Fiscal Note for Proposed Wildlife Conservation Land Program Rules for the Wildlife Resources Commission

Rule Amendments: 15A NCAC 10L .0101 Wildlife Conservation Land  
15A NCAC 10L .0102 Protected Animal Species  
15A NCAC 10L .0103 Priority Wildlife Habitats  
15A NCAC 10L .0104 Wildlife Reserve

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Impact Summary: State Government: Yes  
Local Government: No  
Private Impact: Yes

Authority: G.S. 113-134; 113-291.2; 105-277.15

BACKGROUND

The wildlife resources of the State belong to the people of the State, including the enjoyment of these resources (G.S. 113-131(a)). The Wildlife Resources Commission (hereinafter WRC or Commission) is tasked with the conservation of wildlife resources of the State (G.S. 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources. The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134).

INTRODUCTION

The Wildlife Conservation Land Program (WCLP), born out of G.S. 105-277.15, allows
landowners who have owned their property for at least five years to apply for a reduced property tax assessment, if they manage the land for protected wildlife species or priority wildlife habitats. Several additional requirements must also be met to qualify for this reduced assessment, including the completion of a Wildlife Habitat Conservation Agreement (WHCA) with the WRC.

SL 2018-95, found in Appendix A, expanded the land uses that can qualify for reduced tax assessment under this program. It provided that land that is actively and regularly used as a reserve for hunting, fishing, shooting, wildlife observation, or wildlife activities can qualify if specified activities are maintained on the land. SL 2018-95 also directs the WRC to adopt rules necessary to administer the inspection and activity requirements by which land can qualify under this expansion.

The expansion of this reduced tax assessment program is the focus of this fiscal note. The impacts of this expansion, including the conservation outcomes as well as the economic impacts to landowners and local governments form the baseline for analysis. While the proposed Rules restate the requirements of the WCLP program as found in SL 2018-95 for the convenience of the our regulated community, the impact analysis is limited to the defining of the required management activities and establishing the process and requirements for the quinquennial inspection.

The full text of the rules proposed for adoption can be found in Appendix B.

RULE DESCRIPTION

Please see below for a brief description of each proposed rule:

15A NCAC 10L .0101 – Incorporates into rule the basic framework by which land can qualify for reduced tax assessment, pursuant to G.S. 105-277.15. Sets out the three different land management activities that qualify for the Wildlife Conservation Land Program.

15A NCAC 10L .0102 – Provides clarification to G.S. 105-277.15(c)(3)(a)(1), setting forth what animals qualify as a “protected animal” for the purposes of qualifying land as wildlife conservation land.

15A NCAC 10L .0103 – Provides clarification to G.S. 105-277.15(c)(3)(a)(2) on how management strategies to conserve priority wildlife habitat can qualify land as wildlife conservation land.

15A NCAC 10L .0104 – Establishes in rule the land management activities set out in G.S. 105-277.15(c)(3)(a)(3) for land that is actively and regularly used as a “reserve” to qualify as wildlife conservation land. Defines the land management activities that must be present and maintained on qualifying land. This Rule is the primary focus of this fiscal note and represents an expansion of the categories of land that qualify as wildlife conservation land.
WILDLIFE CONSERVATION LAND PROGRAM

Prior to SL 2019-95

The WLCP, established by the WRC in response to SL 2008-171 (codified as G.S. 105-277.15), allows landowners meeting the specified use requirements of the WCLP to apply for a reduced tax assessment in the county for which the land is located.\(^1\)

Currently, land enrolled in the N.C. Present-Use-Valuation (PUV) program and classified as agricultural, horticultural, or forest land is assessed by counties at a reduced value. The WCLP is similar to PUV in that landowners must still apply to their county tax office for a property tax deferment, but the WCLP is separate and distinct from the PUV program. However, qualifying wildlife conservation land must be appraised and assessed as if it were classified under PUV as agricultural land.

In order to qualify, land must be managed under a WHCA with the WRC that meets one or both of the following land use criteria:

1. Land used to conserve priority wildlife habitats identified in G.S. 105-277.15; and/or
2. Land used for the protection of a wildlife species listed in 15A NCAC 10I. 0100.

The WHCA must document the presence of a protected wildlife species or the existence of one or more of the priority habitats and describe the management strategies in place or planned with appropriate timelines to ensure the continued existence of the priority habitat and/or the protected species.

WCLP Post SL 2018-95

Effective for taxable years beginning on or after July 1, 2019, SL 2018-95 extended the reduced tax assessment treatment and classification to land that is “...actively and regularly used as a reserve for hunting, fishing, shooting, wildlife observation or wildlife activities,...”. Additionally, it required the WRC to adopt rules necessary to administer the inspection requirements of and activities mandated therein. As such, the WCLP, as it existed prior to SL 2018-95 has been incorporated into proposed Rules 15A NCAC 10L .0101 - .0103 as a practical approach to these similarly managed qualifications and requirements. This establishes a comprehensive regulatory scheme while providing clear guidance for our regulated public. The focus of this fiscal note is the estimated impacts of the WCLP expansion pursuant to SL 2019-95 and not the previously established aspects of the WCLP, which were incorporated into rule for convenience and practicality.

As noted above, the WRC was tasked with promulgating rules for the inspection and use requirements set out in SL 2018-95. These requirements can be found in proposed Rule 15A NCAC 10L .0104 - Wildlife Reserve. Landowners that desire to qualify for a reduced tax assessment under this criteria must manage the land, pursuant to a WHCA, as a reserve for

\(^1\) Landowners must also demonstrate that the land in question meets specified size and ownership requirements set out in G.S. 105-277.15. However, the WRC has no statutory role in evaluating these requirements.
hunting, fishing, shooting, or wildlife observation or activities. Additionally, land enrolled under this criteria must be inspected by a certified wildlife biologist at least once every five years to ensure that at least three of the seven specified management activities are maintained. These seven management activities are supplemental food, supplemental water, supplemental shelter, habitat control, erosion control, predator control, and census of animal population on the land.

WRC staff, as required by SL 2018-95, had the difficult task of defining these management activities for our regulated public. The proposed definitions can be found in 15A NCAC 10L .0104(b)(1-7), included in Appendix B. The WRC employed a comprehensive and exhaustive methodology in arriving at these definitions, including a collaborative staff task force comprised of wildlife, fisheries, and land management professionals. Additionally, a comparative analysis of other states with similar reduced tax assessment programs was conducted. Furthermore, in establishing these definitions, an emphasis was placed on furthering legislative intent of tax-based incentives to encourage the conservation of land for wildlife purposes, thus striking a balance between the cost of compliance with required management activities and potential reduced tax assessment savings. After several meetings, staff decided that the proposed definitions represent a balanced, science-based approach for North Carolina landowners.²

The WRC was also directed to promulgate rules for the quinquennial or once every five years inspection of land to ensure that the chosen land activities are active and maintained. The WRC has proposed in rule that these required inspections can be conducted by a wildlife biologist employed by a state or federal agency, a Certified Wildlife Biologist® credentialed by the Wildlife Society, or a Certified Fisheries Professional credentialed by the American Fisheries Society. Currently, there is no fee associated with inspections conducted by WRC wildlife biologists. However, as a range of wildlife biologists and Certified Fisheries Professionals can conduct the five-year inspection, it is unknown if and what charges or fees may apply.

IMPACT ANALYSIS

State Impact

In order to develop the required WHCA, a wildlife biologist employed by the WRC must inventory the land proposed to be in the WCLP and then draft the agreement. This requires the wildlife biologist to travel to the location, perform a comprehensive review of the land, and then incorporate the unique aspects of the land and the landowner’s chosen land management activities into the agreement. It is estimated that this process requires about eight hours of work time for the land review and an additional eight hours to draft the agreement, totaling two days of work time in total. Establishing $45,00 as a reasonable average of the annual salary of WRC wildlife biologists and excluding the minimal costs of gas, supplies, etc., the two days of work to complete the WHCA represents a $346 cost to the WRC and State. However, at this time the WRC does not know and has no mechanism to estimate how many landowners may request to enroll into this expansion of the WCLP. Understanding this, the associated costs of developing a WHCA represents a minimal cost or impact to the State.

² See Appendix C for an excerpt of the WCLP guidance document which contains additional information regarding the seven management activities.
Additionally, if WRC wildlife biologists were to conduct any of the five-year inspections there would be a cost to the agency and State. It is estimated that this inspection would require six hours of work. That includes the physical inspection of the land and completing the required form. Building off the above annual salary for a WRC biologist, this six-hour commitment of work time represents a $130 cost to the WRC and State. Of course, the WRC has no mechanism to determine how many, if any at all, five-year inspections WRC wildlife biologists would be asked to conduct.

No other fiscal impacts to the State are expected from these proposed Rules.

Local Impact

Proposed Rules 15A NCAC 10L .0101 - .0104 have no direct impact on local government tax revenues, as the WRC is only mandated to adopt rules for land management activities and inspection requirements. Due to this limited role, this fiscal note does not analyze or contemplate the broader fiscal impact of the wildlife conservation land expansion on local government. Furthermore, the ultimate decision as to land qualifying for a reduced tax assessment lies with the tax assessor in the county where the land is located.

Private Impact

Overall, the statutory expansion of land that can be assessed on a reduced tax basis as wildlife conservation land pursuant to SL 2018-95 is a benefit to private citizens. However, as previously mentioned, the impact analysis of this fiscal note is limited to the defining of the required management activities and associated inspection processes and requirements.

As noted before, the WRC staff had the difficult task of defining the seven required management activities promulgated as part of this statutory expansion. The importance of these definitions and how they affect private individuals cannot be understated. They must clearly convey the WRC’s expectations of the regulated public (i.e. private individuals) as far as what is being agreed to in the WHCA, as well as the efforts or actions that are expected to be implemented and maintained when the property is inspected for compliance with said WHCA.

In arriving at the proposed definitions, the WRC employed a comprehensive and exhaustive methodology, including a collaborative staff task force comprised of wildlife, fisheries, and land management professionals. However, enacting legislative mandates on the ground at the WRC inevitably requires trade-offs, usually between perceived legislative intent juxtaposed with biological realities. Understanding this, staff focused on definitions that would provide a true benefit to wildlife on the land while not precluding participation due to seemingly burdensome and costly standards or requirements.

For example, there was in-depth discussion surrounding the first three activities: supplemental food, supplemental water, and supplemental shelter (G.S. 105-277.15(c)(3)(a)(3)). As these activities are described as supplemental, it was decided that this meant a sustained or perpetual supply of food, water, or shelter that was in addition to what was already naturally available on the landscape. As such, adding birdseed or deer feed to the land as supplemental food may technically fulfill the requirement of the law, but it does not provide a lasting benefit to the wildlife on the land or conservation in general. However, planting a wildlife food plot fulfills the law and increases the available nutrition for wildlife, as well as influence movements, abundance, and visibility of wildlife.
Additionally, it is understood that several of the required activities may overlap, supplemental food could indirectly be provided as a result of habitat control. Understanding this, staff aimed to define these requirements so that there was a clear distinction between activities.

In the end, WRC staff are confident that the proposed definitions represent a balanced, science-based approach for North Carolina landowners, encouraging participation and resulting tax-savings while furthering conservation goals.

One associated cost that landowners desiring to enroll land into the WCLP based on the statutory expansion may incur is in regards to the required five-year inspection. However, this depends on the individual and who they request to complete this inspection. As the five-year inspection can be completed by a wildlife biologist employed by a state or federal agency, a Certified Wildlife Biologist® credentialed by the Wildlife Society, or a Certified Fisheries Professional credentialed by the American Fisheries Society. Currently, there is no fee associated with inspections conducted by the WRC. However, it is unknown whether there would be a fee associated with a five-year inspection conducted by another agency or individual.
AN ACT TO EXPAND THE TYPES OF LAND THAT CAN QUALIFY FOR PRESENT-USE VALUE TAXATION AS WILDLIFE CONSERVATION LAND.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 105-277.15 reads as rewritten:

"§ 105.277.15. Taxation of wildlife conservation land.

(a) Definitions. – The following definitions apply in this section:

(1) Business entity. – Defined in G.S. 105-277.2.

(2) Family business entity. – A business entity whose members are, directly or indirectly, individuals and are relatives. An individual is indirectly a member of a business entity if the individual is a member of a business entity or a beneficiary of a trust that is part of the ownership structure of the business entity.

(3) Family trust. – A trust that was created by an individual and whose beneficiaries are, directly or indirectly, individuals who are the creator of the trust or a relative of the creator. An individual is indirectly a beneficiary of a trust if the individual is a beneficiary of another trust or a member of a business entity that has a beneficial interest in the trust.

(4) Member. – Defined in G.S. 105-277.2.

(5) Relative. – Defined in G.S. 105-277.2.

(b) Classification. – Wildlife conservation land is designated a special class of property under Article V, Section 2(2) of the North Carolina Constitution and must be appraised, assessed, and taxed in accordance with this section. Wildlife conservation land classified under this section must be appraised and assessed as if it were classified under G.S. 105-277.3 as agricultural land.

(c) Requirements. – Land qualifies as wildlife conservation land if it meets the following size, ownership, and use requirements:

(1) Size. – The land must consist of at least 20 contiguous acres.

(2) Ownership. – The land must be owned by an individual, a family business entity, or a family trust and must have been owned by the same owner for the previous five years, except as follows:

a. If the land is owned by a family business entity, the land meets the ownership requirement if the land was owned by one or more members of the family business entity for the required time.

b. If the land is owned by a family trust, the land meets the ownership requirement if the land was owned by one or more beneficiaries of the family trust for the required time.

c. If an owner acquires land that was classified as wildlife conservation land under this section when it was acquired and the owner continues to use the land as wildlife conservation land, then the land meets the ownership requirement if the new owner files an application and signs
the wildlife habitat conservation agreement in effect for the property within 60 days after acquiring the property.

(3) Use. – The land must meet all of the following requirements:

a. The land must be managed under a written wildlife habitat conservation agreement with the North Carolina Wildlife Resources Commission that is in effect as of January 1 of the year for which the benefit of this section is claimed and that requires the owner to do one or more of the following:

1. Protect an animal species that lives on the land and, as of January 1 of the year for which the benefit of this section is claimed, is on a North Carolina protected animal list published by the Commission under G.S. 113-333.

2. Conserve any of the following priority animal wildlife habitats: longleaf pine forest, early successional habitat, small wetland community, stream and riparian zone, rock outcrop, or bat cave.

3. Create and actively and regularly use as a reserve for hunting, fishing, shooting, wildlife observation, or wildlife activities, provided that the land is inspected by a certified wildlife biologist at least quintennially to ensure that at least three of the seven activities listed in this sub-sub-diviision are maintained to propagate a sustaining breeding, migrating, or wintering population of indigenous wild animals for human use, including food, medicine, or recreation. The Commission shall adopt rules needed to administer the inspection requirements of and activities mandated by this sub-sub-diviision.

   I. Supplemental food.
   II. Supplemental water.
   III. Supplemental shelter.
   IV. Habitat control.
   V. Erosion control.
   VI. Predator control.
   VII. Census of animal population on the land.

b. For land used pursuant to sub-sub-divisions 1 or 2 of sub-diviision a. of this subdivision, it must have been classified under G.S. 105-277.3 when the wildlife habitat conservation agreement was signed or the owner must demonstrate to both the Wildlife Resources Commission and the assessor that the owner used the land for a purpose specified in the signed wildlife habitat conservation agreement for three years preceding the January 1 of the year for which the benefit of this section is claimed.

(d) Restrictions. – The following restrictions apply to the classification allowed under this section:

(1) No. For land used pursuant to sub-sub-division 3. of sub-sub-diviision a. of subdivision (3) of subsection (c) of this section, no more than 800 acres of an owner’s land in a county may be classified under this section. For all other land classified under this section, no more than 100 acres of an owner’s land in a county may be classified under this section.
(2) Land owned by a business entity is not eligible for classification under this section if the business entity is a corporation whose shares are publicly traded or one of its members is a corporation whose shares are publicly traded.

(e) Deferred Taxes. – The difference between the taxes that are due on wildlife conservation land classified under this section and that would be due if the land were taxed on the basis of its true value is a lien on the property. The difference in taxes must be carried forward in the records of each taxing unit as deferred taxes. The deferred taxes for the preceding three fiscal years are due and payable in accordance with G.S. 105-277.1F when the land loses its eligibility for deferral as a result of a disqualifying event. A disqualifying event occurs when the property no longer qualifies as wildlife conservation land.

(f) Exceptions to Payment. – No deferred taxes are due in the following circumstances and the deferred taxes remain a lien on the land:

(1) When the owner of wildlife conservation land that was previously classified under G.S. 105-277.3 before the wildlife habitat conservation agreement was signed does not transfer the land and the land again becomes eligible for classification under G.S. 105-277.3. In this circumstance, the deferred taxes are payable in accordance with G.S. 105-277.3.

(2) When land that is classified under this section is transferred to an owner who signed the wildlife habitat conservation agreement in effect for the land at the time of the transfer and the land remains classified under this section. In this circumstance, the deferred taxes are payable in accordance with this section.

(g) Exceptions to Payment and Lien. – Notwithstanding subsection (e) of this section, if land loses its eligibility for deferral solely due to one of the following reasons, no deferred taxes are due and the lien for the deferred taxes is extinguished:

(1) The property is conveyed by gift to a nonprofit organization and qualifies for exclusion from the tax base under G.S. 105-275(12) or G.S. 105-275(29).

(2) The property is conveyed by gift to the State, a political subdivision of the State, or the United States.

(h) Administration. – An owner who applies for the classification allowed under this section must attach a copy of the owner’s written wildlife habitat agreement required under subsection (c) of this section. An owner who fails to notify the county assessor when land classified under this section loses its eligibility for classification is subject to a penalty in the amount set in G.S. 105-277.5.

SECTION 2. This act is effective for taxes imposed for taxable years beginning on or after July 1, 2019.

In the General Assembly read three times and ratified this the 15th day of June, 2018.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 10:54 a.m. this 25th day of June, 2018

House Bill 320 Session Law 2018-95 Page 3
APPENDIX B

15A NCAC 10L .0101  WILDLIFE CONSERVATION LAND

(a) Wildlife Conservation Land is land that meets the size and ownership requirements in G.S. 105-277.15 and on which one or more of the use requirements in subsection (b) of this Rule are met and maintained by the owner under a written Wildlife Habitat Conservation Agreement with the NC Wildlife Resources Commission that is submitted by the landowner to the county where an application for reduced property tax assessment is requested.

(b) Wildlife Conservation Land is a type of land on which one or more of the following three types of management actions are maintained by the owner:

(1) The protection of priority species;
(2) The conservation of priority wildlife habitats; or
(3) Land managed and actively used as a wildlife reserve.

History Note: Authority G.S. 105-277.15:
15A NCAC 10L .0102  PROTECTED ANIMAL SPECIES

(a) Protected animal species shall include those designated by the Commission as endangered, threatened, or special concern pursuant to G.S. 113-333 in 15A NCAC 10I .0100.

(b) At least one protected wildlife species has been identified on the land at the time the benefit is claimed.

(c) The landowner shall manage the land to protect the species through appropriate strategies identified in the Wildlife Habitat Conservation Agreement.

History Note:  Authority G.S. 105-277.15;
APPENDIX B

15A NCAC 10L .0103 PRIORITY WILDLIFE HABITATS

(a) At least one of the priority habitats in G.S. 105-277.15(c)(3)(a)(2) shall be present on the land or planned for establishment, subject to qualifications specified in G.S. 105-277.15 (c)(3)(b).

(b) The management strategies are in place or are planned with appropriate timelines to ensure the continued existence of the priority habitat as identified in the Wildlife Habitat Conservation Agreement.

History Note: Authority G.S. 105-277.15;
15A NCAC 10L .0104 WILDLIFE RESERVE

(a) A wildlife reserve is a type of wildlife conservation land that is created to be actively and regularly used as a reserve for hunting, fishing, shooting, wildlife observation, or wildlife activities, upon which wildlife management activities are conducted to ensure the propagation of a sustaining breeding, migrating or wintering population of indigenous wild animals. Land primarily managed and maintained primarily for human uses such as large lawns, golf courses, horse pastures, production agricultural fields, monoculture hayfields, solar energy, and commercial timber stands shall not qualify as wildlife reserve land.

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

(1) "supplemental food" is annual or perennial noninvasive plantings that provide a direct or indirect source of food or nutrition for wildlife resources.

(2) "supplemental water" is artificial water features or sources that are created or installed for the benefit of wildlife resources.

(3) "supplemental shelter" is natural or artificial structures that are created or installed to provide shelter from the weather, nesting sites, or escape cover from predators. Supplemental shelter may include the addition of natural or artificial structures into aquatic habitats.

(4) "habitat control" is managing upland, wetland, riparian, or aquatic vegetation or physical aquatic habitat using practices to establish, restore, enhance, or maintain the natural community type(s) listed in Paragraph (b) of this Rule.

(5) "erosion control" is the implementation of practices to prevent, reduce, or minimize soil erosion. Practices may include streambank and in-stream channel stabilization. Practices established for erosion control shall not be known to harm wildlife or include invasive plant species.

(6) "predator control" is a practice implemented to reduce the abundance of a species or suite of species that preys on any life stage of wildlife species for which the land is managed. Predator control includes removal of invasive animal species to manage or protect wildlife or wildlife habitats.

(7) "census of animal population on the land" is conducting or participating in periodic surveys and inventories to determine the presence, number, composition, biological condition, or human use of wildlife.
(c) Qualifying land shall be inspected at least once every five years following the date that the conservation agreement is signed to ensure that at least three of the seven activities in Subparagraphs (b)(1) through (7) of this Rule are maintained.

(1) A wildlife biologist employed by a state or federal agency, a Certified Wildlife Biologist® credentialed by the Wildlife Society, or a Certified Fisheries Professional credentialed by the American Fisheries Society shall perform the inspection of qualifying land.

(2) Inspections shall be recorded by the wildlife biologist on a form provided by the Commission. The landowner shall submit the completed form to the county Tax Assessors office during the open enrollment period for the year that the inspection is due.

History Note: Authority G.S. 105-277.15;
APPENDIX C

Wildlife Reserve Land Management Activities

Appendix III: Wildlife Reserve Land Management Activities

The Wildlife Reserve Land (Criterion 3) of the Wildlife Conservation Lands Program (WCLP) is land that is actively and regularly used as a reserve for hunting, fishing, shooting, wildlife observation, or wildlife activities. Land primarily used and managed to maintain other human uses such as large lawns, golf courses, production agricultural fields, monoculture hayfields, and commercial timber stands provide limited wildlife habitat value and will not qualify as wildlife reserve land.

To qualify for this criterion the land must meet all ownership types, acreage minimum, and ownership tenure requirements of the WCLP and be managed according to a Wildlife Habitat Conservation Agreement (WHCA) between the landowner and the North Carolina Wildlife Resources Commission (NCWRC). The WHCA must document that at least three of the seven management activities prescribed by law exist or will be implemented on the enrolled acreage. General descriptions of the seven management activities are provided below.

Supplemental Food

Supplemental food is defined as annual or perennial noninvasive plantings established and maintained to provide a direct or indirect source of food or nutrition for wildlife resources. The typical description of this activity is a “food plot”. Plot location should receive enough sunlight to successfully grow the plants to be established. This may require trees and debris be removed to make plots viable. In addition, soil condition should be evaluated and amended to ensure proper fertility and pH. Areas with heavily compacted soil, such as pastures and logging decks, may require sub-soiling or other methods to break up compacted soils and increase productivity. NCWRC biologist will provide plot specifications to meet desired goals.

- Plot established with herbaceous species: Clover, millet, grain sorghum, wheat, corn, soybeans, peas, turnips, chicory and alfalfa are just a few of the species which are typically planted for food plots. These plots serve as an attractant for hunting and wildlife viewing opportunities. Depending on the acreage of the plot and the condition of the surrounding landscape some nutritional benefit may be realized from these plots as well. There is a great deal of information available from academic research and commercial vendor advertisements to assist with seed selection. Where possible, incorporate no-till planting techniques to maintain soil health and fertility, increase invertebrate populations, reduce weed competition and limit erosion in the plots.

- Plot established with native pollinator habitat: Plantings dominated by native wildflower species can provide significant benefit for native bees, wasps, butterflies and moths. These plantings also provide seed for songbirds and increase food for insectivores. Plantings should include multiple species which flower throughout the spring, summer and fall. A minimum of 9 native flowering herbaceous species should be included in these mixtures. Native flowering shrubs may be included in plots to add bloom diversity and structure. Site preparation is critical in getting these species established and care
should be taken to effectively control weeds before planting. More information can be found online at the [NC Pollinator Conservation Alliance](https://ncpollinatorconservationalliance.org) and the [Xerces Society](https://xerces.org) websites.

- Mast producing tree/shrub establishment: Trees that produce fruits consumed by wildlife are referred to as mast producing species. Common mast species include persimmon, oak, hickory, pear, crabapple, and beech. Less often thought of mast species include grape, dogwood, elderberry, sumac and native plums. Species of plants to establish will depend on the wildlife species of interest.

### Supplemental Water

Supplemental water includes existing man-made water features as well as those that will be installed or maintained for the benefit of wildlife resources. Surface water and wetlands are critical for many species of native living creatures. Care should be taken to maintain these habitat types to enhance recreation opportunities and increase species diversity. NCWRC biologist will provide management specifications to meet desired goals.

- Perennial pond/lake: The vast majority of ponds and lakes in North Carolina are man-made. Terms such as fish pond, farm pond or reservoir are often used to describe these bodies of water. Water quality should be protected in these ponds/lakes. Where possible, shrubby cover should be maintained along the banks, and natural woody debris should be retained to increase habitat and invertebrate diversity.

- Impoundment w/ control structure: Impoundments which are installed with water control structures can provide important habitat for waterfowl, wading birds and amphibians. Vegetation management and drawdown periods can greatly impact habitat quality within these impoundments. Food value can be improved by planting grain crops during the draw down or using moist soil management to improve vegetation diversity. Impoundment design and water level management may be tailored to provide breeding habitat for amphibians such as frogs and salamanders.

- Intermittent pools: These pools do not have a water control structure but do periodically dry up. Their intermittent nature results in no fish inhabiting the pools. The absence of fish predation makes these pools important for amphibians. Installing and managing these often-overlooked wetlands can benefit declining species.

- Other waterbodies and wetland features may qualify as supplemental water. The NCWRC must approve additional qualifying sources in writing for inclusion in the WHCA.
Supplemental Shelter

Supplemental shelters are natural or artificial structures created and installed to provide shelter from the weather, nesting sites, or escape cover from predators. Structures installed in aquatic habitats meet criteria for this activity. The prescribed quantity and recommended design of structures will be dependent on the current condition of the property as well as the needs of targeted wildlife species. NCWRC biologist will provide detailed specifications for type, location and quantity of structures to meet desired goals. Simply installing a structure is not the end of the responsibility. To make sure use of the structure is maximized, annual inspection and maintenance is needed. The following links provide valuable information on building, installing and maintaining various types of shelter.

- Building Songbird Boxes
- North Carolina Wood Ducks
- Building an Osprey Platform
- Bat Houses
- Woodland Wildlife Nest Boxes
- Nests for Native Bees
- Snags and Downed Log
- Brush Pile Construction
- Pond Management Guide

There are many types and designs of supplemental shelter. It is the landowner’s responsibility to confirm that any changes to shelter specification are approved in writing by NCWRC staff. This approval will be retained, attached to WHCA and available during periodic agreement review.

Habitat Control

Habitat control is managing upland, wetland, riparian, or aquatic sites using practices to establish, restore, enhance, or maintain a natural community type(s) identified in the 2015 NC Wildlife Action Plan. These natural communities provide critical habitat for many species of native animals both common and rare. In fact, some species of wild animals require a specific natural community to survive. These animals which have a very specific habitat type are often referred to as specialists. Where these natural communities exist on the landscape efforts to maintain their uniqueness should be a priority. NCWRC biologist can aid in identify these natural communities and develop detailed specifications to maintain their natural significance.

Some examples of habitat control to manage a natural community include:
- Prescribed burning in open forest stands to enhance groundcover
- Establish native herbaceous vegetation to develop early succession habitats
- Tree and shrub planting to improve diversity and structure
• Fence livestock from surface water areas to enhance aquatic and terrestrial habitats
• Manage forest to develop and maintain climax natural community
• Herbicide treatment to control undesirable vegetation
• Manage early succession with disking or prescribed burning
• Manage early succession or bog with rotational grazing
• Install structures to allow passage for aquatic or semi aquatic species

There are many types of natural communities and even more methods to enhance and maintain these areas. Management options should be discussed with NCWRC biologists and decisions of selected management methods documented in writing as part of the habitat agreement. Clearly document methodology, goals and maintenance needs to ensure the requirements of the WHCA are met.

Erosion Control

Erosion Control is the implementation of practices to prevent, reduce, or minimize soil erosion. Erosion reduces habitat quality in both terrestrial and aquatic systems. Movement of soil by wind and water reduces fertility and soil biology of upland sites. Sediment washing into creeks, streams and rivers is the top water pollutant in North Carolina. Limiting erosion can increase dissolved oxygen levels in a water course, improve aquatic organism reproductive success and maintain potability for a wide range of species. Practices established for erosion control shall not be known to harm wildlife or include invasive plant species. NCWRC Biologist can provide guidance in developing specifications to address erosion concerns.

Examples of management practices to address erosion on your property include:
• Streambank stabilization
• In-stream channel stabilization
• Grading, shaping and establishing vegetation to reduce erosion
• Grade, stabilize, water control structures on active roads
• Filter strip installation
• Riparian buffer installation
• Sediment catch basin installation
• Exclude future traffic from road
• Other (attach description for approval by NCWRC staff)

Predator Control

Predator control is implemented to reduce the abundance of a species or suite of species that preys on any life stage of wildlife species for which the land is managed. While predators are most often thought of as an animal that catches, kills and eats another animal, nest predators
which destroy nests or consume eggs of ground nesting birds and reptiles should not be
overlooked as a source of significant mortality. For the purpose of the WHCA, predator control
also includes removal of non-native invasive animal species to manage or protect wildlife
and their habitats. All laws must be adhered to where predator control is part of a WHCA.

- Trapping - In Season by licensed trapper: While not as common as it once was, trapping
is still an activity which many citizens participate in. Whether a landowner traps on their
own property or allows a licensed trapper to access their property this can be an effective
tool to remove fur bearing predators from a tract of land. For more information visit the
Trapping in North Carolina.

- Trapping for species conservation: There are some situations in which landowners may
trap predators outside of normal trapping seasons. Most often these conditions require a
special permit or must occur in a depredation scenario. More information can be found
on the NCWRC depredation webpage.

- Swine trapping/shooting to protect habitats: Feral swine are a very destructive non-native
animal species. Their voracious feeding style can damage soil, degrade plant
communities and directly impact populations of ground nesting birds, reptiles,
amphibians, mammals and insects. Swine are prolific breeders, having multiple litters of
piglets each year and the young can reproduce as early as 6 months old. More
information can be found at the NCWRC feral swine webpage.

- Predator hunting: A single landowner’s effort to kill predators by hunting will have little
impact on the population across the landscape. In most instances quality habitat with
prey populations will attract predators from surrounding properties. Killing one or two
individual predators from a property will allow space for another individual to move in.
Successful predator control requires intensive effort maintained over long periods.
Seasons and regulations for most predator species can be found on the NCWRC small
game and other seasons webpage.

- Other predator control measures may qualify under this management activity. These
must be defined and approved in the WHCA.

Census of Animal Populations

Census of animal populations is conducting or participating in periodic surveys and
inventories to determine the presence, number, composition, biological condition, or human use
of wildlife. Due to the transient nature of wildlife and typical land ownership patterns across
much of North Carolina, qualifying census or survey must be part of an organized effort or
protocol approved in the WHCA. Several qualifying efforts are listed below however, other
projects may meet the criteria for this management activity. To reduce future misinterpretations
the landowners should confirm, in writing, that the project they wish to participate in meets NCWRC criteria.

Census / Survey efforts

- NC WRC Deer Hunter Observation Survey
- NC WRC Turkey Brood Survey
- NC WRC Avid Grouse, Quail, Rabbit Hunter Survey
- NC WRC Deer Management Assistance Program
- North Carolina’s Candid Critters
- Dragonfly Pond Watch Program
- Bumble Bee Watch
- Native Buzz
- The Great Sunflower Project
- The Great Backyard Bird Count
- Christmas Bird Count
- Hummingbirds at Home
- NestWatch
- FrogWatch USA
- Osprey Watch
- eBird
- iNaturalist
- Project FeederWatch
- US Nightjar Survey Network
- North American Breeding Bird Survey
- Calling Amphibian Survey Program
- Other (Protocol details, approved by NCWRC staff, must be attached):