



AGENDA
N.C. WILDLIFE RESOURCES COMMISSION
WEBINAR MEETING
November 16, 2023, 10:00 a.m.

CALL TO ORDER – *Chairman Monty Crump*

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

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

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

RULEMAKING

Permanent Rulemaking Notice of Text – 10H .0100 Controlled Hunting Preserves for Domestically Raised Game Birds Rules – Consider request to notice proposed rule text with an open comment period and public hearing for amendments to 10H .0101. Review and consider approval of fiscal note – *Brad Howard, Wildlife Management Division Chief (EXHIBITS A-1, A-2)*

COMMENTS BY THE CHAIRMAN – *Chairman Crump*

COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram*

ADJOURN

EXHIBIT A-1

November 16, 2023



**Proposed Amendments to 10H .0101 – General Requirements
under 15A NCAC 10H .0100 Controlled Hunting Preserves for
Domestically Raised Game Birds
Recommended by Agency Staff for Public Notice, Comment, and Presentation
at Public Hearings**

15A NCAC 10H .0101 – General Requirements

Amend the controlled hunting preserve for domestically raised game bird rule to incorporate the following changes:

- Incorporate use of the terms “domestically raised waterfowl and game birds” and “controlled hunting preserve” for consistency and clarity
- Clarify that domestically raised waterfowl (i.e., mallard ducks) can only be hunted on controlled hunting preserves from October 1 through March 31, except on Sundays
- Specify that domestically raised mallards must be marked in accordance with 50 CFR 21.45
- Update application requirements for a controlled hunting preserve operator license

15A NCAC 10H .0101 GENERAL REQUIREMENTS (Pg.2-3)

1 for the license ~~period, period and for the operation of a controlled hunting preserve.~~

2 ~~(f) A licensed controlled hunting preserve operator shall be authorized to purchase, possess, propagate, sell, transport,~~
3 ~~and release waterfowl and propagated migratory game birds, their eggs, and propagated upland game birds, except for~~
4 ~~wild turkey, subject to limitations in Section .0900 of this Subchapter.~~

5 ~~(g)~~(c) Representatives of the Commission shall be permitted to enter the premises upon request or during business
6 hours for inspection, enforcement, or scientific purposes.

7
8 *History Note: Authority G.S. 113-134; 113-273;*

9 *Eff. February 1, 1976;*

10 *Amended Eff. August 1, 2010; May 1, 2008; July 1, 1994; November 1, 1990; July 1, 1988; July 1,*
11 *1987;*

12 *Readopted Eff. April 1, 2020;*

13 *Amended Eff. February 1, 2023.*

14

EXHIBIT A-2
November 16, 2023



Fiscal Note for 2024-2025 Annual Cycle Rule Proposals
Wildlife Resources Commission – Wildlife Management

Rule Amendments: 15A NCAC 10B .0114 DOG TRAINING AND FIELD TRIALS
15A NCAC 10B .0202 BEAR
15A NCAC 10B .0203 WHITE-TAILED DEER
15A NCAC 10B .0211 RING-NECKED PHEASANT
15A NCAC 10B .0223 FERAL SWINE
15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS
15A NCAC 10D .0251 NANTAHALA GAME LAND IN CHEROKEE, CLAY, GRAHAM,
JACKSON, MACON, SWAIN, AND TRANSYLVANIA COUNTIES
15A NCAC 10H .0100 CONTROLLED HUNTING PRESERVES FOR DOMESTICALLY RAISED
GAME BIRDS
15A NCAC 10H .0101 GENERAL REQUIREMENTS
15A NCAC 10H .0102 ESTABLISHMENT AND OPERATION
15A NCAC 10H .0105 RECORDS AND REPORTING REQUIREMENTS
15A NCAC 10H .0109 QUAIL CALL-PEN TRAPS
15A NCAC 10H .1701 FIELD TRAILS
15A NCAC 10H .1702 DOG TRAINING
15A NCAC 10H .0901 GAME BIRD PROPAGATION LICENSE
15A NCAC 10H .0904 DISPOSITION OF GAME BIRDS OR GAME BIRD EGGS
15A NCAC 10H .0905 TRANSPORTATION
15A NCAC 10H .0906 RECORDS
15A NCAC 10H .1505 WILDLIFE CONTROL AGENT LICENSE RENEWAL AND
REVOCAATION
15A NCAC 10H .1510 WILDLIFE CONTROL TECHNICIAN CERTIFICATION ELIGIBILITY
AND REQUIREMENTS

Agency Contact: Melva Bonner
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Impact: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Economic Impact: No

Authority: G.S. 106-549.94; 113:129; 113-134; 113-264; 113-270.3; 113-273; 113-274; 113-276;
113-276.1; 113-276.2; 113-291; 113-291.1; 113-291.2; 113-291.3; 113-291.5; 113-291-7; 113-296;
113-305; 113-337; 50 CFR 20.91; 50 CFR 21; 50 CFR 21:45

BACKGROUND

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

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

A summary of the proposed rule amendments is shown below, with the full rule text included in Appendix A. Many of the proposed amendments will shift or align season dates and update rule text for consistency. Several of the proposed amendments seek to increase hunting opportunities, some are more restrictive to protect the resources, and others seek to provide clarity to hunters. All the proposed changes are intended to help ensure future hunting opportunities while minimizing costs to the regulated community.

PROPOSED AMENDMENTS BY CATEGORY AND RULE

WILDLIFE SPECIES:

15A NCAC 10B .0202 BEAR (pg. 20)

The proposed amendments incorporate the following changes:

- Shift the start date of the bear hunting season in the Mountain Bear Management Unit (MBMU) to add nine days and create Saturday openers for each of the two segments.
- Remove the prohibition on hunting bears with the aid of bait during the second segment of the mountain bear season.
- Update rule text to be consistent with the use of “designated bear management areas” terminology that is used in 15A NCAC 10D .0106.
- Correct rule text to clarify that dogs can be used to hunt bears in Franklin County.

An additional hunting opportunity in early October is necessary to meet the population management objectives for the MBMU. The mountain bear population is increasing annually, and current levels of harvest are not meeting the objective established in the Black Bear Management Plan, which is to stabilize the population. Opening the mountain bear season nine days earlier will serve to change the composition of the mountain bear harvest, slow down bear population growth, and help meet the population objective, while providing additional bear hunting opportunities.

According to G.S. 113-291.1(b)(1), processed bait is prohibited because of the detriment to the

health of black bears. Prior to this rule proposal, baiting was not allowed from the Monday on or nearest October 15 to the Saturday before Thanksgiving in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland counties. This proposal will remove the prohibition on the use of bait during the second segment of the mountain bear season and will reduce regulatory complexity and equity (baiting regulations will align with the Central and Piedmont Bear Management Units and apply to still hunters and dog hunters) without any negative biological impacts. Allowing baiting, should draw black bears to the area, increase harvest, and decrease the mountain bear population.

Per G.S. 113-291.5, and since the Piedmont bear seasons were created in 2014, the intention was to allow hunters to use dogs to hunt bears in Franklin County. However, this county was unintentionally included in the rule prohibiting the use of dogs to take bear. The amendments will correct this error in the rule.

Fiscal Impact

State Impact

Extending the bear hunting season may increase participation and possibly recruit new hunters. This could also create additional work for Wildlife Law Enforcement Officers. The Commission has no way to predict increased participation, recruitment, or additional hours dedicated to enforcement during the extended season.

Local Impact

The proposed amendment to the MBMU is expected to increase hunter participation, which may result in increased visitation to that area of the State. More bear hunters over the nine-day period is likely to result in increased visitation and spending at local businesses. However, this anticipated benefit cannot be quantified.

Private Impact

The proposed amendments to shift the start date of the bear hunting season in the MBMU and remove the prohibition on hunting bears with the aid of bait during the second segment of the mountain bear season will increase opportunities for bear hunters. This may lead to additional harvest, which may in turn positively affect taxidermists and processors. However, the Commission has no way to estimate how many hunters will take advantage of the increased opportunities or what the harvest outcomes will be. Thus, the agency has no way to quantify this benefit.

15A NCAC 10B .0203 WHITE-TAILED DEER (pg. 22)

The proposed amendments incorporate the following changes:

- Shift the western blackpowder and gun seasons so that blackpowder season begins two Saturdays before Thanksgiving and runs two weeks until gun season, which will begin the Saturday after Thanksgiving and run through January 1, and shift the timing of the one-week and one-day blackpowder antlerless seasons to begin the second Saturday of the season.

Most antlered buck harvest in the western deer seasons occurs before peak breeding which negatively affects breeding synchrony and thus fawn recruitment and hunter satisfaction. Shifting blackpowder and gun seasons later in the year will reduce vulnerability of yearling bucks during dispersal, reduce harvest of bucks prior to breeding, and provide more hunting opportunity during the rut. Shifting the one-week and one-day blackpowder antlerless deer seasons to Thanksgiving week will provide more antlerless hunting opportunities during the holiday.

- Introduce a one-day antlerless gun season on private lands and increase the antlerless blackpowder season from one-day to one-week on all lands in Cherokee, Clay, Jackson, Macon, and Swain counties.

Increase the antlerless gun season from one-day to one-week on private lands and increase the antlerless blackpowder season from one-week to two-weeks on all lands in Buncombe and Henderson counties. This change does not apply to the portions of Buncombe and Henderson counties where the harvest of antlerless deer is currently allowed during the entire gun season.

The harvest objective of at least one antlered buck per square mile is being met on private lands in these counties and continued herd growth is expected. Additional antlerless harvest is sustainable and will provide hunters with additional opportunity as well as help balance the buck to doe ratio.

- Remove specific youth deer hunts on Belews Creek Steam Station, Mountain Island State Forest, and W. Kerr Scott Reservoir.

The agency can allow special organized hunts to promote R3 efforts via Rule 10B .0126. The provision in the deer rule is unnecessarily restrictive, as these hunts are only for youth. Participation in these three hunts has declined over the years (14 applicants for 30 available spots this year), but because they are specifically for youth, the agency is unable to offer unused permits to anyone other than individuals under 18. Removing this language will clarify regulations and give the agency and hunt organizers flexibility to use these opportunities for youth, individuals with disabilities, novice hunters, or lapsed hunters.

Fiscal Impact

State Impact

Expanding opportunities for deer hunting may increase participation and possibly recruit new or lapsed hunters. The Commission has no way to predict how many people might purchase hunting licenses or continue hunting because of the additional opportunities.

The proposed removal of specific youth hunts on game lands will give the agency flexibility to offer these hunts to other interest groups and fill the permits. Permit applications are \$8 plus a \$2 transaction fee. With the 14 applications received for this year's hunts, the agency made \$120 (two individuals were refunded their fees as the Belews Creek hunt was canceled due to lack of participation). Opening these hunts to individuals other than youth will allow the agency to offer additional low volume hunt opportunities to special groups of hunters in support of R3 initiatives.

This may increase revenue by as much as \$180 as compared to revenue from this year's youth hunts [\$10/application x 30 applications available - \$120 (current year's revenue from youth hunts) = \$180 additional revenue].

Local Impact

The proposed amendments to the deer seasons are expected to increase hunter participation, which may result in increased visitation to the western counties. More deer hunters may result in increased visitation to local businesses which is likely to result in increased revenues for those businesses. However, this anticipated benefit cannot be quantified.

Private Impact

The proposed amendments to deer seasons will increase opportunities for deer hunters. This may lead to additional harvest, which may in turn positively affect taxidermists and deer processors. However, the Commission has no way to estimate how many hunters will take advantage of the increased opportunities or what the harvest outcomes will be. Thus, the agency has no way to quantify this benefit.

The removal of specific youth deer hunts on game lands will open up opportunities to individuals that the agency is recruiting and attempting to retain in the sport. This benefit cannot be quantified.

15A NCAC 10B .0211 RING-NECKED PHEASANT (pg. 28)

The proposed amendments will separate the season for self-sustaining populations that occur on the outer banks and domestically raised pheasants that are released in other parts of the state, as conservation goals differ greatly between the two populations. This proposed change will clarify regulations, continue to safeguard wild pheasants on the outer banks, and provide additional opportunities for hunting pheasants concurrent with other traditional small game hunting seasons.

Fiscal Impact

State Impact

Expanding opportunities for pheasant hunting may increase participation and possibly recruit new or lapsed hunters. The Commission has no way to predict how many more people might purchase hunting licenses because of the additional opportunities.

Local Impact

The proposed amendments to the season are expected to increase hunter opportunities, which may result in increased visitation to the areas where hunting occurs. More hunters in the area may result in increased visitation to local businesses which is likely to result in increased revenues for those businesses. However, this anticipated benefit cannot be quantified.

Private Impact

The proposed amendments will increase opportunities for small game and pheasant hunters statewide. This may lead to additional harvest. However, the Commission has no way to estimate how many hunters will take advantage of the increased opportunities or what the harvest outcomes will be. Thus, the agency has no way to quantify this benefit.

15A NCAC 10B .0223 FERAL SWINE (pg. 29)

15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS (pg. 30)

15A NCAC 10D .0251 NANTAHALA GAME LAND IN CHEROKEE, CLAY, GRAHAM, JACKSON, MACON, SWAIN, AND TRANSYLVANIA COUNTIES (pg. 34)

The proposed amendments clarify when dogs may be used to take feral swine on game lands and establish additional opportunities for dogs to be used outside of an open deer or bear hunting season by individual game land rule.

Feral swine hunting with dogs is a tradition in the far western counties of the State and feral swine populations have been established in the National Forest for more than 100 years. Feral swine are non-desirable species that are legal to hunt during this time period. The proposed change expands opportunities to hunt feral swine with dogs.

Fiscal Impact

State Impact

Expanding opportunities for hunting feral swine with dogs may increase participation and possibly recruit new or lapsed hunters. The Commission has no way to predict how many more people might purchase hunting licenses because of the additional opportunities.

Local Impact

The proposed amendments to the season are expected to increase hunter opportunities, which may result in increased visitation to the areas where hunting occurs. More hunters in the area may result in increased visitation to local businesses which is likely to result in increased revenues for those businesses. However, this anticipated benefit cannot be quantified.

Private Impact

The proposed amendments provide additional opportunities for traditional feral swine hunters. This may lead to additional harvest. However, the Commission has no way to estimate how many hunters will take advantage of the increased opportunities or what the harvest outcomes will be. Thus, the agency has no way to quantify this benefit.

REGULATED ACTIVITIES:

15A NCAC 10B .0114 DOG TRAINING AND FIELD TRAILS (pg. 15)

15A NCAC 10H .1701 FIELD TRAILS (pg. 17)

15A NCAC 10H .1702 DOG TRAINING (pg. 19)

The proposed amendments move rules pertaining to dog training and field trials from Subchapter 10B Hunting and Trapping to Subchapter 10H Regulated Activities and incorporate the following changes:

- Remove the requirement to band domestically raised game birds on controlled hunting preserves, for sanctioned field trials, and for dog training out of hunting seasons.
- Allow individuals that are training bird dogs outside of hunting seasons and outside of controlled hunting preserves to release up to six domestically raised game birds each day.
- Clarify that the only requirement for training dogs outside of the hunting season is a hunting license.

Moving these rules to Subchapter 10H will improve regulatory clarity. Requiring pheasants and quail to be banded when released on controlled hunting preserves provides no conservation benefit. Limiting release of birds for training dogs to no more than six outside of controlled hunting preserves each day ensures that training does not turn into hunting out of season. The removal of the requirement for a game bird propagation license when training dogs with domestically raised game birds will eliminate confusion and regulatory burden for individuals who are not actually propagating birds.

Fiscal Impact

State Impact

State fiscal impacts are anticipated to be minimal. The proposed amendment to remove the propagator license requirement for individuals releasing domestically raised waterfowl or game birds to train dogs may reduce the number of licenses sold. Approximately 600 game bird propagation licenses are sold each year. A propagation license costs \$10 plus a \$2 transaction fee amounting to approximately \$7,200 in annual revenue. While data do not exist to distinguish which of those licensed individuals are only training dogs, it is anticipated that some are. Because these individuals will no longer need to purchase a propagator license, the agency expects to lose at least some portion of this revenue.

Local Impact

The proposed amendments have no anticipated local government impact.

Private Impact

The proposed removal of the requirement for propagators to band domestically raised game birds and waterfowl will save individuals raising game birds the expense and time associated with banding the birds. The time and cost savings will be minimal.

Restricting the number of domestically raised game birds released for training dogs outside of the

hunting seasons could be considered limiting opportunities for individuals engaging in this activity. However, the proposal to limit individuals to release six birds per day still allows adequate resources for training purposes. The agency does not have data on how many birds are currently being released for this purpose and thus cannot quantify this impact.

Removing the requirement for individuals training their dogs outside of the hunting season to have a propagation license will remove this cost, but more importantly, will reduce the confusion surrounding this requirement, as some of these individuals do not propagate birds, they only purchase and release them from a propagator. This proposed change will result in individual savings of \$12 annually from not having to purchase a license.

15A NCAC 10H .0101 GENERAL REQUIREMENTS (pg. 35)

15A NCAC 10H .0102 ESTABLISHMENT AND OPERATION (pg. 37)

15A NCAC 10H .0105 RECORDS AND REPORTING REQUIREMENTS (pg. 38)

15A NCAC 10H .0109 QUAIL CALL-PEN TRAPS (pg. 39)

The proposed amendments to controlled hunting preserves for domestically raised game bird rules will incorporate the following changes:

- Incorporate the use of the terms “domestically raised waterfowl and game birds” and “controlled hunting preserve” for consistency and clarity.
- Remove the requirement to band bobwhite quail and pheasants that are released on controlled hunting preserves.
- Clarify that domestically raised waterfowl (i.e., mallards) can only be hunted during the open days of the regular waterfowl season, except on the same day they are released during the controlled shooting preserve season.
- Reduce the minimum size of a controlled hunting preserve from 100 acres to 50 acres.
- Remove the outdated, detailed requirements for signs used to post boundaries of controlled hunting preserves and require only basic signage.

Many of the rules that apply to controlled hunting preserves are outdated and are no longer needed to safeguard wildlife resources. Additionally, parcel sizes are getting smaller and land prices have increased which has likely become a barrier to participation. The proposed changes will simplify and clarify regulations, bringing them into alignment with how controlled hunting preserves are currently used by the public and create opportunities for additional landowners to develop controlled hunting preserves.

Fiscal Impact

State Impact

The proposed decrease of controlled hunting preserve size may create opportunities for additional preserves to be established. The agency sells approximately 155 controlled hunting preserve operator licenses each year. A license costs \$100 plus a \$2 transaction fee. This amounts to approximately \$15,800 in annual revenue. If applications for preserves were to increase, additional WRC resources would be required in the form of time spent reviewing applications and travel-related expenses for conducting a site inspection. While data do not exist to help in determining how many additional preserves may be established, the agency does anticipate some additional revenue from increased applications as well as additional agency resources spent reviewing

applications.

Local Impact

Local fiscal impacts are anticipated to be minimal. If additional controlled hunting preserves are established because of the reduced minimum acreage requirement, this may draw additional visitors to an area which could increase revenues to local businesses.

Private Impact

The proposed removal of the requirement for propagators to band domestically raised game birds and waterfowl will benefit these individuals. The cost associated with banding birds is minimal; however, there will also be a time savings associated with removing this requirement. That benefit cannot be quantified.

Reducing the minimum size of a controlled hunting preserve from 100 acres to 50 acres will create opportunities for individuals with less property that want to open a preserve. With the decreasing size and increasing price of land in North Carolina, the minimum size requirement is a barrier to participation. The proposed minimum acreage is more widely available and will still offer safety and privacy to preserve owners and neighbors.

A preserve operator's license costs \$102/year. There is no data to help determine how many individuals may take advantage of this new opportunity.

The proposed removal of detailed requirements for controlled hunting preserve boundary signs will be a cost savings to operators. Based on the specifications currently in rule, purchase, posting, and maintenance of these signs is likely a costly and time-consuming endeavor. Though boundaries will still need to be posted, the landowner can decide what signs to use, how many signs to use, and where to place them. In addition to basic signage, mobile apps with detailed boundary information are widely used by hunters. For this reason, there is not expected to be an impact to hunters.

15A NCAC 10H .0901 GAME BIRD PROPAGATION LICENSE (pg. 40)

15A NCAC 10H .0904 DISPOSITION OF GAME BIRDS OR GAME BIRD EGGS (pg. 41)

15A NCAC 10H .0905 TRANSPORTATION (pg. 43)

15A NCAC 10H .0906 RECORDS (pg. 44)

The proposed amendments for game bird propagation will incorporate the following changes:

- Incorporate use of the terms “domestically raised waterfowl and game birds” and “controlled hunting preserve” for consistency and clarity.
- Remove the requirement for a game bird propagation license to purchase, possess, transport, transfer, or release domestically raised waterfowl or game birds to allow hunters to release birds for dog training without a propagation license.
- Clarify that the propagation license is only required for individuals propagating or selling domestically raised waterfowl and game birds.

Many of the rules that apply to game bird propagation are outdated and are no longer needed to safeguard wildlife resources. The proposed changes will simplify and clarify regulations, bringing

them into alignment with how game bird propagation is currently conducted.

Fiscal Impact

State Impact

The proposed amendment to remove the propagator license requirement for individuals purchasing, possessing, transporting, transferring, or releasing domestically raised waterfowl or game birds may reduce the number of licenses sold. Approximately 600 game bird propagation licenses are sold each year. A propagation license costs \$10 plus a \$2 transaction fee amounting to approximately \$7,200 in annual revenue. While data does not exist to distinguish which of those licensed individuals are only training dogs, it is anticipated that some are. Because these individuals will no longer need to purchase a propagator license, the agency expects to lose at least some portion of this revenue.

Local Impact

The proposed amendments have no anticipated local government impact.

Private Impact

The proposed amendment to remove the propagator license requirement for individuals purchasing, possessing, transporting, transferring, or releasing domestically raised waterfowl or game birds will reduce confusion and save these individuals \$12/year from not having to purchase a license.

15A NCAC 10H .1505 WILDLIFE CONTROL AGENT LICENSE RENEW AND REVOCATION (pg. 45)

15A NCAC 10H .1510 WILDLIFE CONTROL TECHNICIAN CERTIFICATION ELIGIBILITY (pg. 46)

The proposed amendment will prohibit a Wildlife Control Agent (WCA) with a suspended or revoked WCA license from obtaining a Wildlife Control Technician (WCT) certification. A WCT certification authorizes an individual to engage in most wildlife control or wildlife removal activities under the direct supervision of a licensed wildlife control agent. The requirements for certification are less intensive than those for WCA licensure, and while these individuals are unable to write depredation permits, they can assist WCAs with the most common wildlife control and removal activities.

The amendment closes the loophole that currently allows a WCA with offenses and citations who has temporarily or permanently lost their WCA to continue their wildlife control or removal activities as a WCT.

Fiscal Impact

State Impact

The proposed amendments have no anticipated state government impact.

Local Impact

The proposed amendments have no anticipated local government impact.

Private Impact

The proposed amendments will limit opportunities for WCAs with revoked or suspended licenses, as these individuals will no longer be able to obtain a WCT license. This has occurred once since the inception of the WCT certification in October 2022. Based on this information, the agency anticipates limited impact to WCAs.

SUMMARY

Quantifiable Impacts

Total quantifiable impacts to the State cannot be estimated but the following partially quantifiable impacts were identified for the proposed rule changes.

State

The following quantifiable costs to the State are anticipated:

- Regulated Activities
 - Dog Training and Field Trails
 - Decrease in license sales = \$12/license
 - Game Bird Propagation
 - Decrease in license sales = \$12/license

The following quantifiable benefits to the State are anticipated:

- Wildlife Species
 - White-tailed Deer
 - Increase in permit hunt applications = \$180/year
- Regulated Activities
 - Controlled Hunting Preserves
 - Increase in license sales = \$102/license

The following quantifiable impacts to individuals were identified for the proposed rule changes:

Private

The following quantifiable costs to individuals are anticipated:

- Regulated Activities
 - Controlled Hunting Preserves
 - Controlled Hunting Preserve Operator License = \$102/year

The following quantifiable benefits to individuals are anticipated:

- Regulated Activities
 - Dog Training and Field Trails
 - Game Bird Propagation License = \$12/year
 - Game Bird Propagation
 - Game Bird Propagation License = \$12/year

Unquantifiable Impacts

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

Private

- Restricting the number of domestically raised game birds released for training dogs outside of the hunting seasons could be considered limiting opportunities for individuals engaging in this activity.
- Limiting opportunities for WCAs with revoked or suspended licenses will mean these individuals will no longer be able to obtain a WCT license.

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

State

- Removing the specific youth deer hunts will allow the agency to offer additional opportunities to special groups of hunters in support of R3 initiatives.
- Removing the white-tailed deer specific youth hunts on game lands will give the agency flexibility to offer these hunts to other interest groups and fill the permits.
- If additional controlled hunting preserves are established, the agency anticipates some additional revenue.

Local

- Shifting the bear hunting season in the Mountain Bear Management Unit is expected to increase hunter participation, which will increase visitation and revenues to that area of the State.
- Shifting the white-tailed deer seasons is expected to increase hunter participation and increase visitation and revenues to the western counties.
- Separating the ring-necked pheasant season is expected to increase hunter opportunities, which may increase visitation and revenues to the areas where hunting occurs.
- Adding additional controlled hunting preserves because of the reduced minimum acreage requirements may draw additional visitors and revenues to the area.
- Reducing the minimum size requirements for controlled hunting preserves could allow individuals to establish more of these preserves which may draw additional visitors and revenue to an area.

Private

- Shifting the bear hunting season in the Mountain Bear Management Unit and removing the prohibition on hunting bears with the aid of bait during the second segment of the mounting bear season will increase opportunities for bear hunters.
- Removing the specific youth white-tailed deer seasons will increase opportunities for new and/or lapsed hunters.
- Separating the ring-necked pheasant season will increase opportunities for small game and pheasant hunters state-wide.

- Clarifying when dogs may be used to take feral swine on game lands and allowing use of dogs to hunt feral swine on certain game lands outside of the open deer or bear season will provide additional opportunities for hunters.
- Removing the requirement for propagators to band domestically raised game birds and waterfowl will save these individuals time and costs.
- Removing the requirement for individuals training their dogs outside of the hunting season to have a Game Bird Propagation license will reduce confusion.
- Reducing the minimum size of a controlled hunting preserve from 100 acres to 50 acres will create opportunities for individuals with less property that want to open a preserve.
- Removing the detailed requirements for posting controlled hunting preserves will be a cost savings to operators.

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

2 ~~(a) For purposes of 15A NCAC 10B and 10D, the following definitions apply:~~

- 3 ~~(1) "Commission sanctioned field trial" means a field trial that has been authorized by the Wildlife~~
4 ~~Resources Commission and for which a Field Trial Permit has been issued.~~
- 5 ~~(2) "Active participant" means an individual participating in a field trial who handles dogs or uses a~~
6 ~~firearm.~~
- 7 ~~(3) "Field Trial Permit" means the permit issued by the Wildlife Resources Commission that authorizes~~
8 ~~an individual to hold a commission sanctioned field trial for dogs.~~

9 ~~(b) Individuals desiring to conduct a commission sanctioned field trial shall obtain a Field Trial Permit from the~~
10 ~~Wildlife Resources Commission at www.newwildlife.org or at the Commission headquarters located at 1751 Varsity~~
11 ~~Drive, Raleigh, NC 27606.~~

12 ~~(c) Individuals using wildlife to train or run dogs shall possess a North Carolina hunting license.~~

13 ~~(d) An individual who is serving as a judge of a commission sanctioned field trial shall be exempt from any license~~
14 ~~requirements. An individual who is serving as a judge of a non sanctioned field trial using wildlife shall possess a~~
15 ~~North Carolina hunting license.~~

16 ~~(e) Except as provided in Paragraph (f) of this Rule, the following license requirements shall apply to active~~
17 ~~participants in field trials:~~

- 18 ~~(1) North Carolina residents participating in any field trial that uses wildlife shall have a N.C. hunting~~
19 ~~license;~~
- 20 ~~(2) non residents participating in a commission sanctioned field trial that uses wildlife shall possess a~~
21 ~~N.C. hunting license or a hunting license from his or her state of residence; and~~
- 22 ~~(3) non residents participating in other types of field trials that use wildlife shall possess a N.C. hunting~~
23 ~~license~~

24 ~~(f) Notwithstanding Paragraph (e) of this Rule, an individual without a license may participate in commission-~~
25 ~~sanctioned field trials for beagles conducted without firearms on private field trial areas that meet the fencing~~
26 ~~requirements specified in G.S. 113-276(k).~~

27 ~~(g) It shall be unlawful to carry axes, saws, or climbing irons while training or running dogs during any closed season~~
28 ~~for game animals.~~

29 ~~(h) The following conditions shall apply to commission sanctioned field trials for retrievers or bird dogs:~~

- 30 ~~(1) shotguns containing live ammunition or firearms using only blank ammunition shall be prohibited~~
31 ~~unless specifically authorized by a Field Trial Permit;~~
- 32 ~~(2) no wild waterfowl, wild quail, or wild pheasant shall be used in field trials when shotguns with live~~
33 ~~ammunition are permitted;~~
- 34 ~~(3) only waterfowl, quail, or pheasants lawfully obtained from a licensed game bird propagator shall be~~
35 ~~authorized for use in field trials where shotguns with live ammunition are permitted.~~
- 36 ~~(4) waterfowl obtained from licensed game bird propagators for use in field trials when shotguns with~~
37 ~~live ammunition are authorized shall be marked by one of the methods specified in 50 CFR 21.45,~~

1 including subsequent amendments and editions, found free of charge at www.ecfr.gov; and

- 2 (5) pheasants or quail obtained from licensed game bird propagators for use in field trials where
3 shotguns with live ammunition are authorized shall be banded by the propagator prior to delivery
4 with a leg band that is imprinted with the number of his or her propagation license. The purchaser
5 of the birds shall obtain a copy of the receipt from the propagator showing the date, number of birds
6 purchased, propagator license number, and species of birds purchased. A copy of the receipt shall
7 be available for inspection by representatives of the Wildlife Resources Commission during the time
8 and at the place where the trial is being held.

9 (i) ~~The following conditions shall apply during the closed season for waterfowl and game birds when training dogs
10 with domestically raised waterfowl and domestically raised game birds:~~

- 11 (1) ~~only shotguns with number four size shot or smaller shall be used;~~
12 (2) ~~nontoxic shot shall be used when training dogs using domestically raised waterfowl;~~
13 (3) ~~all domestically raised waterfowl shall be individually tagged on one leg with a seamless band
14 stamped with the propagation license number of the facility from which the domestically raised
15 waterfowl originated; and~~
16 (4) ~~all other domestically raised game birds shall be individually tagged on one leg with a band
17 indicating the propagation license number of the facility from which the birds originated.~~

18
19 *History Note: Authority G.S. 113-134; 113-273; 113-276; 113-291.1; 113-291.5; 50 CFR 21.45;*
20 *Eff. February 1, 1976;*
21 *Amended Eff. May 1, 2015; January 1, 2013; January 1, 2012; May 1, 2006; July 1, 1995; July 1,*
22 *1994; July 1, 1991; May 1, 1990;*
23 *Readopted Eff. October 1, 2020;*
24 *Amended Eff. February 1, 2023.*
25

1 **15A NCAC 10H .1701 FIELD TRIALS**

2 (a) The following definitions shall apply to the rules in Subchapters 10H and 10D of this Chapter:

- 3 (1) "Commission-sanctioned field trial" means a field trial that has been authorized by the Wildlife
4 Resources Commission and for which a Field Trial Permit has been issued.
5 (2) "Active participant" means an individual participating in a field trial who handles dogs or uses a
6 firearm.
7 (3) "Field Trial Permit" means the permit issued by the Wildlife Resources Commission that authorizes
8 an individual to hold a commission-sanctioned field trial for dogs.

9 (b) Individuals may apply for a Field Trial Permit from the Commission at www.gooutdoorsnorthcarolina.com or at
10 the Commission headquarters located at 1751 Varsity Drive, Raleigh, NC 27606 by submitting the following
11 information:

- 12 (1) field trial dates;
13 (2) business affiliation;
14 (3) species of animal or game bird;
15 (4) fox preserve permit number, if applicable;
16 (5) county, if species is an animal; and
17 (6) address, if species is a gamebird.

18 (c) An individual serving as a judge of a commission-sanctioned field trial shall be exempt from license requirements.
19 An individual who is serving as a judge of a non-sanctioned field trial using wildlife shall possess a North Carolina
20 hunting license.

21 (d) The following license requirements shall apply to active participants in field trials:

- 22 (1) North Carolina residents participating in a field trial that uses wildlife shall have a North Carolina
23 hunting license;
24 (2) non-residents participating in a commission-sanctioned field trial that uses wildlife shall possess a
25 North Carolina hunting license or a hunting license from his or her state of residence; and
26 (3) non-residents participating in other types of field trials that use wildlife shall possess a North
27 Carolina hunting license

28 (e) Notwithstanding Paragraph (d) of this Rule, an individual without a license may participate in commission-
29 sanctioned field trials for beagles conducted without firearms on private field trial areas that meet the fencing
30 requirements specified in G.S. 113-276(k).

31 (f) Individuals shall not carry axes, saws, or climbing irons while training or running dogs during closed seasons for
32 game animals.

33 (g) The following conditions shall apply to commission-sanctioned field trials for retrievers or bird dogs:

- 34 (1) shotguns containing live ammunition or firearms using only blank ammunition shall be prohibited
35 unless specifically authorized by a Field Trial Permit;
36 (2) wild waterfowl, wild quail, or wild pheasant shall not be used in field trials when shotguns with live
37 ammunition are permitted;

- 1 (3) domestically raised waterfowl and game birds, lawfully obtained from a licensed game bird
2 propagator may be used in field trials where shotguns with live ammunition are permitted;
3 (4) waterfowl obtained from licensed game bird propagators for use in field trials when shotguns with
4 live ammunition are authorized shall be marked by one of the methods specified in 50 CFR 21.45,
5 including subsequent amendments and editions, found free of charge at www.ecfr.gov; and
6 (5) when domestically raised game birds are obtained from licensed game bird propagators for use in
7 field trials where shotguns with live ammunition are authorized, the purchaser of the birds shall
8 obtain a copy of the receipt from the propagator showing the date, number of birds purchased,
9 propagator license number, and species of birds purchased. A copy of the receipt shall be available
10 for inspection by representatives of the Commission during the time and at the place where the trial
11 is being held.
12

1 **15A NCAC 10H .1702 DOG TRAINING**

2 (a) Individuals using wildlife to train or run dogs shall possess a valid North Carolina hunting license.

3 (b) The following conditions shall apply during the closed season for waterfowl and game birds when training dogs
4 with domestically raised waterfowl and game birds:

5 (1) shotguns with number four size shot or smaller shall be used;

6 (2) nontoxic shot shall be used when training dogs with domestically raised waterfowl;

7 (3) domestically raised waterfowl shall be marked by one of the methods specified in 50 CFR 21.45,
8 including subsequent amendments and editions, found free of charge at www.ecfr.gov;

9 (4) when obtained from a licensed game bird propagator for use in dog training, the purchaser of the
10 birds shall obtain a copy of the receipt from the propagator showing the date, number of birds
11 purchased, propagator license number, and species of birds purchased. A copy of the receipt shall
12 be available for inspection by representatives of the Commission; and

13 (5) individuals may release no more than 6 domestically raised game birds daily.
14

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

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

- 3 (1) ~~Monday Saturday~~ on or ~~nearest~~ immediately prior to October 15 ~~9~~ through the Saturday before
4 Thanksgiving and the third ~~Monday Saturday~~ after Thanksgiving through January 1 in and west of
5 Surry, Wilkes, Caldwell, Burke, and Cleveland 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 third Sunday thereafter and the third Saturday after
12 Thanksgiving through the fifth Sunday after Thanksgiving in Dare, Hyde, and Tyrrell counties;
- 13 (5) second Saturday in November through the second Sunday thereafter and the third Saturday after
14 Thanksgiving through the fifth Sunday after Thanksgiving in Currituck, Gates, and Perquimans
15 counties;
- 16 (6) second Sunday in November through the following Sunday, when November 1 falls on a Sunday
17 the season shall be from the third Sunday in November through the following Sunday, and the third
18 Saturday after Thanksgiving through the fifth Sunday after Thanksgiving in Camden, Chowan, and
19 Pasquotank 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~~ a 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~~ an 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)(3) Bears may be taken with the aid of bait during the ~~entire~~ open season in the counties identified in
- 5 ~~Subparagraphs Paragraph (a)(2) through (a)(8) (a)~~ of this Rule.
- 6 (5)(4) Bears shall not be taken while in the act of consuming bait as specified in G.S. 113-291.1(b)(2).
- 7 (6)(5) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85,
- 8 Anson west of N.C. ~~Hwy~~ Highway 742, Cabarrus, Chatham, Davie, Davidson, ~~Franklin~~, Forsyth,
- 9 Gaston, Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85,
- 10 Randolph, Rockingham, Rowan, Stanly, Union, and Wake south of N.C. ~~Hwy~~ Highway 98. In ~~all~~
- 11 other counties and parts of counties, hunters may take bears using dogs and may release dogs in the
- 12 vicinity of bait.
- 13 (c) No Open Season. It shall be unlawful to take bear on posted designated bear sanctuaries management areas except
- 14 when authorized by permit issued by the Commission. See 15A NCAC 10D .0106 for posted designated bear
- 15 ~~sanctuaries- management areas.~~
- 16 (d) The daily bag limit for bear is one, the possession limit is one, and the season limit is one.

17

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

19 *Eff. February 1, 1976;*

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

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

22 *Amended Eff. July 1, 2000;*

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

24 *Amendment Eff. August 1, 2002;*

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

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

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

28 *1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;*

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

30 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016;*

31 *Temporary Amendment Eff. August 1, 2018;*

32 *Amended Eff. August 1, 2019;*

33 *Temporary Amendment Eff. September 1, 2020;*

34 *Amended Eff. August 1, 2021;*

35 *Readopted Eff. February 1, 2022.*

36

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

2 (a) Open All Lawful Weapons Seasons for hunting deer:

3 (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished
4 from knobs or buttons covered by skin or velvet, may be taken during the following seasons,
5 including on game lands unless otherwise specified in the rules of 15A NCAC 10D .0200.

6 (A) Saturday on or nearest October 15 through January 1 in Beaufort, Bladen, Brunswick,
7 Carteret, Columbus, Cumberland, Craven, Dare, Duplin, Harnett, Hoke, Hyde, Jones,
8 Lenoir, Moore, New Hanover, Onslow, Pamlico, Pender, Richmond, Robeson, Sampson,
9 Scotland, Tyrrell, and Washington counties. It is unlawful to hunt or kill deer in Lake
10 Waccamaw or within 50 yards of its shoreline in Columbus County.

11 (B) Saturday on or nearest October 15 through January 1 in Bertie, Camden, Chowan,
12 Currituck, Edgecombe, Franklin, Gates, Greene, Halifax, Hertford, Johnston, Martin,
13 Nash, Northampton, Pasquotank, Perquimans, Pitt, Vance, Wake, Warren, Wayne, and
14 Wilson counties.

15 (C) Saturday before Thanksgiving Day through January 1 in Alexander, Alleghany, Ashe,
16 Catawba, Cleveland, Davie, Forsyth, Gaston, Iredell, Lincoln, Polk, Rutherford, Stokes,
17 Surry, Watauga, Wilkes, and Yadkin counties.

18 (D) ~~Monday of Saturday after~~ Thanksgiving ~~week Day~~ through ~~the third Saturday after~~
19 ~~Thanksgiving Day~~ January 1 in Avery, Buncombe, Burke, Caldwell, Cherokee, Clay,
20 Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain,
21 Transylvania, and Yancey counties.

22 (E) Two Saturdays before Thanksgiving Day through January 1 in Alamance, Anson,
23 Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg,
24 Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union
25 counties.

26 (F) Saturday on or nearest September 10 through January 1 in the parts of Camden, Gates, and
27 Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in the parts
28 of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife
29 Refuge; in the part of Hyde county known as Lake Mattamuskeet National Wildlife
30 Refuge; in the parts of Dare and Hyde counties known as Alligator River National Wildlife
31 Refuge; in the parts of Anson and Richmond counties known as the Pee Dee National
32 Wildlife Refuge; and in the part of Currituck County known as the Mackay Island National
33 Wildlife Refuge.

34 (2) Antlered or Antlerless Deer. Except on Game Lands, antlered or antlerless deer may be taken during
35 the open seasons and in the counties and portions of counties listed in Parts (A) through (H) of this
36 Subparagraph. Antlered or antlerless deer may be taken the fourth Saturday in September
37 in all counties by persons under the age of 18.

- 1 (A) The open antlered or antlerless deer hunting dates established by the U.S. Fish and Wildlife
2 Service from the Saturday on or nearest September 10 through January 1 in the parts of
3 Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife
4 Refuge; in the parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes
5 National Wildlife Refuge; in the parts of Anson and Richmond counties known as the Pee
6 Dee National Wildlife Refuge; and in the parts of Currituck County known as the Currituck
7 National Wildlife Refuge and the Mackay Island National Wildlife Refuge.
- 8 (B) The open antlered or antlerless deer hunting dates established by the military commands at
9 the military installations listed in this Paragraph, from Saturday on or nearest October 15
10 through January 1 in the part of Brunswick County known as the Sunny Point Military
11 Ocean Terminal, in the part of Craven County known and marked as Cherry Point Marine
12 Base, in the part of Onslow County known and marked as the Camp Lejeune Marine Base,
13 on Fort ~~Bragg~~ Liberty Military Reservation, and on Camp Mackall Military Reservation.
- 14 (C) ~~Youth deer hunts. First Saturday in October for youth antlered or antlerless deer hunting
15 by permit only on a portion of Belews Creek Steam Station in Stokes County designated
16 by agents of the Commission; the third Saturday in October for youth antlered or antlerless
17 deer hunting by permit only on Mountain Island State Forest in Lincoln and Gaston
18 counties; and the second Saturday in November for youth antlered or antlerless deer
19 hunting by permit only on a portion of Warrior Creek located on W. Kerr Scott Reservoir
20 in Wilkes County designated by agents of the Commission. A youth is defined as a person
21 under 18 years of age.~~
- 22 ~~(D)~~(C) The first open Saturday of the Deer With Visible Antlers season described in Subparagraph
23 (a)(1) of this Rule in Cherokee, Clay, Haywood, Haywood, Jackson, Macon, Swain, and
24 Transylvania counties; and in ~~Buncombe and Henderson~~ counties, except for the areas
25 ~~described in Subparts (a)(2)(H)(i) and (ii) of this Rule.~~ counties.
- 26 ~~(E)~~(D) The first open day of the Deer With Visible Antlers season described in Subparagraph
27 (a)(1) of this Rule through the first Saturday thereafter in Buncombe, Henderson, Madison
28 Madison, and McDowell counties. ~~counties, except in the areas described in Subparts~~
29 ~~(a)(2)(G)(i) and (ii) of this Rule.~~ (a)(2)(G)(i) and (ii) of this Rule.
- 30 ~~(F)~~(E) The first open day of the season for Deer With Visible Antlers described in Subparagraph
31 (a)(1) of this Rule through the second Saturday thereafter in Avery, Burke, Caldwell,
32 Mitchell, and Yancey counties.
- 33 ~~(G)~~(F) The first open day of the season for Deer With Visible Antlers described in Subparagraph
34 (a)(1) of this Rule through the fourth Saturday thereafter in Cleveland, Polk, and
35 Rutherford counties.
- 36 ~~(H)~~(G) Open days of the season for Deer With Visible Antlers described in Subparagraph (a)(1)
37 of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and

1 Gaston counties and in the following parts of counties:

2 (i) The part of Buncombe County east of NC 191, south of the French Broad and
3 Swannanoa Rivers, west of US 25, and north of NC 280; and

4 (ii) The part of Henderson County east of NC 191 and north and west of NC 280.

5 (b) Open Archery Seasons for hunting deer:

6 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag
7 limits set out in Paragraph (e) of this Rule, deer may be taken with archery equipment during the
8 following seasons:

9 (A) Saturday on or nearest September 10 through the day immediately preceding the first open
10 day of the Blackpowder Firearms Season described in Subparagraph (c)(1) of this Rule;
11 ~~and the Sunday immediately following the closing of Blackpowder Firearms Season~~
12 ~~identified in Part (c)(1)(B) of this Rule to the Sunday before Thanksgiving in the counties~~
13 ~~and parts of counties having the open seasons for Deer With Visible Antlers specified by~~
14 ~~Part (a)(1)(D) of this Rule except on Buffalo Cove, Nicholson Creek, Rockfish Creek,~~
15 ~~Sandhills, and South Mountains Game Lands. Rule, including on game lands unless~~
16 ~~otherwise specified in the rules of 15A NCAC 10D 0200.~~

17 ~~(B) Sunday immediately following the closing of the open season for Deer With Visible~~
18 ~~Antlers through January 1 in the counties and parts of counties having the open season for~~
19 ~~Deer With Visible Antlers specified by Part (a)(1)(D) of this Rule.~~

20 (2) Restrictions

21 (A) In the areas of the State where the Commission regulates the use of dogs as provided in
22 G.S. 113-291.5, dogs may not be used for hunting deer during the Archery Season, except
23 a single dog on a leash may be used to retrieve a dead or wounded deer in accordance with
24 G.S. 113-291.1(k).

25 (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer
26 may be used during the Archery Season.

27 (C) Antlered or antlerless deer may be taken during Archery Season specified by Part (b)(1)(A)
28 of this Rule.

29 ~~(D) Only deer with visible antlers shall be taken during the Archery Season specified by Part~~
30 ~~(b)(1)(B) of this Rule.~~

31 (c) Open Blackpowder Firearms Seasons for hunting deer:

32 (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be
33 taken only with blackpowder firearms and archery equipment during the following seasons:

34 (A) Two Saturdays preceding the first day of the open season for Deer with Visible Antlers
35 described in Parts (a)(1)(A), (B), (C), ~~(D)~~, (E), and (F) of this Rule through the second
36 Friday thereafter ~~except on Buffalo Cove, Nicholson Creek, Rockfish Creek, Sandhills,~~

1 ~~and South Mountains Game Lands, including on game lands unless otherwise specified in~~
2 ~~the rules of 15A NCAC 10D .0200.~~

3 ~~(B) Monday on or nearest October 1 through the second Saturday thereafter in the counties and~~
4 ~~parts of counties having the open seasons for Deer With Visible Antlers specified by Part~~
5 ~~(a)(1)(D) of this Rule.~~

6 (2) Restrictions

7 (A) Antlered or antlerless deer may be taken during Blackpowder Firearms Season in ~~any a~~
8 county or county part set forth in Part ~~(a)(2)(E), (a)(2)(D), (E), (F), (G), or (H) (G)~~ of this
9 Rule that has one or more open days within the all lawful weapons season to legally harvest
10 antlerless deer.

11 (B) Antlered or antlerless deer may be taken during the ~~first~~ second open day Saturday of the
12 Blackpowder Firearms Season thru the first ~~Saturday~~ Friday thereafter in any county or
13 county part set forth in Part ~~(a)(2)(D)~~ (a)(2)(C) of this ~~Rule~~ Rule.

14 (C) Antlered or antlerless deer may be taken on the ~~first~~ second open Saturday of the
15 Blackpowder Firearms Season in any county or county part not set forth in Subparagraph
16 (a)(2) of this Rule.

17 (D) In the areas of the State where the Commission regulates the use of dogs as provided in
18 G.S. 113-291.5, dogs shall not be used for hunting deer during the Blackpowder Firearms
19 Season, except a single dog on a leash may be used to retrieve a dead or wounded deer in
20 accordance with G.S. 113-291.1(k).

21 (3) As used in this Rule, "blackpowder firearms" means any firearm, including any firearm with a
22 matchlock, flintlock, percussion cap, or similar type of ignition system, manufactured before 1899,
23 that cannot use fixed ammunition; any replica of this type of firearm if the replica is not designed
24 or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-
25 loading rifle, muzzle-loading shotgun, or muzzle-loading or cylinder-loading handgun that is
26 designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the
27 muzzle, cylinder, or breech and that cannot use fixed ammunition.

28 (d) Open Urban Season for hunting deer:

29 (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag
30 limits set out in Paragraph (e) of this Rule, antlered or antlerless deer may be taken with archery
31 equipment in participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday
32 following January 1 through the sixth Sunday thereafter. Deer shall not be taken on game lands
33 within a city boundary.

34 (2) Participation. Cities that intend to participate in the Urban Season shall send a letter to that effect
35 no later than April 1 of the year prior to the start of the Urban Season to the Executive Director or
36 his designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1700. Cities shall also submit a map
37 of the city's boundaries within which the Urban Season shall apply.

1 (3) Restrictions:

2 (A) In the areas of the State where the Commission regulates the use of dogs as provided in
3 G.S. 113-291.5, dogs shall not be used for hunting deer during the Urban Season except a
4 single dog on a leash may be used to retrieve a dead or wounded deer in accordance with
5 G.S. 113-291.1(k).

6 (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer
7 shall be used during the Urban Season.

8 (e) Bag limits. The possession and season limit is six deer, two that may be deer with visible antlers and four that may
9 be antlerless deer. Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from
10 spikes protruding through the skin. A hunter may obtain multiple Bonus Antlerless Deer Harvest Report Cards from
11 the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional antlerless
12 deer per card for deer harvested during the season described in Paragraph (d) of this Rule within the boundaries of
13 participating municipalities, except on State-owned game lands. Antlerless deer harvested and reported on the bonus
14 antlerless harvest report card shall not count as part of the possession and season limit.

15 (f) Deer Management Assistance Program. The bag limits described in Paragraph (e) of this Rule do not apply to deer
16 harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e)
17 for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license.
18 Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested
19 under this program, regardless of the date of harvest, shall be tagged with DMAP tags and reported as instructed on
20 the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting
21 license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with
22 DMAP tags may only be harvested during the regularly established deer seasons subject to the restrictions of those
23 seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report
24 card.

25
26 *History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2; 113-291.5;*

27 *Eff. February 1, 1976;*

28 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996, July 1, 1995; December 1, 1994; July 1,*
29 *1994; July 1, 1993;*

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

31 *Amended Eff. July 1, 2000;*

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

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

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

35 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
36 *2003);*

37 *Amended Eff. August 1, 2021; August 1, 2020; August 1, 2018; August 1, 2017; August 1, 2016;*

1 *August 1, 2015; August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011; July 10, 2010;*
2 *June 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;*
3 *Readopted Eff. August 1, 2022;*
4 *Amended Eff. August 1, 2023.*
5

1 **15A NCAC 10B .0211 RING-NECKED PHEASANT**

2 (a) On the barrier islands of Carteret, Dare, and Hyde counties east of Core Sound and Pamlico Sound, the~~The~~
3 open season for taking ring-necked pheasant is shall be the Saturday before Thanksgiving Day through the last day
4 of February to February 1 on male pheasant only.

5 (b) In areas of the state not specified in Paragraph (a) of this Rule, the open season for taking male and female ring-
6 necked pheasant is the earlier of the first Saturday in September or Labor Day, through the last day of February.

7 ~~(b)(c) The~~ In the areas of the state specified in Paragraph (a) of this Rule, the daily bag limit for ring-necked
8 pheasants is three, the possession limit is six, and the season limit is 30.

9 (d) In areas of the state not specified in Paragraph (a) of this Rule, there is no daily bag limit, no season limit, and no
10 possession limit.

11

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

13 *Eff. February 1, 1976;*

14 *Amended Eff. August 1, 2018; July 1, 1987; July 1, 1986; July 1, 1985; July 1, 1984;*

15 *Readopted Eff. February 1, 2022.*

16

1 **15A NCAC 10B .0223 FERAL SWINE**

- 2 (a) There is no closed season for taking feral swine on private lands anytime during the day or night.
- 3 (b) Feral swine may be taken on game lands from the hours of one-half hour before sunrise until one-half hour after
4 sunset during ~~the an~~ open season for ~~any game animal animals~~ or game ~~bird birds~~ using ~~any the~~ legal ~~manner~~
5 manners of take allowed during those ~~seasons~~. season, except that dogs may not be used to hunt feral swine on game
6 lands that do not allow the use of dogs for hunting white-tailed deer or black bear. Where lawful, the hunting of feral
7 swine with dogs is allowed during the applicable deer or bear season unless otherwise specified in the Rules of 15A
8 NCAC 10D .0200.
- 9 (c) Feral swine may be taken on game lands from one-half hour after sunset to one-half hour before sunrise by
10 permit only. Individuals may apply for permits on or after July 1 online at ncwildlife.org, by phone, or in person at a
11 wildlife service agent location. The number of permits issued annually will be based on achieving population
12 management objectives of the Commission. The Commission shall issue available feral swine permits to applicants
13 selected at random by computer. Permits shall be non-transferrable. All applicable laws and rules regarding the
14 taking of feral swine shall apply.
- 15 (d) There are no bag limits on feral swine.
- 16 (e) Hunters may use artificial lights and electronic calls.

17

18 *History Note: Authority G.S. 113-129; 113-134; 113-264; 113-291; 113-291.1; 113-291.2;*
19 *Temporary Adoption Eff. October 1, 2011;*
20 *Eff. February 1, 2012;*
21 *Temporary Amendment Eff. August 1, 2012;*
22 *Amended Eff. August 1, 2015; March 21, 2013;*
23 *Readopted Eff. October 1, 2022.*

24

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

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

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

11 (b) Unless allowed by permit, hunting on game lands shall only be during the open season for game animals and game

12 birds.

13 (c) Individual game lands or parts of game lands may be closed to hunting or limited to specific dates by this

14 Subchapter.

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

16 (e) On managed waterfowl impoundments, persons shall:

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

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

- 23 (1) hunting with a firearm between 9:30 a.m. and 12:30 p.m.;
- 24 (2) the use of a firearm to take deer that are run or chased by dogs;
- 25 (3) hunting with a firearm within 500 yards of a place of religious worship, as defined by G.S. 14-
- 26 54.1(b), or an accessory structure thereof; and
- 27 (4) hunting migratory game birds.

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

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

33 (h) On designated Veterans and Military Waterfowl Days veterans, as defined in 38 USC 101, and members of the

34 Armed Forces on active duty, including members of the National Guard and Reserves on active duty other than for

35 training, with valid credentials may hunt on game lands and impoundments not designated as permit-only areas from

36 one-half hour before sunrise to sunset. Subparagraphs (e)(1), (e)(3), and (e)(5) of this Rule shall apply.

37 (i) On waterfowl impoundments that have a posted "Scouting-only Zone," trapping during the trapping season and

1 waterfowl hunting on designated waterfowl hunting days are the only activities allowed on the portion of the
2 impoundment outside of the posted "Scouting-only Zone."

3 (j) Definitions:

4 (1) For purposes of this Subchapter, "Dove Only Area" refers to a Game Land on which doves may be
5 taken and dove hunting is limited to Mondays, Wednesdays, Saturdays, Thanksgiving Day,
6 Christmas Day, and New Year's Days within the federally-announced season.

7 (2) For purposes of this Subchapter, "Three Days per Week Area" refers to a Game Land on which
8 game may be taken during the open seasons and hunting is limited to Mondays, Wednesdays,
9 Saturdays, Thanksgiving Day, Christmas Day, Veterans Day, Martin Luther King Day, and New
10 Year's Days, except for game lands in this Rule that specifically allow hunting on Tuesdays,
11 Thursday, and Fridays. Hunting is not allowed on Christmas Day, Veterans Day, and New Year's
12 Day when these holidays fall on Sunday. Falconry may also be practiced on Sundays. These "open
13 days" also apply to antlerless deer hunting seasons listed for each game land. Raccoon and opossum
14 hunting may continue until 7:00 a.m. on Tuesdays, until 7:00 a.m. on Thursdays, and until midnight
15 on Saturdays.

16 (3) For purposes of this Subchapter, "Six Days per Week Area" refers to a Game Land on which game
17 may be taken on the open days of Monday, Tuesday, Wednesday, Thursday, Friday, and Saturday
18 during the open seasons. Falconry may be practiced on Sundays.

19 (4) For purposes of this Subchapter, "Seven Days per Week Area" refers to a Game Land on which
20 game may be taken during the open season on Mondays, Tuesdays, Wednesdays, Thursdays,
21 Fridays, Saturdays, and Sundays.

22 (5) For purposes of this Subchapter, "Four Days per Week Area" refers to a Game Land on which game
23 may be taken during the open seasons and hunting is limited to Tuesdays, Thursdays, Saturdays,
24 Sundays, Labor Day, Veterans Day, Christmas Day, New Year's Day, and Martin Luther King Day.
25 Raccoon and opossum hunting may continue until 7:00 a.m. on Wednesdays, 7:00 a.m. on Fridays,
26 and 7:00 a.m. on Mondays.

27 (6) For purposes of this Subchapter, "Permit" means a written authorization from the Commission
28 required for take or other activities listed on the permit during open seasons, if applicable, in a
29 specified area and subject to annual limitations imposed by the Commission to meet wildlife, hunter,
30 or land management objectives, unless otherwise specified. Individuals may apply for available
31 permits online at newildlife.org, by phone, or in person at a wildlife service agent location. The
32 Commission shall issue permits to applicants selected at random by computer in accordance with
33 G.S. 113-264. Permits shall be non-transferrable. The laws and rules regarding the species or activity
34 shall apply.

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

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

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

6 (m) The following game lands and refuges are closed to hunting except to individuals who have obtained a valid and
7 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) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
- 12 (5) Dare County—Roanoke Sound Marshes Game Lands; and
- 13 (6) Henderson and Transylvania counties—DuPont State Forest Game Lands.

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

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

23 ~~(o)~~ (o) The Commission may designate special hunts for participants of the disabled sportsman program by permit.
24 The Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall
25 be identified on the permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on the permit.

26 ~~(p)~~ (p) As used in the rules of this Subchapter, horseback riding includes all equine species.

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

29
30 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*

31 *Eff. February 1, 1976;*

32 *Temporary Amendment Eff. October 3, 1991;*

33 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; September 1, 1995; July 1, 1995; September*
34 *1, 1994; July 1, 1994;*

35 *Temporary Amendment Eff. October 1, 1999; July 1, 1999;*

36 *Amended Eff. July 1, 2000;*

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

1 *Amended Eff. August 1, 2002 (approved by RRC on 06/21/01 and 04/18/02);*
2 *Temporary Amendment Eff. June 1, 2003;*
3 *Amended Eff. June 1, 2004 (this replaces the amendment approved by RRC on July 17, 2003);*
4 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; May 1, 2015; August 1, 2014;*
5 *January 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
6 *1, 2007; October 1, 2006; August 1, 2006; May 1, 2006; February 1, 2006; June 1, 2005; October*
7 *1, 2004;*
8 *Temporary Amendment Eff. August 1, 2018;*
9 *Amended Eff. August 1, 2020; August 1, 2019;*
10 *Temporary Amendment Eff. September 25, 2020;*
11 *Temporary Amendment Eff. August 1, 2021;*
12 *Amended Eff. August 1, 2023; November 1, 2022; October 1, 2022; August 23, 2022.*
13

1 **15A NCAC 10D .0251 NANTAHALA GAME LAND IN CHEROKEE, CLAY, GRAHAM, JACKSON,**
2 **MACON, SWAIN, AND TRANSYLVANIA COUNTIES**

- 3 (a) Nantahala game land is a Seven Days per Week Area.
4 (b) In this game land Deer of either sex may be taken the first open Saturday of the applicable Deer With Visible
5 Antlers Season in that portion located in Transylvania County.
6 (c) Dogs may be used to hunt feral swine during the open bear season established in 10B.0202 and from January 1
7 through January 31.

8
9 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
10 *Eff. October 1, 2022.*

11

1 SUBCHAPTER 10H – REGULATED ACTIVITIES

2
3 SECTION .0100 - CONTROLLED HUNTING PRESERVES FOR DOMESTICALLY RAISED
4 WATERFOWL AND GAME BIRDS

5
6 15A NCAC 10H .0101 GENERAL REQUIREMENTS

7 (a) It shall be unlawful to operate a controlled hunting preserve without first obtaining a controlled hunting operator's
8 license from the ~~North Carolina Wildlife Resources Commission (Commission)~~. Commission.

9 (b) A licensed controlled hunting preserve operator may purchase shall be authorized to, possess, propagate, sell,
10 transport, and release domestically raised waterfowl and game birds and their eggs, subject to limitations in Section
11 .0900 of this Subchapter.

12 ~~A controlled hunting preserve operator's license shall authorize an operator, guest, or customer to take the following:~~

- 13 (1) ~~Mallard Ducks (in accordance with 50 CFR 21.45);~~
14 (2) ~~Chukar Partridges;~~
15 (3) ~~Hungarian Partridges; and~~
16 (4) ~~Other domestically raised game birds, except Wild Turkey.~~

17 (c) The following conditions shall apply to the take of domestically raised waterfowl and game birds on a controlled
18 hunting preserve:

- 19 (1) take shall be by shooting, which may include the use of dogs;
20 (2) there shall be no bag limits or sex restrictions; ~~and~~
21 (3) take shall be authorized from October 1 ~~to~~ through March ~~31~~. 31;
22 (4) domestically raised migratory gamebirds shall be marked by one of the methods provided in 50 CFR
23 21.45; and 21.45, all other domestically raised game birds, except Chukar Partridges and Hungarian
24 Partridges, shall be individually marked on one leg with a band imprinted with the propagator's
25 license number.
26 (5) domestically raised waterfowl shall not be taken outside the open days of the seasons for taking
27 waterfowl except that domestically raised waterfowl may be taken on the day they are released from
28 October 1 through March 31.

29 (d) Application for a controlled hunting preserve ~~operator's~~ operator license shall be made ~~on a form available from~~
30 ~~the Commission~~ online at www.newwildlife.org www.gooutdoorsnorthcarolina.com or at the Commission headquarters
31 located at 1751 Varsity Drive, Raleigh, NC 27606-2576. The application shall include the following information:

- 32 (1) ~~The applicant's name, mailing address, residence address, telephone number, and date of birth;~~
33 (2)(1) ~~The~~ the preserve name and address;
34 (3)(2) ~~GPS~~ GPS coordinates of preserve entrance;
35 (3) a property map;
36 (4) ~~The~~ the total preserve acres owned or leased;
37 (5) ~~The name, address, and telephone number of the landowner, if applicable;~~

- 1 ~~(6)~~(5) The type of preserve; ~~and~~
- 2 ~~(7)~~(6) The species of domestically raised waterfowl and game birds to be offered for ~~hunting~~-Hunting;
- 3 and
- 4 (7) ~~(e)~~ Applicants shall ~~certify and demonstrate ownership or~~ proof of ownership or lease of the land
- 5 for the license period. ~~period and for the operation of a controlled hunting preserve.~~
- 6 (f) ~~A licensed controlled hunting preserve operator shall be authorized to purchase, possess, propagate, sell, transport,~~
- 7 ~~and release waterfowl and propagated migratory game birds, their eggs, and propagated upland game birds, except for~~
- 8 ~~wild turkey, subject to limitations in Section .0900 of this Subchapter.~~
- 9 ~~(g)~~(e) Representatives of the Commission shall be permitted to enter the premises upon request or during business
- 10 hours for inspection, enforcement, or scientific purposes.

11

12 *History Note: Authority G.S. 113-134; 113-273;*

13 *Eff. February 1, 1976;*

14 *Amended Eff. August 1, 2010; May 1, 2008; July 1, 1994; November 1, 1990; July 1, 1988; July 1,*

15 *1987;*

16 *Readopted Eff. April 1, 2020;*

17 *Amended Eff. February 1, 2023.*

18

1 **15A NCAC 10H .0102 ESTABLISHMENT AND OPERATION**

2 (a) Controlled hunting preserves shall be at least ~~400~~ 50 acres and shall be one contiguous block of land.

3 (b) The boundary of each controlled hunting preserve shall be posted with printed signs that face both outward and
4 inward from the preserve ~~boundary. boundary and meet the following requirements:~~

- 5 (1) ~~Signs shall be at least 12 inches wide and at least nine inches tall with white background and black~~
6 ~~lettering of uniform font.~~
- 7 (2) ~~Signs shall be placed along the boundaries of the controlled hunting preserve, not more than 150~~
8 ~~feet apart.~~
- 9 (3) ~~Text of signs facing outward from the boundary shall contain the following information in font no~~
10 ~~less than ¼ of an inch in height:~~
- 11 (A) ~~the words "Controlled Hunting Preserve";~~
- 12 (B) ~~the words, "The owner or lessee of this property is operating by authority of a license~~
13 ~~issued by the N.C. Wildlife Resources Commission. Hunting on this preserve shall be in~~
14 ~~accordance with regulations of the Commission.";~~
- 15 (C) ~~the words, "State hunting license is required"; and~~
- 16 (D) ~~the name of the licensed operator of the controlled hunting preserve.~~
- 17 (4) ~~Text of signs facing inward from the boundary shall bear the words "Controlled Hunting Preserve"~~
18 ~~in font no less than ¾ of an inch in height.~~

19

20 *History Note: Authority G.S. 113-134; 113-273;*

21 *Eff. February 1, 1976;*

22 *Amended Eff. June 1, 2009; January 1, 1992; November 1, 1990;*

23 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
24 *6, 2016;*

25 *Amended Eff. April 1, 2020.*

26

1 **15A NCAC 10H .0105 RECORDS AND REPORTING REQUIREMENTS**

2 (a) The controlled hunting preserve operator shall maintain a written record of each hunter using the controlled
3 hunting preserve. This record shall contain the following information:

- 4 (1) name, address, and license number of the preserve;
- 5 (2) the name, address, and state hunting license number of each hunter using the preserve;
- 6 (3) the date(s) of the hunt;
- 7 (4) the number and species of each bird harvested by the hunter on the preserve; and
- 8 (5) the signature of the operator.

9 This record shall be executed in duplicate. The original record shall be given to the hunter to serve as a receipt for
10 birds harvested on the preserve as required in Rule .0103 of this Section. The duplicate record shall be retained by
11 the operator for 12 months after the date(s) of the hunt. It shall be unlawful for a person to possess game birds
12 harvested on controlled hunting preserves without a receipt as described in this Rule.

13 (b) The operator shall maintain a written record of each bird species released on the preserve. This record shall
14 include the number and species of each bird released and the date of the release.

15 (c) The records required by this Rule shall be available for inspection at the request of the Commission.

16 (d) Licensed operators that release birds shall report the number released, the species of the birds released, and the
17 county where the release occurred to renew their operator's license. This reporting requirement shall be limited to
18 those birds released during the time period of the operator's current valid license or last valid license and shall be
19 reported on the Controlled ~~Shooting~~ Hunting Preserve Game Birds Report Form found online at www.ncwildlife.org
20 or at the Commission headquarters.

21

22 *History Note: Authority G.S. 113-134; 113-273; 113-274;*

23 *Eff. February 1, 1976;*

24 *Amended Eff. November 1, 1990; April 15, 1979;*

25 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
26 *6, 2016;*

27 *Amended Eff. April 1, 2020.*

28

1 **15A NCAC 10H .0109 QUAIL CALL-PEN TRAPS**

2 Licensed controlled hunting preserve operators that release pen-raised quail for hunting or dog training shall be
3 authorized to use quail call-pen traps, between September 1 and April 30, to recover released domestically raised
4 quail, subject to the following requirements:

- 5 (1) ~~all~~ traps shall have a weather-resistant permanent tag attached with the operator's name and
6 address written legibly; and
- 7 (2) ~~no trap~~ traps shall not be located within 100 yards of any boundary of the hunting ~~preserve; and~~
8 preserve.
- 9 (3) ~~no trapped, unbanded quail shall be retained.~~

10

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

12 *Eff. September 1, 1980;*

13 *Amended Eff. May 1, 2009; December 1, 1993; November 1, 1990; July 1, 1987;*

14 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
15 *6, 2016;*

16 *Amended Eff. April 1, 2020.*

17

1 **15A NCAC 10H .0901 GAME BIRD PROPAGATION LICENSE**

2 (a) The game bird propagation license ~~shall authorize~~ is required for the ~~purchase, possession, propagation,~~
3 ~~propagation and~~ sale, ~~transportation, transfer, and release of propagated upland game birds, except wild turkey, and~~
4 ~~migratory~~ domestically raised waterfowl and game birds and their eggs, subject to the following limitations and
5 conditions:

- 6 (1) ~~The~~ the sale of dead pen-raised quail for food is governed by the regulations of the North Carolina
7 Department of ~~Agriculture; Agriculture and Consumer Services;~~ and
8 (2) ~~The~~ the purchase, possession, sale, transportation, and transfer of migratory game birds and their
9 eggs is subject to additional requirements in 50 CFR 21, which is hereby incorporated by reference,
10 including subsequent amendments and editions. 50 CFR 21 may be found free of charge at:
11 www.ecfr.gov.
12 (3) ~~Except on controlled hunting preserves each license holder may release no more than six~~
13 ~~domestically raised game birds for the purpose of dog training each day.~~

14 (b) ~~Application for~~ Individuals may obtain a game bird propagation license ~~shall be made on a form available from~~
15 ~~the Commission~~ at www.newwildlife.org www.gooutdoorsnorthcarolina.com or at the Commission headquarters
16 located at 1751 Varsity Drive, Raleigh, NC 27606-2576. ~~Information required from the applicant shall include the~~
17 ~~applicant's:~~

- 18 (1) ~~name;~~
19 (2) ~~mailing address;~~
20 (3) ~~residence address;~~
21 (4) ~~telephone number; and~~
22 (5) ~~date of birth.~~

23 (c) The game bird propagation license shall be posted and displayed at the propagation facility so that it is visible to
24 visitors ~~or patrons at all times.~~ and patrons.

25
26 *History Note: Authority G.S. 106-549.94; 113-134; 113-273; 50 C.F.R., Part 21;*
27 *Eff. January 1, 1981;*
28 *Amended Eff. July 1, 1988; July 1, 1987;*
29 *Temporary Amendment Eff. July 1, 2001;*
30 *Amended Eff. June 1, 2005; July 18, 2002;*
31 *Readopted Eff. November 1, 2019.*
32

1 **15A NCAC 10H .0904 DISPOSITION OF GAME BIRDS OR GAME BIRD EGGS**

2 (a) ~~Diseased Birds.~~ It shall be unlawful for a game bird propagation license holder to knowingly sell or
3 ~~otherwise~~ transfer possession of ~~any a~~ live game bird that shows evidence of a communicable disease, except for
4 transfers to a veterinarian or pathologist for examination and diagnostic purposes. Disposition of any game bird with
5 a communicable disease not likely to infect wild game bird populations shall be the responsibility of the license holder.

6 (b) ~~Sale of Live Birds or Eggs.~~ Subject to the limitations set forth in Rule .0901 of this Section, ~~any~~ game birds that
7 are authorized to be propagated under this Section, or ~~the their eggs, eggs thereof,~~ may be sold or transferred alive by
8 a licensed game bird propagator to another licensed game bird propagator or licensed controlled ~~shooting~~ hunting
9 preserve operator or to ~~any a~~ person that holds a valid license or permit that authorizes possession.

10 (c) ~~Receipt Required.~~ Upon sale or transfer, a written receipt of the transaction shall be prepared in duplicate showing
11 the date, the names and license or permit numbers of both parties, and the species and quantity of the game birds or
12 game bird eggs transferred. A copy of the receipt shall be retained by ~~each of~~ the parties as provided by Rule .0906 of
13 this Section.

14 (d) ~~Bird Marking.~~ ~~Any live~~ Live migratory waterfowl sold or transferred to ~~any a~~ person for use in training retrievers
15 or conducting retriever trials shall be marked by one of the methods provided by 50 CFR ~~21.45~~ 21.45, which is hereby
16 incorporated by reference, including subsequent amendments and editions. This document may be ~~accessed~~ found free
17 of charge at www.ecfr.gov. ~~www.ecfr.gov at no cost. All other domestically raised game birds sold or transferred for~~
18 ~~the same purposes shall be individually marked on one leg with a band imprinted with the propagator's license number.~~

19 (e) ~~Sale of Dead Game Birds as Food.~~ Subject to Rule .0901 of this Section and to ~~any~~ applicable laws and regulations
20 relating to pure foods, public health, and advertising, domestically raised waterfowl and game birds produced by
21 licensed game bird propagators ~~may shall not~~ be killed ~~at any time in any manner, except~~ by shooting during the closed
22 season. Dead game birds, except for dead pen-raised quail, and game bird eggs may be sold for food purposes as
23 follows:

24 (1) Sale Direct to Consumer. Unprocessed dead domestically raised waterfowl and game birds may be
25 sold directly to a consumer when accompanied by a receipt showing the name of the consumer, the
26 name and license number of the propagator, and the quantity and species of the ~~game~~ birds sold. A
27 copy of the receipt shall be retained by the propagator for one year after the transaction. It shall be
28 unlawful for the consumer to resell unprocessed dead domestically raised waterfowl and game birds.

29 (2) Sale to or Through a Processor.

30 (A) Unprocessed dead domestically raised waterfowl and game birds may be sold to a
31 commercial food processor that holds a permit to possess them or transferred to a
32 commercial food processor for processing and packaging prior to sale. Sale or transfer shall
33 be evidenced by written receipt retained by each party for a year after the sale or transfer,
34 that includes the following information:

- 35 (i) the processor's name and permit number;
36 (ii) the propagator's name and license number; and
37 (iii) the number and species of ~~game~~ birds sold or transferred.

- 1 (B) Domestically raised waterfowl and game ~~Game~~ bird carcasses processed by a commercial
2 food processor for wholesale or retail sale shall be enclosed in a wrapper or container
3 marked with the following:
4 (i) the number and species of ~~game~~ birds contained;
5 (ii) the license number of the propagator; and
6 (iii) the words "domestically raised."
7 (3) Domestically raised waterfowl and ~~Propagated~~ game bird eggs shall not be sold for food.

8
9 *History Note: Authority G.S. 113-134; 113-273; 50 CFR 21.45;*
10 *Eff. January 1, 1981;*
11 *Amended Eff. August 1, 2010; May 1, 2008; June 1, 2005;*
12 *Readopted Eff. November 1, 2019;*
13 *Amended Eff. February 1, 2023.*
14

1 **15A NCAC 10H .0905 TRANSPORTATION**

2 (a) Live Domestically Raised Waterfowl and Game Birds or ~~Game Bird~~ Eggs

3 (1) Private Carriers. Live ~~propagated~~ domestically raised waterfowl and game birds or ~~game bird~~ eggs
4 may be transported by private carrier when accompanied by a copy of the receipt specified in Rules
5 .0903 or .0904 of this Section.

6 (2) Common Carriers. When live ~~propagated~~ domestically raised waterfowl and game birds or ~~game~~
7 ~~bird~~ eggs are transported by common carrier, each separate container shall be tagged or labeled with
8 the following information:

9 (A) the name, address, and license number of the shipping propagator;

10 (B) the name, address, and license or permit number of the consignee; and

11 (C) the number and species of domestically raised waterfowl or game birds or ~~game bird~~ eggs
12 contained therein.

13 (b) Dead Domestically Raised Waterfowl and Game Birds

14 (1) Private Consumers. Unprocessed dead domestically raised waterfowl and game birds may be
15 transported by consumers or hunters when accompanied by a receipt from a licensed game bird
16 propagator required by Rule .0904(e)(1) of this Section or by a copy of the receipt from a controlled
17 ~~shooting~~ hunting preserve operator as required by 15A NCAC 10H .0105.

18 (2) Processed Domestically Raised Waterfowl and Game Birds. The carcasses of processed ~~propagated~~
19 domestically raised game birds other than quail may be transported in any manner when packaged
20 in a wrapper or container marked as required by Rule .0904(e)(2) of this Section.

21
22 *History Note: Authority G.S. 113-134; 113-273;*

23 *Eff. January 1, 1981;*

24 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
25 *6, 2016;*

26 *Amended Eff. November 1, 2019.*

1 **15A NCAC 10H .0906 RECORDS**

2 (a) Licensed game bird propagators that sell domestically raised waterfowl and game birds shall maintain a file of
3 receipts by calendar year with the following information:

4 (1) ~~The~~ the dates and sources of acquisition of domestically raised waterfowl and game birds and ~~game~~
5 ~~bird~~ eggs;

6 (2) ~~The~~ the species and quantities of the domestically raised waterfowl and game birds and ~~game-bird~~
7 eggs, as required by Rule .0903 of this Section; and

8 (3) ~~Receipts~~ receipts showing ~~all~~ transfers of ~~propagated~~ domestically raised waterfowl and game birds,
9 except dead quail sold for food purposes, and ~~game-bird~~ eggs as required by Rule .0904 of this
10 Section.

11 (b) Records shall be made available for inspection at the request of the Commission.

12 (c) Records shall be retained for at least one year following the license year to which they pertain.

13

14 *History Note: Authority G.S. 113-134; 113-273;*

15 *Eff. January 1, 1981;*

16 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. December*
17 *6, 2016;*

18 *Amended Eff. November 1, 2019.*

19

1 **15A NCAC 10H .1505 WILDLIFE CONTROL AGENT LICENSE RENEWAL AND REVOCATION**

2 (a) A WCA may renew his or her WCA license by completing at least one Commission-approved continuing
3 education course within the previous year. A list of Commission-approved continuing education courses may be found
4 at www.ncwildlife.org/wca.

5 (b) WCAs that do not renew their license for two consecutive calendar years shall be ineligible for renewal and shall
6 be required to repeat the requirements specified in 15A NCAC 10H .1501, prior to obtaining a new WCA license.

7 (c) The Executive Director or his or her designee may warn, cite, or revoke a WCA's license, if the WCA violates
8 any provision of G.S. 14, Article 47; G.S. 113, Subchapter IV; any rules promulgated by the Commission; conditions
9 of the WCA license; or standards taught in a Commission-approved WCA training course. The determination whether
10 to warn, cite, or revoke a WCA's wildlife control agent license shall be based upon the seriousness of the violation.

11 (d) An individual whose WCA license is suspended or revoked shall not be eligible for the Wildlife control technician
12 certification.

13
14 *History Note: Authority G.S. 113-134; 113-273; 113-274;*
15 *Eff. May 1, 2021.*
16

1 **15A NCAC 10H .1510 WILDLIFE CONTROL TECHNICIAN CERTIFICATION ELIGIBILITY AND**
2 **REQUIREMENTS**

3 (a) The following definitions shall apply in this Section:

- 4 (1) "Wildlife control technician" or "WCT" means an individual that holds a current and valid wildlife
5 control technician certification issued by the Commission.
- 6 (2) "Wildlife control technician certification" or "WCT certification" means a certification issued by
7 the Commission that authorizes an individual to engage in wildlife control or wildlife removal
8 activities, for compensation, including reimbursement for the cost of materials, under the
9 supervision of a licensed wildlife control agent.
- 10 (3) "Direct supervision" means to physically be within one's presence while maintaining visual and
11 verbal contact.
- 12 (4) "Wildlife damage control" and "wildlife removal activities" means and includes:
13 (A) bat eviction and alligator damage control or removal activities;
14 (B) setting and moving traps;
15 (C) euthanasia; and
16 (D) issuing depredation permits in accordance with the applicable provision and requirements
17 of 15A NCAC 10H .1502.

18 (b) It shall be unlawful to engage in wildlife damage control or wildlife removal activities for compensation, without
19 first obtaining a WCT certification from the Commission, except that licensed trappers taking wild animals during the
20 applicable open trapping season for that species shall not be required to obtain a WCT certification.

21 (c) Wildlife control technicians may ~~only~~ perform the following wildlife control or removal activities under direct
22 supervision of a licensed WCA, or certified Alligator Control Agent if applicable:

- 23 (1) placement of traps;
24 (2) euthanasia of wildlife;
25 (3) bat evictions; and
26 (4) alligator removal or relocation.

27 (d) Wildlife control technicians shall not issue depredation permits.

28 (e) Individuals shall complete a Commission-approved, WCT training course, that reviews wildlife laws and rules,
29 including methods for trapping, capture, and safe and humane wildlife handling to qualify for a WCT certification.

30 (f) Individuals may register for a Commission-approved training course at www.ncwildlife.org/wca. Required
31 information shall include the following:

- 32 (1) the applicant's name, mailing address, email address, residence address, telephone number, driver's
33 license number, and date of birth; and
34 (2) organizational affiliation, if applicable.

35 (g) A WCT certification shall not be transferable between individuals.

36 (h) An individual whose WCA license is suspended or revoked shall not be eligible for a WCT certification.

37

1 *History Note: Authority G.S. 113-134; 113-273; 113-274;*
2 *Eff. October 1, 2022.*
3
4