

# **TWIN RIVERS FISHING RULES AND REGULATIONS**

As amended November 9, 2020

Pursuant to the authority set forth in Paragraph (26) of the Twin Rivers Development Declaration of Restrictions as Amended and Restated July 10, 2004, and as further amended (the "Declaration"), and in Article VII, Section 1(a) of the By-Laws of the Twin Rivers Property Owners' Association, Inc. (the "Bylaws"), the Board of Directors of Twin Rivers Property Owners' Association, Inc. (the "Association") adopts these rules and regulations pertaining to access to the Watauga River and Boone's Fork Creek through the common area pathways and fishing within the boundaries of the Twin Rivers development ("Fishing Rules and Regulations"):

## **General Information**

- These regulations have two purposes:
  - To provide fair and equal access to our fishery for all property owners.
  - To promote a healthy and productive fishery and ecosystem by moderating fishing pressure as much as practical.
- Violations may result in being asked to leave the stream by Twin Rivers staff. Severe or repeated violations may result in loss of fishing privileges for a specified period of time. Further details of the procedures and penalties related to violations can be found on the Twin Rivers owners' website.
- These Fishing Regulations may be modified by the Board of Directors as needed to address uncovered circumstances. For current fishing regulations, check the latest version distributed by email or call the Association's Property Manager or consult Twin Rivers staff.
- For information about the Twin Rivers Fishing Club or to obtain any of the permits, patches, and other items specified below, contact the Twin Rivers Property Manager's office next to the Hwy. 105 entrance, phone 828-773-3789.
- Poachers and trespassers will be prosecuted. Report suspected violations immediately by contacting the TR Property Manager and/or Watauga County Sheriff's Department: phone 828-264-3761.
- Cars parked by Twin Rivers waters or the check-in station during fishing trips must display a Twin Rivers sticker on the left windshield to show they are not poacher vehicles.

## Eligibility Requirements

- **Designated Angler fishing badges** with picture ID are required to fish at Twin Rivers. One badge must be placed on the sign-up board at sign in and the other must be carried on person while fishing. In order to obtain a Fishing Badge, an individual must meet the criteria set forth below as a **Designated Angler**.
- A **Designated Angler** must be an owner or immediate family member of an owner. Immediate family members are defined as either a spouse or child under the age of 23 of an owner. In the case of a legal entity holding title to a lot such as an LLC, S Corporation or other business entity, Designated Anglers must be shareholders or members in the corporation or other business entity, proof of which must be submitted in writing to the Board, in order to obtain the required fishing badges. In the case of a business-entity-owned lot, immediate family members are defined as either a spouse or child under the age of 23 of an owner who qualifies as a Designated Angler.
- Each platted lot may, upon request, receive two **Designated Angler badges**. A third Designated Angler badge may be obtained by immediate family members of one of the two previously designated anglers. In total, no lot will be allocated more than 3 badges.
- **Designated Anglers** must be physically present with no more than two guests or three anglers, in total. **Designated Anglers** are allowed to bring a maximum of two guests and are responsible for guest adherence to Twin Rivers Fishing Rules. Two guest badges will be allocated to each lot which may be used only for fishing with a **Designated Angler**.
- The **Designated Anglers** for a particular lot may not be changed more than once in any 12-month period, unless there has been a change in ownership of the lot or one or more of the Designated Anglers becomes disabled or deceased, in which case a different co-owner of the lot may be substituted for the Designated Angler who has become disabled or deceased or who is no longer a co-owner of the lot.
- Additionally, each lot will be eligible to obtain up to a maximum of 10 session credits per year for \$100 each for use by adult children or parents of a **Designated Angler** or by additional documented owners\* of that same lot. A session credit allows an angler the right to fish independently one beat, for one session at Twin Rivers. A temporary badge shall be issued to such anglers by TR staff upon receipt of a refundable \$200 deposit. Holders of these temporary badges may function as a **Designated Angler** and will be eligible to host up to two guests.

The Twin Rivers Fishing Club is open to all Designated Anglers. Details of the benefits of the Fishing Club and associated membership costs are described each year in an associated solicitation letter which is to be sent to the Association annually in February/March. Donations from non-fishermen are always welcome.

## Fishing Rules

- Fishing is reserved exclusively for Twin Rivers property owners and their guests (maximum of 2) who must be with them. Owners must be current on dues payments to the Twin Rivers POA in order to fish.
- Trespassers will be prosecuted.
- Fly fishing only with artificial flies with barbless single hooks.
- Catch and release fishing only.
- Fishermen are required to use a net to ensure that fish are handled properly and to reduce mortality.
- No professional guiding. Property owners may hire guides to fish/guide with them as their guests, however property owners may not guide outsiders on a fee basis.
- It is also required that all anglers obtain a North Carolina fishing license – this is required by the State and will result in a fine if checked by a NC Wildlife Officer.
- Multiple lots owned and multiple owners per lot do **not** provide more than one beat per session.
- Cars parked in Twin Rivers near the river or at the check-in station, while owners are fishing, must display a Twin Rivers sticker on the left side of their windshield so the Twin Rivers' staff will know they are not poachers.
- Fishermen must sign in and sign out at the check-in station for each fishing session and “beat” (section). Any fishermen who have not checked in will be displaced by those who have.
- Morning fishermen must exit their beat promptly at or prior to 1:00 p.m.
- Fishermen must stay within their assigned beat (section) – NO EXCEPTIONS unless invited by fishermen in another beat. Absence of fishermen in another beat is not an excuse for fishing someone else's beat.
- Guests may fish only when accompanied by a Designated Angler, must be in the same section, and must wear a guest badge.
- Maximum of 3 fishermen per beat, per session
- No chumming of fish with trout chow/food of any kind
- Each fisherman may reserve sections at the check-in station for his/her exclusive use for the following time slots:
  - Session (1): from first light until 1:00 p.m.
  - Session (2): from 1:00 p.m. until dark
- All fishermen may reserve a session and beat beginning at 7:00 AM the day of the session. Fishing Club members enjoy the privilege of reserving a session and beat starting at 9:00 PM the prior evening. A second beat in the alternate session may be also reserved by Fishing Club members if still available by 8:30 AM of the fishing day. All non-fishing club members who have fished in

the morning session may not sign up for an open afternoon session until 1:00 PM.

- Fishermen are required to remove their name from the signup board when departing for the session.
- Fishermen encountering poachers are required to immediately report such activity to the office.
- Failure to comply with rules may result in being asked to leave the stream by Twin Rivers staff.
- Repeated violations of fishing rules may result in revocation of fishing privileges for a period of time to be determined by POA Board of Directors or other penalties as described in Procedures & Penalties for Fishing Violations on the Twin Rivers Owners' website.

\* "Additional Documented Owner" is defined as a natural person, not a legal entity such as a corporation, business association, partnership, or sole proprietorship, that can demonstrate an ownership interest to the lot in question, either as a direct owner or as owner of a legal entity that holds title to the lot, by providing documentation such as a deed or proof of the individual's ownership interest as a member or officer of the legal entity.