### TITLE 15A – DEPARTMENT OF ENVIRONMENTAL QUALITY

*Notice* is hereby given in accordance with G.S. 150B-21.2 that the Wildlife Resources Commission intends to amend the rules cited as 15A NCAC 10B .0209, .0301, .0306, .0405; 10C .0205, .0306, .0422; 10D .0219, .0229, .0232, .0239, .0244 and .0263.

Link to agency website pursuant to G.S. 150B-19.1(c): https://www.ncwildlife.org/hunting/regulations/proposed-regulations

### Proposed Effective Date: August 1, 2025

#### **Public Hearing:**

**Date:** August 13, 2024 **Time:** 7:00 p.m. **Location:** Southwestern Randolph High School (Auditorium), 1641 Hopewell Friends Road, Asheboro, NC 27205

**Date:** August 14, 2024 **Time:** 7:00 p.m.

#### Location:

Zoom Meeting. Registration Required: https://ncwildlife-org.zoomgov.com/webinar/register/WN\_GvC2fpMeTZOUkP4u7SvHpw, or Join by Phone: Toll Free (833) 568-8864, Webinar ID 161 300 5238

**Date:** August 15, 2024 **Time:** 7:00 p.m. **Location:** Pitt Community College (Smith Center), 1935 Warren Drive, Winterville, NC 28590

**Reason for Proposed Action:** Each year, the N.C. Wildlife Resources Commission reviews and adjusts seasons, bag limits, and the land management regulations, as needed, to achieve conservation management goals, comply with statutory changes, and respond to constituent requests.

NOTE: Current proposed changes in Rule 10C .0205 are struck through, underlined, and italicized.

**Comments may be submitted to:** Rulemaking Coordinator, 1701 Mail Service Center, Raleigh, NC 27699; email regulations@ncwildlife.org

### Comment period ends: September 13, 2024

**Procedure for Subjecting a Proposed Rule to Legislative Review:** If an objection is not resolved prior to the adoption of the rule, a person may also submit a written objection to the Rules Review Commission. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive letters via U.S. Mail, private courier service, or hand delivery to 1711 New Hope Church Road, Raleigh, North Carolina, or via email to oah.rules@oah.nc.gov. If you have any further questions concerning the submission of objections to the Commission, please review 26 NCAC 05 .0110 or call a Commission staff attorney at 984-236-1850.

Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

State funds affected
 □ Local funds affected
 □ Substantial economic impact (>= \$1,000,000)
 ○ Approved by OSBM
 □ No fiscal note required

### **CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY**

## SUBCHAPTER 10B - HUNTING AND TRAPPING

#### **SECTION .0200 - HUNTING**

#### 15A NCAC 10B .0209 WILD TURKEY

(a) The open season for wild turkey is from the second Saturday on or after in April <u>11</u> through the fourth Saturday thereafter on bearded or male turkeys only.

(b) The daily bag limit is one, the possession limit is two, and the season limit is two.

(c) The use of dogs for hunting wild turkeys is prohibited.

(d) The following shall apply to Spring Youth Only Wild Turkey Season:

- the open season is from the first Saturday and Sunday in prior to April <u>11</u> through the Friday thereafter on bearded or male wild turkeys only;
- (2) the season limit is one. one; and
- (3) youth are individuals under 16 years of age.

History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.2; 113-291.5; Eff. February 1, 1976; Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993; July 1, 1992; Temporary Amendment Eff. July 1, 1999; Amended Eff. July 1, 2000; Temporary Amendment Eff. July 1, 2001; Temporary Amendment Eff. July 1, 2002; Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02); Temporary Amendment Eff. June 1, 2003; Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17, 2003); Amended Eff. February 1, 2018; August 1, 2017; January 1, 2013; May 1, 2009; May 1, 2007; November 1, 2005; Readopted Eff. February 1, 2022.

# **SECTION .0300 - TRAPPING**

## 15A NCAC 10B .0301 DEFINITIONS

As used in this Section, the following definitions apply:

- (1) "Box trap", "corral trap", and "cage trap" are a device designed so that the animal enters the trap through a door that closes and is meant to prevent the animal from exiting.
- (2) "Breakaway device" means a device incorporated into a snare or snare component that allows the loop to break open, and an animal to escape completely free of the snare, when a specified amount of force is applied.
- (3) "Collarum<sup>TM</sup>-type trap" means a power-activated snare that is activated when the trigger is pulled and that is designed to capture and restrain the animal by a cable around the neck.
- (4) "Conibear®", "Conibear®-type", and "bodygrip" traps are designed to catch an animal in a body hold resulting in a quick kill.
- (5) "Leghold" and "foothold" mean a trap designed to hold an animal by the foot.
- (6) "Loop stop" means a device that is attached to the snare cable to prevent the loop from closing beyond a specified point.
- (7) "Power-activated" means a snare on which the speed or direction of the loop closure is initiated or augmented by a powering device like a spring.
- (8) "Relaxing lock" means a snare lock that allows the snare loop to release constriction pressure on the captured animal when the cable is not taut.
- (9) "Snare" means a cable restraining device.
- (10) "Steel-jaw" means a leghold or foothold trap in which the jaws are made of metal.
- (11) "Submersion trapping systems" are traps, other than snares and Conibear®-type traps, that are set in a manner that allow or cause the captured animal to become irreversibly submerged in water.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.6; Eff. January 1, 2011; Readopted Eff. February 1, 2022; Amended Eff. August 1, 2023.

# 15A NCAC 10B .0306 ATTENDANCE AND TAGGING OF TRAPS

(a) Traps shall be visited daily and animals caught shall be removed, except for completely submerged Conibear®-type, Conibear®, or bodygrip traps traps, and submersion trapping systems, as defined in 15A NCAC 10B .0301, which shall be visited once per 72 hours and animals caught shall be removed.

(b) Steel-jaw, leghold, Conibear®, Conibear®-type traps, Collarum<sup>TM</sup>-type traps, snares, box traps, and cage traps must have a weatherresistant permanent tag attached legibly giving the trapper's name and address or the trapper's trapper identification number provided by the Wildlife Resources Commission and the Wildlife Resources Commission's telephone number to report wildlife violations. Box traps for rabbits shall have a weather-resistant permanent tag attached legibly giving the hunter's name and address or the hunter's Wildlife Resources Commission customer number and the Wildlife Resources Commission's telephone number to report wildlife violations.

- (c) Remote trap checking systems may be used in lieu of visiting the trap, provided the system has the following features:
  - (1) a control unit that monitors the trap in real-time and reports trap status and unit status to a centralized application database a minimum of once every two hours;
  - (2) a software application that notifies the user of unit status, trap activity, and system health issues within 10 minutes of these events via email, text-based messaging systems, or an in-application notification; and
  - (3) an on-demand test procedure that is used at deployment of a unit to confirm that the unit is placed in a location where its wireless communication can be received and processed.

(d) If the remote trap checking system control unit reports a trap closure, the trap shall be physically visited within 24 hours of the time the trap was reported closed.

(e) If a remote trap checking system control unit fails to report its status after a 12-hour period, or reports a system health issue, the trap shall be physically visited within 24 hours of the last time a status report was sent.

(f) Remote trap checking system users shall maintain records of trap status and notification alarms for a minimum of seven days after receipt. Records shall be made available for inspection upon request by a representative of the Commission.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.12; Eff. August 1, 2023.

### **SECTION .0400 - TAGGING FURS**

### 15A NCAC 10B .0405 FUR DEALERS

(a) Any individual wanting to engage in the business of buying or selling fur-bearing animals or other wild animals that may lawfully be sold, as specified in G.S. 113-273(f), shall first obtain a fur dealer license from the Commission.

(b) Application for a fur dealer license shall be made online at www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606. Information required from the applicant shall include:

- (1) the applicant's name, address, telephone number, date of birth; and
- (2) a list of all employees to be covered under the license.

(c) The fur dealer license shall not be transferable.

(d) Any individual working on behalf of the licensed fur dealer shall have a copy of the fur dealer's current license.

(e) It is unlawful for any fur dealer, or person acting on his or her behalf, to import, buy, or accept delivery of a carcass or pelt of any fur-bearing animal or other wild animal from a source located in any other state that has not been affixed with a tag in accordance with the tagging requirements of the state from which the animal was taken, unless documentation of the date and hour of the arrival of such carcass or pelt at the fur dealer's place of business is available for inspection.

(f) Imported carcasses and pelts shall not be resold or removed from a fur dealer's place of business without having been tagged as required by Paragraph (e) of this Rule.

(g) Except as provided by Paragraph (e) of this Rule, it is unlawful for any licensed fur dealer to have in his or her possession the carcass or pelt of any bobcat, otter, or fox which has not been affixed with a fur tag provided by the Commission unless the fox was taken from a county exempt from fox tagging requirements.

(h) Licensed fur dealers shall maintain records of all acquisitions of carcasses and pelts of beaver, bobcat, coyote, mink, muskrat, nutria, opossum, otter, raccoon, striped skunk, spotted skunk, weasel, and foxes. Such records shall consist of receipts, copies of receipts, or other written evidence of the transactions showing the sources and numbers of acquisition.

(i) <u>Monthly Annual reports shall be submitted to the Commission on or before the 15th day of the succeeding month within 15 days following the date of license expiration on forms supplied by the Commission at www.ncwildlife.org or at the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606-2576. Reports shall include the following:</u>

- (1) all acquisitions of carcasses and pelts, except those which have been acquired from and reported by other fur dealers licensed by the State;
- (2) all acquisitions made during each month beginning with October and ending with March of the following year;
- (3) distinguishment between acquisitions made within the State and those made from outside the State; and
- (4) counties in which the animals were taken if within the State.

In the case of nonresident fur dealers licensed to do business in this State, the records and reports required by this Paragraph apply only to carcasses or pelts of animals acquired from within this State, and no reports are required from nonresident fur dealers who acquire pelts only from other fur dealers licensed in the State.

(j) The records required by Paragraph (i) of this Rule and the inventory of carcasses and pelts on hand shall be made available for inspection by representatives of the Commission upon request or during the fur dealer's business hours.

History Note: Authority G.S. 113-129; 113-134; 113-273; 113-291.3; 113-291.4; 50 C.F.R. 23; 87 Stat. 884; Eff. November 14, 1978; Amended Eff. August 1, 2010; January 1, 1992; December 1, 1981; August 1, 1981; February 2, 1981; Readopted Eff. October 1, 2022.

## SUBCHAPTER 10C - INLAND FISHING REGULATIONS

#### **SECTION .0200 - GENERAL REGULATIONS**

## 15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS

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

- (1) "Natural bait" means a living or dead plant or animal, or parts thereof, or prepared substances designed to attract fish by the sense of taste or smell.
  - (2) "Single hook" means a fish hook with only one point.
  - (3) "Artificial lure" means a fishing lure that neither contains nor has been treated by a substance that attracts fish by the sense of taste or smell.
  - (4) "Artificial fly" means one single hook dressed with feathers, hair, thread, tinsel, rubber, or a similar material to which no additional hook, spinner, spoon spoon, or similar device is added.
  - (5) "Youth anglers" are individuals under <u>18 16</u> years of age.
- (b) For purposes of this Rule, 15A NCAC 10C .0316, and 15A NCAC 10D .0104, the following classifications apply:

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

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

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

- (1) Alleghany
  - (A) Delayed Harvest Trout Waters are as follows:
    - Little River from the S.R. 1133 bridge to 275 yards downstream of the intersection of S.R. 1128 and S.R. 1129, marked by a sign on both banks
  - (B)(A) Hatchery Supported Trout Waters are as follows:

Big Pine Creek

Bledsoe Creek

Brush Creek from the N.C. 21 bridge to the confluence with the Little River, except where posted against trespassing

Cranberry Creek

Glade Creek

Little River from 275 400 yards downstream upstream of the intersection of S.R. 1128 and S.R. 1129, bridge, marked by a sign on both banks, each bank, to McCann Dam

Meadow Fork

Pine Swamp Creek

Piney Fork Prathers Creek

(C)(B) Wild Trout Waters are as follows:

The waters located on Stone Mountain State Park

(2) Ashe County

(A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
 Big Horse Creek from the Virginia state line to Mud Creek at S.R. 1363, excluding tributaries

- (B) Delayed Harvest Trout Waters are as follows:
- Big Horse Creek from the S.R. 1324 bridge to the North Fork New River
  Helton Creek from 900 yards upstream of the S.R. 1372 bridge, marked by a sign on both banks to the North
  Fork New River a point adjacent to intersection of N.C. 16 and S.R. 1536
  South Fork New River from the upstream end of Todd Island to the S.R. 1351 bridge
  Trout Lake
  (C) Hatchery Supported Trout Waters are as follows:
  - Beaver Creek from N.C. 221 to the confluence of Beaver Creek and South Beaver Creek
    Big Horse Creek from Mud Creek at S.R. 1363 to the S.R. 1324 bridge
    Big Laurel Creek from the S.R. 1315 bridge to the confluence with the North Fork New River
    Buffalo Creek from the S.R. 1133 bridge to the N.C. 194-88 bridge
    Cranberry Creek from the Alleghany Co. line to the South Fork New River

Nathans Creek

North Fork New River from the Watauga Co. line to Sharp Dam

Old Fields Creek from N.C. 221 to the South Fork New River

Peak Creek from the upper boundary of the NCDA-NCSU Upper Mountain Research Station to Trout Lake Roan Creek

Three Top Creek

(3) Avery County Catch and Release Artificial Flies and Lures Only Trout Waters are as follows: (A) Elk River, the portion on Lees-McRae College property, excluding the millpond Lost Cove Creek, the game land portion, excluding Gragg Prong and Rockhouse Creek Wilson Creek, the game land portion (B) Hatchery Supported Trout Waters are as follows: Boyde Coffey Lake Elk River from the S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee state line Linville River from S.R. 1504 to the Blue Ridge Parkway boundary line, except where posted against trespassing Milltimber Creek North Toe River from Watauga St. to Roby Shoemaker Wetlands and Family Recreational Park, except where posted against trespassing North Toe River from S.R. 1164 to Mitchell Co. line, except where posted against trespassing Squirrel Creek Wildcat Lake Wild Trout Waters are as follows: (C) Birchfield Creek Cow Camp Creek Cranberry Creek from the headwaters to the U.S. 19E, N.C. 194, bridge Gragg Prong Horse Creek Kentucky Creek North Harper Creek Plumtree Creek Roaring Creek Rockhouse Creek Shawneehaw Creek, the portion adjacent to Banner Elk Greenway South Harper Creek Webb Prong Buncombe County (4) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows: (A) Carter Creek, the game land portion Hatchery Supported Trout Waters are as follows: (B) Bent Creek from the headwaters to the N.C. Arboretum boundary line Cane Creek from the headwaters to the S.R. 3138 bridge Corner Rock Creek from Little Andy Creek to the confluence with Walker Branch Dillingham Creek from Corner Rock Creek to Ivy Creek Ivy Creek from Dillingham Creek to the U.S. 19-23 bridge Lake Powhatan Reems Creek from Sugar Camp Fork to the U.S. 19-23 bridge, except where posted against trespassing Rich Branch from downstream of the confluence with Rocky Branch Stony Creek Swannanoa from the S.R. 2702 bridge near Ridgecrest to the Wood Avenue bridge, at the intersection of N.C. 81 and U.S. 74A in Asheville, except where posted against trespassing (5) Burke County Catch and Release Artificial Flies and Lures Only Trout Waters are as follows: (A) Henry Fork, the portion on South Mountains State Park (B) Delayed Harvest Trout Waters are as follows: Jacob Fork from Shinny Creek to the lower South Mountains State Park boundary (C) Hatchery Supported Trout Waters are as follows: Carroll Creek, the game land portion above S.R. 1405 Henry Fork from the lower South Mountain State Park line to S.R. 1919 at Ivy Creek Linville River, the portion within Linville Gorge Wilderness area and the portion below Lake James powerhouse from the upstream bridge on S.R. 1223 to Muddy Creek (D) Special Regulation Trout Waters are as follows: Catawba River from Muddy Creek to the City of Morganton water intake dam Wild Trout Waters are as follows: (E) The waters located on South Mountains State Park, except those waters identified in Parts A(A) and B(B)of this Subparagraph (6) Caldwell County Delayed Harvest Trout Waters are as follows: (A) Wilson Creek, the game land portion below Lost Cove Creek to Philips Branch (B) Hatchery Supported Trout Waters are as follows: Boone Fork Pond

		Buffalo Creek from the mouth of Joes Creek to McCloud Branch
		Joes Creek from the first falls upstream of S.R. 1574 to the confluence with Buffalo Creek
		Wilson Creek from Phillips Branch to Brown Mountain Beach Dam, except where posted against trespassing
		Yadkin River from the Happy Valley Ruritan Community Park to S.R. 1515
	(C)	Wild Trout Waters are as follows:
		Buffalo Creek from the Watauga Co. line to Long Ridge Branch including game land tributaries
		Joes Creek from the Watauga Co. line to the first falls upstream of the end of S.R. 1574
		Rockhouse Creek
(7)	Cheroke	ee County
	(A)	Hatchery Supported Trout Waters are as follows:
	<b>、</b> ,	Davis Creek from the confluence of Bald Creek and Dockery Creek to Hanging Dog Creek
		Hyatt Creek from Big Dam Branch to the Valley River
		Junaluska Creek from Ashturn Creek to the Valley River
		Shuler Creek from the Joe Brown Hwy, S.R. 1325 bridge, to the Tennessee state line
		Valley River from S.R. 1359 to the U.S. 19 Business bridge in Murphy
	(B)	Special Regulation Trout Waters are as follows:
		Apalachia Reservoir
	<del>(C)</del>	Wild Trout Natural Bait Waters are as follows:
		Bald Creek, the game land portion
		Dockery Creek, the game land portion
(8)	Clay Co	
	(A)	Delayed Harvest Trout Waters are as follows:
		Fires Creek from Rockhouse Creek to the foot bridge in the USFS Fires Creek Picnic Area
	(B)	Hatchery Supported Trout Waters are as follows:
		Buck Creek, the game land portion downstream of the U.S. 64 bridge
		Fires Creek from the foot bridge in the USFS Fires Creek Picnic Area to S.R. 1300
		Tusquitee Creek from Compass Creek to the lower S.R. 1300 bridge
(9)		County
	(A)	Delayed Harvest Trout Waters are as follows:
		Snowbird Creek from the USFS footbridge at the old railroad junction to USFS Rd. 2579
	(B)	Hatchery Supported Trout Waters are as follows:
		Calderwood Reservoir from Cheoah Dam to the Tennessee state line
		Cheoah Reservoir Panther Creek from the confluence of Stand Creek and Rock Creek to Lake Fontana
		Santeetlah Creek from Johns Branch to Lake Santeetlah
		Snowbird Creek from USFS Rd. 2579 to the S.R. 1127 bridge Stecoah Creek from the upper game land boundary to Lake Fontana
		Tulula Creek from S.R. 1201 to the lower bridge on S.R. 1275
		West Buffalo Creek
		Yellow Creek from Lake Santeetlah hydropower pipeline to the Cheoah River
	(C)	Wild Trout Waters are as follows:
	(0)	Little Buffalo Creek
		South Fork Squally Creek
		Squally Creek
	<del>(D)</del>	Wild Trout Natural Bait Waters are as follows:
		Long Creek, the game land portion
(10)	Haywood County	
	(A)	Delayed Harvest Trout Waters are as follows:
		West Fork Pigeon River from Queen Creek to the first game land boundary upstream of Lake Logan
	(B)	Hatchery Supported Trout Waters are as follows:
		Cold Springs Creek from Fall Branch to the Pigeon River
		Jonathan Creek from upstream of the S.R. 1302 bridge to the Pigeon River, except where posted against
		trespassing
		Pigeon River from Stamey Cove Branch to the upstream U.S. 19-23 bridge
		Richland Creek from the Russ Avenue, U.S. 276, bridge to the U.S. 19 bridge
		West Fork Pigeon River from Tom Creek to Queen Creek, including the game land portion, except Middle
		Prong Creek
(11)		son County
	(A)	Delayed Harvest Trout Waters are as follows:
		North Fork Mills River, the game land portion below the Hendersonville watershed dam
	(B)	Hatchery Supported Trout Waters are as follows:
		Broad River from the end of S.R. 1611 to the Rutherford Co. line
		Cane Creek from the railroad bridge upstream of the S.R. 1551 bridge to the U.S. 25 bridge

Clear Creek from Laurel Fork to S.R. 1582 Green River from the Lake Summit powerhouse to the game land boundary

Hungry River from S.R. 1885 Little Hungry River to the Green River

- Jackson County (12)
  - Catch and Release Artificial Flies and Lures Only Trout Waters are as follows: (A) Flat Creek Tuckasegee River, the game land portion upstream of Tanasee Creek Lake, including the Duke Energy powerline corridor Tuckasegee River the portion upstream from the Clark property (B) Delayed Harvest Trout Waters are as follows:
    - Tuckasegee River from downstream of the N.C. 107 bridge to the falls located 275 yards upstream of the U.S. 23-441 bridge, marked by a sign on both banks
  - Hatchery Supported Trout Waters are as follows: (C)
  - Balsam Lake Bear Creek Lake Cedar Cliff Lake Cullowhee Creek from Tilley Creek to the Tuckasegee River Dark Ridge Creek from Jones Creek to Scott Creek Greens Creek from Greens Creek Baptist Church on S.R. 1370 to Savannah Creek Savannah Creek from Shell Branch to Cagle Branch Scott Creek from Dark Ridge Creek to the Tuckasegee River, except where posted against trespassing Tanasee Creek Lake Tuckasegee River from John Brown Branch to the downstream N.C. 107 bridge Tuckasegee River from the falls located 275 yards upstream of the U.S. 23-441 bridge, marked by a sign on both banks, to the S.R. 1534 bridge at Wilmont Wolf Creek Lake (D) Wild Trout Waters are as follows:
  - Gage Creek North Fork Scott Creek Tanasee Creek Whitewater River from Silver Run Creek to the South Carolina state line Wolf Creek except Balsam Lake and Wolf Creek Lake
  - Wild Trout Natural Bait Waters are as follows: <del>(E)</del> Chattooga River from the S.R. 1100 bridge to the South Carolina state line
- (13)Macon County
  - (A) Delayed Harvest Trout Waters are as follows:

Nantahala River from Whiteoak Creek to the Nantahala hydropower discharge canal

(B) Hatchery Supported Trout Waters are as follows:

Burningtown Creek from Left Prong to the Little Tennessee River Cartoogechaye Creek from downstream of the U.S. 64 bridge to the Little Tennessee River Cliffside Lake

Cullasaja River from Sequoyah Dam to the U.S. 64 bridge near the junction of S.R. 1672 Nantahala River from Dicks Creek to Whiteoak Creek

Nantahala River from the Nantahala hydropower discharge canal to the Swain Co. line **Oueens Creek Lake** 

- <del>(C)</del> Wild Trout Natural Bait Waters are as follows: Chattooga River from the S.R. 1100 bridge to the South Carolina state line Kimsev Creek Park Creek
- (14)Madison County
  - Delayed Harvest Trout Waters are as follows: (A) Big Laurel Creek from the N.C. 208 bridge to the U.S. 25-70 bridge Shelton Laurel Creek from the N.C. 208 bridge at Belva to the confluence with Big Laurel Creek Spring Creek from the N.C. 209 bridge at the Hot Springs city limits to the iron bridge at end of Andrews Ave.
  - (B) Hatchery Supported Trout Waters are as follows:

Big Laurel Creek from Puncheon Fork to the S.R. 1318, Big Laurel Rd., bridge downstream of Bearpen Branch

Big Pine Creek from the S.R. 1151 bridge to the French Broad River

Little Ivy Creek from the confluence of Middle Fork and Paint Fork at Beech Glen to the confluence with Ivy Creek at Forks of Ivy

Max Patch Pond

Meadow Fork Creek from Meadow Fork Campground to Spring Creek

Puncheon Fork from Wolf Laurel Branch to Big Laurel Creek

Roaring Fork from Fall Branch to Meadow Fork

Shelton Laurel Creek from the confluence of Big Creek and Mill Creek to the N.C. 208 bridge at Belva Shut-in Creek

Spillcorn Creek Spring Creek from the junction of N.C. 209 and N.C. 63 to the confluence with Meadow Fork West Fork Shut-in Creek from the lower game land boundary to the confluence with East Fork Shut-in Creek

# (15) McDowell County

- (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows: Newberry Creek, the game land portion
- (B) Delayed Harvest Trout Waters are as follows: Catawba River, the portion adjacent to the Marion Greenway Curtis Creek, the game land portion downstream of the USFS boundary at Deep Branch Mill Creek from the U.S. 70 bridge to the I-40 bridge
- (C) Hatchery Supported Trout Waters are as follows: Armstrong Creek from the Cato Holler line downstream to the upper Greenlee line Catawba River from the Catawba Falls Campground to the Old Fort Recreation Park Little Buck Creek, the game land portion North Fork Catawba River from the headwaters to North Cove School at the S.R. 1569 bridge

# (16) Mitchell County

- (A) Delayed Harvest Trout Waters are as follows: Cane Creek from the N.C. 226 bridge to the S.R. 1189 bridge North Toe River from the U.S. 19E bridge to the N.C. 226 bridge
- (B) Hatchery Supported Trout Waters are as follows: Big Rock Creek from the headwaters to *the N.C. 226 bridge at the S.R. 1307 intersection the S.R. 1325 bridge* Cane Creek from S.R. 1219 to the N.C. 226 bridge East Fork Grassy Creek
   Grassy Creek from East Fork Grassy Creek to the mouth *Little Rock Creek from the Green Creek bridge to Big Rock Creek, except where posted against trespassing* North Toe River from the Avery Co. line to the S.R. 1121 bridge
- (C) Wild Trout Waters are as follows:
   Green Creek from the headwaters to the Green Creek bridge, except where posted against trespassing
   Little Rock Creek the portion upstream of the Green Creek bridge, including the tributaries, except where posted against trespassing
  - Wiles Creek from the game land boundary to the mouth

# (17) Polk County

- (A) Delayed Harvest Trout Waters are as follows:
  - Green River from the Fishtop Falls Access Area to the confluence with Cove Creek
- (B) Hatchery Supported Trout Waters are as follows:
   Green River from the mouth of Cove Creek to the natural gas pipeline crossing North Pacolet River from Joels Creek to the N.C. 108 bridge

# (18) Rutherford County

(A) Hatchery Supported Trout Waters are as follows:

Broad River from the Henderson Co. line to the U.S. 64/74 bridge, except where posted against trespassing Stokes County

(A) Hatchery Supported Trout Waters are as follows:

# Dan River from the Virginia state line downstream to a point 200 yards below the end of S.R. 1421

(20) Surry County

(19)

- (A) Delayed Harvest Trout Waters are as follows: Ararat River, the portion adjacent to the Ararat River Greenway <u>downstream of the N.C. 103 bridge</u> Mitchell River from 0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge on S.R. 1330
- (B) Hatchery Supported Trout Waters are as follows: Ararat *River from the S.R. 1727 bridge to <u>River, the portion adjacent to the Ararat River Greenway upstream</u> of the N.C. 103 bridge Big Elkin Creek from the dam 440 yards upstream of the N.C. 268 bridge to a point 265 yards downstream of N.C. 268, marked by a sign on both banks Fisher River from the Virginia state line to the I-77 bridge Little Fisher River from the Virginia state line to the N.C. 89 bridge Lovills Creek from the U.S. 52 Business bridge to the Ararat River Pauls Creek from the Virginia state line to 0.3 miles below the S.R. 1625 bridge Swain County*
- (21) Swain County
  - (A) Delayed Harvest Waters Trout Waters are as follows:
    - Tuckasegee River from the U.S. 19 bridge to the Slope Street bridge
  - (B) Hatchery Supported Trout Waters are as follows: Alarka Creek from the game land boundary to Fontana Reservoir Calderwood Reservoir from Cheoah Dam to the Tennessee state line Cheoah Reservoir
     Connelly Creek from Camp Branch to the Tuckasegee River
     Deep Creek from the Great Smoky Mountains National Park Boundary line to the Tuckasegee River

Nantahala River from the Macon Co. line to the existing Fontana Lake water level

- Transylvania Countv (22)Catch and Release Artificial Flies and Lures Only Trout Waters are as follows: (A) Davidson River from the headwaters to Avery Creek, excluding Avery Creek, Looking Glass Creek, Grogan Creek, Cedar Rock Creek and John Rock Branch Delayed Harvest Trout Waters are as follows: (B) East Fork French Broad River from East Fork Baptist Church to the 350 yards downstream S.R. 1107 of Whitmire Falls, marked by a sign on both banks bridge Little River from the confluence of Lake Dense to 100 yards downstream of Hooker Falls (C) Hatchery Supported Trout Waters are as follows: Davidson River from Avery Creek to the lower USFS boundary French Broad River from the confluence of the North Fork French Broad River and West Fork French Broad River to the Island Ford Rd., S.R. 1110, Access Area Middle Fork French Broad River from upstream of the U.S. 178 bridge to the French Broad River West Fork French Broad River from S.R. 1312 to confluence with North Fork French Broad River (D) Wild Trout Waters are as follows: The waters located on Gorges State Park Whitewater River from Silver Run Creek to the South Carolina state line Wild Trout Natural Bait Waters are as follows: <del>(E)</del> North Fork French Broad River, the game land portion downstream of S.R. 1326 Thompson River from S.R. 1152 to the South Carolina state line, except where posted against trespassing (23)Watauga County Catch and Release Artificial Flies and Lures Only Trout Waters are as follows: (A) Laurel Creek from the confluence of North Fork Laurel Creek and South Fork Laurel Creek to Elk Creek, excluding tributaries Pond Creek from the headwaters to the Locust Ridge Rd. bridge, excluding the pond adjacent to Coffee Lake (B) Delayed Harvest Trout Waters are as follows: Lake Coffey Watauga River from the S.R. 1114 bridge to the Valle Crucis Community Park lower boundary Watauga River from the S.R. 1103 bridge to the confluence with Laurel Creek Hatchery Supported Trout Waters are as follows: (C) Beaverdam Creek from the confluence of Beaverdam Creek and Little Beaverdam Creek to an unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203 Beech Creek Buckeye Creek from Buckeye Creek Reservoir dam to Grassy Gap Creek Buckeye Creek Reservoir Cove Creek from the S.R. 1233 bridge at Zionville to the S.R. 1214 bridge at Sherwood Dutch Creek from the second S.R. 1136 bridge to the mouth Elk Creek from the S.R. 1510 bridge at Triplett to the Wilkes Co. line, except where posted against trespassing Laurel Creek from the S.R. 1123 bridge at the S.R. 1157 intersection to the Watauga River Meat Camp Creek from the S.R. 1340 bridge at the S.R. 1384 intersection to N.C. 194 Middle Fork New River from adjacent to the intersection of S.R. 1539 and U.S. 321 to the South Fork New River Norris Fork Creek South Fork New River from the canoe launch 70 yards upstream of U.S. 421 bridge to the lower boundary of Brookshire Park Stony Fork from the S.R. 1500 bridge at the S.R. 1505 intersection to the Wilkes Co. line (D) Wild Trout Waters are as follows: Dutch Creek from the headwaters to the second S.R. 1136 bridge Howard Creek Maine Branch from the headwaters to the North Fork New River North Fork New River from the confluence with Maine Branch and Mine Branch to the Ashe Co. line Watauga River from the Avery Co. line to the S.R. 1580 bridge Winkler Creek from the lower bridge on S.R. 1549 to the confluence with the South Fork New River (24)Wilkes County Delayed Harvest Trout Waters are as follows: (A) East Prong Roaring River from Bullhead Creek to the Stone Mountain State Park lower boundary Elk Creek from the Watauga Co. line to the lower boundary of the Blue Ridge Mountain Club Elk Creek, the portion on Leatherwood Mountains development Reddies River from the Town of North Wilkesboro water intake dam to the confluence with the Yadkin River Stone Mountain Creek from the falls at the Alleghany Co. line to the confluence with the East Prong Roaring River and Bullhead Creek
  - (B) Hatchery Supported Trout Waters are as follows: Basin Creek from the S.R. 1730 bridge to the confluence with Lovelace Creek

Bell Branch Pond Boundary Line Pond Cub Creek from 0.5 miles upstream of the S.R. 2460 bridge to the S.R. 1001 bridge Darnell Creek from the downstream ford on S.R. 1569 to the confluence with the North Fork Reddies River East Prong Roaring River from the Stone Mountain State Park lower boundary to the S.R. 1002 Low Meadows Lane bridge Fall Creek from the S.R. 1300 bridge to the confluence with South Prong Lewis Fork, except where posted against trespassing Middle Fork Reddies River from the headwaters to the bridge on S.R. 1580 Middle Prong Roaring River from the headwaters to the second bridge on S.R. 1736 North Fork Reddies River from the headwaters to the Union School bridge on S.R. 1559 Pike Creek Pike Creek Pond South Fork Reddies River from the S.R. 1355 bridge to the confluence with the Middle Fork Reddies River South Prong Lewis Fork from Fall Creek to the U.S. 421 bridge adjacent to the S.R. 1155 intersection Wild Trout Waters are as follows: (C) The waters located on Stone Mountain State Park, except East Prong Roaring River from Bullhead Creek to the Stone Mountain State Park lower boundary where Delayed Harvest Trout Waters regulations apply, and Stone Mountain Creek from the falls at the Alleghany Co. line to the confluence with the East Prong Roaring River and Bullhead Creek in Stone Mountain State Park where Delayed Harvest Trout Waters regulations apply Yancey County Catch and Release Artificial Flies and Lures Only Trout Waters are as follows: (A) South Toe River from the headwaters to Upper Creek Upper Creek (B) Delayed Harvest Trout Waters are as follows: Cane River from Blackberry Ridge Rd. to the downstream boundary of Cane River County Park Hatchery Supported Trout Waters are as follows: (C) Bald Mountain Creek, except where posted against trespassing Cane River from Bee Branch, S.R. 1110, to Bowlens Creek Price Creek from the junction of S.R. 1120 and S.R. 1121 to Indian Creek South Toe River from Clear Creek to the lower boundary line of Yancey Co. Recreation Park, except where posted against trespassing (D) Wild Trout Waters are as follows: Cattail Creek from the bridge at Mountain Farm Community Rd. to the N.C. 197 bridge Lickskillet Creek Middle Creek from the game land boundary to the mouth Authority G.S. 113-272; 113-292; *Eff. February 1, 1976;* Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993; October 1, 1992; Temporary Amendment Eff. July 1, 1999; Amended Eff. July 1, 2000; Temporary Amendment Eff. July 1, 2001;

Temporary Amendment Eff. July 1, 2002;

Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);

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, 2018; August 1, 2017; 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; Desclored Eff. August 1, 2010;

Readopted Eff. August 1, 2019; Amended Eff. August 1, 2024; August 1, 2023; August 1, 2022; August 1, 2021; August 1, 2020.

### SECTION .0300 - GAME FISH IN INLAND FISHING WATERS

# 15A NCAC 10C .0306 CRAPPIE

- (a) There is no daily creel limit for Crappie, except in waters identified in Paragraphs (d) through (h) of this Rule.
- (b) There is no minimum size limit except in waters identified in Paragraphs (f) through (h) of this Rule.
- (c) There is no closed season.

(25)

History Note:

- (d) In Buckhorn Reservoir in Wilson and Nash counties, the daily creel limit is 20 fish.
- (e) In Lake Chatuge in Clay County, the daily creel limit is 30 fish.
- (f) In the following waters, the daily creel limit is 20 fish and the minimum size limit is 10 inches:
  - (1) Roanoke River and its tributaries downstream of Roanoke Rapids dam;

- (2) Cashie River and its tributaries;
- (3) Middle River and its tributaries;
- (4) Eastmost River and its tributaries; and
- (5) Lake Mattamuskeet in Hyde County.
- (g) In the following waters, the daily creel limit is 20 fish and the minimum size limit is eight inches:
  - (1) Lake Norman;
  - (2) Lake Hyco;
  - (3) Cane Creek Lake in Union County;
  - (4) Lake Hampton in Yadkin County;
  - (5) B. Everett Jordan Reservoir;
  - (6) <u>Shearon Harris Reservoir;</u>
  - (5)(7) Tar River downstream of Tar River Reservoir Dam including tributaries;
  - (6)(8) Neuse River downstream of Falls Lake Dam including tributaries;
  - (7)(9) Haw River downstream of B. Everett Jordan Reservoir Dam including tributaries;
  - (8)(10) Deep River downstream of Lockville Dam including tributaries;
  - (9)(11) Cape Fear River including tributaries;
  - (10)(12) Waccamaw River downstream of Lake Waccamaw Dam including tributaries;
  - (11)(13) Lumber River including Drowning Creek including tributaries;
  - (12)(14) public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake in New Hanover County, and waters listed in Paragraph (f) of this Rule; and
  - (13)(15) public waters west of Interstate 77, except Lake Chatuge; and Chatuga.
  - (14) B. Everett Jordan Reservoir.
- (h) In John H. Kerr Reservoir, the daily creel limit is 25 fish and the minimum size limit is nine inches.

History Note: Authority G.S. 113-134; 113-292; Eff. November 1, 2013; Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015; Readopted Eff. August 1, 2019; Amended Eff. August 1, 2024; August 1, 2023; March 15, 2023; August 1, 2020.

## SECTION .0400 - NONGAME FISH IN INLAND FISHING WATERS

## 15A NCAC 10C .0422 STRIPED MULLET AND WHITE MULLET

(a) The daily creel limit for striped mullet and white mullet is 200 100 fish per person in aggregate. aggregate and no more than 400 fish per boat.

- (b) There is no minimum size limit.
- (c) There is no closed season.

History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305; Temporary Adoption Eff. September 1, 2022; Eff. March 15, 2023.

### SUBCHAPTER 10D - GAME LANDS REGULATIONS

### SECTION .0200 - USE OF GAME LANDS

### 15A NCAC 10D .0219 COLD MOUNTAIN GAME LAND IN HAYWOOD COUNTY

Cold Mountain game land is a Seven Days per Week Area, in which the following applies:

- (1) Horseback riding is prohibited except on designated trails May 16 through August 31 and all horseback riding is prohibited from September 1 through May 15.
- (2) Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible Antlers Season.
- (3) Target shooting is prohibited.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305; Eff. October 1, 2022.

### 15A NCAC 10D .0229 GOOSE CREEK GAME LAND IN BEAUFORT AND PAMLICO COUNTIES

Goose Creek game land is a Seven Days per Week Area, in which the following applies:

- (1) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.
- (2) Except as provided in 15A NCAC 10D .0103(d)(2), waterfowl in posted waterfowl impoundments shall be taken only on the following days:
  - (a) the opening and closing days of the applicable waterfowl seasons;
  - (b) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
  - (c) Tuesdays and Saturdays of the applicable waterfowl seasons.

- (3) Beginning on the first open waterfowl season day in October through the end of all waterfowl seasons, waterfowl hunting is by permit only on the following waterfowl impoundments: Pamlico Point, Campbell Creek, Hunting Creek, Spring Creek, Smith Creek, and Hobucken.
- (4) On Spring Lake, Pamlico Point, and Campbell Creek Waterfowl Impoundments, all activities, except waterfowl hunting on designated waterfowl hunting days and trapping during the trapping season, are restricted to the posted Scouting-only Zone during the period November 1 through March 15.
- (5) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas both designated and posted as camping areas.
- (6) Hunting and vehicular access on the Parker Farm Tract is restricted from September 1 through January 1 and April 1 through May 15 to individuals that possess a valid hunting opportunity permit.
- (7) Pursuing or chasing deer or bear with dogs for the purposes of training or hunting is prohibited on the Beaufort County portion north of <u>NC N.C.</u> 33 except for that portion east of Smith Creek and south of Campbell Creek.
- (8) Bear shall not be harvested on Sunday.
- (9) Hunting for deer, bear, and turkey on the Bates-Bay Tract is by permit only.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305; Temporary Adoption Eff. December 1, 2022; Eff. March 15, 2023.

## 15A NCAC 10D .0232 GULL ROCK GAME LAND IN HYDE COUNTY

Gull Rock is a Seven Days per Week Area, in which the following applies:

- (1) Deer of either sex may be taken all the open days of the applicable Deer With Visible Antlers Season.
- (2) Waterfowl on posted waterfowl impoundments the E. Merle Edwards/Loop Road Impoundment shall be taken only on the following days:
  - (a) the opening and closing days of the applicable waterfowl seasons;
  - (b) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
  - (c) Tuesdays and Saturdays of the applicable waterfowl season.
- (3) Camping is restricted to September 1 through the last day of February and March 31 through May 14 in areas designated and posted as camping areas.
- (4) Bear may only be taken the first Saturday, Monday, and Tuesday of the November Bear Season and the second Saturday, Monday, and Tuesday of the December Bear Season.
- (5) Waterfowl hunting on posted waterfowl impoundments on the Willow Point tract is by permit only.

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

*Eff. October 1, 2022; Temporary Amendment Eff. December 1, 2022; Amended Eff. June 1, 2023.* 

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

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

- (1) During permitted deer hunts, antlered or antlerless deer may be taken by permit holders.
- (2) The construction of permanent hunting blinds is prohibited.
- (3) Camping is restricted to August 31 through the last day of February and March 31 through May 14.
- (4) Target shooting is prohibited.
- (5) During the open days of the seasons for game birds and game animals, the use of bicycles is restricted to hunters engaged in the act of hunting.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305; Eff. October 1, 2022; Amended Eff. August 1, 2023.

# 15A NCAC 10D .0244 LANTERN ACRES GAME LAND IN TYRRELL AND WASHINGTON COUNTIES

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

- (1) Deer of either sex may be taken on all the open days of the applicable Deer With Visible Antlers Season.
- (2) Wild turkey hunting is by permit only.
- (3) The use of dogs for hunting deer on the Godley Tract is prohibited.
- (4) Waterfowl hunting on posted waterfowl impoundments is by permit only.
- (4) Hunting on posted waterfowl impoundments from October 1 through February 14 is by permit only.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305; Eff. November 1, 2022.

# 15A NCAC 10D .0263 LITTLE FORK STATE FOREST GAME LAND IN WILKES COUNTY

Little Fork State Forest game land is a Three Six Days per Week Area, in which the following applies:

- (1) Deer of either sex may be taken the first open day of the applicable Deer With Visible Antlers Season through the second Wednesday first Friday thereafter.
- (2) Bear hunting is prohibited.

History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305; Eff. November 1, 2022; Amended Eff. August 1, 2023.