



## **AGENDA**

### **N.C. WILDLIFE RESOURCES COMMISSION**

**July 7, 2011, 9:00 a.m.**

**1751 Varsity Drive**

**NCWRC Conference Room, 5<sup>th</sup> Floor**

**Raleigh, North Carolina**

**CALL TO ORDER** - *Chairman Steve Windham*

**PLEDGE OF ALLEGIANCE**

**INVOCATION** - *Commissioner Wes Seegars*

**RECOGNITION OF VISITORS**

**MANDATORY ETHICS INQUIRY** - North Carolina General Statute 138A-15(e) mandates that the Commission Chair shall remind all Commissioners of their duty to avoid conflicts of interest and appearances of conflict under this Chapter, and that the chair also inquire as to whether there is any known conflict of interest or appearance of conflict with respect to any matters coming before the Commission at this time. It is the duty of each Commissioner who is aware of such personal conflict of interest or of an appearance of a conflict, to notify the Chair of the same. *Chairman Steve Windham*

**APPROVAL OF MINUTES** - Take action on the May 12, 2011 Wildlife Resources Commission meeting minutes as written in the exhibit and distributed to members (**EXHIBIT A**)

**NOTICES OF COMMISSIONER REAPPOINTMENT** - Receive notice of reappointment by Governor Beverly Perdue of Wes Seegars for term ending April 25, 2017 **(EXHIBIT B)**

## **ADMINISTRATION**

**Financial Status Report** - Receive a financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund - *Tommy Clark, Budget Officer - Budget, Planning and Audit* **(EXHIBIT C)**

## **SPECIAL RECOGNITION**

**National Fishing and Boating Week Lifetime License Presentation** - Present Lifetime Fishing License to grand prize winner from fishing events held during the 2011 National Fishing and Boating Week – *Chairman Windham*

**Break for Photographs**

## **INLAND FISHERIES**

**Spotlight** – Receive an update on the Trout Management Plan – *Jake Rash, Coldwater Research Coordinator*

**Inland Fisheries Update** - Receive a staff update on activities of the Division of Inland Fisheries - *Bob Curry, Inland Fisheries Division Chief*

**2012-2013 Fishing Proposals** – Consider staff recommendations for proposed changes in 2012-2013 fishing rules to be presented at state-wide public hearings – *Bob Curry* **(EXHIBIT D)**

## **WILDLIFE MANAGEMENT**

**Wildlife Management Update** – Receive an update on the activities of the Division of Wildlife Management – *Dr. David Cobb, Wildlife Management Division Chief*

**Property Acquisition, Halifax County** - Consider approval for staff coordination with the State Property Office to pursue the acquisition of the Forestry Investment Associates - Daniel Whitaker Tract in Halifax County by donation for inclusion into the Game Land program – *David Cobb* **(EXHIBIT E)**

**2011-2012 Webless Migratory Birds, Resident Canada Goose, and Falconry Seasons -** Receive information concerning the status of the mourning dove population, status of woodcock population, consider federal frameworks, receive results of early season internet comments, and select the 2011-2012 seasons and bag limits for webless migratory game birds, resident Canada geese, and falconry - *David Cobb* (EXHIBITS F-1, F-2, F-3, F-4, F-5, F-6)

**2012-2013 Hunting and Trapping Proposals –** Review staff recommendations for proposed changes in the 2012-2013 hunting, trapping, falconry, and captive cervid rules for presentation at public hearings – *David Cobb* (EXHIBITS G-1, G-2)

## **RULES**

### **Temporary Rulemaking –**

Consider staff recommendations for temporary rulemaking to revise 15A NCAC 10B .0215 and 15A NCAC 10B .0219 to be consistent with House Bill 432 (Allow electronic calls for the take of crows and coyotes) – *David Cobb* (EXHIBIT H-1)

Consider staff recommendations for temporary rulemaking to revise 15A NCAC 10B .0223 to be consistent with House Bill 432 (Swine in Transport/Regulate Feral Swine) – *David Cobb* (EXHIBIT H-2)

### **Rule Proposal - Wildlife Service Agent Agreement Changes**

**Public Comment Summary –** Receive summary of public comments on proposed changes to Wildlife Service Agent Agreement rules from public hearing held March 31, 2011 in Raleigh, and from the WRC internet portal and written correspondence – *Cecilia Edgar, Deputy Director of Administration* (EXHIBIT I-1)

**Proposed Wildlife Service Agent Agreement Rules Amendments –** Consider adoption of proposed rule changes to Wildlife Service Agent agreements under 15A NCAC 10G .0402, 15A NCAC 10G .0403, and 15A NCAC 10G .0405, to eliminate the requirement for the NCWRC to provide internet access, computer equipment and equipment support to Wildlife Service Agents – *Cecilia Edgar* (EXHIBIT I-2)

**No Wake Zone Request- Tyrrell County –** Consider adoption of a request by Tyrrell County for an amendment to 15A NCAC 10F .0365 to establish a no wake zone in the waters of the canal leading to Taylor’s Beach in Columbia – *Erik Christofferson, Engineering Services Division Chief* (EXHIBIT J)

**RESOLUTION – RECIPROCAL HUNTING LICENSE FEES FOR NONRESIDENTS -**  
Consider adoption of a resolution to allow changes in nonresident hunting license fees for neighboring states to establish parity, under the authority of NCGS 113-275(a1) – *Lisa Hocutt, Customer Services Support Manager (EXHIBIT K)*

## **COMMITTEE REPORTS**

**Small Game Committee Report – *Bobby Purcell, Chairman***

**Big Game Committee Report - *David Hoyle, Jr., Chairman***

**Habitat, Nongame, Endangered Species Committee Report - *Chuck Bennett, Chairman***

**Committee of the Whole Report – *Steve Windham, Chairman***

**SPECIAL RECOGNITIONS – *Chairman Windham***

**ELECTION OF OFFICERS -** Pursuant to North Carolina General Statute 143-243, at the first scheduled meeting of the Commission after July 1 of each odd-numbered year, the Wildlife Resources Commission shall select from among its membership a chairman and a vice-chairman who shall serve for terms of two years or until their successors are elected and qualified.

**COMMENTS BY COMMISSION CHAIRMAN**

**COMMENTS BY EXECUTIVE DIRECTOR – *Gordon Myers***

**ADJOURN**



# EXHIBIT A

## July 7, 2011



### MINUTES

#### May 12, 2011

#### N. C. Wildlife Resources Commission Meeting

#### Raleigh, North Carolina

*Commission Chairman* Steve Windham called the meeting of the North Carolina Wildlife Resources Commission to order on May 12, 2011, at 9:00 a.m. in the Commission Room at Wildlife Resources Commission headquarters in Raleigh. Commissioners absent were Randy Allen and John Litton Clark.

Commissioner David Hoyle, Jr. led the Pledge of Allegiance. Commissioner Ray White gave the invocation.

Chairman Windham welcomed Commissioners and guests including the Lawrence G. Diedrick Small Game Award winners and Gloria Price, wife of Commissioner Eugene Price. Windham announced that Executive Director Gordon Myers was absent because he was testifying before a Congressional Committee in Washington regarding the transfer of McKinney Lake Fish Hatchery to the State of North Carolina.

#### COMMISSIONER ATTENDANCE

Steve Windham  
Chuck Bennett  
David Hoyle, Jr.  
Joe Barker  
Doug Parsons  
Bobby Purcell

Wes Seegars  
Eugene Price  
Dalton Ruffin  
Berkley Skinner  
Maughan Hull  
Nat Harris

Mitch St. Clair  
Martin Lewis  
Durwood Laughinghouse  
Dell Murphy  
Ray White

## VISITORS

Tim Booras	J.R. Stone – NC Bowhunters Association
David Yow	Mickey Strader - NCBA
Tom Williamson, Jr.	T. Jerry Williams - NCBA
Ernie Koury	Johnny Miller
Judy Adams – South East NC Quail Forever	Harold Dorsett
Dennis Adams – South East NC Quail Forever	Gloria Price

## MANDATORY ETHICS INQUIRY

Chairman Windham advised the Commission of the mandatory ethics inquiry as presented in the agenda.

## MINUTES

Commissioner Durwood Laughinghouse made a motion to approve the March 10, 2011 Wildlife Resources Commission Meeting minutes. The motion was seconded by Commissioner Berkley Skinner and carried. **The Minutes**, titled Exhibit A, are hereby incorporated into the official record of this meeting.

## ADMINISTRATION

Tommy Clark, *Budget Officer*, gave the financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund as of March 31, 2011. The Operating Fund balance was \$21,441,152.56. The Endowment Fund balance was \$81,163,006.44. **The Financial Status Report**, titled Exhibit B, is hereby incorporated into the official record of this meeting.

## PRESENTATION OF THE 2010 LAWRENCE G. DIEDRICK SMALL GAME AWARD

Dr. David Cobb, *Wildlife Management Division Chief*, and Commissioner Bobby Purcell, *Chairman of the Small Game Committee*, presented the 2010 Lawrence G. Diedrick Small Game Award to recipients in the organization and individual categories. The organizational award was presented to Dennis Adams of the South East North Carolina Chapter of Quail Forever. Dr. Cobb thanked Adams for Quail Forever's efforts in funding fire lines, conducting surveys, and assisting with longleaf pine restoration. Adams was presented with a plaque, a book and a drip torch. The individual award was presented to Ernie Koury of Alamance County. Koury oversees thousands of acres of private land. For 22 years he has worked to produce healthy quail populations and has developed over 60 miles of fire lines. Koury was presented with a plaque, a book and a drip torch.

The Commission recessed at 9:15 a.m. so that photographs of the winners could be taken. The meeting reconvened at 9:20.

### **ENFORCEMENT UPDATE**

Colonel Dale Caveny, *Enforcement Division Chief*, presented an update about the summer 2011 joint law enforcement campaign to prevent operation of motor vehicles and boats while under the influence of intoxicants. Caveny stated that the NCWRC Enforcement Division has been nationally recognized as one of the top two law enforcement agencies in the U.S. in making OWI (Operating While Impaired) arrests. Caveny recognized Geoff Cantrell, *Public Information Officer*, and Carla Osborne, *Graphic Designer*, for their assistance in developing materials for the “Operation On the Road, On the Water, Don’t Drink and Drive” campaign and in helping with a public service announcement that highlights the joint law enforcement operation to prevent driving while impaired on the roads and waterways. Caveny showed the short PSA, which will be delivered to television stations across the state.

### **DIVISION OF WILDLIFE MANAGEMENT**

#### **Spotlight - “Controlling Problem Wildlife Situations”**

Chris Turner, *District One Biologist*, presented a Division of Wildlife Management Spotlight about nuisance wildlife issues. Turner said that the state’s ballooning population starting in the 1990s has resulted in changes in the land, with far fewer rural areas, and in attitudes about coexisting with wildlife. Turner mentioned problems with non-native species such as coyotes, feral swine and nutria, agricultural losses, and property damage as issues of concern to the WRC and to constituents. From 2004-2010 the WRC has doubled the amount of time and money spent working on nuisance wildlife issues. Turner stated that the agency message is to co-exist with wildlife and to work toward management versus control of the resource.

#### **Wildlife Management Update**

Dr. David Cobb, *Wildlife Management Division Chief*, gave an update about the activities of the Division of Wildlife Management. Cobb referred Commissioners to CDs that contain reports on tundra swan, the NE Canada Goose hunt zone, 2010 bear harvest report, and other articles and reports.



### Property Related Issues

- **Right of Way Request, Rowan County** - Dr. Cobb presented **Exhibit C**, a request from Transco Pipeline for a permanent right of way across Second Creek Game Land in Rowan County to accommodate expansion of an existing natural gas pipeline system. Upon a motion by Chuck Bennett and second by Eugene Price, the Commission approved the request and stipulations listed in the exhibit that will mitigate potential impacts with one addition:
  1. Any painted boundary tree damaged or removed by Transco will be replaced by a carsonite post supplied by the NCWRC. *The Commission voted to require Transco to pay for the carsonite posts.***Exhibit C** is hereby incorporated into the official record of this meeting.
- **Property Disposal Request, Hyde County** – Dr. Cobb presented the staff recommendation in **Exhibit D** to seek State Property Office assistance for the disposal of a very narrow 21-acre strip of property adjoining the Carter Tract of Gull Rock Game Land in Hyde County. The narrow strip is of no value to the Wildlife Resources Commission.

Commissioner Wes Seegars recused himself from discussion and vote on Exhibit D, stating that he is an adjacent landowner.

On a motion by David Hoyle, Jr. and second by Ray White the Commission approved the sale of the property as surplus. **Exhibit D** is hereby incorporated into the official record of this meeting.

### Land Acquisitions Update

Dr. Cobb presented a regular staff update on the status of land acquisition projects in **Exhibit E**. It is hereby incorporated into the official record of this meeting.

## DIVISION OF INLAND FISHERIES

### Inland Fisheries Update

Bob Curry, *Inland Fisheries Division Chief*, reported on the activities of the Inland Fisheries Division. Curry said that the Education Centers conducted over four hundred hours of educational programs and distance learning in April. National Boating and Fishing Week is in June, with more than 43 events planned state-wide. Curry announced that a big head carp, an invasive fish, has been found in a pound net in North Carolina.



**Property Lease Request, Ashe County**

Bob Curry presented a staff recommendation in **Exhibit F** to expand the Memorandum of Agreement between the Wildlife Resources Commission and the Ashe County Wildlife Club to pursue a no-cost lease of Trout Lake located east of Jefferson, to be managed with Delayed Harvest trout regulations. The WRC has managed the lake, which is owned by the Ashe County Wildlife Club, for public fishing through a MOA since 1993. The motion to expand the MOA and formalize the lease agreement was made by David Hoyle, Jr., seconded by Chuck Bennett and carried. **Exhibit F** is hereby incorporated into the official record of this meeting.

**Rule Proposal – Establish Size and Creel Limits by Reference to Marine Fisheries Commission Regulations for Saltwater Fishes Caught in Inland Waters**

Bob Curry presented **Exhibit G-1**, a summary of public comments received from local public hearings, the WRC internet portal and written correspondence, on the rule change proposals under 15A NCAC 10C .0305 and 10C .0401 to establish by reference to Marine Fisheries Commission regulations the size and creel limits for saltwater fishes caught in inland waters. Included in the summary of comments was a letter of support from Louis B. Daniel III, Director of the NC Division of Marine Fisheries. **Exhibit G-1**, which did not require action by the Commission, is hereby incorporated into the official record of this meeting.

Bob Curry then presented **Exhibit G-2**, proposed rule changes to inland fishing regulations that establish size and creel limits for certain saltwater species caught in inland fishing waters by reference to Marine Fisheries Commission regulations.

**Sea Trout (spotted or speckled), Flounder, and Red Drum**

- 1) Establish seasons, size limits and creel limits in inland fishing waters by referencing those regulations established by the Marine Fisheries Commission rule or proclamation in adjacent joint or coastal fishing waters.

*Amend the following rule:*

**15A NCAC 10C .0305 OPEN SEASONS: CREEL AND SIZE LIMITS**

**Gray Trout (weakfish)**

- 2) Establish seasons, size limits and creel limits in inland fishing waters by referencing those regulations established by the Marine Fisheries Commission rule or proclamation in adjacent joint or coastal fishing waters.

*Amend the following rules:*

**15A NCAC 10C .0305 OPEN SEASONS: CREEL AND SIZE LIMITS**

**15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: PURCHASE AND SALE**

Curry noted a change in the text from what was presented at public hearings under 15A NCAC 10C .0305(b) (19), highlighted:

- (19) ~~No red drum greater than 27 inches in length may be possessed.~~ In inland fishing waters, sea trout (spotted or speckled), flounder, and red drum recreational seasons, size limits and creel limits are the same as those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.

and (25):

- (25) ~~In inland fishing waters the minimum length for gray trout (weakfish) is 12 inches and the daily creel limit is one fish.~~ In inland fishing waters, gray trout (weakfish) recreational seasons, size limits and creel limits are the same as those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.

Curry noted similar changes in the text of 15A NCAC 10C .0401(a) (6), highlighted:

- (6) ~~The minimum size limit for gray trout (weakfish) is 12 inches and the daily creel limit is one fish.~~ In inland fishing waters, gray trout (weakfish) recreational seasons, size limits and creel limits are the same as those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent joint or coastal fishing waters.

In response to a question from the floor Curry said that proclamations can be issued by the Marine Fisheries Director at any time, which may present challenges to recreational anglers who are not aware of the changes. Wildlife Enforcement Officers will give a warning ticket to an angler who is caught unaware of the proclamation change. Upon a motion by Maughan Hull and second by Joe Barker, the Commission adopted the changes as presented in Exhibit G-2. **Exhibit G-2**, which includes rule text in its entirety, is hereby incorporated into the official record of this meeting.

### **House Bill 353 (Designation of Coastal Game Fish)**

Chairman Windham recognized Commissioner Eugene Price. Price made a motion for the Wildlife Resources Commission to endorse House Bill 353, to designate certain coastal fishes as game fish. That motion died for lack of a second.



## ENGINEERING SERVICES

### Activity Update

Erik Christofferson, *Engineering Services Division Chief*, presented an update about the boating access areas and fishing access areas that recently have been constructed and renovated by Engineering Services. Construction on boating and fishing access areas in the mountains has included the addition of some canoe and kayak areas. Christofferson mentioned the recently completed Emerald Isle boating access area which has 116 parking spaces. The BAA at the Washington Baum Bridge still is under construction. Christofferson announced that the High Rock Lake dam has been replaced and was approved by the Department of Dam Safety.

### Boating Access Area Renovation Request, Henderson County

Erik Christofferson presented **Exhibit H**, a request from the Henderson County Parks and Recreation Department to partner with them to renovate a boating access area on the French Broad River at Westfeldt Park. David Hoyle, Jr. made a motion to adopt the request. The motion was seconded by Nat Harris and carried. **Exhibit H** is hereby incorporated into the official record of this meeting.

### Boating Access Area Construction Request, Greene County

Erik Christofferson presented **Exhibit I**, a staff recommendation to partner with the Town of Hookerton in Greene County to build a boating access area on Contentnea Creek. Funding to build the boating access area will come from vessel registration sales. The motion to approve the boating access area was made by David Hoyle, Jr., seconded by Wes Seegars, and carried. **Exhibit I** is hereby incorporated into the official record of this meeting.

### Property Acquisition Request, Brunswick County

Erik Christofferson presented **Exhibit J**, the staff recommendation made after site assessments and meetings with various regulatory agencies, to purchase two parcels on Bricklanding Road in Brunswick County for the purpose of constructing a boating access area. The BAA will provide access to the Intracoastal Waterway. A portion of the \$1.7 million cost for the land and construction of the BAA will come from a Coastal Recreational Fishing License (CRFL) grant. The motion to adopt was made by Eugene Price, seconded by Durwood Laughinghouse and carried. **Exhibit J** is hereby incorporated into the official record of this meeting.

### **Property Acquisition Request, Currituck County**

Erik Christofferson presented in **Exhibit K** the staff recommendation to work with the State Property Office to purchase .12 acres at a cost of \$13000.00 on Currituck Sound adjacent to the WRC Poplar Branch Access Area in Currituck County. The property will be used in the redesign of the ramp and parking area. The motion to adopt was made by Maughan Hull, seconded by Eugene Price and carried. **Exhibit K** is hereby incorporated into the official record of this meeting.

### **No Wake Zone Request, Town of Emerald Isle, Carteret County**

Erik Christofferson presented in **Exhibit L** a request from the Town of Emerald Isle for an amendment to 15A NCAC 10F .0376, to establish a no wake zone in the waters of Bogue Sound adjacent to Archer Point, south of and including a portion of the Emerald Isle channel in the vicinity of the new Emerald Isle Boating Access Area. In response to public input that the proposed no wake zone as noticed in the *North Carolina Register* was longer and more restrictive than necessary, staff made technical corrections to the description and boundaries of the no wake zone and shortened it to approximately 1300 feet long as shown in the exhibit. The NCWRC agreed as part of the construction of the Emerald Isle Boating Access Area and channel to be responsible for the purchase and placement of the no wake markers. The fiscal note for the proposed rule amendment was approved by the Office of State Budget and Management. A motion to approve the no wake zone amendment was made by David Hoyle, Jr. and seconded by Berkley Skinner. The motion carried. **Exhibit L** is hereby incorporated into the official record of this meeting.

## **COMMITTEE REPORTS**

### **Small Game Committee Meeting Report**

Committee Chairman Bobby Purcell reported that the Small Game Committee met on May 11, 2011. Discussions included issues with decreasing quail populations. A Coopers Hawk survey is being conducted. Depending upon the findings the Small Game Committee will decide whether to conduct other surveys. Information is being shared with other states about the quail populations.



### **Migratory Birds and Waterfowl Committee Meeting Report**

Committee Chairman Maughan Hull reported that the committee met on May 11, 2011. David Gossett of the East Carolina Wildfowl Guild presented an overview of the ECWG's annual Waterfowl Conservation Stamp Competition and asked the WRC for its continued support of the competition.

**The Commission adopted a motion from the Migratory Birds and Waterfowl Committee,** made by Maughan Hull and seconded by Martin Lewis, to continue the support for three more years at the current level.

Hull reported that the committee discussed the WRC's support of Ducks Unlimited's conservation efforts toward migratory bird breeding habitats in the Maritime Provinces of Canada.

**The Commission adopted a motion from the Migratory Birds and Waterfowl Committee,** made by Maughan Hull and seconded by Doug Parsons, to continue support at the same level as last year (\$50000.00), provided that the state budget will allow for that level. If the budget is not adequate, the WRC will continue to support the DU program at the statutory level of approximately fifteen thousand dollars.

The committee discussed lengthening the tundra swan season but found that lengthening the season could impact the timely distribution of swan permits. The committee approved issuing twenty tundra swan permits for the combination youth/adult hunt.

### **Joint Coastal Recreational Fishing License Committee Meeting Report**

Ray White reported that he, Maughan Hull and Joe Barker, members of the agency CRFL Committee, met with their Division of Marine Fisheries counterparts on April 14, 2011. The joint committee approved fifth, third, and second year funding of projects. Requests for Proposal will be advertised in June. White reported that the CRFL funding depends upon the agents who sell the CRFL licenses. The agents get reimbursed thirty cents per sale, a very small amount. White asked that consideration by the Commission be given to increasing agent compensation for selling CRFL licenses.

### **Committee of the Whole Meeting Report**

Chairman Steve Windham reported that the Committee of the Whole met on May 11, 2011. Division Chiefs Bob Curry and David Cobb reviewed the rule change proposals to take to public hearings depending upon the vote of the Commission at the July meeting. Windham encouraged Commissioners to contact Curry and Cobb with their questions or suggestions about the rule proposals. The C.O.W. discussed the schedule for the 2011 public hearings with consideration of changing the format and number of hearings to cut costs.

Upon a motion by Dalton Ruffin and second by Chuck Bennett, **the Commission voted to adopt the 2011 public hearing schedule as presented at the committee meeting and shown in the following attachment,** and asked staff to look at alternative presentation formats and less staff travel to future hearings.

**ADOPTED SCHEDULE FOR THE SEPTEMBER 2011  
 HUNTING, TRAPPING AND FISHING PUBLIC HEARINGS  
 HEARING TIME: 7:00 p.m.**

<b>DATE</b>	<b>DISTRICT</b>	<b>CITY</b>	<b>LOCATION</b>
September 6, 2011 (Tuesday)	4	Dublin	Bladen Community College
September 7, 2011 (Wednesday)	5	Graham	Courthouse
September 8, 2011 (Thursday)	6	Norwood	South Stanly High School
September 13, 2011 (Tuesday)	8	Morganton	Municipal Auditorium
September 14, 2011 (Wednesday)	9	Clyde	Haywood Community College
September 15, 2011 (Thursday)	7	Wilkesboro	The Walker Center, Wilkes Community College
September 20, 2011 (Tuesday)	1	Edenton	Swain Auditorium
September 21, 2011 (Wednesday)	2	New Bern	Courthouse
September 22, 2011 (Thursday)	3	Rocky Mount	Nash Community College
September 28, 2011 (Wednesday)	Statewide	Raleigh	Centennial Campus Auditorium

Public Hearing to present proposed changes to Falconry Permitting Rules

**COMMENTS BY THE CHAIRMAN**

Chairman Windham expressed condolences to Commissioner John Litton Clark and his family. Clark is attending the funeral of his cousin who was killed in an automobile accident. He asked that all keep Commissioner Maughan Hull and his wife Kay in prayers while Kay Hull undergoes cancer treatment. Windham announced that the chairman and vice chairman of the Commission will be elected for two-year terms at the July meeting. Because there are three Governor appointee terms ending and eight House and Senate appointee terms ending before the July meeting, nominations and consideration of officers must be deferred until that time.

**COMMENTS BY THE CHIEF DEPUTY DIRECTOR**

Chief Deputy Director Mallory Martin announced the recent decision by Caldwell County to rescind the Memorandum of Understanding and lease agreement regarding day uses at the Lutz Tract, due to their inability under the current budgetary constraints to get matching funds. Martin gave a brief update on the consideration of the PCS Phosphate conservation easement. A meeting was held on April 6 with the U.S. Army Corps of Engineers and PCS Phosphate about the 8000 acres at Aurora. A final draft of the conservation easement will be ready by December 31, 2011. He mentioned the Governor's proclamation of May 21-27 as Safe Boating Week in North Carolina, which complements our Enforcement Division's "On the Road On the Water" campaign. Martin announced that Officer Gary Caulk Jr. was recently recognized by Safari International as Officer of the Year. Martin thanked staff members for their work on the successful Southeast Regional Federal Assistance Coordinators Workshop in Wilmington that was attended by 85 people. He mentioned a successful meeting of the 20<sup>th</sup> Eastern Black Bear Workshop in Hendersonville. Martin presented Betsy Foard, *Executive Officer*, with a certificate in recognition of five years with the Wildlife Resources Commission.

**FINAL COMMENTS**

David Hoyle, Jr., *Big Game Committee Chairman* reminded the assembly that the July meeting of the Big Game Committee will be at 10 am on Wednesday, July 6. The bear hunters have been invited to talk about issues concerning bear hunting.

**ADJOURNMENT**

The next meeting of the Wildlife Resources Commission will be held on Thursday, July 7, 2011. There being no further business, the meeting was adjourned by Chairman Windham at 10:50 a.m.

All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

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Steve Windham, Chairman

Date

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Mallory Martin, Chief Deputy Director

Date

# EXHIBIT B

July 7, 2011

## NOTICE OF APPOINTMENT

*Pursuant to G.S. 143-47.7*

Notice is given that Mr. Neal W. Seegars

is hereby appointed to the following public office:

North Carolina Wildlife Resources Commission

Citation to Law or Other Authority Authorizing the Appointment:

General Statute §143-241

Specific Statutory Qualification for the Public Office (if applicable):

3rd Wildlife District Representative

Address of Appointee:

401 Patetown Road Goldsboro, NC 27530

County of Residence of the Appointee: Wayne

Date Term of Appointment Began: 8/11/1999

Date Term of Appointment Ends: 4/25/2017

Name of Person the Appointee replaces, if applicable:

Mr. Lawrence G. Diedrick

Date of Appointment:

5/4/2011

Signature:

s/ Bev Perdue

Office of Appointing Authority:

Office of the Governor, Boards and Commissions

Distribution:

**Governor**

**Secretary of State**

**Senate President Pro Tempore**

**Speaker of the House**

**Historical Publications**

**Board of Ethics**

**Board Contact**



**NORTH CAROLINA WILDLIFE RESOURCES COMMISSION**

**EXHIBIT C**  
July 7, 2011

YEAR-TO-DATE REVENUES AND EXPENSES

	May 2010	May 2011
<b>Balance July 1</b>	\$ 19,866,967.31	\$ 23,459,611.18
Plus: Receipts to Date	<u>62,214,064.86</u>	<u>64,402,452.06</u>
Balance and Receipts to Date	82,081,032.17	87,862,063.24
Less: Disbursements To Date	<u>63,329,678.93</u>	<u>71,947,156.85</u>
<b>Balance May 31</b>	<u><u>\$ 18,751,353.24</u></u>	<u><u>\$ 15,914,906.39</u></u>

**Summary and Analysis of Expenditure By Purpose - Code 24350, 24351, 24352 and 24353**

	May 2010		May 2011	
	Authorized Budget 2009-10	Expenditures	Authorized Budget 2010-11	Expenditures
2100 Administration	\$ 9,845,655.00	7,909,421.10	\$ 10,975,615.00	7,524,072.40
2120 Enforcement	21,703,890.00	18,136,181.70	22,907,675.00	21,041,984.23
2130 Education	5,197,798.00	4,195,113.07	5,103,953.00	4,024,420.80
2140 Inland Fisheries	8,675,637.00	7,080,770.98	8,958,300.00	7,879,160.43
2150 Management	17,884,251.00	13,719,024.32	18,516,838.00	13,486,550.62
2160 Engineering Services	7,592,231.00	6,953,677.58	10,653,094.00	9,795,718.41
2170 W/Life Fund Receipts	5,459,638.00	5,335,490.18	8,332,338.00	8,195,249.96
<b>TOTAL</b>	<b>\$ 76,359,100.00</b>	<b>\$ 63,329,678.93</b>	<b>\$ 85,447,813.00</b>	<b>\$ 71,947,156.85</b>
		<b>82.94%</b>		<b>84.20%</b>

**NORTH CAROLINA WILDLIFE RESOURCES COMMISSION**

ENDOWMENT FUND YEAR-TO-DATE

	<u>May 2010</u>	<u>May 2011</u>
<b>Balance May 1</b>	\$ 74,562,228.49	\$ 81,733,776.18
Plus: Revenues from Sales	165,889.30	162,006.30
Return on Investment	<u>352,675.63</u>	<u>427,198.20</u>
Less: Transfers Out	<u>75,080,793.42</u>	<u>82,322,980.68</u>
<b>Balance May 31</b>	<b><u>\$ 75,080,793.42</u></b>	<b><u>\$ 82,322,980.68</u></b>
<b>Market Value</b>	<b>\$ 76,200,749.88</b>	<b>\$ 88,369,118.92</b>

**Endowment Fund Interest**

<b>Sources of Interest Available</b>	<b>Expendable</b>	<b>Non Expendable</b>	<b>Budgeted Obligation</b>	<b>Transferred to Operations</b>	<b>Transferred to Capital Projects</b>	<b>Expendable Balance</b>
<b>ADULT Licenses</b>	\$ 6,289,413.01	\$ -	\$ 3,315,811.00	\$ -	\$ -	\$ 2,973,602.01
<b>INFANT Licenses</b>	-	7,870,318.97				\$ -
<b>YOUTH Licenses</b>	-	594,931.59				\$ -
<b>Magazine Subscriptions</b>	382,954.73		179,485.00	-		\$ 203,469.73
<b>Contributions</b>	328,847.36					\$ 328,847.36
<b>TOTAL</b>	<b>\$ 7,001,215.10</b>	<b>\$ 8,465,250.56</b>	<b>\$ 3,495,296.00</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,505,919.10</b>

**2010-11 Budgeted Obligated**

**2010-11 Transferred To Date**

<b>Allocation of Endowment Interest - Sportsman Fund</b>	3,315,811.00	-
<b>Allocation of Endowment Interest - Magazine Fund</b>	179,485.00	-
<b>\$ 3,495,296.00</b>	<b>\$ -</b>	<b>\$ -</b>
<b>To Sportsman Fund</b>		-
<b>To Magazine Fund</b>		-
<b>To Capital Projects</b>		-

# EXHIBIT D

July 7, 2011

## PROPOSED CHANGES IN FISHING REGULATIONS FOR 2012-2013 RECOMMENDED BY AGENCY STAFF FOR PUBLIC NOTICE AND PRESENTATION AT NINE PUBLIC HEARINGS

### District Hearings

#### Trout

- 1) Cedar Cliff Lake (Jackson County) - Classify this 146-acre lake as Hatchery-Supported Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)*
- 2) Catawba River (McDowell County) - Classify 0.6 miles of this stream as Delayed-Harvest Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 9 and 15)*
- 3) Elk Creek (Wilkes County) - Classify 1.5 miles of this stream as Delayed-Harvest Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 11 and 16)*
- 4) Shawneehaw Creek (Avery County) - Classify 0.5 miles of this stream as Wild Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (page 12)*
- 5) Laurel Creek (Watauga County) - Classify 0.3 miles of this stream as Catch and Release/Artificial Lures Only Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 13 and 14)*
- 6) Little River (Alleghany County) - Reclassify the upper 2.5 miles of this stream from Hatchery-Supported to Delayed-Harvest Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 5 and 15)*
- 7) Big Horse Creek (Ashe County) - Reclassify the lower 2.5 miles of this stream from Hatchery-Supported to Delayed-Harvest Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 5 and 15)*
- 8) Elk Creek (Watauga) - Clarify the boundaries of the Hatchery-Supported Trout Waters section of this stream adding approximately 2.0 miles.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (page 11)*

- 9) North Toe River (Avery County) - Divide the Hatchery-Supported Trout Waters on this stream into an upper and lower section and remove 10.1 miles of this stream from the Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 6)*

- 10) Long Creek (Graham County) - Remove 4.2 miles of this stream from Public Mountain trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 7)*

- 11) Little Hungry River (Henderson County) - Remove 5.9 miles of this stream from Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)*

- 12) Little Creek (Madison County) - Remove 2.0 miles of this stream from Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 9)*

- 13) Mill Creek (Madison County) - Remove 2.4 miles of this stream from Public Mountain Trout Waters, and reclassify the section on Game Lands as Wild Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 9)*

- 14) Cane Creek (Mitchell County) - Remove 2.7 miles of this stream from Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (pages 9 and 15)*

- 15) French Broad River (Transylvania County) - Remove 10.3 miles of this stream from Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 10)*

## **Striped Bass**

- 1) Establish a 4-fish creel limit and a 20-inch size limit on striped bass in lakes Rhodhiss, Hickory, and Lookout Shoals.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 18)*

- 2) Increase the minimum size limit for striped bass and hybrid striped bass in B. Everett Jordan Reservoir from 20 to 24 inches.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)*



## **Black Bass**

- 1) Establish a statewide 14-inch, 5-fish limit for black bass in aggregate, allowing 2 undersized fish to be harvested.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (pages 18 and 19)*

- 2) Remove the exception to the statewide black bass length limit for District 9 waters and Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)*

- 3) Establish a 10-fish daily creel limit of which no more than two fish greater than 14 inches may be possessed in Lake Cammack (Alamance County) and Lake Holt (Granville County).

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (pages 18 and 21)*

- 4) Establish a maximum size limit for largemouth bass in Randleman Reservoir where only one fish greater than 20 inches can be retained in the 5-fish daily creel and establish a 2-fish exception to the minimum size limit such that 2 fish within the 5-fish daily creel can be less than 14 inches.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)*

## **American Shad**

- 1) Reduce the possession limit of American shad to 1 fish per day within the aggregate daily creel of 10 fish for American and hickory shad in inland fishing waters and tributaries of the Neuse River.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 20)*

## **Catfish**

- 1) Clarify that channel, white, or blue catfish may only be taken legally by hook and line and the daily creel limit is six fish in aggregate in waters that are stocked and managed for catfish and located on game lands, on other Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program. The effected water bodies will be identified by posting instead of being listed in the NCAC.

*Amend the following rules:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 20);*

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale (page 22);*

*15A NCAC 10E .0104 Use of Areas Regulated (page 26)*

## **Other**

- 1) Add Lake Tillery to the list of reservoirs where possession of grass carp is prohibited except those legally taken with bow and arrow.

*Amend the following rule:*

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale (page 22)*

- 2) Allow the take of nongame fishes with crossbow and arrow from all inland fishing waters other than impounded waters located on the Sandhills Game Land and designated public mountain trout waters.

*Amend the following rule:*

*15A NCAC 10C .0404 Special Device Fishing (page 23)*

- 3) Classify eleven tributaries to the Neuse River, one tributary to the Pamlico River, and one tributary to the Cape Fear River as inland primary nursery areas.

*Amend the following rule:*

*15A NCAC 10C .0503 Descriptive Boundaries (page 24)*

- 4) Allow individuals who possess a valid concealed handgun permit to carry that handgun concealed on public fishing and boating access areas.

*Amend the following rule:*

*15A NCAC 10E .0104 Use of Areas Regulated (page 26)*

1 **15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS**

2 (a) Designation of Public Mountain Trout Waters. For the purposes of this Rule, artificial lure is defined as a  
3 fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or  
4 smell. Natural bait is defined as any living or dead organism (plant or animal), or parts thereof, or prepared  
5 substances designed to attract fish by the sense of taste or smell. The waters listed herein or in 15A NCAC 10D  
6 .0104 are designated as Public Mountain Trout Waters and further classified as Wild Trout Waters or Hatchery  
7 Supported Waters. For specific classifications, see Subparagraphs (1) through (6) of this Paragraph. These waters  
8 are posted and lists thereof are filed with the clerks of superior court of the counties in which they are located:

- 9 (1) Hatchery Supported Trout Waters. The listed waters in the counties in Subparagraphs (a)(1)(A)  
10 through (Y) are classified as Hatchery Supported Public Mountain Trout Waters. Where specific  
11 watercourses or impoundments are listed, indentation indicates that the watercourse or  
12 impoundment listed is tributary to the next preceding watercourse or impoundment listed and not  
13 so indented. This classification applies to the entire watercourse or impoundment listed except as  
14 otherwise indicated in parentheses following the listing. Other clarifying information may also be  
15 included parenthetically. The tributaries of listed watercourses or impoundments are not included  
16 in the classification unless specifically set out therein.

17 (A) Alleghany County:

18 New River (not trout water)

19 Little River (Whitehead to McCann Dam) [Delayed Harvest Regulations apply  
20 to portion between Whitehead and a point 275 yards downstream of the  
21 intersection of SR 1128 and SR 1129 as marked by a sign on each bank. See  
22 Subparagraph (a)(5) of this Rule.]

23 Brush Creek (except where posted against trespass)

24 Big Pine Creek

25 (Big) Glade Creek

26 Bledsoe Creek

27 Pine Swamp Creek

28 South Fork New River (not trout water)

29 Prather Creek

30 Cranberry Creek

31 Piney Fork

32 Meadow Fork

33 Yadkin River (not trout water)

34 Roaring River (not trout water)

35 East Prong Roaring River (that portion on Stone Mountain State Park) [Delayed  
36 Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

37 (B) Ashe County:

38 New River (not trout waters)

39 North Fork New River (Watauga County line to Sharp Dam)

40 Helton Creek (Virginia State line to New River) [Delayed Harvest  
41 Regulations apply. See Subparagraph (a)(5) of this Rule.]

42 Big Horse Creek (Mud Creek at SR 1363 to confluence with North Fork  
43 New River) [Delayed Harvest Regulations apply to portion between SR  
44 1324 bridge and North Fork New River. See Subparagraph (a)(5) of this  
45 Rule.]

46 Buffalo Creek (headwaters to junction of NC 194-88 and SR 1131)

47 Big Laurel Creek

48 Three Top Creek (portion not on game lands)

49 South Fork New River (not trout waters)

50 Cranberry Creek (Alleghany County line to South Fork New River)

51 Nathans Creek

52 Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)

53 Trout Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5)  
54 of this Rule.]

55 Roan Creek

56 Beaver Creek

57 Pine Swamp Creek (all forks)

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- Old Fields Creek
- Mill Creek (except where posted against trespass)
- (C) Avery County:
  - Nolichucky River (not trout waters)
  - North Toe River (~~headwaters to Mitchell County line~~, upper (Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park), except where posted against trespass)
  - North Toe River- lower (Sr 1164 to Mitchell Co. line, except where posted against trespass)
  - Squirrel Creek
  - Elk River (SR 1305 crossing immediately upstream of Big Falls to the Tennessee State line, including portions of tributaries on game lands)
  - Wildcat Lake
  - Catawba River (not trout water)
  - Johns River (not trout water)
  - Wilson Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
  - Lost Cove Creek [not Hatchery Supported trout water, see Subparagraph (a)(4) of this Rule.]
  - Buck Timber Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
  - Cary Flat Branch [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
  - Boyde Coffey Lake
  - Linville River [Land Harbor line (below dam) to Blue Ridge Parkway boundary line, except where posted against trespass]
  - Milltimber Creek
- (D) Buncombe County:
  - French Broad River (not trout water)
  - Ivy Creek (Ivy River) (Dillingham Creek to US 19-23 bridge)
  - Dillingham Creek (Corner Rock Creek to Ivy Creek)
  - Stony Creek
  - Corner Rock Creek (including tributaries, except Walker Branch)
  - Reems Creek (Sugar Camp Fork to US 19-23 bridge, except where posted against trespass)
  - Swannanoa River (SR 2702 bridge near Ridgecrest to Wood Avenue Bridge, intersection of NC 81W and US 74A in Asheville, except where posted against trespass)
  - Bent Creek (headwaters to N.C. Arboretum boundary line, including portions of tributaries on game lands)
  - Lake Powhatan
  - Cane Creek (headwaters to SR 3138 bridge)
- (E) Burke County:
  - Catawba River (Muddy Creek to the City of Morganton water intake dam) [Special Regulations apply. See Subparagraph (a)(7) of this Rule.]
  - South Fork Catawba River (not trout water)
  - Henry Fork (lower South Mountains State Park line downstream to SR 1919 at Ivy Creek)
  - Jacob Fork (Shinny Creek to lower South Mountain State Park boundary) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
  - Johns River (not trout water)
  - Parks Creek (portion not on game lands not trout water)
  - Carroll Creek (game lands portion above SR 1405 including tributaries)
  - Linville River (portion within Linville Gorge Wilderness Area, including tributaries, and portion below Lake James powerhouse from upstream bridge on SR 1223 to Muddy Creek)



- 1 (F) Caldwell County:  
2 Catawba River (not trout water)  
3 Johns River (not trout water)  
4 Wilson Creek (game lands portion downstream of Lost Cove Creek to  
5 Brown Mountain Beach dam, except where posted against trespass)  
6 [Delayed Harvest Regulations apply to game lands portion between Lost  
7 Cove Creek and Phillips Branch. See Subparagraph (a)(5) of this Rule.)  
8 Estes Mill Creek (not trout water)  
9 Mulberry Creek (portion not on game lands not trout water)  
10 Boone Fork [not Hatchery Supported trout water. See Subparagraph (a)(2)  
11 of this Rule.]  
12 Boone Fork Pond  
13 Yadkin River (Happy Valley Ruritan Community Park to SR 1515)  
14 Buffalo Creek (mouth of Joes Creek to McCloud Branch)  
15 Joes Creek (first falls upstream of SR 1574 to confluence with Buffalo  
16 Creek)
- 17 (G) Cherokee County:  
18 Hiwassee River (not trout water)  
19 Shuler Creek (Joe Brown Highway (SR 1325) bridge to Tennessee line)  
20 Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)  
21 Valley River (headwaters to US 19 business bridge in Murphy)  
22 Hyatt Creek (including portions of tributaries on game lands)  
23 Junaluska Creek (Ashturn Creek to Valley River, including portions of  
24 tributaries on game lands)
- 25 (H) Clay County:  
26 Hiwassee River (not trout water)  
27 Fires Creek (foot bridge in the US Forest Service Fires Creek Picnic Area to SR  
28 1300)  
29 Tusquitee Creek (headwaters to lower SR 1300 bridge)  
30 Nantahala River (not trout water)  
31 Buck Creek (game land portion downstream of US 64 bridge)
- 32 (I) Graham County:  
33 Little Tennessee River (not trout water)  
34 Calderwood Reservoir (Cheoah Dam to Tennessee State line)  
35 Cheoah River (not trout water)  
36 Yellow Creek  
37 Santeetlah Reservoir (not trout water)  
38 West Buffalo Creek  
39 Little Buffalo Creek  
40 Santeetlah Creek (Johns Branch to mouth including portions of  
41 tributaries within this section located on game lands, excluding Johns  
42 Branch and Little Santeetlah Creek)  
43 (Big) Snowbird Creek (old railroad junction to SR 1127 bridge,  
44 including portions of tributaries on game lands)  
45 Mountain Creek (game lands boundary to SR 1138 bridge)  
46 Long Creek (portion not on game lands)  
47 Tulula Creek (headwaters to lower bridge on SR 1275)  
48 Cheoah Reservoir  
49 Fontana Reservoir (not trout water)  
50 Stecoah Creek  
51 Panther Creek (including portions of tributaries on game lands)
- 52 (J) Haywood County:  
53 Pigeon River (Stamey Cove Branch to upstream US 19-23 bridge)  
54 Cold Springs Creek (including portions of tributaries on game lands)  
55 Jonathan Creek (upstream SR 1302 bridge to Pigeon River, except where posted  
56 against trespass)  
57 Richland Creek (Russ Avenue (US 276) bridge to US 23-74 bridge)

- 1 West Fork Pigeon River (Tom Creek to the first game land boundary upstream  
2 of Lake Logan) [Delayed Harvest Regulations apply to the portion from Queen  
3 Creek to the first game land boundary upstream of Lake Logan. See  
4 Subparagraph (a)(5) of this Rule.]
- 5 (K) Henderson County:  
6 (Rocky) Broad River (Rocky River Lane to Rutherford County line)  
7 Green River - upper (mouth of Joe Creek to mouth of Bobs Creek)  
8 Green River - lower (Lake Summit Dam to I-26 bridge)  
9 (Big) Hungry River  
10 ~~Little Hungry River~~  
11 French Broad River (not trout water)  
12 Cane Creek (SR 1551 bridge to US 25 bridge)  
13 Mud Creek (not trout water)  
14 Clear Creek (SR 1591 bridge at Jack Mountain Lane to SR 1582)  
15 Mills River (not trout water)  
16 North Fork Mills River (game lands portion below the Hendersonville watershed  
17 dam). [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this  
18 Rule.]
- 19 (L) Jackson County:  
20 Tuckasegee River (confluence with West Fork Tuckasegee River to SR 1534 bridge  
21 at Wilnot) [Delayed Harvest Regulations apply to that portion between the  
22 downstream NC 107 bridge and the falls located 275 yards upstreams of US 23-441  
23 bridge as marked by a sign on each bank. See Subparagraph (a)(5) of this Rule.]  
24 Scott Creek (entire stream, except where posted against trespass)  
25 Dark Ridge Creek (Jones Creek to Scotts Creek)  
26 Savannah Creek (Headwaters to Bradley's Packing House on NC 116)  
27 Greens Creek (Greens Creek Baptist Church on SR 1730 to Savannah Creek)  
28 Cullowhee Creek (Tilley Creek to Tuckasegee River)  
29 ~~Cedar Cliff Lake~~  
30 Bear Creek Lake  
31 Wolf Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this  
32 Rule.]  
33 Wolf Creek Lake  
34 Balsam Lake  
35 Tanasee Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this  
36 Rule.]  
37 Tanasee Creek Lake
- 38 (M) Macon County:  
39 Little Tennessee River (not trout water)  
40 Nantahala River (Nantahala Dam to Swain County line) [Delayed Harvest  
41 Regulations apply to the portion from Whiteoak Creek to the Nantahala  
42 hydropower discharge canal. See Subparagraph (a)(5) of this Rule.]  
43 Queens Creek Lake  
44 Burningtown Creek (including portions of tributaries on game lands)  
45 Cullasaja River Sequoyah Dam to US 64 bridge near junction of SR 1672,  
46 including portions of tributaries on game lands, excluding those portions of  
47 Buck Creek and Turtle Pond Creek on game lands. [Wild Trout Regulations  
48 apply. See Subparagraphs (a)(2) and (a)(6) of this Rule.]  
49 Skitty Creek  
50 Cliffside Lake  
51 Cartoogechaye Creek (downstream US 64 bridge to Little Tennessee River)
- 52 (N) Madison County:  
53 French Broad River (not trout water)  
54 Shut-In Creek (including portions of tributaries on game lands)  
55 Spring Creek upper (junction of NC 209 and NC 63 to US Forest Service road  
56 223)

- 1 Spring Creek-lower (NC 209 bridge at Hot Springs city limits to iron bridge at  
2 end of Andrews Avenue) [Delayed Harvest Regulations apply. See  
3 Subparagraph (a)(5) of this Rule.]  
4 Meadow Fork Creek  
5 Roaring Fork (including portions of tributaries on game lands)  
6 ~~Little Creek~~  
7 Max Patch Pond  
8 Big Laurel Creek (Mars Hill Watershed boundary to the SR 1318 bridge, also  
9 known as Big Laurel Road bridge, downstream of Bearpen Branch)  
10 Big Laurel Creek (NC 208 bridge to US 25-70 bridge) [Delayed Harvest  
11 Regulations apply. See Subparagraph (a)(5) of this Rule.]  
12 Spillcorn Creek (entire stream, excluding tributaries)  
13 Shelton Laurel Creek (confluence of Big Creek and Mill Creek to NC 208  
14 bridge at Belva)  
15 Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big  
16 Laurel Creek) [Delayed Harvest Regulations apply. See Subparagraph  
17 (a)(5) of this Rule.]  
18 ~~Mill Creek (headwaters to confluence with Big Creek)~~  
19 Puncheon Fork (Hampton Creek to Big Laurel Creek)  
20 Big Pine Creek (SR 1151 bridge to French Broad River)  
21 Ivy Creek (not trout waters)  
22 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to  
23 confluence with Ivy Creek at Forks of Ivy)
- (O) McDowell County:  
25 Catawba River - ~~upper~~ (Catawba Falls Campground to Old Fort Recreation Park)  
26 ~~Catawba River - lower (portion adjacent to Marion Greenway)~~ [Delayed Harvest  
27 ~~Regulations apply. See Subparagraph (a)(5) of this Rule.]~~  
28 Buck Creek (portion not on game lands, not trout water)  
29 Little Buck Creek (game land portion including portions of tributaries on  
30 game  
31 lands)  
32 Curtis Creek game lands portion downstream of US Forest Service boundary at  
33 Deep Branch. [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of  
34 this Rule.]  
35 North Fork Catawba River (headwaters to SR 1569 bridge)  
36 Armstrong Creek (Cato Holler line downstream to upper Greenlee line)  
37 Mill Creek (upper railroad bridge to I 40 bridge, except where posted against  
38 trespass) [Delayed Harvest Regulations apply to that portion between US 70  
39 bridge and I 40 bridge. See Subparagraph (a)(5) of this Rule.]
- (P) Mitchell County:  
41 Nolichucky River (not trout water)  
42 Big Rock Creek (headwaters to NC 226 bridge at SR 1307 intersection)  
43 Little Rock Creek (Green Creek Bridge to Big Rock Creek, except where  
44 posted against trespass)  
45 ~~Cane Creek (SR 1219 to NC 226 bridge)~~  
46 ~~Cane Creek (NC 226 bridge to NC 80 bridge)~~ (SR 1219 to SR 1278 bridge)  
47 [Delayed Harvest Regulations apply ~~to that portion from NC 226 bridge to SR~~  
48 ~~1278 bridge.~~ See Subparagraph (a)(5) of this Rule.]  
49 Grassy Creek (East Fork Grassy Creek to mouth)  
50 East Fork Grassy Creek  
51 North Toe River (Avery County line to SR 1121 bridge)  
52 North Toe River (US 19E bridge to NC 226 bridge) [Delayed Harvest  
53 Regulations apply. See Subparagraph (a)(5) of this Rule.]
- (Q) Polk County:  
55 Broad River (not trout water)  
56 North Pacolet River (Joels Creek to NC 108 bridge)

- 1 Green River (Fishtop Falls Access Area to the natural gas pipeline crossing)  
2 [Delayed Harvest Regulations apply to the portion from Fishtop Falls Access  
3 Area to Cove Creek. See Subparagraph (a)(5) of this Rule.]
- 4 (R) Rutherford County:  
5 (Rocky) Broad River (Henderson County line to US 64/74 bridge, except where  
6 posted against trespass)
- 7 (S) Stokes County:  
8 Dan River (Virginia State line downstream to a point 200 yards below the end of SR  
9 1421)
- 10 (T) Surry County:  
11 Yadkin River (not trout water)  
12 Ararat River (SR 1727 bridge downstream to the NC 103 bridge)  
13 Araat River (NC 103 bridge to US 52 bridge) [Delayed Harvest Regulations  
14 apply. See Subparagraph (a)(5) of this Rule.]  
15 Stewarts Creek (not trout water)  
16 Pauls Creek (Virginia State line to 0.3 mile below SR 1625 bridge -  
17 lower Caudle property line)  
18 Fisher River (Cooper Creek) (Virginia State line to Interstate 77)  
19 Little Fisher River (Virginia State line to NC 89 bridge)  
20 Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge  
21 below Kapps Mill Dam) [Delayed Harvest Regulations apply. See  
22 Subparagraph (a)(5) of this Rule.]
- 23 (U) Swain County:  
24 Little Tennessee River (not trout water)  
25 Calderwood Reservoir (Cheoah Dam to Tennessee State line)  
26 Cheoah Reservoir  
27 Fontana Reservoir (not trout water)  
28 Alarka Creek (game lands boundary to Fontana Reservoir)  
29 Nantahala River (Macon County line to existing Fontana Reservoir water  
30 level)  
31 Tuckasegee River (not trout water)  
32 Deep Creek (Great Smoky Mountains National Park boundary line to  
33 Tuckasegee River)  
34 Connelly Creek (including portions of tributaries on game lands)
- 35 (V) Transylvania County:  
36 French Broad River (~~junction of west and north forks to US 276 bridge~~) (confluence  
37 of North Fork French Broad River and West Fork French Broad River to the Island  
38 Ford Road (SR 1110) Access Area)  
39 Davidson River (Avery Creek to lower US Forest Service boundary line)  
40 East Fork French Broad River (Glady Fork to French Broad River) [Delayed  
41 Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]  
42 Little River (confluence of Lake Dense outflow to 100 yards downstream of  
43 Hooker Falls) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of  
44 this Rule.]  
45 Middle Fork French Broad River  
46 West Fork French Broad River (SR 1312 and SR 1309 intersection to junction  
47 of west and north forks, including portions of tributaries within this section  
48 located on game lands)
- 49 (W) Watauga County:  
50 New River (not trout waters)  
51 North Fork New River (from confluence with Maine and Mine branches to Ashe  
52 County line)  
53 Maine Branch (headwaters to North Fork New River)  
54 South New Fork River (not trout water)  
55 Meat Camp Creek  
56 Norris Fork Creek  
57 Howard Creek (downstream from lower falls)



1 Middle Fork New River (Lake Chetola Dam to South Fork New River)  
2 Yadkin River (not trout water)  
3 Stony Fork (headwaters to Wilkes County line)  
4 Elk Creek ~~(headwaters to gravel pit on SR 1508 (SR 1510 bridge at Triplett to~~  
5 Wilkes County line, except where posted against trespass)  
6 Watauga River (adjacent to the intersection of SR 1557 and SR 1558 to NC 105  
7 bridge and SR 1114 bridge to NC 194 bridge at Valle Crucis). [Delayed Harvest  
8 Regulations apply. See Subparagraph (a)(5) of this Rule.]  
9 Beech Creek  
10 Buckeye Creek Reservoir  
11 Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)  
12 Coffee Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of  
13 this Rule.]  
14 Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek  
15 to an unnamed tributary adjacent to the intersection of SR 1201 and SR 1203)  
16 Laurel Creek  
17 Cove Creek (SR 1233 bridge at Zionville to SR 1233 bridge at Amantha)  
18 Dutch Creek (second bridge on SR 1134 to mouth)  
19 (X) Wilkes County:  
20 Yadkin River (not trout water)  
21 Roaring River (not trout water)  
22 East Prong Roaring River (Bullhead Creek to Brewer's Mill on SR 1943)  
23 [Delayed Harvest Regulations apply to portion on Stone Mountain State  
24 Park. See Subparagraph (a)(5) of this Rule.]  
25 Stone Mountain Creek [Delayed Harvest Regulations apply. See  
26 Subparagraph (a)(5) of this Rule.]  
27 Middle Prong Roaring River (headwaters to second bridge on SR 1736)  
28 Bell Branch Pond  
29 Boundary Line Pond  
30 West Prong Roaring River (not trout waters)  
31 Pike Creek  
32 Pike Creek Pond  
33 Cub Creek (0.5 miles upstream of SR 2460 bridge to SR 1001 bridge)  
34 Reddies River (Town of North Wilkesboro water intake dam to confluence with  
35 Yadkin River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of  
36 this Rule.]  
37 Middle Fork Reddies River (Clear Prong) (headwaters to bridge on SR  
38 1580)  
39 South Fork Reddies River (headwaters to confluence with Middle Fork  
40 Reddies River)  
41 North Fork Reddies River (Vannoy Creek) (headwaters to Union  
42 School bridge on SR 1559)  
43 Darnell Creek (North Prong Reddies River) (downstream ford on  
44 SR 1569 to confluence with North Fork Reddies River)  
45 Lewis Fork Creek (not trout water)  
46 South Prong Lewis Fork (headwaters to Lewis Fork Baptist Church)  
47 Fall Creek (except portions posted against trespass)  
48 Elk Creek - upper (Watauga County line to lower boundary of Reynolds Blue  
49 Ridge development) [Delayed Harvest Regulations apply. See Subparagraph  
50 (a)(5) of this Rule.]  
51 Elk Creek - lower (portion on Leatherwood Mountains development) [Delayed  
52 Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]  
53 (Y) Yancey County:  
54 Nolichucky River (not trout water)  
55 Cane River [Bee Branch (SR 1110) to Bowlens Creek]  
56 Bald Mountain Creek (except portions posted against trespass)  
57 Indian Creek (not trout water)

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- Price Creek (junction of SR 1120 and SR 1121 to Indian Creek)
- North Toe River (not trout water)
- South Toe River (Clear Creek to lower boundary line of Yancey County recreation park except where posted against trespass)
- (2) Wild Trout Waters. All waters designated as Public Mountain Trout Waters on the game lands listed in Subparagraph (b)(2) of 15A NCAC 10D .0104, are classified as Wild Trout Waters unless specifically classified otherwise in Subparagraph (a)(1) of this Rule. The trout waters listed in this Subparagraph are also classified as Wild Trout Waters.
  - (A) Alleghany County:
    - Big Sandy Creek (portion on Stone Mountain State Park)
    - Stone Mountain Creek (that portion on Stone Mountain State Park)
  - (B) Ashe County:
    - Big Horse Creek (Virginia State Line to Mud Creek at SR 1363) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]
    - Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game Land) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]
  - (C) Avery County:
    - Birchfield Creek (entire stream)
    - Cow Camp Creek (entire stream)
    - Cranberry Creek (headwaters to US 19E/NC 194 bridge)
    - Elk Hollow Branch (entire stream)
    - Elk River (portion on Lees-McRae College property, excluding the millpond) [Catch and Release/Artificial Flies Only Regulations apply. See Subparagraph (a)(4) of this Rule.]
    - Gragg Prong (entire stream)
    - Horse Creek (entire stream)
    - Jones Creek (entire stream)
    - Kentucky Creek (entire stream)
    - North Harper Creek (entire stream)
    - Plumtree Creek (entire stream)
    - Roaring Creek (entire stream)
    - Rockhouse Creek (entire stream)
    - Shawneehaw Creek (portion adjacent to Banner Elk Greenway)
    - South Harper Creek (entire stream)
    - Webb Prong (entire stream)
    - Wilson Creek [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]
  - (D) Buncombe County:
    - Carter Creek (game land portion) [Catch and Release/Artificial Lures only Regulations apply. See Subparagraph (a)(3) of this Rule.]
  - (E) Burke County:
    - All waters located on South Mountain State Park, except the main stream of Jacob Fork Between the mouth of Shinny Creek and the lower park boundary where Delayed Harvest Regulations apply, and Henry Fork and tributaries where Catch and Release/Artificial Lures Only Regulations apply. See Subparagraphs (a)(3) and (a)(5) of this Rule.
    - Nettle Branch (game land portion)
  - (F) Caldwell County:
    - Buffalo Creek (Watauga County line to Long Ridge Branch including tributaries on game lands)
    - Joes Creek (Watauga County line to first falls upstream of the end of SR 1574)
    - Rockhouse Creek (entire stream)
  - (G) Cherokee County:
    - Bald Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
    - Dockery Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]

1 North Shoal Creek (game land portions, including tributaries) [Wild Trout/Natural Bait  
2 Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]  
3 (H) Graham County:  
4 Franks Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See  
5 Subparagraph (a)(6) of this Rule.]  
6 Little Buffalo Creek (entire stream)  
7 South Fork Squally Creek (entire stream)  
8 Squally Creek (entire stream)  
9 (I) Haywood County  
10 Hemphill Creek [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph  
11 (a)(6) of the Rule.]  
12 Hurricane Creek (including portions of tributaries on game lands) [Wild Trout/Natural  
13 Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]  
14 (J) Jackson County:  
15 Buff Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See  
16 Subparagraph (a)(6) of this Rule.]  
17 Gage Creek (entire stream)  
18 North Fork Scott Creek (entire stream)  
19 Shoal Creek (Glenville Reservoir pipeline to mouth) [Wild Trout/Natural Bait Waters  
20 Regulations apply. See Subparagraph (a)(6) of this Rule.]  
21 Tanasee Creek (entire stream)  
22 West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville  
23 Lake) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of  
24 this Rule.]  
25 Whitewater River (downstream from Silver Run Creek to South Carolina State line)  
26 Wolf Creek (entire stream, except Balsam Lake and Wolf Creek Lake)  
27 (K) Madison County:  
28 Big Creek (headwaters to the lower game land boundary, including tributaries) [Wild  
29 Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]  
30 (L) Mitchell County:  
31 Green Creek (headwaters to Green Creek Bridge, except where posted against trespass)  
32 Little Rock Creek (headwaters to Green Creek Bridge, including all tributaries, except  
33 where  
34 posted against trespass)  
35 Wiles Creek (game land boundary to mouth)  
36 (M) Transylvania County:  
37 All waters located on Gorges State Park  
38 Whitewater River (downstream from Silver Run Creek to South Carolina State line)  
39 (N) Watauga County:  
40 Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.  
41 Anglers must check in at the development security office on Triplett Road prior to  
42 fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See  
43 Subparagraph (a)(3) of this Rule.]  
44 Dutch Creek (headwaters to second bridge on SR 1134)  
45 Howards Creek (headwaters to lower falls)  
46 Laurel Creek (portions on Reynolds Blue Ridge ~~development, and Powder Horn~~  
47 ~~Mountain developments,~~ including tributaries. Anglers fishing the upper section of  
48 ~~Laurel Creek~~ must check in at the ~~development Reynolds Blue Ridge~~ security office on  
49 ~~Triplett Road prior to fishing) fishing. Anglers fishing the lower section of Laurel Creek~~  
50 ~~must access the creek from the parking area on Powder Horn Mountain property adjacent~~  
51 ~~to Laurel Creek on Triplett Road.]~~ [Catch and Release/Artificial Lure Only Trout Waters  
52 Regulations apply. See subparagraph (a)(3) of this Rule.]  
53 Pond Creek (headwaters to Locust Ridge Road bridge, excluding the pond adjacent to  
54 Coffee Lake) [Catch and Release/Artificial Lure Only Trout Waters Regulations Apply.  
55 See Subparagraph (a)(3) of this Rule.]  
56 Watauga River (Avery County line to steel bridge at Riverside Farm Road)  
57 Winkler Creek (lower bridge on SR 1549 to confluence with South Fork New River)

- 1 (O) Wilkes County:  
2 Big Sandy Creek (portion on Stone Mountain State Park)  
3 Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.  
4 Anglers must check in at the development security office on Triplett Road prior to  
5 fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See  
6 Subparagraph (a)(3) of this Rule.]  
7 Garden Creek (portion on Stone Mountain State Park)  
8 Harris Creek and tributaries (portions on Stone Mountain State Park) [Catch and Release  
9 Artificial Lures Only Regulations apply. See Subparagraph (a)(4) of this Rule.]  
10 Widow Creek (portion on Stone Mountain State Park)
- 11 (P) Yancey County:  
12 Cattail Creek (Bridge at Mountain Farm Community Road (Private) to NC 197 bridge)  
13 Licksillet Creek (entire stream)  
14 Middle Creek (game land boundary to mouth)
- 15 (3) Catch and Release/Artificial Lures Only Trout Waters. Those portions of designated wild trout  
16 waters as listed in this Subparagraph, including tributaries except as noted, are further classified as  
17 Catch and Release/Artificial Lures Only waters. Only artificial lures having one single hook may  
18 be used. No trout may be harvested or be in possession while fishing these streams:
- 19 (A) Ashe County:  
20 Big Horse Creek (Virginia State line to Mud Creek at SR 1363 excluding tributaries)  
21 Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game  
22 Lands)
- 23 (B) Avery County:  
24 Wilson Creek (game land portion)
- 25 (C) Buncombe County:  
26 Carter Creek (game land portion)
- 27 (D) Burke County:  
28 Henry Fork (portion on South Mountains State Park)
- 29 (E) Jackson County:  
30 Flat Creek  
31 Tuckasegee River (upstream of Clarke property)
- 32 (F) McDowell County:  
33 Newberry Creek (game land portion)
- 34 (G) Watauga County:  
35 Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.  
36 Anglers must check in at the development security office on Triplett Road prior to  
37 fishing)  
38 Laurel Creek (portions on Reynolds Blue Ridge development, and Powder Horn  
39 Mountain developments, including tributaries. Anglers fishing the upper section of  
40 Laurel Creek must check in at the development security office on Triplett Road prior to  
41 fishing fishing. Anglers fishing the lower section of Laurel Creek must access the creek  
42 from the parking area on Powder Horn Mountain property adjacent to Laurel Creek on  
43 Triplett Road.)  
44 Pond Creek (headwaters to Locust Ridge bridge, excluding the pond adjacent to Coffee  
45 Lake)
- 46 (H) Wilkes County:  
47 Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.  
48 Anglers must check in at the development security office on Triplett Road prior to  
49 fishing)  
50 Harris Creek (portion on Stone Mountain State Park)
- 51 (4) Catch and Release/Artificial Flies Only Trout Waters. Those portions of designated wild trout  
52 waters as listed in this Subparagraph, including tributaries except as noted, are further classified as  
53 Catch and Release/Artificial Flies Only waters. Only artificial flies having one single hook may  
54 be used. No trout may be harvested or be in possession while fishing these streams:
- 55 (A) Avery County:  
56 Elk River (portion on Lees-McRae College property, excluding the millpond)  
57 Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)



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(B) Transylvania County:  
Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass  
Creek  
and Grogan Creek)

(C) Yancey County:  
South Toe River (headwaters to Upper Creek, including tributaries)  
Upper Creek (entire stream)

(5) Delayed Harvest Trout Waters. Those portions of designated Hatchery Supported Trout Waters as listed in this Subparagraph, excluding tributaries except as noted, are further classified as Delayed Harvest Waters. Between 1 October and one-half hour after sunset on the Friday before the first Saturday of the following June, inclusive, it is unlawful to possess natural bait, use more than a single hook on an artificial lure, or harvest or possess trout while fishing these waters. These waters are closed to fishing between one-half hour after sunset on the Friday before the first Saturday in June and 6:00 a.m. on the first Saturday in June. At 6:00 a.m. on the first Saturday in June these waters are open for fishing under Hatchery Supported Waters rules for youth anglers only. Youth is defined as a person under 16 years of age. At 12:00 p.m. on the first Saturday in June these streams open for fishing under Hatchery Supported Waters rules for all anglers:

(A) Alleghany County:

Little River (Whitehead to a point 275 yards downstream of the intersection of SR 1128 and SR 1129 as marked by a sign on each bank)

~~(A)~~(B) Ashe County:

Trout Lake

Helton Creek (Virginia state line to New River)

Big Horse Creek (SR 1324 bridge to North Fork New River)

~~(B)~~(C) Burke County:

Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)

~~(C)~~(D) Caldwell County:

Wilson Creek (game lands portion downstream of Lost Cove Creek to Phillips Branch)

~~(D)~~(E) Haywood County:

West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake Logan)

~~(E)~~(F) Henderson County:

North Fork Mills River (game land portion below the Hendersonville watershed dam)

~~(F)~~(G) Jackson County:

Tuckasegee River (downstream NC 107 bridge falls located 275 yards upstream of the US 23-441 bridge as marked by a sign on each bank)

~~(G)~~(H) Macon County:

Nantahala River (Whiteoak Creek to the Nantahala hydropower discharge canal)

~~(H)~~(I) Madison County:

Big Laurel Creek (NC 208 bridge to the US 25-70 bridge)

Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek)

Spring Creek (NC 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Avenue)

~~(I)~~(J) McDowell County:

Catawba River (portion adjacent to Marion Greenway)

Curtis Creek (game lands portion downstream of U.S. Forest Service boundary at Deep Branch)

Mill Creek (US70 bridge to I 40 bridge)

~~(J)~~(K) Mitchell County:

Cane Creek (NC 226 bridge to ~~NC 80 SR 1278~~ bridge)

North Toe River (US 19E bridge to NC 226 bridge)

~~(K)~~(L) Polk County:

Green River (Fishtop Falls Access Area to confluence with Cove Creek)

~~(L)~~(M) Surry County:

Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge below Kapps Mill Dam)

Ararat River (NC 103 bridge to US 52 bridge)

- 1 ~~(M)~~(N) Transylvania County:  
2 East Fork French Broad River (Glady Fork to French Broad River)  
3 Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)
- 4 ~~(N)~~(O) Watauga County:  
5 Watauga River (adjacent to intersection of SR 1557 and SR 1558 to NC 105 bridge and  
6 SR 1114 bridge to NC 194 bridge at Valle Crucis)  
7 Coffee Lake
- 8 ~~(O)~~(P) Wilkes County:  
9 East Prong Roaring River (from Bullhead Creek downstream to the Stone Mountain State  
10 Park lower boundary)  
11 Stone Mountain Creek (from falls at Allegheny County line to confluence with East  
12 Prong  
13 Roaring River and Bullhead Creek in Stone Mountain State Park)  
14 Reddies River (Town of North Wilkesboro water intake dam to confluence with Yadkin  
15 River)  
16 Elk Creek - upper (Watauga County line to lower boundary of Reynolds Blue Ridge  
17 development)  
18 Elk Creek - lower (portion on Leatherwood Mountains development)
- 19 (6) Wild Trout/Natural Bait Waters. Those portions of designated Wild Trout Waters as listed in this  
20 Subparagraph, including tributaries except as noted, are further classified as Wild Trout/Natural  
21 Bait Waters. All artificial lures and natural baits, except live fish, are allowed provided they are  
22 fished using only one single hook. The creel limit, size limit, and open season are the same as  
23 other Wild Trout Waters [see 15A NCAC 10C .0305(a)].
- 24 (A) Cherokee County:  
25 Bald Creek (game land portions)  
26 Dockery Creek (game land portions)  
27 North Shoal Creek (game land portions)
- 28 (B) Graham County:  
29 Deep Creek  
30 Long Creek (game land portion)  
31 Franks Creek
- 32 (C) Haywood County:  
33 Hemphill Creek (including tributaries)  
34 Hurricane Creek (including portions of tributaries on game lands)
- 35 (D) Jackson County:  
36 Buff Creek  
37 Chattooga River (SR 1100 bridge to South Carolina state line)  
38 (lower) Fowler Creek (game land portion)  
39 Scotsman Creek (game land portion)  
40 Shoal Creek (Glenville Reservoir pipeline to mouth)  
41 West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville  
42 Lake)
- 43 (E) Macon County:  
44 Chattooga River (SR 1100 bridge to South Carolina state line)  
45 Jarrett Creek (game land portion)  
46 Kimsey Creek  
47 Overflow Creek (game land portion)  
48 Park Creek  
49 Tellico Creek (game land portion)  
50 Turtle Pond Creek (game land portion)
- 51 (F) Madison County:  
52 Big Creek (headwaters to the lower game land boundary, including tributaries)
- 53 (G) Transylvania County:  
54 North Fork French Broad River (game land portions downstream of SR 1326)  
55 Thompson River (SR 1152 to South Carolina state line, except where posted against  
56 trespass,  
57 including portions of tributaries within this section located on game lands)

1 (7) Special Regulation Trout Waters. Those portions of Designated Public Mountain Trout Waters as  
2 listed in this Subparagraph, excluding tributaries as noted, are further classified as Special  
3 Regulation Trout Waters. Regulations specific to each water are defined below:

4 Burke County

5 Catawba River (Muddy Creek to City of Morganton water intake dam).

6 Regulation: The daily creel limit is 7 trout and only one of which may be greater than 14  
7 inches in length; no bait restrictions; no closed season.

8 (b) Fishing in Trout Waters

9 (1) Hatchery Supported Trout Waters. It is unlawful to take fish of any kind by any manner  
10 whatsoever from designated public mountain trout waters during the closed seasons for trout  
11 fishing. The seasons, size limits, creel limits and possession limits apply in all waters, whether  
12 designated or not, as public mountain trout waters. Except in power reservoirs and city water  
13 supply reservoirs so designated, it is unlawful to fish in designated public mountain trout waters  
14 with more than one line. Night fishing is not allowed in most hatchery supported trout waters on  
15 game lands [see 15A NCAC 10D .0104(b)(1)].

16 (2) Wild Trout Waters. Except as otherwise provided in Subparagraphs (a)(3), (a)(4), and (a)(6) of  
17 this Rule, the following rules apply to fishing in wild trout waters.

18 (A) Open Season. There is a year round open season for the licensed taking of trout.

19 (B) Creel Limit. The daily creel limit is four trout.

20 (C) Size Limit. The minimum size limit is seven inches.

21 (D) Manner of Taking. Only artificial lures having only one single hook may be used. No  
22 person shall possess natural bait while fishing wild trout waters except those waters listed  
23 in 15A NCAC 10C .0205(a)(6).

24 (E) Night Fishing. Fishing on wild trout waters is not allowed between one-half hour after  
25 sunset and one-half hour before sunrise.

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27 *History Note:* Authority G.S. 113-272; 113-292;  
28 Eff. February 1, 1976;  
29 Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;  
30 October 1, 1992;  
31 Temporary Amendment Eff. July 1, 1999;  
32 Amended Eff. July 1, 2000;  
33 Temporary Amendment Eff. July 1, 2001;  
34 Temporary Amendment Eff. July 1, 2002;  
35 Amended Eff. August 1, 2002 (approved by RRC) on 6/21/01 and 04/18/02);  
36 Temporary Amendment Eff. June 1, 2003;  
37 Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17  
38 2003);  
39 Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1,  
40 2006; June 1, 2005.

**15A NCAC 10C .0305 OPEN SEASONS: CREEL AND SIZE LIMITS**

(a) Generally. Subject to the exceptions listed in Paragraph (b) of this Rule, the open seasons and creel and size limits are as indicated in the following table:

GAME FISHES	DAILY CREEL LIMITS	MINIMUM SIZE LIMITS	OPEN SEASON
Mountain Trout:			
Wild Trout Waters	4	7 in.	ALL YEAR (exc. (3))
Hatchery Supported Trout Waters and undesignated waters	7 (exc. (3))	None (exc. (3))	All year, except March 1 to 7:00 a.m. on first Saturday in April (exc. (3))
Muskellunge	1	42 in.	ALL YEAR
Pickeral: Chain and Redfin	None	None	ALL YEAR
Walleye	8 (exc. (9))	None (exc. (9))	ALL YEAR
Sauger	8	15 in.	ALL YEAR
Black Bass:			
Largemouth, Smallmouth, and Spotted Smallmouth and Spotted	5 (exc. (21&26))	14 in. (exc. (8, 10&21, 10, 21&26))	ALL YEAR (exc. (17))
Smallmouth and Spotted	5 (exc. (21))	12 in. (exc. (8, 10&21))	ALL YEAR
Roanoke and Rock Bass	None (exc. (24))	None (exc. (24))	ALL YEAR
White Bass	25	None	ALL YEAR
Sea Trout (Spotted or Speckled)	10	14 in.	ALL YEAR
Flounder	8	14 in.	ALL YEAR
Red drum (channel bass, red fish, puppy drum)	1	18 in. (exc. (19))	ALL YEAR
Striped Bass and their hybrids (Morone Hybrids)	8 aggregate (exc. 1,2,5,6,11,&13)	16 in. (exc. 1,2,5,6,11&13)	ALL YEAR (exc. 6,13&15)
Shad: (American and hickory)	10 aggregate (exc. (22))	None	ALL YEAR (exc. (18))
Kokanee Salmon	7	None	ALL YEAR
Crappie and sunfish	None (exc. 4,12&16)	None (exc. (12))	ALL YEAR (exc. (4))
NONGAME FISHES	None (exc. 14,20,23&25)	None (exc. 14,20,23&25)	ALL YEAR (exc. (7))

(b) Exceptions

- (1) In the Dan River upstream from its confluence with Bannister River to the Brantly Steam Plant Dam and in John H. Kerr Reservoir the creel limit on striped bass and Morone hybrids is two in the aggregate and the minimum size limit is 26 inches from October 1 through May 31. From June 1 through September 30 the daily creel limit on striped bass and Morone hybrids is four in aggregate with no minimum size limit.
- (2) In Lake Rhodhiss, Lake Hickory, and Lookout Shoals Reservoir, the creel limit on striped bass and Morone hybrids is four in the aggregate and the minimum size limit is 20 inches. In the Cape Fear River upstream of Buckhorn Dam and the Deep and Haw rivers to the first impoundment and in B.-Everett Jordan Reservoir, the creel limit on striped bass and Morone hybrids is four in the



1 aggregate and the minimum size limit is ~~20~~ 24 inches. In Lake Gaston and Roanoke Rapids  
2 Reservoir the creel limit on striped bass and Morone hybrids is four in aggregate with a minimum  
3 size limit of 20 inches from October 1 through May 31 and no minimum size limit from June 1  
4 through September 30. In Lake Norman the creel limit on striped bass and Morone hybrids is four  
5 in aggregate with a minimum size limit of 16 inches from October 1 through May 31 and no  
6 minimum size limit from June 1 through September 30.

7 (3) In designated public mountain trout waters the season for taking all species of fish is the same as  
8 the trout fishing season. There is no closed season on taking trout from Linville River within  
9 Linville Gorge Wilderness Area (including tributaries), Catawba River from Muddy Creek to the  
10 City of Morganton water intake dam, and the impounded waters of power reservoirs and  
11 municipally-owned water supply reservoirs open to the public for fishing.

12 (4) On Mattamuskeet Lake, special federal regulations apply.

13 (5) In the inland fishing waters of Neuse, Pungo and Tar Pamlico rivers and their tributaries extending  
14 upstream to the first impoundment of the main course on the river or its tributaries, and in all other  
15 inland fishing waters east of Interstate 95, subject to the exceptions listed in this Paragraph, the  
16 daily creel limit for striped bass and their hybrids is two fish in aggregate. The minimum length  
17 limit is 18 inches and no striped bass or striped bass hybrids between the lengths of 22 inches and  
18 27 inches may be possessed. In these waters, the season for taking and possessing striped bass is  
19 closed from May 1 through September 30. In the inland fishing waters of the Cape Fear River and  
20 its tributaries, the season for taking and possessing striped bass is closed year-round. In the Pee  
21 Dee River and its tributaries from the South Carolina line upstream to Blewett Falls Dam, the  
22 season for taking and possessing striped bass and their hybrids is open year-round, the daily creel  
23 limit is three fish in aggregate and the minimum length limit is 18 inches.

24 (6) In the inland and joint fishing waters [as identified in 15A NCAC 10C .0107(1)(e)] of the  
25 Roanoke River Striped Bass Management Area, which includes the Roanoke, Cashie, Middle and  
26 Eastmost rivers and their tributaries, the open season for taking and possessing striped bass and  
27 their hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at  
28 Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season the daily creel  
29 limit for striped bass and their hybrids is two fish in aggregate, the minimum size limit is 18  
30 inches. No fish between 22 inches and 27 inches in length shall be retained in the daily creel limit.  
31 Only one fish larger than 27 inches may be retained in the daily creel limit.

32 (7) See 15A NCAC 10C .0407 for open seasons for taking nongame fishes by special devices.

33 (8) The maximum combined number of black bass of all species that may be retained per day is five  
34 fish, no more than two of which may be smaller than the applicable minimum size limit. The  
35 minimum size limit for all species of black bass is 14 inches, with no exception in Lake Luke  
36 Marion in Moore County, Reedy Creek Park lakes in Mecklenburg County, Lake Rim in  
37 Cumberland County, Lake Raleigh in Wake County, ~~Randleman Reservoir in Randolph and~~  
38 ~~Guilford counties,~~ Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of  
39 Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream  
40 of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw  
41 River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek,  
42 in all their tributaries, and in all other public fishing waters east of Interstate 95 (except Tar River  
43 Reservoir in Nash County), South Yadkin River downstream of Cooleemee Dam, Yadkin-Pee Dee  
44 River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown  
45 Lake, Badin Lake, Falls Lake, Lake Tillery and Blewett Falls Lake. ~~In and west of Madison,~~  
46 ~~Buncombe, Henderson and Polk Counties and in designated public mountain trout waters the~~  
47 ~~minimum size limit is 12 inches.~~ In Cane Creek Lake in Union County, and Buckhorn Reservoir  
48 in Wilson and Nash counties the minimum size limit for largemouth bass is 16 inches, with no  
49 exception. In Lake Phelps and Shearon Harris Reservoir no black bass between 16 and 20 inches  
50 shall be possessed. ~~In Lake Norman the minimum size limit for black bass is 14 inches. In~~  
51 ~~Randleman Reservoir only one largemouth bass greater than 20 inches may be possessed.~~

52 (9) A minimum size limit of 15 inches applies to walleye taken from Lake James and its tributaries,  
53 and the daily creel limit for walleye is four fish in Linville River upstream from the NC 126 bridge  
54 above Lake James.

55 (10) The minimum size limit for all black bass, with no exception, is 18 inches in Lake Thom-A-Lex in  
56 Davidson County.

- 1 (11) In all impounded inland waters and their tributaries, except those waters described in Exceptions  
2 (1) and (4), the daily creel limit of striped bass and their hybrids may include not more than two  
3 fish of smaller size than the minimum size limit.
- 4 (12) A daily creel limit of 20 fish and a minimum size limit of 10 inches apply to crappie in B. Everett  
5 Jordan Reservoir and in the Roanoke River and its tributaries downstream of Roanoke Rapids dam  
6 and in the Cashie, Middle, and Eastmost rivers and their tributaries. A daily creel limit of 20 fish  
7 and a minimum size limit of eight inches apply to crappie in the following waters: all public  
8 waters west of Interstate 77, South Yadkin River downstream of Cooleemee Dam, Yadkin-Pee  
9 Dee River from Idols Dam to the South Carolina State line including High Rock Lake,  
10 Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery, and Blewett Falls Lake, Lake Norman,  
11 Lake Hyc0, Lake Ramseur, Cane Creek Lake, Tar River downstream of Tar River Reservoir Dam,  
12 Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep  
13 River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake  
14 Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and  
15 in all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County,  
16 Sutton Lake in New Hanover County, and Roanoke River and tributaries below Roanoke Rapids  
17 dam, as listed above. In Buckhorn Reservoir in Wilson and Nash counties a daily creel limit of 20  
18 fish applies to crappie.
- 19 (13) In designated inland fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan  
20 River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the  
21 Roanoke River and Cashie River and their tributaries), striped bass fishing season, size limits and  
22 creel limits are the same as those established by rules or proclamations of the Marine Fisheries  
23 Commission in adjacent joint or coastal fishing waters.
- 24 (14) ~~Size and creel limits on regulated areas, including Community Fishing Areas, Public Fishing~~  
25 ~~Areas, and other cooperatively managed public waters~~ In waters that are stocked and managed for  
26 catfish and located on game lands, on other Commission-owned property, or on the property of a  
27 cooperator, including waters within the Community Fishing Program, it is unlawful to take  
28 channel, white, or blue catfish (forked tail catfish) by means other than hook and line; the daily  
29 creel limit for forked tail catfish is six fish in aggregate. Waters to which this creel limit applies  
30 shall be posted at each area, as specified in 15A NCAC 10E .0103.
- 31 (15) The Executive Director may, by proclamation, suspend or extend the hook-and-line season for  
32 striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to  
33 violate the provisions of any proclamation issued under this authority.
- 34 (16) In Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Tar River  
35 Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan  
36 Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River  
37 downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all  
38 their tributaries, and in all other public fishing waters east of Interstate 95, except Tar River  
39 Reservoir in Nash County, the daily creel limit for sunfish is 30 in aggregate, no more than 12 of  
40 which shall be redbreast sunfish.
- 41 (17) In Sutton Lake, no largemouth bass shall be possessed from December 1 through March 31.
- 42 (18) The season for taking American and hickory shad with bow nets is March 1 through April 30.
- 43 (19) No red drum greater than 27 inches in length may be possessed.
- 44 (20) No person shall take or possess herring (alewife and blueback) that are greater than six inches in  
45 length from the inland fishing waters of coastal rivers and their tributaries including Roanoke  
46 River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam,  
47 Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee  
48 Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek,  
49 in all their tributaries, and in all other inland fishing waters east of Interstate 95.
- 50 (21) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County,  
51 Virginia) no black bass between 14 and 20 inches in length shall be possessed and only one black  
52 bass greater than 20 inches may be possessed in the daily creel limit. No minimum size limit  
53 applies to black bass less than 14 inches in length in this section of New River.
- 54 (22) In the inland waters of Roanoke ~~River and its River, Neuse River, and their~~ tributaries, the daily  
55 creel limit for American and hickory shad is 10 in aggregate, only one of which may be an  
56 American shad. In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no  
57 American shad may be possessed.

- 1 (23) In Lake Norman and Badin Lake the daily creel limit for blue catfish greater than 32 inches in  
2 length is one fish.  
3 (24) In all public fishing waters east of Interstate 77, the minimum length for Roanoke and rock bass is  
4 8 inches and the daily creel limit is two fish in aggregate.  
5 (25) In inland fishing waters the minimum length for gray trout (weakfish) is 12 inches and the daily  
6 creel limit is one fish.  
7 (26) In Lake Cammack in Alamance County and Lake Holt in Granville County the daily creel limit for  
8 largemouth bass is 10 fish and no more than two fish greater than 14 inches may be possessed.  
9

10  
11 *History Note:* Authority G.S. 113-134; 113-292; 113-304; 113-305;  
12 Eff. February 1, 1976;  
13 Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1,  
14 1990;  
15 Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1,  
16 1990;  
17 Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;  
18 Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;  
19 Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent  
20 rule becomes effective, whichever is sooner;  
21 Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;  
22 Temporary Amendment Eff. November 1, 1998;  
23 Amended Eff. April 1, 1999;  
24 Temporary Amendment Eff. July 1, 1999;  
25 Amended Eff. July 1, 2000;  
26 Temporary Amendment Eff. July 1, 2001;  
27 Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent  
28 amendment effective July 1, 2002 and approved by RRC in May 2001];  
29 Amended Eff. August 1, 2002 (approved by RRC in April 2002);  
30 Temporary Amendment Eff. June 1, 2003;  
31 Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July  
32 17, 2003);  
33 Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1,  
34 2007; May 1, 2006; June 1, 2005.

1 **15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: PURCHASE AND SALE**

2 (a) Except as permitted by the rules in this Section, it is unlawful to take nongame fishes from the inland fishing  
3 waters of North Carolina in any manner other than with hook and line or grabbling. Nongame fishes may be taken  
4 by hook and line or grabbling at any time without restriction as to size limits or creel limits, with the following  
5 exceptions:

- 6 (1) Blue crabs shall have a minimum carapace width of five inches (point to point) and it is unlawful  
7 to possess more than 50 crabs per person per day or to exceed 100 crabs per vessel per day.  
8 (2) No person shall take or possess herring (alewife and blueback) that are greater than six inches in  
9 length from the inland fishing waters of coastal rivers and their tributaries including Roanoke  
10 River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam,  
11 Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee  
12 Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek,  
13 and in all other inland fishing waters east of Interstate 95.  
14 (3) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman,  
15 Mountain Island Reservoir ~~and Lake Wylie, Lake Wylie and Lake Tillery,~~ except that one fish  
16 per day may be taken by bow and arrow.  
17 (4) No trotlines or set-hooks shall be used in the impounded waters located on the Sandhills Game  
18 Land or in designated public mountain trout waters.  
19 (5) In Lake Waccamaw, trotlines or set-hooks may be used only from October 1 through April 30.  
20 (6) The minimum size limit for gray trout (weakfish) is 12 inches and the daily creel limit is one fish.

21 (b) The season for taking nongame fishes by other hook and line methods in designated public mountain trout  
22 waters is the same as the trout fishing season.

23 (c) Nongame fishes, except alewife and blueback herring, excluding those less than six inches in length collected  
24 from Kerr Reservoir (Granville, Vance, and Warren counties), blue crab, and bowfin, taken by hook and line,  
25 grabbling or by licensed special devices may be sold. Eels less than six inches in length may not be taken from  
26 inland waters for any purpose.

27 (d) Freshwater mussels, including the Asiatic clam (*Corbicula fluminea*), may only be taken from impounded  
28 waters, except mussels shall not be taken in Lake Waccamaw and in University Lake in Orange County. It is  
29 unlawful to possess more than 200 freshwater mussels.

30 (e) ~~Size and creel limits as set in this Rule on regulated areas, including Community Fishing Areas, Public Fishing~~  
31 ~~Areas, and other cooperatively managed public waters~~ In waters that are stocked and managed for catfish and  
32 located on game lands, on Commission-owned property, or on the property of a cooperator, including waters within  
33 the Community Fishing Program, it is unlawful to take channel, white, or blue catfish (forked tail catfish) by means  
34 other than hook and line; the daily creel limit for forked tail catfish is six fish in aggregate. Waters to which this  
35 creel limit applies shall be posted ~~at each area,~~ as specified in 15A NCAC 10E .0103.

36 (f) In Lake Norman and Badin Lake, the daily creel limit for blue catfish greater than 32 inches is one fish.  
37

38 *History Note: Authority G.S. 113-134; 113-272; 113-292;*

39 *Eff. February 1, 1976;*

40 *Amended Eff. July 1, 1994; July 1, 1993; May 1, 1992;*

41 *Temporary Amendment Eff. December 1, 1994;*

42 *Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995;*

43 *Temporary Amendment Eff. July 1, 1999;*

44 *Amended Eff. July 1, 2000;*

45 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*

46 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*

47 *Temporary Amendment Eff. June 1, 2003;*

48 *Amended Eff. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*  
49 *2003);*

50 *Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1,*  
51 *2006; June 1, 2005.*



1 **15A NCAC 10C .0404 SPECIAL DEVICE FISHING**

2 (a) Bow and Arrow. The use of bow [as defined in 15A NCAC 10B .0116(a)] and arrow as a licensed special  
3 device is authorized for taking nongame fishes at any time from all inland fishing waters other than impounded  
4 waters located on the Sandhills Game Land and designated public mountain trout waters. Unless specifically  
5 prohibited, bow and arrow may be used in joint fishing waters. ~~It is unlawful to take fish with crossbow and arrow  
6 in any inland fishing waters.~~

7 (b) Nets. Where authorized, manually operated nets, including seines and bow, cast, dip, gill, drift and fyke nets  
8 may be used under the special device fishing license. No fixed gill net or other stationary net which may be  
9 authorized as a special fishing device may be more than 100 yards in length, nor shall any such net be placed within  
10 50 yards of any other fixed net. Fixed nets must be set so that they run parallel to the nearest shoreline. No anchored  
11 or fixed gill net or drift net shall be used unless such net is marked for the protection of boat operators. A net shall  
12 be deemed so marked when there is attached to it at each end two separate yellow buoys which shall be of solid  
13 foam or other solid buoyant material no less than five inches in its smallest dimensions. The owner shall be  
14 identified on a buoy on each end either by using engraved buoys or by attaching engraved metal or plastic tags to the  
15 buoys. Such identification shall include one of the following:

- 16 (1) owner's N.C. motor boat registration number;
- 17 (2) owner's U.S. vessel documentation name; or
- 18 (3) owner's last name and initials.

19 It is unlawful to attach gill nets to any wire, rope, or similar device extended across any navigable watercourse.

20 (c) Traps. Baskets and traps, excluding collapsible crab traps, may be used under the special device fishing license.  
21 Such devices when set and left unattended shall be affixed with a card or tag furnished by the license holder and  
22 upon which his name and address shall be legibly and indelibly inscribed. No fish trap may exceed 60 inches in  
23 length or 30 inches in depth or width. No lead nets, wing nets, or other device designed to guide or herd fish may be  
24 attached to the trap or used or set within 25 feet of the trap.

25 (d) Spears. Manually operated gigs or under-water spear or harpoon guns may be used under the special fishing  
26 device license in the inland waters having a season for their use specified in Rule .0407 of this Section.

27 (e) Crab pots. It is unlawful to use crab pots in inland fishing waters, except by persons owning property adjacent  
28 to the inland fishing waters of coastal rivers and their tributaries who are permitted to set two crab pots to be  
29 attached to their property and not subject to special device license requirements.

30 (f) Eel pots. It is unlawful to use pots with mesh sizes smaller than one inch by one-half inch unless such pots  
31 contain an escape panel that is at least four inches square with a mesh size of one inch by one-half inch located in  
32 the outside panel of the upper chamber of rectangular pots and in the rear portion of cylindrical pots. Each pot must  
33 be marked by attaching a floating buoy which shall be of solid foam or other solid buoyant material and no less than  
34 five inches in diameter and no less than five inches in length. Buoys may be of any color except yellow. The owner  
35 shall be identified on the attached buoy by using engraved buoys or by engraved metal or plastic tags attached to the  
36 buoy. Such identification shall include one of the following:

- 37 (1) owner's N.C. motorboat registration number;
- 38 (2) owner's U.S. vessel documentation name; or
- 39 (3) owner's last name and initials.

40 (g) Hand-crank electrofisher. For the purposes of this rule, a hand-crank electrofisher is any manually-operated  
41 device which is capable of generating a low voltage electrical current not exceeding 300 volts for the taking of  
42 catfish. Hand-crank electrofishers may be used only where authorized by local law and only in those waters  
43 specified in 15A NCAC 10C .0407.

44  
45 *History Note:* Authority G.S. 113-134; 113-272.2; 113-276; 113-292;  
46 Eff. February 1, 1976;  
47 Amended Eff. July 1, 1999; July 1, 1996; December 1, 1995; July 1, 1995; July 1, 1994; July 1,  
48 1993;  
49 Temporary Amendment Effective July 1, 2001;  
50 Amended Eff. May 1, 2008; May 1, 2007; August 1, 2004; July 18, 2002.

1 **15A NCAC 10C .0503 DESCRIPTIVE BOUNDARIES**

2 The following waters have been designated as primary nursery areas:

- 3 (1) North River:
- 4 (a) Broad Creek - Camden County - Entire stream;
- 5 (b) Deep Creek - Currituck County - Entire stream;
- 6 (c) Lutz Creek - Currituck County - Entire stream.
- 7 (2) Alligator River:
- 8 (a) East Lake - Dare County - Inland waters portion;
- 9 (b) Little Alligator River - Tyrrell County - Entire stream.
- 10 (3) Currituck Sound:
- 11 (a) Martin Point Creek - Dare County - Entire stream (Jean Guite Creek);
- 12 (b) Tull Creek and Bay - Currituck County - Tull Bay to mouth of Northwest River; Tull
- 13 Creek from mouth upstream to SR 1222 bridge.
- 14 (4) Pamlico River:
- 15 (a) Duck Creek - Beaufort County - Entire stream;
- 16 (b) Bath Creek - Beaufort County - Entire stream;
- 17 (c) Mixons Creek - Beaufort County - Entire stream;
- 18 (d) Porter Creek - Beaufort County - Entire stream;
- 19 (e) Tooleys Creek - Beaufort County - Entire stream;
- 20 (f) Jacobs Creek - Beaufort County - Entire stream;
- 21 (g) Jacks Creek - Beaufort County - Entire stream;
- 22 (h) Bond Creek - Beaufort County - Entire stream;
- 23 (i) Muddy Creek - Beaufort County - Entire stream;
- 24 (j) Strawhorn Creek - Beaufort County - Entire stream;
- 25 (k) South Prong Wright Creek - Beaufort County - Entire stream;
- 26 (l) Jordan Creek - Beaufort County - Entire ~~stream.~~ stream;
- 27 (m) Eastham Creek - Pamlico County - Entire stream.
- 28 (5) Neuse River:
- 29 (a) Slocum Creek - Craven County - Entire stream;
- 30 (b) Hancock Creek - Craven County - Entire ~~stream.~~ stream;
- 31 (c) Core Creek - Craven County - Entire stream;
- 32 (d) Pinetree Creek - Craven County - Entire stream;
- 33 (e) Green's Thorofare - Craven County - Entire stream;
- 34 (f) Grinnel Creek - Pitt and Craven Counties - Entire stream;
- 35 (g) Little Swift Creek - Craven County - Entire stream;
- 36 (h) Turkey Quarter Creek - Craven County - Entire stream;
- 37 (i) Village Creek - Craven County - Entire stream;
- 38 (j) Taylor Creek - Craven County - Entire stream;
- 39 (k) Unnamed Tributary (Kidney Creek) - Craven County - Entire stream (35° 18.014'N -
- 40 77° 17.407'W);
- 41 (l) Unnamed Tributary - Craven County - Entire Stream (35° 15.464'N - 77° 13.681'W);
- 42 (m) Unnamed Tributary (The Gut) - Craven County - Entire stream (35° 11.219'N - 77°
- 43 6.660'W).
- 44 (6) New River:
- 45 (a) French Creek - Onslow County - Entire stream;
- 46 (b) New River - Onslow County - US Highway 17 bridge to NC 24/US 258 bridge.
- 47 (7) Roanoke River: Halifax and Northampton counties - US 258 bridge to Roanoke Rapids dam.
- 48 (8) Tar-Pamlico River: Nash, Edgecombe, Pitt and Beaufort counties - N&S railroad at Washington
- 49 upstream to Rocky Mount Mills Dam.
- 50 (9) Neuse River: Wake, Johnston, Wayne, Lenoir, Pitt and Craven counties - Pitchkettle Creek
- 51 upstream to Milburnie Dam.
- 52 (10) Cape Fear River: Chatham, Lee, Harnett, Cumberland and Bladen counties - Lock and Dam No. 1
- 53 upstream to Buckhorn Dam.
- 54 (a) Smith Creek - New Hanover County - Entire stream.
- 55 (11) Albemarle Sound: Peter Mashoes Creek - Dare County - Entire Stream.
- 56 (12) Croatan Sound: Spencer Creek - Dare County - Entire Stream.

1 (13) White Oak River: Onslow and Jones counties – Grants Creek upstream to Gibson Bridge Road  
2 (SR 1118).

3 (14) Northeast Cape Fear River: Pender County – NC 210 bridge upstream to NC 53 bridge.  
4

5 *History Note: Authority G.S. 113-132; 113-134;*  
6 *Eff. August 1, 1990;*  
7 *Amended Eff. May 1, 2008; November 1, 2007; August 1, 2004; July 1, 2000; July 1, 1993.*

1 **15A NCAC 10E .0104 USE OF AREAS REGULATED**

2 (a) No person shall leave any vehicle, boat trailer or other obstruction on any public fishing or boating access area  
3 in such a location, position or condition that it will prevent or impede the use by other persons of any ramp or other  
4 facility constructed for the purpose of launching or landing boats or fishing. No person shall leave parked any  
5 vehicle, boat, boat trailer or other object at any place on any public fishing or boating access area other than on such  
6 place or zone as is designated as an authorized parking zone and posted or marked as such.

7 (b) No person shall possess a loaded firearm on any public fishing or boating access ~~area.~~ area, except that a  
8 handgun may be carried concealed by an individual with a valid concealed handgun permit. The individual carrying  
9 a concealed handgun must adhere to the requirements set forth in North Carolina G.S. 14-415.11, even if the state  
10 issuing the concealed handgun permit is not North Carolina. No person shall operate a vehicle on any public fishing  
11 or boating access area in a manner so as to endanger life or property.

12 (c) No person, when using any public fishing or boating access area, shall deposit any debris or refuse anywhere on  
13 the grounds of the area. No person, when using any public fishing or boating access area, shall do any act which is  
14 prohibited or neglect to do any act which is required by signs or markings placed on such area under authority of this  
15 Rule for the purpose of regulating the use of the area. At any time when all designated parking zones on any public  
16 fishing or boating access area are fully occupied, any person may enter and use such facilities, provided such person  
17 makes other arrangements for parking and violates none of the provisions of this Rule or the signs or markings made  
18 or posted pursuant hereto.

19 (d) No person shall operate a motorboat in the public waters of North Carolina within 50 yards of a Commission-  
20 owned or managed boat launching ramp at greater than "no wake" speed. For the purpose of this Rule, "no wake"  
21 speed shall mean idling speed or a slow speed creating no appreciable wake.

22 (e) Except where facilities are provided, it is unlawful to use any boating access area for purposes other than the  
23 launching of boats and parking vehicles and boat trailers. All other uses—including swimming, skiing, camping,  
24 building fires, operating concessions or other activities not directly involved with launching of boats—are  
25 prohibited, except that those activities including fish weigh-ins and for which a permit has been issued may be  
26 conducted, provided that the permit authorizing such activity is available for inspection by wildlife enforcement  
27 officers at the time the activity is taking place.

28 (f) Except where facilities are provided and approved uses are posted, it is unlawful to use any public fishing area  
29 for purposes other than fishing. All prohibited uses and activities shall be posted including possession of loaded  
30 firearms, firearms (except as allowed in paragraph b), swimming, launching or mooring jet skis or boats, skiing,  
31 building fires, operating concessions, or other activities not directly associated with fishing.

32 ~~(g) Size and creel regulations for game and nongame fishes that differ from the general statewide regulations shall~~  
33 ~~be posted at public fishing areas, Community Fishing Program waters, and other cooperatively managed public~~  
34 ~~waters.~~

35 ~~(h)(g)~~ It is unlawful to feed or release animals or birds, domesticated animals and feral animals on public fishing or  
36 boating access areas without prior written authorization of the Wildlife Resources Commission. For the purpose of  
37 enforcing this Paragraph, "domesticated animals" does not include pets under the control of the owner and raptors or  
38 hunting dogs where otherwise permitted for hunting or training purposes.

39  
40 *History Note: Authority G.S. 113-134; 113-264; 75A-14;*  
41 *Eff. February 1, 1976;*  
42 *Amended Eff. August 1, 2010; May 1, 2009; July 1, 1995; February 1, 1994; September 1, 1992;*  
43 *July 1, 1991.*

# EXHIBIT D

July 7, 2011

## PROPOSED CHANGES IN FISHING REGULATIONS FOR 2012-2013 RECOMMENDED BY AGENCY STAFF FOR PUBLIC NOTICE AND PRESENTATION AT NINE PUBLIC HEARINGS

### District Hearings

#### Trout

- 1) Cedar Cliff Lake (Jackson County) - Classify this 146-acre lake as Hatchery-Supported Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)*
- 2) Catawba River (McDowell County) - Classify 0.6 miles of this stream as Delayed-Harvest Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 9 and 15)*
- 3) Elk Creek (Wilkes County) - Classify 1.5 miles of this stream as Delayed-Harvest Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 11 and 16)*
- 4) Shawneehaw Creek (Avery County) - Classify 0.5 miles of this stream as Wild Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (page 12)*
- 5) Laurel Creek (Watauga County) - Classify 0.3 miles of this stream as Catch and Release/Artificial Lures Only Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 13 and 14)*
- 6) Little River (Alleghany County) - Reclassify the upper 2.5 miles of this stream from Hatchery-Supported to Delayed-Harvest Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 5 and 15)*
- 7) Big Horse Creek (Ashe County) - Reclassify the lower 2.5 miles of this stream from Hatchery-Supported to Delayed-Harvest Trout Waters.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (pages 5 and 15)*
- 8) Elk Creek (Watauga) - Clarify the boundaries of the Hatchery-Supported Trout Waters section of this stream adding approximately 2.0 miles.  
*Amend the following rule:  
15A NCAC 10C .0205 Public Mountain Trout Waters (page 11)*



- 9) North Toe River (Avery County) - Divide the Hatchery-Supported Trout Waters on this stream into an upper and lower section and remove 10.1 miles of this stream from the Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 6)*

- 10) Long Creek (Graham County) - Remove 4.2 miles of this stream from Public Mountain trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 7)*

- 11) Little Hungry River (Henderson County) - Remove 5.9 miles of this stream from Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)*

- 12) Little Creek (Madison County) - Remove 2.0 miles of this stream from Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 9)*

- 13) Mill Creek (Madison County) - Remove 2.4 miles of this stream from Public Mountain Trout Waters, and reclassify the section on Game Lands as Wild Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 9)*

- 14) Cane Creek (Mitchell County) - Remove 2.7 miles of this stream from Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (pages 9 and 15)*

- 15) French Broad River (Transylvania County) - Remove 10.3 miles of this stream from Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0205 Public Mountain Trout Waters (page 10)*

## **Striped Bass**

- 1) Establish a 4-fish creel limit and a 20-inch size limit on striped bass in lakes Rhodhiss, Hickory, and Lookout Shoals.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 18)*

- 2) Increase the minimum size limit for striped bass and hybrid striped bass in B. Everett Jordan Reservoir from 20 to 24 inches.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)*

## **Black Bass**

- 1) Establish a statewide 14-inch, 5-fish limit for black bass in aggregate, allowing 2 undersized fish to be harvested.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (pages 18 and 19)*

- 2) Remove the exception to the statewide black bass length limit for District 9 waters and Public Mountain Trout Waters.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)*

- 3) Establish a 10-fish daily creel limit of which no more than two fish greater than 14 inches may be possessed in Lake Cammack (Alamance County) and Lake Holt (Granville County).

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (pages 18 and 21)*

- 4) Establish a maximum size limit for largemouth bass in Randleman Reservoir where only one fish greater than 20 inches can be retained in the 5-fish daily creel and establish a 2-fish exception to the minimum size limit such that 2 fish within the 5-fish daily creel can be less than 14 inches.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 19)*

## **American Shad**

- 1) Reduce the possession limit of American shad to 1 fish per day within the aggregate daily creel of 10 fish for American and hickory shad in inland fishing waters and tributaries of the Neuse River.

*Amend the following rule:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 20)*

## **Catfish**

- 1) Clarify that channel, white, or blue catfish may only be taken legally by hook and line and the daily creel limit is six fish in aggregate in waters that are stocked and managed for catfish and located on game lands, on other Commission-owned property, or on the property of a cooperator, including waters within the Community Fishing Program. The effected water bodies will be identified by posting instead of being listed in the NCAC.

*Amend the following rules:*

*15A NCAC 10C .0305 Open Seasons: Size and Creel Limits (page 20);*

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale (page 22);*

*15A NCAC 10E .0104 Use of Areas Regulated (page 26)*

## **Other**

- 1) Add Lake Tillery to the list of reservoirs where possession of grass carp is prohibited except those legally taken with bow and arrow.

*Amend the following rule:*

*15A NCAC 10C .0401 Manner of Taking Nongame Fishes: Purchase and Sale (page 22)*

- 2) Allow the take of nongame fishes with crossbow and arrow from all inland fishing waters other than impounded waters located on the Sandhills Game Land and designated public mountain trout waters.

*Amend the following rule:*

*15A NCAC 10C .0404 Special Device Fishing (page 23)*

- 3) Classify eleven tributaries to the Neuse River, one tributary to the Pamlico River, and one tributary to the Cape Fear River as inland primary nursery areas.

*Amend the following rule:*

*15A NCAC 10C .0503 Descriptive Boundaries (page 24)*

- 4) Allow individuals who possess a valid concealed handgun permit to carry that handgun concealed on public fishing and boating access areas.

*Amend the following rule:*

*15A NCAC 10E .0104 Use of Areas Regulated (page 26)*

1 **15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS**

2 (a) Designation of Public Mountain Trout Waters. For the purposes of this Rule, artificial lure is defined as a  
3 fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or  
4 smell. Natural bait is defined as any living or dead organism (plant or animal), or parts thereof, or prepared  
5 substances designed to attract fish by the sense of taste or smell. The waters listed herein or in 15A NCAC 10D  
6 .0104 are designated as Public Mountain Trout Waters and further classified as Wild Trout Waters or Hatchery  
7 Supported Waters. For specific classifications, see Subparagraphs (1) through (6) of this Paragraph. These waters  
8 are posted and lists thereof are filed with the clerks of superior court of the counties in which they are located:

- 9 (1) Hatchery Supported Trout Waters. The listed waters in the counties in Subparagraphs (a)(1)(A)  
10 through (Y) are classified as Hatchery Supported Public Mountain Trout Waters. Where specific  
11 watercourses or impoundments are listed, indentation indicates that the watercourse or  
12 impoundment listed is tributary to the next preceding watercourse or impoundment listed and not  
13 so indented. This classification applies to the entire watercourse or impoundment listed except as  
14 otherwise indicated in parentheses following the listing. Other clarifying information may also be  
15 included parenthetically. The tributaries of listed watercourses or impoundments are not included  
16 in the classification unless specifically set out therein.

17 (A) Alleghany County:

18 New River (not trout water)

19 Little River (Whitehead to McCann Dam) [Delayed Harvest Regulations apply  
20 to portion between Whitehead and a point 275 yards downstream of the  
21 intersection of SR 1128 and SR 1129 as marked by a sign on each bank. See  
22 Subparagraph (a)(5) of this Rule.]

23 Brush Creek (except where posted against trespass)

24 Big Pine Creek

25 (Big) Glade Creek

26 Bledsoe Creek

27 Pine Swamp Creek

28 South Fork New River (not trout water)

29 Prather Creek

30 Cranberry Creek

31 Piney Fork

32 Meadow Fork

33 Yadkin River (not trout water)

34 Roaring River (not trout water)

35 East Prong Roaring River (that portion on Stone Mountain State Park) [Delayed  
36 Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]

37 (B) Ashe County:

38 New River (not trout waters)

39 North Fork New River (Watauga County line to Sharp Dam)

40 Helton Creek (Virginia State line to New River) [Delayed Harvest  
41 Regulations apply. See Subparagraph (a)(5) of this Rule.]

42 Big Horse Creek (Mud Creek at SR 1363 to confluence with North Fork  
43 New River) [Delayed Harvest Regulations apply to portion between SR  
44 1324 bridge and North Fork New River. See Subparagraph (a)(5) of this  
45 Rule.]

46 Buffalo Creek (headwaters to junction of NC 194-88 and SR 1131)

47 Big Laurel Creek

48 Three Top Creek (portion not on game lands)

49 South Fork New River (not trout waters)

50 Cranberry Creek (Alleghany County line to South Fork New River)

51 Nathans Creek

52 Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)

53 Trout Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5)  
54 of this Rule.]

55 Roan Creek

56 Beaver Creek

57 Pine Swamp Creek (all forks)

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- Old Fields Creek
- Mill Creek (except where posted against trespass)
- (C) Avery County:
  - Nolichucky River (not trout waters)
  - North Toe River (~~headwaters to Mitchell County line~~, upper (Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park), except where posted against trespass)
  - North Toe River- lower (Sr 1164 to Mitchell Co. line, except where posted against trespass)
  - Squirrel Creek
  - Elk River (SR 1305 crossing immediately upstream of Big Falls to the Tennessee State line, including portions of tributaries on game lands)
  - Wildcat Lake
  - Catawba River (not trout water)
  - Johns River (not trout water)
  - Wilson Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
  - Lost Cove Creek [not Hatchery Supported trout water, see Subparagraph (a)(4) of this Rule.]
  - Buck Timber Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
  - Cary Flat Branch [not Hatchery Supported trout water, see Subparagraph (a)(2) of this Rule.]
  - Boyde Coffey Lake
  - Linville River [Land Harbor line (below dam) to Blue Ridge Parkway boundary line, except where posted against trespass]
  - Milltimber Creek
- (D) Buncombe County:
  - French Broad River (not trout water)
  - Ivy Creek (Ivy River) (Dillingham Creek to US 19-23 bridge)
  - Dillingham Creek (Corner Rock Creek to Ivy Creek)
  - Stony Creek
  - Corner Rock Creek (including tributaries, except Walker Branch)
  - Reems Creek (Sugar Camp Fork to US 19-23 bridge, except where posted against trespass)
  - Swannanoa River (SR 2702 bridge near Ridgecrest to Wood Avenue Bridge, intersection of NC 81W and US 74A in Asheville, except where posted against trespass)
  - Bent Creek (headwaters to N.C. Arboretum boundary line, including portions of tributaries on game lands)
  - Lake Powhatan
  - Cane Creek (headwaters to SR 3138 bridge)
- (E) Burke County:
  - Catawba River (Muddy Creek to the City of Morganton water intake dam) [Special Regulations apply. See Subparagraph (a)(7) of this Rule.]
  - South Fork Catawba River (not trout water)
  - Henry Fork (lower South Mountains State Park line downstream to SR 1919 at Ivy Creek)
  - Jacob Fork (Shinny Creek to lower South Mountain State Park boundary) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]
  - Johns River (not trout water)
  - Parks Creek (portion not on game lands not trout water)
  - Carroll Creek (game lands portion above SR 1405 including tributaries)
  - Linville River (portion within Linville Gorge Wilderness Area, including tributaries, and portion below Lake James powerhouse from upstream bridge on SR 1223 to Muddy Creek)



- 1 (F) Caldwell County:  
2 Catawba River (not trout water)  
3 Johns River (not trout water)  
4 Wilson Creek (game lands portion downstream of Lost Cove Creek to  
5 Brown Mountain Beach dam, except where posted against trespass)  
6 [Delayed Harvest Regulations apply to game lands portion between Lost  
7 Cove Creek and Phillips Branch. See Subparagraph (a)(5) of this Rule.)  
8 Estes Mill Creek (not trout water)  
9 Mulberry Creek (portion not on game lands not trout water)  
10 Boone Fork [not Hatchery Supported trout water. See Subparagraph (a)(2)  
11 of this Rule.]  
12 Boone Fork Pond  
13 Yadkin River (Happy Valley Ruritan Community Park to SR 1515)  
14 Buffalo Creek (mouth of Joes Creek to McCloud Branch)  
15 Joes Creek (first falls upstream of SR 1574 to confluence with Buffalo  
16 Creek)
- 17 (G) Cherokee County:  
18 Hiwassee River (not trout water)  
19 Shuler Creek (Joe Brown Highway (SR 1325) bridge to Tennessee line)  
20 Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)  
21 Valley River (headwaters to US 19 business bridge in Murphy)  
22 Hyatt Creek (including portions of tributaries on game lands)  
23 Junaluska Creek (Ashturn Creek to Valley River, including portions of  
24 tributaries on game lands)
- 25 (H) Clay County:  
26 Hiwassee River (not trout water)  
27 Fires Creek (foot bridge in the US Forest Service Fires Creek Picnic Area to SR  
28 1300)  
29 Tusquitee Creek (headwaters to lower SR 1300 bridge)  
30 Nantahala River (not trout water)  
31 Buck Creek (game land portion downstream of US 64 bridge)
- 32 (I) Graham County:  
33 Little Tennessee River (not trout water)  
34 Calderwood Reservoir (Cheoah Dam to Tennessee State line)  
35 Cheoah River (not trout water)  
36 Yellow Creek  
37 Santeetlah Reservoir (not trout water)  
38 West Buffalo Creek  
39 Little Buffalo Creek  
40 Santeetlah Creek (Johns Branch to mouth including portions of  
41 tributaries within this section located on game lands, excluding Johns  
42 Branch and Little Santeetlah Creek)  
43 (Big) Snowbird Creek (old railroad junction to SR 1127 bridge,  
44 including portions of tributaries on game lands)  
45 Mountain Creek (game lands boundary to SR 1138 bridge)  
46 Long Creek (portion not on game lands)  
47 Tulula Creek (headwaters to lower bridge on SR 1275)  
48 Cheoah Reservoir  
49 Fontana Reservoir (not trout water)  
50 Stecoah Creek  
51 Panther Creek (including portions of tributaries on game lands)
- 52 (J) Haywood County:  
53 Pigeon River (Stamey Cove Branch to upstream US 19-23 bridge)  
54 Cold Springs Creek (including portions of tributaries on game lands)  
55 Jonathan Creek (upstream SR 1302 bridge to Pigeon River, except where posted  
56 against trespass)  
57 Richland Creek (Russ Avenue (US 276) bridge to US 23-74 bridge)

- 1 West Fork Pigeon River (Tom Creek to the first game land boundary upstream  
2 of Lake Logan) [Delayed Harvest Regulations apply to the portion from Queen  
3 Creek to the first game land boundary upstream of Lake Logan. See  
4 Subparagraph (a)(5) of this Rule.]
- 5 (K) Henderson County:  
6 (Rocky) Broad River (Rocky River Lane to Rutherford County line)  
7 Green River - upper (mouth of Joe Creek to mouth of Bobs Creek)  
8 Green River - lower (Lake Summit Dam to I-26 bridge)  
9 (Big) Hungry River  
10 ~~Little Hungry River~~  
11 French Broad River (not trout water)  
12 Cane Creek (SR 1551 bridge to US 25 bridge)  
13 Mud Creek (not trout water)  
14 Clear Creek (SR 1591 bridge at Jack Mountain Lane to SR 1582)  
15 Mills River (not trout water)  
16 North Fork Mills River (game lands portion below the Hendersonville watershed  
17 dam). [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of this  
18 Rule.]
- 19 (L) Jackson County:  
20 Tuckasegee River (confluence with West Fork Tuckasegee River to SR 1534 bridge  
21 at Wilnot) [Delayed Harvest Regulations apply to that portion between the  
22 downstream NC 107 bridge and the falls located 275 yards upstreams of US 23-441  
23 bridge as marked by a sign on each bank. See Subparagraph (a)(5) of this Rule.]  
24 Scott Creek (entire stream, except where posted against trespass)  
25 Dark Ridge Creek (Jones Creek to Scotts Creek)  
26 Savannah Creek (Headwaters to Bradley's Packing House on NC 116)  
27 Greens Creek (Greens Creek Baptist Church on SR 1730 to Savannah Creek)  
28 Cullowhee Creek (Tilley Creek to Tuckasegee River)  
29 ~~Cedar Cliff Lake~~  
30 Bear Creek Lake  
31 Wolf Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this  
32 Rule.]  
33 Wolf Creek Lake  
34 Balsam Lake  
35 Tanasee Creek [not Hatchery Supported trout water, see Subparagraph (a)(2) of this  
36 Rule.]  
37 Tanasee Creek Lake
- 38 (M) Macon County:  
39 Little Tennessee River (not trout water)  
40 Nantahala River (Nantahala Dam to Swain County line) [Delayed Harvest  
41 Regulations apply to the portion from Whiteoak Creek to the Nantahala  
42 hydropower discharge canal. See Subparagraph (a)(5) of this Rule.]  
43 Queens Creek Lake  
44 Burningtown Creek (including portions of tributaries on game lands)  
45 Cullasaja River Sequoyah Dam to US 64 bridge near junction of SR 1672,  
46 including portions of tributaries on game lands, excluding those portions of  
47 Buck Creek and Turtle Pond Creek on game lands. [Wild Trout Regulations  
48 apply. See Subparagraphs (a)(2) and (a)(6) of this Rule.]  
49 Skitty Creek  
50 Cliffside Lake  
51 Cartoogechaye Creek (downstream US 64 bridge to Little Tennessee River)
- 52 (N) Madison County:  
53 French Broad River (not trout water)  
54 Shut-In Creek (including portions of tributaries on game lands)  
55 Spring Creek upper (junction of NC 209 and NC 63 to US Forest Service road  
56 223)

- 1 Spring Creek-lower (NC 209 bridge at Hot Springs city limits to iron bridge at  
2 end of Andrews Avenue) [Delayed Harvest Regulations apply. See  
3 Subparagraph (a)(5) of this Rule.]  
4 Meadow Fork Creek  
5 Roaring Fork (including portions of tributaries on game lands)  
6 ~~Little Creek~~  
7 Max Patch Pond  
8 Big Laurel Creek (Mars Hill Watershed boundary to the SR 1318 bridge, also  
9 known as Big Laurel Road bridge, downstream of Bearpen Branch)  
10 Big Laurel Creek (NC 208 bridge to US 25-70 bridge) [Delayed Harvest  
11 Regulations apply. See Subparagraph (a)(5) of this Rule.]  
12 Spillcorn Creek (entire stream, excluding tributaries)  
13 Shelton Laurel Creek (confluence of Big Creek and Mill Creek to NC 208  
14 bridge at Belva)  
15 Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big  
16 Laurel Creek) [Delayed Harvest Regulations apply. See Subparagraph  
17 (a)(5) of this Rule.]  
18 ~~Mill Creek (headwaters to confluence with Big Creek)~~  
19 Puncheon Fork (Hampton Creek to Big Laurel Creek)  
20 Big Pine Creek (SR 1151 bridge to French Broad River)  
21 Ivy Creek (not trout waters)  
22 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to  
23 confluence with Ivy Creek at Forks of Ivy)
- (O) McDowell County:  
25 Catawba River - ~~upper~~ (Catawba Falls Campground to Old Fort Recreation Park)  
26 ~~Catawba River - lower (portion adjacent to Marion Greenway)~~ [Delayed Harvest  
27 ~~Regulations apply. See Subparagraph (a)(5) of this Rule.]~~  
28 Buck Creek (portion not on game lands, not trout water)  
29 Little Buck Creek (game land portion including portions of tributaries on  
30 game  
31 lands)  
32 Curtis Creek game lands portion downstream of US Forest Service boundary at  
33 Deep Branch. [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of  
34 this Rule.]  
35 North Fork Catawba River (headwaters to SR 1569 bridge)  
36 Armstrong Creek (Cato Holler line downstream to upper Greenlee line)  
37 Mill Creek (upper railroad bridge to I 40 bridge, except where posted against  
38 trespass) [Delayed Harvest Regulations apply to that portion between US 70  
39 bridge and I 40 bridge. See Subparagraph (a)(5) of this Rule.]
- (P) Mitchell County:  
41 Nolichucky River (not trout water)  
42 Big Rock Creek (headwaters to NC 226 bridge at SR 1307 intersection)  
43 Little Rock Creek (Green Creek Bridge to Big Rock Creek, except where  
44 posted against trespass)  
45 ~~Cane Creek (SR 1219 to NC 226 bridge)~~  
46 ~~Cane Creek (NC 226 bridge to NC 80 bridge)~~ (SR 1219 to SR 1278 bridge)  
47 [Delayed Harvest Regulations apply ~~to that portion from NC 226 bridge to SR~~  
48 ~~1278 bridge.~~ See Subparagraph (a)(5) of this Rule.]  
49 Grassy Creek (East Fork Grassy Creek to mouth)  
50 East Fork Grassy Creek  
51 North Toe River (Avery County line to SR 1121 bridge)  
52 North Toe River (US 19E bridge to NC 226 bridge) [Delayed Harvest  
53 Regulations apply. See Subparagraph (a)(5) of this Rule.]
- (Q) Polk County:  
55 Broad River (not trout water)  
56 North Pacolet River (Joels Creek to NC 108 bridge)

- 1 Green River (Fishtop Falls Access Area to the natural gas pipeline crossing)  
2 [Delayed Harvest Regulations apply to the portion from Fishtop Falls Access  
3 Area to Cove Creek. See Subparagraph (a)(5) of this Rule.]
- 4 (R) Rutherford County:  
5 (Rocky) Broad River (Henderson County line to US 64/74 bridge, except where  
6 posted against trespass)
- 7 (S) Stokes County:  
8 Dan River (Virginia State line downstream to a point 200 yards below the end of SR  
9 1421)
- 10 (T) Surry County:  
11 Yadkin River (not trout water)  
12 Ararat River (SR 1727 bridge downstream to the NC 103 bridge)  
13 Araat River (NC 103 bridge to US 52 bridge) [Delayed Harvest Regulations  
14 apply. See Subparagraph (a)(5) of this Rule.]  
15 Stewarts Creek (not trout water)  
16 Pauls Creek (Virginia State line to 0.3 mile below SR 1625 bridge -  
17 lower Caudle property line)  
18 Fisher River (Cooper Creek) (Virginia State line to Interstate 77)  
19 Little Fisher River (Virginia State line to NC 89 bridge)  
20 Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge  
21 below Kapps Mill Dam) [Delayed Harvest Regulations apply. See  
22 Subparagraph (a)(5) of this Rule.]
- 23 (U) Swain County:  
24 Little Tennessee River (not trout water)  
25 Calderwood Reservoir (Cheoah Dam to Tennessee State line)  
26 Cheoah Reservoir  
27 Fontana Reservoir (not trout water)  
28 Alarka Creek (game lands boundary to Fontana Reservoir)  
29 Nantahala River (Macon County line to existing Fontana Reservoir water  
30 level)  
31 Tuckasegee River (not trout water)  
32 Deep Creek (Great Smoky Mountains National Park boundary line to  
33 Tuckasegee River)  
34 Connelly Creek (including portions of tributaries on game lands)
- 35 (V) Transylvania County:  
36 French Broad River (~~junction of west and north forks to US 276 bridge~~) (confluence  
37 of North Fork French Broad River and West Fork French Broad River to the Island  
38 Ford Road (SR 1110) Access Area)  
39 Davidson River (Avery Creek to lower US Forest Service boundary line)  
40 East Fork French Broad River (Glady Fork to French Broad River) [Delayed  
41 Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]  
42 Little River (confluence of Lake Dense outflow to 100 yards downstream of  
43 Hooker Falls) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of  
44 this Rule.]  
45 Middle Fork French Broad River  
46 West Fork French Broad River (SR 1312 and SR 1309 intersection to junction  
47 of west and north forks, including portions of tributaries within this section  
48 located on game lands)
- 49 (W) Watauga County:  
50 New River (not trout waters)  
51 North Fork New River (from confluence with Maine and Mine branches to Ashe  
52 County line)  
53 Maine Branch (headwaters to North Fork New River)  
54 South New Fork River (not trout water)  
55 Meat Camp Creek  
56 Norris Fork Creek  
57 Howard Creek (downstream from lower falls)

1 Middle Fork New River (Lake Chetola Dam to South Fork New River)  
2 Yadkin River (not trout water)  
3 Stony Fork (headwaters to Wilkes County line)  
4 Elk Creek ~~(headwaters to gravel pit on SR 1508 (SR 1510 bridge at Triplett to~~  
5 Wilkes County line, except where posted against trespass)  
6 Watauga River (adjacent to the intersection of SR 1557 and SR 1558 to NC 105  
7 bridge and SR 1114 bridge to NC 194 bridge at Valle Crucis). [Delayed Harvest  
8 Regulations apply. See Subparagraph (a)(5) of this Rule.]  
9 Beech Creek  
10 Buckeye Creek Reservoir  
11 Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)  
12 Coffee Lake [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of  
13 this Rule.]  
14 Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek  
15 to an unnamed tributary adjacent to the intersection of SR 1201 and SR 1203)  
16 Laurel Creek  
17 Cove Creek (SR 1233 bridge at Zionville to SR 1233 bridge at Amantha)  
18 Dutch Creek (second bridge on SR 1134 to mouth)  
19 (X) Wilkes County:  
20 Yadkin River (not trout water)  
21 Roaring River (not trout water)  
22 East Prong Roaring River (Bullhead Creek to Brewer's Mill on SR 1943)  
23 [Delayed Harvest Regulations apply to portion on Stone Mountain State  
24 Park. See Subparagraph (a)(5) of this Rule.]  
25 Stone Mountain Creek [Delayed Harvest Regulations apply. See  
26 Subparagraph (a)(5) of this Rule.]  
27 Middle Prong Roaring River (headwaters to second bridge on SR 1736)  
28 Bell Branch Pond  
29 Boundary Line Pond  
30 West Prong Roaring River (not trout waters)  
31 Pike Creek  
32 Pike Creek Pond  
33 Cub Creek (0.5 miles upstream of SR 2460 bridge to SR 1001 bridge)  
34 Reddies River (Town of North Wilkesboro water intake dam to confluence with  
35 Yadkin River) [Delayed Harvest Regulations apply. See Subparagraph (a)(5) of  
36 this Rule.]  
37 Middle Fork Reddies River (Clear Prong) (headwaters to bridge on SR  
38 1580)  
39 South Fork Reddies River (headwaters to confluence with Middle Fork  
40 Reddies River)  
41 North Fork Reddies River (Vannoy Creek) (headwaters to Union  
42 School bridge on SR 1559)  
43 Darnell Creek (North Prong Reddies River) (downstream ford on  
44 SR 1569 to confluence with North Fork Reddies River)  
45 Lewis Fork Creek (not trout water)  
46 South Prong Lewis Fork (headwaters to Lewis Fork Baptist Church)  
47 Fall Creek (except portions posted against trespass)  
48 Elk Creek - upper (Watauga County line to lower boundary of Reynolds Blue  
49 Ridge development) [Delayed Harvest Regulations apply. See Subparagraph  
50 (a)(5) of this Rule.]  
51 Elk Creek - lower (portion on Leatherwood Mountains development) [Delayed  
52 Harvest Regulations apply. See Subparagraph (a)(5) of this Rule.]  
53 (Y) Yancey County:  
54 Nolichucky River (not trout water)  
55 Cane River [Bee Branch (SR 1110) to Bowlens Creek]  
56 Bald Mountain Creek (except portions posted against trespass)  
57 Indian Creek (not trout water)



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- Price Creek (junction of SR 1120 and SR 1121 to Indian Creek)
- North Toe River (not trout water)
- South Toe River (Clear Creek to lower boundary line of Yancey County recreation park except where posted against trespass)
- (2) Wild Trout Waters. All waters designated as Public Mountain Trout Waters on the game lands listed in Subparagraph (b)(2) of 15A NCAC 10D .0104, are classified as Wild Trout Waters unless specifically classified otherwise in Subparagraph (a)(1) of this Rule. The trout waters listed in this Subparagraph are also classified as Wild Trout Waters.
  - (A) Alleghany County:
    - Big Sandy Creek (portion on Stone Mountain State Park)
    - Stone Mountain Creek (that portion on Stone Mountain State Park)
  - (B) Ashe County:
    - Big Horse Creek (Virginia State Line to Mud Creek at SR 1363) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]
    - Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game Land) [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]
  - (C) Avery County:
    - Birchfield Creek (entire stream)
    - Cow Camp Creek (entire stream)
    - Cranberry Creek (headwaters to US 19E/NC 194 bridge)
    - Elk Hollow Branch (entire stream)
    - Elk River (portion on Lees-McRae College property, excluding the millpond) [Catch and Release/Artificial Flies Only Regulations apply. See Subparagraph (a)(4) of this Rule.]
    - Gragg Prong (entire stream)
    - Horse Creek (entire stream)
    - Jones Creek (entire stream)
    - Kentucky Creek (entire stream)
    - North Harper Creek (entire stream)
    - Plumtree Creek (entire stream)
    - Roaring Creek (entire stream)
    - Rockhouse Creek (entire stream)
    - Shawneehaw Creek (portion adjacent to Banner Elk Greenway)
    - South Harper Creek (entire stream)
    - Webb Prong (entire stream)
    - Wilson Creek [Catch and Release/Artificial Lures Only Regulations apply. See Subparagraph (a)(3) of this Rule.]
  - (D) Buncombe County:
    - Carter Creek (game land portion) [Catch and Release/Artificial Lures only Regulations apply. See Subparagraph (a)(3) of this Rule.]
  - (E) Burke County:
    - All waters located on South Mountain State Park, except the main stream of Jacob Fork Between the mouth of Shinny Creek and the lower park boundary where Delayed Harvest Regulations apply, and Henry Fork and tributaries where Catch and Release/Artificial Lures Only Regulations apply. See Subparagraphs (a)(3) and (a)(5) of this Rule.
    - Nettle Branch (game land portion)
  - (F) Caldwell County:
    - Buffalo Creek (Watauga County line to Long Ridge Branch including tributaries on game lands)
    - Joes Creek (Watauga County line to first falls upstream of the end of SR 1574)
    - Rockhouse Creek (entire stream)
  - (G) Cherokee County:
    - Bald Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]
    - Dockery Creek (game land portions, including tributaries) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]

1 North Shoal Creek (game land portions, including tributaries) [Wild Trout/Natural Bait  
2 Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]  
3 (H) Graham County:  
4 Franks Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See  
5 Subparagraph (a)(6) of this Rule.]  
6 Little Buffalo Creek (entire stream)  
7 South Fork Squally Creek (entire stream)  
8 Squally Creek (entire stream)  
9 (I) Haywood County  
10 Hemphill Creek [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph  
11 (a)(6) of the Rule.]  
12 Hurricane Creek (including portions of tributaries on game lands) [Wild Trout/Natural  
13 Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]  
14 (J) Jackson County:  
15 Buff Creek (entire stream) [Wild Trout/Natural Bait Waters Regulations apply. See  
16 Subparagraph (a)(6) of this Rule.]  
17 Gage Creek (entire stream)  
18 North Fork Scott Creek (entire stream)  
19 Shoal Creek (Glenville Reservoir pipeline to mouth) [Wild Trout/Natural Bait Waters  
20 Regulations apply. See Subparagraph (a)(6) of this Rule.]  
21 Tanasee Creek (entire stream)  
22 West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville  
23 Lake) [Wild Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of  
24 this Rule.]  
25 Whitewater River (downstream from Silver Run Creek to South Carolina State line)  
26 Wolf Creek (entire stream, except Balsam Lake and Wolf Creek Lake)  
27 (K) Madison County:  
28 Big Creek (headwaters to the lower game land boundary, including tributaries) [Wild  
29 Trout/Natural Bait Waters Regulations apply. See Subparagraph (a)(6) of this Rule.]  
30 (L) Mitchell County:  
31 Green Creek (headwaters to Green Creek Bridge, except where posted against trespass)  
32 Little Rock Creek (headwaters to Green Creek Bridge, including all tributaries, except  
33 where  
34 posted against trespass)  
35 Wiles Creek (game land boundary to mouth)  
36 (M) Transylvania County:  
37 All waters located on Gorges State Park  
38 Whitewater River (downstream from Silver Run Creek to South Carolina State line)  
39 (N) Watauga County:  
40 Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.  
41 Anglers must check in at the development security office on Triplett Road prior to  
42 fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See  
43 Subparagraph (a)(3) of this Rule.]  
44 Dutch Creek (headwaters to second bridge on SR 1134)  
45 Howards Creek (headwaters to lower falls)  
46 Laurel Creek (portions on Reynolds Blue Ridge ~~development, and Powder Horn~~  
47 ~~Mountain developments,~~ including tributaries. Anglers fishing the upper section of  
48 ~~Laurel Creek~~ must check in at the ~~development Reynolds Blue Ridge~~ security office on  
49 ~~Triplett Road prior to fishing) fishing. Anglers fishing the lower section of Laurel Creek~~  
50 ~~must access the creek from the parking area on Powder Horn Mountain property adjacent~~  
51 ~~to Laurel Creek on Triplett Road.]~~ [Catch and Release/Artificial Lure Only Trout Waters  
52 Regulations apply. See subparagraph (a)(3) of this Rule.]  
53 Pond Creek (headwaters to Locust Ridge Road bridge, excluding the pond adjacent to  
54 Coffee Lake) [Catch and Release/Artificial Lure Only Trout Waters Regulations Apply.  
55 See Subparagraph (a)(3) of this Rule.]  
56 Watauga River (Avery County line to steel bridge at Riverside Farm Road)  
57 Winkler Creek (lower bridge on SR 1549 to confluence with South Fork New River)

- 1 (O) Wilkes County:  
2 Big Sandy Creek (portion on Stone Mountain State Park)  
3 Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.  
4 Anglers must check in at the development security office on Triplett Road prior to  
5 fishing) [Catch and Release/Artificial Lure Only Trout Waters Regulations apply. See  
6 Subparagraph (a)(3) of this Rule.]  
7 Garden Creek (portion on Stone Mountain State Park)  
8 Harris Creek and tributaries (portions on Stone Mountain State Park) [Catch and Release  
9 Artificial Lures Only Regulations apply. See Subparagraph (a)(4) of this Rule.]  
10 Widow Creek (portion on Stone Mountain State Park)
- 11 (P) Yancey County:  
12 Cattail Creek (Bridge at Mountain Farm Community Road (Private) to NC 197 bridge)  
13 Licksillet Creek (entire stream)  
14 Middle Creek (game land boundary to mouth)
- 15 (3) Catch and Release/Artificial Lures Only Trout Waters. Those portions of designated wild trout  
16 waters as listed in this Subparagraph, including tributaries except as noted, are further classified as  
17 Catch and Release/Artificial Lures Only waters. Only artificial lures having one single hook may  
18 be used. No trout may be harvested or be in possession while fishing these streams:
- 19 (A) Ashe County:  
20 Big Horse Creek (Virginia State line to Mud Creek at SR 1363 excluding tributaries)  
21 Unnamed tributary of Three Top Creek (portion located on Three Top Mountain Game  
22 Lands)
- 23 (B) Avery County:  
24 Wilson Creek (game land portion)
- 25 (C) Buncombe County:  
26 Carter Creek (game land portion)
- 27 (D) Burke County:  
28 Henry Fork (portion on South Mountains State Park)
- 29 (E) Jackson County:  
30 Flat Creek  
31 Tuckasegee River (upstream of Clarke property)
- 32 (F) McDowell County:  
33 Newberry Creek (game land portion)
- 34 (G) Watauga County:  
35 Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.  
36 Anglers must check in at the development security office on Triplett Road prior to  
37 fishing)  
38 Laurel Creek (portions on Reynolds Blue Ridge development, and Powder Horn  
39 Mountain developments, including tributaries. Anglers fishing the upper section of  
40 Laurel Creek must check in at the development security office on Triplett Road prior to  
41 fishing fishing. Anglers fishing the lower section of Laurel Creek must access the creek  
42 from the parking area on Powder Horn Mountain property adjacent to Laurel Creek on  
43 Triplett Road.)  
44 Pond Creek (headwaters to Locust Ridge bridge, excluding the pond adjacent to Coffee  
45 Lake)
- 46 (H) Wilkes County:  
47 Dugger Creek (portions on Reynolds Blue Ridge development, including tributaries.  
48 Anglers must check in at the development security office on Triplett Road prior to  
49 fishing)  
50 Harris Creek (portion on Stone Mountain State Park)
- 51 (4) Catch and Release/Artificial Flies Only Trout Waters. Those portions of designated wild trout  
52 waters as listed in this Subparagraph, including tributaries except as noted, are further classified as  
53 Catch and Release/Artificial Flies Only waters. Only artificial flies having one single hook may  
54 be used. No trout may be harvested or be in possession while fishing these streams:
- 55 (A) Avery County:  
56 Elk River (portion on Lees-McRae College property, excluding the millpond)  
57 Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)

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(B) Transylvania County:  
Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass  
Creek  
and Grogan Creek)

(C) Yancey County:  
South Toe River (headwaters to Upper Creek, including tributaries)  
Upper Creek (entire stream)

(5) Delayed Harvest Trout Waters. Those portions of designated Hatchery Supported Trout Waters as listed in this Subparagraph, excluding tributaries except as noted, are further classified as Delayed Harvest Waters. Between 1 October and one-half hour after sunset on the Friday before the first Saturday of the following June, inclusive, it is unlawful to possess natural bait, use more than a single hook on an artificial lure, or harvest or possess trout while fishing these waters. These waters are closed to fishing between one-half hour after sunset on the Friday before the first Saturday in June and 6:00 a.m. on the first Saturday in June. At 6:00 a.m. on the first Saturday in June these waters are open for fishing under Hatchery Supported Waters rules for youth anglers only. Youth is defined as a person under 16 years of age. At 12:00 p.m. on the first Saturday in June these streams open for fishing under Hatchery Supported Waters rules for all anglers:

(A) Alleghany County:

Little River (Whitehead to a point 275 yards downstream of the intersection of SR 1128 and SR 1129 as marked by a sign on each bank)

~~(A)~~(B) Ashe County:

Trout Lake

Helton Creek (Virginia state line to New River)

Big Horse Creek (SR 1324 bridge to North Fork New River)

~~(B)~~(C) Burke County:

Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)

~~(C)~~(D) Caldwell County:

Wilson Creek (game lands portion downstream of Lost Cove Creek to Phillips Branch)

~~(D)~~(E) Haywood County:

West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake Logan)

~~(E)~~(F) Henderson County:

North Fork Mills River (game land portion below the Hendersonville watershed dam)

~~(F)~~(G) Jackson County:

Tuckasegee River (downstream NC 107 bridge falls located 275 yards upstream of the US 23-441 bridge as marked by a sign on each bank)

~~(G)~~(H) Macon County:

Nantahala River (Whiteoak Creek to the Nantahala hydropower discharge canal)

~~(H)~~(I) Madison County:

Big Laurel Creek (NC 208 bridge to the US 25-70 bridge)

Shelton Laurel Creek (NC 208 bridge at Belva to the confluence with Big Laurel Creek)

Spring Creek (NC 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Avenue)

~~(I)~~(J) McDowell County:

Catawba River (portion adjacent to Marion Greenway)

Curtis Creek (game lands portion downstream of U.S. Forest Service boundary at Deep Branch)

Mill Creek (US70 bridge to I 40 bridge)

~~(J)~~(K) Mitchell County:

Cane Creek (NC 226 bridge to ~~NC 80 SR 1278~~ bridge)

North Toe River (US 19E bridge to NC 226 bridge)

~~(K)~~(L) Polk County:

Green River (Fishtop Falls Access Area to confluence with Cove Creek)

~~(L)~~(M) Surry County:

Mitchell River (0.6 mile upstream of the end of SR 1333 to the SR 1330 bridge below Kapps Mill Dam)

Ararat River (NC 103 bridge to US 52 bridge)

- 1 ~~(M)~~(N) Transylvania County:  
2 East Fork French Broad River (Glady Fork to French Broad River)  
3 Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)
- 4 ~~(N)~~(O) Watauga County:  
5 Watauga River (adjacent to intersection of SR 1557 and SR 1558 to NC 105 bridge and  
6 SR 1114 bridge to NC 194 bridge at Valle Crucis)  
7 Coffee Lake
- 8 ~~(O)~~(P) Wilkes County:  
9 East Prong Roaring River (from Bullhead Creek downstream to the Stone Mountain State  
10 Park lower boundary)  
11 Stone Mountain Creek (from falls at Allegheny County line to confluence with East  
12 Prong  
13 Roaring River and Bullhead Creek in Stone Mountain State Park)  
14 Reddies River (Town of North Wilkesboro water intake dam to confluence with Yadkin  
15 River)  
16 Elk Creek - upper (Watauga County line to lower boundary of Reynolds Blue Ridge  
17 development)  
18 Elk Creek - lower (portion on Leatherwood Mountains development)
- 19 (6) Wild Trout/Natural Bait Waters. Those portions of designated Wild Trout Waters as listed in this  
20 Subparagraph, including tributaries except as noted, are further classified as Wild Trout/Natural  
21 Bait Waters. All artificial lures and natural baits, except live fish, are allowed provided they are  
22 fished using only one single hook. The creel limit, size limit, and open season are the same as  
23 other Wild Trout Waters [see 15A NCAC 10C .0305(a)].
- 24 (A) Cherokee County:  
25 Bald Creek (game land portions)  
26 Dockery Creek (game land portions)  
27 North Shoal Creek (game land portions)
- 28 (B) Graham County:  
29 Deep Creek  
30 Long Creek (game land portion)  
31 Franks Creek
- 32 (C) Haywood County:  
33 Hemphill Creek (including tributaries)  
34 Hurricane Creek (including portions of tributaries on game lands)
- 35 (D) Jackson County:  
36 Buff Creek  
37 Chattooga River (SR 1100 bridge to South Carolina state line)  
38 (lower) Fowler Creek (game land portion)  
39 Scotsman Creek (game land portion)  
40 Shoal Creek (Glenville Reservoir pipeline to mouth)  
41 West Fork Tuckasegee River (Shoal Creek to existing water level of Little Glenville  
42 Lake)
- 43 (E) Macon County:  
44 Chattooga River (SR 1100 bridge to South Carolina state line)  
45 Jarrett Creek (game land portion)  
46 Kimsey Creek  
47 Overflow Creek (game land portion)  
48 Park Creek  
49 Tellico Creek (game land portion)  
50 Turtle Pond Creek (game land portion)
- 51 (F) Madison County:  
52 Big Creek (headwaters to the lower game land boundary, including tributaries)
- 53 (G) Transylvania County:  
54 North Fork French Broad River (game land portions downstream of SR 1326)  
55 Thompson River (SR 1152 to South Carolina state line, except where posted against  
56 trespass,  
57 including portions of tributaries within this section located on game lands)



1 (7) Special Regulation Trout Waters. Those portions of Designated Public Mountain Trout Waters as  
2 listed in this Subparagraph, excluding tributaries as noted, are further classified as Special  
3 Regulation Trout Waters. Regulations specific to each water are defined below:

4 Burke County

5 Catawba River (Muddy Creek to City of Morganton water intake dam).

6 Regulation: The daily creel limit is 7 trout and only one of which may be greater than 14  
7 inches in length; no bait restrictions; no closed season.

8 (b) Fishing in Trout Waters

9 (1) Hatchery Supported Trout Waters. It is unlawful to take fish of any kind by any manner  
10 whatsoever from designated public mountain trout waters during the closed seasons for trout  
11 fishing. The seasons, size limits, creel limits and possession limits apply in all waters, whether  
12 designated or not, as public mountain trout waters. Except in power reservoirs and city water  
13 supply reservoirs so designated, it is unlawful to fish in designated public mountain trout waters  
14 with more than one line. Night fishing is not allowed in most hatchery supported trout waters on  
15 game lands [see 15A NCAC 10D .0104(b)(1)].

16 (2) Wild Trout Waters. Except as otherwise provided in Subparagraphs (a)(3), (a)(4), and (a)(6) of  
17 this Rule, the following rules apply to fishing in wild trout waters.

18 (A) Open Season. There is a year round open season for the licensed taking of trout.

19 (B) Creel Limit. The daily creel limit is four trout.

20 (C) Size Limit. The minimum size limit is seven inches.

21 (D) Manner of Taking. Only artificial lures having only one single hook may be used. No  
22 person shall possess natural bait while fishing wild trout waters except those waters listed  
23 in 15A NCAC 10C .0205(a)(6).

24 (E) Night Fishing. Fishing on wild trout waters is not allowed between one-half hour after  
25 sunset and one-half hour before sunrise.

26  
27 *History Note: Authority G.S. 113-272; 113-292;*  
28 *Eff. February 1, 1976;*  
29 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*  
30 *October 1, 1992;*  
31 *Temporary Amendment Eff. July 1, 1999;*  
32 *Amended Eff. July 1, 2000;*  
33 *Temporary Amendment Eff. July 1, 2001;*  
34 *Temporary Amendment Eff. July 1, 2002;*  
35 *Amended Eff. August 1, 2002 (approved by RRC) on 6/21/01 and 04/18/02);*  
36 *Temporary Amendment Eff. June 1, 2003;*  
37 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17*  
38 *2003);*  
39 *Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1,*  
40 *2006; June 1, 2005.*

**15A NCAC 10C .0305 OPEN SEASONS: CREEL AND SIZE LIMITS**

(a) Generally. Subject to the exceptions listed in Paragraph (b) of this Rule, the open seasons and creel and size limits are as indicated in the following table:

GAME FISHES	DAILY CREEL LIMITS	MINIMUM SIZE LIMITS	OPEN SEASON
Mountain Trout:			
Wild Trout Waters	4	7 in.	ALL YEAR (exc. (3))
Hatchery Supported Trout Waters and undesignated waters	7 (exc. (3))	None (exc. (3))	All year, except March 1 to 7:00 a.m. on first Saturday in April (exc. (3))
Muskellunge	1	42 in.	ALL YEAR
Pickeral: Chain and Redfin	None	None	ALL YEAR
Walleye	8 (exc. (9))	None (exc. (9))	ALL YEAR
Sauger	8	15 in.	ALL YEAR
Black Bass:			
Largemouth, Smallmouth, and Spotted Smallmouth and Spotted	5 (exc. (21&26))	14 in. (excs. (8,10&21,10,21&26))	ALL YEAR (exc. (17))
Smallmouth and Spotted	5 (exc. (21))	12 in. (excs (8,10&21))	ALL YEAR
Roanoke and Rock Bass	None (exc. (24))	None (exc. (24))	ALL YEAR
White Bass	25	None	ALL YEAR
Sea Trout (Spotted or Speckled)	10	14 in.	ALL YEAR
Flounder	8	14 in.	ALL YEAR
Red drum (channel bass, red fish, puppy drum)	1	18 in. (exc. (19))	ALL YEAR
Striped Bass and their hybrids (Morone Hybrids)	8 aggregate (excs. 1,2,5,6,11,&13)	16 in. (excs.1,2,5,6,11&13)	ALL YEAR (excs. 6,13&15)
Shad: (American and hickory)	10 aggregate (exc. (22))	None	ALL YEAR (exc. (18))
Kokanee Salmon	7	None	ALL YEAR
Crappie and sunfish	None (excs. 4,12&16)	None (exc. (12))	ALL YEAR (exc. (4))
NONGAME FISHES	None (excs 14,20,23&25)	None (excs. 14,20,23&25)	ALL YEAR (exc. (7))

(b) Exceptions

- (1) In the Dan River upstream from its confluence with Bannister River to the Brantly Steam Plant Dam and in John H. Kerr Reservoir the creel limit on striped bass and Morone hybrids is two in the aggregate and the minimum size limit is 26 inches from October 1 through May 31. From June 1 through September 30 the daily creel limit on striped bass and Morone hybrids is four in aggregate with no minimum size limit.
- (2) In Lake Rhodhiss, Lake Hickory, and Lookout Shoals Reservoir, the creel limit on striped bass and Morone hybrids is four in the aggregate and the minimum size limit is 20 inches. In the Cape Fear River upstream of Buckhorn Dam and the Deep and Haw rivers to the first impoundment and in B.-Everett Jordan Reservoir, the creel limit on striped bass and Morone hybrids is four in the

1 aggregate and the minimum size limit is ~~20~~ 24 inches. In Lake Gaston and Roanoke Rapids  
2 Reservoir the creel limit on striped bass and Morone hybrids is four in aggregate with a minimum  
3 size limit of 20 inches from October 1 through May 31 and no minimum size limit from June 1  
4 through September 30. In Lake Norman the creel limit on striped bass and Morone hybrids is four  
5 in aggregate with a minimum size limit of 16 inches from October 1 through May 31 and no  
6 minimum size limit from June 1 through September 30.

7 (3) In designated public mountain trout waters the season for taking all species of fish is the same as  
8 the trout fishing season. There is no closed season on taking trout from Linville River within  
9 Linville Gorge Wilderness Area (including tributaries), Catawba River from Muddy Creek to the  
10 City of Morganton water intake dam, and the impounded waters of power reservoirs and  
11 municipally-owned water supply reservoirs open to the public for fishing.

12 (4) On Mattamuskeet Lake, special federal regulations apply.

13 (5) In the inland fishing waters of Neuse, Pungo and Tar Pamlico rivers and their tributaries extending  
14 upstream to the first impoundment of the main course on the river or its tributaries, and in all other  
15 inland fishing waters east of Interstate 95, subject to the exceptions listed in this Paragraph, the  
16 daily creel limit for striped bass and their hybrids is two fish in aggregate. The minimum length  
17 limit is 18 inches and no striped bass or striped bass hybrids between the lengths of 22 inches and  
18 27 inches may be possessed. In these waters, the season for taking and possessing striped bass is  
19 closed from May 1 through September 30. In the inland fishing waters of the Cape Fear River and  
20 its tributaries, the season for taking and possessing striped bass is closed year-round. In the Pee  
21 Dee River and its tributaries from the South Carolina line upstream to Blewett Falls Dam, the  
22 season for taking and possessing striped bass and their hybrids is open year-round, the daily creel  
23 limit is three fish in aggregate and the minimum length limit is 18 inches.

24 (6) In the inland and joint fishing waters [as identified in 15A NCAC 10C .0107(1)(e)] of the  
25 Roanoke River Striped Bass Management Area, which includes the Roanoke, Cashie, Middle and  
26 Eastmost rivers and their tributaries, the open season for taking and possessing striped bass and  
27 their hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at  
28 Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season the daily creel  
29 limit for striped bass and their hybrids is two fish in aggregate, the minimum size limit is 18  
30 inches. No fish between 22 inches and 27 inches in length shall be retained in the daily creel limit.  
31 Only one fish larger than 27 inches may be retained in the daily creel limit.

32 (7) See 15A NCAC 10C .0407 for open seasons for taking nongame fishes by special devices.

33 (8) The maximum combined number of black bass of all species that may be retained per day is five  
34 fish, no more than two of which may be smaller than the applicable minimum size limit. The  
35 minimum size limit for all species of black bass is 14 inches, with no exception in Lake Luke  
36 Marion in Moore County, Reedy Creek Park lakes in Mecklenburg County, Lake Rim in  
37 Cumberland County, Lake Raleigh in Wake County, ~~Randleman Reservoir in Randolph and~~  
38 ~~Guilford counties,~~ Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of  
39 Tar River Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream  
40 of Jordan Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw  
41 River downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek,  
42 in all their tributaries, and in all other public fishing waters east of Interstate 95 (except Tar River  
43 Reservoir in Nash County), South Yadkin River downstream of Cooleemee Dam, Yadkin-Pee Dee  
44 River from Idols Dam to the South Carolina State line including High Rock Lake, Tuckertown  
45 Lake, Badin Lake, Falls Lake, Lake Tillery and Blewett Falls Lake. ~~In and west of Madison,~~  
46 ~~Buncombe, Henderson and Polk Counties and in designated public mountain trout waters the~~  
47 ~~minimum size limit is 12 inches.~~ In Cane Creek Lake in Union County, and Buckhorn Reservoir  
48 in Wilson and Nash counties the minimum size limit for largemouth bass is 16 inches, with no  
49 exception. In Lake Phelps and Shearon Harris Reservoir no black bass between 16 and 20 inches  
50 shall be possessed. ~~In Lake Norman the minimum size limit for black bass is 14 inches. In~~  
51 ~~Randleman Reservoir only one largemouth bass greater than 20 inches may be possessed.~~

52 (9) A minimum size limit of 15 inches applies to walleye taken from Lake James and its tributaries,  
53 and the daily creel limit for walleye is four fish in Linville River upstream from the NC 126 bridge  
54 above Lake James.

55 (10) The minimum size limit for all black bass, with no exception, is 18 inches in Lake Thom-A-Lex in  
56 Davidson County.

- 1 (11) In all impounded inland waters and their tributaries, except those waters described in Exceptions  
2 (1) and (4), the daily creel limit of striped bass and their hybrids may include not more than two  
3 fish of smaller size than the minimum size limit.
- 4 (12) A daily creel limit of 20 fish and a minimum size limit of 10 inches apply to crappie in B. Everett  
5 Jordan Reservoir and in the Roanoke River and its tributaries downstream of Roanoke Rapids dam  
6 and in the Cashie, Middle, and Eastmost rivers and their tributaries. A daily creel limit of 20 fish  
7 and a minimum size limit of eight inches apply to crappie in the following waters: all public  
8 waters west of Interstate 77, South Yadkin River downstream of Cooleemee Dam, Yadkin-Pee  
9 Dee River from Idols Dam to the South Carolina State line including High Rock Lake,  
10 Tuckertown Lake, Badin Lake, Falls Lake, Lake Tillery, and Blewett Falls Lake, Lake Norman,  
11 Lake Hyc0, Lake Ramseur, Cane Creek Lake, Tar River downstream of Tar River Reservoir Dam,  
12 Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan Lake Dam, Deep  
13 River downstream of Lockville Dam, Cape Fear River, Waccamaw River downstream of Lake  
14 Waccamaw Dam, the entire Lumber River including Drowning Creek, in all their tributaries, and  
15 in all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County,  
16 Sutton Lake in New Hanover County, and Roanoke River and tributaries below Roanoke Rapids  
17 dam, as listed above. In Buckhorn Reservoir in Wilson and Nash counties a daily creel limit of 20  
18 fish applies to crappie.
- 19 (13) In designated inland fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan  
20 River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the  
21 Roanoke River and Cashie River and their tributaries), striped bass fishing season, size limits and  
22 creel limits are the same as those established by rules or proclamations of the Marine Fisheries  
23 Commission in adjacent joint or coastal fishing waters.
- 24 (14) ~~Size and creel limits on regulated areas, including Community Fishing Areas, Public Fishing~~  
25 ~~Areas, and other cooperatively managed public waters. In waters that are stocked and managed for~~  
26 ~~catfish and located on game lands, on other Commission-owned property, or on the property of a~~  
27 ~~cooperator, including waters within the Community Fishing Program, it is unlawful to take~~  
28 ~~channel, white, or blue catfish (forked tail catfish) by means other than hook and line; the daily~~  
29 ~~creel limit for forked tail catfish is six fish in aggregate. Waters to which this creel limit applies~~  
30 ~~shall be posted at each area, as specified in 15A NCAC 10E .0103.~~
- 31 (15) The Executive Director may, by proclamation, suspend or extend the hook-and-line season for  
32 striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to  
33 violate the provisions of any proclamation issued under this authority.
- 34 (16) In Roanoke River downstream of Roanoke Rapids Dam, Tar River downstream of Tar River  
35 Reservoir Dam, Neuse River downstream of Falls Lake Dam, Haw River downstream of Jordan  
36 Lake Dam, Deep River downstream of Lockville Dam, Cape Fear River, Waccamaw River  
37 downstream of Lake Waccamaw Dam, the entire Lumber River including Drowning Creek, in all  
38 their tributaries, and in all other public fishing waters east of Interstate 95, except Tar River  
39 Reservoir in Nash County, the daily creel limit for sunfish is 30 in aggregate, no more than 12 of  
40 which shall be redbreast sunfish.
- 41 (17) In Sutton Lake, no largemouth bass shall be possessed from December 1 through March 31.
- 42 (18) The season for taking American and hickory shad with bow nets is March 1 through April 30.
- 43 (19) No red drum greater than 27 inches in length may be possessed.
- 44 (20) No person shall take or possess herring (alewife and blueback) that are greater than six inches in  
45 length from the inland fishing waters of coastal rivers and their tributaries including Roanoke  
46 River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam,  
47 Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee  
48 Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek,  
49 in all their tributaries, and in all other inland fishing waters east of Interstate 95.
- 50 (21) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County,  
51 Virginia) no black bass between 14 and 20 inches in length shall be possessed and only one black  
52 bass greater than 20 inches may be possessed in the daily creel limit. No minimum size limit  
53 applies to black bass less than 14 inches in length in this section of New River.
- 54 (22) In the inland waters of Roanoke ~~River and its River, Neuse River, and their~~ tributaries, the daily  
55 creel limit for American and hickory shad is 10 in aggregate, only one of which may be an  
56 American shad. In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no  
57 American shad may be possessed.

- 1 (23) In Lake Norman and Badin Lake the daily creel limit for blue catfish greater than 32 inches in  
2 length is one fish.  
3 (24) In all public fishing waters east of Interstate 77, the minimum length for Roanoke and rock bass is  
4 8 inches and the daily creel limit is two fish in aggregate.  
5 (25) In inland fishing waters the minimum length for gray trout (weakfish) is 12 inches and the daily  
6 creel limit is one fish.  
7 (26) In Lake Cammack in Alamance County and Lake Holt in Granville County the daily creel limit for  
8 largemouth bass is 10 fish and no more than two fish greater than 14 inches may be possessed.  
9

10  
11 *History Note:* Authority G.S. 113-134; 113-292; 113-304; 113-305;  
12 Eff. February 1, 1976;  
13 Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1,  
14 1990;  
15 Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1,  
16 1990;  
17 Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;  
18 Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;  
19 Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent  
20 rule becomes effective, whichever is sooner;  
21 Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;  
22 Temporary Amendment Eff. November 1, 1998;  
23 Amended Eff. April 1, 1999;  
24 Temporary Amendment Eff. July 1, 1999;  
25 Amended Eff. July 1, 2000;  
26 Temporary Amendment Eff. July 1, 2001;  
27 Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent  
28 amendment effective July 1, 2002 and approved by RRC in May 2001];  
29 Amended Eff. August 1, 2002 (approved by RRC in April 2002);  
30 Temporary Amendment Eff. June 1, 2003;  
31 Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July  
32 17, 2003);  
33 Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1,  
34 2007; May 1, 2006; June 1, 2005.



1 **15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: PURCHASE AND SALE**

2 (a) Except as permitted by the rules in this Section, it is unlawful to take nongame fishes from the inland fishing  
3 waters of North Carolina in any manner other than with hook and line or grabbling. Nongame fishes may be taken  
4 by hook and line or grabbling at any time without restriction as to size limits or creel limits, with the following  
5 exceptions:

- 6 (1) Blue crabs shall have a minimum carapace width of five inches (point to point) and it is unlawful  
7 to possess more than 50 crabs per person per day or to exceed 100 crabs per vessel per day.  
8 (2) No person shall take or possess herring (alewife and blueback) that are greater than six inches in  
9 length from the inland fishing waters of coastal rivers and their tributaries including Roanoke  
10 River downstream of Roanoke Rapids Dam, Tar River downstream of Rocky Mount Mill Dam,  
11 Neuse River downstream of Milburnie Dam, Cape Fear River downstream of Buckhorn Dam, Pee  
12 Dee River downstream of Blewett Falls Dam, the entire Lumber River including Drowning Creek,  
13 and in all other inland fishing waters east of Interstate 95.  
14 (3) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman,  
15 Mountain Island Reservoir ~~and Lake Wylie, Lake Wylie and Lake Tillery,~~ except that one fish  
16 per day may be taken by bow and arrow.  
17 (4) No trotlines or set-hooks shall be used in the impounded waters located on the Sandhills Game  
18 Land or in designated public mountain trout waters.  
19 (5) In Lake Waccamaw, trotlines or set-hooks may be used only from October 1 through April 30.  
20 (6) The minimum size limit for gray trout (weakfish) is 12 inches and the daily creel limit is one fish.

21 (b) The season for taking nongame fishes by other hook and line methods in designated public mountain trout  
22 waters is the same as the trout fishing season.

23 (c) Nongame fishes, except alewife and blueback herring, excluding those less than six inches in length collected  
24 from Kerr Reservoir (Granville, Vance, and Warren counties), blue crab, and bowfin, taken by hook and line,  
25 grabbling or by licensed special devices may be sold. Eels less than six inches in length may not be taken from  
26 inland waters for any purpose.

27 (d) Freshwater mussels, including the Asiatic clam (*Corbicula fluminea*), may only be taken from impounded  
28 waters, except mussels shall not be taken in Lake Waccamaw and in University Lake in Orange County. It is  
29 unlawful to possess more than 200 freshwater mussels.

30 (e) ~~Size and creel limits as set in this Rule on regulated areas, including Community Fishing Areas, Public Fishing~~  
31 ~~Areas, and other cooperatively managed public waters~~ In waters that are stocked and managed for catfish and  
32 located on game lands, on Commission-owned property, or on the property of a cooperator, including waters within  
33 the Community Fishing Program, it is unlawful to take channel, white, or blue catfish (forked tail catfish) by means  
34 other than hook and line; the daily creel limit for forked tail catfish is six fish in aggregate. Waters to which this  
35 creel limit applies shall be posted ~~at each area,~~ as specified in 15A NCAC 10E .0103.

36 (f) In Lake Norman and Badin Lake, the daily creel limit for blue catfish greater than 32 inches is one fish.  
37

38 *History Note: Authority G.S. 113-134; 113-272; 113-292;*

39 *Eff. February 1, 1976;*

40 *Amended Eff. July 1, 1994; July 1, 1993; May 1, 1992;*

41 *Temporary Amendment Eff. December 1, 1994;*

42 *Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995;*

43 *Temporary Amendment Eff. July 1, 1999;*

44 *Amended Eff. July 1, 2000;*

45 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*

46 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*

47 *Temporary Amendment Eff. June 1, 2003;*

48 *Amended Eff. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*  
49 *2003);*

50 *Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1,*  
51 *2006; June 1, 2005.*

1 **15A NCAC 10C .0404 SPECIAL DEVICE FISHING**

2 (a) Bow and Arrow. The use of bow [as defined in 15A NCAC 10B .0116(a)] and arrow as a licensed special  
3 device is authorized for taking nongame fishes at any time from all inland fishing waters other than impounded  
4 waters located on the Sandhills Game Land and designated public mountain trout waters. Unless specifically  
5 prohibited, bow and arrow may be used in joint fishing waters. ~~It is unlawful to take fish with crossbow and arrow  
6 in any inland fishing waters.~~

7 (b) Nets. Where authorized, manually operated nets, including seines and bow, cast, dip, gill, drift and fyke nets  
8 may be used under the special device fishing license. No fixed gill net or other stationary net which may be  
9 authorized as a special fishing device may be more than 100 yards in length, nor shall any such net be placed within  
10 50 yards of any other fixed net. Fixed nets must be set so that they run parallel to the nearest shoreline. No anchored  
11 or fixed gill net or drift net shall be used unless such net is marked for the protection of boat operators. A net shall  
12 be deemed so marked when there is attached to it at each end two separate yellow buoys which shall be of solid  
13 foam or other solid buoyant material no less than five inches in its smallest dimensions. The owner shall be  
14 identified on a buoy on each end either by using engraved buoys or by attaching engraved metal or plastic tags to the  
15 buoys. Such identification shall include one of the following:

- 16 (1) owner's N.C. motor boat registration number;
- 17 (2) owner's U.S. vessel documentation name; or
- 18 (3) owner's last name and initials.

19 It is unlawful to attach gill nets to any wire, rope, or similar device extended across any navigable watercourse.

20 (c) Traps. Baskets and traps, excluding collapsible crab traps, may be used under the special device fishing license.  
21 Such devices when set and left unattended shall be affixed with a card or tag furnished by the license holder and  
22 upon which his name and address shall be legibly and indelibly inscribed. No fish trap may exceed 60 inches in  
23 length or 30 inches in depth or width. No lead nets, wing nets, or other device designed to guide or herd fish may be  
24 attached to the trap or used or set within 25 feet of the trap.

25 (d) Spears. Manually operated gigs or under-water spear or harpoon guns may be used under the special fishing  
26 device license in the inland waters having a season for their use specified in Rule .0407 of this Section.

27 (e) Crab pots. It is unlawful to use crab pots in inland fishing waters, except by persons owning property adjacent  
28 to the inland fishing waters of coastal rivers and their tributaries who are permitted to set two crab pots to be  
29 attached to their property and not subject to special device license requirements.

30 (f) Eel pots. It is unlawful to use pots with mesh sizes smaller than one inch by one-half inch unless such pots  
31 contain an escape panel that is at least four inches square with a mesh size of one inch by one-half inch located in  
32 the outside panel of the upper chamber of rectangular pots and in the rear portion of cylindrical pots. Each pot must  
33 be marked by attaching a floating buoy which shall be of solid foam or other solid buoyant material and no less than  
34 five inches in diameter and no less than five inches in length. Buoys may be of any color except yellow. The owner  
35 shall be identified on the attached buoy by using engraved buoys or by engraved metal or plastic tags attached to the  
36 buoy. Such identification shall include one of the following:

- 37 (1) owner's N.C. motorboat registration number;
- 38 (2) owner's U.S. vessel documentation name; or
- 39 (3) owner's last name and initials.

40 (g) Hand-crank electrofisher. For the purposes of this rule, a hand-crank electrofisher is any manually-operated  
41 device which is capable of generating a low voltage electrical current not exceeding 300 volts for the taking of  
42 catfish. Hand-crank electrofishers may be used only where authorized by local law and only in those waters  
43 specified in 15A NCAC 10C .0407.

44  
45 *History Note: Authority G.S. 113-134; 113-272.2; 113-276; 113-292;*  
46 *Eff. February 1, 1976;*  
47 *Amended Eff. July 1, 1999; July 1, 1996; December 1, 1995; July 1, 1995; July 1, 1994; July 1,*  
48 *1993;*  
49 *Temporary Amendment Effective July 1, 2001;*  
50 *Amended Eff. May 1, 2008; May 1, 2007; August 1, 2004; July 18, 2002.*

1 **15A NCAC 10C .0503 DESCRIPTIVE BOUNDARIES**

2 The following waters have been designated as primary nursery areas:

- 3 (1) North River:
- 4 (a) Broad Creek - Camden County - Entire stream;
- 5 (b) Deep Creek - Currituck County - Entire stream;
- 6 (c) Lutz Creek - Currituck County - Entire stream.
- 7 (2) Alligator River:
- 8 (a) East Lake - Dare County - Inland waters portion;
- 9 (b) Little Alligator River - Tyrrell County - Entire stream.
- 10 (3) Currituck Sound:
- 11 (a) Martin Point Creek - Dare County - Entire stream (Jean Guite Creek);
- 12 (b) Tull Creek and Bay - Currituck County - Tull Bay to mouth of Northwest River; Tull
- 13 Creek from mouth upstream to SR 1222 bridge.
- 14 (4) Pamlico River:
- 15 (a) Duck Creek - Beaufort County - Entire stream;
- 16 (b) Bath Creek - Beaufort County - Entire stream;
- 17 (c) Mixons Creek - Beaufort County - Entire stream;
- 18 (d) Porter Creek - Beaufort County - Entire stream;
- 19 (e) Tooleys Creek - Beaufort County - Entire stream;
- 20 (f) Jacobs Creek - Beaufort County - Entire stream;
- 21 (g) Jacks Creek - Beaufort County - Entire stream;
- 22 (h) Bond Creek - Beaufort County - Entire stream;
- 23 (i) Muddy Creek - Beaufort County - Entire stream;
- 24 (j) Strawhorn Creek - Beaufort County - Entire stream;
- 25 (k) South Prong Wright Creek - Beaufort County - Entire stream;
- 26 (l) Jordan Creek - Beaufort County - Entire ~~stream.~~ stream;
- 27 (m) Eastham Creek - Pamlico County - Entire stream.
- 28 (5) Neuse River:
- 29 (a) Slocum Creek - Craven County - Entire stream;
- 30 (b) Hancock Creek - Craven County - Entire ~~stream.~~ stream;
- 31 (c) Core Creek - Craven County - Entire stream;
- 32 (d) Pinetree Creek - Craven County - Entire stream;
- 33 (e) Green's Thorofare - Craven County - Entire stream;
- 34 (f) Grinnel Creek - Pitt and Craven Counties - Entire stream;
- 35 (g) Little Swift Creek - Craven County - Entire stream;
- 36 (h) Turkey Quarter Creek - Craven County - Entire stream;
- 37 (i) Village Creek - Craven County - Entire stream;
- 38 (j) Taylor Creek - Craven County - Entire stream;
- 39 (k) Unnamed Tributary (Kidney Creek) - Craven County - Entire stream (35° 18.014'N -
- 40 77° 17.407'W);
- 41 (l) Unnamed Tributary - Craven County - Entire Stream (35° 15.464'N - 77° 13.681'W);
- 42 (m) Unnamed Tributary (The Gut) - Craven County - Entire stream (35° 11.219'N - 77°
- 43 6.660'W).
- 44 (6) New River:
- 45 (a) French Creek - Onslow County - Entire stream;
- 46 (b) New River - Onslow County - US Highway 17 bridge to NC 24/US 258 bridge.
- 47 (7) Roanoke River: Halifax and Northampton counties - US 258 bridge to Roanoke Rapids dam.
- 48 (8) Tar-Pamlico River: Nash, Edgecombe, Pitt and Beaufort counties - N&S railroad at Washington
- 49 upstream to Rocky Mount Mills Dam.
- 50 (9) Neuse River: Wake, Johnston, Wayne, Lenoir, Pitt and Craven counties - Pitchkettle Creek
- 51 upstream to Milburnie Dam.
- 52 (10) Cape Fear River: Chatham, Lee, Harnett, Cumberland and Bladen counties - Lock and Dam No. 1
- 53 upstream to Buckhorn Dam.
- 54 (a) Smith Creek - New Hanover County - Entire stream.
- 55 (11) Albemarle Sound: Peter Mashoes Creek - Dare County - Entire Stream.
- 56 (12) Croatan Sound: Spencer Creek - Dare County - Entire Stream.

1 (13) White Oak River: Onslow and Jones counties – Grants Creek upstream to Gibson Bridge Road  
2 (SR 1118).

3 (14) Northeast Cape Fear River: Pender County – NC 210 bridge upstream to NC 53 bridge.  
4

5 *History Note: Authority G.S. 113-132; 113-134;*  
6 *Eff. August 1, 1990;*  
7 *Amended Eff. May 1, 2008; November 1, 2007; August 1, 2004; July 1, 2000; July 1, 1993.*

1 **15A NCAC 10E .0104 USE OF AREAS REGULATED**

2 (a) No person shall leave any vehicle, boat trailer or other obstruction on any public fishing or boating access area  
3 in such a location, position or condition that it will prevent or impede the use by other persons of any ramp or other  
4 facility constructed for the purpose of launching or landing boats or fishing. No person shall leave parked any  
5 vehicle, boat, boat trailer or other object at any place on any public fishing or boating access area other than on such  
6 place or zone as is designated as an authorized parking zone and posted or marked as such.

7 (b) No person shall possess a loaded firearm on any public fishing or boating access ~~area.~~ area, except that a  
8 handgun may be carried concealed by an individual with a valid concealed handgun permit. The individual carrying  
9 a concealed handgun must adhere to the requirements set forth in North Carolina G.S. 14-415.11, even if the state  
10 issuing the concealed handgun permit is not North Carolina. No person shall operate a vehicle on any public fishing  
11 or boating access area in a manner so as to endanger life or property.

12 (c) No person, when using any public fishing or boating access area, shall deposit any debris or refuse anywhere on  
13 the grounds of the area. No person, when using any public fishing or boating access area, shall do any act which is  
14 prohibited or neglect to do any act which is required by signs or markings placed on such area under authority of this  
15 Rule for the purpose of regulating the use of the area. At any time when all designated parking zones on any public  
16 fishing or boating access area are fully occupied, any person may enter and use such facilities, provided such person  
17 makes other arrangements for parking and violates none of the provisions of this Rule or the signs or markings made  
18 or posted pursuant hereto.

19 (d) No person shall operate a motorboat in the public waters of North Carolina within 50 yards of a Commission-  
20 owned or managed boat launching ramp at greater than "no wake" speed. For the purpose of this Rule, "no wake"  
21 speed shall mean idling speed or a slow speed creating no appreciable wake.

22 (e) Except where facilities are provided, it is unlawful to use any boating access area for purposes other than the  
23 launching of boats and parking vehicles and boat trailers. All other uses—including swimming, skiing, camping,  
24 building fires, operating concessions or other activities not directly involved with launching of boats—are  
25 prohibited, except that those activities including fish weigh-ins and for which a permit has been issued may be  
26 conducted, provided that the permit authorizing such activity is available for inspection by wildlife enforcement  
27 officers at the time the activity is taking place.

28 (f) Except where facilities are provided and approved uses are posted, it is unlawful to use any public fishing area  
29 for purposes other than fishing. All prohibited uses and activities shall be posted including possession of loaded  
30 firearms, firearms (except as allowed in paragraph b), swimming, launching or mooring jet skis or boats, skiing,  
31 building fires, operating concessions, or other activities not directly associated with fishing.

32 ~~(g) Size and creel regulations for game and nongame fishes that differ from the general statewide regulations shall~~  
33 ~~be posted at public fishing areas, Community Fishing Program waters, and other cooperatively managed public~~  
34 ~~waters.~~

35 ~~(h)(g)~~ It is unlawful to feed or release animals or birds, domesticated animals and feral animals on public fishing or  
36 boating access areas without prior written authorization of the Wildlife Resources Commission. For the purpose of  
37 enforcing this Paragraph, "domesticated animals" does not include pets under the control of the owner and raptors or  
38 hunting dogs where otherwise permitted for hunting or training purposes.

39  
40 *History Note: Authority G.S. 113-134; 113-264; 75A-14;*  
41 *Eff. February 1, 1976;*  
42 *Amended Eff. August 1, 2010; May 1, 2009; July 1, 1995; February 1, 1994; September 1, 1992;*  
43 *July 1, 1991.*





**North Carolina Wildlife Resources Commission  
Land Acquisition Investigation Form**

Date: 04/26/2011

Tract Name: FIA – Daniel Whitaker West

Acreage: 7+/- acres

County: Halifax County

Advertised Purchase Amount: NA- Donation

Based on Appraisal:  Yes  No

Contact: John M. Crump, Michael D. Neal & Associates, Inc. – Land Manager for Forest Investment Associates (FIA)

Address: 754 NC 11 North  
Ahoskie, NC 27910

Phone: (252) 398-1470 – Office  
(252) 209-7005 – Cell

Email: [johncl@mdneal.com](mailto:johncl@mdneal.com)

Status:  High Interest  Moderate Interest  Low Interest  No Interest

Grant Potential:  NHTF  CWMTF  DU MARSH  
 Other (explain) : The National Wild Turkey Federation and the NC Wildlife Habitat Foundation have agreed to fund this acquisition.

Resources Assessment (Brief): This 7 acre tract sits directly adjacent to the “Longleaf Tract” of Tillery Game Lands. The “Longleaf Tract” is part of the IP/TNC acquisition from 2007 and was primarily funded by a grant from the NC Natural Heritage Trust Fund with the condition that a majority of this 800 acre tract be restored to a functional longleaf forest type. The “Longleaf Tract” tract contains a small remnant longleaf forest, currently under restoration, and an in-tact herbaceous understory that is consistent with longleaf forest types typical of the region.

Prescribed fire will be the main tool used to manage these forests before, during and after the process of longleaf forest restoration. This 7 acre tract is important in maintaining an undeveloped buffer between these managed forest areas and developing adjacent private land to ensure that we can continue to use prescribed fire as our main management tool. Currently, this 7 acre tract is 18 year old, un-thinned loblolly pine plantation. It was previously owned by International Paper prior to FIA acquisition in 2006.

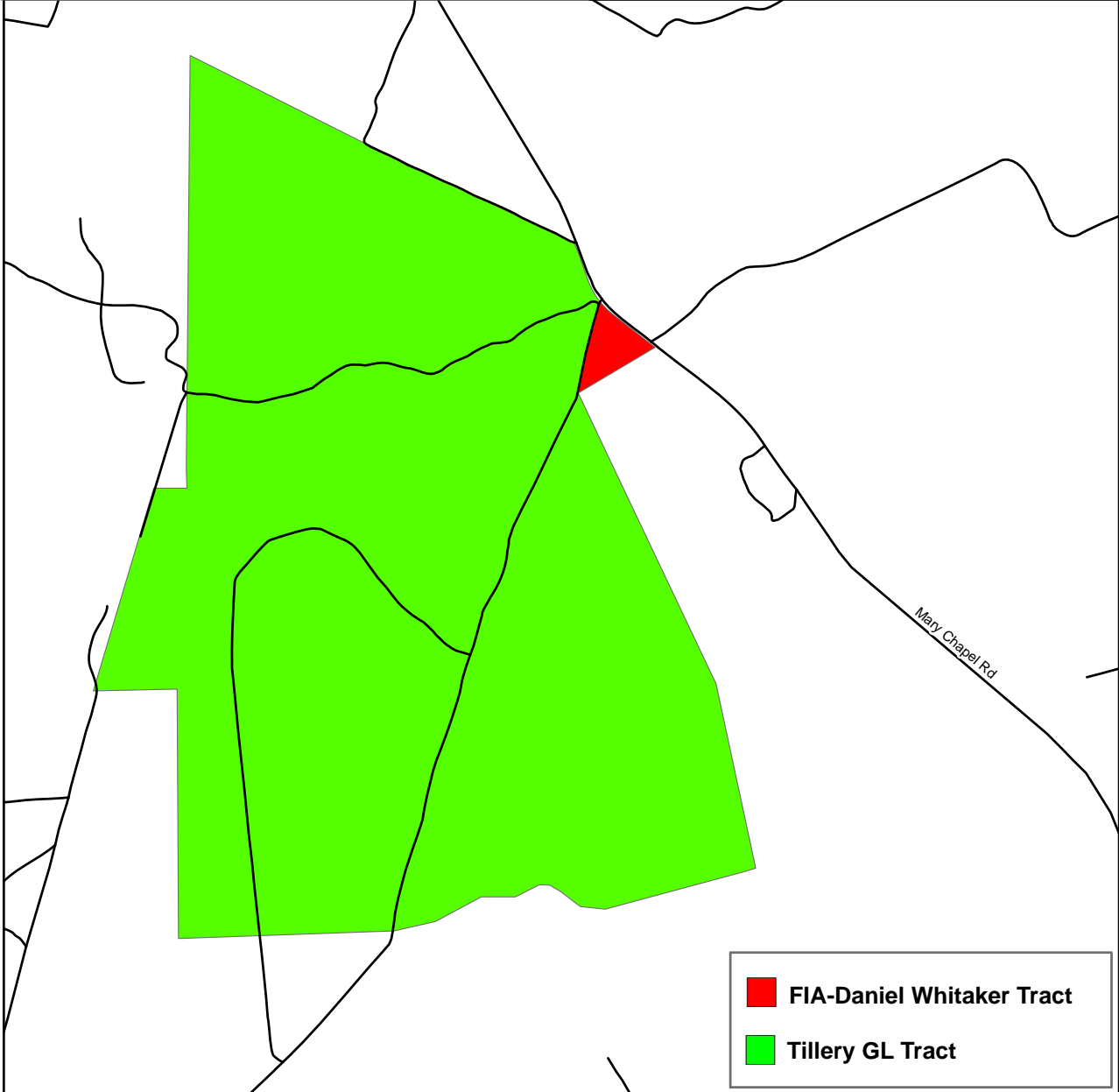
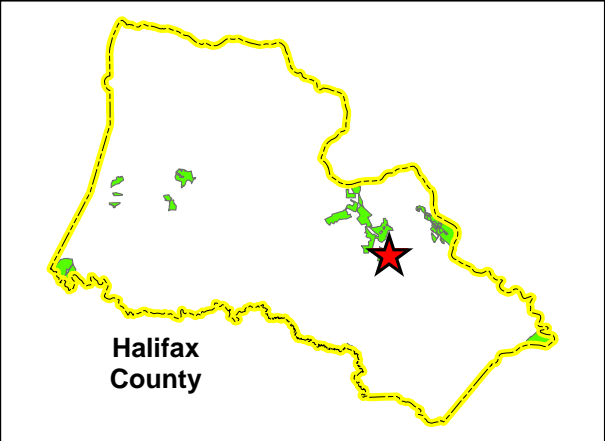
Access Assessment: Access is excellent. This tract fronts on Mary Chapel Road (SR1117) and an interior existing game land trail.

Game Lands Program Potential:  Yes - addition to Tillery Game Land

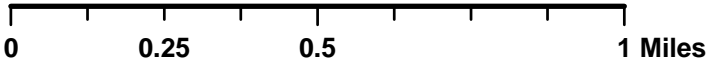
Recommendation:  Pursue Acquisition  Defer  Do not Pursue Acquisition

Map Attached:  Yes  No

**FIA  
Daniel Whitaker Tract  
Tillery Game Land  
Halifax County  
+/- 7 Acres**



June 16, 2011



# **EXHIBIT F-1**

**July 7, 2011**

Exhibit F-1 is the *Mourning Dove, White-winged Dove, and Banded-tailed Pigeon 2011 Population Status* report, which is sent to WRC by the U. S. Fish and Wildlife Service annually in mid- to late June. To date, this report has not been received. This report will be in exhibit packets at the July 7, 2011 WRC meeting.

# EXHIBIT F-2

July 7, 2011

U.S. Fish & Wildlife Service



## American Woodcock

*Population Status 2011*



**Suggested report citation:**

Cooper, T.R., and K. Parker. 2011. American woodcock population status, 2011. U.S. Fish and Wildlife Service, Laurel, Maryland. 17 pp.

All Division of Migratory Bird Management reports are available at:

<http://www.fws.gov/migratorybirds/NewsPublicationsReports.html>

*The cover photo is by Brett Pikula.*



# AMERICAN WOODCOCK POPULATION STATUS, 2011

THOMAS R. COOPER, U.S. Fish and Wildlife Service, Division of Migratory Bird Management, 5600 American Blvd. West, Suite 950, Bloomington, MN 55437-1458

KERI PARKER, U.S. Fish and Wildlife Service, Division of Migratory Bird Management, Patuxent Wildlife Research Center, 11510 American Holly Dr., Laurel, MD 20708-4002

*Abstract:* Singing-ground Survey data for 2011 indicate that indices for singing American woodcock (*Scolopax minor*) males in the Eastern and Central Management Regions are not significantly different from 2010. There was no significant 10-year trend for woodcock heard in the Eastern or Central Management Regions during 2001-11. This marks the eighth consecutive year that the 10-year trend estimate was not significant in the Eastern Region, while the 10-year trend in the Central Management Region returns to non-significance after being negative last year. Both regions have a long-term (1968-11) declining trend of -1.0% per year. The 2010 recruitment index for the U.S. portion of the Eastern Region (1.5 immatures per adult female) was 1.2% greater than the 2009 index and 10.2% below the long-term regional index, while the recruitment index for the U.S. portion of the Central Region (1.6 immatures per adult female) was 30.2% higher than the 2009 index and was 2.1% lower than the long-term regional index. Estimates from the Harvest Information Program indicated that U.S. woodcock hunters in the Eastern Region spent 146,700 days afield and harvested 99,800 woodcock during the 2010-11 season, while in the Central Region, hunters spent 392,400 days afield and harvested 233,100 woodcock.

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## INTRODUCTION

The American woodcock is a popular game bird throughout eastern North America. The management objective of the U.S. Fish and Wildlife Service (FWS) is to increase populations of woodcock to levels consistent with the demands of consumptive and non-consumptive users (U.S. Fish and Wildlife Service 1990). Reliable annual population estimates, harvest estimates, and information on recruitment and distribution are essential for comprehensive woodcock management. Unfortunately, this information is difficult and often impractical to obtain. Woodcock are difficult to find and count because of their cryptic coloration, small size, and preference for areas with dense vegetation. The Singing-ground Survey (SGS) was developed to provide indices to changes in abundance. The Wing-collection Survey (WCS) provides annual indices of woodcock recruitment. The Harvest Information Program (HIP) utilizes a sampling frame of woodcock hunters to estimate harvest and days spent afield.

This report summarizes the results of these surveys and presents an assessment of the population status of woodcock as of early June 2011. The report is intended to assist managers in regulating the sport harvest of woodcock and to draw attention to areas where management actions are needed. Historical woodcock hunting regulations are summarized in Appendix A.

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**The primary purpose of this report is to facilitate the prompt distribution of timely information. Results are preliminary and may change with the inclusion of additional data.**

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## METHODS

### Woodcock Management Regions

Woodcock are managed on the basis of two regions or populations, Eastern and Central, as recommended by Owen et al. (1977; Fig. 1). Coon et al. (1977) reviewed the concept of management units for woodcock and recommended the current configuration over several alternatives. This configuration was biologically justified because analysis of band recovery data indicated that there was little crossover between the regions (Krohn et al. 1974, Martin et al. 1969). Furthermore, the boundary between the two regions conforms to the boundary between the Atlantic and Mississippi Flyways. The results of the Wing-collection and Singing-ground surveys, as well as the Harvest Information Program, are reported by state or province, and management region. Although state and province level results are included in this report, analyses are designed to support management decisions made at the management region scale.

### Singing-ground Survey

The Singing-ground Survey was developed to exploit the conspicuous courtship display of the male woodcock. Early studies demonstrated that counts of singing males provide indices to woodcock populations and could be used to monitor annual changes (Mendall and Aldous 1943, Goudy 1960, Duke 1966, and Whitcomb 1974). Before 1968, counts were conducted on non-randomly-located routes. Beginning in 1968, routes were relocated along lightly-traveled secondary roads in the center of randomly-chosen 10-minute



**Fig. 1.** Woodcock management regions, breeding range, and Singing-ground Survey coverage.

degree blocks within each state and province in the central and northern portions of the woodcock's breeding range (Fig. 1). Data collected prior to 1968 are not included in this report.

Each route was 3.6 miles (5.4 km) long and consisted of 10 listening points. The routes were surveyed shortly after sunset by an observer who drove to each of the 10 stops and recorded the number of woodcock heard peenting (the vocalization by displaying male woodcock on the ground). Acceptable dates for conducting the survey were assigned by latitude to coincide with peaks in courtship behavior of local woodcock. In most states, the peak of courtship activity (including local woodcock and woodcock still migrating) occurred earlier in the spring and local reproduction may have already been underway when the survey was conducted. However, it was necessary to conduct the survey during the designated survey dates in order to minimize the counting of migrating woodcock. Because adverse weather conditions may affect courtship behavior and/or the ability of observers to hear woodcock, surveys were only conducted when wind, precipitation, and temperature conditions were within prescribed limits.

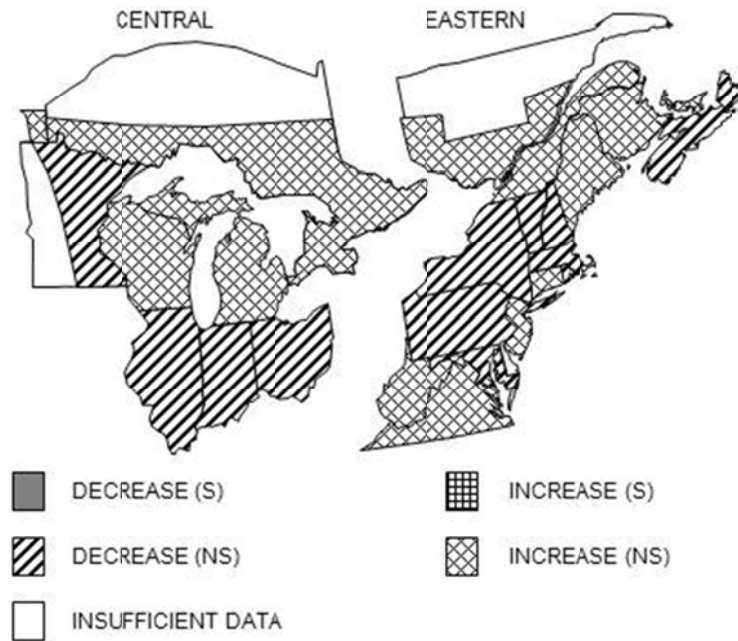
The survey consists of about 1,500 routes. In order to avoid expending unnecessary resources and funds, approximately one half of these routes are surveyed each year. The remaining routes are carried as "constant zero" routes. Routes for which no woodcock are heard for 2 consecutive years enter this constant zero status and are not run for the next 5 years. If woodcock are heard on a constant zero route when it is next run, the route reverts to normal status and is run again each year. Data from constant zero routes are included in the analysis only for the years they were actually surveyed. Sauer and Bortner (1991) reviewed

the implementation and analysis of the Singing-ground Survey in more detail.

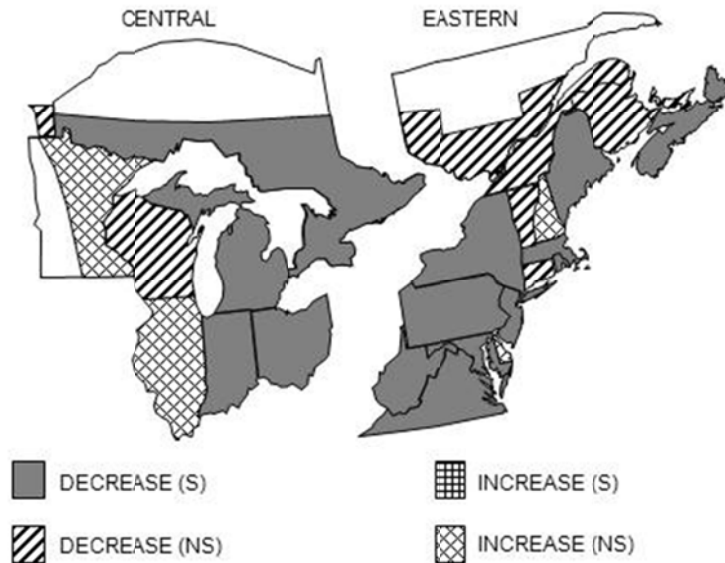
Trends were estimated using a hierarchical model. Sauer et al. (2008) describe a hierarchical log-linear model for estimation of population change from SGS data. In practice, the hierarchical modeling approach provides trend and annual index values that are generally comparable to the estimates provided by the previously used route regression approach (see Link and Sauer 1994 for more information on the route regression approach). The hierarchical model, however, has a more rigorous and realistic theoretical basis than the weightings used in the route regression approach, and the indices and trends are directly comparable as trends are calculated directly from the indices.

With the hierarchical model, the log of the expected value of the counts is modeled as a linear combination of strata-specific intercepts and year effects, a random effect for each unique combination of route and observer, a start-up effect on the route for first year counts of new observers, and overdispersion. In the hierarchical model, the parameters of interest are treated as random and are assumed to follow distributions that are governed by additional parameters. The hierarchical model is fit using Bayesian methods. Markov-chain Monte Carlo methods are used to iteratively produce sequences of parameter estimates which can be used to describe the distribution of the parameters of interest. After an initial "burn-in" period, means, medians, and credible (or Bayesian confidence) intervals for the parameters can be estimated from the replicates. Annual indices are defined as exponentiated year effects, and trends are defined as ratios of the year effects at the start and end of the interval of interest, taken to the appropriate power to estimate a yearly change (Sauer et al. 2008). Trend estimates are expressed as percent change per year, while indices are expressed as the number of singing males per route. Annual indices were calculated for the 2 regions and each state and province, while short-term (2010-11), 10-year (2001-11) and long-term (1968-2011) trends were evaluated for each region as well as for each state or province.

Credible Intervals (CI) are used to describe uncertainty around the estimates when fitting hierarchical models using Bayesian methods. If the CI does not overlap 0 for a trend estimate, the trend is considered significant. We present the median and 95<sup>th</sup> percentile credible intervals of 10,000 estimates (i.e., we simulated 10,000 replicates and thinned by 2), which were calculated after an initial 20,000 iterations to allow the series to converge. Refer to Sauer et al. (2008) and Link and Sauer (2002) for a detailed description of the statistical model and fitting process.



**Fig. 2.** Short-term trends in the number of American woodcock heard on the Singing-ground Survey, 2010-2011, as determined by the hierarchical modeling method. A significant trend (S) does not include zero in the 95% credible interval, while a non-significant (NS) trend does include zero. Note, no state or province had a significant short-term trend this year.



**Fig. 3.** Long-term trends in the number of American woodcock heard on the Singing-ground Survey, 1968-2011, as determined by the hierarchical modeling method. A significant trend (S) does not include zero in the 95% credible interval, while a non-significant (NS) trend does include zero. Note, no state or province had a significant long-term increase.

The reported sample sizes are the number of routes on which trend estimates are based, which includes any route on which woodcock were ever encountered. Each route was to be surveyed during the peak time of daily singing activity. For editing purposes, “acceptable” times were between 22 and 58 minutes after sunset (or, between 15 and 51 minutes after sunset on overcast evenings). Due to observer error, some stops on some routes were surveyed before or after the peak times of singing activity. Earlier analysis revealed that routes with 8 or fewer acceptable stops tended to be biased low. Therefore, only route observations with at least 9 acceptable stops were included in the analysis. Routes for which data were received after 8 June 2011 were not included in this analysis but will be included in future trend estimates.

### **Harvest Information Program**

The Harvest Information Program (HIP) was cooperatively developed by the FWS and state wildlife agencies to provide reliable annual estimates of hunter activity and harvest for all migratory game birds (Elden et al. 2002). In the past, the annual FWS migratory bird harvest survey (Mail Questionnaire Survey) was based on a sampling frame that consisted solely of hunters who purchased a federal duck stamp. However, people that hunt only non-waterfowl species such as woodcock and doves were not required to purchase a duck stamp, and therefore were not included in that sampling frame. The HIP sampling frame consists of all migratory game bird hunters, thus providing more reliable estimates of woodcock hunter numbers and harvest than we have had in the past. Under this program, state wildlife agencies collect the name, address, and additional information from each migratory bird hunter in their state, and send that information to the FWS. The FWS then selects random samples of those hunters and asks them to voluntarily provide detailed information about their hunting activity. For example, hunters selected for the woodcock harvest survey are asked to complete a daily diary about their woodcock hunting and harvest during the current year’s hunting season. Their responses are then used to develop nationwide woodcock harvest estimates. HIP survey estimates of woodcock harvest have been available for woodcock since 1999. Although estimates from 1999-2002 have been finalized, the estimates from 2003-10 should be considered preliminary as refinements are still being made in the sampling frame and estimation techniques. Canadian hunter and harvest estimates, which were obtained through the Canadian National Harvest Survey Program, are presented in Appendix B (Gendron and Collins 2009).

### **Wing-collection Survey**

The primary objective of the Wing-collection Survey is to provide data on the reproductive success of woodcock. The survey is administered as a cooperative effort between woodcock hunters, the FWS, and state wildlife agencies. Participants in the 2010 survey included hunters who either: (1) participated in past surveys; (2) were a subset of hunters that indicated on the Harvest Information Program Survey that they hunted woodcock, or (3) contacted the FWS to volunteer to be included in the survey. Wing-collection Survey participants were provided with prepaid mailing envelopes and asked to submit one wing from each woodcock they bagged. Hunters were asked to record the date of the hunt and the state and county where the bird was shot. Hunters were not asked to submit envelopes for unsuccessful hunts. The age and gender of birds were determined by examining plumage characteristics (Martin 1964, Sepik 1994) during the annual woodcock wingbee conducted by state, federal, and private biologists.

The ratio of immature birds per adult female in the harvest provides an index to recruitment of young into the population. The 2010 recruitment index for each state with  $\geq 125$  submitted wings was calculated as the number of immatures per adult female. The regional indices for 2010 were weighted by the relative contribution of each state to the cumulative number of adult female and immature wings received during 1963-2009.

## **RESULTS AND DISCUSSION**

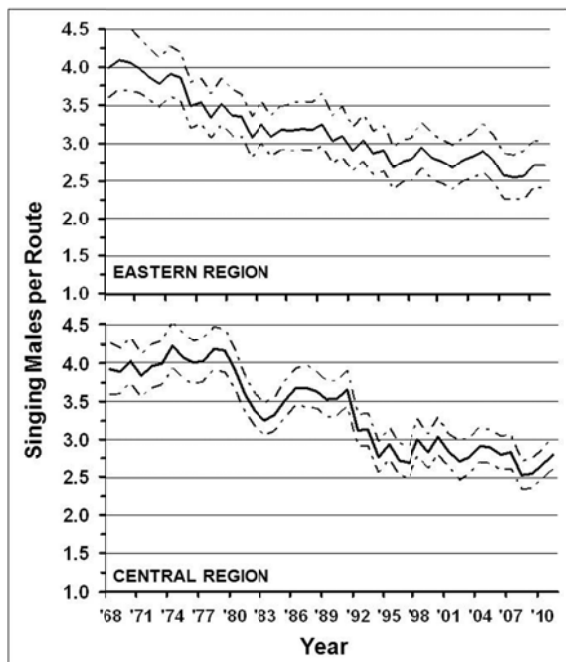
### **Singing-ground Survey**

Data for 792 routes were submitted by 8 June 2011 (Table 1). Due to adverse weather (cool temperatures and precipitation) this spring, a 5-day survey extension was granted for routes in Pennsylvania, Ohio, Indiana, Illinois, Vermont, Minnesota, and all Canadian provinces except Ontario. Short-term, 10-year, and long-term (1968-2011) trends were estimated using data from 722 routes in the Eastern Region and 712 routes in the Central Region. Short-term analysis indicated that the number of woodcock heard displaying during the 2011 Singing-ground Survey was not significantly different from last year for both Management Regions (Table 1, Fig. 2). Trends for individual states and provinces are reported in Table 1. Consistency in route coverage over time is a critical component of precision in estimation of population change. Low precision of 2-year change estimates reflect the low numbers of routes surveyed by the same observer in both years. Ensuring that observers participate for several years on the same route would greatly enhance the quality of the results.

The 10-year trends (2001-2011) were not significant for either Management Region (Table 1). This marks the eighth straight year the Eastern Region trend has remained stable. The 10-year trend for the Central Region returned to non-significance after indicating a significant decline last year.

There are significant long-term (1968-2011) declines in the breeding population throughout many states and provinces in the Eastern and Central Regions (Table 1, Fig. 3). The long-term trend estimates, rounded to the nearest percent, were the same (-1.0%/year) for both management regions.

In the Eastern Region, the 2011 index was 2.7 singing-males per route, which was the same as the 2010 index of 2.7 (Fig. 4). In the Central Region, the 2011 index was 2.8 singing-males per route, which was slightly higher than the 2010 index of 2.7 singing-males per route (Fig. 4). Annual indices (1968-2011) by state, province, or region are available in Table 2.



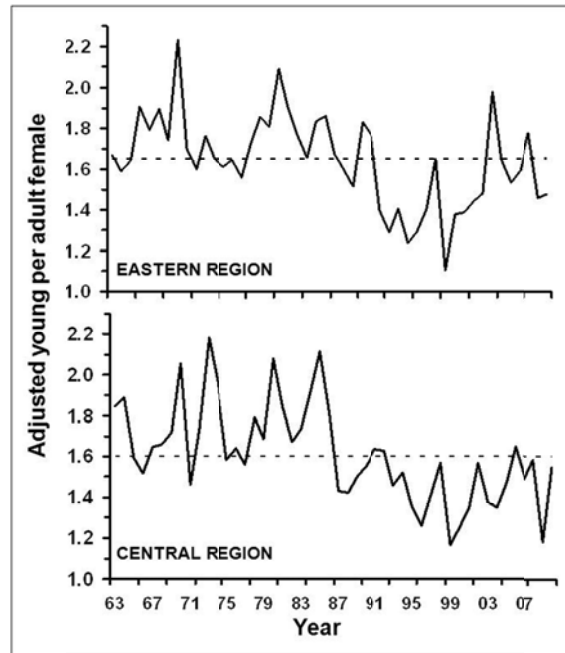
**Fig. 4.** Annual indices of the number of woodcock heard during the Singing-ground Survey, 1968-2011 as estimated using hierarchical modeling. The dashed lines represent the 95<sup>th</sup> percentile credible interval.

### Wing-collection Survey

A total of 1,354 woodcock hunters (Table 3) from states with woodcock seasons sent in a total of 14,027 usable woodcock wings for the 2010 Wing-collection Survey (Table 4).

The 2010 recruitment index in the U.S. portion of the Eastern Region (1.5 immatures per adult female) was 1.2% greater than the 2009 index (1.5), and 10.2% lower than the long-term (1963-09) regional average

(Table 4, Fig 5). In the Central Region, the 2010 recruitment index (1.6 immatures per adult female) was 30.2% greater than the 2009 index (1.2) and was 2.1% lower than the long-term regional average (Table 4, Fig 5). Percent change for all comparisons was calculated using unrounded recruitment indices.

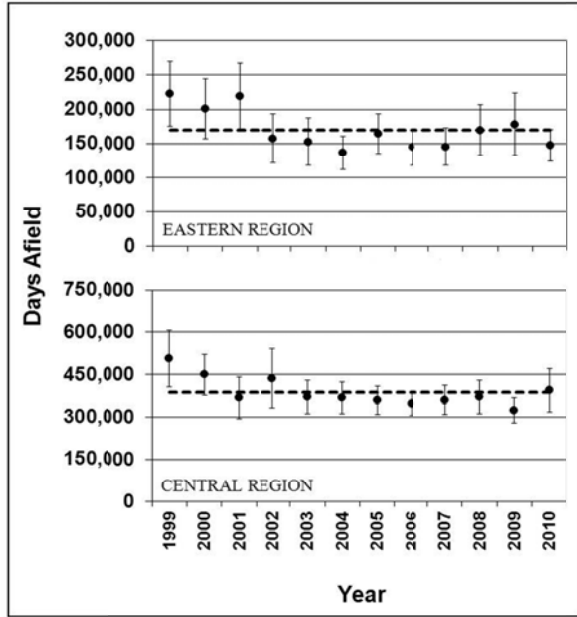


**Fig. 5.** Weighted annual indices of recruitment (U.S.), 1963-2010. The dashed line is the 1963-2009 average.

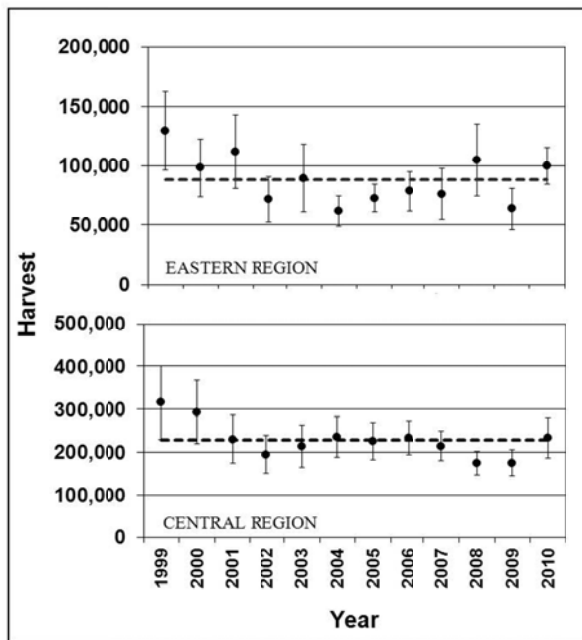
### Harvest Information Program

Estimates of woodcock harvest, number of active hunters, days afield, and seasonal hunting success from the 2010-11 HIP survey are provided in Table 5. In the Eastern Management Region, woodcock hunters spent approximately 146,700 days afield (Figure 6) and harvested 99,800 birds (Figure 7) during the 2010-11 hunting season. Harvest in 2010 was 13.6% greater than the long-term (1999-2010) average and 57.7% greater than last year in the Eastern Region. Woodcock hunters in the Central Region spent 392,400 days afield (Figure 6) and harvested 233,100 birds (Figure 7) during the 2010-11 hunting season. Harvest in 2010 was 2.2% greater than the long-term (1999-2010) average and 33.1% greater than last year in the Central Region. Although HIP provides statewide estimates of woodcock hunter numbers, it is not possible to develop regional estimates due to the occurrence of some hunters being registered for HIP in more than one state. Therefore, regional estimates of seasonal hunting success rates cannot be determined on a per hunter basis. All HIP estimates from 1999-2002 are final, while those from 2003-2010 are preliminary.

Data from Canada show a long-term decline in both the number of successful woodcock hunters and harvest (Appendix B). The most recent data available from 2009 indicate that  $\approx 2,400$  successful hunters harvested  $\approx 17,000$  woodcock (Appendix B).



**Fig. 6.** Harvest Information Program Survey estimates of days spent afield by U.S. woodcock hunters, 1999-2010. The dashed line represents the 1999-2010 average and error bars represent the 95% C.I. of the point estimate.



**Fig. 7.** Harvest Information Program Survey estimates of U.S. woodcock harvest, 1999-2010. The dashed line represents the 1999-2010 average and error bars represent the 95% C.I. of the point estimate.

## Acknowledgements

Personnel from the FWS, Canadian Wildlife Service (CWS), U. S. Geological Survey (USGS), Bird Studies Canada (BSC), and many state and provincial agencies and other individuals assisted with collecting Singing-ground Survey data and processing wings at the woodcock wingbee. Special thanks to K. Connor (NB), B. Crenshaw (VT), B. Crose (OH), R. Dibblee (PE), M. DiBona (DE), T. Engelmeyer (VA), V. Frawley (MI), J. Garris (NJ), B. Harvey (MD), J. Hayden (ON), M. Huang (CT), R. Marshalla (IL), G. Parsons (NS), E. Robinson (NH), D. Scarpitti (MA), A. Stewart (MI), N. Stricker (OH), T. Sutter (NY), B. Tefft (RI), B. Veverka (IN), M. Weaver (PA), S. Wilson (WV), D. Badzinski and E. Van Stam (BSC), M. Gendron, A. Hicks, J. Hughes, A. MacFarlane, J. B. Pollard, E. Reed, J. Rodrigue, and M. Schuster (CWS), and C. Dwyer, S. Kelly, and M. Mills (FWS), for providing state, provincial, and regional Singing-ground Survey coordination. Special appreciation is extended to Ian Gregg and Lisa Williams (PA) for coordinating local logistics and hosting the 2011 wingbee held at Bald Eagle State Park, PA. Other individuals that participated in the wingbee were: N. Thomas, J. Dunn and J. Stempka (PA), K. Daly (U of MN), A. Weik (Ruffed Grouse Society), D. Sullins (SFASU), Sutter (NY), M. Olinde (LA-retired), J. Dugay (LA), E. Johnson, (MN-retired), V. Frawley and A. Stewart (MI), E. Harper (KY), D. McAuley and D. Kremenz (USGS), B. Allen, W. Brininger, R. Brown, T. Cooper, T. Edwards, L. Mills, C. Mitchell, K. Parker, R. Rau, and K. Sturm (USFWS). We especially thank all woodcock hunters that sent in wings. The Branch of Harvest Surveys within the Division of Migratory Bird Management (USFWS) mailed Wing-collection Survey materials, organized wing submissions, assisted with data management, and provided Harvest Information Program estimates (special thanks to H. Spriggs, K. Wilkins, and B. Raftovich). R. Maruthalingam (USFWS) assisted in maintaining the website and developing data management applications for the Singing-ground Survey. K. Magruder (USFWS) provided invaluable assistance with data management and entry. R. Rau (USFWS) developed and maintained the data entry website, provided guidance and historical perspective regarding Singing-ground Survey implementation, and provided assistance with data screening and management. J. Sauer (USGS) developed computer programs for calculating trends and indices from Singing-ground Survey data and conducted this year's analyses. R. Rau, G. Zimmerman, J. Kelley, K. Richkus, K. Wilkins, and J. Sauer reviewed a draft of parts or all of this report and provided helpful comments.



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**Table 1.** Short-term (2010-11), 10-year (2001-2011), and long-term (1968-2011) trends (% change per year<sup>a</sup>) in the number of American woodcock heard during the Singing-ground Survey as determined by using the hierarchical log-linear modeling technique (Sauer et al. 2008).

State, Province, or Region	Number of routes <sup>b</sup>	2010-2011			2001-2011			1968-2011			
		n <sup>c</sup>	% change	95% CI <sup>d</sup>	% change	95% CI <sup>d</sup>	% change	95% CI <sup>d</sup>			
CT	5	11	7.47	-24.61	108.99	-0.97	-5.14	7.57	-2.15	-4.18	0.22
DE <sup>e</sup>	0	3	-----	-----	-----	-----	-----	-----	0.40	-4.75	6.99
ME	50	70	4.93	-12.98	28.00	0.40	-1.57	2.69	-1.01	-1.52	-0.48
MD	9	25	-5.50	-32.10	17.52	-4.12	-8.07	-1.78	-3.48	-5.12	-2.30
MA	9	21	-1.98	-28.08	32.25	-1.60	-4.46	1.84	-1.68	-2.75	-0.78
NB	49	69	1.58	-15.93	22.95	0.28	-1.96	2.57	-0.67	-1.52	0.06
NH	15	18	-9.22	-34.91	15.50	-0.09	-3.21	2.72	0.14	-0.79	1.05
NJ	11	19	14.97	-25.41	130.83	-5.81	-10.44	-0.34	-5.56	-6.87	-4.05
NY	71	115	-5.48	-19.01	9.64	0.13	-1.53	2.18	-1.01	-1.45	-0.51
NS	36	63	-4.79	-22.54	12.77	-0.79	-2.81	1.11	-0.85	-1.46	-0.34
PA	33	77	-10.30	-32.33	10.19	-1.08	-3.48	1.56	-1.19	-1.98	-0.43
PEI	9	13	2.57	-24.85	51.38	-0.73	-4.43	3.71	-0.75	-2.45	0.75
QUE	21	60	3.19	-21.35	45.84	-0.15	-2.87	3.17	-0.45	-1.53	0.43
RI	2	3	-10.00	-62.82	122.85	-9.97	-18.10	-2.10	-9.61	-12.89	-7.20
VT	22	23	-3.35	-32.45	36.81	-0.51	-4.16	3.25	-0.42	-1.41	0.67
VA	12	75	2.18	-29.06	65.21	-4.33	-7.74	0.59	-5.15	-6.33	-4.14
WV	23	57	0.92	-17.85	35.89	-2.12	-4.18	0.90	-2.45	-3.16	-1.61
<b>Eastern</b>	<b>377</b>	<b>722</b>	<b>-0.24</b>	<b>-9.77</b>	<b>11.95</b>	<b>-0.18</b>	<b>-1.22</b>	<b>1.02</b>	<b>-0.88</b>	<b>-1.24</b>	<b>-0.55</b>
IL	32	45	-15.27	-60.01	72.89	-1.62	-9.49	6.11	1.27	-1.10	3.76
IN	13	60	-16.21	-54.49	36.23	-5.26	-11.01	-0.54	-4.40	-5.76	-3.21
MB <sup>f</sup>	11	28	17.82	-12.63	73.60	1.23	-1.94	5.28	-0.18	-1.42	1.29
MI	103	149	12.10	-1.71	28.31	0.39	-1.16	1.99	-0.77	-1.18	-0.35
MN	73	120	-1.99	-16.29	14.33	0.82	-0.88	2.61	0.35	-0.25	1.00
OH	29	72	-1.11	-23.03	27.13	-0.83	-3.28	2.43	-1.57	-2.29	-0.86
ON	87	149	6.55	-9.99	26.17	-1.19	-3.12	0.77	-1.08	-1.55	-0.59
WI	67	117	8.52	-8.91	29.90	0.67	-1.22	2.77	-0.38	-0.90	0.16
<b>Central</b>	<b>415</b>	<b>712</b>	<b>4.87</b>	<b>-3.18</b>	<b>13.36</b>	<b>-0.14</b>	<b>-1.05</b>	<b>0.79</b>	<b>-0.76</b>	<b>-0.99</b>	<b>-0.53</b>
<b>Continent</b>	<b>792</b>	<b>1434</b>	<b>2.28</b>	<b>-3.99</b>	<b>9.68</b>	<b>-0.16</b>	<b>-0.84</b>	<b>0.59</b>	<b>-0.82</b>	<b>-1.04</b>	<b>-0.61</b>

<sup>a</sup> Median of route trends estimated used hierarchical modeling. To estimate the total percent change over several years, use:  $(100((\% \text{ change}/100)+1)^y)-100$ , where y is the number of years. Note: extrapolating the estimated trend statistic (% change per year) over time (e.g., 30 years) may exaggerate the total change over the period.

<sup>b</sup> Total number of routes surveyed in 2011 for which data was received by 8 June, 2011.

<sup>c</sup> Number of routes with at least one year of non-zero data between 1968 and 2011.

<sup>d</sup> 95% credible interval, if the interval overlaps zero, the trend is considered non-significant.

<sup>e</sup> Short-term and 10-year trends not estimated since all routes were in CZ status during 2011.

<sup>f</sup> Manitoba began participating in the Singing-ground Survey in 1992.

**Table 2.** Breeding population indices (singing-males per route) for American woodcock from the Singing-ground Survey, 1968-2011. These indices are based on 1968-2011 trends that were estimated using hierarchical modeling techniques. Blanks indicate no data were available for that year.

State, Province, or Region	Year															
	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
<b>Eastern Region</b>																
CT		2.67	2.82	2.49	2.67	2.45	2.49	2.51	2.01	2.06	1.73	1.85	1.83	1.82	2.03	1.82
DE	0.70	0.59	0.76	0.51	0.66	0.85	0.77	1.74	0.40	0.61	0.42	0.50	0.70	0.69	0.70	1.21
ME	5.60	5.52	6.10	5.53	5.47	5.66	5.89	6.10	5.67	4.80	4.63	5.10	4.38	5.05	3.90	4.33
MD	1.83	1.83	1.71	1.68	1.61	1.56	1.50	1.46	1.34	1.33	1.29	1.24	1.24	1.19	1.13	1.05
MA		3.17	3.23	3.26	2.94	3.24	3.06	2.68	2.66	2.69	2.61	2.73	2.45	2.60	2.37	2.24
NB	8.50	8.24	7.62	7.62	7.42	6.91	7.45	7.98	6.07	7.32	5.62	6.02	4.98	5.70	5.33	5.36
NH		3.33	3.56	3.19	3.65	3.10	3.55	3.37	3.35	3.41	3.34	3.27	3.60	3.50	3.07	3.17
NJ	5.06	4.76	4.85	5.89	4.46	5.25	4.85	4.08	3.18	3.15	2.60	3.03	2.37	2.19	2.05	2.19
NY	4.09	4.21	3.71	4.03	3.87	3.93	3.98	3.58	3.60	3.58	3.24	3.52	3.80	3.61	3.31	3.53
NS	3.93	3.63	3.27	3.66	3.45	3.60	3.68	3.54	3.46	3.44	3.58	3.29	3.28	3.12	3.03	3.18
PA	2.14	2.03	2.19	2.12	2.06	2.07	1.84	1.87	1.88	1.85	1.79	1.87	1.69	1.67	1.63	1.66
PEI		4.42	4.45	4.94	4.13	4.12	4.31	5.06	4.45	4.27	4.11	4.21	3.62	3.48	3.57	3.94
QUE			6.55	6.53	6.38	6.08	6.42	6.24	5.53	5.80	6.30	6.59	6.77	6.14	5.85	6.36
RI		2.42	2.22	2.51	2.03	1.86	1.56	1.36	1.24	1.11	0.92	0.88	0.79	0.69	0.71	0.59
VT		2.92	3.60	3.21	3.69	3.16	3.61	3.93	4.04	4.19	3.08	3.26	3.08	2.70	1.98	2.73
VA		1.61	1.61	1.37	1.27	1.10	1.33	1.18	1.13	1.08	0.93	0.90	0.78	0.84	0.83	0.75
WV	1.61	1.62	1.49	1.44	1.51	1.42	1.37	1.37	1.30	1.24	1.11	1.20	1.14	1.21	1.13	1.10
<b>Region</b>	<b>4.00</b>	<b>4.10</b>	<b>4.07</b>	<b>3.99</b>	<b>3.87</b>	<b>3.78</b>	<b>3.92</b>	<b>3.86</b>	<b>3.50</b>	<b>3.55</b>	<b>3.34</b>	<b>3.52</b>	<b>3.37</b>	<b>3.35</b>	<b>3.07</b>	<b>3.25</b>
<b>Central Region</b>																
IL			0.41	0.60	0.55	0.46	0.55	0.64	0.46	0.55	0.67	0.48	0.40	0.60	0.41	1.00
IN	1.83	1.28	1.22	0.97	1.39	1.25	1.11	0.94	0.99	0.91	0.91	1.10	0.87	0.99	0.69	0.75
MB																
MI	6.73	6.61	6.66	6.25	6.31	6.55	7.26	7.27	6.95	6.48	6.93	6.84	6.49	5.79	6.06	5.16
MN		3.32	3.30	3.66	3.40	3.83	4.41	3.94	4.00	4.11	4.30	3.93	4.52	4.02	3.91	3.58
OH			1.85	1.73	1.72	1.57	1.71	1.52	1.70	1.65	1.49	1.41	1.43	1.53	1.34	1.40
ON	8.21	9.13	9.58	8.77	9.54	9.27	9.32	8.87	9.01	9.21	9.48	9.71	9.01	8.13	6.90	6.82
WI	3.43	3.46	3.96	3.70	3.69	3.86	3.94	4.00	3.65	4.04	4.15	4.31	3.51	3.00	3.16	3.05
<b>Region</b>	<b>3.91</b>	<b>3.88</b>	<b>4.02</b>	<b>3.83</b>	<b>3.96</b>	<b>3.99</b>	<b>4.22</b>	<b>4.08</b>	<b>4.00</b>	<b>4.02</b>	<b>4.18</b>	<b>4.15</b>	<b>3.91</b>	<b>3.57</b>	<b>3.36</b>	<b>3.25</b>
<b>Continent</b>	<b>3.96</b>	<b>3.99</b>	<b>4.05</b>	<b>3.91</b>	<b>3.91</b>	<b>3.89</b>	<b>4.07</b>	<b>3.97</b>	<b>3.74</b>	<b>3.78</b>	<b>3.76</b>	<b>3.84</b>	<b>3.64</b>	<b>3.46</b>	<b>3.22</b>	<b>3.25</b>

Table 2. Continued

State, Province, or Region	Year																		
	1984	1985	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999			
<b>Eastern Region</b>																			
CT	1.69	1.71	1.78	1.58	1.82	1.46	1.47	1.49	1.39	1.26	1.33	1.40	1.40	1.26	1.23	1.31			
DE	0.56	0.63	0.72	0.73	0.75	0.74	1.17	0.52	0.58	0.77	0.77	0.77	0.86	0.87	1.43	0.69			
ME	4.36	4.48	4.78	5.05	4.63	4.79	3.81	4.29	3.75	4.00	3.71	3.79	3.22	3.45	3.42	3.73			
MD	1.03	0.99	0.94	0.91	0.88	0.86	0.83	0.79	0.74	0.74	0.71	0.68	0.67	0.64	0.60	0.59			
MA	2.38	2.36	2.29	2.27	2.24	2.12	2.09	2.09	1.97	1.92	1.92	1.91	1.86	1.90	1.83	2.05			
NB	4.87	5.11	4.27	4.72	5.45	6.49	5.50	5.11	4.93	5.93	6.04	5.65	4.91	5.53	5.46	6.28			
NH	3.13	3.27	4.04	3.53	3.50	3.47	3.32	3.60	3.36	3.38	3.43	3.81	3.75	3.72	3.70	3.99			
NJ	2.15	2.01	1.81	1.99	1.58	1.51	1.43	1.36	1.19	1.07	0.95	1.06	1.00	0.83	0.87	0.89			
NY	3.13	3.47	3.21	3.14	3.34	2.98	3.32	3.34	3.10	3.03	2.71	2.81	2.68	2.72	2.74	2.80			
NS	3.05	3.15	3.21	2.95	3.11	3.08	2.92	3.07	3.06	3.08	2.86	2.96	2.98	2.85	2.89	3.09			
PA	1.69	1.62	1.67	1.61	1.57	1.53	1.63	1.77	1.51	1.57	1.38	1.53	1.48	1.44	1.56	1.46			
PEI	3.96	3.90	4.10	3.56	3.95	4.08	3.68	3.63	3.60	3.46	3.29	3.45	3.71	3.60	3.45	3.26			
QUE	5.86	6.30	6.48	6.50	6.19	6.48	5.89	6.10	5.94	6.12	5.80	5.87	5.33	5.53	5.63	5.82			
RI	0.54	0.47	0.42	0.39	0.35	0.31	0.28	0.25	0.23	0.21	0.18	0.17	0.15	0.13	0.12	0.11			
VT	2.66	2.44	2.65	3.10	3.35	3.26	3.04	3.15	2.28	2.60	2.47	2.47	2.37	2.51	2.77	3.18			
VA	0.93	0.58	0.62	0.60	0.54	0.49	0.51	0.46	0.47	0.44	0.40	0.36	0.34	0.36	0.31	0.31			
WV	1.05	1.01	1.00	0.97	0.93	0.92	0.92	0.86	0.85	0.82	0.80	0.83	0.77	0.76	0.72	0.72			
<b>Region</b>	<b>3.08</b>	<b>3.18</b>	<b>3.17</b>	<b>3.19</b>	<b>3.18</b>	<b>3.25</b>	<b>3.03</b>	<b>3.10</b>	<b>2.90</b>	<b>3.03</b>	<b>2.87</b>	<b>2.91</b>	<b>2.68</b>	<b>2.77</b>	<b>2.79</b>	<b>2.94</b>			
<b>Central Region</b>																			
IL	0.57	0.84	0.75	1.23	0.54	0.77	0.52	0.84	0.62	0.75	0.63	0.54	0.71	0.61	0.75	0.79			
IN	0.70	0.65	0.76	0.72	0.62	0.57	0.73	0.68	0.60	0.52	0.50	0.47	0.44	0.42	0.51	0.44			
MB									5.42	5.59	5.75	5.92	5.12	3.65	4.43	4.45			
MI	5.79	5.91	6.15	5.77	6.10	5.87	5.90	6.44	5.10	5.18	4.60	5.07	4.84	4.68	5.49	4.63			
MN	3.46	3.81	3.98	3.96	4.36	3.66	4.33	4.15	3.57	3.60	3.28	3.43	3.27	2.93	3.33	3.41			
OH	1.41	1.30	1.27	1.25	1.33	1.17	1.41	1.29	1.27	1.19	1.18	1.15	1.16	1.02	1.15	0.99			
ON	6.86	7.67	7.87	7.76	7.78	7.83	7.36	7.46	6.96	6.66	5.70	6.26	5.11	5.76	6.03	5.54			
WI	3.32	3.24	3.69	3.74	3.51	3.56	3.38	3.42	2.76	2.90	2.57	2.66	2.61	2.48	2.64	2.96			
<b>Region</b>	<b>3.32</b>	<b>3.52</b>	<b>3.67</b>	<b>3.67</b>	<b>3.63</b>	<b>3.53</b>	<b>3.53</b>	<b>3.65</b>	<b>3.12</b>	<b>3.12</b>	<b>2.76</b>	<b>2.94</b>	<b>2.73</b>	<b>2.69</b>	<b>3.00</b>	<b>2.83</b>			
<b>Continent</b>	<b>3.20</b>	<b>3.35</b>	<b>3.42</b>	<b>3.43</b>	<b>3.41</b>	<b>3.39</b>	<b>3.28</b>	<b>3.38</b>	<b>3.01</b>	<b>3.08</b>	<b>2.82</b>	<b>2.92</b>	<b>2.70</b>	<b>2.73</b>	<b>2.90</b>	<b>2.89</b>			

Table 2. Continued

State, Province, or Region	Year											
	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
<b>Eastern Region</b>												
CT	1.17	1.10	1.03	1.04	1.02	1.03	0.97	0.98	0.99	0.94	0.92	1.05
DE	1.03	0.69	0.79	0.80	0.81	0.80	0.73	0.74	0.71	0.86	0.87	0.87
ME	3.87	3.43	3.20	3.47	3.52	3.62	3.54	3.26	3.31	3.24	3.41	3.58
MD	0.58	0.58	0.53	0.51	0.50	0.47	0.47	0.45	0.44	0.42	0.40	0.38
MA	1.88	1.77	1.78	1.75	1.83	1.68	1.68	1.56	1.66	1.65	1.54	1.51
NB	5.80	6.19	5.88	6.43	6.42	7.00	6.29	5.56	5.36	4.92	6.26	6.36
NH	3.53	3.61	3.62	3.93	3.97	3.94	3.76	3.26	3.39	3.96	3.95	3.56
NJ	0.79	0.74	0.64	0.67	0.55	0.52	0.51	0.52	0.45	0.50	0.35	0.41
NY	2.64	2.58	2.53	2.62	2.77	2.59	2.64	2.47	2.37	2.57	2.77	2.62
NS	3.05	2.92	2.79	2.78	2.89	2.85	2.71	2.71	2.63	2.58	2.85	2.70
PA	1.22	1.40	1.37	1.38	1.39	1.41	1.30	1.27	1.37	1.34	1.41	1.26
PEI	3.45	3.33	2.90	2.97	3.00	3.17	3.32	3.20	2.89	3.19	3.00	3.15
QUE	5.58	5.44	5.48	5.45	5.58	5.88	5.56	5.25	5.26	5.36	5.19	5.40
RI	0.10	0.09	0.08	0.07	0.06	0.06	0.05	0.05	0.04	0.04	0.03	0.03
VT	3.28	2.57	2.33	2.52	2.57	2.77	2.82	2.34	2.15	2.39	2.53	2.44
VA	0.29	0.25	0.24	0.25	0.23	0.21	0.20	0.19	0.19	0.16	0.16	0.16
WV	0.70	0.67	0.65	0.66	0.61	0.59	0.58	0.58	0.57	0.56	0.53	0.54
<b>Region</b>	<b>2.81</b>	<b>2.75</b>	<b>2.68</b>	<b>2.77</b>	<b>2.82</b>	<b>2.90</b>	<b>2.76</b>	<b>2.57</b>	<b>2.55</b>	<b>2.57</b>	<b>2.71</b>	<b>2.71</b>
<b>Central Region</b>												
IL	0.69	0.82	0.70	1.23	1.38	0.66	1.01	0.71	0.69	0.64	0.82	0.70
IN	0.39	0.44	0.34	0.32	0.37	0.37	0.30	0.29	0.29	0.28	0.30	0.25
MB	4.64	4.74	3.86	4.53	4.19	5.08	4.27	4.57	4.30	4.61	4.54	5.39
MI	4.90	4.60	4.69	4.87	4.92	4.79	4.47	4.40	4.10	4.13	4.26	4.78
MN	3.85	3.55	3.02	3.09	3.16	3.49	3.36	3.38	3.07	3.36	3.94	3.86
OH	1.03	1.03	0.98	0.94	1.17	1.07	1.04	0.86	0.88	1.00	0.96	0.95
ON	6.52	5.74	5.88	5.28	5.73	5.98	5.73	6.06	5.17	4.94	4.79	5.10
WI	2.81	2.71	2.36	2.51	2.56	2.87	2.66	3.04	2.58	2.62	2.67	2.90
<b>Region</b>	<b>3.03</b>	<b>2.84</b>	<b>2.71</b>	<b>2.76</b>	<b>2.92</b>	<b>2.90</b>	<b>2.80</b>	<b>2.83</b>	<b>2.53</b>	<b>2.55</b>	<b>2.67</b>	<b>2.80</b>
<b>Continent</b>	<b>2.92</b>	<b>2.79</b>	<b>2.69</b>	<b>2.77</b>	<b>2.87</b>	<b>2.90</b>	<b>2.78</b>	<b>2.70</b>	<b>2.54</b>	<b>2.56</b>	<b>2.69</b>	<b>2.75</b>

**Table 3.** The number of U.S. hunters by state that submitted woodcock wings for the 2009-10 and 2010-11 Wing-collection Surveys.

State of residence	Number of Hunters who submitted woodcock wings <sup>a</sup>	
	2009-10 Season	2010-11 Season
AL	1	2
AR	1	2
CT	26	26
DE	0	2
FL	1	0
GA	5	3
IL	3	2
IN	15	18
IA	7	5
KS	0	0
KY	0	1
LA	16	21
ME	184	158
MD	12	12
MA	51	47
MI	309	304
MN	92	93
MS	1	1
MO	16	16
NE	0	0
NH	72	78
NJ	19	19
NY	132	142
NC	8	6
ND	0	0
OH	13	15
OK	0	0
PA	62	59
RI	2	2
SC	11	9
TN	3	3
TX	1	3
VT	51	67
VA	9	10
WV	17	18
WI	228	210
<b>Total</b>	<b>1,368</b>	<b>1,354</b>

<sup>a</sup> Number of hunters that submitted envelopes in current year. This number may include a small number of hunters that were sent envelopes in prior years and who subsequently submitted wings from birds shot in current survey year. In addition, some hunters in more than one state



**Table 4.** Number of woodcock wings received from hunters, and indices of recruitment in the U.S. Recruitment indices for individual states with  $\geq 125$  submitted wings were calculated as the ratio of immatures per adult female. The regional indices for 2010 were weighted by the relative contribution of each state to the cumulative number of adult female and immature wings received during 1963-2009.

State or Region of harvest	Wings received						Recruitment index	
	Total		Adult females		Immatures		1963-09	2010
	1963-09	2010	1963-09	2010	1963-09	2010		
<b>Eastern Region</b>								
CT	14,046	210	3,103	44	8,635	126	2.8	2.9
DE	458	8	64	0	320	6	5.0	
FL	678	0	153	0	422	0	2.8	
GA	3,141	21	969	12	1,354	7	1.4	
ME	82,202	1,546	24,284	488	41,088	744	1.7	1.5
MD	4,239	84	1,057	27	2,370	47	2.2	
MA	22,807	382	7,018	147	11,163	151	1.6	1.0
NH	32,807	830	10,653	290	15,156	359	1.4	1.2
NJ	26,120	216	6,034	50	15,448	133	2.6	2.7
NY	59,255	1,334	19,919	489	27,074	511	1.4	1.0
NC	3,515	120	1,074	47	1,723	47	1.6	
PA	31,171	422	9,895	134	14,355	202	1.5	1.5
RI	2,440	4	467	0	1,619	4	3.5	
SC	3,036	155	932	46	1,396	75	1.5	1.6
VT	25,308	690	8,247	283	11,665	262	1.4	0.9
VA	4,995	72	1,276	23	2,742	35	2.1	
WV	5,979	124	1,802	38	3,004	63	1.7	
<b>Region</b>	<b>322,197</b>	<b>6,218</b>	<b>96,947</b>	<b>2,118</b>	<b>159,534</b>	<b>2,772</b>	<b>1.7</b>	<b>1.5</b>
<b>Central Region</b>								
AL	924	30	251	11	429	9	1.7	
AR	530	6	168	2	218	4	1.3	
IL	1,471	5	337	1	832	3	2.5	
IN	8,041	182	2,053	47	4,425	107	2.2	2.3
IA	1,210	60	393	18	552	27	1.4	
KS	49	0	9	0	26	0		
KY	1,147	5	279	2	596	2	2.1	
LA	31,651	390	7,088	92	20,494	249	2.9	2.7
MI	124,250	3,125	40,680	1,020	61,064	1,461	1.5	1.4
MN	36,082	1,145	12,620	396	15,785	507	1.3	1.3
MS	1,777	10	504	1	906	6	1.8	
MO	3,842	147	1,001	45	1,890	69	1.9	1.5
NE	13	0	5	0	6	0		
ND	3	0	3	0	0	0		
OH	14,660	136	4,490	53	6,907	49	1.5	0.9
OK	172	0	38	0	91	0	2.4	
TN	1,188	26	307	7	609	11	2.0	
TX	1,018	20	276	11	513	8	1.9	
WI	77,886	2,522	25,967	875	37,035	1,168	1.4	1.3
<b>Region</b>	<b>305,914</b>	<b>7,809</b>	<b>96,469</b>	<b>2,581</b>	<b>152,378</b>	<b>3,680</b>	<b>1.6</b>	<b>1.6</b>

**Table 5.** Preliminary estimates of woodcock harvest, hunter numbers, days afield, and hunter success from the 2010-11 Harvest Information Program (note: all estimates rounded to the nearest 100 for harvest, hunters, and days afield).

Eastern	Harvest		Active woodcock hunters		Days afield		Season harvest per hunter	
	Total	+/- 95% CI <sup>a</sup>	Total	+/- 95% CI	Total	+/- 95% CI	Total	+/- 95% CI
CT	700	54	700	31	3,200	39	0.94	62
DE <sup>c</sup>	900	363	300	82	1,600	197	2.37	305
FL	200	195	200	110	400	119	1.00	223
GA	10,300	196	3,400	196	3,400	196	3.00	277
ME	31,700	55	7,100	33	40,800	52	4.47	64
MD	2,000	160	1,100	99	2,100	92	1.81	188
MA	2,600	27	900	27	5,300	32	2.82	38
NH	9,500	35	2,300	30	14,200	35	4.13	46
NJ	3,800	45	1,300	49	3,700	36	2.87	66
NY	12,000	40	4,000	42	13,300	41	2.99	58
NC	3,400	196	3,400	196	3,400	196	1.00	277
PA	12,800	45	9,100	32	35,600	40	1.41	56
RI	400	84	200	100	800	94	2.12	131
SC	1,700	139	5,300	185	11,100	176	0.32	232
VT	6,200	45	1,300	25	5,400	27	4.78	51
VA	1,100	44	300	23	1,200	29	3.69	50
WV	500	32	300	65	1,100	64	1.56	73
<b>Region</b>	<b>99,800</b>	<b>16</b>	<b>na<sup>b</sup></b>		<b>146,700</b>	<b>16</b>	<b>na<sup>b</sup></b>	
<b>Central</b>								
AL	600	124	1,200	180	1,500	142	0.50	218
AR	200	164	100	111	200	128	2.00	198
IL	900	106	800	171	1,200	123	1.04	201
IN	3,000	134	1,000	66	3,900	89	2.91	149
IA	1,700	134	3,200	74	7,400	71	0.52	153
KS	0	----	300	193	700	182	0.00	----
KY	6,800	166	2,900	111	6,700	113	2.37	199
LA	33,000	112	9,100	70	28,200	74	3.62	132
MI	93,200	21	31,100	14	159,200	19	3.00	26
MN	34,800	39	13,900	32	55,400	33	2.51	50
MS <sup>c</sup>	1,400	355	1,000	170	3,000	153	2.59	235
MO	3,000	159	2,600	91	6,000	94	1.16	183
NE	100	193	600	178	800	154	0.10	262
OH	1,700	93	1,800	98	4,300	70	0.94	135
OK	3,100	166	1,000	138	17,600	174	3.00	216
TN <sup>c</sup>	5,100	445	1,600	227	4,900	215	4.34	190
TX <sup>c</sup>	2,200	280	10,100	199	25,500	320	0.54	298
WI	42,300	22	14,600	25	65,700	40	2.90	33
<b>Region</b>	<b>233,100</b>	<b>20</b>	<b>na<sup>b</sup></b>		<b>392,400</b>	<b>20</b>	<b>na<sup>b</sup></b>	
<b>Total</b>	<b>332,900</b>	<b>11</b>	<b>na<sup>b</sup></b>		<b>539,100</b>	<b>11</b>	<b>na<sup>b</sup></b>	

<sup>a</sup> All 95% Confidence Intervals are expressed as a % of the point estimate.

<sup>b</sup> Regional estimates of hunter numbers and hunter success cannot be obtained due to the occurrence of individual hunters being registered in the Harvest Information Program in more than one state.

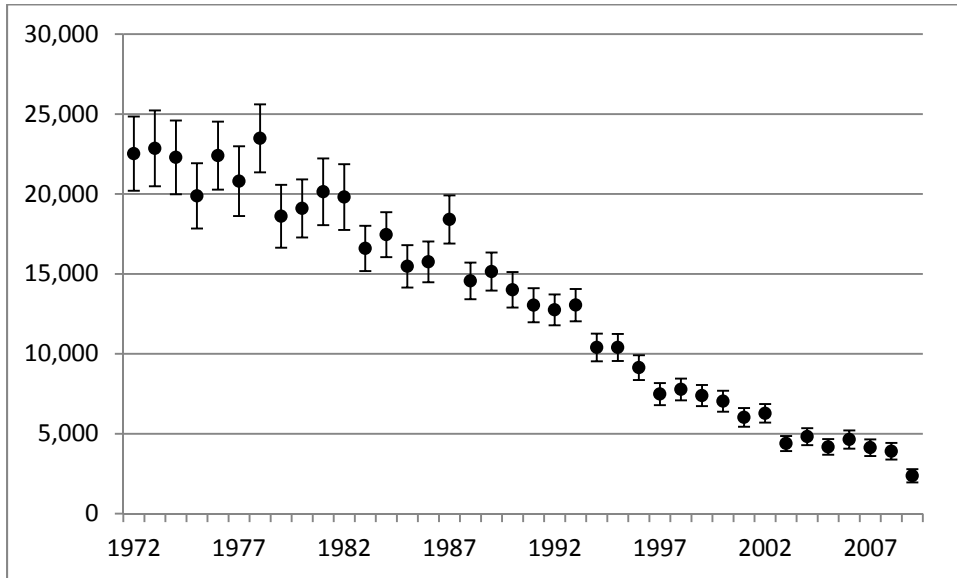
<sup>c</sup> Sample was insufficient for reliable estimation based upon 2010 data, therefore the 1999-2010 average is used.

**Appendix A.** History of federal framework dates, season lengths, and daily bag limits for hunting American woodcock in the U.S. portion of the Eastern and Central Regions, 1918 - 2010.

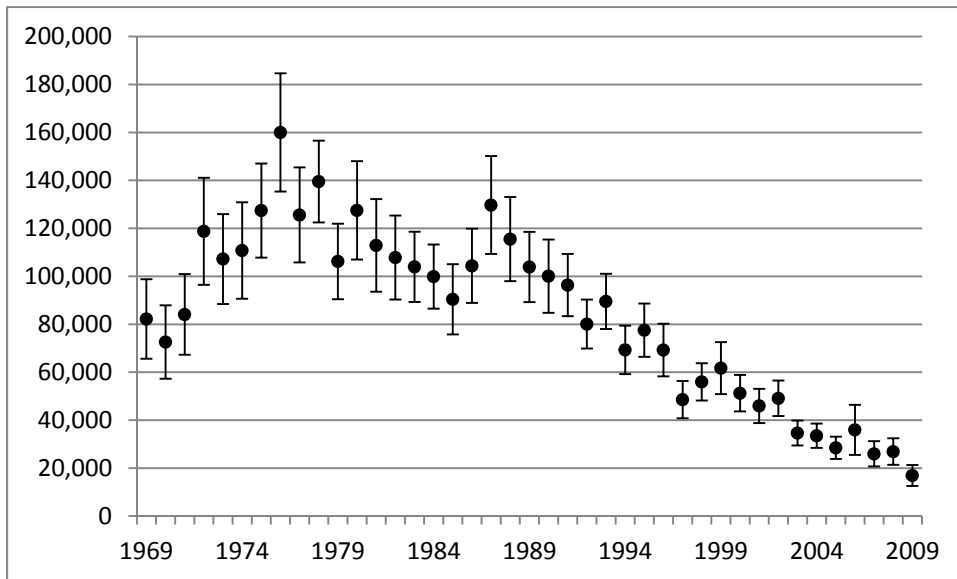
Eastern Region				Central Region			
Year (s)	Outside dates	Season length	Daily bag limit	Year (s)	Outside dates	Season length	Daily bag limit
1918-26	Oct. 1 - Dec. 31	60	6	1918-26	Oct. 1 - Dec. 31	60	6
1927	Oct. 1 - Dec. 31	60	4	1927	Oct. 1 - Dec. 31	60	4
1928-39	Oct. 1 - Dec. 31	30	4	1928-39	Oct. 1 - Dec. 31	30	4
1940-47	Oct. 1 - Jan. 6	15	4	1940-47	Oct. 1 - Jan. 6	15	4
1948-52	Oct. 1 - Jan. 20	30	4	1948-52	Oct. 1 - Jan. 20	30	4
1953	Oct. 1 - Jan. 20	40	4	1953	Oct. 1 - Jan. 20	40	4
1954	Oct. 1 - Jan. 10	40	4	1954	Oct. 1 - Jan. 10	40	4
1955-57	Oct. 1 - Jan. 20	40	4	1955-57	Oct. 1 - Jan. 20	40	4
1958-60	Oct. 1 - Jan. 15	40	4	1958-60	Oct. 1 - Jan. 15	40	4
1961-62	Sep. 1 - Jan. 15	40	4	1961-62	Sep. 1 - Jan. 15	40	4
1963-64	Sep. 1 - Jan. 15	50	5	1963-64	Sep. 1 - Jan. 15	50	5
1965-66	Sep. 1 - Jan. 30	50	5	1965-66	Sep. 1 - Jan. 30	50	5
1967-69	Sep. 1 - Jan. 31	65	5	1967-69	Sep. 1 - Jan. 31	65	5
1970-71	Sep. 1 - Feb. 15	65	5	1970-71	Sep. 1 - Feb. 15	65	5
1972-81	Sep. 1 - Feb. 28	65	5	1972-90	Sep. 1 - Feb. 28	65	5
1982	Oct. 5 - Feb. 28	65	5	1991-96	Sep. 1 - Jan. 31	65	5
1983-84	Oct. 1 - Feb. 28	65	5	1997-2010	Sep. 22 <sup>a</sup> - Jan. 31	45	3
1985-96	Oct. 1 - Jan. 31	45	3				
1997-01	Oct. 6 - Jan. 31	30	3				
2002-10	Oct. 1 - Jan. 31	30	3				

<sup>a</sup> Saturday nearest September 22 (September 25<sup>th</sup> for the 2010 season).

**Appendix B.** Estimates for Canadian woodcock harvest and the number of successful woodcock hunters in Canada (Gendron and Collins 2009). Data from the 2010 hunting season were not available before this report was completed.



Estimated number of successful woodcock hunters in Canada and associated 95% confidence intervals, 1972-2009.



Estimated woodcock harvest in Canada and associated 95% confidence intervals, 1969-2009.

**U.S. Fish and Wildlife Service**  
**Division of Migratory Bird Management**  
<http://www.fws.gov>

**June 2011**

**For State Transfer Relay Service: TTY/Voice: 711**

# EXHIBIT F-3

July 7, 2011

## Proposed Regulations Frameworks for 2011–12 Early Hunting Seasons on Certain Migratory Game Birds

Pursuant to the Migratory Bird Treaty Act and delegated authorities, the Department of Interior approved the following proposals for season lengths, shooting hours, bag and possession limits, and outside dates within which States may select seasons for hunting waterfowl and coots between the dates of September 1, 2011, and March 10, 2012. These frameworks are summarized below.

### General

Dates: All outside dates noted below are inclusive.

Shooting and Hawking (taking by falconry) Hours: Unless otherwise specified, from one-half hour before sunrise to sunset daily.

Possession Limits: Unless otherwise specified, possession limits are twice the daily bag limit.

### Flyways and Management Units

#### Waterfowl Flyways:

Atlantic Flyway—includes Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia.

Mississippi Flyway—includes Alabama, Arkansas, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Ohio, Tennessee, and Wisconsin.

Central Flyway—includes Colorado (east of the Continental Divide), Kansas, Montana (Counties of Blaine, Carbon, Fergus, Judith Basin, Stillwater, Sweetgrass, Wheatland, and all counties east thereof), Nebraska, New Mexico (east of the Continental Divide except the Jicarilla Apache Indian Reservation), North Dakota, Oklahoma, South Dakota, Texas, and Wyoming (east of the Continental Divide).

Pacific Flyway—includes Alaska, Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, and those portions of Colorado, Montana, New Mexico, and Wyoming not included in the Central Flyway.

### Management Units

#### Mourning Dove Management Units:

Eastern Management Unit—All States east of the Mississippi River, and Louisiana.

Central Management Unit—Arkansas, Colorado, Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming.

Western Management Unit—Arizona, California, Idaho, Nevada, Oregon, Utah, and Washington.



**Woodcock Management Regions:**

Eastern Management Region—Connecticut, Delaware, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia.

Central Management Region—Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin.

Other geographic descriptions are contained in a later portion of this document.

**Definitions**

*Dark geese:* Canada geese, white-fronted geese, brant (except in Alaska, California, Oregon, Washington, and the Atlantic Flyway), and all other goose species, except light geese.

*Light geese:* snow (including blue) geese and Ross's geese.

**Waterfowl Seasons in the Atlantic Flyway**

In the Atlantic Flyway States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, North Carolina, Pennsylvania, and Virginia, where Sunday hunting is prohibited Statewide by State law, all Sundays are closed to all take of migratory waterfowl (including mergansers and coots).

**Special September Teal Season**

Outside Dates: Between September 1 and September 30, an open season on all species of teal may be selected by the following States in areas delineated by State regulations:

Atlantic Flyway—Delaware, Florida, Georgia, Maryland, North Carolina, South Carolina, and Virginia.

Mississippi Flyway—Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Mississippi, Missouri, Ohio, and Tennessee.

Central Flyway—Colorado (part), Kansas, Nebraska (part), New Mexico (part), Oklahoma, and Texas.

Hunting Seasons and Daily Bag Limits: Not to exceed 16 consecutive hunting days in the Atlantic, Mississippi, and Central Flyways. The daily bag limit is 4 teal.

**Shooting Hours:**

Atlantic Flyway—One-half hour before sunrise to sunset, except in Maryland, where the hours are from sunrise to sunset.

Mississippi and Central Flyways—One-half hour before sunrise to sunset, except in the States of Arkansas, Illinois, Indiana, Missouri, and Ohio, where the hours are from sunrise to sunset.

**Special Youth Waterfowl Hunting Days**

Outside Dates: States may select 2 days per duck-hunting zone, designated as “Youth Waterfowl Hunting Days,” in addition to their regular duck seasons. The days must be held outside any regular duck season on a weekend, holidays, or other non-school days when youth hunters would have the maximum opportunity to participate. The days may be held up to 14 days before or after any regular duck-season frameworks or within any split of a regular duck season, or within any other open season on migratory birds.

**Daily Bag Limits:** The daily bag limits may include ducks, geese, mergansers, coots, moorhens, and gallinules and would be the same as those allowed in the regular season. Flyway species and area restrictions would remain in effect.

**Shooting Hours:** One-half hour before sunrise to sunset.

**Participation Restrictions:** Youth hunters must be 15 years of age or younger. In addition, an adult at least 18 years of age must accompany the youth hunter into the field. This adult may not duck hunt but may participate in other seasons that are open on the special youth day.

### **Scoter, Eider, and Long-tailed Ducks (Atlantic Flyway)**

**Outside Dates:** Between September 15 and January 31.

**Hunting Seasons and Daily Bag Limits:** Not to exceed 107 days, with a daily bag limit of 7, singly or in the aggregate, of the listed sea duck species, of which no more than 4 may be scoters.

**Daily Bag Limits During the Regular Duck Season:** Within the special sea duck areas, during the regular duck season in the Atlantic Flyway, States may choose to allow the above sea duck limits in addition to the limits applying to other ducks during the regular duck season. In all other areas, sea ducks may be taken only during the regular open season for ducks and are part of the regular duck season daily bag (not to exceed 4 scoters) and possession limits.

**Areas:** In all coastal waters and all waters of rivers and streams seaward from the first upstream bridge in Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, and New York; in any waters of the Atlantic Ocean and in any tidal waters of any bay which are separated by at least 1 mile of open water from any shore, island, and emergent vegetation in New Jersey, South Carolina, and Georgia; and in any waters of the Atlantic Ocean and in any tidal waters of any bay which are separated by at least 800 yards of open water from any shore, island, and emergent vegetation in Delaware, Maryland, North Carolina, and Virginia; and provided that any such areas have been described, delineated, and designated as special sea duck hunting areas under the hunting regulations adopted by the respective States.

### **Special Early Canada Goose Seasons**

#### **Atlantic Flyway**

##### **General Seasons**

Canada goose seasons of up to 15 days during September 1–15 may be selected for the Eastern Unit of Maryland. Seasons not to exceed 30 days during September 1–30 may be selected for Connecticut, Florida, Georgia, New Jersey, New York (Long Island Zone only), North Carolina, Rhode Island, and South Carolina. Seasons may not exceed 25 days during September 1–25 in the remainder of the Flyway. Areas open to the hunting of Canada geese must be described, delineated, and designated as such in each State's hunting regulations.

**Daily Bag Limits:** Not to exceed 15 Canada geese.

**Shooting Hours:** One-half hour before sunrise to sunset, except that during any general season, shooting hours may extend to one-half hour after sunset if all other waterfowl seasons are closed in the specific applicable area.

### **Common Moorhens and Purple Gallinules**

Outside Dates: Between September 1 and the last Sunday in January (January 29) in the Atlantic, Mississippi, and Central Flyways. States in the Pacific Flyway have been allowed to select their hunting seasons between the outside dates for the season on ducks; therefore, they are late season frameworks, and no frameworks are provided in this document.

Hunting Seasons and Daily Bag Limits: Seasons may not exceed 70 days in the Atlantic, Mississippi, and Central Flyways. Seasons may be split into 2 segments. The daily bag limit is 15 common moorhens and purple gallinules, singly or in the aggregate of the two species.

Zoning: Seasons may be selected by zones established for duck hunting.

### **Rails**

Outside Dates: States included herein may select seasons between September 1 and the last Sunday in January (January 29) on clapper, king, sora, and Virginia rails.

Hunting Seasons: Seasons may not exceed 70 days, and may be split into 2 segments.

Daily Bag Limits:

Clapper and King Rails—In Rhode Island, Connecticut, New Jersey, Delaware, and Maryland, 10, singly or in the aggregate of the 2 species. In Texas, Louisiana, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, and Virginia, 15, singly or in the aggregate of the two species.

Sora and Virginia Rails—In the Atlantic, Mississippi, and Central Flyways and the Pacific Flyway portions of Colorado, Montana, New Mexico, and Wyoming, 25 daily and 25 in possession, singly or in the aggregate of the two species. The season is closed in the remainder of the Pacific Flyway.

### **Common Snipe**

Outside Dates: Between September 1 and February 28, except in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, and Virginia, where the season must end no later than January 31.

Hunting Seasons and Daily Bag Limits: Seasons may not exceed 107 days and may be split into two segments. The daily bag limit is 8 snipe.

Zoning: Seasons may be selected by zones established for duck hunting.

### **American Woodcock**

Outside Dates: States in the Eastern Management Region may select hunting seasons between October 1 and January 31. States in the Central Management Region may select hunting seasons between the Saturday nearest September 22 (September 24) and January 31.

Hunting Seasons and Daily Bag Limits: Seasons may not exceed 45 days in the Eastern Region and 45 days in the Central Region. The daily bag limit is 3. Seasons may be split into two segments.

Zoning: New Jersey may select seasons in each of two zones. The season in each zone may not exceed 36 days.

**Doves**

Outside Dates: Between September 1 and January 15, except as otherwise provided, States may select hunting seasons and daily bag limits as follows:

**Eastern Management Unit**

Hunting Seasons and Daily Bag Limits: Not more than 70 days, with a daily bag limit of 15 mourning and white-winged doves in the aggregate.

Zoning and Split Seasons: States may select hunting seasons in each of two zones. The season within each zone may be split into not more than three periods. Regulations for bag and possession limits, season length, and shooting hours must be uniform within specific hunting zones.

**Special Falconry Regulations**

Falconry is a permitted means of taking migratory game birds in any State meeting Federal falconry standards in 50 CFR 21.29. These States may select an extended season for taking migratory game birds in accordance with the following:

Extended Seasons: For all hunting methods combined, the combined length of the extended season, regular season, and any special or experimental seasons must not exceed 107 days for any species or group of species in a geographical area. Each extended season may be divided into a maximum of 3 segments.

Framework Dates: Seasons must fall between September 1 and March 10.

Daily Bag and Possession Limits: Falconry daily bag and possession limits for all permitted migratory game birds must not exceed 3 and 6 birds, respectively, singly or in the aggregate, during extended falconry seasons, any special or experimental seasons, and regular hunting seasons in all States, including those that do not select an extended falconry season.

Regular Seasons: General hunting regulations, including seasons and hunting hours, apply to falconry in each State listed in 50 CFR 21.29. Regular season bag and possession limits do not apply to falconry. The falconry bag limit is not in addition to gun limits.

# EXHIBIT F-4

July 7, 2011

## 2011 Early Season Migratory Game Bird Season Options Response to internet questions

ES1. Mourning dove gun season dates

Of the following season date options for mourning doves, which do you prefer?

- Option 1. Season dates should be kept similar to past years **15 responses**
- Option 2. Some days should be taken from the early segment (typically early September thru early October) with those days added later in the year (November and December) **1 response**

ES2. Mourning dove shooting hours

In regards to shooting hours for mourning doves, which do you prefer?

- Option 1. Noon until sunset for opening day only then ½ hour before sunrise until sunset for the remainder of the season (similar to last year) **4 responses**
- Option 2. ½ hour before sunrise until sunset for the entire season **12 responses**
- Option 3. Noon until sunset for the first week only, then ½ hours before sunrise until sunset for the remainder of the season **3 responses**

ES3. Woodcock gun season dates

Note: The woodcock season length has been increased to 45 days. In prior years, the season length was 30 days.

Of the following season date preferences for woodcock, which do you prefer?

- Option 1. December 15<sup>th</sup> – January 28<sup>th</sup> **6 responses**
- Option 2. November 21<sup>st</sup> – November 26<sup>th</sup>, December 21<sup>st</sup> – January 28<sup>th</sup> **3 responses**

ES4. Snipe gun season dates

Of the following season date options for snipe, which do you prefer?

- Option 1. Mid-November through February (similar to last year) **3 responses**
- Option 2. Shift the season to earlier in the fall **3 responses**

ES5. Rail, gallinule and moorhen gun season dates

Of the following season date options for rails, gallinule and moorhen, which do you prefer?

- Option 1. September through mid-November (similar to last year) **1 response**
- Option 2. Shift the season to later in the fall/winter **3 responses**

ES6. September teal gun season dates

Of the following date options for the September teal season, which do you prefer?  
(Note: **This season occurs only in the area east of U.S. Highway 17**)

- Option 1. Early September **No responses**
- Option 2. Mid-September **2 responses**
- Option 3. Late September (similar to last year) **12 responses**



ES7. Extended falconry season dates for doves

Guidelines for extended falconry seasons include:

1. The season must fall between September 1 and March 10
2. Days allocated to the gun season + extended falconry days may not exceed 107

Of the following extended falconry season options for doves, which do you prefer?

- Option 1. Days should occur early in this time period (September, October, November) **No responses**
- Option 2. Days should occur later in the time period (December, January, February) **No responses**
- Option 3. No Comment **1 response**

ES8. Extended falconry season dates for rails, gallinules and moorhens

Guidelines for extended falconry seasons include:

1. The season must fall between September 1 and March 10
2. Days allocated to the gun season + extended falconry days may not exceed 107

Of the following extended falconry season options for rails, gallinules and moorhens which do you prefer?

- Option 1. Days should occur early in this time period (October, November and December) **No response**
- Option 2. Days should occur later in the time period (January, February, March) **No response**
- Option 3. No Comment **1 response**

ES9. Extended falconry season dates for woodcock

Guidelines for extended falconry seasons include:

1. The season must fall between September 1 and March 10.
2. Days allocated to the gun season + extended falconry days may not exceed 107

Of the following extended falconry season options for woodcock, which do you prefer?

- Option 1. Days should occur early in this time period (October, November and December) **No response**
- Option 2. Days should occur later in the time period (January, February, March) **No response**
- Option 3 No Comment **1 response**

### Early Season Regulations Comments Report For 2011

Reg	District	Opinion	Comment	County	Name
ES1	District 3	Option 1	Run Sept 1 - Nov 9	Wake	KIRBY JR, HARRY T
ES1	District 8	Option 1		Gaston	HENRY, SCOTT T
ES1	District 6	Option 1		Moore	CAMERON, JAMES B
ES1	District 5	Option 1	The Seasons Dates Have Been Good The Past Few Years, I Think They Should Stay The Same As In The Past Seasons. As Not To Interfer With Bow Season.	Durham	BERGMAN, DAVID CHAD
ES1	District 3	Option 2	As long as it doesn't effect the weekend opener, I prefer days added when additional birds migrate in.	Franklin	TIMBERLAKE, CHARLES E
ES1	District 9	Option 1	I like only opening day being at noon with all following dates 1/2 before sunrise. Greater opportunities.	Buncombe	MALLICOAT, ROBERT D
ES1	District 2	Option 1		Carteret	ROLLER, THOMAS N
ES1	District 2	Option 1		Pitt	PRENTICE, MARSHALL W
ES1	District 3	Option 1		Wake	JOSEPH, LYLE J
ES1	District 3	Option 1		Wake	LYLE, JACOB P
ES1	District 2	Option 1		Carteret	ROLLER, THOMAS B
ES1	District 4	Option 1	Have always counted on opening day falling the first Saturday in September, not necessarily on the 1st of the month, but the first Saturday. Just a wonderful way to start the fall season. If it ain't broken, don't fix it. Thanks.	Cumberland	GAINES, DONALD E
ES1	District 2	Option 1	Please consider allowing us to hunt doves from 1/2 hour before sunset to noon on opening day. It's way to hot that time of year, hunting in the afternoon can be miserable.	Beaufort	STONE, JOSEPH L
ES1	Out of State	Option 1		Out of State	WINN JR, BARCLAY C
ES1	District 6	Option 1		Rowan	ARMOUR, ALAN L
ES1	District 1	Option 1		Martin	PEAKS, CHRISTOPHER W
ES2	District 1	Option 2		Martin	PEAKS, CHRISTOPHER W
ES2	District 6	Option 2		Rowan	ARMOUR, ALAN L
ES2	Out of State	Option 3		Out of State	WINN JR, BARCLAY C
ES2	District 3	Option 2		Wake	GRIFFIN, MICHAEL S
ES2	District 2	Option 2	Many of us hunt with retrievers, forcing us to hunt in the heat of the day is ridiculous, and places unneeded hardship on our dogs. There is no reason for the noon to sunset option, please do away with this ridiculous tradition.	Beaufort	STONE, JOSEPH L
ES2	District 4	Option 1		Cumberland	GAINES, DONALD E
ES2	District 2	Option 1		Carteret	ROLLER, THOMAS B
ES2	District 3	Option 2		Wake	LYLE, JACOB P
ES2	District 2	Option 1		Pitt	PRENTICE, MARSHALL W
ES2	District 8	Option 2		Gaston	HENRY, SCOTT T
ES2	District 3	Option 2		Wake	JOSEPH, LYLE J

Reg	District	Opinion	Comment	County	Name
ES2	District 6	Option 2	Most hunters only hunt the first two days. I believe we miss the chance to get new people involved in hunting bringing the season in at noon. I love to hunt but have no desire to sit in a hot field for 5 hours waiting for the birds to fly. It's not enjoyable to me and why would i put a new hunter through that, they would be finished before he ever started hunting. I miss the days of being in the field before sun rise and wish i could return to the hunt of days gone by. The population of doves would allow it. i would rather have a good shorter season than a long bad one.	Stanly	SWARINGEN, MARK A
ES2	District 3	Option 1		Franklin	TIMBERLAKE, CHARLES E
ES2	District 5	Option 3	Starting At Noon The First Week Will Keep The Presure Off The Doves And Give Them A Chance To Feed In The Morning Undesturbed!	Durham	BERGMAN, DAVID CHAD
ES2	District 6	Option 2		Cabarrus	MESIMER, RICHARD D
ES2	District 6	Option 2		Rowan	WILSON, LADD M
ES2	District 6	Option 3		Moore	CAMERON, JAMES B
ES2	District 3	Option 2		Wake	KIRBY JR, HARRY T
ES2	District 2	Option 2		Craven	LEWIS, RANDY R
ES3	District 2	Option 1	In 25yrs of hunting woodcock in North Carolina, the most consistent time frame is mid-dec to late january and also offers less conflict with deer hunters. Nov 21-26th is a very popular deer hunting time.	Carteret	ROLLER, THOMAS N
ES3	District 3	Option 1		Wake	KIRBY JR, HARRY T
ES3	District 3	Option 1		Franklin	TIMBERLAKE, CHARLES E
ES3	District 9	Option 2	We need an early woodcock season in the mountains. By Dec. most migrating birds have passed through. We flush birds in October & November while grouse hunting. Consider a split season (east/west of I-77).	Buncombe	MALLICOAT, ROBERT D
ES3	District 6	Option 1		Moore	CAMERON, JAMES B
ES3	District 2	Option 2		Pitt	PRENTICE, MARSHALL W
ES3	District 3	Option 1		Wake	LYLE, JACOB P
ES3	District 2	Option 1	As a former NC resident, the latest option provides the best accessibility for woodcock hunters. A more consistent migration time and less deer hunters in the woods. An early season would be lost to all the deer hunters in the woods.	Carteret	ROLLER, THOMAS B
ES3	District 8	Option 2	The season really needs to start sooner that what it has been in the last few years. Starting it at the end of December has made much of middle and western NC miss out on some good hunting due to colder temps and snow on the ground. As far as eastern NC the birds will be there whether you start the season early or late, so how how helping out those of us in the western end of the state for a change.	Burke	PLASTER, MATTHEW M

Reg	District	Opinion	Comment	County	Name
ES4	Out of State	Option 2	Birds move through earlier	Out of State	WINN JR, BARCLAY C
ES4	District 2	Option 1		Carteret	ROLLER, THOMAS B
ES4	District 6	Option 1		Moore	CAMERON, JAMES B
ES4	District 2	Option 2		Pitt	PRENTICE, MARSHALL W
ES4	District 3	Option 1		Franklin	TIMBERLAKE, CHARLES E
ES4	District 3	Option 2		Wake	KIRBY JR, HARRY T
ES5	District 3	Option 2		Franklin	TIMBERLAKE, CHARLES E
ES5	District 2	Option 2		Pitt	PRENTICE, MARSHALL W
ES5	District 6	Option 2		Moore	CAMERON, JAMES B
ES5	District 2	Option 1		Carteret	ROLLER, THOMAS B
ES6	District 4	Option 3		Cumberland	GAINES, DONALD E
ES6	District 3	Option 3		Wake	LYLE, JACOB P
ES6	District 1	Option 3		Martin	PEAKS, CHRISTOPHER W
ES6	District 2	Option 2	Saw more teal last year before the early season began. By the time the season arrived, what teal we saw earlier had moved on.	Carteret	BAUM, CHRISTOPHER C
ES6	Out of State	Option 3		Out of State	WINN JR, BARCLAY C
ES6	District 2	Option 3		Pitt	PRENTICE, MARSHALL W
ES6	District 5	Option 3		Orange	LAMB JR, JOHN T
ES6	District 3	Option 3		Wake	JOSEPH, LYLE J
ES6	District 3	Option 3		Franklin	TIMBERLAKE, CHARLES E
ES6	District 2	Option 3	I would rather see the season the late season extended, and NOT have a Sept season	Craven	LEWIS, RANDY R
ES6	District 3	Option 3		Wake	KIRBY JR, HARRY T
ES6	District 6	Option 3		Moore	CAMERON, JAMES B
ES6	District 2	Option 2		Onslow	ARMSTRONG, GERALD L
ES6	District 2	Option 3		Pitt	GIBSON, BENJAMIN P
ES7	District 3	Option 3		Franklin	TIMBERLAKE, CHARLES E
ES8	District 3	Option 3		Franklin	TIMBERLAKE, CHARLES E
ES9	District 3	Option 3		Franklin	TIMBERLAKE, CHARLES E

## 2011-12 Early Season Migratory Game Bird Season Frameworks and DWM Staff Recommendations

Species	USFWS Frameworks	Staff Recommendations	
		Season Dates	Daily Bag
Mourning Dove & White-winged dove	Outside Dates: September 1 – January 15, 70 days with 3 splits daily bag of 15 singly or in the aggregate	September 3 – October 8, November 21 – November 26, December 17 – January 13	15
King & Clapper Rails	Outside Dates: September 1 – last Sunday in January (January 29) 70 days with 2 splits daily bag of 15 singly or in the aggregate	September 1 – November 9	15
Sora & Virginia Rails	Outside Dates: September 1 – last Sunday in January (January 29) 70 days with 2 splits daily bag of 25 singly or in the aggregate	September 1 – November 9	25
Gallinule & Moorhens	Outside Dates: September 1 – last Sunday in January (January 29) 70 days with 2 splits daily bag of 15 singly or in the aggregate	September 1 – November 9	15
Woodcock	Outside Dates: October 1 – January 31 45 days with 2 splits (This is an increase of 15 days from previous years) daily bag of 3	December 15 – January 28	3
Common Snipe	Outside Dates: September 1 – February 28 107 days with 2 splits daily bag of 8	November 14 – February 28	8

**EXHIBIT F-5**  
July 7, 2011

Species	USFWS Frameworks	Staff Recommendations	
		Season Dates	Daily Bag
Canada Goose	<p>Outside Dates: September 1 – 30 (statewide), 30 days daily bag of 15</p> <p>Special methods: During the September Canada goose season only, the following expanded hunting methods are allowed:</p> <ol style="list-style-type: none"> <li>1. Extended shooting hours to ½ hour after sunset.</li> <li>2. unplugged guns</li> <li>3. electronic calls</li> </ol> <p>Note: The special methods cannot occur during any other open waterfowl, e.g., teal season.</p>	<p>September 1 – 30 (statewide)</p> <ol style="list-style-type: none"> <li>1. extend shooting hours to ½ hour after sunset</li> <li>2. allow use of unplugged guns</li> <li>3. allow use of electronic calls</li> </ol> <p>These expanded methods are only to be allowed west of U.S. 17.</p>	15
September Teal	September 1 – 30, 16 days (compensatory days allowed), daily bag of 4, east of U.S. 17 only	September 10 – 28 (East of U.S. 17 only)	4

- Federal guidelines allow for shooting hours for all migratory game birds to be from ½ before sunrise to sunset (excluding the special hours allowed during early Canada goose season). Staff recommends that these shooting hours be adopted for all migratory game birds, including doves, for the entire season.
- Possession limit is twice the daily bag except for sora & Virginia rails where the possession limit is equal to the daily bag.



# EXHIBIT F-6

July 7, 2011

## Extended Falconry Season Highlights & DWM Staff Recommendations for 2011-12 Extended Falconry Seasons for Webless Migratory Game Bird Species

### General Restrictions/Guidelines

- Seasons must fall between September 1 and March 10
- Total days available for falconry cannot exceed 107 and includes regular, i.e., gun seasons, experimental seasons and extended falconry seasons
- The falconry daily bag limit is 3 permitted migratory game birds, singly or in the aggregate. The regular, i.e., gun season bag limits for individual species do not apply.
- Each extended season may be divided into a maximum of 3 segments
- The falconry bag limit is not in addition to the gun bag limit

### DWM Staff Recommendations

If the Commission chooses staff recommended “gun” seasons as presented, we recommend the following extended falconry seasons.

Mourning dove	October 15 – November 19
Rails, Gallinule and Moorhens	November 19 – December 24
Woodcock	November 7 – December 10 & January 30 – February 25

# EXHIBIT G-1

July 7, 2011

## PROPOSED CHANGES IN HUNTING, TRAPPING, FALCONRY, AND CAPTIVE CERVID REGULATIONS FOR 2012-2013 RECOMMENDED BY AGENCY STAFF FOR PUBLIC NOTICE AND PRESENTATION AT NINE\* PUBLIC HEARINGS

### District Hearings

#### Deer

- 1) Increase the either-sex deer season from conservative to moderate in Polk County.

*Amend the following rule:*

*15A NCAC 10B .0203 Deer (White-tailed) (page 8)*

#### Bear

- 1) Lengthen the bear hunting season (hunting with dogs and still hunting, unless prohibited by local law) in Greene, Halifax, Lenoir, Martin, Northampton, and Pitt counties. Currently, Greene, Lenoir and Pitt counties are open for one week in November. This proposal adds two weeks in December to their season. Currently, Halifax, Martin and Northampton counties are open for one week in November and three days in December. This proposal would extend the December segment of the season from three days to two weeks. The proposed season for all six of these counties is from the second Monday in November to the following Saturday and the third Monday after Thanksgiving to the fifth Saturday after Thanksgiving.

*Amend the following rule:*

*15A NCAC 10B .0202 Bear (page 11)*

- 2) Open a bear hunting season (hunting with dogs and still hunting, unless prohibited by local law) in Edgecombe, Harnett, Johnston, Nash, Stokes, Vance, Warren, Wayne, and Wilson counties. In addition, change the bear season in Yadkin, Iredell, Alexander, and Catawba counties. The proposed season for all of these counties is from the second Monday in November to the following Saturday and the third Monday after Thanksgiving to the fifth Saturday after Thanksgiving.

*Amend the following rule:*

*15A NCAC 10B .0202 Bear (page 11)*

- 3) Open the portions of Cleveland, Burke and Surry counties that are currently closed to bear hunting. The proposed season (hunting with dogs and still hunting, unless prohibited by local law) for these counties would be from the Monday on or nearest October 15 to the Saturday before Thanksgiving and the third Monday after Thanksgiving to January 1.

*Amend the following rule:*

*15A NCAC 10B .0202 Bear (page 11)*

## **Dogs**

- 1) Allow hunters to use dogs on Sundays on private lands in locations and during seasons where the use of dogs is currently allowed the other six days of the week in those counties or parts thereof which are west of the dog line. The practice is already allowed east of the dog line. Also, allow falconers to use dogs on private lands and on game lands on Sundays.

*Amend the following rule:*

*15A NCAC 10B .0201 Prohibited taking and manner of take (page 13)*

## **Crows and Coyotes**

- 1) Allow electronic calls for take of crows and coyotes.

*Amend the following rules:*

*15A NCAC 10B .0215 Crows (page 14)*

*15A NCAC 10B .0219 Coyote (page 15)*

## **Weapons**

- 1) Allow individuals who possess a valid concealed handgun permit to carry that handgun concealed on wildlife conservation areas and game lands, except for these game lands for which the landowner has asked to be exempted: Buckhorn, Harris, Sutton Lake, Mayo, Hyco, Lee, Chatham, Pee Dee River north of U.S. 74, Butner-Falls, Jordan, Vance, Kerr Scott, Dupont, Bladen Lakes and that portion of R. Wayne Bailey-Caswell that is north of U.S. 158 and east of N.C. 119. Also, allow hunters who possess a valid concealed handgun permit to carry that handgun concealed while dog training and during the deer archery and muzzleloader seasons on both public and private lands.

*Amend the following rules:*

*15A NCAC 10D .0102 General regulations regarding use (page 16)*

*15A NCAC 10B .0203 Deer (White-tailed) (pages 8&9)*

*15A NCAC 10J .0102 General regulation regarding use of conservation areas (page 21)*

*15A NCAC 10B .0114 Dog training and field trials (page 23)*

- 2) Allow individuals to use a .22 caliber rimfire pistol to dispatch a wounded deer during the deer archery and muzzleloader seasons on both public and private lands.

*Amend the following rules:*

*15A NCAC 10B .0203 Deer (White-tailed) (pages 8&9)*

*15A NCAC 10D .0102 General regulations regarding use (page 16)*

*15A NCAC 10J .0102 General regulation regarding use of conservation areas (page 21)*

## **Game Lands**

- 1) Clarify what wildlife resources and other materials may be possessed on or removed from Commission lands without any type of written permission or license and for which ones removal would require written permission.

*Amend the following rules:*

*15A NCAC 10D .0102 General regulations regarding use (page 16)*

*15A NCAC 10D .0103 Hunting on game lands (page 24)*

*15A NCAC 10J .0102 General regulation regarding use of conservation areas (page 22)*

*Adopt the following rule:*

*15A NCAC 10D .0105 Possession and removal of animals, plants and materials (pages 38&39)*

- 2) Require a permit to enter Hunting Creek Swamp Waterfowl Refuge (HCSWR) in Davie County.  
*Amend the following rules:*  
 15A NCAC 10D .0102 General regulations regarding use (page 18)  
 15A NCAC 10D .0103 Hunting on game lands (page 36)
- 3) Increase fees for the use of the field trial facilities located on the Sandhills Game Land from the current \$25.00 to \$75.00 for use of the club house only and from \$100 to \$200 for the use of the club house and field trial grounds. Current cost estimates for operating the facility (not including staff time) in FY 2009-10 were \$14,025. Revenues generated by user fees during the same time period were \$9,000.  
*Amend the following rule:*  
 15A NCAC 10D .0103 Hunting on game lands (page 17)
- 4) Allow additional archery and muzzleloader deer hunting on Sandhills Game Land by opening an archery season on the third Monday after Thanksgiving through January 1, except on the field trial grounds.  
*Amend the following rule:*  
 15A NCAC 10D .0103 Hunting on game lands (page 33)
- 5) Increase the either-sex deer season on Butner-Falls of Neuse Game Land from the conservative to moderate.  
*Amend the following rule:*  
 15A NCAC 10D .0103 Hunting on game lands (page 26)
- 6) Increase the either-sex deer season on Neuse River Game Land from moderate to maximum.  
*Amend the following rule:*  
 15A NCAC 10D .0103 Hunting on game lands (page 31)
- 7) Open the bear season at Chowan Swamp Game Land on the first three hunting days during the November bear season and the first three days of the second week of the December bear season in order to be consistent with other game lands in District One.  
*Amend the following rule:*  
 15A NCAC 10D .0103 Hunting on game lands (page 27)
- 8) Open the raccoon, opossum and bobcat hunting season in the Sherwood and Harmon Den Bear Sanctuaries in Haywood County.  
*Amend the following rule:*  
 15A NCAC 10D .0103 Hunting on game lands (page 32)
- 9) Make waterfowl hunting from designated Disabled Sportsmen blinds on Catfish Lake Waterfowl Impoundment at the Croatan Game Land by permit only.  
*Amend the following rule:*  
 15A NCAC 10D .0103 Hunting on game lands (page 27)
- 10) Remove text from the Commission's rule which references the disabled sportsman hunts on R. Wayne Bailey-Caswell, Dupont State Forest, Sandhills, Thurmond Chatham, and Toxaway game lands. Disabled sportsman hunts will continue to be offered through the

Permit Hunting Opportunities Program and in the *Permit Hunting Opportunities in North Carolina* guide.

*Amend the following rule:*

*15A NCAC 10D .0103 Hunting on game lands (pages 26, 28, 33&35)*

- 11) Prohibit hunting and taking fox squirrels on Rockfish Creek Game Land.

*Amend the following rule:*

*15A NCAC 10D .0103 Hunting on game lands (page 33)*

## **Permits**

- 1) Connect caging requirements for listed species as written in the captivity rule to the rule that allows possession of endangered species.

*Amend the following rule:*

*15A NCAC 10I .0102 Protection of endangered/threatened/special concern (page 40)*

- 2) Require landowners who receive a depredation permit for Canada Geese that are causing damage to agricultural operations to report the number of geese taken.

*Amend the following rule:*

*15A NCAC 10B .0106 Wildlife taken for depredations or accidentally (page 44)*

## **Importation of Animal Parts**

- 1) Allow the Executive Director or his designee to waive the rule banning the importation of a cervid carcass or carcass part from any state where Chronic Wasting Disease (CWD) occurs for a deer or elk harvested within 20 miles of the North Carolina state line.15A

*Amend the following rule:*

*NCAC 10A .1101 Waiver (page 46)*

## **Captive Cervids**

- 1) Establish captive cervid importation criteria for captive cervid licensees with Certified herds. All cervids would be prohibited from state/provinces/other countries with active Chronic Wasting Disease (CWD). Importation of white-tailed deer, white-tailed deer hybrids, Sika deer, red deer, elk, elk hybrids, moose or any other species of CWD-susceptible cervids will be allowed only from states/provinces/countries which have a license type, certification program or monitoring program that requires captive cervid facility owners to, at a minimum,:

- submit for CWD testing all deceased animals over the age of 12 months;
- tag, tattoo or otherwise permanently mark all animals over the age of 12 months; and
- keep records of all acquisitions and all dispositions in the facility.

Fallow deer, muntjac deer and other non CWD-susceptible cervids will be eligible for importation if they came from a fenced facility and have been isolated from contact with CWD-susceptible cervids for the past 5 years. Non CWD-susceptible cervids that have been in contact with CWD-susceptible animals are subject to the same importation criteria as CWD-susceptible animals.

*Amend the following rules*

*15A NCAC 10B .0101 Importation of wild animals and birds (page 47)*

*15A NCAC 10H .0304 Captive cervid herd certification program (page 60)*

- 2) Amend the waiver rule to allow Certified herd owners the ability to apply for an importation waiver for cervids that do not meet the proposed importation criteria, except from states with CWD in wild cervids.

*Amend the following rule:*

*15A NCAC 10A .1101 Waiver (page 45)*

- 3) Allow for the issuance of new captive cervid licenses with controls in place to prohibit using a secondary license to expand a facility. Require newly licensed facilities to have double-fencing. Allow transportation of cervids from N.C. Certified herds (5-year status) into these new facilities for the first six months after their construction.

*Amend the following rule:*

*15A NCAC 10H .0301 General requirements (page 48&52)*

*15A NCAC 10H .0302 Minimum standards (page 55)*

## **Falconry**

- 1) Remove the extended season for take of squirrels by falconry.

*Amend the following rule:*

*15A NCAC 10B .0216 Falconry (page 62)*

- 2) Amend 12 current rules pertaining to falconry, repeal one and adopt two additional rules in order for the Commission to fully regulate falconry in North Carolina in accordance with a directive from the U.S. Fish and Wildlife Service. Deadline for these changes is January 1, 2014.

*Amend the following rules:*

*15A NCAC 10H .0801 Definitions*

*15A NCAC 10H .0802 Permit and license requirements*

*15A NCAC 10H .0803 Application for ~~permit~~ license*

*15A NCAC 10H .0804 Examination*

*15A NCAC 10H .0805 Duration of ~~permit~~ license*

*15A NCAC 10H .0806 ~~Conditions of permit~~ Acquisition, sale and status change*

*15A NCAC 10H .0807 ~~classes~~ Levels of ~~permits~~ licenses*

*15A NCAC 10H .0808 Facilities and equipment*

*15A NCAC 10H .0809 Marking*

*15A NCAC 10H .0810 Taking raptors*

*15A NCAC 10H .0811 Other restrictions and conditions*

*15A NCAC 10H .0812 Interstate transportation*

*15A NCAC 10H .0813 Raptor propagation permit*

*Adopt the following rules:*

*15A NCAC 10H .0814 Release of raptors or moved to other permit*

*15A NCAC 10H .0815 Other uses and allowed activities*

*Falconry rules are on pages 63 to 78*

- 3) Allow the practice of falconry on Sundays on Three Day Per Week game lands.

*Amend the following rule:*

*15A NCAC 10D.0103 Hunting on Game Lands (page 24)*

\*Changes to falconry regulations will be presented at the nine district hearings and at an additional hearing in Raleigh on September 28.

1 **15A NCAC 10B .0203 DEER (WHITE-TAILED)**

2 (a) Open Seasons (All Lawful Weapons)

- 3 (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as  
4 distinguished from knobs or buttons covered by skin or velvet, may be taken during the following  
5 seasons:

- 6 (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bertie, Bladen,  
7 Brunswick, Camden, Carteret, Chowan, Columbus\*, Cumberland, Craven, Currituck,  
8 Dare, Duplin, Edgecombe, Franklin, Gates, Greene, Halifax, Harnett, Hertford, Hoke,  
9 Hyde, Johnston, Jones, Lenoir, Martin, Moore, Nash, New Hanover, Northampton,  
10 Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond\*\*, Robeson,  
11 Sampson, Scotland\*\*, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson  
12 counties.  
13 \*Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline.  
14 \*\*Refer to 15A NCAC 10D .0103(h) for seasons on Nicholson Creek, Rockfish Creek  
15 and Sandhills Game Lands.
- 16 (B) Saturday before Thanksgiving through January 1 in all Alexander, Alleghany, Ashe,  
17 Catawba, Davie, Forsyth, Gaston, Iredell, Lincoln, Stokes, Surry, Watauga, Wilkes\*, and  
18 Yadkin counties.  
19 \*Refer to 15A NCAC 10D .0103(h) for seasons on Buffalo Cove game land.
- 20 (C) Monday of Thanksgiving week through the third Saturday after Thanksgiving Day in all  
21 of Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson,  
22 Jackson, Macon, Madison, McDowell, Mitchell, Polk, Swain, Transylvania, and Yancey  
23 counties.
- 24 (D) Two Saturdays before Thanksgiving through January 1 in all of Alamance, Anson,  
25 Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg,  
26 Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union  
27 counties.
- 28 (E) Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates  
29 and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge, in those  
30 parts of Hyde, Tyrrell and Washington counties known as the Pocosin Lakes National  
31 Wildlife Refuge, in those parts of Anson and Richmond counties known as the Pee Dee  
32 National Wildlife Refuge, and in that part of Currituck County known as the Mackay  
33 Island National Wildlife Refuge.
- 34 (F) Monday of Thanksgiving week through the fifth Saturday after Thanksgiving Day in all  
35 of Cleveland and Rutherford counties, except for South Mountain Game Land.

- 36 (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open  
37 seasons and in the counties and portions of counties listed in this Subparagraph: (Refer to 15A  
38 NCAC 10D .0103 for either sex seasons on Game Lands):

- 39 (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service  
40 during the period from the Saturday on or nearest September 10 through January 1 in  
41 those parts of Camden, Gates and Pasquotank counties known as the Dismal Swamp  
42 National Wildlife Refuge, in those parts of Hyde, Tyrrell and Washington counties  
43 known as the Pocosin Lakes National Wildlife Refuge, in those parts of Anson and  
44 Richmond counties known as the Pee Dee National Wildlife Refuge, and in those parts of  
45 Currituck County known as the Currituck National Wildlife Refuge and the Mackay  
46 Island National Wildlife Refuge.
- 47 (B) The open either-sex deer hunting dates established by the appropriate military commands  
48 during the period from Saturday on or nearest October 15 through January 1 in that part  
49 of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of  
50 Craven County known and marked as Cherry Point Marine Base, in that part of Onslow  
51 County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military  
52 Reservation, and on Camp Mackall Military Reservation.
- 53 (C) Youth either sex deer hunts. First Saturday in October for youth either sex deer hunting  
54 by permit only on a portion of Belews Creek Steam Station in Stokes County designated  
55 by agents of the Commission and the third Saturday in October for youth either-sex deer  
56 hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties;



1 and the second Saturday in November for youth either-sex deer hunting by permit only  
2 on apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County  
3 designated by agents of the Commission.

4 (D) The last open day of the Deer with Visible Antlers season described in Subparagraph  
5 (a)(1) of this Rule in all of Buncombe, \*Haywood, Henderson, Madison and  
6 Transylvania counties\*\* and the following parts of counties:

7 Avery: That part south of the Blue Ridge Parkway; and

8 Yancey: That part south of US 19 and US 19E.

9 \*except for that part east of NC 191, south of the French Broad and Swannanoa Rivers,  
10 west of US 25, and north of NC 280

11 \*\*see 15A NCAC 10D .0103 for deer of either sex seasons on game lands that differ  
12 from the days identified in this Subparagraph

13 (E) The last six open days of the Deer With Visible Antlers season described in  
14 Subparagraph (a)(1) of this Rule in all of Burke, Caldwell, McDowell, Mitchell, ~~Mitchell~~,  
15 ~~Polk~~ and the following parts of counties:

16 Avery: That part north of the Blue Ridge Parkway;

17 Yancey: That part north of US 19 and US 19E.

18 (F) The first six open days and the last six open days of the Deer with Visible Antlers season  
19 described in Subparagraph (a)(1) of this Rule in all of ~~Cleveland~~ Cleveland, Polk and  
20 Rutherford counties.

21 (G) All the open days of the Deer With Visible Antlers season described in Subparagraph  
22 (a)(1) of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln  
23 and Gaston counties and in the following parts of counties:

24 Buncombe: That part east of NC 191, south of the French Broad and Swannanoa Rivers,  
25 west of US 25, and north of NC 280; and

26 Henderson. That part east of NC 191 and north and west of NC 280.

27 (b) Open Seasons (Bow and Arrow)

28 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag  
29 limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow  
30 during the following seasons:

31 (A) Saturday on or nearest September 10 to the third Friday thereafter in the counties and  
32 parts of counties having the open season for Deer With Visible Antlers specified by Part  
33 (A) of Subparagraph (a)(1) of this Rule, except on Nicholson Creek, Rockfish Creek, and  
34 Sandhills Game Lands.

35 (B) Saturday on or nearest September 10 to the third Friday before Thanksgiving in the  
36 counties and parts of counties having the open seasons for Deer with Visible Antlers  
37 specified by Part (B) of Subparagraph (b)(1) of this Rule except for that portion of  
38 Buffalo Cove Game Land in Wilkes County.

39 (C) Monday on or nearest September 10 to the third Saturday thereafter, and Monday on or  
40 nearest October 15 to the Saturday before Thanksgiving in the counties and parts of  
41 counties having the open seasons for Deer With Visible Antlers specified by Part (C) of  
42 Subparagraph (a)(1) of this Rule and in Cleveland and Rutherford counties.

43 (D) Saturday on or nearest September 10 to the fourth Friday before Thanksgiving in the  
44 counties and parts of counties having the open season for Deer With Visible Antlers  
45 specified by Part (D) of Subparagraph (b)(1) of this Rule, and on Nicholson Creek,  
46 Rockfish Creek and Sandhills Game Lands.

47 (2) Restrictions

48 (A) Dogs may not be used for hunting deer during the bow and arrow ~~season-season, except~~  
49 a single dog on a leash may be used to retrieve a wounded deer in accordance with G.S.  
50 113-291.1(k).

51 (B) It is unlawful to carry any type of firearm while hunting with a bow during the bow and  
52 arrow deer hunting ~~season-season, except:~~

53 (i) if the firearm is a handgun carried concealed by an individual with a valid  
54 concealed handgun permit. The individual carrying a concealed handgun must  
55 adhere to the requirements set forth in North Carolina G.S. 14-415.11, even if  
56 the state issuing the concealed handgun permit is not North Carolina; or

- 1 (ii) the firearm is a .22 caliber rimfire pistol carried for the purpose of dispatching a  
2 wounded deer in accordance with G.S. 113-291.1(k).
- 3 (C) Only bows and arrows of the types authorized in 15A NCAC 10B .0116 for taking deer  
4 may be used during the bow and arrow deer hunting season.
- 5 (c) Open Seasons (Muzzle-Loading Rifles, Shotguns and Bow and Arrow)
- 6 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may  
7 be taken only with muzzle-loading firearms and bow and arrow during the following seasons:
- 8 (A) The Saturday on or nearest October 1 to the Friday of the second week thereafter in the  
9 counties and parts of counties having the open seasons for Deer With Visible Antlers  
10 specified by Part (A) of Subparagraph (a)(1) of this Rule, except on Nicholson Creek,  
11 Rockfish Creek and Sandhills Game Lands.
- 12 (B) The third Saturday preceding Thanksgiving until the Friday of the second week thereafter  
13 in the counties\* and parts of counties having the open seasons for Deer With Visible  
14 Antlers specified by Part (B) of Subparagraph (a)(1) of this Rule.  
15 \*Refer to 15A NCAC 10D .0103(h) for seasons on Buffalo Cove game land.
- 16 (C) Monday on or nearest October 1 to the Saturday of the second week thereafter in  
17 Cleveland and Rutherford counties and in the counties and parts of counties having the  
18 open seasons for Deer With Visible Antlers specified by Part C of Subparagraph (a)(1) of  
19 this Rule.
- 20 (D) The fourth Saturday preceding Thanksgiving until the Friday of the second week  
21 thereafter in the counties and parts of counties having the open season for Deer With  
22 Visible Antlers specified by Part (D) of Subparagraph (a)(1) of this Rule, and on  
23 Nicholson Creek, Rockfish Creek and Sandhills Game Lands.
- 24 (2) Restrictions
- 25 (A) Deer of either sex may be taken during muzzle-loading firearms and bow and arrow  
26 season in and east of the following counties: Polk, Rutherford, McDowell, Burke,  
27 Caldwell, Watauga, and Ashe. Deer of either sex may be taken on the last day of  
28 muzzle-loading firearms and bow and arrow season in all other counties.
- 29 (B) Dogs shall not be used for hunting deer during the muzzle-loading firearms and bow and  
30 arrow ~~seasons- seasons,~~ except a single dog on a leash may be used to retrieve a wounded  
31 deer in accordance with G.S. 113-291.1(k).
- 32 (C) Pistols shall not be carried while hunting deer during the muzzle-loading firearms and  
33 bow and arrow ~~seasons- seasons,~~ except:
- 34 (i) a handgun may be carried concealed by an individual with a valid concealed  
35 handgun permit. The individual carrying a concealed handgun must adhere to  
36 the requirements set forth in North Carolina G.S. 14-415.11, even if the state  
37 issuing the concealed handgun permit is not North Carolina; and
- 38 (ii) a .22 caliber rimfire pistol may be carried for the purpose of dispatching a  
39 wounded deer in accordance with G.S. 113-291.1(k).
- 40 (d) Open Season (Urban Season)
- 41 (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag  
42 limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow in  
43 participating cities in the state, as defined in G.S. 160A-1(2), from the second Saturday following  
44 January 1 to the fifth Saturday thereafter. Deer shall not be taken on any game land or part thereof  
45 that occurs within a city boundary.
- 46 (2) Participation. Cities that intend to participate in the urban season must send a letter to that effect  
47 no later than April 1 of the year prior to the start of the urban season to the Executive Director or  
48 his designee. Cities must also submit a map of the city's boundaries within which the urban season  
49 shall apply.
- 50 (3) Restrictions:
- 51 (A) Dogs shall not be used for hunting deer during the urban ~~season- season,~~ except a single  
52 dog on a leash may be used to retrieve a wounded deer in accordance with G.S. 113-  
53 291.1(k).
- 54 (B) It is unlawful to carry any type of firearm while hunting with a bow during the urban  
55 ~~season- season,~~ except:

- 1 (i) if the firearm is a handgun carried concealed by an individual with a valid  
2 concealed handgun permit. The individual carrying a concealed handgun must  
3 adhere to the requirements set forth in North Carolina G.S. 14-415.11, even if  
4 the state issuing the concealed handgun permit is not North Carolina; or  
5 (ii) the firearm is a .22 caliber rimfire pistol carried for the purpose of dispatching a  
6 wounded deer in accordance with G.S. 113-291.1(k).

7 (C) Only bows and arrows of the types authorized in 15A NCAC 10B .0116 for taking deer  
8 shall be used during the urban season.

9 (e) Bag limits. In and east of Vance, Franklin, Wake, Harnett, Moore and Richmond counties, the possession limit  
10 is six deer, up to four of which may be deer with visible antlers. In all other counties of the state the possession limit  
11 is six deer, up to two of which may be deer with visible antlers. The season limit in all counties of the state is six  
12 deer. In addition to the bag limits described above, a hunter may obtain multiple bonus antlerless deer harvest report  
13 cards from the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional  
14 antlerless deer per card on lands others than lands enrolled in the Commission's game land program during any open  
15 deer season in all counties and parts of counties of the State identified in Part (G) of Subparagraph (a)(2) of this  
16 Rule. Antlerless deer harvested and reported on the bonus antlerless harvest report card shall not count as part of the  
17 possession and season limit. Hunters may also use the bonus antlerless harvest report cards for deer harvested  
18 during the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities,  
19 except on state-owned game lands. Antlerless deer include males with knobs or buttons covered by skin or velvet as  
20 distinguished from spikes protruding through the skin. The bag limits described above do not apply to deer  
21 harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e)  
22 for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP  
23 license. Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer  
24 harvested under this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported  
25 as instructed on the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card  
26 provided with the hunting license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the  
27 DMAP and not tagged with DMAP tags may only be harvested during the regularly established deer seasons subject  
28 to all the restrictions of those seasons, including bag limits, and reported using the big game harvest report card or  
29 the bonus antlerless harvest report card.

30  
31 *History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2;*  
32 *Eff. February 1, 1976;*  
33 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996, July 1, 1995; December 1, 1994; July 1,*  
34 *1994; July 1, 1993;*  
35 *Temporary Amendment Eff. July 1, 1999;*  
36 *Amended Eff. July 1, 2000;*  
37 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*  
38 *Amended Eff. August 1, 2002 (Approved by RRC on 06/21/01 and 04/18/02);*  
39 *Temporary Amendment Eff. June 1, 2003;*  
40 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July*  
41 *17, 2003);*  
42 *Amended Eff. August 1, 2011; July 10, 2010; June 1, 2008; May 1, 2007; May 1, 2006; June 1,*  
43 *2005.*  
44 *Amended Eff. August 1, 2012*

1 **15A NCAC 10B .0202 BEAR**

2 (a) Open Seasons for bear shall be from the:

- 3 (1) Monday on or nearest October 15 to the Saturday before Thanksgiving and the third Monday after  
4 Thanksgiving to January 1 in and west of Surry, Wilkes, Caldwell, Burke and Cleveland counties,  
5 the boundary formed by I 77 from the Virginia State line to the intersection with I 40, continuing  
6 along I 40 west until the intersection of NC 18 and NC 18 to the South Carolina State line.  
7 ~~(2) Second Monday in November to the following Saturday and the third Monday after Thanksgiving~~  
8 ~~to the following Wednesday in all of Halifax, Martin and Northampton counties.~~  
9 ~~(3)(2) Second Monday in November to January 1 in all of Bladen, Carteret, Cumberland, Duplin, New~~  
10 ~~Hanover, Onslow, Pamlico, Pender and Sampson counties.~~  
11 ~~(4)(3) First Monday in December to the third Saturday thereafter in Brunswick and Columbus counties.~~  
12 ~~(5)(4) Second Monday in November to the following Saturday and the third Monday after Thanksgiving~~  
13 ~~to the fifth Saturday after Thanksgiving in all of Alexander, Beaufort, Camden, Catawba, Chowan,~~  
14 ~~Craven, Dare, Edgecombe, Greene, Halifax, Harnett, Hyde, Iredell, Johnston, Jones, Lenoir,~~  
15 ~~Martin, Nash, Northampton, Pasquotank, Pitt, Stokes, Tyrrell, Vance, Warren, and Washington~~  
16 ~~Washington, Wayne, Wilson and Yadkin counties.~~  
17 ~~(6)(5) Saturday preceding the second Monday in November to the following Saturday and the third~~  
18 ~~Monday after Thanksgiving to the fifth Saturday after Thanksgiving in Bertie, Currituck, Gates,~~  
19 ~~Hertford and Perquimans counties.~~  
20 ~~(7) Second Monday in November to the following Saturday in Greene, Lenoir and Pitt counties.~~

21 (b) No Open Season. There is no open season in any area not included in Paragraph (a) of this Rule or in those  
22 parts of counties included in the following posted bear sanctuaries:

- 23 Avery, Burke and Caldwell counties--Daniel Boone bear sanctuary except by permit only  
24 Beaufort, Bertie and Washington counties--Bachelor Bay bear sanctuary  
25 Beaufort and Pamlico counties--Gum Swamp bear sanctuary  
26 Bladen County--Suggs Mill Pond bear sanctuary  
27 Brunswick County--Green Swamp bear sanctuary  
28 Buncombe, Haywood, Henderson and Transylvania counties--Pisgah bear sanctuary  
29 Carteret, Craven and Jones counties--Croatan bear sanctuary  
30 Clay County--Fires Creek bear sanctuary  
31 Columbus County--Columbus County bear sanctuary  
32 Currituck County--North River bear sanctuary  
33 Dare County--Bombing Range bear sanctuary except by permit only  
34 Haywood County--Harmon Den bear sanctuary  
35 Haywood County--Sherwood bear sanctuary  
36 Hyde County--Gull Rock bear sanctuary  
37 Hyde County--Pungo River bear sanctuary  
38 Jackson County--Panthertown-Bonas Defeat bear sanctuary  
39 Macon County--Standing Indian bear sanctuary  
40 Macon County--Wayah bear sanctuary  
41 Madison County--Rich Mountain bear sanctuary  
42 McDowell and Yancey counties--Mt. Mitchell bear sanctuary except by permit only  
43 Mitchell and Yancey counties--Flat Top bear sanctuary  
44 Wilkes County--Thurmond Chatham bear sanctuary

45 (c) Bag limits shall be:

- 46 (1) daily, one;  
47 (2) possession, one;  
48 (3) season, one.

49 (d) Kill Reports. The carcass of each bear shall be tagged and the kill reported as provided by 15A NCAC 10B  
50 .0113.

51  
52 *History Note: Authority G.S. 113-134; 113-291.2; 113-291.7; 113-305;*  
53 *Eff. February 1, 1976;*  
54 *Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;*  
55 *Temporary Amendment Eff. July 1, 1999;*  
56 *Amended Eff. July 1, 2000;*

1                    *Temporary Amendment Eff. July 1, 2002;*  
2                    *Amendment Eff. August 1, 2002;*  
3                    *Temporary Amendment Eff. September 1, 2003;*  
4                    *Temporary Amendment Expired Eff. December 27, 2003;*  
5                    *Amended Eff. August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1,*  
6                    *2005.*  
7                    *Amended Eff. August 1, 2012*

1 **15A NCAC 10B .0201 PROHIBITED TAKING AND MANNER OF TAKE**

2 (a) It is unlawful for any person to take, or have in possession, any wild animal or wild bird listed in this Section  
3 except during the open seasons and in accordance with the limits herein prescribed, or as prescribed by 15A NCAC  
4 10B .0300 pertaining to trapping or 15A NCAC 10D applicable to game lands managed by the Wildlife Resources  
5 Commission, unless otherwise specifically permitted by law. Lawful seasons and bag limits for each species apply  
6 beginning with the first day of the listed season and continue through the last day of the listed season, with all dates  
7 being included. When any hunting season ends on a January 1 that falls on a Sunday, that season is extended to  
8 Monday, January 2.

9 (b) On Sundays, hunting on private lands is allowed with the following restrictions:

- 10 (1) Only archery equipment as described in 15A NCAC 10B .0116, falconry, and dogs where and  
11 when allowed the other days of the week ~~15A NCAC 10B .0116 and falconry~~ are lawful methods  
12 of take; and  
13 (2) Migratory game birds may not be taken on Sundays.

14 (c) On Sundays, hunting on public lands is allowed with the following restrictions:

- 15 (1) Only falconry and dogs used in conjunction with falconry ~~are~~ is a lawful methods method of take;  
16 and  
17 (2) Migratory game birds may not be taken on Sundays.

18 These restrictions do not apply to military installations under the exclusive jurisdiction of the federal government.

19 (d) Those animals not classified as game animals in G.S. 113-129(7c), and for which a season is set under this  
20 Section, may be taken during the hours and methods authorized for taking game animals.

21 Note: Where local laws govern hunting, or are in conflict with these regulations, the local law shall prevail.

22  
23 *History Note:* Authority G.S. 103-2; 113-291.1(a); 113-134; 113-291.2; 113-291.3;  
24 Eff. February 1, 1976;  
25 Amended Eff. July 10, 2010; July 1, 1996; July 1, 1987.  
26 Amended Eff. August 1, 2012

1 **15A NCAC 10B .0215 CROWS**

2 (a) Open Seasons: Wednesday, Friday and Saturday of each week from the first Wednesday in June to the last day  
3 of February and on the following holidays: July 4, Labor Day, Thanksgiving, Christmas, New Years and Martin  
4 Luther King, Jr. days.

5 Note: Federal law protects crows and limits state seasons to a maximum of 124 days per year.

6 (b) Bag Limits: No restriction.

7 (c) Manner of Take. Hunters may use electronic calls.

8

9 *History Note: Authority G.S. 113-134; 113-291.2; 50 C.F.R. 20.133;*

10 *Eff. February 1, 1976;*

11 *Amended Eff. May 1, 2009; May 1, 2006; June 1, 2005; July 1, 1991; July 1, 1987; July 1, 1984;*

12 *July 1, 1983.*

13 *Amended Eff. January 1, 2012*



- 1 **15A NCAC 10B .0219 COYOTE**  
2 (a) No closed season.  
3 (b) Bag Limits: No restriction.  
4 (c) Manner of Take. Hunters may use electronic calls.  
5  
6 *History Note: Authority G.S. 113-134; 113-291.2;*  
7 *Eff. July 1, 1993.*  
8 *Amended Eff. January 1, 2012*

1 **15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE**

2 (a) Trespass. Entry on game lands for purposes other than hunting, trapping or fishing shall be as authorized by the  
3 ~~landowner. landowner and there shall be no removal of any plants or parts thereof, or other materials, without the~~  
4 ~~written authorization of the landowner.~~ The Wildlife Resources Commission has identified the following areas on  
5 game lands that have additional restrictions on entry or usage:

- 6 (1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow  
7 and arrow hunting and falconry only. On these areas, deer of either sex may be taken on all open  
8 days of any applicable deer season.
- 9 (2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No  
10 person shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety  
11 zone on any game land. Falconry is exempt from this provision.
- 12 (3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the  
13 use of centerfire rifles is prohibited.
- 14 (4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the  
15 general public, and entry upon such an area for any purpose is prohibited without first having  
16 obtained specific written approval of such entry or use from an authorized agent of the Wildlife  
17 Resources Commission. Entry shall be authorized only when such entry will not compromise the  
18 primary purpose for establishing the Restricted Zone and the person or persons requesting entry  
19 can demonstrate a valid need or such person is a contractor or agent of the Commission  
20 conducting official business. "Valid need" includes issues of access to private property, scientific  
21 investigations, surveys, or other access to conduct activities in the public interest.
- 22 (5) Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are  
23 closed to all use by the general public, and entry upon such an area for any purpose is prohibited  
24 without first having obtained specific written approval of such entry or use from an authorized  
25 agent of the Wildlife Resources Commission. An area of a game land shall be declared a  
26 Temporary Restricted Zone when there is a danger to the health or welfare of the public due to  
27 topographical features or activities occurring on the area.
- 28 (6) Establishment of Archery, Restricted Firearms, and Restricted Zones. The Commission shall  
29 conduct a public input meeting in the area where the game land is located before establishing any  
30 archery, restricted firearms or restricted zone. After the input meeting the public comments shall  
31 be presented to an official Commission meeting for final determination.
- 32 (7) Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the  
33 discharge of firearms or bow and arrow is prohibited.

34 (b) Littering. No person shall deposit any litter, trash, garbage, or other refuse at any place on any game land  
35 except in receptacles provided for disposal of such refuse at designated camping and target-shooting areas. No  
36 garbage dumps or sanitary landfills shall be established on any game land by any person, firm, corporation, county  
37 or municipality, except as permitted by the landowner.

38 (c) Possession of Hunting Devices. ~~It is unlawful to possess a firearm or bow and arrow~~ Firearms and archery  
39 equipment may only be possessed on a game land ~~at any time except~~ during the open hunting seasons or hunting  
40 days for game birds or game animals, other than ~~fox, fox or coyote,~~ except firearms and archery equipment may also  
41 be possessed under the following conditions:

- 42 (1) ~~unless~~ the device is cased or not immediately available for use, or
- 43 (2) ~~provided that such devices may be possessed and~~ the device is used by persons participating in  
44 field trials on field trial areas, or
- 45 (3) ~~and~~ the device is used by persons on target shooting areas designated by the landowner, or
- 46 (4) ~~and~~ the device is possessed in designated camping areas for defense of persons and property; or
- 47 (5) ~~and provided further that~~ the device is a .22 caliber pistol with barrels a barrel not greater  
48 than seven and one-half inches in length and shooting only short, long, or long rifle ammunition  
49 may be carried as a side arm arms on game lands at any time other than by deer hunters during the  
50 special bow and arrow and muzzle-loading firearms deer hunting seasons season, except under  
51 conditions authorized in G.S. 113-291.1(k), and by individuals training dogs during closed season  
52 without field trial authorization authorization, or
- 53 (6) the device is a handgun carried concealed by an individual with a valid concealed handgun permit.  
54 The individual carrying a concealed handgun must adhere to the requirements set forth in North  
55 Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North  
56 Carolina. The permission to carry a concealed handgun does not apply on the following game

1 lands: Bladen Lakes State Forest, Buckhorn, Butner-Falls of Neuse, Chatham, DuPont State  
2 Forest, Harris, Hyco, Jordan, Kerr Scott, Lee, Mayo, Pee Dee River north of U.S 74, Sutton Lake,  
3 Vance and that portion of R. Wayne Bailey- Caswell that is located north of U.S. 158 and east of  
4 N.C. 119.

5 This ~~Rule paragraph~~ does not prevent possession or use of a bow and arrow as a licensed special fishing device in  
6 those waters where such use is authorized. Furthermore, only shotguns with any size ~~shot, shot and~~ archery  
7 equipment as defined in ~~15A NCAC 10B .0116~~ 15A NCAC 10B .0116, and handguns carried concealed by  
8 individuals with valid concealed handgun permits may be possessed during the big game season for turkey. No  
9 person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any  
10 posted waterfowl impoundment on any game land, or while hunting waterfowl on Butner-Falls of Neuse Game Land  
11 or New Hope Game Land, except shotgun shells containing lead buckshot may be used while deer hunting.

12 (d) Game Lands License: Hunting and Trapping

13 (1) Requirement. Except as provided in Subparagraph (2) of this Paragraph, any person entering upon  
14 any game land for the purpose of hunting, trapping, or participating in dog training or field trial  
15 activities shall have in his possession a game lands license in addition to the appropriate hunting  
16 or trapping licenses. A field trial participant is defined as a Judge, Handler, Scout or Owner.

17 (2) Exceptions

18 (A) A person under 16 years of age may hunt on game lands on the license of his parent or  
19 legal guardian.

20 (B) The resident and nonresident sportsman's licenses include game lands use privileges.

21 (C) Judges and nonresidents participating in field trials under the circumstances set forth in  
22 Paragraph (e) of this Rule may do so without the game lands license.

23 (D) On the game lands described in Rule .0103(e)(1) of this Section, the game lands license is  
24 required only for hunting doves; all other activities are subject to the control of the  
25 landowners.

26 (e) Field Trials and Training Dogs. A person serving as judge of a field trial which, pursuant to a written request  
27 from the sponsoring organization, has been authorized in writing and scheduled for occurrence on a game land by an  
28 authorized representative of the Wildlife Resources Commission, and any nonresident Handler, Scout or Owner  
29 participating therein may participate without procuring a game lands license, provided such nonresident has in his  
30 possession a valid hunting license issued by the state of his residence. Any individual or organization sponsoring a  
31 field trial on the Sandhills Field Trial grounds or the Laurinburg Fox Trial facility shall file with the commission's  
32 agent an application to use the area and facility accompanied by the facility use fee computed at the rate of two  
33 hundred dollars (\$200.00) ~~one hundred dollars (\$100.00)~~ for each scheduled day of the trial. The total facility use  
34 fee shall cover the period from 12:00 noon of the day preceding the first scheduled day of the trial to 10:00 a.m. of  
35 the day following the last scheduled day of the trial. The facility use fee shall be paid for all intermediate days on  
36 which for any reason trials are not run but the building or facilities are used or occupied. A fee of seventy-five  
37 dollars (\$75.00) ~~twenty five dollars (\$25.00)~~ per day shall be charged to sporting, educational, or scouting groups  
38 for scheduled events utilizing the club house only. No person or group of persons or any other entity shall enter or  
39 use in any manner any of the physical facilities located on the Laurinburg Fox Trial or the Sandhills Field Trial  
40 grounds without first having obtained written approval of such entry or use from an authorized agent of the Wildlife  
41 Resources Commission, and no such entry or use of any such facility shall exceed the scope of or continue beyond  
42 the approval so obtained. The Sandhills Field Trial facilities shall be used only for field trials scheduled with the  
43 approval of the Wildlife Resources Commission. No more than 16 days of field trials may be scheduled for  
44 occurrence on the Sandhills facilities during any calendar month, and no more than four days may be scheduled  
45 during any calendar week; provided, that a field trial requiring more than four days may be scheduled during one  
46 week upon reduction of the maximum number of days allowable during some other week so that the monthly  
47 maximum of 16 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial Association or  
48 other organization desiring use of the Sandhills facilities between October 22 and November 18 and between  
49 December 3 and March 31 shall submit its proposed schedule of such use to the Wildlife Resources Commission for  
50 its consideration and approval. The use of the Sandhills Field Trial facilities at any time by individuals for training  
51 dogs is prohibited; elsewhere on the Sandhills Game Lands dogs may be trained only on Mondays, Wednesdays and  
52 Saturdays from October 1 through April 1. Dogs may not be trained or permitted to run unleashed from April 1  
53 through August 15 on any game land located west of I-95, except when participating in field trials sanctioned by the  
54 Wildlife Resources Commission. Dogs may not be trained or permitted to run unleashed from March 15 through  
55 June 15 on any game land located east of I-95, except when participating in field trials sanctioned by the Wildlife  
56 Resources Commission. Additionally, on game lands located west of I-95 where special hunts are scheduled for

1 sportsmen participating in the Disabled Sportsman Program, dogs may not be trained or allowed to run unleashed  
2 during legal big game hunting hours on the dates of the special hunts. A field trial shall be authorized when such  
3 field trial does not conflict with other planned activities on the Game Land or field trial facilities and the applying  
4 organization can demonstrate their experience and expertise in conducting genuine field trial activities. Entry to  
5 physical facilities, other than by field trial organizations under permit, shall be granted when they do not conflict  
6 with other planned activities previously approved by the Commission and they do not conflict with the primary  
7 goals of the agency.

8 (f) Trapping. Subject to the restrictions contained in 15A NCAC 10B .0110, .0302 and .0303, trapping of  
9 furbearing animals is permitted on game lands during the applicable open seasons, except that trapping is prohibited:

- 10 (1) on the field trial course of the Sandhills Game Land;
- 11 (2) on the Harmon Den and Sherwood bear sanctuaries in Haywood County;
- 12 (3) in posted "safety zones" located on any game land;
- 13 (4) by the use of bait on the National Forest Lands bounded by the Blue Ridge Parkway on the south,  
14 US 276 on the north and east, and NC 215 on the west;
- 15 ~~(5) on the Hunting Creek Swamp Waterfowl Refuge;~~
- 16 ~~(6)~~(5) on the John's River Waterfowl Refuge in Burke County; and
- 17 ~~(7)~~(6) on the Dupont State Forest Game Lands.

18 On those areas of state-owned land known collectively as the Roanoke River Wetlands controlled trapping is  
19 allowed under a permit system.

20 (g) Use of Weapons. In addition to zone restrictions described in Paragraph (a) no person shall discharge a weapon  
21 within 150 yards of any Game Lands building or designated Game Lands camping area, except where posted  
22 otherwise, or within 150 yards of any residence located on or adjacent to game lands, except no person shall  
23 discharge a firearm within 150 yards of any residence located on or adjacent to Butner-Falls of Neuse and Jordan  
24 Game Lands.

25 (h) Vehicular Traffic. No person shall drive a motorized vehicle on any game land except on those roads  
26 constructed, maintained and opened for vehicular travel and those trails posted for vehicular travel, unless such  
27 person:

- 28 (1) is driving in the vehicle gallery of a scheduled bird dog field trial held on the Sandhills Game  
29 Land; or
- 30 (2) is a disabled sportsman as defined in Paragraph (k) of this Rule or holds a Disabled Access  
31 Program Permit as described in Paragraph (n) of this Rule and is abiding by the rules described in  
32 Paragraph (n).

33 (i) Camping. No person shall camp on any game land except on an area designated by the landowner for camping.

34 (j) Swimming. Swimming is prohibited in the lakes located on the Sandhills Game Land.

35 (k) Disabled Sportsman Program. In order to qualify for permit hunts for disabled sportsmen offered by the  
36 Commission and use of designated blinds during those hunts an individual shall possess a Disabled Veteran  
37 Sportsman license, a Totally Disabled Sportsman license or a disabled sportsman hunt certification issued by the  
38 Commission. In order to qualify for the certification, the applicant shall provide medical certification of one or  
39 more of the following disabilities:

- 40 (1) missing 50 percent or more of one or more limbs, whether by amputation or natural causes;
- 41 (2) paralysis of one or more limbs;
- 42 (3) dysfunction of one or more limbs rendering the person unable to perform the task of grasping and  
43 lifting with the hands and arms or unable to walk without mechanical assistance, other than a cane;
- 44 (4) disease or injury or defect confining the person to a wheelchair, walker, or crutches; or
- 45 (5) deafness.

46 On game lands where the privileges described in Paragraph (n) of this Rule apply, participants in the program may  
47 operate electric wheel chairs, all terrain vehicles or other passenger vehicles:

- 48 (1) on ungated or open-gated roads normally closed to vehicular traffic; and
- 49 (2) on any Commission-maintained road open for vehicular travel and those trails posted for vehicular  
50 travel.

51 Each program participant may be accompanied by one able-bodied companion provided such companion has in his  
52 possession the companion card issued by the Commission. Hunters who qualify under the Disabled Sportsman  
53 Program and their able-bodied companions may access special hunting blinds for people with disabilities during  
54 regularly scheduled, non-permit hunting days on a first come basis, except for those blinds located on the Restricted  
55 Area of Caswell Game Land.

1 (l) Release of Animals and Fish. It is unlawful to release pen-raised animals or birds, wild animals or birds,  
2 domesticated animals, except hunting dogs and raptors where otherwise permitted for hunting or training purposes,  
3 or feral animals, or hatchery-raised fish on game lands without prior written authorization. It is unlawful to move  
4 wild fish from one stream to another on game lands without prior written authorization. Written authorization shall  
5 be given when release of such animals is determined by a North Carolina Wildlife Resources Commission biologist  
6 not to be harmful to native wildlife in the area and such releases are in the public interest or advance the programs  
7 and goals of the Wildlife Resources Commission.

8 (m) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway  
9 use on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (k)  
10 of this Rule and people who have obtained a Disabled Access Program permit are exempt from the previous  
11 sentence but must comply with the terms of their permit. Furthermore, disabled persons, as defined under the  
12 federal Americans with Disabilities Act, may use wheelchairs or other mobility devices designed for indoor  
13 pedestrian use on any area where foot travel is allowed.

14 (n) Disabled Access Program. Permits issued under this program shall be based upon medical evidence submitted  
15 by the person verifying that a handicap exists that limits physical mobility to the extent that normal utilization of the  
16 game lands is not possible without vehicular assistance. Persons meeting this requirement may operate electric  
17 wheel chairs, all terrain vehicles, and other passenger vehicles on any Commission-maintained road open for  
18 vehicular travel and those trails posted for vehicular travel and ungated or open-gated roads otherwise closed to  
19 vehicular traffic on game lands owned by the Wildlife Resources Commission and on game lands whose owners  
20 have agreed to such use. Those game lands, or parts thereof, where this Paragraph applies are designated in the  
21 game land rules and map book. This Paragraph does not permit vehicular access on fields, openings, roads, paths, or  
22 trails planted to wildlife food or cover. One able-bodied companion, who is identified by a special card issued to  
23 each qualified disabled person, may accompany a disabled person to provide assistance, provided the companion is  
24 at all times in visual or verbal contact with the disabled person. The companion may participate in all lawful  
25 activities while assisting a disabled person, provided license requirements are met. Any vehicle used by a qualified  
26 disabled person for access to game lands under this provision shall prominently display the vehicular access permit  
27 issued by the Wildlife Resources Commission in the passenger area of the vehicle. It is unlawful for anyone other  
28 than disabled persons as defined in Paragraph (k) of this Rule and those holding a Disabled Access Permit to hunt,  
29 during waterfowl season, within 100 yards of a waterfowl blind designated by the Wildlife Resources Commission  
30 as a Disabled Sportsman's hunting blind.

31 (o) Public nudity. Public nudity, including nude sunbathing, is prohibited on any Game Land, including land or  
32 water. For the purposes of this Section, "public nudity" means a person's intentional failure to cover with a fully  
33 opaque covering the person's genitals, pubic area, anal area, or female breasts below a point from the top of the  
34 areola while in a public place.

35 (p) Definitions: For the purpose of this Subchapter "Permanent Hunting Blind" is defined as any structure that is  
36 used for hunter concealment, constructed from man made or natural materials, and that is not disassembled and  
37 removed at the end of each day's hunt.

38 (q) Shooting Ranges. On state-owned game lands, no person shall use designated shooting ranges for any purpose  
39 other than for firearm or bow and arrow marksmanship, development of shooting skills or for other safe uses of  
40 firearms and archery equipment. All other uses, including camping, building fires, operating concessions or other  
41 activities not directly involved with recreational or competitive shooting are prohibited, except that activities which  
42 have been approved by the Commission and for which a permit has been issued may be conducted, provided that the  
43 permit authorizing such activity is available for inspection by wildlife enforcement officers at the time the activity is  
44 taking place. No person, when using any shooting range, shall deposit any debris or refuse on the grounds of the  
45 range. This includes any items used as targets, except that clay targets broken on the range, by the shooter, may be  
46 left on the grounds where they fall. No person shall shoot any items made of glass on the grounds of the range. No  
47 person may leave any vehicle or other obstruction in such a location or position that it will prevent, impede or  
48 inconvenience the use by other persons of any shooting range. No person shall leave parked any vehicle or other  
49 object at any place on the shooting range other than such a place or zone as is designated as an authorized parking  
50 zone and posted or marked as such. No person shall handle any firearms or bow and arrow on a shooting range in a  
51 careless or reckless manner. No person shall intentionally shoot into any target holder, post or other permanent  
52 fixture or structure while using a shooting range. No person shall shoot a firearm in a manner that would cause any  
53 rifled or smoothbore projectiles to travel off of the range, except that shotgun shot, size No. 4 or smaller may be  
54 allowed to travel from the range if it presents no risk of harm or injury to any person(s). Persons using a shooting  
55 range must obey posted range safety rules and those persons who violate range safety rules or create a public safety  
56 hazard must leave the shooting range if directed to by law enforcement officers or Commission employees. No

1 person shall handle any firearms on a shooting range while under the influence of an impairing substance. The  
2 consumption of alcohol or alcoholic beverages on a shooting range is prohibited. Shooting ranges are open from  
3 sunrise to sunset on Monday through Saturday. Firearms shall be unloaded and cased when being transported to the  
4 shooting range while on Game Lands. No person, when using any shooting range, shall do any act which is  
5 prohibited or neglect to do any act which is required by signs or markings placed on such area under authority of this  
6 Rule for the purpose of regulating the use of the area.

7 (r) Limited-access Roads. During the months of June, July and August, roads posted as "Limited-access Roads" are  
8 open to motorized vehicles from 5:00 a.m. to 10:00 p.m. only. These roads shall be posted with the opening and  
9 closing times.

10  
11 *History Note:* Authority G.S. 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306;  
12 Eff. February 1, 1976;  
13 Amended Eff. July 1, 1993; April 1, 1992;  
14 Temporary Amendment Eff. October 11, 1993;  
15 Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994;  
16 Temporary Amendment Eff. July 1, 1999;  
17 Amended Eff. July 1, 2000;  
18 Temporary Amendment Eff. August 31, 2001;  
19 Amended Eff. August 1, 2002;  
20 Amended Eff. June 1, 2004; (this amendment replaces the amendment approved by RRC on July  
21 17, 2003);  
22 Amended Eff. June 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1,  
23 2006; November 1, 2005.  
24 Amended Eff. January 1, 2012

1 **15A NCAC 10J .0102 GENERAL REGULATIONS REGARDING USE OF CONSERVATION AREAS**

2 (a) Trespass. Entry on areas posted as Wildlife Conservation Areas for purposes other than wildlife observation,  
3 hunting, trapping or fishing shall be as authorized by the ~~landowner~~ ~~landowner and there shall be no removal of any~~  
4 ~~plants or parts thereof, or live or dead nongame wildlife species or parts thereof, or other materials, without the~~  
5 ~~written authorization of the landowner.~~ On those areas designated and posted as Colonial Waterbird Nesting Areas,  
6 entry is prohibited during the period of April 1 through August 31 of each year, except by written permission of the  
7 landowner. Entry into Colonial Waterbird Nesting Areas during the period of September 1 through March 31 is as  
8 authorized by the landowner.

9 (b) Littering. No person shall deposit any litter, trash, garbage, or other refuse at any place on any wildlife  
10 conservation area except in receptacles provided for disposal of such refuse. No garbage dumps or sanitary landfills  
11 shall be established on any wildlife conservation area by any person, firm, corporation, county or municipality,  
12 except as permitted by the landowner.

13 (c) Possession of Hunting Devices ~~It is unlawful to possess a firearm or bow and arrow~~ Firearms and archery  
14 equipment may only be possessed on a designated wildlife conservation area ~~at any time except~~ during the open  
15 hunting seasons or hunting days for game birds or game animals thereon except firearms and archery equipment  
16 may also be possessed under the following conditions:

17 (1) ~~unless such~~ the device is cased or not immediately available for use, or

18 (2) ~~provided that such devices~~ the device may be possessed in designated camping areas for defense  
19 of persons and property; property, or

20 (3) ~~and provided further that the device is a .22 caliber pistol~~ pistols with a barrel ~~barrels~~ not greater  
21 than seven and one-half inches in length and shooting only short, long, or long rifle ammunition  
22 ~~may be carried as a sidearm~~ arms on designated wildlife conservation areas at any time other than  
23 by ~~deer~~ hunters during the special bow and arrow and muzzle-loading firearms deer hunting  
24 ~~seasons~~ season, except under conditions authorized in G.S. 113-291.1(k), or

25 (4) the device is a handgun carried concealed by an individual with a valid concealed handgun permit.  
26 The individual carrying a concealed handgun must adhere to the requirements set forth in North  
27 Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North  
28 Carolina.

29 This Rule does not prevent possession or use of bow and arrow as a licensed special fishing device in those waters  
30 where such use is authorized. During the closed firearms seasons on big game (deer, bear, boar, wild turkey), no  
31 person shall possess a shotgun shell larger than No. 4 shot or any rifle or pistol larger than a .22 caliber rimfire while  
32 on a designated wildlife conservation area except that shotgun shells containing any size steel or non-toxic shot may  
33 be used while waterfowl hunting. No person shall hunt with or have in possession any shotgun shell containing lead  
34 or toxic shot while hunting waterfowl on any area designated as a wildlife conservation area, except shotgun shells  
35 containing lead buckshot may be used while deer hunting.

36 (d) License Requirements:

37 (1) Hunting and Trapping:

38 (A) Requirement. Except as provided in Part (d)(1)(B) of this Rule, any person entering upon  
39 any designated wildlife conservation area for the purpose of hunting or trapping shall  
40 have in his possession a game lands use license in addition to the appropriate hunting or  
41 trapping licenses.

42 (B) Exception. A person under 16 years of age may hunt on designated wildlife conservation  
43 areas on the license of his parent or legal guardian.

44 (2) Trout Fishing. Any person 16 years of age or over, including an individual fishing with natural  
45 bait in the county of his residence, entering a designated wildlife conservation area for the purpose  
46 of fishing in designated public mountain trout waters located thereon must have in his possession a  
47 regular fishing license and special trout license. The resident and nonresident sportsman's licenses  
48 and short-term comprehensive fishing licenses include trout fishing privileges on designated  
49 wildlife conservation areas.

50 (e) Training Dogs. Dogs shall not be trained on designated wildlife conservation areas except during open hunting  
51 seasons for game animals or game birds thereon. Dogs are not allowed to enter any wildlife conservation area  
52 designated and posted as a colonial waterbird nesting area during the period of April 1 through August 31.

53 (f) Trapping. Subject to the restrictions contained in 15A NCAC 10B .0110, .0302, and .0303, trapping of fur-  
54 bearing animals is permitted on any area designated and posted as a wildlife conservation area during the applicable  
55 open seasons, except that trapping is prohibited:

56 (1) on the Nona Pitt Hinson Cohen Wildlife Conservation Area in Richmond County; and

- 1 (2) in posted "safety zones" located on any Wildlife Conservation Area.
- 2 (g) Use of Weapons. No person shall hunt or discharge a firearm or bow and arrow from a vehicle, or within 200
- 3 yards of any building or designated camping areas, or within, into, or across a posted "safety zone" on any
- 4 designated wildlife conservation area. No person shall hunt with or discharge a firearm within, into, or across a
- 5 posted "restricted zone" on any designated wildlife conservation area.
- 6 (h) Vehicular Traffic. No person shall drive a motorized vehicle on a road, trail or area posted against vehicular
- 7 traffic or other than on roads maintained for vehicular use on any designated wildlife conservation area.
- 8 (i) Camping. No person shall camp on any designated wildlife conservation area except on an area designated by
- 9 the landowner for camping. On the coastal islands designated wildlife conservation areas, camping is allowed
- 10 except on those areas designated and posted as Colonial Waterbird Nesting Areas.
- 11 (j) Swimming. No person shall swim in the waters located on designated wildlife conservation areas, except that a
- 12 person may swim in waters adjacent to coastal island wildlife conservation areas.
- 13 (k) Motorboats. No person shall operate any vessel powered by an internal combustion engine on the waters
- 14 located on designated wildlife conservation areas.
- 15 (l) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use
- 16 on Wildlife Conservation Areas. Persons who have obtained a permit issued pursuant to G.S. 113-297 are exempt
- 17 from this Rule but shall comply with permit conditions.
- 18 (m) It is unlawful to possess or consume any type of alcoholic beverage on public use areas of the Nona Pitt Hinson
- 19 Cohen Wildlife Conservation Area.
- 20 (n) It is unlawful to release animals or birds; domesticated animals, except hunting dogs and raptors where
- 21 otherwise permitted for hunting or training purposes; and feral animals on conservation areas without prior written
- 22 authorization of the Wildlife Resources Commission.
- 23 (o) Possession and removal. No living or dead nongame wildlife, fungi, invertebrates, eggs, nests, animal parts,
- 24 plants, plant materials, or other materials may be possessed on or removed from conservation areas without written
- 25 permission from the Commission. For purposes of this Rule, "other materials" includes the following: all metals,
- 26 minerals, rocks, soil, organic debris, buildings, fences, historic artifacts and water.

27

28 *History Note: Authority G.S. 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306; 113-296;*

29 *113-297;*

30 *Eff. February 1, 1990;*

31 *Amended Eff. August 1, 2010; May 1, 2007; May 1, 2006; June 1, 2005.*

32 *Amended Eff. January 1, 2012*

33



1 **15A NCAC 10B .0114 DOG TRAINING AND FIELD TRIALS**

2 (a) Except as provided in Paragraphs (b) and (c) of this Rule, each person engaged in training or running a dog or  
3 dogs and each active participant in a field trial shall have obtained a North Carolina hunting license. The term  
4 "active participant" as used herein includes each person who owns or handles dogs, carries a firearm, or is a member  
5 of an organized group engaged in the conduct of a field trial, but does not include a person who is observing a field  
6 trial incidentally or who has stopped to witness a part of it.

7 (b) A person serving as judge of a commission-sanctioned field trial and any nonresident participating therein may  
8 do so without having a North Carolina license, provided such nonresident has in his possession a valid hunting  
9 license issued by the state of his residence. A "commission-sanctioned" field trial is one which, pursuant to a  
10 written request from the sponsoring organization, has been authorized in writing and scheduled for occurrence by an  
11 authorized representative of the Wildlife Resources Commission.

12 (c) Persons without license may participate in commission-sanctioned field trials for beagles conducted without  
13 firearms on private field trial areas which are fenced in accordance with G.S. 113-276(k).

14 (d) Except as allowed by regulations pertaining to authorized field trials, and handguns carried concealed by  
15 individuals with valid concealed handgun permits, it is unlawful to carry firearms, axes, saws or climbing irons  
16 while training or running dogs during closed season on game animals.

17 (e) Except as authorized in this Paragraph, ~~no firearms~~ firearms, except handguns carried concealed by individuals  
18 with valid concealed handgun permits, or other hunting weapons may shall be possessed or used during any field  
19 trial for foxhounds or any field trial conducted during the closed hunting season for any other species of wildlife  
20 serving as the quarry or prey. On a commission-sanctioned field trial for retrievers or bird dogs, shotguns  
21 containing live ammunition or firearms using only blank ammunition may be used only when the application for and  
22 the authorization of the field trial so provide. No wild waterfowl, quail or pheasant shall be used in field trials when  
23 shotguns with live ammunition are permitted. All waterfowl, quail and pheasants so used shall be obtained from a  
24 licensed game bird propagator. Each specimen of waterfowl so obtained shall be marked by one of the methods  
25 provided by 50 C.F.R. 21.13. Each pheasant or quail so obtained shall be banded by the propagator prior to delivery  
26 with a leg band that is imprinted with the number of his or her propagation license. The purchaser of such birds  
27 shall obtain a copy of the receipt from the propagator showing the date and the number and species of birds  
28 purchased. The copy of the receipt shall be available for inspection by any authorized agent of the Wildlife  
29 Resources Commission during the time and at the place where the trial is being held.

30 (f) Applications for authorization of a field trial shall be submitted in writing to a Wildlife Enforcement Officer at  
31 least 30 days prior to the scheduled event.

32 (g) Pursuant to G.S. 113-291.1(d), hunters may train dogs using shotguns with shot of number 4 size or smaller  
33 during the closed season using domestically raised waterfowl and domestically raised game birds. Only nontoxic  
34 shot shall be used when training dogs using domestically raised waterfowl. All domestically raised waterfowl shall  
35 be individually tagged on one leg with a seamless band stamped with the number of the propagation license for the  
36 facility from which the domestically raised waterfowl originated. All other domestically raised game birds shall be  
37 individually tagged on one leg with a band indicating the propagation license number for the facility from which the  
38 birds originated.

39  
40 *History Note: Authority G.S. 113-134; 113-273; 113-276; 113-291.1; 113-291.5; 50 C.F.R. 21.13;*  
41 *Eff. February 1, 1976;*  
42 *Amended Eff. May 1, 2006; July 1, 1995; July 1, 1994; July 1, 1991; May 1, 1990.*  
43 *Amended Eff. January 1, 2012*

1 **15A NCAC 10D .0103 HUNTING ON GAME LANDS**

2 (a) Safety Requirements. No person while hunting on any designated game land shall be under the influence of  
3 alcohol or any narcotic drug, or fail to comply with restrictions enacted by the National Park Service regarding the  
4 use of the Blue Ridge Parkway where it adjoins game lands listed in this Rule.

5 (b) Traffic Requirements. No person shall park a vehicle on game lands in such a manner as to block traffic, gates  
6 or otherwise prevent vehicles from using any roadway.

7 (c) Tree Stands. It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached  
8 by nails, screws, bolts or wire to a tree on any game land designated herein. This prohibition does not apply to lag-  
9 screw steps or portable stands that are removed after use with no metal left remaining in or attached to the tree.

10 (d) Time and Manner of Taking. Except where closed to hunting or limited to specific dates by this Chapter,  
11 hunting on game lands is permitted during the open season for the game or furbearing species being hunted. On  
12 managed waterfowl impoundments, hunters shall not enter the posted impoundment areas earlier than 4:00 a.m. on  
13 the permitted hunting dates, and hunting is prohibited after 1:00 p.m. on such hunting dates; decoys shall not be set  
14 out prior to 4:00 a.m. and must be removed by 3:00 p.m. each day. No person shall operate any vessel or vehicle  
15 powered by an internal combustion engine on a managed waterfowl impoundment. On waterfowl impoundments  
16 that have a posted "Scouting-only Zone," trapping during the trapping season and waterfowl hunting on designated  
17 waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted  
18 "Scouting-only Zone." No person shall attempt to obscure the sex or age of any bird or animal taken by severing the  
19 head or any other part thereof, or possess any bird or animal which has been so mutilated. No person shall place, or  
20 cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization of the  
21 commission or its agent. A decision to grant or deny authorization shall be made based on the best management  
22 practices for the wildlife species in question. No person shall take or attempt to take any game birds or game  
23 animals attracted to such foods. ~~No live wild animals or wild birds shall be removed from any game land.~~

24 (e) Definitions:

25 (1) For purposes of this Section, "Dove Only Area" refers to a Game Land on which doves may be  
26 taken and dove hunting is limited to Mondays, Wednesdays, Saturdays and to Thanksgiving,  
27 Christmas and New Year's Days within the federally-announced season.

28 (2) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any  
29 game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays,  
30 Saturdays and Thanksgiving, Christmas and New Year's ~~Days.~~ Days, except falconry may also be  
31 practiced on Sundays. These "open days" also apply to either-sex hunting seasons listed under  
32 each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until  
33 7:00 a.m. on Thursdays, and until midnight on Saturdays.

34 (3) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which any  
35 game may be taken during the open seasons.

36 (f) Hunting with Dogs on Game Lands. Deer shall not be taken with the use of dogs on game lands in counties or  
37 parts of counties where taking deer with dogs is prohibited as described in 15A NCAC 10B .0109.

38 (g) Bear Sanctuaries. On Three Days per Week Areas and Six Days per Week Areas bears shall not be taken on  
39 lands designated and posted as bear sanctuaries except when authorized by permit only elsewhere in this Chapter.  
40 Wild boar shall not be taken with the use of dogs on bear sanctuaries. Dogs shall not be trained or allowed to run  
41 unleashed between March 1 and the Monday on or nearest October 15 on bear sanctuaries in and west of the  
42 counties and parts of counties described in 15A NCAC 10B .0109.

43 (h) The listed seasons and restrictions apply in the following game lands:

44 (1) Alcoa Game Land in Davidson, Davie, Montgomery, Rowan and Stanly counties

45 (A) Six Days per Week Area

46 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
47 applicable Deer With Visible Antlers Season in that portion in Montgomery county and  
48 deer of either sex may be taken all the open days of the applicable Deer With Visible  
49 Antlers Season in those portions in Davie, Davidson, Rowan and Stanly counties.

50 (2) Alligator River Game Land in Tyrrell County

51 (A) Six Day per Week Area

52 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
53 Antlers Season.

54 (C) Bear may only be taken the first three hunting days during the November Bear Season  
55 and the first three hunting days during the second week of the December Bear Season.

56 (3) Angola Bay Game Land in Duplin and Pender counties

- 1 (A) Six Days per Week Area  
2 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
3 Antlers Season.  
4 (4) Bachelor Bay Game Land in Bertie, Martin and Washington counties  
5 (A) Six Days per Week Area  
6 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
7 Antlers Season.  
8 (5) Bertie County Game Land in Bertie County  
9 (A) Six Days per Week Area  
10 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
11 Antlers Season.  
12 (6) Bladen Lakes State Forest Game Land in Bladen County  
13 (A) Three Days per Week Area  
14 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
15 Antlers Season.  
16 (C) Handguns shall not be carried and, except for muzzle-loaders, rifles larger than .22  
17 caliber rimfire shall not be used or possessed.  
18 (D) On the Singletary Lake Tract deer and bear may be taken only by still hunting.  
19 (E) Wild turkey hunting on the Singletary Lake Tract is by permit only.  
20 (F) Camping is restricted to September 1 through February 28 and April 7 through May 14 in  
21 areas both designated and posted as camping areas.  
22 (7) Brinkleyville Game Land in Halifax County  
23 (A) Six Days per Week Area  
24 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
25 applicable deer with visible antlers season.  
26 (C) Horseback riding is prohibited.  
27 (8) Brunswick County Game Land in Brunswick County  
28 (A) Hunting is by permit only.  
29 (B) The use of dogs for hunting deer is prohibited.  
30 (9) Buckhorn Game Land in Orange County  
31 (A) Hunting is by permit only.  
32 (B) Horseback riding is prohibited.  
33 (10) Buckridge Game Land in Tyrrell County.  
34 (A) Three Days per Week Area  
35 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
36 Antlers Season.  
37 (C) Bear may only be taken the first three hunting days during the November Bear Season  
38 and the first three hunting days of the second week of the December Bear Season.  
39 (11) Buffalo Cove Game Land in Caldwell and Wilkes Counties  
40 (A) Six Days per Week Area  
41 (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the  
42 Monday before Thanksgiving through the third Saturday after Thanksgiving. Deer may  
43 be taken with bow and arrow on open days beginning the Monday on or nearest  
44 September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to  
45 the Saturday before Thanksgiving and during the deer with visible antlers season. Deer  
46 may be taken with muzzle-loading firearms on open days beginning the Monday on or  
47 nearest October 1 through the Saturday of the second week thereafter, and during the  
48 Deer With Visible Antlers season.  
49 (C) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
50 Antlers Season.  
51 (D) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
52 all horseback riding is prohibited from September 1 through May 15.  
53 (12) Bullard and Branch Hunting Preserve Game Lands in Robeson County  
54 (A) Three Days per Week Area  
55 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
56 applicable Deer With Visible Antlers Season.

- 1 (13) Butner - Falls of Neuse Game Land in Durham, Granville and Wake counties  
2 (A) Six Days per Week Area  
3 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
4 applicable Deer With Visible Antlers Season.  
5 (C) Waterfowl shall be taken only on Tuesdays, Thursdays and Saturdays; Christmas, New  
6 Year's and Martin Luther King, Jr. Days and on the opening and closing days of the  
7 applicable waterfowl seasons. On the posted waterfowl impoundments a special permit  
8 is required for all waterfowl hunting after November 1.  
9 (D) Horseback riding is prohibited.  
10 (E) Target shooting is prohibited  
11 (F) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.  
12 (G) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of  
13 Falls Lake.  
14 (H) The use of bicycles is restricted to designated areas, except that this restriction does not  
15 apply to hunters engaged in the act of hunting during the open days of the applicable  
16 seasons for game birds and game animals.  
17 (I) Camping and the presence of campers and tents in designated Hunter Camping Areas are  
18 limited to September 1 through the last day of February and April 7 through May 14.  
19 (14) Buxton Woods Game Land in Dare County:  
20 (A) Six Days per Week Area.  
21 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
22 Antlers Season.  
23 (15) Cape Fear River Wetlands Game Land in Pender County  
24 (A) Six Days per Week Area  
25 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
26 Antlers Season.  
27 (C) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.  
28 (D) The use of dogs for hunting deer is prohibited on the portion of the game land that is west  
29 of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road  
30 and south of NC 210 to the Black River.  
31 (16) Carteret County Game Land in Carteret County  
32 (A) Six Days per Week Area  
33 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
34 applicable Deer With Visible Antlers Season.  
35 (C) The use of dogs for hunting deer is prohibited.  
36 (17) R. Wayne Bailey-Caswell Game Land in Caswell County  
37 (A) Three Days per Week Area  
38 (B) Deer of either sex may be taken the last six open days of the applicable Deer With  
39 Visible Antlers Season. ~~Deer of either sex may also be taken the Thursday and Friday~~  
40 ~~preceding the Central muzzle loading season with any legal weapon by participants in the~~  
41 ~~Disabled Sportsman Program who acquire special hunt permits.~~  
42 (C) Horseback riding is allowed only during June, July, and August and on Sundays during  
43 the remainder of the year except during open turkey and deer seasons. Horseback riding  
44 is allowed only on roads opened to vehicular traffic. Participants must obtain a game  
45 lands license prior to engaging in such activity.  
46 (D) The area encompassed by the following roads is permit-only for all quail and woodcock  
47 hunting and all bird dog training: From Yanceyville south on NC 62 to the intersection  
48 of SR 1746, west on SR1746 to the intersection of SR 1156, south on SR 1156 to the  
49 intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC62 to  
50 the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR  
51 1730 to NC 86, north on NC 86 to NC 62.  
52 (E) On the posted waterfowl impoundment, waterfowl hunting is by permit only after  
53 November 1.  
54 (F) Camping and the presence of campers and tents in designated Hunter Camping Areas are  
55 limited to September 1 through the last day of February and April 7 through May 14.  
56 (18) Catawba Game Land in Catawba County

- 1 (A) Three Days per Week Area  
2 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
3 Antlers Season.  
4 (C) Deer may be taken with bow and arrow only from the tract known as Molly's Backbone.  
5 (19) Chatham Game Land in Chatham County  
6 (A) Six Days per Week Area  
7 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
8 applicable Deer With Visible Antlers Season.  
9 (C) Wild turkey hunting is by permit only.  
10 (D) Horseback riding is allowed only during June, July, and August and on Sundays during  
11 the remainder of the year except during open turkey and deer seasons.  
12 (E) Target shooting is prohibited.  
13 (20) Cherokee Game Land in Ashe County  
14 (A) Six Days per Week Area  
15 (B) Deer of either sex may be taken the last six open days of the applicable Deer With  
16 Visible Antlers Season.  
17 (21) Chowan Game Land in Chowan County  
18 (A) Six Days per Week Area  
19 (B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers  
20 Season.  
21 (22) Chowan Swamp Game Land in Bertie, Gates and Hertford counties.  
22 (A) Six Days per Week Area  
23 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
24 Antlers Season.  
25 (C) Bear hunting is restricted to the first three hunting days during the November bear season  
26 and the first three hunting days during the second week of the December bear season  
27 except that portion of Chowan Swamp Game Land in Gates County that is east of  
28 Highway 158/13, south of Highway 158, west of Highway 32, and north of Catherine  
29 Creek and the Chowan River where the bear season is the same as the season dates for  
30 the Gates County bear season.  
31 (D) Camping is restricted to September 1 through the last day of February and April 7  
32 through May 14 in areas both designated and posted as camping areas.  
33 (23) Cold Mountain Game Land in Haywood County  
34 (A) Six Days per Week Area  
35 (B) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
36 all horseback riding is prohibited from September 1 through May 15.  
37 (C) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
38 Antlers Season.  
39 (24) Columbus County Game Land in Columbus County.  
40 (A) Three Days per Week Area  
41 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
42 Antlers Season.  
43 (25) Croatan Game Land in Carteret, Craven and Jones counties  
44 (A) Six Days per Week Area  
45 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
46 Antlers Season.  
47 (C) Waterfowl shall be taken only on the following days:  
48 (i) the opening and closing days of the applicable waterfowl seasons;  
49 (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and  
50 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.  
51 (D) Beginning on the first open waterfowl day in October through the end of the waterfowl  
52 season, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish  
53 Lake Waterfowl Impoundment is by permit only.  
54 (D)(E) Dove hunting is by permit only for the first two open days of dove season on posted  
55 areas. During the rest of dove season, no permit is required to hunt doves.  
56 (26) Currituck Banks Game Land in Currituck County

- 1 (A) Six Days per Week Area  
2 (B) Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by  
3 permit only from November 1 through the end of the waterfowl season.  
4 (C) Licensed hunting guides may accompany the permitted individual or party provided the  
5 guides do not possess or use a firearm.  
6 (D) The boundary of the Game Land shall extend 5 yards from the edge of the marsh or  
7 shoreline.  
8 (E) Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day  
9 of their hunt.  
10 (F) No screws, nails, or other objects penetrating the bark shall be used to attach a tree stand  
11 or blind to a tree.  
12 (G) Deer of either sex may be taken all the days of the applicable deer with visible antlers  
13 season.
- 14 (27) Dare Game Land in Dare County  
15 (A) Six Days per Week Area  
16 (B) Deer of either sex may be taken the last six open days of the applicable Deer With  
17 Visible Antlers Season.  
18 (C) No hunting on posted parts of bombing range.  
19 (D) The use and training of dogs is prohibited from March 1 through June 30.
- 20 (28) Dover Bay Game Land in Craven County  
21 (A) Six Days per Week Area  
22 (B) Deer of either sex may be taken all the days of the applicable deer with visible antlers  
23 season.
- 24 (29) Dupont State Forest Game Lands in Henderson and Transylvania counties  
25 (A) Hunting is by Permit only.  
26 (B) The training and use of dogs for hunting is prohibited except by special hunt permit  
27 holders during scheduled permit hunts.  
28 ~~(C) Participants of the Disabled Sportsman Program who acquire special hunt permits may~~  
29 ~~take deer of either sex with any legal weapon on the Saturday prior to the first segment of~~  
30 ~~the season described in 15A NCAC 10B .0203(b)(1)(B).~~
- 31 (30) Elk Knob Game Land in Watauga County  
32 (A) Six Days per Week Area  
33 (B) Deer of either sex may be taken the last six open days of the applicable Deer With  
34 Visible Antlers Season.
- 35 (31) Embro Game Land in Halifax and Warren counties  
36 (A) Six Days per Week Area  
37 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
38 applicable Deer With Visible Antlers Season.  
39 (C) Horseback riding is prohibited.
- 40 (32) Goose Creek Game Land in Beaufort and Pamlico counties  
41 (A) Six Days per Week Area  
42 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
43 Antlers Season.  
44 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl  
45 impoundments shall be taken only on the following days:  
46 (i) the opening and closing days of the applicable waterfowl seasons;  
47 (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and  
48 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.  
49 (D) Beginning on the first open waterfowl season day in October and through the end of the  
50 waterfowl season, waterfowl hunting is by permit only on the following waterfowl  
51 impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith  
52 Creek and Hobucken.  
53 (E) On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except  
54 waterfowl hunting on designated waterfowl hunting days and trapping during the  
55 trapping season, are restricted to the posted Scouting-only Zone during the period  
56 November 1 through March 15.

- 1 (F) Camping is restricted to September 1 through February 28 and April 7 through May 14 in  
2 areas both designated and posted as camping areas.
- 3 (G) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 to  
4 the end of February and April 1 to May 15 to individuals that possess a valid hunting  
5 opportunity permit.
- 6 (33) Green River Game Land in Henderson, and Polk counties
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
9 Antlers Season.
- 10 (C) Horseback riding is prohibited.
- 11 (34) Green Swamp Game Land in Brunswick County
- 12 (A) Six Days per Week Area
- 13 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
14 Antlers Season.
- 15 (35) Gull Rock Game Land in Hyde County
- 16 (A) Six Days per Week Area
- 17 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
18 Antlers Season.
- 19 (C) Waterfowl on posted waterfowl impoundments shall be taken only on the following days:
- 20 (i) the opening and closing days of the applicable waterfowl seasons; and
- 21 (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and
- 22 (iii) Tuesdays and Saturdays of the applicable waterfowl season.
- 23 (D) Camping is restricted to September 1 through February 28 and April 7 through May 14 in  
24 areas both designated and posted as camping areas.
- 25 (E) Bear may only be taken the first three hunting days during the November Bear Season  
26 and the first three hunting days during the second week of the December Bear Season,  
27 except for that portion designated as bear sanctuary.
- 28 (36) Harris Game Land in Chatham, Harnett and Wake counties
- 29 (A) Six Days per Week Area
- 30 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
31 applicable Deer With Visible Antlers Season.
- 32 (C) Waterfowl shall be taken only on Tuesdays, Fridays, Saturdays; on Thanksgiving,  
33 Christmas and New Year's Days; and on the opening and closing days of the applicable  
34 waterfowl seasons.
- 35 (D) The use or construction of permanent hunting blinds shall be prohibited.
- 36 (E) Wild turkey hunting is by permit only.
- 37 (F) Target shooting is prohibited.
- 38 (37) Holly Shelter Game Land in Pender County
- 39 (A) Three Days per Week Area.
- 40 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
41 Antlers Season.
- 42 (C) Waterfowl may be taken only on the following days:
- 43 (i) the opening and closing days of the applicable waterfowl seasons;
- 44 (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and
- 45 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 46 (D) Camping is restricted to September 1 through February 28 and April 7 through May 14 in  
47 areas both designated and posted as camping areas.
- 48 (E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east  
49 of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and  
50 bear hunting are permit only.
- 51 (F) The use of dogs for hunting deer and bear is prohibited on that portion of the game land  
52 that is south of Baby Branch extending west to Stag Park Road, west of Shaw Road,  
53 north of Meeks Road extending west to Stag Park Road and east of Stag Park Road.
- 54 (G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the  
55 last day of February and April 1 to May 15 to individuals that possess valid hunting  
56 opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.

- 1 (H) Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on  
2 and within 100 yards of trails designated for Disabled Sportsman Access.
- 3 (38) Hyco Game land in Person County  
4 (A) Six Days per Week Area  
5 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
6 applicable Deer With Visible Antlers Season.  
7 (C) Target shooting is prohibited.
- 8 (39) J. Morgan Futch Game Land in Tyrrell County, Permit Only Area.  
9 (40) Johns River Game Land in Burke County  
10 (A) Hunting is by permit only.  
11 (B) During permitted deer hunts deer of either-sex may be taken by permit holders.  
12 (C) Entry on posted waterfowl impoundments is prohibited October 1 through March 31  
13 except by lawful waterfowl hunting permit holders and only on those days written on the  
14 permits.  
15 (D) The use or construction of permanent hunting blinds is prohibited.
- 16 (41) Jordan Game Land in Chatham, Durham, Orange and Wake counties  
17 (A) Six Days per Week Area  
18 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
19 Antlers Season.  
20 (C) Waterfowl may be taken only on Mondays, Wednesdays, Saturdays; on Thanksgiving,  
21 Christmas and New Year's Days; and on the opening and closing days of the applicable  
22 waterfowl seasons.  
23 (D) Horseback riding is prohibited except on those areas posted as American Tobacco Trail  
24 and other areas posted for equestrian use. Unless otherwise posted, horseback riding is  
25 permitted on posted portions of the American Tobacco Trail anytime the trail is open for  
26 use. On all other trails posted for equestrian use, horseback riding is allowed only during  
27 June, July and August, and on Sundays the remainder of the year except during open  
28 turkey and deer seasons.  
29 (E) Target shooting is prohibited.  
30 (F) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.  
31 (G) The use of bicycles is restricted to designated areas, except that this restriction does not  
32 apply to hunters engaged in the act of hunting during the open days of the applicable  
33 seasons for game birds and game animals.
- 34 (42) Juniper Creek Game Land in Brunswick and Columbus counties  
35 (A) Six Days per Week Area  
36 (B) Deer of either sex may be taken all the open days of the Deer With Visible Antlers  
37 Season  
38 (C) Camping is restricted to September 1 through the last day of February and April 7  
39 through May 14 in areas both designated and posted as camping areas.
- 40 (43) Kerr Scott Game Land in Wilkes County  
41 (A) Six Days per Week Area  
42 (B) Use of centerfire rifles is prohibited.  
43 (C) Use of muzzleloaders, shotguns, or rifles for hunting deer during the applicable Deer  
44 With Visible Antlers Season shall be prohibited.  
45 (D) Tree stands shall not be left overnight and no screws, nails, or other objects penetrating  
46 the bark shall be used to attach a tree stand or blind to a tree.  
47 (E) Deer of either sex may be taken on all open days of the applicable deer with visible  
48 antlers season.  
49 (F) Hunting on posted waterfowl impoundments is by permit only.  
50 (G) The use of firearms for hunting wild turkey is prohibited.
- 51 (44) Lantern Acres Game Land in Tyrrell and Washington counties  
52 (A) Six Days per Week Area  
53 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
54 Antlers Season.  
55 (C) Wild turkey hunting is by permit only.  
56 (D) The use of dogs for hunting deer on the Godley Tract is prohibited.



- 1 (E) Waterfowl hunting on posted waterfowl impoundments is by permit only.  
2 (45) Lee Game Land in Lee County  
3 (A) Six Days per Week Area  
4 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
5 applicable Deer With Visible Antlers Season.  
6 (C) Target shooting is prohibited.  
7 (46) Light Ground Pocosin Game Land in Pamlico County  
8 (A) Six Days per Week Area  
9 (B) Deer of either sex may be taken all the open days of the applicable Deer with Visible  
10 Antlers Season.  
11 (47) Linwood Game Land in Davidson County  
12 (A) Six Days per Week Area  
13 (B) Deer of either sex may be taken on all of the open days of the applicable Deer With  
14 Visible Antlers Season.  
15 (48) Lower Fishing Creek Game Land in Edgecombe and Halifax counties  
16 (A) Six Days per Week Area  
17 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
18 applicable Deer With Visible Antlers Season.  
19 (C) Horseback riding is prohibited.  
20 (D) The use of dogs for hunting deer is prohibited.  
21 (49) Mayo Game Land in Person County  
22 (A) Six Days per Week Area  
23 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
24 applicable Deer With Visible Antlers Season.  
25 (C) Waterfowl shall be taken only on Tuesdays, Thursdays and Saturdays; Christmas and  
26 New Year's Days, and on the opening and closing days of the applicable waterfowl  
27 seasons.  
28 (D) Target shooting is prohibited.  
29 (50) Mitchell River Game Land in Surry County  
30 (A) Three Days per Week Area  
31 (B) Deer of either sex may be taken the last six days of the applicable Deer with Visible  
32 Antlers Season.  
33 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
34 all horseback riding is prohibited from September 1 through May 15.  
35 (51) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain and Transylvania  
36 counties  
37 (A) Six Days per Week Area  
38 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
39 Antlers Season in that portion located in Transylvania County.  
40 (52) Needmore Game Land in Macon and Swain counties.  
41 (A) Six Days per Week Area  
42 (B) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
43 all horseback riding is prohibited from September 1 through May 15.  
44 (53) Neuse River Game Land in Craven County  
45 (A) Six Days per Week Area  
46 (B) Deer of either sex may be taken ~~all the first six open days and the last six~~ open days of  
47 the applicable Deer With Visible Antlers Season.  
48 (54) New Lake Game Land in Hyde and Tyrrell counties  
49 (A) Six Days per Week Area  
50 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
51 Antlers Season.  
52 (55) Nicholson Creek Game Land in Hoke County  
53 (A) Three Days per Week Area  
54 (B) Deer of either sex may be taken with bow and arrow on open hunting days from the  
55 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving.

- 1 (C) Deer of either sex may be taken with muzzle-loading firearms on open hunting days  
2 beginning the fourth Saturday before Thanksgiving through the Wednesday of the second  
3 week thereafter.
- 4 (D) The Deer With Visible Antlers season consists of the open hunting days from the second  
5 Saturday before Thanksgiving through the third Saturday after Thanksgiving.
- 6 (E) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
7 Antlers Season.
- 8 (F) The use of dogs for hunting deer is prohibited.
- 9 (G) Wild turkey hunting is by permit only.
- 10 (H) On Lake Upchurch, the following activities are prohibited:
- 11 (i) No person shall operate any vessel or vehicle powered by an internal  
12 combustion engine; and
- 13 (ii) Swimming.
- 14 (56) North River Game Land in Camden and Currituck counties
- 15 (A) Six Days per Week Area
- 16 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
17 Antlers Season.
- 18 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or  
19 shoreline.
- 20 (D) Hunting on the posted waterfowl impoundment is by permit only.
- 21 (57) Northwest River Marsh Game Land in Currituck County
- 22 (A) Six Days per Week Area
- 23 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
24 Antlers Season.
- 25 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or  
26 shoreline.
- 27 (58) Pee Dee River Game Land in Anson, Montgomery, Richmond and Stanly counties
- 28 (A) Six Days per Week Area
- 29 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
30 applicable Deer With Visible Antlers Season.
- 31 (D) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties  
32 North of US-74.
- 33 (E) Target shooting is prohibited.
- 34 (59) Perkins Game Land in Davie County
- 35 (A) Three Days per Week Area
- 36 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
37 Antlers Season.
- 38 (60) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison,  
39 McDowell, Mitchell, Transylvania, Watauga and Yancey counties
- 40 (A) Six Days per Week Area
- 41 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
42 Antlers Season.
- 43 ~~(C) Harmon Den and Sherwood Bear Sanctuaries in Haywood County are closed to hunting~~  
44 ~~raccoon, opossum and wildcat.~~
- 45 ~~(D)~~(C) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River  
46 (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- 47 (61) Pond Mountain Game Land in Ashe County
- 48 (A) Six Days per Week Area
- 49 (B) Deer of either sex may be taken the last six open days of the applicable Deer with Visible  
50 Antlers Season.
- 51 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
52 all horseback riding is prohibited from September 1 through May 15.
- 53 (D) Deer and bear hunting is by permit only.
- 54 (62) Pungo River Game Land in Hyde County
- 55 (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
2 Antlers Season.
- 3 (63) Rhodes Pond Game Land in Cumberland and Harnett counties
- 4 (A) Hunting is by permit only.
- 5 (B) Swimming is prohibited on the area.
- 6 (64) Roanoke River Wetlands in Bertie, Halifax, Martin and Northampton counties
- 7 (A) Hunting is by Permit only.
- 8 (B) Vehicles are prohibited on roads or trails except those operated on Commission business  
9 or by permit holders.
- 10 (C) Camping is restricted to September 1 through February 28 and April 7 through May 14 in  
11 areas both designated and posted as camping areas, provided, however, that camping is  
12 allowed at any time within 100 yards of the Roanoke River on the state-owned portion of  
13 the game land.
- 14 (65) Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.
- 15 (66) Robeson Game Land in Robeson County
- 16 (A) Three Days per Week Area
- 17 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
18 applicable Deer With Visible Antlers Season.
- 19 (67) Rockfish Creek Game Land in Hoke County
- 20 (A) Three Days per Week Area
- 21 (B) Deer of either sex may be taken with bow and arrow on open hunting days from the  
22 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving.
- 23 (C) Deer of either sex may be taken with muzzle-loading firearms on open hunting days  
24 beginning the fourth Saturday before Thanksgiving through the Wednesday of the second  
25 week thereafter.
- 26 (D) The Deer With Visible Antlers season consists of the open hunting days from the second  
27 Saturday before Thanksgiving through the third Saturday after Thanksgiving.
- 28 (E) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
29 Antlers Season.
- 30 (F) The use of dogs for hunting deer is prohibited.
- 31 (G) Wild turkey hunting is by permit only.
- 32 (H) Taking fox squirrels is prohibited.
- 33 (68) Rocky Run Game Land in Onslow County: Hunting is by permit only.
- 34 (69) Sampson Game Land in Sampson County
- 35 (A) Three Days per Week Area
- 36 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
37 Antlers Season.
- 38 (70) Sandhills Game Land in Hoke, Moore, Richmond and Scotland counties
- 39 (A) Three Days per Week Area
- 40 (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the  
41 second Saturday before Thanksgiving through the third Saturday after Thanksgiving  
42 except on the field trial grounds where the gun season is open days from the second  
43 Monday before Thanksgiving through the Saturday following Thanksgiving. Deer may  
44 be taken with bow and arrow on all open hunting days during the bow and arrow season,  
45 ~~as well as during the regular gun season.~~ the Deer with Visible antlers season, and from  
46 the third Monday after Thanksgiving through January 1, except on the field trial grounds.  
47 Deer may be taken with muzzle-loading firearms on open days beginning the fourth  
48 Saturday before Thanksgiving through the Wednesday of the second week thereafter, ~~and~~  
49 ~~during the Deer With Visible Antlers season—season, and from the third Monday after~~  
50 Thanksgiving through January 1, except on the field trial grounds.
- 51 (C) Gun either-sex deer hunting is by permit only. ~~For participants in the Disabled~~  
52 ~~Sportsman Program who acquire special hunt permits, either sex deer hunting with any~~  
53 ~~legal weapon is permitted on all areas the Thursday and Friday prior to the muzzle-~~  
54 ~~loading season described in the preceding paragraph.~~ Except for the deer, opossum,  
55 rabbit, raccoon and squirrel seasons indicated for the field trial grounds in this Rule and

- 1 Disabled Sportsman Program hunts, the field trial grounds are closed to all hunting  
2 during the period October 22 to March 31.
- 3 (D) In addition to the regular hunting days, waterfowl may be taken on the opening and  
4 closing days of the applicable waterfowl seasons
- 5 (E) Wild turkey hunting is by permit only.
- 6 (F) Dove hunting on the field trial grounds is prohibited from the third Sunday in September  
7 through the remainder of the hunting season.
- 8 (G) Opossum, raccoon and squirrel (fox and gray) hunting on the field trial grounds is  
9 allowed on open days from the second Monday before Thanksgiving through the  
10 Saturday following Thanksgiving and rabbit season on the field trial grounds will be from  
11 the Saturday preceding Thanksgiving through the Saturday following Thanksgiving.
- 12 (H) The following areas are permit-only for all quail and woodcock hunting and dog training  
13 on birds: In Richmond County: that part east of US 1; In Scotland County: that part  
14 west of SR 1328 and north of Gardner Farm Lane and that part east of SR 1328 and north  
15 of Scotland Lake Lane.
- 16 (I) Horseback riding on field trial grounds from October 22 through March 31 is prohibited  
17 unless riding in authorized field trials.
- 18 (J) Camping and the presence of campers and tents in designated Hunter Camping Areas are  
19 limited to September 1 through the last day of February and April 7 through May 14.
- 20 (71) Sandy Creek Game Land in Nash and Franklin Counties
- 21 (A) Six Days per Week Area
- 22 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
23 applicable Deer With Visible Antlers Season.
- 24 (C) Horseback riding is prohibited.
- 25 (D) The use of dogs for hunting deer is prohibited.
- 26 (72) Sandy Mush Game Land in Buncombe and Madison counties.
- 27 (A) Three Days per Week Area
- 28 (B) Deer of either sex may be taken the last open day of the applicable Deer with Visible  
29 Antlers season.
- 30 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
31 all horseback riding is prohibited from September 1 through May 15.
- 32 (D) Dogs shall only be trained on Mondays, Wednesdays and Saturdays and only as allowed  
33 in 15A NCAC 10D .0102(e).
- 34 (E) Dove hunting is by permit only from the opening day through the second Saturday of  
35 dove season.
- 36 (73) Second Creek Game Land in Rowan County- hunting is by permit only.
- 37 (74) Shocco Creek Game Land in Franklin, Halifax, Nash and Warren counties
- 38 (A) Six Days per Week Area
- 39 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
40 applicable Deer With Visible Antlers Season.
- 41 (C) Horseback riding is prohibited.
- 42 (75) South Mountains Game Land in Burke, Cleveland, McDowell and Rutherford counties
- 43 (A) Six Days per Week Area
- 44 (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the  
45 Monday before Thanksgiving through the third Saturday after Thanksgiving. Deer may  
46 be taken with bow and arrow on open days beginning the Monday on or nearest  
47 September 10 to the third Saturday thereafter, and Monday on or nearest October 15 to  
48 the Saturday before Thanksgiving and during the Deer With Visible Antlers season. Deer  
49 may be taken with muzzle-loading firearms on open days beginning the Monday on or  
50 nearest October 1 through the Saturday of the second week thereafter, and during the  
51 Deer With Visible Antlers season.
- 52 (C) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
53 Antlers Season.
- 54 (D) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
55 all horseback riding is prohibited from September 1 through May 15.

- 1 (E) That part of South Mountains Game Land in Cleveland, McDowell, and Rutherford  
2 counties is closed to all grouse, quail and woodcock hunting and all bird dog training.  
3 (76) Stones Creek Game Land in Onslow County  
4 (A) Six-Day per Week Area.  
5 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
6 Antlers Season  
7 (C) Swimming in all lakes is prohibited.  
8 (D) Waterfowl on posted waterfowl impoundments may be taken only on the following days:  
9 (i) the opening and closing days of the applicable waterfowl seasons;  
10 (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and  
11 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.  
12 (77) Suggs Mill Pond Game Land in Bladen and Cumberland counties  
13 (A) Hunting and trapping is by Permit only.  
14 (B) Camping is restricted to September 1 through February 28 and April 7 through May 14 in  
15 areas both designated and posted as camping areas.  
16 (C) Entry is prohibited on scheduled hunt or trapping days except for:  
17 (i) hunters or trappers holding special hunt or trapping permits; and  
18 (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.  
19 (78) Sutton Lake Game Land in New Hanover and Brunswick counties  
20 (A) Six Days per Week Area  
21 (B) Deer of either sex may be taken the last six open days of the applicable Deer With  
22 Visible Antlers Season.  
23 (C) Target shooting is prohibited.  
24 (79) Tar River Game Land in Edgecombe County – hunting is by permit only.  
25 (80) Three Top Mountain Game Land in Ashe County  
26 (A) Six Days per Week Area  
27 (B) Deer of either sex may be taken the last six open days of the applicable Deer With  
28 Visible Antlers Season.  
29 (C) Horseback riding is prohibited.  
30 (81) Thurmond Chatham Game Land in Alleghany and Wilkes counties  
31 (A) Six Days per Week Area  
32 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
33 applicable Deer With Visible Antlers Season. ~~Participants of the Disabled Sportsman~~  
34 ~~Program who acquire special hunt permits may also take either sex deer with bow and~~  
35 ~~arrow on the Saturday prior to the season described in 15A NCAC 10B .0203(b)(1)(B).~~  
36 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
37 all horseback riding is prohibited from September 1 through May 15. Participants must  
38 obtain a game lands license prior to horseback riding on this area.  
39 (D) The maximum period of consecutive overnight camping at any designated campground is  
40 14 days within any 30 day period from May 1 through August 31. After 14 consecutive  
41 days of camping all personal belongings must be removed from the game land.  
42 (82) Tillery game Land in Halifax County  
43 (A) Six Days per Week Area  
44 (B) Deer of either sex may be taken the first six open days and the last six open days of the  
45 applicable Deer With Visible Antlers Season.  
46 (C) Horseback riding is prohibited.  
47 (D) The use of dogs for hunting deer is prohibited.  
48 (E) Wild turkey hunting is by permit only.  
49 (83) Toxaway Game Land in Jackson and Transylvania counties  
50 (A) Six Days per Week Area  
51 (B) Deer of either sex may be taken the last open day of the applicable Deer With Visible  
52 Antlers Season. ~~Participants of the Disabled Sportsman Program who acquire special~~  
53 ~~hunt permits may take deer of either sex with any legal weapon on the Saturday prior to~~  
54 ~~the first segment of the bow and arrow season described in 15A NCAC 10B~~  
55 ~~.0203(b)(1)(B).~~

- 1 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and  
2 all horseback riding is prohibited from September 1 through May 15.
- 3 (84) Uwharrie Game Land in Davidson, Montgomery and Randolph counties  
4 (A) Six Days per Week Area  
5 (B) Deer of either sex may be taken the first six open days and the last open six days of the  
6 applicable Deer With Visible Antlers Season.
- 7 (85) Vance Game Land in Vance County  
8 (A) Six Days per Week Area  
9 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
10 Antlers Season.  
11 (C) The use of dogs, centerfire rifles and handguns for hunting deer is prohibited on the  
12 Nutbush Peninsula tract.
- 13 (86) Van Swamp Game Land in Beaufort and Washington counties  
14 (A) Six Days per Week Area  
15 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
16 Antlers Season.  
17 (C) Bear may only be taken the first three hunting days during the November Bear Season  
18 and the first three hunting days during the second week of the December Bear Season.
- 19 (87) White Oak River Game Land in Onslow County  
20 (A) Three Days per Week Area  
21 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible  
22 Antlers Season.  
23 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl  
24 impoundments shall be taken only on the following days:  
25 (i) the opening and closing days of the applicable waterfowl seasons;  
26 (ii) Thanksgiving, Christmas, New Year's and Martin Luther King, Jr. Days; and  
27 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.  
28 (D) Beginning on the first open waterfowl season day in October and through the end of the  
29 waterfowl season, a permit is required for hunting posted waterfowl impoundments.  
30 (E) The Huggins Tract and Morton Tracts have the following restrictions:  
31 (i) Access on Hargett Avenue and Sloan Farm Road requires a valid Hunting  
32 Opportunity Permit;  
33 (ii) Hunting is by permit only; and  
34 (iii) The use of dogs for hunting deer is prohibited.  
35 (F) Wild turkey hunting is by permit only.
- 36 (88) Whitehall Plantation Game Land in Bladen County  
37 (A) Hunting and trapping is by permit only  
38 (B) Camping is restricted to September 1 through the last day of February and April 7  
39 through May 14 in areas both designated and posted as camping areas.
- 40 (i) On permitted type hunts deer of either sex may be taken on the hunt dates indicated on the permit. Completed  
41 applications must be received by the Commission not later than the first day of September next preceding the dates  
42 of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt,  
43 and are nontransferable. A hunter making a kill must validate the kill and report the kill to a wildlife cooperator  
44 agent or by phone.
- 45 (j) The following game lands and refuges are closed to all hunting except to those individuals who have obtained a  
46 valid and current permit from the Wildlife Resources Commission:  
47 Bertie, Halifax and Martin counties-Roanoke River Wetlands  
48 Bertie County-Roanoke River National Wildlife Refuge  
49 Bladen County—Suggs Mill Pond Game Lands  
50 Burke County—John's River Waterfowl Refuge  
51 Dare County-Dare Game Lands (Those parts of bombing range posted against hunting)  
52 Dare County—Roanoke Sound Marshes Game Lands  
53 ~~Davie Hunting Creek Swamp Waterfowl Refuge~~  
54 Henderson and Transylvania counties—Dupont State Forest Game Lands
- 55 (k) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the  
56 Commission.

1 ~~(k)~~(l) Free-ranging swine may be taken by licensed hunters during the open season for any game animal using any  
2 legal manner of take allowed during those seasons, except in Cherokee, Clay, Graham, Jackson, Macon, and Swain  
3 counties. Dogs may not be used to hunt free-ranging swine except on game lands which allow the use of dogs for  
4 hunting deer or bear and during the applicable deer or bear season.

5 ~~(j)~~(m) Youth Waterfowl Day. On the day declared by the Commission to be Youth Waterfowl Day, youths may  
6 hunt on any game land and on any impoundment without a special hunt permit, including permit-only areas, except  
7 where specifically prohibited in Paragraph (h) of this Rule.

8 ~~(m)~~(n) Permit Hunt Opportunities for Disabled Sportsmen. The Commission may designate special hunts for  
9 participants of the disabled sportsman program by permit. The Commission may schedule these permit hunts during  
10 the closed season. Hunt dates and species to be taken shall be identified on each permit. If the hunt has a limited  
11 weapon choice, the allowed weapons will be clearly stated on each permit.

12 ~~(n)~~(o) As used in this Rule, horseback riding includes all equine species.

13  
14 *History Note:* Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-305; 113-296;  
15 Eff. February 1, 1976;  
16 Temporary Amendment Eff. October 3, 1991;  
17 Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995;  
18 September 1, 1994; July 1, 1994;  
19 Temporary Amendment Eff. October 1, 1999; July 1, 1999;  
20 Amended Eff. July 1, 2000;  
21 Temporary Amendment Eff. July 1, 2002; July 1, 2001;  
22 Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);  
23 Temporary Amendment Eff. June 1, 2003;  
24 Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);  
25 Amended Eff. August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; October  
26 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October 1, 2004.  
27 Amended Eff. August 1, 2012

1 **15A NCAC 10D .0105 Possession and Removal of animals, plants and materials**

2 (a) For purposes of this Rule, the following definitions apply:

- 3 (1) “Other materials” includes the following: all metals, minerals, rocks, soil, organic debris,  
4 buildings, fences, historic artifacts and water.  
5 (2) “Commission lands” includes all state-owned game lands, hatcheries, depots, refuges, boating  
6 access areas and public fishing access areas, or parts thereof, allocated to the Wildlife Resources  
7 Commission.  
8 (3) “Written permission” includes permits, sales agreements, agricultural agreements, and letters  
9 written by authorized Commission personnel. Written permissions shall specify the type of  
10 activity allowed, the Commission land(s) where the activity may occur and the persons authorized.

11 (b) On Commission lands the following applies:

- 12 (1) No wildlife resources, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or  
13 other materials may be possessed on or removed from Commission lands except:  
14 (A) as allowed in this Rule;  
15 (B) if written permission has been granted by the Wildlife Resources Commission.  
16 This restriction applies to both dead and living wildlife resources, fungi, invertebrates, eggs,  
17 animal parts, plants and plant materials.  
18 (2) All game, fur-bearing animals, fisheries resources, and nongame animals or birds for which the  
19 Commission has established an open season, legally taken under a valid hunting, trapping, fishing  
20 or falconry license may be possessed on and removed from Commission lands unless specifically  
21 prohibited.  
22 (3) Berries, fruit, nuts, mushrooms, ramps and other plants or plant products suitable for human  
23 consumption may be possessed on and removed from Commission lands without written  
24 permission for personal consumption only, except any fungi, plant or part thereof on a state or  
25 federal protected list may not be possessed on or removed from Commission lands without written  
26 permission. All other fungi, plants and plant products which are not suitable for human  
27 consumption may not be possessed on or removed from Commission lands except with written  
28 permission. Crops or products thereof planted for the benefit of wildlife may not be removed  
29 without written permission.  
30 (4) Insects, worms or other invertebrates collected as fish bait may be possessed on and removed from  
31 Commission lands without written permission for personal use only, except any species on a state  
32 or federal protected list may not be collected and may not be removed from Commission lands.  
33 Sale of these resources is prohibited.  
34 (5) Miscellaneous amounts of animal parts, plant parts not removed from live plants, and other  
35 materials may be possessed on and removed from Commission lands without written permission,  
36 except in violation of state agency rules, general statutes or federal law. Collection of animal  
37 parts, plant parts not removed from live plants, and other materials for commercial use or sale is  
38 prohibited.  
39 (6) Litter and road kill animals may be removed without written permission, except in violation of  
40 15A NCAC 10B .0106.  
41 (7) A collection license as described in 15A NCAC 10B .0119 does not qualify as written permission  
42 to collect or remove any wildlife resources from Commission lands. Written permission must be  
43 specific to the Commission land.

44 (c) On all other lands enrolled in the game land program the following apply:

- 45 (1) All game, fur-bearing animals, fisheries resources, and nongame animals or birds for which the  
46 Commission has established an open season, legally taken under a valid hunting, trapping, fishing  
47 or falconry license may be possessed on and removed from game lands unless specifically  
48 prohibited.  
49 (2) Possession and removal of all other wildlife resources, fungi, invertebrates, eggs, nests, animals  
50 parts, plants, plant materials, or other materials is subject to the rules of the Commission and is at  
51 the discretion of the landowner, except where the landowner has ceded authority to the  
52 Commission. When the landowner has ceded authority to the Commission, the permissions and  
53 restrictions in paragraph b apply.

54 (d) Any individual who has written permission, or a hunting, trapping, fishing or falconry license required in order  
55 to possess or remove wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, plant materials, or  
56 other materials from Commission lands and all other lands enrolled in the game land program must have that written



1 permission or license on his person. This requirement extends to any individual operating in conjunction with  
2 another's written permission.

3

4 History Note: Authority G.S. 113-134; 113-264; 113-291; 113-291.2; 113-305; 113-333  
5 Eff. January 1, 2012

6

1 **15A NCAC 10I .0102 PROTECTION OF ENDANGERED/THREATENED/SPECIAL CONCERN**

2 (a) No Open Season. There shall be no open season for taking any of the species listed as endangered in Rule  
3 .0103, threatened in Rule .0104 or, unless otherwise provided, as special concern in Rule .0105 of this Subchapter.  
4 Except as provided in Paragraphs (b), (c) and (e) of this Rule, it is unlawful to take or possess any of such species at  
5 any time.

6 (b) Permits. The executive director may issue permits to take or possess an endangered, threatened, or special  
7 concern species as follows:

- 8 (1) To an individual or institution with experience and training in handling, and caring for the wildlife  
9 and in conducting a scientific study, for the purpose of scientific investigation relevant to  
10 perpetuation or restoration of said species or as a part of a scientifically valid study or restoration  
11 effort;
- 12 (2) To a public or private educator or exhibitor who demonstrates that he or she has lawfully obtained  
13 the specimen or specimens in his or her possession, ~~and that he or she~~ possesses the requisite  
14 equipment and expertise to care for such specimen or ~~specimens;~~ specimens and abides by the  
15 caging requirements for the species set forth in 15A NCAC 10H .0302;
- 16 (3) To a person who lawfully possessed any such species for more than 90 days immediately prior to  
17 the date that such species was ~~listed,~~ listed and who abides by the caging requirements for the  
18 species set forth in 15A NCAC 10H .0302, provided however, that no permit shall be issued more  
19 than ninety days after the effective date of the initial listing for that species; and
- 20 (4) To a person with demonstrable depredation from a Special Concern species the Executive Director  
21 may issue a depredation permit.

22 (c) Taking Without a Permit:

- 23 (1) An individual may take an endangered, threatened, or special concern species in defense of his  
24 own life or the lives of others; or
- 25 (2) A state or federal conservation officer or employee who is designated by his agency to do so may,  
26 when acting in the course of his official duties, take, possess, and transport endangered,  
27 threatened, or special concern species if the action is necessary to:
  - 28 (A) aid a sick, injured, diseased or orphaned specimen;
  - 29 (B) dispose of a dead specimen;
  - 30 (C) salvage a dead specimen which may be useful for scientific study; or
  - 31 (D) remove specimens which constitute a demonstrable but nonimmediate threat to human  
32 safety, provided the taking is done in a humane and noninjurious manner; the taking may  
33 involve injuring or killing endangered, threatened, or special concern species only if it is  
34 not reasonably possible to eliminate the threat by live-capturing and releasing the  
35 specimen unharmed, in a habitat that is suitable for the survival of that species.

36 (d) Reporting. Any taking or possession of an endangered, threatened, or special concern species under Paragraphs  
37 (b) and (c) of this Rule is subject to applicable reporting requirements of federal law and regulations and the  
38 reporting requirements of the permit issued by the Executive Director or of 15A NCAC 10B .0106(e).

39 (e) Exceptions.

- 40 (1) Notwithstanding any other provisions of this Rule, processed meat and other parts of American  
41 alligators, which have been lawfully taken in a state in which there is an open season for  
42 harvesting alligators, may be possessed, bought and sold when such products are marketed in  
43 packages or containers which are distinctly labeled to indicate the state in which they were taken  
44 and the identity, location, and lawful authority of the processor or distributor;
- 45 (2) Raptors listed as special concern species in Rule .0105 of this Subchapter may be taken from the  
46 wild for falconry purposes and for falconry propagation, provided that a valid North Carolina  
47 endangered species permit has been obtained as required in Paragraph (b) of this Rule;
- 48 (3) Captive-bred raptors listed as special concern species may be bought, sold, bartered or traded as  
49 provided in 50 C.F.R. 21.30 when marked as required under those regulations; and
- 50 (4) Importation, possession, sales, transportation and exportation of species listed as special concern  
51 species in Rule .0105 of this Subchapter shall be allowed under permit by retail and wholesale  
52 establishments whose primary function is providing scientific supplies for research; provided that  
53 the specimens were lawfully obtained from captive or wild populations outside of North Carolina;  
54 and that they must be possessed in indoor facilities; and that all transportation of specimens  
55 provides safeguards adequate to prevent accidental escape; and that importation, possession and  
56 sale or transfer is permitted only as listed in Subparts (e)(4)(A) and (B) of this Rule.

- 1 (A) A written application to the Commission is required for a permit to authorize importation,  
2 and possession for the purpose of retail or wholesale sale. The application shall identify  
3 the source of the specimens, and provide documentation of lawful acquisition.  
4 Applications for permits shall include plans for holding, transportation, advertisement,  
5 and sale in such detail as to allow a determination of the safeguards provided against  
6 accidental escape and sales to unauthorized individuals.
- 7 (B) Purchase, importation, and possession of special concern species within North Carolina  
8 shall be allowed under permit to state and federal governmental agencies, corporate  
9 research entities, and research institutions; provided that sales are permitted to out of state  
10 consumers; and, provided that they must be possessed in indoor facilities and that all  
11 transportation of specimens provides safeguards adequate to prevent accidental escape;  
12 and that the agency's or institution's Animal Use and Care Committee has approved the  
13 research protocol for this species; and, further provided that no specimens may be  
14 stocked or released in the public or private waters or lands of North Carolina and may not  
15 be transferred to any private individual.

16  
17 *History Note:* *Authority G.S. 113-134; 113-291.2; 113-291.3; 113-292; 113-333;*  
18 *Eff. June 11, 1977;*  
19 *Amended Eff. May 1, 2009; April 1, 2003; April 1, 2001; April 1, 1997; February 1, 1994;*  
20 *September 1, 1989; March 1, 1981; March 17, 1978.*  
21 *Amended Eff. January 1, 2012*

1 **15A NCAC 10B .0106 WILDLIFE TAKEN FOR DEPREDATIONS OR ACCIDENTALLY**

2 (a) Depredation Permit:

- 3 (1) Endangered or Threatened Species. No permit shall be issued to take any endangered or  
4 threatened species of wildlife listed under 15A NCAC 10I by reason of depredations to property.  
5 An individual may take an endangered or threatened species in immediate defense of his own life  
6 or of the lives of others without a permit. Any endangered or threatened species which may  
7 constitute a demonstrable but non-immediate threat to human safety shall be reported to a federal  
8 or state wildlife enforcement officer, who, upon verification of the report, may take or remove the  
9 specimen as provided by 15A NCAC 10I .0102.
- 10 (2) Other Wildlife Species. Except as provided in Subparagraph (1) of this Paragraph, the Executive  
11 Director or an agent of the Wildlife Resources Commission may, upon application of a landholder  
12 and after such investigation of the circumstances as he may require, issue a permit to such  
13 landholder to take any species of wildlife which is or has been damaging or destroying his  
14 property provided there is evidence of property damage in excess of fifty dollars (\$50.00). No  
15 permit may be issued for the taking of any migratory birds and other federally protected animals  
16 unless a corresponding valid U.S. Fish and Wildlife Service depredation permit, if required, has  
17 been issued. The permit shall name the species allowed to be taken and, in the discretion of the  
18 Executive Director or an agent, may contain limitations as to age, sex or any other condition  
19 within the species so named. The permit may be used only by the landholder or another person  
20 named on the permit.
- 21 (3) Special Circumstances. In addition to the circumstances described in Subparagraph (2) of this  
22 Paragraph, the Executive Director or his designee may issue a permit to a person or persons for the  
23 taking of wildlife resources in circumstances of overabundance or when the wildlife resources  
24 present a danger to human safety. Municipalities seeking such a depredation permit must apply to  
25 the Executive Director using a form supplied by the Commission which will request the following  
26 information:
- 27 (A) the name and location of the municipality;
  - 28 (B) the acreage of the affected property;
  - 29 (C) a map of the affected property;
  - 30 (D) the signature of an authorized municipality representative;
  - 31 (E) the nature of the overabundance or the threat to public safety and any previous actions  
32 taken by the municipality to ameliorate the problem; and
  - 33 (F) in the case of deer overabundance or a threat to public safety from deer, the years in  
34 which the municipality participated in the Urban Archery Season. If the municipality has  
35 not participated in the Urban Archery Season, the municipality must explain why.
- 36 (4) Wildlife Damage Control Agents: Upon completion of a training course designed for the purpose  
37 of reviewing and updating information on wildlife laws and safe, humane wildlife handling  
38 techniques and demonstration of a knowledge of wildlife laws and safe, humane wildlife handling  
39 techniques, an individual with no record of wildlife law violations may apply to the Wildlife  
40 Resources Commission (Commission) to become a Wildlife Damage Control Agent (WDCA).  
41 Those persons who demonstrate knowledge of wildlife laws and safe, humane wildlife handling  
42 techniques by a passing score of at least 85 percent on a written examination provided by a  
43 representative of the Wildlife Resources Commission in cooperation with the training course  
44 provider shall be approved. Those persons failing to obtain a passing score shall be given one  
45 chance for re-testing without re-taking the course. Those persons approved as agents by the  
46 Commission may then issue depredation permits to landholders and be listed as a second party to  
47 provide the control service. WDCAs may not issue depredation permits for big game animals,  
48 bats, or species listed as endangered, threatened or special concern under 15A NCAC 10I .0103,  
49 .0104 and .0105 of this Chapter. WDCAs must report to the Wildlife Resources Commission the  
50 number and disposition of animals taken, by county, annually. Records must be available for  
51 inspection by a Wildlife Enforcement officer at any time during normal business hours. Wildlife  
52 Damage Control Agent status shall be revoked at any time by the Executive Director when there is  
53 evidence of violations of wildlife laws, failure to report, or inhumane treatment of animals by the  
54 WDCA. A WDCA may not charge for the permit, but may charge for his or her investigations  
55 and control services. In order to maintain a knowledge of current laws, rules, and techniques, each  
56 WDCA must renew his or her agent status every three years by showing proof of having attended

1 at least one training course provided for the purpose of reviewing and updating information on  
2 wildlife laws and safe, humane wildlife handling techniques within the previous 12 months.  
3 (b) Term of Permit. Each depredation permit issued by the Executive Director or an agent shall have entered  
4 thereon a date or time of expiration after which date or time the same is invalid for any purpose, except as evidence  
5 of lawful possession of any wildlife that may be retained thereunder.

6 (c) Manner of Taking:

- 7 (1) Taking Without a Permit. Wildlife taken without a permit while committing depredations to  
8 property may, during the open season on the species, be taken by the landholder by any lawful  
9 method. During the closed season such depredating wildlife may be taken without a permit only  
10 by the use of firearms.  
11 (2) Taking With a Permit. Wildlife taken under a depredation permit may be taken only by the  
12 method or methods specifically authorized by the permit. When trapping is authorized, in order to  
13 limit the taking to the intended purpose, the permit may specify a reasonable distance from the  
14 property sought to be protected, according to the particular circumstances, within which the traps  
15 must be set. The Executive Director or agent may also state in a permit authorizing trapping  
16 whether or not bait may be used and the type of bait, if any, that is authorized. In addition to any  
17 trapping restrictions that may be contained in the permit the method of trapping must be in  
18 accordance with the requirements and restrictions imposed by G.S. 113-291.6 and other local laws  
19 passed by the General Assembly. No depredation permit shall authorize the use of poisons or  
20 pesticides in taking wildlife except in accordance with the provisions of the North Carolina  
21 Pesticide Law of 1971, the Structural Pest Control Act of 1955, and G.S. 113, Article 22A. No  
22 depredation permit shall authorize the taking of wildlife by any method by any landholder upon  
23 the lands of another.  
24 (3) Intentional Wounding. It is unlawful for any landholder, with or without a depredation permit,  
25 intentionally to wound a wild animal in a manner so as not to cause its immediate death as  
26 suddenly and humanely as the circumstances permit.

27 (d) Disposition of Wildlife Taken:

- 28 (1) Generally. Except as provided by the succeeding Subparagraphs of this Paragraph, any wildlife  
29 killed accidentally or without a permit while committing depredations shall be buried or otherwise  
30 disposed of in a safe and sanitary manner on the property. Wildlife killed under a depredation  
31 permit may be transported to an alternate disposal site if desired. Anyone in possession of  
32 carcasses of animals being transported under a depredation permit must have the depredation  
33 permit in their possession. Except as provided by the succeeding Subparagraphs of (d)(2) through  
34 (6) of this Rule, all wildlife killed under a depredation permit must be buried or otherwise  
35 disposed of in a safe and sanitary manner.  
36 (2) Deer. The edible portions of up to five deer may be retained by the landholder for consumption  
37 but must not be transported from the property where the depredations took place without a valid  
38 depredation permit. The landholder may give a second party the edible portions of the deer taken  
39 under the depredation permit. The receiver of the edible portions must hold a copy of the  
40 depredation permit. The nonedible portions of the carcass, including head, hide, feet, and antlers,  
41 shall be disposed of as specified in Subparagraph (1) of this Paragraph or turned over to a wildlife  
42 enforcement officer for disposition. When a deer is accidentally killed on a road or highway by  
43 reason of collision with a motor vehicle, the law enforcement officer who investigates the accident  
44 shall, upon request of the operator of the vehicle, provide such operator a written permit  
45 authorizing him to possess and transport the carcass of such deer for his personal and lawful use,  
46 including delivery of such carcass to a second person for his private use or the use by a charitable  
47 organization upon endorsement of such permit to such person or organization by name and when  
48 no money or other consideration of value is received for such delivery or endorsement.  
49 (3) Fox. Any fox killed accidentally shall be disposed of in the manner provided by Subparagraph (1)  
50 or (6) of this Paragraph. Any fox killed under a depredation permit may be disposed of in the  
51 same manner or, upon compliance with the fur tagging requirements of 15A NCAC 10B .0400,  
52 the carcass or pelt thereof may be sold to a licensed fur dealer.  
53 (4) Furbearing Animals. The carcass or pelt of any furbearing animal killed during the open season  
54 for taking such furbearing animal either accidentally or for control of depredations to property,  
55 whether with or without a permit, may be sold to a licensed fur dealer provided that the person  
56 offering such carcass or pelt for sale has a valid hunting or trapping license, provided further that,

1 bobcats and otters may only be sold upon compliance with any required fur tagging requirement  
2 set forth in 15A NCAC 10B .0400.

3 (5) Animals Taken Alive. Wild animals in the order Carnivora and beaver shall be humanely  
4 euthanized either at the site of capture or at a facility designed to humanely handle the euthanasia  
5 or released on the property where captured. Animals transported or held for euthanasia must be  
6 euthanized within 12 hours of capture. Anyone in possession of live animals being transported for  
7 relocation or euthanasia under a depredation permit must have the depredation permit in his or her  
8 possession.

9 (6) A person killing a wild bird or wild animal accidentally with a motor vehicle or finding a dead  
10 wild bird or wild animal which was killed accidentally may possess that wild bird or wild animal  
11 for a period not to exceed 10 days for the purpose of delivering it to a licensed taxidermist for  
12 preparation. The licensed taxidermist may accept the wild bird or wild animal after satisfying  
13 himself that the animal was killed accidentally. The taxidermist shall certify and record the  
14 circumstances of acquisition as determined by the injuries to the animal. Licensed taxidermists  
15 shall keep accurate records of each wildlife specimen received pursuant to the rule as required by  
16 15A NCAC 10H .1003 of this Chapter. Upon delivery of the finished taxidermy product to the  
17 person presenting the animal, the taxidermist shall give the person a receipt indicating the sex and  
18 species, date of delivery, circumstances of initial acquisition and the name, address, and signature  
19 of the taxidermist. The receipt shall be permanently affixed to the back or bottom of the finished  
20 product and shall be retained by the person for as long as the mounted specimen is kept. Mounted  
21 specimens possessed pursuant to this Rule may not be sold and, if such specimens are transferred  
22 by gift or inheritance, the new owner must retain the permit to document the legality of  
23 possession. This provision does not allow possession of accidentally killed raptors; nongame  
24 migratory birds; species listed as endangered, threatened, or of special concern under 15A NCAC  
25 10I .0103, .0104, and .0105 of this Chapter; black bear or wild turkey.

26 (7) Edible portions of wild boar taken under depredation permit may be retained by the landowner for  
27 consumption or, if stipulated on the permit, donated to a charitable food organization.

28 (e) Reporting Requirements. Any landholder who kills a deer, Canada goose, bear or wild turkey under a valid  
29 depredation permit shall report such kill on the form provided with the permit and mail the form upon the expiration  
30 date to the Wildlife Resources Commission. The killing and method of disposition of every game animal and game  
31 bird, every furbearing animal, and every nongame animal or nongame bird for which there is no open season, when  
32 killed for committing depredations to property, without a permit, shall be reported to the Wildlife Resources  
33 Commission within 24 hours following the time of such killing, except that when the carcass or pelt of a fox, killed  
34 under a depredation permit, or of a furbearing animal, killed with or without a permit, is lawfully sold to a licensed  
35 fur dealer in this State the fur dealer is required to report the source of acquisition and no report is required of the  
36 seller.

37  
38 *History Note:* Authority G.S. 113-134; 113-273; 113-274; 113-291.4; 113-291.6; 113-300.1; 113-300.2; 113-  
39 307; 113-331; 113-333; 113-334(a); 113-337;  
40 *Eff. February 1, 1976;*  
41 *Amended Eff. August 1 2010; July 1, 2010; May 1, 2008; August 1, 2002; July 1, 1997; July 1,*  
42 *1995; January 1, 1995; January 1, 1992; August 1, 1990.*  
43 *Amended Eff. January 1, 2012*  
44

1 **15A NCAC 10A .1101 WAIVER**

2 (a) The executive director or his designee shall waive rule provisions listed in Paragraph (b) of this Rule and  
3 subsequent Paragraphs under specified conditions and according to the following standards:

- 4 (1) The applicant has complied with the laws of North Carolina and with rules promulgated by the  
5 Wildlife Resources ~~Commission~~; Commission relative to cervids;
- 6 (2) The Commission is able to safeguard the wildlife resources in North Carolina while granting the  
7 waiver; and
- 8 (3) The applicant is able to meet the conditions of the waiver.

9 (b) The executive director or his designee shall waive the rule banning intrastate transfer of cervids and shall issue a  
10 transportation permit to an applicant for such a waiver provided that:

- 11 (1) The executive director or his designee determines that the applicant is eligible for a waiver  
12 according to standards listed in Paragraph (a) of this Rule;
- 13 (2) The eligible applicant shall first notify the Commission of the following:
  - 14 (A) the tag number(s) assigned to the cervid;
  - 15 (B) the facility of origination;
  - 16 (C) the facility of destination;
  - 17 (D) the date(s) upon which the transfer is to take place; and
  - 18 (E) the means by which the cervid is to be transported; and
- 19 (3) The executive director or his designee confirms receipt of the information requested in  
20 Subparagraph (b)(2) of this Rule.

21 Transportation of cervids between facilities that are licensed to the same individual shall be permitted upon the  
22 condition that the licensed applicant log the information required by Subparagraph (b)(2) of this Rule rather than  
23 submit a separate application for each transportation.

24 (c) The executive director or his designee shall waive the requirements in 15A NCAC 10B .0101 specific to the rule  
25 ~~banning~~ importation of cervids and shall issue a transportation permit to an applicant for such a waiver provided  
26 that:

- 27 (1) The executive director or his designee determines that the applicant is eligible for a waiver  
28 according to standards listed in Paragraph (a) of this Rule;
- 29 ~~(2)~~ (2) The applicant is a captive cervid licensee with a Certified herd according to 15A NCAC 10H  
30 .0304;
- 31 ~~(3)~~ (3) The source U.S. or Mexican state or territory, Canadian province or other country has not detected  
32 CWD in its wild herd;
- 33 ~~(4)~~ (4) The herd of origin for all cervids the requested cervid to be imported has met the following  
34 conditions:
  - 35 (A) The herd has been held in a facility that has been secured by a fence adequate to contain  
36 the cervid species within; fence that has not been breached or jumped by a cervid for at  
37 least five years, and into which no cervid has been introduced for at least five years;
  - 38 (B) All deceased animals over the age of 12 months of the following species have been  
39 submitted for CWD testing: white-tailed deer, white-tailed deer hybrid, Sika deer, red  
40 deer, elk, elk hybrid, moose or any other species of cervid in which the scientific  
41 community has documented naturally-occurring Chronic Wasting Disease (CWD)  
42 members of the herd that have died in the past five years have been tested for Chronic  
43 Wasting Disease [CWD]; and all CWD test results have been negative, negative; and
  - 44 ~~(C)~~ Facility records demonstrating compliance with the conditions in this Subparagraph have  
45 been submitted with the import application.
- 46 ~~(5)~~ (5) The applicant can provide documentation that:
  - 47 ~~(A)~~ (A) The requested cervid has not been in a facility with a CWD-positive animal within the  
48 five years prior to the importation request;
  - 49 ~~(B)~~ (B) The requested cervid has never been in a facility quarantined for CWD; and
  - 50 ~~(C)~~ (C) No other animals in the herd of origin, or any other herd to which the requested cervid  
51 has belonged, have been in a facility with a CWD-positive animal within the five years  
52 prior to the importation request.
- 53 ~~(6)~~ (6) The Executive Director is satisfied that all documentation described in subparagraph (4) provided  
54 to him is authentic, accurate and complete.
- 55 ~~(7)~~ (7) The eligible applicant shall provide first notify the Commission of the following details:following:
- 56 (A) the tag number(s) or other identification assigned to the cervid; ~~cervix;~~

- 1           (B) the age and species of the cervid;
- 2           (C) the state, province or country of origination;
- 3           ~~(B)~~(D) the facility of origination;
- 4           ~~(C)~~(E) the facility of destination;
- 5           ~~(D)~~(F) the date(s) upon which the transfer is to take place; and
- 6           ~~(E)~~(G) the means by which the cervid is to be transported. ~~transported; and~~

7           ~~(4)~~(8) The executive director or his designee confirms receipt of all the information requested in  
8           ~~Subparagraph (c)(3)~~ Paragraph (c) of this Rule.

9 (d) The executive director or his designee shall waive the rule against cervid facility expansion and to amend a  
10 license to permit expansion to an applicant for such a waiver provided that:

- 11           (1) The executive director or his designee confirms the applicant's eligibility for a waiver according to  
12 standards listed in Paragraph (a) of this Rule;
- 13           (2) The eligible applicant shall first notify Commission of the following:
  - 14           (A) the location of the facility for which expansion is desired;
  - 15           (B) the number of cervids held at that facility;
  - 16           (C) the number of births or purchases of cervids expected within a year of the application;
  - 17           and
  - 18           (D) the proposed capacity for which expansion is desired; and
- 19           (3) The executive director or his designee confirms receipt of the information requested in Paragraphs  
20 (c) and (d) of this Rule.

21 (e) The executive director or his designee shall waive the rule banning the importation of a cervid carcass or carcass  
22 part from any state or province where Chronic Wasting Disease occurs and issue a waiver letter to an applicant  
23 provided that:

- 24           (1) The executive director or his designee determines that the applicant is eligible for a waiver  
25 according to standards listed in Paragraph (a) of this Rule;
- 26           (2) The applicant has complied with the laws of state where the cervid was or will be harvested; and
- 27           (3) The cervid was or will be harvested within 20 miles of the North Carolina state line.

28  
29  
30 *History Note: Authority G.S. 113-134; 113-274; 150B-19(6);*  
31 *Temporary Adoption Eff. May 21, 2003;*  
32 *Temporary Adoption Expired March 12, 2004;*  
33 *Eff. November 1, 2004;*  
34 *Amended Eff. August 1, 2006.*  
35 *Amended Eff. January 1, 2012*  
36



1 **15A NCAC 10B .0101 IMPORTATION OF WILD ANIMALS AND BIRDS**

2 (a) Before any live wild bird or wild animal is imported into North Carolina for any purpose, a permit shall be  
3 obtained from the Executive Director of the North Carolina Wildlife Resources Commission authorizing the  
4 importation, using application forms provided by the Commission. Only captive cervid licensees with Certified  
5 Herds as defined in 15A NCAC 10H .0304 may obtain permits to import cervids.

6 (b) Deer, elk, or other species in the family Cervidae may only be imported into the state of North Carolina from a  
7 herd in which Chronic Wasting Disease (CWD) has not been detected for at least five years. ~~years and has been~~  
8 ~~managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301 and~~  
9 ~~15A NCAC 10H .0302.—There shall be no importation of any cervid from individual U.S. or Mexican states or~~  
10 ~~territories, Canadian provinces or other countries in which CWD has been detected, either in a wild herd or a captive~~  
11 ~~herd.~~

12 (c) Importation permits for white-tailed deer, white-tailed deer hybrids, Sika deer, red deer, elk, elk hybrids, moose  
13 or any other species of cervid in which the scientific community has documented naturally-occurring CWD will  
14 only be issued for animals that come from U.S. or Mexican states or territories, state or territory, Canadian provinces  
15 province or other countries country of origin which have a license type, certification program or monitoring program  
16 that requires captive cervid facility owners to, at a minimum.:

17 (1) submit for CWD testing all deceased animals over the age of 12 months;

18 (2) tag, tattoo or otherwise permanently mark all animals over the age of 12 months; and

19 (3) keep records of all acquisitions and all dispositions in the facility.

20 The requirements specified in subparagraphs (1), (2) and (3) of this Paragraph apply only to the following species of  
21 cervid: white-tailed deer, white-tailed deer hybrids, Sika deer, red deer, elk, elk hybrids, moose or any other species  
22 of cervid in which the scientific community has documented naturally-occurring CWD. ~~must have CWD monitoring~~  
23 requirements that are at least as stringent as those described in this Rule, 15A NCAC 10H .0301 and 15A NCAC  
24 10H .0302. ~~The originating individual U.S. or Mexican state's or territory's, Canadian province's or other country's~~  
25 CWD monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of  
26 Agriculture and Consumer Services personnel before approval of any importation of cervids into North Carolina.  
27 Importation permit applications must indicate the source herd and the source herd must be successfully participating  
28 in a certification program or monitoring program with the requirements listed in this paragraph, or else have a  
29 license type that does the same. ~~There shall be no importation from individual U.S. or Mexican states or territories,~~  
30 ~~Canadian provinces or other countries in which CWD has been detected, either in a wild herd or a captive herd.~~  
31 (d) Importation permits for cervid species not specified in paragraph (c), except mule deer (G.S. 113-294(p)), will  
32 only be issued for animals which have been kept in a fenced facility which has not contained any of the species  
33 specified in paragraph (c) for at least 5 years prior to importation. All animals from mixed herds are subject to the  
34 restrictions in paragraph (c).

35 ~~(e)~~(e) Cervids imported into North Carolina shall be individually identified by tags provided by the Wildlife  
36 Resources Commission that shall be affixed by the licensee to each cervid as set forth in 15A NCAC 10H .0301.

37 ~~(f)~~(f) Waterfowl imported into North Carolina must be received from facilities or individuals who are certified  
38 under the National Poultry Improvement Plan (NPIP) as pullorum-typhoid and avian influenza negative. If the  
39 source birds are not part of NPIP, they must be tested pullorum-typhoid and avian influenza negative by NPIP  
40 standards within 30 days prior to entry into North Carolina. Health certificates for imported waterfowl shall be  
41 available for inspection by authorized Commission personnel upon request.

42  
43 *History Note: Authority G.S. 106.549.97; 113-134; 113-272.6; 113-274; 113-291.3;*  
44 *Eff. February 1, 1976;*  
45 *Temporary Amendment Eff. October 8, 2002; May 17, 2002;*  
46 *Amended Eff. August 1, 2010; May 1, 2010; June 1, 2005; August 1, 2004.*  
47 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0301 GENERAL REQUIREMENTS**

2 (a) Captivity Permit or License Required

- 3 (1) Requirement. The possession of any species of wild animal that is or once was native to this State  
4 or any species of wild bird, native or migratory, that naturally occurs or historically occurred in  
5 this State or any member of the family Cervidae is unlawful unless the institution or individual in  
6 possession obtains from the North Carolina Wildlife Resources Commission (Commission) a  
7 captivity permit or a captivity license as provided by this Rule.
- 8 (2) Injured, Crippled or Orphaned Wildlife. When an individual has taken possession of an injured,  
9 crippled or orphaned wild animal or wild bird, that individual shall contact the Commission within  
10 24 hours of taking possession in order to apply for a captivity permit, provided, however, that  
11 under no circumstances shall an individual take possession of an injured, crippled or orphaned  
12 wild turkey, black bear, deer, elk or any other member of the family Cervidae except as described  
13 in Subparagraph (3) of this Paragraph.
- 14 (3) Rehabilitation of white-tailed deer fawns. An individual may apply to the Commission to become  
15 a permitted white-tailed deer fawn rehabilitator for the State of North Carolina. Individuals  
16 deemed to be qualified according to this Section to rehabilitate injured or orphaned fawns may  
17 receive a captivity permit to possess fawns only for such a period of time as may be required for  
18 the rehabilitation and release of the fawns to the wild. These captivity permits apply only to wild  
19 white-tailed deer fawns and are available only to individuals recognized by the Commission as  
20 white-tailed deer fawn rehabilitators.

21 (b) Captivity Permit. A captivity permit shall be requested by mail, phone, facsimile or electronic transmission or  
22 in person. A captivity permit authorizes possession of the animal or bird only for such period of time as may be  
23 required for the rehabilitation and release of the animal or bird to the wild; or to obtain a captivity license as  
24 provided by Paragraph (c) of this Rule, if such a license is authorized; or to make a proper disposition of the animal  
25 or bird if the application for such license is denied, or when an existing captivity license is not renewed or is  
26 terminated. Captivity permits shall not be issued for wild turkey, black bear, deer, elk or any other member of the  
27 family Cervidae except as described in Subparagraph (a)(3) of this Rule.

28 (c) Captivity License.

- 29 (1) The purpose of captivity license is to provide humane treatment for wild animals or wild birds that  
30 are unfit for release. For purposes of this Rule, wild animals are considered "unfit" if they are  
31 incapacitated by injury or otherwise; if they are a non-native species that poses a risk to the habitat  
32 or to other species in that habitat; or if they have been rendered tame by proximity to humans to  
33 the extent that they cannot feed or care for themselves without human assistance. Persons  
34 interested in obtaining a captivity license shall contact the Commission for an application.
- 35 (2) Denial of captivity license. Circumstances or purposes for which a captivity license shall not be  
36 issued include the following:
- 37 (A) For the purpose of holding a wild animal or wild bird that was acquired unlawfully.
- 38 (B) For the purpose of holding the wild animal or wild bird as a pet. For purposes of this  
39 Rule, the term "pet" means an animal kept for amusement or companionship. The term  
40 shall not be construed to include cervids held in captivity for breeding for sale to another  
41 licensed operator.
- 42 (C) For the purpose of holding wild animals or wild birds for hunting in North Carolina.
- 43 (D) For the purpose of holding wild turkey or black bear.
- 44 ~~(E) For the purpose of holding deer, elk or any other member of the family Cervidae, except~~  
45 ~~current licenses which may be renewed as specified in Subparagraph (6) of this~~  
46 ~~Paragraph.~~
- 47 (E) For the purposes of expanding a currently existing captive cervid facility which is not a  
48 Certified herd facility as described in Rule 10H .0304 of this Section.
- 49 (3) Required Facilities. No captivity license shall be issued until the applicant has constructed or  
50 acquired a facility for keeping the animal or bird in captivity that complies with the standards set  
51 forth in Rule .0302 of this Section and the adequacy of such facility has been verified on  
52 inspection by a representative of the Commission.
- 53 (4) Term of License
- 54 (A) Dependent Wildlife. If the wild animal or wild bird has been permanently rendered  
55 incapable of subsisting in the wild, the license authorizing its retention in captivity shall  
56 be an annual license terminating on December 31 of the year for which issued.

- 1 (B) Rehabilitable Wildlife. When the wild animal or wild bird is temporarily incapacitated,  
2 and may be rehabilitated for release to the wild, any captivity license that is issued shall  
3 be for a period less than one year as rehabilitation may require.
- 4 (C) Concurrent Federal Permit. No State captivity license for an endangered or threatened  
5 species or a migratory bird, regardless of the term specified, shall operate to authorize  
6 retention thereof for a longer period than is allowed by any concurrent federal permit that  
7 may be required for retention of the bird or animal.
- 8 (5) Holders of Captivity License for cervids.
- 9 (A) Inspection of records. The licensee shall make all records pertaining to tags, licenses or  
10 permits issued by the Commission available for inspection by the Commission at any  
11 time during normal business hours, or at any time an outbreak of Chronic Wasting  
12 Disease (CWD) is suspected or confirmed within five miles of the facility or within the  
13 facility itself.
- 14 (B) Inspection. The licensee shall make all enclosures at each licensed facility and the  
15 record-book(s) documenting required monitoring of the outer fence of the enclosure(s)  
16 available for inspection by the Commission at any time during normal business hours, or  
17 at any time an outbreak of CWD is suspected or confirmed within five miles of the  
18 facility or within the facility itself.
- 19 (C) Fence Monitoring Requirement. The fence surrounding the enclosure shall be inspected  
20 by the licensee or licensee's agent once a week during normal weather conditions to  
21 verify its stability and to detect the existence of any conditions or activities that threaten  
22 its stability. In the event of severe weather or any other condition that presents potential  
23 for damage to the fence, inspection shall occur every three hours until cessation of the  
24 threatening condition, except that no inspection is required under circumstances that  
25 threaten the safety of the person conducting the inspection.
- 26 (D) A record-book shall be maintained to record the time and date of the inspection, the name  
27 of the person who performed the inspection, and the condition of the fence at time of  
28 inspection. The person who performs the inspection shall enter the date and time of  
29 detection and the location of any damage threatening the stability of the fence. If damage  
30 has caused the fence to be breachable, the licensee shall enter a description of measures  
31 taken to prevent ingress or egress by cervids. Each record-book entry shall bear the  
32 signature or initials of the licensee attesting to the veracity of the entry. The record-book  
33 shall be made available to inspection by a representative of the Commission upon request  
34 during normal business operating hours.
- 35 (E) Maintenance. Any opening or passage through the enclosure fence that results from  
36 damage shall, within one hour of detection, be sealed or otherwise secured to prevent a  
37 cervid from escape. Any damage to the enclosure fence that threatens its stability shall  
38 be repaired within one week of detection.
- 39 (F) Escape. When a licensee discovers the escape of any cervid from the facility, the  
40 licensee or designee shall report within 24 hours the escape to the Commission. If  
41 possible, the escaped cervid shall be recaptured alive. If live recapture is not possible, the  
42 licensee shall request a wildlife take permit and take the escaped cervid pursuant to the  
43 terms of the permit. A recaptured live cervid shall be submitted to the Commission for  
44 CWD testing using a test recognized by the Southeastern Cooperative Wildlife Disease  
45 Study unless the executive director determines that the risk of CWD transmission as a  
46 result of this escape is negligible based upon:
- 47 (i) amount of time the escaped cervid remained out of the facility;  
48 (ii) proximity of the escaped cervid to wild populations;  
49 (iii) known susceptibility of the escaped cervid species to CWD;  
50 (iv) nature of the terrain in to which the cervid escaped.
- 51 (G) Chronic Wasting Disease (CWD)
- 52 (i) Detection. Each licensee shall notify the Commission within 24 hours if any  
53 cervid within the facility exhibits clinical symptoms of CWD or if a quarantine  
54 is placed on the facility by the State Veterinarian. All captive cervids that  
55 exhibit symptoms of CWD shall be tested for CWD.

- 1 (ii) Cervid death. The carcass of any captive cervid that was six months or older at  
2 time of death shall be transported and submitted by the licensee or his designee  
3 to a North Carolina Department of Agriculture diagnostic lab for CWD  
4 evaluation within 48 hours of the cervid's death, or by the end of the next  
5 business day, whichever is later. Ear tags distributed by the Commission and  
6 subsequently affixed to the cervids as required by this Rule, may not be removed  
7 from the cervid's head prior to submitting the head for CWD evaluation.
- 8 (iii) The Commission shall require testing or forfeiture of cervids from a facility  
9 holding cervids in this state should the following circumstances or conditions  
10 occur:
- 11 (I) The facility has transferred a cervid that is received by a facility in  
12 which CWD is confirmed within five years of the cervid's transport  
13 date and that transferred cervid has tested positive for CWD or the test  
14 for CWD was inconclusive or the transferred cervid was no longer  
15 available for testing.
- 16 (II) The facility has received a cervid that originated from a facility in  
17 which CWD has been confirmed within five years of the cervid's  
18 transport date and that received cervid has tested positive for CWD or  
19 the test for CWD was inconclusive or the received cervid was no longer  
20 available for testing.
- 21 (H) Tagging Required. Effective upon receipt of tags from the Commission, each licensee  
22 shall implement the tagging requirement using only the tags provided by the Commission  
23 as follows:
- 24 (i) All cervids born within a facility shall be tagged by March 1 following the  
25 birthing season each year. Fawns and calves must be tagged with a button ear  
26 tag before sale or transfer to another captive cervid facility within North  
27 Carolina. The receiver is required to affix the bangle ear tag before March 1  
28 following the birth of the calf or fawn.
- 29 (ii) All cervids transferred to a facility shall be tagged within five days of the  
30 cervid's arrival at the licensee's facility. However, no cervids shall be  
31 transported from one facility to another unless both sending and receiving herds  
32 are certified according to 15A NCAC 10H .0304.
- 33 (I) Application for Tags.
- 34 (i) Application for tags for calves and fawns. Application for tags for cervids born  
35 within a facility shall be made by the licensee by December 1 following the  
36 birthing season of each year. The licensee shall provide the following  
37 information, along with a statement and licensee's signature verifying that the  
38 information is accurate:
- 39 (I) Applicant name, mailing address, and telephone number;  
40 (II) Facility name and site address;  
41 (III) Captivity license number;  
42 (IV) Species of each cervid; and  
43 (V) Birth year of each cervid.
- 44 (ii) Application for tags for cervids that were not born at the facility site shall be  
45 made by written request for the appropriate number of tags along with the  
46 licensee's application for transportation of the cervid, along with a statement and  
47 licensee's signature verifying that the information is accurate. These tag  
48 applications shall not be processed unless accompanied by a completed  
49 application for transportation. However, no transportation permits shall be  
50 issued nor shall cervids be transported from one facility to another unless both  
51 sending and receiving herds are certified according to 15A NCAC 10H .0304.
- 52 (J) Placement of Tags.
- 53 (i) A single button ear tag provided by the Commission shall be permanently  
54 affixed by the licensee onto either the right or left ear of each cervid, provided  
55 that the ear chosen to bear the button tag shall not also bear a bangle tag, so that  
56 each ear of the cervid bears only one tag.

- 1 (ii) A single bangle ear tag provided by the Commission shall be permanently  
2 affixed by the licensee onto the right or left ear of each cervid except Muntjac  
3 deer, provided that the ear bearing the bangle tag does not also bear the button  
4 tag, so that each ear of the cervid bears only one tag. Muntjac deer are not  
5 required to be tagged with the bangle tag.
- 6 (iii) Once a tag is affixed in the manner required by this Rule, it shall not be  
7 removed.
- 8 (K) Reporting Tags Requirement. For all cervids, except calves and fawns, the licensee shall  
9 submit a Cervidae Tagging Report within 30 days of receipt of the tags. Cervidae  
10 Tagging Reports for calves and fawns shall be submitted by March 1 following the  
11 birthing season each year. A Cervidae Tagging Report shall provide the following  
12 information and be accompanied by a statement and licensee's signature verifying that the  
13 information is accurate:
- 14 (i) Licensee name, mailing address, and telephone number;  
15 (ii) Facility name and site address, including the County in which the site is located;  
16 (iii) Captivity license number;  
17 (iv) Species and sex of each cervid;  
18 (v) Tag number(s) for each cervid; and  
19 (vi) Birth year of each cervid.
- 20 (L) Replacement of Tags. The Commission shall replace tags that are lost or unusable and  
21 shall extend the time within which a licensee shall tag cervids consistent with time  
22 required to issue a replacement.
- 23 (i) Lost Tags. The loss of a tag shall be reported to the Commission by the licensee  
24 and application shall be made for a replacement upon discovery of the loss.  
25 Application for a replacement shall include the information required by Part  
26 (c)(5)(I) of this Rule along with a statement and applicant's signature verifying  
27 that the information is accurate. Lost tags shall be replaced on the animal by the  
28 licensee within 30 days of receipt of the replacement tag.
- 29 (ii) Unusable Tags. Tags that cannot be properly affixed to the ear of a cervid or  
30 that cannot be read because of malformation or damage to the tags or  
31 obscurement of the tag numbers shall be returned to the Commission along with  
32 an application for a replacement tag with a statement and applicant's signature  
33 verifying that the information in the application is accurate.
- 34 (6) Renewal of captivity license for cervids. Existing captivity licenses for the possession of cervids  
35 at existing facilities shall be renewed as long as the applicant for renewal has live cervids and  
36 continues to meet the requirements of this Section for the license. Only licensees with Certified  
37 Herds, as defined in 15A NCAC 10H .0304, may request in their renewal applications to expand  
38 pen size or the number of pens on the licensed facility to increase the holding capacity of that  
39 facility. No renewals shall be issued for a license that has been allowed to lapse due to the  
40 negligence of the former licensee.
- 41 (7) Provision for licensing the possession of cervids in an existing facility. A captivity license shall  
42 only be issued to an individual who is 18 years of age or older. If the licensee of an existing  
43 facility voluntarily surrenders his or her captivity license, becomes incapacitated or mentally  
44 incompetent, or dies, a person who has obtained lawful possession of the facility from the previous  
45 licensee or that licensee's estate, may request that the existing captivity license be transferred to  
46 him or her to operate the existing facility. Any license transferred under this provision shall be  
47 subject to the same terms and conditions imposed on the original licensee at the time of his or her  
48 surrender or death and shall be valid only for the purpose of holding the cervids of the existing  
49 facility within that existing facility. In addition, any actions pending from complaint,  
50 investigation or other cause shall be continued notwithstanding the termination of the original  
51 license.
- 52 (d) Nontransferable. No license or permit or tag issued pursuant to this Rule is transferable, either as to the holder or  
53 the site of a holding facility, except as provided in Subparagraph (c)(7) of this Rule.
- 54 (e) Sale, Transfer or Release of Captive Wildlife.

- 1 (1) It is unlawful for any person to transfer or receive any wild animal or wild bird that is being held
- 2 under a captivity permit issued under Paragraph (b) of this Rule, except that any such animal or
- 3 bird may be surrendered to an agent of the Commission.
- 4 (2) It is unlawful for any person holding a captivity license issued under Paragraph (c) of this Rule to
- 5 sell or transfer the animal or bird held under such license, except that such animal or bird may be
- 6 surrendered to an agent of the Commission, and any such licensee may sell or transfer the animal
- 7 or bird (except members of the family Cervidae) to another person who has obtained a license to
- 8 hold it in captivity. For animals in the family Cervidae, sale or transfer of animals is allowed only
- 9 between Certified Herds, as defined in 15A NCAC 10H .0304. Upon such a sale or transfer, the
- 10 seller or transferor shall obtain a receipt for the animal or bird showing the name, address, and
- 11 license number of the buyer or transferee, a copy of which shall be provided to the Commission.
- 12 (3) It is unlawful for any person to release into the wild for any purpose or allow to range free:
- 13 (A) any species of deer, elk or other members of the family Cervidae, or
- 14 (B) any wolf, coyote, or other non-indigenous member of the family Canidae, or
- 15 (C) any member of the family Suidae.

16 (f) Transportation Permit.

- 17 (1) Except as otherwise provided herein, no transportation permit is required to move any lawfully
- 18 held wild animal or wild bird within the State.
- 19 (2) No person shall transport black bear or Cervidae for any purpose without first obtaining a
- 20 transportation permit from the Commission.
- 21 (3) Except as provided in Subparagraph (f)(4) of this Rule, no transportation permits shall be issued
- 22 for deer, elk, or other species in the family Cervidae except into and between Certified Herds as
- 23 defined in 15A NCAC 10H .0304.
- 24 (4) Cervid Transportation. A permit to transport deer, elk, or other species in the family Cervidae
- 25 may be issued by the Commission to an applicant for the purpose of transporting the animal or
- 26 animals for export out of state, to a slaughterhouse for slaughter, from a Certified Herd to another
- 27 Certified Herd as defined in 15A NCAC 10H .0304, ~~or~~ to a veterinary medical facility for
- 28 treatment provided that the animal for which the permit is issued does not exhibit clinical
- 29 symptoms of Chronic Wasting ~~Disease~~. Disease or for the purpose of stocking a new captive
- 30 cervid facility. For purposes of this paragraph a "new captive cervid facility" is one that has been
- 31 licensed for fewer than six months. No person shall transport a cervid to slaughter or export out of
- 32 state without bearing a copy of the transportation permit issued by the Commission authorizing
- 33 that transportation. No person shall transport a cervid for veterinary treatment without having
- 34 obtained approval from the Commission as provided by Part (f)(4)(D) of this Rule. Any person
- 35 transporting a cervid shall present the transportation permit to any law enforcement officer or any
- 36 representative of the Commission upon request, except that a person transporting a cervid by
- 37 verbal authorization for veterinary treatment shall provide the name of the person who issued the
- 38 approval to any law enforcement officer or any representative of the Commission upon request.
- 39 (A) Slaughter. Application for a transportation permit for purpose of slaughter shall be
- 40 submitted in writing to the Commission and shall include the following information along
- 41 with a statement and applicant's signature verifying that the information is accurate:
- 42 (i) Applicant name, mailing address, and telephone number;
- 43 (ii) Facility site address;
- 44 (iii) Captivity license number;
- 45 (iv) Name, address, county and phone number of the slaughter house to which the
- 46 cervid will be transported;
- 47 (v) Vehicle or trailer license plate number and state of issuance of the vehicle or
- 48 trailer used to transport the cervid;
- 49 (vi) Name and location of the North Carolina Department of Agriculture Diagnostic
- 50 lab where the head of the cervid is to be submitted for CWD testing;
- 51 (vii) Date of transportation;
- 52 (viii) Species and sex of each cervid; and
- 53 (ix) Tag number(s) for each cervid.
- 54 (B) Exportation. Nothing in this rule shall be construed to prohibit the lawful exportation of
- 55 a member of the family Cervidae for sale out of state. Application for a transportation
- 56 permit for purpose of exportation out of state shall be submitted in writing to the

Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:

- (i) Applicant's name, mailing address and telephone number;
- (ii) Facility site address;
- (iii) Captivity license number;
- (iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
- (v) Name, site address, county, state and phone number of the destination facility to which the cervid is exported;
- (vi) A copy of the importation permit from the state of the destination facility that names the destination facility to which the animal is to be exported;
- (vii) Date of departure;
- (viii) Species and sex of each cervid; and
- (ix) Tag number(s) for each cervid.

(C) Between herds. Application for a transportation permit for purpose of moving a cervid from one Certified Herd to another Certified Herd, as defined in 15A NCAC 10H .0304, shall be submitted in writing to the Commission and shall include the following information along with a statement and applicant's signature verifying that the information is accurate:

- (i) Applicant's name, mailing address and telephone number;
- (ii) Facility site address;
- (iii) Captivity license number;
- (iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
- (v) Name, site address, county, and phone number of the destination facility to which the cervid is moved;
- (vi) Date of departure;
- (vii) Species and sex of each cervid; and
- (viii) Tag number(s) for each cervid.

(D) Veterinary treatment. No approval shall be issued for transportation of a cervid to a veterinary clinic out of the state of North Carolina, or for transportation from a facility out of the state of North Carolina to a veterinary clinic in North Carolina. An applicant from a North Carolina facility seeking to transport a cervid for veterinary treatment to a facility within North Carolina shall contact the Wildlife Telecommunications Center or the Wildlife Management Division of the Commission to obtain verbal authorization to transport the cervid to a specified veterinary clinic and to return the cervid to the facility. Verbal approval to transport a cervid to a veterinary clinic shall authorize transport only to the specified veterinary clinic and directly back to the facility, and shall not be construed to permit intervening destinations. To obtain verbal authorization to transport, the applicant shall provide staff of the Commission the applicant's name and phone number, applicant's facility name, site address and phone number, the cervid species, sex and tag numbers, and the name, address and phone number of the veterinary facility to which the cervid shall be transported. Within five days of transporting the cervid to the veterinary facility for treatment, the licensee shall provide the following information in writing to the Commission, along with a statement and applicant's signature verifying that the information is correct:

- (i) Applicant's name, mailing address and telephone number;
- (ii) Facility name and site address;
- (iii) Captivity license number;
- (iv) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the cervid;
- (v) Date of transportation;
- (vi) Species and sex of each cervid;
- (vii) Tag number(s) for each cervid;
- (viii) Name, address and phone number of the veterinarian and clinic that treated the cervid;

- 1 (ix) Symptoms for which cervid received treatment; and  
2 (x) Diagnosis of veterinarian who treated the cervid.  
3 (g) Slaughter at cervid facility. Application for a permit for purpose of slaughter at the cervid facility shall be  
4 submitted in writing to the Commission and shall include the following information along with a statement and  
5 applicant's signature verifying that the information is accurate:  
6 (1) Applicant name, mailing address, and telephone number;  
7 (2) Facility site address;  
8 (3) Captivity license number;  
9 (4) Name and location of the North Carolina Department of Agriculture Diagnostic lab where the  
10 head of the cervid is to be submitted for CWD testing;  
11 (5) Date of slaughter;  
12 (6) Species and sex of each cervid; and  
13 (7) Tag number(s) for each cervid.

14 Permits or authorization may not be sold or traded by the licensee to any individual for the hunting or collection of  
15 captive cervids. Only the licensee may kill a cervid within the cervid enclosure.  
16

17 *History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274;*  
18 *Eff. February 1, 1976;*  
19 *Amended Eff. April 1, 1991; September 1, 1990; June 1, 1990; July 1, 1988;*  
20 *Temporary Amendment Eff. October 8, 2002; May 17, 2002(this temporary rule replaced the*  
21 *permanent rule approved by RRC on June 21, 2001 to become effective in July 2002); July 1,*  
22 *2001;*  
23 *Amended Eff. May 1, 2010; May 1, 2008; December 1, 2005; August 1, 2004.*  
24 *Amended Eff. January 1, 2012*



1 **15A NCAC 10H .0302 MINIMUM STANDARDS**

2 (a) Exemptions. Publicly financed zoos, scientific and biological research facilities, and institutions of higher  
3 education that were granted an exemption by the Commission from the standards of this Rule prior to December 1,  
4 2005 are exempt from the standards set forth in this Rule for all birds and animals except the black bear so long as  
5 the captivity license in effect on that date has not expired or been revoked.

6 (b) With the exception of those entities named in Paragraph (a) of this Rule who have received exemption from the  
7 Commission, all holders of captivity licenses shall comply with the following requirements:

8 (1) Deer, Elk and other species of the family Cervidae

9 (A) Enclosure. The enclosure shall be on a well-drained site containing natural or manmade  
10 shelter for shade. The minimum size of the enclosure for all cervids except Muntjac deer  
11 shall be not less than one-half acre for the first three animals and an additional one-fourth  
12 acre for each additional animal held provided that no more than 25 percent shall be  
13 covered with water. At no time shall the number of cervids in the enclosure exceed the  
14 number allowed by the captivity license, except that fawns and calves shall not count  
15 towards the total number of cervids in a facility from the time they are born until March 1  
16 of the following year. The enclosure shall be surrounded by a fence of sufficient strength  
17 and design to contain the animal under any circumstances, at least eight feet high, and  
18 dog-proof to a height of at least six feet. Facilities licensed after August 1, 2012 shall  
19 have two fences meeting these standards surrounding the facility and placed at least three  
20 feet apart. Enclosures and enclosure expansions may not contain wild deer or elk. The  
21 licensee shall ensure his enclosure is devoid of wild deer or elk before stocking with  
22 cervids. For enclosures exclusively holding Muntjac deer, the minimum pen size shall be  
23 800 square feet for the first three animals and 200 square feet for each additional animal.  
24 No exposed barbed wire, nails, or other protrusions that may cause injury to the animal  
25 shall be permitted within the enclosure. Captive cervids shall not be contained within or  
26 allowed to enter a place of residence.

27 (B) Sanitation and Care. Licensees shall provide an ample supply of clear water and salt at  
28 all times. Food shall be placed in the enclosure as needed, but not less than three times  
29 weekly. An effective program for the control of insects, ectoparasites, disease, and odor  
30 shall be established and maintained. The animal(s) shall be protected against fright or  
31 harm from other animals.

32 (2) Wild Boars

33 (A) Enclosure. The enclosure shall be on a site containing trees or brush for shade. The  
34 minimum size of the enclosure shall be not less than one-half acre for the first three  
35 animals and an additional one-fourth acre for each additional animal held. The enclosure  
36 shall be surrounded by a fence at least five feet high and of sufficient strength to contain  
37 the animals. No exposed barbed wire or protruding nails shall be permitted within the  
38 enclosure. A roofed building large enough to provide shelter in both a standing or a lying  
39 position for each boar must be provided. This building shall be closed on three sides. A  
40 pool of water for wallowing or a sprinkler system shall be provided on days when heat  
41 could cause stress to the animal(s).

42 (B) Sanitation and Care. Licensees shall provide an ample supply of clear water at all times.  
43 Food shall be placed in the enclosure as needed, but in any case, not less than three times  
44 weekly. An effective program for the control of insects, ectoparasites, disease, and odor  
45 shall be established and maintained.

46 (3) Wild Birds

47 (A) Enclosure. The enclosure shall be large enough for the bird or birds to assume all natural  
48 postures. The enclosure shall be designed in such a way that the birds cannot injure  
49 themselves and are able to maintain a natural plumage. Protection from sun, weather,  
50 and predators shall also be provided.

51 (B) Sanitation and Care. The cage shall be kept clean, dry, and free from molded or damp  
52 feed. Ample food and clean water shall be available at all times.

53 (4) Alligators

54 (A) Enclosure. The enclosure shall be surrounded by a fence of sufficient strength to contain  
55 the animals and that shall prevent contact between the observer and alligator. The  
56 enclosure shall contain a pool of water large enough for the animal to completely

- 1 submerge itself. If more than one animal is kept, the pool must be large enough for all  
2 animals to be able to submerge themselves at the same time. A land area with both  
3 horizontal dimensions at least as long as the animal shall also be provided. In case of  
4 more than one animal, the land area shall have both horizontal dimensions at least as long  
5 as the longest animals to occupy the land area at the same time without overlap.
- 6 (B) Sanitation and Care. The water area shall be kept clean and food adequate to maintain  
7 good health provided. Protection shall be provided at all times from extremes in  
8 temperature that could cause stress to the animal.
- 9 (5) Black Bear
- 10 (A) Educational Institutions and Zoos Operated or Established by Governmental Agencies
- 11 (i) Enclosure. A permanent, stationary metal cage, at least eight feet wide by 12  
12 feet long by six feet high and located in the shade or where shaded during the  
13 afternoon hours of summer, is required. The cage shall have a concrete floor in  
14 which a drainable pool one and one-half feet deep and not less than four by five  
15 feet has been constructed. The bars of the cage shall be of iron or steel at least  
16 one-fourth inch in diameter, or heavy gauge steel chain link fencing may be  
17 used. The gate shall be equipped with a lock or safety catch, and guard rails  
18 shall be placed outside the cage so as to prevent contact between the observer  
19 and the caged animal. The cage must contain a den at least five feet long by five  
20 feet wide by four feet high and so constructed as to be easily cleaned. A  
21 "scratch log" shall be placed inside the cage. The cage shall be equipped with a  
22 removable food trough. Running water shall be provided for flushing the floor  
23 and changing the pool.
- 24 (ii) Sanitation and Care. Food adequate to maintain good health shall be provided  
25 daily; and clean, clear drinking water shall be available at all times. The floor of  
26 the cage and the food trough shall be flushed with water and the water in the  
27 pool changed daily. The den shall be flushed and cleaned at least once each  
28 week in hot weather. An effective program for the control of insects,  
29 ectoparasites, disease, and odor shall be established and maintained. Brush,  
30 canvas, or other material shall be placed over the cage to provide additional  
31 shade when necessary for the health of the animal. The use of collars, tethers or  
32 stakes to restrain the bear is prohibited, except as a temporary safety device.
- 33 (B) Conditions Simulating Natural Habitat. Black bears held in captivity by other than  
34 educational institutions or governmental zoos shall be held without caging under  
35 conditions simulating a natural habitat. All of the following conditions must exist to  
36 simulate a natural habitat in a holding facility:
- 37 (i) The method of confinement is by chain link fence, wall, moat, or a combination  
38 of such, without the use of chains or tethers.
- 39 (ii) The area of confinement is at least one acre in extent for one or two bears and an  
40 additional one-eighth acre for each additional bear.
- 41 (iii) Bears are free, under normal conditions, to move throughout such area.
- 42 (iv) At least one-half of the area of confinement is wooded with living trees, shrubs  
43 and other perennial vegetation capable of providing shelter from sun and wind.
- 44 (v) The area of confinement contains a pool not less than one and one-half feet deep  
45 and not less than four by five feet in size.
- 46 (vi) Provision is made for a den for each bear to which the bear may retire for rest,  
47 shelter from the elements, or respite from public observation.
- 48 (vii) The area of confinement presents an overall appearance of a natural habitat and  
49 affords the bears protection from harassment or annoyance.
- 50 (viii) Provisions are made for food and water that are adequate to maintain good  
51 health and for maintenance of sanitation.
- 52 (ix) The applicant shall document that the applicant owns or has a lease of the real  
53 property upon which the holding facility is located, provided that if the applicant  
54 is a lessee, the lease is for a duration of at least five years from the point of  
55 stocking the facility.
- 56 (6) Cougar

- 1 (A) Educational or scientific research institutions and zoos supported by public funds.  
2 (i) Enclosure. A permanent, stationary metal cage, at least nine feet wide by 18  
3 feet long by nine feet high and located in the shade or where shaded during the  
4 afternoon hours of summer, is required. The cage shall have a concrete floor.  
5 The bars of the cage shall be of iron or steel at least one-fourth inch in diameter,  
6 or heavy gauge steel chain link fencing may be used. The gate shall be equipped  
7 with a lock or safety catch, and guard rails shall be placed outside the cage so as  
8 to prevent contact between the observer and the caged animal. The cage shall  
9 contain a den at least five feet long by five feet wide by four feet high and so  
10 constructed as to be easily cleaned. A "scratch log" shall be placed inside the  
11 cage. The cage shall be equipped with a removable food trough. Running water  
12 shall be provided for flushing the floor and changing the pool.  
13 (ii) Sanitation and Care. Food adequate to maintain good health shall be provided  
14 daily; and clean, clear drinking water shall be available at all times. The floor of  
15 the cage and the food trough shall be flushed with water and the water in the  
16 pool changed as necessary to maintain good health of the animal. The den shall  
17 be flushed and cleaned at least once each week. An effective program for the  
18 control of insects, ectoparasites, disease, and odor shall be established and  
19 maintained. Brush, canvas, or other material shall be readily available to be  
20 placed over the cage to provide additional shade when necessary. The use of  
21 collars, tethers or stakes to restrain the cougar is prohibited, except as a  
22 temporary safety device.
- 23 (B) Cougars held in captivity by other than educational or scientific institutions or publicly  
24 supported zoos shall be held without caging under conditions simulating a natural habitat.  
25 Applicants for a captivity license to hold cougar shall apply to the Commission on forms  
26 provided by the Commission, and shall provide plans that describe how the applicant's  
27 facility will comply with the requirement to simulate a natural habitat. All of the  
28 following conditions must exist to simulate a natural habitat in a holding facility.  
29 (i) The method of confinement is by chain link fence, without the use of chains or  
30 tethers, provided that:  
31 (I) Nine gauge chain link fencing shall be at least 12 feet in height with a  
32 four foot fence overhang at a 45 degree angle on the inside of the pen to  
33 prevent escape from climbing and jumping.  
34 (II) Fence posts and at least six inches of the fence skirt shall be imbedded  
35 in a six inch wide by one foot deep concrete footer to prevent escape by  
36 digging.  
37 (ii) The area of confinement shall be at least one acre for two cougars with an  
38 additional one-eighth acre for each additional cougar. If, following a site  
39 evaluation, the Commission determines that terrain and topographical features  
40 offer sufficient escape, cover and refuge, and meet all other specifications, and  
41 that the safety and health of the animal(s) will not compromised, smaller areas  
42 shall be permitted.  
43 (iii) Cougars shall be free under normal conditions to move throughout the area of  
44 confinement.  
45 (iv) At least one-half of the area of confinement shall be wooded with living trees,  
46 shrubs and other perennial vegetation capable of providing shelter from sun and  
47 wind; and a 20 foot wide strip along the inside of the fence shall be maintained  
48 free of trees, shrubs and any other obstructions which could provide a base from  
49 which escape through leaping could occur.  
50 (v) The area of confinement shall contain a pool not less than one and one-half feet  
51 deep and not less than four by five feet in size.  
52 (vi) Each cougar shall be provided a den to which the cougar may retire for rest,  
53 shelter from the elements, or respite from public observation. Each den shall be  
54 four feet wide by four feet high by four feet deep. Each den shall be enclosed  
55 entirely within at least an eight feet wide by ten feet deep by 12 feet high  
56 security cage. The security cage shall be completely within the confines of the

1 facility, cement-floored, shall have nine gauge fencing on all sides and the top,  
2 and shall have a four foot, 45 degree fence overhang around the outside top edge  
3 to prevent cougar access to the top of the security cage.

4 (vii) The area of confinement shall protect the cougar from harassment or annoyance.  
5 (C) Provisions shall be made for maintenance of sanitation and for food and water adequate  
6 to maintain good health of the animal(s).

7 (D) The applicant shall document that the applicant owns or has a lease of the real property  
8 upon which the holding facility is located, provided that if the applicant is a lessee, the  
9 lease is for a duration of at least five years from the point of stocking the facility.

10 (7) Other Wild Animal Enclosures.

11 (A) General Enclosure Requirements.

12 (i) The enclosure shall provide protection from free ranging animals and from sun  
13 or weather that could cause stress to the animals.

14 (ii) A den area in which the animal can escape from view and large enough for the  
15 animal to turn around and lie down shall be provided for each animal within the  
16 enclosure.

17 (iii) No tethers or chains shall be used to restrain the animal.

18 (iv) Either a tree limb, exercise device, or shelf large enough to accommodate the  
19 animal shall be provided to allow for exercise and climbing.

20 (v) Sanitation and Care. Fresh food shall be provided daily, and clean water shall  
21 be available at all times.

22 (vi) An effective program for the control of insects, ectoparasites, disease, and odor  
23 shall be established and maintained.

24 (B) Single Animal Enclosures for certain animals. The single-animal enclosure for the  
25 animals listed in this Subparagraph shall be a cage with the following minimum  
26 dimensions and horizontal areas:

27  
28 Dimensions in Feet

29

30 Animal	Length	Width	Height	Per Animal
31 Bobcat, Otter	10	5	5	50
32 Raccoon, Fox, Woodchuck	8	4	4	32
33 Opossum, Skunk, Rabbit	6	3	3	18
34 Squirrel	4	2	2	8

35  
36

37 (C) Single Enclosure Requirements for animals not mentioned elsewhere in this Rule. For  
38 animals not listed above or mentioned elsewhere in this Rule, single animal enclosures  
39 shall be a cage with one horizontal dimension being at least four times the nose-rump  
40 length of the animal and the other horizontal dimension being at least twice the nose-  
41 rump length of the animal. The vertical dimensions shall be at least twice the nose-rump  
42 length of the animal. Under no circumstances shall a cage be less than four feet by two  
43 feet by two feet.

44 (D) Multiple Animal Enclosures. The minimum area of horizontal space shall be determined  
45 by multiplying the required square footage for a single animal by a factor of 1.5 for one  
46 additional animal and the result by the same factor, successively, for each additional  
47 animal. The vertical dimension for multiple animal enclosures shall remain the same as  
48 for single animal enclosures.

49 (E) Young animals. The young of any animal may be kept with the parent in a single-animal  
50 enclosure only until weaning. After weaning, if the animals are kept together, the  
51 requirements for multiple-animal enclosures apply.  
52

53 *History Note: Authority G.S. 19A-11; 106-549.97(b); 113-134; 113-272.5, 113-272.6;*  
54 *Eff. February 1, 1976;*  
55 *Amended Eff. December 1, 1990; June 1, 1990; July 1, 1988; November 9, 1980;*  
56 *Temporary Amendment Eff. October 8, 2002;*

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*Amended Eff. May 1, 2010; December 1, 2005; August 1, 2004.*  
*Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0304 CAPTIVE CERVID HERD CERTIFICATION PROGRAM**

2 (a) The Wildlife Resources Commission has established this Captive Cervid Herd Certification Program in order to  
3 prevent the introduction of Chronic Wasting Disease (CWD) into North Carolina and reduce the potential for spread  
4 of CWD while allowing transportation of cervids from herds in which CWD has not been detected for at least five  
5 years, in accordance with the requirements in this Section. Only licensees with Certified Herds as defined in  
6 Paragraph (e) of this Rule may request to expand their pen size to accommodate additional cervids and transport  
7 cervids within North Carolina for purposes other than those specified in 15A NCAC10H .0301(f)(4). Licensees  
8 with Certified Herds may also import cervids under the conditions and restrictions set forth in 15A NCAC 10B  
9 .0101. Licensees with Certified Herds are also eligible to apply for an importation waiver as described in 15A  
10 NCAC 10A .1101, if necessary, from a herd in which CWD has not been detected for at least five years and has  
11 been managed using standards equivalent to, or more stringent than, the criteria specified in 15A NCAC 10H .0301  
12 and 15A NCAC 10H .0302. The individual U.S. or Mexican state or territory, Canadian province or other country  
13 of origin must have CWD monitoring requirements that are at least as stringent as those described in this Section.  
14 The originating individual U.S. or Mexican state's or territory's, Canadian province's or other country's CWD  
15 monitoring program must be jointly reviewed by Wildlife Resources Commission and Department of Agriculture  
16 and Consumer Services personnel before approval of any importation of cervids into North Carolina. There shall be  
17 no importation from individual U.S. or Mexican states or territories, Canadian provinces or other countries in which  
18 CWD has been detected, either in a wild or captive herd.

19 (b) Enrollment qualifications. Only captive cervid herds held under a valid captivity license are eligible for  
20 enrollment in the Captive Cervid Herd Certification Program. Licensees shall comply with all captivity license  
21 requirements outlined in this Section and the rules and laws regulating possession, transportation and importation of  
22 cervids in order to remain in the Captive Cervid Herd Certification Program.

23 (c) Enrollment application. Each individual holding a current and valid Captivity License for cervids may apply to  
24 be enrolled in the Captive Cervid Herd Certification Program. All applications shall be in writing on a form  
25 supplied by the Commission. The Commission shall deny an application if:

- 26 (1) the licensee has not complied with all the requirements under the captivity license statutes and all  
27 rules pertaining to the holding of cervids in captivity and the transportation or importation of  
28 cervids resulting in a failed inspection report for the licensee's most recent inspection; or a pending  
29 citation;
- 30 (2) the licensee has provided false information; or
- 31 (3) CWD has been confirmed in a cervid at the licensee's facility.

32 (d) Enrollment dates. The enrollment date is:

- 33 (1) the first date upon official inspection, documented by Wildlife Resources Commission and  
34 Department of Agriculture and Consumer Services personnel, on which the licensee has complied  
35 with all captivity rules and statutes that pertain to cervids, including tagging, provided that the  
36 licensee has continued to comply with these regulations; or
- 37 (2) the date on which a waiver was issued by the Wildlife Resources Commission Executive Director  
38 under the conditions set forth in 15A NCAC 10A .1101(a) that brought the licensee into  
39 compliance assuming that there were no other compliance actions pending, provided that the  
40 licensee has continued to comply with the captive cervid regulations.

41 This date may be retroactive but may extend back no earlier than the date Wildlife Resources Commission and  
42 Department of Agriculture and Consumer Services personnel documented that the licensee came into compliance  
43 with all captivity rules and statutes related to holding cervids in captivity, including tagging of all cervids.

44 (e) Certified herd. When a herd is enrolled in the Captive Cervid Herd Certification Program, it shall be placed in  
45 First Year status. If the herd continues to meet the requirements of the Captive Cervid Herd Certification Program,  
46 each year on the anniversary of the enrollment date the herd status shall be upgraded by one year. One year from the  
47 date a herd is placed in Fifth Year status, the herd status shall be changed to Certified, and the herd shall remain in  
48 Certified status as long as it is enrolled in the Captive Cervid Herd Certification Program, provided its status is not  
49 lost or suspended without reinstatement as described in Paragraph (f).

50 (f) Herd status

- 51 (1) A Certified Herd or any herd enrolled in the program shall have its status suspended or reduced if:
  - 52 (A) the licensee fails to comply with any of the ongoing requirements for captive cervid  
53 licenses as identified in 15A NCAC 10H .0301;
  - 54 (B) the licensee violates any other North Carolina law or rule related to captive cervids;
  - 55 (C) an animal in the herd exhibits clinical signs of CWD;

- 1 (D) an animal in the herd can be traced back to a herd with an animal exhibiting clinical signs  
2 of CWD; or  
3 (E) the herd is quarantined by the State Veterinarian.  
4 (2) A Certified Herd or any herd enrolled in the program shall lose its status if:  
5 (A) an animal in the herd can be traced back to a herd in which CWD has been detected;  
6 (B) CWD is detected in an animal in the herd; or  
7 (C) the licensee loses his or her license.

8 The Wildlife Resources Commission shall review cases of suspended status upon request. A Certified Herd with  
9 suspended status may regain its status if the licensee corrects within 30 days the deficiency under which the status  
10 was suspended or, in the case of suspected CWD, the disease was not detected in the suspect animal.

11 (g) Inspection. If an inspection of the captive cervids is needed as a part of certification, including reinstating a  
12 suspended status, the licensee is responsible for assembling, handling and restraining the captive cervids and all  
13 costs incurred to present the animals for inspection.  
14

15 *History Note:* Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-272.6; 113-274; 113-292;  
16 Eff. May 1, 2010.  
17 Amended Eff. January 1, 2012

1 **15A NCAC 10B .0216 FALCONRY**

2 (a) Seasons. Except as provided in Paragraphs (d) and (e) of this Rule, the open seasons for the practice of falconry  
3 as permitted by the rules contained in 15A NCAC 10H .0800 shall coincide with the regular open seasons contained  
4 in this Section for squirrels, rabbits, quail, ruffed grouse and pheasant, and with the open seasons set forth in the  
5 Code of Federal Regulations for migratory game birds in this state.

6 (b) Bag Limits. The daily bag, possession and season limits set forth in this Section for squirrels, rabbits, quail,  
7 ruffed grouse and pheasant and the daily bag, field possession, and total possession limits set forth in the Code of  
8 Federal Regulations for migratory game birds shall apply to falconry except as provided in Paragraph (e) of this  
9 Rule.

10 (c) Out of Season Kills. When any raptor being used in falconry kills any species of wildlife for which there is no  
11 open season or a species of game on which the season is then closed, the falconer or person using such raptor shall  
12 not take such dead wildlife into his possession but shall leave the same where it lies, provided that the said raptor  
13 may be allowed to feed on such dead wildlife before leaving the site of the kill. If the species so killed is a resident  
14 species of game on which there is a season limit, the kill shall be included as part of the season limit of the person  
15 using the raptor for falconry.

16 (d) Hunting After Limit Taken. After a falconer has acquired the daily bag, possession or season limit of any lawful  
17 species, regardless of the manner of taking, the falconer shall not release any raptor.

18 (e) Extended Seasons. An extended falconry season on ~~gray and red squirrels and~~ rabbits shall be the Monday on or  
19 nearest October 15 until the last day of February. Bag limits for those portions of the season outside the regular  
20 seasons shall be ~~4 squirrels daily, Possession 8; and 3~~ three rabbits daily, Possession 6, and a possession limit of six.

21  
22 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29;*  
23 *Eff. September 1, 1979;*  
24 *Amended Eff. May 1, 2008; July 1, 1998.*  
25 *Amended Eff. August 1, 2012*



1 **15A NCAC 10H .0801 DEFINITIONS**

2 In addition to the definitions contained in G.S. 113-130, and unless the context requires otherwise, as used in 15A  
3 NCAC 10B .0216 and in this Section:

- 4 (1) "Falconry permit" or "permit" means a ~~joint federal state falconry permit, or a separate state~~  
5 ~~falconry permit or license issued by this state or by another state, tribe or territory state~~ meeting  
6 federal falconry standards and ~~listed in Paragraph (k) of 50 C.F.R. 21.29, which has been certified~~  
7 ~~by the U.S. Fish and Wildlife Service.~~
- 8 (2) "Falconry license" means the annual special purpose falconry license which is required by G.S.  
9 113-270.3(b)(4) ~~in addition to any other applicable general purpose or special purpose license, and~~  
10 ~~referenced in the Rules of this Section.~~
- 11 (3) "State" means the State of North Carolina, except when the context indicates reference to another  
12 state of the United States.
- 13 (4) "Commission" means the North Carolina Wildlife Resources Commission.
- 14 (5) "Executive director" means the Executive Director of the North Carolina Wildlife Resources  
15 Commission. When action is required by the commission by any provision of this Section, such  
16 action may be performed by the executive director on behalf of the commission.
- 17 (6) "Bred in captivity" or "captive-bred" refers to raptors hatched in captivity from parents that mated  
18 or otherwise transferred gametes in captivity.
- 19 (7) "Raptor" means a live migratory bird of the Order Falconiformes or the Order Strigiformes, other  
20 than a bald eagle (*Haliaeetus leucocephalus*).
- 21 (8) "Wild-caught" and "wild" raptors means any free-ranging wild raptor held in captivity regardless  
22 of its length of captivity or ownership changes according to 50 CFR 21.29 (f)(1) which is hereby  
23 incorporated by reference, including subsequent amendments and editions.

24  
25  
26 *History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.28; 50 C.F.R. 21.29;*  
27 *Eff. September 1, 1979;*  
28 *Amended Eff. May 1, 2007; May 1, 1995; August 1, 1988; February 1, 1985.*  
29 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0802 PERMIT AND LICENSE REQUIREMENTS**

2 ~~(a) No person shall take a raptor in this state for falconry purposes without having first obtained:~~

3 ~~(1) either:~~

4 ~~(A) a resident falconry permit issued by this state; or~~

5 ~~(B) a General or Master Class falconry permit as defined in Rule .0801 of this Section from~~  
6 ~~another state that issues non resident falconry permits or licenses; and~~

7 ~~(2) a North Carolina resident or non resident falconry license as required by G.S. 113-270.3(b)(4).~~

8 ~~(b)(a) No person non-resident of this state shall take, possess, transport, or import a raptor for falconry purposes or~~  
9 ~~practice falconry in this state without having first obtained and having in possession:~~

10 ~~(1) a falconry permit as defined in Rule .0801 of this Section from this state or from a state, tribe or~~  
11 ~~territory another state that issues non resident falconry permits or licenses, which has been~~  
12 ~~certified by the U.S. Fish and Wildlife Service as meeting federal falconry standards; and~~

13 ~~(2) a North Carolina resident or non resident falconry license as required by G.S. 113-270.3(b)(4).~~

14 ~~(3) any other general purpose or special purpose license required by the applicable laws of this state.~~

15 Non-resident falconers legally licensed in their home states are exempted from the requirement in subparagraph  
16 (a)(2) of this Rule if they are traveling through North Carolina with no intention of practicing falconry while in  
17 North Carolina.

18 (b) No resident of this state shall take, possess, transport, or import a raptor for falconry purposes or practice  
19 falconry in this state without having first obtained and having in possession a North Carolina falconry license.

20 (c) In addition to criminal penalties for violation provided by federal law and state statute, licenses are subject to  
21 suspension or revocation in accordance with applicable law.

22  
23 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.28; 50 C.F.R. 21.29;*

24 *Eff. September 1, 1979;*

25 *Amended Eff. July 1, 1998.*

26 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0803 APPLICATION FOR PERMIT LICENSE**

2 (a) Any individual resident of this state who wishes to take raptors in this state or to practice falconry must submit  
3 an application for a falconry license on a form supplied by the commission and proof of a successful examination as  
4 described in 10H .0804 of this Section. Non-residents may substitute a valid falconry permit or license from their  
5 state in lieu of the proof of a successful examination and a letter, if required, provided that the state which issued the  
6 falconry permit or license has been certified by the U.S. Fish and Wildlife Service as meeting federal falconry  
7 standards permit to the commission on a form approved by the U.S. Fish and Wildlife Service.

8 (b) Apprentice license applications must have attached a letter from a sponsor as described in paragraph b of 10H  
9 .0807 of this Section.

10 (c) General license applications must have attached a letter from a General or Master falconer as described in  
11 paragraph c of 10H .0807 of this Section.

12 (d) Any application submitted by an individual less than 18 years of age must be co-signed by that individual's  
13 parent or legal guardian. The parent or legal guardian is legally responsible for the underage falconer's activities.

14 (e) A falconer with an expired license less than five years old can apply for a new license at his previous level on a  
15 form supplied by the Commission, provided the falconer can show proof he has previously met the requirements for  
16 the level of license sought. A falconer who has not had an active license within the past five years can apply for a  
17 new license on a form supplied by the Commission, but he must pass the examination described in 10H .0804 of this  
18 section and pass facilities inspection in order to be reinstated at his previous level. He must prove he has previously  
19 met the requirements for the level of license sought.

20 (f) Applications ~~Such application~~ shall be accompanied by a fee in the amount of ten dollars (\$10.00). ~~(\$10.00) to~~  
21 defray the cost of administering the examination required by Rule .0804 of this Section.

22  
23 *History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.28; 50 C.F.R. 21.29;*  
24 *Eff. September 1, 1979.*  
25 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0804 EXAMINATION**

2 Before any falconry ~~license permit~~ is issued the applicant shall ~~be required to~~ answer correctly at least 80 percent of  
3 the questions on a supervised ~~examination examination, approved by the U.S. Fish and Wildlife Service and~~  
4 administered by the ~~Commission commission~~, relating to basic biology, care, and handling of raptors, literature,  
5 laws, regulations and other appropriate subject matter. Such examination shall not be required of any applicant who  
6 holds a currently valid permit from another ~~state state, tribe or territory~~ meeting the federal standards and which has  
7 been certified by the U.S. Fish and Wildlife Service. and listed in Paragraph (k) of 50 C.F.R. 21.29. The cost for  
8 taking the exam is ten dollars (\$10.00).  
9

10 *History Note:* Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;  
11 Eff. September 1, 1979.  
12 Amended Eff. January 1, 2012

1 **15A NCAC 10H .0805 DURATION OF ~~PERMIT~~ LICENSE**

2 A falconry license ~~permit~~ or the renewal of such a license ~~permit~~ is valid when issued by the state and expires on  
3 June 30. ~~June 30 of the second calendar year after it is issued, unless a different period is specified on the permit or~~  
4 ~~the renewal.~~

5  
6 *History Note:* Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.28;  
7 Eff. September 1, 1979.  
8 Amended Eff. January 1, 2012

1 **15A NCAC 10H .0806 CONDITIONS OF PERMIT ACQUISITION, SALE AND STATUS CHANGE**

2 Every falconry permit shall be issued subject to the following special conditions:

3 (1) ~~— A permittee may not take, transport or possess a golden eagle (Aquila chrysaetos) unless~~  
4 ~~authorized in writing by the U.S. Fish and Wildlife Service.~~

5 ~~(2) —~~

6 ~~(a) Sale, transfer, purchase and barter. A permittee licensee may trade or transfer a wild-caught raptor to another~~  
7 ~~licensee permittee if the transaction occurs entirely within the state and no money or other consideration is involved.~~  
8 ~~A permittee may trade or transfer a raptor to another permittee in an interstate transaction if the prior written~~  
9 ~~approval of the Commission is obtained and no money or other consideration is involved in the transaction. A~~  
10 ~~permittee must report all acquisitions and dispositions of raptors to the U.S. Fish and Wildlife Service and to the~~  
11 ~~Commission on forms supplied by the Commission. A licensee permittee may purchase, trade, sell or barter any~~  
12 ~~lawfully possessed raptor which is bred in captivity under a federal raptor propagation permit and banded with a~~  
13 ~~numbered seamless marker provided by the issuing office U.S. Fish and Wildlife Service, provided:~~

14 ~~(a)(1) the person receiving such raptor is authorized to possess it under this Section, or 50 CFR~~  
15 ~~21, or the foreign country of his residence or domicile in accordance with 50 CFR~~  
16 ~~21.29(f)(15); and~~

17 ~~(b)(2) the licensee permittee transferring such raptor has acquired it from a person authorized to~~  
18 ~~possess it as provided by Sub item (2)(a) of this Rule. 15A NCAC 10H .0807.~~

19 ~~(b) Acquisition from a rehabilitator. A licensee may acquire a raptor from a permitted rehabilitator subject to the~~  
20 ~~restrictions and conditions set forth in 50 CFR 21.29(e)(7)(i)-(ii) which is hereby incorporated by reference,~~  
21 ~~including subsequent amendments and editions.~~

22 ~~(c) A licensee permittee may not take, possess, or transport a raptor in violation of the restrictions, conditions, and~~  
23 ~~requirements of the federal and state falconry regulations.~~

24 ~~(d) Death. If a licensee dies his raptors may be transferred in accordance with 50 CFR 21.29 (f)(21), which is~~  
25 ~~hereby incorporated by reference, including subsequent amendments and editions, for up to 90 days. After 90 days~~  
26 ~~the Commission will determine disposition of the birds.~~

27 ~~(e) Status change. Any status change of a raptor, including death of the raptor or the licensee, loss due to theft,~~  
28 ~~acquisition, sale, transfer, intentional release and rebanding must be reported as set forth in 50 CFR 21.29(e)(6)(i)-~~  
29 ~~(iii) which is hereby incorporated by reference, including subsequent amendments and editions.~~

30 ~~(f) Disposition of dead birds. Dead birds must be disposed of in a manner described in 50 CFR 21.29(f)(13)(i)-(v)~~  
31 ~~which is hereby incorporated by reference, including subsequent amendments and editions.~~

32 ~~(4) — The falconry seasons and the daily, possession and season bag limits are contained in 15A NCAC~~  
33 ~~10B .0216.~~

34 ~~(5) — A permittee must have his permit in possession at all times when raptor trapping devices or raptors~~  
35 ~~are in his possession away from his residence.~~

36 ~~(6) — In addition to criminal penalties for violations provided by federal and state statutes, permits are~~  
37 ~~subject to suspension or revocation in accordance with applicable law.~~

38  
39 *History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.28; 50 C.F.R. 21.29;*

40 *Eff. September 1, 1979;*

41 *Amended Eff. February 1, 1994; April 1, 1991; February 1, 1985.*

42 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0807 CLASSES LEVELS OF PERMITS LICENSES**

2 (a) Falconry licenses. Falconry licenses are issued at three levels based upon the age and experience of the  
3 falconer.

4 ~~(a)(b) Apprentice Class-~~ Apprentice class level falconry permits licenses are subject to the following conditions,  
5 requirements and limitations set forth in 50 CFR 21.29(c)(3)(i) which is hereby incorporated by reference, including  
6 subsequent amendments and editions. The following restrictions are in addition to those set forth in federal code:

7 (1) ~~—~~ The permittee must be at least 14 years old.

8 (2)(1) ~~—~~ Regardless of the age of the permittee, the apprentice must have a sponsor who is a holder of a  
9 general or master falconry permit for the period during which the apprentice permit is held. The  
10 apprentice's sponsor must be a North Carolina resident or must live within 200 miles of the  
11 apprentice. A sponsor may not have more than three apprentices at any one time. A sponsor must  
12 provide written justification to the Commission when he decides to drop an apprentice. The  
13 Commission will notify the apprentice who must obtain another sponsor and so advise the  
14 Commission within 90 days. The apprentice's raptors may be seized by the Commission and the  
15 permit revoked if after the 90 day period the apprentice fails to obtain another sponsor and/or to  
16 notify the Commission of the same. If after 180 days, the apprentice fails to obtain another  
17 sponsor and/or to notify the Commission of the same, he shall be required to reapply and be  
18 reexamined prior to the reissuance of his permit license.

19 (3) ~~—~~ The permittee may not possess more than one raptor and may not obtain more than one raptor for  
20 replacement during any period of 12 months.

21 (4) ~~—~~ The permittee may possess only the following raptors which must be taken from the wild: an  
22 American kestrel (Falco sparverious), a red-tailed hawk (Buteo jamaicensis), or a red-shouldered  
23 hawk (Buteo lineatus).

24 ~~(b)(c) General Class-~~ General class level falconry permits licenses are subject to the following conditions,  
25 requirements and ~~limitations:~~ limitations set forth in 50 CFR 21.29(c)(3)(ii) which is hereby incorporated by  
26 reference, including subsequent amendments and editions.

27 (1) ~~—~~ The permittee must be at least 18 years old.

28 (2) ~~—~~ The permittee shall have at least two years experience in the practice of falconry at the apprentice  
29 level or its equivalent. The permittee's apprentice sponsor must provide written certification of the  
30 falconer's skills on forms supplied by the Commission. This certification must also be approved  
31 by at least one other general or master class falconer by his signature and falconry permit number  
32 on the form.

33 (3) ~~—~~ The permittee may not possess more than two raptors and may not obtain more than two raptors  
34 for replacement during any period of 12 months.

35 (4) ~~—~~ The permittee may not take, transport, or possess any golden eagle or any species listed as  
36 endangered or threatened under the federal regulations, except as provided by the federal falconry  
37 regulations.

38 ~~(c)(d) Master Class-~~ Master class level falconry permits licenses are subject to the following ~~conditions~~ conditions,  
39 requirements and limitations: limitations set forth in 50 CFR 21.29(c)(3)(iii) which is hereby incorporated by  
40 reference, including subsequent amendments and editions.

41 (1) ~~—~~ The permittee must have at least five years' experience in the practice of falconry at the general  
42 class level or its equivalent.

43 (2) ~~—~~ The permittee may not possess more than three raptors and may not obtain more than two raptors  
44 taken from the wild for replacement during any period of 12 months.

45 (3) ~~—~~ The permittee may not take, transport, or possess any golden eagle for falconry purposes unless  
46 authorized in writing by the U.S. Fish and Wildlife Service.

47 (4) ~~—~~ The permittee may not take species listed as endangered in 50 CFR 17 but may transport or  
48 possess such species in accordance with 50 CFR 17.

49 (5) ~~—~~ The permittee may not take during any period of 12 months, as part of his three bird limitation,  
50 more than one raptor listed as threatened in 50 CFR 17 and then only in accordance with 50 CFR  
51 17.

52  
53 *History Note:* Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;  
54 Eff. September 1, 1979;  
55 Amended Eff. May 1, 1995; May 1, 1991; February 1, 1985.  
56 Amended Eff. January 1, 2012

1 **15A NCAC 10H .0808 FACILITIES AND EQUIPMENT:**

2 (a) Inspection and Certification. Prior to initial issuance of a North Carolina falconry license to a resident of North  
3 Carolina, permit, the applicant's raptor housing facilities and falconry equipment shall be certified by a  
4 representative of the Commission as meeting the standards set forth in ~~Subsections (b) and (c)~~ of this Rule.  
5 Applicants must have indoor facilities or outdoor facilities as described in paragraph b. Applicants may have both  
6 types of facilities.

7 (b) Housing Facilities. The primary consideration of raptor housing, whether indoors (mews) or outdoors  
8 (weathering area), being protection of the raptor from the environment, predators, and domestic animals ~~and~~  
9 ~~disturbance~~, the applicant shall have holding facilities meeting the following standards:

10 (1) ~~Standards for Apprentice Class Falconry Facilities:~~ All facilities. All facilities must conform to the  
11 standards in 50 CFR 21.29(d)(1)(ii)(A) which is hereby incorporated by reference, including  
12 subsequent amendments and editions.

13 (2) ~~(A)~~ (A)—Indoor Facilities (Mews). Indoor facilities must conform to the standards in 50 CFR  
14 21.29(d)(1)(ii)(B) which is hereby incorporated by reference, including subsequent amendments  
15 and editions. In addition to the federal standards, Minimum size of the mews shall be 8 x 8 feet  
16 with access provided by The mews must have a door that allows easy access and maintenance, and  
17 that shall close automatically or be securable inside and outside. Mews should be located away  
18 from undue disturbance and shade should be provided. There shall be at least one window,  
19 protected on the inside by vertical bars spaced narrower than the width of the raptor's body and  
20 containing a window perch.—The floor of the mews shall permit easy cleaning and shall be well  
21 drained. ~~Adequate perches shall be provided.~~—The interior of the mews shall be free of splinters,  
22 protruding nails and other obstructions that could be injurious to the raptor. Any lighting fixtures  
23 shall be shielded or otherwise protected.

24 (3) ~~(B)~~ (B)—Outdoor Facilities (Weathering Areas). ~~Weathering areas~~ Outdoor facilities must  
25 conform to the standards in 50 CFR 21.29(d)(1)(ii)(D) which is hereby incorporated by reference,  
26 including subsequent amendments and editions. In addition to the federal standards, shall be fenced  
27 and covered with netting or wire mesh, or roofed to protect the raptor from disturbance and attack  
28 by predators. Covers or roofs shall not be less than seven feet. The enclosed area shall be ~~no less~~  
29 ~~than 8 x 8 feet, but~~ large enough to insure the raptor cannot strike the fence, cover or roof when  
30 flying from the perch. The floor of the weathering area shall ~~be covered with a thick layer of~~  
31 ~~natural or artificial material that allows~~ allow for adequate drainage. Protection from excessive  
32 sun, wind, and inclement weather shall be provided for the raptor. ~~The weathering area shall also~~  
33 ~~include a jump box, A frame, or similar structure constructed of weatherproof material and which~~  
34 ~~will offer the raptor a secure perch with adequate head and tail clearance.~~ At least two perches  
35 shall be provided for the raptor. ~~These shall be covered with artificial turf, hemp rope, or similar~~  
36 ~~material. Secured leash shall offer access to all perches and bath container yet should not allow~~  
37 ~~the raptor to come in contact with the fence and be free from entanglement.~~ All areas accessible to  
38 the raptor shall be smooth and free of splinters and other obstructions that could be injurious to the  
39 raptor.

40 (2) ~~Standards for General and Master Class Falconry Facilities:~~

41 (A) ~~Indoor Facilities (Mews). The mews shall be of a size to allow easy access for caring for~~  
42 ~~the raptors held in the facility and shall have a secure door that can be easily closed. If~~  
43 ~~more than one raptor is to be kept in a mews, the raptors shall be tethered or separated by~~  
44 ~~partitions and the area for each raptor shall be large enough to allow the raptor to fully~~  
45 ~~extend its wings. There shall be at least one window, protected on the inside by vertical~~  
46 ~~bars spaced narrower than the width of the raptor's body and containing a window perch.~~  
47 ~~The floor of the mews shall permit easy cleaning and shall be well drained. Adequate~~  
48 ~~perches shall be provided. The interior of the mews shall be free of splinters, protruding~~  
49 ~~nails and other obstructions that could be injurious to the raptor. Any lighting fixtures~~  
50 ~~shall be shielded or otherwise protected.~~

51 (B) ~~Outdoor Facilities (Weathering Areas). Weathering areas shall be fenced and covered~~  
52 ~~with netting or wire mesh, or roofed to protect the raptor's from disturbance and attack by~~  
53 ~~predators, except that perches more than six and one half feet high need not be covered or~~  
54 ~~roofed. The enclosed area shall be large enough to insure the raptor(s) cannot strike the~~  
55 ~~fence when flying from the perch. The floor of the weathering area shall allow for~~  
56 ~~adequate drainage. Protection from excessive sun, wind, and inclement weather shall be~~



1 provided for each raptor. Adequate perches shall be provided. All areas accessible to the  
2 raptor shall be smooth and free of splinters and other obstructions that could be injurious  
3 to the raptor.

4 (4) Human facilities. Raptors may be brought inside a human dwelling as needed to address health,  
5 training and safety issues. Human facilities must conform to the standards in 50 CFR  
6 21.29(d)(1)(ii)(C) which is hereby incorporated by reference, including subsequent amendments  
7 and editions.

8 (5) A licensee may have his raptors in the open temporarily under the conditions set forth in  
9 21.29(d)(1)(iii) which is hereby incorporated by reference, including subsequent amendments and  
10 editions.

11 (c) Equipment. Licensees must possess the equipment listed in 50 CFR 21.29(d)(3) which is hereby incorporated  
12 by reference, including subsequent amendments and editions.

13 The following items shall be in the possession of the applicant before he can obtain a permit:

14 (1) ~~At least one pair of Alymeri type (two piece) jesses constructed of pliable high quality leather or~~  
15 ~~suitable synthetic material.~~

16 (2) ~~At least one flexible, weather resistant leash and one figure eight type swivel of acceptable~~  
17 ~~falconry design;~~

18 (3) ~~At least one suitable bath, 2" - 6" deep and wider than the length of the raptor for drinking and~~  
19 ~~bathing for each raptor;~~

20 (4) ~~A reliable scale or balance with perch attached for weighing raptors held and capable of weighing~~  
21 ~~up to five pounds and graduated to increments of not more than 1/2 ounce or 15 grams;~~

22 (5) ~~Outdoor Perches.~~ At least one portable weathering area perch of an acceptable design (block  
23 perch, ring perch, or bow perch) shall be provided for each raptor;

24 (6) ~~At least one pair of bells of falconry design and of appropriate size.~~

25 (d) Maintenance. All facilities and equipment shall be kept at or above the standards contained in Paragraphs (b)  
26 and (c) of this Rule at all ~~times.~~ times, regardless whether the facilities are located on property owned by the  
27 licensee or owned by another.

28 (e) Transportation and Temporary Holding. A raptor may be transported or held in temporary facilities as described  
29 in 50 CFR 21.29(d)(4)(5) which is hereby incorporated by reference, including subsequent amendments and  
30 editions. ~~which shall be provided with an adequate perch and protected from extreme temperatures and excessive~~  
31 ~~disturbance for a period not exceeding 30 days.~~

32 (f) Care by others. A licensee may leave his raptors in the care of another person subject to the restrictions in 50  
33 CFR 21.29(d)(6)(7) which is hereby incorporated by reference, including subsequent amendments and editions.

34 (g) Change of location. A licensee must inform the Commission within 5 days if he moves his facilities.

35 *History Note:* Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;

36 *Eff. September 1, 1979;*

37 *Amended Eff. May 1, 1995; April 1, 1991.*

38 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0809 MARKING**

2 (a) All peregrine falcons (Falco peregrinus), gyrfalcons (Falco rusticolus), and Harris hawks (Parabuteo unicinctus)  
3 and goshawks possessed removed from the wild or acquired from a falconer or rehabilitator for falconry purposes  
4 must be marked in accordance with the following provisions: banded or microchipped as set forth in 50 CFR  
5 21.29(c)(7)(i) which is hereby incorporated by reference, including subsequent amendments and editions.

6 (b) Raptors bred in captivity must be banded as set forth in 50 CFR 21.29(c)(7)(ii) which is hereby incorporated by  
7 reference, including subsequent amendments and editions.

8 (1) ~~Any peregrine falcon (Falco peregrinus), gyrfalcon (Falco rusticolus), or Harris hawk (Parabuteo~~  
9 ~~unicinctus), except a captive bred raptor lawfully marked by a numbered, seamless band issued by~~  
10 ~~the Service, must be banded with a permanent, non-reusable, numbered band issued by the~~  
11 ~~Service.~~

12 (2) ~~Any peregrine falcon (Falco peregrinus), gyrfalcon (Falco rusticolus), or Harris hawk (Parabuteo~~  
13 ~~unicinctus), possessed for falconry purposes must be banded at all times in accordance with these~~  
14 ~~standards.~~

15 (c) Loss or removal of any band must be reported to the issuing office within five working days of the loss and must  
16 be replaced as described in 50 CFR 21.29(c)(7)(iii) which is hereby incorporated by reference, including subsequent  
17 amendments and editions, with a permanent non-reusable, numbered band supplied by the Service.

18 (3) ~~After the effective date of this Section, before any unmarked raptor of these species is acquired in~~  
19 ~~this state, an appropriate marker must be first acquired and attached to the raptor immediately~~  
20 ~~upon acquisition. A written application is required to obtain any such marker.~~

21 (4) ~~Permittees must affix a non-reusable marker to any raptor which may require retrapping. Only~~  
22 ~~marked raptors may be retrapped at any time.~~

23 ~~(d) (5) Counterfeiting or Alteration.~~ No person shall counterfeit, alter, or deface any marker required by this Rule,  
24 except that ~~permittees~~ licensees may remove the rear tabs on markers and may smooth any surface imperfections  
25 provided the integrity of the markers and numbering are not affected.

26 (e) No raptor removed from the wild may be marked with a seamless numbered band.

27 (f) A falconer may request a band exemption from the issuing office for a raptor with documented health problems  
28 or injuries caused by a band but must adhere to the restrictions set forth in 50 CFR 21.29(c)(7)(v) which is hereby  
29 incorporated by reference, including subsequent amendments and editions.

30  
31 *History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;*  
32 *Eff. September 1, 1979;*  
33 *Amended Eff. April 1, 1991; July 1, 1988.*  
34 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0810 TAKING RAPTORS**

2 (a) No raptor shall be taken from the wild in this state except by an individual ~~a person~~ holding a currently valid  
3 falconry license ~~permit~~ as defined in Rule .0801 of this Section and a falconry permit from the individual's state of  
4 residence if the individual is a non-resident of North Carolina. Falconers may only take species of raptors from the  
5 wild that are authorized under their level of permit. If a falconer captures an unauthorized species of raptor or other  
6 bird, he must release that bird immediately. ~~from this state or another state that issues non-resident falconry permits~~  
7 or licenses and a currently valid resident or non-resident falconry license, and then only in accordance with the  
8 following instructions:

9 (b) All levels of licensees are allowed to take up to two raptors from the wild annually subject to the conditions and  
10 restrictions set forth in 50 CFR 21.29(e)(2)(i)-(viii) which is hereby incorporated by reference, including subsequent  
11 amendments and editions. Apprentices are allowed to keep only one bird at a time.

12 (c) Apprentices may take any species of raptor from the wild except for those species specified in 50 CFR  
13 21.29(c)(3)(i) which is hereby incorporated by reference, including subsequent amendments and editions.

14 (d) Any raptor native to this state may be taken from the wild subject to the restrictions on species and license level  
15 as follows:

16 (1) Nestlings. ~~Young birds not capable of flight (eyasses) may not be taken without a special permit~~  
17 issued by the commission. ~~These permits shall be issued only~~ Only to persons holding general or  
18 master class falconry licenses may take nestlings. Nestlings may only be taken ~~permits and are~~  
19 valid during the period ~~from~~ May 1 through June 30. No more than two nestlings ~~eyasses~~ may be  
20 taken by the same licensee. ~~permittee during this period.~~ At least one nestling must be left in the  
21 nest or aerie.

22 (2) Young birds. First year (passage) birds may be taken only during the period ~~August 1 September 4~~  
23 through ~~the last day of February, December 31,~~ except that marked raptors may be retrapped at  
24 any time.

25 (3) Only American ~~kestrels~~ ~~kestrals~~ (Falco sparverius) and great horned owls (Bubo Virginianus) may  
26 be taken when over one year ~~old, old,~~ ~~except that any raptor other than an endangered or~~  
27 threatened species taken under a depredation or other special purpose permit issued by the U.S.  
28 Fish and Wildlife Service may be used for falconry by general and master class falconers. ~~Only~~  
29 general or master level falconers may take these species. The time period for taking is August 1  
30 through the last day of February.

31 (4) Federally Listed Species. Only General and Master falconers may take a federally threatened  
32 species and the falconer must following the restrictions in 50 CFR 21.29(e)(3)(ix) which is hereby  
33 incorporated by reference, including subsequent amendments and editions.

34 (5) State listed species. A falconer must obtain a North Carolina endangered species permit before  
35 taking any raptors listed in 15A NCAC 10I .0103, 15A NCAC 10I .0104 or 15 A NCAC 10I  
36 .0105. Furthermore, a falconer must possess a special hunt permit to take a Peregrine falcon  
37 (Falco peregrinus tundrius).

38 (e) Traps must be designed to prevent injury to the raptor. All traps except box-type traps must be attended and  
39 viewed from a reasonable distance by the trapper at all times when in use. Box-type traps must be checked every 24  
40 hours. Traps must be of one of the following types:

41 (1) Leg noose snare traps. Nooses on these traps must be tied in such a manner as to prevent the noose  
42 from locking when under pressure. The trapper must use a suitable drag weight based on the  
43 species being trapped.

44 (2) Nets that collapse on and enclose around the raptor.

45 (3) Box-type traps with automatic closing entry doors or funnels.

46 (f) Licensees may recapture their own birds at any time. Disposition of banded birds, captive-bred birds and birds  
47 wearing falconry equipment is as allowed in 50 CFR 21.29(e)(3)(iv)-(v) which is hereby incorporated by reference,  
48 including subsequent amendments and editions.

49 (g) Licensees must keep their license on their person when trapping raptors.

50 (h) Raptors injured due to falconry trapping efforts must be treated humanely and in accordance with 50 CFR  
51 21.29(e)(5) which is hereby incorporated by reference, including subsequent amendments and editions.

52  
53 *History Note: Authority G.S. 113-134; 113-270.3(b)(4); 50 C.F.R. 21.29;*  
54 *Eff. September 1, 1979;*  
55 *Amended Eff. July 1, 1998.*  
56 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0811 OTHER RESTRICTIONS AND CONDITIONS**

2 ~~(a) A person who possesses a lawfully acquired raptor before the effective date of this Section and who fails to meet~~  
3 ~~the permit requirements for falconry shall be allowed to retain such raptor, but shall not engage in the practice of~~  
4 ~~falconry. Each such bird shall be identified with a marker supplied by the commission and cannot be replaced if~~  
5 ~~death, loss, release, or escape occurs.~~

6 ~~(b) A falconry permittee who possesses raptors before the effective date of this Section, in excess of the number~~  
7 ~~allowed under his class of permit, shall be allowed to retain the extra raptors. All such birds shall be identified with~~  
8 ~~markers supplied by the commission and no replacement or additional raptor may be obtained until the number in~~  
9 ~~possession is at least one less than the total number authorized by the class of permit held by the permittee.~~

10 ~~(c) No species of raptor which is not indigenous to this state shall be intentionally released to the wild in this state~~  
11 ~~without written authorization having been first obtained from the commission. When any raptor, whether or not~~  
12 ~~indigenous to this state, is intentionally released to the wild in this state, the marker shall be removed from such bird~~  
13 ~~and surrendered to the commission, and a standard federal bird band shall be attached to the bird by a state or~~  
14 ~~federally authorized federal bird bander.~~

15 ~~(d) By written authorization of the permittee accompanying the transfer, a falconry permittee may commit the care~~  
16 ~~of raptors to another person. If the period of such care will exceed 30 days, the permittee, within three days of the~~  
17 ~~transfer, shall inform the commission in writing of the transfer and the reason therefor, where the birds are being~~  
18 ~~held, who is caring for them, and approximately how many days they will remain in the care of such other person.~~

19 ~~(a) Falconers must carry their license on their person when conducting any falconry activities away from approved~~  
20 ~~facilities as described in 10H .0808 of this section.~~

21 ~~(b) Visitors to the United States may practice falconry under the conditions set forth in 50 CFR 21.29 (f)(14) which~~  
22 ~~is hereby incorporated by reference, including subsequent amendments and editions.~~

23 ~~(c) A licensee may take his raptors to another country to practice falconry under the conditions set forth in 50 CFR~~  
24 ~~21.29 (f)(15) which is hereby incorporated by reference, including subsequent amendments and editions.~~

25 ~~(d) A licensee who practices falconry in the vicinity of a federally listed species must avoid take of the listed~~  
26 ~~species as described in 50 CFR 21.29 (f)(17) which is hereby incorporated by reference, including subsequent~~  
27 ~~amendments and editions.~~

28 ~~(e) If a licensee's raptor takes a non-target species, the licensee may allow his bird to feed on the prey, but not take~~  
29 ~~the non-target species into his possession.~~

30 ~~(e)(f) Feathers that are molted molted, or those from raptors held in captivity that die, may be retained and~~  
31 ~~exchanged by falconry licensees permittees only for imping purposes- purposes or otherwise disposed of as set forth~~  
32 ~~in 50 CFR 21.29(f)(12)(i)-(v) which is hereby incorporated by reference, including subsequent amendments and~~  
33 ~~editions.~~

34  
35 *History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;*  
36 *Eff. September 1, 1979.*  
37 *Amended Eff. January 1, 2012*

1 **15A NCAC 10H .0812 INTERSTATE TRANSPORTATION**

2 (a) A nonresident of this state who holds a currently valid falconry permit from another ~~state~~ state, tribe or territory  
3 which has been certified by the U.S. Fish and Wildlife Service ~~which is listed in Paragraph (k) of 50 C.F.R. 21.29~~  
4 may transport his raptors into or through this state for use in the practice of falconry, provided all laws and  
5 regulations governing the practice of falconry in this state are observed.

6 (b) A resident of this state who holds a falconry license ~~permit~~ issued by the commission may transport his raptors  
7 into or through other ~~states~~ states, tribes and territories certified by the U.S. Fish and Wildlife Service ~~listed in~~  
8 ~~Paragraph (k) of 50 C.F.R. 21.29~~ for use in the practice of falconry, provided all laws and regulations of such states  
9 governing the possession and transportation of raptors and the practice of falconry are observed.

10  
11 *History Note:* Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;  
12 Eff. September 1, 1979.  
13 Amended Eff. January 1, 2012

1 15A NCAC 10H .0813 is proposed for repeal as follows:  
2

3 **15A NCAC 10H .0813 RAPTOR PROPAGATION PERMIT**  
4

5 *History Note:* Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;  
6 Eff. February 1, 1994;  
7 Amended Eff. July 1, 1994.  
8 Repealed Eff. January 1, 2012

1 **15A NCAC 10H .0814 RELEASE OF RAPTORS OR MOVED TO OTHER PERMIT**

2 (a) No raptor which is not native to the state of North Carolina and no hybrid of any kind may be released to the  
3 wild. Native, captive-bred birds may only be released with written permission from the Commission and under the  
4 conditions set forth in 50 CFR 21.29(e)(9)(ii) which is hereby incorporated by reference, including subsequent  
5 amendments and editions.

6 (b) Native, wild birds may be released to the wild under the conditions set forth in 50 CFR 21.29(e)(9)(iii) which is  
7 hereby incorporated by reference, including subsequent amendments and editions.

8 (c) Wild-caught birds may be transferred to another type of permit under the conditions set forth in 50 CFR  
9 21.29(f)(5)(i)-(ii) which is hereby incorporated by reference, including subsequent amendments and editions.

10 (d) Captive-bred birds may be transferred to another type of permit under the conditions set forth in 50 CFR  
11 21.29(f)(6) which is hereby incorporated by reference, including subsequent amendments and editions.

12 (e) Hacking and other training and conditioning techniques are allowed under conditions set for in 50 CFR  
13 21.29(f)(2)(3) which is hereby incorporated by reference, including subsequent amendments and editions.

14  
15 *History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;*  
16 *Eff. January 1, 2012*

1 **15A NCAC 10H .0815 OTHER USES AND ALLOWED ACTIVITIES**

2 (a) Raptors may be used in captive propagation as allowed under the conditions set forth in 50 CFR 21.29(f)(7)  
3 which is hereby incorporated by reference, including subsequent amendments and editions.

4 (b) General and master falconers may use raptors in conservation education programs as set forth in 50 CFR  
5 21.29(f)(8)(i)-(vi) which is hereby incorporated by reference, including subsequent amendments and editions. Other  
6 educational uses of raptors are restricted to those allowed in 50 CFR 21.29(f)(9)(i)-(ii) which is hereby incorporated  
7 by reference, including subsequent amendments and editions.

8 (c) General and master falconers may use raptors in abatement activities under the conditions set forth in 50 CFR  
9 21.29(f)(11)(i)-(ii) which is hereby incorporated by reference, including subsequent amendments and editions.

10 (d) General and master falconers may assist in raptor rehabilitation under the conditions set forth in 50 CFR  
11 21.29(f)(10)(i)-(v) which is hereby incorporated by reference, including subsequent amendments and editions.

12 (e) Licensees may take bird species for which there is a depredation order by means of falconry in accordance with  
13 50 CFR 21.29(f)(20) which is hereby incorporated by reference, including subsequent amendments and editions.

14  
15  
16 *History Note: Authority G.S. 113-134; 113-270.3(b)(5); 50 C.F.R. 21.29;*  
17 *Eff. January 1, 2012*



# **EXHIBIT G-2**

**July 7, 2011**

## **PROPOSED CHANGES IN HUNTING AND TRAPPING REGULATIONS FOR 2012-2013 NOT RECOMMENDED BY AGENCY STAFF FOR NOTICE AND COMMENT**

1. Allow for the sale of deer pelts.
2. Remove Jackson and Macon from the list of wild boar counties.
3. Open raccoon season on the Pee Dee National Wildlife Refuge two weeks prior to the current statewide season.
4. Increase the length of the fox squirrel season, increase the bag limits for fox squirrels and open five new counties to fox squirrel hunting.
5. Make hunting squirrels at Sandhills Game Land by permit only.
6. Make hunting deer in the Richmond County portion of the Pee Dee River Game Land by permit only.

# EXHIBIT H-1

July 7, 2011

## PROPOSED CHANGES IN CROW AND COYOTE REGULATIONS RECOMMENDED BY AGENCY STAFF FOR TEMPORARY RULE-MAKING

Allow electronic calls for take of crows and coyotes.

**Explanation:**

House Bill 432 gives the Commission the authority to adopt rules prescribing seasons and the manner of taking of wild animals and wild birds with the use of artificial light and electronic calls. The bill language that gives that authority to the Commission also eliminates the provision in statute that allows hunters to use electronic calls for crows and coyotes effective **October 1, 2011**. Temporary rules would become effective before that date and allow hunters to continue to use electronic calls for crows and coyotes until permanent rules become effective January 1, 2012.

Proposed rule text:

**15A NCAC 10B .0215 CROWS**

(a) Open Seasons: Wednesday, Friday and Saturday of each week from the first Wednesday in June to the last day of February and on the following holidays: July 4, Labor Day, Thanksgiving, Christmas, New Years and Martin Luther King, Jr. days.

Note: Federal law protects crows and limits state seasons to a maximum of 124 days per year.

(b) Bag Limits: No restriction.

(c) Manner of Take. Hunters may use electronic calls.

*History Note: Authority G.S. 113-134; 113-291.2; 50 C.F.R. 20.133;*

*Eff. February 1, 1976;*

*Amended Eff. May 1, 2009; May 1, 2006; June 1, 2005; July 1, 1991; July 1, 1987; July 1, 1984;  
July 1, 1983.*

*Temporary Amendment Effective October 1, 2011*

**15A NCAC 10B .0219 COYOTE**

(a) No closed season.

(b) Bag Limits: No restriction.

(c) Manner of Take. Hunters may use electronic calls.

*History Note: Authority G.S. 113-134; 113-291.2;*

*Eff. July 1, 1993.*

*Temporary Amendment Effective October 1, 2011*

# EXHIBIT H-2

July 7, 2011

## PROPOSED CHANGES IN FERAL SWINE REGULATIONS RECOMMENDED BY AGENCY STAFF FOR TEMPORARY AND PERMANENT RULE-MAKING

Add feral swine to the Commission's hunting rules with no closed season and no bag limit.

**Explanation:**

House Bill 432 reclassifies feral swine as wild animals effective **October 1, 2011**. Only wild animals regulated through the Commission's rules may be hunted, unless explicitly allowed in statute. A temporary rule is necessary to allow sportsmen to hunt feral swine until a permanent rule goes into effect. This temporary rule would become effective on October 1, 2011. Agency staff recommends the Commission pursue permanent rule-making concurrent with temporary rule-making and present the proposed change at the nine district public hearings.

Proposed rule text for temporary rule:

**15A NCAC 10B .0223 FERAL SWINE**

- (a) Open season. There is no closed season for taking feral swine by hunting.
- (b) Bag limits. There are no bag limit restrictions.

*History Note: Authority G.S. 113-129; 113-134; 113-291; 113-291.2  
Temporary Amendment Effective October 1, 2011*

Proposed rule text for permanent rule:

**15A NCAC 10B .0223 FERAL SWINE**

- (a) Open season. There is no closed season for taking feral swine by hunting.
- (b) Bag limits. There are no bag limit restrictions.

*History Note: Authority G.S. 113-129; 113-134; 113-291; 113-291.2  
Eff. April 1, 2012*

# EXHIBIT I-1

July 7, 2011

## PROPOSED CHANGES TO WILDLIFE SERVICE AGENT AGREEMENT RULES

### SUMMARY OF PUBLIC COMMENTS RECEIVED FROM LOCAL PUBLIC HEARING, THE WRC INTERNET PORTAL AND WRITTEN CORRESPONDENCE

Type of Comment	Total Number Received	Agree	Disagree
Public Hearing	0	—	—
Online	4	—	4
Letter	2	—	2
Phone	2	—	2

#### A. Online Comments (presented as submitted)

1. Online March 3 - "Our company, Flowers Marine, Inc. will not be able to attend the meeting in Raleigh tonight; but, we do have some thoughts on the subject. First of all, there is hardly enough profit in doing boat registrations, hunting and fishing licenses to justify doing them with the NCWRC furnishing the equipment and there definitely is not enough profit to justify doing them if we have to furnish our own computer system."
2. Online April 19 - "I would like to object to the Agent Equipment and Internet Access Proposed Rule Change. Our commission is very low for issuing Hunting and Fishing Licenses. We perform a valuable service for the NCWRC and we need to be supported by the NCWRC. Cutting out our small amount of reimbursement for our internet cost would show that the NCWRC does not value our service."
3. Online May 9 - "My husband and I own a small marina on Blounts Creek and have been Wildlife Service Agents for 16 months. We fill this is the perfect place to get a fishing or hunting license and boat registration. There is no way we will be able to purchase another computer to continue our wildlife transactions on the compensation from such transactions. It is not our wish to discontinue service for the state, but we do not have the funds for the necessary equipment. We would like to continue using the equipment that was placed with us, if possible. On two occasions in the recent past, I could not proceed with the transactions without the help of the support desk. The support agent had to make

an adjustment from their side so I could continue. I hope this is not the support you want to do away with. We know how tight things are right now, but would appreciate your consideration in helping ours' and other small businesses.”

4. Online May 16 - “”If WRC expects us to continue to be their face to the public, we need to be treated fairly, and compensated as such. We have suffered in silence long enough. The last straw for many of my fellow agents was the news that lottery retailers were to receive a 7% commission; whereas license / vessel dealers only get a 6% commission and have to do many transactions at no charge to the sportsman. In addition, less that 20% of customers spend any additional money while waiting for the agents to finish their transactions.”

#### **B. Letter**

1. Letter received April 15 from Anne H. Lee, Lee’s Country Store - See attached letter.
2. Letter received May 11 from Laura M. Aulgur, Mountain Harbour Marina – See attached letter.

#### **C. Phone**

1. John King – Eastern Outfitters – The 6% commission is not enough to cover the cost to sell licenses and register vessels. The only way he would agree for WRC not to provide the equipment would be if we upped the commission an agent will earn.
2. David Pruitt – Jack Benchers Marine - Why can’t we keep the equipment?

Norman Young Jr.  
NC Department of Justice,SSA  
9001 Mail Service Center  
Raleigh, NC 27699-9001

Dear Mr. Young,

I am writing with regard to NCWRC's proposed ruling to eliminate equipment and/or support to their agents.

My business has done licenses and boat registration for many years. I would like to continue to be an agent with NCWRC for many years to come.

While I don't object to providing my own internet access, as I am now, I am concerned about the equipment. Will I get to keep what I am using now?

I have no problem with the existing way of doing things. It is quite easy as I it is now.

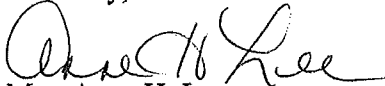
I am not very computer literate when it comes to change, however. Such as changing, adding equipment, programs, etc. I like things simple – as they are now.

Please consider that there might be more agents like me out there – that are somewhat handicapped in the world of computers.

I also hope that we will not lose our ability to be license agents. To outsource our services, as other states have done, to save money would be another slap in the face of small businesses like ourselves.

Your consideration in this matter will be greatly appreciated.

Sincerely,



Mrs. Anne H. Lee  
Lee's Country Store  
3296 Highway 175  
Hayesville, NC 28904

MOUNTAIN HARBOUR MARINA  
9066 NC Hwy 126  
Nebo, NC 28761  
828 584 0666

May 11, 2011

Cecilia Edgar  
NCWRC  
1701 Mail Service Center  
Raleigh, NC 27699-1701

RE: Computer Equipment

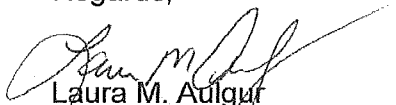
Dear Cecilia Edgar;

I am writing in reference to the state of North Carolina taking away the computer equipment the agents use for processing boat registrations and licenses on behalf of the state. I am not able to use my personal computer to process these items.

It is truly a customer service that we do as the fees you pay are not worth the effort. With you already taking away the help with internet costs we lose money with every transaction we process. If the agents, like myself quit working with the customers you will have to hire more in house people to answer questions. Is that really worth it? How much will you be saving? Do you really think the older generation is willing to sit on hold or use any on line service you may have? I do not think you realize how many hours are spent working with people and answering their questions.

You need to continue to provide the computer support and supplies to the agents.

Regards,

  
Laura M. Aulgur  
Mountain Harbour Marina

# EXHIBIT I-2

July 7, 2011

## PROPOSED RULE CHANGES TO WILDLIFE SERVICE AGENT AGREEMENT

### RECOMMENDED BY AGENCY STAFF FOR ADOPTION

#### 1 15A NCAC 10G .0402 APPOINTMENT OF WILDLIFE SERVICE AGENTS

2 (a) Any business operating from a fixed location in North Carolina may apply to the Commission for appointment as a  
3 Wildlife Service Agent by completing an application provided by the Commission.

4 (b) Application. Applications for Wildlife Service Agent appointment shall contain the business name, address, county  
5 where the business is located, agent contact information, bank account information, business hours, and any other  
6 information requested by the Commission that is reasonably necessary to determine the fitness of the applicant to serve as  
7 a Wildlife Service Agent.

8 (c) Qualifications and Requirements. Applicants shall meet the following qualifications in order to be appointed as a  
9 Wildlife Service Agent.

10 (1) Businesses shall operate from a fixed location in North Carolina and shall sell a minimum of one  
11 thousand dollars ( \$1,000) in transaction sales annually. This minimum requirement may be waived by  
12 the Executive Director if he finds the applicant's services necessary to maintain adequate agent  
13 services to the public in that geographic area.

14 (2) An applicant shall have a minimum of one year's experience in operating the business for which the  
15 application is made or other equivalent business experience or training. In those cases where other  
16 equivalent business experience or training is accepted in lieu of the minimum one year's experience,  
17 the applicant shall submit financial statements of the business so that the solvency of the business can  
18 be judged.

19 (3) Applicants shall provide a bank account for the purpose of transferring net proceeds from all Wildlife  
20 Service Agent transactions to the Commission's account in the State Treasury every week via an  
21 electronic transfer of funds.

22 ~~(4) Applicants shall provide a telephone line or other form of Internet connection for the purpose of~~  
23 ~~processing transactions related to services provided by Wildlife Service Agents.~~

24 (d) The qualifications as provided by Paragraphs (b) and (c) of this Rule shall be met prior to appointment. Failure to  
25 comply with the qualifications and requirements as provided by Paragraph (c) of this Rule, throughout the term of the  
26 appointment, may result in termination of the agent appointment. All agents are subject to monitoring of their  
27 performance by the Customer Support Section of the Commission.

28  
29 *History Note: Authority G.S. 113-134; 113-270.1;*

30 *Eff. April 1, 1997;*

31 *Amended Eff. May 1, 2007; July 1, 1998.*



1 15A NCAC 10G.0403 is proposed for amendment as follows:

2  
3 **15A NCAC 10G .0403 WILDLIFE SERVICE AGENT AGREEMENT**

4 ~~Each Wildlife Service Agent shall execute an Agreement with the Commission acknowledging that the business shall~~  
5 ~~comply with all rules and laws related to the sale of licenses and the registration of vessels.~~ Each Wildlife Service Agent  
6 shall execute an Agreement with the Commission and shall comply with all rules, statutes and administrative  
7 requirements reasonably related to the sale of licenses and the registration of vessels. All terms and conditions shall be  
8 fully set forth in the Agreement at the time of execution. The business shall operate as a public convenience and shall  
9 serve the public in an efficient and helpful manner with all reasonable requests for assistance related to the duties of a  
10 Wildlife Service Agent whenever open for business. The agent shall be informed and knowledgeable of the laws and  
11 rules governing requirements for licenses and vessel transactions and stay abreast of changes in these requirements so that  
12 the agent can provide accurate and reliable information and instruction to persons who seek assistance in these matters.  
13 The appointment as a Wildlife Service Agent and the Agreement under which the appointment is made are singularly  
14 valid for the person named thereon who is authorized to act on behalf of the business and applies only to the business and  
15 location named and is non-transferable.

16  
17 *History Note: Authority G.S. 113-134; 113-270.1;*  
18 *Eff. April 1, 1997;*  
19 *Amended Eff. June 1, 2007; July 1, 1998.*

20

1 15A NCAC 10G .0405 is proposed for Amendment as follows:

2  
3 15A NCAC 10G .0405 WILDLIFE SERVICE AGENT TERMS AND CONDITIONS

4 Failure to comply with the following terms and conditions of this Section may result in temporary suspension or  
5 termination of a Wildlife Service Agent's appointment:

- 6 (1) Public Service. Wildlife Service Agents shall provide a public service to all persons seeking  
7 assistance with matters related to the duties of a Wildlife Service Agent.
- 8 (2) Training. New Wildlife Service Agents shall attend a training session at a location specified by the  
9 Commission prior to activation of agent status and prior to receiving any equipment or supplies from  
10 the Commission.
- 11 (3) Activation of Agent Status. Upon completion of training and receipt of equipment and supplies,  
12 Wildlife Service Agents shall have their equipment set up and ready for operation 10 days after the  
13 date they receive the equipment and supplies.
- 14 ~~(4) If equipment and Internet service provided by the Commission. Upon completion of training, each  
15 Wildlife Service Agent shall be equipped with the computer equipment and peripherals necessary to  
16 perform transactions required by the Commission. This computer application is web-based and is  
17 linked to the Commission's central database via the Internet. Agents shall provide a telephone line for  
18 this purpose. Equipment and service is provided subject to the following:~~
- 19 ~~(a) Using the equipment and Internet service provided, the agent shall issue all transactions  
20 required by the Commission. The record of sale and issuance of each item shall be  
21 transmitted immediately to the Commission's database via the Internet. The Commission  
22 shall communicate information and instructions about individual agent accounts and  
23 messages of general interest to all agents via the computer application and the agent web site.~~
- 24 ~~(b) All training, trouble shooting, maintenance, equipment replacements, materials and supplies  
25 shall be furnished by the Commission. Toll free telephone service to link transaction  
26 equipment to the system's central database shall be supplied by the Commission.~~
- 27 ~~(c) Upon termination of an agent appointment, all computer equipment and peripherals shall be  
28 returned to the Commission as instructed by the Commission.~~
- 29 ~~(d) Wildlife Service Agents shall be financially responsible for any damage to computer  
30 equipment and peripherals resulting from negligence, malicious activity, equipment  
31 abandonment, failure to return equipment upon request of the Commission or improper  
32 electrical service to the equipment. In the event of fire, theft, or natural disaster, if insured,  
33 agents shall relinquish to the Commission any insurance payment(s) for damaged computer  
34 equipment or peripherals provided by the Commission within 10 days of receipt. Agents  
35 shall report, by telephone to the Commission, any lost, stolen, damaged, or destroyed  
36 equipment within 48 hours of the occurrence and shall submit a written report within 10 days  
37 thereafter.~~

1 ~~(5) If equipment and internet service is provided by the Agent. Upon completion of training, each~~  
2 ~~Wildlife Service Agent shall be given access to the Commission's agent web site in order to perform~~  
3 ~~transactions required by the Commission. This web site is linked to the Commission's central database~~  
4 ~~via the internet. Agents using their own equipment shall provide their own Internet service provider~~  
5 ~~and shall provide a telephone line for this purpose. Agents providing their own Internet service~~  
6 ~~provider shall receive a monthly credit to their bank account from the Commission. The amount of~~  
7 ~~monthly credit is determined by the Commission's savings on internet service provider costs as a result~~  
8 ~~of the agent providing his or her own service. Use and service provided by the Agent is subject to the~~  
9 ~~following:~~

10 ~~(a) Using the web site provided, the agent shall issue all transactions required by the~~  
11 ~~Commission. There record of sale and insurance of each item shall be transmitted~~  
12 ~~immediately to the Commission's database via the internet. The Commission shall~~  
13 ~~communicate information and instructions about individual agent accounts and message of~~  
14 ~~general interest to all agents via the computer application and the agent web site.~~

15 ~~(b) All training, materials, and supplies shall be furnished by the Commission. The Commission~~  
16 ~~shall not provide technical support, trouble shooting, or maintenance to agents using their~~  
17 ~~own equipment and Internet service provider.~~

18 ~~(c) Upon termination of an agent appointment, access to the Commission's agent web site shall~~  
19 ~~be terminated.~~

20 ~~(6) Supplies. The Commission shall provide each wildlife service agent the forms and supplies necessary~~  
21 ~~to perform transactions or to provide information required by the Commission. In the event that any~~  
22 ~~records or supplies related to the operations of a Wildlife Service Agent are stolen, lost, damaged or~~  
23 ~~destroyed, the agent shall notify the Commission by telephone within 48 hours of the occurrence and~~  
24 ~~shall submit a written report within 10 days thereafter.~~

25 ~~(7) Documentation. Wildlife Service Agents shall mail all transaction documentation to the Commission~~  
26 ~~daily.~~

27 ~~(8) (4) Application. Each Wildlife Service Agent shall notify the Commission of any changes to the original~~  
28 ~~application for appointment such as business name, address, agent contact information, bank account~~  
29 ~~information, business hours and other information related to agent appointment, immediately upon its~~  
30 ~~change.~~

31 ~~(9) (5) Business Change of Ownership, Location, or Management. If the ownership of the business, location~~  
32 ~~or management changes, then the Agreement becomes null and void. Written notice of any change in~~  
33 ~~ownership, location, or management shall be sent to the Commission at least 10 days prior to the~~  
34 ~~change along with an application for a new Wildlife Service Agreement, if desired, pursuant to the~~  
35 ~~rules in this Section.~~

36 ~~(10) Renewal. All Wildlife Service Agent Agreements are issued for a term of three years, but may be~~  
37 ~~renewed upon agreement of the Commission and the Wildlife Service Agent.~~

1           ~~(11)~~ (6) Cancellation. A Wildlife Service Agent may cancel the Agreement at any time by sending written  
2           notice to the Commission. The Commission shall immediately instruct resigning agents on the  
3           procedures for returning all equipment and supplies and to settle their account. Upon resignation of  
4           appointment as a Wildlife Service Agent, the former agent must return all consigned equipment and  
5           supplies to the Commission and settle the agent financial account within 10 days of the resignation  
6           letter's date.

7           ~~(12)~~ (7) Suspension. The Commission shall temporarily suspend any Wildlife Service Agent appointment for  
8           failure to comply with this Rule.

9           (a)       Deficiencies that shall result in temporary suspension include:

10                   (i)       Failure to comply with the terms and conditions as outlined in the Wildlife Service  
11                   agent Agreement.

12                   (ii)      Failure to deposit sufficient funds one or more times to cover the electronic transfer  
13                   of funds each week.

14                   (iii)     Failure to operate as a public convenience as specified in the Agreement one or  
15                   more times.

16                   (iv)     Failure to provide proper and correct information one or more times about wildlife  
17                   transactions and related issues to customers as documented by customer complaints  
18                   or agency inspections.

19                   (v)       Failure to submit or return all required documentation for transactions as outlined in  
20                   the Agreement one or more times.

21                   (vi)     Failure to safeguard or care for the equipment and supplies, and any other act or  
22                   omission by the agent that results in financial loss or that reflects poorly on the  
23                   Commission.

24           (b)       Temporary suspension is effective immediately upon communication of that fact to the  
25           Wildlife Service Agent. Such communication shall state the grounds for temporary  
26           suspension and that the agent may request a hearing within 5 working days if he contests the  
27           grounds for temporary suspension. If the initial notification is not in writing, it shall be  
28           followed by written notice of temporary suspension containing the same information. An  
29           employee of the Commission may enter the premises and impound all property and supplies  
30           issued or entitled to by the Commission such as equipment, moneys, record books, reports,  
31           license forms, other documents and materials pertinent to the agent being suspended. The  
32           Commission must make the impounded property, or copies of it, available to the agent during  
33           the period of temporary suspension. If a hearing is requested, it shall be before the Executive  
34           Director or his designee and shall be held at a location specified by the Executive Director.

35           (c)       Temporary suspension remains in effect until the hearing. A temporary suspension may not  
36           last longer than 30 days, but additional suspensions may be imposed if, at the end of the  
37           suspension period, the agent has not corrected the deficiency or deficiencies that resulted in

1 the suspension. A Wildlife Service Agent may at any time after a hearing appeal his  
2 suspension to the Commission. A new suspension shall comply with the provisions of this  
3 Item.

4 ~~(13)~~ (8) Termination. The Commission may terminate any Wildlife Service Agent appointment for failure to  
5 comply with this Rule.

6 (a) Deficiencies that may result in termination include:

- 7 (i) Failure to comply with the terms and conditions as outlined in the wildlife service  
8 agreement.
- 9 (ii) Failure to deposit sufficient funds two or more times to cover the electronic transfer  
10 of funds each week.
- 11 (iii) Failure to meet the minimum transaction sales requirement of one thousand dollars  
12 (\$1,000) annually.
- 13 (iv) Failure to operate as a public convenience as specified in the Agreement two or  
14 more times.
- 15 (v) Failure to provide proper and correct information two or more times about wildlife  
16 transactions and related issues to customers as documented by customer complaints  
17 or agency inspections.
- 18 (vi) Failure to return all required documentation for transactions as outlined in the  
19 Agreement two or more times.
- 20 (vii) Failure to safeguard or care for the equipment and any other act or omission by the  
21 agent that results in financial loss or that reflects poorly on the Commission.

22 (b) Notice of termination of the appointment may be sent to the Wildlife Service Agent in lieu of  
23 or in addition to temporary suspension. The notice must state the grounds for termination of  
24 the appointment and the agent's right to a hearing if he has not previously been afforded one.  
25 If the appointment is to be terminated, the notice must state the effective date and hour of  
26 termination. If the agent has not been previously afforded a hearing, the agent is entitled to a  
27 hearing within 14 days before the Executive Director or his designee to be held at a location  
28 specified by the Executive Director. If the Executive Director upholds the decision to  
29 terminate the appointment, an agent may appeal his termination to the Commission. Pending  
30 the hearing and any appeal from it, the termination is held in abeyance, but no transaction  
31 may be made once the agent's termination effective date and time have passed.

32 (c) Upon termination of appointment as a Wildlife Service Agent, the former agent must return  
33 all consigned equipment and supplies to the Commission and settle the agent financial  
34 account within 10 days of the date of receiving written notice from the Commission.  
35 Employees of the Commission may conduct inspections and audits when terminating an  
36 agent.

1 (d) The Executive Director or his designee holding any hearing under this Item must keep a  
2 written record of evidence considered and findings made. Upon appeal to the Commission,  
3 the Commission Chairman or another presiding officer must cause such a written record of  
4 evidence and findings to be made and kept.

5 (e) No person denied appointment or whose appointment was terminated under this section may  
6 apply again for an appointment as a Wildlife Service Agent for a minimum of two years.  
7 Upon application, the Commission may not grant the appointment as a Wildlife Service  
8 Agent unless the applicant produces evidence, convincing to the Commission, that he meets  
9 all standards and qualifications and will comply with all requirements of statutes and rules  
10 pertaining to Wildlife Service Agents.

11 (14) (9) Use of customer identifying information. Customer identifying information for customers of the  
12 Commission is protected by G.S. 143-254.5. Wildlife Service Agents shall not disclose any customer  
13 identifying information to any third party without the express authorization of the Commission.  
14 Wildlife Service Agents shall not use such customer identifying information for any purpose  
15 whatsoever other than the processing of Commission transactions requested by the customer. Failure to  
16 abide by provisions in this Item shall be grounds for immediate termination of the agency.

17  
18 *History Note: Authority G.S. 113-134; 113-270.1;*  
19 *Eff. June 1, 2007.*  
20

# EXHIBIT J

July 7, 2011



## NO WAKE ZONE REQUEST – TYRRELL COUNTY, CANAL AT TAYLOR’S BEACH 15A NCAC 10F .0365

The Board of Commissioners of Tyrrell County held a public hearing and submitted a certified Resolution and application for an amendment to 15A NCAC 10F .0365, to establish a no wake zone within the waters of the canal that leads to the marina at Taylor’s Beach on Albemarle Sound in Columbia.

Staff investigated the area and noted several hazards to water safety in the canal including its narrowness and a history of minor boat collisions there.

Tyrrell County has agreed to bear the cost of the purchase, placement and maintenance of the no wake markers. An analysis of minor fiscal impact to local government has been submitted and certified by the Office of State Budget and Management.

Notice of Text was published in the *North Carolina Register* pursuant to the Administrative Procedure Act. A public hearing to receive comments on the request was held in Raleigh on May 5, 2011. There were no comments received and no attendees at the public hearing.

Staff recommends adoption of the amendment:

### 15A NCAC 10F .0365 TYRRELL COUNTY

(a) Regulated Area. This Rule applies to the following waters in Tyrrell County:

- (1) That portion of the Scuppernong River from 300 yards west of the Highway 64 bridge to 100 yards east of the Highway 64 bridge as designated by the appropriate markers.
- (2) That portion of the Scuppernong River from the Columbia Boat Ramp extending 200 feet into the river as designated by the appropriate markers.

**(3) The entire waters of the canal that leads to the marina at Taylor’s Beach on Albemarle Sound in Columbia, beginning at a point at 35.95559 N, 76.30219 W.**

(b) Speed Limit. It is unlawful to operate a vessel at greater than no-wake speed in the regulated areas described in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The Board of Commissioners of Tyrrell County is designated as the suitable agency for the placement and maintenance of the markers implementing this Rule.

*Authority G.S. 75A-3; 75A-15*






*Albemarle Sound*

35.95559 N  
76.30219 W

Taylor's Beach Rd

1234

1239

 **No Wake Zone**

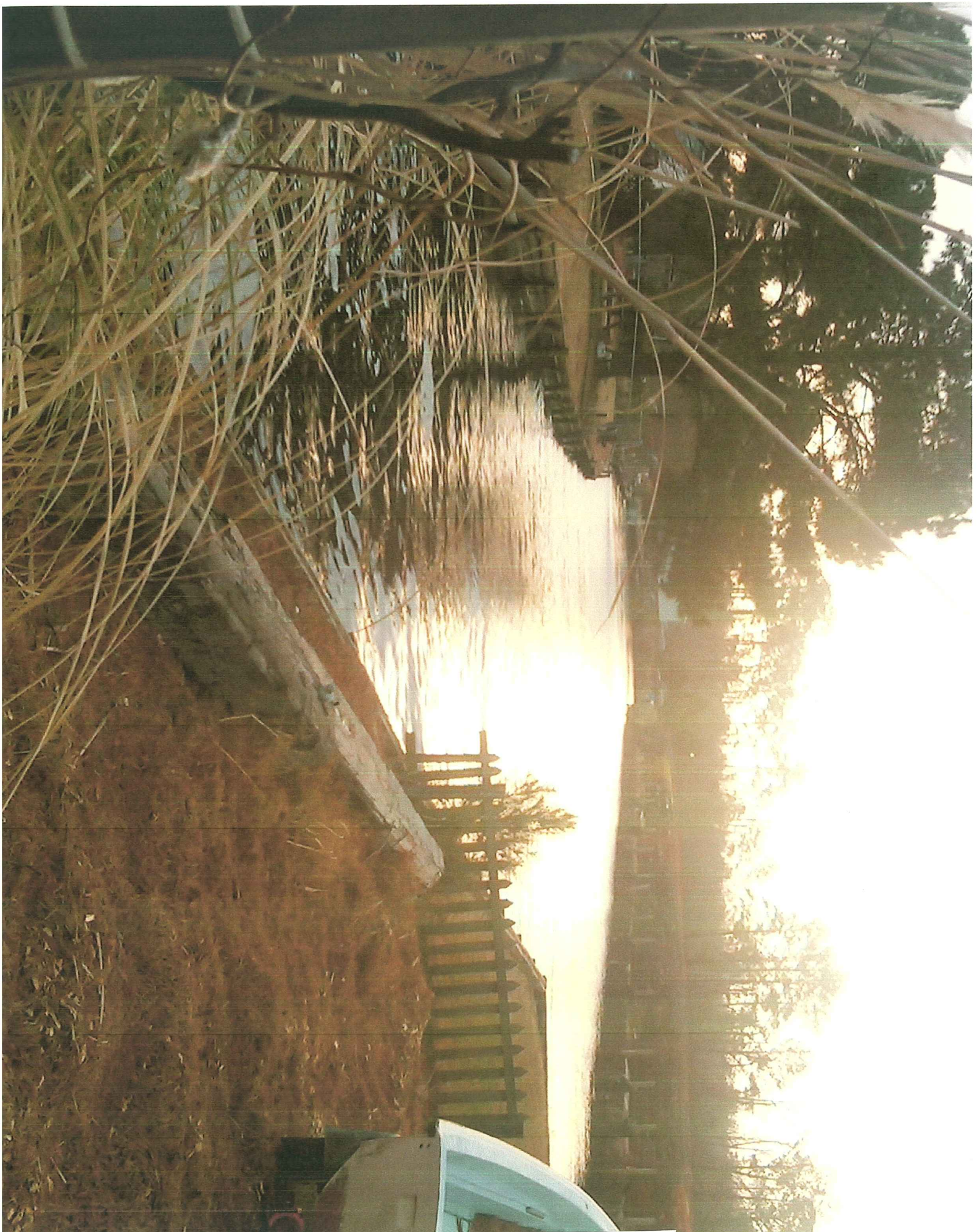
0 50 100 200  
Feet





**TAYLORS BEACH CANAL.**





**VIEW INTO BOAT BASIN**





**EAST LEG OF BOAT BASIN**





**WEST LEG OF BOAT BASIN**



# EXHIBIT K

July 7, 2011



## RESOLUTION NORTH CAROLINA WILDLIFE RESOURCES COMMISSION

Establish Equality for Nonresident Hunting License Fees  
with Neighboring States Pursuant to Statutory Authority

Whereas, nonresident hunting license fees in neighboring states, as presented at the North Carolina Wildlife Resources Commission (NCWRC) meeting of July 7, 2011 in Exhibit K, are significantly higher than comparable fees in North Carolina; and

Whereas, G.S. 113-275(a1) gives NCWRC the authority to equalize nonresident fees under these circumstances; and

Whereas, NCWRC staff shall analyze nonresident hunting license fees of neighboring states annually and recommend amendments for Commission consideration;

Now, therefore, be it resolved by the North Carolina Wildlife Resources Commission, in official session on July 7, 2011, that North Carolina nonresident hunting license fees for residents of the states of Georgia, South Carolina, Tennessee and Virginia shall be increased to those fees presented in the table below. These fees are effective immediately for the 2011-2012 season and remain in effect until amended as prescribed above. This Resolution supersedes the July 16, 2003, resolution adopted by the Commission regarding North Carolina nonresident hunting license fees for neighboring states.

License Type	GA	SC	TN	VA
Annual Hunt (basic)	\$100	\$125	\$90	\$110
Annual Big Game	\$195	\$100	\$160	\$85
6-Day Hunt (basic)	\$40	\$60	\$50	\$80
6-Day Big Game	\$110	\$80	\$90	\$80

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Steve Windham  
Chairman

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Gordon S. Myers  
Executive Director

**Summary of nonresident hunting licenses purchased by hunters  
for the period July 1, 2010 – June 30, 2011:**

State	Annual Hunt (Basic) Sold	Annual Big Game Sold	6-Day Hunt (Basic) Sold	6-Day Big Game Sold	Total
GA	224	137	321	100	782
SC	952	554	780	201	2,487
TN	522	391	164	122	1,199
VA	2,591	1,794	816	276	5,477
All Other	2,114	1,731	4,931	3,975	12,751
<b>Total</b>	<b>6,403</b>	<b>4,607</b>	<b>7,012</b>	<b>4,674</b>	<b>22,696</b>

**Proposed neighboring state's nonresident hunting license fees  
based upon July 2011 fee analysis:**

*The tables below represent the current fees North Carolina residents would pay to hunt in each state and the proposed fees each state's resident would pay to hunt in North Carolina. To create an equitable proposed fee for states without equal short-term basic hunting licenses, fees were calculated by formulating a compromise of what it would cost to hunt in North Carolina for 6 days versus the cost of the neighboring state's short-term license.*

<b>Georgia</b>				
License Types	NC's Fees for All Other Nonresidents	NC's Current Fees for GA Residents	GA's Current Fees for NC Residents	NC's Proposed Fees for GA Residents
Annual Hunt (basic)	\$60	\$60	\$100	<b>\$100</b>
Annual Big Game	\$60	\$118	\$195	<b>\$195</b>
6-Day Hunt (basic)	\$40	\$40	\$20 (3-day)	<b>\$40</b>
6-Day Big Game	\$40	\$103	\$90 (3-day)	<b>\$110</b>

<b>South Carolina</b>				
License Types	NC's Fees for All Other Nonresidents	NC's Current Fees for SC Residents	SC's Current Fees for NC Residents	NC's Proposed Fees for SC Residents
Annual Hunt (basic)	\$60	\$125	\$125	<b>\$125</b>
Annual Big Game	\$60	\$100	\$100	<b>\$100</b>
6-Day Hunt (basic)	\$40	\$70	\$40 (3-day)	<b>\$60</b>
6-Day Big Game	\$40	\$70	N/A*	<b>\$80</b>

\*SC does not offer a short-term big game license. To hunt big game short-term in SC, nonresident hunters must purchase an annual big game license.

<b>Tennessee</b>				
License Types	NC's Fees for All Other Nonresidents	NC's Current Fees for TN Residents	TN's Current Fees for NC Residents	NC's Proposed Fees for TN Residents
Annual Hunt (basic)	\$60	\$60	\$90	<b>\$90</b>
Annual Big Game	\$60	\$100	N/A*	<b>\$160</b>
6-Day Hunt (basic)	\$40	\$55	\$50.50 (7-day)	<b>\$50</b>
6-Day Big Game	\$40	\$50	N/A*	<b>\$90</b>

\*TN does not offer a stand-alone big game license. To hunt big game in TN, nonresident hunters must purchase either a \$250 annual or \$175 7-day "all game" license.

<b>Virginia</b>				
License Types	NC's Fees for All Other Nonresidents	NC's Current Fees for VA Residents	VA's Current Fees for NC Residents	NC's Proposed Fees for VA Residents
Annual Hunt (basic)	\$60	\$80	\$110	<b>\$110</b>
Annual Big Game	\$60	\$60	\$85	<b>\$85</b>
6-Day Hunt (basic)	\$40	\$50	\$60 (3-day)	<b>\$80</b>
6-Day Big Game	\$40	\$50	N/A*	<b>\$80</b>

\*VA does not offer a short-term big game license. To hunt big game short-term in VA, nonresident hunters must purchase an annual big game license.