

Burgos, Alexander N

Subject: FW: RFC for 15A NCAC 10D .0260

From: Peaslee, William W <bill.peaslee@oah.nc.gov>

Sent: Tuesday, June 17, 2025 10:23 AM

To: Casola, William <william.casola@ncwildlife.gov>

Cc: Ruhlman, Carrie A <carrie.ruhlman@ncwildlife.gov>; Burgos, Alexander N <alexander.burgos@oah.nc.gov>

Subject: RE: RFC for 15A NCAC 10D .0260

Will,

Thank you for your email.

Does the Commission determine the boundaries of the Pisgah Game Land?

Does the Commission determine the boundaries of the named tracts?

Does the Commission determine the boundaries of the “Wilson’s Creek portion”?

What are the “authorized uses” of posted trails? Where is this defined?

Thank you in advance for your prompt reply.

William W. Peaslee

Rules Review Commission Counsel / Legislative Liaison

Office of Administrative Hearings

1711 New Hope Church Road

Raleigh NC, 27609

(984) 236-1939

Bill.Peaslee@oah.nc.gov

Email correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties by an authorized state official.

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REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Wildlife Resources Commission

RULE CITATION: 15A NCAC 10D .0260 Temporary

DEADLINE FOR RECEIPT: June 19, 2025

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Generally, to the Rule: There are various "tracts" named in the rule. In what rule are the tracts defined?

The boundaries of individual tracts are not defined in rule, instead maps are publicly available and free of charge on our website. Our constituency is accustomed to referencing maps when recreating on our properties

Line 6: Where is "Pisgah" Game Land defined?

Game Lands are generally defined in G.S. 113-129 as "Lands owned, allocated to, leased, controlled, or cooperatively managed by the Wildlife Resources Commission." Pisgah Game Land is a national forest owned by the US Forest Service and cooperatively managed by the Commission. Like other state agencies tasked with land management (e.g., NC State Parks, NC Forest Service), the boundaries of individual properties are not defined in rule, instead maps are publicly available and free of charge on our website.

Line 11: How are the trails "designated"?

Trails are marked on game land maps and posted at their trailhead.

Line 11: How does the public know if a trail is designated?

Designated trails are marked on game land maps, and our constituency is accustomed to referencing maps when recreating on our properties. The public is generally accustomed to looking at maps and reading signs at recreational properties.

Line 18: Define "activities."

We have reworded the rule, removing the ambiguous term "activities" and mirroring language currently found in 10D .0102(b).

William W. Peaslee
Commission Counsel

Date submitted to agency: June 12, 2025

Line 18: How is the “use” “authorized? By whom?

The Wildlife Resources Commission is the owner of the Lutz tract and as described in 15A NCAC 10D .0102(b), can authorize entry on game lands for purposes other than hunting, trapping, or fishing.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

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Burgos, Alexander N

From: Peaslee, William W
Sent: Thursday, June 12, 2025 4:13 PM
To: Ruhlman, Carrie A
Cc: Burgos, Alexander N
Subject: RFC for 15A NCAC 10D .0260
Attachments: 06.2025 - Wildlife Resources Commission Request for Technical Changes - 10D .0260.docx

Good afternoon,

Attached please find the request for changes for the above captioned temporary rule.

As always if you have any questions please feel free to contact me.

Bill

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
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Burgos, Alexander N

From: Peaslee, William W
Sent: Thursday, June 12, 2025 4:15 PM
To: Rules, Oah
Cc: Burgos, Alexander N; Ruhlman, Carrie A
Subject: 15A NCAC 10C .0325 Temp

Good afternoon,

It is my intention to recommend approval of the above captioned temporary rule as filed at the June RRC meeting.

As always if you have any questions please feel free to contact me.

William W. Peaslee
Rules Review Commission Counsel / Legislative Liaison
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