



AGENDA

N.C. WILDLIFE RESOURCES COMMISSION

February 21, 2019, 9:00 a.m.

1751 Varsity Drive

NCWRC Conference Room, 5th Floor

Raleigh, North Carolina

CALL TO ORDER - *Chairman John Coley*

This meeting is being recorded as a public record and is audio streaming live at www.ncwildlife.org. As a courtesy to others please turn off all cell phones during the meeting.

PLEDGE OF ALLEGIANCE – *Commissioner Tommy Fonville*

INVOCATION - *Commissioner Brian White*

RECOGNITION OF VISITORS – *Chairman John Coley*

MANDATORY ETHICS INQUIRY - North Carolina General Statute §163A-159(e) mandates that the Commission Chair shall remind all Commissioners of their duty to avoid conflicts of interest and appearances of conflict under this Chapter, and that the chair also 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 John Coley*

APPROVAL OF MINUTES – Take action on the December 6, 2018 Wildlife Resources Commission meeting minutes as written in the exhibit and distributed to members (**EXHIBIT A**)

ADMINISTRATION

Financial Status Report - Receive a financial status report on the Wildlife Operating Fund and Wildlife Endowment Fund –*Melissa Earp, Finance Office Chief (EXHIBIT B)*

RECEIVE STATE ETHICS COMMISSION REVIEW OF 2018 STATEMENT OF ECONOMIC INTEREST FOR COMMISSIONER LANDON ZIMMER - *Pursuant to NCGS §163A-159(c), any actual or potential conflict of interest by a public servant sitting on a board and cited by the Ethics Commission under NCGS 163A-189(e) is required to be read into the minutes of the applicable board.* Read into the Minutes relevant portions of the evaluation by the N.C. Ethics Commission of the 2018 Statement of Economic Interest for Landon Zimmer, President Pro Tempore Appointee – *Betsy Haywood, Ethics Liaison*

COMMITTEE REPORTS

Joint Committee on Delineation of Fishing Waters Report - **January 23, 2019, New Bern, NC** – *Commissioner John Stone*

Habitat, Nongame and Endangered Species Committee Webinar Report - **February 14, 2019** – *Mark Craig, Chair*

Boating Safety Committee Report – *Mike Johnson, Chair*

Finance Committee Report – *Landon Zimmer, Chair*

Land Use and Access Committee Report – *Tom Berry, Chair*

Migratory Birds and Waterfowl Committee Report – *Richard Edwards, Chair*

Fisheries Committee Report – *Tommy Fonville, Chair*

Committee of the Whole Report – *Chairman John Coley*

AGENCY SPOTLIGHT – HIGH AND DRY: NCWRC Response to Derelict and Abandoned Vessels During Hurricane Florence - Receive a presentation highlighting WRC involvement with other agencies in mitigation of environmental impacts and pollution from derelict vessels displaced after Hurricane Florence – *Captain David O’Neal and Sergeant Ron Ellington, District 4 Enforcement*

WILDLIFE EDUCATION DIVISION UPDATE – Receive an update on the activities of the Wildlife Education Division – *Kris Smith, Wildlife Education Division Chief*

INLAND FISHERIES DIVISION

Fisheries Division Update - Receive an update on activities of the Inland Fisheries Division – *Christian Waters, Inland Fisheries Division Chief*

Public Comments and Rulemaking for 2019 – 2020 Inland Fishing Rules – Receive public comments on proposed changes to inland fishing Rules received from statewide public hearings, internet portal, and correspondence. Review and consider for adoption proposed changes to the 2019-2020 inland fishing Rules – *Christian Waters (EXHIBITS C-1, C-2)*

WILDLIFE MANAGEMENT DIVISION

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

Public Comments and Rulemaking for 2019-2020 Wildlife Management Rules – Receive public comments on proposed changes to wildlife management Rules received from statewide public hearings, internet portal, and correspondence. Review and consider for adoption proposed changes to the 2019-2020 wildlife management Rules – *David Cobb (EXHIBITS D-1, D-2)*

LAND AND WATER ACCESS SECTION

Land and Water Access Division Update - Receive an update on the activities of the Land and Water Access Section – *Brian McRae, Land and Water Access Section Chief*

Public Comments and Rulemaking for 2019-2020 Game Land Rules – Receive summary of public comments on proposed changes to game lands management regulations received from statewide public hearings, the WRC internet portal, and correspondence. Review and consider adoption of proposed changes in the 2019-2020 game land management regulations – *Brian McRae (EXHIBITS E-1, E-2)*

Land Acquisitions and Property Matters

Phase II Land Acquisition – Consider final approval to proceed with acquisitions of the following properties – *Jessie Birckhead, Land Acquisition and Grants Manager (EXHIBITS F-1, F-2, F-3, F-4, F-5, F-6, F-7, F-8, F-9)*

- Duck Creek Wetlands Tract – Craven County (F-1)
- Salters Creek Tract – Carteret County (F-2)
- Truth Temple/Croasmun Tract – Ashe County (F-3)
- Roberts Estate Tract – Rockingham County (F-4)
- North Bend BAA Tract – Catawba County (F-5)
- Almond/Buchanan Tracts – Anson, Richmond, and Montgomery Counties (F-6)
- Hubbard-Pinkerton Tract – Camden County (F-7)
- Corpening Tract – Burke County (F-8)
- ALCOA High Rock Tract – Davie, Davidson, and Rowan Counties (F-9)

Easement Request – Consider a request from Mr. Harald Laugginer and Dominion Energy for a Permanent Utility Easement at Northwest River Marsh Game Land in Currituck County – *Jessie Birckhead (EXHIBIT G)*

Other Property Matters

Disposition of Well, Armstrong Fish Hatchery – McDowell County – Consider staff request to demolish a well at the Armstrong Fish Hatchery in McDowell County – *Jessie Birckhead* **(EXHIBIT H-1)**

Lease Rate Change Request, Bolivia Depot Site – Brunswick County – Consider a change in lease rate at the Bolivia Depot Site in Brunswick County – *Jessie Birckhead* **(EXHIBIT H-2)**

LAW ENFORCEMENT RULEMAKING

Public Comments and Rulemaking for 2019-2020 Law Enforcement Division Rules - Receive public comments on proposed changes to Law Enforcement rules received from statewide public hearings, internet portal, and correspondence. Review and consider for adoption proposed changes to the 2019-2020 Law Enforcement rules - *Colonel Jon Evans, Enforcement Division Chief* **(EXHIBITS I-1, I-2)**

WATER SAFETY RULEMAKING

Request to Publish Notice of Text – 15A NCAC 10F .0370 City of Rocky Mount – Rocky Mount Millpond Dam Safety Zone – Consider request for a technical amendment to 15A NCAC 10F .0370, to clarify descriptions, add coordinates, and correctly designate the water safety rule in the waters around the Millpond Dam in Rocky Mount as a safety zone, where swimming and entry by vessels and floating objects in the regulated area are prohibited – *Betsy Haywood, No-Wake Zone Coordinator* **(EXHIBIT J)**

Request to Publish Notice of Text – 15A NCAC 10F .0339 Lake James – McDowell County – Consider an application by McDowell County for approval to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for a proposed amendment to 15A NCAC 10F .0339, for a no-wake zone within 50 yards of the shoreline of the peninsula near the end of Hunt Camp Drive and Screech Owl Drive, in Old Wildlife Club Subdivision on Lake James in McDowell County - *Betsy Haywood* **(EXHIBIT K)**

Final Adoption – 15A NCAC 10F .0333 Lake Wylie Marine Commission – Mecklenburg County – Consider final adoption of an amendment to 15A NCAC 10F .0333 requested by the Lake Wylie Marine Commission, for a no-wake zone within 50 yards of the community piers, marina, and beach area, including the waters east of an island that is west of the shoreline at the Yachtsman on Lake Wylie Community in Mecklenburg County – *Betsy Haywood* **(EXHIBIT L)**

Final Adoption – 15A NCAC 10F .0303 Beaufort County – Chocowinity Bay and Pamlico River – Consider final adoption of an amendment to 15A NCAC 10F .0303, for a no-wake zone in the canals at the eastern end of the peninsula between Chocowinity Bay and the Pamlico River near Whichard Beach and Fork Point in Beaufort County – *Betsy Haywood* **(EXHIBIT M)**

RULEMAKING NOTICES OF TEXT

Proposed License Fees

Request to Approve Fiscal Note and Publish Notice of Text – 15A NCAC 10A .1601 - Consider request to approve Fiscal Note and to publish Notice of Text in the *NC Register*, hold one public hearing and open the public comment period for proposed Rule 15A NCAC 10A .1601, to establish license fees in rule and adjust fees by the Consumer Price Index for All Urban Consumers (CPI-U) – *Melissa Earp, Finance Office Chief* (**EXHIBITS N-1, N-2**)

Wildlife Taken for Depredations

Request to Publish Notice of Text – 15A NCAC 10B .0106 – Consider request to publish Notice of Text in the *NC Register*, hold one public hearing, and open the public comment period for proposed amendments to 15A NCAC 10B .0106 regarding wildlife taken for depredations – *Carrie Ruhlman, Rulemaking Coordinator* (**EXHIBIT O**)

Wildlife Captivity and Rehabilitation

Request to Approve Fiscal Note and Publish Notice of Text - 15A NCAC 10H .1400 – Consider request to approve Fiscal Note and to publish Notice of Text in the *NC Register*, hold two public hearings, and open the public for proposed adoption of 15A NCAC 10H .1400 Rules for holding wildlife in captivity and rehabilitation of wildlife – *Carrie Ruhlman* (**EXHIBIT P-1, P-2**)

2018 PERIODIC REVIEW OF RULES

Readoption Schedule - Consider approval of the readoption schedule for 10A, 10D, 10E, 10G, 10I, 10J, and 10K Rules as part of the 2018 Periodic Review process – *Carrie Ruhlman* (**EXHIBIT Q**)

COMMENTS BY CHAIRMAN – *Chairman John Coley*

COMMENTS BY EXECUTIVE DIRECTOR – *Gordon Myers*

ADJOURN

EXHIBIT A February 21, 2019



MINUTES December 6, 2018 N.C. Wildlife Resources Commission Meeting Raleigh, North Carolina

Chairman John Coley called the December 6, 2018 N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Room at Wildlife Resources Commission headquarters in Raleigh. Coley reminded everyone that the meeting is being audio streamed live and will be available on the Commission's website. He requested that everyone silence cell phones. Commissioner John Litton Clark was absent.

Commissioner Brian White led the Pledge of Allegiance.

Commissioner Garry Spence gave the invocation.

WELCOME AND MANDATORY ETHICS INQUIRY

Chairman Coley welcomed guests present. Coley advised the Commission of the mandatory ethics inquiry as mandated in N.C. General Statute 138A-15(e).

COMMISSIONER ATTENDANCE

John Coley
Brian White
David Hoyle, Jr.
Monty Crump
Brad Stanback
Ray Clifton
Hayden Rogers
Mark Craig
Garry Spence

Richard Edwards
Wes Seegars
Nat Harris
Joe Budd
Tommy Fonville
Landon Zimmer
John Stone
Mike Johnson
Tom Berry

VISITORS

Jacque Seegars
Tim Gestwicki – NC Wildlife Federation

W. Gardner Culpepper
Joe McClees – McClees Consulting

OCTOBER 3, 2018 MEETING MINUTES

Upon a motion by Garry Spence and second by Wes Seegars, the Commission approved the October 3, 2018 Commission minutes as presented in **Exhibit A**, which is incorporated into the official record of this meeting.

ADMINISTRATION

Financial Status Report - Melissa Earp, Finance Office Chief, presented a status report in **Exhibit B** on the Wildlife Operating Fund and the Wildlife Endowment Fund. As of November 28, 2018, the Wildlife Operating Fund year to date revenues were \$33,114,242.43 and expenditures were \$32,937,379.29. The Endowment Fund balance as of October 31, 2018 was \$123,489,718.20. Expendable interest was \$29,373,493.53. **Exhibit B** is incorporated into the official record of this meeting.

Wildlife Endowment Fund Interest Allocations Report – Melissa Earp presented in **Exhibit C** a report of 2018-2019 projects that were funded with Endowment Fund interest allocations. **Exhibit C** is incorporated into the official record of this meeting.

COMMITTEE REPORTS

Finance Committee Report – Landon Zimmer, Committee Chair, reported that the Finance Committee met on December 5, 2018. Finance Office Chief Melissa Earp provided the Committee with financial status reports. The Committee requested a breakdown of various fund categories and information about the excise tax, a review of agency infrastructure, and a revenue stress test to determine agency response in the event future license revenues and federal funds are reduced. Earp reviewed proposed statutory changes to the Wildlife Endowment Fund.

Motion from Finance Committee Regarding Wildlife Endowment Fund Investment Management – on a motion by Brad Stanback and second by Mike Johnson, the Commission voted to place the principal collected from Lifetime License sales on a monthly basis directly into the Equity Index Fund, versus the Bond Index Fund in the Wildlife Endowment Fund.

Boating Safety Committee Report – Mike Johnson, Committee Chair, reported that the Boating Safety Committee met on December 5, 2018. No-Wake Zone Coordinator Betsy Haywood reviewed an application from Onslow County to begin the rulemaking process for an amendment to place a no-wake in a portion of the Intracoastal Waterway at Hammocks Beach State Park in Swansboro. Haywood reviewed a request for rulemaking to correct a description of a location of a no-wake zone on Lake Norman in Iredell County.

Fisheries Committee Report – Tommy Fonville, Committee Chair, reported that the Fisheries Committee met on December 5, 2018. Executive Director Gordon Myers provided information about a statutory requirement for rulemaking by the N.C. Wildlife Resources Commission and N.C. Marine Fisheries Commission as part of the Periodic Review of Rules, to revise the delineation of inland, joint, and coastal waters. Jeremy McCargo, Anadromous Research Coordinator, reported that staff is compiling and collecting salinity and fish composition data to evaluate existing classifications. Staff was requested to compile information on the type and amount of commercial fishing activity occurring in areas that may be affected by possible reclassification. The Committee noted support for establishment of a joint committee of Wildlife and Marine Resources commissioners to consider the issues. Coastal Region Fisheries Supervisor Chad Thomas reported evidence of Striped Bass natural recruitment in the Neuse and Tar-Pamlico rivers in 2017 and 2018. Piedmont Region Fisheries Supervisor Corey Oakley provided an overview of the Catfish Management Plan being developed by staff. The main components of the plan are Catfish biology and distribution, plan goals, plan strategies, and recommendations. A final draft will be presented to the Fisheries Committee in February for review and consideration for public input. District 5 Fisheries Biologist Kelsey Lincoln presented results of efforts to establish Red Drum in Lake Hyco. Water chemistry monitoring and tank survival and in-lake survival studies of juveniles and sub-adults revealed that the lake's water hardness is insufficient to support Red drum. Staff is exploring other management options at Lake Hyco, including stocking of Hybrid Striped Bass. The Hurricane Florence update was postponed due to time.

Land Use and Access (LUAC) Committee Report – Tom Berry, Committee Chair, reported that the LUAC met on December 5, 2018. Land Acquisition and Grants Manager Jessie Birckhead provided an update about current land projects and reviewed the land status spreadsheet. Birckhead provided an update on grant decisions of the Clean Water Management Trust Fund's board, which met in November. The Commission was involved with five proposed projects under consideration, and all five projects received funding for a total of \$3.5 million in grant funds that will help acquire 14,034 acres of land for the Commission's Game Lands Program. The Committee evaluated and approved a total of six Phase I Land Acquisition Projects. Additionally, the Committee evaluated and endorsed three Phase II Land Acquisition Projects. The Committee discussed a request from a private citizen for a right of way easement at Pond Mountain Game Land. The Committee is recommending the Commission not proceed with granting this easement.

Big Game Committee Report – Wes Seegars, Committee member, reported that the Big Game Committee met on December 5, 2018. Dr. David Cobb provided a comparison of reported deer and bear harvests between 2017 and November 25, 2018. Cobb reviewed a staff report about issues and considerations regarding urine-based products and Chronic Wasting Disease and noted that no policy has been set yet regarding use of these products. Cobb gave an overview of the proposed technical correction to the bear season rule for Dare, Hyde, and Tyrrell counties, to adjust season lengths to correspond with changing Thanksgiving dates. The Committee discussed possible adjustments to coastal bear seasons and possible options for additional bear authorizations, particularly sows. The Committee agreed to wait longer to analyze data before another readjustment is made.

Migratory Birds and Waterfowl Committee Report – Richard Edwards, Committee Chair, reported that the Migratory Birds and Waterfowl Committee met briefly on December 5, 2018. Edwards reminded the Committee members and Commissioners about the invitation from Ducks Unlimited to visit the Maritime Agricultural Wetland Restoration Program field sites in Canada, May 13-17, 2019. Members were asked to let Betsy Haywood know if they plan to attend by the end of December.

Committee of the Whole (COW) Report – Chairman John Coley reported that the COW met on December 5, 2018. Finance Office Chief Melissa Earp reviewed proposed license fee rules that establish fees in accordance with G.S. §113-270.1(B)(e). Customer Service Section Manager Daron Barnes reviewed proposed amendments to wildlife depredation, and captivity and rehabilitation rules. Eastern Region Highway Project Coordinator Travis Wilson and staff are working with Commissioner Monty Crump on prioritizing approximately 6,000 dam assessments and dam barrier removals when necessary. Executive Director Gordon Myers gave an overview of the Fuel Tax Revenue Study. By legislative request, the Commission is studying what to do with abandoned vessels left after hurricanes. At the same time the actual portion of gasoline sales that come from vessel operations is being studied. Currently the agency receives one percent of fuel tax revenues from use by recreational vessels. The study will be used in delineating what portion of the gas tax revenue could be requested in future legislation.

AGENCY SPOTLIGHT – GAME LANDS 101

Nick Shaver, Northern Mountain Conservation Technician Supervisor and CC King, Southern Piedmont Education Specialist gave a spotlight about the Game Lands 101, a program held last summer at the Johns River Game Land. Discussion at the Commission's Leadership Development Program led to an invitation from Nick Shaver for employees to apply to participate in a Game Lands 101 camping retreat at Johns River Game Land. The purpose of the program was to promote a collegial work environment and to learn about game lands programs and management. Just under 50 applications were received, and 26 employees participated. Activities included study of and participation in conducting prescribed fires; managing early successional habitats by planting soybeans and using farm equipment; birding hikes; skeet shooting; and learning about land acquisitions and timber harvesting. A post-event survey showed participant satisfaction with the program, noting that participants felt that they made interdivisional connections that will assist them in their jobs.

LAND AND WATER ACCESS SECTION

Section Update – Land and Water Access Section Chief Brian McRae, Major Ben Meyer, and Engineering Section Chief Gary Gardner met with Federal Emergency Management Agency (FEMA) representatives in late November. Potential damages and repair funding were requested, in the amount of \$1.5 million in FEMA funds. A decision is expected within two weeks. McRae reported that staff was tasked with gathering information and conducting research about possible Sunday hunting on game lands. Carrie Ruhlman, Policy Analyst and Chris Bova, Social Scientist are helping to determine the best approach to gather public input and plan to involve a professional facilitator and focus groups. The approach and plan will be brought back to the Commission.

LAND ACQUISITIONS AND PROPERTY MATTERS

Phase II Land Acquisitions – On a motion by Tom Berry and second by Mike Johnson, the Commission approved the acquisitions of the Herrin Tract in Ashe County (D-1) and the Duck Creek Wetlands Tract in Craven County (D-3), and on a motion by Tom Berry and Mike Johnson the Commission approved acquisition of the Salters Creek Tract in Carteret County (D-2), presented by Jessie Birkhead, Land Acquisition and Grants Manager in **Exhibits D-1, D-2, and D-3**. It was noted that the Commission is not a party to the easement at Salters Creek that includes a prohibition against ponds, so impoundments may not be available. Agency legal staff will review the Salters Creek easement. **Exhibits D-1, D-2, and D-3** are incorporated into the official record of this meeting.

Right of Way Easement Request – Pond Mountain Game Land, Ashe County – On a motion by John Stone and second by Mike Johnson, the Commission denied a landowner's request for a right of way easement at Pond Mountain Game Land in Ashe County, presented in **Exhibit E**. **Exhibit E** is incorporated into the official record of this meeting.

INLAND FISHERIES

Inland Fisheries Division Chief Christian Waters reported that a hurricane update will be provided by Kyle Rachels at a future Fisheries Committee meeting. There were substantial impacts from the hurricane in southeastern North Carolina on the Cape Fear, Northeast Cape Fear, Lumber, and Waccamaw rivers. Dissolved oxygen levels were at or near zero for 3 to 14 days depending on the river and location, with hundreds of thousands of dead fish observed. Follow up sampling has been conducted on Northeast Cape Fear, Lumber, and Waccamaw rivers. As expected, there was a low abundance of Largemouth Bass, Black Crappie, Sunfish, and Catfish. The majority of fish collected were Bowfin. Staff continue to assess oxygen levels and fish samplings. Waters reported that this has been a good year for trout production. Just under 40,000 trout are being stocked in 25 small impoundments in the Mountain and Piedmont regions. Stockings at 25 impoundments as far east as Tarboro and Indian Lake are being conducted for the third year. The very popular program is being publicized through the website and social media.

WILDLIFE MANAGEMENT

Division Update – Wildlife Management Division Chief Dr. David Cobb announced that the annual summer wild turkey survey is on the agency website. Over 43,000 observations were submitted by 1,300 individuals with representation from all 100 counties. Productivity still is relatively low, estimated at 1.8 poults per hen, with slightly more on the coast and in the Piedmont. There is a threshold of 0.52 gobblers per hen. Cobb reported that the Deer Population Evaluation was just published in *The Journal of Wildlife Management*. The Hunttable Lands project was conducted with N.C. State University and will be presented at a future Committee of the Whole meeting. The Western North Carolina Mast Survey revealed that this year's mast crop in the mountains is rated as poor. There have been twelve years of poor hard mast in the past 36 years, which is an explanation for increased reported bear harvest in the mountains.

WATER SAFETY RULEMAKING

Rulemaking Application – 15A NCAC 10F .0320 – Onslow County – On a motion by David Hoyle, Jr. and second by Wes Seegars the Commission approved an application from Onslow County, presented in **Exhibit F** by Betsy Haywood, No-Wake Zone Coordinator, to publish Notice of Text in the *NC Register* with an open comment period and public hearing, for a proposed amendment to 15A NCAC 10F .0320 to establish a no-wake zone in a portion of the Intracoastal Waterway at Hammocks Beach State Park in Swansboro. Onslow County will not incur an expense from rulemaking and no Fiscal Note is required. **Exhibit F** is incorporated into the official record of this meeting.

Water Safety Rule Amendment – 15A NCAC 10F .0307(a)(3) - Catawba, Iredell, Lincoln, and Mecklenburg Counties – On a motion by David Hoyle and second by Garry Spence the Commission approved a staff request, presented in **Exhibit G**, to publish Notice of Text in the *NC Register* with an open comment period and public hearing, for an amendment to 15A NCAC 10F .0307(a)(3), to correct the location of a no-wake zone in a small cove northeast of the island in the inlet of Hager Creek on Lake Norman in Iredell County. **Exhibit G** is incorporated into the official record of this meeting.

COMMENTS BY THE CHAIRMAN

Chairman Coley thanked agency staff for their efforts for the meetings and wished everyone a Merry Christmas and Happy New Year.

COMMENTS BY THE EXECUTIVE DIRECTOR

Executive Director Myers mentioned recent improvements in the audiovisual technology in the Commission Room and several other rooms at headquarters, noting that the cameras are not on. Video streaming is available. Staff is working on the legislative package for the upcoming session that is revenue focused and is aligned with agency strategic objectives. Myers stated that a webinar pertaining to the legislative package will be held after public hearings and before the next WRC meeting in February. Myers announced that a letter is being drafted to Rob Bizzell of the Marine Fisheries Commission (MFC), inviting three members of the MFC to a joint committee meeting with three members of the Commission, to work on the delineation of coastal, joint, and inland fishing waters. Myers wished everyone happy holidays.

ADJOURNMENT

The meeting was adjourned by Chairman Coley at 10:00 a.m.

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

John Coley, Chairman

Date

Gordon Myers, Executive Director

Date

NC Wildlife Resources Commission
CAFR 52G - Statement of Revenues, Expenditures, and Changes in Fund Balances
Fiscal Year 2018-19 (Through January 31, 2019)

EXHIBIT B

CAFR 52G (Statement of Revenues, Expenditures and Changes in Fund Balances)			
Governmental Funds			
MDC: 17xgov Updated: 02/13/2019 01:39:30 AM Report Format 07/10/2018			
[17 NC Wildlife Resources] [All GASB Numbers] [GAAP Fund Type] [All Accounts] [All Budget Codes] [ARRA] [FY 2019] [January] YTD ACTUAL			
	General	Capital Improvement	Permanent
REVENUES			
Federal funds	16,857,440.20	1,939,063.00	0.00
Local funds	3,001.63	0.00	0.00
Investment earnings	84,002.42	0.00	-123,300.98
Sales and services	5,479,878.90	0.00	0.00
Rental and lease of property	23,978.40	0.00	0.00
Fees, licenses and fines	18,238,270.81	0.00	2,452,095.00
Contributions, gifts and grants	649,271.42	203,802.00	61,217.40
Miscellaneous	136,155.16	0.00	0.00
TOTAL REVENUES	41,471,998.94	2,142,865.00	2,390,011.42
EXPENDITURES			
Personal services	19,988,744.19	0.00	0.00
Employee benefits	8,302,876.46	0.00	0.00
Contracted personal services	4,937,646.23	104,480.62	0.00
Supplies and materials	4,437,984.53	322,637.28	0.00
Travel	244,447.45	0.00	0.00
Communication	459,763.67	23,466.04	0.00
Utilities	384,709.25	0.00	0.00
Data processing services	551,875.32	0.00	0.00
Other services	2,132,330.82	697.16	0.00
Claims and benefits	774,447.02	0.00	0.00
Debt service:			
Other fixed charges	158,665.33	100.00	0.00
Capital outlay	2,178,865.18	2,760,776.48	0.00
Grants, state aid and subsidies	892,003.43	0.00	0.00
Insurance and bonding	42,443.53	0.00	0.00
Other expenditures	799,512.27	11,745.00	0.00
Unclassified/invalid accounts	13,574.66	0.00	0.00
Reimbursements	-417,044.84	0.00	0.00

NC Wildlife Resources Commission
CAFR 52G - Statement of Revenues, Expenditures, and Changes in Fund Balances
Fiscal Year 2018-19 (Through January 31, 2019)

EXHIBIT B

CAFR 52G (Statement of Revenues, Expenditures and Changes in Fund Balances)

Governmental Funds

MDC: 17xgov Updated: 02/13/2019 01:39:30 AM
 Report Format 07/10/2018

[17 NC Wildlife Resources] [All GASB Numbers] [GAAP Fund Type] [All Accounts] [All Budget Codes] [ARRA] [FY 2019] [January] YTD ACTUAL

TOTAL EXPENDITURES	45,882,844.50	3,223,902.58	0.00
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	-4,410,845.56	-1,081,037.58	2,390,011.42
OTHER FINANCING SOURCES (USES)			
. Sale of capital assets	142,986.91	0.00	0.00
. Insurance recoveries	60,000.00	0.00	0.00
. Transfers in	25,012,261.03	1,335,134.30	0.00
. Transfers out	-28,803,506.74	-337,614.90	-1,569,797.90
. Appropriations	8,253,047.37	0.00	0.00
TOTAL OTHER FINANCING SOURCES (USES)	4,664,788.57	997,519.40	-1,569,797.90
EXCESS OF REVENUES AND OTHER SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES	253,943.01	-83,518.18	820,213.52
FUND BALANCE - JULY 1, As previously stated	14,838,043.55	3,986,758.85	123,569,426.52
FUND BALANCE - JUNE 30	15,091,986.56	3,903,240.67	124,389,640.04

**NORTH CAROLINA WILDLIFE RESOURCES COMMISSION
WILDLIFE ENDOWMENT FUND
FUND BALANCES AS OF December 31, 2018**

BOND INDEX FUND (BIF)	\$100,754,814.01
EQUITY INDEX FUND (EIF)	17,168,558.80
SHORT TERM INVESTMENT FUND (STIF)	6,412,031.23
TOTAL WILDLIFE ENDOWMENT FUND BALANCE AS OF 12/31/18	<u><u>\$ 124,335,404.04</u></u>

INTEREST INCOME WITHIN FUNDS	EXPENDABLE	NON-EXPENDABLE
ADULT LICENSE SALES	\$27,156,567.41	
INFANT LICENSE SALES		\$12,466,998.84
YOUTH LICENSE SALES		1,122,618.09
CONTRIBUTIONS	1,865,129.54	
WILDLIFE DIVERSITY	766.51	
MAGAZINE SALES	1,438,645.00	
	<u>\$ 30,461,108.46</u>	<u>\$ 13,589,616.93</u>

EXPENDABLE INTEREST TRANSFERRED TO OPERATIONS FISCAL YTD
\$1,426,797.90
<u>\$ 1,426,797.90</u>



EXHIBIT C-1

February 21, 2019

Summary of Public Comments on Proposed Changes to Fishing Regulations for 2019-2020

Proposal	Proposed Text	Agree	Disagree	No Position (Online Only)	Comment Type
F1	Designate Apalachia Reservoir in Cherokee County as Public Mountain Trout Waters, classify as Special Regulation Trout Waters, and establish a three-fish daily creel limit including only one trout greater than 14 inches.	130	4	22	Online: 28 Comment Card: 106 Letter/Email: 22
F2	Modify the upper boundary of Delayed Harvest Trout Waters on Helton Creek in Ashe County removing approximately 1.0 mile from Public Mountain Trout Waters. The designated reach will be from the S.R. 1372 bridge to the North Fork New River.	107	20	25	Online: 24 Comment Card: 106 Letter/Email: 22
F3	Modify the upper boundary of Hatchery Supported Trout Waters on Big Laurel Creek in Madison County removing 4.7 miles from Public Mountain Trout Waters. The designated reach will be from Puncheon Fork to the S.R. 1318 [Big Laurel Rd.] bridge downstream of Bearpen Branch.	109	21	23	Online: 25 Comment Card: 106 Letter/Email: 22
F4	Modify the upper boundary of Hatchery Supported Trout Waters on Meadow Fork Creek in Madison County removing 1.0 mile from Public Mountain Trout Waters. The designated reach will be from Meadow Fork Campground to Spring Creek.	107	22	24	Online: 24 Comment Card: 106 Letter/Email: 22
F5	Modify the lower boundary of Delayed Harvest Trout Waters on East Fork French Broad River in Transylvania County removing 0.9 miles from Public Mountain Trout Waters. The designated reach will be from East Fork Baptist Church to the downstream S.R. 1107 bridge.	106	21	24	Online: 22 Comment Card: 107 Letter/Email: 22
F6	Modify the lower boundary of the upper Delayed Harvest Trout Waters section on the Watauga River in Watauga County removing approximately 0.4 miles from Public Mountain Trout Waters. The designated reach will be from the S.R. 1114 bridge to the Valle Crucis Community Park lower boundary.	105	22	25	Online: 25 Comment Card: 105 Letter/Email: 22
F7	Clarify the upper boundary of Hatchery Supported Trout Waters on Big Hungry River in Henderson County. The designated reach is from S.R. 1885 to the Green River. This proposal will not add or remove any Public Mountain Trout Waters.	123	8	22	Online: 23 Comment Card: 108 Letter/Email: 22
F8	Remove the closed harvest season of December 1 to March 31 for black bass at Sutton Lake. The minimum size limit is 14 inches, and the daily creel limit is five fish.	116	8	21	Online: 20 Comment Card: 103 Letter/Email: 22
F9	Clarify that the exception to the general statewide regulation for black bass establishing a 14-inch minimum size limit with no exception in the Albemarle Sound and its tributaries applies to all associated tributaries and canals of all tributary river systems.	128	5	22	Online: 28 Comment Card: 105 Letter/Email: 22
F10	Remove the exception to the general statewide regulation for crappie in B. Everett Jordan Reservoir by reducing the minimum size limit from 10 inches to 8 inches. The creel limit would remain 20 fish per day.	111	62	17	Online: 54 Comment Card: 114 Letter/Email: 22
F11	Establish an exception to the general statewide regulation for crappie in the North Carolina portion of John H. Kerr Reservoir by implementing a 9-inch minimum size limit and a 25-fish daily creel limit.	117	16	22	Online: 26 Comment Card: 107 Letter/Email: 22
F12	Modify the general statewide regulation for American Shad and Hickory Shad to establish a daily creel limit of 10 fish in combination, including no more than one American Shad. This proposal will not affect river systems where harvest of more than one American Shad is specifically allowed (Tar River, Cape Fear River, Pee Dee River, and their tributaries) or in select Piedmont reservoirs where no American Shad may be possessed.	115	15	24	Online: 26 Comment Card: 106 Letter/Email: 22
F13	Modify the exception to the general statewide regulation for Striped Bass and their hybrids in the portion of the Dan River downstream of the dam at Union Street in Danville, Virginia and in the North Carolina portion of John H. Kerr Reservoir by reducing the minimum size limit from 24 to 20 inches from October 1 to May 31. The daily creel limit would remain two in combination from October 1 to May 31. From June 1 to September 30, there is no minimum size limit and a four-fish daily creel limit.	119	15	23	Online: 29 Comment Card: 106 Letter/Email: 22

Proposal	Proposed Text	Agree	Disagree	No Position (Online Only)	Comment Type
F14	Extend the upper boundary for the river herring (Alewife and Blueback Herring) harvest moratorium on the Neuse River upstream from Milburnie Dam, which has been removed, to Falls Lake Dam.	116	3	24	Online: 20 Comment Card: 101 Letter/Email: 22
F15	Remove the possession restriction for river herring (Alewife and Blueback Herring) in the Little Tennessee River Basin except for waters in and upstream of Lake Santeetlah and Cedar Cliff Lake.	106	14	23	Online: 18 Comment Card: 103 Letter/Email: 22
F16	Establish an exception to the general statewide regulation for catfish in the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries by implementing a daily creel limit of five catfish in combination.	120	41	22	Online: 52 Comment Card: 109 Letter/Email: 22
F17	Prohibit the possession or take of Grass Carp on the North Carolina portion of John H. Kerr Reservoir and Lake Norman except for scientific study by permit issued by the N.C. Wildlife Resources Commission.	98	51	21	Online: 36 Comment Card: 12 Letter/Email: 22
F18	Clarify that the restriction on altering the appearance of nongame fishes subject to a size and/or creel limit such that the fish cannot be identified, measured, or counted applies only to species and associated locations with specific size and/or creel limits.	128	11	25	Online: 36 Comment Card: 106 Letter/Email: 22
F19	Extend the upper boundary for the use of bow nets as a special device on the Neuse River upstream from Milburnie Dam, which has been removed, to Falls Lake Dam.	107	17	25	Online: 23 Comment Card: 104 Letter/Email: 22
F20	Limit the use of archery equipment on Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries for the take of catfish only.	111	52	22	Online: 53 Comment Card: 110 Letter/Email: 22
	Total	2279	428	456	

EXHIBIT C-2

February 21, 2019



PROPOSED CHANGES TO INLAND FISHERIES REGULATIONS FOR 2019-2020 AND RULE TEXT FOR COMMISSION ACTION

- F1)** Designate Apalachia Reservoir in Cherokee County as Public Mountain Trout Waters, classify as Special Regulation Trout Waters, and establish a three-fish daily creel limit including only one trout greater than 14 inches.
15A NCAC 10C .0205 Public Mountain Trout Waters (page 8)
15A NCAC 10C .0316 Trout (page 18)
- F2)** Modify the upper boundary of Delayed Harvest Trout Waters on Helton Creek in Ashe County removing approximately 1.0 mile from Public Mountain Trout Waters. The designated reach will be from the S.R. 1372 bridge to the North Fork New River.
15A NCAC 10C .0205 Public Mountain Trout Waters (page 5)
- F3)** Modify the upper boundary of Hatchery Supported Trout Waters on Big Laurel Creek in Madison County removing 4.7 miles from Public Mountain Trout Waters. The designated reach will be from Puncheon Fork to the S.R. 1318 [Big Laurel Rd.] bridge downstream of Bearpen Branch.
15A NCAC 10C .0205 Public Mountain Trout Waters (page 11)
- F4)** Modify the upper boundary of Hatchery Supported Trout Waters on Meadow Fork Creek in Madison County removing 1.0 mile from Public Mountain Trout Waters. The designated reach will be from Meadow Fork Campground to Spring Creek.
15A NCAC 10C .0205 Public Mountain Trout Waters (page 11)
- F5)** Modify the lower boundary of Delayed Harvest Trout Waters on East Fork French Broad River in Transylvania County removing 0.9 miles from Public Mountain Trout Waters. The designated reach will be from East Fork Baptist Church to the downstream S.R. 1107 bridge.
15A NCAC 10C .0205 Public Mountain Trout Waters (page 14)
- F6)** Modify the lower boundary of the upper Delayed Harvest Trout Waters section on the Watauga River in Watauga County removing approximately 0.4 miles from Public Mountain Trout Waters. The designated reach will be from the S.R. 1114 bridge to the Valle Crucis Community Park lower boundary.
15A NCAC 10C .0205 Public Mountain Trout Waters (page 15)

- F7)** Clarify the upper boundary of Hatchery Supported Trout Waters on Big Hungry River in Henderson County. The designated reach is from S.R. 1885 to the Green River. This proposal will not add or remove any Public Mountain Trout Waters.
15A NCAC 10C .0205 Public Mountain Trout Waters (page 10)
- F8)** Remove the closed harvest season of December 1 to March 31 for black bass at Sutton Lake. The minimum size limit is 14 inches, and the daily creel limit is five fish.
15A NCAC 10C .0305 Black Bass (pages 19-20)
- F9)** Clarify that the exception to the general statewide regulation for black bass establishing a 14-inch minimum size limit with no exception in the Albemarle Sound and its tributaries applies to all associated tributaries and canals of all tributary river systems.
15A NCAC 10C .0305 Black Bass (page 19)
- F10)** Remove the exception to the general statewide regulation for crappie in B. Everett Jordan Reservoir by reducing the minimum size limit from 10 inches to 8 inches. The creel limit would remain 20 fish per day.
15A NCAC 10C .0306 Crappie (page 21)
- F11)** Establish an exception to the general statewide regulation for crappie in the North Carolina portion of John H. Kerr Reservoir by implementing a 9-inch minimum size limit and a 25-fish daily creel limit.
15A NCAC 10C .0306 Crappie (page 22)
- F12)** Modify the general statewide regulation for American Shad and Hickory Shad to establish a daily creel limit of 10 fish in combination, including no more than one American Shad. This proposal will not affect river systems where harvest of more than one American Shad is specifically allowed (Tar River, Cape Fear River, Pee Dee River, and their tributaries) or in select Piedmont reservoirs where no American Shad may be possessed.
15A NCAC 10C .0313 Shad (American and Hickory) (page 23)
- F13)** Modify the exception to the general statewide regulation for Striped Bass and their hybrids in the portion of the Dan River downstream of the dam at Union Street in Danville, Virginia and in the North Carolina portion of John H. Kerr Reservoir by reducing the minimum size limit from 24 to 20 inches from October 1 to May 31. The daily creel limit would remain two in combination from October 1 to May 31. From June 1 to September 30, there is no minimum size limit and a four-fish daily creel limit.
15A NCAC 10C .0314 Striped Bass (page 24)

- F14)** Extend the upper boundary for the river herring (Alewife and Blueback Herring) harvest moratorium on the Neuse River upstream from Milburnie Dam, which has been removed, to Falls Lake Dam.
15A NCAC 10C .0401 Manner of Taking Nongame Fishes (pages 26-27)
15A NCAC 10C .0402 Taking Nongame Fishes for Bait and Personal Consumption (pages 30-31)
- F15)** Remove the possession restriction for river herring (Alewife and Blueback Herring) in the Little Tennessee River Basin except for waters in and upstream of Lake Santeetlah and Cedar Cliff Lake.
15A NCAC 10C .0211 Possession of Certain Fishes (page 33)
15A NCAC 10C .0402 Taking Nongame Fishes for Bait and Personal Consumption (page 31)
- F16)** Establish an exception to the general statewide regulation for catfish in the Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries by implementing a daily creel limit of five catfish in combination.
15A NCAC 10C .0401 Manner of Taking Nongame Fishes (page 28)
- F17)** Prohibit the possession or take of Grass Carp on the North Carolina portion of John H. Kerr Reservoir and Lake Norman except for scientific study by permit issued by the N.C. Wildlife Resources Commission.
15A NCAC 10C .0401 Manner of Taking Nongame Fishes (page 28)
- F18)** Clarify that the restriction on altering the appearance of nongame fishes subject to a size and/or creel limit such that the fish cannot be identified, measured, or counted applies only to species and associated locations with specific size and/or creel limits.
15A NCAC 10C .0401 Manner of Taking Nongame Fishes (page 28)
15A NCAC 10C .0402 Taking Nongame Fishes for Bait and Personal Consumption (page 31)
- F19)** Extend the upper boundary for the use of bow nets as a special device on the Neuse River upstream from Milburnie Dam, which has been removed, to Falls Lake Dam.
15A NCAC 10C .0407 Permitted Special Devices and Open Seasons (page 43)
- F20)** Limit the use of archery equipment on Pee Dee River downstream of Blewett Falls Dam to the South Carolina state line and all tributaries for the take of catfish only.
15A NCAC 10C .0401 Manner of Taking Nongame Fishes (page 27)

1 15A NCAC 10C .0205 is proposed for reoption with substantive changes as follows:

2
3 **15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS**

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

- 5 (1) "Natural bait" means any living or dead organism (plant or animal), or parts thereof, or prepared
6 substances designed to attract fish by the sense of taste or smell.
7 (2) "Artificial lure" means a fishing lure that neither contains nor has been treated by any substance that
8 attracts fish by the sense of taste or smell.
9 (3) "Youth anglers" are individuals under 18 years of age.

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

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

1 (9) "Undesignated Waters" are all other waters in the State. These waters have no bait or lure
2 restrictions. Trout may not be possessed while fishing these waters from March 1 until 7:00 a.m. on
3 the first Saturday in April.

4 (c) Seasons, ~~ereel~~ creel, and size limits. Seasons, ~~ereel~~ creel, and size limits for trout in all waters are listed in Rule
5 .0316 of this Subchapter.

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

9 (1) Alleghany

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

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

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

14 Big Pine Creek

15 Bledsoe Creek

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

18 Cranberry Creek

19 (Big) Glade Creek

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

22 Meadow Fork

23 Pine Swamp Creek

24 Piney Fork

25 Prathers Creek

26 (C) Wild Trout Waters are as follows:

27 All waters located on Stone Mountain State Park

28 (2) Ashe County

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

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

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

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

33 Helton Creek (~~Virginia State line~~ (SR 1372 bridge to North Fork New River)

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

35 Trout Lake

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

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

- 1 Big Horse Creek (Mud Creek at S.R. 1363 to S.R. 1324 bridge)
- 2 Big Laurel Creek (S.R. 1315 bridge to confluence with North Fork New River)
- 3 Buffalo Creek (S.R. 1133 bridge to N.C. 194-88 bridge)
- 4 Cranberry Creek (Alleghany Co. line to South Fork New River)
- 5 Nathans Creek
- 6 North Fork New River (Watauga Co. line to Sharp Dam)
- 7 Old Fields Creek (N.C. 221 to South Fork New River)
- 8 Peak Creek (headwaters to Trout Lake, except Blue Ridge Parkway waters)
- 9 Roan Creek
- 10 Three Top Creek

11 (3) Avery County

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

- 13 Elk River (portion on Lees-McRae College property, excluding the millpond)
- 14 Lost Cove Creek (game land portion, excluding Gragg Prong and Rockhouse Creek)

15 (B) Catch and Release/Artificial Lures Only Trout Waters are as follows:

- 16 Wilson Creek (game land portion)

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

- 18 Boyde Coffey Lake
- 19 Elk River (S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state
- 20 line)
- 21 Linville River (Land Harbor line [below dam] to the Blue Ridge Parkway boundary line,
- 22 except where posted against trespassing)
- 23 Milltimber Creek
- 24 North Toe River — upper (Watauga St. to Roby Shoemaker Wetlands and Family
- 25 Recreational Park, except where posted against trespassing)
- 26 North Toe River — lower (S.R. 1164 to Mitchell Co. line, except where posted against
- 27 trespassing)
- 28 Squirrel Creek
- 29 Wildcat Lake

30 (D) Wild Trout Waters are as follows:

- 31 Birchfield Creek
- 32 Cow Camp Creek
- 33 Cranberry Creek (headwaters to U.S. 19E/N.C. 194 bridge)
- 34 Gragg Prong
- 35 Horse Creek
- 36 Kentucky Creek
- 37 North Harper Creek

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

- 1 (6) Caldwell County
- 2 (A) Delayed Harvest Trout Waters are as follows:
- 3 Wilson Creek (game land portion below Lost Cove Creek to Philips Branch)
- 4 (B) Hatchery Supported Trout Waters are as follows:
- 5 Boone Fork Pond
- 6 Buffalo Creek (mouth of Joes Creek to McCloud Branch)
- 7 Joes Creek (first falls upstream of S.R. 1574 to confluence with Buffalo Creek)
- 8 Wilson Creek (Phillips Branch to Brown Mountain Beach Dam, except where posted
- 9 against trespassing)
- 10 Yadkin River (Happy Valley Ruritan Community Park to S.R. 1515)
- 11 (C) Wild Trout Waters are as follows:
- 12 Buffalo Creek (Watauga Co. line to Long Ridge Branch including game land tributaries)
- 13 Joes Creek (Watauga Co. line to first falls upstream of the end of S.R. 1574)
- 14 Rockhouse Creek
- 15 (7) Cherokee County
- 16 (A) Hatchery Supported Trout Waters are as follows:
- 17 Davis Creek (confluence of Bald and Dockery creeks to Hanging Dog Creek)
- 18 Hyatt Creek (Big Dam Branch to Valley River)
- 19 Junaluska Creek (Ashturn Creek to Valley River)
- 20 Shuler Creek (Joe Brown Hwy [S.R. 1325] bridge to Tennessee state line)
- 21 Valley River (S.R. 1359 to U.S. 19 Business bridge in Murphy)
- 22 (B) Special Regulation Trout Waters are as follows:
- 23 Apalachia Reservoir
- 24 ~~(B)~~(C) Wild Trout Waters/Natural Bait are as follows:
- 25 Bald Creek (game land portion)
- 26 Dockery Creek (game land portion)
- 27 North Shoal Creek (game land portion)
- 28 (8) Clay County
- 29 (A) Delayed Harvest Trout Waters are as follows:
- 30 Fires Creek (USFS Rd. 340A to the foot bridge in the USFS Fires Creek Picnic Area)
- 31 (B) Hatchery Supported Trout Waters are as follows:
- 32 Buck Creek (game land portion downstream of U.S. 64 bridge)
- 33 Fires Creek (foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300)
- 34 Tusquitee Creek (Compass Creek to lower S.R. 1300 bridge)
- 35 (9) Graham County
- 36 (A) Delayed Harvest Trout Waters are as follows:
- 37 (Big) Snowbird Creek (USFS footbridge at the old railroad junction to USFS Rd. 2579)

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

- 1 (Rocky) Broad River (end of S.R. 1611 to Rutherford County line)
2 Cane Creek (railroad bridge upstream of S.R. 1551 bridge to U.S. 25 bridge)
3 Clear Creek (Laurel Fork to S.R. 1582)
4 Green River (Lake Summit powerhouse to game land boundary)
5 (Big) Hungry River (S.R. 1885 to Green River)
6 (12) Jackson County
7 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
8 Flat Creek
9 Tuckasegee River (upstream from the Clark property)
10 (B) Delayed Harvest Trout Waters are as follows:
11 Tuckasegee River (downstream N.C. 107 bridge to the falls located 275 yards upstream
12 of the U.S. 23-441 bridge [marked by a sign on each bank])
13 (C) Hatchery Supported Trout Waters are as follows:
14 Balsam Lake
15 Bear Creek Lake
16 Cedar Cliff Lake
17 Cullowhee Creek (Tilley Creek to Tuckasegee River)
18 Dark Ridge Creek (Jones Creek to Scott Creek)
19 Greens Creek (Greens Creek Baptist Church on S.R. 1370 to Savannah Creek)
20 Savannah Creek (Shell Branch to Cagle Branch)
21 Scott Creek (Dark Ridge Creek to Tuckasegee River, except where posted against
22 trespassing)
23 Tanasee Creek Lake
24 Tuckasegee River — upper (John Brown Branch to the downstream N.C. 107 bridge)
25 Tuckasegee River — lower (falls located 275 yards upstream of U.S. 23-441 bridge
26 [marked by a sign on each bank] to S.R. 1534 bridge at Wilmot)
27 Wolf Creek Lake
28 (D) Wild Trout Waters are as follows:
29 Gage Creek
30 North Fork Scott Creek
31 Tanasee Creek
32 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
33 Wolf Creek (except Balsam Lake and Wolf Creek Lake)
34 (E) Wild Trout Waters/Natural Bait are as follows:
35 Buff Creek
36 Chattooga River (S.R. 1100 bridge to the South Carolina state line)
37 Lower Fowler Creek (game land portion)

- 1 Scotsman Creek (game land portion)
- 2 (13) Macon County
- 3 (A) Delayed Harvest Trout Waters are as follows:
- 4 Nantahala River (Whiteoak Creek to Nantahala hydropower discharge canal)
- 5 (B) Hatchery Supported Trout Waters are as follows:
- 6 Burningtown Creek (Left Prong to Little Tennessee River)
- 7 Cartoogechaye Creek (downstream U.S. 64 bridge to Little Tennessee River)
- 8 Cliffside Lake
- 9 Cullasaja River (Sequoyah Dam to U.S. 64 bridge near junction of S.R. 1672)
- 10 Nantahala River — upper (Dicks Creek to Whiteoak Creek)
- 11 Nantahala River — lower (Nantahala hydropower discharge canal to Swain Co. line)
- 12 Queens Creek Lake
- 13 (C) Wild Trout Waters/Natural Bait are as follows:
- 14 Chattooga River (S.R. 1100 bridge to South Carolina state line)
- 15 Jarrett Creek (game land portion)
- 16 Kimsey Creek
- 17 Overflow Creek (game land portion)
- 18 Park Creek
- 19 Tellico Creek (game land portion)
- 20 Turtle Pond Creek (game land portion)
- 21 (14) Madison County
- 22 (A) Delayed Harvest Trout Waters are as follows:
- 23 Big Laurel Creek (N.C. 208 bridge to the U.S. 25-70 bridge)
- 24 Shelton Laurel Creek (N.C. 208 bridge at Belva to the confluence with Big Laurel Creek)
- 25 Spring Creek (N.C. 209 bridge at Hot Springs city limits to iron bridge at end of Andrews
- 26 Ave.)
- 27 (B) Hatchery Supported Trout Waters are as follows:
- 28 Big Laurel Creek (~~Mars Hill watershed boundary~~ Puncheon Fork to the S.R. 1318 [Big
- 29 Laurel Rd.] bridge downstream of Bearpen Branch)
- 30 Big Pine Creek (S.R. 1151 bridge to French Broad River)
- 31 Little Ivy Creek (confluence of Middle Fork and Paint Fork at Beech Glen to confluence
- 32 with Ivy Creek at Forks of Ivy)
- 33 Max Patch Pond
- 34 Meadow Fork Creek (~~S.R. 1165~~ Meadow Fork Campground to Spring Creek)
- 35 Puncheon Fork (Hampton Creek to Big Laurel Creek)
- 36 Roaring Fork (Fall Branch to Meadow Fork)

- 1 Shelton Laurel Creek (confluence of Big Creek and Mill Creek to N.C. 208 bridge at
2 Belva)
3 Shut-in Creek
4 Spillcorn Creek
5 Spring Creek (junction of N.C. 209 and N.C. 63 to USFS Rd. 223)
6 West Fork Shut-in Creek (lower game land boundary to confluence with East Fork Shut-
7 in Creek)
8 (C) Wild Trout Waters/Natural Bait are as follows:
9 Big Creek (headwaters to the lower game land boundary)
- 10 (15) McDowell County
11 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
12 Newberry Creek (game land portion)
13 (B) Delayed Harvest Trout Waters are as follows:
14 Catawba River (portion adjacent to Marion Greenway)
15 Curtis Creek (game land portion downstream of the USFS boundary at Deep Branch)
16 Mill Creek (U.S. 70 bridge to I-40 bridge)
17 (C) Hatchery Supported Trout Waters are as follows:
18 Armstrong Creek (Cato Holler line downstream to upper Greenlee line)
19 Catawba River (Catawba Falls Campground to Old Fort Recreation Park)
20 Little Buck Creek (game land portion)
21 Mill Creek (upper railroad bridge to U.S. 70 bridge, except where posted against
22 trespassing)
23 North Fork Catawba River (headwaters to North Cove School at S.R. 1569 bridge)
- 24 (16) Mitchell County
25 (A) Delayed Harvest Trout Waters are as follows:
26 Cane Creek (N.C. 226 bridge to S.R. 1189 bridge)
27 North Toe River (U.S. 19E bridge to N.C. 226 bridge)
28 (B) Hatchery Supported Trout Waters are as follows:
29 Big Rock Creek (headwaters to N.C. 226 bridge at S.R. 1307 intersection)
30 Cane Creek (S.R. 1219 to N.C. 226 bridge)
31 East Fork Grassy Creek
32 Grassy Creek (East Fork Grassy Creek to mouth)
33 Little Rock Creek (Green Creek bridge to Big Rock Creek, except where posted against
34 trespassing)
35 North Toe River (Avery Co. line to S.R. 1121 bridge)
36 (C) Wild Trout Waters are as follows:

- 1 Green Creek (headwaters to Green Creek bridge, except where posted against
2 trespassing)
3 Little Rock Creek (above Green Creek bridge, including all tributaries, except where
4 posted against trespassing)
5 Wiles Creek (game land boundary to mouth)
- 6 (17) Polk County
7 (A) Delayed Harvest Trout Waters are as follows:
8 Green River (Fishtop Falls Access Area to the confluence with Cove Creek)
9 (B) Hatchery Supported Trout Waters are as follows:
10 Green River (Mouth of Cove Creek to the natural gas pipeline crossing)
11 North Pacolet River (Joels Creek to N.C. 108 bridge)
- 12 (18) Rutherford County
13 (A) Hatchery Supported Trout Waters are as follows:
14 (Rocky) Broad River (Henderson Co. line to U.S. 64/74 bridge, except where posted
15 against trespassing)
- 16 (19) Stokes County
17 (A) Hatchery Supported Trout Waters are as follows:
18 Dan River (Virginia state line downstream to a point 200 yards below the end of S.R.
19 1421)
- 20 (20) Surry County
21 (A) Delayed Harvest Trout Waters are as follows:
22 Ararat River (portion adjacent to the Ararat River Greenway)
23 Mitchell River (.6 mile upstream of the end of S.R. 1333 to the S.R. 1330 bridge below
24 Kapps Mill Dam)
25 (B) Hatchery Supported Trout Waters are as follows:
26 Ararat River (S.R. 1727 bridge downstream to the N.C. 103 bridge)
27 Big Elkin Creek (dam 440 yards upstream of N.C. 268 bridge to a point 265 yards
28 downstream of N.C. 268 [marked by a sign on each bank])
29 Fisher River (Cooper Creek) (Virginia state line to I-77 bridge)
30 Little Fisher River (Virginia state line to N.C. 89 bridge)
31 Lovills Creek (U.S. 52 Business bridge to Ararat River)
32 Pauls Creek (Virginia state line to .3 miles below S.R. 1625 bridge)
- 33 (21) Swain County
34 (A) Delayed Harvest Waters Trout Waters are as follows:
35 Tuckasegee River (U.S. 19 bridge to Slope Street bridge)
36 (B) Hatchery Supported Trout Waters are as follows:
37 Alarka Creek (game land boundary to Fontana Reservoir)

- 1 Calderwood Reservoir (Cheoah Dam to Tennessee state line)
- 2 Cheoah Reservoir
- 3 Connelly Creek (Camp Branch to Tuckasegee River)
- 4 Deep Creek (Great Smoky Mountains National Park Boundary line to Tuckasegee River)
- 5 Nantahala River (Macon Co. line to existing Fontana Lake water level)
- 6 (22) Transylvania County
- 7 (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:
- 8 Davidson River (headwaters to Avery Creek, excluding Avery Creek, Looking Glass
- 9 Creek and Grogan Creek)
- 10 (B) Delayed Harvest ~~Waters~~ Trout Waters are as follows:
- 11 East Fork French Broad River (East Fork Baptist Church to ~~French Broad River~~ the
- 12 downstream S.R. 1107 bridge)
- 13 Little River (confluence of Lake Dense to 100 yards downstream of Hooker Falls)
- 14 (C) Hatchery Supported Trout Waters are as follows:
- 15 Davidson River (Avery Creek to lower USFS boundary)
- 16 French Broad River (confluence of North Fork French Broad River and West Fork) French
- 17 Broad River to the Island Ford Rd. [S.R. 1110] Access Area
- 18 Middle Fork French Broad River (upstream U.S. 178 bridge to French Broad River)
- 19 West Fork French Broad River (Camp Cove Branch to confluence with North Fork French
- 20 Broad River)
- 21 (D) Wild Trout Waters are as follows:
- 22 All waters located on Gorges State Park
- 23 Whitewater River (downstream from Silver Run Creek to South Carolina state line)
- 24 (E) Wild Trout Waters/Natural Bait are as follows:
- 25 North Fork French Broad River (game land portion downstream of S.R. 1326)
- 26 Thompson River (S.R. 1152 to South Carolina state line, except where posted against
- 27 trespassing)
- 28 (23) Watauga County
- 29 (A) Catch and Release/Artificial Lures Only Trout Waters are as follows:
- 30 Laurel Creek (confluence of North and South Fork Laurel creeks to Elk Creek, excluding
- 31 tributaries)
- 32 Pond Creek (headwaters to Locust Ridge Rd. bridge, excluding the pond adjacent to
- 33 Coffee Lake)
- 34 (B) Delayed Harvest Trout Waters are as follows:
- 35 Lake Coffey

1 Watauga River (adjacent to intersection of S.R. 1557 and S.R. 1558 to N.C. 105 bridge
2 and S.R. 1114 bridge to ~~N.C. 194 bridge at the Valle Crucis~~ Crucis Community Park
3 lower boundary)

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

5 Beaverdam Creek (confluence of Beaverdam Creek and Little Beaverdam Creek to an
6 unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203)

7 Beech Creek

8 Buckeye Creek (Buckeye Creek Reservoir dam to Grassy Gap Creek)

9 Buckeye Creek Reservoir

10 Cove Creek (S.R. 1233 bridge at Zionville to S.R. 1214 bridge at Sherwood)

11 Dutch Creek (second bridge on S.R. 1134 to mouth)

12 Elk Creek (S.R. 1510 bridge at Triplett to Wilkes Co. line, except where posted against
13 trespassing)

14 Laurel Creek (S.R. 1123 bridge at S.R. 1157 intersection to Watauga River)

15 Meat Camp Creek (S.R. 1340 bridge at S.R. 1384 intersection to N.C. 194)

16 Middle Fork New River (adjacent to intersection of S.R. 1539 and U.S. 321 to South
17 Fork New River)

18 Norris Fork Creek

19 South Fork New River (canoe launch 70 yards upstream of U.S. 421 bridge to lower
20 boundary of Brookshire Park)

21 Stony Fork (S.R. 1500 bridge at S.R. 1505 intersection to Wilkes Co. line)

22 (D) Wild Trout Waters are as follows:

23 Dutch Creek (headwaters to second bridge on S.R. 1134)

24 Howard Creek

25 Maine Branch (headwaters to North Fork New River)

26 North Fork New River (from confluence with Maine and Mine branches to Ashe Co.
27 line)

28 Watauga River (Avery Co. line to S.R. 1580 bridge)

29 Winkler Creek (lower bridge on S.R. 1549 to confluence with South Fork New River)

30 (24) Wilkes County

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

32 East Prong Roaring River (Bullhead Creek downstream to Stone Mountain State Park
33 lower boundary)

34 Elk Creek — upper (Watauga Co. line to lower boundary of the Blue Ridge Mountain
35 Club)

36 Elk Creek — lower (portion on Leatherwood Mountains development)

- 1 Reddies River (Town of North Wilkesboro water intake dam to confluence with the
2 Yadkin River)
- 3 Stone Mountain Creek (from falls at Alleghany Co. line to confluence with East Prong
4 Roaring River and Bullhead Creek)
- 5 (B) Hatchery Supported Trout Waters are as follows:
6 Basin Creek (S.R. 1730 bridge to confluence with Lovelace Creek)
7 Bell Branch Pond
8 Cub Creek (.5 mile upstream of S.R. 2460 bridge to S.R. 1001 bridge)
9 Darnell Creek (North Prong Reddies River) (downstream ford on S.R. 1569 to confluence
10 with North Fork Reddies River)
11 East Prong Roaring River (Stone Mountain State Park lower boundary to S.R. 1002 bridge)
12 Fall Creek (S.R. 1300 bridge to confluence with South Prong Lewis Fork, except where
13 posted against trespassing)
14 Middle Fork Reddies River (Clear Prong) (headwaters to bridge on S.R. 1580)
15 Middle Prong Roaring River (headwaters to bridge on S.R. 1736)
16 North Fork Reddies River (Vannoy Creek) (headwaters to Union School bridge on S.R.
17 1559)
18 Pike Creek
19 Pike Creek Pond
20 South Fork Reddies River (S.R. 1355 bridge to confluence with Middle Fork Reddies
21 River)
22 South Prong Lewis Fork (Fall Creek to S.R. 1155 bridge)
- 23 (C) Wild Trout Waters are as follows:
24 All waters located on Stone Mountain State Park, except East Prong Roaring River from
25 Bullhead Creek downstream to the Stone Mountain State Park lower boundary where
26 Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from falls at
27 Alleghany County line to confluence with East Prong Roaring River and Bullhead Creek
28 in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply
- 29 (25) Yancey County
- 30 (A) Catch and Release/Artificial Flies Only Trout Waters are as follows:
31 South Toe River (headwaters to Upper Creek)
32 Upper Creek
- 33 (B) Delayed Harvest Trout Waters are as follows:
34 Cane River (Blackberry Ridge Rd. to downstream boundary of Cane River County Park)
- 35 (C) Hatchery Supported Trout Waters are as follows:
36 Bald Mountain Creek (except where posted against trespassing)
37 Cane River (Bee Branch [S.R. 1110] to Bowlens Creek)

- 1 Price Creek (junction of S.R. 1120 and S.R. 1121 to Indian Creek)
- 2 South Toe River (Clear Creek to lower boundary line of Yancey Co. Recreation Park,
- 3 except where posted against trespassing)
- 4 (D) Wild Trout Waters are as follows:
- 5 Cattail Creek (bridge at Mountain Farm Community Rd. to N.C. 197 bridge)
- 6 Lickskillet Creek
- 7 Middle Creek (game land boundary to mouth)
- 8

9 *History Note: Authority G.S. 113-272; 113-292;*
10 *Eff. February 1, 1976;*
11 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
12 *October 1, 1992;*
13 *Temporary Amendment Eff. July 1, 1999;*
14 *Amended Eff. July 1, 2000;*
15 *Temporary Amendment Eff. July 1, 2001;*
16 *Temporary Amendment Eff. July 1, 2002;*
17 *Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);*
18 *Temporary Amendment Eff. June 1, 2003;*
19 *Amended Eff. June 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, 2017; August 1, 2016; August 1, 2015;*
22 *August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009;*
23 *May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.*
24

1 15A NCAC 10C .0316 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 10C .0316 TROUT**

4 (a) The daily creel limit for trout in Hatchery-Supported Trout Waters is seven fish. There is no minimum size limit
5 for these fish. The open season is from 7 a.m. on the first Saturday in April until March 1, except for waters designated
6 in ~~Paragraphs (d) and (g)~~ Paragraph (g) of this Rule.

7 (b) The daily creel limit for trout in Wild Trout Waters and Wild Trout/Natural Bait Trout Waters is four fish. The
8 minimum size limit for these fish is seven inches. There is no closed season.

9 (c) No trout may be harvested from Catch and Release/Artificial Lures Only Trout Waters or Catch and
10 Release/Artificial Flies Only Trout Waters. Trout may not be possessed while fishing these waters.

11 (d) The daily creel limit for trout in Delayed Harvest Trout Waters is seven fish. There is no minimum size limit for
12 these fish. The Youth-only Delayed Harvest Trout Water Season is from 6 a.m. on the first Saturday in June until 12
13 p.m. that same day. During this season only individuals under the age of 18 may fish. From 12 p.m. on the first
14 Saturday in June until September 30, the Delayed Harvest Trout Waters Season is open for all anglers. From October
15 1 to one-half hour after sunset on the Friday before the first Saturday in June, trout may not be harvested or possessed
16 while fishing these waters. Delayed Harvest Trout Waters are closed to all fishing from one-half hour after sunset on
17 the Friday before the first Saturday in June to 6 a.m. on the first Saturday in June.

18 (e) The daily creel limits, size limits, and seasons for trout in Special Regulation Trout Waters are as follows: ~~in the~~

19 (1) Apalachia Reservoir (Cherokee County) the daily creel limit is three trout. There is no minimum size
20 limit, but only one may be greater than 14 inches. There is no closed season.

21 (2) Catawba River (Burke County) from Muddy Creek to the City of Morganton water intake dam the daily
22 creel limit is two fish. The minimum size limit is 14 inches. There is no closed season.

23 (f) The daily creel limit for trout in undesignated trout waters is seven fish. There is no minimum size limit for these
24 fish.

25 (g) There is no closed season on taking trout from Linville River within Linville Gorge Wilderness Area and the
26 impounded waters of power reservoirs and municipally-owned water supply reservoirs open to the public for fishing.

27 (h) In designated Public Mountain Trout Waters the season for taking all species of fish is the same as the trout fishing
28 season.

29 (i) All trout water designations and manners of take are set forth in 15A NCAC 10C .0205.

30
31 *History Note: Authority G.S. 113-134; 113-292;*

32 *Eff. November 1, 2013;*

33 *Amended Eff. August 1, 2019; August 1, 2018; August 1, 2017; August 1, 2015.*

1 15A NCAC 10C .0305 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 10C .0305 BLACK BASS**

4 (a) The daily creel limit for Largemouth, Smallmouth, and Spotted Bass — collectively known as Black Bass - is
5 five fish, except in waters identified in Paragraphs (b), (c), (d), and ~~(n)(m)~~ of this Rule. There is no minimum size
6 limit for these fish, but only two of them may be less than 14 inches except in waters identified in Paragraphs (b), (c),
7 (d), (e), (f), (g), (h), (i), (j), (k), (l), ~~(m)~~, and ~~(n)~~ and (m) of this Rule. There is no closed season, except for waters
8 identified in ~~Paragraphs~~ Paragraph ~~(l)~~ and ~~(n)(m)~~ of this Rule.

9 (b) In Lake Cammack in Alamance County, and Lake Holt in Granville County the daily creel limit for Largemouth
10 Bass is 10 fish and no more than two fish greater than 14 inches may be possessed.

11 (c) In Lake Santeetlah in Graham County, there is no daily creel limit for Black Bass less than 14 inches. The daily
12 creel limit for Black Bass greater than 14 inches is five fish.

13 (d) In Lake Chatuge in Clay County, the daily creel limit for Black Bass is 10 fish, the minimum size limit for
14 Largemouth Bass is 12 inches, and there is no minimum size limit for Smallmouth Bass and Spotted Bass.

15 (e) The minimum size limit for Black Bass is 14 inches in the following:

16 (1) Lake Raleigh in Wake County;

17 ~~(2)~~ Lake Sutton in New Hanover County;

18 ~~(2)(3)~~ Pungo Lake in Washington and Hyde counties;

19 ~~(3)(4)~~ New Lake in Hyde County; and

20 ~~(4)(5)~~ Currituck, Roanoke, Croatan, Albemarle sounds, and all their tributaries including Roanoke River
21 downstream of Roanoke Rapids Dam, Chowan River, Meherrin River, Yeopim River, Pasquotank
22 River, Perquimans River, Little River, Big Flatty Creek, North River, Northwest River,
23 Scuppernong River, ~~and~~ Alligator River (including the Alligator/Pungo Canal east of the NC Hwy
24 264/45 ~~bridge~~-~~bridge~~, and all other associated tributaries and canals in these river systems.

25 (f) In Cane Creek Lake in Union County, and Buckhorn Reservoir in Wilson and Nash counties, the minimum size
26 limit for Largemouth Bass is 16 inches.

27 (g) In Lake Phelps in Tyrrell and Washington counties, the minimum size limit is 14 inches, and no fish between 16
28 and 20 inches may be possessed.

29 (h) In Shearon Harris Reservoir and Lake Hampton in Yadkin County, there is no minimum size limit for Black Bass,
30 but only two Black Bass less than 14 inches and no Black Bass between 16 and 20 inches may be possessed.

31 (i) In Randleman Reservoir, there is no minimum size limit for Largemouth Bass, but only two Largemouth Bass less
32 than 14 inches and only one Largemouth Bass greater than 20 inches may be possessed.

33 (j) In Lake Thom-A-Lex in Davidson County, the minimum size limit for Black Bass is 18 inches.

34 (k) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia) there is
35 no minimum size limit for Black Bass, but no fish between 14 and 22 inches in length may be possessed and only one
36 Black Bass greater than 22 inches may be possessed.

1 ~~(l)~~ In Sutton Lake, the minimum size limit for Black Bass is 14 inches and no Black Bass may be possessed from
2 December 1 through March 31.

3 ~~(m)~~(l) In Lake Mattamuskeet and associated canals in Hyde County, the minimum size limit for Largemouth Bass is
4 16 inches and only one Largemouth Bass greater than 20 inches may be possessed.

5 ~~(n)~~(m) In Jean Guite Creek and associated canals within the Town of Southern Shores, Dare County, no Black Bass
6 may be possessed.

7 ~~(o)~~(n) For purposes of this Rule, creel limits apply to Largemouth, Smallmouth, and Spotted Bass in aggregate unless
8 otherwise specified.

9
10 *History Note: Authority G.S. 113-134; 113-292; ~~113-304; 113-305;~~*
11 *Eff. February 1, 1976;*
12 *Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;*
13 *Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;*
14 *Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;*
15 *Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;*
16 *Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule*
17 *becomes effective, whichever is sooner;*
18 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;*
19 *Temporary Amendment Eff. November 1, 1998;*
20 *Amended Eff. April 1, 1999;*
21 *Temporary Amendment Eff. July 1, 1999;*
22 *Amended Eff. July 1, 2000;*
23 *Temporary Amendment Eff. July 1, 2001;*
24 *Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent*
25 *amendment effective July 1, 2002 and approved by RRC in May 2001];*
26 *Amended Eff. August 1, 2002 (approved by RRC in April 2002);*
27 *Temporary Amendment Eff. June 1, 2003;*
28 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
29 *2003);*
30 *Amended Eff. August 1, 2019; August 1, 2018; August 1, 2017; August 1, 2016; November 1, 2013;*
31 *August 1, 2012; March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May*
32 *1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.*
33

1 15A NCAC 10C .0306 is proposed for readoption with substantive changes as follows:

2

3 **15A NCAC 10C .0306 CRAPPIE**

4 (a) There is no daily creel limit for Crappie, except for waters identified in Paragraphs (b), (c), (d), ~~and (e)~~(e), and (f)
5 of this Rule. There is no minimum size limit for these fish, except for waters identified in Paragraphs ~~(d) and (e)~~(d),
6 (e), and (f). There is no closed season.

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

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

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

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

17 (1) Pee Dee River from Blewett Falls Dam to the South Carolina state line;

18 (2) Badin Lake;

19 (3) Falls Lake (Stanly and Montgomery counties);

20 (4) Lake Tillery;

21 (5) Blewett Falls Lake;

22 (6) Lake Norman;

23 (7) Lake Hyco;

24 (8) Lake Ramseur;

25 (9) Cane Creek Lake;

26 (10) Lake Hampton (Yadkin County);

27 (11) B. Everett Jordan Reservoir;

28 ~~(11)~~(12) Tar River downstream of Tar River Reservoir ~~Dam;~~ Dam and all tributaries;

29 ~~(12)~~(13) Neuse River downstream of Falls Lake ~~Dam;~~ Dam and all tributaries;

30 ~~(13)~~(14) Haw River downstream of Jordan Lake ~~Dam;~~ Dam and all tributaries;

31 ~~(14)~~(15) Deep River downstream of Lockville ~~Dam;~~ Dam and all tributaries;

32 ~~(15)~~(16) Cape Fear ~~River;~~ River and all tributaries;

33 ~~(16)~~(17) Waccamaw River downstream of Lake Waccamaw ~~Dam;~~ Dam and all tributaries;

34 ~~(17)~~(18) Lumber River including Drowning ~~Creek;~~ Creek and all tributaries;

35 ~~(18)~~(19) all other public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County,

36 Sutton Lake in New Hanover County, and waters listed in Paragraph (d) of this Rule; and

37 ~~(19)~~(20) all public waters west of Interstate 77, except Lake Chatuge.

1 ~~For waters in Subparagraphs (11) through (19), the restrictions apply to all tributaries.~~

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

3

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

5 *Eff. November 1, 2013;*

6 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015.*

7

1 15A NCAC 10C .0313 is proposed for reoption with substantive changes as follows:

2

3 **15A NCAC 10C .0313 SHAD (AMERICAN AND HICKORY)**

4 (a) The daily creel limit for American and Hickory Shad in the aggregate is 10 fish, only one of which may be an
5 American Shad, except for waters identified in Paragraphs (b), (c) and (d) of this Rule. There is no minimum size
6 limit for these fish. There is no closed season, except for waters identified in Paragraph (e) of this Rule.

7 (b) In the inland waters of ~~Roanoke River, Neuse River, the Tar-Pamlico River, Pungo River, Pee Dee River,~~ and their
8 tributaries, the daily creel limit for American and Hickory Shad is 10 in the ~~aggregate, only one of which may be an~~
9 ~~American Shad~~. aggregate.

10 (c) In the inland waters of the Cape Fear River and its tributaries, the daily creel limit for American and Hickory Shad
11 is 10 in the aggregate, only five of which may be American Shad.

12 (d) In Roanoke Rapids Reservoir, Lake Gaston and John H. Kerr Reservoir, no American Shad may be possessed.

13 (e) The season for taking American and Hickory Shad with bow nets is March 1 through April 30.

14

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

16 *Eff. November 1, ~~2013-2013;~~*

17 *Amended Eff. August 1, 2019.*

18

1 15A NCAC 10C .0314 is proposed for readoption with substantive changes as follows:

2
3 **15A NCAC 10C .0314 STRIPED BASS**

4 (a) The daily creel limit for Striped Bass and its hybrids is four fish in the aggregate, except in waters identified in
5 Paragraphs (b), (e), (f), (g), (h), (i), and (j) of this Rule. The minimum size limit for these fish is 20 inches, except in
6 waters identified in Paragraphs (b), (c), (d), (e), (f), (g), (h), (i), and (j) of this Rule. There is no closed season, except
7 for waters identified in Paragraphs (g), (h), (i), (j), and (k) of this Rule.

8 (b) 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 and its hybrids is two in the aggregate and the
10 minimum size limit is ~~24~~ 20 inches from October 1 through May 31. From June 1 through September 30, the daily
11 creel limit on Striped Bass and its hybrids is four in the aggregate with no minimum size limit.

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

15 (d) In Lake Norman, Arrowhead Lake (Anson Co.), High Rock Pond (Caswell Co.), Moss Lake, Mountain Island
16 Reservoir, Oak Hollow Lake, Lake Thom-A-Lex, Lake Townsend, and Salem Lake the minimum size limit for Striped
17 Bass and its hybrids is 16 inches.

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

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

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

28 (h) In the inland fishing waters of the Cape Fear River and its tributaries downstream of Buckhorn Dam, the season
29 for taking and possessing Striped Bass is closed year-round.

30 (i) In the inland and joint fishing waters ~~[as identified in 15A NCAC 10C .0107(1)(e)]~~ of the Roanoke River Striped
31 Bass Management Area, as established in 15A NCAC 10C .0110 and identified in 15A NCAC 10C .0110, which
32 includes the Roanoke, Cashie, Middle, and Eastmost rivers and their tributaries, the open season for taking and
33 possessing Striped Bass and its hybrids is March 1 through April 30 from the joint-coastal fishing waters boundary at
34 Albemarle Sound upstream to Roanoke Rapids Lake dam. During the open season, the daily creel limit for Striped
35 Bass and its hybrids is two fish in the aggregate, and the minimum size limit is 18 inches. No fish between 22 inches
36 and 27 inches in length shall be possessed in the daily creel limit. Only one fish larger than 27 inches may be possessed
37 in the daily creel limit.

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

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

8

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

10 *Eff. November 1, 2013;*

11 *Amended Eff. August 1, 2019; June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014.*

1 15A NCAC 10C .0401 is proposed for amendment as follows:

2
3 **15A NCAC 10C .0401 MANNER OF TAKING NONGAME FISHES: ~~PURCHASE AND SALE~~**

4 (a) Except as permitted by the rules in this Section, it is unlawful to take nongame fishes from the inland fishing
5 waters of North Carolina in any manner other than with hook and ~~line or grabbling~~. line, grabbling, or special device
6 with a special device fishing license.

7 (b) Nongame fishes may be taken by hook and ~~line or grabbling~~ line, grabbling, or special device with a special device
8 fishing license at any time without restriction as to size limits or creel ~~limits, with the following exceptions:~~ limits,
9 except as designated in this Rule.

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

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

15 ~~(A) Roanoke River downstream of Roanoke Rapids Dam;~~

16 ~~(B) Tar River downstream of Rocky Mount Mill Dam;~~

17 ~~(C) Neuse River downstream of Milburnie Dam;~~

18 ~~(D) Cape Fear River downstream of Buckhorn Dam;~~

19 ~~(E) Pee Dee River downstream of Blewett Falls Dam;~~

20 ~~(F) Lumber River including Drowning Creek;~~

21 ~~(G) all the tributaries to the rivers listed above; and~~

22 ~~(H) all other inland fishing waters east of I 95.~~

23 ~~(3) Grass carp shall not be taken or possessed on Lake James, Lookout Shoals Lake, Lake Norman,~~
24 ~~Mountain Island Reservoir, Lake Wylie, and John H. Kerr Reservoir, except that one fish per day~~
25 ~~may be taken with archery equipment.~~

26 ~~(4) No trotlines or set hooks shall be used in the impounded waters located on the Sandhills Game Land~~
27 ~~or in designated public mountain trout waters.~~

28 ~~(5) In Lake Waccamaw, trotlines or set hooks may be used only from October 1 through April 30.~~

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

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

34 ~~(c) Nongame fishes taken by hook and line, grabbling, or by licensed special devices may be sold, with the following~~
35 ~~exceptions:~~

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

1 ~~(2) — blue crab; and~~

2 ~~(3) — bowfin.~~

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

5 (d) Archery equipment may only be used for the take of catfish on Pee Dee River downstream of Blewett Falls Dam
6 to the South Carolina state line and all tributaries.

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

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

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

12 (1) Lake Waccamaw in Columbus ~~County~~, County; and ~~in~~

13 (2) University Lake in Orange County.

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

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

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

20 (1) Roanoke River downstream of Roanoke Rapids Dam;

21 (2) Tar River downstream of Rocky Mount Mill Dam;

22 (3) Neuse River downstream of Falls Lake Dam;

23 (4) Cape Fear River downstream of Buckhorn Dam;

24 (5) Pee Dee River downstream of Blewett Falls Dam;

25 (6) Lumber River, including Drowning Creek;

26 (7) all the tributaries to the rivers listed above; and

27 (8) all other inland fishing waters east of I-95.

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

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

33 (1) Lake Norman;

34 (2) Mountain Island Lake;

35 (3) Lake Wylie;

36 (4) Badin Lake;

37 (5) Lake Tillery;

1 (6) John H. Kerr Reservoir (North Carolina portion);

2 (7) Lake Gaston (North Carolina portion); and

3 (8) Roanoke Rapids Reservoir.

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

6 ~~(g)(m)~~ The daily creel limit for American eels taken from or possessed, regardless of origin, while boating on or
7 fishing in inland fishing waters is 25, and the minimum size limit is 9 inches.

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

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

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

15 ~~(h)(q)~~ No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish
16 specified in Paragraphs (h), (i), (k), (m), and (p) of this Rule having a size limit so as to render it ~~impracticable~~
17 impractical to measure its total original length. No person while fishing shall change the appearance of any nongame
18 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
19 obscure its identification or render it ~~impracticable~~ impractical to count the number of fish in possession.

20 (r) Nongame fishes taken by hook and line, grabbling, or by special device with a special device fishing license may
21 be sold, with the following exceptions:

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

24 (2) blue crab; and

25 (3) bowfin.

26
27 *History Note: Authority G.S. 113-134; 113-272; 113-292;*

28 *Eff. February 1, 1976;*

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

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

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

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

33 *Amended Eff. July 1, 2000;*

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

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

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

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Amended Eff. May 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2019; August 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005

1 15A NCAC 10C .0402 is proposed for amendment as follows:

2
3 **15A NCAC 10C .0402 TAKING NONGAME FISHES FOR BAIT OR PERSONAL CONSUMPTION**

4 (a) It is unlawful to take nongame fish for bait or personal consumption in the inland waters of North Carolina using
5 equipment other than:

- 6 (1) a net of dip net design not greater than six feet across;
- 7 (2) a seine of not greater than 12 feet in length (except in Lake Waccamaw in Columbus County where
8 there is no length limitation) and with a bar mesh measure of not more than one-fourth inch;
- 9 (3) a cast net;
- 10 (4) a bow net for the seasons and waters in which the use of bow nets is authorized in 15A NCAC 10C
11 .0407;
- 12 (5) a dip net when used in conjunction with a licensed hand-crank electrofisher;
- 13 (6) a gig (except in Public Mountain Trout Waters);
- 14 (7) up to three traps for the seasons and waters in which the use of traps is authorized in 15A NCAC
15 10C .0407;
- 16 (8) up to two eel pots;
- 17 (9) a spear gun for the seasons and waters in which the use of a spear gun is authorized in 15A NCAC
18 10C .0407;
- 19 (10) minnow traps not exceeding 12 inches in diameter and 24 inches in length, with funnel openings not
20 exceeding one inch in diameter, from which all fish and animals are removed daily, and that are
21 labeled with the user's Wildlife Resources Commission customer number or name and address;
- 22 (11) a hand-held line with a single bait attached;
- 23 (12) a single, multiple-bait line for taking crabs not to exceed 100 feet in length, marked on each end
24 with a solid float no less than five inches in diameter, bearing legible and indelible identification of
25 the user's name and address, and under the immediate control and attendance of the person using
26 the device, with a limit of one line per person and no more than one line per vessel; or
- 27 (13) a collapsible crab trap with the largest open dimension not greater than 18 inches and that by design
28 is collapsed at all times when in the water, except when it is being retrieved or lowered to the bottom,
29 with a limit of one trap per person.

30 (b) The use of equipment under this Rule requires a valid license that provides basic inland fishing privileges.

31 (c) It is unlawful to sell nongame fishes or aquatic animals taken under this Rule.

32 (d) Game fishes taken ~~while netting for bait~~ shall be returned unharmed to the water, except white perch may be taken
33 when captured in a cast net being used to collect nongame fishes for bait or personal consumption in all impounded
34 waters west of I-95 and in the Tar River Reservoir (Nash County).

35 (e) No person shall take or possess during one day more than 200 nongame fish in aggregate for bait or personal
36 consumption subject to the ~~following restrictions:~~ size and creel limits identified in 15A NCAC 10C .0401.

1 ~~(1) No more than 25 eels, none of which may be less than 9 inches in length, shall be taken from or~~
2 ~~possessed, regardless of origin, while boating on or fishing in inland fishing waters;~~

3 ~~(2) While boating on or fishing in the following inland fishing waters, no river herring (alewife and~~
4 ~~blueback) that are greater than six inches in total length shall be taken, and no such river herring~~
5 ~~shall be possessed regardless of origin:~~

6 ~~(A) Roanoke River downstream of Roanoke Rapids Dam;~~

7 ~~(B) Tar River downstream of Rocky Mount Mill Dam;~~

8 ~~(C) Neuse River downstream of Milburnie Dam;~~

9 ~~(D) Cape Fear River downstream of Buckhorn Dam;~~

10 ~~(E) Pee Dee River downstream of Blewett Falls Dam;~~

11 ~~(F) Lumber River including Drowning Creek;~~

12 ~~(G) the tributaries to the rivers listed above; and~~

13 ~~(H) all other inland fishing waters east of Interstate 95.~~

14 ~~(3) No more than 50 crabs per person per day or 100 per vessel per day with a minimum carapace width~~
15 ~~of five inches (point to point) shall be taken.~~

16 (f) Any fishes taken for bait purposes are included within the daily possession limit for that species.

17 (g) It is unlawful to take nongame fish for bait ~~or any other fish bait~~ from the following waters:

18 (1) Public Mountain Trout Waters (except in impounded waters of power reservoirs and municipally-
19 owned water supply reservoirs);

20 (2) Bear Creek in Chatham County;

21 (3) Deep River in Chatham, Lee, and Moore counties and downstream of Coleridge Dam in Randolph
22 County;

23 (4) Fork Creek in Randolph County; and

24 (5) Rocky River in Chatham County.

25 ~~(h) In the waters of the Little Tennessee River, including all the tributaries and impoundments thereof, and on adjacent~~
26 ~~shorelines, docks, access ramps, and bridge crossings, it is unlawful to transport, possess, or release live river herring~~
27 ~~(alewife and blueblack).~~

28 (i) No person while fishing shall remove the head or tail or otherwise change the appearance of any nongame fish
29 having a size limit identified in 15A NCAC 10C .0401 so as to render it ~~impracticable~~ impractical to measure its total
30 original length. No person while fishing shall change the appearance of any nongame fish having a daily creel limit
31 identified in 15A NCAC 10C .0401 so as to obscure its identification or render it ~~impracticable~~ impractical to count
32 the number of fish in possession.

34 *History Note: Authority G.S. 113-134; ~~113-135; 113-135.1~~; 113-272; 113-272.3; 113-292;*

35 *Eff. February 1, 1976;*

36 *Amended Eff. July 1, 2000; July 1, 1998; July 1, 1993; July 1, 1992; May 1, 1992; July 1, 1989;*

37 *Temporary Amendment Eff. July 1, 2001;*

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Amended Eff. July 18, 2002;
Temporary Amendment Eff. June 1, 2003;
Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003);
Amended Eff. August 1, 2019; August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013; August 1, 2010; May 1, 2008; May 1, 2007; May 1, 2006.

1 15A NCAC 10C .0211 is proposed for reoption with substantive changes as follows:

3 **15A NCAC 10C .0211 POSSESSION OF CERTAIN FISHES**

4 (a) It ~~is shall be~~ unlawful to transport, purchase, possess, sell or stock in the public or private waters of North Carolina
5 any live individuals of:

- 6 (1) ~~piranha, piranha;~~
- 7 (2) "walking catfish" (Clarias ~~batrachus~~), batrachus);
- 8 (3) snakehead fish (from the Family Channidae, formerly ~~Ophiocephalidae~~), Ophiocephalidae);
- 9 (4) black carp (Mylopharyngodon ~~piceus~~), piceus);
- 10 (5) bighead carp (Hypophthalmichthys ~~nobilis~~), nobilis);
- 11 (6) silver carp (Hypophthalmichthys ~~molitrix~~), molitrix);
- 12 (7) rudd (Scardinius ~~erythrothalamus~~), erythrothalamus);
- 13 (8) round goby (Neogobius ~~melanostomus~~), melanostomus);
- 14 (9) tubenose goby (Proterorhinus ~~marmoratus~~), marmoratus);
- 15 (10) ruffe (Gymnocephalus ~~cernuus~~), cernuus);
- 16 (11) Japanese mysterysnail (Cipangopaludina ~~japonica~~), japonica);
- 17 (12) Chinese mysterysnail (Cipangopaludina chinensis ~~malleata~~), malleata);
- 18 (13) red-rim melania (Melanoides ~~tuberculatus~~), tuberculatus);
- 19 (14) virile crayfish (Orconectes (Gremicambarus) ~~virilis~~), virilis);
- 20 (15) rusty crayfish (Orconectes (Procericambarus) ~~rusticus~~), rusticus);
- 21 (16) Australian red claw crayfish or "red claw" (Cherax quadricarinatus, or other species of "giant"
22 crayfish species in the genus ~~Cherax~~), Cherax);
- 23 (17) white amur or "grass carp" (Ctenopharyngodon ~~idella~~), idella);
- 24 (18) swamp or "rice" eel (Monopterus ~~albus~~), albus);
- 25 (19) red shiner (Cyprinella ~~lutrensis~~), lutrensis);
- 26 (20) zebra mussel (Dreissena ~~polymorpha~~) polymorpha); or
- 27 (21) quagga mussel (Dreissena rostriformis bugensis) or any mussel in the family Dreissenidae.

28 (b) A person may buy, ~~possess possess~~, or stock ~~triploid grass carp~~ triploid grass carp, which have been certified to be triploid or
29 sterile, only for the purpose of controlling aquatic vegetation under a permit issued by the Executive Director or his
30 or her designee ~~when the director determines that conditions of such possession or stocking provide minimal~~
31 probability of escape based on an evaluation of the potential for escapement and threat to sensitive aquatic ~~habitat and~~
32 that the carp is certified to be sterile by genetic testing at a federal, state, or university laboratory ~~habitats~~.

33 (c) It shall be unlawful to transport, possess, or release live river herring, also known as alewife or blueback herring,
34 in the waters of the Little Tennessee River in and upstream of Lake Santeetlah and Cedar Cliff Lake, including all the
35 tributaries and impoundments thereof, and on adjacent shorelines, docks, access ramps, and bridge crossings.

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37 *History Note: Authority G.S. 113-134; 113-274(c)(1c); 113-292;*

1 *Eff. February 1, 1976;*
2 *Amended Eff. September 1, 1984;*
3 *Temporary Amendment Eff. July 1, 2001;*
4 *Amended Eff. July 18, 2002;*
5 *Temporary Amendment Eff. September 1, 2002;*
6 *Amended Eff. August 1, 2019; August 1, 2013; August 1, 2011; June 1, 2009, June 1, 2005; August*
7 *1, 2004.*
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1 15A NCAC 10C .0407 is proposed for amendment as follows:

2
3 **15A NCAC 10C .0407 PERMITTED SPECIAL DEVICES AND OPEN SEASONS**

4 Except in designated public mountain trout waters, and in impounded waters located on the Sandhills Game Land,
5 there is a year-round open season for the licensed taking of nongame fishes by bow and arrow. The use of special
6 fishing devices, including crab pots in impoundments located entirely on game ~~lands~~ lands, ~~is~~ shall be prohibited.

7 Seasons and waters in which the use of other special devices is authorized are indicated by counties below:

- 8 (1) Alamance:
- 9 (a) July 1 to August 31 with seines in Alamance Creek below NC 49 bridge and Haw River;
- 10 (b) July 1 to June 30 with gigs in all public waters;
- 11 (2) Alexander: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lake
12 Hickory and Lookout Shoals Reservoir;
- 13 (3) Alleghany: July 1 to June 30 with gigs in New River, except designated public mountain trout
14 waters;
- 15 (4) Anson:
- 16 (a) July 1 to June 30 with traps and gigs in all public waters;
- 17 (b) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;
- 18 (c) July 1 to August 31 with seines in all running public waters, except Pee Dee River from
19 Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
- 20 (5) Ashe: July 1 to June 30 with gigs in New River (both forks), except designated public mountain
21 trout waters;
- 22 (6) Beaufort:
- 23 (a) July 1 to June 30 with traps in the Pungo River, and in the Tar and Pamlico Rivers above
24 Norfolk and Southern Railroad bridge; and with gigs in all inland public waters;
- 25 (b) March 1 to April 30 with bow nets in all inland public waters;
- 26 (7) Bertie:
- 27 (a) July 1 to June 30 with traps in the Broad Creek (tributary of Roanoke);
- 28 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
29 lakes, ponds, and other impounded waters;
- 30 (8) Bladen:
- 31 (a) March 1 to April 30 with bow nets in Black River;
- 32 (b) July 1 to March 1 with hand-crank electrofishers (local law) in Cape Fear River between
33 Lock and Dam 1 and 3 and in Black River, except that hand-crank electrofishing is
34 prohibited within 400 yards of Lock and Dam 1, 2, and 3 on Cape Fear River;
- 35 (9) Brunswick: March 1 to April 30 with bow nets in Alligator Creek, Hoods Creek, Indian Creek,
36 Orton Creek below Orton Pond, Rices Creek, Sturgeon Creek and Town Creek;

- 1 (10) Buncombe: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
2 waters;
- 3 (11) Burke:
- 4 (a) July 1 to August 31 with seines in all running public waters, except Johns River and
5 designated public mountain trout waters;
- 6 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
7 public mountain trout waters and Lake James;
- 8 (12) Cabarrus:
- 9 (a) July 1 to August 31 with seines in all running public waters,
10 (b) July 1 to June 30 with traps and gigs in all public waters;
- 11 (13) Caldwell: July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
12 public mountain trout waters;
- 13 (14) Camden:
- 14 (a) July 1 to June 30 with traps in all inland public waters;
15 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
16 lakes, ponds, and other impounded waters;
- 17 (15) Carteret: March 1 to April 30 with bow nets in all inland public waters except South River and the
18 tributaries of the White Oak River;
- 19 (16) Caswell:
- 20 (a) July 1 to June 30 with gigs in all public waters;
21 (b) July 1 to August 31 with seines in all running public waters, except Moons Creek;
22 (c) July 1 to June 30 with traps in Hyco Reservoir;
- 23 (17) Catawba:
- 24 (a) July 1 to August 31 with seines in all running public waters, except Catawba River below
25 Lookout Dam;
26 (b) July 1 to June 30 with traps, spear guns, and gigs in all public waters;
- 27 (18) Chatham:
- 28 (a) December 1 to April 15 with dip and gill nets in the Cape Fear River, Deep River, Haw
29 River and Rocky River (local law);
30 (b) July 1 to August 31 with seines in the Cape Fear River, and Haw River;
31 (c) July 1 to June 30 with traps in Deep River; and with gigs in all public waters;
- 32 (19) Cherokee: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
33 waters;
- 34 (20) Chowan:
- 35 (a) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
36 lakes, ponds, and other impounded waters;

- 1 (b) July 1 to June 30 with traps in all inland public waters, ~~excluding~~ except public lakes,
2 ponds, and other impounded waters;
- 3 (21) Clay: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
4 waters;
- 5 (22) Cleveland:
- 6 (a) July 1 to August 31 with seines in all running public waters;
- 7 (b) July 1 to June 30 with gigs, traps and spear guns in all public waters;
- 8 (23) Columbus:
- 9 (a) December 1 to March 1 with gigs in all inland public waters, except Lake Waccamaw and
10 its tributaries;
- 11 (b) March 1 to April 30 with bow nets in Livingston Creek;
- 12 (c) July 1 to March 1 with hand-crank electrofishers (local law) in Waccamaw and Lumber
13 rivers;
- 14 (24) Craven:
- 15 (a) July 1 to June 30 with traps in the main run of the Trent and Neuse Rivers;
- 16 (b) March 1 to April 30 with bow nets in all inland public waters, except Pitch Kettle, Grindle,
17 Slocum (downstream of the US 70 bridge), ~~Spring Spring~~, and Hancock Creeks and their
18 tributaries; and with seines in the Neuse River;
- 19 (25) Currituck:
- 20 (a) July 1 to June 30 with traps in Tulls Creek and Northwest River;
- 21 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
22 lakes, ponds, and other impounded waters;
- 23 (26) Dare:
- 24 (a) July 1 to June 30 with traps in Mashoes Creek, Milltail Creek, East ~~Lake Lake~~, and South
25 Lake;
- 26 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
27 lakes, ponds, and other impounded waters;
- 28 (27) Davidson:
- 29 (a) July 1 to August 31 with seines in all running public waters;
- 30 (b) July 1 to June 30 with gigs in all public waters, and with traps in all public waters except
31 Leonard's Creek, Abbott's Creek below Lake Thom-A-Lex dam, and the Abbott's Creek
32 arm of High Rock Lake upstream from the NC 8 bridge;
- 33 (28) Davie:
- 34 (a) July 1 to June 30 with traps and gigs in all public waters;
- 35 (b) July 1 to August 31 for taking only carp and suckers with seines in Dutchmans Creek from
36 US 601 to Yadkin River and in Hunting Creek from SR 1338 to South Yadkin River;
- 37 (29) Duplin:

- 1 (a) December 1 to June 5 with seines in the main run of the Northeast Cape Fear River
2 downstream from a point one mile above Serecta Bridge;
- 3 (b) March 1 to April 30 with bow nets in the main run of the Northeast Cape Fear River
4 downstream from a point one mile above Serecta Bridge;
- 5 (30) Durham:
- 6 (a) July 1 to August 31 with seines in Neuse River;
- 7 (b) July 1 to June 30 with gigs in all public waters;
- 8 (31) Edgecombe: March 1 to April 30 with bow nets in all public waters;
- 9 (32) Forsyth: July 1 to June 30 with traps and gigs in all public waters, except traps may not be used in
10 Belews Creek Reservoir;
- 11 (33) Franklin:
- 12 (a) July 1 to August 31 with seines in Tar River;
- 13 (b) July 1 to June 30 with gigs in all public waters, except Parrish, Laurel Mill, Jackson,
14 Clifton, ~~Moore's~~ Moore's and Perry's Ponds, and in the Franklinton City ponds;
- 15 (34) Gaston:
- 16 (a) July 1 to August 31 with seines in all running public waters;
- 17 (b) July 1 to June 30 with gigs, ~~traps~~ traps and spear guns in all public waters;
- 18 (35) Gates: March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public lakes,
19 ponds, and other impounded waters;
- 20 (36) Graham: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
21 waters;
- 22 (37) Granville:
- 23 (a) July 1 to June 30 with gigs in all public waters, except Kerr Reservoir;
- 24 (b) July 1 to August 31 with seines in the Tar River below US 158 bridge;
- 25 (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- 26 (38) Greene: March 1 to April 30 with bow nets and reels in Contentnea Creek;
- 27 (39) Guilford:
- 28 (a) July 1 to August 31 with seines in Haw River, Deep River below Jamestown Dam, and
29 Reedy Fork Creek below US 29 bridge;
- 30 (b) July 1 to June 30 with gigs in all public waters;
- 31 (40) Halifax: March 1 to April 30 with bow nets in Beech Swamp, Clarks Canal, Conoconnara Swamp,
32 Fishing Creek below the Fishing Creek Mill Dam, Kehukee Swamp, Looking Glass Gut, Quankey
33 Creek, and White's Mill Pond Run;
- 34 (41) Harnett:
- 35 (a) January 1 to May 31 with gigs in Cape Fear River and tributaries;
- 36 (b) March 1 to April 30 with bow nets in Cape Fear River;

- 1 (42) Haywood: July 1 to June 30 with gigs in all public waters, except Lake Junaluska and designated
2 public mountain trout waters;
- 3 (43) Henderson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
4 waters;
- 5 (44) Hertford:
- 6 (a) July 1 to June 30 with traps in Wiccacon Creek;
- 7 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
8 lakes, ponds, and other impounded waters;
- 9 (45) Hyde:
- 10 (a) July 1 to June 30 with traps in all inland waters;
- 11 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
12 lakes, ponds, and other impounded waters;
- 13 (46) Iredell: July 1 to June 30 with traps and gigs in all public waters; and with spear guns in Lookout
14 Shoals Reservoir and Lake Norman;
- 15 (47) Jackson: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
16 waters;
- 17 (48) Johnston: March 1 to April 30 with bow nets in Black Creek, Little River, Middle Creek, Mill Creek,
18 Neuse River and Swift Creek;
- 19 (49) Jones:
- 20 (a) July 1 to June 30 with traps in the Trent River below US 17 bridge and White Oak River
21 below US 17 bridge;
- 22 (b) March 1 to April 30 with bow nets in all inland public waters, except the tributaries to the
23 White Oak River;
- 24 (50) Lee:
- 25 (a) December 1 to April 15 with dip and gill nets (local law) in Cape Fear River and Deep
26 River;
- 27 (b) July 1 to August 31 with seines in Cape Fear River;
- 28 (c) July 1 to June 30 with traps in Deep River, and with gigs in all public waters;
- 29 (51) Lenoir:
- 30 (a) July 1 to June 30 with traps in Neuse River below US 70 bridge at Kinston;
- 31 (b) March 1 to April ~~30~~ with 30 with bow nets in Neuse River and Contentnea Creek upstream
32 from NC 118 bridge at Grifton; and with seines in Neuse River;
- 33 (52) Lincoln:
- 34 (a) July 1 to August 31 with seines in all running public waters;
- 35 (b) July 1 to June 30 with traps, ~~gigs~~ gigs, and spear guns in all public waters;
- 36 (53) McDowell:

- 1 (a) July 1 to August 31 with seines in all running public waters, except designated public
2 mountain trout waters;
- 3 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
4 public mountain trout waters and Lake James;
- 5 (54) Macon: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
6 waters;
- 7 (55) Madison: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
8 waters;
- 9 (56) Martin: March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
10 lakes, ponds, and other impounded waters;
- 11 (57) Mecklenburg:
- 12 (a) July 1 to August 31 with seines in all running public waters;
- 13 (b) July 1 to June 30 with traps, ~~gigs~~ gigs, and spear guns in all public waters except Freedom
14 Park Pond and Hornet's Nest Ponds;
- 15 (58) Montgomery:
- 16 (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee
17 River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
- 18 (b) July 1 to June 30 with traps and gigs in all public waters;
- 19 (59) Moore:
- 20 (a) July 1 to August 31 with seines in all running public waters except in Deep River;
- 21 (b) July 1 to June 30 with gigs in all public waters, except lakes located on the Sandhills Game
22 Land; and with traps in Deep River and its tributaries;
- 23 (60) Nash:
- 24 (a) July 1 to June 30 with gigs in all public waters, except Tar River;
- 25 (b) March 1 to April 30 with bow nets in the Tar River below Harris' Landing and Fishing
26 Creek below the Fishing Creek Mill Dam;
- 27 (61) New Hanover: March 1 to April ~~30~~ with 30 with bow nets in all inland public waters, except Sutton
28 (Catfish) Lake;
- 29 (62) Northampton:
- 30 (a) July 1 to June 30 with gigs in all public waters, except Gaston and Roanoke Rapids
31 Reservoirs and the Roanoke River above the US 301 bridge;
- 32 (b) March 1 to April ~~30~~ with 30 with bow nets in Oconeechee Creek, Old River Landing ~~Gut~~
33 Gut, and Vaughans Creek below Watsons Mill;
- 34 (63) Onslow:
- 35 (a) July 1 to June 30 with traps in White Oak River below US 17 bridge;
- 36 (b) August 1 to March 31 with eel pots in the main run of New River between US 17 bridge
37 and the mouth of Hawkins Creek;

- 1 (c) March 1 to April 30 with bow nets in the main run of New River and in the main run of the
2 White Oak River;
- 3 (d) March 1 to April 30 with bow nets in Grant's Creek;
- 4 (64) Orange:
- 5 (a) July 1 to August 31 with seines in Haw River,
- 6 (b) July 1 to June 30 with gigs in all public waters;
- 7 (65) Pamlico: March 1 to April 30 with bow nets in all inland public waters, except Dawson Creek;
- 8 (66) Pasquotank:
- 9 (a) July 1 to June 30 with traps in all inland waters;
- 10 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
11 lakes, ponds, and other impounded waters;
- 12 (67) Pender:
- 13 (a) December 1 to June 5 with seines in the main run of Northeast Cape Fear River;
- 14 (b) March 1 to April 30 with bow nets in the Northeast Cape Fear River, Long Creek, Moore's
15 Creek approximately one mile upstream to New Moon Fishing Camp, and Black River;
- 16 (c) July 1 to March 1 with hand-crank electrofishers (local law) in Black River;
- 17 (68) Perquimans:
- 18 (a) July 1 to June 30 with traps in all inland waters;
- 19 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except public
20 lakes, ponds, and other impounded waters;
- 21 (69) Person:
- 22 (a) July 1 to August 31 with seines in Hyco Creek and Mayo Creek;
- 23 (b) July 1 to June 30 with gigs in all public waters.
- 24 (70) Pitt:
- 25 (a) July 1 to June 30 with traps in Neuse River and in Tar River below the mouth of Hardee
26 Creek east of Greenville;
- 27 (b) March 1 to April 30 with bow nets in all inland public waters, except Grindle Creek, and
28 Contentnea Creek between NC 118 bridge at Grifton and the Neuse River;
- 29 (c) December 1 to June 5 with seines in Tar River;
- 30 (71) Polk: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
31 waters;
- 32 (72) Randolph:
- 33 (a) July 1 to August 31 with seines in Deep River above the Coleridge Dam and Uwharrie
34 River;
- 35 (b) July 1 to June 30 with gigs in all public waters;
- 36 (73) Richmond:

- 1 (a) July 1 to August 31 with seines in all running public waters, except Pee Dee River from
2 Blewett Falls downstream to the Seaboard Coast Line Railroad trestle;
- 3 (b) July 1 to June 30 with traps and gigs in all public waters, except lakes located on the
4 Sandhills Game Land;
- 5 (c) March 1 to April 30 with bow nets in Pee Dee River below Blewett Falls Dam;
- 6 (74) Robeson: December 1 to March 1 with gigs in all inland public waters.
- 7 (75) Rockingham:
- 8 (a) July 1 to August 31 with seines in Dan River and Haw River;
- 9 (b) July 1 to June 30 with traps in Dan River; and with gigs in all public waters;
- 10 (76) Rowan:
- 11 (a) July 1 to August 31 with seines in all running public waters,
- 12 (b) July 1 to June 30 with traps and gigs in all public waters;
- 13 (77) Rutherford:
- 14 (a) July 1 to August 31 with seines in all running public waters, except designated public
15 mountain trout waters;
- 16 (b) July 1 to June 30 with traps, gigs, and spear guns in all public waters, except designated
17 public mountain trout waters;
- 18 (78) Sampson:
- 19 (a) March 1 to April 30 with bow nets in Big Coharie Creek, Black River and Six Runs Creek;
- 20 (b) July 1 to March 1 with hand-crank electrofishers (local law) in Black River downstream of
21 NC 1105 bridge;
- 22 (79) Stanly:
- 23 (a) July 1 to August 31 with seines in all running public waters, except that part of the Pee Dee
24 River between the Lake Tillery dam at Hydro and the mouth of Rocky River;
- 25 (b) July 1 to June 30 with traps and gigs in all public waters;
- 26 (80) Stokes: July 1 to June 30 with traps and gigs in all public waters, except designated public mountain
27 trout waters, and traps may not be used in Belews Creek Reservoir;
- 28 (81) Surry: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
29 waters; and with traps in the main stem of Yadkin River;
- 30 (82) Swain: July 1 to June 30 with gigs in all public waters, except designated public mountain trout
31 waters;
- 32 (83) Transylvania: July 1 to June 30 with gigs in all public waters, except designated public mountain
33 trout waters;
- 34 (84) Tyrrell:
- 35 (a) July 1 to June 30 with traps in Scuppernong River and Alligator Creek;

- 1 (b) March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except Lake
2 Phelps, the drainage canals that connect Lake Phelps and Scuppernong River, public lakes,
3 ponds and other impounded waters;
- 4 (85) Union:
5 (a) July 1 to August 31 with seines in all running public waters,
6 (b) July 1 to June 30 with traps and gigs in all public waters;
- 7 (86) Vance:
8 (a) July 1 to August 31 with seines in the Tar River;
9 (b) July 1 to June 30 with gigs in all public waters, except Rolands, Faulkners, Southerlands,
10 and Weldon Ponds, City Lake, and Kerr Reservoir;
11 (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- 12 (87) Wake:
13 (a) July 1 to June 30 with gigs in all public waters, except Sunset, Benson, Wheeler, Raleigh,
14 and Johnson Lakes;
15 (b) March 1 to April 30 with bow nets in the Neuse River below ~~Milburnie Falls Lake Dam~~,
16 and Swift Creek below Lake Benson Dam;
- 17 (88) Warren:
18 (a) July 1 to August 31 with seines in Fishing Creek, Shocco Creek, and Walker Creek;
19 ~~excluding~~ except Duck and Hammes Mill Ponds;
20 (b) July 1 to June 30 with gigs in all public waters, except Duck and Hammes Mill Ponds, Kerr
21 Reservoir, and Gaston Reservoir;
22 (c) July 1 to June 30 with dip and cast nets in Kerr Reservoir;
- 23 (89) Washington: March 1 to April 30 with bow nets in all inland public waters, ~~excluding~~ except Lake
24 Phelps, the drainage canals that connect Lake Phelps and Scuppernong River, public lakes, ~~ponds~~
25 ponds, and other impoundments.
- 26 (90) Wayne: March 1 to April 30 with bow nets in Little River, Mill Creek and Neuse River.
- 27 (91) Wilkes: July 1 to June 30 with traps in Yadkin River below W. Kerr Scott Reservoir; and with gigs
28 and spear guns in all public waters, except designated public mountain trout waters;
- 29 (92) Wilson:
30 (a) July 1 to June 30 with gigs in Contentnea Creek (except Buckhorn Reservoir), including
31 unnamed tributaries between Flowers Mill and SR 1163 (Deans) bridge;
32 (b) March 1 to April 30 with bow nets in Contentnea Creek below US 301 bridge and in
33 Toisnot Swamp downstream from the Lake Toisnot Dam; and
- 34 (93) Yadkin: July 1 to June 30 with gigs in all public waters, and with traps in the main stem of Yadkin
35 River.
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37 *History Note: Authority G.S. 113-134; 113-276; 113-292;*

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Eff. February 1, 1976;
Temporary Amendment Eff. December 29, 1988;
Temporary Amendment Eff. December 1, 1993;
Amended Eff. July 1, 2000; July 1, 1998; July 1, 1996; December 1, 1995; July 1, 1995; July 1,
1994; June 1, 1994;
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. August 1, 2019; August 1, 2015; May 1, 2007; June 1, 2005; August 1, 2004.



EXHIBIT D-1

February 21, 2019

Summary of Public Comments on Proposed Changes to Hunting and Trapping Regulations for 2019-2020

Proposal	Proposed Text	Agree	Disagree	No Position (Online Only)	Comment Type
H1	Extend the regulated trapping season in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender, and New Hanover counties to begin on November 1, instead of December 1. Under this proposal the statewide trapping season would be November 1 through the last day in February.	194	22	22	Online: 91 Comment Card: 125 Letter/Email: 22
H2	Extend rabbit hunting season by opening it on the Monday on or nearest October 15, instead of the Saturday before Thanksgiving and running through the last day in February.	196	42	19	Online: 103 Comment Card: 132 Letter/Email: 22
H3	Open fox squirrel hunting in all 100 counties (versus 27 counties currently open) and extend the season to close on January 31, instead of December 31.	194	29	22	Online: 97 Comment Card: 126 Letter/Email: 22
H4	Implement as permanent rule, changes in the rule regulating importation of cervid carcass and carcass parts to prohibit importation from any location outside of North Carolina, except as specified.	183	35	24	Online: 90 Comment Card: 130 Letter/Email: 22
H5	Modify the rule specifying allowed archery equipment to: a) define archery equipment, b) specify allowed uses for archery equipment utilizing an elastic string, c) add elk, alligators, and feral swine to broadhead and minimum pull requirements, and d) eliminate the prohibition of barbed arrowheads.	188	26	30	Online: 101 Comment Card: 121 Letter/Email: 22
H6	Correct the N.C. Administrative Code to clarify the first segment of the bear season in Dare, Hyde, and Tyrrell counties is two weeks, beginning the second Saturday in November through the third Sunday thereafter.	185	6	44	Online: 93 Comment Card: 120 Letter/Email: 22
	Total	1140	160	161	

EXHIBIT D-2

February 21, 2019



PROPOSED CHANGES TO WILDLIFE MANAGEMENT REGULATIONS FOR 2019-2020 AND RULE TEXT FOR COMMISSION ACTION

- H1)** Extend the regulated trapping season in and east of Hertford, Bertie, Martin, Pitt, Greene, Lenoir, Duplin, Pender, and New Hanover counties to begin on November 1, instead of December 1. Under this proposal the statewide trapping season would be November 1 through the last day in February.
15A NCAC 10B .0303 (page 2)
- H2)** Extend rabbit hunting season by opening it on the Monday on or nearest October 15, instead of the Saturday before Thanksgiving and running through the last day in February.
15A NCAC 10B .0207 (page 3)
- H3)** Open fox squirrel hunting in all 100 counties (versus 27 counties currently open) and extend the season to close on January 31, instead of December 31.
15A NCAC 10B .0206 (page 4)
- H4)** Implement as permanent rule, changes in the rule regulating importation of cervid carcass and carcass parts to prohibit importation from any location outside of North Carolina, except as specified.
15A NCAC 10B .0124 (pages 5-6)
- H5)** Modify the rule specifying allowed archery equipment to: a) define archery equipment, b) specify allowed uses for archery equipment utilizing an elastic string, c) add elk, alligators, and feral swine to broadhead and minimum pull requirements, and d) eliminate the prohibition of barbed arrowheads.
15A NCAC 10B .0116 (page 7)
- H6)** Correct the *N.C. Administrative Code* to clarify the first segment of the bear season in Dare, Hyde, and Tyrrell counties is two weeks, beginning the second Saturday in November through the third Sunday thereafter.
15A NCAC 10B .0202 (pages 8-10)

1 15A NCAC 10B .0303 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 10B .0303 OPEN SEASONS**

4 (a) General. ~~Following are the seasons for~~ The open season for the taking by trapping of fur-bearing animals as those
5 animals are defined in G.S. 113-129(7a), including coyotes, armadillos, and groundhogs, ~~all dates being inclusive;~~
6 shall be November 1 through the last day of February, subject to the following restrictions:

7 (1) ~~November 1 through the last day of February except for that part of the state described in~~
8 ~~Subparagraph (2) of this Paragraph.~~

9 (2) ~~December 1 through the last day of February in and east of Hertford, Bertie, Martin, Pitt, Greene,~~
10 ~~Lenoir, Duplin, Pender and New Hanover counties.~~

11 (3)(1) ~~Trapping~~ trapping coyotes is allowed during times and with methods described by local laws in
12 counties where local laws have established fox trapping seasons even when those seasons fall
13 outside the regular trapping seasons described ~~above in Paragraph (a); and~~

14 (4)(2) ~~Nutria~~ nutria may be trapped east of I-77 at any time.

15 (b) Feral Swine. There is no closed season for trapping feral ~~swine~~ swine, subject to the following restrictions:

16 (1) ~~In~~ in addition to a hunting or trapping license, a permit issued by the Wildlife Resources
17 Commission is required to trap feral swine. Individuals exempted from license requirements under
18 the provisions specified in G.S. 113-276 may trap feral swine without a hunting or trapping license,
19 but must acquire the ~~permit.~~ permit.

20 (2) ~~Feral~~ feral swine may be live-trapped using only corral or box traps. Corral and box traps must be
21 constructed in a manner such that a non-target animal can be easily released or can escape without
22 harm. The permit number must be displayed on all ~~traps.~~ traps; and

23 (3) ~~Feral~~ feral swine must be euthanized while in the trap and may not be removed alive from any trap.

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25 Note: See 15A NCAC 10D .0102(f) for other trapping restrictions on game lands.

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27 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2;*

28 *Eff. February 1, 1976;*

29 *Amended Eff. July 1, 1996; July 1, 1984; July 1, 1983; August 1, 1982; August 1, 1981;*

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

31 *Amended Eff. July 1, 2000;*

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

33 *Amended Eff. August 1, 2010; May 1, 2009; November 1, 2008; May 1, 2008; May 1, 2007; May 1,*
34 *2006; June 1, 2005; August 1, 2004;*

35 *Recodified from Rule 10B .0302 Eff. January 1, 2011;*

36 *Temporary Amendment Eff. December 29, 2011;*

37 *Amended Eff. ~~November 1, 2012.~~ November 1, 2012;*

38 *Readopted Eff. August 1, 2019.*

1 15A NCAC 10B .0207 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 10B .0207 RABBITS**

4 (a) Rabbit Open Season: The open season for taking rabbits shall be from the ~~Saturday before Thanksgiving Day~~
5 Monday on or nearest October 15 through the last day of February.

6 (b) Rabbit Bag Limits: The daily bag limit for rabbits is five and there are no season and no possession limits.

7 (c) Rabbit Box-traps: During the hunting season specified in Paragraph (a) of this Rule and subject to the bag limits
8 set forth in Paragraph (b) of this Rule, rabbits may be taken with box-traps. A valid hunting license shall serve as a
9 transportation permit for live rabbits taken pursuant to this Rule.

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11 *History Note: Authority G.S. 113-134; 113-274; 113-291.1; 113-291.2;*

12 *Eff. February 1, 1976;*

13 *Amended Eff. July 1, 1987; July 1, 1986; July 1, 1985; July 1, 1984;*

14 *Temporary Amendment Eff. August 1, 1998;*

15 *Amended Eff. August 1, 2018; May 1, 2008; ~~April 1, 1999.~~ April 1, 1999;*

16 *Readopted Eff. August 1, 2019.*

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1 15A NCAC 10B .0206 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 10B .0206 SQUIRRELS**

4 (a) Squirrel Open Seasons:

5 (1) Gray and red squirrels may be taken by hunting on the Monday on or closest to October 15 to the
6 last day of February.

7 (2) Fox squirrels may be taken by hunting on the Monday on or nearest October 15 to ~~December 31 in~~
8 ~~the counties of Alleghany, Anson, Ashe, Bladen, Brunswick, Cumberland, Duplin, Edgecombe,~~
9 ~~Greene, Harnett, Hoke, Johnston, Jones, Lenoir, Moore, New Hanover, Onslow, Pender, Pitt,~~
10 ~~Richmond, Sampson, Scotland, Stokes, Surry, Watauga, Wayne and Wilkes.~~ January 31.

11 (b) Squirrel Bag Limits:

12 (1) The daily bag limit for gray and red squirrels is eight and there are no season and no possession
13 limits.

14 (2) ~~In those counties listed in Subparagraph (a)(2) of this Rule, the~~ The daily bag limit for fox squirrels
15 is one; the possession limit is ~~two~~, two; and the season limit is 10.

16

17 *History Note Authority G.S. 113-134; 113-291.2;*

18 *Eff. February 1, 1976;*

19 *Amended Eff. August 1, 2013; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2006; July 1,*
20 *1995; July 1, 1987; July 1, 1986; ~~July 1, 1985.~~ July 1, 1985;*

21 *Readopted Eff. August 1, 2019.*

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1 15A NCAC 10B .0124 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 10B .0124 IMPORTATION OF ANIMAL PARTS**

4 (a) Unless otherwise provided in this Rule, it shall be unlawful to import, transport, or possess a cervid carcass or
5 carcass part part(s) originating from any state or province where Chronic Wasting Disease occurs as identified by the
6 Chronic Wasting Disease Alliance on the Internet at <http://www.cwd-info.org/index.php/fuseaction/about.map> shall
7 be imported, transported, or possessed in outside of North Carolina except as provided herein: except:

- 8 (1) ~~meat that is cut and wrapped;~~
9 (2) ~~quarters or other portions of meat with no part of the spinal column or head attached;~~
10 (3)(1) meat that has been boned out; out such that no pieces or fragments of bone remain;
11 (4)(2) caped hides; hides with no part of the skull or spinal column attached;
12 (5)(3) antlers, antlers attached to cleaned skull plates; plates, or skulls free from meat or brain tissue;
13 (6) ~~antlers;~~
14 (7)(4) cleaned lower jawbone(s) with teeth or cleaned teeth; or
15 (8)(5) finished taxidermy products, products and tanned hides.

16 (b) Pursuant to G.S. 113-291.2, any Any cervid carcass, carcass part, part(s), or container of cervid meat or carcass
17 parts processed and packaged cervid meat imported as in (a) listed in Subparagraph (a)(1) through (4) of this Rule
18 above from a state or province where Chronic Wasting Disease is known to occur as identified by the Chronic Wasting
19 Disease Alliance on the Internet at <http://www.cwd-info.org/index.php/fuseaction/about.map> shall be tagged
20 identifying: labeled or identified with the following information:

- 21 (1) Hunter's the individual's name and address;
22 (2) State or province the state, Canadian province, or foreign country of origin of any cervid carcass,
23 carcass part, or container of processed and packaged cervid meat; origin; and
24 (3) Date the date the cervid was killed and the hunter's individual's hunting license number number,
25 permit number, or equivalent identification from the state or province state, Canadian province, or
26 foreign country of origin of any cervid carcass, carcass part, or container of processed and packaged
27 cervid meat; and origin.
28 (4) ~~Destination of the cervid carcass, carcass part or container of processed and packaged cervid meat~~
29 within North Carolina.

30 (c) It shall be lawful to import, transport, or possess a caped hide with only the head attached from a white-tailed deer
31 lawfully taken in South Carolina, if delivered to a licensed North Carolina taxidermist within 24 hours of entering the
32 State. The hide and head shall be double plastic bagged and labeled or identified with the information required in
33 Paragraph (b) of this Rule and the name of the county in South Carolina where the white-tailed deer was killed. This
34 Paragraph shall expire on August 1, 2020 or upon confirmation of Chronic Wasting Disease in a cervid from South
35 Carolina, whichever occurs first. Upon expiration, all restrictions and requirements of Paragraph (a) shall apply.

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37 *History Note: Authority G.S. 113-291.2;*

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Eff. May 1, 2006;
Temporary Amendment Eff. August 1, 2018;
Amended Eff. August 1, 2019.

1 15A NCAC 10B .0116 is proposed for readoption with substantive changes as follows:

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3 **15A NCAC 10B .0116 PERMITTED ARCHERY EQUIPMENT**

4 (a) “Archery equipment” means any device that has a solid, stationary handle, two limbs, and a string, that uses non-
5 pneumatic means to propel a single arrow or bolt and may be used to take game and nongame species.

6 (b) ~~Only longbows~~ Longbows and recurved bows having a minimum pull of 40 pounds, compound bows having a
7 minimum pull of 35 pounds, and crossbows having a minimum pull of 100 pounds shall be used for taking ~~game-~~
8 bear, deer, elk, wild turkey, alligator, and feral swine.

9 (c) Archery equipment utilizing an elastic string and having a minimum pull of 40 pounds may be used to take wild
10 turkey, small game animals, nongame animals, and nongame fish.

11 (d) Only arrows and bolts with a fixed minimum broadhead width of seven-eighths of an inch or a mechanically
12 opening broadhead with a width of at least seven-eighths of an inch in the open position shall be used for taking bear,
13 deer, ~~elk, or wild turkey,~~ turkey, alligator, and feral swine.

14 (e) Blunt-type arrow heads may be used in taking small animals and birds including rabbits, squirrels, quail, grouse,
15 and pheasants.

16 (f) Poisonous, drugged, ~~barbed,~~ or explosive arrowheads shall not be used for taking any ~~game.~~ wildlife.

17 (c) ~~Crossbows shall have a minimum pull rated at least 100 pounds. Heads on bolts used with crossbows shall conform~~
18 ~~to those described for arrows in Paragraph (b) of this Rule.~~

19
20 *History Note: Authority G.S. 113-134; 113-291.1(a);*

21 *Eff. September 1, 1980;*

22 *Amended Eff. August 1, 2014; August 1, 2012; July 10, 2010; May 1, 2007; August 1, 2002; July 1,*
23 *2000; July 1, 1998; July 1, 1996; August 1, ~~1990-1990;~~*

24 *Readopted Eff. August 1, 2019.*

25

1 15A NCAC 10B .0202 is proposed for amendment as follows:

2

3 **15A NCAC 10B .0202 BEAR**

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

5 (1) Monday on or nearest October 15 through the Saturday before Thanksgiving and the third Monday
6 after Thanksgiving through January 1 in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland
7 counties;

8 (2) Second Monday in November through January 1 in Bladen, Brunswick, Carteret, Columbus,
9 Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, Robeson, and Sampson counties;

10 (3) Second Saturday in November through the second Sunday thereafter and the third Saturday after
11 Thanksgiving through the fifth Sunday after Thanksgiving in Beaufort, Bertie, Craven, Hertford,
12 Jones, Martin, and Washington counties;

13 (4) Second Saturday in November through the ~~first~~ third Sunday ~~after Thanksgiving~~ thereafter and the
14 third Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Dare, Hyde, and
15 Tyrrell counties;

16 (5) Second Saturday in November through the second Sunday thereafter and the third Saturday after
17 Thanksgiving through the fifth Sunday after Thanksgiving in Currituck, Gates, and Perquimans
18 counties;

19 (6) Second Sunday in November through the following Sunday and the third Saturday after
20 Thanksgiving through the fifth Sunday after Thanksgiving in Camden, Chowan, and Pasquotank
21 counties;

22 (7) Third Saturday in November though the fifth Sunday thereafter in Edgecombe, Greene, Halifax,
23 Lenoir, Nash, Northampton, Pitt, Wayne, and Wilson counties; and

24 (8) Concurrent with the open season for all lawful weapons for hunting deer as specified in 15A NCAC
25 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham, Davie,
26 Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell, Johnston,
27 Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Richmond,
28 Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, Wake, Warren, and Yadkin counties.

29 (b) Restrictions

30 (1) For purposes of this Paragraph, "bait" means any natural, unprocessed food product that is a grain,
31 fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw
32 components.

33 (2) Bears shall not be taken with the use or aid of:

34 (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or
35 product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum,
36 candy block, oils, spices, peanut butter, or grease;

37 (B) any extracts of substances identified in Part (A) of this Subparagraph;

- 1 (C) any substances modified by substances identified in Part (A) of this Subparagraph,
2 including any extracts of those substances; or
- 3 (D) any bear bait attractant, including sprays, aerosols, scent balls, and scent powders.
- 4 (3) Bears may be taken with the aid of bait from the Monday on or nearest October 15 to the Saturday
5 before Thanksgiving in the counties in Subparagraph (a)(1) of this Rule.
- 6 (4) Bears may be taken with the aid of bait during the entire open season in the counties identified in
7 Subparagraphs (a)(2) through (a)(6) of this Rule.
- 8 (5) Bears shall not be taken while in the act of consuming bait.
- 9 (6) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85,
10 Anson west of N.C. Hwy 742, Cabarrus, Chatham, Davie, Davidson, Franklin, Forsyth, Gaston,
11 Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph,
12 Rockingham, Rowan, Stanly, Union, and Wake south of N.C. Hwy 98. In all other counties and
13 parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.
- 14 (c) No Open Season. ~~There is no open season in those parts of counties included in the following posted bear~~
15 ~~sanctuaries. It shall be unlawful to take bear on posted bear sanctuaries except when authorized by permit issued by~~
16 ~~the Commission. See 15A NCAC 10D .0106 for posted bear sanctuaries.~~
- 17 ~~Avery, Burke, and Caldwell counties—Daniel Boone bear sanctuary except by permit only~~
18 ~~Beaufort, Bertie, and Washington counties—Bachelor Bay bear sanctuary~~
19 ~~Bladen County—Suggs Mill Pond bear sanctuary~~
20 ~~Brunswick County—Green Swamp bear sanctuary~~
21 ~~Buncombe, Haywood, Henderson, and Transylvania counties—Pisgah bear sanctuary~~
22 ~~Carteret, Craven, and Jones counties—Croatan bear sanctuary~~
23 ~~Clay County—Fires Creek bear sanctuary~~
24 ~~Columbus County—Columbus County bear sanctuary~~
25 ~~Currituck County—North River bear sanctuary~~
26 ~~Dare County—Bombing Range bear sanctuary except by permit only~~
27 ~~Haywood County—Harmon Den bear sanctuary~~
28 ~~Haywood County—Sherwood bear sanctuary~~
29 ~~Hyde County—Gull Rock bear sanctuary~~
30 ~~Hyde County—Pungo River bear sanctuary~~
31 ~~Jackson County—Panthertown Bonas Defeat bear sanctuary~~
32 ~~Macon County—Standing Indian bear sanctuary~~
33 ~~Macon County—Wayah bear sanctuary~~
34 ~~Madison County—Rich Mountain bear sanctuary~~
35 ~~McDowell and Yancey counties—Mt. Mitchell bear sanctuary except by permit only~~
36 ~~Mitchell and Yancey counties—Flat Top bear sanctuary~~
37 ~~Wilkes County—Thurmond Chatham bear sanctuary~~

1 (d) The daily bag limit for bear is one, the possession limit is one, and the season limit is one.

2

3 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;*

4 *Eff. February 1, 1976;*

5 *Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;*

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

7 *Amended Eff. July 1, 2000;*

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

9 *Amendment Eff. August 1, 2002;*

10 *Temporary Amendment Eff. September 1, 2003;*

11 *Temporary Amendment Expired Eff. December 27, 2003;*

12 *Amended Eff. August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010; May 1, 2009; May*

13 *1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;*

14 *Temporary Amendment Eff. May 31, 2016;*

15 *Amended Eff. August 1, 2019; August 1, 2018; August 1, 2017; August 1, 2016.*



EXHIBIT E-1

February 21, 2019

Summary of Public Comments on Proposed Changes to Game Land Regulations for 2019-2020

Proposal	Proposed Text	Agree	Disagree	No Position (Online Only)	Comment Type
G1	Establish a December archery season on South Mountains Game Land and Buffalo Cove Game Land for antlered deer.	139	9	27	Online: 43 Comment Card: 110 Letter/Email: 22
G2	Establish the Conservative either-sex season on Buxton Woods Game Land.	126	7	26	Online: 33 Comment Card: 104 Letter/Email: 22
G3	Allow deer of either sex to be taken during the first open Saturday of the Deer with Visible Antlers Season at Cold Mountain Game Land.	128	11	27	Online: 38 Comment Card: 106 Letter/Email: 22
G4	Add Hyde County to the list of counties comprising Dare Game Land.	138	4	24	Online: 35 Comment Card: 109 Letter/Email: 22
G5	Change the designation of Dan River Game Land in Rockingham County from a Permit Only Area to a Three Days per Week Area with turkey and deer hunting by permit only.	123	15	23	Online: 34 Comment Card: 105 Letter/Email: 22
G6	Designate the Little Macedonia Tract of Green Swamp Game Land as a permit-only area for all hunting and trapping.	117	18	24	Online: 33 Comment Card: 104 Letter/Email: 22
G7	Allow the public to camp in designated camping areas during open hunting seasons on Johns River Game Land.	122	17	23	Online: 32 Comment Card: 108 Letter/Email: 22
G8	Allow camping within 100 yards of the Neuse River on the Turkey Quarter Creek Island Tract of Neuse River Game Lands.	124	15	22	Online: 31 Comment Card: 108 Letter/Email: 22
G9	Prohibit target shooting on the Perkins Game Land in Davie County.	116	16	29	Online: 29 Comment Card: 110 Letter/Email: 22
G10	Add Pender County to the list of counties comprising Whitehall Plantation Game Land.	119	9	25	Online: 26 Comment Card: 105 Letter/Email: 22
G11	Prohibit the pursuing or chasing of deer or bear with dogs for the purposes of training or hunting on the Long Ridge Tract of Whitehall Plantation Game Land.	107	26	25	Online: 28 Comment Card: 108 Letter/Email: 22
G12	Prohibit target shooting on White Oak River Game Land.	117	21	26	Online: 31 Comment Card: 111 Letter/Email: 22
G13	Prohibit target shooting on Bertie County Game Land, Brinkleyville Game Land, Chowan Swamp Game Land, Embro Game Land, Lower Fishing Creek Game Land, Roanoke River Wetlands Game Land, Sandy Creek Game Land, Shocco Creek Game Land, Tar River Game Land, Tillery Game Land, and Voice of America Game Land.	135	25	25	Online: 51 Comment Card: 112 Letter/Email: 22
G14	Clarify the definition of a "Six Days per Week Game Land" to indicate that hunting is allowed Monday through Saturday during open seasons.	159	19	23	Online: 59 Comment Card: 120 Letter/Email: 22
G15	Clarify bear sanctuary rules in the NCAC and update the county locations of existing bear sanctuaries. Additionally, Bombing Range Bear Sanctuary and part of Green Swamp Bear Sanctuary will be renamed Dare Bear Sanctuary and Juniper Creek Bear Sanctuary, respectively.	145	5	24	Online: 43 Comment Card: 109 Letter/Email: 22
G16	Prohibit the use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing Area in Edgecombe County.	137	16	27	Online: 47 Comment Card: 111 Letter/Email: 22
Total		2052	233	400	

Proposal	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9	Out of State
G15	Position Count: 6 :Agree 0 :Disagree 7 :No Position	Position Count: 9 :Agree 1 :Disagree 11 :No Position	Position Count: 11 :Agree 0 :Disagree 17 :No Position	Position Count: 10 :Agree 0 :Disagree 11 :No Position	Position Count: 19 :Agree 1 :Disagree 11 :No Position	Position Count: 15 :Agree 0 :Disagree 19 :No Position	Position Count: 14 :Agree 0 :Disagree 11 :No Position	Position Count: 25 :Agree 0 :Disagree 28 :No Position	Position Count: 32 :Agree 32 :Disagree 32 :No Position	Position Count: 1 :Agree 0 :Disagree 0 :No Position
	Comment Types: 2 :Online 10 :Comment Card 1 :Letter/Email	Comment Types: 4 :Online 16 :Comment Card 1 :Letter/Email	Comment Types: 2 :Online 26 :Comment Card 0 :Letter/Email	Comment Types: 6 :Online 15 :Comment Card 0 :Letter/Email	Comment Types: 4 :Online 26 :Comment Card 1 :Letter/Email	Comment Types: 9 :Online 24 :Comment Card 1 :Letter/Email	Comment Types: 5 :Online 19 :Comment Card 1 :Letter/Email	Comment Types: 7 :Online 46 :Comment Card 0 :Letter/Email	Comment Types: 32 :Online 32 :Comment Card 32 :Letter/Email	Comment Types: 1 :Online 0 :Comment Card 0 :Letter/Email
G16	Position Count: 5 :Agree 0 :Disagree 7 :No Position	Position Count: 8 :Agree 0 :Disagree 12 :No Position	Position Count: 16 :Agree 1 :Disagree 15 :No Position	Position Count: 9 :Agree 0 :Disagree 13 :No Position	Position Count: 17 :Agree 2 :Disagree 13 :No Position	Position Count: 10 :Agree 3 :Disagree 20 :No Position	Position Count: 14 :Agree 2 :Disagree 9 :No Position	Position Count: 25 :Agree 1 :Disagree 28 :No Position	Position Count: 32 :Agree 32 :Disagree 32 :No Position	Position Count: 0 :Agree 0 :Disagree 0 :No Position
	Comment Types: 1 :Online 10 :Comment Card 1 :Letter/Email	Comment Types: 3 :Online 16 :Comment Card 1 :Letter/Email	Comment Types: 6 :Online 26 :Comment Card 0 :Letter/Email	Comment Types: 7 :Online 15 :Comment Card 0 :Letter/Email	Comment Types: 5 :Online 26 :Comment Card 1 :Letter/Email	Comment Types: 8 :Online 24 :Comment Card 1 :Letter/Email	Comment Types: 5 :Online 19 :Comment Card 1 :Letter/Email	Comment Types: 8 :Online 46 :Comment Card 0 :Letter/Email	Comment Types: 32 :Online 32 :Comment Card 32 :Letter/Email	Comment Types: 0 :Online 0 :Comment Card 0 :Letter/Email

EXHIBIT E-2

February 21, 2019



PROPOSED CHANGES IN GAME LAND REGULATIONS FOR 2019-2020 AND RULE TEXT FOR COMMISSION ACTION

- G1) Establish a December archery season on South Mountains Game Land and Buffalo Cove Game Land for antlered deer.
15A NCAC 10D .0103 Hunting on game lands (pages 8 and 24)
- G2) Establish the Conservative either-sex season on Buxton Woods Game Land.
15A NCAC 10D .0103 Hunting on game lands (page 10)
- G3) Allow deer of either sex to be taken during the first open Saturday of the Deer with Visible Antlers Season at Cold Mountain Game Land.
15A NCAC 10D .0103 Hunting on game lands (page 12)
- G4) Add Hyde County to the list of counties comprising Dare Game Land.
15A NCAC 10D .0103 Hunting on game lands (page 13)
- G5) Change the designation of Dan River Game Land in Rockingham County from a Permit Only Area to a Three Days per Week Area with turkey and deer hunting by permit only.
15A NCAC 10D .0103 Hunting on game lands (page 12)
- G6) Designate the Little Macedonia Tract of Green Swamp Game Land as a permit-only area for all hunting and trapping.
15A NCAC 10D .0103 Hunting on game lands (page 14)
- G7) Allow the public to camp in designated camping areas during open hunting seasons on Johns River Game Land.
15A NCAC 10D .0103 Hunting on game lands (page 16)
- G8) Allow camping within 100 yards of the Neuse River on the Turkey Quarter Creek Island Tract of Neuse River Game Lands.
15A NCAC 10D .0103 Hunting on game lands (page 19)
- G9) Prohibit target shooting on the Perkins Game Land in Davie County.
15A NCAC 10D .0103 Hunting on game lands (page 20)

- G10) Add Pender County to the list of counties comprising Whitehall Plantation Game Land.
15A NCAC 10D .0103 Hunting on game lands (page 27)
- G11) Prohibit the pursuing or chasing of deer or bear with dogs for the purposes of training or hunting on the Long Ridge Tract of Whitehall Plantation Game Land.
15A NCAC 10D .0103 Hunting on game lands (page 27)
- G12) Prohibit target shooting on White Oak River Game Land.
15A NCAC 10D .0103 Hunting on game lands (page 27)
- G13) Prohibit target shooting on Bertie County Game Land, Brinkleyville Game Land, Chowan Swamp Game Land, Embro Game Land, Lower Fishing Creek Game Land, Roanoke River Wetlands Game Land, Sandy Creek Game Land, Shocco Creek Game Land, Tar River Game Land, Tillery Game Land, and Voice of America Game Land.
15A NCAC 10D .0103 Hunting on game lands (pages 7 – 27)
- G14) Clarify the definition of a “Six Days per Week Game Land” to indicate that hunting is allowed Monday through Saturday during open seasons.
15A NCAC 10D .0103 Hunting on game lands (page 7)
- G15) Clarify bear sanctuary rules in the NCAC and update the county locations of existing bear sanctuaries. Additionally, Bombing Range Bear Sanctuary and part of Green Swamp Bear Sanctuary will be renamed Dare Bear Sanctuary and Juniper Creek Bear Sanctuary, respectively.
15A NCAC 10B .0202 Bear (page 4)
15A NCAC 10D .0103 Hunting on game lands (page 7)
15A NCAC 10D .0106 Bear Sanctuaries (page 30)
- G16) Prohibit the use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing Area in Edgecombe County.
15A NCAC 10E .0104 Use of Areas Regulated (page 32)

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

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

- 3 (1) Monday on or nearest October 15 through the Saturday before Thanksgiving and the third Monday
4 after Thanksgiving through January 1 in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland
5 counties;
- 6 (2) Second Monday in November through January 1 in Bladen, Brunswick, Carteret, Columbus,
7 Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, Robeson, and Sampson counties;
- 8 (3) Second Saturday in November through the second Sunday thereafter and the third Saturday after
9 Thanksgiving through the fifth Sunday after Thanksgiving in Beaufort, Bertie, Craven, Hertford,
10 Jones, Martin, and Washington counties;
- 11 (4) Second Saturday in November through the first Sunday after Thanksgiving and the third Saturday
12 after Thanksgiving through the fifth Sunday after Thanksgiving in Dare, Hyde, and Tyrrell
13 counties;
- 14 (5) Second Saturday in November through the second Sunday thereafter and the third Saturday after
15 Thanksgiving through the fifth Sunday after Thanksgiving in Currituck, Gates, and Perquimans
16 counties;
- 17 (6) Second Sunday in November through the following Sunday and the third Saturday after
18 Thanksgiving through the fifth Sunday after Thanksgiving in Camden, Chowan, and Pasquotank
19 counties;
- 20 (7) Third Saturday in November though the fifth Sunday thereafter in Edgecombe, Greene, Halifax,
21 Lenoir, Nash, Northampton, Pitt, Wayne, and Wilson counties; and
- 22 (8) Concurrent with the open season for all lawful weapons for hunting deer as specified in 15A NCAC
23 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham, Davie,
24 Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell, Johnston,
25 Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Richmond,
26 Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, Wake, Warren, and Yadkin counties.

27 (b) Restrictions

- 28 (1) For purposes of this Paragraph, "bait" means any natural, unprocessed food product that is a grain,
29 fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw
30 components.
- 31 (2) Bears shall not be taken with the use or aid of:
 - 32 (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or
33 product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum,
34 candy block, oils, spices, peanut butter, or grease;
 - 35 (B) any extracts of substances identified in Part (A) of this Subparagraph;
 - 36 (C) any substances modified by substances identified in Part (A) of this Subparagraph,
37 including any extracts of those substances; or

- 1 (D) any bear bait attractant, including sprays, aerosols, scent balls, and scent powders.
- 2 (3) Bears may be taken with the aid of bait from the Monday on or nearest October 15 to the Saturday
- 3 before Thanksgiving in the counties in Subparagraph (a)(1) of this Rule.
- 4 (4) Bears may be taken with the aid of bait during the entire open season in the counties identified in
- 5 Subparagraphs (a)(2) through (a)(6) of this Rule.
- 6 (5) Bears shall not be taken while in the act of consuming bait.
- 7 (6) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85,
- 8 Anson west of N.C. Hwy 742, Cabarrus, Chatham, Davie, Davidson, Franklin, Forsyth, Gaston,
- 9 Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph,
- 10 Rockingham, Rowan, Stanly, Union, and Wake south of N.C. Hwy 98. In all other counties and
- 11 parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.

12 (c) No Open Season. ~~There is no open season in those parts of counties included in the following posted bear~~

13 ~~sanctuaries. It shall be unlawful to take bear on posted bear sanctuaries except when authorized by permit issued by~~

14 ~~the Commission. See 15A NCAC 10D .0106 for posted bear sanctuaries.~~

15 ~~Avery, Burke, and Caldwell counties—Daniel Boone bear sanctuary except by permit only~~

16 ~~Beaufort, Bertie, and Washington counties—Bachelor Bay bear sanctuary~~

17 ~~Bladen County—Suggs Mill Pond bear sanctuary~~

18 ~~Brunswick County—Green Swamp bear sanctuary~~

19 ~~Buncombe, Haywood, Henderson, and Transylvania counties—Pisgah bear sanctuary~~

20 ~~Carteret, Craven, and Jones counties—Croatan bear sanctuary~~

21 ~~Clay County—Fires Creek bear sanctuary~~

22 ~~Columbus County—Columbus County bear sanctuary~~

23 ~~Currituck County—North River bear sanctuary~~

24 ~~Dare County—Bombing Range bear sanctuary except by permit only~~

25 ~~Haywood County—Harmon Den bear sanctuary~~

26 ~~Haywood County—Sherwood bear sanctuary~~

27 ~~Hyde County—Gull Rock bear sanctuary~~

28 ~~Hyde County—Pungo River bear sanctuary~~

29 ~~Jackson County—Panthertown Bonas Defeat bear sanctuary~~

30 ~~Macon County—Standing Indian bear sanctuary~~

31 ~~Macon County—Wayah bear sanctuary~~

32 ~~Madison County—Rich Mountain bear sanctuary~~

33 ~~McDowell and Yancey counties—Mt. Mitchell bear sanctuary except by permit only~~

34 ~~Mitchell and Yancey counties—Flat Top bear sanctuary~~

35 ~~Wilkes County—Thurmond Chatham bear sanctuary~~

36 (d) The daily bag limit for bear is one, the possession limit is one, and the season limit is one.

37

1 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;*
2 *Eff. February 1, 1976;*
3 *Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;*
4 *Temporary Amendment Eff. July 1, 1999;*
5 *Amended Eff. July 1, 2000;*
6 *Temporary Amendment Eff. July 1, 2002;*
7 *Amendment Eff. August 1, 2002;*
8 *Temporary Amendment Eff. September 1, 2003;*
9 *Temporary Amendment Expired Eff. December 27, 2003;*
10 *Amended Eff. August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010; May 1, 2009; May*
11 *1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;*
12 *Temporary Amendment Eff. May 31, 2016;*
13 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016.*
14

1 **15A NCAC 10D .0103 HUNTING ON GAME LANDS**

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

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

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

10 (d) Time and Manner of Taking. Hunting is allowed on game lands only during the open season for game animals
11 and game birds, unless hunting is allowed by permit. Individual game lands or parts thereof may be closed to hunting
12 or limited to specific dates by this Chapter. Persons shall hunt only with weapons lawful for the open game animal or
13 game bird seasons. On managed waterfowl impoundments, persons shall:

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

19 On designated youth waterfowl days occurring after the end of the regular waterfowl seasons only, youths may hunt
20 on managed waterfowl impoundments from ½ hour before sunrise to sunset. Restrictions (1), (3), and (5) in this
21 Paragraph shall apply. On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the
22 trapping season and waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the
23 portion of the impoundment outside of the posted "Scouting-only Zone." No person shall attempt to obscure the sex
24 or age of any bird or animal taken by severing the head or any other part thereof, or possess any bird or animal that
25 has been so mutilated. No person shall place, or cause to be placed on any game land, salt, grain, fruit, or other foods
26 without prior written authorization of the Commission or its agent. A decision to grant or deny authorization shall be
27 made based on the best management practices for the wildlife species in question. No person shall take or attempt to
28 take any game birds or game animals attracted to such foods.

29 (e) Definitions:

- 30 (1) For purposes of this Section, "Dove Only Area" refers to a Game Land on which doves may be
31 taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day,
32 Christmas Day, and New Year's Days within the federally-announced season.
- 33 (2) For purposes of this Section, "Three Days per Week Area" refers to a Game Land on which any
34 game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays,
35 Saturdays, Thanksgiving Day, Christmas Day, and New Year's Days, except for game lands in this
36 Rule that specifically allow hunting on Tuesdays, Thursday, and Fridays. Falconry may also be
37 practiced on Sundays. These "open days" also apply to either-sex deer hunting seasons listed under

1 each game land. Raccoon and opossum hunting may continue until 7:00 a.m. on Tuesdays, until
2 7:00 a.m. on Thursdays, and until midnight on Saturdays.

- 3 (3) For purposes of this Section, "Six Days per Week Area" refers to a Game Land on which
4 any game may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and
5 Saturday during the open seasons.

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

8 ~~(g) Bear Sanctuaries. On Three Days per Week Areas and Six Days per Week Areas, bears shall not be taken on lands~~
9 ~~designated and posted as bear sanctuaries except when authorized by permit only pursuant to this Chapter. Feral Swine~~
10 ~~shall not be taken with the use of dogs on bear sanctuaries. Dogs shall not be trained or allowed to run unleashed~~
11 ~~between March 1 and the Monday on or nearest October 15 on bear sanctuaries in and west of the counties and parts~~
12 ~~of counties described in 15A NCAC 10B .0109.~~

13 ~~(h)~~(g) The listed seasons and restrictions apply in the following game lands:

- 14 (1) Alcoa Game Land in Davidson, Davie, Montgomery, Rowan, and Stanly counties

15 (A) Six Days per Week Area

16 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
17 Antlers Season through the second Friday thereafter in that portion in Montgomery county,
18 and deer of either sex may be taken all the open days of the applicable Deer With Visible
19 Antlers Season in those portions in Davidson, Davie, Rowan, and Stanly counties.

20 (C) On the Lick Creek Tract, deer and bear hunting is archery only.

- 21 (2) Alligator River Game Land in Tyrrell County

22 (A) Six Day per Week Area

23 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
24 Antlers Season.

25 (C) Bear may only be taken the first three hunting days during the November Bear Season and
26 the first three hunting days during the second week of the December Bear Season.

- 27 (3) Angola Bay Game Land in Duplin and Pender counties

28 (A) Six Days per Week Area

29 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
30 Antlers Season.

31 (C) Target shooting is prohibited.

- 32 (4) Bachelor Bay Game Land in Bertie, Martin, and Washington counties

33 (A) Six Days per Week Area

34 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
35 Antlers Season.

- 36 (5) Bertie County Game Land in Bertie County

37 (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
2 Antlers Season.
- 3 (C) Target Shooting is prohibited.
- 4 (6) Bladen Lakes State Forest Game Land in Bladen County
- 5 (A) Three Days per Week Area
- 6 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
7 Antlers Season.
- 8 (C) Except for blackpowder firearms, rifles larger than .22 caliber rimfire shall not be used.
- 9 (D) On the Singletary Lake Tract, the use of dogs for hunting deer and bear is prohibited.
- 10 (E) Wild turkey hunting on the Singletary Lake Tract is by permit only.
- 11 (F) Camping is restricted to September 1 through the last day of February and March
12 31 through May 14 in areas both designated and posted as camping areas.
- 13 (G) The use of dogs for pursuing or taking foxes is prohibited March 15 through July 15.
- 14 (7) Brinkleyville Game Land in Halifax County
- 15 (A) Six Days per Week Area
- 16 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
17 Antlers Season through the second Friday thereafter.
- 18 (C) Horseback riding is prohibited.
- 19 (D) Target Shooting is prohibited.
- 20 (8) Brunswick County Game Land in Brunswick County
- 21 (A) Hunting is by permit only.
- 22 (B) The use of dogs for hunting deer is prohibited.
- 23 (9) Buckhorn Game Land in Orange County
- 24 (A) Hunting is by permit only.
- 25 (B) Horseback riding is prohibited.
- 26 (10) Buckridge Game Land in Tyrrell County.
- 27 (A) Three Days per Week Area
- 28 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
29 Antlers Season.
- 30 (C) Bear may only be taken the first three hunting days during the November Bear Season and
31 the first three hunting days of the second week of the December Bear Season. If any of
32 these days falls on a Tuesday, Friday or Saturday, bear hunting is allowed on those days.
- 33 (D) Target shooting is prohibited.
- 34 (11) Buffalo Cove Game Land in Caldwell and Wilkes Counties
- 35 (A) Six Days per Week Area
- 36 (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the
37 Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of

- 1 either sex may be taken with archery equipment on open days beginning the Saturday on
2 or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October
3 15 to the Saturday before Thanksgiving Day. ~~and during the Deer With Visible Antlers~~
4 ~~Season.~~ Deer with visible antlers may be taken with archery equipment the Monday
5 immediately following the closing of the Deer With Visible Antlers Season, as described
6 in this Part, through January 1. Deer may be taken with blackpowder firearms on open days
7 beginning the Monday on or nearest October 1 through the Saturday of the second week
8 thereafter, and during the Deer With Visible Antlers season.
- 9 (C) Deer of either sex may be taken the first open Saturday day of the applicable Deer With
10 Visible Antlers Season.
- 11 (D) Horseback riding is prohibited except on designated trails May 16 through August 31 and
12 all horseback riding is prohibited from September 1 through May 15.
- 13 (12) Bullard and Branch Hunting Preserve Game Lands in Robeson County
- 14 (A) Three Days per Week Area
- 15 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
16 Antlers Season.
- 17 (13) Butner - Falls of Neuse Game Land in Durham, Granville, and Wake counties
- 18 (A) Six Days per Week Area
- 19 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
20 Antlers Season through the second Friday thereafter.
- 21 (C) Waterfowl shall be taken only on:
- 22 (i) the opening and closing days of the applicable waterfowl seasons;
- 23 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 24 (iii) Tuesdays, Thursdays, and Saturdays of the applicable waterfowl seasons.
- 25 On the posted waterfowl impoundments a special permit is required for all waterfowl
26 hunting after November 1.
- 27 (D) Horseback riding is prohibited.
- 28 (E) Target shooting is prohibited.
- 29 (F) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- 30 (G) The use of dogs for hunting deer is prohibited on that portion west of NC 50 and south of
31 Falls Lake.
- 32 (H) The use of bicycles is restricted to designated areas, except that this restriction does not
33 apply to hunters engaged in the act of hunting during the open days of the applicable
34 seasons for game birds and game animals. On designated bicycle riding areas, the use of
35 bicycles is allowed from May 15 through August 31, and on Sundays only from September
36 1 through May 14.

- 1 (I) Camping and the presence of campers and tents in designated Hunter Camping Areas are
2 limited to September 1 through the last day of February and March 31 through May 14.
- 3 (J) Camping is allowed at any time in the designated Mountains-to-Sea Trail Camping Area
4 and shall not exceed a maximum stay of two consecutive nights. Campfires are prohibited
5 in this camping area.
- 6 (14) Buxton Woods Game Land in Dare County:
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken ~~all the first open day days~~ of the applicable Deer With
9 Visible Antlers Season through the first Friday thereafter.
- 10 (C) Target shooting is prohibited.
- 11 (15) Cape Fear River Wetlands Game Land in Pender County
- 12 (A) Six Days per Week Area
- 13 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
14 Antlers Season.
- 15 (C) Turkey Hunting is by permit only on that portion known as the Roan Island Tract.
- 16 (D) The use of dogs for hunting deer is prohibited on the portion of the game land that is west
17 of the Black River, north of Roan Island, east of Lyon Swamp Canal to Canetuck Road,
18 and south of NC 210 to the Black River.
- 19 (E) Target shooting is prohibited.
- 20 (16) Carteret County Game Land in Carteret County
- 21 (A) Six Days per Week Area
- 22 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
23 Antlers Season through the second Friday thereafter.
- 24 (C) The use of dogs for hunting deer is prohibited.
- 25 (17) R. Wayne Bailey-Caswell Game Land in Caswell County
- 26 (A) Three Days per Week Area
- 27 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
28 Antlers Season through the second Wednesday thereafter.
- 29 (C) Horseback riding is allowed only during June, July, and August, and on Sundays during
30 the remainder of the year except during open turkey and deer seasons. Horseback riding is
31 allowed only on roads opened to vehicular traffic and on those gated roads and trails that
32 are posted for equestrian use. People age 16 or older horseback riding on this game land
33 shall possess a Game Lands license.
- 34 (D) The area encompassed by the following roads is permit-only for all quail and woodcock
35 hunting, and all bird dog training: From Yanceyville south on NC 62 to the intersection of
36 SR 1746, west on SR 1746 to the intersection of SR 1156, south on SR 1156 to the
37 intersection of SR 1783, east on SR 1783 to the intersection of NC 62, north on NC 62 to

- 1 the intersection of SR 1736, east on SR 1736 to the intersection of SR 1730, east on SR
2 1730 to NC 86, north on NC 86 to NC 62.
- 3 (E) On the posted waterfowl impoundment, waterfowl hunting is by permit only after
4 November 1.
- 5 (F) Camping and the presence of campers and tents in designated Hunter Camping Areas are
6 limited to September 1 through the last day of February and March 31 through May 14.
- 7 (G) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.
- 8 (18) Chatham Game Land in Chatham County
- 9 (A) Six Days per Week Area
- 10 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
11 Antlers Season through the second Friday thereafter.
- 12 (C) Wild turkey hunting is by permit only.
- 13 (D) Horseback riding is allowed only during June, July, and August; and on Sundays during
14 the remainder of the year except during open turkey and deer seasons.
- 15 (E) Target shooting is prohibited.
- 16 (19) Chowan Game Land in Chowan County
- 17 (A) Six Days per Week Area
- 18 (B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers
19 Season.
- 20 (20) Chowan Swamp Game Land in Bertie, Gates, and Hertford counties.
- 21 (A) Six Days per Week Area
- 22 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
23 Antlers Season.
- 24 (C) Bear hunting is restricted to the first three hunting days during the November bear season
25 and the first three hunting days during the second week of the December bear season except
26 that portion of Chowan Swamp Game Land in Gates County that is east of Highway
27 158/13, south of Highway 158, west of Highway 32, and north of Catherine Creek and the
28 Chowan River where the bear season is the same as the season dates for the Gates County
29 bear season.
- 30 (D) Camping is restricted to September 1 through the last day of February and March 31
31 through May 14 in areas both designated and posted as camping areas.
- 32 (E) Horseback riding is prohibited except during May 16 through August 31 and on Sundays
33 only September 1 through May 15 on those roads that are open to vehicular traffic and on
34 those gated roads and trails posted for equestrian use.
- 35 (F) Target shooting is ~~prohibited prohibited. on the Sand Banks tract in Gates County, the area~~
36 ~~west of Sand Banks Road, east of the Chowan River and north of US 13/158 to the NC-~~
37 ~~VA state line.~~

- 1 (21) Cold Mountain Game Land in Haywood County
2 (A) Six Days per Week Area
3 (B) Horseback riding is prohibited except on designated trails May 16 through August 31 and
4 all horseback riding is prohibited from September 1 through May 15.
5 (C) Deer of either sex may be taken the first open ~~day~~ Saturday of the applicable Deer With
6 Visible Antlers Season.
- 7 (22) Columbus County Game Land in Columbus County.
8 (A) Three Days per Week Area
9 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
10 Antlers Season.
- 11 (23) Croatan Game Land in Carteret, Craven, and Jones counties
12 (A) Six Days per Week Area
13 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
14 Antlers Season.
15 (C) Waterfowl shall be taken only on the following days:
16 (i) the opening and closing days of the applicable waterfowl seasons;
17 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
18 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
19 (D) Beginning on the first open waterfowl day in October through the end of the waterfowl
20 season, waterfowl hunting from designated Disabled Sportsmen blinds on the Catfish Lake
21 Waterfowl Impoundment is by permit only.
22 (E) Dove hunting is by permit only for the first two open days of dove season on posted areas.
23 During the rest of dove season, no permit is required to hunt doves.
- 24 (24) Currituck Banks Game Land in Currituck County
25 (A) Six Days per Week Area
26 (B) Permanent waterfowl blinds in Currituck Sound on these game lands shall be hunted by
27 permit only from November 1 through the end of the waterfowl season.
28 (C) Licensed hunting guides may accompany the permitted individual or party provided the
29 guides do not use a firearm.
30 (D) The boundary of the game land shall extend 5 yards from the edge of the marsh or shoreline.
31 (E) Dogs are allowed only for waterfowl hunting by permitted waterfowl hunters on the day of
32 their hunt.
33 (F) No screws, nails, or other objects penetrating the bark shall be used to attach a tree stand
34 or blind to a tree.
35 (G) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers
36 season.
- 37 (25) Dan River Game Land in Rockingham County

- 1 (A) ~~Hunting and trapping is by permit only.~~ Three Days per Week Area
- 2 (B) ~~Deer hunting is by permit only.~~
- 3 (C) ~~Wild turkey hunting is by permit only.~~
- 4 ~~(B)(D)~~ Horseback riding is prohibited except on those areas posted for equestrian use. People age
- 5 16 or older horseback riding on this game land must possess a Game Lands license.
- 6 ~~(C)~~(E) Target shooting is prohibited.
- 7 (26) Dare Game Land in Dare and Hyde counties ~~County~~
- 8 (A) Six Days per Week Area
- 9 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 10 Antlers Season through the first Friday thereafter.
- 11 (C) No hunting is allowed on posted parts of bombing range.
- 12 (D) The use and training of dogs is prohibited from March 1 through June 30.
- 13 (27) Dover Bay Game Land in Craven County
- 14 (A) Six Days per Week Area
- 15 (B) Deer of either sex may be taken all the days of the applicable Deer With Visible Antlers
- 16 season.
- 17 (28) DuPont State Forest Game Lands in Henderson and Transylvania counties
- 18 (A) Hunting is by permit only.
- 19 (B) The training and use of dogs for hunting is prohibited except by special hunt permit holders
- 20 during scheduled permit hunts.
- 21 (29) Elk Knob Game Land in Watauga County
- 22 (A) Six Days per Week Area
- 23 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 24 Antlers Season through the first Friday thereafter.
- 25 (30) Embro Game Land in Halifax and Warren counties
- 26 (A) Six Days per Week Area
- 27 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 28 Antlers Season through the second Friday thereafter.
- 29 (C) Horseback riding is prohibited.
- 30 (D) Target Shooting is prohibited.
- 31 (31) Goose Creek Game Land in Beaufort and Pamlico counties
- 32 (A) Six Days per Week Area
- 33 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 34 Antlers Season.
- 35 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
- 36 impoundments shall be taken only on the following days:
- 37 (i) the opening and closing days of the applicable waterfowl seasons;

- 1 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
2 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 3 (D) Beginning on the first open waterfowl season day in October and through the end of the
4 waterfowl season, waterfowl hunting is by permit only on the following waterfowl
5 impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith
6 Creek, and Hobucken.
- 7 (E) On Pamlico Point and Campbell Creek Waterfowl Impoundments all activities, except
8 waterfowl hunting on designated waterfowl hunting days and trapping during the trapping
9 season, are restricted to the posted Scouting-only Zone during the period November 1
10 through March 15.
- 11 (F) Camping is restricted to September 1 through the last day of February and March 31
12 through May 14 in areas both designated and posted as camping areas.
- 13 (G) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1
14 through January 1 and April 1 through May 15 to individuals that possess a valid hunting
15 opportunity permit.
- 16 (32) Green River Game Land in Henderson, and Polk counties
- 17 (A) Six Days per Week Area
- 18 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
19 Antlers Season.
- 20 (C) Horseback riding is prohibited.
- 21 (33) Green Swamp Game Land in Brunswick County
- 22 (A) Six Days per Week Area
- 23 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
24 Antlers Season.
- 25 (C) On that portion north of Big Macedonia Road, east of Makatoka Road, south of Little
26 Macedonia Road, and west of Green Swamp Road, hunting and trapping ~~for bear, deer,
27 and turkey~~ is by permit only.
- 28 (D) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is
29 prohibited on that portion of the game land that is north of Big Macedonia Road, east of
30 Makatoka Road, south of Little Macedonia Road, and west of Green Swamp Road.
- 31 (34) Gull Rock Game Land in Hyde County
- 32 (A) Six Days per Week Area
- 33 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
34 Antlers Season.
- 35 (C) Waterfowl on posted waterfowl impoundments shall be taken only on the following days:
- 36 (i) the opening and closing days of the applicable waterfowl seasons; and
37 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and

- 1 (iii) Tuesdays and Saturdays of the applicable waterfowl season.
- 2 (D) Camping is restricted to September 1 through the last day of February and March 31
- 3 through May 14 in areas designated and posted as camping areas.
- 4 (E) Bear may only be taken the first three hunting days during the November Bear Season and
- 5 the first three hunting days during the second week of the December Bear Season, except
- 6 for that portion designated as bear sanctuary.
- 7 (35) Harris Game Land in Chatham, Harnett, and Wake counties
- 8 (A) Six Days per Week Area
- 9 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 10 Antlers Season through the second Friday thereafter.
- 11 (C) Waterfowl shall be taken only on the following days:
- 12 (i) Tuesdays, Fridays, and Saturdays of the applicable waterfowl seasons;
- 13 (ii) Thanksgiving, Christmas, and New Year's Days; and
- 14 (iii) the opening and closing days of the applicable waterfowl seasons.
- 15 (D) The use or construction of permanent hunting blinds shall be prohibited.
- 16 (E) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- 17 (F) Target shooting is prohibited.
- 18 (G) Horseback riding is prohibited.
- 19 (36) Headwaters State Forest Game Land in Transylvania County
- 20 (A) Six Days per Week Area
- 21 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 22 Antlers Season
- 23 (37) Hill Farm Game Land in Stokes County- hunting and trapping is by permit only.
- 24 (38) Holly Shelter Game Land in Pender County
- 25 (A) Six Days per Week Area
- 26 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 27 Antlers Season.
- 28 (C) Waterfowl may be taken only on the following days:
- 29 (i) the opening and closing days of the applicable waterfowl seasons;
- 30 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 31 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 32 (D) Camping is restricted to September 1 through the last day of February and March 31
- 33 through May 14 in areas designated and posted as camping areas.
- 34 (E) On that portion north of the Bear Garden Road, west of Shaw Road to Baby Branch, east
- 35 of the Northeast Cape Fear River, south of NC 53 and west of NC 50, deer hunting and
- 36 bear hunting are permit only.
- 37 (F) The use of dogs for hunting deer and bear is prohibited:

- 1 (i) all open days on that portion of the game land that is south of Baby Branch
2 extending west to Stag Park Road, west of Shaw Road, north of Meeks Road
3 extending west to Stag Park Road and east of Stag Park Road; and
4 (ii) on Tuesdays, Thursdays, and Fridays, with the exception of Thanksgiving,
5 Christmas, and New Year's days, and except for the area north of Bear Garden
6 Road, west of Shaw Road to Baby Branch, east of the Northeast Cape Fear River,
7 south of NC 53 and west of NC 50, where the use of dogs for deer and bear hunting
8 is by permit only.
- 9 (G) Hunting and vehicular access on the Pender 4 Tract is restricted from September 1 to the
10 last day of February and April 1 to May 15 to individuals that possess valid hunting
11 opportunity permits, unless otherwise authorized by the Wildlife Resources Commission.
- 12 (H) Hunters who possess a Disabled Access Permit may operate an All Terrain Vehicle on and
13 within 100 yards of trails designated for Disabled Sportsman Access.
- 14 (I) Target shooting is prohibited, except on the Holly Shelter Shooting Range.
- 15 (J) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- 16 (39) Hyco Game land in Person County
- 17 (A) Six Days per Week Area
- 18 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
19 Antlers Season through the second Friday thereafter.
- 20 (C) Target shooting is prohibited.
- 21 (40) J. Morgan Futch Game Land in Tyrrell County - Permit Only Area.
- 22 (41) Johns River Game Land in Burke County
- 23 (A) Hunting is by permit only.
- 24 (B) During permitted deer hunts, deer of either sex may be taken by permit holders.
- 25 (C) Entry on posted waterfowl impoundments is prohibited October 1 through March 31,
26 except by lawful waterfowl hunting permit holders and only on those days written on the
27 permits.
- 28 (D) The use or construction of permanent hunting blinds is prohibited.
- 29 (E) Camping and the presence of campers and tents in designated Hunter Camping Areas is
30 limited to August 31 through the last day of February and March 31 through May 14.
- 31 (42) Jordan Game Land in Chatham, Durham, Orange, and Wake counties
- 32 (A) Six Days per Week Area
- 33 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
34 Antlers Season.
- 35 (C) Waterfowl may be taken only on:
- 36 (i) Mondays, Wednesdays, and Saturdays of the applicable waterfowl seasons;
37 (ii) Thanksgiving, Christmas, and New Year's Days; and

- 1 (iii) the opening and closing days of the applicable waterfowl seasons.
- 2 (D) Horseback riding is prohibited except on those areas posted as American Tobacco Trail
3 and other areas posted for equestrian use. Unless otherwise posted, horseback riding is
4 permitted on posted portions of the American Tobacco Trail anytime the trail is open for
5 use. On all other trails posted for equestrian use, horseback riding is allowed only during
6 June, July, and August, and on Sundays the remainder of the year except during open turkey
7 and deer seasons. People age 16 or older who ride horseback on trails occurring entirely
8 within the game land boundaries shall possess a Game Lands license.
- 9 (E) Target shooting is prohibited.
- 10 (F) Wild turkey hunting is by permit only, except on those areas posted as an Archery Zone.
- 11 (G) The use of bicycles is restricted to designated areas, except that this restriction does not
12 apply to hunters engaged in the act of hunting during the open days of the applicable
13 seasons for game birds and game animals.
- 14 (43) Juniper Creek Game Land in Brunswick and Columbus counties
- 15 (A) Six Days per Week Area
- 16 (B) Deer of either sex may be taken all the open days of the Deer With Visible Antlers Season.
- 17 (C) Camping is restricted to September 1 through the last day of February and March 31
18 through May 14 in areas both designated and posted as camping areas.
- 19 (44) Kerr Scott Game Land in Wilkes County
- 20 (A) Six Days per Week Area
- 21 (B) Use of centerfire rifles is prohibited.
- 22 (C) Use of blackpowder firearms, shotguns, or rifles for hunting deer during the applicable
23 Deer With Visible Antlers Season is prohibited.
- 24 (D) Tree stands shall not be left overnight; and no screws, nails, or other objects penetrating
25 the bark shall be used to attach a tree stand or blind to a tree.
- 26 (E) Deer of either sex may be taken on all open days of the applicable Deer With Visible
27 Antlers season.
- 28 (F) Hunting on posted waterfowl impoundments is by permit only.
- 29 (G) The use of firearms for hunting wild turkey is prohibited.
- 30 (45) Lantern Acres Game Land in Tyrrell and Washington counties
- 31 (A) Six Days per Week Area
- 32 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
33 Antlers Season.
- 34 (C) Wild turkey hunting is by permit only.
- 35 (D) The use of dogs for hunting deer on the Godley Tract is prohibited.
- 36 (E) Waterfowl hunting on posted waterfowl impoundments is by permit only.
- 37 (46) Lee Game Land in Lee County

- 1 (A) Six Days per Week Area
- 2 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 3 Antlers Season through the second Friday thereafter.
- 4 (C) Target shooting is prohibited.
- 5 (47) Light Ground Pocosin Game Land in Pamlico County
- 6 (A) Six Days per Week Area
- 7 (B) Deer of either sex may be taken all the open days of the applicable Deer with Visible
- 8 Antlers Season.
- 9 (48) Linwood Game Land in Davidson County
- 10 (A) Six Days per Week Area
- 11 (B) Deer of either sex may be taken on all of the open days of the applicable Deer With Visible
- 12 Antlers Season.
- 13 (49) Lower Fishing Creek Game Land in Edgecombe and Halifax counties
- 14 (A) Six Days per Week Area
- 15 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 16 Antlers Season through the second Friday thereafter.
- 17 (C) Horseback riding is prohibited.
- 18 (D) The use of dogs for hunting deer is prohibited.
- 19 (F) Target Shooting is prohibited.
- 20 (50) Mayo Game Land in Person County
- 21 (A) Six Days per Week Area
- 22 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 23 Antlers Season through the second Friday thereafter.
- 24 (C) Waterfowl shall be taken only on:
- 25 (i) Tuesdays, Thursdays, and Saturdays applicable waterfowl seasons;
- 26 (ii) Christmas and New Year's Days; and
- 27 (iii) the opening and closing days of the applicable waterfowl seasons.
- 28 (D) Target shooting is prohibited.
- 29 (51) Mitchell River Game Land in Surry County
- 30 (A) Three Days per Week Area
- 31 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
- 32 Antlers Season through the second Wednesday thereafter.
- 33 (C) Horseback riding is prohibited except on designated trails May 16 through August 31, and
- 34 all horseback riding is prohibited from September 1 through May 15.
- 35 (52) Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, Swain, and Transylvania
- 36 counties
- 37 (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
2 Antlers Season in that portion located in Transylvania County.
- 3 (53) Needmore Game Land in Macon and Swain counties.
- 4 (A) Six Days per Week Area
- 5 (B) Horseback riding is prohibited except on designated trails May 16 through August 31, and
6 all horseback riding is prohibited from September 1 through May 15.
- 7 (C) On posted dove fields, dove hunting on the opening day of dove season is by permit only.
- 8 (54) Neuse River Game Land in Craven County
- 9 (A) Six Days per Week Area
- 10 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
11 Antlers Season.
- 12 (C) Camping is allowed any time within 100 yards of the Neuse River on that portion of the
13 game land that lies west of NC-43.
- 14 (55) New Lake Game Land in Hyde and Tyrrell counties
- 15 (A) Six Days per Week Area
- 16 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
17 Antlers Season.
- 18 (56) Nicholson Creek Game Land in Hoke County
- 19 (A) Three Days per Week Area
- 20 (B) Deer of either sex may be taken with archery equipment on open hunting days from the
21 Saturday on or nearest September 10 through the Friday before Thanksgiving Day.
- 22 (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning
23 the Saturday before Thanksgiving Day through the Wednesday thereafter.
- 24 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
25 Saturday before Thanksgiving through the third Saturday after Thanksgiving Day.
- 26 (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible
27 Antlers Season.
- 28 (F) The use of dogs for hunting deer is prohibited.
- 29 (G) Wild turkey hunting is by permit only.
- 30 (H) On Lake Upchurch, the following activities are prohibited:
- 31 (i) Operating any vessel or vehicle powered by an internal combustion engine; and
32 (ii) Swimming.
- 33 (I) Target shooting is prohibited.
- 34 (57) North River Game Land in Camden and Currituck counties
- 35 (A) Six Days per Week Area
- 36 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
37 Antlers Season.

- 1 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or
2 shoreline.
- 3 (D) Hunting on the posted waterfowl impoundment is by permit only.
- 4 (58) Northwest River Marsh Game Land in Currituck County
- 5 (A) Six Days per Week Area
- 6 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
7 Antlers Season.
- 8 (C) The boundary of the Game Land shall extend five yards from the edge of the marsh or
9 shoreline.
- 10 (59) Pee Dee River Game Land in Anson, Montgomery, Richmond, and Stanly counties
- 11 (A) Six Days per Week Area
- 12 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
13 Antlers Season through the second Friday thereafter.
- 14 (C) Use of centerfire rifles is prohibited in that portion in Anson and Richmond counties North
15 of US-74.
- 16 (D) Target shooting is prohibited.
- 17 (E) Horseback riding is allowed only on roads opened to vehicular traffic and only during the
18 following times:
- 19 (i) during June, July, and August; and
- 20 (ii) on Sundays during the other months or parts of months when deer and turkey
21 seasons are closed.
- 22 (60) Perkins Game Land in Davie County
- 23 (A) Three Days per Week Area
- 24 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
25 Antlers Season.
- 26 (C) Horseback riding is prohibited from November 1 through January 1.
- 27 ~~(D) Target Shooting is prohibited.~~
- 28 (61) Pisgah Game Land in Avery, Buncombe, Burke, Caldwell, Haywood, Henderson, Madison,
29 McDowell, Mitchell, Transylvania, Watauga, and Yancey counties
- 30 (A) Six Days per Week Area
- 31 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
32 Antlers Season.
- 33 (C) Horseback riding is prohibited on the Black Bear (McDowell County), Linville River
34 (Burke County), and Little Tablerock Tracts (Avery, McDowell, and Mitchell counties).
- 35 (62) Pond Mountain Game Land in Ashe County
- 36 (A) Six Days per Week Area

- 1 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
2 Antlers Season through the first Friday thereafter.
- 3 (C) Horseback riding is prohibited except on designated trails from May 16 through August 31
4 and Sundays from September 1 through October 31. All horseback riding is prohibited
5 from November 1 through May 15.
- 6 (63) Pungo River Game Land in Hyde County
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
9 Antlers Season.
- 10 (64) Rendezvous Mountain State Forest Game Land in Wilkes County
- 11 (A) Three Days per Week Area
- 12 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
13 Antlers Season through the second Wednesday thereafter.
- 14 (C) Bear hunting is prohibited.
- 15 (65) Rhodes Pond Game Land in Cumberland and Harnett counties
- 16 (A) Hunting is by permit only.
- 17 (B) Swimming is prohibited on the area.
- 18 (66) Roanoke River Wetlands in Bertie, Halifax, Martin, and Northampton counties
- 19 (A) Hunting is by Permit only.
- 20 (B) Vehicles are prohibited on roads or trails except those operated on Commission business
21 or by permit holders.
- 22 (C) Camping is restricted to September 1 through the last day of February and March 31
23 through May 14 in areas both designated and posted as camping areas, provided, however,
24 that camping is allowed at any time within 100 yards of the Roanoke River on the state-
25 owned portion of the game land.
- 26 (D) Target Shooting is prohibited.
- 27 (67) Roanoke Island Marshes Game Land in Dare County-Hunting is by permit only.
- 28 (68) Robeson Game Land in Robeson County
- 29 (A) Three Days per Week Area
- 30 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
31 Antlers Season.
- 32 (69) Rockfish Creek Game Land in Hoke County
- 33 (A) Three Days per Week Area
- 34 (B) Deer of either sex may be taken with archery equipment on open hunting days from the
35 Saturday on or nearest September 10 to the fourth Friday before Thanksgiving Day.

- 1 (C) Deer of either sex may be taken with blackpowder firearms on open hunting days beginning
2 the fourth Saturday before Thanksgiving Day through the Wednesday of the second week
3 thereafter.
- 4 (D) The Deer With Visible Antlers season consists of the open hunting days from the second
5 Saturday before Thanksgiving Day through the third Saturday after Thanksgiving Day.
- 6 (E) Deer of either sex may be taken the first open day of the applicable Deer With Visible
7 Antlers Season.
- 8 (F) The use of dogs for hunting deer is prohibited.
- 9 (G) Wild turkey hunting is by permit only.
- 10 (H) Taking fox squirrels is prohibited.
- 11 (I) Target shooting is prohibited.
- 12 (70) Rocky Run Game Land in Onslow County - Hunting is by permit only.
- 13 (71) Sampson Game Land in Sampson County
- 14 (A) Three Days per Week Area
- 15 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
16 Antlers Season.
- 17 (C) Target shooting is prohibited.
- 18 (72) Sandhills Game Land in Hoke, Moore, Richmond, and Scotland counties
- 19 (A) Three Days per Week Area
- 20 (B) Hunting is prohibited on the J. Robert Gordon Field Trial Grounds from October 22
21 through March 31 except as follows:
- 22 (i) deer of either-sex may be taken with archery equipment on all the open days of
23 the archery season through the fourth Friday before Thanksgiving Day; with
24 blackpowder firearms and archery equipment all the open days of the
25 blackpowder firearms season through the third Wednesday before Thanksgiving
26 Day; and only deer with visible antlers may be taken with all legal weapons from
27 the second Saturday before Thanksgiving Day through the Saturday following
28 Thanksgiving Day;
- 29 (ii) dove may be taken all open days from the opening day of the dove season through
30 the third Saturday thereafter;
- 31 (iii) squirrel (gray and fox) may be taken all the open days from second Monday before
32 Thanksgiving Day through the Saturday following Thanksgiving Day;
- 33 (iv) rabbit may be taken all open days from the second Saturday preceding
34 Thanksgiving Day through the Saturday following Thanksgiving Day;
- 35 (v) waterfowl may be taken on open days during any waterfowl season;
- 36 (vi) wild animals and wild birds may be taken as part of a Disabled Sportsmen
37 Program Permit Hunt; and

- 1 (vii) raccoon and opossum may be taken on open days from sunrise Monday on or
2 nearest October 15 through the last day of February.
- 3 (C) The Deer With Visible Antlers season is the open hunting days from the second Saturday
4 before Thanksgiving Day through the third Saturday after Thanksgiving Day except on the
5 J. Robert Gordon Field Trial Grounds.
- 6 (D) The archery season is all open days from the Saturday on or nearest to Sept. 10 to the fourth
7 Friday before Thanksgiving Day and, except on the J. Robert Gordon Field Trial Grounds,
8 the third Monday after Thanksgiving Day through January 1. Deer may be taken with
9 archery equipment on all open hunting days during the archery season, the Deer with
10 Visible antlers season, and the blackpowder firearms season as stated in this Subparagraph.
- 11 (E) Blackpowder firearms season is all the open days from the fourth Saturday preceding
12 Thanksgiving Day through the Wednesday of the second week thereafter and, except on
13 the J. Robert Gordon Field Trial Grounds, the third Monday after Thanksgiving Day
14 through January 1. Deer may be taken with blackpowder firearms on all open hunting days
15 during the blackpowder firearms season and the Deer With Visible Antlers season.
- 16 (F) Either-sex deer hunting during the Deer With Visible Antlers Season is by permit only.
- 17 (G) In addition to the regular hunting days, waterfowl may be taken on the opening and closing
18 days of the applicable waterfowl seasons.
- 19 (H) Wild turkey hunting is by permit only.
- 20 (I) Horseback riding on field trial grounds from October 22 through March 31 is prohibited
21 unless participating in authorized field trials.
- 22 (J) Camping and the presence of campers and tents in designated Hunter Camping Areas are
23 limited to September 1 through the last day of February and March 31 through May 14.
- 24 (K) Target shooting is prohibited, except at the John F. Lentz Hunter Education Complex.
- 25 (73) Sandy Creek Game Land in Nash and Franklin Counties
- 26 (A) Six Days per Week Area
- 27 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
28 Antlers Season through the second Friday thereafter.
- 29 (C) Horseback riding is prohibited.
- 30 (D) The use of dogs for hunting deer is prohibited.
- 31 (E) Target Shooting is prohibited.
- 32 (74) Sandy Mush Game Land in Buncombe and Madison counties.
- 33 (A) Three Days per Week Area
- 34 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer with Visible
35 Antlers season.
- 36 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and
37 all horseback riding is prohibited from September 1 through May 15.

- 1 (D) Dogs shall only be trained on Mondays, Wednesdays, and Saturdays and only as allowed
2 in 15A NCAC 10D .0102(f).
- 3 (E) Dove hunting is by permit only from the opening day through the second Saturday of dove
4 season.
- 5 (75) Second Creek Game Land in Rowan County- hunting is by permit only.
- 6 (76) Shocco Creek Game Land in Franklin, Halifax, Nash, and Warren counties
- 7 (A) Six Days per Week Area
- 8 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
9 Antlers Season through the second Friday thereafter.
- 10 (C) Horseback riding is prohibited.
- 11 (D) Camping is restricted to September 1 through the last day of February and March 31
12 through May 14 in areas both designated and posted as camping areas.
- 13 (E) Target Shooting is prohibited.
- 14 (77) South Mountains Game Land in Burke, Cleveland, McDowell, and Rutherford counties
- 15 (A) Six Days per Week Area
- 16 (B) The Deer With Visible Antlers season for deer consists of the open hunting days from the
17 Monday before Thanksgiving Day through the third Saturday after Thanksgiving. Deer of
18 either sex may be taken with archery equipment on open days beginning the Saturday on
19 or nearest September 10 to the third Saturday thereafter, and Monday on or nearest October
20 15 to the Saturday before Thanksgiving Day. ~~and during the Deer With Visible Antlers~~
21 ~~Season.~~ Deer with visible antlers may be taken with archery equipment the Monday
22 immediately following the closing of the Deer With Visible Antlers Season, as described
23 in this Part, through January 1. Deer may be taken with blackpowder firearms on open days
24 beginning the Monday on or nearest October 1 through the Saturday of the second week
25 thereafter, and during the Deer With Visible Antlers season.
- 26 (C) Deer of either sex may be taken the first open Saturday day of the applicable Deer With
27 Visible Antlers Season.
- 28 (D) Horseback riding is prohibited except on designated trails May 16 through August 31 and
29 all horseback riding is prohibited from September 1 through May 15.
- 30 (78) Stones Creek Game Land in Onslow County
- 31 (A) Six-Days per Week Area
- 32 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
33 Antlers Season.
- 34 (C) The use of dogs for hunting deer is prohibited on Mondays, Wednesdays, and Fridays.
- 35 (D) Swimming in all lakes is prohibited.
- 36 (E) Waterfowl on posted waterfowl impoundments may be taken only on the following days:
37 (i) the opening and closing days of the applicable waterfowl seasons;

- 1 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
2 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 3 (F) Target shooting is prohibited.
4 (G) Geocaching is restricted to closed days for taking bear, deer, turkey, and waterfowl.
- 5 (79) Suggs Mill Pond Game Land in Bladen and Cumberland counties
6 (A) Hunting and trapping is by permit only.
7 (B) Camping is restricted to September 1 through the last day of February and March 31
8 through May 14 in areas both designated and posted as camping areas.
9 (C) Entry is prohibited on scheduled hunt or trapping days except for:
10 (i) hunters or trappers holding special hunt or trapping permits; and
11 (ii) persons using Campground Road to access Suggs Mill Pond Lake at the dam.
12 (D) During the period of November 1 through January 31, except on Sundays, the use of vessels
13 on Suggs Mill Pond Lake and Little Singletary Lake is limited to waterfowl hunting only
14 by waterfowl hunters possessing a valid and current Hunting Opportunity Permit issued by
15 the Wildlife Resources Commission pursuant to G.S. 113-264(d).
16 (E) During the period of November 1 through March 15, the use of vessels on managed
17 waterfowl impoundments is limited to waterfowl hunting only by waterfowl hunters
18 possessing a valid and current Hunting Opportunity Permit issued by the Wildlife
19 Resources Commission pursuant to G.S. 113-264(d).
- 20 (80) Sutton Lake Game Land in New Hanover and Brunswick counties
21 (A) Six Days per Week Area
22 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
23 Antlers Season through the first Friday thereafter.
24 (C) Target shooting is prohibited.
- 25 (81) Tar River Game Land in Edgecombe County ~~—hunting is by permit only.~~
26 (A) Hunting is by permit only
27 (B) Target Shooting is prohibited
- 28 (82) Texas Plantation Game Land in Tyrrell County - hunting is by permit only.
- 29 (83) Three Top Mountain Game Land in Ashe County
30 (A) Six Days per Week Area
31 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
32 Antlers Season through the first Friday thereafter.
33 (C) Horseback riding is prohibited.
- 34 (84) Thurmond Chatham Game Land in Alleghany and Wilkes counties
35 (A) Six Days per Week Area
36 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
37 Antlers Season through the second Friday thereafter.

- 1 (C) Horseback riding is prohibited except on designated trails May 16 through August 31, and
2 all horseback riding is prohibited from September 1 through May 15. People age 16 or
3 older horseback riding on this game land shall possess a Game Lands license.
- 4 (D) The maximum period of consecutive overnight camping at any designated campground is
5 14 days within any 30 day period from May 1 through August 31. After 14 consecutive
6 days of camping all personal belongings must be removed from the game land.
- 7 (85) Tillery game Land in Halifax County
- 8 (A) Six Days per Week Area
- 9 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
10 Antlers Season through the second Friday thereafter.
- 11 (C) Horseback riding is prohibited.
- 12 (D) The use of dogs for hunting deer is prohibited.
- 13 (E) Wild turkey hunting is by permit only.
- 14 (F) Target Shooting is prohibited.
- 15 (86) Toxaway Game Land in Jackson and Transylvania counties
- 16 (A) Six Days per Week Area
- 17 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
18 Antlers Season.
- 19 (C) Horseback riding is prohibited except on designated trails May 16 through August 31 and
20 all horseback riding is prohibited from September 1 through May 15.
- 21 (87) Uwharrie Game Land in Davidson, Montgomery, and Randolph counties
- 22 (A) Six Days per Week Area
- 23 (B) Deer of either sex may be taken the first open day of the applicable Deer With Visible
24 Antlers Season through the second Friday thereafter.
- 25 (C) On the posted waterfowl impoundment, waterfowl may be taken only on the following
26 days:
- 27 (i) the opening and closing days of the applicable waterfowl seasons;
- 28 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 29 (iii) Mondays, Wednesdays and Saturdays of the applicable waterfowl seasons.
- 30 (D) Target shooting is prohibited, except at the Flintlock Valley Shooting Range.
- 31 (88) Vance Game Land in Vance County
- 32 (A) Six Days per Week Area
- 33 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
34 Antlers Season.
- 35 (C) The use of dogs, centerfire rifles, and handguns for hunting deer is prohibited on the
36 Nutbush Peninsula tract.
- 37 (89) Van Swamp Game Land in Beaufort and Washington counties

- 1 (A) Six Days per Week Area
- 2 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 3 Antlers Season.
- 4 (C) Bear may only be taken the first three hunting days during the November Bear Season and
- 5 the first three hunting days during the second week of the December Bear Season.
- 6 (90) Voice of America Game Land in Beaufort County—~~hunting and trapping is by permit only.~~
- 7 (A) Hunting and trapping is by permit only.
- 8 (B) Target Shooting is prohibited.
- 9 (91) White Oak River Game Land in Onslow County
- 10 (A) Three Days per Week Area
- 11 (B) Deer of either sex may be taken all the open days of the applicable Deer With Visible
- 12 Antlers Season.
- 13 (C) Except as provided in Part (D) of this Subparagraph, waterfowl in posted waterfowl
- 14 impoundments shall be taken only on the following days:
- 15 (i) the opening and closing days of the applicable waterfowl seasons;
- 16 (ii) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
- 17 (iii) Tuesdays and Saturdays of the applicable waterfowl seasons.
- 18 (D) Beginning on the first open waterfowl season day in October and through the end of the
- 19 waterfowl season, a permit is required for hunting posted waterfowl impoundments.
- 20 (E) The Huggins Tract and Morton Tracts have the following restrictions:
- 21 (i) access on Hargett Avenue and Sloan Farm Road requires a valid Hunting
- 22 Opportunity Permit issued by the Wildlife Resources Commission pursuant to
- 23 G.S. 113-264(d);
- 24 (ii) hunting is by permit only; and
- 25 (iii) the use of dogs for hunting deer is prohibited.
- 26 (F) Wild turkey hunting is by permit only.
- 27 (G) Target Shooting is prohibited.
- 28 (92) Whitehall Plantation Game Land in Bladen ~~County~~ and Pender counties
- 29 (A) Hunting and trapping is by permit only.
- 30 (B) Camping is restricted to September 1 through the last day of February and March 31
- 31 through May 14 in areas both designated and posted as camping areas.
- 32 (C) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is
- 33 prohibited on the Long Ridge Tract.
- 34 (93) William H. Silver Game Land in Haywood County
- 35 (A) Six Days per Week Area
- 36 (B) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
- 37 Antlers Season.

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

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

- 8 (1) Bertie, Halifax and Martin counties—Roanoke River Wetlands;
- 9 (2) Bertie County—Roanoke River National Wildlife Refuge;
- 10 (3) Bladen County—Suggs Mill Pond Game Lands;
- 11 (4) Burke County—John's River Waterfowl Refuge;
- 12 (5) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
- 13 (6) Dare County—Roanoke Sound Marshes Game Lands; and
- 14 (7) Henderson and Transylvania counties—DuPont State Forest Game Lands.

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

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

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

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

31 ~~(n)~~ As used in this Rule, horseback riding includes all equine species.

32 ~~(o)~~ When waterfowl hunting is ~~specifically permitted~~ authorized in this Rule on Christmas and New Years' Day
33 and those days fall on Sundays, the open waterfowl hunting day shall be the following day.

34
35 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
36 *Eff. February 1, 1976;*
37 *Temporary Amendment Eff. October 3, 1991;*

1 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September*
2 *1, 1994; July 1, 1994;*
3 *Temporary Amendment Eff. October 1, 1999; July 1, 1999;*
4 *Amended Eff. July 1, 2000;*
5 *Temporary Amendment Eff. July 1, 2002; July 1, 2001;*
6 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
7 *Temporary Amendment Eff. June 1, 2003;*
8 *Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);*
9 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014;*
10 *January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
11 *1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October*
12 *1, 2004.*
13
14
15

1 **15A NCAC 10D .0106 BEAR SANCTUARIES**

2 (a) It shall be unlawful to take bear on posted bear sanctuaries as set forth in Paragraph (b) of this rule, except when
3 authorized by permit issued by the Commission on sanctuaries specified in Subparagraph (c) of this Rule.

4 (b) The following shall be posted bear sanctuaries:

- 5 Bachelor Bay bear sanctuary – Bertie and Washington counties
- 6 Columbus County bear sanctuary – Brunswick and Columbus counties
- 7 Croatan bear sanctuary – Carteret, Craven, and Jones counties
- 8 Daniel Boone bear sanctuary – Avery, Burke, and Caldwell counties
- 9 Dare bear sanctuary – Dare and Hyde counties.
- 10 Fires Creek bear sanctuary – Clay County
- 11 Flat Top bear sanctuary – Mitchell and Yancey counties
- 12 Green Swamp bear sanctuary – Brunswick County
- 13 Gull Rock bear sanctuary – Hyde County
- 14 Harmon Den bear sanctuary – Haywood County
- 15 Juniper Creek bear sanctuary – Brunswick and Columbus counties
- 16 Mt. Mitchell bear sanctuary – McDowell and Yancey counties
- 17 North River bear sanctuary – Camden and Currituck counties
- 18 Panther town – Bonas Defeat bear sanctuary – Jackson County
- 19 Pisgah Bear Sanctuary – Buncombe, Haywood, Henderson and Transylvania
- 20 Pungo River bear sanctuary – Hyde County
- 21 Rich Mountain bear sanctuary – Madison County
- 22 Sherwood bear sanctuary – Haywood County
- 23 Suggs Mill Pond bear sanctuary – Bladen and Cumberland counties
- 24 Standing Indian bear sanctuary – Macon County
- 25 Thurmond Chatham bear sanctuary – Allegheny and Wilkes counties
- 26 Wayah bear sanctuary – Macon County

27 (c) It shall be lawful to take bear on the following sanctuaries when authorized by permit issued by the Commission:

- 28 Daniel Boone bear sanctuary – Avery, Burke, and Caldwell counties
- 29 Dare bear sanctuary – Dare and Hyde counties
- 30 Mt. Mitchell bear sanctuary – McDowell and Yancey counties

31 (d) Feral Swine shall not be taken with the use of dogs on bear sanctuaries.

32 (e) Dogs shall not be trained or allowed to run unleashed between March 1 and the Monday on or nearest October 15
33 on bear sanctuaries located in and west of the counties and parts of counties described in 15A NCAC 10B .0109.

34

35 *History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;*

36 *Eff. August 1, 2019.*

37

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

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

7 (b) No person shall possess a loaded firearm on any public fishing or boating access area, except that a handgun may
8 be carried by an individual with a valid concealed handgun permit. The individual carrying a handgun must adhere
9 to the requirements set forth in North Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit
10 is not North Carolina. The permission to carry a handgun does not apply to access areas on the following game lands:

- 11 (1) Bladen Lakes State Forest
- 12 (2) Buckhorn
- 13 (3) Butner-Falls of Neuse
- 14 (4) Chatham
- 15 (5) DuPont State Forest
- 16 (6) Harris
- 17 (7) Hyco
- 18 (8) Jordan
- 19 (9) Kerr Scott
- 20 (10) Lee
- 21 (11) Mayo
- 22 (12) Pee Dee River north of U.S 74
- 23 (13) Sutton Lake
- 24 (14) Vance
- 25 (15) the portion of R. Wayne Bailey-Caswell that is located north of U.S. 158 and east of N.C. 119

26 No person shall operate a vehicle on any public fishing or boating access area in a manner so as to endanger life or
27 property.

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

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

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

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

11 (g) It is unlawful to feed or release animals or birds, domesticated animals and feral animals on public fishing or
12 boating access areas without prior written authorization of the Wildlife Resources Commission. Written authorization
13 will only be granted to persons acting on behalf of the Commission, to persons conducting scientific investigations or
14 surveys, and for release of rehabilitated wildlife. Written authorization will not be granted for any feeding or release
15 that is inimical to the conservation of native wildlife resources. For the purpose of enforcing this Paragraph,
16 "domesticated animals" does not include pets under the control of the owner and raptors or hunting dogs where
17 otherwise permitted for hunting or training purposes.

18 (h) The use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing
19 Area in Edgecombe County is prohibited.

20
21 *History Note: Authority G.S. 75A-14; 113-134; 113-264;*
22 *Eff. February 1, 1976;*
23 *Amended Eff. August 1, 2012; August 1, 2010; May 1, 2009; July 1, 1995; February 1, 1994;*
24 *September 1, 1992; July 1, 1991.*

25

Exhibit F-1

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Duck Creek Wetlands

WRC Action/Approval to Pursue (Date): 4/26/2018 – Phase I, 12/06/2018 – Phase II

Acquisition Plan (specify total project costs AND sources of funding):

Land will be acquired by NCCLT and transferred to WRC in June 2019. WRC will contribute \$50,000 of agency funds at closing.

NAWCA	\$554,000
Clean Water Management Trust Fund Grant	\$255,000
WRC Agency Funds	\$50,000
TOTAL COST	\$859,000

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
NCCLT	Earl Jones	January 2018	\$859,000

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$ 196,300.00
Total Projected Revenue	\$ 0.00

Exhibit F-1

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections: *Duck Creek Wetlands*

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Establish Boundary	6	mi	\$2,500.00	\$15,000.00
Upgrade Access Road	1.5	mi	\$100,000.00	\$150,000.00
Maintain Access Road (5 year total)	5	mi	\$2,500.00	\$12,500.00
Establish Gate	1	ea	\$1,000.00	\$1,000.00
Maintain Gate	2	ea	\$100.00	\$200.00
Prescribed Burning (Years 2, 3, 4 total)	170	ac	\$30.00	\$5,100.00
Maintain Boundary (5 year total)	5	mi	\$2,500.00	\$12,500.00
TOTAL				\$196,300.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$0 Total

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Richard Clark/Brent Wilson
Date First Presented to Commission:	2/8/2018
Tract Name:	Duck Creek Wetlands
County:	Craven
Acreage:	715
Tax Value:	\$450,740
Property Owner/Representative:	Contact Janice Allan C/O NCCLT
Phone:	252-634-1927
Email Address:	janice@coastallandtrust.org
Address:	3301 Trent Road, Suite G New Bern, NC 28562

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	WRC (State funds)
<input type="checkbox"/>	Other (overwrite this cell)

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

2017	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

PR	Source:
75/25	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input checked="" type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Duck Creek Wetlands
County:	Craven

Resources Assessment and Biological Benefits (brief):

Duck Creek Wetlands tract lies between the Neuse River to the south and the Duck Creek tract of Neuse River GL to the north. Tract contains several habitat types including, LL pine ridge, high pocosin/pond pine forest, freshwater marsh, and estuarine fringe loblolly pine forest. This tract is part of the Duck Creek/Upper Broad Creek Natural Area, and is listed as a highly significant natural area. Game animals including white-tailed deer, black bear, wild turkey, bob-white quail, use this area. Non-game animals include neo-tropical migrants, amphibians and reptiles, including American alligator, and raptors, including bald eagle. A Biodiversity/Wildlife Habitat Index evaluation of this tract, provided a score of 8 out of 10 (1 -low and 10-high value). This index prioritizes aquatic and terrestrial habitat, lanscape function, and connectivity. Tract will be acquired by NCCLT who would ask WRC for \$100,000.00 at closing.

Tract Name	Duck Creek Wetlands
Date	February 8, 2018
Staff Completing Form	Richard Clark

Species	0.741
	Terrestrial
Overall Biodiversity	3
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	3
SGCN Species	2
Game Species	3
	Aquatic
Overall Biodiversity	2
SGCN Species	1
Game Species	2

Comments
This tract scores 8 of 10 using Wildlife/Biodiversity Habitat Assessment. Will provide hunting opportunities for deer, turkey, quail, small game and waterfowl. Acquisition would protect water quality and provide a favorable environment for numerous species.

Habitat	0.889
Size	2
Quality	2
Diversity	3
Rare/Important	3
Connectivity	3
Buffer	3

Comments
Habitats are severely fire suppressed. Burn units could easily be added to existing ones on Neusr River GL

Public Access	0.556
Hunting/Viewing	3
Fishing	1
Boating	1

Comments
Tract is directly adjacent to existing Neuse River GL.

Wildlife Uses	0.733
Hunting	3
Viewing	3
Fishing	1
Boating	1
Education	3

Comments
Tract will allow for additional hunting, trapping, and wildlife viewing for local citizens. Furthermore, this tract provides educational opportunities for students in the area.

Other Values	0.667
Timber Harvest	2
Local Economy	2
Quality of Life	2

Comments
Currently limited opportunity exists for timber harvest.

Feasibility & Logistics	0.733
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	3
Inholding/Corridor	1
Proximity to Users	3

Comments
Existing roads are dirt-packed leading to a 480 acre outparcel.

Restoration/Mitigation Potential	0.917
Species Restoration	3
Habitat Restoration	3
Access Improvement	2
Threat Mitigation	3

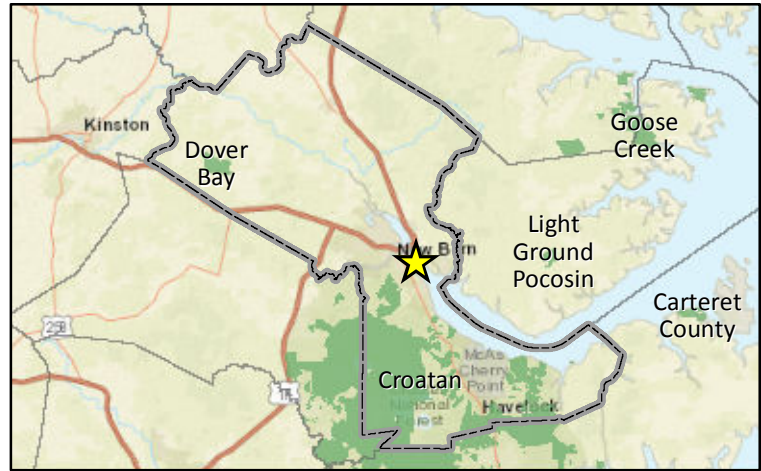
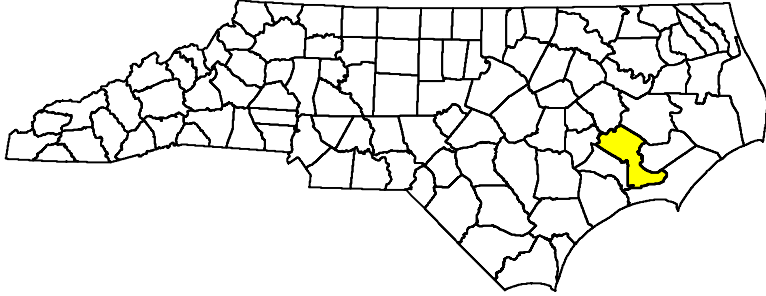
Comments
Would provide opportunity for upland habitat improvement as well as protection of pond pine pocosins and Neuse River shoreline from development.

Threats	0.733
Number	2
Severity	2
Imminence	1
Manageability	3
Management Cost	3

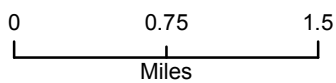
Comments
Largest threats include loss to development, wildfire, and sea-level rise. The implementation of prescribed fire operations, will reduce loss risk from wildfire.

Overall Score	4.502
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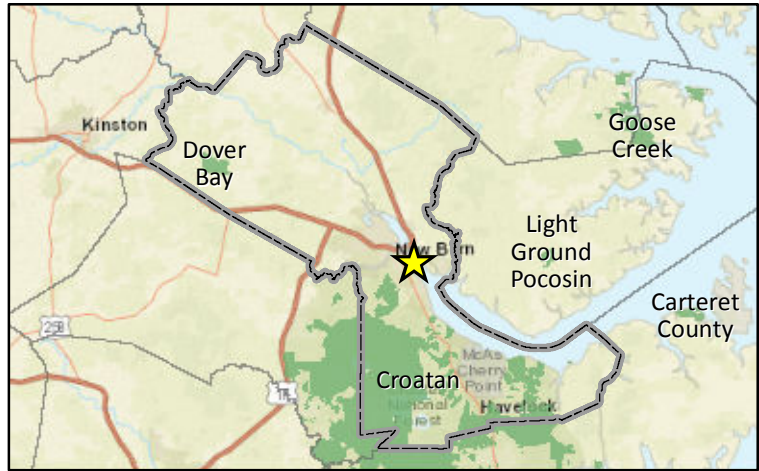
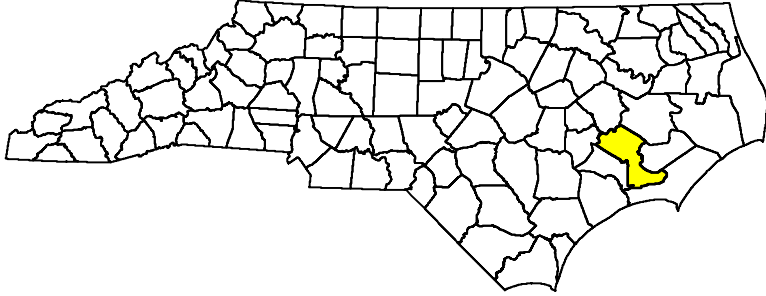
**Duck Creek Tract
Craven County
715 Acres**



April 16, 2018



**Duck Creek Tract
Craven County
715 Acres**



April 16, 2018

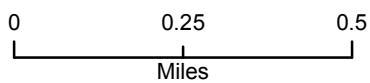


Exhibit F-2

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Salters Creek Tract

WRC Action/Approval to Pursue (Date): 10/05/2017 – Phase I, 12/6/2018 – Phase II

Acquisition Plan (specify total project costs AND sources of funding):

Land will be acquired by NCCLT and transferred to WRC in June 2019. WRC will contribute \$50,000 of agency funds at closing.

NAWCA	\$1,030,000
Military Funds	\$1,920,000
Private Funds	\$190,000
Duke Water Resources	\$100,000
Clean Water Management Trust Fund Grant	\$1,170,000
WRC Agency Funds	\$50,000
TOTAL COST	\$4,460,000

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
NCCLT	Shackelford	November 2016	\$4,460,000

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$ 717,780.00
Total Projected Revenue	\$ 0.00

Exhibit F-2

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections: *Salters Creek*

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Establish Boundary	26.3	mi	\$2,500.00	\$65,750.00
Upgrade Access Road	3.8	mi	\$100,000.00	\$380,000.00
Maintain Access Road (5 year total)	19	mi	\$2,500.00	\$47,500.00
Establish Gate	6	Ea	\$1,000.00	\$6,000.00
Maintain Gate	6	Ea	\$100.00	\$600.00
Prescribed Burning (year 2, 3, 4 total)	5,181	ac	\$30.00	\$155,430.00
Maintain Boundary (5 year total)	25	mi	\$2,500.00	\$62,500.00
TOTAL				\$717,780.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$ 0.00

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Richard Clark_Brent Wilson
Date First Presented to Commission:	6/14/2017
Tract Name:	Salter's Creek
County:	Carteret
Acreage:	5,495
Tax Value:	\$2,796,774
Property Owner/Representative:	Sailors of Sugg Harbor/NCCLT-Janice Allen
Phone:	252-634-1927
Email Address:	janice@coastallandtrust.org
Address:	3301 Trent Road, Suite G New Bern, NC 28562

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input type="checkbox"/>	Resource Management
<input type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input checked="" type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input type="checkbox"/>	REPI
<input type="checkbox"/>	NAWCA

Owner Interest:

<input type="checkbox"/>	High
<input checked="" type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input checked="" type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	PR	Source:
<input type="checkbox"/>	75/25	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input checked="" type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:
 NCCLT Transfer for \$100,000.00 Non-Federal funds. Owner's appraised value \$4,460,000

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Salter's Creek (Sellers-Trustees of Sailors of Snug Harbor)
County:	Carteret

Resources Assessment and Biological Benefits (brief):

The Salter's Creek Tract consists of 5,495 acres in Carteret Co., between NC Hwy 12 and Long Bay approximately 2.5 miles NW of Atlantic, NC. It is adjacent to Cedar Island NWR and Piney Island Bombing Range (BT-11). This Tract hosts estuarine marsh, pocosin and longleaf pine ridges. 80% of site scored 10 while the remaining 20% scores 7 using the Biodiversity Wildlife Habitat Assessment. This land is within Natural Heritage's Exceptional Atlantic Natural Area and lies in a Sentinel Landscapes county, and is part of Audubon NC Cedar Island Marsh Important Bird Area (Tidal Marsh, Open Water). Species of Greatest Conservation Need potentially associated with this property include Red-cockaded Woodpecker, Wayne's black-throated green warbler, Carolina watersnake, Atlantic sturgeon, and the shortnose sturgeon. Primary access is provided by a single unimproved woods road approximately 3.5 miles in length. There are several spur roads/trails which could provide users access to most of the tract. Currently the tract is severely fire suppressed. Pine woods have been thinned, however, longleaf pine and associated understory remain relatively intact.

Tract Name	Salter Creek
Date	August 8, 2017
Staff Completing Form	Richard Clark, Cindy Simpson, Sarah Schweitzer, Brent Wilson

Species	0.926
	Terrestrial
Overall Biodiversity	3
SGCN Species	3
Game Species	2
	Wetland
Overall Biodiversity	3
SGCN Species	3
Game Species	2
	Aquatic
Overall Biodiversity	3
SGCN Species	3
Game Species	3

Comments
SGCN known to occur on the tract or in adjacent waters: 1. TERRESTRIAL SPECIES Carolina Watersnake (state listed as Special Concern) Wayne's Black-throated Green Warbler (considered by USFWS as Federal Species of Concern); also identified as SGCN of highest conservation priority in SC and VA. Red-cockaded Woodpecker (federal and state listed as Endangered); also identified as SGCN of highest conservation priority in VA. 2. AQUATIC SPECIES (includes waters at property boundary) Atlantic Sturgeon (federal and state listed as Endangered); also identified as SGCN of highest conservation priority in SC and VA. Shortnose Sturgeon (federal and state listed as Endangered); also identified as SGCN of

Habitat	0.556
Size	2
Quality	1
Diversity	2
Rare/Important	2
Connectivity	2
Buffer	1

Comments
Large tract. Severely fire suppressed. 3 primary hab types, directly adjacent to existing protected lands.

Public Access	0.556
Hunting/Viewing	1
Fishing	2
Boating	2

Comments
Access is provided by a road which divides tract in half. Access road would require significant upgrades. Tract is adjacent to Salters Creek BAA.

Wildlife Uses	0.667
Hunting	2
Viewing	2
Fishing	2
Boating	2
Education	2

Comments
Opportunities exist for deer, bear, wild turkey and small game hunting. This particular tract would not be conducive to dog deer or bear hunting.

Other Values	0.556
Timber Harvest	2
Local Economy	1
Quality of Life	2

Comments
In addition to fisheries and wildlife habitats, the tract provides numerous ecosystem services: water quality protections, wetlands, and open space.

Feasibility & Logistics	0.333
Existing Infrastructure	0
Compatibility of Multiple Uses on Tract	1
Compatibility with Adjoining Land	3
Inholding/Corridor	0
Proximity to Users	1

Comments
Tract is high compatible with adjoining/existing land uses. Maintaining the tract as conservation land fits with the objectives of Sentinental Landscapes (DoD); provides a land use buffer for Marine Corps Air Station Cherry Point; and extends protection buffers because of proximity to Cedar Island National Wildlife Refuge.

Restoration/Mitigation Potential	0.750
Species Restoration	2
Habitat Restoration	2
Access Improvement	2
Threat Mitigation	3

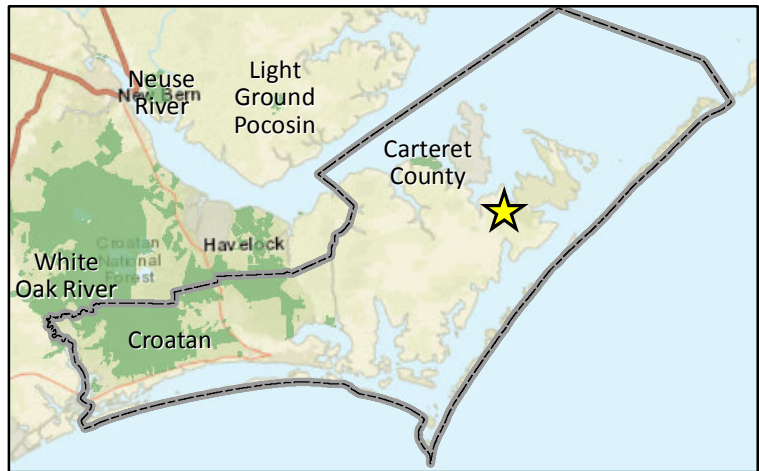
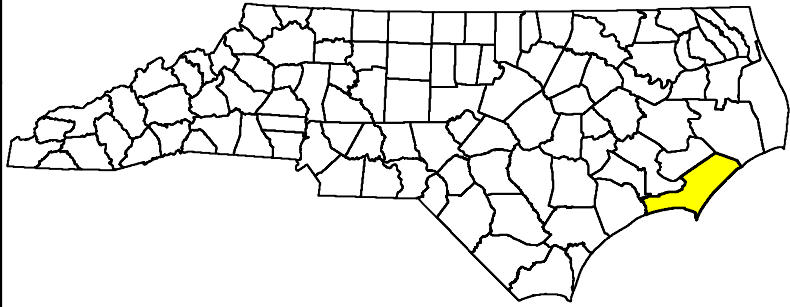
Comments
Tract contains RCW habitat which needs to be maintained through application of prescribed fire; burning mitigates any threat from disease and pest insects.

Threats	0.533
Number	2
Severity	2
Imminence	1
Manageability	2
Management Cost	1

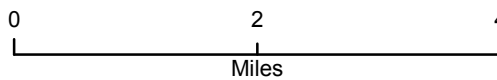
Comments
3. THREATS RISK ASSESSMENT TOOL According to the NC Forest Service, there is a moderate to high risk of damage from insects and diseases. This can be mitigated through land management actions such as use of prescribed fire to maintain RCW habitat.

Overall Score	3.809
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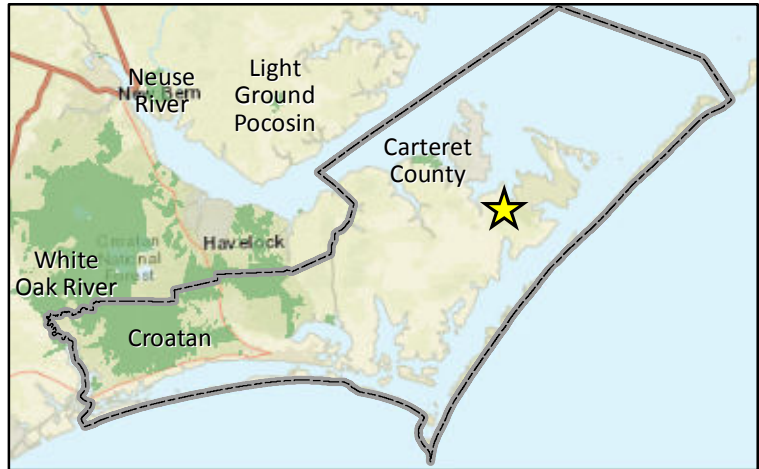
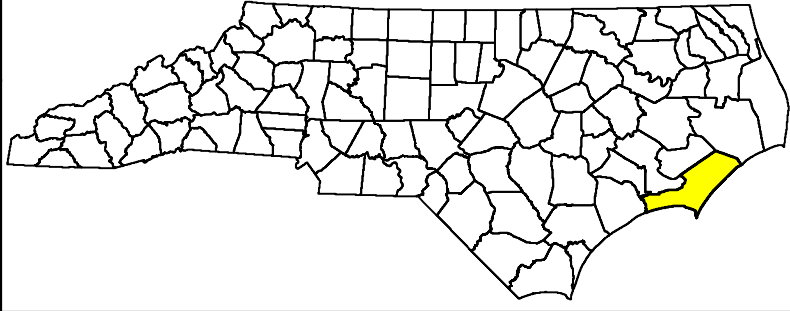
Salter's Creek Tract
Carteret County
+/- 5,182 Acres




November 28, 2018



**Salter's Creek Tract
Carteret County
+/- 5,182 Acres**



 Salter's Creek Tract



November 28, 2018

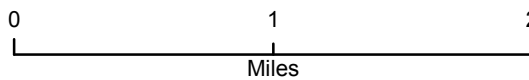


Exhibit F-3

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Truth Temple/Croasmun Tracts

WRC Action/Approval to Pursue (Date): Truth Temple-01/17/13, Croasmun-05/22/14

Acquisition Plan (specify total project costs AND sources of funding):

Donation from Blue Ridge Conservancy to WRC

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$ 35,735.00
Total Projected Revenue	\$ 0

Exhibit F-3

February 21, 2019

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections: Truth Temple/Croasmun Tracts

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Boundary Establishment	10,188	Feet	\$1.25	\$12,735.00
Establish Parking Area	1		\$20,000.00	\$20,000.00
Gates	2		\$1,500.00	\$3,000.00
TOTAL				\$35,735.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
- PHASE I: INITIAL INVESTIGATION -

WRC Staff Contact:	Paul Thompson/Kip Hollifield
Date First Presented to Commission:	Truth Temple- 01/17/13, Croasmun- 05/22/14
Tract Name:	Truth Temple (PIN: 17040003)-Croasmun (PIN: 17040005) Tracts
County:	Ashe
Acreage:	Truth Temple-128 acres, Croasmun-90 acres (Total: 218 acres)
Tax Value:	Truth Temple: \$317,600, Croasmun: \$179,700
Property Owner/Representative:	Blue Ridge Conserancy (Eric Hiegl)
Phone:	828-264-2511
Email Address:	eric@blueridgeconservancy.org
Address:	PO Box 568, Boone, NC 28607

Primary Purpose:

Resource Protection
 Resource Management
 User Access
 WRC Facility

Type of Acquisition:

Purchase
 Lease
 Easement

Grant Potential:

CWMTF
 Federal Aid (PR, WB, etc.)
 Endowment
 Other

Tax Value:

Year Assessed
 PUV?

Funding Considerations:

Donation
 Bargain Sale
 Partner Contribution

Recommendation:

Pursue
 Do Not Pursue
 Defer

Program Potential:

Game Land
 Wildlife Conservation Area
 Access Area
 None

Type of Parcel:

Tract
 Riparian Corridor

Owner Interest:

High
 Moderate
 Low
 No

Stewardship Considerations:

Source: Federal Aid: 75%
 Match: State: 25%

Reviewed Appraisal & Purchase Requirements?

Yes
 No
 N/A

Additional Comments:

Both the Truth Temple (128 ac) and Croasmun tracts (90 ac) are currently owned by Blue Ridge Conservancy and they would like to convey these properties to WRC. The Croasmun tract adjoins Rock Fence Rd. (S.R. 1324) and acquisition will provide public access to the game land where no access exists currently. The Truth Temple tract lies between current Pond Mountain GL and the Croasmun tract. There is an approximately 10 acre inholding located in the Truth Temple tract that contains a lodge, cabin, and outbuilding. WRC would hold an unencumbered ROW easement through the inholding for administrative purposes only. Both tracts are significant as part of the total management project being carried out in the Pond Mountain area.

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Truth Temple-Croasmun Tracts
County:	Ashe

Resources Assessment and Biological Benefits (brief):

The Croasmun tract will provide additional direct public access to Pond Mountain GL via S.R. 1324. Access to the Truth Temple tract and current Pond Mountain GL will be gained from the additional access parking from the Croasmun tract via S.R. 1324. There is an approximate 10 acre inholding located in the Truth Temple tract with a lodge, cabin, and outbuilding. Given the physical characteristics of the terrain and existing logging roads, game land users will be funneled around this inholding and conflict with landowner should be minimal. Both tracts contain an approximate combined 1 mile of headwater streams that will contribute to the water quality in the New River drainage, which does have a number of SCGN. Eastern Hellbender and Tonguetied Minnow occur approximately 5 to 10 miles downstream from these properties. Both tracts lie within the state significant Pond Mountain Natural Heritage Area (R rating "Exceptional", C rating "High") with several significant natural communities either present on the tracts or nearby. The tracts are forested with Appalachian oak and Appalachian cove forests as the predominant community types. SCGN likely found on these tracts are include ruffed grouse, box turtle, northern pygmy salamander, northern long-eared bat, tri-colored bat, and little brown bat. Common wildlife species found on the tract include wild turkey, black bear, white-tailed deer, and gray squirrel. Management objectives will include protecting water quality, maintaining/restoring priority wildlife habitats, and continuing to provide public access and increased opportunity for hunting and other outdoor recreational activities.

Tract Name	Truth Temple-Croasmun Tracts
Date	February 11, 2019
Staff Completing Form	Paul Thompson, Kip Hollifield

Species	0.296
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	1
SGCN Species	1
Game Species	0

Comments
Moderate biodiversity is based on large abundance of closed canopy Appalachian oak forest. Only small, unnamed tributary streams are found on the property thus aquatic diversity is low. Neither rare species nor habitats have been documented on the tract.

Habitat	0.667
Size	1
Quality	2
Diversity	1
Rare/Important	2
Connectivity	3
Buffer	3

Comments
The quality of the habitat on the tract is good, but it's mostly closed canopy Appalachian oak forest with little diversity. The property has been noted by Natural Heritage to have several unique habitat communities. The property does provide good connectivity and buffer for these natural communities that are also found on Pond Mountain GL.

Public Access	0.222
Hunting/Viewing	2
Fishing	0
Boating	0

Comments
The 90 acre Croasmun tract provides excellent legal access to the Truth temple tract and current Pond Mountain GL. No significant water is located on the tract, so there no fishing/boating opportunity.

Wildlife Uses	0.333
Hunting	2
Viewing	2
Fishing	0
Boating	0
Education	1

Comments
The property offers good hunting and wildlife viewing opportunities. Educational opportunities will be low. No significant water is located on the tract, so there is no fishing/boating opportunity.

Other Values	0.444
Timber Harvest	1
Local Economy	1
Quality of Life	2

Comments
The tract can produce good timber, but the value can only be considered low due accessibility and likely NHP dedication restrictions. The tract will provide additional access to Pond Mountain GL. There may be some benefit to the local economy.

Feasibility & Logistics	0.667
Existing Infrastructure	2
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	2
Proximity to Users	2

Comments
The Croasmun tract will provide excellent public access. The Truth Temple tract contains a small inholding but given the physical characteristics of the terrain that funnel GL users around the tract, there should be little conflict between GL users and the adjoining landowner.

Restoration/Mitigation Potential	0.833
Species Restoration	2
Habitat Restoration	2
Access Improvement	3
Threat Mitigation	3

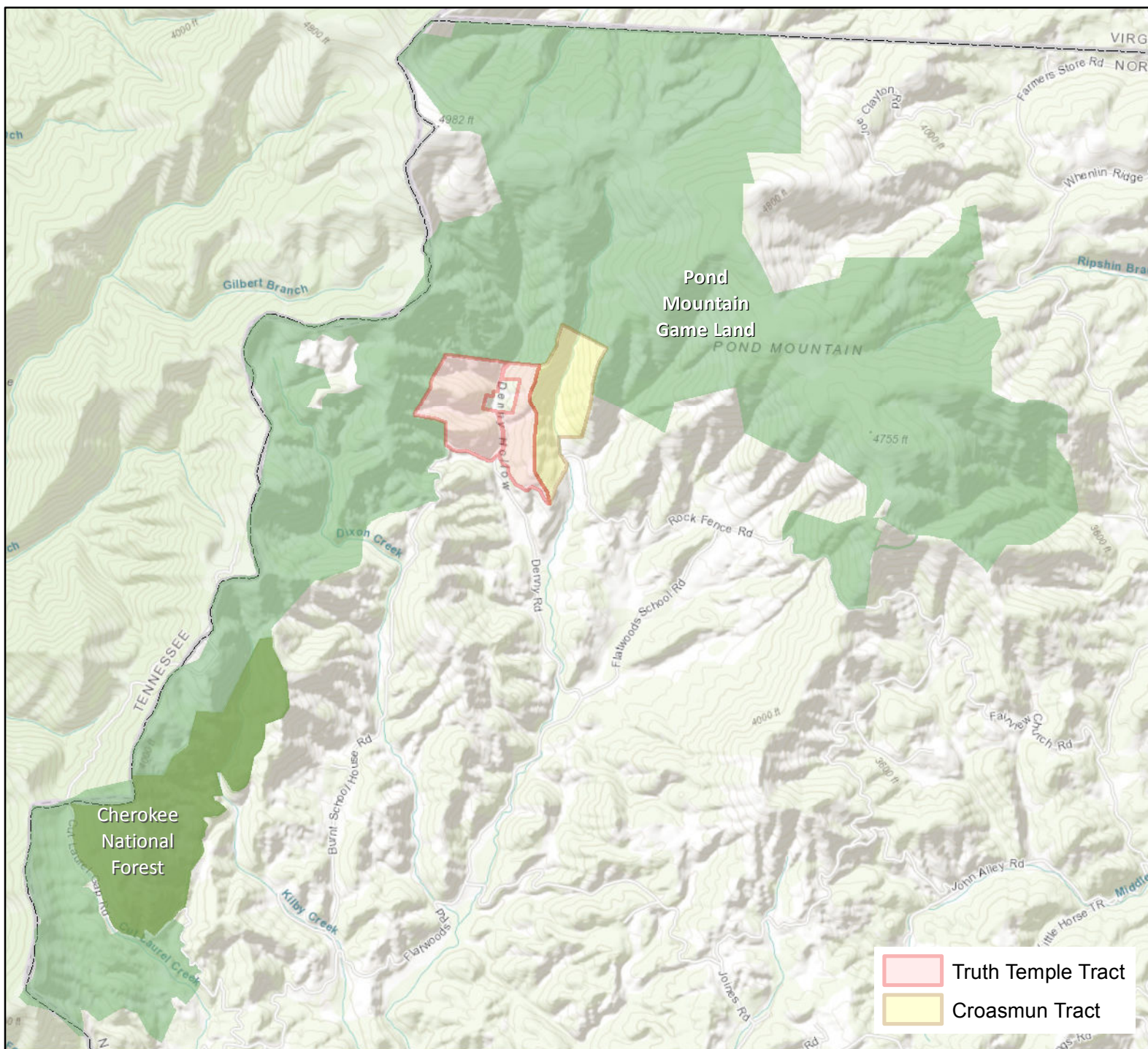
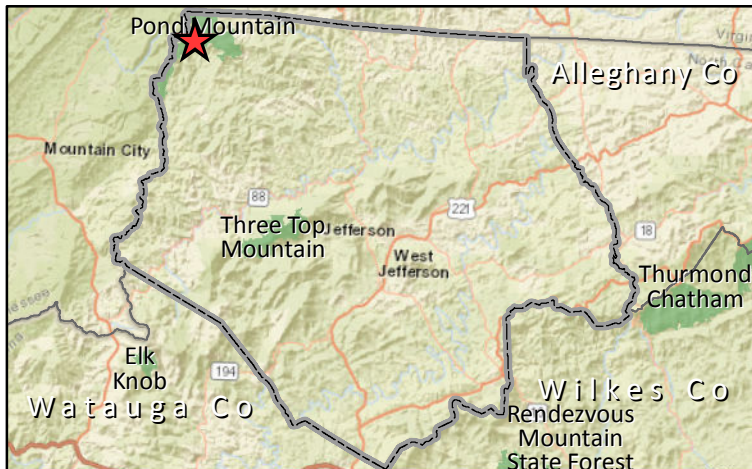
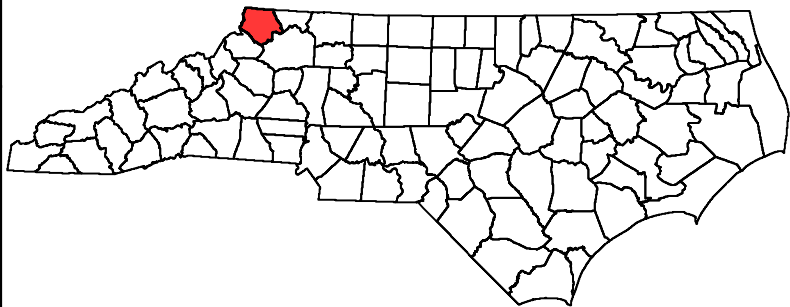
Comments
Restoration and maintenance of the habitats/species on the tract is good, thus the rank is moderate. Purchase will ensure continued public access across the tract, thus the rank is high.

Threats	0.000
Number	0
Severity	0
Imminence	0
Manageability	0
Management Cost	0

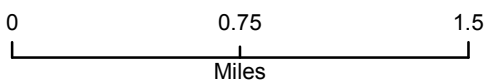
Comments
Blue Ridge Conservancy has acquired the subject tracts, so there are no threats.

Overall Score	3.463
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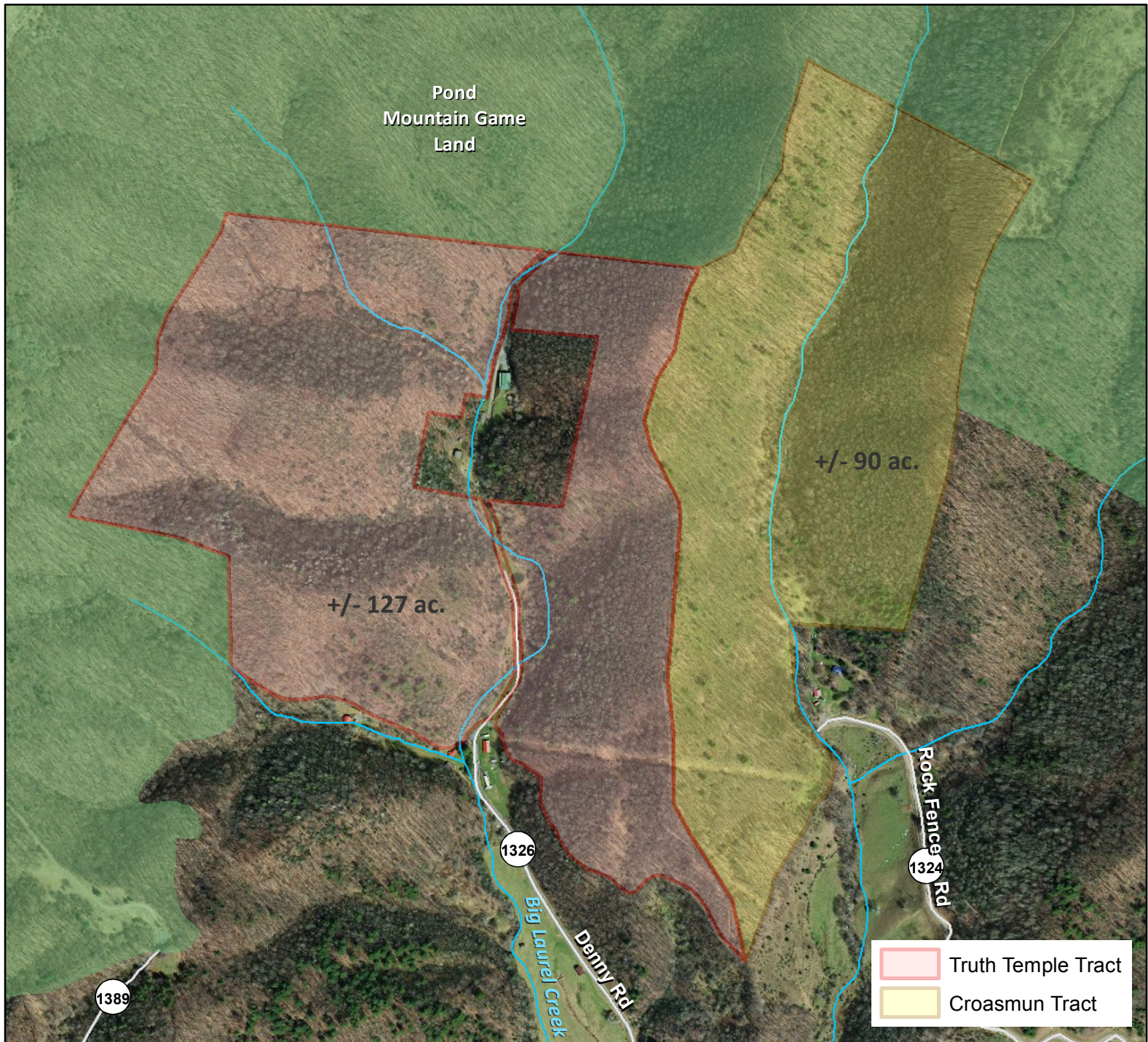
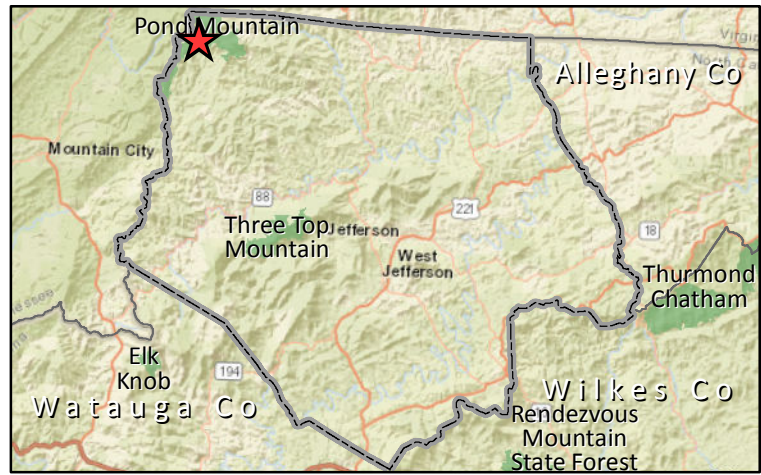
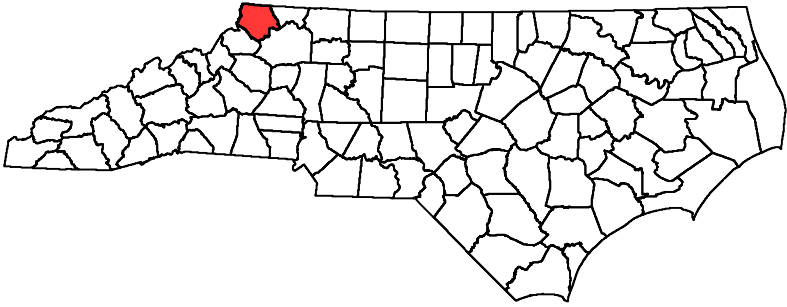
Truth Temple/Croasmun Tract Ashe County +/- 217 Acres





February 6, 2019



Truth Temple/Croasmun Tract Ashe County +/- 217 Acres



	Truth Temple Tract
	Croasmun Tract



February 6, 2019

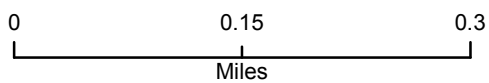


Exhibit F-4

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Roberts Estate BAA Tract

WRC Action/Approval to Pursue (Date): N/A (Donation)

Acquisition Plan (specify total project costs AND sources of funding):

Donation from Duke Energy.

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$5,000.00
Total Projected Revenue	\$0.00

Exhibit F-4

February 21, 2019

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections: Roberts Estate BAA Tract

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Monthly maintenance	1	BAA	\$1,000.00*	\$5,000.00
TOTAL				\$5,000.00

*Monthly maintenance of the BAA would be conducted while crews are in the area already maintaining the Leaksville BAA site upstream.

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Jessie Birckhead
Date First Presented to Commission:	21-Feb-19
Tract Name:	Roberts Estate BAA Tract
County:	Rockingham
Acreage:	10.00
Tax Value:	
Property Owner/Representative:	Duke Energy/Linda Hickok
Phone:	919-546-7095
Email Address:	linda.hickok@duke-energy.com
Address:	

Primary Purpose:

<input type="checkbox"/>	Resource Protection
<input type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input checked="" type="checkbox"/>	WRC Facility

Program Potential:

<input type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input checked="" type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input checked="" type="checkbox"/>	75% Source: Federal Aid
<input checked="" type="checkbox"/>	25% Match:

Funding Considerations:

<input checked="" type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input type="checkbox"/>	Partner Contribution

Reviewed Appraisal & Purchase Requirements?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	N/A

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Roberts Estate BAA Tract
County:	Rockingham

Resources Assessment and Biological Benefits (brief):

As part of the Dan River Coal Ash Settlement, Duke Energy is responsible for providing North Carolina a single access area to the Dan River for motorized boats or two access areas for non-motorized vessels. To meet this responsibility, Duke Energy has proposed acquiring the Roberts Estate parcel and constructing a small boat/canoe launch. The acquisition is being facilitated by Piedmont Land Conservancy; however, the land will be transferred as a donation to the State of North Carolina from Duke Energy. This potential access area is 3.3 miles upstream of our Leaksville BAA and will provide a nice half-day float trip for kayakers and canoeists. Kayak anglers will enjoy access to a popular Largemouth Bass, Sunfish, and Channel Catfish fishery.

Tract Name	Roberts Estate BAA Tract
Date	February 11, 2019
Staff Completing Form	Jessie Birkhead, Brian McRae

Species	0.000
	Terrestrial
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Wetland
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	0
SGCN Species	0
Game Species	0

Comments

Habitat	0.000
Size	0
Quality	0
Diversity	0
Rare/Important	0
Connectivity	0
Buffer	0

Comments

Public Access	0.667
Hunting/Viewing	0
Fishing	3
Boating	3

Comments
This acquisition would create additional access to the Dan River 3.3 miles upstream of the Leaksville BAA. The Dan River provides fishing and boating oppourtunities.

Wildlife Uses	0.467
Hunting	0
Viewing	1
Fishing	2
Boating	3
Education	1

Comments

Other Values	0.667
Timber Harvest	0
Local Economy	3
Quality of Life	3

Comments
This is a popular river that brings many people to the area for recreation.

Feasibility & Logistics	0.400
Existing Infrastructure	0
Compatibility of Multiple Uses on Tract	0
Compatibility with Adjoining Land	3
Inholding/Corridor	0
Proximity to Users	3

Comments

Restoration/Mitigation Potential	0.250
Species Restoration	0
Habitat Restoration	0
Access Improvement	3
Threat Mitigation	0

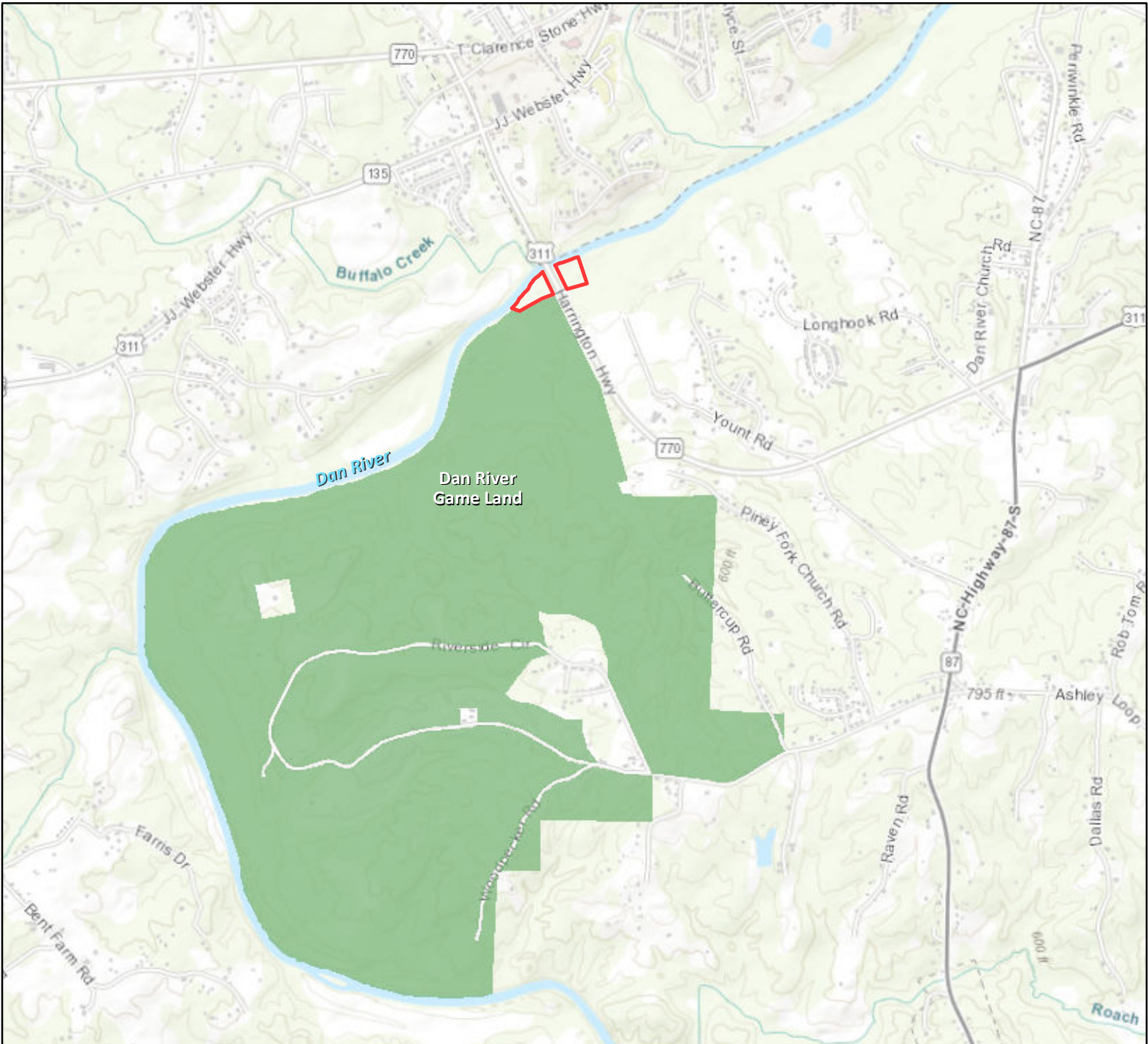
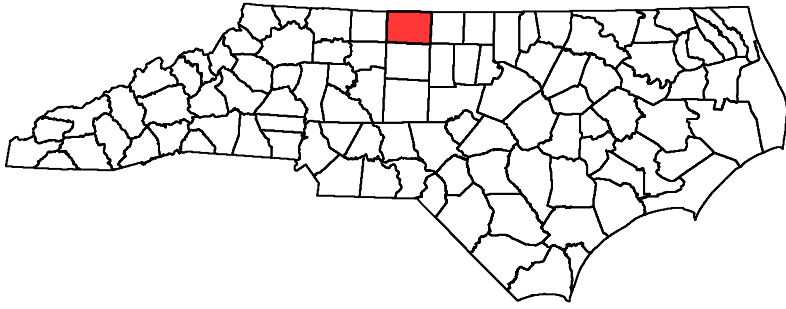
Comments

Threats	0.000
Number	0
Severity	0
Imminence	0
Manageability	0
Management Cost	0

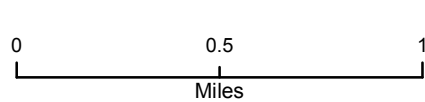
Comments

Overall Score	2.450
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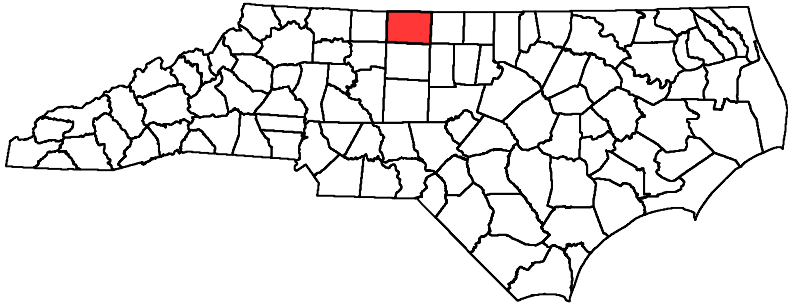
Roberts Estate BAA Tract
Rockingham County
+/- 10 acres





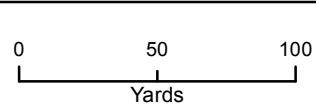
- Roberts Estate BAA Tract
- Maintained BAA



**Roberts Estate BAA Tract
Rockingham County
+/- 10 acres**



-  Roberts Estate BAA Tract
-  Other Parcels



N

February 12, 2019

Exhibit F-5

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: North Bend Boating Access Area

WRC Action/Approval to Pursue (Date): N/A - Donation

Acquisition Plan (specify total project costs AND sources of funding):

Donation from Duke Energy

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$ 85,000.00
Total Projected Revenue	\$ 0.00

Exhibit F-5

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections: North Bend DAC

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Routine Maintenance	1	BAA	\$2,000.00	\$10,000.00
Access Ramp/Parking Construction	1	Ramp/parking Lot	\$75,000.00	\$75,000.00*
TOTAL				\$ 85,000.00

*Duke Energy is providing \$225,000 for construction costs in addition to donated land, total cost for ramp/parking construction estimated at \$300,000.

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$0.00

**North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
- PHASE I: INITIAL INVESTIGATION -**

WRC Staff Contact:	Jessie Birckhead
Date First Presented to Commission:	21-Feb-19
Tract Name:	North Bend BAA Tract
County:	Catawba
Acreage:	10.00
Tax Value:	
Property Owner/Representative:	Duke Energy/Jay McMullen
Phone:	980-373-0447
Email Address:	jay.mcmullen@duke.energy.com
Address:	

Primary Purpose:

<input type="checkbox"/>	Resource Protection
<input type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input checked="" type="checkbox"/>	WRC Facility

Program Potential:

<input type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input checked="" type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input type="checkbox"/>	Other:
<input type="checkbox"/>	Other

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input checked="" type="checkbox"/>	75% Source: Federal Aid
<input checked="" type="checkbox"/>	25% Match:

Funding Considerations:

<input checked="" type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input type="checkbox"/>	Partner Contribution

Reviewed Appraisal & Purchase Requirements?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	N/A

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name: "V" BAA Tract
County: "

Resources Assessment and Biological Benefits (brief):

As part of their Catawba-Wateree FERC License Comprehensive Relicensing Agreement, Duke Energy must convey approximately 10 acres of property adjacent to the Catawba River at the second Powerhouse Road Bridge downstream of the Bridgewater Powerhouse to the NCWRC and must provide up to \$225,000 to NCWRC to develop and maintain a trailered-boat access, bank fishing, and parking area on that property.

Tract Name	North Bend BAA
Date	February 11, 2019
Staff Completing Form	Jessie Birkhead, Brian McRae

Species	0.000
	Terrestrial
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Wetland
Overall Biodiversity	0
SGCN Species	0
Game Species	0
	Aquatic
Overall Biodiversity	0
SGCN Species	0
Game Species	0

Comments

Habitat	0.000
Size	0
Quality	0
Diversity	0
Rare/Important	0
Connectivity	0
Buffer	0

Comments

Public Access	0.667
Hunting/Viewing	0
Fishing	3
Boating	3

Comments
This acquisition would create additional access to the Catawba River which provides fishing and boating oppourtunties.

Wildlife Uses	0.467
Hunting	0
Viewing	1
Fishing	2
Boating	3
Education	1

Comments

Other Values	0.667
Timber Harvest	0
Local Economy	3
Quality of Life	3

Comments
This is a popular river that brings many people to the area for recreation.

Feasibility & Logistics	0.400
Existing Infrastructure	0
Compatibility of Multiple Uses on Tract	0
Compatibility with Adjoining Land	3
Inholding/Corridor	0
Proximity to Users	3

Comments

Restoration/Mitigation Potential	0.250
Species Restoration	0
Habitat Restoration	0
Access Improvement	3
Threat Mitigation	0

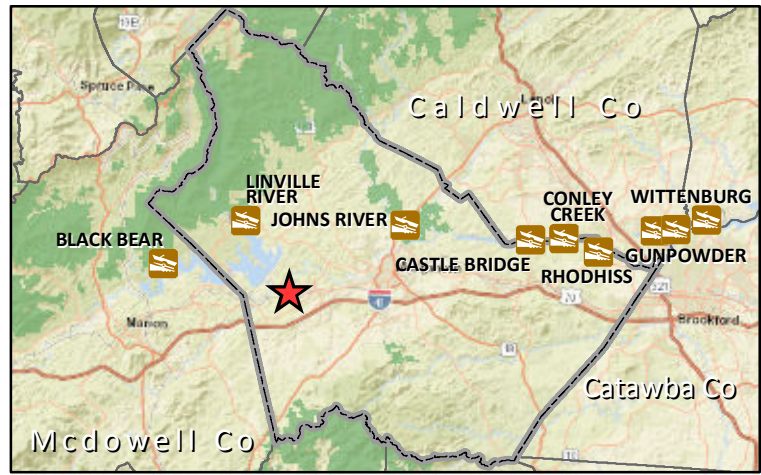
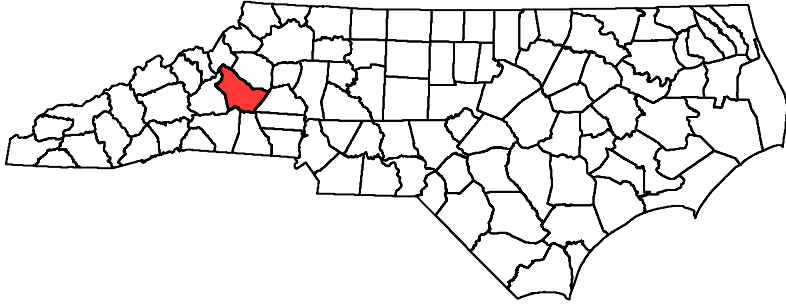
Comments

Threats	0.000
Number	0
Severity	0
Imminence	0
Manageability	0
Management Cost	0

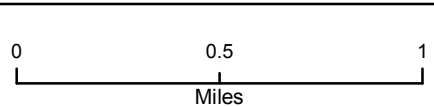
Comments

Overall Score	2.450
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**North Bend BAA Tract
Burke County
+/- 10 acres**



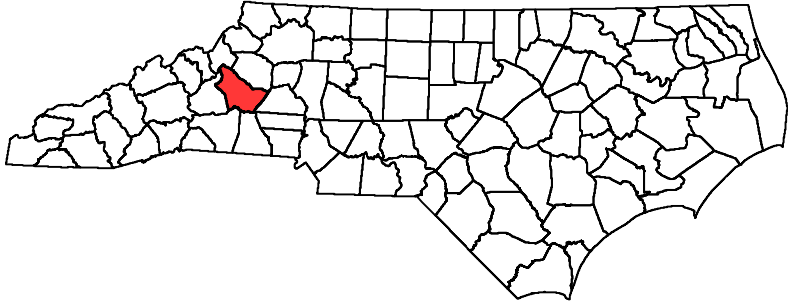
- North Bend BAA Tract
- Maintained BAA





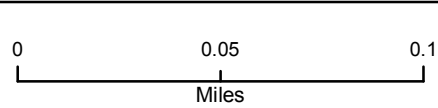
N

February 12, 2019

North Bend BAA Tract
Burke County
+/- 10 acres



-  North Bend BAA Tract
-  Maintained BAA



N

February 12, 2019

Exhibit F-6

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Almond/Buchanan

WRC Action/Approval to Pursue (Date): N/A (Donation)

Acquisition Plan (specify total project costs AND sources of funding):

Donation from Duke Energy

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$92,000.00
Total Projected Revenue	\$0.00

Exhibit F-6

February 21, 2019

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections: Almond/Buchanan

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Refurbish boat ramp	1		\$50,000.00	\$50,000.00
Boundary establishment	44	Miles	\$500.00	\$22,000.00
Develop parking areas	2	Parking Area	\$10,000.00	\$20,000.00
TOTAL				\$92,000.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$0.00

**North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –**

WRC Staff Contact:	Brady Beck
Date First Presented to Commission:	21-Feb-19
Tract Name:	Almond/Buchanan
County:	Anson, Montgomery, Richmond
Acreage:	± 1,837
Tax Value:	
Property Owner/Representative:	Duke Energy/Jay McMullen
Phone:	980-373-0447
Email Address:	jay.mcmullen@duke-energy.com
Address:	

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input type="checkbox"/>	Resource Management
<input type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input type="checkbox"/>	Other
<input type="checkbox"/>	Other

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	Source: Federal Aid 75%
<input type="checkbox"/>	Match: State 25%

Funding Considerations:

<input checked="" type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input type="checkbox"/>	Partner Contribution

Reviewed Appraisal & Purchase Requirements?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	N/A

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Almond/Buchanan
County:	Anson, Richmond, Montgomery

Resources Assessment and Biological Benefits (brief):

Through the FERC relicensing agreement, Duke Progress has agreed to donate ~1,837 acres along the Pee Dee River to the Wildlife Resources Commission. All of the land will be added to the Pee Dee River Game Land. Acquisition of the Almond/Buchanan Tracts will protect and buffer over 12.6 miles of the Pee Dee River. Numerous rare species will benefit from this project including the Bald Eagle, Eastern Lampmussel, Alewife Floater, Roanoke Slabshell, Robust and Carolina Redhorse, and a long list of other plant and animal species. Significant Natural Heritage Areas within the project boundaries include Pee Dee River Gabbro Slopes, Pee Dee River, Hitchcock Creek/Pee Dee River Slopes, and Railroad Island. Biological Wildlife Habitat Assessment (BWHA) for the tracts range from 5-8 with a majority of the parcels ranking an 8/10.

Tract Name	Almond/Buchanan
Date	February 7, 2019
Staff Completing Form	Brady Beck

Species	0.852
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	3
	Wetland
Overall Biodiversity	2
SGCN Species	2
Game Species	3
	Aquatic
Overall Biodiversity	3
SGCN Species	3
Game Species	3

Comments
Wetland, terrestrial and aquatic habitats are in excellent condition on these tracts. Seven high quality Forest types are represented, one federally endangered fish, the shortnose sturgeon, and 11 Federal Species of Concern are documented on the property or in the adjacent river section. These parcels will provide excellent deer, turkey, small game, and waterfowl hunting opportunities.

Habitat	0.778
Size	2
Quality	2
Diversity	2
Rare/Important	2
Connectivity	3
Buffer	3

Comments
These parcels provide a high quality buffer to the Pee Dee River and maintain critical connectivity to existing Pee Dee River Game Land Tracts (Diggs Tract and Howell Tract). Habitats range from rocky shoals in the Pee Dee River to mesic Piedmont forests on the ridges. Acquisition would buffer over 12.6 miles of the Pee Dee River.

Public Access	1.000
Hunting/Viewing	3
Fishing	3
Boating	3

Comments
Public access is excellent for hunting, fishing, and boating. One private boat launch exists on the property that would make an excellent public boat access area.

Wildlife Uses	0.933
Hunting	3
Viewing	3
Fishing	3
Boating	3
Education	2

Comments
Wildlife uses are excellent across the project. Informal education opportunities can be explored with local high school and community college groups.

Other Values	0.778
Timber Harvest	1
Local Economy	3
Quality of Life	3

Comments
Much of these parcels are currently high quality wildlife habitat. Minimal timber management will be required to maintain these characteristics. These parcels are valuable to the aesthetics and quality of life in this rural part of NC.

Feasibility & Logistics	0.933
Existing Infrastructure	2
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	3
Inholding/Corridor	3
Proximity to Users	3

Comments
One existing boat ramp on the property will likely need some updating. Otherwise this property is large and diverse enough to provide access to multiple user groups at once, is compatible with adjacent working forest land, and maintains a valuable habitat corridor connecting existing blocks of the Pee Dee River GL.

Restoration/Mitigation Potential	0.667
Species Restoration	2
Habitat Restoration	2
Access Improvement	3
Threat Mitigation	1

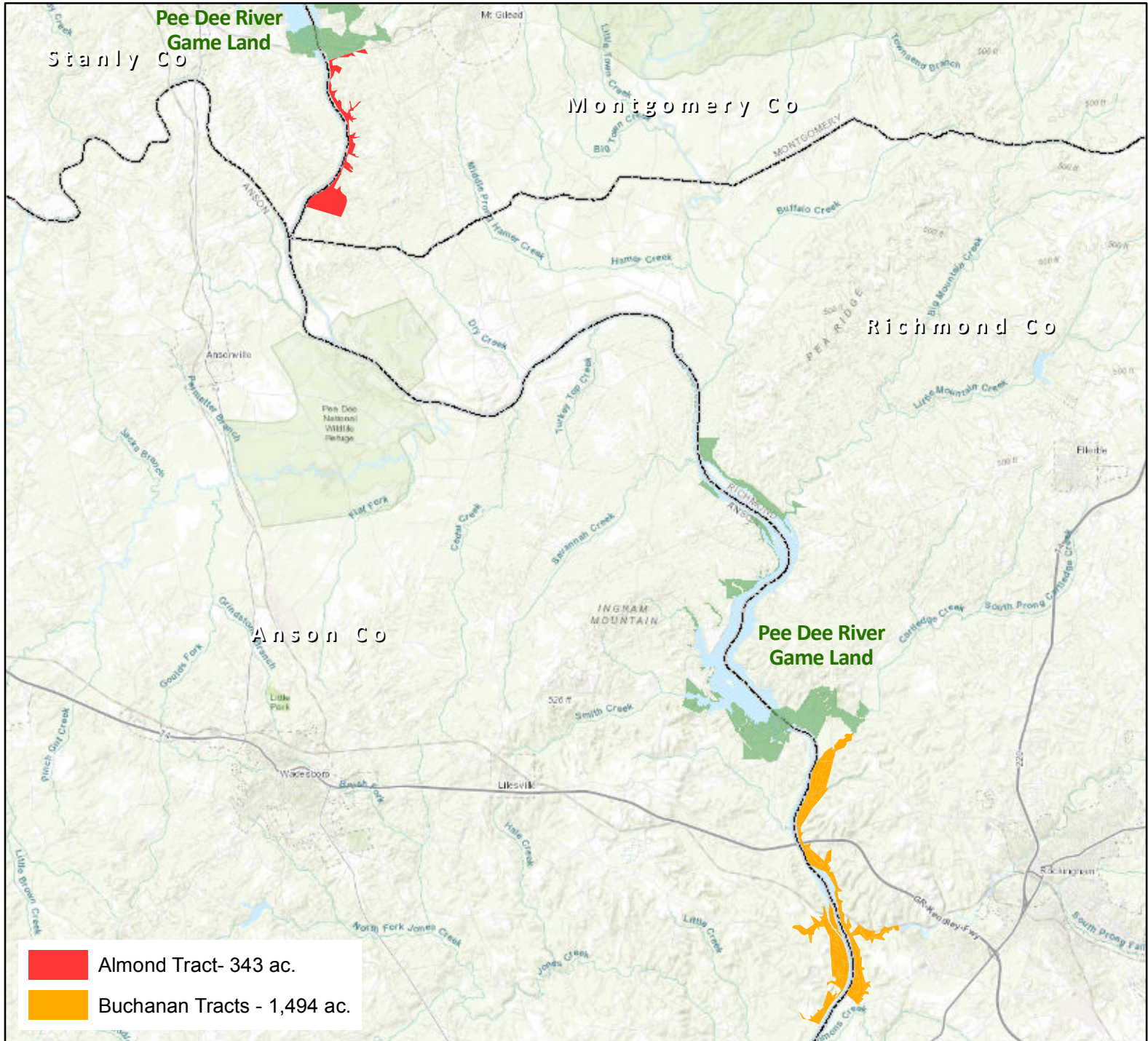
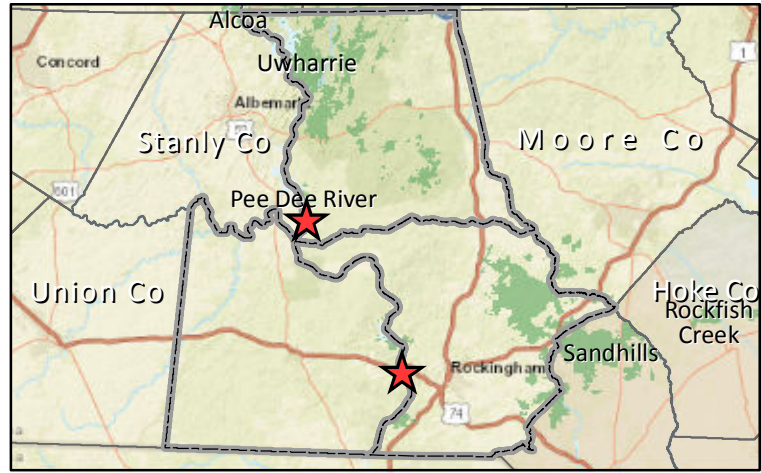
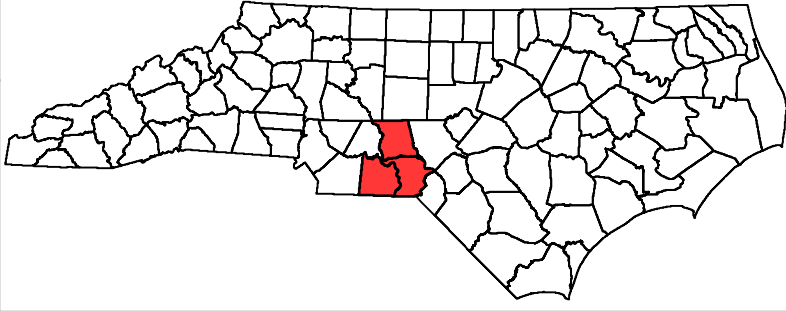
Comments
Robust and Carolina Redhorse restoration is ongoing in this stretch of the Pee Dee River and protection of upland buffers will benefit these efforts.

Threats	0.333
Number	1
Severity	1
Imminence	1
Manageability	1
Management Cost	1

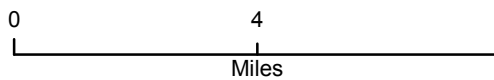
Comments
Development and invasive feral hogs are two threats to these high quality habitats. Development pressures on adjacent tracts are high making conservation of these tracts more important.

Overall Score	5.607
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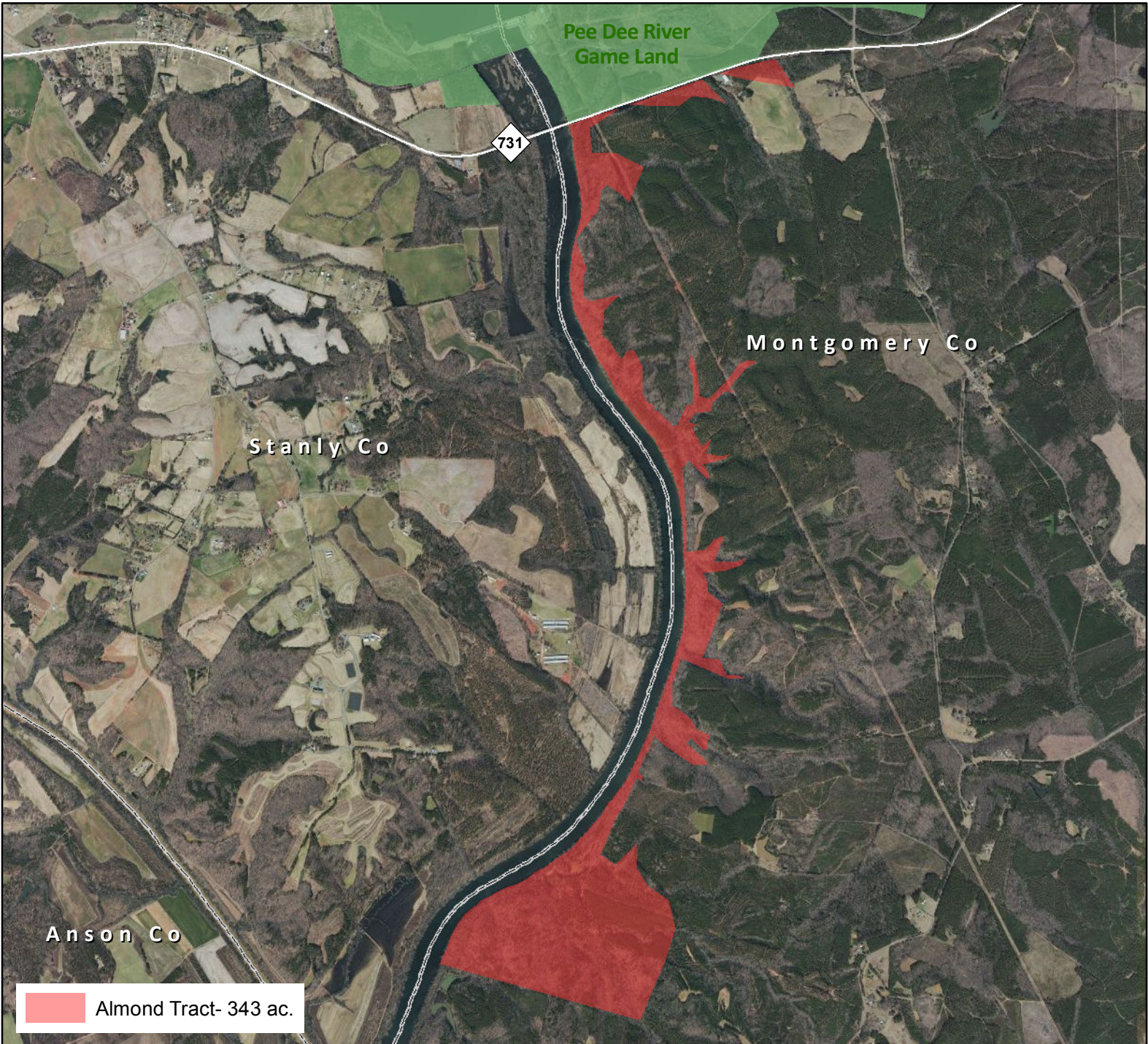
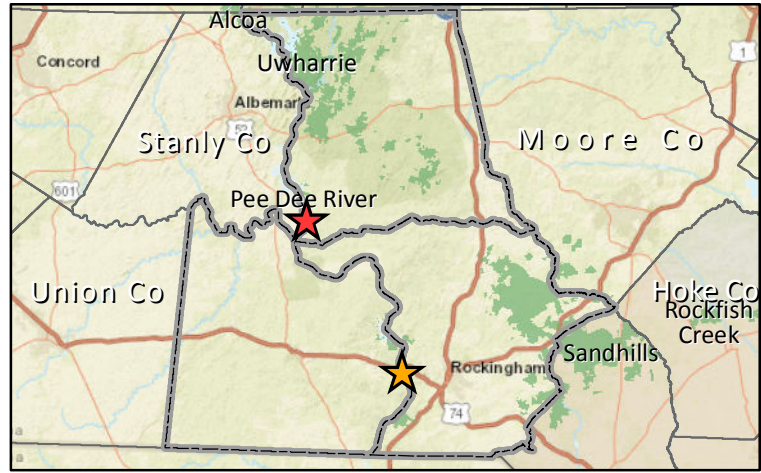
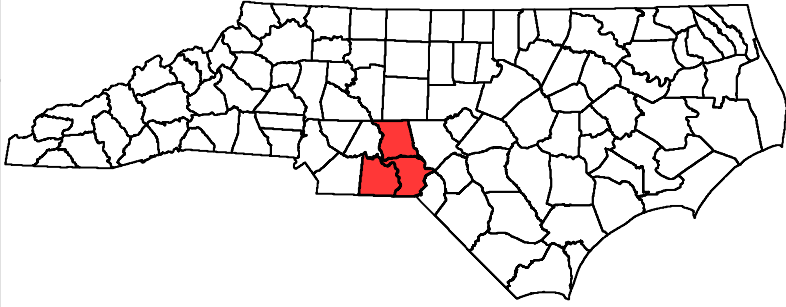
Almond & Buchanan Tracts Anson, Montgomery, Richmond Counties 1,837 Acres



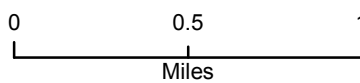
February 8, 2019



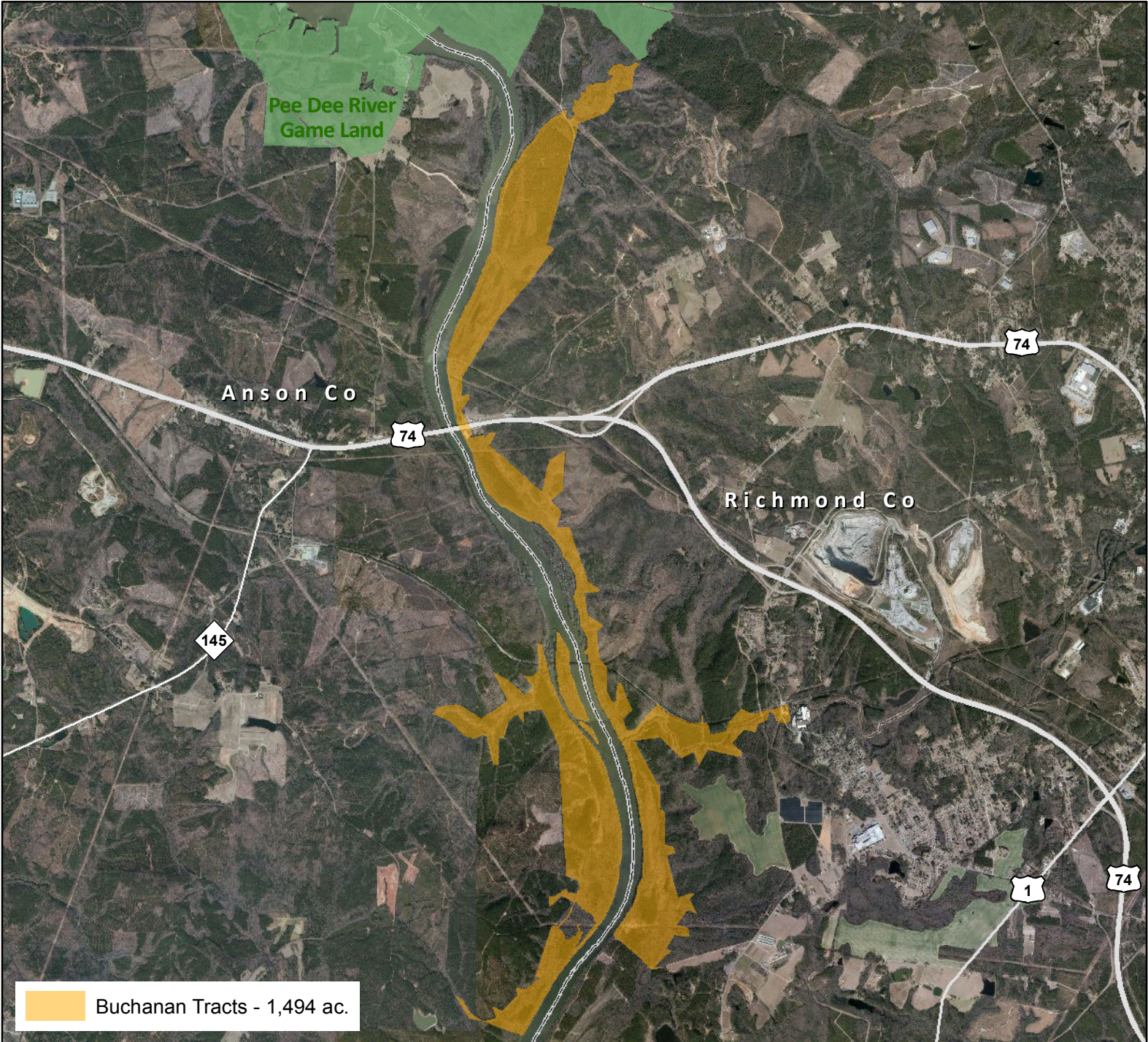
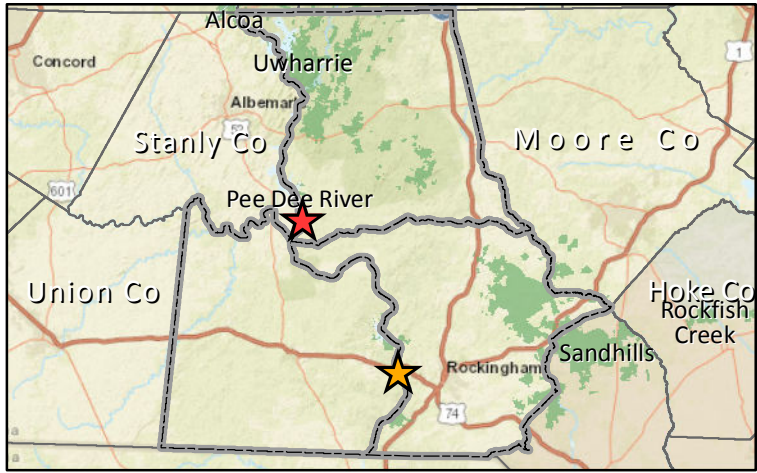
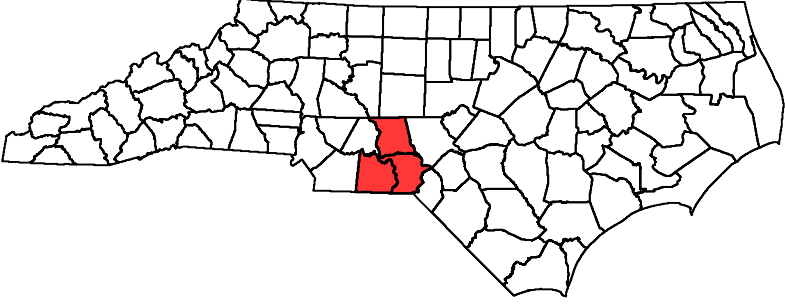
Almond & Buchanan Tracts Anson, Montgomery, Richmond Counties 1,837 Acres



February 8, 2019



Almond & Buchanan Tracts Anson, Montgomery, Richmond Counties 1,837 Acres



February 8, 2019

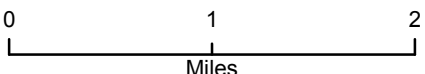


Exhibit F-7

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Hubbard Pinkerton

WRC Action/Approval to Pursue (Date): 04/20/2017

Acquisition Plan (specify total project costs AND sources of funding):

Acquisition plan now includes both the 6,310 acre Hubbard Pinkerton Tract as well as the adjacent 909 acre North River Associates Tract as one package for a total of 7,219 acres.

Clean Water Management Trust Fund Grant	\$1,200,000
Enviva Forest Conservation Fund	\$122,650
NAWCA	\$150,000
NCWRC National Coastal Wetland Conservation Grant	\$1,000,000
NCWRC Wildlife Restoration Funds	\$267,350
TOTAL COST	\$2,740,000

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details: Bargain sale from Coastal Forest Resources Company to the WRC representing a \$1,400,000 reduction in price and bargain sale from North River Associates to the WRC representing a \$10,000 reduction in price. Bargain sale values will be used as grant match.

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
DU	Q. Bell	August 2018	\$4,150,000

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$ 72,484.00
Total Projected Revenue	\$ 0.00

Exhibit F-7

February 21, 2019

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections: Hubbard-Pinkerton

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Boundary Establishment	29.2	Mile	\$150.00	\$4,380.00
Remove Boundary shared with North River Game Land	1.94	Mile	\$135.00	\$262.00
Maintain Boundary	29.2	Mile	\$135.00	\$3,942.00
Maintain Roads/Trails	25	Mile	\$2500.00	\$62,500.00
Install Gate	1	Each	\$1000.00	\$1,000.00
Maintain Gates	4	Each	\$100.00	\$400.00
TOTAL				\$ 72,484.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$ 0.00

**North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –**

WRC Staff Contact:	David Turner
Date First Presented to Commission:	
Tract Name:	Hubbard-Pinkerton
County:	Camden
Acreage:	6,310
Tax Value:	\$2,489,812
Property Owner/Representative:	Coastal Forest Resources - Steve Stewart and Paul Light
Phone:	850-539-6432
Email Address:	sstewart@cfrc.co
Address:	Po Box 1128 Havana, FL 32333

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input type="checkbox"/>	Resource Management
<input type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input checked="" type="checkbox"/>	CWMTF
<input type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	Enviva Forest Conservation Fund
<input checked="" type="checkbox"/>	NAWCA
<input checked="" type="checkbox"/>	National Coastal Wetlands Conservation Grant
<input checked="" type="checkbox"/>	Environmental Enhancement Grant Program

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	425,824 PUV?

Stewardship Considerations:

<input type="checkbox"/>	PR Source:
<input type="checkbox"/>	75/25 Match:

Funding Considerations:

<input checked="" type="checkbox"/>	Donation
<input checked="" type="checkbox"/>	Bargin Sale
<input checked="" type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

Access to the H-P Tract is by "perpetual right and easement of egress and ingress" across 0.8 mile of private property. The easement was examined by the State Property Office with the opinion that the easement does not support use by the general public.

Ducks Unlimited supports this acquisition and has submitted a Clean Water Management Trust Fund Grant. The H-P tract is a strong candidate for the other potential grants listed above.

A Coastal Forest Resources commissioned restricted appraisal appraised a fair market value of \$3,341,000. Based on the restricted appraisal, Coastal Forest Resources would be interested in proceeding with a bargain sale transaction that included cash compensation between 65% - 80% of appraisal value (~\$2.1MM - \$2.7MM), with the remaining value being contributed as a charitable donation. Field staff recommendation for the H-P Tract is for a minimal NCWRC cost or a no fee acquisition.

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Hubbard-Pinkerton
County:	Camden

Resources Assessment and Biological Benefits (brief):

The Hubbard-Pinkerton (H-P) Tract lies adjacent to the Harrison Tract of North River Game Land to the north. The North River constitutes the eastern boundary. Over half (3,260 acres) of the property is included in the Hunting Creek Pocosin and Marsh Natural Area designed by the NC Natural Heritage Program. The Natural Heritage Program reports the natural area as an extensive, diverse complex of wetlands and rare plant associations, including Tidal Freshwater Marsh, Estuarine Fringe Loblolly Pine Forest, Pond Pine Woodland, and Peatland Atlantic White Cedar Forest (NCNHP Natural Area Report Jan. 2016). A site visit along the logging roads showed gum swamps and former cutovers from the mid 2000's regenerating in loblolly pine.

NC Gap Data suggest the site also includes examples of Coastal Plain Non-riverine Swamp Forest and Non-riverine Wet Hardwood Forest. A portion of these two habitat types have been recently logged. Brackish marshes outline the tract along North River and the mouth of Hunting Creek. The site is becoming increasingly wet and overtime the marsh fringe is expected to widen. Hydrologically, the entire property is classified as wetland under the National Wetlands Inventory and includes over 15.5 miles of stream and river frontage on the North River and its feeder creeks and tributaries. Based upon data found in the NC Conservation Planning Tool, the property has an average Biodiversity Relative Conservation Values of 7.4 (0- low-10 high values). The Biodiversity/Wildlife Habitat Index prioritizes aquatic and terrestrial habitat, landscape function and connectivity.

Investigation of the tract revealed that the property supports a well-established bear population. Observations from the logging roads and by boat suggest that the tract would not support high deer densities because of the wet nature of the property. Feral hogs are on the property. There are 5 miles of unimproved logging roads on the tract.

Acquisition of the tract will protect a source of black bears in southern Camden County, establish a water quality buffer between agricultural fields and the North River and creeks, and protect black duck nesting habitat.

Tract Name
Date
Staff Completing Form

Hubbard-Pinkerton
January 27, 2017
David Turner

Species	0.704
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	1
	Wetland
Overall Biodiversity	3
SGCN Species	3
Game Species	1
	Aquatic
Overall Biodiversity	3
SGCN Species	3
Game Species	1

Habitat	0.889
Size	3
Quality	3
Diversity	2
Rare/Important	3
Connectivity	3
Buffer	2

Public Access	0.111
Hunting/Viewing	1
Fishing	0
Boating	0

Wildlife Uses	0.133
Hunting	1
Viewing	0
Fishing	0
Boating	0
Education	1

Other Values	0.111
Timber Harvest	1
Local Economy	0
Quality of Life	0

Feasibility & Logistics	0.533
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	1
Compatibility with Adjoining Land	3
Inholding/Corridor	2
Proximity to Users	1

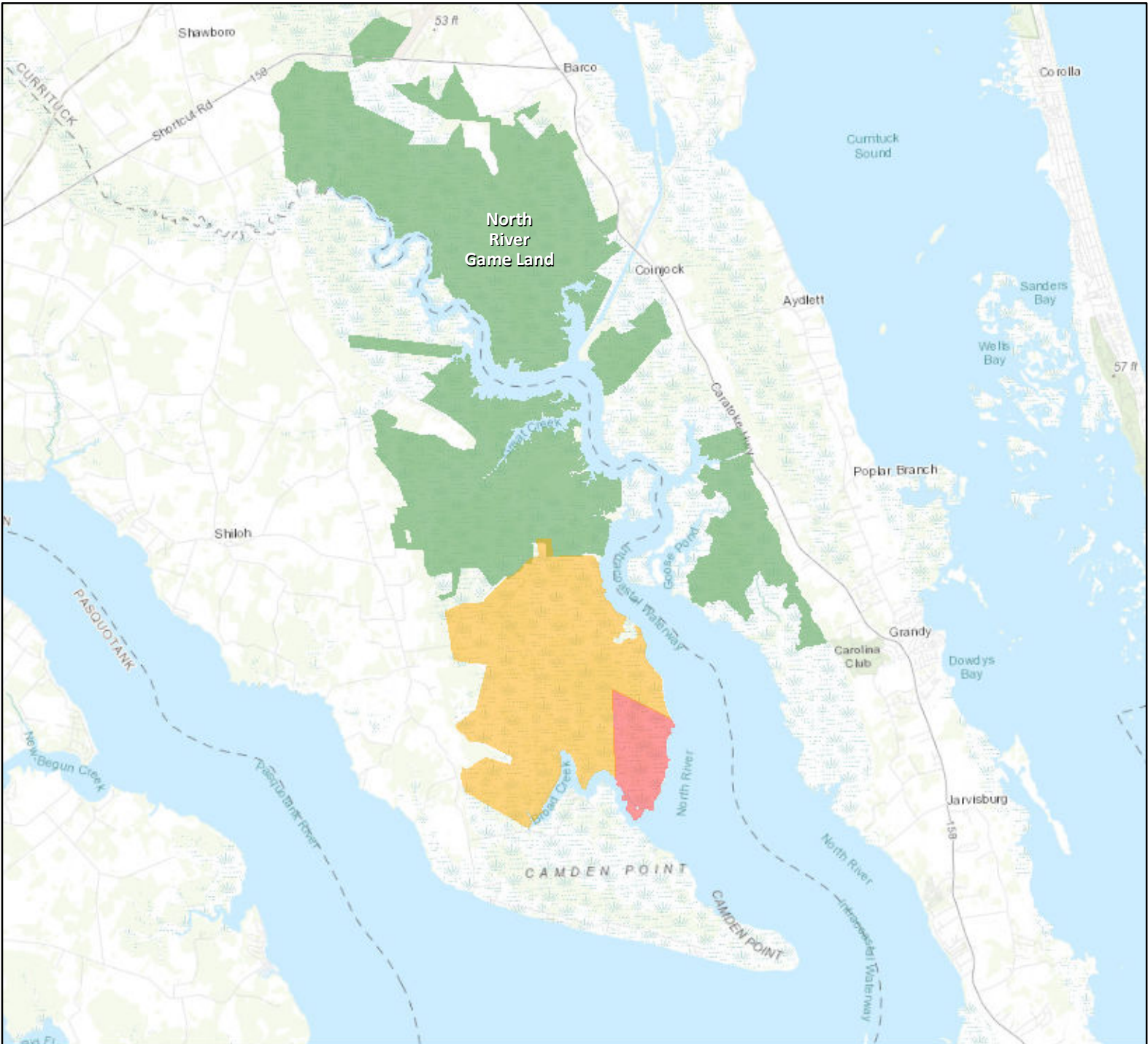
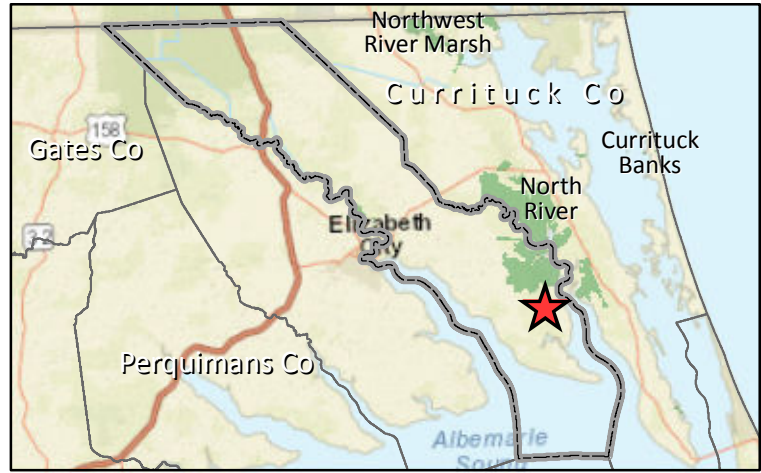
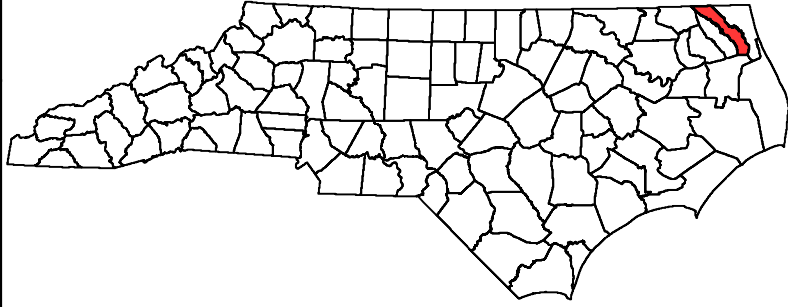
Restoration/Mitigation Potential	0.250
Species Restoration	0
Habitat Restoration	1
Access Improvement	0
Threat Mitigation	2

Threats	0.467
Number	1
Severity	2
Imminence	1
Manageability	3
Management Cost	0

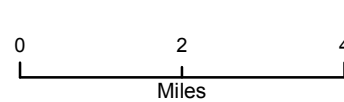
Overall Score	2.265
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Comments
<p>Although a very large tract, it scored relatively low, primarily because of uncertain public access.</p> <p>Species: There are 35 SGCN species that possibly occur in the habitats identified on the tract. The site likely contains red-cockaded woodpeckers as they are found on the adjacent North River Game Land. Bald eagles are also likely found there. It is predicted that common rainbow snakes and ribbon snakes can be found. Game species include black bear, black duck, and wood duck. Deer numbers are thought to be low. Feral pigs do occur on the property.</p> <p>Habitat: This is a larger tract of 6,310 acres with 3,260 acres of the property included in the Hunting Creek Pocosin and Marsh Natural Area designed by the NC Natural Heritage Program. Natural Heritage identified a stand of Peatland Atlantic White Cedar which was also confirmed by the owner's independent forest stand data. The tract borders North River Game Land and offers a wide buffer to the North River from agricultural fields to the west. The site is somewhat altered with some logging occurring between 2005-2010.</p> <p>Public Access: There is one road with an easement to the property which State Property Office indicated that the easement does not support use by the general public. There is no opportunity for a BAA or PFA. Therefore, the tract received a low score as access is by boat only.</p> <p>Wildlife Uses: Access also affected this score as use would be by boat only. Research request would be permitted and likely allowed through an administrative access.</p> <p>Other Values: The site is increasingly wet. Roads would have to be built to access most of the remaining timber and would not be a permissible actively with our funding partners. The naturally generating loblolly pine stands resulting from the recent timber harvest may possibly be harvested in the future.</p> <p>Feasibility and Logistics: There are a few dirt surfaced logging roads in fair to poor condition. Access again affected this score as it is will not be easy for most people to use it. This score is bolstered some as it lies adjacent to North River Game Land.</p> <p>Restoration/Mitigation Potential: There is a potential to convert the pine stands to more appropriate hardwood stands. The current owners have expressed interests and have evaluated the possibility of building temporary logging roads to access a natural pine stand and the white cedar stand.</p> <p>Threats: The current owners are evaluating continuing logging operations on the tract. The easiest wood has been removed. Any additional logging would likely have negative short-term water quality effects and long-term habitat degradation as these systems are slow to recover.</p>

**Hubbard-Pinkerton Tract, 6,310 acres
North River Associates Tract, 909 acres
Camden County**

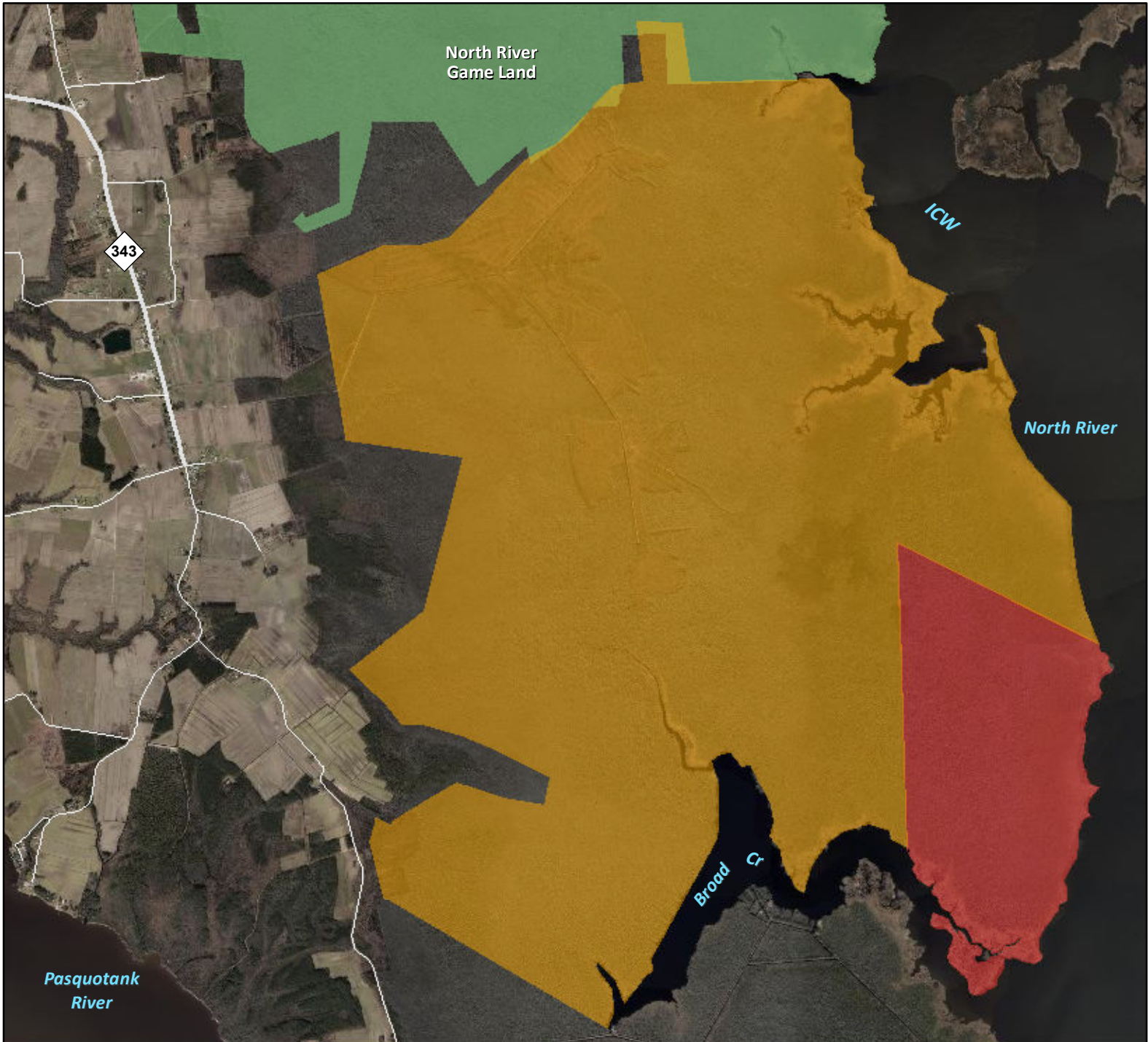
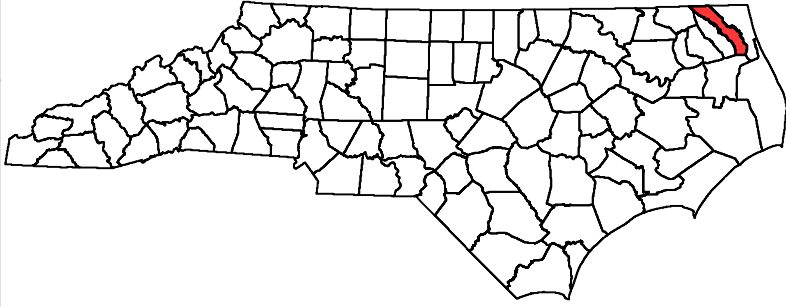




- Hubbard-Pinkerton Tract
- North River Associates Tract



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February 12, 2019

**Hubbard-Pinkerton Tract, 6,310 acres
North River Associates Tract, 909 acres
Camden County**



-  Hubbard-Pinkerton Tract
-  North River Associates Tract

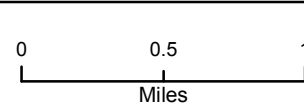


Exhibit F-8

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: Corpening Estate Tracts

WRC Action/Approval to Pursue (Date): February 28, 2018

Acquisition Plan (specify total project costs AND sources of funding):

NCWRC Wildlife Restoration Funds	\$346,500
NCWRC Endowment Funds	\$115,500
TOTAL COST	\$462,000

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value
SPO	Miller and Associates	03/20/2018	\$462,000

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$ 21,166.00
Total Projected Revenue	\$ 0.00

Exhibit F-8

February 21, 2019

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections: Corpening Estate Tracts

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Boundary Establishment	533	Feet	\$1.25	\$666.00
Establish Parking Area	1	Ea	\$10,000.00	\$10,000.00
Gates	1	Ea	\$500.00	\$500.00
Grade/Spot Gravel (administrative access)	.40	Mile	\$25,000.00	\$10,000.00
TOTAL				\$21,166.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$0.00

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Paul Thompson/Kip Hollifield
Date First Presented to Commission:	
Tract Name:	Corpening Estate Tracts - Addition to Johns River Game Land
PIN:	PIN: 1797337302 (22.4 ac. tract) ; PIN: 1797743175 (58.0 acre tract)
County:	Burke
Acreage:	Approx 80.4 acres
Tax Value:	22.4 acre tract: \$64,121 ; 58.0 acre tract: \$122,365
Property Owner/Representative:	James Corpening Estate/Susan Haire (executrix)
Phone:	828-437-3335
Email Address:	susan@starneslawfirm.com
Address:	118 North Sterling Street, Morganton, NC 28655

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input type="checkbox"/>	Riparian Corridor

Grant Potential:

<input type="checkbox"/>	CWMTF
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	Endowment
<input type="checkbox"/>	Donation

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	PR Source:
<input type="checkbox"/>	State Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input type="checkbox"/>	Partner Contribution

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

The State Property Office plans to close on the Johns River FERC tracts on 3/5/18. Tract 2123 (989 acres) of this acquisition has no practical legal access. Legal access to the tract would require crossing private property via an easement and constructing a bridge across Johns River. The traditional access to Tract 2123 crosses the James Corpening Estate property, but this access is by "hand shake agreement" only. The executrix of the Corpening estate is very interested in selling a portion of the estate property to NCWRC. This property would bring WRC ownership of Tract 2123 to Corpening Bridge Rd. (SR 1438) and includes the traditional access road that serves the property. Additionally, the Corpening Estate includes an inholding of approximately 22.4 acres within Tract 2123 which is served by the same traditional access road. The executrix advises they are also willing to sell this inholding property to NCWRC. Both of these properties are key acquisitions that ensure practical access to Tract 2123 and eliminate the conflicts that would arise from having this private inholding within the property. Purchase of both these properties would be much less than constructing a bridge across Johns River and would ensure excellent access to Tract 2123 for both the public and for administrative purposes.

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	Corpening Estate Tracts-Addition to Johns River Game Land
County:	Burke

Resources Assessment and Biological Benefits (brief):

The 58 acre Corpening Estate tract has direct access from DOT maintained Corpening Bridge Road (SR # 1438) with approximately 1 mile of road frontage, and will provide public and WRC access to the Johns River FERC tract 2123 (989 acres). Currently, the only ROW easement to the 2123 FERC tract would require the construction of a bridge across the Johns River through the current 50' ROW easement. The 22.4 acre Corpening Estate inholding tract, which includes the traditional access road, will provide unimpeded access to the remainder of the 2123 FERC tract. Both tracts will collectively add approximately .6 miles of Johns River frontage and will be highly significant as part of the total conservation and public access project planned for the Johns River corridor. Collectively, the tracts consists of approximately 45 acres of mixed pine-hardwood and 25 acres of open ground currently leased for commercial nursery operations. The remaining acreage consists of shrub scrub and floodplain forest. Management objectives on this tract will include restoring/maintaining mixed pine-hardwood stands through a combination of timber harvest and prescribe burning. The acreage in commercial nursery operations will be restored to more desirable herbaceous ESH after the standing crop is harvested. Common game species found on these tracts include wild turkey, white-tailed deer, raccoon, mourning dove, and gray squirrel. Waterfowl are found seasonally along Johns River and at times will offer some hunting opportunity. There are excellent fishing opportunities for smallmouth bass, trout, rockbass, bluegill, and redbreast sunfish. Johns River is the longest free flowing river remaining in the Catawba River Basin in NC, harboring approximately 70 aquatic species. Priority aquatic species found either in Johns River or on this tract include: brook floater (currently under USFW review for updated federal status), notched rainbow, eastern creekshell, Carolina foothills crayfish. Broad River stream crayfish, Broad River spiny crawfish, seagreen darter, and V-lip redhorse. Priority terrestrial species likely found on this tract as either permanent residents or transients include: American woodcock, American Kestrel, field sparrow, prairie warbler, spotted slalmander, marbled salamander, three-lined slalmander, Eastern box turtle, smooth earth snake, mole knignsnake, and eastern kingsnake. Public recreational opportunities will include hunting, fishing, hiking, canoeing, bird watching, photography, and general nature study.

Additional Information: The 58.0 acre tract currently contains an agricultural lease. I advised the executrix that if WRC acquires the subject properties the current lease holder would be allowed to harvest the standing crop (shrubbery) when mature, but that the lease would not be renewed. Additionally, the 58.0 acre tract is a portion of a 137 acre tract, that the executrix advised they would be willing to sell the 58.0 acre portion of to NCWRC.

Tract Name	Corpening Estate Tracts-Addition to Johns River Game Land
Date	February 6, 2018
Staff Completing Form	Thompson/Hollifield

Species	0.593
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	1
SGCN Species	1
Game Species	2
	Aquatic
Overall Biodiversity	2
SGCN Species	2
Game Species	2

Comments
Moderate terrestrial biodiversity is based on a diversity of habitat types and their juxtaposition. Moderate aquatic diversity based on the presence of multiple tributary streams and Johns River. Wetland habitat is limited to lower lying areas along the Johns River and streams.

Habitat	0.611
Size	0
Quality	2
Diversity	2
Rare/Important	2
Connectivity	3
Buffer	2

Comments
The quality of the habitat is good, as is diversity. The property provides high priority access to future Johns River GL and will also provide connectivity by removing an inholding tract.

Public Access	0.889
Hunting/Viewing	3
Fishing	3
Boating	2

Comments
The property provides excellent access for hunting/wildlife viewing on Johns River GL. The property will also provide excellent access for fishing and boating, most likely limited to kayak and canoes.

Wildlife Uses	0.800
Hunting	3
Viewing	3
Fishing	3
Boating	2
Education	1

Comments
The property offers good hunting opportunity as well as some opportunity for wildlife viewing. Opportunities for fishing and boating will be excellent along the Johns River. Educational opportunities are minimal.

Other Values	0.778
Timber Harvest	3
Local Economy	2
Quality of Life	2

Comments
The tract can produce good timber and will offer priority access to Johns River GL. This will provide some benefit to the local economy and provide quality of life benefits to local residents.

Feasibility & Logistics	0.800
Existing Infrastructure	2
Compatibility of Multiple Uses on Tract	2
Compatibility with Adjoining Land	2
Inholding/Corridor	3
Proximity to Users	3

Comments
The tracts currently have a maintained access road that will provide unimpeded access to FERC tract 2123. Acquisition of these tracts will alleviate current adjoiner issues, and conflicts among game land users and future adjoiners should be minimal. The tracts are very close in proximity to GL users in the Morganton/Lenoir area.

Restoration/Mitigation Potential	0.750
Species Restoration	2
Habitat Restoration	2
Access Improvement	3
Threat Mitigation	2

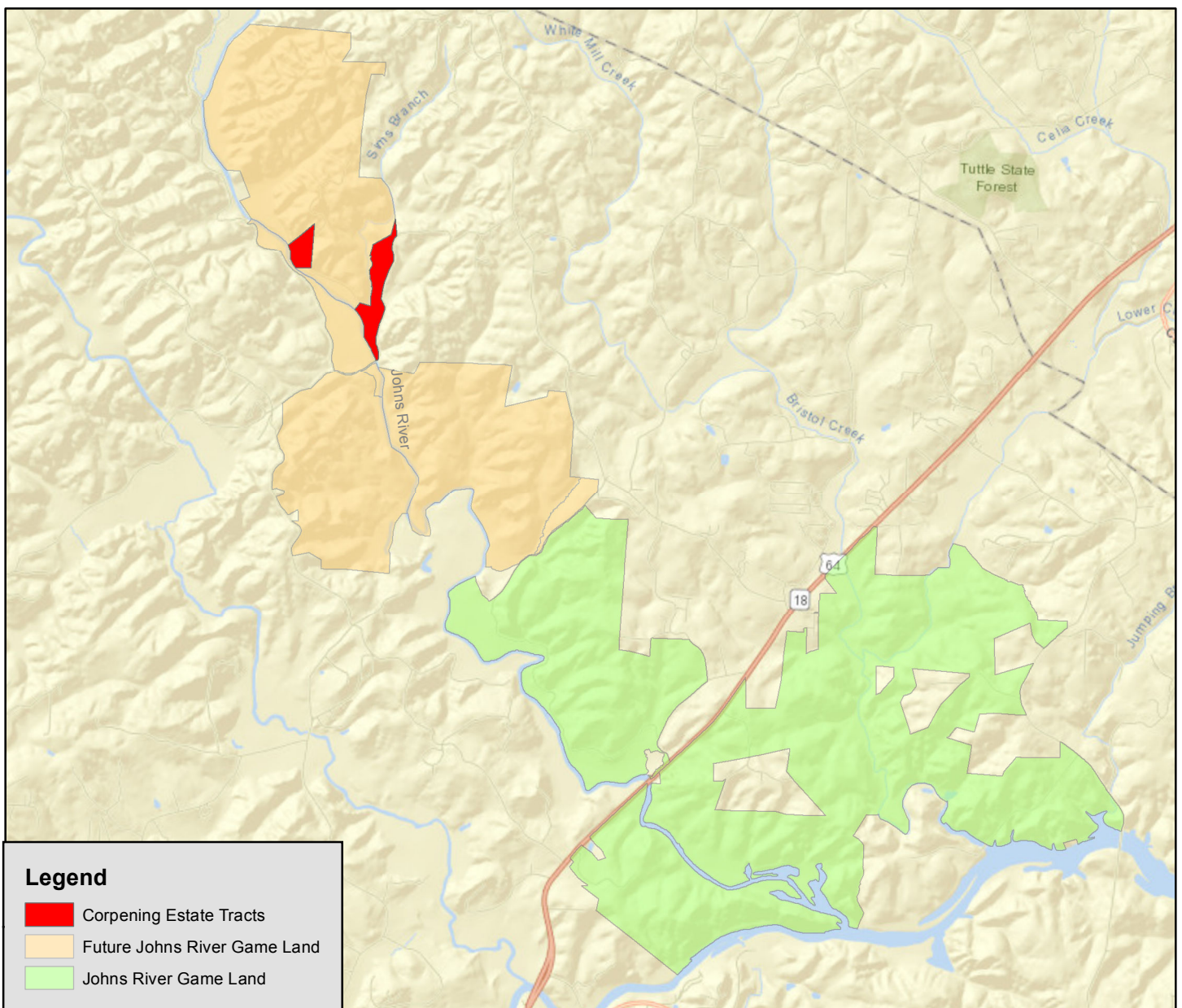
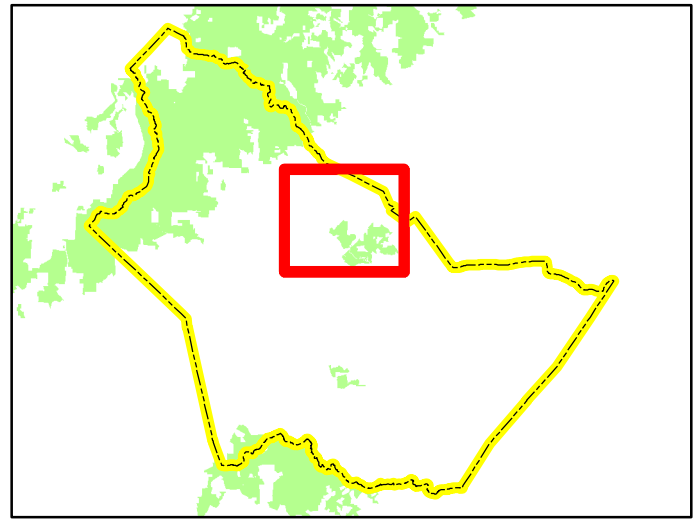
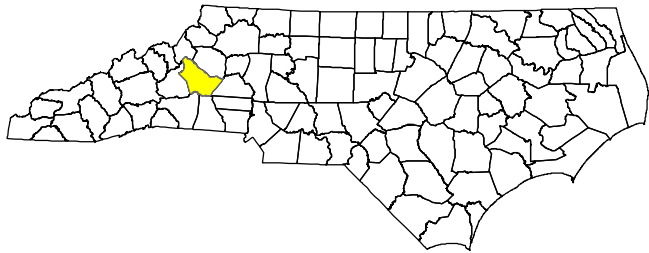
Comments
Restoration and habitat management potential on the tract is good, thus the rank is moderate. The property will provide high priority access to Johns River GL. There are few threats to the properties.

Threats	0.067
Number	1
Severity	0
Imminence	0
Manageability	0
Management Cost	0




Comments
The executrix of the Corpening Estates Tracts has shown high interest and willingness to offer these tracts to NCWRC, so threats are minimal.

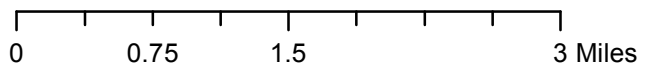
Overall Score	5.154
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Corpening Estate Tracts
Johns River Game Land
Burke County
+/- 80.4 Acres

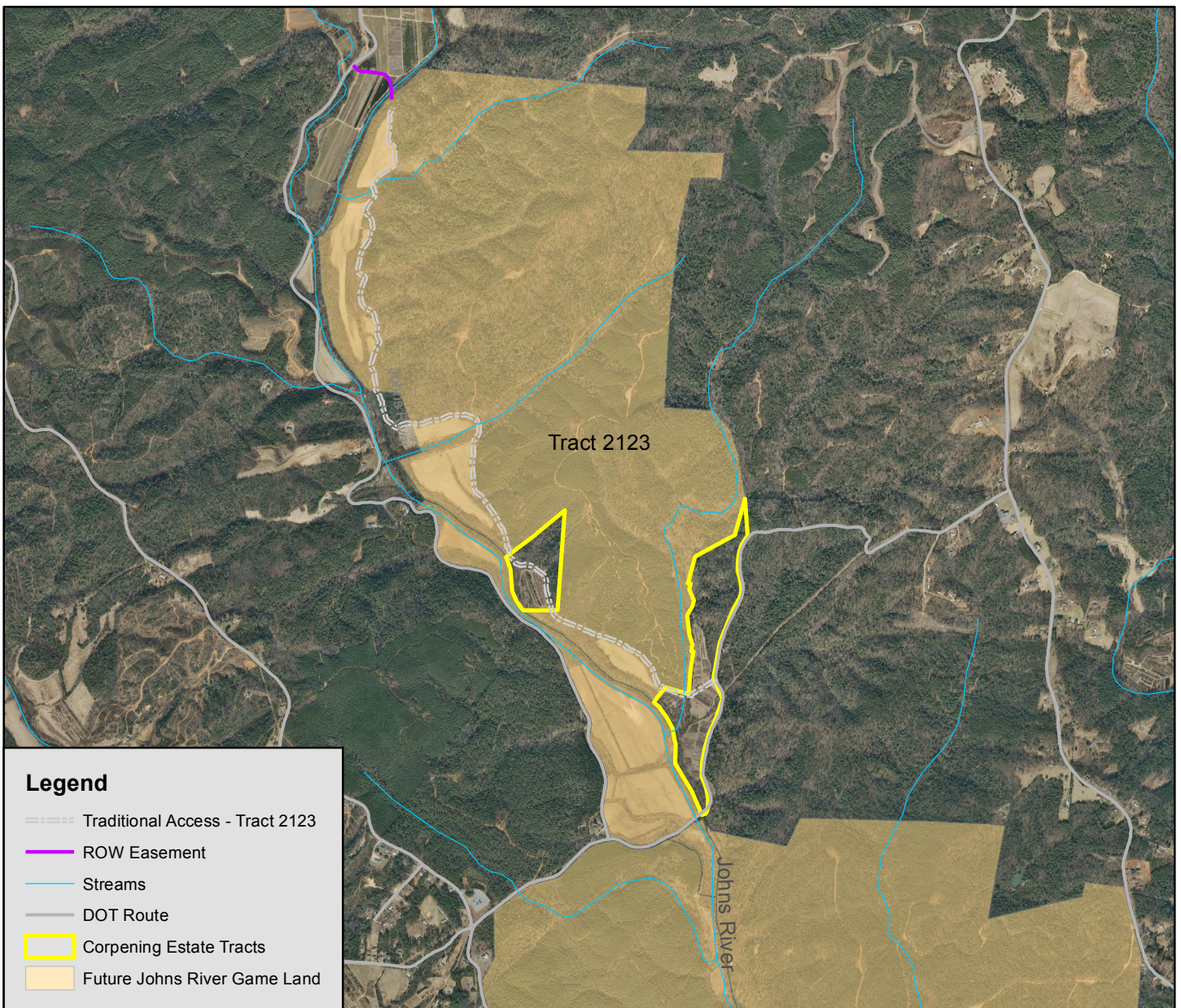
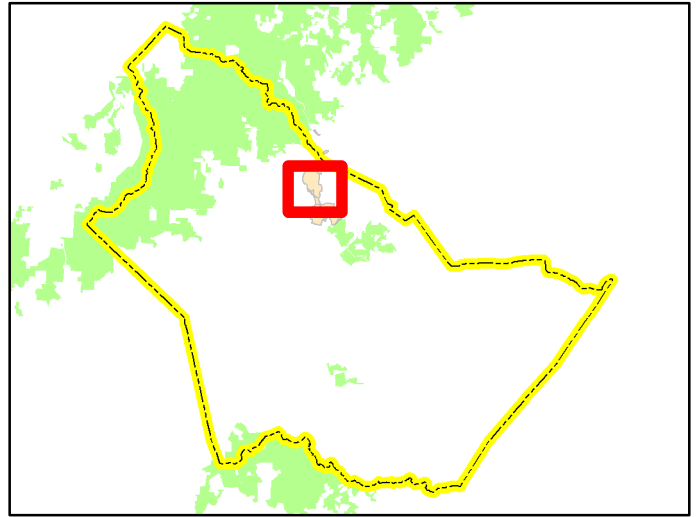
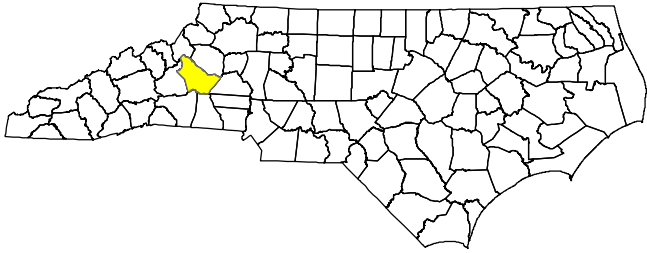


Legend

-  Corpening Estate Tracts
-  Future Johns River Game Land
-  Johns River Game Land



Corpening Estate Tracts
Johns River Game Land
Burke County
+/- 80.4 Acres



Legend

- Traditional Access - Tract 2123
- ROW Easement
- Streams
- DOT Route
- ▭ Corpening Estate Tracts
- ▭ Future Johns River Game Land

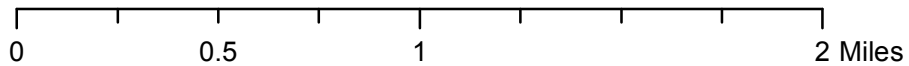


Exhibit F-9

February 21, 2019

North Carolina Wildlife Resources Commission Land Acquisition Investigation Form

Phase II: FINAL ACQUISITION DETAILS

Tract Name: ALCOA High Rock

WRC Action/Approval to Pursue (Date): August 23, 2018

Acquisition Plan (specify total project costs AND sources of funding):

Clean Water Management Trust Fund Grant	\$1,200,000
Private Donor Funds	\$1,300,000
State Chapter NWTF	\$100,000
NCWRC Wildlife Restoration Funds	\$4,325,000
NCWRC NFWF Duke Funds	\$775,000
TOTAL COST	\$7,700,000

Acquisition Plan Includes Bargain Sale? Yes No N/A

If Yes, Explain Details:

Total Cost Based on Appraisal? Yes No N/A*

*Cost established in FERC Relicensing Settlement Agreement

If Yes, Describe in Table:

Requested By	Appraiser	Effective Date	Appraised Value

Appraisal Handled by State Property Office? Yes No N/A

Source(s) of Stewardship Funds (indicate federal:state match rates):

Federal Assistance Grant – 75% federal: 25% state

Five-Year Stewardship Costs & Revenue Projections (worksheet attached):

Total Stewardship Expenditures	\$76,400.00
Total Projected Revenue	\$0.00

Exhibit F-9

February 21, 2019

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form

Phase II: COSTS AND REVENUE WORKSHEET

Estimated Five Year Stewardship Costs and Revenue Projections:
ALCOA High Rock

Estimated Stewardship Costs				
Activity	Quantity	Unit	Unit Cost	Total Cost
Boundary Establishment (Contract Survey)	15,000	Feet	\$1.25	\$18,750.00
Boundary Establishment (WRC Crew)	69.3	Miles	\$500.00	\$34,650.00
Develop Parking Area	2	1 Area	\$10,000.00	\$20,000.00
Install Gates	2	1 Gate	\$1,500.00	\$3,000.00
TOTAL				\$76,400.00

Estimated Revenue Projections				
Source	Quantity	Unit	Unit Revenue	Total Revenue
TOTAL				\$0.00

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

WRC Staff Contact:	Chris Dawes, Piedmont EcoRegion Supervisor
Date First Presented to Commission:	23-Aug-18
Tract Name:	High Rock
County:	Davie, Davidson, and Rowan
Acreage:	2,580
Tax Value:	
Property Owner/Representative:	formerly ALCOA, now Cube Energy/LandTrust for Central NC
Phone:	704-647-0302 (office), 704-439-6129 (mobile)
Email Address:	travis@landtrustcnc.org
Address:	204 East Innes Street, Suite 280, Salisbury, NC 28144

Primary Purpose:

<input checked="" type="checkbox"/>	Resource Protection
<input checked="" type="checkbox"/>	Resource Management
<input checked="" type="checkbox"/>	User Access
<input type="checkbox"/>	WRC Facility

Program Potential:

<input checked="" type="checkbox"/>	Game Land
<input type="checkbox"/>	Wildlife Conservation Area
<input checked="" type="checkbox"/>	Access Area
<input type="checkbox"/>	None

Type of Acquisition:

<input checked="" type="checkbox"/>	Purchase
<input type="checkbox"/>	Lease
<input type="checkbox"/>	Easement

Type of Parcel:

<input checked="" type="checkbox"/>	Tract
<input checked="" type="checkbox"/>	Riparian Corridor

Grant Potential:

<input checked="" type="checkbox"/>	CWMTF
<input checked="" type="checkbox"/>	Federal Aid (PR, WB, etc.)
<input checked="" type="checkbox"/>	Other (Private Donor Funds)
<input checked="" type="checkbox"/>	Other (NFWF Grant)

Owner Interest:

<input checked="" type="checkbox"/>	High
<input type="checkbox"/>	Moderate
<input type="checkbox"/>	Low
<input type="checkbox"/>	No

Tax Value:

<input type="checkbox"/>	Year Assessed
<input type="checkbox"/>	PUV?

Stewardship Considerations:

<input type="checkbox"/>	PR	Source:
<input type="checkbox"/>	75/25	Match:

Funding Considerations:

<input type="checkbox"/>	Donation
<input type="checkbox"/>	Bargin Sale
<input checked="" type="checkbox"/>	Partner Contribution

Reviewed Appraisal & Purchase Requirements?

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No
<input checked="" type="checkbox"/>	N/A

Recommendation:

<input checked="" type="checkbox"/>	Pursue
<input type="checkbox"/>	Do Not Pursue
<input type="checkbox"/>	Defer

Additional Comments:

Most of this land is currently enrolled in the Game Lands Program through a lease agreement with ALCOA. These parcels are currently being offered to the WRC as FERC Relicensing Settlement Agreement (RSA) lands. There is adequate public access by state-maintained roads providing foot access to many of the larger acreage tracts and there is excellent boating access to those that are not. Public boating access is dispersed at ideal locations in the vicinity of these parcels, including: York Hill, the Pump Station, Hwy. 601, and the Concord Church boat ramps. Hunting potential is very high on most tracts for forest game species, though moderate to low on others because of size or location. Waterfowl hunting opportunity is exceptional in many locations. Fishing (bank and boat) is extremely important in the upper end of High Rock Lake and in both the Yadkin and South Yadkin Rivers.

The permanent conservation of these lands is critical to maintaining landscape connectivity and ecosystem integrity in light of certain future surrounding developmental pressures and further habitat fragmentation.

North Carolina Wildlife Resources Commission
Land Acquisition Investigation Form
– PHASE I: INITIAL INVESTIGATION –

Tract Name:	High Rock
County:	Davie, Davidson, and Rowan

Resources Assessment and Biological Benefits (brief):

These 23 tracts lie scattered on both the South Yadkin River and the Yadkin River to their confluence, and downstream to the upper end of High Rock Lake proper at the “Mud Flats” (just east of Interstate 85 and East Spencer), a geographic distance of about ten and a half miles. Elevations across the project area range from 624 feet at the lake up to 790 feet (on “The Point” in Davie County). Some parcels are predominately uplands, but much of the acreage of these properties is bottomland/floodplain and alluvial forest with significant wetlands. Several Natural Heritage Areas are described along this section of the Yadkin River corridor, though some have been logged and heavily degraded/destroyed very recently. Exceptional Mesic Hardwood Forest at Honeycutt Road Woods and Leonard Road Slopes (county significant with good integrity, and regionally significant with very good integrity, respectively) no longer exist. (When described, these two Natural Areas were thought to be only slightly threatened.) Wetland assemblages at the mouth of two Rowan County tributaries, Second Creek and Grant’s Creek (Sower’s Ferry), are likely the largest and most important wetland and waterfowl habitats in the region, along with the High Rock Reservoir Wetlands (the “Mud Flats”) just downstream. Second Creek Wetlands and Grant’s Creek/Yadkin River Wetlands Complex are still mostly intact, and are considered regionally significant with very good integrity, and were initially described as slightly threatened. In places, the palustrine/alluvial forest communities appear undisturbed and well-developed, with sizeable trees, particularly certain specimens of Eastern Cottonwood, various “wetland” oaks (Pin Oak [regionally rare], Swamp Chestnut, Shumard, Overcup, and Willow Oaks), Silver Maple, and other floodplain (levee/terrace) bottomland forest species. Open water features include a mosaic of natural potholes (some sizeable), backwater sloughs, and channels, interspersed with minor levees, depressions, hummocks, and islands. As a human-altered riverine system, these wetlands and associated fluvial landforms were created by sediment aggradation after the construction of the High Rock Dam in 1928. They were not developed here a half century ago, and they will continue to mature into high-quality Natural Areas, if preserved. Most of the recent clearcutting has occurred in the uplands, though some bottomlands have also been cut. Past forest management has resulted in the conversion of substantial acreage of various age classes of loblolly pine on the parcels upriver to the Northwest in Davie and Rowan Cos. Some of this pine is not commercial yet, though much is in need of a first thinning. In the future, there will be timber management potential in these pine stands (portions of two stands, ~300 acres), but the remaining hardwood stands (bottomland and upland) should remain uncut. Prescribed fire should be introduced on these larger acreage pine uplands. On most parcels, common invasives were noted; on some they were quite prolific. Severe feral hog damage was observed, mostly upstream of the confluence the Yadkin and South Yadkin Rivers, especially in the bottomlands around Second Creek, on “The Point”, and along the edges of the riverbanks.

Tract Name	High Rock
Date	August 23, 2018
Staff Completing Form	C. Dawes, C. Baranski, D.Cox

Species	0.630
	Terrestrial
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Wetland
Overall Biodiversity	2
SGCN Species	2
Game Species	2
	Aquatic
Overall Biodiversity	2
SGCN Species	1
Game Species	2

Comments
Moderate species counts in the terrestrial and wetland habitats for both SGCN and Game species. Assumed to be low species counts for SGCN in the Aquatic habitat due to most of the waters being impounded and the presence of introduced non-native fish species.

Habitat	0.778
Size	3
Quality	2
Diversity	2
Rare/Important	1
Connectivity	3
Buffer	3

Comments
Habitat size is good due to the large amount of acres. Quality and diversity are moderate even though some tracts have been recently timbered. Connectivity of habitats and buffers are high. Rare/Important habitats are considered to be low across most of the tracts.

Public Access	1.000
Hunting/Viewing	3
Fishing	3
Boating	3

Comments
Public access is excellent for fishing, boating, and hunting.

Wildlife Uses	0.933
Hunting	3
Viewing	3
Fishing	3
Boating	3
Education	2

Comments
Wildlife uses are high for everything except for Education, which is rated at moderate due to lack of good facilities at the present time.

Other Values	0.778
Timber Harvest	2
Local Economy	2
Quality of Life	3

Comments
Timber harvest potential in the future is moderate on a few select uplands. Users of the land help support the local economy and these tracts provide for high quality of life for outdoor enthusiasts.

Feasibility & Logistics	0.867
Existing Infrastructure	1
Compatibility of Multiple Uses on Tract	3
Compatibility with Adjoining Land	3
Inholding/Corridor	3
Proximity to Users	3

Comments
Existing infrastructure is currently low, but other feasibility and logistics categories are high.

Restoration/Mitigation Potential	0.583
Species Restoration	1
Habitat Restoration	2
Access Improvement	2
Threat Mitigation	2

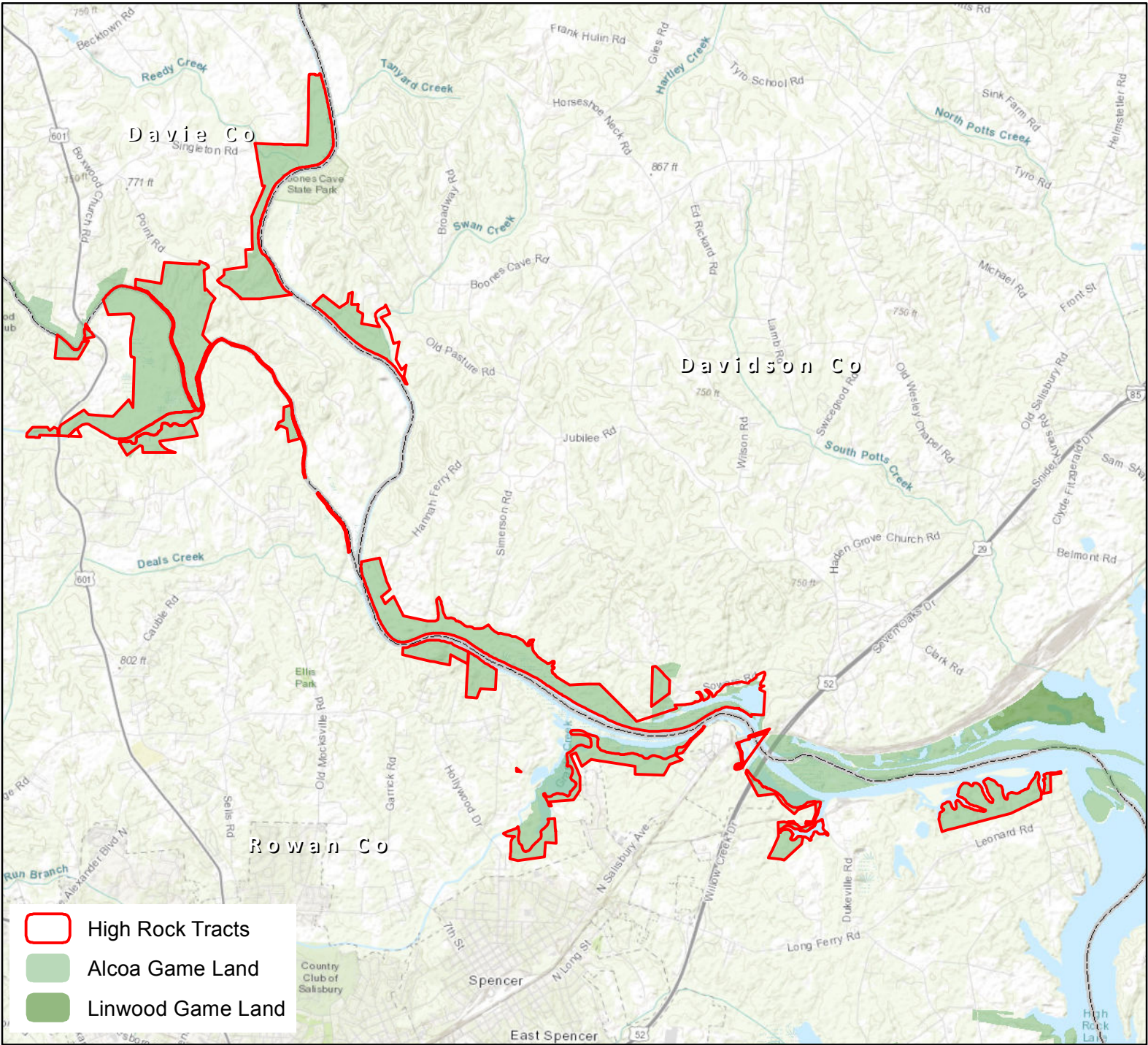
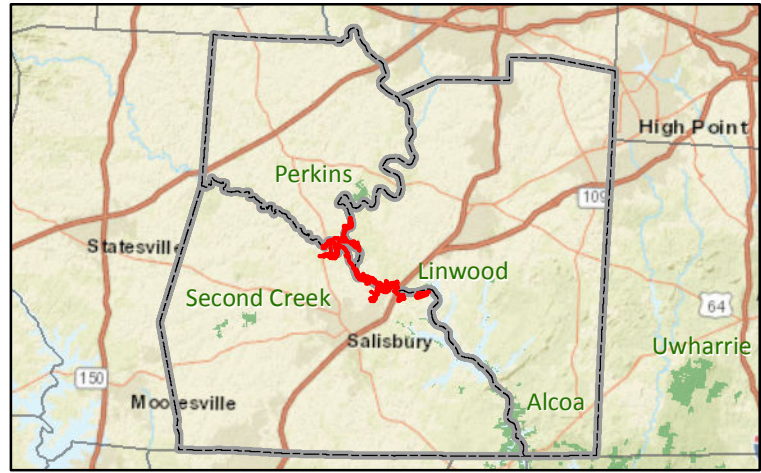
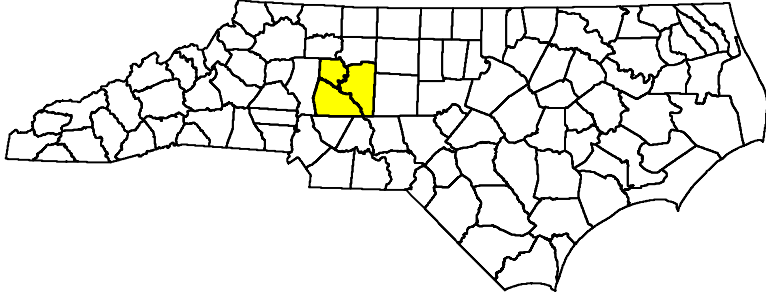
Comments
Species restoration is low, while habitat restoration and access improvement potential is moderate.

Threats	0.333
Number	2
Severity	1
Imminence	1
Manageability	1
Management Cost	0

Comments
Some threats exist, with most of them being moderate in severity and imminence being moderately near. Acquiring the land minimizes threats.

Overall Score	5.235
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High Rock Tracts Davie, Davidson and Rowan Counties 2,580 Acres



June 5, 2018

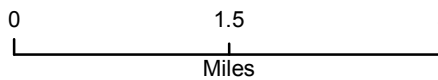


EXHIBIT G

February 21, 2019



North Carolina Wildlife Resources Commission

February 21, 2019

MEMORANDUM

TO: Brian McRae, Section Chief
Land and Water Access

FROM: Jessie Birckhead, Land Acquisition and Grants Manager
Land and Water Access

SUBJECT: Utility Easement Request – Northwest River Game Land, Currituck County

The Wildlife Resources Commission received a request from Tony Temple with Dominion Energy North Carolina on behalf of Mr. Harald Laugginger for a Permanent Utility Easement at Northwest River Game Land. The request would allow Dominion Energy North Carolina to pull overhead lines across the front of one parcel of the game land to allow Dominion to serve Mr. Laugginger's property (see map). Staff have reviewed the request and determined that the easement would not interfere with management or use of the site and clearing for the easement could enhance the small parking area located on site. If approved, staff will work with Dominion to ensure that trees removed for this overhead line and easement are removed from site with no slash or debris left on site. Additionally, if approved staff will work with the State Property Office to establish fair market value for the easement to be paid to the WRC.

Staff recommend approval of this easement request.

Land and Water Access

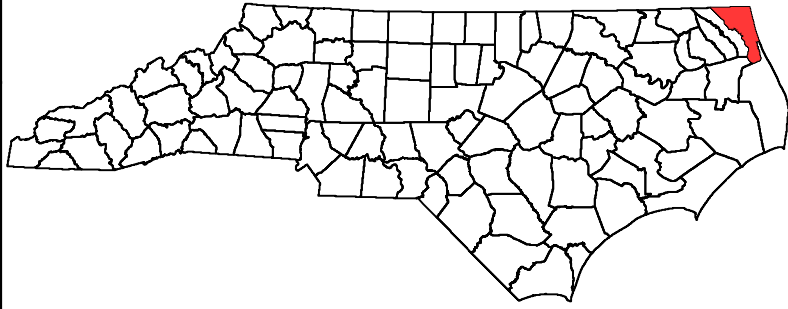
Mailing Address: 1720 Mail Service Center, Raleigh, N.C. 27699-1720

Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606

Phone: 919-707-0150

Fax: 919-707-0162

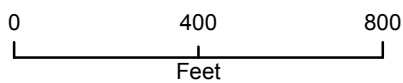
Lauginger Easement Request Currituck County



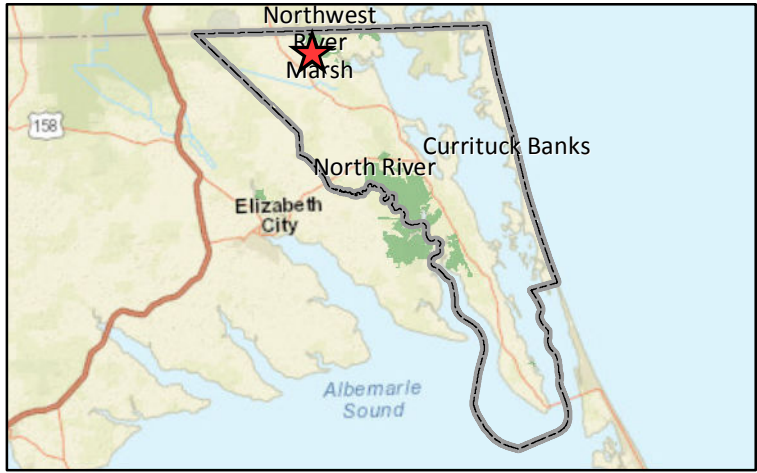
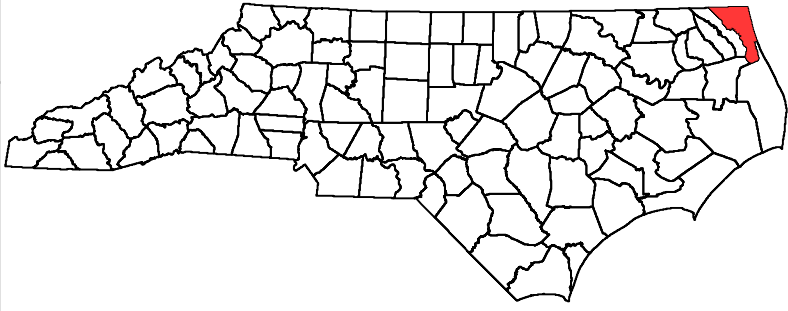
Northwest River Marsh Game Land
Parcel Boundaries



February 6, 2019



Lauginger Easement Request Currituck County



February 6, 2019

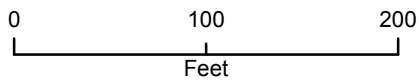


EXHIBIT H-1

February 21, 2019



North Carolina Wildlife Resources Commission

February 21, 2019

MEMORANDUM

TO: Brian McRae, Section Chief
Land and Water Access

FROM: Jessie Birckhead, Land Acquisition and Grants Manager
Land and Water Access

SUBJECT: Request to demolish well – Armstrong Fish Hatchery, McDowell County

In November 2018 a safety inspection of the Armstrong Fish Hatchery was conducted and staff noted the poor condition of one of the on-site well pump houses. The well pump house, when it was in use, covered and protected a 10ft deep, hand dug well. Power was cut from the pump house some years ago and the well is no longer in use. Currently the roof of the structure is falling in and the well has been functionally abandoned. Throughout the state many abandoned bored wells without existing protection are found by accident by our employees who drive over them with equipment. These hidden holes can lead to personal injury and equipment damage and pose a safety risk for agency staff as well as the public.

Based on these safety concerns, staff request approval to demolish this well and pump house structure. If approved, staff will work with the State Property Office to follow state-mandated procedures for permanently abandoning the well and pump house as established in NCAC Title 15A.

Land and Water Access

Mailing Address: 1720 Mail Service Center, Raleigh, N.C. 27699-1720

Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606

Phone: 919-707-0150

Fax: 919-707-0162

EXHIBIT H-2

February 21, 2019



North Carolina Wildlife Resources Commission

February 21, 2019

MEMORANDUM

TO: Brian McRae, Section Chief
Land and Water Access

FROM: Jessie Birckhead, Land Acquisition and Grants Manager
Land and Water Access

SUBJECT: Bolivia Depot Lease Fee Increase – Brunswick County

The NC Wildlife Resources Commission leases 350 square feet of office space and 4,600 square feet of warehouse space on 3 acres of land in Bolivia to house the three-person Bolivia Depot crew. This crew supports management and maintenance of game lands, boating access areas, navigational aids, and fishing access areas in southeastern NC. The current \$15,000 per year lease will be up for renewal in May 2019 and the landowner is seeking an increase in the fee. The increase will put the cost of the annual lease over \$15,000, which is above the threshold at which individual state agencies can manage leases. Leases greater than \$15,000 must be managed by the State Property Office and require Commission approval prior to proceeding to the Governor and Council of State for approval or disapproval. The State Property Office has advised that a rate increase of 3% or less per year is acceptable, so the new price of the lease would be \$15,450 for the next year of this lease. Maintaining a lease for this facility for the next three years is critical as plans are underway to construct a depot to house this crew and their equipment during that time frame.

Staff request approval to work with the State Property Office to initiate a new three-year lease for the Bolivia Depot location following SPO procedures allowing for a 3% or less rate increase each year for the duration of the lease.

Land and Water Access

Mailing Address: 1720 Mail Service Center, Raleigh, N.C. 27699-1720

Physical Address: 1751 Varsity Drive, Raleigh, N.C. 27606

Phone: 919-707-0150

Fax: 919-707-0162



EXHIBIT I-1

February 21, 2019

Summary of Public Comments on Proposed Changes to Enforcement Regulations for 2019-2020

Proposal	Proposed Text	Agree	Disagree	No Position (Online Only)	Comment Type
E1	Updates the list of offenses for which warning tickets are prohibited and removes the specific list of offenses for which warning tickets may be issued.	202	16	24	Online: 90 Comment Card: 130 Letter/Email: 22
E2	Allows the Commission's Executive Director to determine the disposition of seized fish or wildlife and details the factors to be considered when determining disposition.	160	26	35	Online: 72 Comment Card: 127 Letter/Email: 22
Total		362	42	59	

Enforcement District Report Summary for 2019

Proposal	District 1	District 2	District 3	District 4	District 5	District 6	District 7	District 8	District 9	Out of State
E1	Position Count: 7 : Agree 0 : Disagree 7 : No Position	Position Count: 16 : Agree 3 : Disagree 10 : No Position	Position Count: 19 : Agree 3 : Disagree 16 : No Position	Position Count: 16 : Agree 0 : Disagree 7 : No Position	Position Count: 25 : Agree 1 : Disagree 10 : No Position	Position Count: 22 : Agree 1 : Disagree 17 : No Position	Position Count: 20 : Agree 0 : Disagree 5 : No Position	Position Count: 29 : Agree 4 : Disagree 27 : No Position	Position Count: 44 : Agree 4 : Disagree 20 : No Position	Position Count: 2 : Agree 0 : Disagree 0 : No Position
	Comment Types: 3 : Online 10 : Comment Card 1 : Letter/Email	Comment Types: 12 : Online 16 : Comment Card 1 : Letter/Email	Comment Types: 12 : Online 26 : Comment Card 0 : Letter/Email	Comment Types: 8 : Online 15 : Comment Card 0 : Letter/Email	Comment Types: 9 : Online 26 : Comment Card 1 : Letter/Email	Comment Types: 15 : Online 24 : Comment Card 1 : Letter/Email	Comment Types: 5 : Online 19 : Comment Card 1 : Letter/Email	Comment Types: 14 : Online 46 : Comment Card 0 : Letter/Email	Comment Types: 10 : Online 57 : Comment Card 1 : Letter/Email	Comment Types: 2 : Online 0 : Comment Card 0 : Letter/Email
E2	Position Count: 6 : Agree 0 : Disagree 8 : No Position	Position Count: 12 : Agree 1 : Disagree 12 : No Position	Position Count: 16 : Agree 2 : Disagree 16 : No Position	Position Count: 13 : Agree : Disagree0 11 : No Position	Position Count: 21 : Agree 4 : Disagree 9 : No Position	Position Count: 15 : Agree 2 : Disagree 19 : No Position	Position Count: 17 : Agree 1 : Disagree 7 : No Position	Position Count: 23 : Agree 5 : Disagree 29 : No Position	Position Count: 35 : Agree 10 : Disagree 21 : No Position	Position Count: 0 : Agree 1 : Disagree 1 : No Position
	Comment Types: 3 : Online 10 : Comment Card 1 : Letter/Email	Comment Types: 8 : Online 16 : Comment Card 1 : Letter/Email	Comment Types: 8 : Online 26 : Comment Card 0 : Letter/Email	Comment Types: 9 : Online 15 : Comment Card 0 : Letter/Email	Comment Types: 7 : Online 26 : Comment Card 1 : Letter/Email	Comment Types: 11 : Online 24 : Comment Card 1 : Letter/Email	Comment Types: 5 : Online 19 : Comment Card 1 : Letter/Email	Comment Types: 11 : Online 46 : Comment Card : Letter/Email	Comment Types: 8 : Online 57 : Comment Card 1 : Letter/Email	Comment Types: 2 : Online 0 : Comment Card 0 : Letter/Email

EXHIBIT I-2

February 21, 2019



PROPOSED CHANGES TO LAW ENFORCEMENT REGULATIONS FOR 2019-2020 AND RULE TEXT FOR COMMISSION ACTION

- E1)** Updates the list of offense for which warning tickets are prohibited and removes the specific list of offenses for which warning tickets may be issued.
15A NCAC 10A .1001 - Particular Offenses (page 2-4)

- E2)** Allows the Commission's Executive Director to determine the disposition of seized fish or wildlife and details the factors to be considered when determining disposition.
15A NCAC 10A .1501 - Summary Disposition (page 5)

1 15A NCAC 10A .1001 is proposed for amendment as follows:

2
3 **15A NCAC 10A .1001 PARTICULAR OFFENSES**

4 (a) Warning Tickets Prohibited. Wildlife Enforcement Officers shall not issue warning tickets for the following
5 ~~offenses, classes of offenses or offenses committed in a particular manner:~~ offenses and classes of offenses:

- 6 (1) second offense of a similar charge;
- 7 ~~(2) — hunting, fishing, or trapping without a license, except as listed in this Rule;~~
- 8 ~~(3)(2) exceeding bag or creel limits;~~
- 9 ~~(4)(3) unlawful taking of fish or wildlife by use of drugs, poison, explosives, or electricity;~~
- 10 ~~(5)(4) hunting, fishing, or trapping in closed season;~~
- 11 ~~(6) hunting on Game Lands during closed days;~~
- 12 ~~(7) — firelighting deer;~~
- 13 ~~(8)(5) unlawful taking or possession of antlerless deer or fox;~~
- 14 ~~(9)(6) unlawful taking or possession of bear or wild turkey;~~
- 15 ~~(10)(7) unlawful purchase or sale of wildlife;~~ wildlife, except when possession of a Trophy Wildlife
- 16 Sale Permit would otherwise make purchase or sale lawful; and
- 17 ~~(11)(8) unlawful taking of fox; or~~
- 18 ~~(12)(9)(8) taking wildlife with the aid of or from a motor vehicle or boat under power or while in~~
- 19 motion.

20 ~~(b) Warning Tickets Permitted. In accordance with the conditions provided in G.S. 113-140(c) and where there~~

21 ~~is a contemporaneous occurrence of more than three violations of the motorboat statutes or administrative rules,~~

22 ~~Wildlife Enforcement Officers may issue a citation on the two most serious violations and a warning ticket on~~

23 ~~the lesser violation(s). In addition, Wildlife Enforcement Officers may issue warning tickets for the following~~

24 ~~offenses:~~

- 25 ~~(1) Boating Violations:~~
- 26 ~~(A) — number missing, lack of contrast, not properly spaced or less than three inches in~~
- 27 ~~height;~~
- 28 ~~(B) — no validation decal affixed or incorrect placement;~~
- 29 ~~(C) — fire extinguisher not charged or non-approved;~~
- 30 ~~(D) — no fire extinguisher on boats with false bottoms not completely sealed to hull or filled~~
- 31 ~~with flotation material;~~
- 32 ~~(E) — failure to notify North Carolina Wildlife Resources Commission of change of address~~
- 33 ~~of boat owner;~~
- 34 ~~(F) — personal flotation device not Coast Guard approved;~~
- 35 ~~(G) — failure to display navigation lights when there is evidence that lights malfunctioned~~
- 36 ~~while underway;~~
- 37 ~~(H) — no sound device;~~

- 1 ~~(I) — muffler not adequate;~~
- 2 ~~(J) — loaded firearm on access area;~~
- 3 ~~(K) — parking on access area in other than designated parking area, provided traffic to ramp~~
- 4 ~~not impeded;~~
- 5 ~~(L) — motorboat registration expired 10 days or less;~~
- 6 ~~(M) — no Type IV throwable personal flotation device on board, but other personal flotation~~
- 7 ~~device requirements met;~~
- 8 ~~(N) — violation of no-wake speed zone when mitigating circumstances present;~~
- 9 ~~(O) — running lights on motorboat are obstructed, not visible or improperly configured;~~
- 10 ~~(P) — personal flotation device is not readily accessible on board motorboat;~~
- 11 ~~(Q) — failure to wear a kill-switch lanyard on personal watercraft;~~
- 12 ~~(R) — exceeding capacity of personal watercraft while towing a skier;~~
- 13 ~~(S) — allowing youth under the age of 12 to operate a personal watercraft while accompanied~~
- 14 ~~by an adult;~~
- 15 ~~(T) — wearing an inflatable personal flotation device while operating a personal watercraft;~~
- 16 ~~or~~
- 17 ~~(U) — No light available on board a manually propelled vessel.~~

18 (2) License Violations:

- 19 ~~(A) — persons under 16 hunting, trapping, or trout fishing without meeting statutory~~
- 20 ~~requirements;~~
- 21 ~~(B) — senior citizens hunting or fishing without valid license(s) (Senior citizens are those~~
- 22 ~~persons 65 years old or older);~~
- 23 ~~(C) — when it appears evident that the wrong license was purchased or issued by mistake;~~
- 24 ~~(D) — failure to carry required license or identification on person, if positive identification~~
- 25 ~~can be established;~~
- 26 ~~(E) — non resident hunting, fishing, or trapping with resident license, if domicile is~~
- 27 ~~established, but not 60 days;~~
- 28 ~~(F) — hunting, fishing, or trapping on Game Lands or fishing in Designated Trout Waters~~
- 29 ~~that are not properly posted or have been posted for no more than 30 days;~~
- 30 ~~(G) — persons who are 18 years or older or who do not reside with their parents, when such~~
- 31 ~~persons are taking wildlife upon their parent's land without a license as required by~~
- 32 ~~G.S. 113-270.2, 113-270.3(b) except for subdivision (5), 113-270.5, 113-271, or 113-~~
- 33 ~~272;~~
- 34 ~~(H) — failure to comply with a statutorily enacted license requirement that has been in effect~~
- 35 ~~for less than a year; or~~
- 36 ~~(I) — license expiration of 10 days or less.~~

37 (3) Game Lands Violations:

- 1 (A) ~~camping on Game Lands in other than designated area; or~~
2 (B) ~~possession of weapons readily available for use while on game land thoroughfare,~~
3 ~~during closed season.~~

4 (4) ~~Trapping Violations:~~

- 5 (A) ~~improper chain length at dry land sets;~~
6 (B) ~~trap tag not legible;~~
7 (C) ~~trap tag missing, but with a group of properly tagged traps;~~
8 (D) ~~trap tag missing, but evidence that animal destroyed;~~
9 (E) ~~improper jawsize;~~
10 (F) ~~failure to comply with "offset" jaw requirement for traps with jaw spread of more than~~
11 ~~5 1/2 inches;~~
12 (G) ~~failure to attend traps daily, during severe weather (ice, high water, heavy snow); or~~
13 (H) ~~no written permission, but on right of way of public road.~~

14 (5) ~~Miscellaneous Violations:~~

- 15 (A) ~~allowing dogs, not under the control of the owner to chase deer during closed season;~~
16 (B) ~~attempting to take deer with dogs, or allowing dogs to chase deer in restricted areas;~~
17 (C) ~~using dogs to track wounded deer during primitive weapon season;~~
18 (D) ~~failure to report big game kill to nearest cooperator agent, when game is tagged and~~
19 ~~subject is enroute to another agent;~~
20 (E) ~~training dogs or permitting them to run unleashed on Game Lands west of I-95 during~~
21 ~~the period of April 1 through August 15;~~
22 (F) ~~violation of newly adopted rules, when not readily available to the public;~~
23 (G) ~~violation of local laws, when information not available to the public;~~
24 (H) ~~all permits (except for fox depredation permit);~~
25 (I) ~~closed season, if misprinted in digest or suddenly changed;~~
26 (J) ~~minor record violation (taxidermist);~~
27 (K) ~~failure to put name and address on marker (trotline); or~~
28 (L) ~~failure to put name and address on nets.~~

29 ~~(e) Special Consideration. Special consideration may be given in local areas where the offender is hunting or~~
30 ~~fishing out of his normal locality and is unfamiliar with the local law. Consideration may also be given for~~
31 ~~violations on newly opened or established Game Lands and on reclassified or newly Designated Mountain Trout~~
32 ~~Waters. Special consideration may be given to offenders under 18 years of age.~~

33
34 *History Note: Authority G.S. 113-140;*

35 *Eff. April 1, 1991;*

36 *Amended Eff. August 1, 2019; May 1, 2007; May 1, 2004; November 2, 1992; November 1,*
37 *1991.*

1 Note: The Wildlife Resources Commission requests adding a new section to Subchapter A of Chapter 10 of Title
2 15A of the Administrative Code and that it be titled as follows: Section .1500 Evidence

3

4 15A NCAC 10A .1501 is proposed for adoption as follows:

5

6 **15A NCAC 10A .1501 Summary Disposition**

7 The Executive Director or his or her designee may determine the summary disposition of fish or wildlife seized
8 by the Commission. Summary disposition shall be determined in accordance with G.S. 113-137(d), on a case-
9 by-case basis, taking into consideration factors that may include public health and safety, conservation
10 objectives of the Commission, and the health or genetic integrity of native wildlife resources. Summary
11 disposition may include release, relocation, or euthanasia.

12

13 *History Note: Authority G.S. 113-137;*

14 *Eff. August 1, 2019.*

15

16

17

18

EXHIBIT J

February 21, 2019



WATER SAFETY RULE TECHNICAL AMENDMENT - 15A NCAC 10F .0370 ROCKY MOUNT MILLPOND DAM SAFETY ZONE

The water safety rule for the City of Rocky Mount recently was amended as part of the Periodic Review of Rules. The description of the mill dam on the Tar River was clarified, coordinates were added, and the City of Rocky Mount was removed as the entity responsible for placement and maintenance of markers. Staff has since learned that the designation of the Rocky Mount rule as a no-wake zone rule is incorrect.

When 15A NCAC 10F .0370 was adopted by the WRC in 2004, the intention of the City of Rocky Mount was to have the waters of the Tar River beginning west of the Falls Road bridge on N.C. Highway 43 N and ending at the Rocky Mount Millpond Dam designated as a *safety zone*. In 2003 three rafters had to be rescued by multiple rescue and law enforcement agencies and the U.S. Marine Corps, at an expense of more than \$10,000 after they intentionally rafted over the Rocky Mount Millpond Dam and became trapped in the hydraulics. The rule adopted in 2004 prohibits all access to the waters around the dam and mill by swimmers, vessels, and floating objects except by consent of the City of Rocky Mount, for maintenance and repair of facilities associated with the dam and mill. The City of Rocky Mount was designated as the entity responsible for placement and maintenance of all markers around the safety zone.

The technical correction to 15A NCAC 10F .0370 will correct the designation of this water safety rule from a no-wake zone to a safety zone, where entry by vessels and swimmers is prohibited in the interest of public safety. It will restore responsibility for placement and maintenance of markers for the safety zone to the City of Rocky Mount. Since this is a technical correction only with no cost to a local or state unit of government, no fiscal note is required.

Staff recommends approval to submit a Notice of Text in the *NC Register* with one public hearing and an open comment period, for technical corrections that designate the Rocky Mount Millpond Dam area as a safety zone and restores responsibility for placement and maintenance of markers for the safety zone to the City of Rocky Mount.

**15A NCAC 10F .0370 CITY OF ROCKY MOUNT MOUNT – ROCKY MOUNT MILLPOND DAM
SAFETY ZONE**

~~(a) Regulated Areas. Area. This Rule shall apply to the~~ The waters of the Tar River shore to shore, beginning up at the N.C. Highway Bridge on Peachtree Street, eastward 100 yards and ending at the Rocky Mount Mill Dam, west of the Falls Road bridge on N.C. Highway 48/43 BUS at a point at 35.96016 N, 77.80447 W, extending eastward and ending at the Rocky Mount Millpond Dam and associated abutments and structures, shall be a designated safety zone. Access by swimming or entry of a person in or upon a vessel or any floating object shall be prohibited within the safety zone.

~~(b) Swimming or boating. No swimming or other entry of a person in or upon a boat, raft, or other floating object shall be permitted within the exclusionary zone established in Paragraph (a) of this Rule.~~

~~(c) (b) Paragraph (b) (a) of this Rule shall not apply to persons who, with consent of the City of Rocky Mount, require access for maintaining or repairing facilities associated with the Rocky Mount Millpond Dam Dam, abutments and structures or the Rocky Mount Mill. Mill.~~

~~(d) (c) Placement of Markers. The City of Rocky Mount shall be the designated as the entity for placement and maintenance of buoys and other signs indicating the areas in which boating and swimming are prohibited by this Rule. implementing this Rule.~~

History Note: Authority G.S. 75A-3; 75A-15;

Eff. May 1, 2004;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;

Amended Eff. October 1, 2018.

15A NCAC 10F .0370 Safety Zone
Rocky Mount Millpond Dam, Rocky Mount, Nash County



35.96016 N
77.80447 W

Safety Zone

0 25 50
Yards

EXHIBIT K

February 21, 2019



APPLICATION FOR RULEMAKING AMENDMENT TO 15A NCAC 10F .0339 – MCDOWELL COUNTY

The Wildlife Resources Commission received a formal application and Resolution from the McDowell County Board of Commissioners on January 14, 2019, requesting consideration of rulemaking for a no-wake zone within 50 yards of the shoreline of the peninsula near the end of Hunt Camp Drive and Screech Owl Drive, in Old Wildlife Club Subdivision on Lake James in McDowell County.

Private citizens have agreed to purchase and place buoys to mark the no-wake zone if approved, at no expense to state or local government. No fiscal note is required.

Agency Enforcement has investigated the area and returned the Assessment Matrix (Attachment A). Multiple hazards to boater safety were found including several private docks, some of which extend more than 20 yards from the shore, and a blind corner coming from the northwest side of the lake. This area of the lake is near the main channel and receives a lot of vessel traffic, especially on weekends and holidays. Swimmers near the shore are endangered by vessels that approach too close and with heavy wakes.

With the proposed no-wake zone extending only 50 yards from the shoreline, there should be no impact to boats that travel in the main designated channel of the lake.

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* for adoption of an amendment to 15A NCAC 10F .0339, with an open comment period of at least 60 days and one local public hearing per the Administrative Procedure Act. Upon the close of the open comment period, the WRC will then consider adoption of the no wake zone.

15A NCAC 10F .0339 MCDOWELL COUNTY

(a) Regulated Areas. This Rule ~~applies~~ shall apply to the following waters ~~located~~ on Lake James in McDowell County:

- (1) the cove east of Old Wildlife Club Road, beginning at a line from a point on the northwest shore at 35.73649 N, 81.92296 W to a point on the southeast shore at 35.73595 N, 81.92194 W;
- (2) ~~these~~ the waters including coves, shore to shore in the vicinity of the Marion Moose Club property, east of ~~the~~ a line from a point on the north shore at 35.72026 N, 81.97292 W, to a point on the south shore at 35.71908 N, 81.97257 W, and south of ~~the~~ a line from a point on the west shore at 35.72214 N, 81.96807 W to a point on the east shore at 35.72305 N, 81.96642 W;
- (3) ~~Morgan Cove;~~ Cove, west and south of a line at the mouth from a point on the north shore at 35.74220 N, 81.94189 W to a point on the south shore at 35.74142 N, 81.94155 W;
- (4) ~~that area~~ within 50 yards of the shoreline at the New Manna Baptist Youth ~~Camp;~~ Camp at 880 Marina Drive in Nebo;
- (5) ~~that area~~ within 50 yards of the shoreline at ~~Burnett's Landing;~~ Burnette's Landing at 3385 Hankins Road in Marion;
- (6) the coves adjacent to Lake James State Park swimming area southeast of a line from a point on the northeast shore at 35.73402 N, 81.90450 W to a point on the southwest shore at 35.73268 N, 81.90614 W;
- (7) ~~that area~~ within 50 yards of camping areas in the Lake James State Park;
- (8) ~~that area including~~ the cove between Waterglyn Subdivision and Lakeview Shores ~~Subdivision and extending~~ Subdivision, contiguous with the waters within 50 yards of the shoreline of Lakeview Point ~~Subdivision~~ Subdivision, and within 50 yards of the boat launching ramp at the Marion Lake ~~Club;~~ Club at the end of Lake Club Lane;
- (9) Plantation Point Cove southwest of a line from a point on the north shore at 35.71672 N, 81.98065 W to a point on the south shore at 35.71616 N, 81.98010 W;
- (10) Waterglyn Subdivision ~~Cove;~~ Cove, west of Lentz Landing Lane;
- (11) within 50 yards of the boat ramp at Lake James Landing on Lake James Landing Drive, near the mouth of the North Fork of the Catawba River;
- (12) ~~that area~~ within 50 yards of the Bear Creek ~~Marina;~~ Marina at 608 Marina Drive in Nebo;
- (13) ~~the waters~~ within 50 yards of the peninsula at Waterglyn Subdivision at the end of Waterglyn Way, from the point on land east of the cove east of Old Wildlife Club Road at 35.73600 N, 81.92185 W to a point on land west of Waterglyn Subdivision Cove at 35.73549 N, 81.91900 W; ~~and~~
- (14) ~~the waters~~ within 50 yards of the ~~boat ramp in~~ Hidden Cove. Cove Public Boat Access at 3657 NC-126 in Nebo; and
- (15) within 50 yards of the peninsula at Old Wildlife Club Subdivision at the end of Hunt Camp Drive and Screech Owl Drive, from a point on land at 35.75171 N, 81.92186 W, southeast to a point on land at 35.74914 N, 81.91782 W.

(b) Speed Limit. No person shall operate ~~any motorboat or~~ a vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Restricted Swimming Areas. No person operating or responsible for the operation of any ~~vessel, surfboard or waterskis~~ vessel shall permit ~~the same~~ it to enter any marked swimming area located on the ~~regulated area.~~ waters of Lake James in McDowell County.

(d) Placement of Markers. The Board of Commissioners of McDowell County is the designated agency for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

*History Note: Authority G.S. 75A-3; 75A-15;
Eff. August 23, 1981;
Amended Eff. February 1, 1996; December 1, 1993; March 1, 1992; April 1, 1991;
Temporary Amendment Eff. February 1, 1998;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. February 4, 2000; April 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. May 1, 2001;
Amended Eff. May 1, 2010; July 1, 2008; July 18, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December 6, 2016;
Amended Eff. November 1, 2017.*



NO-WAKE ZONE WATER SAFETY HAZARDS MATRIX

SECTION 1:

Name of organization/entity: McDowell County

Primary contact information: Ashley Wooten, County Manager O: 828-652-7121

Exact location of requested no-wake zone:

Body of water and County: Lake James, McDowell
County _____

Location: around the point at the end of Hunt Camp Drive, within 50 yards of the shore from a point at 35.75194 N, 81.92229 W, southeast to a point at 35.74914 N, 81.91732 W _____

Popular name of area, if any: Wildlife Club

Width of No-Wake Zone: Narrowest Point: _____ Widest Point: 50 yards from the shore.

Brief Description of area (example: bridge overpass, obstructed views, Intracoastal Waterway; etc) This is an area along the shoreline of the Wildlife Club on Lake James. Within this proposed area are several private docks along with a blind corner coming from the north west side of the lake.

Attach map of designated no-wake zone

Ensure proposed no-wake zone map/and or location is agreed upon by point of contact

Attach detailed reason given from point of contact for the request

Please evaluate boater safety hazards. The channel runs between this point and Camp Lake James on the opposite shore.

Is the proposed no-wake zone located within an area that is regulated by the U.S Army Corps of Engineers or the Division of Coastal Management (CAMA) i.e.; Intracoastal Waterway?

YES

NO

(When dealing with the point of contact, please advise that placement of markers in these waters is subject to prior approval of above agency in waters where applicable. NCWRC has no authority to supersede these rules.)

SECTION 2:

PUBLIC SAFETY HAZARD

What public safety hazard exists? There are three potential safety hazards that have been assessed. First, this area coming from the north west has a blind corner where boaters like to cut through a lot causing them to come very close to the private docks along the shoreline. Furthermore, this is an area of the lake near the main channel that receives a lot of boat traffic, especially on weekends and holidays. Second, as the boaters cut this corner they create a tremendous amount of wake very close to the private docks. In addition, one those docks come out approximately 26 yards from the shore. Lastly, the wake created not only damages the docks, but has become a safety hazard to swimmers who enjoy swimming around their docks.

Is this a public swimming or recreational area?

NO

YES would the establishment of a roped swimming area or placement of no-wake regulatory buoys be more appropriate? ROPED SWIM AREA

NO-WAKE BUOYS

SECTION 3:

NAVIGATIONAL HAZARDS

Identify any and all potential hazards associated with the proposed no-wake zone (check all that apply)

OBSTRUCTIONS (Identify) There is a blind corner coming from the north west part of the lake. In addition, there are several docks that come 20 yards or more out into the lake.

NARROW CHANNEL (give approximate width) _____

SHALLOW WATER (give average depth) _____

OBSTRUCTED VISION (for approximately how great a distance) There is approximately 112 yards of obstructed vision from the first dock coming from the north west to the blind corner along the shoreline.

STRUCTURES (Check all applicable)

- | | |
|--|---|
| <input type="checkbox"/> DAM | <input type="checkbox"/> LOCK |
| <input type="checkbox"/> SPILLWAY | <input type="checkbox"/> JETTY |
| <input type="checkbox"/> FLOOD CONTROL STRUCTURE | <input type="checkbox"/> SUBMERGED STRUCTURE |
| <input type="checkbox"/> TRESTLE | <input type="checkbox"/> SANDBAR |
| <input type="checkbox"/> POWER LINE | <input type="checkbox"/> SHOAL |
| <input type="checkbox"/> FUELING DOCK | <input checked="" type="checkbox"/> PRIVATE DOCKS |
| <input type="checkbox"/> RESTAURANT DOCKS | <input type="checkbox"/> BRIDGE |
| <input type="checkbox"/> ACCESS AREA/BOAT LAUNCH | <input type="checkbox"/> PIER |

OTHER (list and describe) _____

SECTION 4:

If approved, will the no-wake zone extend into a designated channel?

NO

YES (if yes, identify on map)

What is the total distance boaters will travel at a no-wake speed? This no-wake zone should have no impact on boaters who stay in the main designated channel of the lake. However, for boaters coming from the shoreline along the Wildlife Club in this proposed no-wake zone, the travel distance would only be 50 yards.

Estimated time to travel for boaters through the proposed no-wake zone at no-wake speed?
Estimated time to travel from the shoreline of the proposed area or from the main channel of the lake to the shoreline would be approximately 1 minute.

SECTION 5:

List any other known incidents, safety concerns or problems that have occurred? In the past I have personally been contacted by the homeowners who reside in the proposed no-wake zone with concerns over their personal safety and damage to their property. In addition, the last District Captain and I went out and personally met with one of the homeowners who expressed to us their issues with boaters who intentionally come very close to the docks along the shoreline creating a big wake which has caused significant damage to their property. The homeowners also expressed concerns for their safety while swimming around or hanging out on their docks. Furthermore, they even told us of an instance where one of their grandkids was knocked off the dock by a wake. Lastly, with the advent of wake boats, this area has become a popular spot for these boats to operate.

Rate traffic density in this area from light to heavy **LIGHT 1 2 3 4 5 6 7 8 9 10 HEAVY**

Is traffic density specific to weekend/and or holidays? The boat traffic is very heavy on the weekends and holidays.

Does traffic density or ability to maneuver a vessel due to traffic cause safety issues? YES
NO

Rate the likelihood of an incident occurring in this area compared to other similar areas on this same body of water **VERY UNLIKELY 1 2 3 4 5 6 7 8 9 10 MORE LIKELY**

SECTION 6:

OFFICER ASSESSMENT OF WATER SAFETY HAZARDS

YES:

NO:

Reasons: As listed above, there are several reasons why I believe that this area of Lake James should be a no-wake zone. Not only does it pose a safety concern to those on and around their docks, but it also poses a safety concern for boaters who cut the corner which could lead to a collision with a dock or possibly another boat. Moreover, after speaking with some of the homeowners within the proposed no-wake zone, all of them realize that living on the lake has some disadvantages, especially near a main channel. However, there concern is not the boaters who remain in the main channel of the lake; their concern is for the boaters that cut the corner coming within a few feet of their docks creating a huge wake. Lastly, it is my opinion that this area of Lake James creates a significant safety concern. With-that-said, I believe that a 50 yard

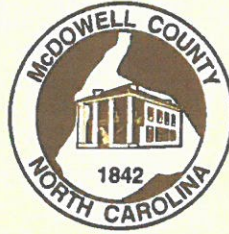
no-wake zone from the shoreline in the proposed area would help to deter a lot of the issues that have been mentioned.

Officer: Gale P. Wilson Jr.

Date: 08/15/2018

Gale P. Wilson Jr. 970

David Walker, Chairman
Tony Brown, Vice Chairman
Barry McPeters, Commissioner
Lynn Greene, Commissioner
Brenda Vaughn, Commissioner



Ashley Wooten
County Manager
Cheryl Mitchell
Clerk to the Board
Donald Fred Coats
County Attorney

McDowell County

60 East Court Street • Marion, North Carolina 28752
Telephone: (828) 652-7121 • Fax: (828) 659-3484 • Website: www.mcdowellgov.com

RESOLUTION of the BOARD of COMMISSIONERS of McDOWELL COUNTY

WHEREAS under authority of North Carolina General Statutes Section 75A-15(a) any subdivision of the State of North Carolina may at any time, after public notice, make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on any water within territorial limits.

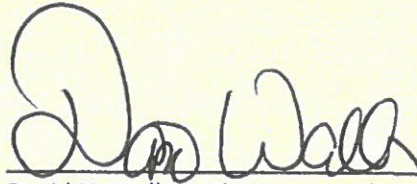
AND WHEREAS McDowell County has given public notice of its intention to make formal application to the Wildlife Resources Commission for special rules and regulations with reference to the safe and reasonable operation of vessels on Lake James within the territorial limits of McDowell County, and for the implementation of Uniform Waterway Marker Systems in all the waters of the county.

BE IT RESOLVED that in accordance with G.S. 75A-15, the Board of Commissioners of McDowell County requests the North Carolina Wildlife Resources Commission to promulgate special rules and regulations with reference to safe and reasonable operation of vessels on the waters of Lake James located in said County, the pertinent substance of which proposed regulations is as follows:

A No Wake Buoy placement around the point at the end of Hunt Camp Drive, within 50 yards of the shore from a point at 35.75194 N, 81.92229 W, southeast to a point at 35.74914 N, 81.91732 W.

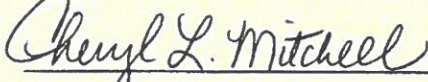
BE IT FURTHER RESOLVED that the said Board of Commissioners requests the said Commission to promulgate regulations fully implementing the Uniform Waterway Marker System in all of the waters of the said County.

ADOPTED this 14th day of January, 2019



David N. Walker, Chair

ATTEST:



Cheryl L. Mitchell, Clerk to the Board



"Great History, Exciting Future"

15A NCAC 10F .0339 (a) (15) - Proposed No Wake Zone
Old Wildlife Club Subdivision Peninsula, Lake James, McDowell County



EXHIBIT L

February 21, 2019



FINAL ADOPTION – 15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES

Notice of Text for an amendment requested by the Lake Wylie Marine Commission, to place a no-wake zone within 50 yards of the community piers, marina, and beach area, and including the waters east of the island that is west of the shoreline at the Yachtsman on Lake Wylie Community in Mecklenburg County, was published in the *North Carolina Register* on November 1, 2018 with an open comment period, per the requirements of the Administrative Procedure Act.

One public hearing was held during the open comment period on November 28, 2018 with no attendees. During the open comment period seven emails were received in favor of the proposed water safety rule and are in Attachment A.

Staff recommends final adoption of the amendment by the Commission. Upon adoption, the rule will be presented for final review by the Rules Review Commission. If RRC approves, the earliest effective date of the Rule will be May 1, 2019.

15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES

(a) Regulated Areas. This Rule shall apply to the following waters of Lake Wylie within Mecklenburg and Gaston Counties:

- (1) McDowell Park. The waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County shore to shore, east of the mouth of the cove at a line from a point on the south shore at 35.10272 N, 81.03026 W to a point on the north shore at 35.10556 N, 80.02964 W;
- (2) Gaston County Wildlife Club Cove. The waters of the cove west of the Gaston County Wildlife Club on South Point Road in Belmont, north of a line at the mouth of the cove from a point on the east shore at 35.15628 N, 81.01427 W to a point on the west shore at 35.15628 N, 81.01615 W;
- (3) Buster Boyd Bridge. The waters from a point 250 feet east of the Buster Boyd Bridge on N.C. Highway 49 in Mecklenburg County at 35.10293 N, 81.03932 W, to a point 150 feet west of the Buster Boyd Bridge at 35.10242 N, 81.04089 W;
- (4) N.C. Highway 27 bridge. The waters shore to shore, from a point 50 yards north of the N.C. Highway 27 bridge in Mecklenburg and Gaston counties at 35.29849 N, 81.00346 W to a point 190 yards south of the N.C. Highway 27 bridge at 35.29635 N, 81.00424 W;
- (5) Brown's Cove. The area beginning at the mouth of Brown's Cove in Mecklenburg County shore to shore, at a point at 35.16453 N, 81.00474 W, west to a point at 35.16480 N, 81.00309 W;
- (6) Paradise Point Cove. The waters of Paradise Point Cove in Gaston County between Paradise Circle and Lake Front Drive, west of a line from a point on the south shore at 35.18853 N, 81.04036 W to a point on the north shore at 35.18991 N, 81.04136 W;
- (7) Withers Cove. The waters from a point 50 feet southeast of the Withers Bridge on SR 1116, otherwise known as Shopton Road W. in Mecklenburg County at 35.14576 N, 81.00187 W, to a point 50 feet northwest of the bridge at 35.14599 N, 81.00222 W;
- (8) Sadler Island. The waters shore to shore beginning at a line from a point on the west shore of Lake Wylie in Gaston County at 35.27481 N, 81.0138 W east to a point on the east shore of the Lake in Mecklenburg County at 35.27423 N, 81.01111 W, extending south on the Lake west of Sadler Island to a line from a point on the west shore of the Lake in Gaston County at 35.27079 N, 81.01525 W, east to a point on the west side of Sadler Island in Mecklenburg County at 35.27051 N, 81.01396 W, and the waters shore to shore east of Sadler Island in Mecklenburg County from a point at 35.27441 N, 81.01185 W, south-southwest to a line from a point on the south shore of Sadler Island at 35.26635 N, 81.01432 W, south to a point on the Lake shore at 35.26494 N, 81.01368 W; ~~and~~
- (9) Other bridges. The areas within 50 feet of any bridge in North Carolina that crosses the waters of Lake Wylie that is not otherwise specifically mentioned in this ~~Paragraph.~~ Paragraph; and
- (10) Yachtsman on Lake Wylie Community. The waters within 50 yards of the community piers near the terminus of Waterside Drive in Mecklenburg County, and northward to include the waters east of the island west of Point Lookout Road, ending at a line from a point on the northern end of the island at 35.12226 N, 81.03306 W, east to a point on the shore at 35.12253 N, 81.03190 W.

(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no-wake speed within 50 yards of any public boat-launching ramp, dock, pier, marina, boat storage structure, or boat service area.

(c) Speed Limit in Marked Swimming or Mooring Areas. No person shall operate a vessel at greater than no-wake speed within 50 yards of any marked mooring area or marked swimming area.

(d) Placement and Maintenance of Markers. The Lake Wylie Marine Commission shall be the designated agency for placement and maintenance of markers implementing this Rule.

*History Note: Authority G.S. 75A-3; 75A-15;
Eff. July 1, 1980;*

Amended Eff. July 1, 1994; June 1, 1985; June 1, 1984; March 1, 1983;

Temporary Amendment Eff. January 1, 1998;

Amended Eff. July 1, 1998;

Temporary Amendment Eff. February 4, 2000;

Amended Eff. April 1, 2009; June 1, 2004; July 1, 2000;

Temporary Amendment Eff. May 1, 2015;

Amended Eff. October 1, 2015;

Readopted Eff. October 1, 2018;

Amended Eff. May 1, 2019.

15A NCAC 10F. 0333 LAKE WYLIE MARINE COMMISSION - MECKLENBURG COUNTY

**EMAILS RECEIVED DURING OPEN COMMENT PERIOD FROM
11-1-2018 – 12-31-2018 FOR PROPOSED AMENDMENT AT YACHTSMAN ON LAKE
WYLIE COMMUNITY**

1.

November 6, 2018

Dear Sir;

I am a resident at the Yachtsman at town home 14527 Waterside Drive, Charlotte, NC 28278. My town home faces the lake and seeing some of the potential situations that happen around our marina, I am very much in favor of the proposal for a No Wake Zone around our marina. My boat is docked on the end of Dock C and I have been thrown off balance while on the dock from the waves and fell into the water. Boats come by our docks so close at half plane that I could reach out and shake hands with them. While we have signs on the docks the violators pay it no attention. My wife likes to kayak, but she is afraid to do that in our cove due to boats coming between the docks and the island at 40 mph+. I feel that the No Wake may not solve all of the problems, but certainly would help deter the majority. Me being a boater I know that I personally slow down anytime I see a No Wake Buoy. Please approve the No Wake Zone around the Yachtsman Marina.

Sincerely,

James M. Roland

2.

November 26, 2018

I am a resident of Yachtsman 2 on Lake Wylie. I am in favor of the no wake zone by are docks. I have a boat in the marina and boaters now have no consideration of our marina as they go by at high speeds very close to our docks causing waves and excessive rocking of our boats. I have my boat on a lift and have made numerous repairs because of this.

*Dan Hoagland
Yachtsman 2*

3.

November 20, 2018

As a longtime resident (17 Years) of the Yachtsman Condominiums on Lake Wylie I have seen the lake become more crowded and dangerous. I urge you to approve the bouys in front of the Yachtsman and coves around the community for our personal safety and our marina and boats safety.

Thank you,
Brian Rich

Attachment A

4.

November 13, 2018

To Whom It May Concern,

I have lived in the Yachtsman for nearly 13 years and would hate to estimate how much I've spent on boat lift repairs over the years. Most of the time repair contractors say that the constant beating our lifts and docks receive from the large wakes produced near the vicinity of our complex to be the culprit. This year alone, I've replaced several bolts and paid over a thousand in labor for repairs.

On any given weekend or weekday during the busy season, one can observe boats flying by the docks with no regard to a wake result.

I strongly urge the commission to consider approval for a no wake zone to be placed around the 3 docks at the Yachtsman on Lake Wylie for safety and preservation of our structure.

Mark McClaskey

5.

November 12, 2018

I am a resident of the Yachtsman HOA and support the proposal in the North Carolina Register. I agree with all the reasons listed in the proposal. The regulation of a No Wake Zone for the Yachtsman Marina is much needed.

Please give it the support required.

Thank You

Curtis & Susan Thomas

6.

November 7, 2018

We are residents of the Yachtsman on Lake Wylie community in Charlotte and avid boaters on Lake Wylie. We strongly support an enforceable no-wake zone with buoy deterrents around our marina, beach and the adjacent island that creates a narrow passage at our marina and to an adjacent cove.

Boat, PWC, kayak and other traffic around our marina area has increased in recent years. Our marina has over 50 boats and PWCs. Add to this numerous kayaks and paddleboats that launch from our beach. There are an additional 40+ boats and a boat club in the adjacent cove. Boating traffic in and out of the cove can be very heavy. Boat traffic passes close through the channel between our marina and the island. They are frequently on plane and at high speed. Boaters in and out of our marina have obstructed views from boats and lifts until they are in the traffic channel. We have witnessed numerous near misses and have nearly been hit ourselves.

We hope that all will be done to improve the safety throughout the lake and particularly in congested areas such as our community marina.

Thank you for your consideration.

Regards,

Jim & Rene Trautwein

Attachment A

7.

November 6, 2018

I support the proposed no wake zone around the marina and beach at the Yachtsman community.

Jennifer Murdock

resident of the Yachtsman community

EXHIBIT M

February 21, 2019



FINAL ADOPTION – 15A NCAC 10F .0303 BEAUFORT COUNTY

Notice of Text for a proposed amendment requested by Beaufort County, to place a no-wake zone within the canals at the eastern end of the peninsula between Chocowinity Bay and the Pamlico River near Fork Point and Whichard Beach, was published in the *North Carolina Register* on November 1, 2018 with an open comment period per the requirements of the Administrative Procedure Act.

One public hearing was held during the open comment period on November 28, 2018 with no attendees. During the open comment period no comments were received.

Staff recommends final adoption of 15A NCAC 10F .0303(a)(8) Beaufort County by the Commission. Upon adoption, the rule will be presented for final review by the Rules Review Commission. If RRC approves, the earliest effective date of the Rule will be May 1, 2019.

15A NCAC 10F .0303 BEAUFORT COUNTY

(a) Regulated Areas. This Rule shall apply to the following waters in Beaufort County:

- (1) the portion of Broad Creek south of a line from a point on the east shore at 35.49472 N, 76.95693 W to a point on the west shore at 35.49476 N, 76.96028 W and north of a line from a point on the east shore at 35.48485 N, 76.95178 W to a point on the west shore at 35.48495 N, 76.95619 W;
- (2) the portion of Blounts Creek south of a line 100 yards north of the Blounts Creek Boating Access Area, from a point on the east shore at 35.40846 N, 76.96091 W to a point on the west shore at 35.40834 N, 76.96355 W, and north of a line 100 yards south of Cotton Patch Landing, from a point on the east shore at 35.40211 N, 76.96573 W to a point on the west shore at 35.40231 N, 76.96702 W;
- (3) the waters of Battalina Creek, within the territorial limits of the Town of Belhaven;
- (4) the navigable portion of Nevil Creek extending upstream from its mouth at the Pamlico River;
- (5) the portion of Blounts Creek north of a line 35 yards south-southeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43333 N, 76.96985 W to a point on the west shore at 35.43267 N, 76.97196 W and south of a line 350 yards north-northeast of the Mouth of the Creek Bridge from a point on the east shore at 35.43553 N, 76.96962 W to a point on the west shore at 35.43679 N, 76.97011 W;
- (6) the portion of Tranters Creek east of a line from a point on the north shore at 35.56961 N, 77.09159 W to a point on the south shore at 35.56888 N, 77.09118 W and north of a line from a point on the east shore at 35.56714 N, 77.08941 W to a point on the west shore at 35.56689 N, 77.09029 W; and
- (7) the waters of Little Creek beginning at a line near its mouth from a point on the east shore at 35.41917 N, 76.97102 W to a point on the west shore at 35.41900 N, ~~76.96940 W~~ 76.96940 W; and
- (8) the canals at the eastern end of the peninsula between Chocowinity Bay and the Pamlico River at Fork Point and Whichard Beach, beginning at the canal entrance off of Chocowinity Bay at a point a 35.50296 N, 77.03043 W and beginning at the canal entrance off of the Pamlico River at a point at 35.50340 N, 77.02364 W.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within any of the regulated areas identified in Paragraph (a) of this Rule.

(c) Placement of Markers. The Board of Commissioners of Beaufort County and the City Council of the City of Washington shall be the designated agencies for placement of the markers implementing this Rule, subject to the approval of the United States Coast Guard and United States Army Corps of Engineers.

History Note: Authority G.S. 75A-3; 75A-15

EXHIBIT N-1

February 21, 2019



REGULATORY IMPACT ANALYSIS FOR PROPOSED LICENSE FEE RULE

Rule Amendments: 15A NCAC 10A .1601 LICENSE FEES

Agency Contacts: Carrie Ruhlman, Policy Analyst
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Impact Summary: State Government: Yes
Local Government: No
Private Impact: Yes
Substantial Impact: Yes

Authority: G.S. 113-270.1B; 113-134

I. Summary

The proposed permanent rule, 15A NCAC 10A .1601, License Fees, establishes fees for the hunting, fishing, trapping and activity licenses issued and administered by the Wildlife Resources Commission in Rule as required by Paragraph (e) of 113-270.1B. The Rule also increases the statutory fees associated with those licenses by the total increase in the Consumer Price Index for All Urban Consumers (CPI-U). By adjusting these fees, the agency will be more equipped to deal with inflation moving forward.

II. Introduction and Purpose

This fiscal note summarizes the costs and benefits to the regulated community and the citizens of North Carolina for supporting the continued resource management and regulatory activities of the Wildlife Resources Commission (Commission) through increasing fees to fund these activities as permitted by G.S. 113-270.1B(e). The Commission has determined that the proposed rule has impacts to State Government and private individuals. No impact has been identified to county or municipal governments. However, if a significant number of individuals express buyer resistance because of this proposed fee increase, local government impacts may be realized.

III. Statement of Need

The Wildlife Resources Commission is tasked with conserving and sustaining the State's fish and wildlife resources and their habitats through research, scientific management, wise use, and public input. The Commission is also the regulatory agency responsible for the enforcement of North Carolina's hunting, fishing, trapping, and boating laws.

The Commission is funded by the sale of licenses, vessel titles and registrations, federal grants, general fund appropriations and other receipts. The Commission has an operational budget of approximately \$83 million per year and employs over 650 full-time employees, including: biologists, technicians, wildlife officers, conservation educators, public information officers, customer service, information technology, and administrative professionals.

The following is a breakdown of agency revenue sources for fiscal year 2017-18:

Federal funds:	30%
License receipts:	24%
Vessel receipts:	15%
Appropriations:	13%
Other receipts:	18%

IV. Background & License Information

The Commission has been granted the ability via G.S. 113-270.1B to increase license fees in Rule by the total increase in the Consumer Price Index for All Urban Consumers (CPI-U) since the last fee change. The last license fee change was effective August 1, 2014. As such, the CPI-U for this fee increase has been calculated using the average increase in the CPI-U from August 1, 2014 through August 1, 2018 (6%).¹

The proposed rule has new fees for 74 different licenses issued and administered by the Commission. The lowest fee increase is \$0.30 and the highest is \$72. The complete list of licenses and associated increases can be found in Appendix B.

¹ Bureau of Labor Statistics, U.S. Department of Labor, *Consumer Price Index- All Urban Consumers, Series ID CUUR0000SA0*. 2018 <https://www.bls.gov/cpi/data.htm>.

V. Purpose of Fee Increase

Due to rising costs of employee salaries, benefits and other operating expenses, the agency is projected to have a \$1.7 million shortfall in managing these expenses in fiscal year '18-'19. Expected operating expenses have been calculated using an exponential smoothing method combined with a salary increase in 2018, that had not been recorded in the prior five years from which expenditures were projected (Table 4). The increasing costs associated with employee salaries are due to standard wage growth and the agency's response to equitable salary distribution amongst its employees for employee retention purposes and to meet the agency's strategic planning initiatives.

Additionally, the agency's operational costs have increased over time. The agency is involved in public infrastructure accesses on a routine basis which involve the purchase of lumber and other construction materials – the costs of all of which have risen since the agency's last fee increase in 2014. Fixed assets must be purchased and maintained in order to facilitate the construction and maintenance of the agency's infrastructure. Another primary agency objective is the enforcement of wildlife related laws which requires over 200 law enforcement personnel to provide 24-hour accessibility to the public. This responsibility demands that the agency provide a vehicle to each law enforcement officer and that boats (and associated trailers) be provided within regional areas of the state. At present, the agency's equipment (trucks, boats, tractors, etc.) associated with the enforcement and construction/maintenance of public-facing infrastructure at an age greater than 10 years is at 40%. This translates into additional costs for replacement and/or repairs to equipment now and over the next several years.

The agency's total personal services budget for '18-'19 is \$49,212,376, 77% of which is receipt-supported. Total personal services are expected to increase 3.6% or \$1,743,598 over fiscal year '17-'18, and no significant increase in appropriations is anticipated. In fact, appropriations were only increased by \$424,872 as a means to provide two (2) general-fund supported positions in fiscal year '17-'18.

Given that the Commission is largely a receipt supported agency, there are few additional funding sources available to mitigate the anticipated shortfall. While the Wildlife Endowment Fund is often regarded as a fall-back measure, it is important to note the Commission is limited in the use of these funds. The Commission has the authority to utilize a portion of the interest earned annually on this fund for "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." ² However, recurring agency use for personal services would not serve the purpose for which the Wildlife Endowment Fund was established. Thus, the agency must find other sources to overcome the \$1.7 million shortfall which do not negatively impact the present level of support being provided to the regulated community and the citizens of North Carolina. The agency anticipates that the proposed fee increase will assist with filling the funding gap without any significant negative impacts to the regulated community.

² G.S. 143-250.1

VI. Impact

Fiscal Impact - Agency

The income generated from the proposed license fee increases will have a substantial impact on the overall revenue generated by the Commission. This increased income will contribute significantly towards closing the agency’s funding gap. While the fee increase relating to the CPI-U represents a moderate increase to the cost of individual licenses, the cumulative effect of income generated is substantial. The potential revenue generation per license is detailed in Appendix B.

As a conservative measure, the projected sales of all hunting, fishing, trapping, and activity licenses through 2021 were calculated using the moving average of annual sales from 2015 to 2018. Where longitudinal sales figures were not available, trends were estimated from the 2018 sales data. Over the three-year projected income figures, annual revenue is estimated to increase by an average of approximately \$1,309,680 each year (Figure 1). The largest revenue increases are expected from the sale of fishing licenses. While the fee increases per license are relatively insignificant, the sheer number of licenses issued will cumulatively comprise a potentially significant source of revenue. For example, approximately 203,555 *Resident Sate Inland Fishing* licenses are issued each year. The proposed additional \$1.20/license has the potential to generate an average annual increase in agency revenue, over the next three years, of approximately \$230,666/year. Another large portion of revenue comes from the sale of the *Annual Sportsman* license (approximately 104,111 sold per year). The proposed increase of \$3.01/license has the potential to increase agency revenue by an average of \$312,674/year.

There are also a number of licenses issued and administer by WRC that are either shared or owned by the Division of Marine Fisheries (DMF). These licenses include Coastal Recreational Fishing Licenses (CRFL) and Unified Fishing Licenses. Because these 21 licenses are included in the proposed Rule and CPI-U increase, DMF revenues are also anticipated to increase (Table 2). Projected sales for the licenses in Table 2 were estimated using exponential smoothing. Changes in the prices of CRFLs and Unified licenses result in an average annual increase in income of approximately \$250,000 and \$131,300 for each license respectively, for an anticipated total average annual revenue increase of approximately \$381,300 for DMF.

Table 1: Change in revenues anticipated for the Division of Marine Fisheries (DMF) following the proposed fee increase.

	BAU CRFL	BAU Unified	BAU Total	Fee increased CRFL	Fee increased Unified	Fee increased Total	Δ Revenue
2019	\$4,152,540	\$2,206,805	\$6,359,345	\$4,401,692	\$2,339,213	\$6,740,906	\$381,561
2020	\$4,163,740	\$2,193,580	\$6,357,320	\$4,413,564	\$2,325,195	\$6,738,759	\$381,439
2021	\$4,184,215	\$2,165,195	\$6,349,410	\$4,435,268	\$2,295,107	\$6,730,375	\$380,965
NPV (7% Discount)	\$1,000,743.58						

NOTE: BAU is business as usual approach where fees are not increased.

Unfortunately, applying the CPI-U to current license fees does not typically yield new fees that are whole dollar amounts. In order to maximize potential revenue (not rounding down to the nearest whole dollar) and improve convenience for constituents, the agency will be offering a voluntary round-up option on license fees at the time of purchase. Funds collected by rounding up will be a donation to the Non-Game and Endangered Species Fund. While voluntary donations are currently accepted by the agency, the option to round up on a license fee has never been necessary. Constituents do currently have the option when purchasing a license, to donate \$1 or \$2 to the Outdoor Heritage Trust Fund as an add-on to their purchase, and this option has generated approximately \$216,500 for the fund since July 1, 2016. Though the agency does anticipate some additional revenue from this option, it is difficult to anticipate or predict participation, and thus, an amount cannot be estimated.

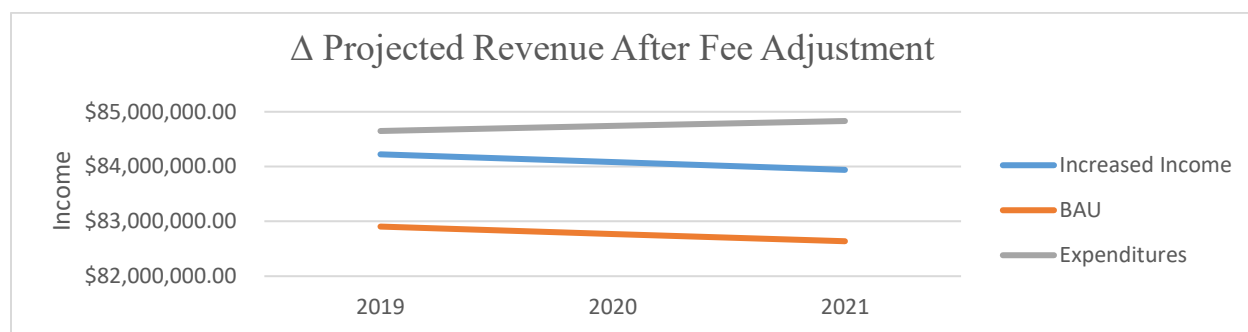


Figure 1: Estimated change in revenue from license fees after the implementation of proposed fee adjustments.

Economic Impact – Private Individuals

The burden of costs associated with the proposed fee increases fall solely on the individual licensees. However, because the increases to individual licenses are relatively small, the agency does not anticipate significant negative impacts on license sales and, therefore the economic contributions of licensed individuals. Using annual state hunting license data from 2008-2018, a linear regression model was used to determine the relationship between annual sales and prices. With the changes in annual price of a hunting license being adjusted for inflation (using 2008 as a reference point), as well as the price increase in 2014, the model did not identify a significant negative relationship between license purchases and price changes (Table 2). However, a caveat of the measured relationship is that it does not account for changes in license purchases for reasons other than price, such as the decreasing interest in hunting which has been observed by the U.S. Fish and Wildlife Service.³ This trend and other unidentified factors affecting sales cannot be controlled for at this time with the available data. Therefore, the effect of increased prices on license sales is uncertain.

³ United States Fish and Wildlife Service, *National Survey of Fishing, Hunting, and Wildlife-Associated Recreation*. (2011;2016)

Table 2: Statistical relationship between the price of fees and total annual sales for WRC Hunting and Fishing licenses from 2008 to 2018.

	Estimate	SE	statistic	p-value
Fee	6.17	13.19	-0.468	.651
Sales	0.001	.0002	1.745	.115

VII. Alternatives

The agency has continued to reduce its operating expenditures in order to offset the increasing costs of salaries, benefits and other operating expenses. However, this model will not continue to be effective as costs increase. The agency cannot maintain this model if the increased demand for services and infrastructure is to be met. Thus, several alternatives have been considered to narrow the funding gap before proposing the rule in Appendix A. These included moving the fees to rule without an increase and applying the CPI-U to the statutory fees but rounding down to the nearest \$0.25. The Commission dismissed the alternative of leaving the fees as-is in favor of utilizing the CPI-U, as allowed by statute, to raise the fees and assist with narrowing the funding gap and increasing fees for under-valued licenses. Rounding license increases down to the nearest \$0.25 would decrease total projected annual revenue by approximately \$115,942 on average per annum over the next three years (approximately \$67,096/year for WRC and approximately \$48,846/year for DMF). Due to such substantial potential losses in revenue, the Commission also dismissed this option.

VIII. Uncertainties Regarding Participants' Sensitivity to Proposed Fee Increases

Determining future trends in the number of each license sold is difficult. Information in this section has been compiled from actual license sale and trend data since the last license fee increase August 1, 2014.

The Commission's 2014 fee increases, while not a wholesale fee restructuring, did target specific licenses for increase, but was designed so as not to alienate the hunting and angling public while strategically capturing revenue for the most utilized and most under-valued licenses. Given that the agency had not increased fees since the 1980's, many of its licenses were not appropriately valued for the 2014 market conditions. These fee increases ranged from \$2 to \$200 per license.

As the Commission worked its way through the impact of the 2014 fee increases, the need for routine fee increases became apparent. As a measured approach to fee increase methodology, the Commission requested changes to legislation, specifically Sec.13A.3 of S.L. 2017-257 which amended the statutory limit on increases in fees for hunting, fishing, trapping and other activity licenses issued and administered by the Commission to allow a fee increase to reflect the total

increase in the Consumer Price Index for All Urban Consumers since the last fee revision. The original statute capped fee increases at the annual increase in the Consumer Price Index averaged over the last five years, which encouraged the Commission to adopt relatively small annual increases in fees or have its inflation adjusted fee receipts diminish over time.

As depicted in Figures 2 and 3 below, total licenses purchased have been in decline since the fee increase, while license revenue from hunting and fishing licenses began to decrease in fiscal year 2016-17 and has continued this decline. While it could be assumed that the increase in license fees alone caused this decline, this relationship cannot be conclusively drawn based on available data (Table 2). Nonetheless, the downward trend of license sales is a concerning statistic which could be attributed to a variety of factors. For instance, a series of national surveys conducted by the U.S. Fish and Wildlife Service⁴ found a decreasing trend in the participation of hunters and anglers. Additionally, there seems to be a direct correlation between the decreasing sale of annual licenses and the increasing number of active licenses, which includes active lifetime licenses which are a one-time purchase (Figure 4). These observations could suggest that more people are holding or purchasing lifetime licenses instead of annual licenses, thus contributing to the declining license sales and revenues alongside decreasing participation rates.

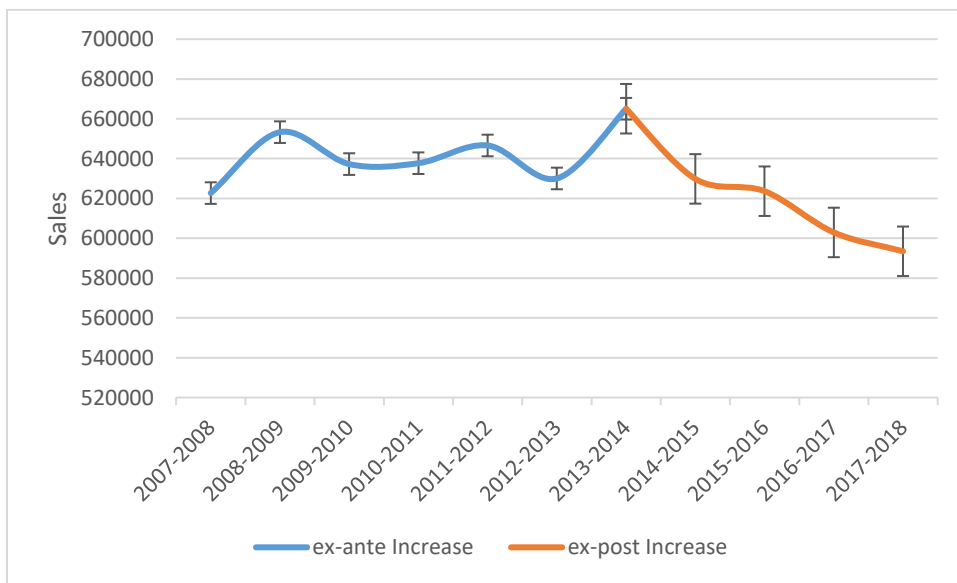


Figure 2: Annual amount of licenses purchased (excluding activity licenses), before and after the fee increase in 2014.

⁴ United States Fish and Wildlife Service, *National Survey of Fishing, Hunting, and Wildlife-Associated Recreation*. (2011;2016)

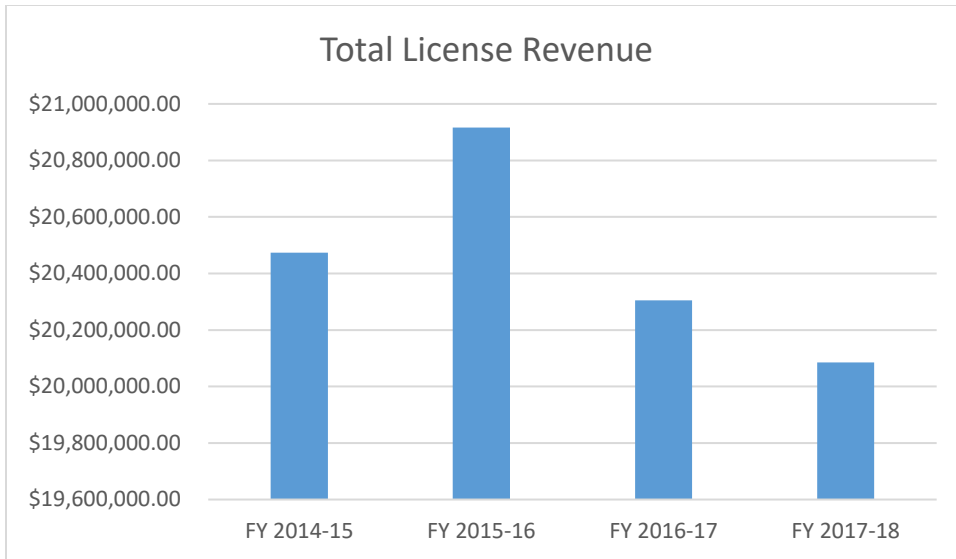


Figure 3: Total recreational license revenues (excluding activity licenses) obtained by the Commission, following the increase in the price of hunting, fishing and, trapping licenses.

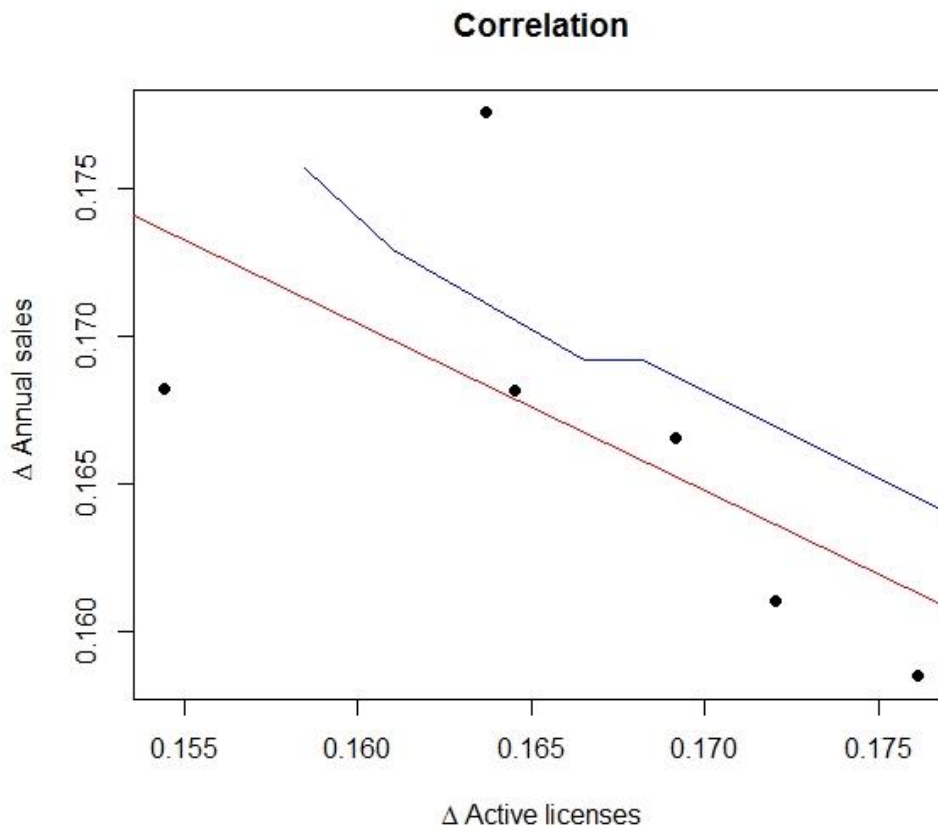


Figure 4: Correlation between declining sales and increasing active lifetime licenses.

This decline in annual sales makes it difficult to accurately determine the long-term impacts of these proposed increases on revenue, as it is likely that the trend of decreasing sales would have occurred regardless of fee increases.

Sensitivity Analysis

While the decline in the sale of licenses has been recorded in the years following the last fee increase, it could be attributed to a number of factors. While it is unlikely that buyer resistance is a leading factor, it is important to understand the potential for buyer resistance when proposing new fees. If price sensitivity is higher than expected, agency revenues will be lower than projected. Furthermore, if individuals choose not to purchase a license due to the price increase, those individuals will lose the benefits of the activity and experience.

According to a 2011 study on license fees in NC by Responsive Management, 80% of participants in hunting and fishing at that time found the licenses to be undervalued. However, they also showed high levels of resistance to an increase in the license fees⁵. After explaining that the fee had not been increased since 1987, participants in the study indicated lower levels of opposition for an increase. After then being presented with an explanation of how the increased license fees were spent, there was even lower opposition.

IX. Conclusions

Table 3: 3-year projections of annual WRC revenue from license sales (formulated using exponential smoothing of annual license for sales data for each license from previous 4 years) for increased fees and a business as usual (BAU) approach where fees are not increased.

	2018	2019	2020	2021
Total License Sales	697573	691639	685829	680016
BAU License Revenue	\$22,128,085.00	\$21,961,796.00	\$21,828,005.00	\$21,694,188.00
Fee Increase License Revenue	-	\$23,279,503.76	\$23,137,685.30	\$22,995,839.28
Δ Revenue	-	\$1,317,707.76	\$1,309,680.30	\$1,301,651.28
BAU Total Revenue	\$83,071,760.63	\$82,905,471.63	\$82,771,680.63	\$82,637,863.63
Expenditures	\$82,979,355.12	\$84,649,225.02	\$84,740,034.20	\$84,830,843.39
BAU Gap	\$92,405.51	(\$1,743,753.39)	(\$1,968,353.57)	(\$2,192,979.76)
Reduced Gap	-	(\$426,045.63)	(\$658,673.27)	(\$891,328.48)
Net Present Value				
7% Discount Rate				\$3,437,963.25

⁵ Duda, M.D. et al., 2011. *Understanding the Impact of Changes to North Carolina’s Hunting and Fishing License Structure and Fee Schedule*. Responsive Management, pp. 370-371.

Twenty-four percent (24%) of the agency's annual revenue comes from the sale of hunting, fishing, trapping, and activity licenses. Little has been done over the past five years to help the agency keep up with the rising cost of living and employee benefits. Due to the nature of the agency's funding structure, there are few options available to mitigate this shortfall.

The Commission believes that the fiscal benefits to the agency from the proposed fee increases far outweigh the minimal costs (\$0.30 - \$72) per license to our constituency. Additionally, by transferring statutory license fees to rule, the Commission will be better equipped in the future to efficiently and effectively keep up with inflation.

Direct Impacts from Proposed Rule

State: Increased total revenue of approximately \$3,929,039 over the next 3 years (a NPV of \$3.4 million in 2019 dollars using a 7% discount rate) for the WRC. The DMF will receive an increased total revenue of approximately \$1,143,965 over the next 3 years with a NPV of approximately \$1,000,743.58. In total, the expected increase in revenue over the next three fiscal years is approximately \$5,073,004 (NPV \$4,438,706.83).

Private: Depending on license(s) purchased, individuals could incur an additional cost of \$0.30 to \$30.05 for annual licenses or an additional one-time cost of \$0.90 to \$72 for lifetime licenses.

Appendix A: Proposed Rule Text

15A NCAC 10A .1601 LICENSES FEES

(a) License fees established by the Commission in this Rule shall be subject to the requirements of G.S. 113-270.1B(e).

(b) The following fees shall apply to combination hunting and inland fishing licenses issued by the Commission, as set forth in G.S. 113-270.1C:

- (1) Resident Annual Combination Hunting and Inland Fishing License - \$26.50.
- (2) Resident Disabled Veteran Lifetime Combination Hunting and Inland Fishing License - \$10.60.
- (3) Resident Totally Disabled Lifetime Combination Hunting and Inland Fishing License - \$10.60.

(c) The following fees shall apply to sportsman licenses issued by the Commission, as set forth in G.S. 113-270.1D:

- (1) Annual Sportsman License - \$53.01.
- (2) Infant Lifetime Sportsman License - \$212.00.
- (3) Youth Lifetime Sportsman License - \$371.00.
- (4) Adult Resident Lifetime Sportsman License - \$530.00.
- (5) Nonresident Lifetime Sportsman License - \$1,272.00.
- (6) Age 70 Resident Lifetime Sportsman License - \$15.90.
- (7) Resident Disabled Veteran Lifetime Sportsman License - \$106.00.
- (8) Resident Totally Disabled Lifetime Sportsman License - \$106.00.

(d) The following fees shall apply to hunting licenses issued by the Commission, as set forth in G.S. 113-270.2:

- (1) Resident State Hunting License - \$21.20.
- (2) Lifetime Resident Comprehensive Hunting License - \$265.00.
- (3) Controlled Hunting Preserve Hunting License - \$21.20.
- (4) Resident Annual Comprehensive Hunting License - \$38.16.
- (5) Nonresident State Hunting Licenses:
 - (A) Season License - \$84.81.
 - (B) Ten-Day License - \$63.61.

(e) The following fees shall apply to special activity licenses issued by the Commission, as set forth in G.S. 113-270.3:

- (1) Resident Big Game Hunting License - \$13.78.
- (2) Nonresident Bear Hunting License - \$238.52.
- (3) Bear Management Stamp - \$10.60.
- (4) Nonresident Big Game Hunting License:
 - (A) Season License - \$84.81.
 - (B) Ten-Day License - \$63.61.
- (5) Bonus Antlerless Deer License - \$10.60.
- (6) Game Land License - \$15.90.
- (7) Falconry License - \$10.60.
- (8) Migratory Waterfowl Hunting License - \$13.78.

Appendix A: Proposed Rule Text

(9) Resident American Alligator License – \$250.00. (New license, not included in CPI-U)

(10) Nonresident American Alligator License – \$500.00. (New license, not included in CPI-U)

(11) Resident Elk License – \$500.00. (New license, not included in CPI-U)

(12) Nonresident Elk License - \$1,000.00. (New license, not included in CPI-U)

(f) The following fees shall apply to hunting and fishing guide licenses issued by the Commission, as set forth in G.S. 113-270.4:

(1) Resident Hunting and Fishing Guide License - \$15.90.

(2) Nonresident Hunting and Fishing Guide License - \$159.02.

(g) The following fees shall apply to trapping licenses issued by the Commission, as set forth in G.S. 113-270.5:

(1) Resident State Trapping License - \$31.80.

(2) Nonresident State Trapping License - \$132.51.

(h) The following fees shall apply to hook-and-line licenses in inland and joint fishing waters issued by the Commission, as set forth in G.S. 113-271:

(1) Resident Annual Comprehensive Inland Fishing License - \$26.50.

(2) Resident State Inland Fishing License - \$21.20.

(3) Lifetime Resident Comprehensive Inland Fishing License - \$265.00.

(4) Nonresident State Inland Fishing License - \$38.16.

(5) Short-Term Inland Fishing License:

(A) Resident 10-day Inland Fishing License - \$7.42.

(B) Nonresident 10-day Inland Fishing License - \$19.08.

(6) Age 70 Resident Lifetime Inland Fishing License - \$15.90.

(7) Resident Disabled Veteran Lifetime Inland Fishing License - \$10.60

(8) Resident Totally Disabled Lifetime Inland Fishing License - \$10.60.

(9) Special Landholder and Guest Fishing License - \$106.01.

(i) The following fees shall apply to the Special Trout License and Mountain Heritage Trout Waters 3-day Fishing License issued by the Commission, as set forth in G.S. 113-272:

(1) Special Trout License - \$13.78.

(2) Mountain Heritage Trout Waters 3-Day Fishing License - \$5.30.

(j) The following fees shall apply to special device licenses issued by the Commission, as set forth in G.S. 113-272.2:

(1) Resident Special Device License - \$79.51.

(2) Nonresident Special Device License - \$530.05.

(k) The fee for a collection license issued by the Commission as set forth in G.S. 113-272.4 shall be \$5.30.

(l) The fee for a captivity license issued by the Commission as set forth in G.S. 113-272.5 shall be \$5.30.

(m) The following fees shall apply to dealer licenses issued by the Commission as set forth in G.S. 113-273:

(1) Resident Fur-dealer License - \$63.61.

(2) Nonresident Fur-dealer License - \$318.03.

(3) Fur-dealer Station License - \$127.21.

Appendix A: Proposed Rule Text

- (4) Controlled Hunting Preserve Operator License - \$53.01.
- (5) Game Bird Propagation License - \$5.30.
- (6) Furbearer Propagation License - \$26.50.
- (7) Taxidermy License - \$10.60.

(n) The following fees shall apply to unified hunting and fishing licenses issued by the Commission, as set forth in G.S. 113-351:

- (1) Annual Resident Unified Sportsman/Coastal Recreational Fishing License - \$68.90.
- (2) Annual Resident Unified Inland/Coastal Recreational Fishing License - \$42.40.
- (3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses:
 - (A) Infant Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$291.50.
 - (B) Youth Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$477.00.
 - (C) Resident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$715.50.
 - (D) Nonresident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$1,643.00.
 - (E) Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$31.80.
 - (F) Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$116.60.
 - (G) Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$116.60.
- (4) Resident Lifetime Unified Inland/Coastal Recreational Fishing License - \$477.00.

(o) The following fees shall apply to Coastal Recreational Fishing Licenses issued by the Commission, as set forth in G.S. 113-174.2:

- (1) Annual Resident Coastal Recreational Fishing License - \$15.90.
- (2) Annual Nonresident Coastal Recreational Fishing License - \$31.80.
- (3) Ten-Day Resident Coastal Recreational Fishing License - \$5.30.
- (4) Ten-Day Nonresident Coastal Recreational Fishing License - \$10.60.
- (5) Infant Lifetime Coastal Recreational Fishing License - \$106.00.
- (6) Youth Lifetime Coastal Recreational Fishing License - \$159.00.
- (7) Resident Adult Lifetime Coastal Recreational Fishing License - \$265.00.
- (8) Nonresident Adult Lifetime Coastal Recreational Fishing License - \$530.00.
- (9) Resident Age 70 Lifetime Coastal Recreational Fishing License - \$15.90.
- (10) Resident Disabled Veteran Coastal Recreational Fishing License - \$10.60.
- (11) Resident Totally Disabled Coastal Recreational Fishing License - \$10.60.

*History Note: Authority G.S. 113-270.1B; 113-134;
Eff. August 1, 2018*

Appendix B: Proposed fee increases and potential revenue for the next three fiscal years

License Type	Current Fee	Proposed Fee	Fee increase	Sales 2019	Increased Revenue 2019	Sales 2020	Increased Revenue 2020	Sales 2021	Increased Revenue 2021
Resident Annual H/F Combo	\$25.00	\$26.50	\$1.50	11730	\$20,982.00	11193	\$16,789.50	10656	\$15,984.00
Resident State Hunting	\$20.00	\$21.20	\$1.20	26433	\$32,666.00	24901	\$29,881.20	23369	\$28,042.80
NR Hunting	\$80.00	\$84.80	\$4.80	6760	\$29,882.00	6885	\$33,048.00	7010	\$33,648.00
NR 10-Day Hunting	\$60.00	\$63.60	\$3.60	7872	\$25,687.00	8003	\$28,810.80	8133	\$29,278.80
Resident State Inland Fishing	\$20.00	\$21.20	\$1.20	178059	\$208,027.00	170976	\$205,171.20	163893	\$196,671.60
NR State Inland Fishing	\$36.00	\$38.16	\$2.16	31949	\$53,860.00	33210	\$71,733.60	34470	\$74,455.20
Resident 10-day	\$7.00	\$7.42	\$0.42	23894	\$6,629.00	23372	\$9,816.24	22850	\$9,597.00
NR 10-day	\$18.00	\$19.08	\$1.08	46785	\$45,799.00	46999	\$50,758.92	47213	\$50,990.04
Wildlife and Scientific Fish Collection*	\$5.00	\$5.30	\$0.30	306	\$77.00	306	\$91.80	306	\$91.80
Annual Sportsman	\$50.00	\$53.00	\$3.00	86732	\$321,477.00	81949	\$245,847.00	77165	\$231,495.00
Controlled Hunting Preserve	\$20.00	\$21.20	\$1.20	1755	\$1,468.00	1826	\$2,191.20	1896	\$2,275.20
Resident Annual Comprehensive Hunting	\$36.00	\$38.16	\$2.16	13898	\$22,902.00	14553	\$31,434.48	15207	\$32,847.12
Resident Big Game Hunting	\$13.00	\$13.78	\$0.78	26963	\$24,426.00	25620	\$19,983.60	24278	\$18,936.84
Nonresident Bear Hunting	\$225.00	\$238.50	\$13.50	1116	\$9,275.00	1221	\$16,483.50	1327	\$17,914.50
Bear Management Stamp	\$10.00	\$10.60	\$0.60	31418	\$12,499.00	33014	\$19,808.40	34611	\$20,766.60
Nonresident Big Game Hunting - Season	\$80.00	\$84.80	\$4.80	4518	\$20,340.00	4580	\$21,984.00	4642	\$22,281.60
Nonresident Big Game Hunting - 10-Day	\$60.00	\$63.60	\$3.60	4702	\$15,131.00	4792	\$17,251.20	4882	\$17,575.20
Bonus Antlerless Deer	\$10.00	\$10.60	\$0.60	2383	\$1,470.00	2246	\$1,347.60	2109	\$1,265.40
Game Land	\$15.00	\$15.90	\$0.90	4139	\$2,794.00	4230	\$3,807.00	4320	\$3,888.00
Falconry	\$10.00	\$10.60	\$0.60	136	\$58.00	141	\$84.60	146	\$87.60
Migratory Waterfowl Hunting	\$13.00	\$13.78	\$0.78	7334	\$5,368.00	7371	\$5,749.38	7408	\$5,778.24
Resident American Alligator License*	\$250.00	\$250.00	\$0.00		\$0.00		\$0.00		\$0.00

Appendix B: Proposed fee increases and potential revenue for the next three fiscal years

License Type	Current Fee	Proposed Fee	Fee increase	Sales 2019	Increased Revenue 2019	Sales 2020	Increased Revenue 2020	Sales 2021	Increased Revenue 2021
Nonresident American Alligator License*	\$500.00	\$500.00	\$0.00		\$0.00		\$0.00		\$0.00
Resident Elk License*	\$500.00	\$500.00	\$0.00		\$0.00		\$0.00		\$0.00
Nonresident Elk License*	\$1,000.00	\$1,000.00	\$0.00		\$0.00		\$0.00		\$0.00
Resident State Trapping	\$30.00	\$31.80	\$1.80	2232	\$3,978.00	2214	\$3,985.20	2195	\$3,951.00
Nonresident State Trapping	\$125.00	\$132.50	\$7.50	27	\$240.00	26	\$195.00	25	\$187.50
Special Landholder & Guest Fishing	\$100.00	\$106.00	\$6.00	536	\$4,080.00	499	\$2,994.00	462	\$2,772.00
Special Trout	\$13.00	\$13.78	\$0.78	39430	\$22,404.00	41941	\$32,713.98	44453	\$34,673.34
Mountain Heritage Trout Waters 3-Day Fishing	\$5.00	\$5.30	\$0.30	5643	\$663.00	6350	\$1,905.00	7057	\$2,117.10
Resident Special Device	\$75.00	\$79.50	\$4.50	129	\$630.00	131	\$589.50	134	\$603.00
Nonresident Special Device	\$500.00	\$530.00	\$30.00	0	\$0.00	0		0	
Hunting and Fishing Guide License - Resident	\$15.00	\$15.90	\$0.90	1733	\$1,119.00	1791	\$1,611.90	1850	\$1,665.00
Hunting and Fishing Guide License - Nonresident	\$150.00	\$159.00	\$9.00	73	\$612.00	74	\$666.00	76	\$684.00
Wildlife and Scientific Collection	\$5.00	\$5.30	\$0.30	306	\$77.00	306	\$91.80	306	\$91.80
Captivity License	\$5.00	\$5.30	\$0.30	525	\$131.00	525	\$157.50	525	\$157.50
Fur Dealer - Resident	\$60.00	\$63.60	\$3.60	7	\$14.00	8	\$28.80	9	\$32.40
Fur Dealer - Nonresident	\$300.00	\$318.00	\$18.00	2	\$36.00	2	\$36.00	2	\$36.00
Fur Station	\$120.00	\$127.20	\$7.20	3	\$7.00	3	\$21.60	3	\$21.60
Controlled Hunting Preserve Operator	\$50.00	\$53.00	\$3.00	348	\$1,044.00	348	\$1,044.00	348	\$1,044.00
Gamebird Propagation	\$5.00	\$5.30	\$0.30	402	\$101.00	402	\$120.60	402	\$120.60
Furbearer Propagation	\$25.00	\$26.50	\$1.50	0	\$0.00	0	\$0.00	0	\$0.00
Taxidermy	\$10.00	\$10.60	\$0.60	515	\$258.00	515	\$309.00	515	\$309.00

Appendix B: Proposed fee increases and potential revenue for the next three fiscal years

License Type	Current Fee	Proposed Fee	Fee increase	Sales 2019	Increased Revenue 2019	Sales 2020	Increased Revenue 2020	Sales 2021	Increased Revenue 2021
Resident Disabled Veteran & Totally Disabled Lifetime Combo Hunting & Fishing	\$10.00	\$10.60	\$0.60	339	\$283.00	284	\$170.40	230	\$138.00
Infant Lifetime Sportsman	\$200.00	\$212.00	\$12.00	2358	\$28,872.00	2349	\$28,188.00	2339	\$28,068.00
Youth Lifetime Sportsman	\$350.00	\$371.00	\$21.00	357	\$9,093.00	346	\$7,266.00	334	\$7,014.00
Adult Lifetime Sportsman	\$500.00	\$530.00	\$30.00	717	\$25,770.00	681	\$20,430.00	646	\$19,380.00
Nonresident Lifetime Sportsman	\$1,200.00	\$1,272.00	\$72.00	53	\$3,960.00	53	\$3,816.00	53	\$3,816.00
Age 70 Resident Lifetime Sportsman	\$15.00	\$15.90	\$0.90	3800	\$3,248.00	3687	\$3,318.30	3573	\$3,215.70
Resident Disabled Veteran & Totally Disabled Lifetime Sportsman	\$100.00	\$106.00	\$6.00	91	\$1,446.00	54	\$324.00	17	\$102.00
Lifetime Resident Comprehensive Hunting	\$250.00	\$265.00	\$15.00	462	\$7,560.00	451	\$6,765.00	440	\$6,600.00
Lifetime Resident Comprehensive Inland Fishing	\$250.00	\$265.00	\$15.00	711	\$6,195.00	786	\$11,790.00	861	\$12,915.00
Age 70 Resident Lifetime Inland Fishing	\$15.00	\$15.90	\$0.90	8841	\$6,459.00	8927	\$8,034.30	9013	\$8,111.70
Resident Disabled Veteran & Totally Disabled Lifetime Inland Fishing	\$10.00	\$10.60	\$0.60	1237	\$754.00	1168	\$700.80	1099	\$659.40

Appendix B: Proposed fee increases and potential revenue for the next three fiscal years

License Type	Current Fee	Proposed Fee	Fee increase	Sales 2019	Increased Revenue 2019	Sales 2020	Increased Revenue 2020	Sales 2021	Increased Revenue 2021
Annual Resident Unified Sportsman/Coastal Recreational Fishing (WRC \$50)	\$50.00	\$53.00	\$3.00	42718	\$128,154.00	42338	\$127,014.00	41958	\$125,874.00
Annual Resident Unified Inland/Coastal Recreational Fishing (WRC \$25)	\$25.00	\$26.50	\$1.50	43100	\$64,650.00	45606	\$68,409.00	48111	\$72,166.50
Infant Lifetime Unified Sportsman/Coastal Recreational Fishing (WRC \$200)	\$200.00	\$212.00	\$12.00	5485	\$65,820.00	5779	\$69,348.00	6072	\$72,864.00
Youth Lifetime Unified Sportsman/Coastal Recreational Fishing (WRC \$350)	\$350.00	\$371.00	\$21.00	589	\$12,369.00	601	\$12,621.00	613	\$12,873.00
Adult Lifetime Unified Sportsman/Coastal Recreational Fishing (WRC \$500)	\$500.00	\$530.00	\$30.00	1220	\$36,600.00	1269	\$38,070.00	1318	\$39,540.00
Nonresident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing (WRC \$1,200)	\$1,200.00	\$1,272.00	\$72.00	16	\$1,152.00	16	\$1,152.00	16	\$1,152.00
Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing (WRC \$15)	\$15.00	\$15.90	\$0.90	6868	\$6,181.20	6946	\$6,251.40	7024	\$6,321.60
Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing (WRC \$100)	\$100.00	\$106.00	\$6.00	983	\$5,898.00	1024	\$6,144.00	1066	\$6,396.00
Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing (WRC \$100)	\$100.00	\$106.00	\$6.00	331	\$1,986.00	310	\$1,860.00	288	\$1,728.00
Resident Lifetime Unified Inland/Coastal Recreational Fishing (WRC \$250)	\$250.00	\$265.00	\$15.00	570	\$8,550.00	631	\$9,465.00	692	\$10,380.00

Appendix B: Proposed fee increases and potential revenue for the next three fiscal years

License Type	Current Fee	Proposed Fee	Fee increase	Sales 2019	Increased Revenue 2019	Sales 2020	Increased Revenue 2020	Sales 2021	Increased Revenue 2021
Annual Resident Unified Sportsman/Coastal Recreational Fishing (DMF)	\$15.00	\$15.90	\$0.90	42718	\$679,216.20	42749	\$679,709.10	42964	\$683,127.60
Annual Resident Unified Inland/Coastal Recreational Fishing (DMF)	\$15.00	\$15.90	\$0.90	43100	\$685,290.00	43110	\$685,449.00	41968	\$667,291.20
Infant Lifetime Unified Sportsman/Coastal Recreational Fishing (DMF)	\$75.00	\$79.50	\$4.50	5485	\$436,057.50	5437	\$432,241.50	5325	\$423,337.50
Youth Lifetime Unified Sportsman/Coastal Recreational Fishing (DMF)	\$100.00	\$106.00	\$6.00	589	\$62,434.00	591	\$62,646.00	583	\$61,798.00
Adult Lifetime Unified Sportsman/Coastal Recreational Fishing (DMF)	\$175.00	\$185.50	\$10.50	1220	\$226,310.00	1187	\$220,188.50	1179	\$218,704.50
Nonresident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing (DMF)	\$350.00	\$371.00	\$21.00	16	\$5,936.00	15	\$5,565.00	15	\$5,565.00
Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing (DMF)	\$15.00	\$15.90	\$0.90	6868	\$109,201.20	6829	\$108,581.10	6823	\$108,485.70
Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing (DMF)	\$10.00	\$10.60	\$0.60	983	\$10,419.80	927	\$9,826.20	937	\$9,932.20

Appendix B: Proposed fee increases and potential revenue for the next three fiscal years

License Type	Current Fee	Proposed Fee	Fee increase	Sales 2019	Increased Revenue 2019	Sales 2020	Increased Revenue 2020	Sales 2021	Increased Revenue 2021
Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing (DMF)	\$10.00	\$10.60	\$0.60	331	\$3,508.60	294	\$3,116.40	325	\$3,445.00
Resident Lifetime Unified Inland/Coastal Recreational Fishing (DMF)	\$200.00	\$212.00	\$12.00	570	\$120,840.00	556	\$117,872.00	535	\$113,420.00
Annual Resident CRFL	\$15.00	\$15.90	\$0.90	110323	\$1,754,135.70	110224	\$1,752,561.60	112071	\$1,781,928.90
Annual Nonresident CRFL	\$30.00	\$31.80	\$1.80	22328	\$710,030.40	22351	\$710,761.80	22067	\$701,730.60
Ten-Day Resident CRFL	\$5.00	\$5.30	\$0.30	44975	\$238,367.50	45786	\$242,665.80	46014	\$243,874.20
Ten-Day Nonresident CRFL	\$10.00	\$10.60	\$0.60	136359	\$1,445,405.40	136876	\$1,450,885.60	137663	\$1,459,227.80
Infant Lifetime CRFL	\$100.00	\$106.00	\$6.00	81	\$8,586.00	88	\$9,328.00	84	\$8,904.00
Youth Lifetime CRFL	\$150.00	\$159.00	\$9.00	126	\$20,034.00	120	\$19,080.00	114	\$18,126.00
Resident Adult Lifetime CRFL	\$250.00	\$265.00	\$15.00	361	\$95,665.00	362	\$95,930.00	341	\$90,365.00
Nonresident Adult Lifetime CRFL	\$500.00	\$530.00	\$30.00	19	\$10,070.00	19	\$10,070.00	17	\$9,010.00
Resident Age 70 Lifetime CRFL	\$15.00	\$15.90	\$0.90	6666	\$105,989.40	6852	\$108,946.80	6816	\$108,374.40
Resident Disabled Veteran CRFL	\$10.00	\$10.60	\$0.60	769	\$8,151.40	752	\$7,971.20	777	\$8,236.20
Resident Totally Disabled CRFL	\$10.00	\$10.60	\$0.60	496	\$5,257.60	506	\$5,363.60	518	\$5,490.80

* New license – no fee increase proposed.

EXHIBIT N-2

February 21, 2019



Proposed Changes to License Fees Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings

Establish hunting, fishing, trapping, and activity license fees, issued and administered by the Commission from statute to rule, and adjust fees by the Consumer Price Index for All Urban Consumers (CPI-U).

Justification: In 2013, the General Assembly passed a bill that amended G.S. 113-270.1B(e) to provide that the Commission adopt rules to establish fees for hunting, fishing, trapping, and activity licenses issued and administered by the Commission. Also, during the 2017 session, a Special Provision was passed that authorizes WRC to increase hunting, fishing, trapping, and activity license fees by the *total* increase of the CPI-U over the period of time since the last fee change. Prior to this change, the increase was capped at the *average* increase of the CPI-U over the same period. This proposed new rule is necessary to comply with the statutory requirement.
15A NCAC 10A .1601 (pages 1-3)

CPI-U Fee Adjustments (6%)

License Description	Current Fee	Proposed Fee	License Description	Current Fee	Proposed Fee
Resident Annual Combination Hunting & Inland Fishing	\$25	\$26.50	Short-Term Inland Fishing - Nonresident 10-Day	\$18	\$19.08
Resident Disabled Veteran & Totally Disabled Lifetime Combo Hunting & Fishing	\$10	\$10.60	Age 70 Resident Lifetime Inland Fishing	\$15	\$15.90
Annual Sportsman	\$50	\$53.01	Resident Disabled Veteran & Totally Disabled Lifetime Inland Fishing	\$10	\$10.60
Infant Lifetime Sportsman	\$200	\$212.00	Special Landholder & Guest Fishing	\$100	\$106.01
Youth Lifetime Sportsman	\$350	\$371.00	Special Trout	\$13	\$13.78
Adult Lifetime Sportsman	\$500	\$530.00	Mountain Heritage Trout Waters 3-Day Fishing	\$5	\$5.30
Nonresident Lifetime Sportsman	\$1,200	\$1,272.00	Resident Special Device	\$75	\$79.51
Age 70 Resident Lifetime Sportsman	\$15	\$15.90	Nonresident Special Device	\$500	\$530.05
Resident Disabled Veteran & Totally Disabled Lifetime Sportsman	\$100	\$106.00	Wildlife and Scientific Collection	\$5	\$5.30
Resident State Hunting	\$20	\$21.20	Captivity License	\$5	\$5.30
Lifetime Resident Comprehensive Hunting	\$250	\$265.00	Fur Dealer - Resident	\$60	\$63.61
Controlled Hunting Preserve	\$20	\$21.20	Fur Dealer - Nonresident	\$300	\$318.03
Resident Annual Comprehensive Hunting	\$36	\$38.16	Fur Dealer Station	\$120	\$127.21
Nonresident State Hunting - Season	\$80	\$84.81	Controlled Hunting Preserve Operator	\$50	\$53.01
Nonresident State Hunting - 10-Day	\$60	\$63.61	Gamebird Propagation	\$5	\$5.30
Resident Big Game Hunting	\$13	\$13.78	Furbearer Propagation	\$25	\$26.50
Nonresident Bear Hunting	\$225	\$238.52	Taxidermy	\$10	\$10.60
Bear Management Stamp	\$10	\$10.60	Annual Resident Unified Sportsman/Coastal Recreational Fishing	\$65	\$68.90
Nonresident Big Game Hunting - Season	\$80	\$84.81	Annual Resident Unified Inland/Coastal Recreational Fishing	\$40	\$42.40
Nonresident Big Game Hunting - 10-Day	\$60	\$63.61	Infant Lifetime Unified Sportsman/Coastal Recreational Fishing	\$275	\$291.50
Bonus Antlerless Deer	\$10	\$10.60	Youth Lifetime Unified Sportsman/Coastal Recreational Fishing	\$450	\$477.00
Game Land	\$15	\$15.90	Adult Lifetime Unified Sportsman/Coastal Recreational Fishing	\$675	\$715.50
Falconry	\$10	\$10.60	Nonresident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing	\$1,550	\$1,643.00
Migratory Waterfowl Hunting	\$13	\$13.78	Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing	\$30	\$31.80
Resident American Alligator License	\$250.00		Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing	\$110	\$116.60
Nonresident American Alligator License	\$500.00		Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing	\$110	\$116.60
Resident Elk License	\$500.00		Resident Lifetime Unified Inland/Coastal Recreational Fishing	\$450	\$477.00
Nonresident Elk License	\$1,000.00		Annual Resident CRFL	\$15	\$15.90
Hunting and Fishing Guide License - Resident	\$15	\$15.90	Annual Nonresident CRFL	\$30	\$31.80
Hunting and Fishing Guide License - Nonresident	\$150	\$159.02	Ten-Day Resident CRFL	\$5	\$5.30
Resident State Trapping	\$30	\$31.80	Ten-Day Nonresident CRFL	\$10	\$10.60
Nonresident State Trapping	\$125	\$132.51	Infant Lifetime CRFL	\$100	\$106.00
Resident Annual Comprehensive Inland Fishing	\$25	\$26.50	Youth Lifetime CRFL	\$150	\$159.00
Resident State Inland Fishing	\$20	\$21.20	Resident Adult Lifetime CRFL	\$250	\$265.00
Lifetime Resident Comprehensive Inland Fishing	\$250	\$265.00	Nonresident Adult Lifetime CRFL	\$500	\$530.00
Nonresident State Inland Fishing	\$36	\$38.16	Resident Age 70 Lifetime CRFL	\$15	\$15.90
Short-Term Inland Fishing - Resident 10-Day	\$7	\$7.42	Resident Disabled Veteran CRFL	\$10	\$10.60
			Resident Totally Disabled CRFL	\$10	\$10.60

15A NCAC 10A .1601 LICENSES FEES

(a) License fees established by the Commission in this Rule shall be subject to the requirements of G.S. 113-270.1B(e).

(b) The following fees shall apply to combination hunting and inland fishing licenses issued by the Commission, as set forth in G.S. 113-270.1C:

- (1) Resident Annual Combination Hunting and Inland Fishing License - \$26.50.
- (2) Resident Disabled Veteran Lifetime Combination Hunting and Inland Fishing License - \$10.60.
- (3) Resident Totally Disabled Lifetime Combination Hunting and Inland Fishing License - \$10.60.

(c) The following fees shall apply to sportsman licenses issued by the Commission, as set forth in G.S. 113-270.1D:

- (1) Annual Sportsman License - \$53.01.
- (2) Infant Lifetime Sportsman License - \$212.00.
- (3) Youth Lifetime Sportsman License - \$371.00.
- (4) Adult Resident Lifetime Sportsman License - \$530.00.
- (5) Nonresident Lifetime Sportsman License - \$1,272.00.
- (6) Age 70 Resident Lifetime Sportsman License - \$15.90.
- (7) Resident Disabled Veteran Lifetime Sportsman License - \$106.00.
- (8) Resident Totally Disabled Lifetime Sportsman License - \$106.00.

(d) The following fees shall apply to hunting licenses issued by the Commission, as set forth in G.S. 113-270.2:

- (1) Resident State Hunting License - \$21.20.
- (2) Lifetime Resident Comprehensive Hunting License - \$265.00.
- (3) Controlled Hunting Preserve Hunting License - \$21.20.
- (4) Resident Annual Comprehensive Hunting License - \$38.16.
- (5) Nonresident State Hunting Licenses:
 - (A) Season License - \$84.81.
 - (B) Ten-Day License - \$63.61.

(e) The following fees shall apply to special activity licenses issued by the Commission, as set forth in G.S. 113-270.3:

- (1) Resident Big Game Hunting License - \$13.78.
- (2) Nonresident Bear Hunting License - \$238.52.
- (3) Bear Management Stamp - \$10.60.
- (4) Nonresident Big Game Hunting License:
 - (A) Season License - \$84.81.
 - (B) Ten-Day License - \$63.61.
- (5) Bonus Antlerless Deer License - \$10.60.
- (6) Game Land License - \$15.90.
- (7) Falconry License - \$10.60.
- (8) Migratory Waterfowl Hunting License - \$13.78.
- (9) Resident American Alligator License – \$250.00. (New license, not included in CPI-U)

(10) Nonresident American Alligator License – \$500.00. (New license, not included in CPI-U)

(11) Resident Elk License – \$500.00. (New license, not included in CPI-U)

(12) Nonresident Elk License - \$1,000.00. (New license, not included in CPI-U)

(f) The following fees shall apply to hunting and fishing guide licenses issued by the Commission, as set forth in G.S. 113-270.4:

(1) Resident Hunting and Fishing Guide License - \$15.90.

(2) Nonresident Hunting and Fishing Guide License - \$159.02.

(g) The following fees shall apply to trapping licenses issued by the Commission, as set forth in G.S. 113-270.5:

(1) Resident State Trapping License - \$31.80.

(2) Nonresident State Trapping License - \$132.51.

(h) The following fees shall apply to hook-and-line licenses in inland and joint fishing waters issued by the Commission, as set forth in G.S. 113-271:

(1) Resident Annual Comprehensive Inland Fishing License - \$26.50.

(2) Resident State Inland Fishing License - \$21.20.

(3) Lifetime Resident Comprehensive Inland Fishing License - \$265.00.

(4) Nonresident State Inland Fishing License - \$38.16.

(5) Short-Term Inland Fishing License:

(A) Resident 10-day Inland Fishing License - \$7.42.

(B) Nonresident 10-day Inland Fishing License - \$19.08.

(6) Age 70 Resident Lifetime Inland Fishing License - \$15.90.

(7) Resident Disabled Veteran Lifetime Inland Fishing License - \$10.60

(8) Resident Totally Disabled Lifetime Inland Fishing License - \$10.60.

(9) Special Landholder and Guest Fishing License - \$106.01.

(i) The following fees shall apply to the Special Trout License and Mountain Heritage Trout Waters 3-day Fishing License issued by the Commission, as set forth in G.S. 113-272:

(1) Special Trout License - \$13.78.

(2) Mountain Heritage Trout Waters 3-Day Fishing License - \$5.30.

(j) The following fees shall apply to special device licenses issued by the Commission, as set forth in G.S. 113-272.2:

(1) Resident Special Device License - \$79.51.

(2) Nonresident Special Device License - \$530.05.

(k) The fee for a collection license issued by the Commission as set forth in G.S. 113-272.4 shall be \$5.30.

(l) The fee for a captivity license issued by the Commission as set forth in G.S. 113-272.5 shall be \$5.30.

(m) The following fees shall apply to dealer licenses issued by the Commission as set forth in G.S. 113-273:

(1) Resident Fur-dealer License - \$63.61.

(2) Nonresident Fur-dealer License - \$318.03.

(3) Fur-dealer Station License - \$127.21.

(4) Controlled Hunting Preserve Operator License - \$53.01.

(5) Game Bird Propagation License - \$5.30.

(6) Furbearer Propagation License - \$26.50.

(7) Taxidermy License - \$10.60.

(n) The following fees shall apply to unified hunting and fishing licenses issued by the Commission, as set forth in G.S. 113-351:

(1) Annual Resident Unified Sportsman/Coastal Recreational Fishing License - \$68.90.

(2) Annual Resident Unified Inland/Coastal Recreational Fishing License - \$42.40.

(3) Lifetime Unified Sportsman/Coastal Recreational Fishing Licenses:

(A) Infant Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$291.50.

(B) Youth Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$477.00.

(C) Resident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$715.50.

(D) Nonresident Adult Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$1,643.00.

(E) Resident Age 70 Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$31.80.

(F) Resident Disabled Veteran Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$116.60.

(G) Resident Totally Disabled Lifetime Unified Sportsman/Coastal Recreational Fishing License - \$116.60.

(4) Resident Lifetime Unified Inland/Coastal Recreational Fishing License - \$477.00.

(o) The following fees shall apply to Coastal Recreational Fishing Licenses issued by the Commission, as set forth in G.S. 113-174.2:

(1) Annual Resident Coastal Recreational Fishing License - \$15.90.

(2) Annual Nonresident Coastal Recreational Fishing License - \$31.80.

(3) Ten-Day Resident Coastal Recreational Fishing License - \$5.30.

(4) Ten-Day Nonresident Coastal Recreational Fishing License - \$10.60.

(5) Infant Lifetime Coastal Recreational Fishing License - \$106.00.

(6) Youth Lifetime Coastal Recreational Fishing License - \$159.00.

(7) Resident Adult Lifetime Coastal Recreational Fishing License - \$265.00.

(8) Nonresident Adult Lifetime Coastal Recreational Fishing License - \$530.00.

(9) Resident Age 70 Lifetime Coastal Recreational Fishing License - \$15.90.

(10) Resident Disabled Veteran Coastal Recreational Fishing License - \$10.60.

(11) Resident Totally Disabled Coastal Recreational Fishing License - \$10.60.

*History Note: Authority G.S. 113-270.1B; 113-134;
Eff. August 1, 2018*

EXHIBIT O

February 21, 2019



Proposed Changes to 10B .0106. Wildlife Taken for Depredations Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

The proposed rule changes will specifically address the following:

- Allow the Executive Director to designate staff to issue depredation permits for Special Concern species and alligators.
- Allow cities to submit their application for depredation permits to agency staff, not specifically the Executive Director.
- Specify the types of violations that would prohibit an individual from applying to become a Wildlife Damage Control Agent (WDCA) and establish a time frame on which those violations would impact an individual's ability to be approved as a WDCA.
- Modify the passing test score requirement from 85% to 80%.
- Allow agency staff, in addition to the Executive Director and agents, to authorize the use of bait for trapping under a depredation permit if necessary.
- Remove the requirement for Animal Control Officers (ACO) and those acting in the official capacity as an Animal Control Officer to obtain a depredation permit when taking wild animals exhibiting obvious signs of rabies, unprovoked aggression, or that are suspected to be rabid.

Justification:

The changes that are proposed will streamline administrative processes and align rule with current business practices; remove barriers that prohibit individuals with minor wildlife violations from becoming a WDCA; create a reasonable testing requirement that aligns with other WRC testing requirements; and remove barriers for Animal Control Officers (ACO) acting in an official capacity, to take wild animals exhibiting signs of rabies.

15A NCAC 10B .0106 (pages 1-4)

1 **15A NCAC 10B .0106 WILDLIFE TAKEN FOR DEPREDATIONS**

2 (a) Depredation permits allow the taking of undesirable or excess wildlife resources as described in Subparagraphs
3 (1) and (2) of this Paragraph. Only employees of the Wildlife Resources Commission (Commission) and Wildlife
4 Damage Control Agents (WDCA) may issue depredation permits. ~~Each permit~~ Permits shall be written on a form
5 supplied by the Commission. No permit is needed for the owner or lessee of a property to take wildlife while
6 committing depredations on ~~the~~ that property; however the manner of taking, disposition of dead wildlife, and
7 reporting requirements as described in this Rule still apply.

8 (b) No permit shall be issued to take any endangered or threatened species of wildlife listed under 15A NCAC 10I,
9 except alligators, by reason of depredations to property. Only the Executive Director or his or her designee may issue
10 depredation permits for Special Concern species listed in 15A NCAC 10I .0105 and for alligators. An individual may
11 take an endangered or threatened species in immediate defense of his or her own life or of the lives of others without
12 a permit. Any endangered or threatened species that may constitute a demonstrable but non-immediate threat to human
13 safety shall be reported to a federal or ~~state~~ State wildlife enforcement officer, who, upon verification of the report,
14 may take or remove the specimen as provided by 15A NCAC 10I .0102. Depredation permits for other species ~~shall~~
15 may be issued under the following conditions:

16 (1) for taking wildlife that is or has been damaging or destroying ~~property~~ property, provided there is
17 evidence of property damage. No permit may be issued for the taking of ~~any~~ migratory birds and
18 other federally-protected animals unless a ~~corresponding~~ corresponding, valid U.S. Fish and
19 Wildlife Service depredation permit(s), if required, has been issued. A permit issued pursuant to
20 this Rule shall name the species allowed to be taken and may ~~contain~~ include limitations as to age,
21 sex, ~~or any other condition, such as~~ type of depredation, location of animal or damage, and local
22 ~~laws, within the species so named.~~ laws. The permit shall be issued to a landholder or an authorized
23 representative of a unit of local government for depredations on public ~~property; and the~~ property.
24 The permit shall be used only by individuals named on the permit.

25 (2) for taking of wildlife resources in circumstances of overabundance or when the wildlife resources
26 present a danger to human safety. ~~Cities~~ Cities, as defined in G.S. ~~160A-1(2)~~ 160A-1(2), seeking
27 ~~such~~ a depredation permit pursuant to these circumstance shall apply to the ~~Executive Director~~
28 Commission using ~~a form supplied by the Commission requesting an application available from the~~
29 Commission. The application shall include the following information:

- 30 (A) the name and location of the city;
- 31 (B) the acreage of the affected property;
- 32 (C) a map of the affected property;
- 33 (D) the signature of an authorized city representative;
- 34 (E) the nature of the overabundance or the threat to public safety; and
- 35 (F) a description of previous actions taken by the city to ameliorate the problem.

36 ~~(b) (c)~~ (c) Wildlife Damage Control ~~Agents~~ Agents. Upon completion of a training course designed for the purpose of
37 reviewing and updating information on wildlife laws and safe, humane wildlife handling techniques, and

1 demonstration of a knowledge of wildlife laws and safe, humane wildlife handling techniques, an individual ~~with no~~
2 ~~record of wildlife law violations that, within the last five years, has not been convicted of a wildlife misdemeanor as~~
3 ~~specified in G.S. 113-294 that resulted in a license suspension or revocation~~ may apply to the ~~Wildlife Resources~~
4 Commission (~~Commission~~) to become a ~~Wildlife Damage Control Agent (WDCA)~~. WDCA. Those ~~persons~~
5 individuals who demonstrate knowledge of wildlife laws and safe, humane wildlife handling techniques by a passing
6 score of ~~85~~ 80 percent or better on a written examination provided by a representative of the ~~Wildlife Resources~~
7 Commission, in cooperation with the training course provider, shall be approved. Those ~~persons~~ individuals failing
8 to obtain a passing score shall be given one chance for re-testing without re-taking the course. Those ~~persons~~
9 individuals approved as agents by the Commission may then issue depredation permits for depredation as defined in
10 Subparagraph (a)(1) of this Rule to landholders and be listed as a second party to provide the control service. WDCAs
11 may not issue depredation permits for coyotes in the counties of Beaufort, Dare, Hyde, Tyrrell, Washington; big game
12 animals; bats; or any species listed as endangered, threatened, or special concern under 15A NCAC 10I .0103, .0104,
13 and .0105 of this Chapter. WDCAs shall annually report to the ~~Wildlife Resources~~ Commission the number and
14 disposition of animals ~~taken, by county, annually.~~ by county. Records shall be available for inspection by a ~~Wildlife~~
15 ~~Enforcement~~ wildlife enforcement officer at any time during ~~normal business hours.~~ ~~These business hours are the~~
16 ~~posted business hours of the Commission at ncwildlife.org.~~ ~~WDCA status shall be revoked at any time by the~~ The
17 Executive Director shall revoke WDCA status when there is evidence of violations of wildlife laws, failure to report,
18 or inhumane treatment of animals by the WDCA. A WDCA may not charge for the permit, but may charge for his or
19 her investigations and control services. ~~In order to maintain a knowledge of current laws, rules, and techniques, each~~
20 Each WDCA shall renew his or her agent status every three years by showing proof of having attended at least one
21 training course provided for the purpose of reviewing and updating information on wildlife laws and safe, humane
22 wildlife handling techniques within the previous 12 months or agency approved continuing education credits.

23 ~~(e)~~ (d) Each depredation permit shall have an expiration date or time after which the depredation permit is no longer
24 valid. The depredation permit authorizes possession of any wildlife resources taken under the permit and shall be
25 retained as long as the wildlife resource is in the permittee's possession. All individuals taking wildlife resources
26 under the authority of a depredation permit shall comply with the conditions written on the permit and the requirements
27 specified in this Rule.

28 ~~(d)~~ (e) Manner of Taking:

29 (1) Taking Without a Permit. Wildlife taken without a permit while committing depredations to
30 property may, during the open season on the species, be taken by the landholder by any lawful
31 method. During the closed season, such depredating wildlife may be taken without a permit only
32 by the use of firearms or archery equipment as defined in 15A NCAC 10B .0116.

33 (2) Taking With a Permit. Wildlife taken under a depredation permit may be taken only by the method
34 or methods authorized by the permit. When trapping is authorized, in order to limit the taking to
35 the intended purpose, the permit may specify a reasonable distance from the property sought to be
36 protected, ~~according to the particular circumstances,~~ within which the traps shall be set. The
37 Executive ~~Director~~ Director, Commission employee, or agent may also ~~state~~ state, in a permit

1 authorizing ~~trapping trapping~~, whether or not bait may be used and the type of ~~bait, if any, bait~~ that
2 is authorized based upon factors such as type of depredation, locations of animal or damage, and
3 local laws. In addition to any trapping restrictions that may be contained in the permit, the method
4 of trapping shall be in accordance with the requirements and restrictions imposed by G.S. 113-291.6
5 and other local laws passed by the General Assembly. No depredation permit shall authorize the
6 use of poisons or pesticides in taking wildlife except in accordance with the provisions of the North
7 Carolina Pesticide Law of 1971, G.S. 143, Article 52, the Structural Pest Control Act of 1955, G.S.
8 106, Article 4C, and G.S. 113, Article 22A. No depredation permit shall authorize the taking of
9 wildlife by any method by any landholder upon the lands of another except when the individual is
10 listed as a second party on a depredation permit.

11 (3) Intentional Wounding. It is unlawful for any landholder, with or without a depredation permit, to
12 intentionally ~~to~~ wound a wild animal in a manner so as not to cause its immediate death as suddenly
13 and humanely as the circumstances permit.

14 ~~(e)~~ (f) Disposition of Wildlife Taken:

15 (1) Generally. Except as provided by Subparagraphs (e)(2) through (5) of this Paragraph, any wildlife
16 killed without a permit while committing depredations shall be buried or otherwise disposed of in a
17 safe and sanitary manner on the property. Wildlife killed under a depredation permit may be
18 transported to an alternate disposal site if desired. Anyone in possession of carcasses of animals
19 being transported under a depredation permit shall have the depredation permit in his or her
20 possession. Except as provided by Subparagraphs (e)(2) through (5) of this Rule, all wildlife killed
21 under a depredation permit shall be buried or otherwise disposed of as stated on the permit.

22 (2) Deer and feral swine. The edible portions of feral swine and deer may be retained by the landholder
23 for consumption but shall not be transported from the property where the depredations took place
24 without a valid depredation permit. The landholder may give a second party the edible portions of
25 the feral swine and deer taken under the depredation permit. The receiver of the edible portions shall
26 hold a copy of the depredation permit. The nonedible portions of any deer carcass, including head,
27 hide, feet, and antlers, shall be disposed of as specified in Subparagraph (1) of this Paragraph or
28 turned over to a wildlife enforcement officer for disposition.

29 (3) Fox. Any fox killed under a depredation permit may be disposed of as described in Subparagraph
30 (1) of this Paragraph or, upon compliance with the fur tagging requirements of 15A NCAC 10B
31 .0400, the carcass or pelt thereof may be sold to a licensed fur dealer.

32 (4) Furbearing Animals. The carcass or pelt of any furbearing animal killed during the open season for
33 taking such furbearing animal for control of depredations to property, whether with or without a
34 permit, may be sold to a licensed fur dealer provided that the person offering such carcass or pelt
35 for sale has a valid hunting or trapping license; provided further that bobcats and otters may only be
36 sold upon compliance with any required fur tagging requirement set forth in 15A NCAC 10B .0400.

1 (5) Animals Taken Alive. Wild animals in the order Carnivora, armadillos, groundhogs, nutria, and
2 beaver shall be humanely euthanized either at the site of capture or at a facility designed to humanely
3 handle the euthanasia or released on the property where captured. Feral swine shall be euthanized
4 while still in the trap in accordance with G.S. 113-291.12. For all other animals taken alive, the
5 animal shall be euthanized or released on property with permission of the landowner. When the
6 relocation site is public property, written permission shall be obtained from ~~an appropriate~~ the local,
7 ~~state, State,~~ or federal official authorized to manage the property before any animal may be released.
8 Animals transported or held for euthanasia shall be euthanized within 12 hours of capture. Anyone
9 in possession of live animals being transported for relocation or euthanasia under a depredation
10 permit shall have the depredation permit in his or her possession.

11 ~~(f)~~ (g) Reporting Requirements. Any landholder who kills an alligator; ~~a coyote~~ coyote, in the counties of Beaufort,
12 Dare, Hyde, Tyrrell, or Washington; deer; Canada goose; bear; elk; or wild turkey under a valid depredation permit
13 shall report ~~such~~ the kill on the form provided with the ~~permit~~ permit, including the number and species of animal(s)
14 killed, and ~~mail~~ submit the form upon the expiration date of the depredation permit to the Wildlife Resources
15 Commission. Any landowner who kills a coyote in the counties of Beaufort, Dare, Hyde, Tyrrell, and Washington
16 shall report ~~such kill as directed~~ the kill, including the number of coyotes killed, on the form provided with the
17 depredation permit. The killing and method of disposition of every alligator; coyote in the counties of Beaufort, Dare,
18 Hyde, Tyrrell, and Washington; bear; or elk taken without a permit shall be reported to the Wildlife Resources
19 Commission within 24 hours following the time of such killing.

20 (h) Exemption for Animal Control Officers. Animal Control Officers, as defined by G.S. 130A-184(1) and when in
21 the performance of official duties, shall be exempt from obtaining a depredation permit when taking wild animals that:

- 22 (1) Exhibit visible signs of rabies;
- 23 (2) Exhibit unprovoked aggression that may be associated with rabies;
- 24 (3) Are suspected to be rabid; or
- 25 (4) Have exposed or potentially exposed humans, pets, or livestock to rabies.

26
27 *History Note: Authority G.S. 113-134; 113-273; 113-274; 113-291.4; 113-291.6; 113-300.1; 113-300.2; 113-307;*
28 *113-331; 113-333; 113-334(a); 113-337;*
29 *Eff. February 1, 1976;*
30 *Amended Eff. August 1, 2013; January 1, 2012; August 1 2010; July 1, 2010; May 1, 2008; August*
31 *1, 2002; July 1, 1997; July 1, 1995; January 1, 1995; January 1, 1992; August 1, 1990;*
32 *Temporary Amendment Eff. August 1, 2014 and shall remain in effect until amendments expire as*
33 *specified in G.S. 150B-21.1(d) or the United States District Court for the Eastern District of North*
34 *Carolina's court order number 2:13-CV-60-BOs signed on May 13, 2014 is rescinded, whichever*
35 *date is earlier. The court order is available at www.ncwildlife.org;*
36 *Temporary Amendment Eff. February 27, 2015;*
37 *Amended Eff. August 1, 2019; December 1, 2016; July 1, 2016; May 1, 2016.*

EXHIBIT P-1

February 21, 2019



Fiscal Note for Proposed Wildlife Captivity and Rehabilitation Rules for the Wildlife Resources Commission

Rule Amendments: 15A NCAC 10H .1401 Definitions and General Requirements for Captivity Licenses
15A NCAC 10H .1402 Captivity License for Rehabilitation
15A NCAC 10H .1403 Captivity License for Holding
15A NCAC 10H .1404 Minimum Standards Captivity License for Holding
15A NCAC 10H .1405 Captivity License Revocation and Enforcement
15A NCAC 10H .1406 Forms for Captivity Licenses

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Impact Summary: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Impact: No

Authority: G.S. 14-418(c), 19A-11, 106-549.97(b), 113-131, 113-134, 113-140, 113-272.5, 113-272.6, 113-274, 113-276.2, 113-274, 150B-3

I. 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 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 the Commission has been granted rulemaking authority to implement the provisions of these statutes (G.S. 113-134).

II. Introduction and Purpose of Rule Change

In 2013, the General Assembly passed a bill that amended G.S. 113-272.5 - Captivity license. These changes provided for the issuance of captivity licenses for wild animals or birds lawfully taken for scientific, educational, exhibition or other purposes. Effective September 30, 2015, farmed captive cervids were transferred from the Commission to the NC Department of Agriculture and Consumer Services (DACCS) via G.S. 106-549.97. These changes necessitated a revision to the captivity rules in the NC Administrative Code, 15A NCAC 10H, Section .0300 – Holding Wildlife in Captivity, to ensure the intent of amended G.S. 113-272.5 was clear and unambiguous in the Code and to specify terminology for consistent application. Additionally, it was necessary to distinguish the holding of wildlife for rehabilitation purposes from the holding of wildlife in long-term/permanent captivity.

To accomplish this, 15A NCAC 10H, subsections .0301 - .0304 were revised and reorganized into a new Section of subchapter 10H (15A NCAC 10H .1400 – Wildlife Captivity and Rehabilitation). The proposed rules split rehabilitation and long-term captivity requirements, incorporate necessary definitions and provisions to be used throughout the subchapter, detail enforcement actions, and specify form contents. The new Section applies to all captivity licenses issued by the Commission and to those non-farmed cervid facilities issued a license prior to September 30, 2015.

Proposed rules can be found in Appendix A.

III. Impacts

State Impact

Rehabilitation

The proposed revisions are anticipated to have minimal economic impact on the state. Proposed subsection 15A NCAC 10H .1402 requires the tagging of all rehabilitated white-tailed fawn in the possession of a licensed rehabilitator for a period longer than 48 hours. The required tags will be supplied by the Commission. Based on fawn rehabilitation numbers from 2016, it is anticipated that the agency will incur an annual cost of approximately \$774 (387 fawn in 2016 x \$2.00/tag = \$774) to purchase ear or button tags.

The proposed revisions eliminate the requirement for rehabilitation facilities to be inspected prior to license issuance. This added flexibility allows agency personnel to conduct inspections when it is likely that rehabilitators will have animals on-site, reducing time lost to unproductive inspections. Based on the number of applications for rehabilitation licenses received during 2017 (52), and the amount of time that each inspection requires (approximately 30 min.), the agency could save up to \$858 per year in lost time (\$33/hr staff salary x .5 hrs x 52/yr = \$858/yr). The agency will retain the ability to inspect licensed facilities throughout the year.

Long-Term Captivity

The proposed revisions to long-term captivity are anticipated to have minimal impact to the State, economic or otherwise.

Unknown

The proposed rules relating to enforcement in 10H .1405 introduce options for non-compliance with captivity licenses. Adding the options for warnings, license modification, revocation, or suspension increase administrative and enforcement flexibility for the agency. Additionally, it will allow the agency to address compliance issues without completely losing a resource. Unfortunately, the agency has no way to quantify these benefits.

The proposed addition of wild turkey, elk calves, and bear cubs to the list of species allowed to be rehabilitated may benefit the agency by providing additional resources. Because the agency does not rehabilitate wildlife, staff rely on licensed individuals to care for these animals when needed. While the agency has no way to estimate how many individuals will request licenses to rehabilitate these species, the removal of the prohibition to have them in captivity for rehabilitation may constitute an added resource for staff. Additionally, the inclusion of wild turkey will also make it easier for staff to inspect facilities with turkeys, as it is difficult to distinguish between wild turkeys and other turkey species that have and continue to be legally kept in captivity. Unfortunately, the agency has no way to quantify these benefits.

The transfer of farmed cervids from the Commission to the Department of Agriculture and Consumer Services via G.S. 106-549.97 in 2015 requires that new restrictions are implemented on existing non-farmed cervid herds. Because the agency is discontinuing the long-term holding of wild cervids (non-farmed cervids), clear restrictions are proposed in 10H .1403 on facilities with captive cervid licenses issued prior to September 30, 2015. Notable changes include no new cervids, no reproduction, and transfer only between existing non-farmed herds. These restrictions could be considered a lost opportunity and subsequently, a lost benefit. However, the proposed changes could also be considered a benefit to the State. By placing restrictions on non-farmed cervids, the agency is making efforts to avoid the spread of chronic wasting disease, which, if introduced to North Carolina, could have serious negative impacts to the native White-tailed deer population and deer hunting in NC. Unfortunately, the agency has no way to quantify these potential losses or benefits. Please see the information included in the footnote below for a more in-depth discussion of the risk and prevention of chronic wasting disease in North Carolina.¹

¹ A more detailed description of the benefits of actions to prevent the spread of chronic wasting disease can be found in the Commission's analysis of amendments to rule 15A NCAC 10B .0124, Importation of Animal Parts. https://files.nc.gov/ncosbm/documents/files/WRC_2018-10-01a.pdf

Local Impact

Rehabilitation

No significant local costs or economic impacts to local governments are anticipated due to the proposed revisions to the rehabilitation rules.

Long-Term Captivity

The proposed changes make reproduction of wild animals and wild birds in captivity unlawful, regardless if the reproduction was accidental or intentional. According to Commission records, only two cases of accidental reproduction with animals in long-term captivity have been reported in the past 10 years. Though the agency cannot estimate the number of un-reported cases, from available data it can be reasonably assumed that not more than one case of accidental reproduction occurs every five years. As a result of this new regulation, the license holder may choose to have animals spayed or neutered, especially if males and females are housed together. A licensed veterinarian is required to spay or neuter a wild animal. Associated costs for a licensed veterinarian to perform the procedures are approximately \$300 for an animal to be neutered and \$400 for an animal to be spayed.² Due to the rarity of reproduction of wild animals or wild birds in captivity, it is anticipated that this new regulation will have minimal local economic impact.

Private Impact

Rehabilitation

The proposed revisions to rehabilitation rules are anticipated to have minimal economic impact on the citizens of the state.

Proposed revisions require a new applicant for rehabilitation to enter into an apprenticeship under a currently licensed mentor. This requires the applicant to designate a mentor, who is required to have a valid captivity license for rehabilitation. The apprentice remains under the mentor's supervision for a minimum of 12 months. Though this may be viewed as a barrier to obtaining a license, opportunities for apprenticeships are reasonably available and this requirement helps the agency to insure license holders have a base line skill set and understand the commitment they are making by becoming a rehabilitator. Developing a base line skill set serves a two-fold purpose. It allows individuals that are new to rehabilitation to start off with proven skills and practices that serve to improve the health and welfare of the wildlife they seek to help. It also benefits new rehabilitators, with improving skills comes a reduction in safety risk to the new rehabilitator. With the availability of mentors and the need for new rehabilitators to have a basic skill set before becoming a rehabilitator, the agency does not anticipate this revision will have an economic impact on applicants.

Caging requirements in current captivity rules do not differentiate between rehabilitation and long-term captivity. The cage size requirements vary only by species and the number of animals kept in the cage. The proposed revisions establish caging requirements based on license type.

² Cost estimates obtained from local (Raleigh area) veterinarian.

The caging requirements specific to wildlife rehabilitation reference *Minimum Standards for Wildlife Rehabilitation*³, which include recommendations for caging based on the life stage of the animal(s) being rehabilitated. The proposed revisions to caging requirements are more suitable for each species, although requiring additional cage sizes could create an additional cost for those rehabilitators who care for more than one life stage of a species. However, although more prescriptive, the proposed revisions are widely recognized and utilized and can lead to cost savings for some rehabilitators.

For example, if a rehabilitator only works with infant gray squirrels, current rules require a cage that is no less than 4 ft. x 2 ft. x 2 ft. (length x width x height). The proposed revisions would only require that the rehabilitator have a 10-gallon container for nursing gray squirrels. Additionally, the proposed revisions provide for flexibility concerning caging materials, allowing a rehabilitator to customize a cage to fit an animal's needs while taking into account budgetary restraints. Based on agency estimates for construction of a wood and wire mesh box meeting current minimum standards of 4 ft. x 2 ft. x 2 ft. and proposed requirements for indoor caging of infant mammals, a rehabilitator working with infant gray squirrels could reasonably expect to save approximately \$15 to \$31 by utilizing a cardboard box, hard plastic tote, or glass aquarium as opposed to a wooden/wire cage for rehabilitation.

Previously, the rehabilitation of certain rabies species was prohibited. The proposed revisions allow for the rehabilitation of all rabies species, except coyotes, if additional requirements and restrictions are met. One such requirement is that the license holder and any staff or volunteers, working under their license and treating rabies species, must have received pre-exposure rabies vaccinations. Pre-exposure vaccinations, as recommended by the Centers for Disease Control and Prevention, consists of 3, 1.0-mL intramuscular injections at a cost averaging \$300 per injection. This results in an average cost of around \$900 per person to meet vaccination requirements. Unfortunately, due to the lack of available data, it cannot be determined how many license holders, staff, or volunteers would elect to offer this service and/or undergo the pre-exposure vaccination requirements.

As discussed above, white-tailed fawn rehabilitators are required to tag fawns in their possession for more than 48 hours with a Commission-supplied ear tag. While the Commission covers the cost of the tag, it is the responsibility of the rehabilitator to affix the tag. A standard applicator used for ear tags costs approximately \$25.⁴ This would be a one-time cost to the rehabilitator. In 2018, there were 27 licensed fawn rehabilitators.

Unknown

Over 15,000 people contact the Commission each year about what they believe to be orphaned wildlife, injured wildlife, or human-wildlife conflicts. Staff spend approximately 10 minutes on each call received.⁵ In many cases, the agency can resolve these concerns. However, the agency

³ Miller, E.A., editor. 2012. *Minimum Standards for Wildlife Rehabilitation*, 4th edition. National Wildlife Rehabilitators Association, St. Cloud, MN. 116 pages.

⁴ <https://nationalband.com/products/self-piercing-ear-tags-1005-49/>.

⁵ 2016 WRC Human Wildlife Interaction automated call distribution data.

does not have the capacity to care for wild animals. The agency encourages the public to leave wild animals alone. However, many members of the public exhibit a strong emotional response to perceived pain and suffering of an animal.⁶ It is never in the best interest of the public nor the animal for an untrained person to care for wildlife, no matter how well-intentioned their efforts may be. Thus, if an issue arises in which an animal needs to be cared for, the public and the agency both rely on licensed rehabilitators for this assistance. Not only do rehabilitators care for animals, they can directly assess situations before taking animals in. The expertise and experience of these individuals supplement the assistance that the agency provides. Unfortunately, no data are available on the hours that individual rehabilitators devote to troubleshooting with the public. While the public service they provide is very valuable, it is not directly quantifiable.

The proposed rules will allow licensed rehabilitators to treat rabies vector species under certain conditions. Raccoon-variant rabies, which is most prevalent in NC, often effects pets, livestock and other wildlife. Though costs associated with disease diagnostics, prevention, and control in the US are known to be substantial, detailed reporting of exposures and treatments are not required. Therefore, it is not possible to fully quantify the increased risk and cost of rabies exposure due to the proposed rules.

Rabies is commonly transmitted to people through the bite of an animal carrying the disease, as it is communicable during the period of salivary shedding. Rabies is 100% fatal if not treated, and has been found in wild mammals in all 100 counties of the state.⁷ The only proven way to survive rabies exposure is by receipt of timely post-exposure prophylaxis.⁸ While exact figures for the cost of rabies post-exposure prophylaxis depend on a variety of factors (patient's weight, drug manufacturer, insurance coverage, etc.), data obtained from the NC State Laboratory of Public Health estimate that post-exposure prophylaxis for a healthy person that was never vaccinated against rabies prior to their exposure, could cost more than \$8,000.⁹ From 2008 – 2010, approximately 780 people visited a North Carolina emergency department for a wildlife bite.¹⁰ Assuming that post-exposure prophylaxis was administered in all 780 cases, the cost to individuals would equal approximately \$6.24 million dollars (780 people x \$8,000/person = \$6,240,000). While it cannot reasonably be assumed that every treated bite was from a RVS, nor can it be assumed that every bite was documented, these estimates can help to infer the magnitude of potential cost associated with wildlife bite injuries in North Carolina.

Rehabilitation of rabies vector species (RVS) has not historically been permitted by the Commission. However, allowing vaccinated, trained rehabilitators to accept, evaluate, and potentially rehabilitate RVS could reduce the risk of exposure to members of the general public that seek to help injured RVS but lack the knowledge and protections to do so. An unintended consequence of the current prohibition on rehabilitating RVS is that the general public will attempt to give aid or rehabilitate the RVS on their own, without any formal training or knowledge of the risks involved. The caring for and alleviation of suffering of wildlife, whether

⁶ Wildlife Rehabilitators Do More Than People Realize, S. J. Casey and A.M. Casey, 2009.

⁷ <http://epi.publichealth.nc.gov/cd/rabies/figures.html>.

⁸ Compendium of Animal Rabies Prevention and Control, 2016. Public Veterinary Medicine: Public Health. <http://www.nasphv.org/Documents/NASPHVRabiesCompendium.pdf>.

⁹ Data obtained from NC Department of Health and Human Services staff, May2017.

¹⁰ https://ncdetect.org/files/2016/12/NC_DETECT_Animal_Bites_2012_FactSheet.pdf

RVS or not, is a strong motivator. While the Commission is empathetic to the general public's motivations and desires, the rehabilitation of RVS by the general public places it at risk of exposure to rabies. Partly due to these concerns, the proposed 10H .1400 rules distinguish RVS from non-RVS wildlife and allow their rehabilitation under strict requirements, designed to address the exposure concerns previously discussed. Because the number of RVS picked up by the public is unknown, the agency has no way to quantify the reduction in potential exposures that the rehabilitation of RVS will have. To address this lack of data, the proposed rules include annual reporting requirements for RVS. This will provide the agency with data on the number of RVS brought to rehabilitators and the final disposition of those animals. Since we do not know the number of RVS a rehabilitator will receive over a year, the agency has no way to quantify the costs or benefits of this requirement.

Under the proposed rules, RVS rehabilitators will be required to certify that they have received 12 hours of rabies or rabies species-specific training. The Commission has established the framework to provide this training. Beyond this, the Commission will work collaboratively with NC DHHS to develop appropriate, affordable training if similar training is not available or conveniently provided for our regulated public. Associated training costs are expected to be nominal with a minimal impact on rehabilitators. Additionally, it is the Commission's belief that the training will serve as a resource or benefit rather than a barrier to RVS rehabilitators. Currently, a large percentage of our rehabilitators voluntarily undertake RVS training provided through various means. For example, at the 17th Annual Wildlife Rehabilitators of NC Symposium, held at N.C. State on January 26th and 27th, 2019, several of the presentations will include rabies or rabies species-specific training. This training counts towards the 12 hour requirement and is included in the cost of attendance for the event, allowing potential RVS rehabilitators to receive RVS training and meet the 12 hour requirement essentially without any cost.

Long-Term Captivity

The proposed revisions to captivity rules are anticipated to have minimal impact on the private citizens of the State, economic or otherwise. The proposed changes make reproduction of wild animals and wild birds in captivity unlawful, regardless if the reproduction was accidental or intentional. According to Commission records, only two cases of accidental reproduction with animals in long-term captivity have been reported in the past 10 years. Though the agency cannot estimate the number of un-reported cases, from available data it can be reasonably assumed that not more than one case of accidental reproduction occurs every five years. As a result of this new regulation, the license holder may choose to have animals spayed or neutered, especially if males and females are housed together. A licensed veterinarian is required to spay or neuter a wild animal. Associated costs for a licensed veterinarian to perform the procedures are approximately \$300 for an animal to be neutered and \$400 for an animal to be spayed.¹¹ Due to the rarity of reproduction of wild animals or wild birds in captivity, it is anticipated that this new regulation will have minimal local economic impact.

The proposed revisions will allow for the holding of rabies species with additional requirements and restrictions. One such requirement is that the license holder and any staff or volunteers,

¹¹ Cost estimates obtained from local (Raleigh area) veterinarian.

working under their license and handling rabies species, must have received pre-exposure rabies vaccinations. Pre-exposure vaccinations, as recommended by the Centers for Disease Control and Prevention, consists of 3, 1.0-mL intramuscular injections at a cost averaging \$300 per injection. This results in a one-time cost of approximately \$900 to meet the vaccination requirements. In 2018, there were 15 long-term captivity license holders authorized to hold rabies species which would total \$13,500 (\$900 x 15) in vaccinations for all current license holders. Unfortunately, due to the lack of available data, it cannot be determined how many license holders, staff, or volunteers would elect to offer this service and/or undergo the pre-exposure vaccination requirements.

The proposed revisions will also require license holders to annually report any educational or exhibition activities they conduct. Wild animals and wild birds held under a captivity license can only be used for scientific, educational, or exhibition purposes. This requirement allows the agency to monitor license holders to insure they are engaging in appropriate activities. It is estimated the cost to the license holder to meet this requirement would be measured in time and would equate to less than two hours in time annually. There is no associated monetary cost with this requirement. However, it is estimated that this reporting requirement would necessitate two hours of work time per year. This minimal time investment, over a year time-frame, will not significantly impact the citizens of the state. Additionally, the data received from these reports allows the Commission to more readily understand the activities of our license holders and ultimately serve all citizens of North Carolina better.

Under the proposed revisions, an applicant for a captivity license cannot have an animal cruelty conviction within the past 10 years. Current rules do not have any requirements or prohibitions in regards to past animal cruelty convictions, as such this could be considered a barrier to obtaining a captivity license. However, the agency is tasked with insuring license applicants meet certain minimum standards, including reasonable care for wild animals and wild birds in their possession. It is expected that there will not be a significant number of applicants affected by this prohibition. The agency anticipates this revision to have minimal economic impact on the state.

Unknown

While most proposed changes to the rules are expected to benefit long-term captivity license holders, the transfer of farmed cervids from the Commission to the Department of Agriculture and Consumer Services via G.S. 106-549.97 in 2015 requires that new restrictions are implemented on existing non-farmed cervid herds. Because the agency is discontinuing the long-term holding of wild cervids (non-farmed cervids), clear restrictions are proposed in 10H .1403 on facilities with captive cervid licenses issued prior to September 30, 2015. The new restrictions are expected to affect seven (7) private facilities. Notable changes include no new cervids, no reproduction and transfer only between existing non-farmed herds. These restrictions could be considered a lost opportunity and subsequently, a lost benefit. However, the proposed changes could also be considered a benefit to the State. By placing restrictions on non-farmed cervids, the agency is making efforts to avoid the spread of chronic wasting disease, which, if introduced to North Carolina, could have serious negative impacts to the native White-tailed deer population and deer hunting in NC. Unfortunately, the agency has no way to quantify these potential losses or benefits. For a more in-depth discussion of the dangers of chronic wasting

disease, please see the Commission's recent fiscal note discussing the actions being taken to prevent the spread of chronic wasting disease. .¹²

¹² A more detailed description of the benefits of actions to prevent the spread of chronic wasting disease can be found in the Commission's analysis of amendments to rule 15A NCAC 10B .0124, Importation of Animal Parts. https://files.nc.gov/ncosbm/documents/files/WRC_2018-10-01a.pdf

Appendix A

15A NCAC 10H.1401 DEFINITIONS AND GENERAL REQUIREMENTS FOR CAPTIVITY LICENSES

(a) The rules in Section .1400 apply to all captivity licenses issued by the Wildlife Resources Commission, including those applicable to non-farmed cervids in accordance with G.S. 106-549.97.

(b) The possession of any species of native wild animal or wild bird and any member of the family Cervidae is unlawful, unless the individual in possession obtains a captivity license from the Commission as provided by this Rule. This Rule shall not apply to any endangered, threatened, or special concern species as defined by 15A NCAC 10I .0100 or farmed cervids as defined by G.S. 106-549.97.

(c) Captivity licenses may be issued by the Commission to qualified individuals meeting the requirements for rehabilitation and captivity licenses detailed in this Section for holding of wild animals or wild birds alive in captivity for scientific, educational, exhibition, or other purposes, as specified in G.S. 113-272.5.

(d) The following definitions shall apply to all rules in this Section:

(1) “Category” means a designation on a captivity license for rehabilitation that defines a species or subset of species.

(2) “Educational institution” or “scientific research institution” means any public or private school, facility, organization, or institution of vocational, professional, or higher education that uses or intends to use live animals as part of a course of training, or for research, or other experiments, and is at least 50% funded by grants, awards, loans, or contracts from a department, agency, or instrumentality of federal, State, or local government. This does not include elementary or secondary schools.

(3) “Education” means providing instruction or education to the public about wild animals or wild birds.

(4) “Enclosure” means a structure housing captive wild animals or wild birds that prevents escape, protects the animal from injury, and is equipped with structural barriers to prevent any physical contact between the animal and the public.

(5) “Exhibition” mean any display of wild animals or wild birds to the public for-profit or not-for-profit.

(6) “Facility” means a designated location in North Carolina where wild animals or wild birds are held for rehabilitation or holding purposes. This includes enclosures, rooms, and buildings.

(7) “Farmed cervid” as defined in G.S. 106-549.97.

(8) “Foster” or “surrogate” means a bird held under a U.S. Fish and Wildlife Service federal migratory bird rehabilitation permit used to rear wild birds being held under a captivity license for rehabilitation.

(9) “Habituation” means causing a wild animal or wild bird to temporarily lose fear of humans, pets, or objects that impacts its ability to survive in the wild unassisted.

(10) “Imprinting” means causing a wild animal or wild bird to permanently lose fear of humans, pets, or objects that impacts its ability to survive in the wild unassisted, and is a non-reversible condition.

(11) “Migratory birds” means all birds as defined in G.S. 113-129.

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- 1 (12) “Native” means a wild animal or wild bird that occurs or historically occurred in the wild in North
2 Carolina.
- 3 (13) “Nest box” or “den” means a structure that provides a retreat area that is within, attached to,
4 or adjacent to an enclosure.
- 5 (14) “Non-farmed cervid” as defined in G.S. 106-549.97.
- 6 (15) “Non-native” means a wild animal or wild bird that has not historically occurred in the wild in North
7 Carolina.
- 8 (16) “Pet” means any animal kept or used for amusement or companionship.
- 9 (17) “Publicly operated zoo” means a park or facility in which living animals are kept and exhibited to
10 the public, and that is operated by a federal, State, or local government agency.
- 11 (18) “Rabies species” are raccoon, skunk, fox, bat, bobcat, or coyote.
- 12 (19) “Residence” means a private home, dwelling unit in a multiple family structure, hotel, motel, camp,
13 manufactured home, or any other place where people reside.
- 14 (20) “Shelter” means a structure or feature that protects captive wild animals or wild birds from direct
15 sunlight and precipitation.
- 16 (21) “Scientific use” and “scientific purpose” means the use of wild animals or wild birds for application
17 of the scientific method to investigate any relationships amongst natural phenomena or to solve a
18 biological or medical problem. This definition applies only to educational or research institutions
19 unless otherwise approved by the Commission.
- 20 (22) "Unfit" means wild animals or wild birds that are:
- 21 (A) incapacitated by injury or other means to the extent that they cannot feed or care for
22 themselves without human assistance;
- 23 (B) rendered imprinted by proximity to humans, pets, or objects; or
- 24 (C) a non-native species.
- 25 (23) “Wild animal” means game animals, fur-bearing animals, and all other wild mammals except feral
26 swine or marine mammals found in coastal fishing waters.
- 27 (24) “Wild bird” as defined in 15A NCAC 10B .0121.
- 28 (e) Individuals interested in obtaining a captivity license for rehabilitation or a captivity license for holding shall apply
29 for the license by completing and submitting the appropriate forms as described in Rule .1406 of this Section.
- 30 (f) Applicants for either license shall meet the following requirements:
- 31 (1) Be 18 years of age or older at the time of application;
- 32 (2) Have no criminal convictions under Article 47 of Chapter 14, of the North Carolina General Statutes
33 within 10 years of the date of application; and.
- 34 (3) Have no criminal convictions under the federal Animal Welfare Act within 10 years of the date of
35 application.
- 36 (g) No captivity license shall be transferable either by license holder or by site of a holding facility.

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1 (h) Captivity licenses are annual licenses and shall terminate no later than December 31 of the year the license is
2 issued.

3 (i) Except as otherwise provided, no transportation permit shall be required to move wild animals or wild birds held
4 under a captivity license within the State. Any person transporting an animal that is held under a captivity license
5 shall have the captivity license in their possession. An exportation or importation permit as defined in G.S. 113-
6 274(c)(3) is required to transport wild animals or wild birds into or out of the State.

7 (j) Individuals holding a captivity license shall comply with North Carolina Department of Agriculture and Consumer
8 Services requirements for disclosing reportable diseases. A list of current reportable diseases may be found on the
9 North Carolina Department of Agriculture and Consumer Services website www.ncagr.gov.

10

11 *History Note: Authority G.S. 106-549.97(b); 113-134; 113-272.5; 113-274;*

12 *Eff. January 1, 2020.*

Appendix A

15A NCAC 10H.1402 CAPTIVITY LICENSE FOR REHABILITATION

(a) A captivity license for rehabilitation shall be required for lawful possession of injured, crippled, orphaned, or otherwise unfit native wild animals or wild birds for the purpose of providing short term care and eventual release into the animal's natural habitat. A captivity license for rehabilitation shall not be issued for:

(1) Endangered, threatened, or special concern species as defined by 15A NCAC 10I .0100. Rehabilitation of these species requires an endangered species permit from the Commission;

(2) Domestic animals;

(3) Feral swine;

(4) Nutria;

(5) Coyote;

(6) Adult black bear; or

(7) Adult white-tailed deer or elk.

(b) A captivity license for rehabilitation shall not be issued for the purpose of holding wild animals or wild birds:

(1) As pets;

(2) For education, exhibition, or scientific purposes, except as provided in Rule .1403 of this Section;

(3) For dog training;

(4) For hunting; or

(5) Acquired unlawfully.

(c) Individuals who do not possess a captivity license for rehabilitation may take temporary possession of injured, crippled, or orphaned wild animals or wild birds, provided they surrender such animals to a North Carolina licensed veterinarian or an individual licensed under this Rule within 24 hours of taking possession of such animals.

(d) North Carolina licensed veterinarians providing medical care to sick, injured, or crippled wild animals or wild birds are not required to have a license for rehabilitation from the Commission. North Carolina licensed veterinarians without a captivity license for rehabilitation may hold wild animals or wild birds until the animal is medically stable. Once stable, it shall be transferred to an individual possessing a captivity license for rehabilitation with the appropriate category for the given species. Licensed veterinarians rehabilitating wild animals or wild birds shall have a valid captivity license for rehabilitation.

(e) Individuals applying for a captivity license for rehabilitation who have never held such license in North Carolina or any other state, shall be designated as an apprentice. The following requirements shall apply to apprentice license:

(1) An apprentice shall designate a mentor with a valid captivity license for rehabilitation in NC who has held a valid captivity license for rehabilitation for 2 or more years, on the application;

(2) An apprentice shall complete at least 12 months of supervised rehabilitation activities under a licensed rehabilitator; and

(3) An apprentice license only authorizes the possession of squirrels, rabbits, and opossums.

(f) Individuals applying for a captivity license for rehabilitation shall meet all statutory and regulatory requirements including those in G.S. 113-272.5 and Rule .1401 of this Section. Individuals seeking to rehabilitate migratory birds

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1 shall provide proof of a valid and concurrent U.S. Fish and Wildlife Service Federal Migratory Bird Rehabilitation
2 permit for each category of migratory birds to be rehabilitated. Categories of wild animals and wild birds that the
3 individual is licensed to possess, rehabilitate, and release shall be stated on the license.

4 (g) Required facilities

5 (1) Individuals holding a captivity license for rehabilitation shall conduct their rehabilitation activities
6 at the facility designated on their license that meets the minimum standards set forth in the "Miller,
7 E.A., edition, 2000. Minimum Standards for Wildlife Rehabilitation, 3rd edition. National Wildlife
8 Rehabilitators Association, St. Cloud, MN. 116 pages. ISBN 1-931439-00-1". This publication is
9 available online, free of charge, at http://www.nwrwildlife.org/page/Minimum_Standards.

10 (2) All wild animals and wild birds undergoing rehabilitation shall be separated from pets, domestic
11 animals, livestock, and non-native animals.

12 (3) All wild animals shall be kept in separate enclosures by species.

13 (4) In-home rehabilitation facilities are residences and shall designate separate rooms used only for
14 housing, treatment, and rehabilitation.

15 (5) Handling of animals shall be for treatment only.

16 (h) Wild animals or wild birds showing symptoms of or believed to be infected with a zoonotic disease shall be treated
17 or euthanized based upon advice from a North Carolina licensed veterinarian prior to release.

18 (i) Release of rehabilitated wild animals and wild birds.

19 (1) All rehabilitated wild animals and wild birds shall be released as soon as the animal can be expected
20 to survive in the wild and/or has attained full recovery from illness or injury, as determined by the
21 rehabilitator or a North Carolina licensed veterinarian.

22 (2) Wild animals and wild birds may remain in a rehabilitation facility for no longer than 180 days. If
23 a longer rehabilitation period is needed, the license holder shall notify the Commission in writing.
24 The Commission will consider extended rehabilitation on a case-by-case basis by evaluation, which
25 may include the nature of the animal's condition and recommended treatment plan.

26 (3) Wild animals and wild birds shall not be released on property owned by another unless the individual
27 has written permission dated within the last 12 months from the landowner.

28 (4) The following conditions render a wild animal or wild bird non-releasable and the animals shall be
29 humanely euthanized:

30 (A) any animal with deformities or injuries that preclude survival without human assistance in
31 the wild after treatment; or

32 (B) any animal that has become imprinted.

33 The Commission shall consider transfer of wild animals and wild birds on a case-by-case basis when
34 written authorization is requested and written authorization is obtained from the Commission. The
35 wild animal or wild bird shall only be transferred to an individual or facility with a captivity license
36 for holding as set forth in Rule .1403 of this Section.

37 (j) Transfer of Animals

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1 (1) Wild animals originating outside the State shall not be accepted for the purpose of rehabilitation
2 unless written authorization is obtained from the Commission.

3 (2) Wild animals received for rehabilitation may not be exported outside the State for the purpose of
4 rehabilitation or release after rehabilitation unless written authorization is obtained from the
5 Commission and the state where the wild animal will be exported to or released from.

6 (3) It shall be unlawful for a license holder to sell any wild animal or wild bird being held under a
7 license for rehabilitation.

8 (4) It shall be lawful for a license holder to transfer a wild animal or wild bird to another individual who
9 possesses a valid captivity license for rehabilitation with the appropriate category for the given
10 species.

11 (k) White-tailed Deer Fawn

12 (1) Only individuals holding a captivity license for rehabilitation with the white-tailed deer fawn
13 category may possess, rehabilitate, and release white-tailed deer fawns. To become licensed to
14 rehabilitate white-tailed deer fawns, an individual shall meet all the requirements of the captivity
15 license for rehabilitation.

16 (2) No white-tailed deer fawn shall be possessed until the applicant has constructed or acquired an
17 enclosure for keeping fawn that complies with the standards set forth in Paragraph (g) of this Rule,
18 and the facility has been verified by a representative of the Commission.

19 (3) Any white-tailed deer fawn held for more than 48 hours shall be permanently tagged using only tags
20 provided by the Commission.

21 (4) Orphaned white-tailed deer fawns shall be held for no longer than 90 days. Injured white-tailed deer
22 fawns shall be held for no longer than 180 days or until December 31, whichever occurs first. If a
23 longer rehabilitation period is needed, the license holder shall notify the Commission in writing.
24 The Commission will consider extended rehabilitation on a case-by-case basis. A fawn is
25 considered an adult on December 31 of the birth year.

26 (5) Records of all white-tail deer fawn rehabilitation shall be maintained on a form, as described in rule
27 .1406 of this section, provided by the Commission at www.ncwildlife.org, and submitted to the
28 Commission within 15 days of expiration of the license or prior to the request for reissuance of the
29 license.

30 (6) Any individual or facility with the white-tailed deer category may not rehabilitate white-tailed fawn
31 on properties licensed for farmed cervids.

32 (l) Elk Calves

33 (1) Only individuals holding a captivity license for rehabilitation with the elk calf category may possess
34 and rehabilitate elk calves. To become licensed to rehabilitate elk calves, an individual shall meet
35 all the requirements of the captivity license for rehabilitation and shall only be approved to meet
36 conservation objectives of the Commission.

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1 (2) No elk calf shall be possessed until the applicant has constructed or acquired an enclosure for
2 keeping elk calves that complies with the standards set forth in Paragraph (g) of this Rule, and the
3 facility has been verified by a representative of the Commission.

4 (3) Records of all elk rehabilitation shall be maintain on a form provided by the Commission at
5 www.ncwildlife.org, and submitted to the Commission within 15 days of expiration of the license
6 or prior to the request for reissuance of the license.

7 (m) Black Bear Cubs

8 (1) Only individuals under a signed cooperative agreement with the Commission to meet conservation
9 objectives shall be authorized to rehabilitate black bear cubs.

10 (2) Individuals in a cooperative agreement with the Commission shall obtain a captivity license for
11 rehabilitation with the black bear category. To become licensed to rehabilitate black bear cubs, an
12 individual shall meet all the requirements of the captivity license for rehabilitation.

13 (2) No black bear shall be possessed until the applicant has constructed or acquired an enclosure for
14 keeping black bear that complies with the standards set forth in Paragraph (g) of this Rule, and the
15 facility has been verified by a representative of the Commission.

16 (n) Rabies Species

17 (1) Only individuals holding a captivity license for rehabilitation with the rabies species category may
18 possess, rehabilitate, and/or release rabies species. To become licensed to rehabilitate rabies
19 species, an individual shall meet all requirements of the general captivity license for rehabilitation
20 and shall:

21 (A) have held an active rehabilitation license within or outside of the State for at least the
22 previous three years and have actively rehabilitated during that time;

23 (B) certify 12 hours of rabies, or species-specific training;

24 (C) certify up-to-date rabies immunization in accordance with current Advisory Committee
25 on Immunization Practices of the Centers for Disease Control and Prevention at
26 www.CDC.gov for any rehabilitator, staff member or volunteer who may come in contact
27 with rabies species. Proof of immunization to demonstrate that the vaccine was
28 administered shall be provided upon request and shall be kept at the license holder's
29 facility;

30 (D) provide the name and contact information of a North Carolina licensed veterinarian with
31 whom the rehabilitator has consulted and who agrees to provide necessary medical
32 treatment to the rabies species. Contact information for the veterinarian shall be posted at
33 the facility where the rabies species are being rehabilitated;

34 (E) certify notification to the appropriate animal control authority and local health
35 department prior to making application to the Commission, to inform them of their
36 anticipated activities and location. Contact information for these agencies shall be posted
37 at the facility where the rabies species are being rehabilitated.

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- 1 (F) have separate facilities from non-rabies species adequate for the species to be
2 rehabilitated. Enclosures within the facility shall prevent escape of the animal and
3 exposure to people, pets, livestock, and other captive or free-ranging wildlife. Exterior
4 caging shall be locked and surrounded by double fencing or a solid wall barrier; and
5 (G) coordinate with appropriate local Health Department regarding euthanasia and testing of
6 rabies species. A written protocol for testing shall be posted at the facility and made
7 available for inspection by the Commission upon request.
- 8 (2) Except for bats, rehabilitation and release of rabies species is not authorized in counties where the
9 United States Department of Agriculture-Animal and Plant Health Inspection Service Oral Rabies
10 Vaccination (ORV) program is conducted.
- 11 (3) Rabies species shall not be removed from their containment except for treatment, release,
12 maintenance of the enclosure, or euthanasia.
- 13 (4) Rehabilitated rabies species must be released in either the county in which they were rehabilitated
14 or the county where they were found.
- 15 (5) All rabies species shall be considered potentially infected with the rabies virus. If any human or
16 domestic animal has been scratched, bitten, or exposed to saliva, the fluid that surrounds the brain
17 and spinal cord, or brain and spinal cord material from any rabies species, the license holder shall
18 contact the local Health Department immediately to report the incident. The local Health
19 Department may require euthanasia of the animal and submission of the brain for rabies testing.
20 Rehabilitators shall abide by all requests made by authorized public health department personnel,
21 animal control, or Commission personnel regarding disposition of the animal. No rabies species
22 that has scratched or bitten a human or domestic animal or dies in captivity can be released or
23 disposed of until the local Health Department investigates the situation to determine if testing is
24 necessary.
- 25 (6) Records of all rabies species rehabilitation shall be maintain on a form, as described in rule .1406
26 of this section, provided by the Commission at www.ncwildlife.org, and submitted to the
27 Commission within 15 days of expiration of the license or prior to the request for reissuance of the
28 license.

29
30 *History Note:* Authority G.S. 106-549.97(b); 113-134; 113-272.5;
31 Eff. January 1, 2020.

Appendix A

15A NCAC 10H.1403 CAPTIVITY LICENSE FOR HOLDING

(a) The purpose of a captivity license for holding is to authorize the possession of lawfully taken or acquired native wild animals or wild birds for education, exhibition, or scientific purposes. A captivity license for holding shall not be issued for endangered, threatened, or special concern species as defined in 15A NCAC 10I .0100. Possession of these species requires an endangered species permit from the Commission.

(b) A captivity license for holding shall not be issued for holding wild animals or wild birds:

(1) As pets;

(2) For breeding unless approved by the Commission;

(3) For dog training; or

(4) For hunting in captivity.

(c) Individuals seeking to obtain a captivity license for holding migratory birds shall possess and provide proof of a valid, concurrent, and applicable federal permit from U.S. Fish and Wildlife Service, if required.

(d) Individuals seeking to hold wild animals for education, exhibition, or research purposes that require a license from the U.S. Department of Agriculture shall obtain a captivity permit as defined by G.S. 113-274 prior to obtaining the animal.

(e) No captivity license for holding shall be issued and no wild animals or wild birds shall be possessed until the applicant has constructed or acquired an enclosure for keeping a wild animal or wild bird in captivity that complies with the standards set forth in Rule .1404 of this Section, and the facility has been verified by a representative of the Commission or the individual has shown proof of a valid, concurrent, and applicable U.S. Department of Agriculture license or exemption from USDA licensing requirements. Any changes to an animal's enclosure after verification shall be reported to the Commission in writing within 10 business days.

(f) The following conditions shall apply to captivity licenses for holding wild animals or wild birds:

(1) Wild animals and wild birds shall not comingle with pets, non-native animals, livestock, or wild animals or wild birds held under a captivity license for rehabilitation. This provision shall not apply to surrogate animals or wild animals or wild birds used to foster other wild animals and wild birds;

(2) Rabies species outside of their enclosure shall be kept restrained at all times so that the license holder or their designee is in control of the animal and it does not have physical contact with the public, domestic animals, non-native animals, livestock, or other wild animals or wild birds;

(3) Wild animals outside their enclosure shall be kept restrained at all times so that the license holder or their designee is in control of the animal and it presents no danger to the public; and

(4) Wild animals shall not roam free unrestrained outside of an enclosure.

(g) License holders with wild animals or wild birds used for education or exhibition outside of their facility, shall maintain records of all education and exhibition activities on a form, as described in rule .1406 of this section, provided by the Commission at www.ncwildlife.org, and shall retain records for a period of 12 months following expiration of the license.

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1 (h) It is unlawful for a license holder to sell, transfer, or release the wild animal or wild bird held under the license,
2 except that such wild animal or wild bird may be surrendered to an agent of the Commission, or transferred to another
3 individual who has obtained a license to hold the wild animal or wild bird in captivity. Upon transfer, the transferor
4 shall create a record for the wild animal or wild bird showing the transferors name, address, tag number if available,
5 license number, date of transfer, and transferor's signature, verifying that the information is true and accurate. A copy
6 of the record shall be retained by the transferee for three years from the date of transfer.

7 (i) Non-releasable animals lawfully held under a captivity license for rehabilitation pursuant to Rule.1402 of this
8 Section, except for white-tailed deer fawns and elk calves, may be transferred to a captivity license for holding under
9 the following conditions:

10 (1) A North Carolina licensed veterinarian submits a written recommendation stating the reason or
11 reasons why the wild animal or wild bird cannot be released into the wild. The explanation shall
12 include a description of the incapacitation of the animal and a detailed explanation of why the animal
13 will not experience chronic pain from its condition or injuries; and

14 (2) The Commission authorizes the transfer and continued possession of the wild animal or wild bird;
15 and

16 (3) For imprinted animals, the individual with the captivity license for holding shall not be the same
17 individual that rehabilitated that specific animal.

18 (j) Rabies Species

19 (1) License holders with rabies species shall:

20 (A) certify up-to-date rabies immunization in accordance with current Advisory Committee
21 on Immunization Practices of the Centers for Disease Control and Prevention at
22 www.CDC.gov for any staff member or volunteer who may come in contact with rabies
23 species. Proof of immunization to demonstrate that the vaccine was administered shall be
24 provided upon request and shall be kept at the license holder's facility;

25 (B) provide the name and contact information of a North Carolina licensed veterinarian with
26 whom the license holder has consulted and who agrees to provide necessary medical
27 treatment to the rabies species. Contact information for the veterinarian shall be posted at
28 the facility where the rabies species are being held;

29 (C) certify notification to the appropriate animal control authority and their local health
30 department prior to making application to the Commission, to inform them of their
31 anticipated activities and location. Contact information for these agencies shall be posted
32 at the facility where the rabies species are being held;

33 (D) have separate facilities from non-rabies species. Enclosures within the facility shall
34 prevent escape of the animal and exposure to people, pets, livestock and other captive or
35 free-ranging wildlife. Exterior caging shall be locked and surrounded by double fencing
36 or a solid wall barrier; and

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1 (E) coordinate with appropriate local Health Department regarding euthanasia and testing of
2 rabies species. Written protocols for testing shall be posted at the facility and made
3 available for inspection by the Commission upon request.

4 (2) All rabies species shall be considered potentially infected with the rabies virus. If any human or
5 domestic animal has been scratched, bitten or exposed to saliva, the fluid that surrounds the brain
6 and spinal cord, or brain and spinal cord material from any rabies species, he or she shall contact
7 the local Health Department immediately to report the incident. The local Health Department may
8 require euthanasia of the animal and submission of the brain for rabies testing. License holders
9 shall abide by all requests made by authorized public health department personnel, animal control,
10 or Commission personnel regarding disposition of the animal. No rabies species that has scratched
11 or bitten a human or domestic animal or dies in captivity can be disposed of until the local Health
12 Department investigates the situation to determine if testing is necessary.

13 (k) Black Bear:

14 (1) In accordance with G.S. 19A-10 and G.S. 19A-11, no captivity license may be issued for a black
15 bear, except to:

16 (A) a publicly operated zoo; or

17 (B) an educational institution; or

18 (C) a facility holding a black bear under conditions simulating natural habitat pursuant to Rule
19 .1404(e) of this Section.

20 (2) Except for emergency transport to a North Carolina licensed veterinarian, no individual shall
21 transport black bear for any purpose without first obtaining a transportation permit from the
22 Commission.

23 (l) Cougar:

24 (1) In accordance with G.S. 113-272.5, no captivity license may be issued for a cougar, except to:

25 (A) a publicly operated zoo; or

26 (B) an educational institution; or

27 (C) a facility holding a cougar under conditions simulating a natural habitat pursuant to Rule
28 .1404(f) of this Section.

29 (2) Except for emergency transport to a North Carolina licensed veterinarian, no individual shall
30 transport cougar for any purpose without first obtaining a transportation permit from the
31 Commission.

32 (m) Non-Farmed Cervids:

33 (1) It is unlawful to hold any non-farmed cervids under a captivity licenses for holding, except for
34 animals being held under a valid captive cervid license issued prior to September 30, 2015 that are
35 not farmed cervids, as specified by G.S. 106-549.97.

36 (2) The following conditions shall apply to non-farmed cervid licenses issued prior to September 30,
37 2015:

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- 1 (A) no reproduction within the existing herd;
- 2 (B) no new non-farmed cervids shall be added to the existing herd from the wild or from farmed
3 cervids held under the North Carolina Department of Agriculture and Consumer Services
4 farmed cervid program;
- 5 (C) the escape of any non-farmed cervid from the facility shall be reported to the Commission
6 within one hour of discovery. The license holder shall request a permit to take the escaped
7 non-farmed cervid pursuant to the terms of the permit. The dead cervid shall be submitted
8 by the license holder to an approved laboratory for Chronic Wasting Disease (CWD)
9 testing, unless the Commission determines that the risk of CWD transmission as a result of
10 this escape is negligible;
- 11 (D) the Commission shall be notified within 24 hours if any non-farmed cervid within the
12 facility exhibits clinical symptoms of CWD, as described on the CWD Alliance website at
13 www.cwd-info.org, or if a quarantine is placed on the facility by the State Veterinarian.
14 All non-farmed cervids that exhibit symptoms of CWD shall be tested for CWD;
- 15 (E) the carcass of any non-farmed cervid that was six months or older at time of death shall be
16 submitted by the license holder to an approved laboratory and tested for CWD within 48
17 hours of knowledge of the cervid's death, or by the end of the next business day, whichever
18 is later. The Commission-issued ear tag shall not be removed from the cervid's head prior
19 to submitting the head for CWD testing;
- 20 (F) the license holder shall make all records pertaining to tags, licenses, or permits issued by
21 the Commission available for inspection by the Commission upon request, during the
22 facility's business hours, or at any time an outbreak of CWD is suspected or confirmed
23 within five miles of the facility or within the facility itself;
- 24 (G) the license holder shall make all licensed facilities, enclosures, and the record-book(s)
25 documenting required monitoring of the outer fence of the enclosure(s) at each licensed
26 facility, available for inspection by the Commission, upon request, during the facility's
27 business hours, or at any time an outbreak of CWD is suspected or confirmed within five
28 miles of the facility or within the facility itself;
- 29 (H) the fence surrounding the enclosure shall be inspected by the license holder once a week
30 to verify its stability and to detect the existence of any conditions or activities that threaten
31 its stability. In the event of severe weather or any other condition that presents potential for
32 damage to the fence, inspection shall occur every three hours until cessation of the
33 threatening condition, except that no inspection is required under circumstances that
34 threaten the safety of the person conducting the inspection and inspections shall resume as
35 soon as possible.
- 36 (i) a record-book shall be maintained to record the time and date of each inspection
37 of the fence, the name of the person who performed the inspection of the fence,

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1 and the condition of the fence at time of inspection. The person who performs the
2 inspection shall enter the date and time of detection and the location of any
3 damage threatening the stability of the fence. If the fence is damaged, the license
4 holder shall record a description of measures taken to prevent ingress or egress by
5 non-farmed cervids. Each record-book entry shall bear the signature or initials of
6 the license holder attesting to the veracity of the entry. The record-book shall be
7 made available for inspection by a representative of the Commission upon
8 request, or during the facility's business hours; and

9 (ii) any opening or passage through the enclosure fence shall, within one hour of
10 detection, be sealed or otherwise secured to prevent a non-farmed cervid from
11 entry or escape. Any damage to the enclosure fence that threatens its stability shall
12 be repaired within one week of detection;

13 (I) each non-farmed cervid held under this license shall be tagged as follows:

14 (i) a single button ear tag provided by the Commission shall be permanently affixed
15 by the license holder onto either the right or left ear of each non-farmed cervid,
16 provided that the ear chosen to bear the button tag shall not also bear a bangle tag,
17 so that each ear of the cervid bears only one tag;

18 (ii) a single bangle ear tag provided by the Commission shall be permanently affixed
19 by the license holder onto the right or left ear of each non-farmed cervid, provided
20 that the ear bearing the bangle tag does not also bear the button tag, so that each
21 ear of the cervid bears only one tag; and

22 (iii) once a tag is affixed in the manner required by this Rule, it shall not be removed;
23 and

24 (J) a permit to transport non-farmed cervids may be issued by the Commission to an applicant
25 for the purpose of transporting the animal(s) for export out of State, to a slaughterhouse for
26 slaughter, between non-farmed cervid facilities covered by this Rule, or to a veterinary
27 medical facility for treatment provided that the animal for which the permit is issued does
28 not exhibit clinical symptoms of CWD. Application for a transportation permit shall be
29 made to the Commission by completing and submitting the non-farmed cervid
30 transportation form detailed in Rule .1406 of this Section. Any person transporting a non-
31 farmed cervid shall present the transportation permit to any law enforcement officer or
32 representative of the Commission upon request, except that a person transporting a non-
33 farmed cervid by verbal authorization for veterinary treatment shall provide the name of
34 the person who issued the approval to any law enforcement officer or representative of the
35 Commission upon request.

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2 *History Note:* Authority G.S. 106-549.97(b); 113-134; 113-272.5, 113-272.6; 113-274(c)(1b);

3 *Eff. January 1, 2020.*

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15A NCAC 10H.1404 MINIMUM STANDARDS CAPTIVITY LICENSE FOR HOLDING

(a) The following minimum standards shall apply to wild animals and wild birds held under a captivity license for holding:

(1) General Sanitation and Food Requirements. Each license holder shall comply with the following general requirements in addition to any requirements specified by species:

(A) water: clean drinking water shall be provided. All pools, tanks, water areas, and water containers provided for swimming, wading, or drinking shall be clean. Enclosures shall provide drainage for surface water and runoff;

(B) sanitation: water disposal and waste disposal shall be in accordance with all applicable local, State, and federal laws;

(C) food: food shall be of a type and quantity that is appropriate for the particular species and shall be provided in an unspoiled and uncontaminated condition; and

(D) waste: fecal and food waste shall be removed from inside, under, and around enclosures and disposed of in a manner that prevents noxious odors or pests.

(2) General Enclosure Requirements. Each license holder shall comply with the following general requirements in addition to any requirements specified by species:

(A) all enclosures constructed of chain link or other approved materials shall be braced and securely anchored;

(B) enclosures shall be ventilated;

(C) enclosures with a natural substrate shall have a dig barrier, that prevents escape;

(D) the young of any animal may be kept with the parent or foster animal of the same species in a single-animal enclosure until weaning. After weaning, if the animals are kept together, the requirements for multiple-animal enclosures shall apply;

(E) chains or tethers shall not be used as a method of confinement for wild animals inside the enclosure;

(F) each enclosure shall be equipped with at least one shelter, nest box, or den large enough to accommodate all animals in the enclosure at the same time; and

(G) each enclosure shall have at least one elevated area large enough to accommodate all animals in the enclosure at the same time.

(3) Single animal enclosures shall have the following minimum dimensions and horizontal areas, or dimensional equivalents:

<u>Animal</u>	<u>Length (ft.)</u>	<u>Width (ft.)</u>	<u>Height (ft.)</u>	<u>Total Square Footage</u>
<u>Wild Turkey</u>	<u>6</u>	<u>4</u>	<u>8</u>	<u>24</u>
<u>Coyote</u>	<u>8</u>	<u>8</u>	<u>6</u>	<u>64</u>
<u>Fox (Red and Gray)</u>	<u>8</u>	<u>4</u>	<u>4</u>	<u>32</u>
<u>Raccoon</u>	<u>8</u>	<u>4</u>	<u>4</u>	<u>32</u>
<u>Bobcat</u>	<u>10</u>	<u>5</u>	<u>5</u>	<u>50</u>

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<u>Otter</u>	<u>10</u>	<u>5</u>	<u>5</u>	<u>50</u>
<u>Squirrel</u>	<u>4</u>	<u>2</u>	<u>2</u>	<u>8</u>
<u>Groundhog</u>	<u>8</u>	<u>4</u>	<u>4</u>	<u>32</u>
<u>Rabbit</u>	<u>6</u>	<u>3</u>	<u>3</u>	<u>18</u>
<u>Opossum</u>	<u>6</u>	<u>3</u>	<u>3</u>	<u>18</u>
<u>Skunk</u>	<u>6</u>	<u>3</u>	<u>3</u>	<u>18</u>
<u>Armadillo</u>	<u>8</u>	<u>6</u>	<u>4</u>	<u>48</u>

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for animals not mentioned elsewhere in this rule, single animal enclosures shall be a cage with one horizontal dimension being at least four times the nose-rump length of the animal and the other horizontal dimension being at least two times nose-rump length of the animal. The vertical dimensions shall be at least two times the nose-rump length of the animal. No cages shall be less than four feet by two feet by two feet, or eight square feet.

(4) The minimum square footage for multiple animal enclosures shall be determined by multiplying the required square footage for a single animal enclosure by a factor of 1.5 for one additional animal and that result by the same factor, successively, for each additional animal. Vertical dimensions may remain the same as for single animal enclosures.

(b) Non-farmed Cervids

(1) the minimum size of the enclosure shall not be less than one-half acre for the first three animals and an additional one-fourth acre for each additional animal. No more than 25 percent of the enclosure shall be covered with water;

(2) the enclosure shall be surrounded by a fence at least eight feet high, of sufficient strength and design to contain cervids and prevent contact with wild cervids;

(3) each enclosure shall be equipped with a shelter or shelters large enough to accommodate all the animals in the enclosure at the same time; and

(4) cervids shall not be contained within or allowed to enter a place of residence or any enclosure that has not been approved to hold cervids by the Commission, except as specifically authorized by law or rule of the Wildlife Resources Commission.

(c) Alligators

(1) the minimum size of the enclosure shall be based upon the length of the longest animal. Land area with both horizontal dimensions at least as long as the longest animal shall be provided. In case of more than one animal, the combined area covered by all their bodies while aligned parallel without overlap shall not exceed 50 percent of the land area;

(2) the enclosure shall have a structural barrier of sufficient strength to contain the animals, and shall prevent contact between the observer and alligator(s);

(3) in addition to the land area, the enclosure shall contain a pool of water large enough for all the animals in the enclosure to completely submerge themselves at the same time. Steps shall be taken to prevent the surface of the water from freezing solid;

(4) steps shall be taken to provide opportunities for the alligator to regulate its body temperature;

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1 (5) each enclosure shall be equipped with a shelter or shelters large enough to accommodate all animals
2 in the enclosure at the same time; and

3 (6) the facility shall have a perimeter boundary to prevent unauthorized entry and aid in the confinement
4 of animals. This boundary should be located at least 3 feet from the primary enclosure, be no less
5 than 8 feet in height, and be constructed of not less than 11.5 gauge chain link or equivalent.

6 (d) Wild Birds. Enclosures for wild birds may house more than one animal, provided that the enclosure is built to the
7 standards specified below and approved by the U.S. Fish and Wildlife Service.

8 (1) enclosures for raptors shall be built to standards detailed in the University of Minnesota’s “Raptors
9 in Captivity: Guidelines for Care and Management”.

10 (2) enclosure for all other wild birds shall be designed using the standards established by the National
11 Wildlife Rehabilitators Association’s “Wildlife in Education: A Guide for the Care and Use of
12 Program Animals”.

13 (e) Black Bear. Black bears held in captivity at facilities other than publicly operated zoos or educational institutions
14 shall be held in enclosures simulating a natural habitat, developed in accordance with the requirements of G.S. 19A-
15 11.

16 (f) Cougar. Cougars held in captivity by facilities other than publicly operated zoos, educational, or scientific research
17 institutions shall be held in enclosures simulating a natural habitat, developed in accordance with the requirements of
18 G.S. 113-272.5(e)(4).

19
20 *History Note: Authority G.S. 19A-11; 106-549.97(b); 113-134; 113-272.5, 113-272.6;*
21 *Eff. January 1, 2020.*

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15A NCAC 10H.1405 CAPTIVITY LICENSE REVOCATION AND ENFORCEMENT

(a) Representatives of the Commission shall be permitted to enter the premises of any license holder's facility upon request or during the facility's business hours, for inspection or scientific purposes.

(b) The Executive Director of the Commission or his or her designee may warn, cite, or revoke a license holder's captivity license, if the license holder violates any provision of Article 47 of Chapter 14 of the North Carolina General Statutes, or Subchapter IV of Chapter 113 of the North Carolina General Statutes, or any Rules promulgated under this Chapter or any conditions of the license. The determination whether to warn, cite, or revoke a captivity license for rehabilitation or holding shall be based upon the seriousness of the violation, and may include:

(1) Failing to provide required facilities for the housing of wild animals and wild birds as specified in Rule .1402(h) and Rule .1404 of this Section;

(2) Providing false or inaccurate information on license applications or reports submitted to the Commission;

(3) Possessing wild animals or wild birds not permitted by the captivity license for rehabilitation, or the captivity license for holding;

(4) Using animals undergoing rehabilitation for education, exhibition, profit, or science involving contact with or proximity to the public;

(5) Failing to comply with monitoring or record-keeping requirements as provided by the rules of this Section;

(6) Taming, imprinting, or improperly handling animals held for rehabilitation;

(7) Failing to treat conditions that warrant medical attention;

(8) Failing to notify the appropriate agencies after a rabies exposure as described in this Section;

(9) Allowing a wild animal held under a captivity license for holding to roam free unrestrained outside of its enclosure; or

(10) The license holder of a facility holding captive cervid(s) failing to:

(A) comply with tagging requirements as provided by rules of this Section;

(B) comply with requirements for maintaining the enclosure fence as provided by rules of this Section; or

(C) allow the Commission to inspect the facility or records as provided by rules of this Section.

(c) An individual holding a captivity license for rehabilitation with the apprentice designation shall notify the Commission within 10 business days if they no longer have a mentor. The apprentice shall obtain another mentor within 30 days and notify the Commission with that individual's information. If the apprentice fails to obtain another mentor within 60 days, the Commission shall revoke his or her license and he or she shall be required to reapply for an apprentice license.

(d) If a wild animal or wild bird is unlawfully possessed or the Commission revokes a captivity license for rehabilitation or holding, then the Commission may seize and determine future treatment of the wild animal or wild bird, to include release, relocation, or euthanasia.

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1 (e) The Commission shall revoke a non-farmed cervid license, and the holder of that license shall forfeit the right to
2 keep non-farmed cervids and be required to turn the animals over to a representative of the Commission upon request
3 of the Commission, under any of the following circumstances or conditions:

4 (1) The license holder fails to submit a cervid carcass to an approved laboratory for testing for Chronic
5 Wasting Disease within 48 hours of knowledge of that cervid's death or close of the next business
6 day, whichever is later, as provided by rule(s) in this Section;

7 (2) A cervid has been transported without a permit; or

8 (3) Chronic Wasting Disease has been confirmed in a cervid at that facility.

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10 *History Note: Authority G.S. 106-549.97(b); 113-134; 113-137; 113-140; 113-272.5; 113-274; 113-276.2*

11 Eff. January 1, 2020.

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15A NCAC 10H.1406 FORMS FOR CAPTIVITY LICENSES

(a) Individuals interested in obtaining a captivity license for rehabilitation shall apply to the Commission using the Captivity License for Rehabilitation Form available at www.ncwildlife.org. Information required by the applicant shall include:

- (1) Applicant's name, mailing address, residence address, telephone number, and date of birth;
- (2) Facility site address;
- (3) Organizational affiliation, if applicable;
- (4) Categories of wild animals and wild birds to be rehabilitated;
- (5) A copy of a valid Federal Migratory Bird Permit, if applicable;
- (6) Name and signature of mentor, if applicable; and
- (7) Certification of at least 12 hours of rehabilitation related training, if applicable.

(b) Individuals interested in obtaining a captivity license for holding shall apply to the Commission using the Captivity License for Holding Form available at www.ncwildlife.org. Information supplied by the applicant shall include:

- (1) Applicant's name, mailing address, residence address, telephone number, and date of birth;
- (2) Facility site address;
- (3) Organizational affiliation, if applicable;
- (4) Species information including quantity and source for all animals to be held; and
- (5) Purpose for holding animals in captivity.

(c) Individuals requesting a transportation permit for non-farmed cervids shall apply to the Commission using the Non-farmed Cervid Transportation Form available at www.ncwildlife.org. Information supplied by the applicant shall include:

- (1) Applicant's name, mailing address, residence address, and telephone number;
- (2) Facility site address;
- (3) Captivity license number;
- (4) Species and sex of each non-farmed cervid transported;
- (5) Tag number(s) for each non-farmed cervid transported;
- (6) Date of transportation;
- (7) Vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to transport the non-farmed cervid;
- (8) Name, address, county and phone number of the destination facility to which the non-farmed cervid will be transported;
- (9) Symptoms for which the non-farmed cervid requires veterinary treatment, if applicable;
- (10) Date of slaughter, if applicable;
- (11) Name and location of the North Carolina Department of Agriculture Diagnostic lab where the head of the non-farmed cervid is to be submitted for CWD testing, if applicable.

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1 (d) Individuals rehabilitating white-tailed deer fawns or elk calves shall record the following information on the White-
2 tailed Deer Fawn / Elk Calf Rehabilitation Activity Form available at www.ncwildlife.org:

- 3 (1) Captivity license number;
- 4 (2) Date of acceptance;
- 5 (3) Species and sex;
- 6 (4) Tag number; _____
- 7 (5) Disposition; and
- 8 (6) Date and location of release, if applicable.

9 (e) Individuals rehabilitating rabies species shall record the following information on the Rabies Species Rehabilitation
10 Activity Form available at www.ncwildlife.org:

- 11 (1) Captivity license number;
- 12 (2) Date of acceptance;
- 13 (3) Species and sex;
- 14 (4) Location of origin, if known; _____
- 15 (5) Disposition; and
- 16 (6) Date of transfer to other appropriately licensed captivity license holder, if applicable; or
- 17 (7) Date and location of release, if applicable.

18 (f) Individuals holding species under a Captivity License for Holding, for educational and exhibition purposes shall
19 record the following information on the Captivity License for Holding Education and Exhibition Form available at
20 www.ncwildlife.org:

- 21 (1) Captivity license number;
- 22 (2) Date of educational or exhibition activity;
- 23 (3) Species and numbers of wild animals or wild birds used in the educational or exhibition activity;
- 24 (4) Organization or group involved in the educational or exhibition activity; and
- 25 (5) Description of educational or exhibition activity, if applicable;

26 (g) All forms shall be signed, dated, and submitted to the Wildlife Resources Commission with applicable fees
27 mandated by G.S. 113-272.5 and 113-270.1B.

28
29 *History Note: Authority G.S. 113-134; 113-272.5;*
30 *Eff. January 1, 2020.*

EXHIBIT P-2

February 21, 2019



Proposed Changes to 10H .1400. Wildlife Captivity and Rehabilitation Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings

Title 15A NCAC 10H .1400. Wildlife Captivity and Rehabilitation

In 2013, the General Assembly passed a bill that amended G.S. 113-272.5. Captivity license, to provide for the issuance of these licenses for exhibition purposes. Effective September 30, 2015, farmed captive cervids were transferred from the Commission to the NC Department of Agriculture and Consumer Services via G.S. 106-549.97. Because of these changes, the agency's captivity rules required revision to ensure the intent of the statutes was clear and unambiguous in rule, and to specify terminology for consistent application. Additionally, it was necessary to distinguish the regulatory differences between holding wildlife for rehabilitation purposes from holding wildlife in long-term captivity. To accomplish this, the existing captivity rules in 15A NCAC 10H, subsections .0301 - .0304 were revised and reorganized into a new Section of subchapter 10H (15A NCAC 10H .1400 – Wildlife Captivity and Rehabilitation). The Commission voted last April to repeal existing rules with a delayed effective date of January 1, 2020. The rules proposed herein will replace them. These rules split rehabilitation and long-term captivity requirements, incorporate necessary definitions and provisions to be used throughout the subchapter, detail enforcement actions, and specify reporting requirements and form contents. The new Section will apply to all captivity licenses issued by the Commission as of January 1, 2020 and to those non-farmed cervid facilities issued a license prior to September 30, 2015.

15A NCAC 10H .1401 Definitions and General Requirements for Captivity Licenses

Establishes definitions used throughout 10H .1400 and details standard conditions of captivity licenses, including applicant requirements, duration of license, transportation, and reportable disease requirements.

Proposed changes from 10H .0300 Rules include the following:

- Specific definitions for terms used throughout the captivity and rehabilitation rules;
- Named rabies species to include raccoon, skunk, fox, bat, bobcat, and coyote;
- Disclosure requirements for reportable diseases; and
- License eligibility requirements including 18 years of age and no convictions of animal cruelty in the past 10 years.

15A NCAC 10H .1401 Definitions and General Requirements for Captivity Licenses (pages 4-6)

15A NCAC 10H .1402 Captivity License for Rehabilitation

Details the conditions and requirements for rehabilitating wildlife. Lists species that cannot be rehabilitated. Specifies reasons why a captivity license for rehabilitation can be denied. Details conditions under which an animal held for rehabilitation can be transferred or released. Details the minimum enclosure standards for wild animals and wild birds held for rehabilitation. Details the requirements to obtain an apprentice rehabilitation license. Stipulates requirements for rehabilitation of rabies species.

Proposed changes from 10H .0300 Rules include the following:

- Requirements for a new applicant to be designated an apprentice and fulfill specific requirements prior to obtaining a Captivity License for Rehabilitation;
- Allowing for the rehabilitation of rabies species, except coyotes, with additional conditions and restrictions;
- Life-stage specific rehabilitation standards based on the “Minimum Standards for Wildlife Rehabilitation” from the National Wildlife Rehabilitations Association;
- Permanently tagging all white-tailed deer fawn within 48 hours of intake;
- Separating white-tailed deer fawn and elk calves being rehabilitated from any farmed or non-farmed cervids and using separate equipment;
- Wildlife may only remain in rehabilitation for 180 days unless approved by the Commission;
- Details for disposition of non-releasable wildlife;
- Pre-license facility inspections are not required for rehabilitators, except for facilities for white-tailed deer fawn and elk calves, and black bear cubs;
- Rehabilitation of wild turkey and black bear cubs is permitted; and
- Rehabilitation facilities for black bear cubs and elk calves will need to be approved on an as-needed basis by the Commission.

15A NCAC 10H .1402 Captivity License for Rehabilitation (pages 7-12)

15A NCAC 10H .1403 Captivity License for Holding

Details the conditions and requirements for holding wildlife in long-term holding for scientific, education, or exhibition purposes. Specifies reasons why a captivity license for holding may be denied. Details the requirements for holding rabies species in long-term captivity.

Proposed changes from 10H .0300 Rules include the following:

- Animals may be held for exhibition purposes;
- Restrictions on comingling and contact between captive wildlife and domestic, livestock, other captive species, and/or the public;
- Incorporates use of a captivity permit for individuals keeping animals that require a license from the USDA;
- Requires record keeping for exhibition and education activities outside of a facility;
- Restricts reproduction of all wildlife in captivity unless part of a breeding program;
- Details rules specific to holding cervids of wild origin at facilities licensed prior to September 30, 2015;
- Requires imprinted rehabilitated wildlife deemed non-releasable be transferred to a different license holder for long-term holding;
- Allows the long-term holding of black bears and wild turkeys;
- Makes requirements for black bears and cougars consistent with statute; and

- Details specific requirements for holding rabies species in long-term captivity.

15A NCAC 10H .1403 Captivity License for Holding (pages 13-17)

15A NCAC 10H .1404 Minimum Standards Captivity License for Holding

Details the required minimum enclosure standards for wildlife held for long-term holding for scientific, educational, or exhibition. Enclosure requirements are listed out by species except for wild birds, whose enclosure requirements are referenced back to published standards and require approval from the USFWS. Requires that natural bear and cougar habitats need approval of the Commission as is detailed in statute.

15A NCAC 10H .1404 Minimum Standards Captivity License for Holding (pages 18-20)

15A NCAC 10H .1405 Captivity License Revocation and Enforcement

Establishes Commission inspection of captivity license holder facilities and the criteria under which the Commission may issue warnings, modify, revoke, or suspend licenses. Provides a list of potential activities or actions that would be deemed violations of the captivity licenses and presents options for disposition of seized wildlife.

15A NCAC 10H .1405 Captivity License Revocation and Enforcement (pages 21-22)

15A NCAC 10H .1406 Forms for Captivity Licenses

Details the required information an applicant must provide the Commission to obtain a Captivity License for Holding, Captivity License for Rehabilitation, and transportation permit for non-farmed cervids. Details the information required for reports related to rabies species rehabilitation, white-tailed deer fawn and elk calf rehabilitation, and educational or exhibition activities under a holding license.

15A NCAC 10H .1406 Forms for Captivity Licenses (pages 23-24)

1 **15A NCAC 10H .1401 DEFINITIONS AND GENERAL REQUIREMENTS FOR CAPTIVITY LICENSES**

2
3 (a) The rules in this Section apply to all captivity licenses issued by the Wildlife Resources Commission, including
4 those applicable to non-farmed cervids in accordance with G.S. 106-549.97.

5 (b) The possession of any species of native wild animal or wild bird and any member of the family Cervidae is
6 unlawful, unless the individual in possession obtains a captivity license from the Commission as provided by this
7 Rule. This Rule shall not apply to any endangered, threatened, or special concern species as defined by 15A NCAC
8 10I .0100 or farmed cervids as defined by G.S. 106-549.97.

9 (c) Captivity licenses may be issued by the Commission to qualified individuals meeting the requirements for
10 rehabilitation and captivity licenses detailed in this Section for holding of wild animals or wild birds alive in captivity
11 for scientific, educational, exhibition, or other purposes, as specified in G.S. 113-272.5.

12 (d) The following definitions shall apply to all rules in this Section:

13 (1) “Category” means a designation on a captivity license for rehabilitation that defines a species or
14 subset of species.

15 (2) “Educational institution” or “scientific research institution” means any public or private school,
16 facility, organization, or institution of vocational, professional, or higher education that uses live
17 animals as part of a course of training, or for research, or other experiments, and is at least 50%
18 funded by grants, awards, loans, or contracts from a department, agency, or instrumentality of
19 federal, State, or local government. These terms do not include elementary or secondary schools.

20 (3) “Education” means providing instruction or information to the public about wild animals or wild
21 birds.

22 (4) “Enclosure” means a structure housing captive wild animals or wild birds that prevents escape,
23 protects the animal from injury, and is equipped with structural barriers to prevent any physical
24 contact between the animal and the public.

25 (5) “Exhibition” mean any display of wild animals or wild birds for the public, whether for-profit or
26 not-for-profit.

27 (6) “Facility” means a designated location in North Carolina where wild animals or wild birds are held
28 for rehabilitation or holding purposes. This includes enclosures, rooms, and buildings.

29 (7) “Farmed cervid” as defined in G.S. 106-549.97.

30 (8) “Foster” or “surrogate” means a bird held under a U.S. Fish and Wildlife Service federal migratory
31 bird rehabilitation permit used to rear wild birds being held under a captivity license for
32 rehabilitation.

33 (9) “Habituation” means causing a wild animal or wild bird to temporarily lose fear of humans, pets, or
34 objects that impacts its ability to survive in the wild unassisted.

35 (10) “Imprinting” means causing a wild animal or wild bird to permanently lose fear of humans, pets, or
36 objects that impacts its ability to survive in the wild unassisted and is a non-reversible condition.

37 (11) “Migratory birds” means all birds as defined in G.S. 113-129.

1 (12) "Native" means a wild animal or wild bird that occurs or historically occurred in the wild in North
2 Carolina.

3 (13) "Nest box" or "den" means a structure that provides a retreat area that is within, attached to,
4 or adjacent to an enclosure.

5 (14) "Non-farmed cervid" as defined in G.S. 106-549.97.

6 (15) "Non-native" means a wild animal or wild bird that has not historically occurred in the wild in North
7 Carolina.

8 (16) "Pet" means any animal kept or used for amusement or companionship.

9 (17) "Publicly operated zoo" means a park or facility where living animals are kept and exhibited to the
10 public, and that is operated by a federal, State, or local government agency.

11 (18) "Rabies species" are raccoon, skunk, fox, bat, bobcat, or coyote.

12 (19) "Residence" means a private home, dwelling unit in a multiple family structure, hotel, motel, camp,
13 manufactured home, or any other place where people reside.

14 (20) "Shelter" means a structure or feature that protects captive wild animals or wild birds from direct
15 sunlight and precipitation.

16 (21) "Scientific use" and "scientific purpose" means the use of wild animals or wild birds for application
17 of the scientific method to investigate any relationships amongst natural phenomena or to solve a
18 biological or medical problem. This definition applies only to educational or scientific research
19 institutions unless otherwise approved by the Commission.

20 (22) "Unfit" means wild animals or wild birds that are:

21 (A) incapacitated by injury or other means to the extent that they cannot feed or care for
22 themselves without human assistance;

23 (B) rendered imprinted by proximity to humans, pets, or objects; or

24 (C) a non-native species.

25 (23) "Wild animal" means game animals, fur-bearing animals, and all other wild mammals except feral
26 swine or marine mammals found in coastal fishing waters.

27 (24) "Wild bird" as defined in 15A NCAC 10B .0121.

28 (e) Individuals interested in obtaining a captivity license for rehabilitation or a captivity license for holding shall apply
29 for the license by completing and submitting the appropriate forms set forth in Rule .1406 of this Section.

30 (f) Applicants for either license shall meet the following requirements:

31 (1) Be 18 years of age or older at the time of application;

32 (2) Have no criminal convictions under Article 47 of Chapter 14, of the North Carolina General Statutes
33 within 10 years of the date of application; and

34 (3) Have no criminal convictions under the federal Animal Welfare Act within 10 years of the date of
35 application.

36 (g) No captivity license shall be transferable either by license holder or by site of a holding facility.

1 (h) Captivity licenses are annual licenses and shall terminate no later than December 31 of the year the license is
2 issued.

3 (i) Except as otherwise provided, no transportation permit shall be required to move wild animals or wild birds held
4 under a captivity license within the State. Any person transporting an animal that is held under a captivity license
5 shall have the captivity license in his or her possession. An exportation or importation permit as defined in G.S. 113-
6 274(c)(3) is required to transport wild animals or wild birds into or out of the State.

7 (j) Individuals holding a captivity license shall comply with North Carolina Department of Agriculture and Consumer
8 Services requirements for disclosing reportable diseases. A list of current reportable diseases may be found on the
9 North Carolina Department of Agriculture and Consumer Services website this list is hereby incorporated by
10 reference, including subsequent amendments and editions and may be found at www.ncagr.gov.

1 **15A NCAC 10H .1402 CAPTIVITY LICENSE FOR REHABILITATION**

2
3 (a) A captivity license for rehabilitation shall be required for lawful possession of injured, crippled, orphaned, or
4 otherwise unfit native wild animals or wild birds for the purpose of providing short term care and eventual release into
5 the animal's natural habitat. A captivity license for rehabilitation shall not be issued for:

6 (1) Endangered, threatened, or special concern species as defined by 15A NCAC 10I .0100.
7 Rehabilitation of these species requires an endangered species permit from the Commission;

8 (2) Domestic animals;

9 (3) Feral swine;

10 (4) Nutria;

11 (5) Coyote;

12 (6) Adult black bear; or

13 (7) Adult white-tailed deer or elk.

14 (b) A captivity license for rehabilitation shall not be issued for the purpose of holding wild animals or wild birds:

15 (1) As pets;

16 (2) For education, exhibition, or scientific purposes, except as provided in Rule .1403 of this Section;

17 (3) For dog training;

18 (4) For hunting; or

19 (5) Acquired unlawfully.

20 (c) Individuals who do not possess a captivity license for rehabilitation may take temporary possession of injured,
21 crippled, or orphaned wild animals or wild birds, provided they are surrendered to a North Carolina licensed
22 veterinarian or an individual licensed under this Rule within 24 hours of taking possession of such animals.

23 (d) North Carolina licensed veterinarians providing medical care to sick, injured, or crippled wild animals or wild
24 birds are not required to have a license for rehabilitation from the Commission. North Carolina licensed veterinarians
25 without a captivity license for rehabilitation may hold wild animals or wild birds until the animal is medically stable.
26 Once medically stable, the wild animal or wild bird shall be transferred to an individual possessing a captivity license
27 for rehabilitation with the appropriate category for the given species. Licensed veterinarians rehabilitating wild
28 animals or wild birds shall have a valid captivity license for rehabilitation.

29 (e) Individuals applying for a captivity license for rehabilitation that have never held this license in North Carolina or
30 a similar license in another state, shall be designated as an apprentice. The following requirements shall apply to an
31 apprentice license:

32 (1) On the application, the apprentice shall designate a mentor with a valid captivity license for
33 rehabilitation in NC, who has held that license for two or more years;

34 (2) An apprentice shall complete at least 12 months of supervised rehabilitation activities under a
35 licensed rehabilitator; and

36 (3) An apprentice license shall only authorize the possession of squirrels, rabbits, and opossums.

1 (f) Individuals applying for a captivity license for rehabilitation shall meet statutory and regulatory requirements
2 including those in G.S. 113-272.5 and Rule .1401 of this Section. Individuals seeking to rehabilitate migratory birds
3 shall provide proof of a valid and concurrent U.S. Fish and Wildlife Service Federal Migratory Bird Rehabilitation
4 permit for each category of migratory birds to be rehabilitated. The Commission shall indicate on the captivity license
5 for rehabilitation the categories of wild animals and wild birds that the individual is licensed to possess.

6 (g) Required facilities.

7 (1) Individuals holding a captivity license for rehabilitation shall conduct their rehabilitation activities
8 at the facility designated on their license that meets the minimum standards set forth in the "Miller,
9 E.A., edition. 2000. Minimum Standards for Wildlife Rehabilitation, 3rd edition. National Wildlife
10 Rehabilitators Association, St. Cloud, MN. 116 pages. ISBN 1-931439-00-1." This publication is
11 available online, free of charge, at http://www.nwrawildlife.org/page/Minimum_Standards and is
12 hereby incorporated by reference, excluding subsequent amendments and editions.

13 (2) All wild animals and wild birds undergoing rehabilitation shall be separated from pets, domestic
14 animals, livestock, and non-native animals.

15 (3) All wild animals shall be kept in separate enclosures by species.

16 (4) Rehabilitation in a residence shall have designated, separate rooms used only for housing, treatment,
17 and rehabilitation.

18 (5) Handling of animals shall be for treatment only.

19 (h) Wild animals or wild birds showing symptoms of or believed to be infected with a zoonotic disease shall be
20 euthanized or treated prior to release, based upon advice from a North Carolina licensed veterinarian.

21 (i) Release of rehabilitated wild animals and wild birds.

22 (1) All rehabilitated wild animals and wild birds shall be released as soon as the animal can be expected
23 to survive in the wild or has attained full recovery from illness or injury, as determined by the
24 rehabilitator or a North Carolina licensed veterinarian.

25 (2) Wild animals and wild birds may remain in a rehabilitation facility for no longer than 180 days. If
26 a longer rehabilitation period is needed, the license holder shall notify the Commission in writing.
27 The Commission shall consider extended rehabilitation on a case-by-case basis by evaluation, which
28 may include the nature of the animal's condition and recommended treatment plan.

29 (3) Wild animals and wild birds shall not be released on property owned by another unless the
30 rehabilitator has written permission dated within the last 12 months from the landowner.

31 (4) The following conditions render a wild animal or wild bird non-releasable and the animals shall be
32 humanely euthanized:

33 (A) any animal with deformities or injuries that preclude survival without human assistance in
34 the wild after treatment; or

35 (B) any animal that has become imprinted.

36 However, the Commission shall consider transfer of wild animals and wild birds on a case-by-case
37 basis when written authorization is requested from the Commission. The wild animal or wild bird

1 shall only be transferred to an individual or facility with a captivity license for holding as set forth
2 in Rule .1403 of this Section when written authorization is obtained from the Commission.

3
4 (j) Transfer of Animals.

5 (1) Wild animals originating outside the State shall not be accepted for the purpose of rehabilitation
6 unless written authorization is obtained from the Commission.

7 (2) Wild animals received for rehabilitation may not be exported outside the State for the purpose of
8 rehabilitation or release after rehabilitation unless written authorization is obtained from both the
9 Commission and the state where the wild animal will be exported to or released from.

10 (3) It shall be unlawful for a license holder to sell any wild animal or wild bird being held under a
11 license for rehabilitation.

12 (4) It shall be lawful for a license holder to transfer a wild animal or wild bird to another individual who
13 possesses a valid captivity license for rehabilitation with the appropriate category for the given
14 species.

15 (k) White-tailed Deer Fawn.

16 (1) Only individuals holding a captivity license for rehabilitation with the white-tailed deer fawn
17 category may possess, rehabilitate, and release white-tailed deer fawns. To become licensed to
18 rehabilitate white-tailed deer fawns, an individual shall meet all the requirements of the captivity
19 license for rehabilitation.

20 (2) No white-tailed deer fawn shall be possessed until the applicant has constructed or acquired an
21 enclosure for keeping fawn that complies with the standards set forth in Paragraph (g) of this Rule,
22 and the facility has been verified by a representative of the Commission.

23 (3) Any white-tailed deer fawn held for more than 48 hours shall be permanently tagged using only
24 Commission-provided tags.

25 (4) Orphaned white-tailed deer fawns shall be held for no longer than 90 days. Injured white-tailed deer
26 fawns shall be held for no longer than 180 days or until December 31, whichever occurs first. If a
27 longer rehabilitation period is needed, the license holder shall notify the Commission in writing.
28 The Commission shall consider extended rehabilitation on a case-by-case basis. A fawn shall be
29 considered an adult on December 31 of the birth year.

30 (5) Records of all white-tail deer fawn rehabilitation shall be maintained on a form, as set forth in Rule
31 .1406 of this Section, provided by the Commission at www.ncwildlife.org, and submitted to the
32 Commission within 15 days of expiration of the license or prior to the request for reissuance of the
33 license.

34 (6) Any individual or facility with the white-tailed deer category may not rehabilitate white-tailed fawn
35 on properties licensed for farmed cervids.

36 (l) Elk Calves.

- 1 (1) Only individuals under a signed cooperative agreement with the Commission to meet conservation
2 objectives shall be authorized to rehabilitate elk calves.
- 3 (2) Individuals in a cooperative agreement with the Commission shall obtain a captivity license for
4 rehabilitation with the elk calf category. To become licensed to rehabilitate elk calves, an individual
5 shall meet all the requirements of the captivity license for rehabilitation.
- 6 (3) Any elk calves held for more than 48 hours shall be permanently tagged using only Commission-
7 provided tags.
- 8 (4) Any individual or facility with the elk calf category may not rehabilitate elk calves on properties
9 licensed for farmed cervids.
- 10 (5) No elk calf shall be possessed until the applicant has constructed or acquired an enclosure for
11 keeping elk calves that complies with the standards set forth in Paragraph (g) of this Rule, and the
12 facility has been verified by a representative of the Commission.
- 13 (6) Records of all elk calf rehabilitation shall be maintained on a form, as set forth in Rule .1406 of this
14 Section, provided by the Commission at www.ncwildlife.org, and submitted to the Commission
15 within 15 days of expiration of the license or prior to the request for reissuance of the license

16 (m) Black Bear Cubs.

- 17 (1) Only individuals under a signed cooperative agreement with the Commission to meet conservation
18 objectives shall be authorized to rehabilitate black bear cubs.
- 19 (2) Individuals in a cooperative agreement with the Commission shall obtain a captivity license for
20 rehabilitation with the black bear category. To become licensed to rehabilitate black bear cubs, an
21 individual shall meet all the requirements of the captivity license for rehabilitation.
- 22 (2) No black bear shall be possessed until the applicant has constructed or acquired an enclosure for
23 keeping black bear that complies with the standards set forth in Paragraph (g) of this Rule, and the
24 facility has been verified by a representative of the Commission.

25 (n) Rabies Species.

- 26 (1) Only individuals holding a captivity license for rehabilitation with the rabies species category may
27 possess, rehabilitate, or release rabies species. To become licensed to rehabilitate rabies species,
28 an individual shall meet all requirements of the general captivity license for rehabilitation and
29 shall:
 - 30 (A) have held an active rehabilitation license within or outside of the State for at least the
31 previous three years and have rehabilitated during that time;
 - 32 (B) certify 12 hours of rabies, or species-specific training;
 - 33 (C) certify up-to-date rabies immunization in accordance with current Advisory Committee
34 on Immunization Practices of the Centers for Disease Control and Prevention at
35 www.CDC.gov for any rehabilitator, staff member or volunteer, who may come in
36 contact with rabies species. Proof of immunization to demonstrate that the vaccine was

1 administered shall be provided upon the request of the Commission or authorized
2 representative and shall be kept at the license holder's facility;

3 (D) provide the name and contact information of a North Carolina licensed veterinarian with
4 whom the rehabilitator has consulted and who agrees to provide necessary medical
5 treatment to the rabies species. Contact information for the veterinarian shall be posted at
6 the facility where the rabies species are being rehabilitated;

7 (E) certify notification to the appropriate animal control authority and local health
8 department prior to making application to the Commission, to inform them of their
9 anticipated activities and location. Contact information for these agencies shall be posted
10 at the facility where the rabies species are being rehabilitated.

11 (F) have separate facilities from non-rabies species adequate for the species to be
12 rehabilitated. Enclosures within the facility shall prevent escape of the animal and
13 exposure to people, pets, livestock, and other captive or free-ranging wildlife. Exterior
14 caging shall be locked and surrounded by double fencing or a solid wall barrier; and

15 (G) coordinate with appropriate local health department regarding euthanasia and testing of
16 rabies species. A written protocol for testing shall be posted at the facility and made
17 available for inspection by the Commission upon request.

18 (2) Except for bats, rehabilitation and release of rabies species is not authorized in counties where the
19 United States Department of Agriculture-Animal and Plant Health Inspection Service Oral Rabies
20 Vaccination (ORV) program is conducted, as specified by the United States Department of
21 Agriculture-Animal and Plant Health Inspection Service at www.aphis.usda.gov.

22 (3) Rabies species shall not be removed from their containment except for treatment, release,
23 maintenance of the enclosure, or euthanasia.

24 (4) Rehabilitated rabies species must be released in either the county where they were rehabilitated or
25 the county where they were found.

26 (5) All rabies species shall be considered potentially infected with the rabies virus. If any human or
27 domestic animal has been scratched, bitten, or exposed to saliva, the fluid that surrounds the brain
28 and spinal cord, or brain and spinal cord material from any rabies species, the license holder shall
29 contact the local Health Department immediately to report the incident. The local Health
30 Department may require euthanasia of the animal and submission of the brain for rabies testing.
31 Rehabilitators shall abide by all requests made by authorized public health department personnel,
32 animal control, or Commission personnel regarding disposition of the animal. No rabies species
33 that has scratched or bitten a human or domestic animal or dies in captivity can be released or
34 disposed of until the local Health Department investigates the situation to determine if testing is
35 necessary.

36 (6) Records of all rabies species rehabilitation shall be maintained on a form, as described in Rule
37 .1406 of this Section, provided by the Commission at www.ncwildlife.org, and submitted to the

1
2

Commission within 15 days of expiration of the license or prior to the request for reissuance of the license.

1 **15A NCAC 10H .1403 CAPTIVITY LICENSE FOR HOLDING**

2
3 (a) The purpose of a captivity license for holding is to authorize the possession of lawfully taken or acquired native
4 wild animals or wild birds for education, exhibition, or scientific purposes. A captivity license for holding shall not
5 be issued for endangered, threatened, or special concern species as defined in 15A NCAC 10I .0100. Possession of
6 these species requires an endangered species permit from the Commission.

7 (b) A captivity license for holding shall not be issued for holding wild animals or wild birds:

8 (1) As pets;

9 (2) For breeding unless approved by the Commission;

10 (3) For dog training;

11 (4) For hunting; or

12 (5) Acquired unlawfully.

13 (c) Individuals seeking to obtain a captivity license for holding migratory birds shall possess and provide proof of a
14 valid, concurrent, and applicable federal permit from U.S. Fish and Wildlife Service, if required.

15 (d) Individuals seeking to hold wild animals for education, exhibition, or scientific purposes that require a license
16 from the U.S. Department of Agriculture shall obtain a captivity permit as defined by G.S. 113-274 prior to obtaining
17 the animal.

18 (e) No captivity license for holding shall be issued and no wild animals or wild birds shall be possessed until the
19 applicant has constructed or acquired an enclosure for keeping a wild animal or wild bird in captivity that complies
20 with the standards set forth in Rule .1404 of this Section, and the facility has been verified by a representative of the
21 Commission or the individual has shown proof of a valid, concurrent, and applicable U.S. Department of Agriculture
22 license or exemption from USDA licensing requirements. Any changes to an animal's enclosure after verification
23 shall be reported to the Commission in writing within 10 business days.

24 (f) The following conditions shall apply to captivity licenses for holding wild animals or wild birds:

25 (1) Wild animals and wild birds shall not comingle with pets, non-native animals, livestock, or wild
26 animals or wild birds held under a captivity license for rehabilitation. This provision shall not apply
27 to surrogate animals or wild animals or wild birds used to foster other wild animals and wild birds;

28 (2) Rabies species outside of their enclosure shall be kept restrained at all times so that the license holder
29 or their designee is in control of the animal and it does not have physical contact with the public,
30 domestic animals, non-native animals, livestock, or other wild animals or wild birds;

31 (3) Wild animals outside their enclosure shall be kept restrained at all times so that the license holder
32 or their designee is in control of the animal and it presents no danger to the public; and

33 (4) Wild animals shall not roam free unrestrained outside of an enclosure.

34 (g) License holders with wild animals or wild birds used for education or exhibition outside of their facility, shall
35 maintain records of all education and exhibition activities on a form, as described in Rule .1406 of this Section,
36 provided by the Commission at www.ncwildlife.org, and shall retain records for a period of 12 months following
37 expiration of the license.

1 (h) It is unlawful for a license holder to sell, transfer, or release the wild animal or wild bird held under the license,
2 except that such wild animal or wild bird may be surrendered to an agent of the Commission, or transferred to another
3 individual who has obtained a license to hold the wild animal or wild bird in captivity. Upon transfer, the transferor
4 shall create a record for the wild animal or wild bird showing the transferors name, address, tag number if available,
5 license number, date of transfer, and transferor's signature, verifying that the information contained in the record is
6 true and correct. A copy of the record shall be retained by the transferee for three years from the date of transfer.

7 (i) Non-releasable animals lawfully held under a captivity license for rehabilitation pursuant to Rule.1402 of this
8 Section, except for white-tailed deer fawns and elk calves, may be transferred to a captivity license for holding under
9 the following conditions:

10 (1) A North Carolina licensed veterinarian submits a written recommendation stating the reason or
11 reasons why the wild animal or wild bird cannot be released into the wild. The explanation shall
12 include a description of the incapacitation of the animal and a detailed explanation of why the animal
13 will not experience chronic pain from its condition or injuries;

14 (2) The Commission authorizes the transfer and continued possession of the wild animal or wild bird;
15 and

16 (3) For imprinted animals, the individual with the captivity license for holding shall not be the same
17 individual that rehabilitated that specific animal.

18 (j) Rabies Species

19 (1) License holders with rabies species shall:

20 (A) certify up-to-date rabies immunization in accordance with current Advisory Committee
21 on Immunization Practices of the Centers for Disease Control and Prevention at
22 www.CDC.gov for any staff member or volunteer who may come in contact with rabies
23 species. Proof of immunization to demonstrate that the vaccine was administered shall be
24 provided upon request of the Commission and shall be kept at the license holder's
25 facility;

26 (B) provide the name and contact information of a North Carolina licensed veterinarian with
27 whom the license holder has consulted and who agrees to provide necessary medical
28 treatment to the rabies species. Contact information for the veterinarian shall be posted at
29 the facility where the rabies species are being held;

30 (C) certify notification to the appropriate animal control authority and their local health
31 department prior to making application to the Commission, to inform them of their
32 anticipated activities and location. Contact information for these agencies shall be posted
33 at the facility where the rabies species are being held;

34 (D) have separate facilities from non-rabies species. Enclosures within the facility shall
35 prevent escape of the animal and exposure to people, pets, livestock and other captive or
36 free-ranging wildlife. Exterior caging shall be locked and surrounded by double fencing
37 or a solid wall barrier; and

1 (E) coordinate with appropriate local health department regarding euthanasia and testing of
2 rabies species. Written protocols for testing shall be posted at the facility and made
3 available for inspection by the Commission upon request.

4 (2) All rabies species shall be considered potentially infected with the rabies virus. If any human or
5 domestic animal has been scratched, bitten, or exposed to saliva, the fluid that surrounds the brain
6 and spinal cord, or brain and spinal cord material from any rabies species, he or she shall contact
7 the local health department immediately to report the incident. The local health department may
8 require euthanasia of the animal and submission of the brain for rabies testing. License holders
9 shall abide by all requests made by authorized public health department personnel, animal control,
10 or Commission personnel regarding disposition of the animal. No rabies species that has scratched
11 or bitten a human or domestic animal or dies in captivity can be disposed of until the local Health
12 Department investigates the situation to determine if testing is necessary.

13 (k) Black Bear:

14 (1) In accordance with G.S. 19A-10 and G.S. 19A-11, no captivity license may be issued for a black
15 bear, except to:

16 (A) a publicly operated zoo;

17 (B) an educational institution; or

18 (C) a facility holding a black bear under conditions simulating natural habitat pursuant to Rule
19 .1404(e) of this Section.

20 (2) Except for emergency transport to a North Carolina licensed veterinarian, no individual shall
21 transport black bear for any purpose without first obtaining a transportation permit from the
22 Commission.

23 (l) Cougar:

24 (1) In accordance with G.S. 113-272.5, no captivity license may be issued for a cougar, except to:

25 (A) a publicly operated zoo;

26 (B) an educational or scientific institution; or

27 (C) a facility holding a cougar under conditions simulating a natural habitat pursuant to Rule
28 .1404(f) of this Section.

29 (2) Except for emergency transport to a North Carolina licensed veterinarian, no individual shall
30 transport cougar for any purpose without first obtaining a transportation permit from the
31 Commission.

32 (m) Non-Farmed Cervids:

33 (1) It is unlawful to hold any non-farmed cervids under a captivity licenses for holding, except for
34 animals being held under a valid captive cervid license issued prior to September 30, 2015 that are
35 not farmed cervids, as specified by G.S. 106-549.97.

36 (2) The following conditions shall apply to non-farmed cervid licenses issued prior to September 30,
37 2015:

- 1 (A) no reproduction within the existing herd;
- 2 (B) no new non-farmed cervids shall be added to the existing herd from the wild or from farmed
3 cervids held under the North Carolina Department of Agriculture and Consumer Services
4 farmed cervid program;
- 5 (C) the escape of any non-farmed cervid from the facility shall be reported to the Commission
6 within one hour of discovery. The license holder shall request a permit to take the escaped
7 non-farmed cervid pursuant to the terms of the permit. The dead cervid shall be submitted
8 by the license holder to a North Carolina Department of Agriculture (NCDA) approved
9 laboratory for Chronic Wasting Disease (CWD) testing, unless the Commission determines
10 that the risk of CWD transmission as a result of this escape is negligible;
- 11 (D) the Commission shall be notified within 24 hours if any non-farmed cervid within the
12 facility exhibits clinical symptoms of CWD, as described on the CWD Alliance website at
13 www.cwd-info.org, or if a quarantine is placed on the facility by the State Veterinarian.
14 All non-farmed cervids that exhibit symptoms of CWD shall be tested for CWD;
- 15 (E) the carcass of any non-farmed cervid that was six months or older at time of death shall be
16 submitted by the license holder to a NCDA approved laboratory and tested for CWD within
17 48 hours of knowledge of the cervid's death, or by the end of the next business day,
18 whichever is later. The Commission-issued ear tag shall not be removed from the cervid's
19 head prior to submitting the head for CWD testing;
- 20 (F) the license holder shall make all records pertaining to tags, licenses, or permits issued by
21 the Commission available for inspection by the Commission upon request, during the
22 facility's business hours, or at any time an outbreak of CWD is suspected or confirmed
23 within five miles of the facility or within the facility itself;
- 24 (G) the license holder shall make all licensed facilities, enclosures, and the record-book(s)
25 documenting required monitoring of the outer fence of the enclosure(s) at each licensed
26 facility available for inspection by the Commission upon request, during the facility's
27 business hours, or at any time an outbreak of CWD is suspected or confirmed within five
28 miles of the facility or within the facility itself;
- 29 (H) the fence surrounding the enclosure shall be inspected by the license holder once a week
30 to verify its stability and to detect the existence of any conditions or activities that threaten
31 its stability. In the event of severe weather or any other condition that presents potential for
32 damage to the fence, inspection shall occur every three hours until cessation of the
33 threatening condition, except that no inspection is required under circumstances that
34 threaten the safety of the person conducting the inspection and inspections shall resume as
35 soon as possible.
- 36 (i) a record-book shall be maintained to record the time and date of each inspection
37 of the fence, the name of the person who performed the inspection of the fence,

1 and the condition of the fence at time of inspection. The person who performs the
2 inspection shall enter the date and time of detection and the location of any
3 damage threatening the stability of the fence. If the fence is damaged, the license
4 holder shall record a description of measures taken to prevent ingress or egress by
5 non-farmed cervids. Each record-book entry shall bear the signature or initials of
6 the license holder attesting to the veracity of the entry. The record-book shall be
7 made available for inspection by a representative of the Commission upon
8 request, or during the facility's business hours; and

9 (ii) any opening or passage through the enclosure fence shall, within one hour of
10 detection, be sealed or otherwise secured to prevent a non-farmed cervid from
11 entry or escape. Any damage to the enclosure fence that threatens its stability shall
12 be repaired within one week of detection;

13 (I) each non-farmed cervid held under this license shall be tagged as follows:

14 (i) a single button ear tag provided by the Commission shall be permanently affixed
15 by the license holder onto either the right or left ear of each non-farmed cervid,
16 provided that the ear chosen to bear the button tag shall not also bear a bangle tag,
17 so that each ear of the cervid bears only one tag;

18 (ii) a single bangle ear tag provided by the Commission shall be permanently affixed
19 by the license holder onto the right or left ear of each non-farmed cervid, provided
20 that the ear bearing the bangle tag does not also bear the button tag; and

21 (iii) once a tag is affixed in the manner required by this Rule, it shall not be removed;

22 (J) a permit to transport non-farmed cervids may be issued by the Commission to an applicant
23 for the purpose of transporting the animal(s) for export out of State, to a slaughterhouse for
24 slaughter, between non-farmed cervid facilities covered by this Rule, or to a veterinary
25 medical facility for treatment provided that the animal for which the permit is issued does
26 not exhibit clinical symptoms of CWD. Application for a transportation permit shall be
27 made to the Commission by completing and submitting the non-farmed cervid
28 transportation form detailed in Rule .1406 of this Section. Any person transporting a non-
29 farmed cervid shall present the transportation permit to any law enforcement officer or
30 representative of the Commission upon request, except that a person transporting a non-
31 farmed cervid by verbal authorization for veterinary treatment shall provide the name of
32 the person who issued the approval to any law enforcement officer or representative of the
33 Commission upon request.

1 **15A NCAC 10H .1404 MINIMUM STANDARDS CAPTIVITY LICENSE FOR HOLDING**

2
3 (a) The following minimum standards shall apply to wild animals and wild birds held under a captivity license for
4 holding:

5 (1) General Sanitation and Food Requirements. Each license holder shall comply with the following
6 general requirements in addition to any requirements specified by species:

7 (A) water: clean drinking water shall be provided. All pools, tanks, water areas, and water
8 containers provided for swimming, wading, or drinking shall be clean. Enclosures shall
9 provide drainage for surface water and runoff;

10 (B) sanitation: water disposal and waste disposal shall be in accordance with all applicable
11 local, State, and federal laws;

12 (C) food: food shall be of a type and quantity that is appropriate for the particular species and
13 shall be provided in an unspoiled and uncontaminated condition; and

14 (D) waste: fecal and food waste shall be removed from inside, under, and around enclosures
15 and disposed of in a manner that prevents noxious odors or pests.

16 (2) General Enclosure Requirements. Each license holder shall comply with the following general
17 requirements in addition to any requirements specified by species:

18 (A) all enclosures constructed of chain link or other approved materials shall be braced and
19 securely anchored;

20 (B) enclosures shall be ventilated;

21 (C) enclosures with a natural substrate shall have a dig barrier that prevents escape;

22 (D) the young of any animal may be kept with the parent or foster animal of the same species
23 in a single-animal enclosure until weaning. After weaning, if the animals are kept together,
24 the requirements for multiple-animal enclosures shall apply;

25 (E) chains or tethers shall not be used as a method of confinement for wild animals inside the
26 enclosure;

27 (F) each enclosure shall be equipped with at least one shelter, nest box, or den large enough to
28 accommodate all animals in the enclosure at the same time; and

29 (G) each enclosure shall have at least one elevated area large enough to accommodate all
30 animals in the enclosure at the same time.

31 (3) Single animal enclosures shall have the following minimum dimensions and horizontal areas, or
32 dimensional equivalents:

<u>Animal</u>	<u>Length (ft.)</u>	<u>Width (ft.)</u>	<u>Height (ft.)</u>	<u>Total Square Footage</u>
<u>Wild Turkey</u>	<u>6</u>	<u>4</u>	<u>8</u>	<u>24</u>
<u>Coyote</u>	<u>8</u>	<u>8</u>	<u>6</u>	<u>64</u>
<u>Fox (Red and Gray)</u>	<u>8</u>	<u>4</u>	<u>4</u>	<u>32</u>
<u>Raccoon</u>	<u>8</u>	<u>4</u>	<u>4</u>	<u>32</u>
<u>Bobcat</u>	<u>10</u>	<u>5</u>	<u>5</u>	<u>50</u>

<u>Otter</u>	<u>10</u>	<u>5</u>	<u>5</u>	<u>50</u>
<u>Squirrel</u>	<u>4</u>	<u>2</u>	<u>2</u>	<u>8</u>
<u>Groundhog</u>	<u>8</u>	<u>4</u>	<u>4</u>	<u>32</u>
<u>Rabbit</u>	<u>6</u>	<u>3</u>	<u>3</u>	<u>18</u>
<u>Opossum</u>	<u>6</u>	<u>3</u>	<u>3</u>	<u>18</u>
<u>Skunk</u>	<u>6</u>	<u>3</u>	<u>3</u>	<u>18</u>
<u>Armadillo</u>	<u>8</u>	<u>6</u>	<u>4</u>	<u>48</u>

For animals not mentioned elsewhere in this Rule, single animal enclosures shall be a cage with one horizontal dimension being at least four times the nose-rump length of the animal and the other horizontal dimension being at least two times nose-rump length of the animal. The vertical dimensions shall be at least two times the nose-rump length of the animal. No cages shall be less than four feet by two feet by two feet, or eight square feet.

- (4) The minimum square footage for multiple animal enclosures shall be determined by multiplying the required square footage for a single animal enclosure by a factor of 1.5 for one additional animal and that result by the same factor, successively, for each additional animal. Vertical dimensions may remain the same as for single animal enclosures.

(b) Non-farmed Cervids.

- (1) the minimum size of the enclosure shall not be less than one-half acre for the first three animals and an additional one-fourth acre for each additional animal. No more than 25 percent of the enclosure shall be covered with water;
- (2) the enclosure shall be surrounded by a fence at least eight feet high, of sufficient strength and design to contain cervids and prevent contact with wild cervids;
- (3) each enclosure shall be equipped with a shelter or shelters large enough to accommodate all the animals in the enclosure at the same time; and
- (4) cervids shall not be contained within or allowed to enter a place of residence or any enclosure that has not been approved to hold cervids by the Commission, except as specifically authorized by law or rule of the Wildlife Resources Commission.

(c) Alligators.

- (1) the minimum size of the enclosure shall be based upon the length of the longest animal. Land area with both horizontal dimensions at least as long as the longest animal shall be provided. In case of more than one animal, the combined area covered by all their bodies while aligned parallel without overlap shall not exceed 50 percent of the land area;
- (2) the enclosure shall have a structural barrier of sufficient strength to contain the animals, and shall prevent contact between the observer and alligator(s);
- (3) in addition to the land area, the enclosure shall contain a pool of water large enough for all the animals in the enclosure to completely submerge themselves at the same time. Steps shall be taken to prevent the surface of the water from freezing solid;
- (4) steps shall be taken to provide opportunities for the alligator to regulate its body temperature;

1 (5) each enclosure shall be equipped with a shelter or shelters large enough to accommodate all animals
2 in the enclosure at the same time; and

3 (6) the facility shall have a perimeter boundary to prevent unauthorized entry and confine the animals.
4 This boundary should be located at least 3 feet from the primary enclosure, be no less than 8 feet in
5 height, and be constructed of not less than 11.5 gauge chain link or equivalent.

6 (d) Wild Birds. Enclosures for wild birds may house more than one animal, provided that the enclosure is built to the
7 standards specified below and permitted by the U.S. Fish and Wildlife Service.

8 (1) enclosures for raptors shall be built to standards detailed in the University of Minnesota’s “Raptors
9 in Captivity: Guidelines for Care and Management.”

10 (2) enclosure for all other wild birds shall be designed using the standards established by the National
11 Wildlife Rehabilitators Association’s “Wildlife in Education: A Guide for the Care and Use of
12 Program Animals.”

13 (e) Black Bear. Black bears held in captivity at facilities other than publicly operated zoos or educational institutions
14 shall be held in enclosures simulating a natural habitat, developed in accordance with the requirements of G.S. 19A-
15 11.

16 (f) Cougar. Cougars held in captivity by facilities other than publicly operated zoos, educational, or scientific research
17 institutions shall be held in enclosures simulating a natural habitat, developed in accordance with the requirements of
18 G.S. 113-272.5(e)(4).

1 **15A NCAC 10H .1405 CAPTIVITY LICENSE REVOCATION AND ENFORCEMENT**

2
3 (a) Representatives of the Commission shall be permitted to enter the premises of any license holder's facility upon
4 request or during the facility's business hours for inspection or scientific purposes.

5 (b) The Executive Director of the Commission or his or her designee may warn, cite, or revoke a license holder's
6 captivity license, if the license holder violates any provision of Article 47 of Chapter 14 of the North Carolina General
7 Statutes, or Subchapter IV of Chapter 113 of the North Carolina General Statutes, or any Rules promulgated by the
8 Commission of Chapter 10 of the North Carolina Administrative Code or any conditions of the license. The
9 determination whether to warn, cite, or revoke a captivity license for rehabilitation or holding shall be based upon the
10 seriousness of the violation, and may include:

11 (1) Failing to provide required facilities for the housing of wild animals and wild birds as specified in
12 Rule .1402(g) and Rule .1404 of this Section;

13 (2) Providing false or inaccurate information on license applications or reports submitted to the
14 Commission;

15 (3) Possessing wild animals or wild birds not permitted by the captivity license for rehabilitation, or the
16 captivity license for holding;

17 (4) Using animals undergoing rehabilitation for education, exhibition, profit, or science involving
18 contact with or proximity to the public;

19 (5) Failing to comply with monitoring or record-keeping requirements as provided by the rules of this
20 Section;

21 (6) Taming, imprinting, or otherwise improperly handling animals held for rehabilitation;

22 (7) Failing to treat conditions that warrant medical attention;

23 (8) Failing to notify the appropriate agencies after a rabies exposure as described in this Section;

24 (9) Allowing a wild animal held under a captivity license for holding to roam free unrestrained outside
25 of its enclosure; or

26 (10) The license holder of a facility holding captive cervid(s) failing to:

27 (A) comply with tagging requirements as provided by rules of this Section;

28 (B) comply with requirements for maintaining the enclosure fence as provided by rules of this
29 Section; or

30 (c) An individual holding a captivity license for rehabilitation with the apprentice designation shall notify the
31 Commission within 10 business days if they no longer have a mentor. The apprentice shall obtain another mentor
32 within 30 days and notify the Commission with that individuals information. If the apprentice fails to obtain another
33 mentor within 60 days, the Commission shall revoke his or her license and he or she shall be required to reapply for
34 an apprentice license.

35 (d) If a wild animal or wild bird is unlawfully possessed or the Commission revokes a captivity license for
36 rehabilitation or holding, then the Commission may seize and determine future treatment of the wild animal or wild
37 bird, to include release, relocation, or euthanasia.

1 (e) The Commission shall revoke a non-farmed cervid license, and the holder of that license shall forfeit the right to
2 keep non-farmed cervids and be required to turn the animals over to a representative of the Commission upon request
3 of the Commission, under any of the following circumstances or conditions:

4 (1) The license holder fails to submit a cervid carcass to a NCDA approved laboratory for testing for
5 Chronic Wasting Disease within 48 hours of knowledge of that cervid's death or close of the next
6 business day, whichever is later, as provided by Rule .1403(m) in this Section;

7 (2) A cervid has been transported without a permit; or

8 (3) Chronic Wasting Disease has been confirmed in a cervid at that facility.

1 **15A NCAC 10H .1406 FORMS FOR CAPTIVITY LICENSES**

2
3 (a) Individuals interested in obtaining a captivity license for rehabilitation shall apply to the Commission using the
4 Captivity License for Rehabilitation Form available at www.ncwildlife.org. Information required by the applicant
5 shall include:

- 6 (1) The applicant's name, mailing address, residence address, telephone number, and date of birth;
- 7 (2) The facility site address;
- 8 (3) Any organizational affiliation, if applicable;
- 9 (4) The categories of wild animals and wild birds to be rehabilitated;
- 10 (5) A copy of a valid Federal Migratory Bird Permit, if applicable;
- 11 (6) The name and signature of mentor, if applicable; and
- 12 (7) Certification of at least 12 hours of rehabilitation related training, if applicable.

13 (b) Individuals interested in obtaining a captivity license for holding shall apply to the Commission using the Captivity
14 License for Holding Form available at www.ncwildlife.org. Information supplied by the applicant shall include:

- 15 (1) The Applicant's name, mailing address, residence address, telephone number, and date of birth;
- 16 (2) The facility site address;
- 17 (3) Any organizational affiliation, if applicable;
- 18 (4) The species information including quantity and source for all animals to be held; and
- 19 (5) The purpose for holding animals in captivity.

20 (c) Individuals requesting a transportation permit for non-farmed cervids shall apply to the Commission using the
21 Non-farmed Cervid Transportation Form available at www.ncwildlife.org. Information supplied by the applicant shall
22 include:

- 23 (1) The applicant's name, mailing address, residence address, and telephone number;
- 24 (2) The facility site address;
- 25 (3) The captivity license number;
- 26 (4) The species and sex of each non-farmed cervid transported;
- 27 (5) The tag number(s) for each non-farmed cervid transported;
- 28 (6) The date of transportation;
- 29 (7) The vehicle or trailer license plate number and state of issuance of the vehicle or trailer used to
30 transport the non-farmed cervid;
- 31 (8) The name, address, county and phone number of the destination facility to which the non-farmed
32 cervid will be transported;
- 33 (9) The symptoms for which the non-farmed cervid requires veterinary treatment, if applicable;
- 34 (10) The date of slaughter, if applicable;
- 35 (11) The name and location of the North Carolina Department of Agriculture Diagnostic lab where the
36 head of the non-farmed cervid is to be submitted for CWD testing, if applicable.

1 (d) Individuals rehabilitating white-tailed deer fawns or elk calves shall record the following information on the White-
2 tailed Deer Fawn / Elk Calf Rehabilitation Activity Form available at www.ncwildlife.org:

- 3 (1) The captivity license number;
- 4 (2) The date of acceptance;
- 5 (3) The species and sex;
- 6 (4) The Tag number;
- 7 (5) The disposition; and
- 8 (6) The date and location of release, if applicable.

9 (e) Individuals rehabilitating rabies species shall record the following information on the Rabies Species Rehabilitation
10 Activity Form available at www.ncwildlife.org:

- 11 (1) The captivity license number;
- 12 (2) The date of acceptance;
- 13 (3) The species and sex;
- 14 (4) The location of origin, if known; _____
- 15 (5) The disposition; and
- 16 (6) The date of transfer to other appropriately licensed captivity license holder, if applicable; or
- 17 (7) The date and location of release, if applicable.

18 (f) Individuals holding species under a Captivity License for Holding, for educational and exhibition purposes shall
19 record the following information on the Captivity License for Holding Education and Exhibition Form available at
20 www.ncwildlife.org:

- 21 (1) The captivity license number;
- 22 (2) The date of educational or exhibition activity;
- 23 (3) The species and numbers of wild animals or wild birds used in the educational or exhibition activity;
- 24 (4) The organization or group involved in the educational or exhibition activity; and
- 25 (5) The description of educational or exhibition activity, if applicable;

26 (g) All forms shall be signed, dated, and submitted to the Wildlife Resources Commission with applicable fees
27 mandated by G.S. 113-272.5 and 113-270.1B.

28

EXHIBIT Q
February 21, 2019



STATE OF NORTH CAROLINA
OFFICE OF ADMINISTRATIVE HEARINGS

Mailing address:
6714 Mail Service Center
Raleigh, NC 27699-6714

Street address:
1711 New Hope Church Rd
Raleigh, NC 27609-6285

March 21, 2019

Carrie Ruhlman, Rulemaking Coordinator
Wildlife Resources Commission
1701 Mail Service Center
Raleigh, NC 27699-1701

Re: Readoption pursuant to G.S. 150B-21.3A(c)(2)g of **15A NCAC 10A,D,E,G,I,J, and K**

Dear Ms. Ruhlman:

Attached to this letter are the rules subject to readoption pursuant to the periodic review and expiration of existing rules as set forth in G.S. 150B-21.3A(c)(2)g. After consultation with your agency, this set of rules was discussed at the February 21, 2019 Rules Review Commission meeting regarding the scheduling of these rules for readoption. Pursuant to G.S. 150B-21.3A(d)(2), the rules identified on the attached printout shall be readopted by the agency no later than December 31, 2024.

If you have any questions regarding the Commission's action, please let me know.

Sincerely,

Amber May
Commission Counsel

Administration
919/431-3000
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Rules Division
919/431-3000
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Commission
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Civil Rights
Division
919/431-3036
fax: 919/431-3103

**RRC DETERMINATION
PERIODIC RULE REVIEW
December 13, 2018
APO Review: February 16, 2019
Wildlife Resources Commission
Total: 35**

RRC Determination: Necessary with substantive public interest

Rule	Determination
15A NCAC 10A .0401	Necessary with substantive public interest
15A NCAC 10A .0402	Necessary with substantive public interest
15A NCAC 10A .0501	Necessary with substantive public interest
15A NCAC 10A .0502	Necessary with substantive public interest
15A NCAC 10A .0503	Necessary with substantive public interest
15A NCAC 10A .1001	Necessary with substantive public interest
15A NCAC 10A .1101	Necessary with substantive public interest
15A NCAC 10A .1201	Necessary with substantive public interest
15A NCAC 10A .1301	Necessary with substantive public interest
15A NCAC 10A .1302	Necessary with substantive public interest
15A NCAC 10A .1303	Necessary with substantive public interest
15A NCAC 10D .0102	Necessary with substantive public interest
15A NCAC 10D .0103	Necessary with substantive public interest
15A NCAC 10D .0104	Necessary with substantive public interest
15A NCAC 10D .0105	Necessary with substantive public interest
15A NCAC 10E .0101	Necessary with substantive public interest
15A NCAC 10E .0102	Necessary with substantive public interest
15A NCAC 10E .0103	Necessary with substantive public interest
15A NCAC 10E .0104	Necessary with substantive public interest
15A NCAC 10G .0401	Necessary with substantive public interest
15A NCAC 10G .0402	Necessary with substantive public interest
15A NCAC 10G .0403	Necessary with substantive public interest
15A NCAC 10G .0405	Necessary with substantive public interest
15A NCAC 10G .0501	Necessary with substantive public interest
15A NCAC 10I .0102	Necessary with substantive public interest
15A NCAC 10I .0103	Necessary with substantive public interest
15A NCAC 10I .0104	Necessary with substantive public interest
15A NCAC 10I .0105	Necessary with substantive public interest
15A NCAC 10J .0101	Necessary with substantive public interest
15A NCAC 10J .0102	Necessary with substantive public interest
15A NCAC 10J .0103	Necessary with substantive public interest
15A NCAC 10J .0104	Necessary with substantive public interest
15A NCAC 10K .0101	Necessary with substantive public interest

[15A](#) [NCAC 10K](#) [.0102](#)

Necessary with substantive public interest

[15A](#) [NCAC 10K](#) [.0103](#)

Necessary with substantive public interest

DRAFT