



AGENDA
N.C. WILDLIFE RESOURCES COMMISSION
October 20, 2022, 9:00 a.m.
123 Harrahs Service Drive
Cherokee Convention Center, Hickory Room
Cherokee, North Carolina

CALL TO ORDER – *Chairman Monty Crump*

This meeting is being streamed live for the public to attend and recorded as a public record. The recording of the meeting will be available at www.ncwildlife.org.

PLEDGE OF ALLEGIANCE – *Commissioner Brad Stanback*

INVOCATION – *Commissioner Hayden Rogers*

ROLL CALL OF COMMISSIONERS PRESENT – *Margo Minkler, Commission Liaison*

MANDATORY ETHICS INQUIRY – North Carolina General Statute §138A-15 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 inquires 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 Crump*

APPROVAL OF AUGUST 11, 2022 MEETING MINUTES – Take action on the August 11, 2022 Wildlife Resources Commission meeting minutes as written in the exhibit. **(EXHIBIT A)**

APPROVAL OF AUGUST 18, 2022 MEETING MINUTES – Take action on the August 18, 2022 Wildlife Resources Commission meeting minutes as written in the exhibit. **(EXHIBIT B)**

APPROVAL OF SEPTEMBER 13, 2022 MEETING MINUTES – Take action on the September 13, 2022 Wildlife Resources Commission meeting minutes as written in the exhibit. **(EXHIBIT C)**

FINANCIAL STATUS REPORT – Receive Financial Status Report on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund. – *Dr. DP Singla, Chief Financial Officer* **(EXHIBIT D)**

COMMITTEE MEETING REPORTS

Rules Committee Report-September 13, 2022– *Wes Seegars, Chair*

Migratory Birds and Waterfowl Committee Report- October 19, 2022– *Wes Seegars, Vice Chair*

Fisheries Committee Report – October 19, 2022 –*John Stone, Chair*

Finance Committee Report – October 19, 2022 – *Landon Zimmer, Chair*

Big Game Committee Report – October 19, 2022 – *David Hoyle, Chair*

Committee of the Whole Report – October 19, 2022 – *Monty Crump, Chair*

SPECIAL PRESENTATIONS

2022 THOMAS L. QUAY WILDLIFE DIVERSITY AWARD PRESENTATION – Present the 2022 Thomas L. Quay Wildlife Diversity Award to Jean Beasley – *Cameron Ingram, Executive Director*

2022 SPORT FISH RESTORATION AWARD – Present the 2022 Sport Fish Restoration Award for Research and Surveys to the Inland Fisheries Division for the project “Exotic-Invasive Trout Pathogens in North Carolina.” – *Lynn Quattro, President-Elect, American Fisheries Society, Fisheries Administration Section*

BREAK FOR PHOTOGRAPHS

AGENCY SPOTLIGHT – THE HISTORY OF PUBLIC MOUNTAIN TROUT WATERS: LOOKING BACK AT 75 YEARS OF TROUT MANAGEMENT IN NORTH CAROLINA– *Jacob Rash, Coldwater Research Coordinator*

RULEMAKING

Permanent Rulemaking Notice of Text – 2023-2024 Annual Cycle Rules – Inland Fisheries – Consider request to publish Notice of Text with an open comment period and public hearings for proposed changes to inland fisheries rules. Review and consider approval of fiscal note. – *Christian Waters, Inland Fisheries Division Chief (EXHIBIT E-1, E-2)*

Permanent Rulemaking Notice of Text – 2023-2024 Annual Cycle Rules – Land and Water Access – Consider request to publish Notice of Text with an open comment period and public hearings for proposed changes to land and water access rules. Review and consider approval of fiscal note. – *Daron Barnes, Land and Water Access Division Chief (EXHIBIT F-1, F-2)*

Permanent Rulemaking Notice of Text – 2023-2024 Annual Cycle Rules – Wildlife Management – Consider request to publish Notice of Text with an open comment period and public hearings for proposed changes to wildlife management rules. Review and consider approval of fiscal note. – *Brad Howard, Wildlife Management Division Chief (EXHIBIT G-1, G-2)*

Temporary Rulemaking Adoption – 15A NCAC 10D .0503 Surveillance Areas – Review public comments and consider adoption for proposed temporary changes to temporary surveillance areas regarding deer excretions. – *Brad Howard (EXHIBIT H-1, H-2)*

COMMENTS BY THE CHAIRMAN – *Chairman Crump*

COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram*

ADJOURN

EXHIBIT A
October 20, 2022



MINUTES
August 11, 2022
N.C. Wildlife Resources Commission Webinar Meeting
Raleigh, North Carolina

Chairman Monty Crump called the August 11, 2022, N.C. Wildlife Resources Commission (NCWRC) webinar meeting to order at 11:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Crump announced that the webinar meeting audio is being streamed live and will be available on www.ncwildlife.org. He reminded Commissioners to speak their names before making motions or comments and to mute their devices when not speaking. Crump announced that by the statutory requirement, the roll will be called for attendance and for each vote.

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. Wes Seegars, John Coley, Landon Zimmer, Ray Clifton, and Hayden Rogers were absent.

COMMISSIONER ATTENDANCE

Monty Crump	Jim Ruffin	John Stone	J.C. Cole
Thomas Fonville	Mark Craig	Kelly Davis	
David Hoyle	Tom Berry	Tom Haislip	
Brad Stanback	Steve Windham	John Alexander	

MANDATORY ETHICS INQUIRY

Chairman Crump advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15.

RULEMAKING

Adoption – 15A NCAC 10C Inland Fishing – The commission reviewed public comments (EXHIBIT A-1) and, on a motion by Steve Windham and second by David Hoyle, the Commission adopted proposed temporary rules on various 15A NCAC 10C .0310, .0400, and .0700 inland fishing rules. (EXHIBIT A-2) presented by *Christian Waters, Inland Fisheries Division Chief*

Exhibits A-1, A-2 are incorporated into the official record of this meeting.

Adoption – 15A NCAC 10D .0240 Jordan Game Land in Chatham, Durham, Orange, and Wake Counties – The commission reviewed public comments (EXHIBIT B-1) and, on a motion by Tom Berry and second by John Alexander, the Commission adopted temporary rules to manage Jordan Game Land (EXHIBIT B-2) presented by *Daron Barnes, Land and Water Access Division Chief*

Exhibits B-1, B-2 are incorporated into the official record of this meeting.

COMMENTS FROM THE CHAIRMAN – Chairman Crump

Chairman Crump shared his appreciation to the board for attending the Special Commission Meeting and thanked staff for their preparations.

COMMENTS FROM THE EXECUTIVE DIRECTOR – Executive Director Cameron Ingram

Director Ingram noted his appreciation as well to the board for attending the Special Commission Meeting and thanked staff for their preparations.

ADJOURNMENT

There being no further business, the WRC webinar meeting was adjourned at 11:13 a.m. All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

Monty Crump, Chairman Date

Cameron Ingram, Executive Director Date

EXHIBIT B
October 20, 2022



MINUTES
August 18, 2022
N.C. Wildlife Resources Commission Meeting
Raleigh, North Carolina

Chairman Monty Crump called the August 18, 2022, N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Crump reminded everyone that the meeting is being audio streamed live and will be available at www.ncwildlife.org.

Commissioner Ray Clifton led the Pledge of Allegiance.

Commissioner John Alexander gave the invocation.

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. John Coley, Wes Seegars, Hayden Rogers, and Mike Alford were absent.

COMMISSIONER ATTENDANCE

Monty Crump	Jim Ruffin	John Stone	Ray Clifton
Thomas Fonville	Mark Craig	Kelly Davis	Landon Zimmer
David Hoyle	Tom Berry	Tom Haislip	
Brad Stanback	Steve Windham	John Alexander	

MANDATORY ETHICS INQUIRY

Chairman Crump advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15.

MINUTES OF JULY 14, 2022 MEETING

On a motion by Landon Zimmer and second by John Alexander, the Minutes of the July 14, 2022 meeting were approved as presented in **EXHIBIT A**.

Exhibit A is incorporated into the official record of this meeting.

ADMINISTRATION

Dr. DP Singla, *Chief Financial Officer*, presented a status report in **EXHIBIT B** on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund.

Exhibit B is incorporated into the official record of this meeting.

COMMITTEE MEETING REPORTS

Boating Safety Committee Report – August 17, 2022 – *Ray Clifton, Vice-Chair*, reported that the Committee met on August 17, 2022, at 9:00 a.m. to review eight rule proposals presented by Betsy Haywood, *No Wake Zone Coordinator*. These included final approval of one temporary rule, final adoption of one permanent rule, and request for notice of text for six proposed rules. The Boating Safety Committee endorsed all eight proposals for adoption by the Commission.

Rules Committee Report – August 17, 2022 – *David Hoyle, Vice-Chair*, reported that the Committee met on August 17, 2022, at 9:20 a.m. and received an update on rules subject to legislative review. The first rule was hunting on game lands. No bill was introduced on this rule in the 2022 short session so the rule will become effective on August 23rd, which is the 31st legislative day. All 2022-2023 annual cycle game lands rules are scheduled to become effective October 1st. For the 2023 long session, the Committee currently has 48 rules subject to legislative review. These include the bear sanctuary and Jordan Game Land rules from the 2022-2023 annual rule cycle, and 46 inland fishing rules that were adopted to provide clarity to the regulated public on game and nongame fishing regulations in inland fishing waters and game fish requirements in coastal fishing waters. A temporary rule was adopted for Jordan Game Land that will be effective October 1st to ensure regulations are in place for the upcoming seasons. Finally, the emergency and temporary rule amendments prohibiting use of hunter harvested cervid excretions in the surveillance area were reviewed. The emergency rule will be presented for adoption during the August 18th WRC meeting and is necessary to have restrictions in place before the hunting season. Temporary rulemaking must happen concurrently. Additionally, the required rule changes to 10B .0201 from the Session Law regarding use and possession of deer excretions state-wide were presented and will also be recommended for notice of text during the August 18th meeting.

Land Acquisition and Property Committee Report – August 17, 2022 – *Tom Berry, Chair*, reported that the Committee met on August 17, 2022, to review and endorsed five Phase I, as well as two Phase II land acquisition projects. Cumulatively, the Committee reviewed over 5,000 acres of land acquisition projects that will hopefully result in conservation ownership. Chairman Berry noted the recent land acquisition work in sending interest letters to 15 property owners in underserved regions of the state.

Habitat, Nongame, Endangered Species Committee Report – August 17, 2022 – *Mark Craig, Chair*, reported that the Committee met on August 17, 2022, at 10:15 a.m. to review information on the Henslow's Sparrow and Atlantic Pigtoe conservation plans, presented by Dr. Sara Schweitzer, and comments received from the public, that will be voted on later in today's meeting. Comments were overwhelmingly supportive and required no changes to the plans. Dr. Schweitzer then presented the nomination packet for the expiring terms of Nongame Wildlife Advisory Committee (NWAC) membership, which will also be presented for a vote today. Requests for re-appointment and nominations from the public were solicited from February 28 through April 30, 2022. The committee received five very informative presentations, beginning with Allison Medford's presentation on how the commission is preparing for the potential passage of the Recovering America's Wildlife Act. Rachael Hoch provided an update on the Statewide Safe Harbor Agreement and Candidate Conservation Agreement with Assurances, which is expected to post to the Federal Register soon. Brena Jones and TR Russ presented on efforts to raise, restore, and reintroduce the Magnificent Ramshorn snail and the Roanoke Logperch. Sarah Finn presented on staff's work with volunteers to locate and count Diamondback Terrapins through a multi-agency partnership.

Motion from the Habitat, Nongame and Endangered Species Committee –The committee reviewed the ballot for the four final nominees for the Thomas L. Quay Wildlife Diversity Award and on a motion by Committee Chairman Mark Craig and second by Steve Windham, The Commission approved the motion to recognize Jean Beasley as the 2022 Thomas L. Quay Wildlife Diversity Award.

Finance Committee Report – August 17, 2022 – *Landon Zimmer, Chair*, reported that the Committee met on August 17, 2022. Internal Auditor Steve Chase presented changes to NC General Statute 143-746 Internal Auditing Required and 143-746 Council of Internal Auditing to update the Committee about additional monitoring and compliance requirements. Additionally, WRC Internal Audit Key Performance Indicators were presented and discussed. Lastly, the Fiscal Year 2023 WRC Internal Audit Plan was presented. The plan consists of three continuous monitoring projects, a review of the process flow for cooperative agreements, and a compliance review of the IT file backup policy. Chief Financial Officer Dr. DP Singla then presented a comparison between Fiscal Year 22 and Fiscal year 21 for periods ending June, highlighting both revenues and expenditures for the General and Capital Improvement funds. Staff was asked to add to this analysis and provide a comparison that includes Fiscal Year 2020 data. The Committee also reviewed the balances and Asset Allocation of the Endowment Fund as of June 2022. The Committee discussed the ratio of equity compared to fixed assets and would like to further discuss that topic at the next Committee meeting. The staff was tasked to add earning details in Bond Index Fund and Equity Index Fund for Endowment fund portfolio. Staff was also asked to provide information about forecasting future endowment fund needs at the October meeting.

Committee of the Whole Report – August 17, 2022 – *Monty Crump, Chair*, reports that the Committee met on August 17, 2022, at 2:30 p.m. and began with the recognition of the upcoming retirement of Colonel Jon Evans and his remarkable career. Ashley Pehrul then gave a presentation on 10 proposed emergency, temporary and permanent rules, which will be voted on later in this meeting. Next, Casey Phillips presented on the Forest Optimization Project that we have been working on for the last 10 years. This impressive project will provide a 50-year road map to managing the timber on our lands to first maximize wildlife benefit and secondly optimize revenue. Christian Waters then presented the draft Memorandum of Agreement (MOA) and maps

that were negotiated between the WRC and MFC chairmen. On a motion by David Hoyle and a second by Tom Berry, the Committee voted to approve the draft MOA and maps. Brad Howard quickly updated the Committee on the location of the new Chronic Wasting Disease positive deer, which was approximately ½ mile from the original positive. He also updated the Committee on an ongoing outbreak of epizootic hemorrhagic disease in deer. The Committee then moved into closed session to discuss ongoing litigation.

SPECIAL PRESENTATIONS

Order of the Long Leaf Pine – *Cam Ingram, Executive Director*, presented the Order of the Long Leaf Pine to *Gary Dail, Coastal Region Construction Supervisor*

Check Presentation from Davidson's Inc. – *Bill Bennett, Davidson's Senior Marketing Manager*, presented the Commission with a donation from Davidson's for improvements to R. Wayne Bailey-Caswell Shooting Range

AGENCY SPOTLIGHT

Providing Access to Shooting Sports – *Steve Bailey, Facilities Construction Engineer, and Josh Jernigan, Shooting Range Manager*, gave a 75th anniversary spotlight titled Providing Access to Shooting Sports. The presentation focused on the Commission's development of ranges to provide shooting sports opportunities to the public and the operation of the facilities.

CONSIDERATION

Consideration of Nongame Wildlife Advisory Committee Appointments – Pursuant to North Carolina General Statute §113-335, on a motion by Mark Craig and second by Kelly Davis, the Commission approved of Michael Abney, Jeff Beane, Elaine Jordan, Dr. Michael Martin, Dr. Joe Poston to the Nongame Wildlife Advisory Committee, presented by *Cam Ingram (EXHIBIT C)*

Exhibit C is incorporated into the official record of this meeting.

LAND ACQUISITION AND PROPERTY MATTERS

Phase II Land Acquisition – On a motion by Tom Berry and second by Steve Windham, the Commission approved the acquisition of the following properties presented by *Ben Solomon, Assistant Chief and Land Acquisition Manager (EXHIBITS D-1, D-2)*

- Dixie Creek Tract – Haywood County (**EXHIBIT D-1**)
- Gaskin Swamp – Bertie County (**EXHIBIT D-2**)

EXHIBITS D-1, D-2 are incorporated into the official record of this meeting.

RULEMAKING

Emergency and Temporary Rulemaking for CWD – On a motion by David Hoyle and second by Ray Clifton, the Commission adopted an emergency rule and concurrently notice a temporary rule for use and collection of substances containing cervid excretion from CWD Surveillance Areas (**EXHIBIT E**) presented by *Ashley Pekrul, Regulatory Analyst*

EXHIBIT E is incorporated into the official record of this meeting.

On a motion by David Hoyle and second by Landon Zimmer, the Commission approved the following staff recommendations in (**EXHIBITS F, G-1, G-2**)

Notice of Text – 15A NCAC 10B .0201 Prohibited Taking and Manner of Take – The Commission approved publishing Notice of Text with an open comment period and a public hearing for proposed changes to 15A NCAC 10B .0201 Prohibited Taking and Manner of Take (**EXHIBIT F**) presented by *Ashley Pekrul*

Notice of Text – 10I .0103 - .0105 Endangered, Threatened, and Special Concern Species – The Commission approved publishing Notice of Text with an open comment period and a public hearing for proposed changes to 10I .0103-.0105 Endangered, Threatened, and Special Concern Species, to modify species lists. Review and consider approval of fiscal notes for proposed rule (**EXHIBITS G-1, G-2**) presented by *Ashley Pekrul*

EXHIBITS F, G-1, G-2 are incorporated into the official record of this meeting.

On a motion by Steve Windham and second by Landon Zimmer, the Commission reviewed public comments and approved the following staff recommendations in (**EXHIBITS H-2, I-2, J-2, K-2, L-2, and M-2**)

Adoption – 10B Wildlife Management – The Commission readopted various 10B Wildlife Management rules as part of the periodic review (**EXHIBITS H-1, H-2**) presented by *Ashley Pekrul*

Adoption – 10C Inland Fishing – The Commission readopted various 10C Wildlife Management rules as part of the periodic review (**EXHIBITS I-1, I-2**) presented by *Ashley Pekrul*

Adoption – 10H .1510 Wildlife Control Technician Certification and Eligibility Requirements – The Commission adopted Wildlife Control Technician Certification and Eligibility rule clarifying certification requirements and prohibited activities (**EXHIBITS J-1, J-2**) presented by *Ashley Pekrul*

Adoption – 10B .0101 Importation of Wild Animals and Birds – The Commission adopted amendments to 10B .0101 Importation of Wild Animals and Birds rule to provide clarity on the importation of domestically raised game birds, chukars, and Hungarian partridges (**EXHIBITS K-1, K-2**) presented by *Ashley Pekrul*

Adoption – 10A .1502 Replacement Costs of Wildlife – The Commission adopted 10A .1501 Replacement Costs rule establishing and updating costs for various mammals, birds, reptiles, and fish (**EXHIBITS L-1, L-2**) presented by *Ashley Pekrul*

Adoption – 10C .0208 Spawning Areas – The Commission readopted 10C .0208 Spawning Areas, with amendments to remove specific prohibitions on the Linville River and Cape Fear River and prohibit fishing in the sloughs from March through May (**EXHIBITS M-1, M-2**) presented by *Ashley Pekrul*

EXHIBITS H-1, H-2, I-1, I-2, J-1, J-2, K-1, K-1, L-1, L-2, M-1, and M-2 are incorporated into the official record of this meeting.

WATER SAFETY RULEMAKING

On a motion by Ray Clifton and second by Steve Windham, the Commission approved the following staff recommendations in (**EXHIBITS N-2, O-2, P-1, P-2, Q, R, S, T, and U**)

Adoption – 15A NCAC 10F .0305 Brunswick County – The Commission reviewed public comments and approved final adoption of temporary Rule text for Jinks Creek in the Town of Sunset Beach in Brunswick County in Jinks Creek, to mitigate navigation hazards until a dredging project there is completed this winter (**EXHIBITS N-1, N-2**) presented by *Betsy Haywood, Water Safety Rules Coordinator*

Adoption – 15A NCAC 10F .0310 Dare County – The Commission reviewed public comments and approved final adoption of permanent Rule text in the Town of Avon in Dare County, to extend the no-wake zone in Mill Creek into a small portion of Pamlico Sound to mitigate boating and water recreation hazards in the shallow waters with blind curves there presented (**EXHIBITS O-1, O-2**) presented by *Betsy Haywood*

Notice of Text – 15A NCAC 10F .0314 New Hanover County - The Commission approved the Fiscal Note and publishing Notice of Text in the *NC Register* with an open comment period and a public hearing for proposed amendment to 15A NCAC 10F .0314 to extend the no-wake zone in the navigation channel in a portion of Bradley Creek in Wilmington (**EXHIBITS P-1, P-2**) presented by *Betsy Haywood*

Notice of Text – 15A NCAC 10F .0361 Wilkes County – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and public hearing for proposed amendments to 15A NCAC 10F .0361 to extend no-wake zones at Dam Site Park and to incorporate the entire cove where Smithey’s Creek Boat Ramp and ADA Fishing Area and Fort Hamby BAA are located, to incorporate into the NCAC the Safety Zone adjacent to the dam, and to replace vague text language and itemize descriptions and locations of existing no-wake zones and marked swim areas (**Exhibit Q**) presented by *Betsy Haywood*

Notice of Text – 15A NCAC 10F .0336 Northampton and Warren counties – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and public hearing for proposed amendments to 15A NCAC 10F .0336, to incorporate the

Odom Boating Access Area on the Roanoke River and the Stonehouse Timber Lodge Marina on Lake Gaston in Littleton (**EXHIBIT R**) presented by *Betsy Haywood*

Notice of Text – 15A NCAC 10F .0326 Pamlico County – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and public hearing for proposed technical changes to correct addresses and describe and provide addresses for boating access areas in Pamlico County (**EXHIBIT S**) presented by *Betsy Haywood*

Notice of Text – 15A NCAC 10F .0327 Montgomery County – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and public hearing for a proposed technical correction to add the address for the Old North State Marina on Badin Lake in New London (**EXHIBIT T**) presented by *Betsy Haywood*

Notice of Text – 15A NCAC 10F .0301 General Provisions – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and public hearing for a technical correction to 15A NCAC 10F .0301(g), to remove language that limits the size of a Safety Zone to within 50 yards of a protected hydroelectric facility (**EXHIBIT U**) presented by *Betsy Haywood*

EXHIBITS N-1, N-2, O-1, O-2, P-1, P-2, Q, R, S, T, and U are incorporated into the official record of this meeting.

CONSERVATION PLANS

On a motion by Mark Craig and second by John Alexander, the Commission approved final adoption of two Species Conservation Plans (**EXHIBITS V-1, V-2**) presented by *Dr. Sara Schweitzer, Assistant Chief, Wildlife Management Division*

- Henslow’s Sparrow (**EXHIBIT V-1**)
- Atlantic Pigtoe (**EXHIBIT V-2**)

EXHIBITS V-1, V-2 are incorporated into the official record of this meeting.

COMMENTS FROM THE CHAIRMAN – Chairman Crump provided information on the upcoming Setzer Fish Hatchery Meeting and the next Commission Meeting, which will be held in Cherokee, NC.

COMMENTS FROM THE EXECUTIVE DIRECTOR – Executive Director Cameron Ingram recognized the Office of Communications, Marketing, and Digital Engagement for the national awards they recently received. Mike Zlotnicki, *Associate Editor* of the *Wildlife in North Carolina* magazine was recognized by the Outdoor Writers Association of America as a winner of their Excellence in Craft Contest for an article he wrote that appeared in last year’s September/October issue. At the recent Association for Conservation Information National Conference, the magazine won first place for “Survival Skills for Kids” in the general interest article category, our “Are You

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a Birder?" video won first place in the best use of humor category, and the agency's N.C. Wildlife Update constituent newsletter won second place in the external newsletter category. These accolades are well-deserved, and the Wildlife Resources Commission is fortunate to have such a skilled team working on our communications, marketing, and digital engagement.

ADJOURNMENT

There being no further business, the WRC webinar meeting was adjourned at 10:17 a.m. All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

Monty Crump, Chairman

Date

Cameron Ingram, Executive Director

Date

DRAFT



MINUTES
September 13, 2022
N.C. Wildlife Resources Commission Webinar Meeting
Raleigh, North Carolina

Chairman Monty Crump called the September 13, 2022, N.C. Wildlife Resources Commission meeting to order at 11:30 a.m. Crump reminded everyone that the meeting is being audio streamed live and will be available at www.ncwildlife.org.

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. David Hoyle, John Coley, Ray Clifton, and Mike Alford were absent.

COMMISSIONER ATTENDANCE

Monty Crump	Jim Ruffin	John Stone	JC Cole
Thomas Fonville	Mark Craig	Kelly Davis	Landon Zimmer
Wes Seegars	Tom Berry	Tom Haislip	Hayden Rogers
Brad Stanback	Steve Windham	John Alexander	

MANDATORY ETHICS INQUIRY

Chairman Crump advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15.

RULEMAKING

On a motion by John Alexander and second by John Stone, the Commission approved the following staff recommendations in **(EXHIBITS A, B)**

Emergency and Temporary Rulemaking– 15A NCAC 10D .0229 Goose Creek Game Land in Beaufort and Pamlico Counties –the Commission adopted an emergency rule and concurrently

noticed the temporary rule for 15A NCAC 10D .0229 Goose Creek Game Land (**Exhibit A**) presented by *Daron Barnes, Land and Water Access Division Chief*

Temporary Rulemaking– 15A NCAC 10D .0232 Gull Rock Game Land in Hyde County – The Commission approved publishing Notice of Text with an open comment period and a public hearing for proposed amendment to 15A NCAC 10D .0232 Gull Rock Game Land (**Exhibit B**) presented by *Daron Barnes*

COMMENTS FROM THE CHAIRMAN – Chairman Crump shared his appreciation to the board for attending the Special Commission Meeting and thanked staff for their preparations.

COMMENTS FROM THE EXECUTIVE DIRECTOR – Executive Director Cameron Ingram noted his appreciation as well to the board for attending the Special Commission Meeting and thanked staff for their preparations.

ADJOURNMENT

There being no further business, the WRC webinar meeting was adjourned at 11:45 a.m. All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

Monty Crump, Chairman Date

Cameron Ingram, Executive Director Date

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
CAFR 52G - STATEMENT OF REVENUES, EXPENDITURES and CHANGES in FUND BALANCES

GOVERNMENTAL FUNDS
AS OF AUG 31, 2022

	FY 2023 General Fund	FY 2023 Capital Improvement Fund
REVENUES		
Federal funds	\$ 6,876,235.36	\$ 88,108.39
Local funds	\$ 1,210.53	\$ -
Investment earnings	\$ 18,538.59	\$ -
Sales and services	\$ 2,923,856.56	\$ -
Rental and lease of property	\$ 14,800.00	\$ -
Fees, licenses and fines	\$ 5,803,946.88	\$ -
Contributions, gifts and grants	\$ 803,008.11	\$ 1,005,924.70
Miscellaneous	\$ 170.00	\$ -
Unclassified/invalid accounts	\$ -	\$ -
Other Financing Sources - Sale of capital assets	\$ 67,080.26	\$ -
Other Financing Sources - Insurance recoveries	\$ -	\$ -
Other Financing Sources - Transfers in	\$ 1,897,613.18	\$ 593,915.00
Other Financing Sources - Appropriations	\$ 2,285,786.00	\$ -
TOTAL REVENUES	\$ 20,692,245.47	\$ 1,687,948.09
EXPENDITURES		
Personal services	\$ 6,462,592.35	\$ -
Employee benefits	\$ 3,183,724.36	\$ -
Contracted personal services	\$ 2,045,889.29	\$ 81,887.24
Supplies and materials	\$ 1,731,012.63	\$ -
Travel	\$ 119,385.25	\$ -
Communication	\$ 172,382.42	\$ -
Utilities	\$ 168,935.78	\$ -
Data processing services	\$ 113,367.55	\$ -
Other services	\$ 1,006,417.22	\$ -
Claims and benefits	\$ 246,053.38	\$ -
Other fixed charges	\$ 45,290.98	\$ 100.00
Capital outlay	\$ 2,652,460.69	\$ 2,947,469.89
Grants, state aid and subsidies	\$ 719,082.69	\$ -
Insurance and bonding	\$ 20,036.00	\$ -
Other expenditures	\$ 418,628.41	\$ -
Reimbursements	\$ (196,034.27)	\$ (0.01)
Unclassified/invalid accounts	\$ 34,540.32	\$ -
Other Financing (Uses) - Transfers out	\$ 2,836,110.00	\$ -
TOTAL EXPENDITURES	\$ 21,779,875.05	\$ 3,029,457.12
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	\$ (1,087,629.58)	\$ (1,341,509.03)
FUND BALANCE - JULY 1, 2022	\$ 19,342,386.49	\$ 3,281,835.81
FUND BALANCE - AUG 31, 2022	\$ 18,254,756.91	\$ 1,940,326.78

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ENDOWMENT PORTFOLIO

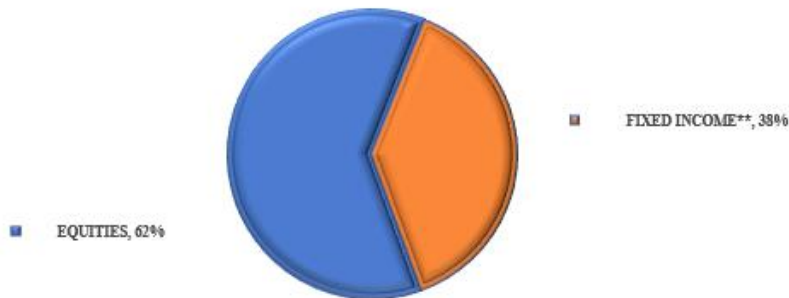
Fund Balance*: Aug 2022 \$149,830,940.78

* Based On Financial Institutions' Data And Does Not Include Time-Lag Entries.

§ 143-250.1. Wildlife Endowment Fund

- (d) (3). No expenditure or disbursement shall be made from the principal of the Wildlife Endowment Fund except as otherwise provided by law.
- (d) (4). The income received and accruing from the investments of the Wildlife Endowment Fund must be spent only in furthering the conservation of wildlife resources and the efficient operation of the North Carolina Wildlife Resources Commission in accomplishing the purposes of the agency as set forth in G.S. 143-239.
- (g) The Wildlife Endowment Fund and the investment income therefrom shall not take the place of State appropriations or Agency receipts placed in the Wildlife Resources Fund, or any part thereof, but any portion of the income of the Wildlife Endowment Fund available for the purpose set out in subdivision (4) of subsection (d) shall be used to supplement other income of and appropriations to the Wildlife Resources Commission to the end that the Commission may improve and increase its services and become more useful to a greater number of people.

ASSET ALLOCATION



** Fixed Income Includes Short-Term And Long-Term Fixed Income Instruments

Fund	Principal	Non-Expendable	Expendable	Total***
Adult Lifetime Licenses	\$ 73,356,495.90		\$ 42,432,414.10	\$ 115,788,910.00
Magazine Subs Lifetime	\$ 1,573,477.50		\$ 917,463.94	\$ 2,490,941.44
Contributions	\$ 749,719.13		\$ 2,151,685.81	\$ 2,901,404.94
Diversity	\$ 58,594.29		\$ 3,463.95	\$ 62,058.24
Infant Lifetime Licenses	\$ 19,941,948.00	\$ 5,670,636.95		\$ 25,612,584.95
Youth Lifetime Licenses	\$ 2,739,626.00	\$ 259,293.21		\$ 2,998,919.21
Total	\$ 98,419,860.82	\$ 5,929,930.16	\$ 45,505,027.80	\$ 149,854,818.78

*** Include Deposit/s In Transit

EXHIBIT E-1

October 20, 2022



Proposed Amendments to Inland Fisheries Rules for 2023-2024 Annual Cycle Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

Trout:

1. 15A NCAC 10D .0104

Clarify that Grogan Creek, Cedar Rock Creek, and John Rock Branch in Transylvania County are closed to fishing. This proposal will not remove any water from Public Mountain Trout Waters.

Justification: The Bobby N. Setzer State Fish Hatchery has a water intake on Grogan Creek and fishing is prohibited in the Grogan Creek watershed to minimize human activity and reduce fine sediment input in the water supply. However, there are stream name discrepancies in this watershed on published maps. Some USGS topography maps refer to Grogan Creek as 'Cedar Rock Creek' or fail to clearly label the lower reaches before its confluence with the Davidson River. This proposal will include all local stream names in the rule to clarify that the entire watershed is closed to fishing.

15A NCAC 10D .0104 FISHING ON GAME LANDS (Pg. 24-25)

2. 15A NCAC 10C .0205

Reclassify the upper portion (approximately 1.25 miles) of Hatchery Supported Trout Waters on Dutch Creek in Watauga County to Wild Trout Waters. This proposal will not remove any water from Public Mountain Trout Waters (PMTW).

Justification: One of the primary landowners that provides public access to Dutch Creek has requested this section of stream be reclassified from Hatchery Supported to Wild Trout Waters as a condition to continue their participation in PMTW. NCWRC staff surveyed the stream and determined Wild Trout regulations would be appropriate. This change encourages continued participation by the landowner and improves management of the resource.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 13)

3. 15A NCAC 10C .0205

Modify the upper boundary of Hatchery Supported Trout Waters on Peak Creek in Ashe County. The proposed reach will be from the upstream property boundary of NCDA-NCSU Upper Mountain Research Station to Trout Lake. This change will remove approximately 4.0 miles of water from Public Mountain Trout Waters.

Justification: The current designated reach of Hatchery Supported Trout Waters on Peak Creek includes several miles in the headwaters that are not stocked and are inaccessible. This section

also includes an exempted portion on the Blue Ridge Parkway. Additionally, NCWRC staff assessed angler usage in this area and found it to be very limited. The proposed change will reduce angler confusion by fully eliminating the Blue Ridge Parkway exception, better reflect the areas that provide fishing opportunities, and protect wild Brook Trout in the upper watershed. Although the total distance of water that will be lost from the PMTW program is around 4.0 miles, less than half of that was accessible to be stocked.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 6)

4. 15A NCAC 10C .0205

Reclassify following waters from Wild Trout/Natural Bait Waters to Wild Trout Waters:

- Hurricane Creek in Haywood County;
- the game land portion of Scotsman Creek in Jackson County;
- the game land portion of Tellico Creek in Macon County;
- the game land portion of Turtle Pond Creek in Macon County; and
- the game land portion of Big Creek in Madison County.

This proposal will not remove any water from Public Mountain Trout Waters.

Justification: The listed streams and their tributaries on game lands are currently classified as Wild Trout/Natural Bait. The Wild Trout/Natural Bait classification is similar to the game land default Wild Trout rules, except anglers are allowed to use natural bait. The natural bait exception is intended to diversify angler opportunity and experience; however, the listed streams are rarely used by anglers fishing with natural bait. Therefore, the Wild Trout/Natural Bait classification on these streams is unnecessarily adding complexity to Public Mountain Trout Waters regulations without enhancing the management of the resource.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 10-11)

Crappie

1. 15A NCAC 10C .0306

Reduce the minimum size limit for crappie on B. Everett Jordan Reservoir from ten inches to eight inches.

Justification: The stock assessment in 2003 indicated that the crappie population in B. Everett Jordan Reservoir lacked older mature fish; therefore, a 10-inch minimum size limit was implemented to increase the number of older, mature fish in the population. Recent surveys have indicated that older, mature fish have reestablished throughout the population. These data indicate that the 10-inch minimum size limit is no longer warranted for the population. The reduction of the size limit will allow anglers to harvest fish at a smaller size which may slightly increase harvest though the daily creel limit of 20 fish per angler will remain.

15A NCAC 10C .0306 CRAPPIE (Pg. 17)

Striped Bass

1. 15A NCAC 10C .0314

Establish an 18-inch minimum size limit and 2-fish daily creel limit for Striped Bass in the Cape Fear River and its tributaries upstream of Lock and Dam 1 to Buckhorn Dam. The harvest season will be March 1 to April 30.

Justification: Despite a harvest moratorium since 2008, the Cape Fear River Striped Bass population remains completely hatchery supported with limited natural reproduction. For Amendment 2 to the NC Estuarine Striped Bass Fishery Management Plan, the NCWRC-preferred management option was to allow limited harvest throughout the Cape Fear River. The Division of Marine Fisheries and Marine Fisheries Commission have recommended maintaining the harvest moratorium in joint or coastal fishing waters. Therefore, a limited harvest season in the inland fishing waters is proposed to allow increased angling opportunity for this hatchery-supported fishery.

15A NCAC 10C .0314 STRIPED BASS (Pg. 18)

2. 15A NCAC 10C .0314

Modify the size limit of Striped Bass on the Roanoke River and its tributaries by prohibiting the possession of fish larger than 22 inches. The minimum size limit will remain 18 inches.

Justification: The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and overfishing is occurring. While cooperating with the Division of Marine Fisheries on Amendment 2 to the NC Estuarine Striped Bass Fisheries Management Plan, both agencies determined that rebuilding the population and expanding the age structure to include larger and older fish was critical. The proposed regulation change will provide protection to older, larger fish. Striped Bass creel data from the Roanoke River show limited harvest of fish greater than 27 inches compared to smaller sizes.

15A NCAC 10C .0314 STRIPED BASS (Pg. 18)

Manner of Take

1. 15A NCAC 10C .0302 & 10C .0401

Require the use of barbless circle hooks when using live or natural bait in the inland fishing waters of the Roanoke River upstream of U.S. 258 bridge from April 1 to June 30. With all other tackle, only a single barbless hook may be used.

Justification: The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and overfishing is occurring. In cooperation with Division of Marine Fisheries and the Fisheries Management Plan development team, fisheries staff has identified the reduction of catch and release mortality as management tool for the rebuilding of the stock. The use of barbless circle hooks will reduce the number of dead discards when anglers are using live or natural bait. In 2018, creel clerks on the Roanoke River asked anglers that were fishing in inland waters if “they supported a rule that would require the use of circle hooks when using live or cut bait?”. Support for the use of circle hooks was 79% (162 of 206), while 21% (N=44) opposed.

15A NCAC 10C .0302 MANNER OF TAKING INLAND GAME FISHES (Pg. 16)

15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES (Pg. 21)

Trotlines, Jug Hooks, and Set Hooks

1. 15A NCAC 10C .0206

Prohibit the use of trotlines, jug hooks, and set hooks in inland fishing waters of the Roanoke River from April 1 to June 30.

Justification: The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and overfishing is occurring. In cooperation with Division of Marine Fisheries and the Fisheries Management Plan development team, fisheries staff has identified the reduction of catch and release mortality as management tool for the rebuilding of the stock. The use of barbless circle hooks when anglers are using live or natural bait or only single barbless hooks on all other tackle from April 1 – June 30 will reduce the number of dead discards. The prohibition of trotlines, set hooks, and jug hooks during this time will also help reduce mortality and will be consistent with the circle hook and single barbless hook restrictions.

15A NCAC 10C .0206 TROT LINES, JUG HOOKS AND SET HOOKS (Pg. 15)

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS

(a) For purposes of this Rule, the following definitions apply:

- (1) "Natural bait" means any living or dead organism (plant or animal), or parts thereof, or prepared substances designed to attract fish by the sense of taste or smell.
- (2) "Single hook" means a fish hook with only one point.
- (3) "Artificial lure" means a fishing lure that neither contains nor has been treated by any substance that attracts fish by the sense of taste or smell.
- (4) "Artificial fly" means one single hook dressed with feathers, hair, thread, tinsel, rubber, or any similar material to which no additional hook, spinner, spoon or similar device is added.
- (5) "Youth anglers" are individuals under 18 years of age.

(b) For purposes of this Rule, 15A NCAC 10C .0316, and 15A NCAC 10D .0104, the following classifications apply:

- (1) "Public Mountain Trout Waters" are all waters included in this Rule and so designated in 15A NCAC 10D .0104.
- (2) "Catch and Release/Artificial Flies and Lures Only Trout Waters" are Public Mountain Trout Waters where only artificial flies and lures having one single hook may be used. No trout may be possessed or harvested while fishing these streams. Waters designated as such include tributaries unless otherwise noted.
- (3) "Delayed Harvest Trout Waters" are Public Mountain Trout Waters where between October 1 and one-half hour after sunset on the Friday before the first Saturday of the following June, it is unlawful to possess natural bait, use more than one single hook on an artificial lure, or harvest or possess trout while fishing. From 6:00 a.m. on the first Saturday in June until noon that same day, only youth anglers may fish and these waters have no bait or lure restrictions. From noon on the first Saturday in June until October 1, anglers of all ages may fish and these waters have no bait or lure restrictions. Waters designated as such do not include tributaries unless otherwise noted.
- (4) "Hatchery Supported Trout Waters" are Public Mountain Trout Waters that have no bait or lure restrictions. Waters designated as such do not include tributaries unless otherwise noted.
- (5) "Special Regulation Trout Waters" are Public Mountain Trout Waters where watercourse-specific regulations apply. Waters designated as such do not include tributaries unless otherwise noted.
- (6) "Wild Trout Waters" are Public Mountain Trout Waters which are identified as such in this Rule or 15A NCAC 10D .0104. Only artificial lures having only one single hook may be used. No person shall possess natural bait while fishing these waters. Waters designated as such do not include tributaries unless otherwise noted.
- (7) "Wild Trout Waters/Natural Bait" are Public Mountain Trout Waters where all artificial lures and natural baits, except live fish, may be used provided they are fished using only one single hook. Waters designated as such include tributaries unless otherwise noted.
- (8) "Undesignated Waters" are all other waters in the State. These waters have no bait or lure restrictions.

(c) Seasons, creel, and size limits. Seasons, creel, and size limits for trout in all waters are listed in Rule .0316 of this Subchapter.

(d) Classifications. This Paragraph designates waters in each county that have a specific classification. Waters on game lands are so designated in 15A NCAC 10D .0104, unless otherwise indicated in this Paragraph. All other waters are classified as Undesignated Waters.

- (1) Alleghany
 - (A) Delayed Harvest Trout Waters are as follows:
Little River (S.R. 1133 bridge to 275 yards downstream of the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank])
 - (B) Hatchery Supported Trout Waters are as follows:
Big Pine Creek
Bledsoe Creek

- Brush Creek (N.C. 21 bridge to confluence with Little River, except where posted against trespassing)
- Cranberry Creek
- (Big) Glade Creek
- Little River (275 yards downstream from the intersection of S.R. 1128 and S.R. 1129 [marked by a sign on each bank] to McCann Dam)
- Meadow Fork
- Pine Swamp Creek
- Piney Fork
- Prathers Creek
- (C) Wild Trout Waters are as follows:
 - All waters located on Stone Mountain State Park
- (2) Ashe County
 - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
 - Big Horse Creek (Virginia state line to Mud Creek at S.R. 1363, excluding tributaries)
 - (B) Delayed Harvest Trout Waters are as follows:
 - Big Horse Creek (S.R. 1324 bridge to North Fork New River)
 - Helton Creek (900 yards upstream of SR 1372 bridge [marked by a sign on each bank] to North Fork New River)
 - South Fork New River (upstream end of Todd Island to the SR 1351 bridge)
 - Trout Lake
 - (C) Hatchery Supported Trout Waters are as follows:
 - Beaver Creek (N.C. 221 to confluence of Beaver Creek and South Beaver Creek)
 - Big Horse Creek (Mud Creek at S.R. 1363 to S.R. 1324 bridge)
 - Big Laurel Creek (S.R. 1315 bridge to confluence with North Fork New River)
 - Buffalo Creek (S.R. 1133 bridge to N.C. 194-88 bridge)
 - Cranberry Creek (Alleghany Co. line to South Fork New River)
 - Nathans Creek
 - North Fork New River (Watauga Co. line to Sharp Dam)
 - Old Fields Creek (N.C. 221 to South Fork New River)
 - Peak Creek (~~headwaters to~~ Upper boundary of NCDA-NCSU Upper Mountain Research Station to Trout Lake, except Blue Ridge Parkway waters) Lake)
 - Roan Creek
 - Three Top Creek
- (3) Avery County
 - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
 - Elk River (portion on Lees-McRae College property, excluding the millpond)
 - Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)
 - Wilson Creek (game land portion)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Boyde Coffey Lake
 - Elk River (S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state line)
 - Linville River S.R. 1504 to the Blue Ridge Parkway boundary line, except where posted against trespassing)
 - Milltimber Creek
 - North Toe River — upper (Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park, except where posted against trespassing)

North Toe River — lower (S.R. 1164 to Mitchell Co. line, except where posted against trespassing)

Squirrel Creek

Wildcat Lake

(C) Wild Trout Waters are as follows:

Birchfield Creek

Cow Camp Creek

Cranberry Creek (headwaters to U.S. 19E/N.C. 194 bridge)

Gragg Prong

Horse Creek

Kentucky Creek

North Harper Creek

Plumtree Creek

Roaring Creek

Rockhouse Creek

Shawneehaw Creek (portion adjacent to Banner Elk Greenway)

South Harper Creek

Webb Prong

(4) Buncombe County

(A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:

Carter Creek (game land portion)

(B) Hatchery Supported Trout Waters are as follows:

Bent Creek (headwaters to N.C. Arboretum boundary line)

Cane Creek (headwaters to S.R. 3138 bridge)

Corner Rock Creek (Little Andy Creek to confluence with Walker Branch)

Dillingham Creek (Corner Rock Creek to Ivy Creek)

Ivy Creek (Ivy River)(Dillingham Creek to U.S. 19-23 bridge)

Lake Powhatan

Reems Creek (Sugar Camp Fork to U.S. 19-23 bridge, except where posted against trespassing)

Rich Branch (downstream from the confluence with Rocky Branch)

Stony Creek

Swannanoa (S.R. 2702 bridge near Ridgecrest to Wood Avenue bridge [intersection of N.C. 81 and U.S. 74A in Asheville], except where posted against trespassing)

(5) Burke County

(A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:

Henry Fork (portion on South Mountains State Park)

(B) Delayed Harvest Trout Waters are as follows:

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

(C) Hatchery Supported Trout Waters are as follows:

Carroll Creek (game land portion above S.R. 1405)

Henry Fork (lower South Mountain State Park line downstream to S.R. 1919 at Ivy Creek)

Linville River portion within Linville Gorge Wilderness area and portion below Lake James powerhouse from upstream bridge on S.R. 1223 to Muddy Creek)

(D) Special Regulation Trout Waters are as follows:

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

(E) Wild Trout Waters are as follows:

All waters located on South Mountains State Park, except those waters identified in Parts A and B of this Subparagraph

- (6) Caldwell County
- (A) Delayed Harvest Trout Waters are as follows:
Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)
- (B) Hatchery Supported Trout Waters are as follows:
Boone Fork Pond
Buffalo Creek (mouth of Joes Creek to McCloud Branch)
Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)
Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted against trespassing)
Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)
- (C) Wild Trout Waters are as follows:
Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)
Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)
Rockhouse Creek
- (7) Cherokee County
- (A) Hatchery Supported Trout Waters are as follows:
Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
Hyatt Creek (Big Dam Branch to Valley River)
Junaluska Creek (Ashturn Creek to Valley River)
Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)
Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)
- (B) Special Regulation Trout Waters are as follows:
Apalachia Reservoir
- (C) Wild Trout Waters/Natural Bait are as follows:
Bald Creek (game land portion)
Dockery Creek (game land portion)
- (8) Clay County
- (A) Delayed Harvest Trout Waters are as follows:
Fires Creek (Rockhouse Creek to the foot bridge in the USFS Fires Creek Picnic Area)
- (B) Hatchery Supported Trout Waters are as follows:
Buck Creek (game land portion downstream of U.S. 64 bridge)
Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)
Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)
- (9) Graham County
- (A) Delayed Harvest Trout Waters are as follows:
(Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)
- (B) Hatchery Supported Trout Waters are as follows:
Calderwood Reservoir (Cheoah Dam to Tennessee state line)
Cheoah Reservoir
Panther Creek (confluence of Stand Creek and Rock Creek to Lake Fontana)
Santeetlah Creek (Johns Branch to Lake Santeetlah)
(Big) Snowbird Creek (USFS Road 2579 to S.R. 1127 bridge)
Stecoah Creek (upper game land boundary to Lake Fontana)
Tulula Creek (S.R. 1201 to lower bridge on S.R. 1275)
West Buffalo Creek
Yellow Creek (Lake Santeetlah hydropower pipeline to Cheoah River)
- (C) Wild Trout Waters are as follows:
Little Buffalo Creek
South Fork Squally Creek

- Squally Creek
 - (D) Wild Trout Waters/Natural Bait are as follows:
 - Long Creek (game land portion)
- (10) Haywood County
 - (A) Delayed Harvest Trout Waters are as follows:
 - West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake Logan)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Cold Springs Creek (Fall Branch to Pigeon River)
 - Jonathan Creek (upstream S.R. 1302 bridge to Pigeon River, except where posted against trespassing)
 - Pigeon River (Stamey Cove Branch to upstream U.S. 19-23 bridge)
 - Richland Creek (Russ Avenue [U.S. 276] bridge to U.S. 19 bridge)
 - West Fork Pigeon River (Tom Creek to Queen Creek, including portions on game lands, except Middle Prong)
 - ~~(C) Wild Trout Waters/Natural Bait are as follows:~~
 - ~~Hurricane Creek~~
- (11) Henderson County
 - (A) Delayed Harvest Trout Waters are as follows:
 - North Fork Mills River (game land portion below the Hendersonville watershed dam)
 - (B) Hatchery Supported Trout Waters are as follows:
 - (Rocky) Broad River (end of S.R. 1611 to Rutherford County line)
 - Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)
 - Clear Creek (Laurel Fork to S.R. 1582)
 - Green River (Lake Summit powerhouse to game land boundary)
 - (Big) Hungry River (S.R. 1885 to Green River)
- (12) Jackson County
 - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
 - Flat Creek
 - (East Fork) Tuckasegee River (game lands portion upstream of Tanasee Creek Lake, including Duke Energy powerline corridor)
 - Tuckasegee River (upstream from the Clark property)
 - (B) Delayed Harvest Trout Waters are as follows:
 - Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream of the U.S. 23-441 bridge [marked by a sign on each bank])
 - (C) Hatchery Supported Trout Waters are as follows:
 - Balsam Lake
 - Bear Creek Lake
 - Cedar Cliff Lake
 - Cullowhee Creek (Tilley Creek to Tuckasegee River)
 - Dark Ridge Creek (Jones Creek to Scott Creek)
 - Greens Creek (Greens Creek Baptist Church on S.R. 1370 to Savannah Creek)
 - Savannah Creek (Shell Branch to Cagle Branch)
 - Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against trespassing)
 - Tanasee Creek Lake
 - Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)
 - Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)

- Wolf Creek Lake
 - (D) Wild Trout Waters are as follows:
 - Gage Creek
 - North Fork Scott Creek
 - Tanasee Creek
 - Whitewater River (downstream from Silver Run Creek to South Carolina state line)
 - Wolf Creek (except Balsam Lake and Wolf Creek Lake)
 - (E) Wild Trout Waters/Natural Bait are as follows:
 - Chattooga River (S.R. 1100 bridge to the South Carolina state line)
 - ~~Scotsman Creek (game land portion)~~
- (13) Macon County
 - (A) Delayed Harvest Trout Waters are as follows:
 - Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Burningtown Creek (Left Prong to Little Tennessee River)
 - Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)
 - Cliffside Lake
 - Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)
 - Nantahala River — upper (Dicks Creek to Whiteoak Creek)
 - Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)
 - Queens Creek Lake
 - (C) Wild Trout Waters/Natural Bait are as follows:
 - Chattooga River (S.R. 1100 bridge to South Carolina state line)
 - Kimsey Creek
 - Park Creek
 - ~~Tellico Creek (game land portion)~~
 - ~~Turtle Pond Creek (game land portion)~~
- (14) Madison County
 - (A) Delayed Harvest Trout Waters are as follows:
 - Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)
 - Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)
 - Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews Ave.)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Big Laurel Creek (Puncheon Fork to the S.R. 1318 [Big Laurel Rd.] bridge downstream of Bearpen Branch)
 - Big Pine Creek (S.R. 1151 bridge to French Broad River)
 - Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence with Ivy Creek at Forks of Ivy)
 - Max Patch Pond
 - Meadow Fork Creek (Meadow Fork Campground to Spring Creek)
 - Puncheon Fork (Wolf Laurel Branch to Big Laurel Creek)
 - Roaring Fork (Fall Branch to Meadow Fork)
 - Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at Belva)
 - Shut-in Creek
 - Spillcorn Creek
 - Spring Creek (junction of N.C. 209 and N.C. 63 to the confluence with Meadow Fork)
 - West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-in Creek)

- ~~(C) Wild Trout Waters/Natural Bait are as follows:
Big Creek (headwaters to the lower game land boundary)~~
- (15) McDowell County
- (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
Newberry Creek (game land portion)
- (B) Delayed Harvest Trout Waters are as follows:
Catawba River (portion adjacent to Marion Greenway)
Curtis Creek (game land portion downstream of the USFS boundary at Deep Branch)
Mill Creek (U.S. 70 bridge to I-40 bridge)
- (C) Hatchery Supported Trout Waters are as follows:
Armstrong Creek (Cato Holler line downstream to upper Greenlee line)
Catawba River (Catawba Falls Campground to Old Fort Recreation Park)
Little Buck Creek (game land portion)
North Fork Catawba River (headwaters to North Cove School at S.R. 1569 bridge)
- (16) Mitchell County
- (A) Delayed Harvest Trout Waters are as follows:
Cane Creek (N.C. 226 bridge to S.R. 1189 bridge)
North Toe River (U.S. 19E bridge to N.C. 226 bridge)
- (B) Hatchery Supported Trout Waters are as follows:
Big Rock Creek (headwaters to N.C. 226 bridge at S.R. 1307 intersection)
Cane Creek (S.R. 1219 to N.C. 226 bridge)
East Fork Grassy Creek
Grassy Creek (East Fork Grassy Creek to mouth)
Little Rock Creek (Green Creek bridge to Big Rock Creek, except where posted against trespassing)
North Toe River (Avery Co. line to S.R. 1121 bridge)
- (C) Wild Trout Waters are as follows:
Green Creek (headwaters to Green Creek bridge, except where posted against trespassing)
Little Rock Creek (above Green Creek bridge, including all tributaries, except where posted against trespassing)
Wiles Creek (game land boundary to mouth)
- (17) Polk County
- (A) Delayed Harvest Trout Waters are as follows:
Green River (Fishtop Falls Access Area to the confluence with Cove Creek)
- (B) Hatchery Supported Trout Waters are as follows:
Green River (Mouth of Cove Creek to the natural gas pipeline crossing)
North Pacolet River (Joels Creek to N.C. 108 bridge)
- (18) Rutherford County
- (A) Hatchery Supported Trout Waters are as follows:
(Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted against trespassing)
- (19) Stokes County
- (A) Hatchery Supported Trout Waters are as follows:
Dan River (Virginia state line downstream to a point 200 yards below the end of S.R. 1421)
- (20) Surry County
- (A) Delayed Harvest Trout Waters are as follows:
Ararat River (portion adjacent to the Ararat River Greenway)
Mitchell River (0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge on S.R. 1330)

- (B) Hatchery Supported Trout Waters are as follows:
 - Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)
 - Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards downstream of N.C. 268 [marked by a sign on each bank])
 - Fisher River (Cooper Creek)(Virginia state line to I-77 bridge)
 - Little Fisher River (Virginia state line to N.C. 89 bridge)
 - Lovills Creek (U.S. 52 Business bridge to Ararat River)
 - Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)
- (21) Swain County
 - (A) Delayed Harvest Waters Trout Waters are as follows:
 - Tuckasegee River (U.S. 19 bridge to Slope Street bridge)
 - (B) Hatchery Supported Trout Waters are as follows:
 - Alarka Creek (game land boundary to Fontana Reservoir)
 - Calderwood Reservoir (Cheoah Dam to Tennessee state line)
 - Cheoah Reservoir
 - Connelly Creek (Camp Branch to Tuckasegee River)
 - Deep Creek (Great Smoky Mountains National Park Boundary line to Tuckasegee River)
 - Nantahala River (Macon Co. line to existing Fontana Lake water level)
- (22) Transylvania County
 - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
 - Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek and Grogan ~~Creek~~Creek, Cedar Rock Creek [tributary to the Davidson River at Bobby N. Setzer State Fish Hatchery] and John Rock Branch)
 - (B) Delayed Harvest Trout Waters are as follows:
 - East Fork French Broad River (East Fork Baptist Church to the downstream S.R. 1107 bridge)
 - Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)
 - (C) Hatchery Supported Trout Waters are as follows:
 - Davidson River (Avery Creek to lower USFS boundary)
 - French Broad River (confluence of North Fork French Broad River and West Fork)
 - French Broad River to the Island Ford Rd. [S.R. 1110] Access Area
 - Middle Fork French Broad River (upstream U.S. 178 bridge to French Broad River)
 - West Fork French Broad River (S.R. 1312 to confluence with North Fork French Broad River)
 - (D) Wild Trout Waters are as follows:
 - All waters located on Gorges State Park
 - Whitewater River (downstream from Silver Run Creek to South Carolina state line)
 - (E) Wild Trout Waters/Natural Bait are as follows:
 - North Fork French Broad River (game land portion downstream of S.R. 1326)
 - Thompson River (S.R. 1152 to South Carolina state line, except where posted against trespassing)
- (23) Watauga County
 - (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
 - Laurel Creek (confluence of North and South Fork Laurel creeks to Elk Creek, excluding tributaries)
 - Pond Creek (headwaters to Locust Ridge Rd. bridge, excluding the pond adjacent to Coffee Lake)
 - (B) Delayed Harvest Trout Waters are as follows:
 - Lake Coffey

- Watauga River – upper (S.R. 1114 bridge to Valle Crucis Community Park lower boundary)
- Watauga River – lower (S.R. 1103 bridge to confluence with Laurel Creek)
- (C) Hatchery Supported Trout Waters are as follows:
- Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)
- Beech Creek
- Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)
- Buckeye Creek Reservoir
- Cove Creek (S.R. 1233 bridge at Zionville to S.R. 1214 bridge at Sherwood)
- Dutch Creek (~~second bridge on S.R. 1134~~ (S.R. 1136 bridge to mouth)
- Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against trespassing)
- Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)
- Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)
- Middle Fork New River (adjacent to intersection of S.R. 1539 and U.S. 321 to South Fork New River)
- Norris Fork Creek
- South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower boundary of Brookshire Park)
- Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co. line)
- (D) Wild Trout Waters are as follows:
- Dutch Creek (headwaters to ~~second bridge on S.R. 1134~~ S.R. 1136 bridge)
- Howard Creek
- Maine Branch (headwaters to North Fork New River)
- North Fork New River (from confluence with Maine and Mine branches to Ashe Co. line)
- Watauga River (Avery Co. line to S.R. 1580 bridge)
- Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)
- (24) Wilkes County
- (A) Delayed Harvest Trout Waters are as follows:
- East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park lower boundary)
- Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain Club)
- Elk Creek — lower (portion on Leatherwood Mountains development)
- Reddies River (Town of North Wilkesboro water intake dam to confluence with the Yadkin River)
- Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong Roaring River and Bullhead Creek)
- (B) Hatchery Supported Trout Waters are as follows:
- Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)
- Bell Branch Pond
- Boundary Line Pond
- Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)
- Darnell Creek (North Prong Reddies River)(downstream ford on S.R. 1569 to confluence with North Fork Reddies River)
- East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)
- Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where posted against trespassing)

Middle Fork Reddies River (Clear Prong)(headwaters to bridge on S.R. 1580)
Middle Prong Roaring River (headwaters to second bridge on S.R. 1736)
North Fork Reddies River (Vannoy Creek)(headwaters to Union School bridge on S.R. 1559)
Pike Creek
Pike Creek Pond
South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies River)
South Prong Lewis Fork (Fall Creek to U.S. 421 bridge adjacent to S.R. 1155 intersection)

(C) Wild Trout Waters are as follows:

All waters located on Stone Mountain State Park, except East Prong Roaring River from Bullhead Creek downstream to the Stone Mountain State Park lower boundary where Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from falls at Alleghany County line to confluence with East Prong Roaring River and Bullhead Creek in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply

(25) Yancey County

(A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:

South Toe River (headwaters to Upper Creek)

Upper Creek

(B) Delayed Harvest Trout Waters are as follows:

Cane River (Blackberry Ridge Rd. to downstream boundary of Cane River County Park)

(C) Hatchery Supported Trout Waters are as follows:

Bald Mountain Creek (except where posted against trespassing)

Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)

Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)

South Toe River (Clear Creek to lower boundary line of Yancey Co. Recreation Park, except where posted against trespassing)

(D) Wild Trout Waters are as follows:

Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 197 bridge)

Lickskillet Creek

Middle Creek (game land boundary to mouth)

15A NCAC 10C .0206 TROTLINES, JUG HOOKS AND SET HOOKS

(a) For purposes of this Rule, the following definitions apply:

- (1) "set hook" means a fishing device consisting of a single line having no more than three hooks that is attached at one end only to a stationary object.
- (2) "jug hook" means a fishing device consisting of a single line having no more than three hooks that is attached to a float.
- (3) "trotline" means a fishing device consisting of a horizontal common line having multiple hooks attached.

(b) Trotlines, jug hooks, and set hooks may be set in the inland waters of North Carolina, provided no live bait is used, except that they:

- (1) may not be set in any of the impounded waters on the Sandhills Game Land;
- (2) may not be set in any designated public mountain trout waters except impounded waters of power reservoirs and municipally-owned water supply reservoirs open to the public for fishing; and
- (3) in Lake Waccamaw, trotlines, jug hooks, or set hooks may be set only from October 1 through April 30.
- (4) in the Roanoke River, trotlines, jug hooks, or set hooks may only be set from July 1 through March 31.

(c) Each trotline, set hook, and jug hook shall bear legible and indelible identification of the user's name and address or the user's Wildlife Resources Commission customer number.

(d) Each trotline and set hook shall be conspicuously marked at each end with a flag, float, or other prominent object so that its location is readily discernible by boat operators and swimmers.

(e) Trotlines shall be set parallel to the nearest shore in all inland fishing waters unless otherwise prohibited.

(f) The number of jug hooks that may be fished is limited to 70 per boat.

(g) All trotlines, set hooks, and jug hooks shall be fished at least once daily with all fish removed.

(h) Trotlines, set hooks, and jug hooks without bait or not labeled as described in this Paragraph may be removed from the water by wildlife enforcement officers.

(i) It is unlawful to use metal cans or glass jugs as floats.

15A NCAC 10C .0302 MANNER OF TAKING INLAND GAME FISHES

- (a) Inland game fishes may only be taken with hook and line unless otherwise provided.
- (b) Landing nets may be used to land fishes caught on hook and line.
- (c) Game fishes taken incidental ~~to~~ to

~~(1) commercial fishing operations in joint fishing waters or coastal fishing waters shall be immediately returned to the water unharmed.~~

(2) the use of special devices for taking nongame fishes from inland fishing waters as authorized in Rule .0402 of this Subchapter 15A NCAC 10C .0402 or as authorized by 15A NCAC 10C .0407 by anglers licensed under G.S. 113-272.2(c) shall be immediately returned to the water unharmed except:

~~(A)~~(1) that a daily creel limit of American and hickory shad may be taken with dip nets and bow nets from March 1 through April 30 in those waters where such gear may be lawfully used; and

~~(B)~~(2) white perch may be taken when captured in a cast net being used to collect nongame fishes in all impounded waters west of Interstate 95 and in the Tar River Reservoir (Nash County).

(d) Inland game fishes taken from Inland Fishing Waters shall not be sold.

(e) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless circle hook may be used when fishing with live or natural bait from April 1 to June 30. With all other tackle, only a single barbless hook or a lure with a single barbless hook may be used. used from 1 April to 30 June. "Circle hook" as used in this Rule means a hook with the point turned perpendicularly back to the shank. "Barbless" as used in this Rule requires that the hook does not have a barb or the barb is bent down.

*Highlighted text represents language that is currently under legislative review that is not proposed for changes in this annual cycle

15A NCAC 10C .0306 CRAPPIE

(a) There is no daily creel limit for Crappie, except for waters identified in Paragraphs ~~(b), (c), (d), (e), and (f)~~ **(d)** through **(h)** of this Rule.

~~(b)~~ There is no minimum size limit ~~for these fish~~, except ~~for in~~ waters identified in Paragraphs ~~(d), (e), and (f)~~ **(d)** through **(h)** of this Rule.

~~(c)~~ There is no closed season.

~~(b)~~**(d)** In Buckhorn Reservoir in Wilson and Nash counties, the daily creel limit is 20 fish.

~~(e)~~**(e)** In Lake Chatuge in Clay County, the daily creel limit is 30 fish.

~~(d)~~**(f)** In the following waters, the daily creel limit is 20 fish and the minimum size limit is 10 inches:

- ~~(1)~~ **B. Everett Jordan Reservoir;**
- ~~(2)~~**(1)** Roanoke River and its tributaries downstream of Roanoke Rapids dam;
- ~~(3)~~**(2)** Cashie River and its tributaries;
- ~~(4)~~**(3)** Middle River and its tributaries;
- ~~(5)~~**(4)** Eastmost River and its tributaries; and
- ~~(6)~~**(5)** Lake Mattamuskeet and associated canals in Hyde County.

~~(e)~~**(g)** In the following waters, the daily creel limit is 20 fish and the minimum size limit is eight inches:

- (1) Lake Norman;
- (2) Lake Hyco;
- (3) Lake Ramseur;
- (4) Cane Creek Lake (Union County);
- (5) Lake Hampton (Yadkin County);
- (6) Tar River downstream of Tar River Reservoir Dam and all tributaries;
- (7) Neuse River downstream of Falls Lake Dam and all tributaries;
- (8) Haw River downstream of Jordan Lake Dam and all tributaries;
- (9) Deep River downstream of Lockville Dam and all tributaries;
- (10) Cape Fear River and all tributaries;
- (11) Waccamaw River downstream of Lake Waccamaw Dam and all tributaries;
- (12) Lumber River including Drowning Creek and all tributaries;
- (13) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and waters listed in Paragraph ~~(d)~~ **(f)** of this Rule; and
- (14) all public waters west of Interstate 77, except Lake Chatuge.
- ~~(15)~~ **(15)** B. Everett Jordan Reservoir.

~~(f)~~**(h)** In John H. Kerr Reservoir, the daily creel limit is 25 fish and the minimum size limit is nine inches.

*Highlighted text represents language that is currently under legislative review that is not proposed for changes in this annual cycle

TEMPORARY RULE VERSION

15A NCAC 10C .0314 STRIPED BASS

- (a) The daily creel limit for *striped bass* and its hybrids is four fish in the aggregate, except in waters identified in Paragraphs (d) and (g) through ~~(m)~~ of this Rule.
- (b) The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (d) through ~~(m)~~ of this Rule.
- (c) There is no closed season, except for waters identified in Paragraphs (i) through (m) of this Rule.
- (d) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA and in John H. Kerr Reservoir, the daily creel limit on *striped bass* and its hybrids is two in the aggregate and the minimum size limit is 20 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on *striped bass* and its hybrids is four in the aggregate with no minimum size limit.
- (e) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for *striped bass* and its hybrids is 20 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.
- (f) In Hyco Lake, Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for *striped bass* and its hybrids is 16 inches.
- (g) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit, but only two may be greater than 22 inches.
- (h) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to the South Carolina state line, the daily creel limit for *striped bass* and its hybrids is three fish in the aggregate, and the minimum size limit is 18 inches.
- (i) In the inland fishing waters of Neuse, Pungo, and Tar Pamlico rivers and their tributaries extending upstream to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of Interstate 95 not specified in Paragraphs (h) and (j) through (l) of this Rule, the daily creel limit for *striped bass* and its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and possessing *striped bass* is closed from May 1 through September 30.
- (j) ~~In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam and in the ponds associated with Martin Marietta Park in Craven County the season for taking and possessing *striped bass* is closed year-round.~~
- (k) In the inland fishing waters of the Cape Fear River from Lock and Dam 1 upstream to Buckhorn Dam and its tributaries, the daily creel limit for striped bass and its hybrids is two fish. The minimum size limit is 18 inches. In these waters, the season for taking and possessing Striped Bass is closed from May 1 through the last day in February.
- ~~(l)~~ In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in 15A NCAC 03R .0201 and identified in 15A NCAC 10C .011 which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the open season for taking and possessing *striped bass* and its hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season, the daily creel limit for *striped bass* and its hybrids is *one* fish in the aggregate, and the minimum size limit is 18 inches. No fish ~~between~~ over 22 inches ~~and 27 inches~~ in length shall be possessed in the daily creel limit.
- ~~(m)~~ In designated inland *and joint* fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and Cashie River and their tributaries), the *striped bass* fishing season, size limits, and creel limits are the same as those established by rules or proclamations of the Marine Fisheries Commission in adjacent coastal fishing waters.
- ~~(n)~~ In accordance with G.S. 113-292, the Executive Director may, by proclamation, *suspend* or extend the hook-and-line season for *striped bass* in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

*Italicized text represents language that is currently in the temporary rule

PERMANENT VERSION SUBJECT TO LEGISLATIVE REVIEW

15A NCAC 10C .0314 STRIPED BASS

(a) The daily creel limit for ~~Striped Bass striped bass~~ and its hybrids is four fish in the aggregate, except in waters identified in ~~Paragraphs (b), (c), (f), (g), (h), (i), and (j)~~ d and (g) through (m) of this Rule.

~~(b)~~ The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs ~~(b), (c), (d), (e), (f), (g), (h), (i), and (j)~~ (d) through (m) of this Rule.

~~(c)~~ There is no closed season, except for waters identified in Paragraphs ~~(g), (h), (i), (j), and (k)~~ (i) through (m) of this Rule.

~~(b)~~ (d) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA and in John H. Kerr Reservoir, the daily creel limit on ~~Striped Bass striped bass~~ and its hybrids is two in the aggregate and the minimum size limit is 20 inches from October 1 through May 31. From June 1 through September 30, the daily creel limit on ~~Striped Bass striped bass~~ and its hybrids is four in the aggregate with no minimum size limit.

~~(e)~~ (c) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for ~~Striped Bass striped bass~~ and its hybrids is 20 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1 through September 30.

~~(d)~~ (f) In ~~Lake Norman~~, Hyco Lake, Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for ~~Striped Bass striped bass~~ and its hybrids is 16 inches.

~~(e)~~ (g) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit, but only two may be greater than 22 inches.

~~(f)~~ (h) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to the South Carolina state line, the daily creel limit for ~~Striped Bass striped bass~~ and its hybrids is three fish in the aggregate, and the minimum size limit is 18 inches.

~~(g)~~ (i) In the inland fishing waters of Neuse, Pungo, and Tar Pamlico rivers and their tributaries extending upstream to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of Interstate 95 not specified in Paragraphs ~~(f), (h), (i), and (j)~~ and (j) through (l) of this Rule, the daily creel limit for ~~Striped Bass striped bass~~ and its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these waters, the season for taking and possessing ~~Striped Bass striped bass~~ is closed from May 1 through September 30.

~~(h)~~ (j) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam and in the ponds associated with Martin Marietta Park in Craven County, the season for taking and possessing ~~Striped Bass striped bass~~ is closed year-round.

~~(k)~~ (l) In the inland fishing waters of the Cape Fear River from Lock and Dam 1 upstream to Buckhorn Dam and its tributaries, the daily creel limit for striped bass and its hybrids is two fish. The minimum size limit is 18 inches. In these waters, the season for taking and possessing Striped Bass is closed from May 1 through the last day in February.

~~(i)~~ (l) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in 15A NCAC 03R .0201 and identified in 15A NCAC 10C .011 which includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the open season for taking and possessing ~~Striped Bass striped bass~~ and its hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season, the daily creel limit for ~~Striped Bass striped bass~~ and its hybrids is ~~two one~~ fish in the aggregate, and the minimum size limit is 18 inches. No fish ~~between over 22 inches and 27 inches~~ in length shall be possessed in the daily creel limit. Only one fish larger than 27 inches may be possessed in the daily creel limit.

~~(j)~~ (m) In designated inland and joint fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and Cashie River and their tributaries), the ~~Striped Bass striped bass~~ fishing season, size limits, and creel limits are the same as those established by rules or proclamations of the Marine Fisheries Commission in adjacent ~~joint or~~ coastal fishing waters.

~~(k)~~(n) In accordance with G.S. 113-292, the Executive Director may, by proclamation, ~~suspend~~, suspend or extend the hook-and-line season for ~~Striped Bass~~, striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

*Highlighted text represents language that is currently under legislative review that is not proposed for changes in this annual cycle

TEMPORARY VERSION

15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES

- (a) Except as permitted by the rules in this Section, *no person shall* take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line, grabbling, or special device with a special device fishing license, or inland fishing license.
- (b) Nongame fishes may be taken *from inland fishing waters* -at any time without restriction as to size limits or creel limits, except as *specified* in this Section.
- (c) Special devices with a special device fishing license *shall only be used* in those counties and waters with open season designated in 15A NCAC 10C .0407.
- (d) Archery equipment *used with either a hunting license or inland fishing license may be used to take nongame fishes year-round in all inland fishing waters, except:*
- (1) *in the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and in all tributaries, where only catfish can be taken;*
 - (2) *in impounded waters located on the Sandhills Game Land; and*
 - (3) *in public mountain trout waters.*
- (e) Set hooks, jug hooks, and trotlines may be used to take nongame fishes as designated in 15A NCAC 10C .0206.
- (f) The season for taking nongame fishes by hook and line in designated public mountain trout waters is the same as the trout fishing season. Trout seasons are designated in 15A NCAC 10C .0316.
- (g) Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license may be *sold unless otherwise specified in this Section.*
- (h) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless circle hook may be used when fishing with live or natural bait from April 1 to June 30. With all other tackle, only a single barbless hook may be used. "Circle hook" as used in this Rule means a hook with the point turned perpendicularly back to the shank. "Barbless" as used in this Rule requires that a hook does not have a barb or the barb is bent down.

*Italicized text represents language that is currently in the temporary rule

PERMANENT VERSION SUBJECT TO LEGISLATIVE REVIEW

15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES

(a) Except as permitted by the rules in this Section, ~~it is unlawful no person shall to~~ take nongame fishes from the inland fishing waters of North Carolina in any manner other than with hook and line, grabbling, or special device with a special device fishing ~~license.license, or inland fishing license.~~

(b) Nongame fishes may be taken ~~from inland fishing waters by hook and line, grabbling, or special device with a special device fishing license~~ at any time without restriction as to size limits or creel limits, except as ~~designated specified~~ in this ~~Rule. Section.~~

(c) Special devices ~~may only be used to take nongame fishes~~ with a special device fishing license ~~shall only be used~~ in those counties and waters with open season designated in ~~Rule .0407 of this Section. 15A NCAC 10C .0407.~~

(d) Archery equipment ~~may used with either a hunting license or inland fishing license may only~~ be used ~~to take nongame fishes year-round in all inland fishing waters, except:~~

- (1) ~~for the take of catfish on in the~~ Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and ~~in all tributaries, where only catfish can be taken;~~
- (2) ~~in impounded waters located on the Sandhills Game Land; and~~
- (3) ~~in public mountain trout waters.~~

(e) Set hooks, jug hooks, and trotlines may be used to take nongame fishes as designated in 15A NCAC 10C .0206.

(f) The season for taking nongame fishes by hook and line in designated public mountain trout waters is the same as the trout fishing season. Trout seasons are designated in 15A NCAC 10C .0316.

~~(g) Freshwater mussels, including the Asiatic clam (Corbicula fluminea), may be taken only from impounded waters, except mussels shall not be taken in:~~

- (1) ~~Lake Waccamaw in Columbus County; and~~
- (2) ~~University Lake in Orange County.~~

~~The daily possession limit for freshwater mussels is 200 in the aggregate, except there is no daily possession limit for the Asiatic clam (Corbicula fluminea).~~

~~(h) Blue crabs shall have a minimum carapace width of five inches (point to point) and it is unlawful to possess more than 50 crabs per person per day or to exceed 100 crabs per vessel per day.~~

~~(i) While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and blueback herring) that are greater than six inches in length, or possess such herring regardless of origin in:~~

- (1) ~~Roanoke River downstream of Roanoke Rapids Dam;~~
- (2) ~~Tar River downstream of Rocky Mount Mill Dam;~~
- (3) ~~Neuse River downstream of Falls Lake Dam;~~
- (4) ~~Cape Fear River downstream of Buekhorn Dam;~~
- (5) ~~Pee Dee River downstream of Blewett Falls Dam;~~
- (6) ~~Lumber River, including Drowning Creek;~~
- (7) ~~all the tributaries to the rivers listed above; and~~
- (8) ~~all other inland fishing waters east of I-95.~~

~~(j) In waters that are stocked and managed for catfish and located on game lands, on Commission owned property, or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take channel or blue catfish by means other than hook and line; the daily creel limit for channel catfish is seven. Waters where this creel limit applies shall be posted on site with signs indicating the creel limit.~~

~~(k) The daily creel limit for blue catfish greater than 32 inches is one fish in the following waters:~~

- (1) ~~Lake Norman;~~
- (2) ~~Mountain Island Lake;~~
- (3) ~~Lake Wylie;~~
- (4) ~~Badin Lake;~~
- (5) ~~Lake Tillery;~~
- (6) ~~John H. Kerr Reservoir (North Carolina portion);~~

~~(7) Dan River (Downstream of the Union Street Dam in Danville, VA);~~

~~(8) Lake Gaston (North Carolina portion); and~~

~~(9) Roanoke Rapids Reservoir.~~

~~(l) The daily creel limit is five catfish in aggregate on the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries.~~

~~(m) The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or fishing in inland fishing waters is 25, and the minimum size limit is 9 inches. Eels greater than 9 inches in length and with a minimum body depth greater than ½ inch may be cut for use as bait.~~

~~(n) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Mountain Island Reservoir, and Lake Wylie, except that one fish per day may be taken with archery equipment.~~

~~(o) Grass carp shall not be taken or possessed on Lake Norman and the North Carolina portion of John H. Kerr Reservoir, except for scientific study by permit issued by the Wildlife Resources Commission.~~

~~(p) 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.~~

~~(q) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish specified in Paragraphs (h), (i), (k), (m), and (p) of this Rule having a size limit so as to render it impractical to measure its total original length, except as provided in Paragraph (m) of this Rule. No person while fishing shall change the appearance of any nongame fish specified in Paragraphs (g), (h), (j), (k), (l), (m), (n), (o), and (p) of this Rule having a daily creel limit so as to obscure its identification or render it impractical to count the number of fish in possession, except as provided in Paragraph (m) of this Rule.~~

~~(r) (g) Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license may be sold, sold unless otherwise specified in this Section, with the following exceptions:~~

~~(1) alewife and blueback herring, excluding those less than six inches in length collected from Kerr Reservoir (Granville, Vance, and Warren counties);~~

~~(2) blue crab; and~~

~~(3) bowfin.~~

~~(s) Margined madtom and tadpole madtom shall not be taken or possessed from inland fishing waters.~~

~~(h) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless circle hook may be used when fishing with live or natural bait from April 1 to June 30. With all other tackle, only a single barbless hook may be used. "Circle hook" as used in this Rule means a hook with the point turned perpendicularly back to the shank. "Barbless" as used in this Rule requires that a hook does not have a barb or the barb is bent down.~~

*Highlighted text represents language that is currently under legislative review that is not proposed for changes in this annual cycle

15A NCAC 10D .0104 FISHING ON GAME LANDS

(a) When fishing on game lands, all rules in Subchapter 10C shall apply.

~~(a)(b) Generally. Except as otherwise indicated herein, fishing on game lands that are open to fishing shall be in accordance with the North Carolina rules. All game lands are open to public fishing except except: restocked ponds when posted against fishing, Hunting Creek Swamp Waterfowl Refuge, Grogan Creek, in Transylvania County, and in the case of private ponds where fishing may be prohibited by the owners thereof. No trotline or set hook or any net, trap, gig, archery equipment, or other special fishing device of a type mentioned in 15A NCAC 10C .0404(b),(c),(d), and (f) may be used in any impounded waters located entirely on game lands. Archery equipment may be used to take nongame fishes in impounded waters located entirely on game lands with the exception of those waters mentioned in 15A NCAC 10C .0404(a). Blue crabs taken by hook and line (other than set hooks) in designated waterfowl impoundments located on game lands shall have a minimum carapace width of five inches (point to point) and the daily possession limit is 50 per person and 100 per vessel.~~

- (1) restocked ponds when posted against fishing;
- (2) Hunting Creek Swamp Waterfowl Refuge;
- (3) Grogan Creek, John Rock Branch, and Cedar Rock Creek tributaries to the Davidson River at Bobby N. Setzer State Fish Hatchery in Transylvania County; and
- (4) private ponds where fishing is prohibited by the owners.

(b) No trotline, set-hook, net, trap, gig, or other special fishing device mentioned in 15A NCAC 10C .0404(b),(c),(d), and (f) may be used in any impounded waters located entirely on game lands.

(c) Archery equipment may be used to take nongame fishes in impounded waters located entirely on game lands except for those waters mentioned in 15A NCAC 10C .0404(a).

(b)(d) Designated Public Mountain Trout Waters All waters located on the game lands listed in this Subparagraph are designated public mountain trout waters except as noted:

- (1) Location. All waters located on the game lands listed in this Subparagraph are designated public mountain trout waters except as noted:
 - (A) Cold Mountain Game Land in Haywood County;
 - (B) DuPont State Forest Game Lands in Henderson and Transylvania counties, except Little River from 100 yards downstream of Hooker Falls downstream to the DuPont State Forest boundary, Lake Imaging, Lake Dense, Lake Alfred, Lake Julia, and Fawn Lake;
 - (C) Green River Game Land in Henderson and Polk counties, except Green River downstream of the natural gas pipeline crossing;
 - (D) Headwaters Game Land in Transylvania County;
 - (E) Nantahala National Forest Game Lands in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties, except Cheoah River downstream of Santeetlah Reservoir and Cherokee Lake;
 - (F) Pisgah National Forest Game Lands in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties, except Grogan Creek, North Fork Catawba River downstream of the mouth of Armstrong Creek, Big Laurel Creek downstream from the US 25-70 bridge to the French Broad River, Mill Ridge Pond, Nolichucky River, Pigeon River downstream of Waterville Reservoir to the Tennessee state line, and Spring Creek below US Forest Service road 223;
 - (G) Pond Mountain Game Land in Ashe County;
 - (H) Rendezvous Mountain State Forest Game Land in Wilkes County;
 - (I) South Mountains Game Land in Cleveland and Rutherford counties;
 - (J) Three Top Mountain Game Land in Ashe County;
 - (K) Thurmond Chatham Game Land in Wilkes County;
 - (L) Toxaway Game Land in Transylvania County; and
 - (M) William H. Silvers Game Land in Haywood County.
- (1) Cold Mountain Game Land in Haywood County;

- (2) DuPont State Forest Game Lands in Henderson and Transylvania counties, except Little River from 100 yards downstream of Hooker Falls downstream to the DuPont State Forest boundary, Lake Imaging, Lake Dense, Lake Alfred, Lake Julia, and Fawn Lake;
- (3) Green River Game Land in Henderson and Polk counties, except Green River downstream of the natural gas pipeline crossing;
- (4) Headwaters Game Land in Transylvania County;
- (5) Nantahala National Forest Game Lands in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania counties, except Cheoah River downstream of Santeetlah Reservoir and Cherokee Lake;
- (6) Pisgah National Forest Game Lands in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties, except Grogan Creek, Creek, Cedar Rock Creek tributary to the Davidson River at Bobby N. Setzer State Fish Hatchery, John Rock Branch, North Fork Catawba River downstream of the mouth of Armstrong Creek, Big Laurel Creek downstream from the US 25-70 bridge to the French Broad River, Mill Ridge Pond, Nolichucky River, Pigeon River downstream of Waterville Reservoir to the Tennessee state line, and Spring Creek below US Forest Service road 223;
- (7) Pond Mountain Game Land in Ashe County;
- (8) Little Fork State Forest Game Land in Wilkes County;
- (9) South Mountains Game Land in Cleveland and Rutherford counties;
- (10) Three Top Mountain Game Land in Ashe County;
- (11) Thurmond Chatham Game Land in Wilkes County;
- (12) Toxaway Game Land in Transylvania County; and
- (13) William H. Silvers Game Land in Haywood County.

(2) — ~~All designated public mountain trout waters located on the game lands listed in Subparagraph (b)(1) of this Rule are Wild Trout Waters unless classified otherwise. [See 15A NCAC 10C .0205(d)]~~

(e) All designated public mountain trout waters located on the game lands listed in paragraph (e) of this Rule are Wild Trout Waters unless classified otherwise in 15A NCAC 10C .0205(d).

~~(e) Ponds. In all game lands ponds, it is unlawful to take channel, white, or blue catfish (forked tail catfish) by means other than hook and line and the The daily creel limit for forked tail catfish is six fish in aggregate.~~

EXHIBIT E-2
October 20, 2022



**Fiscal Note for Proposed Inland Fisheries Division Rule Amendments
for the Wildlife Resources Commission**

Rule Amendments: 15A NCAC 10C .0205 Public Mountain Trout Waters
15A NCAC 10C .0206 Trotlines, Jug Hooks, and Set Hooks
15A NCAC 10C .0302 Manner of Taking Inland Game Fishes
15A NCAC 10C .0306 Crappie
15A NCAC 10C .0314 Striped Bass
15A NCAC 10C .0401 Manner of Taking Nongame Fishes
15A NCAC 10D .0104 Fishing on Game Lands

Agency Contact: Ashley Pekrul
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Impact: State Government: Yes
Local Government: No
Private Impact: Yes
Substantial Economic Impact: No

Authority: G.S. 113-134

BACKGROUND

The wildlife resources of the State belong to the people of the State as a whole, including the enjoyment of these resources (G.S. 113-131(a)). The Wildlife Resources Commission (WRC) is tasked with the conservation of wildlife resources of the State (G.S. 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources (G.S. 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134).

As part of its mission, the WRC conducts an annual review of its fish, wildlife, boating safety, and other regulations to determine whether such rules need to be adjusted in order to accomplish the objectives of: managing wildlife resources through a biologically sustainable harvest of such resources by hunters, trappers and anglers consistent with sound conservation objectives;

ensuring the safety of the boating public; managing WRC-owned land for the conservation of wildlife resources and the enjoyment of the public; and implementing legislative directives.

Included in these rules are minor proposed changes to 10C .0302, .0306, .0314, and .0401. A fiscal note on these changes were approved by OSBM on December 1, 2021 and can be found [here](#).

A summary of the proposed rule amendments is shown below, with the full text included in Appendix A. Many of the proposed amendments change what anglers may harvest in specific waters, where anglers may harvest certain species, and how they may harvest them. Several of the proposed amendments seek to increase angling opportunity while others may prove to be more restrictive. All the proposed changes are intended to expand future angling opportunity. In the end, despite the changes, no impact to overall angling participation is expected.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS

The WRC manages approximately 5,300 miles and 2,100 acres of the State's coldwater resources within its Public Mountain Trout Waters (PMTW) program, and in 2014, an estimated 148,991 anglers fished for trout in PMTW and contributed approximately \$383 million to the State's economy.¹ As noted within the WRC's Trout Management Plan, the purpose of PMTW is to use science-based decision making and biologically sound management principles to enhance the quality and quantity of trout populations for continued and varied angling opportunities. By designating waters as PMTW, the WRC is able to enact biologically sound management that ensures the conservation and wise use of trout resources (including efforts focused on the State's only native salmonid: Brook Trout), increase awareness of angling opportunities, invest in infrastructure that provides angling access to all anglers regardless of physical ability, produce and stock approximately 1 million trout annually to provide fisheries, and partner with local (municipalities and counties), state (North Carolina State Parks and North Carolina Forest Service), and federal entities (United States Forest Service) to manage important ecological, cultural, and economic resources.

The proposed amendment will modify the list of waters designated as PMTW and further classified as Hatchery Supported, Wild Trout, or Wild Trout Natural Bait. To reflect changes in partnerships with landowners and angler access, approximately 1.3 miles of Hatchery Supported trout Waters will be reclassified to Wild Trout Waters, and 4.0 miles Hatchery Supported Trout Waters will be removed from PMTW. Approximately 76.5 miles of Wild Trout Natural Bait Waters will be reclassified to Wild Trout Waters. Changes to PMTW boundaries are necessary to clarify designations based upon partnerships with landowners, angler access, and overall trout management.

Fiscal Impact

State Impact

Proposed rule amendments that modify the classification of PMTWs will not change on-the-ground management activities. Conservation biologists will change signage as part of their

¹ Mountain Trout Fishing: Economic Impacts on and Contributions to North Carolina's Economy, 2015.

regular duties. The change in signage will not require more than one day, at an estimated one-time cost to the agency of approximately \$248 ($\$31/\text{hr} \times 8 \text{ hrs} = \248).

New signage will cost the agency approximately \$45 ($\$0.90/\text{sign} \times 50 \text{ signs}$).

The total one-time cost to the agency is estimated to be around \$293 ($\$248 + \$45 = \293).

Local Impact

This rule amendment has no anticipated local government impact.

Private Impact

Changes to PMTW boundaries will result in a net loss of approximately 4 miles of PMTW from public access. While this is a loss of angling opportunity to the public in specific areas, it represents less than 0.075% of the PMTW. Additionally, there is minimal change to angler access and limited angler use in some of these areas.

The WRC does not have a mechanism to determine the specific fiscal impact of the proposed changes to private individuals. The reclassification of Wild Trout/Natural Bait Waters changes an angler's ability to use natural bait. However, in general, fewer people use natural bait compared to artificial in these specific streams. Reclassifying the waters simplifies the rules for anglers, and not allowing the use of natural bait is expected to reduce catch and release mortality, leaving more fish in the water and improving angler experience.

15A NCAC 10C .0206 TROTLINES, JUG HOOKS AND SET HOOKS

The proposed amendment to the rule will prohibit the use of trotlines, jug hooks, and set hooks in inland fishing waters of the Roanoke River from April 1 to June 30, which is spawning season for striped bass. Although this rule applies to all fish species found in the Roanoke River, the majority of fish caught between April – June are striped bass. As such, the purpose for the proposed amendment is to prevent catch and release mortality of striped bass during their spawning season.

The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and that overfishing is continuing to occur. In coordination with Division of Marine Fisheries and as part of the development of Amendment 2 to the NC Estuarine Striped Bass Fishery Management Plan, fisheries staff has identified the reduction of catch and release mortality as management measure for the rebuilding of the striped bass stock. The use of only single barbless hooks or a lure with a single barbless hook in the inland fishing waters of the Roanoke River from April 1 – June 30 is already required to reduce catch and release mortality. The prohibition of trotlines, set hooks, and jug hooks during this time will also help reduce mortality and will be consistent with the single barbless hook restrictions.

This rule amendment is anticipated to further reduce Striped Bass catch and release mortality in the inland fishing waters of the Roanoke River. By restricting the use of gear which has the potential to kill fish when caught, more fish will survive, helping the population of Striped Bass in the river recover to a more sustainable level.

Fiscal Impact

State Impact

The proposed change will not require any additional staff time as we will continue routine enforcement and fisheries management activities.

Local Impact

This rule has no anticipated local government impact.

Private Impact

This proposal limits angling opportunity to rod and reel. However, the use of trotlines, set hooks, and jug hooks is currently minimal during the spring. As such, private impact is expected to be minimal.

15A NCAC 10C .0302 MANNER OF TAKING INLAND GAME FISHES

15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES

The proposed amendments to these rules will require the use of barbless circle hooks when using live or natural bait in the inland fishing waters of the Roanoke River upstream of U.S. 258 bridge from April 1 to June 30. With all other tackle, only a single barbless hook may be used. Although this rule applies to all game and nongame fish species found in this segment of the Roanoke River, the majority of fish caught between April – June are striped bass. As such, the purpose for the proposed amendment is to prevent catch and release mortality of striped bass during their spawning season.

The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and overfishing is continuing to occur. In coordination with Division of Marine Fisheries and as part of the development of Amendment 2 to the NC Estuarine Stiped Bass Fishery Management Plan, fisheries staff has identified the reduction of catch and release mortality as management measure for the rebuilding of the stock. The additional requirement on the use of barbless circle hooks when anglers are fishing with live or natural bait is expected to reduce the number of dead discards. An increased survival rate will help the population of Striped Bass in the river recover to a more sustainable level.

Fiscal Impact

State Impact

The proposed changes will not require any additional staff time as we will continue to sample the population, creel anglers during the harvest season, and engage in fisheries management planning.

Local Impact

This rule has no anticipated local government impact.

Private Impact

Fiscal effects for anglers will be limited to those not already using barbless circle hooks with live or natural bait. Anglers may encounter a minimal cost to purchase the hooks between \$0.30-\$0.50. The WRC has distributed free circle hooks in the past to promote their use. This change is expected to allow anglers a longer season to fish and in the long term allow more fish to be caught if the population increases. Because the agency does not have data on the number of anglers fishing these areas or the percentage of anglers who already use circle hooks we are unable to quantify the potential, albeit minimal, private impact.

15A NCAC 10C .0306 CRAPPIE

The proposed amendment to the rule will reduce the minimum size limit for crappie on B. Everett Jordan Reservoir from ten inches to eight inches.

A stock assessment in 2003 indicated that the crappie population in B. Everett Jordan Reservoir lacked older fish; therefore, a 10-inch minimum size limit was implemented to increase the number of older, mature fish in the population. Recent surveys have indicated that older, mature fish have reestablished in the population. These data indicate that the 10-inch minimum size limit is no longer warranted for the population. The reduction of the size limit will allow anglers to harvest fish at a smaller size which may slightly increase harvest, though the daily creel limit of 20 fish per angler will remain for ongoing fisheries management purposes.

Fiscal Impact

State Impact

This rule amendment is anticipated to have no impact as the change is part of routine fisheries management and will not require additional staff time or resources for implementation and enforcement.

Local Impact

This rule has no anticipated local government impact.

Private Impact

Biological data indicates that the fishery can sustain a decrease in the minimum size limit. As a result, this proposed size limit is intended to provide more harvest opportunity as more fish will meet the minimum size requirement. While the proposed rule change will alter what anglers may harvest, it is not expected to impact overall participation in fishing. Although the WRC does not have a mechanism to determine the specific fiscal impact of the proposed change, Jordan Lake is a popular crappie fishery, so some benefit to the fishing community is likely

15A NCAC 10C .0314 STRIPED BASS

Establish Size and Creel Limit in Cape Fear River and its Tributaries:

This proposed amendment will establish an 18-inch minimum size limit and a 2-fish daily creel limit for striped bass in the Cape Fear River and its tributaries upstream of Lock and Dam 1 to Buckhorn Dam. The harvest season will be March 1 to April 30, which is consistent with existing harvest season requirements.

Despite a harvest moratorium since 2008, the Cape Fear River striped bass population remains completely hatchery supported with limited natural reproduction. The WRC recommended as part of the development of Amendment 2 to the NC Estuarine Striped Bass Fishery Management Plan² to allow limited harvest throughout the Cape Fear River. The intention behind doing so was to increase angling opportunity.

The Division of Marine Fisheries and Marine Fisheries Commission have recommended maintaining the harvest moratorium in joint or coastal fishing waters. Due to the river having limited natural reproduction since the moratorium placed 14 years ago, a limited harvest season and creel limit in the inland fishing waters is proposed. These changes will allow some angling opportunity for this hatchery-supported fishery while still maximizing protections to the striped bass population for the majority of the year.

Fiscal Impact

State Impact

This rule amendment is anticipated to have no impact as the change is part of routine fisheries management and will not require additional staff time or resources for implementation and enforcement.

Local Impact

This rule has no anticipated local government impact.

Private Impact

Biological data indicate that the population can sustain limited harvest since it is completely hatchery supported. As a result, the proposed season, size limit, and creel limit are intended to benefit anglers with a new recreational harvest opportunity for Striped Bass. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change. However, Striped Bass fishing is very common amongst NC anglers and thus the Commission expects there to be anglers who take advantage of this opportunity.

Modify Size Limit on Roanoke River:

² <https://deq.nc.gov/about/divisions/marine-fisheries/hot-topics/information-estuarine-striped-bass-amendment-2>

This proposed amendment modifies the size limit of striped bass on the Roanoke River and its tributaries by eliminating the upper 27 inch size limit restriction which will have the effect of prohibiting the possession of any striped bass larger than 22 inches. The minimum size limit will remain 18 inches.

The 2020 stock assessment for Roanoke River Striped Bass showed that the population is overfished, and overfishing is continuing to occur. In coordination with Division of Marine Fisheries and as part of the development of Amendment 2 to the NC Estuarine Striped Bass Fishery Management Plan, it was determined that rebuilding the population and expanding the age structure to include larger and older fish was critical. The proposed regulation change will provide protection to older, larger fish. The change to prohibit harvest of striped bass larger than 22 inches -- including those over 27 inches -- should allow for the striped bass population to increase over time.

Fiscal Impact

State Impact

This rule amendment is anticipated to have no impact as the change is part of routine fisheries management and will not require additional staff time or resources for implementation and enforcement.

Local Impact

This rule has no anticipated local government impact.

Private Impact

As a result of eliminating the upper limit of 27 inches and prohibiting the possession of any fish over 22 inches, this amendment is intended to improve the quality of Striped Bass recreational fishing experiences in the long term, a benefit to anglers overall. This prohibition may impact anglers who wish to harvest larger fish. While the proposed change will alter what anglers may harvest, the change is not expected to impact overall participation in fishing. The WRC does not have a mechanism to determine the specific fiscal impact of the proposed change. Striped Bass creel data from the Roanoke River show limited harvest of fish greater than 27 inches compared to smaller sizes, so the impact to anglers from prohibiting harvest of fish over 27 inches is expected to be minimal.

15A NCAC 10D .0104 FISHING ON GAME LANDS

The proposed amendment to the rule will clarify that Grogan Creek, Cedar Rock Creek, and John Rock Branch in Transylvania County are closed to fishing. This proposal will not remove any water from Public Mountain Trout Waters.

The Bobby N. Setzer State Fish Hatchery has a water intake on Grogan Creek and fishing is prohibited in the Grogan Creek watershed to minimize human activity and reduce fine sediment input in the water supply. However, there are stream name discrepancies in this watershed on published maps. Some USGS topography maps refer to Grogan Creek as 'Cedar Rock Creek' or fail to clearly label the lower reaches before its confluence with the Davidson River. This

proposal will include all local stream names in the rule to clarify that the entire watershed is closed to fishing. No additional prohibitions are proposed.

Fiscal Impact

State Impact

This rule amendment is anticipated to have no impact as the proposed amendment is to clarify an already existing prohibition on Grogan Creek. This change will allow law enforcement to more easily articulate to the public that this body of water, regardless of what an individual calls it, is prohibited to fishing.

Local Impact

This rule has no anticipated local government impact.

Private Impact

This rule has no anticipated private impact but will clarify to anglers that fishing in this area is prohibited.

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

2 (a) For purposes of this Rule, the following definitions apply:

- 3 (1) "Natural bait" means any living or dead organism (plant or animal), or parts thereof, or prepared
4 substances designed to attract fish by the sense of taste or smell.
- 5 (2) "Single hook" means a fish hook with only one point.
- 6 (3) "Artificial lure" means a fishing lure that neither contains nor has been treated by any substance that
7 attracts fish by the sense of taste or smell.
- 8 (4) "Artificial fly" means one single hook dressed with feathers, hair, thread, tinsel, rubber, or any
9 similar material to which no additional hook, spinner, spoon or similar device is added.
- 10 (5) "Youth anglers" are individuals under 18 years of age.

11 (b) For purposes of this Rule, 15A NCAC 10C .0316, and 15A NCAC 10D .0104, the following classifications apply:

- 12 (1) "Public Mountain Trout Waters" are all waters included in this Rule and so designated in 15A NCAC
13 10D .0104.
- 14 (2) "Catch and Release/Artificial Flies and Lures Only Trout Waters" are Public Mountain Trout Waters
15 where only artificial flies and lures having one single hook may be used. No trout may be possessed
16 or harvested while fishing these streams. Waters designated as such include tributaries unless
17 otherwise noted.
- 18 (3) "Delayed Harvest Trout Waters" are Public Mountain Trout Waters where between October 1 and
19 one-half hour after sunset on the Friday before the first Saturday of the following June, it is unlawful
20 to possess natural bait, use more than one single hook on an artificial lure, or harvest or possess trout
21 while fishing. From 6:00 a.m. on the first Saturday in June until noon that same day, only youth
22 anglers may fish and these waters have no bait or lure restrictions. From noon on the first Saturday
23 in June until October 1, anglers of all ages may fish and these waters have no bait or lure restrictions.
24 Waters designated as such do not include tributaries unless otherwise noted.
- 25 (4) "Hatchery Supported Trout Waters" are Public Mountain Trout Waters that have no bait or lure
26 restrictions. Waters designated as such do not include tributaries unless otherwise noted.
- 27 (5) "Special Regulation Trout Waters" are Public Mountain Trout Waters where watercourse-specific
28 regulations apply. Waters designated as such do not include tributaries unless otherwise noted.
- 29 (6) "Wild Trout Waters" are Public Mountain Trout Waters which are identified as such in this Rule or
30 15A NCAC 10D .0104. Only artificial lures having only one single hook may be used. No person
31 shall possess natural bait while fishing these waters. Waters designated as such do not include
32 tributaries unless otherwise noted.
- 33 (7) "Wild Trout Waters/Natural Bait" are Public Mountain Trout Waters where all artificial lures and
34 natural baits, except live fish, may be used provided they are fished using only one single hook.
35 Waters designated as such include tributaries unless otherwise noted.
- 36 (8) "Undesignated Waters" are all other waters in the State. These waters have no bait or lure
37 restrictions.

1 (c) Seasons, creel, and size limits. Seasons, creel, and size limits for trout in all waters are listed in Rule .0316 of this
2 Subchapter.

3 (d) Classifications. This Paragraph designates waters in each county that have a specific classification. Waters on
4 game lands are so designated in 15A NCAC 10D .0104, unless otherwise indicated in this Paragraph. All other waters
5 are classified as Undesignated Waters.

6 (1) Alleghany

7 (A) Delayed Harvest Trout Waters are as follows:

8 Little River (S.R. 1133 bridge to 275 yards downstream of the intersection of S.R. 1128
9 and S.R. 1129 [marked by a sign on each bank])

10 (B) Hatchery Supported Trout Waters are as follows:

11 Big Pine Creek

12 Bledsoe Creek

13 Brush Creek (N.C. 21 bridge to confluence with Little River, except where posted against
14 trespassing)

15 Cranberry Creek

16 (Big) Glade Creek

17 Little River (275 yards downstream from the intersection of S.R. 1128 and S.R. 1129
18 [marked by a sign on each bank] to McCann Dam)

19 Meadow Fork

20 Pine Swamp Creek

21 Piney Fork

22 Prathers Creek

23 (C) Wild Trout Waters are as follows:

24 All waters located on Stone Mountain State Park

25 (2) Ashe County

26 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:

27 Big Horse Creek (Virginia state line to Mud Creek at S.R. 1363, excluding tributaries)

28 (B) Delayed Harvest Trout Waters are as follows:

29 Big Horse Creek (S.R. 1324 bridge to North Fork New River)

30 Helton Creek (900 yards upstream of SR 1372 bridge [marked by a sign on each bank] to
31 North Fork New River)

32 South Fork New River (upstream end of Todd Island to the SR 1351 bridge)

33 Trout Lake

34 (C) Hatchery Supported Trout Waters are as follows:

35 Beaver Creek (N.C. 221 to confluence of Beaver Creek and South Beaver Creek)

36 Big Horse Creek (Mud Creek at S.R. 1363 to S.R. 1324 bridge)

37 Big Laurel Creek (S.R. 1315 bridge to confluence with North Fork New River)

- 1 Buffalo Creek (S.R. 1133 bridge to N.C. 194-88 bridge)
- 2 Cranberry Creek (Alleghany Co. line to South Fork New River)
- 3 Nathans Creek
- 4 North Fork New River (Watauga Co. line to Sharp Dam)
- 5 Old Fields Creek (N.C. 221 to South Fork New River)
- 6 Peak Creek (~~headwaters to~~ Upper boundary of NCDA-NCSU Upper Mountain Research
- 7 Station to Trout Lake, except Blue Ridge Parkway waters) Lake)
- 8 Roan Creek
- 9 Three Top Creek
- 10 (3) Avery County
- 11 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
- 12 Elk River (portion on Lees-McRae College property, excluding the millpond)
- 13 Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)
- 14 Wilson Creek (game land portion)
- 15 (B) Hatchery Supported Trout Waters are as follows:
- 16 Boyde Coffey Lake
- 17 Elk River (S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state
- 18 line)
- 19 Linville River S.R. 1504 to the Blue Ridge Parkway boundary line, except where posted
- 20 against trespassing)
- 21 Milltimber Creek
- 22 North Toe River — upper (Watauga St. to Roby Shoemaker Wetlands and Family
- 23 Recreational Park, except where posted against trespassing)
- 24 North Toe River — lower (S.R. 1164 to Mitchell Co. line, except where posted against
- 25 trespassing)
- 26 Squirrel Creek
- 27 Wildcat Lake
- 28 (C) Wild Trout Waters are as follows:
- 29 Birchfield Creek
- 30 Cow Camp Creek
- 31 Cranberry Creek (headwaters to U.S. 19E/N.C. 194 bridge)
- 32 Gragg Prong
- 33 Horse Creek
- 34 Kentucky Creek
- 35 North Harper Creek
- 36 Plumtree Creek
- 37 Roaring Creek

- 1 Rockhouse Creek
2 Shawneehaw Creek (portion adjacent to Banner Elk Greenway)
3 South Harper Creek
4 Webb Prong
- 5 (4) Buncombe County
- 6 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
7 Carter Creek (game land portion)
- 8 (B) Hatchery Supported Trout Waters are as follows:
9 Bent Creek (headwaters to N.C. Arboretum boundary line)
10 Cane Creek (headwaters to S.R. 3138 bridge)
11 Corner Rock Creek (Little Andy Creek to confluence with Walker Branch)
12 Dillingham Creek (Corner Rock Creek to Ivy Creek)
13 Ivy Creek (Ivy River)(Dillingham Creek to U.S. 19-23 bridge)
14 Lake Powhatan
15 Reems Creek (Sugar Camp Fork to U.S. 19-23 bridge, except where posted against
16 trespassing)
17 Rich Branch (downstream from the confluence with Rocky Branch)
18 Stony Creek
19 Swannanoa (S.R. 2702 bridge near Ridgecrest to Wood Avenue bridge [intersection of
20 N.C. 81 and U.S. 74A in Asheville], except where posted against trespassing)
- 21 (5) Burke County
- 22 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
23 Henry Fork (portion on South Mountains State Park)
- 24 (B) Delayed Harvest Trout Waters are as follows:
25 Jacob Fork (Shinny Creek to lower South Mountains State Park boundary)
- 26 (C) Hatchery Supported Trout Waters are as follows:
27 Carroll Creek (game land portion above S.R. 1405)
28 Henry Fork (lower South Mountain State Park line downstream to S.R. 1919 at Ivy Creek)
29 Linville River portion within Linville Gorge Wilderness area and portion below Lake
30 James powerhouse from upstream bridge on S.R. 1223 to Muddy Creek)
- 31 (D) Special Regulation Trout Waters are as follows:
32 Catawba River (Muddy Creek to City of Morganton water intake dam)
- 33 (E) Wild Trout Waters are as follows:
34 All waters located on South Mountains State Park, except those waters identified in Parts
35 A and B of this Subparagraph
- 36 (6) Caldwell County
- 37 (A) Delayed Harvest Trout Waters are as follows:

- 1 Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)
- 2 (B) Hatchery Supported Trout Waters are as follows:
- 3 Boone Fork Pond
- 4 Buffalo Creek (mouth of Joes Creek to McCloud Branch)
- 5 Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)
- 6 Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted
- 7 against trespassing)
- 8 Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)
- 9 (C) Wild Trout Waters are as follows:
- 10 Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)
- 11 Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)
- 12 Rockhouse Creek
- 13 (7) Cherokee County
- 14 (A) Hatchery Supported Trout Waters are as follows:
- 15 Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
- 16 Hyatt Creek (Big Dam Branch to Valley River)
- 17 Junaluska Creek (Ashturn Creek to Valley River)
- 18 Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)
- 19 Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)
- 20 (B) Special Regulation Trout Waters are as follows:
- 21 Apalachia Reservoir
- 22 (C) Wild Trout Waters/Natural Bait are as follows:
- 23 Bald Creek (game land portion)
- 24 Dockery Creek (game land portion)
- 25 (8) Clay County
- 26 (A) Delayed Harvest Trout Waters are as follows:
- 27 Fires Creek (Rockhouse Creek to the foot bridge in the USFS Fires Creek Picnic Area)
- 28 (B) Hatchery Supported Trout Waters are as follows:
- 29 Buck Creek (game land portion downstream of U.S. 64 bridge)
- 30 Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)
- 31 Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)
- 32 (9) Graham County
- 33 (A) Delayed Harvest Trout Waters are as follows:
- 34 (Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)
- 35 (B) Hatchery Supported Trout Waters are as follows:
- 36 Calderwood Reservoir (Cheoah Dam to Tennessee state line)
- 37 Cheoah Reservoir

- 1 Panther Creek (confluence of Stand Creek and Rock Creek to Lake Fontana)
- 2 Santeetlah Creek (Johns Branch to Lake Santeetlah)
- 3 (Big) Snowbird Creek (USFS Road 2579 to S.R. 1127 bridge)
- 4 Stecoah Creek (upper game land boundary to Lake Fontana)
- 5 Tulula Creek (S.R. 1201 to lower bridge on S.R. 1275)
- 6 West Buffalo Creek
- 7 Yellow Creek (Lake Santeetlah hydropower pipeline to Cheoah River)
- 8 (C) Wild Trout Waters are as follows:
- 9 Little Buffalo Creek
- 10 South Fork Squally Creek
- 11 Squally Creek
- 12 (D) Wild Trout Waters/Natural Bait are as follows:
- 13 Long Creek (game land portion)
- 14 (10) Haywood County
- 15 (A) Delayed Harvest Trout Waters are as follows:
- 16 West Fork Pigeon River (Queen Creek to the first game land boundary upstream of Lake
- 17 Logan)
- 18 (B) Hatchery Supported Trout Waters are as follows:
- 19 Cold Springs Creek (Fall Branch to Pigeon River)
- 20 Jonathan Creek (upstream S.R. 1302 bridge to Pigeon River, except where posted against
- 21 trespassing)
- 22 Pigeon River (Stamey Cove Branch to upstream U.S. 19-23 bridge)
- 23 Richland Creek (Russ Avenue [U.S. 276] bridge to U.S. 19 bridge)
- 24 West Fork Pigeon River (Tom Creek to Queen Creek, including portions on game lands,
- 25 except Middle Prong)
- 26 ~~(C) Wild Trout Waters/Natural Bait are as follows:~~
- 27 ~~Hurricane Creek~~
- 28 (11) Henderson County
- 29 (A) Delayed Harvest Trout Waters are as follows:
- 30 North Fork Mills River (game land portion below the Hendersonville watershed dam)
- 31 (B) Hatchery Supported Trout Waters are as follows:
- 32 (Rocky) Broad River (end of S.R. 1611 to Rutherford County line)
- 33 Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)
- 34 Clear Creek (Laurel Fork to S.R. 1582)
- 35 Green River (Lake Summit powerhouse to game land boundary)
- 36 (Big) Hungry River (S.R. 1885 to Green River)
- 37 (12) Jackson County

- 1 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
2 Flat Creek
3 (East Fork) Tuckasegee River(game lands portion upstream of Tanasee Creek Lake,
4 including Duke Energy powerline corridor)
5 Tuckasegee River (upstream from the Clark property)
- 6 (B) Delayed Harvest Trout Waters are as follows:
7 Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream of
8 the U.S. 23-441 bridge [marked by a sign on each bank])
- 9 (C) Hatchery Supported Trout Waters are as follows:
10 Balsam Lake
11 Bear Creek Lake
12 Cedar Cliff Lake
13 Cullowhee Creek (Tilley Creek to Tuckasegee River)
14 Dark Ridge Creek (Jones Creek to Scott Creek)
15 Greens Creek (Greens Creek Baptist Church on S.R. 1370 to Savannah Creek)
16 Savannah Creek (Shell Branch to Cagle Branch)
17 Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against
18 trespassing)
19 Tanasee Creek Lake
20 Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)
21 Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge
22 [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)
23 Wolf Creek Lake
- 24 (D) Wild Trout Waters are as follows:
25 Gage Creek
26 North Fork Scott Creek
27 Tanasee Creek
28 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
29 Wolf Creek (except Balsam Lake and Wolf Creek Lake)
- 30 (E) Wild Trout Waters/Natural Bait are as follows:
31 Chattooga River (S.R. 1100 bridge to the South Carolina state line)
32 ~~Scotsman Creek (game land portion)~~
- 33 (13) Macon County
- 34 (A) Delayed Harvest Trout Waters are as follows:
35 Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
- 36 (B) Hatchery Supported Trout Waters are as follows:
37 Burningtown Creek (Left Prong to Little Tennessee River)

- 1 Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)
- 2 Cliffside Lake
- 3 Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)
- 4 Nantahala River — upper (Dicks Creek to Whiteoak Creek)
- 5 Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)
- 6 Queens Creek Lake
- 7 (C) Wild Trout Waters/Natural Bait are as follows:
- 8 Chattooga River (S.R. 1100 bridge to South Carolina state line)
- 9 Kimsey Creek
- 10 Park Creek
- 11 ~~Tellico Creek (game land portion)~~
- 12 ~~Turtle Pond Creek (game land portion)~~
- 13 (14) Madison County
- 14 (A) Delayed Harvest Trout Waters are as follows:
- 15 Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)
- 16 Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)
- 17 Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews
- 18 Ave.)
- 19 (B) Hatchery Supported Trout Waters are as follows:
- 20 Big Laurel Creek (Puncheon Fork to the S.R. 1318 [Big Laurel Rd.] bridge downstream of
- 21 Bearpen Branch)
- 22 Big Pine Creek (S.R. 1151 bridge to French Broad River)
- 23 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence
- 24 with Ivy Creek at Forks of Ivy)
- 25 Max Patch Pond
- 26 Meadow Fork Creek (Meadow Fork Campground to Spring Creek)
- 27 Puncheon Fork (Wolf Laurel Branch to Big Laurel Creek)
- 28 Roaring Fork (Fall Branch to Meadow Fork)
- 29 Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at Belva)
- 30 Shut-in Creek
- 31 Spillcorn Creek
- 32 Spring Creek (junction of N.C. 209 and N.C. 63 to the confluence with Meadow Fork)
- 33 West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-
- 34 in Creek)
- 35 ~~(C) Wild Trout Waters/Natural Bait are as follows:~~
- 36 ~~Big Creek (headwaters to the lower game land boundary)~~
- 37 (15) McDowell County

- 1 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
 2 Newberry Creek (game land portion)
- 3 (B) Delayed Harvest Trout Waters are as follows:
 4 Catawba River (portion adjacent to Marion Greenway)
 5 Curtis Creek (game land portion downstream of the USFS boundary at Deep Branch)
 6 Mill Creek (U.S. 70 bridge to I-40 bridge)
- 7 (C) Hatchery Supported Trout Waters are as follows:
 8 Armstrong Creek (Cato Holler line downstream to upper Greenlee line)
 9 Catawba River (Catawba Falls Campground to Old Fort Recreation Park)
 10 Little Buck Creek (game land portion)
 11 North Fork Catawba River (headwaters to North Cove School at S.R. 1569 bridge)
- 12 (16) Mitchell County
- 13 (A) Delayed Harvest Trout Waters are as follows:
 14 Cane Creek (N.C. 226 bridge to S.R. 1189 bridge)
 15 North Toe River (U.S. 19E bridge to N.C. 226 bridge)
- 16 (B) Hatchery Supported Trout Waters are as follows:
 17 Big Rock Creek (headwaters to N.C. 226 bridge at S.R. 1307 intersection)
 18 Cane Creek (S.R. 1219 to N.C. 226 bridge)
 19 East Fork Grassy Creek
 20 Grassy Creek (East Fork Grassy Creek to mouth)
 21 Little Rock Creek (Green Creek bridge to Big Rock Creek, except where posted against
 22 trespassing)
 23 North Toe River (Avery Co. line to S.R. 1121 bridge)
- 24 (C) Wild Trout Waters are as follows:
 25 Green Creek (headwaters to Green Creek bridge, except where posted against trespassing)
 26 Little Rock Creek (above Green Creek bridge, including all tributaries, except where
 27 posted against trespassing)
 28 Wiles Creek (game land boundary to mouth)
- 29 (17) Polk County
- 30 (A) Delayed Harvest Trout Waters are as follows:
 31 Green River (Fishtop Falls Access Area to the confluence with Cove Creek)
- 32 (B) Hatchery Supported Trout Waters are as follows:
 33 Green River (Mouth of Cove Creek to the natural gas pipeline crossing)
 34 North Pacolet River (Joels Creek to N.C. 108 bridge)
- 35 (18) Rutherford County
- 36 (A) Hatchery Supported Trout Waters are as follows:

- 1 (Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted
2 against trespassing)
- 3 (19) Stokes County
- 4 (A) Hatchery Supported Trout Waters are as follows:
5 Dan River (Virginia state line downstream to a point 200 yards below the end of S.R. 1421)
- 6 (20) Surry County
- 7 (A) Delayed Harvest Trout Waters are as follows:
8 Ararat River (portion adjacent to the Ararat River Greenway)
9 Mitchell River (0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge on S.R.
10 1330)
- 11 (B) Hatchery Supported Trout Waters are as follows:
12 Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)
13 Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards
14 downstream of N.C. 268 [marked by a sign on each bank])
15 Fisher River (Cooper Creek)(Virginia state line to I-77 bridge)
16 Little Fisher River (Virginia state line to N.C. 89 bridge)
17 Lovills Creek (U.S. 52 Business bridge to Ararat River)
18 Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)
- 19 (21) Swain County
- 20 (A) Delayed Harvest Waters Trout Waters are as follows:
21 Tuckasegee River (U.S. 19 bridge to Slope Street bridge)
- 22 (B) Hatchery Supported Trout Waters are as follows:
23 Alarka Creek (game land boundary to Fontana Reservoir)
24 Calderwood Reservoir (Cheoah Dam to Tennessee state line)
25 Cheoah Reservoir
26 Connelly Creek (Camp Branch to Tuckasegee River)
27 Deep Creek (Great Smoky Mountains National Park Boundary line to Tuckasegee River)
28 Nantahala River (Macon Co. line to existing Fontana Lake water level)
- 29 (22) Transylvania County
- 30 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
31 Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek
32 and Grogan ~~Creek~~Creek, Cedar Rock Creek [tributary to the Davidson River at Bobby N.
33 Setzer State Fish Hatchery] and John Rock Branch)
- 34 (B) Delayed Harvest Trout Waters are as follows:
35 East Fork French Broad River (East Fork Baptist Church to the downstream S.R. 1107
36 bridge)
37 Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)

- 1 (C) Hatchery Supported Trout Waters are as follows:
2 Davidson River (Avery Creek to lower USFS boundary)
3 French Broad River (confluence of North Fork French Broad River and West Fork)
4 French Broad River to the Island Ford Rd. [S.R. 1110] Access Area
5 Middle Fork French Broad River (upstream U.S. 178 bridge to French Broad River)
6 West Fork French Broad River (S.R. 1312 to confluence with North Fork French Broad
7 River)
- 8 (D) Wild Trout Waters are as follows:
9 All waters located on Gorges State Park
10 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
- 11 (E) Wild Trout Waters/Natural Bait are as follows:
12 North Fork French Broad River (game land portion downstream of S.R. 1326)
13 Thompson River (S.R. 1152 to South Carolina state line, except where posted against
14 trespassing)
- 15 (23) Watauga County
- 16 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
17 Laurel Creek (confluence of North and South Fork Laurel creeks to Elk Creek, excluding
18 tributaries)
19 Pond Creek (headwaters to Locust Ridge Rd. bridge, excluding the pond adjacent to Coffee
20 Lake)
- 21 (B) Delayed Harvest Trout Waters are as follows:
22 Lake Coffey
23 Watauga River – upper (S.R. 1114 bridge to Valle Crucis Community Park lower
24 boundary)
25 Watauga River – lower (S.R. 1103 bridge to confluence with Laurel Creek)
- 26 (C) Hatchery Supported Trout Waters are as follows:
27 Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an
28 unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)
29 Beech Creek
30 Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)
31 Buckeye Creek Reservoir
32 Cove Creek (S.R. 1233 bridge at Zionville to S.R. 1214 bridge at Sherwood)
33 Dutch Creek (~~second bridge on S.R. 1134~~ (S.R. 1136 bridge to mouth)
34 Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against
35 trespassing)
36 Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)
37 Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)

- 1 Middle Fork New River (adjacent to intersection of S.R. 1539 and U.S. 321 to South Fork
 2 New River)
 3 Norris Fork Creek
 4 South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower
 5 boundary of Brookshire Park)
 6 Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co. line)
 7 (D) Wild Trout Waters are as follows:
 8 Dutch Creek (headwaters to ~~second bridge on S.R. 1134~~ S.R. 1136 bridge)
 9 Howard Creek
 10 Maine Branch (headwaters to North Fork New River)
 11 North Fork New River (from confluence with Maine and Mine branches to Ashe Co. line)
 12 Watauga River (Avery Co. line to S.R. 1580 bridge)
 13 Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)
 14 (24) Wilkes County
 15 (A) Delayed Harvest Trout Waters are as follows:
 16 East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park
 17 lower boundary)
 18 Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain
 19 Club)
 20 Elk Creek — lower (portion on Leatherwood Mountains development)
 21 Reddies River (Town of North Wilkesboro water intake dam to confluence with the Yadkin
 22 River)
 23 Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong
 24 Roaring River and Bullhead Creek)
 25 (B) Hatchery Supported Trout Waters are as follows:
 26 Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)
 27 Bell Branch Pond
 28 Boundary Line Pond
 29 Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)
 30 Darnell Creek (North Prong Reddies River)(downstream ford on S.R. 1569 to confluence
 31 with North Fork Reddies River)
 32 East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)
 33 Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where
 34 posted against trespassing)
 35 Middle Fork Reddies River (Clear Prong)(headwaters to bridge on S.R. 1580)
 36 Middle Prong Roaring River (headwaters to second bridge on S.R. 1736)

- 1 North Fork Reddies River (Vannoy Creek)(headwaters to Union School bridge on S.R.
- 2 1559)
- 3 Pike Creek
- 4 Pike Creek Pond
- 5 South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies
- 6 River)
- 7 South Prong Lewis Fork (Fall Creek to U.S. 421 bridge adjacent to S.R. 1155 intersection)
- 8 (C) Wild Trout Waters are as follows:
- 9 All waters located on Stone Mountain State Park, except East Prong Roaring River from
- 10 Bullhead Creek downstream to the Stone Mountain State Park lower boundary where
- 11 Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from falls at
- 12 Alleghany County line to confluence with East Prong Roaring River and Bullhead Creek
- 13 in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply
- 14 (25) Yancey County
- 15 (A) Catch and Release/Artificial Flies and Lures Only Trout Waters are as follows:
- 16 South Toe River (headwaters to Upper Creek)
- 17 Upper Creek
- 18 (B) Delayed Harvest Trout Waters are as follows:
- 19 Cane River (Blackberry Ridge Rd. to downstream boundary of Cane River County Park)
- 20 (C) Hatchery Supported Trout Waters are as follows:
- 21 Bald Mountain Creek (except where posted against trespassing)
- 22 Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)
- 23 Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)
- 24 South Toe River (Clear Creek to lower boundary line of Yancey Co. Recreation Park,
- 25 except where posted against trespassing)
- 26 (D) Wild Trout Waters are as follows:
- 27 Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 197 bridge)
- 28 Lickskillet Creek
- 29 Middle Creek (game land boundary to mouth)

31 *History Note: Authority G.S. 113-272; 113-292;*
 32 *Eff. February 1, 1976;*
 33 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
 34 *October 1, 1992;*
 35 *Temporary Amendment Eff. July 1, 1999;*
 36 *Amended Eff. July 1, 2000;*
 37 *Temporary Amendment Eff. July 1, 2001;*

1 *Temporary Amendment Eff. July 1, 2002;*
2 *Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);*
3 *Temporary Amendment Eff. June 1, 2003;*
4 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
5 *2003);*
6 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*
7 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
8 *1, 2007; May 1, 2006; June 1, 2005;*
9 *Readopted Eff. August 1, 2019;*
10 *Amended Eff. August 1, 2022, August 1, 2021; August 1, 2020.*

11

1 **15A NCAC 10C .0206 TROTTLINES, JUG HOOKS AND SET HOOKS**

2 (a) For purposes of this Rule, the following definitions apply:

- 3 (1) "set hook" means a fishing device consisting of a single line having no more than three hooks that
4 is attached at one end only to a stationary object.
- 5 (2) "jug hook" means a fishing device consisting of a single line having no more than three hooks that
6 is attached to a float.
- 7 (3) "trotline" means a fishing device consisting of a horizontal common line having multiple hooks
8 attached.

9 (b) Except as otherwise prohibited in this Rule, trotlines, jug hooks, and set hooks may be set in the inland waters of
10 North Carolina, provided no live bait is used. Trotlines, jug hooks, and set hooks may not be set in any of the
11 impounded waters on the Sandhills Game Land. Trotlines, jug hooks, and set hooks may not be set in any designated
12 public mountain trout waters except impounded waters of power reservoirs and municipally-owned water supply
13 reservoirs open to the public for fishing. In Lake Waccamaw, trotlines, jug hooks, or set hooks may be set only from
14 October 1 through April 30. In the Roanoke River, trotlines, jug hooks, or set hooks may be set only from July 1
15 through March 31.

16 (c) Each trotline, set hook, and jug hook shall bear legible and indelible identification of the user's name and address
17 or the user's Wildlife Resources Commission customer number. Each trotline shall be conspicuously marked at each
18 end and each set hook conspicuously marked at one end with a flag, float, or other prominent object so that its location
19 is readily discernible by boat operators and swimmers. Trotlines shall be set parallel to the nearest shore in all inland
20 fishing waters unless otherwise prohibited. The number of jug hooks that may be fished is limited to 70 per boat. All
21 trotlines, set hooks, and jug hooks shall be fished at least once daily and all fish removed at that time. Trotlines, set
22 hooks, and jug hooks without bait or not labled as described in this Paragraph may be removed from the water by
23 wildlife enforcement officers. It is unlawful to use metal cans or glass jugs as floats.

24
25 *History Note: Authority G.S. 113-134; 113-272; 113-292;*

26 *Eff. February 1, 1976;*

27 *Amended Eff. July 1, 1993; May 1, 1992; July 1, 1989; January 1, 1982;*

28 *Temporary Amendment Eff. July 1, 2002;*

29 *Amended Eff. August 1, 2015; August 1, 2014; August 1, 2013; May 1, 2008; June 1, 2005; August*
30 *1, 2002.*

1 **15A NCAC 10C .0302 MANNER OF TAKING INLAND GAME FISHES**

2 (a) Inland game fishes may only be taken with hook and line unless otherwise provided.

3 (b) Landing nets may be used to land fishes caught on hook and line.

4 (c) Game fishes taken incidental ~~to~~ to

5 ~~(1) commercial fishing operations in joint fishing waters or coastal fishing waters shall be immediately~~
6 ~~returned to the water unharmed.~~

7 ~~(2)~~ the use of special devices for taking nongame fishes from inland fishing waters as authorized in
8 ~~Rule .0402 of this Subchapter~~ 15A NCAC 10C .0402 or as authorized by 15A NCAC 10C .0407 by
9 anglers licensed under G.S. 113-272.2(c) shall be immediately returned to the water unharmed
10 except:

11 ~~(A)(1)~~ that a daily creel limit of American and hickory shad may be taken with dip nets and bow
12 nets from March 1 through April 30 in those waters where such gear may be lawfully used;
13 and

14 ~~(B)(2)~~ white perch may be taken when captured in a cast net being used to collect nongame fishes
15 in all impounded waters west of Interstate 95 and in the Tar River Reservoir (Nash County).

16 (d) Inland game fishes taken from Inland Fishing Waters shall not be sold.

17 (e) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless circle hook may be
18 used when fishing with live or natural bait from April 1 to June 30. With all other tackle, only a single barbless hook
19 or a lure with a single barbless hook may be used. used from 1 April to 30 June. "Circle hook" as used in this Rule
20 means a hook with the point turned perpendicularly back to the shank. "Barbless" as used in this Rule requires that
21 the hook does not have a barb or the barb is bent down.

22
23 *History Note: Authority G.S. 113-134; 113-272.3; 113-292;*

24 *Eff. February 1, 1976;*

25 *Amended Eff. July 1, 1996; October 1, 1994; July 1, 1993; May 1, 1992; January 1, 1982;*

26 *Temporary Amendment Eff. November 1, 1998;*

27 *Amended Eff. June 1, 2022; August 1, 2014; August 1, 2002; April 1, 1999;*

28 *Readopted Eff. October 1, 2021.*

1 **15A NCAC 10C .0306 CRAPPIE**

2 (a) There is no daily creel limit for Crappie, except for waters identified in Paragraphs ~~(b), (c), (d), (e), and (f)~~ (d)
3 through (h) of this Rule.

4 ~~(b)~~ There is no minimum size limit ~~for these fish, except for in~~ waters identified in Paragraphs ~~(d), (e), and (f)~~ (f)
5 through (h) of this Rule.

6 (c) There is no closed season.

7 ~~(b)~~(d) In Buckhorn Reservoir in Wilson and Nash counties, the daily creel limit is 20 fish.

8 ~~(e)~~(e) In Lake Chatuge in Clay County, the daily creel limit is 30 fish.

9 ~~(d)~~(f) In the following waters, the daily creel limit is 20 fish and the minimum size limit is 10 inches:

10 ~~(1)~~ (1) ~~B. Everett Jordan Reservoir;~~

11 ~~(2)~~(1) Roanoke River and its tributaries downstream of Roanoke Rapids dam;

12 ~~(3)~~(2) Cashie River and its tributaries;

13 ~~(4)~~(3) Middle River and its tributaries;

14 ~~(5)~~(4) Eastmost River and its tributaries; and

15 ~~(6)~~(5) Lake Mattamuskeet and associated canals in Hyde County.

16 ~~(e)~~(g) In the following waters, the daily creel limit is 20 fish and the minimum size limit is eight inches:

17 (1) Lake Norman;

18 (2) Lake Hyco;

19 (3) Lake Ramseur;

20 (4) Cane Creek Lake (Union County);

21 (5) Lake Hampton (Yadkin County);

22 (6) Tar River downstream of Tar River Reservoir Dam and all tributaries;

23 (7) Neuse River downstream of Falls Lake Dam and all tributaries;

24 (8) Haw River downstream of Jordan Lake Dam and all tributaries;

25 (9) Deep River downstream of Lockville Dam and all tributaries;

26 (10) Cape Fear River and all tributaries;

27 (11) Waccamaw River downstream of Lake Waccamaw Dam and all tributaries;

28 (12) Lumber River including Drowning Creek and all tributaries;

29 (13) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County,
30 Sutton Lake in New Hanover County, and waters listed in Paragraph ~~(d)~~ (f) of this Rule; and

31 (14) all public waters west of Interstate 77, except Lake Chatuge.

32 (15) B. Everett Jordan Reservoir.

33 ~~(f)~~(h) In John H. Kerr Reservoir, the daily creel limit is 25 fish and the minimum size limit is nine inches.

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

35 *Eff. November 1, 2013;*

36 *Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015;*

37 *Readopted Eff. August 1, 2019;*

38 *Amended Eff. June 1, 2022; August 1, 2020.*

1 **15A NCAC 10C .0314 STRIPED BASS**

2 (a) The daily creel limit for ~~Striped Bass~~ striped bass and its hybrids is four fish in the aggregate, except in waters
3 identified in Paragraphs ~~(b), (c), (f), (g), (h), (i), and (j)~~ d and (g) through (m) of this Rule.

4 ~~(b)~~ The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs ~~(b), (c), (d), (e), (f),~~
5 ~~(g), (h), (i), and (j)~~ (d) through (m) of this Rule.

6 ~~(c)~~ There is no closed season, except for waters identified in Paragraphs ~~(g), (h), (i), (j), and (k)~~ (i) through (n) of this
7 Rule.

8 ~~(b)~~ (d) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA
9 and in John H. Kerr Reservoir, the daily creel limit on ~~Striped Bass~~ striped bass and its hybrids is two in the aggregate
10 and the minimum size limit is 20 inches from October 1 through May 31. From June 1 through September 30, the
11 daily creel limit on ~~Striped Bass~~ striped bass and its hybrids is four in the aggregate with no minimum size limit.

12 ~~(e)~~ (e) In Lake Gaston and Roanoke Rapids Reservoir, the minimum size limit for ~~Striped Bass~~ striped bass and its
13 hybrids is 20 inches from October 1 through May 31. There is no minimum size limit for these fish from June 1
14 through September 30.

15 ~~(d)~~ (f) In ~~Lake Norman~~, Hyco Lake, Moss Lake, Mountain Island Reservoir, Oak Hollow Lake, Lake Thom-A-Lex,
16 Lake Townsend, and Salem Lake the minimum size limit for ~~Striped Bass~~ striped bass and its hybrids is 16 inches.

17 ~~(e)~~ (g) In Lake Chatuge in Clay County, the daily creel limit is 15 in the aggregate. There is no minimum size limit,
18 but only two may be greater than 22 inches.

19 ~~(f)~~ (h) In Lake Mattamuskeet, and in the Pee Dee River and its tributaries downstream from the Blewett Falls Dam to
20 the South Carolina state line, the daily creel limit for ~~Striped Bass~~ striped bass and its hybrids is three fish in the
21 aggregate, and the minimum size limit is 18 inches.

22 ~~(g)~~ (i) In the inland fishing waters of Neuse, Pungo, and Tar Pamlico rivers and their tributaries extending upstream
23 to the first impoundment of the main course on the river or its tributaries, and in all other inland fishing waters east of
24 Interstate 95 not specified in Paragraphs ~~(f), (h), (i), and (j)~~ (j) through (l) of this Rule, the daily creel limit for
25 ~~Striped Bass~~ striped bass and its hybrids is two fish in the aggregate. The minimum size limit is 26 inches. In these
26 waters, the season for taking and possessing ~~Striped Bass~~ striped bass is closed from May 1 through September 30.

27 ~~(h)~~ (j) In ~~the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam and in~~
28 ~~the ponds associated with Martin Marietta Park in Craven County,~~ the season for taking and possessing ~~Striped Bass~~
29 striped bass is closed year-round.

30 (k) In the inland fishing waters of the Cape Fear River from Lock and Dam 1 upstream to Buckhorn Dam and its
31 tributaries, the daily creel limit for striped bass and its hybrids is two fish. The minimum size limit is 18 inches. In
32 these waters, the season for taking and possessing Striped Bass is closed from May 1 through the last day in
33 February.

34 ~~(i)~~ (l) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in
35 15A NCAC 03R .0201 and identified in 15A NCAC 10C .011 which includes the Roanoke, Cashie, Middle, and
36 Eastmost rivers and their tributaries, the open season for taking and possessing ~~Striped Bass~~ striped bass and its hybrids
37 is March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke

1 Rapids Lake dam. During the open season, the daily creel limit for ~~Striped Bass~~ striped bass and its hybrids is ~~two~~ one
2 fish in the aggregate, and the minimum size limit is 18 inches. No fish ~~between~~ over 22 inches ~~and 27 inches~~ in length
3 shall be possessed in the daily creel limit. ~~Only one fish larger than 27 inches may be possessed in the daily creel limit.~~

4 ~~(j)(m)~~ In designated inland and joint fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan
5 River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries (excluding the Roanoke River and
6 Cashie River and their tributaries), the ~~Striped Bass~~ striped bass fishing season, size limits, and creel limits are the
7 same as those established by rules or proclamations of the Marine Fisheries Commission in adjacent ~~joint or~~ coastal
8 fishing waters.

9 ~~(k)(n)~~ In accordance with G.S. 113-292, the Executive Director may, by proclamation, ~~suspend~~, suspend or extend
10 the hook-and-line season for ~~Striped Bass~~ striped bass in the inland and joint waters of coastal rivers and their
11 tributaries. It is unlawful to violate the provisions of any proclamation issued under this authority.

12

13 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*

14 *Eff. November 1, 2013;*

15 *Amended Eff. June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*

16 *Readopted Eff. August 1, 2019;*

17 *Amended Eff. August 1, 2021; August 1, 2020;*

18 *Temporary Amendment Eff. September 1, 2022; November 30, 2021;*

1 **15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES**

2 (a) Except as permitted by the rules in this Section, ~~it is unlawful no person shall to~~ take nongame fishes from the
3 inland fishing waters of North Carolina in any manner other than with hook and line, grabbling, or special device with
4 a special device fishing ~~license~~.license, or inland fishing license.

5 (b) Nongame fishes may be taken from inland fishing waters by hook and line, grabbling, or special device with a
6 special device fishing license at any time without restriction as to size limits or creel limits, except as ~~designated~~
7 specified in this Rule. Section.

8 (c) Special devices ~~may only be used to take nongame fishes with a special device fishing license shall only be used~~
9 in those counties and waters with open season designated in ~~Rule .0407 of this Section.~~ 15A NCAC 10C .0407.

10 (d) Archery equipment ~~may used with either a hunting license or inland fishing license may only be used to take~~
11 nongame fishes year-round in all inland fishing waters, except:

- 12 (1) ~~for the take of catfish on in the~~ Pee Dee River downstream of Blewett Falls Dam to the South
13 Carolina state line and in all tributaries, where only catfish can be taken;
- 14 (2) in impounded waters located on the Sandhills Game Land; and
- 15 (3) in public mountain trout waters.

16 (e) Set hooks, jug hooks, and trotlines may be used to take nongame fishes as designated in 15A NCAC 10C .0206.

17 (f) The season for taking nongame fishes by hook and line in designated public mountain trout waters is the same as
18 the trout fishing season. Trout seasons are designated in 15A NCAC 10C .0316.

19 (g) ~~Freshwater mussels, including the Asiatic clam (Corbicula fluminea), may be taken only from impounded waters,~~
20 ~~except mussels shall not be taken in:~~

- 21 (1) ~~Lake Waccamaw in Columbus County; and~~
- 22 (2) ~~University Lake in Orange County.~~

23 ~~The daily possession limit for freshwater mussels is 200 in the aggregate, except there is no daily possession limit for~~
24 ~~the Asiatic clam (Corbicula fluminea).~~

25 (h) ~~Blue crabs shall have a minimum carapace width of five inches (point to point) and it is unlawful to possess more~~
26 ~~than 50 crabs per person per day or to exceed 100 crabs per vessel per day.~~

27 (i) ~~While boating on or fishing in the following inland fishing waters, no person shall take river herring (alewife and~~
28 ~~blueback herring) that are greater than six inches in length, or possess such herring regardless of origin in:~~

- 29 (1) ~~Roanoke River downstream of Roanoke Rapids Dam;~~
- 30 (2) ~~Tar River downstream of Rocky Mount Mill Dam;~~
- 31 (3) ~~Neuse River downstream of Falls Lake Dam;~~
- 32 (4) ~~Cape Fear River downstream of Buckhorn Dam;~~
- 33 (5) ~~Pee Dee River downstream of Blewett Falls Dam;~~
- 34 (6) ~~Lumber River, including Drowning Creek;~~
- 35 (7) ~~all the tributaries to the rivers listed above; and~~
- 36 (8) ~~all other inland fishing waters east of I 95.~~

1 ~~(j) In waters that are stocked and managed for catfish and located on game lands, on Commission owned property,~~
2 ~~or on the property of a cooperator, including waters within the Community Fishing Program, it is unlawful to take~~
3 ~~channel or blue catfish by means other than hook and line; the daily creel limit for channel catfish is seven. Waters~~
4 ~~where this creel limit applies shall be posted on site with signs indicating the creel limit.~~

5 ~~(k) The daily creel limit for blue catfish greater than 32 inches is one fish in the following waters:~~

- 6 ~~(1) Lake Norman;~~
- 7 ~~(2) Mountain Island Lake;~~
- 8 ~~(3) Lake Wylie;~~
- 9 ~~(4) Badin Lake;~~
- 10 ~~(5) Lake Tillery;~~
- 11 ~~(6) John H. Kerr Reservoir (North Carolina portion);~~
- 12 ~~(7) Dan River (Downstream of the Union Street Dam in Danville, VA);~~
- 13 ~~(8) Lake Gaston (North Carolina portion); and~~
- 14 ~~(9) Roanoke Rapids Reservoir.~~

15 ~~(l) The daily creel limit is five catfish in aggregate on the Pee Dee River downstream of Blewett Falls Dam to the~~
16 ~~South Carolina state line and all tributaries.~~

17 ~~(m) The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or fishing~~
18 ~~in inland fishing waters is 25, and the minimum size limit is 9 inches. Eels greater than 9 inches in length and with a~~
19 ~~minimum body depth greater than ½ inch may be cut for use as bait.~~

20 ~~(n) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Mountain Island Reservoir, and~~
21 ~~Lake Wylie, except that one fish per day may be taken with archery equipment.~~

22 ~~(o) Grass carp shall not be taken or possessed on Lake Norman and the North Carolina portion of John H. Kerr~~
23 ~~Reservoir, except for scientific study by permit issued by the Wildlife Resources Commission.~~

24 ~~(p) In inland fishing waters, gray trout (weakfish) recreational seasons, size limits, and creel limits are the same as~~
25 ~~those established by Marine Fisheries Commission rule or proclamations issued by the Fisheries Director in adjacent~~
26 ~~joint or coastal fishing waters.~~

27 ~~(q) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish~~
28 ~~specified in Paragraphs (h), (i), (k), (m), and (p) of this Rule having a size limit so as to render it impractical to measure~~
29 ~~its total original length, except as provided in Paragraph (m) of this Rule. No person while fishing shall change the~~
30 ~~appearance of any nongame fish specified in Paragraphs (g), (h), (j), (k), (l), (m), (n), (o), and (p) of this Rule having~~
31 ~~a daily creel limit so as to obscure its identification or render it impractical to count the number of fish in possession,~~
32 ~~except as provided in Paragraph (m) of this Rule.~~

33 ~~(r) (g) Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license~~
34 ~~may be sold, sold unless otherwise specified in this Section. with the following exceptions:~~

- 35 ~~(1) alewife and blueback herring, excluding those less than six inches in length collected from Kerr~~
36 ~~Reservoir (Granville, Vance, and Warren counties);~~
- 37 ~~(2) blue crab; and~~

1 (3) ~~bowfin.~~

2 ~~(s) Margined madtom and tadpole madtom shall not be taken or possessed from inland fishing waters.~~

3 (h) In the inland waters of the Roanoke River upstream of U.S. 258 bridge, only a single barbless circle hook may be
4 used when fishing with live or natural bait from April 1 to June 30. With all other tackle, only a single barbless hook
5 may be used. "Circle hook" as used in this Rule means a hook with the point turned perpendicularly back to the shank.
6 "Barbless" as used in this Rule requires that a hook does not have a barb or the barb is bent down.

7
8
9 *History Note: Authority G.S. 113-134; 113-272; 113-292;*
10 *Eff. February 1, 1976;*
11 *Amended Eff. July 1, 1994; July 1, 1993; May 1, 1992;*
12 *Temporary Amendment Eff. December 1, 1994;*
13 *Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995;*
14 *Temporary Amendment Eff. July 1, 1999;*
15 *Amended Eff. July 1, 2000;*
16 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*
17 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
18 *Temporary Amendment Eff. June 1, 2003;*
19 *Amended Eff. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
20 *2003);*
21 *Amended Eff. August 1, 2019; August 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*
22 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
23 *1, 2007; May 1, 2006; June 1, 2005;*
24 *Readopted Eff. August 1, 2020;*
25 *Amended Eff. August 1, 2021.*

1 **15A NCAC 10D .0104 FISHING ON GAME LANDS**

2 (a) Generally. Except as otherwise indicated herein, fishing on game lands that are open to fishing shall be in
3 accordance with the North Carolina rules. All game lands are open to public fishing except restocked ponds when
4 posted against fishing, Hunting Creek Swamp Waterfowl Refuge, Grogan ~~Creek, Creek~~, Cedar Rock Creek (tributary
5 to the Davidson River at Bobby N. Setzer State Fish Hatchery), and John Rock Branch in Transylvania County, and
6 in the case of private ponds where fishing may be prohibited by the owners thereof. No trotline or set-hook or any net,
7 trap, gig, archery equipment, or other special fishing device of a type mentioned in 15A NCAC 10C .0404(b),(c),(d),
8 and (f) may be used in any impounded waters located entirely on game lands. Archery equipment may be used to take
9 nongame fishes in impounded waters located entirely on game lands with the exception of those waters mentioned in
10 15A NCAC 10C .0404(a). Blue crabs taken by hook and line (other than set-hooks) in designated waterfowl
11 impoundments located on game lands shall have a minimum carapace width of five inches (point to point) and the
12 daily possession limit is 50 per person and 100 per vessel.

13 (b) Designated Public Mountain Trout Waters

14 (1) Location. All waters located on the game lands listed in this Subparagraph are designated public
15 mountain trout waters except as noted:

- 16 (A) Cold Mountain Game Land in Haywood County;
- 17 (B) DuPont State Forest Game Lands in Henderson and Transylvania counties, except Little
18 River from 100 yards downstream of Hooker Falls downstream to the DuPont State Forest
19 boundary, Lake Imaging, Lake Dense, Lake Alfred, Lake Julia, and Fawn Lake;
- 20 (C) Green River Game Land in Henderson and Polk counties, except Green River downstream
21 of the natural gas pipeline crossing;
- 22 (D) Headwaters Game Land in Transylvania County;
- 23 (E) Nantahala National Forest Game Lands in Cherokee, Clay, Graham, Jackson, Macon,
24 Swain, and Transylvania counties, except Cheoah River downstream of Santeetlah
25 Reservoir and Cherokee Lake;
- 26 (F) Pisgah National Forest Game Lands in Avery, Buncombe, Burke, Caldwell, Haywood,
27 Henderson, Madison, McDowell, Mitchell, Transylvania, Watauga, and Yancey counties,
28 except Grogan ~~Creek, Creek~~, Cedar Rock Creek (tributary to the Davidson River at Bobby
29 N. Setzer State Fish Hatchery), and John Rock Branch North Fork Catawba River
30 downstream of the mouth of Armstrong Creek, Big Laurel Creek downstream from the US
31 25-70 bridge to the French Broad River, Mill Ridge Pond, Nolichucky River, Pigeon River
32 downstream of Waterville Reservoir to the Tennessee state line, and Spring Creek below
33 US Forest Service road 223;
- 34 (G) Pond Mountain Game Land in Ashe County;
- 35 (H) Rendezvous Mountain State Forest Game Land in Wilkes County;
- 36 (I) South Mountains Game Land in Cleveland and Rutherford counties;
- 37 (J) Three Top Mountain Game Land in Ashe County;

- 1 (K) Thurmond Chatham Game Land in Wilkes County;
- 2 (L) Toxaway Game Land in Transylvania County; and
- 3 (M) William H. Silvers Game Land in Haywood County.

4 (2) All designated public mountain trout waters located on the game lands listed in Subparagraph (b)(1)
5 of this Rule are Wild Trout Waters unless classified otherwise. [See 15A NCAC 10C .0205(d)]
6 (c) Ponds. In all game lands ponds, it is unlawful to take channel, white, or blue catfish (forked tail catfish) by means
7 other than hook and line and the daily creel limit for forked tail catfish is six fish in aggregate.

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9 *History Note: Authority G.S. 113-134; 113-264; 113-272; 113-292; 113-305;*
10 *Eff. February 1, 1976;*
11 *Amended Eff. July 1, 2000; July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
12 *July 1, 1992;*
13 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*
14 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
15 *Temporary Amendment Eff. June 1, 2003;*
16 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2015; August 1, 2014; August 1, 2010;*
17 *May 1, 2009; August 1, 2004.*

EXHIBIT F-1

October 20, 2022



Proposed Amendments to Land and Water Access Rules for 2023-2024 Annual Cycle Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

General Regulations for Game Lands

1. 15A NCAC 10D .0102

Expand the number of running days on the J. Robert Gordon Field Trial Area from 16 to 20 days per month. Expand the maximum consecutive running days from 4 to 5 if the total running days for the month do not exceed 20 days. Increase fees for use of the Field Trial facilities.

Justification: The number of running dates on the Field Trial grounds were historically limited by the North Carolina Field Trial Association (NCFTA) to reduce pressure on wild quail. Since the NCFTA uses exclusively pen raised quail, they are requesting additional available running dates with minimal anticipated increase in bird pressure. Fee increases are proposed to better reflect costs associated with planting, mowing, grading, and other management activities in the field trial area.

15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE (Pg. 5-6)

2. 15A NCAC 10D .0102

Restrict the number of consecutive night stays in posted camping areas where WRC is the primary custodian to 14 in a 30-day period. Also require a game lands use license for all campers 16 years of age and older.

Justification: All Wildlife Resources Commission designated camping areas are primitive, relatively small, and can only accommodate a small number of campers at a time. These camping areas are designed for short term use by hunters. They are not meant for long term use or use as a residence. The 14-day limit and the restricted time frame detailed in the individual game lands would alleviate potential misuse or overuse of these camping areas.

15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE (Pg. 7)

15A NCAC 10D .0211 BUTNER-FALLS OF NEUSE GAME LAND IN DURHAM, GRANVILLE, AND WAKE COUNTIES (Pg. 15)

15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY (Pg. 16)

15A NCAC 10D .0239 JOHNS RIVER GAME LAND IN BURKE COUNTY (Pg. 17)

15A NCAC 10D .0240 JORDAN GAME LAND IN CHATHAM, DURHAM, ORANGE, AND WAKE COUNTIES (Pg. 18)

15A NCAC 10D .0271 SANDHILLS GAME LAND IN HOKE, MOORE, RICHMOND, AND SCOTLAND COUNTIES (Pg. 20)

3. 15A NCAC 10D .0102

Allow for the use of all-terrain wheelchairs, including track chairs on game lands by disabled license holders and access program permittees.

Justification: The current rule does not allow use of motorized track chairs on game lands. By allowing all-terrain wheelchairs, disabled users will have additional options for greater access and use of game lands.

15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE (Pg. 8)

4. 15A NCAC 10D .0103

Clarify that falconry is allowed on Sundays on six-day a week game lands.

Justification: A technical omission was made when seven-day per week and four-day per week game lands were added.

15A NCAC 10D .0103 HUNTING ON GAME LANDS (Pg. 11)

5. 15A NCAC 10D .0103

Allow hunting on Labor Day, Veterans Day, Christmas, New Years, and Martin Luther King Day on four days per week game lands and on three days per week game lands when these holidays do not fall on a Sunday.

Justification: The omission of these holidays on closed days on three and four days per week game lands was a technical error when these definitions were added. (Also clarifies NCAC text to state that when Christmas Day and New Year's Day falls on Sunday, hunting is not allowed.)

15 NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS (Pg. 11)

6. 15A NCAC 10D .0103

Add the definition of "either-sex" to mean antlered or antlerless.

Justification: Harvest is not regulated based on sex or gender, but instead on whether a deer is antlered or not. Current language is antiquated and inconsistent with deer management terminology in the southeast. This change makes rules consistent with the terminology used on the Big Game Harvest Report Card and in the regulations digest.

15A NCAC 10D .0103 HUNTING ON GAME LANDS (Pg. 12)

7. 15A NCAC 10D .0103

Add "youth" to special permit hunt opportunities that may be designated by the Commission.

Justification: Currently the NCWRC permits three specific youth hunts during the archery season which allow the use of firearms. This amendment will clarify the Commission's ability to create hunt opportunities during closed days, or closed season on specific game lands and in turn allows more opportunity for youth hunters.

15A NCAC 10D .0103 HUNTING ON GAME LANDS (Pg. 12)

8. 15A NCAC 10D .0105

Clarify what materials can be removed from game lands and when written permission is required for removal. Include definition of archeological resources and require written permission from the Commission and a permit from the Department of Natural and Cultural Resources to collect and possess what would be considered an archeological resource. The rule has also been reformatted for clarity.

Justification: The current rule does not define archeological resources and when they can be collected. The Department of Natural and Cultural Resources has regulations in place and the WRC rule needs to reflect that. This clearly lays out for law enforcement when they can charge someone for taking archaeological resources from game lands.

15A NCAC 10D .0105 POSSESSION AND REMOVAL OF ANIMALS, PLANTS AND MATERIALS (Pg. 13-14)

Individual Game Lands

1. 15A NCAC 10D .0258

Remove the restriction on centerfire rifle hunting in that portion of Anson and Richmond counties North of US- 74.

Justification: Aligns regulations with rest of the Pee Dee River GL.

15A NCAC 10D .0258 PEE DEE RIVER GAME LAND IN ANSON, MONTGOMERY, RICHMOND, AND STANLY COUNTIES (Pg. 19)

2. 15A NCAC 10D .0269

Prohibit target shooting on Rocky Run game land.

Justification: Opportunities currently exist for target shooting at alternative sites appropriately constructed and monitored to provide a safe environment for participants. Rocky Run Game Land is within 31 miles of the Holly Shelter shooting range. Additionally, there are two private ranges within 20 miles and the Camp Lejeune recreational shooting facility is within 20 miles. This change is consistent with other game lands where target shooting is prohibited within an acceptable radius of shooting ranges. The game land has one access road and one parking area. Target shooting at this site routinely occurs at or near this parking area, which increases potential conflict between hunters and target shooters.

15A NCAC 10D .0269 Rocky RUN GAME LAND IN ONSLOW COUNTY (Pg. 19)

3. 15A NCAC 10D .0271

Align hunting dates and horseback riding dates on the J. Robert Gordon Field Trial Area to changes proposed in 15A NCAC 10D .0102.

Justification: The NCFTA requested changes to the hunting and horseback riding dates on the J. Robert Gordon Field Trial Area. This change aligns with proposal 3. Moving to the floating start date should allow additional hunting dates on the game land.

15A NCAC 10D .0271 SANDHILLS GAME LAND IN HOKE, MOORE, RICHMOND, AND SCOTLAND COUNTIES (Pg. 20)

15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE

(a) For purposes of this Subchapter, the following definitions apply:

- (1) "Permanent Hunting Blind" means any structure that is used for hunter concealment, constructed from manmade or natural materials, and that is not disassembled and removed at the end of each day's hunt.
- (2) "Target shooting" means the discharge of a firearm for purposes other than hunting, trapping, or self-defense.
- (3) "Youth" means individuals under 18 years of age.

(b) Trespass. Entry on game lands for purposes other than hunting, trapping, or fishing shall be as authorized by the landowner. The Wildlife Resources Commission has identified the following areas on game lands that have additional restrictions on entry or usage:

- (1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow and arrow hunting and falconry only. On these areas, deer of either sex may be taken on all open days of any applicable deer season.
- (2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on any game land. Falconry is exempt from this provision.
- (3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use of centerfire rifles is prohibited.
- (4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. Entry shall be authorized only when such entry will not compromise the primary purpose for establishing the Restricted Zone and the person or persons requesting entry are able to demonstrate a valid need or such person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.
- (5) Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. An area of a game land may be declared a Temporary Restricted Zone when there is a danger to the health or welfare of the public.
- (6) Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the discharge of firearms or bow and arrow is prohibited.
- (7) Restricted Deer Hunting Zone. On portions of game lands posted as "Restricted Deer Hunting Zones" the use of dogs for taking deer is prohibited, except as allowed by permit as provided in G.S. 113-264(d).
- (8) Day Use Only Zone. On portions of game lands posted as "Day Use Only Zones" the use by the general public shall be prohibited from sunset to sunrise.
- (9) Sensitive Habitat Zone. Portions of game lands posted as "Sensitive Habitat Zones" are closed to all use by the general public during the dates specified on the sign, and entry upon such an area for any purpose is prohibited without first obtaining written approval of such entry or use from an authorized agent of the Wildlife Resources Commission by calling 919-707-0150 and requesting a permit.

The Commission shall conduct a public input meeting in the area where the game land is located before establishing the following zones: archery, restricted firearms, restricted deer hunting, day use only, or sensitive habitat. After the input meeting, the public comments shall be presented at an official Commission meeting for final determination.

(c) Littering. No person shall deposit any litter, trash, garbage, or other refuse at any place on any game land except in receptacles provided for disposal of such refuse at designated camping and target-shooting areas. No garbage dumps

or sanitary landfills shall be established on any game land by any person, firm, corporation, county, or municipality, except as permitted by the landowner.

(d) Use of weapons. No person shall discharge:

- (1) any weapon within 150 yards of any game land building or designated game land camping area, except where posted otherwise;
- (2) any weapon within 150 yards of any residence located on or adjacent to game lands, except on Butner-Falls of Neuse and Jordan game lands; and
- (3) any firearm within 150 yards of any residence located on or adjacent to Butner-Falls of Neuse and Jordan Game Lands.

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any posted waterfowl impoundment on any game land, except shotgun shells containing lead buckshot may be used while deer hunting. Every individual carrying a concealed handgun shall adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. On Butner-Falls of Neuse, Jordan, Kerr Scott, and Vance game lands, no person shall possess loaded firearms, ammunition, bows and arrows, crossbows, or other weapons except as provided in the Code of Federal Regulations, Title 36, Chapter III, Part 327.13, which is incorporated by reference, including subsequent amendments and editions, free of charge, at:

http://www.ecfr.gov/cgi-bin/text-idx?SID=75b0c14fb2c26906cf64a267eb69b052&mc=true&node=se36.3.327_113&rgn=div8.

On Buckhorn, Chatham, Harris, Hyco, Lee, Mayo, and Sutton Lake game lands; Pee Dee River Game Land north of U.S. 74; and that portion of R. Wayne Bailey- Caswell Game Land that is located north of U.S. 158 and east of N.C. 119, no person shall possess a firearm during closed hunting seasons or closed hunting days for game birds or game animals, except under the following conditions:

- (1) the firearm is a .22 caliber pistol with a barrel not greater than seven and one-half inches in length and shooting only short, long, or long rifle ammunition carried as a side arm;
- (2) the firearm is cased or not immediately available for use;
- (3) the firearm is used by persons participating in field trials on field trial areas; or
- (4) the firearm is possessed in designated camping areas for defense of persons and property.

(e) Game Lands License: Hunting and Trapping

- (1) Requirement. Except as provided in Subparagraph (4) of this Paragraph, any person entering upon any game land for the purpose of hunting, trapping, running dogs, or training dogs using wildlife shall have in his or her possession a game lands license in addition to the appropriate hunting or trapping license, or a license that conveys the game land use privilege.
- (2) For Commission-sanctioned field trials, active participants (as defined in 15A NCAC 10B .0114) in a field trial using wildlife shall possess a game lands license in addition to the appropriate North Carolina hunting license, or a license that conveys the game land use privilege, except non-residents may substitute hunting licenses from their state(s) of residence.
- (3) For any other field trial using wildlife occurring on game lands, judges and active participants shall possess a game lands license in addition to the appropriate North Carolina hunting license, or a license that conveys the game land use privilege.
- (4) Exceptions:
 - (A) a person under 16 years of age may hunt on game lands on the license of his parent or legal guardian;
 - (B) on the game lands described in Rule .0103(e)(1) of this Section, the game lands license is required only for hunting doves; all other activities are subject to the control of the landowners.

(f) Field Trials and Training Dogs. Any individual or organization sponsoring a field trial on the Sandhills Field Trial area shall file with the Commission an application to use the area and facility accompanied by the facility use fee computed at the rate of ~~two hundred dollars (\$200.00)~~ three hundred dollars (\$300.00) for for each scheduled day of the trial. The total facility use 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 the day following the last scheduled day of the trial. The facility use fee shall be paid for

all intermediate days on which for any reason trials are not run but the building or facilities are used or occupied. A fee of ~~seventy-five dollars (\$75.00)~~ one hundred dollars (\$100.00) per day shall be charged to sporting, educational, or scouting groups for scheduled events utilizing the club house only. No person or group of persons or any other entity shall enter or use in any manner any of the physical facilities located on the Sandhills Field Trial area without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission, and no such entry or use of any such facility shall exceed the scope of or continue beyond the approved use. The Sandhills Field Trial facilities shall be used only for field trials scheduled with the approval of the Wildlife Resources Commission. No more than ~~16~~ 20 days of field trials may be scheduled for occurrence on the Sandhills facilities during any calendar month, and no more than ~~four~~ five days may be scheduled during any calendar week; provided, that a field trial requiring more than ~~four~~ five days may be scheduled during one week upon reduction of the maximum number of days allowable during some other week so that the monthly maximum of ~~16~~ 20 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial Association or other organization desiring use of the Sandhills facilities between the Wednesday on or nearest October 18 ~~October 22~~ and November 18 ~~the second Friday before Thanksgiving~~ and between December 3 ~~the first Monday following Thanksgiving~~ and March 31 shall submit its proposed schedule of such use to the Wildlife Resources Commission for its consideration and approval. The use of the Sandhills Field Trial facilities at any time by individuals for training dogs is prohibited; elsewhere on the Sandhills Game Lands dogs may be trained only on Mondays, Wednesdays, and Saturdays from October 1 through April 1. Dogs may not be trained or permitted to run unleashed from April 1 through August 15 on any game land located west of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Dogs may not be trained or permitted to run unleashed from March 15 through June 15 on any game land located east of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Additionally, on game lands located west of I-95 where special hunts are scheduled for sportsmen participating in the Disabled Sportsman Program, dogs may not be trained or allowed to run unleashed during legal big game hunting hours on the dates of the special hunts. A field trial shall be authorized when such field trial does not conflict with other planned activities on the Game Land or field trial facilities, and the applying organization can demonstrate their experience and expertise in conducting genuine field trial activities. Entry to physical facilities, other than by field trial organizations under permit, shall be granted when they do not conflict with other planned activities previously approved by the Commission and they do not conflict with the mission of the agency.

(g) Trapping. Subject to the restrictions contained in 15A NCAC 10B ~~.0110~~, .0302, and .0303, and .0306 trapping of furbearing animals, armadillos, coyotes, and groundhogs is permitted on game lands during the applicable open trapping seasons established by rule. Foxes can be trapped on game lands from ~~November 1~~ October 1 through the end of February in any county with an open fox trapping season that falls between ~~November 1~~ October 1 and the end of February. Foxes may not be taken by trapping on game lands in counties with a closed fox trapping season or during any fox trapping season that occurs outside the dates of ~~November 1~~ October 1 through the end of February. Additionally, fox trapping is allowed on game lands in Clay, Graham, Henderson, Macon, and Tyrrell counties with a daily bag limit of two and a season bag limit of 10 from the first to the fourth Saturday in January. Trapping is prohibited:

- (1) on the J Robert Gordon Field Trial Area of Sandhills Game Land;
- (2) in posted "safety zones" located on any game land;
- (3) by the use of bait on the National Forest Lands bounded by the Blue Ridge Parkway on the south, US 276 on the north and east, and NC 215 on the west;
- (4) on the John's River Waterfowl Refuge in Burke County;
- (5) on the DuPont State Forest Game Lands; and
- (6) from April 1 through ~~October~~ September 31.

At each trap, trappers may use a single bait site of grain, fruit, or other foods when trapping if the food is not a processed food product as defined in G.S. 113-294(r), is less than three cubic inches and is covered to prevent it from being seen from above. Feathers, including those with attached skin or entire bird wings, hair with or without skin or hide, and bones that include no attached meat, organs, or viscera do not need to be covered.

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

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

(i) Camping.

- (1) No person shall camp on any game land except on an area ~~designated~~ posted by the landowner for camping.
- (2) On game lands owned by the State of North Carolina, where the North Carolina Wildlife Resources Commission is the primary custodian, the maximum period of consecutive overnight camping at any designated camping area is 14 days within any 30-day period. ~~period from May 1 through August 31~~. After 14 consecutive days of camping, all personal belongings shall be removed from the game land.
- (3) A hunting, fishing, trapping or Game Lands License is required for individuals age 16 or older to camp on game lands in areas posted for camping except when camping within 100 yards of the Roanoke River on the state-owned portion of the Roanoke River Wetlands Game Land, within 100 yards of the Neuse River on that portion of the game land west of NC-43, and in posted areas along the Mountains-to-Sea Trail on Butner-Falls of Neuse Game Land.

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

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

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

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

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

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

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

(m) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (k) of this Rule and people who have obtained a Disabled Access Program permit are exempt from the previous sentence but shall comply with the terms of their permit. Furthermore, disabled persons, as defined under the federal Americans with Disabilities Act (42 U.S.C. 126) may use wheelchairs or other all-terrain wheel chairs ~~mobility devices designed for indoor pedestrian use~~ on any area where foot travel is allowed. Off road vehicles including ATVs , UTVs, and ebikes are not permitted.

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

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

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

of operation shall be designated on signs and at least one such sign shall be posted at the entrance to each shooting range. No person, when using any shooting range, shall do any act that is prohibited or neglect to do any act that is required by signs or markings placed on such area under authority of this Rule for the purpose of regulating the use of the area.

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

(r) No person shall attempt to obscure the sex or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal that has been so mutilated.

(s) Baiting. Except as provided in Paragraph (g) of this Rule, no person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization from an agent of the Commission. Written authorization may be provided for Commission authorized projects or Commission contractors to meet specific objectives. Except as authorized by rule, no person shall take or attempt to take any wild birds or wild animals attracted to such foods.

15A NCAC 10D .0103 HUNTING ON GAME LANDS

~~(a) Safety Requirements. No person while hunting on any designated game land shall be under the influence of alcohol or any narcotic drug, or fail to comply with restrictions enacted by the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands.~~

~~(b) Traffic Requirements. No person shall park a vehicle on game lands in such a manner as to block traffic or gates, or otherwise prevent vehicles from using any roadway.~~

~~(c) Tree Stands. It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached by nails, screws, bolts, or wire to a tree on any game land designated herein. This prohibition does not apply to lag-screw steps or portable stands that are removed after use with no metal remaining in or attached to the tree.~~

(a) The following shall be prohibited on game lands:

- (1) hunting on any designated game land while under the influence of alcohol or any narcotic drug;
- (2) failing to comply with restrictions enacted by the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands;
- (3) parking a vehicle on game lands in such a manner as to block traffic or gates, or otherwise prevent vehicles from using any roadway; and
- (4) erecting or occupying any tree stand or platform attached by nails, screws, bolts, or to a tree on any game land while for the purpose of hunting. This prohibition does not apply to lag-screw steps or portable stands that are removed after use with no metal remaining in or attached to the tree.

~~(d)(b) Time and Manner of Taking. Hunting is allowed on game lands only during the open season for game animals and game birds, unless hunting is allowed by permit. Unless allowed by permit, hunting on game lands shall only be during the open season for game animals and game birds. Individual game lands or parts thereof may be closed to hunting or limited to specific dates by this Chapter. Persons shall hunt only with weapons lawful for the open game animal or game bird seasons.~~

- ~~(1) On managed waterfowl impoundments, persons shall:
 - ~~(A) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;~~
 - ~~(B) not hunt after 1:00 p.m. on such hunting dates;~~
 - ~~(C) not set decoys out prior to 4:00 a.m.;~~
 - ~~(D) remove decoys by 3:00 p.m. each day; and~~
 - ~~(E) not operate any vessel or vehicle powered by an internal combustion engine.~~~~
- ~~(2) On Sundays, the following shall be prohibited:
 - ~~(A) hunting with a firearm between 9:30 AM and 12:30 PM;~~
 - ~~(B) the use of a firearm to take deer that are run or chased by dogs;~~
 - ~~(C) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, and~~
 - ~~(D) hunting migratory game birds.~~~~

(c) Individual game lands or parts thereof may be closed to hunting or limited to specific dates by this Subchapter.

(d) Persons shall hunt only with weapons lawful for the open game animal or game bird seasons.

(e) On managed waterfowl impoundments, persons shall:

- (1) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;
- (2) not hunt after 1:00 p.m. on such hunting dates;
- (3) not set decoys out prior to 4:00 a.m.;
- (4) remove decoys by 3:00 p.m. each day; and
- (5) not operate any vessel or vehicle powered by an internal combustion engine.

(f) On Sundays, the following shall be prohibited:

- (1) hunting with a firearm between 9:30 AM and 12:30 PM;
- (2) the use of a firearm to take deer that are run or chased by dogs;
- (3) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, and

(4) hunting migratory game birds.

~~On designated youth waterfowl days, youths may hunt on managed waterfowl impoundments from ½ hour before sunrise to sunset. On designated veterans and military waterfowl days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from ½ hour before sunrise to sunset. Restrictions (1)(A), (1)(C), and (1)(E) in this Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting only Zone," trapping during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted "Scouting only Zone."~~

(g) On designated Youth Waterfowl Days the following shall apply:

- (1) hunting on managed waterfowl impoundments shall be from ½ hour before sunrise to sunset;
- (2) restrictions (e)(1), (e)(3), and (e)(5) of this Rule; and
- (3) youth may hunt on any game land and on any impoundment without a special hunt permit, including permit-only areas, except where prohibited in Paragraph (a) of this Rule.

(h) On designated Veterans and Military Waterfowl Days veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from ½ hour before sunrise to sunset. Restrictions (e)(1), (e)(3), and (e)(5) of this Rule shall apply; and

(i) On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted "Scouting-only Zone."

(e)(j) Definitions:

- (1) For purposes of this Subchapter, "Dove Only Area" refers to a Game Land on which doves may be taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days within the federally-announced season.
- (2) For purposes of this Subchapter, "Three Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, Veterans Day, Martin Luther King Day, and New Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Hunting is not allowed on Christmas Day, Veterans Day, and New Year's Day when these holidays fall on Sunday. Falconry may also be practiced on Sundays. These "open days" also apply to either-sex deer hunting seasons listed under each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight on Saturdays.
- (3) For purposes of this Subchapter, "Six Days per Week Area" refers to a Game Land on which any game may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday during the open seasons. Falconry may also be practiced on Sundays.
- (4) For purposes of this Subchapter, "Seven Days per Week Area" refers to a Game Land on which game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays, and Sundays.
- (5) For purposes of this Subchapter, "Four Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Tuesdays, Thursdays, Saturdays, ~~and Sundays.~~ Sundays, Labor Day, Veterans Day, Christmas Day, New Year's Day, and Martin Luther King Day. Raccoon and opossum hunting may continue until 7:00 a.m. on Wednesdays, 7:00 a.m. on Fridays, and 7:00 a.m. on Mondays.
- (6) For purposes of this Subchapter, "Permit Only" means areas on which species take or activities listed shall be during the applicable season(s) by permit only subject to annual limitations imposed by the Commission to meet wildlife, hunter, or land management objectives, unless otherwise specified. Individuals may apply for available opportunity permits online at ncwildlife.org, by

phone, or in person at a wildlife service agent location. The Commission shall issue permits to applicants selected at random by computer in accordance with G.S. 113-264. Permits shall be non-transferrable. All applicable laws and rules regarding the species or activity shall apply.

(7) For the purposes of this Subchapter, “Either-Sex” means antlered or antlerless.

~~(f)(k) Hunting with Dogs on Game Lands.~~ Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with dogs is prohibited as described in 15A NCAC 10B .0109.

~~(h)(l)~~ On ~~permitted-type~~ permit hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications shall be received by the Commission not later than the first day of September next preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the hunt, and are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife cooperator agent or by phone.

~~(i)(m)~~ The following game lands and refuges are closed to all hunting except to those individuals who have obtained a valid and current permit from the Wildlife Resources Commission:

- (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
- (2) Bertie County—Roanoke River National Wildlife Refuge;
- (3) Bladen County—Suggs Mill Pond Game Lands;
- (4) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
- (5) Dare County—Roanoke Marshes Game Lands; and
- (6) Henderson and Transylvania counties—DuPont State Forest Game Lands.

~~(j)(n)~~ Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the Commission. Written permission may be granted only when entry onto the Waterfowl Refuge will not compromise the primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

~~(k)(o)~~ Feral swine may be taken by licensed hunters during the open season for any game animal or game bird using any legal manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that allow the use of dogs for hunting deer or bear, and during the applicable deer or bear season.

~~(l) Youth Waterfowl Day.~~ On the day declared by the Commission to be Youth Waterfowl Day, youths may hunt on any game land and on any impoundment without a special hunt permit, including permit only areas, except where prohibited in Paragraph (h) of this Rule.

~~(m) Veterans and Military Waterfowl Days.~~ On the day declared by the Commission to be Veterans and Military Waterfowl Days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit only areas.

~~(n)(p) Permit Hunt Opportunities for Disabled Sportsmen.~~ The Commission may designate special hunts for youth and participants of the disabled sportsman program by permit. The Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall be identified on each permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on each permit.

~~(o)(q)~~ As used in the rules of this subchapter horseback riding includes all equine species.

~~(p)(r)~~ When waterfowl hunting is authorized on Christmas and New Years' Day and those days fall on Sundays, the open waterfowl hunting day shall be the following day.

15A NCAC 10D .0105 POSSESSION AND REMOVAL OF ANIMALS, PLANTS AND MATERIALS

(a) For purposes of this Rule, the following definitions apply:

- (1) "Other materials" includes: all metals, minerals, rocks, soil, organic debris, buildings, fences, ~~historic artifacts, archeological resources as defined in G.S. 70-12,~~ and water.
- (2) "Commission lands" includes all State-owned game lands, hatcheries, depots, refuges, boating access areas and public fishing access areas, or parts thereof, allocated to the Wildlife Resources Commission.
- (3) "Written permission" includes permits, sales agreements, agricultural agreements, and letters written by authorized Commission personnel. Written permissions shall specify the type of activity allowed, the Commission land(s) where the activity may ~~occur~~ occur, and the persons ~~authorized~~ authorized to partake in the activity. Written permission must be carried on their person at all times. This requirement extends to any individual operating in conjunction with another's written permission.

(b) On Commission lands:

- (1) No wildlife resources, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or other materials shall be possessed on or removed from Commission lands except:
 - (A) as allowed in this Rule;
 - (B) bullfrogs, as specified in 15A NCAC 10B .0226; or
 - (C) if written permission has been granted by the Wildlife Resources Commission.This restriction applies to both dead and living wildlife resources, fungi, invertebrates, eggs, animal parts, ~~plants~~ plants, and plant materials.
- (2) All game, fur-bearing animals, wildlife resources, fisheries resources, and nongame animals or birds, ~~for which the Commission has established an open season,~~ legally taken under a valid hunting, trapping, fishing, falconry, or other collection license that entitles the licensee to access and use Wildlife Resources Commission Property may be possessed on and removed from Commission lands.
- (3) Berries, fruit, nuts, mushrooms, ramps and other plants or plant ~~products~~ materials suitable for human consumption may be possessed on and removed from Commission lands without written permission for personal consumption only, except any fungi, plant or part thereof on a State or federal protected list shall not be possessed on or removed from Commission lands without written permission. All other fungi, plants and plant ~~products~~ materials which are not suitable for human consumption may not be possessed on or removed from Commission lands except with written permission. Crops or products thereof planted for the benefit of wildlife may not be removed without written permission.
- (4) Insects, worms, or other invertebrates collected as fish bait may be possessed on and removed from Commission lands without written permission for personal use only, except any species on a State or federal protected list may not be collected and may not be removed from Commission lands. Sale of these resources is prohibited.
- (5) Minimal amounts of animal parts, plant parts not removed from live plants, and other materials may be collected by hand and removed from Commission lands without written permission, except in violation of rules, general ~~statutes~~ statutes, or federal law. Collection of animal parts, and plant parts not removed from live ~~plants~~ plants, ~~and other materials~~ for commercial use or sale is prohibited. For purposes of this Subparagraph, "minimal amounts," are quantities that fit within a cubic foot of space, except for firewood to be used at ~~designated posted game land campgrounds.~~ camping areas. Minimal amounts of firewood are quantities sufficient to build and maintain a fire for the duration of the game land user's stay at the campground.
- (6) Litter and road kill animals may be removed without written permission, except in violation of 15A NCAC 10B .0106.

- (7) A collection license as described in 15A NCAC 10B .0119 does not qualify as written permission to collect or remove any wildlife resources from Commission lands. Written permission must be specific to the Commission land.
- (c) On all other lands enrolled in the game land ~~program;~~ program:
- (1) All game, fur-bearing animals, fisheries resources, and nongame animals or birds ~~for which the Commission has established an open season,~~ legally taken under a valid hunting, trapping, fishing, ~~or falconry~~ falconry, or collection license may be possessed on and removed from game lands.
 - (2) Possession and removal of all other wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, and plant materials ~~materials, or other materials~~ is subject to the rules of the Commission and is at the discretion of the landowner, except where the landowner has ceded authority to the Commission. When the landowner has ceded authority to the Commission, the permissions and restrictions in Paragraph (b) of this Rule apply.
- (d) ~~Any individual who has written permission, or a hunting, trapping, fishing or falconry license required in order to possess or remove wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, plant materials, or other materials from Commission lands and all other lands enrolled in the game land program shall have that written permission or license on his person. This requirement extends to any individual operating in conjunction with another's written permission.~~
- (e) Except as referenced in (b)(5) of this rule, other materials may be possessed or removed from Commission lands and all other lands enrolled in the game land program with written permission from the Commission, except for archeological resources. To possess or remove archeological resources from Commission land or other lands enrolled in the game land program, an individual shall obtain and have on his or her person, written permission from the Commission and a permit issued by the Department of Natural and Cultural Resources as specified in G.S 70-12.

15A NCAC 10D .0211 BUTNER-FALLS OF NEUSE GAME LAND IN DURHAM, GRANVILLE, AND WAKE COUNTIES

(a) Six Days per Week Area

(b) ~~Antlered or antlerless deer~~ ~~Deer of either sex~~ may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.

(c) Waterfowl shall be taken only on:

- (1) the opening and closing days of the applicable waterfowl seasons;
- (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (3) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.

On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November

(d) Horseback riding is prohibited.

(e) Target shooting is prohibited.

(f) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.

(g) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of Falls Lake.

(h) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals. On designated bicycle riding areas, the use of bicycles is allowed from May 15 through August 31, and on Sundays only from September 1 through May 14.

(i) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.

(j) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited in this camping area.

15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY

(a) Three Days per Week Area

(b) Antlered or antlerless deer ~~Deer of either sex~~ may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.

(c) Horseback riding, including all equine species, is allowed seven days per week from May 16 through August 31, and on Sundays only, September 1 through May 15. Horseback riding is allowed only on roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian use. People age 16 or older horseback riding on this game land shall possess a Game Lands license.

(d) The area encompassed by the following roads is permit-only for all quail and woodcock hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.

(e) On the posted waterfowl impoundment, waterfowl hunting is by permit only after November 1.

(f) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.

(g) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.

15A NCAC 10D .0239 JOHNS RIVER GAME LAND IN BURKE COUNTY

Johns River game land is hunting by permit only. The following shall apply:

- (1) During permitted deer hunts, antlered or antlerless deer of either sex may be taken by permit holders.
- (2) The construction of permanent hunting blinds is prohibited.
- (3) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas is limited~~ is restricted to August 31 through the last day of February and March 31 through May 14.
- (4) Target shooting is prohibited.

15A NCAC 10D .0240 JORDAN GAME LAND IN CHATHAM, DURHAM, ORANGE, AND WAKE COUNTIES

Jordan game land is a Six Days per Week Area, in which the following applies:

- (1) Antlered or antlerless deer ~~Deer of either sex~~ may be taken on all the open days of the applicable Deer With Visible Antlers Season.
- (2) Waterfowl may be taken only on:
 - (a) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
 - (b) Thanksgiving, Christmas, and New Year's Days; and
 - (c) the opening and closing days of the applicable waterfowl seasons.
- (3) Horseback riding, including all equine species, is allowed only on those areas posted as American Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On all other trails posted for equestrian use, horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only from September 1 through May15. People age 16 or older shall obtain a game land license prior to engaging in horseback riding on any area other than the American Tobacco Trail.
- (4) Target shooting is prohibited.
- (5) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- (6) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals.
- (7) Camping and the presence of campers and tents in designated and posted Hunter Camping Areas are limited ~~is restricted to September 1 through the last day of February and March 31 through May 14. The maximum period of consecutive overnight camping at any posted camping area is 14 days within any 30-day period.~~

**Highlighted text represents this year's proposed annual cycle changes*

15A NCAC 10D .0258 PEE DEE RIVER GAME LAND IN ANSON, MONTGOMERY, RICHMOND, AND STANLY COUNTIES

(a) Pee Dee River game land is a Seven Days per Week Area. The following applies:

- (1) Antlered or antlerless deer ~~Deer of either sex~~ may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- ~~(2) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US-74.~~
- ~~(3)~~ (2) Target shooting is prohibited.
- ~~(4)~~ (3) Horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only September 1 through May 15 only on roads opened to vehicular traffic and gated roads and trails posted for equestrian use.
- ~~(5)~~ (4) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting shall be prohibited on that portion south of US-74.

15A NCAC 10D .0269 ROCKY RUN GAME LAND IN ONSLOW COUNTY

(a) Rocky Run game land is hunting by permit only.

(b) Target shooting is prohibited.

15A NCAC 10D .0271 SANDHILLS GAME LAND IN HOKE, MOORE, RICHMOND, AND SCOTLAND COUNTIES

(a) Three Days per Week Area

(b) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from ~~October 22~~ the Wednesday on or nearest October 18 through March 31 except as follows:

- (1) ~~Antlered or antlerless deer Deer of either sex~~ may be taken with archery equipment on all the open days of the archery season through the fourth Friday before Thanksgiving Day; with blackpowder firearms and archery equipment all the open days of the blackpowder firearms season through the third Wednesday before Thanksgiving Day; and only deer with visible antlers may be taken with all legal weapons from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (2) dove may be taken all open days from the opening day of the dove season through the third Saturday thereafter;
- (3) squirrel (gray and fox) may be taken all the open days from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (4) rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;
- (5) waterfowl may be taken on open days during any waterfowl season;
- (6) wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and
- (7) raccoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.

(c) The Deer With Visible Antlers season is the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the J. Robert Gordon Field Trial Grounds.

(d) The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. ~~Antlered or antlerless deer Deer of either sex~~ may be taken with archery equipment on all open hunting days during the archery season, by permit during the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.

(e) Blackpowder firearms season is all the open days from the fourth Saturday preceding Thanksgiving Day through the Wednesday of the second week thereafter and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. ~~Antlered or antlerless deer Deer of either sex~~ may be taken with blackpowder firearms on all open hunting days during the blackpowder firearms season and by permit during the Deer With Visible Antlers season. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.

(f) Antler or antlerless ~~Either sex~~ deer hunting during the Deer With Visible Antlers Season is by permit only.

(g) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.

(h) Wild turkey hunting is by permit only.

(i) Horseback riding on field trial grounds from ~~October 22~~ the Wednesday on or nearest October 18 through March 31 is prohibited unless participating in authorized field trials. Horseback riding is allowed on the remainder of the Sandhills Game Land seven days per week on roads that are open to vehicular traffic and gated roads and trails posted for equestrian use.

(j) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.

(k) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.



Fiscal Note for Proposed Lands Management Rules and Rule Amendments

Rule Amendments:

15A NCAC 10D .0102	General Hunting Regulations
15A NCAC 10D .0103	Hunting on Game Lands
15A NCAC 10D .0105	Possession and Removal of Animals, Plants, and Materials
15A NCAC 10D .0211	Butner-Falls of Neuse Game Land in Durham, Granville, and Wake Counties
15A NCAC 10D .0215	R. Wayne Bailey-Caswell Game Land in Caswell County
15A NCAC 10D .0239	Johns River Game Land in Burke County
15A NCAC 10D .0240	Jordan Game Land in Chatham, Durham, Orange, and Wake Counties
15A NCAC 10D .0258	Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly Counties
15A NCAC 10D .0271	Sandhills Game Land in Hoke, Moore, Richmond, and Scotland Counties
15A NCAC 10D .0269	Rocky Run Game Land in Onslow County

Agency Contact: Ashley Pekrul
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Impact: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Economic Impact: No

Authority: G.S. 75A-14; 113 – 134; 113-264; 113-270.3; 113-291.1; 113-291.2; 113-291.5; 113-291.7; 113-296; 113-305; 113-306

BACKGROUND

The wildlife resources of the State belong to the people of the State as a whole, including the enjoyment of these resources (G.S. § 113-131(a)). The Wildlife Resources Commission (WRC) is tasked with the conservation of wildlife resources of the State (G.S. § 143-239). This responsibility includes managing, as equitably as possible, the various competing interests

regarding these resources, including the use and take of such resources (G.S. § 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. § 113-134).

As part of its mission, WRC conducts an annual review of its fish, wildlife, boating safety, and game land regulations, to determine whether such rules need to be adjusted in order to accomplish the objectives of: managing wildlife resources through a biologically sustainable harvest of such resources by hunters, trappers and anglers consistent with sound conservation objectives; ensuring the safety of the boating public; managing Commission-owned land for the conservation of wildlife resources and the enjoyment of the public; and implementing legislative directives.

Many of the proposed rule changes are expected to increase hunting, fishing, and outdoor recreation opportunities, while others are expected to restrict such opportunities.

A summary of the additional proposed rule amendments with anticipated impacts is shown below. Proposed rule text is included in Appendix A.

15A NCAC 10D .0102 GENERAL HUNTING REGULATIONS

A. All-terrain wheelchairs

This amendment allows for the use of all-terrain wheelchairs, including track chairs on game lands by disabled license holders and access program permittees.

The current rule does not allow use of motorized track chairs on game lands. By allowing all-terrain wheelchairs, disabled users will have additional options for greater access and use of game lands.

In 2021, the Commission surveyed disabled individuals and their thoughts and concerns on how the Commission handles disabled access across the state. There was a consensus that the State could do a better job at providing more access to land non-disabled individuals had access to by foot.

Impacts

State Impact

Allowing the use of all-terrain wheelchairs will allow a subset of our disabled sportsman to use game lands in a more effective way than they have been able to previously.

There are 68,773 users with a disabled sportsman license in the state of North Carolina. The Commission has no way of knowing out of those 68,773 people, how many would take advantage of this extended allowance.

While license sales may increase because of this change, the Commission has no way of knowing by how many. This change will maintain trust within the disabled sportsman community in North Carolina and show the Commission is dedicated to addressing their concerns as they arise.

Local Impact

Additional opportunities on game lands may invite a small number of new users to the area. New users could bring increased revenue to the immediate area in the form of spending on lodging and dining, in particular. The Commission has no way of knowing how many disabled sportsmen will take advantage of this extended allowance; as such, the estimated benefits to local government could not be quantified.

Private Impact

This proposal increases hunter opportunity by allowing a subset of disabled hunters to hunt on land that previously was not available to them. There are 68,773 users with a disabled sportsman license in the state of North Carolina. The Commission has no way of knowing out of those 68,773 people, how many would take advantage of this extended allowance.

B. Trapping Season

The proposed amendment would change the start date of the statewide regulated trapping season from November 1 to October 1. This change applies to game lands and is addressed in the land and water access rule.

Adding an additional month to the regulated trapping season would allow more opportunities to trap furbearers and non-game (armadillo, coyote, groundhog) species. These populations are abundant and, based on discussions with licensed fur dealers, fur can be prime in October (e.g., canids), allowing the pelt to be utilized. Conversely, in March, pelts often cannot be utilized, as they are heavily rubbed and damaged from territorial and breeding behavior that occur from late January through March.

The NC Trappers Association (NCTA) supports this proposed rule as do trappers and hunters that requested this change.

Impacts & Benefits

State Impact

Benefits

Extending the trapping season gives our licensed trappers a longer time frame to trap. This was requested by the NCTA, and both licensed trappers and hunters. Extending the season may increase trapping participation and possibly recruit new trappers as this not only extends the length of time available to legally trap but it also creates an opportunity to trap in a month that is not currently open. The Commission has no way to predict how many more people might buy

trapping licenses because of this extension.

Local Impact

This rule is anticipated to have no local government impact.

Private Impact

Benefit

Extending the trapping season allows for more opportunity to trap furbearers and non-game, specifically coyotes for those licensed trappers. There are 2,758 licensed trappers in North Carolina and this extension would benefit them all. The Commission has no way to know how many of these 2,758 licensed trappers will take advantage of an extended trapping season.

Licensed fox preserve operators will benefit from this change, as it allows an additional month for live coyotes and foxes to be sold to licensed preserves. There are currently, 115 licensed fox and coyote preserve operators in the state. Trappers typically sell live coyotes and foxes to preserves at \$50/fox and \$75/coyote. The Commission has no way of knowing how many additional coyotes or foxes trappers would sell to these preserves but, they have the opportunity to make an addition \$50-75/year.

C. Trial Area Fee Increase

The proposed amendment increases fees for use of the J. Robert Gordon field trial area. These increases will better equip the Commission to deal with increasing costs of maintenance and management of these field trial areas.

The J. Robert Gordon Field Trial area is owned and maintained by the Commission on the Sandhills Game Land in Richmond County. The field trial area is used by private groups to conduct field trial competitions for hunting dogs. The field trial area consists of the following facilities:

1. 9000 acres with 36 miles of mown field trial course
2. 56-stall horse barns
3. Corrals
4. Dog kennels for over 100 animals
5. Clubhouse

The North Carolina Field Trial Association (NCFTA) uses the facilities most and is a paid membership organization. The NCFTA pays the Commission to hold their field trial events and competitions. Other smaller groups also use this field trial area , including the fox trial association, who typically uses it for 6 days each year, and a wagon horse trail group that uses it for one weekend.

The clubhouse is mainly used by local governments to host public or private meetings and by

boy and girl scout groups to host day-long retreats.

The Commission currently charges \$200 per day to use the facilities or \$75 per day to use the clubhouse only. The fees have been in place since 2013 and the revenue generated from rental is not sufficient to cover the annual costs of upkeep.

The Commission proposes to increase fees to \$300 per day to use all facilities and \$100 per day for use of the clubhouse only.

The fee increases are intended to better reflect costs associated with planting, mowing, grading, and other management activities specific to J. Robert Gordon field trial area. These fee increases are proposed to occur at the same time as a proposed increase in field running days from a maximum of 81 days to 101 days. The addition of these days is due to an increase in the number of dogs entering field trial competitions and being unable to run in the current allotted time frame.

Expenses for operating the field trial facilities include planting, mowing, and fertilization of the land, electric and gas bills, daily upkeep and maintenance to dog kennels, horse barns, and the clubhouse, and any necessary renovations to structures or appliances. These expenditures do not include planting and mowing time spent on dove fields within the field trial course, nor does it include the time and cost associated with road maintenance.

Expenditures are as follows for the last 3 years:

2021-2022 FY: Total Expenditures \$102,692.03

2020-2021 FY: Total Expenditures \$68,306.17
(Some expenditures limited due to COVID)

2019-2020 FY: Total Expenditures \$40,445.55
(Most expenditures were affected by COVID)

The average expenditures over the past three years, even with the reduction in maintenance costs due to decreased usage, gas and electric bills, and upkeep were approximately \$70,481.25 The Commission predicts expenditures over the next three years to be at least \$100,000 per year due to the increasing cost of diesel fuel, seed, and fertilizer needed for management of the field trial grounds, stable maintenance and upgrades, and upkeep of water well systems throughout the area. In addition, there will be an increase for the cost of electricity, gas and propane, waste removal, hardware supplies which are needed for maintenance and operations of the clubhouse, and regular upkeep of the field trail barn, horse corrals, and dog kennels.

The rate of increase was determined to help cover a portion of the cost without placing too much of a hardship on the groups that rent the field trial facility. The Commission had discussions

with rental groups about what they would be willing to pay before they would look at alternative places to hold their events.

The NCFTA, the most frequent user of the facility, supports the proposed fee increase and expansion of running days to provide additional field trial opportunities.

Impacts

State Impact:

Benefit

There were 81 running days in 2021, for a total of \$16,200 in revenue generated. ($\$200/\text{day} \times 81 \text{ days} = \$16,200$).

Under the proposed 110 running days with the new fee for facility use, the maximum revenue generated would be \$33,000. ($\$300/\text{day} \times 110 \text{ days} = \$33,000$).

This creates a potential increase in revenue of \$16,800/year. ($\$33,000/\text{year} - \$16,200/\text{year} = \$16,800$).

State hunting license sales dollars, timber sale receipt monies, or endowment fund dollars cover the gap between projected revenue and expenditures.

Cost

This amendment is not anticipated to have any cost to the State.

Local Impact

In past years, local governments have occasionally rented the clubhouse for a day for meetings. Local governments do not consistently rent the clubhouse every year, however, so the Commission has no way of predicting if/how many will do so in the future. If they were to rent the clubhouse, they would pay an additional \$25 per day under the proposed fee increase.

Private Impact:

Cost

Individuals or organizations that hold field trials will incur an additional cost of \$100 or \$25 per event day.

The NCFTA will likely pay at least an additional \$8,000 per year in facility use fees but are supportive of this change. [$(\$300 \text{ new fee} \times 80 \text{ average days}) - (\$200 \text{ old fee} \times 80 \text{ average days}) = \$8,000$].

The fox trial organization that historically has used the facility for six days each year would incur an additional cost of \$600 a year [(\$300/day x 6 days = \$1,800) – (\$200/day x 6 days = \$1,200) = \$600]. There are various other horseback riding clubs that use the field trial area for two days at a time. These groups would incur an additional cost of \$200.

In addition, there are other groups that rent the clubhouse and stables outside of the field trial season that will incur an additional \$25/day fee. A few groups that have used this area in the past are scout groups. These groups do not consistently rent each year, so the Commission has no way of knowing how many groups this fee increase will affect.

D. Camping on Game Lands

15A NCAC 10D .0211 BUTNER-FALLS OF NEUSE GAME LAND IN DURHAM, GRANVILLE, AND WAKE COUNTIES

15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY

15A NCAC 10D .0239 JOHNS RIVER GAME LAND IN BURKE COUNTY

15A NCAC 10D .0240 JORDAN GAME LAND IN CHATHAM, DURHAM, ORANGE, AND WAKE COUNTIES

10D .0271 SANDHILLS GAME LAND IN HOKE, MOORE, RICHMOND, AND SCOTLAND COUNTIES

This proposal restricts the number of consecutive night stays in posted camping areas where WRC is the primary custodian to 14 in a 30-day period year-round. Also proposes to require a game lands use license for all campers 16 years of age and older.

All Wildlife Resources Commission designated camping areas are primitive, relatively small, and can only accommodate a small number of campers at a time. These camping areas are designed for short term use by hunters. They are not meant for long term use or use as a residence. The 14-day limit and the restricted time frame detailed in the individual game lands would alleviate potential misuse or overuse of these camping areas. The specific game land rules listed above are proposed for clarification to align with this 10D .0102 change.

Impacts

State Impact

Benefits

Restricting the amount of time in which an individual can stay on campgrounds consecutively would allow the Commission to have more control over keeping the camping areas open and

available to more hunters wanting to access the game land. The agency has no way to quantify this benefit.

The state may also see an increase in license sales with the newly proposed license requirements for those 16 years of age and older to camp on the game lands. A game lands use license is included in any hunting, fishing, or trapping license. These licenses range in cost from \$9 (10-day Inland Fishing license) to \$539 (Adult Lifetime Sportsman License). The commission has no way of knowing which license an individual will choose to purchase. The Commission also has no way to know how many do not have a game lands use license that are currently using the campgrounds and thus, cannot be quantified.

Costs

Conservation Technician I will change signage as part of their regular duties. The change in signage will not require more than one day, at an estimated staff time cost to the agency of approximately \$261.76 ($\$32.72/\text{hr}^1 \times 8 \text{ hrs} = \261.76).

Local Impact

This rule is not anticipated to have local government impacts.

Private Impact

Individuals will no longer be able to stay at a campground for more than 14 days straight. This will impact individuals who normally spend more than 14-days at any campground. However, the Commission has no way to know how many people stay at the campground longer than the proposed restriction.

This proposal will also require individuals who camped without a game lands use license to purchase one. A game lands use license is included in any hunting, fishing, or trapping license. These licenses range in cost from \$9 (10-day Inland Fishing license) to \$539 (Adult Lifetime Sportsman License). The commission has no way of knowing which license an individual will choose to purchase.

E. Running Days

15A NCAC 10D .0271 SANDHILLS GAME LAND IN HOKE, MOORE, RICHMOND, AND SCOTLAND COUNTIES

This rule amendment to 10D .0102 expands the number of running dates on the J. Robert Gordon Field Trial Area from 16 days to 20 days per month. It also expands the maximum consecutive running days from four to five if the total running days for the month does not exceed 20.

10D .0271 aligns these running date changes proposed in 15A NCAC 10D .0102 with the hunting restriction and horseback riding dates on the J. Robert Gordon Field Trial Area.

¹ Hourly staff time cost includes salary and benefits per NC OSHR Total Compensation Calculator.

The number of running dates on the Field Trial grounds were limited by the North Carolina Field Trial Association (NCFTA) many years ago to reduce pressure on wild quail. Since the NCFTA uses exclusively pen raised quail, they are requesting additional available running dates with no anticipated increase in bird pressure.

Impacts

State Impact

Benefit

This change is expected to have minimal state impacts as this will not change management or enforcement of the field trial area.

Private Impact

Benefit

This proposed change allows for increased hunter opportunity at the J. Robert Gordon Field Trial area by increasing the number of running days. This change will also clear up any confusion over the start dates for running and horseback riding in this area. The Commission has no way to know how many hunters will take advantage of the additional running days.

Cost

The increase in running days may interfere with individuals that only visit Sandhills Game Land when no running is taking place. However, the Commission has no way of knowing how many people purposefully avoid the game land during the current 16 day period and cannot estimate how many people this change may impact from attending the game land at the 20 day time frame.

Local Impact

Expanding running days will likely increase a small number of these hunters visiting local businesses, which can result in a minor increase in local tax revenue. New users could bring increased revenue to the immediate area in the form of spending on lodging and dining, in particular. The Commission has no way of knowing how many hunters will take advantage of this extended allowance; as such, the estimated benefits to local government could not be quantified.

15A NCAC 10D .0103 HUNTING ON GAME LANDS

A. Falconry

This rule proposal clarifies that falconry is allowed on Sundays on six-day a week game lands.

A technical omission was made when seven-day per week and four-day per week game lands

were added during previous rulemaking

Impacts

State Impact

This rule amendment is anticipated to have no impact as the change is part of routine management and will not require additional staff time or resources for implementation and enforcement as the intention has been to allow falconry on Sundays in six-day a week game lands.

Local Impact

This rule is not anticipated to have local government impacts.

Private Impact

This rule is not anticipated to have private impacts because the regulated public has been allowed to practice falconry on these days already and this rule simply clarifies the omission.

B. Hunting on Holidays

This rule proposal allows hunting on Labor Day, Veterans Day, Christmas, New Years, and Martin Luther King Day on four days per week game lands and on three days per week game lands when these holidays do not fall on a Sunday. It also clarifies NCAC text to state when Christmas Day and New Year's Day falls on Sunday, hunting is not allowed.

The omission of these holidays on closed days on three and four days per week game lands was a technical error when these definitions were added in previous rulemaking.

Impacts

State Impact

Cost

The agency may have to spend additional enforcement time on these game lands during these holidays. However, enforcement would be working these days regardless of the expansion, so there would not be a net increase in enforcement spending. There is likely to be a reallocation of resources in that enforcement may be spending more time at these game lands on those days now as opposed to other patrol activities.

Local Impact

Additional opportunities on game lands may invite a small number of new users to the game lands. New users could bring increased revenue to the immediate area in the form of spending on lodging and dining, in particular. The Commission has no way of knowing how many hunters will take advantage of this extended allowance; as such, the estimated benefits to local government could not be quantified.

Private Impact

This rule expands hunter opportunity across all four day a week and three day a week game lands when holidays do not fall on a Sunday. The Commission is unable to predict how many hunters will take advantage of these additional hunt days, however since most individuals have these days off work, it is possible that there would be a greater number of hunters taking advantage of this additional opportunity.

C. Either-Sex Definition

This rule proposal adds the definition of “either-sex” to mean antlered or antlerless.

The Commission does not regulate harvest based on sex or gender. Regulations are based on whether a deer is antlered or not. Current language in the NCAC using either-sex is antiquated and inconsistent with deer management terminology in the southeast. Changing the definition would make our rules consistent with the terminology used on the Big Game Harvest Report Card and the regulations digest produced for the Commission’s regulated public each year.

Adding this definition will clarify that the Commission means antlered or antlerless where either-sex already exists in rule. As rules are proposed over time for amendment where “either-sex” is written, they will be modified to state antlered or antlerless.

Impacts

State Impact

Benefits

Creates consistency amongst the Commission’s management terminology with the rest of the southeast.

Local Impact

This rule is not anticipated to have local government impacts.

Private Impact

This rule is not anticipated to have private impacts. It may lessen confusion for users reading NCAC text who are comparing it to the regulations digest.

D. Youth Permit Hunt

This rule proposal adds “youth” to special permit hunt opportunities allowed by the Commission.

Currently the NCWRC permits three specific youth hunts during the archery season which allow the use of firearms. This amendment will clarify the Commission’s ability to create hunt opportunities during closed days, or closed season on specific game lands and in turn allows more opportunity for youth hunters.

State Impact

Allowing more youth permit hunt opportunities may increase the interest in hunting for youth and thus over time drive up license sales. It is known that the earlier an individual is introduced to hunting and with the proper guidance, the longer they are likely to return to the sport. While lifetime sportsman license sales may increase because of this change, the Commission has no way of knowing by how many.

Local Impact

Additional opportunities on game lands may invite a small number of new users to the area. New users could bring increased revenue to the immediate area in the form of spending on lodging and dining, in particular. The Commission has no way of knowing how many youth hunters will take advantage of this extended allowance; as such, the estimated benefits to local government could not be quantified.

Private Impact

This proposal increases youth hunter opportunity by allowing youth to participate in special permit hunts that were otherwise only available to disabled sportsman. This change has the opportunity to introduce hunting to youth at an earlier age, but the Commission has no way to quantify how many youth aged individuals would take advantage of this.

15A NCAC 10D .0105 POSSESSION AND REMOVAL OF ANIMALS, PLANTS, AND MATERIALS

This proposal clarifies what materials can be removed from game lands and when written permission is needed for removal. This change also includes a definition of archeological resources and requires written permission from the Commission and a permit from the Department of Cultural Resources to collect and possess any archeological resource.

The current rule does not define archeological resources and when they can be collected. The Department of Natural and Cultural Resources has regulations in place and the Commission rule

needs to reflect that. This clearly lays out for law enforcement when they can charge someone for taking archaeological resources from game lands.

Impacts

State Impact

Benefits

This change provides law enforcement with more clarification on what to look for when they see individuals trying to take anything considered an archeological resource from our game lands.

There is also a benefit in keeping artifacts on our game lands where they were found. Individuals may go to specific game lands to see these archeological artifacts like arrow heads they may not be able to see elsewhere.

This change allows for our regulations to align with the Department of Cultural Resources. In doing so, the Commission's stance on archeological resources is less ambiguous.

It is unknown to the Commission how often people are taking artifacts from game lands.

Local Impact

There is the potential for individuals who were going to game lands for the sole purpose of collecting archeological resources for hobby or profit will no longer visit those game lands. The Commission has no way to measure how many people would no longer visit specific game lands for this reason alone.

Private Impact

Costs

Individuals were collecting archeological resources from our game lands without authorization will no longer be able to. This could impact those individuals who were collecting for fun as well as those who have been collecting to repurpose and sell for profit. The Commission has no way to measure how many and how often individuals are removing archeological resources from game lands.

15A NCAC 10D .0258 PEE DEE RIVER GAME LAND IN ANSON, MONTGOMERY, RICHMOND, AND STANLY COUNTIES

This amendment would remove the restriction on centerfire rifle hunting in a portion of Anson and Richmond counties North of US-74.

This change aligns with the remaining portion of the Pee Dee River game land where there is not a restriction on centerfire rifles.

Impacts & Benefits

State Impact

Benefit

This proposed change creates consistency in centerfire rifle hunting in the Pee Dee River game land. The proposed change will alleviate inconsistency along the game land. This will allow for easier enforcement and education by law enforcement.

Private Impact

Benefit

Removing the restriction expands hunter opportunity for deer hunters wishing to use a centerfire rifle in that area. The Commission has no way of knowing how many hunters will take advantage of this increased opportunity.

Local Impact

This rule may bring more centerfire rifle hunters to the area, however the Commission has no way of knowing how many additional hunters this would bring. New users could bring increased revenue to the immediate area in the form of spending on lodging and dining, in particular. The Commission has no way of knowing how many hunters will take advantage of this extended allowance; as such, the estimated benefits to local government could not be quantified.

15A NCAC 10D .0269 ROCKY RUN GAME LAND IN ONSLOW COUNTY

This change would prohibit target shooting on Rocky Run game land.

Opportunities currently exist for target shooting at alternative sites appropriately constructed and monitored to provide a safe environment for participants. Rocky Run Game Land is within 31 miles of the Holly Shelter shooting range. Additionally, there are two private ranges within 20 miles and the Camp Lejeune recreational shooting facility is within 20 miles. This change is consistent with other game lands where target shooting is prohibited within an acceptable radius of shooting ranges.

The game land has one access road and one parking area. Target shooting at this site routinely occurs at or near this parking area, which increases potential conflict between permitted hunters and target shooters.

Non-traditional usage on game lands has substantially increased over the past year and the proposal to prohibit target shooting on these game lands will provide a safer game land experience for all user groups.

In past site experience, there has been compliance when target shooting was prohibited, and it is expected that the public will adhere to these new prohibitions.

Impacts

State Impact

Benefit

Agency staff are responsible for maintenance and upkeep of the game lands. Individuals using these areas for target shooting regularly leave broken glass, plastic bottles, paper, and steel cans, on the property, which must be cleaned up by staff. Game lands staff typically clean frequented target shooting areas three times per year at each game land. Prohibiting target shooting on this game land is projected to save the agency approximately \$785.28/year in staff time ($\$32.72/\text{hr} \times 8\text{hrs/clean up} \times 3\text{ clean-ups/year} = \785.28). Additionally, targets are often placed on trees in the area, many of which have been damaged to the point that mortality has already occurred or is imminent. This proposed amendment may help to eliminate the damage caused to live trees that are currently being used as targets. The agency has no way to quantify this benefit.

Cost

Conservation technicians will put up signage on kiosks as part of their regular duties. New signage will cost the agency, at most, \$0.90 ($\$0.90/\text{sign} \times 1\text{ sign}$).

Local Impact

This rule is not anticipated to have local government impacts.

Private Impact

Benefit

Prohibiting target shooting may improve safety for both target shooters and other users of the game lands. Currently, popular shooting areas on this game land contain no back-stop berms and are located near boundaries with private property, occupied dwellings, and roads. The agency has no way to quantify this benefit.

Cost

This proposed amendment could affect private individuals who want to target shoot, as they will now need to travel to a shooting range. Depending on where the individual is traveling from, this could impose an additional financial burden by requiring more money spent on gas and supplies. There is no way to quantify this impact.

SUMMARY

Quantifiable Impacts

State

The following quantifiable costs to the State are anticipated:

- Camping Restriction
 - One time staff cost & signage change = \$261.76
- Target Shooting Prohibition on Rocky Run Game Land
 - One time signage change = \$0.90

The following quantifiable benefits to the State are anticipated:

- Camping Restriction
 - Increase in license sales = \$9 - \$539/person
- Target Shooting Prohibition on Rocky Run Game Land
 - Clean-up savings = \$785.28/year
- Field Trial Fee
 - Maximum additional yearly revenue = \$16,800/year

Private entities

The following quantifiable costs to private entities are anticipated:

- Camping Restriction
 - Cost in license sales = \$9 - \$539/person
- Field Trial Fee increase
 - Day fee = \$100 increase/day, up to \$16,800 increase in fees/year
 - Clubhouse Rental = \$25 increase/day

Unquantifiable Impacts

State

The following unquantifiable benefits to the State were identified for the proposed rule changes:

- Allowing all-terrain wheelchairs on game lands has the potential for increased license sales among the disabled sportsman community.
- Adding the definition of “either-sex” creates consistency across agency management and marketing.
- Allowing more youth permit hunts increases the interest of hunting by youth and can lead to increased license sales over time.
- Requiring written permission to remove archeological artifacts from our game lands keeps artifacts on our game lands and aligns our regulations with those of the Department of Cultural and Natural Resources.
- Restricting the number of consecutive days one can camp will allow the Commission to have more control over camp site users and control misuse of these camp sites. .
- Removing the restriction on the use of centerfire rifles will create consistency in centerfire rifle hunting in the Pee Dee River game land and allow for easier enforcement.
- Prohibiting target shooting on Rocky Run game land may help to eliminate damage caused to live trees being used as targets.

The following unquantifiable costs to the State were identified for the proposed rule changes:

- Allowing hunting on specific holidays on six-day a week game lands may have law enforcement spend additional time on these game lands on those days to enforce hunting rules.
- Requiring permits for Commission-owned or managed Boating Access Areas will cost staff time in issuing permits

Local

The following unquantifiable benefits to Local Governments were identified for the proposed rule changes:

- Increase in the purchase of goods and services as they relate to needs of this user group – e.g., food, gas, camping supplies, etc. The local government could potentially see an increase in tax-based revenue by:
 - Allowing hunting on holidays
 - Allowing youth permit hunts
 - Increasing running dates on J. Robert Gordon Field Trial Area

Private

The following unquantifiable benefits to private entities were identified for the proposed rule changes:

- Allowing all-terrain wheelchairs on game lands increases hunting opportunity for disabled sportsman Allowing hunting on bear sanctuaries will increase hunter opportunity.

- Allowing hunting on six-day a week game lands on holidays increases hunter opportunity.
- Adding the definition of “either-sex” lessens confusion for hunters when looking at our rules vs publications.
- Allowing youth permit hunts expands hunter opportunity for our younger generation and may help younger individuals be interested in hunting.
- Removing the restriction on the use of centerfire rifles will create consistency in centerfire rifle hunting in the Pee Dee River game land and lessen confusion and in addition increase hunter opportunity.
- Expanding the number of running days on the J. Robert Gordon Field Trial Area will increase hunter opportunity.
- Prohibiting target shooting on Rocky Run game land will improve safety for users of the game land.

The following unquantifiable costs to private entities were identified for the proposed rule changes:

- Requiring written permission to remove archeological artifacts from our game lands will now prohibit users from going there to collect items for resale or personal use.
- Restricting the number of consecutive days one can camp will reduce the number of days an individual may hunt who stayed longer than the new limit in the past.
- Expanding the number of running days on the J. Robert Gordon Field Trial Area may reduce the amount of time an individual can visit the game lands if they don’t want to be there while running is taking place.
- Prohibiting target shooting on Rocky Run game land may increase the distance target shooters will have to travel to target shoot at nearby ranges.

While some of the impacts are unquantifiable, the Commission believes that benefits to both the state and local government, and private entities will likely outweigh the costs.

APPENDIX A

15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE

(a) For purposes of this Subchapter, the following definitions apply:

- (1) "Permanent Hunting Blind" means any structure that is used for hunter concealment, constructed from manmade or natural materials, and that is not disassembled and removed at the end of each day's hunt.
- (2) "Target shooting" means the discharge of a firearm for purposes other than hunting, trapping, or self-defense.
- (3) "Youth" means individuals under 18 years of age.

(b) Trespass. Entry on game lands for purposes other than hunting, trapping, or fishing shall be as authorized by the landowner. The Wildlife Resources Commission has identified the following areas on game lands that have additional restrictions on entry or usage:

- (1) Archery Zone. On portions of game lands posted as "Archery Zones" hunting is limited to bow and arrow hunting and falconry only. On these areas, deer of either sex may be taken on all open days of any applicable deer season.
- (2) Safety Zone. On portions of game lands posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or bow and arrow within, into, or across a posted safety zone on any game land. Falconry is exempt from this provision.
- (3) Restricted Firearms Zone. On portions of game lands posted as "Restricted Firearms Zones" the use of centerfire rifles is prohibited.
- (4) Restricted Zone. Portions of game lands posted as "Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. Entry shall be authorized only when such entry will not compromise the primary purpose for establishing the Restricted Zone and the person or persons requesting entry are able to demonstrate a valid need or such person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.
- (5) Temporary Restricted Zone. Portions of game lands posted as "Temporary Restricted Zones" are closed to all use by the general public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission. An area of a game land may be declared a Temporary Restricted Zone when there is a danger to the health or welfare of the public.
- (6) Scouting-only Zone. On portions of the game lands posted as "Scouting-only Zones" the discharge of firearms or bow and arrow is prohibited.
- (7) Restricted Deer Hunting Zone. On portions of game lands posted as "Restricted Deer Hunting Zones" the use of dogs for taking deer is prohibited, except as allowed by permit as provided in G.S. 113-264(d).

- (8) Day Use Only Zone. On portions of game lands posted as "Day Use Only Zones" the use by the general public shall be prohibited from sunset to sunrise.
- (9) Sensitive Habitat Zone. Portions of game lands posted as "Sensitive Habitat Zones" are closed to all use by the general public during the dates specified on the sign, and entry upon such an area for any purpose is prohibited without first obtaining written approval of such entry or use from an authorized agent of the Wildlife Resources Commission by calling 919-707-0150 and requesting a permit.

The Commission shall conduct a public input meeting in the area where the game land is located before establishing the following zones: archery, restricted firearms, restricted deer hunting, day use only, or sensitive habitat. After the input meeting, the public comments shall be presented at an official Commission meeting for final determination.

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

(d) Use of weapons. No person shall discharge:

- (1) any weapon within 150 yards of any game land building or designated game land camping area, except where posted otherwise;
- (2) any weapon within 150 yards of any residence located on or adjacent to game lands, except on Butner-Falls of Neuse and Jordan game lands; and
- (3) any firearm within 150 yards of any residence located on or adjacent to Butner-Falls of Neuse and Jordan Game Lands.

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting on any posted waterfowl impoundment on any game land, except shotgun shells containing lead buckshot may be used while deer hunting. Every individual carrying a concealed handgun shall adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. On Butner-Falls of Neuse, Jordan, Kerr Scott, and Vance game lands, no person shall possess loaded firearms, ammunition, bows and arrows, crossbows, or other weapons except as provided in the Code of Federal Regulations, Title 36, Chapter III, Part 327.13, which is incorporated by reference, including subsequent amendments and editions, free of charge, at:

http://www.ecfr.gov/cgi-bin/text-idx?SID=75b0c14fb2c26906cf64a267eb69b052&mc=true&node=se36.3.327_113&rgn=div8. On Buckhorn, Chatham, Harris, Hyco, Lee, Mayo, and Sutton Lake game lands; Pee Dee River Game Land north of U.S. 74; and that portion of R. Wayne Bailey- Caswell Game Land that is located north of U.S. 158 and east of N.C. 119, no person shall possess a firearm during closed hunting seasons or closed hunting days for game birds or game animals, except under the following conditions:

- (1) the firearm is a .22 caliber pistol with a barrel not greater than seven and one-half inches in length and shooting only short, long, or long rifle ammunition carried as a side arm;
- (2) the firearm is cased or not immediately available for use;
- (3) the firearm is used by persons participating in field trials on field trial areas; or

- (4) the firearm is possessed in designated camping areas for defense of persons and property.

~~(e)~~(i) License: Hunting and Trapping

- (1) **Requirement.** Except as provided in Subparagraph (4) of this Paragraph, any person entering any game land for the purpose of hunting, trapping, running dogs, or training dogs using wildlife shall have in his or her possession a ~~game lands license in addition to the~~ appropriate hunting or trapping ~~license, license, or a license that conveys the game land use privilege.~~
- (2) For Commission-sanctioned field trials, active participants, ~~as~~ as (as defined in 15A NCAC 10B 0114) ~~.0114,~~ in a field trial using wildlife shall possess ~~a game lands license in addition to the~~ appropriate North Carolina hunting license, ~~or a license that conveys the game land use privilege,~~ except non-residents may substitute hunting licenses from their state(s) of residence.
- (3) For any other field trial using wildlife occurring on game lands, judges and active participants shall possess ~~a game lands license in addition to the~~ appropriate North Carolina hunting ~~license, license,~~ ~~or a license that conveys the game land use privilege.~~
- (4) **Exceptions:**
 - (A) ~~a person under 16 years of age may hunt on game lands on the license of his parent or legal guardian;~~
 - (B) ~~on the game lands described in Rule .0103(c)(1) of this Section, the game lands license is required only for hunting doves; all other activities are subject to the control of the landowners.~~

(f) Field Trials and Training Dogs. Any individual or organization sponsoring a field trial on the Sandhills Field Trial area shall file with the Commission an application to use the area and facility accompanied by the facility use fee computed at the rate of ~~two hundred dollars (\$200.00)~~ three hundred dollars (\$300.00) for for each scheduled day of the trial. The total facility use 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 the day following the last scheduled day of the trial. The facility use fee shall be paid for all intermediate days on which for any reason trials are not run but the building or facilities are used or occupied. A fee of ~~seventy five dollars (\$75.00)~~ one hundred dollars (\$100.00) per day shall be charged to sporting, educational, or scouting groups for scheduled events utilizing the club house only. No person or group of persons or any other entity shall enter or use in any manner any of the physical facilities located on the Sandhills Field Trial area without first having obtained written approval of such entry or use from an authorized agent of the Wildlife Resources Commission, and no such entry or use of any such facility shall exceed the scope of or continue beyond the approved use. The Sandhills Field Trial facilities shall be used only for field trials scheduled with the approval of the Wildlife Resources Commission. No more than ~~16~~ 20 days of field trials may be scheduled for occurrence on the Sandhills facilities during any calendar month, and no more than ~~four~~ five days may be scheduled during any calendar week; provided, that a field trial requiring more than ~~four~~ five days may be scheduled during one week upon reduction of the maximum number of days allowable during some other week so that the monthly maximum of ~~16~~ 20 days is not exceeded. Before October 1 of each year, the North Carolina Field Trial Association or other organization desiring

use of the Sandhills facilities between the Wednesday on or nearest October 18 ~~October 22~~ and ~~November 18~~ the second Friday before Thanksgiving and between ~~December 3~~ the first Monday following Thanksgiving and March 31 shall submit its proposed schedule of such use to the Wildlife Resources Commission for its consideration and approval. The use of the Sandhills Field Trial facilities at any time by individuals for training dogs is prohibited; elsewhere on the Sandhills Game Lands dogs may be trained only on Mondays, Wednesdays, and Saturdays from October 1 through April 1. Dogs may not be trained or permitted to run unleashed from April 1 through August 15 on any game land located west of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Dogs may not be trained or permitted to run unleashed from March 15 through June 15 on any game land located east of I-95, except when participating in field trials sanctioned by the Wildlife Resources Commission. Additionally, on game lands located west of I-95 where special hunts are scheduled for sportsmen participating in the Disabled Sportsman Program, dogs may not be trained or allowed to run unleashed during legal big game hunting hours on the dates of the special hunts. A field trial shall be authorized when such field trial does not conflict with other planned activities on the Game Land or field trial facilities, and the applying organization can demonstrate their experience and expertise in conducting genuine field trial activities. Entry to physical facilities, other than by field trial organizations under permit, shall be granted when they do not conflict with other planned activities previously approved by the Commission and they do not conflict with the mission of the agency.

(g) Trapping. Subject to the restrictions contained in 15A NCAC 10B ~~.0110~~, .0302, ~~and .0303~~, and .0306 trapping of furbearing animals, armadillos, coyotes, and groundhogs is permitted on game lands during the applicable open trapping seasons established by rule. Foxes can be trapped on game lands from ~~November 1~~ October 1 through the end of February in any county with an open fox trapping season that falls between ~~November 1~~ October 1 and the end of February. Foxes may not be taken by trapping on game lands in counties with a closed fox trapping season or during any fox trapping season that occurs outside the dates of ~~November 1~~ October 1 through the end of February. Additionally, fox trapping is allowed on game lands in Clay, Graham, Henderson, Macon, and Tyrrell counties with a daily bag limit of two and a season bag limit of 10 from the first to the fourth Saturday in January. Trapping is prohibited:

- (1) on the J Robert Gordon Field Trial Area of Sandhills Game Land;
- (2) in posted "safety zones" located on any game land;
- (3) by the use of bait on the National Forest Lands bounded by the Blue Ridge Parkway on the south, US 276 on the north and east, and NC 215 on the west;
- (4) on the John's River Waterfowl Refuge in Burke County;
- (5) on the DuPont State Forest Game Lands; and
- (6) from April 1 through ~~October~~ September 31.

At each trap, trappers may use a single bait site of grain, fruit, or other foods when trapping if the food is not a processed food product as defined in G.S. 113-294(r), is less than three cubic inches and is covered to prevent it from being seen from above. Feathers, including those with attached skin or entire bird wings, hair with or without skin or hide, and bones that include no attached meat, organs, or viscera do not need to be covered.

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

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

(i) Camping.

- (1) No person shall camp on any game land except on an area ~~designated~~ posted by the landowner for camping.
- (2) On game lands owned by the State of North Carolina, where the North Carolina Wildlife Resources Commission is the primary custodian, the maximum period of consecutive overnight camping at any designated camping area is 14 days within any 30-day period. ~~period from May 1 through August 31~~. After 14 consecutive days of camping, all personal belongings shall be removed from the game land.
- (3) A hunting, fishing, trapping or Game Lands License is required for individuals age 16 or older to camp on game lands in areas posted for camping except when camping within 100 yards of the Roanoke River on the state-owned portion of the Roanoke River Wetlands Game Land, within 100 yards of the Neuse River on that portion of the game land west of NC-43, and in posted areas along the Mountains-to-Sea Trail on Butner-Falls of Neuse Game Land.

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

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

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

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

- (1) on ungated or open-gated roads normally closed to vehicular traffic; and

- (2) on any Commission-maintained road open for vehicular travel and those trails posted for vehicular travel.

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

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

(m) Non-Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Game Lands except for designated areas on National Forests. Disabled persons as defined in Paragraph (k) of this Rule and people who have obtained a Disabled Access Program permit are exempt from the previous sentence but shall comply with the terms of their permit. Furthermore, disabled persons, as defined under the federal Americans with Disabilities Act (42 U.S.C. 126) may use wheelchairs or other all-terrain wheel chairs ~~mobility devices designed for indoor pedestrian use~~ on any area where foot travel is allowed. Off road vehicles including ATVs , UTVs, and ebikes are not permitted.

(n) Disabled Access Program. Permits issued under this program shall be based upon medical evidence submitted by the person verifying that a handicap exists that limits physical mobility to the extent that normal utilization of the game lands is not possible without vehicular assistance. Persons meeting this requirement may operate electric wheel chairs, all terrain vehicles, and other passenger vehicles on any Commission-maintained road open for vehicular travel and those trails posted for vehicular travel and ungated or open-gated roads otherwise closed to vehicular traffic on game lands owned by the Wildlife Resources Commission and on game lands whose owners have agreed to such use. Those game lands, or parts thereof, where this Paragraph applies are designated online, at www.ncwildlife.org. This Paragraph does not permit vehicular access on fields, openings, roads, paths, or trails planted for wildlife food or cover. One companion, who is identified by a companion card issued to each qualified disabled person, may accompany a disabled person to provide assistance, provided the companion is at all times in visual or verbal contact with the disabled person. The companion may participate in all lawful activities while assisting a disabled person, provided license requirements are met. Any vehicle used by a qualified disabled person for access to game lands under this provision shall display the vehicular access permit issued by the Wildlife Resources Commission in the passenger area of the vehicle where it can easily be seen by Commission staff outside the vehicle. It is unlawful for anyone other than disabled persons as defined in Paragraph (k) of this Rule and those holding a Disabled Access Permit to hunt,

during waterfowl season, within 100 yards of a waterfowl blind designated by the Wildlife Resources Commission as a Disabled Sportsman's hunting blind.

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

(p) Shooting Ranges. On public shooting ranges managed by the Commission, no person shall use designated shooting ranges for any purpose other than for firearm or bow and arrow marksmanship, development of shooting skills, or for other safe uses of firearms and archery equipment. All other uses, including camping, building fires, operating concessions or other activities not directly involved with recreational or competitive shooting are prohibited, except for activities that have been approved by the Commission and for which a permit has been issued may be conducted, provided that the permit authorizing such activity is available for inspection by wildlife enforcement officers at the time the activity is taking place. No person, when using any shooting range, shall deposit any debris or refuse on the grounds of the range. This includes any items used as targets, except that clay targets broken on the range, by the shooter, may be left on the grounds where they fall. No person shall shoot any items made of glass on the grounds of the range. No person may leave any vehicle or other obstruction in such a location or position that it will prevent, impede, or inconvenience the use by other persons of any shooting range. No person shall leave parked any vehicle or other object at any place on the shooting range other than such a place or zone as is designated as an authorized parking zone and posted or marked as such. No person shall handle any firearms or bow and arrow on a shooting range in a careless or reckless manner. No person shall intentionally shoot into any target holder, post, or other permanent fixture or structure while using a shooting range. No person shall shoot a firearm in a manner that would cause any rifled or smoothbore projectiles to travel off of the range, except that shotgun shot, size No. 4 or smaller may be allowed to travel from the range if it presents no risk of harm or injury to any person(s). Persons using a shooting range shall obey posted range safety rules and those persons who violate range safety rules or create a public safety hazard shall leave the shooting range if directed to by law enforcement officers or to leave by Commission employees. No person shall handle any firearms on a shooting range while under the influence of an impairing substance. The consumption of alcohol or alcoholic beverages on a shooting range is prohibited. Open days and hours of operation shall be designated on signs and at least one such sign shall be posted at the entrance to each shooting range. No person, when using any shooting range, shall do any act that is prohibited or neglect to do any act that is required by signs or markings placed on such area under authority of this Rule for the purpose of regulating the use of the area.

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

(r) No person shall attempt to obscure the sex or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal that has been so mutilated.

(s) Baiting. Except as provided in Paragraph (g) of this Rule, no person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods without prior written authorization from an agent of the Commission. Written authorization may be provided for Commission authorized projects or Commission contractors to meet specific objectives. Except as authorized by rule, no person shall take or attempt to take any wild birds or wild animals attracted to such foods.

History Note: Authority G.S. 113-129; 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306; 143-318.10;
Eff. February 1, 1976;
Amended Eff. July 1, 1993; April 1, 1992;
Temporary Amendment Eff. October 11, 1993;
Amended Eff. July 1, 1998; July 1, 1996; July 1, 1995; July 1, 1994;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. August 31, 2001;
Amended Eff. August 1, 2002;
Amended Eff. June 1, 2004; (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. January 1, 2013; January 1, 2012; June 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; November 1, 2005;
Temporary Amendment Eff. July 1, 2014;
Amended Eff. August 1, 2021; August 1, 2020; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014.

15A NCAC 10D .0103 HUNTING ON GAME LANDS

~~(a) Safety Requirements. No person while hunting on any designated game land shall be under the influence of alcohol or any narcotic drug, or fail to comply with restrictions enacted by the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands.~~

~~(b) Traffic Requirements. No person shall park a vehicle on game lands in such a manner as to block traffic or gates, or otherwise prevent vehicles from using any roadway.~~

~~(c) Tree Stands. It is unlawful to erect or to occupy, for the purpose of hunting, any tree stand or platform attached by nails, screws, bolts, or wire to a tree on any game land designated herein. This prohibition does not apply to lag-screw steps or portable stands that are removed after use with no metal remaining in or attached to the tree.~~

(a) The following shall be prohibited on game lands:

- (1) hunting on any designated game land while under the influence of alcohol or any narcotic drug;
- (2) failing to comply with restrictions enacted by the National Park Service regarding the use of the Blue Ridge Parkway where it adjoins game lands;
- (3) parking a vehicle on game lands in such a manner as to block traffic or gates, or otherwise prevent vehicles from using any roadway; and
- (4) erecting or occupying any tree stand or platform attached by nails, screws, bolts, or wire for the purpose of hunting to a tree on any game land. This prohibition does not apply to lag-screw steps or portable stands that are removed after use with no metal remaining in or attached to the tree.

~~(d)(b) Time and Manner of Taking. Hunting is allowed on game lands only during the open season for game animals and game birds, unless hunting is allowed by permit. Unless allowed by permit, hunting on game lands shall only be during the open season for game animals and game birds. Individual game lands or parts thereof may be closed to hunting or limited to specific dates by this Chapter. Persons shall hunt only with weapons lawful for the open game animal or game bird seasons.~~

- ~~(1) On managed waterfowl impoundments, persons shall:
 - ~~(A) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;~~
 - ~~(B) not hunt after 1:00 p.m. on such hunting dates;~~
 - ~~(C) not set decoys out prior to 4:00 a.m.;~~
 - ~~(D) remove decoys by 3:00 p.m. each day; and~~
 - ~~(E) not operate any vessel or vehicle powered by an internal combustion engine.~~~~
- ~~(2) On Sundays, the following shall be prohibited:
 - ~~(A) hunting with a firearm between 9:30 AM and 12:30 PM;~~
 - ~~(B) the use of a firearm to take deer that are run or chased by dogs;~~
 - ~~(C) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof; and~~
 - ~~(D) hunting migratory game birds.~~~~

(c) Individual game lands or parts thereof may be closed to hunting or limited to specific dates by this Subchapter.

(d) Persons shall hunt only with weapons lawful for the open game animal or game bird seasons.

(e) On managed waterfowl impoundments, persons shall:

- (1) not enter the posted impoundment areas earlier than 4:00 a.m. on the permitted hunting dates;
- (2) not hunt after 1:00 p.m. on such hunting dates;
- (3) not set decoys out prior to 4:00 a.m.;
- (4) remove decoys by 3:00 p.m. each day; and
- (5) not operate any vessel or vehicle powered by an internal combustion engine.

(f) On Sundays, the following shall be prohibited:

- (1) hunting with a firearm between 9:30 AM and 12:30 PM;
- (2) the use of a firearm to take deer that are run or chased by dogs;
- (3) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-54.1(b), or any accessory structure thereof, and
- (4) hunting migratory game birds.

~~On designated youth waterfowl days, youths may hunt on managed waterfowl impoundments from ½ hour before sunrise to sunset. On designated veterans and military waterfowl days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from ½ hour before sunrise to sunset. Restrictions (1)(A), (1)(C), and (1)(E) in this Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting only Zone," trapping during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted "Scouting only Zone."~~

(g) On designated Youth Waterfowl Days the following shall apply:

- (1) hunting on managed waterfowl impoundments shall be from ½ hour before sunrise to sunset;
- (2) restrictions (e)(1), (e)(3), and (e)(5) of this Rule; and
- (3) youth may hunt on any game land and on any impoundment without a special hunt permit, including permit-only areas, except where prohibited in Paragraph (a) of this Rule.

(h) On designated Veterans and Military Waterfowl Days veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from ½ hour before sunrise to sunset. Restrictions (e)(1), (e)(3), and (e)(5) of this Rule shall apply; and

(i) On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the impoundment outside of the posted "Scouting-only Zone."

~~(e)~~(j) Definitions:

- (1) For purposes of this Subchapter, "Dove Only Area" refers to a Game Land on which doves may be taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days within the federally-announced season.
- (2) For purposes of this Subchapter, "Three Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day, Christmas Day, Veterans Day, Martin Luther King Day, and New Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Hunting is not allowed on Christmas Day, Veterans Day, and New Year's Day when these holidays fall on Sunday. Falconry may also be practiced on Sundays. These "open days" also apply to either-sex deer hunting seasons listed under each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight on Saturdays.
- (3) For purposes of this Subchapter, "Six Days per Week Area" refers to a Game Land on which any game may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday during the open seasons. Falconry may also be practiced on Sundays.
- (4) For purposes of this Subchapter, "Seven Days per Week Area" refers to a Game Land on which game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays, and Sundays.
- (5) For purposes of this Subchapter, "Four Days per Week Area" refers to a Game Land on which any game may be taken during the open seasons and hunting is limited to Tuesdays, Thursdays, Saturdays, ~~and Sundays.~~ Sundays, Labor Day, Veterans Day, Christmas Day, New Year's Day, and Martin Luther King Day. Raccoon and opossum hunting may continue until 7:00 a.m. on Wednesdays, 7:00 a.m. on Fridays, and 7:00 a.m. on Mondays.
- (6) For purposes of this Subchapter, "Permit Only" means areas on which species take or activities listed shall be during the applicable season(s) by permit only subject to annual limitations imposed by the Commission to meet wildlife, hunter, or land management objectives, unless otherwise specified. Individuals may apply for available opportunity permits online at ncwildlife.org, by phone, or in person at a wildlife service agent location. The Commission shall issue permits to applicants selected at random by computer in accordance with G.S. 113-264. Permits shall be non-transferrable. All applicable laws and rules regarding the species or activity shall apply.
- (7) For the purposes of this Subchapter, "Either-Sex" means antlered or antlerless.

~~(f)(k) Hunting with Dogs on Game Lands.~~ Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with dogs is prohibited as described in 15A NCAC 10B .0109.

~~(h)(l)~~ On ~~permitted type~~ permit hunts, deer of either sex may be taken on the hunt dates indicated on the permit. Completed applications shall be received by the Commission not later than the first day of September next preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees prior to the

hunt, and are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife cooperator agent or by phone.

~~(i)~~(m) The following game lands and refuges are closed to all hunting except to those individuals who have obtained a valid and current permit from the Wildlife Resources Commission:

- (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
- (2) Bertie County—Roanoke River National Wildlife Refuge;
- (3) Bladen County—Suggs Mill Pond Game Lands;
- (4) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
- (5) Dare County—Roanoke Marshes Game Lands; and
- (6) Henderson and Transylvania counties—DuPont State Forest Game Lands.

~~(j)~~(n) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the Commission. Written permission may be granted only when entry onto the Waterfowl Refuge will not compromise the primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of access to private property, scientific investigations, surveys, or other access to conduct activities in the public interest.

~~(k)~~(o) Feral swine may be taken by licensed hunters during the open season for any game animal or game bird using any legal manner of take allowed during those seasons. Dogs may not be used to hunt feral swine except on game lands that allow the use of dogs for hunting deer or bear, and during the applicable deer or bear season.

~~(l) Youth Waterfowl Day. On the day declared by the Commission to be Youth Waterfowl Day, youths may hunt on any game land and on any impoundment without a special hunt permit, including permit only areas, except where prohibited in Paragraph (h) of this Rule.~~

~~(m) Veterans and Military Waterfowl Days. On the day declared by the Commission to be Veterans and Military Waterfowl Days, veterans, as defined in 38 USC 101, and members of the Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for training, with valid credentials may hunt on game lands and impoundments not designated as permit only areas.~~

~~(n)~~(p) ~~Permit Hunt Opportunities for Disabled Sportsmen.~~ The Commission may designate special hunts for youth and participants of the disabled sportsman program by permit. The Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall be identified on each permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on each permit.

~~(o)~~(q) As used in the rules of this subchapter horseback riding includes all equine species.

~~(p)~~(r) When waterfowl hunting is authorized on Christmas and New Years' Day and those days fall on Sundays, the open waterfowl hunting day shall be the following day.

*History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
Eff. February 1, 1976;*

Temporary Amendment Eff. October 3, 1991;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September 1, 1994; July 1, 1994;
Temporary Amendment Eff. October 1, 1999; July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002; July 1, 2001;
Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014; January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October 1, 2004;
Temporary Amendment Eff. August 1, 2018;
Amended Eff. August 1, 2020; August 1, 2019;
Temporary Amendment Eff. September 25, 2020;
Temporary Amendment Eff. August 1, 2021.

15A NCAC 10D .0105 POSSESSION AND REMOVAL OF ANIMALS, PLANTS AND MATERIALS

(a) For purposes of this Rule, the following definitions apply:

- (1) "Other materials" includes: all metals, minerals, rocks, soil, organic debris, buildings, fences, ~~historic artifacts, archeological resources as defined in G.S. 70-12,~~ and water.
- (2) "Commission lands" includes all State-owned game lands, hatcheries, depots, refuges, boating access areas and public fishing access areas, or parts thereof, allocated to the Wildlife Resources Commission.
- (3) "Written permission" includes permits, sales agreements, agricultural agreements, and letters written by authorized Commission personnel. Written permissions shall specify the type of activity allowed, the Commission land(s) where the activity may ~~occur~~ occur, and the persons ~~authorized~~ authorized to partake in the activity. Written permission must be carried on their person at all times. This requirement extends to any individual operating in conjunction with another's written permission.

(b) On Commission lands:

- (1) No wildlife resources, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or other materials shall be possessed on or removed from Commission lands except:
 - (A) as allowed in this Rule;
 - (B) bullfrogs, as specified in 15A NCAC 10B .0226; or
 - (C) if written permission has been granted by the Wildlife Resources Commission.This restriction applies to both dead and living wildlife resources, fungi, invertebrates, eggs, animal parts, ~~plants~~ plants, and plant materials.
- (2) All game, fur-bearing animals, wildlife resources, fisheries resources, and nongame animals or birds, ~~for which the Commission has established an open season~~, legally taken under a valid hunting, trapping, fishing, falconry, or other collection license that entitles the licensee to access and use Wildlife Resources Commission Property may be possessed on and removed from Commission lands.
- (3) Berries, fruit, nuts, mushrooms, ramps and other plants or plant ~~products~~ materials suitable for human consumption may be possessed on and removed from Commission lands without written permission for personal consumption only, except any fungi, plant or part thereof on a State or federal protected list shall not be possessed on or removed from Commission lands without written permission. All other fungi, plants and plant ~~products~~ materials which are not suitable for human consumption may not be possessed on or removed from Commission lands except with written permission. Crops or products thereof planted for the benefit of wildlife may not be removed without written permission.
- (4) Insects, worms, or other invertebrates collected as fish bait may be possessed on and removed from Commission lands without written permission for personal use only, except any species on a State

or federal protected list may not be collected and may not be removed from Commission lands. Sale of these resources is prohibited.

- (5) Minimal amounts of animal parts, plant parts not removed from live plants, and other materials may be collected by hand and removed from Commission lands without written permission, except in violation of rules, general ~~statutes~~ statutes, or federal law. Collection of animal parts, and plant parts not removed from live plants ~~plants, and other materials~~ for commercial use or sale is prohibited. For purposes of this Subparagraph, "minimal amounts," are quantities that fit within a cubic foot of space, except for firewood to be used at ~~designated posted game land campgrounds, camping areas.~~ Minimal amounts of firewood are quantities sufficient to build and maintain a fire for the duration of the game land user's stay at the campground.
- (6) Litter and road kill animals may be removed without written permission, except in violation of 15A NCAC 10B .0106.
- (7) A collection license as described in 15A NCAC 10B .0119 does not qualify as written permission to collect or remove any wildlife resources from Commission lands. Written permission must be specific to the Commission land.

(c) On all other lands enrolled in the game land ~~program; program:~~

- (1) All game, fur-bearing animals, fisheries resources, and nongame animals or birds ~~for which the Commission has established an open season,~~ legally taken under a valid hunting, trapping, fishing, ~~or falconry~~ falconry, or collection license may be possessed on and removed from game lands.
- (2) Possession and removal of all other wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, and plant materials ~~materials, or other materials~~ is subject to the rules of the Commission and is at the discretion of the landowner, except where the landowner has ceded authority to the Commission. When the landowner has ceded authority to the Commission, the permissions and restrictions in Paragraph (b) of this Rule apply.

~~(d) Any individual who has written permission, or a hunting, trapping, fishing or falconry license required in order to possess or remove wildlife resources, fungi, invertebrates, eggs, nests, animals parts, plants, plant materials, or other materials from Commission lands and all other lands enrolled in the game land program shall have that written permission or license on his person. This requirement extends to any individual operating in conjunction with another's written permission.~~

(e) Except as referenced in (b)(5) of this rule, other materials may be possessed or removed from Commission lands and all other lands enrolled in the game land program with written permission from the Commission, except for archeological resources. To possess or remove archeological resources from Commission land or other lands enrolled in the game land program, an individual shall obtain and have on his or her person, written permission from the Commission and a permit issued by the Department of Natural and Cultural Resources as specified in G.S 70-12.

15A NCAC 10D .0211 BUTNER-FALLS OF NEUSE GAME LAND IN DURHAM, GRANVILLE, AND WAKE COUNTIES

(a) Six Days per Week Area

(b) ~~Antlered or antlerless deer~~ ~~Deer of either sex~~ may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.

(c) Waterfowl shall be taken only on:

- (1) the opening and closing days of the applicable waterfowl seasons;
- (2) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- (3) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.

On the posted waterfowl impoundments a special permit is required for all waterfowl hunting after November

(d) Horseback riding is prohibited.

(e) Target shooting is prohibited.

(f) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.

(g) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of Falls Lake.

(h) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals. On designated bicycle riding areas, the use of bicycles is allowed from May 15 through August 31, and on Sundays only from September 1 through May 14.

(i) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.

(j) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited in this camping area.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
Eff. August 1, 2022.

15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY

(a) Three Days per Week Area

(b) ~~Antlered or antlerless deer~~ ~~Deer of either sex~~ may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday thereafter.

(c) Horseback riding, including all equine species, is allowed seven days per week from May 16 through August 31, and on Sundays only, September 1 through May 15. Horseback riding is allowed only on roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian use. People age 16 or older horseback riding on this game land shall possess a Game Lands license.

(d) The area encompassed by the following roads is permit-only for all quail and woodcock hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.

(e) On the posted waterfowl impoundment, waterfowl hunting is by permit only after November 1.

(f) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.

(g) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.

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

15A NCAC 10D .0239 JOHNS RIVER GAME LAND IN BURKE COUNTY

Johns River game land is hunting by permit only. The following shall apply:

- (1) During permitted deer hunts, ~~antlered or antlerless deer of either sex~~ antlered or antlerless deer may be taken by permit holders.
- (2) The construction of permanent hunting blinds is prohibited.
- (3) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas is limited is~~ restricted to August 31 through the last day of February and March 31 through May 14.
- (4) Target shooting is prohibited.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;
Eff. August 1, 2022.

15A NCAC 10D .0240 JORDAN GAME LAND IN CHATHAM, DURHAM, ORANGE, AND WAKE COUNTIES

Jordan game land is a Six Days per Week Area. The following shall apply:

- (1) Antlered or antlerless deer ~~Deer of either sex~~ may be taken on all the open days of the applicable Deer With Visible Antlers Season.
- (2) Waterfowl may be taken only on:
 - (A) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
 - (B) Thanksgiving, Christmas, and New Year's Days; and
 - (C) the opening and closing days of the applicable waterfowl seasons.
- (3) Horseback riding, including all equine species, is allowed only on those areas posted as American Tobacco Trail and other areas posted for equestrian use. Unless otherwise posted, horseback riding is permitted on posted portions of the American Tobacco Trail anytime the trail is open for use. On all other trails posted for equestrian use, horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only from September 1 through May 15. People age 16 or older shall obtain a game land license prior to engaging in horseback riding on any area other than the American Tobacco Trail.
- (4) Target shooting is prohibited.
- (5) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- (6) The use of bicycles is restricted to designated areas, except that this restriction does not apply to hunters engaged in the act of hunting during the open days of the applicable seasons for game birds and game animals.
- (7) ~~Camping and the presence of campers and tents in designated and posted Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14. The maximum period of consecutive overnight camping at any posted camping area is 14 days within any 30-day period.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305; Temporary Adoption Eff. September 1, 2022.

15A NCAC 10D .0258 PEE DEE RIVER GAME LAND IN ANSON, MONTGOMERY, RICHMOND, AND STANLY COUNTIES

(a) Pee Dee River game land is a Seven Days per Week Area. The following applies:

- (1) ~~Antlered or antlerless deer~~ ~~Deer of either sex~~ may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Friday thereafter.
- ~~(2) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North of US-74.~~
- ~~(3) (2)~~ Target shooting is prohibited.
- ~~(4) (3)~~ Horseback riding is allowed seven days per week from May 16 through August 31, and on Sundays only September 1 through May 15 only on roads opened to vehicular traffic and gated roads and trails posted for equestrian use.
- ~~(5) (4)~~ Pursuing or chasing deer or bear with dogs for the purposes of training or hunting shall be prohibited on that portion south of US-74.

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

15A NCAC 10D .0271 SANDHILLS GAME LAND IN HOKE, MOORE, RICHMOND, AND SCOTLAND COUNTIES

(a) Three Days per Week Area

(b) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from ~~October 22~~ the Wednesday on or nearest October 18 through March 31 except as follows:

- (1) Antlered or antlerless deer ~~Deer of either sex~~ may be taken with archery equipment on all the open days of the archery season through the fourth Friday before Thanksgiving Day; with blackpowder firearms and archery equipment all the open days of the blackpowder firearms season through the third Wednesday before Thanksgiving Day; and only deer with visible antlers may be taken with all legal weapons from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (2) dove may be taken all open days from the opening day of the dove season through the third Saturday thereafter;
- (3) squirrel (gray and fox) may be taken all the open days from the second Saturday before Thanksgiving Day through the Saturday following Thanksgiving Day;
- (4) rabbit may be taken all open days from the second Saturday preceding Thanksgiving Day through the Saturday following Thanksgiving Day;
- (5) waterfowl may be taken on open days during any waterfowl season;
- (6) wild animals and wild birds may be taken as part of a Disabled Sportsmen Program Permit Hunt; and
- (7) raccoon and opossum may be taken on open days from sunrise Monday on or nearest October 15 through the last day of February.

(c) The Deer With Visible Antlers season is the open hunting days from the second Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the J. Robert Gordon Field Trial Grounds.

(d) The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Antlered or antlerless deer ~~Deer of either sex~~ may be taken with archery equipment on all open hunting days during the archery season, by permit during the Deer with Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.

(e) Blackpowder firearms season is all the open days from the fourth Saturday preceding Thanksgiving Day through the Wednesday of the second week thereafter and, except on the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day through January 1. Antlered or antlerless deer ~~Deer of either sex~~ may be taken with blackpowder firearms on all open hunting days during the blackpowder firearms season and by permit during the Deer With Visible Antlers season. Only deer with visible antlers may be taken from the third Monday after Thanksgiving Day through January 1.

(f) Antler or antlerless ~~Either sex~~ deer hunting during the Deer With Visible Antlers Season is by permit only.

(g) In addition to the regular hunting days, waterfowl may be taken on the opening and closing days of the applicable waterfowl seasons.

(h) Wild turkey hunting is by permit only.

(i) Horseback riding on field trial grounds from ~~October 22~~ the Wednesday on or nearest October 18 through March 31 is prohibited unless participating in authorized field trials. Horseback riding is allowed on the remainder of the Sandhills Game Land seven days per week on roads that are open to vehicular traffic and gated roads and trails posted for equestrian use.

(j) ~~Camping and the presence of campers and tents in designated Hunter Camping Areas are limited~~ is restricted to September 1 through the last day of February and March 31 through May 14.

(k) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.

(l) Swimming is prohibited in lakes.

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

15A NCAC 10D .0269 ROCKY RUN GAME LAND IN ONSLOW COUNTY

(a) Hunting is by permit only.

(b) Target shooting shall is prohibited.

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

EXHIBIT G-1

October 20, 2022



Proposed Amendments to Wildlife Management Rules for 2023-2024 Annual Cycle Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

Trapping

1. 15A NCAC 10B .0110, .0301, .0306

Define conibear[®] and conibear[®]-type trap, box trap, and cage trap. Clarify that a weather-resistant permanent tag must be attached on Collarum[™]-type traps, snares, box traps, and cage traps, as is required for foothold and body-gripping traps. Repeal 10B .0110 and adopt 10B .0306 to keep all trapping regulations together in the Code.

Justification: These changes are necessary to reduce regulatory complexity and confusion among trappers. Requiring traps to have identifying tags will aid in enforcement. These changes will not impact furbearer populations.

15A NCAC 10B .0110 ATTENDANCE OF TRAPS (Pg. 4)

15A NCAC 10B .0301 DEFINITIONS (Pg. 12)

15A NCAC 10B .0306 ATTENDANCE AND TAGGING OF TRAPS (pg. 14)

2. 15A NCAC 10B .0303 & 10D .0102

Change the start date of the statewide regulated trapping season from November 1 to October 1.

Justification: Adding an additional month to the regulated trapping season would allow more opportunities to trap furbearers and non-game (armadillo, coyote, groundhog) species on both private lands and Game Lands. Fur can be in prime condition in October, allowing the pelt to be used. These populations are abundant and additional trapping is sustainable.

15A NCAC 10B .0303 OPEN SEASONS (Pg. 13)

15A NCAC 10D .0102 GENERAL REGULATIONS REGARDING USE (corresponding changes have been incorporated)

Deer & Elk

1. 15A NCAC 10B .0127

Require authorization from the Commission to possess or transport elk that are killed accidentally or found dead.

Justification: It is important that the Commission sample elk killed by accident or found dead for disease surveillance and population monitoring, while providing opportunity for possession by the public when appropriate. Given the size of elk, the proximity to traffic, and the possibility of elk having anesthesia drugs in their system it is generally inappropriate for the public to retrieve dead elk and possibly consume them without contacting Agency staff.

15A NCAC 10B .0127 POSSESSION OF WILDLIFE KILLED ACCIDENTALLY OR FOUND DEAD (Pg. 5)

2. 15A NCAC 10B .0203

Increase either-sex seasons on private lands in the following counties in the Western and Northwestern Zones:

- Madison county will increase from a 1-day “introductory” to a 6-day “conservative” season (opening day through 1st Sat.)
- Burke, Yancey, Mitchell, Avery, and Caldwell counties will increase from a 6-day “conservative” to a 13-day “moderate” season (opening day through 2nd Sat.)
- Polk, Rutherford, and Cleveland counties will increase from a 2-week “moderate” to a 4-week season (opening day through 4th Saturday)

Justification: The harvest objective of at least 1.0 antlered buck / square mile is being met on private lands in these counties and continued herd growth is expected. Additional antlerless harvest is sustainable and will provide hunters with additional opportunity as well as help balance the buck to doe ratio.

15A NCAC 10B .0203 DEER (WHITE-TAILED) (Pg. 7)

Quail

1. 15A NCAC 10B .0227

Allow landowners to remove raccoons, striped skunks, opossums, and armadillos throughout the entire nesting season on Wild Quail Management Areas.

Justification: Quail are a Species of Greatest Conservation Need in the NCWRC Wildlife Action Plan. Research has shown that in areas with excellent habitat, as is required for Wild Quail Management Areas, quail populations can increase by removing these nest predators throughout the nesting season. Currently, landowners on Wild Quail Management Areas are only allowed to remove nest predators during the early portion of the nesting season, with no provision to remove armadillos at that time.

15A NCAC 10B .0227 WILD QUAIL MANGEMENT AREAS (Pg. 10-11)

Alligator Control Agents

1. 15A NCAC 10H .1506

Amend Alligator Control Agent (ACA) Eligibility and Requirements rule to prohibit the use of equipment used in captive facilities or on captive alligators in ACA operations.

Justification: This change will better protect native alligators from diseases that may be unintentionally introduced by equipment or handling of captive alligators. Disease mortality can be significant, and these diseases have been documented in other states in both wild and captive alligators.

15A NCAC 10H .1506 ALLIGATOR CONTROL AGENT CERTIFICATION ELIGIBILITY AND REQUIREMENTS (Pg. 15)

Wildlife Conservation Areas

1. 15A NCAC 10J .0101

Define terms used throughout Wildlife Conservation Area rules.

Justification: Currently, rule language references terms that are defined only in Subchapter 10D where they apply only to specific subsections.

15A NCAC 10J .0101 DESIGNATION OF WILDLIFE CONSERVATION AREAS (Pg. 16)

2. 15A NCAC 10J .0102

Change the dates and areas of restricted access on portions of Wildlife Conservation Areas that are posted as Waterbird Nesting Areas from April 1 through August 31, to March 1 through September 15. Prohibit open fires on Wildlife Conservation Areas and reformat the rule for clarity.

Justification: Data from the NCWRC and partners show that disturbance to waterbirds during territory establishment, nesting, incubating, and chick-rearing occurs earlier and later than the current restricted access period. These breeding activities have been documented from late February through mid-September. Several waterbirds and herpetofauna using Wildlife Conservation Areas for nesting are state listed endangered, threatened, or special concern species; therefore, it is imperative that their populations are protected during this critical time. In addition, restricting open fires was extended to all Wildlife Conservation Areas for resource protection and safety.

15A NCAC 10J .0102 GENERAL REGULATIONS REGARDING USE OF WILDLIFE CONSERVATION AREAS (Pg. 17-18)

~~15A NCAC 10B .0110 — ATTENDANCE OF TRAPS~~

~~(a) Every trap shall be visited daily and any animal caught therein removed, except for completely submerged conibear type traps which shall be visited once every 72 hours and any animal caught therein removed.~~

~~(b) Remote trap checking systems may be used in lieu of visiting the trap, provided the system has the following features:~~

~~(1) — a control unit that monitors the trap in real time and reports trap status and unit status to a centralized application database at least once every 12 hours;~~

~~(2) — a software application that notifies the user of unit status, trap activity, and system health issues within 10 minutes of these events via email, text based messaging systems, or an in application notification; and~~

~~(3) — an on demand test procedure that is used at each deployment of a unit to confirm that the unit is placed in a location where its wireless communication can be received and processed.~~

~~(c) If the remote trap checking system control unit reports a trap closure, the trap shall be physically visited within 24 hours of the time the trap was reported closed.~~

~~(d) If a remote trap checking system control unit fails to report its status after a 12 hour period, or reports a system health issue, the trap shall be physically visited within 24 hours of the last time a status report was sent.~~

~~(e) Remote trap checking system users shall maintain records of trap status and notification alarms for at least seven days after receipt. Records shall be made available for inspection upon request by a representative of the Commission.~~

15A NCAC 10B .0127 POSSESSION OF WILDLIFE KILLED ACCIDENTALLY OR FOUND DEAD

(a) Deer killed accidentally on a road by reason of collision with a motor vehicle may be possessed and transported if authorization is obtained from the law enforcement officer who investigates the accident. Possession and transport of the deer carcass for personal and lawful use, including delivery of the carcass to a second person for his or her private use or use by a charitable organization shall be authorized.

(b) Commission employees may authorize possession and transport of deer and turkey killed accidentally or found dead.

(c) The following shall not be possessed or transported if killed accidentally or found dead unless written authorization is obtained from the Commission:

(1) black bears; and

(2) elk.

~~(c) Black bears killed accidentally or found dead shall not be possessed or transported unless a possession permit is obtained from the Commission.~~

(d) Species listed as endangered, threatened, or of special concern under 15A NCAC 10I .0103, .0104, and .0105 killed accidentally or found dead may be possessed or transported if an endangered species permit is obtained from the Commission.

(e) Raptors and migratory birds killed accidentally or found dead may be possessed and transported under federal permits obtained from the U.S. Fish and Wildlife Service.

(f) All other wildlife resources may be possessed and transported legally if killed accidentally or found dead.

(g) The sale of any wildlife resources or wildlife parts from any animal killed accidentally or found dead is prohibited, except that licensed trappers and hunters may sell the carcasses, parts, or pelt of any armadillo, beaver, coyote, groundhog, mink, muskrat, nutria, opossum, otter, raccoon, skunk, weasel or bobcat to a licensed fur dealer if the dead furbearing animal was found during the open season for that species. Licensed trappers and hunters may also sell the carcasses, parts, or pelt of any fox to a licensed fur dealer if the dead fox was found during an open fox season and the county where the fox was found allows for the sale of fox carcasses, parts, and pelts. All tagging requirements set forth in 15A NCAC 10B .0400 apply.

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

(a) Open Seasons (All Lawful Weapons) for hunting deer:

- (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, may be taken on all game lands except Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Deer With Visible Antlers seasons on these Game Lands), during the following seasons:
 - (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bladen, Brunswick, Carteret, Columbus*, Cumberland, Craven, Dare, Duplin, Harnett, Hoke, Hyde, Jones, Lenoir, Moore, New Hanover, Onslow, Pamlico, Pender, Richmond, Robeson, Sampson, Scotland, Tyrrell, and Washington counties.
*Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline.
 - (B) Saturday on or nearest October 15 through January 1 in all of Bertie, Camden, Chowan, Currituck, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Johnston, Martin, Nash, Northampton, Pasquotank, Perquimans, Pitt, Vance, Wake, Warren, Wayne, and Wilson counties.
 - (C) Saturday before Thanksgiving Day through January 1 in all of Alexander, Alleghany, Ashe, Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Polk, Rutherford, Stokes, Surry, Watauga, Wilkes, and Yadkin counties.
 - (D) Monday of Thanksgiving week through the third Saturday after Thanksgiving Day in all of Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, and Yancey counties.
 - (E) Two Saturdays before Thanksgiving Day through January 1 in all of Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg, Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union counties.
 - (F) Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in that part of Hyde county known as Lake Mattamuskeet National Wildlife Refuge; in those parts of Dare and Hyde counties known as Alligator River National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in that part of Currituck County known as the Mackay Island National Wildlife Refuge.
- (2) Antlered or Antlerless Deer. ~~Deer of Either Sex~~. Except on Game Lands, antlered or antlerless deer ~~of either sex~~ may be taken during the open seasons and in the counties and portions of counties listed in Parts (A), (B), (C), (D), (E), (F), and (G) of this Subparagraph (Refer to 15A NCAC 10D .0103 for either-sex deer seasons on Game Lands). Antlered or antlerless deer ~~Deer of either sex~~ may be taken during the open season identified in Part (H) of this Subparagraph.
 - (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service during the period from the Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in those parts of Currituck County known as the Currituck National Wildlife Refuge and the Mackay Island National Wildlife Refuge.

- (B) The open either-sex deer hunting dates established by the appropriate military commands at each of the military installations listed in this Paragraph, during the period from Saturday on or nearest October 15 through January 1 in that part of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of Craven County known and marked as Cherry Point Marine Base, in that part of Onslow County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military Reservation, and on Camp Mackall Military Reservation.
- (C) Youth ~~either-sex~~ deer hunts. First Saturday in October for youth antlered or antlerless ~~either-sex~~ deer hunting by permit only on a portion of Belews Creek Steam Station in Stokes County designated by agents of the Commission; the third Saturday in October for youth antlered or antlerless ~~either-sex~~ deer hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties; and the second Saturday in November for youth antlered or antlerless ~~either-sex~~ deer hunting by permit only on a portion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated by agents of the Commission. A youth is defined as a person under 18 years of age.
- (D) The first open Saturday of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule in all of Buncombe*, Haywood, Henderson, Madison, and Transylvania counties.
*Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280
- (E) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the first Saturday thereafter in all of ~~Avery, Burke, Caldwell, Madison and McDowell~~ McDowell, Mitchell, and Yancey counties.
- (F) The first open day of the Deer ~~with~~ With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the second ~~Friday~~ Saturday thereafter in all of ~~Cleveland, Polk, and Rutherford~~ Avery, Burke, Caldwell, Madison, Mitchell, and Yancy counties.
- (G) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule through the fourth Friday thereafter in all of Cleveland, Polk, and Rutherford counties.
- ~~(G)~~(H) All the open days of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and Gaston counties and in the following parts of counties: Buncombe: That part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280; and Henderson: That part east of NC 191 and north and west of NC 280.
- ~~(H)~~(I) The fourth Saturday in September in all counties, subject to the following restriction: only persons under the age of 18 years may hunt.

(b) Open Seasons (Archery) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer may be taken with archery equipment during the following seasons:
 - (A) Saturday on or nearest September 10 through the day immediately preceding the first open day of the Blackpowder Firearms and Archery Seasons described in Subparagraph (c)(1) of this Rule; and the Sunday immediately following the closing of blackpowder firearms and archery season identified in Part (c)(1)(B) of this Rule to the Sunday before Thanksgiving in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Archery seasons on these Game Lands).

- (B) Sunday immediately following the closing of the open season for Deer With Visible Antlers through January 1 in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.
- (2) Restrictions
- (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs may not be used for hunting deer during the archery season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
 - (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer may be used during the archery deer hunting season.
 - (C) Antlered or antlerless deer ~~Deer of either sex~~ may be taken during archery seasons specified by Part (b)(1)(A) of this Rule.
 - (D) Only deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, shall be taken during the archery season specified by Part (b)(1)(B) of this Rule.
- (c) Open Seasons (Blackpowder Firearms and Archery) for hunting deer:
- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be taken only with blackpowder firearms and archery equipment during the following seasons:
 - (A) Two Saturdays preceding the first day of the Deer with Visible Antlers seasons described in Parts (a)(1)(A), (B), (C), (E), and (F) of this Rule through the second Friday thereafter except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Blackpowder Firearms and Archery seasons on these Game Lands):
 - (B) Monday on or nearest October 1 through the second Saturday thereafter in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.
 - (2) Restrictions
 - (A) Antlered or antlerless deer ~~Deer of either sex~~ may be taken during blackpowder firearms and archery season in any county or county part set forth in Part (a)(2)(G) of this Rule that has either-sex days for all lawful weapons and in the following counties: Polk, Rutherford, McDowell, Burke, Caldwell, and Cleveland. Antlered or antlerless deer ~~Deer of either sex~~ may be taken on the first Saturday day of this season only in all other counties.
 - (B) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the blackpowder firearms and archery seasons, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
 - (3) As used in this Rule, "blackpowder firearms" means Any firearm - including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system - manufactured in or before 1898, that cannot use fixed ammunition; any replica of this type of firearm if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that is designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the muzzle, cylinder, or breech and that cannot use fixed ammunition.
- (d) Open Season (Urban Season) for hunting deer:
- (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, antlered or antlerless deer ~~of either sex~~ may be taken with bow and arrow in participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday following January 1 through the sixth Sunday thereafter. Deer shall not be taken on any game land or part thereof that occurs within a city boundary.

- (2) Participation. Cities that intend to participate in the urban season shall send a letter to that effect no later than April 1 of the year prior to the start of the urban season to the Executive Director or his designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1700. Cities shall also submit a map of the city's boundaries within which the urban season shall apply.
- (3) Restrictions:
 - (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the urban season, except a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with G.S. 113-291.1(k).
 - (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer shall be used during the urban season.

(e) Bag limits. The possession and season limit is six deer, two of which may be deer with visible antlers and four of which may be antlerless deer. Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from spikes protruding through the skin. In addition to the bag limits described above, a hunter may obtain multiple bonus antlerless deer harvest report cards from the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional antlerless deer per card for deer harvested during the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities, except on State-owned game lands. Antlerless deer harvested and reported on the bonus antlerless harvest report card shall not count as part of the possession and season limit. The bag limits described above do not apply to deer harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e) for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license. Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested under this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported as instructed on the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with DMAP tags may only be harvested during the regularly established deer seasons subject to all the restrictions of those seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report card.

15A NCAC 10B .0227 WILD QUAIL MANGEMENT AREAS

(a) A "Wild Quail Management Area" shall be land maintained to enhance enjoyment of sportsmen and support wild bobwhite quail conservation under signed agreement between the landowner(s) and the Wildlife Resources Commission.

(b) The following qualifications shall apply to all Wild Quail Management Areas:

- (1) At least 500 acres of contiguous land; and
- (2) A minimum of 225 acres or 15 percent of the land, whichever is greater, shall be maintained in year-round bobwhite quail habitat.

(c) Wild bobwhite quail habitat shall be any early successional habitat dominated by herbaceous vegetation or shrub cover consisting of a mixture of young saplings, shrubs, forbs, and woody plants typically less than ten feet tall with scattered open patches of grasses, wildflowers, and vines. Forest stands shall have a basal area no greater than 60 square feet per acre. Land managed and maintained primarily for human uses such as large lawns, golf courses, sod-forming pastures, production agriculture fields, monoculture hayfields, solar energy, or production timber stands shall not qualify as early successional habitat.

(d) Landowners interested in establishing a Wild Quail Management Area shall contact the Commission as described on the Commission's website at www.ncwildlife.org.

(e) The signed agreement between the landowner(s) and the Commission shall include:

- (1) a list of all owners of land included in the Wild Quail Management Area;
- (2) county parcel identification information for each parcel to be included in the Wild Quail Management Area;
- (3) a scaled map of the Wild Quail Management Area with the areas to be maintained in year-round bobwhite quail habitat identified;
- (4) management practices to be used to maintain bobwhite quail habitat and populations; and
- (5) any reporting requirements in addition to the minimum requirements in Subparagraph (g)(6) of this Rule that are specific to the individual Wild Quail Management Area.

(f) Property inspection:

- (1) All potential properties shall be inspected by a representative of the Commission prior to acceptance into the program to determine that the proposed land and habitat will qualify to become a Wild Quail Management Area; and
- (2) Wild Quail Management Areas shall be inspected by a representative of the Commission at least once every five years to determine that the requirements of the signed agreement and this rule are being met.

(g) The following shall apply to all Wild Quail Management Areas:

- (1) No domestically raised upland game birds shall be released on Wild Quail Management Areas.
- (2) The hunting of wild bobwhite quail shall only be permitted during the established seasons in 15A NCAC 10B .0208.
- (3) Supplemental feeding, if conducted, shall be for the primary purpose of ensuring that wild bobwhite quail populations remain stable during droughts or other periods of stressful environmental conditions. Supplemental feed shall:
 - (A) be broadcast into quail habitat along a minimum linear distance of at least one mile per 100 acres of habitat at a rate of three bushels per mile;
 - (B) be broadcast on a bi-weekly schedule during at least five months each year
 - (C) be broadcast using a non-stationary spreader;
 - (D) be only natural grains or seed; and
 - (E) not be placed to attract birds for the purpose of hunting.
- (4) Except for wild bobwhite quail on Wild Quail Management Areas, no wild birds shall be taken near or with the aid of supplemental feed.
- (5) Outside of the trapping season established in 15A NCAC 10B .0303, trapping ~~Trapping~~ for raccoon, striped skunk, armadillo, and opossum on Wild Quail Management Areas for the purpose of nest

predator control shall only be allowed ~~from the end of the established trapping season in 15A NCAC 10B .0303 through May 31. Enclosed~~ using enclosed foot-hold traps with a one-way trigger or cage traps ~~may be used, and trapped~~ traps. Trapped raccoons, striped skunks, armadillos, and opossums may be euthanized or released at the trap site.

- (6) An annual report for the period of June 1 through May 31 shall be submitted to the Commission within 30 days of the end of the reporting period, and shall include the following:
- (A) number of days and hours wild bobwhite quail were hunted;
 - (B) total annual harvest of wild bobwhite quail;
 - (C) total number of coveys flushed;
 - (D) supplemental feeding activities;
 - (E) number of trap nights, number of animals trapped and their disposition or release, by species, for trapping activity conducted during trapping seasons established by 15A NCAC 10B .0303; and
 - (F) number of trap nights, number of animals trapped and their disposition or release, by species, for trapping activity conducted outside of trapping seasons established by 15A NCAC 10B .0303.

15A NCAC 10B .0301 DEFINITIONS

As used in this Section, the following definitions apply:

- (1) “Box trap” and “cage trap” are any device designed in such a manner that the animal enters the trap through a door that closes and is meant to prevent the animal from exiting.
- ~~(1)~~(2) "Breakaway device" means any device incorporated into a snare or snare component that allows the loop to break open, and an animal to escape completely free of the snare, when a specified amount of force is applied.
- ~~(2)~~(3) "Collarum™-type trap" means any power-activated snare that is activated when the trigger is pulled and that is designed to capture and restrain the animal by a cable around the neck.
- (4) “Conibear®”, “conibear®-type”, and “bodygrip” traps are designed to catch an animal in a body hold resulting in a quick kill.
- ~~(3)~~(5) "Leghold" and "foothold" mean any trap designed to hold an animal by the foot.
- ~~(4)~~(6) "Loop stop" means a device that is attached to the snare cable to prevent the loop from closing beyond a specified point.
- ~~(5)~~(7) "Power-activated" means a snare on which the speed or direction of the loop closure is initiated or augmented by some type of powering device like a spring.
- ~~(6)~~(8) "Relaxing lock" means a snare lock that allows the snare loop to release constriction pressure on the captured animal when the cable is not taut.
- ~~(7)~~(9) "Snare" means any cable restraining device.
- ~~(8)~~(10) "Steel-jaw" means any leghold or foothold trap in which the jaw(s) are made of metal.

15A NCAC 10B .0303 OPEN SEASONS

(a) ~~General.~~ The open season for the taking by trapping of fur-bearing animals as those animals are defined in G.S. 113-129(7a), as well as the taking by trapping of coyotes, armadillos, and groundhogs, shall be ~~November~~ October 1 through the last day of February, subject to the following:

- (1) trapping coyotes shall also be allowed during local fox trapping seasons and in accordance with methods described by local law in counties that have established fox trapping seasons by law outside the regular trapping season described in Paragraph (a); and
 - (2) nutria may be trapped east of I-77 at any time.
- (b) Feral Swine. There is no closed season for trapping feral swine, subject to the following restrictions:
- (1) in addition to a hunting or trapping license, a permit issued by the Wildlife Resources Commission is required to trap feral swine. Individuals exempted from license requirements under the provisions specified in G.S. 113-276 may trap feral swine without a hunting or trapping license, but must acquire the permit;
 - (2) feral swine may be live-trapped using only corral or box traps. Corral and box traps must be constructed in a manner such that a non-target animal can be released or can escape without harm. The permit number must be displayed on all traps; and
 - (3) feral swine must be euthanized while in the trap and may not be removed alive from any trap.

~~Note: See 15A NCAC 10D .0102(f) for other trapping restrictions on game lands.~~

15A NCAC 10B .0306 ATTENDANCE AND TAGGING OF TRAPS

(a) Every trap shall be visited daily and any animal caught therein removed, except for completely submerged conibear type traps which shall be visited once every 72 hours and any animal caught therein removed.

(b) Steel-jaw, leghold, conibear®, conibear®-type traps, Collarum™-type traps, snares, box traps, and cage traps must have a weather-resistant permanent tag attached legibly giving the trapper's name and address or the trapper's trapper identification number provided by the Wildlife Resources Commission and the Wildlife Resources Commission's telephone number to report wildlife violations. Box traps for rabbits must have a weather-resistant permanent tag attached legibly giving the hunter's name and address or the hunter's Wildlife Resources Commission customer number and the Wildlife Resources Commission's telephone number to report wildlife violations.

(c) Remote trap checking systems may be used in lieu of visiting the trap, provided the system has the following features:

- (1) a control unit that monitors the trap in real-time and reports trap status and unit status to a centralized application database at least once every 12 hours;
- (2) a software application that notifies the user of unit status, trap activity, and system health issues within 10 minutes of these events via email, text-based messaging systems, or an in-application notification; and
- (3) an on-demand test procedure that is used at each deployment of a unit to confirm that the unit is placed in a location where its wireless communication can be received and processed.

(d) If the remote trap checking system control unit reports a trap closure, the trap shall be physically visited within 24 hours of the time the trap was reported closed.

(e) If a remote trap checking system control unit fails to report its status after a 12-hour period, or reports a system health issue, the trap shall be physically visited within 24 hours of the last time a status report was sent.

(f) Remote trap checking system users shall maintain records of trap status and notification alarms for at least seven days after receipt. Records shall be made available for inspection upon request by a representative of the Commission.

15A NCAC 10H .1506 ALLIGATOR CONTROL AGENT CERTIFICATION ELIGIBILITY AND REQUIREMENTS

- (a) The following definitions shall apply in this Section:
- (1) "Alligator control agent" or "ACA" means a licensed Wildlife Control Agent that holds a current and valid alligator control agent certification issued by the Commission.
 - (2) "Alligator control agent certification" or "ACA certification" means a certification issued by the Commission that authorizes a Wildlife Control Agent to engage in alligator damage control or alligator removal activities by means of a Commission-issued depredation permit.
- (b) It shall be unlawful to engage in alligator damage control or alligator removal activities for compensation without first obtaining an alligator control agent (ACA) certification from the Commission.
- (c) Only individuals with a valid WCA license shall be eligible for ACA certification.
- (d) WCAs meeting the following requirements shall qualify for ACA certification:
- (1) completion of a Commission-approved ACA training course that reviews the following:
 - (A) alligator rules;
 - (B) procedures for alligator data collection activities; and
 - (C) safe, humane alligator capture, handling, and transporting techniques.
 - (2) a passing score on the ACA written examination as specified in Paragraph ~~(d)~~(f) of this Rule.
 - (3) demonstration to the Commission of necessary equipment to safely and humanely capture and relocate alligators, including ropes, cables, snares, poles, passive integrated transponder (PIT) tag reader, and an alligator transport device.
- (e) WCAs may register for a Commission-approved ACA training course at www.ncwildlife.org/wca
- (f) WCAs scoring at least an 80 percent on the ACA examination provided by the Commission shall be deemed to have received a passing score. WCAs failing to obtain a passing score on the examination shall receive one opportunity to re-take the examination and receive a passing score without being required to retake the ACA training course.
- (g) An ACA certification shall not be transferable between individuals.
- (h) All equipment used in captive facilitates or on captive alligators shall not be used for ACA operations.

15A NCAC 10J .0101 DESIGNATION OF WILDLIFE CONSERVATION AREAS

~~For the purposes of these regulations, wildlife conservation areas are defined as any lands owned, leased, controlled, or cooperatively managed by the Wildlife Resources Commission primarily for the conservation of nongame wildlife resources including those areas designated and posted as Wildlife Conservation Areas and those designated and posted as Colonial Waterbird Nesting Areas.~~

(a) For purposes of this Subchapter, the following definitions shall apply:

- (1) "Wildlife Conservation Area" means any lands owned, leased, controlled, or cooperatively managed by the Wildlife Resources Commission primarily for the conservation of nongame wildlife resources including those areas designated and posted as Wildlife Conservation Areas and those designated and posted as Waterbird Nesting Areas.
- (2) "Other materials" means: all metals, minerals, rocks, soil, organic debris, buildings, fences, archeological resources as defined in G.S. 70-12, and water.

(b) The Wildlife Resources Commission has identified and posted the following areas on Wildlife Conservation Areas that have additional restrictions on entry or usage:

- (1) On portions of Wildlife Conservation Areas posted as "Safety Zones" hunting is prohibited. No person shall hunt or discharge a firearm or archery equipment as defined in 15A NCAC 10B .0116 within, into, or across a posted safety zone on any Wildlife Conservation Area. Falconry is exempt from this provision.
- (2) Portions of Wildlife Conservation Areas posted as "Restricted Zones" are closed to all use by the public, and entry upon such an area for any purpose is prohibited without first having obtained written approval of such entry or use from the Wildlife Resources Commission. Entry shall be authorized only when such entry will not compromise the primary purpose for establishing the Restricted Zone and the person or persons requesting entry are able to demonstrate a valid need or such person is a contractor or agent of the Commission conducting official business. Valid needs may include access to private property, scientific investigations, surveys, or other activities in the public interest.

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

~~(a) Trespass.~~ Entry on areas posted as Wildlife Conservation Areas for purposes other than wildlife observation, hunting, trapping or fishing shall be as authorized by the landowner. ~~On those areas designated and posted as Colonial Waterbird Nesting Areas, entry is prohibited during the period of April 1 through August 31 of each year, except by written permission of the landowner. Entry into Colonial Waterbird Nesting Areas during the period of September 1 through March 31 is as authorized by the landowner.~~

(b) Entry is prohibited above the high tide waterline from March 1 through September 15 of each year on areas designated and posted as Waterbird Nesting Areas.

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

~~(e)(d) Use and possession of weapons.~~ No person shall discharge:

- (1) any weapon from a vehicle;
- (2) any weapon within 200 yards of any building or designated camping areas;
- (3) any weapons within, into, or across a posted "safety zone;" or
- (4) ~~a firearm~~ any weapons within, into, or across a posted "restricted zone."

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting waterfowl on any area designated as a ~~wildlife conservation area~~, Wildlife Conservation Area, except shotgun shells containing lead buckshot may be used while deer hunting. ~~Every individual carrying a concealed handgun must adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina.~~

~~(d)(e) License Requirements.~~ All applicable hunting, trapping, and fishing license requirements shall apply on Wildlife Conservation Areas.

~~(1) — Hunting and Trapping:~~

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

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

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

~~(e)(f) Training Dogs.~~ Dogs shall not be trained on designated wildlife conservation areas during open hunting seasons for game animals or game birds thereon. Dogs are ~~shall not allowed to enter any wildlife conservation area~~ Wildlife Conservation Area designated and posted as a ~~colonial waterbird nesting area~~ Waterbird Nesting Area ~~during the period of April from March 1 through August 31.~~ September 15 above the high tide waterline.

~~(f)(g) Trapping.~~ Subject to the restrictions contained in 15A NCAC 10B .0140, .0302, and .0303, and .0306 trapping of fur-bearing animals is permitted on any area designated and posted as a ~~wildlife conservation area~~ Wildlife Conservation Area during the applicable open seasons, except that trapping is prohibited:

- (1) on the Nona Pitt Hinson Cohen Wildlife Conservation Area in Richmond County; and
- (2) in posted "safety zones" located on any Wildlife Conservation Area.

(h) The following is prohibited on areas designated as Wildlife Conservation Areas or on their waters:

- (1) driving a motorized vehicle on any area posted against vehicular traffic;

- (2) camping, unless designated by the landowner. On the coastal islands designated Wildlife Conservation Areas, camping is allowed except on those areas designated and posted as Waterbird Nesting Areas;
- (3) swimming, except for the waters adjacent to coastal island Wildlife Conservation Areas;
- (4) operating a vessel powered by internal combustion engine; and
- (5) operating motorized land vehicles not licensed for highway use. Persons who have obtained a permit issued pursuant to G.S. 113-297 are exempt from this Rule but shall comply with permit conditions;
- (6) open fires.

~~(g) Vehicular Traffic. No person shall drive a motorized vehicle on a road, trail or area posted against vehicular traffic or other than on roads maintained for vehicular use on any designated wildlife conservation area.~~

~~(h) Camping. No person shall camp on any designated wildlife conservation area except on an area designated by the landowner for camping. On the coastal islands designated wildlife conservation areas, camping is allowed except on those areas designated and posted as Colonial Waterbird Nesting Areas.~~

~~(i) Swimming. No person shall swim in the waters located on designated wildlife conservation areas, except that a person may swim in waters adjacent to coastal island wildlife conservation areas.~~

~~(j) Motorboats. No person shall operate any vessel powered by an internal combustion engine on the waters located on designated wildlife conservation areas.~~

~~(k) Non Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use on Wildlife Conservation Areas. Persons who have obtained a permit issued pursuant to G.S. 113-297 are exempt from this Rule but shall comply with permit conditions.~~

~~(l) It is unlawful to possess or consume any type of alcoholic beverage on public use areas of the Nona Pitt Hinson Cohen Wildlife Conservation Area.~~

~~(m)(i) It is unlawful to release animals or birds; domesticated animals, except hunting dogs and raptors where otherwise permitted for hunting or training purposes; and feral animals on conservation areas without prior written authorization of the Wildlife Resources Commission. Releasing animals or birds, domesticated animals, and feral animals on Wildlife Conservation Areas is prohibited except for:~~

- ~~(1) hunting dogs and raptors when permitted for hunting and training purposes; or~~
- ~~(2) with prior written authorization of the Wildlife Resources Commission.~~

~~(n)(j) Possession and removal. No living or dead nongame wildlife, fungi, invertebrates, eggs, nests, animal parts, plants, plant materials, or other materials may be possessed on or removed from ~~conservation~~ Wildlife Conservation Areas without written permission from the ~~Commission.~~ Commission as specified in 15A NCAC 10J .0101. For purposes of this Rule, "other materials" includes all metals, minerals, rocks, soil, organic debris, buildings, fences, historic artifacts and water. Minimal amounts of animal parts, plant parts not removed from live plants, and other materials may be collected by hand and removed from Commission lands without written permission, except in violation of rules, general statutes, or federal law. Collection of animal parts, and plant parts not removed from live plants for commercial use or sale is prohibited. For purposes of this Subparagraph, "minimal amounts," are quantities that fit within a cubic foot of space, except for firewood to be used at posted camping areas. Minimal amounts of firewood are quantities sufficient to build and maintain a fire for the duration of the Wildlife Conservation Area user's stay at the campground.~~

EXHIBIT G-2
October 20, 2022



Fiscal Note for Proposed Wildlife Management Rules and Rule Amendments

Rule Amendments: 15A NCAC 10B .0110 Attendance of Traps
15A NCAC 10B .0127 Possession of Wildlife Killed Accidentally or Found Dead
15A NCAC 10B .0203 Deer (White-Tailed)
15A NCAC 10B .0227 Wild Quail Management Areas
15A NCAC 10B .0301 Definitions
15A NCAC 10B .0303 Open Seasons
15A NCAC 10B .0306 Attendance and Tagging of Traps
15A NCAC 10H .1506 Alligator Control Agent Certification Eligibility and Requirements
15A NCAC 10J .0101 Designation of Wildlife Conservation Areas
15A NCAC 10J .0102 General Regulations Regarding Use of Conservation Areas

Agency Contact: Ashley Pekrul
Regulatory Analyst
NC Wildlife Resources Commission
1751 Varsity Drive, Raleigh, NC
919-707-0011
ashley.pekrul@ncwildlife.org

Impact: State Government: Yes
Local Government: No
Private Impact: Yes
Substantial Economic Impact: No

Authority: G.S. 113-134; 113-270; 113-272; 113-273; 113-274; 113-276; 113-291; 113-292; 113-333

BACKGROUND

The wildlife resources of the State belong to the people of the State, including the enjoyment of these resources (G.S. 113-131(a)). The Wildlife Resources Commission (hereinafter WRC or Commission) is tasked with the conservation of wildlife resources of the State (G.S. 143-239). This responsibility includes managing as equitably as possible the various competing interests regarding these resources, including the use and take of such resources (G.S. 113-131.1(a)). The statutes governing wildlife resources are found in Chapter 113, Subchapter IV of the General Statutes, and WRC has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134). In accordance with the supply of wildlife and other factors it determines to be of public importance, the WRC may fix seasons and bag limits upon the wild animals and

wild birds authorized to be taken that it deems necessary or desirable in the interests of the conservation of wildlife resources (G.S. 113.291.2(a)).

A summary of the proposed rule amendments with anticipated impacts is shown below. Proposed rule text is included in Appendix A.

PROPOSED RULE CHANGES

15A NCAC 10B .0110 ATTENDANCE OF TRAPS

15A NCAC 10B .0301 DEFINITIONS

15A NCAC 10B .0306 ATTENDANCE AND TAGGING OF TRAPS

10B .0110 is proposed for repeal and 10B .0306 is a proposed new rule to include what was formally in .0110. The reason for doing this is to keep all trapping related regulations in Section 10B .0300.

The new 10B .0306 is proposed to clarify that a weather-resistant permanent tag must be attached on Collarum™-type traps, snares, box traps, and cage traps, as it is already required for foothold and body-gripping traps per GS 113-291.6.

This proposed rule amendment to 10B .0301 adds definitions for conibear® and conibear®-type trap, box trap, and cage trap.

Trap-tags: Tagging of traps to identify the person that set the trap has been required for several trap-types in North Carolina. Since the 1970's, GS 113-291.6 requires that any "steel-jaw, leghold, or conibear traps" must have a weather-resistant permanent tag attached to the trap identifying the trapper. NCAC 10B .0303 (Open Seasons) requires that box and corral traps for feral swine must have a permit number displayed on the trap to identify the permitted person authorized to set the traps. Approved changes to 10B .0119 (Wildlife Collectors) regarding trapping of snapping turtles now require that traps have a water-proof trap tag with the licensee's name, WRC customer number, or wildlife collection license number. Requiring a trap to have an identifying tag attached aids in enforcement investigations, such as determining if a trap found on a property was set legally (e.g., trapper had written permission), as well as identifying the owner of stolen traps. However, due to the authority of trapping for game, fur-bearing animals, and non-game species being set both state law and NCAC, it is unclear if trap tags are needed for Collarum™-type traps, snares, box traps, and cage traps. This proposed rule will clarify that these trap-types need to have a tag identifying the trapper, reduce regulatory complexity, and create consistency among what is required in state law as well as NCAC regarding the tagging of traps.

Defining additional trap-types: With the proposed rule change in trap attendance, as well as the need to clarify the requirement for trap tags, there is a need to define additional trap-types and trapping systems. This would also be consistent with the Commission's efforts to reduce complexity and confusion by defining trap-types in rule (NCAC 10B .0301).

The NC Trappers Association supports these changes.

Impacts & Benefits

State Impact

Benefits

Requiring individuals to provide trap tags on all traps will assist the Commission in knowing whose trap belongs to who if a member of the public or Commission happens to come across it on their property or in public and wants to know who it belongs to. This streamlines the process of identifying who the trap belongs to and could save law enforcement time. However, the Commission does not receive many of these requests and are unable to quantify that time savings.

Local Impact

This amendment is anticipated to have no local government impact.

Private Impact

Requiring trap tags on all traps will have little, if any, fiscal impacts on trappers, as most are already applying trap tags to all their traps. This rule is clarifying what is already common practice. Trap tags are sold in bulk quantities of 50 tags up to 1000 tags, with the average cost per tag being \$0.30 to \$0.36). Most users have a supply of unused trap tags they would use to comply with this rule. The Commission has no way of knowing how many people would need to purchase new tags for this rule change, but it is likely to be a very small number of people.

15A NCAC 10B .0127 POSSESSION OF WILDLIFE KILLED ACCIDENTALLY OR FOUND DEAD

The proposed amendment would include elk under wildlife that cannot be possessed when accidentally killed or found dead.

The Commission estimates there are between 150 and 200 elk residing in North Carolina. With so few elk in North Carolina, it is especially important that the Commission be able to utilize dead elk for disease surveillance and population monitoring, in addition to allowing possession by the public when appropriate. Given the size of elk, the proximity to traffic, and the possibility of elk having anesthesia drugs in their system from previous scientific data collection, it is generally inappropriate and potentially unsafe for the public to retrieve dead elk and possibly consume them.

Impacts & Benefits

State Impact

Benefits

With the outbreak of Chronic Wasting Disease (CWD), it is important that the Commission be

able to test and monitor any elk killed accidentally or found dead to track the spread of CWD. Allowing the Commission to decide when members of the public can take an elk killed accidentally or found dead provides flexibility to Commission staff if necessary. It is unknown how many elk are killed accidentally or found dead and thus the Commission cannot predict how many people or elk this change may affect.

Local Impact

This amendment is anticipated to have no local government impact.

Private Impact

This amendment is anticipated to have little to no private impact as the Commission is unaware of instances where members of the public were taking elk killed accidentally or found dead.

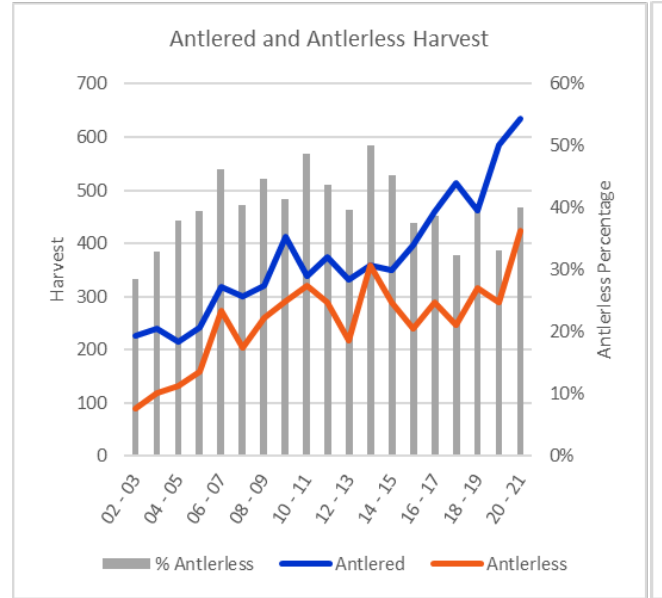
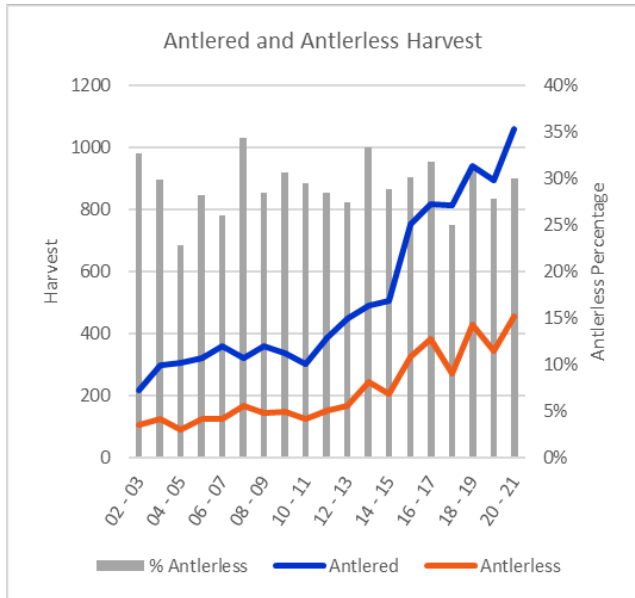
15A NCAC 10B .0203 DEER (WHITE-TAILED)

The proposed amendment would increase either-sex seasons in the following counties in the Western and Northwestern Zones:

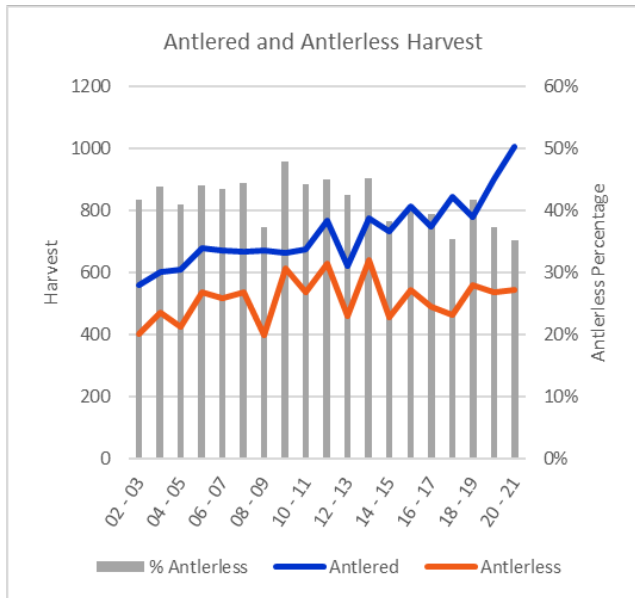
- Madison county will increase from a 1-day “introductory” to a 6-day “conservative” season (opening day through 1st Sat.)
- Burke, Yancey, Mitchell, Avery, and Caldwell counties will increase from a 6-day “conservative” to a 13-day “moderate” season (opening day through 2nd Sat.)
- Polk, Rutherford, and Cleveland counties will increase from a 2-week “moderate” to a 4-week season (opening day through 4th Saturday)

The biological harvest objective of at least one antlered buck/square mile is being met on private lands in these counties and harvest trends indicate continued growth of deer herds in these areas as seen in the graphs below. Additional antlerless harvest is sustainable and will provide hunters with additional opportunity as well as help balance the buck to doe ratio.

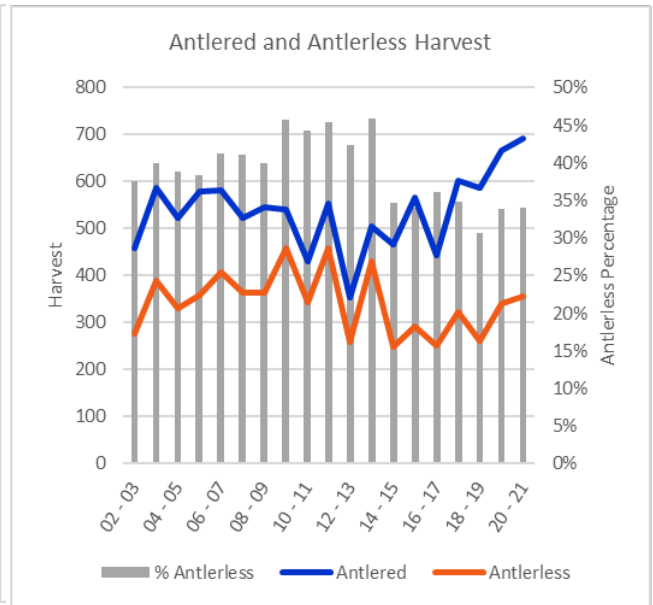
Reported antlerless and antlered harvest from 2002-2021.



Madison County (1-day to 1-week)

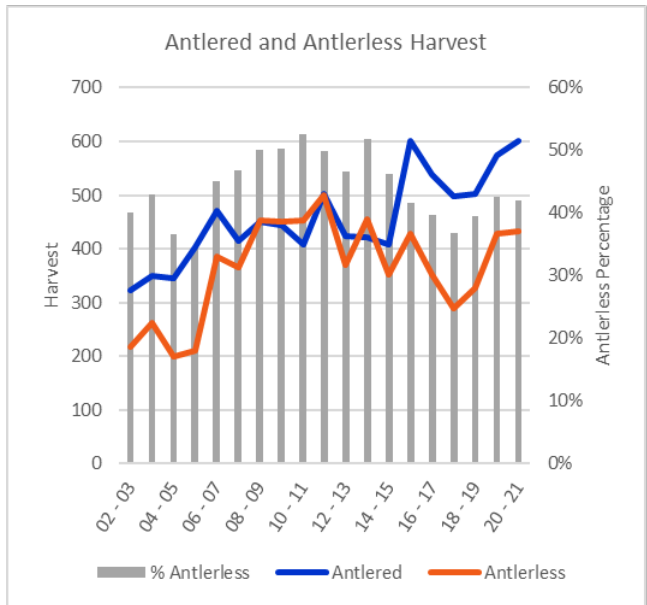


Avery County (1-week to 2-week)

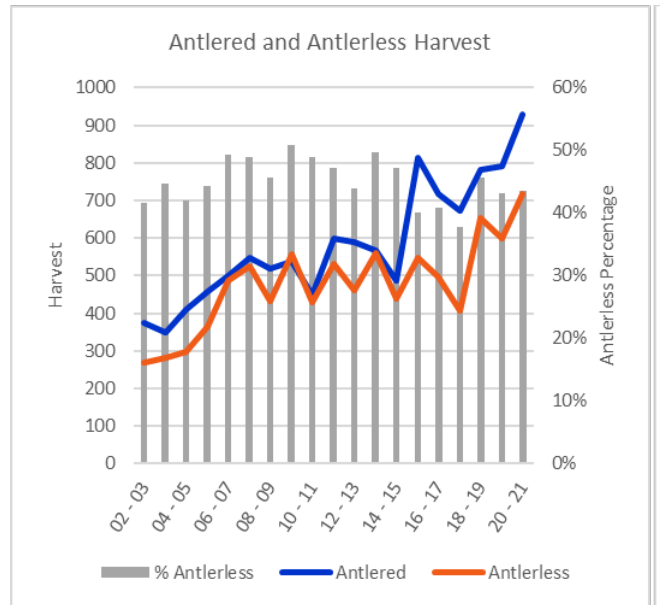


Burke County (1-week to 2-week):

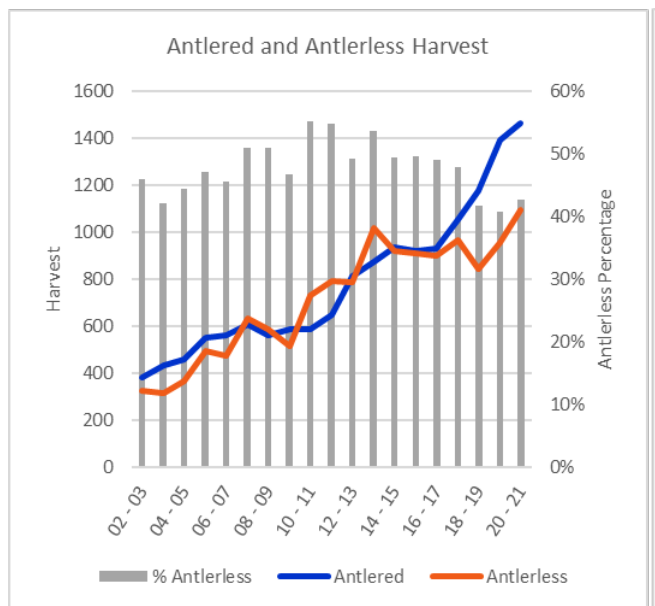
Caldwell County (1-week to 2-week):



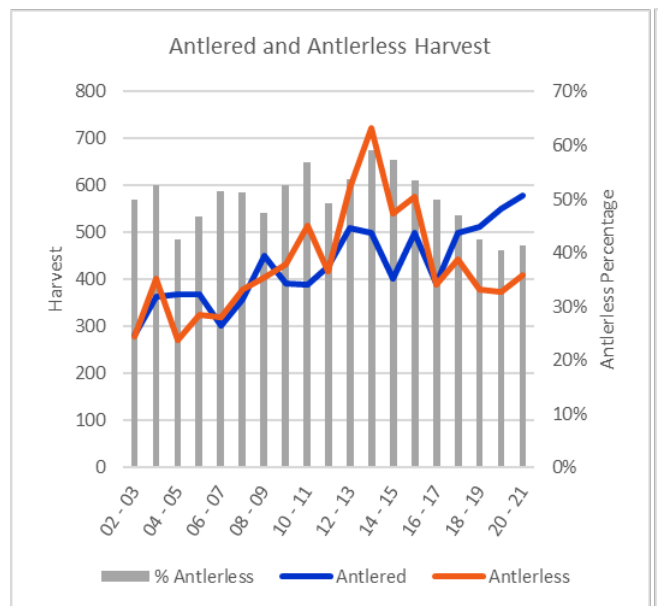
Mitchell County (1-week to 2-week)



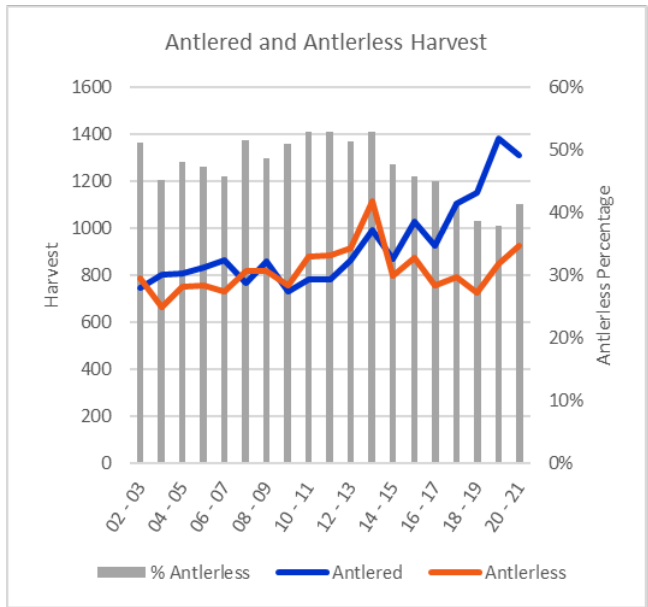
Yancey County (1-week to 2-week)



Cleveland County (2-week to 4-week)



Polk County (2-week to 4-week)



Rutherford County (2-week to 4-week)

Impacts & Benefits

State Impact

Additional antlerless harvest supports a sustainable population of deer in these counties and maintains harvest objectives set out by the Commission.

Local Impact

This amendment is anticipated to have no local government impact.

Private Impact

Benefits

Additional antlerless harvest would provide hunters with additional opportunity to take deer of either sex. This may lead to additional harvest, which may in turn positively affect taxidermists and deer processors. However, the Commission has no way to estimate how many hunters will take advantage of this opportunity now or in the future, or what the harvest outcomes will be. Thus, the agency has no means to quantify this benefit.

15A NCAC 10B .0227 WILD QUAIL MANAGEMENT AREAS

Proposed changes to the wild quail management areas would allow landowners to remove raccoons, striped skunks, opossums, and armadillos throughout the entire nesting season on Wildlife Quail Management Areas.

Quail are a Species of Greatest Conservation Need in the NCWRC Wildlife Action Plan. Research has shown that in areas with excellent habitat, as is required for Wild Quail Management Areas, quail populations can increase by removing these nest predators throughout the nesting season. Currently, landowners on Wild Quail Management Areas are only allowed to remove nest predators during the early portion of the nesting season, with no provision to remove armadillos.

Landowners currently pursuing enrollment as a Wildlife Qual Management Area are requesting this change.

Impacts & Benefits

State Impact

Benefits

Proposed amendments to this rule allowing landowners to remove these species will protect nests of wild quail on Quail Management Areas. These actions have been scientifically proven to increase nest success and thus quail populations on lands that have exemplary habitat as outlined in the requirements for Wild Quail Management Areas. The Commission has no way to know how many nests will be protected by this change.

Local Impact

The amendments are not anticipated to have local government impacts.

Private Impact

Allowing landowners to remove these species will protect nests of wild quail on these Quail Management Areas and lead to higher populations of birds on their land.

Costs

If individuals choose to remove these species through trapping, they may incur a small cost of trapping and removal fees but the cost varies greatly and many areas enrolled in the WQMA already pay full time employees to conduct these and other management activities. The Commission has no way to quantify this cost.

15A NCAC 10B .0303 OPEN SEASONS

The proposed amendment would change the start date of the statewide regulated trapping season from November 1 to October 1.

Adding an additional month to the regulated trapping season would allow more opportunities to trap furbearers and non-game (armadillo, coyote, groundhog) species on both private and game lands. These populations are abundant and, based on discussions with licensed fur dealers, fur can be prime in October (e.g., canids), allowing the pelt to be utilized. Conversely, in March, pelts often cannot be utilized, as they are heavily rubbed and damaged from territorial and

breeding behavior that occur from late January through March.

The NC Trappers Association (NCTA) supports this proposed rule as do trappers and hunters that requested this change.

Impacts & Benefits

State Impact

Benefits

Extending the trapping season gives our licensed trappers a longer time frame to trap. This was requested by the NCTA, and both licensed trappers and hunters. Extending the season may increase trapping participation and possibly recruit new trappers as this not only extends the length of time available to legally trap but it also creates an opportunity to trap in a month that is not currently open. The Commission has no way to predict how many more people might buy trapping licenses because of this extension.

Local Impact

This rule is anticipated to have no local government impact.

Private Impact

Benefit

Extending the trapping season allows for more opportunity to trap furbearers and non-game, specifically coyotes for those licensed trappers. There are 2,758 licensed trappers in North Carolina and this extension would benefit them all. The Commission has no way to know how many of these 2,758 licensed trappers will take advantage of an extended trapping season.

Licensed fox preserve operators will benefit from this change, as it allows an additional month for live coyotes and foxes to be sold to licensed preserves. There are currently, 115 licensed fox and coyote preserve operators in the state. Trappers typically sell live coyotes and foxes to preserves at \$50/fox and \$75/coyote. The Commission has no way of knowing how many additional coyotes or foxes trappers would sell to these preserves but, they have the opportunity to make an addition \$50-75/year.

15A NCAC 10H .1506 ALLIGATOR CONTROL AGENT CERTIFICATION ELIGIBILITY AND REQUIREMENTS

This proposal amends the Alligator Control Agent (ACA) Eligibility and Requirements rule to prohibit the use of equipment used in captive facilities or on captive alligators in ACA operations.

This change will better protect native alligators from diseases that may be unintentionally introduced by equipment or handling of captive alligators. Disease mortality can be significant, and these diseases have been documented in other states in both wild and captive alligators.

Impacts & Benefits

State Impact

Benefits

Prohibiting ACAs from the use of equipment used in captive facilities or on captive alligators in ACA operations will help maintain alligator populations to maintain their current level and avoid disease.

Local Impact

This rule has no local government impact.

Private Impact

Benefits

This amendment would help anyone interested in alligator farming ensure that their stock is well protected and free of disease from cross contamination by handling. There are currently no alligator farming operations in North Carolina.

Cost

This rule does not have any costs associated.

15A NCAC 10J .0101 DESIGNATION OF WILDLIFE CONSERVATION AREAS

This proposed amendment adds the definitions of Wildlife Conservation Area, other materials, safety zone, and restricted zone.

Currently, the NCAC only defines these terms for rules in Section 10D, however these terms are also required for reference in Wildlife Conservation Areas.

Impacts & Benefits

State Impact

This rule amendment clarifies definitions that the agency uses in reference to Wildlife Conservation Areas that were not properly referenced in the NCAC before. There are no fiscal impacts associated with this change.

Local Impact

This rule is anticipated to have no local government impact.

Private Impact

This rule is anticipated to have no private impact.

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

This amendment changes the dates and areas of restricted access on portions of Wildlife Conservation Areas (WCA) that are posted as Waterbird Nesting Areas from April 1 through August 31, to March 1 through September 15. There is also a proposal to prohibit open fires on WCAs.

Data from the NCWRC and partners show that disturbance to waterbirds during territory establishment, nesting, incubating, and chick-rearing occurs earlier and later than the current restricted access period. These breeding activities have been documented from late February through mid-September. Several waterbirds and herpetofauna using WCAs for nesting are state listed endangered, threatened, or special concern species; therefore, it is imperative that their populations are protected during this critical time. In addition, restricting open fires was extended to all Wildlife Conservation Areas for resource protection and safety. Changing “firearms” to “any weapons” is proposed to maintain consistency among rules and has no anticipated effects.

Impacts & Benefits

State Impact

Benefits

Extending the time individuals and dogs are prohibited from entering the Waterbird Nesting Areas above high tide will protect the bird species on the WCA from future harm.

Prohibiting fires provides protection from inadvertent fire escapes and resource damage on these highly sensitive areas. However, the Commission does not know how many people were having campfires on these areas and cannot provide a fiscal impact for this time savings.

Costs

The Commission may have to post additional boundaries of some Wildlife Conservation Areas to show where the Waterbird Nesting Areas are. The change in signage will not require more than one day, at an estimated cost to the agency of approximately \$310.51 ($\$1.95/\text{sign} \times 25 \text{ signs} = \48.75) ($\$32.72/\text{hr staff time cost}^1 \times 8 \text{ hrs} = \261.76) ($\$261.76 + \$48.75 = 310.51$).

Local Impact

This rule is anticipated to have no local government impact.

Private Impact

Costs

Individuals who previously entered waterbird nesting areas during the time that is now

¹ Hourly staff time cost includes salary and benefits per NC OSHR Total Compensation Calculator.

prohibited will be required to view wildlife from watercraft. The Commission has no way to determine the number of wildlife viewers this will affect, but the impact is expected to be minimal.

Ecotourism operators primarily work during summer (May – August) when Waterbird Islands are already closed; therefore, fiscal impacts to these businesses will be minimal.

Individuals who previously make campfires will no longer be able to do so. The Commission is unaware of the public doing these activities in these areas currently, but a prohibition on it was never formally in place.

SUMMARY

Quantifiable Impacts

State

The following quantifiable costs are anticipated:

- Waterbird Nesting Areas
 - One-time materials and WRC staff time cost to adjust signs = \$310.51

Quantifiable Impacts

Private

The following quantifiable costs are anticipated:

- Expanding trapping season
 - Sale of coyote to preserves = \$75/coyote
 - Sale of fox to preserves = \$50/fox

The following quantifiable benefits are anticipated:

- Trap Tags
 - Cost in tags = \$0-0.036/tag

Unquantifiable Impacts

State

The following unquantifiable state benefits were identified for the proposed rule changes:

- Requiring trap tags will streamline the process of identifying who traps belong to and save law enforcement time.

- Prohibited the take of accidentally killed or found dead elk can help keep the public safe and inform the Commission about CWD.
- Allowing additional antlerless harvest helps support a sustainable population and meet harvest objectives.
- Prohibiting Alligator Control Agents from the use of equipment used in captive facilities or on captive alligators in ACA operations prevent disease from spreading across captive and wild alligators.
- Allowing landowners to trap more species in Wildlife Quail Management Areas will protect nests of wild quail.
- Increasing the trapping season may promote more people to go into trapping.
- Extending the time individuals are prohibited from entering the Waterbird Nesting Areas above high tide will protect the bird species on the WCA from future harm. Prohibiting fires and the use of alcohol may save staff time in resource management and clean up.

Private

The following unquantifiable private benefits were identified for the proposed rule changes:

- Allowing additional antlerless harvest provides hunters with additional opportunity to take deer of either sex. This may positively impact deer processors and taxidermists in the area.
- Allowing landowners to trap more species in Wildlife Quail Management Areas will lead to a higher population of birds in the areas.
- Increasing the trapping season allows for more trapping opportunity for furbearers and non-game.

The following unquantifiable private costs were identified for the proposed rule changes:

- Extending the time individuals are prohibited from entering the Waterbird Nesting Areas above high tide will prevent individuals from entering the area for a longer period of time than they are used to. It will also prevent them from engaging in creating fires or drinking alcohol if they used to before.

While most of the impacts are unquantifiable, the Commission believes that benefits to both the state and private entities outweigh the costs.

APPENDIX A

1 ~~15A NCAC 10B .0110~~ — ATTENDANCE OF TRAPS

2 ~~(a) Every trap shall be visited daily and any animal caught therein removed, except for completely submerged conibear~~
3 ~~type traps which shall be visited once every 72 hours and any animal caught therein removed.~~

4 ~~(b) Remote trap checking systems may be used in lieu of visiting the trap, provided the system has the following~~
5 ~~features:~~

6 ~~(1) a control unit that monitors the trap in real time and reports trap status and unit status to a centralized~~
7 ~~application database at least once every 12 hours;~~

8 ~~(2) a software application that notifies the user of unit status, trap activity, and system health issues~~
9 ~~within 10 minutes of these events via email, text based messaging systems, or an in application~~
10 ~~notification; and~~

11 ~~(3) an on demand test procedure that is used at each deployment of a unit to confirm that the unit is~~
12 ~~placed in a location where its wireless communication can be received and processed.~~

13 ~~(c) If the remote trap checking system control unit reports a trap closure, the trap shall be physically visited within 24~~
14 ~~hours of the time the trap was reported closed.~~

15 ~~(d) If a remote trap checking system control unit fails to report its status after a 12 hour period, or reports a system~~
16 ~~health issue, the trap shall be physically visited within 24 hours of the last time a status report was sent.~~

17 ~~(e) Remote trap checking system users shall maintain records of trap status and notification alarms for at least seven~~
18 ~~days after receipt. Records shall be made available for inspection upon request by a representative of the Commission.~~

19

20 *History Note: Authority G.S. 113-134; 113-291.6;*

21 *Eff. February 1, 1976;*

22 *Amended Eff. August 1, 2002; July 1, 1988;*

23 *Readopted Eff. August 1, 2021.*

24 *Repealed Eff. August 1, 2023.*

25

26

27

APPENDIX A

1 **15A NCAC 10B .0127 POSSESSION OF WILDLIFE KILLED ACCIDENTALLY OR FOUND DEAD**

2 (a) Deer killed accidentally on a road by reason of collision with a motor vehicle may be possessed and transported if
3 authorization is obtained from the law enforcement officer who investigates the accident. Possession and transport of
4 the deer carcass for personal and lawful use, including delivery of the carcass to a second person for his or her private
5 use or use by a charitable organization shall be authorized.

6 (b) Commission employees may authorize possession and transport of deer and turkey killed accidentally or found dead.

7 (c) The following shall not be possessed or transported if killed accidentally or found dead unless written authorization
8 is obtained from the Commission:

9 (1) black bears; and

10 (2) elk.

11 ~~(c) Black bears killed accidentally or found dead shall not be possessed or transported unless a possession permit is~~
12 ~~obtained from the Commission.~~

13 (d) Species listed as endangered, threatened, or of special concern under 15A NCAC 10I .0103, .0104, and .0105
14 killed accidentally or found dead may be possessed or transported if an endangered species permit is obtained from
15 the Commission.

16 (e) Raptors and migratory birds killed accidentally or found dead may be possessed and transported under federal
17 permits obtained from the U.S. Fish and Wildlife Service.

18 (f) All other wildlife resources may be possessed and transported legally if killed accidentally or found dead.

19 (g) The sale of any wildlife resources or wildlife parts from any animal killed accidentally or found dead is prohibited,
20 except that licensed trappers and hunters may sell the carcasses, parts, or pelt of any armadillo, beaver, coyote,
21 groundhog, mink, muskrat, nutria, opossum, otter, raccoon, skunk, weasel or bobcat to a licensed fur dealer if the dead
22 furbearing animal was found during the open season for that species. Licensed trappers and hunters may also sell the
23 carcasses, parts, or pelt of any fox to a licensed fur dealer if the dead fox was found during an open fox season and
24 the county where the fox was found allows for the sale of fox carcasses, parts, and pelts. All tagging requirements set
25 forth in 15A NCAC 10B .0400 apply.

26

27 *History Note: Authority G.S. 113-134; 113-274; 113-291.3; 113-291.4; 113-331; 113-333; 113-337;*

28 *Eff. January 1, 2013;*

29 *Readopted Eff. September 1, 2022.*

30 *Amended Eff. August 1, 2023.*

31

APPENDIX A

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

2 (a) Open Seasons (All Lawful Weapons) for hunting deer:

3 (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished
4 from knobs or buttons covered by skin or velvet, may be taken on all game lands except Buffalo
5 Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to
6 15A NCAC 10D .0103 for Deer With Visible Antlers seasons on these Game Lands), during the
7 following seasons:

8 (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bladen, Brunswick,
9 Carteret, Columbus*, Cumberland, Craven, Dare, Duplin, Harnett, Hoke, Hyde, Jones,
10 Lenoir, Moore, New Hanover, Onslow, Pamlico, Pender, Richmond, Robeson, Sampson,
11 Scotland, Tyrrell, and Washington counties.

12 *Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline.

13 (B) Saturday on or nearest October 15 through January 1 in all of Bertie, Camden, Chowan,
14 Currituck, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Johnston, Martin,
15 Nash, Northampton, Pasquotank, Perquimans, Pitt, Vance, Wake, Warren, Wayne, and
16 Wilson counties.

17 (C) Saturday before Thanksgiving Day through January 1 in all of Alexander, Alleghany, Ashe,
18 Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Polk, Rutherford, Stokes,
19 Surry, Watauga, Wilkes, and Yadkin counties.

20 (D) 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, Swain, Transylvania, and Yancey
23 counties.

24 (E) Two Saturdays before Thanksgiving Day 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 (F) 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 that part of Hyde county known as Lake Mattamuskeet National
32 Wildlife Refuge; in those parts of Dare and Hyde counties known as Alligator River
33 National Wildlife Refuge; in those parts of Anson and Richmond counties known as the
34 Pee Dee National Wildlife Refuge; and in that part of Currituck County known as the
35 Mackay Island National Wildlife Refuge.

36 (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open seasons
37 and in the counties and portions of counties listed in Parts (A), (B), (C), (D), (E), (F), and (G) of this

APPENDIX A

1 Subparagraph (Refer to 15A NCAC 10D .0103 for either-sex deer seasons on Game Lands). Deer
2 of either sex may be taken during the open season identified in Part (H) of this Subparagraph.

3 (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service
4 during the period from the Saturday on or nearest September 10 through January 1 in those
5 parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National
6 Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the
7 Pocosin Lakes National Wildlife Refuge; in those parts of Anson and Richmond counties
8 known as the Pee Dee National Wildlife Refuge; and in those parts of Currituck County
9 known as the Currituck National Wildlife Refuge and the Mackay Island National Wildlife
10 Refuge.

11 (B) The open either-sex deer hunting dates established by the appropriate military commands
12 at each of the military installations listed in this Paragraph, during the period from Saturday
13 on or nearest October 15 through January 1 in that part of Brunswick County known as the
14 Sunny Point Military Ocean Terminal, in that part of Craven County known and marked
15 as Cherry Point Marine Base, in that part of Onslow County known and marked as the
16 Camp Lejeune Marine Base, on Fort Bragg Military Reservation, and on Camp Mackall
17 Military Reservation.

18 (C) Youth either-sex deer hunts. First Saturday in October for youth either-sex deer hunting by
19 permit only on a portion of Belews Creek Steam Station in Stokes County designated by
20 agents of the Commission; the third Saturday in October for youth either-sex deer hunting
21 by permit only on Mountain Island State Forest in Lincoln and Gaston counties; and the
22 second Saturday in November for youth either-sex deer hunting by permit only on
23 apportion of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated
24 by agents of the Commission. A youth is defined as a person under 18 years of age.

25 (D) The first open Saturday of the Deer with Visible Antlers season described in Subparagraph
26 (a)(1) of this Rule in all of Buncombe*, Haywood, Henderson, Madison, and Transylvania
27 counties.

28 *Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers,
29 west of US 25, and north of NC 280

30 (E) The first open day of the Deer With Visible Antlers season described in Subparagraph
31 (a)(1) of this Rule through the first Saturday thereafter in all of ~~Avery, Burke, Caldwell,~~
32 Madison and McDowell ~~McDowell, Mitchell, and Yancey~~ counties.

33 (F) The first open day of the Deer ~~with~~ With Visible Antlers season described in Subparagraph
34 (a)(1) of this Rule through the second ~~Friday~~ Saturday thereafter in all of ~~Cleveland, Polk,~~
35 ~~and Rutherford~~ Avery, Burke, Caldwell, Madison, Mitchell, and Yancy counties.

36 (G) The first open day of the Deer With Visible Antlers season described in Subparagraph (a)(1)
37 of this Rule through the fourth Friday thereafter in all of Cleveland, Polk, and Rutherford
38 counties.

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1 ~~(G)~~(H) All the open days of the Deer With Visible Antlers season described in Subparagraph (a)(1)
2 of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and
3 Gaston counties and in the following parts of counties: Buncombe: That part east of NC
4 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC
5 280; and Henderson: That part east of NC 191 and north and west of NC 280.

6 ~~(H)~~(I) The fourth Saturday in September in all counties, subject to the following restriction: only
7 persons under the age of 18 years may hunt.

8 (b) Open Seasons (Archery) for hunting deer:

9 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag
10 limits set out in Paragraph (e) of this Rule, deer may be taken with archery equipment during the
11 following seasons:

12 (A) Saturday on or nearest September 10 through the day immediately preceding the first open
13 day of the Blackpowder Firearms and Archery Seasons described in Subparagraph (c)(1)
14 of this Rule; and the Sunday immediately following the closing of blackpowder firearms
15 and archery season identified in Part (c)(1)(B) of this Rule to the Sunday before
16 Thanksgiving in the counties and parts of counties having the open seasons for Deer With
17 Visible Antlers specified by Part (a)(1)(D) of this Rule except on Buffalo Cove, Nicholson
18 Creek, Rockfish Creek, Sandhills, and South Mountains Game Lands (Refer to 15A NCAC
19 10D .0103 for Archery seasons on these Game Lands).

20 (B) Sunday immediately following the closing of the open season for Deer With Visible
21 Antlers through January 1 in the counties and parts of counties having the open season for
22 Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.

23 (2) Restrictions

24 (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as
25 provided in G.S. 113-291.5, dogs may not be used for hunting deer during the archery
26 season, except a single dog on a leash may be used to retrieve a dead or wounded deer in
27 accordance with G.S. 113-291.1(k).

28 (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer
29 may be used during the archery deer hunting season.

30 (C) Deer of either sex may be taken during archery seasons specified by Part (b)(1)(A) of this
31 Rule.

32 (D) Only deer with antlers or spikes protruding through the skin, as distinguished from knobs
33 or buttons covered by skin or velvet, shall be taken during the archery season specified by
34 Part (b)(1)(B) of this Rule.

35 (c) Open Seasons (Blackpowder Firearms and Archery) for hunting deer:

36 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be
37 taken only with blackpowder firearms and archery equipment during the following seasons:

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- 1 (A) Two Saturdays preceding the first day of the Deer with Visible Antlers seasons described
2 in Parts (a)(1)(A), (B), (C), (E), and (F) of this Rule through the second Friday thereafter
3 except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills, and South
4 Mountains Game Lands (Refer to 15A NCAC 10D .0103 for Blackpowder Firearms and
5 Archery seasons on these Game Lands):
- 6 (B) Monday on or nearest October 1 through the second Saturday thereafter in the counties and
7 parts of counties having the open seasons for Deer With Visible Antlers specified by Part
8 (a)(1)(D) of this Rule.
- 9 (2) Restrictions
- 10 (A) Deer of either sex may be taken during blackpowder firearms and archery season in any
11 county or county part set forth in Part (a)(2)(G) of this Rule that has either-sex days for all
12 lawful weapons and in the following counties: Polk, Rutherford, McDowell, Burke,
13 Caldwell, and Cleveland. Deer of either sex may be taken on the first Saturday day of this
14 season only in all other counties.
- 15 (B) In the areas of the State where the Commission is authorized to regulate the use of dogs as
16 provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the blackpowder
17 firearms and archery seasons, except a single dog on a leash may be used to retrieve a dead
18 or wounded deer in accordance with G.S. 113-291.1(k).
- 19 (3) As used in this Rule, "blackpowder firearms" means Any firearm - including any firearm with a
20 matchlock, flintlock, percussion cap, or similar type of ignition system - manufactured in or before
21 1898, that cannot use fixed ammunition; any replica of this type of firearm if such replica is not
22 designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any
23 muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that
24 is designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the
25 muzzle, cylinder, or breech and that cannot use fixed ammunition.
- 26 (d) Open Season (Urban Season) for hunting deer:
- 27 (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag
28 limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow in
29 participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday following
30 January 1 through the sixth Sunday thereafter. Deer shall not be taken on any game land or part
31 thereof that occurs within a city boundary.
- 32 (2) Participation. Cities that intend to participate in the urban season shall send a letter to that effect no
33 later than April 1 of the year prior to the start of the urban season to the Executive Director or his
34 designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1700. Cities shall also submit a map of
35 the city's boundaries within which the urban season shall apply.
- 36 (3) Restrictions:
- 37 (A) In the areas of the State where the Commission is authorized to regulate the use of dogs as
38 provided in G.S. 113-291.5, dogs shall not be used for hunting deer during the urban

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1 season, except a single dog on a leash may be used to retrieve a dead or wounded deer in
2 accordance with G.S. 113-291.1(k).

3 (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer
4 shall be used during the urban season.

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

21
22 *History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2; 113-291.5;*
23 *Eff. February 1, 1976;*
24 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996, July 1, 1995; December 1, 1994; July 1,*
25 *1994; July 1, 1993;*
26 *Temporary Amendment Eff. July 1, 1999;*
27 *Amended Eff. July 1, 2000;*
28 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*
29 *Amended Eff. August 1, 2002 (Approved by RRC on 06/21/01 and 04/18/02);*
30 *Temporary Amendment Eff. June 1, 2003;*
31 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
32 *2003);*
33 *Amended Eff. August 1, 2021; August 1, 2020; August 1, 2018; August 1, 2017; August 1, 2016;*
34 *August 1, 2015; August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011; July 10, 2010;*
35 *June 1, 2008; May 1, 2007; May 1, 2006; June 1, 200; August 1, 2023.*
36

APPENDIX A

1 **15A NCAC 10B .0227 WILD QUAIL MANGEMENT AREAS**

2 (a) A "Wild Quail Management Area" shall be land maintained to enhance enjoyment of sportsmen and support wild
3 bobwhite quail conservation under signed agreement between the landowner(s) and the Wildlife Resources
4 Commission.

5 (b) The following qualifications shall apply to all Wild Quail Management Areas:

- 6 (1) At least 500 acres of contiguous land; and
- 7 (2) A minimum of 225 acres or 15 percent of the land, whichever is greater, shall be maintained in year-
8 round bobwhite quail habitat.

9 (c) Wild bobwhite quail habitat shall be any early successional habitat by herbaceous vegetation or shrub cover
10 consisting of a mixture of young saplings, shrubs, forbs, and woody plants typically less than ten feet tall with scattered
11 open patches of grasses, wildflowers, and vines. Forest stands shall have a basal area no greater than 60 square feet
12 per acre. Land managed and maintained primarily for human uses such as large lawns, golf courses, sod-forming
13 pastures, production agriculture fields, monoculture hayfields, solar energy, or production timber stands shall not
14 qualify as early successional habitat.

15 (d) Landowners interested in establishing a Wild Quail Management Area shall contact the Commission as described
16 on the Commission's website at www.ncwildlife.org.

17 (e) The signed agreement between the landowner(s) and the Commission shall include:

- 18 (1) a list of all owners of land included in the Wild Quail Management Area;
- 19 (2) county parcel identification information for each parcel to be included in the Wild Quail
20 Management Area;
- 21 (3) a scaled map of the Wild Quail Management Area with the areas to be maintained in year-round
22 bobwhite quail habitat identified;
- 23 (4) management practices to be used to maintain bobwhite quail habitat and populations; and
- 24 (5) any reporting requirements in addition to the minimum requirements in Subparagraph (g)(6) of this
25 Rule that are specific to the individual Wild Quail Management Area.

26 (f) Property inspection:

- 27 (1) All potential properties shall be inspected by a representative of the Commission prior to acceptance
28 into the program to determine that the proposed land and habitat will qualify to become a Wild Quail
29 Management Area; and
- 30 (2) Wild Quail Management Areas shall be inspected by a representative of the Commission at least
31 once every five years to determine that the requirements of the signed agreement and this rule are
32 being met.

33 (g) The following shall apply to all Wild Quail Management Areas:

- 34 (1) No domestically raised upland game birds shall be released on Wild Quail Management Areas.
- 35 (2) The hunting of wild bobwhite quail shall only be permitted during the established seasons in 15A
36 NCAC 10B .0208.

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- 1 (3) Supplemental feeding, if conducted, shall be for the primary purpose of ensuring that wild bobwhite
2 quail populations remain stable during droughts or other periods of stressful environmental
3 conditions. Supplemental feed shall:
- 4 (A) be broadcast into quail habitat along a minimum linear distance of at least one mile per 100
5 acres of habitat at a rate of three bushels per mile;
- 6 (B) be broadcast on a bi-weekly schedule during at least five months each year
- 7 (C) be broadcast using a non-stationary spreader;
- 8 (D) be only natural grains or seed; and
- 9 (E) not be placed to attract birds for the purpose of hunting.
- 10 (4) Except for wild bobwhite quail on Wild Quail Management Areas, no wild birds shall be taken near
11 or with the aid of supplemental feed.
- 12 (5) ~~Outside of the trapping season established in 15A NCAC 10B .0303, trapping~~ ~~Trapping~~ for raccoon,
13 striped skunk, armadillo, and opossum on Wild Quail Management Areas for the purpose of nest
14 predator control shall only be allowed ~~from the end of the established trapping season in 15A NCAC~~
15 ~~10B .0303 through May 31. Enclosed~~ using enclosed foot-hold traps with a one-way trigger or cage
16 ~~traps may be used, and trapped traps. Trapped~~ raccoons, striped skunks, armadillos, and opossums
17 may be euthanized or released at the trap site.
- 18 (6) An annual report for the period of June 1 through May 31 shall be submitted to the Commission
19 within 30 days of the end of the reporting period, and shall include the following:
- 20 (A) number of days and hours wild bobwhite quail were hunted;
- 21 (B) total annual harvest of wild bobwhite quail;
- 22 (C) total number of coveys flushed;
- 23 (D) supplemental feeding activities;
- 24 (E) number of trap nights, number of animals trapped and their disposition or release, by
25 species, for trapping activity conducted during trapping seasons established by 15A NCAC
26 10B .0303; and
- 27 (F) number of trap nights, number of animals trapped and their disposition or release, by
28 species, for trapping activity conducted outside of trapping seasons established by 15A
29 NCAC 10B .0303.

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31 *History Note: Authority G.S. 113-134; 113- 291.1;*

32 *Eff. August 1, 2021.*

33 *Amended Eff. August 1, 2023.*

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APPENDIX A

1 15A NCAC 10B .0301 DEFINITIONS

2 As used in this Section, the following definitions apply:

3 (1) “Box trap” and “cage trap” are any device designed in such a manner that the animal enters the trap
4 through a door that closes and is meant to prevent the animal from exiting.

5 ~~(1)(2)~~ "Breakaway device" means any device incorporated into a snare or snare component that allows the
6 loop to break open, and an animal to escape completely free of the snare, when a specified amount
7 of force is applied.

8 ~~(2)(3)~~ "Collarum™-type trap" means any power-activated snare that is activated when the trigger is pulled
9 and that is designed to capture and restrain the animal by a cable around the neck.

10 (4) “Conibear®”, “conibear®-type”, and “bodygrip” traps are designed to catch an animal in a body
11 hold resulting in a quick kill.

12 ~~(3)(5)~~ "Leghold" and "foothold" mean any trap designed to hold an animal by the foot.

13 ~~(4)(6)~~ "Loop stop" means a device that is attached to the snare cable to prevent the loop from closing
14 beyond a specified point.

15 ~~(5)(7)~~ "Power-activated" means a snare on which the speed or direction of the loop closure is initiated or
16 augmented by some type of powering device like a spring.

17 ~~(6)(8)~~ "Relaxing lock" means a snare lock that allows the snare loop to release constriction pressure on the
18 captured animal when the cable is not taut.

19 ~~(7)(9)~~ "Snare" means any cable restraining device.

20 ~~(8)(10)~~ "Steel-jaw" means any leghold or foothold trap in which the jaw(s) are made of metal.

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23 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.6;*

24 *Eff. January 1, 2011;*

25 *Readopted Eff. February 1, 2022.*

26 *Amended Eff. August 1, 2023.*

27

APPENDIX A

1 15A NCAC 10B .0303 OPEN SEASONS

2 (a) ~~General~~—The open season for the taking by trapping of fur-bearing animals as those animals are defined in G.S.
3 113-129(7a), as well as the taking by trapping of coyotes, armadillos, and groundhogs, shall be ~~November~~October 1
4 through the last day of February, subject to the following:

5 (1) trapping coyotes shall also be allowed during local fox trapping seasons and in accordance with
6 methods described by local law in counties that have established fox trapping seasons by law outside
7 the regular trapping season described in Paragraph (a); and

8 (2) nutria may be trapped east of I-77 at any time.

9 (b) Feral Swine. There is no closed season for trapping feral swine, subject to the following restrictions:

10 (1) in addition to a hunting or trapping license, a permit issued by the Wildlife Resources Commission
11 is required to trap feral swine. Individuals exempted from license requirements under the provisions
12 specified in G.S. 113-276 may trap feral swine without a hunting or trapping license, but must
13 acquire the permit;

14 (2) feral swine may be live-trapped using only corral or box traps. Corral and box traps must be
15 constructed in a manner such that a non-target animal can be released or can escape without harm.
16 The permit number must be displayed on all traps; and

17 (3) feral swine must be euthanized while in the trap and may not be removed alive from any trap.

18

19 ~~Note: See 15A NCAC 10D .0102(f) for other trapping restrictions on game lands.~~

20

21 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.12;*

22 *Eff. February 1, 1976;*

23 *Amended Eff. July 1, 1996; July 1, 1984; July 1, 1983; August 1, 1982; August 1, 1981;*

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

25 *Amended Eff. July 1, 2000;*

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

27 *Amended Eff. August 1, 2010; May 1, 2009; November 1, 2008; May 1, 2008; May 1, 2007; May 1,*
28 *2006; June 1, 2005; August 1, 2004;*

29 *Recodified from Rule 10B .0302 Eff. January 1, 2011;*

30 *Temporary Amendment Eff. December 29, 2011;*

31 *Amended Eff. November 1, 2012;*

32 *Readopted Eff. August 1, 2019.*

33 *Amended Eff. August 1, 2023.*

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APPENDIX A

1 15A NCAC 10B .0306 ATTENDANCE AND TAGGING OF TRAPS

2 (a) Every trap shall be visited daily and any animal caught therein removed, except for completely submerged conibear
3 type traps which shall be visited once every 72 hours and any animal caught therein removed.

4 (b) Steel-jaw, leghold, conibear®, conibear®-type traps, Collarum™-type traps, snares, box traps, and cage traps must
5 have a weather-resistant permanent tag attached legibly giving the trapper's name and address or the trapper's trapper
6 identification number provided by the Wildlife Resources Commission and the Wildlife Resources Commission's
7 telephone number to report wildlife violations. Box traps for rabbits must have a weather-resistant permanent tag
8 attached legibly giving the hunter's name and address or the hunter's Wildlife Resources Commission customer
9 number and the Wildlife Resources Commission's telephone number to report wildlife violations.

10 (c) Remote trap checking systems may be used in lieu of visiting the trap, provided the system has the following
11 features:

12 (1) a control unit that monitors the trap in real-time and reports trap status and unit status to a centralized
13 application database at least once every 12 hours;

14 (2) a software application that notifies the user of unit status, trap activity, and system health issues
15 within 10 minutes of these events via email, text-based messaging systems, or an in-application
16 notification; and

17 (3) an on-demand test procedure that is used at each deployment of a unit to confirm that the unit is
18 placed in a location where its wireless communication can be received and processed.

19 (d) If the remote trap checking system control unit reports a trap closure, the trap shall be physically visited within
20 24 hours of the time the trap was reported closed.

21 (e) If a remote trap checking system control unit fails to report its status after a 12-hour period, or reports a system
22 health issue, the trap shall be physically visited within 24 hours of the last time a status report was sent.

23 (f) Remote trap checking system users shall maintain records of trap status and notification alarms for at least seven
24 days after receipt. Records shall be made available for inspection upon request by a representative of the Commission.

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26 *History Note: Authority G.S. 113-134; 113-291.6;*

27 *Eff. August 1, 2023.*

28

APPENDIX A

1 **15A NCAC 10H .1506 ALLIGATOR CONTROL AGENT CERTIFICATION ELIGIBILITY AND** 2 **REQUIREMENTS**

3 (a) The following definitions shall apply in this Section:

4 (1) "Alligator control agent" or "ACA" means a licensed Wildlife Control Agent that holds a current
5 and valid alligator control agent certification issued by the Commission.

6 (2) "Alligator control agent certification" or "ACA certification" means a certification issued by the
7 Commission that authorizes a Wildlife Control Agent to engage in alligator damage control or
8 alligator removal activities by means of a Commission-issued depredation permit.

9 (b) It shall be unlawful to engage in alligator damage control or alligator removal activities for compensation without
10 first obtaining an alligator control agent (ACA) certification from the Commission.

11 (c) Only individuals with a valid WCA license shall be eligible for ACA certification.

12 (d) WCAs meeting the following requirements shall qualify for ACA certification:

13 (1) completion of a Commission-approved ACA training course that reviews the following:

14 (A) alligator rules;

15 (B) procedures for alligator data collection activities; and

16 (C) safe, humane alligator capture, handling, and transporting techniques.

17 (2) a passing score on the ACA written examination as specified in Paragraph (d) of this Rule.

18 (3) demonstration to the Commission of necessary equipment to safely and humanely capture and
19 relocate alligators, including ropes, cables, snares, poles, passive integrated transponder (PIT) tag
20 reader, and an alligator transport device.

21 (e) WCAs may register for a Commission-approved ACA training course at www.ncwildlife.org/wca

22 (f) WCAs scoring at least an 80 percent on the ACA examination provided by the Commission shall be deemed to
23 have received a passing score. WCAs failing to obtain a passing score on the examination shall receive one opportunity
24 to re-take the examination and receive a passing score without being required to retake the ACA training course.

25 (g) An ACA certification shall not be transferable between individuals.

26 (h) All equipment used in captive facilitates or on captive alligators shall not be used for ACA operations.

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29 *History Note: Authority G.S. 113-134; 113-273; 113-274;*

30 *Eff. May 1, 2021.*

31 *Amended Eff. August 1, 2023.*

APPENDIX A

1 15A NCAC 10J .0101 DESIGNATION OF WILDLIFE CONSERVATION AREAS

2 ~~For the purposes of these regulations, wildlife conservation areas are defined as any lands owned, leased, controlled,~~
3 ~~or cooperatively managed by the Wildlife Resources Commission primarily for the conservation of nongame wildlife~~
4 ~~resources including those areas designated and posted as Wildlife Conservation Areas and those designated and posted~~
5 ~~as Colonial Waterbird Nesting Areas.~~

6 (a) For purposes of this Subchapter, the following definitions shall apply:

7 (1) “Wildlife Conservation Area” means any lands owned, leased, controlled, or cooperatively managed
8 by the Wildlife Resources Commission primarily for the conservation of nongame wildlife resources
9 including those areas designated and posted as Wildlife Conservation Areas and those designated
10 and posted as Waterbird Nesting Areas.

11 (2) "Other materials" means: all metals, minerals, rocks, soil, organic debris, buildings, fences,
12 archeological resources as defined in G.S. 70-12, and water.

13 (b) The Wildlife Resources Commission has identified and posted the following areas on Wildlife Conservation Areas
14 that have additional restrictions on entry or usage:

15 (1) On portions of Wildlife Conservation Areas posted as "Safety Zones" hunting is prohibited. No
16 person shall hunt or discharge a firearm or archery equipment as defined in 15A NCAC 10B .0116
17 within, into, or across a posted safety zone on any Wildlife Conservation Area. Falconry is exempt
18 from this provision.

19 (2) Portions of Wildlife Conservation Areas posted as "Restricted Zones" are closed to all use by the
20 public, and entry upon such an area for any purpose is prohibited without first having obtained
21 written approval of such entry or use from the Wildlife Resources Commission. Entry shall be
22 authorized only when such entry will not compromise the primary purpose for establishing the
23 Restricted Zone and the person or persons requesting entry are able to demonstrate a valid need or
24 such person is a contractor or agent of the Commission conducting official business. Valid needs
25 may include access to private property, scientific investigations, surveys, or other activities in the
26 public interest.

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28 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-305; 113-306;*
29 *Eff. February 1, 1990.*
30 *Amended Eff. August 1, 2023.*

31

APPENDIX A

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

(a) ~~Trespass.~~ Entry on areas posted as Wildlife Conservation Areas for purposes other than wildlife observation, hunting, trapping or fishing shall be as authorized by the landowner. ~~On those areas designated and posted as Colonial Waterbird Nesting Areas, entry is prohibited during the period of April 1 through August 31 of each year, except by written permission of the landowner. Entry into Colonial Waterbird Nesting Areas during the period of September 1 through March 31 is as authorized by the landowner.~~

(b) Entry is prohibited above the high tide waterline from March 1 through September 15 of each year on areas designated and posted as Waterbird Nesting Areas.

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

~~(c)(d) Use and possession of weapons.~~ No person shall discharge:

- (1) any weapon from a vehicle;
- (2) any weapon within 200 yards of any building or designated camping areas;
- (3) any weapons within, into, or across a posted "safety zone;" or
- (4) ~~a firearm~~ any weapons within, into, or across a posted "restricted zone."

No person shall hunt with or have in possession any shotgun shell containing lead or toxic shot while hunting waterfowl on any area designated as a ~~wildlife conservation area~~, Wildlife Conservation Area, except shotgun shells containing lead buckshot may be used while deer hunting. ~~Every individual carrying a concealed handgun must adhere to the requirements set forth in G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina.~~

(d)(c) License Requirements: All applicable hunting, trapping, and fishing license requirements shall apply on Wildlife Conservation Areas.

(1) ~~Hunting and Trapping:~~

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

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

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

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- 1 ~~(e)(f) Training Dogs. Dogs shall not be trained on designated wildlife conservation areas during open hunting seasons~~
2 ~~for game animals or game birds thereon. Dogs are shall not allowed to enter any wildlife conservation area~~ Wildlife
3 Conservation Area designated and posted as a ~~colonial waterbird nesting area~~ Waterbird Nesting Area during the
4 ~~period of April from March 1 through August 31. September 15~~ above the high tide waterline.
- 5 ~~(f)(g) Trapping. Subject to the restrictions contained in 15A NCAC 10B .0110, .0302, and .0303, and .0306~~ trapping
6 of fur-bearing animals is permitted on any area designated and posted as a ~~wildlife conservation area~~ Wildlife
7 Conservation Area during the applicable open seasons, except that trapping is prohibited:
- 8 (1) on the Nona Pitt Hinson Cohen Wildlife Conservation Area in Richmond County; and
 - 9 (2) in posted "safety zones" located on any Wildlife Conservation Area.
- 10 (h) The following is prohibited on areas designated as Wildlife Conservation Areas or on their waters:
- 11 (1) driving a motorized vehicle on any area posted against vehicular traffic;
 - 12 (2) camping, unless designated by the landowner. On the coastal islands designated Wildlife
13 Conservation Areas, camping is allowed except on those areas designated and posted as Waterbird
14 Nesting Areas;
 - 15 (3) swimming, except for the waters adjacent to coastal island Wildlife Conservation Areas;
 - 16 (4) operating a vessel powered by internal combustion engine; and
 - 17 (5) operating motorized land vehicles not licensed for highway use. Persons who have obtained a permit
18 issued pursuant to G.S. 113-297 are exempt from this Rule but shall comply with permit conditions;
 - 19 (6) open fires.
- 20 ~~(g) Vehicular Traffic. No person shall drive a motorized vehicle on a road, trail or area posted against vehicular~~
21 ~~traffic or other than on roads maintained for vehicular use on any designated wildlife conservation area.~~
- 22 ~~(h) Camping. No person shall camp on any designated wildlife conservation area except on an area designated by~~
23 ~~the landowner for camping. On the coastal islands designated wildlife conservation areas, camping is allowed except~~
24 ~~on those areas designated and posted as Colonial Waterbird Nesting Areas.~~
- 25 ~~(i) Swimming. No person shall swim in the waters located on designated wildlife conservation areas, except that a~~
26 ~~person may swim in waters adjacent to coastal island wildlife conservation areas.~~
- 27 ~~(j) Motorboats. No person shall operate any vessel powered by an internal combustion engine on the waters located~~
28 ~~on designated wildlife conservation areas.~~
- 29 ~~(k) Non Highway Licensed Vehicles. It is unlawful to operate motorized land vehicles not licensed for highway use~~
30 ~~on Wildlife Conservation Areas. Persons who have obtained a permit issued pursuant to G.S. 113-297 are exempt~~
31 ~~from this Rule but shall comply with permit conditions.~~
- 32 ~~(l) It is unlawful to possess or consume any type of alcoholic beverage on public use areas of the Nona Pitt Hinson~~
33 ~~Cohen Wildlife Conservation Area.~~
- 34 ~~(m)(i) It is unlawful to release animals or birds; domesticated animals, except hunting dogs and raptors where~~
35 ~~otherwise permitted for hunting or training purposes; and feral animals on conservation areas without prior written~~
36 ~~authorization of the Wildlife Resources Commission. Releasing animals or birds, domesticated animals, and feral~~
37 animals on Wildlife Conservation Areas is prohibited except for:
- 38 (1) hunting dogs and raptors when permitted for hunting and training purposes; or

APPENDIX A

1 (2) with prior written authorization of the Wildlife Resources Commission.

2 ~~(n)(j) Possession and removal.~~ No living or dead nongame wildlife, fungi, invertebrates, eggs, nests, animal parts,
3 plants, plant materials, or other materials may be possessed on or removed from ~~conservation~~ Wildlife Conservation
4 ~~areas~~ Areas without written permission from the ~~Commission.~~ Commission as specified in 15A NCAC 10J .0101. ~~For~~
5 ~~purposes of this Rule, "other materials" includes all metals, minerals, rocks, soil, organic debris, buildings, fences,~~
6 ~~historic artifacts and water.~~ Minimal amounts of animal parts, plant parts not removed from live plants, and other
7 materials may be collected by hand and removed from Commission lands without written permission, except in
8 violation of rules, general statutes, or federal law. Collection of animal parts, and plant parts not removed from live
9 plants for commercial use or sale is prohibited. For purposes of this Subparagraph, "minimal amounts," are quantities
10 that fit within a cubic foot of space, except for firewood to be used at posted camping areas. Minimal amounts of
11 firewood are quantities sufficient to build and maintain a fire for the duration of the Wildlife Conservation Area user's
12 stay at the campground.

13
14 *History Note: Authority G.S. 113-134; 113-264; 113-270.3; 113-291.2; 113-291.5; 113-305; 113-306; 113-296;*
15 *113-297;*
16 *Eff. February 1, 1990;*
17 *Amended Eff. January 1, 2013; January 1, 2012; August 1, 2010; May 1, 2007; May 1, 2006; June*
18 *1, 2005; August 1, 2023.*
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EXHIBIT H-1

October 20, 2022



Public Comments for 15A NCAC 10B .0503 Surveillance Areas

Position	Comment
Oppose	<p>Dear NCWRC,</p> <p>I have a big problem with the proposed changes to the 15A NCAC 10B .0503 SURVEILLANCE AREA rules.</p> <p>You propose to outlaw the placement of 'minerals or salt licks' yet you do not define what is a 'mineral' under this change.</p> <p>Many 'food' or 'attractant' products marketed for deer contain minerals.</p> <p>Examples: https://www.sportsmanschoicefeeds.com/product/wildlife-crunch-block</p> <p>https://www.sportsmanschoicefeeds.com/product/record-rack-deer-block</p> <ul style="list-style-type: none">• Fortified with vitamins and minerals• Fortified with calcium and vitamins A and E <p>https://www.sportsmanschoicefeeds.com/product/record-rack-golden-deer-nuggets</p> <ul style="list-style-type: none">• Superior mineral and trace mineral package to support the development of structural tissues and antlers. <p>https://www.plantbiologic.com/collections/best_deer_mineral_feed_attractant/products/biologic-full-draw-ground-down</p> <p>Full Draw's blend of corn and other highly palatable ingredients delivers 17% overall protein along with the added vitamins and minerals whitetails need for complete nutrition.</p> <p>These are some products you can buy locally in NC at Tractor Supply and Wal-Mart.</p> <p>Thank you</p>

One public hearing was held on September 13, 2022

EXHIBIT H-2

October 20, 2022



Proposed Temporary Amendments to 15A NCAC 10B .0503 Surveillance Area - Recommended by Agency Staff for Adoption

Temporary amendments to this rule include extending the prohibition on placement of minerals or salt licks to purposefully congregate wildlife year-round and prohibiting the use and possession of substances and materials containing cervid excretions obtained from a cervid harvested within the primary or secondary surveillance areas. Both measures are proposed to inhibit the spread of CWD.

Prohibiting minerals and salt licks will provide greater protection to the potential perpetuation of prions in soils where minerals and salts have been placed. Prohibiting the use and possession of substances and materials containing excretions from cervids harvested within the primary or secondary surveillance areas will also help control spread of the disease within and outside of the surveillance areas. Substances and materials still permitted for possessed and use in the surveillance areas include those containing deer urine that are labeled as participating in the Responsible Hunting Scent Association's Deer Protection Program, or similar, and identified as free of CWD; and products containing natural deer substances produced from a NC captive cervid facility and labeled as such.

15A NCAC 10B .0503 Surveillance Area (page 2)

15A NCAC 10B .0503 SURVEILLANCE AREA

(a) Placement of minerals or salt licks to purposefully congregate wildlife shall be prohibited. Placement of bait, food, or food product to purposefully congregate wildlife shall be prohibited from January 2 through August 31 each year inside a Surveillance Area, except that bird feeders and other activities specifically permitted by the Commission shall be allowed. Placement of bait, food, or food products for the purpose of hunting during the urban archery season shall be allowed within the established season in participating municipalities.

(b) It is unlawful to export a live cervid, cervid carcass, or carcass parts originating from inside a Surveillance Area except:

- (1) meat that has been boned out such that no pieces or fragments of bone remain;
- (2) caped hides with no part of the skull or spinal column attached;
- (3) antlers, antlers attached to cleaned skull plates, or skulls free from meat or brain tissue;
- (4) cleaned lower jawbones with teeth or cleaned teeth;
- (5) finished taxidermy products and tanned hides; and
- (6) carcass or carcass parts permitted by the Commission for disposal outside of the Surveillance Area.

(c) White-tailed deer fawn rehabilitation is prohibited in a Surveillance Area.

(d) White-tailed deer fawns originating from within a Surveillance Area shall not be transported outside the Surveillance area.

(e) No person shall possess or use any substance or material that contains or is labeled as containing any excretion collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid for the purposes of taking or attempting to take, attracting, or scouting wildlife. This prohibition shall not apply to the following substances:

- (1) Products containing synthetic analogs of cervid excretions and labeled as such.
- (2) Natural substances collected from facilities within North Carolina that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and Consumer Services and are labeled as such.
- (3) Natural deer urine products containing excretions from facilities within North Carolina that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and Consumer Services and are labeled as such.
- (4) Natural deer urine products containing excretions from facilities that meet all the following requirements and are labeled as such:
 - (A) Determined to be free of chronic wasting disease (CWD) based on testing by an independent laboratory using a method that may help detect the presence of CWD prions.
 - (B) Complies with a federally approved CWD herd certification program and any federal CWD protocols.
 - (C) Participates in additional herd management requirements as specified by the Wildlife Resources Commission.