



Fiscal Note for Proposed Wildlife Management Division Rule Amendments for the Wildlife Resources Commission

Rule Amendments: 15A NCAC 10B.0113 Big Game Kill Reports
15A NCAC 10B.0119(b) Wildlife Collectors
15A NCAC 10B.0202 Bear
15A NCAC 10B.0203 Deer (White-Tailed)
15A NCAC 10B .0209 Wild Turkey
15A NCAC 10B.0215(a) Crows
15A NCAC 10B.0406(a) Misuse of Tags
15A NCAC 10H .1302 Possession of Reptiles and Amphibians

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

Authority: G.S. § 113 - 134

For reasons which are outlined below, WRC believes that these rule changes have a minimal fiscal impact pursuant to G.S. § 150B-21.4. An analysis of the proposed changes for the rules follows.

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

As part of its mission, WRC conducts an annual review of its fish, wildlife, boating safety, and other regulations to determine whether such rules need to be adjusted in order to accomplish the

objectives of: managing wildlife resources through a biologically sustainable harvest of such resources by hunters, trappers and anglers consistent with sound conservation objectives; ensuring the safety of the boating public; managing Commission-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 text included in Appendix A.

15A NCAC 10B .0113 BIG GAME KILL REPORTS

The proposed amendment to the Rule will eliminate the use of paper Big Game Record sheets by removing the option for registering big game harvests with a Wildlife Cooperator Agents (WCA); and clarify rule text associated with big game harvest validations and authorizations for Deer Management Assistance Program (DMAP) participants.

The proposed change to this Rule is necessary to further improve efficiency, accuracy, timeliness and effectiveness of the big game harvest reporting system. It is also necessary to improve the clarity of the rule.

Fiscal Impact

State Impact

An increase in reporting efficiency as a result of the proposed amendment is estimated to decrease agency cost by approximately \$8,000 per hunting season (first Saturday in September on or closest to September 10 through January 1) due to a decreased need for supplies and labor for mailing, data processing, and program coordination. Based on 2015/2016 data, the agency spent a total of \$60,936 on both paper and electronic reporting. It is projected that electronic only reporting, via phone, internet, online license agents and mobile devices, will cost the agency approximately \$52,557 per hunting season, thus saving an estimated \$8,379 ($\$60,936/\text{year} - \$52,557/\text{year} = \$8,379/\text{year}$).

Local Impact

This rule has no local government impact.

Private Impact

Private individuals will incur no costs, as hunters will either call a toll-free telephone number or use the Internet to record their big game harvest.

PROPOSED RULE CHANGE 15A NCAC 10B .0119(b) WILDLIFE COLLECTORS AND 15A NCAC 10H .1302 POSSESSION OF REPTILES AND AMPHIBIANS

The proposed amendment to these two Rules will limit the size of which turtles may be collected or possessed, to those that are 11 inches or larger.

The proposed change to this Rule is necessary to ensure the continued viability of the snapping turtle population by limiting overall harvest and prohibiting the harvest of small turtles.

Over the past several years, the agency has seen an increase in the number of collection licenses specifically targeting snapping turtles, as well as an overall increase in the number of snapping turtles harvested. Between 2008 and 2015, annual turtle harvests increased by 230% from approximately 1,100 to 3600 turtles. Collection licenses increased 90% over the same timeframe.¹ Because snapping turtles are a long-lived species with slow recruitment and high importance of older breeding adults, an increase in harvest such as this represents a threat to sustainable populations.

Fiscal Impact

State Impact

This rule amendment will have no impact. Wildlife staff already issue licenses and record data from licensees. Law enforcement staff already enforce 10B .0119 as part of their normal work duties.

Local Impact

This rule has no local government impact.

Private Impact

The impact on private individuals should be minimal. The overall limit on the number of turtles an individual can collect remains the same. Most turtles sold are already in the 11 inches or larger category.

Because trappers are required to follow rules and submit reports to be eligible for future licenses, WRC expects a high rate of compliance.

15A NCAC 10B .0202 BEAR

The proposed amendment to the Rule will change the last day of the bear season in in Columbus and Brunswick counties to January 1; allow the use of unprocessed food as bait to take bears during the entirety of the bear seasons in the Coastal Plain Bear Management Unit (CPBMU) for all hunters; and allow the use of unprocessed food as bait to take bears during the first split (the Monday on or nearest October 15 through the Saturday before Thanksgiving) of the bear season in the Mountain Bear Management Unit (MBMU). Bear management units can be found here: <http://www.ncwildlife.org/Portals/0/Learning/documents/Species/Bear/Black%20Bear%20Mana>

¹ WRC harvest data records.

gement%20Plan_2012-2022.pdf.

The proposed change to this Rule is necessary to align the season in Columbus and Brunswick counties to the other counties in the CPBMU and increase opportunity for hunters. The expanded use of unprocessed foods is necessary to increase opportunity for hunters and manage a growing bear population.

The goal for the CPBMU is to maintain the bear population at current levels. Maintaining the population through harvest translates to harvesting between 2,476 and 3,039 bears per year. The actual three-year harvest average for the CPBMU is 1,842 bears.

The goal for the MBMU is to stabilize the bear population at the current level. Stabilizing the population through harvest translates to harvesting between 1,301 and 1,597 bears per year. The actual three-year harvest average for the MBMU is 1,013 bears.

Fiscal Impact

State Impact

This rule amendment has the potential to benefit the state by increasing out-of-state license sales, as it is possible that the use of bait by hunting guides could continue through the open bear season in the coastal bear management unit, thus expanding the period they have to sell hunts to clients. However, this benefit is unquantifiable due to lack of data.

Local Impact

This rule has no local government impact.

Private Impact

Fiscal impacts of modifying the season are expected to be limited to those associated with extra hunting trips made by local bear hunters. Bear hunters will benefit from having additional hunting opportunities due to the extended season. Hunters will also benefit from the greater probability of taking a bear, due to the increased opportunities to use unprocessed food as bait. Additionally, minimal fiscal impacts to dog hunters may occur as a result of changes associated with baiting, as land lease prices may rise due to the proposed rule change. Unfortunately, due to lack of data, the Commission is unable to estimate the potential fiscal impacts at this time.

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

There are two proposed amendments to this rule. The first re-opens archery season for antlered buck after the close of gun season in the following counties: Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, and Yancey Counties. This proposal would re-open archery season for antlered bucks only, on the Sunday immediately following the close of gun season (gun season currently closes the third Saturday after Thanksgiving Day) and extend it through January 1 on private lands and game lands in these counties. The proposed change to this Rule is

necessary to increase hunting opportunity for Western season deer hunters with negligible impacts to the deer population.

The second change will modify the definition of “youth” from under 16 years of age to under 18 years of age. This proposed change will increase opportunities for participation in youth either-sex deer hunts that are specifically designed to encourage youth participation. This proposed amendment is also consistent with the Wildlife Commission’s initiative to remove barriers to participation in resourced-based outdoor recreational activities.

Fiscal Impact

State Impact

The rule amendment to re-open archery season for antlered bucks will have no impact. Law enforcement staff already enforce 10B .0203 as part of their normal work duties.

This rule amendment is anticipated to have a limited positive effect on state resources. Increasing the maximum age associated with youth hunters will also increase the qualified pool of applicants applying for permit-only youth hunting opportunities. There is a \$5 nonrefundable administrative fee associated with each permit hunt application. Although there is no way to quantify the actual outcome, it is anticipated that the collection of administrative permit hunt fees will increase, as a result of an associated increase in the number of applications for youth permit hunts

Local Impact

This rule has no local government impact.

Private Impact

Private individuals may incur insignificant costs associated with additional hunting opportunities. However, the Commission has no mechanism to determine these fiscal impacts.

People may hunt more during the additional time, spending more on supplies and travel overall during the hunting season. Or people may shift when they hunt and not expend any more money than in previous seasons

The public will benefit from increased opportunities for youth involvement in hunting events and an increased awareness of natural resource use activities and conservation efforts in the state.

15A NCAC 10B .0209 WILD TURKEY

The proposed amendment to this rule modifies the age of a “youth hunter” from 16 to 18. This proposed change will increase opportunities for participation in hunting events that are specifically designed to encourage youth participation. This proposed amendment is also consistent with the Wildlife Commission’s initiative to remove barriers to participation in resourced-based outdoor recreational activities.

Fiscal Impact

State Impact

This rule amendment is not anticipated to have an effect on state resources.

Local Impact

The proposed amendment to this rule will have no local government impact.

Private Impact

The public will benefit from increased opportunities for youth involvement in hunting events and an increased awareness of natural resource use activities and conservation efforts in the state.

15A NCAC 10B .0215(a) CROWS

10B .0215 currently allows hunting of crows on Christmas and New Year's Day even though this is in conflict with G.S. 103-2(a)(2) which states that "Hunting of migratory birds on Sunday is prohibited". Because both Christmas and New Year's Day shift with the calendar, they may occur on Sundays approximately once every 7 years. This rule change clarifies that crows may not be hunted on Christmas and New Year's Day when they occur on Sunday. The proposed amendment to the Rule will clarify that crows cannot be hunted on Sundays.

The proposed change to this Rule is necessary to amend conflicting text that was necessary when G.S. 103-2 was amended during the 2015 legislative session.

Fiscal Impact

State Impact

This rule amendment will have no fiscal impact, as it is for clarification only.

Local Impact

This rule has no local government impact.

Private Impact

Private individuals will incur no costs.

15A NCAC 10B .0406(a) MISUSE OF TAGS

The proposed amendment to the Rule will allow individuals to use or affix an unused fur tag purchased in one season on a bobcat, otter or fox taken in subsequent seasons.

The proposed change to this Rule is necessary to maintain consistency in tagging requirements.

Fiscal Impact

State Impact

This amendment is anticipated to benefit the Commission, as staff will no longer have to dispose of unsold tags and order new tags at the end of each season.

Local Impact

This rule has no local government impact.

Private Impact

The fiscal effect would be positive for hunters and trappers. If they purchase too many fur tags, they can now use those tags in the subsequent season. Currently, they have to dispose of the tags and purchase new tags the following season. However, the Commission is unable to quantify this impact due to lack of data.

APPENDIX A

15A NCAC 10B .0113 BIG GAME KILL REPORTS

(a) Upon killing a bear, deer or wild turkey and before moving the animal from the site of kill, the successful hunter shall validate the Big Game Harvest Report Card furnished with the big game hunting license by cutting or punching out the validation box that correctly identifies the big game animal harvested. In lieu of the Big Game Harvest Report Card, antlerless deer may be recorded as outlined above on the Bonus Antlerless Deer Harvest Report Card acquired from the Wildlife Resources Commission or a Wildlife Service Agent. Deer harvested under the Deer Management Assistance Program (DMAP) program, not validated with either a Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card, shall be validated by affixing a Commission-issued DMAP tag to the deer as required by G.S. 113-291.2(e).

(b) Before any harvested bear, deer or wild turkey is skinned, dressed, or dismembered for consumption and within 24 hours of the kill, the animal must be registered ~~with a Wildlife Cooperator Agent or registered~~ through the Electronic Big Game Reporting System. ~~Deer harvested during the urban deer season specified in 15A NCAC 10B .0203(e) shall be registered through the Electronic Big Game Reporting System and shall not be registered with a Wildlife Cooperator Agent.~~ The hunter may field dress the animal at the site of kill or before registering it by bleeding and removing the digestive, respiratory, and circulatory organs. However, the hunter may not further process the carcass in a manner that obscures its species identity, age, or sex before registering the animal. When the kill occurs in a remote area which prevents the animal from being transported as an entire carcass, the animal may be skinned and quartered before being registered. When a hunter harvests a big game animal in a remote area and plans to remain in the remote area for longer than a day, the 24-hour time limit to register the kill is extended until the hunter leaves the area. Upon leaving the remote area, the hunter shall register the kill within 24 hours.

(c) When a hunter registers a kill the Electronic Big Game Reporting System ~~with a Wildlife Cooperator Agent, the Wildlife Cooperator Agent~~ shall issue an authorization number ~~that includes the date of kill to the big game hunter.~~ The hunter shall record the authorization number ~~given by the Wildlife Cooperator Agent or~~ obtained through the Electronic Big Game Reporting System in the space provided immediately adjacent to the validation box that has been cut or punched out on the Big Game Harvest Report Card or the Bonus Antlerless Deer Harvest Report Card. Any hunter validating a deer harvest with a Commission-issued DMAP tag shall record and maintain the issued authorization number to serve as proof of registration. The authorization number record entered on the Big game Harvest Report Card or the Bonus Antlerless Deer Harvest Report Card shall thereafter constitute authorization for the continued possession of the carcass. Possession of a harvested bear, deer or wild turkey without the validated Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card where applicable, including the authorization number obtained ~~from a Wildlife Cooperator Agent or~~ through the Electronic Big Game Reporting System, ~~System~~ is unlawful.

(d) Persons who kill a big game animal and leave it unattended shall identify the carcass with their name, their hunting license number, and the date of kill. Once an unattended animal is registered the animal need only be identified with the authorization number received by registering the kill. It is unlawful for a person to possess a Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card on which the species validation box has been cut or

punched out, but on which the authorization number received by registering the kill has not been recorded, or to possess a used or affixed Commission-issued DMAP tag without a valid authorization number, unless the animal is in the person's possession or is identified as described in this Paragraph and not more than 24 hours have passed since the harvest.

(e) Persons who are by law exempt from the big game hunting license shall obtain a Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card for License Exempt Hunters from a Wildlife Service ~~Agent.~~ Agent, or possess a valid Commission-issued DMAP tag. Upon harvesting a bear, deer or wild turkey, the exempt person shall validate ~~the Big Game Harvest Report Card or Bonus Antlerless Deer Harvest Report Card~~ and register the kill as provided by this Rule.

(f) Persons who use special tags issued pursuant to G.S. 113-291.2(e) to validate the harvest of a deer shall follow the tagging and reporting requirements set forth by statute and are not obligated to take any action under this Rule.

History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291

Eff. February 1, 1976;

Amended Eff. July 1, 1998; July 1, 1997; July 1, 1995; July 1, 1994; July 1, 1993; July 1, 1989;

Temporary Amendment Eff. July 1, 1999;

Amended Eff. August 1, 2017; August 1, 2012; August 1, 2010; June 1, 2009; May 1, 2007; May 1, 2004; July 1, 2000.

- (a) Collection Licenses. The Executive Director may license qualified individuals to take or collect any species of wildlife resources except that endangered, threatened and special concern species may not be taken or collected except under a special permit issued by the Executive Director for research purposes, unless there is an open season for the species. If an open season exists for the species then the appropriate hunting, fishing or trapping license serves as the authorization for take. This Rule does not prohibit an individual from killing an endangered, threatened, or special concern species in defense of his own life or the lives of others without a permit. Individuals who annually collect fewer than five reptiles or fewer than 25 amphibians that are not on the endangered, threatened or special concern lists are exempted from this license ~~requirement~~. requirement, except snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length) shall not be collected at all. The license shall be issued upon payment of a fee in accordance with G.S. 113-272.4, except that licenses shall be issued to representatives of educational or scientific institutions or of governmental agencies without charge. The license shall be used in lieu of any other hunting or trapping license required by law and shall authorize possession and transportation of the wildlife incidental to the authorized taking, except that it shall not authorize the taking, possession or transportation of any species of wildlife in violation of federal laws or regulations.
- (b) Limits on collection. Individuals shall collect no more than 10 turtles from the family Chelydridae (snapping turtles) per day and no more than 100 per calendar ~~year~~. and these turtles shall have a straight-line shell length greater than 11 inches. Individuals shall collect no more than 10 turtles from the family Kinosternidae (mud and musk turtles) per day and no more than 100 per calendar year.
- (c) Qualifications of Licensees. In addition to representatives of educational and scientific institutions and governmental agencies, the collection license may be issued to any individual for any purpose when it is not deemed inimical to the efficient conservation of the species to be collected or to some other wildlife species that may be dependent thereon.
- (d) Methods of Taking. The manner of taking wildlife resources under a collection license may be specified by the Executive Director pursuant to G.S. 113-272.4(d) and need not be restricted to the usual methods of hunting or trapping.
- (e) Term of License. The Executive Director may, pursuant to G.S. 113-272.4(c), impose time limits and other restrictions on the duration of any collection license, but unless so restricted the license shall be valid from January 1 through December 31 of the applicable year.
- (f) Report of Collecting Activity. Each individual licensed under this Rule shall submit a written report to the Executive Director within 15 days following the date of expiration of the license. The report shall be on a form supplied by the Wildlife Resources Commission and shall show the numbers of each species taken under the license and the use or disposition thereof. The Executive Director may require additional information for statistical purposes such as the dates and places of the taking and the sex, size, weight, condition, and approximate age of each specimen taken. The additional information may be required on the form of report or by a separate writing accompanying the form.
- (g) Other Requirements and Restrictions. The Executive Director may, pursuant to G.S. 113-272.4(d), impose such other requirements and restrictions on persons licensed under this Rule as he may deem to be necessary to the efficient administration of the wildlife conservation statutes and rules.

History Note: Authority G.S. 113-134; 113-272.4;

*Eff. January 1, 1981;
Amended Eff. May 1, 2017; January 1, 2013; May 1, 2009; May 1, 2008; April 1,
2001; February 1, 1994; November 1, 1990; September 1, 1989.*

(a) Permits required. Possession permits are required for the possession, importation, transportation, purchase and sale of:

- (1) 25 or more individuals of any combination of native amphibian species;
- (2) five or more individuals of native reptile species.

(b) Permits not required. Possession permits are not required for the possession, importation, transportation, purchase and sale of: 24 or fewer individuals of any combination of native amphibian species and four or fewer individuals of native reptile species, except snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length) shall not be possessed. Individuals in possession of snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length) prior to May 1, 2017 are exempt from this restriction.

(b) Unauthorized activities. Nothing in this Rule shall be construed to authorize the collection of any wildlife resources from the wild or the taking, possession, transportation, sale, purchase or release to the wild of any wildlife resources or their parts in violation of state or federal laws or regulations. At no time shall permitted animals be released to the wild, except under situations of research or rehabilitation with written permission from the Wildlife Resources Commission,

(c) Denial of possession permits. Circumstances for which and persons to whom a possession permit shall not be issued include:

- (1) for the purpose of holding reptiles and amphibians that were acquired unlawfully;
- (2) for the purpose of holding reptiles and amphibians for unlawful sale or trade;
- (3) for the purpose of possessing or selling snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length) however, individuals in possession of snapping turtles (*Chelydra serpentina*) less than 11 inches (curved carapace length) prior to May 1, 2017 are exempt from this restriction;
- ~~(4)~~(3) to persons who collect five or more individual native turtles or terrapins from the families Emydidae or Trionychidae from the wild in a given year, except those entities exempted from collection in Paragraph (c) of Rule .1301 of this Section;
- ~~(5)~~(4) to persons who collect five or more individuals in aggregate from other native reptile families or 25 or more individual amphibians from the wild in a given year without first having secured a valid Collection License;
- ~~(6)~~(5) to persons found to be in violation of Collection License, Endangered Species Permit, or Possession Permit requirements;
- (7) to persons who do not first obtain possession permits prior to acquiring the following wildlife resources unless the acquisition of these animals was made prior to the enactment of this Rule and a permit is acquired within 12 months of the rule's effective date:
 - (A) 25 or more individuals of any combination of native amphibian species; or
 - (B) five or more individuals of native reptile species.

(d) Term of Permit. The permit shall be valid from January 1 through December 31 of the applicable year. Permittees who wish to extend the duration of their possession shall reapply for a possession permit.

(e) Reports on Permitted Animals. Each individual permitted under this Rule shall submit a written report to the Executive Director post-marked within 15 days following the date of expiration of the permit. The report shall be on a form supplied by the Wildlife Resources Commission and shall show the numbers of each species held under the permit and the use or disposition thereof. The Executive Director may require additional information for statistical purposes such as the source and date of acquisition of additional animals and the sex, size,

weight, condition, reproductive success and approximate age of each animal in possession. Such additional information may be required on the form of report or by a separate writing accompanying the form.

(f) Other Requirements and Restrictions. The Executive Director may, pursuant to G.S. 113-274(c), impose such other requirements and restrictions on persons permitted under this Rule as he may deem to be necessary to the efficient administration of the wildlife conservation statutes and rules.

*History Note: Authority G.S. 113-274(c)(1c);
Eff. May 1, 2007;
Amended Eff. May 1, 2017; May 1, 2009.*

15A NCAC 10B .0202 BEAR

- (a) Open Seasons for hunting bear shall be from the:
- (1) Monday on or nearest October 15 to the Saturday before Thanksgiving and the third Monday after Thanksgiving to January 1 in and west of Surry, Wilkes, Caldwell, Burke, and Cleveland counties.
 - (2) Second Monday in November to January 1 in ~~all of~~ Bladen, Brunswick, Carteret, Columbus, Cumberland, Duplin, New Hanover, Onslow, Pamlico, Pender, and Sampson counties.
 - (3) First Monday in December to the third Saturday thereafter in ~~Brunswick, Columbus, and Robeson~~ County counties.
 - (4) Second Monday in November to the following Saturday and the third Monday after Thanksgiving to the fifth Saturday after Thanksgiving in ~~all of~~ Beaufort, Camden, Chowan, Craven, Dare, Edgecombe, Greene, Halifax, Hyde, Jones, Lenoir, Martin, Nash, Northampton, Pasquotank, Pitt, Tyrrell, Washington, Wayne, and Wilson counties.
 - (5) Saturday preceding the second Monday in November to the following Saturday and the third Monday after Thanksgiving to the fifth Saturday after Thanksgiving in Bertie, Currituck, Gates, Hertford, and Perquimans counties.
 - (6) Concurrent with the open season for all lawful weapons for hunting deer as specified in 15A NCAC 10B .0203(a)(1) in Alamance, Alexander, Anson, Cabarrus, Caswell, Catawba, Chatham, Davie, Davidson, Durham, Franklin, Forsyth, Gaston, Granville, Guilford, Harnett, Hoke, Iredell, Johnston, Lee, Lincoln, Mecklenburg, Montgomery, Moore, Orange, Person, Randolph, Richmond, Rockingham, Rowan, Scotland, Stanly, Stokes, Union, Vance, ~~Warren~~, Wake, Warren, and Yadkin counties.
- (b) Restrictions
- (1) For purposes of this Paragraph, "bait" means any natural, unprocessed food product that is a grain, fruit, nut, vegetable, or other material harvested from a plant crop that is not modified from its raw components.
 - (2) Bears shall not be taken with the use or aid of:
 - (A) any processed food product as defined in G.S. 113-294(r), any animal, animal part or product, salt, salt lick, honey, sugar, sugar-based material, syrups, candy, pastry, gum, candy block, oils, spices, peanut butter, or grease;
 - (B) any extracts of substances identified in Part (A) of this Subparagraph;
 - (C) any substances modified by substances identified in Part (A) of this Subparagraph, 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 (a)(2) through (a)(6) of this Rule. from the first open Monday through the following Saturday only in the counties in

~~Subparagraphs (a)(1) through (a)(5) of this Rule. In counties with a season split into two or more segments, this Subparagraph applies only to the first segment.~~

~~(5)(4) Bears shall not be taken while in the act of consuming bait.~~

~~(5) Bears may be taken with the aid of bait during the entire open season in the counties identified in Subparagraph (a)(6) of this Rule.~~

(6)(5) Hunters shall not take bears using dogs in the following counties: Alamance south of Interstate 85, Anson west of N.C. Hwy 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 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. There is no open season in those parts of counties included in the following posted bear sanctuaries:

Avery, Burke, and Caldwell counties--Daniel Boone bear sanctuary except by permit only

Beaufort, Bertie, and Washington counties--Bachelor Bay bear sanctuary

Bladen County--Suggs Mill Pond bear sanctuary

Brunswick County--Green Swamp bear sanctuary

Buncombe, Haywood, Henderson, and Transylvania counties--Pisgah bear sanctuary

Carteret, Craven, and Jones counties--Croatan bear sanctuary

Clay County--Fires Creek bear sanctuary

Columbus County--Columbus County bear sanctuary

Currituck County--North River bear sanctuary

Dare County--Bombing Range bear sanctuary except by permit only

Haywood County--Harmon Den bear sanctuary

Haywood County--Sherwood bear sanctuary

Hyde County--Gull Rock bear sanctuary

Hyde County--Pungo River bear sanctuary

Jackson County--Panthertown-Bonas Defeat bear sanctuary

Macon County--Standing Indian bear sanctuary

Macon County--Wayah bear sanctuary

Madison County--Rich Mountain bear sanctuary

McDowell and Yancey counties--Mt. Mitchell bear sanctuary except by permit only

Mitchell and Yancey counties--Flat Top bear sanctuary

Wilkes County--Thurmond Chatham bear sanctuary

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

(e) Kill Reports. The carcass of each bear shall be reported as provided by 15A NCAC 10B .0113.

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, 2017; August 1, 2016; 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

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

- (1) Deer With Visible Antlers. Deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, may be taken during the following seasons:
 - (A) Saturday on or nearest October 15 through January 1 in all of Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus*, Cumberland, Craven, Currituck, Dare, Duplin, Edgecombe, Franklin, Gates, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond**, Robeson, Sampson, Scotland**, Tyrrell, Vance, Wake, Warren, Washington, Wayne, and Wilson counties. *Unlawful to hunt or kill deer in Lake Waccamaw or within 50 yards of its shoreline. **Refer to 15A NCAC 10D .0103(h) for seasons on Nicholson Creek, Rockfish Creek, and Sandhills Game Lands.
 - (B) Saturday before Thanksgiving through January 1 in all of Alexander, Alleghany, Ashe, Catawba, Davie, Forsyth, Gaston, Iredell, Lincoln, Stokes, Surry, Watauga, Wilkes*, and Yadkin counties.
*Refer to 15A NCAC 10D .0103(h) for seasons on Buffalo Cove Game Land.
 - (C) Monday of Thanksgiving week through the third Saturday after Thanksgiving Day in all of Avery, Buncombe, Burke, Caldwell, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, and Yancey counties.
 - (D) Two Saturdays before Thanksgiving through January 1 in all of Alamance, Anson, Cabarrus, Caswell, Chatham, Davidson, Durham, Granville, Guilford, Lee, Mecklenburg, Montgomery, Orange, Person, Randolph, Rockingham, Rowan, Stanly, and Union counties.
 - (E) Saturday on or nearest September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in that part of Hyde county known as Lake Mattamuskeet National Wildlife Refuge; in those parts of Dare and Hyde counties known as Alligator River National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in that part of Currituck County known as the Mackay Island National Wildlife Refuge.
 - (F) Monday of Thanksgiving week through January 1 in all of Cleveland, Polk, and Rutherford counties, except for South Mountain Game Land.
- (2) Deer of Either Sex. Except on Game Lands, deer of either sex may be taken during the open seasons and in the counties and portions of counties listed in Parts (A), (B), (C), (D), (E), (F), and (G) of this Subparagraph: (Refer to 15A NCAC 10D .0103 for either-sex deer seasons on Game Lands). Deer of either sex may be taken during the open season identified in Part (H) of this Subparagraph.
 - (A) The open either-sex deer hunting dates established by the U.S. Fish and Wildlife Service during the period from the Saturday on or nearest

September 10 through January 1 in those parts of Camden, Gates, and Pasquotank counties known as the Dismal Swamp National Wildlife Refuge; in those parts of Hyde, Tyrrell, and Washington counties known as the Pocosin Lakes National Wildlife Refuge; in those parts of Anson and Richmond counties known as the Pee Dee National Wildlife Refuge; and in those parts of Currituck County known as the Currituck National Wildlife Refuge and the Mackay Island National Wildlife Refuge.

- (B) The open either-sex deer hunting dates established by the appropriate military commands during the period from Saturday on or nearest October 15 through January 1 in that part of Brunswick County known as the Sunny Point Military Ocean Terminal, in that part of Craven County known and marked as Cherry Point Marine Base, in that part of Onslow County known and marked as the Camp Lejeune Marine Base, on Fort Bragg Military Reservation, and on Camp Mackall Military Reservation.
- (C) Youth either-sex deer hunts. First Saturday in October for youth either-sex deer hunting by permit only on a portion of Belews Creek Steam Station in Stokes County designated by agents of the Commission; the third Saturday in October for youth either-sex deer hunting by permit only on Mountain Island State Forest in Lincoln and Gaston counties; and the second Saturday in November for youth either-sex deer hunting by permit only on apporition of Warrior Creek located on W. Kerr Scott Reservoir, Wilkes County designated by agents of the Commission. A youth is defined as a person under 18 ~~16~~ years of age.
- (D) The last open day of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule in all of Buncombe*, Haywood, Henderson, Madison, and Transylvania counties.
***Except for that part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280
**Refer to 15A NCAC 10D .0103 for either-sex deer seasons on game lands that differ from the days identified in this Subparagraph
- (E) The last six open days of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule in all of Avery, Burke, Caldwell, McDowell, Mitchell, and Yancey counties.
- (F) The first six open days and the last seven open days of the Deer with Visible Antlers season described in Subparagraph (a)(1) of this Rule in all of Cleveland, Polk, and Rutherford counties.
- (G) All the open days of the Deer With Visible Antlers season described in Subparagraph (a)(1) of this Rule in and east of Ashe, Watauga, Wilkes, Alexander, Catawba, Lincoln, and Gaston counties and in the following parts of counties: Buncombe: That part east of NC 191, south of the French Broad and Swannanoa Rivers, west of US 25, and north of NC 280; and Henderson; That part east of NC 191 and north and west of NC 280.
- (H) The fourth Saturday in September, subject to the following restriction: only persons under the age of 18 ~~16~~ years may hunt.

(b) Open Seasons (Bow and Arrow) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer ~~of either sex~~ may be taken with bow and arrow during the following seasons:
 - (A) Saturday on or nearest September 10 to the third Friday thereafter in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (A) of Subparagraph (a)(1) of this Rule, except on Nicholson Creek, Rockfish Creek, and Sandhills Game Lands.
 - (B) Saturday on or nearest September 10 to the third Friday before Thanksgiving in the counties and parts of counties having the open seasons for Deer with Visible Antlers specified by Part (B) of Subparagraph (a)(1) of this Rule except for that portion of Buffalo Cove Game Land in Wilkes County.
 - (C) Saturday on or nearest September 10 to the Sunday prior to the opening of the blackpowder firearms and bow and arrow season identified in Part (c)(1)(C) of this Rule; and the Sunday immediately following the closing of blackpowder firearms and bow and arrow season identified in Part (c)(1)(C) of this Rule to the Sunday before Thanksgiving in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (C) of Subparagraph (a)(1) of this Rule and in Cleveland, Polk, and Rutherford counties.
 - (D) Saturday on or nearest September 10 to the fourth Friday before Thanksgiving in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (D) of Subparagraph (a)(1) of this Rule, and on Nicholson Creek, Rockfish Creek, and Sandhills Game Lands.
 - (E) Sunday immediately following the closing of the open season for Deer With Visible Antlers specified by Part (a)(1)(C) of the Rule through January 1 in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (a)(1)(C) of this Rule.
- (2) Restrictions
 - (A) Dogs may not be used for hunting deer during the bow and arrow season, except a single dog on a leash may be used to retrieve a wounded deer in accordance with G.S. 113-291.1(k).
 - (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer may be used during the bow and arrow deer hunting season.
 - (C) Deer of either sex may be taken during bow and arrow seasons specified by Parts (A), (B), (C), and (D) of Subparagraph (b)(1) of this Rule.
 - (D) Only deer with antlers or spikes protruding through the skin, as distinguished from knobs or buttons covered by skin or velvet, shall be taken during the bow and arrow season specified by Part (E) of Subparagraph (b)(1) of this Rule.

(c) Open Seasons (Blackpowder Firearms and Bow and Arrow) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (2) of this Paragraph, deer may be taken only with blackpowder firearms and bow and arrow during the following seasons:
 - (A) The Saturday on or nearest October 1 to the Friday of the second week thereafter in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (A) of Subparagraph (a)(1) of this Rule, except on Nicholson Creek, Rockfish Creek, and Sandhills Game Lands.
 - (B) The third Saturday preceding Thanksgiving until the Friday of the second week thereafter in the counties* and parts of counties having the open seasons for Deer With Visible Antlers specified by Part (B) of Subparagraph (a)(1) of this Rule.
*Refer to 15A NCAC 10D .0103(h) for seasons on Buffalo Cove game land.
 - (C) Monday on or nearest October 1 to the Saturday of the second week thereafter in Cleveland, Polk, and Rutherford counties and in the counties and parts of counties having the open seasons for Deer With Visible Antlers specified by Part C of Subparagraph (a)(1) of this Rule.
 - (D) The fourth Saturday preceding Thanksgiving until the Friday of the second week thereafter in the counties and parts of counties having the open season for Deer With Visible Antlers specified by Part (D) of Subparagraph (a)(1) of this Rule, and on Nicholson Creek, Rockfish Creek, and Sandhills Game Lands.
- (2) Restrictions
 - (A) Deer of either sex may be taken during blackpowder firearms and bow and arrow season in and east of the following counties: Polk, Rutherford, McDowell, Burke, Caldwell, Watauga, and Ashe. Deer of either sex may be taken on the last day of this season only in all other counties.
 - (B) Dogs shall not be used for hunting deer during the blackpowder firearms and bow and arrow seasons, except a single dog on a leash may be used to retrieve a wounded deer in accordance with G.S. 113-291.1(k).
- (3) As used in this Paragraph, blackpowder firearms means "Any firearm - including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system - manufactured in or before 1898; any replica of this type of firearm if such replica is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition; and any muzzle-loading rifle, muzzle-loading shotgun, or muzzle-loading handgun that is designed to use blackpowder, blackpowder substitute, or any other propellant loaded through the muzzle and that cannot use fixed ammunition."

(d) Open Season (Urban Season) for hunting deer:

- (1) Authorization. Subject to the restrictions set out in Subparagraph (3) of this Paragraph and the bag limits set out in Paragraph (e) of this Rule, deer of either sex may be taken with bow and arrow in participating cities in the State, as defined in G.S. 160A-1(2), from the second Saturday following January 1 to the fifth Saturday thereafter. Deer shall not be taken on any game land or part thereof that occurs within a city boundary.

- (2) Participation. Cities that intend to participate in the urban season shall send a letter to that effect no later than April 1 of the year prior to the start of the urban season to the Executive Director or his designee at 1722 Mail Service Center, Raleigh, N.C. 27699-1722. Cities must also submit a map of the city's boundaries within which the urban season shall apply.
- (3) Restrictions:
 - (A) Dogs shall not be used for hunting deer during the urban season, except a single dog on a leash may be used to retrieve a wounded deer in accordance with G.S. 113-291.1(k).
 - (B) Only archery equipment of the types authorized in 15A NCAC 10B .0116 for taking deer shall be used during the urban season.

(e) Bag limits. In and east of Vance, Franklin, Wake, Harnett, Moore, and Richmond counties, the possession limit is six deer, up to four of which may be deer with visible antlers. In all other counties of the state the possession limit is six deer, up to two of which may be deer with visible antlers. The season limit in all counties of the State, is six deer. In addition to the bag limits described above, a hunter may obtain multiple bonus antlerless deer harvest report cards from the Wildlife Resources Commission or any Wildlife Service Agent to allow the harvest of two additional antlerless deer per card on lands others than lands enrolled in the Commission's game land program during any open deer season in all counties and parts of counties of the State identified in Part (G) of Subparagraph (a)(2) of this Rule. Antlerless deer harvested and reported on the bonus antlerless harvest report card shall not count as part of the possession and season limit. Hunters may also use the bonus antlerless harvest report cards for deer harvested during the season described in Paragraph (d) of this Rule within the boundaries of participating municipalities, except on State-owned game lands. Antlerless deer include males with knobs or buttons covered by skin or velvet as distinguished from spikes protruding through the skin. The bag limits described above do not apply to deer harvested in areas covered in the Deer Management Assistance Program (DMAP) as described in G.S. 113-291.2(e) for those individuals using Commission-issued DMAP tags and reporting harvest as described on the DMAP license. Season bag limits shall be set by the number of DMAP tags issued and in the hunters' possession. All deer harvested under this program, regardless of the date of harvest, shall be tagged with these DMAP tags and reported as instructed on the DMAP license. The hunter does not have to validate the Big Game Harvest Report Card provided with the hunting license for deer tagged with the DMAP tags. Any deer harvested on lands enrolled in the DMAP and not tagged with DMAP tags may only be harvested during the regularly established deer seasons subject to all the restrictions of those seasons, including bag limits, and reported using the big game harvest report card or the bonus antlerless harvest report card.

*History Note: Authority G.S. 113-134; 113-270.3; 113-276.1; 113-291.1; 113-291.2;
Eff. February 1, 1976;
Amended Eff. July 1, 1998; July 1, 1997; July 1, 1996, July 1, 1995; December 1,
1994; July 1, 1994; July 1, 1993;
Temporary Amendment Eff. July 1, 1999;
Amended Eff. July 1, 2000;
Temporary Amendment Eff. July 1, 2002; July 1, 2001;
Amended Eff. August 1, 2002 (Approved by RRC on 06/21/01 and 04/18/02);
Temporary Amendment Eff. June 1, 2003;*

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

Amended Eff. August 1, 2017; August 1, 2016; August 1, 2015; August 1, 2014; August 1, 2013; August 1, 2012; August 1, 2011; July 10, 2010; June 1, 2008; May 1, 2007; May 1, 2006; June 1, 2005.

15A NCAC 10B .0209

WILD TURKEY

(a) Open Seasons:

- (1) Spring Wild Turkey Season is from the second Saturday in April through the Saturday of the fourth week thereafter on bearded or male turkeys only in all counties statewide.
- (2) Spring Youth Only Wild Turkey Season is from the first Saturday in April until the Friday thereafter on bearded or male wild turkeys only. The bag limit during the Spring Youth Only Wild Turkey season is one bird. For purposes of this Subparagraph a youth hunter is younger than 18 ~~16~~ years of age. Each youth hunting during this season shall be accompanied by a properly licensed adult at least 21 years of age. The adult must remain in close enough proximity to monitor the activities of, and communicate with, the youth at all times.

(b) Bag Limits: The daily bag limit is one bird and the annual bag limit shall be two birds. Possession limit is two birds.

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

(d) Kill Reports. The kill shall be validated at the site of kill and the kill reported as provided by 15A NCAC 10B .0113.

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

15A NCAC 10B .0215 CROWS

(a) Open seasons for hunting crows are as follows: Wednesday, Friday and Saturday of each week from the first Wednesday in June to the last day of February and on the following holidays: July 4, Labor Day, Thanksgiving, Christmas, New Years and Martin Luther King, Jr. ~~days, except~~ when those days occur on a Sunday.

Note: Federal law protects crows and limits state seasons to a maximum of 124 days per year.

(b) There are no bag limit restrictions on crows.

(c) Manner of Take. Hunters may use electronic calls.

History Note: Authority G.S. 113-134; 113-291.1; 113-291.2; 50 C.F.R. 20.133;

Eff. February 1, 1976;

Amended Eff. May 1, 2009; May 1, 2006; June 1, 2005; July 1, 1991; July 1, 1987;

July 1, 1984; July 1, 1983;

Temporary Amendment Eff. October 1, 2011;

Amended Eff. May 1, 2017; January 1, 2012.

~~(a) It is unlawful for any person to use or affix a fur tag which is valid for one season to the carcass or pelt of any bobcat, otter or fox taken or acquired during any subsequent season. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.~~

~~(a)~~ (b) It is unlawful for any person to affix any fur tag to the carcass or pelt of any species of animal other than that for which its use is authorized and it is unlawful to buy or sell any bobcat, otter or fox carcass or pelt which has an unauthorized tag so affixed. When the U.S. Fish and Wildlife Service repeals its tagging requirements for otter and bobcat this Paragraph shall apply only to tagging foxes.

~~(b)~~ (c) It is unlawful for any person to sell or transfer any unused fox tag to any other person. It is unlawful for any person to sell any unused fur tag for a price greater than the fee listed for such tag in Paragraph (c) of Rule .0403 of this Section.

~~(c)~~ (d) It is unlawful for any person to reuse a fur tag or to remove the same from the pelt to which affixed prior to delivery to a manufacturer or fur processor.

~~(d)~~ (e) It is unlawful to counterfeit or modify any fur tag.

History Note: Authority G.S. 113-134; 113-135; 113-135.1; 113-273; 113-276.1; 113-291.4; Eff. November 14, 1978; Amended Eff. August 1, 2017; August 1, 2010; January 1, 1992; December 1, 1981; October 1, 1980.