

WOMA Fishing Policy & Regulation

White Oak Mountain Association, Inc.

PO Box 1106

Columbus, NC 28722-1106

Effective: 15 August 2023 and supersedes previous issue of 1 March 2019

Introduction:

For decades the Association had problems with people poaching fish. In 2019 the Association implemented the NC Landowner Protection Act to protect our ponds from poachers.

Private Ponds:

Our ponds are private by NC Wildlife definition:

1. Source of water are mountain springs from our private land.
2. We own the land the ponds sit on.
3. We annually stock the ponds with female Rainbow Trout, other fish are natural to the waters.

Therefore we, as the property owner, the Association sets the Daily Creel Limit.

NC Wildlife Law Enforcement Jurisdiction:

The State of North Carolina owns the water which our fish live in and therefore has jurisdiction over all aspects of taking fish. Wildlife Law Enforcement may check people fishing for: WOMA's Daily Creel Limit, the proper NC Fishing license and the WOMA permission form documentation.

WOMA's Daily Creel Limit

Species	Size	Daily Creel Limit
Large & Small Mouth Bass	14-inch minimum, except 2 may be less than 14 inches	5, including only 2 less than 14 inches
Sunfish	None	None
Trout - 1 Nov to 31 Mar	None	None - Catch & Release
Trout - 1 Apr to mid-summer	None	2
Carp	No Catch	No Catch

What is the Landowner Protection Act (LPA)?

The Landowner Protection Act (H762) clarifies existing trespass laws, for the purposes of hunting, fishing, and trapping, to specify the requirements for written permission on posted land only. Became law effective 1 Oct 2011.

What does the Landowner Protection Act (LPA) do?

The LPA addresses trespass law to strengthen and clarify three elements:

1. Defines the requirements for written permission to hunt, fish, or trap on posted lands.
2. Allows landowners to post land using purple paint marks or by placing sign or posters, as currently allowed.
3. Allows Wildlife Law Enforcement Officers to enforce trespass laws on site, instead of executing process issued by the courts.

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The LPA specifically relates only to hunting, fishing, or trapping on posted lands. It clarifies the existing G.S.14-159.6 requirement for written consent to hunt, fish, or trap on posted lands by specifying that written permission, dated within the past 12 months and signed by the landowner, lessee or agent of that land, be carried and displayed upon request of any law enforcement officer.

Why Purple Paint?

Landowners in North Carolina who want to post their lands can have difficulty keeping posted signs erected and intact. Using paint marks, as an alternative or in addition to signage, is a convenient and effective means of marking lands as posted, and requires less frequent maintenance and cost, since paint marks are more difficult to vandalize than signs. Each paint mark must be a vertical line of at least 8-inches in length, and the bottom of the mark shall be no less than three feet or more than five feet from the base of the tree or post.

Where can I find a Permission Form?

Each January the Association sends 4 signed and hologram sealed Permission Forms to each property owner in the annual letter. The forms are valid from 1 March to the following 28 February each year. The color of the form changes each year. Need more forms? Contact as Pond Committee member.

What if a property owner rents a home, like AirBnb or VRBO, may the Renters' fish in our ponds?

Yes, they are Guests (as defined below) and may fish if they have the necessary documents: Valid ID, NC Fishing License, and the WOMA Permission Form.

Who is a Guest? And how can I decide to whom I give these High Value 12-month Permission Forms to?

Webster's Definition:

- : a person who is invited to visit or stay in someone's home
- : a person who is invited to a place or an event as a special honor
- : a customer at a hotel, restaurant, etc.

Dictionary.com

- : a person who spends some time at another person's home in some social activity, as a visit, dinner, or party.
- : a person who receives the hospitality of a club, a city or the like.
- : a person who patronizes a hotel, restaurant, etc. for the lodging, food or entertainment it provides.
- : an often-well-known person invited to participate or perform in a regular program, series, as a substitute for a regular member or as a special attraction.

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To enjoy the fishing amenities of White Oak Mountain Association we define a guest as:

: person(s) who is invited by a property owner to visit or stay at the home of a WOMA property owner.

: person(s) who has rented a WOMA property, whether short or long term and their guests.

: Property owner(s) who has not built, can they bring guests? Yes, but would generally be present with those guests.

WOMA Board Guidance to the Membership for who is considered NOT a Guest:

A good-ol-boy or girl buddy who lives in the neighboring counties (Spartanburg, Greenville, Henderson, Polk, Rutherford) who has heard that we have 'real-good fishing' and sure would like to try it out and poach some of our fish.

A contractor who is working on the mountain would like to poach fish after work or during lunch breaks.

A good friend to whom you simply cannot say "No to", does not own property here, has no interest here except to poach our fish.

A long-term fishing reward to a non-guest for performance (examples): your auto repairman, your UPS/FedEx driver, return a favor to a buddy, a friend or neighbor from an adjoining Homeowner Association such as, but not limited to, the Brow, Skyuka HOA's.

What do I need to have to fish?

A valid NC Fishing License (obtained on line) <https://www.ncwildlife.org/Licensing/Hunting-Fishing-Trapping-Licenses>

A valid photo ID

A WOMA Permission Form

What if I suspect someone is Poaching WOMA Fish, what should I do?

Call the NC Wildlife Violation Hotline: **800-662-7137**. The HOTLINE is the most effective way to get the word to NC Wildlife Law Enforcement Officers.