 _____, 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

EXHIBIT A

HISTORIC BETHANIA DEDICATED NATURE PRESERVE

DESCRIPTION

COUNTY: Forsyth TOPOGRAPHIC QUAD: Rural Hall

PHYSIOGRAPHIC PROVINCE Piedmont

SIZE OF AREA: 77 acres TOTAL (all Primary Area, including one acre of Special Management Area described below) as shown on Exhibit B

OWNER/ADMINISTRATOR: State of North Carolina
Department of Natural and Cultural Resources

LOCATION: Historic Bethania Nature Preserve consists of two separate natural areas: Bethania Swamp and Slopes, and Walnut Bluffs. The Nature Preserve is located to the west and south of historic Bethania. Bethania Swamp and Slopes is on the west side of Muddy Creek, north of Bethania Road (Highway 65). Walnut Bluffs is south of Bethania Road, along the east side of Muddy Creek, extending to Highway 67.

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants or animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202.

Bethania Swamp and Slopes natural area contains both slopes and floodplain adjacent to Muddy Creek, including a series of Low Elevation Seeps that emerge at the base of the steep and rocky slopes. The upland slopes consist of Dry-Mesic Oak—Hickory Forest.

Walnut Bluffs consist of Piedmont Alluvial Forest in the floodplain and Mesic Mixed Hardwood Forest in the uplands. There is a north-facing bluff which crests approximately 100 feet above the floodplain, where the entire historic settlement can be seen from the bluff. The forests along this bluff have been largely unchanged for hundreds of years, as confirmed by the description of natural features found in a 1768 inventory of the bluffs by Christian Reuter.

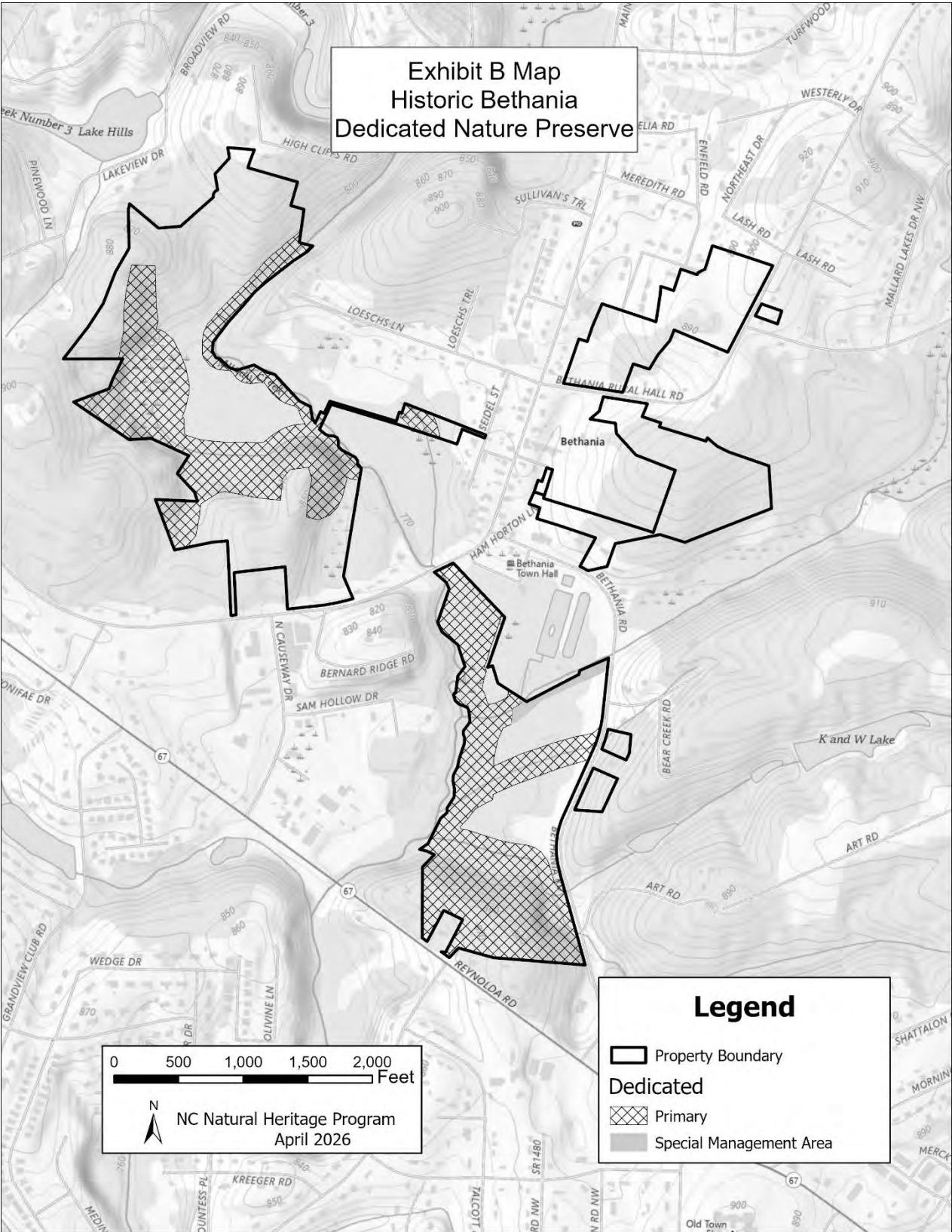
In the Walnut Bluffs natural area, soft rock outcrops rich in magnesium and iron occur along the top of the ridge. These rock ridges and stone piles lend charm to the site and function as animal habitat. The rock types weather into fine textured soils which support diverse natural plant communities. The resulting soil types are favored for agricultural use and are probably one of the main reasons that the colonial settlers were attracted to this location to found the town of Bethania in 1759.

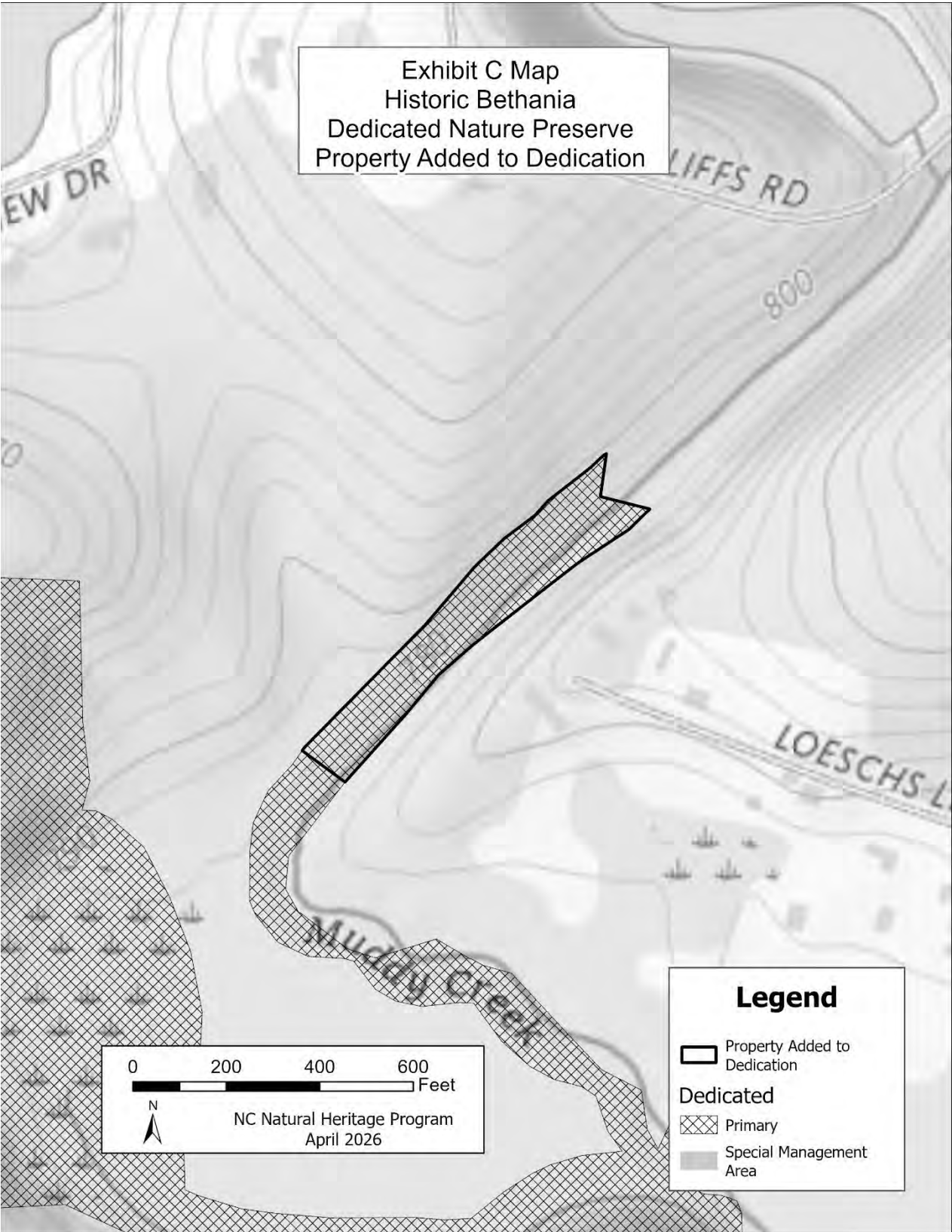
BOUNDARY JUSTIFICATION: The Primary Area of the Dedicated Nature Preserve includes the natural communities found within the historic site. Primary Areas also include the riparian zones of streams; these Primary Areas are designated based on the extent of the 100-foot stream zones required by the NC Land and Water Fund when state agency lands are dedicated. An exception is made for an existing open field within one of the riparian zones that is classified as a Special Management Area.

The areas excluded from the Dedication include areas with disturbed forests, open fields, and areas managed for cultural resources, such as the historic cemetery, historic buildings, or orchards.

MANAGEMENT AND USE: The nature preserve is managed to preserve the character of the historic town of Bethania. It also provides hiking trails through the forested parts of the site. The Primary Areas will be managed for the conservation of natural resources. The Special Management Area may continue to be managed as a pasture to provide historic landscape context, and managers would be encouraged to utilize best management practices for open field management specific to protecting water quality. The Special Management Area may also be allowed to regenerate to native forest vegetation. Passive recreation, such as hiking, is allowed within the Primary Area. Control of invasive species is recommended to maintain the integrity of the natural communities.

MAP: attached





[ON DEPARTMENT OF ADMINISTRATION STATIONARY]

(DATE)

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

(Addresses of other recipients)

Subject: Letter of Allocation and Dedication as a Nature Preserve Areas of Portion of the **Pineola State Natural Area**, Avery County

Dear Secretary Cashwell:

Pursuant to Part 42 of Article 2 of Chapter 143B of the North Carolina General Statutes, this letter of allocation is executed for the purpose of dedicating the State-owned lands hereinafter described as a North Carolina Nature Preserve.

Those real properties which are subject to this Dedicated Nature Preserve are allocated to the Department of Natural and Cultural Resources and currently managed by the Division of Parks and Recreation, and consist of approximately 15.5 acres located in Avery County which are specifically described in **Exhibit A** and shown on the diagram in **Exhibit B**, both attached hereto and incorporated herein and referred to hereafter as "Property." The dedicated lands shall be known collectively as the Pineola State Natural Area Dedicated Nature Preserve.

The terms of the grant agreement between the North Carolina Division of Parks and Recreation and the North Carolina Land and Water Fund require dedication of the qualified portions of the tract acquired as state lands with grants from the Fund. This dedication includes grant agreement 2021-023.

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

Sincerely,
(Name)

CONSENTED AND AGREED TO:

Secretary Pamela B. Cashwell, Department of Natural and Cultural Resources

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

1. **Definitions:** As used in this allocation, the terms “natural area” and “nature preserve” have the same meaning as contained in North Carolina General Statutes 143B-135.254.
2. **Dedication:** Pursuant to North Carolina General 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 Pineola State Natural Area Dedicated Nature Preserve (hereinafter "preserve") for the purposes provided in the North Carolina Nature Preserves Act, North Carolina General Statute 143B-135.250 *et seq.*, as amended, and other applicable law, and said State-owned land, shall be held, maintained, and used exclusively for said purposes.
3. **Duration:** Subject to the limitations of North Carolina General Statute 143B-135.264, this agreement shall be perpetual, in gross, running with the land.
4. **Primary Custodian:** The primary custodian of the preserve will be the Department of Natural and Cultural Resources, **Division of Parks and Recreation**, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H Section .0300 and .0400. The primary custodian may hereinafter be referred to as “Primary Custodian” or “Custodian”.
5. **Primary Classification and Purpose:** The primary classification and purpose of the preserve will be natural area conservation, scientific research, passive recreation, and nature education. Other compatible uses of the preserve may be authorized by the Primary Custodian. The ecological significance of the preserve is described in Exhibit A.
6. **Rules for Management:**
 - a. **Character of Visitor Activity:** The principal activities in the preserve shall be outdoor recreation and education in designated areas. These activities may 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 provided in this Dedication or unless necessary to carry out the purposes of the preserve. Prohibited activities include, but are not limited to, commercial development; commercial silviculture; agriculture and grazing; gathering of plants or plant products for purposes other than approved research; the removal, disturbance, molestation, or defacement of minerals, archaeological and natural resources; and those activities specifically restricted in this Dedication.
 - b. **Consumptive Wildlife Uses:** Where applicable, fishing may be permitted on the preserve subject to regulations by the North Carolina Wildlife Resources Commission and management by the Primary Custodian.
 - c. **Orientation and Guidance of Visitors:** The Custodian reserves the right to orient and guide visitors for educational programs, scientific research, and preserve management. Exhibits, programs, and printed materials may be provided by the Custodian. The Custodian may create and maintain nature trails, overlooks,

boardwalks, and primitive campsites adequate to promote the permitted use of the preserve. Guardrails, fences, steps, bridges, and boardwalks may be provided when appropriate. The Custodian reserves the right to erect structures necessary to protect the preserve from unwanted or excessive visitor traffic and structures to restrict visitor access to sensitive environmental resources.

- d. Roads: The Custodian may construct service roads for patrol, fire control, right-of-way maintenance, and other management activities necessary to appropriately manage the preserve and with prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. The Custodian may maintain roads presently existing within the preserve. Otherwise, the construction of roads will be prohibited.

If an existing North Carolina Department of Transportation (“NCDOT”) road runs within or along a boundary of the Primary Area and NCDOT demonstrates a compelling need to do so, then subject to the written approval of both the Primary Custodian and the Natural Heritage Program, NCDOT may within the Primary Area use a strip of land up to fifty feet (50’) wide outside and adjacent to the road’s existing NCDOT right-of-way for the purpose of improving the NCDOT road. A strip of land approved under this provision shall not be longer than 1,000 feet long. The Primary Custodian and the Natural Heritage Program shall concur only if the proposed improvements and the associated activities will not cause significant impacts to rare species, small-patch natural communities, adjacent streams, or other Natural Heritage resource values. The existing NCDOT roads that run within or along a boundary of the Primary Area at the time of the issuance of this letter of allocation are as follows: NC Hwy 181.

- 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, and shall have prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. 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 or the Secretary of the Department of Natural and Cultural Resources or their designee.
- g. Vehicles: There will be no equestrian use or bicycling except on trails designated for these purposes and, except boats and motorized wheelchairs, no motorized vehicles shall be permitted on the dedicated property other than those utilized by the owner or the owner’s agents in management and protection of the property in compliance with the management plan
- 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 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 regimes. 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. 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, 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. Fire: Use of prescribed burning is permitted as necessary for the biological management of the preserve. Any prescribed burning must be done according to an approved fire management plan for the park unit in question. Fires are also permitted in conjunction with supervised activities of the Custodian, or in designated areas within primitive campsites.
- l. Disturbance of Natural Features: The disturbance of other natural features is prohibited except for control of disease that would damage or reduce the significance of the preserve, reduction of fire fuel load after severe storm damage, or for purposes of ecological management as stipulated in the Park unit's approved management plan and that which is consistent with the purposes of this Dedication.
- m. Control of Populations (natural and exotic): Any control of animal or plant populations, other than fishing, shall be only to correct situations where populations have been significantly altered from natural conditions. The Custodian may, in accordance with an approved resource management plan, 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.
- n. Control of Natural Processes: Natural processes will be managed according to the policy of the North Carolina State Parks Natural Resource Management Policy. Generally, natural resources will be managed by allowing natural environments to evolve through natural processes with minimal influence from human activities. Exceptions are enumerated in the Policy Statement.
- o. Management Plan: These rules for management constitute a management plan within the meaning of 07 NCAC 13H.0300 until detailed plans for each park are prepared. The dedicated nature preserve will continue to be subject to other applicable regulations within NCAC Title 07, Chapter 13. Where contradictions may arise between this instrument of dedication and other management regulations, the terms of this Dedication shall take precedence.
- p. Signs: No signs, billboards, or other advertising of any kind shall be erected, with the exception of informational and directional signs designed by the Secretary of the Department of Natural and Cultural Resources, Custodian, or State agency, related

to the designation of the area as a preserve, for public access to the preserve, or for educational purposes about natural or historical resources present within the preserve.

7. **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.
8. **Nature Preserve Held in Trust:** This Property is held in trust by the State for the benefit of the people of North Carolina for the uses and purposes expressed in the Nature Preserves Act under the terms and authority set forth in North Carolina General Statute 143B-135.262.
9. **Access for Inspection and Right of Entry:** Natural Heritage Program staff, including their successors or assigns, shall have the right, by and through its agents and employees, to enter the Property to inspect the Dedication for compliance with these Articles of Dedication at all reasonable times and with prior notice.

EXHIBIT A

PINEOLA STATE NATURAL AREA DEDICATED NATURE PRESERVE

COUNTY: Avery

PHYSIOGRAPHIC PROVINCE: Mountains

TOPOGRAPHIC QUAD: Newland

SIZE OF AREA: ca. 15.5 total acres (all Primary Area) as shown on Exhibit B

OWNER/ADMINISTRATOR: State of NC, Division of Parks and Recreation

LOCATION: Pineola Township, all or portions of Avery County parcels 184300376434, 184300386361, and 184300383182. The Pineola State Natural Area is located in two separate tracts to the west and south of the town of Pineola. The Dedicated Nature Preserve covers the majority of the southern tract which is located on the east side of the Linville River and the west side of NC 181, approximately 0.8 air mile south of the community of Pineola.

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants of animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and (3) a rare aquatic community and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. This Dedication covers a small but high-quality example of a Southern Appalachian Bog (Typic Subtype), which occurs in a narrow bottomland of the Linville River. Hummocks of cinnamon fern (*Osmundastrum cinnamomeum*) and sphagnum moss occur in some areas, while dense wetland graminoids and herbs dominate other areas. Parts of the bog are very open, though alder (*Alnus serrulata*) and other shrubs are scattered throughout and concentrated more densely in some areas. A large number of rare species are present, including lax mannagrass (*Glyceria laxa*), grass-leaved flat-top goldenrod (*Euthamia graminifolia*), Gray's lily (*Lilium grayi*), American willow-herb (*Epilobium ciliatum* ssp. *ciliatum*), swamp bluegrass (*Poa palustris*), inflated sedge (*Carex vesicaria*), and bog jack-in-the-pulpit (*Arisaema triphyllum* var. *stewardsonii*). The rare white-faced meadowhawk dragonfly (*Sympetrum obtrusum*) and variegated wingless locust (*Booneacris variegata*) are known to inhabit the site. Several rare species of bat are known from the natural area, including little brown bat (*Myotis lucifugus*), hoary bat (*Lasiurus cinereus*), and tricolored bat (*Perimyotis subflavus*). Watch List plants narrowleaf meadowsweet (*Spiraea alba*) and crested wood-fern (*Dryopteris cristata*) are also present. The northern portion of the bog was mined for gravel and is more open and heavily altered, with remnant pits, piled materials, and berms. Although this area supports some bog requisite plant species, including rare species, it also contains a higher number of ruderal species than other portions of the bog. Grandfather Mountain Crayfish (*Cambarus eeseohensis*) is known from this stretch of the Linville River.

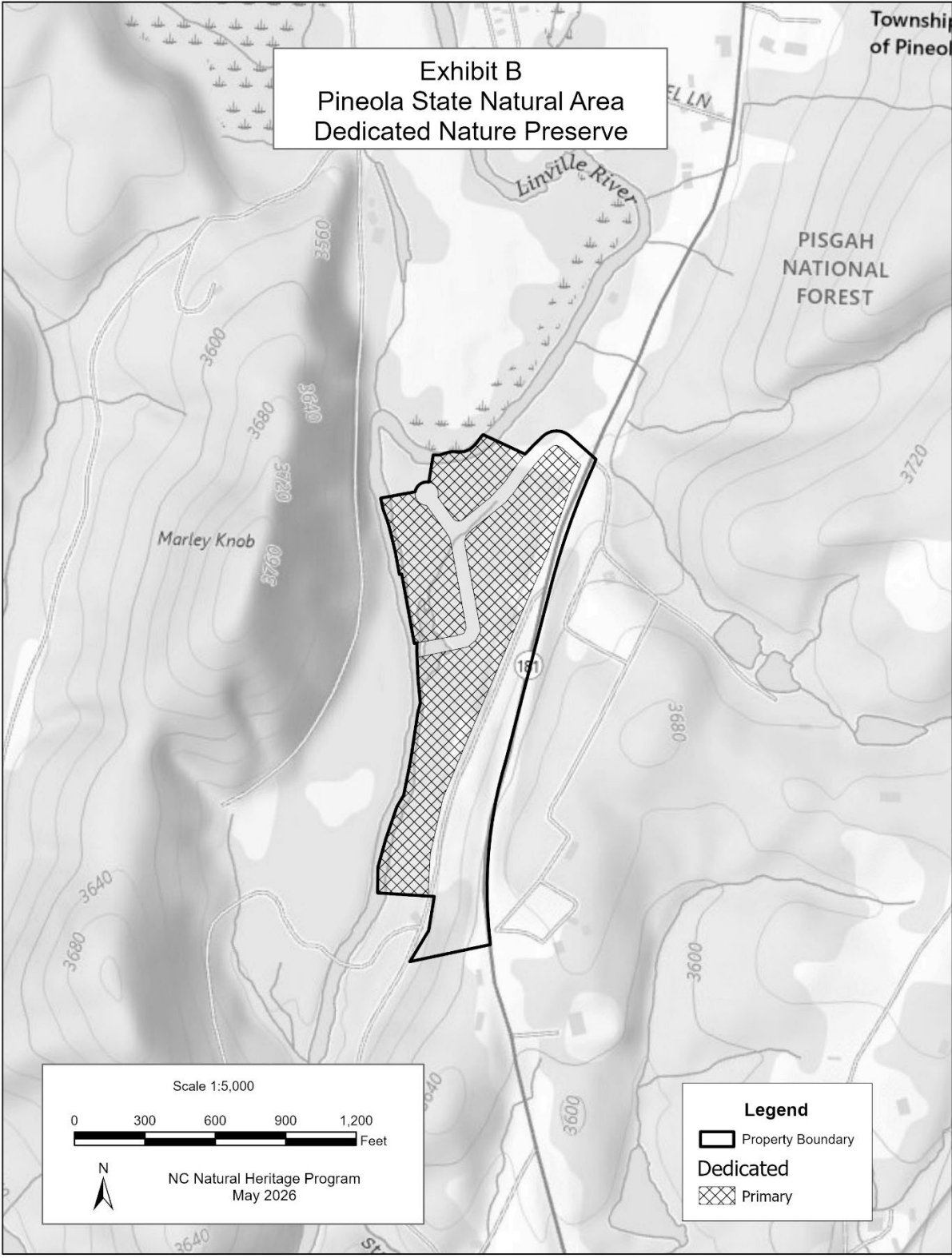
BOUNDARY JUSTIFICATION: The Primary Dedicated Area is drawn based on the extent of the bog. Additionally, areas of lower quality are included within the Primary Area if they lie within 300 feet of the Linville River Aquatic Habitat or within 200 feet of its tributaries. This standard is applied for aquatic habitats supporting federally listed species, where NC Land and Water Funds are used in acquisition. An easement held by NC Department of Transportation is excluded from the Dedicated Area.

MANAGEMENT AND USE: The Dedicated Nature Preserve is a portion of the Pineola State Natural Area managed by the Department of Parks and Recreation. The bog is sensitive to trampling and visitation should be limited. Southern Appalachian Bogs often have unstable vegetation in which shrubs or trees increase in abundance to the point of being a threat to the diverse herbaceous community and the rare plants they contain. The optimal management in this situation is not known, but removal of woody plants by

cutting should be considered if it is determined that they are causing harm to the community and its rare plants. If management should become necessary, this work should be planned in coordination with the Natural Heritage Program. The northern portion of the bog is heavily altered from a history of gravel mining and may need specific management. Since this area is supporting rare species and some bog flora, no active restoration action is recommended. However, if ecological conditions change in ways that are of concern for the significant species present, some form of active management may be needed. This should be planned in coordination with the Natural Heritage Program.

Exotic invasive plants miniature beefsteak-plant (*Mosla dianthera*), true forget-me-not (*Myosotis scorpiodes*), and Japanese spiraea (*Spiraea japonica*) are known to occur in the bog. These species should be controlled while also preventing impact to the rare species and sensitive habitat they are embedded within.

Exhibit B
Pineola State Natural Area
Dedicated Nature Preserve



Scale 1:5,000

0 300 600 900 1,200 Feet

N

NC Natural Heritage Program
May 2026

Legend

Property Boundary

Dedicated

Primary

(INSERT DATE)

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

Re: Letter of Allocation and Dedication as a Nature Preserve of Areas within the State Park System

Dear Secretary Cashwell:

Pursuant to Part 42 of Article 2 of Chapter 143B of the North Carolina General Statutes, this letter of allocation is executed for the purpose of amending an existing Dedicated Nature Preserve encumbering State-owned lands hereinafter. These Articles of Dedication replace those certain Articles of Dedication dated September 3, 2021. The purpose of this amendment to add a ___ -acre property to the dedication and to provide more accurate boundaries.

This real property which is subject to this Dedicated Nature Preserve is allocated to the Department of Natural and Cultural Resources and currently managed by the Division of Parks and Recreation, briefly described below and more specifically described in Exhibit A, and shown on the diagram in Exhibit B, both attached hereto and incorporated herein and referred to hereafter as "Property". That ___ -acre area depicted on the diagram attached as **Exhibit C**, attached hereto and incorporated herein by reference, is hereby added to the Dedicated Nature Preserve.

<u>Site Name</u>	<u>Approximate Total Acreage</u>
A. Carvers Creek State Park	2,974 acres

Dedication of the qualified portions of certain tracts included herein fulfill the terms of grant agreements, including those of the Natural Heritage Trust Fund [2010 09501, 2008 10502, 2004 03504, 2009 08502, 2010 04505], and the NC Land and Water Fund [2004B-036, 2016-052, 2021-024].

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

1. **Definitions:** As used in this allocation, the terms “natural area,” and “nature preserve” have the same meaning as contained in North Carolina General Statute 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 Carvers Creek State Park Dedicated Nature Preserve (hereinafter "preserve") for the purposes provided in the North Carolina Nature Preserves Act, North Carolina General Statute 143B-135.250 *et seq.*, as amended, and other applicable law, and said State-owned land, shall be held, maintained, and used exclusively for said purposes.
3. **Duration:** Subject to the limitations of North Carolina General Statute 143B-135.264, this agreement shall be perpetual, in gross, running with the land.
4. **Primary Custodian:** The primary Custodian of the preserve will be the Department of Natural and Cultural Resources, Division of Parks and Recreation, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H Section .0300 and .0400. The primary custodian may hereinafter be referred to as “Primary Custodian” or “Custodian.”
5. **Primary Classification:** The primary classification and purpose of the preserve will be natural area conservation, scientific research, passive recreation, and nature education. Other compatible uses of the preserve may be authorized by the Primary Custodian. The ecological significance of the preserve is described in Exhibit A.

6. Rules for Management:

- A. **Character of Visitor Activity:** The principal activities in the preserve shall be non-consumptive outdoor recreation and education in designated areas. These activities may 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 provided in this Dedication or unless necessary to carry out the purposes of the preserve. Prohibited activities include, but are not limited to, commercial development; commercial silviculture; agriculture and grazing; gathering of plants or plant products for purposes other than approved research; the removal, disturbance, molestation, or defacement of minerals, archaeological and natural resources; and those activities specifically restricted in this Dedication.
- B. **Consumptive Wildlife Uses:** Fishing shall be permitted on the preserve subject to regulations by the North Carolina Wildlife Resources Commission and management by the Primary Custodian.
- C. **Visitors and Visitor Facilities:** The Custodian reserves the right to orient and guide visitors for educational programs, scientific research, and preserve management. Exhibits, programs and printed materials may be provided by the Custodian. The Custodian may create and maintain nature trails, overlooks, boardwalks, and primitive campsites adequate to promote the permitted use of the preserve. Guardrails, fences, steps, bridges, and boardwalks may be provided when appropriate. The Custodian reserves the right to erect structures

necessary to protect the preserve from unwanted or excessive visitor traffic and structures to restrict visitor access to sensitive environmental resources.

The Custodian may construct service roads for patrol, fire control, right-of-way maintenance, and other management activities necessary to appropriately manage the preserve and with prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. The Custodian may maintain roads presently existing within the preserve. The construction of roads for purposes other than those described in this document will be prohibited.

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. 1605, S.R. 1610

- D. 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, and shall have prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. Site selection shall be consistent with this dedication.
- E. 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 or the Secretary of the Department of Natural and Cultural Resources or their designee.
- F. Vehicles: There will be no equestrian use or bicycling except on trails designated for these purposes and except boats and motorized wheelchairs, no use of any motorized vehicles shall be permitted on the dedicated property other than those utilized by the owner or the owner’s agents in management and protection of the property in compliance with the management plan.
- F. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other material, nor any change in topography or surface hydrology of the preserve. Exceptions 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.
- G. Water Level Control: The purpose of water level control shall be to maintain the preserve natural water regimes. 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. Millponds are an example of situations in which water levels have been historically managed.

- H. Bringing in Flora and Fauna: No exotic flora and no animals except leashed dogs and cats, horses on trails designated for equestrian use, 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.
- I. Fire: Use of prescribed burning is permitted as necessary for the biological management of the preserve. Any prescribed burning must be done according to an approved fire management plan for the park unit in question. Fires are also permitted in conjunction with supervised activities of the Custodian, or in designated areas within primitive campsites.
- J. Disturbance of Natural Features: The disturbance of other natural features is prohibited except for control of disease that would damage or reduce the significance of the preserve, reduction of fire fuel load after severe storm damage, or for purposes of ecological management as stipulated in the Park unit's approved management plan and that which is consistent with the purposes of this Dedication.
- K. Control of Populations (natural and exotic): Any control of animal or plant populations, other than fishing, shall be only to correct situations where populations have been significantly altered from natural conditions. The Custodian may, in accordance with an approved resource management plan, 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.
- L. Control of Natural Processes: Natural processes will be managed according to the policy of the North Carolina State Parks Natural Resource Management Policy. Generally, natural resources will be managed by allowing natural environments to evolve through natural processes with minimal influence from human activities. Exceptions are enumerated in the Policy Statement.

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

- M. Management Plan: These rules for management constitute a management plan within the meaning of 07 NCAC 13H.0300 and .0400 until detailed plans for each park are prepared. The dedicated nature preserve will continue to be subject to other applicable regulations within NCAC Title 07, Chapter 13. Where contradictions may arise between this instrument of dedication and other management regulations, the terms of this Dedication shall take precedence.

- N. Signs: No signs, billboards, or other advertising of any kind shall be erected, with the exception of informational and directional signs designed by the Secretary of the Department of Natural and Cultural Resources, Custodian, or State agency, related to the designation of the area as a preserve or for public access to the preserve or for educational purposes.
7. **Amendment, Modification, and Termination**: Any changes to this Dedication must be made in accordance with the provisions of North Carolina General Statutes 143B-135.250.-272 and the North Carolina Administrative Code, Chapter 7, Subchapter 13H, which require the approval of the Governor and the Council of State.
8. **Nature Preserve Held in Trust**: This Property is held in trust by the State for the benefit of the people of North Carolina for the uses and purposes expressed in the Nature Preserves Act under the terms and authority set forth in North Carolina General Statute 143B-135.262.
9. **Access for Inspection and Right of Entry**: Natural Heritage Program staff, including their successors or assigns, shall have the right, by and through its agents and employees, to enter the Property to inspect the Dedication for compliance with these Articles of Dedication at all reasonable times and with prior notice.

The Governor and Council of State have approved the dedication of the State-owned lands described by this document at a meeting in (City Name), North Carolina on (DATE).

Sincerely,

Gabriel J. Esparza

CONSENTED AND AGREED TO:

Secretary Pamela B. Cashwell
Department of Natural and Cultural Resources

EXHIBIT A

CARVERS CREEK STATE PARK DEDICATED NATURE PRESERVE SANDHILLS SECTION

DESCRIPTION

COUNTIES: Cumberland

PHYSIOGRAPHIC PROVINCE: Coastal Plain
(Sandhills region)

TOPOGRAPHIC MAPS: Manchester, Slocomb

SIZE OF AREA: ca 2,425 acres(all Primary Area, including one acre Special Management Area, described below) as shown on Exhibits B and C

OWNER/ADMINISTRATION: State of North Carolina, Division of Parks and Recreation

LOCATION: The Sandhills section is located in the eastern unit of Carvers Creek State Park, just west of US 401. Fort Bragg forms the western boundary. McCloskey Road (SR 1610) runs through the southern part of the section and Johnson Farm Road (SR 1605) runs through the northern part of the section.

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants of animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. Carvers Creek State Park contains one of the state's larger expanses of sandhills vegetation outside of Fort Bragg and the Sandhills Game Land. The uplands in the Sandhills Section contain high quality examples of Pine/Scrub Oak Sandhill natural communities, along with smaller areas of Xeric Sandhill Scrub. Longleaf pine (*Pinus palustris*) dominates these upland woodlands. The longleaf pine canopy is mature, though not old, in most portions. Some areas have a canopy that is denser than typical, other areas have been recently thinned, and some areas of young canopy are included where they contain rare species. Turkey oak (*Quercus laevis*) is common in both communities, while blackjack oak (*Q. marilandica*) is abundant in the Pine/Scrub Oak Sandhill. Where there has been fire for some years, the oaks are sparse; where fire frequency has been lower, the oaks are sometimes dense. Wiregrass (*Aristida stricta*) dominates the herb layer, and a diversity of other grasses and forbs is present where the communities are in good condition.

The rare sandhills pyxie-moss (*Pyxidantha brevifolia*), is present in several places within these communities, and lady lupine (*Lupinus villosus*) occurs in one place. A number of rare animals are also known, including the federally endangered red-cockaded woodpecker (*Picoides borealis*); state special concern Bachman's sparrow (*Peucaea aestivalis*); the rare butterflies frosted elfin (*Callophrys irus*) and Edwards's hairstreak (*Satyrrium edwardsii*); and two rare moths, the dart moth (*Agrotis carolina*), and Amorpha angle moth (*Digrammia ordinata*).

Wetland natural communities are laced through the site. Most of the drainages are Sandhill Streamhead Swamp, dominated by swamp black gum (*Nyssa biflora*), with red maple (*Acer rubrum*), and sometimes Atlantic white cedar (*Chamaecyparis thyoides*). Streamhead Pocosin is less extensive, dominated by pond pine (*Pinus serotina*), sometimes with tulip poplar (*Liriodendron tulipifera*) or Atlantic white cedar as a

component. Both communities often have dense shrub layers dominated by species such as fetterbush (*Lyonia lucida*) and gallberry holly (*Ilex glabra*). Several beaver ponds – the Coastal Plain Semipermanent Impoundment natural community – are also present and provide important wildlife habitat. An example of the Cypress-Gum subtype is found on the downstream end of Carvers Creek at an old mill pond. The canopy is uniform with Pond Cypress (*Taxodium ascendens*). Titi (*Cyrilla racemiflora*), Swamp Doghobble (*Eubotrys racemosa*) and Highbush Blueberry (*Vaccinium fuscatum/formosum*) make up the shrub layer which grows along tree bases and stumps. The herb layer is sparse and includes an unknown *Carex* species and Soft Rush (*Juncus effusus*). Aquatic Bladderworts (*Utricularia species*) were observed in the water. A large and well-established pond with extensive open water is present on Carvers Creek in the middle of the unit.

Sandhill Seep communities occur in several places, where water emerges from the sand to produce saturated soils. At some seeps, pond pine (*P. serotina*) occurs over cane (*Arundinaria tecta*) and a variety of herbaceous species not found elsewhere in the preserve.

The wetland communities harbor a number of rare species. Rare wetland plants include sandhills lily (*Lilium pyrophilum*), bog oatgrass (*Danthonia epilis*), pine barren boneset (*Eupatorium resinosum*), bog spicebush (*Lindera subcoriacea*), and Canby's bulrush (*Schoenoplectus etuberculatus*). Rare animals include pine barrens tree frog (*Hyla andersonii*), oak toad (*Anaxyrus quercicus*), nubile short-wing grasshopper (*Melanoplus nubilis*), four-lined chocolate moth (*Argyrostromia quadrifilaris*), Hessel's Hairstreak (*Callophrys hesseli*) and Reversed Roadside-Skipper (*Amblyscirtes reversa*).

Streamhead Pocosin is less extensive, dominated by pond pine (*Pinus serotina*), sometimes with tulip poplar (*Liriodendron tulipifera*) or Atlantic white cedar as a component. Both communities often have dense shrub layers dominated by species such as fetterbush (*Lyonia lucida*) and gallberry holly (*Ilex glabra*). Several beaver ponds – the Coastal Plain Semipermanent Impoundment natural community – are also present and provide important wildlife habitat. An example of the Cypress-Gum subtype is found on the downstream end of Carvers Creek at an old mill pond.

A portion of this section lies north of Johnson Farm Road (SR 1605) and contains fire suppressed examples of Streamhead Pocosins and Sandhills Seep natural communities. The Pine Barrens Treefrog (*Hyla andersonii*) is associated with canopy gaps in those natural communities and has two breeding sites located on the tract. One site is located along a pipeline right-of-way that bisects a Streamhead Pocosin natural community. Bog Oatgrass (*Danthonia epilis*) is a rare plant that is associated with wet examples of these natural communities and is present in one place on the tract.

BOUNDARY JUSTIFICATION: The dedicated area incorporates the areas containing rare species and natural communities in good condition. Some patches of recently harvested forest, with no remaining wiregrass, are not included, and neither are young forest areas without substantial wiregrass. Some areas containing old fields, old artificial ponds, and buildings are also not included. A couple of ponds which are smaller and more resemble natural ponds are included, as are areas of lower condition that provide important habitat for rare species. In some portions, Primary Areas also include the riparian zones of streams; these Primary Areas are designated based on the extent of the 100-foot stream zones required by the NC Land and Water Fund when state agency lands are dedicated. Flowlines from the NC Stream Mapping Project were utilized to delineate these Primary Areas.

Rare animal breeding habitat along a pipeline right-of-way is designated as a Special Management Area. Special Management Areas are delineated in places which retain some natural features (e.g., rare species populations), but may be maintained for other purposes (e.g., utility line right-of-way). While it is important that these populations of rare animals be managed and protected, recognizing the right-of-way as a Special

Management Area allows for the continued maintenance for the utility, while encouraging stewardship for the benefit of the rare species to the extent possible when compatible with existing uses.

MANAGEMENT AND USE: The dedicated area will be managed as part of Carvers Creek State Park. It will be used for conservation and low-impact public recreation; particularly hiking and other trail uses.

The primary management need is prescribed burning in the upland communities, seeps, isolated ponds, and the streamheads.



EXHIBIT A

CARVERS CREEK STATE PARK DEDICATED NATURE PRESERVE LONG VALLEY FARM SECTION

DESCRIPTION

COUNTIES: Harnett, Cumberland

PHYSIOGRAPHIC PROVINCE: Coastal Plain
(Sandhills region)

TOPOGRAPHIC MAPS: Manchester

SIZE OF AREA: ca. 549 acres (all Primary Area) as shown on Exhibit B

OWNER/ADMINISTRATION: State of North Carolina, Division of Parks and Recreation

LOCATION: The Long Valley Farm section is located along the Cumberland – Harnett county line, just east of Fort Bragg, about 3.25 miles to the west-northwest of the Sandhills Section. It lies north of the Little River and is bounded on the south by Manchester Road (SR1451 - Cumberland); Fort Bragg lies immediately to the west and northwest.

DESCRIPTION: This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants of animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. Long Valley Farm was previously a family estate, used for private recreation and agriculture. The dedicated area includes sloping uplands typical of the Sandhills region as well as flatter areas on the high terrace of the Little River. Along Jumping Run Creek is a narrow terrace close to the level of the Little River terrace. Terraces such as these are unusual features in the Sandhills.

Most of the area is Pine/Scrub Oak Sandhill, dominated by longleaf pine (*Pinus palustris*), with a scrub oak understory consisting primarily of turkey oak (*Quercus laevis*) and blackjack oak (*Q. marilandica*). The pines are mature in most parts. However, one area had substantial loblolly pine (*Pinus taeda*), which was removed in a logging operation aimed at restoring longleaf pine. This area now has sparse mature pines. Wiregrass (*Aristida stricta*) dominates ground cover in these communities, with a diversity of other grasses and forbs. The Little River and Jumping Run Creek terrace areas are primarily Pine/Scrub Oak Sandhill also, though some areas are Mesic Pine Flatwoods. The flatwoods area has a similar canopy of longleaf pine, mixed with some loblolly pine, but lacks the scrub oak understory. Its ground cover is similarly dominated by wiregrass but includes other species less tolerant of dry conditions, such as bracken fern (*Pteridium aquilinum*), Indian grass (*Sorghastrum nutans*), and shrubs such as dangleberry (*Gaylussacia frondosa*).

The drainage of Jumping Run Creek is broken by an artificial pond, which is excluded from the dedication. The creek floodplain contains Cypress—Gum Swamp, dominated by pond cypress (*Taxodium ascendens*) and swamp black gum (*Nyssa biflora*). It includes some large old trees in parts. Loblolly pine is abundant near the floodplain edges. The upper end of the pond affects the swamp to some degree near it. The smaller drainages contain Streamhead Pocosin and Sandhill Streamhead Swamp.

Several rare species are known from the Long Valley Farm section. State special concern Bachman's sparrow (*Peucaea aestivalis*) have been found in the sandhills and flatwoods, and endangered red-cockaded woodpeckers (*Picoides borealis*), though not known to be nesting, forage in the area. Cuthbert's turtlehead (*Chelone cuthbertii*), normally a mountain species, is present in a wet area along a creek west of the lake and the yellow flannel moth (*Lagoa pyxidifera*) has been found near the flatwoods in the southern part. Suitable habitat for several other rare species known from the park may be present in this unit: bog oatgrass (*Danthonia epilis*), oak toad (*Anaxyrus quercicus*), four-lined chocolate (*Argyrostroma quadrifilaris*), Edwards' hairstreak (*Satyrium edwardsii*), and reversed roadside-skipper (*Amblyscirtes reversa*).

BOUNDARY JUSTIFICATIONS: The dedicated area incorporates the areas containing rare species and the less altered natural communities, as well as communities that have been partially restored by recent management and those that have substantial natural ground cover. Some patches where timber has been harvested, with no remaining wiregrass, are excluded, as are loblolly pine plantations and successional stands. The large area of former agricultural fields that has been planted in young longleaf pine and grasses is not included because it was so heavily altered by long-term cultivation. Also not included are the lake, the areas with buildings, and other cleared areas.

MANAGEMENT AND USE: The dedicated area will be managed as part of Carvers Creek State Park. It will be used for conservation and public recreation, particularly hiking and other trail uses.

The primary management need is prescribed burning in all of the upland communities, the seeps, and, if possible, the streamheads.

Exhibit B Map
Carvers Creek State Park
Dedicated Nature Preserve

Long Valley Farm Section

Sandhills Section

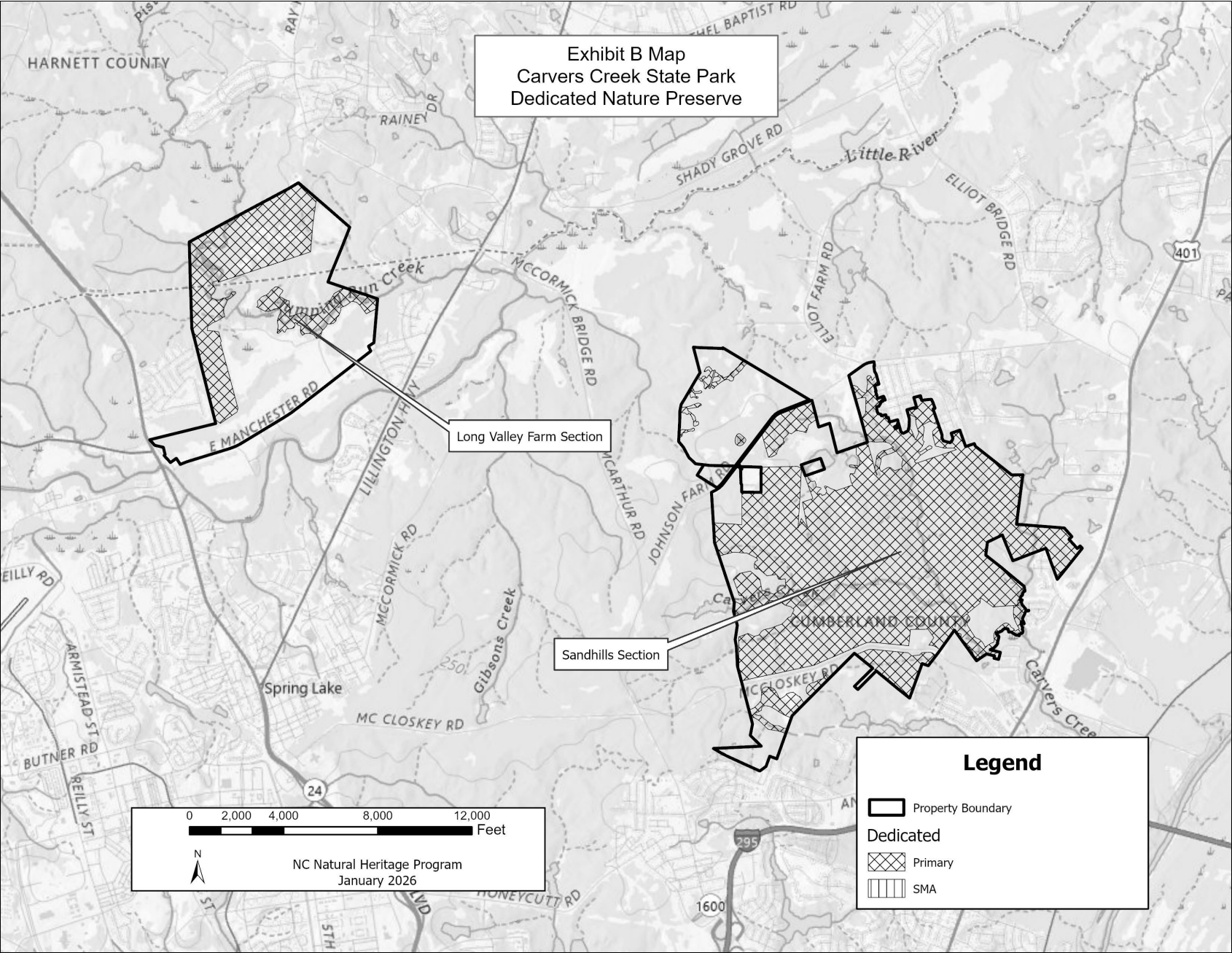
Legend

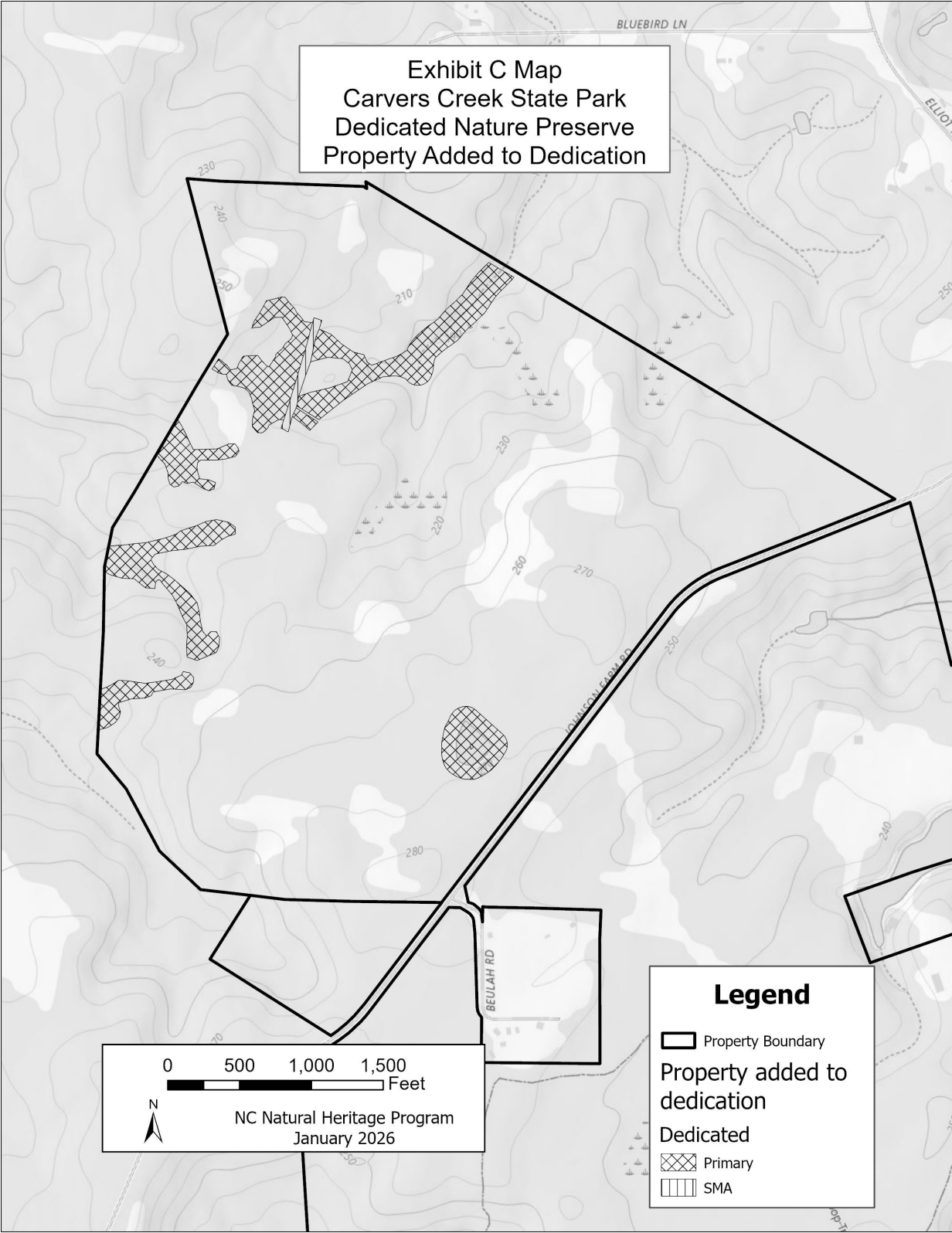
- Property Boundary
- Dedicated
 - Primary
 - SMA

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



NC Natural Heritage Program
January 2026





(INSERT DATE)

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

Re: Letter of Allocation and Dedication as a Nature Preserve of Areas within the State Park System

Dear Secretary Cashwell:

Pursuant to Part 42 of Article 2 of Chapter 143B of the North Carolina General Statutes, this letter of allocation is executed for the purpose of amending an existing Dedicated Nature Preserve encumbering State-owned lands. These Articles of Dedication replace the Articles of Dedication dated October 12, 2000. The purpose of this amendment is to reflect additions of property to the preserve and provide more accurate boundaries, and were reviewed by the Natural Heritage Advisory Committee at a meeting ____, 20__.

Those real properties which are subject to this Dedicated Nature Preserve are allocated to the Department of Natural and Cultural Resources and currently managed by the Division of Parks and Recreation, briefly described below and more specifically described in **Exhibit A**, and shown on the diagram in **Exhibit B**, both attached hereto and incorporated herein and referred to hereafter as "Property". That 7.5-acre area depicted on the diagram attached as **Exhibit C**, attached hereto and incorporated herein by reference, is hereby added to the Dedicated Nature Preserve.

Site Name

Approximate Total Acreage Dedicated

Occoneechee Mountain State Natural Area

68.5 acres

Dedication of the qualified portions of certain tracts included herein fulfill the terms of prior grant agreements, including those of the Natural Heritage Trust Fund [1995 05501, 1996 05501], and the NC Land and Water Fund [2022-031].

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

1. **Definitions:** As used in this allocation, the terms “natural area,” and “nature preserve” have the same meaning as contained in North Carolina General Statutes 143B-135-254.

2. **Dedication:** Pursuant to North Carolina General 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 Pineola State Natural Area Dedicated Nature Preserve (hereinafter "preserve") for the purposes provided in the North Carolina Nature Preserves Act, North Carolina General Statute 143B-135.250 et seq., as amended, and other applicable law, and said State-owned land, shall be held, maintained, and used exclusively for said purposes.

3. **Duration:** Subject to the limitations of North Carolina General Statute 143B-135.264, this agreement shall be perpetual, in gross, running with the land.

4. **Primary Custodian:** The primary custodian of the preserve will be the Department of Natural and Cultural Resources, **Division of Parks and Recreation**, which will be responsible for managing the preserve in accordance with State Administrative Code 07 NCAC 13H Section .0300 and .0400. The primary custodian may hereinafter be referred to as “Primary Custodian” or “Custodian.”

5. **Primary Classification and Purpose:** The primary classification and purpose of the preserve will be natural area conservation, scientific research, passive recreation, and nature education. Other compatible uses of the preserve may be authorized by the Primary Custodian. The ecological significance of the preserve is described in Exhibit A.

6. Rules for Management:

- A. **Character of Visitor Activity:** The principal activities in the preserve shall be non-consumptive outdoor recreation and education in designated areas. These activities may 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 provided in this Dedication or unless necessary to carry out the purposes of the preserve. Prohibited activities include, but are not limited to, commercial development; commercial silviculture; agriculture and grazing; gathering of plants or plant products for purposes other than approved research; the removal, disturbance, molestation, or defacement of minerals, archaeological and natural resources; and those activities specifically restricted in this Dedication.

- B. **Consumptive Wildlife Uses:** Where applicable, fishing may be permitted on the preserve subject to regulations by the North Carolina Wildlife Resources Commission and management by the Primary Custodian.

- C. **Visitors and Visitor Facilities:** The Custodian reserves the right to orient and guide visitors for educational programs, scientific research, and preserve management. Exhibits, programs and printed materials may be provided by the Custodian. The Custodian may create and maintain nature trails, overlooks, boardwalks, and primitive campsites adequate to promote the permitted use of the preserve. Guardrails, fences, steps, bridges, and boardwalks may be provided when appropriate. The Custodian reserves the right to erect structures

necessary to protect the preserve from unwanted or excessive visitor traffic and structures to restrict visitor access to sensitive environmental resources.

The Custodian may construct service roads for patrol, fire control, right-of-way maintenance, and other management activities necessary to appropriately manage the preserve and with prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. The Custodian may maintain roads presently existing within the preserve. The construction of roads for purposes other than those described in this document will be prohibited.

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: Interstate 85 and SR-1148 (Eno Mountain Road).

- D. 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, and shall have prior written approval from the Secretary of the Department of Natural and Cultural Resources or their designee. Site selection shall be consistent with this dedication.
- E. 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 or the Secretary of the Department of Natural and Cultural Resources or their designee.
- F. Vehicles: There will be no equestrian use or bicycling except on trails designated for these purposes and except boats and motorized wheelchairs, no motorized vehicles shall be permitted on the dedicated property other than those utilized by the owner or the owner’s agents in management and protection of the property in compliance with the management plan.
- G. Excavation: There will be no mining, drilling, removal of topsoil, sand, gravel, rock, minerals, or other material, nor any change in topography or surface hydrology of the preserve. Exceptions 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.
- H. Water Level Control: The purpose of water level control shall be to maintain the preserve natural water regimes. 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. Millponds are an example of situations in which water levels have been historically managed.

- I. Bringing in Flora and Fauna: No exotic flora and no animals except leashed dogs and cats, horses on trails designated for horseback riding, or animals being reintroduced shall be brought into the preserve. Any reintroduction will be of species native to the natural community and shall be done according to an approved resource management plan.
- J. Fire: Use of prescribed burning is permitted as necessary for the biological management of the preserve. Any prescribed burning must be done according to an approved fire management plan for the park unit in question. Fires are also permitted in conjunction with supervised activities of the Custodian, or in designated areas within primitive campsites.
- K. Disturbance of Natural Features: The disturbance of other natural features is prohibited except for control of disease that would damage or reduce the significance of the preserve, reduction of fire fuel load after severe storm damage, or for purposes of ecological management as stipulated in the Park unit's approved management plan and that which is consistent with the purposes of this Dedication.
- L. Control of Populations (natural and exotic): Any control of animal or plant populations, other than fishing, shall be only to correct situations where populations have been significantly altered from natural conditions. The Custodian may, in accordance with an approved resource management plan, 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.
- M. Control of Natural Processes: Natural processes will be managed according to the policy of the North Carolina State Parks Natural Resource Management Policy. Generally, natural resources will be managed by allowing natural environments to evolve through natural processes with minimal influence from human activities. Exceptions are enumerated in the Policy Statement.

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

- N. Management Plan: These rules for management constitute a management plan within the meaning of 07 NCAC 13H.0300 and .0400 until detailed plans for each park are prepared. The dedicated nature preserve will continue to be subject to other applicable regulations within NCAC Title 07, Chapter 13. Where contradictions may arise between this instrument of dedication and other management regulations, the terms of this Dedication shall take precedence.

- O. Signs: No signs, billboards, or other advertising of any kind shall be erected, with the exception of informational and directional signs designed by the Secretary of the Department of Natural and Cultural Resources, Custodian, or State agency, related to the designation of the area as a preserve, for public access to the preserve, or for educational purposes about natural or historical resources present within the preserve.
7. **Amendment, Modification, and Termination**: Any changes to this Dedication must be made in accordance with the provisions of North Carolina General Statutes 143B-135.250 -.272 and the North Carolina Administrative Code, Chapter 7, Subchapter 13H, which require the approval of the Governor and the Council of State.
8. **Nature Preserve Held in Trust**: This Property is held in trust by the State for the benefit of the people of North Carolina for the uses and purposes expressed in the Nature Preserves Act under the terms and authority set forth in North Carolina General Statute 143B-135.262.
9. **Access for Inspection and Right of Entry**: Natural Heritage Program staff, including their successors or assigns, shall have the right, by and through its agents and employees, to enter the Property to inspect the Dedication for compliance with these Articles of Dedication at all reasonable times and with prior notice.

The Governor and Council of State have approved the dedication of the State-owned lands described by this document at a meeting in (City Name), North Carolina on (DATE).

Sincerely,

Gabriel J. Esparza

CONSENTED AND AGREED TO:

Secretary Pamela Cashwell
Department of Natural and Cultural Resources

EXHIBIT A

OCCONEECHEE MOUNTAIN STATE NATURAL AREA DEDICATED NATURE PRESERVE

COUNTY: Orange

PHYSIOGRAPHIC PROVINCE: Piedmont

SIZE OF AREA: 68.5 acres (all Primary Area) as shown on Exhibit B

TOPOGRAPHIC QUAD: Hillsborough

OWNER/ADMINISTRATOR: State of North Carolina
Division of Parks and Recreation

LOCATION: Central portion of Orange County, located about 1 mile southwest of the center of Hillsborough, on the south side of the Eno River. The site lies north of I-85 and west of Eno Mountain Road.

DESCRIPTION: Occoneechee Mountain is a monadnock that extends several hundred feet above the surrounding landscape. The quartzite that makes it up is extremely resistant to weathering. It is the highest point in Orange County, being slightly over 860 feet above sea level at the summit. This mountain runs east-west, with a smaller summit (767 feet) east of the highest point. A communications tower is present on the top of Occoneechee Mountain, and the access road traverses the south flank of the mountain.

This Property qualifies for Dedication because of the presence of (1) a habitat for individual species of plants or animals that are in danger of or threatened by extirpation, (2) a rare terrestrial natural community, and (3) a rare aquatic community and after Natural Heritage Program Staff evaluation of the factors presented in 07 NCAC 13H .0202. The upper slopes and ridgetops are vegetated primarily in Piedmont Monadnock Forest, with chestnut oak (*Quercus montana*) dominating the canopy, over dense stands of various heaths, such as blueberries (*Vaccinium* spp.) and huckleberries (*Gaylussacia baccata*). All three subtypes of Piedmont Monadnock Forest, Typic, Pine, and Heath, are represented here.

The northern slopes and ravines have mesic vegetation. Parts represent the Piedmont/Coastal Plain Heath Bluff community, containing dense stands of mountain laurel (*Kalmia latifolia*), with much galax (*Galax aphylla*) growing under the laurel. One bluff contains the locally rare Catawba rhododendron (*Rhododendron catawbiense*). The rare large witch-alder (*Fothergilla major*) is also present in this community. Other slope areas are Mesic Mixed Hardwood Forest, Dry-Mesic Oak—Hickory Forest, and Dry Oak—Hickory Forest communities that are mature enough to be significant.

Several steep to vertical rock outcrops support Piedmont Cliff communities. Mesic ravines on the north slope contain locally rare wild sarsaparilla (*Aralia nudicaulis*) and interrupted fern (*Claytonia virginiana*). Sweet pinesap (*Monotropsis odorata*) has been observed on the north-facing slopes. These plants are quite rare east of the mountain province.

Of considerable geological interest is a small cave known as the Panther's Den. It is located near the base of a steep north-facing ravine. Surrounding the cave is a vertical wall of rock, whereas adjacent rocks have seepage passing over them.

Several notable animals inhabit the preserve. The Significantly Rare northern oak hairstreak (*Satyrrium fa-*

vonius ontario), is present at the top of the mountain and the locally rare brown elfin (*Callophrys augustinus*) is found on the smaller summit. Both of these butterflies are very rare in the Piedmont and appear to be restricted to very dry sites with considerable scrub vegetation. Both the scarlet tanager (*Piranga olivacea*) and the summer tanager (*P. rubra*) are found in summer on the mountain and presumably nest there.

The Eno River Aquatic Habitat is within the Oconeechee Mountain State Natural Area, approximately 600-700 feet from the Dedicated Nature Preserve in places. Rare aquatic species documented from this stretch of the Eno River include Roanoke bass (*Ambloplites cavifrons*) and Carolina darter (*Etheostoma collis*), and several freshwater mussels: Creeper (*Strophitus undulatus*), green floater (*Lasmigona subviridis*), notched rainbow (*Venustaconcha constricta*), yellow lampmussel (*Lampsilis cariosa*), and Eastern lampmussel (*Lampsilis radiata*). Forested areas along the river's edge would qualify for dedication and add to the protection of the aquatic habitat.

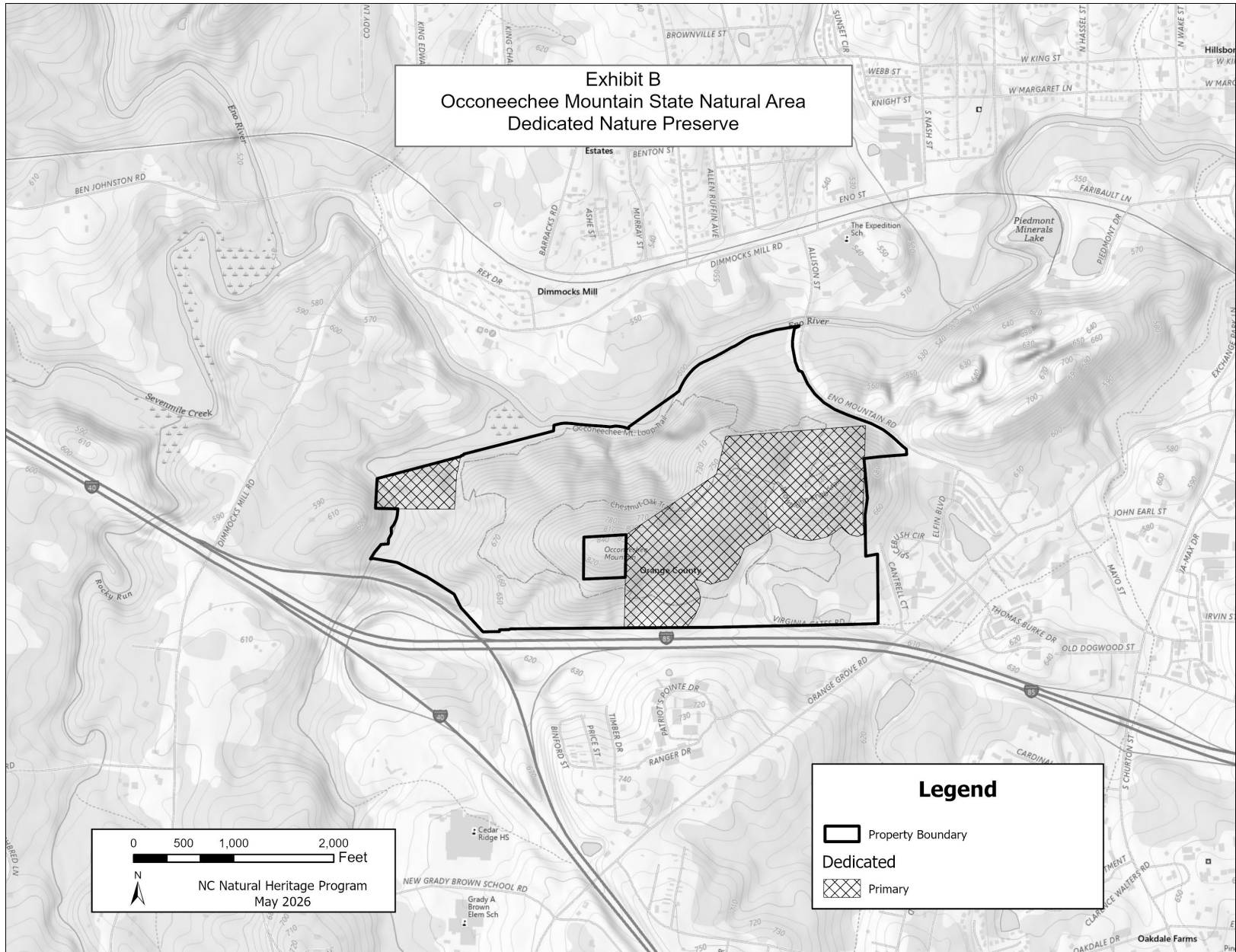
BOUNDARY JUSTIFICATION: The Dedicated area includes the areas with high quality and rare natural communities and rare species that were purchased with funding requiring formal conservation agreements. The riparian zones along the Eno River as well as other forests also qualify for dedication. The access road to the towers, and the adjacent road shoulders, are included in the Dedication as a previously disturbed area. Areas excluded from the dedication are the fields and ponds located in the southeastern corner of the property, successional pine forests, and a few peripheral areas, including the transmission line right-of-way outside the riparian zone. The boundary north of the two ponds is drawn at approximately the forest-field interface. Likewise, the boundary west of the ponds is drawn at the forest-field interface, which runs just behind the three houses located along the access road.

MANAGEMENT AND USE: The property will be managed as a State Natural Area and will be used for protection and interpretation of natural features and for public recreation. A network of hiking trails runs through the site. More extensive facilities are present outside of the dedicated area. The forests should be allowed to continue maturing and to remain as old-growth, and natural processes should generally be allowed to occur without interference. Prescribed burning has been done on parts of the mountain, and continued periodic burning is encouraged. Burning is not thought to be as necessary in the mesic and floodplain forests, but inclusion of them in burn units is appropriate.

Efforts should be made to protect the rock outcrop communities from excessive public trampling. Proliferation of non-native invasive plants is a threat to parts of the natural area. Several species are known problems, including Japanese stilt grass (*Microstegium vimineum*), Japanese honeysuckle (*Lonicera japonica*), and several others. Control of these plants is recommended, using carefully targeted means that will do minimal harm to associated native species or aquatic systems.

A picnic area, parking areas, and other facilities are located in the fields and other open areas to the southeast of the Dedicated area.

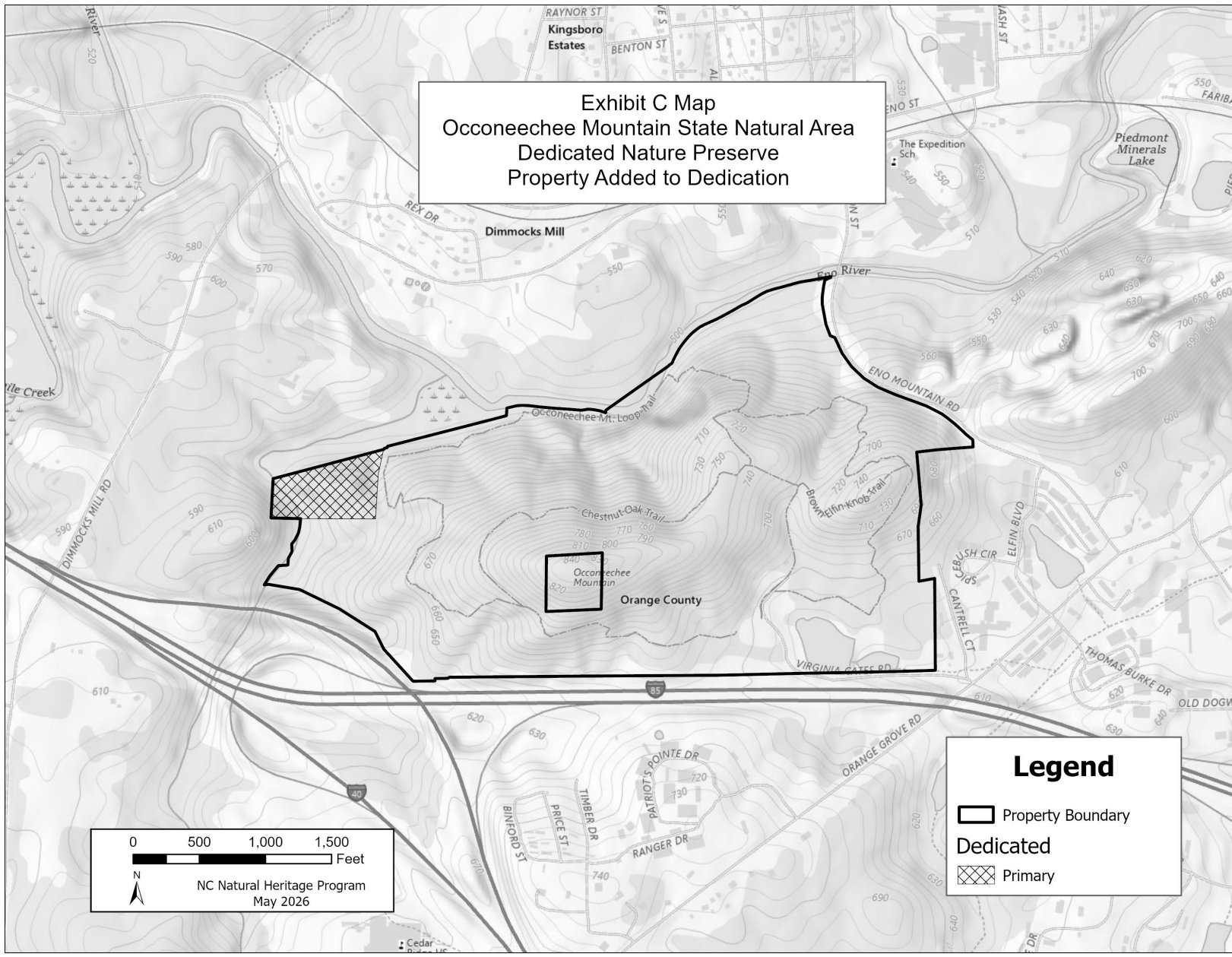
Exhibit B
Occoneechee Mountain State Natural Area
Dedicated Nature Preserve



0 500 1,000 2,000 Feet
N
NC Natural Heritage Program
May 2026

Legend
Property Boundary
Dedicated
Primary

Exhibit C Map
Oconeechee Mountain State Natural Area
Dedicated Nature Preserve
Property Added to Dedication



Legend

- Property Boundary
- Dedicated
- Primary

0 500 1,000 1,500 Feet

N

NC Natural Heritage Program
May 2026

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 Bluestem Conservation Cemetery Natural Area, consisting of approximately 32 acres is owned by Bluestem Community NC, Inc. [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 Bluestem Conservation Cemetery Natural Area supports good examples in good condition of several characteristic Piedmont natural communities: Dry-Mesic Oak—Hickory Forest, Mesic Mixed Hardwood Forest, Basic Mesic Forest, and Piedmont Alluvial Forest. Though affected by past land use, local selective cutting, and low density use for grave sites, the forest is mature and approaching natural condition. The site supports a population of the State Special Concern four-toed salamander (*Hemidactylium scutatum*).

AGREEMENT

The Registry Agreement is a mutual understanding between Bluestem Community NC, Inc. 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 consists largely of mature forests with some alteration by past land use, as well as 100-foot riparian zones on stream channels. The forests and riparian zones should generally be allowed to mature and remain in old-growth condition. Placement of graves in the uphill part of the forest will continue until all the designated grave sites are filled, with the understanding that graves are laid out at low density, are expected to be used over a period of years, and each grave is excavated only once in the history of the cemetery.

Control of non-native plant populations is encouraged, using targeted means that will not harm associated native vegetation. Broadcast spraying of herbicide should not be used.

Prescribed burning would be appropriate for the natural area and is encouraged for the oak-hickory forests in particular. Fires could be allowed to spread downhill to

the creeks or could be controlled using the trails as firebreaks. Prescriptions should be written for mild burns in the floodplains and mesic forests.

THEREFORE, it is agreed between the parties whose names are affixed below that the portions of the Bluestem Conservation Cemetery Natural Area owned by Bluestem Community NC, Inc. be entered on the official North Carolina Registry of Natural Heritage Areas on the ___ day of _____, 20__.

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 Bluestem Community NC, Inc. 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.

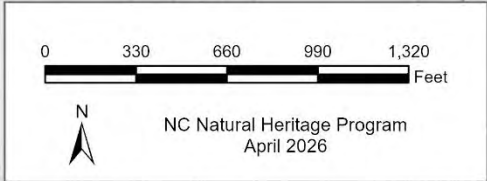
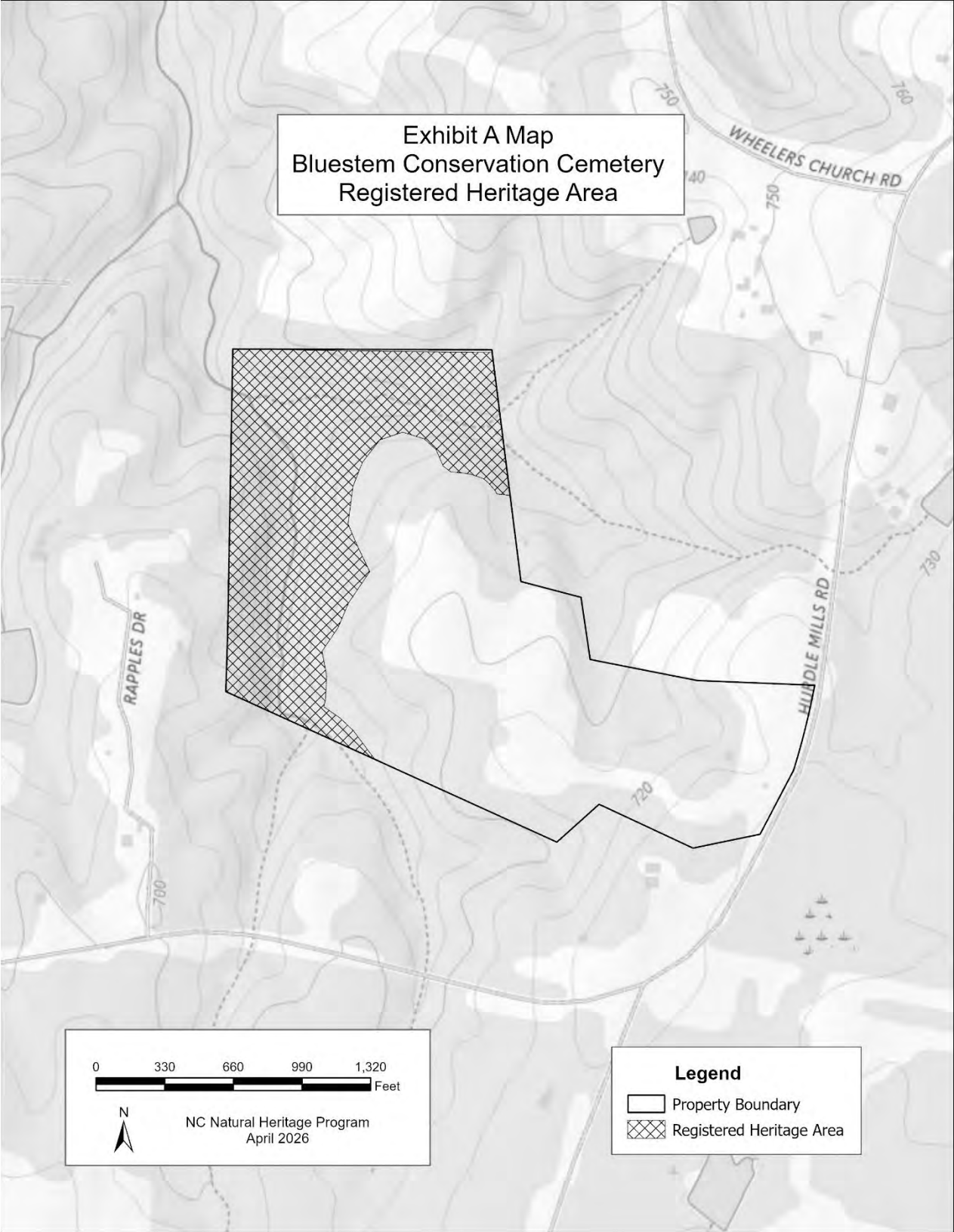
By _____
Jeff Masten, Managing Member
Bluestem Community NC, Inc
1900 Hurdle Mills Rd
Cedar Grove, NC 27231

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

Date: _____

Date: _____

Exhibit A Map
Bluestem Conservation Cemetery
Registered Heritage Area



NORTH CAROLINA REGISTRY OF NATURAL HERITAGE AREAS

Letter of Intent and Agreement to Register and Protect Natural Areas

WHEREAS, the Coldspring Gap, Willits Hornblende Slope and Licklog Falls Natural Areas owned by David Southworth Real Estate Holding LLC consisting of approximately 1,068 acres retain their natural character and support 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:

The lower slopes above a section of Scotts Creek have outcroppings of Hornblende Gneiss which are especially rich. This area is known as the Willits Hornblende Slope Natural Area and it supports six rare plant species: goldenseal (*Hydrastis canadensis*), Seneca snakeroot (*Senega officinalis*), meehania (*Meehania cordata*), glade spurge (*Euphorbia purpurea*), Aaron's-rod (*Thermopsis villosa*) and ginseng (*Panax quinquefolia*) as well as nine watch list plant species: orange-fruit horse-gentian (*Triosteum aurantiacum*), leatherwood (*Dirca palustris*), lanceleaf wild licorice (*Galium lanceolatum*), Goldie's fern (*Dryopteris goldieana*), butternut (*Juglans cinerea*), white bear sedge (*Carex albursina*), yellow honeysuckle (*Lonicera flava*), headwaters hornwort (*Nothoceros aenigmaticus*) and southern nodding trillium (*Trillium rugelii*). Cold Springs Gap Natural Area encompasses a Rich Montane Seep which is extensive and well developed. This natural area supports one of the largest populations in the state of American fly-honeysuckle (*Lonicera canadensis*), and additional rare plants including long-stalked holly (*Ilex collina*), Cuthbert's turtlehead (*Chelone cuthbertii*) and purple beebalm (*Monarda media*). Licklog Falls Natural Area supports additional areas of American fly-honeysuckle and Cuthbert's turtlehead as well as Rich Cove Forest (Montane Intermediate Subtype). Upslope from Licklog Creek is a small area of Rich Cove Forest (Boulderfield Subtype) on Boar Ridge in excellent condition. Brook trout (*Salvelinus fontinalis*) are known from three creeks within the registered area (Licklog Creek, Cashie Branch and Sugarloaf Creek) which are headwater tributaries of Scott Creek and the Tuckasegee River. Scott Creek and the Tuckasegee River are recognized as significant aquatic habitat, for a collection of rare species, including an important population of globally critically imperiled freshwater mussel Appalachian elktoe (*Alasmidonta raveneliana*).

AGREEMENT

The Registry Agreement is a mutual understanding between David Southworth Real Estate Holding 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 should be managed for the protection of natural communities, rare species, wildlife, and aquatic health. The registered area includes both the areas which support rare species and natural communities and areas which are important for aquatic habitat and species protection. This includes riparian areas within 200 ft of waterways, excluding areas which are already developed, as shown on attached map. The majority of these riparian areas are in an altered condition from a history of timber harvest, and leaving them in an undisturbed forested state is strongly recommended to protect and maintain intact aquatic systems.

Several standalone element occurrences are included in the registered area but are not part of one of the designated natural areas due to their isolated locations. The fragmented nature of the habitat on the property increases the importance of maintaining and restoring as much contiguous habitat as possible around these standalone element occurrences in order to maintain their viability.

Non-native invasive plant species are present in the registered area, particularly tree-of-heaven (*Ailanthus altissima*), and control and monitoring is recommended. Control measures should be carefully targeted to avoid impact to the associated native plants. The land surrounding the registered area is actively being developed, so best management practices to minimize erosion, such as use of silt fencing during construction, are recommended. To prevent new non-native invasive plant infestations, the use of native plants and seed mixes is encouraged within the preserve. The forested areas should be allowed to mature without disturbance towards old-growth condition. Rare plant populations on the preserve should be monitored to document population trends and this information shared with the NC Natural Heritage Program. Rare plant populations should be protected from impact, including making efforts to protect ginseng (*Panax quinquefolius*) from poaching, which has been reported in the past.

THEREFORE, it is agreed between the parties whose names are affixed below that the Coldspring Gap, Willits Hornblende Slope and Licklog Falls Natural Areas owned by David Southworth Real Estate Holding LLC be entered on the official North Carolina Registry of Natural Heritage Areas on the ___ day of _____, 2026.

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 David Southworth Real Estate Holding 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 _____
Signatory
David Southworth Real Estate Holding LLC

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

Date: _____

Date: _____

