



AGENDA
N.C. WILDLIFE RESOURCES COMMISSION
October 26, 2023, 9:00 a.m.
1751 Varsity Drive
NCWRC Conference Room, 5th Floor
Raleigh, North Carolina

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.

PLEDGE OF ALLEGIANCE – *Commissioner David Hoyle*

INVOCATION – *Commissioner John Alexander*

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

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

APPROVAL OF AUGUST 24, 2023 MEETING MINUTES – Take action on the August 24, 2023 Wildlife Resources Commission meeting minutes as written in the exhibit. **(EXHIBIT A)**

FINANCIAL STATUS REPORT – Receive Financial Status Report on the Wildlife Resources Commission General Fund, Capital Improvement Fund, and the Endowment Fund. – *Jason Cottle, Chief Financial Officer (EXHIBIT B)*

SPECIAL PRESENTATIONS

2023 THOMAS L. QUAY WILDLIFE DIVERSITY AWARD PRESENTATION – Present the 2022 Thomas L. Quay Wildlife Diversity Award to David Allen – *Cameron Ingram, Executive Director*

COMMITTEE MEETING REPORTS

Education and Communication Committee Report – October 25, 2023 – Tom Haislip, Chair
Migratory Birds & Waterfowl Committee – October 25, 2023 – John Coley, Chair
Small Game & Wild Turkey Committee – October 25, 2023 – Jim Ruffin, Chair
Fisheries Committee Report – October 25, 2023 – Tommy Fonville, Committee Member
Big Game Committee Report – October 25, 2023 – David Hoyle, Chair
Committee of the Whole Report – October 25, 2023 – Monty Crump, Chair

AGENCY SPOTLIGHT – Connecting Through Communication, Marketing & Digital Engagement– Fairley Mahlum, Communications Director

LAND AND WATER ACCESS DIVISION

Land Acquisitions and Property Matters

Other Property Matters – Consider approval of the following other property matters - *Ben Solomon, Assistant Chief and Land Acquisition Manager (EXHIBIT C)*

- Hinson Lake Lodge Lease Renewal (EXHIBIT C) Renewal of the Hinson Lake Lodge lease with the City of Rockingham.

RULEMAKING

Permanent Rulemaking Notice of Text – 2024-2025 Annual Cycle Inland Fisheries Rules – Consider request to notice proposed rule text with an open comment period and public hearings for amendments to Inland Fisheries rules. Review and consider approval of fiscal note – *Christian Waters, Inland Fisheries Division Chief (EXHIBITS D-1, D-2)*

Permanent Rulemaking Notice of Text – 2024-2025 Annual Cycle Land and Water Access Rules – Consider request to notice proposed rule text with an open comment period and public hearings for amendments to Land and Water Access rules. Review and consider approval of fiscal note – *Daron Barnes, Land and Water Access Division Chief (EXHIBITS E-1, E-2)*

Permanent Rulemaking Notice of Text – 2024-2025 Annual Cycle Wildlife Management Rules – Consider request to notice proposed rule text with an open comment period and public hearings for amendments to Wildlife Management rules. Review and consider approval of fiscal note – *Chris Kreh, Wildlife Management Division Assistant Chief (EXHIBITS F-1, F-2)*

Permanent Rulemaking Notice of Text – 2024-2025 Annual Cycle Administrative Rules – Consider request to notice proposed rule text with an open comment period and public hearings for amendments to Administrative rules. Review and consider approval of fiscal note – *Ben Meyer, Law Enforcement Division Colonel (EXHIBITS G-1, G-2)*

Permanent Rulemaking Adoption – 10B .0500 Chronic Wasting Disease (CWD) Rules – Review public comments and consider request to adopt 10B .0501 and .0503 to regulate activities that aid in the transmission of CWD and assist with detection and the isolation of the disease. – *Melva Bonner, Regulatory Analyst (EXHIBITS H-1, H-2)*

Permanent Rulemaking Notice of Text – 10A .0500 Declaratory Rulings Rules – Consider request to notice proposed rule text with an open comment period and public hearing for amendments to 10A .0501 through .0503. – *Melva Bonner (EXHIBIT I)*

Permanent Rulemaking Notice of Text – 10E Public Fishing and Boating Access Areas Rules – Consider request to notice proposed rule text with an open comment period and public hearing for amendments to 10E .0101 through .0104. Review and consider approval of fiscal note – *Melva Bonner (EXHIBITS J-1, J-2)*

WATER SAFETY RULEMAKING

Permanent Rulemaking Final Adoption – 15A NCAC 10F .0333 Mecklenburg and Gaston Counties – Review public comments and consider final adoption of the Rule proposed by the Lake Wylie Marine Commission, for a restricted area with swim beach at the South Point Access Area on Lake Wylie in Belmont in Gaston County, north of a rope in a cove east of the access area; and codification into the North Carolina Administrative Code the address of the no-wake zone within 50 yards of the South Point Access Area boat ramps. – *Betsy Haywood, Water Safety Rules Coordinator (EXHIBITS K-1, K-2)*

Permanent Rulemaking Technical Correction – 15A NCAC 10F .0310 Dare County – Consider publishing Notice of Text in the *NC Register* for a technical correction to the coordinates of the no-wake zone at Motts Creek, Cape Hatteras National Seashore, where the Oregon Inlet U.S. Coast Guard Station, Oregon Inlet Fishing Center and Marina, Oregon Inlet Public Boat Ramp, kayak launch area, and U.S. Coast Guard Station and Launch Area are located. – *Betsy Haywood (EXHIBIT L)*

2024 WILDLIFE RESOURCES COMMISSION MEETING SCHEDULE – Consider approval of the proposed 2024 Wildlife Resources Commission meeting schedule – *Cameron Ingram, Executive Director (EXHIBIT M)*

COMMENTS BY THE CHAIRMAN – *Chairman Crump*

COMMENTS BY THE EXECUTIVE DIRECTOR – *Executive Director Ingram*

ADJOURN

EXHIBIT A



MINUTES August 24, 2023 N.C. Wildlife Resources Commission Meeting Raleigh, North Carolina

Chairman Monty Crump called the August 24, 2023 N.C. Wildlife Resources Commission meeting to order at 9:00 a.m. in the Commission Room at the agency's headquarters in Raleigh. Crump reminded everyone that the meeting is being audio streamed live and will be available at www.ncwildlife.org.

Commissioner Steve Windham led the Pledge of Allegiance.

Commissioner Jim Ruffin gave the invocation.

ROLL CALL

Margo Minkler, *Commission Liaison*, called the roll. Wes Seegars, Tom Berry, John Stone, Hayden Rogers, and John Alexander were absent.

COMMISSIONER ATTENDANCE

Monty Crump	Thomas Fonville	Kelly Davis	JC Cole
Mark Craig	Brad Stanback	Steve Windham	Mike Alford
David Hoyle	Jim Ruffin	Landon Zimmer	
John Coley	Ray Clifton	Tom Haislip	

MANDATORY ETHICS INQUIRY

Chairman Crump advised the Commission of the mandatory ethics inquiry as mandated in NCGS §138A-15. Commissioner Landon Zimmer recused himself from discussion and action on Exhibit C-5.

MINUTES OF JULY 13, 2023 MEETING

On a motion by Jim Ruffin and second by David Hoyle, the Minutes of the July 13, 2023 meeting were approved as presented in **EXHIBIT A**.

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

FINANCIAL STATUS REPORT

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

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

COMMITTEE MEETING REPORTS

Rules Committee Report – August 23, 2023 – *David Hoyle, Vice Chair*, reported the Rules Committee met on August 23, 2023 to review 2024-25 annual cycle rule proposals and several other upcoming rule packages. First, Chiefs presented inland fish, wildlife management, game lands, and law enforcement proposals. All proposals were approved to move forward to rulemaking except for the wildlife management proposal allowing shed deer antler collection, as the committee determined it to be unnecessary. Next, proposed amendments to the public fishing and boating access area rules were discussed, which included creating motorized and non-motorized boating access areas and prohibiting concessions at public fishing & boating access areas. This was followed by a brief overview of amendments to the declaratory rulings requirements. Finally, the committee received details on the proposed commercial permit rules regulating, restricting, and charging fees for unlicensed commercial activities and events on Commission property. The committee agreed staff should proceed with the fiscal impact evaluation and the rules should continue through the rulemaking process.

Boating Safety Committee Report – August 23, 2023 – *J.C. Cole, Chair*, reported the Boating Safety Committee met on August 23, 2023. First, *Betsy Haywood, No Wake Zone Coordinator*, presented No Wake Zone rules for Notice of Text in Brunswick County, Forsyth, Rockingham, and Stokes counties, Caldwell County, and the Town of Rhodhiss. Next, *Mark Dutton, Major of Support Services*, gave an update on boating safety. He highlighted the efforts of law enforcement campaigns to promote responsible water activities. These campaigns are aimed at educating boaters and ensuring they follow safety guidelines. Unfortunately, there have been 12 fatal boating incidents reported so far in the year. Of the 12 fatal boating incidents, only 4 of them reported the use of a personal floatation device (PFD).

Habitat, Nongame, Endangered Species Committee Report – August 23, 2023 – *Kelly Davis, Chair*, reported the Habitat, Nongame, Endangered Species Committee met on August 23, 2023. The Committee received some very informative presentations, beginning with *Michael Fisk, Eastern Region Aquatic Wildlife Diversity Coordinator*, presenting on the restoration efforts for priority aquatic species in the Tar and Neuse River basins, focusing on the Tar River Spinymussel, Yellow Lance, and Carolina Madtom. Michael highlighted the conservation actions to date and

identified the importance of future reintroductions and the Safe Harbor Agreement to reach conservation goals for these species. *John Carpenter, Coastal Land Bird Biologist*, and *Scott Anderson, Science Support Coordinator*, provided an update on the first three years of the North Carolina Bird Atlas, a five-year project. As of this month, more than 2.4 million bird observations have been recorded by more than 2,000 volunteer Atlasers who have spent almost 120,000 hours birding throughout North Carolina. Bird Atlas data will help inform management, monitoring, and research needs for species of greatest conservation need such as the loggerhead shrike. The extensive outreach efforts by the NCBA team have built a community of volunteers enjoying outdoor activities, learning about North Carolina's birds, and contributing valuable data to the Commission. *Rachael Hoch, Inland Fisheries Division Assistant Chief*, provided a brief update on the implementation of the WRC's Programmatic Safe Harbor and Candidate Conservation Agreements. The Committee approved the staff recommendation to include an additional area in the Swannanoa River Basin for the Spotfin Chub Reintroduction Proposal so the Commission can enroll an interested landowner into the Safe Harbor Agreement. *Shannon Deaton, Habitat Conservation Division Chief*, reviewed the votes received for the Thomas L. Quay Wildlife Diversity Award at the July committee meeting.

Motion from the Habitat, Nongame & Endangered Species Committee – On a motion by Chair Kelly Davis and a second by Tommy Fonville, the Commission approved a motion to recognize David H. Allen as the 2023 Thomas L. Quay Wildlife Diversity Award recipient.

Land Acquisitions & Property Committee Report – August 23, 2023 – *Brad Stanback, Vice Chair*, reported the Land Acquisition and Property Committee met on August 23, 2023. The Committee reviewed and endorsed 3 Phase I land acquisition proposals, as well as 8 Phase II land acquisition proposals. In total the Committee reviewed 11 land acquisition projects and a total of 2,322 acres. Acquisitions ranged from game land additions, establishment of a new game land in Alexander/Wilkes/Tredell Counties, and property in Gaston County for a new Land and Water Access depot.

Finance, Audit and Compliance Committee Report – August 23, 2023 – *Landon Zimmer, Chair*, reported the Finance, Audit and Compliance Committee met on August 23, 2023. First, Anna Cameron from NC Dept of Transportation provided a presentation demonstrating flat revenue projections of Gas Tax disbursements to NCWRC over the next several years. The presentation displayed a plateau in gas tax revenue; but a decline in the previous forecast where growth was projected. *Jason Cottle, Chief Financial Officer*, presented a year-over-year comparison of revenues and expenditures in both the general fund and capital projects fund, offering explanation for any variances in excess of one million dollars. *Steve Chase, Auditor*, presented a wrap up summary of the Bank of America Works project, this project increased efficiency and improved internal controls in the purchasing card system. The results of the staff FY 2024 Risk Assessment were also presented. The Committee supported including constituent accessibility to license and vessel services by Wildlife Service Agents in the new Go Outdoors NC system to the list of risks to be considered. These risks will be incorporated into the FY 2024 audit plan. Jason Cottle also presented an overview of the Endowment fund balance and current asset allocation was presented, and a recommendation was made to the board to set target allocations for the various funds. The Committee agreed to set a of minimum 80% EIF, minimum 5% STIF, maximum 20% STIF, with the BIF holdings to be phased out over time.

Motion from the Finance, Audit and Compliance Committee – On a motion by Chair Landon Zimmer and a second by Brad Stanback, the Commission approved a motion to set a target investment strategy for the Wildlife Endowment Fund to reach and maintain a minimum of 80% in the Equity Index Fund, a minimum of 5% in the Short-Term Interest Fund, and to reduce the Bond Index Fund 0% over time.

Committee of the Whole Report – August 23, 2023 – *Monty Crump, Chair*, reported the Committee of the Whole met August 23, 2023. First, the committee welcomed a very special visitor, Senator Mary Wills Bode. Senator Bode spoke briefly about her background as enthusiast and participant in various outdoor activities and of passing along those traditions to her nieces and nephews. She also recognized the important role of the Commission’s conservation mission. *Melva Bonner, Regulatory Analyst*, presented proposed changes to various administrative rules and Columbus County game lands for potential adoption and permanent rules for Hunter Education Course Rules for notice of text. *Fairley Mahlum, Communications Director*, and *Jamie Hall, Digital Marketing Manager*, then showed us 3 of 12 new humorous videos that will be released to encourage people to be BearWise and not have negative interactions with black bears. Chairman Crump discussed the new committee assignments and the importance of the committees’ work to our success and the formation of the new ad hoc committee to review and assess NCWRC Agency Supplemental Funding Model. The committee charge is to examine and bring back recommendations on potential changes to fees for non-traditional users of our infrastructure. Lastly, *Christian Waters, Inland Fisheries Division Chief*, provided a valuable update on the upcoming flounder season, the differences between our rules and those of the MFC, and the fact that our rules pertaining to hook and line apply in joint waters as well as inland waters.

AGENCY SPOTLIGHT

AGENCY SPOTLIGHT – HABITAT CONSERVATION – *Brooke Massa, Land Conservation Biologist, Jake Petrosky, Practice Leader, Stewart, and Jason Sullivan, Planning Director, Chatham County* gave a joint presentation titled “Green Growth Toolbox: Working with Communities for Conservation.” The presentation highlighted how the WRC provides technical guidance and resources to support local and regional governments in conservation-based land use planning through the Green Growth Toolbox program. The role of partners in implementing this program was highlighted by demonstrating the use of the toolbox by the private sector (Stewart) and by a local government (Chatham County).

LAND ACQUISITION AND PROPERTY MATTERS

Phase II Land Acquisition – On a motion by Brad Stanback and second by Mike Alford, the Commission approved the acquisition of the following properties presented in **(EXHIBITS C-1, C-2, C-3, C-4, C-6, C-7, C-8)** by *Ben Solomon, Assistant Chief and Land Acquisition Manager*

- Rubin Tract – Ashe County **(EXHIBIT C-1)**
- Brushy Mountains Donation – Wilkes, Iredell, and Alexander Counties **(EXHIBIT C-2)**
- Pederson Tract – Ashe County **(EXHIBIT C-3)**
- Pine Mountain Tract – Wilkes County **(EXHIBIT C-4)**

- Mount Holly Depot Site – Gaston County (**EXHIBIT C-6**)
- Cimland Tract – Durham County (**EXHIBIT C-7**)
- Rash Heirs – Ashe County (**EXHIBIT C-8**)

EXHIBITS C-1, C-2, C-3, C-4, C-6, C-7, C-8 are incorporated into the official record of this meeting.

With Commissioner Landon Zimmer recused, and on a motion by Brad Stanback and second by Kelly Davis, the Commission approved the acquisition of the property presented in in (**EXHIBIT C-5**) by *Ben Solomon*

- Surratt Road DOT Transfer– Davidson County (**EXHIBIT C-5**)

EXHIBIT C-5 is incorporated into the official record of this meeting.

RULEMAKING

Permanent Rulemaking Adoption – Various 10A Rules – On a motion by David Hoyle and a second by Steve Windham, the Commission reviewed public comments presented in (**EXHIBIT D-1**) and adopted proposed changes to 10A .0401, .0402, .1101, and .1201 as part of the periodic review presented in (**EXHIBIT D-2**) by *Melva Bonner, Regulatory Analyst*

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

Permanent Rulemaking Adoption – 10D .0220 Columbus County Game Land in Columbus County – On a motion by Steve Windham and a second by Kelly Davis, the Commission reviewed public comments presented in (**EXHIBIT E-1**) and denied the requested amendment to prohibit the use of dogs when hunting deer on a portion of Columbus County Game Land south of N.C. 214 via a Petition for Rulemaking presented in (**EXHIBIT E-2**) by *Melva Bonner*

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

Notice of Text – 10K Hunter Education Course Rules – On a motion by Jim Ruffin and a second by Mark Craig, the Commission approved publishing Notice of Text in the *NC Register* with an open comment period and a public hearing for proposed rules 10K .0101, .0102, and .0103 presented in (**EXHIBIT F-1**) and approved fiscal notes for proposed rules presented in (**EXHIBIT F-2**) by *Melva Bonner*

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

WATER SAFETY RULEMAKING

On a motion by Steve Windham and second by David Hoyle, the Commission approved the following water safety rules presented in **EXHIBITS G, H, I, J-1, J-2** by *Betsy Haywood, No Wake Zone Coordinator*

Notice of Text – 15A NCAC 10F .0305 Brunswick County – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and a public hearing for an amendment to establish a no-wake zone on Lockwood Folly River around Rourk’s Landing Subdivision (**EXHIBIT G**).

Notice of Text – 15A NCAC 10F .0316 Forsyth, Rockingham, and Stokes Counties – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and a public hearing for an amendment to establish a no-wake zone on Belews Lake around Carolina Marina in Stokesdale (**EXHIBIT H**).

Notice of Text – 15A NCAC 10F .0338 Caldwell County – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and a public hearing for an amendment to establish a no-wake zone on Lake Rhodhiss within 50 yards of the marina facilities at Castle Bridge Marina in Granite Falls (**EXHIBIT I**).

Notice of Text – 15A NCAC 10F .0380 Town of Rhodhiss – The Commission approved publishing Notice of Text in the *NC Register* with an open comment period and a public hearing for a Rule to establish a no-wake zone shore to shore on Lake Hickory in Burke and Caldwell counties, from a point 165 yards east of the S. R. 1611 Bridge westward to the Rhodhiss Dam (**EXHIBIT J-1**) and approved fiscal notes for proposed rules (**EXHIBIT J-2**).

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

COMMENTS FROM THE CHAIRMAN – Chairman Crump shared information on the planning of the groundbreaking ceremony for the Wildlife Law Enforcement Training Facility at Samarcand.

COMMENTS FROM THE EXECUTIVE DIRECTOR – Executive Director Ingram began his remarks by expressing gratitude to the board members for their willingness to serve on committees and for their valuable input during the formation of the new committee assignments. Following that, he conveyed his appreciation for the dedicated efforts of the agency’s staff, volunteers, and numerous partners. Lastly, he shared details about the transition to Go Outdoors NC and emphasized the agency’s commitment to working through any challenges that may arise during the process.

ADJOURNMENT

There being no further business, the WRC webinar meeting was adjourned at 9:55 a.m.
All exhibits are incorporated into the official record of this meeting by reference and are filed with the minutes.

Monty Crump, Chairman

Date

NCWRC Meeting
August 24, 2023
Minutes

Cameron Ingram, Executive Director

Date

DRAFT

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

GOVERNMENTAL FUNDS
AS OF SEP 30, 2023

	FY 2024 General Fund	FY 2024 Capital Improvement Fund
REVENUES		
Federal funds	\$ 9,838,652.35	\$ 1,064,034.08
Local funds	\$ 840.36	
Investment earnings	\$ 137,534.10	
Sales and services	\$ 4,062,118.31	
Rental and lease of property	\$ 3,791.00	
Fees, licenses and fines	\$ 9,842,476.33	
Contributions, gifts and grants	\$ 296,133.37	
Miscellaneous	\$ 116,923.83	\$ 274.00
Unclassified/invalid accounts	\$ 30,245.42	
Other Financing Sources - Sale of capital assets	\$ 176,194.79	
Other Financing Sources - Insurance recoveries	\$ 64.20	
Other Financing Sources - Transfers in	\$ 7,664,406.37	\$ 76,000.00
Other Financing Sources - Appropriations	\$ 3,368,580.00	
TOTAL REVENUES	\$ 35,537,960.43	\$ 1,140,308.08
EXPENDITURES		
Personal services	\$ 9,739,218.32	
Employee benefits	\$ 4,486,398.33	
Contracted personal services	\$ 3,114,240.27	\$ 199,965.98
Supplies and materials	\$ 2,289,103.53	\$ 17,940.84
Travel	\$ 157,434.67	
Communication	\$ 214,164.90	
Utilities	\$ 197,246.73	
Data processing services	\$ 188,318.93	
Other services	\$ 1,329,343.96	\$ 18,351.24
Claims and benefits	\$ 384,163.05	
Other fixed charges	\$ 62,266.22	
Capital outlay	\$ 3,198,410.32	\$ 2,490,320.65
Grants, state aid and subsidies	\$ 1,614,773.97	
Insurance and bonding	\$ 26,058.00	
Other expenditures	\$ 907,180.32	
Reimbursements	\$ (266,755.50)	
Unclassified/invalid accounts	\$ 30,245.42	
Other Financing (Uses) - Transfers out	\$ 2,540,235.00	
TOTAL EXPENDITURES	\$ 30,212,046.44	\$ 2,726,578.71
EXCESS OF REVENUES OVER (UNDER) EXPENDITURES	\$ 5,325,913.99	\$ (1,586,270.63)
FUND BALANCE - JULY 1, 2023	\$ 19,392,128.49	\$ 3,281,835.81
FUND BALANCE - SEP 30, 2023	\$ 24,718,042.48	\$ 1,695,565.18

NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ENDOWMENT PORTFOLIO

Fund Balance*: Sept 2023 \$161,627,615.07

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

§ 143-250.1. Wildlife Endowment Fund

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

ASSET ALLOCATION

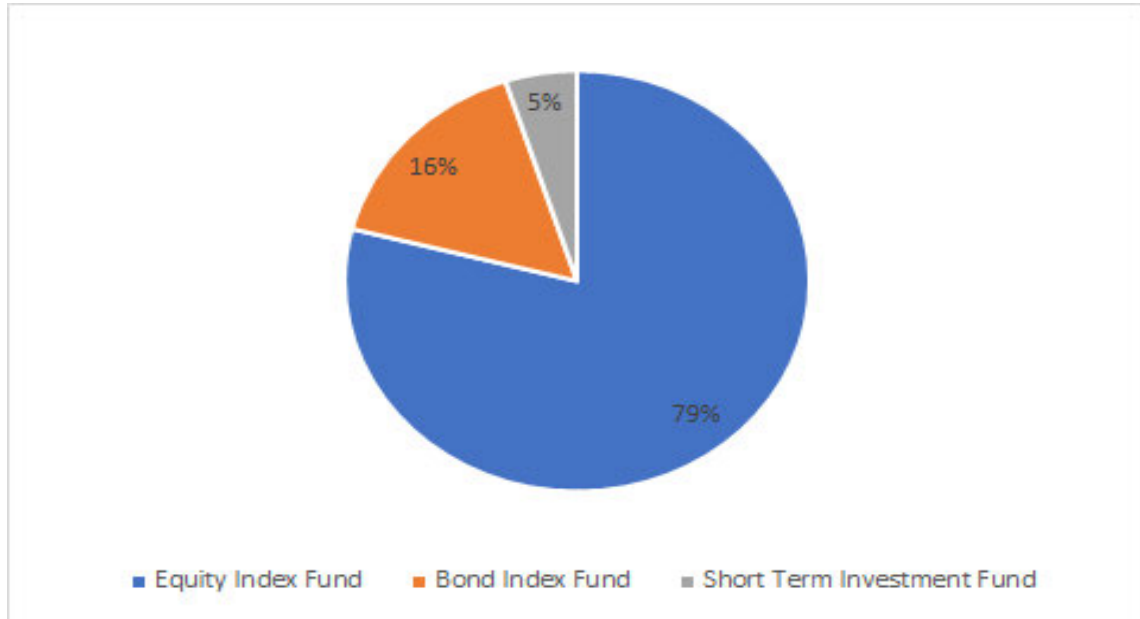


EXHIBIT C

October 26, 2023



☒ NORTH CAROLINA WILDLIFE RESOURCES COMMISSION ☒

Cameron Ingram, Executive Director

October 26, 2023

MEMORANDUM

TO: Daron Barnes, Division Chief
Land and Water Access

FROM: Ben Solomon, Assistant Chief and Land Acquisition Manager
Land and Water Access

SUBJECT: Hinson Lake Lodge Lease Renewal - Richmond County

The Commission seeks to renew the Hinson Lake Lodge Lease with the City of Rockingham. This would be an extension of the original lease that was signed in October 2005. This lease is part of a partnership and Memorandum of Agreement with the City that was established in January 2005 and renewed in September 2020. The MOA outlines cooperative management and use of Hinson Lake and the surrounding property. The City will continue to operate and maintain the Lodge and incur all associated costs.

Staff recommend working with the State Property Office to set a long-term lease of 30 years.

Hinson Lake Rotary Lodge - Lease
Richmond County
+/- 2,340 Sq. Ft.

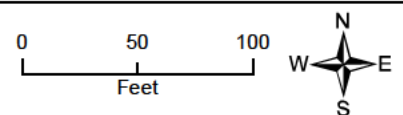
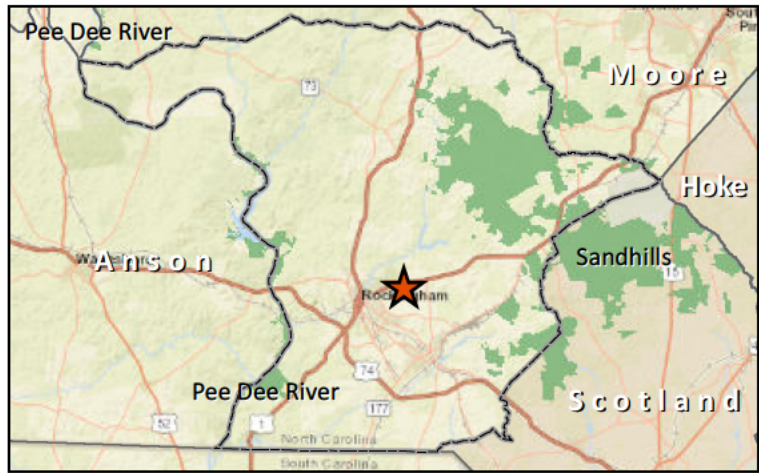
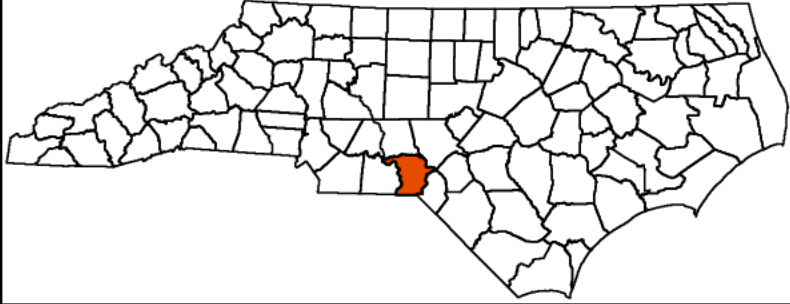


EXHIBIT D-1

October 26, 2023



Proposed Amendments to Inland Fisheries Rules for 2024-2025 Annual Cycle Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings

Trout

1. 15A NCAC 10C .0205

Remove the Delayed Harvest Trout Waters section on the Little River in Alleghany County and reclassify the lower 1.2-mile section from Delayed Harvest Trout Waters to Hatchery Supported Trout Waters. The new Hatchery Supported Trout Waters reach will be from 400 yards upstream of the S.R. 1128 bridge (marked by a sign on each bank) to the McCann Dam. This proposal will remove approximately 1.3 miles of water from Public Mountain Trout Waters.

Justification: The upper 1.3-mile section of Delayed Harvest Trout Waters on the Little River is on private property, and angler access and stocking locations have posted against trespassing. The property owner has formally asked that the section be removed from Public Mountain Trout Waters. The remaining 1.2 miles of the section remain open to public access, so the upper boundary of the existing Hatchery Supported Trout Waters (located directly downstream) is being moved upstream to incorporate the remaining section.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 8)

2. 15A NCAC 10C .0205

Modify the lower boundary of Delayed Harvest Trout Waters on Helton Creek in Ashe County. The new reach will be 900 yards upstream of S.R. 1372 bridge (marked by a sign on each bank) to a point adjacent to the intersection of N.C. 16 and S.R. 1536. This proposal will remove approximately 0.7 miles of water from Public Mountain Trout Waters.

Justification: This section of Helton Creek is on private property, and most of the angler access and stocking locations have been posted against trespassing.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 8)

3. 15A NCAC 10C .0205

Clarify that tributaries to the Hatchery Supported Trout Waters section of the West Fork Pigeon River in Haywood County on the Pisgah Game Land are classified as Wild Trout Waters. This proposal will not remove any water from Public Mountain Trout Waters.

Justification: The tributaries to this section of the West Fork Pigeon River have never been stocked and have been misidentified as Hatchery Supported Trout Waters in the North Carolina Administrative Code (NCAC). This proposal clarifies that the tributaries are managed as Wild Trout Waters.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 12)

4. 15A NCAC 10C .0205

Remove the Wild Trout Waters section from the Avery County line to S.R. 1580 bridge on the Watauga River in Watauga County from Public Mountain Trout Waters. This proposal will remove approximately 4.0 miles of water from Public Mountain Trout Waters.

Justification: This section of the Watauga River is on private property, and most angler access locations have been posted against trespassing.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg.18)

5. 15A NCAC 10C .0205

Modify the lower boundary of Hatchery Supported Trout Waters on East Prong Roaring River in Wilkes County. The new reach will be from the Stone Mountain State Park lower boundary to the Low Meadows Lane bridge. This proposal will remove approximately 0.7 miles of water from Public Mountain Trout Waters.

Justification: This section of the East Prong Roaring River is on private property and most angler access and stocking locations have been posted against trespassing.

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS (Pg. 18)

6. 15A NCAC 10C .0205, .0316

Reclassify the following waters from Wild Trout Waters/Natural Bait to Wild Trout Waters and remove the Wild Trout Waters/Natural Bait classification from Public Mountain Trout Waters.

- The game land portion of Bald Creek and its tributaries in Cherokee County
- The game land portion of Dockery Creek and its tributaries in Cherokee County
- The game land portion of Long Creek and its tributaries in Graham County
- The game land portion of the Chattooga River and its tributaries in Jackson and Macon counties
- The game land portion of Kimsey Creek and its tributaries in Macon County
- The game land portion of Park Creek and its tributaries in Macon County
- The game land portion of the North Fork French Broad River and its tributaries in Transylvania County
- The game land portion of the Thompson River and its tributaries in Transylvania County

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

Justification: The Wild Trout/Natural Bait classification was intended to diversify angler opportunity and experience; however, bait anglers rarely use Wild Trout/Natural Bait streams. The classification never expanded regionally beyond District 9, is not requested by anglers, and unnecessarily adds complexity to Public Mountain Trout Waters regulations.

Striped Bass and Bodie Bass (Hybrid Striped Bass)

1. 15A NCAC 10C .0314

Modify the size limit for Striped Bass and its hybrids at Kerr Reservoir by prohibiting the possession of fish larger than 26 inches from October 1 through May 31. The minimum size limit will remain 20 inches and daily creel limit will remain two fish per day from October 1 through May 31. The daily creel limit of four fish per day and no size limit will remain from June 1 through September 30.

Justification: Per agreement, the Virginia Department of Wildlife Resources (VADWR) is the lead for fisheries management at Kerr Reservoir, and VADWR implemented the proposed change for the Virginia portion of Kerr Reservoir effective January 1, 2023. This proposal would implement the regulation in the North Carolina portion of the reservoir. The proposed change will provide additional protection for larger Striped Bass.

15A NCAC 10C .0314 STRIPED BASS (Pg. 27)

2. 15A NCAC 10C .0314

Establish a 16-inch minimum size limit for Striped Bass and its hybrids at Farmer Lake. The daily creel limit will remain four fish.

Justification: The Commission has recently initiated annual stockings of hybrid Striped Bass at Farmer Lake to create a fishery. This proposed change would make regulations for hybrid Striped Bass at Farmer Lake consistent with other reservoirs across North Carolina that are stocked with hybrid Striped Bass.

15A NCAC 10C .0314 STRIPED BASS (Pg. 27)

3. 15A NCAC 10C .0314

Remove the 16-inch minimum size limit for Striped Bass and its hybrids at Mountain Island Reservoir and Lake Thom-A-Lex. The general statewide regulation of a 20-inch minimum size limit and four fish daily creel will apply.

Justification: Striped bass are no longer stocked in Mountain Island Reservoir due to poor growth and survival. Hybrid Striped Bass may be present in Mountain Island Reservoir through emigration from Lake Norman, but do not require more protection than what is already provided by the statewide regulation. Hybrid Striped Bass have not been stocked at Lake Thom-A-Lex since 2018 due to their high rate of emigration from the reservoir. Striped bass are not present in Lake Thom-A-Lex. Removing these reservoir-specific regulations will alleviate angler confusion about species availability and simplify rules for anglers.

15A NCAC 10C .0314 STRIPED BASS (Pg. 27)

4. 15A NCAC 10C .0314

Clarify in the NCAC that the season for taking and possessing Striped Bass and its hybrids is closed year-round in the Inland Fishing Waters of the Central/Southern Management Area. Waters covered include the Inland Fishing Waters of the Tar, Pungo, and Neuse rivers, and their tributaries.

Justification: This closure was initially implemented in March 2019 by proclamation. Maintaining the closure was recommended in Amendment 2 to the North Carolina Estuarine Striped Bass Fishery Management Plan. The closure needs to be codified in the NCAC.

15A NCAC 10C .0314 STRIPED BASS (Pg. 27)

Largemouth Bass

1. 15A NCAC 10C .0305

Establish no minimum size limit except that only two may be less than 14 inches for Largemouth Bass at Shearon Harris Reservoir. The daily creel limit will remain 5 fish.

Justification: Biological data collected over the past 15 years indicates that the current prohibited size range of 16 - 20 inches for Largemouth Bass has not worked as intended. Harvest of Largemouth Bass is low at Shearon Harris Reservoir and few, if any, Largemouth Bass less than 16-inches are being harvested. Low harvest has resulted in reduced overall average condition of Largemouth Bass. Increasing harvest of Largemouth Bass may help increase overall average condition and growth of fish greater than 16 inches.

15A NCAC 10C .0305 LARGEMOUTH BASS (Pg. 22)

American Shad

1. 15A NCAC 10C .0313

Prohibit harvest of American Shad in the Yadkin-Pee Dee River basin upstream of Blewett Falls Dam and clarify existing language that prohibits harvest in Roanoke River reservoirs upstream of Roanoke Rapids Dam. The proposal will not prohibit catch-and-release opportunities.

Justification: Duke Energy-Progress is required by its Federal Energy Regulatory Commission (FERC) license to provide upstream passage for American Shad at Blewett Falls Dam to help restore American Shad in the Yadkin-Pee Dee River basin. Initial testing of fishway operations is scheduled to begin spring 2024, and full-time operation is anticipated in spring 2025. Harvest restrictions are necessary to protect spawning American Shad passed upstream of the dam. In addition, the existing rule prohibiting harvest of American Shad in Roanoke Rapids Reservoir, Lake Gaston, and John H. Kerr Reservoir is intended to protect American Shad moved upstream of Roanoke Rapids Dam required by Dominion Energy's FERC license. Proposed changes to the current rule will clarify that American Shad shall not be harvested from all public fishing waters upstream of Roanoke Rapids Dam, which was the intent of the original rule. These changes will not prohibit catch-and-release opportunities.

15A NCAC 10C .0313 AMERICAN SHAD AND HICKORY SHAD (Pg. 26)

Crappie

1. 15A NCAC 10C .0306

Remove the daily creel limit of 20 fish and the minimum size limit of 8-inches for Crappie in Ramseur Lake.

Justification: A 2019 assessment of Crappie in Lake Ramseur indicated slow growth and a stunted population evidenced by the abundance of smaller-sized yet older Crappie. Removing the creel and size limit will promote harvest and help to improve growth and body condition.

15A NCAC 10C .0306 CRAPPIE (Pg. 24)

Muskellunge

1. 15A NCAC 10C .0208

Prohibit fishing from March 1 through May 31 in the Pleasant Grove floodplain slough connected to the French Broad River, 0.25 miles upstream of S.R. 1205 (Etowah School Road) in Henderson County.

Justification: Closure of the Pleasant Grove slough to fishing during the spring would prevent targeted angling and the potential harvest of Muskellunge during their spawning period. Construction of the Pleasant Grove backwater slough was conducted specifically to restore spawning and nursery areas for adult and juvenile Muskellunge to promote natural reproduction and recruitment of juvenile fish to the population. The French Broad River Muskellunge population currently has extremely limited to no natural reproduction or measurable recruitment. The population has been supported by hatchery produced Muskellunge since 1970.

15A NCAC 10C .0208 SPAWNING AREAS (Pg. 21)

Flounder

1. 15A NCAC 10C .0307

Reduce the daily creel limit for Flounder from four fish to one fish. The 15-inch minimum size limit and the season for taking and possessing Flounder from September 1 through September 14 will remain.

Justification: According to North Carolina Division of Marine Fisheries data, flounder are overfished, and overfishing is occurring. The reduction in the daily creel limit from four fish to one fish will reduce harvest and potentially end overfishing of the population. The proposed change is consistent with the daily creel limited established in Coastal Fishing Waters.

15A NCAC 10C .0307 FLOUNDER (Pg. 25)

Fishes in Joint Fishing Waters

1. 15A NCAC 10C .0801

Reaffirm the Wildlife Resources Commission's authority over certain species designated as inland game fish in all public fishing waters and clarify the size and creel limits which

apply. Additionally, clarify that these species can only be taken with hook and line, that species taken incidental to commercial fishing operations shall be immediately returned to the water unharmed, and that the appearance of species with size and creel limits cannot be altered.

Justification: There has been confusion in the public and government agencies as to the Commission's authority over species designated as inland game fish when found in Joint Fishing Waters. Certain inland game fish are under the authority of the Wildlife Resources Commission in all public fishing waters. The proposed changes clarify the regulations for those species that apply to both recreational and commercial fishing in Joint Fishing Waters.

15A NCAC 10C .0801 INLAND GAME FISHES DESIGNATED IN JOINT FISHING WATERS (Pg. 31)

2. 15A NCAC 10C .0802

Reaffirm the Wildlife Resources Commission's authority over all fishes taken by hook and line in Joint Fishing Waters and clarify the size and creel limits, seasons, and restrictions on species that may be sold. Also, clarify that the appearance of species with size and creel limits cannot be altered.

Justification: There has been confusion in the public and government agencies as to the Commission's authority over fishes taken by hook and line in Joint Fishing Waters. Per 15A 03Q .0106 and 15A NCAC 10C .0106, the Commission has authority for fish taken by hook and line in Joint Fishing Waters. The proposed rule clarifies that authority including size and creel limits, seasons, and if the species may be sold.

15A NCAC 10C .0802 TAKING AND POSSESSION OF OTHER FISHES BY HOOK AND LINE IN JOINT FISHING WATERS (Pgs. 32-33)

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

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

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

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

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

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

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

5 (1) Alleghany

6 (A) ~~Delayed Harvest Trout Waters are as follows:~~

7 ~~Little River from the S.R. 1133 bridge to 275 yards downstream of the intersection of S.R.~~
8 ~~1128 and S.R. 1129, marked by a sign on both banks~~

9 ~~(B)~~(A) Hatchery Supported Trout Waters are as follows:

10 Big Pine Creek

11 Bledsoe Creek

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

14 Cranberry Creek

15 Glade Creek

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

18 Meadow Fork

19 Pine Swamp Creek

20 Piney Fork

21 Prathers Creek

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

23 The waters located on Stone Mountain State Park

24 (2) Ashe County

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

26 Big Horse Creek from the Virginia state line to Mud Creek at S.R. 1363, excluding
27 tributaries

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

29 Big Horse Creek from the S.R. 1324 bridge to the North Fork New River

30 Helton Creek from 900 yards upstream of the S.R. 1372 bridge, marked by a sign on both
31 banks to ~~the North Fork New River~~ a point adjacent to intersection of N.C. 16 and S.R.
32 1536

33 South Fork New River from the upstream end of Todd Island to the S.R. 1351 bridge

34 Trout Lake

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

36 Beaver Creek from N.C. 221 to the confluence of Beaver Creek and South Beaver Creek

37 Big Horse Creek from Mud Creek at S.R. 1363 to the S.R. 1324 bridge

- 1 Big Laurel Creek from the S.R. 1315 bridge to the confluence with the North Fork New
2 River
3 Buffalo Creek from the S.R. 1133 bridge to the N.C. 194-88 bridge
4 Cranberry Creek from the Alleghany Co. line to the South Fork New River
5 Nathans Creek
6 North Fork New River from the Watauga Co. line to Sharp Dam
7 Old Fields Creek from N.C. 221 to the South Fork New River
8 Peak Creek from the upper boundary of the NCDA-NCSU Upper Mountain Research
9 Station to Trout Lake
10 Roan Creek
11 Three Top Creek
12 (3) Avery County
13 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
14 Elk River, the portion on Lees-McRae College property, excluding the millpond
15 Lost Cove Creek, the game land portion, excluding Gragg Prong and Rockhouse Creek
16 Wilson Creek, the game land portion
17 (B) Hatchery Supported Trout Waters are as follows:
18 Boyde Coffey Lake
19 Elk River from the S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee
20 state line
21 Linville River from S.R. 1504 to the Blue Ridge Parkway boundary line, except where
22 posted against trespassing
23 Milltimber Creek
24 North Toe River from Watauga St. to Roby Shoemaker Wetlands and Family Recreational
25 Park, except where posted against trespassing
26 North Toe River from S.R. 1164 to Mitchell Co. line, except where posted against
27 trespassing
28 Squirrel Creek
29 Wildcat Lake
30 (C) Wild Trout Waters are as follows:
31 Birchfield Creek
32 Cow Camp Creek
33 Cranberry Creek from the headwaters to the U.S. 19E, N.C. 194, bridge
34 Gragg Prong
35 Horse Creek
36 Kentucky Creek
37 North Harper Creek

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

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

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

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

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

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

- 1 Broad River from the Henderson Co. line to the U.S. 64/74 bridge, except where posted
2 against trespassing
- 3 (19) Stokes County
- 4 (A) Hatchery Supported Trout Waters are as follows:
5 Dan River from the Virginia state line downstream to a point 200 yards below the end of
6 S.R. 1421
- 7 (20) Surry County
- 8 (A) Delayed Harvest Trout Waters are as follows:
9 Ararat River, the portion adjacent to the Ararat River Greenway
10 Mitchell River from 0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge
11 on S.R. 1330
- 12 (B) Hatchery Supported Trout Waters are as follows:
13 Ararat River from the S.R. 1727 bridge to the N.C. 103 bridge
14 Big Elkin Creek from the dam 440 yards upstream of the N.C. 268 bridge to a point 265
15 yards downstream of N.C. 268, marked by a sign on both banks
16 Fisher River from the Virginia state line to the I-77 bridge
17 Little Fisher River from the Virginia state line to the N.C. 89 bridge
18 Lovills Creek from the U.S. 52 Business bridge to the Ararat River
19 Pauls Creek from the Virginia state line to 0.3 miles below the S.R. 1625 bridge
- 20 (21) Swain County
- 21 (A) Delayed Harvest Waters Trout Waters are as follows:
22 Tuckasegee River from the U.S. 19 bridge to the Slope Street bridge
- 23 (B) Hatchery Supported Trout Waters are as follows:
24 Alarka Creek from the game land boundary to Fontana Reservoir
25 Calderwood Reservoir from Cheoah Dam to the Tennessee state line
26 Cheoah Reservoir
27 Connelly Creek from Camp Branch to the Tuckasegee River
28 Deep Creek from the Great Smoky Mountains National Park Boundary line to the
29 Tuckasegee River
30 Nantahala River from the Macon Co. line to the existing Fontana Lake water level
- 31 (22) Transylvania County
- 32 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
33 Davidson River from the headwaters to Avery Creek, excluding Avery Creek, Looking
34 Glass Creek, Grogan Creek, Cedar Rock Creek and John Rock Branch
- 35 (B) Delayed Harvest Trout Waters are as follows:
36 East Fork French Broad River from East Fork Baptist Church to the downstream S.R. 1107
37 bridge

- 1 Little River from the confluence of Lake Dense to 100 yards downstream of Hooker Falls
- 2 (C) Hatchery Supported Trout Waters are as follows:
- 3 Davidson River from Avery Creek to the lower USFS boundary
- 4 French Broad River from the confluence of the North Fork French Broad River and West
- 5 Fork
- 6 French Broad River to the Island Ford Rd., S.R. 1110, Access Area
- 7 Middle Fork French Broad River from upstream of the U.S. 178 bridge to the French Broad
- 8 River
- 9 West Fork French Broad River from S.R. 1312 to confluence with North Fork French
- 10 Broad River
- 11 (D) Wild Trout Waters are as follows:
- 12 The waters located on Gorges State Park
- 13 Whitewater River from Silver Run Creek to the South Carolina state line
- 14 (E) ~~Wild Trout Natural Bait Waters are as follows:~~
- 15 ~~North Fork French Broad River, the game land portion downstream of S.R. 1326~~
- 16 ~~Thompson River from S.R. 1152 to the South Carolina state line, except where posted~~
- 17 ~~against trespassing~~
- 18 (23) Watauga County
- 19 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 20 Laurel Creek from the confluence of North Fork Laurel Creek and South Fork Laurel Creek
- 21 to Elk Creek, excluding tributaries
- 22 Pond Creek from the headwaters to the Locust Ridge Rd. bridge, excluding the pond
- 23 adjacent to Coffee Lake
- 24 (B) Delayed Harvest Trout Waters are as follows:
- 25 Lake Coffey
- 26 Watauga River from the S.R. 1114 bridge to the Valle Crucis Community Park lower
- 27 boundary
- 28 Watauga River from the S.R. 1103 bridge to the confluence with Laurel Creek
- 29 (C) Hatchery Supported Trout Waters are as follows:
- 30 Beaverdam Creek from the confluence of Beaverdam Creek and Little Beaverdam Creek
- 31 to an unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203
- 32 Beech Creek
- 33 Buckeye Creek from Buckeye Creek Reservoir dam to Grassy Gap Creek
- 34 Buckeye Creek Reservoir
- 35 Cove Creek from the S.R. 1233 bridge at Zionville to the S.R. 1214 bridge at Sherwood
- 36 Dutch Creek from the second S.R. 1136 bridge to the mouth
- 37 Elk Creek from the S.R. 1510 bridge at Triplett to the Wilkes Co. line, except where posted

1 against trespassing
2 Laurel Creek from the S.R. 1123 bridge at the S.R. 1157 intersection to the Watauga River
3 Meat Camp Creek from the S.R. 1340 bridge at the S.R. 1384 intersection to N.C. 194
4 Middle Fork New River from adjacent to the intersection of S.R. 1539 and U.S. 321 to the
5 South Fork New River
6 Norris Fork Creek
7 South Fork New River from the canoe launch 70 yards upstream of U.S. 421 bridge to the
8 lower boundary of Brookshire Park
9 Stony Fork from the S.R. 1500 bridge at the S.R. 1505 intersection to the Wilkes Co. line
10 (D) Wild Trout Waters are as follows:
11 Dutch Creek from the headwaters to the second S.R. 1136 bridge
12 Howard Creek
13 Maine Branch from the headwaters to the North Fork New River
14 North Fork New River from the confluence with Maine Branch and Mine Branch to the
15 Ashe Co. line
16 ~~Watauga River from the Avery Co. line to the S.R. 1580 bridge~~
17 Winkler Creek from the lower bridge on S.R. 1549 to the confluence with the South Fork
18 New River
19 (24) Wilkes County
20 (A) Delayed Harvest Trout Waters are as follows:
21 East Prong Roaring River from Bullhead Creek to the Stone Mountain State Park lower
22 boundary
23 Elk Creek from the Watauga Co. line to the lower boundary of the Blue Ridge Mountain
24 Club
25 Elk Creek, the portion on Leatherwood Mountains development
26 Reddies River from the Town of North Wilkesboro water intake dam to the confluence
27 with the Yadkin River
28 Stone Mountain Creek from the falls at the Alleghany Co. line to the confluence with the
29 East Prong Roaring River and Bullhead Creek
30 (B) Hatchery Supported Trout Waters are as follows:
31 Basin Creek from the S.R. 1730 bridge to the confluence with Lovelace Creek
32 Bell Branch Pond
33 Boundary Line Pond
34 Cub Creek from 0.5 miles upstream of the S.R. 2460 bridge to the S.R. 1001 bridge
35 Darnell Creek from the downstream ford on S.R. 1569 to the confluence with the North
36 Fork Reddies River
37 East Prong Roaring River from the Stone Mountain State Park lower boundary to the ~~S.R.~~

- 1 ~~4002~~ Low Meadows Lane bridge
- 2 Fall Creek from the S.R. 1300 bridge to the confluence with South Prong Lewis Fork,
- 3 except where posted against trespassing
- 4 Middle Fork Reddies River from the headwaters to the bridge on S.R. 1580
- 5 Middle Prong Roaring River from the headwaters to the second bridge on S.R. 1736
- 6 North Fork Reddies River from the headwaters to the Union School bridge on S.R. 1559
- 7 Pike Creek
- 8 Pike Creek Pond
- 9 South Fork Reddies River from the S.R. 1355 bridge to the confluence with the Middle
- 10 Fork Reddies River
- 11 South Prong Lewis Fork from Fall Creek to the U.S. 421 bridge adjacent to the S.R. 1155
- 12 intersection
- 13 (C) Wild Trout Waters are as follows:
- 14 The waters located on Stone Mountain State Park, except East Prong Roaring River from
- 15 Bullhead Creek to the Stone Mountain State Park lower boundary where Delayed Harvest
- 16 Trout Waters regulations apply, and Stone Mountain Creek from the falls at the Alleghany
- 17 Co. line to the confluence with the East Prong Roaring River and Bullhead Creek in Stone
- 18 Mountain State Park where Delayed Harvest Trout Waters regulations apply
- 19 (25) Yancey County
- 20 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 21 South Toe River from the headwaters to Upper Creek
- 22 Upper Creek
- 23 (B) Delayed Harvest Trout Waters are as follows:
- 24 Cane River from Blackberry Ridge Rd. to the downstream boundary of Cane River County
- 25 Park
- 26 (C) Hatchery Supported Trout Waters are as follows:
- 27 Bald Mountain Creek, except where posted against trespassing
- 28 Cane River from Bee Branch, S.R. 1110, to Bowlens Creek
- 29 Price Creek from the junction of S.R. 1120 and S.R. 1121 to Indian Creek
- 30 South Toe River from Clear Creek to the lower boundary line of Yancey Co. Recreation
- 31 Park, except where posted against trespassing
- 32 (D) Wild Trout Waters are as follows:
- 33 Cattail Creek from the bridge at Mountain Farm Community Rd. to the N.C. 197 bridge
- 34 Lickskillet Creek
- 35 Middle Creek from the game land boundary to the mouth
- 36

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

1 *Eff. February 1, 1976;*
2 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
3 *October 1, 1992;*
4 *Temporary Amendment Eff. July 1, 1999;*
5 *Amended Eff. July 1, 2000;*
6 *Temporary Amendment Eff. July 1, 2001;*
7 *Temporary Amendment Eff. July 1, 2002;*
8 *Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);*
9 *Temporary Amendment Eff. June 1, 2003;*
10 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
11 *2003);*
12 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*
13 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
14 *1, 2007; May 1, 2006; June 1, 2005;*
15 *Readopted Eff. August 1, 2019;*
16 *Amended Eff. August 1, 2023; August 1, 2022; August 1, 2021; August 1, 2020.*
17

1 **15A NCAC 10C .0208 SPAWNING AREAS**

2 (a) No person shall fish ~~by any method~~ from March 1 to May 31 in the following restored floodplain sloughs connected
3 to the French Broad River and Mud Creek in Henderson County:

4 (1) Slough 1 at 35.403687 N, 82.531970 W connected to the French Broad River, located 0.25 miles
5 upstream of Butler Bridge Rd (SR 1345).

6 (2) Slough 2 at 35.398380 N, 82.528750 W connected to the French Broad River, located 1.0 miles
7 upstream of Butler Bridge Rd.

8 (3) Slough 3 at 35.396449 N, 82.525462 W connected to Mud Creek, located 0.1 miles upstream from
9 confluence with the French Broad River.

10 (4) Pleasant Grove slough at 35.298384 N, 82.584716 W connected to the French Broad River, located
11 0.25 miles upstream from S.R. 1205, Etowah School Road.

12 (b) Each slough shall be marked with signs on both banks.

13

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

15 *Eff. February 1, 1976;*

16 *Amended Eff. May 1, 2009; August 1, 2004; July 1, 1993; July 1, 1989; July 1, 1985; July 1, 1984;*

17 *Readopted Eff. October 1, 2022.*

18

1 **15A NCAC 10C .0305 LARGEMOUTH BASS**

2 (a) The daily creel limit for Largemouth Bass is five fish, except in waters identified in Paragraphs (d), (e), (f), (l),
3 (m), and (n) of this Rule.

4 (b) There is no minimum size limit for Largemouth Bass, but only two of them may be less than 14 inches except in
5 waters identified in Paragraphs (d) through (n) of this Rule.

6 (c) There is no closed season, except ~~for~~ in waters identified in Paragraph ~~(f)~~ (n) of this Rule.

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

9 (e) In Lake Santeetlah in Graham County, there is no daily creel limit for Largemouth Bass and Smallmouth Bass
10 less than 14 inches. The daily creel limit for Largemouth Bass and Smallmouth Bass greater than 14 inches is five fish
11 in ~~the~~ aggregate.

12 (f) In Lake Chatuge in Clay County, the daily creel limit for Largemouth Bass, Smallmouth Bass, Alabama Bass, and
13 Spotted Bass is 10 fish in ~~the~~ aggregate. The minimum size limit for Largemouth Bass is 12 inches.

14 (g) The minimum size limit for Largemouth Bass is 14 inches in the ~~following:~~ following waters:

15 (1) Lake Raleigh in Wake County;

16 (2) Lake Sutton in New Hanover County;

17 (3) Pungo Lake in Washington and Hyde counties;

18 (4) New Lake in Hyde County; and

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

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

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

28 (j) In ~~Shearon Harris Reservoir in Chatham and Wake counties and~~ Lake Hampton in Yadkin County, there is no
29 minimum size limit for Largemouth ~~Bass, but only~~ Bass. No more than two Largemouth Bass less than 14 inches and
30 no Largemouth Bass between 16 and 20 inches may be possessed.

31 (k) In Lake Thom-A-Lex in Davidson County, the minimum size limit for Largemouth Bass is 18 inches.

32 (l) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia), the daily
33 creel limit for Largemouth Bass, Smallmouth Bass, and Spotted Bass is five fish in aggregate. There is no minimum
34 size limit for Largemouth Bass, but no fish between 14 and 22 inches in length may be possessed and ~~only~~ one
35 Largemouth Bass, Smallmouth Bass, or Spotted Bass greater than 22 inches may be possessed.

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

1 (n) In Jean Guite Creek and associated canals within the Town of Southern Shores in Dare County and in the ponds
2 associated with Martin Marietta Park in Craven County, no Largemouth Bass may be possessed.

3
4 *History Note: Authority G.S. 113-134; 113-292;*
5 *Eff. February 1, 1976;*
6 *Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;*
7 *Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;*
8 *Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;*
9 *Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;*
10 *Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule*
11 *becomes effective, whichever is sooner;*
12 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;*
13 *Temporary Amendment Eff. November 1, 1998;*
14 *Amended Eff. April 1, 1999;*
15 *Temporary Amendment Eff. July 1, 1999;*
16 *Amended Eff. July 1, 2000;*
17 *Temporary Amendment Eff. July 1, 2001;*
18 *Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent*
19 *amendment effective July 1, 2002 and approved by RRC in May 2001];*
20 *Amended Eff. August 1, 2002 (approved by RRC in April 2002);*
21 *Temporary Amendment Eff. June 1, 2003;*
22 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
23 *2003);*
24 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; November 1, 2013; August 1, 2012;*
25 *March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1,*
26 *2007; May 1, 2006; June 1, 2005;*
27 *Readopted Eff. August 1, 2019;*
28 *Amended Eff. March 15, 2023; August 1, 2021; August 1, 2020.*
29

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

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

3 (b) There is no minimum size limit except in waters identified in Paragraphs (f) through (h) of this Rule.

4 (c) There is no closed season.

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

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

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

8 (1) Roanoke River and its tributaries downstream of Roanoke Rapids dam;

9 (2) Cashie River and its tributaries;

10 (3) Middle River and its tributaries;

11 (4) Eastmost River and its tributaries; and

12 (5) Lake Mattamuskeet in Hyde County.

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

14 (1) Lake Norman;

15 (2) Lake Hyco;

16 ~~(3)~~ ~~Lake Ramseur;~~

17 ~~(4)~~(3) Cane Creek Lake in Union County;

18 ~~(5)~~(4) Lake Hampton in Yadkin County;

19 ~~(6)~~(5) Tar River downstream of Tar River Reservoir Dam including tributaries;

20 ~~(7)~~(6) Neuse River downstream of Falls Lake Dam including tributaries;

21 ~~(8)~~(7) Haw River downstream of B. Everett Jordan Reservoir Dam including tributaries;

22 ~~(9)~~(8) Deep River downstream of Lockville Dam including tributaries;

23 ~~(10)~~(9) Cape Fear River including tributaries;

24 ~~(11)~~(10) Waccamaw River downstream of Lake Waccamaw Dam including tributaries;

25 ~~(12)~~(11) Lumber River including Drowning Creek including tributaries;

26 ~~(13)~~(12) public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake
27 in New Hanover County, and waters listed in Paragraph (f) of this Rule;

28 ~~(14)~~(13) public waters west of Interstate 77, except Lake Chatuge; and

29 ~~(15)~~(14) B. Everett Jordan Reservoir.

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

31

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

33 *Eff. November 1, 2013;*

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

35 *Readopted Eff. August 1, 2019;*

36 *Amended Eff. August 1, 2023; March 15, 2023; August 1, 2020.*

37

1 **15A NCAC 10C .0307 FLOUNDER**

2 (a) The daily creel limit for flounder is ~~four~~ one fish.

3 (b) The minimum size limit is 15 inches.

4 (c) The season for taking and possessing flounder is September 1 through September 14.

5

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

7 *Eff. November 1, 2013;*

8 *Readopted Eff. October 1, 2021;*

9 *Temporary Amendment Eff. September 1, 2022;*

10 *Amended Eff. March 15, 2023.*

11

1 **15A NCAC 10C .0313 AMERICAN SHAD AND HICKORY SHAD**

2 (a) The daily creel limit for American and hickory shad in ~~the~~ aggregate is 10 fish, only one of which may be an
3 American shad, except for waters identified in Paragraphs (d) through (f) of this Rule.

4 (b) There is no minimum size limit.

5 (c) There is no closed season, except for waters identified in Paragraph (g) of this Rule.

6 (d) In the inland waters of the Tar-Pamlico River, Pungo River, Pee Dee River, and their tributaries, the daily creel
7 limit for American and hickory shad is 10 in ~~the~~ aggregate.

8 (e) In the inland waters of the Cape Fear River and its tributaries, the daily creel limit for American and hickory shad
9 is 10 in ~~the~~ aggregate, only five of which may be American shad.

10 (f) In ~~all~~ public waters of the Roanoke River upstream of Roanoke Rapids Dam, including Roanoke Rapids Reservoir,
11 Lake Gaston ~~Gaston~~, and John H. Kerr Reservoir, and their tributaries, and in public waters of the Yadkin-Pee Dee
12 River upstream of Blewett Falls Dam, including Blewett Falls Reservoir, and its tributaries, no American shad may
13 be possessed.

14 (g) The season for taking American and hickory shad with dip nets and bow nets is March 1 through April 30.

15

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

17 *Eff. November 1, 2013;*

18 *Readopted Eff. August 1, 2019;*

19 *Amended Eff. March 15, 2023.*

20

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

2 (a) The daily creel limit for striped bass and its hybrids is four fish in ~~the~~ aggregate, except in waters identified in
3 Paragraphs (d) and (g) through ~~(m)~~(l) of this Rule.

4 (b) The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (d) through ~~(m)~~(l) of
5 this Rule.

6 (c) There is no closed season, except for waters identified in Paragraphs (i) through ~~(m)~~(l) of this Rule.

7 (d) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA
8 and in John H. Kerr Reservoir, the daily creel limit on striped bass and its hybrids is two in ~~the~~ aggregate and the
9 minimum size limit is 20 inches. No fish greater than 26 inches may be possessed from October 1 through May 31.
10 From June 1 through September 30, the daily creel limit ~~on~~ for striped bass and its hybrids is four in ~~the~~ aggregate
11 with no minimum size limit.

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

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

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

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

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

26 ~~(j)~~(i) In the inland fishing waters of the Tar, Pungo, Neuse, and Cape Fear River rivers and its their tributaries
27 ~~downstream of Buckhorn Dam~~ extending upstream to the first impoundment of the main course on the river or its
28 tributaries and in the ponds associated with Martin Marietta Park in Craven County, the season for taking and
29 possessing striped bass is closed year-round.

30 ~~(k)~~(j) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in
31 15A NCAC 03R .0201 and identified in 15A NCAC 10C .0110 which includes the Roanoke, Cashie, Middle, and
32 Eastmost rivers and their tributaries, the open season for taking and possessing striped bass and its hybrids is March
33 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids
34 Lake Dam. During the open season, the daily creel limit for striped bass and its hybrids is one fish in ~~the~~ aggregate,
35 and the minimum size limit is 18 inches. ~~No fish over 22 inches in length shall be possessed in the daily creel limit.~~
36 possessed.

37 ~~(k)~~(k) In designated inland and joint fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan

1 River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries, excluding the Roanoke River and
2 Cashie River and their tributaries, the striped bass fishing season, size limits, and creel limits are the same as those
3 established by rules or proclamations of the Marine Fisheries Commission in adjacent coastal fishing waters.
4 ~~(m)~~(l) In accordance with G.S. 113-292, the Executive Director may, by proclamation, suspend or extend the hook-
5 and-line season for striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to
6 violate the provisions of a proclamation issued pursuant to this authority.

7

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

9 *Eff. November 1, 2013;*

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

11 *Readopted Eff. August 1, 2019;*

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

13 *Temporary Amendment Eff. November 30, 2021;*

14 *Amended Eff. August 1, 2022;*

15 *Temporary Amendment Eff. September 1, 2022;*

16 *Amended Eff. August 1, 2023; March 15, 2023.*

17

1 **15A NCAC 10C .0316 MOUNTAIN TROUT**

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

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

7 (c) No trout may be harvested from Catch and Release/Artificial Flies and Lures Only Trout Waters. Trout ~~may~~ shall
8 not be possessed while fishing these waters.

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

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

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

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

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

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

26 (1) Bear Creek Lake;

27 (2) Buckeye Creek Reservoir;

28 (3) Calderwood Reservoir;

29 (4) Cedar Cliff Lake;

30 (5) Cheoah Reservoir;

31 (6) Cliffside Lake;

32 (7) Tanassee Creek Lake;

33 (8) Queens Creek Lake; and

34 (9) Wolf Lake.

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

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

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History Note: Authority G.S. 113-134; 113-292;
Eff. November 1, 2013;
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2015;
Readopted Eff. August 1, 2019;
Amended Eff. August 1, 2021; August 1, 2020.

1 **15A NCAC 10C .0801 INLAND GAME FISHES DESIGNATED IN JOINT FISHING WATERS**

2 (a) For the purposes of this rule, the following fishes are classified and designated as inland game fishes in joint
3 fishing waters:

- 4 (1) Alabama bass, largemouth bass, redeye bass, smallmouth bass, and spotted bass;
5 (2) black crappie and white crappie;
6 (3) chain pickerel (jack), muskellunge, and redbfin pickerel;
7 (4) kokanee salmon;
8 (5) mountain trout, including but not limited to brook trout, brown trout, and rainbow trout;
9 (6) Roanoke bass and rock bass (redeye);
10 (7) sauger and walleye; and
11 (8) sunfish, including bluegill (bream), flier, pumpkinseed, redbreast (robin), redear (shellcracker),
12 warmouth, and the other species of the sunfish family (Centrarchidae) not specifically listed in this
13 Rule.

14 (b) Inland game fishes shall not be taken by methods other than with hook and line, except that landing nets may be
15 used to land fishes caught on hook and line.

16 (c) Size, creel limits, and seasons for inland game fishes in joint fishing waters shall be the same as those designated
17 in Section .0300 for inland fishing waters.

18 (d) Inland game fishes taken incidental to commercial fishing operations shall be immediately returned to the water
19 unharmmed.

20 (e) Inland game fishes taken from joint fishing waters shall not be sold.

21 (f) Individuals may take up to the daily creel limit of those species of inland game fish having a specified creel
22 limit.

23 (g) On the waters being fished, individuals may possess:

- 24 (1) the specified daily creel limit for the species;
25 (2) fish conforming to the size limit for the species; and
26 (3) the daily creel limit while fishing or afield.

27 (h) Individuals may possess up to three days creel limit at any place.

28 (i) No person, while fishing or afield, shall:

- 29 (1) unnecessarily destroy any inland game fish taken from public fishing waters;
30 (2) remove the head or tail or otherwise change the appearance of a game fish having a size limit to
31 render it impracticable to measure its total original length; or
32 (3) change the appearance of a game fish having a daily creel limit to obscure its identification or
33 render it impracticable to count the number of fish in possession.

34
35 History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-292;
36

1 15A NCAC 10C .0802 TAKING AND POSSESSION OF OTHER FISHES BY HOOK AND LINE IN
2 JOINT FISHING WATERS

3 (a) This Rule applies to fish taken by hook and line in joint fishing waters, excluding the species listed in 15A
4 NCAC 10C .0801.

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

6 (c) Set hooks, jug hooks, and trotlines may be used as designated in 15A NCAC 10C .0206 to take fishes in joint
7 fishing waters.

8 (d) Size, creel limits, and seasons for fishes taken by hook and line in joint fishing waters shall be the same as those
9 designated in Sections .0300 and .0400 for inland fishing waters with the following exceptions:

10 (1) In the joint fishing waters of the Tar-Pamlico River, Pungo River, and their tributaries, the daily
11 creel limit for American and Hickory Shad is 10 in aggregate.

12 (2) In the joint fishing waters of the Cape Fear River and its tributaries, the daily creel limit for
13 American and Hickory Shad is 10 in aggregate, five of which may be American Shad.

14 (3) In the joint fishing waters of the Central Southern Management Area, as identified in 15A NCAC
15 03R .0201, size, creel limits, and seasons for striped bass and its hybrids are listed in 15A NCAC
16 10C .0107.

17 (4) In the joint fishing waters of the Roanoke River Striped Bass Management Area, as identified in
18 15A NCAC 10C .0110(a)(2), which includes the Roanoke, Cashie, Middle, and Eastmost rivers
19 and their tributaries, the open season for taking and possessing Striped Bass and its hybrids is
20 March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound
21 upstream to Roanoke Rapids Lake dam. During the open season, the daily creel limit for Striped
22 Bass and its hybrids is two fish in aggregate, and the minimum size limit is 18 inches. No fish
23 between 22 inches and 27 inches in length shall be possessed in the daily creel limit. One fish
24 larger than 27 inches may be possessed in the daily creel limit.

25 (5) In designated inland and joint fishing waters of the Albemarle Sound Management Area, as
26 identified in 15A NCAC 10C .0110(a)(1), the Striped Bass fishing season, size limits, and creel
27 limits are the same as those established by rules or proclamations of the Marine Fisheries
28 Commission in adjacent coastal fishing waters.

29 (e) Fishes taken by hook and line in joint fishing waters may be sold except those fishes for which the sale is
30 prohibited in Sections .0300 and .0400 for inland fishing waters.

31 (f) For fishes taken by hook and line in joint fishing waters, individuals may take up to the daily creel limit of fish
32 having a specified creel limit.

33 (g) On the waters being fished, individuals may possess:

34 (1) the specified daily creel limit for the species;

35 (2) fish conforming to the size limit of the species; and

36 (3) the daily creel limit while fishing or afield.

37 (h) Individuals may possess up to three days creel limit at any place.

1 (i) No person, while fishing or afield, shall:

2 (1) remove the head or tail or change the appearance of a fish taken by hook and line specified in
3 Sections .0300 or .0400 as having a size limit, to render it impractical to measure its total original
4 length, except for American Eel as provided in 15A NCAC 10C .0410.

5 (2) change the appearance of a fish taken by hook and line that has a species-specific daily creel limit
6 in Sections .0300 or .0400, to obscure its identification or render it impractical to count the
7 number of fish in possession, except for American Eel as provided in 15A NCAC 10C .0410.

8

9 History Note: Authority G.S. 11 3-134; 11 3-135; 11 3-135.1; 11 3-292;

10

EXHIBIT D-2

October 26, 2023



Fiscal Note for 2024-2025 Annual Cycle Rule Proposals Wildlife Resources Commission - Inland Fisheries

Rule Amendments: 15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS
15A NCAC 10C .0208 SPAWNING AREAS
15A NCAC 10C .0305 LARGEMOUTH BASS
15A NCAC 10C .0306 CRAPPIE
15A NCAC 10C .0307 FLOUNDER
15A NCAC 10C .0313 AMERICAN SHAD AND HICKORY SHAD
15A NCAC 10C .0314 STRIPED BASS
15A NCAC 10C .0316 MOUNTAIN TROUT
15A NCAC 10C .0801 INLAND GAME FISHES DESIGNATED IN JOINT
FISHING WATERS
15A NCAC 10C .0802 TAKING AND POSSESSION OF OTHER FISHES BY
HOOK AND LINE IN JOINT FISHING WATERS

Agency Contact: Melva Bonner
Regulatory Analyst
NC Wildlife Resources Commission
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Impact: State Government: Yes
Local Government: No
Private Impact: Yes
Substantial Economic Impact: No

Authority: G.S. 113-134; 113-135; 113-135.1; 113-272; 113-292; 113-304; 113-305

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 change what anglers may harvest in specific waters, where anglers may harvest certain species, and when anglers may harvest certain species. Several of the proposed amendments seek to increase angling opportunity, some are more restrictive to protect the resources, and others seek to provide clarity to anglers. All the proposed changes are intended to ensure future angling opportunity, and despite the changes, no impact to angling participation is expected.

PROPOSED AMENDMENTS BY RULE

15A NCAC 10C .0205 PUBLIC MOUNTAIN TROUT WATERS and 15A NCAC 10D .0316 MOUNTAIN TROUT

The WRC manages approximately 5,300 miles and 2,100 acres of the State's coldwater resources within its Public Mountain Trout Waters (PMTW) program, and in 2022 an estimated 369,968 anglers fished for trout in PMTW and contributed approximately \$1.38 billion to the State's economy.¹ As noted within the WRC's Trout Management Plan, the purpose of PMTW is to use science-based decision making and biologically sound management principles to enhance the quality and quantity of trout populations for continued and varied angling opportunities. By designating waters as PMTW, the WRC is able to enact biologically sound management that ensures the conservation and wise use of trout resources (including efforts focused on the State's only native salmonid: Brook Trout), increase awareness of angling opportunities, invest in infrastructure that provides angling access to all anglers regardless of physical ability, produce and stock approximately 1 million trout annually to provide fisheries, and partner with local (municipalities and counties), state (North Carolina State Parks and North Carolina Forest Service), and federal entities (United States Forest Service) to manage important ecological, cultural, and economic resources.

The proposed amendments will modify the list of waters designated as PMTW and further classified as Hatchery Supported Trout or Delayed Harvest Trout and reclassify the remaining waters from Wild Trout Waters/Natural Bait to PMTW. To reflect changes in partnerships with landowners and angler access, approximately 1.3 miles of Delayed Harvest Trout Waters will be removed and approximately 1.2 miles of Delayed Harvest will be reclassified to Hatchery Supported. The agency will remove approximately 5.4 miles of PMTW and reclassify approximately 73 miles of Wild Trout Waters/Natural Bait to Wild Trout Waters. Changes to PMTW boundaries are necessary to clarify designations based upon partnerships with landowners, angler access, and overall trout management. Removing the Wild Trout Natural Bait Waters classification will simplify the rules for anglers.

¹ Evaluation of North Carolina Trout Anglers' Opinions, Participation and Socioeconomic Impact, 2023.

Fiscal Impact

State Impact

Proposed rule amendments that modify the classification of PMTWs will not change on-the-ground management activities. Conservation biologists will change signage as part of their regular duties. The change in signage will not require more than one day, at an estimated one-time cost to the agency of approximately \$304 ($\$38/\text{hr} \times 8 \text{ hrs} = \304). New signage will cost the agency approximately \$45 ($\$0.90/\text{sign} \times 50 \text{ signs}$). The total one-time cost to the agency is estimated to be approximately \$349 ($\$304 + \$45 = \349).

Local Impact

The proposed amendments have no anticipated local government impact.

Private Impact

Changes to PMTW boundaries will result in a net loss of approximately 5.4 miles of PMTW from public access. While this will be a loss of angling opportunity to the public in specific areas, it represents 0.10% of the total PMTW.

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

15A NCAC 10C .0208 SPAWNING AREAS

The proposed amendment to this rule will prohibit fishing in the Pleasant Grove floodplain slough connected to the French Broad River from March 1 to May 31, which is spawning season for Muskellunge. Although this rule applies to all fish species found in the restored floodplain sloughs connected to the French Broad River and Mud Creek in Henderson County, the majority of fish caught between March and May are Muskellunge.

The Muskellunge population in the French Broad River has been hatchery supported since 1970. The Pleasant Grove backwater slough was constructed specifically to restore spawning and nursery areas for adult and juvenile Muskellunge to promote natural reproduction and recruitment of juvenile fish to the population. The French Broad River Muskellunge population currently has extremely limited to no natural reproduction or measurable recruitment. As such, the purpose for the proposed amendment is to prevent catch and release mortality of Muskellunge during their spawning season. Closure of the Pleasant Grove slough to fishing during the Muskellunge spawning season will prevent targeted angling and the potential harvest of Muskellunge during their spawning period.

Fiscal Impact

State Impact

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

Local Impact

The proposed amendment has no anticipated local government impact.

Private Impact

Private impacts are anticipated to be minimal as this proposal only restricts the use of the recently constructed Pleasant Grove backwater slough during the spawning period. Muskellunge stocking, public access, and fishing in the mainstem of the French Broad River will not be impacted.

15A NCAC 10C .0305 LARGEMOUTH BASS

The proposed amendment removes the possession limit of 16 - 20 inch for Largemouth Bass at Shearon Harris Reservoir.

Biological data collected over the past 15 years indicates that the current prohibited size range of 16 - 20 inches for Largemouth Bass has not worked as intended. Harvest of Largemouth Bass is low at Shearon Harris Lake and few, if any, Largemouth Bass less than 16-inches are being harvested. Low harvest has resulted in reduced overall average condition of Largemouth Bass. Removing the size restrictions to increase harvest of Largemouth Bass may help increase overall average condition and growth of fish greater than 16 inches.

Fiscal Impact

State Impact

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

Local Impact

The proposed amendment has no anticipated local government impact.

Private Impact

This proposed removal of possession limits should provide more harvest opportunity for largemouth bass. Any additional harvest of Largemouth Bass is expected to enhance the quality of the fishery, and the ability to possess Largemouth Bass that are 16 - 20 inches will benefit tournament anglers.

15A NCAC 10C .0306 CRAPPIE

The proposed amendment to the rule will remove the daily creel limit of 20 fish and the minimum size limit of eight inches for Crappie in Lake Ramseur.

A 2019 assessment of Crappie in Lake Ramseur indicated slow growth and a stunted population evidenced by the abundance of smaller-sized yet older Crappie. Removing the limits will promote harvest and help to improve growth and body condition.

Fiscal Impact

State Impact

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

Local Impact

This proposed amendment has no anticipated local government impact.

Private Impact

Private impacts are anticipated to be minimal. Anglers will benefit from the additional harvest opportunity, and any harvest of Crappie is expected to enhance the quality of the fishery.

15A NCAC 10C .0307 FLOUNDER

The proposed amendment to the rule will reduce the daily creel limit for Flounder from four fish to one fish.

According to North Carolina Division of Marine Fisheries (DMF) Southern Flounder Fishery Management Plan (Amendment 3), Flounder are overfished, and overfishing is occurring. A reduced harvest is expected to allow the Flounder population to recover to a more sustainable level. The proposed change is consistent with the daily creel limit established in Coastal Fishing Waters via DMF Proclamation FF-31-2023.

Fiscal Impact

State Impact

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

Local Impact

This proposed amendment has no anticipated local government impact.

Private Impact

The proposed change is consistent with regulations already in place for Coastal Fishing Waters. This proposal will reduce the harvest opportunity in Inland and Joint Fishing Waters but anglers will still be able to fish for other species. This change is expected to allow the Flounder population to recover to a more sustainable level which, in the longer term, could allow increased flounder harvest opportunity.

15A NCAC 10C .0314 STRIPED BASS

Modify Size Limit in Kerr Reservoir:

This proposed amendment will prohibit the possession of fish larger than 26-inches from October 1 through May 31. Per agreement, the Virginia Department of Wildlife Resources (VADWR) is the lead for fisheries management at Kerr Reservoir, and VADWR implemented the proposed change for the Virginia portion of Kerr Reservoir effective January 1, 2023. This proposal will make the size limit consistent in the North Carolina portion of the Reservoir and provide additional protection for larger Striped Bass.

Fiscal Impact

State Impact

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

Local Impact

This proposed amendment has no anticipated local government impact.

Private Impact

Biological data indicate that the protection of larger Striped Bass over time is expected to enhance the quality of the fishery (i.e., larger trophy fish). However, in the near term, anglers will lose the opportunity to possess large fish. It is expected that those anglers will continue to fish, as Striped Bass fishing is very popular with NC anglers and thus, the Commission expects that this proposed change will provide anglers with an advantage in future seasons.

Establish Size Limit in Farmer Lake:

This proposed amendment will establish a 16-inch minimum size limit for Striped Bass and its hybrids at Farmer Lake. The Commission has recently initiated annual stockings of hybrid Striped Bass at Farmer Lake to create a fishery. This size limit will make regulations for hybrid Striped Bass at Farmer Lake consistent with other reservoirs across North Carolina that are stocked with hybrid Striped Bass.

Fiscal Impact

State Impact

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

Local Impact

This proposed amendment has no anticipated local government impact.

Private Impact

Harvest may be reduced in Farmer Lake, but the minimum size limit should increase the abundance of fish and help to establish a quality fishery. The WRC does not have a mechanism to determine the specific impacts of the proposed change.

Modify Size Limit in Mountain Island Reservoir and Lake Thom-A-Lex:

This proposed amendment will remove the 16-inch minimum size limit for Striped Bass and its hybrids at Mountain Island Reservoir and Lake Thom-A-Lex. The general statewide regulation of a 20-inch minimum size limit and four fish daily creel will apply.

Striped Bass are no longer stocked in Mountain Island Reservoir due to poor growth and survival. Hybrid Striped Bass may be present in Mountain Island Reservoir through emigration from Lake Norman, but do not require more protection than what is already provided by the statewide regulation. Hybrid Striped Bass have not been stocked at Lake Thom-A-Lex since 2018 due to their high rate of emigration from the system. Striped Bass are not present in Lake Thom-A-Lex. Removing these reservoir-specific regulations will alleviate angler confusion about species availability and simplify rules for anglers.

Fiscal Impact

State Impact

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

Local Impact

This proposed amendments have no anticipated local government impact.

Private Impact

Striped Bass have not been stocked at Mountain Island Reservoir or Lake Thom-A-Lex for several years. Removing the minimum size limit will decrease the confusion among anglers about the availability of this species in these reservoirs.

Closure of Striped Bass Fishery in the Central/ Southern Management Area:

This proposed amendment will clarify the season for taking and possessing Striped Bass and its hybrids is closed year-round in the Inland Fishing Waters of the Central/Southern Management Area. Waters covered include the Inland Fishing Waters of the Tar, Pungo, and Neuse rivers, and their tributaries.

This closure was initially implemented in March 2019 by proclamation. Maintaining the closure was recommended in Amendment 2 to the North Carolina Estuarine Striped Bass Fishery Management Plan. The closure needs to be codified in rule.

Fiscal Impact

State Impact

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

Local Impact

This proposed amendment has no anticipated local government impact.

Private Impact

No private impact is anticipated as this closure has been in place through proclamation since 2019.

15A NCAC 10C .0313 AMERICAN SHAD AND HICKORY SHAD

The proposed amendment to the rule will prohibit harvest of American Shad in the Yadkin-Pee Dee River basin upstream of Blewett Falls Dam and clarify existing language that prohibits harvest in Roanoke River reservoirs upstream of Roanoke Rapids Dam.

Duke Energy-Progress is required by its Federal Energy Regulatory Commission (FERC) license to provide upstream passage for American Shad at Blewett Falls Dam to help restore American Shad in the Yadkin-Pee Dee River basin. Initial testing of fishway operations is scheduled to begin spring 2024, and full-time operation is anticipated in spring 2025. Harvest restrictions are necessary to protect spawning American Shad passed upstream of the dam. In addition, the existing rule prohibiting harvest of American Shad in Roanoke Rapids Reservoir, Lake Gaston, and John H. Kerr Reservoir is intended to protect American Shad moved upstream of Roanoke Rapids Dam required by Dominion Energy's FERC license. Proposed changes to the current rule will clarify that American Shad shall not be harvested from all public fishing waters upstream of Roanoke Rapids Dam, which was the intent of the original rule. These changes will not prohibit catch-and-release opportunities.

Fiscal Impact

State Impact

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

Local Impact

This proposed amendment has no anticipated local government impact.

Private Impact

This proposed amendment has no anticipated private impact as American Shad do not currently occur upstream on Blewett Falls Dam.

15A NCAC 10C .0801 INLAND GAME FISHES DESIGNATED IN JOINT FISHING WATERS

The proposed rule will clarify the Wildlife Resources Commission's authority over certain species designated as inland game fish in all public fishing waters and clarify the size and creel limits which apply. Additionally, the rule will clarify that these species can only be taken with hook and line, that species taken incidental to commercial fishing operations shall be immediately returned to the water unharmed, and that fish with the appearance of species with size and creel limits cannot be altered.

There has been confusion in the public and government agencies as to the Commission's authority over species designated as inland game fish when found in Joint Fishing Waters. Certain inland game fish are under the authority of the Wildlife Resources Commission in all public fishing waters. The proposed rule clarifies the regulations for those species that apply to both recreational and commercial fishing in Joint Fishing Waters.

Fiscal Impact

State Impact

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

Local Impact

This rule has no anticipated local government impact.

Private Impact

This rule has no anticipated private impacts as the it clarifies existing regulations for game fish species in Joint Fishing Waters.

15A NCAC 10C .0802 TAKING AND POSSESSION OF OTHER FISHES BY HOOK AND LINE IN JOINT FISHING WATERS

The proposed rule will reaffirm the Wildlife Resources Commission's authority over fishes taken by hook and line in Joint Fishing Waters and clarify the size and creel limits, seasons, and restrictions on species that may be sold. Also, clarify that the appearance of species with size and creel limits cannot be altered.

There has been confusion in the public and government agencies as to the Commission's authority over fishes taken by hook and line in Joint Fishing Waters. Per 15A NCAC 03Q .0106 and 15A NCAC 10C .0106, the Commission has authority for fish taken by hook and line in Joint Fishing Waters. The proposed rule clarifies that authority including size and creel limits, seasons, and if the species may be sold.

Fiscal Impact

State Impact

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

Local Impact

This rule has no anticipated local government impact.

Private Impact

This rule has no anticipated private impacts as it does not modify restrictions that are currently in place. The proposed rule will clarify the limits for species taken by hook and line in Joint Fishing Waters for anglers.

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

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

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

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

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

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

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

5 (1) Alleghany

6 (A) ~~Delayed Harvest Trout Waters are as follows:~~

7 ~~Little River from the S.R. 1133 bridge to 275 yards downstream of the intersection of S.R.~~
8 ~~1128 and S.R. 1129, marked by a sign on both banks~~

9 ~~(B)~~(A) Hatchery Supported Trout Waters are as follows:

10 Big Pine Creek

11 Bledsoe Creek

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

14 Cranberry Creek

15 Glade Creek

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

18 Meadow Fork

19 Pine Swamp Creek

20 Piney Fork

21 Prathers Creek

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

23 The waters located on Stone Mountain State Park

24 (2) Ashe County

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

26 Big Horse Creek from the Virginia state line to Mud Creek at S.R. 1363, excluding
27 tributaries

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

29 Big Horse Creek from the S.R. 1324 bridge to the North Fork New River

30 Helton Creek from 900 yards upstream of the S.R. 1372 bridge, marked by a sign on both
31 banks to ~~the North Fork New River~~ a point adjacent to intersection of N.C. 16 and S.R.
32 1536

33 South Fork New River from the upstream end of Todd Island to the S.R. 1351 bridge

34 Trout Lake

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

36 Beaver Creek from N.C. 221 to the confluence of Beaver Creek and South Beaver Creek

37 Big Horse Creek from Mud Creek at S.R. 1363 to the S.R. 1324 bridge

- 1 Big Laurel Creek from the S.R. 1315 bridge to the confluence with the North Fork New
2 River
3 Buffalo Creek from the S.R. 1133 bridge to the N.C. 194-88 bridge
4 Cranberry Creek from the Alleghany Co. line to the South Fork New River
5 Nathans Creek
6 North Fork New River from the Watauga Co. line to Sharp Dam
7 Old Fields Creek from N.C. 221 to the South Fork New River
8 Peak Creek from the upper boundary of the NCDA-NCSU Upper Mountain Research
9 Station to Trout Lake
10 Roan Creek
11 Three Top Creek
12 (3) Avery County
13 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
14 Elk River, the portion on Lees-McRae College property, excluding the millpond
15 Lost Cove Creek, the game land portion, excluding Gragg Prong and Rockhouse Creek
16 Wilson Creek, the game land portion
17 (B) Hatchery Supported Trout Waters are as follows:
18 Boyde Coffey Lake
19 Elk River from the S.R. 1305 crossing immediately upstream of Big Falls to the Tennessee
20 state line
21 Linville River from S.R. 1504 to the Blue Ridge Parkway boundary line, except where
22 posted against trespassing
23 Milltimber Creek
24 North Toe River from Watauga St. to Roby Shoemaker Wetlands and Family Recreational
25 Park, except where posted against trespassing
26 North Toe River from S.R. 1164 to Mitchell Co. line, except where posted against
27 trespassing
28 Squirrel Creek
29 Wildcat Lake
30 (C) Wild Trout Waters are as follows:
31 Birchfield Creek
32 Cow Camp Creek
33 Cranberry Creek from the headwaters to the U.S. 19E, N.C. 194, bridge
34 Gragg Prong
35 Horse Creek
36 Kentucky Creek
37 North Harper Creek

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

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

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

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

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

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

- 1 Broad River from the Henderson Co. line to the U.S. 64/74 bridge, except where posted
2 against trespassing
- 3 (19) Stokes County
- 4 (A) Hatchery Supported Trout Waters are as follows:
5 Dan River from the Virginia state line downstream to a point 200 yards below the end of
6 S.R. 1421
- 7 (20) Surry County
- 8 (A) Delayed Harvest Trout Waters are as follows:
9 Ararat River, the portion adjacent to the Ararat River Greenway
10 Mitchell River from 0.6 miles upstream of the end of S.R. 1333 to the lowermost bridge
11 on S.R. 1330
- 12 (B) Hatchery Supported Trout Waters are as follows:
13 Ararat River from the S.R. 1727 bridge to the N.C. 103 bridge
14 Big Elkin Creek from the dam 440 yards upstream of the N.C. 268 bridge to a point 265
15 yards downstream of N.C. 268, marked by a sign on both banks
16 Fisher River from the Virginia state line to the I-77 bridge
17 Little Fisher River from the Virginia state line to the N.C. 89 bridge
18 Lovills Creek from the U.S. 52 Business bridge to the Ararat River
19 Pauls Creek from the Virginia state line to 0.3 miles below the S.R. 1625 bridge
- 20 (21) Swain County
- 21 (A) Delayed Harvest Waters Trout Waters are as follows:
22 Tuckasegee River from the U.S. 19 bridge to the Slope Street bridge
- 23 (B) Hatchery Supported Trout Waters are as follows:
24 Alarka Creek from the game land boundary to Fontana Reservoir
25 Calderwood Reservoir from Cheoah Dam to the Tennessee state line
26 Cheoah Reservoir
27 Connelly Creek from Camp Branch to the Tuckasegee River
28 Deep Creek from the Great Smoky Mountains National Park Boundary line to the
29 Tuckasegee River
30 Nantahala River from the Macon Co. line to the existing Fontana Lake water level
- 31 (22) Transylvania County
- 32 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
33 Davidson River from the headwaters to Avery Creek, excluding Avery Creek, Looking
34 Glass Creek, Grogan Creek, Cedar Rock Creek and John Rock Branch
- 35 (B) Delayed Harvest Trout Waters are as follows:
36 East Fork French Broad River from East Fork Baptist Church to the downstream S.R. 1107
37 bridge

- 1 Little River from the confluence of Lake Dense to 100 yards downstream of Hooker Falls
- 2 (C) Hatchery Supported Trout Waters are as follows:
- 3 Davidson River from Avery Creek to the lower USFS boundary
- 4 French Broad River from the confluence of the North Fork French Broad River and West
- 5 Fork
- 6 French Broad River to the Island Ford Rd., S.R. 1110, Access Area
- 7 Middle Fork French Broad River from upstream of the U.S. 178 bridge to the French Broad
- 8 River
- 9 West Fork French Broad River from S.R. 1312 to confluence with North Fork French
- 10 Broad River
- 11 (D) Wild Trout Waters are as follows:
- 12 The waters located on Gorges State Park
- 13 Whitewater River from Silver Run Creek to the South Carolina state line
- 14 (E) ~~Wild Trout Natural Bait Waters are as follows:~~
- 15 ~~North Fork French Broad River, the game land portion downstream of S.R. 1326~~
- 16 ~~Thompson River from S.R. 1152 to the South Carolina state line, except where posted~~
- 17 ~~against trespassing~~
- 18 (23) Watauga County
- 19 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 20 Laurel Creek from the confluence of North Fork Laurel Creek and South Fork Laurel Creek
- 21 to Elk Creek, excluding tributaries
- 22 Pond Creek from the headwaters to the Locust Ridge Rd. bridge, excluding the pond
- 23 adjacent to Coffee Lake
- 24 (B) Delayed Harvest Trout Waters are as follows:
- 25 Lake Coffey
- 26 Watauga River from the S.R. 1114 bridge to the Valle Crucis Community Park lower
- 27 boundary
- 28 Watauga River from the S.R. 1103 bridge to the confluence with Laurel Creek
- 29 (C) Hatchery Supported Trout Waters are as follows:
- 30 Beaverdam Creek from the confluence of Beaverdam Creek and Little Beaverdam Creek
- 31 to an unnamed tributary adjacent to the intersection of S.R. 1201 and S.R. 1203
- 32 Beech Creek
- 33 Buckeye Creek from Buckeye Creek Reservoir dam to Grassy Gap Creek
- 34 Buckeye Creek Reservoir
- 35 Cove Creek from the S.R. 1233 bridge at Zionville to the S.R. 1214 bridge at Sherwood
- 36 Dutch Creek from the second S.R. 1136 bridge to the mouth
- 37 Elk Creek from the S.R. 1510 bridge at Triplett to the Wilkes Co. line, except where posted

- 1 against trespassing
- 2 Laurel Creek from the S.R. 1123 bridge at the S.R. 1157 intersection to the Watauga River
- 3 Meat Camp Creek from the S.R. 1340 bridge at the S.R. 1384 intersection to N.C. 194
- 4 Middle Fork New River from adjacent to the intersection of S.R. 1539 and U.S. 321 to the
- 5 South Fork New River
- 6 Norris Fork Creek
- 7 South Fork New River from the canoe launch 70 yards upstream of U.S. 421 bridge to the
- 8 lower boundary of Brookshire Park
- 9 Stony Fork from the S.R. 1500 bridge at the S.R. 1505 intersection to the Wilkes Co. line
- 10 (D) Wild Trout Waters are as follows:
- 11 Dutch Creek from the headwaters to the second S.R. 1136 bridge
- 12 Howard Creek
- 13 Maine Branch from the headwaters to the North Fork New River
- 14 North Fork New River from the confluence with Maine Branch and Mine Branch to the
- 15 Ashe Co. line
- 16 ~~Watauga River from the Avery Co. line to the S.R. 1580 bridge~~
- 17 Winkler Creek from the lower bridge on S.R. 1549 to the confluence with the South Fork
- 18 New River
- 19 (24) Wilkes County
- 20 (A) Delayed Harvest Trout Waters are as follows:
- 21 East Prong Roaring River from Bullhead Creek to the Stone Mountain State Park lower
- 22 boundary
- 23 Elk Creek from the Watauga Co. line to the lower boundary of the Blue Ridge Mountain
- 24 Club
- 25 Elk Creek, the portion on Leatherwood Mountains development
- 26 Reddies River from the Town of North Wilkesboro water intake dam to the confluence
- 27 with the Yadkin River
- 28 Stone Mountain Creek from the falls at the Alleghany Co. line to the confluence with the
- 29 East Prong Roaring River and Bullhead Creek
- 30 (B) Hatchery Supported Trout Waters are as follows:
- 31 Basin Creek from the S.R. 1730 bridge to the confluence with Lovelace Creek
- 32 Bell Branch Pond
- 33 Boundary Line Pond
- 34 Cub Creek from 0.5 miles upstream of the S.R. 2460 bridge to the S.R. 1001 bridge
- 35 Darnell Creek from the downstream ford on S.R. 1569 to the confluence with the North
- 36 Fork Reddies River
- 37 East Prong Roaring River from the Stone Mountain State Park lower boundary to the ~~S.R.~~

- 1 ~~4002~~ Low Meadows Lane bridge
- 2 Fall Creek from the S.R. 1300 bridge to the confluence with South Prong Lewis Fork,
- 3 except where posted against trespassing
- 4 Middle Fork Reddies River from the headwaters to the bridge on S.R. 1580
- 5 Middle Prong Roaring River from the headwaters to the second bridge on S.R. 1736
- 6 North Fork Reddies River from the headwaters to the Union School bridge on S.R. 1559
- 7 Pike Creek
- 8 Pike Creek Pond
- 9 South Fork Reddies River from the S.R. 1355 bridge to the confluence with the Middle
- 10 Fork Reddies River
- 11 South Prong Lewis Fork from Fall Creek to the U.S. 421 bridge adjacent to the S.R. 1155
- 12 intersection
- 13 (C) Wild Trout Waters are as follows:
- 14 The waters located on Stone Mountain State Park, except East Prong Roaring River from
- 15 Bullhead Creek to the Stone Mountain State Park lower boundary where Delayed Harvest
- 16 Trout Waters regulations apply, and Stone Mountain Creek from the falls at the Alleghany
- 17 Co. line to the confluence with the East Prong Roaring River and Bullhead Creek in Stone
- 18 Mountain State Park where Delayed Harvest Trout Waters regulations apply
- 19 (25) Yancey County
- 20 (A) Catch and Release Artificial Flies and Lures Only Trout Waters are as follows:
- 21 South Toe River from the headwaters to Upper Creek
- 22 Upper Creek
- 23 (B) Delayed Harvest Trout Waters are as follows:
- 24 Cane River from Blackberry Ridge Rd. to the downstream boundary of Cane River County
- 25 Park
- 26 (C) Hatchery Supported Trout Waters are as follows:
- 27 Bald Mountain Creek, except where posted against trespassing
- 28 Cane River from Bee Branch, S.R. 1110, to Bowlens Creek
- 29 Price Creek from the junction of S.R. 1120 and S.R. 1121 to Indian Creek
- 30 South Toe River from Clear Creek to the lower boundary line of Yancey Co. Recreation
- 31 Park, except where posted against trespassing
- 32 (D) Wild Trout Waters are as follows:
- 33 Cattail Creek from the bridge at Mountain Farm Community Rd. to the N.C. 197 bridge
- 34 Lickskillet Creek
- 35 Middle Creek from the game land boundary to the mouth
- 36

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

1 *Eff. February 1, 1976;*
2 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995; July 1, 1994; July 1, 1993;*
3 *October 1, 1992;*
4 *Temporary Amendment Eff. July 1, 1999;*
5 *Amended Eff. July 1, 2000;*
6 *Temporary Amendment Eff. July 1, 2001;*
7 *Temporary Amendment Eff. July 1, 2002;*
8 *Amended Eff. August 1, 2002 (approved by RRC on 6/21/01 and 04/18/02);*
9 *Temporary Amendment Eff. June 1, 2003;*
10 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
11 *2003);*
12 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014;*
13 *August 1, 2013; August 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; May 1, 2008; May*
14 *1, 2007; May 1, 2006; June 1, 2005;*
15 *Readopted Eff. August 1, 2019;*
16 *Amended Eff. August 1, 2023; August 1, 2022; August 1, 2021; August 1, 2020.*
17
18

1 **15A NCAC 10C .0208 SPAWNING AREAS**

2 (a) No person shall fish ~~by any method~~ from March 1 to May 31 in the following restored floodplain sloughs
3 connected to the French Broad River and Mud Creek in Henderson County:

- 4 (1) Slough 1 at 35.403687 N, 82.531970 W connected to the French Broad River, located 0.25 miles
5 upstream of Butler Bridge Rd (SR 1345).
- 6 (2) Slough 2 at 35.398380 N, 82.528750 W connected to the French Broad River, located 1.0 miles
7 upstream of Butler Bridge Rd.
- 8 (3) Slough 3 at 35.396449 N, 82.525462 W connected to Mud Creek, located 0.1 miles upstream from
9 confluence with the French Broad River.
- 10 (4) Pleasant Grove slough at 35.298384 N, 82.584716 W connected to the French Broad River, located
11 0.25 miles upstream from S.R. 1205, Etowah School Road.

12 (b) Each slough shall be marked with signs on both banks.

13

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

15 *Eff. February 1, 1976;*

16 *Amended Eff. May 1, 2009; August 1, 2004; July 1, 1993; July 1, 1989; July 1, 1985; July 1, 1984;*

17 *Readopted Eff. October 1, 2022.*

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1 **5A NCAC 10C .0305 LARGEMOUTH BASS**

2 (a) The daily creel limit for Largemouth Bass is five fish, except in waters identified in Paragraphs (d), (e), (f), (l),
3 (m), and (n) of this Rule.

4 (b) There is no minimum size limit for Largemouth Bass, but only two of them may be less than 14 inches except in
5 waters identified in Paragraphs (d) through (n) of this Rule.

6 (c) There is no closed season, except ~~for~~ in waters identified in Paragraph ~~(f)~~ (n) of this Rule.

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

9 (e) In Lake Santeetlah in Graham County, there is no daily creel limit for Largemouth Bass and Smallmouth Bass
10 less than 14 inches. The daily creel limit for Largemouth Bass and Smallmouth Bass greater than 14 inches is five fish
11 in ~~the~~ aggregate.

12 (f) In Lake Chatuge in Clay County, the daily creel limit for Largemouth Bass, Smallmouth Bass, Alabama Bass, and
13 Spotted Bass is 10 fish in ~~the~~ aggregate. The minimum size limit for Largemouth Bass is 12 inches.

14 (g) The minimum size limit for Largemouth Bass is 14 inches in the ~~following:~~ following waters:

15 (1) Lake Raleigh in Wake County;

16 (2) Lake Sutton in New Hanover County;

17 (3) Pungo Lake in Washington and Hyde counties;

18 (4) New Lake in Hyde County; and

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

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

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

28 (j) In ~~Shearon Harris Reservoir in Chatham and Wake counties and~~ Lake Hampton in Yadkin County, there is no
29 minimum size limit for Largemouth ~~Bass, but only~~ Bass. No more than two Largemouth Bass less than 14 inches and
30 no Largemouth Bass between 16 and 20 inches may be possessed.

31 (k) In Lake Thom-A-Lex in Davidson County, the minimum size limit for Largemouth Bass is 18 inches.

32 (l) In the Alleghany County portion of New River downstream of Fields Dam (Grayson County, Virginia), the daily
33 creel limit for Largemouth Bass, Smallmouth Bass, and Spotted Bass is five fish in aggregate. There is no minimum
34 size limit for Largemouth Bass, but no fish between 14 and 22 inches in length may be possessed and ~~only~~ one
35 Largemouth Bass, Smallmouth Bass, or Spotted Bass greater than 22 inches may be possessed.

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

1 (n) In Jean Guite Creek and associated canals within the Town of Southern Shores in Dare County and in the ponds
2 associated with Martin Marietta Park in Craven County, no Largemouth Bass may be possessed.

3
4 *History Note: Authority G.S. 113-134; 113-292;*
5 *Eff. February 1, 1976;*
6 *Temporary Amendment Eff. May 10, 1990, for a period of 180 days to expire on November 1, 1990;*
7 *Temporary Amendment Eff. May 22, 1990, for a period of 168 days to expire on November 1, 1990;*
8 *Temporary Amendment Eff. May 1, 1991, for a period of 180 days to expire on November 1, 1991;*
9 *Amended Eff. July 1, 1994; July 1, 1993; October 1, 1992;*
10 *Temporary Amendment Eff. December 1, 1994 for a period of 180 days or until the permanent rule*
11 *becomes effective, whichever is sooner;*
12 *Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996; July 1, 1995;*
13 *Temporary Amendment Eff. November 1, 1998;*
14 *Amended Eff. April 1, 1999;*
15 *Temporary Amendment Eff. July 1, 1999;*
16 *Amended Eff. July 1, 2000;*
17 *Temporary Amendment Eff. July 1, 2001;*
18 *Temporary Amendment Eff. March 8, 2002 [This rule replaces the rule proposed for permanent*
19 *amendment effective July 1, 2002 and approved by RRC in May 2001];*
20 *Amended Eff. August 1, 2002 (approved by RRC in April 2002);*
21 *Temporary Amendment Eff. June 1, 2003;*
22 *Amended Eff. June 1, 2004 (this amendment replaces the amendment approved by RRC on July 17,*
23 *2003);*
24 *Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016; November 1, 2013; August 1, 2012;*
25 *March 1, 2012; August 1, 2011; August 1, 2010; May 1, 2009; July 1, 2008; May 1, 2008; May 1,*
26 *2007; May 1, 2006; June 1, 2005;*
27 *Readopted Eff. August 1, 2019;*
28 *Amended Eff. March 15, 2023; August 1, 2021; August 1, 2020.*
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1 **15A NCAC 10C .0306 CRAPPIE**

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

3 (b) There is no minimum size limit except in waters identified in Paragraphs (f) through (h) of this Rule.

4 (c) There is no closed season.

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

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

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

8 (1) Roanoke River and its tributaries downstream of Roanoke Rapids dam;

9 (2) Cashie River and its tributaries;

10 (3) Middle River and its tributaries;

11 (4) Eastmost River and its tributaries; and

12 (5) Lake Mattamuskeet in Hyde County.

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

14 (1) Lake Norman;

15 (2) Lake Hyco;

16 ~~(3)~~ ~~Lake Ramseur;~~

17 ~~(4)~~(3) Cane Creek Lake in Union County;

18 ~~(5)~~(4) Lake Hampton in Yadkin County;

19 ~~(6)~~(5) Tar River downstream of Tar River Reservoir Dam including tributaries;

20 ~~(7)~~(6) Neuse River downstream of Falls Lake Dam including tributaries;

21 ~~(8)~~(7) Haw River downstream of B. Everett Jordan Reservoir Dam including tributaries;

22 ~~(9)~~(8) Deep River downstream of Lockville Dam including tributaries;

23 ~~(10)~~(9) Cape Fear River including tributaries;

24 ~~(11)~~(10) Waccamaw River downstream of Lake Waccamaw Dam including tributaries;

25 ~~(12)~~(11) Lumber River including Drowning Creek including tributaries;

26 ~~(13)~~(12) public fishing waters east of Interstate 95, except Tar River Reservoir in Nash County, Sutton Lake
27 in New Hanover County, and waters listed in Paragraph (f) of this Rule;

28 ~~(14)~~(13) public waters west of Interstate 77, except Lake Chatuge; and

29 ~~(15)~~(14) B. Everett Jordan Reservoir.

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

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

33 *Eff. November 1, 2013;*

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

35 *Readopted Eff. August 1, 2019;*

36 *Amended Eff. August 1, 2023; March 15, 2023; August 1, 2020.*

37 **15A NCAC 10C .0307 FLOUNDER**

- 1 (a) The daily creel limit for flounder is ~~four~~ one fish.
- 2 (b) The minimum size limit is 15 inches.
- 3 (c) The season for taking and possessing flounder is September 1 through September 14.

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5 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*
6 *Eff. November 1, 2013;*
7 *Readopted Eff. October 1, 2021;*
8 *Temporary Amendment Eff. September 1, 2022;*
9 *Amended Eff. March 15, 2023.*

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11

1 **15A NCAC 10C .0313 AMERICAN SHAD AND HICKORY SHAD**

2 (a) The daily creel limit for American and hickory shad in ~~the~~ aggregate is 10 fish, only one of which may be an
3 American shad, except for waters identified in Paragraphs (d) through (f) of this Rule.

4 (b) There is no minimum size limit.

5 (c) There is no closed season, except for waters identified in Paragraph (g) of this Rule.

6 (d) In the inland waters of the Tar-Pamlico River, Pungo River, Pee Dee River, and their tributaries, the daily creel
7 limit for American and hickory shad is 10 in ~~the~~ aggregate.

8 (e) In the inland waters of the Cape Fear River and its tributaries, the daily creel limit for American and hickory shad
9 is 10 in ~~the~~ aggregate, only five of which may be American shad.

10 (f) In ~~all~~ public waters of the Roanoke River upstream of Roanoke Rapids Dam, including Roanoke Rapids Reservoir,
11 Lake ~~Gaston~~ Gaston, and John H. Kerr Reservoir, and their tributaries, and in public waters of the Yadkin-Pee Dee
12 River upstream of Blewett Falls Dam, including Blewett Falls Reservoir, and its tributaries, no American shad may
13 be possessed.

14 (g) The season for taking American and hickory shad with dip nets and bow nets is March 1 through April 30.

15

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

17 *Eff. November 1, 2013;*

18 *Readopted Eff. August 1, 2019;*

19 *Amended Eff. March 15, 2023.*

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

2 (a) The daily creel limit for striped bass and its hybrids is four fish in ~~the~~ aggregate, except in waters identified in
3 Paragraphs (d) and (g) through ~~(m)~~(l) of this Rule.

4 (b) The minimum size limit for these fish is 20 inches, except in waters identified in Paragraphs (d) through ~~(m)~~(l) of
5 this Rule.

6 (c) There is no closed season, except for waters identified in Paragraphs (i) through ~~(m)~~(l) of this Rule.

7 (d) In the Dan River upstream from its confluence with Bannister River to the dam at Union Street in Danville, VA
8 and in John H. Kerr Reservoir, the daily creel limit on striped bass and its hybrids is two in ~~the~~ aggregate and the
9 minimum size limit is 20 inches. No fish greater than 26 inches may be possessed from October 1 through May 31.
10 From June 1 through September 30, the daily creel limit ~~on~~ for striped bass and its hybrids is four in ~~the~~ aggregate
11 with no minimum size limit.

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

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

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

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

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

26 ~~(j)~~(i) In the inland fishing waters of the Tar, Pungo, Neuse, and Cape Fear ~~River~~ river rivers and ~~its~~ their tributaries
27 ~~downstream of Buckhorn Dam~~ extending upstream to the first impoundment of the main course on the river or its
28 tributaries and in the ponds associated with Martin Marietta Park in Craven County, the season for taking and
29 possessing striped bass is closed year-round.

30 ~~(k)~~(j) In the inland and joint fishing waters of the Roanoke River Striped Bass Management Area, as established in
31 15A NCAC 03R .0201 and identified in 15A NCAC 10C .0110 which includes the Roanoke, Cashie, Middle, and
32 Eastmost rivers and their tributaries, the open season for taking and possessing striped bass and its hybrids is March
33 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound upstream to Roanoke Rapids
34 Lake Dam. During the open season, the daily creel limit for striped bass and its hybrids is one fish in ~~the~~ aggregate,
35 and the minimum size limit is 18 inches. ~~No fish over 22 inches in length shall be possessed in the daily creel limit.~~
36 possessed.

37 ~~(k)~~(k) In designated inland and joint fishing waters of Roanoke Sound, Croatan Sound, Albemarle Sound, Chowan

1 River, Currituck Sound, Alligator River, Scuppernong River, and their tributaries, excluding the Roanoke River and
2 Cashie River and their tributaries, the striped bass fishing season, size limits, and creel limits are the same as those
3 established by rules or proclamations of the Marine Fisheries Commission in adjacent coastal fishing waters.
4 ~~(m)~~(l) In accordance with G.S. 113-292, the Executive Director may, by proclamation, suspend or extend the hook-
5 and-line season for striped bass in the inland and joint waters of coastal rivers and their tributaries. It is unlawful to
6 violate the provisions of a proclamation issued pursuant to this authority.

7

8 *History Note: Authority G.S. 113-134; 113-292; 113-304; 113-305;*
9 *Eff. November 1, 2013;*
10 *Amended Eff. June 1, 2018; August 1, 2016; August 1, 2015; August 1, 2014;*
11 *Readopted Eff. August 1, 2019;*
12 *Amended Eff. August 1, 2021; August 1, 2020;*
13 *Temporary Amendment Eff. November 30, 2021;*
14 *Amended Eff. August 1, 2022;*
15 *Temporary Amendment Eff. September 1, 2022;*
16 *Amended Eff. August 1, 2023; March 15, 2023.*

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1 **15A NCAC 10C .0316 MOUNTAIN TROUT**

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

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

7 (c) No trout may be harvested from Catch and Release/Artificial Flies and Lures Only Trout Waters. Trout ~~may~~ shall
8 not be possessed while fishing these waters.

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

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

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

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

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

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

26 (1) Bear Creek Lake;

27 (2) Buckeye Creek Reservoir;

28 (3) Calderwood Reservoir;

29 (4) Cedar Cliff Lake;

30 (5) Cheoah Reservoir;

31 (6) Cliffside Lake;

32 (7) Tanssee Creek Lake;

33 (8) Queens Creek Lake; and

34 (9) Wolf Lake.

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

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

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History Note: Authority G.S. 113-134; 113-292;
Eff. November 1, 2013;
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2015;
Readopted Eff. August 1, 2019;
Amended Eff. August 1, 2021; August 1, 2020.

1 **15A NCAC 10C .0801 INLAND GAME FISHES DESIGNATED IN JOINT FISHING WATERS**

2 (a) For the purposes of this rule, the following fishes are classified and designated as inland game fishes in joint
3 fishing waters:

- 4 (1) Alabama bass, largemouth bass, redeye bass, smallmouth bass, and spotted bass;
- 5 (2) black crappie and white crappie;
- 6 (3) chain pickerel (jack), muskellunge, and redbfin pickerel;
- 7 (4) kokanee salmon;
- 8 (5) mountain trout, including but not limited to brook trout, brown trout, and rainbow trout;
- 9 (6) Roanoke bass and rock bass (redeye);
- 10 (7) sauger and walleye; and
- 11 (8) sunfish, including bluegill (bream), flier, pumpkinseed, redbreast (robin), redear (shellcracker),
12 warmouth, and the other species of the sunfish family (Centrarchidae) not specifically listed in this
13 Rule.

14 (b) Inland game fishes shall not be taken by methods other than with hook and line, except that landing nets may be
15 used to land fishes caught on hook and line.

16 (c) Size, creel limits, and seasons for inland game fishes in joint fishing waters shall be the same as those designated
17 in Section .0300 for inland fishing waters.

18 (d) Inland game fishes taken incidental to commercial fishing operations shall be immediately returned to the water
19 unharmmed.

20 (e) Inland game fishes taken from joint fishing waters shall not be sold.

21 (f) Individuals may take up to the daily creel limit of those species of inland game fish having a specified creel
22 limit.

23 (g) On the waters being fished, individuals may possess:

- 24 (1) the specified daily creel limit for the species;
- 25 (2) fish conforming to the size limit for the species; and
- 26 (3) the daily creel limit while fishing or afield.

27 (h) Individuals may possess up to three days creel limit at any place.

28 (i) No person, while fishing or afield, shall:

- 29 (1) unnecessarily destroy any inland game fish taken from public fishing waters;
- 30 (2) remove the head or tail or otherwise change the appearance of a game fish having a size limit to
31 render it impracticable to measure its total original length; or
- 32 (3) change the appearance of a game fish having a daily creel limit to obscure its identification or
33 render it impracticable to count the number of fish in possession.

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35 History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-292;

1 **15A NCAC 10C .0802 TAKING AND POSSESSION OF OTHER FISHES BY HOOK AND LINE IN**
2 **JOINT FISHING WATERS**

3 (a) This Rule applies to fish taken by hook and line in joint fishing waters, excluding the species listed in 15A
4 NCAC 10C .0801.

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

6 (c) Set hooks, jug hooks, and trotlines may be used as designated in 15A NCAC 10C .0206 to take fishes in joint
7 fishing waters.

8 (d) Size, creel limits, and seasons for fishes taken by hook and line in joint fishing waters shall be the same as those
9 designated in Sections .0300 and .0400 for inland fishing waters with the following exceptions:

10 (1) In the joint fishing waters of the Tar-Pamlico River, Pungo River, and their tributaries, the daily
11 creel limit for American and Hickory Shad is 10 in aggregate.

12 (2) In the joint fishing waters of the Cape Fear River and its tributaries, the daily creel limit for
13 American and Hickory Shad is 10 in aggregate, five of which may be American Shad.

14 (3) In the joint fishing waters of the Central Southern Management Area, as identified in 15A NCAC
15 03R .0201, size, creel limits, and seasons for striped bass and its hybrids are listed in 15A NCAC
16 10C .0107.

17 (4) In the joint fishing waters of the Roanoke River Striped Bass Management Area, as identified in
18 15A NCAC 10C .0110(a)(2), which includes the Roanoke, Cashie, Middle, and Eastmost rivers
19 and their tributaries, the open season for taking and possessing Striped Bass and its hybrids is
20 March 1 through April 30 from the joint-coastal fishing waters boundary at Albemarle Sound
21 upstream to Roanoke Rapids Lake dam. During the open season, the daily creel limit for Striped
22 Bass and its hybrids is two fish in aggregate, and the minimum size limit is 18 inches. No fish
23 between 22 inches and 27 inches in length shall be possessed in the daily creel limit. One fish
24 larger than 27 inches may be possessed in the daily creel limit.

25 (5) In designated inland and joint fishing waters of the Albemarle Sound Management Area, as
26 identified in 15A NCAC 10C .0110(a)(1), the Striped Bass fishing season, size limits, and creel
27 limits are the same as those established by rules or proclamations of the Marine Fisheries
28 Commission in adjacent coastal fishing waters.

29 (e) Fishes taken by hook and line in joint fishing waters may be sold except those fishes for which the sale is
30 prohibited in Sections .0300 and .0400 for inland fishing waters.

31 (f) For fishes taken by hook and line in joint fishing waters, individuals may take up to the daily creel limit of fish
32 having a specified creel limit.

33 (g) On the waters being fished, individuals may possess:

34 (1) the specified daily creel limit for the species;

35 (2) fish conforming to the size limit of the species; and

36 (3) the daily creel limit while fishing or afield.

37 (h) Individuals may possess up to three days creel limit at any place.

- 1 (i) No person, while fishing or afield, shall:
2 (1) remove the head or tail or change the appearance of a fish taken by hook and line specified in
3 Sections .0300 or .0400 as having a size limit, to render it impractical to measure its total original
4 length, except for American Eel as provided in 15A NCAC 10C .0410.
5 (2) change the appearance of a fish taken by hook and line that has a species-specific daily creel limit
6 in Sections .0300 or .0400, to obscure its identification or render it impractical to count the
7 number of fish in possession, except for American Eel as provided in 15A NCAC 10C .0410.

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9 History Note: Authority G.S. 11 3-134; 11 3-135; 11 3-135.1; 11 3-292;

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EXHIBIT E-1

October 26, 2023



Proposed Amendments to Land and Water Access Rules for 2024-2025 Annual Cycle Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings

Use of Game Lands

1. 15A NCAC 10D .0103

Update the rule language from “under the influence of alcohol or any narcotic drug” to “under the influence of an impairing substance as defined by the North Carolina General Statute 20-4.01(48b)” to allow Law Enforcement to enforce the rule more effectively.

Justification: Wildlife Law Enforcement Officers routinely encounter individuals hunting on game lands that are under the influence of impairing substances other than those categorized as alcohol or narcotic drugs. Officers have encountered numerous subjects impaired due to marijuana use. Under G.S. 90-87, marijuana is not defined as a narcotic drug; therefore, officers are currently unable to charge these individuals for hunting while under the influence. Additionally, many other drugs exist that are not defined per General Statute as narcotic drugs. Changing the language to "under the influence of an impairing substance" will allow officers to enforce this rule more effectively. G.S. 20-4.01(14a) defines an impairing substance as, "Alcohol, controlled substance under Chapter 90 of the General Statutes, any other drug or psychoactive substance capable of impairing a person's physical or mental faculties, or any combination of these substances."

15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS (PG. 4-7)

2. 15A NCAC 10D .0225

Prohibit target shooting on Dover Bay Game Land.

Justification: Opportunities currently exist for target shooting at alternative sites appropriately constructed and monitored to provide a safe environment for participants. Dover Bay Game Land is within 52 miles of the Holly Shelter Shooting Range. This change is consistent with other game lands where target shooting is prohibited within an acceptable radius of shooting ranges. Additionally, target shooting at this game land routinely occurs at or near the parking area, which increases potential conflict between hunters and target shooters.

15A NCAC 10D .0225 DOVER BAY GAME LAND IN CRAVEN COUNTY (PG. 10)

3. 15A NCAC 10D .0216, .0233, .0245

Restrict recreational and mountain biking on the Chatham, Harris, and Lee game lands. Hunters engaged in the act of hunting will be permitted to use bicycles on these properties.

Justification: Duke Energy, the landowner, requested the prohibition of recreational cycling on these properties. They have experienced a substantial increase in mountain biking and the associated unauthorized trail making, bridge building, creek crossing, and cycling obstacle infrastructure creation in recent years on these properties. Mountain biking has led to ecological damages and potential liabilities on the Harris Game Land.

15A NCAC 10D .0216 CHATHAM GAME LAND IN CHATHAM COUNTY (PG. 9)

15A NCAC 10D .0233 HARRIS GAME LAND IN CHATHAM, HARNETT, AND WAKE COUNTIES (PG. 11)

15A NCAC 10D .0245 LEE GAME LAND IN LEE COUNTY (PG. 12)

4. 15A NCAC 10D .0256

Establish a “Scouting-only Zone” on North River Game Land for waterfowl impoundments to limit the disturbance to migrating and wintering waterfowl, shorebirds, and wading birds.

Justification: A “Scouting-only Zone” is a tool used to manage non-hunting/trapping activities on waterfowl impoundments to decrease disturbances during the migration and wintering periods. The North River Game Land posted waterfowl impoundments have significant human disturbances including people walking the dikes of the impoundments and interfering with permitted hunts during the migration and wintering periods. Human presence is a disturbance that most waterfowl species do not tolerate and they will flee the area. To mitigate this issue, an observation tower adjacent to the parking area near the impoundments will be installed, to provide opportunities to view the posted waterfowl impoundments, while limiting the disturbance. The Scouting-only Zone will be limited to the observation tower from November 1 through March 15. Outside of these dates, the area will be open to public use. This Scouting-only Zone will reduce the amount of disturbance to waterfowl, provide a higher quality hunt for permitted waterfowl hunters, and better align management of the posted waterfowl impoundments with the guidelines of the grant used to create the site.

15A NCAC 10D .0256 NORTH RIVER GAME LAND IN CAMDEN AND CURRITUCK COUNTIES (PG. 13)

5. 15A NCAC 10D .0283

Restrict camping at designated camping areas on Thurmond-Chatham Game Land to September 1 through the last day of February; and March 31 through May 14.

Justification: The use of camping areas by non-licensed individuals has increased substantially over the years, both during and outside the hunting seasons. Law Enforcement routinely encounter violations including illegal drugs, littering, indecent exposure, and extended camping. Trash, tents, drug paraphernalia, and human waste pose a safety issue for staff and other users. Restricting camping to dates within the hunting seasons will limit use and undesirable activity, decrease the required maintenance at these areas, and make camping on this game land consistent with other game lands.

15A NCAC 10D .0283 THURMOND CHATHAM GAME LAND IN ALLEGHANY AND WILKES COUNTIES (PG. 14)

Hunting Season Changes

1. **15A NCAC 10D .0293**

Change the Gun Antlered or Antlerless Season in the Montgomery County portions of the Yadkin River Game Land from moderate to maximum.

Justification: This change aligns the Montgomery County portion of the Yadkin River Game Land with the rest of the game land and aligns antlered or antlerless season dates with surrounding private land seasons.

15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY, ROWAN, AND STANLY COUNTIES (PG. 15)

Establishment of Game Lands

1. **15A NCAC 10D .0215**

Define the 4,830-acre portion of the R. Wayne Bailey-Caswell Game Land, as the Caswell Small Game Focal Area (CSGFA). The CSGFA will be draw permit only for all quail and woodcock hunting and point-of-sale permit only for rabbit and squirrel hunting outside the normal three days per week framework. Hunting for big game and small game will still be allowed during the regular hunt days (Mondays, Wednesdays, and Saturday) without a permit, except for quail and woodcock hunting.

Justification: It is imperative that the boundaries of the new CSGFA be conspicuously posted on the ground and the geographic area be defined in rule. This designation will inform constituents of hunting opportunities and allow Law Enforcement to enforce the rules.

15A NCAC 10D .0215 WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY (PG. 8)

2. **15A NCAC 10D .0294**

Add the North Bend Game Land to the Northern Mountain Region Game Land Program as a hunting by permit only game land.

Justification: NCWRC acquired 1,225 acres from Duke Energy below Lake James in Burke County. The North Bend Game Land has proximity to multiple residences, portions of the Overmountain National Historic and Fonta Flora Trails, and is a hunting by permit only acquisition. North Bend will provide unique, quality opportunities and serve user groups from surrounding municipalities such as Marion and Morganton.

15A NCAC 10D .0294 NORTH BEND GAME LAND IN BURKE COUNTY (PG. 16)

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~~; an
4 impairing substance, as defined by G.S. 20-4.01(48b);
5 (2) failing to comply with restrictions enacted by the National Park Service regarding the use of the
6 Blue Ridge Parkway where it adjoins game lands;
7 (3) parking a vehicle on game lands in a manner that blocks traffic or gates, or prevents vehicles from
8 using a roadway; and
9 (4) erecting or occupying a tree stand or platform attached by nails, screws, bolts, or to a tree on a game
10 land to hunt. This prohibition does not apply to lag-screw steps or portable stands that are removed
11 after use with no metal remaining in or attached to the tree.

12 (b) Unless allowed by permit, hunting on game lands shall be during the open season for game animals and game
13 birds.

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

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

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

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

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

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

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

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

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

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

4 (j) Definitions:

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

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

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

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

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

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

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

37 (k) Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with

1 dogs is prohibited as described in 15A NCAC 10B .0109.

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

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

9 (1) Bertie, ~~Halifax~~ Halifax, and Martin counties—Roanoke River Wetlands;

10 (2) Bertie County—Roanoke River National Wildlife Refuge;

11 (3) Bladen County—Suggs Mill Pond Game Lands;

12 (4) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);

13 (5) Dare County—Roanoke Sound Marshes Game Lands; and

14 (6) Henderson and Transylvania counties—DuPont State Forest Game Lands.

15 (n) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the
16 Commission. Written permission may be granted when entry onto the Waterfowl Refuge shall not compromise the
17 primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need
18 or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of
19 access to private property, scientific investigations, surveys, or other access to conduct activities in the public 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 .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY**

2 (a) R. Wayne Bailey-Caswell is a Three Days per Week Area, in which the following applies:

3 (1) Antlered or antlerless deer may be taken from the first open day of the All Lawful Weapons Season
4 for Deer With Visible Antlers through the second Wednesday thereafter.

5 (2) Horseback riding, including all equine species, is allowed seven days per week from May 16 through
6 August 31, and on Sundays only, September 1 through May 15. Horseback riding is allowed on
7 roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian
8 use. People age 16 or older horseback riding on this game land shall possess a Game Lands license
9 as required by G.S. 270.3(b)(3).

10 ~~(3) The area encompassed by the following roads is permit only for quail and woodcock hunting and~~
11 ~~bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR~~
12 ~~1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR~~
13 ~~1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736~~
14 ~~to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.~~

15 ~~(4)~~(3) On the posted waterfowl impoundment, waterfowl hunting is by permit after November 1.

16 ~~(5)~~(4) Camping is restricted to September 1 through the last day of February and March 31 through May
17 14.

18 ~~(6)~~(5) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.

19 (b) Hunting shall be by permit for the following species in the area posted as the Caswell Small Game Focal Area:

20 (1) quail and woodcock; and

21 (2) rabbit and squirrel on days outside of the three days per week framework.

22
23 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*

24 *Eff. October 1, 2022;*

25 *Amended Eff. August 1, 2023.*

26

1 **15A NCAC 10D .0216 CHATHAM GAME LAND IN CHATHAM COUNTY**

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

- 3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
4 With Visible Antlers Season through the second Friday thereafter.
- 5 (2) Horseback riding, including all equine species, is allowed seven days per week from May 16 through
6 August 31, and on Sundays only September 1 through May 15.
- 7 (3) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
8 days of the seasons for game birds and game animals.
- 9 (3)(4) Target shooting is prohibited.

10

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

13

1 **15A NCAC 10D .0225 DOVER BAY GAME LAND IN CRAVEN COUNTY**

2 (a) Dover Bay game land is a Six Days per Week Area.

3 (b) On this game land ~~deer of either sex~~ antlered or antlerless deer may be taken on the days of the applicable Deer
4 With Visible Antlers ~~season.~~ Season.

5 (c) Target shooting is prohibited.

6

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

8 *Eff. November 1, 2022.*

9

1 **15A NCAC 10D .0233 HARRIS GAME LAND IN CHATHAM, HARNETT, AND WAKE COUNTIES**

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

- 3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
4 With Visible Antlers Season through the second Friday thereafter.
- 5 (2) Waterfowl on posted waterfowl impoundments may be taken on the following days:
6 (a) the opening and closing days of the applicable waterfowl seasons;
7 (b) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
8 (c) Tuesdays and Saturdays of the applicable waterfowl season.
- 9 (3) The use or construction of permanent hunting blinds shall be prohibited.
- 10 (4) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- 11 ~~(5) Target shooting is prohibited.~~
- 12 (5) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
13 days of the seasons for game birds and game animals.
- 14 (6) Horseback riding is prohibited.
- 15 (7) Target shooting is prohibited.

16

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

18 Eff. October 1, 2022

19

1 **15A NCAC 10D .0245 LEE GAME LAND IN LEE COUNTY**

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

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

5 (2) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
6 days of the seasons for game birds and game animals.

7 ~~(2)~~(3) Target shooting is prohibited.

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 **15A NCAC 10D .0256 NORTH RIVER GAME LAND IN CAMDEN AND CURRITUCK COUNTIES**

2 North River game land is a Seven Days per Week Area, in which the following applies:

3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken all the open days of the applicable Deer
4 With Visible Antlers Season.

5 (2) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.

6 (3) Hunting on the posted waterfowl impoundment is by permit.

7 (4) During the period November 1 through March 15, all activities, except waterfowl hunting and
8 trapping during the trapping season on North River Game Land Waterfowl Impoundments, are
9 restricted to the posted Scouting-only Zone.

10 ~~(4)~~(5) Bear shall not be harvested on Sunday.

11

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

13 *Eff. October 1, 2022.*

14

1 **15A NCAC 10D .0283 THURMOND CHATHAM GAME LAND IN ALLEGHANY AND WILKES**
2 **COUNTIES**

3 Thurmond Chatham game land is a Seven Days per Week Area, in which the following applies:

- 4 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
5 With Visible Antlers Season through the second Friday thereafter.
- 6 (2) Horseback riding is prohibited except on designated trails May 16 through August 31, and all
7 horseback riding is prohibited from September 1 through May 15. People age 16 or older horseback
8 riding on this game land shall possess a Game Lands license as required by G.S. 270.3(b)(3).
- 9 (3) ~~The maximum period of consecutive overnight camping at any designated campground is 14 days~~
10 ~~within any 30 day period from May 1 through August 31. After 14 consecutive days of camping all~~
11 ~~personal belongings must be removed from the game land. Camping is restricted to September 1~~
12 ~~through the last day of February; and March 31 through May 14.~~

13
14 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
15 *Eff. October 1, 2022.*
16

1 **15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY,**
2 **ROWAN, AND STANLY COUNTIES**

3 Yadkin River game land is a Seven Days per Week Area, in which the following applies:

- 4 (1) ~~Deer of either sex Antlered or antlerless deer~~ may be taken ~~the first open day of the applicable Deer~~
5 ~~With Visible Antlers Season through the second Friday thereafter in that portion in Montgomery~~
6 ~~county, and deer of either sex may be taken all~~ on the open days of the applicable Deer With Visible
7 Antlers ~~Season in those portions in Davidson, Davie, Rowan, and Stanly counties.~~ Season.
8 (2) On the Lick Creek Tract, deer and bear hunting is archery only.
9

10 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
11 *Eff. October 1, 2022.*
12

1 **15A NCAC 10D .0294 NORTH BEND GAME LAND IN BURKE COUNTY**

2 North Bend game land is hunting by permit only. The following shall apply:

3 (1) The use of bicycles is restricted to designated trails, except for hunters engaged in the act of hunting
4 during the open days of the seasons for game birds and game animals.

5 (2) Camping is restricted to September 1 through the last day of February; and March 31 through May
6 14.

7 (3) Horseback riding is prohibited.

8 (4) Target shooting is prohibited.

9

1 **15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY,**
2 **ROWAN, AND STANLY COUNTIES**

3 Yadkin River game land is a Seven Days per Week Area, in which the following applies:

- 4 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken ~~the first open day of the applicable Deer~~
5 ~~With Visible Antlers Season through the second Friday thereafter in that portion in Montgomery~~
6 ~~county, and deer of either sex may be taken all~~ on the open days of the applicable Deer With Visible
7 Antlers ~~Season in those portions in Davidson, Davie, Rowan, and Stanly counties.~~ Season.
- 8 (2) On the Lick Creek Tract, deer and bear hunting is archery only.

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

1 **15A NCAC 10D .0294 NORTH BEND GAME LAND IN BURKE COUNTY**

2 North Bend game land is hunting by permit only. The following shall apply:

3 (1) The use of bicycles is restricted to designated trails, except for hunters engaged in the act of hunting
4 during the open days of the seasons for game birds and game animals.

5 (2) Camping is restricted to September 1 through the last day of February; and March 31 through May
6 14.

7 (3) Horseback riding is prohibited.

8 (4) Target shooting is prohibited.

9

EXHIBIT E-2

October 26, 2023



Fiscal Note for 2024-2025 Annual Cycle Rule Proposals Wildlife Resources Commission - Land and Water Access

- Rule Amendments:** 15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS
15A NCAC 10D .0209 BUFFALO COVE GAME LAND IN CALDWELL AND WILKES COUNTIES
15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY
15A NCAC 10D .0216 CHATHAM GAME LAND IN CHATHAM COUNTY
15A NCAC 10D .0225 DOVER BAY GAME LAND IN CRAVEN COUNTY
15A NCAC 10D .0233 HARRIS GAME LANCE IN CHATHAM, HARNETT, AND WAKE COUNTIES
15A NCAC 10D .0243 KINGS CREEK GAME LAND IN CALDWELL AND WILKES COUNTIES
15A NCAC 10D .0245 LEE GAME LAND IN LEE COUNTY
15A NCAC 10D .0252 NEEDMORE GAME LAND IN MACON AND SWAIN COUNTIES
15A NCAC 10D .0256 NORTH RIVER GAME LAND IN CAMDEN AND CURRITUCK COUNTIES
15A NCAC 10D .0276 SOUTH MOUNTAINS GAME LAND IN BURKE, CLEVELAND, MCDOWELL, AND RUTHERFORD COUNTIES
15A NCAC 10D .0283 THURMOND CHATHAM GAME LAND IN ALLEGHANY AND WILKES COUNTIES
15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY, ROWAN, AND STANLY COUNTIES
15A NCAC 10D .0294 NORTH BEND GAME LAND IN BURKE COUNTY

Agency Contact: Melva Bonner
Regulatory Analyst
NC Wildlife Resources Commission



Impact: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Economic Impact: No

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

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.

Many of the proposed rule changes will modify the use of game lands and hunting seasons on game lands, some will increase outdoor recreation opportunities, while others are expected to restrict such opportunities. A summary of the proposed rule amendments is shown below, with the full rule text included in Appendix A.

PROPOSED AMENDMENTS BY CATEGORY AND RULE

USE OF GAME LANDS:

15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS (pg. 16)

Hunting Under the Influence:

The proposed amendment will broaden the prohibition of hunting under the influence of alcohol and narcotics to include all impairing substances. This will allow Wildlife Law Enforcement Officers (WLEOs) to enforce the rule more effectively and provide a safer environment on game lands for all users.

WLEOs periodically encounter individuals hunting on game lands that are under the influence of or in possession of impairing substances. The current rule only prohibits hunting while under the influence of alcohol or narcotic drugs. Per G.S. 90-87, marijuana is not a narcotic drug; therefore, officers are unable to charge individuals for hunting while under the influence of marijuana and other substances not included in the definition of narcotics.

G.S. 20-4.01(14a) defines an impairing substance as, "Alcohol, controlled substance under Chapter 90 of the General Statutes, any other drug or psychoactive substance capable of impairing a person's physical or mental faculties, or any combination of these substances." Amending the language to "under the influence of an impairing substance as defined by G.S. 20-4.01(48b)" will allow WLEOs to enforce this rule more effectively. Having the explicit prohibition on use of other impairing substances could also act as a deterrent to some hunters planning to use these substances before engaging in hunting activities.

Either-Sex Definition:

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

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

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

Fiscal Impact

State Impact

The proposed amendment will allow the agency WLEOs to cite individuals hunting under the influence of marijuana and other impairing substances. With this addition, it is anticipated that additional citations will be issued, requiring additional WLEOs effort in staff time, as some of the cited individuals will likely go to court. Unfortunately, the agency has no way to quantify the anticipated time with available data.

Local Impact

The proposed amendment is expected to increase the number of citations issued which will increase the local courts’ revenues from citations. Currently, G.S. 7A-304 imposes a fee of \$183 per citation. In addition, pursuant to G.S. 115C-452, any clear proceeds from penalties and fines issued by WRC would go to the local schools.

Private Impact

Updating the rule language will allow WLEOs to more effectively enforce the rule and enhance safety on game lands for all user groups. However, this will likely have an adverse impact on individuals hunting under the influence of marijuana, as officers will be able to cite them for violation of this rule. Hunting under the influence -- a violation of WRC rule -- carries a fine of \$25 (G.S. 113-135-1) plus cost of court (approximately \$183).

15A NCAC 10D .0225 DOVER BAY GAME LAND IN CRAVEN COUNTY (pg. 24)

The proposed amendment will prohibit target shooting on the Dover Bay Game Land. Non-licensed use of this game land has substantially increased over the past year. Most target shooters are shooting towards leased hunting property and the path into the game land. Target shooting routinely occurs at or near the parking area, which is unsafe and increases potential conflict.

Opportunities currently exist for target shooting at alternative sites within a reasonable driving distance to the game land that are appropriately constructed and monitored to provide a safe environment. This change is consistent with other game lands where target shooting is prohibited within an acceptable radius of shooting ranges.

Fiscal Impact

State Impact

Cost

Agency staff are responsible for the maintenance and upkeep of the game lands. Individuals target shooting on this game land regularly leave broken glass, plastic bottles, paper, and steel cans on the property, which must be cleaned up by staff. Game lands staff typically clean frequented target shooting areas at each game land three times per year. Based on the recent increase in non-licensed target shooting in the area, and assuming 100% compliance with the proposed amendment, prohibiting this activity is projected to save the agency approximately \$816/year in staff time ($\$34/\text{hr} \times 8 \text{ hours/clean up} \times 3 \text{ clean-ups/year} = \816). Additional signage will be needed at the game land kiosk to indicate that target shooting is not allowed. Staff will post signage as part of their regular duties. New signage will cost the agency approximately \$0.90 ($\$0.90/\text{sign} \times 1 \text{ sign}$).

Benefit

Targets are often placed on trees in the area, many of which have been damaged to the point that mortality has already occurred or is imminent. This proposed amendment should help to eliminate the damage caused to live trees that are currently being used as targets. The agency has no way to quantify this benefit.

Local Impact

The proposed amendment has no anticipated local government impacts.

Private Impact

Cost

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

Benefit

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

15A NCAC 10D .0216 CHATHAM GAME LAND IN CHATHAM COUNTY (pg. 23)
15A NCAC 10D .0233 HARRIS GAME LAND IN CHATHAM, HARNETT, AND WAKE
COUNTIES (pg. 25)
15A NCAC 10D .0245 LEE GAME LAND IN LEE COUNTY (pg. 27)

The proposed amendment will restrict the use of bicycles, except by hunters engaged in the act of hunting, during the days of the seasons for game birds and game animals on Chatham, Harris, and Lee game lands. This proposed amendment, requested by Duke Energy (landowner), is necessary to reduce conflicts between recreational bike riders and hunters during the hunting seasons and damage caused by unauthorized bike trails.

Fiscal Impact

State Impact

The proposed amendment may have a limited positive impact on the agency resources by reducing staff time required to address conflicts related to recreational bike riding during hunting seasons. The Commission does not have data on how much time is spent by staff on this game land, so there is no way to quantify this benefit.

Local Impact

The proposed amendment has no anticipated local government impact.

Private Impact

Cost

The proposed amendment will impact bike riders currently using these three game lands, as they will need to find new locations to recreate. These costs cannot be quantified with available data.

Benefit

The proposed amendment will benefit hunters who are negatively impacted by recreational bike riders. It will also reduce and eventually eliminate the expenses incurred by Duke Energy to routinely rehabilitate unauthorized bike trails, correct erosion issues, and remove bridges, ramps, and jumps. The agency has no way to quantify these benefits.

15A NCAC 10D .0256 NORTH RIVER GAME LAND IN CAMDEN AND CURRITUCK
COUNTIES (pg. 29)

The proposed amendment will establish a “Scouting-only Zone” on North River Game Land for waterfowl impoundments to limit the disturbance to migrating and wintering waterfowl, shorebirds, and wading birds.

A “Scouting-only Zone” is a tool used to manage non-hunting and trapping activities on waterfowl impoundments to decrease disturbances during the migration and wintering periods. The North River Game Land waterfowl impoundments have significant human disturbances including people

walking the dikes of the impoundments and interfering with permitted hunts during the migration and wintering periods. Human presence is a disturbance that most waterfowl species do not tolerate, and they will flee the area.

To mitigate this issue, an observation tower adjacent to the parking area near the impoundments will be installed. This will provide opportunities to view the posted waterfowl impoundments, while limiting the disturbance. The Scouting-only Zone will be limited to the observation tower from November 1 through March 15. Outside of these dates, the area will be open to public use. This Scouting-only Zone will reduce the amount of disturbance to waterfowl, provide a higher quality hunt for permitted waterfowl hunters, and better align management of the posted waterfowl impoundments with the guidelines of the grant used to create the site.

Fiscal Impact

State Impact

This proposed amendment is anticipated to have an estimated cost of \$5,100 to the agency for the construction of an observation tower and post regulatory signage. Costs include \$5,000 for the construction of the observation tower (labor and materials) and conservation technicians will put up signage as part of their regular duties. New signage (sign, post, and hardware) will cost the agency, at most, \$100 (\$25/sign x 4 signs).

Local Impact

The proposed amendment has no anticipated local government impact.

Private Impact

Cost

Wildlife viewers using the impoundments will have fewer areas to view waterfowl, but the quality of their experience may improve as they will not disturb the waterfowl, shorebirds, and wading birds from the viewing tower.

Benefit

Waterfowl hunters should experience an increased quality of their hunts, as disturbances to waterfowl in the area will be limited and birds should remain in the area. Neither the costs nor benefits can be quantified.

15A NCAC 10D .0283 THURMOND CHATHAM GAME LAND IN ALLEGHANY AND WILKES COUNTIES (pg. 31)

The proposed amendment will restrict camping on the Thurmond Chatham Game Land to September 1 through the last day of February, and March 31 through May 14.

The use of camping areas by non-licensed individuals has increased substantially over the years, both during and outside the hunting seasons. WLEOs routinely encounter violations including

illegal drugs, littering, indecent exposure, and extended camping. Trash, tents, drug paraphernalia, and human waste pose safety issues for staff and other users. Restricting camping to dates within the hunting seasons will limit use and undesirable activity, decrease the required maintenance at these areas, and make camping on this game land consistent with other game lands.

Fiscal Impact

State Impact

This proposed amendment is expected to have positive fiscal impacts on the agency, as the additional time and expenses required to enforce and maintain these areas will be reduced. The Commission does not have data on how much time is spent by staff on this game land, so this anticipated benefit cannot be quantified.

Local Impact

The proposed amendment has no anticipated local government impact.

Private Impact

Hunters and other campground users will lose the opportunity to camp outside of the seasons, but the impacts are anticipated to be minimal, as camping is available at nearby Stone Mountain State Park.

HUNTING SEASON CHANGES:

15A NCAC 10D .0209 BUFFALO COVE GAME LAND IN CALDWELL AND WILKES COUNTIES (pg. 21)

15A NCAC 10D .0243 KINGS CREEK GAME LAND IN CALDWELL AND WILKES COUNTIES (pg. 26)

15A NCAC 10D .0276 SOUTH MOUNTAINS GAME LAND IN BURKE, CLEVELAND, MCDOWELL, AND RUTHERFORD COUNTIES (pg. 30)

Buffalo Cove, South Mountains, and Kings Creek game lands have acreage lying in both the western and northwestern deer zones. Currently, the deer season framework for these game lands is consistent with the western season. The proposed amendment will shift the western blackpowder and gun season allowing the blackpowder season to begin two Saturdays before Thanksgiving and run for two weeks, and the gun season to begin the Saturday after Thanksgiving and run through January 1. This amendment will reduce complexity and align the seasons for these game lands to reflect the newly adopted framework.

Fiscal Impact

State Impact

This proposed amendment is expected to have positive fiscal impacts on the agency, as the staff time and expenses required to enforce and maintain these areas will be reduced. The Commission does not have data on how much time is spent by staff on this game land, so there is no way to

quantify this benefit.

Local Impact

The proposed amendment is expected to increase hunter participation, which may result in additional visitation to the area and increase revenues of local businesses. This anticipated benefit cannot be quantified.

Private Impact

Increased hunter participation during blackpowder season is expected, as a result of the cooler hunting conditions during November and the proximity to the rut. Gun season opportunities will increase as a result of adding days, which will allow opportunities to gun hunt during peak rut, and open days through Christmas and New Year's. This anticipated benefit cannot be unquantified.

**15A NCAC 10D .0252 NEEDMORE GAME LAND IN MACON AND SWAIN COUNTIES
(pg. 28)**

The proposed amendment will remove the one day of introductory antlerless deer harvest during the gun season on the Needmore Game Land in Macon and Swain Counties and will align Needmore Game Land with the same antlerless deer season structure as Nantahala Game Land in Cherokee, Clay, Graham, Jackson, Macon, and Swain counties.

Currently, antlerless deer harvest during the introductory gun season is limited by 15A NCAC 10D .0251(b) on Nantahala Game Land solely to that portion which is located in Transylvania County. The majority of Nantahala Game Land is outside of Transylvania County and will not have an antlered or antlerless gun season. This proposal will standardize the antlered or antlerless blackpowder and gun seasons between Needmore and Nantahala Game Lands. This is particularly important as both game lands have a shared boundary. If the Nantahala Game Land had a more conservative antlered or antlerless season than Needmore, the additional hunting pressure could result in negative impacts to resources and game land use during that period.

Fiscal Impact

State Impact

This proposed amendment is expected to have positive fiscal impacts on the agency, as the staff time and expenses required to enforce and maintain these areas will be reduced. The Commission does not have data on how much time is spent by staff on this game land, so there is no way to quantify this benefit.

Local Impact

The proposed amendment has no anticipated local government impact.

Private Impact

A proposed amendment prohibits antlerless deer harvest during the first open Saturday of the deer with visible antlers season and aligns Needmore to the same antlered or antlerless season as

Nantahala Game Land. This will reduce the complexity of regulations between State and Federal game lands that have a shared boundary.

15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY, ROWAN, AND STANLY COUNTIES (pg. 32)

The proposed amendment will change the gun antlered or antlerless season in the Montgomery County portions of the Yadkin River Game Land from moderate to maximum. This change will align the Montgomery County portion of the Yadkin River Game Land with the rest of the game land and align the antlered or antlerless season dates with surrounding private land seasons.

Fiscal Impact

State Impact

This proposed amendment is expected to have positive fiscal impacts on the agency, as the staff time and expenses required to enforce and maintain these areas will be reduced. The Commission does not have data on how much time is spent by staff on this game land, so, there is no way to quantify this benefit.

Local Impact

The proposed amendment is expected to increase hunter participation, which may result in additional visitation to the area and increase revenues of local businesses. This anticipated benefit cannot be quantified.

Private Impact

The proposed amendment will reduce the complexity of antlered or antlerless harvest dates on the Yadkin River Game Land and deer hunters will have more opportunities to hunt on this portion of game land.

ESTABLISHMENT OF GAME LANDS:

15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY (pg. 22)

The proposed addition to this rule will establish a 4,830-acre portion of the R. Wayne Bailey-Caswell Game Land as the Caswell Small Game Focal Area (CSGFA). The CSGFA will be a permit only area for all quail and woodcock hunting and for rabbit and squirrel hunting outside the normal three days per week framework. Hunting for big game and small game, other than those previously mentioned, will still be allowed during the regular hunting days (Mondays, Wednesdays, and Saturday) without a permit.

Fiscal Impact

State Impact

Cost

This proposed addition is anticipated to have an estimated one-time cost to the agency of \$10,800 to establish the 50.33 mile perimeter boundary and interior roads of the new CSGFA. These areas are currently marked with signs and painted, but new signage will be needed to clearly post the defined area at a cost of approximately \$6,000 ($\$3/\text{sign} \times 2000 \text{ signs} = \$6,000$). Additional costs of \$4,800 ($\$30/\text{hr} \times 160 \text{ hours} = \$4,800$) are anticipated for staff time to remove the old signage and install the new signage. Game land boundaries are typically painted every five years and they were recently repainted making this rule change less labor intensive.

Benefit

Though this area of the Caswell Game Land is currently managed for small game hunting by permit only, the proposed addition is expected to draw more small game hunters to the game land by increasing small game hunting permit opportunities. Hunters pay \$8 plus a transaction fee for permits (transaction fees vary from \$4 to \$0 depending on the sales channel). In 2022-23, a similar area with two lottery hunts, one for rabbit and one for quail had 18 and 163 permit applications respectively, resulting in \$1,448 in permit fees ($\$8/\text{permit} \times 181 \text{ applications} = \$1,448$). Assuming an average \$2 transaction fee on each of those permit applications, the total agency revenue was \$1,810 ($\$1,448 + \$362 (\$2/\text{transaction} \times 181 \text{ applications} = \$362) = \$1,810$).

Due to the increased opportunities, the agency does anticipate some increased revenue because of this amendment. Unfortunately, because there is no way to know how many hunters will participate and the number of permits to be issued, there is no way to accurately quantify this benefit.

Local Impact

The proposed addition is expected to increase hunter participation, which may result in additional visitation to the area and increase revenues of local businesses. This anticipated benefit cannot be quantified.

Private Impact

This proposed addition will increase small game hunting opportunities on Caswell Game Land. This anticipated benefit cannot be quantified.

15A NCAC 10D .0294 NORTH BEND GAME LAND IN BURKE COUNTY (pg. 33)

The proposed rule will establish the North Bend Game Land and open it to hunting by permit only. The Commission acquired 1,225 acres from Duke Energy below Lake James in Burke County for the Game Land Program. The North Bend Game Land has proximity to multiple residences, portions of the Overmountain Victory National Historic Trail, and the Fonta Flora Trail. North

Bend will provide unique, quality permit hunting opportunities, and serve user groups from surrounding municipalities such as Marion and Morganton.

Fiscal Impact

State Impact

Cost

The agency anticipates a one-time cost of approximately \$80,800 to establish the new game land. This will include boundary survey and markings (\$12,000), new access road (\$22,500), gates to control vehicle access (\$4,500), parking areas (\$40,000), and kiosks (\$1,800).

Benefit

The game land will provide revenue through permit hunts. Permits cost hunters \$8 plus a transaction fee (transaction fees vary from \$4 to \$0 depending on the sales channel). Though expected revenue can vary greatly in any given year, as many factors can influence the number of hunts and the interest in those hunts, based on similar game lands, the agency can likely anticipate at least \$330 (\$8/permit x 33 applications = \$264) (average \$2/transaction x 33 applications = \$66) (\$264 + 66 = \$330) in permit and transaction fees for permit hunts at this new game land.

Local Impact

Creating a new game land will likely increase the number of people visiting local businesses, which may result in an increase in the purchase of goods and services as they relate to needs of this user group (e.g., food, gas, camping supplies, etc.). Based on data collected on similar sized game lands in North Carolina, the State and local governments could see an increase in tax-based revenue at a minimum of \$25,000¹. The amount may vary, as each game land's tax-based revenue is specific to its location and size. The Commission is unable to give an exact estimate as tax-based revenue varies depending on activities allowed on the game lands, its proximity to local amenities, and its size.

Additionally, game lands have been shown to generate game land related expenditures. In 2018, a study conducted by N.C. State University estimated that North Carolina game lands received approximately 2.2 million visits. This evaluation estimates that these visits generated \$180 million in game land related expenditures (gross), contributing a net added value of \$140 million to the State's economic activity². This same study found that non-licensed activity users spent an average of \$119.83 per trip while hunters and anglers spent on average \$84.19 per trip.³

This game land is likely to increase home values in the area as well, increasing property tax revenue.

Private Impact

This game land will provide additional opportunities for hunting and outdoor recreation. Game land users will have increased opportunities for wildlife-based recreation and 1,225 acres of

¹ Casola, William et.al. Determining Use, Economic Impacts and Value of Game Lands in North Carolina. October 2020.

² Ibid.

³ Ibid.

undeveloped land will be conserved. There is currently not a game land in this area of the State and wildlife and outdoor recreationists from surrounding municipalities can take advantage of this public land for hunting, hiking, and nature watching.

Adding an additional game land should bolster recreational activity. The value of game land access to recreationists can be assumed to be at least as much as they spend per trip, although there are additional benefits that are not captured in trip expenditures. This same study found that non-licensed activity users spent an average of \$119.83 per trip while hunters and anglers spent on average \$84.19 per trip.⁴

This game land is likely to increase home values in the area as well. It has been shown that game lands can either raise home values or decrease them. Researchers found that homes in the mountain and piedmont regions have the most increase in home values while homes at the coast had the most decrease.

The concept of willingness to pay (WTP) can provide a more comprehensive estimate of how much users value game lands, including those aesthetic, environmental, and inter-generational benefits that cannot be measured directly in the market through expenditures or home values. However, WTP values come with a greater degree of uncertainty. The estimates are sensitive to research methods used to elicit the values including the design and delivery of the contingent valuation exercise.

The study assessed users' WTP (one time) to conserve 20% of North Carolina's game lands. Values varied by user type. Non-licensed users valued the proposed conservation at \$130 compared to licensed users at \$120. Dual users that pursue both licensed and non-licensed activities valued game lands most highly at \$160. More detailed studies would be needed to determine WTP on an annual or per-acre basis for both users and non-users.

⁴ Ibid.

SUMMARY

Quantifiable Impacts

State

The following quantifiable costs to the State are anticipated:

- Use of Game Lands
 - Dover Bay Game Land
 - One-time signage change = \$0.90 + negligible staff time
 - North River Game Land
 - One-time observation tower construction and signage = \$5,100
- Establishment of Game Lands
 - Wayne Bailey-Caswell Game Land
 - One-time signage change = \$10,800
 - North Bend Game Land
 - One-time boundary survey and markings = \$12,000
 - One-time new access road = \$22,500
 - One-time access gates = \$4,500
 - One-time parking areas = \$40,000
 - One-time kiosks = \$1,800

The following quantifiable benefits to the State are anticipated:

- Hunting Season Changes
 - Dover Bay Game Land
 - Clean-up savings = \$816/year
 - Wayne Bailey-Caswell Game Land
 - Increase in license sales = at least \$1,810
 - North Bend Game Land
 - Increase in license sales = at least \$330

The total quantifiable costs to the State is estimated to be approximately \$96,700 in year one and the total quantifiable benefits to the State is estimated to be approximately \$2,956 annually.

Unquantifiable Impacts

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

State

- Allowing WLEOs to enforce the rule more effectively and provide a safe environment on game lands for all users has the potential to increase the amount of WLEOs staff time as

some of the cited individuals may go to court.

- Establishing a permit only on the North Bend Game Land will add additional ongoing costs associated with maintenance and enforcement, which will be comparable to other similarly-sized game land areas in the State.

Local

- Allowing WLEOs to enforce the rule more effectively and provide a safe environment on game lands for all users has the potential to increase expenses (case load) and revenues (court costs) for the local court system.

Private

- Prohibiting hunting while under the influence of additional impairing substances has the potential to increase out of pocket expenses for impaired hunters, which carries a fine of \$208 (\$25 plus \$183 in court costs).
- Prohibiting target shooting on Dover Bay Game Land may increase the distance target shooters will have to travel to target shoot at nearby ranges.
- Restricting the use of bicycles, except by hunters engaged in the act of hunting during the days of the seasons for game birds and game animals on Chatham, Harris, and Lee game lands will reduce the expenses incurred by Duke Energy to routinely rehabilitated unauthorized bike usage.
- Restricting the use of bicycles, except by hunters engaged in the act of hunting during the days of the seasons for game birds and game animals on Chatham, Harris, and Lee game lands will require bike riders to find new locations to recreate.
- Establishing a “Scouting-only Zone” on the North River Game Land for waterfowl impoundments to limit the disturbance to migrating and wintering waterfowl, shorebirds, and wading birds will decrease the wildlife viewer’s choice of viewing areas, but the quality of their experience may improve.
- Restricting the number of consecutive days for camping will reduce the number of days an individual may hunt who stayed longer than the new limit in the past.

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

State

- Prohibiting hunting while under the influence of additional impairing substances has the potential to increase revenue to public schools from citations (\$25/citation).
- Prohibiting target shooting on Dover Bay Game Land may help eliminate damage caused to live trees being used as targets.
- Restricting the use of bicycles, except by hunters engaged in the act of hunting during the days of the seasons for game birds and game animals on Chatham, Harris, and Lee game lands will reduce staff time required to address conflicts related to recreational bike riding during hunting seasons.
- Restricting the number of consecutive days one can camp will allow the Commission to have more control over camp site users and control misuse of these camp sites.
- Shifting the hunting season framework for Buffalo Cove, Kings Creek, and South Mountains

game lands to align with the western season, allowing the blackpowder season to begin the Saturday after Thanksgiving and run through January 1 will reduce staff time and expenses required to enforce and maintain these areas.

- Removing the one day introductory antlerless deer harvest during gun season on the Needmore Game Land and aligning with the seasons in other counties will reduce staff time and expenses required to enforce and maintain the game land.
- Changing the gun antlered or antlerless season in the Montgomery County portion of the Yadkin River Game Land will reduce staff time and expenses required to enforce and maintain these areas.
- Establishing the CSGFA for all quail and woodcock hunting and for rabbit and squirrel hunting outside the normal three days per week framework will increase opportunities and increase agency revenue.
- Establishing North Bend Game Land and opening it to hunting by permit will increase agency revenue and bring more hunters to the land.

Local

- Citations for hunting under the influence of impairing substances may increase county court caseloads but will also increase revenues by \$183 per citation (for court costs).
- Establishing North Bend Game Land and opening it to hunting by permit will increase non-traditional and traditional users per trip local revenues.
- Pursuant to G.S. 115C-452, any clear proceeds from penalties and fines would go to the local schools.

Private

- Prohibiting hunting under the influence of additional impairing substances may improve the safety of game land users.
- Prohibiting target shooting on Dover Bay Game Land will improve the safety for users of the game land.
- No bikers on Chatham, Harris, and Lee game lands will improve hunting experience and decrease and eventually eliminate cost of repairs and maintenance for landowner.
- Establishing a “Scouting-only Zone” on the North River Game Land for waterfowl impoundments to limit the disturbance to migrating and wintering waterfowl, shorebirds, and wading birds will increase the quality of waterfowl hunters experience.
- Shifting the hunting season framework for Buffalo Cove, Kings Creek, and South Mountains game lands will reduce the complexity for deer hunters, increase hunter participation during blackpowder season, and increase hunting opportunities as a result of adding days.
- Removing the one-day introductory antlerless deer harvest and aligning the Needmore Game Land will reduce the complexity for deer hunters. The additional six days of blackpowder antlered or antlerless above the one day currently provided, will increase opportunities for harvest.
- Changing the gun antlered or antlerless season in the Montgomery County portion of the Yadkin River Game Land will reduce the complexity of regulations and opportunities.
- Establishing a CSGFA for all quail and woodcock hunting and for rabbit and squirrel hunting outside the normal three days per week framework will increase quality of small game hunting opportunities.
- Establishing the North Bend Game Land will provide additional opportunities for hunting

and outdoor recreation.

While many of the impacts of the proposed amendments are unquantifiable, the Commission believes that ongoing benefits to both the State and local government, and private entities will outweigh the costs.

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~~; an
4 impairing substance, as defined by G.S. 20-4.01(48b);
5 (2) failing to comply with restrictions enacted by the National Park Service regarding the use of the
6 Blue Ridge Parkway where it adjoins game lands;
7 (3) parking a vehicle on game lands in a manner that blocks traffic or gates, or prevents vehicles from
8 using a roadway; and
9 (4) erecting or occupying a tree stand or platform attached by nails, screws, bolts, or to a tree on a game
10 land to hunt. This prohibition does not apply to lag-screw steps or portable stands that are removed
11 after use with no metal remaining in or attached to the tree.

12 (b) Unless allowed by permit, hunting on game lands shall be during the open season for game animals and game
13 birds.

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

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

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

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

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

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

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

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

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

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

4 (j) Definitions:

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

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

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

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

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

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

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

37 (k) Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with

- 1 dogs is prohibited as described in 15A NCAC 10B .0109.
- 2 (l) On permit hunts, ~~deer of either sex~~ antlered or antlerless deer may be taken on the hunt dates indicated on the
3 permit. Completed applications shall be received by the Commission not later than the first day of September next
4 preceding the dates of hunt. Permits shall be issued by random computer selection, shall be mailed to the permittees
5 prior to the hunt, and are nontransferable. A hunter making a kill shall validate the kill and report the kill to a wildlife
6 cooperator agent or by phone.
- 7 (m) The following game lands and refuges are closed to hunting except to individuals who have obtained a valid and
8 current permit from the Wildlife Resources Commission:
- 9 (1) Bertie, ~~Halifax~~ Halifax, and Martin counties—Roanoke River Wetlands;
10 (2) Bertie County—Roanoke River National Wildlife Refuge;
11 (3) Bladen County—Suggs Mill Pond Game Lands;
12 (4) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);
13 (5) Dare County—Roanoke Sound Marshes Game Lands; and
14 (6) Henderson and Transylvania counties—DuPont State Forest Game Lands.
- 15 (n) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the
16 Commission. Written permission may be granted when entry onto the Waterfowl Refuge shall not compromise the
17 primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need
18 or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of
19 access to private property, scientific investigations, surveys, or other access to conduct activities in the public 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 (p) The Commission may designate special hunts for participants of the disabled sportsman program by permit. The
24 Commission may schedule these permit hunts during the closed season. Hunt dates and species to be taken shall be
25 identified on the permit. If the hunt has a limited weapon choice, the allowed weapons shall be stated on the permit.
- 26 (q) As used in the rules of this Subchapter, horseback riding includes all equine species.
- 27 (r) When waterfowl hunting is authorized on Christmas and New Years' Day and those days fall on Sundays, the open
28 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 .0209 BUFFALO COVE GAME LAND IN CALDWELL AND WILKES COUNTIES**

2 Buffalo Cove game land is a Seven Days per Week Area. The following shall apply:

- 3 (1) The Deer With Visible Antlers ~~season~~ Season for deer consists of the ~~open hunting days from the~~
4 ~~Monday before~~ begins on the Saturday after Thanksgiving Day through ~~the third Saturday after~~
5 ~~Thanksgiving.~~ January 1. ~~Deer of either sex~~ Antlered or antlerless deer may be taken with archery
6 equipment ~~on open days~~ beginning the Saturday on or nearest September 10 through the ~~Sunday~~
7 ~~day~~ immediately preceding the Blackpowder Firearms Season described in this rule ~~and the Sunday~~
8 ~~immediately following the closing of Blackpowder Firearms Season described in this rule through~~
9 ~~the Sunday before Thanksgiving Day.~~ ~~Deer with visible antlers may be taken with archery~~
10 ~~equipment the Sunday immediately following the closing of the Deer With Visible Antlers Season,~~
11 ~~as described in this Part, through January 1.~~ Rule. ~~Deer of either sex~~ Antlered or antlerless deer may
12 be taken with blackpowder firearms ~~on open days~~ beginning two Saturdays preceding the first day
13 of the open season for Deer With Visible Antlers described in this Rule ~~the Monday on or nearest~~
14 ~~October 1~~ through the ~~Saturday of the second week~~ Friday thereafter.
- 15 (2) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open Saturday of the applicable
16 Deer With Visible Antlers Season.
- 17 (3) Horseback riding is prohibited except on designated trails May 16 through August 31 and horseback
18 riding is prohibited from September 1 through May 15.
- 19 (4) Target shooting is prohibited.

20
21 *History Note:* *Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
22 *Eff. October 1, 2022.*
23

1 **15A NCAC 10D .0215 R. WAYNE BAILEY-CASWELL GAME LAND IN CASWELL COUNTY**

2 (a) R. Wayne Bailey-Caswell is a Three Days per Week Area, in which the following applies:

3 (1) Antlered or antlerless deer may be taken from the first open day of the All Lawful Weapons Season
4 for Deer With Visible Antlers through the second Wednesday thereafter.

5 (2) Horseback riding, including all equine species, is allowed seven days per week from May 16 through
6 August 31, and on Sundays only, September 1 through May 15. Horseback riding is allowed on
7 roads opened to vehicular traffic and on those gated roads and trails that are posted for equestrian
8 use. People age 16 or older horseback riding on this game land shall possess a Game Lands license
9 as required by G.S. 270.3(b)(3).

10 ~~(3) The area encompassed by the following roads is permit only for quail and woodcock hunting and~~
11 ~~bird dog training: From Yanceyville south on NC 62 to the intersection of SR 1746, west on SR~~
12 ~~1746 to the intersection of SR 1156, south on SR 1156 to the intersection of SR 1783, east on SR~~
13 ~~1783 to the intersection of NC 62, north on NC 62 to the intersection of SR 1736, east on SR 1736~~
14 ~~to the intersection of SR 1730, east on SR 1730 to NC 86, north on NC 86 to NC 62.~~

15 ~~(4)~~(3) On the posted waterfowl impoundment, waterfowl hunting is by permit after November 1.

16 ~~(5)~~(4) Camping is restricted to September 1 through the last day of February and March 31 through May
17 14.

18 ~~(6)~~(5) Target shooting is prohibited, except at the R. Wayne Bailey-Caswell Shooting Range.

19 (b) Hunting shall be by permit for the following species in the area posted as the Caswell Small Game Focal Area:

20 (1) quail and woodcock; and

21 (2) rabbit and squirrel on days outside of the three days per week framework.

22
23 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
24 *Eff. October 1, 2022;*
25 *Amended Eff. August 1, 2023.*
26

1 **15A NCAC 10D .0216 CHATHAM GAME LAND IN CHATHAM COUNTY**

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

- 3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
4 With Visible Antlers Season through the second Friday thereafter.
- 5 (2) Horseback riding, including all equine species, is allowed seven days per week from May 16 through
6 August 31, and on Sundays only September 1 through May 15.
- 7 (3) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
8 days of the seasons for game birds and game animals.
- 9 ~~(3)~~(4) Target shooting is prohibited.

10

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

13

1 **15A NCAC 10D .0225 DOVER BAY GAME LAND IN CRAVEN COUNTY**

2 (a) Dover Bay game land is a Six Days per Week Area.

3 (b) On this game land ~~deer of either sex~~ antlered or antlerless deer may be taken on the days of the applicable Deer

4 With Visible Antlers ~~season.~~ Season.

5 (c) Target shooting is prohibited.

6

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

8 *Eff. November 1, 2022.*

9

1 **15A NCAC 10D .0233 HARRIS GAME LAND IN CHATHAM, HARNETT, AND WAKE COUNTIES**

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

- 3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
4 With Visible Antlers Season through the second Friday thereafter.
- 5 (2) Waterfowl on posted waterfowl impoundments may be taken on the following days:
6 (a) the opening and closing days of the applicable waterfowl seasons;
7 (b) Thanksgiving, Christmas, New Year's, and Martin Luther King, Jr. Days; and
8 (c) Tuesdays and Saturdays of the applicable waterfowl season.
- 9 (3) The use or construction of permanent hunting blinds shall be prohibited.
- 10 (4) Wild turkey hunting is by permit only, except on those areas posted as an archery zone.
- 11 ~~(5) Target shooting is prohibited.~~
- 12 (5) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
13 days of the seasons for game birds and game animals.
- 14 (6) Horseback riding is prohibited.
- 15 (7) Target shooting is prohibited.

16

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

18 Eff. October 1, 2022

19

1 **15A NCAC 10D .0243 KINGS CREEK GAME LAND IN CALDWELL AND WILKES COUNTIES**

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

- 3 (1) The Deer With Visible Antlers ~~season~~ Season for deer consists of the open hunting days from the
4 ~~Monday Saturday before~~ after Thanksgiving Day through ~~the third Saturday after Thanksgiving,~~
5 January 1. Deer of either sex Antlered or antlerless deer may be taken with archery equipment on
6 open days beginning the Saturday on or nearest September 10 ~~to~~ through the ~~third Saturday~~
7 ~~thereafter, and Monday on or nearest October 15 to the Saturday before Thanksgiving Day. day~~
8 immediately preceding the Black powder Firearms Season described in the Rule. Deer with visible
9 ~~antlers may be taken with archery equipment the Monday immediately following the closing of the~~
10 ~~Deer With Visible Antlers Season, as described in this Part, through January 1. Deer of either sex~~
11 Antlered or antlerless deer may be taken with blackpowder firearms on open days beginning the
12 ~~Monday on or nearest October 1~~ two Saturdays preceding the first day of the open season for Deer
13 With Visible Antlers described in this Rule through the ~~Saturday of the second week~~ Friday
14 thereafter.
- 15 (2) ~~Deer of either sex Antlered or antlerless deer~~ may be taken the first open Saturday of the applicable
16 Deer With Visible Antlers Season.

17
18 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
19 *Eff. October 1, 2022.*
20

1 **15A NCAC 10D .0245 LEE GAME LAND IN LEE COUNTY**

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

- 3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
4 With Visible Antlers Season through the second Friday thereafter.
- 5 (2) The use of bicycles is restricted, except for hunters engaged in the act of hunting during the open
6 days of the seasons for game birds and game animals.
- 7 ~~(2)~~(3) Target shooting is prohibited.

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 **15A NCAC 10D .0252 NEEDMORE GAME LAND IN MACON AND SWAIN COUNTIES**

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

- 3 (1) Horseback riding is prohibited except on designated trails May 16 through August 31, and all
4 horseback riding is prohibited from September 1 through May 15.
- 5 (2) On posted dove fields, dove hunting on the opening day of dove season is by permit only.
- 6 (3) No antlerless deer may be taken during the first open Saturday of the Deer With Visible Antlers
7 season on Needmore Game Land.

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 **15A NCAC 10D .0256 NORTH RIVER GAME LAND IN CAMDEN AND CURRITUCK COUNTIES**

2 North River game land is a Seven Days per Week Area, in which the following applies:

3 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken all the open days of the applicable Deer
4 With Visible Antlers Season.

5 (2) The boundary of the Game Land shall extend five yards from the edge of the marsh or shoreline.

6 (3) Hunting on the posted waterfowl impoundment is by permit.

7 (4) During the period November 1 through March 15, all activities, except waterfowl hunting and
8 trapping during the trapping season on North River Game Land Waterfowl Impoundments, are
9 restricted to the posted Scouting-only Zone.

10 ~~(4)~~(5) Bear shall not be harvested on Sunday.

11

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

13 *Eff. October 1, 2022.*

14

1 **15A NCAC 10D .0276 SOUTH MOUNTAINS GAME LAND IN BURKE, CLEVELAND, MCDOWELL,**
2 **AND RUTHERFORD COUNTIES**

3 South Mountains game land is a Seven Days per Week Area, in which the following applies:

- 4 (1) The Deer With Visible Antlers ~~season~~ Season for deer begins on the Saturday after ~~consists of the~~
5 ~~open hunting days from the Monday before~~ Thanksgiving Day through ~~the third Saturday after~~
6 ~~Thanksgiving, January 1. Deer of either sex~~ Antlered or antlerless deer may be taken with archery
7 equipment ~~on open days~~ beginning the Saturday on or nearest September 10 through the ~~Sunday~~
8 ~~day~~ immediately preceding the Blackpowder Firearms Season described in this ~~rule and the Sunday~~
9 ~~immediately following the closing of Blackpowder Firearms Season described in this rule through~~
10 ~~the Sunday before Thanksgiving Day. Deer with visible antlers may be taken with archery~~
11 ~~equipment the Sunday immediately following the closing of the Deer With Visible Antlers Season,~~
12 ~~as described in this Part, through January 1. Rule. Deer of either sex~~ Antlered or antlerless deer may
13 be taken with blackpowder firearms ~~on open days~~ beginning ~~the Monday on or nearest October 1~~
14 ~~two Saturdays preceding the first day of the open season for Deer With Visible Antlers described in~~
15 ~~this Rule through the Saturday of the second week~~ Friday thereafter.
16 (2) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open Saturday of the applicable
17 Deer With Visible Antlers Season.
18 (3) Horseback riding is prohibited except on designated trails during the following dates:
19 (a) January 2 through March 31;
20 (b) May 16 through August 31;
21 (c) Sundays only - April 1 through May 15; and
22 (d) Sundays only - September 1 through January 1.
23 (4) Target shooting is prohibited.
24 (5) Camping is restricted to September 1 through the last day of February and March 31 through May
25 14 in areas both designated and posted as camping areas.
26 (6) The maximum period of consecutive overnight camping at any posted and designated camping area
27 is 14 days within any 30-day period.

28
29 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
30 *Eff. October 1, 2022.*

1 **15A NCAC 10D .0283 THURMOND CHATHAM GAME LAND IN ALLEGHANY AND WILKES**
2 **COUNTIES**

3 Thurmond Chatham game land is a Seven Days per Week Area, in which the following applies:

- 4 (1) ~~Deer of either sex~~ Antlered or antlerless deer may be taken the first open day of the applicable Deer
5 With Visible Antlers Season through the second Friday thereafter.
- 6 (2) Horseback riding is prohibited except on designated trails May 16 through August 31, and all
7 horseback riding is prohibited from September 1 through May 15. People age 16 or older horseback
8 riding on this game land shall possess a Game Lands license as required by G.S. 270.3(b)(3).
- 9 (3) ~~The maximum period of consecutive overnight camping at any designated campground is 14 days~~
10 ~~within any 30-day period from May 1 through August 31. After 14 consecutive days of camping all~~
11 ~~personal belongings must be removed from the game land. Camping is restricted to September 1~~
12 ~~through the last day of February; and March 31 through May 14.~~

13
14 *History Note: Authority G.S. 113-134; 113-264; 113-291.2; 113-291.5; 113-296; 113-305;*
15 *Eff. October 1, 2022.*
16

1 **15A NCAC 10D .0293 YADKIN RIVER GAME LAND IN DAVIDSON, DAVIE, MONTGOMERY,**
2 **ROWAN, AND STANLY COUNTIES**

3 Yadkin River game land is a Seven Days per Week Area, in which the following applies:

- 4 (1) ~~Deer of either sex Antlered or antlerless deer~~ may be taken ~~the first open day of the applicable Deer~~
5 ~~With Visible Antlers Season through the second Friday thereafter in that portion in Montgomery~~
6 ~~county, and deer of either sex may be taken all~~ on the open days of the applicable Deer With Visible
7 Antlers ~~Season in those portions in Davidson, Davie, Rowan, and Stanly counties.~~ Season.
8 (2) On the Lick Creek Tract, deer and bear hunting is archery only.

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

1 **15A NCAC 10D .0294 NORTH BEND GAME LAND IN BURKE COUNTY**

2 North Bend game land is hunting by permit only. The following shall apply:

- 3 (1) The use of bicycles is restricted to designated trails, except for hunters engaged in the act of hunting
4 during the open days of the seasons for game birds and game animals.
- 5 (2) Camping is restricted to September 1 through the last day of February; and March 31 through May
6 14.
- 7 (3) Horseback riding is prohibited.
- 8 (4) Target shooting is prohibited.

9

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

11

EXHIBIT F-1

October 26, 2023



Proposed Amendments to Wildlife Management Rules for 2024-2025 Annual Cycle Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings

Deer

1. 15A NCAC 10B .0203

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 1-week and 1-day blackpowder antlerless seasons to begin the second Saturday of the season.

Justification: 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.

15A NCAC 10B .0203 WHITE-TAILED DEER (Pg. 13-18)

2. 15A NCAC 10B .0203

Introduce 1-day antlerless gun season on private lands and increase antlerless blackpowder season from 1-day to 1-week on all lands in Cherokee, Clay, Jackson, Macon, and Swain counties.

Increase antlerless gun season from 1-day to 1-week on private lands and increase antlerless blackpowder season from 1-week to 2-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.

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

15A NCAC 10B .0203 WHITE-TAILED DEER (Pg. 13-18)

3. 15A NCAC 10B .0203

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

Justification: The agency is able to 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 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.

15A NCAC 10B .0203 WHITE-TAILED DEER (Pg. 13-18)

Bear

1. 15A NCAC 10B .0202

Amend the bear rule to incorporate the following changes:

- Shift the start date of the bear hunting season in the Mountain Bear Management Unit to add nine days and create Saturday openers for each of the two segments.
- Remove the prohibition on hunting bears with the aid of unprocessed 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.

Justification: Additional hunting opportunity in early October is necessary to meet population management objectives for the Mountain Bear Management Unit. 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. Removing the prohibition on the use of unprocessed bait during the second segment will reduce regulation complexity without any biological impacts. Per G.S. 113-291.5, and since the Piedmont bear seasons were created in 2014, the intention has been 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.

15A NCAC 10B .0202 BEAR (Pg. 11-12)

Pheasant

1. 15A NCAC 10B .0211

Bring the pheasant season into alignment with overall conservation goals.

Justification: Conservation goals for ring-necked pheasants differ greatly between self-sustaining populations that occur on the outer banks and domestically raised pheasants that are released in other parts of the state. 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.

15A NCAC 10B .0211 RING-NECKED PHEASANT (Pg. 19)

Feral Swine

1. 15A NCAC 10B .0223; 15A NCAC 10D .0103, .0251

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.

Justification: 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.

15A NCAC 10B .0223 FERAL SWINE (Pg. 20)

15A NCAC 10D .0103 GENERAL REGULATIONS REGARDING HUNTING ON GAME LANDS (pg. 21-24)

15A NCAC 10D .0251 NANTAHALA GAME LAND IN CHEROKEE, CLAY, GRAHAM, JACKSON, MACON, SWAIN, AND TRANSYLVANIA COUNTIES (pg. 25)

Regulated Activities

1. 15A NCAC 10B .0114; 10H .1701, .1702

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.

Justification: Moving these rules to Subchapter 10H is necessary for regulatory clarity. Requiring pheasants and quail to be banded when released on controlled hunting preserves provides no overall conservation benefit. Limiting dog training to releasing no more than six domestically raised waterfowl or game birds outside of controlled hunting preserves each day ensures that training is not inappropriately used to avoid the regulatory safeguards that are in place for controlled hunting preserves.

15A NCAC 10B .0114 DOG TRAINING AND FIELD TRIALS (Pg. 6-7)

15A NCAC 10H .1701 FIELD TRAILS (Pg. 8-9)

15A NCAC 10H .1702 DOG TRAINING (Pg. 10)

2. **15A NCAC 10H .0100, .0101, .0102, .0105, .0109**

Amend the controlled hunting preserve for domestically raised game bird rules to 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 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 shooting preserve from 100 acres to 50 acres.
- Remove the detailed requirements for signs used to post boundaries of controlled hunting preserves and require only basic signage.

Justification: Many of the rules that apply to controlled hunting preserves 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 controlled hunting preserves are currently used by the public.

15A NCAC 10H .0100 CONTROLLED HUNTING PRESERVES FOR DOMESTICALLY RAISED GAME (Pg. 26)

15A NCAC 10H .0101 GENERAL REQUIREMENTS (Pg.26-27)

15A NCAC 10H .0102 ESTABLISHMENT AND OPERATION (Pg. 28)

15A NCAC 10H .0105 RECORDS AND REPORTING REQUIREMENTS (Pg. 29)

15A NCAC 10H .0109 QUAIL CALL-PEN TRAPS (Pg. 30)

3. **15A NCAC 10H .0901, .0904, .0905, .0906**

Amend the game bird propagation rules to 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.

Justification: 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.

15A NCAC 10H .0901 GAME BIRD PROPAGATION LICENSE (Pg. 31)

15A NCAC 10H .0904 DISPOSITION OF GAME BIRDS OR GAME BIRD EGGS (Pg. 32-33)

15A NCAC 10H .0905 TRANSPORTATION (Pg. 34)

15A NCAC 10H .0906 RECORDS (Pg. 35)

4. **15A NCAC 10H .1505, .1510**

Prohibit a Wildlife Control Agent (WCA) with a suspended or revoked WCA license from obtaining a Wildlife Control Technician (WCT) certification.

Justification: This amendment closes a 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.

15A NCAC 10H .1505 WILDLIFE CONTROL AGENT LICENSE RENEWAL AND REVOCATION (Pg. 36)

15A NCAC 10H .1510 WILDLIFE CONTROL TECHNICIAN CERTIFICATION ELIGIBILITY AND REQUIREMENTS (Pg. 37-38)

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 in all
37 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.
- 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~~; an
4 impairing substance, as defined by G.S. 20-4.01(48b);
5 (2) failing to comply with restrictions enacted by the National Park Service regarding the use of the
6 Blue Ridge Parkway where it adjoins game lands;
7 (3) parking a vehicle on game lands in a manner that blocks traffic or gates, or prevents vehicles from
8 using a roadway; and
9 (4) erecting or occupying a tree stand or platform attached by nails, screws, bolts, or to a tree on a game
10 land to hunt. This prohibition does not apply to lag-screw steps or portable stands that are removed
11 after use with no metal remaining in or attached to the tree.

12 (b) Unless allowed by permit, hunting on game lands shall be during the open season for game animals and game
13 birds.

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

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

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

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

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

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

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

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

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

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

4 (j) Definitions:

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

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

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

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

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

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

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

37 (k) Deer shall not be taken with the use of dogs on game lands in counties or parts of counties where taking deer with

1 dogs is prohibited as described in 15A NCAC 10B .0109.

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

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

9 (1) Bertie, ~~Halifax~~ Halifax, and Martin counties—Roanoke River Wetlands;

10 (2) Bertie County—Roanoke River National Wildlife Refuge;

11 (3) Bladen County—Suggs Mill Pond Game Lands;

12 (4) Dare County—Dare Game Lands (Those parts of bombing range posted against hunting);

13 (5) Dare County—Roanoke Sound Marshes Game Lands; and

14 (6) Henderson and Transylvania counties—DuPont State Forest Game Lands.

15 (n) Access to Hunting Creek Swamp Waterfowl Refuge in Davie County requires written permission from the
16 Commission. Written permission may be granted when entry onto the Waterfowl Refuge shall not compromise the
17 primary purpose for establishing the Waterfowl Refuge and the person requesting entry can demonstrate a valid need
18 or the person is a contractor or agent of the Commission conducting official business. "Valid need" includes issues of
19 access to private property, scientific investigations, surveys, or other access to conduct activities in the public 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 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.*
27

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

EXHIBIT F-2

October 26, 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
REVOCATION
15A NCAC 10H .1510 WILDLIFE CONTROL TECHNICIAN CERTIFICATION ELIGIBILITY
AND REQUIREMENTS

Agency Contact: Melva Bonner
Regulatory Analyst
NC Wildlife Resources Commission



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

(D) ~~any~~ bear bait attractant, including sprays, aerosols, scent balls, and scent powders.

~~(3) Bears may be taken with the aid of bait from the Monday on or nearest October 15 to the Saturday before Thanksgiving in the counties in Subparagraph (a)(1) of this Rule.~~

~~(4)(3)~~ Bears may be taken with the aid of bait during the ~~entire~~ open season in the counties identified in ~~Subparagraphs Paragraph (a)(2) through (a)(8) (a)~~ of this Rule.

~~(5)(4)~~ Bears shall not be taken while in the act of consuming bait as specified in G.S. 113-291.1(b)(2).

~~(6)(5)~~ Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85, Anson west of N.C. ~~Hwy~~ Highway 742, Cabarrus, Chatham, Davie, Davidson, ~~Franklin~~, Forsyth, Gaston, Guilford, Lee, Lincoln, Mecklenburg, Montgomery, Orange south of Interstate 85, Randolph, Rockingham, Rowan, Stanly, Union, and Wake south of N.C. ~~Hwy~~ Highway 98. In ~~all~~ other counties and parts of counties, hunters may take bears using dogs and may release dogs in the vicinity of bait.

(c) No Open Season. It shall be unlawful to take bear on posted designated bear sanctuaries management areas except when authorized by permit issued by the Commission. See 15A NCAC 10D .0106 for posted designated bear sanctuaries- management areas.

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

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 113-291.7; 113-305;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; September 1, 1995; July 1, 1995; July 1, 1994; April 14, 1992;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002;
Amendment Eff. August 1, 2002;
Temporary Amendment Eff. September 1, 2003;
Temporary Amendment Expired Eff. December 27, 2003;
Amended Eff. August 1, 2015; August 1, 2014; August 1, 2012; August 1, 2010; May 1, 2009; May 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005;
Temporary Amendment Eff. May 31, 2016;
Amended Eff. August 1, 2018; August 1, 2017; August 1, 2016;
Temporary Amendment Eff. August 1, 2018;
Amended Eff. August 1, 2019;
Temporary Amendment Eff. September 1, 2020;
Amended Eff. August 1, 2021;
Readopted Eff. February 1, 2022.

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.
- 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 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

EXHIBIT G-1

October 26, 2023



Proposed Amendments to Administrative Rules for 2024-2025 Annual Cycle Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearings

Wildlife Poacher Reward Fund

1. 15A NCAC 10A .1301, .1302, .1303

Include Class 1 and 2 misdemeanors in G.S. 113-262 - Taking fish or wildlife by poisons, drugs, explosives or electricity prohibited, and violations of the following Inland Fisheries rules to the list of offenses for which rewards can be paid to informants for providing information resulting in the arrest and conviction of persons committing these crimes:

- 10C .0302 - Manner of Taking Inland Game Fishes
- 10C .0304 - Taking and Possession of Inland Game Fishes
- 10C .0401 – Manner of Taking Nongame Fishes
- 10C .0402 – Taking Nongame Fishes by Special Device for Bait or Personal Consumption
- 10C .0409 – Taking and Possession of Nongame Fishes

Justification: Currently, no inland fisheries related crimes are eligible for the Wildlife Poacher Reward Program despite the large percentage of criminal activity reported by the public. These violations represent a significant loss of inland fishery resources as well as substantial replacement cost to the Commission. This change will allow informants for violations of the most serious fisheries rules and regulations to be eligible for rewards. Additional edits for clarity and consistency of these rules have been made as part of the periodic review.

15A NCAC 10A .1301 FUNDING SOURCES (Pg. 2)

15A NCAC 10A .1302 OFFENSES AND REWARD AMOUNTS (Pg. 2)

15A NCAC 10A .1303 ELIGIBILITY (Pgs. 2-3)

1 (4) the perpetrator of the crime for which the information has been given and ~~any~~ an
2 accomplice or accessory to that crime; and

3 (5) ~~any~~ an individual who refuses to provide the Commission with his or her name and contact
4 information.

5

6 *History Note: Authority G.S. 113-134; 113-171; 113-294.1;*

7 *Eff. May 1, 2014*

8

EXHIBIT G-2

October 26, 2023



Fiscal Note for Proposed Administrative Rule Amendments

Rule Amendment: 15A NCAC 10A .1301 FUNDING SOURCES
15A NCAC 10A .1302 OFFENSES AND REWARD AMOUNTS
15A NCAC 10A .1303 ELIGIBILITY

Agency Contact: Carrie Ruhlman
Policy Development Manager
NC Wildlife Resources Commission
[REDACTED]
[REDACTED]
[REDACTED]

Impact: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Economic Impact: No

Authority: G.S. 113-134; 113-292

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

A summary of the proposed rule amendments follows, with the proposed rule text included in Appendix A.

REASON FOR PROPOSED CHANGES

The Wildlife Poacher Reward Fund was created by the General Assembly to incentivize and reward individuals who provide information to the NCWRC or law enforcement authorities that results in the arrest and conviction of persons who have committed criminal offenses involving wildlife resources. Currently, no inland fisheries related crimes are eligible for the Wildlife Poacher Reward Program despite the large percentage of fishing related criminal activity reported by the public. These violations represent a significant loss of inland fishery resources as well as substantial replacement cost to the Commission. The proposed rule changes will make inland fisheries related crimes eligible for the Wildlife Poacher Reward Program.

RULE AMENDMENTS AND IMPACT ANALYSIS

15A NCAC 10A .1301

This rule is proposed for repeal as it does not meet the statutory definition of a rule.

15A NCAC 10A .1302

Amendments to this rule include the addition of the following fishing violations to the list of offenses for which rewards can be paid to informants for providing information resulting in the arrest and conviction of persons committing the crime:

- Class 1 and 2 misdemeanors in G.S. 113-262 - Taking fish or wildlife by poisons, drugs, explosives or electricity prohibited
- Violations of Rule 15A NCAC 10C .0302 - Manner of Taking Inland Game Fishes; and
- Violations of Rule 15A NCAC 10C .0304 - Taking and Possession of Inland Game Fishes
- Violations of Rule 15A NCAC 10C .0401 – Manner of Taking Nongame Fishes
- Violations of Rule 15A NCAC 10C .0402 – Taking Nongame Fishes by Special Device for Bait or Personal Consumption
- Violations of Rule 15A NCAC 10C .0409 – Taking and Possession of Nongame Fishes

Currently, only Class 1 and 2 misdemeanors specified in GS. 113-294 and GS. 113-337 and Class 1 misdemeanors involving wildlife resources specified in GS. 113-264(b) are eligible for rewards. There are no violations relating to fisheries resources eligible for rewards.

State Impacts

Costs

Approximately 2,450 potential violations were reported by the public last fiscal year. Forty-seven of those were WildTip eligible and approximately 75 were identified as fishing related. When a tip is reported, dispatchers or officers receive and review the report, then relay the information to local officers, who follow up on the alleged violation.

While the agency currently responds to and investigates fishing violations, there is no incentive, other than to protect the resource, for individuals to report these crimes to the Commission, as the only fishing violations that are eligible for the Poacher Reward Fund are selling or buying inland game fish. If the reporting of fishing violations were to be incentivized, this may result in an increased number of violations reported. Unfortunately, the agency has no way to estimate the potential increase or any increase in associated workload.

Rewards range from \$100 to \$1,000 depending on the severity of the crime and the fines assessed by the court. Over the past two years, approximately 16 informants/year received a reward. Individual award amounts varied, but in total, cost the State approximately \$9,300/year. If fishing violations become eligible for reward, the agency anticipates that the total amount paid to informants will increase. Due to lack of data, this cost cannot be quantified, but the agency expects that any additional costs will be covered by a combination of additional replacement costs/restitution and the agency's general fund.

Benefits

Fishing violations -- though only infractions or class 3 misdemeanors -- often represent a significant loss of fisheries resources, as they involve significant take. The agency monetarily values fish in a variety of ways, ranging from \$0.25/inch to \$9.99/inch, or from \$0.76/fish to \$2.65/fish. Endangered, Threatened, and Special Concern finfish are valued at \$157.54/fish.¹ While there is no way to estimate the potential benefit from the agency being informed of additional fishing violations (an anticipated outcome of the proposed amendments), it is anticipated that incentivizing the reporting of these violations, which otherwise may go unchecked, will likely benefit the resource.

The NCWRC receives replacement costs and restitution from the criminal conviction of wildlife crimes involving take, injury, removal, damage, or destruction. While neither of these fines are guaranteed, as they are both determined by a judge, a portion of this money is used as the funding source for the Wildlife Poacher Reward Fund. Per G.S. 113-294.1 at least 10% of amounts paid as replacement costs and investigative costs is directed to the Fund. The other 90% is directed to the agency's general fund for enforcement use. Currently, the NCWRC receives approximately \$73,000 per year in replacement costs and restitution. With the addition of fishing violations, which may lead to additional convictions, additional funding for the agency and the Poacher Reward Fund may be realized. Because there is no accurate way to estimate the potential increase in reports, convictions or restitution, the agency cannot quantify this potential benefit.

Local Impacts

Costs

Because the incentive of monetary reward exists, more people may report fishing violations to the Commission. If the Commission cites more fishing related violations, this may result in an increased caseload for county court systems. While there is no way to determine which counties may experience increased caseloads, data from last fiscal year indicate that the counties where

¹ See 15A NCAC 10A .1502

the most publicly reported fishing violations occur include:

- Montgomery County
- Rowan County
- Wake County
- Chatham County

Benefits

Fines for fishing violations include cost of court (\$181 for infractions and \$183 for misdemeanors)². Because the proposed amendments may encourage more reporting and in turn additional citations, courts in the county where violations occur could realize additional income. The agency doesn't have the data to estimate this benefit.

Private Impacts

Costs

Depending on the type of violation, and in some cases, state residency, fines for fishing violations can be anywhere from \$25 - \$100³ plus cost of court (\$181 for infractions and \$183 for misdemeanors).

Individuals convicted of unlawful take, injury, removal, harmful alteration, damage, or destruction of wildlife may be required to pay replacement costs as specified in 15A NCAC 10A .1502. Depending on the species, replacement costs for fish range from \$0.25/inch to \$9.99/inch or from \$0.76/fish to \$2.65/fish⁴. Endangered, Threatened, and Special Concern finfish are \$157.54/fish. Based on staff experience, the agency anticipates that most unlawful fishing activity would involve crappie (\$0.48/inch), mountain trout (\$0.71/inch), and striped bass (\$1.27/inch). Even on a species-specific basis, there is no way to estimate potential fines since replacement costs, though recommended by agency rule, are at the discretion of the judge and varies from case to case.

Benefits

Individuals who report violations that result in arrest and conviction will be eligible for reward. Rewards range from \$100 to \$1,000. This benefit cannot be accurately quantified with existing data.

Protection of the resource is a benefit to anglers and the public. The public has expressed concern and a willingness to report violations of fisheries resources. While the benefit of a healthy and plentiful resource cannot be quantified, the proposed changes have the potential to increase public awareness of fisheries resources and benefit anglers long-term.

15A NCAC 10A .0103

² See G.S. 7A-304

³ <https://www.nccourts.gov/assets/documents/publications/waiver-list-hunting-fishing-boating-2022.pdf?VersionId=m6beaRiG2RJb9R5Lm0v7SpSBWjeIGaFJ>

⁴ See 15A NCAC 10A .1502

The proposed amendments to this rule are for clarity and alignment with current rule writing and formatting requirements. As such, they will have no impact other than making the rules more consistent and easier to understand.

SUMMARY

State

Unquantifiable State costs include the following:

- Increase in WLEO time for responding to reported fishing violations.
- Increase in WLEO workload for time spent in court.
- Increase in rewards paid from the Poacher Reward Fund.

Unquantifiable State benefits include the following:

- Sustainability and longevity of fisheries resources.
- Increased funding of approximately \$73,000 annually for the NCWRC and Poacher Reward Fund from replacement costs and compensatory restitution.

Local Government

Unquantifiable local government costs include the potential increased caseload for the local court system.

Unquantifiable local government benefits include \$181 - \$183 of court costs per citation.

Private

Unquantifiable private costs include the following:

- Fines associated with citations for violations of fishing regulations.
- Potential replacement costs assessed by the court if convicted.

Unquantifiable private benefits include the following:

- Rewards (\$100 - \$1,000) to individuals who report fishing violations if the individual is convicted.
- Protection of the resource for future use and enjoyment.

As compared to the regulatory baseline, none of the proposed amendments are expected to result in significant costs to the State, local government, or the public. The benefits of adding fishing violations to the rule, though unquantifiable, should far exceed the costs.

APPENDIX A

1 **15A NCAC 10A .1301 FUNDING SOURCES**

2 ~~The Wildlife Resources Commission shall direct at least 10 percent of compensatory restitution associated~~
3 ~~with replacement costs and investigative costs as defined in G.S. 15A-1343(b1)(5) and specified in Rules~~
4 ~~15A NCAC 10B .0117 and 15A NCAC 10C .0215 to the Wildlife Poacher Reward Fund.~~

5

6 *History Note: Authority G.S. 15A-1343; 113-134; 113-294;*

7 *Eff. May 1, 2014*

1 **15A NCAC 10A .1302 OFFENSES AND REWARD AMOUNTS**

2 (a) Rewards shall be paid ~~only for information resulting in the arrest and~~ conviction of persons who have
3 committed Class 1 or Class 2 misdemeanors specified in G.S. ~~113-262, 113-294~~ and G.S. 113-337, ~~and~~
4 Class 1 misdemeanors involving wildlife resources specified in G.S. ~~113-264(b)~~, 113-264(b), and Class 3
5 misdemeanors involving fisheries resources specified in Rule 10C .0302(a), .0304, .0401, .0402, and .0409
6 of this Chapter.

7 (b) The reward amount shall be equivalent to the amount of the fine, replacement costs, or restitution
8 assessed by the court, whichever is greatest, not to exceed one thousand dollars (\$1,000). If no fine,
9 replacement cost, or restitution is assessed, including in cases that result in a prayer for judgment, the reward
10 shall be one hundred dollars (\$100.00).

11

12 *History Note: Authority G.S. 113-134; 113-264; 113-294; 113-294.1; 113-337;*

13 *Eff. May 1, 2014.*

1 **15A NCAC 10A .1303 ELIGIBILITY**

2 (a) Rewards shall be paid ~~only~~ to individuals who provide information resulting in the arrest and conviction
3 of persons who have committed the offenses specified in Rule .1302(a) of this Section. If more than one
4 individual provides information resulting in the arrest of a person for the same offense, the Commission
5 shall pay ~~reward money in the individuals~~ equal amounts ~~to each individual~~ not to exceed the amount
6 specified in Rule .1302(b) of this Section.

7 (b) Rewards shall be paid after the final disposition of a case resulting in a ~~conviction~~ conviction, as defined
8 in G.S. 113-171(a), or a prayer for judgment. ~~For purposes of this Rule, a conviction shall be as defined in~~
9 ~~G.S. 113-171(a).~~

10 (c) The following individuals are not eligible to receive reward money:

- 11 (1) ~~any~~ a current Wildlife Resources Commission ~~employee~~ employees or members of ~~his or~~
12 ~~her~~ their immediate family;
- 13 (2) ~~any~~ current Wildlife Resources ~~Commissioner;~~ Commissioners;
- 14 (3) ~~any~~ a sworn law enforcement officer;
- 15 (4) the perpetrator of the crime for which the information has been given and ~~any~~ an
16 accomplice or accessory to that crime; and
- 17 (5) ~~any~~ an individual who refuses to provide the Commission with his or her name and contact
18 information.

19

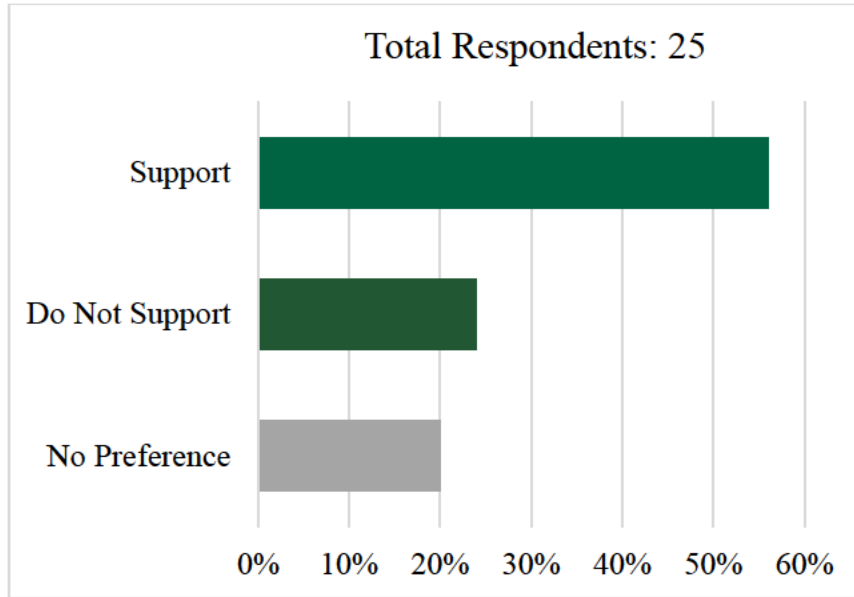
20 *History Note: Authority G.S. 113-134; 113-171; 113-294.1;*

21 *Eff. May 1, 2014*

EXHIBIT H-1

Proposed CWD Permanent Rules

15A NCAC 10B .0501 Definitions and General Requirements



Choices	Responses	
Support	56%	14
Do Not Support	24%	6
No Preference	20%	5
Total		25

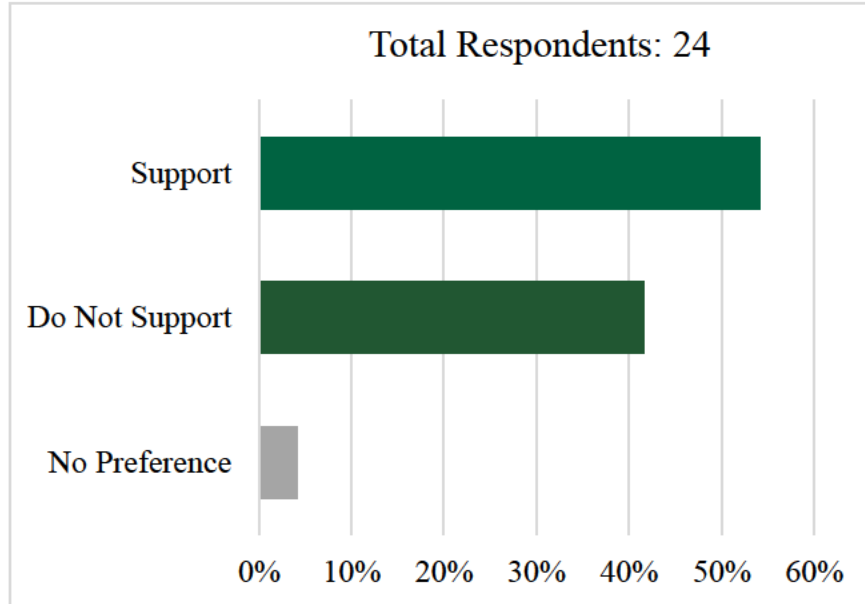
District	1	2	3	4	5	6	7	8	9	NC - Not Specified	Out of State	Totals
Support	0	0	1	0	2	1	1	1	0	7	1	14
Do Not Support	1	0	1	0	0	1	1	0	0	2	0	6
No Preference	0	0	0	1	1	1	0	0	1	1	0	5
Total	1	0	2	1	3	3	2	1	1	10	1	25

15A NCAC 10B .0501 Definitions and General Requirements Comments

Number	Comment
1	Completely boning out the meat is ridiculous. No head or spine would be sufficient to satisfy y'all's obsession with trying to control the uncontrollable.
2	Dear NCWRC, I would like to make some comments on the two rules up for public comment dealing with CWD rules. First I would add the following language to the first sentence in rule .0503: (a) Inside a surveillance area, placement of minerals or salt licks to purposefully congregate wildlife shall be prohibited year round Another issue I see is with products that contain minerals AND food products such as corn. Are they legal from September 1- Jan 1 or not? Are they food or minerals? https://www.tractorsupply.com/tsc/product/purina-premium-deer-block-20-lb WHAT CONSTITUTES AN ILLEGAL MINERAL PRODUCT UNDER THIS RULE? Second issue is deer hunting seasons are extended to January 2nd by WRC rule. Why is January 2nd excluded from baiting? 15A NCAC 10B .0201 PROHIBITED TAKING AND MANNER OF TAKE (a)..... When any hunting season ends on a January 1 that falls on a Sunday, that season shall be extended to Monday, January 2. Feeding and baiting wildlife should be allowed up to January 2nd each season if baiting and feeding is to be allowed. Thank you for considering my comments. Chris Cain Buncombe County, NC 28730
3	This is a knee jerk reaction. Recent studies show high concentrations of prions on licking branches and scrapes. Are you going to stop them also??
4	stop the use of bait, mineral blocks and any attractant state wide.
5	If baiting is not allowed in non CWD areas, the deer herds will only increase.
6	No rule stated. Only definitions.
7	Stop all baiting
8	Most recent studies show high concentration of prion in licking branches and scrapes. How do you propose to stop that ?? This is like Covid. If you test enough you will eventually find what you are looking for?
9	Many neighboring states have passed additional laws concerning wake boats and other boat wakes. These are great. However if the laws and rules are not enforced THEY MEAN NOTHING. I have called and reported wake boats and their wake throwing me out of my boat while fishing. I have seen numerous other boats hit wake boat wakes and leave the water. I have fished Lake Glenville for 8 years and have never seen anyone from wildlife on the lake. People who live on the lake, unless they own a wake boat, HATE THEM. They damage shoreline and rock walls. Another problem is pontoon boats that run right up on the bank of the lake and other boats. They have NO IDEA of safe boating. Seen them very overloaded with people. They also pull tubers without spotters. I would be willing to bet 80% of pontoon boat operators have NO safe boating courses. All they have to have is a credit card to rent a boat. When you say something to the wake boats they tell you to get a bigger boat. The pontoon people tell you it is a public lake and they can do what ever they want. I did see a sheriff's boat out on Sunday before the 4th for the fireworks. I suspect the wake boat people have friends in Raleigh. I am surprised, as far as I know, no one has been badly hurt or killed in Lake Glenville. Again all the laws and rules make no difference if not enforced. I am sure the officer that works the lake is spread thin. Maybe you need to send some management or politicians to enforce the laws.
10	I have heard that some states have a handgun only season . I think this would be a good idea to study. You are losing hunters to aging . Make as many opportunities for us older guys and gals. The bow season is difficult to some people because of medical conditions. Many people aren't comfortable with crossbows but most hunters carry pistols when allowed. I would certainly want to extend my Deer season in this matter and would be willing to pay an extra fee to get extra time in a handgun only season. I also think

	you should consider an Air gun to be used in the black powder season. I am not comfortable with black powder either seems dangerous to me. I appreciate your time. I would like to say that you have done some great things as of late with extending the winter season for dove and extending fox squirrel season as well
11	If you really want to stop CWD from spreading any faster than it is going to then stop allowing baiting for deer and bear throughout the state.
12	In submitting the cervid head and 3 inches of neck, what about trophy bucks and chain of custody? Trophy deer also have different meaning to different hunters as far as size.
13	Telling people what they can or can not do on their in land will not be acceptable

**Proposed CWD Permanent Rules
15A NCAC 10B .0503 Surveillance Area**



Choices	Responses	
Support	54%	13
Do Not Support	42%	10
No Preference	4%	1
Total		24

District	1	2	3	4	5	6	7	8	9	Not Specified	Out of State	Totals
Support	0	0	2	0	2	1	1	1	0	4	2	13
Do Not Support	1	0	1	0	1	2	1	0	0	4	0	10
No Preference	0	0	0	0	0	0	0	0	0	1	0	1
Total	1	0	3	0	3	3	2	1	0	9	2	24

15A NCAC 10B .0503 Surveillance Area Comments

Number	Comment
1	You're already watching harvest numbers fall. That isn't fear; it's inconvenience. Watch how few of us poke one the first two weeks of rifle when testing becomes mandatory and watch us resume when it isn't.
2	No feeding should be enforced year round not just January 1 to August 31.
3	I don't support use of minerals, bate or attractant in municipalities, year around.
4	Not sure if doe urine removal is necessary
5	I support making these changes permanent, but believe they fail to address two meaningful ways the WRC could reduce the spread of CWD within and outside the surveillance area. First, there is no biological difference in congregating deer over feed during the hunting season relative to other times of the year. I understand the political problems that would come with a baiting ban, but I believe the WRC should take the responsibility to stop all feeding within the surveillance area. Baiting fails to increase harvest rates, while congregating deer in an area where disease spread is more likely. The WRC should move to prohibit all feeding of wildlife within the surveillance area given the problems posed by increasing prevalence rates of CWD. Hunters have adjusted to similar bans in other states, and it appears NC has caught the disease early enough that a baiting ban would make a difference. Appeasing hunters for the time by allowing baiting is not worth the future consequences if prevalence and coverage increases. Secondly, the WRC should move to prohibit the use of urine and deer secretions statewide rather than within the surveillance zone. With CWD already present within the zone, there is much more danger of a hunter introducing the disease elsewhere in the state with a product from a captive deer farm. Certain allowances for facilities with a clean CWD record may need to be made (such as those present in this rule), but prohibiting scents within the surveillance area does little relative to prohibiting them outside of the area CWD has already been detected. I applaud WRC for increasing surveillance efforts and taking these actions, but I would urge further proactive steps be taken soon. There is little to be done once prevalence rates increase, and now is the time to slow that from happening.
6	Baiting should be prohibited year-round, including during the hunting season. The National Deer Association (NDA) has compiled resources showing that baiting is an important factor in the spread of infectious wildlife diseases and they recommend the prohibition of baiting by state agencies, especially in CWD areas. Although an important goal of CWD management should be increased take of deer in surveillance areas, the benefit of baiting for increasing harvest does not outweigh the potential negative effects of baiting. Rather than permitting baiting, perhaps the commission should consider expanded hunting seasons and relaxing other regulations to increase harvest in surveillance areas. I support a combination of strong restrictions on baiting and increased hunting in CWD surveillance areas to help achieve the commission's goals for managing CWD.
7	I think August 31 is too late in the season. Mineral sites can aid in antler growth. I do support the section on transporting carcasses out of a region. Keep them inside the area.
8	Has NC Biologists found any scents that contained CWD prions??
9	baiting should be prohibited for the full year, outside hunting seasons. quartered deer, excluding any parts of the spine, should be transportable out of surveillance areas
10	I support banning of baiting and feeding year round in areas where CWD has been detected.
11	Baiting should be banned during hunting season. Why take the chance of spreading it more? Ban the entire baiting practice statewide. Also dog hunting in these areas needs to be banned as well. Dispersing animals into other areas only spreads the disease. If you really care about stopping it.

12	Not certain if live fawns can be tested for CWD. If they can be tested and determined safe then rehabilitation should be considered.
13	Telling people what they can or can not do on their on land is not acceptable
14	The last thing we need it more GOVERNMENT involvement in anything, but especially local matters.
15	We should ban baiting in NC, regardless of season, and surveillance zone. Baiting poses a severe threat to our herd increased disease transmission. It is clear from scientific evidence that baiting and feeding significantly increase the spread of diseases among deer by congregating them unnaturally. Deer hunters will continue to hunt without the use of baiting, and samples will still be provided. Rip the band-aid off, and do what is scientifically proven to be the best management practice for NC's deer herd.



**ROCKY MOUNTAIN
ELK FOUNDATION**

September 14, 2023

Cameron Ingram, Executive Director
North Carolina Wildlife Resources Commission [REDACTED]

Re: North Carolina Chronic Wasting Disease Rules Dear

Executive Director Ingram and Staff,

The Rocky Mountain Elk Foundation (RMEF) appreciates the opportunity to comment on the proposed permanent rules and rule amendments to regulate activities that aid in the detection and isolation of chronic wasting disease (CWD). RMEF's mission is to ensure the future of elk, other wildlife, their habitat, and our hunting heritage. We represent more than 225,000 members nationwide and over 3,100 members in North Carolina. Since our inception in 1984, RMEF has conserved or enhanced more than 8.6 million acres of North America's most vital habitat for elk and other wildlife, including 135 conservation and hunting heritage outreach projects in North Carolina with a combined value of more than \$5.3 million. As such, RMEF has a vested interest in ensuring the sustained productivity of elk and other wildlife in North Carolina.

RMEF recognizes the impact that CWD has had in North Carolina and other states, and remains a partner in improving our understanding of CWD through research and management. RMEF appreciates the challenges faced with managing CWD and offers general support for North Carolina's proposed actions. RMEF offers the following comments regarding specific sections of the proposed temporary rules and rule amendments:

15A NCAC 10B .0503 SURVEILLANCE AREA

- RMEF appreciates the North Carolina Resource Commission's (NCWRC) attention to prevention goals, as these efforts will be critically important to elk in western North Carolina where this disease was most recently detected. RMEF encourages continued regulation development to follow the Association of Fish & Wildlife Agencies' Best Management Practices for Prevention, Surveillance, and Management of CWD.
- RMEF strongly supports hunter harvest-based strategies to meet desired CWD management objectives and appreciates NCWRC efforts to maintain hunting opportunities to increase

sampling efficiency.

- RMEF suggests that NCWRC make available to the public its biological justification for not classifying Caldwell and Watauga Counties as Secondary Surveillance Areas given their immediate proximity to Wilkes County, a Primary Surveillance Area (per 15A NCAC 10B .0501(b)(7).
- RMEF strongly supports actions by the NCWRC to prohibit the placement of mineral and food attractants within Primary and Secondary Surveillance Areas, as these prohibitions can significantly curtail direct transmission rates associated with areas of elevated and/or concentrated cervid densities.
- RMEF appreciates NCWRC's efforts to minimize potential for intentional and unintentional transportation of CWD-infected cervids by prohibiting rehabilitation of white-tailed deer fawns in Surveillance Areas and movement of these animals from counties defined as a Surveillance Area.
- RMEF strongly supports NCWRC temporary rules to prohibit exportation of cervid carcasses or potentially infectious carcass parts from Surveillance Areas to reduce the potential of spreading infectious tissues across the landscape.
- RMEF further commends NCWRC for imposing restrictions on the possession and use of naturally occurring cervid excretions for the purpose of taking cervids in Surveillance Areas. RMEF suggests, however, that in-state cervid facilities manufacturing such biological lures be required to maintain detailed sales/distribution records that can be made available to NCWRC in the event of a novel detection of CWD.
- RMEF suggests that NCWRC amend language in 15A NCAC 10B .0503(e) to include "Inside a Surveillance Area," at the beginning of sentence one. This simple edit will clarify that prohibitions on the use of cervid excretions apply to both Primary and Secondary Surveillance Areas.
- RMEF strongly supports NCWRC's efforts to aggressively respond to and evaluate initial detections of CWD in novel areas. Due to the heterogeneous distribution of CWD on the landscape, a single detection outside Surveillance Areas could indicate a previously undetected cluster that could quickly increase prevalence rates in the immediate and surrounding areas.
- RMEF strongly suggests that NCWRC evaluate research and management needs for which funding could be available from the 2022 CWD Research and Management Act. This legislation could offer important financial support for increased surveillance, monitoring, and evaluation of cervid movements in a state like North Carolina responding to relatively new CWD detections.

RMEF appreciates the opportunity to review the NCWRC's proposed permanent rules and rule amendments associated with CWD and looks forward to helping implement these efforts, once finalized.

Sincerely,

A large black rectangular redaction box covering the signature area.

Steven Dobey
Senior Conservation Program Manager, Eastern U.S.

A small black rectangular redaction box covering contact information.

EXHIBIT H-2

October 26, 2023



Proposed Chronic Wasting Disease Rules Recommended by Agency Staff for Adoption

The rules in this Section are necessary to regulate activities that aid in the transmission of Chronic Wasting Disease (CWD), to assist with detection and isolation of the disease. Requirements will apply to areas surrounding the CWD detection to reduce movement and infection opportunities.

15A NCAC 10B .0501

Clarifies applicability of rules in the Section and defines CWD-related terms.

15A NCAC 10B .0501 DEFINITIONS AND GENERAL REQUIREMENTS (Pg. 2)

15A NCAC 10B .0503

Specifies activities prohibited in Surveillance Areas, including:

- Placement of minerals, bait, and food;
- Exportation of cervids, cervid carcasses or carcass parts with exceptions;
- White-tailed deer fawn rehabilitation and transportation; and
- Possession and use of certain substances used to take, attract, or scout wildlife.

15A NCAC 10B .0503 SURVEILLANCE AREA (Pg. 3)

1 **15A NCAC 10B .0501 DEFINITIONS AND GENERAL REQUIREMENTS**

2 (a) The rules in this Section apply to an area of the State where Chronic Wasting Disease (CWD) has been
3 detected, as determined by the Commission.

4 (b) The following definitions shall apply to rules in this Section:

5 (1) "Cervid" means the animals in the Family Cervidae not otherwise regulated by the NC
6 Department of Agriculture and Consumer Services.

7 (2) "Cervid Health Cooperator" means an individual authorized to collect CWD samples on behalf
8 of the Commission.

9 (3) "Chronic Wasting Disease" or "CWD" means the transmissible spongiform encephalopathy
10 prion disease affecting species within the deer (Cervidae) Family.

11 (4) "CWD Management Area" means the area delineated by the Commission where CWD has been
12 determined to be endemic and the rules of this Section apply.

13 (5) "Primary Surveillance Area" or "PSA" means a county delineated by the Commission for
14 CWD surveillance where a confirmed CWD positive cervid has been found.

15 (6) "Sample" means the cervid head and no less than three inches of the neck.

16 (7) "Secondary Surveillance Area" or "SSA" means a county adjacent to or near a PSA delineated
17 by the Commission for CWD surveillance.

18 (8) "Submit" means to deliver a sample to a cervid health cooperator or qualified Commission
19 employee or deposit in a Commission CWD Testing Drop-off Station.

20 (9) "Surveillance Area" means the PSA and SSA collectively.

21
22 History Note: Authority G.S. 113-134; 113-306;
23

1 **15A NCAC 10B .0503 SURVEILLANCE AREA**

2 (a) Inside a Surveillance Area, placement of minerals or salt licks to purposefully congregate wildlife shall be
3 prohibited. Placement of bait, food, or food product to purposefully congregate wildlife shall be prohibited from
4 January 2 through August 31 inside a Surveillance Area, except that bird feeders specifically designed for nongame
5 birds and other activities specifically permitted by the Commission shall be allowed. Placement of bait, food, or food
6 products to hunt during the urban archery season shall be allowed within the established season in participating
7 municipalities.

8 (b) White-tailed deer fawn rehabilitation is prohibited in a Surveillance Area.

9 (c) White-tailed deer fawns originating from within a Surveillance Area shall not be transported outside the
10 Surveillance Area.

11 (d) No cervid carcass or carcass parts originating from inside a Primary Surveillance Area or Secondary
12 Surveillance Area shall be transported outside of the county of origin, except:

- 13 (1) meat that has been boned out so that no pieces or fragments of bone remain;
- 14 (2) caped hides with no part of the skull or spinal column attached;
- 15 (3) antlers, antlers attached to cleaned skull plates, or skulls free from meat or brain tissue;
- 16 (4) cleaned lower jawbones with teeth or cleaned teeth;
- 17 (5) finished taxidermy products and tanned hides; and
- 18 (6) carcass or carcass parts permitted by the Commission for disposal outside of the Surveillance Area.
- 19 (7) carcass or carcass parts originating inside a PSA may be transported into contiguous PSA(s) or
20 outside of the PSA as specified in Subparagraphs (d)(1) through (6) of this Rule; and
- 21 (8) carcass or carcass parts originating inside a SSA may be transported into contiguous SSA(s) or
22 PSA(s) or outside of the SSA as specified in Subparagraphs (d)(1) through (6) of this Rule.

23 (e) No person shall possess or use a substance or material that contains or is labeled as containing any excretion
24 collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid for the purposes of taking or
25 attempting to take, attracting, or scouting wildlife inside a surveillance area. This prohibition shall not apply to the
26 following substances:

- 27 (1) products labeled as containing synthetic analogs of cervid excretions;
- 28 (2) natural substances labeled as being collected from facilities within North Carolina that have a valid
29 Farmed Cervid License from the North Carolina Department of Agriculture and Services;
- 30 (3) natural deer urine products labeled as containing excretions from facilities within North Carolina
31 that have a valid Farmed Cervid License from the North Carolina Department of Agriculture and
32 Consumer Services; and
- 33 (4) natural deer urine products labeled as containing excretions from facilities that meet all the
34 following requirements:
 - 35 (A) determined to be free of chronic wasting disease (CWD) based on testing by an
36 independent laboratory using a method that may help detect the presence of CWD prions;

- 1 (B) complies with a federally approved CWD herd certification program and any federal CWD
2 protocols; and
3 (C) participates in additional herd management requirements as specified by the Wildlife
4 Resources Commission.

5
6 History Note: Authority G.S. 113-134; 113-306;
7

EXHIBIT I

October 26, 2023



Proposed Amendments to 15A NCAC 10A .0500 Declaratory Rulings Rules Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

Per the Administrative Procedure Act (G.S. 150B-4), the agency is required to have rules prescribing the procedure for requesting a declaratory ruling and the circumstances in which rulings shall or shall not be issued.

Rules in this Subchapter were determined to be “necessary with substantive public interest” and are required to readopted as part of the periodic review.

15A NCAC 10A .0501 WHEN ISSUED

Proposed amendments to this rule update language for clarity and consistency.

15A NCAC 10A .0501 WHEN ISSUED (Pg. 2)

15A NCAC 10A .0502 WHEN NOT ISSUED

Proposed amendments to this rule update language for clarity and consistency.

15A NCAC 10A .0502 WHEN NOT ISSUED (Pg. 3)

15A NCAC 10A .0503 PROCEDURE

Proposed amendments to this rule remove the example letter and update language for clarity and consistency.

15A NCAC 10A .0503 PROCEDURE (Pg. 4-6)

1 **15A NCAC 10A .0501 WHEN ISSUED**

2 In accordance with G.S. 150B-4 and the procedures set forth in Rule .0503 of this Section, ~~and except as provided in~~
3 ~~Rule .0502 of this Section, a declaratory ruling is authorized to be issued by the Wildlife Resources Commission when~~
4 ~~there is submitted to the Executive Director shall issue a declaratory ruling when~~ a written request signed and verified
5 under oath by or on behalf of a person or group of persons of common interest ~~who will be substantially affected in~~
6 ~~their persons, property, public office or employment by such ruling; aggrieved, and which request~~ shows on its face:

- 7 (1) that there is ~~an actual~~ a controversy as to the validity of a rule; or that there is a controversy as to
8 the applicability of a specific rule or regulation of the Commission, or of a specific statute
9 administered or enforced by the Commission, to an existing factual situation; or that there is a
10 conflict or inconsistency regarding the interpretation of a specific law or rule adopted by the
11 Commission;
- 12 (2) that ~~every~~ the relevant ~~fact~~ facts and ~~circumstance~~ circumstances necessary to the ruling ~~is~~ are
13 definitively stated and ~~is~~ are conceded by all parties to be a true and existing fact or circumstance
14 for all purposes;
- 15 (3) that ~~all~~ the parties who will be directly or indirectly affected by the ruling, other than the
16 Commission and its agents and employees, have joined in the request therefor and in the verification
17 of the facts therein set forth; and
- 18 (4) that the ruling will be final and determinative of the controversy and binding on ~~all~~ the parties
19 affected thereby, subject only to reversal or modification by a court on direct judicial review as
20 provided by law.

21
22 *History Note:* Authority *G.S. 150B-4;*
23 *Eff. February 1, 1976.*
24

1 **15A NCAC 10A .0502 WHEN NOT ISSUED**

2 The Wildlife Resources Commission shall not issue A a declaratory ruling will not be issued upon any a request which
3 does not comply with the requirements of Rules .0501 and .0503 of this Section, or that is the is not in writing or upon
4 the written request of a person or group not aggrieved, who will not be substantially affected, either directly or
5 indirectly, in his person, property, public office or employment by the ruling requested; or when it is or becomes
6 apparent from any a source:

- 7 (1) that no ~~actual~~ controversy exists, either ~~as~~ among the respective parties or ~~as~~ between the parties
8 and the Commission, as to the applicability of a specific rule ~~or regulation~~ of the Commission, or of
9 a specific statute administered or enforced by the Commission, to an existing factual situation;
10 (2) that the question to be ruled upon is academic, hypothetical, moot, speculative, or lacking in
11 specificity;
12 (3) that ~~any a~~ relevant fact or circumstance necessary to the ruling is controverted, unverified, indefinite
13 as to time or place, or omitted from the request for ruling;
14 (4) that the proposed ruling will substantially affect a person, other than an agent or employee of the
15 Commission, who is not a party to the ~~request therefor;~~ request;
16 (5) that a case or proceeding involving the substance of the requested ruling is pending before a court
17 or another agency;
18 (6) that the requested ruling would not be final and binding on the parties ~~to be~~ affected thereby, subject
19 only to direct judicial review as provided by law;
20 (7) that the request for ruling challenges the validity of a statute administered or enforced by the
21 Commission;
22 (8) that the requested ruling would require an interpretation of a statute not administered or enforced by
23 the Commission or of a rule, ~~regulation,~~ order, or ordinance of some other governmental agency;
24 (9) that the Commission is without power or authority to issue the requested ruling for ~~any a~~ reason; or
25 (10) that the request is not made in good faith.

26

27 *History Note: Authority G.S. 150B-4;*
28 *Eff. February 1, 1976.*

29

1 **15A NCAC 10A .0503 PROCEDURE**

2 (a) ~~Form and Content of Request.~~ A request for a declaratory ruling shall be in writing and sent ~~must be a written~~
3 ~~communication, specifically designated as a "Request for Declaratory Ruling," addressed to the Executive Director,~~
4 ~~Director of the Wildlife Resources Commission, Archdale Building, 512 North Salisbury Street, Raleigh, North~~
5 ~~Carolina 27611 and must contain the following:~~ Commission at 1701 Mail Service Center, Raleigh, NC 27699-1700
6 for U.S. Postal Service delivery, or 1751 Varsity Drive, Raleigh, NC 27606-2576 for other delivery services or in
7 person. The request shall contain:

- 8 (1) names and addresses of ~~all~~ persons requesting the ruling;
- 9 (2) designation of the person or persons authorized to receive the ruling or ~~any~~ communication relative
10 thereto, if different from those requesting;
- 11 (3) statement of ~~all the~~ the material facts and circumstances sufficient to show the existence and nature of
12 the controversy and the relation of ~~all the~~ the parties with respect thereto;
- 13 (4) identification of the specific ~~rule, regulation~~ rule or statute involved ~~by number or substance, or~~
14 ~~both;~~
- 15 (5) the specific question to be ruled upon;
- 16 (6) a statement that the substance of the request is not ~~then~~ pending for decision before ~~any a~~ a court or
17 ~~any other~~ another agency of government;
- 18 (7) signature of ~~all the~~ the persons making the request or of one or more authorized representatives of ~~all~~
19 such persons, indicating the capacity of such representation; and
- 20 (8) verification by, or on behalf of, ~~all the~~ the persons making the request.

21 (b) ~~Form of Verification.~~ The verification of a request for a declaratory ruling ~~must~~ shall be executed before an
22 official authorized to administer oaths. ~~oaths, and may be in substance as follows:~~

23
24 ~~North Carolina~~

25 _____ County

26 _____, being duly

27 {name(s)}

28 sworn, says (say) that he is (they are) _____;

29 (capacity)

30
31 that he has (they have) read the foregoing Request for Declaratory Ruling and understand(s) its
32 contents; and that the matters therein stated are true of his (their) own knowledge, except those

1 ~~matters stated on information and belief, and as to the matters so stated, he believes (they believe)~~
2 ~~them to be true.~~

3

4 _____

5 {signature(s)}

6

7 ~~Subscribed and sworn to before me~~

8 this _____ day of _____, 19____.

9 _____

10 (signature of official)

11 _____
Title of Official

12 _____ (L.S.)

13 ~~(c) Action on Request. The Executive Director shall cause the request for a declaratory ruling to~~ shall be marked or
14 stamped with the date of receipt and, receipt, and the Commission shall respond to the request as required by G.S.
15 150B-4(a1), within 60 days thereafter.

16 ~~(1) deny the ruling in writing, stating the reason or reasons for such denial;~~

17 ~~(2) place the request on the agenda for the next ensuing meeting of the Wildlife Resources Commission;~~

18 ~~(3) issue a ruling in accordance with existing policy of the Commission, in which case the ruling shall~~
19 ~~be deemed that of the Commission; or~~

20 ~~(4) take such other action as he may deem appropriate.~~

21 ~~(d) Form and Content of Ruling.—A~~ The Commission's response to a request for a declaratory ruling is a written
22 communication, specifically designated as a "declaratory ruling" (with a number, the substance, or sub-title as may be
23 ~~desirable for identification and future reference~~), addressed to the persons requesting the ruling or to the person or
24 persons authorized in the request to receive the ruling or communications relative thereto, and containing the
25 following:

26 (1) reference to the request for declaratory ruling;

27 (2) reference to authority for the ruling; ~~ruling (the statute and these regulations, or the specific action~~
28 ~~of the Commission);~~

29 (3) names and addresses of the persons affected by the ruling, unless it is general in effect and is so
30 indicated;

- 1 (4) recital of the material facts on which the ruling is based, or reference to the facts as stated in the
- 2 request;
- 3 (5) the ruling;
- 4 (6) date of issue; and
- 5 (7) signature of Executive Director.

6 (e) ~~Notice of Ruling or Denial of Ruling.~~ Any A declaratory ruling issued by the ~~Wildlife Resources~~ Commission or
7 the Executive Director and ~~any the~~ communication denying such a ruling shall be sent by registered mail, "~~return~~
8 return receipt ~~requested,~~ requested, to the persons requesting the ruling, or to ~~such person or persons as are~~ designated
9 in the request to receive the ruling or communications relative thereto.

10

11 *History Note: Authority G.S. 150B-4;*
12 *Eff. February 1, 1976;*
13 *Amended Eff. April 15, 1979.*

EXHIBIT J-1

October 26, 2023



Proposed Amendments to 15A NCAC 10E .0100 Fishing and Boating Access Areas Rules Recommended by Agency Staff for Public Notice, Comment, and Presentation at Public Hearing

Rules in this Subchapter were determined to be “necessary with substantive public interest” and are required to readopted as part of the periodic review.

15A NCAC 10E .0101 DEFINITION

Proposed amendments to this rule update definitions of Public Fishing Areas (PFA) and Boating Access Areas (BAA) and further divides BAAs into motorized and nonmotorized BAAs for clarity.

15A NCAC 10E .0101 DEFINITION (Pg. 3)

15A NCAC 10E .0102 REGULATIONS POSTED

This rule is proposed for repeal, as it sets requirements for the agency and not the public.

15A NCAC 10E .0102 REGULATIONS POSTED (Pg. 4)

15A NCAC 10E .0103 SIGNS AND MARKERS

This rule is proposed for repeal, as it sets requirements for the agency and not the public.

15A NCAC 10E .0103 SIGNS AND MARKERS (Pg. 5)

15A NCAC 10E .0104 USE OF AREAS REGULATED

Proposed amendments to this rule:

- Re-organize and re-word current requirements for clarity;
- Prohibit the operation of concessions on BAAs and PFAs; and

- Provide detail requirements for requesting a permit for activities and events at BAAs.

15A NCAC 10E .0104 USE OF AREAS REGULATED (Pg. 6-8)

1 **SUBCHAPTER 10E – PUBLIC FISHING AND BOATING ACCESS AREAS**

2
3 **15A NCAC 10E .0101 DEFINITION**

4 For the purpose of this ~~Subchapter~~ Subchapter, the term "~~public fishing and boating access area~~" following definitions
5 shall apply:

6 (1) ~~“Boating Access Area” means any area of land which adjoins or abuts on the public waters of the~~
7 ~~state; property which is owned, leased, cooperatively managed, or controlled by the North Carolina~~
8 ~~Wildlife Resources Commission; which is~~ Commission, and developed and maintained for the
9 purpose of providing the following types of vessels ingress to and egress from public waters and
10 ~~public fishing opportunities; and which is posted with a sign or signs designating the same as a~~
11 ~~public fishing or boating access area. Public fishing areas include Community Fishing Program~~
12 ~~waters and other cooperatively managed public waters developed for public fishing.~~ waters:

13 (A) motorboats, as defined in G.S. 75A-2(1e); and

14 (B) non-motorized vessels that use an electric motor or manual means as the principal source
15 of propulsion.

16 (2) ~~“Public Fishing Area” means property which is owned, leased, cooperatively managed, or controlled~~
17 ~~by the Commission, and developed and maintained to provide public fishing opportunities. These~~
18 ~~areas include Community Fishing Program waters.~~

1 **15A NCAC 10E .0102 REGULATIONS POSTED**

2 ~~The Executive Director of the Commission shall cause to be prepared signs or notices containing the rules in this~~
3 ~~Subchapter or the essential substance thereof and shall cause at least one of such signs to be posted at some~~
4 ~~conspicuous place on each public fishing and boating access area in the State.~~

5

1 **15A NCAC 10E .0103 SIGNS AND MARKERS**

2 ~~The Executive Director shall cause to be installed signs or markings designating parking and nonparking zones and~~
3 ~~such other signs or marking to regulate the use of each access area as in his opinion will best serve the purposes for~~
4 ~~which the area is intended.~~

5

1 **15A NCAC 10E .0104 USE OF ~~AREAS REGULATED~~ PUBLIC FISHING AND BOATING ACCESS**
2 **AREAS**

3 (a) Individuals using public fishing areas and boating access areas shall adhere to posted signs and markings regulating
4 use of the area.

5 (b) Except where facilities are provided or where otherwise posted, use of public fishing areas for purposes other than
6 fishing is prohibited.

7 (c) Except where facilities are provided or permits are issued, use of boating access areas for purposes other than
8 launching and retrieving vessels and parking vehicles with vessel trailers is prohibited.

9 (d) Operating concessions is prohibited on public fishing areas and boating access areas.

10 (e) Organized activities and events on boating access areas require a permit from the Commission. Individuals may
11 apply for a permit at www.ncwildlife.org by providing the following information:

- 12 (1) organization name, if applicable;
- 13 (2) contact name, address, phone number, and email;
- 14 (3) public fishing area or boating access area name and body of water;
- 15 (4) description of activity or event;
- 16 (5) dates and time of activity or event; and
- 17 (6) number of individuals and or boats expected.

18 Permits shall be available for inspection by wildlife enforcement officers when the activity is taking place.

19 (f) ~~No person shall leave any vehicle, Vehicles, boat trailer or trailers, and other obstruction objects that obstruct,~~
20 ~~prevent, or impede use of ramps or facilities constructed for the purpose of launching or landing boats, or fishing,~~
21 ~~shall not be left in a location, position or condition, on any public fishing area or boating access area in such a location,~~
22 ~~position or condition that prevents or impedes the use by others, other persons of any ramp or other facility constructed~~
23 ~~for the purpose of launching or landing boats or fishing.~~

24 (b)(g) Vehicles, boats, boat trailers, and other objects shall be parked in designated parking zones. No person shall
25 park a vehicle, boat, boat trailer, or other object at a public fishing or boating access area unless parking in a designated
26 parking zone. Public fishing or boating access areas and facilities remain available for use when designated parking
27 zones are at capacity. When designated parking zones are at capacity, individuals any person may still enter and use
28 the areas or facilities, facilities, provided other arrangements for parking are made that do not violate this Rule or the
29 regulations of this Subchapter, if applicable.

30 (h) No person shall operate a vehicle at a public fishing area or boating access area in a manner that endangers life,
31 limb, or property.

32 (e)(i) No person shall possess a loaded firearm on any a public fishing area or boating access area, except that
33 individuals with a valid concealed handgun permit may possess a handgun where allowed. Individuals carrying a
34 handgun shall adhere to the requirements of G.S. 14-415.11, a handgun may be carried by an individual with a valid
35 concealed handgun permit. The individual carrying a handgun must adhere to the requirements set forth in North
36 Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. The permission

1 ~~to~~ Individuals shall not carry a handgun ~~does not apply to access areas on~~ public fishing and boating access areas at
2 the following game lands:

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

18 ~~(d)(j) No person, when using any public fishing or boating access area, shall deposit debris or refuse anywhere on the~~
19 ~~grounds of the area. a public fishing area or boating access area.~~

20 ~~No person, when using any public fishing or boating access area, shall do any act that is prohibited or neglect to do~~
21 ~~any act that is required by signs or markings placed on such area under authority of this Rule for the purpose of~~
22 ~~regulating the use of the area.~~

23 ~~(e)(k) No person shall operate a motorboat in the public waters of North Carolina~~ vessel within 50 yards of a
24 Commission-owned or managed ~~boat launching ramp~~ boating access area at greater than "no wake speed", as defined
25 in 15A NCAC 10F .0301 unless otherwise posted. ~~wake" speed. For the purpose of this Rule, "no wake" speed means~~
26 ~~idling speed or a slow speed creating no appreciable wake.~~

27 ~~(f) Except where facilities are provided or permits are issued, it is unlawful to use any boating access area for purposes~~
28 ~~other than the launching and retrieving of vessels and parking vehicles with vessel trailers. All other uses, including~~
29 ~~swimming, skiing, camping, building fires, operating concessions or other activities not directly involved with~~
30 ~~launching and retrieving of vessels are prohibited, except those activities for which the Commission has issued a~~
31 ~~permit. All organized activities and events require a permit from the Commission and can be applied for at~~
32 ~~www.newwildlife.org. Permits shall be available for inspection by wildlife enforcement officers at the time the activity~~
33 ~~is taking place.~~

34 ~~(g) Unless otherwise posted, it is unlawful to use any public fishing area for purposes other than fishing.~~

35 ~~(h)(l) It is unlawful to feed or release wild, domesticated, or feral animals or birds~~ wild, domesticated, or feral animals or birds, ~~domesticated animals and~~
36 ~~feral animals~~ on public fishing areas or boating access areas without prior written authorization ~~of~~ from the Wildlife
37 Resources Commission. ~~Written authorization~~ Authorization will only may be granted to ~~persons~~ individuals acting

1 on behalf of the Commission, ~~to persons~~ those conducting scientific investigations or surveys, ~~and~~ or for release of
2 rehabilitated wildlife. ~~Written authorization will not be granted for any feeding or release that is inimical to the~~
3 ~~conservation of native wildlife resources. For the purpose of enforcing~~ As applied in this Paragraph, "domesticated
4 animals" does not include pets under the control of the owner and raptors or hunting dogs where otherwise permitted
5 for hunting or training purposes.

6 ~~(i) The use of gasoline powered motors on Ethridge Pond Public Fishing Area and Newbold Pond Public Fishing~~
7 ~~Area in Edgecombe County is prohibited.~~

8

EXHIBIT J-2
October 26, 2023



Fiscal Note for Proposed Public Fishing Area and Boating Access Area Rule Amendments

Rule Amendment: 15A NCAC 10E .0101 DEFINITION
15A NCAC 10E .0102 REGULATIONS POSTED
15A NCAC 10E .0103 SIGNS AND MARKERS
15A NCAC 10E .0104 USE OF AREAS REGULATED

Agency Contact: Carrie Ruhlman
Policy Development Manager
NC Wildlife Resources Commission
[REDACTED]
[REDACTED]
[REDACTED]

Impact: State Government: Yes
Local Government: Yes
Private Impact: Yes
Substantial Economic Impact: No

Authority: G.S. 113-134; 113-292

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

A summary of the proposed rule amendments follows, with the proposed rule text included in Appendix A.

RULE AMENDMENTS AND IMPACT ANALYSIS

15A NCAC 10E .0101

Amendments to this rule are largely technical and proposed for clarity and alignment with current rule writing and formatting requirements. Several definitions have been added for clarity with impacts discussed below. The definition of “concessions” has been added with no impacts anticipated, except that improved clarity may result in minimal impacts to activities on PFAs and BAAs detailed in Rule .0104.

1. This rule defines Public Fishing Areas (PFAs) and Boating Access Areas (BAAs). Amendments include broadening the definition of BAAs to include motorboats and non-motorized vessels. This amendment is intended to change the way that BAAs and PFAs are signed, thus clarifying the activities allowed on these properties.

Currently boat launches at BAAs are designed specifically for motorboats. Parking lots at BAAs are designed primarily for trailered vehicles. Most PFAs are designed specifically for fishing. Some have ramps or kayak launches on the property. Parking is designed for single vehicles.

Rule 10E .0104 prohibits use of BAAs for purposes other than the launching and retrieving of vessels and parking vehicles with vessel trailers, unless otherwise signed. The use of PFAs for purposes other than fishing is also prohibited in this rule unless otherwise signed. Though all lawful activities on BAAs and PFAs other than the obvious are indicated on signs, the designation and inconsistencies between sites could be confusing to the public.

State Impacts

Clarification of these terms could result in reduced enforcement effort at motorboat BAAs as it will be clear that those areas and parking lots are for trailered vessels and non-motorized BAAs are available for single vehicles with other vessels.

Depending on the location, enforcement officers can spend a significant amount of time at a BAA on a busy day patrolling, having vehicles towed, and writing citations for parking violations. The proposed clarification may reduce officer time spent arranging towing and writing citations. Unfortunately, there is no way to quantify this potential time savings with available data.

Additionally, officers typically spend one day each month in a specific county’s court. If fewer citations are issued, the potential exists for officers to spend less time in court. However, because this is part of each officer’s typical duties, and parking citations are often paid ahead of the court date, the agency does not anticipate notable time savings related to the proposed amendments.

Local Impacts

Parking violations carry a fine of \$50 plus cost of court (\$181). Thus, reduced parking violations at BAAs may result in fewer citations and less revenue to the county court system.

The agency estimates that approximately 50 citations are issued annually for parking violations at BAAs. This would account for \$9,050 (50 citations x \$181 = \$9,050) in county court costs. Because an accurate estimate of the effectiveness of the proposed change cannot be made, the agency has no way to quantify the potential costs.

Private Impacts

Officers typically either have vehicles towed or issue citations for parking violations at BAAs. If a vehicle is towed, the individual must pay the tow company to recover their impounded vehicle. The agency does not currently have data on the number of vehicles towed from BAAs or the average cost of retrieving an impounded vehicle. However, reduced issues with parking may lead to fewer cars being towed and less revenue for tow companies.

If a parking citation is issued, individuals incur a \$231 fine. Clearer expectations at BAAs may result in fewer individuals receiving citations.

While the addition of specific non-motorized BAAs is not anticipated to completely eliminate need for towing or the issuance of citations, it may clarify the intentions of each BAA and promote compliance. Unfortunately, there is no way for the agency to accurately anticipate or estimate this impact.

2. Currently, 24 PFAs have non-motorized vessel launches or ramps. It is anticipated that most, if not all, of these launches will need to be re-signed.

State Impacts

Re-signing non-motorized BAAs and PFAs with non-motorized boat launch signs is estimated as a one-time cost to the agency of approximately \$720 (\$30/sign x 24 signs/area = \$720). Staff costs will be negligible as routine maintenance is part of their normal job duties.

15A NCAC 10E .0102

This rule is proposed for repeal as it does not meet the statutory definition of a rule.

15A NCAC 10E .0103

This rule is proposed for repeal as it does not meet the statutory definition of a rule.

15A NCAC 10E .0104

This rule contains requirements and restrictions for individuals using PFAs and BAAs. Most of the amendments to this rule are proposed for clarity and alignment with current rule writing and formatting requirements. As such, they will have no impact. However, the addition of the definition of “concessions” to Rule .0101, and specific prohibition on concessions at BAAs and PFAs in this rule is likely to provide clarity to the public.

The proposed amendment to .0104(d), which prohibits the operation of concessions on PFAs and BAAs, does not alter current requirements. However, the actual restrictions of this current prohibition on concessions may be unclear to the public since the term is undefined. It is the agency’s intention not to allow any operations which exchange money for goods or services at BAAs or PFAs, as these areas are not designed to accommodate this activity. This could include the rental of watercraft or sale of goods and food. While there are no data recorded to indicate the demand for such activities, staff receive this question/request throughout the year at various locations, and thus, the agency believes the addition of the term and specific prohibition are necessary to help avoid confusion and inconsistency.

Also, the proposed addition of specific information required to obtain an event permit for a BAAs has been included in this rule. The agency currently issues approximately 1,400 event permits annually for BAAs. Depending on the time of year, processing these permit applications can take up to eight hours/week. While the information required of the applicant is not new, the addition of this information in rule is proposed to ensure that individuals applying for a permit know what is required and the process of application review by staff can be streamlined. While the agency does not have data to estimate the time savings that may occur because of this change, any number of hours of staff time not spent processing incomplete applications would be a cost savings to the State.

SUMMARY

State

Quantifiable State costs are \$720 for non-motorized BAA signs (one-time cost).

Unquantifiable State costs include the following:

- Officer time saved on parking violations at BAAs
- Officer time saved in county court
- Staff time saved on processing incomplete BAA event permits

Local Government

Quantifiable local government costs include potential loss of \$150 per citation.

Private

Quantifiable private benefits include potential avoidance of \$200 parking citation. Unquantified private benefits include potential avoidance of vehicle towing costs.

Unquantifiable private costs include potential lost revenue to tow companies.

APPENDIX A

15A NCAC 10E .0101 **DEFINITION DEFINITIONS**

For the purpose of this ~~Subchapter-Subchapter~~, the term "~~public fishing and boating access area~~" following definitions shall apply:

- (1) "Boating Access Area" means any area of land which adjoins or abuts on the public waters of the state; property which is owned, leased, cooperatively managed, or controlled by the North Carolina Wildlife Resources Commission; which is Commission, and developed and maintained for the purpose of providing the following types of vessels ingress to and egress from public waters and public fishing opportunities; and which is posted with a sign or signs designating the same as a public fishing or boating access area. Public fishing areas include Community Fishing Program waters and other cooperatively managed public waters developed for public fishing. waters:
 - (A) motorboats, as defined in G.S. 75A-2(1e); and
 - (B) non-motorized vessels that use an electric motor or manual means as the principal source of propulsion.
- (2) "Concessions" means the sale of goods or services.
- (3) "Public Fishing Area" means property which is owned, leased, cooperatively managed, or controlled by the Commission, and developed and maintained to provide public fishing opportunities. These areas include Community Fishing Program waters.

15A NCAC 10E .0102 REGULATIONS POSTED

~~The Executive Director of the Commission shall cause to be prepared signs or notices containing the rules in this Subchapter or the essential substance thereof and shall cause at least one of such signs to be posted at some conspicuous place on each public fishing and boating access area in the State.~~

15A NCAC 10E .0103 SIGNS AND MARKERS

~~The Executive Director shall cause to be installed signs or markings designating parking and nonparking zones and such other signs or marking to regulate the use of each access area as in his opinion will best serve the purposes for which the area is intended.~~

15A NCAC 10E .0104 USE OF ~~AREAS REGULATED~~ PUBLIC FISHING AND BOATING ACCESS

AREAS

(a) Individuals using public fishing areas and boating access areas shall adhere to posted signs and markings regulating use of the area.

(b) Except where facilities are provided or where otherwise posted, use of public fishing areas for purposes other than fishing is prohibited.

(c) Except where facilities are provided or permits are issued, use of boating access areas for purposes other than launching and retrieving vessels and parking vehicles with vessel trailers is prohibited.

(d) Operating concessions is prohibited on public fishing areas and boating access areas.

(e) Organized activities and events on boating access areas require a permit from the Commission. Individuals may apply for a permit at www.ncwildlife.org by providing the following information:

- (1) organization name, if applicable;
- (2) contact name, address, phone number, and email;
- (3) public fishing area or boating access area name and body of water;
- (4) description of activity or event;
- (5) dates and time of activity or event; and
- (6) number of individuals and or boats expected.

Permits shall be available for inspection by wildlife enforcement officers when the activity is taking place.

~~(f) No person shall leave any vehicle, Vehicles, boat trailer or trailers, and other obstruction objects that obstruct, prevent, or impede use of ramps or facilities constructed for the purpose of launching or landing boats, or fishing, shall not be left in a location, position or condition, on any public fishing area or boating access area in such a location, position or condition that prevents or impedes the use by others. other persons of any ramp or other facility constructed for the purpose of launching or landing boats or fishing.~~

~~(b)(g) Vehicles, boats, boat trailers, and other objects shall be parked in designated parking zones. No person shall park a vehicle, boat, boat trailer, or other object at a public fishing or boating access area unless parking in a designated parking zone. Public fishing or boating access areas and facilities remain available for use when designated parking zones are at capacity. When designated parking zones are at capacity, individuals any person may still enter and use the areas or facilities. facilities, provided other arrangements for parking are made that do not violate this Rule or the regulations of this Subchapter, if applicable.~~

(h) No person shall operate a vehicle at a public fishing area or boating access area in a manner that endangers life, limb, or property.

~~(e)(i) No person shall possess a loaded firearm on any a public fishing area or boating access area, except that individuals with a valid concealed handgun permit may possess a handgun where allowed. Individuals carrying a handgun shall adhere to the requirements of G.S. 14-415.11. a handgun may be carried by an individual with a valid concealed handgun permit. The individual carrying a handgun must adhere to the requirements set forth in North Carolina G.S. 14-415.11, even if the state issuing the concealed handgun permit is not North Carolina. The permission~~

~~to~~ Individuals shall not carry a handgun ~~does not apply to access areas on~~ public fishing and boating access areas at
the following game lands:

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

~~(d)~~(j) No person, ~~when using any public fishing or boating access area,~~ shall deposit debris or refuse ~~anywhere~~ on the grounds of ~~the area.~~ a public fishing area or boating access area.

~~No person, when using any public fishing or boating access area, shall do any act that is prohibited or neglect to do any act that is required by signs or markings placed on such area under authority of this Rule for the purpose of regulating the use of the area.~~

~~(e)~~(k) No person shall operate a motorboat ~~in the public waters of North Carolina~~ within 50 yards of a Commission-owned or managed ~~boat launching ramp~~ boating access area at greater than "no wake speed", as defined in 15A NCAC 10F .0301, ~~wake" speed. For the purpose of this Rule, "no wake" speed means idling speed or a slow speed creating no appreciable wake.~~

~~(f) Except where facilities are provided or permits are issued, it is unlawful to use any boating access area for purposes other than the launching and retrieving of vessels and parking vehicles with vessel trailers. All other uses, including swimming, skiing, camping, building fires, operating concessions or other activities not directly involved with launching and retrieving of vessels are prohibited, except those activities for which the Commission has issued a permit. All organized activities and events require a permit from the Commission and can be applied for at www.newildlife.org. Permits shall be available for inspection by wildlife enforcement officers at the time the activity is taking place.~~

~~(g) Unless otherwise posted, it is unlawful to use any public fishing area for purposes other than fishing.~~

~~(h)~~(l) It is unlawful to feed or release wild, domesticated, or feral animals or birds ~~birds, domesticated animals and feral animals~~ on public fishing areas or boating access areas without prior written authorization ~~of from~~ the Wildlife Resources Commission. ~~Written authorization~~ Authorization will only may be granted to persons ~~individuals~~ acting

on behalf of the Commission, ~~to persons those~~ conducting scientific investigations or surveys, ~~and or~~ for release of rehabilitated wildlife. ~~Written authorization will not be granted for any feeding or release that is inimical to the conservation of native wildlife resources. For the purpose of enforcing~~ As applied in this Paragraph, "domesticated animals" does not include pets under the control of the owner and raptors or hunting dogs where otherwise permitted for hunting or training purposes.

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

EXHIBIT K-1

October 26, 2023



Public Comments for 15A NCAC 10F .0333 Mecklenburg and Gaston Counties

For proposed Rule amendments on Lake Wylie in Gaston County for a restricted area with swim beach at the South Point Access Area and a no-wake zone within 50 yards of the South Point Boating Access Area, there were no public comments received during the open comment period.

One public hearing was held on September 14, 2023, with one attendee.

EXHIBIT K-2

October 26, 2023



PERMANENT RULEMAKING FINAL ADOPTION 15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES

The Notice of Text for adoption of amendments to 15A NCAC 10F .0333, for a restricted area and swim beach at the South Point Access Area and no-wake zone within 50 yards of the South Point Boating Access Area in Gaston County, was published in the *NC Register* with open comment period and public hearing, per the Administrative Procedure Act.

There were no comments received during the open comment period.

Staff seeks your final action on these proposed Rule amendments for Lake Wylie in Gaston County, subject to final review by the N.C. Rules Review Commission. The earliest effective date of the Rule will be January 1, 2024.

15A NCAC 10F .0333 MECKLENBURG AND GASTON COUNTIES

(a) Regulated Areas. This Rule shall apply to the following waters of Lake Wylie in Mecklenburg and Gaston ~~Counties:~~ counties.

- (1) McDowell Park. The waters of the coves adjoining McDowell Park and the Southwest Nature Preserve in Mecklenburg County shore to shore, east of the mouth of the cove at a line from a point on the south shore at 35.10272 N, 81.03026 W to a point on the north shore at 35.10556 N, 80.02964 W;
- (2) Gaston County Wildlife Club Cove. The waters of the cove west of the Gaston County Wildlife Club on South Point Road in Belmont, north of a line at the mouth of the cove from a point on the east shore at 35.15628 N, 81.01427 W to a point on the west shore at 35.15628 N, 81.01615 W;
- (3) Buster Boyd Bridge. The waters from a point 250 feet east of the Buster Boyd Bridge on N.C. Highway 49 in Mecklenburg County at 35.10293 N, 81.03932 W, to a point 150 feet west of the Buster Boyd Bridge at 35.10242 N, 81.04089 W;
- (4) N.C. Highway 27 bridge. The waters shore to shore, from a point 50 yards north of the N.C. Highway 27 bridge in Mecklenburg and Gaston counties at 35.29849 N, 81.00346 W to a point 190 yards south of the N.C. Highway 27 bridge at 35.29635 N, 81.00424 W;

- (5) Brown's Cove. The area beginning at the mouth of Brown's Cove in Mecklenburg County shore to shore, at a point at 35.16453 N, 81.00474 W, west to a point at 35.16480 N, 81.00309 W;
- (6) Paradise Point Cove. The waters of Paradise Point Cove in Gaston County between Paradise Circle and Lake Front Drive, west of a line from a point on the south shore at 35.18853 N, 81.04036 W to a point on the north shore at 35.18991 N, 81.04136 W;
- (7) Withers Cove. The waters of Withers Cove in Mecklenburg County, shore to shore, beginning at a line north of the Mecklenburg Charlotte Fire Department and Police Department Boathouse from a point on the west shore at 35.14632 N, 81.00383 W to a point on the east shore at 35.14713 N, 81.00173 W, and ending at a point 50 feet southeast of the Withers Bridge on SR 1116, otherwise known as Shopton Road, at 35.14576 N, 81.00187 W;
- (8) Sadler Island. The waters shore to shore beginning at a line from a point on the west shore of Lake Wylie in Gaston County at 35.27481 N, 81.0138 W east to a point on the east shore of the Lake in Mecklenburg County at 35.27423 N, 81.01111 W, extending south on the Lake west of Sadler Island to a line from a point on the west shore of the Lake in Gaston County at 35.27079 N, 81.01525 W, east to a point on the west side of Sadler Island in Mecklenburg County at 35.27051 N, 81.01396 W, and the waters shore to shore east of Sadler Island in Mecklenburg County from a point at 35.27441 N, 81.01185 W, south-southwest to a line from a point on the south shore of Sadler Island at 35.26635 N, 81.01432 W, south to a point on the Lake shore at 35.26494 N, 81.01368 W;
- (9) Other bridges. The areas waters within 50 feet of a bridge in North Carolina that crosses the waters of Lake Wylie that is not otherwise specifically mentioned in this Paragraph; ~~and~~
- (10) Yachtsman on Lake Wylie Community. The waters within 50 yards of the community piers near the terminus of Waterside Drive in Mecklenburg County, and northward to include the waters east of the island that is west of Point Lookout Road, ending at a line from a point on the northern end of the island at 35.12226 N, 81.03306 W, east to a point on the shore at 35.12253 N, 81.03190 W; ~~and~~
- (11) Brown's Cove. The waters of Brown's Cove in Mecklenburg County, beginning at a line from a point on the east shore at 35.16892 N, 80.99702 W to a point on the west shore at 35.16948 N, 80.99783 W, northeast to a line from a point on the south shore at 35.16913 N, 80.99556 W to a point on the north shore at 35.17043 N, ~~80.99684 W~~; 80.99684 W;
- (12) South Point Boating Access Area. The waters within 50 yards of the South Point Boating Access Area in Gaston County, 199 Boat Launch Road in Belmont;
- (13) Other facilities. The waters within 50 yards of a public boat launching ramp not otherwise specified in this Paragraph, public dock, public pier, public marina, public boat storage structure, or public boat service area; and
- (14) Marked swimming and mooring areas. The waters within 50 yards of a marked swimming area or marked mooring area.

(b) Speed limit. No person shall operate a vessel at greater than no-wake speed within the regulated areas described in Paragraph (a) of this Rule.

~~(b) Speed Limit Near Ramps. No person shall operate a vessel at greater than no wake speed within 50 yards of a public boat launching ramp, dock, pier, marina, boat storage structure, or boat service area.~~

~~(c) Speed Limit Near Marked Swimming or Mooring Areas. No person shall operate a vessel at greater than no wake speed within 50 yards of a marked mooring area or marked swimming area.~~

~~(c) Restricted area. No person operating or responsible for the operation of a vessel shall allow it to enter the waters of the restricted area with swim beach at the South Point Access Area in Gaston County, at 199 Boat Launch Road in Belmont, north of the rope in the cove east of the South Point Boating Access Area.~~

~~(d) Placement and Maintenance of Markers. The Lake Wylie Marine Commission shall be the designated agency for placement and maintenance of markers implementing this Rule. The following agencies are the designated agencies for placement and maintenance of markers implementing this Rule:~~

- ~~(1) the Lake Wylie Marine Commission for the regulated areas designated in Subparagraphs (a)(1) through (11), (13) and (14);~~
- ~~(2) the North Carolina Wildlife Resources Commission for the regulated area designated in Subparagraph (a)(12); and~~
- ~~(3) Duke Energy Carolinas, LLC for the restricted area designated in Paragraph (c).~~

History Note: Authority G.S. 75A-3; 75A-15;
Eff. July 1, 1980;
Amended Eff. July 1, 1994; June 1, 1985; June 1, 1984; March 1, 1983;
Temporary Amendment Eff. January 1, 1998;
Amended Eff. July 1, 1998;
Temporary Amendment Eff. February 4, 2000;
Amended Eff. April 1, 2009; June 1, 2004; July 1, 2000;
Temporary Amendment Eff. May 1, 2015;
Amended Eff. October 1, 2015;
Readopted Eff. October 1, 2018;
Amended Eff. January 1, 2024; June 1, 2023; June 1, 2022; May 1, 2019.

**Requested No-Wake Zone Amendment and Restricted Area
WRC South Point BAA, Lake Wylie, Gaston County**



EXHIBIT L

October 26, 2023



15A NCAC 10F .0310 – DARE COUNTY TECHNICAL CORRECTION – MOTTS CREEK NO WAKE ZONE COORDINATE

Staff recommends that the Commission approve publishing Notice of Text in the *NC Register* with an open comment period of at least 60 days and one public hearing, for a technical correction to 15A NCAC 10F .0310(a)(16), amended effective September 1, 2023. The technical correction corrects a coordinate that marks the no-wake zone near the south shore of Motts Creek at the Cape Hatteras National Seashore.

15A NCAC 10F .0310 DARE COUNTY

(a) Regulated Areas. This Rule shall apply to the following waters and portions of waters in Dare County:

- (1) Manteo:
 - (A) the waters of Doughs Creek off Shallowbag Bay and the canals off Shallowbag Bay; and
 - (B) within 50 yards of the Bowsertown Boating Access Area on Croatan Sound at 35.89810 N, 75.67710 W.
- (2) Hatteras:
 - (A) the waters of Pamlico Sound otherwise known as Hatteras Harbor and Muddy Creek bounded on the north and south by the high-water mark, on the west by a straight line between channel markers number 20 and 17 at the entrance to Hatteras Harbor, and on the east by the mouth of Muddy Creek at Sandy Bay at a point at 35.22801 N, 75.68050 W; and
 - (B) Hatteras Ferry Terminal and United States Coast Guard basins ending at Coast Guard Beacon Number One in the Hatteras Channel.
- (3) Manns Harbor:
 - (A) Old Ferry Dock Road Canal, beginning at a point at 35.90654 N, 75.76916 W;
 - (B) within 50 yards of the Manns Harbor Boating Access Area on Croatan Sound at 35.91020 N, 75.77150 W; and
 - (C) within 50 yards of the Mashoes Boating Access Area on East Lake at 35.92820 N, 75.81470 W.

- (4) Nags Head:
 - (A) the canals of Old Nags Head Cove where the canal entrance meets Roanoke Sound beginning at a point at 35.94192 N, 75.62571 W; and
 - (B) the Roanoke Sound inlets at Pond Island on either side of W. Marina Drive extending north from U.S. Highway 64-264.
- (5) Wanchese:
 - (A) Wanchese Harbor otherwise known as Mill Landing Creek, beginning at its entrance from Roanoke Sound at a point at 35.84006 N, 75.61726 W; and
 - (B) the canal from its beginning where it connects with Roanoke Sound south of the dead-end road S.R. 1141 otherwise known as Thicket Lump Drive, extending northwest roughly parallel to S.R. 1141, S.R. 1142 otherwise known as The Lane, and S.R. 1143 otherwise known as Tink Tillet Road, then westward roughly parallel to N.C. Highway 345, and finally curving to the southwest roughly parallel to S.R. 1289 otherwise known as C B Daniels S.R. Road to its end.
- (6) Stumpy Point:
 - (A) Stumpy Point Canal shore to shore on Pamlico Sound, beginning 50 yards west of the Stumpy Point Boating Access Area, 321 Bayview Drive; and
 - (B) Stumpy Point Basin off Stumpy Point Bay, east of U.S. Highway 264 where it intersects Stumpy Point Bay at a point at 35.69591 N, 75.77264 W.
- (7) Rodanthe. Within 50 yards of the Rodanthe Boating Access Area in Roanoke Sound, 23170 Myrna Peters Road;
- (8) Town of Southern Shores. The canals and lagoons within the Town of Southern Shores north of U.S. Highway 158;
- (9) Colington Harbour. The waters in the canals of Colington Harbour Subdivision on Albemarle Sound;
- (10) Kitty Hawk. The waters in the canals of Kitty Hawk Landing Subdivision;
- (11) Washington Baum Bridge Boating Access Area. The waters within 150 yards north and south and 300 yards east of the Washington Baum Boating Access Area in Roanoke Sound, at 35.89380 N, 75.63710 W;
- (12) Kill Devil Hills:
 - (A) Baum Bay Harbor, beginning at a point at 36.00572 N, 75.68105 W; and
 - (B) the waters within 50 yards of the Avalon Beach Boating Access Area in Kitty Hawk Bay, 2025 Bay Drive.
- (13) Avon. The waters of Pamlico Sound shore to shore beginning at a line from a point on the east shore of Big Island at 35.36653 N, 75.50770 W westward to a point on the mainland at 35.36653 N, 75.50556 W, south to include the waters of the cove between North Albacore Lane and South Albacore Lane and the waters of Mill Creek, and ending east of a line from a point on the south

shore of Big Island at 35.36500 N, 75.50820 W southward to a point on the mainland at 35.36358 N, 75.50826 W;

- (14) Jean Guite Creek. The waters of Jean Guite Creek from where it meets Kitty Hawk Bay at 36.04887 N, 75.72754 W, north to a line from a point on the east shore in Southern Shores at 36.10460 N, 75.74192 W to a point on the west shore in Martin's Point Subdivision at 36.10452 N, 75.73948 W;
- (15) Frisco. The waters of the marina canal and boat basin at Palmetto Shores Subdivision, shore to shore beginning at the canal's entrance at Pamlico Sound at a point at 35.25427 N, 75.60301 W; and
- (16) Cape Hatteras National Seashore. The waters of Motts Creek in Roanoke Sound, shore to shore at a line from a point on the north shore where the Oregon Inlet U.S. Coast Guard Station is located, to a point near the south shore of Motts Creek at ~~35.792070 N, 75.54903 W~~, 35.79270 N, 75.54903 W, then northward to include the waters at the Oregon Inlet Fishing Center and Marina, Oregon Inlet Public Boat Ramp, kayak launch area, and U. S. Coast Guard Station and Launch Area.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed within the regulated areas described in Paragraph (a) of this Rule.

(c) Swimming Area. No person operating or responsible for the operation of a vessel shall permit it to enter the marked swimming area at Colington Island on the west shore, from a point where the canal enters the harbor at 36.01797 N, 75.72681 W, north 600 feet to a point at 36.01964 N, 75.72683 W and extending 300 feet west into Albemarle Sound.

(d) Placement of Markers. The following agencies shall place markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers:

- (1) the Board of Commissioners of the Town of Manteo for the areas designated in Part (a)(1)(A) of this Rule;
- (2) the Board of Commissioners of Dare County for the areas designated in Paragraph (c), Subparagraphs (a)(2); (a)(4); (a)(5); (a)(9); (a)(13) through (15); and Parts (a)(3)(A); (a)(6)(B); and (a)(12)(A) of this Rule;
- (3) the Board of Commissioners of the Town of Southern Shores for the areas designated in Subparagraph (a)(8) of this Rule;
- (4) the Board of Commissioners of the Town of Kitty Hawk for the area designated in Subparagraph (a)(10) of this Rule;
- (5) the National Park Service for the area designated in Subparagraph (a)(16) of this Rule; and
- (6) the North Carolina Wildlife Resources Commission for the areas designated in Subparagraphs (a)(7) and (a)(11); and Parts (a)(1)(B); (a)(3)(B) and (C); (a)(6)(A); and (a)(12)(B) of this Rule.

History Note: Authority G.S. 75A-3; 75A-15;

Eff. February 1, 1976;

Amended Eff. April 1, 1997; December 1, 1994; May 1, 1994; March 1, 1993; May 1, 1988;

Temporary Amendment Eff. February 1, 1999; July 1, 1998;

Amended Eff. July 1, 2000; April 1, 1999;

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

Amended Eff. September 1, 2023; October 1, 2022; October 1, 2018.

EXHIBIT M

October 26, 2023



2024 WILDLIFE RESOURCES COMMISSION MEETINGS

DRAFT SCHEDULE

THURSDAY, FEBRUARY 22, 2024

THURSDAY, APRIL 18, 2024 (Away Meeting-Location TBA)

THURSDAY, JULY 11, 2024

THURSDAY, AUGUST 8, 2024

THURSDAY, OCTOBER 3, 2024

THURSDAY, DECEMBER 5, 2024